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June, 1979

DRAFT

6/19/79

MARIETTA WILD BURRO AREA CAPTURE PLAN

A. Introduction

The Marietta Wild Burro Area is located in the southern end of the Carson City Bureau of Land Management District. The area is approximately 180 miles southeast of Carson City, Nevada, and is located on the south side of the Excelsior Mountains near Teels Marsh in Mineral County, Nevada.

The burro area presently consists of approximately 111,500 acres of public land and 1,400 acres of private land. The original wild burro area was approximately 48,000 acres in 1973, and the population has increased from 68 wild burros to an inventoried 220 individuals in 1979. As a result of the large increase in burro numbers, the area of use has increased tremendously including movement into other allotments that adjoin the burro area.

The plan is to capture and remove wild burros until approximately 60 remain in the area. The plan will help alleviate the damage that is occurring to the vegetative resource in the Marietta area.

B. Background Information

1. Map

See Attachment "A".

2. Location and Area

The Marietta Wild Burro Area is located 30 miles southeast of Hawthorne, Nevada, near Teels Salt Marsh and the old mining town of Marietta. The burro area is bordered on the north by the Excelsior Mountains and on the south by Highway 10. The area covered 48,000 acres in 1973 and now covers approximately 111,500 acres of public lands.

3. Resource Data

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

wild burros have also crossed into the Garfield Flat Allotment which is on the north side of the Excelsior Mountains. A report of 22 burros in the Garfield area was received in this office from the livestock permittee in the winter of 1978-79. A group of approximately 9 burros were also in the area south of Mina, Nevada, along Highway 95.

The vegetative resource in the Marietta Allotment has been allocated to livestock with no allowance made for wildlife or wild burros. The area was range surveyed in the 1950s and the Marietta Allotment was allocated 2,015 Animal Unit Months of forage.

The 220 burros use 2,640 Animal Unit Months of forage even though the Marietta Allotment has only 2,015 Animal Unit Months available. The allotment is, therefore, over-committed by 625 Animal Unit Months. Utilization studies show use in the allotment as being heavy to severe with the most severe use occurring around Teels Marsh. The area around Teels Marsh receives the heaviest use due to numerous springs occurring around the perimeter of the marsh. As feed is used up around the marsh, the burros begin using the areas around springs. The burros are expanding their range into other areas in search of adequate forage. They have moved over the Excelsior Mountains into the Garfield Flat Allotment, and as a result, some mules have resulted from the cross between the burros and local wild horses.

Local residents living at Marietta have complained about the excessive number of burros causing damage to the area, mainly to the vegetation.

Trend studies in the area show that Indian ricegrass is present, but not very vigorous. Some utilization cages have been put out to show what the area can produce and the cages show a good representation of Indian ricegrass and the establishment of seedlings.

If burro use in the area could be reduced soon, the vegetative resource would start to recover. Should they not be removed, the resource will be reduced to such a point that it will take many years for recovery.

4. Existing Projects

No Bureau of Land Management projects exist in the wild burro area. Most of the waters are undeveloped or are on private land.

5. Coordination

The management of wild burro numbers in the Marietta area is essential to insure that the vegetative resource will not be completely destroyed. The resource is presently in such a poor state and forage is so totally lacking that the livestock users have been forced to take non-use in the Marietta Allotment.

The area is used by deer, chukar and occasionally some shorebirds and waterfowl. The area shorebirds and waterfowl use around Teels Marsh is receiving heavy use by the burros, but it is not critical to these birds as the marsh has water only intermittently. The springs in the northwest corner of Teels Marsh are used by chukar and the areas around springs are grazed heavily. Due to this grazing, the area around the springs doesn't furnish adequate cover for the chukar making them vulnerable to predation.

The burro area in the Excelsior Mountains is critical to deer during the winter. Forage use by burros in the Excelsior Mountains is increasing each year. As a result of the increased burro use, pressure is increasing on winter deer range. Use will become more critical as time goes on and the burro use increases. The deer migrating into the area are from the Mono Lake Herd Area in California.

The Management Framework Plan will not be completed on the area until 1989, so all problems will not be totally resolved until then. The Capture Plan is an interim measure to help alleviate the resource damage that is being caused by the wild burros. Interim management will not be for specific herd characteristics.

C. Objectives

The objective of the Capture Plan is remove wild burros from the area until approximately 60 animals remain. This would return the normal use area of the burros back to the territory that comprised their 1973 home range. Their removal would allow the vegetative resource to recover from the heavy use and poor vigor. The 60 wild burros remaining would consume 720 Animal Unit Months of forage - leaving some forage to be used by cattle. Some of the livestock previously excluded may then be allowed in the Candelaria Allotment, which is a BLM reserve.

D. Management Methods

The burros will be counted before removal is started, so the number to be removed can be determined. The method by which the burros are

to be removed is by the use of portable pipe corrals, riders on horses, water traps and by the use of a helicopter. The burros could possibly be roped if the other means of capture do not work.

The burro population should be maintained at an approximately 60 head level. The number of 60 burros to be left in the area was determined by using the 1960 range survey and the wild burro herd as determined in 1973. The range survey determined the carrying capacity of the herd territory and the area has 730 Animal Unit Months of forage, which would support 60 head of burros in their normal range.

The initial removal should lower the number to approximately 60 head before another removal is carried out. A roundup should be needed approximately every third year to keep the population at the 60 head level.

E. Cooperative Arrangements

Cooperative agreements should be made with some of the private landowners in the area regarding waters that they own. The agreements should be made to allow the burros to continue to use these waters.

F. Management Facilities and Equipment

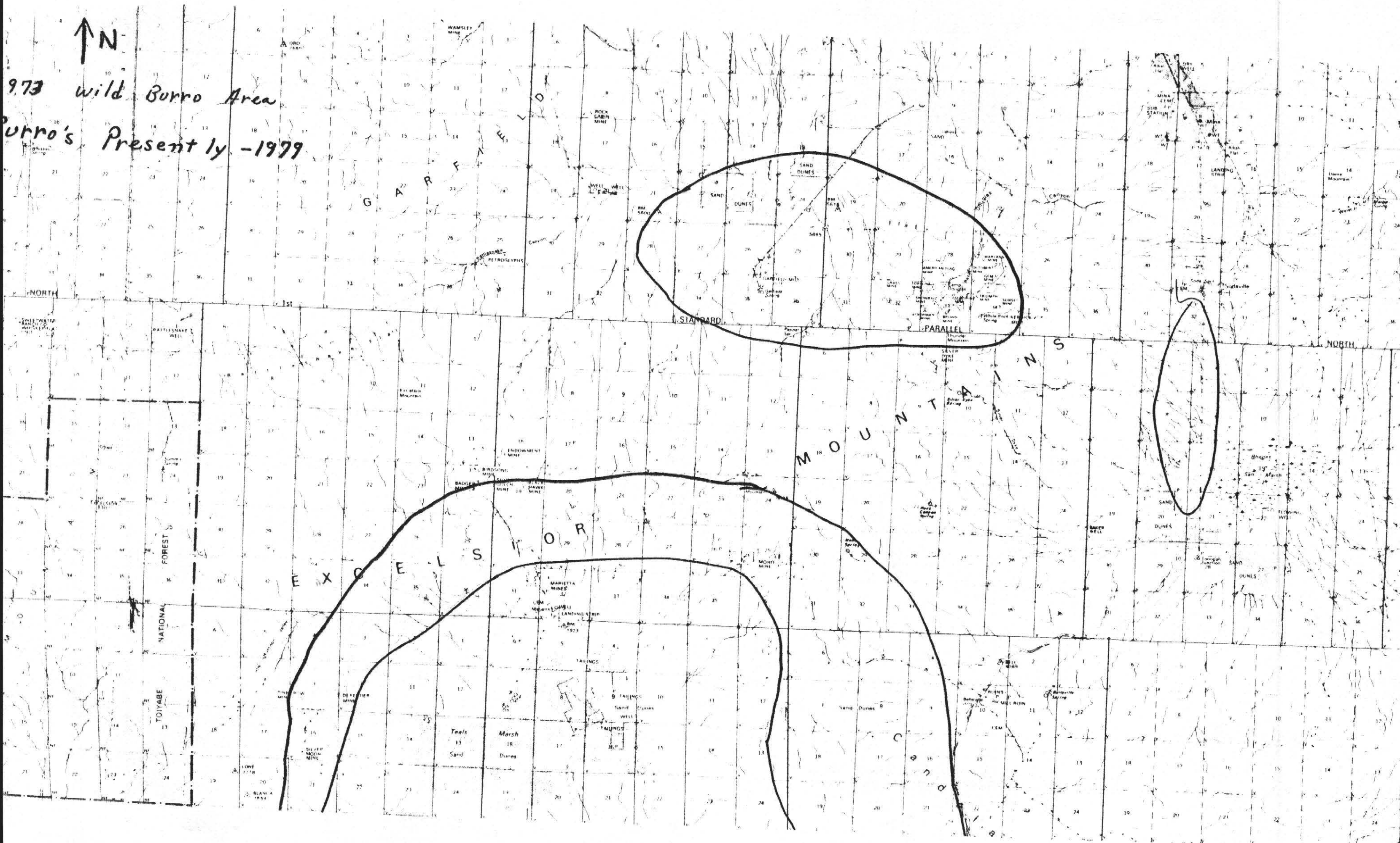
No permanent management facilities will be constructed in the area. The only equipment to be used will be portable pipe corrals, which will be set up, then removed after the capture is completed. Some spring developments may be needed on some waters occurring on public lands.

G. Studies and Assessment

The wild burros will be monitored for population growth and areas of use to make sure all their requirements for food, water and cover are met. The wild burro area will be studied for utilization and trend of the vegetative resource.

H. Modification

The plan may be modified as studies dictate and the need arises.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1973 wild Burro Area
Burro's Presently -1979
GARFIELD
SAND DUNES
1st STANDARD PARALLEL
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MOUNTAINS
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NATIONAL
FOREST
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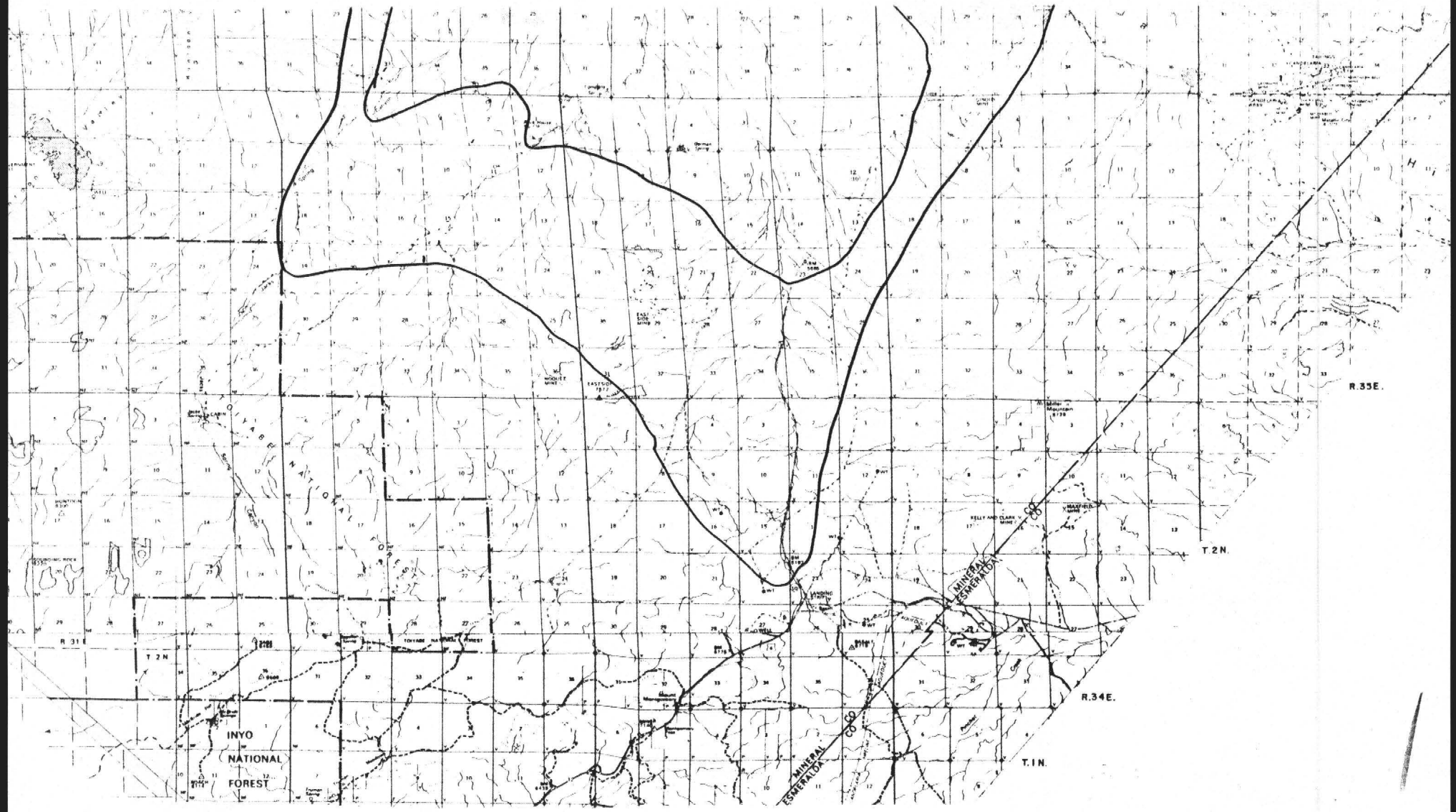
Sand Dunes
Candela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MINE
KELLY AND CLARK
MINE
MAXFIELD
MINE
LANDING
STRIP

EA No. NV-030-9-59

DRAFT

ENVIRONMENTAL ASSESSMENT

Marietta Wild Burro Capture

The purpose of this Environmental Assessment is to analyze the effect on the environment of wild burro removal from the Marietta area. (See also Marietta Wild Burro Area Capture Plan dated June, 1979.)

I. DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

The proposed action is to remove wild burros from the Marietta area until approximately 60 remain. Possible capture methods include water trapping, gathering with a helicopter, riders on horses, and roping. The facilities or equipment will include portable pipe corrals that will be set up prior to burro removal and taken down after the roundup has been completed.

The wild burros will be inventoried prior to any roundup to determine how many need to be removed. The captured burros will be transported to the Palomino Valley Adoption Center and put up for adoption.

A removal will be done every three years following the initial roundup to keep the herd at the 60 level.

Alternatives to the proposed action are to take no action, or to remove all the burros from the area.

II. DESCRIPTION OF THE EXISTING ENVIRONMENT

The Marietta Wild Burro Area is located near the old mining town of Marietta which is 180 miles southeast of Carson City, Nevada. The wild burro area surrounds Teels Marsh on the south side of the Excelsior Mountains. The area is characterized by mountainous terrain on all sides with a valley floor between the mountains. The low point in the valley is Teels Marsh, which is an alkali lakebed. The marsh has water in it intermittently after a rapid runoff from either snowmelt or thunderstorms.

The vegetation of the area consists of Indian ricegrass, galleta grass, bottlebrush squirreltail, desert greasewood, shadscale, sagebrush, pinyon pine, rabbitbrush and spiny menodora. The wildlife of the area consists of rabbits, coyotes, chukar, deer and occasional waterfowl and shorebirds.

The wild burro population in the Marietta area numbers 220 animals, based on a helicopter inventory made in March 1979. The burro population has increased from 68 in 1973 to 111 in 1975 to the present 220. The large number of burros has caused serious over-utilization of the vegetation in the Marietta area. A range survey of the entire Marietta Allotment showed that there are 2,015 Animal Unit Months (AUMs) of forage available in the allotment. The burros use 2,640 AUMs of forage annually which over-commits the forage available by 625 AUMs presently. The most serious problem is that all of the burro use takes place in approximately 80 percent of the Marietta Allotment. This results in the forage removal being severely used in this area. Those areas not being as severely used are long distances from water or are in the mountains. The burros have so over-utilized the area that the livestock permittees have not activated their grazing permits in the Marietta Allotment for the last 2 years and use prior to this has been very limited due to the prior heavy use by the burros.

The forage species, such as Indian ricegrass, have been utilized to such a level that all that can be found are the crowns of the plants. When protected by utilization cages, it responds very rapidly. If use continues to the degree it is presently, Indian ricegrass will disappear and be replaced by annuals or undesirable shrub species. This habitat destruction would ultimately be detrimental to the welfare of the burro population, as well.

The poor forage conditions have caused the burros to move to other areas in search of food. Some of the burros have been seen along the highway near Mina, Nevada. A report was also received from the livestock permittee in the Garfield Flat area, indicating he had seen 22 burros in his allotment during the winter of 1978-79.

There are several water sources in the area with the majority of these being on or around Teels Marsh either as springs or as artesian flows. Some of the other springs in the area are located on private land, but can be used by the burros. The only use of the burros presently is of a recreational value. People come into the area to view the burros and photograph them.

A wilderness review of the area has recommended that the area be omitted from further study.

No known threatened or endangered plants or animals are found here, but a complete inventory has not been made.

III. ANALYSIS OF THE PROPOSED ACTION AND ALTERNATIVES

A. Proposed Action

1. Environmental Impacts

a. Anticipated Impacts

Burros may experience stress during capture operations, but would eventually benefit when adopted and given proper care. Some of the burros may be injured or killed in the process of capture or being transported to the adoption center. The burros that are left in Marietta will have better habitat as a result, as the competition for food and water by their own kind will be greatly reduced.

The vegetative resource in the area will recover from the severe overuse that is occurring. The grasses would have a chance to recover their vigor and re-establish themselves once they are allowed to go to seed.

The removal of the wild burros would make the area more desirable for wildlife due to better forage conditions. The removal of the burros would also remove most of the burro use from the deer winter range in the Excelsior Mountains.

The removal of the 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-around use by the burros.

The wild burros captured and removed will be adopted out to people who desire a burro. The burros would be treated humanely in most cases. The burros would be used by the adoptees for riding, pets, pack animals or for breeding purposes.

The burros remaining in the Marietta area would be allowed to roam at will and would be in an area where people could view them very easily with very little disturbance to the burros.

The wild horse and burro interest groups may be against a roundup in the area. Some groups advocate

a hands-off approach, allowing nature to take its course on whatever may happen to the burros, forage and soil resources.

b. Possible Mitigating or Enhancing Measures

1. A veterinarian should be available or on standby during the capture and removal.

2. Wings on the corrals or traps should be constructed of material which will not cause injury to the burros.

3. Archeological clearance of the corrals or trap sites should be done prior to the construction.

4. The roundup will be conducted following the Bureau's guidelines for humane and safe treatment of the animals.

5. No new roads, trails or permanent structures will be constructed in the area.

6. Livestock use should be allowed in the Candelaria Allotment, which is a BLM reserved allotment, to help alleviate the overuse problem until the planning is completed. There are 2300 AUMs of forage in the allotment.

reserved allotment: set aside - Candelaria - trucked in water ? adjacent

7. The roundup be conducted in a manner that only whole bands be removed so band structure would not be disturbed.

8. No roundups be done during the months of March, April and May when the majority of the foaling occurs.

c. Recommendations for Mitigation or Enhancement

All the possible mitigating or enhancing measures be adopted as stated.

d. Residual Impacts

A very small disturbance to the soil and to vegetation cannot be avoided under the proposed action. Natural

revegetation will reduce the severity of the disturbance over a period of time.

Injury and death of some wild burros may occur despite safety and humane precautions.

Injury to personnel may occur even though safety precautions will be taken.

2. Relationship Between Short-Term Use and Long-Term Productivity

The removal of burros from the area would affect the short-term heavy use of the area, but over a long-term, the wild burro population would rebuild. The wild burro population will have to be continuously reduced or the long-term productivity of the area will remain reduced.

3. Irreversible and Irretrievable Commitments of Resources

Only one irreversible commitment may be made - If a burro is sick or injured, it may be destroyed.

B. Alternative No. 1 - Remove all the Burros

1. Environmental Impacts

a. Anticipated Impacts

This alternative would have the greatest impact on the burros, which are the only population found in this District. The burros would not be a part of the environment as they are now. The environment would be one of a cold desert with the typical sagebrush-greasewood vegetative type and the main use would be for winter grazing by livestock.

The vegetative resource would benefit greatly from this action. It has been severely utilized and has been showing signs of damage by declining range condition. The action would totally remove the heavy year-around use by burros. The vegetative resource would not be used during the critical growing period, therefore, it could recover and re-establish itself. This would result in the desirable forage species becoming more abundant in the area.

Wildlife would benefit from the action of eliminating burro use from the area. Wildlife would not have

competition for forage or any other habitat requirements.

The removal of the burros from the area would also eliminate the possibility of their moving into other allotments in the area.

The public would lose the opportunity to observe wild burros in their free-roaming state. This would be a negative impact on the recreation potential of the area.

b. Possible Mitigating or Enhancing Measures

1. A veterinarian should be available or on standby during the capture and removal.

2. Wings on the traps or corrals should be constructed of material which will not cause injury to the burros.

3. Archaeological clearance of the corrals or trap sites should be done prior to the construction.

4. The roundup should be conducted following the Bureau's guidelines for humane and safe treatment of the animals.

5. No new roads, trails or permanent structures should be constructed in the area.

c. Recommendation for Enhancement or Mitigation

The Possible Mitigating or Enhancing Measures stated above are recommended for adoption.

d. Residual Impacts

A small amount of disturbance to the soil and vegetation cannot be avoided in the areas of traps or corrals under this alternative. Natural revegetation will reduce the severity of the disturbance over a period of time.

Injury and death to some of the wild burros may occur despite safety and humane precautions.

2. Relationship Between Short-Term Use and Long-Term Productivity

The complete removal of all the burros from the area would eliminate the long-term population productivity of the burros. The complete removal would also have a short-term large increase in vegetation in the area and over a long-term, the productivity would level off.

3. Irreversible and Irretrievable Commitments of Resources

Only one irreversible commitment will be made - If a burro is sick or injured, it may be destroyed.

C. Alternative No. 2 - No Action

1. Environmental Impacts

a. Anticipated Impacts

The "No Action" alternative would impact the vegetative resource in the area to the point that the desirable grass species may disappear. The wild burro population would continue to increase in the area and would put a continued increased pressure on the remaining vegetation. Presently, vegetative use is already heavy to severe, and by taking no action, the resource would be used to such a point that desirable plants might begin to disappear. Undesirable plants would take their place. The vegetative resource is in such a deteriorated condition presently that the burros are beginning to move into other areas in search of forage. The loss of suitable habitat would have an adverse effect on the animals themselves. Migration to new areas may affect animal behavior, and social interactions.

The alternative of "No Action" would result in more wild burros appearing in other areas where there are presently none. Those other areas are already committed vegetatively to other uses and no forage is available for the additional burros.

b. Possible Mitigating or Enhancing Measures

None.

c. Recommendations for Mitigation or Enhancement

None.

d. Residual Impacts

The residual impact of taking "No Action" would be that the desirable vegetation would be destroyed and undesirable plants would come into the area.

2. Relationship Between Short-Term Use and Long-Term Productivity

The short-term heavy use by the wild burros will have a detrimental effect on the long-term productivity. The vegetative resource is presently being severely over-used by the burros and the continued severe use will change the vegetative composition of the area. Vegetative composition will change from desirable grasses and shrubs to a composition of unusable shrubs and annuals. This change will also be detrimental to the wild burros because of the reduction of usable forage in the future.

3. Irreversible and Irretrievable Commitments of Resources

The "No Action" alternative would result in the vegetative resource being damaged to the point that it would possibly never recover to a desirable state.

V. PERSONS, GROUPS AND GOVERNMENT AGENCIES CONSULTED

Fred Smith, Nevada Fish and Game
Mineral County Commissioners, Hawthorne, Nevada
Dawn Lappin, Wild Horse Organized Assistance
Mervin McKay, Livestock Permittee
Orin Harris, Livestock Permittee

VI. INTENSITY OF PUBLIC INTEREST

The people that live in the old mining town of Marietta vary in their opinions about the wild burros. Some recommend that BLM not do anything with the burros, while other residents say that some should be removed, because there are too many.

The livestock permittees would like to see the wild burros removed, so they would have some forage left for livestock use.

Nevada Fish and Game would like to see a reduction made, so wildlife habitat would not be destroyed.

VII. PARTICIPATING AND REVIEWING STAFF

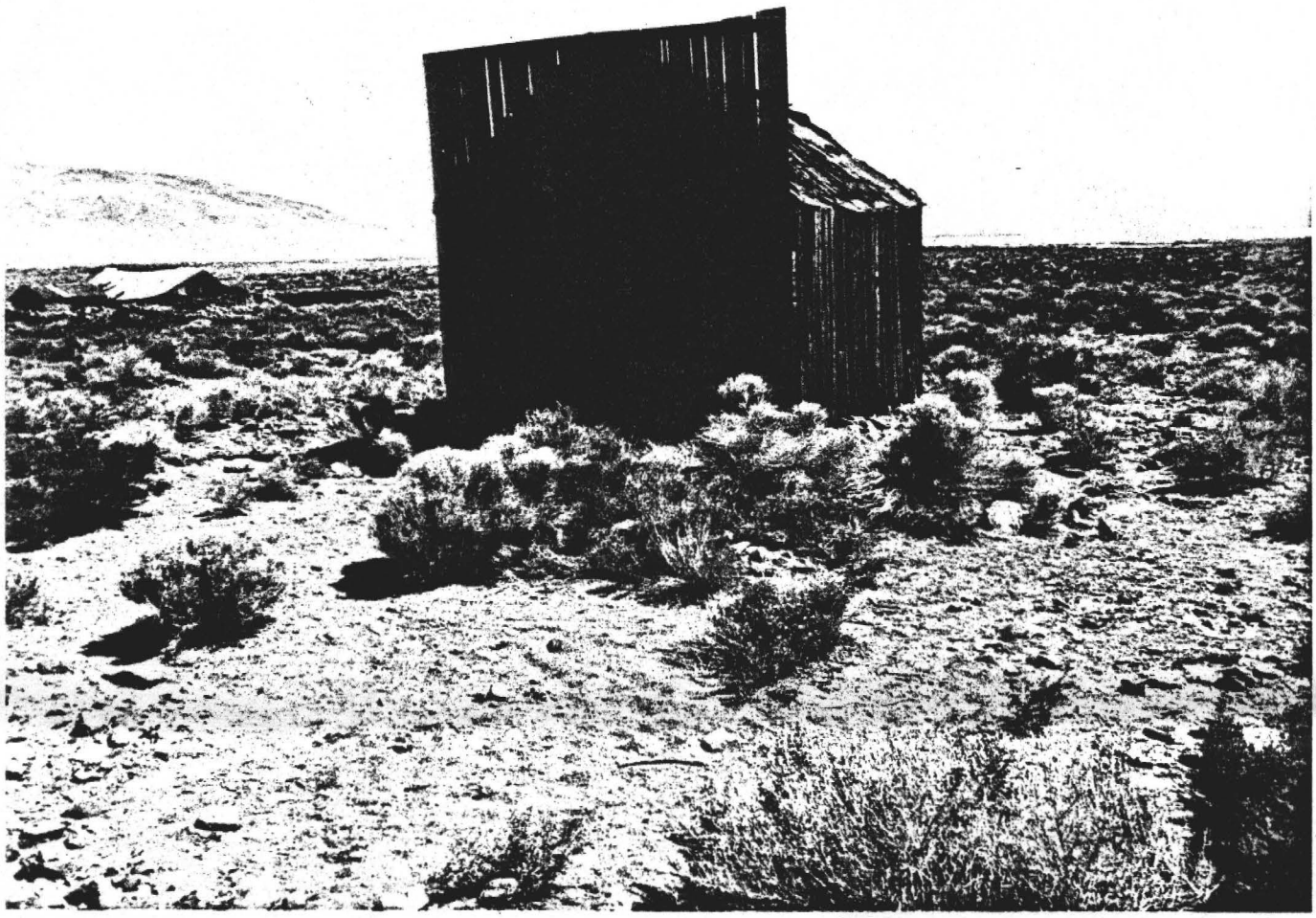
Hal Bybee, Range Conservationist, Walker Resource Area — HMB 6-20
Dan Delany, Wildlife Biologist, Walker Resource Area — DLD 6-19
Frank D'Amore, District Staff Wilderness Specialist — FD 6-19
Steve Weiss, Recreation Planner, Walker Resource Area — SW 6-19
Eddie Mayo, District Staff Range Conservationist — EM 6/19
Joan Comanor, Environmental Coordinator — JC

Prepared by:

Robert a. nelson
Robert A. Nelson
Range Conservationist
Walker Resource Area

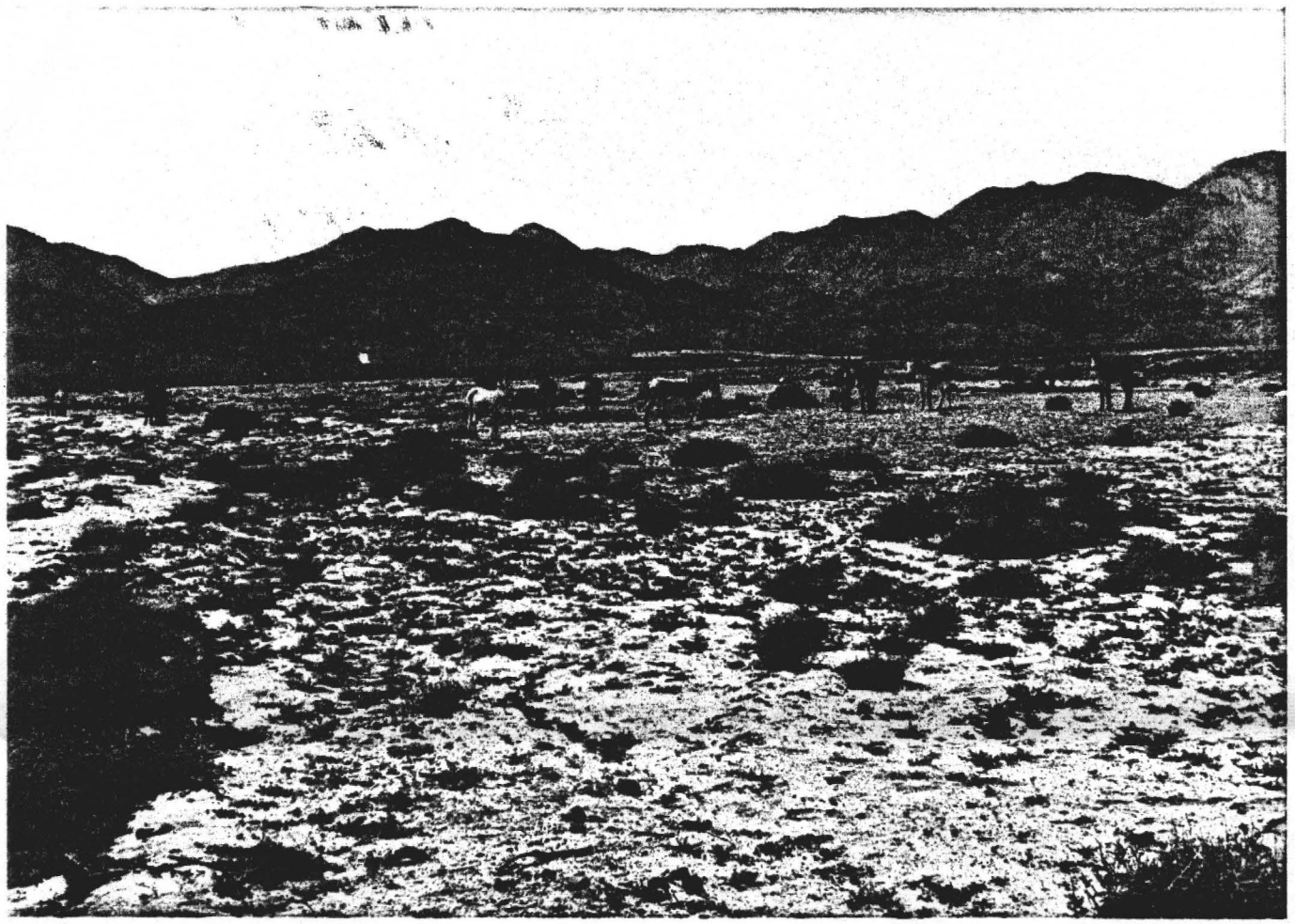
June 19, 1979
Date

PHOTO NO. 1



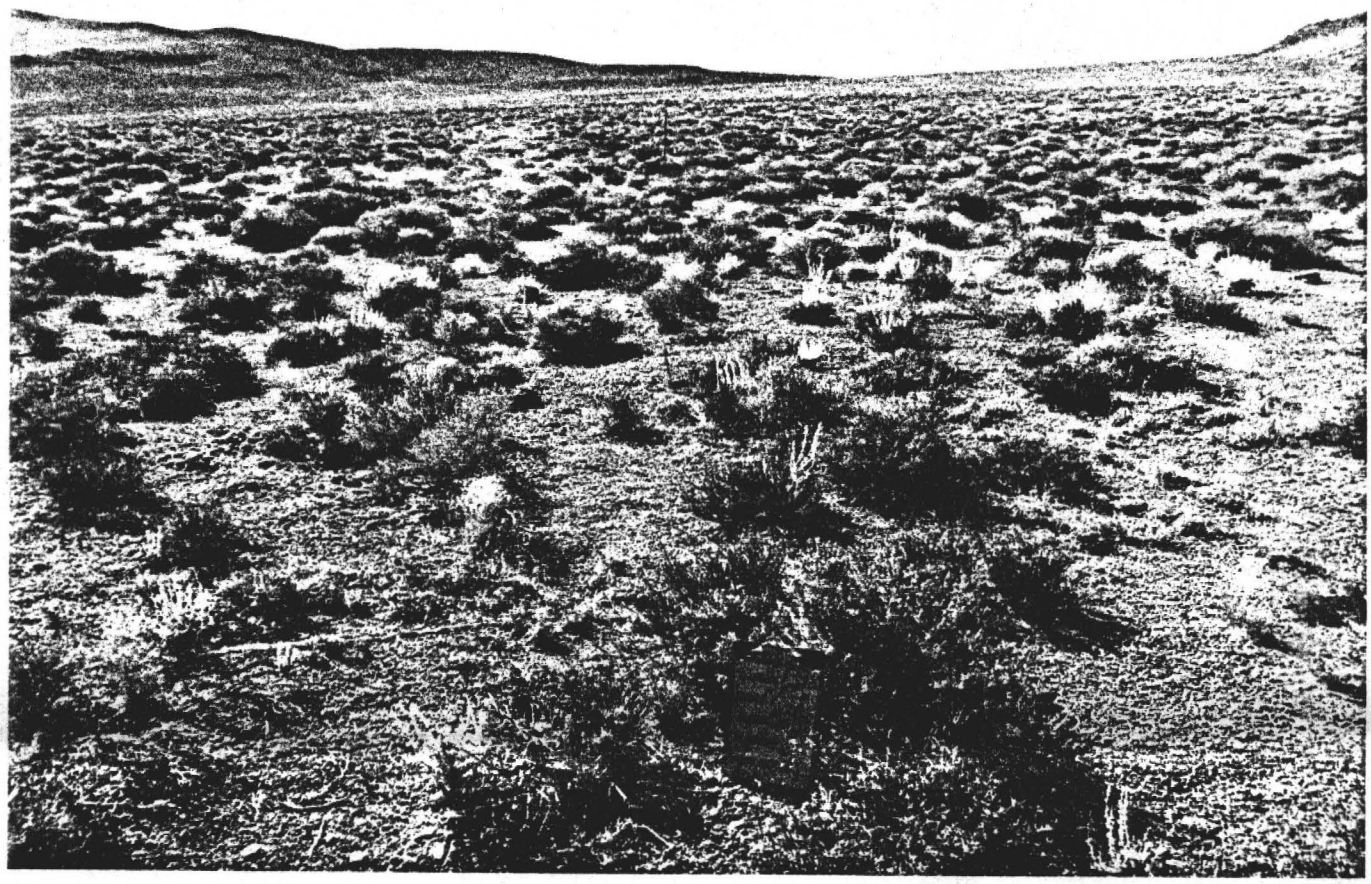
The Marietta Wild Burro Area is located by the old mining town of Marietta, Nevada. Some of the old historic buildings still remain.

PHOTO NO. 2



The wild burros are of various colors in the Marietta area. They can be viewed from a relatively close distance. The picture shows a portion of the burro area with the Excelsior Mountains in the background.

PHOTO NO. 3

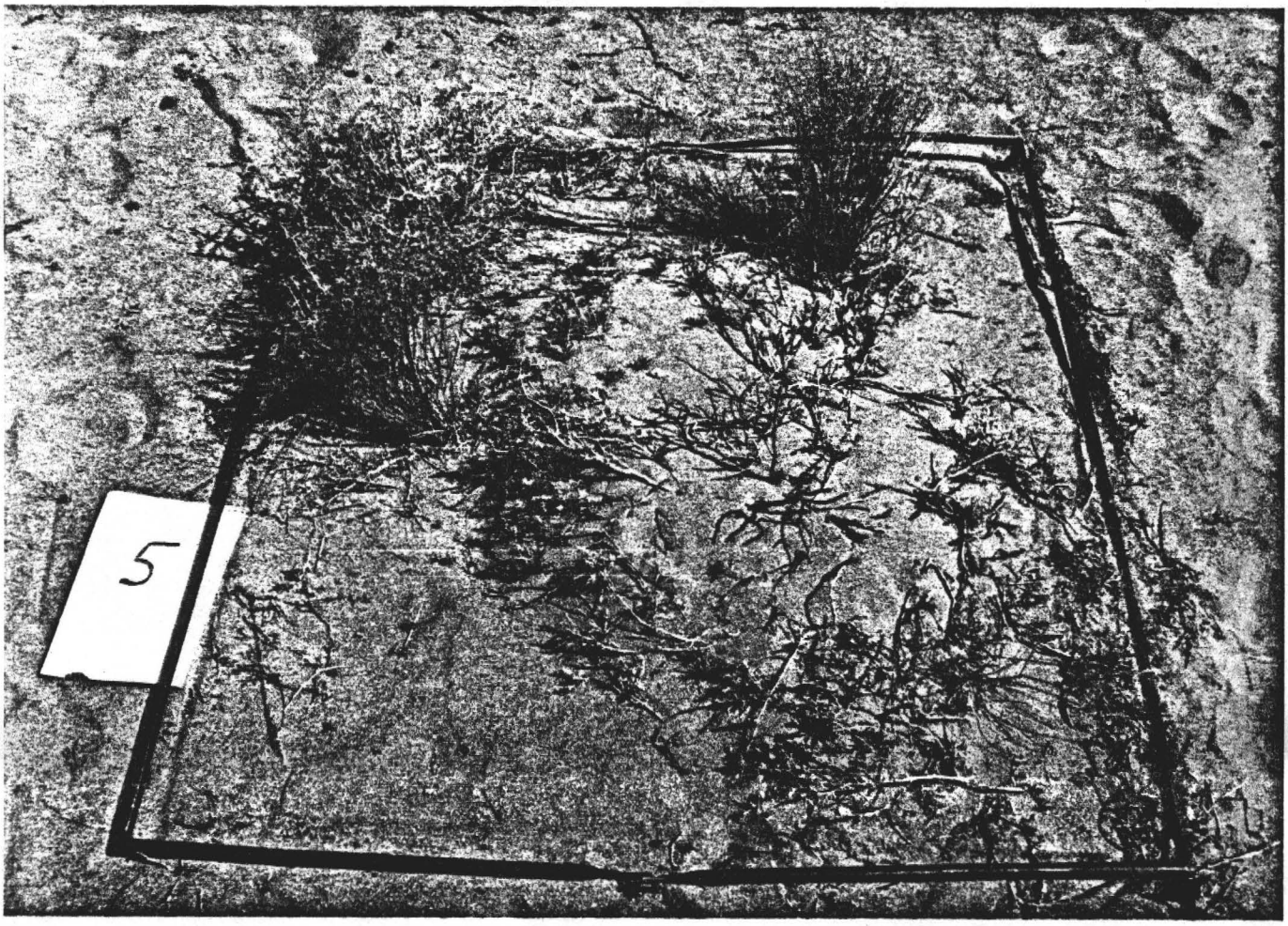


This picture shows the vegetative composition in the area. The picture was taken outside of the wild burro's normal use area and the vegetation shows good vigor.

PHOTO NO. 4

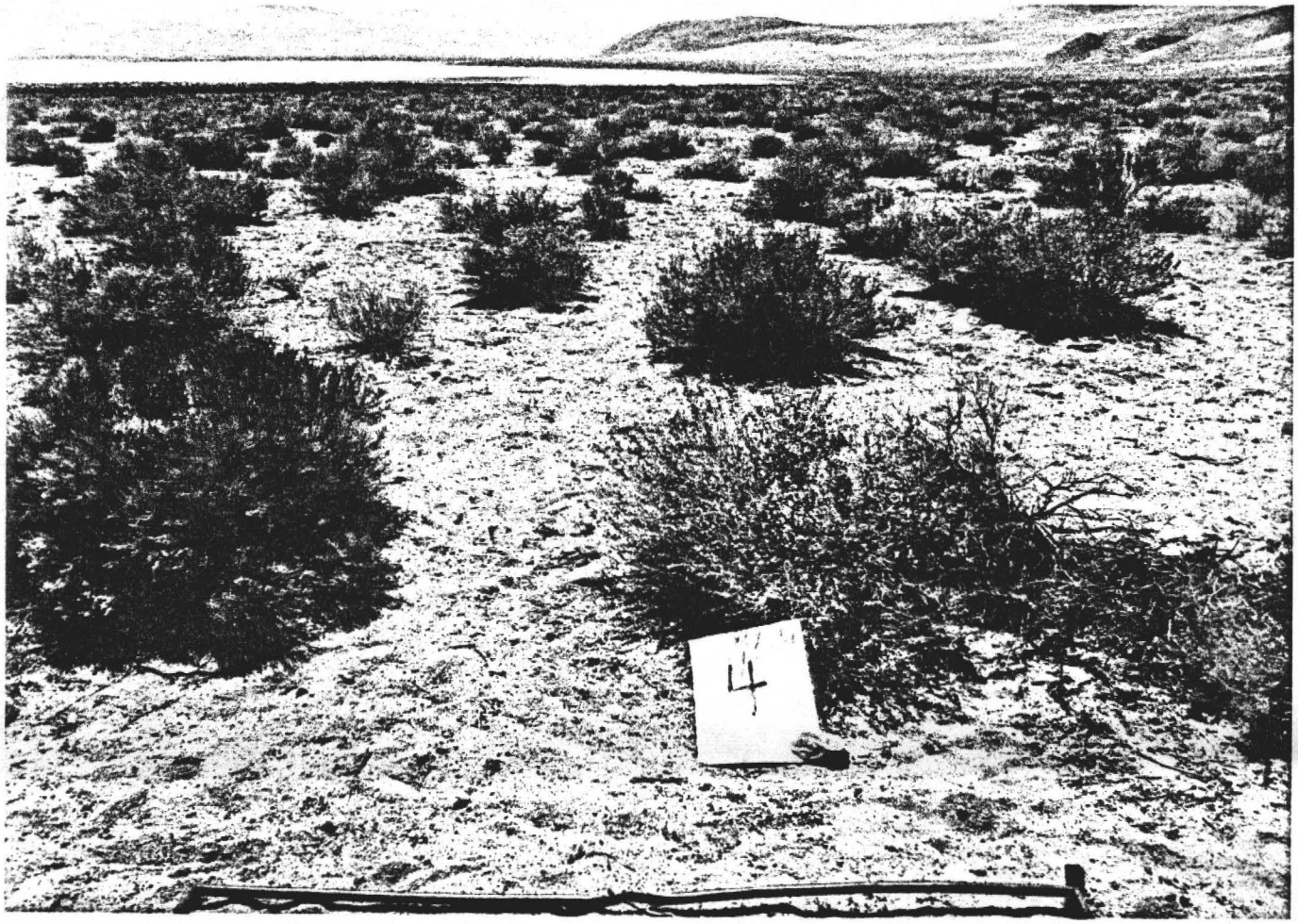
The picture shows the vegetation in the burro use area. The Indian ricegrass at the bottom of the picture was in a protective utilization cage. The following picture (on the next page) shows the forage that was protected by the cage. No desirable forage species are noticeable outside of the protected plot - this is the result of a complete search by the burros.

PHOTO NO. 5



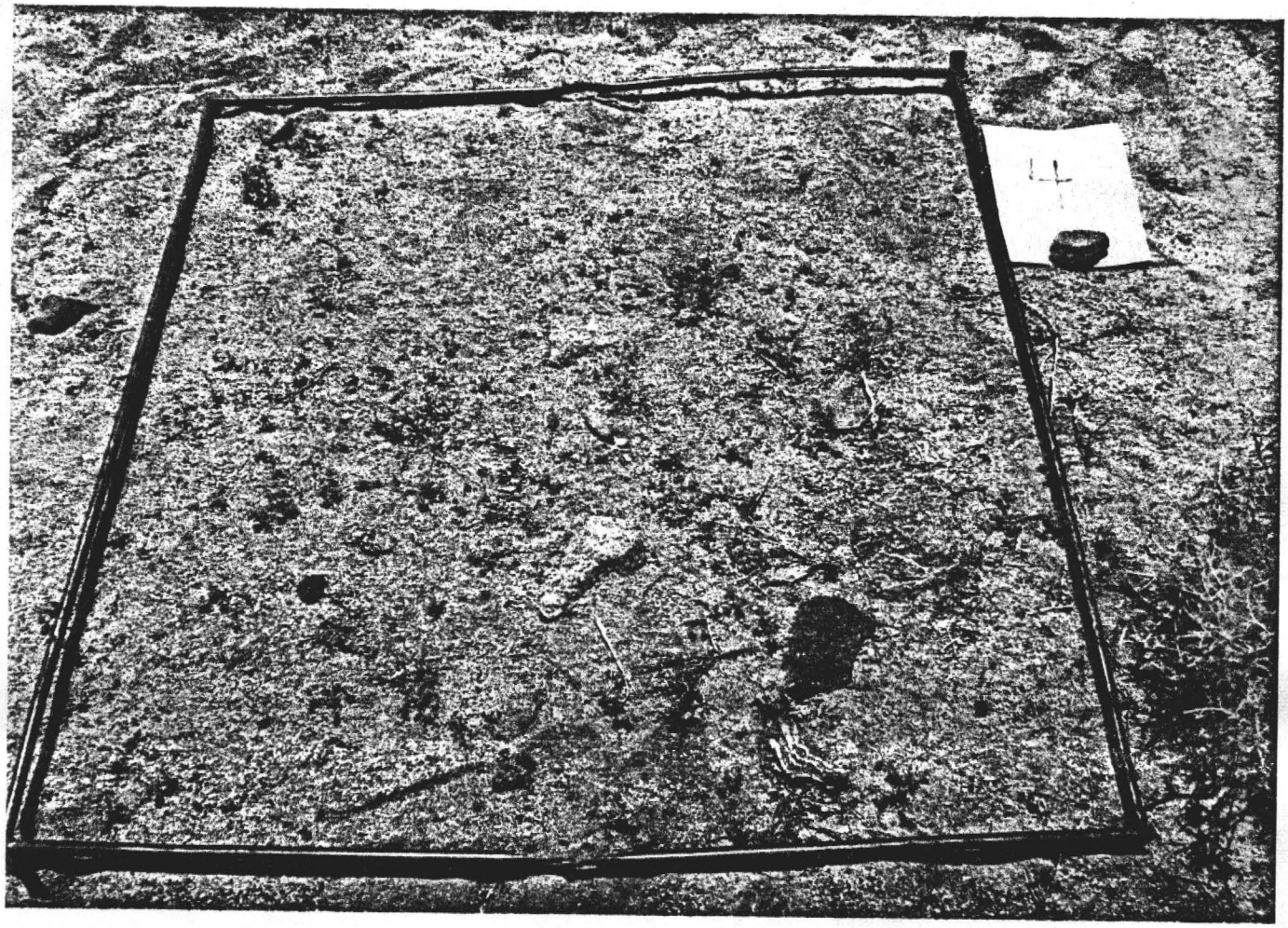
This plot has been protected for 2 years and it shows the increased vigor of the Indian Ricegrass and the establishment of some seedlings.

PHOTO NO. 6



This picture was taken in June 1979, after the spring growing season was completed. The area was devoid of usable forage caused by severe use by the burros. The plot frame shown on the bottom of picture is explained in the following picture.

PHOTO NO. 7



This picture is a five feet by five feet plot frame and the area inside of the plot frame was protected by a utilization cage. The vegetation in the frame represents the spring of 1979 growth. A few grass plants grew, but they are lacking vigor and did not obtain the growth as on the Picture No. 5 which had been protected for two years.

11/3/79

WHOA!

WILD HORSE ORGANIZED ASSISTANCE
INC.
A Foundation for the Welfare of
Wild Free-Roaming Horses and Burros

P. O. Box 555
Reno, Nevada 89504
Telephone 323-5908
Area Code 702

November 8, 1979

Mr. Tom Owens, District Manager
Bureau of Land Management
1050 E. Williams Street, Suite 335
Carson City, Nevada 89701

Re: Marietta wild burro capture plan

Dear Mr. ~~Owens~~ Tom:

Thank you for the opportunity to review the draft proposal for the Marietta wild burro capture plan. The "interim" statis does not abrogate the Bureau's responsibility as mandated under Pl 92-195 and although I.M. 78-543 provides for the interim management where damage is occurring; we believe alterations are necessary in the proposal to substantiate that claim. The draft lacks clarification, positive objectives, and basic data that would bring some understanding by protectionists of the needs of the resource and the animal. Deletion of this information in any proposal, inhibits support.

A. Introduction (page 1)
One would presume by the statement that extensive habitat studies have been undertaken, migration patterns establish, seasons of use, and density. Inventory inaccuracies in the past years leave doubts as to figures compiled previous to the past two years. However, the inventory figures could have been acceptable had the draft identified the inventories and times of years in which a comparison could have been made. (Some proposals in the past have compared the net with the gross, greatly affecting the rate of increases.)

B. Location (page 1)
The Carson City Distrfict has 5,288,753 acres within Nevada boundaries. The burros occupy 115,500 in the entire District. 1979 forage consumption for burros was 2640 AUMs, however 165,709 AUMs were alloted livestock within the same District. This is .015% burro use-District wide, leaving 99.085% for livestock. Giving a substantial number of AUMs to wildlife would still leave commercial grazing the majority of use. Just as burros don't belong in every single allotment, neither does livestock...surely there is a few square inches of land where competition does not have to be a factor.

3. Resource data (page 1)
This should contain some analysis of objectives, utilization limits, and seasons of use and populations.

"Marietta allotment has only 2015 AUMs available.." The burro area is discribed as "covers portions of the Basalt, Huntoon, and Cadelaria allotments." Does this mean that only 2015 AUMs are available in the total area, or only in the Marietta allotment? (Proposal states Candelaria has 2300 AUMs.)

Trends and plots were developed to substantiate burro use, however, no photos are evident in denoting trends or plots during peak livestock use or before burro populations increased.

Burros and mules have been removed from Garfield before, so we must assume that their presence is not a recent item.

Note: Telephone confirmation with Carson City District on 11/6/79 elicited the definition of a BLM reserve allotment: Set aside. Candelaria was reserved to provide extra grazing (livestock) in emergencies should the permittees get caught short. No water is available on the Candelaria, however, water is available in the ajoining allotment.

The photos only indicate that burros are contributing to the decline...one could project several reasons for this as 1) over allocation of resource 2) poor land management and 3) livestock pressure.

5. Coordination (page 3)
"...the management (our emphasis added) of wild burros in the Marietta allotment is essential..." We could agree more if indeed the proposal was management, but it is not; it is a reduction and capture plan, in our opinion management and reduction are not synonymous. Also the proposal speaks of the burros in the 111,500 acres, not just in the Marietta allotment. Clarification?

Interim management will not be for specific herd characteristics. And the Bureau calls this management? You are obligated under Pl 92-195 to define sound management programs, which in this case will not be until 1989, yet the Bureau would risk loosing these. We cannot accept this at all.

C. Objectives (page 3)
The bottom line is to reduce burros district-wide to restore livestock AUMs and as a bonus add Candelaria!

D. Management (page 3)
Management as defined in this proposal is an insult to the animals for which you are responsible.

The only positive statement for burros was the allocation of 720 AUMs that rightfully should have been theirs all along, perhaps more. We are advised now that once burros are captured monitoring of these needs will resume, as they have since 1971?

E. Cooperative arrangements (page 4)
Would not cooperative arrangements be made irregardless of burros, for wildlife?

G. Studies (page 4)
The proposal lacks inadequate data to provide realistic determination of rate of increase, this would be true even if additional counts were available as long as quality supporting data on population dynamics are not included.

H. Modification (page 4)
We are curious as to how correction on age or sex classifications would be made after the fact.

Maps provided were corrected to read 1973 over the 1971 date. The second map gives no explanation.

To summerize, if indeed reduction is necessary to establish or restore a balance upon the public lands in the Carson City District, then this proposal has failed miserably in convincing us of this fact. When I testified that interim management was necessary it was with a degree of understanding that some supportive data would be forthcoming. We will not allow the Bureau to reduce horses or burros to a dangerous low with no management considerations, only to serve the livestock interests.

If the Bureau will respond with data to our questions, proposal a true "interim" plan in the best interests of the animal; then perhaps we can support a reduction in density areas. The proposal lacks the sensitivity it needs to work in the best interests of the animal.

NEEDED:

1. More positive attitude
2. population statistics
3. analysis
4. interim plan
   a. protect the colorations
   b. specific age and sex charachteristics
   c. program to predetermine population increases.

We would gladly sit down with your wildlife biologist and wild horse specialist and discuss some of these areas of concern.

Most sincerely,

Dawn Y. Lappin (Mrs.)
Director

DYL/rl

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Advisory Board

est. 1979

Marietta HMA

Marietta Wild Burro HMA Input
by Craig C. Downer

Mr. James W. Elliott
District Manager
Bureau of Land Management
Carson City District Office
1535 Hot Springs Road, Suite 300
Carson City, Nevada 89701

Dear Mr. Elliott:

I have just completed a thorough review of the Marietta Wild Burro Herd Management Area Plan and accompanying Environmental Assessment. The following suggestions, comments, and criticism are provided with reference to section and page:

I.B.p.1: This is too strict an interpretation of the Wild Free-Roaming Horse and Burro Act, P.L. 92-195. This Act provided for the maintenance of an integral and viable population in the areas where they were found at the passage of the Act. It did not limit them to where they were standing at the time of passage of the Act, since it was understood that their free-roaming life style was to be preserved, and this would accomodate at least a viable population size and necessary space to adequately pursue its nomadic life-style, healthy in that it more equitably distributes the grazing pressure. The case today is that the livestock industry is trying to rigidly control all lands it grazes by fencing and cross-fencing and hording of water, so it has no place for the wild horses and burros or only a very minimal and inadequate one. To concede to the demands of this vested interest would be to betray the public confidence.

C.1.b.p.2: The herd size of 129 is not viable. A herd size of about 500 would be required. (rf. Conservation Biology: An Evolutionary-Ecological Perspective. 1980. Sinauer Publishers, Sunderland, Mass. Soule and Wilcox, Editors. See chapters by Franklin, Ian Robert and Michael Soule.)

2.p.2: Add: "Burros may have escaped or been turned loose at that time" thus, filling a vacant niche left by native wild asses of several thousand years ago.

How many domestic livestock graze the area?

3.p.2: Burros and deer diverge in their dietary requirements and tend to complement one another.

4.p.3: Who attributes this soil loss to the burros and why? What other cause might explain this?

6.p.3: It is questionable whether you can judge severe utilization based on one forage species, Indian ricegrass alone.

7.p.4: Is this damage beyond the normal to be expected and is it degrading the resource or within tolerable recoverable levels?

8.p.4: I have heard of people that go there to observe the burros; and I myself have observed these burros.

D.1.p.4: This is an unnecessarily strict interpretation to so restrict the burro herd. Has it been proven that the 2 species: burros and bighorn are incompatible? I believe

there are many cases on record of their having lived in adjacent habitats, the bighorn favoring the more mountainous one. The "early days" were replete with mustang and bighorn living harmoniously together, since they did not have man's artificial system being imposed upon them in the form of livestock and game management to the exclusion of predators and all else besides.

2.p.5: How many areas of the public lands where livestock graze have even more serious soil loss, yet these are allowed to remain?

3.p.5: See comment for page 3.

4.p.5: What is the federal government doing to secure adequate water for the burros? Instead of just stating this, why not do something to secure adequate, year-round water for an adequately sized herd?

Paragraph after 4.p.5: This describes a natural process: the burro is filling its vacant niche. "Overutilization" may be a very arbitrary and subjective judgment. Also, to attribute the soil loss entirely to the burros is, to me, highly questionable. Serious grazing of livestock occurred in earlier years; and soil loss observed may be an aftermath of this.

II.A. Obj. 1: Have there been any dietary studies of the burros? What other species might be taking the place of the Indian ricegrass, and what species of wildlife might these other species benefit?

85 head as the Appropriate Management Level is way too low! I strenuously object! This is not a viable population number and will result in severe inbreeding and decline of the burro population in the Marietta Wild Burro Herd. I recommend at least 300 as an AML to ensure the genetic vigor of the population, though 500 is more like what authorities would recommend. (See Franklin, Ian; Soule, Michael IN Conservation Biology, cited above.) Many populations of mammals much larger that what you propose and even much larger than what I propose have disappeared or are disappearing from parks and reserves both in the United States and other countries for reasons of inbreeding, genetic drift, and the inability to withstand environmental vicissitudes, especially prevalent in the harsh desert conditions of Nevada.

I also find your methods of arriving at the 85 AML quite contrived, basing it, as you do, on one sole species.

Obj.2.p.6: I favor your not fencing and cross-fencing so as to disrupt natural migratory patterns.

Obj.3.p.6: Good.

B.Obj.4.p.6: 85 head is way to small!

I recommeend that the herd be allowed to fluctuate around 300 or more, to ensure the viability of the population. The harem social structure of equids would increase the minimum viable population level. To be more rigorous, the AML should be set at 500.

III.A.1.p.7: If Ecological Status has not been determined, then why are you using the decline in one forage indicator

species, Indian ricegrass, to justify cutting the burro population numbers down to 85 head AML, a non-viable level?! I object!
3.p.7: It would be difficult to assess from tracks alone which grazer is primarily responsible.
4.p.7: This analysis should take place before the burros final popualtion level is set.
B.1.p.8: Be sure to account for annual mortality. I recommend censusing in the dead of winter consistently year after year so as not to overestimate the population.
4.p.8: It is imperative to note the effects of any proposed constraints on movements. Will the burro population be able to meet all its requirements if constrained? What will happen to the ecosystem in which the animals are constrained? It may well be degraded in the long term, as is happening in similar reserves, i.e. the Pryor Mountain Horse Reserve.
C.p.8: This soil study should also precede any burro AML determination.
D.p.8: I question Object 1's validity. It seems to be jumping the gun, or putting the cart before the horse.
p.9, top: I favor your using the fecal analysis to modify the key forage plants. Good feedback.

In regard to "skewed sex ratios", remember that harem social structure in equids favors more females that males in the population.

I favor the reevaluation of important water sources.

VII. Environmental Assessment
A.p.12: Only two alternatives seems an inadequate choice. I recommend another alternative of managing for 300 burros as AML in the area to establish what would be closer to a viable population.
B.1.d.p.12: I strenuously object to assigning 85 head as the AML. This should be at least 300, bottom line. What CRMP would have advised this: one composed entirely of livestock operators and game interests?
e.p.12: Add that the Burro herd will provide the public with a viewing opportunity as well as a "knowledge."
Management Actions:
a.p.12: This is unfair to the burro interest. This is not a reasonable number. Such a low population constitutes a significant detrimental, long-term impact upon the population.
c.p.12: Good.
d.p.13: Good.
e.p.13: I object to the 85 level. AML shoudl be 300 as already noted.
2.p.13: Even the 129 level is too low, and should be considered inadequate.
D.1.p.13: Burros will suffer significantly due to inbreeding at such a low population level, thus an Environmental Impact Statement is required under terms of the National Environmental Protection Act.
Top page 14: I would like to know the proportions of other

grazers in this areas vis-a-vis the burros. It seems they are bearing the burden of blame for whatever's wrong.
Mid page 14: Natural movements will distribute the grazing pressure and allow equitable use. All species if so allowed their freedom would come to a natural balance over time.

I favor designating public water reserves and applying for water appropriations. What you should also remember is that the BLM as agent of all the people is in the perfect position to negotiate for fair treatment of the burros in terms of adequate water supply, for BLM holds the grazing privileges allowed to the public lands grazer. If the latter refuses to allow the burros to drink "their" water, then the federal government can refuse the allow them to eat the nation's grass on the nation's land.

I encourage respectful touring of the burro refuge but recommend close vigilance of the herds to prevent illegal murdering, capture, or harassment by certain coarse factions of our society.
2.p.14: Disruption of social structure will introduce chaotic disorganization and trauma among the burro population that remains, even more so when reducing the burro population to the 85 level.

Final Recommendation: Expansion of the HMA to one that would allow an AML of 300 in order to obtain a true burro sanctuary. It would be even safer in terms of burro viability to provide a sanctuary for the long-term maintenance of 500. In light of the large, wholesale elimination of burros elsewhere on public lands, I think it would be the least the BLM and federal government could do for the burros under the Wild Free-Roaming Horse and Burro Act to establish 1 viable population in a protected sanctuary on the public lands. In my professional judgment as a wildlife biologist, a population of 85 does not constitute such a viable population.

Thank you for taking into consideration my views. Please inform me of your final decision.

Sincerely,

Craig C. Downer, M.S.
P.O. Box 456
Minden, NV 89423

cc: Ed Spang, Nevada State BLM Director, Reno.
Dawn Lappin, WHOA! President, Reno, Nevada.

If the former is true, please send map indicating Study Sites & dates of reads.
If the latter, why are you using 90% in your compulation on page 5.

Conclusion.

~~Over the years the BLM has fabricated incidents, mislead the public~~, The inconsistencies, the fabrication, and the intentional misleading of the public pertaining to wild horse and burro use has manufactured a very mistrusting public. The Carson District knew full well in 1971 that a portion of the forage allocated to livestock would have to be reallocated in order to prevent damage to the vegetative resource. But rather than live the budget & adjust the preference, the BLM not only continued to allocate all available forage (which was probably artificially high) to livestock, and somehow hope the addition of wildlife & burros would somehow go away.

I know when were down to the point where adequate forage for a viable burro population is questionable, upon through out a bidbid hoping that by recommending the burro area be designated as a range will quell the boiling water. Well it doesn't ~~by~~ for you & I both know the current administration will not designate it a range. To do so would lower

In my files I have comments on the 1979 Marietta Turro capture plan. Because the comments are as pertinant in 1987, as in 1979, we ask that the comments be included as a portion of our 1987 comments.

I B. Location

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

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

(d) with the proposed reduction of Turro AML, has the livestock preference also been reduced based on the monitoring data?

(e) The RMP identifies the Marietta for an AMP, but the Bob Basalt, Huntoon, and Candelaria have no such proposal.

2. Please refer to comments Nov. 8, 1979 (B. Location page 1). If in 1979 220 Turros were censused, 398 in 1983, with 288 and 69 removed, and a 82% observation, the remaining population would be

somewhere in the neighborhood of 110 ~~animals~~ burros. The 1986 census numbered 139, with the probable some variation of observation. This hardly supports the BLM's past claims of population explosions.

The objective of the 1979 capture plan was to remove burros leaving 60 animals. The Walker AMP for the HMA was 129; you now want to change the AMP to 85 animals; and each case you state the proposed action will resolve the problem of area utilization.

Please refer to page 2, para 1 of the 1979 capture plan wherein it states the "vegetative resource in the Marietta Allotment has been allocated to livestock with no allowance made for wildlife or wild burros." The area was surveyed in 1950 and 2015 AUMs of forage was available.

Here we are 1987
forage has been a
other than livesto
C 3. A few burros a
is not excessive.
habitat. Please
is artificial, se
point in time
Act was to p

nature which may indicate historical use. There is no evidence the primary base is expanding because of a few individuals.

C4. Please send the studies of the soil loss.
When were the studies in Teels Marsh implemented?

C5. You stated the HMA covers half the Marietta Allotment. You failed to identify portions of Basalt, Huntoon Valley and Candelaria allotments falling within the HMA.
According to your 1979 document there are 2300 AUMs in Candelaria. Neither document refers to the AUMs available in Basalt or Huntoon, and ~~was~~ to what extent the AUMs were utilized by livestock. You do not give ~~numbers~~, ~~the years~~ dates, numbers. If livestock use for Marietta, only that use was between 100-500 AUMs.
You do not explain at what time of the year overlap occurs at German Spring. If it is Dec 1 to May 15, it would indicate German Spring is key winter habitat for burros.

Walker RMP decision — "Initially authorize livestock use at the three year average

The 1979 capture plan (pg 3, para 4) states "The removal of wild burros would also allow the livestock permittee 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.

C6 Severe utilization is 80-100% of the plant, yet now after two reductions, which you said would improve range condition, the utilization is approaching severe or less than 80%. There are no maps indicating monitoring sites, there are no ~~key~~ maps indicating key use areas. In fact the areas you identify as overlap are only a very small portion on the southern end of Marietta HMA.

It is possible that Indian ricegrass cannot support a viable herd. Since you have not identified the at consumed we have n knowing whether Isc grass supports the h have to be eating and obviously doe something other tha

C 8. BLM may well believe the area is relatively unknown, but it is not true. While we consider it as a recreational benefit, our foremost concern is protection of the aneriod & its' habitat.

C 7 Of the 16 springs available to burros on public land, are they also available to livestock? Do any of the 25 springs have See. 4 permits?

D 1. The BLM is taking an overly restrictive interpretation of PL 92-195. The boundary is artificial and at one point in time. The intent of PL 92-195, as has been proven out, is maintaining their free-roaming status. As of now there is no evidence of conflicts between burros and big horns. However, your authority allows for the removal of burros outside the HMA.

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

3. You only cite the 2 permittees in Maricitta & having minimally utilized the allotment, you have not identified the permittees, the use of the HMA by permittees & allotments which are a portion of

Marietta HMA.

You do not explain "significant". You identify Indian ricegrass as a key species, but not other plant species being utilized.

You state overutilization of forage plants is occurring in all significant portion of the allotment, yet your inferences ~~at~~ are to the ~~s~~ extreme southern end of the HMA.

4. The BLM has not been known for management of the burros or their habitat; to protect the burros you may well have to improve their habitat.

II A. Please explain why the computation on page 5 does not include the livestock as present utilization; nor do you ~~and~~ include wildlife. To accomplish ~~a~~ 55% yearlong proper utilization you must compute all grazing animals known to be present. If you are paid for livestock use, you know how many cows & for how long, and I'm sure NDOW would be happy to provide you with an estimate of the wildlife use.

On page 3 Vegetation, para 2; you state "Utilization monitoring in the Fall of 1985, only 2½ years after the removal, resulted in a finding of severe ~~use~~ utilization approaching 80% of the HMA."

* Are you saying that you have monitoring data for 80% of the range, or are you saying that utilization is approaching 80%?

*

the permittees to second class citizenry.

Having some concern for the range & the well being of the animals the reduction is a foregone conclusion. However, I warn the BLM, that if you reduce the AML on the basis of the data you have, you had also better reduce the preference for livestock based on the same data. ~~Should WHOA disagree you reduce current & the AML and replace the removed burros with livestock we will take the necessary steps~~

~~I will make an appointment within the next week to go through files on livestock use for Marietta, Basalt, Huntoon, and Candelaria~~

I specifically request the Marietta AMP, the license use for Marietta, Basalt, Huntoon, and Candelaria from 1983.