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March 25, 1993

James Baca
BLM Director
Main Interior Building (MIB)
1849 C Street, NW
Washington, D.C. 20240

Dear Jim:

I am writing on behalf of the Nevada Department of Wildlife and others to urgently request your intercession in the BLM's Winnemucca and Susanville Districts.

Large areas of public land in western Nevada and eastern California make up critical habitat for the Lassen Deer Herd, a herd which moves between the two states. For many years, the allotment's vegetation has been in deplorable condition, and the wildlife agencies of both states have worked in close cooperation with the BLM, through its land use planning process, to bring some improvement.

Though the parties have achieved recognition of the problem in the planning documents, the BLM has consistently failed to actually manage livestock grazing in accordance with these paper successes. The result is the continuation of dire habitat conditions to the detriment of all wildlife resources. This failure to stop habitat degradation is particularly distressing in view of the fact that the land use plans are ten years old.

The **Twin Peaks** grazing allotment in the Susanville District is a particular case which has become the focal point of the larger concerns. We have this year seen proposed livestock authorizations in this allotment in clear contravention of previously-issued, valid, enforceable decisions. In my opinion, there is no defensible basis for these actions.

All administrative communications--including discussions between directors of the wildlife agencies and the California State Director--have been exhausted. Our attempts to appeal administratively from yearly grazing authorizations have always

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been flatly rejected. Except for the possibility that you can bring some pressure to bear, our only remaining option is to litigate, which all involved are prepared to do. Too many state agency resources have been dedicated working within the BLM's planning system to allow this situation to persist.

I realize this is a very brief explanation of a situation that involves a long history and an extensive paper record. I offer the service of this office and the Nevada Department of Wildlife to help you in any way possible if you determine to become involved.

We expect the annual grazing authorizations to issue at any time. I therefore look forward to hearing from you soon.

Best personal regards.

Cordially,



FRANKIE SUE DEL PAPA
Attorney General

FSDP:kh

✓ CC. CATHERINE BARCOOMB