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First name: Caleb

Last name: McAdoo

Organization: NDOW

Title:

Comments: Ruby Oil and Gas

Mrs. Elliott,

Please find NDOWs comments on the Ruby Oil and Gas lease attached.

Please let us know if you have any questions.

Thank you and have a great weekend.

Regards,

Caleb

Caleb McAdoo, Eastern Region Habitat Supervisor

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Greater Sage-Grouse

From a GRSG perspective, the following recommended stipulations are contained within

Appendix G, Fluid Mineral Stipulations, Waivers, Modifications and Exceptions, of the Nevada and Northeastern California Approved Resource Management Plan Amendment (ARMPA). Table 1 depicts GRSG habitat values and recommended stipulations for the Ruby Oil and Gas Lease parcels.

For parcels contained within a 4-mile buffer of "active" or "pending" leks (Figure 1), NDOW recommends adherence to ARMPA stipulation SG-03-TL, which identifies timing restrictions of March 1 to May 15, annually.

Within the parcels the USFS is considering to make available for leasing, 30,169 acres were identified as GRSG Priority Habitat Management Areas (PHMA) and 15,875 acres were identified as General Habitat Management Areas (GHMA), as depicted in Figure 2. Within the parcels designated as PHMA, NDOW agrees with the USFS recommended stipulations for No Surface Occupancy (NSO), which are also consistent with ARMPA Stipulation SG-02-NV-OGNSO.

For parcels which contain GRSG winter habitat (Figure 3) within GHMA, NDOW recommends the USFS employ timing restrictions of November 1 - February 28, which are consistent with ARMPA Stipulation SG-04-TL.

For parcels within GHMA and which encompass brood-rearing habitat (Figure 4) for GRSG, NDOW recommends the USFS employ Stipulation SG-06-TL of the ARMPA which identifies a timing restriction of June 15 to September 15, annually. Individual recommendations for parcel stipulations for GRSG can be found in the attached table and are identified on a Township, Range and Section, basis.

Lahontan Cutthroat Trout

As these proposed leasing parcels pertain to Lahontan Cutthroat Trout (LCT), a federally listed Threatened species, NDOW is concerned with any impacts, direct or otherwise, to the drainages currently occupied by LCT or drainages which are currently under active recovery management. Currently occupied drainages within the proposed lease areas include Lee, Welch, Seitz, McCutcheon, Carville, North and South Forks of Green Mountain, and Pearl Creek. NDOW supports the USFS recommendation for NSO within parcels which intersect these occupied streams. Additionally, NDOW requests that the USFS consider that in order to achieve a potential delisting of LCT from its current Threatened status, substantial recovery within historically occupied habitat must occur. Subsequently, any degradation of historically occupied LCT streams or streams with ongoing recovery actions would only prolong LCT recovery, and potentially delay any potential for delisting the species. As part of the recovery process, NDOW is actively engaged in recovery management of LCT within the following drainages: Toyn, Brown and Corral Creeks. Considerable financial and time resources from Federal and State agencies, Non-Governmental Organizations and private entities have been spent in these drainages to promote LCT recovery and any impacts to these drainages could set back years of recovery efforts. The NDOW recommends that NSO stipulations also be considered and analyzed for these recovery drainages, in addition to occupied habitat. Individual recommendations for parcel stipulations for LCT can be found in the attached Table and are identified on a Township, Range and Section basis. Figure 5 depicts Occupied and Recovery Management waters for LCT.

Mule Deer

All of the parcels being considered for leasing are within occupied mule deer habitat within Hunt Units 102 and 103 of NDOWs Area 10 management herd. The Area 10 deer herd is the largest deer herd in the State of Nevada and provides more recreational opportunity to residents and non-residents than any other herd in the state. The parcels identified for leasing

could potentially compromise this invaluable deer population. Approximately 15,000 deer migrate annually in Area 10 from their summer ranges along critical transition ranges (migration corridors) and then on to critical winter ranges. Within the Ruby Oil and Gas Lease Parcels, 36,743 acres have been designated as crucial winter range for mule deer. The NDOW appreciates the USFS recognition of these critical habitats and suggest a seasonal timing stipulation of November 15 to March 15, for crucial winter and transition ranges. Individual recommendations for parcel stipulations for mule deer can be found in the attached Table 3 and are identified on a Township, Range and Section basis. Figure 6 depicts crucial winter and transition range, while Figure 7 illustrates radio-telemetry data from over 330 radio-collared mule deer within the area showing the movements of deer through these habitats.

We sincerely appreciate the opportunity to provide the USFS with these comments during the infancy of Oil and Gas leasing options and allowing concerns pertaining to fish and wildlife to be voiced, and thus ultimately providing a more robust analysis in any future NEPA actions.

The NDOW acknowledges the difficult task the USFS has of managing for multiple uses, but we feel that there are more appropriate locations on USFS lands within the Mountain City, Ruby Mountains, and Jarbidge Ranger district for Oil and Gas leasing opportunities, which would meet multiple use objectives, while attempting to avoid clearly defined critical wildlife habitats such as those within this current leasing proposal.