

8/21/87

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IN REPLY REFER TO:



United States Department of the Interior

4700
(NV-033)

BUREAU OF LAND MANAGEMENT
CARSON CITY DISTRICT OFFICE
1535 Hot Springs Rd., Ste. 300
Carson City, Nevada 89701

AUG 21 1987

Commission for the Preservation
of Wild Horses
c/o Terri Jay, Executive Director
58 Hardy Drive
Sparks, NV 89431

Dear Ms. Jay:

Enclosed is the Final Marietta Wild Burro Herd Management Area Plan and Environmental Assessment. Several changes have been made based on the comments received on the Draft Plan.

Only eight comments were received; of these, three expressed concern in reduction of the Appropriate Management Level, three were in agreement with the plan, one was concerned with funding to implement the plan and one expressed concern of impacts to cultural resources. These comments were considered and incorporated into the Final Plan where appropriate.

Sincerely yours,

Norman L Murray
acting

James W. Elliott
District Manager

Enclosure:
As stated:

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785-8320

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~~*785-81116*~~
7858526

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United States Department of the Interior

IN REPLY REFER TO:

4700
(NV-033)

BUREAU OF LAND MANAGEMENT
CARSON CITY DISTRICT OFFICE
1535 Hot Springs Rd., Ste. 300
Carson City, Nevada 89701

AUG 21 1987

Mrs. Dawn Y. Lappin, Director
Wild Horse Organized Assistance, Inc.
P.O. Box 555
Reno, Nevada 89504

Dear Mrs. Lappin:

Enclosed is the Final Marietta Wild Burro Herd Management Area Plan and Environmental Assessment. Several changes have been made in the plan including a more indepth description of the resource information. The most significant change is the addition of a Management Method which will propose, during the preparation of the Allotment Management Plan in 1988, that the majority of the Herd Management Area will be dedicated exclusively to burro habitat.

Following are responses to your comments:

Comment 1: The location should also identify the wild burro area covers the Marietta allotment, and portions of the Basalt, Huntoon Valley, and Candelaria Allotments.

Response: The Herd Management Area does not cover portions of Basalt and Huntoon Valley Allotments, however in the past, the burros extended their use into these areas.

Comment 2: C.1 (a) Should explain where water developments will be in relation to Marietta, Basalt, Huntoon Valley and Candelaria Allotments. For the purposes of this plan the water developments within the RMP area are not specific enough.

Response: The locations of the seven developments were not identified in the RMP. The locations will be identified in the Herd Management Area Plans (HMAPs).

Comment 3: You have proposed a reduction in the AML, or an amendment to the Record of Decision, will the livestock preference also be reduced from the three year active use described in the Record of Decision?

Response: The final HMAP does not propose a reduction in the AML. Instead, the population will be reduced with further monitoring at this reduced population, to determine if the AML needs to be adjusted. The livestock preference will not be adjusted at this time, however as described in the Management Method on page 8 of the plan, the two alternatives proposed would dedicate the majority of the HMA exclusively to burro habitat. Adjustments in livestock preference would be made at that time.

Comment 4: The RMP identifies the Marietta for an AMP, but the Basalt, Huntoon, and Candelaria have no such designation. What will be the use, and season of use?

Response: See Response to the first comment.

Comment 5: If in 1979 220 burros were censused, 398 in 1983, with 288 and 69 removed, with a 82% observation, the remaining population would be approximately 110. The 1986 census was 139 and even given an 82% probable observation, it hardly supports past BLM claims of population explosions.

Response: The draft HMAP did not claim there has been population explosions, just stated census results.

Comment 6: Livestock has been allocated all the forage, no forage has been allocated to wildlife or burros.

Response: Please note on page 4, Livestock Grazing, that livestock have not grazed the area around Teels Marsh for at least ten years (see Map II). Also, as described in comment three, an AMP is scheduled to be prepared in 1988 which will propose dedicating the majority of the HMA exclusively to burro habitat with no livestock.

Comment 7: A few burros outside the HMA is not evidence of expansion of the herd area, but rather indicative of their free-roaming nature. The boundary is artificial, done by man with little or no observation by man of year round use, and done at one point in time.

Response: The Herd Area delineations were based on the best knowledge at that time (soon after Public Law 92-195). Any changes to that delineation at this point of time without documented data would be arbitrary.

Comment 8: Please send studies of the soil loss and the evidence that it is attributable to the burros.

Response: The statement contained in the Walker RMP, which says accelerated wind erosion is approaching soil loss tolerances in the Teels Marsh Area was based on observations by the Soil Scientist for the District. Since that time, he has established plots to measure the actual loss overtime. During plot establishment, predicted soil loss was calculated, which shows that soil loss is higher than the Soil Conservation Service's (SCS) recommended soil loss tolerance factors. The variables in the calculation are ground cover and distance between shubbery plants.

Utilization of the forage plants during the last ten years by burros only, has eliminated many of the desirable plants (example- Indian Ricegrass) and therefore reduced the ground cover.

Enclosed is the predicted soil loss using the wind erosion equation (U.S.D.A SCS Technical Note No. 27, October 30, 1980).

- Comment 9: You failed to identify portions of Basalt, Huntoon and Candelaria falling within the HMA.
- Response: See response to the first comment.
- Comment 10: What are you doing to protect their (wild burros) key winter and summer ranges:
- Response: As stated above, the AMP which is to be prepared in 1988, will propose dedication of the majority of the HMA exclusively to burro habitat. This habitat includes both winter and summer use areas.
- Comment 11: The Walker RMP Decision states "Initially authorize livestock use at the 3 year average." How does this apply to Marietta, Basalt, Huntoon and Candelaria?
- Response: Huntoon Valley Allotment has been authorized at the same level as the 3 year average. Marietta and Basalt Allotments have been authorized below the 3 year average shown in the Walker RMP. Candelaria Allotment was indicated as a "reserve" allotment with zero as the 3 year average. However, use in Candelaria Allotment has been authorized and the past 3 year average use has been 375 AUMs. The livestock use has occurred outside the HMA within the allotment.
- Comment 12: The 1979 capture plan (page 3 paragraph 4) states, "The removal of wild burros would allow the livestock permittees to make some grazing use of the area. Livestock use is during the winter when vegetation is dormant. This would be more desirable than the continued heavy year round use by the burros."
- Response: The 1979 Capture Plan was never implemented. The Walker RMP and this HMAP Guide the management of the wild burros and their habitat.
- Comment 13: Severe utilization after two reductions that you said would improve range condition. There are no maps indicating monitoring sites, there are no maps indicating key areas of use, nor their movement patterns, or the summer/winter use areas. In fact the areas you identify as overlap are only a very small part of the southern portion of the HMA.

Response: Maps of severe utilization and overlap are now included in the final plan.

Comment 14: It is possible that Indian ricegrass cannot support a viable population of wild burros. However, if the frequency of the ricegrass is as you claim, then why are the burros not starving and if they are eating something else, why haven't you identified those plants. It has been 8 years since you identified the problem with the frequency of the ricegrass, yet no fecal studies have been done to determine what the burros are eating. I don't believe it out of order to claim the BLM's idea of management is reduction, otherwise these questions would have been answered since 1979.

Response: It is true that ricegrass alone is not supporting the population of wild burros. However, it has been determined the Indian ricegrass is the key species; that is, it is the most desirable plant utilized by burros. Therefore, if ricegrass is properly utilized, then the rest of the plants in the vegetation community should be at or below proper utilization levels. A fecal analysis is planned (page 10, section III. A. 4.) to ensure that ricegrass is the only key species or if others should be included in future utilization monitoring.

Comment 15: Of the 16 springs available to burros on public lands are they also available to other species? Do any of the springs have Section Four permits.?

Response: Yes, the springs are available to other species. No, there are no Section 4 permits around the springs.

Comment 16: BLM may believe no one is aware of Marietta, but that is not the case. While we consider the observation as part of our criteria, recreational sighting sits lower than protection of the animals and their habitat.

Response: The Plan states, "The public is generally unaware....." The management actions contained in this plan are designed to protect the habitat and the population.

Comment 17: It angers me for the BLM to list burro/bighorn conflict as a potential problem when no such problem exists at this time. But the ploy has worked well in the past with wildlife supporters. WHOA is just as concerned with bighorns as you, perhaps more; and if and when the time comes we will be one of the first to protect their interests. Your authority allows for the removal of burros outside the HMA.

Response: The sentence dealing with potential burro/bighorn conflict has been eliminated because, as you say, BLMs' authority allows us to remove burros outside HMA.

Comment 18: Please show me the soil studies that substantiate the soil loss that is solely attributable to burros.

Response: See response to comment 8.

Comment: You only cite the 2 permittees in Marietta, but you mention nothing about the livestock grazing in Basalt, Huntoon, and Candelaria where the portions of the allotments fall within the HMA. In fact I remember the argument with the Carson District in 1979 because they considered that allotment "as emergency AUMs for livestock permittees that got into trouble elsewhere". That water was trucked by the permittees. You do not explain what you mean by "significant" when you state that over-utilization of forage plants is occurring in a significant portion of the allotment; yet your references to overlap is in the extreme southern portion of the HMA.

Response: The only livestock grazing within the HMA is in the area south of German Spring (Shown on map II of the HMAP). Also the area of severe utilization is shown on Map III included in the final HMAP.

Comment: Please explain why the computation on page 5 does not include the livestock as present utilization; nor do you include wildlife. To accomplish 55% yearlong proper utilization you must compute all grazing animals known to be present.

Response: Please note that the final HMAP explains why livestock are not included in the computation (pages 7 and 8). Wildlife use is minor in the areas of severe utilization.

Comment: On page 3 Vegetation, paragraph 2, you state utilization monitoring in the fall of 1985, only 2 1/2 years after the removal, resulted in a finding of severe utilization approaching 80% of the HMA. Are you saying that you have monitoring studies in 80% of the HMA to check this use, or are you saying that 80% of the plant is being consumed? If the former please send map indicating those sites and dates of reads. If the latter, why are you using 90% in your computation on page 5?

Response: Neither. What we are saying is that severe utilization is approaching 80% of the acreage within the HMA (see map II). Please note, on page 4 of the final HMAP, that section has been reworded to be more easily understood.

In your summary, you indicate that you are not convinced that the wild burro population needs reduced. This, as stated earlier, has lead to additional information in the background sections which hopefully will provide the evidence there is a habitat problem. If you are still in doubt, we would like you to contact us, so we may set a date for a field trip to the HMA so you may see the habitat conditions for yourself.

Sincerely yours,

Norman L Murray
acting

James W. Elliott
District Manager

Enclosures:
As Stated

WIND EROSION EQUATION FACTORS

	<u>K</u>	<u>C</u>	<u>I</u>	<u>V</u>	<u>L</u>	<u>PREDICTED SOIL SOIL LOSS Tons/Acre/Year</u>	<u>SOIL LOSS TOLERANCE Tons/Acre/Year</u>
Sta. 2	1.0	150	134	0	10	60	5
Sta. 2	1.0	150	134	0	20	78	5
Sta. 3	1.0	150	134	0	20	78	5
Sta. 4	1.0	150	134	0	10	60	5
Sta. 5	1.0	150	86	0	10	22	5
Sta. 6	1.0	150	86	0	10	22	5

Wind Erosion Equation:

$$E = f (IKCLV)$$

I - Erodability of a soil by wind

K - Surface Roughness Factor

C - Climate Factor

L - Unsheltered Distance

V - Vegetative Cover

4/30/87

WILD HORSE ORGANIZED ASSISTANCE, INC.
POST OFFICE BOX 555
RENO, NEVADA 89504

April 30, 1987

Mr. J. Matthiessen, Area Manager
Walker Resource Area
Bureau of Land Management
1535 Hot Springs Road, Suite 300
Carson City, Nevada 89701

Dear Manager Matthiessen:

Thank you very much for the opportunity to comment on the Marietta Wild Burro Herd Management Area Plan. In my files I have comments as pertinent today as they were in 1979 when WHOA commented on the Marietta Capture Plan. We have attached the comments, the Plan and request they become a portion of our comments for 1987.

I. B. Location

The location should also identify the wild burro area covers the Marietta Allotment, and portions of the Basalt, Huntoon Valley, and Candelaria Allotments.

C.1(a) This should explain where water developments will be in relation to the Marietta, Basalt, Huntoon Valley and Candelaria Allotments. For the purposes of this plan the water developments within the RMP area are not specific enough.

(d) You have proposed a reduction in the AML, or an amendment to the Record of Decision, will the livestock preference also be reduced from the 3 year active use described in the Record of Decision?

(e) The RMP identifies the Marietta for an AMP, but the Basalt, Huntoon, and Candelaria have no such designation. What will be the use, and the season of use?

2. Please refer to comments dated November 8, 1979 (B. Location, page 1). If in 1979 220 burros were censused, 398 in 1983, with 288 and 69 removed, with a 82% observation, the remaining population would be approximately 110. The 1986 census was 139 and even given an 82% probable observation, it hardly supports past BLM claims of population explosions.

The objectives of the 1979 capture plan was to remove burros leaving approximately 60 animals. The Walker AML for the HMA was 129; you now want to change the AML to 85; and each case you state that the proposed action would resolve the problem of overutilization. Please refer to page 2, paragraph 1 of the 1979 capture plan, wherein it states, "vegetative resources in the Marietta Allotment has been allocated to livestock with no

Page two

allowances made for wildlife or wild burros." The area was range surveyed in 1950 and 2015 AUMs of forage was available. Here we are in 1987, and still the livestock have been allocated all the available forage, no forage has been allocated to wildlife or wild burros.

C. 3. A few burros outside the HMA is not evidence of expansion of the herd but rather indicative of their free-roaming nature. The boundary is artificial, done by man with no or little observation by man of the year round use, and done at one point in time.

C. 4. Please send studies of the soil loss and the evidence that it is attributable to the burros.

C. 5. You stated the HMA covers half the Marietta Allotment. You failed to identify portions of Basalt, Huntoon, and Candelaria falling within the HMA.

According to you 1979 document there are 2300 AUMs in Candelaria. Neither documents refers to the AUMs available within the HMA from Basalt, or Huntoon. You do not give the dates, or numbers of livestock use, only that it was between 100 and 500 AUMs. You do not explain what time of the year the overlap occurs at German Springs. If the livestock grazing is Dec. 1 to Mar 15, then it is apparent the use of German Springs by wild burros indicates key winter habitat. What are you doing to protect their key winter and summer ranges?

The Walker RMP Decision states "Initially authorize livestock use at the 3 year average." How does this apply to Marietta, Basalt, Huntoon, and Candelaria? The 1979 capture plan (page 3, paragraph 4) states, "The removal of wild burros would also allow the livestock permittees to make some grazing use of the area. Livestock use is during the winter when vegetation is dormant. This would be more desirable than the continued heavy year round use by the burros.

C. 6. Severe utilization after two reductions that you said would improve range condition. There are no maps indicating monitoring sites, there are no maps indicating key areas of use, nor their movement patterns, or the summer/winter use areas. In fact the areas you identify as overlap are only a very small part of the southern portion of the HMA.

It is possible that Indian ricegrass cannot support a viable population of wild burros. However, if the frequency of the ricegrass is as you claim, then why are the burros not starving and if they are eating something else, why haven't you identified those plants. It has been 8 years since you identified the problem with the frequency of the ricegrass, yet no fecal studies have been done to determine what the burros is eating. I don't believe it out of order to claim the BLMs idea of management is

Page three

reduction, otherwise these questions would have been answered since 1979.

C. 7. Of the 16 springs available to burros on public lands are they also available to other species? Do any of the springs have Section 4 permits?

C. 8. BLM may believe that no one is aware of Marietta, but that is not the case. While we consider the observation as part of our criteria, recreational siting sits lower than protection of the animals and their habitat.

D. 1. The BLM is taking an overly restrictive interpretation of PL 92-195, the boundaries are man made and artificial, not necessarily recognizing historical habitat or movement patterns. It rather angers me for the BLM to list burro/big horn conflict as a potential problem when no such problem exists at this time. But the ploy has worked well in the past with wildlife supporters. WHOA is just as concerned with big horn as you, perhaps more; and if and when the time comes we will be one of the first to protect their interests. Your authority allows for the removal of burros outside the HMA.

2. Please show me the soil studies that substantiate the soil loss is solely attributable to burros.

3. You only cite the 2 permittees in Marietta, but you mention nothing about the livestock grazing in Basalt, Huntoon, and Candelaria where the portions of the allotments fall within the HMA. In fact I remember an argument with the Carson District in 1979 because they considered that allotment "as emergency AUMs for livestock permittees that got into trouble elsewhere." That water was trucked by the permittees. You do not explain what you mean by "significant" when you state that overutilization of forage plants is occurring in a significant portion of the allotment; yet your references to overlap is in the extreme southern portion of the HMA.

II. A. Please explain why the computation on page 5 does not include the livestock as present utilization; nor do you include wildlife. To accomplish 55% yearlong proper utilization you MUST compute all grazing animals known to be present. If you are paid grazing fees then you will know the numbers present, and NDOW would be more than happy to provide you with an estimate of wildlife present.

On page 3 Vegetation, paragraph 2, you state Utilization monitoring in the Fall of 1985, only 2 1/2 years after the removal, resulted in a finding of severe utilization approaching 80% of the HMA. Are you saying that you have monitoring studies in 80% of the HMA to check this use, or, are you saying that 80%

Page four

of the plant is being consumed? If the former, please send map indicating those sites and dates of reads. If the latter, why are you using 90% in your computation on page 5?

In summary, the inconsistencies, the fabrication, and the intentional misleading of the public over the years pertaining to wild horse and burro management has manufactured a distrustful public. The Carson District knew full well in 1971 that a portion of the forage allocation given to livestock would need to be reduced to provide forage for wildlife and wild horses and burros in order to prevent range damage. But rather than bite the bullet somehow the BLM believed they would lop the addition of wildlife and horses and burros on top of the already historically high allocation to livestock and somehow it would never catch up.

Now we are down to the point where adequate forage for livestock, a viable herd of burros, and reasonable numbers of wildlife is questionable. But still you maintain the preference and hope that you can bandaid the resource again through reduction of the least powerful. To suave the pain you then throw in the tidbit of designation of range when you know full well this administration is adverse to anything but livestock having dominant use, and will be turned down.

WHOA is not convinced the evidence indicates the AML need be changed. In fact the lack of information, specifically on the exact number of livestock from all permittees falling within the HMA, the lack of identification of study sites, map of key use areas, makes us suspicious that burros would be reduced but nothing else. WHOA is concerned for the range and the well-being of the burros and wildlife, so some reduction may be necessary, however we warn the Bureau in the strongest language possible on paper, to arbitrarily single out the burro, in light of the historical over grazing and mismanagement, will be our signal for an all out war with the agencies with whom the animals are entrusted. In the bluntest of language, we simply do not trust the Bureau's actions and our distrust is borne out by the removal of tens of thousands of wild horses and burros without the data to substantiate the need, while maintaining the status quo for livestock.

Most sincerely,

Dawn Y. Lappin (Mrs.)
Director

cc: David A. Hornbeck, Esq.
Board of Trustees
E. F. Spang
AHPA

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Sierra Club
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