

3-6-92



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

NEVADA STATE OFFICE

850 Harvard Way

P.O. Box 12000

Reno, Nevada 89520-0006

IN REPLY REFER TO:

4700

(NV-930)

MAR 6 1992

Mrs. Cathie Barcomb
Nevada Commission for the Preser-
vation of Wild Horses & Burros
STEWART FACILITY 5500 Snider Avenue
Building 6, Room 137
Carson City, Nevada 89710

Dear Cathie:

Enclosed is your copy of Mr. Gaspar's letter outlining the points of our discussion concerning the Paiute Meadows Allotment. I have initiated the appropriate steps with our Field Solicitor to have the decision remanded to the Bureau of Land Management. This will allow us to vacate the decision and initiate consultation as we discussed.

The Winnemucca District Office will have the lead for the consultation. That office will be in contact with you to make the necessary arrangements.

Sincerely,

For

Billy R. Templeton
State Director, Nevada

1 Enclosure
Encl. 1 - Paiute Meadows Agreement

cc: District Manager, Winnemucca

January 31, 1992

BY TELEFAX: (702) 785-6602

Billy R. Templeton
Nevada State Director
Bureau of Land Management
P.O. Box 12000
Reno, Nevada 89512

re: Paiute Meadows Allotment/Black Rock
Range East HMA
Appeals of American Horse Protection
Association and The Humane Society of
the United States; Wild Horse
Organized Assistance; Nevada
Commission for the Preservation of
Wild Horses

Dear Mr. Templeton:

Thank you again for the opportunity to discuss the Paiute Meadows situation with you and Mr. Bennett while you were here for the Advisory Board meeting.

Based on our conversation, and further discussion among AHPA, the HSUS, WHOA and the Nevada Commission, our organizations are prepared to withdraw our appeals regarding the wild horse gather plan based on the points outlined below:

1. BLM will not reduce the Black Rock East herd below 200 during the gathering planned to begin in February;
2. Following the gathering, the Paiute Meadows Allotment multiple-use decisions dated November 22, 1991, will be vacated;
3. Consultation among affected interests will be undertaken regarding the Paiute Meadows Allotment/Black Rock East HMA in anticipation of a new proposed multiple-use decision. We understand that a multiple-use decision process for the Soldier Meadows/Black Rock West HMA will also begin this spring, and

Billy R. Templeton
Nevada State Director
January 31, 1992
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that planning for the two Black Rock HMAs will be coordinated, in recognition of the migration of horses between the two herd areas and other relationships.

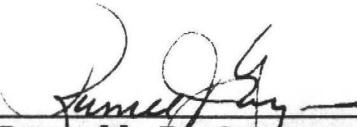
4. In the event further wild horse removals are proposed for the two herd areas, gather plans and Environmental Analyses will be prepared and issued along with the proposed multiple-use decisions.

5. Following the protest period on draft decisions, final decisions will be issued. These will be appealable administratively.

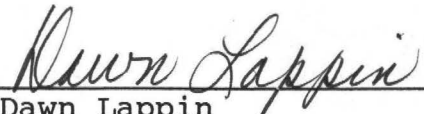
Our withdrawals relate to the pending appeal of the Wild Horse Gathering Plan, and are intended to allow a removal to go forward prior to the 1992 foaling season. We reserve our rights to appeal any other issue raised by the November 22, 1991, Multiple Use Decisions for the Paiute Meadows Allotment, or any subsequent decisions.

We hope that this letter accurately reflects the points discussed on January 30. If so, please indicate your agreement by signing below, and we will in turn forward separate letters formally withdrawing the appeals. If not, please call us.

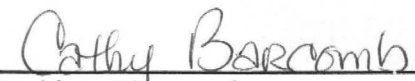
Very truly yours,



Russell J. Gaspar
Attorney for AHPA and The HSUS



Dawn Lappin
Wild Horse Organized Assistance



Cathy Barcomb
Nevada Commission for the
Preservation of Wild Horses

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AGREED:



Billy R. Templeton
Nevada State Director
Bureau of Land Management

Dated: 2/7/92

2-5-92
Feb 5, 92

PAIOTE

management action is developed.

In closing, I want to reiterate that your interpretation of the yearly grazing permit being a final decision is not correct. Therefore, I view your letter dated September 18, 1992 as a protest as described in 43 CFR 4.450-2 and not as an appeal.

If you wish to appeal this final decision in accordance with 43 CFR Part 4, you are allowed thirty (30) days from receipt of this notice within to file such appeal with the Area Manager, Paradise-Denio Resource Area, Bureau of Land Management, 705 East Fourth Street, Winnemucca, Nevada 89445. The appeal should state clearly and concisely why you think the decision is in error.

If you have any other questions, please give me a call.

Sincerely yours,

Jott Billing
Area Manager
Paradise-Denio Resource Area

- cc: Mr. Richard Heap
- Mr. Thomas Van Horne
- NRDC
- Sierra Club
- Humane Society of the United States
- American Horse Protection Association
- Animal Protection Institute
- Mr. William Cummings
- Mr. Andy Johas
- Mr. Dan Russell
- Mr. and Mrs. Bill Phillips