



# 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

TAKE  
PRIDE IN  
AMERICA

IN REPLY REFER TO:

4130CF  
(NV-03480)

JUN 29 1993

Dear Reviewer:

Enclosed for your information is the Desert Mountain Allotment Evaluation.

We appreciate your interest in the allotment evaluation process.

Sincerely yours,

*James M. Phillips*  
James M. Phillips  
Area Manager  
Lahontan Resource Area

*Level on 127*

1 Enclosure:

1. Desert Mountain Allotment Evaluation

*Ellet DM*

*I wasn't given the opportunity to comment. I don't have an initial evaluation*

*ask Brad if an IM is in place to "do" documents  
my understanding of policy is that  
original IM # 89-268 # updated to 91-185 #*

*no more section 4 waters in HMA's  
will do an evaluation + send out for comment*

## Desert Mountain Allotment Evaluation

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## ALLOTMENT EVALUATION SUMMARY

### I. INTRODUCTION

- A. Allotment Name & Number: Desert Mountain
- B. Permittees: John D. and Marlyse R. Stanley
- C. Evaluation Period: From 1983 to 1993
- D. Selective Management Category & Priority: "M" (Maintain)

### II. INITIAL STOCKING LEVEL

#### A. Livestock Use

- 1. Adjudicated AUMs
  - a. Total Preference: 840 Animal Unit Months (AUMs) cattle
  - b. Suspended: 0
  - c. Active: 840 AUMs (cattle)
  - d. Exchange of use: 0 AUMs
- 2. Season of Use: 11/1 to 3/31
- 3. Kind and Class of Livestock: 168 cattle
- 4. Percent Federal Range/Exchange of Use:  
100% Federal Range/none

#### B. Wild Horse and Burro Use

- 1. Herd Use Areas:  
Approximately 25% of the Horse Mountain Herd Management Area (HMA) is within the allotment. (The remainder lies within the Horse Mountain Allotment.) Approximately 57% of the allotment lies within the HMA. There are no wild burros within the allotment.

There is no water within the HMA, and due to the distance from water outside the HMA, the Desert Mountain portion of the HMA usually receives only slight use from horses. All of the horses in the Desert Mountain Allotment spend the majority of their time grazing on the Horse Mountain Allotment.

There was one well (East Julian Well) within the HMA, but this well became inoperative, and the jack and troughs were relocated to Hungerland Well on the west side of the allotment, outside the HMA. (See Allotment Map.) This well, as well as Julian Well, also outside the HMA, are only pumped when cattle are on the allotment. Consequently there is no live water at other times. When water is available, it also helps to draw horses outside of their HMA.

Natural geographic features form the allotment boundary between the Desert Mountain Allotment and the Horse Mountain Allotment, so there are no fences to prohibit horse movement within the HMA.

- 2. Population:  
There have been three complete censuses conducted since 1988. In 1989, 70 horses were counted. In 1988 and 1991, no horses were

seen. The mean number of horses counted was 23 head. Therefore 276 AUM's will be reserved for wild horses within the Desert Mountain portion of the HMA.

C. Wildlife Use

1. Species: Big game use is considered minimal. Small game species such as chukar and mourning dove occur in the area but are not considered abundant. Diversity of nongame species is low with little potential for improvement.
  - a. Reasonable numbers: None
  - b. Key or Critical Management Areas : None

III. ALLOTMENT PROFILE

A. Description: The Desert Mountain Allotment is located approximately 20 miles southeast of Silver Springs, Nevada, or approximately four miles northeast of Wabuska, Nevada.

B. Acreage

1. Total : 22,417 acres
2. Pastures : none

C. Allotment Specific Objectives

1. Land Use Plan (LUP) Objectives - Lahontan RMP (1985)
  - a. Improve the condition of the public rangelands so as to ensure productivity for all rangeland values.
  - b. Initially, manage livestock use at existing levels.
  - c. Initially, manage for wild horses and their habitat in current herd use areas at present population levels.
  - d. Initially, manage habitat for existing numbers of big game, while recognizing reasonable numbers as a management goal.
  - e. Maintain and improve wildlife habitat, including riparian / stream habitat, and reduce habitat conflicts while providing for other appropriate resource uses.

2. Rangeland Program Summary (RPS) Update (1989) Objectives
  - a. Short Term
    - 1). Maintain utilization not to exceed 55 percent on identified key species on upland key areas.
    - 2). Initially allow 840 AUMs of livestock use.
  - b. Long Term
    - 1). Maintain existing ecological condition and trend.
    - 2). Improve and maintain chukar and mourning dove habitat through water development.
    - 3). Maintain or improve wild horse habitat consistent with wildlife 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 waters remain open to use by wild horses. Initially provide approximately 192 AUMs of forage for approximately 16 head.
3. Activity Plan Objectives : No activity plan is written.
4. Threatened and Endangered species (T&E) : There are no known T&E plants in the allotment.

D. Key Species Identification

1. Upland
 

Indian rice grass	<u>Oryzopsis hymenoides</u>	(Orhy)
Winter fat	<u>Ceratoides lanata</u>	(Cela)
Bottlebrush squirreltail	<u>Sitanion hystrix</u>	(Sihy)
Spiny hopsage	<u>Gravias spinosa</u>	(Grsp)
2. Riparian Areas - none

IV. MANAGEMENT EVALUATION

- A. Purpose  
To evaluate if management objectives are being met and if this allotment should remain an 'M' category allotment.
- B. Summary of Studies Data
  1. Actual Use
    - a. Livestock: During the last five years, total nonuse was taken for three years. During the two years when grazing occurred, one was at 50% of preference, and one year had trespass use at approximately one third of preference.
    - b. Wildlife: No wildlife studies have been established, and due to low potential, none are planned.

c. Wild Horse:

<u>Year</u>	<u>Census</u>	<u>Use</u>	<u>HMA Total</u>
1988	0		131
1989	70	slight	167
1990	N/A	some heavy/mod. mostly no use	N/A
1991	0	no use	153
1992	Horses removed, therefore no use		

2. Precipitation (from the weather station in Wabuska, Nevada):

1992: Not available	
1991: 4.26 (M)	M = Missing data
1990: 3.29 (M)	
1989: 4.46	
1988: 4.54	No data available on station
1987: 4.68	normal
1986: 2.82 (M)	
1985: 4.35	
1984: 3.75	
1983: 7.28	

3. Utilization: utilization has not been read since 1987, with no reliable data prior to that during the evaluation period.

4. Trend: frequency trend shows a 38% increase in Indian ricegrass (34% to 72%) from 1984 to 1992. This is considered to be a significant increase.

5. Ecological Status (acres-RMP, 1985):

<u>Early</u>	<u>Mid Seral</u>	<u>Late Seral</u>	<u>Potential Natural Community</u>
236	9,480	10,389	0

6. Wildlife Habitat: A total of 10 small game guzzlers have been constructed to improve habitat for chukar and mourning dove. The habitat potential of the area is considered low.

7. Riparian/Fisheries Habitat: None within the allotment.

8. Wild Horse Habitat: The vegetation is in good condition due to lack of use by livestock and wild horses. However, no water is available unless the permittee is pumping wells.

## V. CONCLUSIONS

### A. Allotment Objectives

#### 1. RPS

##### a. Short Term

- 1). It is assumed that utilization objectives are being met, as little use has been made in the last several years and no utilization data is available.

The eastern portion of the allotment is separated geographically from the remainder. As described in the Wild Horse Use Area section, II.B.1., on page 1, water is no longer available in this area. When cattle use this allotment in the future, this will undoubtedly show up as a distribution problem.

- 2). This objective has been met.

##### b. Long Term

- 1). Unknown if this objective has been met. Trend appears to be upward, but no data are available on current ecological condition.

The existing frequency trend plot is located on the eastern side of the allotment. Due to geographic features and water distribution, most of the livestock use occurs on the west side. If water is not made available in the future, this key area will not be representative of the allotment as a whole.

- 2). Met. No further projects are planned.

- 3). Unknown if this objective has been met.

## VI. TECHNICAL RECOMMENDATIONS

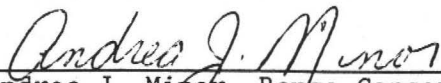
A. Continue to monitor utilization and trend.

B. When allotment receives active use in the future, water should be made available on the east side. This may require re-drilling the well or requiring the permittee to haul water.

C. If water is not made available on the east side, establish a new key area and frequency trend plot on the west side to more accurately reflect use on the allotment.

VII. Technical Recommendations to the Area Manager

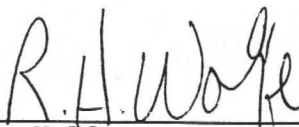
I recommend the Technical Recommendations identified in VI. be implemented to meet management objectives on the Desert Mountain Allotment.



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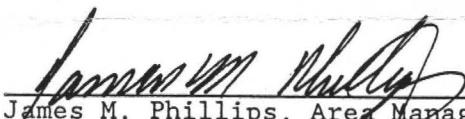
Andrea J. Minor, Range Conservationist  
Lahontan Resource Area

Concurrence:



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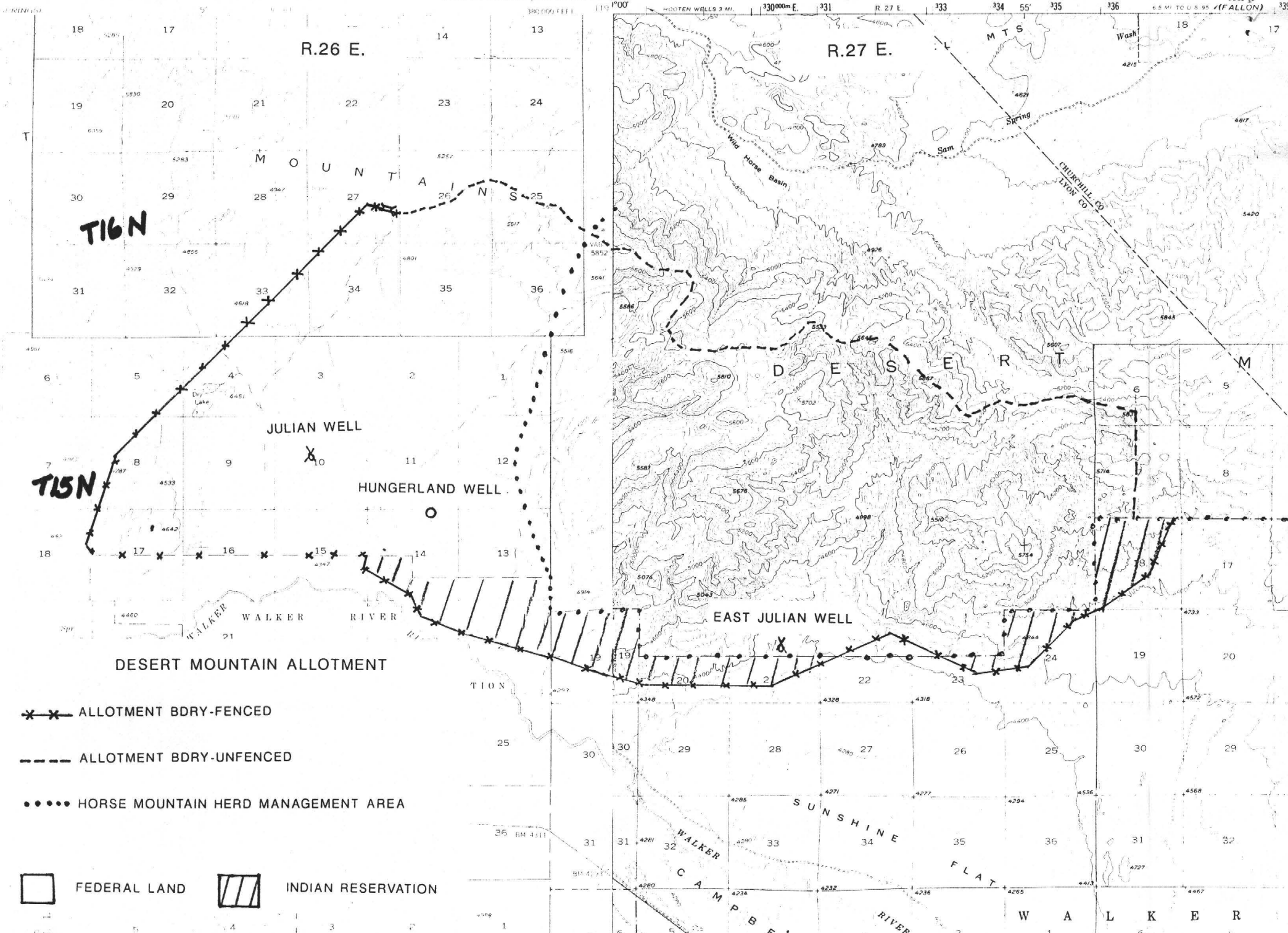
R.H. Wolfe, Supervisory Range Conservationist  
Lahontan Resource Area



---

James M. Phillips, Area Manager  
Lahontan Resource Area





R.26 E.

R.27 E.

T16N

T15N

JULIAN WELL

HUNGERLAND WELL

EAST JULIAN WELL

DESERT MOUNTAIN ALLOTMENT

✕✕ ALLOTMENT BDRY-FENCED

--- ALLOTMENT BDRY-UNFENCED

..... HORSE MOUNTAIN HERD MANAGEMENT AREA

□ FEDERAL LAND

▨ INDIAN RESERVATION



**COMMISSION FOR THE  
PRESERVATION OF WILD HORSES**

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

**COMMISSIONERS**  
Dan Keiserman, *Chairman*  
Las Vegas, Nevada

Paula S. Askew  
Carson City, Nevada

Steven Fulstone  
Smith Valley, Nevada

Dawn Lappin  
Reno, Nevada

July 20, 1993

James M. Phillips, Area Manager  
Lahontan Resource Area  
BLM-Carson City District Office  
1535 Hot Springs Road, Ste. 300  
Carson City, Nevada 89706-0638

Dear Mr. Phillips,

Thank you for the opportunity to review and comment on the Desert Mountain Allotment Evaluation. It doesn't state if it is a draft or final so we will assume it is a final evaluation.

**Violation of BLM Policy, NEPA, and FLPMA**

We have many problems with this evaluation. We were not given the opportunity to comment or even asked for input on the evaluation prior to your issuance of a Multiple Use Decision.

Our understanding of BLM policy, IM 89-268 updated to IM 91-185, requires BLM to do an evaluation and send it out for public comment with a 30 day comment period, soliciting public comment, not just sending an evaluation out "enclosed for your information." Initially, all other Districts send out "draft" evaluations especially on allotments where there may be conflicts (see attached). This allows interested and affected parties the ability to express any concerns or need for further information to be included. This should be done prior to a final evaluation and lastly the MUD, to include public participation.

By issuing your MUD, not as a draft but as a final, (we assume since it isn't called a draft), and again it was issued not for comment but "for your information", the only avenue left to a concerned interest is to write an appeal. That seems to circumvent the entire process of public participation. Both documents have been issued completely ignoring BLM policy, NEPA, and FLPMA. We request that these documents be reissued following regulations and policy.

**No water within Herd Management Area**

43 CFR 4710.4 states that "management of wild horses and burros shall be undertaken with the objective of limiting the animals to the herd area."

James M. Phillips, Area Manager  
July 20, 1993  
Page 2

The technical recommendations of this allotment evaluation would be the appropriate place to address water developments. Your management of the herd should be with the objective of how to keep them within their designated areas, since this is the only place they are allowed. Instead on constantly spending money for removal of horses outside of herd areas those dollars could be better spent with the objective of developments to keep those animals within their area, such as water. Without available water, horses are forced to look elsewhere to survive. On page 5, VI. B., you state "When allotment receives active use in the future, water should be made available on the east side." Since I don't understand, please explain to me how the allotment would receive active use when there is no water to entice the animals into the area.

The Carson District is the ONLY District in the entire state where "numerous" HMA's have no water inside the BLM documented herd boundaries.

**Assumptions:**

On page 5, V. a.

1)., "It is assumed that utilization objectives are being met, as little use has been made in the last several years and no utilization data is available."

How can you **assume** that objectives are being met and why hasn't any data been collected. Also, if you have no data collected how can you determine available AUM's within an allotment? I realize that the area isn't being used since there is no water available in the area but then haven't you deleted part of the HMA by not providing available water. In the end result you have lessened the HMA and lessened available AUM's for wild horses within the HMA.

2). It has not been met since you are basing that decision on assumptions and wild horses can't use their HMA.

b. 2) "No further projects are planned....what about water developments for wild horses. Reference again, 43 CFR 4710.4...You cannot fulfill that regulation without providing for water within a herd area!

**Violation of IBLA Ruling**

Lastly, you have censused horses in 1988, 1989, and 1991. You then used the mean number of horses counted to establish the available AUM's reserved for wild horses within the Desert Mountain portion of the HMA. This is a direct violation of the IBLA ruling stating that you must supply monitoring data to support that either wild horses are causing damage and must be removed or analyze that data to reach carrying capacity for wild horses within the multiple use concept. You have already stated that you have no utilization data and are basing your decisions on assumptions.

James M. Phillips, Area Manager  
July 20, 1993  
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**Conclusion:**

We would strongly recommend that the allotment evaluation be updated and reviewed for conformance prior to the issuance of another. If another one is not to be issued correcting all of the violations contained herein and a final MUD is issued based on this AE, you leave us no avenue but to appeal. That would seem to be a senseless waste of time and effort.

We would welcome the opportunity to discuss this with you prior to the issuance of a final or MUD.

Sincerely,

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

CATHERINE BARCOMB  
Executive Director

# WHOA

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

7/20/93



a note from

Dawn Y. Lappin

July 20, 1993

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Lahontan Resource Area  
BLM-Carson City District Office  
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DAWN Y. LAPPIN  
Director