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Governor

STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

DIVISION OF WILDLIFE

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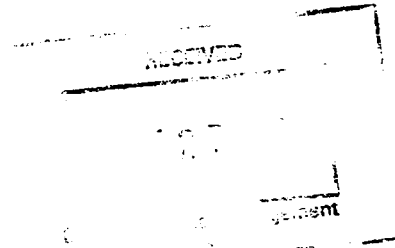
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Administrator

Nevada Department of Wildlife
Region I P.O. 423-3171
330 West B Street
Fallon Nevada 89405

October 22, 1993

Mr. Tony Danna
Surprise Resource Area
Bureau of Land Management
P.O. Box 460
Cedarville, California 96104-0460



RE: Wild Horse Gather

Dear Tony:

Our agency is in receipt of the Record of Decision for Wild Horse Gathering and Removal: Bitner, High Rock, Nut Mountain and Wall Canyon Herd Management Areas. We appreciate the Resource Area's attempt to better define and support its decisions for wild horse appropriate management levels; however, the concerns and issues of our protest and comments of the draft environmental assessment require more attention.

Use of Full Force and Effect to allow immediate removal of excess wild horses and burros to end damage to riparian habitat will not be achieved, without addressing livestock. It is clear from Resource Area's brief response that livestock management will not be held to the same criteria as wild horses and burros.

In our negotiations concerning the pending Tuledad Allotment Appeal and Hearing, we have gained greater understanding of the Surprise Resource Area. The allotments affected by this Record of Decision are governed by 10-year permits that allow active preference or initial stocking rates of the land use plan. Annual adjustments are based upon voluntary agreements. Whatever agreements were made, the results are apparent in the condition of riparian habitats, either in the short term or long term. Failure to issue multiple use decisions, according to the schedules and criteria of the land use plan decisions and national policies, have allowed riparian systems to degrade to conditions that now will require Full Force and Effect Decisions for both livestock and wild horses.

Mr. Tony Danna
October 22, 1993
Page 2

Currently, the Susanville District faces the dilemma of its own land use planning processes and the proposed "Rangeland Reform '94". Existing land use planning, evaluation processes and the proposed rulemaking have similarities to allow manager's decisions to satisfy the concerns of the Division of Wildlife. For example, MFP III Decisions constrain livestock/wild horse use to moderate (40 to 60 percent) utilization of riparian vegetation. This utilization limit could serve as the proposed rule to establish a Standard and Guideline as a term or condition of the annual grazing license. The allotment evaluation/multiple use decision processes of the Bureau require application of the Technical Manual 4400-7. The Susanville District has applied monitoring data and utilization rates to determine a carrying capacity for an allotment. Based upon available data, this carrying capacity was divided proportionately to livestock and wild horses in a manner to immediately end damage to riparian habitat. Unfortunately, the Susanville District did not apply this decision to livestock in 1993; as a result, with significantly less horses, riparian habitat was degraded.

Your responses to our concerns do not assure the Division that wildlife habitat will be protected or restored. As the District pursues its new planning endeavor to "integrate vegetational management", we encourage you to embrace existing land use plan objectives, federal regulations and processes that were designed to meet the sustained yield and multiple use mandates of the Federal Land Management and Policy Act.

Sincerely,

WILLIAM A. MOLINI, ADMINISTRATOR



Richard Ellington
Acting Regional Manager
Region I

REL:rl/

CC: Habitat, Reno
Mike Dobel