

# BOARD OF EUREKA COUNTY COMMISSIONERS

Rich McKay, Chairman  
Marty Plaskett, Vice Chair

P.O. Box 540 \* Eureka, Nevada 89316 \* Telephone: 775-237-5263  
Posted on or before November 26, 2024

Mike Schoenwald, Member  
Kathy Bowling, Clerk

**NOTICE IS HEREBY GIVEN** that the Board of Eureka County Commissioners will meet pursuant to law on **December 3, 2024, at 9:30 a.m.** in the Commission Chambers at the County Courthouse located at 10 South Main Street, Eureka, Nevada. *Note: The meeting will be available telephonically for **LISTENING PURPOSES ONLY**. To listen to the meeting by phone please dial 1-888-537-7715 and enter code 74368702# when prompted. Please make sure that your phone is muted upon connection. It is not necessary to announce that you are participating in the meeting. No public comment will be taken from phone participants.*

## AGENDA

### **9:30 - CALL TO ORDER**

1. Approval of the agenda notice with addition of any emergency item and/or deletion of any item. *Unless otherwise stated, items may be taken out of the order presented on the agenda, in the direction of the Chair. (For Possible Action)*
2. Pledge of Allegiance.

### **9:35 - PUBLIC COMMENT**

1. Public comment and discussion. *Notice: No action may be taken on a matter raised under this item until the matter has been specifically included on an agenda as an item upon which action will be taken. Public comment may be limited to three (3) minutes per person. Public comment may be allowed on "Action" items, in addition to the two times specified on the agenda. (Discussion)*
2. Consider items requiring action to be placed on the agenda for the next regular meeting. *Notice: The public is welcome to request agenda items for future meetings during the Public Comment period or may consult with one or more of the Board of Commissioners to request agenda items for future meetings. (Discussion)*

### **9:40 - APPROVAL OF MINUTES**

1. Approval of minutes of October 15, 2024, October 31, 2024 and November 15, 2024 Commission meetings. **(For Possible Action)**

### **9:45 - COUNTY COMPTROLLER – Kim Todd, Comptroller**

1. Payment of expenditures. *Notice: Expenditures received after action has been taken under this Comptroller section may be presented and acted upon throughout the day. (For Possible Action)*
2. Review Fund Balance Report. **(Discussion)**

### **9:55 – COMMISSIONERS**

1. Review and consider approving the Lease Agreement(s) between Eureka County and tenants/practitioners utilizing the Eureka Medical Clinic for provision of healthcare services, to define and memorialize the roles and responsibilities of parties to the agreements and authorize signing the Lease Agreements outside of the meeting. **(For Possible Action)**
2. Discuss, approve or deny the purchase of additional equipment for the Dental Clinic in an amount not to exceed \$110,000 utilizing funds from the Capital Projects Fund (042-140-55010-249). **(For Possible Action)**
3. Discuss legislation being considered by the Nevada Legislature at their upcoming 2025 Session. No position on legislation will be taken by the Board at this time. **(Discussion)**

## **COMMISSIONERS CONTINUED**

4. Discuss, approve or deny delegating the responsibility for taking the County's official position on emerging legislative issues for the 2025 Nevada Legislative Session to one Board member or other responsible party. **(For Possible Action)**
5. Discuss, approve or deny moving EMS employees to a 4-10 schedule. **(For Possible Action)**

### **10:15 - IT**-Misty Rowley, IT Director

1. Report on IT projects and activities. **(Discussion)**
2. Discuss, approve or deny accepting Quote #PFFJ033, from CDW for spare UPS equipment for an amount not to exceed \$7,018.08, utilizing monies budgeted for capital outlay (010-018-55010-000) in the Technology Support budget. **(For Possible Action)**

### **10:20 - CRESCENT VALLEY VOLUNTEER FIRE DEPARTMENT** – Jeremy Rice, Chief

1. Discuss, approve or deny a request for a \$500.00 donation from the North End Activity Fund to purchase gift cards as prizes for the Parade of Lights event scheduled in Crescent Valley on December 22<sup>nd</sup>, 2024 and if approved, issue the check to Jeremy Rice. **(For Possible Action)**

### **10:25 – CRESCENT VALLEY TOWN ADVISORY BOARD** – Jeremy Rice, Chairman

1. Discuss, approve or deny a request for a \$3,500.00 donation from the North End Activity Fund to help fund the Crescent Valley Community Christmas Party. **(For Possible Action)**

### **10:30 – JUVENILE PROBATION**-Steve Zimmerman, Juvenile Probation Officer

1. Discuss, approve or deny credit card limit increase for Steve Zimmerman in the amount of \$4,500 to cover Ski Trip Expenses (Hotel rooms, rentals, ski tickets, and lunch vouchers). *Note: The ski trip will be held December 12<sup>th</sup>-13<sup>th</sup> at Brianhead, UT* **(For Possible Action)**

### **10:35 – AMBULANCE & EMS**- Kenny Sanders, EMS Director

1. Report on ambulance and emergency services. **(Discussion)**
2. Review 3rd Quarter report on mandatory ambulance bill write-offs for Medicaid and Medicare accounts. **(For Possible Action)**

### **10:40 - TREASURER**-Pernecia Johnson, Treasurer

1. Review Treasurer's Report for October 2024. **(Discussion)**

### **10:45 – HUMAN RESOURCES**-Tasha Dunlap, Human Resources Director

1. Update on Human Resources projects and activities. **(Discussion)**
2. Discuss, approve or deny changes to the Telecommunicator I-III job description. **(For Possible Action)**
3. Discuss, approve or deny changes to the Communication Supervisor job description. **(For Possible Action)**
4. Discuss, approve or deny the approval of purchasing of employee Christmas gifts not to exceed an amount of \$3,500. **(For Possible Action)**

### **10:55 – CLERK RECORDER**-Kathy Bowling, Clerk Recorder

1. Discuss, approve or deny signing the Seventh Judicial District Court Cooperative agreement for Fiscal Year 2024/2025. **(For Possible Action)**

### **11:00 – ROAD DEPARTMENT**- Raymond Hodson, Assistant Public Works Director

1. Report on Road Department projects and activities. **(Discussion)**

**11:05 - PUBLIC WORKS** – Jeb Rowley, Public Works Director

1. Report on Public Works projects and activities. **(Discussion)**
2. Discuss, approve or deny Quote #8399 from Glass Doctor for purchase and installation of door and hardware to the Eureka Courthouse, for an amount not to exceed \$9,743.80 (\$8,858.00 plus 10% contingency), utilizing funds budgeted for capital outlay (010-015-55010-000) in the Building & Grounds budget. **(For Possible Action)**
3. Discuss, approve or deny Quote #8400 from Glass Doctor for purchase and installation of door and hardware to the Eureka Opera House, for an amount not to exceed \$19,418.88 (\$17,653.53 plus 10% contingency), utilizing funds budgeted for capital outlay (010-015-55010-000) in the Building & Grounds budget. **(For Possible Action)**
4. Discuss, approve or deny a capital outlay purchase of two (2) 2024 Ford E-450 14 passenger ADA vans for the Senior Center from RO Bus Sales utilizing funds from the Senior Center Capital Outlay (010-072-55010-000) for a not to exceed amount of \$264,000.00 under State Purchasing Contract (99SWC-S1495). *Note: These vehicles are being purchased through a Federal Transit Grant from the Nevada Department of Transportation. Eureka County will be reimbursed 85% of the purchase price.* **(For Possible Action)**
5. Discuss, approve or deny upgrades from Crane Tech Inc. to the bridge crane at the Eureka Road Shop, for an amount not to exceed \$29,683.09 (\$26,984.63 plus 10% contingency), utilizing funds budgeted for capital outlay (020-106-55010-000) in the Road Department budget. **(For Possible Action)**

**11:20 – NATURAL RESOURCES** – Jake Tibbits, Natural Resources Director

1. Report on current and emerging natural resource issues affecting Eureka County. **(Discussion)**
2. Discuss and consider providing comments to BLM on the Greenlink North Transmission Project Draft Environmental Impact Statement. **(For Possible Action)**
3. Discuss and consider providing comments to Battle Mountain BLM on the 2025 Fish Creek Herd Management Area Wild Horse Gather and Population Management and associated Determination of NEPA Adequacy. **(For Possible Action)**
4. Discuss and consider formal protest of BLM Proposed Resource Management Plan Amendment and Final Environmental Impact Statement for Greater Sage Grouse. **(For Possible Action)**

**11:30 – CORRESPONDENCE**

1. Review correspondence. **(Discussion)**
2. Commissioner reports on **pertinent** correspondence or other matters. **(Discussion)**

**11:35 - PUBLIC COMMENT**

1. Public comment and discussion. *Notice: No action may be taken on a matter raised under this item until the matter has been specifically included on an agenda as an item upon which action will be taken. Public comment may be limited to three (3) minutes per person. Public comment may be allowed on “Action” items, in addition to the two times specified on the agenda. (Discussion)*
2. Consider items requiring action to be placed on the agenda for the next regular meeting. *Notice: The public is welcome to request agenda items for future meetings during the Public Comment period or may consult with one or more of the Board of Commissioners to request agenda items for future meetings. (Discussion)*

**11:45 – ADJOURNMENT**

1. Adjournment of meeting.

Supporting materials for this meeting may be requested by contacting the Commissioners’ office at [CountyCommission@eurekacountynv.gov](mailto:CountyCommission@eurekacountynv.gov), PO Box 540, Eureka, NV 89316, by calling (775) 237-5263 or faxing (775) 237-5614. All times listed on the agenda are approximate. Items may be taken out of the order presented on the agenda. Items may be removed from the agenda prior to, or during, the meeting. Related items may be combined for discussion or action. The phrase “(For Possible Action)” means the Board may, but is not required to, act on the item. This agenda was posted in Eureka at: County Courthouse; County Administrative Facility (Annex); US Post Office; and public bulletin board at 10 S. Main Street. This agenda was posted electronically at Eureka County’s website (<https://events.eurekacountynv.gov/meetings>) and Nevada’s public notice website ([www.notice.nv.gov](http://www.notice.nv.gov)). Notice to persons with disabilities: If you require special assistance, please notify the Commissioners’ Office prior to the meeting at the email address, mailbox, phone number or fax number listed above.

# BOARD OF EUREKA COUNTY COMMISSIONERS

October 15, 2024 MEETING MINUTES

STATE OF NEVADA        )  
                                      :SS  
COUNTY OF EUREKA    )

## CALL TO ORDER

1. Approval of the agenda notice with addition of any emergency item and/or deletion of any item. *Unless otherwise stated, items may be taken out of the order presented on the agenda, in the direction of the Chair. (For Possible Action)*
2. Pledge of allegiance.

The Board of Eureka County Commissioners met pursuant to law on October 15, 2024. Present were Chairman Rich McKay, Vice Chair Marty Plaskett, Commissioner Mike Schoenwald, and Clerk Recorder Kathy Bowling. The meeting was called to order at 9:30 a.m. The interactive video conferencing system between Crescent Valley and Eureka experienced an outage for 5 minutes during public comment but then was connected for the rest of the meeting.

Commissioner Plaskett motioned to approve the agenda, Commissioner Schoenwald seconded the motion, all in favor, motion carried 3-0.

The meeting began with the Pledge of Allegiance.

## PUBLIC COMMENT

1. Public comment and discussion. *Notice: No action may be taken on a matter raised under this item until the matter has been specifically included on an agenda as an item upon which action will be taken. Public comments may be limited to three (3) minutes per person. Public comment may be allowed on "Action" items, in addition to the two times specified on the agenda. (Discussion)*

Chairman McKay explained that there wouldn't be any public comment on Commissioners item #3 during public comment, only when the item was discussed. Chairman McKay called for public comment in Crescent Valley, the video conferencing crashed, and they were unable to be heard. Chairman McKay called in Eureka, hearing none he proceeded to the next item.

2. Consider items requiring action to be placed on the agenda for the next regular meeting. *Notice: The public is welcome to request agenda items for future meetings during the Public Comment period or may consult with one or more of the Board of Commissioners to request agenda items for future meetings. (Discussion)*

None considered.

## APPROVAL OF MINUTES

1. Approval of amended minutes of September 17, 2024, Commission meeting, and the minutes of October 1, 2024, Commission meeting. *Note: The minutes for the September 17, 2024, meeting was requested to be amended to correctly identify public comment that took place during the public hearing. (For Possible Action)*

Commissioner Plaskett motioned to approve the amended Commission meeting minutes of September 17, 2024, and the Commission meeting minutes of October 1, 2024. Commissioner Schoenwald seconded the motion, all in favor, motion carried 3-0.

## COUNTY COMPTROLLER – Kim Todd, Comptroller

1. Payment of expenditures. *Notice: Expenditures received after action has been taken under this Comptroller section may be presented and acted upon throughout the day. (For Possible Action)*

The Board along with Comptroller Kim Todd reviewed the expenditures.

Commissioner Plaskett motioned to approve the expenditures of \$3,390,078.73 with the pass throughs of \$815.63 to Nevada Department Taxation Room Tax, \$1,044,222.93 to Nevada State Controller-School Taxes, \$1,024,848.41 to Nevada State Controller, \$140,010.00 to Nevada Division of Minerals, \$135.00 to Washoe County Crime Lab. Commissioner Schoenwald seconded the motion, all in favor, motion carried 3-0, all in favor, motion carried 3-0.

2. Review Fund Balance Report. **(Discussion)**

The Board reviewed the current fund balance report.

## COMMISSIONERS-

1. Discuss, approve or deny the Indigent Defense Financial Status Report for Quarter 1 of Fiscal Year 2025, detailing costs expended for provision of public defense services. **(For Possible Action)**

Commissioner Plaskett motioned to approve the Indigent Defense Financial Status Report for Quarter 1 of Fiscal Year 2025, Commissioner Schoenwald seconded the motion, all in favor, motion carried 3-0.

2. Discuss, approve or deny approving the continuation of the independent services contract with William Bee Ririe Hospital to operate and staff the medical clinics in Eureka and Crescent Valley, in an amount not to exceed current funding levels. **(For Possible Action)**

Crescent Valley audience member Tracey Mellard expressed her frustration with the William Bee Ririe contract, she explained that Eureka County provides the buildings, equipment,

utilities, maintenance, patients, and she believes they shouldn't have a budget of \$630,000. She mentioned the self-pay rate is \$270 per visit which is about a \$100 increase over the last two years. She also mentioned that cash pay does not qualify for the 75% discount. She questioned why the Crescent Valley clinic is not a certified rural clinic, she would like to see that change. She also requests that the clinic be open more than 1 day a month. She also mentioned that if the current provider does not meet their contractual obligations, they should be held accountable. Crescent Valley audience member Laura Shivers respectfully corrected Tracey Mellard, cash pay does qualify for the 75% and the rates are \$159 for a visit. She also mentioned that the clinic is open 2 days a week. Chairman McKay explained the new negotiated contract has a fund split of \$423,000 for Eureka and \$210,000 for Crescent Valley. Chairman McKay acknowledged the frustrations with William Bee Ririe, he mentioned that they did send out bids but there were none besides Telemedicine options. He referred to the Crescent Valley Medical Services Advisory Committee on services they think may be a better fit. Crescent Valley audience member Laura Shivers and Crescent Valley Medical Services Advisory Committee board member mentioned that they are continuing to speak with other providers and will keep the Board updated. Crescent Valley audience member and Crescent Valley Medical Services Advisory Committee board member Nona Kellerman acknowledged the issues with William Bee Ririe but that the Board chose to go ahead with the current contract. William Bee Ririe is willing to work with Crescent Valley and their citizens, so while the Crescent Valley Medical Services Advisory Committee board continues to work in the background, they are happy for the help William Bee Ririe is offering. Commissioner Plaskett clarified from his understanding Crescent Valley clinic is not a rural clinic because of its closer proximity to a larger hospital while Eureka is a farther distance to the nearest hospital.

3. Discuss, approve or deny a request from Lee Raine with Raine's Market, to purchase three adjacent parcels located in the commercially designated portion of the Eureka Canyon Subdivision. The requested parcels are 001-221-09, 001-221-10 and 001-221-11. **(For Possible Action)**

Lee Raine, Scott Raine and Steele Raine with Raines LLC came before the Board asking to purchase three adjacent parcels located in the commercially designated portion of the Eureka Canyon Subdivision: parcels 001-221-09, 001-221-10 and 001-221-11. They have heard from the public, people want a car wash, laundry mat and hotels. They are wanting to start with a car wash and a laundry mat with the parcels. Jeb Rowley explained that there is some road maintenance, fire hydrants, storm drain maintenance that needs to be done. He explained that depending on the parcels they buy, the road from Ridgetop to Canyon St would need to be finished. Jeb brought to light the question of who funds the maintenance that needs to be done. Scott Raine explained that they are aware of what needs to be done, when they put in Raines Market, they paid for the 3 fire hydrants and storm drains. The Board discussed potentially parceling the lots into smaller parcels. Commissioner Plaskett explained that the Board and the County are responsible for the parcels not being more completed and ready for sale. He explained that there is a lot of work that needs to be done on the Counties side to get the parcels ready for sale. Commissioner Plaskett suggested tabling the item until further discussion can be had, and a plan can be made.

Commissioner Schoenwald motioned to table the item, Commissioner Plaskett seconded the motion, all in favor, motion carried 3-0.

**The Board took a 5-minute recess.**

**Chairman McKay called the meeting back to order at 10:39 a.m.**

**SHERIFF**- Charles Cobb, SGT

1. Discuss, approve or deny permanent credit card increase to \$1000 for Detective Jason Flanagan. This will help offset the monthly purchase of dog food and upkeep for the K9 program. There are also unforeseen expenditures for travel for investigations. **(For Possible Action)**

Seargent Charles Cobb explained that Detective Jason Flanagan pays for background investigations on his card as well as travels often, the increase will help cover all the needed expenses.

Commissioner Plaskett motioned to approve a permanent credit card increase to \$1000 for Detective Jason Flanagan, Commissioner Schoenwald seconded the motion, all in favor motion carried 3-0.

**SENIOR CENTERS**-Linda Gordon, Senior Center Program Director

1. Report on activities at the Eureka Senior Center and Fannie Komp Senior Center. **(Discussion)**

Senior Center Program Director, Linda Gordon reported that the income rate for the month was \$14,911.36. The meal count for Crescent Valley was 633, Eureka served 700 meals. That evening was their monthly dinner and the last for the year, they served a rib dinner. Linda and Shanlee will have the Senior Center open for trick or treating from 3:30 to 5 on Halloween.

**EUREKA RESTORATION ENTERPRISE**- Garney Damele

1. Update of Eureka Restoration Enterprise's progress of the restoration project of the Masonic Lodge Building located at 101 N Main St, Eureka. **(Discussion)**

Garney Damele, Winona Eversgerd and Jamie Damele updated the board on the progress that the Eureka Restoration Enterprise has been doing with the Masonic Lodge building project. The Masonic Lodge is an 1880 building and is the only lodge in America that still meets underground, the top floor consists of 3 rooms that have sat vacant for decades. They have restored the main room that the Country Store is currently in, they are wanting to restore the other rooms and restore the ceiling/floor so that the building can continue to be used.

2. Discuss and consider a letter of support for the continued restoration of the Masonic Lodge located at 101 N Main St, Eureka. **(For Possible Action)**

Garney Damele explained that Eureka Restoration Enterprise is a nonprofit and she continues to accept donations and apply for grants. For a grant that she is applying for she is asking the



Board for a letter of support for the continued restoration of the Masonic Lodge located at 101 N Main St, Eureka.

Commissioner Plaskett motioned to approve a letter of support for the continued restoration of the Masonic Lodge located at 101 N Main St, Eureka and to allow the Chairman to sign outside of the meeting. Commissioner Schoenwald seconded the motion, all in favor, motion carried 3-0.

**AMBULANCE & EMS**- Kenny Sanders, EMS Director

1. Report on ambulance and emergency services. **(Discussion)**

Shalene French reported in place of EMS Director Kenny Sanders, for September they had 36 calls, 25 were from Eureka and 11 from Crescent Valley. They had 18 refusals, 12 transported, 4 standbys; 3 were for the football game and 1 for the SWAT call. 1 transferred to a paramedic or higher-level unit, MedEx landed on scene for a transfer. 1 transport to Battle Mountain, 3 to medics, 5 to NRH and 4 to Reach. For the third quarter, they had 66 calls to Eureka and 47 for Crescent Valley. They will be on standby for the football playoffs held in Eureka and then move into Basketball season. Shalene explained that in the next few weeks to month they will be going through vehicle inspections and training for the pain medicine protocols.

**JUVENILE PROBATION**-Steve Zimmerman, JPO

1. Discuss, approve or deny adopting a Proclamation declaring October 21st – 26th, 2024, as Red Ribbon Week commemorating the National Drug Prevention Campaign, with local events and activities sponsored by Eureka County Juvenile Probation. **(For Possible Action)**

Steve Zimmerman explained October 21-26 is Red Ribbon Week commemorating the National Drug Prevention campaign sponsored by Eureka County Treatment operation. It will be the 36th year that Eureka County has participated in since it was nationally recognized in 1988. They will be working with student council and leadership classes to provide fun educational activities all week in both Eureka and Crescent Valley. Nevada Department of Investigations task force will be teaching self defense classes during PE.

Commissioner Plaskett motioned to approve adopting a Proclamation declaring October 21st – 26th, 2024, as Red Ribbon Week commemorating the National Drug Prevention Campaign. Commissioner Schoenwald seconded the motion, all in favor, motion carried 3-0.

PROCLAMATION  
2024 RED RIBBON WEEK

WHEREAS, The NATIONAL RED RIBBON WEEK CAMPAIGN, will be observed October 23-31, 2024 in Eureka County, and shall be known as “Red Ribbon Week”; and  
WHEREAS, The Eureka County Juvenile Probation Department will be the chairperson of the county wide focus on a “Drug Free America”; and

WHEREAS, The Red Ribbon Campaign is a comprehensive drug-abuse prevention education program designed to create awareness, build coalitions, and support healthy, drug-free lifestyles; and

WHEREAS, The Red Ribbon Campaign is a catalyst to mobilize communities into action and create a drug-free environment in every neighborhood in Nevada by wearing and displaying red ribbons during the week-long campaign; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners and the School Board of Trustees of Eureka, Nevada do hereby support and set October 23-31, 2024 as “RED RIBBON WEEK”, and encourage all citizens to participate in drug awareness and education activities, making a visible statement that we are strongly committed to a drug-free healthy lifestyle.

BE IT FURTHER RESOLVED, that the Board of County Commissioners and the School Board Trustees of Eureka, Nevada encourages all students, faculty, employees, administration, and elected officials, to pledge to remain drug free with this year’s theme –

“LIFE IS A MOVIE, FILM DRUG FREE”

/s/ President, Eureka County School Board of Trustees

ATTEST: /s/ Clerk

/s/ Chairman, Eureka County Commissioners

ATTEST: /s/ Clerk

**HUMAN RESOURCES** – Tasha Dunlap, HR Director

**1. Report on Human Resources projects and activities. (Discussion)**

HR Director, Tasha Dunlap reported that they have been conducting interviews, she will be attending the POOL PACT training for HR at the end of the month. She attended a NEOGOV training in Las Vegas. She is organizing a Halloween staff potluck on Monday the 28<sup>th</sup>.

**COUNTY FACILITIES** – Jeb Rowley, Public Works Director

**1. Report on activities and projects at County managed facilities. (Discussion)**

Public Works Director, Jeb Rowley reported for the month of September the Opera House had 190 attendees for events, 100 visitors outside of that. October events in both Eureka Opera House and Crescent Valley Townhall will be the Flu shot, various Halloween activities and parties. The museum had 40 visitors, the swimming pool had 120 swimmers, they are still maintaining 10 swimmers on the swim team. The landfill saw 600 customers producing 400 yards of solid waste, 800 yards of CMD. They have received the new doors for the Sheriff’s office and Opera house. They will be working on installing Starlink on the roof of the Court House.

**1. Report on Public Works projects and activities. (Discussion)**

Public Works Director, Jeb Rowley reported that David Jones will be going around and swapping out fire extinguishers throughout all the buildings and vehicles. Buildings and grounds will be going around and winterizing parks and irrigation systems. CPR training was performed across public works staff and road department crews. October is free dump weekends, and they have seen an increase in tires in both landfill locations. He expects the last of the radio upgrades soon.

**2. Discuss, approve or deny a ¾-inch residential water meter and service application to serve APN# 002-039-04 located in the Town of Crescent Valley. (For Possible Action)**

Commissioner Schoenwald motioned to approve a ¾-inch residential water meter and service application to serve APN# 002-039-04 located in the Town of Crescent Valley. Commissioner Plaskett seconded the motion, all in favor, motion carried 3-0.

**3. Discuss, approve or deny ratifying a ¾-inch residential water meter and service application to serve APN# 007-380-89 located in Devil’s Gate GID District #1. (For Possible Action)**

Commissioner Plaskett motioned to approve ratifying a ¾-inch residential water meter and service application to serve APN# 007-380-89 located in Devil’s Gate GID District #1. Commissioner Schoenwald seconded the motion, all in favor, motion carried 3-0.

**4. Discuss, approve or deny authorizing emergency repairs to the HVAC system at Eureka County Opera House due to system failure. The emergency nature of the repairs requires immediate action to protect the building from water damage and ensure public services remain available, which necessitates waiving the competitive bidding process pursuant to NRS 332.112. Additionally, the Board will authorize staff to proceed with the repairs, with the final costs to be presented for ratification at a future meeting once the repairs are completed and all costs are determined. *Note: The funds will be expended from the Building Operations and Maintenance fund (040-130-55010- 000).* (For Possible Action)**

Jeb Rowley explained that the HVAC unit is on the room of the Opera house, with the damages it is leaking water and pushing it under the roof membrane. If they continue to leave it in that location it will lead to many more critical issues. Jeb explained that because it is early in the fiscal year, and this is not an expense they were expecting he is wanting to use money from the Building Operations and Maintenance fund to cover the project.

Commissioner Plaskett motioned to approve authorizing emergency repairs to the HVAC system at Eureka County Opera House due to system failure and expend funds from the Building Operations and Maintenance fund (040-130-55010- 000). Commissioner Schoenwald seconded the motion, all in favor, motion carried 3-0.

**1. Report on current and emerging natural resource issues affecting Eureka County. (Discussion)**

Natural Resources Manager, Jake Tibbitts reported to the Board that he met with Nevada Gold Mines on September 19 about their requirements of under water monitoring, management and mitigation plans. He attended a meeting with Gold Bar on September 23 they went out and looked at some road issues. There was discussion around creating a possible four way stop at the intersection of Roberts Creek Road and the Hull Road, after going out to the site they decided not to proceed. Jake explained that at the September 26 meeting with the Sagebrush ecosystem council the State director of BLM announced that they will not be issuing a final EIS until after the first of the year. Jakes opinion is that they are wanting to see the outcome of the election before they determine how to move forward with the final EIS. Jake mentioned that NRAC did make recommendations on the two letters in the next action items.

**2. Discuss, approve or deny commenting to Elko BLM on the Programmatic Wildfire Emergency Stabilization and Rehabilitation (ESR) and Weeds Environmental Assessment (EA). (For Possible Action)**

Jake explained to the Board that regarding Elko BLM’s Programmatic Wildfire Emergency Stabilization and Rehabilitation (ESR) and Weeds Environmental Assessment (EA) he suggests the Board comment that they agree with the EA but they ask for some improvements. He suggested asking for improvement around range land, livestock grazing and the counties authority over county roads.

Commissioner Plaskett motioned to approve commenting on Elko BLM on the Programmatic Wildfire Emergency Stabilization and Rehabilitation (ESR) and Weeds Environmental Assessment (EA). Commissioner Schoenwald seconded the motion, all in favor, motion carried 3-0.

**3. Discuss, approve or deny commenting to Battle Mountain BLM on the Ruby Hill Underground Mining and Transport Project Environmental Assessment (EA). (For Possible Action)**

Jake Tibbitts explained to the Board that he suggests supporting but asking for clarity on the social economics of the project. He stated that the EA was clear on the existing disturbances, they will expand on patented ground and will not be adding any dewatering. They will continue the community advisory group and adding over 100 jobs to the area. He would suggest asking for more information on the number of heavy trucks that will be added to the road, the lack of county authority to the Hog Pen Road and the lack of social economics.

Commissioner Plaskett motioned to approve commenting on the Battle Mountain BLM Ruby Hill Underground Mining and Transport Project Environmental Assessment (EA). Commissioner Schoenwald seconded the motion, all in favor, motion carried 3-0.

## CORRESPONDENCE

### 1. Review correspondence. **(Discussion)**

Clerk Recorder Kathy Bowling read the correspondence; BLM Email seeking input for wild horse herd management plan in Northeast Nevada, Nevada Water Resource Association Committees and New Program Implementation, NWRA Annual Conference Week January 27-30, 2025 (4 emails), NACO County News, Allison Mackenzie Nevada Day celebration Invite on October 26, 2024, thank you letter from Nevada Outdoorsmen in Wheelchairs for the October 1, 2024, \$3,000 contribution. Crescent Valley Town Advisory Board Agenda for October 16, 2024, Follow the Law Letter from Melody Clark.

### 2. Commissioner reports on pertinent correspondence or other matters. **(Discussion)**

None considered.

## PUBLIC COMMENT

### 1. Public comment and discussion. *Notice: No action may be taken on a matter raised under this item until the matter has been specifically included on an agenda as an item upon which action will be taken. Public comments may be limited to three (3) minutes per person. Public comment may be allowed on "Action" items, in addition to the two times specified on the agenda.* **(Discussion)**

Chairman McKay called for public comment in Crescent Valley, Jane Mason came to the Board to ask for support in finding a solution for the Post Office problems they are experiencing. Crescent Valley no longer has a Post Office and there is rumor that the drop box may be getting taken away. Jane talked with the Postmaster in Carlin and was told that Crescent Valley doesn't make enough money to bother with. Jane explained that there are businesses in Crescent Valley that use these services along with the other 400 people. She is hoping that the Board can help with support in talking to Las Vegas and helping them understand how badly they need these services. Commissioner Schoenwald echoed these concerns and showed his support in helping find a solution. Laura Shivers echoed her concern on the issues and voiced concern on the many businesses that will be affected. Chairman McKay also voiced his support in helping Crescent Valley and backing Commissioner Schoenwald with whatever help he will need. Chairman McKay called for public comment in Eureka, Eleny Carryon owner of The Owl Club explained that after reviewing the audio and minutes from the September 17 Liquor Board meeting, she did not feel comfortable working with Sheriff Jesse Watts. She asked the Board to help her with the liquor application for the special event being held at the Opera House on October 26. She explained that the event will be a 21 and over party and they will be serving alcohol from 5 pm to close. Chairman McKay urged Eleny to reach out to Lieutenant Miles Umina for the Liquor License.

2. Consider items requiring action to be placed on the agenda for the next regular meeting.  
*Notice: The public is welcome to request agenda items for future meetings during the Public Comment period or may consult with one or more of the Board of Commissioners to request agenda items for future meetings. (Discussion)*

None considered.

## **ADJOURNMENT**

1. Adjournment of meeting.

Commissioner Schoenwald motioned to adjourn the meeting, Commissioner Plaskett seconded the motion, all in favor, motion carried 3-0.

Meeting adjourned at 12:26 p.m.

*Prepared and submitted by Deputy Clerk Recorder, Katelyn Ziemann.  
Approved this 3<sup>rd</sup> day of December 2024 by the Board of County Commissioners.*

\_\_\_\_\_  
Rich McKay, Chairman

ATTEST: \_\_\_\_\_  
Kathy Bowling, County Clerk Recorder

# BOARD OF EUREKA COUNTY COMMISSIONERS

October 31, 2024 ADDITIONAL MEETING MINUTES

STATE OF NEVADA     )  
                                  :SS  
COUNTY OF EUREKA   )

## CALL TO ORDER

- |  |
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| <ol style="list-style-type: none"><li>1. Approval of the agenda notice with addition of any emergency item and/or deletion of any item.<br/><i>Unless otherwise stated, items may be taken out of the order presented on the agenda, in the direction of the Chair. (For Possible Action)</i></li><li>2. Pledge of allegiance.</li></ol> |
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The Board of Eureka County Commissioners met pursuant to law on October 31, 2024. Present were Chairman Rich McKay, Vice Chair Marty Plaskett via phone, Commissioner Mike Schoenwald, and Clerk Recorder Kathy Bowling. The meeting was called to order at 9:29 a.m. The interactive video conferencing system was connected between Crescent Valley and Eureka for the entire meeting.

Commissioner Schoenwald motioned to approve the agenda with no changes, Commissioner Plaskett seconded the motion, all in favor, motion carried 3-0.

The meeting began with the Pledge of Allegiance.

## PUBLIC COMMENT

- |   |
|---|
| <ol style="list-style-type: none"><li>1. Public comment and discussion. <i>Notice: No action may be taken on a matter raised under this item until the matter has been specifically included on an agenda as an item upon which action will be taken. Public comments may be limited to three (3) minutes per person. Public comment may be allowed on "Action" items, in addition to the two times specified on the agenda. (Discussion)</i></li></ol> |
|---|

Chairman McKay explained that there will be no public comment during the action items, only in the beginning and the end. Before calling for public comment Chairman McKay acknowledged that there have been many questions regarding the payout and the dates regarding the resignation of the Sheriff. He believes it is more fiscally responsible to pay the Sheriff through the end of March rather than go through a very expensive and potentially problematic recall election. He asked the Clerk Recorder, Kathy Bowling to explain the timelines of the recall. He also explained that admin leave with elected officials has happened in Eureka County in the past, this is not the first time. County Clerk Recorder, Kathy Bowling explained that the process of putting on an election is very long and costly regardless of whether it's a recall election or general election. Kathy explained the potential timeline they would be looking at putting on the recall, the dates exclude weekends and holidays. The 90-day date for the Clerk's office to receive the signed petition was Monday October 21<sup>st</sup>. She then had 4 days from that date to send a raw count to the Secretary of States (SOS) office, she sent it October 28<sup>th</sup>. She would then receive a notice from the SOS of a sufficiency of that raw count, as of that morning October 31<sup>st</sup> she had not received that notice. Once she received that notice she has 20 days to verify signatures, if she had received notice the day before the 31<sup>st</sup> that would put the signature verify date on November 27<sup>th</sup>. The SOS would then verify that the signatures were acceptable, and the next step can begin. Assuming all would

be sufficient, and she received notice on December 2<sup>nd</sup> she would have 30 days to call for a special election. She would call for the election at the January 7<sup>th</sup> Board of County Commissioners meeting, it must be done in a commission meeting. Note Jesse Watts original retirement date was the 11<sup>th</sup> of January, it would be too late, and the recall election would have to happen even if he was no longer in office. After she called for the election on January 7<sup>th</sup>, she would have another 30 days to put on the election, putting that date around the 27<sup>th</sup> of February. She emphasized that these dates are bound by statute, they also include when publications go out, last days that people must register by. She must set up the election with Dominion, Fort Orange Press, who mails out all the ballots, and Nevada Presort, who mails the sample ballots. The election process would be pushing to the beginning of April, when Jesse's leave with pay will end.

Chairman McKay called for public comment in Crescent Valley, Jeremy Rice voiced his support of the payout and being done with it all on April 1<sup>st</sup>. He is not in support of going through an election and wasting taxpayer money, rather he is glad it is all coming to an end. Crescent Valley audience member Laura Shivers echoed Jeremy Rice's comment. Commissioner McKay called for public comment in Eureka, Heather Peterson Allen commented that she has been a dispatcher for the Eureka County Sheriff's office for approximately two and a half years. She commented that she is coming before the Board as a member of the community and ask that moving forward they can all find happy ground that suits everyone in a peaceful transition for our community. She mentioned things have been nothing short of stressful for many county employees in the last 6 months to a year. She asks that they let Jesse Watts leave in peace so that everyone can move forward from the past and work on building a future for our beautiful county. Ashley Kemp commented that she will be brief and that she isn't commenting on the agenda, she wanted to bring up the need for X-Ray services on the weekends and a fill in during the week. She commented that with the amount we are paying William Bee Ririe there should be no reason someone should drive an hour to get an X-Ray. Eureka audience member Cindy Adams expressed her condolences to Commissioner Mike Schoenwald on the passing of his mother. She also commented on the need for weekend X-Ray services, over the weekend she fell and broke a rib and had to wait a couple days before she could get in at the hospital in Ely for an X-Ray. Cindy also commented that the recall was not a waste of time, the pain and emotional stress that the families went through, the young people that were accused and the whirlwind that it brought this county was tremendous. She believes that the Board is doing the right thing, and she wished Jesse Watts good luck. Eureka audience member Amy Jensen stood and read a letter from The Committee to Recall Sheriff Jesse J. Watts, she read that the last few months have been extremely difficult, emotional and exhausting. They are relieved that this process will be coming to an end, although they are 100% confident that should the recall election have taken place, Sheriff Watts would have been removed from his position. They understand that Sheriff Watts will be paid until March 31, 2025, and are in agreeance with the negotiation. As per the Nevada Secretary of States timelines, a special election wouldn't take place until late February early March 2025, therefor the taxpayers are being saved the expense of the special election. Also, the added benefit of Sheriff Watts resignation being effective at midnight. They do not believe in rewarding bad behavior, but they feel this is the least expensive and most immediate beneficial remedy for Eureka County. They believe and hopefully agree that Eureka County Sheriff's office budget will be managed in a responsible manner. His resignation also allows the staff at the Sheriff's Office to move forward and to operate and function as they see fit and enables them to rebuild what Sheriff Watts destroyed. As far as they have been told the Attorney General's Office will be pursuing multiple criminal charges against Sheriff Watts. They fully support and appreciate our other officers, dispatchers, and support staff at the Sheriff's Office and hope to have great relationships with each other going forward. The entire goal of the intent to recall was to have Jesse Watts removed from office, they feel this goal has been met. They want to thank each and every person that signed the petition, especially those that were afraid to do so but did anyways and they commend their bravery. Thank you for your time from the Committee to Recall Eureka County Sheriff Jesse J Watts.

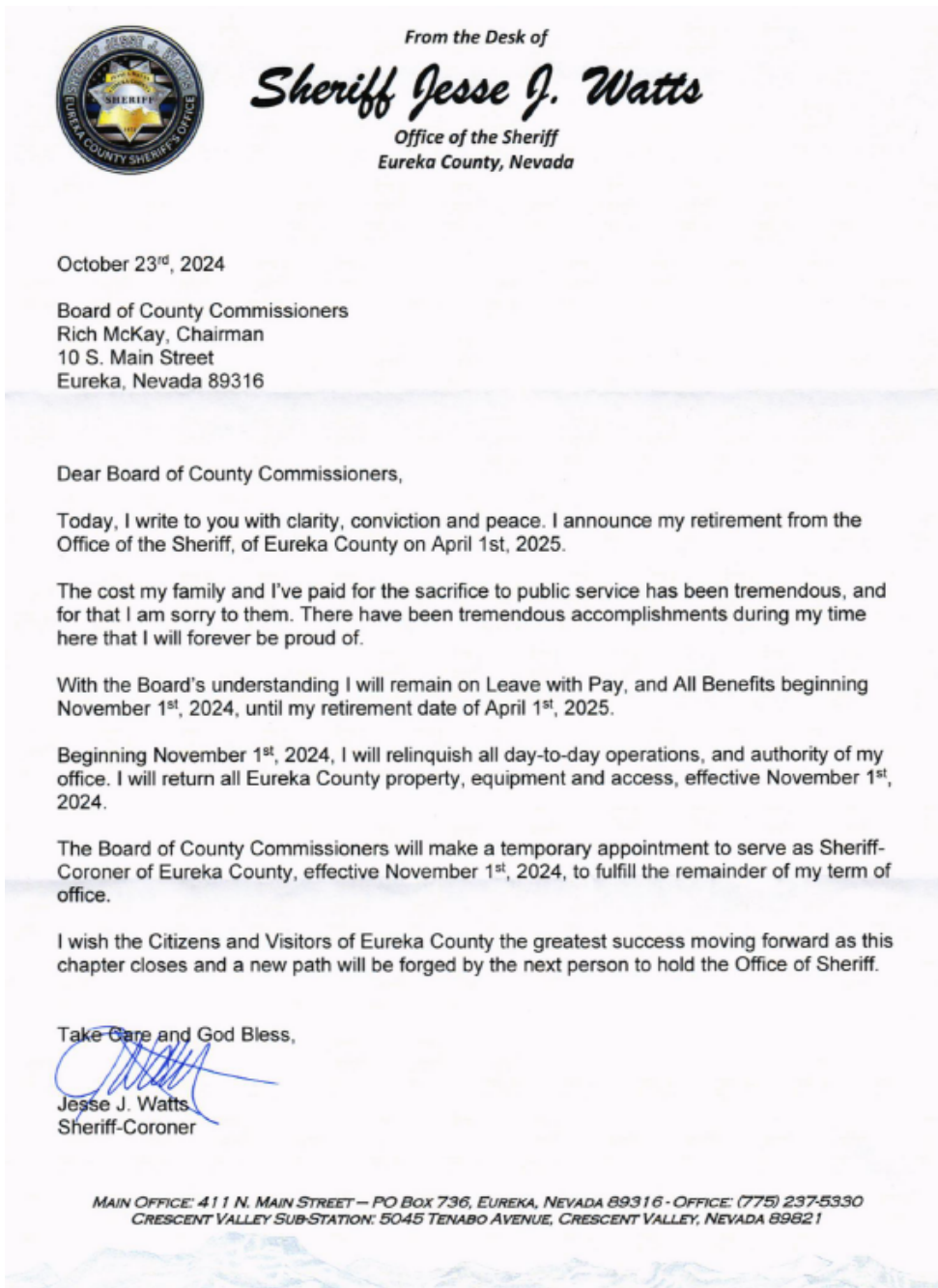


2. Consider items requiring action to be placed on the agenda for the next regular meeting. *Notice: The public is welcome to request agenda items for future meetings during the Public Comment period or may consult with one or more of the Board of Commissioners to request agenda items for future meetings. (Discussion)*

None considered.

**COMMISSIONERS-**

1. Discuss, approve or deny accepting the resignation of Jesse J. Watts from the Elected position of Eureka County Sheriff, effective April 1, 2025, with the understanding that Sheriff Watts will remain on leave with pay and all benefits beginning November 1, 2024, through April 1, 2025, while simultaneously relinquishing his authority of office which will be considered a vacancy. **(For Possible Action)**



Commissioner Plaskett motioned to approve accepting the resignation of Jesse J. Watts from the

Elected position of Eureka County Sheriff, effective April 1, 2025, with the understanding that Sheriff Watts will remain on leave with pay and all benefits beginning November 1, 2024, through April 1, 2025, while simultaneously relinquishing his authority of office which will be considered a vacancy. Commissioner Schoenwald seconded the motion, all in favor, motion carried 3-0.

2. Discuss, approve or deny a resolution outlining the terms of the resignation of Jesse J. Watts from the office of Sheriff. **(For Possible Action)**

Commissioner Schoenwald motioned to approve a resolution outlining the terms of the resignation of Jesse J. Watts from the office of Sheriff. Commissioner Plaskett seconded the motion, all in favor, motion carried 3-0.

Eureka, Nevada

October 31, 2024

RESOLUTION

**BE IT HEREBY RESOLVED BY THE BOARD OF EUREKA COUNTY COMMISSIONERS, EUREKA COUNTY, NEVADA TO:**

**Accept a letter of retirement from Eureka County Sheriff Jesse J. Watts; and**

**Announce his completion of assignment November 1, 2024; and**

**Authorize a leave of absence with pay until the same day as the anniversary start date for Jesse J. Watts as a Deputy with Eureka County April 1, 2013; and**

**Resolve such other matters as are deemed appropriate and necessary.**

**WHEREAS,** Jesse J. Watts began as a Deputy Sheriff for Eureka County April 1, 2013; and

**WHEREAS,** he successfully ran for the elected Office of Sheriff in 2018, and again in 2022; and

**WHEREAS,** Sheriff Watts accomplished many things during his tenure as Sheriff; and

**WHEREAS,** Sheriff Watts offered the Clerk of the Board of Eureka County Commissioners a letter, a copy of which is attached to this Resolution, announcing his retirement; and

**WHEREAS,** the Board of Eureka County Commissioners wish to now acknowledge receipt of the letter, and put into lasting effect its terms as described by the following paragraphs of this Resolution.

**FIRST**, the Board of Eureka County Commissioners acknowledge receipt, via the Board's Clerk, of the resignation of Eureka County Sheriff Jesse J. Watts by letter dated October 23, 2024, as such resignations are required to be made to the Board by NRS 245.130; and

**SECOND**, the Board of Eureka County Commissioners directs the Clerk to certify a vacancy in the Office of Eureka County Sheriff to the Nevada Secretary of State effective November 1, 2024, as is required by NRS 245.150; and

**THIRD**, the Board is authorized by NRS 245.200 to grant leave to any County officer for up to 6 months, and hereby grants the leave requested by Jesse J. Watts, with pay and benefits up to and until April 1, 2025, the anniversary date of Jesse's beginning with Eureka County law enforcement; and

**FOURTH**, Jesse J. Watts shall no longer be Sheriff of Eureka County effective November 1, 2024, with the exception that he shall remain in that capacity (but have no other powers or authority of that or any other County office) solely for the purpose of reporting and payment to PERS up until April 1, 2025, when payments will end; and

**FIFTH**, the Clerk is directed to confer with the Nevada Secretary of State and confirm the resignation of Sheriff Watts triggers NRS 306.045, which states that a public officer who is subject to a recall petition, who resigns his office before the call for a special election is issued, causes the official with whom the petition to recall is filed to stop any further proceedings regarding the petition, and the resignation thereby saves the cost to the taxpayers of a special election; and

**SIXTH**, the Board shall make a temporary assignment accompanied by a 5% increase in the form of a non PERS reportable lump sum each pay period (with no other change to existing benefits, including no change to remaining eligible for overtime) to a qualified peace officer to take on additional duties, immediately following the adoption of this Resolution, and will consider a permanent appointment to serve the remainder of the current unexpired 4 year term of Sheriff as authorized by NRS 245.170 at a later meeting of the Board; and

**SEVENTH**, by NRS 245.200 a copy of the Sheriff's letter and this Resolution will be published without delay in the Eureka County Star, and the Board has agreed to pay for this publication expense.

**NOW THEREFORE BE IT RESOLVED** the Board of Eureka County Commissioners by vote adopts this Resolution in its entirety effective this 31<sup>st</sup> day of October, 2024.

PROPOSED AND ADOPTED this 31<sup>st</sup> day of October, 2024.

AYES: Commissioners *Miles Umida*

*Rich McKay*

*Marty Plaskett*

NAYS: Commissioners *Ø*

ABSENT: Commissioner *Ø*

ABSTENTIONS: Commissioner *Ø*

EUREKA COUNTY BOARD OF COMMISSIONERS

*Rich McKay*  
Rich McKay, Chairman

ATTEST:

*Kathy Bowling*  
Clerk of the Board

3. Discuss, approve or deny a temporary assignment of a suitable person to perform the duties of Sheriff until such a time that the office can be filled by appointment or an election. **(For Possible Action)**

Chairman McKay explained that this position will be an interim, a fulfillment of responsibilities because the County cannot have 2 Sheriffs at the same time per PERS policy until April 1<sup>st</sup>. There will be a process prior to April 1<sup>st</sup> if someone wants to apply for the position of Sheriff. There was only 1 party that submitted a letter of interest. Lieutenant Miles Umida spoke to the room; he stated that he never thought January 1, 2005, when he was first sworn in as a dispatcher and then January 1, 2006, when he became a deputy that he would be in the position that he is. He has an incredible support team starting with his wife and family, and his fellow coworkers at the Sheriffs Office. He would like to move forward, and he has been working very hard with appointed and elected officials in Eureka County to mend some of the bridges. There is a level of professionalism that he will be bringing to the office, and he knows that not everyone sees eye to eye, but he strives for communication. He wants to enhance community trust and collaboration with the Sheriffs office, he wants to build back their bank with the community which right now he feels is bankrupt. He will strive for accountability, transparency, honesty and integrity. He encourages the community

to hold him accountable and speak with himself and his staff on any issues. He also mentioned that they will be working within the Sheriff's office to change the culture, not the uniforms, badges or trucks, but work on mending the culture within the Sheriff's office and help build back that faith.

Commissioner Schoenwald motioned to approve Lieutenant Miles Umina to the temporary assignment of Sheriff effective November 1, 2024, through April 1, 2025. Commissioner Plaskett seconded the motion, all in favor, motion carried 3-0.

4. Discuss, approve or deny the County Clerk to provide written notification to the Nevada Secretary of State certifying vacancy of the office of Sheriff pursuant to NRS 245.150 and to also notice the SOS of the person assigned to perform the duties. **(For Possible Action)**

Clerk Recorder Kathy Bowling explained to the room that as soon as she sends the notice to the Secretary of States office the recall will immediately be called off by the Secretary of State, the petitioners will not have to do a resignation.

Commissioner Schoenwald motioned to approve the County Clerk providing written notification to the Nevada Secretary of State certifying vacancy of the office of Sheriff pursuant to NRS 245.150 and to also notice the SOS of Miles Umina assigned to perform the duties. Commissioner Plaskett seconded the motion, all in favor, motion carried 3-0.

## CORRESPONDENCE

1. Review correspondence. **(Discussion)**

No correspondence.

2. Commissioner reports on **pertinent** correspondence or other matters. **(Discussion)**

None.

## PUBLIC COMMENT

1. Public comment and discussion. *Notice: No action may be taken on a matter raised under this item until the matter has been specifically included on an agenda as an item upon which action will be taken. Public comments may be limited to three (3) minutes per person. Public comment may be allowed on "Action" items, in addition to the two times specified on the agenda.* **(Discussion)**

Chairman McKay called for public comment in Crescent Valley, hearing none called in Eureka. Eureka audience member Cindy Beutel asked if Jesse Watts will be able to represent himself as Eureka County Sheriff until April 1<sup>st</sup>? Chairman McKay answered by saying that Jesse had already turned in his gun, badge and keys, he doesn't have access to the building anymore. For all intents and purposes, he is no longer the Sheriff. Lieutenant Mile Umina also stated that Jesse told him that morning he will be retired and not representing himself as Sheriff. Cindy Beutel also wanted to thank the staff for everything, she knows it was a tremendous amount of work. Marcia Brown thanked the community and all the staff in Eureka County for the support that they have had through everything. She also stated that they never asked for this, she has dreamed of being in law enforcement since she was a little girl, she believes that to be in law enforcement one must have integrity and to stand up for what is right and that's what she did. She hopes that she can prove to the community that she is dedicated as a dispatcher to our County Sheriff's office. Marcia personally thanked the commissioners, all the Eureka entities, appointed officials and especially Amy Jensen. She apologized for all the stress that this process put on the county employees and Sheriff's office, something like this is not what she asked for. Undersheriff Thomas wanted

everyone to know that over the last month or, so he has been working side by side with Miles Umina and he believes he is the best person for this job. He also looks forward to rebuilding relationships with the staff, other departments and citizens. Ashley Admas commented that she in encouraged moving forward and looks forward to working with Miles Umina as acting Sheriff. Cindy Beutel thanked Amy Jensen and her family for all the work they did and endured.

2. Consider items requiring action to be placed on the agenda for the next regular meeting. *Notice: The public is welcome to request agenda items for future meetings during the Public Comment period or may consult with one or more of the Board of Commissioners to request agenda items for future meetings. (Discussion)*

None considered.

## ADJOURNMENT

1. Adjournment of meeting.

Commissioner Schoenwald motioned to adjourn, Commissioner Plaskett seconded the motion, all in favor, motion caried 3-0.

Meeting adjourned at 10:10 a.m.

*Prepared and submitted by Deputy Clerk Recorder, Katelyn Ziemann.*

*Approved this 3<sup>rd</sup> day of December 2024 by the Board of County Commissioners.*

\_\_\_\_\_  
Rich McKay, Chairman

ATTEST: \_\_\_\_\_  
Kathy Bowling, County Clerk Recorder



Payment Dates 11/16/2024 - 12/3/2024

Vendor Name	Payment Number	Post Date	Description (Item)	Account Number	Amount
<b>Fund: 010 - GENERAL FUND</b>					
<b>Department: 001 - COUNTY COMMISSIONERS</b>					
PARSONS BEHLE & LATIMER	108976	12/03/2024	Legal Fees through July 31st 2...	010-001-53010-389	4,573.67
URBAN COWBOY	108911	11/19/2024	Catering for Lt Governor Dinn...	010-001-53010-370	760.00
MT WHEELER POWER INC	108872	11/19/2024	Tree Trimming Service	010-001-53010-000	672.83
SCHOENWALD, MICHAEL	108897	11/19/2024	BOCC Special Meeting	010-001-53010-370	192.56
CONFERENCE AMERICA	108835	11/19/2024	TELEPHONE	010-001-53010-360	266.15
XEROX CORPORATION	109015	12/03/2024	Xerox machine maintenance f...	010-001-53010-242	28.67
ALLISON MACKENZIE ET AL	108822	11/19/2024	General Business	010-001-53010-389	563.75
PARSONS BEHLE & LATIMER	108880	11/19/2024	Legal fees through October 31,...	010-001-53010-389	213.94
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	POSTAGE MACHINE LEASE SE...	010-001-53010-242	49.24
SCHOENWALD, MICHAEL	108993	12/03/2024	BOCC Meeting	010-001-53010-370	197.56
<b>Department 001 - COUNTY COMMISSIONERS Total:</b>					<b>7,518.37</b>
<b>Department: 002 - TREASURER</b>					
QUILL CORPORATION	108887	11/19/2024	OFFICE SUPPLIES	010-002-53010-300	122.37
eFAX CORPORATE	108840	11/19/2024	Efax	010-002-53010-360	20.99
XEROX CORPORATION	108921	11/19/2024	NOV XEROX SUPPLIES	010-002-53010-242	10.86
RESERVE ACCOUNT	108894	11/19/2024	POSTAGE SEPTEMBER THRU ...	010-002-53010-242	41.88
RESERVE ACCOUNT	108894	11/19/2024	POSTAGE SEPTEMBER THRU ...	010-002-53010-242	428.77
BENOIT, JEANNIE	108826	11/19/2024	003-013-07 PROPERTY TAX O...	010-002-53010-319	29.80
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	POSTAGE MACHINE LEASE SE...	010-002-53010-242	49.24
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	POSTAGE MACHINE LEASE SE...	010-002-53010-242	49.24
MICHELI, STEVEN	108870	11/19/2024	009-060-01 Property tax over...	010-002-53010-319	5.87
<b>Department 002 - TREASURER Total:</b>					<b>759.02</b>
<b>Department: 003 - RECORDER</b>					
eFAX CORPORATE	108840	11/19/2024	Efax	010-003-53010-360	20.99
XEROX CORPORATION	108921	11/19/2024	Xerox machine maintenance	010-003-53010-242	48.57
RESERVE ACCOUNT	108894	11/19/2024	POSTAGE SEPTEMBER THRU ...	010-003-53010-242	81.20
POSTMASTER - EUREKA	108885	11/19/2024	Post Office Box renewal fee	010-003-53010-000	188.00
AT&T MOBILITY	108935	12/03/2024	Phone	010-003-53010-360	42.24
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	POSTAGE MACHINE LEASE SE...	010-003-53010-242	49.24
RUBY MOUNTAIN NATURAL S...	108991	12/03/2024	Water for office	010-003-53010-000	28.50
<b>Department 003 - RECORDER Total:</b>					<b>458.74</b>
<b>Department: 004 - ASSESSOR</b>					
eFAX CORPORATE	108840	11/19/2024	Efax	010-004-53010-360	20.99
RESERVE ACCOUNT	108894	11/19/2024	POSTAGE SEPTEMBER THRU ...	010-004-53010-242	128.88
RESERVE ACCOUNT	108894	11/19/2024	POSTAGE SEPTEMBER THRU ...	010-004-53010-242	192.21
THE EUREKA COUNTY STAR	108909	11/19/2024	Business Directory Ad	010-004-53010-000	80.00
AT&T MOBILITY	108935	12/03/2024	Phone	010-004-53010-360	49.38
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	POSTAGE MACHINE LEASE SE...	010-004-53010-242	49.24
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	POSTAGE MACHINE LEASE SE...	010-004-53010-242	49.24
<b>Department 004 - ASSESSOR Total:</b>					<b>569.94</b>
<b>Department: 006 - HUMAN RESOURCES</b>					
XEROX CORPORATION	108921	11/19/2024	Xerox monthly payment	010-006-53010-242	30.34
eFAX CORPORATE	108840	11/19/2024	Efax	010-006-53010-360	20.99
NV DEPT PUBLIC SAFETY GEN...	108877	11/19/2024	HR Backgrounds	010-006-53010-313	40.25
A1 ALCOHOL & DRUG COLLECT..	108931	12/03/2024	Employee drug screening	010-006-53010-313	250.00
XEROX CORPORATION	109015	12/03/2024	Machine Maint	010-006-53010-242	30.10
AT&T MOBILITY	108935	12/03/2024	Phone	010-006-53010-360	44.34
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	Machine Lease	010-006-53010-242	46.47
<b>Department 006 - HUMAN RESOURCES Total:</b>					<b>462.49</b>
<b>Department: 010 - ELECTION</b>					
THE EUREKA COUNTY STAR	108909	11/19/2024	Ballot question Insert	010-010-53010-220	2,164.75

Commissioner Approval Report

Payment Dates: 11/16/2024 - 12/3/2024

Vendor Name	Payment Number	Post Date	Description (Item)	Account Number	Amount
ST. BRENDAN'S CHURCH	108902	11/19/2024	Spaghetti Feed Tickets	010-010-53010-000	210.00
CHRISTIANSEN, KIMBERLY L	108833	11/19/2024	Food for Elections	010-010-53010-000	38.15
RESERVE ACCOUNT	108894	11/19/2024	POSTAGE SEPTEMBER THRU ...	010-010-53010-318	17.25
CHRISTIANSEN, KIMBERLY L	108833	11/19/2024	Travel to Crescent Valley for E...	010-010-53010-370	57.00
ZIEMANN, KATELYN	108922	11/19/2024	Travel C Valley	010-010-53010-370	57.00
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	POSTAGE MACHINE LEASE SE...	010-010-53010-318	49.24
<b>Department 010 - ELECTION Total:</b>					<b>2,593.39</b>
<b>Department: 011 - COMPTROLLER</b>					
eFAX CORPORATE	108840	11/19/2024	Efax	010-011-53010-360	20.99
XEROX CORPORATION	108921	11/19/2024	Machine Maintenance	010-011-53010-242	30.33
RESERVE ACCOUNT	108894	11/19/2024	POSTAGE SEPTEMBER THRU ...	010-011-53010-318	0.69
AT&T MOBILITY	108935	12/03/2024	Phone	010-011-53010-360	45.24
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	Machine Lease	010-011-53010-242	46.47
TYLER BUSINESS FORMS - THE...	109004	12/03/2024	Tax Forms	010-011-53010-300	582.55
TYLER TECHNOLOGIES, INC.	109005	12/03/2024	Contract	010-011-53010-112	47,702.55
<b>Department 011 - COMPTROLLER Total:</b>					<b>48,428.82</b>
<b>Department: 015 - BUILDINGS &amp; GROUNDS</b>					
EUREKA SUPPLY	108843	11/19/2024	V-BELT	010-015-53751-330	18.80
WELLS PROPANE	108915	11/19/2024	Propane	010-015-53722-160	229.61
WELLS PROPANE	108915	11/19/2024	Propane - CV Justice Facility	010-015-53723-160	309.29
WELLS PROPANE	108915	11/19/2024	Propane - CV Fairgrounds	010-015-53770-160	105.55
WELLS PROPANE	108915	11/19/2024	Propane	010-015-53770-160	162.88
QUILL CORPORATION	108887	11/19/2024	JANITORIAL SUPPLIES/ CONV...	010-015-53740-195	101.99
RAINES MARKET	108888	11/19/2024	Raines Market Receipts	010-015-53010-000	353.93
REDI SERVICES LLC	108891	11/19/2024	CONTRACT SERVICE	010-015-53768-058	320.00
QUEST MEDIA & SUPPLIES INC	108886	11/19/2024	SUPPLES	010-015-55010-000	1,007.14
QUEST MEDIA & SUPPLIES INC	108886	11/19/2024	SUPPLIES	010-015-55010-000	2,235.32
QUEST MEDIA & SUPPLIES INC	108886	11/19/2024	SUPPLIES	010-015-55010-000	3,301.07
SUBURBAN PROPANE - ELY	108998	12/03/2024	Fairgrounds-Propane	010-015-53771-160	205.20
WELLS RURAL ELECTRIC CO	108916	11/19/2024	ELECTRIC	010-015-53768-105	42.00
SILVER STATE ELEVATOR INC	108901	11/19/2024	CONTRACT SERVICES	010-015-53710-058	842.50
SILVER STATE ELEVATOR INC	108901	11/19/2024	CONTRACT SERVICES	010-015-53740-058	842.50
CRESCENT VALLEY WATER DPT	108836	11/19/2024	3 EMS	010-015-53719-400	62.34
CRESCENT VALLEY WATER DPT	108836	11/19/2024	217 Clinic	010-015-53721-400	53.53
CRESCENT VALLEY WATER DPT	108836	11/19/2024	248 Town Center	010-015-53722-400	79.14
CRESCENT VALLEY WATER DPT	108836	11/19/2024	11 Sheriff	010-015-53723-400	58.14
CRESCENT VALLEY WATER DPT	108836	11/19/2024	177 Senior Center	010-015-53724-400	39.24
CRESCENT VALLEY WATER DPT	108836	11/19/2024	295 Firehouse	010-015-53765-400	76.86
CRESCENT VALLEY WATER DPT	108836	11/19/2024	40 Fairgrounds	010-015-53770-400	76.86
EUREKA TOWN WATER	108844	11/19/2024	265 CRT HS	010-015-53710-400	133.84
EUREKA TOWN WATER	108844	11/19/2024	331 ADMIN BLDG	010-015-53715-400	117.04
EUREKA TOWN WATER	108844	11/19/2024	266 CLINIC	010-015-53718-400	217.84
EUREKA TOWN WATER	108844	11/19/2024	273 SEN CTR	010-015-53729-400	86.15
EUREKA TOWN WATER	108844	11/19/2024	268 JSTC FAC	010-015-53730-400	117.04
EUREKA TOWN WATER	108844	11/19/2024	274 OP HS	010-015-53740-400	127.54
EUREKA TOWN WATER	108844	11/19/2024	275 MUSEUM	010-015-53745-400	43.91
EUREKA TOWN WATER	108844	11/19/2024	264 SWIM POOL	010-015-53750-400	165.34
EUREKA TOWN WATER	108844	11/19/2024	276 FIREHOUSE	010-015-53751-400	184.85
EUREKA TOWN WATER	108844	11/19/2024	263 LIBRARY	010-015-53762-400	43.91
EUREKA TOWN WATER	108844	11/19/2024	277 AMB BAY	010-015-53769-400	43.91
SUBURBAN PROPANE - ELY	108904	11/19/2024	PA HOUSE	010-015-53773-160	68.45
SUBURBAN PROPANE - ELY	108998	12/03/2024	Propane - Pool	010-015-53750-160	1,311.54
SUBURBAN PROPANE - ELY	108904	11/19/2024	propane	010-015-53729-160	344.14
VOGUE LINEN-UNIFORM RENT	108912	11/19/2024	court house contract services	010-015-53710-058	22.10
VOGUE LINEN-UNIFORM RENT	108912	11/19/2024	CLINIC CONTRACT SERVICES	010-015-53718-058	54.11
VOGUE LINEN-UNIFORM RENT	108912	11/19/2024	OPERA HOUSE CONTRACT SE...	010-015-53740-058	14.43
QUILL CORPORATION	108887	11/19/2024	JANITORIAL SUPPLIES	010-015-53750-195	183.58
HUNT & SONS, INC	108857	11/19/2024	HEATING FUEL	010-015-53740-160	840.39
WESTERN STATES FIRE PROTE...	108917	11/19/2024	HOOD INSPECTION - 4.28.24	010-015-53770-330	370.00
WESTERN STATES FIRE PROTE...	108917	11/19/2024	HOOD INSPECTION-10.24.24	010-015-53770-330	369.35



Commissioner Approval Report

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Vendor Name	Payment Number	Post Date	Description (Item)	Account Number	Amount
WESTERN STATES FIRE PROTE...	108917	11/19/2024	ANNUAL FIRE AND HOOD INS...	010-015-53724-058	732.00
WESTERN STATES FIRE PROTE...	108917	11/19/2024	HOOD INSPECTION - 10.27.24	010-015-53724-058	358.95
WESTERN STATES FIRE PROTE...	108917	11/19/2024	HOOD INSPECTION-1.27.24	010-015-53740-058	571.35
WESTERN STATES FIRE PROTE...	108917	11/19/2024	HOOD INSPECTION - 10/23/24	010-015-53729-058	414.50
HOME DEPOT CREDIT SERVICE	108953	12/03/2024	MAINT/REPAIRS	010-015-53729-330	1,145.00
SUBURBAN PROPANE - ELY	108998	12/03/2024	Propane - Pool	010-015-53750-160	1,342.27
SUBURBAN PROPANE - ELY	108904	11/19/2024	propane	010-015-53729-160	151.94
SUBURBAN PROPANE - ELY	108998	12/03/2024	Propane - EU Fire Station	010-015-53751-160	463.46
VOGUE LINEN-UNIFORM RENT	108912	11/19/2024	court house contract services	010-015-53710-058	22.10
VOGUE LINEN-UNIFORM RENT	108912	11/19/2024	CONTRACT SERVICES-ANNEX	010-015-53715-058	141.04
VOGUE LINEN-UNIFORM RENT	108912	11/19/2024	CLINIC CONTRACT SERVICES	010-015-53718-058	54.11
VOGUE LINEN-UNIFORM RENT	108912	11/19/2024	OPERA HOUSE CONTRACT SE...	010-015-53740-058	14.43
WELLS PROPANE	109009	12/03/2024	Propane - CV Senior Center	010-015-53724-160	1,113.02
WELLS PROPANE	109009	12/03/2024	Propane - CV Town Hall	010-015-53722-160	389.12
WELLS PROPANE	109009	12/03/2024	Propane - CV Ambulance Bay	010-015-53719-160	244.42
WELLS PROPANE	109009	12/03/2024	Propane - CV Justice Facility	010-015-53723-160	476.37
WELLS PROPANE	109009	12/03/2024	Propane -CV Fire Station	010-015-53765-160	793.44
AT&T BOX 5025	108933	12/03/2024	TELEPHONE	010-015-53718-360	64.27
GRAINGER PARTS OPERATIONS	108853	11/19/2024	SUPPLIES	010-015-53010-000	177.20
QUEST MEDIA & SUPPLIES INC	108982	12/03/2024	SUPPLIES	010-015-55010-000	2,581.00
QUEST MEDIA & SUPPLIES INC	108886	11/19/2024	FIRE HOUSE DOOR	010-015-55010-000	5,797.11
VOGUE LINEN-UNIFORM RENT	108912	11/19/2024	CV-Senior Center Medical Cab...	010-015-53724-058	42.20
MT WHEELER POWER INC	108969	12/03/2024	11 N Main St-Caboose	010-015-53760-105	28.00
MT WHEELER POWER INC	108969	12/03/2024	31 S Main St	010-015-53740-105	892.39
MT WHEELER POWER INC	108969	12/03/2024	701 S Main St	010-015-53715-105	679.24
MT WHEELER POWER INC	108969	12/03/2024	Clinic	010-015-53718-105	526.44
MT WHEELER POWER INC	108969	12/03/2024	Eureka Fire Station	010-015-53751-105	341.21
MT WHEELER POWER INC	108969	12/03/2024	DV Fire Station	010-015-53766-105	249.20
MT WHEELER POWER INC	108969	12/03/2024	Ambulance Bay	010-015-53769-105	177.22
MT WHEELER POWER INC	108969	12/03/2024	Sheriffs Office	010-015-53730-105	937.81
MT WHEELER POWER INC	108969	12/03/2024	Fairgrounds Lg Arena	010-015-53771-105	39.03
MT WHEELER POWER INC	108969	12/03/2024	Fairgrounds Horseshoe Pits	010-015-53771-105	139.20
MT WHEELER POWER INC	108969	12/03/2024	Senior Center	010-015-53729-105	598.42
MT WHEELER POWER INC	108969	12/03/2024	Library	010-015-53762-105	133.88
MT WHEELER POWER INC	108969	12/03/2024	Courthouse	010-015-53710-105	3,311.72
MT WHEELER POWER INC	108969	12/03/2024	Museum	010-015-53745-105	247.06
MT WHEELER POWER INC	108969	12/03/2024	Swimming Pool	010-015-53750-105	4,887.78
MT WHEELER POWER INC	108969	12/03/2024	Security Lights	010-015-53774-105	105.66
MT WHEELER POWER INC	108969	12/03/2024	Airport	010-015-53707-105	272.46
MT WHEELER POWER INC	108969	12/03/2024	Airport Security	010-015-53707-105	152.15
SUBURBAN PROPANE - ELY	108998	12/03/2024	Propane - Pool	010-015-53750-160	1,458.14
SUBURBAN PROPANE - ELY	108998	12/03/2024	Propane-Annex	010-015-53715-160	1,115.05
SUBURBAN PROPANE - ELY	108998	12/03/2024	propane	010-015-53729-160	295.42
VOGUE LINEN-UNIFORM RENT	109007	12/03/2024	CONTRACT SERVICES-ANNEX	010-015-53715-058	22.10
VOGUE LINEN-UNIFORM RENT	109007	12/03/2024	CLINIC CONTRACT SERVICES	010-015-53718-058	54.11
VOGUE LINEN-UNIFORM RENT	109007	12/03/2024	OPERA HOUSE CONTRACT SE...	010-015-53740-058	14.43
WESTERN STATES FIRE PROTE...	109011	12/03/2024	REPAIRS/MAINT	010-015-53770-330	2,750.00
WESTERN STATES FIRE PROTE...	109011	12/03/2024	REPAIRS	010-015-53724-330	2,995.00
BATH LUMBER	108937	12/03/2024	REPAIRS/MAINT	010-015-53773-330	677.57
BATH LUMBER	108937	12/03/2024	REPAIRS/MAINT	010-015-53750-330	136.69
GRAINGER PARTS OPERATIONS	108950	12/03/2024	REPAIR/MAINT	010-015-53750-330	1,234.53
GRAINGER PARTS OPERATIONS	108950	12/03/2024	REAPRS/MAINT	010-015-53010-245	493.92
GRAINGER PARTS OPERATIONS	108950	12/03/2024	SUPPLIES	010-015-53010-000	246.42
SUBURBAN PROPANE - ELY	108998	12/03/2024	propane	010-015-53729-160	301.62
VOGUE LINEN-UNIFORM RENT	109007	12/03/2024	COURT HOUSE CONTRACT SE...	010-015-53710-058	22.10
VOGUE LINEN-UNIFORM RENT	109007	12/03/2024	CONTRACT SERVICES-ANNEX	010-015-53715-058	141.04
VOGUE LINEN-UNIFORM RENT	109007	12/03/2024	CLINIC CONTRACT SERVICES	010-015-53718-058	54.11
VOGUE LINEN-UNIFORM RENT	109007	12/03/2024	OPERA HOUSE CONTRACT SE...	010-015-53740-058	14.43

Department 015 - BUILDINGS & GROUNDS Total: 58,218.20

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Payment Dates: 11/16/2024 - 12/3/2024

Vendor Name	Payment Number	Post Date	Description (Item)	Account Number	Amount
<b>Department: 017 - NRAC COMMITTEE</b>					
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	Machine Lease	010-017-53010-242	46.48
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	Machine Lease	010-017-53010-318	46.48
<b>Department 017 - NRAC COMMITTEE Total:</b>					<b>92.96</b>
<b>Department: 018 - TECHNOLOGY SUPPORT</b>					
CDW GOVERNMENT INC	108832	11/19/2024	Project: Eaton UPS Replacem...	010-018-55010-000	10,195.00
CDW GOVERNMENT INC	108832	11/19/2024	Project: Eaton UPS Replacem...	010-018-55010-000	5,915.00
CDW GOVERNMENT INC	108832	11/19/2024	i5 Spares Warranties	010-018-53010-058	309.99
eFAX CORPORATE	108840	11/19/2024	Efax	010-018-53010-360	20.99
QUEST MEDIA & SUPPLIES INC	108886	11/19/2024	Crescent Valley Townhall NOC...	010-018-55010-000	2,419.59
QUEST MEDIA & SUPPLIES INC	108886	11/19/2024	MS	010-018-53010-058	1,987.50
QUEST MEDIA & SUPPLIES INC	108982	12/03/2024	Contract Services	010-018-53010-058	2,981.25
AT&T MOBILITY	108935	12/03/2024	Phone	010-018-53010-224	90.48
AT&T MOBILITY	108935	12/03/2024	Phone	010-018-53010-360	547.64
SYBER NETWORKS LLC	108905	11/19/2024	Contract Services	010-018-53010-058	3,750.00
GBIS HOLDINGS INC	108851	11/19/2024	Yucca Mountain Website Host...	010-018-53010-058	99.95
QUEST MEDIA & SUPPLIES INC	108886	11/19/2024	Crescent Valley Townhall NOC...	010-018-55010-000	2,832.00
GBIS HOLDINGS INC	108851	11/19/2024	Additional Domain hosting	010-018-53010-058	5.00
CDW GOVERNMENT INC	108944	12/03/2024	Contract Services HC Warranty	010-018-53010-058	23,815.29
SYBER NETWORKS LLC	109001	12/03/2024	Jan MS/DATTO	010-018-53010-058	4,625.00
SYBER NETWORKS LLC	109001	12/03/2024	Contract Services	010-018-53010-058	3,750.00
<b>Department 018 - TECHNOLOGY SUPPORT Total:</b>					<b>63,344.68</b>
<b>Department: 022 - JUVENILE PROBATION</b>					
REDWOOD TOXICOLOGY LAB...	108892	11/19/2024	Drug Test- Juveniles	010-022-53010-000	36.30
PILOT THOMAS LOGISTICS, LLC..	108883	11/19/2024	Fuel	010-022-53105-130	49.21
BFE SCREEN PRINTING & EMB...	108828	11/19/2024	Supplies- Youth Basketball	010-022-53010-200	676.00
eFAX CORPORATE	108840	11/19/2024	Efax	010-022-53010-360	20.99
DAVILA, IRMA	108837	11/19/2024	Pizza for RRW Winners	010-022-53010-200	23.97
DAVILA, IRMA	108837	11/19/2024	Travel	010-022-53010-370	18.00
ZIMMERMAN, STEVE	108923	11/19/2024	Travel- Juvenile Meeting	010-022-53010-370	18.00
RUBY MOUNTAIN NATURAL S...	108896	11/19/2024	Office Supplies- Water	010-022-53010-300	20.00
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	POSTAGE MACHINE LEASE SE...	010-022-53010-242	49.24
DAVILA, IRMA	108837	11/19/2024	Travel- Juvenile Meeting	010-022-53010-370	18.00
ZIMMERMAN, STEVE	108923	11/19/2024	Battle Mtn Juvenile Meeting	010-022-53010-370	18.00
PILOT THOMAS LOGISTICS, LLC..	108980	12/03/2024	Fuel	010-022-53105-130	6.44
ZIMMERMAN, STEVE	109016	12/03/2024	Supplies- Basketball pizza	010-022-53010-200	156.75
ZIMMERMAN, STEVE	109016	12/03/2024	Travel to Pioche, NV - Juvenile...	010-022-53010-370	18.00
REGALADO, VICKIE	108986	12/03/2024	Contract Service- Tutor Facilit...	010-022-53010-098	480.00
<b>Department 022 - JUVENILE PROBATION Total:</b>					<b>1,608.90</b>
<b>Department: 024 - DISTRICT ATTORNEY</b>					
QUILL CORPORATION	108887	11/19/2024	file folders with fasteners	010-024-53010-300	147.87
QUILL CORPORATION	108887	11/19/2024	paper, eyeglass cleaner	010-024-53010-300	291.85
RUBY MOUNTAIN NATURAL S...	108991	12/03/2024	Water Tank Rent	010-024-53010-300	11.50
eFAX CORPORATE	108840	11/19/2024	Efax	010-024-53010-360	20.99
XEROX CORPORATION	108921	11/19/2024	mach. maint.	010-024-53010-242	76.33
QUILL CORPORATION	108887	11/19/2024	file folders	010-024-53010-300	22.65
BEUTEL, THEODORE	108827	11/19/2024	travel to and from CV for Court	010-024-53010-370	197.56
QUILL CORPORATION	108983	12/03/2024	gloves	010-024-53010-300	32.38
AT&T MOBILITY	108935	12/03/2024	Phone	010-024-53010-360	44.34
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	Machine Lease	010-024-53010-242	46.48
WASHINGTON DEPT OF LICEN...	108913	11/19/2024	washington certified records	010-024-53010-176	15.00
RUBY MOUNTAIN NATURAL S...	108991	12/03/2024	water	010-024-53010-000	20.00
BEUTEL, THEODORE	108938	12/03/2024	travel to and from CV for Court	010-024-53010-370	179.56
<b>Department 024 - DISTRICT ATTORNEY Total:</b>					<b>1,106.51</b>
<b>Department: 026 - DISTRICT COURT</b>					
REDWOOD TOXICOLOGY LAB...	108985	12/03/2024	Drug Testing	010-026-53010-071	33.28
REDWOOD TOXICOLOGY LAB...	108892	11/19/2024	Toxicology Laboratory	010-026-53010-071	384.07
WHITE PINE COUNTY FINANCE...	108918	11/19/2024	Quarter 1 Agreement	010-026-53010-377	8,541.08
REA LAW	108889	11/19/2024	Indigent Defense Services	010-026-53010-193	1,772.81

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Vendor Name	Payment Number	Post Date	Description (Item)	Account Number	Amount
REDWOOD TOXICOLOGY LAB...	108985	12/03/2024	Drug Testing	010-026-53010-071	244.84
BROWN, KELLY C	108830	11/19/2024	Indigent Defense Services	010-026-53010-193	10,000.00
BROWN, KELLY C	108830	11/19/2024	AB 518 Stipen	010-026-53010-324	1,800.00
RESERVE ACCOUNT	108894	11/19/2024	POSTAGE SEPTEMBER THRU ...	010-026-53010-318	37.75
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	POSTAGE MACHINE LEASE SE...	010-026-53010-318	49.24
CAVANAUGH-BILL LAW OFFICE	108943	12/03/2024	Court Appointed Attorney	010-026-53010-068	840.00
CAVANAUGH-BILL LAW OFFICE	108943	12/03/2024	Court Appointed Attorney	010-026-53010-068	410.00

**Department 026 - DISTRICT COURT Total: 24,113.07**

**Department: 028 - JUSTICE COURT**

SANDERS, JERI	108992	12/03/2024	travel/means for class in Arizo...	010-028-53010-072	1,096.82
QUILL CORPORATION	108887	11/19/2024	PAPER, CALENDARS, ENVELOP...	010-028-53010-300	150.56
QUILL CORPORATION	108887	11/19/2024	EXHIBIT STAMPS	010-028-53010-300	150.64
REDWOOD TOXICOLOGY LAB...	108892	11/19/2024	drug/urine test kits	010-028-53010-072	203.50
BISHOP, STEPHEN J	108829	11/19/2024	PRO TEM FEE 1/2 DAY 10/30/...	010-028-51035-000	100.00
eFAX CORPORATE	108840	11/19/2024	Efax	010-028-53010-360	20.99
MENDOZA, ELOISA	108869	11/19/2024	INTERPRETER FOR SOTO 23CR...	010-028-53010-070	191.14
MENDOZA, ELOISA	108869	11/19/2024	INTERPRETER FOR 24CR65	010-028-53010-070	202.76
GAUMOND, BENJAMIN C. ESQ.	108850	11/19/2024	CIVIL BOND REFUND 24CT1242	010-028-25007-000	690.00
QUILL CORPORATION	108983	12/03/2024	OFFICE PAPER	010-028-53010-300	50.14
BULLARD, JACKIE	108941	12/03/2024	witness fee	010-028-53010-410	25.00
PERALES, RHYVONA ELIZABETH	108881	11/19/2024	CIVIL BOND REFUND 24CT1168	010-028-25007-000	195.00
ABHYANKAR, NAMRATA SUNIL	108821	11/19/2024	CASH BAIL REFUND	010-028-25007-000	120.00
QUILL CORPORATION	108983	12/03/2024	APC BATTER FOR LS COMPUT...	010-028-53010-300	94.04
ROWLEY, DOROTHY	108990	12/03/2024	NJC- RENO, NV- MEALS	010-028-53010-370	130.00
AT&T MOBILITY	108935	12/03/2024	Phone	010-028-53010-360	93.72
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	Machine Lease	010-028-53010-242	46.48
OFFICE PRODUCTS INC	108974	12/03/2024	MACHINE MAINTENANCE	010-028-53010-242	43.35
BULLARD, JACKIE	108941	12/03/2024	witness fee	010-028-53010-410	25.00
NELSON, BURGANDY KAY	108971	12/03/2024	witness fee	010-028-53010-410	25.00
ROSECRANS, JORDEN	108989	12/03/2024	witness fee	010-028-53010-410	25.00
EVANS, TERESA	108947	12/03/2024	witness fee	010-028-53010-410	25.00
NELSON, KOBEE	108972	12/03/2024	witness fee	010-028-53010-410	25.00

**Department 028 - JUSTICE COURT Total: 3,729.14**

**Department: 032 - LAW LIBRARY**

LEXIS NEXIS MATHEW BENDER..	108865	11/19/2024	lexis subscription	010-032-53010-000	275.00
LEXIS NEXIS MATHEW BENDER	108866	11/19/2024	law library	010-032-53010-000	262.10

**Department 032 - LAW LIBRARY Total: 537.10**

**Department: 034 - SHERIFF**

WATTS, JESSE	108914	11/19/2024	Wounded Blue Conference - L...	010-034-53010-370	550.80
2862 COMMUNICATIONS LLC	108819	11/19/2024	Install Radios in 6 new SO vehi...	010-034-53010-044	2,251.80
LARRY H MILLER FORD PARTS	108862	11/19/2024	MAINT/REPAIRS	010-034-53105-245	581.36
EUREKA SUPPLY	108843	11/19/2024	22 Direct Fit Beam	010-034-53105-245	45.02
LEADSONLINE LLC	108964	12/03/2024	Contract renewal 1/1/25-12/31...	010-034-53010-176	3,106.00
EUREKA SUPPLY	108843	11/19/2024	18GA wire- Brown 18GA Wire...	010-034-53105-245	37.97
EUREKA SUPPLY	108843	11/19/2024	22 Direct Fit Beam	010-034-53105-245	45.02
BUNDY, CLARA	108831	11/19/2024	Breakfast for TIMS training in ...	010-034-53010-370	119.70
WATTS, JESSE	108914	11/19/2024	COPS training and meeting - El...	010-034-53010-370	75.00
FLANAGAN, ALLISON	108847	11/19/2024	Computer Voice Stress Analyz...	010-034-53010-370	197.00
PILOT THOMAS LOGISTICS, LLC..	108883	11/19/2024	Fuel	010-034-53105-130	1,415.56
eFAX CORPORATE	108840	11/19/2024	Efax	010-034-53010-360	20.99
RAINES MARKET	108888	11/19/2024	Key Tags, Keys	010-034-53010-256	23.94
RAINES MARKET	108888	11/19/2024	Vehicle Maintenance supplies	010-034-53105-245	240.91
XEROX CORPORATION	108921	11/19/2024	Machine Maintence	010-034-53010-242	58.45
FLANAGAN, JASON	108848	11/19/2024	CVSA Training- Las Vegas	010-034-53010-370	285.00
SUBURBAN PROPANE - ELY	108998	12/03/2024	Propane-Dog Pound	010-034-53010-004	378.40
TRANSUNION RISK AND ALTE...	108910	11/19/2024	Investigations	010-034-53010-176	1,271.00
FIVESTAR RUBBER STAMP ETC...	108845	11/19/2024	Signature Stamp (Umina)	010-034-53010-256	34.40
AT&T BOX 5025	108823	11/19/2024	PHONE	010-034-53010-360	698.16
LEGAL & LIABILITY RISK MAN...	108864	11/19/2024	Policy/Procedure Update	010-034-53010-238	5,500.00

Commissioner Approval Report

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Vendor Name	Payment Number	Post Date	Description (Item)	Account Number	Amount
XEROX CORPORATION	109015	12/03/2024	CV SUB Meter	010-034-53010-242	12.74
XEROX CORPORATION	109015	12/03/2024	Main Meter usage	010-034-53010-242	52.62
DESERT HILLS ELECTRIC INC	108838	11/19/2024	Monthly Maint.	010-034-53010-242	2,400.00
WHITE PINE COUNTY SHERIFF'...	108919	11/19/2024	INMATE HOUSING	010-034-53010-263	17,219.50
RUBY MOUNTAIN NATURAL S...	108896	11/19/2024	\$ Bottles Water Eureka	010-034-53010-256	37.00
NAT'L SHERIFF'S ASSOC	108874	11/19/2024	T. Thomas NSA Membership ...	010-034-53010-256	99.00
AT&T MOBILITY	108935	12/03/2024	AT&T Mobility Monthly Charg...	010-034-53010-360	2,398.23
AT&T MOBILITY	108935	12/03/2024	Phone	010-034-53010-044	418.77
AT&T MOBILITY	108935	12/03/2024	Phone	010-034-53010-360	50.37
ORIENTAL TRADING CO, INC	108975	12/03/2024	Christmas Bag supplies	010-034-53010-082	684.30
AT&T BOX 5001	108932	12/03/2024	Wireless 911 Usage	010-034-53010-360	9.84
AT&T LONG DISTANCE	108824	11/19/2024	LONG DISTANCE PHONE	010-034-53010-360	85.84
PILOT THOMAS LOGISTICS, LLC..	108980	12/03/2024	Fuel	010-034-53105-130	870.04
TRUMBLE, MICHAEL	109003	12/03/2024	Street Lvl Policing in Henders...	010-034-53010-370	57.00
WEBSTER, TRINA	109008	12/03/2024	ATAC Training In Carson City ...	010-034-53010-370	189.00
WHITE PINE COUNTY SHERIFF'...	109012	12/03/2024	Inmate Housing, Inmates x5	010-034-53010-263	18,125.00
<b>Department 034 - SHERIFF Total:</b>					<b>59,645.73</b>

**Department: 040 - EMERGENCY MNGMNT**

NAPA AUTO PARTS	108873	11/19/2024	Air Filter/Oil Filters/fuel filters	010-040-53105-330	2,634.27
EUREKA SUPPLY	108843	11/19/2024	FUEL FILTER	010-040-53105-330	120.09
SEA-WESTERN, INC	108898	11/19/2024	DV: Andy/Miles - XL Wildland ...	010-040-53010-320	77.00
L N CURTIS AND SONS	108860	11/19/2024	SERVICES	010-040-53010-058	915.00
L N CURTIS AND SONS	108860	11/19/2024	SERVICE	010-040-53010-058	1,976.00
A PLUS TOTAL CARE	108820	11/19/2024	FIRE PHYSICALS	010-040-53010-000	435.00
L N CURTIS AND SONS	108860	11/19/2024	SERVICES	010-040-53010-058	1,752.00
L N CURTIS AND SONS	108860	11/19/2024	SERVICES	010-040-53010-058	1,752.00
2862 COMMUNICATIONS LLC	108819	11/19/2024	SUPPLIES-EMERGENCY MANA...	010-040-53010-000	65.00
AT&T MOBILITY	108935	12/03/2024	Phone	010-040-53010-000	288.42
AT&T MOBILITY	108935	12/03/2024	Phone	010-040-53010-043	1,377.95
WILLIAM BEE RIRIE HOSPITAL...	109014	12/03/2024	FIRE FIGHTER PHYSICALS	010-040-53010-000	672.54
WILLIAM BEE RIRIE HOSPITAL...	109014	12/03/2024	FIRE FIGHTER PHYSICAL	010-040-53010-000	372.27
SEA-WESTERN, INC	108995	12/03/2024	ANDY, MILES TURNOUTS,	010-040-53010-320	6,243.64
<b>Department 040 - EMERGENCY MNGMNT Total:</b>					<b>18,681.18</b>

**Department: 042 - PUBLIC WORKS**

QUILL CORPORATION	108887	11/19/2024	PW - Office Supplies	010-042-53010-300	80.99
LUMOS & ASSOCIATES	108868	11/19/2024	SRE Wind Socks	010-042-53010-357	616.79
QUILL CORPORATION	108887	11/19/2024	SUPPLIES	010-042-53010-300	71.69
REDI SERVICES LLC	108891	11/19/2024	CONTRACT SERVICE	010-042-53010-058	320.00
eFAX CORPORATE	108840	11/19/2024	Efax	010-042-53010-360	20.99
XEROX CORPORATION	108921	11/19/2024	MACH MAINT	010-042-53010-242	54.62
XEROX CORPORATION	108921	11/19/2024	MACHINE MAINT	010-042-53010-242	111.05
RUBY MOUNTAIN NATURAL S...	108896	11/19/2024	OFFICE SUPPLIES	010-042-53010-300	28.50
AT&T MOBILITY	108935	12/03/2024	Phone	010-042-53010-044	404.83
AT&T MOBILITY	108935	12/03/2024	Phone	010-042-53010-360	266.60
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	Machine Lease	010-042-53010-242	46.48
<b>Department 042 - PUBLIC WORKS Total:</b>					<b>2,022.54</b>

**Department: 052 - D & T CENTER**

REHAB SERVICES OF NEVADA	108893	11/19/2024	Physical Therapy September 2...	010-052-53010-058	4,049.55
REHAB SERVICES OF NEVADA	108893	11/19/2024	Physical Therapy October 2024	010-052-53010-058	4,431.50
WILLIAM BEE RIRIE HOSPITAL -..	108920	11/19/2024	October Hospital Contract	010-052-53010-058	52,750.00
GENESIS HOME HEALTH SERVI...	108852	11/19/2024	Home Health Sept. 2024	010-052-53010-161	1,392.50
GENESIS HOME HEALTH SERVI...	108949	12/03/2024	Home Health Oct. 2024	010-052-53010-161	2,065.00
<b>Department 052 - D &amp; T CENTER Total:</b>					<b>64,688.55</b>

**Department: 054 - AMBULANCE**

HSI INC	108856	11/19/2024	Billing Services for Sept 2024	010-054-53010-019	972.00
NORCO	108875	11/19/2024	Medical Oxygen Exchange	010-054-53010-007	91.86
LIFE ASSIST, INC	108867	11/19/2024	Ambulance Supplies	010-054-53010-007	231.20
NORCO	108875	11/19/2024	Medical Oxygen Exchange	010-054-53010-007	114.33
EUREKA SUPPLY	108843	11/19/2024	BUG-B-GONE	010-054-53105-245	183.96

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Vendor Name	Payment Number	Post Date	Description (Item)	Account Number	Amount
NORCO	108875	11/19/2024	Medical Oxygen Rental	010-054-53010-007	520.80
RAINES MARKET	108888	11/19/2024	Raines Market Receipts	010-054-53010-000	112.74
HSI INC	108955	12/03/2024	Billing Services for October 20...	010-054-53010-019	942.00
PILOT THOMAS LOGISTICS, LLC..	108883	11/19/2024	Fuel	010-054-53105-130	156.32
eFAX CORPORATE	108840	11/19/2024	Efax	010-054-53010-360	20.99
STEFANKO, DR ROBERT J	108903	11/19/2024	Medical Director Services for ...	010-054-53010-356	400.00
HENRY SCHEIN INC	108952	12/03/2024	Ambulance Supplies	010-054-53010-007	304.12
QUILL CORPORATION	108983	12/03/2024	Office Supplies	010-054-53010-000	212.62
AT&T MOBILITY	108935	12/03/2024	Phone	010-054-53010-044	193.04
AT&T MOBILITY	108935	12/03/2024	Phone	010-054-53010-360	299.32
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	POSTAGE MACHINE LEASE SE...	010-054-53010-242	49.24
ROBERTS, JEREMI	108988	12/03/2024	EMS Director Candidate	010-054-53010-370	511.11
PILOT THOMAS LOGISTICS, LLC..	108980	12/03/2024	Fuel	010-054-53105-130	138.86
STEFANKO, DR ROBERT J	108996	12/03/2024	Medical Director Services for ...	010-054-53010-356	400.00
HENRY SCHEIN INC	108952	12/03/2024	Credit for recalled items	010-054-53010-007	-17.95
<b>Department 054 - AMBULANCE Total:</b>					<b>5,836.56</b>

Department: 070 - SWIM POOL

RUBY MOUNTAIN NATURAL S...	108896	11/19/2024	SUPPLIES	010-070-53010-000	20.00
LEE JOSEPH / SWIM POOL	108863	11/19/2024	POOL SUPPLIES	010-070-53010-315	346.60
PILOT THOMAS LOGISTICS, LLC..	108980	12/03/2024	Fuel	010-070-53010-370	109.57
RUBY MOUNTAIN NATURAL S...	108991	12/03/2024	SUPPLIES	010-070-53010-000	20.00
<b>Department 070 - SWIM POOL Total:</b>					<b>496.17</b>

Department: 072 - SENIOR CENTER

RAINES MARKET	108888	11/19/2024	supplies	010-072-53672-000	5.99
RAINES MARKET	108888	11/19/2024	supplies	010-072-53672-326	4.88
eFAX CORPORATE	108840	11/19/2024	Efax	010-072-53672-360	20.99
RIDLEY'S FAMILY MARKETS, I...	108895	11/19/2024	supplies	010-072-53360-326	27.66
RESERVE ACCOUNT	108894	11/19/2024	POSTAGE SEPTEMBER THRU ...	010-072-53876-275	298.21
AT&T LONG DISTANCE	108824	11/19/2024	phone	010-072-53360-360	35.90
LICO, DEEJAYE	108965	12/03/2024	lunch	010-072-53360-370	18.00
FLAKE, SHANLEE	108846	11/19/2024	lunch	010-072-53672-370	18.00
OFFICE PRODUCTS INC	108879	11/19/2024	machine	010-072-53360-242	29.99
SYSCO INTERMOUNTAIN FOOD	108907	11/19/2024	supplies	010-072-53672-000	53.69
SYSCO INTERMOUNTAIN FOOD	108907	11/19/2024	supplies	010-072-53672-326	1,028.61
SYSCO INTERMOUNTAIN FOOD	108907	11/19/2024	supplies	010-072-53360-000	98.80
SYSCO INTERMOUNTAIN FOOD	108907	11/19/2024	supplies	010-072-53360-326	556.22
SYSCO INTERMOUNTAIN FOOD	108907	11/19/2024	credit	010-072-53672-326	-44.39
LICO, DEEJAYE	108965	12/03/2024	lunch	010-072-53360-370	18.00
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	Machine Maintenance	010-072-53360-242	60.70
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	POSTAGE MACHINE LEASE SE...	010-072-53876-275	49.25
SYSCO INTERMOUNTAIN FOOD	108907	11/19/2024	supplies	010-072-53360-000	154.90
SYSCO INTERMOUNTAIN FOOD	108907	11/19/2024	supplies	010-072-53360-326	495.77
LICO, DEEJAYE	108965	12/03/2024	lunch	010-072-53360-370	18.00
SYSCO INTERMOUNTAIN FOOD	109002	12/03/2024	supplies	010-072-53672-000	23.04
RO BUS SALES	108987	12/03/2024	ADA Van 1FDXE4FN9RDD057...	010-072-55010-000	131,206.75
RO BUS SALES	108987	12/03/2024	ADA Van 1FDXE4FNXRDD057...	010-072-55010-000	131,206.75
LICO, DEEJAYE	108965	12/03/2024	lunch	010-072-53360-370	18.00
SYSCO INTERMOUNTAIN FOOD	109002	12/03/2024	supplies	010-072-53672-000	69.90
SYSCO INTERMOUNTAIN FOOD	109002	12/03/2024	supplies	010-072-53672-326	413.51
SYSCO INTERMOUNTAIN FOOD	109002	12/03/2024	supplies	010-072-53360-000	30.55
SYSCO INTERMOUNTAIN FOOD	109002	12/03/2024	supplies	010-072-53360-326	1,098.91
NV ASSN OF COUNTY HUMAN...	108973	12/03/2024	Association Dues FY 2025	010-072-53357-058	100.00
LICO, DEEJAYE	108965	12/03/2024	lunch	010-072-53360-370	18.00
OFFICE PRODUCTS INC	108974	12/03/2024	machine	010-072-53672-242	60.46
SYSCO INTERMOUNTAIN FOOD	109002	12/03/2024	supplies	010-072-53360-000	34.29
SYSCO INTERMOUNTAIN FOOD	108907	11/19/2024	supplies	010-072-53672-326	842.93
<b>Department 072 - SENIOR CENTER Total:</b>					<b>268,072.26</b>

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Vendor Name	Payment Number	Post Date	Description (Item)	Account Number	Amount	
<b>Department: 073 - MUSEUM</b>						
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	POSTAGE MACHINE LEASE SE...	010-073-53010-242	49.24	
					<b>Department 073 - MUSEUM Total:</b>	<b>49.24</b>
<b>Department: 074 - PUBLIC PARKS</b>						
GREGORY INSURANCE AGENCY	108854	11/19/2024	INSURANCE	010-074-53010-170	140.00	
CRESCENT VALLEY WATER DPT	108836	11/19/2024	296 Park Restrooms	010-074-53010-311	39.24	
CRESCENT VALLEY WATER DPT	108836	11/19/2024	14 CV Park	010-074-53010-311	330.73	
CRESCENT VALLEY WATER DPT	108836	11/19/2024	26 CV Park	010-074-53010-311	446.23	
EUREKA TOWN WATER	108844	11/19/2024	370 LWR BALLFIELD	010-074-53010-310	490.85	
EUREKA TOWN WATER	108844	11/19/2024	369 BALLFIELD	010-074-53010-310	589.55	
EUREKA TOWN WATER	108844	11/19/2024	376 BATHROOM	010-074-53010-310	188.81	
EUREKA TOWN WATER	108844	11/19/2024	368 FAIRGROUNDS	010-074-53010-310	184.85	
EUREKA TOWN WATER	108844	11/19/2024	371 TOWN PARK	010-074-53010-310	214.01	
EUREKA TOWN WATER	108844	11/19/2024	358 LWR BATHROOM	010-074-53010-310	43.91	
MT WHEELER POWER INC	108969	12/03/2024	41 N Buel St Park #2	010-074-53010-105	57.27	
MT WHEELER POWER INC	108969	12/03/2024	Parks	010-074-53010-105	103.86	
MT WHEELER POWER INC	108969	12/03/2024	Ball Field	010-074-53010-105	30.14	
MT WHEELER POWER INC	108969	12/03/2024	31 Tannehill Rd	010-074-53010-105	47.37	
					<b>Department 074 - PUBLIC PARKS Total:</b>	<b>2,906.82</b>
<b>Department: 076 - LIBRARY</b>						
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	Machine Lease	010-076-53010-000	60.70	
					<b>Department 076 - LIBRARY Total:</b>	<b>60.70</b>
<b>Department: 086 - COUNTY OPERA HOUSE</b>						
QUILL CORPORATION	108887	11/19/2024	JANITORIAL SUPPLIES/SUPPLI...	010-086-53010-000	24.64	
EVERYTHING ELKO LLC	108948	12/03/2024	Marketing - Holiday Bazaar	010-086-53010-244	450.00	
VOGUE LINEN-UNIFORM RENT	108912	11/19/2024	OPERA HOUSE CONVENTION ...	010-086-53010-062	99.57	
THE EUREKA COUNTY STAR	108909	11/19/2024	MARKETING	010-086-53010-244	180.00	
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	POSTAGE MACHINE LEASE SE...	010-086-53010-242	49.24	
VOGUE LINEN-UNIFORM RENT	108912	11/19/2024	OPERA HOUSE CONVENTION ...	010-086-53010-062	99.57	
OFFICE PRODUCTS INC	108879	11/19/2024	MACHINE MAINT	010-086-53010-242	38.45	
CUDA, RALPH	108945	12/03/2024	Performance Christmas Conce...	010-086-53010-080	1,500.00	
VOGUE LINEN-UNIFORM RENT	109007	12/03/2024	OPERA HOUSE CONVENTION ...	010-086-53010-062	99.57	
VOGUE LINEN-UNIFORM RENT	109007	12/03/2024	OPERA HOUSE CONTRACT SE...	010-086-53010-062	99.57	
					<b>Department 086 - COUNTY OPERA HOUSE Total:</b>	<b>2,640.61</b>
<b>Department: 088 - NATURAL RESOURCES</b>						
ATLAS TOWING SERVICE, INC	108825	11/19/2024	TRASH HAULING	010-088-53010-106	1,436.00	
ATLAS TOWING SERVICE, INC	108825	11/19/2024	TRASH HAULING	010-088-53010-106	802.00	
XEROX CORPORATION	108921	11/19/2024	Copier Meter Reading 9/21/24..	010-088-53010-242	43.03	
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	Machine Lease	010-088-53010-242	46.48	
					<b>Department 088 - NATURAL RESOURCES Total:</b>	<b>2,327.51</b>
					<b>Fund 010 - GENERAL FUND Total:</b>	<b>640,969.20</b>
<b>Fund: 014 - RETIREE HLTH INS PREM FD</b>						
<b>Department: 101 - RETIREE HLTH INS PREM</b>						
NV PUBLIC EMPLOYEES' BENEF..	108878	11/19/2024	Retiree Insurance	014-101-53010-169	1,354.73	
MORRISON, CHERYL	108968	12/03/2024	HRA Retiree Premium	014-101-53010-169	528.52	
HARLAND, BRUCE	108951	12/03/2024	Retiree HRA Payment	014-101-53010-169	299.93	
SCHWEBLE, JOHN	108994	12/03/2024	Retiree HRA Payment	014-101-53010-169	289.38	
LABARRY, KAREN	108961	12/03/2024	Retiree HRA Payment	014-101-53010-169	344.36	
AUCH, SHARON	108936	12/03/2024	Retiree HRA Payment	014-101-53010-169	377.76	
ITHURRALDE, JAMES	108958	12/03/2024	Retiree HRA Payment	014-101-53010-169	589.07	
KANSAS CITY LIFE INSURANCE...	108960	12/03/2024	Retiree Dental	014-101-53010-169	1,460.03	
CASTANEDA, MARYJO	108942	12/03/2024	Retiree HRA Payment	014-101-53010-169	480.88	
LINK, MAXIMINA M	108966	12/03/2024	Retiree HRA Payment	014-101-53010-169	295.69	
HOPPER, HEIDI	108954	12/03/2024	HRA Payment	014-101-53010-169	295.06	
KANSAS CITY LIFE INSURANCE...	108960	12/03/2024	Retiree Vision	014-101-53010-169	280.95	
PROMINENCE HEALTH PLANS	108981	12/03/2024	Retiree Insurance	014-101-53010-169	11,680.10	
HUBBARD, JANINE	108956	12/03/2024	Retiree HRA Payment	014-101-53010-169	123.84	
KANSAS CITY LIFE INSURANCE...	108960	12/03/2024	Retiree Life	014-101-53010-169	332.83	

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Vendor Name	Payment Number	Post Date	Description (Item)	Account Number	Amount
PROMINENCE HEALTH PLANS	108981	12/03/2024	Retiree Insurance	014-101-53010-172	12,500.20
				<b>Department 101 - RETIREE HLTH INS PREM Total:</b>	<b>31,233.33</b>
				<b>Fund 014 - RETIREE HLTH INS PREM FD Total:</b>	<b>31,233.33</b>

Fund: 020 - ROAD FUND

Department: 106 - ROAD DEPT

EUREKA SUPPLY	108843	11/19/2024	OIL SEAL	020-106-53105-330	23.52
EUREKA SUPPLY	108843	11/19/2024	LICENSE PLATE LITE	020-106-53105-330	5.19
NAPA AUTO PARTS	108873	11/19/2024	Window Wash/Gloves	020-106-53105-330	74.58
NAPA AUTO PARTS	108873	11/19/2024	Freon	020-106-53105-330	499.98
NAPA AUTO PARTS	108873	11/19/2024	Jump Starter	020-106-53010-372	399.00
EUREKA SUPPLY	108843	11/19/2024	Transmission Fluid	020-106-53105-330	77.94
NAPA AUTO PARTS	108873	11/19/2024	Grease Fittings	020-106-53105-330	61.21
NAPA AUTO PARTS	108873	11/19/2024	Oil & Fluid Filter/Brake Clean	020-106-53105-330	206.04
NAPA AUTO PARTS	108873	11/19/2024	Lithium Grease	020-106-53105-330	359.70
EUREKA SUPPLY	108843	11/19/2024	GLASS CLEANER	020-106-53105-330	41.94
NORTHERN TOOL & EQUIPME...	108876	11/19/2024	SHOP TOOLS	020-106-53010-371	870.00
NAPA AUTO PARTS	108873	11/19/2024	Glass Cleaner	020-106-53105-330	119.76
KENWORTH SALES CO INC DE...	108859	11/19/2024	MAINT/REPAIRS	020-106-53105-330	116.68
EUREKA SUPPLY	108843	11/19/2024	WIPERS	020-106-53105-330	45.02
EUREKA SUPPLY	108843	11/19/2024	SILCONE SEALER	020-106-53105-330	26.99
NAPA AUTO PARTS	108873	11/19/2024	Fuel, Oil & Air Filter	020-106-53105-330	223.13
NAPA AUTO PARTS	108873	11/19/2024	Oil Filters	020-106-53105-330	18.05
PILOT THOMAS LOGISTICS, LLC...	108883	11/19/2024	Fuel	020-106-53105-130	69.39
NAPA AUTO PARTS	108873	11/19/2024	Battery,Gloves, Extension cor...	020-106-53105-330	741.61
NORTHERN TOOL & EQUIPME...	108876	11/19/2024	SHOP TOOLS	020-106-53010-371	111.00
CRESCENT VALLEY WATER DPT	108836	11/19/2024	294 Beo Road Shop	020-106-53749-400	76.86
EMPIRE SOUTHWEST, LLC	108842	11/19/2024	MAINT/REPAIRS	020-106-53105-330	199.07
EUREKA TOWN WATER	108844	11/19/2024	267 RD SHOP	020-106-53748-400	43.91
READING TRUCK EQUIPMENT ...	108890	11/19/2024	MAINT	020-106-53105-330	216.92
HOME DEPOT CREDIT SERVICE	108953	12/03/2024	supplies	020-106-53749-195	71.46
3R DISTRIBUTING LLC	108930	12/03/2024	MAINT/REPAIRS	020-106-53105-330	35.70
PILOT THOMAS LOGISTICS, LLC	108882	11/19/2024	FUEL	020-106-53105-130	27,140.71
READING TRUCK EQUIPMENT ...	108890	11/19/2024	MAINT/REPAIRS	020-106-53105-330	565.22
NORTHERN TOOL & EQUIPME...	108876	11/19/2024	SHOP TOOLS	020-106-53010-371	127.00
EMPIRE SOUTHWEST, LLC	108842	11/19/2024	MAINT/REPAIRS	020-106-53105-330	750.00
PILOT THOMAS LOGISTICS, LLC	108882	11/19/2024	FUEL	020-106-53105-130	4,867.37
EMPIRE SOUTHWEST, LLC	108842	11/19/2024	MAINT/REPAIRS	020-106-53105-330	770.02
NORTHERN TOOL & EQUIPME...	108876	11/19/2024	SHOP TOOLS	020-106-53010-371	269.99
AT&T MOBILITY	108935	12/03/2024	Phone	020-106-53010-360	168.96
CMC TIRE INC	108834	11/19/2024	TIRES	020-106-53105-358	2,416.20
EMPIRE SOUTHWEST, LLC	108842	11/19/2024	MAINT/REPAIR	020-106-53105-330	320.19
JACKSON GROUP PETERBILT, I...	108858	11/19/2024	MAINT/REPAIRS	020-106-53105-330	340.34
JACKSON GROUP PETERBILT, I...	108858	11/19/2024	MAINT/REPAIRS	020-106-53105-330	46.32
LAWSON PRODUCTS, INC	108963	12/03/2024	SHOP TOOLS	020-106-53010-371	505.27
MT WHEELER POWER INC	108969	12/03/2024	Road Shop	020-106-53748-105	250.24
MT WHEELER POWER INC	108969	12/03/2024	Road Shop Plug In	020-106-53748-105	55.50
MT WHEELER POWER INC	108969	12/03/2024	900 Holly Rd	020-106-53748-105	28.00
LAWSON PRODUCTS, INC	108963	12/03/2024	SHOP SUPPLIES	020-106-53010-372	832.25
BROWN BROTHERS WELDING	108940	12/03/2024	ROAD MAINT	020-106-53010-058	5,675.00
BROWN BROTHERS WELDING	108940	12/03/2024	ROAD MAINT	020-106-53010-058	8,720.00
BRIDGESTONE HOSEPOWER L...	108939	12/03/2024	SHOP	020-106-53105-330	223.53
JACKSON GROUP PETERBILT, I...	108959	12/03/2024	MAINT/REPAIRS	020-106-53105-330	268.37
LAWSON PRODUCTS, INC	108963	12/03/2024	SHOP SUPPLIES	020-106-53010-372	9.02
PILOT THOMAS LOGISTICS, LLC	108979	12/03/2024	SUPPLIES	020-106-53105-130	3,870.32
JACKSON GROUP PETERBILT, I...	108959	12/03/2024	MAINTENANCE/REPAIRS	020-106-53105-330	640.66
READING TRUCK EQUIPMENT ...	108984	12/03/2024	SHOP TOOLS	020-106-53010-371	916.32
JACKSON GROUP PETERBILT, I...	108959	12/03/2024	MAINT/REPAIRS	020-106-53105-330	242.58
GRAINGER PARTS OPERATIONS	108950	12/03/2024	SHOP TOOLS	020-106-53010-371	92.16
EMPIRE SOUTHWEST, LLC	108946	12/03/2024	MAINT/REPAIRS	020-106-53105-330	417.91

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Vendor Name	Payment Number	Post Date	Description (Item)	Account Number	Amount
INTERWEST SUPPLY COMPANY	108957	12/03/2024	REPAIRS/MAINT	020-106-53105-330	2,254.90
<b>Department 106 - ROAD DEPT Total:</b>					<b>67,519.00</b>
<b>Fund 020 - ROAD FUND Total:</b>					<b>67,519.00</b>
<b>Fund: 025 - REG TRANSPORTATION COMM</b>					
<b>Department: 110 - R T C DEPT</b>					
LUMOS & ASSOCIATES	108868	11/19/2024	Phase 2 Design	025-110-55010-357	925.00
SIERRA NV CONSTRUCTION INC	108900	11/19/2024	Retention Phase 1	025-110-55010-000	356,694.29
LUMOS & ASSOCIATES	108868	11/19/2024	Phase II CM Services (RTC)	025-110-55010-357	37,006.96
LUMOS & ASSOCIATES	108868	11/19/2024	Phase 2B Design RTC	025-110-55010-357	810.00
<b>Department 110 - R T C DEPT Total:</b>					<b>395,436.25</b>
<b>Fund 025 - REG TRANSPORTATION COMM Total:</b>					<b>395,436.25</b>
<b>Fund: 035 - AGRICULTURAL DIST #15</b>					
<b>Department: 125 - FAIR BOARD DEPT.</b>					
RESERVE ACCOUNT	108894	11/19/2024	POSTAGE SEPTEMBER THRU ...	035-125-53010-000	0.97
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	POSTAGE MACHINE LEASE SE...	035-125-53010-000	49.24
<b>Department 125 - FAIR BOARD DEPT. Total:</b>					<b>50.21</b>
<b>Fund 035 - AGRICULTURAL DIST #15 Total:</b>					<b>50.21</b>
<b>Fund: 042 - CAPITAL PROJECTS FUND</b>					
<b>Department: 140 - CAPITAL PROJECTS DEPT</b>					
2862 COMMUNICATIONS LLC	108819	11/19/2024	SUPPLIES-RADIO OPERATOR U...	042-140-55010-094	6,965.00
EMPIRE SOUTHWEST, LLC	108946	12/03/2024	V-PLOW	042-140-55010-000	38,206.35
EMPIRE SOUTHWEST, LLC	108946	12/03/2024	WALK & ROLL	042-140-55010-000	28,678.24
PATTERSON DENTAL SUPPLY, ...	108978	12/03/2024	Dental Equipment	042-140-55010-249	22,000.00
<b>Department 140 - CAPITAL PROJECTS DEPT Total:</b>					<b>95,849.59</b>
<b>Fund 042 - CAPITAL PROJECTS FUND Total:</b>					<b>95,849.59</b>
<b>Fund: 044 - TOWN OF EUREKA FUND</b>					
<b>Department: 151 - EUREKA TOWN FIRE</b>					
NAPA AUTO PARTS	108873	11/19/2024	Air Filter/Oil Filters/fuel filters	044-151-53105-330	639.35
NAPA AUTO PARTS	108873	11/19/2024	Air Filter	044-151-53105-330	54.99
NAPA AUTO PARTS	108873	11/19/2024	Oil Filter	044-151-53105-330	8.50
NAPA AUTO PARTS	108873	11/19/2024	Battery	044-151-53105-330	332.78
NAPA AUTO PARTS	108873	11/19/2024	Oil, Air & Fuel Filters	044-151-53105-330	123.73
<b>Department 151 - EUREKA TOWN FIRE Total:</b>					<b>1,159.35</b>
<b>Department: 162 - STREET LIGHTING</b>					
MT WHEELER POWER INC	108969	12/03/2024	Buel & Clark St Light	044-162-53010-105	20.79
MT WHEELER POWER INC	108969	12/03/2024	Main & Mineral St Light	044-162-53010-105	20.99
MT WHEELER POWER INC	108969	12/03/2024	Monroe & Mineral St Light	044-162-53010-105	19.27
MT WHEELER POWER INC	108969	12/03/2024	Security Lights	044-162-53010-105	542.64
MT WHEELER POWER INC	108969	12/03/2024	Street Lights	044-162-53010-105	50.84
MT WHEELER POWER INC	108969	12/03/2024	Street Lights	044-162-53010-105	4.69
MT WHEELER POWER INC	108969	12/03/2024	Clark & Monroe St Light	044-162-53010-105	22.60
MT WHEELER POWER INC	108969	12/03/2024	Hwy 50 Roadside Rest St Light	044-162-53010-105	6.98
<b>Department 162 - STREET LIGHTING Total:</b>					<b>688.80</b>
<b>Fund 044 - TOWN OF EUREKA FUND Total:</b>					<b>1,848.15</b>
<b>Fund: 045 - EUREKA WTR/SWR UTLTY FD</b>					
<b>Department: 177 - EUREKA WATER DEPT</b>					
SIERRA NV CONSTRUCTION INC	108900	11/19/2024	Retention Phase 1	045-177-55010-000	39,632.69
LUMOS & ASSOCIATES	108868	11/19/2024	Phase II CM Services (Water)	045-177-55010-357	12,335.65
LUMOS & ASSOCIATES	108868	11/19/2024	Phase 2B Design Water	045-177-55010-357	270.00
RAINES MARKET	108888	11/19/2024	Raines Market Receipts	045-177-53010-000	73.94
QUILL CORPORATION	108887	11/19/2024	SUPPLIES	045-177-53010-000	12.47
THATCHER CO OF NEVADA, INC	108908	11/19/2024	SUPPLIES	045-177-53010-000	876.80
USA BLUE BOOK	109006	12/03/2024	SUPPLIES	045-177-53010-000	783.38
QUILL CORPORATION	108887	11/19/2024	SUPPLIES	045-177-53010-000	121.00
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	Machine Lease	045-177-53010-000	46.48
LUMOS & ASSOCIATES	108967	12/03/2024	Phase II CM Services (Water)	045-177-55010-357	3,198.00
LARRY H MILLER CHEVROLET	108962	12/03/2024	MAINTENANCE/REPAIRS	045-177-53105-330	42.30



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Vendor Name	Payment Number	Post Date	Description (Item)	Account Number	Amount
MT WHEELER POWER INC	108969	12/03/2024	DV Well 2 Hogpen	045-177-53010-105	381.03
MT WHEELER POWER INC	108969	12/03/2024	DV Well 1	045-177-53010-105	2,112.51
MT WHEELER POWER INC	108969	12/03/2024	Water Tower	045-177-53010-105	48.32
MT WHEELER POWER INC	108969	12/03/2024	11th St Well	045-177-53010-105	101.10
AT&T BOX 5075	108934	12/03/2024	TELEMETRY	045-177-53010-360	48.90
WESTERN ENVIRONMENTAL T...	109010	12/03/2024	WATER TESTING	045-177-53010-405	396.00
PARSONS DRILLING INC	108977	12/03/2024	WELL 2 REHAB	045-177-55010-000	119,875.82
<b>Department 177 - EUREKA WATER DEPT Total:</b>					<b>180,356.39</b>

**Department: 178 - EUREKA SEWER DEPT**

LUMOS & ASSOCIATES	108868	11/19/2024	Phase II Cm Services (Sewer)	045-178-55010-000	12,335.66
LUMOS & ASSOCIATES	108868	11/19/2024	Phase 2B Design Sewer	045-178-55010-357	270.00
LUMOS & ASSOCIATES	108967	12/03/2024	Phase II Cm Services (Sewer)	045-178-55010-000	3,198.00
WESTERN ENVIRONMENTAL T...	109010	12/03/2024	WATER TESTING	045-178-53010-000	287.00
<b>Department 178 - EUREKA SEWER DEPT Total:</b>					<b>16,090.66</b>

**Fund 045 - EUREKA WTR/SWR UTLTY FD Total: 196,447.05**

**Fund: 046 - CRESCENT VALLEY TOWN**

**Department: 190 - CV TOWN BOARD**

eFAX CORPORATE	108840	11/19/2024	Efax	046-190-53010-360	20.99
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	Machine Maintenance	046-190-53010-242	60.70
<b>Department 190 - CV TOWN BOARD Total:</b>					<b>81.69</b>

**Department: 194 - FIRE DEPT**

NAPA AUTO PARTS	108873	11/19/2024	Air Filter/Oil Filters/fuel filters	046-194-53105-330	419.38
NAPA AUTO PARTS	108873	11/19/2024	Fuel Filter	046-194-53105-330	36.99
KENWORTH SALES CO INC DE...	108859	11/19/2024	MAINT/REPAIRS	046-194-53105-330	149.95
L N CURTIS AND SONS	108860	11/19/2024	CAPITAL OUTLAY	046-194-55010-000	2,795.00
<b>Department 194 - FIRE DEPT Total:</b>					<b>3,401.32</b>

**Fund 046 - CRESCENT VALLEY TOWN Total: 3,483.01**

**Fund: 048 - CV WATER UTILITY FUND**

**Department: 209 - CV WATER DEPT**

QUILL CORPORATION	108887	11/19/2024	SUPPLIES	048-209-53010-000	12.46
HOME DEPOT CREDIT SERVICE	108953	12/03/2024	supplies	048-209-53010-000	333.85
THATCHER CO OF NEVADA, INC	108908	11/19/2024	SUPPLIES	048-209-53010-000	876.80
USA BLUE BOOK	109006	12/03/2024	SUPPLIES	048-209-53010-000	783.38
SUBURBAN PROPANE	108997	12/03/2024	Propane - CV Wells	048-209-53010-160	235.70
QUILL CORPORATION	108887	11/19/2024	SUPPLIES	048-209-53010-000	121.00
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	Machine Lease	048-209-53010-000	46.48
SGS SILVER STATE ANALYTICAL...	108899	11/19/2024	WATER TESTING	048-209-53010-405	37.00
AT&T BOX 5025	108933	12/03/2024	TELEMETRY	048-209-53010-360	203.30
<b>Department 209 - CV WATER DEPT Total:</b>					<b>2,649.97</b>

**Fund 048 - CV WATER UTILITY FUND Total: 2,649.97**

**Fund: 050 - EUREKA CO TV DISTRICT**

**Department: 213 - ADMINISTRATIVE DEPT**

HILYARD, JANEEN	108855	11/19/2024	Oct-24 Monthly Admin Service	050-213-53010-058	1,000.00
MOYLAN, TRACY	108871	11/19/2024	Monthly Meeting	050-213-53010-370	197.56
HILYARD, JANEEN	108855	11/19/2024	Nov. Monthly Admin Service	050-213-53010-058	1,000.00
EIDE BAILLY, LLP	108841	11/19/2024	TV Dist. Audit FY23-24	050-213-53010-165	10,500.00
<b>Department 213 - ADMINISTRATIVE DEPT Total:</b>					<b>12,697.56</b>

**Department: 214 - TANK HILL**

EAGLE COMMUNICATIONS LLC	108839	11/19/2024	Monthly Maintenance	050-214-53010-058	1,000.00
EAGLE COMMUNICATIONS LLC	108839	11/19/2024	Monthly Maintenance	050-214-53010-058	1,000.00
MT WHEELER POWER INC	108969	12/03/2024	Tank Hill	050-214-53010-105	308.39
<b>Department 214 - TANK HILL Total:</b>					<b>2,308.39</b>

**Department: 216 - PROSPECT PEAK**

EAGLE COMMUNICATIONS LLC	108839	11/19/2024	Monthly Maintenance	050-216-53010-058	1,000.00
EAGLE COMMUNICATIONS LLC	108839	11/19/2024	Monthly Maintenance	050-216-53010-058	1,000.00
MT WHEELER POWER INC	108969	12/03/2024	Prospect Peak	050-216-53010-105	558.19

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Vendor Name	Payment Number	Post Date	Description (Item)	Account Number	Amount
SWITCH, LTD	109000	12/03/2024	Fiber Connection	050-216-53010-058	1,496.70
<b>Department 216 - PROSPECT PEAK Total:</b>					<b>4,054.89</b>
<b>Department: 217 - ARGENTA RIDGE</b>					
EAGLE COMMUNICATIONS LLC	108839	11/19/2024	Monthly Maintenance	050-217-53010-058	1,000.00
EAGLE COMMUNICATIONS LLC	108839	11/19/2024	Monthly Maintenance	050-217-53010-058	1,000.00
LANDER CO TREASURER	108861	11/19/2024	Oct. Comm. Equip.	050-217-53010-058	250.00
<b>Department 217 - ARGENTA RIDGE Total:</b>					<b>2,250.00</b>
<b>Fund 050 - EUREKA CO TV DISTRICT Total:</b>					<b>21,310.84</b>
<b>Fund: 060 - DIAMOND VALLEY WEED DIST</b>					
<b>Department: 218 - WEED DIST DEPT</b>					
EUREKA SUPPLY	108843	11/19/2024	CLAMP	060-218-53010-000	4.58
<b>Department 218 - WEED DIST DEPT Total:</b>					<b>4.58</b>
<b>Fund 060 - DIAMOND VALLEY WEED DIST Total:</b>					<b>4.58</b>
<b>Fund: 120 - DEVIL'S GATE WATER DIST</b>					
<b>Department: 245 - DEVIL'S GATE WATER DEPT</b>					
SYNTECH SYSTEMS, INC	108906	11/19/2024	SERVICES	120-245-53010-000	61.00
QUILL CORPORATION	108887	11/19/2024	SUPPLIES	120-245-53010-000	12.46
THATCHER CO OF NEVADA, INC	108908	11/19/2024	SUPPLIES	120-245-53010-000	876.80
USA BLUE BOOK	109006	12/03/2024	SUPPLIES	120-245-53010-000	783.40
QUILL CORPORATION	108887	11/19/2024	SUPPLIES	120-245-53010-000	79.10
PITNEY BOWES GLOBAL FINA...	108884	11/19/2024	Machine Lease	120-245-53010-000	46.48
MT WHEELER POWER INC	108969	12/03/2024	US 50 & 278 Water Tank	120-245-53010-105	559.57
MT WHEELER POWER INC	108969	12/03/2024	DV Pump 1	120-245-53010-105	35.62
WESTERN ENVIRONMENTAL T...	109010	12/03/2024	WATER TESTING	120-245-53010-405	90.00
<b>Department 245 - DEVIL'S GATE WATER DEPT Total:</b>					<b>2,544.43</b>
<b>Fund 120 - DEVIL'S GATE WATER DIST Total:</b>					<b>2,544.43</b>
<b>Fund: 125 - WATER MITIGATION FUND</b>					
<b>Department: 247 - WATER MITIGATION DEPT</b>					
LUMOS & ASSOCIATES	108868	11/19/2024	Kobeh Valley Schematic Design	125-247-55010-357	84,500.00
RAINES MARKET	108888	11/19/2024	Raines Market Receipts	125-247-55010-745	99.99
<b>Department 247 - WATER MITIGATION DEPT Total:</b>					<b>84,599.99</b>
<b>Fund 125 - WATER MITIGATION FUND Total:</b>					<b>84,599.99</b>
<b>Fund: 175 - EUREKA CO INDIGENT FUND</b>					
<b>Department: 270 - COUNTY INDIGENT DEPT</b>					
FOOD BANK OF NORTHERN NV	108849	11/19/2024	supplies	175-270-53010-180	115.50
GENESIS HOME HEALTH SERVI...	108852	11/19/2024	Home Health Sept. 2024	175-270-53010-161	870.00
WILLIAM BEE RIRIE HOSPITAL...	109013	12/03/2024	Arellano-Gonzalez Martin Indi...	175-270-53010-185	2,518.74
SUNDOWN LODGE	108999	12/03/2024	Indigent Aid 11/2-3/24	175-270-53010-180	75.60
<b>Department 270 - COUNTY INDIGENT DEPT Total:</b>					<b>3,579.84</b>
<b>Fund 175 - EUREKA CO INDIGENT FUND Total:</b>					<b>3,579.84</b>
<b>Fund: 190 - LANDFILL FUND</b>					
<b>Department: 273 - LANDFILL PROJECT</b>					
REDI SERVICES LLC	108891	11/19/2024	CONTRACT SERVICE	190-273-53010-058	320.00
ATLAS TOWING SERVICE, INC	108825	11/19/2024	TRASH HAULING	190-273-53010-058	1,436.00
ATLAS TOWING SERVICE, INC	108825	11/19/2024	TRASH HAULING	190-273-53010-058	802.00
<b>Department 273 - LANDFILL PROJECT Total:</b>					<b>2,558.00</b>
<b>Fund 190 - LANDFILL FUND Total:</b>					<b>2,558.00</b>
<b>Grand Total:</b>					<b>1,550,083.44</b>

# Report Summary

## Fund Summary

Fund	Payment Amount
010 - GENERAL FUND	640,969.20
014 - RETIREE HLTH INS PREM FD	31,233.33
020 - ROAD FUND	67,519.00
025 - REG TRANSPORTATION COMM	395,436.25
035 - AGRICULTURAL DIST #15	50.21
042 - CAPITAL PROJECTS FUND	95,849.59
044 - TOWN OF EUREKA FUND	1,848.15
045 - EUREKA WTR/SWR UTLTY FD	196,447.05
046 - CRESCENT VALLEY TOWN	3,483.01
048 - CV WATER UTILITY FUND	2,649.97
050 - EUREKA CO TV DISTRICT	21,310.84
060 - DIAMOND VALLEY WEED DIST	4.58
120 - DEVIL'S GATE WATER DIST	2,544.43
125 - WATER MITIGATION FUND	84,599.99
175 - EUREKA CO INDIGENT FUND	3,579.84
190 - LANDFILL FUND	2,558.00
<b>Grand Total:</b>	<b>1,550,083.44</b>

## Account Summary

Account Number	Account Name	Payment Amount
010-001-53010-000	SERVICES AND SUPPLIES	672.83
010-001-53010-242	MACHINE MAINTENANCE	77.91
010-001-53010-360	TELEPHONE/FAX	266.15
010-001-53010-370	TRAVEL/TRAINING	1,150.12
010-001-53010-389	MISC LEGAL FEES	5,351.36
010-002-53010-242	MACHINE MAINTENANCE	579.99
010-002-53010-300	OFFICE SUPPLIES	122.37
010-002-53010-319	PROPERTY TAX REFUNDS	35.67
010-002-53010-360	TELEPHONE/FAX	20.99
010-003-53010-000	SERVICES AND SUPPLIES	216.50
010-003-53010-242	MACHINE MAINTENANCE	179.01
010-003-53010-360	TELEPHONE/FAX	63.23
010-004-53010-000	SERVICES AND SUPPLIES	80.00
010-004-53010-242	MACHINE MAINTENANCE	419.57
010-004-53010-360	TELEPHONE/FAX	70.37
010-006-53010-242	MACHINE MAINTENANCE	106.91
010-006-53010-313	PERSONNEL SUPPORT	290.25
010-006-53010-360	TELEPHONE/FAX	65.33
010-010-53010-000	SERVICES AND SUPPLIES	248.15
010-010-53010-220	LEGAL ADVERTISING	2,164.75
010-010-53010-318	POSTAGE	66.49
010-010-53010-370	TRAVEL/TRAINING	114.00
010-011-53010-112	DATA SOFTWARE CONT...	47,702.55
010-011-53010-242	MACHINE MAINTENANCE	76.80
010-011-53010-300	OFFICE SUPPLIES	582.55
010-011-53010-318	POSTAGE	0.69
010-011-53010-360	TELEPHONE/FAX	66.23
010-015-53010-000	SERVICES AND SUPPLIES	777.55
010-015-53010-245	MAINTENANCE	493.92
010-015-53707-105	ELECTRICITY	424.61
010-015-53710-058	CONTRACT SERVICES	908.80
010-015-53710-105	ELECTRICITY	3,311.72
010-015-53710-400	WATER	133.84
010-015-53715-058	CONTRACT SERVICES	304.18
010-015-53715-105	ELECTRICITY	679.24
010-015-53715-160	HEATING FUEL/PROPANE	1,115.05
010-015-53715-400	WATER	117.04

**Account Summary**

Account Number	Account Name	Payment Amount
010-015-53718-058	CONTRACT SERVICES	216.44
010-015-53718-105	ELECTRICITY	526.44
010-015-53718-360	TELEPHONE/FAX	64.27
010-015-53718-400	WATER	217.84
010-015-53719-160	HEATING FUEL/PROPANE	244.42
010-015-53719-400	WATER	62.34
010-015-53721-400	WATER	53.53
010-015-53722-160	HEATING FUEL/PROPANE	618.73
010-015-53722-400	WATER	79.14
010-015-53723-160	HEATING FUEL/PROPANE	785.66
010-015-53723-400	WATER	58.14
010-015-53724-058	CONTRACT SERVICES	1,133.15
010-015-53724-160	HEATING FUEL/PROPANE	1,113.02
010-015-53724-330	REPAIRS/MAINT	2,995.00
010-015-53724-400	WATER	39.24
010-015-53729-058	CONTRACT SERVICES	414.50
010-015-53729-105	ELECTRICITY	598.42
010-015-53729-160	HEATING FUEL/PROPANE	1,093.12
010-015-53729-330	REPAIRS/MAINT	1,145.00
010-015-53729-400	WATER	86.15
010-015-53730-105	ELECTRICITY	937.81
010-015-53730-400	WATER	117.04
010-015-53740-058	CONTRACT SERVICES	1,471.57
010-015-53740-105	ELECTRICITY	892.39
010-015-53740-160	HEATING FUEL/PROPANE	840.39
010-015-53740-195	JANITORIAL SUPPLIES	101.99
010-015-53740-400	WATER	127.54
010-015-53745-105	ELECTRICITY	247.06
010-015-53745-400	WATER	43.91
010-015-53750-105	ELECTRICITY	4,887.78
010-015-53750-160	HEATING FUEL/PROPANE	4,111.95
010-015-53750-195	JANITORIAL SUPPLIES	183.58
010-015-53750-330	REPAIRS/MAINT	1,371.22
010-015-53750-400	WATER	165.34
010-015-53751-105	ELECTRICITY	341.21
010-015-53751-160	HEATING FUEL/PROPANE	463.46
010-015-53751-330	REPAIRS/MAINT	18.80
010-015-53751-400	WATER	184.85
010-015-53760-105	ELECTRICITY	28.00
010-015-53762-105	ELECTRICITY	133.88
010-015-53762-400	WATER	43.91
010-015-53765-160	HEATING FUEL/PROPANE	793.44
010-015-53765-400	WATER	76.86
010-015-53766-105	ELECTRICITY	249.20
010-015-53768-058	CONTRACT SERVICES	320.00
010-015-53768-105	ELECTRICITY	42.00
010-015-53769-105	ELECTRICITY	177.22
010-015-53769-400	WATER	43.91
010-015-53770-160	HEATING FUEL/PROPANE	268.43
010-015-53770-330	REPAIRS/MAINT	3,489.35
010-015-53770-400	WATER	76.86
010-015-53771-105	ELECTRICITY	178.23
010-015-53771-160	HEATING FUEL/PROPANE	205.20
010-015-53773-160	HEATING FUEL/PROPANE	68.45
010-015-53773-330	REPAIRS/MAINT	677.57
010-015-53774-105	ELECTRICITY	105.66
010-015-55010-000	CAPITAL OUTLAY	14,921.64
010-017-53010-242	MACHINE MAINTENANCE	46.48

**Account Summary**

Account Number	Account Name	Payment Amount
010-017-53010-318	POSTAGE	46.48
010-018-53010-058	CONTRACT SERVICES	41,323.98
010-018-53010-224	CIRCUIT/BROADBAND	90.48
010-018-53010-360	TELEPHONE/FAX	568.63
010-018-55010-000	CAPITAL OUTLAY	21,361.59
010-022-53010-000	SERVICES AND SUPPLIES	36.30
010-022-53010-098	PACE COALITION	480.00
010-022-53010-200	JUV PROB RECREATION ...	856.72
010-022-53010-242	MACHINE MAINTENANCE	49.24
010-022-53010-300	OFFICE SUPPLIES	20.00
010-022-53010-360	TELEPHONE/FAX	20.99
010-022-53010-370	TRAVEL/TRAINING	90.00
010-022-53105-130	FUEL	55.65
010-024-53010-000	SERVICES AND SUPPLIES	20.00
010-024-53010-176	INVESTIGATIONS	15.00
010-024-53010-242	MACHINE MAINTENANCE	122.81
010-024-53010-300	OFFICE SUPPLIES	506.25
010-024-53010-360	TELEPHONE/FAX	65.33
010-024-53010-370	TRAVEL/TRAINING	377.12
010-026-53010-068	COURT APPOINTED AT...	1,250.00
010-026-53010-071	DRUG COURT	662.19
010-026-53010-193	INDIGENT LEGAL AIDE	11,772.81
010-026-53010-318	POSTAGE	86.99
010-026-53010-324	PUB DEFEND WKEND ST...	1,800.00
010-026-53010-377	TRI COUNTY AGREEMENT	8,541.08
010-028-25007-000	EUREKA JC BAIL HOLDING	1,005.00
010-028-51035-000	PRO TEM SALARIES	100.00
010-028-53010-070	COURT EXPENSES	393.90
010-028-53010-072	COURT OFFICER EXPENSE	1,300.32
010-028-53010-242	MACHINE MAINTENANCE	89.83
010-028-53010-300	OFFICE SUPPLIES	445.38
010-028-53010-360	TELEPHONE/FAX	114.71
010-028-53010-370	TRAVEL/TRAINING	130.00
010-028-53010-410	WITNESS FEES	150.00
010-032-53010-000	SERVICES AND SUPPLIES	537.10
010-034-53010-004	ANIMAL CONTROL	378.40
010-034-53010-044	COMMUNICATION SUP/...	2,670.57
010-034-53010-082	PUBLIC RELATIONS	684.30
010-034-53010-176	INVESTIGATIONS	4,377.00
010-034-53010-238	POLICY/PROCEDURE UP...	5,500.00
010-034-53010-242	MACHINE MAINTENANCE	2,523.81
010-034-53010-256	MISCELLANEOUS	194.34
010-034-53010-263	JAIL SERVICES	35,344.50
010-034-53010-360	TELEPHONE/FAX	3,263.43
010-034-53010-370	TRAVEL/TRAINING	1,473.50
010-034-53105-130	FUEL	2,285.60
010-034-53105-245	MAINTENANCE	950.28
010-040-53010-000	SERVICES AND SUPPLIES	1,833.23
010-040-53010-043	PUSH-TO-TALK SUBSCRI...	1,377.95
010-040-53010-058	CONTRACT SERVICES	6,395.00
010-040-53010-320	PROTECTIVE CLOTHING	6,320.64
010-040-53105-330	REPAIRS/MAINT	2,754.36
010-042-53010-044	COMMUNICATION SUP/...	404.83
010-042-53010-058	CONTRACT SERVICES	320.00
010-042-53010-242	MACHINE MAINTENANCE	212.15
010-042-53010-300	OFFICE SUPPLIES	181.18
010-042-53010-357	SURVEYING/ENGINEERI...	616.79
010-042-53010-360	TELEPHONE/FAX	287.59

**Account Summary**

Account Number	Account Name	Payment Amount
010-052-53010-058	CONTRACT SERVICES	61,231.05
010-052-53010-161	HOME HEALTH SERVICES	3,457.50
010-054-53010-000	SERVICES AND SUPPLIES	325.36
010-054-53010-007	AMBULANCE SUPPLIES	1,244.36
010-054-53010-019	BILLING EXPENSES	1,914.00
010-054-53010-044	COMMUNICATION SUP/...	193.04
010-054-53010-242	MACHINE MAINTENANCE	49.24
010-054-53010-356	SERVICE CONTRACTS	800.00
010-054-53010-360	TELEPHONE/FAX	320.31
010-054-53010-370	TRAVEL/TRAINING	511.11
010-054-53105-130	FUEL	295.18
010-054-53105-245	MAINTENANCE	183.96
010-070-53010-000	SERVICES AND SUPPLIES	40.00
010-070-53010-315	POOL SUPPLIES	346.60
010-070-53010-370	TRAVEL/TRAINING	109.57
010-072-53357-058	CONTRACT SERVICES	100.00
010-072-53360-000	C V SENIOR CENTER SERV..	318.54
010-072-53360-242	MACHINE MAINTENANCE	90.69
010-072-53360-326	RAW FOOD	2,178.56
010-072-53360-360	TELEPHONE/FAX	35.90
010-072-53360-370	TRAVEL/TRAINING	90.00
010-072-53672-000	EUREKA CENTER SERVICE..	152.62
010-072-53672-242	MACHINE MAINTENANCE	60.46
010-072-53672-326	RAW FOOD	2,245.54
010-072-53672-360	TELEPHONE/FAX	20.99
010-072-53672-370	TRAVEL/TRAINING	18.00
010-072-53876-275	PUBLIC INFORMATION	347.46
010-072-55010-000	CAPITAL OUTLAY	262,413.50
010-073-53010-242	MACHINE MAINTENANCE	49.24
010-074-53010-105	ELECTRICITY	238.64
010-074-53010-170	INSURANCE	140.00
010-074-53010-310	EU PARKS & GROUNDS ...	1,711.98
010-074-53010-311	CV PARKS & GROUNDS R...	816.20
010-076-53010-000	SERVICES AND SUPPLIES	60.70
010-086-53010-000	SERVICES AND SUPPLIES	24.64
010-086-53010-062	CONVENTION SUPPLIES	398.28
010-086-53010-080	CULTURAL PROGRAMS	1,500.00
010-086-53010-242	MACHINE MAINTENANCE	87.69
010-086-53010-244	MARKETING	630.00
010-088-53010-106	FIREWISE PROGRAM	2,238.00
010-088-53010-242	MACHINE MAINTENANCE	89.51
014-101-53010-169	RETIREE HEALTH INS CO...	18,733.13
014-101-53010-172	INSURANCE LOSS DEDU...	12,500.20
020-106-53010-058	CONTRACT SERVICES	14,395.00
020-106-53010-360	TELEPHONE/FAX	168.96
020-106-53010-371	SHOP TOOLS	2,891.74
020-106-53010-372	SHOP SUPPLIES	1,240.27
020-106-53105-130	FUEL	35,947.79
020-106-53105-330	REPAIRS/MAINT	9,933.07
020-106-53105-358	TIRES	2,416.20
020-106-53748-105	ELECTRICITY	333.74
020-106-53748-400	WATER	43.91
020-106-53749-195	JANITORIAL SUPPLIES	71.46
020-106-53749-400	WATER	76.86
025-110-55010-000	CAPITAL OUTLAY	356,694.29
025-110-55010-357	CAPITAL OUTLAY SURVEY..	38,741.96
035-125-53010-000	SERVICES AND SUPPLIES	50.21
042-140-55010-000	CAPITAL OUTLAY	66,884.59

**Account Summary**

Account Number	Account Name	Payment Amount
042-140-55010-094	CAPITAL OUTLAY RADIO ...	6,965.00
042-140-55010-249	CAPITAL OUTLAY MEDIC...	22,000.00
044-151-53105-330	REPAIRS/MAINT	1,159.35
044-162-53010-105	ELECTRICITY	688.80
045-177-53010-000	SERVICES AND SUPPLIES	1,914.07
045-177-53010-105	ELECTRICITY	2,642.96
045-177-53010-360	TELEPHONE/FAX	48.90
045-177-53010-405	WATER TESTING/PERMI...	396.00
045-177-53105-330	REPAIRS/MAINT	42.30
045-177-55010-000	CAPITAL OUTLAY	159,508.51
045-177-55010-357	CAPITAL OUTLAY SURVEY..	15,803.65
045-178-53010-000	SERVICES AND SUPPLIES	287.00
045-178-55010-000	CAPITAL OUTLAY	15,533.66
045-178-55010-357	CAPITAL OUTLAY SURVEY..	270.00
046-190-53010-242	MACHINE MAINTENANCE	60.70
046-190-53010-360	TELEPHONE/FAX	20.99
046-194-53105-330	REPAIRS/MAINT	606.32
046-194-55010-000	CAPITAL OUTLAY	2,795.00
048-209-53010-000	SERVICES AND SUPPLIES	2,173.97
048-209-53010-160	HEATING FUEL/PROPANE	235.70
048-209-53010-360	TELEPHONE/FAX	203.30
048-209-53010-405	WATER TESTING/PERMI...	37.00
050-213-53010-058	CONTRACT SERVICES	2,000.00
050-213-53010-165	INDEPENDENT AUDITORS	10,500.00
050-213-53010-370	TRAVEL/TRAINING	197.56
050-214-53010-058	CONTRACT SERVICES	2,000.00
050-214-53010-105	ELECTRICITY	308.39
050-216-53010-058	CONTRACT SERVICES	3,496.70
050-216-53010-105	ELECTRICITY	558.19
050-217-53010-058	CONTRACT SERVICES	2,250.00
060-218-53010-000	SERVICES AND SUPPLIES	4.58
120-245-53010-000	SERVICES AND SUPPLIES	1,859.24
120-245-53010-105	ELECTRICITY	595.19
120-245-53010-405	WATER TESTING/PERMI...	90.00
125-247-55010-357	CAPITAL OUTLAY-SURVE...	84,500.00
125-247-55010-745	CAPITAL OUTLAY KOBEH...	99.99
175-270-53010-161	HOME HEALTH SERVICES	870.00
175-270-53010-180	INDIGENT - FOOD/SHELT...	191.10
175-270-53010-185	INDIGENT - MEDICAL	2,518.74
190-273-53010-058	CONTRACT SERVICES	2,558.00
	<b>Grand Total:</b>	<b>1,550,083.44</b>

**Project Account Summary**

Project Account Key	Payment Amount
**None**	1,550,083.44
<b>Grand Total:</b>	<b>1,550,083.44</b>



Fund	Beginning Balance	Total Revenues	Total Expenses	Ending Balance
010 - GENERAL FUND	43,278,860.68	4,995,083.63	17,545,114.93	30,728,829.38
012 - PROPERTY SALE TRUST FUND	86,238.83	0.00	0.00	86,238.83
014 - RETIREE HLTH INS PREM FD	2,351,359.19	21,590.38	136,637.82	2,236,311.75
015 - FUTURE RESERVE FUND	11,979,585.44	113,015.27	1,575.62	12,091,025.09
020 - ROAD FUND	921,512.36	2,656,865.04	1,270,451.50	2,307,925.90
025 - REG TRANSPORTATION COMM	8,903,872.96	2,719,961.21	2,579,066.23	9,044,767.94
030 - AGRICULTURAL EXTENSION	1,239,449.33	46,370.50	37,684.09	1,248,135.74
035 - AGRICULTURAL DIST #15	312,889.43	43,007.08	87,649.21	268,247.30
040 - BLDG OPER&MAINT RES FUND	4,076,119.56	72,565.55	539.96	4,148,145.15
042 - CAPITAL PROJECTS FUND	6,054,610.97	248,043.33	180,813.93	6,121,840.37
044 - TOWN OF EUREKA FUND	1,270,172.60	45,141.25	23,152.93	1,292,160.92
045 - EUREKA WTR/SWR UTLTY FD	14,858,752.86	6,383,810.01	2,836,531.97	18,406,030.90
046 - CRESCENT VALLEY TOWN	308,917.11	10,529.39	26,733.65	292,712.85
048 - CV WATER UTILITY FUND	2,599,030.63	74,292.01	101,253.57	2,572,069.07
050 - EUREKA CO TV DISTRICT	822,328.26	60,833.66	114,170.13	768,991.79
060 - DIAMOND VALLEY WEED DIST	267,185.56	41,707.30	39,473.49	269,419.37
070 - DIAMOND VALLEY RODENT	368,538.23	16,565.19	2,289.09	382,814.33
077 - FFY05YUCCAMT DIRECT PYMT	0.00	0.00	0.00	0.00
100 - RECREATION FUND	578,740.17	47,622.50	14,445.98	611,916.69
110 - TOURISM FUND	35,883.14	4,052.28	7,345.84	32,589.58
120 - DEVIL'S GATE WATER DIST	2,702,517.45	51,094.86	60,721.09	2,692,891.22
125 - WATER MITIGATION FUND	3,641,073.22	37,468.62	301,963.77	3,376,578.07
127 - NAT RES MULT USE FUND	1,581,128.46	32,397.88	209.95	1,613,316.39
150 - RANGE IMPROVEMENT DIST 1	44,719.63	6,214.44	5.77	50,928.30
155 - RANGE IMPROVEMENT DIST 6	100,382.32	9,310.04	1,512.97	108,179.39
160 - DEPT OF MINERAL RESOURCE	0.00	280,020.00	280,020.00	0.00
165 - EUREKA CO. GAME BOARD	3,354.58	1,183.88	503.20	4,035.26
170 - ACCIDENT INDIGENT FUND	20,253.11	51,970.19	69,055.55	3,167.75
175 - EUREKA CO INDIGENT FUND	437,247.38	18,885.48	12,569.04	443,563.82
180 - HOSP CO INDG HOSP FUND	508,017.30	39,466.92	35,401.34	512,082.88
190 - LANDFILL FUND	2,831,765.65	280,351.01	171,087.66	2,941,029.00
220 - ASSR TECH FND NRS361.530	2,219,331.06	60,919.48	162,385.21	2,117,865.33
225 - RECORDER TECHNOLOGY FUND	111,241.69	3,829.49	14.92	115,056.26
227 - DISTRICT COURT IMP FUND	11,995.68	505.00	1.61	12,499.07
230 - JUSTICE COURT A A FUND	67,365.98	1,917.77	40.57	69,243.18
233 - JUV COURT A A FUND	49,577.53	834.17	6.55	50,405.15
235 - JUST CRT FACILITY FUND	187,387.13	3,599.75	24.81	190,962.07
240 - FORENSIC FEE	1,109.82	35.56	25.00	1,120.38
250 - STATE OF NEVADA	3,986.27	958,660.42	932,045.14	30,601.55
320 - SCHOOL GENERAL FUND	17,184.57	2,597,175.52	2,597,317.59	17,042.50
996 - UB UNAPPLIED CREDIT	0.00	0.00	0.00	0.00
<b>Report Total:</b>	<b>114,853,686.14</b>	<b>22,036,896.06</b>	<b>29,629,841.68</b>	<b>107,260,740.52</b>





# Pooled Cash Report

Eureka County, Nevada

For the Period Ending 11/30/2024

ACCOUNT #	ACCOUNT NAME	BEGINNING BALANCE	CURRENT ACTIVITY	CURRENT BALANCE
<b>CLAIM ON CASH</b>				
<a href="#">010-000-10101-000</a>	CLAIM ON CASH - GENERAL FUND	33,413,368.27	(1,682,999.18)	31,730,369.09
<a href="#">012-000-10101-000</a>	CLAIM ON CASH - PROPERTY SALE TRUST FUND	86,238.83	0.00	86,238.83
<a href="#">014-000-10101-000</a>	CLAIM ON CASH - RETIREE HLTH INS PREM FD	2,329,409.52	(31,491.32)	2,297,918.20
<a href="#">015-000-10101-000</a>	CLAIM ON CASH - FUTURE RESERVE FUND	12,253,774.47	(1,346.34)	12,252,428.13
<a href="#">020-000-10101-000</a>	CLAIM ON CASH - ROAD FUND	2,631,336.52	(277,446.80)	2,353,889.72
<a href="#">025-000-10101-000</a>	CLAIM ON CASH - REG TRANSPORTATION COMM	10,863,598.56	(1,660,624.50)	9,202,974.06
<a href="#">030-000-10101-000</a>	CLAIM ON CASH - AGRICULTURAL EXTENSION	1,265,025.59	(142.92)	1,264,882.67
<a href="#">035-000-10101-000</a>	CLAIM ON CASH - AGRICULTURAL DIST #15	272,484.18	(96.25)	272,387.93
<a href="#">040-000-10101-000</a>	CLAIM ON CASH - BLDG OPER&MAINT RES FUND	4,203,776.68	(461.63)	4,203,315.05
<a href="#">042-000-10101-000</a>	CLAIM ON CASH - CAPITAL PROJECTS FUND	6,298,947.76	(7,660.12)	6,291,287.64
<a href="#">044-000-10101-000</a>	CLAIM ON CASH - TOWN OF EUREKA FUND	1,315,102.72	(5,316.86)	1,309,785.86
<a href="#">045-000-10101-000</a>	CLAIM ON CASH - EUREKA WTR/SWR UTILITY FD	5,816,044.44	(152,188.08)	5,663,856.36
<a href="#">046-000-10101-000</a>	CLAIM ON CASH - CRESCENT VALLEY TOWN	304,119.13	(7,059.06)	297,060.07
<a href="#">048-000-10101-000</a>	CLAIM ON CASH - CV WATER UTILITY FUND	828,053.36	(2,979.13)	825,074.23
<a href="#">050-000-10101-000</a>	CLAIM ON CASH - EUREKA CO TV DISTRICT	845,388.88	(63,114.15)	782,274.73
<a href="#">060-000-10101-000</a>	CLAIM ON CASH - DIAMOND VALLEY WEED DIST	283,083.59	(9,405.33)	273,678.26
<a href="#">070-000-10101-000</a>	CLAIM ON CASH - DIAMOND VALLEY RODENT	387,806.46	(42.46)	387,764.00
<a href="#">100-000-10101-000</a>	CLAIM ON CASH - RECREATION FUND	620,194.23	(607.09)	619,587.14
<a href="#">110-000-10101-000</a>	CLAIM ON CASH - TOURISM FUND	33,058.59	(3.73)	33,054.86
<a href="#">120-000-10101-000</a>	CLAIM ON CASH - DEVIL'S GATE WATER DIST	983,743.92	386.09	984,130.01
<a href="#">125-000-10101-000</a>	CLAIM ON CASH - WATER MITIGATION FUND	3,513,864.14	(88,142.91)	3,425,721.23
<a href="#">127-000-10101-000</a>	CLAIM ON CASH - NAT RES MULT USE FUND	1,634,969.96	(179.52)	1,634,790.44
<a href="#">150-000-10101-000</a>	CLAIM ON CASH - RANGE IMPROVEMENT DIST 1	50,711.51	(4.93)	50,706.58
<a href="#">155-000-10101-000</a>	CLAIM ON CASH - RANGE IMPROVEMENT DIST 6	107,692.77	(11.08)	107,681.69
<a href="#">160-000-10101-000</a>	CLAIM ON CASH - DEPT OF MINERAL RESOURCE	104,310.00	(104,310.00)	0.00
<a href="#">165-000-10101-000</a>	CLAIM ON CASH - EUREKA CO. GAME BOARD	4,178.77	(89.06)	4,089.71
<a href="#">170-000-10101-000</a>	CLAIM ON CASH - ACCIDENT INDIGENT FUND	2,827.62	0.00	2,827.62
<a href="#">175-000-10101-000</a>	CLAIM ON CASH - EUREKA CO INDIGENT FUND	456,165.13	(4,199.57)	451,965.56
<a href="#">180-000-10101-000</a>	CLAIM ON CASH - HOSP CO INDG HOSP FUND	518,735.53	(60.45)	518,675.08
<a href="#">190-000-10101-000</a>	CLAIM ON CASH - LANDFILL FUND	3,016,654.15	(36,630.30)	2,980,023.85
<a href="#">220-000-10101-000</a>	CLAIM ON CASH - ASSR TECH FND NRS361.530	2,151,439.67	(3,285.05)	2,148,154.62
<a href="#">225-000-10101-000</a>	CLAIM ON CASH - RECORDER TECHNOLOGY FUND	116,570.05	(12.76)	116,557.29
<a href="#">227-000-10101-000</a>	CLAIM ON CASH - DISTRICT COURT AA FUND	12,662.31	(1.38)	12,660.93
<a href="#">230-000-10101-000</a>	CLAIM ON CASH - JUSTICE COURT A A FUND	70,191.44	(39.27)	70,152.17
<a href="#">233-000-10101-000</a>	CLAIM ON CASH - JUV COURT A A FUND	51,083.36	(5.60)	51,077.76
<a href="#">235-000-10101-000</a>	CLAIM ON CASH - JUST CRT FACILITY FUND	193,511.77	(21.21)	193,490.56
<a href="#">240-000-10101-000</a>	CLAIM ON CASH - FORENSIC FEE	1,135.36	0.00	1,135.36
<a href="#">250-000-10101-000</a>	CLAIM ON CASH - STATE OF NEVADA	36,357.76	(9,618.18)	26,739.58
<a href="#">320-000-10101-000</a>	CLAIM ON CASH - SCHOOL GENERAL FUND	141,683.61	(141,680.05)	3.56
<a href="#">996-000-10101-000</a>	CLAIM ON CASH - UB UNAPPLIED CASH	22,931.45	(1,123.27)	21,808.18
<b>TOTAL CLAIM ON CASH</b>		<b>97,242,232.06</b>	<b>(4,292,013.45)</b>	<b>92,950,218.61</b>
<b>CASH IN BANK</b>				
<b>Cash in Bank</b>				
<a href="#">999-000-10102-000</a>	CASH IN BANK - COUNTY CHECKING	(1,956.40)	0.00	(1,956.40)
<a href="#">999-000-10103-000</a>	CASH IN BANK - DEPOSIT ACCOUNTS	22,964.66	46,741.95	69,706.61
<a href="#">999-000-10104-000</a>	CASH IN BANK - CONCENTRATION	3,050,746.31	0.00	3,050,746.31
<a href="#">999-000-10105-000</a>	CASH IN BANK - SILVER MONEY MARKET	3,784,857.37	0.00	3,784,857.37
<a href="#">999-000-10106-000</a>	CASH IN BANK - LOCAL GOVERNMENT INVESTMEN	2,494,121.19	0.00	2,494,121.19
<a href="#">999-000-10107-000</a>	CASH IN BANK - MEEDER INVESTMENT	87,901,487.94	0.00	87,901,487.94
<a href="#">999-000-10109-000</a>	CASH IN BANK - NEW COUNTY CHECKING	(9,989.01)	(4,338,755.40)	(4,348,744.41)

ACCOUNT #	ACCOUNT NAME	BEGINNING BALANCE	CURRENT ACTIVITY	CURRENT BALANCE	
<a href="#">999-000-11501-000</a>	UB UNAPPLIED CREDIT	0.00	0.00	0.00	
<b>TOTAL: Cash in Bank</b>		<u>97,242,232.06</u>	<u>(4,292,013.45)</u>	<u>92,950,218.61</u>	
<b>Wages Payable</b>					
<a href="#">999-000-20200-000</a>	WAGES PAYABLE	0.00	0.00	0.00	
<b>TOTAL: Wages Payable</b>		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	
<b>TOTAL CASH IN BANK</b>		<u>97,242,232.06</u>	<u>(4,292,013.45)</u>	<u>92,950,218.61</u>	
<b>DUE TO OTHER FUNDS</b>					
<a href="#">999-000-24910-000</a>	DUE TO OTHER FUNDS	97,242,232.06	(4,292,013.45)	92,950,218.61	
<b>TOTAL DUE TO OTHER FUNDS</b>		<u>97,242,232.06</u>	<u>(4,292,013.45)</u>	<u>92,950,218.61</u>	
<b>Claim on Cash</b>	92,950,218.61	<b>Claim on Cash</b>	92,950,218.61	<b>Cash in Bank</b>	92,950,218.61
<b>Cash in Bank</b>	<u>92,950,218.61</u>	<b>Due To Other Funds</b>	<u>92,950,218.61</u>	<b>Due To Other Funds</b>	<u>92,950,218.61</u>
<b>Difference</b>	<u>0.00</u>	<b>Difference</b>	<u>0.00</u>	<b>Difference</b>	<u>0.00</u>

ACCOUNT #	ACCOUNT NAME	BEGINNING BALANCE	CURRENT ACTIVITY	CURRENT BALANCE
<b>ACCOUNTS PAYABLE PENDING</b>				
<a href="#">010-000-29300-000</a>	ACCOUNTS PAYABLE	69,748.40	348.60	70,097.00
<a href="#">012-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">014-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">015-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">020-000-29300-000</a>	ACCOUNTS PAYABLE	9,514.47	(7.39)	9,507.08
<a href="#">025-000-29300-000</a>	ACCOUNTS PAYABLE	1,263,847.34	(1,263,847.34)	0.00
<a href="#">030-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">035-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">040-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">042-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">044-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">045-000-29300-000</a>	ACCOUNTS PAYABLE	62,939.22	(61,861.73)	1,077.49
<a href="#">046-000-29300-000</a>	ACCOUNTS PAYABLE	36.18	36.19	72.37
<a href="#">048-000-29300-000</a>	ACCOUNTS PAYABLE	973.49	267.54	1,241.03
<a href="#">050-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">060-000-29300-000</a>	ACCOUNTS PAYABLE	538.81	(0.04)	538.77
<a href="#">070-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">100-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">110-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">120-000-29300-000</a>	ACCOUNTS PAYABLE	272.98	(71.35)	201.63
<a href="#">125-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">127-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">150-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">155-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">160-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">165-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	8.32	8.32
<a href="#">170-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">175-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">180-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">190-000-29300-000</a>	ACCOUNTS PAYABLE	1,240.80	0.00	1,240.80
<a href="#">220-000-29300-000</a>	ACCOUNTS PAYABLE	318.09	0.01	318.10
<a href="#">225-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">227-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">230-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">233-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">235-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">240-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">250-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<a href="#">320-000-29300-000</a>	ACCOUNTS PAYABLE	0.00	0.00	0.00
<b>TOTAL ACCOUNTS PAYABLE PENDING</b>		<b>1,409,429.78</b>	<b>(1,325,127.19)</b>	<b>84,302.59</b>
<b>DUE FROM OTHER FUNDS</b>				
<a href="#">999-000-16010-000</a>	DUE FROM GENERAL FUND	(69,748.40)	(348.60)	(70,097.00)
<a href="#">999-000-16012-000</a>	DUE FROM PROPERTY SALE TRUST FUND	0.00	0.00	0.00
<a href="#">999-000-16014-000</a>	DUE FROM RETIREE HLTH INS PREM FD	0.00	0.00	0.00
<a href="#">999-000-16015-000</a>	DUE FROM FUTURE RESERVE FUND	0.00	0.00	0.00
<a href="#">999-000-16020-000</a>	DUE FROM ROAD FUND	(9,514.47)	7.39	(9,507.08)
<a href="#">999-000-16025-000</a>	DUE FROM REG TRANSPORTATION COMM	(1,263,847.34)	1,263,847.34	0.00
<a href="#">999-000-16030-000</a>	DUE FROM AGRICULTURAL EXTENSION	0.00	0.00	0.00
<a href="#">999-000-16035-000</a>	DUE FROM AGRICULTURAL DIST #15	0.00	0.00	0.00
<a href="#">999-000-16040-000</a>	DUE FROM BLDG OPER&MAINT RES FUND	0.00	0.00	0.00
<a href="#">999-000-16042-000</a>	DUE FROM CAPITAL PROJECTS FUND	0.00	0.00	0.00
<a href="#">999-000-16044-000</a>	DUE FROM TOWN OF EUREKA FUND	0.00	0.00	0.00
<a href="#">999-000-16045-000</a>	DUE FROM EUREKA WTR/SWR UTILITY FD	(62,939.22)	61,861.73	(1,077.49)
<a href="#">999-000-16046-000</a>	DUE FROM CRESCENT VALLEY TOWN	(36.18)	(36.19)	(72.37)
<a href="#">999-000-16048-000</a>	DUE FROM CV WATER UTILITY FUND	(973.49)	(267.54)	(1,241.03)
<a href="#">999-000-16050-000</a>	DUE FROM EUREKA CO TV DISTRICT	0.00	0.00	0.00
<a href="#">999-000-16060-000</a>	DUE FROM DIAMOND VALLEY WEED DIST	(538.81)	0.04	(538.77)
<a href="#">999-000-16070-000</a>	DUE FROM DIAMOND VALLEY RODENT	0.00	0.00	0.00
<a href="#">999-000-16110-000</a>	DUE FROM TOURISM FUND	0.00	0.00	0.00

ACCOUNT #	ACCOUNT NAME	BEGINNING BALANCE	CURRENT ACTIVITY	CURRENT BALANCE
<a href="#">999-000-16111-000</a>	DUE FROM RECREATION FUND	0.00	0.00	0.00
<a href="#">999-000-16120-000</a>	DUE FROM DEVIL'S GATE WATER DIST	(272.98)	71.35	(201.63)
<a href="#">999-000-16125-000</a>	DUE FROM WATER MITIGATION FUND	0.00	0.00	0.00
<a href="#">999-000-16127-000</a>	DUE FROM NAT RES MULT USE FUND	0.00	0.00	0.00
<a href="#">999-000-16150-000</a>	DUE FROM RANGE IMPROVEMENT DIST 1	0.00	0.00	0.00
<a href="#">999-000-16155-000</a>	DUE FROM RANGE IMPROVEMENT DIST 6	0.00	0.00	0.00
<a href="#">999-000-16160-000</a>	DUE FROM DEPT OF MINERAL RESOURCE	0.00	0.00	0.00
<a href="#">999-000-16165-000</a>	DUE FROM EUREKA CO. GAME BOARD	0.00	(8.32)	(8.32)
<a href="#">999-000-16170-000</a>	DUE FROM ACCIDENT INDIGENT FUND	0.00	0.00	0.00
<a href="#">999-000-16175-000</a>	DUE FROM EUREKA CO INDIGENT FUND	0.00	0.00	0.00
<a href="#">999-000-16180-000</a>	DUE FROM HOSP CO INDG HOSP FUND	0.00	0.00	0.00
<a href="#">999-000-16190-000</a>	DUE FROM LANDFILL FUND	(1,240.80)	0.00	(1,240.80)
<a href="#">999-000-16220-000</a>	DUE FROM ASSR TECH FND NRS361.530	(318.09)	(0.01)	(318.10)
<a href="#">999-000-16225-000</a>	DUE FROM RECORDER TECHNOLOGY FUND	0.00	0.00	0.00
<a href="#">999-000-16230-000</a>	DUE FROM JUSTICE COURT A A FUND	0.00	0.00	0.00
<a href="#">999-000-16233-000</a>	DUE FROM JUV COURT A A FUND	0.00	0.00	0.00
<a href="#">999-000-16235-000</a>	DUE FROM JUST CRT FACILITY FUND	0.00	0.00	0.00
<a href="#">999-000-16240-000</a>	DUE FROM FORENSIC FEE	0.00	0.00	0.00
<a href="#">999-000-16250-000</a>	DUE FROM STATE OF NEVADA	0.00	0.00	0.00
<a href="#">999-000-16320-000</a>	DUE FROM SCHOOL GENERAL FUND	0.00	0.00	0.00
<b>TOTAL DUE FROM OTHER FUNDS</b>		<u>(1,409,429.78)</u>	<u>1,325,127.19</u>	<u>(84,302.59)</u>

**ACCOUNTS PAYABLE**

<a href="#">999-000-29300-000</a>	ACCOUNTS PAYABLE	<u>1,409,429.78</u>	<u>(1,325,127.19)</u>	<u>84,302.59</u>
<b>TOTAL ACCOUNTS PAYABLE</b>		<u>1,409,429.78</u>	<u>(1,325,127.19)</u>	<u>84,302.59</u>

<b>AP Pending</b>	84,302.59	<b>AP Pending</b>	84,302.59	<b>Due From Other Funds</b>	84,302.59
<b>Due From Other Funds</b>	84,302.59	<b>Accounts Payable</b>	84,302.59	<b>Accounts Payable</b>	84,302.59
<b>Difference</b>	<u>0.00</u>	<b>Difference</b>	<u>0.00</u>	<b>Difference</b>	<u>0.00</u>



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**COOPERATIVE AGREEMENT**  
**FY 2024 / 2025**

THIS AGREEMENT entered into on the 1<sup>ST</sup> day of July, 2024, by and between WHITE PINE COUNTY, a political subdivision of the State of Nevada; LINCOLN COUNTY, a political subdivision of the State of Nevada; and EUREKA COUNTY, a political subdivision of the State of Nevada, hereinafter referred to as the parties.

The parties to this Agreement, in consideration of the mutual covenants and stipulations set out herein, agree as follows:

That the parties, as political subdivisions of the State of Nevada, comprise the Judicial entity known as the SEVENTH JUDICIAL DISTRICT OF THE STATE OF NEVADA.

That is has become necessary to fairly and equitably apportion certain common costs of the District Court operation involved among the parties. That said common costs include, without limitation, the following:

1. Office supplies and expenses;
2. Executive Judicial Assistant salary for two (2) departments;
3. Law Clerk for two (2) departments;
4. Retirement benefits for employees;
5. PACT expense for employees;
6. Health insurance expenses for employees; and
7. Travel and educational expenses for employees.



1           That all common costs shall be allocated among the respective parties based  
2 upon estimated population figures obtained from the Nevada State Demographer's Office  
3 in accordance with the latest estimates, to-wit: WHITE PINE, 10,001; LINCOLN, 4,971;  
4 and EUREKA, 1,847 in the following manner:

5  
6                   **WHITE PINE COUNTY** is to be responsible for and obligated to satisfy  
7 59% of said costs

8                   **LINCOLN COUNTY** is to be responsible for and obligated to satisfy  
9 30% of said costs

10                   **EUREKA COUNTY** is to be responsible for and obligated to satisfy  
11 11% of said costs

12           In the future the basis of the allocation of costs between the Counties  
13 thereafter shall be on the basis of population figures supplied by the Nevada State  
14 Demographer=s Office on an annual basis for the three (3) Counties.

15           The parties further agree that, as to any common costs shared by the parties  
16 under this Agreement, WHITE PINE COUNTY shall make full initial payment. Thereafter,  
17 LINCOLN COUNTY and EUREKA COUNTY shall be billed on a quarterly basis for their  
18 respective shares. The parties further agree that expenses incurred for the cost and  
19 operation of telephones located in the SEVENTH JUDICIAL DISTRICT OF THE STATE  
20 OF NEVADA in the respective courthouses shall be allocated to the respective counties on  
21 the basis of actual expenses of telephone calls made in conjunction with and in relation to  
22 the functioning of the respective counties of the SEVENTH JUDICIAL DISTRICT OF THE  
23 STATE OF NEVADA. Telephone expenses which cannot be so allocated will be shared  
24 by the parties in accordance with the percentage hereinabove set forth. All parties agree  
25



1 to make full and prompt payment therefor, but in any event not to exceed thirty (30) days  
2 after notification of any obligation. For purposes of this Agreement, mailing of said billings  
3 by WHITE PINE COUNTY shall constitute notification. All payments made by WHITE  
4 PINE COUNTY shall be made directly to the creditor or creditors involved. All payments  
5 made by LINCOLN and EUREKA COUNTIES, respectively, shall be made in the manner  
6 hereinabove indicated, directed to the WHITE PINE COUNTY TREASURER, White Pine  
7 County Courthouse, 801 Clark Street, Suite 2, Ely, Nevada 89301.

9 This Agreement shall be in force on an annual bases from **July 1<sup>ST</sup> to June**  
10 **30<sup>TH</sup> of this fiscal year 2024/2025**, and renewable each fiscal year hereafter by the  
11 parties.

12 This instrument contains the entire Agreement between the parties, and no  
13 statement, promises, or inducements made by either party or agent of either party that is  
14 not contained in this written contract shall be valid or binding; and this contract may not be  
15 enlarged, modified or altered except in writing signed by the parties and endorsed hereon.

17 This Agreement does not preclude any county from providing an additional  
18 benefit to the Court or one of its employees if it should choose to do so acting alone.

19 It is understood and agreed by the parties hereto that if any part, term or  
20 provision of this contract is by the courts held to be illegal or in conflict with any law of the  
21 State where made, the validity of the remaining portions or provisions shall not be affected,  
22 and the rights and obligations of the parties shall be construed and enforced as if the  
23 contract did not contain the particular part, term or provision held to be invalid.  
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DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**BOARD OF WHITE PINE COUNTY COMMISSIONERS**

By: \_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
White Pine County Clerk

DATED this 1<sup>st</sup> day of July, 2024.

**BOARD OF LINCOLN COUNTY COMMISSIONERS**

By: Mike Reese  
Chairman

ATTEST:

[Signature]  
Lincoln County Clerk

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**BOARD OF EUREKA COUNTY COMMISSIONERS**

By: \_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Eureka County Clerk

Approved:

[Signature]  
STEVE L. DOBRESCU  
Chief District Court Judge  
Department 1

[Signature]  
GARY D. FAIRMAN  
District Court Judge, Department 2



Census figures - Nevada State Demographer's Office, 775-784-6352, [nvdemography.org](http://nvdemography.org)

Population Projections for Nevada Counties July 1, 2022 (see attached)

Add census figures of all three counties to get a total. Divide each county's census figures by that total for the percentage each county is responsible for.

2021	10,001		White Pine
	4,971		Lincoln
	1,847		Eureka
TOTAL	16,819		
	10,001	÷ 16,819 =	59%
	4,971	÷ 16,819 =	30%
	1,847	÷ 16,819 =	11%
	TOTAL	=	100%

**Annual Report on the Estimated Population of Towns, Cities and Counties in the State of Nevada as of July 1, 2023\***  
**Including the Governor's Certified Estimates from July 1, 2003 to July 1, 2022**

	JULY 1 2017	Percent Change 7/17 - 7/18	JULY 1 2018	Percent Change 7/18 - 7/19	JULY 1 2019	Percent Change 7/19 - 7/20	CENSUS April 1 2020 <sup>†</sup>	JULY 1 2020	Percent Change 4/20 - 7/21	Percent Change 7/20 - 7/21	JULY 1 2021	Percent Change 7/21 - 7/22	JULY 1 2022	Percent Change 7/22 - 7/23	JULY 1 2023
<b>State of Nevada</b>	2,986,656	2.4%	3,057,582	1.8%	3,112,937	1.0%	3,104,614	3,145,184	1.7%	0.4%	3,158,539	1.4%	3,204,105	1.2%	3,241,678
<b>Counties</b>															
<b>Incorp. Cities</b>															
<b>Unincorp. Towns</b>															
<b>Carson City</b>	55,438	1.1%	56,057	0.2%	56,151	0.5%	58,639	56,434	-2.7%	1.1%	57,073	2.2%	58,314	1.0%	58,923
<b>Churchill County</b>	25,387	1.0%	25,628	0.8%	25,832	1.4%	25,516	26,202	3.1%	0.4%	26,310	1.0%	26,564	1.4%	26,940
<b>Fallon</b>	9,030	1.1%	9,125	0.6%	9,184	-1.2%	9,327	9,077	-2.2%	0.5%	9,123	2.0%	9,308	2.6%	9,551
<b>Clark County</b>	2,193,818	2.6%	2,251,175	1.9%	2,293,391	1.2%	2,265,461	2,320,107	2.4%	0.0%	2,320,551	0.8%	2,338,127	0.4%	2,361,285
<b>Boulder City</b>	16,121	-1.4%	15,887	1.9%	16,188	-0.4%	14,885	16,127	2.0%	-5.8%	15,189	-1.2%	15,012	-0.4%	14,958
<b>Henderson</b>	300,709	3.2%	310,244	2.4%	317,660	1.6%	317,610	322,800	4.1%	2.4%	330,561	1.2%	334,640	2.2%	341,980
<b>Las Vegas</b>	633,028	1.8%	644,113	1.4%	653,350	0.3%	641,903	655,489	3.6%	1.4%	664,960	-0.6%	660,987	0.9%	666,780
<b>Mesquite</b>	20,838	8.2%	22,557	5.6%	23,827	4.8%	20,471	24,971	12.3%	-8.0%	22,981	-3.4%	22,205	2.3%	22,711
<b>North Las Vegas</b>	243,339	2.2%	248,701	2.7%	255,327	1.3%	262,527	258,761	5.0%	6.6%	275,733	1.1%	278,671	1.4%	282,496
<b>Bunkerville</b>	1,042	0.7%	1,049	1.0%	1,060	-1.5%	1,010	1,044	-2.3%	-5.5%	987	-4.6%	942	-1.8%	925
<b>Enterprise</b>	193,572	6.6%	206,266	2.7%	211,761	4.0%	213,073	220,237	4.4%	1.0%	222,522	5.4%	234,517	4.0%	243,834
<b>Indian Springs</b>	1,264	-10.0%	1,138	12.8%	1,283	3.0%	1,279	1,322	-13.3%	-16.2%	1,108	27.3%	1,411	9.7%	1,547
<b>Laughlin</b>	9,672	3.6%	10,017	-0.2%	10,001	3.0%	9,971	10,306	-6.6%	-9.6%	9,313	-3.5%	8,990	-1.1%	8,888
<b>Moapa</b>	1,026	39.6%	1,433	-0.1%	1,430	-0.7%	1,374	1,420	-7.3%	-10.3%	1,274	2.9%	1,311	-2.5%	1,278
<b>Moapa Valley</b>	7,115	1.6%	7,231	1.9%	7,368	1.2%	7,215	7,458	-14.6%	-17.4%	6,163	2.8%	6,335	-0.7%	6,292
<b>Mt. Charleston</b>	666	2.4%	682	2.6%	700	-2.4%	661	683	11.2%	7.6%	735	-0.4%	732	2.0%	747
<b>Paradise</b>	193,712	1.5%	196,586	2.1%	200,698	0.6%	195,245	201,810	-1.4%	-4.6%	192,552	-1.3%	190,003	-0.4%	189,229
<b>Searchlight</b>	364	1.0%	367	4.0%	382	2.1%	377	390	17.2%	13.4%	442	-0.6%	439	-6.0%	413
<b>Spring Valley</b>	216,228	3.7%	224,158	1.1%	226,723	1.4%	222,388	229,865	-3.4%	-6.5%	214,862	1.7%	218,452	0.5%	219,492
<b>Summerlin</b>	30,492	4.6%	31,894	1.0%	32,199	2.6%	31,977	33,052	3.1%	-0.3%	32,957	0.2%	33,015	3.8%	34,256
<b>Sunrise Manor</b>	210,216	1.5%	213,341	1.3%	216,021	0.2%	209,310	216,348	0.4%	-2.8%	210,189	0.2%	210,610	-0.5%	209,587
<b>Whitney</b>	44,449	2.2%	45,419	2.0%	46,328	0.4%	45,014	46,528	5.4%	1.9%	47,426	-2.5%	46,256	-0.8%	45,901
<b>Winchester</b>	33,065	1.0%	33,402	2.1%	34,095	0.5%	33,153	34,268	4.8%	1.4%	34,749	-2.0%	34,064	-1.9%	33,402
<b>Douglas County</b>	48,300	1.6%	49,070	1.0%	49,537	-0.9%	49,488	49,082	0.3%	1.2%	49,661	6.1%	52,674	3.2%	54,343
<b>Gardnerville</b>	5,693	3.2%	5,874	2.8%	6,036	-1.7%	5,982	5,933	3.4%	4.3%	6,188	-10.3%	5,553	2.1%	5,667
<b>Genoa</b>	213	2.5%	219	0.8%	220	-1.0%	220	218	-3.3%	-2.5%	213	1.1%	215	0.5%	217
<b>Minden</b>	3,191	2.5%	3,270	0.7%	3,293	0.0%	3,321	3,294	4.2%	5.1%	3,460	-1.0%	3,323	7.1%	3,559
<b>Elko County</b>	53,287	1.9%	54,326	1.5%	55,116	0.6%	53,702	55,435	1.6%	-1.6%	54,546	3.4%	56,396	2.0%	57,538
<b>Carlin</b>	2,617	-0.2%	2,613	1.9%	2,663	0.4%	2,050	2,674	27.6%	-2.2%	2,615	-3.2%	2,531	1.9%	2,578
<b>Elko</b>	20,789	1.8%	21,158	0.2%	21,199	1.4%	20,564	21,492	2.0%	-2.4%	20,976	1.6%	21,303	1.9%	21,707
<b>Wells</b>	1,312	4.0%	1,365	0.1%	1,366	-5.1%	1,237	1,296	2.9%	-1.8%	1,272	-0.1%	1,272	1.4%	1,290
<b>West Wendover</b>	4,201	4.9%	4,406	1.4%	4,469	1.5%	4,512	4,535	-1.3%	-1.8%	4,452	0.3%	4,464	1.7%	4,540
<b>Jackpot</b>	860	0.6%	865	13.0%	978	-1.7%	958	961	-1.4%	-1.8%	944	21.6%	1,148	1.8%	1,169
<b>Montello</b>	63	0.2%	63	1.0%	64	-3.5%	61	61	-1.6%	-1.9%	60	4.0%	63	3.8%	65
<b>Mountain City</b>	87	-15.4%	74	9.0%	81	-6.8%	75	75	-1.6%	-1.9%	74	41.3%	104	-1.0%	103
<b>Esmeralda County</b>	970	-0.1%	969	1.4%	982	1.7%	729	999	37.2%	0.1%	1,000	6.8%	1,068	-0.1%	1,067
<b>Goldfield</b>	263	4.4%	274	2.8%	282	2.1%	210	288	39.0%	1.4%	292	10.8%	324	6.8%	349
<b>Silver Peak</b>	122	-17.2%	101	-0.5%	100	0.6%	74	101	23.5%	-9.8%	91	-3.4%	88	-2.0%	65
<b>Eureka County</b>	1,932	1.0%	1,951	0.2%	1,955	-1.0%	1,855	1,936	2.3%	-2.0%	1,898	-2.7%	1,847	-3.8%	1,776
<b>Crescent Valley</b>	380	-3.2%	367	3.7%	381	-2.7%	355	370	5.9%	1.5%	376	-17.9%	309	-3.8%	297
<b>Eureka (town)</b>	701	4.8%	734	-2.4%	717	-2.2%	671	701	1.9%	-2.4%	684	-4.0%	657	-3.2%	635
<b>Humboldt County</b>	16,978	0.1%	16,989	0.5%	17,079	-0.1%	17,285	17,064	-0.5%	0.8%	17,202	4.2%	17,921	-1.3%	17,696
<b>Winnemucca</b>	7,947	-1.1%	7,856	0.6%	7,903	0.4%	8,431	7,937	-1.5%	4.6%	8,306	3.0%	8,554	-0.4%	8,518
<b>Lander County</b>	6,200	-2.2%	6,065	0.7%	6,109	3.5%	5,734	6,324	8.0%	-2.0%	6,195	-0.6%	6,158	-0.6%	6,121
<b>Austin</b>	166	0.2%	167	-6.2%	156	0.9%	143	158	7.0%	-3.0%	153	6.4%	163	-6.3%	153
<b>Battle Mountain</b>	1,273	-2.5%	1,387	0.1%	1,391	2.7%	1,357	1,482	8.5%	-1.7%	1,424	-7.8%	1,358	0.0%	1,359
<b>Kingston</b>	423	-0.5%	423	-0.5%	422	5.7%	417	429	7.8%	-2.3%	426	-0.9%	425	0.7%	426
<b>Lincoln County</b>	5,170	1.6%	5,255	0.2%	5,264	0.5%	4,499	5,293	15.3%	-2.0%	5,188	-4.2%	4,971	-3.3%	4,808
<b>Caliente</b>	1,066	1.6%	1,084	0.2%	1,086	4.4%	990	1,133	11.1%	-2.9%	1,100	6.1%	1,167	-4.5%	1,114
<b>Alamo</b>	673	1.6%	684	0.2%	686	3.1%	596	707	-0.8%	-16.4%	591	22.1%	721	-10.2%	648
<b>Panaca</b>	797	1.6%	810	0.2%	811	1.6%	695	824	21.0%	2.1%	841	2.4%	861	1.3%	872
<b>Pioche</b>	784	1.6%	797	0.2%	798	1.4%	683	809	18.6%	0.1%	810	26.0%	1,020	4.1%	1,062
<b>Lyon County</b>	54,657	1.6%	55,551	1.7%	56,497	2.0%	59,235	57,629	-2.0%	0.7%	58,051	4.1%	60,454	4.5%	63,179
<b>Fernley</b>	19,300	2.5%	19,790	3.1%	20,396	2.5%	22,895	20,901	-7.8%	1.0%	21,105	10.0%	23,210	5.1%	24,394
<b>Yerington</b>	3,202	6.9%	3,424	-0.2%	3,418	2.1%	3,121	3,488	13.4%	1.4%	3,538	-3.2%	3,423	3.4%	3,541
<b>Mineral County</b>	4,674	0.3%	4,690	0.9%	4,730	3.5%	4,554	4,896	6.0%	-1.4%	4,826	0.9%	4,870	-0.6%	4,842
<b>Hawthorne</b>	3,066	0.0%	3,065	1.2%	3,100	3.0%	2,969	3,192	6.2%	-1.3%	3,152	2.7%	3,236	-0.7%	3,214
<b>Luning</b>	105	1.6%	106	0.9%	107	-8.7%	91	98	1.0%	-6.0%	92	11.0%	102	0.7%	103
<b>Mina</b>	173	0.7%	174	0.1%	174	2.4%	166	179	-7.4%	-13.8%	154	-6.8%	144	-8.1%	132
<b>Walker Lake</b>	322	1.6%	327	0.9%	330	2.0%	313	337	1.2%	-5.9%	317	-16.9%	263	-0.8%	261
<b>Nye County</b>	46,390	3.2%	47,856	1.3%	48,472	-0.1%	51,591	48,414	-4.5%	1.8%	49,289	4.1%	51,334	2.2%	52,478
<b>Amargosa</b>	1,344	-1.2%	1,327	0.0%	1,327	7.9%	1,527	1,433	-8.2%	-2.2%	1,401	27.3%	1,783	3.0%	1,836
<b>Beatty</b>	961	1.4%	974	2.5%	998	-6.4%	996	935	-3.7%	2.6%	959	10.4%	1,059	3.8%	1,099
<b>Gabbs</b>	218	0.6%	220	0.7%	221	-39.9%	142	133	47.5%	57.2%	209	6.8%	223	-2.4%	218
<b>Manhattan</b>	126	1.7%	128	7.3%	138	-3.4%	142	133	-8.3%	-2.2%	130	9.1%	142	3.1%	146
<b>Pahrump</b>	39,023	3.7%	40,473	1.5%	41,069	-1.0%	44,204	41,482	-5.1%	1.1%	41,940	2.1%	42,828	2.7%	43,984
<b>Round Mountain</b>	772	-0.5%	768	-0.7%	763	-2.5%	793	744	-7.5%	-1.4%	734	4.3%	765	4.9%	803
<b>Tonopah</b>	2,311	-2.2%	2,259	-4.3%	2,163	-15.7%	1,942	1,823							



## CONFIDENTIALITY & NON-DISCLOSURE AGREEMENT

This Confidentiality & Non-Disclosure Agreement (this "Agreement") is entered by and between Tyler Technologies, Inc., a Delaware corporation ("Tyler"), and the entity set forth on the signature page below ("Recipient").

Tyler and Recipient are interested in pursuing a business transaction with each other (the "Transaction") or, alternatively, are parties to a written agreement by which Tyler licenses its proprietary software to Recipient (the "License Agreement"). In connection therewith, Recipient has requested that Tyler disclose to Recipient certain confidential and proprietary information related to information security for Tyler. Such information may include, at Tyler's sole discretion, and without limitation, a copy of the summary of the most recent Independent Service Auditors' Report for Tyler (individually, an "Information Security Document" or "ISD", collectively, "Information Security Documents" or "ISDs"). Recipient acknowledges that, prior to disclosure of the ISD, Tyler has required that Recipient enter into this Agreement and that Tyler would not disclose such ISD absent this Agreement.

THEREFORE, in consideration of the foregoing and of the mutual representations, covenants, and agreements contained herein, along with other good and valuable consideration, the receipt and sufficiency of which all parties mutually acknowledge, the parties agree as follows:

1. Confidentiality. Recipient agrees to not disclose or reproduce, or authorize any third party to disclose or reproduce, any portion of the ISD. Notwithstanding the foregoing, Recipient may disclose the ISD or portions thereof to officers and employees of Recipient as may be required to evaluate the Transaction or License Agreement; provided, however, that Recipient informs such persons of the existence of this Agreement and Recipient shall be responsible for any breach of this Agreement by such persons. Recipient shall immediately notify Tyler upon the discovery of any loss or unauthorized disclosure or use of the ISD. Notwithstanding the above, but subject to the further requirements of this Agreement, as applicable, Recipient may disclose the ISD to Recipient's auditors who have a need to know; provided, however, that such auditors shall be required to execute a confidentiality and non-disclosure agreement substantially in the form of this Agreement. Notwithstanding Section 8 below, the confidentiality obligations contained herein shall commence upon the Effective Date and continue for a period of five years from the disclosure of the applicable ISD.
2. Open Records Request. Recipient shall comply with the confidentiality covenants contained herein to the fullest extent permitted by applicable law. In the event of a request for the ISD is made under the applicable open records act, Recipient agrees to cooperate with any reasonable request of Tyler, at Tyler's expense, to maintain the confidentiality of the ISD. If a demand or request for disclosure of the ISD is made, Recipient agrees that it will promptly provide Tyler with notice of such demand or request.
3. Ownership. Recipient agrees that the ISD is and shall be the exclusive property of Tyler and that all copies thereof shall be surrendered to Tyler upon request. Recipient agrees that it shall have no rights, by



license or otherwise, to use the ISD, except as expressly provided herein or in a separate written agreement specifically granting such rights.

4. **No Warranty.** Recipient acknowledges that the ISD has been prepared for Tyler by a third party. Tyler makes no representation, warranty, or guarantee to Recipient with respect to the value or accuracy of any information contained in the ISD, and Tyler shall not be held liable for any errors or omissions in the ISD.

5. **Counterparts.** This Agreement may be executed in one or more counterparts, each of which will be deemed an original and all of which will constitute one and the same Agreement.

6. **Governing Law.** This Agreement will be governed by, and construed in accordance with, the substantive laws of the state of residence of Recipient.

7. **Attorneys' Fees and Costs.** To the extent allowed under applicable law, if attorneys' fees or other costs are incurred to secure performance of any obligations under this Agreement, or to establish damages for the breach thereof or to obtain any other appropriate relief, whether by way of prosecution or defense, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs incurred in connection therewith.

8. **Term.** The term (hereafter "Term") of this Agreement commences on the date of last signature below and ends on the five (5) year anniversary of Term commencement.

9. **Entire Agreement.** This Agreement constitutes the entire agreement and understanding among the parties and supersedes all prior discussions and agreements between the parties relating generally to the same subject matter. The entering into of this Agreement shall not constitute any obligation on the part of either party to enter into any further agreement with the other party.

10. **Authorized Signatories.** **Tyler and Recipient each represent and warrant that the person executing this Agreement on its behalf is authorized to do so.**

THEREFORE, the parties enter into this Agreement which will be effective as of the last date set forth below (the "Effective Date").

TYLER TECHNOLOGIES, INC.,  
a Delaware corporation

Signed: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Address for Legal Notices:  
1 Tyler Drive  
Yarmouth, ME 04096

RECIPIENT

\_\_\_\_\_  
(Organization's Name)

Signed: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Address for Legal Notices:

\_\_\_\_\_  
\_\_\_\_\_





# Eureka County Emergency Medical Service

Community Courage Compassion Commitment  
Crescent Valley – Diamond Valley – Eureka



Administration; PO Box 407 Eureka, NV 89316  
Office; 775-237-5306 Fax; 775-237-7037  
ems@eurekacountynv.gov

## Ambulance Medicare and Medicaid Quarterly Mandatory Write Off Report Third Quarter of 2024

Pursuant to a motion by the Eureka County Board of Commissioners of July 19, 2013, permitting the Emergency Medical Service to write off Medicaid and Medicare balances as required and to report the information to the Commission on a quarterly basis:

The billing contractor has written the following amounts off of Eureka County Ambulance accounts billed to Medicare and Medicaid during the third quarter of 2024.

Month	Amount written off
July	\$ 0
August	\$ 0
September	\$ 0

Total mandatory write offs: \$ 0

Respectfully submitted,

Coordinator Kenny Sanders, AEMT/Instructor  
Eureka County EMS

## Ambulance Run Report October 2024

### Runs by City

Scene Incident City Name (eScene.17)	Number of Runs	Percent of Total Runs
Eureka	10	32.26%
Crescent Valley Census Designated Place	8	25.81%
Crescent Valley	5	16.13%
Beowawe	3	9.68%
Preston Census Designated Place	2	6.45%
Eureka Census Designated Place	2	6.54%
Kingston Census Designated Place	1	3.23%
	<b>Total: 31</b>	<b>Total: 100.00%</b>

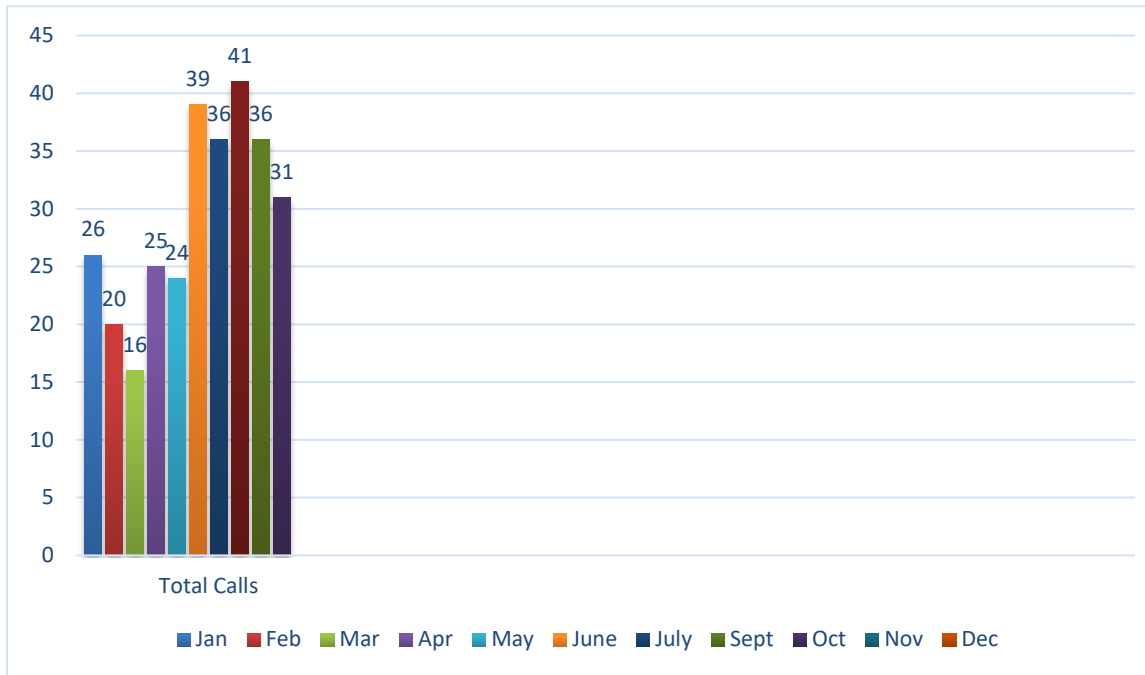
### Runs by Response Disposition

Disposition Incident Patient Disposition (eDisposition.12)	Number of Runs	Percent of Total Runs
Patient Treated, Released (AMA)	13	41.94%
Treated, Transported by This Unit	11	35.48%
Standby-No Services or Support Provided (Cancelled)	4	12.90%
Canceled (Prior to Arrival / At Scene)	2	6.45%
Refused Evaluation/Treatment	1	3.23%
	<b>Total: 31</b>	<b>Total: 100.00%</b>

**Runs by Destination Name**

<b>Disposition Destination Name Delivered Transferred To (eDisposition.01)</b>	<b>Disposition Destination Code Delivered Transferred To (eDisposition.02)</b>	<b>Number of Runs</b>	<b>Percent of Total Runs</b>
		<b>20</b>	<b>64.52%</b>
<b>Battle Mountain General Hospital</b>	<b>90010</b>	<b>2</b>	<b>6.45%</b>
<b>MedXAirOne</b>	<b>A-08486</b>	<b>3</b>	<b>9.68%</b>
<b>Northeastern NV Regional Hospital</b>	<b>642</b>	<b>3</b>	<b>9.68%</b>
<b>REACH Air Ambulance</b>	<b>05448</b>	<b>2</b>	<b>6.45%</b>
<b>William Bee Ririe Hospital</b>	<b>90033</b>	<b>1</b>	<b>3.23%</b>
		<b>Total: 31</b>	<b>Total: 100.00%</b>

# 2024 Monthly Calls – Patient Contacts



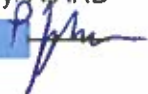
Monthly	January	February	March	April	May	June
Calls-Pt Contacts	26	20	16	25	24	39

Monthly	July	August	September	October	November	December
Calls-Pt Contacts	36	41	36	31		



**EUREKA COUNTY  
TREASURER'S REPORT  
For the Month of October 2024**

Date: 11/25  
/2024  
Prepared by: A. ARD



**General Fund**

September 30, 2024	33,606,258.94
Total Activity	(192,890.67)
<b>October 31, 2024</b>	<b>33,413,368.27</b>

EUREKA COUNTY  
TREASURER'S REPORT  
For the Month of October 2024

Date: 11/25  
/2024

Prepared by: A.ARD  
Reviewed by: 

Combined balance per all bank and investment account statements, October 31, 2024	\$ 97,231,212.81 (see below)
Deposits in transit	22,964.66
Less: Outstanding checks	(1,956.40)
Outstanding New Acct Checks	(9,989.01)
Bank balance, adjusted	<b>97,242,232.06</b>
Balance per Tyler, October 31, 2024	97,242,232.06
PBA Balance, adjusted	<b>97,242,232.06</b>
Difference	<u><u>(0.00)</u></u>

**Eureka County  
Apportionments, by Fund**

Date 11/25/2024

Prepared by: A. ARD

Reviewed by: 

**For the Month of October 2024**

<b>Fund Number</b>	<b>Fund Name</b>	<b>Real Prop #1 Apportionments</b>	<b>Personal Prop Apportionments</b>
010	General	42,927.58	2,771.37
015	Future Reserve	0.63	
020	Road	4228.23	371.72
025	Reg Transportation Comm	9,157.50	825.17
030	Agricultural Extension	689.88	41.68
035	Agricultural Dist #15	317.41	20.61
040	Building Maint & Oper	642.07	41.14
042	Capital Improvement Fund	3,476.24	208.00
044	Town of Eureka Fund	3,698.54	214.71
046	Crescent Valley Town	557.49	14.45
050	Eureka County TV District	586.16	35.39
060	Diamond Valley Weed District	1,177.83	
070	Diamond Valley Rodent	497.22	
120	Devil's Gate Water District		
125	Water Mitigation	733.15	41.73
127	Nat Res Mult Use Fund	342.94	20.92
170	Accident Indigent Fund	1,038.60	62.48
175	Eureka Co Indigent Fund	223.82	13.86
180	Eureka Co. Indg Hosp Fund	690.66	41.68
190	Landfill Fund	4,671.81	290.39
250	Lwr Reese Rvr		
250	DV Water	13,001.10	
250	Maggie Creek Water		
250	Pine Valley	1,160.98	
250	Crescent Valley Water		
250	WhirlWind Water		
250	Humboldt Water		
250	State of Nevada	11,835.87	706.63
250	Kobeh Valley		
250	Boulder Flat		
320	School Dist	52236.39	3,117.21
010	Property Tax Overpayment	3.04	
010	Penalties	4,483.03	4.43
010	6% Collect Fee	1,280.59	576.45
220	2% Collect Fee	426.33	192.10
<b>TOTAL APPORTIONMENTS</b>		<b>\$ 160,085.09</b>	<b>\$ 9,612.12</b>

Date 11/25/2024

Prepared by: A.ARD

Reviewed by: 

**Eureka County  
Expenditures  
For the Month of October 2024  
General County Checking**

<b>Date</b>	<b>Description</b>	<b>Amount</b>
10/1/2024	AP	2,055,465.82
10/4/2024	PAYROLL	240,496.50
10/4/2024	DIRECT PAYABLE	53,226.24
10/4/2024	PAYROLL INSURANCE	168,725.37
10/10/2024	SPECIAL AP	2,094,170.17
10/10/2024	AP	833,460.45
10/16/2024	PAYMENT REVERSAL	(25.00)
10/18/2024	PAYROLL	237,158.59
10/18/2024	DIRECT PAYABLE	54,228.55
10/22/2024	PERS	210,470.09
	<b>Total expenditures</b>	<b>5,947,376.78</b>

Prepared by: A. ARID  


**Eureka County  
Revenue  
For the Month of October 2024**

Cashing Receipt Number	Received From	Description	Amount
R043645	PETER BELLANDE	RETURN CHECK FEES	\$25.00
R043645	SIDDONS MARTIN EMERGENCY GROUP LLC	VEHICLE MAINT ROAD DEPARTMENT	\$5,609.25
R043646	ST OF NV	MASTERS PHARMACY - OPIOID SETTLEMENT	\$49.64
R043713	CCATT HOLDINGS	SPACE RENT	\$300.00
R043714	MT WHEELER	SPACE RENT	\$200.00
R043715	SKYFIBER	SPACE RENT	\$360.00
R043716	T-MOBILE	SPACE RENT	\$1,850.00
R043717	LANDER IMPROVEMENT DIST NO 1	SPACE RENT	\$800.00
R043718	GRP PAN MINE	SPACE RENT	\$2,250.00
R043719	EUREKA CONSERVATION DISTRICT	REPAY POSTAGE	\$2.71
R043811	ST OF NV	GAMING TAX SEPTEMBER 2024	\$98.47
R043901	ST OF NV	DMV ANIMAL APPREC PLATE DIST	\$40.00
R043902	EU COUNTY	RETURN INS MONEY	\$48.25
R043903	BLM	GRANT FUNDS FOR NDOWSC WHEP	\$24,455.70
R043904	ST OF NV	DMV SERVICE TAX DIST SEPT 2024	\$1,638.66
R043905	PUBLIC AGENCY COMP	TRUST WC REMBURSMENT	\$5,044.58
R044025	MT WHEELER POWER	CAPITAL CREDIT RE-FUND EU TV	\$405.18
R044026	MT WHEELER POWER	CAPITAL CREDIT RE-FUND EU WATER	\$3,312.53
R044027	MT WHEELER POWER	CAPITAL CREDIT RE-FUND DEVILS GATE GID	\$75.00
R044028	MT WHEELER POWER	CAPITAL CREDIT RE-FUND AGING SENIORS	\$780.62
R044032	MILES UMINA	RE-PAY CREDIT CARD USE SEARCH & RESCUE	\$32.44
R044033	YOUNG AUTO GROUP	RE-FUND OVERPAYMENT ROAD DEPT	\$545.60
R044034	WP	SHARED POWER	\$100.00
R044035	MCEWEN MINING	ROAD DEPT MOU JUNE - AUG	\$80,355.00
R044036	ST OF NV	LEPC #1	\$30,353.69
R044037	ST OF NV	OVERPAY REFUND	\$243.49
R044038	NV ST BANK	COMMERCIAL CARD REVENUE	\$465.95
R044039	ST OF NV	PERS	\$12,500.20
R044040	ST OF NV	UNITARY TAX CARLNS	\$0.79
R044041	ST OF NV	UNITARY TAX SECURED DIST	\$238,989.11
R044042	ROOM TAX	MONTHLY DIST SEPT 2024	\$14,413.12
R044043	ST OF NV	GEO THERMAL LEASE	\$9,604.36
R044044	MT WHEELER POWER	CAPITAL CREDIT EU TOWN	\$726.48
R044045	MT WHEELER POWER	CAPITAL CREDIT ROAD FUND	\$726.48
R044046	MT WHEELER POWER	CAPITAL CREDIT EU GENERAL	\$13,075.60
R044047	ST OF NV	TUSCARORA BLM N1 GRAZING DIST FUND	\$5,783.08
R044048	ST OF NV	BRISTLECONE BLM N4 GRAZING DIST FUND	\$15.11
R044049	ST OF NV	MONT LEWIS N6 GRAZING DIST FUND	\$8,445.38
R044050	ST OF NV	FUEL TAX	\$66,972.99
R044107	REAL PROPERTY	MONTHLY DIST OCT 2024	\$160,085.09
R044109	PERSONAL PROPERTY	MONTHLY DIST OCT 2024	\$9,612.12
R044111	SWIMMING POOL	MONTHLY DIST OCT 2024	\$1,045.00
R044113	SHERIFF	MONTHLY DIST OCT 2024	\$1,847.00
R044114	ST OF NV	CONSOLIDATED TAX AUG 24	\$842,212.00
R044115	MT WHEELER POWER	CAPITAL CREDIT RE-FUND CHAMBER OFFICE	\$57.12
R044116	RECORDER	MONTHLY DIST OCT 2024	\$132,097.95
R044117	JUSTICE COURT	MONTHLY DIST OCT 2024	\$10,908.00
R044118	SENR CENTER	MONTHLY DIST OCT 2024	\$9,944.89
R044163	OPERA HOUSE	MONTHLY DIST OCT 2024	\$312.00
R044164	JUVENILE PROBATION	MONTHLY DIST OCT 2024	\$7,148.98
R044166	AMBULANCE FEES	MONTHLY DIST OCT 2024	\$13,494.66
R044169	MUSEUM	MONTHLY DIST OCT 2024	\$875.80
R044110	DISTRICT COURT	MONTHLY DIST OCT 2024	\$4,982.45
JN02973	SIDDONS/RP OVER UNDER/REC	MONTHLY DIST OCT 2024	-\$36.97
	PUBLIC WORKS	MONTHLY DIST OCT 2024	\$113,247.56
JN02977	LGIP	OCTOBER INTEREST	\$10,252.27
JN02978	MMA	OCTOBER INTEREST	\$403.28
JN02979	MEEDER	OCTOBER INTEREST	\$207,542.95
JN02980	MEEDER	OCTOBER REALIZED GAIN	\$67,619.58

**\$2,124,346.19**



Eureka County, Nevada

# Treasurers Report

## Summary

Date Range: 10/01/2024 - 10/31/2024

Fund	Beginning Cash Balance	Revenues	Expenses	Net Change Assets	Net Change Liabilities	Calculated Ending Balance	Actual Ending Balance	Calculated - Actual Ending
010 - GENERAL FUND	33,606,258.94	1,279,729.12	1,181,916.00	16,154.24	274,549.55	33,413,368.27	33,413,368.27	0.00
012 - PROPERTY SALE TRUST FUND	86,238.83	0.00	0.00	0.00	0.00	86,238.83	86,238.83	0.00
014 - RETIREE HLTH INS PREM FD	2,341,301.47	6,885.45	18,777.40	0.00	0.00	2,329,409.52	2,329,409.52	0.00
015 - FUTURE RESERVE FUND	12,217,782.45	36,221.30	229.28	0.00	0.00	12,253,774.47	12,253,774.47	0.00
020 - ROAD FUND	2,732,437.51	164,428.04	238,193.15	0.00	27,335.88	2,631,336.52	2,631,336.52	0.00
025 - REG TRANSPORTATION COMM	12,165,833.89	71,671.82	2,637,754.49	0.00	-1,263,847.34	10,863,598.56	10,863,598.56	0.00
030 - AGRICULTURAL EXTENSION	1,296,944.92	5,621.84	37,541.17	0.00	0.00	1,265,025.59	1,265,025.59	0.00
035 - AGRICULTURAL DIST #15	276,241.21	1,718.95	5,475.98	0.00	0.00	272,484.18	272,484.18	0.00
040 - BLDG OPER&MAINT RES FUND	4,189,594.93	14,260.08	78.33	0.00	0.00	4,203,776.68	4,203,776.68	0.00
042 - CAPITAL PROJECTS FUND	6,308,513.11	28,058.27	37,623.62	0.00	0.00	6,298,947.76	6,298,947.76	0.00
044 - TOWN OF EUREKA FUND	1,310,277.40	9,597.10	4,625.14	0.00	-53,145.27	1,315,102.72	1,315,102.72	0.00
045 - EUREKA WTR/SWR UTILITY FD	5,963,534.23	56,334.69	256,969.75	0.00	146.64	5,816,044.44	5,816,044.44	0.00
046 - CRESCENT VALLEY TOWN	307,271.91	1,890.54	4,877.95	0.00	165.37	304,119.13	304,119.13	0.00
048 - CV WATER UTILITY FUND	824,327.37	17,898.87	10,807.14	0.00	3,365.74	828,053.36	828,053.36	0.00
050 - EUREKA CO TV DISTRICT	850,906.67	12,934.46	18,380.68	0.00	71.57	845,388.88	845,388.88	0.00
060 - DIAMOND VALLEY WEED DIST	286,150.37	2,831.54	4,446.08	0.00	1,452.24	283,083.59	283,083.59	0.00
070 - DIAMOND VALLEY RODENT	385,353.19	2,460.47	7.20	0.00	0.00	387,806.46	387,806.46	0.00
077 - FRYOSYUCCAMT DIRECT PYMT	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
100 - RECREATION FUND	608,832.68	14,444.69	3,083.14	0.00	0.00	620,194.23	620,194.23	0.00
110 - TOURISM FUND	33,835.46	1,223.74	2,000.61	0.00	0.00	33,058.59	33,058.59	0.00
120 - DEVILS GATE WATER DIST	977,080.24	11,173.77	3,506.62	0.00	1,003.47	983,743.92	983,743.92	0.00
125 - WATER MITIGATION FUND	3,565,854.71	12,312.46	64,303.03	0.00	0.00	3,513,864.14	3,513,864.14	0.00
127 - NAT RES MULT USE FUND	1,629,228.26	5,772.13	30.43	0.00	0.00	1,634,969.96	1,634,969.96	0.00
150 - RANGE IMPROVEMENT DIST 1	44,779.38	5,932.97	0.84	0.00	0.00	50,711.51	50,711.51	0.00
155 - RANGE IMPROVEMENT DIST 6	100,506.66	8,688.00	1,501.89	0.00	0.00	107,692.77	107,692.77	0.00
160 - DEPT OF MINERAL RESOURCE	140,010.00	104,310.00	140,010.00	0.00	0.00	104,310.00	104,310.00	0.00
165 - EUREKA CO. GAME BOARD	4,340.52	12.35	71.02	0.00	103.08	4,178.77	4,178.77	0.00
170 - ACCIDENT INDIGENT FUND	69,055.55	2,827.62	69,055.55	0.00	0.00	2,827.62	2,827.62	0.00
175 - EUREKA CO INDIGENT FUND	454,106.18	4,444.37	2,385.42	0.00	0.00	456,165.13	456,165.13	0.00
180 - HOSP CO INDG HOSP FUND	548,573.79	3,416.68	33,254.94	0.00	0.00	518,735.53	518,735.53	0.00
190 - LANDFILL FUND	3,003,671.84	25,434.20	8,296.81	0.00	4,155.08	3,016,654.15	3,016,654.15	0.00
220 - ASSR TECH FND NRS361.530	2,152,746.56	11,757.63	12,444.05	0.00	75.38	2,151,499.67	2,151,499.67	0.00
225 - RECORDER TECHNOLOGY FUND	115,777.63	794.58	2.16	0.00	0.00	116,570.05	116,570.05	0.00
227 - DISTRICT COURT IMP FUND	12,464.54	198.00	0.23	0.00	0.00	12,662.31	12,662.31	0.00
230 - JUSTICE COURT A A FUND	69,656.27	536.47	1.30	0.00	0.00	70,191.44	70,191.44	0.00
233 - JUV COURT A A FUND	50,839.32	244.99	0.95	0.00	0.00	51,083.36	51,083.36	0.00
235 - JUST CRT FACILITY FUND	192,503.37	1,012.00	3.60	0.00	0.00	193,511.77	193,511.77	0.00

Treasurers Report

Date Range: 10/01/2024 - 10/31/2024

Fund	Beginning Cash Balance	Revenues	Expenses	Net Change Assets	Net Change Liabilities	Calculated Ending Balance	Actual Ending Balance	Calculated - Actual Ending
240 - FORENSIC FEE	1,131.96	3.40	0.00	0.00	0.00	1,135.36	1,135.36	0.00
250 - STATE OF NEVADA	923,998.58	36,357.76	923,998.58	0.00	0.00	36,357.76	36,357.76	0.00
320 - SCHOOL GENERAL FUND	1,043,983.00	141,680.05	1,043,979.44	0.00	0.00	141,683.61	141,683.61	0.00
996 - UB UNAPPLIED CREDIT	24,257.35	0.00	0.00	0.00	1,325.90	22,931.45	22,931.45	0.00
<b>Report Total:</b>	<b>100,916,202.25</b>	<b>2,105,120.40</b>	<b>6,765,633.97</b>	<b>16,154.24</b>	<b>-1,003,242.71</b>	<b>97,242,777.15</b>	<b>97,242,232.06</b>	<b>545.09</b>



# Pooled Cash Report

Eureka County, Nevada

For the Period Ending 10/31/2024

ACCOUNT #	ACCOUNT NAME	BEGINNING BALANCE	CURRENT ACTIVITY	CURRENT BALANCE
<b>CLAIM ON CASH</b>				
<u>010-000-10101-000</u>	CLAIM ON CASH - GENERAL FUND	33,606,258.94	(192,890.67)	33,413,368.27
<u>012-000-10101-000</u>	CLAIM ON CASH - PROPERTY SALE TRUST FUND	86,238.83	0.00	86,238.83
<u>014-000-10101-000</u>	CLAIM ON CASH - RETIREE HLTH INS PREM FD	2,341,301.47	(11,891.95)	2,329,409.52
<u>015-000-10101-000</u>	CLAIM ON CASH - FUTURE RESERVE FUND	12,217,782.45	35,992.02	12,253,774.47
<u>020-000-10101-000</u>	CLAIM ON CASH - ROAD FUND	2,732,437.51	(101,100.99)	2,631,336.52
<u>025-000-10101-000</u>	CLAIM ON CASH - REG TRANSPORTATION COMM	12,165,833.89	(1,302,235.33)	10,863,598.56
<u>030-000-10101-000</u>	CLAIM ON CASH - AGRICULTURAL EXTENSION	1,296,944.92	(31,919.33)	1,265,025.59
<u>035-000-10101-000</u>	CLAIM ON CASH - AGRICULTURAL DIST #15	276,241.21	(3,757.03)	272,484.18
<u>040-000-10101-000</u>	CLAIM ON CASH - BLDG OPER&MAINT RES FUND	4,189,594.93	14,181.75	4,203,776.68
<u>042-000-10101-000</u>	CLAIM ON CASH - CAPITAL PROJECTS FUND	6,308,513.11	(9,565.35)	6,298,947.76
<u>044-000-10101-000</u>	CLAIM ON CASH - TOWN OF EUREKA FUND	1,310,277.40	4,825.32	1,315,102.72
<u>045-000-10101-000</u>	CLAIM ON CASH - EUREKA WTR/SWR UTLTY FD	5,963,534.23	(147,489.79)	5,816,044.44
<u>046-000-10101-000</u>	CLAIM ON CASH - CRESCENT VALLEY TOWN	307,271.91	(3,152.78)	304,119.13
<u>048-000-10101-000</u>	CLAIM ON CASH - CV WATER UTILITY FUND	824,327.37	3,725.99	828,053.36
<u>050-000-10101-000</u>	CLAIM ON CASH - EUREKA CO TV DISTRICT	850,906.67	(5,517.79)	845,388.88
<u>060-000-10101-000</u>	CLAIM ON CASH - DIAMOND VALLEY WEED DIST	286,150.37	(3,066.78)	283,083.59
<u>070-000-10101-000</u>	CLAIM ON CASH - DIAMOND VALLEY RODENT	385,353.19	2,453.27	387,806.46
<u>100-000-10101-000</u>	CLAIM ON CASH - RECREATION FUND	608,832.68	11,361.55	620,194.23
<u>110-000-10101-000</u>	CLAIM ON CASH - TOURISM FUND	33,835.46	(776.87)	33,058.59
<u>120-000-10101-000</u>	CLAIM ON CASH - DEVIL'S GATE WATER DIST	977,080.24	6,663.68	983,743.92
<u>125-000-10101-000</u>	CLAIM ON CASH - WATER MITIGATION FUND	3,565,854.71	(51,990.57)	3,513,864.14
<u>127-000-10101-000</u>	CLAIM ON CASH - NAT RES MULT USE FUND	1,629,228.26	5,741.70	1,634,969.96
<u>150-000-10101-000</u>	CLAIM ON CASH - RANGE IMPROVEMENT DIST 1	44,779.38	5,932.13	50,711.51
<u>155-000-10101-000</u>	CLAIM ON CASH - RANGE IMPROVEMENT DIST 6	100,506.66	7,186.11	107,692.77
<u>160-000-10101-000</u>	CLAIM ON CASH - DEPT OF MINERAL RESOURCE	140,010.00	(35,700.00)	104,310.00
<u>165-000-10101-000</u>	CLAIM ON CASH - EUREKA CO. GAME BOARD	4,340.52	(161.75)	4,178.77
<u>170-000-10101-000</u>	CLAIM ON CASH - ACCIDENT INDIGENT FUND	69,055.55	(66,227.93)	2,827.62
<u>175-000-10101-000</u>	CLAIM ON CASH - EUREKA CO INDIGENT FUND	454,106.18	2,058.95	456,165.13
<u>180-000-10101-000</u>	CLAIM ON CASH - HOSP CO INDG HOSP FUND	548,573.79	(29,838.26)	518,735.53
<u>190-000-10101-000</u>	CLAIM ON CASH - LANDFILL FUND	3,003,671.84	12,982.31	3,016,654.15
<u>220-000-10101-000</u>	CLAIM ON CASH - ASSR TECH FND NRS361.530	2,152,746.56	(1,306.89)	2,151,439.67
<u>225-000-10101-000</u>	CLAIM ON CASH - RECORDER TECHNOLOGY FUND	115,777.63	792.42	116,570.05
<u>227-000-10101-000</u>	CLAIM ON CASH - DISTRICT COURT AA FUND	12,464.54	197.77	12,662.31
<u>230-000-10101-000</u>	CLAIM ON CASH - JUSTICE COURT A A FUND	69,656.27	535.17	70,191.44
<u>233-000-10101-000</u>	CLAIM ON CASH - JUV COURT A A FUND	50,839.32	244.04	51,083.36
<u>235-000-10101-000</u>	CLAIM ON CASH - JUST CRT FACILITY FUND	192,503.37	1,008.40	193,511.77
<u>240-000-10101-000</u>	CLAIM ON CASH - FORENSIC FEE	1,131.96	3.40	1,135.36
<u>250-000-10101-000</u>	CLAIM ON CASH - STATE OF NEVADA	923,998.58	(887,640.82)	36,357.76
<u>320-000-10101-000</u>	CLAIM ON CASH - SCHOOL GENERAL FUND	1,043,983.00	(902,299.39)	141,683.61
<u>996-000-10101-000</u>	CLAIM ON CASH - UB UNAPPLIED CASH	24,257.35	(1,325.90)	22,931.45
<b>TOTAL CLAIM ON CASH</b>		<b>100,916,202.25</b>	<b>(3,673,970.19)</b>	<b>97,242,232.06</b>

## CASH IN BANK

### Cash in Bank

<u>999-000-10102-000</u>	CASH IN BANK - COUNTY CHECKING	(1,956.40)	0.00	(1,956.40)
<u>999-000-10103-000</u>	CASH IN BANK - DEPOSIT ACCOUNTS	3,029.46	19,935.20	22,964.66
<u>999-000-10104-000</u>	CASH IN BANK - CONCENTRATION	7,321,590.31	(4,270,844.00)	3,050,746.31
<u>999-000-10105-000</u>	CASH IN BANK - SILVER MONEY MARKET	3,784,454.09	403.28	3,784,857.37
<u>999-000-10106-000</u>	CASH IN BANK - LOCAL GOVERNMENT INVESTMEN	2,483,868.92	10,252.27	2,494,121.19
<u>999-000-10107-000</u>	CASH IN BANK - MEEDER INVESTMENT	87,626,325.41	275,162.53	87,901,487.94
<u>999-000-10109-000</u>	CASH IN BANK - NEW COUNTY CHECKING	(60,613.04)	50,624.03	(9,989.01)



ACCOUNT #	ACCOUNT NAME	BEGINNING BALANCE	CURRENT ACTIVITY	CURRENT BALANCE	
<u>999-000-11501-000</u>	UB UNAPPLIED CREDIT	0.00	0.00	0.00	
<b>TOTAL: Cash in Bank</b>		<u>101,156,698.75</u>	<u>(3,914,466.69)</u>	<u>97,242,232.06</u>	
<b>Wages Payable</b>					
<u>999-000-20200-000</u>	WAGES PAYABLE	(240,496.50)	240,496.50	0.00	
<b>TOTAL: Wages Payable</b>		<u>(240,496.50)</u>	<u>240,496.50</u>	<u>0.00</u>	
<b>TOTAL CASH IN BANK</b>		<u>100,916,202.25</u>	<u>(3,673,970.19)</u>	<u>97,242,232.06</u>	
<b><u>DUE TO OTHER FUNDS</u></b>					
<u>999-000-24910-000</u>	DUE TO OTHER FUNDS	100,916,202.25	(3,673,970.19)	97,242,232.06	
<b>TOTAL DUE TO OTHER FUNDS</b>		<u>100,916,202.25</u>	<u>(3,673,970.19)</u>	<u>97,242,232.06</u>	
<b>Claim on Cash</b>	97,242,232.06	<b>Claim on Cash</b>	97,242,232.06	<b>Cash in Bank</b>	97,242,232.06
<b>Cash in Bank</b>	<u>97,242,232.06</u>	<b>Due To Other Funds</b>	<u>97,242,232.06</u>	<b>Due To Other Funds</b>	<u>97,242,232.06</u>
<b>Difference</b>	<u>0.00</u>	<b>Difference</b>	<u>0.00</u>	<b>Difference</b>	<u>0.00</u>

ACCOUNT #	ACCOUNT NAME	BEGINNING BALANCE	CURRENT ACTIVITY	CURRENT BALANCE
<b>ACCOUNTS PAYABLE PENDING</b>				
010-000-29300-000	ACCOUNTS PAYABLE	68,516.86	1,231.54	69,748.40
012-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
014-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
015-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
020-000-29300-000	ACCOUNTS PAYABLE	9,473.39	41.08	9,514.47
025-000-29300-000	ACCOUNTS PAYABLE	0.00	1,263,847.34	1,263,847.34
030-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
035-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
040-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
042-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
044-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
045-000-29300-000	ACCOUNTS PAYABLE	1,867.24	61,071.98	62,939.22
046-000-29300-000	ACCOUNTS PAYABLE	72.37	(36.19)	36.18
048-000-29300-000	ACCOUNTS PAYABLE	907.54	65.95	973.49
050-000-29300-000	ACCOUNTS PAYABLE	41.09	(41.09)	0.00
060-000-29300-000	ACCOUNTS PAYABLE	538.83	(0.02)	538.81
070-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
100-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
110-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
120-000-29300-000	ACCOUNTS PAYABLE	505.01	(232.03)	272.98
125-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
127-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
150-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
155-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
160-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
165-000-29300-000	ACCOUNTS PAYABLE	16.21	(16.21)	0.00
170-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
175-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
180-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
190-000-29300-000	ACCOUNTS PAYABLE	1,240.80	0.00	1,240.80
220-000-29300-000	ACCOUNTS PAYABLE	318.10	(0.01)	318.09
225-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
227-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
230-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
233-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
235-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
240-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
250-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
320-000-29300-000	ACCOUNTS PAYABLE	0.00	0.00	0.00
<b>TOTAL ACCOUNTS PAYABLE PENDING</b>		<b>83,497.44</b>	<b>1,325,932.34</b>	<b>1,409,429.78</b>
<b>DUE FROM OTHER FUNDS</b>				
999-000-16010-000	DUE FROM GENERAL FUND	(68,516.86)	(1,231.54)	(69,748.40)
999-000-16012-000	DUE FROM PROPERTY SALE TRUST FUND	0.00	0.00	0.00
999-000-16014-000	DUE FROM RETIREE HLTH INS PREM FD	0.00	0.00	0.00
999-000-16015-000	DUE FROM FUTURE RESERVE FUND	0.00	0.00	0.00
999-000-16020-000	DUE FROM ROAD FUND	(9,473.39)	(41.08)	(9,514.47)
999-000-16025-000	DUE FROM REG TRANSPORTATION COMM	0.00	(1,263,847.34)	(1,263,847.34)
999-000-16030-000	DUE FROM AGRICULTURAL EXTENSION	0.00	0.00	0.00
999-000-16035-000	DUE FROM AGRICULTURAL DIST #15	0.00	0.00	0.00
999-000-16040-000	DUE FROM BLDG OPER&MAINT RES FUND	0.00	0.00	0.00
999-000-16042-000	DUE FROM CAPITAL PROJECTS FUND	0.00	0.00	0.00
999-000-16044-000	DUE FROM TOWN OF EUREKA FUND	0.00	0.00	0.00
999-000-16045-000	DUE FROM EUREKA WTR/SWR UTILITY FD	(1,867.24)	(61,071.98)	(62,939.22)
999-000-16046-000	DUE FROM CRESCENT VALLEY TOWN	(72.37)	36.19	(36.18)
999-000-16048-000	DUE FROM CV WATER UTILITY FUND	(907.54)	(65.95)	(973.49)
999-000-16050-000	DUE FROM EUREKA CO TV DISTRICT	(41.09)	41.09	0.00
999-000-16060-000	DUE FROM DIAMOND VALLEY WEED DIST	(538.83)	0.02	(538.81)
999-000-16070-000	DUE FROM DIAMOND VALLEY RODENT	0.00	0.00	0.00
999-000-16110-000	DUE FROM TOURISM FUND	0.00	0.00	0.00

ACCOUNT #	ACCOUNT NAME	BEGINNING BALANCE	CURRENT ACTIVITY	CURRENT BALANCE	
<u>999-000-16111-000</u>	DUE FROM RECREATION FUND	0.00	0.00	0.00	
<u>999-000-16120-000</u>	DUE FROM DEVIL'S GATE WATER DIST	(505.01)	232.03	(272.98)	
<u>999-000-16125-000</u>	DUE FROM WATER MITIGATION FUND	0.00	0.00	0.00	
<u>999-000-16127-000</u>	DUE FROM NAT RES MULT USE FUND	0.00	0.00	0.00	
<u>999-000-16150-000</u>	DUE FROM RANGE IMPROVEMENT DIST 1	0.00	0.00	0.00	
<u>999-000-16155-000</u>	DUE FROM RANGE IMPROVEMENT DIST 6	0.00	0.00	0.00	
<u>999-000-16160-000</u>	DUE FROM DEPT OF MINERAL RESOURCE	0.00	0.00	0.00	
<u>999-000-16165-000</u>	DUE FROM EUREKA CO. GAME BOARD	(16.21)	16.21	0.00	
<u>999-000-16170-000</u>	DUE FROM ACCIDENT INDIGENT FUND	0.00	0.00	0.00	
<u>999-000-16175-000</u>	DUE FROM EUREKA CO INDIGENT FUND	0.00	0.00	0.00	
<u>999-000-16180-000</u>	DUE FROM HOSP CO INDG HOSP FUND	0.00	0.00	0.00	
<u>999-000-16190-000</u>	DUE FROM LANDFILL FUND	(1,240.80)	0.00	(1,240.80)	
<u>999-000-16220-000</u>	DUE FROM ASSR TECH FND NRS361.530	(318.10)	0.01	(318.09)	
<u>999-000-16225-000</u>	DUE FROM RECORDER TECHNOLOGY FUND	0.00	0.00	0.00	
<u>999-000-16230-000</u>	DUE FROM JUSTICE COURT A A FUND	0.00	0.00	0.00	
<u>999-000-16233-000</u>	DUE FROM JUV COURT A A FUND	0.00	0.00	0.00	
<u>999-000-16235-000</u>	DUE FROM JUST CRT FACILITY FUND	0.00	0.00	0.00	
<u>999-000-16240-000</u>	DUE FROM FORENSIC FEE	0.00	0.00	0.00	
<u>999-000-16250-000</u>	DUE FROM STATE OF NEVADA	0.00	0.00	0.00	
<u>999-000-16320-000</u>	DUE FROM SCHOOL GENERAL FUND	0.00	0.00	0.00	
<b>TOTAL DUE FROM OTHER FUNDS</b>		<u>(83,497.44)</u>	<u>(1,325,932.34)</u>	<u>(1,409,429.78)</u>	
<b>ACCOUNTS PAYABLE</b>					
<u>999-000-29300-000</u>	ACCOUNTS PAYABLE	83,497.44	1,325,932.34	1,409,429.78	
<b>TOTAL ACCOUNTS PAYABLE</b>		<u>83,497.44</u>	<u>1,325,932.34</u>	<u>1,409,429.78</u>	
<b>AP Pending</b>	1,409,429.78	<b>AP Pending</b>	1,409,429.78	<b>Due From Other Funds</b>	1,409,429.78
<b>Due From Other Funds</b>	1,409,429.78	<b>Accounts Payable</b>	1,409,429.78	<b>Accounts Payable</b>	1,409,429.78
<b>Difference</b>	<u>0.00</u>	<b>Difference</b>	<u>0.00</u>	<b>Difference</b>	<u>0.00</u>



<b>Job Title:</b>	Communications Supervisor	<b>Department:</b>	Sheriff's Office
<b>Classification Range:</b>	E13	<b>Reports To:</b>	Undersheriff
		<b>FLSA:</b>	Non-Exempt
		<b>Safety Sensitive:</b>	Yes
		<b>Probation Period:</b>	12 Months
		<b>Adopted/Revised:</b>	

**Summary of Job Purpose:**

Under limited supervision, supervises the operations and staff of the Communications center; coordinates the processing of files and documents; acts as liaison with the Nevada State Criminal History Repository and Department of Public Safety's Program Development and Compliance Division; acts as a telecommunicator as needed.

**Essential Functions:** *The class specification lists the major duties and requirements of the job and is not all-inclusive. Incumbent(s) may be expected to perform job-related duties other than those contained in this document and may be required to have specific job-related knowledge and skill.*

This is the supervisory class of the Eureka County Communications Center. This class is distinguished from the Telecommunicator I/II/III classes by having the responsibility for first line supervision of communications staff, scheduling, training and operations of the communications center.

**The duties listed below are examples of the work typically performed by an employee in this position. An employee may not be assigned all duties listed and may be assigned duties which are not listed below. *Marginal duties* (shown in *italics*) are those which are least likely to be essential functions for this position.**

1. Develops Communications' staff schedules and coordinates staff to ensure effective coverage of all shifts.
2. Coordinates work to be done by communications staff and assigns staff to special projects.
3. Assesses training, travel, and staffing needs.
4. Evaluates communications staff through periodic performance evaluations; issues warnings and reprimands, verbal and written, for inadequate performance and improper behavior. Provides Quality Assurance (QA), Quality Improvement (QI) in an objective, positive, constructive manner for the development of Telecommunicator I, II, III's performance.
5. Evaluates testing results and applications/resumes for consideration of new communications staff; listens and responds to communications staff problems, concerns, and complaints.
6. Assists administration with payroll and timecard processing, accounts receivable and payable.
7. Develops, implements and manages work rules and performance standards; develop plans for achieving program objectives and operational goals; develops short-and long-term plans; develops and implements project management systems.
8. Performs background investigations of applicants for employment, liquor licenses, carry concealed weapon (CCW) and others as policy dictates; assists administration with hiring procedure such as placing ads, coordinating testing and oral board interviews; verifies returned background packets for all applicants and persons making application for various permits. Processes applications for various permits.
9. Serves as the Terminal Agency Coordinator, acting as liaison with the Department of Public Safety's Program Development and Compliance Division; ensures that all policy and procedures are followed regarding access to the informational database systems maintained by the FBI, National Crime Information Center(NCIC), State of Nevada (NCJIS), and International Criminal Justice & Public Safety Network (NLETS); ensures the final dispositions from all jurisdictional courts are submitted to the Nevada Criminal History Repository.



10. Responds to radio calls from law enforcement and emergency personnel in the field; acts as backup communication for field personnel for public works and the school district; performs record searches from local databases and those maintained by the FBI National Crime Information Center (NCIC), International Criminal Justice & Public Safety Network (NLETS); and the State of Nevada (NCJIS) for warrant, protection order, dangerous offender, sex offender, CCW holder and criminal history status on field suspects, subjects of civil process and in-custody detainees; confirms active warrants and transportation requirements for other law enforcement agencies; verifies and disseminates information received by the teletype to field officers; gathers and translates information from field officers for efficient queries into the teletype.
11. Receives 911 calls for assistance from landline and cellular phones from various locations within Eureka County as well as neighboring counties; determines and completes transfers of callers to the appropriate agency if the request for service is not within our geographic/determined response areas; asks questions to solicit information regarding the nature and location of the emergency, verifies information gathered for accuracy, determines the priority and type of response necessary; dispatches emergency units and relays pertinent information between field officers and emergency response units; provides emergency medical instruction using locally approved protocols; communicates effectively with distraught, angry, hysterical, or frightened callers; maintains calm in emergency situations; handles stress related to various emergency calls; dispatches appropriate units for alarm calls.
12. Monitors/reviews telephone and radio traffic; ensures that calls are handled in accordance with rules and regulations; maintains audio recordings and document and may be required to prepare copies and reports as requested.
13. Processes information requests from the general public, criminal and non-criminal justice agencies by providing information ranging from community events to status of an incarcerated subject; processes calls to determine whether information may be released to the requestor or must be handled through a supervisor; determines if a referral to another agency is needed to satisfy a caller's request; interacts effectively with individuals from diverse backgrounds; processes calls requesting visitation with incarcerated individuals.
14. Maintains knowledge of related technology, equipment, operational trends and innovations; participates in training, conferences and seminars as approved; coordinates with County IT department on new equipment recommendations and required maintenance, repair, or replacement to ensure optimal performance.
15. Maintains a computer log of all radio and phone calls received and transmitted; operates video and audio equipment as needed for jail and facility safety during booking and daily operations; operates audio logging equipment for all radio and phone calls received and transmitted; maintains local databases by entering calls for service for all requests for services or officer-initiated activity; enters and maintains local house watch list and emergency contact information in local database; completes all pertinent daily and monthly reports.
16. Processes work cards, traffic accident reports, case reports, sex offender and ex-felon registrations, civil process database and returns, concealed weapon permit and identification files by ensuring all teletypes have been requested and filed. Additional processing of case report files to include entries into NCIC, NCJIS, or NLETS regarding stolen articles, guns, license plates, parts, securities or vehicles, wanted or missing persons, and identification of gang or terrorist members; sorts, indexes, and files log records, correspondence, reports, or other material; maintains the accuracy, validity, and completeness of all records entered into NCIC, NCJIS, or NLETS.
17. Prepares cost projections of department and staffing needs and presents those projections to management as pre-budget information for the communications center.
18. Coordinates with other law enforcement communications centers.
19. Assists public at front window by providing information related to law enforcement, medical and fire, as well as community amenities and events; assists public in obtaining indigent aid; assists bail bond agents and public by receiving bail bonds or cash for citations and individuals incarcerated in the detention facility; assist detention with visitation by providing proper forms and screening of visitors; accepts any fees for services provided by the Sheriff's Department.



20. Conducts investigations of citizen and interdepartmental complaints and implements proper resolution to any issues that may arise; provides information, instructions and assistance to public.
21. Maintains security, integrity and confidentiality of civil process data according to prescribed agency policies, procedures and applicable regulatory standards; maintaining professionalism in dealing with confidential and sensitive matters while providing excellent customer service; maintain ability to testify as a credible witness in court. Performs other duties as assigned.

**Qualifications:** *To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skills and/or ability required.*

**Education and Experience:** *The knowledge and ability listed may be acquired through different types of education, training and experience. An example of a typical way to acquire the qualifying knowledge and ability is listed below:*

Possession of a high school diploma or G.E.D. and at least Seven (7) years of experience as a Telecommunicator with a law enforcement agency. Completion of supervisory training or the opportunity to get the training needed to supervise others is preferred.

Ability to successfully pass a background investigation to qualify certification to operate NCIC, NCJIS, and related systems including being able to certify and train others on these systems. Required certification must be maintained and current throughout duration of employment and the manner in which you conduct yourself; be respectful to all, nice to work with and promote a harmonious working environment.

**Required Certificates, Licenses, and Registrations:** *Continued employment is contingent upon all required licenses and certificates being maintained in active status without suspension or revocation.*

- EMD-Q Certification
- NCJIS/NCIC Certification
- TAC-Terminal Agency Coordinator/
- CTO-Communications Training Officer
- Communications Center Supervisor Training
- POST-Firstline Supervisor Training
- Poolpact-Firstline Supervisor Training

**Required Knowledge and Skills:**

**Knowledge of:** supervisory practices and methods, including objective evaluation practices; basic computer procedures; use of reference books and manuals; office procedures, including filing, record keeping, and operation of basic office equipment; correct English usage, including spelling, grammar, and punctuation; basic law enforcement terms and radio codes; proper questioning techniques to determine the nature of call and level of emergency; available resources for responding to emergencies and calls; geography and jurisdictional boundaries of service area; proper procedures for operation of NCIC/NCJIS/NLETS information systems.

**Skills in:** supervise operations consistent with departmental policies and goals; supervise and evaluate the work of staff; establish and maintain working relationships with all levels of County employees; communicate with people in emergencies and varying stages of distress; tend to multiple tasks at the same time; speak clearly over the telephone and radio; communicate with individuals from different backgrounds and communication abilities; use a computer, follow detailed written and verbal procedural directions; evaluate information for



consistency and proper course of action; make decisions quickly and accurately; keep records of activities; sort, index, and file documents using developed coding system.

**Special Requirements:** Ability to pass a background investigation to qualify for and maintain certifications to operate NCIC, CJIS, and related computers and to train and certify others to access these systems.

**Physical/Mental Demands & Working Environment:** *The physical/mental requirements described herein are repetitive of those that an employee must meet to perform the essential functions of this position successfully.*

The physical and mental requirements described here are representative of those that must be met by an employee to successfully perform the essential functions of the job.

Strength, dexterity, coordination, and vision to use a keyboard and video display terminal for prolonged periods. Strength and stamina to bend, stoop, sit, and stand for extended periods of time. Dexterity and coordination to handle files and single pieces of paper; periodic lifting of files, stacks of paper or reports, references, and other materials weighing up to 25 pounds. Some reaching for items above and below desk level. Some bending, reaching, squatting, and stooping to access files and records is necessary. The manual dexterity and cognitive ability to operate a personal computer. The ability to communicate via telephone and radio. Ability to appropriately handle stress and interact with others including, supervisors, coworkers, members of the public, and others. The ability to interact professionally, communicate effectively, and exchange information accurately. Maintain regular and consistent punctuality and attendance. Employee will have access to EAP and Peer Support Networks should the need arise.

**In compliance with applicable disability laws, reasonable accommodations may be provided for qualified individuals with a disability who require and request such accommodations. Incumbents and applicants who have been offered employment by Eureka County are encouraged to discuss potential accommodations with the employer.**

Work is performed under the following conditions: Work environment is generally clean with limited exposure to conditions such as dust, fumes, or odors. Lighting conditions may be less than optimal. Frequent interruptions to planned work activities occur. Noise from radios and other dispatchers may be frequent.

*This position description indicates, in general, the nature and levels of work, knowledge, skills, abilities, and other essential functions (as covered under the Americans with Disabilities Act) expected of the incumbent. It is not designed to cover or contain a comprehensive listing of activities, duties or responsibilities required of the incumbent. Incumbent may be asked to perform other duties as required. In compliance with applicable disability laws, reasonable accommodations may be provided for qualified individuals with a disability who require and request such accommodations. Incumbents and applicants who Eureka County has offered employment are encouraged to discuss potential accommodations with the employer.*



**APPROVAL AND ACKNOWLEDGMENT OF RECEIPT**

Designate Position Held:

- TYPE I
- TYPE II
- TYPE III

Department Head/Supervisor: \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature)

\*Employee: \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature)

\*Employee signature acknowledges understanding of the essential functions and requirements of this position. Employee also acknowledges receipt of this position description.





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<b>Job Title:</b>	Telecommunicator I, II, & III	<b>Department:</b>	Sheriff's Office
<b>Classification Range:</b>	Telecommunicator I, E09 Telecommunicator II, E10 Telecommunicator III, E11	<b>Reports To:</b>	Communications Supervisor
		<b>FLSA:</b>	Non-Exempt
		<b>Safety Sensitive:</b>	Yes
		<b>Probation Period:</b>	12 Months
		<b>Adopted/Revised:</b>	12/5/2023

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**Summary of Job Purpose:** Telecommunicator I, II, and III's, are under general supervision, receives, assesses, and processes emergency and non-emergency calls for the County Law Enforcement, Fire, and EMS Departments; answers inquiries for information from the general public as well as other criminal and non-criminal justice agencies; dispatches patrol, fire, and EMS units; maintains, types, and files various records and documents; interacts with the general public, criminal, and non-criminal justice agencies in person and via telephone.

**Essential Functions:** *The class specification lists the major duties and requirements of the job and is not all-inclusive. Incumbent(s) may be expected to perform job-related duties other than those contained in this document and may be required to have specific job-related knowledge and skill.*

Telecommunicator I:

- Responds to radio calls from law enforcement and emergency personnel in the field; acts as backup communication for field personnel for public works and the school district; performs record searches from local databases and those maintained by the Federal Bureau of Investigation (FBI), National Crime Information Center (NCIC), International Criminal Justice & Public Safety Network (NLETS), and the State of Nevada (NCJIS) for warrant, protection order, dangerous offender, sex offender, CCW holder and criminal history status on field suspects and in-custody detainees; confirms active warrants and transportation requirements for other law enforcement agencies; verifies and disseminates information received by the teletype to field officers; gathers and translates information from field officers for efficient queries into the teletype.
- Receives 911 calls for assistance from a landline and cellular phones from various locations within Eureka County as well as neighboring counties; determines and completes transfers of callers to the appropriate agency if the request for service is not within our geographic/determined response areas; asks questions to solicit information regarding the nature and location of the emergency, verifies information gathered for accuracy, determines the priority and type of response necessary; dispatches emergency units and relays pertinent information between field officers and emergency response units; provides emergency medical instruction using locally-approved protocols; communicates effectively with distraught, angry, hysterical, or frightened callers; maintains calm in emergency situations; handles stress related to various emergency calls; dispatches appropriate units for alarm calls.
- Use technology available in the communications center to the best of their knowledge and training which could include, but is not limited to text to 911, live stream video, multiple phone systems, records management systems, mapping systems, and radio systems.
- Processes information requests from the general public, criminal, and non-criminal justice agencies by providing information ranging from community events to status of an incarcerated subject; processes calls to determine whether information may be released to the requestor or must be handled through a supervisor; determines if a referral to another agency



is needed to satisfy a caller's request; interact effectively with individuals from diverse backgrounds; processes calls requesting visitation with incarcerated individuals.

- Maintains a computer log of all radio and phone calls received and transmitted; operates video and audio equipment as needed for jail safety during bookings and daily operations; operates audio logging equipment for all radio and phone calls received and transmitted; maintains local databases by entering calls for requests for services or officer initiated activity; enters and maintains local house watch list and emergency contact information in local databases; completes all pertinent daily and monthly reports.
- Processes work cards, traffic accident reports, case reports, sex offender and ex-felon registrations, concealed weapon permit, civil process requests of all types for service and identification files by ensuring all teletypes have been requested and filed, information recorded properly in the local database, files assembled correctly and placed correctly in the filing system; process concealed weapons permits by ensuring proper entry has been made into the NCJIS information database regarding permit issuance and status; additional processing of case report files to include entries into NCIC, NCJIS, or NLETS regarding stolen articles, guns, license plates, parts, securities or vehicles, wanted or missing persons, and identification of gang or terrorist members; sorts, indexes, and files log records, correspondence, reports, or other materials; maintains the accuracy, validity, and completeness of all records entered into NCIC, NCJIS, or NLETS.
- Assists public by providing information related to law enforcement, medical and fire, as well as community amenities and events; in obtaining indigent aid; assists bail bond agents and public by receiving bail bonds or cash for citations and individuals incarcerated in the detention facility; assists detention with visitation by providing proper forms and screening of visitors; accepts fees for services provided by the Sheriff's Department.
- Reviews and is active in assessments and improvement of their performance of the position assigned to include but is not limited to: agency system audits, call reviews, training and assigned tasks by the Communications Supervisor or Designee in a timely fashion.
- Represents the County with dignity, integrity, and a spirit of cooperation in all relationships with staff and the public.

#### Telecommunicator II:

- In addition to performing duties assigned to Telecommunicator I; assists in the training of new employees in call taking, dispatching, clerical procedures, and NCIC/NCJIS/NLETS operating procedures and proficiency.
- May serve as an ATAC (Assistant Terminal Agency Coordinator).
- As an ATAC assists with processing various files issued through this office
- Completes NCJIS and NCIC warrants, validations, and entries
- Completes reviews of entries into the NCJIS/NCIC/RMS system, providing objective, positive feedback to the employee that completed the entry into the systems.
- Maintains and Develops improvements in the Communications Training and Evaluation Program with new trends and updating procedures.
- Maintains and updates all contact information and procedural forms manuals.

#### Telecommunicator III:

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- In addition to performing duties assigned to Telecommunicator I/II; assists in the training of new employees in call taking, dispatching, clerical procedures, and NCIC/NCJIS/NLETS operating procedures and proficiency.
- Trains and assesses Dispatcher I/II in Law Enforcement incidents/Fire incidents/EMS incidents/Emergency Medical Dispatching (EMD) by providing Quality Control of all calls completed and providing feedback and remedial training in this field.
- Completes audits of the RMS (Records Management System-RIMS) for accuracy and completeness of person, vehicle, incident location and premise records.
- Completes UCR/NIBRS data collection and reporting on behalf of Eureka County. Provides backup for the Sheriff's Office Communications Supervisor / Sergeant in their absence to provide direction to the Communications Division.

**Qualifications:** *To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skills and/or ability required.*

**Education and Experience:** *The knowledge and ability listed may be acquired through different types of education, training and experience. An example of a typical way to acquire the qualifying knowledge and ability is listed below:*

**Telecommunicator I:** High School diploma/GED; AND one (1) years of administrative/clerical support experience is preferred.

**Telecommunicator II:** High School diploma/GED; AND three (3) years of experience as a Dispatcher, Emergency Medical Dispatcher (EMD), Communications Training Officer and ATAC (Assistant Terminal Agency Coordinator).

**Telecommunicator III:** High School diploma/GED; AND five (5) years of experience as a Dispatcher, ATAC (Assistant Terminal Agency Coordinator), CTO-Communications Training Officer and an Emergency Medical Dispatcher (EMD) evaluator.

**Required Certificates, Licenses, and Registrations:** *Continued employment is contingent upon all required licenses and certificates being maintained in active status without suspension or revocation. All assigned/required training will be completed by the Dispatcher within assigned/required time frame.*

**Telecommunicator I:** Public Safety Telecommunicator 1 and Emergency Medical Dispatching (EMD) certifications within six (6) months of date of employment. NCJIS/NCIC certification within six (6) months of date of employment.

**Telecommunicator II:** EMD certifications within six (6) months of date of employment. NCJIS/NCIC certification within six (6) months of date of employment. ATAC/CTO training and certification within eight (8) months of date of appointment.



**Telecommunicator III:** EMD certifications within six (6) months of date of employment. NCJIS/NCIC certification within six (6) months of date of employment. ATAC/CTO training and certification within eight (8) months of date of appointment. Quality Assurance/Quality Improvement Training (QA/QI) within twelve (12) months of appointment.

**Required Knowledge and Skills:**

**Knowledge of** Radio-telephone operations and procedures; procedures used in operating Computer Aided Dispatch and 9-1-1 systems; policies and procedures of receiving and processing emergency calls; specialized computer systems/software currently used in the Communications Department; business arithmetic; geographic features and directional information; policies and procedures of warrant and NCIC/NCJIS functions; General law enforcement codes, practices and methods; call screening techniques and phone etiquette; standard office practices and procedures; including records management.

**Skills in** Performing technical, specialized, complex, difficult or technical office support work; reading and explaining rules, policies and procedures; train staff in work processes and procedures; compiling and summarizing information and preparing periodic or special reports. Contributing effectively to the accomplishment of team or work unit goals, objectives and activities; working under pressure, exercising good judgment and making sound and timely decisions in emergency and non-emergency situations; understanding and following oral and written instructions; communicating clearly and concisely in writing during emergency and non-emergency situations; recalling, identifying, and categorizing information; performing the full range of public safety call taking/dispatching and 9-1-1 duties; effectively listening to, communicating with, and eliciting information from upset, emotional and irate individuals; dealing successfully with a variety of individuals from various socioeconomic, ethnic and cultural backgrounds, in person and over the telephone; contributing effectively to the accomplishment of team or work unit goals, objectives and activities.

**Special Requirements:** Ability to successfully pass a background investigation to qualify certification to operate NCIC, NCJIS, and related systems including being able to certify and train others on these systems. Required certification must be maintained and current throughout duration of employment. Valid Nevada Driver's license.

**Physical/Mental Demands & Working Environment:** *The physical/mental requirements described herein are repetitive of those that an employee must meet to perform the essential functions of this position successfully.*

Mobility to work in a typical office setting and use standard office equipment; stamina to remain seated for extended periods of time; strength to lift and carry up to 25 pounds; vision to read printed materials and a computer screen, and hearing and speech to communicate in person, over the telephone and over the radio. Work is performed in a high call volume emergency telecommunication environment, where there is limited opportunity for physical movement and the telecommunicator must remain alert and responsive while observing computer display screen for uninterrupted periods of



time; may be subject to extended work periods without relief, periods of high call volume, and stressful situations. The ability to interact professionally, communicate effectively, and exchange information accurately. Ability to appropriately handle stress and interact with others, including supervisors, coworkers, clients, customers and periodic contact with distressed, angry and upset individuals. Ability to handle the stress of frequent interruptions of planned work activities by emergency calls, radio noise, and unplanned events. Generally clean work environment with limited exposure to conditions such as dust, fumes, or odors. Employee will have access to EAP and Peer Support Networks should the need arise.

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*This position description indicates, in general, the nature and levels of work, knowledge, skills, abilities, and other essential functions (as covered under the Americans with Disabilities Act) expected of the incumbent. It is not designed to cover or contain a comprehensive listing of activities, duties or responsibilities required of the incumbent. Incumbent may be asked to perform other duties as required. In compliance with applicable disability laws, reasonable accommodations may be provided for qualified individuals with a disability who require and request such accommodations. Incumbents and applicants who Eureka County has offered employment are encouraged to discuss potential accommodations with the employer.*

**APPROVAL AND ACKNOWLEDGMENT OF RECEIPT**

Designate Position Held:

- Telecommunicator I
- Telecommunicator II
- Telecommunicator III
  
- ANNUAL CONFIDENTIAL PACKET REVIEWED/UPDATED

Department Head/Supervisor: \_\_\_\_\_ Date:

\_\_\_\_\_  
(Signature)

\*Employee: \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature)

\*Employee signature acknowledges understanding of the essential functions and requirements of this position. Employee also acknowledges receipt of this position description.

**GLASS DOCTOR - ELKO**  
**1111 WATER ST.**  
**ELKO NV 89801**  
**(775)778-0611 Fax:(775)738-1153**  
**Tax# 45-3370732**

**Quote: 8399**  
**Date:08/01/2024**

Customer

EUREKA COUNTY  
 IN EUREKA  
 P.O. BOX 714  
 EUREKA NV 89316

Ph:(775)237-6400

Csr:COLETTE Tech: PO COURTHOUSE / DOOR Terms:NET 30

Tax ID:88-6000080

<u>Qty</u>	<u>Part / Description</u>	<u>Material</u>	<u>Labor</u>	<u>Item Total</u>
1.00	STOREFRONT - single door w/sidelites /panic hardware	7,658.00	0.00	7,658.00
8.00	LABOR - instal metal /glass, 2 men 8 hrs	0.00	150.00	1,200.00

Thank you for choosing Glass Doctor

Signature \_\_\_\_\_

<u>Material</u>	<u>Labor</u>	<u>Tax</u>	<u>Total</u>	<u>Deductible</u>	<u>Payments</u>	<u>Balance</u>
7,658.00	1,200.00	0.00	8,858.00	0.00	0.00	8,858.00

2024-11-19

**EUREKA COUNTY ROAD DEPARTMENT**

Prepared for: David Jones

Proposal ID: SHOP CRANE UP  
GRADE

Hi David,

Crane Tech, Inc. is pleased to submit the following proposal for your consideration and approval. If you have any questions or would like to see revisions to this proposal, feel free to contact me directly at rray@cranetechusa.com or at 1-775-303-4345.

**Scope of work:**

Supply deliver and install listed parts.

Travels to your facility and perform the shop crane up grade.

**Pricing:**

Item	Price	QTY	Subtotal
Labor	\$9,870.00	1	\$9,870.00
Festoon system	\$1,859.02	1	\$1,859.02
Steel	\$769.23	1	\$769.23
PE Panel / with VFD	\$3,135.38	1	\$3,135.38
Set of electrified end trucks	\$5,620.23	1	\$5,620.23
Consumables	\$400.00	1	\$400.00
Radio	\$1,223.08	1	\$1,223.08
Scissor lift	\$2,307.69	1	\$2,307.69
Lodging	\$1,200.00	1	\$1,200.00
Mileage	\$600.00	1	\$600.00
			<b>\$26,984.63</b>

**Net Total                    \$26,984.63**

**Terms & Conditions**

- Prices quoted do not include applicable sales tax or freight.
- Excludes: Any additional labor, equipment, material and work not listed above
- All work is to be in compliance with ANSI, OSHA, NEC and CMAA standards
- Prices are based on open & clear access to equipment normal workdays Mon - Fri, 7:30am to 4:00PM
- Delays by others will be billed at applicable rates

This Proposal is also subject to and governed by CraneTech's Terms and Conditions of Sale ("T&Cs") which can be found [here](#). The T&Cs are incorporated herein by reference as if set forth in full in this Proposal. By accepting this Proposal, Customer expressly acknowledges that the T&Cs are a part of this Proposal and certifies that it has read and understands the provisions set forth in the T&Cs and agrees to be bound by them. The T&Cs can be revised, modified, or added to at any time at CraneTech's sole discretion. Any such revisions, modifications, or additions to the T&Cs will be effective immediately and retroactively incorporated in full into this Proposal. Customer should periodically review the T&Cs to ensure that it understands and is aware of any such revisions, modifications or revisions.

**Agreed and accepted by:**

CraneTech

EUREKA COUNTY ROAD DEPARTMENT

*Roger Ray*

11 / 19 / 2024

Roger Ray

David Jones



# Thank You

*CraneTech Inc. appreciates the opportunity to provide this proposal and looks forward enhancing the partnership between our companies by providing professional crane and hoist inspection and maintenance services.*

*Please see below for an overview of other services offered by our sister companies that we think also can further elevate your business.*



**More Ways We Can Elevate Your Business**  
Ask About Our Other Professional Services



## Protecting American Infrastructure

The next generation of industrial services.



### Mobile Equipment Services

- Crane Safety Inspections
- Speciality Services
- Emergency & Planned Repairs
- Modernization & Upgrades
- Equipment Restoration & Refurbishment



### Operator and Maintenance Training

- Lift Equipment Operator Training
- Inspector Training
- Train the Trainer Programs
- NCCER Certifications
- Equipment Inspections

"Anybody can put up cranes - but without reliable support and maintenance, our livelihoods are impacted. We need someone who's going to pick up the phone. With CraneTech, we know that we are working with people who care."

-Ruby Singh, CEO, Glassfab Tempering Services, Inc.

# UM3-1265790

# SERIES 3 END TRUCK

**Configuration Details:**

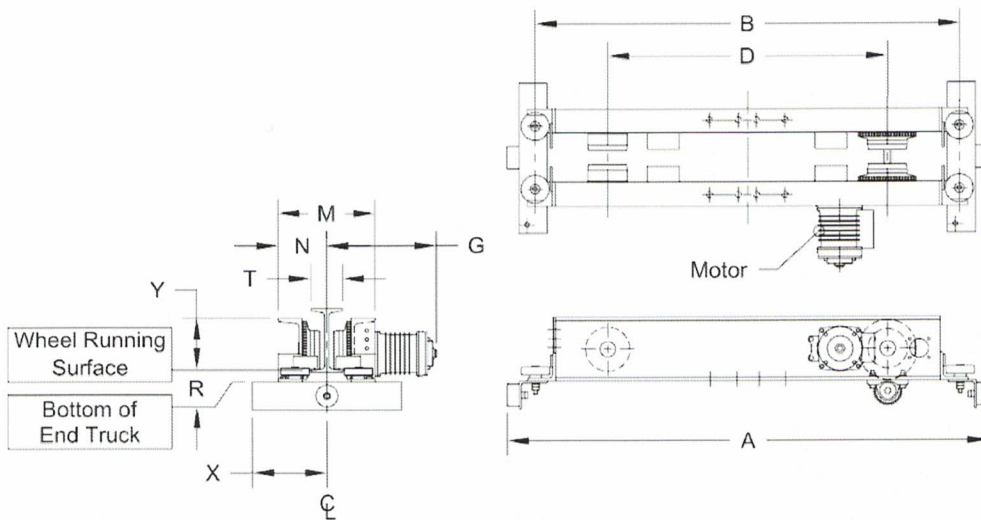
2 Ton Capacity  
 Span: 22 ft 0 inch  
 No Holes for Bridge Mounting  
 Runway Flange Size: 6 inch



## END TRUCK - DIMENSIONS

Capacity (M Ton)	Max. Span (ft)	Model	Wheel* Dia. (in)	T Flange Width (in)	A Overall Length (in)	B Roller Base (in)	D Wheel Base (in)	M End Truck Frame Width (in)	N Runway Ctr. Line to Outer Edge of ET Frame (in)	R Wheel Running Surf. To Bottom of Truck (in)	X Width Beyond Span (in)	Y Wheel Run. Surf. to Uppermost Part of ET (in)	G Motor (in)	End Truck Weight (lbf/ea)
2	35	UMS-3-0235	4.33	6	60	53	39	14.1	7.1	1.5	8.3	6.5	14.9	262.5

\*Wheel Hardness: 160-220 BHN



## END TRUCK MOTOR - SPECIFICATIONS

Motor Code	Num. of Motors	Output (hp ea.)	Supply Voltage	Rated Current (A ea.)	Speed (fpm)	Insulation Class	Intermit. Rating (%ED)	Short Time Rating (min.)
G1CM025S	2	0.33	230V-3ph-60Hz	1.5	80	B	40	30

Pricing is subject to change at time of order.

Please use this web link to see our [Terms and Conditions](#)

Kito/Kito Americas/Harrington/Peerless and its subsidiaries reserve the right to amend these terms and conditions at any time.

**GLASS DOCTOR - ELKO  
 1111 WATER ST.  
 ELKO NV 89801  
 (775)778-0611 Fax:(775)738-1153  
 Tax# 45-3370732**

**Quote: 8400  
 Date:08/01/2024**

Customer

EUREKA COUNTY  
 IN EUREKA  
 P.O. BOX 714  
 EUREKA NV 89316

Ph:(775)237-6400

Csr:COLETTE    Tech:                    PO OPREA HOUSE DOOR    Terms:NET 30

Tax ID:88-6000080

<u>Qty</u>	<u>Part / Description</u>	<u>Material</u>	<u>Labor</u>	<u>Item Total</u>
1.00	DOOR/ SIDELITES - store front/ADA/ pwr coat red /transom	16,453.53	0.00	16,453.53
8.00	LABOR - instal metal /glass/ 2 men	0.00	150.00	1,200.00

Thank you for choosing Glass Doctor

Signature \_\_\_\_\_

<u>Material</u>	<u>Labor</u>	<u>Tax</u>	<u>Total</u>	<u>Deductible</u>	<u>Payments</u>	<u>Balance</u>
16,453.53	1,200.00	0.00	17,653.53	0.00	0.00	17,653.53



**EUREKA COUNTY**

P.O. Box 852  
Eureka, NV 89316  
PH: (775) 237-6128

**PURCHASE ORDER**

**Needed By:**

**PO Number:** Senior Center00002 **Date:** 11/14/2024  
**Requisition #:** REQ-00484 **Vendor #:** 02818

**ISSUED TO:** RO BUS SALES  
2701 WESTWOOD DRIVE  
LAS VEGAS, NV 89109-

**SHIP TO:** Eureka County Court House  
Attn:Senior Center  
20 W Gold Street  
Eureka, NV 89316

ITEM	UNITS DESCRIPTION	GL ACCT #	NEEDED BY DATE	PRICE	AMOUNT
1	0 ADA Van 1FDXE4FNXRDD05730	010-072-55010-000		0.00	131,206.75
2	0 ADA Van 1FDXE4FN9RDD05752	010-072-55010-000		0.00	131,206.75

Authorized by: \_\_\_\_\_

<b>SUBTOTAL:</b>	262,413.50
<b>TOTAL TAX:</b>	0.00
<b>SHIPPING:</b>	0.00
<b>TOTAL</b>	262,413.50

1. Original Invoice plus one copy must be sent to: Eureka County, P.O. Box 852, Eureka, NV 89316.
2. Payment may be expected within 45 days of receipt of goods, unless otherwise stated.
3. Purchase order number must appear on all correspondence, invoices and packages.
4. All materials and services are subject to approval based on the description on the face of the purchase order or appendages thereof. Substitutions are not permitted without approval of the Requesting Department. Material not approved will be returned at no cost to the County.
5. All goods and equipment must meet or exceed all necessary county, state and federal standards and requirements.
6. C.O.D. shipment will not be accepted. All goods are to be shipped F.O.B. Destination unless otherwise stated.
7. The County is exempt from all federal excise and state tax - ID# 88-600080



**RO Bus Sales**  
 2701 Westwood Drive  
 Las Vegas, NV 89109  
 Phone/Fax: 702-798-0029 / 702-835-1434

Retail Buyer's Order & Invoice	
Date:	11/13/2024
Sales Mgr.:	Joe Machin
Sales Person:	Elizabeth Diaz
Stock #:	23044908
Vin No.:	1FDXE4FNXRDD05730
Invoice#:	TBD
P.O. #:	TBD
Contract #:	99SWC-S1495

Sold to:	Eureka Senior Citizens Center
Address:	
City/ST/Zip:	Eureka, NV 89316
Phone:	(775) 237-5597
Delivered to:	Linda Gordan
Address:	
City/ST/Zip:	
Email:	diones@eurekacountynv.gov

Vehicle Specifications and Major Components Sold:					
Type	Year	Manufacturer	Model	Description	Amount
Bus	2024	Ford	E-450	14 Passenger ADA	129,508.25

2024 HLE Coach 22 158" Ford E-450 12+2 Passenger with Rear ADA Lift, Extruded Aluminum Running Board on Driver Side, Exterior Mirror Set, Remote/Heated, LED Rear Center Mount Brake Light, 6" Oval, Grey FRP Anti-Microbial Interior, Electric Passenger Entry Door with Kubota Key, Black Altro Floor, Intermotive System, Battery Box and Tray, Light in Engine Area, TC80 AC Roof Top System, 65K BTU Heater, AM/FM Radio Single Din with 4 Speakers, Driver Storage in Cab Overhead with Lock, Ceiling Grab Rail - Install on Both Sides, Left and Right Hand Entry Vertical Grab Rail - 1-1/4", Stanchion and Modesty Panel Behind Driver & Entry Door, (6) Mid-High Double Seat, (1) Foldaway Double Seat Level 1 Vinyl, Armrest Aisle Only, USR Retractable Seat Belts, Double W/C Doors, Silver Series, J-Hook, Smart Fitting, 3PT, Manual Height Adjuster, With Smartdisc Floor Anchor, SAFETY PACKAGE; 5lbs Fire Extinguisher, Emergency Triangle Kit, Safety Kit, Back-up Alarm and Camera, Side View Camera.

Sales Price:	129,508.25	
Freight - Subject to Change	\$1,200.00	
Mobility Rebate	Included	<input type="checkbox"/> RO Limited Warranty (30 Days) (Check Box)
Upfit Disc.	Included	<input checked="" type="checkbox"/> Factory Certified Warranty (Check Box)
Other Charges		<input type="checkbox"/> As Is, No Warranty (Check Box)
Subtotal	\$130,708.25	
Subtotal	\$130,708.25	
DMV Title	\$28.25	
Doc Fee	\$470.25	
Sales Tax 8.375%	Exempt	
<b>Total Price</b>	<b>\$131,206.75</b>	
Down Payment		10% Deposit Required
<b>Balance Due</b>	<b>\$131,206.75</b>	Make Check Payable to: RO Bus Sales

**Quote Valid for 30 Days Only**

It is agreed and understood that no warranties of any kind or character, either expressed or implied are made by you of and concerning the vehicle to be delivered to me, other than the usual dealer's warranties if any. In the event of increase in price by manufacturer before delivery I agree to pay the difference in price. No other agreement, promise, or understanding of any kind pertaining to this purchase will be recognized except a conditional sale contract in writing executed by the undersigned buyer, as purchaser thereunder.

This order is not valid unless signed and accepted by dealer and approved by responsible Finance Company as to deferred balance.

This offer shall be void in event of war, strikes, conditions preventing delivery by the manufacturer or other conditions beyond the control of the Company. At the option of the company, in event of the happening of any said events, the terms and conditions of

The undersign purchaser hereby offers to purchase from RO Bus Sales the vehicle(s) listed above under the terms specified. this sale shall be readjusted. I expressly ordered the accessories installed on this vehicle.

Eureka Senior Citizens Center

**DISCLAIMER OF WARRANTIES**

The Seller, RO BUS SALES, Hereby Expressly Disclaims All Warranties, Either Expressed or Implied, Including Any Implied Warranty Merchantability of Fitness For A Particular Purpose, and RO BUS SALES Neither Assumes Nor Authorizes Any Other Person To Assume For It Any Liability In

Elizabeth Diaz  
 Sales Representative  
  
 Sales Representative's Signature  
 11/13/2024  
 Date

Linda Gordan  
 Purchaser Name  
  
 Purchaser's Signature  
 11-14-2024  
 Date

THE SIGNER OF THE ABOVE AGREEMENT MUST BE AUTHORIZED TO SIGN ON BEHALF OF THE PURCHASING ENTITY AND OR INDIVIDUAL



**RO Bus Sales**  
 2701 Westwood Drive  
 Las Vegas, NV 89109  
 Phone/Fax: 702-798-0029 / 702-835-1434

Retail Buyer's Order & Invoice	
Date:	11/13/2024
Sales Mgr.	Joe Machin
Sales Person:	Elizabeth Diaz
Stock #:	23044910
Vin No.	1FDXE4FN9RDD05752
Invoice#	TBD
P.O. #	TBD
Contract #:	99SWC-S1495

Sold to:	Eureka Senior Citizens Center
Address:	
City/ST/Zip:	Eureka, NV 89316
Phone:	(775) 237-5597
Delivered to:	Linda Gordan
Address:	
City/ST/Zip:	
Email:	djones@eurekacountynv.gov

Vehicle Specifications and Major Components Sold:					
Type	Year	Manufacturer	Model	Description	Amount
Bus	2024	Ford	E-450	14 Passenger ADA	129,508.25

2024 HLE Coach 22 158" Ford E-450 12+2 Passenger with Rear ADA Lift, Extruded Aluminum Running Board on Driver Side, Exterior Mirror Set, Remote/Heated, LED Rear Center Mount Brake Light, 6" Oval, Grey FRP Anti-Microbial Interior, Electric Passenger Entry Door with Kubota Key, Black Altro Floor, Intermotive System, Battery Box and Tray, Light in Engine Area, TC80 AC Roof Top System, 65K BTU Heater, AM/FM Radio Single Din with 4 Speakers, Driver Storage in Cab Overhead with Lock, Ceiling Grab Rail - Install on Both Sides, Left and Right Hand Entry Vertical Grab Rail - 1-1/4", Stanchion and Modesty Panel Behind Driver & Entry Door, (6) Mid-High Double Seat, (1) Foldaway Double Seat Level 1 Vinyl, Armrest Aisle Only, USR Retractable Seat Belts, Double W/C Doors, Silver Series, J-Hook, Smart Fitting, 3PT, Manual Height Adjuster, With Smartdisc Floor Anchor, SAFETY PACKAGE; 5lbs Fire Extinguisher, Emergency Triangle Kit, Safety Kit, Back-up Alarm and Camera, Side View Camera.

Sales Price:	129,508.25		
Freight - Subject to Change	\$1,200.00		
Mobility Rebate	Included	<input type="checkbox"/>	RO Limited Warranty (30 Days) (Check Box)
Upfit Disc.	Included	<input checked="" type="checkbox"/>	Factory Certified Warranty (Check Box)
Other Charges		<input type="checkbox"/>	As Is, No Warranty (Check Box)
Subtotal	\$130,708.25		
Subtotal	\$130,708.25		
DMV Title	\$28.25		
Doc Fee	\$470.25		
Sales Tax 8.375%	Exempt		
<b>Total Price</b>	<b>\$131,206.75</b>		
Down Payment			10% Deposit Required
<b>Balance Due</b>	<b>\$131,206.75</b>		Make Check Payable to: RO Bus Sales

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This order is not valid unless signed and accepted by dealer and approved by responsible Finance Company as to deferred balance.

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The undersign purchaser hereby offers to purchase from RO Bus Sales the vehicle(s) listed above under the terms specified. This sale shall be readjusted. I expressly ordered the accessories installed on this vehicle.

Eureka Senior Citizens Center

**DISCLAIMER OF WARRANTIES**

The Seller, RO BUS SALES, Hereby Expressly Disclaims All Warranties, Either Expressed or Implied, Including Any Implied Warranty Merchantability of Fitness For A Particular Purpose, and RO BUS SALES Neither Assumes Nor Authorizes Any Other Person To Assume For It Any Liability In

Elizabeth Diaz  
 Sales Representative  
 Elizabeth Diaz  
 Sales Representative's Signature  
 11/13/2024  
 Date

Linda Gordan  
 Purchaser Name  
 Linda Gordan  
 Purchaser's Signature  
 11-14-2024  
 Date

THE SIGNER OF THE ABOVE AGREEMENT MUST BE AUTHORIZED TO SIGN ON BEHALF OF THE PURCHASING ENTITY AND OR INDIVIDUAL.



JOE LOMBARDO  
GOVERNOR

STATE OF NEVADA  
DEPARTMENT OF TRANSPORTATION  
MULTIMODAL PLANNING

Headquarters  
1263 S. Stewart Street  
Carson City, Nevada 89712

TRACY LARKIN-THOMASON  
DIRECTOR

August 15, 2024

Linda Gordon  
Director  
Eureka County Senior Center  
P.O. Box 714  
Eureka, Nevada 89316-0714

**Subject: Federal Transit Administration Notice of Grant Award**

Dear Ms. Gordon,

Your application for FFY2025 Federal Transit Administration (FTA) §5310 funding for capital expenses has been approved for a total federal share of \$240,028. The award includes full funding for all submitted projects for the two-year term but does not preclude your agency from applying for additional projects within this same term. This award is contingent upon the FTA's approval of the NDOT's grant application for this funding.

Funding	Federal Share/ Subrecipient Share	Federal Share	Subrecipient Share	Total Project Cost
Section 5310 (Capital) – 2- REPLACEMENT ADA VEHICLE PROCUREMENTS -	85% / 15%	\$240,028	\$42,358	\$282,386
<b>Total Award</b>		<b>\$240,028</b>	<b>\$42,358</b>	<b>\$282,386</b>
<i>Total Requested</i>		<b>\$240,028</b>	<b>\$42,358</b>	<b>\$282,386</b>

The NDOT's Transit Office recognizes the vital role that this project will play in enhancing the quality of life and economic vitality of your community and the support that you provide through this grant award. Your grant shall be formally awarded by means of a grantee agreement to be provided by the NDOT Agreement Services Department. Please anticipate that the NDOT Agreement will be executed in early 2025. Please carefully review the FTA §5310 Circular ([Enhanced Mobility of Seniors and Individuals with Disabilities Program Guidance and Application Instructions | FTA \(dot.gov\)](#)) and the State Management Plan (posted at <https://www.dot.nv.gov/mobility/transit>) for grant requirements.

Thank you for your interest and efforts in supporting rural public transportation in Nevada.

Best Regards,

*Wendy Sharp*

Wendy Sharp  
Transit Program Manager  
Nevada Department of Transportation  
775-888-7312  
[wdsharp@dot.nv.gov](mailto:wdsharp@dot.nv.gov)

Good morning Linda,

Congratulations, your award letter from the Nevada Department of Transportation's (NDOT) Transit office for the Federal Fiscal Year (FFY) 2025 Federal Transit Administration (FTA) Section 5310 funding is attached. You will also receive a copy of this letter by US mail.

Due to internal circumstances beyond the Transit office's control, your NDOT Agreement for this award will likely not be processed for execution until early 2025.

**Please access and review these links for information regarding your agency's responsibilities as a Subrecipient of FTA Funding:**

- *General Information:*  
[Award Management Requirements Circular \(5010.1E\) | FTA \(dot.gov\)](#)
- *5310 Funding Specific:*  
[Enhanced Mobility of Seniors and Individuals with Disabilities Program Guidance and Application Instructions | FTA \(dot.gov\)](#)

Congratulations on your grant application approval!



**Wendy Sharp**  
**Transit Program Manager**  
 Transportation Planning Analyst III  
 Nevada Department of Transportation  
 o 775. 888.7312 |  
 e [wdsharp@dot.nv.gov](mailto:wdsharp@dot.nv.gov) | [w dot.nv.gov](http://w.dot.nv.gov)

[f](#) [t](#) [m](#) [v](#) [in](#)

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## EUREKA COUNTY BOARD OF COMMISSIONERS

Rich McKay, Chairman ♦ Marty Plaskett, Vice Chair ♦ Vacant, Member  
*PO Box 540, 10 South Main Street, Eureka, Nevada 89316*  
*Phone: (775) 237-7211 ♦ Fax: (775) 237-4610 ♦ www.co.eureka.nv.us*

June 13, 2024

Patricia Deibert, National Sage-grouse Coordinator  
Bureau of Land Management  
440 W 200 S Suite 500,  
Salt Lake City, Utah 84101

Submitted Electronically to: BLM ePlanning, <https://eplanning.blm.gov/>

**RE: Bureau of Land Management Notice of Intent to Amend Land Use Plans Regarding Greater Sage-Grouse Conservation and Prepare Associated Environmental Impact Statements**

Dear Coordinator Deibert,

Eureka County, Nevada (the County), appreciates the opportunity to provide comment on the Bureau of Land Management's (BLM's) greater sage-grouse (GRSG) resource management plans amendment (RMPA) and associated draft environmental impact statement (DEIS).<sup>1</sup> The County, a rural county in north-central Nevada, has actively participated as a cooperating agency in BLM's current amendment process, and all previous RMPA processes, and has been deeply involved in BLM's now more than decade-long sage-grouse conservation land use planning as well as in state and local sage-grouse conservation efforts. All of our previous input on these prior RMPA planning efforts still applies and should be considered by BLM and result in changes to adequately address our comments.

Eureka County has a proprietary interest in its ability to enforce land use regulations, its powers of revenue collection and taxation, and its protection of natural resources from harm. The County has a vested interest in ensuring that the environmental health of its land interests is not threatened by this RMPA process and ACEC designations. In addition to impacts to our natural resources industries, the RMPA and its ACEC restrictions would have spillover effects to county-owned lands adjacent to BLM managed lands and impose other harms on Eureka County.

About eighty percent of Eureka County's land area is managed by the BLM. Eureka County's economy and social stability is driven by and linked with mining, farming and ranching, which are industries harmed by the land use restrictions and prohibitions in the BLM's RMPA. Roughly 2,000 people live in Eureka County and employment is mainly in these natural resources sectors. The

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<sup>1</sup> BLM Docket No. 223.LLHQ230000.L11700000.PI0000.LXSGCO000000.

welfare and viability of the community is dependent on business and recreational activities conducted on or in concert with federal lands especially since private land makes up only 13% of Eureka County's total land area. Burdensome land use restrictions such as ACECs threaten many Eureka County jobs because these restrictions substantially reduce uses of federally administered lands and adversely affect the bulk of our socioeconomic base. The County is already at an economic threshold struggling to get by, especially through mining "bust" cycles. Any additional losses in employment and economic outputs from Eureka County will be devastating. Because of the small population, a handful of lost jobs in Eureka County is equivalent to the loss of many jobs in larger metropolitan areas.

The DEIS/RMPA also will significantly affect the resistance and resiliency of our sagebrush-steppe landscape. Getting this right so that it is a positive effect is critical to our County: GRSG habitat conservation is entwined in an effort to reduce wildfire, which has caused 87% of GRSG habitat loss in the Great Basin.<sup>2</sup> The County Fire Plan notes that:

Big sagebrush is the most common plant community in Nevada with an altered fire regime, now characterized by infrequent, high-intensity fires. Sagebrush requires ten to twenty or more years to reestablish on burned areas. During the interim these areas can provide the conditions for establishment and spread of invasive species and in some cases inhibit sagebrush reestablishment. The most common invasive species that reoccupies burned areas in northern Nevada is cheatgrass.<sup>3</sup>

Because of the vast amount of public land in Eureka County, our protection from wildfire relies in large part on BLM's land use designations. As recently as this March, BLM was engaged in a months-long effort to conduct pile burns in Eureka County.<sup>4</sup>

The GRSG DEIS/RMPA will impact—directly or indirectly—every citizen within our County. A scientifically accurate plan and one that is maximally consistent with the State of Nevada's Sage-grouse Conservation Plan as well as with County land use plans is fundamental to Eureka County's ability to fulfill its statutory obligation under Nevada law to safeguard public health, safety, and welfare.<sup>5</sup> As a cooperating agency, we have therefore attempted to assist BLM in developing alternatives and analyzing their impacts on GRSG outcomes, local socioeconomic stability, our historic agriculture-based custom and culture, and perhaps most urgently, the public's health, safety, and welfare, specifically as it relates to the various alternatives' likelihood of increasing or decreasing wildfire risk. These matters are also addressed in the County's Natural Resources and Land Use Plan, which BLM is required to consider in its NEPA analysis under 40 C.F.R. §§ 1502.16(5e) and 1506.2(d).

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<sup>2</sup> BLM, *Greater Sage-Grouse Plan Implementation Rangewide Monitoring Report for 2015–2020*, at 31 (2021).

<sup>3</sup> Eureka County Fire Plan at 3.2.2.

<sup>4</sup> See BLM, *BLM to Conduct Pile Burning Activities from December to March* (Dec. 1, 2023) <https://www.blm.gov/press-release/blm-conduct-pile-burning-activities-december-march>.

<sup>5</sup> NRS 244.146(1)(c); *id.* at 244.143(2)(a).

BLM has now amended RMPs for ten western states three times during the past ten years: in 2015, 2019, and 2024. This pattern of conducting a west-wide amendment of RMPs involves massive and repeated expenditure of resources and time by both BLM and coordinating agencies. Additionally, those making a living on public land (through grazing, mining, etc.) and communities, like the County's, dependent on public lands for socioeconomic stability need to have certainty and a clear sense as to what can be done where and under what circumstances. We ask BLM to make necessary changes to the DEIS/RMPA so that the DEIS/RMPA is lawful, accurate, and comprehensible—and, thus, so that it provides consistency for local governments and other regulated parties.

We prefer Alternative 2, which replicates the 2019 RMPAs with the 2020 Supplemental EIS clarifications, to all other alternatives. Because BLM has indicated that it intends to pick a newly proposed alternative, we believe that Alternative 5 is preferable to any of the other new alternatives (Alternatives 3, 4, and 6) that BLM has proposed.

However, we have deep concerns regarding aspects of all of the new alternatives. Our concerns include that (excepting Alternative 2, which BLM does not appear to treat as a viable alternative) BLM has not proposed an alternative that satisfies the obligation under FLPMA to ensure that its RMPA is maximally consistent with the Nevada State Greater Sage-grouse Conservation Plan; that that the alternatives analysis is incomprehensible, contravening the National Environmental Policy Act (NEPA); that the plan does not reflect the best available science when it ignores the fact that wildfire is the leading cause of GRSG habitat loss and that the most current lek counts showed an increase in male attendance at most leks west wide; that it proposes inaccurate habitat management area (HMA) designations; that its west-wide planning scale and its proposed designation of areas of critical environmental concern (ACECs) in Alternatives 3 and 6 contravene FLPMA. We are also concerned that, perhaps because of the massive scale of BLM's analysis—ten states and 69 million acres—BLM has not properly considered the concerns the County expressed in its cooperating agency comments in the DEIS/RMPA drafting process.

We incorporate those comments and all our previous comments on the prior RMPAs, by reference as though fully set forth herein, and reiterate many of them below, with the hope that these public comments on the DEIS/RMPA can help produce a stronger FEIS/RMPA.

#### **I. BLM's Faulty, Years-long GRSG Planning Process**

Eureka County has been involved in BLM's GRSG planning process since the amendment process that resulted in BLM's 2015 Greater Sage Grouse Approved Resource Management Plan Amendment (ARMPA). Indeed, the County joined with other parties in filing a lawsuit in the United States District Court for the District of Nevada challenging the ARMPA. The Nevada Court concluded BLM violated the National Environmental Policy Act (NEPA) and remanded the ARMPA, ordering BLM to prepare a supplemental EIS for the Nevada and Northeastern California Greater Sage-grouse Resource Management Plan to address the NEPA violations. The Nevada Court recognized Nevada's unique interests in the sage grouse planning process, which include "significant interests in the protection, propagation, restoration, transplanting,

introduction and management of wildlife in [the] State.”<sup>6</sup> The Court also recognized that travel restrictions in the 2015 ARMPA have caused Eureka County concrete and imminent injury as a result of the NEPA violations.<sup>7</sup> The court held that federal law requires that “local governments’ land use and economic concerns be given substantive consideration when creating national land use plans . . . as local governments and their citizens are directly impacted by the effects of any such plans.”<sup>8</sup> Unfortunately, these harms and shortcomings are perpetuated and magnified in the current DEIS/RMPA including the ACEC-related components.

BLM’s subsequent land use plan amendment (RMPA) process, resulting in the 2019 ARMPA and Record of Decision (2019 ROD), was completed, in part, to satisfy the court’s remand and order. Shortly after publication of the 2019 ROD, the United States District Court for the District of Idaho issued a preliminary injunction to halt implementation of the 2019 ROD and ARMPA. To address the Idaho court’s concerns outlined in its preliminary injunction, BLM completed yet another supplemental EIS and signed a subsequent Record of Decision in 2021 (2021 ROD). Although, as we further describe below, the 2021 ROD is legally effective, BLM is not implementing it and has not presented it to the District of Idaho to inform the court that it has completed another supplemental EIS and has a new ROD in effect that post-dates the one the District of Idaho preliminarily enjoined.

Eureka County was actively involved and substantively contributed as a cooperating agency to the 2019 and 2020 RMPA processes. Eureka County strongly asserts that these subsequent plans are significant improvements over and provide needed clarity to the 2015 ARMPA. The 2015 RMPA implementation has been demonstrably ineffective and, in fact, harmful to greater sage grouse habitat conservation efforts. While some of these harms have occurred on federal lands, there have been spillover effects to county-owned lands adjacent to federal land and, thus, harm to the County’s proprietary interests that BLM must consider.

For the current process, BLM’s impetus is the “need” to amend the 2015 RMPA to, in part, “address the continued GRSB habitat losses that are contributing to declines in GRSB populations” and “ensure habitat management areas and associated management incorporate recent relevant science to prioritize management where it will provide conservation benefit (including providing for durable planning decisions when considering the effects of climate change).”<sup>9</sup> But, as we describe in more detail below, BLM fails to explain how this need could justify revising plans approved less than four years ago and why, when ACECs were deemed unnecessary in the 2015 process and not considered in the 2019 process, it has decided to include alternatives (Alternatives 3 and 6 in the DEIS/RMPA) that would establish ACECs. This raises the immediate question of what conditions have changed since completion of the revisions to the land use plans less than four years ago.

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<sup>6</sup> See *W. Expl., LLC v. U.S. Dep’t of the Interior*, 250 F.Supp.3d 718,731 (D. Nev. 2017) (internal quotation marks omitted).

<sup>7</sup> *Id.* at 735.

<sup>8</sup> *Id.*

<sup>9</sup> DEIS at ES-2.

We argue the 2019 plans adopted in the 2021 ROD after a clarifying Supplemental EIS—which BLM considers as its “no action” alternative, Alternative 2—already meet the purpose and need of the current DEIS/RMPA. Notably, Alternative 2 does not contemplate any potential ACECs.

**II. RMPAs should provide guidance to BLM in making future decisions; the 2024 GRSG RMPA instead prescribes action that is not based on best available science.**

**A. RMPAs should guide BLM in making future decisions and must be based on reliable and the best available information.**

The 2024 GRSG RMPA involves ten western states, 121 million acres of public land, 69 million acres of GRSG habitat, and amendments to 77 separate RMPs.<sup>10</sup> The Supreme Court has commented on the “immense scope of projected activity that a land use plan can embrace” where a land use plan “present[ed] a comprehensive management framework for 1.5 million acres of BLM-administered land”; this RMPA is many orders of magnitude more immense.<sup>11</sup>

RMPs/RMPAs, which generally operate at a larger scale than project-specific determinations, are meant to provide a platform for further action. They “are designed to guide and control future management actions and the development of subsequent, more detailed and limited scope plans for resources and uses.”<sup>12</sup> FLPMA and BLM regulations “confirm that a land use plan is not ordinarily the medium for affirmative decisions that implement the agency’s projections.”<sup>13</sup> Though a RMPA can constitute final agency action<sup>14</sup> and can establish “[I]and areas for limited, restricted, or exclusive use,”<sup>15</sup> “a land use plan is generally a statement of priorities; it guides and constrains actions, but does not (at least in the usual case) prescribe them.”<sup>16</sup>

This role of a RMPA—providing only a platform for further action—makes particular sense for the 2024 GRSG RMPA given its massive scale. The RMPA relies on models to designate HMAs without ground-truthing them, given BLM’s proposal to designate between 21-plus million acres (Alternative 3) and 9.5-plus million acres of priority habitat management areas (PHMAs) in Nevada alone. It would be difficult for BLM to ground-truth all of this designation, though—as we note below and have previously expressed in cooperating agency comments—BLM could have better worked with local governments relying on our data and expertise in managing land within the County to help make more accurate habitat designations. As they are proposed in

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<sup>10</sup> See BLM, Greater Sage-Grouse Draft Resource Management Plan Amendment and Environmental Impact Statement, at \*10 (Mar. 14, 2024).

<sup>11</sup> *Norton v. S. Utah Wilderness All.*, 542 U.S. at 70.

<sup>12</sup> 43 C.F.R. § 1601.0-2.

<sup>13</sup> *Norton v. S. Utah Wilderness All.*, 542 U.S. 55, 69–70 (2004) (brackets and internal quotation marks omitted).

<sup>14</sup> See, e.g., *W. Watersheds Project v. Haaland*, 850 F. App’x 14, 15 (D.C. Cir. 2021) (where a RMP ended the BLM’s decisionmaking process for the wild horses by barring wild horses from a particular area of range because it did not provide sufficient habitat, the RMP constituted final agency action); see also *Bennett v. Spear*, 520 U.S. 154, 177–78 (1997) (final agency action “marks the consummation of the agency’s decisionmaking process” and is action through which “rights or obligations have been determined, or from which legal consequences will flow”).

<sup>15</sup> 43 C.F.R. § 1601.0-5(n)(1).

<sup>16</sup> *Id.* at 71.

BLM's May 2024 update to its HMA model, habitat designations in Eureka County make several errors.

Because of these errors, and the risk of them as a result of the RMPA's west-wide scale, it is inappropriate for the RMPA to take prescriptive action that is rarely warranted in RMPAs. BLM should not adopt the prescriptive actions in Alternative 3, closing all PHMA to new fluid mineral leasing, saleable minerals/mineral materials permits and nonenergy leasable minerals leasing not associated with existing permits and leases, livestock grazing, rights of way, and wild horses and burros.<sup>17</sup> Putting such lands off limits based on modeling without the opportunity for ground-truthing and use of the best available science and information is arbitrary and unlawful. Of course, the requirement that the DEIS/RMPA use reliable information and make accurate determinations holds not just for Alternative 3 but for all alternatives discussed in the DEIS/RMPA.

This requirement is found in statute and regulation. NEPA requires that BLM "ensure the professional integrity, including scientific integrity, of the discussions and analyses in environmental documents" and "make use of reliable existing data and resources."<sup>18</sup> Moreover, in Nevada, BLM treats GRSG as a sensitive species,<sup>19</sup> and "[w]hen administering the [BLM] sensitive species program, all information shall conform to the standards and guidelines established under the Information Quality Act."<sup>20</sup> BLM's Information Quality Guidelines state that "BLM operates on the principle of collecting or acquiring timely information that it judges to be the best available consistent with its mission requirements."<sup>21</sup>

The DEIS states that BLM will be able to "adapt habitat management areas over time to reflect best available science" through its regular evaluation of RMPs and the resulting maintenance, amendment, or revision to the RMP.<sup>22</sup> But the County has experienced the difficulty of adjusting allocations or management decisions to the reality of GRSG habitat or lack thereof. For example, in litigation regarding the 2015 GRSG RMPAs, Eureka County showed that BLM had "erroneous[ly]" designated the town of Eureka, "Eureka County's landfill, power lines, subdivisions of homes, farms with alfalfa fields and irrigation systems, hay barns, and important portions of the Diamond Valley area" as PHMA.<sup>23</sup> The court held that "[t]he decision to designate these areas as sage-grouse habitat is so implausible that it cannot be ascribed to a difference in opinion."<sup>24</sup>

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<sup>17</sup> See DEIS at ES-4.

<sup>18</sup> 40 C.F.R. § 1502.23.

<sup>19</sup> BLM, Nevada Special Status Species List, at 2 (Sept. 2023) [https://www.blm.gov/sites/default/files/docs/2023-11/NV-IM-2024-003%20att%201%20BLM%20Nevada%20Special%20Status%20Species%20List\\_0.pdf](https://www.blm.gov/sites/default/files/docs/2023-11/NV-IM-2024-003%20att%201%20BLM%20Nevada%20Special%20Status%20Species%20List_0.pdf)

<sup>20</sup> BLM, Manual M-6840.2.

<sup>21</sup> BLM, Information Quality Guidelines, at 9 (Apr. 2, 2018).

<sup>22</sup> DEIS at 1-8.

<sup>23</sup> *W. Expl., LLC v. United States DOI*, 250 F. Supp. 3d 718, 749 (D. Nev. 2017).

<sup>24</sup> *Id.* at 749 n.2.

There and in other instances, although the parties agreed that areas like the town of Eureka were not GRS habitat, BLM did not adjust its designations. In the 2024 process, as we explain below, the County has analyzed PHMA designations within its borders and conveyed to BLM in our cooperating agency comments significant errors in that designation. Tightly limiting designations like Alternative 3 and ACECs, when based on unreliable and inaccurate information, create significant problems for Eureka County, which relies on BLM's proper management of public lands to ensure public health, safety, and welfare in the County. Indeed, the Nevada district court found that as a result of travel restrictions imposed on PHMA, the mis-designations in the 2015 RMPAs, counterintuitively, "placed restrictions on effectuating environmental programs, including invasive weed reduction and water management" that help create healthy GRS habitat.<sup>25</sup>

**B. The 2024 RMPA habitat designations are not based on best available science: Eureka County has identified numerous errors in BLM's habitat designations.**

In cooperating agency comments, the County repeatedly stated that BLM must engage in ground-truthing to achieve accurate habitat designations. Nonetheless, BLM has not ground-truthed its designations, and it does not include an obvious, reasonable mechanism in the RMPA for achieving more accurate designations.<sup>26</sup>

As one of many examples of which we are aware, there is a large area in southern Eureka County designated as a PHMA that incorrectly includes the Town of Eureka, US Highway 50, State Route 278, the Eureka County landfill, two major transmission lines including the Falcon-to-Gondor major distribution power line, multiple ancillary power lines, multiple subdivisions with homes, paved roads and gravel roads, farms with alfalfa fields, irrigation systems, and hay barns, among other infrastructure, and pinyon-juniper woodlands. These arbitrary and incorrect habitat delineations could have serious implications for Eureka County and our socioeconomic viability if not verified to local data and ground-truthing. As noted, the United States District Court for the District of Nevada previously called these errors "implausible," and the new mapping pulls in even more "implausible" areas than before.

Generally, we believe that HMAs that extend outside of State designated Population Management Units and in and around cities and towns will result in inconsistent and ineffective management decisions. Because BLM released mapping in response to its most recent model update after the DEIS was published for public comment, cooperating agencies like the County did not have the opportunity to work with BLM in that capacity to develop better mapping. The BLM also needs to clearly articulate that the maps for the State of Nevada have not been verified by the State, should note in the FEIS/RMPA that through the cooperating agency comment process the model was incomplete and not updated, and should state in the FEIS/RMPA that final allocation decisions may be subject to change based on field verification of

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<sup>25</sup> *Id.* at 749.

<sup>26</sup> By contrast, for example, Nevada's 2019 Greater Sage-grouse Conservation Plan provides: "At the onset of a proposed project, habitat evaluations or 'ground-truthing' of the project site and its surrounding areas shall be conducted by a qualified biologist with sage-grouse experience using methods as defined in Stiver et al (2010), or other mutually agreed to scientifically valid techniques, to confirm habitat type. Evaluations can be conducted by the SETT or NDOW at the request of the project proponent." *Id.* at 3.2.1.

mapped habitat categories. The mapping and designation of lands as priority or even general habitat is infested with local errors that show the maps cannot be relied upon for local-scale decisionmaking.

Finally, we note that it is a poor substitute for accurate, science-based habitat designations that, as the County requested, BLM now states in the DEIS/RMPA that “habitat management area boundaries are not intended to represent a survey-grade habitat boundary, may include results of large-scale modeling, and are not to be used exclusively for habitat determinations at a project or site-level scale.”<sup>27</sup> Though we asked that this statement be prominent in the DEIS/RMPA, it is buried in the alternatives table. The process to be able to adjust habitat determinations at the project scale is undue and burdensome, especially when there are known areas erroneously included as HMA which are in no way actually HMA. To move forward with projects or other land use authorizations in areas known to not be HMA but improperly designated as HMA will take a very expensive and bureaucratic process to make adjustments to GRSG management requirements if the RMPA lacks the simple requirement for ground truthing and BLM’s consideration of site-specific information. Further, there are so many built in subjective measures that could preclude projects or actions moving forward based on one BLM biologist’s subjective opinion (i.e., indirect impacts and connectivity). Further, the mitigation requirements in Nevada through the CCS are not, but must be, built into to the HMA ground-truthing criteria related to overcoming indirect impacts. We continue to ask BLM to rectify, in the FEIS/RMPA, its erroneous habitat designations and process for more streamlined ground-truthing.

**REQUESTED CHANGE:** BLM should revise the 2024 DEIS/RMPA to conform to the basic principle that an RMPA is a platform only that provides generalized guidance and permits BLM to conduct streamlined project- or field office-specific designations of habitat using best available science; in this case, field surveys that ground-truth models, and building in Nevada’s CCS. Because the 2024 model’s habitat designations are not based on best available science, the RMPA’s designation of HMA must not trigger prescriptive actions like those contemplated by Alternative 3. For this reason, among others, the County asks that BLM reject Alternative 3’s and any ACEC prescriptions for all HMA.

**III. Alternatives 3, 4, 5, and 6 are not, but must be, maximally consistent with Nevada’s GRSG Conservation Plan and County land use plans.**

**A. FLPMA requires maximal consistency.**

FLPMA requires that land use plans “be consistent with other Federal agency, state, and local plans to the maximum extent consistent with Federal law and FLPMA provisions.”<sup>28</sup> Thus, “to the extent practical,” BLM must “keep itself informed of other Federal agency and state and local land use plans, assure that consideration is given to those plans that are germane to the development of BLM land use plan decisions, and assist in resolving inconsistencies between Federal and non-Federal plans. The key is ongoing, long-term relationships where information is

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<sup>27</sup> DEIS at 2-19.

<sup>28</sup> BLM, H-1601-1, at 6; *see also* 43 U.S.C. § 1712(c)(9) (Land use plans “shall be consistent with State and local plans to the maximum extent [the Secretary] finds consistent with Federal law and the purposes of” FLPMA.).



continually shared and updated.”<sup>29</sup> The same requirements apply where BLM amends RMPs: “An amendment shall be made through . . . interagency coordination and consistency determination as prescribed in [43 C.F.R.] § 1610.3.”<sup>30</sup>

The cooperative federalism that FLPMA requires means that BLM’s land use planning decisions—including the 2024 GRSG RMPA—must be informed by state and local government plans and be maximally consistent with such policies and plans to the extent permitted by federal law. “It is clear . . . that [FLPMA’s coordination and consistency requirement] protect[] local governments from over encroachment by the federal government and aims to balance conservation with communities’ sustained use of the environment. . . . The explicit language of [the requirement] provides that the local knowledge and concerns of counties be adequately considered in the land use planning process.”<sup>31</sup> By removing GRSG planning from the local sphere of Field and State offices, the 2024 GRSG RMPA deprives state and local governments, like the County, of their legally mandated role in the planning process.

As we explain below, the DEIS/RMPA is not maximally consistent with State of Nevada and Eureka County GRSG conservation plans and land use plans.

**B. The Council on Environmental Quality’s (CEQ’s) NEPA implementing regulations require BLM to explain where federal land use plans are inconsistent with state and local land use plans or laws.**

While NEPA does not require reconciliation between federal and state or local land use plans, CEQ’s NEPA implementing regulations require that a NEPA document account for “[p]ossible conflicts between the proposed action and the objectives of Federal, regional, State, Tribal, and local land use plans, policies and controls for the area concerned.”<sup>32</sup> Thus, “environmental impact statements *shall* discuss any inconsistency of a proposed action with any approved State, Tribal, or local plan or law (whether or not federally sanctioned). Where an inconsistency exists, the statement should describe the extent to which the agency would reconcile its proposed action with the plan or law.”<sup>33</sup>

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<sup>29</sup> H-1601-1 at 6; *see also* 43 U.S.C. § 1712(c)(9) (FLPMA provides that “to the extent consistent” with federal public land law, BLM must “coordinate [its] land use inventory, planning, and management activities . . . with the land use planning and management programs . . . of the States and local governments within which the lands are located.”).

<sup>30</sup> 43 C.F.R. § 1610.5-5. The Department of the Interior’s regulations for the Fish and Wildlife Service require it to coordinate with states regarding wildlife on federal public land: “the effective stewardship of fish and wildlife requires the cooperation of the several States and the Federal Government.” *Id.* § 24.1(b).

<sup>31</sup> *See W. Expl., LLC v. Dep’t of Int.*, 250 F. Supp. 3d 718, 739 (D. Nev. 2017). Additionally, BLM cannot, as the 2024 GRSG DEIS/RMPA purports, assert that its national policies, forced through landscape scale planning, are “federal public land law” and, as a result, render consistency review meaningless because state and local plans could be deemed “inconsistent” with the newly pronounced federal policy unlawfully declared in the landscape scale planning. *See Gose v. United States Postal Serv.*, 451 F.3d 831, 840 (Fed. Cir. 2006) (“An agency interpretation that effectively eviscerates regulatory language is *per se* inconsistent with the regulation and may be accorded no deference.”).

<sup>32</sup> 40 C.F.R. § 1502.16(a)(5).

<sup>33</sup> *Id.* § 1506.2(d) (emphasis added); *see also* CEQ, Forty Most Asked Questions Concerning CEQ’s National Environmental Policy Act Regulations, at 23b, c (Mar. 16, 1981, amd. 1986) (“After identifying any potential land

The DEIS/RMPA does not meet even this standard: we see no discussion in the DEIS/FRMPA of specific inconsistencies between the County's or the State's plans, policies, and programs.

**C. The west-wide scale of the DEIS/RMPA makes it impossible for the RMPA to be maximally consistent with State and County land use planning.**

BLM's existing regulations mandating that "Field Managers will prepare resource management plans, amendments, revisions and related environmental impact statements"<sup>34</sup> provides for a process allowing long-term coordination between BLM and local governments that facilitates the required maximal consistency between BLM's RMPAs and local land use planning. Any other form of planning is necessarily less consistent. Indeed, the scale of the DEIS/RMPA—comprising hundreds of state, tribal, and local government agencies—renders the BLM's FLPMA-derived coordination and consistency obligations impossible to fulfill; there is simply no means by which a single RMPA can meet FLPMA's consistency requirements with the hundreds of state, tribal, and local resource-related plans within the planning area. Nor is it possible for BLM to meaningfully coordinate with hundreds of state and local government agencies. This underscores that planning must, practically and legally, be undertaken at the field office or state level.

We describe below our specific difficulties working with BLM as a cooperating agency on the 2024 GRSG DEIS/RMPA. First, however, we highlight several more general aspects of a west-wide planning process that render impossible the coordination and maximal consistency that statute and regulation require.

1. The west-side scale of the 2024 DEIS/RMPA makes it more difficult for counties, states, and tribes to meaningfully participate in the land use planning process. Very few counties—and especially counties like Eureka County, with small populations and a huge percentage of federal public land—have the resources necessary to employ a full-time staff member dedicated to monitoring the county-level effects of west-wide RMPAs.<sup>35</sup>
2. Because it encompasses so many localities, the 2024 DEIS/RMPA dilutes or even ignores issues of local significance. For example, as we have explained, the 2015 GRSG RMPAs mis-designated as GRSG habitat land slated for expansion of the County landfill<sup>36</sup> and the 2024 DEIS/RMPA makes numerous mis-designations of degraded habitat as PHMA.
3. The 2024 DEIS/RMPA changes the way BLM interacts with local governments and its own field offices. "Cooperative relationships are easier to maintain at the local level, rather than at a more distant administrative level. The shift toward landscape-level planning arguably will result in a shift toward centralized, BLM. The voices of larger national and

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use conflicts" between local, state, and federal plans, "the [federal] decisionmaker must weigh the significance of the conflicts.").

<sup>34</sup> 43 C.F.R. § 1601.0-4(c).

<sup>35</sup> See Jim Fontaine, Nevada Association of Counties, *Testimony Before the House Natural Resources Committee Oversight Hearing on State Perspectives on BLM's Draft Planning 2.0 Rule* (Jul. 7, 2016) <https://www.congress.gov/event/114th-congress/house-event/LC44561/text>.

<sup>36</sup> See *W. Expl., LLC v. Dep't of Int.*, 250 F. Supp. 3d at 736.

regional players may well drown out smaller, local voices.”<sup>37</sup> This approach proposed by BLM in Planning 2.0 was rejected by Congress.

4. It is difficult to plan across jurisdictions, and to harmonize disparate priorities, in a west-wide RMPA. As we explain below, the 2024 DEIS/RMPA is inconsistent with both Nevada’s GRSG Conservation Plan and with County land use plans. Ours is not a unique experience: the Utah Division of Wildlife Resources has described how BLM’s adoption of universalized sage grouse habitat guidelines in its 2015 multistate Greater Sage Grouse RMPAs has “been problematic for rangeland management in Utah, as most of Utah’s sage-grouse occur in desert shrub areas that receive less annual precipitation than those in the northern range of the species,” which was the basis for the universalized guidelines.<sup>38</sup>
5. The DEIS/RMPA does not appropriately consider economic impacts on local jurisdictions. It states that “[t]he nature and types of social and economic impacts associated with management actions under the alternatives would be similar across [greater sage grouse] range, however, effects would not be evenly distributed and may be felt at the individual community-level to a greater degree.”<sup>39</sup> **But it does not discuss how effects might diverge, and the appendix assessing economic conditions spends just three pages discussing economic conditions in all Nevada counties.**<sup>40</sup> In determining the scale of the impacts analysis, BLM must “balance need for a comprehensive analysis versus considerations of practicality, while also keeping in mind that use of a larger analysis area can dilute the apparent magnitude” of impacts.<sup>41</sup> Here, BLM’s ten-state scope of analysis necessarily dilutes the magnitude of impacts on counties: local restrictions on grazing, for example, might be economically significant to the County but at a larger scale the impact might be portrayed as less significant because grazing could be accomplished on other rangeland.<sup>42</sup>

Necessarily, because it is less consistent with State and local land use plans than an RMPA developed at a more local level, the west-wide, Washington Office-prepared DEIS/RMPA is not maximally consistent with more local plans. Our comments below expand on this theme.

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<sup>37</sup> Rebecca Watson and Joshua Cannon, *Toward Planning 2.0: The New Landscape of BLM Planning*, 93 *Denv. L. Rev. Forum* 49, 54 (2015).

<sup>38</sup> Utah Div. of Wildlife Res., *Utah Conservation Plan for Greater Sage-Grouse*, at 12 (Jan. 2019) [https://wildlife.utah.gov/sage-grouse/Utah\\_Greater\\_Sage-grouse\\_Plan.pdf](https://wildlife.utah.gov/sage-grouse/Utah_Greater_Sage-grouse_Plan.pdf).

<sup>39</sup> DEIS at ES-7.

<sup>40</sup> *See id.* at 13-2-14–13-2-16.

<sup>41</sup> *Friends of the Wild Swan v. Weber*, 767 F.3d 936, 943 (9th Cir. 2014). BLM is required to analyze economic impacts in an EIS. BLM must assess the economic impacts of a proposed action in an EIS. *See* 40 C.F.R. § 1508.8.

<sup>42</sup> *See Diné Citizens Against Ruining Our Env’t v. Haaland*, 59 F.4th 1016, 1043–44 (10th Cir. 2023) (acknowledging that scale can be important in analysis of impact because, for example, “all agency actions causing an increase in [greenhouse gas] emissions will appear de minimis when compared to the regional, national, and global numbers” of greenhouse gas emissions”).

**D. Alternatives 3–6 are not maximally consistent with the Nevada GRSG Conservation Plan and, contrary to CEQ’s NEPA implementing regulations, the DEIS/RMPA does not discuss these inconsistencies.**

As it applies to Nevada, the RMPA must be maximally consistent with the 2019 Nevada Greater Sage-grouse Conservation Plan (the State Plan). At present, none of the newly proposed action alternatives—Alternatives 3–6—are consistent with the State Plan. Among those alternatives, Alternative 5 (BLM’s preferred alternative) is most consistent; however, it too would require substantive amendment to be consistent with the State Plan. In our view, Alternative 2 is the plan most consistent with the State Plan. We find it important to note, however, that adoption of the habitat management map used by Nevada in the State Plan does not mean consistency if the underlying processes on how the maps are to be used and applied are not aligned. The DEIS alludes that by adopting a state approved habitat management map, there is somehow consistency with state plans.

The DEIS/RMPA pays little or no attention to Nevada’s State GRSG conservation practices. The State Plan is not mentioned in the DEIS/RMPA. Neither is Nevada’s Sagebrush Ecosystem Program’s statutory mandate to “establish and carry out programs to preserve, restore and enhance sagebrush ecosystems on public land in” Nevada.<sup>43</sup> There is no mention of the Sagebrush Ecosystem Council (SEC), created by Nevada statute to “[e]stablish and carry out strategies for: (1) The conservation of the greater sage grouse and sagebrush ecosystems in this State; and (2) Managing land which includes those sagebrush ecosystems, taking into consideration the importance of those sagebrush ecosystems and the interests of the State.”<sup>44</sup> Nor is there mention of the SETT or its technical recommendations.

BLM’s single reference to the Nevada requirements emphasizes the Conservation Credit System (CCS) for mitigation of adverse impacts to GRSG habitat without mentioning any other aspects of Nevada’s statute-created GRSG conservation program.<sup>45</sup> While the CCS is an important component of the State Plan, recognition of the CCS does not constitute consistency with the State Plan. Indeed, like the 2024 DEIS/RMPA, the State Plan and the Nevada Administrative Code set forth requirements for avoidance and minimization in addition to mitigation.<sup>46</sup> BLM does not explain how or whether its avoidance, minimization, and mitigation strategy comports with the

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<sup>43</sup> See NRS 321.592.

<sup>44</sup> NRS 232.162.

<sup>45</sup> We note that, in response to our comments on the ADEIS/ARMPA, BLM has removed language indicating that CCS is a voluntary requirement. See DEIS at 4-229. However, it does not appear to treat the State Plan’s “avoid” and “minimize” requirements as mandatory. See DEIS at 4-229 (suggesting that Nevada does not mandate conservation by noting that “the regulatory conservation actions mandated by the State plans in WY, MT, and OR, and through mitigation required by the NV plan provide the greatest degree of regulatory certainty in addressing potential threats to GRSG”). NAC 232.460–80 establish regulatory requirements for projects that may impact sagebrush ecosystem.

<sup>46</sup> See NAC 232.470 (where a project will cause anthropogenic disturbance to GRSG habitat, the proponent must “work with the [SETT] to avoid and minimize such adverse impact to the greatest extent possible”); Nevada Sagebrush Ecosystem Program, 2019 Greater Sage-grouse Conservation Plan, at 14–15 (Apr. 2019) (establishing an avoid, minimize, mitigate hierarchy); *id.* at 86 (“After all practicable economically and technically feasible possibilities to avoid and minimize impacts to sage-grouse habitat have been exhausted, residual adverse impacts are required to be offset by mitigation requirements as determined through the CCS.”).

State Plan or, if federal law prevents consistency, how BLM has attempted to achieve maximal consistency.

We note several discrepancies between the State Plan and the DEIS/RMPA:

1. Severe, across-the-board restrictions on use of PHMA in Alternatives 3 and 6 is inconsistent with the State Plan’s provision of an avoidance process by which a project proponent, including local government, can proceed with anthropogenic disturbance even in PHMA so long as it satisfies certain conditions. This inconsistency is heightened for the ACECs contemplated by both Alternative 3 and Alternative 6.
2. The State Plan specifically provides for ground-truthing “to confirm habitat type” at the outset of a proposed project.<sup>47</sup> As noted, and despite the County’s recommendation, the DEIS/RMPA makes no such provision though this is required to make decisions based on the best available science and information.
3. The State Plan establishes a process by which the State determines that “avoidance cannot be reasonably accomplished.”<sup>48</sup> It includes specific instructions as to the process where a project proponent (who bears the burden) seeks to establish that avoidance cannot reasonably be accomplished. Certain aspects of this process are consistent with the new alternatives that the DEIS/RMPA proposes. For example, both may require collocation of the project with other, prior disturbance.<sup>49</sup> But Nevada’s avoidance process is much more detailed than BLM’s, and also includes significant differences. The table below compares the two:

<b>State Plan Avoidance Process for PHMA</b>  <b>A project involving anthropogenic disturbance can proceed where the proponent proves:<sup>50</sup></b>	<b>BLM Plan NV/CA State-Specific Screening Criteria to Avoid Effects</b>  <b>If the project/activity cannot be placed outside PHMAs and GHMAs:<sup>51</sup></b>
The project cannot be accomplished elsewhere	
Individual and cumulative effects of the project will not result in habitat fragmentation or population decline	Adjust the project to locate direct impacts (i.e., surface-disturbing activities) in non-habitat areas first, then in the least suitable habitat for GRSG without creating a barrier to movement or connectivity between GRSG seasonal habitats and populations

<sup>47</sup> *Id.* at 15.

<sup>48</sup> *Id.*

<sup>49</sup> *See id.* at 18; DEIS at 2-168.

<sup>50</sup> State Plan at 18.

<sup>51</sup> DEIS at 2-168.

Population in the relevant PMU is increasing, on aggregate, over the preceding ten years	
The project is collocated with other disturbances to the greatest extent possible	Collocate the project
The proponent has consulted with SETT to develop specific design features that mitigate impacts	Locate the project to avoid and/or minimize indirect impacts to lekking and source area (sometimes termed PHMA+)
The proponent mitigates impacts through the CCS	

We are particularly concerned that the RMPA/DEIS does not include in its scheme consultation with the SETT and SEC: this, again, minimizes the State’s role in GRSG habitat conservation and would undermine a program the State of Nevada has built over the course of more than a decade with significant investment and demonstrated success.

BLM’s 2015 and 2019 GRSG land use plans were both more consistent with the State Plan than the 2024 RMPA/DEIS. The 2015 Nevada FEIS/RMPA noted BLM’s “adopt[ion of] key elements” of Nevada’s State Plan and mentioned the SETT in the body of the DEIS/RMPA.<sup>52</sup> The 2019 Nevada ROD/RMPA—which we view as the alternative maximally consistent with the State Plan—provides that BLM will (1) notify the SETT regarding any project resulting in anthropogenic disturbance to designated habitat, (2) incorporate any State-required or -recommended mitigation into BLM’s NEPA decisionmaking process, and (3) verify that the project proponent has coordinated with the SETT to ensure compliance with the State Plan.<sup>53</sup>

4. The State Plan requires ground-truthing before a project begins to confirm that *habitat exists*.<sup>54</sup> Unlike the State Plan, Alternative 3 provides no mechanism for management of non-habitat that BLM has designated as habitat. While Alternatives 4, 5, and 6 make at least some provision, albeit cumbersome and overly-bureaucratic, for inaccurate designations of habitat, they reverse the State Plan’s project-specific process to determine whether habitat exists, instead establishing a process to determine that

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<sup>52</sup> See BLM, Nevada and Northeastern California Greater Sage-Grouse Proposed ARMPA/FEIS, at ES-13 (June 2015) (“The Proposed Plan adopts key elements of the State of Nevada Greater SageGrouse Conservation Plan (State of Nevada 2014) and the State of Nevada Conservation Credit System (Nevada Natural Heritage Program and Sagebrush Ecosystem Technical Team 2014) by establishing conservation measures and focusing restoration efforts in the same key areas most valuable to the GRSG.”).

<sup>53</sup> See BLM, Nevada and Northeastern California Greater Sage-Grouse Record of Decision and Approved Resource Management Plan Amendment, at 1-5 –1-6 (Mar. 2019).

<sup>54</sup> *Id.* at 2-19.

*habitat does not exist*: “If during consideration of a proposed action (project level authorization) within GRSG PHMA, GHMA, . . . and OHMA (in NV/CA) potential nonhabitat is identified, a field investigation should be conducted by a BLM biologist (or reviewed and accepted for confirmation).”<sup>55</sup>

This reversed presumption is especially troubling because of the inaccuracies, described above, in BLM’s habitat designations: BLM does not offer a clear avenue by which the County, or any other proponent of a project on public lands, can establish that designated habitat should not, in fact, be designated as PHMA, GHMA, or OHMA. Thus, the errors are relied upon to change the status of lands from open to development or other uses to no surface occupancy or other restrictive land-use schemes, in some alternatives with no process to use the best available science for the BLM’s decisionmaking.

5. The State Plan provides:

Activities that address public health and safety concerns, specifically as they relate to federal, state, local government and national priorities, as well as routine administrative functions conducted by federal, state or local governments, including prior existing uses, authorized uses, valid existing rights, and existing infrastructure (i.e., rights-of-way for roads) that serve a public purpose and will have no adverse impacts on GRSG and its habitat, consistent with the State’s current mitigation regulations, policies such as the State of Nevada’s Executive Order 2018-32 and programs, shall not require mitigation through the CCS.<sup>56</sup>

By contrast, the DEIS/RMPA permits actions to address public health and safety only where a catastrophe or emergency is involved.<sup>57</sup>

6. For Alternatives 3–6, BLM often confusingly uses “compensate” in place of “mitigate” when noting that actions that would impact designated GRSG habitat should avoid, minimize, and mitigate impacts.<sup>58</sup> Under a heading titled “Compensation,” the DEIS/RMPA states that “[m]itigation amounts should comply with State agency or regulatory requirements and [be] consistent with BLM mitigation policy.”<sup>59</sup> BLM also uses the term “compensatory mitigation.” This lack of clarity does not help regulated parties to understand BLM’s requirements. And because the State Plan uses “mitigate” rather than “compensate” to describe actions that include those performed through the CCS, it is not clear how BLM’s “compensate” requirement fits with the State Plan’s “mitigate” requirement.

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<sup>55</sup> *Id.*

<sup>56</sup> State Plan at 21.

<sup>57</sup> *See, e.g.*, DEIS at 2-171.

<sup>58</sup> *See, e.g.*, the mandate in Alternative 4 to “[m]anage fluid mineral leasing and development (including geothermal) in GRSG habitat management areas to avoid, minimize, and compensate for adverse impacts to GRSG habitat to the extent practical under the law and BLM jurisdiction.” *Id.* at 2-41. This usage occurs throughout the DEIS/RMPA.

<sup>59</sup> *Id.* at 2-23.

BLM should include in the FEIS language analogous to that included in the 2021 ROD for Nevada and Northeastern California: “With respect to any State compensatory mitigation requirements, the BLM will defer to the appropriate State authority to quantify habitat offsets, durability, and other aspects used to determine the recommended compensatory mitigation action.”<sup>60</sup>

7. In the DEIS/RMPA, BLM uses the term “no net loss” as well as the term “net conservation gain.” It is not clear how these terms relate. In one instance the DEIS/RMPA places these terms in tension.<sup>61</sup> In another, it appears to use them as synonymous.<sup>62</sup> BLM defines “no net loss” but does not define “net conservation gain,” so it is unclear how BLM’s vision of “net conservation gain” intersects with the State Plan’s definition. As we suggested in our cooperating agency comments, this issue could have been rectified through adoption of the State Plan’s definition of “no net loss.”

Further, it is unclear how BLM’s definition of “no net loss” intersects with the State’s definition of “net conservation gain,” the State’s fundamental requirement for GRSG habitat conservation. BLM states that “[e]stablishing no net loss will require full restoration of functional habitats or enhancement of habitats to minimally support the number of GRSG present prior to disturbance at the apex of the population cycle.”<sup>63</sup> The State Plan defines “net conservation gain” as an “objective to maintain the current quantity and quality of sage-grouse habitat within the Service Area at the state-wide level by protecting existing sage-grouse habitat or by mitigating for loss due to anthropogenic disturbances. . . . This objective will be measured by the credit to debit ratio” established through the CCS.<sup>64</sup>

On BLM’s definition, “no net loss” appears to rely on measurement of GRSG population stability. But “net conservation gain” relies on measurement of habitat lost. BLM does not describe, explain, or attempt to rectify this inconsistency.

8. The State Plan clearly requires mitigation of all anthropogenic disturbance, no matter how authorized.<sup>65</sup> BLM, however, recognizes that it cannot require mitigation or use of CCS in all circumstances, particularly mining conducted under the General Mining Law.<sup>66</sup> BLM should explain in the FEIS/RMPA how it intends to ensure consistency with the State Plan

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<sup>60</sup> BLM, Record of Decision for the Greater Sage-Grouse Supplemental Environmental Impact Statement, at 8 n.4 (Jan. 2021).

<sup>61</sup> See DEIS at ES-4 (describing “net gain vs. no net loss” mitigation strategies).

<sup>62</sup> See *id.* at 2-183 (Describing Utah-specific rules for “Net Conservation Gain: Apply a minimum standard of no net loss consistent with crosscutting language.”).

<sup>63</sup> *Id.* at 2-23.

<sup>64</sup> State Plan at 14. We note that the State Plan refers to “no net loss” in an appendix explaining specific design features the SETT might implement. *Id.* at 141. This term is not defined in the State Plan and this use is its single appearance.

<sup>65</sup> State Plan at 21 (“Mitigation will be required for all anthropogenic disturbances impacting sage-grouse habitat within the Service Area.”).

<sup>66</sup> *Id.* at 2-23–24.



for projects on federal land. The 2019 RMPA provides a possible solution to this issue through its requirement that BLM notify the SETT where a project will affect designated habitat as well as its requirement that BLM verify that a project proponent has complied with state law.

9. The DEIS contemplates a disturbance cap. That is, in PHMA, if “direct disturbance from existing and proposed infrastructure developments exceeds” 3% at the “project scale” or in the Habitat Assessment Framework (HAF) Fine Scale habitat selection area, “new infrastructure projects would be deferred to the extent allowable under applicable laws . . . or valid existing rights.”<sup>67</sup> The State Plan does not provide for a disturbance cap.
10. The adaptive management framework BLM describes in Alternatives 3–6 does not comport with the State Plan’s adaptive management approach or DOI’s own guidance on adaptive management. This is particularly true of the hard threshold response, which automatically implements a host of allocation or management decisions that may or may not be warranted based on the cause of reaching a hard trigger.<sup>68</sup> Once the hard threshold responses are implemented the DEIS/RMPA does not provide for any iterative implementation or path for reversing those automatic implementations, and the scale of the response is also not well defined.

Particular aspects of the adaptive management approach not included in the DEIS/RMPA but described in DOI’s guidance include:

- a. Assessment of Problem (particularly important for a hard trigger response as there is no casual factor analysis);
- b. Design (particularly for hard trigger responses as responses are “hard wired” in at the RMP level);
- c. Monitor;
- d. Evaluate; and
- e. Adjust.<sup>69</sup>

Further, the BLM cites to the adaptive management process as reasoning why the RMPA is necessary:

For the 2015 GRSG planning effort the BLM worked closely with States to identify population and habitat adaptive management triggers. If a triggers [sic] was met, the plans stated management changes may be appropriate. The BLM’s 2021 Greater Sage-Grouse Plan Implementation Rangewide Monitoring Report for 2015-2020 [footnote omitted] identified 42 population triggers that had been

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<sup>67</sup> DEIS at 2-29.

<sup>68</sup> *Id.* at 2-125–27.

<sup>69</sup> See Byron K. Williams et al., *Adaptive Management: The U.S. Department of the Interior Technical Guide* (2009).

tripped through 2020, nearly half of the areas evaluated, suggesting management changes may be needed to address causal factors. Management changes can include either RMP-level changes or more specific and localized changes made to decisions that implement the RMPs<sup>70</sup>

We assert BLM has never allowed the adaptive management process developed with the State of Nevada to work. BLM and USGS have not provided the data regarding triggers in a timely fashion so that they can be proactively and adaptively addressed. It is a bait and switch to now require another RMPA to address trigger causal factors that could have been addressed more proactively and cooperatively through the State of Nevada's Adaptive Management Process in the State Plan. As an example, the 2021 Greater Sage-Grouse Plan Implementation Rangewide Monitoring Report for 2015-2020 does accurately describe the process that is supposed to be followed in Nevada but does not accurately describe the process that has actually been followed. The Monitoring Report on p. A11-32 describes how Adaptive Management Response Teams (AMRT) meetings occurred throughout the winter of 2019-2020 but never discusses the outcomes of the AMRT meetings and the final reports from these AMRT meetings that did determine causal factors, when apparent, and put forward action items for BLM and others to implement to address the causal factors and triggers. It is simply inaccurate for Table 21 of the Monitoring Report to note for each and every trigger for the causal factor to be "analysis in progress." Eureka County was actively involved in the South Central Planning Area and Elko Stewardship AMRTs. Both of these AMRTs had many NDOW and BLM biologists and managers participation. Both AMRTs provided detailed final reports with specific requests for actions for BLM to implement to address the triggers and causal factors, where determinable. Eureka County and the Eureka Conservation District took the lead in actually completing a couple of the actions to address the triggers that are not reported or the results mentioned. We are not aware of any active efforts by BLM to actually implement the AMRT recommendations.

Instead of a whole new RMPA to address the triggers and causal factors, the Adaptive Management Process in Nevada needs to be given the ability to work, where most of the shortcomings have come from the BLM's failure to provide the data and capacity to complete the process and implement the follow-up actions to address triggers.

There also needs to be clarity on how in areas where a trigger or triggers have been met and will never be able to return to a non-triggered state, such as a degraded ecological state with no restoration pathway, and preclusion or restriction of projects or actions are no longer necessary because they have no influence on returning an area to a pre-triggered state.

The County asks BLM to adopt the State Plan's adaptive management framework, which better complies with DOI's own adaptive management guidance than does the DEIS/RMPA.

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<sup>70</sup> DEIS at 1-3.

**E. Alternatives 3–6 are not maximally consistent with County land use plans and, in violation of FLPMA and NEPA, BLM does not discuss these inconsistencies.**

Below are the specific inconsistencies we identified in the 2015 EIS and many remain or are not addressed in this DEIS/RMPA. We ask BLM to review these and strive for consistency and document in the EIS and ROD if consistency cannot be reached and measures BLM would take to reach consistency through implementation.

***Conflicts between the Objectives of Eureka County Plans, Policies, and Controls (42 U.S.C. 1712(c)(9) and 40 CFR 1502.16(a)(5))***

Largely, land-use and natural resource components of our Master Plan have not been implemented through regulation or permitting requirements but are primarily policy statements outlining policy objectives. Consistently and explicitly, since about 80% of the land in Eureka County is administered by BLM, we work to shape projects and decisions on these lands based on legal requirements of the federal agencies to meet consistency and overcome conflicts with our plans and policies to the maximum extent possible through our interpretation and application of such plans and policies. BLM must recognize that the County is empowered to interpret and apply our own Master Plan and policies and to provide this interpretation. BLM does not have the authority to independently tell us what they think our policies are or mean. Therefore, if we have stated to BLM that there is a possible conflict, then these must be included with full efforts by BLM to resolve these conflicts. These possible conflicts are to be included in their respective resource topic areas of the Environmental Consequences section of the EIS and we request so.

***Conflicts with Proposed Plans***

The answer to question 23b of the CEQ FAQs<sup>71</sup> clarifies that conflicts with “[p]roposed plans should also be addressed if they have been formally proposed . . . in a written form, and are actively pursued by officials of the jurisdiction.”

The County Master Plan calls for the County to “[d]evelop a Water Resources Plan that takes into account existing and current conditions, analyzes various scenarios, outlines and analyzes different management alternatives including a status-quo or no-action alternative.” Eureka County has formally proposed, approved, budgeted, and is two years in the process of an active planning effort to follow its Master Plan and develop a comprehensive water resource master plan. We believe components of the DEIS across all alternatives directly conflicts with our Water Resources Plan. Over 60% of the appropriated water rights in Diamond Valley (all on private lands) must be retired in order to reach sustainability of the agricultural community in Diamond Valley. We are in advanced discussions with various industries to target alternative, less water intensive land uses in Diamond Valley. One of the options of our plan is photovoltaic solar energy. The right-of-way (ROW) exclusions for solar energy in Diamond Valley will severely limit our ability to find a water balance and will in turn, force further subdividing and development of the private lands in Diamond Valley. Additionally, the range of water management options left

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<sup>71</sup> See 46 Fed. Reg. 18,026 (Mar. 23, 1981). .

available for consideration in the water planning process is limited by the DEIS alternatives. BLM must work with us to overcome these conflicts.

This also creates an inconsistency with Nevada Revised Statutes (NRS) 540.011 that recognizes “the important role of water resource planning and that such planning must be based upon identifying current and future needs for water. The Legislature determines that the purpose of . . . water resource planning is to assist the State, its local governments and its citizens in developing effective plans for the use of water.” The DEIS alternatives diminish our ability to develop “effective plans for the use of water” especially related to future needs many years into the future.

Further, the proposal to remove lands designated as suitable for disposal that have already gone through the administrative process and substantive requirements of FLPMA is disingenuous and is in conflict with Eureka County proposed plans for economic development and community expansion. We strongly request that lands currently designated as suitable for disposal remain in order to provide for future needs of our communities. The DEIS analysis that results in this removal of lands for disposal is unfounded in science and actual conditions on the ground and is and overly restrictive given the dozens of miles of power lines and roads in Diamond Valley and the extensive agriculture, homes, hay barns, airport, landfills, gravel pits, and other development that already exists.

We also have proposed plans to work with grazing permittees and other industries and interested stakeholders for mutually beneficial actions to keep multiple-uses intact while conserving and benefitting GRSG and other wildlife. These plans include encroaching pinyon-juniper removal, noxious weed control, distributed water developments, riparian enhancement, grazing management, and predator work. In fact, we have formally proposed work on BLM administered land over 3 years ago and BLM has failed to move forward for successful implementation. We have pitched many proposals to BLM to address resource concerns and prop up economic stability, all which have resulted in no action or interest by BLM staff. We have the tools to address the threats to GRSG and other wildlife while keeping land uses intact. Although touted as conservation measures, the DEIS alternatives will actually hamstring this effort. If BLM were to give our plans the required full consideration and allow us to keep management decisions local, with reasonable checks in place to determine progress towards conservation goals, we would come through with significant positive results.

We require BLM to work with us to develop and select an alternative that is consistent with our proposed plans.

### ***Conflicts with Policies***

We agree with, and implore BLM to incorporate, the guidance from CEQ related to the definition of the term “policies” in 40 C.F.R. § 1502.16(a)(5). The answer to question 23b of the CEQ FAQs clarifies that:

The term “policies” includes **formally adopted statements** of land use policy as **embodied in laws or regulations**. It also includes proposals for action such as the initiation of a

planning process, or a **formally adopted policy statement** of the local, regional or state executive branch, **even if it has not yet been formally adopted** by the local, regional or state legislative body” (emphasis added).

The land-use and natural resource policy statements and policy objectives outlined in the Master Plan have been formally adopted by Eureka County by resolution and have been codified in our County Code thereby embodying these policies in local law.

Further, we assert that every comment the Eureka County Advisory Board has formally approved and provided to BLM on any GRSG EIS related report or analysis over the past few years is our formally adopted policy statement. We formally adopted these policies through public vote and always unanimous as a Board.

### ***Inconsistencies with Eureka County Plans, Policies, and Programs***

#### **Eureka County Master Plan**

- The County’s “Natural Resource and Land Use Plan provides a scientifically and culturally sound framework for establishing community planning goals; and provides details of goals and actionable objectives for a number of high-priority issues” (p. 6-1). “[The] Plan is designed to: (1) protect the human and natural environment of Eureka County, (2) facilitate federal agency efforts to resolve inconsistencies between federal land use decisions and County policy, (3) enable federal and state agency officials to coordinate their efforts with Eureka County, and (4) provide strategies, procedures, and policies for progressive land and resource management” (p. 6-2).
  - DEIS does not have an alternative that includes the goals and actionable objectives or the strategies, procedures, and policies for progressive land and resource management.
- “Eureka County expects that all decisions regarding natural resource management and land-use and all goals and objectives incorporated into this plan and, by extension, into state and federal agency plans, will be realistic and attainable” (p. 6-5).
  - Many of the goals, and even more so, the objectives in the DEIS alternatives are not realistic and attainable. Many of them are not even measurable. See our specific comments below related to the goals and objectives of the DEIS alternatives.
- “Analysis and interpretation of facts is an important part of the process; so important that the U.S. Office of Management and Budget (OMB) has issued an instruction (OMB December 16, 2004, M-05-03; *Final Information Quality Bulletin for Peer Review*) to all federal agencies specifying the minimum standards for acceptable peer review of data or publications. Eureka County expects every federal employee to adhere to the OMB standards for Peer Review” (p. 6-5).
  - The OMB standard was not followed in the peer review of the so called “best available science” throughout the DEIS. For example, both the Sage-Grouse National Technical Team Report (NTT Report) and the FWS Greater Sage-Grouse Conservation Objectives Final Report (COT Report) are heavily relied throughout the DEIS alternatives but these documents did not follow the OMB standard for

peer review. We point out specific issues related to both reports and other science in the DEIS in more detail below. Scientific research and documentation used within the DEIS is limited in scope to repetitive authors and does not adequately incorporate recent rangeland research or current understandings of rangeland dynamics and largely omits rangeland scientists and other rangeland professionals. Proper peer review and adoption of the full range of best and current science is necessary for consideration and adoption by BLM prior to the Final EIS and ROD.

- “Per this plan, it is the policy of Eureka County that Federal and State programs make progress towards improved resource quality, greater multiple uses of the federal lands, preservation of custom, culture and economic stability of Eureka County, and protection of the rights of its citizens. Eureka County will continue to urge state and federal employees to participate in this effort to coordinate in order to resolve inconsistencies between federal proposals and County policy. Should hesitance on the part of federal or state agencies substantially interfere with this progress, then Eureka County may seek judicial intervention to compel agencies to obey the mandates of Congress” (p. 6-6).
  - The DEIS touts the ability of management action under various alternatives to make progress toward improved GRSG conservation. However, many of the proposed actions will greatly impact the multiple-uses of public land, undermine custom and culture, and interfere with the rights of Eureka County citizens.
- “Primary Resources: Soil, Vegetation, and Watersheds; GOAL: To maintain or improve the soil, vegetation and watershed resources in a manner that perpetuates and sustains a diversity of uses while fully supporting the custom, culture, economic stability and viability of Eureka County and its individual citizens” (p. 6-7); “The BLM and Forest Service must comply with the multiple use goals and objectives of the Congress as stated in the various statutory laws” (p. 6-8).
  - The DEIS alternatives are not in accordance with the multiple-use and sustained yield legal requirements and will not improve these primary resources in a holistic way that address the 3-legs of sustainability—the environment, the economy, and social needs and stability.
- “Development of Allotment Management Plans (AMPs), as an objective, will include completion of technically sound inventories; ecological status inventory (ESI) is a minimum, with other techniques as appropriate such as use pattern mapping as a measure of animal distribution, actual use records, detailed weather records, stream channel morphology, woodland features including age structure and density of trees, and other studies using standardized techniques. So-called “rapid assessment” techniques are permitted and in fact encouraged in Eureka County as a way to identify specific technical studies that are needed. Rapid assessment includes such techniques as the DOI Rangeland Health approach and the Riparian Functional Condition” (p.6-8).
  - The DEIS does not propose the implementation of any of these techniques through allotment specific AMPs. While there is discussion about implementation of AMPs in the DEIS, the ability to manage according to specific AMPs is undermined by the proposal of blanket restrictions, requirements, and actions across the entire landscape. There must be a focus on individual allotments through properly developed AMPs and associated resource inventories.

- “Goals and objectives will be set relative to the ecological potential of each location and will include descriptions of future ecological status, desired plant communities, livestock productivity and health, wildlife habitat attributes, wildlife population levels, acceptable levels of soil erosion, stream channel stability, and additional items specific to various land uses” (p. 6-8).
  - Goals and objective in the DEIS fall far short of being specific enough to clearly outline what will be required or what is possible according to ecological potential based on a current understanding and application of rangeland science. While many of the objectives speak to managing for ecological site potential, the State and Transition Model (STM) for any given Ecological Site Description (ESD) defines a range of vegetation characteristics in any given state. Also, “site potential” is not defined in the context of ESD and/or STM for any of the objectives. Is the site potential definition in the DEIS synonymous with “reference state” of the ecological site? If so, what if the current state of any give site has crossed a threshold into a degraded stable state in which there is no current restoration pathway known? We argue that the state of an ESD in some circumstances is the “site potential” even if not conducive to or acceptable sage grouse habitat. Without being more specific, objectives such as this open a door of subjective interpretation, contention, and more legal wrangling. Many of the DEIS objectives are not measurable or only partially measurable. Many objectives reference the habitat objectives that are blanket objectives with no regard to any particular ecological site or state of the site. Some areas may be at “site potential” given the current ecological state but not in a state that provides every seasonal sage grouse habitat need. There must be objectives established with language clarifying this issue in order for all objectives to be achievable in all situations and then a follow up objective when these circumstances apply.
  - The objectives in the DEIS provide for unnecessary subjectivity on what any objective means and is left up to agency discretion and individual or user translation, which may not be compatible. This will result in continued strife in managing GRSg habitat and will result in much more time in the courtroom. Defining SMART objectives will minimize personal interpretation and result in all parties being on the same page moving forward, even with conflicting interests. We reiterate that the objectives and management actions really need re-worked to be clear and get all users and land managers on the same page and to be consistent with our Master Plan.
- “Rangeland Health ratings, Riparian Functional Condition ratings, stubble height, and utilization levels are not suitable for goals or objectives that measure management success. Completion of each of these limited techniques as a precursor to design of additional studies is a reasonable objective within an AMP” (p. 6-8).
  - The DEIS establishes qualitative, rapid assessments, as measures of success in conserving GRSg habitat. Primarily, utilization and stubble-height standards and Proper Functioning Condition (PFC) are mis-used as standards and objectives to be met. We support and encourage these rapid assessments as a way to identify additional, quantitative based studies. The intended use of these techniques is to inform on adaptive management and to make timely management adjustments as necessary.

- “Wild fire and the period of time for recovery from fires has become a regulatory issue in Eureka County that has caused unreasonable economic hardship to Eureka County livestock producers. Properly managed grazing provides a substantial advantage for native plant recovery following fire. Prohibition of grazing following wildfire is not necessary for the recovery of rangeland vegetation. Managed grazing is beneficial in preventing excessive damage to plants by wildfire and prohibition of grazing prior to a fire results in unnecessary damage to the plants” (p. 6-8).
  - The DEIS includes provision to defer grazing after wildfires in all cases and does not fully recognize properly managed grazing as the best and primary tool to manage fuel loads before and immediately after fires. This must be included. Specifically, there needs to be inclusion of a methodology to allow for and streamline allocation of forage for fuels reduction in general and specifically including measures to allow for targeted cheatgrass control.
- Selection of the proper inventory or monitoring techniques and interpretation of the data will only be acceptable when performed by people whose judgment is the result of successful experience and well developed skills. Technical guidance as found within peer reviewed scientific publications and various agency or interagency handbooks and manuals serves as reference material and may be incorporated into this document upon approval by the Board of Eureka County Commissioners. Suitable reference material is included as attachments to this plan or by reference within the text. Reference material includes, for example: the *Nevada Best Management Practices*, USDA Natural Resource Conservation Service *Range and Pasture Handbook*, *Nevada Rangeland Monitoring Handbook* (1984 First Edition or 2006 Second Edition), *Standards and Guidelines for Grazing Administration* as written by the Association of Rangeland Consultants, March 12, 1996, *Standards and Guidelines* as written by the Northeast Great Basin Resource Advisory Council.
  - There is limited to no mention or incorporation of these peer reviewed and technically sound references that were developed specifically for Nevada.
- “Develop and implement Allotment Management Plans (AMP's) as follows: Within five (5) years on all "I" category, high priority allotments that do not already have current AMPs; within eight (8) years on all "I" category medium priority allotments; within ten (10) years on all other allotments” (p. 6-9).
  - This has not been done. If it had been followed when we initially proposed it our 2000 Master Plan, adequate measures would be in place on every allotment in Eureka County to conserve GRSG. Please incorporate this language into the DEIS.
- “Review and adjust livestock (grazing) stocking levels only in accordance with developed AMPs and/or trend in ecological status. Monitoring data, as obtained through the use of standardized rangeland studies such as ecological status inventory and frequency/trend monitoring completed at five (5) year intervals following implementation of AMPs, will be required for stocking level adjustments. Other studies such as Rangeland Health evaluation, Riparian Functional condition, stubble height, and livestock utilization may be useful as indicators of the need for additional examination and objective monitoring technique” (p. 6-10).
  - There are proposals across the DEIS alternatives to reduce grazing levels outside of AMPs or trend studies but instead based on utilization and qualitative and subjective triggers. Trend studies are extremely important because it provides the



flexibility for less than desirable management mistakes as long as the overall trend is upward.

- “Assure that adjudicated grazing preference held by permittees is authorized according to the governing Federal statutes and that Temporary Non Renewable use is authorized in a manner that allows for use of excess forage when available” (p. 6-10).
  - The DEIS contains grazing permit retirement language that is not conducive to the grazing preference criteria that determines that when a permittee no longer wishes to graze, the grazing permit would become available for continued use (not non-use) by another appropriate party. We have already provided comment related to the need to incorporate strong methodologies for timely and responsive authorizations of excess forage.
- “Develop prescribed fire and wildfire management plans to re-establish historic fire frequencies for appropriate vegetation types and include in such plans livestock grazing techniques as a tool for fire fuel management related to both wildfires and prescribed fires” (p. 6-10).
  - This is a major component missing from the DEIS. The condition of much of the Great Basin rangelands and coincident GRSG habitat is degraded due to a fire regime that is not conducive to health rangelands and GRSG habitats. The DEIS must develop strong measures to return fire to the landscape in a managed way, where appropriate, or use other techniques, primarily livestock grazing, to mimic fire and its positive historic influences on the diverse and varietal needs of GRSG. The DEIS speaks to “limiting human influence on intact GRSG habitats” especially where cheatgrass is present. Unfortunately, even in areas where cheatgrass appears to be absent, a bioassay of the soils would show that there is, in fact, a seedbank of cheatgrass almost ubiquitously (see research by USDA-ARS (Charlie Clements) in Nevada regarding this matter). Protecting these areas from livestock use or other use with the excuse that they will allow “establishment” of cheatgrass is dangerous and short-sighted. These protections will create large, catastrophic fires that will bear the evidence of cheatgrass nonetheless. Regarding wildfire management, there should instead be a focus on **increasing** man’s influence in these ecosystems to allow for active, progressive, adaptive management. The decline in GRSG is coincident with the increase of regulatory schemes and bureaucratic hoops that must be overcome to do anything on the ground. This too has resulted in increases of extent and cycle of wildfires. Man’s influence has shaped where we are today and man’s influence must be focused, strategic, and targeted to keep **managing** these lands for GRSG habitat and current and future generations. See great work by the USDA-ARS Research Station in Dubois, Idaho where active grazing management and prescribed burning to mimic the historic fire regime has created an increase in GRSG when neighboring BLM land has continued to see a decline in GRSG (“A Home on the Range”, *Agricultural Research*, November/December 2006).
- “Develop grazing management plans following wild or prescribed fire through careful and considered consultation, coordination and cooperation with all affected permittees and affected landowners to provide for use of grazing animal management to enhance recovery” (p. 6-10).

- The DEIS does not lay out a process for this. Again, blanket closures to grazing after fire are proposed.
- “Develop and implement an aggressive pinyon pine, juniper, and shrub abatement and control plan for all sites where invasion and/or senescence due to age of a stand is adversely affecting desirable vegetation and/or wildlife. Development of such plans will include technical references to Woodland or Rangeland Ecological Sites and other appropriate interpretations of specific soil series within a Soil Survey. Whenever possible, plans to reduce the density of Pinyon or Juniper will emphasize removal and use of the material for firewood, posts, or commercial products including chips for energy production. This item depends on continued access to all areas that are subject to future woodland manipulation” (p. 6-10).
  - While the DEIS acknowledges pinyon-juniper (PJ) encroachment and speaks to vegetation management of these issues, there is limited and general focus on the need to also address sagebrush and other shrub encroachment (such as rabbitbrush into meadows) and senescence (such as single age and decadent stands of sagebrush). If ESDs are followed, the areas, density, and cover of brush would be able to be targeted to approach ecological potential. Many of the vegetation/habitat objectives focus on values of sagebrush cover without consideration of site potential and conditions (state). Further, there is no effort in the DEIS to address utilization of biomass from PJ as a means to incentive treatments and return dollars to the economy. Please include.
- “Manage wildlife at levels (population numbers) that preclude adverse impacts to soil, water and vegetation until monitoring studies and allotment evaluations demonstrate that population adjustments are warranted by changing resource conditions. Seek to restore...sage grouse population numbers to the levels observed in the mid-1900s” (p. 6-10).
  - With the myopic view focused on habitat, the DEIS fails to address this policy because there will never be enough GRSG. There needs to be clear indications of when management will be enough to protect the bird from extinction.
- “Manage wild horse and burro populations within Herd Management Areas (HMAs) at levels (population numbers) that preclude adverse impacts to soil, water and vegetation until monitoring studies and allotment evaluations demonstrate that population adjustments are warranted by changing resource conditions” (p. 6-10).
  - This DEIS fails to acknowledge that wild horse and burro populations (WH&B) remain on the public lands on a year round basis and are not managed for the benefit of the rangeland resource that supports their very existence. Only their numbers are attempted to be controlled, but with minimal success. There typically are no rest periods for the range in HAs or HMAs, riparian areas nor wetland meadows. Numbers control is all that the BLM have available to them today to effectively manage horses, and even that is being heavily impacted through the budget process. In addition, any attempts to restore rangelands within HMA’s would be most challenging due to the restrictions that would be applied when attempting to protect a new seeding or defer use from an area for a period of time to allow for natural regeneration. Fencing and other structural improvements would also become a real challenge. Given the actual performance record of BLM in Nevada and the exceedingly over-abundance and out-of-control

numbers, how will the actual corrections be brought about that the DEIS proposes? Beyond excuses for not having enough resources, what confidence can there be that BLM will not continue to practice the management process of "do as we say, not as we do"? BLM should not "target" the uses of public land that are easy-picking without first addressing the mismanagement of the uses that are under the primary jurisdiction of the BLM itself. The BLM's failure to properly manage WH&B has created a situation, in many cases, where the burden is now on the other users of the land, primarily ranchers, to pay the price for BLM's shortfall. The DEIS needs to be frank and propose real, actionable solutions to the WH&B issue in order to be consistent with our Plan.

- "Prevent the introduction, invasion or expansion of undesirable plants and noxious weeds into native rangelands and improve the ecological status of sites that are currently invaded by undesirable plants or noxious weeds by integrating, through consultation with the Eureka County Weed District and Eureka County Department of Natural Resources, appropriate control methods into all planning efforts. Prescriptions for control of undesirable plants and noxious weeds may include, but are not limited to burning, grazing, mechanical, manual, biological and chemical methods" (p. 6-11)
  - There has been no effort by BLM to consult with the Eureka County entities, primarily the Weed District which has legal authority, through Nevada law, over weed control in Eureka County.
- "Monitoring: Document ecological status and trend data obtained through rangeland studies supplemented with actual use, utilization (use pattern mapping), and climatic data in accordance with the *Nevada Rangeland Monitoring Handbook*; Document ecological sites or forage suitability groups, and ecological similarity index as defined by NRCS *National Range and Pasture Handbook*, with specific reference to ecological status and trend data and "State and Transition" interpretations of ecological status; Document progress in the development and implementation of Allotment Management Plans; Document the development and implementation of Pinyon pine, juniper, and shrub abatement, control, or harvest plan(s); Annually review and document wild horse herd population inventories, and conduct inventories when necessary, including reports of wild horse movement, grazing habits, numbers and other data provided by permittees, lessees and landowners" (p. 6-11)
  - These required monitoring components have not been completed as required by our Master Plan and therefore, the analysis is lacking and flawed since the data was minimal and the data quality going into the development of the DEIS was poor.
- "Forage and Livestock Grazing; GOAL: Provide for landscape vegetation maintenance and improvement that will: 1) support restoration of suspended AUMs; 2) support allocation of continuously available temporary non-renewable use as active preference; 3) support allocation of forage produced in excess of the original adjudicated amounts where greater amounts of forage are demonstrated to be present; 4) restore livestock numbers of individual ranches to at least the full levels at the time of grazing allotment adjudications; and 5) restore wildlife populations to those peak levels of the mid-1990's" (p. (6-13).
  - The DEIS has actions directly opposed to these goals and frames livestock grazing as antithetical to wildlife habitat and wildlife populations, including GRSG. We argue that the empirical evidence linking the highest numbers of GRSG to periods

of high livestock numbers and predator control is not to be dismissed. We argue that this was the case because at the time, active management was allowed, range improvements (including water developments) were promoted, and vegetation manipulation was carried out. This needs to be acknowledged and implemented at part of the preferred alternative.

- “Congress mandates stabilization of the local livestock industry in such laws as the Taylor Grazing Act (TGA) and the Forest Service Organic Act (FSOA) by providing for the orderly use, improvement, and development of the range in a manner which adequately safeguards property rights including rights-of-way, easements, vested grazing and water rights. Regulation under these laws will not impair the value of the grazing unit of the permittee when such unit is pledged as debt security by the permittee; Public Rangeland Improvement Act (PRIA) provides that the Bureau of Land Management administered lands be managed in accordance with the Taylor Grazing Act. PRIA further provides that the range should be made "as productive as feasible" in accordance with the Congressional objective of preventing "economic disruption and harm to the western livestock industry". PRIA mandates improvement of the rangelands in order to expand the forage resource and increase the resulting benefits to livestock and wildlife production.; In the Federal Land Policy & Management Act (FLPMA) Congress directs that the BLM administered lands be managed in a manner which "recognizes the Nation's need for domestic sources of minerals, food, timber, and fiber from the public lands". The National Environmental Policy Act requires consideration of all environmental actions on the culture, heritage and custom of local government (16 U.S.C. sec. 4331 (a)(4). Current active preference and continuously available supplemental use is considered the established allowable use for livestock grazing. The Forest Service is obligated to consider and provide for "community stability" in accordance with the National Forest Management Act (NFMA) and other National Forest related legislation dating back to the 1890's" (p. 6-13).
  - The actions outlined in the DEIS will impair the valid existing rights appurtenant to ranches with grazing permits and will threaten the ranches viability. Further, the actions in the DEIS will further erode the stability of the livestock industry which is a basis for our local, long-term stable economy.
- “Essentially all rangeland use and value is dependent upon maintenance and enhancement of the primary landscape resources of soils, vegetation, and watersheds. August L. Hormay states that “...all renewable rangeland values stem directly or indirectly from vegetation. Sustained high-level production of these values therefore depends on proper management of the vegetation. The principal tool the rangeland manager has for managing vegetation is livestock grazing. It is the only force under firm control of the manager that can be applied on practically the entire range area....desirable vegetation and the overall productive capacity of rangelands can be increased more rapidly with livestock grazing than without....Livestock can be used to trample seed into the soil thereby promoting more forage and a better soil cover; to remove stifling old growth on plants, thus increasing plant vigor and production of useable herbage; to stimulate adventitious growth and higher quality forage; and to reduce fire hazard.” (emphasis added) (“Principles of Rest-Rotation and Multiple-Use Land Management” USFS Training Text No. 4(2200)). Hormay explained that grazing management that is based on the physiological status and phenological development of the plants is the basis for keeping

plants healthy and vigorous. Utilization levels have essentially no bearing on the longevity of the plants and very little value in management decisions. The principles of plant physiology as the basis for vegetation management taught by Hormay and other experts are a sound basis for grazing management in Eureka County. Eureka County natural resource strategy includes management based on the renewable nature of Eureka County's vegetation resources" (p. 6-14).

- The DEIS actions for grazing are not based on this concept and grazing is generally disregarded as probably the best tool available for BLM to manage GRSG habitat to meet resource objectives while also stabilizing local economies and the industry uses of the land.
- "Implement rangeland improvement programs, including but not limited to water developments, rangeland restoration, pinyon-juniper and shrub control, and weed control to increase forage production; improve livestock grazing management, raise stocking rates, and achieve other multiple use goals. It is the policy of Eureka County that water rights for livestock uses are to be held solely in the name of the permittee and not held jointly with a federal or state agency (see comment below)" (p. 6-14).
  - These active management actions are given short shrift in the DEIS and the underlying tone and bias is towards protectionism rather than incentivized conservation through continues sustainable use. Grazing can continue and even increase beyond what is currently permitted all while benefitting GRSG and rangeland health. It just takes a commitment by BLM for locally driven, results based, active, adaptive management. We will achieve positive results if BLM will adopt our plan and allow for active, locally led conservation.
- "Identify and develop off-stream water sources where such opportunities exist in all allotment pastures with sensitive riparian areas and in all allotments where improved livestock distribution will result from such development" (p. 6-14).
  - The primary limiting factor in cases where livestock and WH&B management is poor is the lack of distributed water and/or the only water source being located in sensitive riparian zones. Rather than focusing on an action to increase water distribution and developing off-stream water sources, the DEIS focuses on restriction of grazing in riparian zones and proposed removal of water developments in some cases. The mentality needs to be flipped with a strong bias to development of new and maintenance of existing water developments. This would increase the management options available and would allow for timely adjustments needed to head off resource degradation.
- "Identify and implement all economically and technically feasible livestock distribution, forage production enhancement, and weed control programs before seeking changes in livestock stocking rates" (p. 6-14).
  - The DEIS focuses on livestock reductions and restrictions before identification and implementation of all other management tools cited here.
  - Eureka County has a long-standing policy of "no-net-loss of AUMs." This is an interpretation of our various policies already cited. What this means is that forage, if impacted, must be mitigated even if there is a gross (versus net) reduction. Eureka County has applied this policy for many years. The Board of Commissioners passed a resolution that we supplied BLM in 2010 that outlined the County policy related to loss of grazing forage and how all mitigation measures

must be first contemplated before a change in stocking rate. There were other resolutions passed by previous Boards outlining similar policy statements. This is an example of a “formally adopted policy statement” clarified by CEQ in their 40 FAQ regarding 40 CFR 1502.16(a)(5). The resolution specifically states “Before imposing grazing restrictions or seeking changes in livestock stocking rates or seasons of permitted use, federal agencies in coordination with grazing permittees must identify and implement all economically and technically feasible livestock distribution, forage production enhancement, weed control programs, prescribed grazing systems, off-site water development by the water rights holder, shrub and pinyon/juniper control, livestock salting/supplementing plans, and establishment of riparian pastures and herding.” When our Plan (and County Code) speak to “no-net-loss policy with respect to private land and private property rights” this would include grazing forage as our Plan clearly points out in many locations. A grazing permit is considered private property and is attached (mandatorily) to private, base property through the Taylor Grazing Act. Our understanding and application of a grazing permit as private property does match the definition provided. Our Master Plan (and similarly in the County Code) in many places speaks to the nature of this private property right and there is lengthy discussion of this matter on Pages 6-16 through 6-19 of the Natural Resources & Federal or State Land Use Element.

- “Identify and initiate reductions in stocking levels only after monitoring data demonstrates that grazing management including range improvements and specialized grazing systems are not supporting basic soil, vegetation and watershed goals” (p. 6-14).
  - The monitoring proposals in the DEIS focus on blanket criteria, utilization standards, and indicator based approaches. These are fine only as long as they help focus where additional monitoring is needed and to make adjustments in management along the way. The DEIS proposed to reduce and restrict grazing based on these subjective monitoring techniques. Trend monitoring, over multiple years, and objective monitoring of ecosystem function is imperative before any reduction or restriction in grazing. Snapshot monitoring at one point in time (as is often the case with the qualitative techniques) does not inform on whether progress is being made towards objectives and standards.
- “Assure that all grazing management actions and strategies fully consider impact on property rights of inholders and adjacent private land owners and consider the potential impacts of such actions on grazing animal health and productivity” (p. 6-15).
  - There is a general disregard in the DEIS of the impacts to private property, including water rights, in the DEIS. While evaluating the ramifications of possible curtailment of livestock grazing use, consideration should take into account the linkage between private ranch lands and federal land permits. Although we don't agree with the perspective that curtailment of properly-managed livestock grazing will have a beneficial result, we do want to stress the potential negative consequences for GSG habitat on private lands, if a livestock grazing permit is not allowed to be used. In order to maintain business operations, possible conversion of private land holdings may result from not being able to make use of federally-managed lands. More intensive land use of these private resources could result in a

negative outcome for habitat located on private land; In areas where private lands and federally-managed lands are found in alternating sections (i.e., “checkerboard” lands) or where private lands make up a significant portion of large tracts of habitat, this increase in fragmentation would undoubtedly be far more of a problem and impact on GRSG.

- “Where monitoring history, actual use or authorization of Temporary Non-renewable grazing (TNR) demonstrates that supplemental use is continuously available, and can or should be used to improve or protect rangelands (e.g., reduction of fuel loads to prevent recurring wildfire), initiate a process to allocate such use to permittees as active grazing preference; Authorize use of supplemental forage during those years when climatic conditions result in additional availability” (p. 6-15).
  - The DEIS fails to acknowledge or implement a process for TNR or access to additional forage and conversion to active grazing preference if the criteria in our Plan is met.
- “Temporary ‘voluntary non-use’ of all or a portion of adjudicated forage is necessary on occasion due to drought, economic difficulties, animal health, etc., and is an acceptable management strategy. ‘Voluntary non-use’ for the purpose of long-term or permanent retirement of a grazing allotment is detrimental to the economic stability of Eureka County and will be opposed by the Board of Eureka County Commissioners” (p. 6-15).
  - The DEIS separates actively used AUMs from voluntary non-use AUMs. This frames the reality that permittees will likely never be able to activate the non-use AUMs under the DEIS options.
- “Monitoring: Document the amount of livestock use through review of actual use, authorized active use, suspended use and temporary nonrenewable use; document livestock production or performance when available; document all rangeland and livestock management improvement programs as to acres affected by vegetation manipulation, water development, specialized grazing systems and weed control; document grazing use in each allotment through use pattern mapping for the purpose of recording livestock or wildlife distribution patterns and identifying additional monitoring techniques that are needed. Utilization monitoring is not a suitable measure for calculating stocking rates; document the direction of rangeland trend and seral class acreage changes that support changes in the amount of use being authorized or denied; document all decisions or agreements resulting in changes in active preference and approvals or denial of applications for supplemental use” (p. 6-15).
  - These required monitoring components have not been completed as required by our Master Plan and therefore, the analysis is lacking and flawed since the data was minimal and the data quality going into the development of the DEIS was poor.
- “Identification of goals for riparian vegetation attributes must be realistic and attainable based on the dependability of surface or subsurface water regimes, climate as determined by elevations, soil and substrate characteristics, and the likelihood of unacceptable impacts on other uses within the riparian area and surrounding uplands” (p. 6-20).
  - Habitat objectives in the DEIS related to riparian zones are one-size-fits-all and do not take into account the drivers that shape riparian vegetation. Further, the actions proposed for riparian vegetation fail to take into account and analyze the

impact and impairment of water rights and potentially increased impacts on other rangeland sites.

- “Select or develop site specific Best Management Practices (BMP's) through allotment management plans for...riparian areas and aquatic habitats” (p. 6-20).
  - BMPs and riparian zone actions are one-size-fits-all and do not give credence to development of AMPs based on site-specific conditions and drivers.
- “BMP's include but are not limited to: prescribed grazing systems, off-site water development, shrub and pinyon/juniper control, livestock salting plans, establishment of riparian pastures and herding” (p. 6-20).
  - Some of these measures are given a perfunctory nod in the DEIS, but restriction, prohibition, and protectionism are elevated above these other active management options. Active management incorporating these proposed actions should be the first action with restriction, deferment, and prohibition being the last option when all else has failed.
- “Develop management plans for multiple recreation uses in high erosion hazard watersheds, or watersheds where accelerated erosion is occurring, which assure that planning documents and/or other agreements which alter multiple recreation use are formulated through coordination with the Natural Resource Advisory Commission which includes representatives of recreational groups” (p. 6-20).
  - This is not a component of the DEIS and should be.
- “Provide for the development and maintenance of water conveyance systems (i.e. provide for livestock watering systems, irrigation diversions, and domestic or municipal uses)” (p. 6-21).
  - The primary limiting factor in cases where livestock and WH&B management is poor is the lack of distributed water and/or the only water source being located in sensitive riparian zones. Rather than focusing on an action to increase water distribution and developing off-stream water sources, the DEIS focuses on restriction of grazing in riparian zones and proposed removal of water developments in some cases. The mentality needs to be flipped with a strong bias to development of new and maintenance of existing water developments. This would increase the management options available and would allow for timely adjustments needed to head off resource degradation.
- “Monitoring: Document progress in the development of AMP's including site specific BMP's and their implementation; document the development and implementation of multiple recreational use plans for specific high erosion areas; document impacts of wild horses, wildlife, and multiple recreation use on riparian and aquatic habitat” (p. 6-21).
  - These required monitoring components have not been completed as required by our Master Plan and therefore, the analysis is lacking and flawed since the data was minimal and the data quality going into the development of the DEIS was poor.
- “Wildlife and Wildlife Habitat; GOAL: Maintain, improve or mitigate wildlife impacts to habitat in order to sustain viable and harvestable populations of big game and upland game species as well as wetland/riparian habitat for waterfowl, fur bearers and a diversity of other game and non-game species” (p. 6-21).
  - The single species focus on the GRSG does not holistically address the other species that may be impacted by the actions proposed in the DEIS.



- “Realistic and attainable wildlife population goals have as a baseline, the historical observations of wildlife populations at the time of European settlement, which indicate that wildlife populations were generally sparse with very few...sage grouse being observed by early explorers. Archeological interpretations support this scarcity of animals and birds. Wildlife populations at levels of those existing at the time of European settlement is the best that natural Eureka County habitats can provide. Wildlife populations increased in the mid-1900s, following the establishment of ranches and farms, and the continuation of the preferred wildlife populations will require positive management actions in response to local community concerns. Community economic concerns and values will be obtained from the Eureka County Wildlife Advisory Board, Eureka County Natural Resources Advisory Commission, Eureka County Economic Development Board and the Board of Eureka County Commissioners; the voice of Eureka County citizens provides the basis for wildlife and wildlife habitat management investments” (p. 6-24).
  - We find the actions being proposed in the DEIS are at odds with the conditions and population of GRSG that existed before humans actively managed their landscapes in the Great Basin. The DEIS needs to square with this inconsistency and empirical information. The DEIS needs to be based on reality, especially if the protectionist actions are implemented, that wildlife populations at levels of those existing at the time of European settlement is the best that natural Eureka County habitats can provide. Numbers of GRSG increased with active human management based on use and will only be conserved with active human management based on use.
- “Accelerate the planning, approval and completion of multiple-use water developments, rangeland treatment projects and prescribed burns that include objectives for enhancement of ... wildlife habitat. Wildlife developments must be cooperative in nature, respecting the rights and interests of existing resource users” (p. 6-25).
  - On this matter, the DEIS falls short. We have proposed to BLM proactive cooperative measures that meets this objective and respects rights and uses. Our proposals have received no action by BLM and have been completely disregarded. We request more robust inclusion on active developments and projects and a process for streamlining of project approval for projects that are proposed for uses that are designed to benefit GRSG too.
- “Assure that management agencies provide all necessary maintenance of enclosure fences not specifically placed for improved management of livestock” (p. 6-25).
  - Where the DEIS proposes to remove existing fences rather than maintain is inconsistent with our Plan. Properly maintained fences are integral to livestock management and wild horse management.
- “Initiate cooperative studies with willing private land owners, of wildlife depredation and related concerns regarding wildlife habitat on private land” (p. 6-25).
  - The DEIS has a basic omission of working holistically with private land owners to truly benefit the GRSG that use both private and federally administered lands. Instead, the actions in the DEIS will impact private land and will likely increase pressures on privately held GRSG habitats.
- “Monitoring: Document the participation of affected parties in the development and establishment of population targets and management guidelines...; document the

inclusion of wildlife habitat objectives in activity plans and BLM approved Reclamation Plans; document the location and extent of water developments and vegetation manipulation projects and prescribed fires for wildlife habitat improvement and provide timely notification to all affected parties; periodically monitor range improvement projects, rights-of-way, woodcuts, mining activities, multiple recreation uses, and materials leases, to document habitat improvement or disturbance; document the incidents of wildlife depredation and extent of game animal harvest in designated management areas of both land and wildlife management agencies” (p. 6-26).

- These required monitoring components have not been completed as required by our Master Plan and therefore, the analysis is lacking and flawed since the data was minimal and the data quality going into the development of the DEIS was poor.
- “Land Tenure; GOAL: Utilize, to the greatest extent possible, agricultural or mining entry, land exchange, and or land sale for disposal of all public lands which by virtue of their size or location render them difficult and expensive to manage and do not serve a significant public need or where disposal will serve important public objectives. Authorize as needed the use of those lands, not currently authorized, for rights-of-way, leases and permits. Fully recognize and protect existing property rights including rights-of-way, easement, water rights, forage rights, mineral rights, and other such property” (p. 6-26); “Eureka County will encourage transfer of non-patented lands to private ownership; Eureka County will discourage transfer of private land to public ownership” (p. 7-8).
  - Many actions in the DEIS are directly antithetical to this goal. Withdrawal of lands already categorized as suitable for disposal, especially in Diamond Valley, is not based on conditions on the ground and severely limits our future community expansion plans and economic development opportunities. It is the definition of arbitrary and capricious to have lands marked suitable for disposal not suddenly not meeting the FLPMA criteria and proposed to no longer be suitable for disposal.
- “Identify and give priority consideration to requests for exchanges or purchases from private land owners with fenced federal range, isolated tracts, or irregular boundary lines” (p. 6-27).
  - Only accommodation for this in the DEIS is for checkerboard lands and only for exchange. This will severely limit opportunities for all stakeholders to create win-win situations for blocking up of land that would also benefit GRSG.
- “Encourage property owners to identify and record existing property rights, particularly those that predate FLPMA. Eureka County recognizes the minimum width of rights of way to be 50 feet on either side of a water conveyance ditch, pipeline, or flume as established under the 1866 Mining Act and further recognizes that the width of rights-of-way established under R.S.2477 to be from 100 feet to several miles wide and limited only by practical conditions. All necessary actions for maintenance of ditches, pipelines, flumes, roads, trails, or other infrastructure for water conveyance or travel within these rights-of-ways is hereby approved by Eureka County” (p. 6-27).
  - The DEIS proposes actions that will severely impair and impede the valid existing rights of Eureka County and many of its citizens. RS 2477 and RS 2339 rights are overlooked and not acknowledged.
- “Seek legal administrative access only through purchase or exchange where significant administrative need exists, construct new roads around private lands where easement

acquisition is not feasible, and consider significant public access needs in all land tenure adjustment transactions” (p. 6-28).

- BLM unilaterally assert jurisdiction on County and private rights-of-way in which they have no authority or jurisdiction. This ranges from road closures and travel restrictions to removal of water conveyances (RS 2339).
- “Locatable Minerals, Fluid Minerals, and Mineral Materials; GOAL: Facilitate environmentally responsible exploration, development and reclamation of oil, gas, geothermal, locatable minerals, aggregate and similar resources on federal lands” (p. 6-28).
  - The blanket rules and actions put forward do not allow for any flexibility to allow for responsible development of these resources. This is especially true regarding the proposals to close areas to mineral entry and/or oil and gas lease. Each project and proposal should be evaluated by its own merits instead of holding every project proponent at bay with one-size-fits-all approaches.
- “The Mineral Leasing Act of 1920 as amended, Geothermal Steam Act of 1970, as amended, the Mining and Mineral Policy Act of 1970, all declare that it is the continuing policy of the federal government to foster and encourage private enterprise in the development of domestic mineral resources. The 1872 Mining Law along with the Mining and Mineral Policy Act of 1970 declares that it is the continuing policy of the United States to foster and encourage private enterprise in the development of domestic mineral resources. The Federal Land Policy & Management Act, reiterates that the Mining and Minerals Policy Act of 1970 is to be implemented and directs that the BLM administered lands are to be managed in a manner which recognizes the nation's need for domestic sources of minerals and other resources. The National Materials and Minerals Policy, Research and Development Act of 1980 restates the need to implement the 1970 Act and requires the Secretary of the Interior to improve the quality of minerals data in land use decision making. The Mining Law of 1866 guaranteed certain rights which allow for orderly and efficient use of the public lands for commerce” (p. 6-29)
  - While valid existing rights are given a nod in the DEIS, the restrictions proposed in the DEIS will indirectly impair and affect the ability of industry to meet the present and future mineral needs of our region and nation.
- In coordination with federal agencies and state and local government planning agencies and in cooperation with interested members of the public, develop a land management mineral classification plan to evaluate, classify and inventory the potential for locatable mineral, oil, gas and geothermal, and material mineral exploration or development, to insure that lands shall remain open and available unless withdrawn by Congress or federal administrative action. To the extent practicable, land with high mineral or oil and gas values shall remain open for economic use” (p. 6-29).
  - This coordination and process has not occurred and was not included in the DEIS.
- “Woodland Resources; GOAL: Maintain or improve aspen and conifer tree health, vegetation diversity, wildlife and watershed values through active management of sites with the ecological potential for aspen, pinyon, or juniper woodlands and initiate thinning, removal, or other management measures; unrestricted invasion of Pinyon and Juniper into plant communities that have the ecological potential of rangeland results in loss of wildlife habitat, loss of livestock forage, reduced water flow from springs and streams, and increased soil erosion; plan and implement, where necessary and useful,

programs to improve Pinion and juniper woodland health, e.g.: selective fence post and firewood harvesting, or other operations such as green-cuts; plan and implement removal of pinyon or juniper from plant communities that are identified as non-woodland (rangeland) ecological sites and restore the vegetation that is appropriate for those respective sites; document woodland product harvest activities on the BLM and FS administered lands as necessary to promote customary economic use of woodland resources (i.e. pine nuts, firewood, posts, Christmas trees, etc.); plan and implement wildlife habitat improvements and grazing management strategies designed to enhance...pinyon-juniper....; document, report to responsible agencies and ensure mitigating management actions for the occurrence of insects and diseases that threaten the health of woodland resources” (p. 6-31).

- In large, the failure or inability of the federal agencies to proactively manage PJ according to proper fire cycles and ESD has now pushed the burden to other users of the land to pay the price and face severe regulatory restrictions. We have tried for years to work with BLM to move forward with PJ projects and have been disregarded and downplayed. The DEIS must implement the provisions of our Plan and provide the analysis necessary to achieve large scale removal of encroaching PJ and pair industry utilization of the biomass.
- “Hunting, Fishing, and Outdoor Recreation; GOALS: Provide for multiple recreation uses on Eureka County federal...lands located within its boundaries for residents and visitors to the County. Provide recreational uses including high quality recreational opportunities and experiences at developed and dispersed/undeveloped recreation sites by allowing historic uses and access while maintaining existing amenities and by providing new recreation sites for public enjoyment. Pursue increased public access opportunities in both motorized and non-motorized settings through the acquisition of rights-of-way or easements across federal administered lands.... Recognize that multiple recreation uses are mandated by the multiple use concepts and that adequate outdoor recreation resources must be provided on the federal administered areas; keeping open all existing access roads and the ability to maintain those same roads or accesses; These historically accessed areas include roads, trails, sandwashes, and waterways identified as Revised Statute 2477 rights-of-ways, including those areas where wild horses may be located” (p. 6-33).
- The DEIS proposals will affect hunting, fishing, and outdoor recreation, primarily through impacts to existing rights-of-way and travel restrictions. Neither BLM nor USFS have authority or jurisdiction over RS 2477 rights-of-way.
- Provide for adequate outdoor recreation resources by revising the designated areas to decrease or eliminate limitations and restrictions where the review and evaluation shows that the limitations and restrictions are no longer appropriate and necessary; plan and establish designated equestrian, foot, and off-road vehicle trail systems for compatible recreational, agricultural, and other multiple uses so that such uses can continue unabated; describe methods of minimizing or mitigating documented use conflicts or damage and define the manner in which each method is expected to accomplish minimization or mitigation. All recreation promotion will include explanation of the contribution of private property owners to wildlife habitat, recreation access, and recreation sites” (p. 6-34)

- These requirements were not followed in the DEIS when outlining measures for management of recreation. The DEIS proposals will affect hunting, fishing, and outdoor recreation, primarily through impacts to existing rights-of-way and travel restrictions.
- “Monitoring: Collect, review and analyze data relating to the demand for recreation use, the impact of the various recreation uses on land values, and any actual conflict or damage caused by each of the multiple recreation uses; in coordination with federal agencies and state and local planning agencies, review all data to determine whether temporary climatic conditions, wildlife activities, or range conditions require temporary or seasonal restrictions or limitations on historic and present recreation uses, and review data to determine the earliest point at which temporary restrictions or limitations can be removed; collect and maintain data obtained during meetings and discussions with recreation users; collect and maintain data obtained from community business owners concerning business contacts, sales, and future expectations from recreationists; collect and maintain records of all management actions taken specifically to meet requirements of the Americans with Disabilities Act (ADA) and maintain records of use and requests for use from ADA eligible individual; investigate, validate and document all user conflicts reported...; ederal agencies.
  - These required monitoring components have not been completed as required by our Master Plan and therefore, the analysis is lacking and flawed since the data was minimal and the data quality going into the development of the DEIS was poor.
- “Wilderness, Wilderness Study Areas (WSA), Areas of Critical Environmental Concern (ACEC), and Other Restrictive Land Use Classifications; GOAL: Seek immediate Congressional designation action on all WSAs and other restrictive land classifications based on Eureka County policy to release these areas for multiple use management and in the interim prevent, minimize or mitigate impairment or degradation of such areas to the extent that Congressional actions are not pre-empted. Provide the amenities promised by wilderness designation through multiple use management that includes dispersed recreation where appropriate and opportunities for solitude” (p. 6-35).
  - The overly-restrictive components in the classification of ACECs are inconsistent with our Plan.
- “Existing land uses and pre-existing property rights are described in other sections of this Natural Resource and Land Use Plan. Every area of Eureka County includes pre-existing property rights and existing uses that are best served through multiple use management. Eureka County is committed to the protection of those existing rights” (p. 6-36).
  - The DEIS restrictive land classifications, designations, especially the ACECs, fails to acknowledge and address the impacts to existing rights, primarily water rights, rights-of-way, and mineral rights.
- “As discussed within the Eureka County Master Plan, Eureka County is committed to future development of mining, communication infrastructure, and energy production. Locations for many of the future developments cannot be identified at this time, therefore all currently available land must remain available and not included into Wilderness Areas, Roadless Areas, ACEC, or other restrictive designations” (p. 6-37).
  - The DEIS must build in management flexibility to allow for development of resources of importance and community expansion. Implementation of our plan

would allow for this flexibility, reasonable and environmentally sound development, while also conserving GRSG and providing for rangeland health.

- “Provide for optimum scenic value in Eureka County through achievement of vegetation and soils watershed objectives and implementation of nondegrading, nonimpairing range improvement activities, construction, use and maintenance of livestock management facilities, and facilities for public enjoyment of the land” (p. 6-37).
  - The full suite of these de minimis activities is not allowed under the DEIS alternatives.
- “Identify measurable accomplishments or benefits that will be obtained through future designation of restricted use areas; no designation of restricted use areas such as Roadless, ACEC, or others will be completed until it is clearly demonstrated that such designations will not be detrimental to existing property rights, recreation including hunting or fishing, livestock grazing management, wildlife habitat management, County administrative needs, and future mining or energy development” (p. 6-37).
  - These criteria were not followed or met in designation of ACECs and restricted areas/uses in PPMA and PGMA.
- “Monitoring; Track the data obtained from rangeland studies and document the location, pace, and extent, of trends in rangeland vegetation and soil stability; collect data regarding the multiple recreation uses occurring in areas designated or being subjected to potentiality study for special designation such as ACEC or wilderness” (p. 6-38)
  - These required monitoring components have not been completed as required by our Master Plan and therefore, the analysis is lacking and flawed since the data was minimal and the data quality going into the development of the DEIS was poor.

#### ***Inconsistencies with State and Local Plans and Laws (40 CFR 1506.2(d))***

In 40 CFR 1506.2(d), BLM is required “discuss any inconsistency of a proposed action with any approved...local plan and laws (whether or not federally sanctioned). Where an inconsistency exists, the statement should describe the extent to which the agency would reconcile its proposed action with the plan or law.”

Since the discussion on conflicts (and by extension, inconsistencies) with plans and policies has already been discussed above, we focus here on inconsistencies with State and local laws.

As we already pointed out, Eureka County policies outlined in the Master Plan have been formally adopted as local law by being codified in the County Code. BLM must consider these same items conflict with plans and policies as also inconsistent with local law. Additionally, the following is from our County Code Title 9, in which the same inconsistencies and conflicts highlighted above must be reconciled in the DEIS alternatives and analyses. Areas of conflict and inconsistency or which BLM must pay particular attention are emphasized in ***bold italics***.

#### Eureka County Code, Title 9

.020 Purpose - The purpose of this Chapter is to (1) guide County policy with respect to natural resource issues facing Eureka County, (2) ***provide a framework to guide federal agencies in land***

**use planning** on federal lands as per the National Environmental Policy Act of 1969, the Federal Lands Policy and Management Act of 1976, the National Forest Management Act of 1976, the Threatened and Endangered Species Act of 1973, and other applicable laws and executive orders, and (3) **safeguard property rights and other customary usage rights of the citizens of Eureka County**, the State of Nevada, and the United States against any and all encroachments upon those rights by individuals, groups, corporations, public agencies, non-governmental organizations, or any other entity which may attempt to take private property, trespass upon private property or infringe upon other customary rights as have been established by the constitutions, laws and customs of the United States, the State of Nevada, and Eureka County. This title is meant to complement and supplement the constitutions and laws of the United States, the State of Nevada, and Eureka County with additional means of protection and enforcement. This Chapter is not intended to create new rights nor is it intended to in any way supplant the lawful authority of individuals, groups, organizations, corporations, governments or other entities which act pursuant to the laws of constitutions of the United States, the State of Nevada, and Eureka County.

.030 Adoption of the Eureka County Natural Resources and Land Use Plan

A. Holding that the American **people are best served when government affairs are conducted as closely to the people as possible (i.e., at the County level)**, the citizens of Eureka County, through the Eureka County Board of Commissioners, adopt the Eureka County Natural Resources and Land Use Plan as provided in this chapter.

B. The **Eureka County Natural Resources and Land Use Plan shall serve as the primary guide for the use and management of all natural resources and state and federal lands within Eureka County.**

.040 Custom and culture

A. Since the time that aboriginal peoples inhabited what is now Eureka County, local custom and culture has revolved around **beneficial use of natural resources**. Aboriginal peoples harvested native plants, animals and geologic material to provide nearly all the raw material for their tools, shelter and sustenance. What was not found locally was traded with other communities in and around the Great Basin. In similar fashion, early European miners, ranchers and farmers lived largely within the bounds of what they could obtain from the natural environment.

B. With the early gold and silver finds in the mid-1800s came Cornish and Irish miners, Italian charcoal burners (Carbonari), Germans, Swiss, French, Russians, Chinese, and others contributing to mining and support industries, and defining the early custom and culture of Eureka County. The signing of the Treaty of Guadalupe-Hidalgo in 1848 concluded the Mexican-American War and enlarged the borders of the United States to include what is now Eureka County. Upon ratification of the Treaty, the United States acquired and managed this territory as sovereign and proprietor under the Property Clause of the U.S. Constitution. **Legal traditions of property rights that existed** under Mexican law prior to the establishment of Nevada as a Territory of the United States **remain intact today as they are consistent with the U.S. Constitution and laws of the United States. Prior existing property rights including, but not limited to water rights based on the doctrine of prior appropriation, forage rights based on the ownership of water rights and land, rights-of-way, and ownership of real property, are explicitly preserved by all federal land**

**laws. Preservation of these rights demonstrates their importance to the custom, culture and economy of Eureka County and the west.**

C. The burgeoning mining camps brought Basque sheepmen who ran sheep in most of the mountains and valleys in Eureka County. On their heels came cattlemen and other settlers who, with the help of the 1877 Desert Lands Act, the Act of 1888, the Act of 1890, the 1891 Creative Act, and the 1916 Stock Raising Homestead Act, established privately-owned base properties to support permanent range livestock operations and farms. Competition among livestock interests resulted in the passage of the 1925 Nevada Livestock Watering Law. A component of this law, locally known as the Three Mile Rule, made it a misdemeanor for a stockman to allow his animals to graze within three miles of a watering site owned by another stockman. The federal government responded to disputes among stockmen and over-use of the federal ranges by passing the 1934 Taylor Grazing Act. The Taylor Grazing Act superseded Nevada's Livestock Watering Law; however, it did not extinguish any prior existing property rights. These property rights withstanding, the Taylor Grazing Act gave the Secretary of the Interior broad discretion to manage public land through rules and regulations and provided that all future grazing on public land be allowed only via grazing permits. The system of management adopted by the Secretary of Interior under the Act provided for (1) adjudication of federal ranges, (2) issuance of revocable licenses with preference given to existing grazers owning commensurate base property, and (3) establishment of Grazing Districts. Graziers in Eureka County and Elko County established the N-1 Grazing District in 1935. Graziers in Eureka County, Lander County, and Nye County established the N-6 Grazing District in 1951. Early efforts of the State of Nevada to preserve customary grazing rights (e.g., 1925 Nevada Livestock Watering Law) and recognition of these rights by subsequent federal laws (e.g., TGA, FLMPA, and PRIA) demonstrate the importance of livestock grazing to the region's custom and culture. **The continued importance of livestock grazing and impacts of federal lands management decisions to citizens of contemporary Eureka County is reflected in establishment of the Eureka County Public Lands Advisory Commission in 1994 and the Eureka County Department of Natural Resources in 1995.**

D. Commensurate with development of arable land and distributed water in Eureka County, **livestock numbers grew steadily until their peak in the 1940s and 1950s. With these changes came increased wildlife.** Populations of mule deer increased across the state until they peaked in the 1940s and 1950s. Similar trends are observed for sage grouse. **Downward trends in these wildlife species, beginning in the 1960s, are commensurate with declines in permitted livestock on federal ranges and continues into the present decade.**

E. **Access to resources on federal lands and the right to pass uninhibited across federal lands are important historical components of the Eureka County's custom and culture.** In 1859 Captain James Simpson of the U.S. Corps of Topographical Engineers surveyed the Simpson Wagon Road north of present day Eureka to supplant the earlier-established and longer Humboldt Route. In 1860 the Simpson Route was established as the Pony Express Trail. The 1866 Mining Act and the 1897 Reservoir Siting Act, protected miners, ranchers and others to whom access to federal lands was the basis of their livelihood. The portion of the 1866 Act codified as Revised Statute 2477 provided simply that "[t]he right-of-way for the construction of highways over public land, not reserved for public uses, is hereby granted." Although Revised Statute 2477 was repealed by the Federal Land Management and Policy Act of 1976, **miners, ranchers, hunters and fishermen still use these early rights-of-way and rely on Revised Statute 2477 to protect their economic welfare and recreational opportunities.**



F. Water rights in Eureka County date back to the mid 1800s. Early miners, ranchers and farmers established surface water rights through the **common law doctrine of prior appropriation**. The State of Nevada codified this doctrine for surface water in 1905 and extended the law to ground water in 1939....

G. **Farming has been an important component of Eureka County's industry since the early days of land settlement.** Farming was limited to native sub-irrigated meadows and lands irrigated by diverted surface water until supplemental flowing wells were drilled on the Romano Ranch in 1948 and the Flynn Ranch in 1949. In 1949 two irrigation wells were drilled in Diamond Valley in an effort to develop land under Desert Land Entry. By the mid 1950s, pumped irrigation wells were being developed in southern Diamond Valley, Crescent Valley and Pine Valley. By 1965, some 200 irrigation wells had been drilled in Diamond Valley alone. Today, Eureka County's farming districts support a robust grass, alfalfa and meadow hay industry.

H. While standards of living have changed dramatically since the mid-1800s, **miners, ranchers and farmers remain the core of the Eureka County community.** The shift from strictly local food hunting and fishing to sport hunting and fishing and other natural resource recreation activities has added a small, but viable, recreation and tourism component to the County's natural resource-based culture. **Custom and culture of today's Eureka County citizens remain steeped in their mining, farming and ranching heritage. Eureka County is and will ever be dependent upon natural resources for its economic existence.**

.050 Community stability

A. **Economic and social stability of Eureka County are inseparably tied to the use of natural resources. Over ninety percent (90%) of the County's employment is in the Natural Resources and Mining sector (including agriculture). Mining presently contributes the major portion of the County's personal income and tax revenue stream; however, the "boom and bust" nature of the mine activity periodically brings farming, ranching and agricultural services back to the forefront of the economy. When mining activity lulls, the community relies on its other traditional industries to maintain its viability.**

B. State and federal lands make up eighty-one percent (81%) of Eureka County's land area. Given (1) that the community's viability remains largely dependent on business and recreational activities conducted on or in concert with state and federal lands and (2) that many of these activities are inseparably tied to the economic viability of private lands in Eureka County, **the community remains particularly sensitive to state and federal planning decisions.**

C. Community stability in Eureka County is a **sympiosis between the small private land base and the much larger federal land base.** Private property interests in minerals, water, forage, rights-of-way and other natural resource attributes of federal lands enhance social and economic values of Eureka County's private lands. **Reductions in the private land base or erosion of private property interests in federal lands**, including, but not limited to real property, personal property and mixed property; split estates, easements, rights-of-way, mineral rights, water rights and customary usage rights; fee interest, tenancy and possessory interest, **adversely affect the social and economic stability of the County.**

D. **Certain provisions in a number of federal laws**, including the Federal Land Policy and Management Act of 1976, the Public Rangelands Improvement Act of 1978, the Federal Water Pollution Control Act Amendments of 1972 (Clean Water Act), the Threatened and Endangered Species Act of 1973 and the Wild Horse and Burro Protection Act of 1971, **have spawned**

**sweeping changes to federal land policy that have proven detrimental to economic and social stability in Eureka County... The threat of listing sage grouse, other wildlife and plant species under the Threatened and Endangered Species Act may severely limit economic and recreational use of private, state and federal land in Eureka County, particularly where such listing occurs without adequate peer-reviewed scientific analysis.**

E. As the previous observations attest, **stability of the Eureka County community**, its industries, commerce, schools, health care, police protection, and other services, **rests squarely on (1) protection of private property rights, (2) sound and balanced management of natural resources, and (3) continued multiple-use and economic-use of state and federal lands.**

.060 Primary planning guidance

A. Private property and property rights. Where the Board of Eureka County Commissioners determines that it is in public interest of the citizens of Eureka County, **Eureka County will evaluate state or federal actions related to private property and private property interests, including investment backed expectations.** The County will use as its primary guidance the Fifth Amendment to the United States Constitution, which prohibits the taking of private property for public use without just compensation. The County will also pursue the principles of Executive Order 12630 which requires federal agencies to prepare a Takings Implication Assessment prior to initiating any action, issuing any rule, or making any decision which would constitute a taking of private property or private property interest, including investment backed expectation.

B. Tax base. **It is critical to the welfare of the citizens of Eureka County that the Board of Eureka County Commissioners pursue a stable source of tax revenue based on economic use of natural resources.** In order to build a broad tax base, the County supports privatizing certain state and federal lands for commercial, residential, industrial and agricultural and mining uses. In the face of considerable reductions in Ad Valorem tax revenues caused by transfer of private land to public ownership, Eureka County maintains a policy of no net reduction in Ad Valorem taxes related to land tenure changes unless the reductions are adequately mitigated by agreement with the Board of Eureka County Commissioners after public hearing. In addition, Eureka County promotes the concept of split-estate taxation wherein the various components of an estate in real property are taxed as a function of their relative value rather than being accrued only in the surface estate.

C. Water resources.

1. Eureka County affirms **support for the doctrine of prior appropriation** as established by state law; that the right to appropriate water is a compensable property right available to individuals and municipalities. **Ownership of the right to use water has, as key principals, those provisions set forth in Nevada Revised Statutes 533.0010 through 533.085, including, but not limited to, first right, first use, beneficial use, and point of diversion.**

2. Eureka County **promotes private development of water resources on state and federal land** for beneficial use in Eureka County, including, but not limited to geothermal reservoirs, power generation, municipal water supplies, irrigation and stock water.

5. Eureka County will work to maintain its water resources in a condition that will render it useable by future generations for the full range of beneficial uses that further a viable and stable economic and social base for its citizens....

E. Mining. ***It is critical to the welfare of the citizens of Eureka County and the nation that mining on state and federal lands remains an open and free enterprise.*** Eureka County upholds the tenet that mining claims are compensable property belonging to individuals or groups of individuals. Eureka County supports: 1. Retention of and compliance with the 1872 Mining Law as amended; 2. Mine reclamation activities as per Nevada Revised Statutes Chapter 519A; 3. Streamlining of the permitting process 4. Reasonable bonding requirements that promote small business investment in mine exploration, development, and reclamation; 5. Use of the best available science and technology to ensure adequate protection of land, air, and water resources;

F. Agriculture. Eureka County ***recognizes (1) the importance of agriculture to the stability of the local economy and (2) the historic and contemporary influence of agriculture on the community's custom and culture.*** Farms and ranches have played and continue to play a fundamental role in the social and economic well-being of our County. ***Eureka County recognizes that increasing regulatory pressures are reducing the viability of farms and ranches. In order to reverse such trends, Eureka County supports, encourages and promotes policies that will lead to the long-term economic strength of family farming and ranching.***

1. With respect to farm production, Eureka County supports:

- a. private investment in and ownership of agriculturally productive land;
- b. economically and scientifically sound agricultural practices;

c. ***coordination and consultation of state and federal conservation, wildlife and planning activities with local farm organizations and Eureka County.***

2. With respect to livestock production and federal lands, Eureka County supports:

a. ***private investment in and private ownership of range improvements and water developments;***

***b. economically and scientifically sound grazing practices;***

***c. increasing grazing capacity and other economic incentives to promote private investment in range improvements including, but not limited to, fencing, seeding, water development, improved grazing systems, brush control, pinion/juniper eradication, proper fire management and noxious weed control;***

***d. restoring Voluntary Non-Use AUMs and suspended AUMs to active preference;***

e. a grazing fee formula that accounts for all non-fee costs of producing livestock on state and federal land;

f. subleasing of grazing rights;

g. ***multiple-use concepts;***

***h. active management of range resources by permittees rather than by public agencies;***

i. ***limiting the role of public agencies to monitoring range condition as per the 1984 Nevada Rangeland Monitoring Handbook and determining compliance with applicable laws;***

***j. coordination and consultation of state and federal conservation, wildlife, land management and planning activities with permittees, local livestock organizations and Eureka County.***

G. Wildlife. ***Management of wildlife***, including fish, game animals, non-game animals, ***predatory animals, sensitive species, Threatened and Endangered Species***, under all jurisdictions whatsoever, must be grounded in peer-reviewed science and local input. ***Wildlife management plans must identify and plan for mitigation of negative impacts to local economies, private property interests and customary usage rights.***

1. Eureka County ***supports wildlife management that:***
  - a. ***is responsive to the County Wildlife Advisory Board, the Natural Resources Advisory Commission, and the Board of County Commissioners;***
  - b. enhances populations of game and non-game species native to Eureka County;
  - c. recognizes that enhancing non-native game and non-game species may negatively impact native species and rangeland and forest ecosystems;
  - d. ***increases wildlife numbers where practicable and not in conflict with existing economic uses or ecosystem health;***
  - e. ***avoids managing wildlife at population levels that exceed those reported in historical records and established by peer-reviewed scientific investigation;***
  - f. recognizes that large game animals compete for forage and water with other economic uses;
  - g. recognizes that federal agencies are mandated to maintain or improve conditions on federal forests and ranges;
  - h. recognizes that wildlife damage mitigation may encumber existing interests and properties to future damages.
2. ***Eureka County will actively participate in wildlife management decisions that affect the welfare of its citizens via state wildlife planning efforts and county, state and federal land use planning. Eureka County will work to ensure proper implementation of wildlife plans.***
3. Eureka County is ***adamantly opposed to listing any species of wildlife under the Threatened and Endangered Species Act unless the highest level of scientific rigor (i.e., peer-reviewed research based on publicly accessible data sets and methodology) demonstrates that the species warrants listing. The County shall consider all reasonable actions to avoid listings under the Threatened and Endangered Species Act, including, but not limited to, state and local conservation planning and legal recourse.***
4. ***To maintain agriculture*** as a productive part of the local economy and to enhance the environment for ecologically and economically important wildlife, ***Eureka County supports sound predator control programs.***
5. Eureka County generally opposes the introduction, gradual encroachment and institutionalization of wildlife not native to Eureka County.
6. Eureka County recognizes that ***the Bureau of Land Management is mandated by Congress to manage all multiple-uses of federal lands, including wildlife, in a manner that maintains or improves the conditions of federal ranges.*** The County will pursue federal intervention in wildlife management situations in which range conditions are inadequately protected.

H. Recreation. ***Recreation is important to the citizens of Eureka County.*** The unique outdoor recreational opportunities found in Eureka County are many of its greatest assets. Eureka County values the opportunity and freedom these lands provide and encourages balanced management goals that include hiking, camping, wildlife viewing, and other outdoor recreation activities. Eureka ***County strongly advocates the rights of recreationists to continued lawful access to public lands.***

I. Utility rights and public consumption. As per 43 U.S.C., Sec. 315(e), Eureka County supports ***individual citizen's acquisition of rights-of-ways for roads, ditches, pipelines, canals, power lines, telephone lines and stock driveways. Eureka County adamantly supports the protection of vested rights that may limit other uses of state and federal lands. As per 43 U.S.C., Sec.***

**315(d) Eureka County recognizes rights of local citizens to utilize natural resources for personal consumption (e.g., firewood, posts, sand, gravel, etc.).**

J. Land disposition and land tenure adjustments.

1. Eureka County will **respect and uphold private property interests** in land, including, but not limited to, land patents, mining claims, easements, rights-of-way, and forage rights.

2. Eureka County **maintains a no-net-loss policy with respect to private land and private property rights**, and is opposed to public acquisition of private property, except where the acquisition is a) clearly in the public interest of the citizens of Eureka County and b) appropriately mitigated in value and in land area by transfer of property from the public domain to private ownership. Determination that such a transaction is in the public interest of the citizens of Eureka County and that proposed mitigation is appropriate shall be determined by the Board of Eureka County Commissioners after proper public hearing.

3. Eureka County recognizes that the **imbalance of the private/public land ownership inhibits new economic activity in Eureka County and is detrimental to Eureka County's long-term viability**. The County encourages state and federal agencies to **aggressively pursue land disposal** to the maximum extent allowed by law. State and federal land transfers to local governments will be given priority consideration in any disposal of state or federal land.

4. **If any public entity intends to acquire an estate in land, water, minerals, forage or any other private property in Eureka County, the proposed acquisition shall first be presented to the Board of Eureka County Commissioners. The Board shall determine likely impacts to the County's human and natural environment and render an opinion about the suitability of the acquisition.**

K. Riparian habitat and wetlands.

1. **Riparian areas and wetlands are critically important to well-balanced and productive rangeland ecosystems**. Eureka County encourages consultation, cooperation and coordination as provided under Section 8 of the Public Rangelands Improvement Act of 1978 for riparian areas and wetlands under the jurisdiction of a federal agency.

2. The bulk of riparian areas and wetlands in Eureka County exist on private ranches and farms. **Eureka County supports retaining riparian areas and wetlands in private ownership** by improving the economic environment for the ranching and farming community.

L. Wilderness, wilderness study areas, parks and refuges. To the extent that multiple-use of federal lands is vital to the economy of Eureka County, the County is opposed to the designation of any Wilderness Areas or Wilderness Study Areas within its geographic boundaries. The County calls for removal of Wilderness Study Area designations and re-introduction of active stewardship of these lands that do not meet the suitability criteria of the 1964 Wilderness Act. **Eureka County demands local input and decision-making in the designation and management of parks, refuges, Areas of Environmental Concern, roadless areas or any other legislative action, regulatory decision or policy that limits access to or use of federal land or resources within the geographic boundaries of the County.**

M. Wild horses. Eureka County recognizes that horses, protected under the Wild Free-Roaming Horse and Burro Act of 1971, are properly classified as feral animals. The County recognizes that in passing the Wild Free Roaming Horse and Burro Act, **Congress failed to account for prior**

**adjudication of the nation's public ranges, thereby disenfranchising livestock grazers and wildlife of existing forage allocations without compensation.** The County recognizes that the Department of Interior is mandated by Congress to manage Wild and Free Roaming Horses in a manner that is consistent with legislative intent and will hold the agencies accountable under all applicable laws. **Poor management of feral horse herds has resulted in sustained over-population of horses in Eureka County.** Over-population has caused long-term damage to range vegetation and water sources, and has resulted in starvation of horses during periods of drought and severe winters. Eureka County encourages federal legislation and policies that promote scientifically-sound and responsible management of feral horse herds. Eureka County advocates economically beneficial uses for feral horses and advocates public sale of excess horses. The County opposes the cost-ineffective policy of long-term pasturing for excess horses where the policy conflicts with the stated intent of the 1971 Wild Free-Roaming Horse and Burro Act to manage horses "...in a manner that is designed to achieve and maintain a thriving natural ecological balance on the public lands."

N. Access. **Eureka County supports the right of public access through state and federal lands inasmuch as access does not conflict with private property rights** (as per the Eureka County Public Roads Resolution of March 7, 1994).

O. Pinyon and juniper control. Eureka County encourages active management of pinyon/juniper woodlands and removal of woodlands where they exist at unhealthy densities and beyond their historic range. **Eureka County supports economic use of these resources.**

P. Wildfire. Eureka County **supports the right for local citizens to protect their property from fires originating on state and federal lands. The County advocates active fire management on federal lands,** including, where appropriate and in consultation with grazing permit holders, adjacent landowners, local volunteer fire fighters and Eureka County, a let-burn policy. The County is **opposed to arbitrary and inequitable restriction of post-fire land use for recreation and livestock grazing. The County insists that all post-fire land use restrictions be adequately justified and based on peer-reviewed science.**

Q. Other federal land use regulations. **Many land use regulations have the potential to adversely impact Eureka County's economy. Eureka County mandates involvement in all federal actions that may impact the local economy according to this Title.**

## Chapter 40 - COOPERATIVE PUBLIC LANDS MANAGEMENT

### .010 Findings of fact

The Board of Commissioners of Eureka County, a political subdivision of the State of Nevada, finds as follows:

A. The government of the United States of America exercises **control over 2,100,000 acres (eighty-one percent) of the land** and the majority of natural resources within the geographic boundaries of Eureka County;

B. **Decisions governing federal lands in Eureka County have a history of negative impact** on the interrelated heritage of cultural, environmental and economic well-being and stability of County residents;

C. The Congress of the United States has expressed intent, codified in 42 U.S.C. §4331, to act in cooperation with County governments while using all practicable means to create and maintain

conditions on federal lands allowing for productive harmony between man and nature while fulfilling the ***social, economic, environmental and cultural requirements of present and future generations***;

D. The efforts of Congress seeking to ***coordinate federal plans with County government***, maintaining a balance between population and resources, and encouraging high standards of living and a wide sharing of life's amenities, as contemplated by 42 U.S.C. §4331(b)(5), can be enhanced by:

1. ***Increasing cooperation between Eureka County, State of Nevada, and those federal officials*** involved with the administration of federal lands situated within the County; and
2. ***Full consideration by the Federal Government of the needs of Eureka County citizens*** who will be directly or indirectly impacted by federal agency decisions regarding the use of federal lands and the management of water, fish and wildlife in Nevada;

E. There now exists a substantial and ***urgent need to increase the involvement of Eureka County in the management of federal lands*** and in the development of criteria that are meaningful in any decision-making process, as contemplated by 43 C.F.R. Section 1610.3-1(a), Section 1610.3-1(b), Section 1620.3-2(a); 36 C.F.R. Ch. II, Section 219.7(a), Section 219.7(c), Section 219.7(d).

#### .020 Procedures adopted

Based upon consideration of the findings set forth in section .010 of this chapter, Eureka County adopts the following procedures to ensure that there is full and complete disclosure and cooperation by federal entities to the County regarding decisions affecting federal lands located within the County and, reciprocally, that federal entities be made aware of the impact of their actions and decision-making on the interrelated heritage of cultural, environmental and economic well-being and stability of the County. The adopted procedures apply to all decisions undertaken by any agency, department or other federal entity including, but not limited to, the Department of Interior, Department of Agriculture, Environmental Protection Agency, Department of Defense, or Department of Energy (hereinafter known as "federal entities") that do or will have a direct or indirect impact on federal and private lands within the geographic confines of the County.

#### .030 Specific procedures

A. That the County government of ***Eureka County demands, pursuant to adopted federal statutes and regulations, full and complete notice and opportunity for involvement in the decision making processes of the federal entity*** that:

1. are being taken or are being ***proposed to be taken regarding federal lands*** located within the State of Nevada,
2. involve listing, de-listing, classification or reclassification of a threatened or endangered species or any ***designated habitat within the County***, or
3. ***involve any major federal action*** significantly affecting the quality of the human and natural environment within the County;

B. That ***failure of federal entities to afford Eureka County complete notice and opportunity for involvement beyond that afforded individuals***, or to limit State and County government involvement, input to or comment at public hearings, ***is presumed to be prejudicial*** to the government of Eureka County and its residents, and that the Board of Eureka County Commissioners is authorized and empowered by this chapter to authorize and instruct the Eureka County District Attorney to seek redress for such prejudice in the federal courts and through administrative hearings;

.040 Presumption of negative impact

***If implementation of a habitat designation or other federal policy or practice over federal lands located within the geographic boundaries of this County:***

A. ***causes alteration of present County land use regulations without such changes having been initiated voluntarily by the County*** and

B. ***makes it unfeasible for existing, lawful businesses to continue their current operations, then the proposed federal action will be presumed by the County to create a negative impact on the interrelated environmental, cultural and economic well-being of this County and its residents, and not to be a preferred alternative acceptable to the County as it relates to resolving the environmental and other concerns of the federal entities.***

#### Chapter 50 - PUBLIC ROADS

.010 Declaration of policy and intent

A. Eureka County, a political subdivision of the State of Nevada, ***holds title, as trustee for the public, to all public roads, trails, pathways, traces, highways, byways, and similar public travel corridors situated in the County***, of every kind whatsoever, except for State and federal highways, however such roads may have come into being. Title to those roads commonly known as R.S. 2477 roads, irrevocably granted to the public by act of congress (Mining Law of 1866), is held in trust by the County as the unit of government closest to the people.

B. The County will:

1. ***Protect and defend against all interference the right of the public to travel and use the public roads within the County;***
2. ***Oppose closure of any public roads*** except as authorized by this chapter; and
3. ***Maintain the public roads by conventional or other appropriate*** means, as from time to time authorized by the Board of County Commissioners, or designate certain public roads as roads to be maintained only by passage and use without liability to the County, as permitted by Nevada Revised Statutes.

.020 Definitions as used in this section



Construction means the establishment of a road by mechanical or other means, including repeated use.

**County road means any public road situated within Eureka County**, except for designated State and federal highways; also, any road maintained by the County for County purposes which is not open to the public.

Highway - Modern usage: Any state or federally designated road, usually paved or graveled; or Traditional (R.S. 2477) usage: Any road, trace, trail, canal, navigable waterway, or other route used by humans for travel by wheeled vehicle, horseback, foot or boat, or otherwise. This definition applies to all highways established across public lands pursuant to the Mining Law of 1866 (R.S. 2477) between the enactment of the statute in 1866 and its repeal by the enactment of the Federal Lands Policy Management Act (FLPMA) in 1976.

**Maintenance** means construction, reconstruction and repair of a road by mechanical or other means, **including repeated use**.

**Public road means any road open to travel by the general public**. The term includes, without limitation, roads (1) on land held in fee simple absolute by the County, (2) on easements across land held or claimed by others, (3) pursuant to express or implied permit or license on lands held or claimed by others, (4) canals or navigable waterways. **Roads established pursuant to the grant of right-of-way by the Mining Law of 1866 (R.S. 2477 roads) are public roads**.

Right-of-way means the entire fee, easement or licensed or permitted area for a road; the traveled way, together with such adjoining land as may be required for construction or maintenance of a road.

**Road means any highway (traditional usage), road, trail, trace, footpath, canal, navigable water, or other route, whether constructed or created by repeated use, when used by humans for transportation by wheeled vehicle, horseback, foot or boat, or otherwise**.

.040 Interference with travel

**It is a misdemeanor, punishable as provided for misdemeanors in the Nevada Revised Statutes, for any person to interfere with the right of the public to travel the public roads**, except:

A. Public roads may be closed temporarily by the Board of Commissioners for reasons of public safety, and the County Sheriff and/or director of emergency management may effect temporary closures for reasons of public safety pending an emergency meeting of the Board of Commissioners to ratify such closure.

B. Public roads may be closed permanently by the Board of Commissioners only after thirty (30) days notice of intent to close and a public hearing on the proposed closure.

C. The Board of Commissioners may grant temporary exclusive licenses to use, or place lesser restrictions on the public use of, a public road to accommodate mining activity; provided, (1) an alternate route offering reasonable public access to the areas served by the public road is provided at the licensee's expense, (2) the licensee maintains the public road and returns it to

the County at the conclusion of mining activity in as good or better condition than at the time of licensing, (3) thirty (30) days' notice is given of intent to temporarily limit use of the public road for mining activity and calling a public hearing thereafter on the proposed limitation(s).

D. The Board of Commissioners may grant temporary exclusive licenses to use a public road or highway to accommodate short-term special events such as parades, races, walkathons and similar activities.

.050 Public authorized to maintain roads

***The public is authorized to maintain, by use or by mechanical means, public roads which are not regularly maintained by the County. The public is not authorized to reconstruct or reroute a public road outside its original right-of-way.***

### ***Inconsistency with NRS 540.011***

As noted above and repeated here, NRS 540.011 recognizes “the important role of water resource planning and that such planning must be based upon identifying current and future needs for water. The Legislature determines that the purpose of ... water resource planning is to assist the State, its local governments and its citizens in developing effective plans for the use of water.” The DEIS alternatives will diminish our ability to develop “effective plans for the use of water” especially related to future needs many years into the future but while the mine will be operating (i.e., nearly 50 years) and is therefore inconsistent with the declaration of the Nevada Legislature in NRS 540.011.

### ***Inconsistency with NRS 278.243 and 278.246***

NRS 278.243 states that a “A...county whose governing body has adopted a master plan pursuant to NRS 278.220 may represent its own interests with respect to land and appurtenant resources that are located within the...county and are affected by policies and activities involving the use of federal land.” NRS 278.246 empowers the County to “bring and maintain an action...before any federal agency, if an action or proposed action by a federal agency or instrumentality with respect to the lands, appurtenant resources or streets that are located within the...county impairs or tends to impair the traditional functions of the...county or the carrying out of the master plan.”

Eureka County has adopted a master plan pursuant to NRS 278.220 and is therefore empowered to represent its own interests regarding the DEIS alternatives “involving the use of federal land.”

Also, the DEIS alternatives “impairs or tends to impair the traditional functions of the...county or the carrying out of the master plan.”

BLM must document in the EIS that since we have represented our own interests in the process, there has been a failure to bring the alternatives in compliance with our represented interest through honoring of the County’s plans, policies, requests and proposed measures and the DEIS alternatives “impairs or tends to impair the traditional functions of the...county or the carrying

out of the master plan.” However, we believe these inconsistencies can be diminished or removed altogether by BLM coordinating with Eureka County to implement our plans and policies and reach consistency as required.

**Record of Decision Must Explain BLM’s Decision to Override Plans and Policies**

We request that after BLM coordinate with Eureka County to reach consistency with our plans and policies that there is an inclusion of discussion of remaining conflicts and inconsistencies in the Record of Decision as required and outlined in CEQ FAQ 23c: “In the Record of Decision, the decisionmaker must explain what the decision was, how it was made, and what mitigation measures are being imposed to lessen adverse environmental impacts of the proposal, among the other requirements of Section 1505.2. This provision would require the decisionmaker to **explain any decision to override land use plans, policies or controls for the area**” (emphasis added).

Moving on, we stated in our comments on the ADEIS/ARMPA, we support the allocations agreed upon by Nevada Counties:

**Table 2-1: Summary of Allocation Decisions by GRSG Habitat Management Areas<sup>1</sup>. (NV Counties 2023)**

Resource	PHMA	GHMA	OHMA	ACEC
Land Tenure <sup>2</sup>	Retain	Retain / Dispose	Dispose	Nevada Counties do NOT support the designation of ACECs as part of this planning effort.
Solar, Wind and Renewable Energy Storage	Exclusion	Exclusion <sup>2</sup>	Avoidance <sup>2</sup>	
Major ROWs <sup>2,3</sup>	Avoidance	Avoidance	Open	
Minor ROWs <sup>2,3</sup>	Avoidance	Open	Open	
Fluid Mineral Development and Leasing	Closed	Open w/ Major Stipulations <sup>2</sup>	Open w/ Minor Stipulations <sup>2</sup>	
Nonenergy Leasables <sup>2</sup>	Closed	Open	Open	
Salable Minerals <sup>2</sup>	Closed	Open	Open	
Locatable Minerals <sup>4</sup>	Open	Open	Open	
Travel Management	Limited <sup>5</sup>	Limited <sup>5</sup>	Open	
Livestock Grazing	Open	Open	Open	

- Notes:**
1. All Allocation Decisions are subject to field verification and modification of modeled HMA.
  2. Projects may qualify for a BLM waiver, exemption, or modification (WEM) and must meet the regulatory requirements of the State of Nevada, including the Conservation Credit System.
  3. Projects located within designated corridors, co-located with existing infrastructure, or located in degraded habitat will be given WEM preference.
  4. Projects must meet the regulatory requirements of the State of Nevada, including the State Conservation Credit System.
  5. Not applicable to State, local or public roads. Travel is limited to existing roads and trails.

**REQUESTED CHANGE:** For each aspect of the FEIS/RMPA as it would apply in Eureka County, BLM must ensure maximal consistency with the State Plan and with County land use plans, policies, and controls. This is the minimum required to comply with FLPMA. In addition, to comply with NEPA, BLM must indicate in the FEIS/RMPA where the RMPA diverges from the State Plan and from County land use plans, policies, and controls and if the inconsistency cannot be resolved, explain why (which explanation cannot simply be that Washington headquarters policy presented in the plans is preemptive). Please also accept the County Alternative Allocations into the FEIS and ARMPA.

**IV. ACECs, proposed in Alternatives 3 and 6, are not necessary, appropriate, or effective for GRSG habitat conservation.**

The County categorically opposes designation of ACECs in Alternatives 3 and 6 of the DEIS/RMPA as well as in any GRSG land use plan. BLM acknowledges in the DEIS/RMPA that “[m]any states and counties have expressed concern with ACEC designation under Alternatives 3 and 6.”<sup>72</sup> And, as the DEIS/RMPA notes, “BLM decided not to designate PHMA as ACECs in the [2015 RMPAs] because it was determined that the management actions for PHMA would be sufficient to protect GRSG habitat and, as such, ACEC designation of PHMA was not required. During the 2019 planning process, ACEC nominations were not reconsidered.”<sup>73</sup> It is crucial that the FEIS takes into account its prior determinations and this feedback, and that BLM not select Alternative 3 or 6, which propose designation of ACECs based on erroneous modeling of habitat that includes within ACECs areas like roads and pinyon-juniper forest that are clearly not GRSG habitat.

We request the elimination of ACECs for the RMPA. Putting public lands out of multiple use through ACEC designation, especially, as here, where ACEC importance and relevance criteria are not met, is inappropriate and unjustified. The application of the mitigation hierarchy of “avoid, minimize, mitigate” for active management based on site-specific information, in lieu of ACEC designations or other land use preclusions, is the appropriate path to take in the RMPA. Avoidance (where possible) and mitigation measures provide ample opportunities for management of the primary threats to GRSG habitat without ACEC designation or otherwise restrictive allocations and land use prohibitions. BLM also must consider its limited funding available and the restraints that has on BLM’s ability to actively manage areas that it puts off limits to or otherwise restricts certain uses. Further, we argue that ACECs would create a de facto delineation of “critical habitat” and prohibitions without an actual ESA listing which is arbitrary and capricious.

The County acknowledges that, under FLPMA, BLM must “give priority to the designation and protection of areas of critical environmental concern” in developing and revising land use plans.”<sup>74</sup> BLM’s ACEC manual provides that where it is considering a potential ACEC, it must “evaluate the ACEC designation in at least one plan alternative.”<sup>75</sup> Given that BLM decided not to designate ACECs in the 2015 and 2019 RMPA processes, we question BLM’s view that it is required to evaluate an ACEC in the DEIS/RMPA. In any case, it is clear that the proposed ACECs do not meet BLM’s criteria for designation of an ACEC, which involves three components:

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<sup>72</sup> *Id.* at 1-13.

<sup>73</sup> DEIS, Vol. III at 5-3.

<sup>74</sup> 43 U.S.C. § 1702(c).

<sup>75</sup> BLM, IM 2023-013 Clarification and Interim Guidance for Consideration of Areas of Critical Environmental Concern Designations in Resource Management Plans and Amendments (Nov. 30, 2022); *see also* BLM, ACEC Manual MS-1613.22B (“Because special management attention must be prescribed in at least one plan alternative” where BLM is considering a potential ACEC, “each potential ACEC will appear as a recommended ACEC in at least one plan alternative.”).

1. The area must meet a relevance criterion. Relevance means a “significant historic, cultural, or scenic value; a fish or wildlife resource or other natural system or process; or natural hazard.”<sup>76</sup>
2. The area must meet an importance criterion also defined in BLM regulation. Importance means that the relevant “value, resource, system, process, or hazard . . . ha[s] substantial significance and values. This generally requires qualities of more than local significance and special worth, consequence, meaning, distinctiveness, or cause for concern.”<sup>77</sup>
3. The area must require special management to protect and prevent irreparable damage to relevant or important values. A need for special management means that the management actions “would not be prescribed in the absence of the [ACEC] designation.”<sup>78</sup>

BLM’s ACEC proposal is also flawed because it is inconsistent with State and County plans and policies; is neither necessary nor appropriate in light of the best available science; does not adequately assess the socioeconomic impact of ACEC designation; and because proposed designation has been conducted at the national rather than, as FLPMA requires, state and local level.

The State Plan and CCS guarantees active management through proper incorporation of the “avoid, minimize, and mitigate” hierarchy. BLM should focus on proactive management of priority habitat in Cooperation with the State and local governments in Nevada and dispense with its effort, characterized by ACECs, to impose the easiest “management” which is actually no management—instead, it is prohibition and preclusion.

**A. BLM’s proposed designation of ACECs makes significant errors. In areas where BLM has made errors degraded or non-habitat means that the relevance criterion cannot be met.**

**i. The habitat maps BLM uses to define proposed ACECs are erroneous for Eureka County: they include areas that are not habitat.**

The habitat maps used to define the ACECs are based on modeling with known errors. In fact, USGS clearly states in its report where the habitat maps were released that “habitat maps provide updated, detailed, and comprehensive information about the status of habitats and can be useful to partner agencies in their efforts to designate and rank habitats for this species of high conservation concern in Nevada and California, *with full recognition that on-the-ground field data and local sources of information and expertise should be used in conjunction with inferences from these models.*”<sup>79</sup> Yet the ACEC management in the DEIS/RMPA never acknowledges BLM’s need (or desire) to make adjustments based on one-the-ground realities. While the DEIS/RMPA does include some provisions to allow potential adjustments in HMAs (though we argue that even

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<sup>76</sup> 43 CFR § 1610.7-2(a)(1).

<sup>77</sup> *Id.* § 1610.7-2(a)(2).

<sup>78</sup> MS-1613.12.

<sup>79</sup> USGS, *Greater sage-grouse habitat of Nevada and northeastern California—Integrating space use, habitat selection, and survival indices to guide areas for habitat management*, at 1 (Mar. 22, 2024) (emphasis added).

these are overly bureaucratic, cumbersome, and restrictive), there is no similar process spelled out for ACECs.

As a specific example, there are large areas within the ACEC boundaries that are known not to actually be habitat or have characteristics refuting the required ACEC importance and relevance criteria. The ACECs abut and, in some cases, fully surround private lands with varying levels of development, homes, irrigated farms. ACECs surround the town of Eureka, the County Landfill, the County Shooting Range and multiple county gravel pits, and paved roads and gravel roads. Some ACEC boundaries abut the “fence line” of current mining operations. Many privately owned rangeland improvements fall within the boundaries—range fencing, water developments (with underlying vested or otherwise perfected water rights), etc. The underlying issues with the habitat maps create error propagation into the ACEC boundaries. Many pinyon-juniper (PJ) woodlands, mountain mahogany woodlands, and clearly non-habitats become subject to the most extreme and restrictive management based on lines on a map rather than realities in the field. These examples provide a perfect example of how the ACEC boundaries are arbitrary and not applicable in many circumstances. As described, just in Eureka County, we can point out many discrepancies between what is mapped as habitat versus what is on the ground that cannot be refuted as being non-GRSG habitat.

**ii. Valid existing rights of way held by County are included in ACECs<sup>80</sup>.**

Additionally, ACECs are overlaid over many miles of county general and minor roads and public roads creating a case or controversy and threatens to impair valid existing rights. There are also other pre-FLPMA rights of way established by private parties within the ACECs. At a minimum, if ACECs are to move forward, all prior, valid existing rights must be cut out of the ACEC boundaries.

The RMPA ACEC provisions fail to outline procedures to address valid existing rights that have not been adjudicated in federal court but are nonetheless valid existing rights (e.g., RS 2477 roads). This leaves in limbo water rights, water movement (conveyance) rights-of-way (RS 2339 and RS 2340), and travel rights-of-way (RS 2477) as recognized valid existing rights. RS 2477 and RS 2339 rights are overlooked and not even acknowledged. We are certain that conflicts will arise on these roads and other rights-of-way with ACECs (and also under the RMPA without ACECs) because BLM has already tried to impose restrictions on these without the current RMPA and ACECs.

BLM has already asserted authority and required project proponents to apply for FLPMA rights-of-way on existing County roads that fall under RS 2477. Eureka County has been adverse to BLM’s proposal for us to apply for a ROW on existing county roads that have existed and have been actively maintained for decades before FLPMA. Mines and other project proponents are being forced to take upon themselves seasonal travel restrictions, including them as Applicant Committed Environmental Protection Measures. We sat in a meeting with BLM and a mining proponent where BLM was asked what would be done if the mining company did not agree to seasonal travel restrictions. The BLM project lead responded that they would force the issue via

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<sup>80</sup> These rights of way also exist in all HMA designations and similar types of effects exist in these areas in addition to the ACECs.

43 C.F.R. § 3809 as “unnecessary or undue degradation.” The ACECs will exacerbate this egregious refusal to acknowledge and not impair valid existing rights.

**B. BLM would have benefitted, and would have relied on the best available information, if it had worked with local governments to evaluate habitat conditions and had ground-truthed its evaluation.**

The Draft RMPA/EIS states: “The evaluation for relevance and importance criteria was conducted in a two-step approach that started with rangewide scientific data and models, followed by a review by staff at the state and field office levels who are more familiar with the local habitat conditions.”<sup>81</sup> Nobody is more familiar with the local habitat conditions than locals, including staff at the Eureka County Department of Natural Resources (ECDNR). Nonetheless, neither Eureka County local experts—including the ECDNR, the Eureka Conservation District, and the Eureka County Advisory Board to Manage Wildlife—nor any local landowners and land users were invited to be involved in this process whatsoever. Coordination of local knowledge and expertise would have helped inform BLM’s process to either justify not moving some or all of the ACECs forward or adjusting their boundaries based on real, on-the-ground relevance and importance information.

BLM also discloses that “[a] series of rangewide spatial layers . . . were visually reviewed across the entire GRSG range . . . as an initial screening for consideration by BLM State and Field Office staff to determine if they should be carried forward to discussions with partners.”<sup>82</sup> Visual review is subject to extreme viewer bias and subjectivity. Modeling done with peer review and according to scientific standards includes an error assessment to help the analyst determine how uncertain a modeling product is; visual review includes no such safeguard. The County is thus forced to conclude that the process of ACEC delineation was no more than a subjective “wish list” of assembled by the visual reviewer.<sup>83</sup> It is biased and inadequate.

**C. The proposed ACECs do not meet the relevance, importance, and special management criteria.**

**i. BLM cannot meet the relevance criterion for areas that are not habitat.**

The major inaccuracies in BLM’s delineation of areas proposed as ACECs means that the ACEC relevance criterion is not met for significant portions of areas proposed for designation as ACEC. BLM states that an area satisfies the relevance criterion through “[t]he presence of GRSG.”<sup>84</sup> This

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<sup>81</sup> DEIS, Vol. III at 5-4.

<sup>82</sup> *Id.* at 5-5.

<sup>83</sup> We note, in the same vein, that for many of the ACECs, the Nevada Department of Wildlife’s recommendation was simply “[r]ecommend for inclusion in draft EIS as a potential ACEC.” *Id.* at 5-22. The recommendation from NDOW does not provide any justification for designation of an area as ACEC because of more than local importance or need for special management beyond that already required (which includes the requirements of the State Plan and CCS).

<sup>84</sup> DEIS at 2-117.

appears to be BLM's only relevance justification for its ACECs. It is elementary that GRSG are not present where an area does not possess the basic characteristics of GRSG habitat, i.e. sagebrush or sagebrush/grasslands.<sup>85</sup> Where GRSG habitat does not exist—as is the case within some of the ACECs BLM has designated—BLM does not meet the basic relevance threshold and ACEC designation is impossible.

**ii. PHMA characteristics cannot by themselves establish that an ACEC is appropriate; to establish importance, BLM must prove more.**

Explaining its designation of ACECs in Nevada, BLM uses characteristics of PHMA as a reason to designate ACECs. But not all PHMA is ACEC: standing alone, these characteristics are not enough to designate an ACEC. PHMA is defined as an area that has “the highest value to maintaining sustainable GRSG populations and can include breeding, late brood-rearing, winter concentration areas, and migration or connectivity corridors.” Thus, prime GRSG habitat with high value to GRSG population, including leks, late brood-rearing areas, winter concentration areas, and migration and connectivity corridors are not factors that show importance. This means that population density and lek and habitat persistence, two of BLM's evaluation criteria for ACEC importance, do not prove importance.

Additionally, BLM's analysis of areas for ACEC designation identified certain “most influential considerations in identifying areas for further consideration.”<sup>86</sup> For Nevada, these considerations are “high relative abundance” and “high connectivity within the PHMA areas.”<sup>87</sup> But those two factors are already built into USGS's habitat modeling and hence the HMA categorization. BLM's choice to assess high relative abundance of GRSG and high connectivity with PHMA areas again as ACEC priorities—on top of the HMA designation that already built in these considerations—is “double counting” and puts subjective and biased weight on layers already considered in HMA mapping.

If BLM disagrees with these conclusions, it must clearly explain in the FEIS/RMPA, using best available science, why PHMA characteristics support designation of ACECs for some PHMA and not other PHMA.

**iii. ACECs in or adjacent to Eureka County do not meet the importance criterion.**

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<sup>85</sup> The Supreme Court recently rejected an agency's designation of habitat where the species for which the habitat was designated was not present and where the area was such that it could not presently constitute habitat for the species. The Court held, regarding designation of critical habitat under the Endangered Species Act, that the Secretary of the Interior is not authorized “to designate the area as critical habitat unless it is also habitat for the species.” *Weyerhaeuser Co. v. United States Fish & Wildlife Serv.*, 586 U.S. 9, 20 (2018). The same basic conclusion should hold here: BLM cannot designate HMA if GRSG is not present, and it certainly cannot find relevance for ACEC designation where no habitat actually exists.

<sup>86</sup> DEIS, Vol. III at 5-6.

<sup>87</sup> *Id.* at 5-7.



For the ACECs within or adjacent to and affecting Eureka County, primarily ACECs 9, 10, and 11, Eureka North and South, Grass-Kobeh Valley, and Monitor Valley, respectively, the DEIS/RMPA does not prove importance.

BLM describes these ACECs in terms of genetic connectivity, percentage of PHMA+ (which is not a management category BLM uses), and distance to “genetic nodes” to try to ascribe importance.<sup>88</sup>

None of these data support importance.

First, as we have noted, simple presence of a GRSG population center does not indicate ACEC importance because this is a basic characteristic of PHMA which for at least some PHMA BLM has determined is not important to be and ACEC.

Second, as explained above, habitat connectivity was already taken into account as part of BLM’s assessment of HMAs. It should not be the basis for ACEC designation. Additionally, though the County recognizes that genetic connectivity and habitat connectivity are of concern in species conservation, treating these characteristics as important does not find support in BLM regulation, caselaw, or BLM guidance. True, BLM Instruction Memorandum 2023-013 states that as BLM assesses relevance and importance, it should consider “whether relevant values contribute to landscape intactness, climate resiliency, habitat connectivity, or opportunities for conservation or restoration.” But this overbroad IM cannot be used as a rule of general applicability (in violation of the APA), does not state that connectivity is important, and does not mention genetic connectivity. This vague directive significantly expands the regulatory criteria for meeting importance and has the improper result of making the vast majority of BLM-managed land in Nevada eligible for ACEC designation, contrary to FLPMA’s multiple use/sustained yield mandate.

Third, and in the same vein, we do not see how the presence of high elevation brooding habitat, which are common throughout GRSG range, contribute to “more than local significance.” While the proposed ACECs may include high value habitat and should be managed to protect GRSG from primary threats, the sheer volume of proposed ACECs in Nevada (more than 5 million acres) clearly indicates that these areas are not rare or especially unique.<sup>89</sup>

Fourth, we see no reason that distance to genetic nodes is relevant to ACEC designation. It may be that we misunderstand BLM’s meaning; if so, BLM should clarify this unclear statement. In any case, a genetic node does not indicate importance. The key paper mapping GRSG hub and keystone nodes states: “Hub and keystone nodes were found across the entire species’ contiguous range.” “[N]odes with elevated importance to network-wide connectivity were found more central[ly]: especially in northeastern, central, and southwestern Wyoming and eastern

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<sup>88</sup> *Id.*

<sup>89</sup> We note additionally that in Wyoming, which has the most GRSG habitat of any state, BLM proposes to designate only 839,000 acres of ACECs. The DEIS gives no explanation for this extreme discrepancy, which points to an unscientific unevenness in the BLM’s application of its own ACEC criteria.

Idaho” — but not in Nevada.<sup>90</sup> In fact, the paper’s designation of modes with the most “centrality” does not include any ACECs in Eureka County.<sup>91</sup>

Finally, the fact that ACECs are noted to be bisected by various utility corridors and major state and federal highways militates *against* designating the ACEC rather than for designation. The RMPA aims to protect against future habitat fragmentation rather than against fragmentation that has already occurred or is a foregone conclusion that the ACEC deliberately does not protect against (i.e., Eureka North and South ACEC is split into a northern and a southern area to avoid overlap with the utility corridor).

No ACEC should be designated in Eureka County: ACECs they do not meet BLM’s importance criterion.

**iv. BLM does not explain why its proposed ACECs require special management, that is, actions that would not be prescribed without ACEC designation. Instead, most of the actions contemplated by ACEC designation could be or are prescribed in the DEIS without ACEC designation.**

In addition to meeting relevance and importance criteria, BLM must also demonstrate that a proposed ACEC requires “special management attention” not available under standard RMP land use designations and necessary to protect and prevent irreparable damage to the relevant and important resources.<sup>92</sup> That is, special management attention is decided in context of the relative and important resource (it must be necessary to protect that resource) and the standard land use designation (it must go beyond standard management actions not associated with ACECs). BLM’s attempts to prove that special management is required and goes beyond management actions not associated with ACECs are unconvincing.

In 2015, as noted, BLM determined that “management actions for PHMA would be sufficient to protect GRSG habitat and, as such, ACEC designation of PHMA was not required.” Thus, it is particularly important that BLM explain how nine intervening years have modified its determination. Instead, BLM offers no analysis how (1) special management actions are required to “protect and prevent irreparable damage to” GRSG in light of monitoring and evaluation data, and (2) why PHMA/GHMA management actions are not sufficient to protect GRSG. What is provided is a tortuous analysis that means nothing and provides nothing to actually benefit GRSG any more than the other allocations and management actions without ACEC designation.

BLM first explains that “[i]n general, management actions that protect resources (such as surface-disturbance restrictions and management for desired habitats) would help maintain and improve the relevant and important values within ACECs.”<sup>93</sup> It adds that “[i]dentifying ACECs as ROW

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<sup>90</sup> Todd B. Cross et al., *The genetic network of greater sage-grouse: Range-wide identification of keystone hubs of connectivity*, 8 *Ecol Evol.* 5,394, 5,394 (2018).

<sup>91</sup> See *id.* at Figs. 3, 6.

<sup>92</sup> MS-1613.02 (“ACEC designations highlight areas where special management attention is needed to protect, and prevent irreparable damage to, important historic, cultural, and scenic values, fish, or wildlife resources or other natural systems or processes; or to protect human life and safety from natural hazards.”).

<sup>93</sup> DEIS at 4-119.

exclusion or avoidance areas would protect relevant and important values by reducing (for avoidance areas) or eliminating (for exclusion areas) impacts from development requiring a ROW permit. Such developments include utilities, access roads, and renewable energy projects.”<sup>94</sup> But such management actions do not require ACEC designation: for example, independent of ACEC designation, Alternative 3 provides for no surface occupancy of all Wyoming PHMA.<sup>95</sup>

Perhaps trying to salvage ACEC designations that, overall, make little sense, BLM notes that while:

PHMA, IHMA, and GHMA allocations provide a comprehensive management framework, covering a diverse array of management actions and restrictions in Alternatives 1–6, effectively capturing GRS habitat and most ACECs . . . ACEC designation adds a layer of specificity, enabling a more targeted approach to address unique relevant and important values that might not be fully covered by the broader allocations. ACEC designation emphasizes and prioritizes specific concerns within designated areas, offering a mechanism to address nuances that may not be sufficiently addressed by the overarching PHMA/IHMA framework.<sup>96</sup>

BLM does not explain how a “mechanism to address nuances” equates to a management action that would not occur absent designation of ACECs. The obvious answer is that the two are not synonymous.

Ultimately, the DEIS provides no explanation why (1) special management actions are required to “protect and prevent irreparable damage to” GRS habitat in light of monitoring and evaluation data, and 2) why PHMA management actions are not sufficient to protect GRS habitat. In the case of one land use that the Alternative 3 ACECs would exclude—renewable energy—the County strongly agrees that this activity should be excluded from GRS habitat. It is not, however, necessary to create an ACEC to make this exclusion: the exclusion should simply be made in Alternative 5, as part of BLM’s stipulations regarding permitted activities in PHMA. Further, the proposed County Alternative Allocations address the issue related to renewable energy and fluid minerals without ACEC designation.

The fact that the DEIS/RMPA provides no special management justification for ACEC designation should, alone, render ACEC designation in Alternatives 3 and 6 untenable. In the FEIS/RMPA, BLM should clearly document what (if anything) has changed between 2015 and now that would make “special management” necessary to protect GRS resources. On the justification it gives in the DEIS/RMPA, designation of ACECs is not warranted.

**v. BLM must, but did not, consider past and current human influence on areas proposed for designation as ACECs as part of its special management analysis.**

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<sup>94</sup> *Id.*

<sup>95</sup> *Id.* at ES-7.

<sup>96</sup> *Id.* at 4-120.

Of the layers that BLM reviewed to determine ACEC boundaries,<sup>97</sup> BLM did not include a single layer that related to human existence and influence. If ACECs cannot be designated absent special management actions that “protect and prevent irreparable damage” from human influence, an understanding of the baseline condition of human influence must be the foundation on which all analysis is founded. Without this consideration, the currently proposed ACEC boundaries in many areas encompass areas considered the lowest landscape intactness by the USGS model that was completed with BLM. Ecological Site Descriptions (ESD) and the current ecological state of areas as well as restoration pathways are also absent from the layers analyzed. These metrics are outlined in the State and Transition Model (STM)/Disturbance Response Group (DRG): they are published and available for use by BLM.

The “special management” required for ACECs has to be grounded in the best available rangeland science to know what must be done to “prevent irreparable damage”—all grounded in ESDs and their STMs. To not consider the on-the-ground ecology of sites within proposed ACECs is a fatal flaw to all analyses and management prescriptions put forward for ACECs.

#### **D. RMPA<sup>98</sup> and ACECs disincentivize and undermine cooperative conservation.**

The RMPA and ACECs components will undermine Eureka County’s and county landowner and citizen efforts to conserve GRS in Eureka County and consequently harm the environment and GRS. Eureka County (and the State of Nevada through the Sagebrush Ecosystem Program) stepped up when challenged to do so by prior Interior secretaries and Nevada governors to do what was necessary to stave off undue and restrictive or preclusionary “hands off” land use provisions and avoid a GRS ESA listing. We have been successful in conserving and enhancing GRS without the added burden of the RMPA and ACECs. Thus, we are deeply concerned that BLM and other state and federal agencies have discarded the conservation work and partnerships accomplished at the local level instead focusing on development of a typical government top-down approach for another planning process. Approaching GRS conservation from a top-heavy, top-down approach undermines these local efforts and does little to build a spirit of partnership with those local entities necessary if any planning effort is going to be successful in implementation of real conservation.

We have done substantial habitat work within the ACEC boundaries and HMA areas and have created and expanded habitat as can be readily seen from the habitat maps and ACEC boundaries. This work was completed in cooperation with landowners and land users, including private landowners, ranchers with grazing permits, mining companies, recreationists and sportsman, etc. These efforts all to improve conditions for GRS to preclude more onerous and restrictive management being imposed. It is a slap in the face, a bait and switch, for BLM to consider imposing one of the most restrictive land designations and management schemes completely antithetical to the incentives to “do the right thing” that brought folks together. The RMPA and ACECs would punish those whose management is creating the conditions to be important habitat and ACECs.

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<sup>97</sup> These are listed at DEIS, Vol. III at 5-5-5-6.

<sup>98</sup> While Eureka County comments on the issue of undermining cooperative conservation in this section on ACECs, it applies to many provisions of management decisions and allocations for HMAs, regardless of ACEC designation.

We have created an incentive for landowners, ranchers with BLM grazing permits, mining companies, and other agencies to work with us to implement these projects in the course of our land use planning and natural resources conservation. This incentive vanishes as a result of the RMPA and ACECs, which will discourage these same partners from coming to the table to work on real on-the-ground projects because of the restrictive provisions.

Eureka County has built relationships and gained approvals from private landowners and acquired funding, including grants, to hire hand-crews to reduce the density of and selectively remove pinyon-juniper trees encroaching into GRS habitat from over 4,487 acres of private land and 1,813 acres of public land in GRS habitat on Roberts Mountain, the Diamond Range, the Monitor Range, and the Sulphur Springs Range mostly in or adjacent to the ACEC boundaries. This proactive work, all completed since 2013, was at a direct cost of \$649,825 (not including any in-kind costs) and we have additional funds committed for continued habitat projects. The RMPA and ACECs will interfere with these types of conservation projects, making private landowners less able and willing to cooperatively work on conservation efforts, which will frustrate the goal of conserving and enhancing GRS habitat.

Eureka County, through the Eureka Conservation District (ECD), the Eureka County Department of Natural Resources (ECDNR), and the Eureka County Advisory Board to Manage Wildlife (ECABMW) have taken the lead on other projects to rehabilitate and restore agricultural lands in and adjacent to GRS habitat that includes incorporating soil amendments and grass and forb species in fallow land seedings that GRS utilize for food and cover and funding construction of wildlife escape ramps and distributing dozens of these ramps for use in water troughs in GRS habitat.

Because invasive weeds increase wildfire risks are a principal threat to GRS habitat, the ECDNR and ECD have implemented substantial noxious and invasive weed treatments throughout the County through our Weed District. On average, we treat over 1,000 acres of noxious and invasive weeds per year at a cost of \$60,000 to \$100,000 per year. The majority of weed infestations we treat are adjacent to roads and the opportune treatment window is in the spring when the weeds are actively growing. Potential travel restrictions and clouded title on county roads will limit our ability to efficiently access all areas we need to for weed control. Further, the weed district funds are generated through a tax on private lands within the district. District funds have been spent on weed control on BLM managed lands. The incentive to utilize district funds for any weed treatments off of private lands is undermined by the RMPA and ACEC restrictions. ECABMW has also constructed, maintained, and repaired wildlife water guzzlers that benefit GRS and other wildlife species. Eureka County's strong commitment to wildlife is reflected on every agenda for the ECABMW, which includes a standing item related to pursuing wildlife habitat enhancement projects. Even without the RMPA, we have had difficulties getting wildlife water developments and habitat projects approved on BLM managed land and the additional red-tape added through the RMPA and ACECs will further impact our ability and will to pursue and implement these projects.

Additionally, since 2010, ECDNR has applied for and received three separate Clean Water Act 319(h) subgrants through the Nevada Division of Environmental Protection that have had direct

benefit to GRSG. These subgrants provided 50% of the total project costs. One subgrant worked with a rancher at a cost of \$130,381.54 to construct a riparian grazing pasture to reduce livestock use, hired range riders to move livestock off riparian areas, and implemented monitoring for adaptive management. The second subgrant worked with a rancher at a cost of \$61,961.00 to develop an off-stream water development to draw livestock from riparian areas and implemented monitoring for adaptive management. The third subgrant at a cost of \$60,000 developed an off-stream water development to draw livestock from riparian areas, which have been recognized as an important but limited habitat for GRSG. All of these projects were completed within the ACEC boundaries.

These examples above are just a sampling of the efforts Eureka County has undertaken, working with landowners within and adjacent to ACECs, and public lands users to benefit GRSG and conserve its habitat. These coordinated efforts rely upon the continued use of public lands in combination with private lands and the RMPA and ACECs will interfere with what have proven to be effective conservation strategies. The RMPA and ACECs will also create bureaucratic delays and additional red-tape that will further hamper efforts on-the-ground. Rather than promoting and facilitating conservation work and partnerships at the local level with a proven track record of success, the RMPA and ACECs represents a cumbersome, top-down approach that will not effectively or efficiently achieve conservation.

**E. The proposed ACEC designation is inconsistent with County and State policies and programs.**

**i. The proposed designation is inconsistent with Eureka County's plans and policies.**

The explicit language of Section 202(c)(9) of FLPMA provides that the local knowledge and concerns of counties be adequately considered in the land use planning process, ostensibly to ensure that the federal government does not encroach on local needs.

Eureka County in particular demonstrated during the Nevada litigation challenging the 2015 RMPA that not only would BLM's restrictions directly interfere with key county planning measures, but they interfere also with Eureka County's own Master Plan<sup>99</sup> and Title 9 of the Eureka County Code,<sup>100</sup> both of which promote GRSG habitat conservation. The current DEIS/RMPA and ACEC provisions are even more inconsistent than the 2015 RMPA with key elements of County Code Title 9, including Chapter 30, the framework for land-use planning on federal lands; Chapter 40, procedures to ensure that there is full disclosure and cooperation regarding decisions affecting federal lands located within the County; and Chapter 50, which

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<sup>99</sup> As Eureka County explained during the 2015 RMPA litigation in the Nevada Court, in 2006 it updated the Land Use Element of the Eureka County Master Plan with substantive provisions for wildlife and wildlife habitat, which include sage grouse. This plan was again updated in 2010 to become the Natural Resources and Federal or State Land Use Element of the Master Plan ("Eureka Master Plan"). The Eureka Master Plan was adopted pursuant to and in compliance with Nevada Revised Statutes Chapter 278.

<sup>100</sup> Title 9 of the Eureka County Code provides for conservation of natural resources and wildlife, including the GRSG.

declares that the County holds title in trust for the public to all public roads and public travel corridors in the County except for State and federal highways.

Eureka County previously submitted detailed comments and again in this comment letter regarding the need for consistency with these County policies and codes, and explaining that the County plans better provide for GRSG habitat conservation and enhancement while maintaining a strong economic base. We incorporate those here. The BLM must consider the data and efforts available to it through Eureka County's plans and policies, address the blatant inconsistencies, and strive for better coordination with local governments given the Nevada district court's recognition of Nevada's unique interests in the sage grouse planning process.<sup>101</sup>

**ii. RMPA<sup>102</sup> and ACECs undermine the State Plan and Conservation Credit System.**

In addition to being inconsistent with Eureka County's plans, policies, and programs and interfering and undermining proactive, incentive-based conservation actions, the RMPA and ACECs is also inconsistent with the Nevada State Plan and similarly interferes with and undermines the work, substantial funding, and active conservation projects done through the Nevada Sagebrush Ecosystem Program including the SEC and the SETT.

The immediate past Eureka County Commission Chairman, Dr. Goicoechea, served for many years on the SEC as the local government representative in developing the Nevada Sage-grouse Conservation Plan (including the CCS). The current Eureka County Natural Resources Manager, Mr. Tibbitts, was appointed by the Governor to replace Dr. Goicoechea on the SEC as the local government representative. Eureka County is thus uniquely qualified to comment on the inconsistencies and conflicts between BLM's RMPA and ACECs and the State Plan through the lens of local government representation.

The RMPA and ACECs conflicts with a basic premise of the Nevada Plan which does not prohibit or exclude land uses in GRSG habitat areas but requires that impacts be avoided if possible, minimized to the maximum extent possible, and mitigated if impacts cannot be avoided. This premise recognizes that multiple use and sustained yield of the land is essential to the State's economy and social stability and at the same time fully compatible with habitat conservation. The State Plan protects GRSG populations, conserves their habitat, and focuses on reducing the primary threats to GRSG habitat—wildfire and invasive grass species. In contrast, the RMPA and ACECs focuses on restricting and prohibiting land uses, including land uses not identified as primary threats to GRSG, which is completely inconsistent with the Nevada Plan.

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<sup>101</sup> See *W. Expl., LLC*, 250 F.Supp.3d at 731.

<sup>102</sup> While Eureka County comments on the issue of undermining the State Plan and CCS in this section on ACECs, it applies to many provisions of management decisions and allocations for HMAs, regardless of ACEC designation, as we outlined here and above.

**F. ACECs are neither necessary nor appropriate tools; indeed, they may prevent habitat conservation by increasing wildfire threat.**

As we have commented at length in cooperating agency comments and in these comments, the primary cause—by orders of magnitude—of loss of GRS habitat is wildfire and subsequent growth of invasive vegetation. BLM’s own analysis shows that 87% of habitat loss in the Great Basin is due to wildfire. By contrast, loss of PHMA to anthropogenic surface disturbing activities totals less than 1.28%. Effective GRS conservation must concentrate on preventing large scale ecosystem disfunction issues (wildfire, invasive vegetation) and building and sustaining the partnerships necessary to address these threats across ownership boundaries and jurisdictions. ACECs do none of these things—fire and invasive vegetation do not stop for an ACEC boundary. For this reason, the proposed designation of ACECs in Alternatives 3 and 6 do not meet BLM’s purpose and need: to “address the continued GRS habitat losses that are contributing to declines in GRS populations.”<sup>103</sup>

In fact, designation of ACECs may exacerbate the primary causes of GRS habitat loss because ACECs have frequently been used as false pretexts for elimination of activities, like managed grazing, which have important benefits for managing fine fuels and controlling wildfire.<sup>104</sup> For this reason, ACECs should only be designated where they are required to ensure conservation outcomes. Given the primary causes of GRS habitat loss (wildfire and invasive vegetation) ACECs are neither necessary nor appropriate conservation tools in this instance.

**G. The socioeconomic impact analysis of ACECs is inadequate.**

The DEIS/RMPA does not adequately analyze the extent to which ACECs would economically and socially harm rural counties, like the County, that depend on mineral exploration and development. Below, we further address BLM’s inadequate discussion of socioeconomic impact resulting from the RMPA as a whole, and we incorporate into this discussion of BLM’s ACEC analysis that more general discussion.

A recent state report found that mining, quarrying, and oil and gas extraction accounted for the overwhelming majority of employment in Eureka County.<sup>105</sup> Tens of thousands of active mining claims have been staked on federal land within the County’s boundaries. Based on data available from the Nevada Division of Minerals, there are 9,971 mining claims in just the Eureka County portions of the ACECs with nearly 33,000 claims in the ACECs as a whole. The restriction of mining in ACECs under Alternative 3 and the requirement, under Alternative 6, of a plan of operations for any mining activity beyond casual use would be a major financial burden on many small mining companies and would likely preclude exploration and development with downstream economic losses to Eureka County’s economy. There would also be impacts to mining claim fees paid to both counties and the state (and BLM) to maintain and perpetuate mining claims. Fees that go towards administering overall minerals programs. BLM does not present an unbiased

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<sup>103</sup> DEIS at 1-5.

<sup>104</sup> One example is designation of Research Natural Areas (RNAs) in Oregon under the 2015 RMPA; under that plan, portions of 13 RNAs were unavailable for grazing. *Id.* at 2-105.

<sup>105</sup> Lightcast, Eureka County Nevada Economy Overview, at 2, 17 (2024) <https://goed.nv.gov/wp-content/uploads/2024/04/Eureka.pdf>.



environmental effects analysis of ACECs which includes estimates of potential socioeconomic effects to mining exploration companies, on small rural businesses supporting mining exploration, on the County, on the local job market, and on special districts that are supported by the claim fees, and Net Proceeds of Minerals tax.

First, BLM discusses likely impacts from proposed management actions at a high level of abstraction.<sup>106</sup> For example, BLM states: “Management of ACECs would impose greater restrictions on mineral development in some areas, which may increase costs or push development to other lands.”<sup>107</sup> Or: “Requiring a plan of operations in ACECs would increase administrative process and cost for operators conducting exploration. This could result in a reduction in exploration in ACECs, compared with Alternative 1, which could lead to a reduction in development and production in these areas as well. If this results in a reduction development, there could be impacts on economic and social conditions in the surrounding communities.”<sup>108</sup>

This vague and confusing summary is inadequate and incomplete. The mineral exploration industry, as well as active mines, is a major economic contributor to Eureka County. A University of Nevada study notes that “exploration activity is primarily focused in rural areas and can have a substantial impact on the local economies.”<sup>109</sup> According to this study, \$309,103,098 was spent on exploration in Nevada in 2021 and a minimum of \$350,041,568 was spent on exploration in 2022. “Employment showed similar year-over-year improvements with a minimum of 524 employees in 2021 growing to a minimum of 619 in 2022, a 15% annual increase.”<sup>110</sup> These figures do not account for the indirect and induced economic contributions that add even more economic contributions. The cost of claim fees/leases, uncertainty surrounding mining laws and regulations, and the time and/or cost of permitting were viewed as factors with negative impacts. None of this information was contemplated in the DEIS/RMPA. Neither were the social aspect of **socioeconomics** adequately included.

Second, the DEIS/RMPA fails to give a sufficiently detailed account of how such projected losses would curtail County and other services, such as law enforcement, medical services, school services, emergency services, fire services, and other local services that depend on sustained discovery and growth in the mining industry. Nor does it offer more than glancing consideration of how deterioration of such services would transform our communities, or affect underserved populations (environmental justice considerations) and social stability. The DEIS/RMPA additionally fails to consider how the “hard” disturbance cap on ACECs could impact the development of infrastructure on ACECs necessary for the protection of human life and safety. Nevada counties requested in our cooperating agency comments that these effects be considered and that BLM include an exception where public health and safety (not just in a catastrophe or emergency) is at issue.

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<sup>106</sup>See DEIS at 4-179.

<sup>107</sup> DEIS, Vol. III at 10-31.

<sup>108</sup> *Id.* at 10-34–10-35.

<sup>109</sup> Travis Fisher, *Nevada mineral and energy resource exploration survey 2021/2022—Nevada Bureau of Mines and Geology Exploration Survey ES-2022*, at 3 (2022).

<sup>110</sup> *Id.*

#### **H. BLM improperly conducted ACEC designation and publication at the national rather than state level.**

BLM regulations provide that “[t]he State Director, upon approval of a draft resource management plan, plan revision, or plan amendment involving ACECs, shall publish a notice in the Federal Register listing each ACEC proposed and specifying the resource use limitations, if any, which would occur if it were formally designated.”<sup>111</sup> BLM takes other parts of this ACEC regulation seriously: for example, it set a 60-day comment period for the ACEC section of the 2024 DEIS/RMPA to comport with the regulation.<sup>112</sup> But state-specific ACEC designations were not published in the Federal Register by directors for the ten states involved in the 2024 DEIS/RMPA.

That BLM regulations locate responsibility for ACEC publication is located with the State Director again demonstrates, consistent with our comment above, that BLM’s planning regulations require land use plans to be developed at the field office level with the oversight and approval of state directors. ACECs should only be proposed, evaluated, and designated at the state office level with local input and coordination.

**REQUESTED CHANGE:** BLM should not designate ACECs as part of its 2024 GRSG planning effort. Its consideration of ACECs in the FEIS/RMPA must explain differences between the 2015 RMPAs, which decided that designation of ACECs was unnecessary, and the current situation. BLM must present a thorough, unbiased environmental effects analysis of both ACEC alternatives, which must include all potential socioeconomic effects to mining companies and Eureka County and its citizens. Finally, ACECs should only be evaluated considered at the field office or state level, consistent with BLM regulation.

#### **V. BLM’s socioeconomic analysis is entirely inadequate, contravening NEPA.**

NEPA requires that an EIS’s environmental consequences analysis address, “[w]here applicable, economic and technical considerations.”<sup>113</sup> “[W]hen the agency determines that economic or social and natural or physical environmental effects are interrelated, the environmental impact statement shall discuss and give appropriate consideration to these effects on the human

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<sup>111</sup> 43 CFR § 1610.7-2(b) (emphasis added).

<sup>112</sup> BLM explained that “NEPA regulations [at 43 CFR § 1610.7-2(b)] require [that] we consider all substantive comments . . . provided during the comment period. And so, while there is a 60-day comment period for ACECs as identified in BLM[']s regulations [if] substantive . . . comments related to ACECs [are] provided after that, but within the planning[—]within the overarching comment period, we will need to consider those as well.” BLM, Transcript of Virtual Public Meeting for the Greater Sage-Grouse Draft Resource Management Plan Amendment and Environmental Impact Statement, at 01:12:34–01:12:45 (Apr. 9, 2024) [https://eplanning.blm.gov/public\\_projects/2016719/200502020/20109295/251009289/2024\\_GRSG-DEIS%20Virtual%20Public%20Mtg1-04-09-2024\\_Transcript\\_508.pdf](https://eplanning.blm.gov/public_projects/2016719/200502020/20109295/251009289/2024_GRSG-DEIS%20Virtual%20Public%20Mtg1-04-09-2024_Transcript_508.pdf). We are grateful for the opportunity to provide comments on the ACECs as part of the 2024 GRSG DEIS/RMPA, and think this assessment of the DEIS/RMPA in its entirety makes sense.

<sup>113</sup> 40 C.F.R. § 1502.16(a)(10).

environment.”<sup>114</sup> Here, BLM acknowledges that its RMPA will have economic impact.<sup>115</sup> But its discussion of social and economic conditions—seven pages in the main body of the DEIS and an approximately 90-page appendix—ranges across ten states and provides very little granular detail that is useful at the local level. BLM does not quantify the social or economic effects of the proposed actions on industries including ranching and mining, does not provide detailed information on economic and fiscal impacts to counties, and does not rely upon the best available information.

The Draft RMPA/EIS fails to provide an adequate inventory and analysis of lost current and future uses and the impacts of such restrictions from socioeconomics to climate change to national security and supply chain issues and the impact to Eureka County’s proprietary interests including the environmental health of its land interests must be thoroughly analyzed and provided. The socioeconomic language in the Draft RMPA/EIS is woefully inadequate and mostly worthless and unusable for Eureka County to weigh the socioeconomic impacts of the RMPA and ACECs. This is especially egregious and cavalier given Eureka County’s specific scoping comment requesting adequate and useful socioeconomic impact analyses that was missing in the 2015 RMPA EIS. The lack of socioeconomic analysis for Eureka County jeopardizes all RMPA decisions in the future. The HMA and ACEC designations will have severe impacts on our economy and social stability. As we also noted in our scoping comments, more information is now readily available for BLM to conduct adequate socioeconomic analysis. BLM must arrange for economic data and information to be collected or assembled if already available.<sup>116</sup> For example, BLM’s effort with the University of Nevada, Reno (UNR) College of Agriculture, Biotechnology and Natural Resources, UNR College of Business, UNR Cooperative Extension, the US Forest Service and counties to complete a socioeconomic baseline data collection for all counties in Nevada through the Nevada Economic Assessment Project (NEAP) has resulted in volumes of useful data and information. Eureka County expects and requests BLM to utilize NEAP data with other available Eureka County data and information to complete a thorough and robust socioeconomic analysis.

**A. BLM does not accurately or adequately address impacts to industries including ranching and mining, and hence to counties that rely on these industries, and the HMA designation in Alternatives 3–6 is inconsistent with the County’s land use plans, policies, and controls.**

**i. Ranching**

Our analysis shows that the Alternative 3 management actions will result in closure of the majority of BLM-managed lands in the County to livestock grazing, and subsequent loss of the majority of ranching businesses. The DEIS/RMPMA provides an inaccurate or inadequately explained analysis of the impact its proposals augur for ranching.

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<sup>114</sup> *Id.* § 1502.16(b).

<sup>115</sup> *See, e.g.*, DEIS at ES-7 (“The nature and types of social and economic impacts associated with management actions under the alternatives would be similar across GRSG range.”).

<sup>116</sup> *See* 43 C.F.R. § 1610.4-3.

The facts on which BLM relies are either inaccurate or inadequately explained. BLM states that “[o]n annual average, livestock grazing on allotments where PHMA accounted for at least 15 percent of the acreage in the Nevada analysis area is expected to support about 236 total jobs (about 82 direct jobs in the animal production and ranching sectors).”<sup>117</sup> The County is unsure how BLM came to this number. The 2017 Census of Agriculture reports 110 farms in Eureka County alone, and approximately 92% of land in these farms is pastureland.<sup>118</sup> It counted 19,983 head of cattle in the County.<sup>119</sup> BLM’s own data shows dozens of allotments that nearly blanket the County, overlapping with HMA and proposed ACEC designation.<sup>120</sup> Ranchers in Eureka County rely on these allotments for summer grazing. Nearly all livestock production in Eureka County is done in concert with BLM grazing allotments.

Though it includes maps displaying the impact of various alternatives on an array of other industries, from locatable minerals to wind and solar energy, the DEIS does not include any maps that provide overlays of grazing allotments and HMA. Absent this information, the non-granular scale of the HMA maps that BLM has produced makes it difficult to tell exactly how grazing allotments overlap with HMA. The County asks BLM to provide maps in the FEIS that remedy these defects and support its determination that the proposed alternatives will directly affect only 82 jobs. Given the information provided by the DEIS, and the statistics we discuss, above, regarding grazing in Eureka County, we believe that livestock grazing on allotments where PHMA accounted for at least 15 percent of the acreage could affect 82 jobs in Eureka County alone. Thus, the DEIS/RMPA is based on inaccurate and/or inadequately explained information. BLM should significantly augment this analysis, on a county level, in the FEIS/RMPA. Previously, Eureka County provided substantial data and information on the socioeconomic linkages with ranching, based on Cooperative Extension and Nevada Department of Agriculture data, that directly refutes BLM’s methodology and conclusions in the DEIS.

Finally, Alternatives 3–6 of the DEIS/RMPA are inconsistent with the County’s Natural Resources and Land Use Plan and other county policies. The County Plan states that our object is “active management of range resources by permittees rather than by public agencies” and “limiting the role of public agencies to monitoring range condition as per the 1984 Nevada Rangeland Monitoring Handbook and determining compliance with applicable laws.”<sup>121</sup> Alternatives 3–6 propose increasingly restrictive management (including exclusion of livestock grazing) by BLM and, contrary to the best available science, limit the role of proper livestock grazing by permittees in creating or sustaining GRSG habitat. BLM contravenes NEPA by its failure to explain this inconsistency and it contravenes FLPMA by not ensuring maximal consistency with County land use plans and policies.

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<sup>117</sup> DEIS at 4-146.

<sup>118</sup> USDA, 2022 Census of Agriculture Eureka County Profile, at \*1 (2022)  
[https://www.nass.usda.gov/Publications/AgCensus/2022/Online\\_Resources/County\\_Profiles/Nevada/cp32011.pdf](https://www.nass.usda.gov/Publications/AgCensus/2022/Online_Resources/County_Profiles/Nevada/cp32011.pdf)

<sup>119</sup> *Id.* at \*2.

<sup>120</sup> See <https://gbp-blm-egis.hub.arcgis.com/datasets/BLM-EGIS::blm-nv-grazing-allotments/explore?location=39.972103%2C-116.268560%2C8.00>.

<sup>121</sup> Eureka County Code, tit. 9 ch. 060(F)(2)(h), (i).

## ii. Mining

The County Natural Resources and Land Use Plan states that “[o]ver ninety percent (90%) of the County’s employment is in the Natural Resources and Mining sector (including agriculture).”<sup>122</sup> The “primary planning guidance” in our Natural Resources and Land Use Plan states: “It is critical to the welfare of the citizens of Eureka County and the nation that mining on state and federal lands remains an open and free enterprise.”<sup>123</sup> In light of this information and FLPMA’s and NEPA’s respective consistency and consistency disclosure requirements, BLM’s analysis of impacts to mining is remarkably cursory. For example, as noted above, BLM’s impacts analysis of ACECs fails to consider key, publicly available information regarding the effect of additional administrative requirements (such as a mandated plan of operations even for small projects) or of restrictions on mining activity in certain areas.

Additionally, as noted above regarding Alternative 3, BLM would recommend that certain areas are withdrawn from location and entry under the Mining Law. BLM adds, correctly, that the Secretary of the Interior would need to separately designate lands for withdrawal, and states that “if the Secretary ultimately decided to withdraw the land, such a withdrawal would likely result in a reduction of economic activity in mining sectors.”<sup>124</sup> The County understands BLM’s view that this recommendation does not constitute an impact. However, we note (as the DEIS does) that the Secretary is currently in the process of evaluating impacts of mineral withdrawal under the 2015 ARMPAs. We ask BLM to include further impact analysis regarding economic effects of the proposed management actions on mineral development.

### **Impacts to Mining Translate to Impacts to Regional Stability and National Security**

The General Mining Law of 1872 encourages individuals to “prospect, explore and develop the mineral resources of the public domain.”<sup>125</sup> This policy was again declared and further explained in the Mining and Materials Policy Act of 1970: “it is the continuing policy of the Federal Government in the national interest to foster and encourage private enterprise in (1) the development of economically sound and stable domestic mining, mineral, and metal and mineral reclamation industries, (2) the orderly and economic development of domestic mineral resources, reserves, and reclamation of metals and minerals to help assure satisfaction of industrial, security and environmental needs.”<sup>126</sup>

In accord with these policies, Section 102(a)(12) of FLPMA requires BLM to manage public lands “in a manner that recognizes the Nation’s needs for domestic sources of minerals.”<sup>127</sup> In addition, the Department of the Interior’s Climate Action Plan recognizes the national importance of critical minerals and domestic supply chains. Action 3 in the Climate Action Plan

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<sup>122</sup> *Id.* ch. 050(A). Tellingly, BLM does not provide its own County-specific employment statistics for Eureka County.

<sup>123</sup> *Id.* ch. 9.060(E).

<sup>124</sup> DEIS at 4-163.

<sup>125</sup> *Ctr. for Biological Diversity v. DOI*, 623 F.3d 633, 654 (9th Cir. 2010) (internal quotation marks omitted).

<sup>126</sup> 30 U.S.C. § 21a.

<sup>127</sup> 43 U.S.C. § 1701(a)(12).

is a “transition to a resilient clean energy economy” with an outcome of climate-resilient infrastructure that supports current energy and mineral resource needs and future energy needs.<sup>128</sup> The BLM should analyze a Climate Action Plan/Multiple-Use Alternative that considers the policies that require optimization of domestic development of minerals.

Particularly, the County does not support restrictions on the development of mineral resources in ACECs. The mitigation hierarchy and implementation of the Nevada State Plan can be applied to allow for responsible development and provide solutions for possible mitigation that can rehabilitate or enhance GRSG habitat that will otherwise continue to be overrun by invasive vegetation following destruction of habitat by wildfires. This is a lawful approach, compliant with FLPMA and other federal law and consistent with the BLM’s previous findings regarding the proposed mineral withdrawal for GRSG habitat conservation, recognizing that if the withdrawal did not proceed, only one-tenth of 1 percent of the total withdrawn area was likely to be developed. The mining industry is important to the County’s economy, customs and culture and any restrictions proposed by the BLM must include an extensive assessment of the socioeconomic impacts of any restrictions the plans propose be included.

**B. BLM does not adequately address impacts to rural counties like Eureka County, including by not incorporating data from the Nevada Economic Assessment Project into its analysis.**

In prior RMPA processes, the County has made critical economic impact information available to BLM through locally sourced data and reports. Much of this has been compiled in reports released by the NEAP, a project in which BLM is partner with the University of Nevada, Reno, and the Forest Service. Nonetheless, BLM’s assessment of economic impact to rural counties that depend on public lands and proper management of public lands for much of their revenue and provision of services to the public is truncated, and it does not rely on data readily available to BLM. BLM must improve this analysis to comply with NEPA.

BLM states that “[t]he nature and types of social and economic impacts associated with management actions under the alternatives would be similar across GRSG range, however, effects would not be evenly distributed and may be felt at the individual community-level to a greater degree.”<sup>129</sup> But it does not assess how those impacts would be felt at the community level. In Appendix 13, the DEIS/RMPA’s most detailed socioeconomic impact analysis, BLM states that “[d]ue to the size of the planning area, a narrative is not included here for all relevant communities of place,” like counties, “bound together because of where they reside, work, visit, or otherwise spend a continuous portion of their time.”<sup>130</sup> BLM refers in a footnote to more detailed information regarding Nevada counties provided in reports developed by the NEAP. The NEAP has its foundations in prior GRSG planning efforts and was intended to be a common baseline data source for Nevada’s counties. But it appears to not have been employed in the 2024 RMPA/DEIS. We ask BLM to incorporate these data into the FEIS analysis.

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<sup>128</sup> DOI, Climate Action Plan, at 17 (2021).

<sup>129</sup> *Id.*

<sup>130</sup> DEIS, Vol. III at 13-4-1.

Further, BLM acknowledges that “[s]tate and local governments collect a variety of revenues related to the use of natural resources. These revenues could be indirectly impacted by BLM management decisions on GRSG HMAs, if the decisions affect the level of use of natural resources.”<sup>131</sup> Indeed, the Eureka County Natural Resources and Land Use Plan states that “Eureka County is and will ever be dependent upon natural resources for its economic existence” and that “[m]ining presently contributes the major portion of the County’s personal income and tax revenue stream.”<sup>132</sup> BLM does not provide any analysis in the DEIS as to how additional hurdles for mineral exploration and development associated with ACECs, especially, would affect county revenues. As we note above, BLM should also address how ACEC designation would affect the County’s ability to comply with its primary mandate: providing for the health, safety, and welfare of its citizens.

**REQUESTED CHANGE:** BLM’s socioeconomic impact analysis is based on inaccurate or inadequately explained information. BLM should rely on the NEAP and data produced by Nevada scholars and agencies, including specific data Eureka County previously provide, to more accurately determine—specific to Nevada and its counties—the effect of the RMPA, including ACECs, on mining and ranching and other uses. It should also assess the effect of restrictions on public safety in rural counties that consist largely of federal public land, and should make appropriate modifications to the FEIS/RMPA on the basis of this information.

## **VI. Technical Comments**

### **A. BLM must recognize the crucial role that managed livestock grazing plays in creating and maintaining desired GRSG habitat conditions and reducing wildfires that destroy or degrade GRSG habitat.**

The DEIS fails to recognize that managed livestock grazing represents an important and cost-effective tool to achieve desired GRSG habitat conditions and to reduce wildfires. Further, increased fuel buildup that will result from economically burdensome and technically ill-advised livestock grazing restrictions in the RMPA will place a burden upon our fire district, where fire protection is heavily implicated with public lands.

BLM’s general dismissal of livestock grazing as a tool is not for lack of information regarding the benefits of managed grazing: our cooperating agency comments on the ADEIS, incorporated here, lay out in detail studies showing benefits of livestock grazing for GRSG. Further, BLM dismissed without considering a proposed alternative “alternative relative to livestock grazing management to facilitate sagebrush recruitment and survival” which would “develop allotment management plans, cooperatively with willing permittees, with objective utilization levels sufficient to facilitate sagebrush recruitment and survival.”<sup>133</sup> Ignoring the best available science and our comments, Alternative 3 would close millions of acres to livestock grazing and other RMPA restrictions could severely impact grazing.

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<sup>131</sup> *Id.* at 13-3-29.

<sup>132</sup> Eureka County Code, tit. 9 ch. 040(H), 050(A).

<sup>133</sup> DEIS at 2-5.

The County heavily relies on ranching conducted on or in concert with federally managed land, and our Land Use and Natural Resources Plan supports “increasing grazing capacity and other economic incentives to promote private investment in range improvements including, but not limited to, fencing, seeding, water development, improved grazing systems, brush control, piñon/juniper eradication, proper fire management and noxious weed control.”<sup>134</sup> As the DEIS recognizes, “[i]n the 2015 USFWS not-warranted determination on GRSG, the agency determined that meeting Land Health Standards, including proper management of livestock numbers, season of grazing and application of adaptive management strategies minimized population level effects on the species.”<sup>135</sup> Additionally, “USFWS found improper grazing by domestic livestock and free-roaming horses and burros can have negative impacts to sagebrush and GRSG at local scales . . . but previously did not find it was a principal factor affecting the status of the species.”<sup>136</sup>

BLM’s own analysis indicates that managed grazing is an important tool in GRSG habitat conservation instead of a threat to GRSG. Thus, BLM should reject in the FEIS/RMPA the grazing restrictions imposed in the RMPA including Alternative 3. Based on the terms and conditions of livestock grazing permits, the rangeland health regulations, authority of BLM to administering grazing permits that make progress towards established standards and guidelines, BLM exerts significant control over livestock grazing that it does not, for example, over WHB. In light of the potential to enhance protection of habitat areas (especially for management of fine fuel loads and invasive plants) properly managed livestock grazing should be the focus rather than grazing prohibition and restriction. BLM’s analysis of alternatives should start from the proven premise that managed livestock grazing are a benefit for GRSG, and the analyses should consider how to further incorporate managed livestock grazing into the protection strategy.

The County suggests measures to allow for and streamline Temporary Non-Renewable (TNR) or other nonrenewable allocation of forage for fuels reduction in general and specifically including measures to allow for targeted cheatgrass control or other fine fuels control through TNR-type measures. BLM should include best available science related to livestock grazing: this will permit a reasoned choice between alternatives.

Finally, we note that in Nevada, much prime sage grouse habitat, especially late brood rearing habitat—often the most limited habitat type available to GRSG—is on private lands. In most cases, these private lands are associated with public lands grazing permits. We have seen increased restrictions on BLM allotments simply increase pressures to private land and have also seen ranches choose to subdivide and develop (destroying GRSG habitat) due to increases in BLM regulatory pressure and associated financial and logistical burdens. BLM should include in the FEIS/RMPA discussion of undue restrictions to ranchers on BLM lands may create a feedback loop that incentivizes ranchers to “make up” the financial loss by selling off or developing important private rangelands.

#### **B. The disturbance cap calculation should not include non-federal land.**

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<sup>134</sup> Eureka County Code tit. 9 ch. 060(F)(2)(c).

<sup>135</sup> DEIS at 2-103.

<sup>136</sup> *Id.*



As an initial matter, the County notes that it does not support use of a disturbance cap as inconsistent with the State Plan. However, we note that for Alternatives 3–6, BLM plans to include in its disturbance cap calculation disturbance on non-BLM lands. It states that such analysis is “consistent with the BLM’s responsibility to consider cumulative impacts when making decisions for activities on public lands.”<sup>137</sup> This misunderstands both RMPAs and the cumulative effects analysis that NEPA requires.

As noted, an RMPA is intended to set the scene for BLM’s more site-specific decisions. This is evident in BLM’s statement that, for the RMPA, “[t]he cumulative effects analysis area for GRSG is the same as the planning area, which encompasses the entirety of the GRSG current range.”<sup>138</sup> This massive cumulative effects area is only possible in an RMPA where the goal is to benefit a species.

Whenever BLM permits a project, it must make a site-specific decision as to the area in which cumulative effects analysis is appropriate.<sup>139</sup> Indeed, courts have repeatedly held that cumulative effects analysis that does not include “site-specific information” does not constitute the hard look that NEPA requires.<sup>140</sup> It is inappropriate for BLM to predetermine the scope of the cumulative effects analysis at the RMPA stage. The DEIS/RMPA is required to consider cumulative effects as part of its NEPA analysis of the RMPA; it is not meant to prescribe what cumulative effects should be considered as part of BLM’s NEPA analysis of other, future federal actions. Here, BLM’s across-the-board approach to the cumulative effects analysis does not comport with NEPA, and opens BLM to litigation risks.

**C. BLM should address lingering issues with wild horses and burros that it has not frankly described or adequately considered in this or previous RMPs/EISs.**

As BLM summarizes them in the DEIS/RMPA, the 2015 Nevada GRSG ARMPA required BLM to “[m]anage wild horse and burro populations within established appropriate management levels (AML); [i]ncorporate GRSG habitat objectives into wild horse and burro management (e.g., herd management area plans, AML) monitoring, and gather prioritization, with prioritization of such activities in SFAs, then PHMA, then GHMA; [p]rioritize gathers in GRSG SFAs and PHMA unless removals are necessary in other areas to address higher priority issues, including herd health impacts.”<sup>141</sup>

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<sup>137</sup> DEIS at 2-32.

<sup>138</sup> *Id.* at 4-229.

<sup>139</sup> 40 C.F.R. § 1508.1(g)(3).

<sup>140</sup> *Or. Nat. Res. Council v. BLM*, 470 F.3d 818, 822 (9th Cir. 2006) (EA was insufficient where BLM did not “consider quantified and detailed information regarding the cumulative impact of the [specific] project combined with past, present, and reasonably foreseeable logging projects. Second, the EA was tiered to other documents that did not contain the requisite site-specific information about cumulative effects” (emphasis added).); see also *Klamath-Siskiyou Wildlands Ctr. v. BLM*, 387 F.3d 989, 997 (9th Cir. 2004) (“What is missing in the [EA] documentation, however, is any specific information about the cumulative effects.”).

<sup>141</sup> DEIS at 2-114.

In Eureka County's experience, these provisions have not been adhered to before or after institution of the 2015 ARMPAs. As BLM acknowledges in the DEIS, unmanaged WHB grazing amounts to a real threat to GRSG. It also violates FLPMA: when BLM develop an RMP, it must govern subsequent management decisions "in accordance with" that RMP.<sup>142</sup> FLPMA's directive "prevent[s] BLM from taking actions inconsistent with the provisions of a land use plan."<sup>143</sup>

As examples, we have documented a 2013 gather of 792 horses from the Diamond Complex. More horses were gathered than anticipated due to poor physical health as well as compromised range conditions. The BLM estimated 78 horses remained on the entire Complex after the gather, but a subsequent census flight found that at least 450 horses, more than 200% of AML.<sup>144</sup> Recent reporting documented 1,161 horses on the Roberts Mountain Complex; this herd management area (HMA) has an AML of between 110 and 184 horses.<sup>145</sup>

The FEIS/RMPA should address this issue and be frank and propose real, actionable solutions to the WHB issue that were not identified in previous land use plans. Among BLM's considerations should be that previous plans failed to acknowledge that WHB remain on the public lands on a year-round basis and are not managed for the benefit of the rangeland resource that supports their very existence. There typically are no rest periods for the range in HAs or HMAs, riparian areas nor wetland meadows. Numbers control is all that the BLM have available to them today to effectively manage horses. In addition, attempts to restore rangelands to benefit GRSG within HMAs is improbable due to restrictions that would be applied if BLM attempted to protect new seeding or defer use from an area for a period of time to allow for natural regeneration. Fencing and other structural improvements would also become a real challenge.

BLM's failure to properly manage WHB has created a situation, in many cases, where the burden is now on the other users of the land, primarily wildlife (including GRSG) and ranchers, to pay the price for BLM's shortfall. The FEIS should explore alternatives.

**D. BLM should not use Sage-grouse Habitat Assessment Framework (HAF) and "intactness" to support management actions; it is not best available science. Instead, there should be focus on Ecological Site Descriptions (ESD) and associated State and Transition Models (STM).**

The DEIS includes many descriptions of the need to protect or conserve "intact sagebrush ecosystems," "intact habitats," "intact landscapes," etc. Yet, what is meant by "intactness" is never defined and open to extreme subjectiveness. We often see the word "intact"

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<sup>142</sup> 43 U.S.C. §§ 1712(a), 1732(a).

<sup>143</sup> *Norton v. S. Utah Wilderness All.*, 542 U.S. at 69 (citations omitted); see also 43 C.F.R. § 1610.5-3(a) ("subsequent more detailed or specific planning [must] . . . conform to" the RMP).

<sup>144</sup> See Nevada Association of Counties, *Overpopulation of Wild Horses and Burros in Nevada Has Severe Impacts on Both Health of Horses as Well as the Ecological Health and Sustainability of Nevada's Rangelands*, at \*5 (2014) <https://www.naco.org/sites/default/files/documents/Nev-Assoc-Co-WHB-Facts-Photos.pdf>.

<sup>145</sup> Greg Haas, *BLM plans to take more than 1,000 wild horses in roundup northeast of Eureka*, 8 News Now (Oct. 20, 2023); BLM, *2024 Roberts Mountain Complex Wild Horse Gather* (Oct. 22, 2023) <https://www.blm.gov/programs/wild-horse-and-burro/herd-management/gathers-and-removals/nevada-battle-mountain-do-mount>.

misapplied in the terms of ecological function or ecological potential. For example, common dictionary definitions of “intact” include terms such as “not altered,” “untouched,” and “not influenced or swayed.” Managed rangelands can never be “not altered” or “untouched” due to the extent of temporal and geographical habitation of mankind. “Intact” is not defined or considered by the rangeland science community for this very reason. All ecosystems are “intact” in some functional way, even degraded ecosystems. Relying on ESDs and their associated STMs instead informs locations and practices that have a chance for success given the known restoration pathways in the STM. Depending on the given state of any ESD, projects and management influence the site dynamics in different ways. Any given ESD has a range of “potential” states (i.e., vegetation characteristics) based on climatic conditions, past and present disturbance, and other field conditions. Each ESD has multiple states it can exhibit. An understanding and description of the ecological shifts or transitions that have occurred due to legacy management are imperative in order to frame management actions and implement successful practices. Ecological function (while maybe not in a desired ecological state) still exists even in ecologically degraded sites (e.g., ecological state 2 and many community phases of even state 3). But by a strict definition, any ecological site not in reference state (which is arguably every ESD in GRS habitat) cannot be “intact” by pure definition. They may be at risk of crossing an ecological threshold, but that does not mean function is not “intact.” As an example, research has shown high usage by sage grouse of sagebrush "islands" with cheatgrass-dominated understories. Is “intact” looking at the sagebrush component alone or in reference to the ESD? Also, how is an “intact” area defined/delineated? This needs clarified to overcome future wrangling or conflict over what the “intact” area is and how it is determined. We suggest changing “intact” throughout to applicable variations of something like “stable ecological state” or “desired ecological state.” Also, the reason much of Nevada’s BLM managed land could be characterized as intact is because of the past and current management and stewardship of Nevada’s ranchers, hunters, recreationists, and others. Yet the DEIS sets the stage for conflict and working against those who have proven track records and should be worked with. The undue restrictive management on "intact landscapes" would prove to punish those land users that have stewarded the lands to be in the condition that they are today.

We still argue such heavy reliance on the HAF is misguided and not the best available science. While the HAF may be useful in helping define desired habitat suitability, it does nothing to account for actual, attainable ecological potential and the ability of any ecological site to react to inputs to "transition" to a more desirable state. Table 8-1, Habitat Indicators, is very biased in many ways and not grounded in ecological reality for many ESDs. For instance, it calls for greater than 7% residual and live perennial grass cover where shrub cover is greater than 20%. Yet, many ESDs and STMs show that perennial grass cover plummets at sagebrush cover greater than 20%. Higher sagebrush cover is actually a negative transition pathway for some ESDs to degraded sites. It is crucial for BLM to also include very clear use of ESDs and their associated STMs. While there is language referencing ESDs and STMs, the language is not firm and still leaves open “translation” of the habitat objectives to extreme bias and subjectiveness setting this whole process is up for failure given the known and proven shortcomings of the HAF. Instead of the HAF, we request full use of BLM Policy Handbook H-1734, Interagency Ecological Site Handbook for Rangelands. The DEIS on p. 3-7 states that the “Habitat Assessment Framework (HAF) fills the need for a multiple-scale, Sage-Grouse

habitat assessment tool that can be easily integrated into the BLM landscape monitoring approach.” ESDs and associated STMs are the already developed tool that does what the HAF doesn’t – frame ecological site status based on real, ecological potential and ecological realities. BLM Policy Handbook H-1734 requires BLM (and USFS and NRCS) to use “a standardized system to define and describe rangeland ecological sites” and “[i]mplementation of this policy...will facilitate the stratification of rangeland landscapes according to their ability to respond similarly to ecological stressors” and to use ESDs to “provide land managers the information needed for evaluating suitability of the land for various land-use activities, the capability to respond to various management activities or disturbance processes, and the ability to sustain productivity over the long term.” Failure to put use of ESDs and their associated STMs front-and-center in GRSG habitat objectives sets up GRSG management for subjectiveness while breeding unnecessary conflict and implementing undue and unnecessary land use restrictions. The following references also support the use and application of these tools:

- BOLTZ, S., AND G. PEACOCK. 2002. Ecological sites: understanding the landscape. *Rangelands* 24:18-21.
- BRISKE, D.D., B.T. BESTELMEYER, T.K. STRINGHAM, AND P.L. SHAVER. 2008. Recommendations for development of resilience based state-and-transition models. *Rangeland Ecology & Management* 61:359-367.
- SOIL SURVEY DIVISION STAFF. 1993. Soil survey manual. Soil Conservation Service US Department of Agriculture Handbook 18.
- STRINGHAM, T.K., P. NOVAK-ECHENIQUE, P. BLACKBURN, C. COOMBS, D. SNYDER, AND A. WARTGOW. 2015. Final report for USDA ecological site description state-and-transition models, Major Land Resource Area 28A and 28B Nevada. University of Nevada Reno, Nevada Agricultural Experiment Station Research Report 2015-01. p. 1524. Available at: <http://www.cabnr.unr.edu/resources/MLRA.aspx>.
- STRINGHAM, T.K., P. NOVAK-ECHENIQUE, P. BLACKBURN, D. SNYDER, AND A. WARTGOW. 2015. Final report for USDA ecological site description state-and-transition models by disturbance response groups, Major Land Resource Area 25 Nevada. University of Nevada Reno, Nevada Agricultural Experiment Station Research Report 2015-02:572. Available at: <http://www.cabnr.unr.edu/resources/MLRA.aspx>.
- STRINGHAM, T.K., P. NOVAK-ECHENIQUE, D. SNYDER, S. PETERSON AND K. SNYDER. 2016. Disturbance Response Grouping of Ecological Sites Increases Utility of Ecological Sites and State-and-Transition Models for Landscape Planning in the Great Basin. *Rangelands* 38(6):371-378.

**VII. The west-wide planning scale of the 2024 GRSG DEIS/RMPA violates FLPMA and BLM regulations.**

In addition to the Nevada District Court’s remand of the 2015 RMPAs for NEPA violations, the ARMPA was adopted under and landscape scale planning process that is now clearly

impermissible given the repeal of BLM Planning 2.0.<sup>146</sup> This landscape scale planning is now clearly unlawful. In 2016, BLM adopted the Planning 2.0 rule to change the agency’s planning process to shift to landscape-level management approaches that would transcend traditional administrative/local boundaries. Local governments expressed deep concerns that Planning 2.0 would shift land management decisions from local officials to a national level and, legal challenges were brought against the rule as violating FLPMA and other federal laws.<sup>147</sup> State Representatives asserted that the rule would “dramatically shift planning away from local communities to the BLM headquarters, opening the door for special interests in Washington D.C. to have greater influence on the BLM’s planning process than those who live near and rely on public lands.”<sup>148</sup> On March 27, 2017, Planning 2.0 was overturned under the Congressional Review Act.<sup>149</sup> Therefore, any planning effort must ensure local decision making which the current RMPA effort does not.

The GRSR RMPA is a land use plan developed by the BLM Washington Office for a landscape scale: it stretches over nearly all BLM land in the western states. But BLM regulation and FLPMA prohibit BLM headquarters from imposing national one-size-fits-all policies through west-wide land use planning like this RMPA. Such west-wide planning is inconsistent with a fundamental purpose of FLPMA’s land use planning process: “in questions of resource balance, decentralization of decisionmaking is vital. The proper balance of uses in one [area] might not be appropriate on another. Local options are desirable” because “[t]he orientation of people using the [public land]s varies.”<sup>150</sup>

**A. The County appreciates that BLM can, and often should, consider landscape-scale issues in its land use planning.**

As an initial matter, the County understands that BLM can use some landscape-scale analysis and supports proper use of such analysis in land use plans. Courts have recognized that “Congress conferred broad discretion upon [BLM] to determine how best to achieve [its multiple use and sustainable yield] mandates,”<sup>151</sup> and beyond the land use planning context, BLM has previously used landscape scale analysis. For example, the Energy Policy and Conservation Act of 2000 directed BLM and the Forest Service to review oil and gas lease terms to ensure consistency across administrative boundaries. By contrast, in addition to specifically disapproving of landscape scale planning under the Congressional Review Act, Congress omitted any mention of landscape scale planning in the section of FLPMA setting forth standards for land use planning

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<sup>146</sup> The 2015 RMPA was, as described by USFWS, “a significant shift from management focused within administrative boundaries to managing at a landscape scale.” 80 Fed. Reg. 59858, at 59874 (Oct. 2, 2015).

<sup>147</sup> *Kane County, et al. v. U.S.*, Case No. 2:16-cv-01245-BCW (D. Utah Dec. 2016).

<sup>148</sup> State Perspectives on BLM’s Draft Planning 2.0 Rule: Hearing before the H. Subcomm. on Oversight and Investigations, 114th Cong. (July 7, 2016) (Hearing Memorandum from the Chairman for the Subcommittee on Oversight and Investigations, Committee on Natural Resources for the United States House of Representatives).

<sup>149</sup> On March 27, 2017, H.J. Res. 44 was signed into law, overturning Planning 2.0 under the Congressional Review Act.

<sup>150</sup> Public Land Law Review Commission, *Study of Multiple Use Concepts and Land Use Decisions on Public Lands*, at 50-51 (Sept. 21, 1970). The Commission’s work was the direct impetus for Congress’s drafting of FLPMA.

<sup>151</sup> *Or. Nat. Desert Ass’n v. Gammon*, No. 06-523-HO, 2007 U.S. Dist. LEXIS 48083, at \*7–8 (D. Or. June 28, 2007).

and has not amended FLMPA to include such language. “When Congress knows how to achieve a specific statutory effect, its failure to do so evinces an intent not to do so.”<sup>152</sup> Congress did not intend that land use planning take place at a west-wide or national scale.

Additionally, the Secretary of the Interior has required that BLM offices coordinate to respond to certain broad threats. Secretarial Order 3289A1, issued in 2009, states that, “[g]iven the broad impacts of climate change, management responses to such impacts must be coordinated on a landscape-level basis.” BLM launched a Rapid Ecoregional Assessments (REA) program in response to this mandate. This kind of analysis or coordination is distinct from land use planning, which must abide by BLM regulations that delegate land use planning to field managers and which must also abide by FLPMA’s coordination and consistency requirements. Indeed, BLM’s own information bulletin on a Landscape Approach for Managing the Public Lands acknowledges the difference between the landscape scale analysis appropriate in a REA and the more local ambit of land use planning. It describes its development of a “proposal for incorporating, or ‘stepping-down’ the REAs into land use planning and day-to-day management activities. This step-down process is a key aspect of [BLM’s] efforts to more fully integrate broad-scale and local-scale ecological information and program direction.”<sup>153</sup>

Nor does BLM need to develop ten- or 11-state RMPAs to assess landscape considerations in its RMPs. BLM’s Land Use Planning Handbook states that regional considerations may be incorporated into a local plan: “[f]or example, if broad-scale (regional) analysis identifies issues such as invasive weeds that cross BLM field office boundaries or other jurisdictional boundaries, desired outcomes and management actions in a planning area may be described and addressed in the context of the broader landscape.”<sup>154</sup> BLM has already accomplished this result in its GRSG planning. In 2015 and 2019 BLM developed GRSG habitat conservation plans that coordinate across western states in a manner that, in the County’s current understanding, hewed at least more closely to statute and regulation. The 2015 GRSG RMPAs amended several western RMPs on a state-by-state basis which interlocked to provide for landscape-wide GRSG habitat conservation. The 2019 RMPAs did the same. But in those planning efforts, BLM state offices created distinct land use plans for each of the states involved in the planning effort. The integration between landscape-scale analysis and local/regional scale land use plans that BLM points to in its information bulletin and Handbook—and that BLM appears to have practiced in the 2015 and 2019 GRSG planning efforts—use BLM’s discretion to fulfill its multiple-use mandate in a manner consistent with FLPMA and BLM regulation. By contrast, in the 2024 GRSG DEIS/RMPA, BLM attempts to formulate four new planning alternatives (Alternatives 3–6) that, if adopted, would apply with minimal state-specific management directives to all ten states involved in the planning effort—an impermissible west-wide one-size-fits-all approach.

**B. The RMPA violates BLM regulations, which identify the field office rather than the Washington Office as the seat of RMPA decisionmaking.**

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<sup>152</sup> *Fish v. Kobach*, 840 F.3d 710, 740 (10th Cir. 2016).

<sup>153</sup> BLM, *The Bureau of Land Management’s Landscape Approach for Managing the Public Lands IB 2012-058* (Apr. 3, 2012) <https://www.blm.gov/policy/ib-2012-058>.

<sup>154</sup> BLM, *Land Use Planning Handbook* at 14.

BLM is required by its own regulation to achieve resource planning through plans developed at a field office or state level. 43 C.F.R. § 1601.0-4(c) identifies field managers as the officials who “will prepare resource management plans, amendments, revisions and related environmental impact statements” on a local (i.e., field office) or regional (i.e., resource area) scale. By contrast, state directors “provide quality control and supervisory review” for RMPs, and the Secretary of the Interior and the BLM Director provide “[n]ational level policy and procedure guidance for planning.”<sup>155</sup> Because field managers will presumptively prepare land use plans, the “[r]esource area or field office . . . is, in most instances, the area for which resource management plans are prepared and maintained.”<sup>156</sup> BLM’s Land Use Planning Handbook encourages “planning on a variety of scales, including both local and regional” —but not national.<sup>157</sup>

Ignoring these presumptions and roles, BLM states on the ePlanning site for the DEIS/RMPA states that the 2024 GRSG DEIS/RMPA was prepared by WO-230, BLM’s Washington Office. BLM is required to follow its own regulations mandating local or regional scale land use planning or to give a reasoned explanation for its departure.<sup>158</sup> Preparation of the RMPA at the national level contravenes BLM’s own regulations, and BLM gives no reasoned explanation for it.

If BLM seeks to change to its regulations to permit landscape scale land use planning, it must do so through notice-and-comment rulemaking.<sup>159</sup> BLM has not done so here because it cannot: west-wide land use planning attempted in the RMPA replicates the landscape-scale planning that Congress rejected when it used the Congressional Review Act (CRA) to overturn BLM’s Planning 2.0 regulation.

In 2016, BLM issued a rule it called Planning 2.0, which, in part, provided procedures for landscape scale planning like the west-wide RMPs. In early 2017, however, Congress issued a joint resolution disapproving of Planning 2.0; the President signed that resolution, overturning Planning 2.0.<sup>160</sup> Under the CRA, a rule subject to such disapproval “may not be reissued in substantially the same form, and a new rule that is substantially the same as such a rule may not be issued, unless the reissued or new rule is specifically authorized by a law enacted [by Congress]

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<sup>155</sup> 43 CFR § 1601.0-4(a), (b).

<sup>156</sup> *Id.* § 1601.0-5(m).

<sup>157</sup> BLM, Land Use Planning Handbook H-1601-1, at 1.

<sup>158</sup> See *New Mex. Farm & Livestock Bureau v. Dep’t of Int.*, 952 F.3d 1216, 1230–31 (10th Cir. 2020) (“[A]gencies are under an obligation to follow their own regulations, procedures, and precedents, or provide a rational explanation for their departure. When an agency does not comply with its own regulations, it acts arbitrarily and capriciously.” (citation, original brackets, and internal quotation marks omitted)).

<sup>159</sup> See *Air Transp. Ass’n of Am. v. FAA*, 291 F.3d 49, 56 (D.C. Cir. 2002) (rulemaking requires notice and comment, and “[r]ulemaking,’ as defined in the [Administrative Procedure Act], includes not only the agency’s formulation, but also its modification, of a rule”).

<sup>160</sup> P.L. 115–12 (Mar. 27, 2017).

after the date of the joint resolution disapproving the original rule.”<sup>161</sup> Congress has not passed a law specifically authorizing landscape scale land use planning.

The County notes at least three similarities between the GRSG RMPA and Planning 2.0:

1. Planning 2.0 removed language stating that the RMP/RMPA “shall be prepared and maintained on a resource or field office area basis,” thus permitting land use planning on a landscape or national scale.<sup>162</sup> As Planning 2.0 contemplated, but against Congress’ intent, BLM’s Washington Office prepared the 2024 GRSG DEIS/RMPA.
2. Planning 2.0 axed the requirement that state directors authorize a planning area broader than the resource or field office basis. Instead, it provided that “[i]f a planning area does cross State boundaries, the BLM Director will select the appropriate deciding official, usually from among the State Directors involved, and [the Director will] determine the final planning area.”<sup>163</sup> As Planning 2.0 contemplated, but against Congress’ intent, the BLM Director appears to have selected the planning area for the DEIS/RMPA.
3. Planning 2.0 modified the requirement that BLM consider the “[d]egree of local dependence on resources from public lands” when developing a land use plan. Instead, Planning 2.0 would have required BLM to consider “[t]he degree of local, regional, national, or international importance of these goods, services, and uses” of public land.<sup>164</sup> As Planning 2.0 contemplated, but against Congress’ intent, economic analyses in the DEIS/RMPA includes very few details about the local situation of a county like the County, where the vast majority of land is public land.

BLM regulations situate land use planning at the local or regional rather than national level. The 2024 DEIS/RMPA violates BLM’s regulation.

### **C. FLPMA and BLM regulations do not give BLM’s Washington Office authority to prepare or approve RMPAs.**

Arguments that FLPMA and other BLM regulations authorize west-wide RMPAs FLPMA fail. As for regulation, a BLM state director can authorize a planning area broader than a field office,<sup>165</sup> but we have found no evidence that any state director has done so for the DEIS/RMPA; instead, the planning scale has been determined by the Washington Office. Additionally, BLM regulation

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<sup>161</sup> 5 U.S.C. § 801(b)(2). The CRA adopts the APA’s definition of a rule, “the whole or a part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy.” *Id.* § 804(3); *see also id.* § 551.

<sup>162</sup> *Compare* 43 C.F.R. § 1610.1(b)(4) *with* 81 Fed. Reg. 89,580, 89,663 (Dec. 12, 2016).

<sup>163</sup> 81 Fed. Reg. at 89,582.

<sup>164</sup> *Compare* 43 C.F.R. § 1610.4-4(g) *with* 81 Fed. Reg. at 89,667.

<sup>165</sup> *See* 43 C.F.R. § 1610.1(b)(4) (“A resource management plan shall be prepared and maintained on a resource or field office area basis, unless the State Director authorizes a more appropriate area.”); BLM, Land Use Planning Handbook H-1601-1, at 14 (“State Directors may also establish regional planning areas that encompass several field offices and/or states, as necessary.”).



assumes that a single state director, not state directors plural, will authorize preparation of an RMP/RMPA spanning an area larger than a field office. The DEIS/RMPA involves ten state directors, and BLM regulations do not clarify whether, in such a case, all state directors or just one state director must authorize the expansive planning area. This lack of clarity fits with the idea that BLM regulations do not contemplate a planning area so large: a state director, whose work is with a single state and, perhaps, the areas immediately bordering that state, would find it difficult to develop the expertise necessary to authorize west-wide land use planning.

Further, while FLPMA provides that the Secretary of the Interior must develop land use plans,<sup>166</sup> the Secretary is bound by regulations that delegate land use planning to field managers: she cannot resume that power without amending the existing regulation. The Supreme Court has made repeated holdings to this effect. “[R]egulations validly prescribed by a government administrator *are binding upon him as well as the citizen.*”<sup>167</sup> Thus, for example, where “regulations of the Attorney General delegated certain of his discretionary powers to the Board of Immigration Appeals and required that Board to exercise its own discretion on appeals in deportation cases . . . so long as the Attorney General’s regulations remained operative, he denied himself the authority to exercise the discretion delegated to the Board even though the original authority was his and he could reassert it by amending the regulations.”<sup>168</sup> Here, the Secretary delegated land use planning authority to field managers, and because the regulation that delegated that authority remains operative, the Secretary has no authority to exercise, herself, the land use planning power.

Neither FLPMA nor BLM regulation authorizes landscape-scale planning.

**D. BLM’s regulatory intent is to require local or regional-scale land use planning: BLM previously revised its regulations to ensure that BLM headquarters does not develop land use plans.**

As described above, BLM’s regulations clearly require that land use planning take place on the local or regional scale.<sup>169</sup> But even if the regulations were ambiguous, BLM’s regulatory intent is to situate land use planning at the local or regional level: BLM’s first revision of its land use planning regulations changed its regulations to ensure that BLM headquarters does not develop land use plans.

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<sup>166</sup> 43 U.S.C. § 1712(a) (“The Secretary shall, with public involvement and consistent with the terms and conditions of this Act, develop, maintain, and, when appropriate, revise land use plans which provide by tracts or areas for the use of the public lands.”).

<sup>167</sup> *Service v. Dulles*, 354 U.S. 363, 372 (1957) (emphasis added).

<sup>168</sup> *Nixon v. United States*, 418 U.S. 683, 695–96 (1974); see also *Am. Vanguard Corp. v. Jackson*, 803 F. Supp. 2d 8, 14 (D.D.C. 2011) (“[W]here an agency official delegates authority to a subordinate, the official binds himself by such delegation and may not exercise such powers absent express retention of them.”).

<sup>169</sup> If a regulation’s language is clear, a court “must apply its plain meaning.” *Qwest Corp. v. Colo. PUC*, 656 F.3d 1093, 1099 (10th Cir. 2011). “If the regulation is ambiguous, then [a court] look[s] beyond the plain language, examining regulatory intent and overall statutory construction.” *Id.* (brackets and internal quotation marks omitted).

The first version of the land use planning regulations, published in 1979, provided—consistent with the current regulations—that “[n]ational level policy and procedure guidance for planning shall be provided by the Secretary and the Director.”<sup>170</sup> Differing from the current regulations, they added: “The Director may assume approval responsibility for a specific plan and related environmental impact statement if it is deemed necessary.”<sup>171</sup> Just four years later, BLM removed this sentence from its regulations.<sup>172</sup> It explained that it made these changes to its regulations as a result of experience gained in drafting its first resource management plans and in response to comments from the public identifying “burdensome and counter-productive” provisions of the regulations.<sup>173</sup> Though the revision stripped the Director of land use planning authority, BLM retained language, still extant in its regulations, providing that “[r]esource management plans, amendments, revisions and related environmental impact statements shall be prepared by District or Area Managers, and approved by State Directors.”<sup>174</sup>

BLM has made clear its regulatory intent that the BLM Director should not develop land use plans, as she has done with the west-wide RMPAs.

**REQUESTED CHANGE:** BLM cannot lawfully undermine, bypass, or render impracticable FLPMA’s cooperative federalism framework by designating impracticably large planning areas that exceed the local and regional scale. The authority and discretion to prepare and approve RMPs/RMPAs sits at the local and state level; this ensures that plans are developed with meaningful state and local government input and with reasonable deference to, state and local resource-related plans and policies. BLM should abandon the DEIS/RMPA’s ten-state approach and revert to the state-specific planning approach used in 2019.

#### **VIII. The 2021 ROD establishes that BLM’s most current GRSG habitat conservation plan for Nevada is the 2019 RMPA.**

Eureka County is concerned and questions why the 2021 ROD is not being implemented even though there is no injunction or other legal basis for BLM to avoid implementation of its 2020 ROD and BLM never even presented the 2021 ROD to the Idaho Court. Frankly, with the clarifying 2020 RMPA and 2021 ROD (which are not enjoined), there is no need for reopening the 2015 RMPA. BLM should dispense with the current effort and instead implement the 2021 ROD and allow the 2020 RMPA to work and prove itself.

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<sup>170</sup> 44 Fed. Reg. 46,386, 46,393 (Aug. 7, 1979).

<sup>171</sup> *Id.*

<sup>172</sup> See 48 Fed. Reg. 20,364, 20,368 (May 5, 1983) (providing simply that “[n]ational level policy and procedure guidance for planning shall be provided by the Secretary and the Director.”).

<sup>173</sup> 46 Fed. Reg. 57,448, 57,449 (Nov. 23, 1981) (proposed rulemaking to amend land use planning regulations; this proposal culminated in the 1983 rule).

<sup>174</sup> 48 Fed. Reg. 20,364, 20,368–69 (1983 rule); see 44 Fed. Reg. at 46,393 (1981 rule providing that “Resource Management plans, amendments, revisions, and related environmental impact statements shall be prepared by District Managers, and reviewed and concurred in by State Directors. Resource management plans, amendments and revisions are then approved by District Managers.”); 43 C.F.R. § 1601.0-4 (Current rule stating that “Field Managers will prepare resource management plans, amendments, revisions and related environmental impact statements. State Directors must approve these documents.”).

BLM maintains the erroneous view that the 2019 RMPAs are not effective because they were preliminarily enjoined. But the court never vacated the 2019 RMPAs. And BLM has acknowledged in court filings that a BLM “action” or “planning” other than a decision on the merits (such as a land use plan) could resolve any issues with the 2019 RMPA, mooted the injunction. BLM does not explain in the DEIS/RMPA why a 2020 supplemental EIS (SEIS) that it prepared specifically to address issues raised in the preliminary injunction order, upon a change in administration, suddenly was ignored by the agency. It does not explain why its 2021 ROD deciding that the SEIS did not require any changes to the 2019 RMPAs is not BLM’s most current, effective decision on GRS habitat conservation. Nor does BLM explain why it has not taken any action to move forward the case—stayed since 2021—that it has unilaterally (and unlawfully) simply decided not to implement its decision in its 2021 ROD. BLM must make these explanations in the FEIS/RMPA and demonstrate how it is not in violation of the APA and NEPA.

The DEIS/RMPA’s Introduction explains that BLM is not implementing the 2019 RMPAs because they were preliminarily enjoined by the United State District Court for the District of Idaho in *Western Watersheds Project v. Schneider*, 417 F. Supp. 3d 1319, 1335 (D. Idaho 2019). Without much analysis, BLM concludes: “Until the court makes a final ruling in the case or otherwise lifts the preliminary injunction, the BLM is enjoined from implementing the decisions from the 2019 RODs, and as such the actions contained in the 2015 RODs remain in effect.”<sup>175</sup>

**A. BLM has acknowledged that an “action” or “planning” can moot the injunction. The 2021 ROD has.**

BLM’s conclusion that it must implement the 2015 RMPAs reads the court’s decision superficially. Enjoining the 2019 RMPAs, the court held: “BLM is enjoined from implementing the 2019 BLM Sage-Grouse Plan Amendments for Idaho, Wyoming, Colorado, Utah, Nevada/Northeastern California, and Oregon, until such time as the Court can adjudicate the claims on the merits. The 2015 Plans remain in effect during this time.”<sup>176</sup> In May 2021, at BLM’s request, the court stayed proceedings in *Schneider*, requiring BLM to submit regular status reports updating the court on its GRS planning efforts. Crucially, BLM noted in an early status report that it “may take actions, or initiate planning, that would obviate the need to proceed to the merits of the claims regarding compensatory mitigation policy and the 2019 Plans.”<sup>177</sup> In its most recent status report, filed May 21, 2024, BLM reiterated this statement.<sup>178</sup> BLM apparently presumes that the 2024 DEIS/RMPA is an “action” or “planning” that renders void the court’s order enjoining the 2019 plans.

BLM does not, but should, address in the DEIS/RMPA an “action” subsequent to the 2019 RMPAs and prior to the 2024 planning effort that has intervened to render the injunction moot. In 2020, BLM issued a SEIS supplementing the 2019 Nevada RMPA and directly responding to issues raised in the District of Idaho litigation and the court’s preliminary injunction. That SEIS, BLM said, was

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<sup>175</sup> DEIS at 1-3.

<sup>176</sup> *W. Watersheds Project v. Schneider*, 417 F. Supp. 3d at 1335.

<sup>177</sup> Defs.’ Status Report, *W. Watersheds Project v. Schneider*, No. 1:16-CV-83-BLW (D. Idaho May 10, 2021), ECF 282 at 4.

<sup>178</sup> Defs.’ Status Report, *W. Watersheds Project v. Schneider*, No. 1:16-CV-83-BLW (D. Idaho May 21, 2024), ECF 330 at 3.

prepared in order to “review BLM’s previous [2019] NEPA analysis, clarify and augment it where necessary, and provide the public with additional opportunities to review and comment. The FSEIS will help the BLM determine whether its 2015 and 2019 land use planning and NEPA processes have sufficiently addressed Greater Sage-Grouse habitat conservation or whether the BLM should initiate a new land use planning process to consider additional alternatives or new information.”<sup>179</sup> As a result of this analysis, BLM issued a ROD in 2021 which “determined that [BLM’s] decade-long planning and NEPA processes have sufficiently addressed Greater Sage-Grouse habitat conservation and no new land use planning process to consider additional alternatives or new information is warranted.”<sup>180</sup>

BLM does not explain why its conclusion has changed, requiring it to initiate the 2024 planning effort. Nor does it explain its effective and unlawful rescission of the 2019 RMPAs and the 2021 ROD. BLM does not have “inherent authority” to withdraw a land use plan revision ROD “absent compliance with the FLPMA’s formal notice and comment proceedings.”<sup>181</sup> Though BLM can amend land use plans, it must “follow[] procedures that,” among other requirements, “require public participation.”<sup>182</sup> Nor does an injunction, without vacatur, allow BLM to withdraw a land use plan without following the usual procedures. BLM cannot withdraw a land use plan, absent proper process, as a result of a “legal error” in the plan revisions.<sup>183</sup> The Supreme Court has held much the same: it recently rejected as arbitrary and capricious the Department of Homeland Security’s reversal of policy to determine that the Deferred Action for Childhood Arrivals (DACA) “program should be terminated” because the Fifth Circuit had concluded that a similar program was unlawful.<sup>184</sup>

BLM knows this is unlawful because in the very same case, Judge Winmill held that where BLM does not provide a reasoned explanation to support its change in position (there, regarding the need for the proposed mineral withdrawal, here, regarding its 2021 ROD affirming the 2019 RMPAs), the BLM’s action was arbitrary and capricious and unlawful. The Court vacated the BLM’s cancellation of the mineral withdrawal and remanded the decision to the BLM for further proceedings, including re-initiation of the NEPA process. Here, the BLM has not explained how it thinks it could lawfully simply ignore its last issued 2021 ROD with no reasoned explanation for this drastic change in policy that occurred with the change in administration.

BLM acknowledges that the district court did not vacate the 2019 RMPAs: indeed, it explains that the 2019 RMPAs are “the No Action alternative because [they] reflect[] management currently

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<sup>179</sup> BLM, Nevada and Northeastern California Greater Sage-Grouse Final Supplemental Environmental Impact Statement, Abstract (Nov. 2020). BLM issued a SEIS and ROD for six states in which it conducted a 2019 planning process; we refer here only to the SEIS and ROD for Nevada and Northeastern California.

<sup>180</sup> 2021 ROD, *supra* n.81, at 3.

<sup>181</sup> *Douglas Timber Operators, Inc. v. Salazar*, 774 F. Supp. 2d 245, 257–58 (D.D.C. 2011).

<sup>182</sup> *Id.* at 258.

<sup>183</sup> *Id.*

<sup>184</sup> *Dep’t of Homeland Sec. v. Regents of the Univ. of Cal.*, 140 S. Ct. 1891, 1910 (2020).

in the BLM’s approved RMPs.”<sup>185</sup> Given this fact, BLM must explain why it repeats the fiction that no BLM action—except a new land use plan—can remedy the injunction. BLM’s position in effect rescinds the 2019 plans, the 2020 SEIS discussing issues raised by the district court’s ruling, and the 2021 ROD confirming adoption of the 2019 plans.

The County asks BLM to explain in the FEIS what authority it relies on to ignore its last lawful ROD issued in 2021 without completing a new process, why it is pursuing a new planning effort instead of seeking legal resolution of the 2019 injunction, and how the no action alternative can be the 2019 RMPA which BLM is not currently implementing: this is a crucial aspect of the purpose and need for the DEIS/RMPA.<sup>186</sup>

**REQUESTED CHANGE:** Implement the 2019 plans under the 2021 ROD. At a minimum, BLM must explain in the FEIS/RMPA why it is not implementing the 2019 plans in light of the 2021 ROD, and must explain why it has not informed the court that although it has unilaterally rescinded that ROD without proper process and sought dismissal of the claims or at least confirmation that the injunction issued in *Western Watersheds Project v. Schneider* is no longer valid. These decisions, in effect, perform an illegal rescission of the 2019 plans, the 2020 SEIS, and the 2021 ROD.

**IX. The DEIS/RMPA does not justify this new RMPA as appropriate or necessary; particularly, it does not explain how the RMPA—coming just five years after the 2019 RMPAs—is justified by new science.**

**A. The RMPA does not cite to new science, developed since the 2019 RMPA that renders the amendment process appropriate.**

FLPMA states that BLM “shall, with public involvement and consistent with the terms and conditions of this Act, develop, maintain, and, *when appropriate*, revise land use plans which provide by tracts or areas for the use of the public lands.”<sup>187</sup> “An amendment shall be initiated by the need to consider monitoring and evaluation findings, new data, new or revised policy, a change in circumstances or a proposed action that may result in a change in the scope of resource uses or a change in the terms, conditions and decisions of the approved plan.”<sup>188</sup> As relevant here, BLM’s Land Use Planning Handbook states that “[p]lan amendments are most often prompted by the need to consider significant new information from resource assessments, monitoring, or scientific studies that change land use plan decisions.”<sup>189</sup> In accord with FLPMA, the amendment must be appropriate; indeed, a State Director “may terminate an ongoing plan

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<sup>185</sup> DEIS at ES-4. But because BLM is not implementing the 2019 RMPs it is a fatal flaw to use this as the baseline or the no action alternative which must reflect current existing conditions. The current condition is that despite its 2021 ROD, BLM is ignoring that decision and implementing the 2015 RMPA.

<sup>186</sup> See 40 CFR § 1502.13 (an EIS must include a purpose and need statement that “briefly specif[ies] the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action”).

<sup>187</sup> 43 U.S.C. § 1712(a) (emphasis added).

<sup>188</sup> 43 C.F.R. § 1610.5-5.

<sup>189</sup> BLM, Land Use Planning Handbook H-1601-1 at 45.

amendment at any point if the Field Manager provides documentation that the amendment is no longer necessary or appropriate.”<sup>190</sup>

BLM has now amended RMPs for ten western states three times during the past ten years: in 2015, 2019, and 2024. This pattern of conducting a west-wide amendment of RMPs involves massive and repeated expenditure of resources and time by both BLM and coordinating agencies. BLM acknowledges that preparation of an amendment may be onerous: “In reaching a decision to amend a land use plan, the BLM must not only consider the resource, but also other workload priorities, budgetary constraints, and staff capabilities.”<sup>191</sup> As the Sixth Circuit has observed of the Forest Service’s analogous land use planning process, “[d]eveloping a [land use] plan is a formidable process.”<sup>192</sup> In this case, the County has been asked to participate in GRSG RMPA nearly constantly from 2015 through 2024. In light of this expenditure of resources to prepare the 2024 RMPA/DEIS, it is shocking that the DEIS/RMPA does not make a strong showing that a new GRSG land use plan is appropriate, much less necessary.

In the scoping process, BLM repeatedly stated that the RMPA was needed to respond to litigation and new science.<sup>193</sup> Litigation is not a reason to amend the RMPs: as we explain above, BLM complied with a court order requiring it to conduct a supplemental analysis of its 2019 plans, and those plans should currently be operative. Rather, this planning process appears to be an effort to merely justify its change in policy from its 2021 ROD with the change in administration and without any reasoned explanation.

Nor does BLM adequately explain how new science, which has emerged since the 2019 RMPs or the 2021 ROD, makes the RMPA appropriate. BLM devotes just one paragraph in the DEIS/RMPA to “New GRSG Science.”<sup>194</sup> It does not explain here, or elsewhere in the DEIS/RMPA, why new studies that have emerged since the 2019 planning effort—or, even, the 2015 planning effort—make the current RMPA necessary. Indeed, the Introduction to the DEIS, which explains the purpose and need for the DEIS and hence for the RMPA, BLM repeatedly refers to data developed before 2019.<sup>195</sup>

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<sup>190</sup> *Id.* at 46.

<sup>191</sup> *Id.* at 45.

<sup>192</sup> *Meister v. Dep’t of Agric.*, 623 F.3d 363, 368 (6th Cir. 2010).

<sup>193</sup> See, e.g., BLM, Transcript of Virtual Public Meeting for the Greater Sage-Grouse Draft Resource Management Plan Amendment and Environmental Impact Statement, at 15:48–17:36 (Apr. 9, 2024) (“So what is this new science of which I speak? There [were] a lot of publications” regarding genetic mapping, models of breeding habits, changes in abundance numbers, and climate change impacts.); BLM, Transcript of 2022 Greater Sage-grouse Planning Virtual Public Scoping Meeting, at 09:43–10:06 (Jan. 11, 2022) (“[O]ur 2022 effort is looking at [litigation challenging the 2015 and 2019 plans], but it also is recognizing . . . that we have potential inconsistencies in our 2000, in our previous efforts with the new science and also recognition of rapid changes affecting the BLM’s ability to manage public lands, including the effects of climate change.”).

<sup>194</sup> DEIS at 1-4.

<sup>195</sup> One notable exception is an annual USGS analyses of GRSG population. But this, by definition, changes each year, and BLM does not suggest—nor does the County—that annual RMPA development is encouraged or feasible.

Further, the DEIS includes information indicating that the 2015 plans, which BLM is currently implementing, are succeeding: BLM's 2015–2020 GRSG Monitoring Report found that, during that five-year period, the percent of anthropogenic disturbance in PHMA was less than one percent, below the threshold where GRSG abandon leks.<sup>196</sup>

**REQUESTED CHANGE:** As we indicated in our cooperating agency comments, the DEIS/RMPA does not, but must, disclose (1) whether, and the extent to which, the 2015 and 2019 plan amendments are no longer consistent with the science or habitat goals; (2) what is the primary cause of the inconsistency; and (3) how the new planning effort will address those shortcomings.

**X. The County, as a cooperating agency, has not had a meaningful opportunity to engage in the land use planning and the NEPA process.**

**A. BLM did not provide adequate opportunity for the County to engage as a cooperating agency.**

Throughout the development of an environmental document, BLM must:

collaborate, to the fullest extent possible, with all cooperating agencies concerning those issues relating to their jurisdiction and special expertise. Cooperating agencies may, by agreement with the lead bureau, help to do the following:

- (a) Identify issues to be addressed;
- (b) Arrange for the collection and/or assembly of necessary resource, environmental, social, economic, and institutional data;
- (c) Analyze data;
- (d) Develop alternatives;
- (e) Evaluate alternatives and estimate the effects of implementing each alternative; and
- (f) Carry out any other task necessary for the development of the environmental analysis and documentation.<sup>197</sup>

For the GRSG RMPA DEIS, BLM acted contrary to regulatory command in giving the County minimal opportunity to engage with BLM regarding the DEIS through its unique role as a cooperating agency. BLM's derogation of its responsibility to engage with cooperating agencies includes the following:

1. BLM made only an incomplete version of Chapter 2 accessible to cooperating agencies before releasing to cooperating agencies a full version of the ADEIS. That BLM did not make any other standalone draft chapters—for example, the Affected Environment or Environmental Consequences chapters—available to cooperating agencies significantly hampered the County's ability to help BLM identify issues, develop alternatives, and

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<sup>196</sup> GRSG Plan Implementation Rangewide Monitoring Report for 2015–2020 at 49.

<sup>197</sup> 43 C.F.R. § 46.230; *see also id.* § 46.230; *id.* § 1501.6.

evaluate alternatives and their effects. This was exacerbated by the landscape-level scale of the plan.

- a. For example, the alternatives table that is the bulk of Chapter 2 is difficult to understand because it synthesizes management plans for 69 million acres in ten states.
2. BLM made the full administrative DEIS (ADEIS) available for review by cooperating agencies during a two-week period that coincided with the Christmas holidays. Thus, although the County has technically been able to aid BLM in preparing the ADEIS before its release to the public, in practice the County had two weeks to read more than 2,300 pages of DEIS text and appendices. This does not evince respect for the County as a cooperating agency, and it did not permit the County to fully participate as a cooperating agency particularly given the expansive nature of the landscape-level plan.
3. Though BLM gave counties access to USGS HMA maps, these maps were incomplete at the point they were provided to the cooperating agencies. Because BLM only provided updated maps at the end of May, the County has not yet been able to reconvene the Working Group to assess any updates to habitat designations in these maps. We appreciate BLM’s downward revision of acreage designated as HMA in these maps, although we note that because of the area-wide (Nevada and California) scale at which the updated maps are drawn, it is difficult to tell from them what precisely has changed for HMA in the County.
4. BLM did not incorporate studies and data the County provided into the DEIS.
5. BLM did not incorporate cooperating agency comments. We describe below BLM’s response (or lack thereof) to our cooperating agency comments on the draft version of Chapter 2 and the ADEIS. Of more than 90 comments seeking changes to the ADEIS, BLM made satisfactory revisions to the DEIS in response to *just nine* of these comments. Most of these suggested relatively minor wording changes.

We note below in summary form our comments on the ADEIS and whether they are addressed in the DEIS.

**B. BLM failed to address the bulk of the County’s cooperating agency comments. Insofar as those comments were not addressed in the ADEIS, BLM should address them in the DEIS and the County requests so.**

Comment #	Alternative	Issue	Eureka Cooperating Agency Comments on Chapter 2	County Agency	DEIS
1.	4 and 5	Adaptive Management	Regarding limitations imposed when an adaptive management threshold is exceeded,		No change. See DEIS at 2-124.



			suggested that BLM should not tie the determination whether to exempt an activity from limitations to whether the activity is scheduled within 60 days of when a threshold is met and identified.	
2.	4 and 5	Adaptive Management	Suggested that BLM should include an adaptive management threshold limitation exception for renewal or permitting of any activity that is necessary for public health and safety, maintenance of existing crucial infrastructure, and required administrative functions that serve a necessary public purpose.	Partial change. On p. 2-126, BLM includes an exception for “[a]ctivities essential for human health and safety <i>in a current or likely catastrophic event (e.g., repair of dams, emergency vehicle access)</i> [emphasis added].” This does not fully address the County’s concern. As noted, because Eureka County consists largely of public land, the absence of this exception significantly hampers the County’s ability to perform its governmental functions.
3.	3, 4, 5, 6	Disturbance Cap	Noting that some agriculture can benefit sage grouse, asked BLM to better define what type of agriculture is intended to apply as part of the disturbance cap calculation.	In one location in the DEIS it alludes that in Nevada BLM may not include agriculture as part of the disturbance cap calculation for these alternatives but the language is not clear.
4.	3, 4, 5, 6	Disturbance Cap	Asked BLM to change its requirement that the disturbance cap include disturbance on non-BLM managed lands and,	No change. See DEIS at 2-32. Instead, BLM states that its inclusion of activity on non-BLM land is

			because this factor is included in the disturbance cap, preclude use of BLM lands on this basis.	“consistent with the BLM’s responsibility to consider cumulative impacts when making decisions for activities on public lands.” We further address this issue above.
5.	2	Disturbance Cap, Consistency Requirement; FLPMA/NEPA Insufficiency	Among other changes, the County asked BLM to include in its list of Nevada/California-specific exceptions to the disturbance cap the italicized text: “The proposed activity is a renewal or reauthorization of existing infrastructure in previously disturbed sites and would not result in direct, indirect, or cumulative impacts <i>including allowance of mitigation to provide equivalent number of functional habitat acres through the Nevada CCS [Conservation Credit System]</i> ” and “[t]he proposed activity is determined to be a routine administrative function...and will have no adverse impacts on GRSG and its habitat <i>including allowance of mitigation to provide equivalent number of functional habitat acres through the Nevada CCS.</i> ”	No change. See DEIS at 2-35.

6.	3, 4, 5, 6	Habitat Objectives, Best Available Science; FLPMA/NEPA Insufficiency	The County asked BLM to include the italicized text in its Management Action SSS [XI]: “Assess the suitability of GRSG habitat, <i>including incorporation of habitat mapping ground-truthing</i> , at HAF mid- and fine-scales [Levels 2 and 3] . . . based on the methods in the HAF.”	No change. See DEIS at 2-27.
7.	3, 4, 5, 6	Habitat Objectives, Best Available Science; FLPMA/NEPA Insufficiency	The County asked BLM to include the italicized text in its Management Action SSS [Y1]: “Assess suitability of GRSG habitat, <i>including incorporation of habitat mapping ground-truthing</i> , at the HAF site-scale (Level 4) based on” HAF methods.	No change. See DEIS at 2-27.
8.		Habitat Objectives, Best Available Science; FLPMA/NEPA Insufficiency	The County asked BLM to include language stating that HMAs will be managed “based on current ecological potential according to the Ecological Site Description (ESD), associated State and Transition Model (STM) and existing ecological state.”	No change. See DEIS at 2-27. BLM states that management of HMAs will be “accomplished through the combination of RMP land use allocations and management actions and restoration—based on ecological potential, current vegetative condition, and existing seasonal values.” But it does not state that ecological potential should be evaluated using certain metrics.
9.	3, 4, 5, 6	Habitat Objectives, Best Available	The County asked BLM to include the italicized text: “ESDs shall be	No change. See DEIS at 2-27. BLM states that “[u]pdates to

		Science; FLPMA/NEPA Insufficiency	locally developed <i>and based on current ecological potential according to the ESD, associated State and Transition Model (STM) and existing ecological state</i> ; “[u]sing multi-scale evaluations considers the entire suite of conditions contributing to high quality habitat, the success of past conservation actions, and prioritizing future land uses and conservation actions, <i>all based on current ecological potential according to the Ecological Site Description (ESD), associated State and Transition Model (STM) and existing ecological state.</i> ”	seasonal habitat indicators and ESDs will be developed locally and coordinated with partners, but it does not state that ESD determinations should be predicated on ecological potential based on STM nor that ecological potential should be evaluated using specific metrics.
10.	3, 4, 5, 6	Habitat Objectives, Best Available Science; FLPMA/NEPA Insufficiency	The County asked BLM to specifically include the 2013 Interagency Ecological Site Handbook for Rangelands and ESD/STM foundational literature, including Stringham et al. 2016.	No change. See discussion above. BLM does not include these materials in the Habitat Objectives section nor as part of its Habitat Indicators material, in Appendix 8 to the DEIS. It mentions Stringham et al. 2016 just once in the DEIS, in a discussion of fire and vegetation management objectives on p. 2-169. It never mentions the Interagency

				Handbook, BLM Policy Handbook H-1734.
11.	All	Consistency Requirement; FLPMA/NEPA Insufficiency	The County asked BLM to refer to the Sagebrush Ecosystem Council and Program, the designated authority under Nevada Law for GRSG mitigation and sagebrush ecosystems, in addition to its reference to mitigation standards imposed by a state wildlife management agency. The County also asked BLM to refer to coordination with “any other local agency with management expertise or authority, including conservation districts” in developing appropriate mitigation.	No change. The DEIS does not mention the Sagebrush Ecosystem Council nor make the reference to coordination that the County sought.

<b>Comment #</b>	<b>Alternative</b>	<b>Issue</b>	<b>Eureka County Cooperating Agency Comments on ADEIS</b>	<b>DEIS</b>
1.	3, 4, 5, 6	Landscape-scale Planning by Washington Office; FLPMA Insufficiency	BLM regulations and FLPMA do not permit the Washington Office to develop landscape-scale plans; planning is presumptively conducted at the field office level	No change.
2.	All	Style	Must change “data is” to “data are”	The County appreciates BLM’s attention to this issue.
3.	All	Cooperating Agency Participation; FLPMA/NEPA Insufficiency	BLM did not appropriately engage cooperating agencies in assessing new alternatives proposed by the 2024 ADEIS/ARMPA	No change. As noted here, the DEIS does not adequately incorporate input from cooperating agencies.

4.	All	Style; NEPA Insufficiency	Poor writing and organization	No change. As noted, the DEIS is poorly organized and, especially regarding the sprawling table presenting alternatives, does not facilitate understanding of BLM's proposed management decisions.
5.	3, 4, 5, 6	HMA/ACEC Maps are Inadequate; FLPMA/NEPA Insufficiency	The ADEIS relies on HMA mapping that is not properly updated or provided in resolution that makes analysis proper	BLM has provided the County with updated mapping from USGS, but the maps still display a statewide scale that is difficult to properly analyze, especially for the public. Though the County requested shape files, BLM did not provide more granular mapping data.
6.	3, 4, 5, 6	Consistency requirements; FLPMA/NEPA Insufficiency	Consistency with state/local plans and explanation of inconsistencies	No change. See discussion above.
7.	Introduction	Style	Replace "healthy sagebrush communities" with "functioning sagebrush ecosystems"	Change made.
8.	Introduction	Local government participation	Comment suggesting that BLM recognize the role of local agencies in doing proactive work to conserve GRSG habitat	Language removed from DEIS, but the County reiterates that BLM should recognize this role in the FEIS/RMPA
9.	Introduction	Accuracy	ADEIS inaccurately characterized District of Nevada decision holding that 2015 ARMPAs violated NEPA	The County thanks BLM for making the requested change.

			by focusing only on the part of the holding addressing sagebrush focal areas (SFAs); the holding (which addressed claims Eureka County raised) issues with other habitat designations.	
10.	Introduction	Statement of Consistency Requirement; FLPMA Insufficiency	Suggested revision to make clear that consistency requirement was a mandate.	The language in DEIS has somewhat changed, but the County reiterates that consistency is a mandate.
11.	Introduction	Accuracy	Suggested revising “quantity and quality of available habitat” to read “availability of functional habitat. Available functional habitat, which is the key question, does not equal quantity and quality: one acre of a limiting habitat like late brood rearing habitat is not the same as one acre of Wyoming sagebrush transitional habitat.	No change.
12.	Introduction	Accuracy	The DEIS should not state that GRSG habitat is lost as a result of public land use when the greatest driver of loss is wildfire.	No meaningful change. This language does not appear in the DEIS, but the DEIS’s emphasis on anthropogenic disturbance (i.e., public land use) belies the science: 87% of GRSG habitat loss in the Great Basin is due to wildfire.

13.	Introduction	Purpose and Need	Asked BLM to add that among its goals for the RMPA is to “provide regulatory certainty for the regulated community and permitted land uses,” a goal missing during a decade of revisions and re-revisions of GRSG habitat conservation plans	No change.
14.	Introduction	HMA Mapping	Revise to include criteria-based flexibility for application of major land use allocations in HMAs for verified non-habitat within the habitat management areas	No change.
15.	Introduction	Management Actions Within HMA	Suggested revision to clarify that because not every acre of mapped HMA is habitat, this also means that management actions, including allocations, may not apply to some (but not always all) of the areas within these HMAs that are truly not habitat and where implementing a rigid allocation or management action would not provide any real benefit to GRSG (while also considering implementation of compensatory mitigation)	No change.
16.	Introduction	Statement of Consistency Requirement;	Suggested clarifying that consistency	BLM has changed this language.



		FLPMA Insufficiency	requirement is a mandate	
17.	Introduction	Adjustment of HMAs to Reflect Science	Comment regarding insufficiency of language in the ADEIS addressing the issue of adapting habitat management areas over time to reflect the best available science: the County has experienced trying to adjust allocations or management decisions based on ground-truthing where everybody has agreed that an area is not GRSG habitat; hard-and-fast allocations have not been able to be adjusted	No change.
18.	Introduction	Consistency Requirement, Discussion of Inconsistencies; FLPMA/NEPA Insufficiency	DEIS should be clear that maximal consistency is a requirement; the DEIS should also rectify the absence of discussion of inconsistencies between the RMPA and local land use plans. Discussion of inconsistencies is required by NEPA.	No change.
19.	Introduction	Habitat Objectives	Suggested adding language stating that habitat objectives are “specific, measurable desired conditions or outcomes that are achievable, based on current ecological potential given the current ecological state of any given ecological site,	No change.

			intended to meet goals”	
20.	3	Consistency, Purpose and Need; FLPMA/NEPA Insufficiency	Alternative 3 should be removed: it is not responsive to the purpose and need statement, and it is inconsistent with the State Plan	No change.
21.	4, 5	Description of Alternatives; NEPA Insufficiency	DEIS should make it easier to differentiate between Alternatives 4 and 5; the current description does not make it easy for the reader to distinguish the two	BLM has made some changes to clarify differences but the differences are still somewhat difficult to tease out given the organization and formatting of the DEIS.
22.	3	Consistency, Purpose and Need; FLPMA/NEPA Insufficiency	Alternative 6 should be removed: it is not responsive to the purpose and need statement, and it is inconsistent with the State Plan	No change.
23.	All	Consistency Requirement; FLPMA Insufficiency	No alternative is maximally consistent with state and local land use and GRS plans, though Alternative 2 is the most consistent. Additionally, 43 C.F.R. § 1610.4-7 requires BLM to develop its preferred “in collaboration with” cooperating agencies. BLM must develop a preferred alternative that is consistent with state and local land use plans.	No change.
24.	All	Objectives	Suggested language to include that RMPA goals can only be	No change

			achieved in coordination with local governments as well as with state wildlife agencies	
25.	3, 4, 5, 6	HMA Mapping/Review	BLM must revise language in the ADEIS to make clear that HMA designations have not been developed in coordination with state and local agencies	No change.
26.	3, 4, 5, 6	HMA Mapping	BLM should add language clarifying that the HMA products are modeled and meant for general, overall management and subject to local verification and ground truthing to refine project level decisions.	No meaningful change, though we note BLM has clarified in the text that HMA maps are based on modeling.
27.	2, 3, 4, 5	HMA Mapping	Figures for Alternatives 2–5 are based on an incomplete model and map not adopted by the State.	Though BLM updated its model in May 2024, significant errors in HMA mapping remain.
28.	All	Alternatives Table Incoherence; NEPA Inconsistency	The Alternatives Table does not provide any value as it is confusing and counterintuitive: if we have a hard time using it, the public that has not been engaged as we have, as a cooperating agency, will definitely not understand it.	No change.
29.	3, 4, 5, 6	HMA Mapping and Accuracy	Must develop a process for streamlined ground-truthing HMAs.	No change.

30.	4, 5	Consistency Requirement; FLPMA Insufficiency	The ADEIS does not include language, as it should, referencing adoption and utilization of Nevada's CCS and HQT; BLM should clarify any difference between the terms "compensate" and "mitigate"; BLM should clarify the term "no net loss" and should adopt the State's definition of "net conservation gain."	No change.
31.	3, 4, 5, 6	HAF	Use of the HAF is not based on best available science.	No change.
32.	3, 4, 5, 6	Disturbance Cap	The County does not support a disturbance cap; it is not necessary or based on best available science.	No change.
33.	Preferred Alternative	Preferred Alternative	The preferred alternative should be consistent with the Nevada Counties preferred alternative.	No change.
34.	All	Raven Predation	Discussion of raven predation should point out that limited take is the main issue in preventing predation.	No change.
35.	All	Livestock Grazing	Change "livestock grazing can be a management tool to aid in the management or maintenance of vegetation communities within GRSG habitat" to "livestock grazing is a management tool."	No change.

36.	All	Livestock Grazing	Detailed comment on evidence supporting the view that livestock grazing is a key management tool; BLM should incorporate this evidence.	No change.
37.	All	Livestock Grazing	Water development for livestock grazing can improve GRSG habitat, and range improvements permit proper livestock grazing. BLM should permit these important aspects of livestock grazing in all alternatives.	No change
38.	3, 4, 5, 6	HAF	Detailed comment explaining why use of the HAF is not based on best available science.	No change.
39.	All	Livestock Grazing	Voluntary relinquishment of grazing rights should not be a suggested management strategy; livestock grazing is a key management tool.	No change.
40.	All	Wild Horse and Burro	The provisions and management decisions related to WHB in the previous (2015 and 2019) processes have not been adhered to. The EIS should address this issue and be frank and propose real, actionable solutions to the WHB issue that were not identified in the previous EIS.	No change.
41.	3, 6	ACECs	The County opposes any ACEC designation;	No change.

			because BLM believes it must consider an ACEC alternative, it must revise the discussion to show why the areas proposed for ACEC designation meet the relevance, importance, and special management requirements.	
42.	3, 4, 5, 6	Adaptive Management	The ADEIS's adaptive management framework is not consistent with BLM's own 2009 guidance on adaptive management; BLM should adopt the State's adaptive management process.	No change.
43.	3, 4, 5, 6	Adaptive Management	BLM must coordinate with other federal, state, and local agencies in pursuing adaptive management; it should clarify this in the DEIS.	No change.
44.	3, 4, 5, 6	Land Disposal	Land disposal should be permitted where compensatory mitigation offsets any net impacts.	No change.
45.	3, 4, 5, 6	Lek Buffer	The lek buffer requirement is not based on best available science and should be locally adjustable; detailed comment on lek buffer science.	No change.
46.	All	Consistency Requirement	Nevada's GRS plan is more than a land use plan; it has been adopted by state statute. BLM must	No change.

			mention and make the ADEIS consistent with the State Plan.	
47.	All	Ecological Site Descriptions	Please add a section discussing ESDs and their associated STMs/DRGs as tools to evaluate habitat condition, trends, and restoration pathways in addition to current ecological potential. GRSG conservation means managing for the best possible which in some ESDs may not be in alignment with the HAF. The HAF outlines desired habitat but not necessarily what can be achieved based on the ecological status.	No change.
48.	All	Rights of Way	The DEIS should add that most existing roads are county roads and public roads under Nevada Revised Statutes chapter 403 and 405, respectively. Most, if not all, of these roads have existed decades before FLPMA was passed and require no authorization from BLM and are “valid existing rights.”	No change.
49.	All	Socioeconomic Analysis	The lack of adequate socioeconomic analysis from the 2015 and 2019 RMPAs jeopardizes this process and all decisions in the future. BLM must complete an	No change.

			adequate socioeconomic analysis, including relying on the Nevada Economic Assessment Project, which is absent from the current ADEIS.	
50.	All	Socioeconomic Analysis	An effort to highlight the other socioeconomic factors of livestock grazing, in addition to BLM receipts, must be included. Eureka County suggested adding a detailed example from the County's experience and based on Nevada specific data and studies.	No change.
51.	All	Affected Environment, Water	BLM should make clear that water <i>quality</i> on public lands is regulated under federal law. Add a statement that water rights and water quantity are regulated by the state.	The County appreciates BLM's attention to water quality issue, and the change made. BLM did not add a statement regarding water quantity regulation by the state.
52.	All	Affected Environment, Water	Clarify that BLM does not authorize use of water, BLM authorizes infrastructure, ROWs, etc. for water to be put to use. Further, BLM has no authority over use of vested water rights or pre-FLPMA associated ditches and conveyances (RS 2339).	No directly responsive change.
53.	All	Livestock Grazing	DEIS must recognize of grazing (including, for	No directly responsive change.



			example, mob grazing) as a tool to achieve habitat objectives.	
54.	All	Livestock Grazing, Best Available Science	BLM should clarify that segregating livestock from around leks will do nothing to reduce raven predation; instead, BLM should address the subsidies related to livestock production around leks.	No directly responsive change.
55.	All	Consistency Requirement; FLPMA/NEPA Insufficiency	The ADEIS does not identify or discuss inconsistencies with Eureka County's or the State of Nevada's plans, policies, programs. BLM must include such discussion, including specific reference to NEPA regulations and guidance requiring discussion of inconsistencies, specifically 40 C.F.R. § 1502.16(a)(5) and 1506.2(d) and the Forty Asked Questions. The County had already provided BLM a large document on previous RMPA processes documenting each inconsistency; this should be used in the DEIS.	No change.
56.	All	Cooperating Agencies	List relevant Nevada counties, including Eureka County, as cooperating agencies	The County appreciates the change.
57.	All	HMA Mapping	The HMA maps are meaningless at this	No change, even in mapping produced as

			scale. It is impossible for us to see the granular details needed to weigh potential effects on lands, people, and resources.	a result of May 2024 model update.
58.	All	HMA Mapping	If BLM is going to offer various mapping alternatives, then it needs to provide a narrative description somewhere in Appendix 1 that describes how the mapping for each alternative was derived.	No change.
59.	1	HMA Mapping	BLM should add a note regarding Map 2.1 (for Alternative 1) indicating that these management categories (excluding SFAs) for Nevada were adopted by the State in 2015. At this time, this is the only complete map that has actually been approved by the State of Nevada.	No change.
60.	3, 6	ACEC Mapping	The ACEC maps make it impossible to get a reasonable geographic handle of where the boundaries are proposed, and this map doesn't match with the descriptions or number systems used in the ACEC Appendix. A more specific full-page map should be provided for each ACEC, including	No change.

			the underlying State-approved HMAs. Boundaries also need to be included in a publicly available web viewer.	
61.	All	Management Actions	The Appendix 2 table showing allocations in 2015, 2019, and 2023/24 is helpful and should be provided in the text of the DEIS. A similar table should be developed for all proposed Alternatives.	No change.
62.	All	HMA Mapping, Best Available Science; FLPMA/NEPA Insufficiency	Updated maps must be finished by USGS, reviewed by cooperating agencies and adopted by the State of Nevada before they are incorporated by the BLM. Publishing an incomplete model doesn't meet the standard of "best available science" nor comport with NEPA.	No meaningful change; BLM has updated maps and provided them to the County, but all of the different maps for various alternatives have not been adopted by the Sagebrush Ecosystem Council.
63.	All	HMA Mapping	The State of Nevada and Sagebrush Ecosystem Council must adopt HMA maps. BLM should add that in 2015 the USGS Model was trimmed to state-defined Population Management Area Boundaries. Finally, a disclaimer needs to be added that makes clear that the Nevada maps are based on habitat modeling. The maps are rife with	No change. We note that the SEC adopted the new USGS map at their last meeting. But, as we previously argued, having the same map without the same underlying process for how the maps are to be used is a severe misalignment.

			areas mapped as habitat that are entirely implausible.	
64.	3, 6	ACEC Designation	Reiterate that the County does not support ACECs and that the evidence BLM provides does not justify designation of ACECs.	The County retains this position.
65.	3, 6	ACEC Designation  TWO COMMENTS (numbered 87 and 79 in our cooperating agency comments)	While the proposed ACECs may be relevant because they contain Sage-grouse habitat, the BLM hasn't shown that these areas are any more "relevant" or critical to Sage-grouse Conservation than other areas of mapped priority habitat.	No change.
66.	3, 6	ACEC Designation	BLM should note that no State or local governments nominated ACECs, despite the fact that states have management authority over GRSG.	No change.
67.	3, 6	ACEC Designation Process  TWO COMMENTS (numbered 81 and 82 in our cooperating agency comments)	BLM conducted a top-down preliminary evaluation of ACECS reliant on desktop analysis of models. This is inadequate. Further, having ACEC boundaries after they are proposed does not constitute cooperation with cooperating agencies like the County.	No change.
68.	3, 6	ACEC Designation	BLM needs to do a better job of disclosing the potential impacts and existing	No change.

			authorizations that may impacted by the ACECs.	
69.	All	National Technical Team and Conservation Objectives Team Reports	Eureka County supports efforts to include rationale around why the RMPA does not require strict adherence to the NTT and COT reports; detailed comment discussing those reports and reasons that they have been proven inaccurate.	Appendix 6 addresses the reports and why they were not included as specific alternatives in the DEIS but does not clearly explain why the RMPA does not require strict adherence to them.
70.	All	HAF	Detailed comment discussing why reliance on HAF monitoring is not best available science.	No change: BLM still relies on the HAF.
71.	All	Habitat Indicators Table	Detailed comment suggesting that Table 8-1.D, habitat indicators for Nevada, is not grounded in ecological reality for many ESDs. Especially, the “greater than 7% residual and live perennial grass cover where shrub cover is greater than 20%” indicator is inaccurate, for reasons we explained in detail. And the current levels of PJ suggested by the Table would have severe negative impacts on GRSG habitat.	No change.
72.	All	Grazing BMPs	BLM should revise the RMPA to allow supplement use for targeted grazing to be placed, in some	No change.

			<p>circumstances, near water sources or in intact sagebrush stand. It should caveat its prohibitions on grazing near water sources or intact sagebrush stand with the statement that it may be permitted where effective control to avoid detrimental impairment of any riparian area or sage grouse habitats can be ensured.</p>	
73.	All	Grazing BMPs	<p>Suggested adding that treated areas should be “rested from livestock grazing until resource monitoring data verifies the treatment objectives are being met or ecological conditions exist which preclude treatment objectives from being met regardless of grazing.”</p>	<p>Partial change. BLM added that “areas that have received vegetation treatments should be rested from livestock grazing until resource monitoring data verifies the treatment objectives specific to the purposes of the treatment are being met and an appropriate grazing regime has been developed.” But there is no clarity how grazing could be returned if treatment objectives are not able to be met regardless of grazing deferment, which was the primary context of our comment.</p>
74.	All	Water-related Design Features	<p>For all water-related design features, please insert language that all</p>	<p>No change.</p>

			features will accord with Nevada Water Law and honoring existing water rights.	
75.	All	Drought Response	Add Vegetation Drought Response Index (VegDRI).	VegDRI was added to Appendix 15. The County thanks BLM for this addition.
76.	All	Nevada-specific BMPs	BLM should not use the HAF to develop BMPs.	No change.

**REQUESTED CHANGE:** BLM must develop an intelligible and complete FEIS/RMPA including full consideration of all previous and current cooperating agency comments and public comment. BLM must provide reasonable timelines that give cooperating agencies time to fully read, absorb, and develop comments on an ADEIS. BLM must record in Chapter 5, on Consultation and Coordination, the general cooperating agency complaint that DEIS comment timeframes were too short for meaningful engagement as well as BLM’s response.

**XI. The DEIS/RMPA makes public participation impracticable.**

FLPMA requires that BLM ensure the “views of the general public” and “third-party participation” are adequately incorporated into the land planning process.<sup>198</sup> This means that “[t]he public shall be provided opportunities to meaningfully participate in and comment on the preparation of plans, amendments and related guidance and be given early notice of planning activities. Public involvement in the resource management planning process shall conform to the requirements of the National Environmental Policy Act and associated implementing regulations.”<sup>199</sup>

**A. The convoluted Alternatives Chapter precludes meaningful analysis of alternatives.**

An EIS must “[d]iscuss each alternative considered in detail, including the proposed action, so that reviewers may evaluate their comparative merits.”<sup>200</sup> “If a draft statement is so inadequate as to preclude meaningful analysis, the agency shall prepare and publish a supplemental draft of the appropriate portion.”<sup>201</sup> The GRSG RMPA DEIS precludes meaningful analysis of alternatives. We observed in our cooperating agency comments that, in our experience, the DEIS/RMPA is unique among NEPA documents. The overwhelming degree of complexity of the alternatives, the chaotic organization of the document, the confusion on which habitat maps are to be used for which alternatives (and the scale in which the maps were provided), and the unprecedented

<sup>198</sup> 43 U.S.C. § 1701(a)(5); see also *Klamath Siskiyou Wildlands Ctr. v. Boody*, 468 F.3d 549, 556 (9th Cir. 2006) (the views of public must be adequately incorporated in the NEPA process).

<sup>199</sup> 43 C.F.R. § 1610.2(a).

<sup>200</sup> 40 CFR § 1502.14(b).

<sup>201</sup> *Id.* § 1502.9(b).

number of appendices are confounding and overwhelming even to the most experienced reader of NEPA documents. This complaint was universally voiced among all cooperating agencies and given the expertise cooperating agencies bring to bear in reading NEPA documents, if such agencies found the DEIS difficult to read interested members of the public have no hope of understanding it, let alone making well-informed comments on it.”<sup>202</sup>

Unlike the 2015 and 2019 RMPAs, which created one RMPA for each of the 10 states, in this planning effort the BLM is attempting to formulate four new planning alternatives (3–6) that, if adopted, would apply equally to all RMPs in all 10 states—a west-wide one-size-fits-all approach. Given the extreme ecological variations across the GRSG range, however, the BLM was faced with the problem of carving out countless state-specific exceptions in the many instances where singular planning directives would have been non-sensical. In the DEIS/RMPA the BLM is trying to have it both ways, i.e. one-size-fits-all GRSG RMPA alternatives that tack on state-specific management directives. BLM does not adequately explain that Alternatives 1 and 2 extrapolate from ten different, state-specific RMPAs, while Alts. 3–6 will largely amend all district plans across all ten states in the same way, with a few “state-specific” provisions tacked on. The alternatives are (mostly) represented in a set of tables with additional state-specific provisions listed in Section 2.6.

The result is utter confusion. The 100-plus page alternative table in Section 2.5 is riddled with state-specific variations and exceptions in addition to the separate “state-specific circumstances” section in 2.6. A reviewer who wishes to know what Alternatives 1–6 look like for Nevada—a simple proposition when looking at either the 2015 or 2019 Nevada RMPAs—must cobble together (the work of hours) his own version of the alternative tables using the raw materials that are scattered across the tables in Sections 2.4, 2.6.3, and 2.7. This is entirely unacceptable and inconsistent with NEPA requirements; it is the responsibility of the lead agency to present the alternatives in a manner that is readily understandable. The fact that all relevant information may be “somewhere” in the DEIS does not satisfy this requirement. The DEIS is piecemealed to the point of being entirely unintelligible to the reviewer.

**B. The DEIS does not use “plain language” or “clear prose” and is not well-edited.**

CEQ’s NEPA regulations ask agencies to “employ writers of clear prose or editors to write, review, or edit statements.”<sup>203</sup> Further, the Plain Language Act provides that all government documents should be “clear, concise, well-organized, and follow[] other best practices appropriate to the subject or field and intended audience.”<sup>204</sup> We would normally not comment on style errors at length, but we addressed grammatical errors in our cooperating agency comments on a draft of Chapter 2 and in our cooperating agency comments on the administrative DEIS that the writing is often unnecessarily complicated, poorly phrased, and contains innumerable grammatical and typographic errors. The number of errors remaining in the document makes the DEIS difficult to read and understand. For example, at 2-192, BLM uses “data is,” [rather than “data are”] which

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<sup>202</sup> *Id.*

<sup>203</sup> 40 CFR § 1502.8.

<sup>204</sup> 5 U.S.C. § 105.



in previous comments Eureka County has counseled is ungrammatical. Misplaced commas, quotation marks, and words are not uncommon in the text, and some sentences clearly have not been proofread. For example, the DEIS states that “[u]nder Alternative 2 Nevada would exception criteria to the mineral material disposal closure in PHMA.”<sup>205</sup> For clarity, the FEIS should address these issues.

**REQUESTED CHANGE:** BLM should develop state-specific alternatives tables for ease of comparison and, indeed, should develop state-specific RMPAs, as FLPMA demands.

## **XII. CONCLUSION**

Following review, our primary concern is that the current plan amendment is an improper planning action because it is not being developed at the Field Office level with State Director oversight, as required by the BLM’s planning regulations. As such, this planning action should be discontinued and GRSG conservation planning taken up by Field Offices with State Office oversight. Impropriety notwithstanding, as a NEPA document the DEIS/RMPA is profoundly insufficient and will have to be supplemented.

Thank you for considering these important issues. If you have any questions, please do not hesitate to contact Eureka County’s point of contact, Natural Resources Manager, Jake Tibbitts at JTibbitts@EurekaCountyNV.gov or (775) 237-6010.

Respectfully,



Rich McKay, Chairman  
Eureka County Board of Commissioners

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<sup>205</sup> DEIS at 4-114.



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Mount Lewis Field Office  
50 Bastian Road  
Battle Mountain, Nevada 89820  
Phone: 775-635-4000 Fax: 775-635-4034  
<https://www.blm.gov/nevada>

In Reply Refer To:  
4700 (NVB01000)  
Fish Creek HMA

**NOV 06 2024**

Dear Reader,

The Bureau of Land Management (BLM) Battle Mountain District, Mount Lewis Field Office is proposing to conduct a wild horse gather to remove excess wild horses from the Fish Creek Herd Management Area (HMA) and adjacent private and public lands outside the HMA boundaries. The Appropriate Management Level (AML) for the Fish Creek HMA is between 101 to 170 wild horses, south of US Highway 50. Through monitoring and inventory flights, the BLM has determined that the number of wild horses in the Fish Creek HMA exceed the high end of AML. Factors contributing to this determination of excess consider resources available within the HMA which include limited water availability within the Fish Creek HMA, recurring drought conditions, current ecological condition and population estimates from recent inventory flights.

The BLM is proposing to conduct a wild horse gather to remove excess wild horses from the Fish Creek HMA and adjacent private and public lands outside the HMA boundaries. The BLM proposes to remove approximately 144 excess wild horses from the gather area to achieve low AML. The BLM also proposes to gather wild horses, apply fertility treatments, and release those treated horses back to the HMA to assist with maintaining population levels. The BLM proposes to take these actions in order to preserve and maintain a thriving natural ecological balance and multiple-use relationship in the area.

The BLM has prepared a draft Determination of NEPA Adequacy (DNA) that outlines how the proposed actions were analyzed in the Fish Creek HMA Final Wild Horse Gather Plan and Environmental Assessment, DOI-BLM-NV-B010-2015-0011-EA, and Finding of No Significant Impact issued in February 2015 (2015 Fish Creek Gather EA).

The BLM is now providing a 30-day review and comment period for the DNA in accordance with BLM WHB Manual 4720. The BLM is also complying with Section 1333(b)(1) of the Wild Free-Roaming Horses and Burros Act (WFRHBA) and BLM WHB Manual 4710 by consulting with the United States Fish and Wildlife Service, wildlife agencies of the State of Nevada individuals independent of Federal and State government as have been recommended by the National Academy of Sciences, and other individuals who have scientific expertise and special knowledge of wild horse and burro protection, wildlife management and animal husbandry as related to rangeland management.

The draft DNA for the proposed actions in and around the Fish Creek HMA is now available and can be viewed online by following the links from the Battle Mountain District's NEPA website at <https://eplanning.blm.gov/eplanning-ui/project/2035101/510>. Please submit substantive comments by close of business, December 7, 2024. Questions and written comments should be directed to:

Samuel Ault  
Mount Lewis Field Office  
50 Bastian Road  
Battle Mountain, NV 89820

Comments can also be submitted by email to [BLM\\_NV\\_FishCreekHMA\\_DNA@blm.gov](mailto:BLM_NV_FishCreekHMA_DNA@blm.gov). Email messages should include "Fish Creek HMA DNA" in the subject line.

Commenters should be aware before including their address, phone number, email address, or other personal identifying information in their comment, that their entire comment – including identifying information – may be made publicly available at any time. While they can ask BLM in their comment to withhold personal identifying information from public review, BLM cannot guarantee that it will be able to do so. Anonymity is not allowed for submissions from organizations or businesses and from individuals identifying themselves as representatives or officials of organizations or businesses.

After the public review period has concluded on December 7, 2024, the BLM will review and consider the public's comments as well as the information provided through the consultation outlined by the WFRHBA.

Sincerely,



Samuel D. Ault  
Field Manager  
Mount Lewis Field Office

**U.S. Department of the Interior  
Bureau of Land Management**

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**Determination of NEPA Adequacy (DNA)**

**DOI-BLM-NV-B010-2025-0001-DNA**

**2025 Fish Creek Herd Management Area**

**Wild Horse Gather and Population Management**

**PREPARING OFFICE**

U.S. Department of the Interior  
Bureau of Land Management  
Mount Lewis Field Office, Nevada



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## ***Determination of NEPA Adequacy (DNA) Worksheet***

U.S. Department of the Interior

Bureau of Land Management

OFFICE: LLNVB01000: Battle Mountain District, Mount Lewis Field Office (MLFO)

TRACKING NUMBER: DOI-BLM-NV-B010-2025-0001-DNA

CASEFILE/PROJECT NUMBER: 2025 Fish Creek Herd Management Area (HMA) Wild Horse Gather file.

PROPOSED ACTION TITLE/TYPE: Fish Creek HMA Wild Horse Gather and Population Control

LOCATION/LLEGAL DESCRIPTION: The Fish Creek HMA is located in Eureka County, south and west of Eureka, Nevada and south of U.S. Highway 50 (Figure 1).

APPLICANT (if any): None, this is a BLM-proposed action.

### **A. Description of Proposed Action and Any Applicable Mitigation Measures**

#### **Background**

The Fish Creek HMA is located in Eureka County, Nevada encompassing the east side of Antelope Valley, the Mahogany Hills, Fish Creek Range and a portion of the Antelope Range. The Proposed Action is specific to activities that would be implemented within the portion of the Fish Creek HMA south of U.S. Highway 50. This portion of the HMA is 230,675 acres with an established AML range of 101-170 wild horses (see Figure 1).

The BLM is proposing to conduct a wild horse gather to remove excess wild horses from within and outside of the boundaries of the Fish Creek HMA. The BLM would also apply fertility control treatments to mares released back to the range. BLM has determined that the wild horses over the low Appropriate Management Level (AML) of 101 wild horses are in excess due to several factors, including limited waters within the Fish Creek HMA area, recurring drought, and the need to prevent degradation of the habitat caused an overpopulation of wild horses as well as emergency conditions. The BLM has reviewed all available information to make this determination including, but not limited to inventories, monitoring data, climate data, gather history, and history of fertility control treatments within the Fish Creek HMA.

The 2015 Fish Creek Herd Management HMA Gather Decision issued February 9, 2015, authorized the removal of excess wild horses and treatment of mares with fertility control within the Fish Creek Herd Management Area (HMA). These actions were analyzed within the Fish Creek Herd Management Area Final Wild Horse Gather Plan and Environmental Assessment, DOI-BLM-NV-B010-2015-0011-EA, issued in February 2015 (2015 Fish Creek Gather EA).

## **Proposed Action**

The BLM proposes to gather wild horses, apply fertility treatments, and release those treated horses back to the HMA to assist with maintaining population levels. The estimated, post-foaling 2024 population of the Fish Creek HMA is 245 horses according to population analysis completed following the Spring 2024 Helicopter Inventory. The BLM arrives at this estimate based on the estimated number of adults in and immediately near the Fish Creek HMA in April 2024, which is 204 adult wild horses (analysis completed in October 2024 by M. Crabb, BLM population biologist, using standardized methods for simultaneous double-observer surveys). The BLM noted an expected annual growth of 18%-20% in the 2015 Fish Creek Gather EA; however, annual rates of increase may have been influenced by fertility control treatments in 2021. This number of 245 wild horses expected in late 2024 is also the same that would be expected in January 2025.

The goal for the gather would be to achieve the low AML of 101 wild horses in the HMA, and no horses outside of the HMA boundaries. To accomplish this, BLM would gather BLM lands adjacent to and within the Fish Creek HMA boundaries using drive trapping (refer to Figure 1). Estimated gather efficiency is approximately 70-80%.<sup>1</sup> Of those gathered animals, approximately 144 excess wild horses would be removed and transported to BLM adoption facilities. BLM would release fertility control treated mares and studs back to the range to achieve the low AML. The sex ratio of animals released would approximate 50:50 and all mares released would be treated or boosted with fertility control as described in the 2015 Fish Creek Gather EA and Decision.

As described in the 2015 Fish Creek Gather EA and Decision, the BLM has been implementing a phased Population Growth Suppression (PGS) program and wild horse gather operations over a 10-year period to remove excess wild horses from within and outside of the boundaries of the Fish Creek HMA. Additional objectives include achieving and maintaining the established AML for the HMA and implementing fertility control treatment of mares with PZP (Porcine Zona Pellucida) fertility control vaccine (or other current formulation).

Gather operations would be conducted in accordance with the Fish Creek Gather Plan and Standard Operating Procedures, Comprehensive Animal Welfare Program (Permanent Instruction Memorandum 2020-002) and the 2015 Fish Creek Gather EA. The horses removed from the range would be transported to a BLM wild horse and burro facility for inclusion into the BLM Adoption program.

The BLM will utilize selective removal methods to ensure that the post-gather population consists of diverse age groups and exhibit physical characteristics consistent with the historic population, while prioritizing the removal of younger age groups which would be highly adoptable. Fish Creek HMA is known for the presence of horses with curly haircoats and in accordance with management objectives for the Fish Creek HMA, a number of curly horses will be released back to the HMA in order to continue to support the trait within the population, while

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<sup>1</sup> Estimated gather numbers are based on ability to capture approximately 70-80% of the population, which could vary depending on terrain, animals which evade capture, animal location, weather conditions, and animal movement experienced before and during the gather, and may be higher or lower than estimated.



younger adoptable curly-coated horses may be sent to the adoption program. The BLM will also collect hair follicle samples for analysis of genetic diversity.

Fertility control in the form of Porcine Zona Pellucida (PZP-22 or PZP ZonaStat-H) would be applied to 100% of the mares released back to the range to decrease the future annual population growth. Trained BLM staff would apply the fertility control vaccine to mares.

During the most recent gather completed in 2021, a total of 30 mares were treated with PZP-22. Of the thirty mares treated, only three had been previously treated with PZP vaccine (two in 2019 and one in 2015). The remaining 27 mares (ages 3-19 years of age) received their first, and only treatment to date in January 2021. While these treatment histories probably reduced the number of foals born in the HMA in 2022 and, to a lesser extent, 2023, they are not expected to have caused a substantial reduction in 2024 annual growth rate for this herd, due to the relatively short duration of effect for these PZP vaccine treatments.

These previously treated mares will be easily identified during a gather in 2025 by a fertility control freezemark on the left shoulder. All 30 mares also have a microchip in the neck that will be read at the gather if they are captured. It is estimated that during the 2025 gather, 15-25 of the previously treated mares could be captured again and receive another treatment (booster) of PZP vaccine. Any mares not previously treated would receive their first treatment of PZP vaccine and receive an “FC” freezemark on the left shoulder, consistent with current Nevada BLM policy. All mares would be photographed for future identification, tracking and documentation. Any new mares treated would also receive a microchip. The following table displays the estimated population and gather figures for the Fish Creek HMA.

**Table 1: Fish Creek HMA – 2025 Estimated Gather Figures**

<b>2024 Post Foaling Estimated Population</b>	<b>AML</b>	<b>Estimated Removal</b>	<b>Post Gather Estimate</b>
245	101-170 <sup>2</sup>	144	101

It is possible that gather conditions such as horse age, health, gather efficiency and weather, could cause BLM to release more animals back to the range. Such factors could result in a post-gather population within the range of AML rather than the low AML.

The population of the Fish Creek HMA wild horses exceeds the established AML, and wild horses currently exist outside of the HMA boundaries. The MLFO has determined that excess wild horses exist within and outside of the HMA boundaries and need to be gathered and removed. Further, the action is needed to protect rangeland resources from deterioration associated with an overpopulation of wild horses, and to restore and maintain a thriving natural ecological balance and multiple use relationship on the public lands consistent with the provisions of Section 3(b) (2) of the Wild Free-Roaming Horses and Burros Act (WFRHBA).

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<sup>2</sup> This AML applies to the portion of the Fish Creek HMA south of U.S. Highway 50 and does not include the portion north of U.S. Highway 50 which is managed with the Roberts Mountain Complex.

The determination of excess wild horses was made following review and analysis of available information. Review of several documents included the 2004 Decision that established the AMLs for the Fish Creek HMA and the 2015 Fish Creek Gather EA and Decision. Additionally, the BLM reviewed all current monitoring, genetic, inventory, and climate data, as well as gather and fertility control history. The BLM's review of all available information has led to the conclusion that no adjustment to the existing AML is warranted at this time. As a result, the BLM has determined that excess wild horses exist within and outside of the HMA boundaries and should be removed. This determination is based on the following:

- Monitoring indicates that small improvements in rangeland condition have occurred with signs of increased perennial grasses at some locations and apparent reduced occurrence of soil loss; however, other locations are not showing improvement and are at risk of further degradation and loss. Issues observed at these locations included lack of perennial key grass species, bare ground, erosion pavement, soil movement and pedestalling. Maintaining the herd at AML is important to ensure continued upward trends in range condition and improved habitat throughout the HMA.
- Waters within the Fish Creek HMA are inherently limited, and even more so during the recurring drought cycles. In order to prevent emergency conditions, the herd needs to be maintained at the established AML. Emergency actions (gathers, water hauling) are not required when the wild horse population is at balance with the available waters within the HMA. The AML for the Fish Creek HMA was established with consideration of the limited water availability.
- The Fish Creek HMA is influenced by recurring periods of drought that can be extreme in nature, and impact available forage, water and trends in production and cover of perennial vegetation. Drought patterns in Nevada necessitate that BLM manage wild horses at levels that will allow them to survive and thrive even in bad years such as those experiencing drought or heavy winters. Waters are especially limiting within the Fish Creek HMA during periods of overpopulation and/or drought which has necessitated emergency removals, water hauling and extra efforts to operate water systems to supplement water in the HMA in order to prevent further health decline of horses. Of the nine years since the 2015 gather, four of the years the Fish Creek HMA have been impacted by Moderate, Severe, Extreme or Exceptional Drought and an additional two years being Abnormally Dry. ([www.droughtmonitor.unl.edu](http://www.droughtmonitor.unl.edu)). The Fish Creek HMA has been influenced by some degree of long and/or short-term drought in up to 63% of the years spanning from 1986-2023 ([www.climateengine.org](http://www.climateengine.org)).
- Management at the AML levels will enhance the outcome and success of fertility control treatment. Maintaining periodic fertility control treatment of a portion of the mares within the Fish Creek HMA will help to slow reproductive rates and therefore reduce the number of excess horses that may have to be removed in future years. Future non-emergency actions would not occur without appropriate environmental documentation and coordination with the interested public.

For these reasons, the BLM authorized officer has determined that an excess of wild horses currently exist within the Fish Creek HMA, that those excess animals need to be removed, and that action is needed to prevent damage to natural resources.

Proposed removal numbers (approximately 144 excess wild horses) are based on the BLM's assessment of current population size, forage, climate, water, rangeland health and the use of the range by wild horses. The goals of this gather operation are the immediate health and welfare of the wild horses, as well continued upward trends in rangeland condition. If the BLM does decide to move forward with this action, the BLM will document its rationale in the decision that will be issued prior to commencement of the gather.

Achieving and maintaining the AML in the Fish Creek HMA, would preserve and maintain a thriving natural ecological balance and multiple-use relationship in the area. This action will also ensure that wild horse management does not irreparably impact the range and compromise the BLM's ability to meet the fundamentals of rangeland health. Animal health would be maintained, and emergency actions would be prevented.

The proposed action is consistent with the BLM's obligation under Section 3 of the WFRHBA, which requires the BLM to remove excess wild horses and burros when it determines that overpopulation exists and that the excess animals need to be removed.

## **B. Land Use Plan Conformance**

- LUP Name: Shoshone-Eureka Resource Management Plan
  - Date Approved: November 6, 1987
- Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan Amendment and Supplemental Environmental Impact Statement.
  - Date Approved: September 21, 2015, and January 2021

The Proposed Action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions):

### **Shoshone-Eureka RMP:**

- To manage viable herds of sound, wild horses (and burros) in a wild and free roaming state.
- To manage wild horses (and burros) within the areas which constituted their habitat at the time of the Wild and Free-Roaming Horse and Burro Act became law in 1971.

### **Approved RMP Amendments:**

- In 2015, the BLM released the Record of Decision (ROD) and Approved Resource Management Plan Amendments for the Greater Basin Region, Including the Greater Sage-Grouse sub-regions of Idaho and Southwestern Montana, Nevada and northeastern California, Oregon, and Utah (ARMPA), detail the Greater Sage Grouse habitat management plan for Nevada. In 2021, the ROD for the Nevada and Northern California Greater Sage-Grouse Supplemental Environmental Impact Statement.

### **Greater Sage Grouse Plan: (Table 1-6):**

- Manage herd management areas (HMAs) in GRSG habitat within established appropriate management level (AML) ranges to achieve and maintain GRSG habitat objectives.

- Prioritize rangeland health assessment, gathers and population growth suppression techniques, monitoring, and review and adjustment of AMLs and preparation of HMA plans in GRSG habitat.

**Wild Horse and Burro Management Decisions:**

- **MD WHB 2:** Manage herd management areas (HMAs) in GRSG habitat within established AML ranges to achieve and maintain GRSG habitat objectives (Table 2-2).
- **MD WHB 4:** Prioritize gathers and population growth suppression techniques in HMAs in GRSG habitat, unless removals are necessary in other areas to address higher priority environmental issues, including herd health impacts. Place higher priority on herd areas not allocated as HMAs and occupied by wild horses and burros in SFA, followed by PHMAs.

**C. National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.**

Fish Creek HMA Wild Horse Gather Plan Final Environmental Assessment (EA) **DOI-BLM-NV-B010-2015-0011-EA**, February 2015.

Decision for the Fish Creek HMA Wild Horse Gather Plan Final Environmental Assessment (EA) **DOI-BLM-NV-B010-2015-0011-EA**, February 9, 2015.

List by name and date other documentation relevant to the proposed action (e.g. biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

- Fish Creek Complex FMUD, September 2004,
- Fish Creek Complex Evaluation and Rangeland Health Assessment, EA #NV062-EA04-69, August 2004,
- Fish Creek Complex Evaluation and Rangeland Health Assessment, June 2004,
- Wild Horse Objectives for The Fish Creek Complex, Fish Creek Complex Evaluation and Rangeland Health Assessment, June 2004, Appendix 15.

**D. Conformance with Rangeland Health Standards and Guidelines**

The Proposed Action is consistent with the Standards and Guidelines for Rangeland Health as developed by the Northeastern Great Basin RAC, specifically Standard 5: Healthy Wild Horse and Burro Populations.

***STANDARD 5. HEALTHY WILD HORSE AND BURRO POPULATIONS:***

*Wild horses and burros exhibit characteristics of a healthy, productive, and diverse population. Age structure and sex ratios are appropriate to maintain the long term viability of the population as a distinct group. Herd management areas are able to provide suitable feed, water, cover and living space for wild horses and burros and maintain historic patterns of habitat use.*

*As indicated by:*

*Healthy rangelands that provide sufficient quantities and quality of forage and water to sustain the appropriate management level on a yearlong basis within a herd management area.*

*Wild horses and/or burros managed on a year-long basis for a condition class greater than or equal to five to allow them normal chances for survival in the winter (See glossary for equine body conditioning definitions).*

*Highly adoptable wild horses and burros that are readily available from herd management areas.*

*Wild horse and burro herds that exhibit appropriate age structure and sex ratio for short and long-term genetic and reproductive health.*

## **GUIDELINES:**

- 5.1 Implement the objectives outlined in the Wild Free-Roaming Horses and Burros Tactical Plan for Nevada (May 1999).*
- 5.2 Manage for wild horses and/or burros in herd management areas based on the capability of the HMA to provide suitable feed, water, cover and living space for all multiple uses.*
- 5.3 Set appropriate Management Levels based on the most limiting habitat factor (eg. available water, suitable forage, living space and cover) in the context of multiple use.*
- 5.4 Manage herd management area populations to preserve and enhance physical and biological characteristics that are of historical significance to the herd.*
- 5.5 Manage wild horse and burro herds for short and long term increases and to enhance adoptability by ensuring that wild horses and burros displaying desirable traits are preserved in the herd thus providing a reproductive base to increase highly adoptable horses and burros for future demands.*
- 5.6 Identify and preserve historic traits and characteristics within the herd which have proven to be highly desirable by the adoption public to increase the long term availability of animals bearing these features.*
- 5.7 Wild horse and burro selective removal criteria are modified on a per herd basis to correct deficiencies in population age and sex ratios which threaten short and long term genetic diversity and reproductive health.*

## **E. NEPA Adequacy Criteria**

**1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?**

The new Proposed Action is fundamentally similar to the Proposed Action analyzed in the 2015 Fish Creek Wild Horse Gather Environmental Assessment, DOI-BLM-NV-B010-2015-0011-EA, dated February 2015 (2015 Fish Creek EA). The Proposed Action would use helicopter drive trapping as described in the Proposed Action, Chapter 2 of the 2015 Fish Creek Gather EA. The BLM analyzed the use of helicopter drive trapping to gather and remove excess wild horses and achieving a population of wild horses within the AML range in the 2015 Fish Creek Gather EA. The 2015 Fish Creek Gather EA also analyzed the administration of fertility control to

mares using the PZP vaccine formulations. This current action is a continuation of the 10-year plan to achieve the objectives of the 2015 EA.

The geographic area is the same as that analyzed in the 2015 Fish Creek Gather EA. The resource conditions are similar, and no new data exists to suggest that substantial changes have occurred that would invalidate the Purpose and Need for action or the analysis within the 2015 Fish Creek Gather EA and decision.

Resource conditions have not substantially changed and analysis within the 2015 Fish Creek Gather EA is still valid. Drought and fluctuating wild horse populations have influenced conditions within the gather area. Monitoring indicates some improvements in conditions at some key areas have occurred due to non-drought conditions coupled with a wild horse population within the AML range in recent years. Drought is a perpetual factor in Nevada with drought impacting the Fish Creek HMA in approximately 4 of every 10 years. Long-term and short-term drought to some degree can be expected to impact the Fish Creek HMA in over 60% of years, with varying degree of wet years occurring just 37% of the years according to drought timeseries data 1986-2023 (climateengine.org).

Drought emergencies were happening prior to the 2015 gather and have occurred since. Drought occurrence was also discussed throughout the 2015 Fish Creek Gather EA. Attaining AML has helped curb emergency issues and balance the horses with the available habitat.

**2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource value?**

Yes. Since the completion of the 2015 Fish Creek Gather EA, no new environmental concerns, interests, resource values or circumstances have come to light that that would require additional alternatives to be developed. A review of interdisciplinary activities and resource values within the Fish Creek HMA indicates that the 2015 Fish Creek EA analysis is still valid.

The 2015 EA included the Proposed Action which would implement fertility control, and an alternative that would not implement fertility control using helicopter drive trapping which is a well-established, safe, and efficient method to gather wild horses. The 2015 Fish Creek EA also included an Alternative that included helicopter drive trapping, fertility control and adjustment of sex ratios to favor studs.

A Resource Management Plan Amendment for the Greater Sage-Grouse was approved in September 2015. The Wild Horse and Burro Management Decisions in the Plan Amendment are consistent with the current Proposed Action, and do not present the need for additional analysis. The Fish Creek HMA contains Core, Priority and General Sage-Grouse habitat.

**3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessments, recent endangered species listings, updated lists of BLM sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?**

Yes. No new information or circumstances exist that would change the validity of the existing analysis. The need to gather horses and remove excess animals has not changed. The impacts of the new Proposed Action would be similar and/or identical to those described under the Proposed Action in the 2015 Fish Creek Gather EA, and the gather, removal and treatment figures are within the scope and intensity of that analyzed in the 2015 EA.

Following the issuance of the 2015 Fish Creek Gather EA and Decision, three wild horse gathers have taken place within the Fish Creek HMA in accordance with the 2015 Fish Creek Gather EA and Decision.

The following table displays the results of the past gathers.

**Table 2: Gather History 2015-2021**

Gather Activities	Year		
	2015	2019	2021
Dates	2/13-3/7/15	9/5-19/2019	12/29/20-1/3/21
Gather	424	558	198
Ship to BLM Facilities	248	533	135
Release	162	20	62
Treat with PZP vaccine	82	7	30
Euthanize Chronic	7	3	0
Euthanize Acute	1	2	0
Escape	0	0	1
Adopted at local event	6	0	0
Est Pre Gather	549	683	240
Total Removed	262	538	135
Post Gather Est	287	145	105

During the 2015 gather, the wild horse removals were limited, and AML was not achieved due to limits in holding space, national removal priorities and other factors. The objective for the gather was to be able to gather as many horses as possible for implementation of fertility control despite not being to achieve the AML. A total of 424 horses were gathered with 248 shipped to BLM facilities for adoption. Of the 162 horses released back to the range, 82 were mares treated with Fertility Control. The post gather estimate following the operation was 287 wild horses or 284% of the low AML.

In 2019, a gather was completed primarily as a result of limited waters and emergency conditions on the range due to drought conditions and an overpopulation of wild horses, which resulted in lack of water to sustain the existing population. Objectives during this gather were to limit release horses (due to the emergency conditions) while removing a substantial number of the excess wild horses on the range. Horses with curly coats and aged horses near or exceeding 20 years of age were objectives for release back to the range. Of the 558 gathered, 533 were transported to BLM facilities for adoption. Twenty horses were released to the range including 7 curly mares treated with fertility control and 13 studs. The estimated post gather population was 145 wild horses.

The most recent gather was completed in 2021 with the goal of achieving the low range of AML while administering fertility control to a meaningful number of mares. Of the 198 gathered, 135 were transported to adoption and 62 total animals were released back to the range, of which 30 were treated mares. The estimated post gather population was 105 wild horses which is greater than low AML.

The 2015 Fish Creek Gather EA analyzed the implementation of fertility control in the form of PZP vaccine. Since issuance of the 2015 Fish Creek Gather EA, there have been additional research papers issued which include discussions about the effects of PZP ZonaStat-H vaccine and PZP-22 pellet vaccine. The conclusions of this research do not change the analysis within the 2015 Fish Creek Gather EA, nor necessitate the need for additional analysis or alternatives.

A concern raised by members of the interested public on other wild horse projects proposed within the Battle Mountain District is that consecutive treatment with PZP vaccine extending longer than 5 years (that is, 5 vaccination treatments) could render mares sterile. This Proposed Action does not propose to treat mares for more than five consecutive years, and in fact this project would only provide a second treatment (booster) of PZP vaccine to a portion of the mares. Only three mares are documented with two treatments at this time and would receive a third treatment if captured in the 2025 operation. Other mares would receive their first treatment, and still others would evade capture and not receive any treatment at all.

Eight flights have been conducted for the Fish Creek HMA since 2015. Flights included “resource” flights conducted to document animal health, distribution, and rangeland resource conditions, as well as formal inventory flights which were conducted to obtain an estimated population size. The following table displays the flights conducted.

**Table 3: Inventory and Resource Flights**

Year	Month	Flight Type	Other
2015	September	Resource	Document animal health, waters, resources
2016	September	Resource	Document animal health, waters, resources
2017	March	Inventory	
2019	July	Inventory	Pre-gather
2019	December	Inventory	Post Gather
2022	September	Inventory	
2024	April	Inventory	

Note that gathers were conducted in February 2015, September 2019, and January 2021. The most recent flight conducted in April 2024 resulted in a direct count of 180 adults and 14 foals for 194 horses observed (prior to the end of the foaling season), and an estimated 204 adults and 16 foals present at that time, based on statistical analysis of the observed data (M. Crabb, BLM population biologist)<sup>3</sup>. Following population analysis of the inventory data, and consideration of the estimated 2024 foaling numbers, the current estimated population is 245 wild horses based on a 20% estimated annual increase.

Inventory data since 2015 shows that 20-50% of the population is located outside of the HMA boundaries during flights and in 2024, 59 of the 220 total estimated horses associated with Fish Creek HMA were outside of the HMA boundaries. Typically, more horses outside of the boundaries, correlates to higher populations over the established AML.

<sup>3</sup> Crabb, M. 2024. Statistical analysis for 2024 survey of horse abundance in North Monitor, Fish Creek, Sevenmile, Bullfrog, Stonewall, Gold Mountain, and Palmetto Herd Management Areas, Butler Basin Herd Area, and Butler Basin and Kelly Creek Wild Horse Territories, and Hickison Wild Burro Territory. October 2024 Memorandum, Bureau of Land Management.



Genetics analysis was completed following the 2015 gather. The results show that genetic diversity was high and that no action was needed. Additional samples would be collected during the 2025 gather.

Substantial monitoring has been completed within the Fish Creek HMA since issuance of the 2015 Gather EA and Decision. Following the February 2015 gather, monitoring in person and via trail camera was completed in order to monitor animal distribution, health and the identification of the mares vaccinated with fertility control to facilitate a potential fertility control darting program. The Fish Creek HMA is known to have water issues during drought and when the population exceeds the AML, and monitoring was conducted to monitor water use and availability. Monitoring has included animal health and distribution, vegetation availability and conditions, water availability and apparent trend.

During the 2024 monitoring within the Fish Creek HMA, BLM documented some encouraging indicators such as presence of key perennial grasses and overall limited amount of invasive species. However, other indicators show that continued diligence is needed to maintain the AML in order to provide for continued upward trends in rangeland health. Lack of key perennial grasses, bare ground, pedestalling and erosion pavement were some of the indicators of potential future losses at these sites particularly when subjected to overuse by an overpopulation of wild horses and compounded by recurring drought seasons. Upland monitoring key management areas and water sources were visited within the Lucky C, Fish Creek and Arambel Allotments to observe and document vegetation and soil conditions, water availability, utilization, and signs of grazing animals.

Following the 2015 gather, it was still necessary for BLM to operate waters within the HMA in order to supplement the population to prevent emergency conditions. The Brown Well was pumped periodically to fill a storage tank and troughs, and the Davis Pipeline operated to provide water to up to five troughs. By 2017 water hauling was needed at the Coils Creek Slough and water hauling was resumed at McCullough Spring in 2018. These sources were monitored regularly through summer months and operated as needed to prevent emergencies due to lack of water. Inadequate water availability for the population size resulted in animal health decline as well as wild horses entering private lands in search of water. In 2018 an emergency gather request was completed in order to reduce the population to a level that could be sustained with the existing resources, especially during drought years, which resulted in the 2019 gather.

No new or updated Rangeland Health Evaluation has been completed since the 2004 Evaluation which established the AML for the Fish Creek HMA. Review of available rangeland monitoring, climate, and animal distribution and health data does not suggest an adjustment to AML is warranted at this time. Additionally, review of available information indicates that the analysis within the 2015 Fish Creek EA is still valid, and no new analysis is needed.

The need to gather and remove excess wild horses is currently even more evident as range resources have shown signs of recovery amid two wet years and a population of wild horses within the AML range in recent years. Emergency gathers or water hauling have not been necessary since 2019. Maintaining the population at the established AML is vital to enabling continued improvement of rangeland health, and prevention of emergency conditions due to inadequate water or forage.

**4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?**

Yes, the direct, indirect, and cumulative effects resulting from the implementation of the new Proposed Action would be similar and/or identical to those disclosed under the Proposed Action in the 2015 Fish Creek Gather EA because the Proposed Action and current conditions are similar to that analyzed in the 2015 Fish Creek Gather EA and the gather, removal and treatment objectives are within the scope and intensity of that analyzed in the 2015 EA. Environmental consequences from the new Proposed Action would not be expected to be any different than those analyzed in the 2015 Fish Creek Gather EA.

Other interdisciplinary activities such as mining exploration and development, livestock grazing, and power line development have been assessed and the determination made that the cumulative effects analysis within the 2015 Gather EA is valid, and no additional analysis is needed.

**5. Are there public involvement and interagency reviews associated with existing NEPA document(s) adequate for the current proposed action?**

Yes. The 2015 Fish Creek Gather EA was posted for a 30-day public comment period and comments received were considered in the development of the final EA issued in February 2015. Current issues, interest groups, and stakeholders are essentially similar to those that were involved in 2015.

The BLM will make this DNA available to the interested public for 30-day review and comment prior to issuance of the final DNA in accordance with BLM WHB Manual 4720. The BLM is also complying with Section 3 of the WFRHBA by consulting with the United States Fish and Wildlife Service, wildlife agencies of the State of Nevada, individuals independent of Federal and State government as have been recommended by the National Academy of Sciences, and other individuals who have scientific expertise and special knowledge of wild horse and burro protection, wildlife management and animal husbandry as related to rangeland management. The BLM consulted with local tribes during the process of preparing the 2015 Fish Creek Gather EA and has initiated consultation with the Duckwater Shoshone Tribe, the Ely Shoshone Tribe, the Shoshone-Paiute Tribes of the Duck Valley Indian Reservation, the Yomba Shoshone Tribe and the Te-Moak Tribe of Western Shoshone including the Battle Mountain Band, Elko Band, South Fork Band and Wells Band on this proposed action.

Public hearings are held annually on a state-wide basis regarding the use of motorized vehicles, including helicopters and fixed-wing aircraft, in the management of wild horses and burros.

During these meetings, the public is given the opportunity to present new information and to voice any concerns regarding the use of the motorized vehicles. Following the 2024 meeting, no changes to the current gather operation SOPs were identified based on the concerns expressed, and no new concerns were raised that were not analyzed in the 2015 EA.

Public views regarding management of wild horses have not changed substantially over the past 10 years. Members of the interested public have voiced similar concerns and recommendations about wild horse gathers since issuance of the 2015 Fish Creek EA as was addressed in the 2015 EA, which include views both in favor and against the use of fertility control, and views that favor bait and water trapping over use of helicopter. While many members of the public are

opposed to wild horse gathers and removal, many are in support of management at AMLs and periodic gathers utilizing helicopters to remove excess wild horses.

The public has in the past and continues to voice opposition to the use of helicopter as what is perceived as an inhumane form of gathering despite the historical record that indicates an average death rate of less than 2%. Since issuance of the 2015 Fish Creek EA and Decision, three wild horse gathers have taken place within the HMA. Of the total 1,180 animals gathered, only 13 deaths occurred, which represents 1.1% of the total gathered. Furthermore, only three of those deaths were related to gather operations, whereas the remaining 10 were due to pre-existing conditions.

## F. Persons/Agencies/BLM Staff Consulted

Name	Signature/Date
Shawna Richardson Wild Horse and Burro Specialist	
Jeff Kirkwood Project Manager	
Rachele Peppers Wildlife Biologist	
Neal Endacott Cultural Resource Specialist	
Ruth Thompson WH&B Program Lead	
Paul Griffin WH&B Research Coordinator	

Refer to the 2015 Fish Creek Gather EA for complete lists of the team members participating in the preparation of the original environmental analysis documents.

## Conclusion

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirement of NEPA.

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Signature of Project Lead

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Signature of NEPA Coordinator

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Signature of the Responsible Official

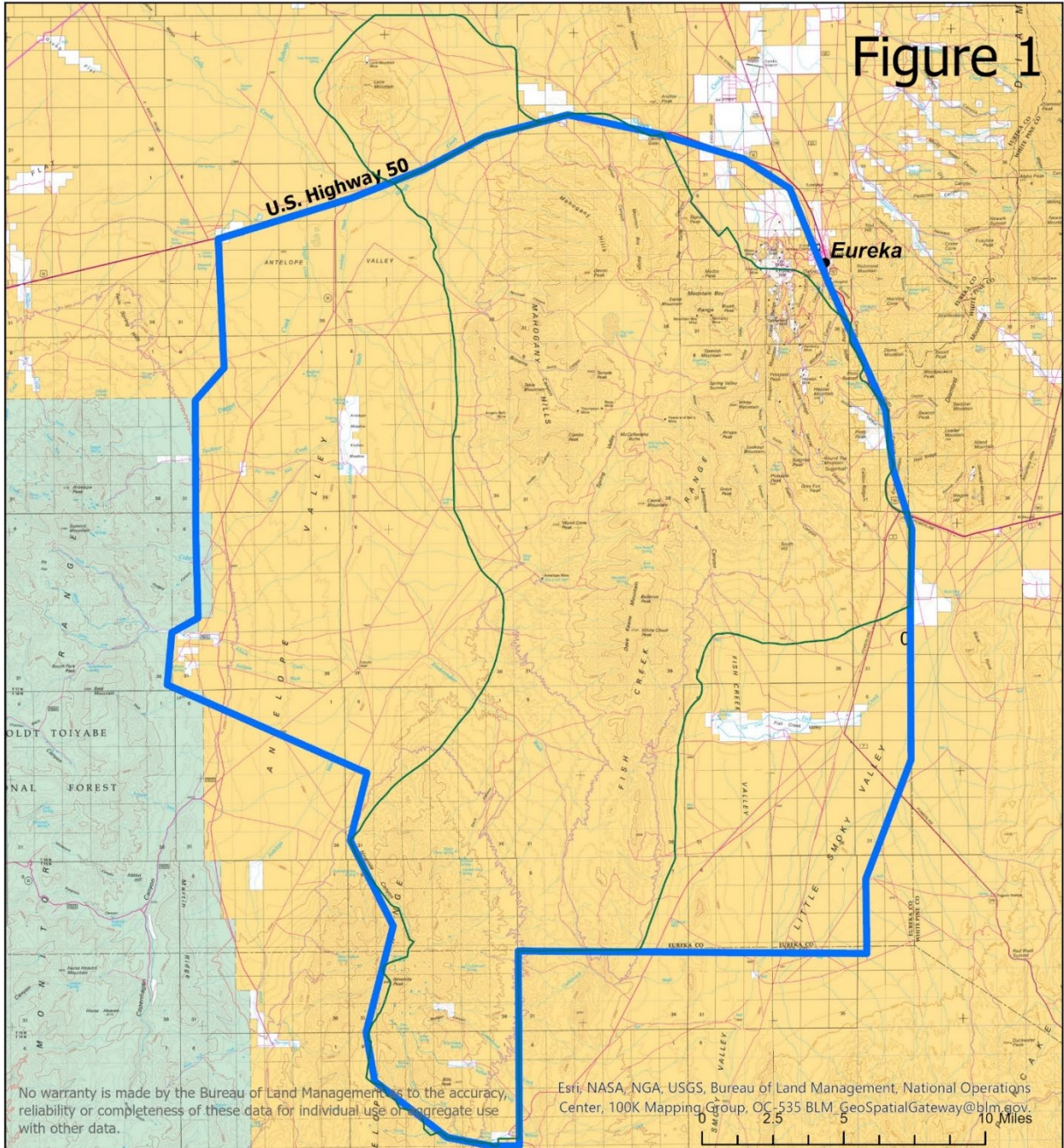
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Date

### **Note:**


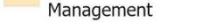
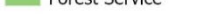
The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision process. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

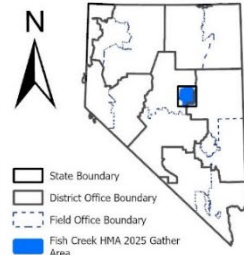
Figure 1



**Fish Creek Herd Management Area**  
**2025 Gather Area**  
**Mount Lewis Field Office**  
**November 2024**

**Legend**

-  Fish Creek HMA
-  Fish Creek HMA 2025 Gather Area
-  Cities & Towns
-  BLM Land Ownership NV
-  Private
-  Bureau of Land Management
-  Forest Service



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### Commenting:

For each comment, please fill in the following information under the appropriate column heading in the matrix:

- ✓ Row number on which you are commenting.
- ✓ Your comments:
  - **Your comments must be specific and provide exact changes to the text.** Please be unambiguous, clear, and directive, with exact wording changes stated. Ambiguous comments, such as “What?” “Poor,” or “Is this right?” are not helpful and will need further clarification.
  - Enter global comments in the first row and indicate they are global.
  - If you have the same comment more than once, do not refer back to a previous comment number. Instead, please copy and paste your comment to a new row in the matrix and provide the specific page number, etc.
  - Feel free to insert more rows if needed.

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1.	General	General	Eureka County – Jake Tibbitts	Eureka County had previously formally requested sitting down with BLM and NV “to better align and guide the ROW and utility corridor with the plans, policies, and desires of Eureka County” and to workshop the necessary changes to address the county and others concerns and issues on the proposed ROW siting. We also specifically requested in our letter “a meeting with BLM and NV Energy to discuss our concerns and comments in a coordinated way is appropriate and would go a long way in getting to the heart of finding equitable solutions for all interests moving forward and we request this occur as soon as possible. More coordination and thoughtfulness that has been given to date is needed by BLM and NV Energy.” We are frustrated that this has still not happened. Please work with us to get this done.		
2.	I-I	28	Eureka County – Jake Tibbitts	Please revise to read “The BLM’s obligation to consider the proposed project....”		

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3.	General	General	Eureka County – Jake Tibbitts	We could find nowhere where BLM met the obligations under both FLPMA and NEPA by properly coordinating with Eureka County in incorporating the land use plans, policies and controls of Eureka County into the EIS and resolving any inconsistencies that arise and/or documenting such in the EIS. We are dismayed that BLM failed to meet these legal requirements, especially since we specifically commented on this as a cooperating agency and in our scoping comments. We request BLM do what is legally required and complete this analysis and consistency review and coordinate directly with us to do so. These requirements are required under, but not limited to, 40 CFR 1502.16(a)(5) and 1506.2(d) and 43 CFR § 1610.3-1, 43 CFR § 1610.3-2, 43 CFR § 1601.0-5(c)) and the March 16, 1981 Memorandum for Federal NEPA Liaisons, Federal, State, and Local Official and Other Persons Involved in the NEPA Process, Questions 23b and 23c.		



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4.	1-2	7	Eureka County – Jake Tibbitts	<p>This is also a RMP amendment EIS. For GLNP to move forward, the GRSG ARMPA would have to be amended. As such, the BLM Planning Regulations should be cited here and have to followed in addition to the NEPA regs. This needs better explained and fleshed out in this section referencing just the NEPA regs and throughout. We argue the BLM Planning Regulations have not been met for this EIS especially related to cooperating agency coordination, engagement and involvement and consistency review with local plans, policies, and controls. Specifically:</p> <ul style="list-style-type: none"> <li>• 43 CFR 1610.4-1 - Identification of issues. At the outset of the planning process, the public, other Federal agencies, State and local governments and Indian tribes shall be given an opportunity to suggest concerns, needs, and resource use, development and protection opportunities for consideration in the preparation of the resource management plan. The Field Manager, <b><i>in collaboration with any cooperating agencies</i></b>, will analyze those suggestions and other available data, such as records of resource conditions, trends, needs, and problems, and select topics and determine the issues to be addressed during the planning process.</li> <li>• 43 CFR 1610.4-2 - Development of planning criteria. (a) The Field Manager will prepare criteria to guide development of the resource management plan or revision, to ensure: (1) It is tailored to the issues previously identified.... (b) Planning criteria will generally be based upon applicable law, Director and State Director guidance, the results of public participation, and</li> </ul>		
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				<p><b>coordination with any cooperating agencies</b> and other Federal agencies, State and local governments, and federally recognized Indian tribes.</p> <ul style="list-style-type: none"> <li>• 43 CFR 1610.4-3 - Inventory data and information collection. The Field Manager, <b>in collaboration with any cooperating agencies</b>, will arrange for resource, environmental, social, economic and institutional data and information to be collected, or assembled if already available.</li> <li>• 43 CFR 1610.4-4 - Analysis of the management situation. The Field Manager, <b>in collaboration with any cooperating agencies</b>, will analyze the inventory data and other information available to determine the ability of the resource area to respond to identified issues and opportunities.</li> <li>• 43 CFR 1610.4-5 - Formulation of alternatives. At the direction of the Field Manager, <b>in collaboration with any cooperating agencies</b>, BLM will consider all reasonable resource management alternatives and develop several complete alternatives for detailed study.</li> <li>• 43 CFR 1610.4-6 - Estimating effects of alternatives. The Field Manager, <b>in collaboration with any cooperating agencies</b>, will estimate and display the physical, biological, economic, and social effects of implementing each alternative considered in detail.</li> <li>• 43 CFR 1610.4-7 - Selection of preferred alternative. The Field Manager, <b>in collaboration with any cooperating agencies</b>, will evaluate the alternatives, estimate their effects according to the planning criteria, and identify a preferred</li> </ul>		
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				alternative that best meets Director and State Director guidance.		
5.	1-2	14	Eureka County – Jake Tibbitts	This references the Renewable Energy Portfolio as a “standard” where it is actually State Law and was enshrined in the Nevada Constitution through a ballot question. So, it is a legal and constitutional mandate in NV, not a standard.		
6.	1-5	8	Eureka County – Jake Tibbitts	Here and everywhere else in the document, whenever the term “multiple use” is used, please add “and sustained yield.” Nowhere in FLPMA is the term “multiple use” ever separated from “sustained yield” except in the FLPMA definitions. Stranding “multiple use” from “sustained yield” is a false pretense.		
7.	1-7	20	Eureka County – Jake Tibbitts	Federal law and regulation require consistency to the maximum extent possible with non-federal plans, policies, and controls. Please revise this sentence to add “to the maximum extent possible” and include “plans, policies, and controls.”		
8.	1-8	11	Eureka County – Jake Tibbitts	Include “state and local” for the requirement to meet consistency, to the maximum extent possible, with state and local plans, policies, and controls.		

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9.	1-8 – 1-9	27	Eureka County – Jake Tibbitts	Lists “City of Eureka”. Eureka is an unincorporated town under the auspices of the Eureka County Board of Commissioners and should not be listed. Also, we suggest removing “agencies” from the county listing to just be “Counties” since there are so many separate and distinct agencies under the counties that are not specifically listed and were not invited to be CAs separately.		
10.	1-10	20	Eureka County – Jake Tibbitts	We’ve continually requested that impacts to public access on county roads and public roads under NRS 403 and 405 be analyzed, especially those that do not have nor require a FLPMA ROW from BLM. This should be added to this list of issues identified.		

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11.	2-2 and 2-11 and 2-12	28-32 and 23 - 34 and 1 - 22	Eureka County – Jake Tibbitts	The Proponent would not need a ROW or special use permit for existing roads that are pre-FLPMA rights of way and either county roads under NRS 403 or public roads, held in trust by counties, under NRS 405. Instead, the Proponent would need to work with counties for road use and maintenance agreements or county level special use permits for these roads. BLM ROWs or USFS SUP would only be required for upgrades/improvements outside of the historic road disturbance footprint (including shoulders and drainage cuts). There is a real risk of creating an case or controversy and conflict on these roads and running afoul of federal law as well as NRS 405.204(3)(a). Please clarify and insert language that the Proponent would need to work with counties on road use and maintenance agreements for these roads as we requested twice during both scoping periods. Please also clarify throughout the document whenever there is discussion regarding access road upgrades/ improvements on existing roads or traffic controls required (such as road closures, even temporary) that when these are county and public roads, the work would have to be done in consultation and agreement with the counties.		

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12.	2-19	12-18	Eureka County – Jake Tibbitts	We disagree with the completed dismissal of the GRSG avoidance alternative. While we understand that there may be no route that can completely avoid sage grouse habitat, there are shifts that can occur to reduce impacts along the entire route. We do not believe BLM and NV Energy have adequately considered shifting of the GLNP and utility corridor along the entire route to swing around mapped habitat. We request BLM and NV Energy work with Eureka County and other counties to workshop areas where these shifts can take place.		
13.	2-20	30	Eureka County – Jake Tibbitts	Eureka County previously formally requested “language ensuring that” “lands designated suitable for disposal...not be encumbered or affected by any ROW or corridor that would make it harder for acquisition of or Recreation and Public Purposes grants on these previously identified lands as originally allocated. We also request a setback for utility lines from disposal lands of one-mile similar to already existing private land.” We do not see these reasonable requests included in any of the alternatives. In fact, the proposed action ROW would greatly impact many disposal lands by going right through them and goes through or abuts private lands as well.		

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14.	2-24	9-16	Eureka County – Jake Tibbitts	The justification to dismiss the Underground Transmission Alternative for Greater Sage-grouse Lek Avoidance is arbitrary. Yes, lek attendance and use can change over time but current leks are known and this is a small price to help conserve the imperiled GRSG that will already be greatly impacted by this project. A recent BLM mining EIS selected alternative required buried water and power lines within lek buffers. If it is reasonable for a mining project, it is reasonable for GLNP.		
15.	3-10	14	Eureka County – Jake Tibbitts	Is this the average precipitation? If so, please add “average.” And is it the “analysis area” because the “area” is much more encompassing. As it reads now, the statement is not correct because “precipitation in the area” would include the mountain ranges with some 12-14” precip zones (or higher) and there are many above 12” precip zones the line itself would go through near Eureka and Austin.		

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16.	3-12	1-9	Eureka County – Jake Tibbitts	Include Simpson Creek and Pinto Creek on the Diamond Range and Eureka Creek (which the ROW will go right over), all perennial streams of higher concern than some of those listed (like Slough Creek, which is intermittent). The ROW and access roads cross these or are adjacent to these omitted streams. Also, the County Water Resources Master Plan should be a source of more accurate, local data than the USGS NHD which apparently indicates other known perennial streams listed as intermittent, which are know inaccuracies (such as Roberts Creek). Perhaps the lower segments of these streams are intermittent is what the NHD shows?		
17.	3-12	42	Eureka County – Jake Tibbitts	There are 256 hydrographic basins in NV, not 232.		



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18.	3-13	30-34	Eureka County – Jake Tibbitts	<p>It is inaccurate to state that “water rights...belong to the public.” The water belongs to the public but the usufructuary rights to the water are private property belonging to water rights holders. Further, vested water rights are not subject to appropriation by the State Engineer’s office but were appropriated prior to water law and can only be adjudicated in a court.</p> <p>The paragraph also states on line 34 that the proponent would be using “domestic” sources, which can’t be the case because domestic use is defined in NRS 534.013 as “culinary and household purposes” for only “single family dwellings” and “accessory dwellings”.</p> <p>Further, it is not completely accurate to say the water use would be subject to “beneficial use conditions” as beneficial use is only one prong in the requirements under Nevada Water Law.</p> <p>So please consider simply revising to “The water use within the analysis area would be subject to the requirements of Nevada Water Law.”</p>		

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19.	3-14 And 3-21	5-11 And 31-35	Eureka County – Jake Tibbitts	<p>These paragraphs are confusing and doesn't accurately describe the process for water use. No doubt there would have to be change applications of existing water rights to cover the GLNP construction, at the very least Place of Use changes, and very likely Manner of Use changes. This doesn't just require "proper coordination" with the SE office but an application that is published in the local newspaper for 30 days, then another 30 days for any protests to be lodged, then the SE can consider the application. Please add something like "All water use would be subject to ensuring the underlying water right place of use and manner of use aligns with the GLNP use purposes."</p> <p>Further, the Diamond Valley Groundwater Management Plan, approved by the State Engineer and went all the way through NV Supreme Court, is the law of the land for groundwater use in Diamond Valley. This should be noted and creates a higher lift for GLNP water needs in the Diamond Valley area.</p> <p>These changes need to cascade through to all other alternatives with similar language or inaccuracies.</p>		

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20.	3-15	13	Eureka County – Jake Tibbitts	Change “NDWR” to “NDEP.” NDWR is not over water quality and has no water quality standards. It is NDEP. This error is repeated over and over throughout so a good search and replace is warranted and we will not comment on it each time.		
21.	3-15	33	Eureka County – Jake Tibbitts	“agreed” should be “agree.”		
22.	3-32	20-31	Eureka County – Jake Tibbitts	<p>It would be worthwhile to cite NRS 555 and NAC 555 and point to the state-level and weed district level listed noxious weeds. Also, coordination with local weed districts is a requirement under NV law and should be noted and committed to.</p> <p>It is frustrating that local sources of noxious weed locations were not sought out. Eureka County has an inventory of noxious weeds in GIS format. The “list” of weeds in the survey area misses very many known infestations of weeds in areas along the GLNP that must be included. In addition to the many areas missing the weeds listed, there are actual known weeds missing such as poison hemlock and black henbane.</p>		

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23.	3-34	9	Eureka County – Jake Tibbitts	Also, coordination with local weed districts and counties is a requirement under NV law and should be noted and committed to under O&M. This is crucial to avoid duplication and double spraying, especially on or along county and public roads being used for GLNP where counties are already doing much treatment.		
24.	3-44	8	Eureka County – Jake Tibbitts	Please add “inappropriate” to read “inappropriate livestock grazing.” Managed grazing has been documented by volumes of research to be neutral to beneficial to habitat conditions.		
25.	3-44	1-3	Eureka County – Jake Tibbitts	The most recent NDOW status reports show the Area 14 deer herd to not be declining over the “past decade” but stable to increasing due to a variety of factors, mostly active management, so please qualify this sentence by adding “generally” to read “Generally, Nevada’s mule deer...”		
26.	3-50	1-3	Eureka County – Jake Tibbitts	Please also include local agencies for this coordination including counties and their respective County Advisory Boards to Manage Wildlife (under NRS 501) and local conservation districts (under NRS 548).		

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27.	3-80	2	Eureka County – Jake Tibbitts	Please revise to read "...completely on the sagebrush ecosystem." GRSG rely on more than "just" sagebrush such as wet meadows. USGS has also documented high use of rabbitbrush for nesting.		

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28.	3-80 And 3-99	25 And 30-36	Eureka County – Jake Tibbitts	<p>Please include language about the NV State Sage Grouse Conservation Plan which is more than just the CCS. There are many other policies, actions, and components of the State Plan not included in the CCS. The State Plan is built on the mantra of “avoid, minimize, mitigate.” The CCS kicks in only when the actions of “avoid” and “minimize” have not ameliorated all impacts to sage grouse and mitigation is then required. Compliance with the sage grouse mitigation regulations does not necessarily equal consistency with the State Plan. Analysis regarding consistency with the State Plan is separate from use of the CCS and is required under the NEPA regs and BLM Planning regs.</p> <p>The section on p. 3-99 does not reference state law through NRS 232.162 and NRS 321.592 and 594 but only the NAC regulation related to the CCS. Please include the law portion. Further, the Executive Order cited no longer is in effect due to the NV Legislature inclusion of the law in NRS and adoption of the NAC. Please analyze and describe how the GLNP would conform to both the NRS and NAC and the State Plan which the CCS is only a component of.</p> <p>Also, as we previously noted, we do not believe NV Energy nor BLM have done all the work necessary to avoid impacts to GRSG but instead have mostly jumped straight to mitigation.</p>		
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**Greenlink North Project / Environmental Impact Statement  
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<b>Cmt #</b>	<b>Page number</b>	<b>Row # or Figure #</b>	<b>Agency/ Reviewer Name</b>	<b>Comment</b>	<b>A/R/M</b>	<b>Remarks / How Resolved (Reviewers: Leave this column blank)</b>
29.	3-91	30	Eureka County – Jake Tibbitts	BLM and NV Energy should have consulted with counties and conservation districts for this analysis in addition to NDOW. We have completed many habitat projects, hundreds of thousands of dollars worth, on private lands and BLM land on the Diamond Range to benefit GRSG. The GLNP goes through and is adjacent to some of the projects. The GLNP threatens the project goals and positive outcomes of these projects and in a sense leaves them as “stranded” investments of thousands of public taxpayer dollars. Please include specific analysis related to these impacts to these habitat projects.		
30.	3-135	20	Eureka County – Jake Tibbitts	Please add an issue for analysis to be impacts to public access on county roads and public roads under NRS 403 and 405, especially those that do not have nor require a FLPMA ROW from BLM.		

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<b>Cmt #</b>	<b>Page number</b>	<b>Row # or Figure #</b>	<b>Agency/ Reviewer Name</b>	<b>Comment</b>	<b>A/R/M</b>	<b>Remarks / How Resolved (Reviewers: Leave this column blank)</b>
31.	3-138	9	Eureka County – Jake Tibbitts	This section must also include analysis of impacts to non-BLM granted ROWs. As we specifically requested in our scoping letters, “Please include analysis of potential impacts to access on the parcels currently authorized through FLPMA and also pre-FLPMA rights that exist that are not BLM authorizations (e.g., RS 2477). All known roads and access in the parcels should be included in the analysis, not just those with a BLM authorization or right of way. The EIS must look at impacts to land, access, and realty, and should look at all access that exists. Data sources to easily complete this analysis are readily available. This would include county road maps and TIGER/Line GIS data (readily available through the US Dept. of Commerce at <a href="https://www.census.gov/geographies/mapping-files/time-series/geo/tiger-line-file.html">https://www.census.gov/geographies/mapping-files/time-series/geo/tiger-line-file.html</a> ). At a minimum, County roads that have been accepted as such by the Nevada Department of Transportation should be depicted and discussed.”		



**Greenlink North Project / Environmental Impact Statement  
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32.	3-141	31	Eureka County – Jake Tibbitts	The GLNP, as proposed, is not consistent with the plans and policies of Eureka County as the language states. Specifically related to Land Use and Realty, the GLNP would cause substantial impacts to county and public roads, public access, and have private property effects that are not supportable under Eureka County’s plans and policies. The ROW directly going through and abutting private land does impact private land enjoyment and values. It is disingenuous to state so many times in all of the alternatives that they “would not conflict with existing commercial, military, agricultural, utility, transportation, or communication facilities in the project area.” There will be conflicts for the new line just as there were and are conflicts with the other lines that exist such as the Falcon-Gondor line. The EIS needs to be honest and upfront about these inconsistencies and NV Energy and BLM must work with us to overcome them as required by federal law and regulation.		

**Greenlink North Project / Environmental Impact Statement  
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<b>Cmt #</b>	<b>Page number</b>	<b>Row # or Figure #</b>	<b>Agency/ Reviewer Name</b>	<b>Comment</b>	<b>A/R/M</b>	<b>Remarks / How Resolved (Reviewers: Leave this column blank)</b>
33.	3-148	14	Eureka County – Jake Tibbitts	Table 3-40 lists Simpson Creek as having eligibility for WSR and then the following analysis includes Simpson Creek, The figure for WSR also shows other streams in Eureka County having been determined to be eligible for WSR. None of this work was completed with any consultation or coordination with Eureka County and affected local interests whatsoever. No local knowledge or data was considered. This is a specific conflict and inconsistency with Eureka County’s Master Plan and County Code. We disagree completely with the tortuous methodology to find these streams as eligible WSR. Further, very recent other NEPA documents covering the same areas have found not a single stream as eligible for WSR. This is a complete arbitrary and capricious analysis and process not rooted in reality nor common sense and does not reflect the real conditions on the ground.		
34.	3-153	23	Eureka County – Jake Tibbitts	The populations are suspect. The US Census Bureau reports 1855 for Eureka County.		

**Greenlink North Project / Environmental Impact Statement  
Preliminary Draft EIS Agency and Cooperator Review– May 2024**

35.	3-159	16	Eureka County – Jake Tibbitts	<p>Again, we find ourselves dismayed and frustrated with the failure of BLM to work with us on incorporating local data and knowledge into especially the socioeconomic analysis. Further, the NEAP data, funded by BLM and USFS, should be used in the socioeconomic analysis as intended.</p> <p>This socioeconomic analysis is suspect. Eureka County finds the socioeconomic analyses arbitrary and mostly meaningless.</p> <p>Housing is very hard to come by in Eureka County and almost impossible. So much so that many mining workers are living in camp trailers because of lack of housing. Housing shortages are currently the major pressure point in southern Eureka County. The EIS paints a picture of there being plenty of “vacant” homes available.</p> <p>There should be discussion regarding conditions in southern Eureka County and non-mining income. Lumping Eureka County as a whole does not adequately describe the extreme bifurcated socioeconomic conditions that exist between the north and south areas of the County. The labor force and employment conditions are largely associated with mining in northern Eureka County which this minimizes impacts analysis regarding southern Eureka County where GLNP will be located.</p> <p>Eureka County’s municipal water system serving the area where construction workers would live is strained and has limited capacity to take on much</p>		
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**Greenlink North Project / Environmental Impact Statement  
Preliminary Draft EIS Agency and Cooperator Review– May 2024**

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				<p>more service. There is no discussion that's worthwhile regarding this impact and what we will do.</p> <p>Given that uncertainties, the most appropriate manner to analyze potential impacts is to develop a range of potential population scenarios as part of a boundary analysis. Without such information, the analysis of impacts does not adequately describe potential socioeconomic impacts to Eureka County. A few dozen folks increase in Eureka County is of the same scale as hundreds or thousands of folks in more urban areas. It is important to note that the construction workforce will be greatly influenced by the construction contractors who are hired to work on the project. The project will likely draw workers and construction companies throughout the Nevada and nearby states as well. Because most construction workers will likely be weekly commuters, they should be considered part of the resident population for purposes of the impact analysis.</p>		
36.	3-160	20	Eureka County – Jake Tibbitts	There are not 5 hotels in Eureka County. Getting accurate information from local sources should be a priority.		

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37.	3-163	1	Eureka County – Jake Tibbitts	Table 3-55 is inaccurate for Eureka County. Getting accurate information from local sources should be a priority. One school in Eureka is for preK-6 and one for 7-12. Then one in Crescent Valley for preK-8.		
38.	3-164	9	Eureka County – Jake Tibbitts	Table 3-56 is inaccurate. Getting accurate information from local sources should be a priority. The Eureka, Diamond Valley, Pine Valley, Dunphy, and Newark Valley VFDs are all missing. Eureka and DV VFDs are both along the GLNP. Crescent Valley is very far from GLNP.		
39.	3-164	11	Eureka County – Jake Tibbitts	The Health Care section is inaccurate. Getting accurate information from local sources should be a priority. There are two rural clinics in Eureka County, both ran by William Bee Ririe Hospital. There are also optometry services, dental services, counseling services, etc. all separate practices.		
40.	3-157	27	Eureka County – Jake Tibbitts	It is arbitrary and biased to include such details about Outdoor Recreation but not speak to, in detail, the socioeconomic stability drivers of the permitted uses on public lands that really drive our stability including ranching and mining.		

**Greenlink North Project / Environmental Impact Statement  
Preliminary Draft EIS Agency and Cooperator Review– May 2024**

<b>Cmt #</b>	<b>Page number</b>	<b>Row # or Figure #</b>	<b>Agency/ Reviewer Name</b>	<b>Comment</b>	<b>A/R/M</b>	<b>Remarks / How Resolved (Reviewers: Leave this column blank)</b>
41.	3-168	19 - 41	Eureka County – Jake Tibbitts	Ranching is more than just accessibility to forage. Impacts to roads, stockwater sources, noise and activity displacing livestock, etc. all cause direct economic impacts to ranchers and indirect and induced impacts to the communities that should be disclosed.		
42.	3-186	4	Eureka County – Jake Tibbitts	Many of the changes we requested would flow through to needed changes in the Cumulative Impacts section.		



U.S. Department of the Interior  
Bureau of Land Management  
Nevada Renewable Energy Coordination Office

October 29, 2024

October 30, 2024

November 13, 2024

# Greenlink North Transmission Project

**The Bureau of Land Management presentation will start at 5:30 pm.**

**Until then we encourage you to visit the open house stations set up.**

## Meeting Agenda

**Open House - 5 to 5:30 pm**

**Presentation - 5:30 to 6:15 pm**

**Question and Answer Session - 6:15 pm to 7 pm**



# Introductions

**Bureau of Land Management**, Renewable Energy Coordination Office

**NV Energy**, Applicant

**AECOM**, Environmental Impact Statement Contractor





# Agenda

Major Project Milestones

Public Scoping

Range of Alternatives

Alternatives Not Carried Forward for Detailed Analysis

Resource Management Plan Amendments

Baseline Studies

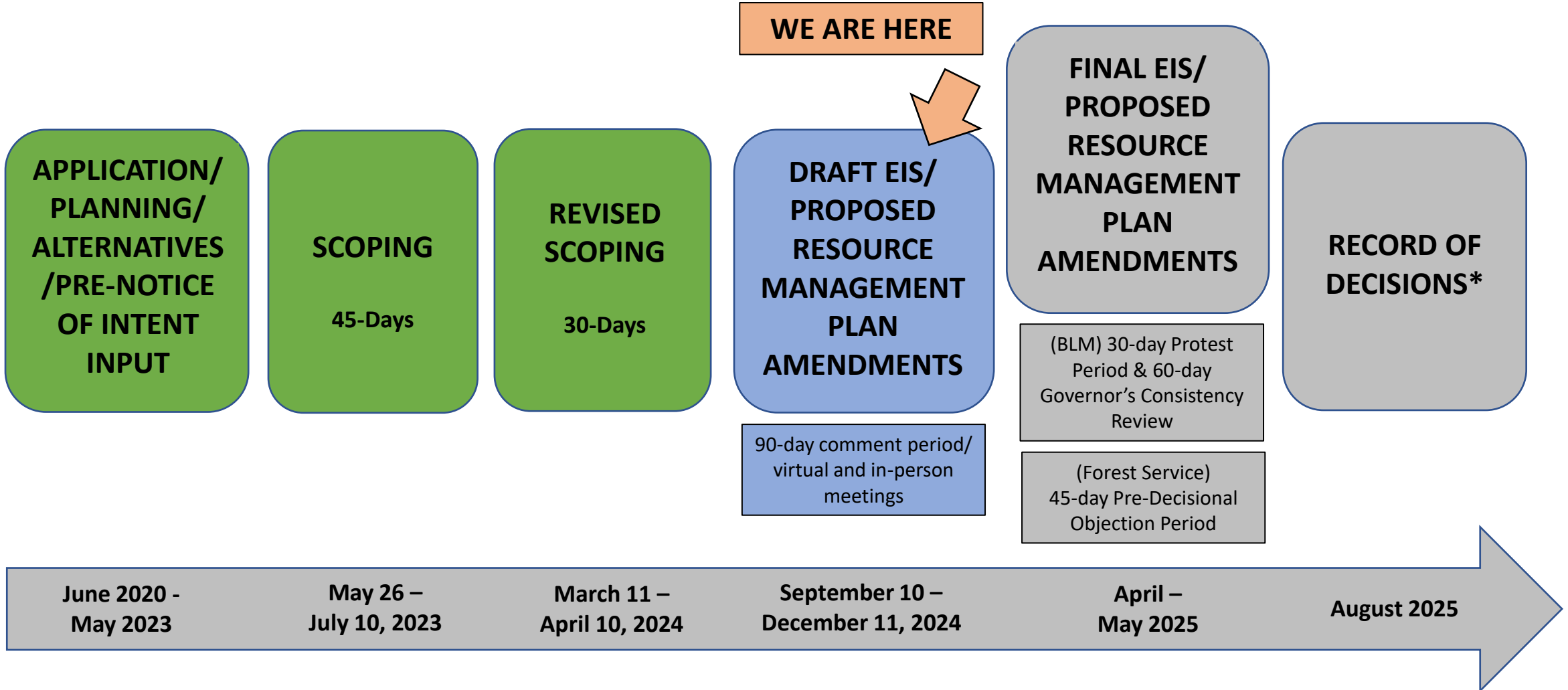
Endangered Species Act

National Historic Preservation Act

Organization of the Environmental Impact Statement



# Major Project Milestones



\*There will be two Records of Decision, one for the Bureau of Land Management (BLM), and a second for the U.S. Forest Service (FS).

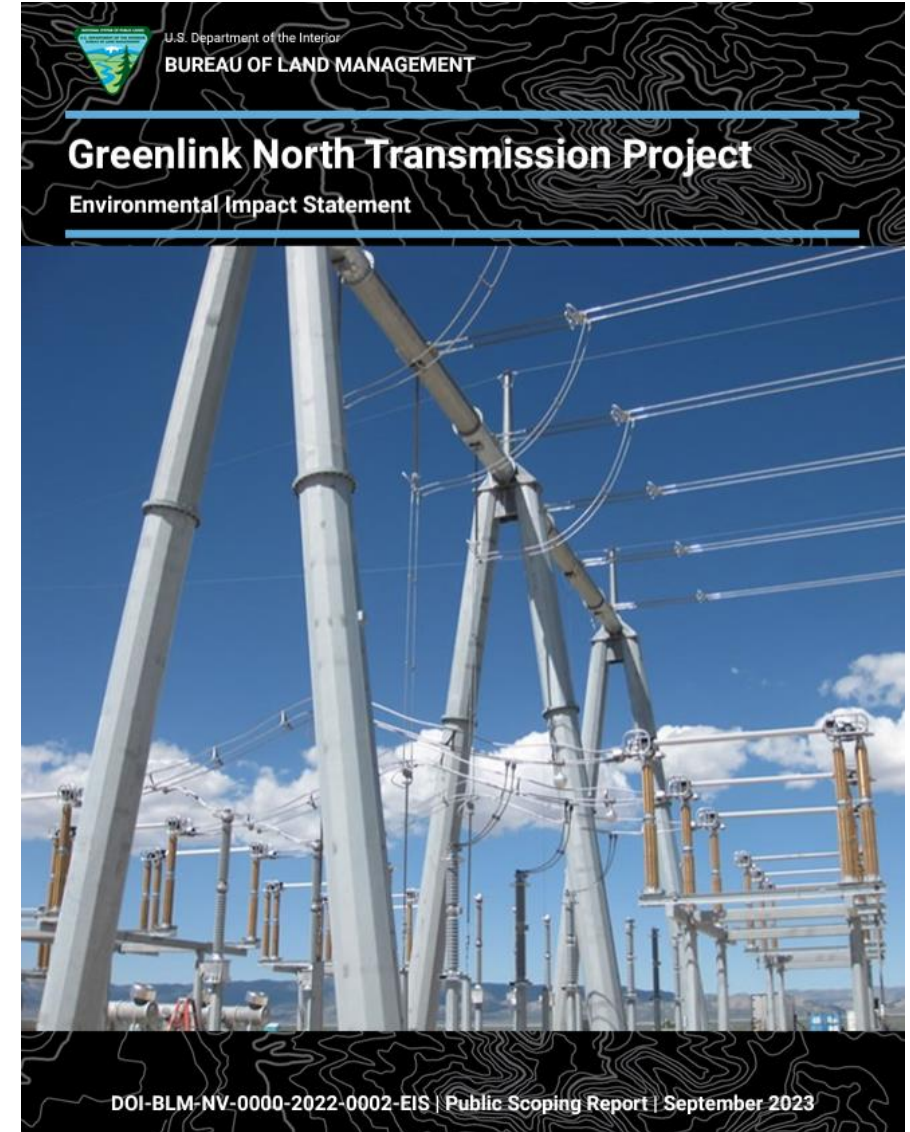


## Public Scoping - 2023

From May 26 until July 10, 2023 the Bureau of Land Management completed a 45-day public scoping period.

During the scoping period, there was one virtual public meeting, and three in-person meetings, one held in Ely, Austin, and Reno, Nevada.

The Bureau of Land Management received approximately 23 public comment emails and letters to consider.





# Revised Public Scoping - 2024

The revised *Federal Register* Notice of Intent was published on March 11, 2024. One virtual meeting was held on March 26, 2024.

The Bureau of Land Management received approximately 26 public comment emails and letters to consider.

This second scoping period ended on April 10, 2024.

An amended Scoping Report was published on April 26, 2024.

**17510** Federal Register / Vol. 89, No. 48 / Monday, March 11, 2024 / Notices

(4) Ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

HUD encourages interested parties to submit comments in response to these questions.

**C. Authority**  
Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. chapter 35.

**Matthew Ammon,**  
Director, Office of Healthy Homes and Lead Hazard.  
[FR Doc. 2024-05037 Filed 3-8-24; 8:45 am]  
BILLING CODE 4210-67-P

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**DEPARTMENT OF THE INTERIOR**  
**Bureau of Land Management**  
[BLM NV FRN MO#4500178000]

**Notice of Intent To Amend Resource Management Plans for the Greenlink North Transmission Project, Nevada and Prepare an Associated Environmental Impact Statement**

**AGENCY:** Bureau of Land Management, Interior.  
**ACTION:** Notice of intent.

**SUMMARY:** In compliance with the National Environmental Policy Act of 1969, as amended (NEPA), and the Federal Land Policy and Management Act of 1976, as amended (FLPMA), the Bureau of Land Management (BLM) Nevada State Office intends to prepare a Resource Management Plan amendment (RMPA) with an associated Environmental Impact Statement (EIS) for the Greenlink North Transmission Project and by this notice is announcing the beginning of the scoping period to solicit public comments and identify issues, and is providing the planning criteria for public review.

**DATES:** The BLM requests the public submit comments concerning the scope of the analysis, potential alternatives, and identification of relevant information, and studies by April 10, 2024. To afford the BLM the opportunity to consider issues raised by commenters in the Draft RMPA/EIS, please ensure your comments are received prior to the close of the 30-day scoping period or 15 days after the last public meeting, whichever is later.

**ADDRESSES:** You may submit comments on issues related to the Greenlink North Transmission Project by any of the following methods:

- Website: <https://eplanning.blm.gov/eplanning-ui/project/2017033/510>.
- Email: [blm\\_nv\\_greenlinknorth@blm.gov](mailto:blm_nv_greenlinknorth@blm.gov).

**Mail:** BLM, Nevada State Office, Attn: Greenlink North Transmission Project, 1340 Financial Boulevard, Reno, NV 89502.

- Documents pertinent to this proposal may be examined online at <https://eplanning.blm.gov/eplanning-ui/project/2017033/510> and at the Nevada State Office in Reno, Nevada.

**FOR FURTHER INFORMATION CONTACT:** Brian Buttazoni, Project Manager, telephone (775) 861-6491; address 1340 Financial Boulevard, Reno, NV 89502; email [blm\\_nv\\_greenlinknorth@blm.gov](mailto:blm_nv_greenlinknorth@blm.gov). Contact us at this email address to have your name added to our mailing list. Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD), or TeleBraille) to access telecommunications relay services. Individuals outside the United States should use the relay services offered within their country to make international calls to the point-of-contact in the United States.

**SUPPLEMENTARY INFORMATION:** This document provides notice that the BLM Nevada State Director intends to prepare an RMPA/EIS for the Greenlink North Transmission Project, announces the beginning of the scoping process, seeks public input on issues and planning criteria. The plan amendments are being considered to allow the BLM to evaluate modifying restrictions on major rights-of-way (ROWs) within greater sage-grouse habitat management areas and in proximity to leks and to establish a new 235-mile utility corridor between Ely, Nevada and Yerington, Nevada, which would require amending the existing 2001 Consolidated Resource Management Plan in Carson City District, 1986 Shoshone-Eureka Resource Management Plan/Record of Decision in Battle Mountain District, and 2008 Record of Decision/Resource Management Plan in Ely District.

The planning area is located in White Pine, Eureka, Lander, Churchill, and Lyon counties and encompasses approximately 451,706 acres of BLM, U.S. Forest Service, and private lands.

The scope of this land use planning process does not include addressing the evaluation or designation of areas of critical environmental concern (ACEC), and the BLM is not considering ACEC nominations as part of this process.

**Purpose and Need**  
The BLM's preliminary purpose and need for this Federal action is to respond to the ROW application submitted by NV Energy under Title V of FLPMA (43 U.S.C. 1761) on July 20, 2020, to construct, operate, and decommission a proposed system of new 525-kV, 345-kV, 230-kV, and 120-kV electric transmission facilities on BLM-administered lands in White Pine, Eureka, Lander, Churchill, and Lyon counties, in compliance with FLPMA, BLM ROW regulations, the BLM NEPA Handbook (BLM 2008), U.S. Department of the Interior NEPA regulations, and other applicable Federal and State laws and policies. In accordance with FLPMA, public lands are to be managed for multiple uses considering the long-term needs of future generations for renewable and non-renewable resources. The BLM is authorized to grant ROWs on public lands for systems of generation, transmission, and distribution of electrical energy (FLPMA section 501(a)(4)). The U.S. Forest Service, Humboldt-Toiyabe National Forest also received an application from NV Energy for an approximately 10-mile segment of the project. The Forest Service's purpose and need is to respond to NV Energy's application for a Special Use Permit to construct, operate, maintain, and decommission the proposed 500-kV transmission line on National Forest System land in Lander County in compliance with FLPMA, the National Forest Management Act (16 U.S.C. 1601-1614), and the Toiyabe National Forest Land and Resource Management Plan (Forest Service 1986 as amended), which provides standards and guidelines for managing the National Forest.

The BLM has also determined that it will evaluate the need for RMPAs for this Project, and as a result the document will be a combined RMPA/EIS following the requirements of the BLM's land use planning regulations. Accordingly, the BLM will consider whether to amend the 2001 Consolidated Resource Management Plan in Carson City District, 1986 Shoshone-Eureka Resource Management Plan/Record of Decision in Battle Mountain District, and 2008 Record of Decision/Resource Management Plan in Ely District within the proposed Project area to establish a new 235-mile long utility corridor between Ely and Yerington, Nevada, and modify restrictions on major ROWs for transmission lines greater than 100 kV currently in place under the 2015 Greater Sage Grouse RMPA, including its designation of habitat management



## Public Review and Meeting Schedule

On September 10, 2024 the Bureau of Land Management initiated a 90-day public review period which will end on **December 11, 2024**.

The following in-person meetings have been scheduled:

- Ely, Bristlecone Convention Center, 150 W 6<sup>th</sup> Street – **October 29, 2024 from 5-7 pm.**
- Eureka, Eureka Opera House, 31 South Main Street – **October 30, 2024 from 5-7 pm.**
- Sparks, Nugget Casino Resort, 1100 Nugget Avenue – **November 13, 2024 from 5-7 pm.**



## NV Energy's stated **purpose** for this project.

Energy transmission **redundancy, resiliency** and **reliability** between Ely and Yerington, Nevada.

The current version of NV Energy's Preliminary Plan of Development (February 2024) is found on the project website at:

<https://eplanning.blm.gov/eplanning-ui/project/2017033/570>

This project has independent utility and does not depend on the construction of any other projects along the 235 mile alignment.



## Bureau of Land Management's Purpose and Need

The Bureau of Land Management's **purpose** is to respond to the SF-299 right-of-way application submitted by NV Energy to construct, operate and maintain, a system of transmission facilities and associated infrastructure that would transmit electricity between the Fort Churchill and Robinson Summit substations on public lands.

The **need** for this action is to fulfill the Bureau of Land Management's responsibility under the Federal Land Policy and Management Act and agency right-of-way regulations to manage the public lands for multiple uses, including the transmission of electric energy.



## U.S. Forest Service's Purpose and Need

The U.S. Forest Service's **purpose** is to respond to the SF-299 right-of-way application submitted by NV Energy to construct, operate, and maintain a transmission line over National Forest System lands within the Austin-Tonopah Ranger District of the Humboldt-Toiyabe National Forest.

The **need** for this action is to fulfill the Forest Service responsibility under the Federal Land Policy and Management Act in accordance with the National Forest Management Act (16 USC §§1601–1614), and the Toiyabe National Forest Land and Resource Management Plan (Forest Service 1986 as amended) which provides standards and guidelines for managing the National Forest. U.S. Forest Service regulations in 36 CFR 251 Subpart B that authorizes use and occupancy on National Forest System lands.





## Range of Alternatives

The Draft Environmental Impact Statement has evaluated the following range of alternatives:

- **No Action (No Build) Alternative**
- **NV Energy Proposed Action**
- **Bureau of Land Management/Forest Service Preferred Alternative**

Both the Proposed Action and BLM Preferred Alternative evaluate plan amendments on Bureau of Land Management-administered lands.

- **Eighteen Alternatives Considered by Not Carried Forward**



## Evaluation of Plan Amendments

The Draft Environmental Impact Statement has evaluated amending three existing Bureau of Land Management resource management plans:

- 2001 Consolidated Resource Management Plan in Carson City District.
- 1986 Shoshone-Eureka Resource Management Plan/Record of Decision in Battle Mountain District.
- 2008 Ely District Record of Decision/Resource Management Plan



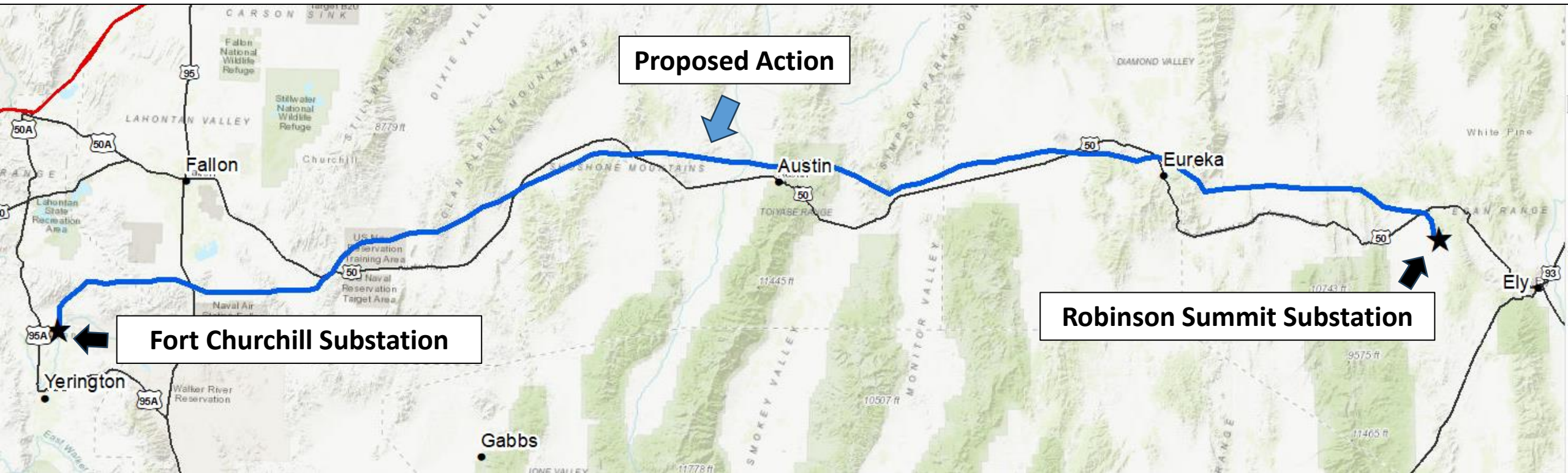
## Plan Amendments Evaluated

Portions of the project area are within greater sage-grouse priority and general habitat management areas which are “avoidance areas” for major rights-of-ways for greater than 100 kV high voltage transmission lines, outside designated utility corridors. When soft triggers were hit, “avoidance” areas became “exclusion” areas.

As a result, as stated in the second public scoping notice, the Bureau of Land Management has evaluated whether to **modify restrictions on major rights-of-ways in habitat management areas** and proximity to leks in the project area.



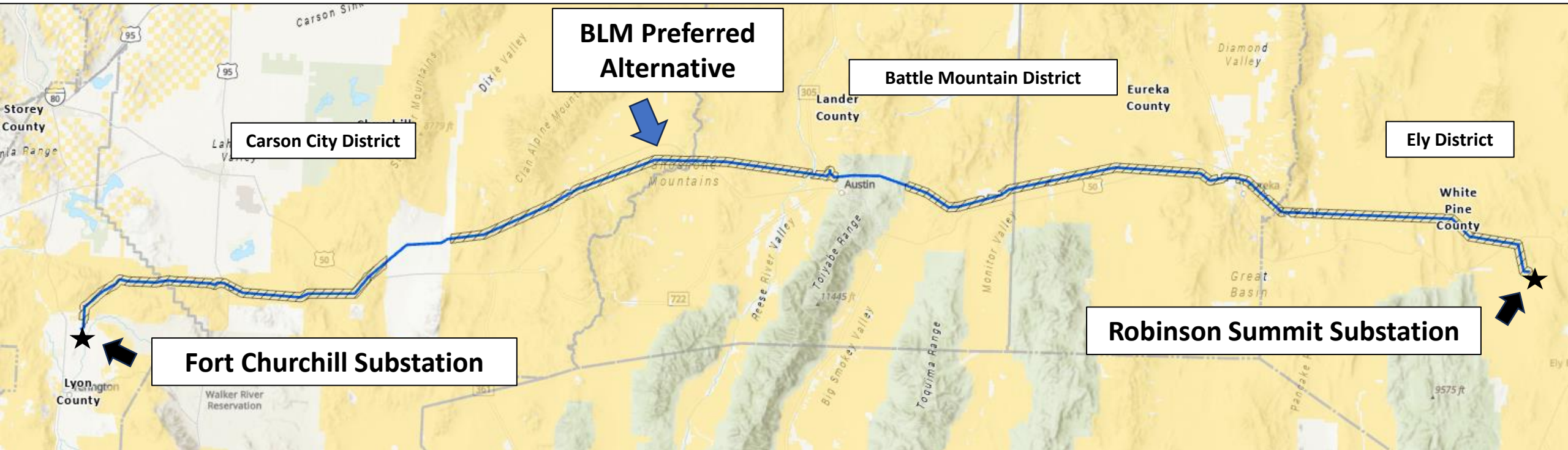
Applicant **Proposed Action**. A 235-mile alignment between Ely and Yerington, Nevada. Connecting the Robinson Summit Substation to the Fort Churchill Substation. Figure 2-1.



Approximately 198 miles of the 235 mile alignment would be co-located with an existing 230 kV transmission line. There is also an existing 345 kV transmission line between Eureka and the Robinson Summit Substation for 52 miles. Both are operated by NV Energy.



Designate a new 198-mile long by up to 3,500-foot wide utility corridor between Ely and Yerington, Nevada (approximately 82,600 acres of Bureau of Land Management-administered lands).



The utility corridor would not apply to non-Bureau of Land Management-administered lands such as private lands, other federal lands.



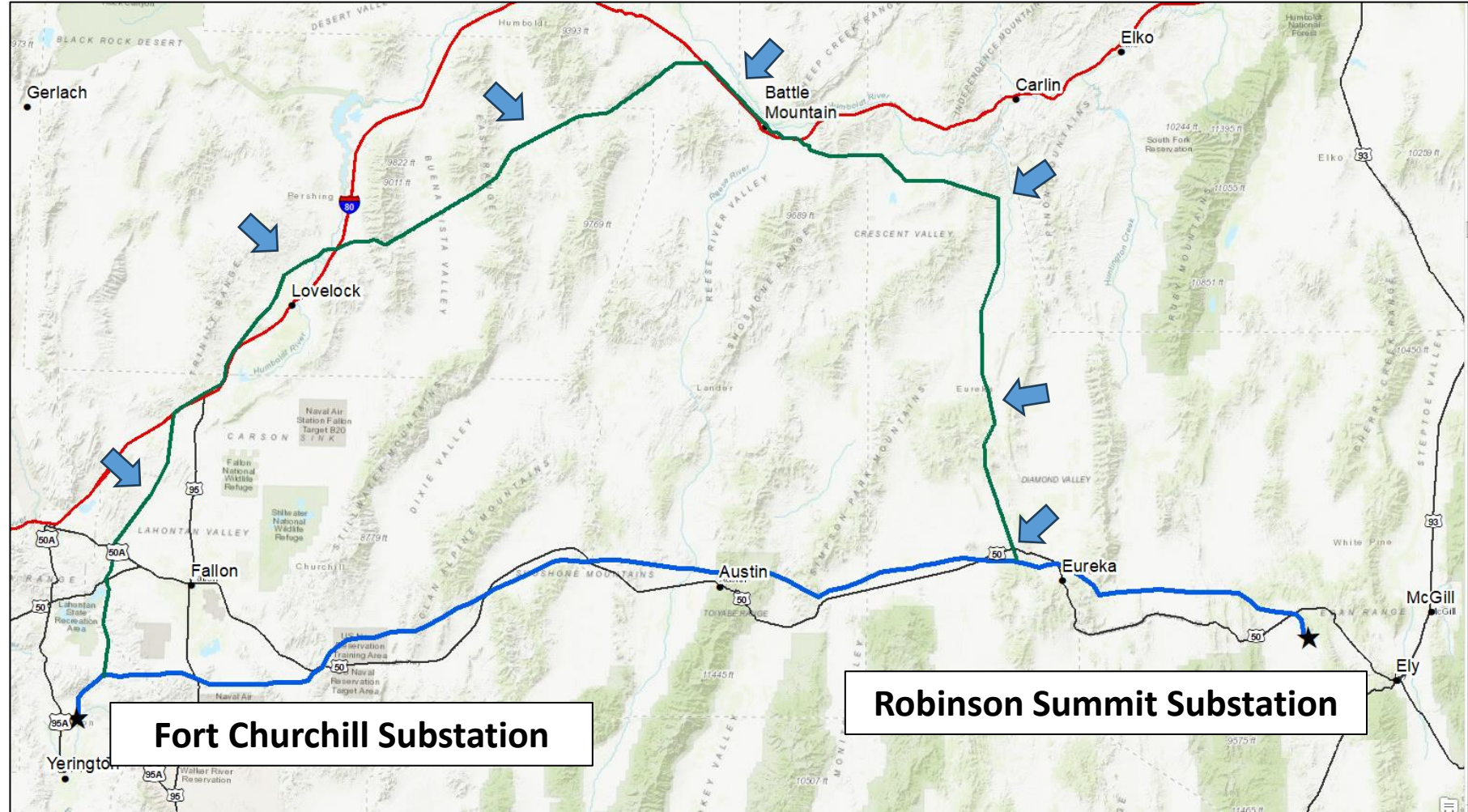
## Alternative Not Carried Forward

### Northern Alternative. Figure 2-7.

Approximately 290 mile alignment.

Suggested during a pre-Notice of Intent virtual public meeting to avoid going along US Highway 50.

Not a viable alternative.





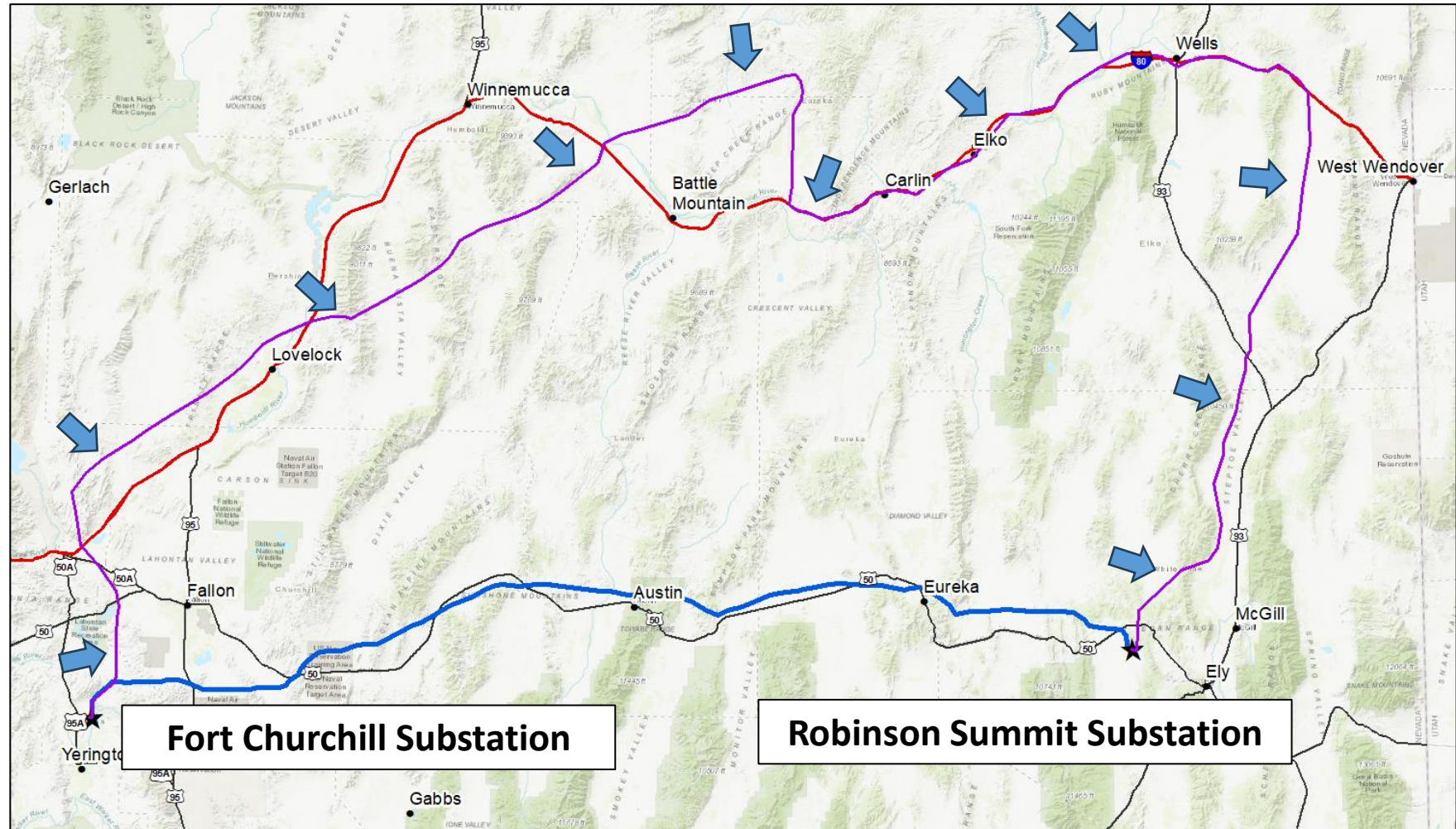
## Alternative Not Carried Forward

### Revised Northern Alternative. Figure 2-7.

Approximately 505 mile alignment.

Suggested during public scoping to avoid going along US Highway 50.

Not a viable alternative.



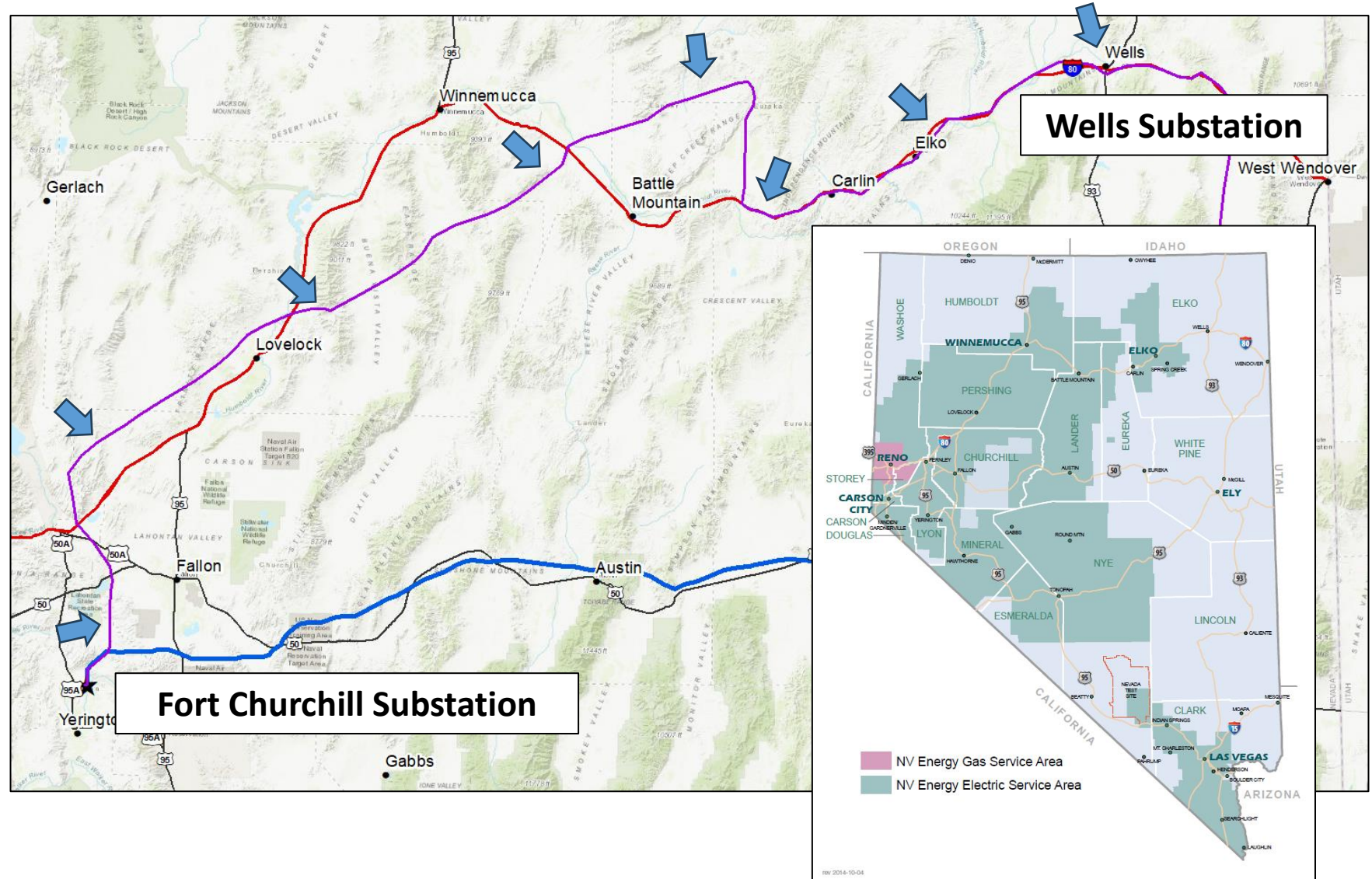


## Alternative Not Carried Forward

### Revised Northern Alternative To Wells. Figure 2-7.

Approximately 353 mile alignment.

Economically infeasible alternative and the Wells area is outside NV Energy’s service area.

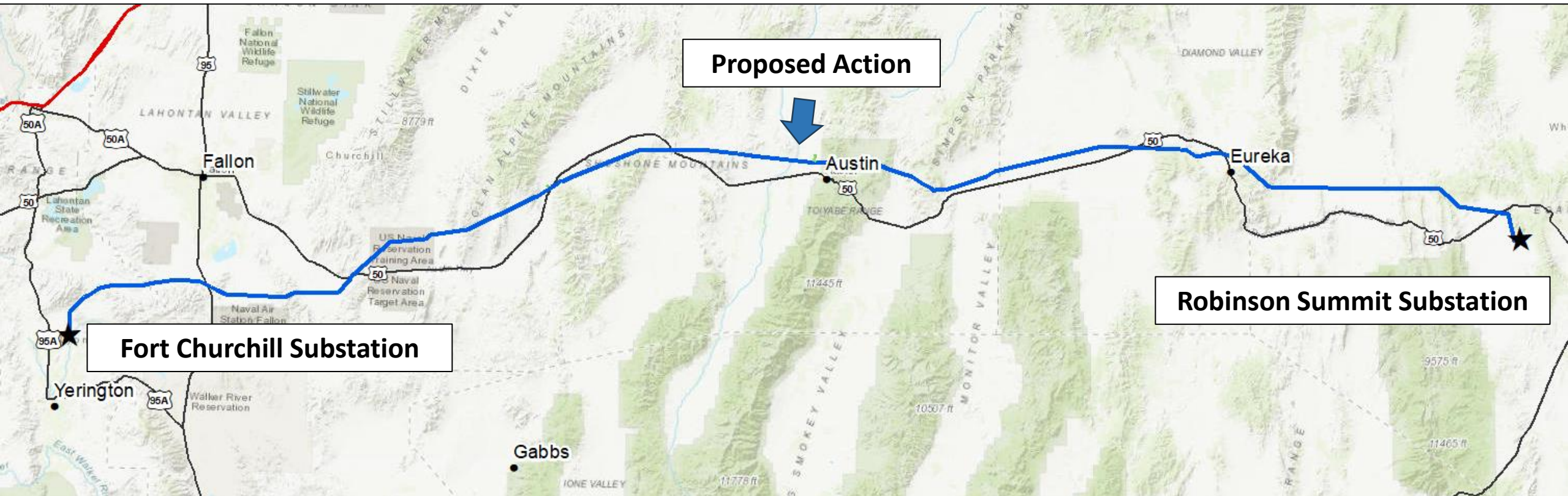






## Underground Transmission. **Alternative Not Carried Forward.**

Economically infeasible, costs increase from approximately \$1.8 million per mile of overhead transmission to \$18 to 27 million per mile for underground. Costs rise from \$644 million to \$6.3 billion for the project. Greater environmental impacts.

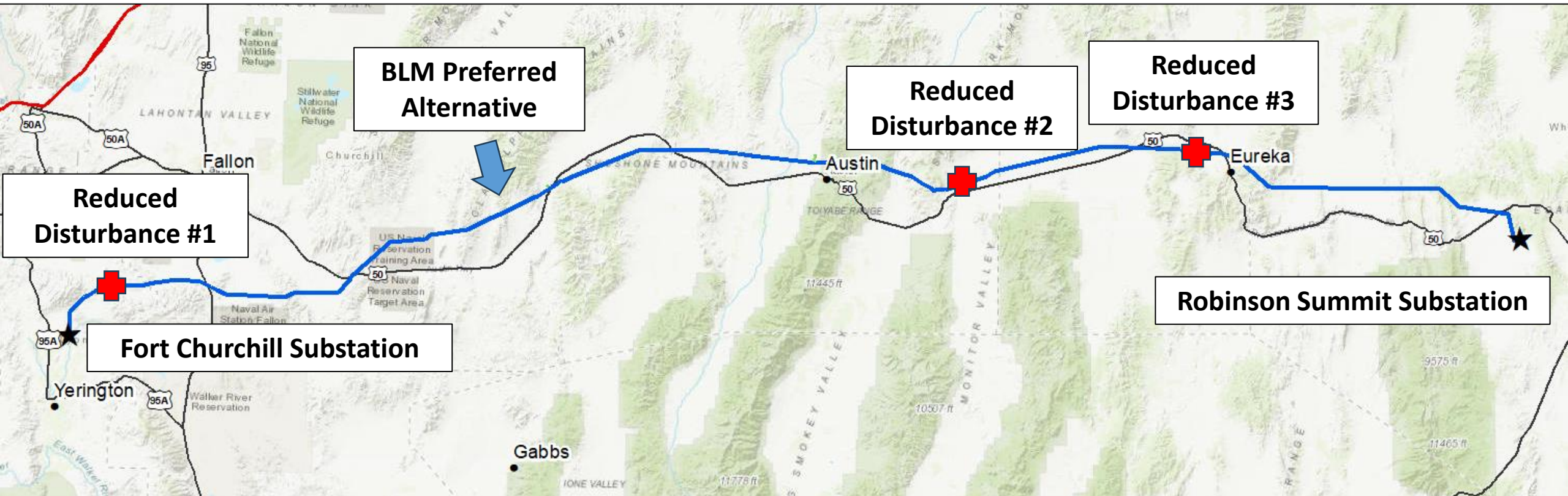




# Reduced Disturbance Alternative. Alternatives Not Carried Forward.

Figure 2-8.

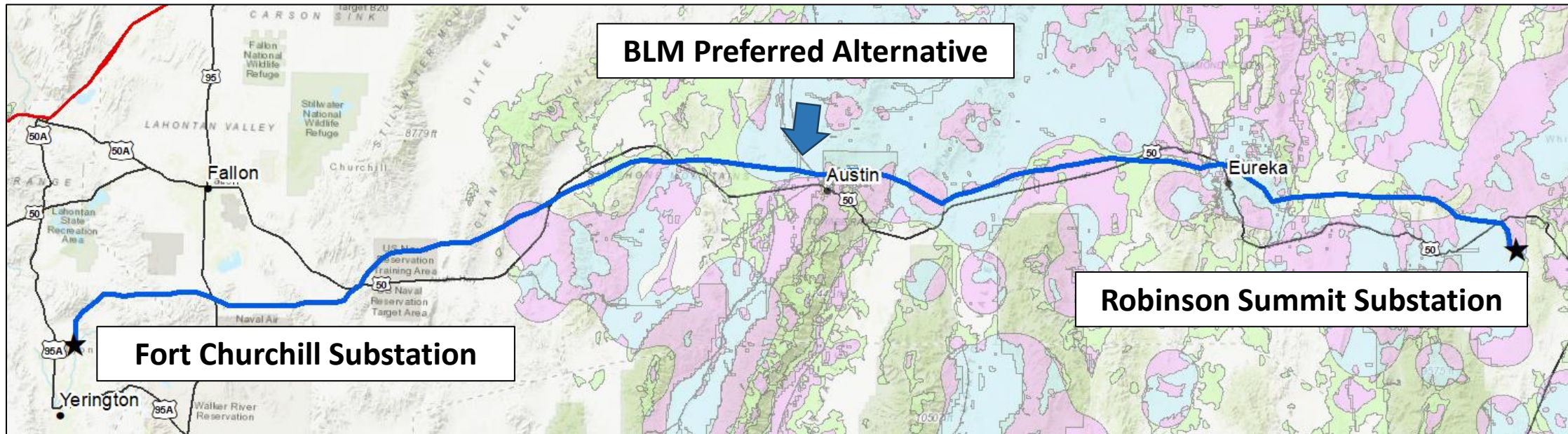
Three alignments to reduce impacts through co-location with existing rights-of-way and/or utility corridors. Due to conflicts with private lands, all three alternative segments have been dismissed.





## Greater Sage-Grouse Habitats Avoidance Alternative. **Alternative Not Carried Forward.** Figure 2-9.

There are no reasonable means to go between the Robinson Summit Substation to Fort Churchill Substation without crossing through the various greater sage-grouse habitat management areas.





## Conservation Alternative. **Alternative Not Carried Forward.**

- Deny the right-of-way application.
- Accept nominations for Areas of Critical Environmental Concern and reclassify areas to Visual Resource Management Class II.
- Classify unclassified areas along this project alignment as Visual Resource Management Class II.



## Outside Scope of Plan Amendments

40 CFR 1610.7-2(b) states the following regarding Areas of Environmental Concern:

“(b) ...Identification, evaluation, and priority management of ACECs shall be considered during the development and revision of resource management plans and during amendments to resource management plans **when such action falls within the scope of the amendment** [emphasis added] (1610.4-1 through 1610.4-9).”

The second scoping notice (89 FR 17510) stated the following:

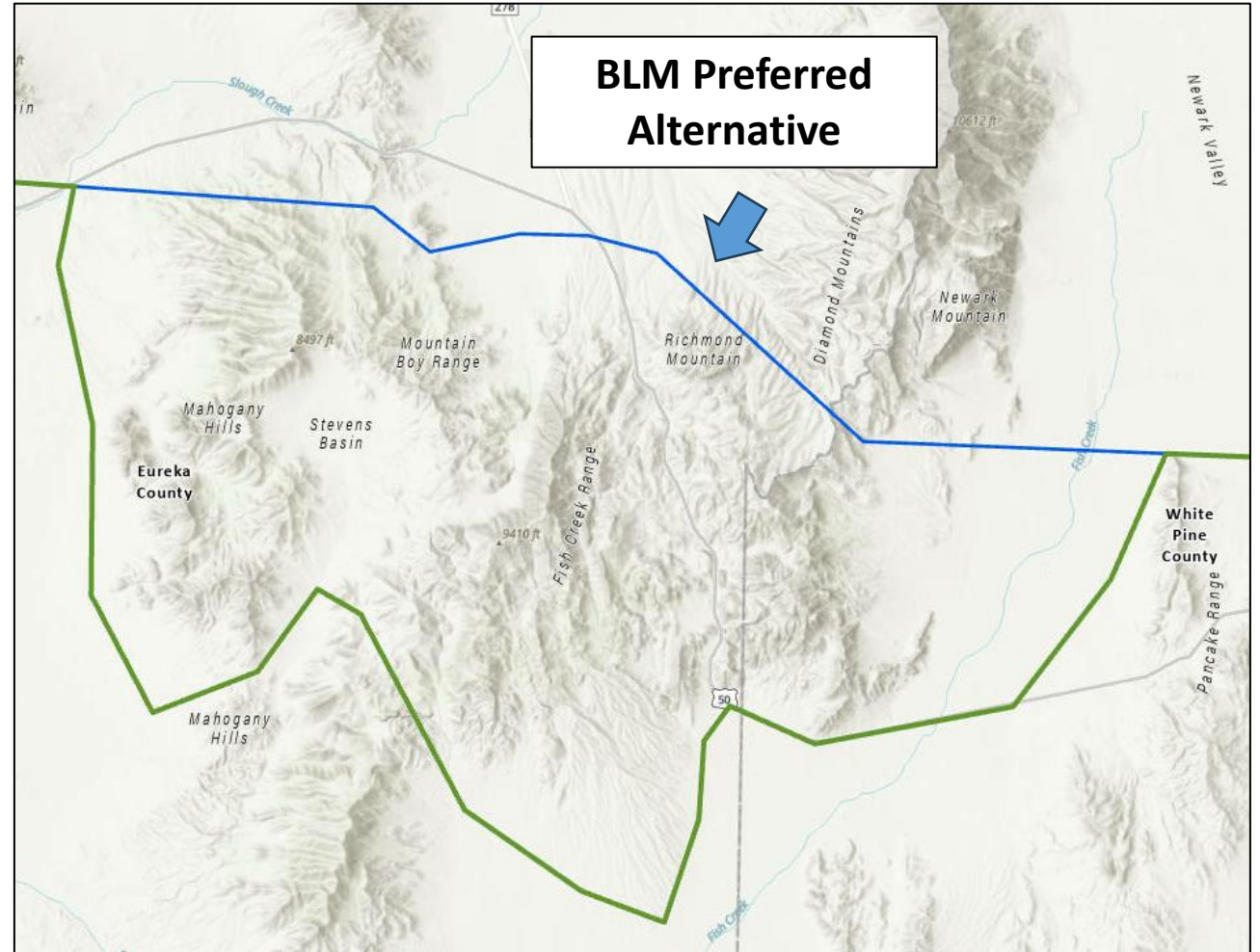
“The scope of this land use planning process **does not include addressing the evaluation or designation** [emphasis added] of areas of critical environmental concern (ACEC), and the BLM is not considering ACEC nominations as part of this process.”



## Eureka/White Pine County Alternative. **Alternative Not Carried Forward.** Figure 2-8.

This alternative was proposed by Eureka County to avoid being within the buffer for multiple pending/active leks.

The 46.7 mile alternative is economically infeasible, increasing project costs by \$101 million dollars, and there would be more environmental impacts because it would not be co-located with an existing 230 kV transmission line.





# Route Groups Analyzed

Several route groups have been analyzed to address various biological, cultural and socioeconomic concerns.

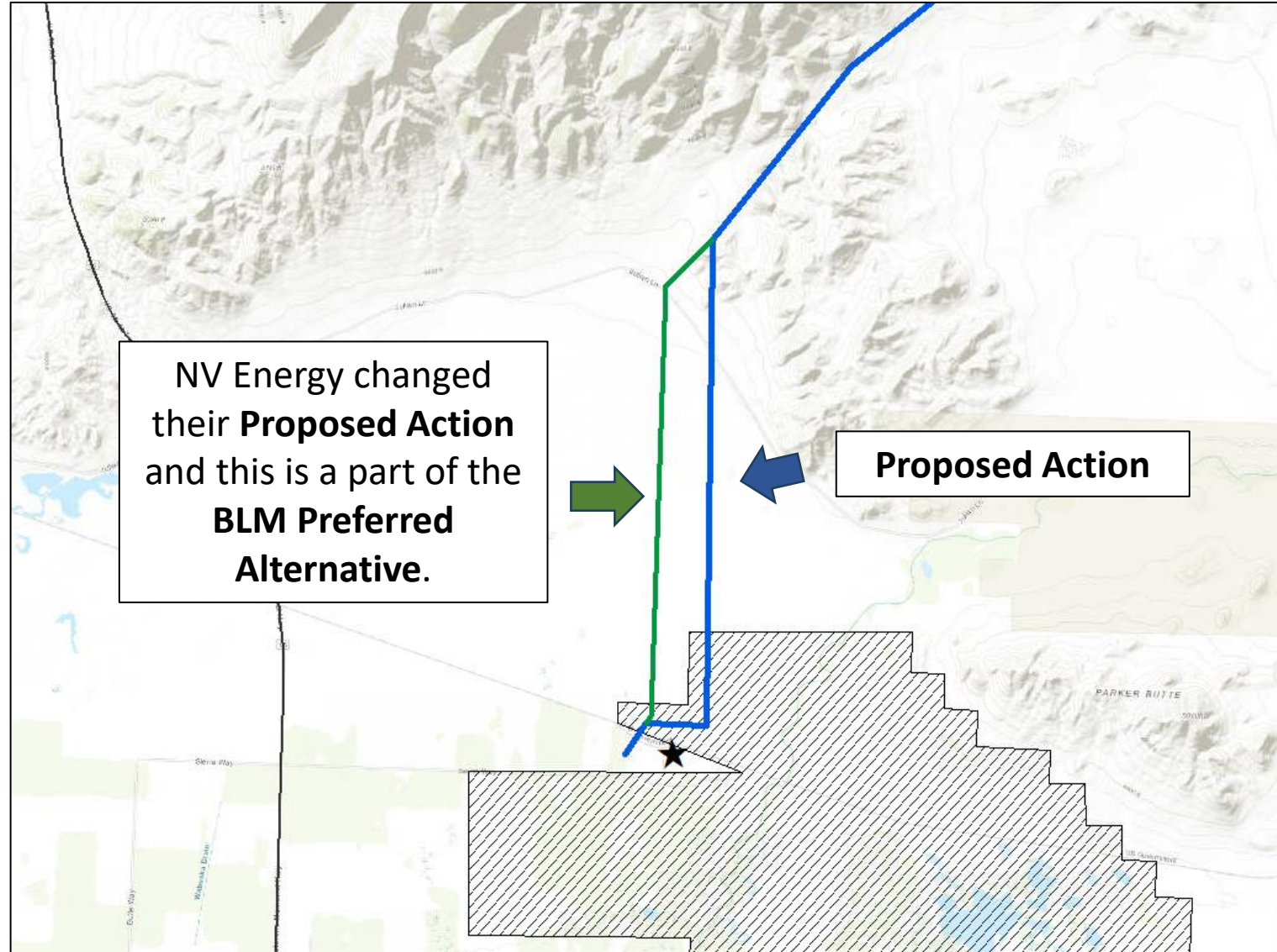




# Mason Valley Wildlife Management Area

Approximately 5 mile  
alignment.

Suggested during  
pre-Notice of Intent  
public meeting to  
avoid impacts to the  
Mason Valley  
Wildlife  
Management Area.





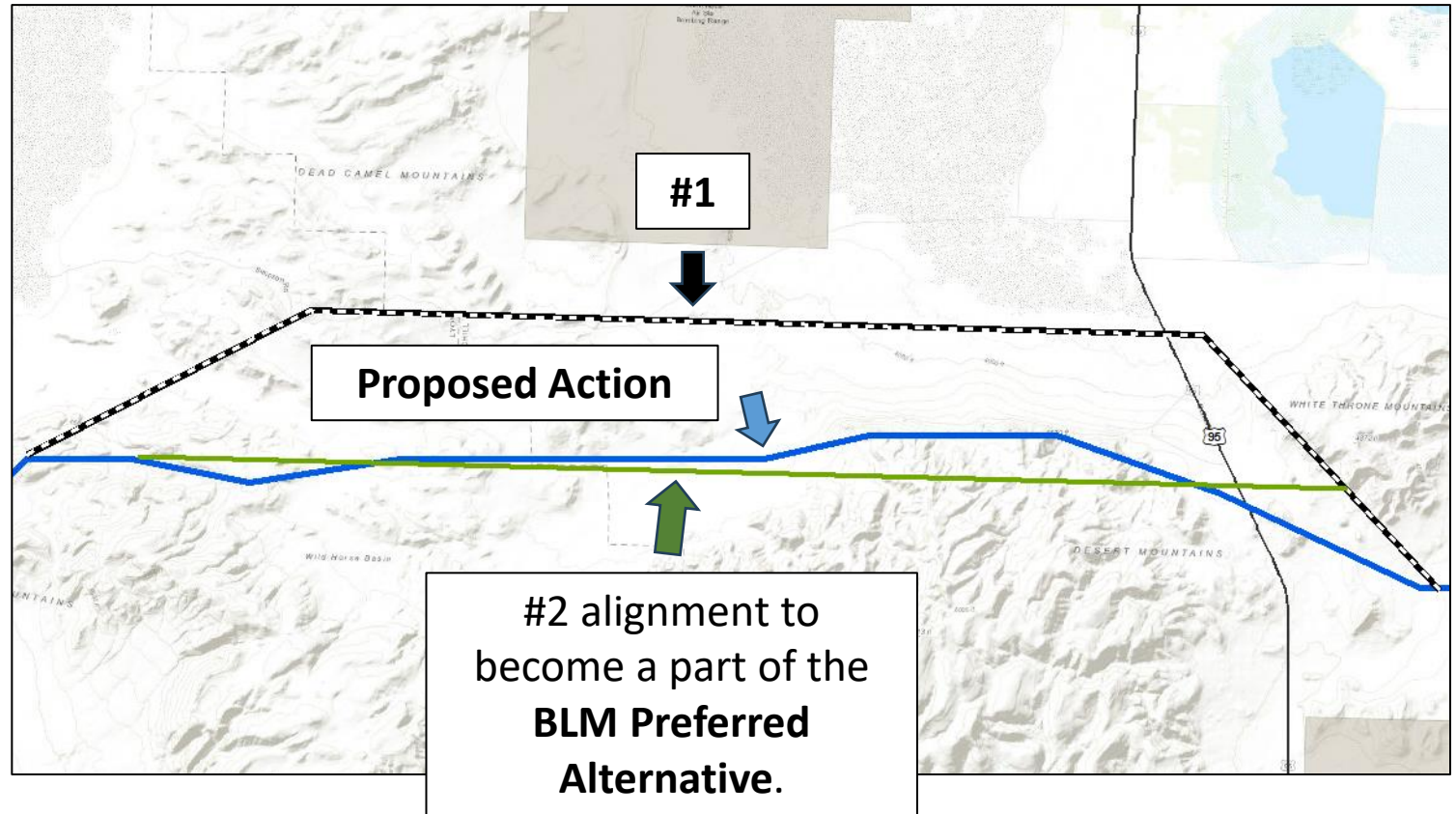


## Churchill County (CC) Proposed Alternatives

Suggested during public scoping to bypass lands recently approved for conveyance to Churchill County under the National Defense Authorization Act of 2023.

#1 - approximately 20 mile alignment. Dropped due to conflicts with Bureau of Reclamation land withdrawals.

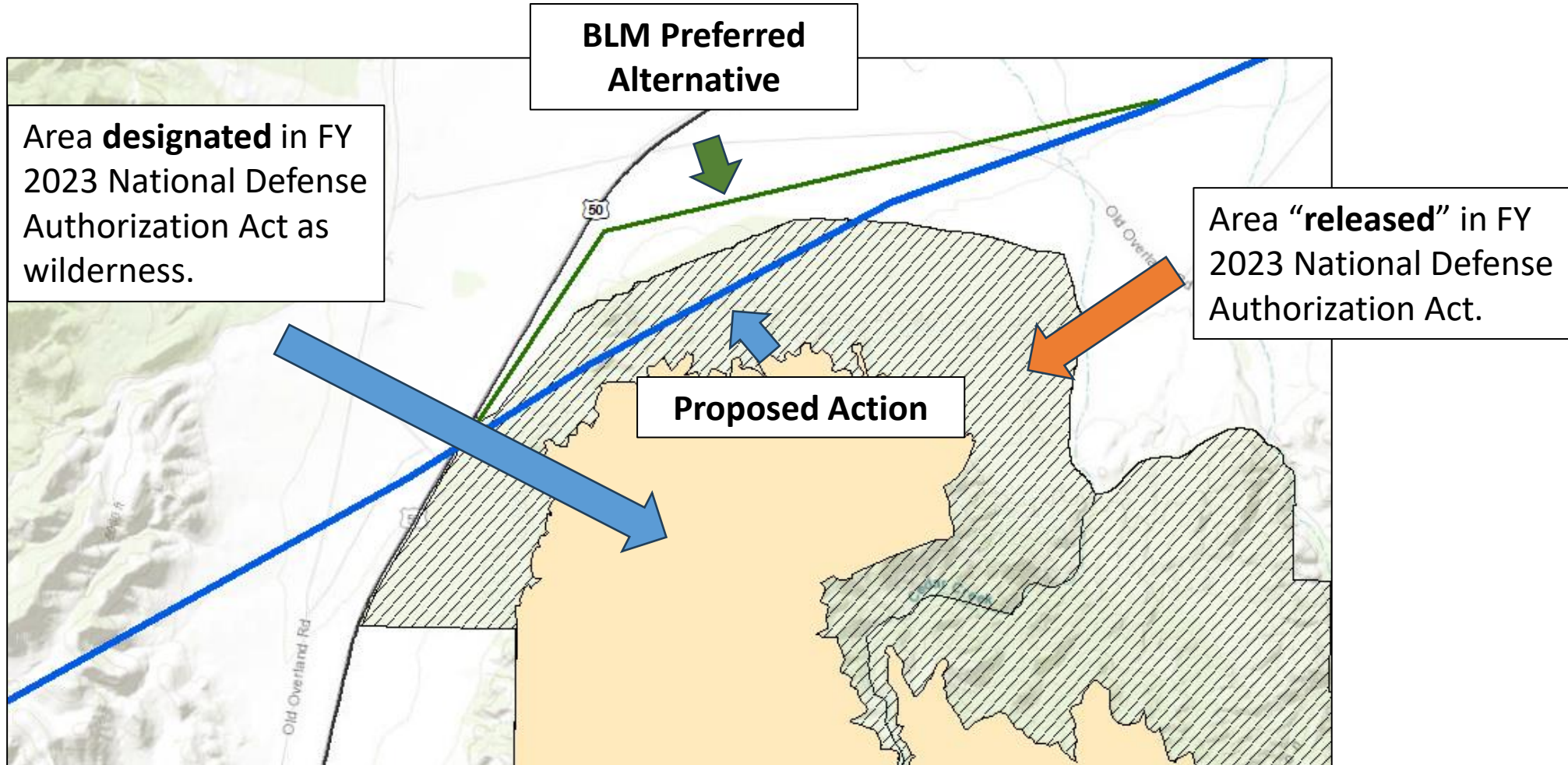
#2 - approximately 16 mile alignment.





# Desatoya Mountains Wilderness Study Area Alternative

This 6-mile alignment was identified during pre-Notice of Intent virtual meetings to avoid the Wilderness Study Area.



Area **designated** in FY 2023 National Defense Authorization Act as wilderness.

**BLM Preferred Alternative**

**Proposed Action**

Area **“released”** in FY 2023 National Defense Authorization Act.

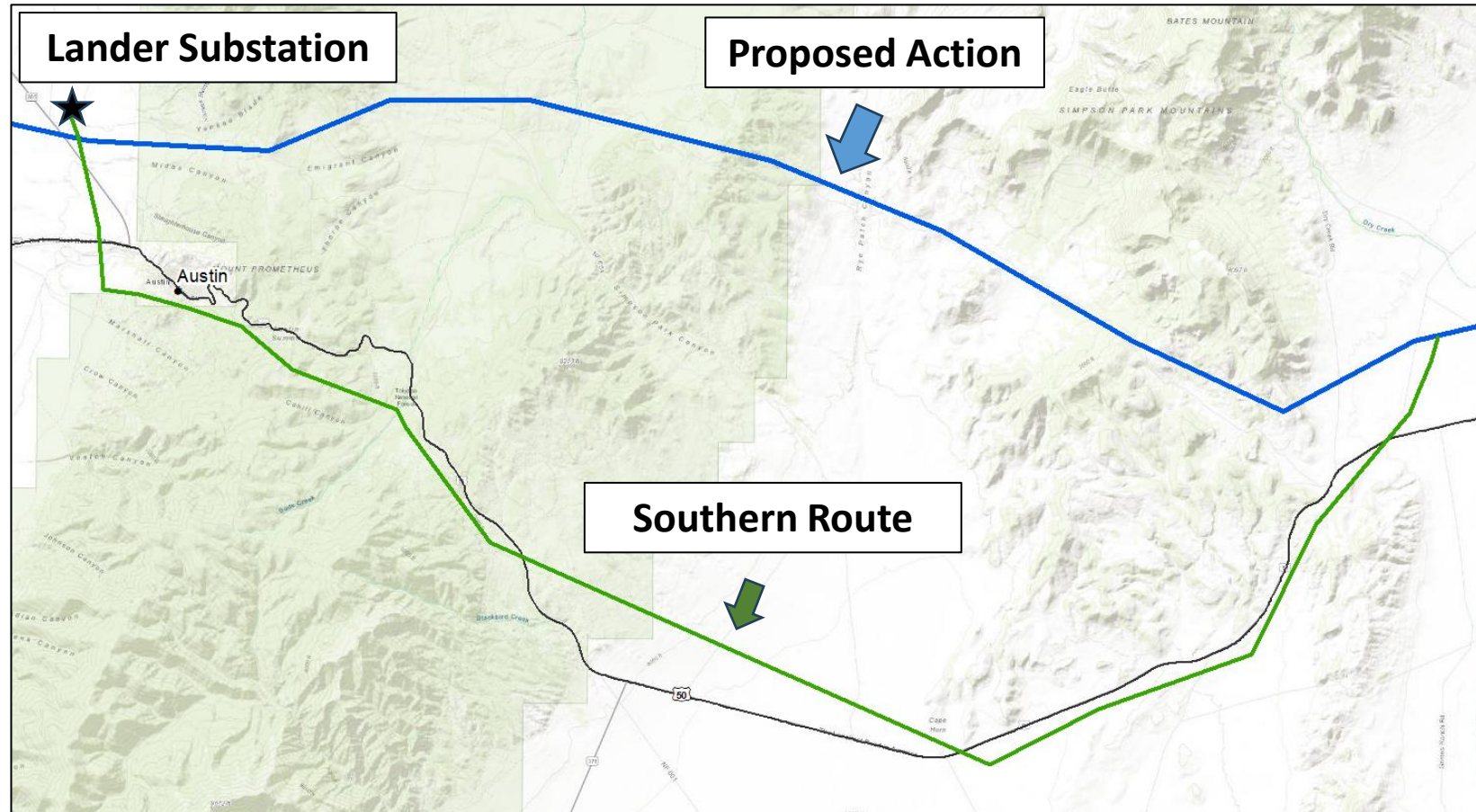


## Forest Service - Southern Route.

Figure 2-4, Extents 8, 9, 10.

Approximately 29 mile alignment, including 9 miles on U.S. Forest Service lands.

Route avoids general and priority greater sage-grouse habitat management areas on National Forest lands and follows existing an right-of-way as much as possible.

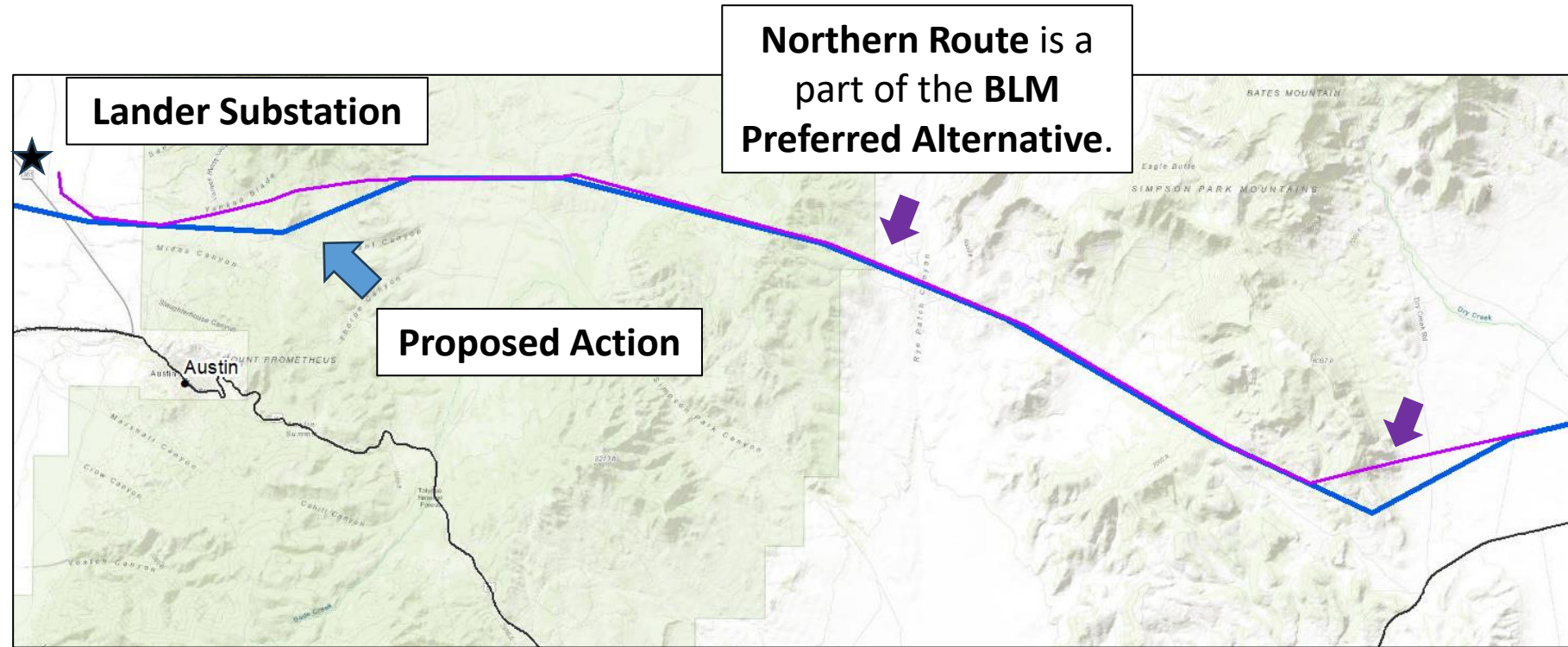




# Forest Service - Northern Route

Approximately 23 mile alignment, including 11 miles on U.S. Forest Service lands.

Route avoids general and priority greater sage-grouse habitat management areas on National Forest lands and follows existing an right-of-way as much as possible.





## Baseline Studies

The following baseline studies were performed to support the analysis in the Draft Environmental Impact Statement:

- Class III cultural resource surveys.
- Class III paleontological studies.
- Visual simulations for 10 Key Observation Points.
- Greater sage-grouse lek surveys.
- Migratory bird surveys and ground-based raptor nest inventory.
- Burrowing owl surveys.
- Pinyon jay surveys.
- Pygmy rabbit surveys.
- Kangaroo mouse (pale/dark) habitat characterization.



## Greater Sage-Grouse

Based on the greater sage-grouse lek surveys conducted in 2024 within a 4-mile radius of the BLM Preferred Alternative there are 58 known leks. Of those, 25 are categorized as active/pending active leks and would occur in the following buffers:

- Three leks are within 0.25 mile (noise buffer).
- Nine leks are within 2 miles (transmission line buffer).
- Nineteen leks are within 3.1 miles (road buffer).

Lek buffers are not land use allocations, therefore the Bureau of Land Management will not be modifying lek buffers as described in Section 3.6 et al. This will be updated in the final documents.



# Endangered Species Act

The Bureau of Land Management will informally consult with the U.S. Fish and Wildlife Service on the following two species:

- Lahontan cutthroat trout
- Western yellow-billed cuckoo
- Dixie Valley toad



# National Historic Preservation Act/Tribal Consultation

Class III cultural resource surveys are being performed for all action alternatives and tribes will participate in review of the report findings.

The “Substitution” process is being followed which integrates cultural resource compliance (Section 106) into the Environmental Impact Statement document.

The resolution of adverse effects to cultural resources will be disclosed in the Record of Decision rather than through a separate Programmatic Agreement or Memorandum of Understanding.





## Cooperating Agencies

The following Cooperating Agencies have been participating in re-occurring quarterly meetings on the Project:

Advisory Council on Historic Preservation  
Churchill County  
City of Ely  
Duckwater Shoshone Tribe  
Eureka County  
Environmental Protection Agency  
Lander County  
Lyon County  
National Park Service

Nevada Department of Agriculture  
Nevada Department of Conservation &  
Natural Resources  
Nevada Department of Transportation  
Nevada Division of Minerals  
Nevada Department of Wildlife  
U.S. Fish and Wildlife Service  
U.S. Forest Service  
White Pine County



# Organization of the Environmental Impact Statement

**Chapter 1** – Introduction

**Chapter 2** – Proposed Action Alternative and Alternatives

**Chapter 3** – Affected Environment and Environmental Consequences

**Chapter 4** – Consultation and Coordination

**Chapter 5** – References

**Chapter 6** - Glossary



## Organization of the Environmental Impact Statement

Under the Fiscal Responsibility Act of 2023 all federal agencies are required prepare Environmental Impact Statement with less than 300 pages of text. As a result, the Bureau of Land Management has divided resources and issues into two categories:

- Analysis of resources or issues that would be **significantly impacted** are found in the core Environmental Impact Statement document.
- Analysis of resources or issues that would **not significantly impacted** are found in **Appendix E** to the Environmental Impact Statement document.



# Organization of the Environmental Impact Statement

The Council on Environmental Quality NEPA regulations which this project complies with states the following: “...identifying the **significant issues** and **eliminating from further study non-significant issues.**” 40 CFR 1501.9 (2020).

Analysis of significant issues core Environmental Impact Statement document as follows:

Soil Resources

Water Resources

Vegetation Communities

Fish and Wildlife

Special Status Species

Paleontological Resources

Cultural Resources

Native American Religious Concerns

Visual Resources

Lands and Realty

Special Designations

Social and Economic Conditions

Environmental Justice



# Organization of the Environmental Impact Statement

Analysis of non-significant issues are included in Appendix E as follows:

Air Quality and Climate

Geology and Minerals

Wildland Fire Ecology and Management

Livestock Grazing

Wild Horses and Burros

Lands with Wilderness Characteristics

Transportation and Travel Management

Recreation and Visitor Services

Public Health and Safety



## Substantive Comments

During public review of the Draft Environmental Impact Statement/Resource Management Plan Amendments, we ask you to review the documents for the following:

- **Accuracy** of information.
- How we explained our **methodology** and **assumptions**.
- **New information** for us to consider.
- Provide us comments that cause **changes to one or more of the alternatives**.



## Question and Answers

Please be courteous to the other people in the audience to allow them to hear the responses to their questions.



# Bureau of Land Management Contact

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Brian Buttazoni, Project Manager

**Project email:**

BLM\_NV\_greenlinknorth@blm.gov

**Project website:**

<https://eplanning.blm.gov/eplanning-ui/project/2017033/510>

This 90-day comment period ends on December 11, 2024



# Socioeconomic Baseline Report for the Ruby Hill Underground Project

**RUBY HILL MINING COMPANY, LLC**

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February 2024

**Presented to:**

Bureau of Land Management  
Mount Lewis Field Office  
Battle Mountain, Nevada

**Prepared by:**



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**ACRONYMS AND ABBREVIATIONS**

ACS	American Community Survey
BLM	Bureau of Land Management
C&D	Construction and Demolition
CDP	census district population
Cedar Creek	Cedar Creek Associates, Inc.
EPS	Economic Profile System
FY	Fiscal Year
I-80	Interstate 80
MSW	Municipal Solid Waste
NDEP	Nevada Division of Environmental Protection
PILT	Payments in Lieu of Taxes
Project	Ruby Hill Underground Project
RHMC	Ruby Hill Mining Company LLC
RV	Recreational Vehicle
NGM	Nevada Gold Mines
SEP	Socioeconomic Profile
SR	State Route
WWTP	Wastewater Treatment Plant

## **1.0 INTRODUCTION**

Cedar Creek Associates Inc (Cedar Creek) has developed this socioeconomic baseline analysis of the Ruby Hill Underground Project (Project) for Bureau of Land Management (BLM) Battle Mountain Mount Lewis Field Office. The proposed Project by Ruby Hill Mining Company LLC (RHMC) is an amendment to the Plan of Operations to develop an underground exploration and mining operation. The purpose of this analysis is to provide baseline socioeconomic information to analyze Project effects to this resource under the National Environmental Protection Act. The sections below summarize the proposed Project, define the analysis area for socioeconomic baseline, describe existing economic conditions within the area of analysis, and include a discussion of the Project's anticipated socioeconomic impacts in the analysis area.

### **1.1 Project Location, Access, and Transportation Routes**

The Project is located at the junction of U.S. Highway 50 west and State Route (SR) 278 (Figure 1) about 1 mile northwest of the town of Eureka. The facilities are situated on public lands administered by the BLM Mount Lewis Field Office, and private lands within Sections 3-5, 9-11, and 14-16, Township 19 North (T19N), Range 53 East (R53E), and Sections 32, 33, and 34, T20N, R53E, Mount Diablo Baseline & Meridian.

The Project area can be accessed via two primary routes: U.S. Highway 50 and SR 278. Workers to the Project from Battle Mountain or Elko would travel to the Project south from Interstate 80 (I-80) on SR 278. Workers from Ely or surrounding rural areas would most likely travel to the Project on U.S. Highway 50. Transportation of equipment and materials to and from the Project area would occur via I-80, exiting at Carlin onto SR 278 south for approximately 88 miles.

The route of ore transportation would be north on SR 278 to the junction with I-80 at Carlin, and then west to either i-80 Gold's Lone Tree Mine operation (Lone Tree) or Nevada Gold Mines' (NGM) Twin Creeks operation (Twin Creeks). The approximate distance from the Project area to Lone Tree is 157 miles, and the approximate distance from the Project Area to Twin Creeks is 202 miles.

### **1.2 Project Description and Workforce**

Ruby Hill Mine is an existing open pit gold mine. Existing site facilities include the West Archimedes Pit that was expanded eastward to create the East Archimedes Pit, two waste

rock facilities, a mill, an Adsorption-Desorption-Recovery plant, electrowinning circuit, precious metals refinery, ore conveying and stacking systems, and other ancillary and supporting facilities. Mining activities are currently suspended, and the mine site is under care and maintenance.

The proposed Project by RHMC is an amendment to the Plan of Operations to develop an underground exploration and mining operation. Operations would entail construction of three (3) decline portals, oxide leaching operations, and management of ore stockpiles and waste rock. Refractory ore would be transported offsite to i-80 Gold's Lone Tree or NGM's Twin Creeks as described in Section 1.1.

The Project phases would include construction, active ore mining operations, and reclamation activities that include post-mining heap leach fluid management. Construction activities would occur over approximately a 15-month period, starting immediately after issuance of the decision record and authorization to proceed, and would consist of underground development and construction of support facilities. Active operations, consisting of mining of the underground deposit, would be anticipated over a 7-to-8-year time period following construction. Reclamation and post-closure fluid monitoring will occur for a minimum of 5 years with reclamation and monitoring encompassing the final 3 years. The total mine life including reclamation and post-closure fluid management would be 15 years. Open pit mining activity will remain suspended, and the mining operation will become an underground operation. Mining operations will occur up to 365 days a year and 24 hours per day.

The proposed facilities would be constructed by i-80 employees and contractors. Up to 2 new i-80 employees and 33 contractors may be temporarily assigned to the construction activities. During operations, up to 110 new workers are anticipated to be needed for the Project. Most of the workers would be contractors to i-80. Reclamation activities will require up to 9 workers (retained after operations cease).

## **2.0 METHODS**

### **2.1 Analysis Area**

The analysis area includes the counties of Eureka, White Pine, Elko, and Lander (Figure 2). The workforce for the Project would primarily be drawn from towns surrounding the Project area, which would include the towns of Eureka, Elko, Ely, Carlin, and Battle Mountain, and

from rural areas in Eureka, White Pine, and Lander Counties. Workers outside these towns would be expected to relocate, temporarily or permanently, into these areas. RHMC, its contractors, and employees, may purchase goods and services from businesses in these communities, and local governments and school districts would provide services to resident Project employees and households. Therefore,

## **2.2 Definitions**

This report refers to direct, indirect, and induced workforces related to the Project.

- Direct hires/jobs refer to employees or contractors directly hired by Ruby Hill Mine.
- Indirect hires/jobs refer to jobs that contribute to the Project's performance outside of producing products and services directly for Ruby Hill Mine.
- Induced hires/jobs are generated by local spending on goods and services by employees in the community. Induced jobs are those jobs created when direct and indirect employees go out and spend their increased incomes on consumer goods and services.

The direct, indirect, and induced effects of the proposed Project were evaluated in this report. These terms are defined as:

- Direct effects are expenditures made by producers/consumers as a result of the proposed Project.
- Indirect effects are those economic effects stemming from business-to-business purchases in the supply chain.
- Induced effects are those economic effects stemming from household spending of labor income, after the removal of taxes, savings, and commuter income.

## **2.3 Population Demographics and Economic Data**

Baseline socioeconomic resources and population demographic data were obtained from the Headwaters Economics Socioeconomic Profile (SEP) tool and the Economic Profile System (EPS) tool. These tools compile data from published statistics from federal data sources, including the U.S. Census Bureau, Bureau of Economic Analysis, and Bureau of Labor Statistics. Tables were compiled from these data that contain the statistics referenced in the Results sections below.

## 2.4 Project Population and Housing Estimates

Workforce information from the RHMC, summarized in Section 1.1 above, and workforce estimate data from NGM's Goldrush Mine (BLM 2023a) and Barrick's Ruby Hill Mine (BLM 2005) were used to develop estimates of direct and indirect/induced workforce estimates, direct hire/contractor, and local/non-local workforce estimates. Workforce estimates are shown in Table 1.

The Goldrush Mine is a recently proposed underground mine project within the analysis area. Goldrush estimated that 40% of their workforce would be local to Eureka, Lander, and Elko County during construction and operations, and that of the total number of jobs created by the project, approximately 61% of those jobs would be direct hires and the remaining 39% of jobs would be indirect/induced. The indirect/induced jobs would be 75% local.

Workforce data described for Barrick's Ruby Hill Mine (BLM 2005) was also reviewed. Barrick estimated that 20% of new jobs created (direct and indirect/induced combined) would be local to Eureka County during operations, and that of the total number of jobs created by the project, approximately 70% of the jobs would be direct hires and the remaining 30% of jobs would be indirect/induced. RHMC anticipates that the majority of construction and operations workers would be non-local. RHMC estimates that 15 to 30 percent of the operations workforce would reside in Eureka County with the remainder of the workforce primarily commuting from surrounding towns within the analysis area and elsewhere (outside of the analysis area). Fewer construction workers would be expected to be local to Eureka County. RHMC estimates that the majority of construction hires will be contract workers. Contract workers would limit the indirect/induced employment opportunities compared to full time local workers.

Based on the sources of information from Barrick NGM, and RHMC, the projected workforce for the RHMC project (Table 1) is estimated to consist of 20% local workers during the construction period and up to 30% local workers during the operations period. Of the total number of jobs created by the Project, approximately 83% would be direct hires during construction, and 74% would be direct hires during operations. The remaining proportion of the workforce would be indirect/induced, which would equate to 7 indirect/induced jobs during construction and 39 indirect/induced jobs during operations. Of the indirect/induced workforce, approximately 50% is assumed to be local.



The total population estimates from non-local workers, also shown in Table 1, were used to estimate housing and services demands that might be associated with the Project. RHMC owns 25 apartment units (44 rooms), 5 studio apartments, 12 duplexes, and 2 houses. These units are in the town of Eureka. These units would be available to RHMC workers, with the duplexes and houses offered preferentially to RHMC employees with families, and the remainder to single or married employees and then contractors. Rental terms for employees would be negotiated in a separate agreement.

### **3.0 ANALYSIS**

The sections below describe existing socioeconomic conditions and offer preliminary analysis of potential impacts of the Project. RHMC understands that identifying and addressing social and economic impacts is an evolving effort as mine planning and permitting continues to develop for the Project. In an effort to become informed and pro-actively address social and economic impacts from the proposed Project, RHMC has initiated the following public outreach programs:

- RHMC began holding quarterly town hall meetings in the town of Eureka to hear community feedback on environmental and social concerns related to the Ruby Hill Mine. Participants in the meetings included residents throughout Eureka County, including County Commissioners, representatives from the Duckwater tribe, industry representatives, and vendors.
- RHMC offers community mine tours to inform locals about the proposed Project.
- RHMC, through the organization called Framework for Giving that is hosted by i-80 Gold, solicits requests to provide charitable contributions to local communities, governments, Indigenous groups, and institutions surrounding the Project that support environmental, education, and social impact goals within the community. Priority is given to organizations that foster growth and development within local communities. The Community Relations Review Committee approves requests based on the community outreach initiatives, and in 2022, over \$53,000 was given in direct support for community groups and local charities.

- RHMC is working with Eureka County officials to address how the Project would conform with the goals, objectives, and policies of the County to maintain and enhance local economic viability and development, and the rural quality of life in Eureka. The Master County Plan outlines recommendations for future land use planning and includes goals and policies for economic stability, security and growth, social stability, private property rights, local and private management of resources, recreational opportunities, transportation and utility infrastructure, easements and rights-of-way, and public access to Federal and State lands (Eureka County 2010). Social and economic values are addressed in the Master Plan by key resources that compose the majority of Eureka County's economy: Livestock grazing, Mining, Recreation, Land Use, Access, Realty, and Transportation. RHMC continues to work with Eureka County to define ways in which the Project would meet County goals and objectives.

The outcomes of these initiatives so far have prompted the County and residents to request RHMC consider truck traffic on SR 278 to Carlin that coincides with school bus routes. Additionally, the Eureka County School District is interested in understanding the potential increase in students that would occur from the increased contractor and employee presence in the area. Consequently, RHMC is evaluating the best times to schedule trucking to reduce conflicts with school bus schedules or inconvenience to local drivers. RHMC is also communicating Project schedule and plans with school officials to provide them with advanced planning time for new students and families who may be moving to the area for the Project. These initiatives are on-going and RHMC expects that these programs will continue to help define community issues and develop solutions to minimize adverse impacts of the proposed Project.

### **3.1 Land Ownership**

Federal land payments to counties in the analysis area in Fiscal Year (FY) 2019 totaled \$9,773,500 (in FY 2022 \$s). Most of these payments were Payments in Lieu of Taxes (PILT), accounting for 56.3 percent of total federal payments. Payments from BLM to state and local governments totaled \$4,122,924 in FY 2019 (in FY 2022 \$s).

The authorized Mine Plan of Operations encompasses approximately 7,039 acres composed of private land owned by RHMC and public land administered by the BLM. Proposed activities would not disturb any new acres of public lands managed by the BLM. Therefore,

the proposed Project would not affect PILT made by the federal government to state and local governments.

## **3.2 Population and Housing**

### **3.2.1 Population Demographics**

In 2021 the total population in the analysis area was 69,944 (Table 2). The majority of the population in the analysis area resides in Elko County (76.4 percent of the population resides in this county); Eureka County, where the Project resides, has the smallest population (1,603 people). The analysis area population increased by 8.0 percent (5,203 people) during the period of 2010 to 2021, with almost all of the increases within Elko County. Eureka and White Pine counties saw population losses during this time period.

The increase in population is slightly greater than the reference area during the same time period. Changes in population in the analysis area from 2010 to 2022 were driven by natural population change rather than net migration, although this overall trend was driven by changes in Elko County, which saw a natural population change of 344 individuals, accounting for 91.7 percent of population growth. Population changes in White Pine and Eureka counties were driven proportionally more by net migration. Natural change and net migration accounted for 72.6 percent and 25.9 percent of population growth, respectively, in the analysis area.

In 2021, 13.1 percent of analysis area residents were 65 years or older. This represents an increase of about 3.6 percent of the population compared to 2010. However, the population is a fairly young population, with 30.8 percent under the age of 30. From 2010 to 2021, the median age estimate increased the most in Lander County (36.8 to 38.9, a 5.7 percent increase) and decreased the most in White Pine County (41.8 to 41.3, a 1.2 percent decrease). The male/female ratio was weighted towards males in the analysis area (53.7 percent male and 46.3 percent female).

In 2021, 23,863 people (34.1 percent) in the analysis area self-identified as a member of a minority group (Table 3).

Of those aged 25 years or older living within the analysis area, 41,315 people (89.2 percent) have a high school degree and 6,986 people (15.1 percent) have a bachelor's degree or higher (Table 4).

### 3.2.2 Housing

The total number of housing units estimated in 2021 was 29,679 units in the analysis area (Table 5). The majority of those units were in Elko County (21,669 units), whereas Eureka County had the fewest housing units (955 units). In Eureka County, about 58.1 percent of the housing units were occupied in 2021, with the remainder for rent. Although there were 400 housing units vacant in Eureka County in 2021, none of the vacant units were advertised for rent. There were only 13 housing units in Eureka County for sale. These statistics may not represent current vacancy rates as these data were from 2021 (the last year of published data by the American Community Survey [ACS]).

Temporary housing options in the analysis area would include hotel/motel rooms or RV spaces. Based on the website Travel Nevada (Travel Nevada 2023), Eureka has 8 hotel/motel options that offer a total of about 100 rooms. There is also a ranch house with limited rooms, and two recreational vehicle (RV) parks with approximately 24 spaces. There are 19 hotels, motels, and bed and breakfasts in Ely, plus an RV park and a KOA. The availability of temporary housing options is usually very limited in the town of Eureka. Battle Mountain has 6 hotel/motels and 2 RV parks. Elko has 29 hotel/motels and 4 RV parks.

### 3.2.3 Education

All counties in the analysis area are considered rural, although the number of schools and total enrolled students in Elko County is much larger than other counties in the analysis area, with a total student enrollment more similar to larger, urban districts in Nevada (Table 6). Student enrollment in Eureka shows modest growth over the past five years, but the number of teachers has remained the same. In Elko and White Pine counties, student enrollment has declined from peaks reported around 2017 through 2019, but the number of teachers has also declined. Lander County shows a growth in the number of teachers and a stable student enrollment. Lowered enrollment levels indicate there is excess capacity in the schools, while growing enrollment may indicate strains on school resources. Steadily increasing enrollment can cause school districts to face limitations for scarce facilities and/or finances.

The school districts in the area of analysis have financial and facility limitations. Pursuant to Nevada Revised Statutes 388.700(5), the State Board of Education is required to submit a quarterly report on class size ratios in elementary grades and any school district requested variances for exceeding the target class size ratio. All districts in the area of analysis requested variances for the 2022 fiscal year. Districts may report one or more reasons for

their variance request including: facility limitations, difficulty hiring, funding limitations, or other (Nevada Department of Education 2023). Elko County exceeded the target class size ratio for one or more grades at the district level.

In May 2021, Assembly Bill 495 was passed by the Nevada State Legislature to provide for the imposition, administration, and payment of an annual excise tax on businesses engaged in gold or silver extraction with a gross revenue in Nevada in excess of \$20,000,000 and require disbursements of certain federal money to the Department of Education and the State Public Charter School Authority for grant-making and education purposes (AB 495). Deposits of annual tax payments are currently made to the State General Fund from the taxation of net proceeds of minerals extracted in Nevada based upon actual net proceeds from the preceding calendar year; however, beginning July 1, 2023, the portion of the tax on the net proceeds of minerals will thereafter be deposited in the State Education Fund (AB 495).

### **3.2.4 Demographics, Housing and Education Analysis**

#### *Construction*

Over the 2-year period of construction, the majority of construction workers and contractors are estimated to be non-local to the analysis area due to the specialized nature of construction tasks. Non-local construction workers would be likely to reside locally (in the analysis area) during the workweek and would be single-status—that is, unaccompanied by other household members. Non-local construction workers typically prefer temporary housing such as motel rooms or parking sites for their RVs, as they often return to their permanent place of residence when they are off shift. Because the Project is located very close to the town of Eureka, construction workers may preferentially choose housing in this town before searching for housing in other towns in the analysis area. However, temporary housing is very limited in the town of Eureka.

As noted above, most construction workers associated with the Project are likely to commute from their permanent residence weekly, staying in the region during the workweek. Very few are likely to be accompanied by household members. As a result, the analysis area school districts would likely experience little, if any, construction-related increases in student enrollment.

RHMC would provide housing to some of the construction workforce (based on availability) via their rental units in the town of Eureka, but the majority might still need housing. Rental

vacancy rates are very low throughout the area of analysis (16.6 percent for the area of analysis as a whole, based on 2021 data). Seasonal, recreational, and occasional rentals are less than 5 percent in the analysis area. The number of hotel and motel rooms in the town of Eureka exceeds construction worker estimates, but the availability of those accommodations is frequently at or near full occupancy during peak summer tourist and hunting seasons. Hotel/motel options in the analysis area as a whole should accommodate the RHMC workforce, but availability elsewhere would also be limited by tourist and hunting seasons, and competition for spaces from other mining and construction projects in the analysis area.

### *Operations*

An expectation of a 7 to 8-year-long job commitment (or up to 13 years for some workers who will stay on during reclamation and heap leach management) would be more likely to entice a family to move to the area. A conservative estimate, assuming 75% of non-local workers would seek to relocate within the area of analysis, would result in an estimated 71 new, non-local households may move to the area (Table 1). The estimated total number of new, non-local individuals associated with those households is estimated at 134 individuals. This represents 0.2 percent of the population in the analysis area. The new population may be distributed throughout the analysis area in a pattern similar to the existing population distribution, given the housing availability and public services resource distribution. Therefore, the largest proportion (76.4 percent, or about 101 individuals) of non-local workers may relocate to the city of Elko or the surrounding county, with proportionally fewer individuals relocating into White Pine County (13.1 percent, or about 20 individuals), Lander (10.8 percent, or 11 individuals), or Eureka County (2.2 percent, about 3 individuals). There would still be an expected preference to relocate to the town of Eureka, given the proximity of the Project to the town.

Alternatively, RHMC would provide housing in the town of Eureka to its operations workforce based on availability.

There is always a level of uncertainty about where contractors and employees would choose to live. If they choose to live within communities that have less services and infrastructure available to accommodate this population increase, this would be a greater impact than if they choose to locate in an area with more available services and infrastructure.

The existing population in the analysis area shows positive growth overall, but that growth is occurring largely within Elko County (12 percent growth from 2010 to 2021), whereas populations in Eureka and White Pine counties are experiencing population declines of 7 and 5.9 percent, respectively, over the same time period. Lander County has also experienced moderate growth (3.3 percent). Workforce influx as a result of the Project may increase growth rates, particularly for Eureka County.

Of the non-local households that may choose to relocate within the analysis area, there would be an estimated 21 school-age children associated with those households. These additional children represent 0.2 percent of enrolled students in the 2021-2022 school year overall, but the number of enrolled students in Eureka County, where many households may elect to relocate, is lowest (348 in school year 2021-2022). The addition of school-age children would further increase the student to teacher ratios experienced in Eureka County as a result of growing student enrollment but static teacher recruitment.

### **3.3 Employment**

#### **3.3.1 Employment and Wages**

The total number of full- and part-time analysis area jobs (as defined by the U.S. Department of Commerce) in 2021 was 42,384 (Table 7). This represents an increase of 1,193 employed persons from 2001 to 2021.

In 2021, the non-service sector reported 13,262 jobs in the analysis area (31.3 percent of total jobs). Within this sector, mining and construction were the largest employers in the analysis area. It is estimated that in 2021, 9,490 jobs in the analysis area (22.3 percent) were in the mining sector compared to 1 percent in the state of Nevada overall. Eureka County is the largest contributor to mining sector jobs in the analysis area at 3,975 jobs reported in 2021, which is 41.8 percent of all mining jobs in the analysis area.

There were an estimated 23,042 jobs (54.4 percent) in service-related employment sectors, which represents 1.6 percent of service-sector jobs in the state of Nevada overall. Additionally, there were 5,787 jobs (13.7 percent) in the government sector of the analysis area. From 2010 to 2021, jobs in service sector industries grew by 601 jobs (2.7 percent), while non-service sector jobs increased by 686 jobs (5.5 percent). The increase in non-service sector jobs is predominantly driven by increases in mining.

Within the analysis area, labor earnings per job increased by 9.8 percent from 2000 to 2021 (Table 8). Labor earning increases between 2010 and 2021 were the greatest for industries in the service sector (Table 9), including wholesale trade, professional and technical services, and management of companies. Labor earnings declined the greatest over this time period in mining, construction, and arts, entertainment, and recreation services.

However, mining wages remain among the top paying industries in the analysis area and were reported in 2021 to be 62.8 percent above average wages in the analysis area in total (Table 10). The average annual wage for all reported jobs was \$72,949 in 2022 dollars in the analysis area, which is higher than the average wage in the state of Nevada, reported at \$58,605. The highest paying industries in the analysis area, on average, were mining (\$118,742, accounting for 25.1 percent of total employment), followed by professional and business services (\$102,256, accounting for 5.0 percent of total employment) and then federal government (\$79,886, accounting for 1.8 percent of total employment).

According to the Eureka County Master Plan (Eureka County 2010), the economic fortunes of Eureka County and its residents have been tied to mining since the discovery of silver-lead mineralization near the present site of the Town of Eureka. Mining wages in Eureka County (\$121,728) are the second highest annual wages of all industries in the County, after professional and business services (\$165,222). Some of those business services likely support the mining industry as well. Reported average Eureka County mining wages in 2021 were slightly less than reported for Lander County (\$127,876) but higher than Elko County (\$117,389) or White Pine County (\$104,621). Mining wages account for 86.9 percent of all wages in Eureka County.

The lowest paying industries in the analysis area, on average, were leisure and hospitality (\$31,459 accounting for 17 percent of employment), agriculture, forestry, fishing, and hunting (\$39,936, accounting for 1.3 percent of employment), and education and health services (\$54,515, accounting for 5.6 percent of employment).

Unemployment overall in the analysis area has declined between 2010 and 2021 and is below state-wide averages (Table 7). All counties saw declines in unemployment rates between 2010 and 2021, with the sharpest declines reported for Lander County (6.5 percent decline).



In 2021, total analysis area non-labor income accounted for 31.3 percent of all income in the analysis area (Table 8). This is less than the non-labor income contributions for the state of Nevada, reported at 44.9 percent. The highest contributor to non-labor income in 2021 in the analysis area and reference areas were dividends, interest, and rent (11.3 percent of all income), followed by age-related transfer payments (7.8 percent of all income).

Analysis area per capita income in 2021 was \$59,118 (as measured in 2022 dollars), which is an increase of \$12,474 percent from 2000 to 2021 (Table 8). Over the same period in the analysis area, average earnings per job grew by \$7,055. Eureka County reported the lowest per capita income at \$53,575 and Lander County reported the highest at \$78,312.

In 2021, 7,830 people in the analysis area (11.6 percent) were living with poverty (Table 11). Elko County was the largest contributor to this category (6,070 people living below poverty). In 2021 there were 1,270 families (7.5 percent) living in poverty in the analysis area.

### **3.3.2 Commuting Patterns**

Statistics are available on the flow of earnings into and out of the analysis area counties by residents who work in neighboring counties. "Inflow" of earnings means the residents bring money home from outside the county, while "outflow" of earnings means residents take earnings to a home outside the county. If net residential adjustment is positive (inflow exceeds outflow), it means county residents commute outside the county for work and bring back more personal income than leaves the county in net terms. If net residential adjustment is negative (outflow exceeds inflow), it means the economy of the county attracts workers from nearby counties and loses more personal income than it brings into the county in net terms. Commuting patterns are only analyzed on a per county basis; it is not known whether income might flow from one county to another within the analysis area.

Table 12 shows commuting patterns for each county. Three counties in the area of analysis have experienced a net negative residential adjustment in 2021, with Eureka County showing a very large negative outflow, at 467.6 percent, compared to Lander and White Pine counties, which showed losses of 7.9 and 9.5 percent, respectively. Eureka County shows a 67.5 percent net residential adjustment of total personal income in 2021.

From 1990 to 2021, the outflow of earnings in Eureka County grew from \$327.0 million to \$493.9 million (in real terms), a 51 increase. During that same time period, the inflow of

earnings in Eureka County grew from \$4.3 million to \$17.2 million (in real terms), a 299 percent increase. However, overall, the residential adjustment (inflow - outflow) changed from -427.0 to -467.6 percent of total personal income. Other counties in the analysis area saw much smaller changes, less than 10 percent change of total personal income.

### **3.3.3 Employment and Wage Analysis**

#### *Construction*

During construction, 35 direct hire workers and/or contractors would be employed by RHMC over the 2-year Project construction period. Although there were approximately 2,156 unemployed individuals in the analysis area as of 2021, it is unknown whether local unemployed individuals would have the requisite skills to qualify for the available jobs. Consequently, it is assumed that many of the needed construction workers would come from outside of the analysis area.

Considering the relatively short time period of construction and that a substantial majority of the workers would be contractors moving in and out of the area as their particular skills were needed, it is likely that the indirect and induced employment generated by the construction activity would be modest for the period of construction. An estimated 7 indirect and induced jobs would be generated within the analysis area during construction (Table 1). The short duration of construction suggests that most of the indirect and induced job opportunities generated by Project construction would be filled by individuals already residing in the analysis area. The indirect jobs that are expected as a result of the construction of the Project includes jobs that provide direct services to the mine, mine infrastructure, and RHMC.

The anticipated employment impact during construction of direct, indirect, and induced jobs (i.e., 42 total employment) would represent approximately 0.1 percent of total employment in the analysis area. Overall, the effect of the construction of the Project on employment in the analysis area would be beneficial, and impacts are expected to be minor, temporary, and regional.

#### *Operations*

During mine operations, there will be approximately 110 new direct hire contractors and employees. Table 1 summarizes the anticipated direct, indirect, and induced workforce during this period. Project employees are expected to be recruited from within and outside

of the analysis area. As with the construction phase, it is expected that most of the mine operations workers would come from outside the local area, whereas approximately half of indirect and induced jobs are expected to be filled by local individuals. Industries that are expected to see the most indirect jobs created include metal mining services, services to buildings, and insurance agencies, brokerages, and related activities sectors. Induced jobs, which are created as a result of direct and indirect employees spending money in the community, are expected to be created in industries such as restaurants, retail, and other consumer-oriented businesses that serve the mine-related population. Materials, equipment, and services would be purchased both within the analysis area and elsewhere in Nevada or the U.S.

A total of 149 new jobs would be created by the Project. This would represent approximately 0.35 percent of total employment in the analysis area; however, not all new workers (and their families) would choose to reside in the Project area. Overall, the effect of the operations of the Project on employment in the analysis area would be beneficial, and impacts are expected to be minor, long-term, and regional.

If the majority of added workforce resides outside of Eureka County this may exacerbate net residential outflow of earnings for Eureka County.

### **3.4 Community Services**

The county governments provide judicial, public safety, public works, and recreation services to their populations. The analysis area is primarily rural. Community facilities and services descriptions in this section are focused on Eureka County, where the Project is located and where workers may preferentially relocate, temporarily or permanently. However, services for White Pine, Lander, and Elko Counties are also described in this section.

#### **3.4.1 Electricity**

Communities in the analysis area are served by NV Energy, Wells Rural Electric Cooperative, or Mount Wheeler Power. On average, Eureka CDP's residential electricity rate is 8.10 cents per kilowatt hour, which is 42.38 percent less than the average state price of 14.06 cents and 47.21 percent lower than the national average of 15.34 cents (<https://findenergy.com/nv/eureka-county-electricity/#eureka-cdp>).

### **3.4.2 Water**

Municipal utilities provide water to most towns and cities within the area of analysis. Most rural residents obtain water from wells or springs.

Elko's maximum daily production capacity is approximately 2,000 gallons per minute (BLM 2022). The city does have mandatory watering restrictions during the summer months to manage demand and treat wastewater for use in irrigating city parks and golf courses. The City of Carlin has a plentiful supply of water and adequate storage and meets all State and Federal water quality standards for domestic use (Cedar Creek 2019).

Battle Mountain has added three new wells in the last seven years. Domestic water quality and supply capacity are now both ample for the community (BLM 2019). Within Lander County, domestic water supply and quality are both in good condition in Crescent Valley (BLM 2019). Austin also has county provided water and sewer services, and the community of Kingston provides its own water system.

Water within Eureka County is obtained from both surface and subsurface water sources (Eureka County 2010). Numerous springs, perennial streams, and ephemeral streams provide surface water sources, including the Humboldt River. There are three municipal systems operated by Eureka County including the water systems in the town of Eureka, Devil's Gate Water District, and the town of Crescent Valley (Eureka County 2018). All systems are managed by the Eureka County Public Works Department. The town of Eureka system produces water from two wells, pumping it to three storage tanks with a total capacity of 2,350,000 gallons. A spring rehabilitation project above the town has augmented the town of Eureka's supply from numerous springs south of town.

The Devil's Gate system consists of one well, pumps, a 405,300-gallon storage tank, and distribution system. The town of Crescent Valley system supplies water from two main wells with back-up generators. Water is pumped through an arsenic treatment plant to remove arsenic before filling the three tanks which store a total of 660,000 gallons of water to supply the gravity-fed system.

### **3.4.3 Wastewater**

Wastewater treatment plants (WWTPs) are located in Elko, Battle Mountain, Carlin, Ely, and Eureka. Elko's system uses approximately half of its permitted capacity (BLM 2019). The smaller communities in the analysis area operate with individual septic systems rather than

centralized wastewater treatment systems; no system-wide problems have been reported for these communities. Carlin's WWTP is operating at less than 75% of its permitted capacity. Battle Mountain's WWTP is also operating well within its permitted capacity (BLM 2019).

The Eureka WWTP, managed by Eureka County's Public Works Department, treats wastewater for the town of Eureka with a multi-cell, aerated evaporative lagoon treatment system. The facility is permitted to discharge up to 100,000 gallons per day, though it typically operates at 50 percent of its capacity (BLM 2017).

#### **3.4.4 Solid Waste**

There are public landfill operations in all four communities in the analysis area. The Battle Mountain sanitary landfill is permitted Class II landfill with a permitted disposal capacity of 1,138,000 cubic yards and the amount of municipal solid waste is not anticipated to exceed 20 tons per day during the life of the landfill. The City of Ely operates a Class I Municipal Solid Waste (MSW) Site and a Class III Construction and Demolition (C&D) Site with a combined capacity of 1,800,000 cubic yards. The Class I MSW and the Class III C&D site accepts waste predominantly from the local community and, to a lesser extent, the adjacent counties (Nevada Division of Environmental Protection [NDEP] 2015). The city of Elko's sanitary landfill is a Class I landfill with a permitted disposal capacity of 21,000,000 cubic yards. Eureka County Public Works operates a 40-acre Class II landfill north of the town of Eureka and a landfill transfer site in Crescent Valley. The Class II landfill facility is located on county-owned land in Eureka County, approximately a quarter mile east of Eureka. The permitted design capacity at the Eureka landfill is approximately 1,000,000 cubic yards (Nevada Division of Environmental Protection Permit #SW055Rev05).

#### **3.4.5 Law Enforcement**

County-wide law enforcement is provided by the Lander, Elko, Eureka, and White Pine County Sheriff Departments. Local law enforcement is provided to Elko, Ely, and Carlin by their respective city police.

The Eureka County Sheriff provides law enforcement and detention services for the entire county and provides emergency dispatch services for all public safety functions in the county including law enforcement, emergency medical, and fire suppression activities. The sheriff's office has a current staff of 22, including the sheriff, undersheriff, patrol officers, dispatchers, jailers, and support staff. The sheriff's office operates the detention facility in

the town of Eureka, which can accommodate up to 20 inmates, including four female inmates. The detention facility does not have facilities for juveniles, so they are transported to Elko when necessary.

The Nevada Highway Patrol provides law enforcement protection services along the roads and highways maintained or funded by the State of Nevada. In addition, the Nevada Highway Patrol provides law enforcement protection services along primary and secondary road systems that are supported by federal aid.

#### **3.4.6 Fire Protection, Medical, and Emergency Medical Services**

Eureka County does not have a county fire department, but it provides funding, a District Fire Chief, facilities, equipment, training, and supplies for six volunteer departments in communities throughout the county. The Eureka Volunteer Fire Service provides fire protection services in the town of Eureka and surrounding area. The Diamond Valley Volunteer Fire Department serves a primary area north of the town of Eureka. There are also volunteer fire departments in Eureka County in the towns of Pine Valley, Crescent Valley, Beowawe, and Dunphy. In addition to the local fire departments, the BLM, the United States Forest Service, and the Nevada Division of Forestry provide fire protection, primarily in outlying areas where they are chiefly responsible for fighting wildland fires. Eureka County also has two volunteer ambulance services which serve residents in the towns of Eureka and Crescent Valley (Eureka County 2023a).

Elko County provides a combination of paid and volunteer fire services through the Elko County Fire Protection District (Elko County 2023a). Local fire protection in Elko is provided by the City of Elko Fire Department. Ambulances are similarly headquartered in the major communities including Elko, with numerous substations dispersed throughout the area of analysis.

Northeastern Nevada Regional Hospital in Elko serves all of northeast Nevada. This hospital is approximately 117 miles from the Project area. Battle Mountain General Hospital serves north-central Nevada. The William Bee Ririe Hospital in Ely is an accredited critical access hospital providing a full range of health care for the Ely and White Pine County area. There are also clinics in several communities, including Elko, Carlin, and Crescent Valley. Within Lander County, Battle Mountain and Austin Volunteer Fire Departments provide residential and commercial fire protection services (Lander County 2023a).

The Eureka County Medical Clinic serves southern Eureka County, and the William Bee Ririe Hospital has expanded their service area to include the residents of Eureka County at the Eureka County Medical Clinic. The William Bee Ririe Hospital is located in Ely and also administers the Crescent Valley Medical Clinic. There is no hospital in Eureka County, so persons needing hospital or medical services beyond the capabilities of the diagnostic centers are transported to Elko (Northeastern Nevada Regional Hospital) or Ely (William Bee Ririe Hospital) or other regional facilities. These facilities are 117 miles and 79 miles, respectively, from the Project area. Social services providing assistance to individuals and families in need are through the Eureka County Social Services.

Ambulances are headquartered in the major communities, with numerous substations dispersed throughout the area of analysis. Eureka County also has two volunteer ambulance services which serve residents in the towns of Eureka and Crescent Valley (Eureka County 2023a). Lander County has two volunteer ambulance services in the towns of Battle Mountain and Austin (Lander County 2023a). There are also mutual aid agreements among the various emergency response services to provide the most effective response to any particular emergency. Additionally, the BLM and the Nevada Division of Forestry provide fire protection and suppression activities on federal land throughout Nevada.

### **3.4.7 Facility and Services Analysis**

The scale and duration of the demands associated with the construction workforce would be small relative to the population of Eureka County (and the entire area of analysis), such that demands from the construction workforce should not require expansion of community infrastructure by local governmental agencies. Local law enforcement, fire departments and other emergency management services would likely experience modest increases in calls for service in conjunction with the increased traffic and temporary population influxes during construction. Eureka County's Road Department would experience an increase in road-maintenance demand during construction and operation periods.

During operations, a long-term increase in demand for services would be anticipated from the increased number of new individuals to the analysis area. Community service departments would see increases in calls for service and an increased burden on departmental staff. Eureka County's Road Department would experience the largest increases in road-maintenance demand during the period of operations, due to worker commuting, material and equipment hauling, and ore transportation. Access to health care throughout the Project's construction and operation periods would remain an issue, as

analysis area hospitals are located long distances from the Project area and are limited to the more major cities and towns.

### **3.5 Finance**

#### **3.5.1 Public Finance**

Local government finance in Nevada is derived from a number of locally derived and state-shared revenues. Local revenues are primarily derived from ad valorem property taxes on real and personal property (e.g., business equipment, agricultural equipment, etc.), and the net proceeds of mines in the jurisdiction. Senate Bill Number 543, signed by the Governor in June 2019, modifies the distribution of net proceeds of minerals within a county, including school districts, requiring the proceeds apportioned to each school district to be deposited to the credit of the State Education Fund. Senate Bill 543 created an 11-member Commission on School Funding to provide recommendations for the implementation of the Pupil-Centered Funding Plan. Local governments also collect revenues from fines, licenses and permits, and fees for services. State-shared revenues, designated as intergovernmental resources in Table 13, include sales, motor vehicle, fuel, and gaming taxes. Table 13 presents the budget revenues and expenditures for Fiscal Year 2021 for each of the analysis area counties' financial statement audits (Elko County 2023b, Eureka County 2023b, Lander County 2023b, White Pine County 2023). Revenues are primarily from taxes and intergovernmental sources for all counties within the analysis area. The majority of expenditures, after general government expenditures, go towards public safety, ranging from 16.2 percent in Eureka County to 25.8 percent in Elko County.

#### **3.5.2 Project Finance**

Taxes collected from Project operations would contribute money to local and state economies. Mining operations in Nevada are subject to real and personal property taxes, sales and use taxes, and net proceeds of tax levies. Sales, use, and net proceeds taxes are collected by the state and are distributed to counties, school districts, and, in the case of sales and use taxes, to municipalities.

Property taxes are collected by the counties and are distributed to the county, school districts, and special districts. The mine's taxable values in these property tax categories are taxed at the same rates as other real property in the county, such as residential, commercial, and agricultural properties. Purchases of equipment, supplies, and construction materials, along with consumer purchases by the mines' workforce and other workers



whose jobs are supported by the mine, are subject to sales and use taxes resulting in funds for local governments. In addition, the population supported by Project operations can influence revenue from local sales and property taxes.

Indirect and induced effects associated with the Project would primarily involve business revenues, jobs supported at mine service firms, and at retail and other consumer-oriented businesses that serve the mine-related population. Materials, equipment, and services would be purchased both locally and elsewhere in Nevada. A temporary increase in spending is anticipated in association with construction activity, whereas long-term increases in spending would be anticipated in association with operations activity. Depending on exactly where workers would relocate or where business services and goods are purchased from, county-level income outflow may increase or decrease.

Table 14 shows the estimated annual labor income totals from the Project.

### **3.5.3 Financial Analysis**

The Project would generate public revenues from sales and use taxes, net proceeds of mines taxes, *ad valorem* property taxes, and from business taxes. Sales taxes would be collected in the jurisdiction where purchases were made and would be distributed among the state, the school district(s), the county, and the statewide counties' revenue sharing pool. School districts are significant beneficiaries of sales and use taxes, while the local county's share of sales taxes is relatively modest at approximately 7 percent of the revenue.

Net proceeds taxes and *ad valorem* property taxes would be a more substantial contributor to Eureka County, which would be the primary beneficiary of these revenues. Net proceeds of mines are categorized and taxed similar to real property. In general terms, net proceeds taxes are assessed on the value of production minus the costs of production. Net proceeds taxes from the Project may vary from year to year. The combination of property taxes and net proceeds taxes from the Project would have a beneficial impact on Eureka County revenues. As mentioned above, Senate Bill Number 543 modified the distribution of net proceeds of minerals within a county, including school districts; therefore, the exact method of disbursement of net proceeds of minerals to school districts is currently unknown, but the new funding formula would have implications on the current disbursement of those funds to individual school districts.

In addition to the public revenues derived from the Project itself, salaries and benefits to workers would contribute to the local economy and to local public revenues. Economic

activity generated by the proportion of construction workers that would be non-local would not accrue payments to the local area. Operations workers that would take residence in the area of analysis for the life of the Project would contribute to the local economy. Revenue from rentals leased by RHMC would be excluded from local economic revenues.

In summary, construction of the mine would have a short-term, localized, beneficial fiscal impact on the public entities in the area of analysis, and operation and reclamation of the mine would have a long-term beneficial fiscal impact on those jurisdictions. These impacts would effectively cease at the time the Project is completed and reclaimed.

Additional revenues to counties in the analysis area from the Project would be generated from labor business tax, property tax, and commerce generated by the Project and its employees. Labor incomes would also be subject to county, state, and federal taxes. Overall, the effect of increased revenue due to taxes and economic activity would be beneficial, and impacts would be long-term and regional.

### **3.6 Non-Market Project Information**

The term nonmarket values refer to the benefits individuals attribute to experiences of the environment or uses of natural and cultural resources that do not involve market transactions and therefore lack prices. Non-market values in the area of analysis include hunting, other recreational uses, tourist opportunities, or wild horse use. Current tourist and recreational opportunities Eureka County, where the Project is located, includes swimming, shooting, fairgrounds, the use of parks, museums, hiking, hunting, camping, and fishing (Eureka County 2023c). The Project area is not identified as being a driver of these types of tourist, recreational, or cultural attractions in the analysis area.

Mule deer (*Odocoileus hemionus*) are the primary big game species in the region. Year-round pronghorn antelope habitat occurs within the four-mile buffer surrounding the Project. Hunting and recreation would occur on public lands in the area but activities would be outside of the developed mine infrastructure. The Project area is not within a wild horse herd management area. There are no developed recreation facilities in the Project area.

The proposed Project would not impact any additional public land or prohibit access to areas used currently for recreation or hunting. Therefore, no impacts on recreational spending related to hunting opportunities or other would be expected to occur due to the Proposed Project.

Additional non-market impacts may be identified pending development of Project baseline and public comment periods.

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## **Tables**

**Table 1. Workforce and New Population Estimates**  
**Employment**

Workforce	Direct			Indirect & Induced			Total		
	Local	Non-local	Total	Local	Non-local	Total	Local	Non-local	Total
New Contractors - construction	7	28	35	3	4	7	10	32	42
New Workers - operations	33	77	110	19	20	39	52	97	149

**New Households (During Operations)**

Household Size	Total - Direct	Total - Indirect/Induced	Total
Single	27	7	34
Married - 1 Worker	28	7	35
Married - 2 Workers	2	0	2
<b>Total Households</b>	<b>56</b>	<b>15</b>	<b>71</b>

**New Population**

Household Type	New Households from non-local workers	Adults Per Household	Children Per Household		Total
			School-age	Other	
Single Households	34	34	0	0	34
Married Households	37	74	21	5	100
<b>Total</b>	<b>71</b>	<b>108</b>	<b>21</b>	<b>5</b>	<b>134</b>

Notes:

Direct work force was assumed to be 20 percent local during construction, and 35 percent local during operations. Indirect and induced work force was assumed to be 50 percent local during construction and operations.

The non-local work force employed for operations that might relocate locally was assumed to be 35 percent of the total as single and 40 percent of the total as married. Ten percent of the married worker households were assumed to be two-worker families.

Population estimates were based on one person per single family household and 2.71 persons per married household.

Eighty percent of children were assumed to be of school age.

**Table 2. Demographic Information**

<b>Statistic</b>	<b>Analysis Area Total</b>	<b>Non-Metro Nevada Counties</b>	<b>White Pine County</b>	<b>Eureka County</b>	<b>Elko County</b>	<b>Lander County</b>
Total Population 2021	69,944	286,329	9,192	1,603	53,420	5,729
Total Population 2010	64,741	265,575	9,765	1,724	47,707	5,545
Population Change 2010 – 2021	5,203	20,754	-573	-121	5,713	184
Population Pct. Change 2010 - 2021	8.0%	7.8%	-5.9%	-7.0%	12.0%	3.3%
Total Female	32,360	137,100	3,641	812	25,382	2,525
Total Male	37,584	149,229	5,551	791	28,038	3,204
Median age in 2021	nc	nc	41.3	42.5	34.9	38.9
Median Age in 2010	nc	nc	41.8	40.5	33.6	36.8
Median Pct. Age Change 2010 - 2021	nc	nc	-1.2%	4.9%	3.9%	5.7%
Age 65 or older in 2010	6,171	nc	1,526	244	3,753	648
Pct. Age 65 and Older in 2010	9.5%	nc	15.6%	14.2%	7.9%	11.7%
Age 65 or older in 2021	9,162	39,743	1,676	335	6,328	823
Pct. Age 65 and Older in 2021	13.1%	13.9%	18.2%	20.9%	11.8%	14.4%
% of Population 'baby boomers' 2021	24.0%	29.0%	24.6%	28.5%	23.2%	28.9%
Average Annual Population Change 2010-2022	255	20,754	-64	8	329	-17
From Natural Change	384	nc	7	2	344	30
Births	792	nc	88	16	615	73
Deaths	407	nc	80	13	271	43
From Net Migration	-137	nc	-70	5	-23	-49
International Migration	4	nc	4	1	-2	2
Domestic Migration	-141	nc	-74	5	-21	-51
From Residual	8	nc	-1	0	8	1
Percent Natural Change 2010 - 2022	72.6%	nc	9.0%	28.6%	91.7%	37.5%
Percent Net Migration	25.9%	nc	89.7%	71.4%	6.1%	61.3%
Percent Residual	1.5%	nc	1.3%	0.0%	2.1%	1.3%

Source: Headwaters Economics Demographics data and Socioeconomic trends, Reports generated August 23, 2023

**Table 3. Minority Information**

<b>Statistic</b>	<b>Analysis Area Total</b>	<b>Non-Metro Nevada Counties</b>	<b>White Pine County</b>	<b>Eureka County</b>	<b>Elko County</b>	<b>Lander County</b>
<b>Totals</b>						
Total Population 2021	69,944	286,329	9,192	1,603	53,420	5,729
Total Minority Population, 2021	23,863	82,500	2,669	261	19,227	1,706
Hispanic or Latino (of any race)	16,474	53,001	1,562	174	13,270	1,468
Not Hispanic or Latino	53,470	233,328	7,630	1,429	40,150	4,261
White alone	46,081	203,829	6,523	1,342	34,193	4,023
Black or African American alone	1,215	4,416	648	1	562	4
American Indian alone	3,031	8,122	315	68	2,472	176
Asian alone	729	4,215	49	18	658	4
Native Hawaii & Oth.Pacific Is. alone	110	499	0	0	110	0
Some other race	363	981	0	0	363	0
Two or more races	1,941	11,266	95	0	1,792	54
Total Native American, 2021	3,565	9,556	399	82	2,859	225
<b>Percent of Total</b>						
Total Minority Population, 2021	34.1%	28.8%	29.0%	16.3%	36.0%	29.8%
Hispanic or Latino (of any race)	23.6%	18.5%	17.0%	10.9%	24.8%	25.6%
Not Hispanic or Latino	76.4%	81.5%	83.0%	89.1%	75.2%	74.4%
White alone	65.9%	71.2%	71.0%	83.7%	64.0%	70.2%
Black or African American alone	1.7%	1.5%	7.0%	0.1%	1.1%	0.1%
American Indian alone	4.3%	2.8%	3.4%	4.2%	4.6%	3.1%
Asian alone	1.0%	1.5%	0.5%	1.1%	1.2%	0.1%
Native Hawaii & Oth.Pacific Is. alone	0.2%	0.2%	0.0%	0.0%	0.2%	0.0%
Some other race	0.5%	0.3%	0.0%	0.0%	0.7%	0.0%
Two or more races	2.8%	3.9%	1.0%	0.0%	3.4%	0.9%
Total Native American, 2021	5.1%	3.3%	4.3%	5.1%	5.4%	3.9%

Source: Headwaters Economics Demographics data, Report generated August 23, 2023



**Table 4. Education Level of the Analysis Area Population**

<b>Statistic</b>	<b>Analysis Area Total</b>	<b>Non-Metro Nevada Counties</b>	<b>White Pine County</b>	<b>Eureka County</b>	<b>Elko County</b>	<b>Lander County</b>
<b>Totals</b>						
Total Pop 25 yrs or higher	46,297	206,447	6,940	1,012	34,485	3,860
No high school degree	4,982	22,560	662	50	3,812	458
High school graduate	41,315	183,887	6,278	962	30,673	3,402
Associates degree	4,737	20,806	704	62	3,346	625
Bachelor's degree or higher	6,986	37,885	930	112	5,628	316
Graduate or professional <sup>1</sup>	2,353	12,800	228	24	1,937	164
<b>Percent of Total</b>						
No high school degree	10.8%	10.9%	9.5%	4.9%	11.1%	11.9%
High school graduate	89.2%	89.1%	90.5%	95.1%	88.9%	88.1%
Associates degree	10.2%	10.1%	10.1%	6.1%	9.7%	16.2%
Bachelor's degree or higher	15.1%	18.4%	13.4%	11.1%	16.3%	8.2%
Graduate or professional	5.1%	6.2%	3.3%	2.4%	5.6%	4.2%

Source: Headwaters Economics Demographics data, Report generated August 23, 2023

1 The number of people shown represents a sub-population of people with Bachelor's degree or higher.

**Table 5. Housing Information**

<b>Statistic</b>	<b>Analy Total</b>	<b>Nevada Non-Metro</b>	<b>White Pine County</b>	<b>Eureka County</b>	<b>Elko County</b>	<b>Lander County</b>
<b>Totals</b>						
Total Housing Units, 2021*	29,679	128,995	4,175	955	21,669	2,880
Occupied	24,949	111,976	3,482	555	18,614	2,298
Vacant	4,730	17,019	693	400	3,055	582
For rent	913	2,010	51	0	723	139
Rented, not occupied	86	151	0	0	86	0
For sale only	142	1,024	36	13	93	0
Sold, not occupied	169	616	22	7	139	1
Seasonal, recreational, occasional	1,187	5,928	194	108	746	139
For migrant workers	44	92	0	0	0	44
Other vacant	2,189	7,198	390	272	1,268	259
<b>Percent of Total</b>						
Occupied	83.4%	58.1%	85.9%	79.8%	84.1%	86.8%
Vacant	16.6%	41.9%	14.1%	20.2%	15.9%	13.2%
For rent	1.2%	0.0%	3.3%	4.8%	3.1%	1.6%
Rented, not occupied	0.0%	0.0%	0.4%	0.0%	0.3%	0.1%
For sale only	0.9%	1.4%	0.4%	0.0%	0.5%	0.8%
Sold, not occupied	0.5%	0.7%	0.6%	0.0%	0.6%	0.5%
Seasonal, recreational, occasional	4.6%	11.3%	3.4%	4.8%	4.0%	4.6%
For migrant workers	0.0%	0.0%	0.0%	1.5%	0.1%	0.1%
Other vacant	9.3%	28.5%	5.9%	9.0%	7.4%	5.6%

Source: Headwaters Economics Socioeconomics Trends Report, generated August 23, 2023

**Table 6. Public Schools Enrollment History**

<b>School District</b>	<b>School Year</b>	<b>Number of Enrolled Students</b>	<b>Number of Teachers</b>	<b>K-12 Schools</b>
Elko	2017-2018	9,924	611	36
Elko	2018-2019	10,131	599	37
Elko	2019-2020	10,247	586	38
Elko	2020-2021	9,609	606	34
Elko	2021-2022	9,943	570	36
Eureka	2017-2018	291	34	4
Eureka	2018-2019	349	30	4
Eureka	2019-2020	349	30	4
Eureka	2020-2021	324	31	3
Eureka	2021-2022	348	34	3
Lander	2017-2018	1,027	64	6
Lander	2018-2019	1,002	62	7
Lander	2019-2020	1,034	61	7
Lander	2020-2021	1,027	70	5
Lander	2021-2022	1,030	67	5
White Pine	2017-2018	1,955	76	10
White Pine	2018-2019	1,274	67	11
White Pine	2019-2020	1,274	67	11
White Pine	2020-2021	1,216	76	12
White Pine	2021-2022	1,261	68	11

Source: Nevada Report Card Accessed August 23, 2023 online at: <http://nevadareportcard.nv.gov>

**Table 7. Employment by Industry**

Statistic	Analysis Area Total		Nevada		White Pine County		Eureka County		Elko County		Lander County	
	2021	Change 2010-2021	2021	Change 2010-2021	2021	Change 2010-2021	2021	Change 2010-2021	2021	Change 2010-2021	2021	Change 2010-2021
Average Annual Unemployment Rate*	3.2%	-5.1%	5.4%	-8.4%	3.1%	-6.2%	2.9%	-5.10%	3.2%	-4.7%	3.4%	-6.5%
Total Employment (number of jobs)	42,384	1,193	1,875,709	397,655	5,513	-563	4,662	-53	28,005	1,299	4,204	510
Non-services related	13,262	686	212,324	71,054	1,842	456	4,213	137	5,393	105	1,814	-12
Farm	1,102	-88	5,028	-326	192	-2	140	-17	605	-70	165	1
Forestry, fishing, & ag. services	250	48	1,937	352	na	na	na	na	250	48	na	na
Mining (including fossil fuels)	9,490	730	18,132	1,107	1,417	448	3,975	107	2,449	188	1,649	-13
Construction	2,076	-10	120,249	44,607	183	14	63	24	1,830	-48	na	na
Manufacturing	344	6	66,978	25,314	50	-4	35	23	259	-13	na	na
Services related	23,042	601	1,486,244	318,549	2,391	-866	598	196	18,851	1,309	1,202	-38
Utilities	232	48	4,526	-16	na	na	77	-1	155	49	na	na
Wholesale trade	1,427	383	43,982	6,494	64	-11	7	-8	1,356	402	na	na
Retail trade	4,224	542	185,306	32,953	564	6	21	-35	3,318	540	321	31
Transportation and warehousing	1,302	242	137,427	84,212	109	42	224	172	884	153	85	-125
Information	169	-71	21,137	3,445	21	-18	4	-1	138	-51	6	-1
Finance and insurance	810	-39	103,909	20,886	92	-17	na	na	598	-46	120	24
Real estate and rental and leasing	1,311	-647	110,419	16,055	169	-815	na	na	1,061	194	81	-26
Professional and technical services	1,377	367	109,638	27,943	173	57	59	36	1,078	235	67	39
Management of companies	356	11	32,573	10,835	53	12	0	0	303	-1	0	0
Administrative and waste services	1,172	173	132,423	37,286	165	46	68	20	852	52	87	55
Educational services	190	-3	21,845	7,885	13	-7	7	3	162	3	8	-2
Health care and social assistance	2,174	125	160,792	51,127	209	-147	10	3	1,916	274	39	-5
Arts, entertainment, and recreation	781	-67	55,322	8,625	62	6	6	-5	640	-75	73	7
Accommodation and food services	5,681	-672	276,961	-13,917	537	1	57	-2	4,919	-576	168	-95
Other services, except public admin.	1,836	209	89,984	24,736	160	-21	58	14	1,471	156	147	60
Government	5,787	-393	177,141	8,052	1,248	-253	218	-1	3,761	-144	560	5

Source: Headwaters Economics Socioeconomics Trends Report, generated August 23, 2023  
 \* Unemployment rates are reported for years 2000, 2010, 2022, with change reported 2010-2022

**Table 8. Labor Earnings and Non-Labor Income**

Statistic	Analysis Area Total		Nevada		White Pine County		Eureka County	
	2021	Change 2000-2021	2021	Change 2000-2021	2021	Change 2000-2021	2021	Change 2000-2021
<b>Totals</b>								
Average Earnings per Job (2022 \$s)	\$79,299	\$7,055	\$67,455	\$174	\$77,370	\$13,438	\$130,184	-\$12,046
Per Capita Income (2022 \$s)	\$59,118	\$12,474	\$65,030	\$10,686	\$60,741	\$13,111	\$53,575	\$8,916
Personal Income (thous' of 2022 \$s)	\$4,185,471	\$1,312,369	\$204,452,904	\$94,745,752	\$557,722	\$127,675	\$101,953	\$29,069
Labor Earnings	\$2,875,095	\$602,110	\$112,643,233	\$37,295,473	\$334,603	\$23,730	\$67,269	\$13,781
Non-Labor Income	\$1,310,376	\$710,259	\$91,809,670	\$57,450,278	\$223,118	\$103,943	\$34,684	\$15,288
Dividends, Interest, and Rent	\$472,862	\$98,842	\$45,829,899	\$21,666,087	\$67,713	\$4,673	\$13,207	\$133
Age-Related Transfer Payments	\$325,075	\$198,506	\$19,070,492	\$12,432,426	\$63,587	\$27,548	\$10,987	\$6,206
Hardship-Related Payments	\$290,387	\$230,431	\$15,626,728	\$13,401,420	\$63,313	\$49,069	\$4,001	\$3,257
Other Transfer Payments	\$222,052	\$182,479	\$11,282,550	\$9,950,344	\$28,506	\$22,655	\$6,489	\$5,692
<b>Percent of Total</b>								
Average Earnings per Job	na	9.8%	na	0.3%	na	21.0%	na	-8.5%
Per Capita Income	na	26.7%	na	19.7%	na	27.5%	na	20.0%
Personal Income (thous' of 2022 \$s)	na	45.7%	na	86.4%	na	29.7%	na	39.9%
Labor Earnings	68.7%	26.5%	55.1%	49.5%	60.0%	7.6%	66.0%	25.8%
Non-Labor Income	31.3%	118.4%	44.9%	167.2%	40.0%	87.2%	34.0%	78.8%
Dividends, Interest, and Rent	11.3%	26.4%	22.4%	89.7%	12.1%	7.4%	13.0%	1.0%
Age-Related Transfer Payments	7.8%	156.8%	9.3%	187.3%	11.4%	76.4%	10.8%	129.8%
Hardship-Related Payments	6.9%	384.3%	7.6%	602.2%	11.4%	344.5%	3.9%	437.8%
Other Transfer Payments	5.3%	461.1%	5.5%	746.9%	5.1%	387.2%	6.4%	714.2%

Source: Headwaters Economics Socioeconomics Trends Report, generated August 23, 2023

**Table 8. Labor Earnings and Non-Labor Income**

Statistic	Elko County		Lander County	
	2021	Change 2000-2021	2021	Change 2000-2021
<b>Totals</b>				
Average Earnings per Job (2022 \$s)	\$68,258	\$8,921	\$98,953	\$18,597
Per Capita Income (2022 \$s)	\$56,974	\$10,705	\$78,312	\$29,685
Personal Income (thous' of 2022 \$s)	\$3,071,745	\$978,847	\$454,051	\$176,778
Labor Earnings	\$2,134,302	\$451,990	\$338,920	\$112,608
Non-Labor Income	\$937,442	\$526,857	\$115,131	\$64,169
Dividends, Interest, and Rent	\$354,371	\$85,462	\$37,571	\$8,574
Age-Related Transfer Payments	\$217,666	\$143,948	\$32,834	\$20,803
Hardship-Related Payments	\$195,002	\$156,863	\$28,071	\$21,243
Other Transfer Payments	\$170,403	\$140,584	\$16,655	\$13,549
<b>Percent of Total</b>				
Average Earnings per Job	na	15.0%	na	23.1%
Per Capita Income	na	23.1%	na	61.0%
Personal Income (thous' of 2022 \$s)	na	46.8%	na	63.8%
Labor Earnings	69.5%	26.9%	74.6%	49.8%
Non-Labor Income	30.5%	128.3%	25.4%	125.9%
Dividends, Interest, and Rent	11.5%	31.8%	8.3%	29.6%
Age-Related Transfer Payments	7.1%	195.3%	7.2%	172.9%
Hardship-Related Payments	6.3%	411.3%	6.2%	311.1%
Other Transfer Payments	5.5%	471.5%	3.7%	436.2%

**Table 9. Labor Earnings by Industry**

Statistic	Analysis Area Total		Nevada		White Pine County	
	2021	Change 2010-2021	2021	Change 2010-2021	2021	Change 2010-2021
Labor Earnings	\$3,361,018	\$157,818	\$126,526,620	\$30,550,046	\$426,540	\$21,226
Non-services related	\$1,403,221	-\$85,866	\$19,328,643	\$4,928,185	\$206,506	\$58,650
Farm	\$51,007	\$16,606	\$197,982	\$3,953	\$10,951	\$8,816
Forestry, fishing, & ag. services	\$5,175	\$462	\$35,555	\$8,486	na	na
Mining (including fossil fuels)	\$1,107,058	-\$46,508	\$2,055,100	\$387,780	\$173,200	\$50,822
Construction	\$211,362	-\$67,367	\$10,830,720	\$1,635,921	\$21,297	-\$1,269
Manufacturing	\$28,618	\$10,940	\$6,209,287	\$2,892,046	\$1,058	\$281
Services related	\$1,357,319	\$134,868	\$89,000,287	\$24,829,665	\$114,918	-\$27,636
Utilities	\$36,926	\$9,359	\$755,166	-\$565	na	na
Wholesale trade	\$165,209	\$64,903	\$4,641,053	\$1,332,030	\$9,564	\$5,514
Retail trade	\$180,858	-\$14,031	\$9,246,721	\$2,848,748	\$17,230	-\$32,213
Transportation and warehousing	\$107,269	\$8,833	\$6,717,287	\$2,797,289	\$10,019	\$4,105
Information	\$12,310	-\$1,662	\$2,860,016	\$768,484	\$1,541	-\$96
Finance and insurance	\$40,449	\$11,738	\$5,841,178	\$2,594,516	\$3,641	-\$663
Real estate and rental and leasing	\$22,892	\$2,702	\$2,874,032	\$1,862,749	\$2,333	\$2,525
Professional and technical services	\$116,642	\$61,443	\$9,328,265	\$2,492,907	\$16,290	\$13,554
Management of companies	\$96,524	\$34,831	\$5,228,685	\$2,316,895	\$10,380	\$6,645
Administrative and waste services	\$72,885	\$29,125	\$5,938,026	\$1,962,319	\$6,170	\$3,206
Educational services	\$4,311	-\$2,466	\$1,057,465	\$329,831	\$54	-\$188
Health care and social assistance	\$137,048	\$4,483	\$12,126,749	\$3,653,926	\$9,334	-\$10,486
Arts, entertainment, and recreation	\$28,351	-\$88,688	\$3,745,230	\$1,289,858	\$2,689	-\$22,973
Accommodation and food services	\$248,600	\$1,044	\$14,676,551	-\$331,302	\$19,107	\$4,648
Other services, except public admin.	\$87,046	\$13,256	\$3,963,864	\$911,980	\$6,565	-\$1,215
Government	\$522,413	-\$28,282	\$18,197,690	\$792,197	\$125,342	-\$19,523

Source: Headwaters Economics Socioeconomics Trends Report, generated August 23, 2023

**Table 9. Labor Earnings by Industry**

Statistic	Eureka County		Elko County		Lander County	
	2021	Change 2010-2021	2021	Change 2010-2021	2021	Change 2010-2021
Labor Earnings	\$606,916	\$10,365	\$1,911,565	\$49,846	\$415,998	\$76,382
Non-services related	\$478,547	-\$82,897	\$521,352	-\$40,259	\$196,817	-\$21,359
Farm	\$5,170	\$1,681	\$19,381	-\$4,834	\$15,506	\$10,945
Forestry, fishing, & ag. services	na	na	\$5,175	\$462	na	na
Mining (including fossil fuels)	\$443,618	-\$98,402	\$308,930	\$33,377	\$181,311	-\$32,303
Construction	\$16,965	\$1,037	\$173,101	-\$67,134	na	na
Manufacturing	\$12,795	\$12,788	\$14,765	-\$2,129	na	na
Services related	\$91,863	\$46,827	\$1,061,190	\$96,723	\$89,348	\$18,955
Utilities	\$14,115	\$52	\$22,812	\$9,307	na	na
Wholesale trade	\$8	-\$17	\$155,637	\$59,406	na	na
Retail trade	\$9,156	\$5,637	\$141,166	\$21,175	\$13,306	-\$8,630
Transportation and warehousing	\$22,433	\$10,818	\$66,823	\$1,650	\$7,994	-\$7,740
Information	\$284	\$123	\$7,986	-\$3,128	\$2,499	\$1,440
Finance and insurance	na	na	\$27,630	\$3,812	\$9,179	\$8,590
Real estate and rental and leasing	na	na	\$18,800	-\$1,354	\$1,759	\$1,531
Professional and technical services	\$21,030	\$20,529	\$69,699	\$18,793	\$9,624	\$8,568
Management of companies	\$0	\$0	\$86,144	\$28,186	\$0	\$0
Administrative and waste services	\$17,533	\$6,380	\$40,788	\$12,249	\$8,394	\$7,291
Educational services	\$32	\$7	\$4,077	-\$2,242	\$148	-\$43
Health care and social assistance	\$32	\$9	\$126,182	\$16,581	\$1,499	-\$1,622
Arts, entertainment, and recreation	\$204	-\$1,848	\$17,944	-\$68,120	\$7,514	\$4,253
Accommodation and food services	\$1,081	-\$13	\$211,550	-\$3,464	\$16,861	-\$129
Other services, except public admin.	\$5,955	\$5,150	\$63,953	\$3,873	\$10,572	\$5,447
Government	\$18,926	\$282	\$329,024	-\$11,907	\$49,122	\$2,867



**Table 10. Wages and Salaries**

Statistic	Analysis Area Total			Nevada		
	Wage & Salary Employment	% of Total Wage & Salary Employment	Avg. Annual Wages (2022 \$s)	Wage & Salary Employment	% of Total Wage & Salary Employment	Avg. Annual Wages (2022 \$s)
Total	33,670		\$72,949	1,265,308		\$58,605
Private	28,161	83.6%	\$75,157	1,111,292	87.8%	\$57,434
Non-Services Related	10,740	31.9%	\$108,076	168,478	13.3%	\$73,154
Natural Resources and Mining	8,898	26.4%	\$114,907	19,341	1.5%	\$92,312
Agriculture, forestry, fishing & hunting	433	1.3%	\$39,936	4,594	0.4%	\$44,149
Mining (incl. fossil fuels)	8,465	25.1%	\$118,742	14,747	1.2%	\$107,316
Construction	1,652	4.9%	\$76,517	93,459	7.4%	\$71,093
Manufacturing (Incl. forest products)	190	0.6%	\$62,560	55,678	4.4%	\$69,957
Services Related	16,474	48.9%	\$53,126	942,814	74.5%	\$54,625
Trade, Transportation, and Utilities	5,745	17.1%	\$57,892	252,626	20.0%	\$50,594
Information	106	0.3%	\$62,072	13,302	1.1%	\$92,363
Financial Activities	566	1.7%	\$59,125	62,246	4.9%	\$82,934
Professional and Business Services	1,681	5.0%	\$102,256	178,759	14.1%	\$70,170
Education and Health Services	1,901	5.6%	\$54,515	139,673	11.0%	\$60,758
Leisure and Hospitality	5,730	17.0%	\$31,459	255,374	20.2%	\$35,665
Other Services	712	2.1%	\$63,096	30,512	2.4%	\$43,616
Unclassified	33	0.1%	\$56,033	10,323	0.8%	\$83,388
Government	5,509	16.4%	\$61,663	154,017	12.2%	\$67,047
Federal Government	592	1.8%	\$79,886	20,757	1.6%	\$80,299
State Government	1,187	3.5%	\$64,698	33,988	2.7%	\$65,574
Local Government	3,730	11.1%	\$57,804	99,272	7.8%	\$64,781

Source: Headwaters Economics Socioeconomics Trends Report, generated August 23, 2023

**Table 10. Wages and Salaries**

Statistic	White Pine County			Eureka County		
	Wage & Salary Employment	% of Total Wage & Salary Employment	Avg. Annual Wages (2022 \$s)	Wage & Salary Employment	% of Total Wage & Salary Employment	Avg. Annual Wages (2022 \$s)
Total	4,320		\$68,347	4,240		\$115,086
Private	3,111	72.0%	\$68,380	4,030	95.0%	\$118,055
Non-Services Related	1,572	36.4%	\$98,549	3,754	88.5%	\$120,172
Natural Resources and Mining	1,459	33.8%	\$100,785	3,738	88.2%	\$120,475
Agriculture, forestry, fishing & hunting	103	2.4%	\$50,288	55	1.3%	\$36,578
Mining (incl. fossil fuels)	1,356	31.4%	\$104,621	3,683	86.9%	\$121,728
Construction	101	2.3%	\$73,012	5	0.1%	\$37,764
Manufacturing (Incl. forest products)	12	0.3%	\$41,535	11	0.3%	\$54,666
Services Related	1,502	34.8%	\$36,583	279	6.6%	\$88,305
Trade, Transportation, and Utilities	576	13.3%	\$36,442	150	3.5%	\$83,532
Information	11	0.3%	\$74,042	0	0.0%	na
Financial Activities	72	1.7%	\$45,902	15	0.4%	\$43,849
Professional and Business Services	109	2.5%	\$61,063	61	1.4%	\$165,222
Education and Health Services	155	3.6%	\$45,153	0	0.0%	na
Leisure and Hospitality	514	11.9%	\$26,423	42	1.0%	\$16,908
Other Services	65	1.5%	\$40,034	10	0.2%	\$64,401
Unclassified	0	0.0%	na	1	0.0%	\$16,848
Government	1,209	28.0%	\$68,261	210	5.0%	\$58,115
Federal Government	157	3.6%	\$74,681	6	0.1%	\$68,052
State Government	384	8.9%	\$72,211	9	0.2%	\$72,888
Local Government	668	15.5%	\$64,481	195	4.6%	\$57,127

**Table 10. Wages and Salaries**

Statistic	Elko County			Lander County		
	Wage & Salary Employment	% of Total Wage & Salary Employment	Avg. Annual Wages (2022 \$s)	Wage & Salary Employment	% of Total Wage & Salary Employment	Avg. Annual Wages (2022 \$s)
Total	21,569		\$63,226	3,541		\$87,331
Private	18,018	83.5%	\$63,858	3,002	84.8%	\$92,405
Non-Services Related	4,046	18.8%	\$96,469	1,368	38.6%	\$120,158
Natural Resources and Mining	2,424	11.2%	\$110,088	1,277	36.1%	\$123,889
Agriculture, forestry, fishing & hunting	217	1.0%	\$35,833	58	1.6%	\$40,084
Mining (incl. fossil fuels)	2,207	10.2%	\$117,389	1,219	34.4%	\$127,876
Construction	1,463	6.8%	\$77,361	83	2.3%	\$68,239
Manufacturing (Incl. forest products)	159	0.7%	\$64,656	8	0.2%	\$63,300
Services Related	13,972	64.8%	\$54,415	721	20.4%	\$48,997
Trade, Transportation, and Utilities	4,663	21.6%	\$60,317	356	10.1%	\$50,038
Information	91	0.4%	\$55,047	4	0.1%	\$188,967
Financial Activities	464	2.2%	\$62,359	15	0.4%	\$37,804
Professional and Business Services	1,423	6.6%	\$105,616	88	2.5%	\$55,305
Education and Health Services	1,723	8.0%	\$55,663	23	0.6%	\$31,586
Leisure and Hospitality	5,028	23.3%	\$32,451	146	4.1%	\$19,239
Other Services	548	2.5%	\$61,844	89	2.5%	\$87,506
Unclassified	32	0.1%	\$57,258	0	0.0%	na
Government	3,551	16.5%	\$60,019	539	15.2%	\$59,069
Federal Government	353	1.6%	\$82,582	76	2.1%	\$79,047
State Government	779	3.6%	\$61,229	15	0.4%	\$47,609
Local Government	2,419	11.2%	\$56,337	448	12.7%	\$56,064

**Table 11. Poverty Indicators**

<b>Statistic</b>	<b>Analysis Area Total</b>	<b>Non-Metro Nevada Counties</b>	<b>White Pine County</b>	<b>Eureka County</b>	<b>Elko County</b>	<b>Lander County</b>
<b>Totals</b>						
People, 2021	67,402	279,147	7,582	1,598	52,536	5,686
Families, 2021	17,007	73,404	2,104	448	12,751	1,704
People Below Poverty	7,830	30,889	845	293	6,070	622
Families below poverty	1,270	5,192	132	43	959	136
<b>Percent of Total</b>						
People Below Poverty	11.6%	11.1%	11.1%	18.3%	11.6%	10.9%
Families below poverty	7.5%	7.1%	6.3%	9.6%	7.5%	8.0%

Source: Headwaters Economics Demographics data, Report generated August 23, 2023

**Table 12. Commuting Patterns by County**

Statistic	White Pine County		Eureka County		Elko County		Lander County	
	2021	Change 2010-2021	2021	Change 2010-2021	2021	Change 2010-2021	2021	Change 2010-2021
Total Personal Income	\$557,722	\$38,077	\$101,953	\$14,710	\$3,071,745	\$364,586	\$454,051	\$96,026
Cross-County Commuting Flows								
Inflow of Earnings	\$9,176	\$5,865	\$17,155	\$4,484	\$586,470	\$52,182	\$53,709	-\$14,240
Outflow of Earnings	\$62,006	\$38,764	\$493,867	\$14,373	\$161,421	\$50,479	\$89,551	-\$3,174
Net Residential Adjustment (In - Outflow)	-\$52,830	-\$32,899	-\$476,712	-\$9,889	\$308,930	\$33,377	-\$35,842	-\$11,066
Net Residential Adjustment Share of Total Personal Income	-9.5%	-5.6%	-467.6%	67.5%	13.8%	-1.8%	-7.9%	-1.0%

Source: Headwaters Economics Socioeconomics Trends Report, generated August 23, 2023

**Table 13. Public Finance**

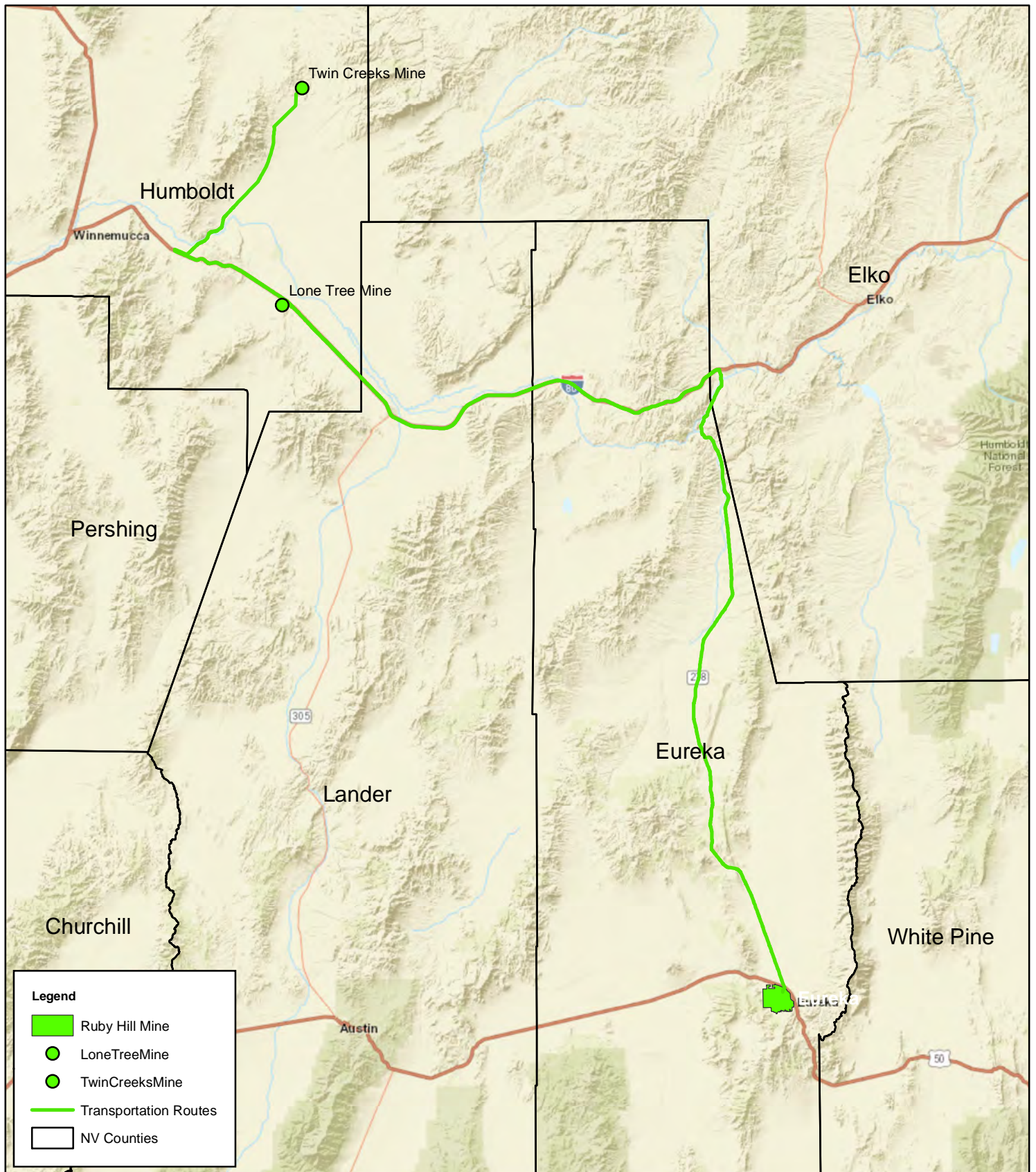
Category	Eureka County FY 2021		Elko County FY 2021		Lander County FY 2021		White Pine County FY 2021	
	Total	Percent of Total	Total	Percent of Total	Total	Percent of Total	Total	Percent of Total
<b>Revenues</b>								
Charges for services	\$2,595,077	8.8%	\$10,912,802	13.8%	\$4,468,797	9.8%	\$4,930,475	15.5%
Operating grants and contributions	\$483,283	1.6%	\$8,602,565	10.9%	\$498,913	1.1%	\$2,912,312	9.2%
Capital Grants and Contributions	\$924,474	3.1%	\$255,103	0.3%	\$4,574,684	10.0%	\$875,106	2.8%
Taxes	\$18,129,114	61.4%	\$58,431,590	73.8%	\$18,937,291	41.6%	\$15,152,576	47.8%
Investment earnings	nr		\$73,766	0.1%	-\$169,192	-0.4%	\$271,366	0.9%
Intergovernmental	\$6,946,976	23.5%	nr		nr		\$3,563,990	
Other	\$428,385	1.5%	\$861,823	1.1%	\$17,228,501	37.8%	\$4,016,073	12.7%
<b>Total revenues</b>	<b>\$29,507,309</b>		<b>\$79,137,649</b>		<b>\$45,538,994</b>		<b>\$31,721,898</b>	
<b>Expenses</b>								
General government	\$7,016,154	32.0%	\$11,523,471	17.7%	\$8,389,330	25.9%	\$6,697,546	27.3%
Judicial	\$1,111,516	5.1%	\$14,248,648	21.8%	\$3,336,640	10.3%	\$3,069,993	12.5%
Public safety	\$3,546,244	16.2%	\$16,835,038	25.8%	\$7,726,820	23.9%	\$5,862,095	23.9%
Public works	\$5,350,653	24.4%	\$12,548,704	19.2%	\$5,611,329	17.3%	\$4,301,728	17.6%
Health and sanitation	\$1,609,676	7.3%	\$1,643,593	2.5%	\$587,284	1.8%	\$98,801	0.4%
Welfare	nr		\$1,929,819	3.0%	\$1,620,723	5.0%	\$778,077	3.2%
Culture and recreation	\$1,401,328	6.4%	\$2,250,282	3.4%	\$2,633,353	8.1%	\$3,009,904	12.3%
Community support	\$315,977	1.4%	\$459,302	0.7%	\$54,678	0.2%	\$670,090	2.7%
Water	\$1,522,901	6.9%	\$625,769	1.0%	\$1,350,858	4.2%	nr	
Sewer	\$78,805	0.4%	\$289,056	0.4%	\$1,056,018	3.3%	nr	
Other	-		\$2,907,661	4.5%	\$5,999	0.0%	\$8,777	0.0%
<b>Total expenses</b>	<b>\$21,953,254</b>		<b>\$65,261,343</b>		<b>\$32,373,032</b>		<b>\$24,497,011</b>	

**Table 14. Estimated Annual Labor Incomes from the Ruby Hill Project**

<b>Phase of the Project</b>	<b>Direct (total workers)</b>	<b>Induced (total workers)</b>	<b>Direct Labor Income:</b>	<b>Indirect Labor Income</b>	<b>Total Annual Income:</b>	<b>Total Income over Life of Project</b>
Construction	35	7	\$4,155,970	\$594,304	\$4,750,274	\$9,500,547
Operations	110	64.9	\$13,061,620	\$5,510,044	\$18,571,664	\$139,287,483

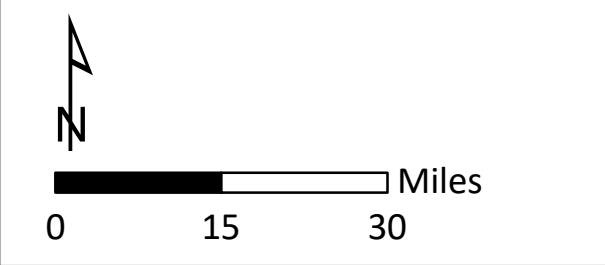
## **Figures**





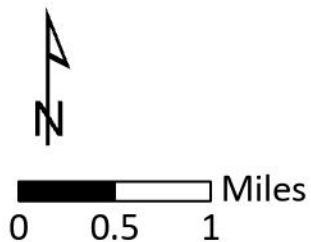
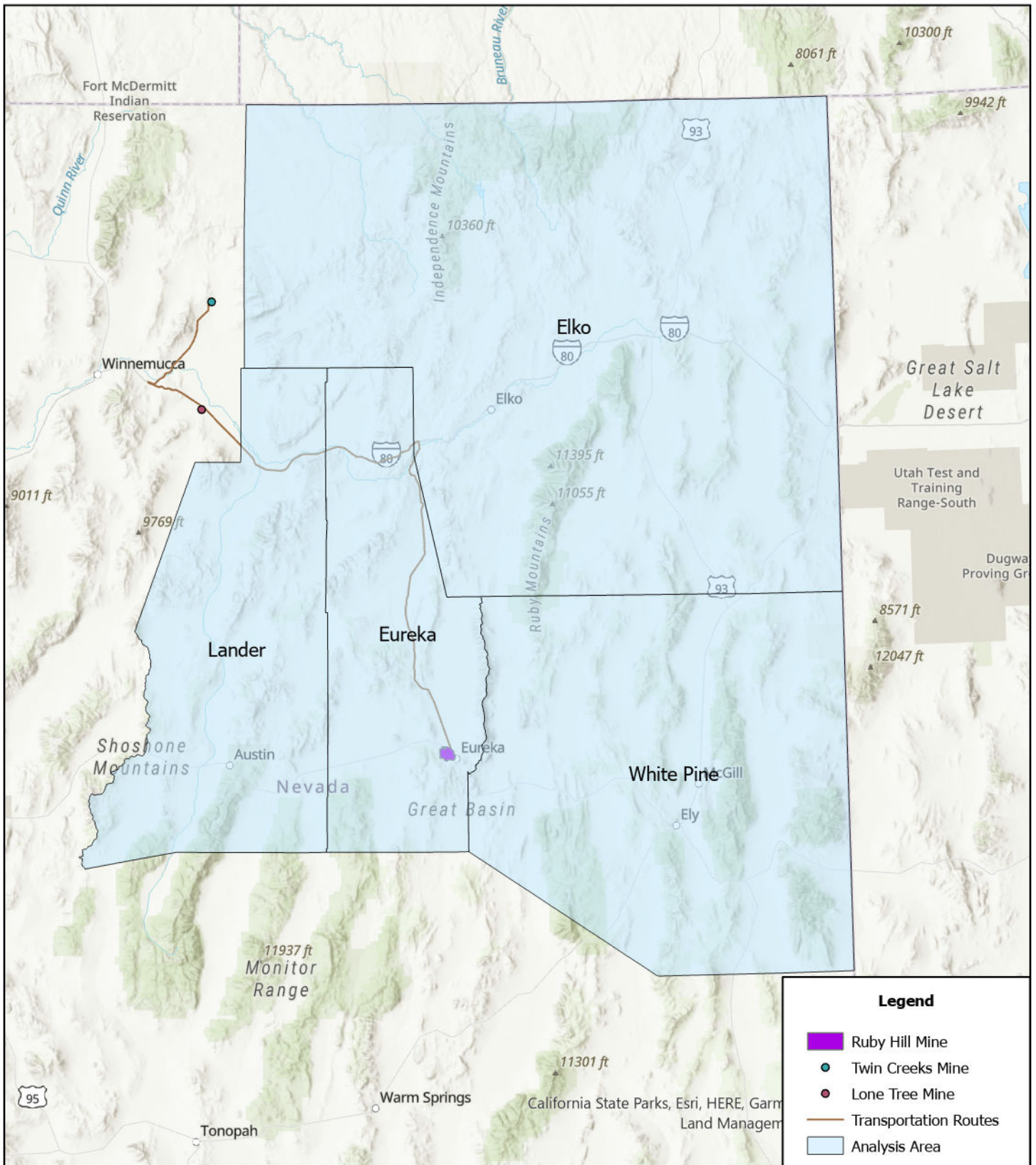
**Legend**

- Ruby Hill Mine
- Lone Tree Mine
- Twin Creeks Mine
- Transportation Routes
- NV Counties



**Ruby Hill Underground Project  
Location and Ore  
Transportation Routes**

Figure 1



### Ruby Hill Socioeconomic Analysis Area

Figure 2

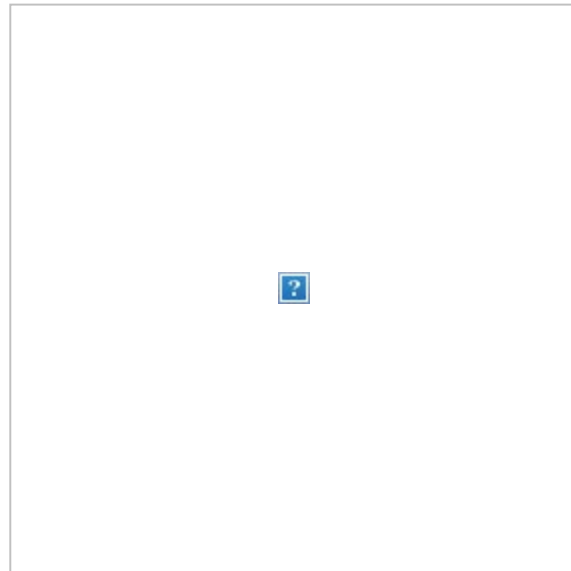
**From:** [Nevada Water Resources Association](#)  
**To:** [Kathy Bowling](#)  
**Subject:** [EXTERNAL] Former NWRA Member Highlight  
**Date:** Monday, November 25, 2024 12:31:19 PM

**CAUTION: This Message originated outside your organization.**

Check out where former NWRA members are in this

# Former Member Highlight

*Michael Strobel*



As part of our ongoing efforts to understand the impact of the Nevada Water Resources Association (NWRA) on our members' professional journeys, we reached out to those who have moved into new careers, agencies, or locations since their time with us to learn more about their experiences and how their involvement with NWRA has influenced their career development.

We asked Michael Strobel the following questions about how

## NWRA impacted their career development.

**Name:** Michael Strobel

**Current Job Title:** Acting National Climate Coordinator

**Company:** USDA Natural Resources Conservation Service

**Years active with NWRA:** 2001-2007

### **How has your career or professional focus changed since your time with NWRA?**

I went from working with mainly water issues within a specific state, Nevada, to being the director of the National Water and Climate Center for NRCS and focusing on snow surveys and soil moisture across the west. In this role for 16 years, I had a much stronger focus on snow surveys and water supply forecasting for the entire west, not just Nevada. And a national focus on soil moisture monitoring, including Hawaii, Alaska, Puerto Rico and the Virgin Islands. Then over the last three years, I have been assigned to our national headquarters to work on the National Climate Office team and focus on climate mitigation and adaptation. I am currently the acting coordinator for the National Climate Office. The biggest change for me was a focus on agriculture and all the various NRCS practices instead of water supplies.

### **How did your experience with NWRA influence or prepare you for your new career path?**

It broadened my understanding of the complexities in working in science and having to interact with private industry and with state water laws by engaging the with the State Engineer on various topics. Prior to NWRA, I had a focus only on carrying out specific research on scientific issues. NWRA helped me understand how legislation, water rights, appropriation and other factors are part of the process.

### **What advice would you give to current NWRA members or those interested in transitioning to a new career based on your experience?**

NWRA is a great opportunity to meet and learn from others. Take the different trainings they offer, even if not in your field, as your career can change, and these areas might become more important to you. Make connections with individuals from different agencies and industry, as these people can stay with you for years to come and be valuable resources and relationships. And expand your knowledge of water issues beyond just Nevada, as water flows across borders and what impacts one state can have implications in your focus area.


[Click HERE to read the entire interview](#)

Know someone who we can highlight? Email your suggestion to [admin@nvwra.org](mailto:admin@nvwra.org)

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NWRA is a not-for-profit organization and seeks out knowledgeable professionals who volunteer their time and expertise to provide educational and informative presentations. NWRA strives to ensure topics are current and address educational needs; however, topics and issues presented and addressed are the opinion and ownership of the presenter, person or agency presenting the information. NWRA does not guarantee the accuracy, completeness, or validity of the content and cannot be held liable for any errors or omissions. NWRA assumes no liability or responsibility for the content of a presentation, educational instruction, or the opinions expressed by the presenters. Advertisements posted on [www.nwra.org](http://www.nwra.org), e-mailed, or presented via other formats do not constitute an endorsement by NWRA in any manner.

Nevada Water Resources Association | PO Box 8064 | Reno, NV 89507 US

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**From:** [Tina Padovano](#)  
**Subject:** [EXTERNAL] Nevada Tax Commission Meeting - December 4, 2024  
**Date:** Monday, November 25, 2024 4:23:25 PM

---

**CAUTION: This Message originated outside your organization.**

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The Nevada Tax Commission is scheduled to meet on December 4, 2024. This meeting will commence at 9:00 a.m. Meeting agendas and supporting material can be viewed on the Nevada Department of Taxation's [website](#).

This email is being sent to an interested parties distribution list that is maintained by the Nevada Department of Taxation. Please contact me with any questions or if you would like to be removed from this distribution list. Thank you.

Sincerely,

**\*Notice:** *The Department of Taxation does not accept cash payments. All payments must be submitted via Online, Credit Card, Check (personal, business or Cashiers) or Money Order.*

*Tina Padovano*

Executive Assistant  
Nevada Department of Taxation  
3850 Arrowhead Drive, Ste. 200  
Carson City, NV 89706  
(775) 684-2096 (Direct)  
(775) 684-2020 (Fax)

**From:** [NACo](#)  
**To:** [Kathy Bowling](#)  
**Subject:** [EXTERNAL] Resource Roundup – November 25, 2024  
**Date:** Monday, November 25, 2024 2:45:22 PM

**CAUTION: This Message originated outside your organization.**

November 25, 2024

[View in Browser](#)



*On alternating weeks, **NACo's Resource Roundup** highlights opportunities, reports, upcoming events, and other tools, and the [County Countdown](#) provides a review of key policy items for county leaders.*

***Estimated read time: 3 min.***



**Counties encouraged to advocate for essential disaster funding**

The White House has submitted a \$98.6 billion disaster relief funding request to Congress, outlining resources needed to address recent disasters including Hurricanes Helene and Milton, the Maui County wildfires and tornadoes in the Midwest.

- **Why it matters:** These events, combined with ongoing recovery efforts from past disasters, have exhausted the federal programs counties depend on to restore our communities.
- **Advocacy efforts:** NACo [sent a letter to Congress](#) urging the inclusion of critical programs in the disaster supplemental funding package. Counties are encouraged to [reach out to their members of congress](#) calling for swift passage of this critical funding.
- **Next steps:** NACo will host a national membership call Thursday, Dec. 5 at 3:00 p.m. EST to discuss the package, timeline for consideration and action items for counties. [Register here](#).
- **In case you missed it:** Earlier this month, NACo announced an [Intergovernmental Disaster Reform Task Force](#).



## Explore NACo resources highlighted during Workforce Week

Last week, NACo's [Workforce Week](#) highlighted [counties' vital role](#) in promoting career readiness and local hiring policies while sharing some of our solutions to support the county workforce.

- **Workforce development tools:** NACo recently launched new workforce development resources for county leaders, including a [toolkit on jumpstarting a cross-systems initiative](#) and a [series of case studies](#) on barriers to workforce development including transportation, housing and child care.
- **Solutions from NACo EDGE:** From [Mental Health First Aid](#) and [NACo's High Performance Leadership Academy](#) to [NACo's Deferred Compensation Program](#) and [Public Promise Insurance](#), NACo EDGE has a full suite of solutions to support the county workforce.
- **By the numbers:** Counties are involved in 90 percent of local



workforce development boards and employ 1 in 50 Americans. Learn more [here](#).



## Dive deep on public lands counties with the County News Podcast

In a [recently completed series](#) presented by the National Center for Public Lands Counties, the County News Podcast interviews leaders from public lands counties about their unique experiences.

- **Listen to the series:** [Click here](#) to listen to all the episodes in the series. For all County News Podcast episodes and to subscribe, [click here](#).
- **Learn more:** NACo's [National Center for Public Lands Counties](#) is dedicated to deepening the understanding of and addressing the challenges faced by counties containing federal lands through strategic research and collaboration.



## NACo announces new prescription drug partnership

CVS Caremark and NACo's Public Promise Insurance are [proud to announce](#) a new pharmacy benefits management (PBM) partnership called the NACo Rx Coalition.

- **Significant savings:** The NACo Rx Coalition offers counties the chance to reduce prescription drug expenses, with members seeing average savings of 15-25 percent on health plan pharmacy costs.
- **Powerful collective purchasing:** By leveraging the purchasing power of 3.6 million county employees, the coalition negotiates highly

competitive rates with CVS Caremark, one of the largest PBMs.

- **Tailored for counties:** Designed specifically for counties with self-insured plans, the coalition provides stable, multi-year pricing to support sustainable budgeting. For more details, click [here](#).



## There is still time to register for NACo's upcoming cyber attack simulation

Join NACo's upcoming [cyberattack simulation](#) to help safeguard your county. The upcoming cyberattack simulation aims to enhance comprehension of the multifaceted challenges in securing cloud environments, facilitating the development and testing of proactive strategies to effectively mitigate cloud security risks.

- **Register today:** The simulation takes place Dec. 2-6. [Click here to register](#).
- **Tech Xchange:** For all NACo technology resources, check out the [County Tech Xchange](#).

## Upcoming Webinars & Events

December 2–5 | *Visit the registration page for times*

**The Power of .Gov: Securing Your County's Online Presence**

REGISTER

December 2–6 | 1:00 p.m. EST Daily

**NACo Cyberattack Simulation: Cloud Security**

REGISTER

December 3 | 1:00 p.m. EST

**Navigating Seasonal Change: Prioritizing Mental Wellbeing for County Leaders and**

REGISTER

## Employees, a NACo EDGE Webinar

December 10 | 2:00 p.m. EST

**Bridging Gaps: Collaborative Strategies for Supporting Youth Reentry Through Medicaid**

[REGISTER](#)

View all upcoming events [here](#).



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October 31, 2024

Chair, Eureka County Commissioners  
20 S Main Street PO Box 88  
Eureka, NV 89316

File No.: 2458485  
Property Address: 301 Ruby Hill Avenue, Eureka, NV 89316

In connection with the above referenced closed escrow, we enclose the following:

Final Closing Statement (RETAIN FOR TAX PURPOSES)  
Settlement Agent's Statement of Receipt of Seller's Certificate of Non Foreign Status  
Recorded Grant Deed

Your policy of title insurance will be forwarded to you under separate cover.

We would like to take this opportunity to thank you for allowing us to handle this transaction and if we can be of any further assistance please feel free to contact the undersigned.

Sincerely,

Noemi Marin  
Escrow Officer

enclosures

**Stewart Title Company**  
810 Idaho St  
Elko, NV 89801  
(775) 738-5181 main (866) 394-6996 fax  
noemi.marin@stewart.com

File No./Escrow No.: 2458485  
Officer/Escrow Officer: Noemi Marin

**Stewart Title Company**  
810 Idaho St  
Elko, NV 89801  
(775) 738-5181

Property Address: 301 RUBY HILL AVENUE  
EUREKA, NV 89316 (EUREKA)  
(001-122-01)

Borrower: CHAIR, EUREKA COUNTY COMMISSIONERS  
20 S Main Street  
PO Box 88  
Eureka, NV 89316

Lender:

Settlement Date: 10/31/2024  
Disbursement Date: 10/31/2024

Description	Borrower	
	Debit	Credit
<b>Deposits, Credits, Debits</b>		
Sale Price of Property	\$47,412.00	
Buyer Credit from Chair, Eureka County Commissioners		\$48,964.25
<b>Title Charges</b>		
Title - Lender's Title Insurance to Stewart Title Company		
Title - Owner's Title Insurance to Stewart Title Company	\$525.00	
Title - e Record Fee (Buyer/Borrower) to Stewart Title Company	\$5.00	
Title - Settlement or closing fee to Stewart Title Company	\$700.00	
Title - Courier Fee to Stewart Title Company	\$100.00	
<b>Government Recording and Transfer Charges</b>		
Recording fees: Deed to County Recorder \$37.00	\$37.00	
State Deed Tax/Stamps to County Recorder	\$185.25	
	<b>Debit</b>	<b>Credit</b>
<b>Subtotals</b>	\$48,964.25	\$48,964.25
Due From Borrower		\$0.00
<b>Totals</b>	\$48,964.25	\$48,964.25

**SUBSTITUTE FORM 1099 SELLER STATEMENT:** The information contained herein is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction will be imposed on you if this item is required to be reported and the IRS determines that it has not been reported.  
**SELLER INSTRUCTIONS:** If this real estate was your principal residence, file form 2119, Sale or Exchange of Principal Residence, for any gain, with your income tax return; for other transactions, complete the applicable parts of form 4797, Form 6252 and/or Schedule D (Form 1040). This transaction does not need to be report on Form 1099-S if you sign a certification containing assurances that any capital gain from this transaction will be exempt from tax under new IRS Code Section 121. You are required by law to provide the Settlement Agent with your correct taxpayer identification number. If you do not provide the Settlement Agent with your correct taxpayer identification number, you may be subject to civil or criminal penalties imposed by law.

**Acknowledgement**

We/I have carefully reviewed the ALTA Settlement Statement and find it to be a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction and further certify that I have received a copy of the ALTA Settlement Statement. We/I authorize Stewart Title Company to cause the funds to be disbursed in accordance with this statement.

**BORROWER(S)**

Chair, Eureka County Commissioners

By: \_\_\_\_\_  
Rich McKay, Authorized Signer

<b>A.P.N. No.:</b>	001-122-01
<b>R.P.T.T.</b>	\$ 185.25
<b>File No.:</b>	2458485
<b>Recording Requested By:</b>	
<b>Stewart Title Company</b>	
<b>Mail Tax Statements To:</b>	<i>Same as below</i>
<b>When Recorded Mail To:</b>	
Chair, Eureka County Commissioners	
20 S Main Street, PO Box 88	
Eureka, NV 89316	

<b>EUREKA COUNTY, NV</b>	<b>2024-253283</b>
RPTT:\$185.25 Rec:\$37.00	
\$222.25 Pgs=2	<b>10/31/2024 10:13 AM</b>
STEWART TITLE ELKO	
KATHERINE J. BOWLING, CLERK RECORDER	

## GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That

**Michael Popovitch, a married man as his sole and separate property, who acquired Title without vesting**

for valuable consideration, the receipt of which is hereby acknowledged, does hereby Grant, Bargain, Sell and Convey to

**Chair, Eureka County Commissioners,**

all that real property situated in the County of Eureka, State of Nevada, bounded and described as follows:

Lots 1, 2, 3, 4, 5 and 6, Block 54, in the Town of Eureka, according to the official map thereof, filed in the Office of the County Recorder of Eureka County, State of Nevada.

EXCEPTING THEREFROM all that portion of said land as conveyed to the State of Nevada, acting by and through its Department of Transportation, by deed recorded December 29, 2008, as Document No. 212996, Official Records of Eureka County, Nevada.

FURTHER EXCEPTING THEREFROM all uranium, thorium of any other material which is or may be determined to be peculiarly essential to the production of fissionable materials, whether or not of commercial value, lying in and under said land, as reserved by the UNITED STATES OF AMERICA, in patent recorded December 19, 1947, in Book 23, Page 226, Deed Records, Eureka County, Nevada.

\*SUBJECT TO:

1. Taxes for the fiscal year;
2. Reservations, restrictions, conditions, rights, rights of way and easements, if any of record on said premises.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues or profits thereof.

Dated: October 30<sup>th</sup>, 2024

<b>A.P.N. No.:</b>	001-122-01
<b>R.P.T.T.</b>	\$ 185.25
<b>File No.:</b>	2458485
<b>Recording Requested By:</b>	
<b>Stewart Title Company</b>	
<b>Mail Tax Statements To:</b>	<i>Same as below</i>
<b>When Recorded Mail To:</b>	
Chair, Eureka County Commissioners	
20 S Main Street, PO Box 88	
Eureka, NV 89316	

## GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That

**Michael Popovitch, a married man as his sole and separate property, who acquired Title without vesting**

for valuable consideration, the receipt of which is hereby acknowledged, does hereby Grant, Bargain, Sell and Convey to

**Chair, Eureka County Commissioners,**

all that real property situated in the County of Eureka, State of Nevada, bounded and described as follows:

Lots 1, 2, 3, 4, 5 and 6, Block 54, in the Town of Eureka, according to the official map thereof, filed in the Office of the County Recorder of Eureka County, State of Nevada.

EXCEPTING THEREFROM all that portion of said land as conveyed to the State of Nevada, acting by and through its Department of Transportation, by deed recorded December 29, 2008, as Document No. 212996, Official Records of Eureka County, Nevada.

FURTHER EXCEPTING THEREFROM all uranium, thorium or any other material which is or may be determined to be peculiarly essential to the production of fissionable materials, whether or not of commercial value, lying in and under said land, as reserved by the UNITED STATES OF AMERICA, in patent recorded December 19, 1947, in Book 23, Page 226, Deed Records, Eureka County, Nevada.

\*SUBJECT TO:

1. Taxes for the fiscal year;
2. Reservations, restrictions, conditions, rights, rights of way and easements, if any of record on said premises.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues or profits thereof.

Dated: October 30<sup>th</sup>, 2024





**STATE OF NEVADA  
DECLARATION OF VALUE FORM**

1. Assessor Parcel Number(s)  
 a) 001-122-01  
 b) \_\_\_\_\_  
 c) \_\_\_\_\_  
 d) \_\_\_\_\_

2. Type of Property:  
 a.  Vacant Land      b.  Single Fam. Res.  
 c.  Condo/Twnhse      d.  2-4 Plex  
 e.  Apt. Bldg.      f.  Comm'l/Ind'l  
 g.  Agricultural      h.  Mobile Home  
 Other \_\_\_\_\_

FOR RECORDERS OPTIONAL USE ONLY	
Book _____	Page: _____
Date of Recording: _____	
Notes: _____	

3. a. Total Value/Sales Price of Property      \$ 47,412.00  
 b. Deed in Lieu of Foreclosure Only (value of property)      ( \_\_\_\_\_ )  
 c. Transfer Tax Value:      \$ 47,412.00  
 d. Real Property Transfer Tax Due      \$ 185.25

4. **If Exemption Claimed:**  
 a. Transfer Tax Exemption per NRS 375.090, Section \_\_\_\_\_  
 b. Explain Reason for Exemption: \_\_\_\_\_

5. Partial Interest: Percentage being transferred: 100.00%  
 The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature \_\_\_\_\_ Capacity \_\_\_\_\_ Grantor \_\_\_\_\_  
 Michael Popovitch  
 Signature *Chair* Capacity \_\_\_\_\_ Grantee \_\_\_\_\_  
 Chair Eureka County Commissioners

**SELLER (GRANTOR) INFORMATION**  
 (REQUIRED)  
 Print Name: Michael Popovitch  
 Address: 140 Gavin Road  
 City: Crescent City  
 State: CA Zip: 95531

**BUYER (GRANTEE) INFORMATION**  
 (REQUIRED)  
 Print Name: Chair, Eureka County Commissioners  
 Address: 20 S Main Street, PO Box 88  
 City: Eureka  
 State: NV Zip: 89316

**COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)**  
 Print Name: Stewart Title Company Escrow # 2458485  
 Address: 810 Idaho St  
 City: Elko State: NV Zip: 89801

AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED

**STATE OF NEVADA  
DECLARATION OF VALUE FORM**

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- f.  Comm'l/Ind'l
- g.  Agricultural
- h.  Mobile Home
- Other \_\_\_\_\_

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Signature _____	Capacity _____	Grantor _____
Michael Popovitch		
Signature _____	Capacity _____	Grantee _____
Chair Eureka County Commissioners		

**SELLER (GRANTOR) INFORMATION**  
(REQUIRED)

Print Name: Michael Popovitch  
 Address: 90 N Monroe St  
 City: Eureka  
 State: NV Zip: 89316

**BUYER (GRANTEE) INFORMATION**  
(REQUIRED)

Print Name: Chair, Eureka County Commissioners  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_  
 State: \_\_\_\_\_ Zip: \_\_\_\_\_

**COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)**

Print Name: Stewart Title Company Escrow # 2458485  
 Address: 810 Idaho St  
 City: Elko State: NV Zip: 89801

AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED



PERMIT LIMITATIONS AND REQUIREMENTS:

**1. Permitted Disturbances**

A. Disturbance Acreage Table: All disturbances are located on public lands administered by the Bureau of Land Management.

<b>Disturbance Table</b>			
<b>Disturbance Activity</b>	<b>Existing/Phase 1</b>	<b>Subsequent Phases<sup>2</sup></b>	<b>Total</b>
Constructed Access Roads	12.7	17.2	<b>29.9</b>
Overland Travel	-	24.5	<b>24.5</b>
Constructed Drill Sites <sup>1</sup>	15.2	24.2	<b>39.4</b>
Bulk Sample Excavations	-	2.5	<b>2.5</b>
Soil & Geotechnical Test Pits	-	1.5	<b>1.5</b>
Water Monitoring Well Sites	-	1.0	<b>1.0</b>
Water Extraction Well Sites	-	1.0	<b>1.0</b>
Meteorological Station	-	0.2	<b>0.2</b>
<b>Total</b>	<b>27.9</b>	<b>72.1</b>	<b>100.0</b>

<sup>1</sup>Includes geotechnical drill sites.

<sup>2</sup>Additional surety will be required prior to engaging in subsequent phase disturbance.

B. Drill holes will be plugged in accordance with the provisions specified in Chapter 534 of the Nevada Administrative Code. All drill hole cuttings, grout, and fluids shall be contained in sumps constructed at the drill sites. No drill holes will remain unplugged at any one time.

**2. Departure from Approved Plan for Reclamation**

A. Except in the case of an emergency, the operator may not depart from the approved plan for reclamation without a modification approved by the Division.

B. When an operator submits an amended plan of operation to the federal agency, a copy shall also be filed with the Division.

**3. Fees**

A. On or before April 15 of each year submit the fees as required by NAC 519A.235.

B. On or before April 15 of each year submit the fees as required by NRS 519A.260.

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PERMIT LIMITATIONS AND REQUIREMENTS:

**4. Reports**

A. On or before April 15 of each year, the operator shall submit a report (NRS 519A.260), in a format specified by the Division, relating to the status and production of the operation and identifying each acre of land affected and land reclaimed by the operation.

**5. Project Completion, Abandonment or Suspension of Work**

A. The Division shall be notified in writing within ninety (90) days after an operation is complete or abandoned. The notice must state the date on which the activities for reclamation will begin as specified in NAC 519A.320.

B. The Division shall be notified in writing within ninety (90) days after work is suspended at the operation for more than one-hundred-twenty (120) days. The notice must state the nature and reason for the suspension; the anticipated duration of the suspension; and any event which would reasonably be expected to result in either the resumption of activities or the abandonment of the operation. The operator is not required to notify the Division of a temporary closure caused by weather conditions.

**6. Surety**

A. The Division and appropriate federal land management agency(s) shall review the estimate of the cost for reclamation submitted by the operator and determine if the estimate is adequate or reasonably sufficient to complete all required reclamation.

B. The operator shall file and maintain an acceptable surety as specified in NAC 519A.350 to ensure that reclamation will be completed. The surety amount will be based on the approved cost for reclamation.

C. Within three (3) years after the effective date of this permit and at least every three (3) years thereafter, the operator shall submit to the Division and the appropriate federal land management agency(s) an updated estimate of the cost for reclamation to determine whether the surety amount is adequate to execute the approved reclamation plan. Inflation must be considered.

D. The Division and the appropriate federal land management agency(s) may approve release of surety either in whole or in part at the request of the operator. The operator must provide documentation on reclamation work completed and/or stages of process fluid stabilization completed before and portion of the surety can be released. (See Attachment A)

E. Release of the surety amount for reclamation of a specific component or discrete part

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PERMIT LIMITATIONS AND REQUIREMENTS:

of a disturbance does not release the operator from liability for reclamation of that component of disturbance should the reclamation fail to meet the requirements of this permit.

**7. Inspection of Exploration Project and/or Mining Operation**

A. The operator shall allow authorized representatives of the Division, and the appropriate federal land management agency(s) to inspect the operation, during normal business hours, to determine compliance with the terms and conditions of this permit and the status of reclamation activities.

**8. Notice of Noncompliance/Suspension or Revocation of Permit**

A. A notice of noncompliance may be issued by the Division if an operator fails to comply with the provisions of NAC 519A.010 to 519A.415, inclusive; Chapter 519A of NRS; or an approved plan for reclamation.

B. The Division may suspend or revoke this permit if the operator does not resolve the noncompliance or agree to a corrective plan or action approved by the Division.

C. The surety posted by the operator may be forfeited if the permit is suspended or revoked, or the operator ceases to conduct business in the State of Nevada and does not transfer the permit to a new operator.

**9. General Requirements**

A. The operator shall maintain a copy of this permit and all modifications at the permitted project or operation at all times.

B. The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances and the remainder of this permit, shall not be affected.

C. Any noncompliance with this permit shall be reported orally to the Division within forty-eight (48) hours of the time the operator has knowledge of the circumstances. A written summary shall be provided within ten (10) days after the oral report is made.

D. Any changes in the operator's name or address shall be reported within ten (10) days to the Division in writing and must indicate the permit number and appropriate changes.

E. Any changes in Corporation/Partnership/Proprietorship name, officers, or address

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PERMIT LIMITATIONS AND REQUIREMENTS:

shall be reported within ten (10) days to the Division in writing, and must indicate the permit number and appropriate changes.

F. The operator shall meet the revegetation standards as set forth in Attachment B.

G. The operator shall provide an “as built” map annually, **on or before April 15<sup>th</sup>** of each project year, which accurately depicts locations of drill roads and drill pads, including breakdown of lengths and widths of disturbed areas. The “as-built” information shall reflect site conditions as of December 31<sup>st</sup> of the previous calendar year and shall say what field methods were utilized to verify disturbance sizes and acreages.

## 10. Schedule of Compliance

None

### Permit Modification History:

11/22/2024: 10/9/24 as-built acreage reduction minor modification reduces Phase 1 acreage to 27.9 acres.  
08/25/2017: Revised permit to reflect new corporate office address.



ATTACHMENT A  
FOR EXPLORATION PROJECTS

**DOCUMENTATION OF RECLAMATION ACTIVITIES FOR SURETY RELEASE**

An operator may request surety release in accordance with applicable State and Federal regulations. The following documentation must be submitted simultaneously to Nevada Division of Environmental Protection and the federal land management agency prior to the agencies conducting a site inspection:

1. Map(s) clearly identifying the area, noting specific treatments and sampling locations (as applicable).

2. Description of the following activities:

**Earthwork:**

- ◆ The number of acres regraded.
- ◆ Dates of initiation and completion of activities.

**Revegetation Activities:**

- ◆ The number of acres that were seeded and/or planted.
- ◆ Seed bed preparation methods utilized.
- ◆ Seeding/planting methods used (e.g., broadcast seeding, etc.).
- ◆ Provide information on how seed was covered.
- ◆ Seed mix and seeding rate; document by maintaining seed tags and any testing results (PLS, germination, noxious weeds, etc.).
- ◆ If applicable, the number of acres that received fertilization, mulch or amendments.
  - ▶ Fertilizer (N-P-K, type, application rate, application method).
  - ▶ Mulches and soil amendments (type, application rate, and application method).
  - ▶ Date of initiation and completion of activities.

**Other Reclamation Activities** such as; drillhole plugging, structure and debris removal, safety feature installation, erosion control treatment, equipment removal or other permit requirements.

3. For bond reduction, an operator must show detailed calculation of the surety amount proposed for release. This calculation should also show the surety amount required for the remaining reclamation.

4. Prior to release, a field inspection is required to verify that reclamation has been performed in accordance with the approved reclamation plan and permit.

## ATTACHMENT B

### NEVADA GUIDELINES FOR SUCCESSFUL REVEGETATION FOR THE NEVADA DIVISION OF ENVIRONMENTAL PROTECTION, THE BUREAU OF LAND MANAGEMENT AND THE UNITED STATES FOREST SERVICE

#### MINING OPERATIONS

##### 1. Reclaimed Desired Plant Communities (RDPC) for Mining Operation Disturbances

Reclamation goals for mining disturbances are: 1) stabilize the site, and 2) establish a productive community based on the applicable land use plan and designated post-mining land uses. To meet these goals, a *Reclaimed Desired Plant Community* (RDPC) should be selected for use on the disturbed mine sites.

The RDPC is defined as:

A perennial plant community established on a disturbed site which contributes to stability through management and land treatment, and which produces that type and amount of vegetation necessary to meet or exceed both the land use and activity plan objective established for the site.

Several RDPCs may be selected based on site-specific revegetation goals and variable site characteristics for the mining disturbances. When selecting RDPCs, major alterations in reconstructed soils and the subsequent effect of this on the site's capability to establish and sustain the desired vegetation must be considered. A RDPC must have a reasonable chance for success when making the selection.

The plant community for the RDPC should be diverse, and when appropriate for the site should include grasses, forbs, shrubs and/or trees. The RDPC shall be comprised of species native to the area, or introduced species where the need is documented for inclusion to achieve the approved post-mining land use. The RDPC must meet the requirements of applicable State and Federal seed, poisonous and noxious plants, and introduced species laws or regulations. All RDPCs must be approved by the agencies. Plants for RDPCs may be selected using one or more of the following methods:

- ◆ Select existing vegetation types around the mine site to represent the varied RDPCs.
- ◆ Use test plots, demonstration areas, or areas concurrently reclaimed within the minesite or within similar representative areas from adjacent mines to serve as the RDPCs as long as they meet the reclamation goal.
- ◆ For areas where existing vegetative types adjacent to the mine area are severely disturbed or where test plots or demonstration areas are not reasonable alternatives, RDPCs may be selected using appropriate ecological or range site descriptions or other technical sources.

## 2. Guidelines for Successful Revegetation

The revegetation release criteria for reclaimed mine sites will be to achieve as close to 100 percent of the perennial plant cover of selected comparison areas as possible. The comparison or reference areas will be selected from representative plant communities adjacent to the mine site, test plots or demonstration areas or, as appropriate, representative ecological or range site descriptions. As approved by the agencies, the selected plant communities or reference areas must have a reasonable chance for success on the mine site. Each plan-of-operations shall identify the site-specific release criteria in the reclamation plan or permit. The agencies may also require specific release standards for individual plant species or vegetative types (grasses, forbs, shrubs, trees). Cover would be estimated using a method as described in Sampling Vegetation Attributes, Interagency Technical Reference, 1996, BLM/RS/ST-96/002+1730 or other acceptable technical methods.

The determination of successful revegetation of mining disturbances will require an evaluation of the data by the agencies on a site-specific basis. These data must include all of the information requested in Attachment A of the Reclamation Permit, "Documentation of Reclamation Activities for Surety Release and Annual Fee Responding". When making this evaluation, the following information shall also be considered:

- ◆ Have the desirable species been successfully established, and do they provide sufficient aerial cover to adequately protect the site from soil erosion?
- ◆ Is there evidence that a self-sustaining community has been established? Are vegetative reproduction (e.g. rhizomes) and seedling establishment of the desirable seeded species occurring?
- ◆ Is there evidence of site stability, including the lack of surface soil erosion, gully formation and slumping?
- ◆ Has the revegetation goal in the reclamation plan been met?
- ◆ Has the operator taken reasonable measures to establish the RDPC?

## 3. Time Frames

The success of the vegetative growth on a reclaimed site may be evaluated for release no sooner than during the third growing season after earthwork, planting and irrigation (if used) has been completed. Final bond release may be considered at that time. Interim progress of reclamation will be monitored as appropriate by the agency and operator. Where it has been determined that revegetation success has not been met, the agencies and the operator will meet to decide on the best course of actions necessary to meet the reclamation goal.

October 30, 2024

To:

Eureka County Commissioners,  
Richard, Marty, Mike,

I wish to add support to the Gaine family in their request to purchase land for a carwash and possibly a laundromat. Their present businesses are very well operated. They serve Eureka very well and also bring in people from other areas. They give employment to some who live here. I am 92 and appreciate the wide variety of items that I can buy right here at home. They put in some long hours and serve the area very well.

Scott grew up here in Eureka. He and Silvia have four very fine sons. They serve the town well in many ways. Three of the four boys are graduates of Eureka schools, and one remains in (high school) I am honored to have

junior high) them call me "Gamma Connie." They are great neighbors.

One son, Steel, completed college, one son, Stormy, is in college. His music and singing made many programs in Eureka very special. One son, Salves, has a year of college and now helps in the family business. Skidd is a student in Eureka schools. The whole family helps in the (over) family business.

Stormy sang the national anthem on the 4th of July here. He was helped with his medicine for Memorial Day.

2. Scott has long served as a volunteer fireman. He is always available as a fireman <sup>and</sup> is well capable of handling all equipment. 4th of July celebration is always a time when Scott helps for sunrise salute, the street program <sup>and</sup> the fireworks. The whole Gaine Family helps me <sup>and</sup> are always available to help me.

I believe the Gaine Family deserves all respect in their request to purchase land now to add to their business interests. They are dedicated <sup>and</sup> capable of properly caring for the land <sup>and</sup> businesses. <sup>They have been in business here for many years.</sup>

The Gaine Family provided a great outing many years ago. Albert Beale told of special times when Gurekans would ride the Gureka Galisade train to Gaines' property in the north <sup>and</sup> picnic in the huge grove of trees there. They would ride the train on the evening run to enjoy the end of many perfect days doing that.

A carwash <sup>and</sup> laundromat would be great additions to Gureka. The Scott Gaine Family has proved worthy of owning land.

As I recall, the subdivision was developed for community expansion.

Sincerely, <sup>and</sup> Best Wishes,

Connie Hicks

92 <sup>and</sup> proud to call Gureka Home!  
I came here in 1945.

③ J. L.

Scott has responded to many accidents <sup>and</sup> given help to those needing it. It is usually one of the first to respond when the fire <sup>trucks</sup> <sup>or</sup> the Peace Corps.

Scott served in the Peace Corps. The overall services at Gaine's Market <sup>and</sup> Ace Hardware are of great help to me <sup>and</sup> many others. The bank also is located very conveniently for many. The old bank building is well cared for <sup>and</sup> occupied.

How many others have been interested in developing land in the subdivision?

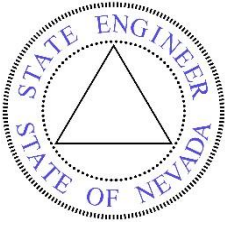
As I understand Gaine had agreed to the request to sell the local newspaper at their store. The front page article that soon followed is very questionable.

The deli serves many who need such a service. It can hardly be called a restaurant.

The Gaine Family devotes many extra efforts to serving Gureka <sup>and</sup> visitors. They give much to Gureka!

Sincerely,  
Connie Hicks  
a long time Gurekan

October 30, 2024



Nevada Division of  
**WATER RESOURCES**

STATE OF NEVADA  
Department of Conservation and Natural Resources  
Joe Lombardo, *Governor*  
James A. Settelmeyer, *Director*  
Adam Sullivan, P.E., *State Engineer*

**NOTICE OF DIAMOND VALLEY GROUNDWATER MANAGEMENT PLAN ANNUAL MEETING**

Thursday, December 12, 2024, 10:00 a.m.

Eureka Opera House

31 S. Main Street

Eureka, NV 89316

**NOTICE IS HEREBY GIVEN** that the Diamond Valley Groundwater Management Plan Advisory Board and the Nevada Division of Water Resources (NDWR) will conduct the Joint Annual Meeting as set forth in the Diamond Valley Groundwater Management Plan Section 24.

The Annual Meeting is a public meeting where the Diamond Valley Groundwater Management Plan Advisory Board and NDWR shall:

- Accept input from Stakeholders and groundwater users on ways to improve the Groundwater Management Plan management and administration;
- Present the proposed upcoming year's Allocation;
- Present the proposed GMP budget, including the proposed annual special assessment, for the upcoming fiscal year;
- Present groundwater level monitoring results;
- Present any other relevant data or information as the Advisory Board and NDWR deem necessary and appropriate; and
- Conduct any other business as the Advisory Board and NDWR deems necessary and appropriate

We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the Annual Meeting. If special arrangements are required, please notify NDWR at the above address or phone number at least five working days before the Annual Meeting. You may also contact the Division if you have questions concerning the Annual Meeting.

This Notice of Diamond Valley Groundwater Management Plan Annual Meeting has been published on the NDWR's website, sent to Shareholders and posted at the following locations:

Eureka County Courthouse  
10 South Main Street  
Eureka, NV 89316

Eureka Branch Office  
461 Main Street  
Eureka, NV 89316