



**ANIMAL
PROTECTION
INSTITUTE
OF AMERICA.**

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February 26, 1988

Gerald M. Smith
Manager
Schell Resource Area
BLM
Star Route 5, Box 1
Ely, NV 89301

Dear Mr. Smith:

Thank you for granting the Animal Protection Institute the opportunity to participate in the planning for the Wilson Creek Allotment. We regret that we're unable to have a staff member at the meeting to take part in the discussions of the consensus process. We realize our absence presents a hindrance to that process.

However, we do appreciate being able to participate since API represents 170,000 individuals who are vitally interested in the protection and conservation of our public lands. We are specifically concerned with the protection of wild horses and their habitat. But our concerns also include the ongoing provision of wildlife habitat and natural environments in their optimum ecological state for the enjoyment, appreciation, and (direct and/or indirect) usage by hikers, photographers, campers, bird watchers, nature lovers and others who benefit from the existence of these lands.

There is rising alarm amongst our members that continued overgrazing by and overstocking of domestic livestock is the prime cause of poor ecological conditions and in many places continued downward trends.

We, therefore, take a very strong view of the need to pinpoint cause of damage and take effective remedial management action.

continued

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RT	INVOICE	DATE
	Bob	
	TOPS	
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Comments: Please file in
Wilson Consultation file 1608

It is our experience that the continued reductions in the wild horse population have had no significant impact on the ecological conditions of the areas from which they've been removed.

Our understanding of the public land laws is that the intent is for remedial action. In this regard, remedies need to be based directly on defining actual cause of damage.

We believe that the optimum number of wild horses and other native species (elk, bighorn, mule deer, and pronghorn) can only be established as the result of monitoring and utilization data that is based on specific impact of each grazing species on the land. With regard to wild horses, we agree with and request full implementation of 4710.4 and 4710.5 in Regulations that state:

4710.4 Management of wild horses and burros shall be at the minimum level...

4710.5 If necessary to provide habitat for wild horses or burros to implement herd management actions or to protect wild horses or burros to implement herd management actions or to protect wild horses from disease, harassment or injury the authorized officer may close appropriate areas of the public lands to grazing use by all or a particular kind of livestock.

We do not agree that reseeding in areas of downward trend within a wild horse use area is an effective or appropriate remedial management option where damage is the result of uneven distribution of livestock--e.g., congregating near water sources when it is the nature of cattle to congregate near water sources. The preservation of wetlands and riparian habitat is of priority concern. But the remedial action to protect riparian lands within a wild horse use area should be closure to livestock (4710.5) rather than fencing as a first consideration.

We oppose the number of fences on the public lands that service livestock usage while discouraging other users. Within designated wild horse use areas where fences impede wild horses and wildlife as well as hinder rather than enhance true multiple usage we are definitely opposed and feel fences should be removed from within wild horse areas.

continued

Gerald M. Smith

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February 26, 1988

We are in agreement with the Monitor Elk Herd Management Plan.

Again we regret that we are unable to attend the local meetings for the Wilson Creek Allotment planning and again thank you for granting us this opportunity to respond with written comments.

Sincerely,

Nancy Whitaker

Nancy Whitaker
Program Assistant

WHAOA

JAN - 5 1988

Bureau of Land Management
Ely, Nevada

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Re: Wilson Creek Allotment

As an interested party in the management of wild horses and their designated habitat areas, I appreciate this opportunity to express my concerns for wild horses in the Wilson Creek Allotment.

I think the question raised in the Oct meeting about priority usage is the most relevant and the most conflicting and controversial issue facing wild horses there. It will come up when there is damage and when there is an increase in forage production. I oppose the very idea of inactive preference based on priority stocking levels and believe AUMs should be under the control of BLM with forage allocations made on the basis of range data, statutory directives, and the expertise of professional range managers.

as to carrying capacity, type of species,
number allowed, season of use.

When there is damage within an NVA, I would expect the 4710.5 closure to livestock production to be imposed and strict enforcement of permit restrictions in order to achieve a thriving ecological balance within the NVA. When there is an increase in forage production within an NVA, I expect the AMU to increase. When there is a conflict between wildlife, wild horses and cattle there is a need for a very clear definition differentiating between a user to be controlled by permit restrictions and ~~the~~ ^{the} species that ~~is~~ ^{are} an integral component of the natural system to be considered part of the biological diversity that constitutes the ecological balance to be protected, preserved & maintained in a thriving condition.

My second concern has to do with two-party agreements (CMAs) affecting wild horse use areas.

In light of the many conflicts and the fact livestock distribution is a major problem ^{in the allotment} everywhere, it would seem impossible for BLM to enter into any two-party agreements that establish stocking ratios for a three year period or make any guarantee of converting inactive preference without shortchanging other interests. I oppose two-party agreements that affect forage within NVAs. CMAs may be possible outside NVAs without violating public participation rights, but not inside.

My third concern has to do with vegetation conversion measured as a means of achieving the biological diversity of a thriving ecological state (flora, fauna) of the natural system. I believe there is a vast difference between burning or clearing

in order to destroy invader species followed by creating
so natural jobs and grasses to achieve a dynamic
system and plowing up the land to increase forage
in order to increase the number of livestock and
wild horses. Wild horses will increase without
vegetation conservation measures, with them their
rate of increase will increase. I oppose these
measures in an HVA unless it is clearly
demonstrated as the only means to control
invader species and restore a thriving ecological
balance. Assessing the impact of sheep versus
cattle, the impact of restricting season of use or
numbers as further restrictions, the impact of
rest/rotation grazing, ~~and~~ should be considered
as alternatives before burning, chaining, plowing,
spraying etc are undertaken. Decline in the
number of more than AUMs consumed so that

increasing QUMs simply to increase numbers
 without addressing other factors such as trampling
 grasses, soil compaction, the breakdown of streambanks,
 soil erosion; congregation near water sources is
 not sound range management and vegetation
 conversion is not range improvement. I believe
 vegetation conversion measures need to be put through
 the EA process before being carried out -- what are
 the impacts ^{on the use of} ~~of~~ for cover, and on other
 protected species -- migratory birds,
 ruminant animals, T & E species, ^{etc.} ~~which have protection~~
 regulations, ~~as do~~ ~~wildlife~~ and raptors and that is the
 purpose, and ~~it is~~ ^{is} within the overwhelming public
 mandate that demands conservation of nature principles
 and practices for sustainable uses?

Complex No 11 refers to "native summer range
 for livestock ---" Livestock do not have native ranges
 their owners have grazing privileges thro the permit system.

I object to the Terminology because it reinforces false attitudes about multiple use privileges.

Because my concern for the public lands goes beyond wild horses to my own human environment and that of generations to come, I view Complex No 13 with a great deal of consternation. This is an issue I hope will be on the agenda of the next meeting. The "commons" are not up for grabs, they mean for themselves, they are governed. If Trespass Livestock is a problem, it is a law enforcement problem. If this is the case, perhaps the me addressing it in a meeting should be

from the law enforcement division of the State Office.

I regret that as an interested party I am not able to attend meetings in obscure corners of the public lands and thank you again for arranging to include input in writing in a way that the consensus of the on-site group is broadened to reflect the concerns of the general public. While I seem to be often at odds with BLM, in reading the minutes and studying the background report I have to admit you did a pretty good job of reporting and conducting the meeting.

919 Colby Drive
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Nan Sherwood