

W H O A

WILD HORSE ORGANIZED ASSISTANCE
P.O. BOX 555
RENO, NEVADA 89504
(702) 851-4817

G 2/8/93
BOARD OF TRUSTEES

DAVID R. BELDING
JACK C. McELWEE
GORDON W. HARRIS

In Memoriam

LOUISE C. HARRISON
VELMA B. JOHNSTON, "Wild Horse Annie"
GERTRUDE BRONN

February 8, 1993

Bud Cribley
Sonoma-Gerlach Resource Area
Winnemucca District Office
705 East 4th Street
Winnemucca, Nevada 89445

Dear Mr. Cribley,

In light of the recent occurrences on the Fox and Lake Herd Management Areas we feel that we need to request further information under the Freedom of Information Act to review what actually happened on these HMA's and to attempt to prevent this from ever happening again.

We would like to request a complete account of the gather ie:

- 1) The total number of horses captured on the Fox HMA;
- 2) the total number of horses that had to be put down at the trap site;
- 3) the total number that had to be destroyed in the field for both HMA's,
- 4) we need copies of any documents from both the Fox and Lake HMA's relating to conditions in those areas and recommendations that were made concerning wild horse and habitat conditions;
- 5) we would like the documentation as to how livestock carrying capacity was calculated to determine the yearly permits allowed;
- 6) documentation on any past capture plans for those HMA's that were scheduled and prevented from happening by another agency, such as by an appeal or injunction;
- 7) and finally, we would like an explanation of the rationale used to determine how priorities are set in the various HMA's in your District to schedule which gather takes precedent over another.

Bud Cribley
February 8, 1993
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We would appreciate a response to our request as soon as possible since the problems in these HMA's are currently being reviewed. If you have any questions, please feel free to call.

Sincerely,

DAWN LAPPIN
Director



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Winnemucca District Office

705 East 4th Street

Winnemucca, Nevada 89445



IN REPLY REFER TO:

4700

NV020-FOI-93-2

(NV-0260)

FEB 17 1993

Wild Horse Organized Assistance
c/o Dawn Lappin
P.O. Box 555
Reno, NV 89504

Dear Ms. Lappin:

This letter is in response to your Freedom of Information Act request that we received from you by fax on February 8, 1993. I will respond to your request in the order that you asked.

- 1) A total of 324 wild horses and 1 burro were captured during the gather of the Fox and Lake Herd Management Area during the time period of January 27, 1993, through February 2, 1993.
- 2) There were a total of 8 wild horses euthanized at the trap site. In addition, one wild horse died during the trapping operation (it died instantly of a broken neck).
- 3) There were 24 wild horses euthanized in the field in the Fox and Lake HMA.
- 4) Attachment 1 includes the write-ups of all of the utilization studies that were conducted in the Fox and Lake HMA (Rodeo Creek and Pole Canyon grazing allotments) in 1992. Attachment 2 includes all of the memos that were written in 1992 regarding horse observations in the Fox and Lake HMA.
- 5) The livestock carrying capacity was most recently evaluated and re-established in the Rodeo Creek grazing allotment through an allotment evaluation and agreement that was signed on September 15, 1988. That evaluation and agreement are enclosed as Attachment 3.
- 6) We have had only one gathering delayed by an appeal from another agency. The 1992 gathering in Piante Meadows was delayed as a result of an appeal by Nevada Department of Wildlife. WHOA, The Commission for the Preservation of Wild Horses and Burros, Sierra Club, NRDC, Humane Society, and The American Horse Protection Association also appealed that gathering. We have never had a gathering stopped by an appeal or injunction from another agency.
- 7) The 1989 IBLA decision stated that all AMLs must be established through monitoring. Gathering of excess wild horses could only be accomplished after monitoring was conducted, the results

evaluated, and AMLs established on all HMAs within the resource area. The Allotment Evaluation, Multiple Use Decision process is the method being used in Nevada to establish the livestock grazing capacity, the wild horse and burro AMLs, and the wildlife needs, thus, identifying the thriving natural ecological balance for each allotment.

The allotment evaluation process controls the scheduling of gathering of excess wild horses and burros. The priority for scheduling of allotment evaluations is based upon the resource values and conflicts within each allotment. Due to the recent adoption of the Bureau's Strategic Plan for the Management of Wild Horses and Burros on the Public Lands, those allotments with HMAs within their boundaries take on a high priority. Other factors considered include the presence of threatened and endangered species, wildlife habitat conflicts, and livestock grazing problems. Using this criteria, the Buffalo Hills and Soldier Meadows Allotments became the highest priority allotments for evaluation of monitoring data within the Sonoma-Gerlach Resource Area and were scheduled for completion first. The remainder of the allotments containing HMAs were scheduled as shown in Attachment 4.

When emergency situations arise, such as just occurred on The Fox and Lake Range and the drought situation we experienced last summer on The Little Owyhee, we request emergency funding and work the gathering into our gathering schedule. Of course these situations are given a high priority.

Hopefully the information provided in this letter and in the attachments have answered your questions adequately. If there is any additional information you require, please feel free to contact this office. In accordance with procedures, you are required to reimburse the BLM in the amount of \$30.59 for the actual cost of providing this information.

Sincerely yours,

Richard E Adams, Acting
Bud Cribley, Area Manager
Sonoma-Gerlach Resource Area

Enclosures

2-12-93

687-~~5584~~ FAX

5631
You need to send this to DAWN.

5589
EMERGENCY GATHER - FOX & LAKE

The Emergency Gather for the Fox and Lake Wild Horse Management Area is a humane action necessary to mitigate an ongoing and predicted catastrophic event for this herd.

Planning was not provided to avoid the jeopardy of this herd. Proper activity plans did not address the needs and welfare of these wild horses. The Sonoma - Gerlach Resource Area does not have a wild horse management plan for this herd. In 1988 the Resource Area evaluated Rodero Creek Allotment and enter into a Livestock Agreement with the permittee. This process set specific allotment objectives, prescribed a grazing system, established monitoring studies, reduced livestock use by 10% per year until 1993 and committed to reducing wild horses.

Wild horse and livestock use of 596 acres of critical riparian habitat was a problem in 1988. It was assumed that wild horses took all available forage on the Pole Canyon Allotment. The Rodero Creek Allotment is scheduled to be re-evaluated in 1993. Unless a wild horse management plan can establish an appropriate management level for this herd, the next allotment evaluation will be the only assessment document to establish AMLs.

In our review of the files, we find again the Sonoma-Gerlach Resource Area states that existing (1982) wild horse numbers found in the draft Sonoma-Gerlach Grazing Environmental Impact are appropriate management levels. Active livestock preference, existing wild horse/burro and wildlife populations stated in the land use plan were not a carrying capacity in 1982. Resource analysis of the DEIS found a majority of rangelands in the Sonoma-Gerlach in less than fair condition. Therefore, any further reference of AMLs must be confined to numbers set by monitoring data and estimates known not to cause damage to resources. Specifically, riparian habitat are key areas and important natural resources essential to wild horses as well as livestock and wildlife.

No allotment management plan or evaluation has been prepared for the Pole Canyon Allotment.

If proper planning, monitoring and enforcement been in place the catastrophic loss of this herd may have been avoided. As stated as a license condition in the Rodeo Creek Livestock Agreement:

"Utilization of key plant species in 596 acres of wetland riparian habitat shall not exceed 50% except where adjusted by an approved activity plan."

"Maintain an acceptable allowable use level on key forage species that will provide a sustained yield."

If these two objectives had been monitored and enforced by the Bureau. Wild horse and livestock would have been adjusted during the past 6 years of drought to their natural carrying capacities. However, short term objectives or forage utilization limits were ignored to the point that the permittee had to take livestock off the allotment and wild horses and wildlife populations were forced to survive on the depleted ranges. As a result of the District not meeting its legal obligations to manage livestock and wild horses in an ecological balance within carrying capacities, what horses are not captured may well perish this year.

We ask that the District remedy this matter by the following actions:

1. Evaluate the Pole Canyon Allotment in 1993.
2. Re-evaluate the Rodero Creek Allotment in 1993.
3. Inventory and model the Fox-Lake Wild Horse Herd in 1993.
4. Set appropriate management levels for wild horses based upon achieving 50% utilization on wetland riparian habitat.
5. Prohibit any livestock grazing (draft drought relief policy) until items 1-4 are completed.
6. No capture horses be released with the herd unit, until items 1-4 are completed.

The Wild Horse and Burro Act, and the recent Strategic Plan for Management of Wild Horse and Burros on Public Lands, have no provisions or intent for wild horses or burros to populate to levels that not only jeopardize the herd, but the environment of indigenous wildlife. These animals represent a social value imposed upon the wild lands of our state. They require intensive management and cannot be neglected. Your reluctance to make necessary adjustment in wild horse numbers and livestock during six years of serious drought has resulted in this emergency action.

It is obvious in our review of the Buffalo Hills, Soldier Meadows and Paiute Allotment Re-evaluations, the Bureau of Land Management is destine to more of these actions in the near future.