

M 6/4/92



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:
4130 CF
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273059

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JUN 04 1992

Commission for the Preservation of Wild Horses
Stewart Facility
Attn. Cathy Barcomb
Capitol Complex
Carson City, NV 89710

Dear Interested Party:

Enclosed for information is a copy of the Horse Mountain Allotment Multiple Use Decision (MUD). Thank you for your interest in Multiple Use Management.

Sincerely yours,

James M. Phillips
Area Manager
Lahontan Resource Area

Enclosure:

1. Horse Mountain Allotment Multiple Use Decision.



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:

4120 CF
(NV-03480)
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Certified Mail (P 019 012 392)
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JUN 04 1992

Rolling "A" Ranch
Virgil Stephens
P.O. Box 140
Dayton, NV 89403

Proposed Multiple Use Decision Horse Mountain Allotment

The Record of Decision for the Lahontan Environmental Impact Statement and the Lahontan Resource Management Plan was completed September 3, 1985. These documents established the multiple use goals and objectives which guide management of the public land on Horse Mountain Allotment. The Rangeland Program Summary (RPS) was issued in October of 1985 and updated in 1989, which further specifically identified the allotment specific objectives for Horse Mountain Allotment.

As identified in the RPS, monitoring was established on Horse Mountain Allotment to determine if existing multiple uses for the allotment were consistent with attainment of the objectives established by the RPS. Since 1980, monitoring data has been collected. The data was analyzed in 1990 through the allotment evaluation process, to; 1) determine progress in meeting multiple use objectives for Horse Mountain Allotment and 2) determine what changes in existing management are required in order to meet specific multiple use objectives for this allotment.

The specific multiple use objectives for Horse Mountain Allotment are found in Appendix I.

Through the allotment evaluation process it was determined that a change in existing management is required, in order to meet multiple use objectives for this allotment.

Through the consultation, coordination and cooperation process (CCC), your input as well as input from other affected interests has been considered in the allotment evaluation process. As a result of evaluation conclusions and after consideration of input received through CCC, and in order to meet

multiple use objectives established by the RPS, the following decisions are necessary.

HORSE MOUNTAIN ALLOTMENT
LIVESTOCK GRAZING MANAGEMENT DECISION

At this time no change will be made in livestock preference. Licensing will be as below:

<u>Number</u>	<u>Kind</u>	<u>Grazing Period</u>	<u>%Public Land</u>	<u>AUMs</u>
604	Cattle	11/01-03/31	100%	3000

A reduction in livestock AUMs may occur when the U.S. Navy fences portions of the allotment adjacent to Bravo 16 and Bravo 19 bombing ranges. The fencing is necessary due to off-range ordnance contamination and potential hazards to the public. Reduction in AUMs will be based on the loss of forage and will be implemented at the time of the fence is completed.

Terms and Conditions

Grazing will be based on a system determined by the BLM and permittee on an annual basis. The system will be determined from previous utilization mapping, actual use and current forage conditions. Water hauls will be used to manage the location and number of livestock during the grazing season.

Utilization for uplands will be limited to 55% use of current years growth of key plants.

RATIONALE: The analysis and evaluation of available monitoring data indicates livestock use does not need to be modified at this time to meet the multiple use management objectives for the Horse Mountain Allotment.

AUTHORITY: The authority for this decision is contained in Title 43 of the Code of Federal Regulations, which states in pertinent parts:

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 as necessary under Sections 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 of monitoring data shows that present grazing use is not meeting the land use plan or management objectives."

PROTEST/APPEAL: If you wish to protest this Livestock Grazing decision, in whole or in part, you are allowed fifteen (15) days from receipt of this notice within which to file a protest with the Lahontan Resource Area Manager, James M. Phillips, 1535 Hot Springs Rd., Suite 300, Carson City, NV 89706-0638. The protest should state the reasons, clearly and concisely, why you think the final decision is in error.(4160.2)

In the absence of a protest within the time allowed, the above proposed decision shall constitute my final decision. Should this notice become the final decision and you wish to appeal this decision for the purpose of a hearing before an Administrative Law Judge, in accordance with 43 CFR 4160.3 and 4160.4, you are allowed thirty (30) days within which to file such an appeal with the Lahontan Resource Area Manager, at the above address.

HORSE MOUNTAIN ALLOTMENT
HERD MANAGEMENT AREA DECISION

It has been determined through monitoring and the allotment evaluation process that a thriving natural ecological balance can be obtained through an Appropriate Management Level (AML) of a maximum 95 wild horses for that portion of the Horse Mountains Herd Management Area (HMA) which occurs in the Horse Mountain Allotment.

RATIONALE: Actual counts and monitoring information indicates that approximately 1,140 AUMs or 95 wild horses is the maximum proper stocking level of wild horses within the Horse Mountain HMA portion of the Horse Mountain Allotment (74% of the HMA is within the Horse Mountain Allotment). By maintaining the wild horses at this level it is anticipated that Land Use Plan objectives will be met including maintaining or improving current ecological condition and maintaining utilization at 55 percent or less on key species on upland areas.

In order to prevent resource damage, horse number should be limited to a maximum of 95 animals. To avoid annual removals and to minimize stress and band disturbances associated with removals, removals will be conducted every three years. To avoid excessive vegetation utilization horses will be managed within a range between 60 and 95 animals. This will allow for a 15 percent rate of increase to a maximum of 95 head.

AUTHORITY: Authority for the this decision is contained in Section 3, Wild Horse and Burro Act (P.L. 92-195) as amended and in Title 43 of the Code of Federal Regulations, 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."

4710.4: Management of wild horses and burros shall be undertaken with the objective of limiting the animals's 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: "Upon examination of current information and a determination by the authorized officer that an excess of wild horses or burros exists, the authorized officer shall remove the excess animals immediately..."

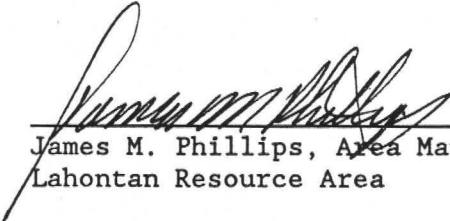
PROTEST/APPEAL:

In accordance with 43 CFR 4770.3 which states in part:

"Any person who is adversely affected by a decision of the authorized officer in the administration of these regulations may file an appeal in accordance with 43 CFR 4.4 within 30 days of receipt of the written decision."

Although these regulations allow for an appeal with no mention of a protest, for the purpose of consistency the multiple use decision will be initially sent as a "Proposed" decision. If no protests are received within fifteen days, the proposed decision shall constitute the final decision, which may then be appealed.

Should you wish to appeal this decision as it pertains to wild horses 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, as to why you think the decision is in error and a statement of standing, if necessary as per 43 CFR 4.400.


James M. Phillips, Area Manager
Lahontan Resource Area

Special Interest

(Certified Mail No.)

cc: U.S. Fish & Wildlife Service (P 019 012 393)
American Horse Protection Association (P 019 012 394)
National Mustang Association (P 019 012 395)
Fund for Animals (P 019 012 396)
International Society for the
Protection of Mustangs and Burros (P 019 012 397)
U.S. Humane Society (P 019 012 398)
National Wild Horse Association (P 019 012 399)
Animal Protection Institute (P 019 012 400)
L.I.F.E. Foundation (P 019 012 401)
C. Jean Richards (P 019 012 402)
American Bashkir Curley Register (P 019 012 403)
Humane Society of Southern Nevada (P 019 012 404)
Nevada Humane Society (P 019 012 405)
Wild Horse Organized Assistance (P 019 012 406)
Dan Keiserman (P 019 012 407)
Commission for the Preservation of
Wild Horses/Stewart Facility (P 019 012 408)
Craig Downer (P 019 012 409)
Nevada Department of Wildlife (P 019 012 410)
Sierra Club - Toiyabe Chapter (P 019 012 411)
Natural Resources Defense Council Inc. (P 019 012 412)
Clearing House for the State of Nevada (P 019 012 413)
The Nature Conservancy (P 019 012 414)
Nevada Cattlemen's Association (P 019 012 415)
Resource Concepts Inc. (P 019 012 416)
The Wildlife Society - Nevada Chapter (P 019 012 417)
Nevada Land Action Association (P 019 012 418)
N-3 Grazing Board (P 019 012 419)
Carson City District Grazing Advisory Board (P 019 012 420)
U.S.D.A. Soil Conservation Service (P 019 012 421)
U.S.D.A. Soil Conservation Service (P 019 012 422)
Nevada Woolgrowers Association (P 019 012 423)
Buhel R. Heckathorn (P 019 012 424)
Steven Fulstone (P 019 012 425)
The Wilderness Society (Cal-Nev Reg.
Coordinator) (P 019 012 426)
Nevada Wilderness Association (P 019 012 427)
American Wilderness Alliance (P 019 012 428)
Nevada Wildlife Federation (P 019 012 429)

Special Interest

(Certified Mail No.)

cc: Honorable James H. Bilbray (P 019 012 430)
Honorable Barbara Vucanovich (P 019 012 431)
Honorable Richard Bryan (P 019 012 432)
Honorable Harry M. Reid (P 019 012 433)
Nevada Wildlife Federation (P 019 012 434)
Board of County Commissioners (Nye County) (P 019 012 435)
Michael Kirk, D.V.M. (P 019 012 436)

Ms. Deborah Allard	(P 019 012 437)
Ms. Kathy McCovey	(P 019 012 438)
Ms. Nan Sherwood	(P 019 012 439)
Ms. Rebecca Kunow	(P 019 012 000)
Nevada State Department of Agriculture	(P 019 012 001)
Paula S. Askew	(P 019 012 002)
U.S. Wild Horse & Burro Foundation	(P 019 012 003)
Bobbi Royle	(P 019 012 004)

APPENDIX I.

Rangeland Program Summary Update Objectives - December 1989

a. Short Term

1. Maintain existing ecological condition and trend. Maintain utilization not to exceed 55 percent on identified key species on upland key areas. Initially allow 3,000 AUMs.
2. Improve chucker and mourning dove habitat through water development. Manage riparian areas to achieve and maintain late-seral ecological condition. Limit utilization to 55% of current year's growth.
3. Maintain or improve wild horse habitat consistent with wildfire and livestock objectives. Maintain or improve free-roaming behavior of wild horses by protecting or enhancing wild horse home ranges. Maintain or improve wild horse habitat by assuring that all water remain open to use by wild horses. Initially provide approximate 564 AUMs for forage for approximately 47 head of horses. 59% percent of the allotment is in the HMA.
4. Continue existing grazing management and monitoring.

b. Long Term

The long range objectives of the grazing management program are to manage, maintain, and improve the rangeland condition on the public lands, specifically:

- a. Maintain a sufficient quantity, quality and diversity of habitat and forage for livestock, wildlife and wild horses through natural regeneration and/or artificial methods.
- b. Improve the vegetation resources and range conditions by providing for the physiological needs of key management plant species.
- c. Reduce soil erosion and enhance watershed values by increasing ground cover and litter.
- d. Maintain or improve habitat conditions. Habitat condition for any wildlife species can be defined as the ability of a specific area to supply the forage, cover, water and space

requirement of an animal. Habitat condition, therefore, is a measure of habitat quality, and is determined by assessments, surveys and studies.

e. Continue existing grazing management and monitoring.

3. Activity Plan Objectives:

a. Long Term

Key Area #1 - Maintain late seral ecological condition on 5484 acres.

Improve 3,053 acres from mid-seral to late seral ecological condition in twenty years.

Maintain a static to upward trend.

Increase frequency of Indian ricegrass by 5%.

Key Area #2 - Maintain 963 acres in late-seral ecological condition.

Improve 4716 acres from mid-seral to late-seral condition in 20 years.

Maintain a static or upward trend.

Increase frequency of Indian ricegrass by 5%.

June 23, 1992

James M. Phillips, Area Manager
BLM-Lahontan Resource Area
1535 Hot Springs Road Suite 130
Carson City, Nevada 89706-0638

Dear Mr. Phillips,

Thank you for the opportunity to review and comment on the Multiple Use Decisions (MUD's), for the Edwards Creek, Dixie Valley, and Horse Mountain Allotments.

My failure to recognize the second paragraph of the explanations regarding the protest/appeal period has resulted in our misunderstanding of the concurrent periods. Even documents received by us from the Nevada State Clearinghouse were dated to provide us with a 30 day comment period, obviously showing they misunderstood that a protest would have been more appropriate and timely within a 15 day period.

Our confusion has resulted in this delayed response in commenting on the above allotments. We would hope that our agency, representing the State of Nevada on matters involving wild horses will be allowed the courtesy to express our concerns in the form of a protest. We would prefer to communicate directly with the District and not be forced to file an appeal which is both time consuming and costly. If this is not acceptable to you, please notify us within 48 hours so that we may file an appeal within the time allocated to do so.

EDWARDS CREEK

Your evaluation and MUD are based on the Edwards Creek allotment which is 60% of the Desatoya HMA. You have based your decision on the entire HMA 10% rate of increase when in fact your own data shows a 1982 census of 53 wild horses and a 1988 census of 57 wild horses, an increase of less than 1 animal per year. Actually by your data it was only 4 horses in a 6 year period. How then can you justify taking horses down to 41 animals and expect them to increase to 55 within 3 years when your data shows it would take approximately 14 years with 1982 - 1988 recruitment rates in Edwards Creek?

James M. Phillips, Area Manager
June 23, 1992
Page 2

According to the 1984 Lahontan EIS/RMP dated Nov. 8, 1984, you state in your short term objectives that you will "conduct wild horse gathers as necessary to initially maintain the current population of 135." If Edwards Creek is 60% of the Desatoya HMA that would equate to a 1984 figure of 81 wild horses in the Edwards Creek Allotment. If from your own monitoring data you have determined that wild horses need to be reduced by 33% from 81 down to an AML of 55, then why have you not reduced livestock proportionately? We must formally protest this reduction of wild horses and setting of AML by adjusting ONLY wild horse numbers to reach your allotment objectives. If you have the data to show that ONLY wild horses are causing the damage and must be the only user removed then please provide us with the information you have that proves wild horses are the only animal causing damage on the Edwards Creek Allotment and what justifies only their reduction. According to your Edwards Creek AE 1989, pg. 21, you state that "the utilization which occurs in summer and winter areas is a result of a combination of users." This would lead us to believe, by your own data, that wild horses are not the only contributing factor! You state such on page 22, where "these horses graze this area year long causing part of the heavy to severe use."

Also, in light of the fact that you keep referring to an AMP in this MUD, we must protest the use of this document and information since it is incomplete and not signed by the Resource Manager. Failure to identify monitoring studies to evaluate the effectiveness of the proposed decision will not fulfill BLM's regulatory obligations to this AMP.

You have stated that your monitoring information indicates a carrying capacity of 9 acres/AUM. How exactly have you determined that carrying capacity and would you include information to back that up in your final.

HORSE MOUNTAIN

Five years ago, in your 1987 Management Decision Summary, page 36, you mention development of waters for wild horses. Have any waters been developed in the Horse Mountain Allotment for wild horses and are there any projected dates for starting or completion of those water projects?

In all of the above allotments, there is no reference to a HMAP and we have none in our files. If these have not been done do you have a projected date for their completion? If they have been completed would you please forward copies of them to us.

In conclusion, we must also protest on Edwards Creek, Dixie Valley, and Horse Mountain, the setting of AML by allotment unless you consider all of the allotments within their respective HMA's. As has been done in the Ely District Office through the CCC process, AML's were established by allotment concurrently with

James M. Phillips, Area Manager
June 23, 1992
Page 3

establishing an AML for the entire HMA. No removals would be allowed by allotment unless the total AML was exceeded for the HMA. This would allow for the horses free roaming behavior as is mandated by law within their HMA and not force their removal as a result of natural migration.

We would be more than happy to meet with you to discuss our concerns and possible solutions to the issues. Again, if there is a problem with accepting and addressing this document as a protest please notify us within 48 hours so we may take appropriate action.

If you have any questions, please feel free to call.

Sincerely,

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

June 23, 1992

James M. Phillips, Area Manager
BLM-Lahontan Resource Area
1535 Hot Springs Road Suite 130
Carson City, Nevada 89706-0638

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We would be more than happy to meet with you to discuss our concerns and possible solutions to the issues. Again, if there is a problem with accepting and addressing this document as a protest please notify us within 48 hours so we may take appropriate action.

If you have any questions, please feel free to call.

Sincerely,



CATHERINE BARCOMB
Executive Director

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

June 23, 1992

James M. Phillips, Area Manager
Lahontan Resource Area
1535 Hot Springs Rd. Suite 130
Carson City, Nevada 89706-0638

Dear Mr. Phillips,

Thank you very much for the opportunity to review the Multiple Use Decision for the Edwards Creek, Dixie Valley, and Horse Mountain Allotments. Apparently, I have misunderstood the concurrent protest/appeal procedures. My failure to read the second paragraph of explanations of protests vs appeals led me to believe I had 30 days to respond. However, if BLM declines to recognize my protest; I would require a 48 hour notification so that I may file an appeal within the 30 day time period.

In the 1987 Lahontan Decision Summary Update, BLM initially authorized at the current livestock use "there would be no initial decision to adjust livestock active preference (pg 13)." That decision to maintain the status quo in 1987 was based on 1) development of AMP's for I Categories; 2) proper utilization within Key areas; 3) better livestock distribution; and 4) water improvements. Five years later, there is no signed AMP, the AE showed none of the objectives for proper utilization, better distribution or water developments has been achieved. The stocking levels, changes in season of use, planning were to correct the overgrazing identified in the EIS. The MUD, based on the monitoring, was to correct miscalculated stocking levels and season of use, but instead maintains the status quo for active use for livestock and reduces wild horses.

We do agree that wild horses would have to be reduced and kept at "minimum" levels if the active preference for livestock is to be maintained.

The LUP shows 135 wild horses for the entire Desatoya HMA, the initial monitoring level in the AE was set at 82, approximately 60% of the 135 Desatoya horses were residing in the Edwards Creek portion of the HMA during the evaluation period. The AE assumed all 82 stayed in Edwards Creek. The AE also showed an actual use table (pg 9), that showed season of use as summer only when the accompanying period of use showed winter and summer. If in 1982,

James M. Phillips, Area Manager
June 23, 1992
Page 2

there were 53 wild horses and 57 head in 1988 in the Edwards Creek portion, an increase of less than 1%, then how do you compute a 10% rate of increase annually.

You state in the AE, "the utilization which occurs in summer and winter areas is a result of a combination of users" (pg 21-AE); "these horses cause part of the heavy to severe use..." (pg 22-AE).

You state the HMA is approximately 23,110 acres (pg 1-AE), yet the acreage in the formula on page 21 is 21,384 acres. What District manages the other portions of the Desatoya HMA, and how can you possibly set an AML without calculating their seasonal needs within the entire HMA!

We are aware that wild horses have some impact on riparian but it is common knowledge that most bands get water and leave; they usually do not hang out in drainages where they cannot flee easily. WHOA sees absolutely nothing in the AE that protects key winter areas for wild horses or key spring use for lactating mares. Your final grazing system will rotate 299 head of livestock from the "spring pasture" (no map provided identifying this), to the summer use area which is the Edwards Creek portion of the Desatoya HMA, from July through October.

If the permittee did not move his livestock after the EIS, what makes BLM believe he will be more attentive now?

WHOA must protest the Edwards Creek Allotment MUD. Our evaluation of the history, the LUP, the AE, and the MUD shows the issues can be corrected with proportionate reductions of use. Wild horses and wildlife must be allowed their free roaming status, recognizing their habitat requirements and seasonal movements. As it stands now the only real consideration is maintaining livestock at current levels and wild horses must be removed to sustain that need.

The MUD does not adequately address wild horse seasonal requirements, or key winter and spring use areas.

Horse Mountain

Five years ago, in your 1987 Management Decision Summary, page 36, you mention development of waters for wild horses. Have any waters been developed in the Horse Mountain Allotment for wild horses and are there any projected dates for starting or completion of those water projects?

Again, if there is a problem with accepting this document as a protest please notify us within 48 hours so we may take appropriate action. I would be happy to meet with you to discuss my concerns

James M. Phillips, Area Manager
June 23, 1992
Page 2

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please feel free to call.

Sincerely,

DAWN Y. LAPPIN
Director

B/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.

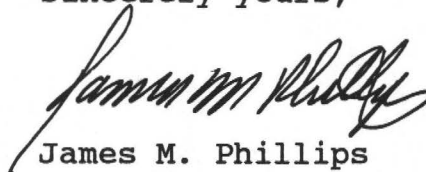
Page 2, paragraph 5, There is a Herd Management Area Plan for the Horse Mountain HMA and we hope to have Herd Management Area Plans completed for the other two HMAs this year.

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.