



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
ELKO DISTRICT OFFICE
3900 E. IDAHO STREET
P.O. BOX 831
ELKO, NEVADA 89801



IN REPLY REFER TO:
4710 (NV-015)

NOV 10 1994

Commission for the Preservation
of Wild Horses
Catherine Barcomb, Executive Director
255 W. Moana Lane, Suite 207A
Reno, NV 89509

Dear Ms. Barcomb:

In response to your letter dated October 3, 1994, I offer you the following:

As the Maverick-Medicine and Antelope Valley Gather Full Force and Effect Decisions stated, you have the right to appeal the decisions to IBLA within 30 days of receipt. As per 43 CFR 4770.3(c), the authorized officer may place a decision to remove excess wild horses and burros in full force and effect. Full force and effect decisions take effect on the date specified, regardless of an appeal, unless IBLA grants a request for a stay. However, it has been BLM policy to allow for a 30 day delay from the date of the full force and effect decision and its implementation when such a delay will not jeopardize the health of the animals or their habitat. This is a matter of policy, not federal regulation.

The Antelope Valley Gather Full Force and Effect Decision stated it would begin on or about October 24, 1994. Dates given are usually tentative due to statewide removal priorities and contractor scheduling. The Antelope Valley gather is now scheduled to begin on or about November 9, 1994. This is more than a 30 day delay.

The initial herd size for both the Maverick-Medicine and Antelope Valley HMAs was determined in the Approved Wells Resource Management Plan Wild Horse Amendment. As the Amendment states, the initial herd size is a starting point for management; adjustments will be based on monitoring and grazing allotment evaluations. You saw an example of this type of adjustment in the West Cherry Creek Allotment Evaluation earlier this year. The Antelope Valley Allotment Evaluation did not change the initial herd size in the Antelope Valley HMA. The allotments with significant numbers of wild horses are in the process of being evaluated. These allotment evaluations which adjust the initial herd size will show in detail how the adjustment will be made and the AML for wild horses determined.

I hope this clarifies your questions and as you provided us time to respond, please contact Kathy McKinstry of my staff or myself, at (702) 753-0200 if we can be of further assistance.

Sincerely yours,

BILL BAKER, Manager
Wells Resource Area



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4710.4 (NV-015)

NOV -2 1994

ADDENDUM

TO THE FULL FORCE AND EFFECT DECISIONS TO IMPLEMENT
THE ANTELOPE VALLEY AND MAVERICK-MEDICINE WILD HORSE REMOVALS.

A modification to the age removal criteria is necessary to accomplish the objectives in the Maverick-Medicine and Antelope Valley Wild Horse Gather Plans.

Recent information has shown that one gather of horses in the 0-3 year age class will not result in the attainment of initial herd size in either herd management area (HMA) as previously thought. Current Nevada State policy allows for the removal of adoptable animals five years and younger, so the target age class for removal will be increased to animals 0-5 years of age in both HMAs.

This modification is within the scope and intent of both gather plans; the objectives remain the same.


BILL BAKER, Manager
Wells Resource Area

Date 11/2/94