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United States Department of the Interior



BUREAU OF LAND MANAGEMENT

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2000 JUL 31 AM 11:46

In Reply Refer To:
4700 (NV-042)

JUL 28 2000

Ms. Cathy Barcomb, Executive Director
Commission for the Preservation of Wild Horses
123 West Nye Lane, Suite 248
Carson City, NV 89706-0818

Dear Ms. Barcomb:

The Ely Field Office is proposing to establish the remainder of its wild horse herd management area (HMA) appropriate management levels (AMLs) by the end of the next fiscal year (FY2001), through a shortened allotment evaluation process. The current process, which has been used for several years, is quite lengthy. Continuing to establish AMLs through allotment evaluations will not meet our goal of having all AMLs established by the end of FY2001. It would still take several years to complete establishment of all AMLs using the present methodology. It is imperative that AMLs be established much sooner, in order to properly manage wild horses on the ground, in balance with the forage and water resources.

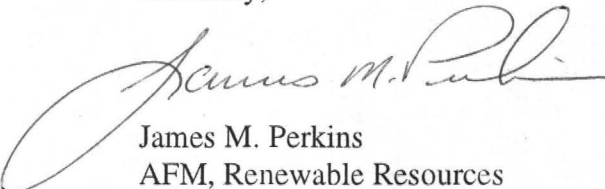
BLM is requesting additional funding from Congress to reduce all herds to their respective AMLs within the next four years, by aggressively removing all excess wild horses and burros. This action is necessary in order to obtain and maintain a thriving natural ecological balance between the wild horse and burro herds, as well as livestock and wildlife populations, and the forage and water resources on the Nation's public lands. AMLs must be fully established on all herds to be gathered as a part of the aggressive removal schedule. Most of the wild horse AMLs are already established within the Ely District.

The new AML process for the Ely District is to bypass the lengthy allotment evaluations, and to establish AMLs where they have not been previously determined. This will involve several HMAs. There are three strategies to establish the remaining AMLs. The first strategy is to establish AMLs on those allotments within HMAs that do not need changes in livestock grazing management practices to conform to the resource advisory council's standards and guidelines, and where present wild horse use is not an issue. These AMLs will be established through multiple use decisions without changes to livestock grazing from current established use. The second strategy is to concentrate on those HMAs where the AMLs have been established for the majority of the HMA, but no AML is yet established on the smaller allotments or fringe areas, also in need of livestock grazing management changes. These will be established by agreements to set wild horse AMLs and to modify current livestock grazing use and management practices to conform to the standards and guidelines. The final strategy is associated with those HMAs located throughout the District, primarily in Lincoln County, where the AML will be set for the entire HMA at one time. This strategy will also be through agreements to modify existing livestock use and implement needed management practices.

The first strategy will be implemented by issuing the four enclosed proposed multiple use decisions (PMUDs). The allotments associated with these decisions are under grazing management in conformance with the standards and guidelines, and existing wild horse use is appropriate for the allotments.

Would you please review the PMUD(s) that are pertinent to you and provide me with any comments by August 15, 2000 at the above address. If no comments are received, the PMUDs will be signed and issued as written. If, after issuance of the PMUDs, no protests are received, they will then be reissued as final multiple use decisions (FMUDs) and AMLs will be established on those allotment portions of the HMAs identified in the decisions.

Sincerely,

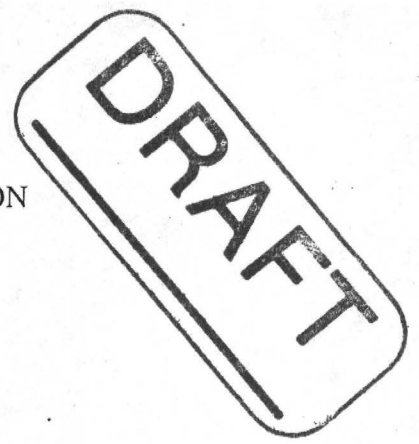


James M. Perkins
AFM, Renewable Resources

4 Enclosures

1. Notice of Proposed Multiple Use Decision for Wild Horse Herd Management Areas (5pp)
2. Notice of Proposed Multiple Use Decision for the Schellbourne Allotment Portion of the Antelope Wild Horse Herd Management Area (3pp)
3. Notice of Proposed Multiple Use Decision for the North Butte Allotment Portion of the Butte Wild Horse Herd Management Area and Buck and Bald Wild Horse Herd Management Area (3pp)
4. Notice of Proposed Multiple Use Decision for the Deep Creek Allotment Portion of the Antelope Wild Horse Herd Management Area (4pp)
5. Ely Field Office Wild Horse Herd Management Area Map

NOTICE OF PROPOSED MULTIPLE USE DECISION
FOR
WILD HORSE HERD MANAGEMENT AREAS



BACKGROUND INFORMATION:

This decision addresses the establishment of an appropriate management level (AML) for wild horses within the following wild horse herd management areas (HMAs) and grazing allotments:

Herd Management Area	Allotment
Dry Lake	Sunnyside
Dry Lake	Fox Mountain
Buck and Bald	Ruby Valley
Wilson Creek	Hamblin Valley
Meadow Valley Mountains	Schlarman

This decision is associated with those HMAs where the AML has been established over the majority of the HMA, but an AML has yet to be set on the smaller fringe areas or smaller allotments. Several years of census and field observations indicate few or no wild horses inhabiting these areas; therefore, forage will not be apportioned to wild horses at this time. This action is based principally on population numbers, and, to a lesser degree, on the wild horse habitat. This will complete the establishment of the overall AML for the Dry Lake, Wilson Creek and Meadow Valley Mountains HMAs. For the Buck and Bald HMA, the AML for the Thirty Mile Allotment, Maverick Springs Allotment, and North Butte Allotment portions of the HMA will remain to be established.

Not apportioning forage for wild horses on these allotments at this time does not exclude wild horses from using those portions of the HMAs. These areas will continue to be monitored and censused. Appropriate management levels can be adjusted if wild horses expand into these areas in the future.

Adjustments have previously been made to livestock for the Sunnyside, Fox Mountain and Ruby Valley Allotments. Adjustments have not been made to livestock use for the Hamblin Valley Allotment portion of the Wilson Creek HMA or for the Schlarman Allotment portion of the Meadow Valley Mountains HMA. Monitoring data indicate adjustments to livestock use are not needed on either allotment.

The "Notice of Final Multiple Use Decision for the Sunnyside and Hardy Springs Allotments" was issued March 6, 1996. The final multiple use decision (FMUD) set the AML within the Seaman HMA west of state highway 318, but failed to include the Dry Lake HMA east of the highway. The management action selection report (MASR) set a zero AML for the east side of the highway in the

Dry Lake HMA, but it was not carried forward into the FMUD.

The Fox Mountain Allotment was included in the "Notice of Final Multiple Use Decision for Those Allotments Located Within the Seaman Herd Management Evaluation Area" issued October 18, 1996. AML was not set for the Fox Mountain Allotment portion of the Dry Lake HMA at that time. Very little of the allotment is within the Dry Lake HMA and wild horses have not been observed or censused in this area, nor has there been any sign of wild horse use observed there.

An allotment evaluation, which included a MASR, was completed for the Ruby Valley Allotment in 1996. Livestock numbers were adjusted through a grazing transfer that same year. Because adjustments were made to livestock during the transfer process, a multiple use decision was not issued, and an appropriate management level for wild horses was not established. The transfer carried forward the stocking levels identified in the MASR. The MASR set a zero AML for wild horses. A wild horse census completed since the transfer, in May 1997, again showed no wild horse use. There are two livestock permittees on the Ruby Valley Allotment. The 1996 transfer adjusted livestock numbers for the Rosenlund term permit. Adjustments have not been made to permitted use (51 AUMS) associated with the Bowers permit.

The Wilson Creek HMA includes a small fenced portion of the Hamblin Valley Allotment. The fence effectively restricts wild horses from using the allotment. Wild horses could utilize the allotment by going around the end of the fence, but several years of census data show no wild horses on the allotment. Monitoring data indicate no need for changes to stocking levels, but only changes in grazing management are needed to improve livestock distribution. An evaluation has not been completed for the Hamblin Valley Allotment.

The Schlarman Allotment, although part of the Meadow Valley Mountains HMA, is essentially separated from the rest of the HMA by a deep canyon. Census and field observations show that wild horses rarely use the allotment, since access is restricted by the deep canyon. No adjustments are needed to livestock grazing since the allotment has not been grazed for several years. Monitoring shows no need for changes in grazing use. An evaluation has not been completed for the Schlarman Allotment.

This decision proposes to establish wild horse AMLs, and does not propose to make changes to livestock permitted use on any of the five allotments at this time.

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 appropriate management levels within the following herd management areas and allotments:

Herd Management Area	Allotment	Appropriate Management Level
Dry Lake	Sunnyside	0
Dry Lake	Fox Mountain	0
Buck and Bald	Ruby Valley	0
Wilson Creek	Hamblin Valley	0
Meadow Valley Mountains	Schlarman	0

This will complete the establishment of the overall AMLs for the Dry Lake, Wilson Creek and Meadow Valley Mountains HMAs. The total AML for the Dry Lake HMA will be 94 wild horses year-long. The total AML for the Wilson Creek HMA will be 160 wild horses year-long. The total AML for the Meadow Valley Mountains HMA will be zero wild horses. For the Buck and Bald HMA, the AML for the Thirty Mile Allotment, Maverick Springs Allotment and North Butte Allotment portions of the HMA remain to be established. The current established AML for the Buck and Bald HMA is 340 wild horses yearlong. The setting of wild horse numbers by allotment will eventually provide for an overall herd management area wild horse appropriate management level.

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 but the total AML for the HMA will be maintained.

In accordance with 43 CFR 4700.0-6(a), wild horse use on the Sunnyside and Fox Mountain Allotment portions of the Dry Lake HMA, the Ruby Valley Allotment portion of the Buck and Bald HMA, the Hamblin Valley Allotment portion of the Wilson Creek HMA, and the Schlarman Allotment portion of the Meadow Valley Mountains HMA shall be managed at zero AUMs for wild horses.

In accordance with 43 CFR 4720.1, in the future, all wild horses in excess of the total appropriate management levels established for the entire Dry Lake, Buck and Bald, Wilson Creek, and Meadow Valley Mountains HMAs will be removed.

Monitoring will continue to ensure that AMLs are maintaining a thriving natural ecological balance. Adjustments in wild horse numbers will be made by future Dry Lake HMA, Buck and Bald HMA, Wilson Creek HMA, and Meadow Valley Mountains HMA gathers based on continued monitoring, in order to achieve and maintain the established AMLs.

RATIONALE:

The analysis and evaluation of available monitoring data indicate that no change in management actions for wild horses are needed to meet multiple use management objectives on the Sunnyside, Fox Mountain, Ruby Valley, Hamblin Valley, and Schlarman Allotments. The data indicate that very little, if any, wild horse use is made on the allotments, and that zero AUMs are available or needed for wild horse grazing use.

A thriving natural ecological balance will be maintained on the Dry Lake, Buck and Bald, Wilson Creek, and Meadow Valley Mountains HMAs by establishing and maintaining the zero AML within the Sunnyside, Fox Mountain, Ruby Valley, Hamblin Valley, and Schlarman Allotments. Wild horses found using these 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. Since the total established AML for the Meadow Valley Mountains HMA is zero wild horses, any animals found using the HMA, including the Schlarman Allotment, will be considered excess and shall be removed.

The AMLs may be modified based on future monitoring data. If future monitoring data show that wild horses are using the allotment on a regular basis, and additional AUMs are available, wild horses will receive a proportional increase 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."

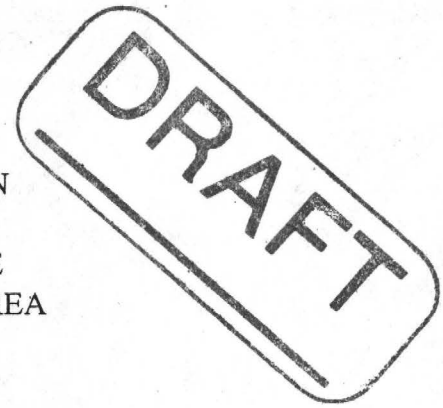
4720.1: "Upon examination of current information and a determination by the authorized officer that an excess of wild horses or burros exists, the authorized officer shall remove the excess animals immediately..."

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

NOTICE OF PROPOSED MULTIPLE USE DECISION
FOR THE
SCHELLBOURNE ALLOTMENT PORTION 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 Schellbourne Allotment portion of the Antelope Wild Horse Herd Management Area (HMA).

Census and field observations indicate a small number of wild horses inhabiting that portion of the Schellbourne Allotment within the Antelope HMA. Forage will be apportioned for wild horses within the Schellbourne Allotment. Census data for the Antelope HMA indicate that wild horses reside there on a year-long basis. Census has been conducted within the Antelope HMA 21 times since 1985, including a couple of years of census to show seasonal distribution. Although a few of the wild horse counts have resulted in no wild horses on the allotment, an average of five to six wild horses have been noted during any season of the year on the allotment (average of all census conducted since 1985). Even though few wild horses have been observed in the area, these wild horses are considered resident due to the availability of permanent water sources within the allotment. Other census information indicates wild horses to be residing near the allotment.

Livestock use on the Schellbourne Allotment has not been recently adjusted. An allotment evaluation has not been completed. The allotment has been stocked at approximately 50 percent of permitted use, authorizing about 350 AUMs active use out of the 685 AUMs total permitted use. The most recent monitoring data was collected in 1998. The monitoring data collected was forage utilization which indicated slight use over the entire allotment. Based on the existing monitoring data, there is no need to adjust either livestock or wild horse numbers from existing use at this time.

This decision proposes to establish a wild horse AML for the Schellbourne Allotment portion of the Antelope HMA based on the average wild horse use, but does not propose to make changes to livestock permitted use at this time.

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 appropriate management level for the Schellbourne Allotment portion of the Antelope HMA at six wild horses year-long. For the Antelope HMA, the AML for the Cherry Creek Allotment, Deep Creek Allotment, Becky Springs Allotment, and Tippett Pass Allotment portions of the HMA remain to be established. The current established AML for the Antelope HMA, including the Schellbourne Allotment portion, is now 239 wild horses year-long. The setting of wild horse numbers by allotment will eventually provide for an overall AML for the HMA.

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, but the total AML for the HMA will be maintained. The Antelope HMA will continue to be monitored and censused. Appropriate management levels 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 Schellbourne Allotment portion of the Antelope HMA shall be managed at six wild horses year-long (72 AUMs).

In accordance with 43 CFR 4720.1, in the future, all wild horses in excess of the total appropriate management level 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 indicate that no change in management actions for wild horses are needed to meet multiple use management objectives on the Schellbourne Allotment. The data indicate that there are 72 AUMs available for wild horse grazing use.

The AML of six wild horses year-long has been determined to be the optimum level to maintain the thriving natural ecological balance. Additional wild horses found using the allotment 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 Schellbourne Allotment, wild horses will receive a proportional increase/decrease along with the 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."

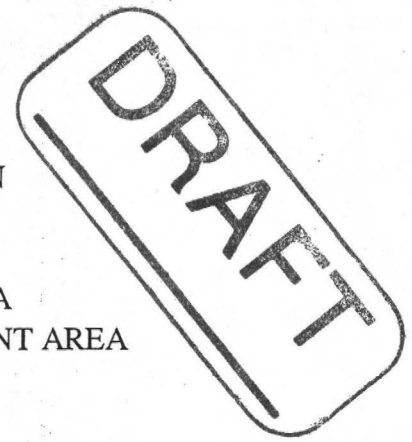
4720.1: "Upon examination of current information and a determination by the authorized officer that an excess of wild horses or burros exists, the authorized officer shall remove the excess animals immediately..."

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

NOTICE OF PROPOSED MULTIPLE USE DECISION
FOR THE
NORTH BUTTE ALLOTMENT PORTION OF THE
BUTTE WILD HORSE HERD MANAGEMENT AREA
AND BUCK AND BALD WILD HORSE HERD MANAGEMENT AREA



BACKGROUND INFORMATION:

This decision addresses the establishment of an appropriate management level (AML) for wild horses within the North Butte Allotment portions of the Butte Wild Horse Herd Management Area (HMA) and the Buck and Bald Wild Horse HMA.

The majority of the Butte HMA and the Buck and Bald HMA have established AMLs. Census and field observations indicate a small number of wild horses occasionally utilizing that portion of the North Butte Allotment within the Butte HMA. There are no perennial waters within the North Butte Allotment. The bands of wild horses that are observed utilizing the allotment normally only forage there for short periods of time as they pass through to better habitat. They are not residents of the allotment. Wild horses have been only rarely observed within that portion of the North Butte Allotment within the Buck and Bald HMA. The Buck and Bald portion of the allotment is steep and rocky terrain containing very little available forage. Because of this, forage will not be apportioned within the Buck and Bald HMA. Forage will be apportioned within the Butte HMA. Census data for the Butte HMA conducted since 1987 (17 counts) indicate that forage for only two to three wild horses is needed annually.

Not apportioning forage for wild horses within the Buck and Bald HMA at this time does not exclude wild horses from using those portions of the HMA. The Buck and Bald HMA and Butte HMA will continue to be monitored and censused. Appropriate management levels can be adjusted if wild horses expand into these areas in the future, or if monitoring data indicate adjustments in forage utilization are necessary.

Livestock numbers have previously been adjusted through a grazing transfer completed in 1995. Permitted use was adjusted from 698 AUMs to 180 AUMs. Stocking levels were calculated for the transfer. An allotment evaluation was not initiated prior to the transfer and has not been initiated since. Stocking levels were set based on 1993 and 1995 monitoring data. Wild horses were not included in the transfer calculations. The North Butte Allotment has not been grazed by livestock the last four years.

This decision proposes to establish the wild horse AML for the North Butte Allotment portions of the Butte HMA and the Buck and Bald HMA, but does not propose to make changes to livestock permitted use.

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 appropriate management level of three wild horses year-long for the North Butte Allotment portion of the Butte HMA, and at zero wild horses for the North Butte Allotment portion of the Buck and Bald HMA. For the Butte HMA, the AMLs for the Cherry Creek Allotment and Thirty Mile Allotment portions of the HMA remain to be established. The current established AML for the Butte HMA, including the North Butte Allotment, is 77 wild horses year-long. For the Buck and Bald HMA, the AML for the Thirty Mile Allotment and Maverick Springs Allotment portions of the HMA remain to be established. The current established AML for the Buck and Bald HMA, including the North Butte Allotment, is 340 wild horses year-long. The setting of wild horse numbers by allotment will eventually provide for an overall herd management area wild horse appropriate management level.

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 but the total AMLs for the HMAs will be maintained.

In accordance with 43 CFR 4700.0-6 (a), wild horse use on the North Butte Allotment portion of the Buck and Bald HMA shall be managed at zero AUMs for wild horses; wild horse use for the North Butte Allotment portion of the Butte HMA shall be managed at three wild horses year-long (36 AUMs).

In accordance with 43 CFR 4720.1, in the future, all wild horses in excess of the total appropriate management levels established for the entire Buck and Bald HMA and Butte HMA will be removed.

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

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 North Butte Allotment. The data indicate that there are 36 AUMs available for wild horse grazing use.

The AML of three wild horses year-long has been determined to be the optimum level to maintain the thriving natural ecological balance on the North Butte Allotment. Additional wild horses found using the allotment 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 AMLs for the HMAs are exceeded.

The AMLs 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 North Butte 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

NOTICE OF PROPOSED MULTIPLE USE DECISION
FOR THE
DEEP CREEK ALLOTMENT PORTION 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 Deep Creek Allotment portion of the Antelope Wild Horse Herd Management Area (HMA).

The Deep Creek Allotment Proposed Multiple Use Decision (PMUD) was issued September 16, 1994. A Final Multiple Use Decision (FMUD) was never issued. The 1994 PMUD identified an AML of 48 wild horses year-long. This decision will establish the AML of 576 AUMs (48 wild horses year-long).

Changes in grazing management, to meet land use plan objectives and allotment specific objectives, were identified through the PMUD. The recommendation at that time was no change in stocking levels for the Nevada portion of the allotment, because short and long term objectives were being met under current management. The season of use was adjusted from year-long to October 1 through April 30. These changes were never implemented since the FMUD was not issued. Term permits were renewed and issued September 30, 1999. These term permits were issued until February 29, 2000 and reflected past authorized use. The grazing permits were issued only until the start of the next grazing year (March 2000) because, based on the 1994 PMUD, existing management practices were not achieving the standards. In addition, changes had not been made to management practices since that time.

Grazing management practices have been adjusted through a livestock agreement. The livestock agreement was prepared in consultation with the permittees, Kyle Bateman (Bates Permit), Kyle Bateman and Gail Parker. The livestock agreement was signed by the permittees during February and March 2000. The agreement modified the areas of use and addresses the uneven distribution of livestock grazing in the Deep Creek Allotment. The agreement includes the grazing management practices presented in the 1994 PMUD. The agreement will run concurrently with the term grazing permit. The term of the livestock agreement and the term grazing permit are for a three year period beginning March 1, 2000 and ending February 28, 2003. The agreed upon changes in livestock use were made in order to achieve the multiple use objectives and Northeastern Great Basin Area Standards and Guidelines for grazing administration specifically related to the authorized use on the Deep Creek Allotment.

Census and field observations conducted since issuance of the PMUD in 1994 indicate that the AML identified in that document is reasonable for the allotment. Forage will be apportioned for wild horses within the Deep Creek Allotment portion of the Antelope HMA. The majority of the Antelope HMA already has an established AML. This portion of the Antelope HMA has been censused three times

since issuance of the PMUD. Census data for the Deep Creek Allotment portion of the Antelope HMA since September 1994 is as follows:

Census Date	Animals Counted
December 1994	5
June 1997	50
July 1998	50

This decision proposes to establish the wild horse AML for the Deep Creek Allotment portion of the Antelope HMA, but does not propose to make changes to livestock permitted use.

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 appropriate management level of 48 wild horses year-long for the Deep Creek Allotment portion of the Antelope HMA. For the Antelope HMA, the AMLs for the Becky Springs Allotment, Cherry Creek Allotment, and Tippet Pass Allotment portions of the HMA remain to be established. The current established AML for the Antelope HMA, including the Deep Creek Allotment portion, is now 287 wild horses year-long. The setting of wild horse numbers by allotment will eventually provide for an overall herd management area wild horse appropriate management level.

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, but the total AML for the HMA will be maintained. The Antelope HMA will continue to be monitored and censused. Appropriate management levels 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 Deep Creek Allotment portion of the Antelope HMA shall be managed at 48 wild horses year-long (576 AUMs).

In accordance with 43 CFR 4720.1, in the future, all wild horses in excess of the appropriate management level 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 indicate that no change in management actions for wild horses are needed to meet multiple use management objectives on the Deep Creek Allotment. The data indicate that there are 576 AUMs available for wild horse grazing use.

The AML of 48 wild horses year-long has been determined to be the optimum level to maintain the thriving natural ecological balance. Additional wild horses found using the allotment 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 Deep Creek Allotment, wild horses will receive a proportional increase/decrease along with the 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."

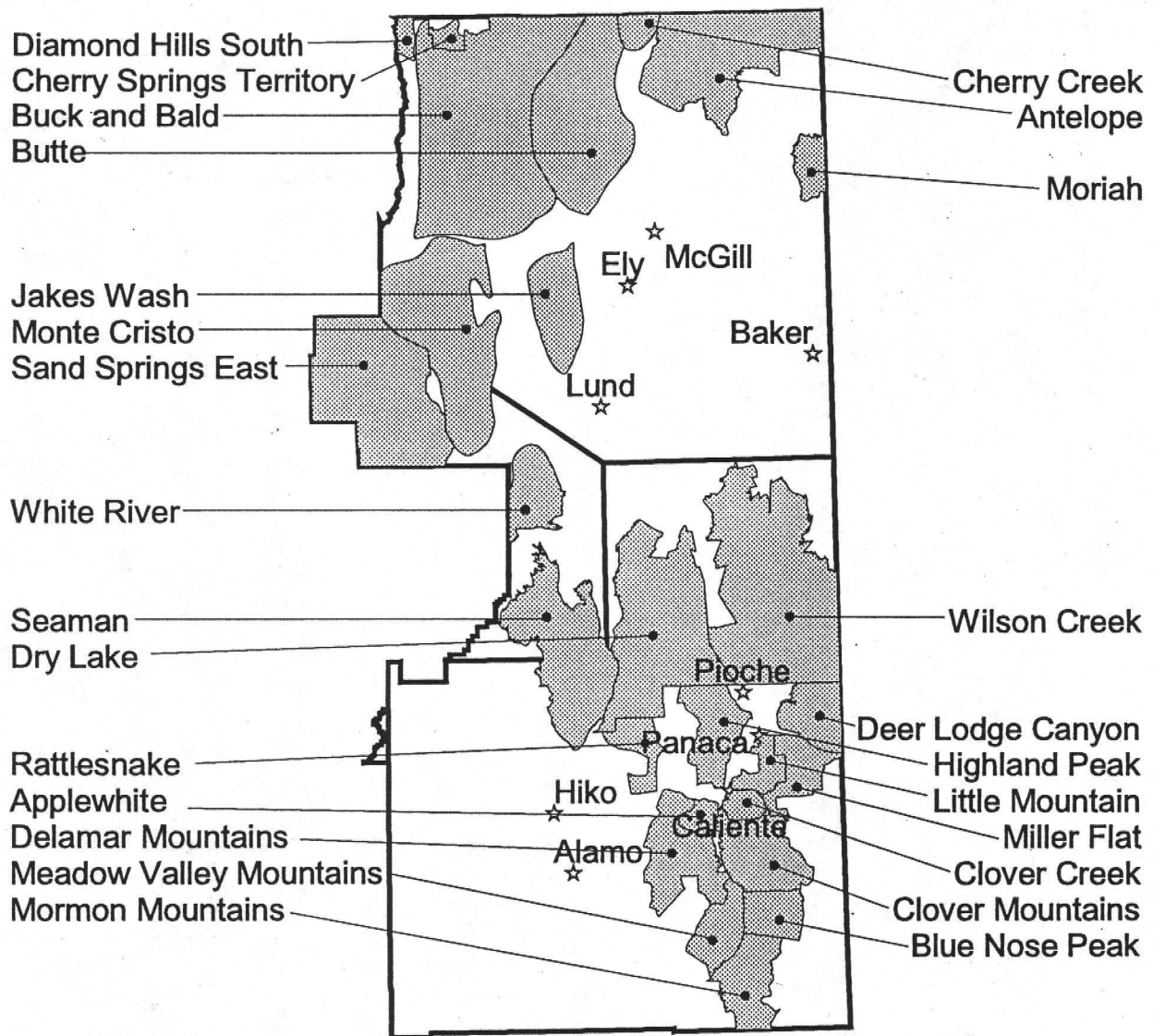
4720.1: "Upon examination of current information and a determination by the authorized officer that an excess of wild horses or burros exists, the authorized officer shall remove the excess animals immediately..."

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

ELY DISTRICT HMA'S



-  Herd Management Area
-  City
-  Ely District Boundary



Dry Lake HMA

8/21/00

8/21/00

To: James M. Perkins
From: Dawn Y Lappin
Subj: Proposed MUD

Thank you for the opportunity to comment regarding Dry Lake HMA/Sunnyside Allotment, Dry Lake HMA/Fox Mtn Allotment, Buck & Bald HMA/Ruby Valley Allotment, Nelson Creek HMA/Hamblin Valley, Meadow Valley Mtn HMA/Scharman.

Though I haven't always supported Eli's decisions regarding wild horse management, we recognize the District has steadily worked on establishing AMUs. Since most of these are fringe areas used infrequently by wild horses we do not object to the accelerated process.

WFOA encourages Ely District to monitor to support future action in these areas. We expect that monitoring data would substantiate the need for any action regarding wild horses in these allotments.

Sincerely
Dawn Y Lappin