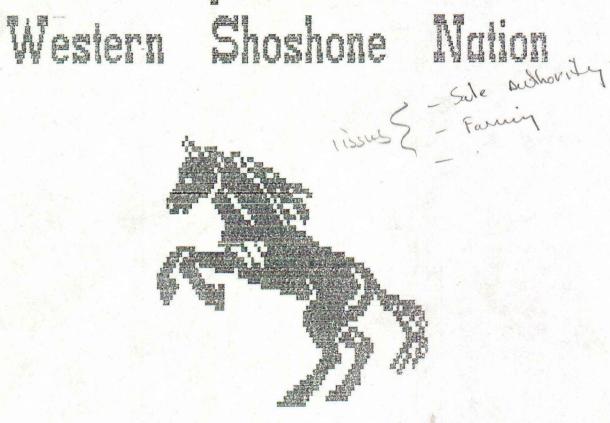
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Prepared by Acks
Richard Bugs Hocks
A Juggers' La Frontose
October, 1990

TABLE OF CONTENTS

Int	ro	d	u	c.	t:	ic	r	١.		•	•			•		•	•	•	•		•	•				•	•		•		1
Pur	po	5	e				•			•	•	•	•		•	٠	•	•	•	•	•		•	•	•	•		•	•	•	2
Met	ho	d															•					•									4
	Ye	a	r	S	(or	ne	9	a	ח	d		T	w	0			•									•				1
	Ye																														
	Ye	a	r	S	I	7 0	1	IT		a	n	d		F	i	V	e														6
	Ye	a	r	S		5 i	. X		t	h	r	0	u	g	h		T	e	n								٠				6
	Va	C	C	i	na	a t	i	O	n		•				•			•	•		•							•			-1
	Ho	0	f	•	Ti	r j	П	m	i	n	g					•		•			•			•	٠			•			7
	Ca	s	t	u	r	i 2	za	t	i	0	n			•	•					•	•			•			٠	•			7
	Wi	I	d	ŀ	40	or	. 9	e		S	a	n	C	t	u	a	r	y			•		٠					•			7
Adm	in	i	s	t	ra	a t	i	0	n	•	•	•	•	•	•			•		•	•	•	•		•		•				8
Res	ul	t	S	/ I	36	e r) =	+	i	t	5													10			2.0				9

INTRODUCTION

The wild mustang, long a symbol of the vanishing west, has provided Nevada, indeed the Nation, with many of the conundrums connected with preserving natural resources in the face of growing urbanization and multi-use of Western lands.

In Nevada, the wild horses became a protected group after a long emotional battle led by "Wild Horse Annie" in 1971. Ranchers were prohibited from trapping or shooting the mustangs they considered a nuisance as they grazed grasslands intended for cattle or lamb production.

The long term result of this protection has left the wild horses worse off than before. Their freedom to roam has been protected, but that freedom now means freedom to die from starvation or thirst as no successful range managment program has been instituted to support them.

The Bureau of Land Managment has struggled to meet the intent of the law, but has found that bureaucratic design and methods based upon legislation designed on the East Coast is not compatible with the natural forces at play in the high mountain deserts of Nevada.

The recent negative news concerning horses dying from thirst or being commercially exploited by the adoption program, and the continual alarm by the cattlemen that the range in which they are

renting is being destroyed by the overpopulation and non-managment of the herds themselves, coupled with the continual wild horse groups' sympathetic but unrealistic expectations, have caused all parties concerned to seek a negotiable and workable solution to this catastrophe. The overlapping regulations and administrative decisions, the continuous crowded court calendar, and the whims of budgetary constraints have caused the solutions of the past fifty years to be rendered obsolete as well as untenable for the next fifty.

The bottom line is that we as human beings cannot sit by while the wild horse, because of our ineptness, dies because controllable habitat has been devastated. Nor can we stand by and watch inbreeding continue to destroy the genetic base of a once strong wild and free roaming horse.

PURPOSE

It has been stated that the United States Government stewardship in regards to Native Americans has gone through five official phases: kill them off, train them, adopt them, relocate them, forget them.

Treatment of wild horses can be equated to the above: shoot them, primary training program, adopt a horse program, relocate through helicopter round-ups, leave them to starve and desicate.

Given this experience, the Western Shoshone Nation proposes to institute a ten year Wild Horse Management plan that will:

- 1. Overcome past failures
- Rely on natural forces to upgrade stock;
- Restore a balance of reason to discussion of the issue;
- Provide a mechanism of self support, thereby lessening demands on public budget.

The Western Shoshone Nation by observing and having lived the life of the above paralleled experiences wish to demonstrate to all parties concerned that there is a solution to this very natural phenomena. First we cannont repeat the mistakes of the Federal government by just dealing with the problem with our emotions. We must do a complete survey of the ecological area and prepare the area for the impact of man, livestock, wildlife and wild horses.

Secondly, by preparing the areas for habitat, we will use our superior intellect to determine carrying capacities of the areas, not just from books or accounting practices (bean counters), but from practical experiences of Indian people living in these homelands.

We will also liberally and openly discuss the reality of livestock, wildlife, plant life and horse consumption with the local affected individuals along with BLM and public groups.

METHOD

Upon making a complete research of the existing situation, mainly the location of livestock, wildlife, and horses we will attempt to balance Nature with the knowledge of levels of consumption by said animals and fix what is considered a sensible carrying capacity of the area. The following hypothetical chronology should take place from our initial premonitions derived from scant descriptions and profiles of this problem presented most biasedly from all parties concerned.

Years One and Two

Reducing the herds to a size that can co-exist with the land will be the main focus of stage one. Determination of natural foliage, available water, demands of cattle/sheep ranching, other wildlife constraints will be variable factors.

In the designated range areas for reduction of wild horses, good water holes with easy access will be determined by on-site survey. Water entrapment has been found to be the most humane and safe way to capture and will be primarily used. Conventional horse back methods will of course be the back up and continual form of contact with the wild horse herds.

Transportation of horses out of the area will be by pull trailers (16-20 ft.), gooseneck and regular diesel livestock trucks/trailers. Vaccination shots will be administered once the horses have been transported to the centralized control range set up for culling and overall evaluation of each horse.

Horse herds to be left at designated areas will be upgraded to good stock by culling by color, size, breed and configuration and by introduction of high caliber stallions so that we can put an end to inbreeding.

The Western Shoshone Nation will invite and provide first hand information and realistic goals to the enquiring public for their peace of mind and to assist the government to ensure conformity with existing (and conflicting) legislation along with the necessary knowledge to implement further legislative/administrative action that will surely cure all of the impediments and lack of direction that have caused this situation.

Years Three and Four

Permanent water hole corrals will be built and proper stock water tanks and watering troughs installed. Permanent feed systems will also be devised in the event we experience continued drought. Reduction of herds would continue as range dictates. Culling of surplus stock would continue according to age, size, color and sex. Colored horse would be held back to establish colored horse herds. This could include a herd of stickly Indian Pinto ponies. Both colored horses and Pintos are in demand.

By keeping back all big boned mares and fillies and turning out draft horse stallions, the Western Shoshone Nation could

experiment in private to establish a herd for third world meat consumption and possible pregnant mare urine (PMU) production for potential socio-economic advancement of their people.

The same process could be used to create a herd of mules, by introducing burros to one herd.

Years Four and Five

Annual reduction of base herds would begin to take place. Young stallions (2-3 years) would be gelded; cripples and standard colors culled by shipment to our central holding range.

Year Six through Ten

Range development should be in operation. Basic herd sizes are established. Annual round-up reduction of horse herds will be in place.

Other management techniques shall include, but not be limited to, annual re-evaluation of the environmental impact as it exists, be it drought or moist. The natural environment to keep the intent of Wild and Free Roaming Horses Act shall be construed as to also keeping them healthy. That is why the following areas are also to be considered.

Vaccination

As long as horse herds are left on their own natural range above congested elevations, Nature has provided a disease free environment. It is the incarceration in storage facilities and exposure to crowded environments that contaminates.

Vaccinations will be administered to stock moved into wild horse sanctuary or in situations required for transport.

Hoof Trimming

By having horses in their own habitat, again Mother Nature will resolve the problem. Running on the natural terrain will keep hooves and legs in top shape without application of artifical methods.

Casturization

This will be done to all 2 and 3 year olds during the annual trapping, depending on adoptions and range dictates to be determined annually.

Wild Horse Sanctuary

It is proposed that the majority of wild horse managment will be performed on high altitude range lands away from population centers. It is also proposed that one range land sanctuary be

located with easy access to the more populated areas as an education center.

Planned field trips for all ages of school children could provide not only information and appreciation for the horses themselves, but at a secondary level, through history and government classes, provoke discussion and information about such topics as the Taylor Grazing Act, responsibilities and constraints of the Bureau of Land Management, and long term implications of the Mustang Protection Act.

This facility would also be open to the general public, providing not only an additional tourist attraction, but again, another forum from which to impart visual as well as factual information. Only by having a well informed public can the issues of managment in a changing world be discussed in a manner that fosters the best results for all.

ADMINISTRATION

This program shall be part of the Division of Shoshone Nation Natural Resources.

The Western Shoshone Nation will administer a plan to develop, insitute, and manage the above program. The Western Shoshone will maintain a full year managment team of persons who will also recruit and train support staff for each herd area as it is established. These wranglers will be primarily drawn from the scattered Shoshone communities throughout Nevada or from

prison and DUI units where outdoor, cowboy work is an appropriate alternative to jail time.

RESULTS/BENEFITS

It is envisioned that by establishing and maintaining small, healthy herds that the key issues of this controversy will be addressed.

The American public will be served in its desire to protect and sustain bands of wild horses. These bands, however, will not be subjected to the slow death they currently suffer through inbreeding, lack of forage and water, and malicious attacks by vandals. The species itself will be strengthened and better able to enjoy survival in natural surroundings.

The cattleman, the sheepherder, miners and now the military (an expanding user of the Nevada rangeland) will also be served by this managment plan. Horse herds, by virtue of assured water and feed sources, will not need to invade other grazing areas for survival. Should a herd stray from its designated territory, anyone so impacted will have a permanent, "ready-to-go" crew, familiar with both the terrain and the herd, that can humanely move them back to where they should be.

The Nevada public will be served with an additional education center and a positive approach to a problem that has stymied and drained time and energy from all sectors. The problems of

competing land use, of changing public values, and of shifting economic forces are not unique to Nevada, yet the wild horse managment issue is specifically in its area, needing local resolution, not application designs from Metro areas that do not experience this unique combination of factors.

The Western Shoshone Nation, in meeting its responsibility to future generations by promoting and practicing conservation and stewardship of the natural resources of its territory, will also be stimulating avenues of employment for its people, creating another tourism asset for the region, and demonstrating a cost effective method of resource management.

Thus the Western Shoshone and the United States of America will finally obtain the chance to realize the full effect of their forefathers' agreement in the Treaty of Ruby Valley wherein the Shoshone are guaranteed the right to herd their livestock. And surely, as the wild and free roaming horse, the Shoshone may also persevere in the maze of legislative good-will of which they have also suffered.

And somewhere, looking into a vast landscape unfettered with architectual creations, a small child will be inspired watching a mustang reach for the wind.







TABLE OF CONTENTS

Federal	Form	42	4.	• •	•	•	*	•	•	•		•	•	×
Project	Summ	ary		٠.	•			•	•		٠	•	٠	1
Project	Desc	rip	ti	o n			*	•	•					2
Relation	to to	EPA	G	oa	1	s	•	•			•		•	9
Evaluati	on												1	0

EXHIBITS

Budget

Activity/Timeline

Map of Project Area

Resumes

Raymond Yowell Ian Zabarte Richard Hicks

INTRODUCTORY SUMMARY

The National Shoshone Council the Pre-columbian traditional organization of the Western Shoshone people of the Great Basin. The Ely Colony Council acts as the fiscal agent.

Within the last two decades of concerted public information efforts focusing on treatment of environmental resources in Shoshone territory, the Council has participated in the production of "Broken Treaty at Battle Mountain" and "To Protect Mother Earth", award winning films that are nationally distributed. These presentations have demonstrated a popular way to raise an issue as well as provide consistent information to a diverse audience.

Most recently, Shoshone roundup of wild horses (mustangs) focused attention on the environmental threats resulting from the vacuum of pragmatic approach to the conflicting and overlapping regulations and administrative decisions of competing policy agencies and public opinions that have caused the solutions of the past fifty years for this issue to be rendered obsolete as well as untenable for the next fifty.

The Bureau of Land Management has struggled to meet the intent of the law, but has found that bureaucratic design and methods based upon legislation designed in one geographic region is not compatible with the natural forces at play in the high mountain deserts of Nevada. Budget constraints have also played havoc.

The Natural Resources Commission of the Shoshone National Council has designed a ten year demonstration approach to resolution of this issue. Based upon cooperation with natural phenomena rather than high budget interventions, this plan will self-fund when expedited as well as reduce current expenditures experienced by the BLM utilizing non-productive methods.

The National Council proposes to utilize EPA funds to develop the education center portion of the plan wherein the major components of the environment ---rangeland and horses--- are part of the environmental instruction team that will exemplify curriculum and teaching methodology for effecting a critical thinking and skill building approach to environmental risk reduction and resolution on the part of public and private parties.

Additional benefits of this project are anticipated to reach 10,000 school age children, 10,000 resident adults, and 1000 tourists. Resultant video productions will reach a national audience.

THE ISSUES

The Shoshone National Council is the historical tribal council for the Western Shoshone people who reside in the Great Basin area from southern Idaho to the Death Valley area of Southern California, encompassing a major portion of Nevada.

The Western Shoshone have seen themselves as the heirs to a legacy and a lifestyle that evaluated and attempted to achieve a balance with all living things around them.

For the last century that balance has been upset as a result of several immigration floods motivated by economic promise: mining, first gold, then copper, later manganese, and now gold again; military installation development; gaming and resort destination; and lately, nuclear waste.

Competing economic interests in the area have precipitated environmental conditions which infer long term pollution and damage if not addressed.

The Western Shoshone have gained national recognition for their articulation regarding the destruction of many singular components of the Nevada environment. Often unpopular viewpoints in the short term, many of the Shoshone issues have begun to achieve credibility and standing with a many-sectored public that is just now beginning to understand the balance of natural systems within a unique geographical area.

One such issue is that of the mustangs that freely roam the Nevada range. "Scenic" and "picturesque" the wild horses received perpetual protection as a result of the legislation, The Wild and Free Horse Act, 1971. While a victory for those from all over the USA who wanted to save the wild horse, the legislation also banned the Bureau of Land Management from applying conservation measures to the herds. As the herds grow, they often in-breed and face starvation and desiccation from not being able to access food and water. Concurrently, cattle and wildlife on the same ranges suffer for lack of ability to compete for forage and water supplies.

In 1990, a group of Shoshones rounded up a herd of mustangs for removal to another state in order to protect their economic livelihood (cattle) from competing with the meager resources the range was providing. The result of this action was indictment and trial in federal court. A two and half year process which included nine months of legal procedure and three days in court ended with a NOT GUILTY finding.

The court held "the forces of nature had caused a clear and imminent economic crisis....the only legal alternative which could realistically avert the threat was a roundup conducted by

the BLM (Bureau of Land Management). But the BLM was powerless to act." The court further noted that "they were not engaging in political protest, Rather, they were acting prevent what they perceived to be a natural disaster." (Lawrence R. Leavitt, US Magistrate Judge, Order CR-S-92054-LAL)).

This case raised issues such as whether under the law, defendant conduct was legally justified. When forces of nature cause imminent economic crisis for people and any solutions will require time—consuming legislative or judicial resolution, is an illegal act a choice between the least of two evils? Is an illegal act to prevent a natural disaster defensible? Does a case that tries a misdemeanor take nine months of federal monies and court time if there is no long term benefit generated for the society? Are there not similarities between the struggle for range resources between cattle and wild horses due to overpopulation/overuse of a resource the same as those between competing groups of humans on the same globe?

These sorts of question fall upon the public body with increasing rapidity as public awareness regarding environmental pollution grows. These are not the sort of issues that relate solely to mustangs. These are the issues that are raised by an accelerated collision of environmental resources with competing economic interests, technological applications, and changing value systems.

They are the kinds of societal conundrums that require critical thinking and confident decision making in response. Critical thinking and confident decision making require that individuals as well as groups, possess the ability to access relevant and accurate facts and develop the capacity to weigh issues in such a manner so as to make informed and responsible decisions.

The Shoshone National Council proposes to take an active role in public environmental education, so that the benefit of their experience may be shared as both an academic and pragmatic model of confronting environmental risks and threats.

METHOD

The National Council proposes to

- 1. To design a public education center program focusing on the specific environmental problems posed by the unique geographical location of the mustang habitat in the Great Basin.
- 2. To demonstrate methods to relate specific information and data to Great Basin biodiversity and the impact of man within the larger context of the choices and consequence)(s) of actions individuals and the nation

face in dealing with environment, technology, and emergent uses and divisions of resources.

3. To develop a cooperative agreement with the Bureau of Land Management to refine and expedite demonstration of a working environmental management plan. The model of management plan execution will encompasses the mitigation of competing ecological forces within a geographic region as well as engage opposing forces in constructive dialogue.

Education center

The education center will take the form of a wild horse sanctuary located within an hour's field trip range for xxxxxx Nevada school children and approximately jfdksjfalj adults as well asskldjfsljf tourists. (See map, Exhibit). While there is a Wild Horse Adoption Pen in the project area, there is no facility or program that specifically addresses this issue which is peculiar to the area. As the fastest growing State in the Union, competition for resources is not a declining question. sfjj % of Nevada's school children have never seen a mustang "in the flesh"; thus, there is no program that meets the educational needs and styles of a tactile or deductive learner.

The proposed site is owned by the Bureau of Land Management and the Nevada State Parks Division. Facilities for the horses are in place. A physical, fiscal, programmatic and fund raising plan for construction of an interpretive center for public education will be a deliverable of the project, coordinated by Mr. Richard Hicks, assisted by Raymond Yowell, Chairman of the National Shoshone Council, and Ian Zabarte, Natural Resource Coordinator for the NSC. (see Exhibits, resumes)

The site will focus on educational practices that utilize teaching techniques of investigative and "hands on" learning. Physical location of the student or adult learner in this unique setting will immediately place the environmental issues in a different context than a traditional classroom or warm suburban living room watching mustangs on the evening news.

Layout of the area will include demonstration plots of land that exemplify the outcomes of various practices employed in the past or proposed for the future. This would include fields that demonstrate drought conditions, planned crop production, competing livestock grazing, natural selection, etc. For humanitarian reasons, only pictorial depiction of the wild horses suffering from lack of food and water on the range will be used. Horses resulting from the proposed Shoshone management practices

will be residents of the sanctuary for observation by the public. Horses will, however be depicted as part of the equation in environmental risks and threats.

Curriculum development will be tri-level and will include

- the assemblage of existent material(s) relative to the issue
- development of materials related to the history of the wild horse in Nevada, the wild horse's role in the ecology of the area, competing range resource interests, historical land management practices including the impacts of railroad, mining, cattle, and sheep industries
- identification/design of interactive exercises requiring the student/adult learner to draw conclusions and offer ^Xx, Jd at the close of their visit
- teacher packets for learning experiences prior to and after field visits
- public information packets for the general visitor

Material development will include production of a video that illustrates the pluses and minuses of a mustang's life; depicts the areas in which the wild horse thrives as well as becomes a pollutant; presents opposing view points as how to deal with the problem; in closing confronts the viewer with the challenge of developing a solution.

This video will become standard viewing at the center, but will be duplicated for distribution for classroom use and public television throughout the country. Its intended use will be to engender dialogue around the issues of comparing the dimensions and characteristics of the perceived problem and encourage viewers to actively consider what actions, personal and societal, must be taken to protect this natural resource.

The mission of the center will be to motivate the general public to be more environmentally conscious; to provide specific examples of cause/effect and alternatives/x, Id related to a specific environmental issue (mustangs); and to relate the lessons of the specific example to macro issues and resolutions.

As a result of interaction with the center, all visitors will be enabled to make more informed decisions based upon a higher environmental consciousness.

Management Plan

The long term result of protection but no realistic management plan has left the wild horses worse off than before. Their freedom to roam has been protected, but that freedom now means freedom to die from starvation or thirst.

The Shoshone National Council Division of Natural Resources developed an outline of a ten year plan to manage and protect the wild horses. Presented to various individuals at tribal, state and federal government levels, it has been endorsed in principal, but not pursued or put into effect pending the emotional and legal battles.

In the resultant court case -- a direct and causal result of no equitable distribution of responsibility or thought on this issue -- the Shoshones submitted their plan as evidence of their attempts to facilitate communication and partnerships with other entities for resolution of a high-priority, highly charged regional issue.

The court cited this effort as the Shoshone "acting to prevent what they perceived to be a natural disaster."

To facilitate the reader's understanding, the Plan in synopsis follows. Other detail is available.

Years One and Two

Reducing the herds to a size that can co-exist with the land will be the main focus of stage one through analysis of natural foliage, available water, demands of cattle/sheep ranching, other wildlife constraints. Water (hole) entrapment, found to be the most humane and safe, will be the primarily contact method used. Vaccination shots will be administered once the horses have been transported to the centralized control range set up for culling and overall evaluation of each horse.

Horse herds left at designated areas will be upgraded to good stock through culling and by introduction of high caliber stallions, putting an end to inbreeding.

Years Three and Four

Permanent water hole corrals built; proper stock water tanks and watering troughs installed. Permanent feed systems will also be devised for the event of drought.

Reduction of herds continues as range dictates. Culling of surplus stock continues according to age, size, color and sex. Colored horse would be held back to establish colored horse herds. This should include a herd of sickly Indian Pinto ponies. Both colored horses and Pintos are in demand.

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Range development in operation. Basic herd sizes established. Annual round-up reduction of horse herds in place.

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Other management techniques shall include, but not be limited to, annual re-evaluation of the environmental impact as it exists, be it drought or moist. The natural inclination to keep the intent of Wild and Free Roaming Horses Act shall be construed as to also keeping them (the horses) healthy. That is why the following areas are also to be considered.

Vaccination

As long as horse herds are left on their own natural range above congested elevations, Nature has provided a disease free environment. It is the incarceration in storage facilities and exposure to crowded environments at lower altitudes that contaminates.

Vaccinations will be administered to stock moved into wild horse sanctuary or in situations required for transport.

Hoof Trimming

By having horses in their own habitat, again Mother Nature will resolve the problem. Running on the natural terrain will keep hooves and legs in top shape without application of artificial methods.

Casturization

This will be done to all 2 and 3 year olds during the annual trapping, depending on adoptions and range dictates to be determined annually.

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Administration

The Western Shoshone Nation will administer a plan to develop, institute, and manage the above program in consultation with the Bureau of Land Management staff. The National Council will identify a full year management team of persons who will also recruit and train support staff for each herd area as it is established. These wranglers will be primarily drawn from the scattered Shoshone communities throughout Nevada or from prison and DUI units where outdoor, cowboy work is an appropriate alternative to jail time. This will bring an entire new cadre into the realm of active environmental education.

RESULTS AND BENEFITS

It is envisioned that by establishing and maintaining small, healthy herds that the key issues of this controversy will be addressed.

The American public will be served in its desire to protect and sustain bands of wild horses. These bands, however, will not be subjected to the slow death they currently suffer through inbreeding, lack of forage and water, and malicious attacks by vandals. The species itself will be strengthened and better able to enjoy survival in natural surroundings.

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resolution, not application designs from Metro areas that do not experience this unique combination of factors.

The National Shoshone Council, in meeting its responsibility to future generations by promoting and practicing conservation and stewardship of the natural resources of its territory, will also be stimulating avenues of employment for its people, creating another tourism asset for the region, and demonstrating a cost effective method of resource management. The Indian viewpoint and ability to provide responsible leadership, historically underrepresented or suppressed, will be pragmatically demonstrated.

And somewhere, looking into a vast landscape unfettered with architectural creations, a small child will be inspired watching a mustang reach for the wind.

SUMMARY

This proposal relates to the EPA goals of enhancing environmental teaching skill by bringing Indian people into the education forum; facilitates communication, exchange and partnerships by facilitating a cooperative effort between federal agencies and tribal people; and will motivate the public to become more environmentally conscious and make informed decisions about environmental conflicts based on their direct experiences with this project.

The project focuses on the "hands on", tv-viewing, and out-of-classroom learning techniques that are proven to be the way a majority of adult and many adolescents now acquire their education. Environmental education has been proven to have more meaning in an environment than in classroom/textbook setting. Cause/effect has more meaning when the physical manifestations have direct contact with the public. It has the potential to touch everyone sharing the geographic region with the mustangs.

This project continues tribal efforts to build capability and capacity in providing the public with their Shoshone knowledge and approach to this environmental crisis at the same time as providing the Bureau of Land Management with their technical skills gained through years of living on the same lands.

As the mustang problem is somewhat unique to Nevada alone, there exist no environmental education programs on the subject, save those of opposing viewpoint trying to sway public opinion. This project attempts to fill that gap by providing material and a forum for critical thinking in and through which individuals may come to their own conclusions and action decision.

Another EPA goal is to promote equity by increasing representation of minorities and elders in environmental education. It seems obvious, but must be stated, that this project exemplifies that objective. Capitalizing on a century plus dialogue regarding pollution prevention, geographic protection and risk reduction between the Native American community and the United States government will bring to the public a wealth of experience and information.

EVALUATION

This project shall be evaluated by the production of two deliverables, the design of an environmental education format and process at the wild horse sanctuary and the specific development of material to be distributed therein.

Much of this project is a process. Therefore, the subjective monitoring of subjective characteristics, i.e., monthly meetings between National Council and BLM resulting in positive, forward actions; calls for distribution of the Shoshone management plan; letters/evaluation sheet comments from classroom teachers to whom draft material is distributed, etc. will be an important part of this project.

True evaluation of educational programs addressing issue and choice takes several years to perform. The length of this project precludes doing long term studies on participants.

BUDGET

Category	National Coun	cil Other	Request	
Personnel Project Directo 3day/mo x 1 Natural Resourc 3day/mo x 1	2 @\$80/da es 2,880			
Citizen Volunte 3day/mo x 1 (Note: Hourly co	er 2 @ \$80	2,880	-	
Travel	t Not safaries.			
Elko-Reno 700 miles R	T ×12 @ .25			2100
Duckwater 700 miles R	T x12 @ .25			2100
Fallon-Reno 70 miles RT	x 12 @ .25			210
	diem/mo x 12 ns @75/day			8100
Communications Telephone/fax \$50/mo x 12				600
Printing Curriculum Mat	erials			1500
TOTAL	560	0 2800	2	24,610

EXHIBITS

Budget

Resumes

Raymond Yowell Ian Zabarte Richard Hicks

Map of Project Area