



Western Counties Alliance

Agenda

1. Geothermal
2. PILT
3. Forest Service Travel Management Planning
4. Sage Grouse
5. Grazing Fees
6. Transfer of Public Lands
7. Wild Horse Burro



Western Counties Alliance

Geothermal Disbursements to Counties *per Energy Policy Act of 2005*

State	County	2010	2011
California	Imperial County	\$65,750.81	\$39,377.20
	Inyo County	\$178,786.72	\$147,979.11
	Lake County	\$843,695.13	\$800,270.77
	Lassen County	\$13,302.63	\$12,231.70
	Mendocino County	\$ 750.00	\$750.00
	Mono County	\$33,369.06	\$34,256.68
	Siskiyou County	\$51,807.50	\$64,418.00
	Sonoma County	\$1,189,395.42	\$1,108,974.78
	California Total		\$2,376,857.27
Idaho	Bingham County	\$33.41	\$133.64
	Blaine County	\$ 0.00	\$404.50
	Bonneville County	\$40.09	\$160.36
	Camas County	\$0.00	\$305.50
	Caribou County	\$425.75	\$750.50
	Cassia County	\$11,880.75	\$12,640.75
	Washington County	\$11,899.00	\$10,340.50
	Idaho Total		\$24,279.00
New Mexico	Dona Ana County	\$140.00	\$160.93
	Hidalgo County	\$1,410.54	\$7,037.75
	New Mexico Total	\$1,550.54	\$7,198.68
Nevada	Churchill County	\$2,413,536.58	\$879,577.55
	Elko County	\$73,471.59	\$41,644.61
	Esmeralda County	\$380,625.38	\$73,612.30
	Eureka County	\$12,968.64	\$16,863.14
	Humboldt County	\$159,964.36	\$76,443.04
	Lander County	\$148,106.04	\$71,646.19
	Lyon County	\$3,903.20	\$6,626.15
	Mineral County	\$110,318.93	\$64,330.92
	Nye County	\$140,913.17	\$48,307.70
	Pershing County	\$545,197.39	\$117,130.93
	Washoe County	\$31,890.77	\$28,026.27
	White Pine County	\$74,196.50	\$26,023.50
	Nevada Total	\$4,095,092.55	\$1,450,232.30
Oregon	Deschutes County	\$44,807.72	\$41,652.25
	Hood River County	\$0.00	\$2,028.00
	Lake County	\$31,673.75	\$31,674.27
	Oregon Total	\$76,481.47	\$75,354.52
Utah	Beaver County	\$106,143.36	\$79,443.10
	Iron County	\$19,416.00	\$1,267.50
	Juab County	\$87,976.50	\$37,913.74
	Millard County	\$61,250.87	\$44,269.11
	Utah Total	\$274,786.73	\$162,893.45

U.S. DEPARTMENT OF THE INTERIOR
 PAYMENTS IN LIEU OF TAXES FOR FISCAL YEAR 2011
 SECTION 6902 PAYMENTS BY COUNTY

NEVADA

	LOCAL UNIT OF GOVERNMENT	ENTITLEMENT ACRES	PRIOR YEAR PAYMENTS	UNIT POPULATION	CEILING	ALTERNATIVE A	ALTERNATIVE B	EST PAYMENT TO COUNTY
A	CARSON CITY	49,206	\$4,842	50000	\$3,260,000	\$114,237	\$16,238	\$114,237
A	CHURCHILL COUNTY	2,143,231	\$0	24000	\$2,062,560	\$2,062,560	\$707,266	\$2,062,560
A	CLARK COUNTY	4,809,896	\$122,921	50000	\$3,260,000	\$3,137,079	\$1,587,266	\$3,137,079
A	DOUGLAS COUNTY	258,324	\$14,628	45000	\$3,133,350	\$610,516	\$85,247	\$61,0516
A	ELKO COUNTY	7,906,516	\$467,273	48000	\$3,201,120	\$2,733,847	\$2,609,150	\$2,733,847
B	ESMERALDA COUNTY	2,247,850	\$17,470	597	\$97,299	\$79,829	\$97,299	\$97,299
B	EUREKA COUNTY	2,156,889	\$89,181	1773	\$288,964	\$199,783	\$288,964	\$288,964
B	HUMBOLDT COUNTY	4,978,803	\$139,604	19000	\$1,745,720	\$1,606,116	\$1,643,005	\$1,643,005
B	LANDER COUNTY	3,333,331	\$142,473	5000	\$814,900	\$672,427	\$814,900	\$814,900
B	LINCOLN COUNTY	6,410,564	\$34,041	4757	\$775,296	\$741,255	\$775,296	\$775,296
A	LYON COUNTY	868,505	\$185,469	50000	\$3,260,000	\$1,916,313	\$286,607	\$1,916,313
A	MINERAL COUNTY	1,940,455	\$221,116	4588	\$747,752	\$526,636	\$640,350	\$640,350
A	NYE COUNTY	8,523,659	\$951,908	44000	\$3,063,720	\$2,111,812	\$2,812,807	\$2,812,807
A	PERSHING COUNTY	2,927,801	\$0	6000	\$915,720	\$915,720	\$915,720	\$915,720
A	STOREY COUNTY	14,510	\$0	4428	\$721,675	\$35,114	\$4,788	\$35,114
A	WASHOE COUNTY	2,930,753	\$27,634	50000	\$3,260,000	\$3,232,366	\$967,148	\$3,232,366
B	WHITE PINE COUNTY	5,196,845	\$294,614	9000	\$1,120,140	\$825,526	\$1,120,140	\$1,120,140
	TOTAL	56,697,138	\$2,713,874			\$21,521,136	\$15,372,191	\$22,950,513



Western Counties Alliance

SECURE RURAL SCHOOLS

PROJECTED COUNTY PAYMENTS

NEVADA

COUNTY	25% FOREST PAYMENTS	FY 2008	FY 2009	FY2010	FY 2011	TOTAL
CARSON CITY	\$1,260	\$9,583	\$8,625	\$7,762	\$6,986	\$32,955
CLARK	\$26,733	\$221,012	\$198,911	\$179,020	\$161,118	\$760,060
DOUGLAS	\$7,590	\$30,675	\$27,607	\$24,846	,22,362	\$105,490
ELKO	\$29,190	\$1,023,358	\$921,022	\$828,920	\$746,028	\$3,519,329
ESMERALDA	\$32,538	\$47,976	\$43,178	\$38,860	\$34,974	\$164,988
EUREKA	\$12,719	\$135,235	\$121,711	\$109,540	\$98,586	\$465,072
HUMBOLDT	\$5,634	\$321,648	\$289,483	\$260,535	\$234,481	\$1,106,147
LANDER	\$26,136	\$241,216	\$217,094	\$195,385	\$175,846	\$829,542
LINCOLN	\$648	\$59,901	\$53,951	\$48,520	\$43,668	\$206,001
LYON	2\$4,318	\$428,157	\$385,332	\$346,799	\$312,119	\$1,472,398
MINERAL	\$53,060	\$531,442	\$478,298	\$430,468	\$387,421	\$1,827,629
NYE	\$155,031	\$2,216,608	\$1,994,947	\$1,795,453	\$1,615,907	\$7,622,915
WASHOE	\$9,146	\$56,902	\$51,211	\$46,090	\$41,481	\$195,684
WHITE PINE	\$17,659	\$636,744	\$473,070	\$515,763	\$464,186	\$2,189,763

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Western Counties Alliance

R.S. 2477

1. Revised Statute 2477 provided the Right-Of-Way for the construction of highways over public lands, not reserved for public uses, is hereby granted. Reserved areas are National Parks, Monuments, Wildlife Refuges, Indian Reservations and Military Installations. When the various forests were created in the early 1900's then those lands were classified as reserved.
2. R.S. 2477 was put into law by the congress on July 26, 1866 as part of the mining law. A primary purpose for 2477 was to help develop the west. R.S. 2477 is an access issue. Without access multiple use of public land would have been curtailed in the early days as well as today.
3. R.S. 2477 remained in effect for 110 years. Most of the transportation routes were established under its authority.
4. The R.S. 2477 grant was not a grant of land, but as a grant of an interest in land or a property right.
5. When the Federal Land Policy Management Act (FLPMA) was put into law by the congress on October 21, 1976, R.S. 2477 was repealed. Roads prior to 1976 were grandfathered in. Roads after 1976 required a permit.
6. In 2005, the 10th Circuit Court of Appeals rendered a very favorable decision relating to R.S. 2477. One of the best ways to resolved 2477 is to have the congress pass a law which would codify the ingredients of the 10th Circuit decision.



Western Counties Alliance

R.S. 2477 Rights-Of-Way Recognition Act

1. An R.S. 2477 Road is a valid public right-of-way providing that it appears on an official federal, state or local map published prior to October 21, 1976.
2. An R.S. 2477 right-of-way is valid for all routes across unreserved public land where a right of public travel was timely established under state law.
3. R.S. 2477 does not prevent a road initially constructed by the federal government from becoming an R.S. 2477 right-of-way.
4. R.S. 2477 does not require that roads lead to a definite destination in order to qualify as an R.S. 2477 road.
5. The R.S. 2477 term "public land not reserved for public uses" includes land subject to coal or other subsurface mineral or energy withdrawals.
6. State and local governments need not consult with or obtain permission from any federal agency prior to performing routine maintenance and repair on an R.S. 2477 roads, but must consult with the appropriate federal agency before performing road improvement projects.



Western Counties Alliance

March 19, 2012

Western Regional Project Manager
BLM Nevada State Office
1340 Financial Blvd.
Reno, NV 89502

Dear Project Manager,

This letter is in response to the request for written comments during the scoping period of the National Sage Grouse Planning Strategy. Western Counties Alliance (WCA) is submitting these comments to express our concerns and submit this guidance to influence decisions about management of sage grouse on BLM and USFS owned lands.

The following comments respond to the December 9, 2011 Federal Register notice 76 FR 77008-77011 (hereafter, "the NOI") announcing the Bureau of Land Management's (BLM) and the Forest Service's (FS) intent to prepare Environmental Impact Statements (EISs) and Supplemental Environmental Impact Statements (SEISs) for management and conservation of the greater sage-grouse.

Western Counties Alliance (WCA) was organized for the purpose of assisting and bringing attention and resolution to various public land issues. WCA would like to submit several key topics that we would like to be addressed through the scoping period.

The Instruction Memorandum states that "enhanced management of livestock grazing may be the most cost-effective opportunity in many instances to improve Greater Sage-Grouse habitat on public lands." Well managed public land with respect to multiple use helps to provide better public land health which in turn would help to improve sage grouse habitat.

When droughts occur, there should be an evaluation of "season of use and stocking rates and adjustments through coordination and annual billings processes". If grazing has been properly planned there should be plenty of grass in the bank to carry grazing through drought periods. Any science based grazing management plan should allow for such insurances during drought periods where livestock will always be considered as a "tool" to manage rangelands and habitat for sensitive species like sage grouse.

In 1960 when Sage Grouse populations were the highest in Utah, the Utah BLM permitted livestock AUMs was at 1.7 million. The Sage Grouse population decline closely resembles the decline of historic permitted livestock AUMs to the current .7 million AUMs. The numbers are very similar for Forest Service AUM's. In addition, when predator control decreased sage grouse numbers declined as well. Predators have always been a problem for sage grouse. They are keen to find nests with eggs or young birds that cannot protect themselves.

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The IM talks about prioritizing supervision and effective monitoring of grazing activities to ensure compliance. We would suggest that monitoring be planned by federal, state and local officials around grazing principals assessed over land scape scaled areas and not be tied to specific locations only.

The IM doesn't mention the benefits that can be obtained by using multiple grazing species to achieve desired vegetation conditions for Sage-Grouse. An example would be winter grazing with sheep to enhance sagebrush. Well managed sheep grazing provides for greater sagebrush health.

We agree that several reasonable alternatives should be analyzed in each NEPA document prepared dealing with grazing practices. WCA suggests that two alternatives be considered. These two alternatives would include a deferred or rest-rotation grazing system. In rural counties of the Western United States, the effect of a no-grazing alternative would be devastating to the local customs/culture/economics with a great multiplying effect.

The IM Memo repeatedly points out the "State Wildlife Agency" as the important agency to talk to and get approval form for habitat projects. State Departments of Agriculture and the Sage Grouse working groups which should include local government have the tools to improve management on the ground which state wildlife agencies are already part of. Vegetation treatments without improved management will be very short lived. Local Sage Grouse working groups should play a major role with respect to sage grouse habitat projects.

Prescriptive grazing should be considered as the priority tool for use in increasing and establishment of habitat for sage grouse. The method of monitoring should be flexible enough to allow local input and modifications on the adaptivity of the species. Range improvements that benefits species and maintained by permittees who hold Federal Range Maintenance Agreements should be allowed mitigation credits.

Federal agencies shall cooperate with state agencies, local governments and those allowed by agency actions to monitor the progress of sage grouse to remove the species from the endangered species listing.

Thank you for your attention in considering the points we have lined out as part of the national sage grouse management scoping process on federal lands.

Sincerely,



John Jones, Chairman
Carbon County, Utah Commissioner



Jerrie Tipton, Vice-Chair
Mineral County, Nevada Commissioner



Western Counties Alliance

April 5, 2012

President Barack Obama
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

The Western Counties Alliance (WCA) is a non-profit organization established for the purpose of giving western counties greater influence on federal policies in support of well managed multiple use of the public lands and natural resources. Additionally, Western Counties Alliance supports a strong economic development process and a reasonable sensible environmental protection. As such, we are categorically opposed to the proposed Grazing Fee Increase included in President Obama's Interior Department budget. The enclosed letter will examine the reasoning for continued use of the Grazing Fee Formula, the flawed reasoning behind an "administrative cost" increase, and the President's own Executive Order stating the importance of resource use and viability in times of hardship.

The Federal grazing fee, which applies to Federal lands in 16 Western states on public lands managed by the BLM and the U.S. Forest Service, is adjusted annually and is calculated by using a formula originally set by Congress in the Public Rangelands Improvement Act (PRIA) of 1978. Under this formula, as modified and extended by a presidential Executive Order issued in 1986, the grazing fee cannot fall below \$1.35 per animal unit month (AUM); also, any fee increase or decrease cannot exceed 25 percent of the previous year's level. (An AUM is the amount of forage needed to sustain one cow and her calf, one horse, or five sheep or goats for a month.) The grazing fee for 2012 is \$1.35 per AUM, the same level as it was in 2011.

The Federal grazing fee is computed by using a 1966 base value of \$1.23 per AUM for livestock grazing on public lands in Western states. The figure is then adjusted each year according to three factors – current private grazing land lease rates, beef cattle prices, and the cost of livestock production. In effect, the fee rises, falls, or stays the same based on market conditions, with livestock operators paying more when conditions are better and less when conditions have declined .

As is evidenced by the above paragraphs many factors have been included in the PRIA formula, both for the government to receive payment and for livestock producers to utilize the public lands, which they should have the right to use, just as all Americans, at a price that reflects production input increases (\$4.50 diesel fuel etc.) and the admission of the government that the minimum dollar amount charged per AUM reflects that the only thing provided by the lessor (government), is the grass and in some, but not all cases, use of water. Some extremist groups are calling for the federal land AUM rate to be based solely on the private land lease rates. This is a complete impossibility as a private land lessor provides fencing, water, minerals, no access by other livestock, predators or humans and overall herd management. This compares with grass and water usage on federal lands, period.

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This proposed increase, via the Interior budgeting process, is disingenuous at best and penalizes permittees for issues beyond their control. Administration of the permittees and their livestock has not increased in any way since the PRIA was instituted in 1978; instead the business of environmental litigation has driven agencies and their budgets past the point of no return. While extreme environmental groups continually sue over procedural items related to NEPA, permit renewal, APA, ESA, Clean Air and Water, FLPMA etc. the workload on the agencies has become unbearable. These groups have the stated goal of ending all public lands grazing and are incentivized to sue the Federal government under the Equal Access to Justice Act and other fee shifting statutes allowed within the environmental laws. The reality is that very few of these challenges are directly related to on the ground management or mismanagement of the resources. They are in essence semantic, politically driven differences of opinion, lawsuits that do nothing but grind the agencies to a halt. A goal publicly stated by the Center for Biological Diversity and the Western Watershed Project.

Our rural counties in the meantime rely heavily on dollars provided by public lands grazers to stabilize our economies. Each dollar made by a federal lands grazer is plowed back into their communities seven times, proven by studies done as recently as 2009. Is it the Obama administrations goals to destabilize the very economic drivers that they espouse support of? Just last week President Obama issued the following Executive Order:

NATIONAL DEFENSE RESOURCES PREPAREDNESS

(d) The Secretary of Commerce, in cooperation with the Secretary of Defense, the Secretary of Homeland Security, and other agencies, shall:

(1) analyze potential effects of national emergencies on actual production capability, taking into account the entire production system, including shortages of resources, and develop recommended preparedness measures to strengthen capabilities for production increases in national emergencies; and

(2) perform industry analyses to assess capabilities of the industrial base to support the national defense, and develop policy recommendations to improve the international competitiveness of specific domestic industries and their abilities to meet national defense program needs.

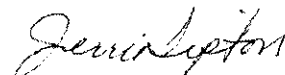
It would be our knowledgeable contention that cattle and sheep grazing on grass grown on public lands and in very diverse and remote locales are exactly what the emergency preparedness modules diagrammed in the Executive Order are asking for. This has already been accomplished regarding the public lands grazing industry and done without requiring a new bureaucracy to enable it. Westerners have always taken pride in taking care of each other, their neighbors and also their country. In times of true hardship the public lands grazing industry will rise to the occasion by providing nutrient rich food and fiber for this nation, but not if they are litigated, regulated and taxed into economic ruin. It is our view that the livestock industry are good land stewards and, by in large, manage the resource they use extremely well and to the betterment of not only the land and water but the ecosystems that are dependent on them.

We respectfully ask that the Obama administration pull this administrative cost increase out of the Interior Appropriations budget for the above stated reasons. We would reiterate that the American people have been expected to fund political environmental agendas with their own tax dollars far too many times. This budgeted increase is the epitome of that misguided philosophy. Simply stated, the public lands permittees have not increased the administrative cost burden on the federal government, environmental lawsuits have.

Sincerely,



John Jones, Chairman
Carbon County, Utah Commissioner



Jerrie Tipton, Vice-Chair
Mineral County, Nevada Commissioner

The following article was published in the Salt Lake Tribune on May 12, 2012
by John E. Swallow and Anthony I. Rampton.

Utah Deserves Title to Thousands of Roads

Over the past two weeks, the Utah Attorney General's Office has, on behalf of the State of Utah and respective counties, filed 21 lawsuits seeking quiet title to thousands of Utah roads. Unfortunately, there appears to be public confusion and misinformation as to the basis, nature and purpose of these lawsuits. When the nation was in the throes of Western settlement and expansion, Congress permitted and encouraged the creation of roads across the vast public lands. Contained within the Mining Act of 1866, Congress passed R.S. 2477, a law recognizing and validating these "highways" that had been, or would be, created to facilitate settlement of the West. At the time, "highway" was a broad term that included any road created by either construction or use and open to the public.

R.S. 2477 operated for 110 years, during which time Utah residents carved out of our rugged landscape thousands of roads in their farming, ranching, hunting, mining and general living activities. These are not "roads to nowhere." One need only to speak with the people in these smaller communities to learn of the continuing meaning and importance of these roads in their lives and to their communities.

In 1976, Congress terminated this long-standing grant and repealed R.S. 2477. However, Congress also officially recognized R.S. 2477 roads then in existence. Since 1976, the state has attempted on many occasions to resolve the question of which Utah roads were then in existence. These efforts have come to no avail. Presently, it is the position of the federal government that, to prove the pre-1976 existence of an R.S. 2477 road, a judicial determination is required. Accordingly, the state has filed 21 lawsuits to prove the pre-1976 existence and, therefore, state title to the roads. It should be noted that courts have held that an R.S. 2477 road may be established by either the construction or maintenance of a road using public funds, or by the continuous public use of a road for a decade. "Continuous use" has been held to mean that the road was used whenever the public found the use convenient or necessary.

Using judicially recognized standards, the state has identified the number of claimed R.S. 2477 roads at approximately 12,000. The process of road review has included examination of historical aerial photographs, historical topographic maps, historical road maps, maintenance records, site visits, and the interviews of hundreds of witnesses. This process continues.

Road characteristics vary widely, from paved to two-track, but they are all indeed roads with evidence of historical, continuous use. Wilderness was not a factor considered in making road inclusion determinations. The vast majority of these roads were in continuous public use and, therefore, in state ownership, long before the 1964 passage of the Wilderness Act.

Now is the time to resolve these longstanding issues. The federal government has given the state no choice but to enlist the assistance of the court. Further delay will result in the loss or deterioration of evidence, most significantly the death or disability of the witnesses.

It is neither the intent nor object of these lawsuits to create or destroy anything. Rather, their sole purpose is to prove up congressionally granted title to these roads and, thereby, preserve and protect these historical roads for the continued use and enjoyment of all. Utah's and its smaller communities' economies are dependent upon the continuing use of these roads and we cannot afford to just walk away.

National Wild Horse and Burro Advisory Board Member List (Updated February 21, 2012)

<p>Wild Horse and Burro Advocacy Ms. June Sewing Executive Director National Mustang Association P.O. Box 1366 Cedar City, UT 84720 mustangs@infowest.com Term expires: 1/27/2015</p>	<p>Public Interest Ms. Callie Hendrickson P.O. Box 837 Meeker, CO 81641 Callie.whbab@gmail.com Term expires: 1/27/2015</p>
<p>Public Interest Ms. Julie Gleason 7100 W. Smoke Ranch Road #100 Las Vegas, NV 89128 rubyredhorse@gmail.com Term expires: 3/28/2014</p>	<p>Wild Horse and Burro Research Dr. Robert E. Bray 726 Eagle Street Woodstock, VA 22664 reb@csupomona.edu Term expires: 3/28/2014</p>
<p>Humane Advocacy Mr. Timothy J. Harvey 56 Beebe River Road Campton, NH 03223 timotico@gmail.com Term expires: 3/08/2013</p>	<p>Livestock Management Mr. Gary Zakotnik 68A Eden West 1st South Road Eden, WY 82932 gnjzakotni@gmail Term expires: 03/08/2013</p>
<p>Natural Resources Management Dr. James Dale Stephenson Yakama Nation Wildlife, Range Vegetation Management Program P.O. Box 151 Toppenish, WA jstephen@yakama.com Term expires: 3/28/2014</p>	<p>Wildlife Management Mr. H. Paul Durbin 2243 W. Musket Place Chandler, AZ 85286 durbairace@lycos.com Term expires: 03/08/2013</p>
<p>Veterinary Medicine Dr. Boyd Spratling Starr Valley Route P.O. Box 27 Deeth, NV 89823 boyddvm@wellsrec.net Term expires: 01/27/2015</p>	

Michele Petty

From: Kenneth R. Brown <krbrownwca@allwest.net>
Sent: Tuesday, June 12, 2012 1:11 PM
To: Rob Stokes; Michele Petty
Subject: Information for upcoming WCA visit on June 20, 2012
Attachments: County Agenda.pdf; Disbursements for 2010 & 2011.pdf; Projected County Payments through 2011 for Nevada.pdf; Nevada County PILT Payments 2011.docx; Letter to President Obama concerning increase in grazing fees.pdf; National Wild Horse and Burro Advisory Board Member List.docx; sage grouse.pdf; Utah Deserves Title to Thousands of Roads.docx; RS 2477 Rights of Way Recognition Act.pdf; What is RS 2477.pdf

Hi Michelle and Robert,

Attached is a packet of information that I will be using for my visit with your county commission on June 20, 2012. Could you please make sure that everyone has a copy?

Thanks,

Kenneth R. Brown
Western Counties Alliance
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