



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Ely District Office  
HC 33 Box 33500  
Ely, Nevada 89301-9408

12-23-93  
TAKE  
PRIDE IN  
AMERICA

IN REPLY REFER TO:

4400.5 (NV-047)

DEC 23 1983

Dear Participant:

We appreciate your interest in being involved in the allotment evaluation consultation process. Enclosed for your information and review is the Railroad Pass Allotment monitoring evaluation. This is your opportunity again to provide allotment specific information and also provide comments to the evaluation which will be incorporated into Section VIII, Management Action Selection Report. We are especially interested in your input on the technical recommendations, in particular, management options we may have overlooked that would also provide for meeting management objectives for the allotment. We would appreciate receiving your information and/or comments by January 22, 1994, to allow adequate time to review all input and to adhere to our deadlines. All of the information received will be evaluated and considered in the final portion of the evaluation which is the selection of a management action.

We appreciate your participation and solicit your continued involvement in the consultation process.

Sincerely,

Gene L. Drais, Manager  
Egan Resource Area

1 Enclosure

1. Railroad Pass Evaluation

RAILROAD PASS ALLOTMENT EVALUATION

I. INTRODUCTION

- A. Allotment Name and Number: Railroad Pass Allotment (0601)
- B. Permittees: Pete Paris Jr., Harold Rother Farms Inc, and Pete and Julian Goicoechea.
- C. Selective Management Category: Improve

II. INITIAL STOCKING LEVEL

A. Livestock Use

The Railroad Pass Allotment has a total grazing preference of 3002 Animal Unit Months. The preference is divided among three permittees, Pete Paris Jr. (691 AUMs), Harold Rother Farms Inc. (1800 AUMs) and Pete and Julian Goicoechea (511 AUMs). There is no formal grazing system on the Railroad Pass Allotment; the majority of the use is spring, summer and fall. Pete Paris traditionally uses the allotment for spring/fall sheep grazing. Harold Rother and Pete and Julian Goicoechea use the allotment for spring, summer and fall cattle grazing.

B. Wild Horse Use

The Diamond Hills South Wild Horse Herd Management Area (HMA) lies within the Railroad Pass Allotment (Map 3). Estimated wild horse numbers for the Diamond Hills South (HMA) are shown in Table 1. — 10,000 acres

Table 1. Diamond Hills South HMA wild horse census data, Railroad Pass Allotment.

<u>Year</u>	<u>Source</u>	<u>Number of Animals</u>	<u>AUMs yearlong</u>
1992	12/92 census	133	1596
1991	07/91 census	208	2496
1990	Estimate	192	2304
1989	08/89 census	176	2112
1988	Estimate	135	1620

C. Wildlife Use

MAY 93 61 h's

The allotment is located in Nevada Department of Wildlife (NDOW) mule deer management area (MA) 14, unit 141. Since the publication of the RPS the mule deer population in this area of Nevada has been decreasing due to the persistent drought. The mule deer fawns that are born and survive to their first winter period

are generally entering the winter period in less than optimum condition, coupled with the drought and poor browse production, a higher than normal mortality in the fawn segment of the population is occurring.

The following is existing wildlife use as estimated by the Egan Resource Area Wildlife Biologist:

#### Mule Deer

The allotment provides spring/summer/early fall habitat for approximately 150-180 mule deer from April 1 through October 31 (231 AUMs). Mule deer use of the allotment is contingent on perennial water with the use generally within 2 miles of a water source. There are a number of perennial water sources as well as developed waters (i.e., wells, pipeline extensions, etc...) on the allotment.

#### Upland Game

There are two sage grouse leks (strutting grounds) having a two mile radius that extends onto the allotment. There are several principal brooding areas identified, but no winter habitat has been identified to date.

Chukar, as well as Hungarian partridge have been observed on the allotment.

#### T and E Species

The ferruginous hawk is a category 2 species listed by the U.S. Fish and Wildlife Service. This categorization means that the hawk could be listed as threatened or endangered in the future. There is one documented ferruginous hawk nest site on the allotment. The nest was found occupied in 1982; however, since that time, yearly nest checks have not documented any further occupancy. Other category 2 species that could be found on the allotment especially during migration periods, are the black tern, western least bittern and the white-faced ibis. The loggerhead shrike and pygmy rabbit can be found on the allotment year long.

### III. ALLOTMENT PROFILE

#### A. Description

The Railroad Pass Allotment (0601) is a category "I" allotment located on the east side of the Diamond Mountains, involving approximately 28,840 acres of federal land and 160 acres of private land. The main ridge of the Diamond Mountains forms a natural boundary on the west side of the

allotment; the north, south and east sides are completely fenced. There are three seedings located on the allotment; two of the seedings consist of old burns which were rehabilitated and the third was disced and seeded. The third seeding referred to as the Corta Seeding is completely fenced; Pete Paris has exclusive grazing privileges within the seeding. Map 1 illustrates the general location of the allotment within the Egan Resource Area (RA) and Map 2 depicts approximate allotment boundaries.

## B. Allotment Specific Objectives

### 1. Land Use Plan Objectives

a. Rangeland Management - All vegetation will be managed for those successional stages which would best meet the objective of this proposed plan. (Egan Resource Area Record of Decision (ROD) p. 3)

b. Wild Horses - Wild horses will be managed at a total of 36 animals within the Diamond Hills HMA. (Egan ROD, p. 6) \*

- Future adjustments in wild horse numbers will be based on data provided through the rangeland monitoring program. (Egan ROD, p. 6) \*

\* The 36 horses yearlong identified in the ROD is no longer a valid Appropriate Management Level (AML). The Interior Board of Land Appeals (IBLA) June 7, 1989 decision (IBLA 88-591, 88-638, 88-648, 88-679) ruled in part: "an AML established purely for administrative reasons because it was the level of wild horse use at a particular point in time cannot be justified under the statute. The IBLA further ruled that AML must be established through monitoring "in terms of the optimum number which results in a thriving natural ecological balance and avoids deterioration of the range."

c. Wildlife - "Habitat will be managed for "reasonable numbers" of wildlife species as determined by the Nevada Department of Wildlife." (Egan ROD, p. 6)

- "Forage will be provided for "reasonable numbers" of big game as determined by the Nevada Department of Wildlife." (Egan ROD, p. 8)

d. Watershed - "Establish utilization limits to maintain watershed cover, plant vigor and soil fertility in consideration of plant phenology, physiology, terrain, water availability, wildlife needs, grazing system and aesthetic values." (Egan ROD p.44)



## 2. Rangeland Program Summary Objectives

- a. "Provide for up to 943 AUMs of livestock use."
- b. "Maintain the Corta and Burn Seedings in good or better condition".
- c. "Improve ecological condition of low productivity/high potential big sagebrush dominated vegetation types on approximately 1/3 of the allotment."
- d. Maintain or improve current ecological condition on the remainder of the native range, with utilization levels not to exceed Nevada Rangeland Monitoring Handbook (NRMH) recommended allowable use levels which for perennial grass species is 50%
- e. "Manage rangeland habitat and forage condition to support reasonable numbers of wildlife, as follows: deer 682 AUMs."
- f. "Maintain habitat condition of meadows and riparian areas in good or better condition for mule deer and upland game."
- g. Protect sage grouse breeding complexes by maintaining the big sagebrush sites within two miles of active strutting grounds for mid-late seral stage with a minimum of 30% shrub component by weight.
- h. Protect ferruginous hawk nest sites by limiting utilization to 50% on winterfat flats within two miles of nest sites.
- i. "Maintain .25 miles of stream riparian in good or better condition."
- j. "Provide habitat and forage for approximately 38 horses (453 AUMs) within the Diamond Hills South HMA. (See note on page 3, B.b(1))"

## IV. KEY SPECIES IDENTIFICATION

- Seedings - Crested wheatgrass (Agropyron cristatum) - AGCR  
Russian wildrye (Elymus juncus) - ELJU  
Thickspike wheatgrass (Agropyron dasystachum) - AGDA
- Native - Indian ricegrass (Oryzopsis hymenoides) - ORHY  
Bottlebrush squirreltail (Sitanion hystrix) - SIHY  
Bluebunch wheatgrass (Agropyron spicatum) - AGSP  
Basin wildrye (Elymus cinereus) - ELCI

Sheep, cattle and wild horses will graze all of the above. The key plant species utilized by deer are antelope bitterbrush (Purshia tridentata), wyoming big sagebrush (Artemisia tridentata wyomingensis), mountain big sagebrush (Artemisia tridentata vaseyana), and other assorted mountain shrub species. Forbs are important for spring/early summer deer and sagegrouse use but no particular species is found in sufficient quantities to be considered a key species.

## V. MANAGEMENT EVALUATION

### A. Purpose

The purpose of this evaluation is to assess whether current management practices are meeting the multiple use objectives for the allotment and to determine the appropriate stocking level for livestock, wildlife and wild horses.

### B. Summary of Studies Data

Monitoring studies were conducted for the majority of the allotment in 1988, 1989, 1991, and 1992. The following tables summarize precipitation data, use pattern mapping, actual use, estimated carrying capacity, recalculated livestock preference and wild horse AUMs.

Incidental cursory inspections of mule deer habitat conducted by the Egan RA wildlife biologist have determined that mule deer key forage species are not being overutilized by any grazer.

Sage grouse brooding areas are in acceptable condition for the birds.

The integrity of the ferruginous hawk nesting territory has not declined. There has been a constant decline of nesting pairs of ferruginous hawks within the resource area since 1984.

#### 1. Precipitation

Data from the National Oceanic and Atmospheric Administration weather station located at Ely is being used for this evaluation due to its proximity to the Railroad Pass Allotment. The normal crop yield precipitation for Ely for the period 1951-1980 was 7.75". Crop yield is the effective precipitation for plant growth. It is the "crop year" precipitation that is measured to compute yield indices. The crop year precipitation is measured from September of the previous year through June of the growth year in the Intermountain Big Sagebrush Region (Sneva et. al. 1983). Table 2 illustrates the yield index from 1988 through 1992.

Table 2. - Yield Index For Ely

<u>Year</u>	<u>Crop Yield</u>	<u>Precipitation Index</u>	<u>Yield Index</u>
1988	8.17	105%	106%
1989	6.44	83%	79%
1990	7.12	92%	90%
1991	7.75	100%	100%
1992	7.10	92%	90%

## 2. Riparian Data

There is a 1/4 mile section of stream riparian complex and several smaller perennial complexes on public lands within the Railroad Pass Allotment.

Huntington Creek - Huntington Creek is a significant stream riparian complex that originates from springs located at T. 25 N, R. 55 E, sec. 34. It extends approximately 9.25 miles within the Railroad Pass Allotment; only a small portion (approx. 1/4 miles) is located on public lands. Two offbank riparian condition surveys have been conducted on the public portion of Huntington Creek; the first in 1989 rated this section in excellent condition, and the second conducted in 1993 rated this section in fair condition.

Dora Spring - Dora Spring is a perennial spring located at T. 25 N, R. 55 E, sec. 20 SWNW. The springhead has been developed; however, it is not functioning correctly. There is significant run off and a well developed channel below the spring with very little actually going into the trough. An offbank riparian condition survey conducted in 1993 rated this riparian complex in good condition.

Jurista Spring - Jurista Spring is a perennial spring located at T. 26 N, R. 55 E, sec. 30. The springhead has been developed with a trough and overflow which diverts water into a small pond. An offbank riparian condition survey conducted in 1993 rated this riparian complex in fair condition.

Table 3. Use pattern mapping summary - acres and (percent of mapped acres) by use class for Railroad Pass Allotment.

Year	Light (21 - 40%)	Moderate (41 - 60%)	Heavy (61 - 80%)	Severe (>81%)
1992	3241 (21)	7801 (52)	2885 (19)	1218 (08)
1990	4788 (37)	5333 (41)	1723 (13)	1250 (09)
1989	5800 (45)	4513 (35)	913 (07)	1636 (13)
1988	3531 (26)	7122 (51)	2338 (17)	853 (06)

Utilization was checked immediately after spring sheep use in 1993, 1991, 1990, and 1989. For all years sheep use was slight/light.

Table 4. Ecological Status - Ecological status (condition) was read on the native key area (Map 4) in August, 1993 with the following result:

Key Area	Range Site	Ecological Status
RR-4	28BY082NV	Mid Seral

Table 5. Estimated Actual Use Summary (AUMs)

Year	Cattle	Sheep	Wild Horses*	Total
1988	967	592	1620	3179
1989	432	696	2112	3240
1990	584	692	2304	3580
1992	311	596	1596	2503

2294

1596/207  
4576  
% foals  
% adult

\* AUMs for wild horses were based on yearlong use.

Table 6. Estimated Carrying Capacity for Wild Horses, Cattle and Sheep.

Year	Actual Use AUMs	Raw * Util.	Yield Index	Adjusted Util. (%)	Proper** Stocking
1988	3179	70%	106%	74%	2148 →
1989	3240	90%	79%	71%	2282
1990	3580	70%	90%	63%	2841
1992	2503	70%	90%	63%	1987

Calculated using 50% as desired utilization.

\* Raw utilization figures used were the mid-point of the highest significant use zone.

$$\frac{3179}{.70} \times \frac{X}{50}$$

^

902

\*\* The average proper stocking level is 2315 AUMs. This figure was calculated using Actual Use of cattle, sheep and horses. As a result of utilization monitoring which showed that sheep were not contributors to areas of overuse, the full sheep preference of 691 AUMs will be retained. This results in a proper stocking level of 1624 AUMs to be allocated between wild horses and cattle.

Proper Stocking Level is calculated using the following formula:

$$\frac{\text{Actual Use (AUMs)}}{\text{Adjusted Util. (\%)}} = \frac{\text{Desired Use (AUMs)}}{\text{Desired Util. (\%)}}$$

As a result of allocation from Actual Use the horse AML would be a negative number, therefore, allocation was based on proportions from the Land Use Plan as follows:

+ 453 (16%) AUMs (wild horse management objective from RPS)  
 2311 (84%) AUMs (cattle preference)  
 2764

.16 x 1624 = 260 AUMs allocated for wild horse use (22 horses yearlong)

.84 x 1624 = 1364 AUMs allocated for cattle use

The new livestock preference will be divided among Harold Rother Inc. and Pete and Julian Goicoechea based on the percent of the original preference AUMs that each were allocated.

Harold Rother Inc. ....1800 AUMs (78%)

Pete and Julian Goicoechea .....511 AUMs (22%)

Original Preference = 2311 AUMs  
 New Preference = 1364 AUMs

.78 x 1364 = 1064 AUMs for Harold Rother Inc.

.22 x 1364 = 300 AUMs for Pete and Julian Goicoechea

Handwritten calculation:  
 3624  
 .16  
 9744  
 1624  
 259.84

VI. Conclusions

A. Land Use Plan Objectives

III. B. 1. (a) - Met

Rationale: The native range portion of the allotment is in an acceptable successional stage; however, long term objectives



would not be met if short term use continued to exceed allowable use levels.

III. B. 1. (b) - Not Met

Rationale: Allowable use levels have been exceeded on portions of the allotment grazed by wild horses and cattle.

III. B. 1. (c) - Met.

Rationale: Although mule deer numbers have fluctuated with drought and severe winter conditions, there is no indication from monitoring data that indicate livestock or wild horse use has contributed to the apparent downward trend in wildlife numbers which has led to a below reasonable number objective estimate of 682 AUMs allocated for mule deer use in the allotment.

III. B. 1. (d) - Not Met.

Rationale: Allowable use levels have been exceeded on portions of the allotment.

B. Rangeland Program Summary Objectives

III. B. 2. (b) - Not Met

Rationale: Utilization levels have been heavy or severe on the burn every year of the four years that utilization data has been collected.

III. B. 2. (c) - Not Met

Rationale: Large areas of big sagebrush dominated vegetation have little or no forage associated with their understory in the allotment. Relieving grazing pressure alone would not improve ecological condition within these areas, treatment options need to be explored in order to meet this objective.

III. B. 2. (d) - Not Met

Rationale: Utilization levels have exceeded NRMH allowable use levels on portions of the allotment.

III. B. 2. (e) - Met

Rationale: Although mule deer numbers have fluctuated with drought and severe winter conditions, there is no indication from our monitoring data that indicates livestock or wild horse use has contributed to the apparent downward trend in mule deer numbers which has lead to a below reasonable number objective estimate of 682 AUMs allocated for mule deer use in the allotment.

III. B. 2. (f) - Not Met

Rationale: Off bank riparian condition studies were conducted on two springs and one section of Huntington Creek within the Railroad Pass Allotment. Dora Spring rated "good", Jurista Spring rated "fair" and the section along Huntington Creek rated

"fair".

III. B. 2. (g) - Met

Rationale: Big sagebrush sites within two miles of strutting grounds are being maintained in mid to late seral stages with a minimum of 30% shrub composition

III. B. 2. (h) - Not applicable

Rationale: This objective cannot be met due to the lack of winterfat areas within the Railroad Pass Allotment.

III. B. 2. (i) - Not Met

Rationale: Off bank stream riparian condition was completed for that portion of the Huntington Creek on public lands (approx. 1/4 mile) in 1993. The survey resulted in a "fair" condition rating; this is down significantly from an 1989 survey which resulted in an "excellent" rating.

III. B. 2. (j) - Met

Rationale: The RPS objective is to provide 453 AUMs for wild horse use on the allotment. The latest census shows wild horse use at approximately 1596 AUMs on the Allotment.

VII. Technical Recommendations

A. Problem

The major resource problem on the Railroad Pass Allotment is the overutilization of key species by cattle and wild horses. The cause can be attributed to excessive numbers of cattle and wild horses and poor distribution by cattle.

B. Solution

1. Short Term

(a) Retain full sheep preference on the Railroad Pass Allotment with a period of use from 4/5 to 6/15 and 11/1 to 11/15. Continue to monitor to determine any changes that need to be made.

(b) Reduce adjudicated preference for cattle from 2311 AUMs to 1364 AUMs as indicated by monitoring studies.

(c) Establish a two pasture deferred grazing system to provide yearly rest. (See fig. 1)

(d) Establish wild horse use at 260 AUMs as indicated by monitoring studies.

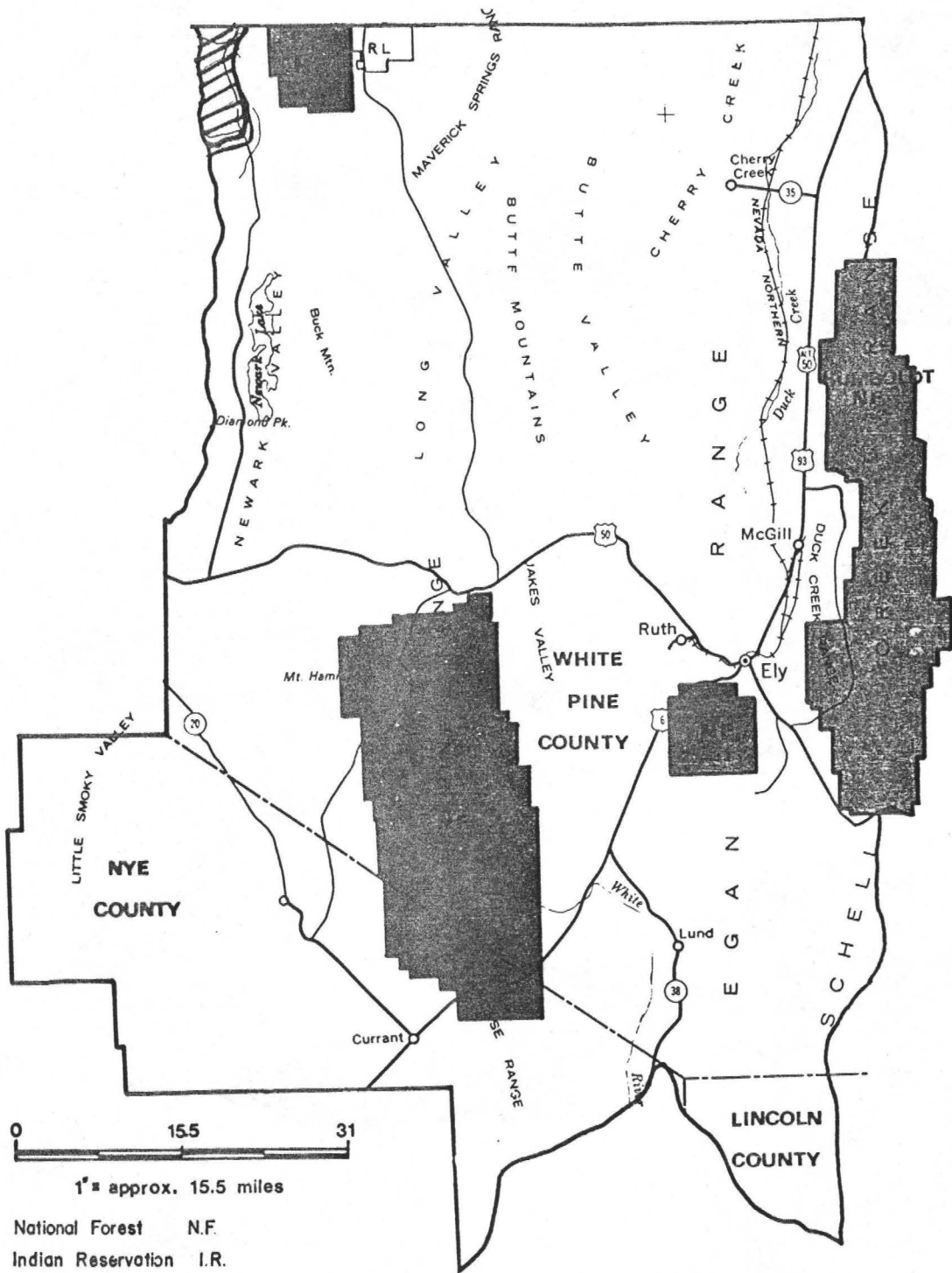
(e) No salt blocks are to be located within 3/4 mile from water.

(f) Ensure maintenance of existing pipelines to encourage uniform distribution.

2. Long Term

(a) Fence approximately 1/4 acre of meadow above the headbox at Jurista Spring.

MAP 1. General Allotment Location

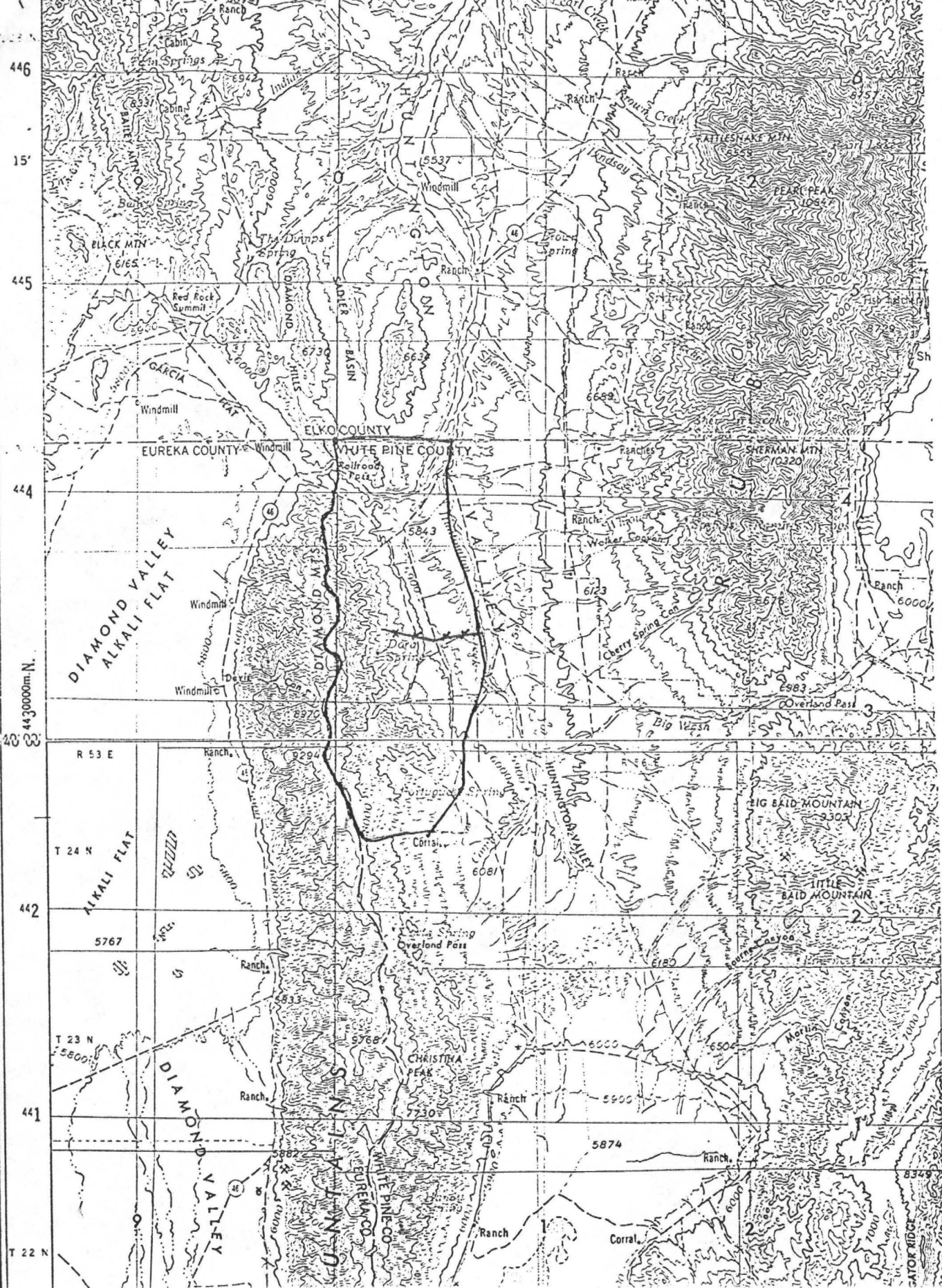


1" = approx. 15.5 miles

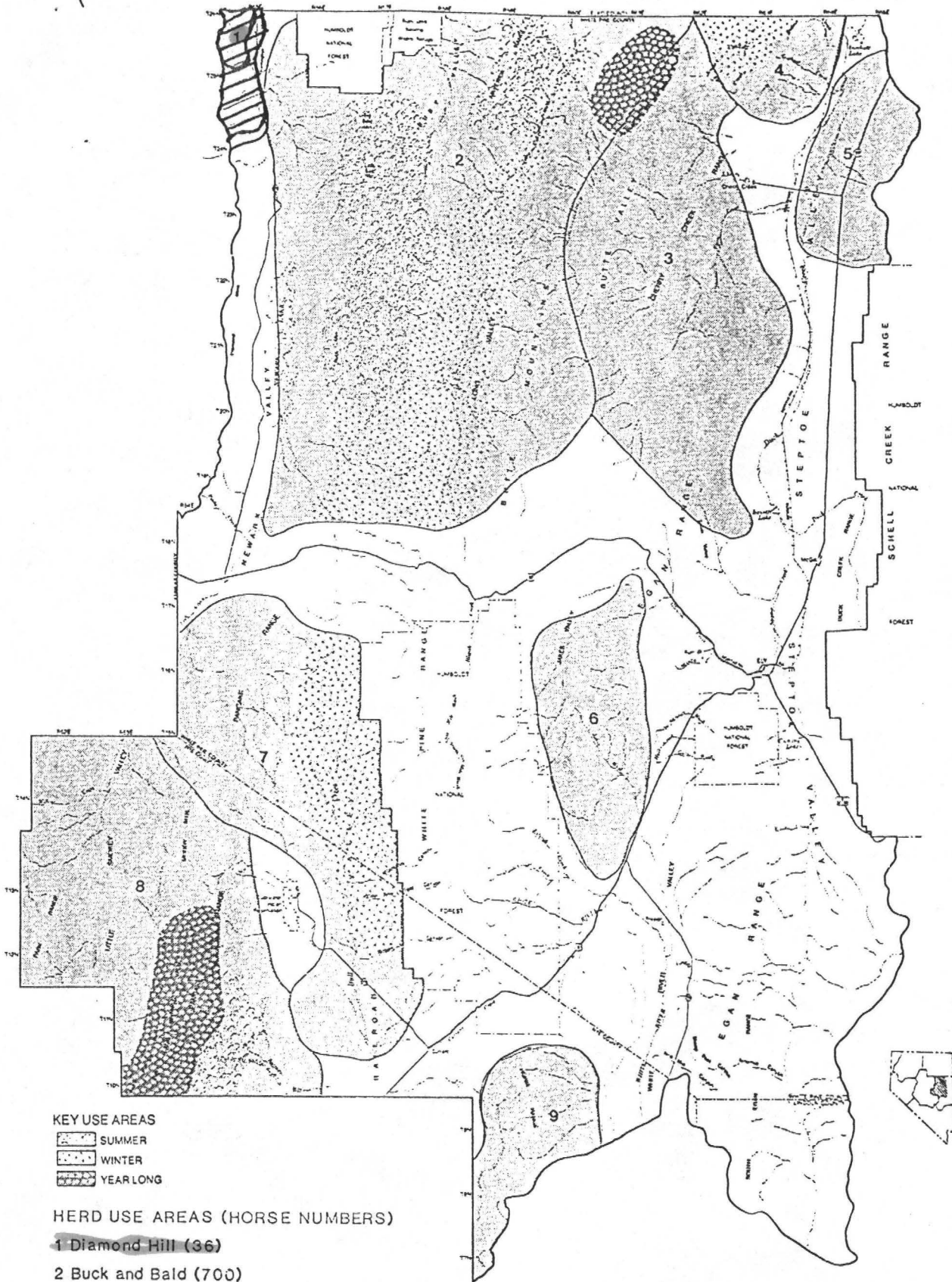
National Forest N.F.  
 Indian Reservation I.R.  
 Ruby Lake R.L.

**EGAN R.A.**  
**ELY DISTRICT**  
 BUREAU OF LAND MANAGEMENT  
 U. S. DEPARTMENT OF THE INTERIOR

Map 2. Railroad Pass Allotment Boundary.







KEY USE AREAS  
 [Dotted pattern] SUMMER  
 [Cross-hatched pattern] WINTER  
 [Diagonal lines pattern] YEARLONG

- HERD USE AREAS (HORSE NUMBERS)
- 1 Diamond Hill (36)
  - 2 Buck and Bald (700)
  - 3 Butte (60)
  - 4 Cherry Creek (11)
  - 5 Antelope (14)
  - 6 Jakes Wash (20)
  - 7 Monte Cristo (96)
  - 8 Sand Springs (494)
  - 9 White River (20)

MAP 3. Railroad Pass Allotment In Relation To Diamond Hill HMA Boundaries.

MAP 4. Key Area RR-4

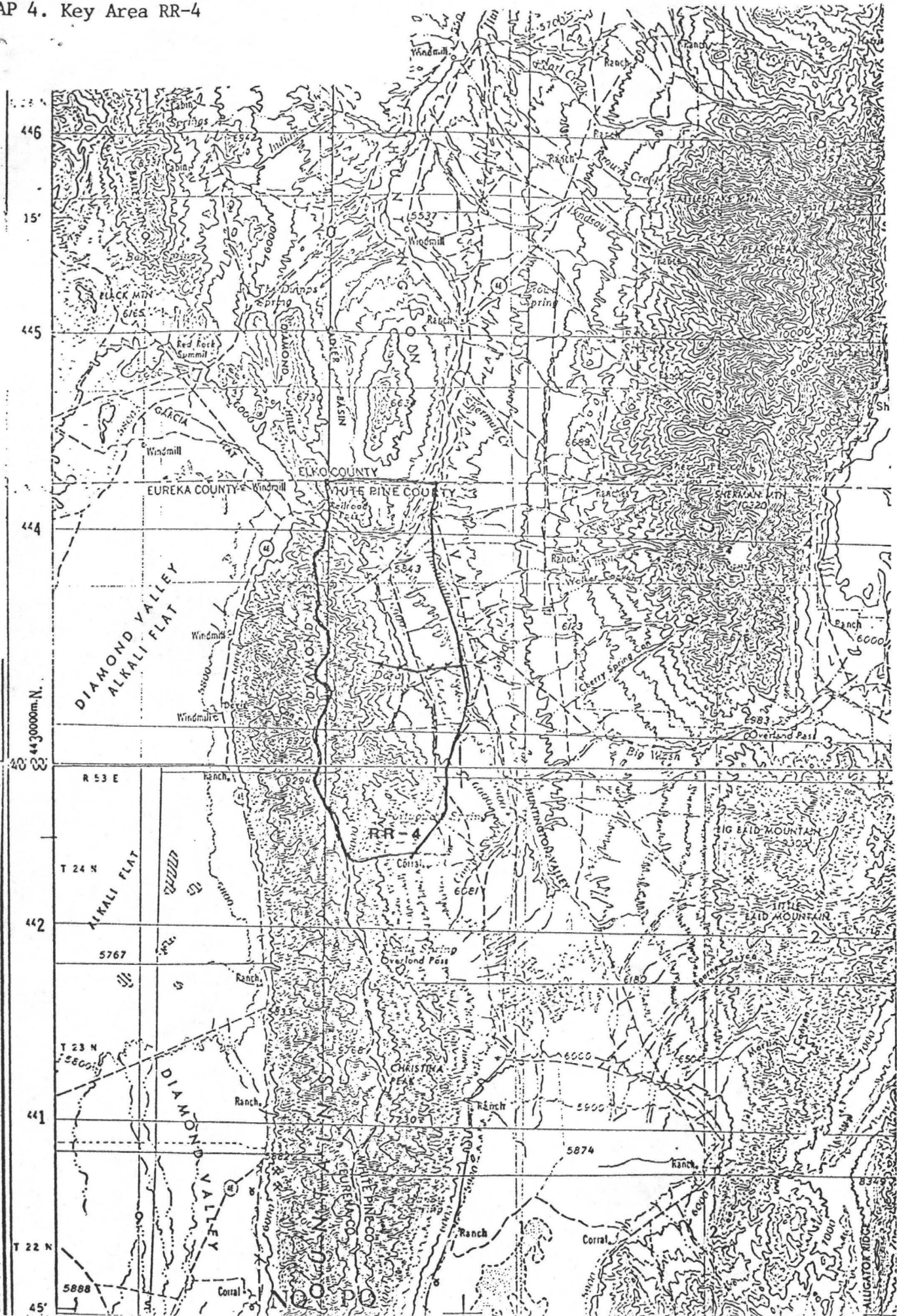


Fig. 1 - Two pasture deferred rotation system



SEASON OF USE

YEAR	5/15 - 6/15	8/15 - 10/15
1994	A	B
1995	B	A

Pasture A = Area North of drift fence

Pasture B = Area South of drift fence

At the end of the second year the cycle will be repeated.



# W H O A

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



... a note from

Dawn Y. Lappin

February 10, 1994

Mr. Gene L. Drais  
Egan Resource Area  
Bureau of Land Management  
HC 33 Box 33500  
Ely, Nevada 89301-9408

RE: Railroad Pass Allotment Evaluation

Dear Mr. Drais:

W H O A appreciates this opportunity to review and comment on the allotment evaluation that establishes the appropriate management level for the Diamond Hills South Herd Management Area. Based upon the data found in this allotment evaluation, we have the following concerns:

Page 1, Wild Horse Use

It is assumed that all horses observed on random surveys are year long residents on this allotment. We suggest that all data be used to estimate actual use. Population modeling would be appropriate to support stated estimates. Herd composition data should be expressed.

Page 3, Allotment Specific Objectives

It should be mentioned that existing numbers of horses and livestock in the Egan Resource Area Record of Decision were the initial stocking rates to be monitored. These numbers were not the carrying capacity for this allotment. Monitoring data must be used for any necessary adjustments.

Page 7, Carrying Capacity Computations

There are many errors in the assumptions and computations for the carrying capacity of this allotment. We have prepared a computation that assumes that your data are accurate and that allocates available forage fairly between users.

Gene L. Drais, Area Manager  
February 9, 1994  
Page 2

Please consider the following corrections in your computation:

1. Table 5. computes actual use of sheep. The proposed stocking rate discounts sheep use and awards full active preference. If sheep did not contribute to resource damage, then actual sheep use must be extracted from Table 5.

2. Table 6. uses a Yield Index to adjust actual utilization. The use of Yield Index computes stocking rates during drought years that are known to exceed the utilization limits of the allotment. We recommend that actual data be used.

3. Allocation of available forage is biased against wild horses. Monitoring data establishes the carrying capacity. Proportioning the available forage to the percentages of the land use plan is arbitrary. We recommend that reductions be proportional to the offending animal. This is supported by the 1989 IBLA decision for wild horses stating that monitoring data must be used to determine if horses are the offending animal and to what extent.

4. Livestock reductions were based upon preference and not active use.

Please review the attached computation based upon the corrections necessary for establishing an appropriate management level for this herd. We would appreciate specific responses to our concerns.

Sincerely,

DAWN Y. LAPPIN  
Director





# United States Department of the Interior



## BUREAU OF LAND MANAGEMENT

Ely District Office  
HC 33 Box 33500  
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IN REPLY REFER TO:

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We appreciate your participation and solicit your continued involvement in the consultation process.

Sincerely,

*restructuring w/ STRATEGIC PLAN*

*Gene L. Drais*

*ARGUE 50% minimum pg 7*

Gene L. Drais, Manager  
Egan Resource Area

*Bitter West  
Diamond's  
HMA*

1 Enclosure

1. Railroad Pass Evaluation

*VIABLE GENE POOL*

*from 133 h's  
down to 22*

*uses old LUP %'s  
which were arbitrary*

*movement of h's  
total AML for HMA?*

*current census  
death loss 92*

*NOT protecting  
gene pool*



**COMMISSION FOR THE  
PRESERVATION OF WILD HORSES**

**50 Freeport Boulevard, No. 2  
Sparks, Nevada 89431  
(702) 359-8768**

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Dawn Lappin  
Reno, Nevada

February 10, 1994

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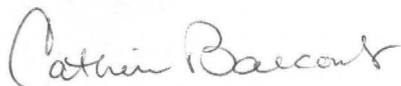
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Sincerely,



CATHERINE BARCOMB  
Executive Director

Carrying Capacity  
Railroad Pass Allotment Data

Year	AUMs Cattle	AUMs Horses	AUMs Total	Measure %	Desired %	Capacity
1988	967	1620	2587	.70	.50	1848
1989	432	2112	2544	.90	.50	1817
1990	584	2304	2888	.70	.50	2063
1992	311	1594	1905	.70	.50	1361
Average	574	1908	2481			1772
Percent	.23	.77				

Adjustment to Average Actual Use

Average Use = 2481 AUMs  
 Capacity = 1772 AUMs  
 Reduce = 709 AUMs

Proportion of Reduction to Offending User

Cattle 709 AUMs X .23 = 163 AUMs  
 Horses 709 AUMs X .77 = 546 AUMs

Reduction to Average Actual Use

Cattle 574 AUMs - 163 AUMs = 411 AUMs  
 Horses 1905 AUMs - 546 AUMs = 1359 AUMs

Appropriate Management Level = 113 Horses



# PAGE 1 RAILROAD PASS

5-93

① YEAR	② CATTLE	③ SHEEP W/HORSES	* TOTAL	④ % ACTUAL UTILIZATION	⑤ % DESIRED UTILIZATION	** CARRYING CAPACITY	
1988	967	<del>592</del>	1620	2587	.70	.50	1848
89	432	<del>696</del>	2112	2544	.90	.50	1413
90	584	<del>692</del>	2304	2888	.70	.50	2063
92	311	<del>590</del>	1596	1905	.70	.50	1361
TOTALS	2294	<del>2576</del>	7632	9924			6685
	(574)		(1908)	(2481)			(1671)

7

ACTUAL FORMULA FOR DETERMINING STOCKING LEVELS IS:

$$\frac{\text{ACTUAL USE}}{\text{ACTUAL UTILIZATION \%}} = \frac{\text{DESIRED USE}}{\text{DESIRED UTILIZATION \%}}$$

SO TO COMPUTE THE ABOVE COLUMN:

1st STEP:

OBTAIN ALL DATA FROM AE (ALLOTMENT EVALUATION)

TABLE 5 GIVES ACTUAL USE SUMMARY FOR ①-③

TABLE 6 GIVES RAW UTIL % FOR COLUMN ④

COLUMN ⑤ IS THE DESIRED UTILIZATION PRESCRIBED TO IMPROVE EXISTING CONDITIONS (OR NO MORE THAN 50% OF PLANT)

\* I HAVE EXCLUDED SHEEP FOR EXAMPLE PURPOSE ONLY

2ND STEP

$$\frac{2587}{.70} = \frac{3696}{.5} \quad \left( 2587 \div .7 = 3696 \times .5 = \underline{1848} \right) \text{ THIS \# GOES IN CAPACITY}$$

$$\frac{2544}{.90} = \frac{2827}{.5} \quad \left( 2544 \div .9 = 2827 \times .5 = \underline{1413} \right) \quad \text{''}$$



# RAILROAD PASS

STEP 2

$$\frac{2888}{.70} = \frac{4126}{.5} \left( 2888 \div .7 = 4126 \times .5 = \underline{\underline{2063}} \right)$$

$$\frac{1905}{.70} = \frac{2721}{.5} \left( 1905 \div .7 = 2721 \times .5 = \underline{\underline{1361}} \right)$$

## STEP 3

ADD CARRYING CAPACITY COLUMNS  $1848 + 1413 + 2063 + 1361 = 6685 \div 4$  (YEAR AVER)  $= 1671$

## STEP 4

COLUMN *	2481 (AV USE)	
- COLUMN **	1671 (CAPACITY)	810
	810 (REDUCTION)	

## STEP 4

TAKE EACH COLUMN 4 YEAR AVERAGE AND DIVIDE BY TOTAL COLUMN AVERAGE

$$574 \div 2481 = 23\%$$

$$1908 \div 2481 = 77\%$$

THIS ATTRIBUTES USE BY OFFENDER

DON'T PANIC! AS YOU CAN SEE ON PAGE 8 OF AE (\*) THAT BLM HARDENED HORSE USE WHICH GAVE A NEGATIVE, SOFTENED COW USE WHICH EMPHASIZED THE HARD CALCULATIONS.

*Minor calculations = 22 cows, 114!*

## STEP 5

## RAILROAD PASS

STEP 5

TAKE REDUCTION 810

$$810 \times .23 = 186 \text{ AUMS}$$

$$810 \times .77 = 624 \text{ AUMS}$$

CATTLE AUMS	W HORSES AUMS
574 AU USE	1908 AU USE
- 186 REDUCTION	- 624 REDUCTION
<u>388 NEW</u>	<u>1284 NEW</u>

This computation monitors "actual use"

We then stress "since you monitored "actual use" then the reductions must come from "actual use" not paper cows as would be the case if the reduction was taken from "preference."

How they soften livestock data

* Category	Midpoint	Acres in Use (AUMS)
41%-60%	.5	103,738
62%-80%	.7	91,991
81%-100%	.9	<u>3,331</u>
		199,060 *

\* not from Railroad - just example



# RAILROAD PASS

In the AE they will give % of land in severe (81-100%) heavy (61-80%) or moderate (41-60%), slight (below 41%)

As noted on previous page 3,331 acres were categorized as severe, 91,991 as moderate and 103,738 as moderate use

These were weighted by averaging out the severe, and heavy, with the higher level of moderate

$$\frac{(103,738 \times .5) + (91,991 \times .7) + (3,331 \times .9)}{199,060} = 60\%$$

THEN (insult to injury!) they reduce livestock from "preference" and wild horses from actual use.

As you can see the figures in column (4) if we used their slanted methodology would greatly affect the real utilization. To play compute using .90 in all the columns & see the huge reduction in AUMs. Our solution is to apply the same utilization to all offending animals.

If you have a "reasonable" permittee to work with & it is applied equally you can use midpoint

.5  
.6  
.7  
.8  
.9

CONVERSATION RECORD

TIME

11:15 am

1-25-94  
1/25/94

TYPE

VISIT

CONFERENCE

TELEPHONE

INCOMING

OUTGOING

ROUTING

NAME/SYMBOL

INT

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

Cathy Barcomb

ORGANIZATION (Office, dept., bureau, etc.) Commission for the Preservation of WH+B

TELEPHONE NO.

359-8768

SUBJECT

Railroad Pass Allotment Evaluation Concerns

SUMMARY

Cathy wanted to discuss concerns she and Dawn Lappin have with the way forage is being allocated and how it affects herd viability with a new AML for the Diamond Hills South HMA of only 22 total wild horses. I explained that viability and genetic diversity were not a problem with the proximity to Elko District's Diamond Hills North herd and Battle Mountain District's Diamond herd, as well as constant migrations among the three herds. I explained that the forage allocation based on the Egan RMP livestock preference versus wild horse AML percentages was used as the most equitable method to both users, since basing allocation strictly from actual use set wild horse AML at less than zero and allocation based on preference for cattle versus latest wild horse census was not equitable as largest reduction went to livestock whereas monitoring showed wild horses contributed to the major part of the range deterioration. She said the concerns were resolved and to expect no comments.

NAME OF PERSON DOCUMENTING CONVERSATION

Robert E. Brown

SIGNATURE

Robert E. Brown

DATE

1/25/94

ACTION TAKEN

None required.

SIGNATURE

TITLE

DATE





**COMMISSION FOR THE  
PRESERVATION OF WILD HORSES**

50 Freepport Boulevard, No. 2  
Sparks, Nevada 89431  
(702) 359-8768

**COMMISSIONERS**

- Paula S. Askew, Chairperson  
Carson City, Nevada
- Steve Falkens, Vice Chairman  
Smith Valley, Nevada
- Michael Jackson  
Las Vegas, Nevada
- Dan Ketserman  
Las Vegas, Nevada
- Dawn Lappin  
Reno, Nevada

2-11-94

February 10, 1994

RECEIVED

FEB 11 1994

Mr. Gene L. Drais  
Egan Resource Area  
Bureau of Land Management  
HC 33 Box 33500  
Ely, Nevada 89301-9408

Bureau of Land Management  
Ely, Nevada

RE: Railroad Pass Allotment Evaluation

Dear Mr. Drais:

The Commission for the Preservation of Wild Horses appreciates this opportunity to review and comment on the allotment evaluation that establishes the appropriate management level for the Diamond Hills South Herd Management Area. Based upon the data found in this allotment evaluation, we have the following concerns:

Page 1, Wild Horse Use

It is assumed that all horses observed on random surveys are year long residents on this allotment. We suggest that all data be used to estimate actual use. Population modeling would be appropriate to support stated estimates. Herd composition data should be expressed.

Page 3, Allotment Specific Objectives

It should be mentioned that existing numbers of horses and livestock in the Egan Resource Area Record of Decision were the initial stocking rates to be monitored. These numbers were not the carrying capacity for this allotment. Monitoring data must be used for any necessary adjustments.

Page 7, Carrying Capacity Computations

There are many errors in the assumptions and computations for the carrying capacity of this allotment. We have prepared a computation that assumes that your data are accurate and that allocates available forage fairly between users.

Gene L. Drais, Area Manager  
February 9, 1994  
Page 2

Please consider the following corrections in your computation:

1. Table 5. computes actual use of sheep. The proposed stocking rate discounts sheep use and awards full active preference. If sheep did not contribute to resource damage, then actual sheep use must be extracted from Table 5.

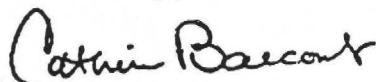
2. Table 6. uses a Yield Index to adjust actual utilization. The use of Yield Index computes stocking rates during drought years that are known to exceed the utilization limits of the allotment. We recommend that actual data be used.

3. Allocation of available forage is biased against wild horses. Monitoring data establishes the carrying capacity. Proportioning the available forage to the percentages of the land use plan is arbitrary. We recommend that reductions be proportional to the offending animal. This is supported by the 1989 IBLA decision for wild horses stating that monitoring data must be used to determine if horses are the offending animal and to what extent.

4. Livestock reductions were based upon preference and not active use.

Please review the attached computation based upon the corrections necessary for establishing an appropriate management level for this herd. We would appreciate specific responses to our concerns.

Sincerely,



CATHERINE BARCOMB  
Executive Director

**Carrying Capacity  
Railroad Pass Allotment Data**

Year	AUMs Cattle	AUMs Horses	AUMs Total	Measure ‡	Desired ‡	Capacity
1988	967	1620	2587	.70	.50	1848
1989	432	2112	2544	.90	.50	1817
1990	584	2304	2888	.70	.50	2063
1992	311	1594	1905	.70	.50	1361
Average	574	1908	2481			1772
Percent	.23	.77				

**Adjustment to Average Actual Use**

Average Use = 2481 AUMs  
 Capacity = 1772 AUMs  
 Reduce = 709 AUMs

**Proportion of Reduction to Offending User**

Cattle 709 AUMs X .23 = 163 AUMs  
 Horses 709 AUMs X .77 = 546 AUMs

**Reduction to Average Actual Use**

Cattle 574 AUMs - 163 AUMs = 411 AUMs  
 Horses 1908 AUMs - 546 AUMs = 1359 AUMs

**Appropriate Management Level = 113 Horses**

11-4-94

W H O A

November 4, 1994

Mr. Gene L. Drais  
Egan Resource Area  
Bureau of Land Management  
HC 33 Box 33500  
Ely, Nevada 89301-9408

RE: Railroad Pass Allotment Evaluation

Dear Mr. Drais:

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February 9, 1994  
Page 2

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4. Livestock reductions were based upon preference and not active use.

Please review the attached computation based upon the corrections necessary for establishing an appropriate management level for this herd. We would appreciate specific responses to our concerns.

Sincerely,

DAWN Y. LAPPIN  
Director

Carrying Capacity  
Railroad Pass Allotment Data

Year	AUMs Cattle	AUMs Horses	AUMs Total	Measure %	Desired %	Capacity
1988	967	1620	2587	.70	.50	1848
1989	432	2112	2544	.90	.50	1817
1990	584	2304	2888	.70	.50	2063
1992	311	1594	1905	.70	.50	1361
Average	574	1908	2481			1772
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 Horses 709 AUMs X .77 = 546 AUMs

Reduction to Average Actual Use

Cattle 574 AUMs - 163 AUMs = 411 AUMs  
 Horses 1905 AUMs - 546 AUMs = 1359 AUMs

Appropriate Management Level = 113 Horses

3-18-94



# United States Department of the Interior



## BUREAU OF LAND MANAGEMENT

Ely District Office  
HC 33 Box 33500  
Ely, Nevada 89301-9408

IN REPLY REFER TO:

4700 (NV-047)

MAR 18 1994

Commission for the Preservation of Wild Horses and Burros  
c/o Cathie Barcomb, Executive Director  
50 Freeport Blvd., #2  
Sparks, NV 89431

Dear Ms. Barcomb:

This letter is to again respond to some of your concerns that are repeated in your recent comment letters on the allotment evaluations and decisions. Your hectic schedules and that of my staff have not allowed contact by phone.

A repeated concern in your letters on Moorman Ranch Evaluation, Railroad Pass Evaluation, and the Warm Springs Proposed Decision is the reduction from preference for livestock and most recent census for wild horses. Your main concern is with the reduction from preference and not from actual use. This reduction from preference is not an option I have to change. Under 43 CFR 4110.3-2(c), "Where active use is reduced it shall be held in suspension or in nonuse for conservation/protection purposes, until the authorized officer determines that active use may resume." It is the Bureau's interpretation from the Washington and State Office level that "active use" specified in the CFR refers to active preference. Therefore, I have no option but to reduce from active preference.

In addition, the following are responses to individual allotment concerns.

### Medicine Butte

Your concerns over the domestic horse permit within this allotment were taken into consideration when we prepared the Final Decision to allow this use to continue. The domestic horses will now only be allowed to graze within fenced seedings. The seedings are on the edge of the HMA and wild horses do not make use around the seedings, although they lie within the HMA boundary. The seedings were fenced prior to 1971 to preclude use by wild horses and were meant to be grazed only by livestock. In fact, wild horses have never grazed the seedings and allowing domestic horse use there will not create a conflict with wild horses.

### Railroad Pass

#### Page 1, Wild Horse Use

We do use all available sightings, on the ground counts, and annual census to do the best we can at identifying the wild horses that use an allotment. Population modeling would not lend itself to this because modeling is only intended to track population growth and age structure. This type of data would not show movement and actual use information.

#### Page 3, Allotment Specific Objectives

The numbers established in the Record of Decision for livestock and wild horses were management levels that would meet management objectives. It has been the Bureau's intention, from that point on, to make any changes in stocking rates based on monitoring. This is what we are attempting to do.

Page 7, Carrying Capacity Computations

1) We have noted your concerns, along with other interests, that sheep use has not been included in the stocking rate calculations. Changes will be made to include them in the Management Action Selection Report and Final Decision.

2) The Bureau is required to take into account environmental factors in making grazing adjustments. The Ely District has adopted the Sneva Index as a valid tool to adjust for changes in moisture.

3) As discussed before, we are required to reduce from preference. We attempted to attribute the use to the offending animal based on 77% actual use by wild horses and 23% actual use by cattle. This would have resulted in reducing the wild horse population below 0 which was not an option.

We then attempted the reduction based on a needed 58% reduction overall. This resulted in the livestock operators being reduced 58%, while only making 23% of the actual use, and wild horses being reduced 42%, while making 77% of the actual use. We did not feel this was fair.


We then used our existing Land Use Plan proportion for AUMs of 84% for livestock and 16% for wild horses. This results in livestock receiving 84% of available AUMs and wild horses receive 16% of available AUMs. We felt this was the most fair method to both users.

Warm Springs

You mentioned that you could not determine how seasonal use by wild horses was figured into the calculations. I would direct you to page 17 of the allotment evaluation. This information was not included in the proposed decision because of the lengthy discussion needed.

We are sorry we have not been able to contact you by telephone to this point. Please feel free to call Joe Stratton Egan Resource Area Wild Horse Specialist, at 702-289-4865 if you have further questions or if you would like to set up a conference call to discuss your concerns in greater detail. We welcome your cooperation and input to our process.

Sincerely,



Gene L. Drais, Manager  
Egan Resource Area



Year	AUMS CATTLE	AUMS Sheep	AUMS Horses	AUMS TOTAL	% Act.	% Des.	CC
88	967	592	1620	3179	.70	50	2271
89	432	696	2112	3240	.90	50	2314
90	584	692	2304	3580	.70	50	2357
92	311	596	1594	2503	.70	50	1788
				12502			8930
$\bar{x}$	574	644	1908	3126			$\bar{x} = 2233$
%	.18	.21	.61				

$$\begin{array}{r}
 4 \bar{x} = 3126 \text{ AUMS} \\
 \text{CC} = 2233 \text{ AUM} \\
 \hline
 893
 \end{array}$$

CATTLE					
CATTLE	.18	x	893 AUM	=	161 AUM
Sheep	.21	x	893 AUM	=	188 AUM
Horse	.61	x	893 AUM	=	545 AUM

$$\begin{array}{r}
 \text{CATTLE } 574 - 161 = 413 \text{ AUMS} \\
 \text{S } 644 - 188 = 456 \text{ AUMS} \\
 \text{H } 1908 - 545 = 1363 \text{ AUMS}
 \end{array}$$

114

**ORDER**

**A. BINDING OBJECTIVES**

The objectives set forth in the Egan Resource Management Plan/Record of Decision and Railroad Pass Allotment Multiple Use Decision (1995) are commitments binding upon the BLM. Decisions establishing appropriate management levels for wild horses and stocking rates for livestock must be consistent with achieving these objectives.

**B. MONITORING**

Monitoring is an obligation of the BLM and its duty to determine the achievement of objectives set forth in paragraph A above. The BLM therefore shall monitor the actual use of livestock and wild horses and their impacts on the vegetative resources of the Rail Road Pass Allotment in a manner which will ensure early detection of effects which will result in non-attainment of wildlife habitat, riparian and range objectives.

Specifically, BLM shall monitor wild horse habitat and rangelands within the Rail Road Pass Allotment. BLM will continue to collect utilization data. Wild horse census data will include accurate population estimates, distribution, annual recruitment rates, age composition and mortality data throughout the allotment.

**C. ADJUSTMENT IN USE**

Part of BLM's efforts to achieve the objectives set forth in paragraph A above is the adjustment of active livestock grazing use and appropriate management levels for wild horse herds when monitoring data indicates adjustments are necessary to achieve allotment specific objectives within a reasonable time.

Desired Stocking Rate computations for the Rail Road Pass Allotments will be a portion of multiple allotment decisions affecting the Diamond, South Diamond Hills and North Diamond Hills Herd Management Areas will presented in the allotment evaluations or environmental assessments no later than 1997. Computations and assumptions will be consistent with established procedures found in BLM Manual Rangeland Monitoring Analysis, Interpretation, and Evaluation, Technical Reference 4400-7.

The following procedures will be applied:

1. All available rangeland monitoring and actual use data collected in the Diamond, South Diamond Hills and North Diamond Hills herd management areas will be applied.

2. Summer and winter range Key Management Areas will be established with allowable use levels for key forage pertinent to wild horses.

3. Use pattern mapping data will not weight averaged or yield indexed in pastures with Key Management Areas. Management actions will be based upon Key Management Areas.

4. If it is determined that any Key Management Area is not properly functioning or functioning at risk, the BLM shall take appropriate action no later than the start of the next grazing season.

5. Allocation of forage must consider proportional adjustments based upon actual use and established ungulate specific objectives for key forage species. Adjustments will be based on actual use and not demand or "preference" values.

6. An appropriate management level will be established by concurrent multiple use decisions for affected allotments. The District will consider a meta-population of the Diamond, South Diamond Hills and North Diamond Hills Herd Management Areas.

7. Concurrent interim management actions will be taken to address livestock use of the herd management areas.

8. Long term planning will consider adjustment of herd management boundaries to increase efficiency of management.

**D. RANGE IMPROVEMENT PROJECTS.**

As a planning criteria, a total fence analysis of all herd management areas will be completed. Wild horse passage will be assured through all herd management areas to assure free roaming behavior and migration to summer and winter ranges.