

10/25/01

United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Ely Field Office
HC 33 Box 33500 (702 No. Industrial Way)
Ely, Nevada 89301-9408
<http://www.nv.blm.gov/Ely>

Antelope HMA

In Reply Refer To:
4700 (NV-042)

OCT 25 2001

Dear Interested Public:

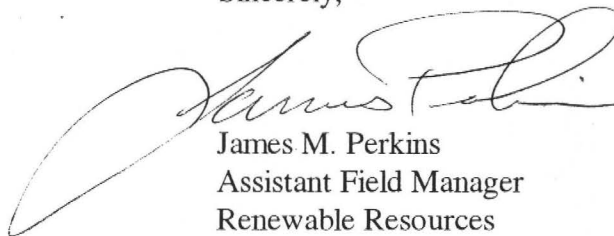
The Ely Field Office is continuing to establish the remainder of its wild horse herd management area (HMA) appropriate management levels (AMLs). Enclosed is the Notice of Proposed Multiple-Use Decision for the Becky Springs Allotment and Tippett Pass Allotment Portions of the Antelope Wild Horse Herd Management Area.

Establishing the wild horse AML for the Becky Springs Allotment and Tippett Pass Allotment portions of the Antelope HMA will complete the establishment of the overall AML for the Antelope HMA. The total established AML for the Antelope HMA is 324 wild horses yearlong.

Prior to preparation of these decisions, agreements were completed in consultation with the livestock permittees on the Becky Springs Allotment and the Tippett Pass Allotment. These agreements are the initial step toward establishing a wild horse AML and addressing livestock grazing management.

An adjustment to livestock grazing use was agreed upon with the livestock permittee on the Tippett Pass Allotment in order to conform with standards for grazing administration. Forage for wild horses will be apportioned at the current level of wild horse use within the Tippett Pass Allotment. An adjustment to wild horse use on the Becky Springs Allotment will obtain a natural thriving ecological balance. Livestock grazing use on the Becky Springs Allotment will remain unchanged.

Sincerely,



James M. Perkins
Assistant Field Manager
Renewable Resources

Enclosure (1):

1. Notice of Proposed Multiple-Use Decision for the Becky Spring Allotment and Tippett Pass Allotment Portions of the Antelope Wild Horse Herd Management Area



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Ely Field Office
HC 33 Box 33500 (702 No. Industrial Way)
Ely, Nevada 89301-9408
<http://www.nv.blm.gov/Ely>

OCT 25 2001

In Reply Refer To:
4700(NV-040)

NOTICE OF PROPOSED MULTIPLE-USE DECISION FOR THE BECKY SPRINGS ALLOTMENT AND THE TIPPETT PASS ALLOTMENT PORTIONS OF THE ANTELOPE WILD HORSE HERD MANAGEMENT AREA

BACKGROUND INFORMATION:

This decision addresses the establishment of an appropriate management level (AML) for wild horses within the Becky Springs Allotment and the Tippett Pass Allotment portions of the Antelope Wild Horse Herd Management Area (HMA).

The majority of the Antelope HMA has an established AML. Establishing the wild horse AML for the Becky Springs Allotment and the Tippett Pass Allotment will complete the establishment of the overall AML for the Antelope HMA. The total established wild horse AML for the Antelope HMA will then be 324 wild horses yearlong (3,888 AUMs). A thriving natural ecological balance will be obtained by establishing and maintaining wild horse use at the AML of 35 wild horses (420 AUMs) for the Becky Springs Allotment and at the AML of 16 wild horses (192 AUMs) for the Tippett Pass Allotment portions of the Antelope HMA. This will complete establishment of the remaining AML for the entire Antelope HMA.

The current total permitted use for livestock within the Antelope HMA is 39,094 AUMs (22,488 AUMs cattle and 16,606 AUMs sheep). Based on the total AUMs apportioned to both livestock and wild horses of 42,982 AUMs (39,094 AUMs livestock and 3,888 AUMs wild horses), livestock will be apportioned 91% of the available forage while the established AML for wild horses will be apportioned 9% of the total AUMs. See Attachment I, "History of the Establishment of Wild Horse Appropriate Management Level and Livestock Grazing Management for the Antelope Wild Horse Herd Management Area" for further clarification of wild horse AML and livestock grazing management.

Census and field observations indicate that wild horses regularly utilize the Becky Springs Allotment and the Tippett Pass Allotment portions of the Antelope HMA. Therefore, forage for wild horses will be apportioned at the current level of wild horse use within the Tippett Pass Allotment. Wild horse use has been determined to be heavy in portions of the Becky Springs Allotment. Therefore, forage for wild horses will be apportioned at a lower level than current wild horse use within the Becky Springs Allotment.

An "Agreement for Livestock Grazing Management and Establishment of Wild Horse Appropriate Management Level for the Becky Springs Allotment" was prepared during September 2001. There are three permittees who hold term permits on the Becky Springs Allotment. They are Need More Sheep Company, Kay Lear, and David Morris. The agreement was signed by Hank Vogler of Need More Sheep Company on October 4, 2001, by Kay Lear on October 19, 2001 and by David Morris on October 23, 2001. The Northeastern Great Basin Area Standards for Grazing Administration are being met under the current stocking levels and grazing management system for the Becky Springs Allotment. The agreement does not make changes to season of use or permitted use for cattle or sheep. The current permitted use for the Becky Springs Allotment is 3,842 AUMs of which 2,399 AUMs are for sheep (Need More Sheep Company), 517 AUMs are for sheep (David Morris), and 930 AUMs are for cattle (Kay Lear). Changes to livestock management practices were made to include establishment of proper utilization levels, water hauling and movement and distribution of livestock to avoid conflicts with sage grouse areas. This agreement established a wild horse AML of 35 wild horses for the Becky Springs Allotment portion of the Antelope HMA. This agreement was prepared in consultation with the permittee and is an initial step toward establishing a wild horse AML.

An "Agreement for Livestock Grazing Management and Establishment of Wild Horse Appropriate Management Level for the Tippet Pass Allotment" was signed by permittee Don Pattalock of Vidler Water Company on October 11, 2001. An assessment of current monitoring data was conducted associated with preparation of the agreement. Based on this assessment, it was determined that the Northeastern Great Basin Area Standards for Grazing Administration were not being met. As a result, adjustments to permitted use, season of use, and livestock management practices were made. Permitted use was adjusted to 3,914 AUMs (2,646 AUMs cattle and 1,268 AUMs sheep). The remainder of the permitted use of 4,263 AUMs (3,217 AUMs cattle and 1,046 AUMs sheep) was placed in voluntary nonuse for conservation purposes for three years. Use areas and permitted use by use areas were also established. The period of use for the allotment was changed from yearlong to fall/winter/spring. Other livestock management practices were made to include, establishment of proper utilization levels, water hauling and movement and distribution of livestock to avoid conflicts with sage grouse areas. This agreement established a wild horse AML of 16 wild horses for the Tippet Pass Allotment portion of the Antelope HMA. This agreement was prepared in consultation with the permittee and is an initial step toward establishing a wild horse AML.

This decision carries forth the adjustments made to permitted use, season of use and livestock management practices identified in the livestock agreements.

WILD HORSE AND BURRO MANAGEMENT DECISION

It has been determined through monitoring that a thriving natural ecological balance will be obtained by establishing and maintaining wild horse use at the AML of 35 wild horses yearlong for the Becky Springs Allotment portion of the Antelope HMA and at 16 wild horses for the Tippet Pass Allotment portion of the Antelope HMA. Establishing the wild horse AML for the Becky Springs Allotment and the Tippet Pass Allotment portions of the Antelope HMA will

complete the establishment of the overall AML for the Antelope HMA. The total established wild horse AML for the Antelope HMA will then be 324 wild horses yearlong (3,888 AUMs).

Removals will occur on an HMA basis and numbers will be maintained at or near the total AML. Numbers within use areas and/or allotments may be higher or lower than the numbers identified above because of seasonal movements, however the total AML of 324 wild horses for the Antelope HMA will be maintained. The Antelope HMA will continue to be monitored and censused. The AML can be adjusted in the future if continued monitoring indicates that an increase or decrease in forage utilization is warranted.

In accordance with 43 CFR 4700.0-6 (a), wild horse use on the Becky Springs Allotment portion of the Antelope HMA shall be managed at 35 wild horses yearlong (420 AUMs) and wild horse use for the Tippet Pass Allotment portion of the Antelope HMA shall be managed at 16 wild horses yearlong (192 AUMs).

In accordance with 43 CFR 4720.1, in the future, all wild horses in excess of the total AML established for the entire Antelope HMA will be removed.

Monitoring will continue to ensure that the AML is maintaining a thriving natural ecological balance. Adjustments in wild horse numbers will be made by future Antelope HMA gathers based on continued monitoring, in order to achieve and maintain the established AML.

RATIONALE:

The analysis and evaluation of available monitoring data indicates that no change in management actions for wild horses are needed to meet multiple use management objectives on the Tippet Pass Allotment portion of the Antelope HMA. An analysis and evaluation of available monitoring data indicates a change in management actions for wild horses is needed to meet multiple use management objectives on the Becky Springs Allotment portion of the Antelope HMA. The data indicates that there are 192 AUMs available for wild horse grazing use on the Tippet Pass Allotment and 420 AUMs available for wild horse grazing on the Becky Spring Allotment.

The AML of 35 wild horses yearlong has been determined to be the optimum level to maintain the thriving natural ecological balance on the Becky Springs Allotment. The AML of 16 wild horses yearlong has been determined to be the optimum level to maintain the thriving natural ecological balance on the Tippet Pass Allotment.

Additional wild horses found using the allotments are not necessarily considered excess animals for removal, since wild horses are managed on an HMA basis and not by allotment. Numbers within use areas, or allotments, may vary with seasonal movements. Wild horses will only be considered excess and be removed if the total AML for the HMA is exceeded.

The AML may be modified based on future monitoring data. If future monitoring data show that an adjustment in grazing use (increase or decrease) is needed to meet the management objectives for the Becky Springs Allotment or the Tippet Pass Allotment, wild horses will receive a proportional increase/decrease along with other users.

AUTHORITY:

The authority for this decision is contained in Sec. 3(a) and (b) of the Wild Free-Roaming Horse and Burro Act (P.L. 92-195) as amended and 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' 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:

Although the 4700 regulations allow for an appeal with no mention of a protest, the entire multiple-use decision is initially being sent as a "Proposed" decision. If you wish to protest this decision, in whole or in part, you are allowed fifteen (15) days from receipt of this notice within which to file a protest with James M. Perkins, Assistant Field Manager, Renewable Resources, BLM Ely Field Office, HC 33 Box 33500, Ely, Nevada 89301-9408. Subsequent to the protest period, a final decision will be issued, regardless of whether or not any protests were received. The final decision may be modified in light of pertinent information brought forth during the protest period.



James M. Perkins,
Assistant Field Manager
Renewable Resources

	<u>Certified Mail No./Return Receipt</u>
cc: Need More Sheep Company, Permittee	7001 1140 0000 8580 6995
Kay Lear, Permittee	7001 1140 0000 8580 6988
David Morris, Permittee	7001 1140 0000 8580 6971
Vidler Water Company, Permittee	7001 1140 0000 8580 6957
American Bashkir Curly Register	7001 1140 0000 8580 6940
American Horse Protection Association	7001 1140 0000 8580 6933
American Mustang and Burro Association	7001 1140 0000 8580 6926
Ms. Joneille Anderson	7001 1140 0000 8580 6919
Animal Protection Institute of America	7001 1140 0000 8580 6902
Mr. Paul C. Clifford, Jr.	7001 1140 0000 8580 6896
Ms. Catherine Barcomb, Commission for the Preservation of Wild Horses	7001 1140 0000 8580 6889
Ms. Sharon Crook	7001 1140 0000 8580 6872
Mr. Craig C. Downer	7001 1140 0000 8580 6865
Ms. Barbara Flores, Colorado Wild Horse and Burro Coalition	7001 1140 0000 8580 6858
Mr. Steven Fulstone	7001 1140 0000 8580 6841
Ms. Diane Nelson, Wild Horse Sanctuary	7001 1140 0000 8580 6834
Ms. Andrea Lococo, The Fund for Animals, Inc.	7001 1140 0000 8580 6827
Mr. Donald A. Molde, M.D.	7001 1140 0000 8580 6810
Ms. Tina Nappe	7001 1140 0000 8580 6803
Mrs. June Sewing, National Mustang Association, Inc.	7001 1140 0000 8580 6797
National Wild Horse Association	7001 1140 0000 8580 6780
Nevada Cattlemen's Association	7001 1140 0000 8580 6773
Nevada Division of Wildlife, Elko NV	7001 1140 0000 8580 6766
Nevada Division of Wildlife, Ely NV	7001 1140 0000 8580 6759
Nevada Farm Bureau Federation	7001 1140 0000 8580 6742
Mr. Mark McGuire, Nevada Humane Society	7001 1140 0000 8580 6735
Nevada Outdoor Recreation Association	7001 1140 0000 8580 6711
Nevada State Department of Agriculture	7001 1140 0000 8580 6728
Ms. Laurel Etchegaray, Nevada Wool Growers Association	7001 1140 0000 8580 6704
Ms. Betty Kelly, Wild Horse Spirit	7001 1140 0000 8580 6698
Ms. Anna Charlton, Rutgers School of Law - Animal Rights Law Center	7001 1140 0000 8580 6681
Ms. Nan Sherwood	7001 1140 0000 8580 6674
Ms. Rose Strickland, Toiyabe Chapter of the Sierra Club	7001 1140 0000 8580 6667
Mr. Bob Hallock, U.S. Fish and Wildlife Service	7001 1140 0000 8580 6636
The Humane Society of the United States	7001 1140 0000 8580 6643
Nevada State Clearinghouse, Wild Horse Commission	7001 1140 0000 8580 6650
White Pine County Commissioners	7001 1140 0000 8580 6629
White Pine Sportsmen	7001 1140 0000 8580 6612
Mrs. Dawn Lappin, Wild Horse Organized Assistance	7001 1140 0000 8580 6605
Mr. David Pete, Goshute Tribal Council	7001 1140 0000 8580 6599
Mr. Bill Wilson, WP County Public Land Users Advisory Committee	7001 1140 0000 8580 6582

Mr. David Provost, White Pine County Commissioner	7001 1140 0000 8580 6575
Mr. Lee Tilman	7001 1140 0000 8580 6568
Mr. Jerry Millett, Duckwater Shoshone Tribe	7001 1140 0000 8580 6551
Mr. John McLain, Resource Concepts, Inc.	7001 1140 0000 8580 6544
Dr. Tom Sanders, DVM, WP Conservation District	7001 1140 0000 8580 6537
Committee for Idaho's High Desert	7001 1140 0000 8580 6520
Western Watersheds Project	7001 1140 0000 8580 6964

ATTACHMENT I

History of the Establishment of Wild Horse Appropriate Management Level and Livestock Grazing Management for the Antelope Wild Horse Herd Management Area

The Chin Creek Allotment Final Multiple-Use Decision (FMUD) was issued July 16, 1990. This decision established the wild horse appropriate management level (AML) at 152 wild horses (1,824 AUMs) for the Chin Creek Allotment portion of the Antelope HMA. Permitted use for cattle and sheep has been adjusted from 13,245 AUMs to the current level of 7,180 AUMs with 3,564 AUMs for cattle and 3,616 AUMs for sheep use.

The Tippet Allotment FMUD was issued July 17, 1990. This decision established the wild horse AML at 34 wild horses for the Tippet Allotment portion of the Antelope HMA. Permitted use for cattle and sheep has been adjusted from 13,615 AUMs to the current level of 8,560 AUMs with 4,068 AUMs cattle use and 4,492 AUMs sheep use.

The Sampson Creek Allotment FMUD was issued July 18, 1990. This decision established the wild horse AML at 25 wild horses (300 AUMs) for the Sampson Creek Allotment portion of the Antelope HMA. Permitted use for sheep has been adjusted from 1,592 AUMs to the current level of 1,327 AUMs.

The Becky Creek Allotment FMUD was issued April 19, 1991. This decision established the wild horse AML at 8 wild horses (96 AUMs) for the Becky Creek Allotment portion of the Antelope HMA. Permitted use for sheep has been adjusted from 1,033 AUMs to the current level of 671 AUMs.

The North Steptoe Allotment FMUD was issued December 24, 1992. This decision established the wild horse AML at 6 wild horses (77 AUMs) for the North Steptoe Allotment portion of the Antelope HMA. Permitted use for sheep is 700 AUMs.

The Lovell Peak Allotment FMUD was issued October 7, 1994. This decision established the wild horse AML at 8 wild horses (93 AUMs) for the Lovell Peak Allotment portion of the Antelope HMA. Permitted use has remained unchanged at 105 AUMs for sheep since the issuance of the FMUD.

The Goshute Mountain Allotment FMUD was issued June 18, 1998. This decision established the wild horse AML at 0 wild horses (0 AUMs) for the Goshute Mountain Allotment portion of the Antelope HMA. Permitted use for sheep remained unchanged at 465 AUMs.

The Schellbourne Allotment FMUD was issued March 28, 2001. This decision established the wild horse AML at 6 wild horses (72 AUMs) for the Schellbourne Allotment portion of the Antelope HMA. Permitted use for cattle remained at 685 AUMs.

The Cherry Creek Allotment FMUD was issued July 20, 2001. This decision established the AML at 4 wild horses (46 AUMs) for the Cherry Creek Allotment portion of the Antelope HMA. Livestock numbers were adjusted from 6,562 AUMs to the current level of 5,293 AUMs for

cattle grazing.

The FMUD for the Deep Creek Allotment Portion of the Antelope Wild Horse Herd Management Area was issued October 25, 2001. This decision established the AML at 30 wild horses (360 AUMs) for the Deep Creek Allotment portion of the Antelope HMA. An adjustment to livestock use was reflected in the PMUD which was carried forward through a livestock use agreement. An "Agreement For Implementation of Changes In Livestock Grazing Use On The Deep Creek Allotment" was prepared in 2000. The purpose of the agreement was to modify the areas of use and address uneven distribution of livestock grazing on the Deep Creek Allotment. The agreement included the three permittees: Kyle Bateman, Kyle Bateman (Bates Permit), and Gail Parker. The permittees signed the agreements during March and April of 2000. The permitted use on the allotment was not adjusted and remains at 2,085 AUMs. Reed Robison was not included in the agreement because he has taken nonuse for many years.

An "Agreement for Livestock Grazing Management and Establishment of Wild Horse Appropriate Management Level for the Becky Springs Allotment" was prepared during September 2001. There are three permittees who hold term permits on the Becky Springs Allotment. They are Need More Sheep Company, Kay Lear, and David Morris. The agreement was signed by all three permittees during October 2001. The agreement does not make changes to season of use or permitted use for cattle or sheep. The current permitted use for the Becky Springs Allotment is 3,842 AUMs of which 2,399 AUMs are for sheep (Need More Sheep Company), 517 AUMs are for sheep (David Morris) and 930 AUMs are for cattle (Kay Lear). This agreement was prepared in consultation with the permittees and is an initial step toward establishing a wild horse AML. This agreement recommends a wild horse AML of 35 wild horses (420 AUMs) for the Becky Springs Allotment portion of the Antelope HMA.

An "Agreement for Changes in Livestock Grazing Use and Establishment of Wild Horse Appropriate Management Level for the Tippet Pass Allotment" was signed on October 11, 2001. Vidler Water Company is the current permittee. Permitted use was adjusted to 3,914 AUMs (2,646 AUMs cattle and 1,268 AUMs sheep). The remainder of the permitted use of 4,263 AUMs (3,217 AUMs cattle and 1,046 AUMs sheep) was placed in voluntary nonuse for conservation purposes for three years.

Permitted use will be established by kind of livestock for both cattle and sheep. The 8,172 AUMs permitted use on the Tippet Pass Allotment has never been allocated to sheep and cattle. Total permitted use for cattle will be established at 5,863 AUMs with 3,217 placed in voluntary nonuse. Total permitted use for sheep will be established at 2,314 AUMs with 1,046 placed in voluntary nonuse. Use areas and permitted use by use areas were also established. The period of use for the allotment was changed from yearlong to fall/winter/spring. Other livestock management practices were made to include establishment of proper utilization levels, water hauling and movement and distribution of livestock to avoid conflicts with sage grouse areas. This agreement was prepared in consultation with the permittee and is an initial step toward establishing a wild horse AML. This agreement recommends a wild horse AML of 16 wild horses (192 AUMs) for the Tippet Pass Allotment portion of the Antelope HMA.

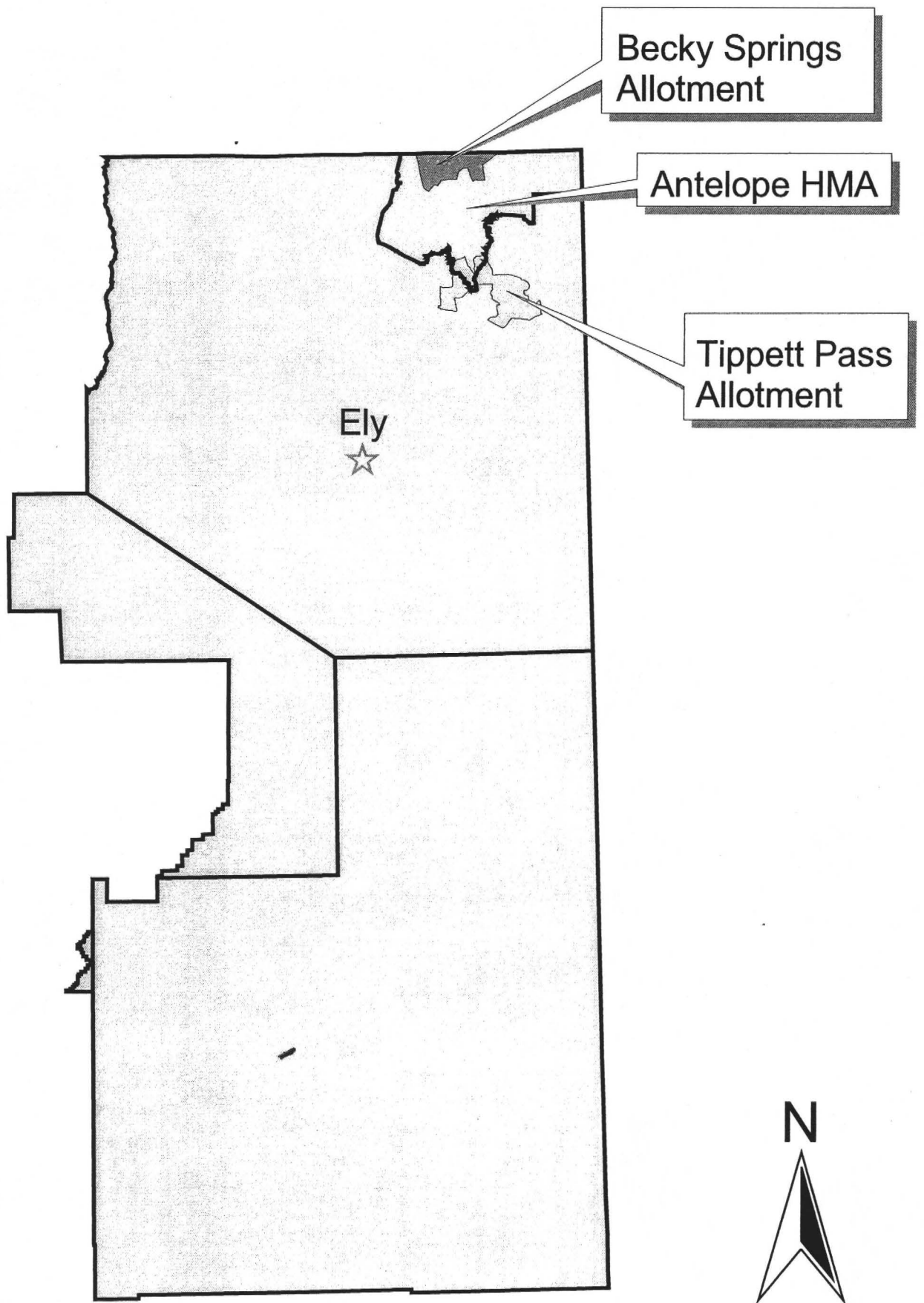
Table 1
Antelope Wild Horse Herd Management Area
Established Appropriate Management Level (AML)

Allotment	Appropriate Management Level	Date AML Established
Chin Creek	152 wild horses (1,824 AUMs)	July 16, 1990
Tippett	34 wild horses (408 AUMs)	July 17, 1990
Sampson Creek	25 wild horses (300 AUMs)	July 18, 1990
Becky Creek	8 wild horses (96 AUMs)	April 19, 1991
North Steptoe	6 wild horses (77 AUMs)	December 24, 1992
Lovell Peak	8 wild horses (93 AUMs)	October 7, 1994
Goshute Mountain	0 wild horses (0 AUMs)	June 18, 1998
Schellbourne	6 wild horses (72 AUMs)	March 28, 2001
Cherry Creek	4 wild horses (46 AUMs)	July 20, 2001
Deep Creek	30 wild horses (360 AUMs)	October 24, 2001
Becky Springs	35 wild horses (420 AUMs)	PMUD October 25, 2001
Tippett Pass	16 wild horses (192 AUMs)	PMUD October 25, 2001
Total Established AML - 324 wild horses yearlong 3,888 AUMs		

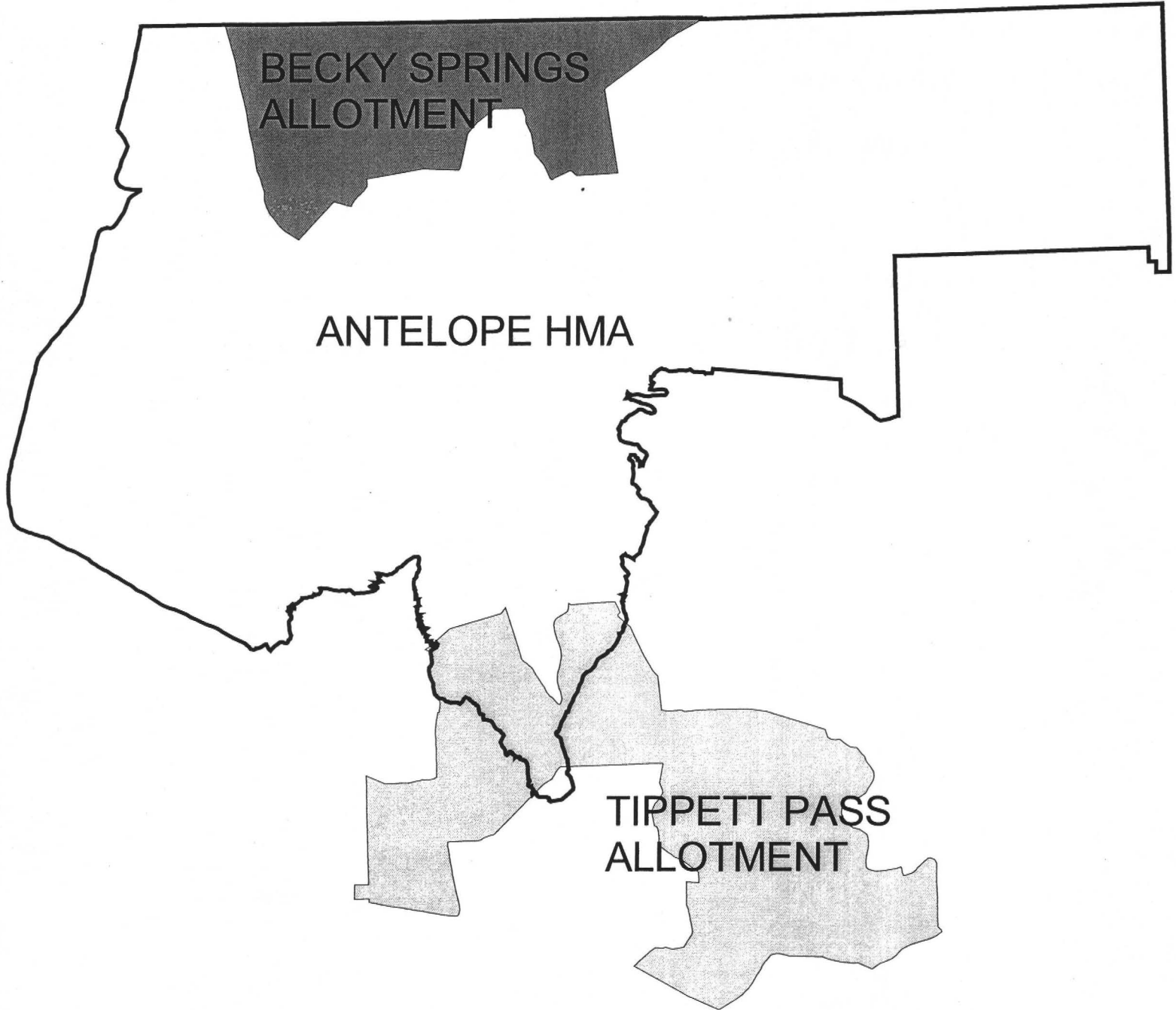
*FMUD = final multiple use decision

**PMUD= proposed multiple use decision

Location of Antelope HMA



PMUD for Becky Springs and Tippett Pass Allotments portions of the Antelope HMA



Ely_hma.shp

Antelope

Allotments.shp

BECKY SPRINGS

TIPPETT PASS

