

Mr. George Parman  
September 20, 1996  
Page 3

to healthy or unique animals. As the Shoshone Plan addresses, the animals managed for should be the best examples of wild horses.

In summary, if we embrace the strong points found in the Shoshone Plan and resolve the self imposed policy dilemmas of the federal government, there is hope to succeed in the Diamonds. To dissolve the political boundaries, consider all resources, develop a responsible approach to determine wild horse numbers and provide for feasible livestock systems would be great accomplishments. We cannot afford to repeat the mistakes of the past or suffer false starts that alienate affected parties. It is the firm belief of the Commission that Nevada has a right to our own destiny, and as a state agency, our efforts are limited to existing laws, regulations and administrative processes to get there.

Sincerely,

ROY LEACH  
Biologist

Commission

September 20, 1996

Mr. George Parman  
Post Box 58  
Eureka, Nevada 89316

Dear George:

Thank you for providing a copy of the "Management of Wild Horses by the Shoshone Nation". The document is unique and shares many of our concerns. There is little doubt that the Bureau of Land Management has many internal and external restraints from accomplishing the real intent of the Wild Horse and Burro Act.

In my review of the Act and its federal regulations, I find ample opportunity to accomplish the same goals found in the Shoshone Plan. It may be relative to attempt to impose this plan into the issues facing us in the Diamonds.

First, we all agreed that a comprehensive inventory of wild horses must be accomplished. It was disturbing to return from our tour to find that the Commission for the Preservation of Wild Horses contributed funding for comprehensive surveys in 1991. These surveys were conducted in the summer, spring and winter seasons. On our tour, the first question asked related to the numbers and distribution of wild horses in the Diamonds. The question could not be answered and no one has taken the time to look at the data to advise us otherwise. As a courtesy to the Commission for providing funding for these surveys, we were provided a copy of the data. It may be necessary to provide a copy to the Battle Mountain District for the purposes for which it was collected. In the future we will be more cautious in donating to efforts that were designed to prevent conditions we witnessed on our tour. It is now encouraging that the Bureau has found funds to repeat or complete surveys of the Diamonds and Buck/Bald.

Mr. George Parman  
September 20, 1996  
Page 2

Second, it was obvious that the herd management area boundaries affecting the Diamonds, North Diamond Hills, South Diamond Hills and Buck/Bald herds are not practical or natural. These boundaries were drawn to appease District, county and allotment divisions. As a result of these boundaries, we have horses that are common in many or all herd areas, an unmanageable horse free zone and conflicting approaches from three different BLM Districts. It is no wonder that the Diamonds have never had a comprehensive wild horse gather. As we all witnessed, the recent Railroad Pass gather provided no relief to the range nor made any difference in the overall herd. Therefore, as with the Shoshone Plan, we must have an entire inventory of resources within an area that best represents a real wild horse management area. BLM has embraced this concept.

Third, wild horse herd appropriate management levels must be established with reliable rangeland monitoring data and analysis. Wild horse use of riparian and upland vegetation can be collected on allotments under nonuse by livestock or prior to livestock turnout. This data is specific to wild horses. Allowable use levels or utilization objectives for wild horse can be applied to adjust numbers to meet these objectives. This process is simple, and will not confuse affected parties when allocating available forage nor does allow for endless debate over what ungulate did what. These are issues of our appeals. The BLM remains silent on this concept.

Fourth, BLM administrative policies are contrary to federal regulations. An adoption policy to return all wild horses six years and older back to the herd area will exceed the carrying capacity. As we observed on Railroad Pass, the gather captured 190 horses and released 89 horses back to a herd area with an appropriate management level of 22 horses. In addition, if permittees were successful in removing wild horses from the horse free area on the east side, the older horses would be taken to allotments on the west side and released. As found in the Shoshone Plan, BLM will fail to achieve the intent of the Act or needs of the land, merely by its own contradicting actions. This issue was appeal by the Commission. BLM struggles with this issue, but there is little hope for immediate action on the Diamonds to resolve resource conflicts with present policies. The Shoshone Plan resolves the dilemma with sale authority, which is contrary to Bureau and Commission authority and policy, respectively.

Fifth, the determination of an appropriate management level for the Diamond Herd must consider the viability of the herd. As appeal in the Railroad Pass Multiple Use Decision, the BLM must show evidence that a threshold herd is viable. The adoption policy may only return older animals. A viable herd must have proper sex ratios, age structure and color composition. As you have pointed out, present policy could result in old and sick horses with no regard