



**COMMISSION FOR THE  
PRESERVATION OF WILD HORSES**

50 Freeport Boulevard, No. 2  
Sparks, Nevada 89431

March 25, 1994

(702) 359-8768

**COMMISSIONERS**

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Las Vegas, Nevada  
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Reno, Nevada

Mr. Herrick Hanks  
Susanville District Manager  
Bureau of Land Management  
705 Hall Street  
Susanville, California 96130-3730

Subject: Appeal - Final Decision on Twin Peaks - February 28, 1994

Dear Mr. Hanks:

In accordance with 43 CFR 4110.3 (c) and 43 CFR 4160.4, the Commission for the Preservation of Wild Horses hereby appeals the Final Decision on Twin Peaks Allotment Livestock Grazing Permits. Pursuant to the 43 CFR Section 4.470 (a), the following represents the required statement as to why this decision is in error:

**1. Livestock and the Wild Horse Herd exceeds the carrying capacity of the north pasture of Twin Peaks Allotment.**

As an applicable reference found in the Twin Peaks Allotment #00701 1992-1993 Evaluation Summary, the Decision Record, FONSI, EA number CA-026-93-09 set a carrying capacity for the north pasture of the Twin Peaks Allotment. This carrying capacity was established with use of rangeland monitoring data and consistent with the Interior Board of Land Appeals June 7, 1989 Decision (IBLA 88-591, 88-638, 88-679). According to the Bureau of Land Management's carrying capacity determination, a total of 5,515 AUMs were available to cattle, sheep, wild horses and burros. Allocation of available forage resulted in 2,261 AUMs to cattle, 717 AUMs to sheep and 2,536 AUMs to wild horse/burro herds.

Wild horses were gathered in August of 1993 to meet their proportion of the carrying capacity or appropriate management level. The gather removed 109 wild horses or 53 percent of the wild horse herd. Animals left on the north pasture of the allotment consisted of 209 horses, 4 mules and 45 burros. These animals will require a minimum of 3,096 AUMs of forage from the 5,515 AUMs of established carrying capacity of the north pasture. Livestock should be adjusted to 2,419 AUMs to meet the carrying capacity.

Mr. Herrick Hanks  
March 25, 1994  
Page 2

The Final Decision authorizes 5,687 AUMs to livestock in addition to the existing wild horse and burro demand for 3,096 AUMs which exceeds the carrying capacity by 3,268 AUMs.

**2. The Final Decision establishes livestock stocking rates in the south pasture without carrying capacity determinations to achieve a thriving natural ecological balance.**

The Twin Peaks Allotment #0071 1992-1993 Evaluation Summary, Table 24 states the appropriate management levels for wild horses and burros in Dry Valley Rim and Skedaddle Home Ranges. These appropriate management levels were not established by use of rangeland monitoring data. These numbers were established purely for administrative reasons contrary to the IBLA Decision June 7, 1989.

The livestock stocking levels for the south pasture are arbitrary. Combined cattle, sheep and wild horse use for 1994 exceeds actual use data collected in 1992-1993 that is known to cause damage to natural resources.

**3. The Final Decision is arbitrary and bias against wild horses.**

Wild horses were significantly reduced to meet a thriving natural ecological balance on the north pasture of the Twin Peaks Allotment. Knowing the carrying capacity prior to the 1993 grazing season, the Bureau of Land Management authorized active preference for cattle and sheep. Use pattern mapping data collected by the Bureau of Land Management documented heavy utilization on all riparian habitats. The Final Decision does not establish a livestock carrying capacity and ignores the carrying capacity determination that reduced wild horses by 53 percent on the north pasture.

Wild horses removed from the north pasture are replaced with livestock in the Final Decision. It is unlikely that wild horse habitat will be protected or restored.

Wild horse and burro appropriate management levels for the south pasture were not established based on resource data and are arbitrary. Stocking levels of livestock on the south pasture are known to cause damage to wild horse habitat.

Mr. Herrick Hanks  
March 25, 1994  
Page 3

**4. The Final Decision does not comply with the National Environmental Protection Act.**

Appropriate management levels for the Dry Rim and Skedaddle Wild Horse and Burro Home Ranges were not assessed in the Final Cal-Neva Grazing Environmental Impact Statement or the Environmental Assessment Concerning Grazing in the Twin Peaks Allotment of March 6, 1992.

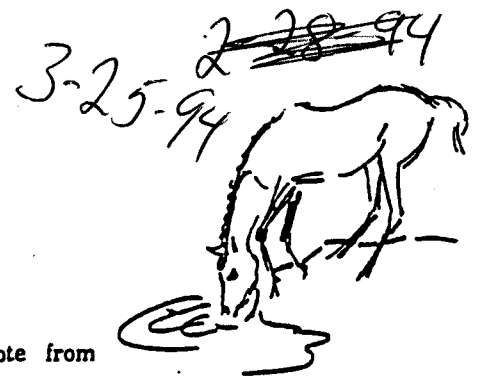
Sincerely,

CATHERINE BARCOMB  
Executive Director

cc: Wayne Howle, Deputy Attorney General

# W H O A

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



... a note from

Dawn Y. Lappin

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Susanville District Manager  
Bureau of Land Management  
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Sincerely,

DAWN Y. LAPPIN  
Director