

8/31/92

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United States Department of the Interior

BUREAU OF LAND MANAGEMENT

CARSON CITY DISTRICT OFFICE
1535 HOT SPRINGS RD., STE. 300
CARSON CITY, NV 89706-0638



Horse Man ✓

IN REPLY REFER TO:

4700
(NV-03840)
AUG 31 1992

Dear Interested Party:

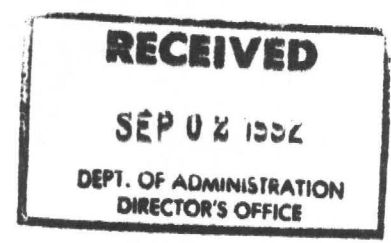
Enclosed is an Environmental Assessment (EA) and draft Finding of No Significant Impact Statement (FONSI) for the release of 20 unadoptable wild horses. This EA does not become final until the Finding of No Significant Impact/Decision of record is signed. Please submit your comments to this office by close of business October 2, 1992, to be considered.

Sincerely yours,

James W. Elliott
James W. Elliott
District Manager

Enclosure:

- 1. Release of Unadoptable Wild Horses EA and FONSI, 7pp.



ENVIRONMENTAL ASSESSMENT EA No. NV-030-92-049

Release of Unadoptable Wild Horses

INTRODUCTION

Need for the Proposed Action.

There are currently 20 unadoptable wild horses (9 studs, 11 mares) that were captured during the Horse Mountain Emergency Wild Horse Removal. Because the sole source of water for the Horse Mountain horses dried up these wild horses were removed from the Horse Mountain Herd Management Area (HMA). Until such a time that alternate water can be provided wild horses will not be placed back into the Horse Mountain HMA. Because of the length of time involved in securing alternate water sources maintaining these wild horses at Palomino Valley Corrals is not feasible. Therefore, these wild horses need to be relocated to another HMA, since they cannot be placed through the adoption program. These animals have never left the District.

Conformance With Land Use Plan.

This EA is tiered to the Lahontan Resource Management Plan Environmental Impact Statement (RMP/EIS) which analyzed the general ecological impacts of managing rangelands in the Clan Alpine Mts. area under a program including the monitoring and adjustment of wild horses and livestock. This EA is a project specific refinement of the EIS focused on the management of wild horses in the Clan Alpine Mt. HMA. The decisions regarding overall rangeland management analyzed in the RMP/EIS will not be changed by the release of wild horses within the HMA. These documents are available for public review at the Carson City District Office.

PROPOSED ACTION AND ALTERNATIVES

Proposed Action.

The proposed action is to release 20 unadoptable wild horses in the Cow Canyon Allotment within the Clan Alpine HMA. All mares will be spayed prior to release.

Alternatives Considered but not Analyzed.

The following alternatives were considered but not analyzed in detail:

Releasing the animals in the Augusta Mt., Flanigan, Fort Sage, Dogskin Mt., Desatoya, Granite Peak, Lahontan, New Pass and N. Stillwater HMAs would increase the animals further above the carrying capacity of these HMAs. In addition, due to the extended drought there are only limited water sources in these areas. Continuation of this drought may cause many of these waters to dry up.

Because of the small size of the South Stillwater HMA, released animals would most likely establish home ranges outside of the HMA.

Keeping the wild horses at PVC indefinitely is not a feasible alternative. PVC is designed to process and adopt wild horses. Keeping wild horses at PVC would impair the primary mission of the facility as well as exposing the horses to perpetual confinement.

Sending wild horses to a sanctuary is no longer an option since current plans are being formulated to demobilize the sanctuaries.

Euthanizing healthy wild horses is also not a option as Congress has withheld appropriations for such an action.

AFFECTED ENVIRONMENT

General Setting.

The topography of the HMA ranges from rolling hills through mountainous terrain from 4,000 to 10,000 feet in elevation. There are 7 creeks with perennial water along with many springs and seeps. Water availability will not be a problem in areas where the wild horses would be released.

Affected Resources.

Currently wild horses at the upper elevations in the Cow Canyon Allotment portion of the Clan Alpine HMA are not adversely affecting the environment. There is adequate forage and available water.

ENVIRONMENTAL IMPACTS

Impacts of the Proposed Action.

The action will increase the population of wild horses in the Cow Canyon Allotment portion of the HMA by 20 head. Currently the vegetation in this area is not being adversely impacted by wild horses and an increase of 20 head will not change the situation.

Since the mares will be spayed they will not accelerate the rate of population increase. It is not anticipated that releasing spayed animals will adversely impact the animals. An X-2 freeze mark will be applied to each horse on the hip for permanent identification from the ground or air to verify that the spayed mares do indeed interact normally within a band.

Nine stallions will be released. The precise impacts of these stallions and mares to the social structure of the herd and the behavior of individual animals is unknown, however, because of the small number of animals released it is assumed to be minimal. U.C. Davis analyzed blood taken from wild horses within the Clan Alpine HMA and found no unusual characteristics, therefore, releasing the Horse Mountain studs will not adversely impact the genetics of the Clan Alpine herd.

Mares will not be released until they have fully recovered from being spayed.

The animals will be monitored to insure that they become familiar with water sources, and will be released along a creek.

Mitigation Measures.

We do not anticipate any adverse impacts associated with the proposed actions, therefore, mitigation measures are not needed.

Residual impacts.

The only residual impact occurring with the proposed action would be the increase of the population by 20 wild horses within the Cow Canyon Allotment portion of the HMA. All of the released animals are 10 years of age or older, therefore, they would all be expected to die of natural causes within 10 to 15 years.

In all of the alternatives the release of additional wild horses would exacerbate existing resource problems (overutilization of vegetation) or jeopardize the animals since the available water is extremely limited or drying up due to drought conditions. These problems would be overutilization of vegetation, horses returning to areas of removal and wild horses moving outside of HMAs.

CONSULTATION AND COORDINATION

Persons and Agencies Consulted.

This environmental assessment is being sent to the following persons, groups and government agencies for review and comment.

American Bashkir Curley Register
Animal Protection Institute
Barbara Eustis-Cross Executive Director L.I.F. E. Foundation
Bobbi Royle
C. Jean Richards
Carson City District Grazing Advisory Board
Commission for the Preservation of Wild Horses
Craig C. Downer
Dan Keiserman
Debora Allard
Fund for Animals
Humane Society of Southern Nevada
International Society for the Protection of Wild Horses and Burros
Joyce Casey
Michael Kirk
Kathy McCovey
Nan Sherwood
National Mustang Association
National Wild Horse Association
Nevada Cattlemen's Association
Nevada Department of Wildlife
Nevada Federation of Animal Protection Organization
Nevada Humane Society
Nevada Land Action Association
Nevada State Clearinghouse
Nevada State Division of Agriculture
Paula Askew
Rebecca Kunow
Resource Concepts Inc.
Save the Mustangs
Sierra Club
Steven Fulstone
Swan Alder
The Nature Conservancy
U.S. Fish and Wildlife Service
U.S. Humane Society
United States Wild Horse and Burro Foundation
Wild Horse Organized Assistance

LIST OF PREPARERS

Prepared by:

John Axtell
John Axtell
Wild Horse and Burro Specialist
Lahontan Resource Area

27 Aug 92
Date

Reviewed by:

David Loomis
David Loomis
Environmental Coordinator
Carson City District

8-27-92
Date

Karl S. Kipping
Karl Kipping
Associate District Manager
Carson City District

8-28-92
Date

Draft

FINDING OF NO SIGNIFICANT IMPACT / DECISION RECORD

For EA # 92049

Finding of No Significant Impacts: Based on the analysis of potential environmental impacts contained in the attached environmental assessment, we have determined that impacts are not expected to be significant and the environmental impact statement is not required.

Rational for decision: The decision to implement the release of unadoptable wild horses is in conformance with the Lahontan RMP, approved in 1985, and will not adversely impact any of the resources in the Clan Alpine HMA.

Decision: Based on the EA and FONSI the decision is to release the 20 unadoptable wild horses inside the Cow Canyon Allotment portion of the Clan Alpine Herd Management Area.

Recommend Approval:

James M. Phillips
Area Manager
Lahontan Resource Area

Date

Approved:

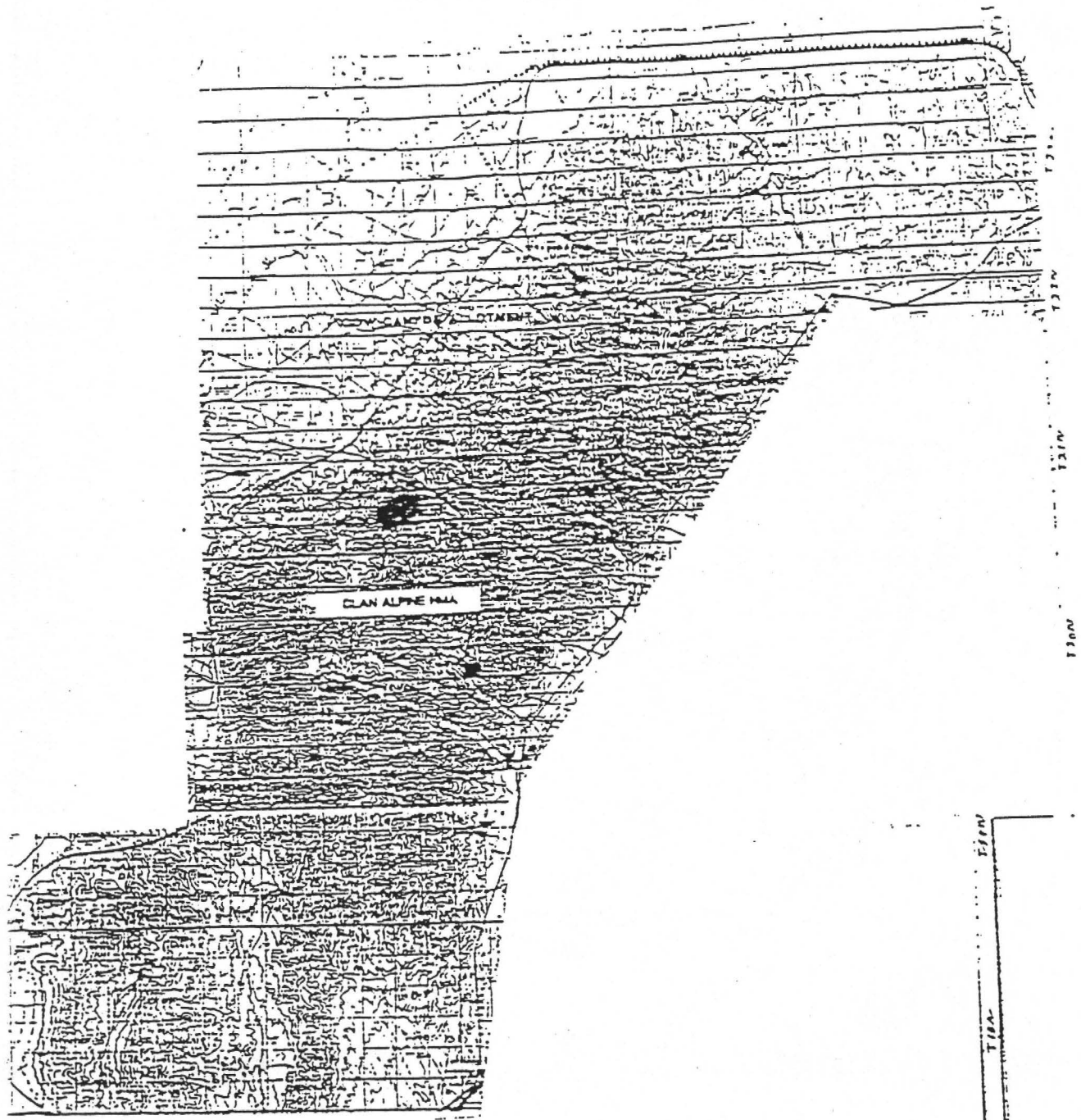
James W. Elliott
District Manager

Date

--- HMA Boundary

⊗ Release Area

*** Fences



U.S. GEOLOGICAL SURVEY



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

CARSON CITY DISTRICT OFFICE
1535 HOT SPRINGS RD., STE. 300
CARSON CITY, NV 89706-0638



IN REPLY REFER TO:

4700
(NV-03480)

OCT 14 1992

Dear Interested Party:

We received several responses on the Environmental Assessment (EA) and draft Finding of No Significant Impact Statement (FONSI) for the release of 20 unadoptable wild horses. After careful consideration of the comments and a review of our land use planning objectives, our decision is to implement the proposed action contained in the EA and draft FONSI.

Sincerely yours,

James W. Elliott
District Manager

*ask Tom...
procedures
vet?*

BOB MILLER
Governor

STATE OF NEVADA

CATHERINE BARCOMB
Executive Director



**COMMISSION FOR THE
PRESERVATION OF WILD HORSES**

Stewart Facility
Capitol Complex
Carson City, Nevada 89710
(702) 687-5589

COMMISSIONERS

Dan Keiserman,
Las Vegas, Nevada

Michael Kirk, D.V.M., Chairman
Reno, Nevada

Paula S. Askew
Carson City, Nevada

Steven Fulstone
Smith Valley, Nevada

Dawn Lappin
Reno, Nevada

October 15, 1992

Mr. Billy Templeton, State Director
BLM-Nevada State Office
Box 12000
Reno, Nevada 89520

Dear Mr. Templeton,

The Commission had previously commented on the release of 20 unadoptable wild horses in the Carson City District. We provided our comments and did not appeal this action.

We had also been concerned about the proposed "spaying" of mares to be released. We understood from various conversations that procedures would be established for "spaying" prior to the actual surgery and we would have the opportunity to have input. Dr. Michael Kirk, our Chairman, would be very much involved to advise us. With his expertise in equine surgery I'm sure he would also like to view the actual procedure when it is done.

We would very much like to come in and discuss this with you prior to the procedure being done. Please advise us when would be convenient for you for Dr. Kirk, Dawn Lappin, and myself to come in. Thank you for your time, we look forward to meeting with you.

Sincerely,

A handwritten signature in cursive script that reads "Catherine Barcomb".

CATHERINE BARCOMB
Executive Director

9/2/92

BOB MILLER
Governor

STATE OF NEVADA

CATHERINE BARCOMB
Executive Director



COMMISSIONERS

Dan Keiserman,
Las Vegas, Nevada

Michael Kirk, D.V.M., *Chairman*
Reno, Nevada

Paula S. Askew
Carson City, Nevada

Steven Fulstone
Smith Valley, Nevada

Dawn Lappin
Reno, Nevada

COMMISSION FOR THE
PRESERVATION OF WILD HORSES

Stewart Facility
Capitol Complex
Carson City, Nevada 89710
(702) 687-5589

September 2, 1992

Billy R. Templeton, State Director
BLM-Nevada State Office
850 Harvard Way
P.O. Box 12000
Reno, Nevada 89520

Dear Mr. Templeton,

Thank you for the opportunity to review and comment on the Notice of Final Decision Full Force and Effect for the Horse Mountain Herd Management Area.

The Commission fully supports your decision to remove those animals from the Horse Mountain Herd Management Area to alleviate any chance of their imminent death due to the closure of the water supply to the area by order of the Nevada State Water Engineer.

However, we do feel that the Bureau had the ability to address this emergency on the range without the use of Full Force and Effect. By declaring an emergency you would bypass the normal comment period and still have your unrestricted avenue to remove these horses.

The Commission fully believes that the boundaries for this HMA were incorrectly drawn depriving the horses of a source of water within their herd area boundary. It was the Bureau's responsibility in the delineation of those boundaries to assure the most primary of necessary habitat requirements - water.

If horses have historically used this source of water outside of the HMA boundary as their only source of water, it shows the boundaries were incorrectly drawn in 1971, as we have maintained in our comments on many previous occasions, but to no avail. The argument that the District cannot draw in private lands into a herd area is not backed up by many herd areas where private land waters are within the herd areas. Co-operative agreements on waters, development of waters, which obviously has never been addressed, or a simple purchase of the already existing water rights would have been appropriate in the Bureau's ongoing management program. Instead of managing the area day by day, the Bureau is required by law to provide their habitat requirements within their HMA. This has never been done for the Horse Mountain HMA. It is no wonder

Billy R. Templeton, State Director
September 2, 1992
Page 2

that horses within a 20 mile radius of those areas are now experiencing widespread migrations as is documented by your "latest census" (date not provided in this document), of 150 horses and only being able to locate 92 horses.

This shows the BLM in dereliction of duties in providing for the habitat requirements of the wild horse herds under your care. The Bureau is required to provide cover, forage, and space. Without water none of the other requirements are necessary.

Would you please advise this office why there is a fence on the Desert Mountain Allotment portion of the Horse Mountain HMA and whether any waters are available within this portion of their HMA.

In conclusion, we would expect the Carson District to immediately start activity in the planning arena that will address waters within the herd area.

We would like to request a written response to our inquiries to include your intentions for development of waters within this HMA.

Again, we fully support your decision to remove those horses in danger of death and for responding as quickly as you did. The drought we continue in has made many normal conditions very unpredictable.

Sincerely,



CATHERINE BARCOMB
Executive Director



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

NEVADA STATE OFFICE
850 Harvard Way
P.O. Box 12000
Reno, Nevada 89520-0006



IN REPLY REFER TO:

4700
(NV-03480)

SEP 29 1992

Ms. Catherine Barcomb
Commission for the Preservation of Wild Horses
Stewart Facility, Capitol Complex
Carson City, Nevada 89701

Dear Ms. Barcomb:

This is in response to your letter of September 2, 1992, commenting on the emergency wild horse removal conducted in the Horse Mountain Herd Management Area (HMA) this past July. As you stated in your letter, immediate action was necessary to prevent these horses from dying due to dehydration. While all but five horses have been removed, we plan on releasing additional horses into the HMA when dependable water is available.

The boundary of the HMA has been the subject of confusion by others in the past primarily due to their misunderstanding regarding land ownership and natural water availability.

The only natural source of water within the Horse Mountain Allotment is a hot geothermal spring east of Highway 95 which is outside of the HMA and has been fenced for public safety. Furthermore, there is no naturally occurring water within either the Desert Mountain or Cleaver Peak Allotments which are adjacent to the Horse Mountain Allotment. Historically, the horses have always relied on the TCID drainage ditch for water during the spring and summer months. This ditch is located totally on lands not administered by the BLM and is approximately 2 miles north of the HMA. With the exception of the geothermal spring, there is no natural water occurring on public lands in the entire area.

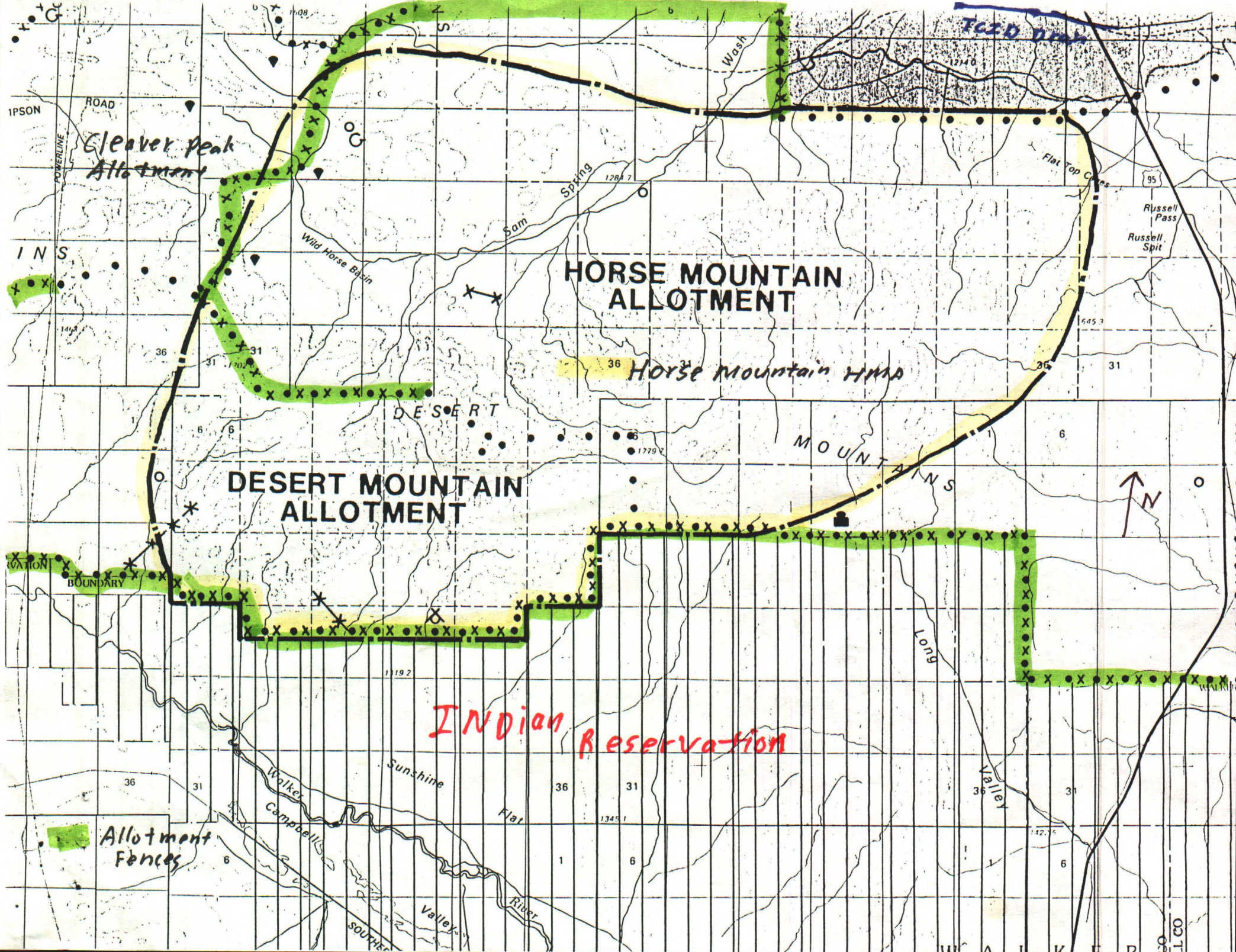
There are several wells which are controlled by the permittee and pumped during the winter months for livestock. We have approached the owner in the past with regard to entering into a cooperative agreement to provide water during the summer months, however, he has not been interested in doing so.

Although the TCID drainage ditch has provided dependable water for more than 20 years, the extended drought has now affected the entire water supply and irrigation system in the Lahontan Valley. However, the Carson City District is planning to take a closer look at the Horse Mountain HMA this winter to see if alternative water sources are feasible and can be developed.

Sincerely yours,

A handwritten signature in cursive script that reads "Billy R. Templeton".

Billy R. Templeton
State Director, Nevada



Clever Peak Allotment

HORSE MOUNTAIN ALLOTMENT

DESERT MOUNTAIN ALLOTMENT

INDIAN Reservation

Horse Mountain HMA

Allotment Fences

IPSON

ROAD

INS

TC2D

Flat Top Creek

95

Russell Pass

Russell Spit

Wild Horse Basin

Sam

Spring

Wash

MOUNTAINS

N

Long

Valley

Walker Campbell's

Sunshine

Flat

Valley

River

Southern

LLCO

W H O A

WILD HORSE ORGANIZED ASSISTANCE

P.O. BOX 555
RENO, NEVADA 89504
(702) 851-4817

BOARD OF TRUSTEES

DAVID R. BELDING
JACK C. McELWEE
GORDON W. HARRIS

In Memoriam

LOUISE C. HARRISON
VELMA B. JOHNSTON, "Wild Horse Annie"
GERTRUDE BRONN

September 2, 1992

Billy R. Templeton, State Director
BLM-Nevada State Office
850 Harvard Way
P.O. Box 12000
Reno, Nevada 89520

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However, I do feel that the Bureau had the ability to address this emergency on the range without the use of Full Force and Effect. By declaring an emergency you would bypass the normal comment period and still have your unrestricted avenue to remove these horses.

W H O A fully believes that the boundaries for this HMA were incorrectly drawn depriving the horses of a source of water within their herd area boundary. It was the Bureau's responsibility in the delineation of those boundaries to assure the most primary of necessary habitat requirements - water.

If horses have historically used this source of water outside of the HMA boundary as their only source of water, it shows the boundaries were incorrectly drawn in 1971, as I have maintained in my comments on many previous occasions, but to no avail. The argument that the District cannot draw in private lands into a herd area is not backed up by many herd areas where private land waters are within the herd areas. Co-operative agreements on waters, development of waters, which obviously has never been addressed, or a simple purchase of the already existing water rights would have been appropriate in the Bureau's ongoing management program. Instead of managing the area day by day, the Bureau is required by law to provide their habitat requirements within their HMA. This has never been done for the Horse Mountain HMA. It is no wonder

Billy R. Templeton, State Director
September 2, 1992
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Again, WHOA fully support your decision to remove those horses in danger of death and for responding as quickly as you did. The drought we continue in has made many normal conditions very unpredictable.

Sincerely,

DAWN Y. LAPPIN
Director

8/19/92



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

CARSON CITY DISTRICT OFFICE
1535 HOT SPRINGS RD., STE. 300
CARSON CITY, NV 89706-0638



IN REPLY REFER TO:

4700
(NV-03480)

AUG 19 1992

Commission for the Preservation of Wild Horses
Stewart Facility, Capitol Complex
Carson City, Nevada 89710

Dear Ms. Barcomb,

We are in receipt of your protest dated June 23, 1992, which involves Multiple Use Decisions for the Edwards Creek, Dixie Valley and Horse Mountain Allotments. There seems to be some confusion involving these decisions. We are therefore, providing evaluations which describe how the horse numbers were determined for each allotment and detailed responses to each point raised in your protest.

We will address your concerns in the order they appeared in your protest.

Page 1, paragraph 4, The rate of increase was based on a 1988 census of 96 horses and a 1989 census of 106 horses (96 to 106 = approx. 10%) both censuses were for the entire Carson City District portion of the Desatoya Herd Management Area (HMA). The actual rate of increase is probably higher because it is very likely that horses have moved outside of the HMA during this period. Prior to the October 1989 census 120 horses were removed from the Desatoya area, most, probably all of the 120 horses came from areas outside of the Desatoya HMA. Because of the small size of the Desatoya HMA many horse have moved outside of the area due to intraspecific interactions. Because of these interactions most of the 120 horses removed were likely displaced form the HMA or progeny of displaced horses.

Page 2, paragraph 1, The issue of improper season of use, over use in uplands and riparian areas cannot be resolved by reduction of livestock alone. To resolve these issues livestock use in the allotment has to be managed based on utilization limits and proper season of use. The Edwards Creek Allotment Management Plan (AMP) reduces past use from livestock in the summer pasture. Prior to the proposed grazing system, livestock use in the summer pasture began in the spring (May 1) and continued until winter weather caused livestock to move to the winter pasture. A portion of the allotment has seldom been grazed, however, the AUMs allocated for

the seldom grazed area have been used in other portions of the allotment. The AMP resolves this distribution problem by allowing only those AUMs to be used in the area which was seldom used and not in other areas of the allotment as it had been done in the past.

By implementing the AMP, livestock use in the summer will be limited to proper season of use, time, numbers and utilization levels. The period of use will be from June 1, to October 15. Livestock will be rotated between summer use areas and will be moved based on moderate utilization levels, 24% of the summer pasture and 100% of the winter pasture is outside of the HMA.

Restricting livestock from the summer pasture until proper season of use will increase the vigor and health of key forage plants and improve ecological condition of the range. Wild horses have unrestricted access to the summer pasture. Thus, wild horse numbers must be limited in order to protect the plants during their crucial stages of development. If wild horse numbers are not limited then any gains obtained by the deferment of livestock will be quickly eroded by the over utilization caused by wild horses.

Page 2, paragraph 2, The Edwards Creek AMP is in the process of being signed. The Edwards Creek Multiple Use Decision (MUD) will implement the terms and conditions of the AMP. The Horse Mountain Allotment is a "M" (maintain category) allotment which does not require an AMP.

Monitoring studies and methods are identified in the Edwards Creek AMP and will be implemented with the MUD.

Page 2, paragraph 3, In the Edwards Creek Evaluation, page 19, V. Conclusions, A.1. it states "... Actual counts and actual use records show that approximately 55 wild horses or 660 AUMs and 330 head of cattle between the time 6/1 to 9/30 or 1,334 AUMs are proper initial stocking levels for this area, since the HMA makes up 66% of this pasture, AUMs used in the HMA total 660 AUMs of wild horse and 880 AUMs of cattle use for a total of 1,540 AUMs. This is approximately 9 acres/AUM. The additional 454 AUMs of cattle are included in the remaining 7,299 acres. This should be the initial stocking level for both horses and cattle. Further monitoring may indicate that adjustments to the initial stocking level will be needed.

Page 2, paragraph 4, We are reluctant to establish artificial waters for horses because they would become dependent upon them. This would necessitate frequent trips (several times a week) to assure that the waters were functioning properly and to fill the storage tanks. We do not have the personnel to accomplish this. Also at this time we feel that the limited monies we have would be better spent improving and protecting natural springs in other HMA's.

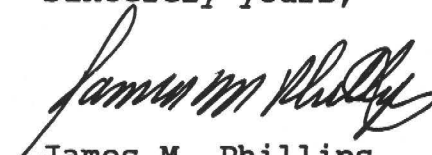
Page 2, paragraph 5, There is a Herd Management Area Plan for the Horse Mountain HMA and we hope to have Herd Management Area Plans completed for the other two HMAs this year.

Page 2, paragraph 6, We have issued Multiple Use Decisions for all allotments involved in the Clan Alpine HMA and the Carson City Districts portion of the Desatoya HMA. Therefore, the total Animal Management Level for the Clan Alpine HMA would be 979 and 98 for the Desatoya HMA (Carson City District).

The Horse Mountain HMA involves two Allotments, however, the majority of the use occurs within the Horse Mountain Allotment. Because of resource damage occurring within the Horse Mountain Allotment portion of the HMA action is needed immediately, while the Desert Mountain Allotment portion of the HMA is in a state of thriving natural ecological balance. Therefore, corrective actions need only be taken in one part of the HMA. If we set an animal management level for the entire HMA one part of the HMA would be thriving while the other part would be deteriorating and the HMA could still be below the animal management level. Therefore, we are issuing animal management levels on an allotment basis while considering the HMA as a whole.

After reviewing these comments and the attached evaluations we would like to schedule a meeting for Monday August 31, at 10:00 am. in this office. If you have any additional data for us to consider in preparing our final decision we would like to review and discuss it with you at that time.

Sincerely yours,



James M. Phillips
Area Manager

4 Enclosures:

1. Clan Alpine HMA Evaluation for the Dixie Valley Allotment Portion. 5pp.
2. Desatoya HMA Evaluation for the Edwards Creek Allotment Portion. 4pp.
3. Horse Mt. HMA Evaluation for the Horse Mountain Allotment Portion. 4pp.
4. Horse Mt. Herd Management Area Plan. 29pp.