



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

8/18/95  
Appeal # NV-030-95-05  
TAKE  
PRIDE IN  
AMERICA

IN REPLY REFER TO:  
4700 (NV-03580)

August 18, 1995

Dear Interested Party:

Enclosed is the Final Multiple Use Decision for the Pine Nut Herd Management Area (HMA). It was determined that the proposed changes in kind of livestock in Mill Canyon, Buckeye, and Rawe Peak Allotments included in the Proposed Multiple Use Decision needed further analysis. Therefore these proposed changes in livestock management are addressed in the enclosed EA rather than in the Final Multiple Use Decision. Also enclosed is the Draft Pine Nut HMA Capture Plan with the related Environmental Assessment (EA).

Protests to the Proposed Multiple Use Decision were received from Craig Downer, Roberta Royle, Animal Protection Institute, Nevada Division of Wildlife, Wild Horse Organized Assistance, and the Commission for the Preservation of Wild Horses. All protestors were invited to discuss their concerns at a meeting held at Carson City District on August 4, 1995. Only Craig Downer attended this meeting. A meeting was also held on August 17, 1995 for representatives of the Nevada Division of Wildlife.

An analysis of the points presented by the protestors is enclosed. Only comments that relate to the Pine Nut Herd Management Area, the allotment evaluations, or the Multiple Use Decision are addressed.

Sincerely,

John O. Singlaub  
District Manager,  
Carson City District

5 Enclosures:

1. Responses to Protests
2. Final Multiple Use Decision
3. Environmental Assessment No. NV-035-95-048
4. Draft Capture Plan
5. Environmental Accessment No. NV-035-95-047

## PINE NUT FINAL MULTIPLE USE DECISION

The Record of Decision for the Reno Grazing Environmental Impact Statement (GEIS) was issued on December 21, 1982. This document established the multiple use goals and objectives which guide management of public land in the allotments contained within the Pine Nut Herd Management Area (HMA). The Reno Rangeland Program Summary (RPS), issued on May 30, 1984, identified allotment specific objectives.

As identified in the Reno GEIS and Reno RPS, monitoring has been conducted on these allotments to determine if existing multiple uses for the allotments were consistent with the attainment of the objectives. Monitoring data has been collected and analyzed through the allotment evaluation process to determine what changes in existing management are required in order to meet specific multiple use objectives for these allotments.

Through the consultation, coordination, and cooperation process (CCC), input from the interested parties has been considered. Based on the evaluation of the monitoring data, technical recommendations contained within the allotment evaluations, and input through the CCC process, my final decision is presented below.

### BUCKEYE ALLOTMENT LIVESTOCK GRAZING MANAGEMENT DECISION

The decision relating to the grazing of sheep on public lands in the Buckeye Allotment is as follows:

In accordance with §4130.6-1(a) the stocking level for sheep will be 4973 AUMs. In accordance with §4130.4-2, if sheep grazing is authorized it will be done on a temporary non-renewable basis to aid in meeting multiple use objectives. Grazing within the HMA will not be authorized for sheep during the growing season (April 1 through July 15).

### RATIONALE

Utilization studies detailed in the evaluation showed the allotment provided the full stocking level for sheep (4973 AUMs) at light or moderate use levels. This can continue with application of good forage management techniques.

Authorizing sheep to graze on a temporary non-renewable basis is at the discretion of the authorized officer. It is important to note that this temporary non-renewable use by sheep is not in addition to permitted use, but in exchange for it. If the authorized officer determines that sheep grazing, as applied for, would not meet land use plan objectives, the application would not be authorized. If the authorized officer determines that sheep grazing as applied for, or a modification to the application would meet these objectives, use would be authorized accordingly.

CHURCHILL CANYON ALLOTMENT  
LIVESTOCK GRAZING MANAGEMENT DECISION

The decision relating to the grazing of cattle on public lands in the Churchill Canyon Allotment is as follows:

In accordance with §4130.6-1(a), the active preference for cattle will be maintained at 1074 AUMs. In accordance with §4410.3, continue to use standard Actual Use/Utilization study techniques over a three year period to refine this estimate and establish a preference for cattle which is sustainable and meets the forage needs of wild horses and mule deer.

RATIONALE

The 1074 AUMs of active preference for cattle is a reasonable level based upon the figures shown in the utilization study contained in Appendix IV of the evaluation. The Bureau will obtain further data to refine the estimate and establish an active preference which is sustainable.

CLIFTON ALLOTMENT  
LIVESTOCK GRAZING MANAGEMENT DECISION

Decisions relating to the grazing of cattle on public lands in the Clifton Allotment are as follow:

A. In accordance with §4110.3-2(b) and §4130.6-1(a), the active preference for cattle will be adjusted from 772 AUMs to 613 AUMs. In accordance with §4110.3-3(a) &(b), this reduction in active preference will be phased in over a five year period, beginning with the effective date of the Final Multiple Use Decision (1995). The reduction will be implemented as follows:

1995 From 772 AUMs to 719 AUMs  
1997 From 719 AUMs to 666 AUMs  
1999 From 666 AUMs to 613 AUMs

In accordance with §4110.3-2(c), 159 AUMs will be suspended.

B. In accordance with §4130.6-1(a), the authorized season of use will be changed from 4/1 - 5/31 to 1/1 - 5/31.

RATIONALE

Insufficient forage is available to provide 772 AUMs of active preference for cattle. The existing authorized period of use occurs during a portion of the active growing season. Wild horse use occurs throughout the active growing season. This amount and concentration of use is resulting in the loss of grass plants at the mid and lower elevations of the allotment. Adjusting cattle numbers will, in part, begin to allow these areas an opportunity to recover. By eliminating the compressed season of use for cattle and allowing more flexibility, use can be made during plant dormancy when they are least vulnerable. Snow, when available, will further help by providing the opportunity to distribute cattle over a larger portion of the allotment. These actions should provide adequate forage on a sustainable basis.

ELDORADO ALLOTMENT  
LIVESTOCK GRAZING MANAGEMENT DECISION

Decisions relating to the grazing of sheep on public lands in the Eldorado Allotment are as follow:

- A. In accordance with §4130.4-2, use will be authorized on a temporary non-renewable basis to take pressure off of or use in combination with other allotments to aid in meeting multiple use objectives.
- B. In accordance with §4130.6-1 (a), the authorized season of use will be from 11/1 to 2/28. The authorization will be limited to sheep. A total of 270 AUMs will be available for sheep use.

RATIONALE

Authorizing sheep use on a temporary non-renewable basis is at the discretion of the authorized officer. If the authorized officer determines that sheep use, as applied for, would not meet land use plan objectives, the application would not be authorized. If the authorized officer determines that sheep use as applied for, or a modification to the application would meet these objectives, use would be authorized accordingly.

Authorizing use during the winter is advantageous. Grass plants are in a dormant state, so are not as susceptible to damage from grazing. Harvesting the old growth from the grass plants will allow better access to sunlight for the spring growth and the plants can better remain vigorous. Closed herding by sheep and intensively using low sagebrush plants will favor the growth of the grasses which make up the bulk of the diet for wild horses. Conversely, open herding can be applied that will use the shrub component less intensively and favor the shrubs which make up a large portion of the diet for mule deer. Whatever grazing strategy is applied, it will be used to aid in meeting multiple use objectives.

HACKETT CANYON ALLOTMENT  
LIVESTOCK GRAZING MANAGEMENT DECISION

Decisions relating to the grazing of sheep and cattle on public lands in the Hackett Canyon Allotment are as follow:

- A. In accordance with §4110.3-2(b) and §4130.6-1(a), the active preference will be adjusted from 515 AUMs to 187 AUMs. No more than 146 AUMs of sheep use will be authorized in the North Pasture. No more than 41 AUMs of cattle and/or sheep use will be allowed in the South Pasture. In accordance with §4110.3-3(a) &(b), this reduction in active preference will be phased in over a five year period, beginning with the effective date of the Final Multiple Use Decision (1995). The reduction will be implemented as follows:

1995 From 515 AUMs to 406 AUMs  
1997 From 406 AUMs to 297 AUMs  
1999 From 297 AUMs to 187AUMs

In accordance with §4110.3-2(c), 328 AUMs will be suspended.

B. In accordance with §4130.6, the following terms and conditions will apply to the North and South Pastures.

1. Specific areas within the allotment will be grazed for two weeks or less each year.
2. During most years, these two week grazing authorizations will occur between 3/15 and 6/30.
3. In order to provide forage for over-wintering mule deer, allow no more than 25% use on bitterbrush by sheep and/or cattle and wild horses before October. Yearlong use by all herbivores will not exceed 45%.

### RATIONALE

Insufficient forage is available to provide 515 AUMs of active preference for sheep and cattle. The influence of pinyon-juniper woodlands severely restricts the areas that produce forage and are usable by sheep and cattle. The ability of these woodlands to out-compete other vegetation and intercept/utilize precipitation has resulted in declines of desirable forage for sheep, cattle, wild horses, and wildlife. In order to balance grazing with forage production, adjusting the active preference was necessary.

Without construction of more fencing in the north pasture, cattle will probably drift off the public lands to the developing private lands north of the allotment. The allotment is historically a sheep allotment, which provides a situation where animals can be controlled through herding in the North pasture. Use in the South pasture can be made by either sheep and/or cattle since access to the developing private lands is blocked by the Eldorado Canyon Fence.

### MILL CANYON ALLOTMENT LIVESTOCK GRAZING MANAGEMENT DECISION

Decisions relating to the grazing of sheep on public lands in the Mill Canyon Allotment are as follow:

- A. In accordance with §4130.6-1(a), the active preference for sheep will be maintained at 2049 AUMs.
- B. In accordance with §4130.6-1(a), the authorized season of use will be changed from 11/1 -1/31 and 4/1 -5/31 to 11/1 - 3/31.
- C. In accordance with §4130.6-2, sheep use within the HMA portion of the allotment will be made between 11/1 and 2/28. After 2/28, all use will be shifted outside of the HMA.

### RATIONALE

Adequate forage is available to meet the active preference for sheep. Sheep and horses have a limited dietary overlap. Sheep prefer browse species while horses prefer grasses. The exception to this is during spring green-up, when sheep will also use the grasses. A large portion of the allotment is comprised of low sagebrush. By changing the grazing season of use for sheep from spring to fall/winter, the competition for grasses is reduced. Grazing occurs during plant dormancy when they are least vulnerable. Closed herding by sheep and intensively using low sagebrush plants will favor the growth of the grasses

which make up the bulk of the diet for wild horses. Conversely, open herding will use the shrub component less intensively and favor the shrubs which make up a large portion of the diet for mule deer. Whatever grazing strategy is applied, it will be used to aid in meeting multiple use objectives.

A sage grouse use area is located within the HMA. By removing livestock prior to the initiation of growth (i.e., green shoots of grass, forb production), the competition for this forage between livestock and wild horses will be eliminated. The vegetation along with the associated insect population are important to the sage grouse.

RAWE PEAK ALLOTMENT  
LIVESTOCK GRAZING MANAGEMENT DECISION

Decisions relating to the grazing of cattle on public lands in the Rawe Peak Allotment are as follow:

A. In accordance with §4110.3-2(b) and §4130.6-1(a), the active preference for cattle will be adjusted from 552 AUMs to 54 AUMs. In accordance with §4110.3-3(a) &(b), this reduction in active preference will be phased in over a five year period, beginning with the effective date of the Final Multiple Use Decision (1995). The reduction will be implemented as follows:

1995 From 552 AUMs to 386 AUMs

1997 From 386 AUMs to 220 AUMs

1999 From 220 AUMs to 54 AUMs

In accordance with §4110.3-2(c), 498 AUMs will be suspended.

B. In accordance with §4130.6-1(a), the authorized season of use will be changed from 5/16 - 7/31 to 11/1 - 3/31.

RATIONALE

Insufficient forage is available to provide 552 AUMs of active preference for cattle. The influence of pinyon-juniper woodlands severely restricts the areas that produce forage and are usable by cattle. The ability of these woodlands to out-compete other vegetation and intercept/utilize precipitation has resulted in declines of desirable forage for cattle, wild horses, and wildlife. In order to balance grazing with forage production, adjusting the cattle active preference was necessary.

The existing authorized period of use occurs during the active growing season. Wild horse use also occurs throughout the active growing season. This concentration of use, coupled with the problems associated with the influence of the pinyon-juniper woodlands, has resulted in the loss of desirable forage.

Adjusting the active preference for cattle will, in part, begin to allow those areas that are usable an opportunity to recover. Use can be made during plant dormancy when they are least vulnerable. Snow, when available, will further help by providing the opportunity to distribute use.

SAND CANYON ALLOTMENT  
LIVESTOCK GRAZING MANAGEMENT DECISION

Decisions relating to the grazing of livestock on public lands in the Sand Canyon Allotment are as follows:

- A. In accordance with §4110.3, the active livestock preference is cancelled.
- B. In accordance with §4130.4-2, livestock grazing may be authorized on a temporary non-renewable basis to aid in meeting multiple use objectives.
- C. In accordance with §4130.6-2, utilization shall not exceed the Allowable Use Level of 55%. This applies to livestock and wild horses.

RATIONALE

The area adjoining the allotment is a developing urban area. As Carson City continues to expand, the public lands will become valuable as open space for residents. It has become impractical as a cattle allotment.

However, it may be in the best interest of the public to use intensively managed livestock grazing as a tool in accomplishing specific environmental goals ( e.g., noxious weed control, trampling seed into the soil on barren areas, stimulating decadent vegetation, etc.). Authorizing grazing use on a temporary non-renewable basis is at the discretion of the authorized officer. If the authorized officer determines that livestock grazing, as applied for, would not meet the objective(s), the application would not be authorized. If the authorized officer determines that this use as applied for, or a modification to the application would meet objective(s), use would be authorized accordingly.

SUNRISE ALLOTMENT  
LIVESTOCK GRAZING MANAGEMENT DECISION

Decisions relating to the grazing of cattle on public lands in the Sunrise Allotment are as follows:

- A. In accordance with §4110.3-2(b) and §4130.6-1(a), the active preference for cattle will be adjusted from 1092 AUMs to 159 AUMs. In accordance with §4110.3-3(a) &(b), this reduction in active preference will be phased in over a five year period, beginning with the effective date of the Final Multiple Use Decision (1995). The reduction will be implemented as follows:

1995 From 1092 AUMs to 781 AUMs  
1997 From 781 AUMs to 470 AUMs  
1999 From 470 AUMs to 159 AUMs

In accordance with §4110.3-2(c), 933 AUMs will be suspended.

- B. In accordance with §4130.6, the following terms and conditions will apply:

1. Specific areas within the allotment will be grazed for two weeks or less each year.
2. During most years, these two week grazing authorizations will occur between 3/15 - 6/15.
3. The allowable use level of 27.5% is established for use on perennial grasses and 22.5% on bitterbrush by livestock.
4. No livestock grazing will be authorized until utilization levels by wild horses are below the allowable use level for grasses and/or bitterbrush.

### RATIONALE

Insufficient forage is available to provide 1092 AUMs of active preference for cattle. This is a result of use by wild horses and the influence of pinyon-juniper woodlands. The terms and conditions set forth will provide plants the opportunity to regrow during their active growing season (spring and summer).

### AUTHORITY

Authority for this decision is found in Title 43 of the Code of Federal Regulations, which states in pertinent parts:

§4100.0-8: "The authorized officer shall manage livestock grazing on the public lands under the principle of multiple-use and sustained yield, and in accordance with applicable land use plans. Land use plans shall establish allowable resource uses (either singly or in combination), related levels of production or use to be maintained, areas of use and resource condition goals and objectives to be obtained. The plans also set forth program constraints and general management practices needed to achieve management objectives. Livestock grazing activities and management actions approved by the authorized officer shall be in conformance with the land use plan as defined at 43 CFR §1601.0-5(b)."

§4110.3: "The authorized officer shall periodically review the grazing preference specified in a grazing permit or grazing lease and may make changes in the grazing preference status. These changes shall be supported by monitoring, as evidenced by rangeland studies conducted over time, unless the change is either specified in an applicable land use plan or necessary to manage, maintain, or improve rangeland productivity."

§4110.3-2(a): "Active use may be suspended in whole or in part on a temporary basis due to drought, fire, or other natural causes, or to facilitate installation, maintenance, or modification of range improvements."

§4110.3-2 (b): "When monitoring shows active use is causing an unacceptable level or pattern of utilization or exceeds the livestock carrying capacity as determined through monitoring, the authorized officer shall reduce the active use if necessary to maintain or improve rangeland productivity, unless the authorized officer determines a change in management practices would achieve the management objectives."



§4110.3-2(c): "Where active use is reduced it shall be held in suspension or in nonuse for conservation/protection purposes, until the authorized officer determines that active use may resume."

§4110.3-3(a): "Changes in active use in excess of 10 percent shall be implemented over a 5-year period, unless after consultation with the affected permittees or lessees and other affected interests, an agreement is reached to implement the increase or decrease in less than 5 years."

§4110.3-3(b): States in part that "After consultation, coordination and cooperation, suspensions of preference shall be implemented through a documented agreement or by decision. If data acceptable to the authorized officer are available, an initial reduction shall be taken on the effective date of the agreement or decision and the balance taken in the third and fifth years following that effective date, except as provided in paragraph (a) of this section."

§4120.2 (a): States in part that "The allotment management plan shall include terms and conditions under §§ 4130.6, 4130.6-1, 4130.6-2 and 4130.6-3 of this title, and shall prescribe the livestock grazing practices necessary to meet specific multiple-use management objectives."

§4120.2 (c): "Completed allotment management plans shall be incorporated into the terms and conditions of the affected grazing permits and leases."

§4120.3-1 (a): "Range improvements shall be installed, used, maintained, and/or modified on the public lands, or removed from these lands, in a manner consistent with multiple-use management."

§4130.4-2: "Nonrenewable grazing permits or leases may be issued on an annual basis to qualified applicants when forage is temporarily available, provided this use is consistent with multiple-use objectives and does not interfere with existing livestock operations on public lands."

§4130.6: "Livestock grazing permits and leases shall contain terms and conditions necessary to achieve the management objectives for the public lands and other lands under Bureau of Land Management administration."

§4130.6-1 (a): "The authorized officer shall specify the kind and number of livestock, the period(s) of use, the allotment(s) to be used, and the amount of use, in animal unit months for every grazing permit or lease. The authorized livestock grazing use shall not exceed the livestock carrying capacity as determined through monitoring and adjusted under §§4110.3, 4110.3-1 and 4110.3-2."

§4130.6-2: "The authorized officer may specify in grazing permits and leases other terms and conditions which will assist in achieving management objectives, provide for proper range management or assist in the orderly administration of the public rangelands."

§4130.6-3 "Following careful and considered consultation, cooperation and coordination with the lessees, permittees, and other affected interests, the authorized officer may modify terms and conditions of the permit or lease if monitoring data show that present grazing use is not meeting the land use plan or management objectives."

APPEAL

Should you wish to appeal this decision for the purpose of a hearing before an Administrative Law Judge, in accordance with 43 CFR § 4160.4, you are allowed thirty (30) days from receipt of this notice within which to file such an appeal with the District Manager, Bureau of Land Management, Carson City District Office, 1535 Hot Springs Road, Suite 300, Carson City, Nevada 89706-0638. An appeal should specify the reasons, clearly and concisely, why you think the decision is in error.

PINE NUT HERD MANAGEMENT AREA  
WILD HORSE MANAGEMENT DECISION

Decisions relating to wild horses managed within the Pine Nut HMA are as follows:

A. In accordance with § 4700.0-6(a), the potential stocking level for wild horses in the portions of the HMA located within each allotment is as follows:

Buckeye	493 AUMs
Churchill Canyon	154 AUMs
Clifton	444 AUMs
Eldorado	270 AUMs
Hackett Canyon	187 AUMs
Mill Canyon	296 AUMs
Rawe Peak	54 AUMs
Sand Canyon	95 AUMs
Sunrise	159 AUMs
Total	2152 AUMs

B. The management of wild horses within the HMA will be in accordance with the Strategic Plan for Management of Wild Horses and Burros on Public Lands (June 1992).

C. In accordance with §4710.3-1 and §4710.4, the Appropriate Management Level for the HMA will be 179 head of wild horses. The population will be adjusted to 34% below this maximum level and allowed to increase to the AML of 179.

D. In accordance with §4710.3-1, the following allotment specific objectives will apply:

Hackett Canyon Allotment: In order to provide forage for over-wintering mule deer, allow no more than 25% use on bitterbrush by livestock and wild horses before October. Yearlong use by all herbivores will not exceed 45%.

Sand Canyon Allotment: Wild horses should be allowed to graze in the allotment under the following constraints:

1. Utilization shall not exceed the Allowable Use Level of 55%. This applies to livestock and wild horses.

2. No damage attributable to wild horses shall occur on riparian habitat along the Carson River.

3. Wild horses will be removed upon request in writing from private land owners in accordance to Title 43, Code of Federal Regulations, §4720.2-1.

Sunrise Allotment: An allowable use level of 27.5% for yearlong use on perennial grasses and 22.5% on bitterbrush shall be managed for by wild horses.

### RATIONALE

Generally, in observing these horses over the last three years, the Range Conservationists and Wild Horse and Burro Specialist considered many of the bands to be showing signs of stress from inadequate forage supplies. Many areas show evidence of a constant search for forage. Utilization is occurring several miles outside of the historic HMA. In certain portions of the HMA, ecological sites are declining. In other areas the ecological sites appear to be stable but they have stabilized at the low end of their productive potential.

The analysis of available monitoring data presented in the allotment evaluations for those allotments in the Pine Nut HMA indicate that a thriving natural ecological balance will be achieved at a level of 2152 AUMs of wild horse use.

In order to minimize the disruption of band structure and the stress to individual animals, the population of wild horses would be reduced 34% below the AML. This would allow the population to increase at a projected recruitment rate of 15% per year for three years. This would further allow a three or four year interval between removals. Managing the population to maximize the intervals between removals would minimize the stress associated with removals. Reducing the wild horse numbers to a point below the maximum and then allowing them to increase to AML would have several benefits. First, allowable use levels will not be exceeded therefore allowing the forage base to remain healthy. This, in turn, results in a healthier, more viable, population of wild horses that will have less competition for forage, water and space.

### AUTHORITY

The authority for this decision is contained in Sec. 3(a) and (b) of the Wild-Free Roaming Horse and Burro Act (P.L. 92-195) as amended and Title 43 Code of Federal Regulations (CFR), which states in pertinent parts:

§4700.0-6 (a): "Wild horses and burros shall be managed as self-sustaining populations of healthy animals in balance with other uses and the productive capacity of their habitat."

§4710.3-1: States in part that "Herd management areas shall be established for the maintenance of wild horse and burro herds. In delineating each herd management area, the authorized officer shall consider the appropriate management level of the herd, the habitat requirements of the animals, the relationships with other uses of the public and adjacent private lands, and the constraints contained in §4710.4."

§4710.4 "Management of wild horse and burros shall be undertaken with the objective of limiting the animals' distribution to herd areas. Management shall be at the minimum level necessary to attain the objectives identified in approved land use plans and herd management area plans."

§4720.1 States in part that, "Upon examination of current information and a determination by the authorized officer that an excess of wild horses or burros exist the authorized officer shall remove the excess animals immediately...."

§4720.2-1 States in part that, "Upon written request from the private landowner to any representative of the Bureau of Land Management, the authorized officer shall remove stray wild horses and burros from private lands as soon as practicable."

### APPEAL

Within 30 days of receipt of this decision, you have the right of appeal to the Board of Land Appeals, Office of the Secretary, in accordance with the regulations at 43 CFR §4.400. If an appeal is taken, you must follow the procedures outlined in the enclosed Form 1842-1, Information on Taking Appeals to the Board of Land Appeals. Within 30 days after you appeal, you are required to provide a Statement of Reasons to the Board of Land Appeals and a copy to the Regional Solicitor's Office listed in Item 3 on the form. Please provide this office with a copy of your Statement of Reasons. Copies of your appeal and the Statement of Reasons must also be served upon any parties adversely affected by this decision. The appellant has the burden of showing that the decision appealed from is in error.

In addition, within 30 days of receipt of this decision you have the right to file a petition for a stay (suspension) of the decision together with your appeal in accordance with the regulations at 43 CFR §4.21. The petition must be served upon the same parties specified above. The appellant has the burden of proof to demonstrate that a stay should be granted.

### GUIDANCE

Strategic Plan for Management of Wild Horses and Burros on Public Lands, 1992  
Technical Reference 4400-7, Rangeland Monitoring Analysis, Interpretation, and Evaluation, 1985

### WILDLIFE MANAGEMENT DECISION

In order to improve habitat for wildlife, the following actions will be taken:

A. Pinyon-Juniper woodlands will be identified for treatments that will improve conditions for wildlife. Treatment areas will be designed to increase "edge effect" and promote increased production of palatable understory plant species. The long term management will be directed toward achieving an ecosystem containing a natural balance of pinyon-juniper woodlands, and other ecological sites. It will be necessary to develop a Pine Nut Mountain "desired landscape" description which uses the Potential Natural Community information as a general guide for meeting Land Use Plan objectives. This will be developed through the consultation, cooperation, and coordination with interested parties.

B. If monitoring shows that a critical riparian area is not making satisfactory progress toward proper functioning condition, after changes/modifications in management have been in

effect, fencing will be initiated. Fences will be constructed to wildlife standards. Water will be provided outside the source for livestock and wild horses.

C. In order to provide forage for over-wintering mule deer, allow no more than 25% use on bitterbrush by livestock and wild horses in the deer winter range before October. Yearlong use by all herbivores should not exceed 45%.

D. Following a reduction of the wild horse population to a level which allows the horses to live within their HMA at moderate forage utilization levels, work with the Nevada Division of Wildlife to introduce pronghorn antelope into Churchill Canyon and Mill Canyon allotments.

### RATIONALE

Removal of pinyon-juniper trees will provide increased edge effect for mule deer and also expand the forage base. The amount of moisture that is intercepted and the amount of groundwater used on an annual basis would be available to re-charge underground aquifers. This could potentially rehabilitate springs that are currently dry or have reduced water flows.

Riparian areas are used year-round by a combination of wild horses and wildlife. Livestock use occurs during varying portions of the year. The cumulative effect can be detrimental and can result in diminished or total loss of flow.

Cattle and sheep browse more than horses and so should be monitored to insure that forage is available for mule deer. Limiting use on bitterbrush by livestock and wild horses to 25% will allow for adequate forage (unbrowsed leaders) to remain for mule deer after completion of the grazing season and the plants need a good number of leaders remaining unbrowsed at the end of the season, as these new leaders will be the primary seed producers for the next year.

Pronghorn antelope are an important big-game species. The introduction of a population has not been possible prior to management changes made primarily in the Churchill Canyon Allotment. With a light/moderate level of cattle grazing instead of heavy sheep grazing, and the wild horses not forced to constantly search the entire area for forage, the forbs and palatable grasses needed by pronghorn should achieve adequate abundance.

### GUIDANCE

Reno Grazing Environmental Impact Statement, 1982

Pine Nut Habitat Management Plan, Revised 1987

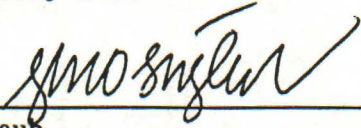
Management Framework Plan, 1975

Bureau of Land Management, Riparian-Wetland Initiative for the 1990's

Technical Reference 1737-9, Riparian Area Management, Process for Assessing Proper Functioning Condition, 1993

APPEAL

Should you wish to appeal this decision for the purpose of a hearing before an Administrative Law Judge, in accordance with 43 CFR § 4160.4, you are allowed thirty (30) days from receipt of this notice within which to file such an appeal with the District Manager, Bureau of Land Management, Carson City District Office, 1535 Hot Springs Road, Suite 300, Carson City, Nevada 89706-0638. Should you wish to appeal this decision (as it pertains to wild horses or wildlife) to the Interior Board of Land Appeals, you are required to appeal in accordance with 43 CFR § 4.400. An appeal should specify the reasons, clearly and concisely, why you think the decision is in error, and a statement of standing if necessary per 43 CFR § 4.400.



\_\_\_\_\_  
John O. Singlaub  
District Manager  
Carson City District

Aug. 18, 1995

\_\_\_\_\_  
Date

# W H O A

WILD HORSE ORGANIZED ASSISTANCE  
P.O. BOX 555  
RENO, NEVADA 89504

Appeal # NV-030-95-05



a note from

Dawn Y. Lappin

9/20/95  
DM  
WRA  
RES DS 9/20

Granola JB  
RRM

SEP 20 2 06 PM '95

BUR OF LAND MANAGEMENT  
CARSON CITY  
DISTRICT

September 19, 1995

Mr. John Singlaub, District Manager  
Bureau of Land Management  
1350 Hot Springs Road  
Carson City, Nevada 89701

Dear Mr. Singlaub:

WHOA, with this letter, notify you of our intent to file an appeal on the final multiple use decision for the Pine Nut Herd Management Area.

Due to scheduling conflicts we were unable to attend, as notified, the meeting in August. However, we are hopeful that we will be able to reschedule within the next thirty days, to either clarify or mitigate our continued concerns. We have continued genuine concerns regarding the health of the herd area and the horses.

- o The change of classification of domestic livestock and those impacts on the existing herd.
- o The monitoring data and analization.
- o Why, if it is a multiple use document, some issues pertaining to wildlife were not discussed or analized.

We thank you for the opportunity to participate in the Bureau's land use planning process.

Most sincerely,

Dawn Y. Lappin (Mrs.)  
Director