



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
SURPRISE RESOURCE AREA
P.O. BOX 460
CEDARVILLE, CALIFORNIA 96104-0460



IN REPLY REFER TO:

4700 (CA-028)
CA-028-95-08

November 13, 1995

Wild Horse Organized Assistance
c/o Ms. Dawn Lappin
15640 Sylvester Road
Reno, NV 89511

Dear Dawn:

Enclosed is the Decision Record and revised Environmental Assessment (EA) for the 1995 Buckhorn and Coppersmith Wild Horse Gather Plan. The Decision Record includes the BLM response to comments received on the preliminary EA.

The EA was modified to reflect the impacts of the summer, 1995 wildfire in the Coppersmith HMA. These modifications can be found in the Need for Action, the Affected Environment - Soils and Vegetation and the Impacts of the Alternatives sections. A map of the Copper Fire Incident is included in the Decision Record.

In the interest of saving paper, the appendices for the EA are not included. The original appendices were not changed; please refer to your original copy of the EA for the appendices.

This Decision has been issued full force and effect. We anticipate beginning to gather horses on or after November 22, 1995.

Thank you for your continuing interest in our wild horse management program.

Sincerely,

for Susan T. Stokke

Surprise Resource Area Manager

Enclosure

DECISION RECORD

WILD HORSE GATHER AND REMOVAL BUCKHORN AND COPPERSMITH HERD MANAGEMENT AREAS

DECISION

Our decision is to implement the Proposed Action from the Buckhorn and Coppersmith Herd Management Area Gather Environmental Assessment (CA-028-95-08) beginning on or after **November 22, 1995**. The proposed action is to gather wild horses in the Buckhorn and Coppersmith Herd Management Areas to the minimum Appropriate Management Level Range, as calculated in the Environmental Assessment. This decision will be carried out following the criteria outlined in the Mitigation Methods described below.

APPROPRIATE MANAGEMENT LEVELS

HERD MANAGEMENT AREA	APPROPRIATE MANAGEMENT LEVEL	APPROPRIATE MANAGEMENT LEVEL RANGE
Buckhorn	72	59-85
Coppersmith	63	50-75

WILD HORSE GATHER AND REMOVAL

Gather as many wild horses from the Buckhorn and Coppersmith HMA's as possible. Return sufficient wild horses to the HMA's to meet the minimum recommended management levels in each HMA. Wild horses which are returned to the HMA's will maintain the herd integrity and reproductive viability of each herd. Wild horses which are not returned to the HMA's will be placed in the BLM wild horse adoption program.

FULL FORCE AND EFFECT

This decision is placed in full force and effect to allow for the immediate removal of excess wild horses from the Buckhorn and Coppersmith HMA's. Immediate removal of wild horses in excess of the established appropriate management level is necessary to 1) restore the lands within the HMA's to a thriving natural ecological balance, 2) minimize wild horse grazing and trampling impacts on the recovering vegetation within the Copper Fire incident boundaries (see map, page 2), 3) reduce the risk of wild horse deaths during exceptionally cold or snowy winters, and 4) reduce

FLAKE

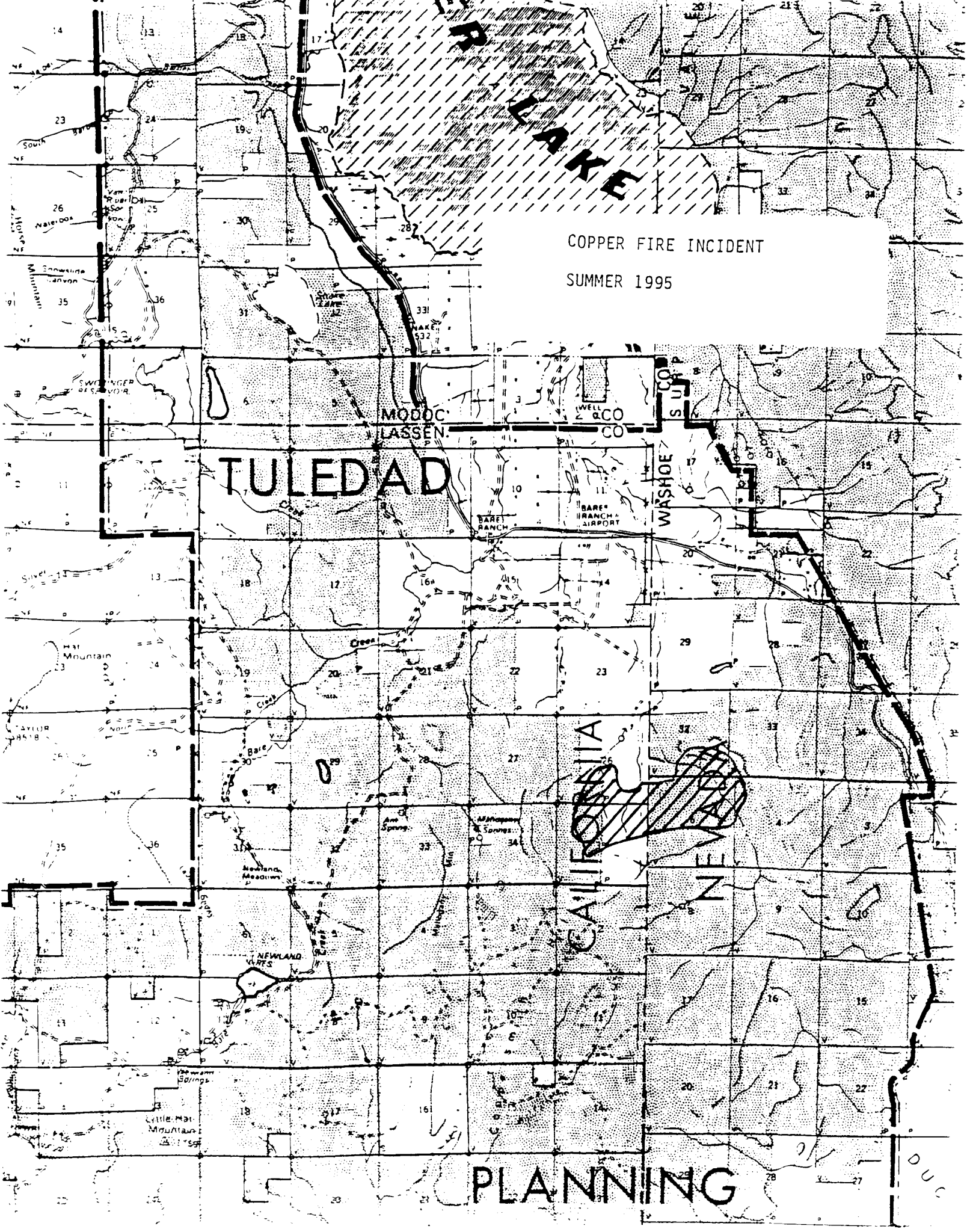
COPPER FIRE INCIDENT
SUMMER 1995

TULEDA

MODOC
LASSEN

CALIFORNIA

PLANNING



impacts and halt wild horse damage to riparian areas within the two HMA's.

RATIONALE

An analysis of the current monitoring data found that there are more wild horses in the Buckhorn and in the Coppersmith Herd Management Areas than can be sustained by the resources, especially the riparian vegetation resources, in the two HMA's without damage to the environment. Excess wild horses need to be removed from the two HMA's to restore a thriving natural ecological balance to the areas. Excess wild horses also need to be removed from the two HMA's to reduce the risk of large-scale winter die-offs during severe winters when wild horses are forced to use smaller portions of their winter habitat.

RESPONSE TO COMMENTS ON THE ENVIRONMENTAL ASSESSMENT

Copies of Environmental Assessment CA-028-95-08 concerning a proposed wild horse gather in the Buckhorn and Coppersmith HMA's were sent to 18 affected interests and concerned publics on September 28, 1995. The Animal Protection Institute and the Commission for the Preservation of Wild Horses submitted comments on the EA. The following pages consist of the BLM's response to these comments. Most are clarifications of statements made in the EA or fulfill requests for additional information. None of the comments received required modification of the information or analysis used in the EA. The Environmental Assessment has been modified since the initial mailing on September 28, 1995, to assess the impacts of the summer, 1995 wildfires. Therefore, additional copies of the EA are being sent with this decision.

ANIMAL PROTECTION INSTITUTE

Concern: The trend data is ten years old and does not describe today's conditions or current utilization levels.

Response: The trend data was supplied as background information. The decision was based on current utilization data and supervision of the wild horse herds.

Concern: The actual use information appears to contradict the distribution of use depicted in the table describing spring, summer, and fall wild horse use areas.

Response: The actual use information (Appendix 6) does not contradict the distribution of use depicted in the table (Appendix 7). The actual use appears to be in conflict with the table because the forms show livestock turnout areas. These turnout areas are only used at the beginning of the season; livestock are gradually moved out of the turnout areas as the season progresses. The livestock operators are only required to show actual use by pasture (in this case, North and South); they are not required to

show turnout areas or gradual moves within pastures during the season.

Concern: Over 6,600 AUMs are used by livestock below 4800' (not counting sheep). Only 940 AUMs are used by wild horses.

Response: We disagree. Livestock use below 4800 feet normally occurs for less than one month in the spring (April). Assuming 1000 cattle turnout on the low elevations of the allotment April 15 and use the low elevations through May 15, 1000 AUMs are used by livestock in the low elevation areas of one pasture each year (not counting sheep).

Concern: Mitigation measures could include fencing of riparian areas.

Response: We agree. A number of wet meadows have been fenced through the years. Where these fences have been constructed and successfully maintained, the riparian vegetation has responded well. Unfortunately, most of the exclosures in wild horse summer habitat have proven to be difficult to maintain due to wild horse and livestock pressure on the fences. Additional riparian exclosure fences will probably be constructed; however, it would be difficult and expensive to put fences around all the riparian areas in the two HMA's which are being impacted by wild horses. It is our hope that we can fence the riparian areas with the highest watershed and vegetation values and the highest wild horse impacts, then use limitations on wild horse numbers to moderate impacts on the remaining riparian areas.

Concern: The field data of 1980-86 lists eleven trend plots by name and number without description of elevations or other indication of where they are located in relation to the above livestock schedule.

Response: The following table clarifies the location of the established trend plots within the HMA's.

TREND PLOT	ELEVATION	SEASON USED BY WILD HORSES	LIVESTOCK USE AREAS/PASTURES
Cottonwood Burn	6600'	Summer	Cottonwood/ South Pasture
Cook's Cabin	6050'	Spring Summer Fall	Buckhorn/ South Pasture
Wasted Walk	6300'	Spring Summer Fall	Buckhorn/ South Pasture

Burnt Lake	6150'	Spring Summer Fall	Buckhorn/ South Pasture
SOB Lake	6500'	Spring Summer Fall	Buckhorn/ South Pasture
Rana reservoir	5700'	Spring Fall Open Winter	Express/ South Pasture
Churning Clay	6440'	Spring Summer Fall	Buckhorn/ South Pasture
Gerlach Spring	6000'	Spring Summer Fall	Tuledad Canyon/ North Pasture
Boot Lake	6600'	Nonuse	Boot Lake/ North Pasture
Mahogany Ridge	6500'	Spring Summer Fall	Wire Lakes/ North Pasture
Wire Lake	6600'	Spring Summer Fall	Wire Lakes/ North Pasture
Tuledad Seeding	4750'	Spring Winter	Duck Flat/ North Pasture
Worland Seeding	4750'	Spring Winter	Duck Flat/ South Pasture

Concern: There is no description of migration routes and of the terrain or daily grazing patterns to indicate how wild horses impact the vegetation.

Response: We disagree. Page 21 of the EA describes wild horse herd behavior. To clarify, wild horses in the Buckhorn HMA use Duck Flat, Cedar Canyon, and, on less severe winters, Express Canyon for winter range (the east and northeast boundaries of the HMA map). Beginning very early in the spring (as the snow melts), wild horse bands begin to move up Express Canyon, Rye Patch Canyon, and the tables south of Duck Lake and west of Cedar Canyon. The first of these bands end up in the SOB Lake area where they remain until heavy snows force them back down. Depending upon how hot it gets and how much water is available at lower elevations, the last few bands to begin moving out of winter habitat often spend the summer at lower elevations in Express Canyon and on the Rye Patch tables. These are often bachelor bands and bands with older,

smaller, or less dominant studs. The majority of the bands spend the summer around the ephemeral lakebeds (SOB, Garden, Burnt, Steer, Willow, Wasted Walk, Airplane, North, Middle, Populus, etc.) which have both permanent water and riparian vegetation.

Wild horses in the Coppersmith HMA use the low hills south of Surprise Valley, around Duck Lake, and in Tuledad Canyon for winter range. Beginning very early in the spring (as the snow melts), wild horse bands begin to move up the canyons into Cottonwood Mountain, Post Canyon, and the Coppersmith Hills. A few bands also enter the Bare Creek and Snake Lake drainages. The majority of the bands summer in the Wire Lakes area around the ephemeral lakebeds, where they remain until heavy snows force them back down. The bands that enter the Bare Creek and Snake Lake drainages spend a great deal of time in the perennial creeks, springs, and meadows.

Concern: The map showing heavy horse use in Buckhorn is not corroborated by the census/distribution map.

Response: We disagree. To clarify: The census (see Appendix 4) was conducted in late August 1995, at the height of the summer. As usual, the vast majority of the bands were using the ephemeral lakebeds at the highest elevations of the HMA. Some bands were scattered back on the lower elevations (1995 was an exceptionally wet year; grasses stayed greener longer and water was more available at the lower elevations than normal; therefore, there were probably more horses using the lower elevations through the summer than on an average year.)

The use map of August 1992 (Appendix 5) reflected horse use from the beginning of the growing season on. Express Canyon is a lower elevation area, used by horses travelling from winter to spring/summer/fall habitat and back. The use occurs early and late in the season; however, it is one of the few easy routes to winter range on the north side of the HMA, and it receives heavy use annually. The use map also shows heavy horse use on Cottonwood Mountain. It is believed that this use is primarily from wild horses in the Twin Peaks HMA which cross the boundary when the gates or fence between the two HMA's is down. Few wild horses from the Buckhorn HMA have been seen on Cottonwood Mountain.

Concern: No utilization or range condition data for Buckhorn is included.

Response: We disagree. Appendix 5 contains a use map for the Buckhorn HMA. Appendix 7 contains range condition information for the Buckhorn HMA.

Concern: The actual field data do not justify the proposed reduction.

Response: We disagree. The actual field data does justify the proposed decision. The form used to collect riparian utilization data includes a formula which does not adequately reflect actual utilization. Therefore, utilization levels shown on the form were

consistently rated lower than actual use, except on very lightly used sites. Since the forms were developed, utilization cages have been placed on each transect. These cages are moved between growing seasons, and they reflect the annual potential of the sites, by species. By taking the average ungrazed height of predominant species from within the cage and comparing it to the average height of those species outside the cage, and using a height-weight table for each species, actual utilization can be determined. The table used is A Photographic Utilization Guide for Key Riparian Graminoids, General Technical Report INT-GTR-308, developed in June of 1994 by the USFS, Intermountain Research Station. Since the cages were established, we feel we have a much better idea of the potentials of each riparian area monitored on an annual basis.

Concern: The carrying capacity of the winter range area has not been determined. It cannot be determined without taking into account livestock use and utilization data.

Response: We agree. Carrying capacity determinations were not used in analyzing the AML for wild horses in the Buckhorn and Coppersmith EA. The professional judgement of the Supervisory Range Conservationist was used in analyzing AML's. It was his opinion, based on the condition of the wild horses through the winter and early spring 1992-93, that if wild horse numbers increase much more than they are currently, and we get another severe winter like 1992-93, then the horses will again be limited to small portions of their winter range. These portions of wild horse winter range will probably be insufficient to support additional wild horses, and a significant die-off will occur.

Shortage of winter habitat is not currently the primary indicator of the need to gather these two HMA's; riparian area use and utilization are the primary indicators. Wild horse use of some of the riparian areas in the HMA's is negatively impacting the health of the areas and is causing the areas to not meet utilization objectives. If wild horse numbers continue to increase and/or a winter as severe as the 1992-93 winter occurs again, wild horse die-offs due to lack of winter habitat may become the more important factor which determines the need to gather the two HMA's.

Concern: The table, Page 23-24 of the EA, shows an increase in livestock use since the 1989 wild horse reduction.

Response: Actual livestock use in the two HMA's has increased since the last gather; however, the actual use levels are less than 70% of the number of livestock AUM's authorized for the allotment. This increase reflects annual fluctuations in the livestock industry and adjustments in livestock management on the allotment. These changes had nothing to do with wild horse gathers. The information used to determine wild horse overpopulation in the two HMA's was collected at times when only wild horses were using the areas monitored. Livestock use in the HMA's is being monitored. Livestock management and numbers in the two HMA's is being adjusted

annually to meet the objectives of the Tuledad Allotment. Livestock actual use is currently below the authorized use in the Tuledad Allotment.

Concern: An AML set in the planning process violates the statutory requirement to base the determination of excess and aml on monitoring and inventory data.

Response: We agree. The current AML was based on monitoring data. The old AML was established at a time when setting wild horse numbers through the planning process was not in violation of statutory requirements. The old AML number was supplied in the EA for comparative purposes only, to show the differences between the proposed action and historical numbers. The current AML was based on monitoring data.

Concern: Horses spotted outside the Buckhorn HMA may or may not have expanded their home range.

Response: Horses from the Buckhorn HMA have not been seen outside the HMA. Horses from the Coppersmith HMA have been seen outside the HMA on more than one occasion. Snake Lake, Van Riper Spring, and Barber Creek are north of the Coppersmith HMA; wild horses have been observed in the last three years making more and more use of these areas.

Concern: The statement on page 28 of the EA related to wild horse use near water sources is misleading.

Response: The statement on page 28 of the EA was based on observations of the Buckhorn and Coppersmith Herds. To clarify: Wild horse behavior, around water and on the uplands, varies from horse to horse, from band to band, and from herd to herd. The topography in the Buckhorn and Coppersmith HMA's is very steep and divided. This results in individual bands developing strong territorial use areas. Soils are very rocky clays and clay loams with small stringers of rock-free soils in the drainages, meadows, and ephemeral lakebeds. This results in heavily trampled horse trails through riparian vegetation as wild horses seek out the smoother soils to travel between waters. The rock free soils are more productive and retain more water than the surrounding rocky soils. The vegetation growing on these soils is more continuous and more palatable to wild horses than the vegetation on the surrounding soils. Late in the growing season, the vegetation on these soils is greener and more nutritious than the vegetation on the surrounding soils. This results in wild horses consuming a disproportionate amount of the riparian vegetation versus the surrounding upland vegetation. Continuous wild horse use around several of the water sources and most of the ephemeral lakebeds in the Buckhorn and Coppersmith HMA's has been repeatedly observed by the Surprise Resource Area staff.

Concern: Page 28 of the EA also refers to the poor condition and deaths of wild horses following the winter of 1992-93. The notes

file of the (Supervisory) range can state: "no deaths." Who should we believe?

Response: Five adult wild horses in the Coppersmith HMA died immediately following the winter of 1992-93. They died on spring range and were reported by the livestock operators during the late spring. The Supervisory Range Conservationist was unaware of the deaths at the time he wrote the notes to the file (Appendix 2).

Concern: We object to the implementation of the structured herd policies. They violate the least feasible management activity clause.

Response: We disagree. Section 2(a)(6) of PRIA emphasizes that avoiding excessive costs and facilitating humane adoptions and disposals of excess animals was to be considered when assessing "least feasible management activities". It was to this end that the Susanville District adopted selective herd management. During this gather the Surprise Resource Area will not be managing the wild horses within the Buckhorn and Coppersmith HMA's to produce "adoptable" foals by attempting to alter the color, size, or conformation of the herds. Age, herd integrity, and reproductive viability will be the only criteria used to select horses for removal from, and return to the HMA's. To clarify, this means that:

- 1) Only horses under 5 years of age or which have immediate opportunities for placement will be removed from the HMA's. This criteria will be used because it is most humane to the horses (younger horses adapt more easily to captivity and spend less time in holding facilities) and because it is most economical (the less time horses spend in holding facilities, the less they cost the tax payer).
- 2) Horses will not be selected (either for removal or for return) based on a particular color, size, or conformation. This will retain the full range of herd characteristics in the horses which are returned to the HMA's.
- 3) Sufficient male and female horses which are young and capable of reproducing will be returned to the HMAs to maintain viable, genetically healthy populations.

Concern: You quote IM 90-30 as defining thriving natural ecological balance as "the condition of the range when resource objectives related to wild horses and burros in land use plans have been achieved." That definition is not in accordance with the law.

Response: We disagree. IM 90-30 recognizes the fact that wild horses have impacts on many of the resources on public lands. All of these resources are parts of the thriving natural ecological balance; not all of the impacts on these resources are reflected by simple utilization of vegetation.

COMMISSION FOR THE PRESERVATION OF WILD HORSES

Concern: A ruling by IBLA found that the establishment of an AML for wild horses must be determined using rangeland monitoring data.

Response: The wild horse Appropriate Management Level was re-established in the Environmental Assessment, based on current monitoring information.

Concern: The stipulated agreement with the wildlife agencies required conditions and new decisions no later than 1994.

Response: We are aware of this. However, on January 3, 1994, the hearing concerning the appeals of the Tuledad Allotment Interim Grazing Decision of April 15, 1992 was held in Sacramento, California. The appeals had been withdrawn pursuant to the December 28, 1993 Stipulation Among Parties. The Administrative Law Judge who heard the case accepted the withdrawal of the appeals; however, he disallowed the Stipulations. The BLM was informed that any attempt to use the points of the Stipulations to dictate management on the allotment would be a violation of the law.

The East Lassen Management Plan EIS is currently being evaluated. The decision which is derived from that EIS will include the new management plan for the Tuledad Allotment (including both the Buckhorn and the Coppersmith HMA's).

Concern: Actual use by livestock is not adequately documented to support your assumptions.

Response: We disagree. The decision to remove excess wild horses from the two HMA's was based on utilization and supervision data. The actual use data supplied information on livestock numbers and turn-out areas which contributed to the supervision data.

Concern: As shown for the Coppersmith and Buckhorn herds, there has been a steady increase in the population. The table does not support the proposed action.

Response: Table 3, referenced in the comment does not show actual monitored horse numbers. It is a projection of what the recruitment would have been in the two herds, assuming no death loss or emigration, between 1989 and 1995.

The aerial census of August, 1995 was believed to be a very close count of the actual numbers of horses in the two HMA's. All portions of the HMA's and the immediately adjacent areas were covered; a considerable amount of time was spent checking topographically complex areas; and all the bands observed from the ground by the Surprise Resource Area staff, previous to the census, were counted from the air. The 1989 gather census was the last count to be this comprehensive. Therefore, the 1995 and 1989 counts are assumed to be the only dependable counts.

Concern: The EA does not disclose any data concerning (riparian) functionality tests.

Response: This is true. Riparian functional assessments were conducted in the Coppersmith HMA in 1995. Data for 1995 has not been analyzed yet. Riparian functional assessment ratings evaluate only the hydrologic conditions of riparian areas; they do not evaluate the ability of the riparian areas to meet other objectives. In many cases, vegetation diversity and other resource values are less than what could be provided, due to excess wild horse numbers.

Concern: This huge allotment (Tuledad) has been used differently every year based upon available resources and the abilities of the permittee.

Response: This is true. Since the GEIS, the Tuledad Allotment has been managed to meet the objectives of the MFP and the AMP. The three pasture system originally suggested for the Tuledad Allotment in the GEIS, was believed to be inappropriate to meet the objectives; therefore, a basic two pasture deferred rest system was implemented. This system has been adapted annually in response to the conditions of the resources on the allotment, so as to best meet the objectives.

Concern: Expected mortality should be presented.

Response: The expected mortality during this gather is less than 2%.

Concern: Roping of wild horses should be avoided or have strict contract criteria.

Response: We agree. Contract criteria for roping is included as a mitigation measure.

Concern: Herd structure should be presented.

Response: See attached table (page 11) for population structure information.

Concern: It would be appropriate to use more than one year's data. Use of selective years is inconsistent and without rationale.

Response: Riparian utilization monitoring from 1992 was used because it was the only year that utilization was conducted in the Buckhorn HMA in the absence of livestock use. Riparian monitoring from 1994 was used because it was the only year that this type of monitoring was conducted in the Coppersmith HMA in the absence of livestock use. Riparian transects were established in the two HMA's in 1992 and 1993.

Concern: It was assumed that livestock did not use key areas.

Response: Based on supervision and observations of livestock tracks and manure, it is the professional judgement of the Surprise Resource Area staff that livestock did not use the key riparian areas during the time that the utilization information used in this environmental assessment was gathered.

Concern: As stipulated in the agreement, Bud Brown and Ant Spring were to be fenced by 1993. It would appear that conditions of our agreement are not met.

Response: Bud Brown riparian area was fenced in 1993-94. Wild horse pressure on the fence resulted in several portions of the fence being knocked down in 1994. Gates in the enclosure were left open to protect wild horses which had entered the enclosure through the downed fence and to allow these horses to exit the enclosure to winter habitat. In 1995, horses once again entered the enclosure. The sheep operator was authorized to graze his sheep in the enclosure in the spring to encourage wild horses to leave the area. A horse pass gate was then installed and put up while the horses were outside the enclosure. By October 1995, wild horses had again knocked down portions of the fence and three horses were observed inside the enclosure. Efforts to reinforce the most vulnerable portions of the fence will be implemented in 1996, as funding allows.

Ant Spring has been evaluated for fencing. The fence lines have been surveyed for sensitive resources and flagged. Materials have been purchased and the livestock operators in the allotment have agreed to construct this fence in the near future. Due to the smaller size of this proposed enclosure, it is hoped that wild horses will have less of an impact on the success of this project, than they have had on the Bud Brown Enclosure.

AUTHORITY

The Wild and Free Roaming Horse and Burro Act, as amended, 16 U.S.C. 1331-1340 provides statutory authority for the management of wild and free roaming horses on the public lands. Section 3(b)(2) of the act provides the statutory authority for the removal of excess wild horses. Excess wild horses and appropriate management levels were defined in the act and BLM policies. The stipulations of humane gathers and handling were also codified in the act.

The full force and effect determination is in accordance with the regulations in 43 CFR 4770.3(c).

APPEAL PROCEDURE

Within 30 days of the receipt of this decision, you have the right of appeal to the Interior Board of Land Appeals, Office of Hearings and Appeal, 4015 Wilson Boulevard, Arlington, VA 22203, in accordance with the regulations of 43 CFR, Part 4, Subpart E. You are required to provide a Statement of Reasons to the Board of Land Appeals and a copy to the Regional Solicitors Office, Pacific Southwest Region, U.S. Department of the Interior, 2800 Cottage Way, Room E-2753, Sacramento, CA 95825-1890. Please provide the Surprise Resource Area Office with a copy of your appeal and

Statement of Reasons. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition of a stay must be mailed to the above addresses, must accompany your notice of appeal, and must be in accordance with 43 CFR 4.21. When requesting a stay, you must demonstrate why such a stay should be granted.

A petition for a stay of a decision pending appeals shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

FINDING OF NO SIGNIFICANT IMPACT/DECISION RECORD

I have reviewed the environmental assessments, including the comments, and resolution of any potentially significant environmental impacts. I have determined that the selected actions with the mitigation measures described below will not have any significant impacts on the human environment and that an EIS is not required. I have determined that the proposed action as modified in the "Decision" is in conformance with the approved land use plan. It is my decision to implement these actions with the mitigation measures identified below.

Mitigation Measures/Stipulations:

Roping of wild horses will only be used as a supplemental technique when absolutely necessary and only after determination by the on site COR that helicopter drive trapping or bait trapping have not been successful. Circumstances where roping may be necessary include, but are not limited to; (1) when wild horses cannot be captured by helicopter or bait trapping methods in areas which require 100% removal, (2) when it is necessary to capture an orphaned foal or a suspected wet mare. In all cases, when it is determined by the onsite COR that a significant proportion of the animals must be roped, the roping will only proceed after consultation with the Area Manager.

Ronald Estelke

Area Manager, Surprise Resource Area

11/13/95

Date

**ENVIRONMENTAL ASSESSMENT
BUCKHORN AND COPPERSMITH
HERD MANAGEMENT AREA
GATHER - FY 1996**

CA-028-95-08

**Susanville District
Surprise Resource Area
November 11, 1995**

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**WILD HORSE GATHERING AND REMOVAL
BUCKHORN AND COPPERSMITH
HERD MANAGEMENT AREAS**

SURPRISE RESOURCE AREA

ENVIRONMENTAL ASSESSMENT CA-028-95-

BACKGROUND

The Proposed Action would occur on the Surprise Resource Area, Tuledad/Home Camp Planning Unit, Washoe County, Nevada and Lassen and Modoc Counties, California.

LAW

Public Law 92-195, known as the Wild Free-Roaming Horse and Burro Act - The general concept of the Law is to preserve healthy thriving populations of wild horses and burros for future generations to enjoy. Some specific portions of the Law that have a bearing on wild horse management are as follows:

Section 1 - "It is the policy of Congress that wild free-roaming horses and burros shall be protected from capture, branding, harassment, or death; and to accomplish this they are to be considered in the area where presently found, as an integral part of the natural system of the public lands."

Section 3.(a) - "The Secretary shall manage wild free-roaming horses and burros in a manner that is designed to achieve and maintain a thriving natural ecological balance on the public lands."

"All management activities shall be at the minimal feasible level and shall be carried out in consultation with the wildlife agency of the State wherein such lands are located in order to protect the natural ecological balance of all wildlife species which inhabit such lands, particularly endangered wildlife species. Any adjustments in forage allocations on any such lands shall take into consideration the needs of other wildlife species which inhabit such lands."

Section 3.(b) - "Where an area is found to be overpopulated, the Secretary, after consulting with the Advisory Board, may order old, sick, or lame animals to be destroyed in the most humane manner possible, and he may cause additional excess wild free-roaming horses and burros to be captured and removed for private maintenance under humane conditions and care."

Public Law 94-579, known as the "Federal Land Policy and Management Act" passed October 21, 1976, states in its preamble as follows:

"To establish public land policy; to establish guidelines for its administration; to provide for the management, protection, development, and enhancement of the public lands; and for other purposes."

Section 102.(a)(8) states: "The Congress declares that it is the policy of the United States that the public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archaeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; and that will provide for outdoor recreation and human occupancy and use."

Section 103.(a) states: "Without altering in any way the meaning of the following terms as used in any other statute, whether or not such statute is referred to in, or amended by, this Act, as used in this Act."

Section 202(a) states: "The Secretary shall, with public involvement and consistent with the terms and conditions of this Act, develop, maintain, and when appropriate, revise land use plans which provide by tracts or areas for the use of the public lands. Land use plans shall be developed for the public lands regardless of whether such lands previously have been classified, withdrawn, set aside, or otherwise designated for one or more uses."

Section 202(c)(1) and (7) states: "In the development and revision of land use plans, the Secretary shall - (1) use and observe the principles of multiple use and sustained yield set forth in this and other applicable law; (7) weigh long-term benefits to the public against short-term benefits."

Section 404 provides for the gathering of wild horses and burros using the helicopter.

Public Law 94-579 provides the basic planning for tracts of public lands administered by the Bureau of Land Management. This law calls for multiple use management with long term benefits to the American public.

Wild horse management is a portion of this bigger plan and is subject to restrictions placed on it by such Land Use Plans. The Land Use Plan should set limits on wild horse populations to integrate wild horse use into the total use. Also this plan may place other restrictions on horse use and management.

Public Law 95-514 known as the Public Rangelands Improvement Act was passed on October 25, 1978.

Section 2(a)(6) states: "The Act of December 15, 1971 (85 Stat. 649, 16 U.S.C. 1331 et seq.), continues to be successful in its goal to protecting wild free-roaming horses and burros from capture, branding, harassment and death, but that certain amendments are necessary thereto to avoid excessive costs in the administration of the Act, and to facilitate the humane adoption or disposal of excess wild free-roaming horses and burros which because they exceed the carrying capacity of the range, pose a threat to their own habitat, fish, wildlife, recreation, water and soil conservation, domestic livestock grazing and other rangeland values."

Section 2(b)(4) states: "Continue the policy of protecting wild free-roaming horses and burros from capture, branding, harassment, or death, while at the same time facilitating the removal and disposal of excess wild free-roaming horses and burros which pose a threat to themselves and their habitats and to other rangeland values."

Section 4(b) states: "The Secretary shall manage the public rangelands in accordance with the Taylor Grazing Act (43 U.S.C. 315-315(o), the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701-1782) and other applicable law consistent with the public rangelands improvement program pursuant to this Act. Except where the land use planning process required pursuant to section 202 of the Federal Land Policy and Management Act (43 U.S.C. 1712) determines otherwise or the Secretary determines and set forth his reasons for this determination that grazing uses should be discontinued (either temporarily or permanently) on certain lands, the goal of such management shall be to improve the range conditions of the public rangelands so that they become as productive as feasible in accordance with the rangeland management objectives established through the land use planning process and consistent with the values and objectives listed in sections 2(a) and (b)(2) of this Act."

Section 12 provides for the "Experimental Stewardship Program" which allows for experimental approaches to managing rangelands.

Section 14 deals with determinations of over population and how to conduct population reductions.

Section 14(b)(1) states in part: "and determine whether appropriate management levels should be achieved by the removal or destruction of excess animals or other options (such as sterilization, or natural controls on population levels."

Note that this portion of Section 14 provides for other options (not specified) for population control.

Section 14(b)(2) in part states: "Where the Secretary determines on the basis of (i) the current inventory of lands within his jurisdiction; (ii) information contained in any land use planning completed pursuant to section 202 of the Federal Land Policy and Management Act of 1976; (iii) information contained in court ordered environmental impact statements as defined in section 2 of the Public Range Lands Improvement Act of 1978; and (iv) such additional information as becomes available to him from time to time, including that information developed in the research study mandated by this section, or in the absence of the information contained in (i-iv) above on the basis of all information currently available to him, that an overpopulation exists on a given area of the public lands and that action is necessary to remove excess animals, he shall immediately remove excess animals from the range so as to achieve appropriate management levels. Such action shall be taken in the following order and priority until all excess animals have been removed so as to restore a thriving natural ecological balance to the range and protect the range from the deterioration associated with overpopulation."

Section 14(2)(b)(B) provides for what has become known as the "Regular Adoption Program" which offers wild horses for private ownership.

Section 14(2)(b)(c) provides for the destruction of wild horses for which no adoption demand exists.

Section 14(b)(3)(b) states: "A new subsection (f) is added to section 2 of the Act of December 15, 1971, as amended (16 U.S.C. 1332) to read as follows: (f) excess animals means wild free-roaming horses or burros (1) which have been removed from an area by the Secretary pursuant to applicable law or, (2) which must be removed from an area in order to preserve and maintain a thriving natural ecological balance and multiple-use relationships in that area."

MANAGEMENT FRAMEWORK PLAN (MFP)

In 1977, the Tulead/ Home Camp Management Framework Plan 3 was developed, to implement PL 94-579 section 202(a), . The MFP is in compliance with the above Public Laws, and the Proposed Action has been reviewed for conformance with the resource decisions found in the MFP (43 CFR 1610.5, BLM MS 1617.3). The following are MFP decisions which have a direct impact on wild horse herd management in the Buckhorn and Coppersmith wild horse herds:

Range Management Decision H 1.1 - Manage and protect a viable, self sustaining horse population.

Range Management Decision H 1.4 - Manage and protect no less than 100 horses in the Tulead Planning Unit.

Range Management Decision H 2.1 - Remove excess numbers of horses from the area.

Range Management Decision H 3.1 - Develop management plans for each herd management area.

Range Management Decision H 6.1 - Conduct routine inventories (of wild horse populations).

Range Management Decision RM 1.1 - 1) Initiate a systematic livestock management plan for the Tuledad Allotment. 6) Implement a monitoring system capable of providing reliable data to assess achievement of management objectives.

Watershed Decision W 1.1 - Implement livestock management plans that restore vegetation to site potential.

GRAZING ENVIRONMENTAL IMPACT STATEMENT (GEIS)

In 1978, a Grazing Environmental Impact Statement (GEIS) covering the Tuledad/Home Camp Planning Unit was written. This GEIS analyzed the effects of a variety of livestock management systems on the environment, including wild horses. The selected grazing program from the GEIS was outlined in the Tuledad/Home Camp Range Program Summary (RPS). Implementation progress has been summarized in subsequent RPS Updates.

MFP IMPLEMENTATION

In 1978, the Bare Creek-Silver Creek-Newlands Aquatic Habitat Management Plan (AHMP) was written in coordination with the California Department of Fish and Game. These watersheds are part of the western half of the Coppersmith Wild Horse Herd Management Area. The majority of the watersheds are extremely steep and rocky. They are capable of providing marginal wild horse spring, summer, and fall habitat; deep winter snows make the watersheds unsuitable for wild horse winter habitat, and the limited access routes out of the area make it easy for wild horses making late fall use in the watersheds to get trapped and die in the higher elevations during hard winters.

Through the AHMP, livestock use of the public lands was reduced or eliminated in the uplands and along the perennial creeks in the watersheds. At the time the AHMP was written, there were 54 horses counted in the Coppersmith Herd and none were found in the Bare Creek or Silver Creek watersheds. The decision was made through the plan that wild horses would be excluded from the watershed because of the intensive grazing management needed to recover and maintain the cold water fishery potential of the perennial creeks.

The following objectives were developed for the plan:

1. Increase the average stream area shaded to 80% in Upper Bare Creek in 10 years.
2. Increase ground cover (including litter and canopy cover) to 90-100% in the streambank zone in 10 years.

3. Increase live vegetation and litter ground cover in 10 years to reduce bare ground (rock not considered ground cover on meadow habitat) on riparian habitat from 50% to 10%.
4. Reduce seasonally high water temperatures to less than 68 degrees F. in any portion of the stream.
5. Decrease suspended solid samples during spring runoff and after rains to less than 25 Jackson turbidity units in 10 years.
6. Expand the fisheries and habitat management on private intervening lands by encouraging land exchanges, easements, cooperative agreements, and/or by setting an example to follow on public lands.
7. Improve the pool quality ratings on all portions of the streams on public land from Class 4 and 5 to Classes 1, 2, and 3 within 15 years.
8. Improve the riffle quality on all portions of the stream on public land from Class 3, 4, and 5 to Class 2 or 1 within 10 years.
9. Establish minimum streamflow requirements needed to maintain aquatic and riparian habitats on Silver Creek (Sworinger Reservoir) and Bare Creek (Newland Reservoir).
10. Induce and maintain an upward trend toward range site potential on the streamside community with the ultimate achievement of site potential in 15 years.
11. Induce and maintain an upward trend toward range site potential on all habitat types within the Aquatic Habitat Area.
12. Increase the carrying capacity of deer winter and summer habitat to accommodate a 50% increase.
13. Increase the present California Valley quail and cottontail habitat by providing dense cover or brush piles (one per every 1/4 mile) along that portion of Bare Creek on public land.
14. Maintain the existence of snag trees on all public land up to a potential density of 3.5 dead trees per acre. Yearly steps should be taken to protect snags from being cut for firewood.
15. Increase the diversity in all habitat types by management, protection, or improvement.

In 1980, MFP decision RM 1.1 was implemented and the Tuledad Allotment Management Plan (AMP) was developed. The Tuledad Allotment contains both the Buckhorn and the Coppersmith HMA's. This was the first AMP implemented following the completion of the Tuledad/Home Camp GEIS.

The following objectives were developed for the allotment:

1. Initiate and maintain an upward trend toward range site potential.
2. Demonstrate a statistically significant increase in ground cover (including litter) within six years on key study plots.

3. Increase canopy cover of rushes, sedges, and grasses to 90-100 percent (reduce bare ground to 0-10%) within six years on all wet meadows and riparian communities.
4. Demonstrate a statistically significant increase in perennial grass basal cover within 12 years on key study plots.
5. Increase livestock productive capacity (i.e., increased calf crop, increase lamb and calf weights).
6. Reduce and maintain wild horse numbers at proper management levels of 100 head as per Tuledad/Home Camp MFP.
7. Improve and maintain bitterbrush in a satisfactory condition for game and non-game species in all pastures.
8. Improve wildlife habitat to the point where it could sustain a population of 3,750 deer and 1,000 antelope.
9. Improve soil stability by initiating or maintaining an upward trend toward range site potential.

In 1984, MFP Range Management Decision H 3.1 was implemented, and Herd Management Area Plans (HMAP) were developed for the Buckhorn and Coppersmith wild horse herds. These plans were developed as part of the Modoc/Washoe Experimental Stewardship Wild Horse Experiment which was initiated in 1982. Six factors were compared among three wild horse herds; 1) adoptability of excess horses, 2) effects of inbreeding compared with outbreeding, 3) herd health, 4) herd viability, 5) herd manageability, and 6) management and adoption costs. The Buckhorn and Coppersmith HMAP's called for Structured Herd Management to be used to manage the two herds.

PLAN EVALUATION

In 1986, the Bureau began evaluating the resource conditions in the Tuledad Allotment.

The Draft Bare Creek AHMP evaluation was completed.

The objectives to increase ground cover, reduce bare ground, improve pool and riffle quality, and induce upward trend in all habitat types have been partially met. Conditions continue to improve in the area; however, as horse numbers have increased since the last gather (1989 to 1995), more and more bands are using the Bare Creek, Silver Creek, and North Creek watersheds. Due to the steep terrain, most of the wild horse use, especially in the late summer, is concentrated in the bottoms of the drainages and on the small meadows. This continuous, season-long wild horse use along the streambanks is beginning to slow the current upward trend toward meeting the AHMP objectives. The Bare Creek Enclosure fence has always required some maintenance each year to repair breaks due to snow and spring runoff; however, the fence is becoming more difficult to keep maintained, as the horses are now breaking down the fence several times each year.

The Tuledad AMP evaluation, which included communication and coordination with the Modoc/Washoe Experimental Stewardship Committee, the California Department of Fish and Game and the Nevada Department of Wildlife, was completed in 1991.

The AMP evaluation concluded that most of the upland plant communities above 5500 feet are moving toward becoming more like the Natural Resource Conservation Service (NRCS) established "climax" communities, or site potential (objectives 1 and 9). Ground cover and perennial grass basal cover is increasing on the key study plot sites (most above 5500') (objectives 2 and 4). Herbaceous vegetation on these upland communities is not being negatively impacted by the existing wild horse use on the allotment. Based on fecal studies, horses do not use significant amounts of bitterbrush, and they are probably not having any negative impact on bitterbrush stands in the allotment (objective 7). Wild horse numbers are no longer in compliance with objective 6 of the AMP.

The AMP evaluation recognized a shortage of quantitative data in riparian, aspen, and mountain brush communities in the Tuledad Allotment. Results of the few studies performed in riparian areas are mixed. Objective 3, increasing the canopy cover of rushes, sedges and grasses on all wet meadows and riparian communities is being partially met on the allotment; however, it is not being met in several areas of the allotment, especially the Wire Lakes and Buckhorn areas. These two areas are at the center of the spring, summer, and fall range for the Coppersmith and Buckhorn WHMA's respectively.

The AMP made several recommendations for future management. Among them were to establish studies in willow, riparian, and aspen communities to obtain utilization and vigor data; to monitor deer, pronghorn, and wild horse seasonal movements; and to limit utilization to a 2" stubble height in riparian areas in late use areas.

INTERIM GRAZING DECISION (IGD)

In 1992, the "Tuledad Interim Grazing Decision" was issued prior to the grazing season to address the livestock impacts on antelope bitterbrush and riparian communities within the allotment. For the duration of the decision, domestic livestock grazing was held at or below 60% of the allowed active Animal Unit Months (AUM's); cattle and sheep were herded out of the majority of the Buckhorn and Wire Lakes areas; and studies were established on 14 riparian complexes throughout the allotment.

INTEGRATED MANAGEMENT PLAN

Currently, a comprehensive and fully integrated plan is being developed which will address the unresolved conflicts, including wild horse use, in the antelope bitterbrush, aspen, riparian, and mountain brush communities. This plan will include both the Buckhorn and the Coppersmith wild horse herd areas and may amend the HMAPs, the Tuledad AMP, and/or the Bare Creek AHMP. Objectives from these plans will be modified, and new, more site-specific objectives will be developed.

NEED FOR ACTION

An analysis of the current monitoring data, utilization mapping, wild horse counts, and the most recent trend data, found that there are excess wild horses on the two HMAs. With the current numbers, a thriving natural ecological balance and multiple use relationships cannot be maintained.

Three main issues will be addressed in this EA: 1) Impacts on riparian areas. 2) Impacts on wild horses. 3) Impacts on domestic livestock grazing.

On the spring, summer, and fall ranges of the Buckhorn and Coppersmith HMAs, there are areas where, in the absence of cattle, wild horses make heavy and severe use on riparian areas. Increasing numbers of wild horses from the Coppersmith Herd are using the Bare/North/Silver Creek watersheds; these watersheds support cold water fisheries habitat which is being negatively impacted by wild horse use.

Wild horse winter habitat is limited both in area and in forage availability in the Buckhorn and Coppersmith HMAs; as wild horse numbers continue to increase, the limitations of the winter range areas are resulting in poor conditions of horses by spring and may result in herd die-offs during winters with heavy snow. Individual bands of wild horses are expanding their summer home ranges into portions of the both the HMA's which are less suited to wild horse use and which have rarely received wild horse use in the past. Some bands of wild horses in the Coppersmith HMA are leaving the HMA in the summer and entering areas which are not allocated for wild horse use. Portions of the winter and early spring range of the Coppersmith HMA burned in the summer of 1995. This burn reduced the amount of forage and cover available for wild horses and the vegetation in the burned areas will be sensitive to grazing for several years.

Wild horses use the two HMA's season-long every year. As wild horse numbers have increased, their use of the forage in the two HMA's has increased. The utilization standards of 60% set through the MFP, the AMP, and the IGD are beginning to be met (especially in riparian areas and upland areas around water) earlier in the growing season due to wild horse use in the spring. These standards are often met or nearly met before livestock are scheduled to enter areas used by wild horses. As a result, livestock operators are frequently asked to avoid some areas or to place

fewer livestock in some areas, even when those areas were scheduled for use in the annual use plan. In addition, livestock are frequently held fully responsible for the failure of some areas (especially riparian areas) to meet utilization standards or allotment objectives when wild horses were partially or fully responsible for the impacts.

Impacts on cultural resources will not be addressed in this document for two reasons. First, there would be no impacts on cultural resources as a result of a wild horse gather. The trap sites are temporary and have already been assessed for cultural resources. Equipment used in the gather would enter on existing roads. The gather itself would be conducted with a helicopter and on horseback and would have no impact on surface resources. Second, the impacts wild horses have on cultural resources are essentially the same regardless of the number of horses using the area. Most cultural resources are located in and around riparian areas and water sources which would continue to receive wild horse use whether wild horse numbers were reduced or not.

Impacts on wilderness resources will not be addressed in this document because wild horse gathering would have virtually no effects on wilderness values. No traps or gathering equipment would enter any wilderness study areas. The helicopter would fly over one small area of one wilderness study area for no more than two or three days.

The process for arriving at the recommended wild horse management levels conforms with BLM Instructional Memo No. 90-30 (IM 90-30) issued October 12, 1989.

PROPOSED ACTION

Gather wild horses on the Buckhorn and Coppersmith HMAs beginning November 1, 1995 to the minimum recommended management levels. Each HMA would be gathered to the minimum management level and allowed to increase to the maximum management level (see Table 1) before further analysis.

Table 1. Herd Management Areas and Wild Horse Population Levels.

HMA	1995 Census	Recommended Management Levels		Approximate Number to be Removed
		Min	Max	
Buckhorn	176	59	85	117
Coppersmith	137	50	75	87

These herds would also be restructured at this gather. Herd integrity would be carefully preserved. The goal is that only horses which are four years old and younger would be removed. Younger horses are more adoptable; they cost BLM less for holding and maintenance, and generally spend less time in holding facilities.

For specifics of the gather see the "Helicopter Gathering Plan for Wild Horses in the Buckhorn and Coppersmith Herd Management Areas" (Appendix 1).

OTHER ALTERNATIVES

Do not gather wild horses at this time (No Action). Wait until the East Lassen EIS and subsequent activity plans have been completed (2 to 3 years), or until monitoring data shows that there has been a degradation in the condition of the upland vegetation.

Another alternative to gather wild horses on the two HMA's, without structuring the herds was considered but dropped. This alternative was not given further consideration, because it violates the BLM policy of selectively removing younger horses at gathers. Also it is outside the criteria of the "Susanville District Wild Horse and Burro Policy" and "Modoc/Washoe Experimental Stewardship Wild Horse Experiment."

DESCRIPTION OF THE ENVIRONMENT

WEATHER

Six of the past nine years have had below normal precipitation in northwestern Nevada and northeastern California (see Table 2). For some adjacent areas with long term weather records, the 1993-94 water year was the driest in history (Medford, OR). Upland production in these two HMA's has not been seriously impacted by this period of drought in the last four years. Spring of 1992 was extremely dry with low production by perennial herbaceous vegetation in the uplands. Use by livestock, wild horses, and wildlife was concentrated in the ephemeral lakebeds and other riparian communities. The winter of 1992-93 was very wet; the next spring, herbaceous upland vegetation, especially forbs, was very productive. 1994 was a very dry year. Precipitation was well timed to produce grasses in the spring; however, most upland vegetation cured fairly early in the year and use was again concentrated in the riparian communities in the late summer and fall. The 1995 season has been extremely wet; the late winter, spring, and summer had mild temperatures. Grass and forb production has been excellent, and most upland species remained green and succulent through July.

**Table 2. Cedarville crop year precipitation (September to June).
Median 11.33 inches.**

YEAR	PRECIPITATION	PERCENT OF MEDIAN
1986-87	8.63	74%
1987-88	10.06	89%
1988-89	11.29	100%
1989-90	9.65	85%
1990-91	10.06	89%
1991-92	8.73	77%
1992-93	17.82	157%
1993-94	8.30	73%
1994-95	17.78	157%

WATER

The Buckhorn HMA contains approximately 15 springs (8 public, 7 private), 14 ephemeral lakebeds, and 7 miles of creeks (5 public, 2 private). In addition to these naturally occurring water sources, the HMA includes 1 developed spring and 44 reservoirs most of which augment existing springs and ephemeral lakebeds.

The Coppersmith HMA contains approximately 29 springs (17 public, 12 private), 9 ephemeral lakebeds, and 28 miles of creeks (15 public, 13 private). In addition to these naturally occurring water sources, the HMA includes 4 developed springs and 13 reservoirs many of which augment existing springs and ephemeral lakebeds.

SOILS AND VEGETATION

The HMA's lie in the southwest corner of the Surprise Resource Area in northwestern Washoe County, Nevada and northeastern Lassen County, California. Elevations range from 4500 feet in Surprise Valley to 8000 feet in the South Warner Mountains. The soils range from deep, highly productive loams and clay loams on the foothills of the South Warners, to less productive volcanic clay loams and clays in the mid elevation tables and rims, to highly variable alkaline influenced soils on the lake beds and lake terraces in South Surprise Valley and Duck Flat. The highest elevations in the HMA's are dominated by mountain big sagebrush/grass communities and include pockets of ponderosa pine, white fir, and aspen. The mid elevations are about evenly split by big sagebrush and low sagebrush dominated communities. They also include a large variety of mountain brush, bitterbrush, mountain mahogany, western juniper, and Douglas rabbitbrush co-dominated communities. The lowest elevation communities are dominated by basin big sagebrush and desert shrubs on the lake terraces, greasewood on the lake flats, and basin wildrye in the less alkaline drainages between the lake terraces and the lake flats. Grasses and grass-like plants make up about 15% of the total vegetation. Riparian areas occupy less than 1% of the total

area. The plant communities on the four HMA's range from early to late successional stages. Trend is generally moving toward NRCS identified site potentials in upland areas, as a result of changes in livestock management and maintenance of both livestock and wild horse numbers around carrying capacity over the past 15 years. See Appendix 7 for NRCS Range Site Descriptions and Condition/Trend monitoring.

More than 500 acres of vegetation on the north Coppersmith Hills burned in a wildfire in the summer of 1995. The fire occurred between 4800 and 6400 feet in an area used by wild horses for winter and early spring habitat. The vegetation included big sagebrush, desert shrub, bitterbrush, and western juniper communities. One perennial drainage, which supports both herbaceous and woody riparian vegetation, also burned.

Most of the larger, more productive, more accessible, and more dependable riparian areas within the HMA's are on private fenced and unfenced land. Many acres of the most productive private lands within the HMA's are fenced and unavailable to wild horses.

WILDLIFE

These HMA's provide habitat for the large variety of wildlife typically found in the northwestern Great Basin. The most common species include pronghorn antelope, sage grouse, black-tailed jackrabbits, horned larks, Brewer's sparrows, deer mice, coyotes, raptors, and bobcats. There are mule deer in areas where big sagebrush and other taller shrubs provide cover.

Over half of the wildlife species in this area are dependant upon riparian communities for habitat during some portion of the year. Many of the less common species, including voles, killdeer, amphibians, and song birds are totally dependent on riparian habitat and do not occur in areas without riparian communities. Sage grouse are dependent upon meadows at springs for brood rearing habitat. Most wildlife species depend on riparian areas as a source of drinking water. It is likely that many of the higher elevation herbaceous riparian communities were once dominated by willow and other riparian shrubs. These communities would have supported a wide variety of birds, amphibians, and reptiles which are currently limited to the relatively few areas in the two HMA's which still support woody riparian vegetation.

During the summer of 1992 and 1994, competition for water between pronghorn antelope and wild horses was observed at several different locations. Intra- and inter-specific interaction and stress has increased. Displacement of pronghorn antelope by wild horses at water holes has been observed. Pronghorn antelope will frequently wait until wild horses leave the area before attempting to use water holes. As wild horse numbers increase, the amount of time available for pronghorn antelope to use water holes in the late summer is steadily decreasing.

Although mule deer do not appear to be a major faunal component of either the current climax plant community or the ecosystem that existed at the time of contact with Europeans, public interest in the East Lassen Deer Herd, which herd area includes both HMA's, is high.

THREATENED AND ENDANGERED SPECIES

No federally listed threatened or endangered plants or animals are known to occur within the two HMA's.

WILD HORSES

Herd Management Area Plans

In 1984, Herd Management Area Plans were developed, including the **Coppersmith HMAP (Herd Area #CA-261)** and the **Buckhorn HMAP (Herd Area #CA-262)**, which delineated management area boundaries and included objectives, management methods, and opportunities for plan evaluation and revision.

The objectives of the Coppersmith HMAP include:

- 1) Maintaining a healthy and viable wild, free-roaming horse herd in the Coppersmith HMA. (RM decision H 1.1),
- 2) Maintaining a minimum of 50 and a maximum of 75 head of wild horses through periodic removal. (RM H 1.4, 2.1),
- 3) Developing a highly adoptable horse through the selection of desirable breeding horses, and
- 4) Providing a highly adoptable horse for the Adoption Program through the selection of horses 4 years and under for adoption.

The objectives of the Buckhorn HMAP include the above four, plus:

- 5) Reducing inbreeding problems through the introduction of new animals into the herd from other wild and free-roaming horse herds, and
- 6) Providing at least two full years of rest on the Cottonwood Mountain Burn Area through grazing exclusion.

To meet these objectives, selection criteria, to be used during periodic gathers, were developed for each of the herds. The Coppersmith wild horse herd would be selected for:

- 1) Light saddle horse conformation,
- 2) Dark hooves,
- 3) All coat colors, and
- 4) Size of 15 hands or more.

The Buckhorn wild horse herd would be selected for,

- 1) Light saddle horse conformation,

- 2) Dark hooves,
- 3) All coat colors, with an emphasis on maintaining the existing variety of paints, sorrels, palominos, greys, and roans, and
- 4) Size of 15 hands or more.

Conformance with the HMAPs, specifically keeping wild horse numbers within the carrying capacity of the range in combination with the other uses of the range, has resulted in thriving wild horse herds. This was reflected by the low death loss during the winter of 1992-93, while some neighboring horse herds had significant death losses. The annual rates of increase for these herds in the 1986 - 1989 period, the time between the last two gathers, was 26% for the Buckhorn herd and 18% for the Coppersmith herd. As the numbers of wild horses have increased, the annual rate of increase has dropped for both herds and is now calculated at 16% for the Buckhorn herd and 15% for the Coppersmith herd (see Table 3).

Wild Horse Diets

A study of herbivore diets by A.E. Bullock in 1976 and 1977 on the Tuledad Allotment using fecal analysis found that, through the year, wild horse diets contained 89.76% grass and grass-like plants. Spring diets were the most varied. Several early spring samples contained less than 50% grass and up to 60% forbs and shrubs. Winter samples were mostly grasses and grass-like species. Some samples contained 100% grass. Fifty six samples were collected from four different habitat types, juniper/shrub, sagebrush/mixed shrub, mountain shrub, and wet meadow/juniper habitat types.

The main conclusions drawn from this study which pertain to wild horses include:

- 1) Wild horses depend primarily on grasses throughout the growing season and during open winters.
- 2) Wild horse diets normally have little overlap with pronghorn antelope, mule deer, or domestic sheep diets in the summer and fall when forage supplies are shortest.
- 3) Wild horse diets greatly overlap cattle diets throughout the spring, summer, and fall.
- 4) The time of greatest dietary overlap among wild horses, pronghorn antelope, mule deer, domestic sheep, and cattle is in the spring when there is an abundance of forage.

Table 3. Wild Horse Count and Calculation of Yearly Increase.

BUCKHORN	ADULTS ONLY			TOTAL		
1989 gather			58			73
1990	58	9	67	73	12	85
1991	67	11	78	85	14	99
1992	78	12	90	99	16	115
1993	90	14	104	115	18	133
1994	104	17	121	133	21	154
1995	121	19	140	154	25	179
1995 count			149			176
Calculated on 16% annual increase since 1989 gather. 1995 - 28 bands. Average 6 horses per band (2-14 range). 16% foals.						

COPPERSMITH	ADULTS ONLY			TOTAL		
1989 gather			51			60
1990	51	8	59	60	9	69
1991	59	9	68	69	10	79
1992	68	10	78	79	12	91
1993	78	12	90	91	14	105
1994	90	14	104	105	16	121
1995	104	16	120	121	18	139
1995 count			120			137
Calculated on 15% annual increase since 1989 gather. 1995 - 25 bands. Average 5 horses per band (1-13 range). 12% foals.						

Riparian Vegetation Demand

The amount of riparian forage that is produced and that may be consumed by wild horses in the two HMA's is calculated in Appendix 3. Due to the presence of several ephemeral lakebeds in each of the HMA's, riparian forage production is extremely variable. The following Table 4 summarizes this information.

Table 4. Wild Horse Riparian Species Forage Demand and Current Riparian Species Forage Production.

HMA		1995 count	Recommended Minimum Number	Recommended Maximum Number	Total Riparian Forage Production (lbs)
Buckhorn	number	176 horses	59 horses	85 horses	
	forage demand	364,320 lbs	122,130 lbs	175,950 lbs	44,700 - 4,716,700
Coppersmith	number	137 horses	50 horses	75 horses	
	forage demand	283,590 lbs	103,500 lbs	155,250 lbs	105,950 - 2,473,950

Current Wild Horse Population Levels

The following Table 5 documents counts and gathers made in the Buckhorn and Coppersmith HMA's.

Table 5. Wild Horse Census and Removal

DATE	CENSUS METHOD	COUNTED			REMOVED		
		BUCKHORN	COPPERSMITH	BOTH	BUCKHORN	COPPERSMITH	BOTH
Feb-73				222			
Aug-74				228			
Feb-75				223			
Sep-77		293	54	347	32	0	32
Oct-78		99	76	175			
Nov-79		111	122	233	0	96	96
May-82		121	60	181			
1983	gather	185			135	0	135
Sep-85	gather		106		0	56	56
Oct-86	gather	108	67	175	56	17	73
Sep-89	gather	107	82	189	49	31	80
Apr-93	air	89	74	163			
Sep-93	air	145	59	204			
Jun-94	ground	122	104	226			
Aug-95	air	176	137	313			

Topography in the two HMA's greatly affects the accuracy of censuses. The Coppersmith HMA has more western juniper and steep canyons which conceal wild horses from aerial counts. The Buckhorn HMA has more low sagebrush, rolling hills, and open ephemeral lakebeds which maximize wild horse visibility from the air. Therefore, aerial counts in the Buckhorn HMA tend to vary less than aerial counts in the Coppersmith HMA. The time of year, time of day, and water supply can greatly affect the numbers of wild horses counted in the Coppersmith HMA. Counts conducted late in the year when most of the horses are in the highest elevations of the HMA, late in the day when horses are coming in to water, and on dry years when water sources are limited yield the most accurate counts.

Wild Horse Herd Behavior and Home Range Expansion

Topography also affects wild horse behavior. These two HMA's have an unusually high range of elevations throughout. There are numerous steep canyons, rims, and rocky soils which limit wild horse movements within the HMA's. This type of topography results in individual bands of wild horses occupying very specific and consistent yearly "home ranges" during the spring, summer, fall, and open winters. These bands stay in their home ranges until winter snows force them into lower elevations, and they return to their home ranges as soon as the weather and snow levels allow them in the spring. The loyalty of the lead mares in these bands to their individual home ranges results in little mixing of adult horses between the two HMA's in the summer. Younger horses and bachelor bands, especially in home ranges along the edges of the HMA's, may move between the two HMA's; however, fences, private land, and topography severely restricts this movement. Winter ranges for the two herds are similarly separated by private land and fences which restrict movement between the two herds on all but the snowiest winters when horses are desperate for forage and are able to walk over fences on the snow.

In the Coppersmith HMA, wild horse bands are beginning to make use of the less suitable and more remote areas within and north of the HMA. During the 1995 census, two bands of horses were found in the Bare Creek Drainage. This drainage is extremely steep and has a number of fenced, private land parcels which make movement within the drainage and between summer and winter habitat very difficult. In addition, one band of horses is now using the Snake Lake/Van Riper Spring area north of the Coppersmith HMA on private land.

The Cottonwood Mountain Fire Rehabilitation Fence and the fence on the south boundary of the Tuledad Allotment restrict wild horses from leaving the Buckhorn HMA; however, as wild horse numbers have increased, the number of bands using the SOB and Four Lakes area of the Buckhorn HMA has increased dramatically. During the 1995 census, 13 separate bands were found in the SOB Lake area alone.

Monitoring Results and Recommended Management Levels

In 1992, 1993, and 1994, wild horse utilization on key areas in the two HMAs exceeded utilization standards specified in the MFP and in the Interim Grazing Decision of 1992. As a result of the pasture rotations, and reduced cattle numbers, there were key areas on these two HMAs which were used by wild horses, but not by cattle. Wild horse utilization was determined in these key areas.

DEFINITIONS

Slight Utilization occurs when less than 20% of the annual production of forage plants has been consumed.

Light Utilization occurs when 20% - 40% of the annual production of forage plants has been consumed.

Moderate Utilization occurs when 40% - 60% of the annual production of forage plants has been consumed.

Heavy Utilization occurs when 60% - 80% of the annual production of forage plants has been consumed.

Severe Utilization occurs when 80% - 100% of the annual production of forage plants has been consumed.

Riparian areas were chosen as key areas for several reasons. In September of 1991, the BLM completed the Riparian-Wetland Initiative for the 1990's. This document outlines how the BLM intends to manage the publicly owned riparian areas on BLM lands in the future. This initiative describes four broad goals for riparian areas. Among them is the first goal of restoring 75% of all riparian areas to properly functioning condition by 1997. Riparian areas were targeted for improvement in the MFP. Upland areas generally have an upward condition trend, while accessible riparian areas have remained static and in early to mid seral stages. A summary of the most recent trend monitoring data is contained in Appendix 7. Utilization monitoring over the past several years has shown that the areas in the most degraded condition, riparian communities, have continued to receive unacceptably heavy utilization. Utilization monitoring for the allotment which contains the Buckhorn and Coppersmith HMAs is shown in Appendix 5.

The trend data and subsequent utilization mapping, indicated that upland vegetation condition trend was, and remains, unchanged or upward, while riparian area condition was poor. Utilization has been heavy and severe in riparian areas since the last condition studies. This level of utilization would be expected to maintain poor condition. Actual Use Reports (Appendix 6) for the period 1989-95 showed steady cattle use, with reductions during the past several years in response to the drought and changes in management.

Appropriate management levels (AML) based on the monitoring data were developed in Appendix 2. The recommended wild horse management levels from Appendix 2 are shown in Table 6.

Table 6. Wild Horse Population Analysis

HMA	HMAP MINIMUM	HMAP MAXIMUM	WINTER MINIMUM	WINTER MAXIMUM	ANALYSIS MINIMUM	ANALYSIS MAXIMUM	RECOM MINIMUM	RECOM MAXIMUM
BUCKHORN	50	75	59	85	40	82	59	85
COPPERSMITH	50	75	50	75	42	86	50	75

Under the proposed action, the management levels for the Buckhorn HMA would be changed from the range of 50-75 (AML 63) set in the HMAP to 59-85 (AML 72).

1. The Buckhorn HMA has more and better quality winter habitat than the Coppersmith HMA. Most of the identified winter habitat is on unfenced land, and fences in this HMA do not obstruct wild horse movement between the lower and higher elevation portions of the winter habitat areas.
2. The Buckhorn HMA has extremely variable riparian forage production. The riparian utilization transects were read on an exceptionally dry year (1992) when the ephemeral lakebeds were producing below normal amounts of forage. Therefore, the resulting population range of 40-82 (AML 61) was lower than it would be on an average, or even somewhat below average precipitation year.
3. Herd range expansion is apparently not yet having a serious impact on other resources in the HMA at the existing numbers.

Under the Proposed Action, the management levels for the Coppersmith HMA would stay the same as the HMAP levels of 50-75 (AML 63).

1. The winter monitoring information demonstrates that the winter wild horse habitat is especially limited in area in the Coppersmith HMA. Much of the area shown as winter habitat in Appendix 2 is on fenced private land. Much of the remaining winter habitat in the Coppersmith HMA, especially the north facing slopes around Surprise Valley, have little herbaceous understory.
2. The riparian transects were read in both above average and below average forage production years (1993 and 1994). The resulting population range (42-86) is wider than the HMAP range (50-75); however, the AML (64) is only slightly higher than the HMAP AML (63).

3. Herd range expansion into non-HMA areas and into less suitable areas within the Coppersmith HMA is impacting soil and vegetation resources in the Bare Creek watershed and the perennial cold water streams in the watershed.

LIVESTOCK

Both of the HMA's lie within the Tuledad Allotment.

Beginning with the 1934 passage of the Taylor Grazing Act and the end of nomadic sheep bands, livestock numbers using the land within the two HMA's has been continuously reduced. Two livestock adjudications and the GEIS have reduced the livestock Animal Unit Months (AUM) preference from over 23,000 to 9,982 AUMs. Through inactive permits and voluntary reductions in use, the actual number of AUMs used on the Tuledad Allotment has averaged 77% of preference over the last 15 years. Since the last wild horse gather in 1989, the actual use has been even lower than this due to the years of drought, changes in livestock operations, and efforts to resolve the East Lassen Deer Herd issue. The following Table 7 details livestock actual use since the last wild horse gather.

Table 7. Livestock Actual Use

YEAR	COPPERSMITH	BUCKHORN	BOTH	%PREF
1994	3487	3295	6782	69%
1993	2912	3249	6161	63%
1992	2816	3339	6155	63%
1991	5233	1056	6289	64%
1990			6386	65%
1989	2760	2458	5218	53%

The Tuledad Allotment Management Plan (AMP) was implemented in 1980. The grazing system selected from the GEIS for the AMP was outlined in the Tuledad/Home Camp Range Program Summary (RPS). The AMP called for a two pasture rest-rotation grazing system for the Tuledad Allotment. Each year, one pasture was to be used before seedripeness on grasses and the second pasture was to be used after seedripeness on grasses. The following year, the pastures would be switched. Implementation progress has been summarized in subsequent RPS Updates.

Over time, through fencing, seeding, fire rehabilitation, and recognition of seasonal use patterns, the two pastures in the allotment were divided into nine "use areas". These use areas include seven native range and two seedings. They have allowed for annual management flexibility, as well as additional seasonal and year-long rest within the two pasture system.

The Tulead and Worland Crested Wheatgrass Seedings are located on the western edge of Duck Flat below 4800 feet. These seedings typically reach range readiness by April 1 and provide the permittees with early April turnout for approximately 400 cattle. Sheep use is not permitted in the seedings.

The Bare Creek and Rye Patch Areas are low elevation "use areas," generally below 5700 feet. These "use areas" provide early season forage for both cattle and sheep. Range readiness in these units is based on perennial grasses (*Poa secunda* and *Sitanion hystrix*) and normally occurs around April 16. Cattle use is permitted after range readiness has been reached.

Early season use is alternated annually between the Rye Patch and Bare Creek Use Areas. The areas are not fenced from the South or North Pastures, respectively; however, the elevation differences on each pasture significantly influence livestock use patterns. When the South Pasture is scheduled for late use, cattle will generally not use the dry lower Rye Patch Use Area. The analogous situation is true for the Bare Creek Use Area in the North Pasture. Although some drift to the lower elevation use areas does occur, cattle and sheep are not herded into the low elevation use areas. This provides riparian areas within these areas yearlong rest.

Sheep are allowed onto the unit after March 26. This on-date coincides with the off-date for Winnemucca District Allotment (Coyote AMP). Range readiness is not a turnout criteria for sheep use, because sheep use and movements are closely controlled by the herders and they are grazing dried grasses, dormant shrubs, and annual forbs, all of which regrow after the sheep have moved on. Sheep lamb in the Rye Patch and Bare Creek Use Areas, then are split into three ewe/lamb bands and one small ewe only band (dry ewes). The ewe/lamb bands skim the entire allotment before going to summer range on the Modoc National Forest. The dry band continues to move through the allotment all season.

The North and South Use Areas are the largest areas in the allotment and lie between 5700 feet and 6800 feet. The two units receive alternate year treatments of early use (May 16 to July 15) and late use (July 16 to September 30). The late use period is based on seed ripe of key perennial grass species in the pasture. Seed ripe normally occurs between July 16 and July 30. Late season cattle use is restricted to the scheduled late use pastures.

The Cottonwood, Bald Mountain, and Boot Lake Areas are high elevation units (6500 feet to 7700 feet). These units usually do not receive cattle use before July 16. Sheep are allowed to skim lightly through the Cottonwood and Boot Lake units in late June (June 16 - June 30). Sheep trail back through these three units in the fall (early October) on their way to winter range.

Between 1986 and 1991 the AMP was evaluated. Several problems were identified, including continued poor condition of several antelope bitterbrush stands, lack of adequate monitoring on riparian systems, and failure of many riparian systems (especially the higher elevation riparian areas) to meet the objectives of the AMP. The California Department of Fish and Game, and the Nevada Department of Wildlife are unhappy with the health of the East Lassen County mule deer herd; they feel resource conditions on the Tuledad Allotment, and several other BLM allotments, are contributing to the poor winter survival of this mule deer herd.

To address the problems of the AMP and the concerns of both the wildlife agencies and the general public, a three-phase strategy was developed.

The first phase was to issue Interim Grazing Decisions (IGD) which effect immediate, short-term changes in grazing practices on the Tuledad and Twin Peaks Allotments. The changes made in the Tuledad Allotment IGD in 1992 include:

- 1) Alternating early and late season use of the North and South Pastures on a two year, rather than an annual basis. This is to allow for more successful reproduction of antelope bitterbrush which flowers and sets seed on two-year-old wood.
- 2) Not allowing any late season (after "red juice stage") use in three key antelope bitterbrush stands on the Coppersmith Hills, Buckhorn Road, and Cottonwood Mountain. To comply with this portion of the IGD, the Tuledad Allotment permittees are using a rider to move cattle out of the key antelope bitterbrush stands when cattle are making late season use in the pasture.
- 3) Initiating intensive riparian area utilization monitoring on 14 riparian areas throughout the allotment.
- 4) Limiting use of these riparian areas to an average 2" stubble height.

The second phase, now in progress, is to develop an Integrated Management Plan that would address issues associated with the entire East Lassen Deer Herd area. This integrated, comprehensive plan will establish habitat objectives for specific planning compartments within the area. From 1992 through 1994 vegetation data was collected so that critical habitat features can be described or quantified. Monitoring data for all the allotments has been collected since 1992 for development of the integrated plan. Wildlife population data and desired mule deer habitat descriptions will need to be provided by the wildlife agencies before completion of the plan. The plan is estimated to be completed within 18 months.

The third phase, implementation of the integrated plan, is anticipated to be completed within 12 to 18 months of completion of the integrated plan. Once the integrated plan is completed, a management program addressing the long term goals for the East Lassen Herd Area will be put into effect.

IMPACTS OF THE ALTERNATIVES

Three issues were identified for assessing the alternatives: 1) Impacts on riparian areas. 2) Impacts on wild horses. 3) Impacts on domestic livestock grazing. The analysis of alternatives will focus on these three issues along the effects of the alternatives on wildlife and on the burned area in the Coppersmith Hills.

RIPARIAN AREAS

Proposed Action

Implementing the proposed action would help meet the riparian area objectives from the MFP and address the growing concerns over riparian forage utilization and the impacts of heavy grazing on other resource values in the HMA's. Reducing wild horse numbers to levels which are within the carrying capacity of the plant communities which are most the most vulnerable to use (riparian areas), in conjunction with maintaining the appropriate livestock grazing management system, would result in more acceptable utilization levels on riparian areas in the HMA's. At current numbers, wild horses are capable of consuming all the available riparian forage on a dry year similar to 1992.

Due to the continuous presence of water, vegetative response in riparian areas, to both appropriate and inappropriate grazing, is faster and more dramatic than on upland areas. Positive changes in vegetation and the resulting effects on hydrologic functions are the first steps in changing a non-functioning riparian area to a properly functioning riparian area.

Beginning positive changes in riparian areas include: 1) increasing amounts of litter and ground cover (decreasing bare ground), 2) increasing diversity of species and structures of vegetation, and 3) changes in vegetative composition to species with root masses and structural conditions which are better at retaining soil, slowing runoff, and providing forage and cover for a wider range of animal species. In spring meadows, increased ground cover reduces soil loss to wind and water erosion. Along creeks, ground cover and residual vegetation slows runoff and traps sediment. Over time, degraded creek banks build up, creeks narrow, water temperatures drop, and the water table adjacent to the creek rises. These changes improve the value of creeks for wildlife, scenic, and recreational uses.

No Action Alternative

Wild horse use on riparian areas would continue to increase as the populations continue to grow. Degraded riparian communities would continue to be dominated by upland plants. Continued trampling of spring meadows would reduce the abilities of some springs

to continue to provide water and riparian vegetation. Degraded creeks would continue to produce low quality riparian vegetation and wildlife habitat. Functional riparian areas would be at risk of becoming non-functional.

Due to the presence of several ephemeral lakebeds in each of the HMA's, riparian forage production is extremely variable. On a year with average or somewhat above average amounts of winter snows and spring runoff, the lakebeds may grow an abundance of vegetation which is accessible to most grazing animals. On this type of year, the lakebeds are capable of supporting nearly all the forage demands of the current populations of pronghorn antelope, livestock, and wild horses. On a year with below average precipitation, or precipitation which falls as rain in the late summer and fall, these lakebeds may produce virtually no forage. On a year with exceptionally high snowfall or spring precipitation, the lakebeds are frequently flooded and support only emergent vegetation which can grow up through the water. On these last two types of years, the lakebeds cannot be depended upon to provide any forage for grazing animals. The lakebeds did not produce any significant forage in 1992 when the precipitation levels were 77% of normal and fell in the form of scattered fall and late spring showers. At current wild horse numbers, wild horses would be capable of consuming all the available riparian forage on a year similar to 1992. This would leave no riparian vegetation for wildlife forage or habitat, soil protection, or scenic values.

The high concentration of horses, especially around water sources and ephemeral lakebeds, results in virtually no rest for the vegetation; as one band leaves an area, another band replaces it immediately.

WILD HORSES

The current monitoring data found that the present wild horse numbers are not in balance with a "thriving natural ecological balance and multiple use relationships" on the Buckhorn and Coppersmith HMA's. IM 90-30 defined "thriving natural ecological balance" as "the condition of the public range that exists when resource objectives related to wild horses and burros in approved land use and/or activity plans have been achieved."

The first wild horse objective in the Tuledad/Home Camp MFP Summary is, "Protect and manage wild and free-roaming horses ... as components of the public land in a manner to achieve ecological balance with other uses." The poor condition and deaths of wild horses following the winter of 1992-3 indicated that wild horse populations were not in balance with their winter range carrying capacities.

There is a finite amount of land available. Wild horses are not native to the HMA's. Of the predators native to the HMA's, only the mountain lion still exists (in much lower numbers) within these two herd areas. The other large native predators (wolves and grizzly bears) have been completely eliminated from the area. The remaining predators are not capable of keeping wild

horse populations under control. Since the passage of the Wild Horse and Burro Act, wild horses may not be captured by the general public. Therefore, the BLM essentially has two options: 1) Allow wild horses to increase, over populate the land, damage other resources, and eventually starve to death during harsh winters and droughts, or 2) Gather wild horses and remove some of them from the land.

Proposed Action

Gathering is inherently risky. Running wild horses into a trap, then loading them onto a truck, is a source of risk and stress for the animals. Horses have been injured and killed during gathering, but it is not common. Foals can be separated from mares (although few young foals are present in the herds by late summer and fall). Band social structure can be disrupted by mixing with other bands, or by leaving a band with too few individuals.

Wild horses which would remain in the Buckhorn and Coppersmith HMA's would benefit from being gathered in several ways.

Reducing the numbers in the HMA's from current population levels would put wild horse numbers back within the known carrying capacity of their winter range and the summer riparian habitat. Based on the generally poor condition of the wild horses in these two herds in the spring of 1993, it is our belief that a serious winter die-off was narrowly averted in the winter of 1992-93.

There would be less competition between bands of wild horses and between wild horses and wildlife for water and space. This reduces stress levels, especially on the very young horses, the very old horses, and the bands of young and old bachelor males. Less stress means horses are better able to obtain food, build fat reserves, and survive harsh winters. It also tends to prevent bands of horses, especially bachelor bands, from leaving the HMA's in search of additional habitat and entering areas which are not allocated wild horse use.

The areas burned during the Copper Fire included important winter and spring habitat for the Coppersmith herd. The tall brush and western juniper once provided cover, and the residual herbaceous vegetation once provided forage during the winter for this herd. If the winter is severe, the lack of cover and forage on even a portion of the winter range could increase the stress on wild horses in the Coppersmith HMA. Reducing the numbers of horses in the HMA would reduce the competition for the remaining winter forage and habitat in the Coppersmith HMA.

Restructuring of the herds maintains herd integrity. All base herd horses which are gathered would be returned to the HMA's. Additional horses from within the HMA's would be chosen to replace any base herd horses which have died, and to establish the populations of each HMA at the minimum recommended numbers. The sex ratios of the

base herds would be maintained at 2.3:1 for the Buckhorn herd and at 1:1 for the Coppersmith herd through selection of appropriate numbers of males and females. Replacement animals would come first from healthy horses over 5 years which fit the conformation criteria of the HMAP's. The last gather occurred six years ago, therefore, it is anticipated that there would be sufficient horses over 5 years old to replace all of the base herd horses. If not, then younger horses would be chosen. It is also reasonable to expect that there would be more horses over 5 years old than are needed to replace base herd horses. If this occurs, these older horses would be held for adoption and/or considered for use in the prison gentling programs. Any excess horses over 5 years of age which are not placed in a reasonable amount of time would be returned to the HMA's, even if to do so would exceed minimum recommended numbers. These horses would not be considered base herd horses. Ideally, it would only be necessary to remove horses under 5 years of age because if only younger horses are removed, band social structures and use areas are left intact. Younger horses are generally highly adoptable, spend little time in holding facilities, and quickly move on to suitable adoptive homes.

Gathering provides the opportunity to see most of the horses in the herd. Age structures, sex ratios, health (including genetic problems), and reproductive rates of the herds can be determined. The presence of large numbers of non-base herd horses over seven years of age would indicate that horses from other HMA's are entering these two HMA's. These herds were last gathered in 1989. In the intervening years, counts have become opportunistic and inconsistent, and knowledge of herd structure and health has declined.

Implementing the proposed action would result in the removal of approximately 204 wild horses from the two HMA's. The selection of excess horses for removal and placement in the Susanville adoption program would be carried out following the Susanville District Wild Horse and Burro Policy. The goals of this plan are to make wild horse gathering as safe as possible for the horses, assure that the excess horses are adopted into adequate, healthy settings, and the horses that remain on the land are healthy and vigorous and within the carrying capacity of their habitat.

No Action

Implementing the No Action Alternative would mean that horses would not be gathered from these HMA's at this time. The horses would not face any of the stress or potential dangers associated with gathering. There would be no disruption of band social structure or separation of mares from foals due to gathering.

Implementing the No Action Alternative would increase the risk of die-offs during severe winters. It is believed that a history of regular gathering and removal has kept wild horse populations within the carrying capacity of the HMA's and has prevented serious winter mortality. Adjacent herds which were exceeding their HMA carrying capacity had large die-offs in the winter of 1992-93. The increasing numbers of horses has resulted in several

bands of wild horses remaining in the lower elevations of Express Canyon and Rye Patch Canyon through the late summer. These areas have few water sources, and the vegetation is cured and of low forage value by late summer. It is expected that horses using these lower elevation communities will enter the winter in poorer condition than the horses using the higher elevations, especially on dry years.

Implementing the No Action Alternative would increase competition between bands of wild horses and between wild horses and wildlife for forage, water, and space. It would increase the competition between wild horses for the remaining winter cover and forage in the Coppersmith HMA following the summer 1995 wildfire. It would also increase the movement of wild horses into less suitable portions of the Buckhorn and Coppersmith HMA's and, in some cases, out of the Coppersmith HMA entirely.

The following Table 8 projects wild horse populations through the year 2000 for both the Proposed Action and No Action Alternative.

Table 8. Wild Horse Population Projection (Proposed Action and No Action).

HMA	1995 COUNT	1996		1997		1998		1999		2000	
		PROP ACTION (1)	NO ACTION (2)	PROP ACTION (1)	NO ACTION (2)	PROP ACTION (1)	NO ACTION (2)	PROP ACTION (1)	NO ACTION (2)	PROP ACTION (1)	NO ACTION (2)
BUCKHORN	176	59	204	75	237	89	275	103	319	121	370
COPPERSMITH	137	50	158	64	182	76	209	88	240	104	276

- (1) Assumes rate of increase follows average population increase following a gather of a structured herd.
- (2) Assumes rate of increase continues at 16% per year for the Buckhorn Herd and 15% per year for the Coppersmith Herd.

LIVESTOCK

Proposed Action

Implementation of the Proposed Action would reduce the competition between wild horses and livestock for drinking water, especially on dry years and lower elevation areas.

Implementation of the Proposed Action would have little impact on the amount of herbaceous upland forage available for livestock. It would increase the amount of herbaceous riparian vegetation in the HMA's; however, little if any of this additional vegetation would be available for livestock forage.

No Action

Implementing the No Action alternative would increase competition between wild horses and livestock for drinking water. When wild horses are using drinking water sources, they frequently prevent cattle from reaching the water, especially when water sources are scarce. Sheep generally do not experience this problem because they enter areas in large numbers and are accompanied by herders and dogs.

If wild horse numbers continue to increase each year, they would begin to compete with livestock for upland herbaceous vegetation. Implementation of the No Action alternative would increase utilization levels on both upland and riparian areas. Wild horses would begin to use species which are less palatable to wild horses, including bitterbrush and willow. As use levels increased, livestock stocking rate calculations would go down, and livestock numbers and/or seasons of use in the Tuledad Allotment would be reduced, even though such reductions would have little effect on riparian area use levels.

WILDLIFE

Proposed Action

Implementation of the proposed action would reduce the competition between wild horses and pronghorn antelope, and probably other species of wildlife, for drinking water. Horses are the largest animal in this area; whenever there is direct competition between horses and other herbivores for drinking water, horses will dominate.

Reducing wild horse numbers may slightly benefit animals which use meadows for important stages of their development such as sage grouse, which use meadows for rearing their chicks. With fewer horses present some of the spring meadows may receive lighter wild horse utilization, reducing the chances of nest trampling by wild horses and increasing the height of the herbaceous vegetation which protects nests and young animals from predation.

Reducing wild horse numbers is not believed to have a significant impact on mule deer populations in the area. Mule deer and wild horses have little dietary overlap. Mule deer tend to use areas with taller brush, while wild horses tend to be in the open, so there is little habitat overlap. Wild horses can frequently be found using stock ponds and other larger, open sources of drinking water. Mule deer, when given a choice, use small springs and seeps for drinking water. As sources of drinking water dry up, there is undoubtedly greater overlap in the use of drinking water sources. Also mule deer are more active at night, so their use of stock ponds would not be observed, however their tracks remain. Many more pronghorn antelope tracks are found at stock ponds than mule deer tracks.

No Action

The main impact of implementing the No Action Alternative would be the continuing increase in competition between wild horses and wildlife species for drinking water and the use of riparian and meadow habitats associated with springs and creeks.

COPPER FIRE AREA

More than 500 acres in the north Coppersmith Hills burned during the Copper Fire Incident in the summer of 1995. The vegetation and soils in this area will be particularly sensitive to overuse for several years while it recovers from the hot season burn. Included in the area burned was a perennial drainage which supplies the majority of the water for horses during the winter and early spring.

Proposed Action

Under the proposed action, wild horse numbers would be reduced to the minimum of the appropriate management level range. Wild horses impacts on the burned areas would be minimized, though not eliminated. There would be less trailing disturbance to the soil and less utilization of newly sprouting vegetation in the early spring.

No Action

The area burned covers a significant portion of the winter and early spring habitat of the Coppersmith herd. Under the no action alternative, wild horses will have substantial impacts on the soils and recovering vegetation of the Copper Fire area.

During the winter, wild horses will be trailing to and from water in the perennial drainage creating stock trails which may increase soil erosion. The more wild horses which are using this portion of the winter range, the heavier the trailing will be.

In the spring of 1996, the vegetation burned in the fire will begin to resprout. This vegetation will be especially green and attractive to grazing animals. The more animals which use this vegetation, the less vigorous the vegetation will be. Small seedlings would be pulled up and the area would be more susceptible to invasions of annual grasses and forbs. Also, the soils in the early spring will be very wet and vulnerable to compaction and churning. The soils on the burned areas have no vegetation to prevent surface erosion. The more large animals which use the burned areas, the more soil erosion there will be.

UNAVOIDABLE ADVERSE IMPACTS OF PROPOSED ACTION

In the short term, the individual wild horses removed from the HMA's would no longer be wild and free roaming horses, and they would not be returned to the HMA's once they were adopted to suitable homes. All horses in the HMA's would be stressed from the gathering, transporting, examining, and holding processes; there would be some chance of injury, disease, or death to individual horses through these processes.

There would be no long term adverse impacts on wild horses as a result of implementing the Proposed Action. Wild horses returned to the HMA's would rapidly recover from the stress of gathering. Assuming resource conditions do not drastically change (through large fires, very extreme weather, etc), wild horse populations in the HMA's would be expected to return to current levels in five to seven years.

There would be no long term adverse impacts on other resources in the HMA's as a result of implementing the Proposed Action.

CUMULATIVE IMPACTS

Proposed Action

Implementation of the Proposed Action would result in returning wild horse numbers to a point where wild horse use is part of a "thriving natural ecological balance and multiple use relationship" in the Buckhorn and Coppersmith HMA's.

No Action

Implementation of the No Action Alternative would result in increased, season-long utilization of all herbaceous riparian vegetation in the two HMA's. Riparian areas which are currently receiving heavy and severe wild horse use would continue to receive heavy and severe wild horse use. Riparian areas on the winter, spring, and fall wild horse use areas; in more inaccessible portions of the HMA's; and on areas adjacent to the HMA's which currently receive light or no use by wild horses would begin to receive moderate and heavy wild horse use. Species and structural diversity in riparian areas would be reduced, and bare ground would increase. As a result, habitat conditions for most riparian area dependent wildlife species would be degraded; soil loss would increase; drinking water sources in the HMA's would be reduced; and fish habitat would be lost.

Implementation of the No Action Alternative would eventually result in increased season-long utilization of upland herbaceous vegetation by wild horses. This would also cause increased use on upland shrubs, including bitterbrush, because livestock and wildlife and eventually wild horses would be forced to use more shrubs in the absence of herbaceous

vegetation. Upland sites would begin to move away from SCS Site Potential, bare ground and trailing would increase, and soil erosion would increase.

The long-term cumulative impacts of implementing the No Action alternative on multiple uses in the two HMA's would be 1) inconsistent recreational opportunities for wild horse viewing (as wild horse populations expand and crash), 2) decreased opportunities for wildlife viewing, 3) decreased hunting opportunities for pronghorn, sage grouse, fish, and probably mule deer, 4) decreased livestock grazing opportunities, 5) decreased scenic recreational values (due to loss of soil, vegetation, and water quality), and 6) decreased health of wild horses within the Buckhorn and Coppersmith HMA's (would result in periodic, catastrophic winter death losses).

DESCRIPTION OF MITIGATION MEASURES AND RESIDUAL IMPACTS

Implementation of the proposed action following the Susanville District wild horse management policies would result in the most safe and humane treatment of the horses possible during a gather and adoption process.

Roping of wild horses would only be used as a supplemental technique when absolutely necessary and only after determination by the on site COR that helicopter drive trapping or bait trapping have not been successful. Circumstances where roping may be necessary include, but are not limited to; (1) when wild horses cannot be captured by helicopter or bait trapping methods in areas which require 100% removal, (2) when it is necessary to capture an orphaned foal or a suspected wet mare. In all cases, when it is determined by the on site COR that a significant proportion of the animals must be roped, the roping will only proceed after consultation with the Area Manager.

PERSONS/AGENCIES CONSULTED: California Department of Fish and Game, Nevada Department of Wildlife, American Mustang and Burro Association, Inc., Tuleadad Allotment permittees.

The preliminary assessment for the need to gather in the Buckhorn and Coppersmith HMA's was issued as a draft in September of 1994. This assessment considered only information concerning winter condition of horses. Both formal and informal public comments were received in response to the preliminary assessment from the Nevada Commission for the Preservation of Wild Horses, the Animal Protection Institute, the American Mustang and Burro Association, and the Nevada Department of Wildlife. As a result of these comments, the BLM decided not to gather the two HMA's until further information concerning summer habitat and herd movements could be gathered and analyzed. Environmental Assessment CA-028-95-08 represents that analysis.

PREPARER: Tara de Valois; SRA Range Conservationist

HELICOPTER GATHERING PLAN
FOR
WILD HORSES
IN THE
BUCKHORN AND COPPERSMITH
HERD MANAGEMENT AREAS

Susanville District
Surprise Resource Area
Fiscal Year 1995

I. INTRODUCTION

The purpose of this removal plan is to outline the methods and procedures to be used in removing approximately 117 wild horses from the Buckhorn and Coppersmith Herd Management Areas. The proposed action would take the wild horse population to the lower limit of established population range for each area. The populations of wild horses would then be allowed to increase for three years, at which time, it is projected that the populations would be at the upper end of the established population range. At that time, the need for another removal would be determined based upon the actual wild horse populations present and the results of East Lassen Integrated Management Planning effort.

The proposed removals would begin sometime after October 1, 1994 and would take two to three weeks to complete. If the removals are not completed during this time due to inclement weather or other factors, they will be completed during the summer/fall of 1995.

II. GENERAL AREA DESCRIPTION - BACKGROUND DATA

The Buckhorn and Coppersmith HMAs are located approximately 35 miles south of Cedarville, California, in Washoe County, Nevada and Modoc County, California. See Map 1 for general locations.

The acreage and land status for each HMA is as follows:

<u>HMA Name</u>	<u>Acres</u> <u>Private</u>	<u>Acres</u> <u>Public</u>	<u>Total</u> <u>Acres</u>
Buckhorn	3,320	62,320	65,640
Coppersmith	7,740	63,020	70,760

The Herd Management Areas are located in the Tuledad-Home Camp Planning Unit of Surprise Resource Area. See Map 2- Planning Unit Map. The Environmental Impact Statement for the Unit was completed in 1978.

Elevations range from 5,000 feet to 8000 feet within the areas.

Vegetation is typical of the northern Great Basin Ecosystem. Various species of sagebrush dominate the aspect with horse brush and rabbit brush also occurring. The dominant perennial grasses are bluebunch wheatgrass, Thurber's needlegrass, Idaho fescue and squirreltail.

Appropriate management levels for wild horses in the Buckhorn and Coppersmith HMAs were determined by analysis of current monitoring data. In these two HMAs the goal is to have wild horses be part of a thriving natural ecological balance among the multiple uses.

Proposed gathering and removal for FY 1995 will be conducted in the Coppersmith HMA (CA-261) and the Buckhorn HMA (CA-262). See Maps 3, and 4 for specific locations.

III. JUSTIFICATION

The Wild Free-Roaming Horse and Burro Act of 1971 (Public Law 92-195) as amended, Section 3(b)(2) states "...if an overpopulation exists on a given area of public lands and that action is necessary to remove excess animals, he shall immediately remove excess animals from the range so as to achieve appropriate management levels. Such action shall be taken, in the following order and priority until all excess animals have been removed so as to restore a thriving natural ecological balance to the range, and protect the range from the deterioration associated with the overpopulation."

The 1994 Analysis for the Buckhorn and Coppersmith HMAs completed in August, 1994, established the appropriate management levels (AMLs) for the HMAs as follows:

<u>HMA Name</u>	<u>AML</u>
Buckhorn	72
Coppersmith	62

The above populations have been determined to be the median number within a range of levels necessary to achieve and maintain a natural thriving ecological balance in each area.

Based on the carrying capacity for wild horses, population ranges have been established as follows:

<u>HMA Name</u>	<u>Population Range</u>
Buckhorn	59-85
Coppersmith	50-75

The maximum number for each range is the carrying capacity for wild horses determined from the monitoring data analysis. The minimum number for each range is calculated from the maximum range figure and is the level of animals which are projected to increase to the maximum range figure in three years. In three years, the current populations will be determined, and a decision made regarding the need for further removal.

IV. POPULATION AND REMOVAL DATA

The Buckhorn HMA was last gathered in the fall of 1989 when 87 horses were gathered. 58 horses were returned to the HMA at that time. The HMA was placed under structured management¹ with the removal.

The Coppersmith HMA was last gathered also in the fall of 1989. At that time 52 animals were gathered and 21 were released back to the HMA. The herd was structured at that time.

The population of wild horses in each area is estimated as follows:

<u>HMA Name</u>	<u>1994 Census</u>
Buckhorn	122
Coppersmith	104

Estimated gathering and removal for each area is as follows:

<u>HMA Name</u>	<u>Est. # to Gather</u>	<u># Return To The Range</u>	<u># to Remove</u>	<u>Total to Remain</u>
Buckhorn	122	59	63	59
Coppersmith	104	50	54	50
Totals	----- 226	----- 109	----- 117	----- 109

¹A base herd within a herd management area that has been established through the selection and retention of primarily older animals which are well adapted to the specific area.

The above figures for capture and removal are for estimation purposes only. It is recognized that all animals within each area cannot be practically captured.

Enough animals will be released to insure that the number of wild horses falls within the established population range. Any base herd horses that have died since the last structuring and removal will be replaced with young animals from those gathered.

It is recognized that the minimum range figure may not be able to be achieved by removing only horses four years and younger. The removal of older horses will only be done if they can be readily placed through adoption or put into the prison gentling program.

V. METHODS OF REMOVAL

Gathering will be conducted by contract or by the Susanville District wild horse gathering crew.

Gathering of wild horses will be done by using a helicopter to herd the animals to a trap constructed of portable pipe panels. The helicopter will be used in such a manner that bands will remain together. Rate of movement and distance animals travel will be based on terrain, physical barriers, weather and condition of animals. All traps and wings will be constructed in such a manner to facilitate safe, humane capture of animals. At all times, gathering will be under direct supervision of a duly authorized employee of the Bureau of Land Management. Humane procedures prescribed by the BLM will be used in all gathering and handling operations.

The majority of the wild horses in each herd management area will have to be gathered so AML can be achieved by removing only horses four years or younger. This will be done only if practical and at no time will horses be placed under undue stress during the gathering operation. The welfare and humane treatment of the animals will remain the district's highest priority.

Captured animals will be shipped to the BLM's Litchfield Wild Horse and Burro Holding Facility in straight deck trucks. Here the animals will be sorted by age and sex. The Litchfield Facility is well set up to provide for humane handling, preparation, and care of captured animals, with a minimum of stress. It is planned to excess only animals of the ages 4 and under. Older animals will be released back to the area from which they were captured. Animals to be released back to the home range will be kept separate from the

other animals and released back to the home range as quickly as possible. Younger animals will be relaeased back to the home range as necessary to insure the population of animals falls within the population range established from the appropriate management level.

All publicity, formal public contact and inquiries will be handled through the Surprise Resource Area Manager.

VI. REFERENCE TO ENVIRONMENTAL ASSESSMENT

Environmental Assessment No. CA-028-94-08 was prepared in August, 1994 to analyze impacts associated with the removal and age structure re-adjustment.

VII. PUBLIC NOTIFICATION

The proposed use of a helicopter and motor vehicles for removal of wild horses from the Buckhorn and Coppersmith HMA's will be presented at a public meeting in Cedarville, California on September 21, 1994. The meeting will be held at the Surprise Resource Area Office.

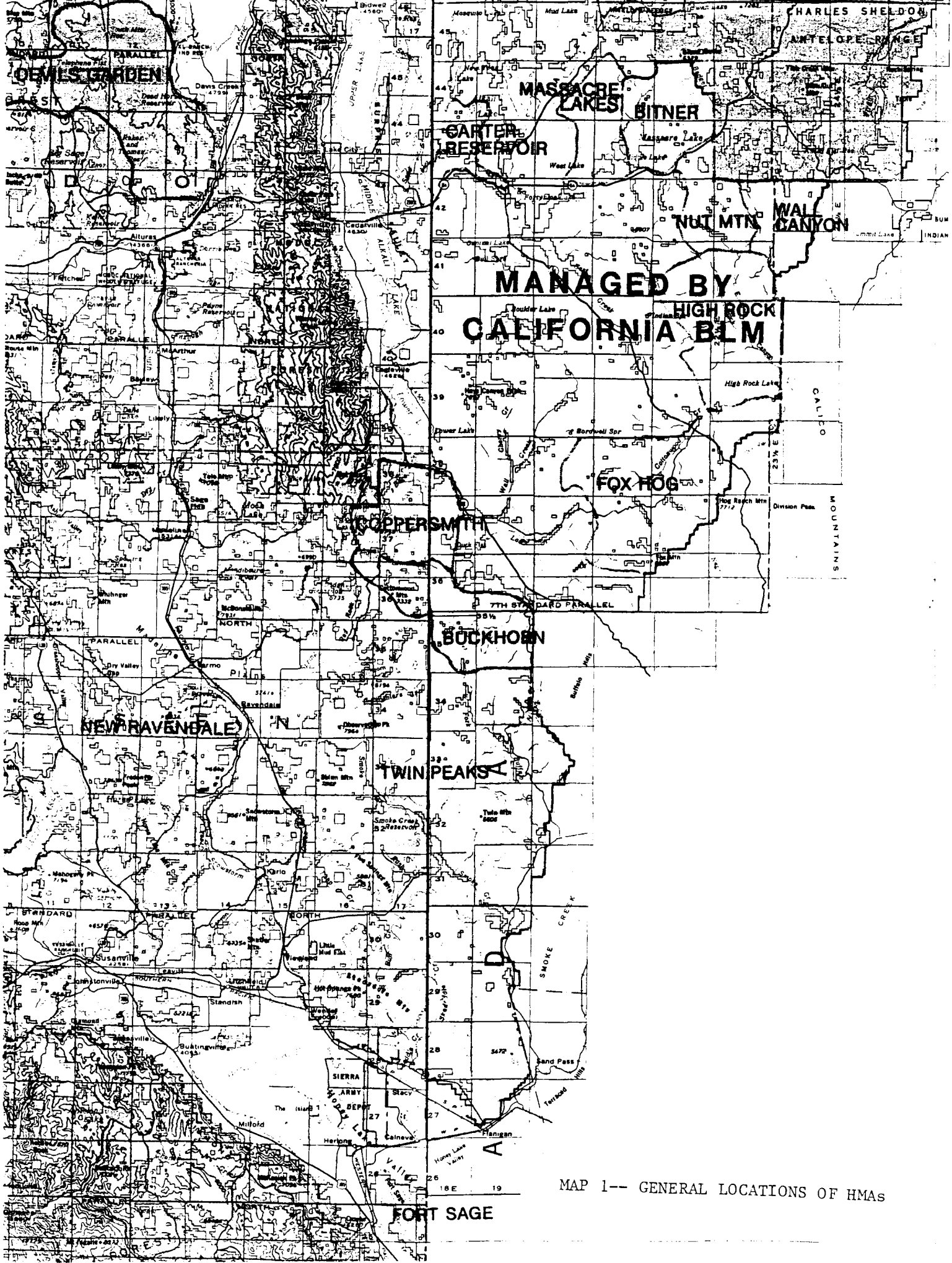
Prepared by: _____
Wild Horse and Burro Specialist

Date: _____

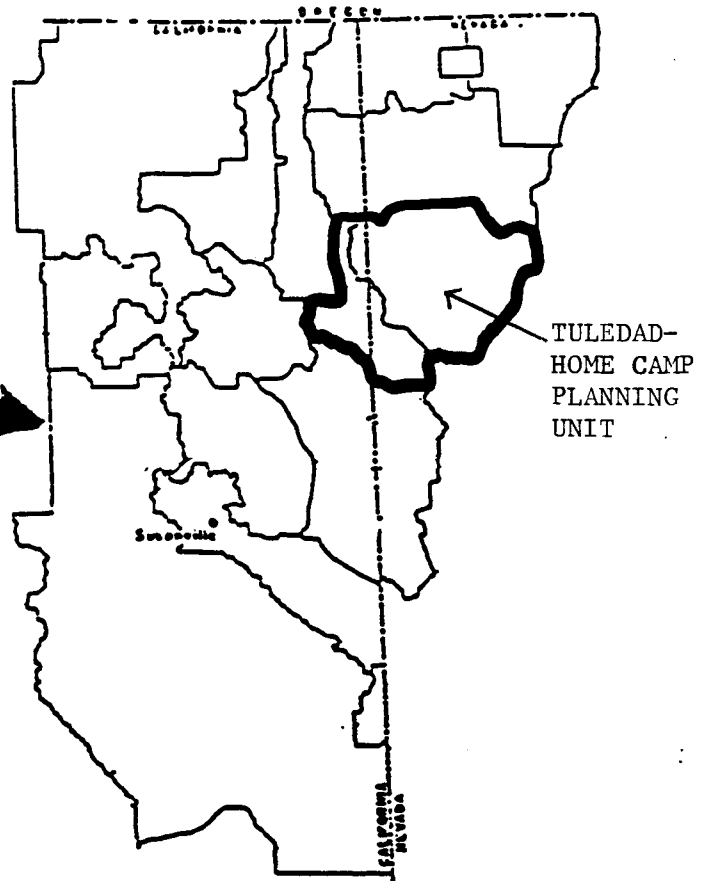
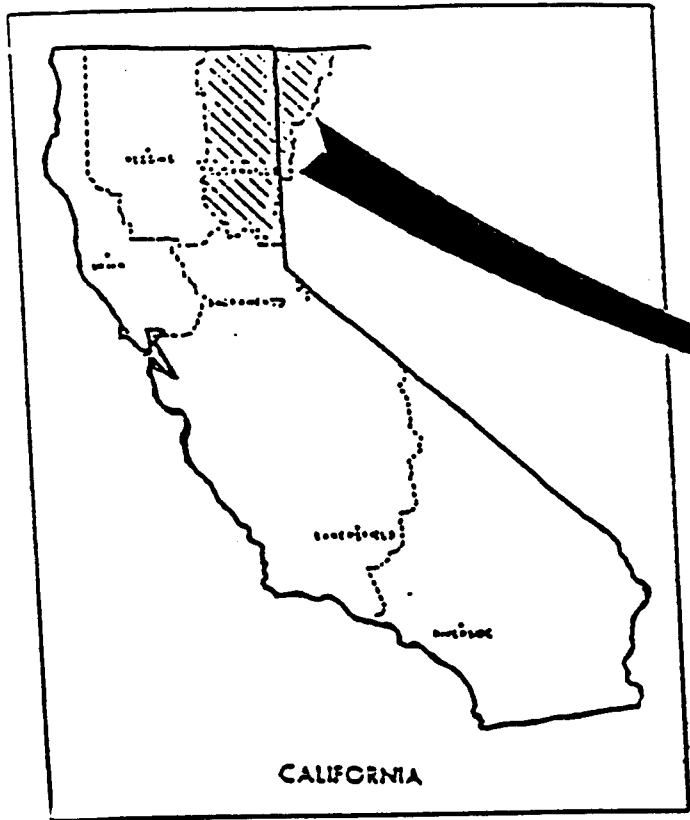
Approved by: _____
Area Manager, Surprise R.A.

Date: _____

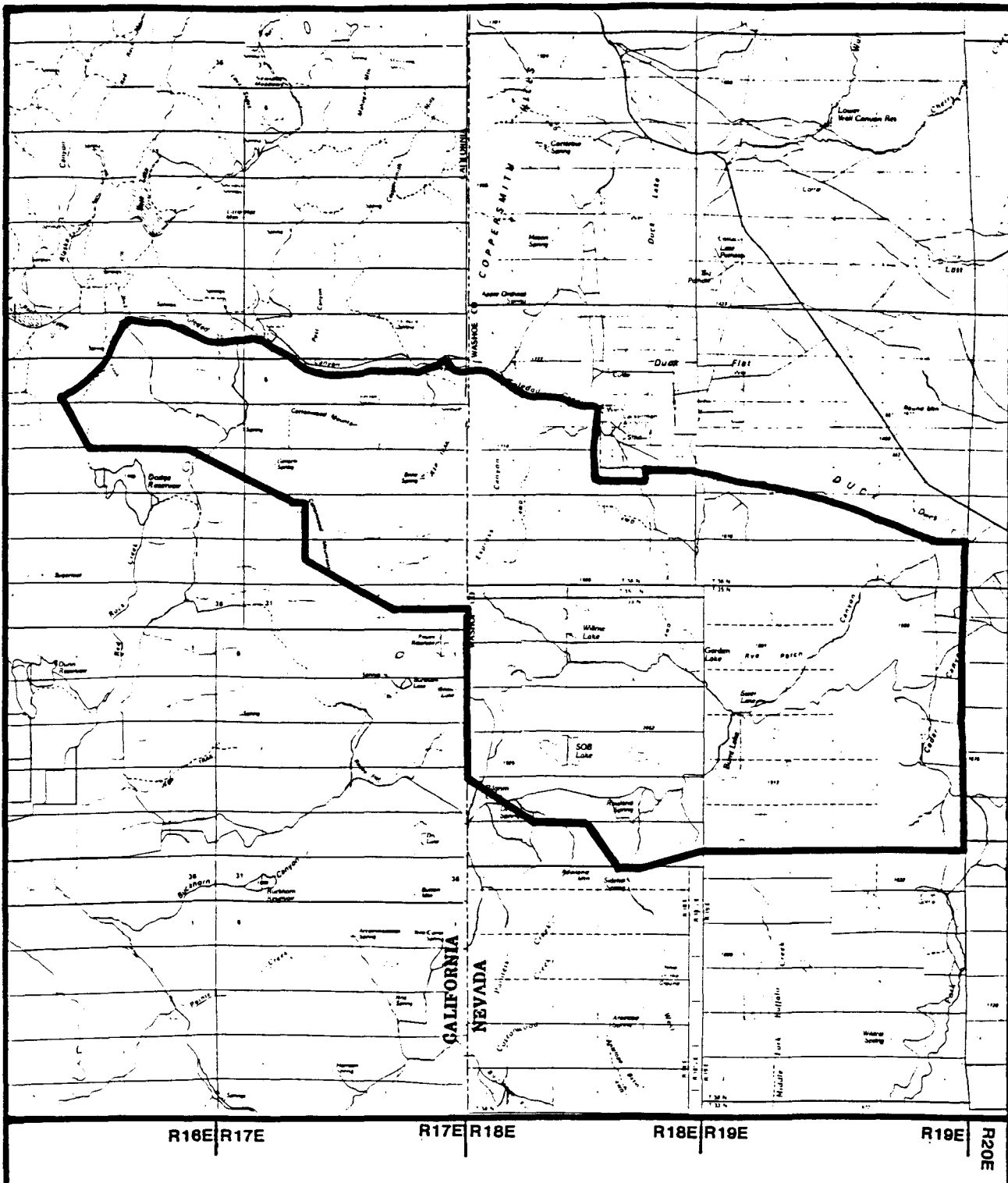
Attachments



MAP 1-- GENERAL LOCATIONS OF HMAS



SUSANVILLE DISTRICT

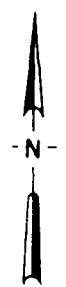


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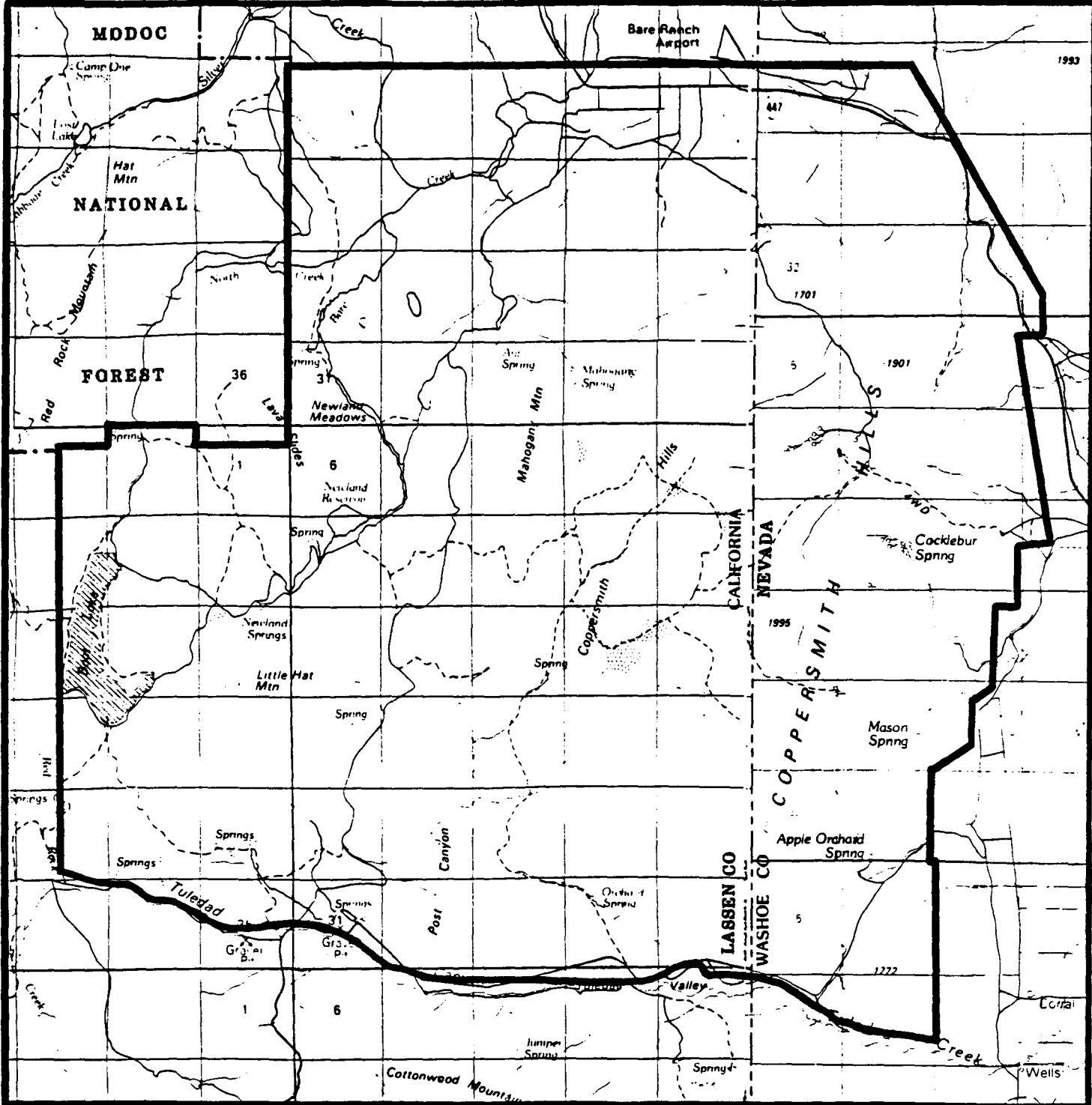
— Herd Management Area boundary

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CALIFORNIA STATE OFFICE



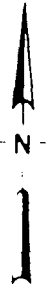
MAP 3-- BUCKHORN HERD MANAGEMENT AREA

CA-262



— Herd Management Area boundary

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MAP 4-- COPPERSMITH HERD MANAGEMENT AREA

APPENDIX 2

MONITORING SUMMARY

TO: Buckhorn / Coppersmith WHMP Files

FROM: Richard Westman, Supervisory Range Conservationist

SUBJECT: Monitoring of the Winter Range on the Coppersmith and Buckhorn WHMA's.

I. Winter Range Monitoring

Establishing an ecological balance for the wild horse herds includes, in part, having the wild horse herd populations in balance with their winter and summer range areas. The winter range area is a primary factor in limiting horse herd numbers for the Coppersmith and Buckhorn WHMA's. Upland areas are improving and generally are capable of providing adequate forage for wild horses, livestock and wildlife. This is supported by current trend studies and annual utilization monitoring. Utilization problems are mainly associated with specific areas, such as riparian and mountain brush sites, and not the upland areas. The controversy over the East Lassen Deer Herd Area, which these two herds are a part of, raised the issue that both of these WHMA's were supporting more horses than the rangeland resources could support without adverse impacts. An Interim Grazing Decision was issued in the spring of 1992. This Decision put a temporary reduction from active preference into effect and modified the grazing system to provide additional resource protection for riparian and bitterbrush areas. While these interim measures are in place, a process has been started which will establish a carrying capacity for all ungulates within the East Lassen Area. No interim measures are implemented for the wild horse herds. Therefore it is recommended, until the East Lassen Integrated Plan is completed, to establish an interim management range for each of these herds based on the capacity of the winter range. This action will meet two objectives. One, prevent increased resource damage by allowing an annual increase of horse numbers until the East Lassen Plan is completed. Two, prevent the winter death loss of wild horses which will occur if their populations increase beyond the capacity of the winter range.

The winter of 1992 - 93 was above average in snowfall amounts, but other weather conditions were about normal. This situation provided an opportunity to evaluate the carrying capacity of the winter range in an above normal season. A number of wild horse herds adjacent to these WHMA's were showing serious problems because of the winter conditions. As the winter continued, concerns for the welfare of these wild horse herds increased. Monitoring of the Buckhorn and Coppersmith horse herds was increased. This monitoring consisted of frequent observations of animal condition from the ground and aerial reconnaissance. Highway 447 goes through the north end of the winter range of both herd areas. This permitted for frequent ground observations throughout the winter season. In addition, two separate helicopter flights were also used to monitor these WHMA's. The helicopter flights were conducted during mid-winter and in early spring. This monitoring effort identified those areas suitable as a winter range for each horse herd area. Condition of wild horses were observed throughout the winter and early spring. This monitoring also included a search for animals that may have died as a result of the winter conditions. The findings for each herd management area are outlined below.

II. COPPERSMITH WHMA

All of the horses were located on the lower elevation ground at the very northeastern corner of the WHMA (See map 1). Approximately 55 to 65 horses were located on this area from mid november until early april. Most of the use was below the 4800' elevation. Above this level the snow was fairly deep (2-3') and no animal tracks of any kind could be seen in the snow. Snow was too deep for horses in the Bud Brown and Upper Tuledad Canyon Area. This is areas often used by horses during mild winters. Horses condition and appearance was very good early in the winter. Condition remained fair to good throughout most of the winter period. Toward early spring animals were in fair shape with several showing signs of a tough winter. However, no dead animals were found during ground and aerial flight observations. Most of the grass plants received heavy use while use on the browse plants ranged from heavy to light use.

Our observations on this winter use area indicate that the current numbers are the maximum amount the winter range can support during a above normal winter. An increase in the horse numbers would make these herds reach capacity of the winter range during normal to above normal winter conditions.

II. BUCKHORN WHMA

All of the horses were located on the lower elevation areas less than 5000 - 4800' level, primarily along the north and east edges of the WHMA. Horses were scattered from the lower end of Tuledad Canyon, south and east to Rye Patch Sheep Camp. Approximately 8-10 animals were located in Lower Tuledad Canyon west of Express Canyon. An additional 8 horses were located in the Old Camp Pasture which is just outside the WHMA. There were approximately 70 to 80 horses were located on this area from mid november until early april. Snow was fairly deep and restricted use on the balance of the WHMA. Horse condition and appearance was very much the same as observed on the Coppersmith herd. Horses condition and appearance was very good early in the winter. Condition remained fair to good throughout most of the winter period. Toward early spring animals were in fair shape with several showing signs of a tough winter. However, no dead animals were found during ground and aerial flight observations. Most of the grass plants received heavy use while use on the browse plants ranged from heavy to light use.

Our observations on this winter use area indicate that the current numbers are the maximum amount the winter range can support during a above normal winter. Horse condition and vegetation use indicate that this area was being used to the fullest extent. Also, a small percentage of the animals were beginning to move out beyond the boundaries of the WHMA. An increase in the horse numbers would result in these herds exceeding the capacity of the winter range during normal to above normal winter conditions.

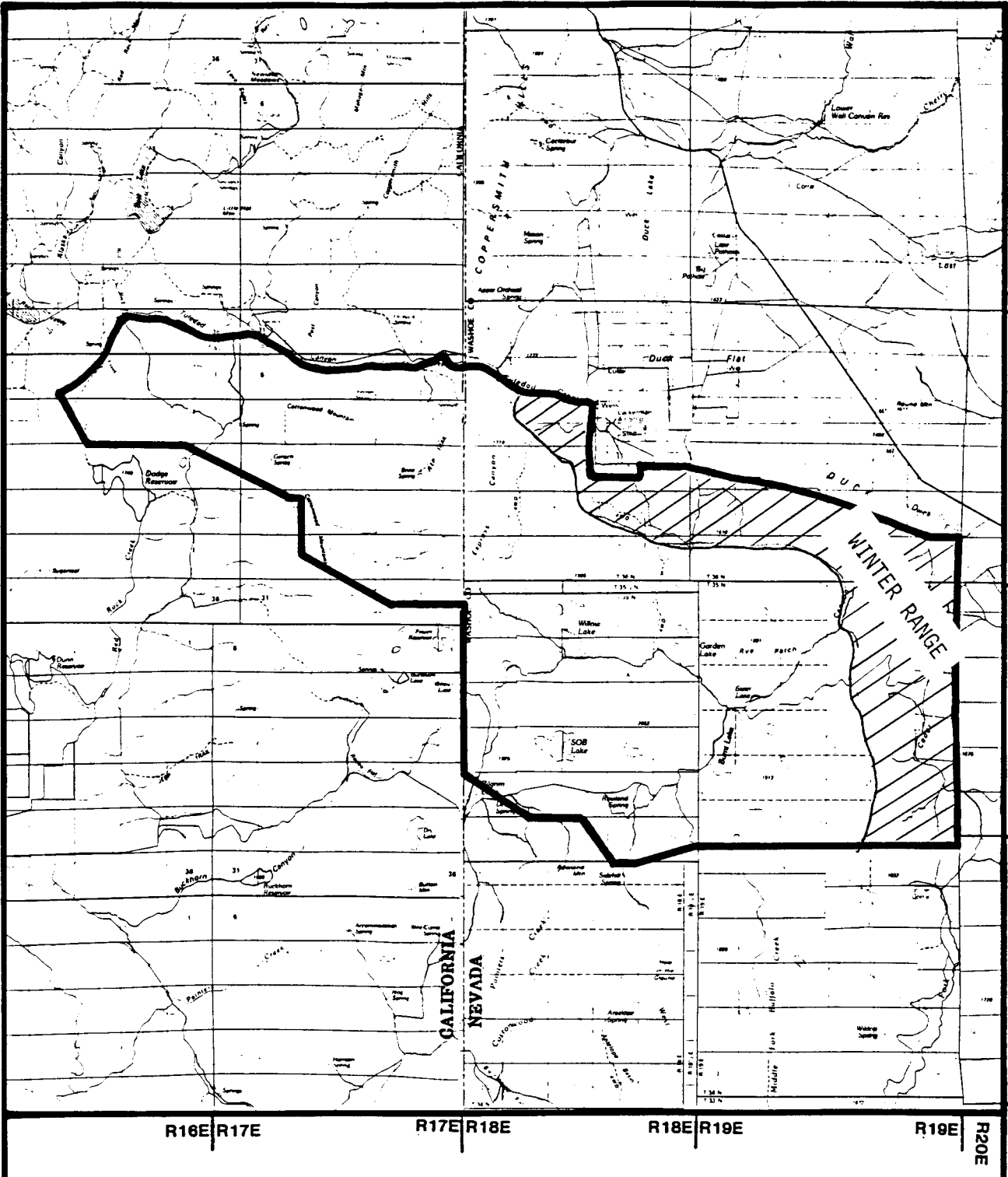
IV. COPPERSMITH AND BUCKHORN WHMA'S RECOMMENDED NUMBERS BASED ON WINTER RANGE CAPACITY.

Both herd areas were inventoried by helicopter in the spring to get an accurate count of animals making it through the winter, evaluate animal condition and determine percent of animals that were lost during the winter. Number of horses and their location are shown on attachment --. No dead horses were observed during the flight of both management areas.

Based on the above information, it is recommended that the interim management range for horses on both of these WHMA's not exceed the capacity of the winter range. Currently, the maximum capacity for the winter range on each WHMA is as follows:

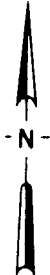
Buckhorn - 59 to 85 horses

Coppersmith - 50 to 75 horses



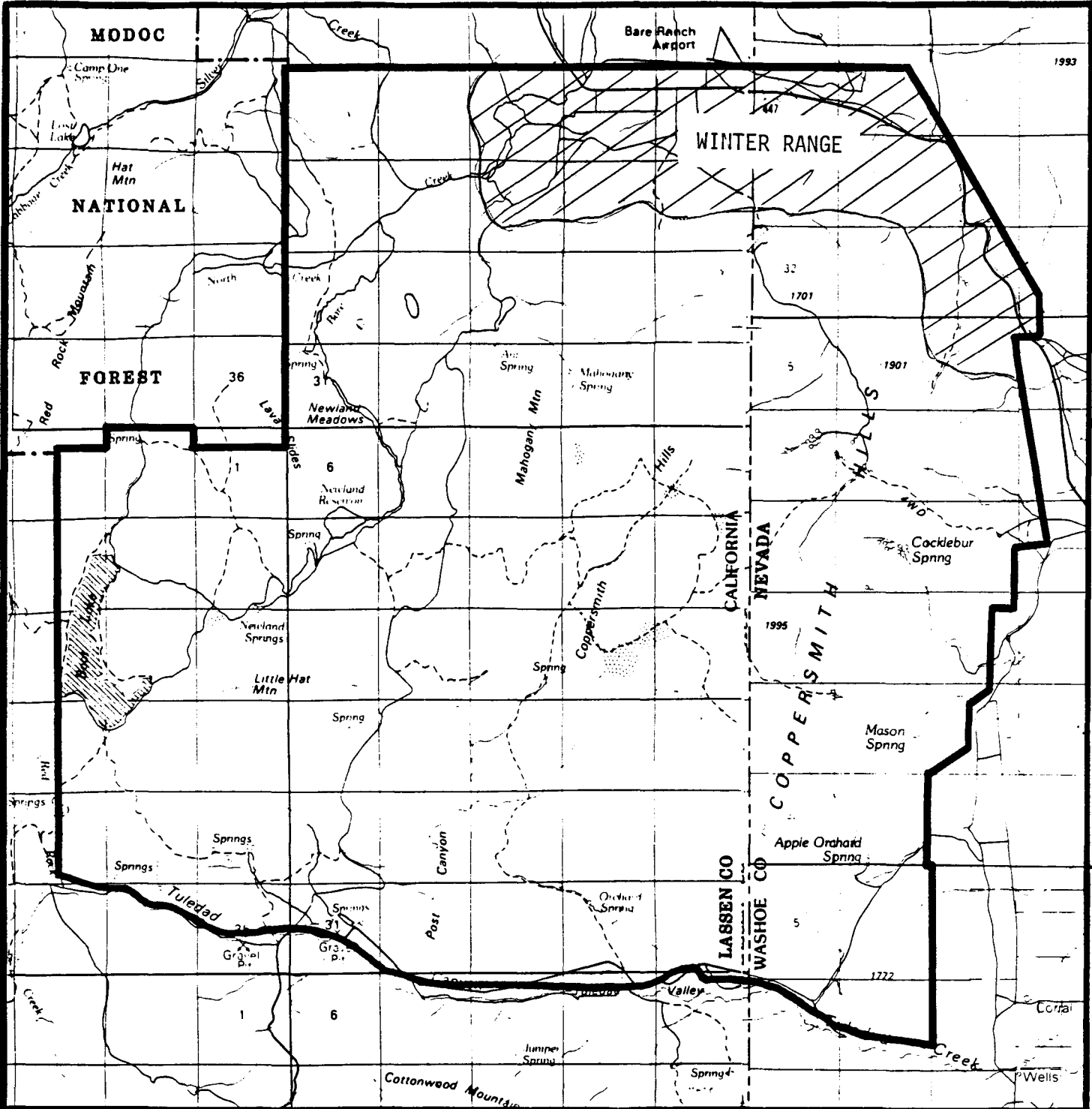
— Herd Management Area boundary

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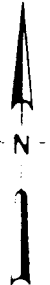
MAP 3-- BUCKHORN HERD MANAGEMENT AREA

CA-262



————— Herd Management Area boundary

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MAP 4-- COPPERSMITH HERD MANAGEMENT AREA

Table 1 - Range sites and major vegetative communities in the Tuledad Allotment.

RANGE SITE NAME	GRASS/SEDGE	FORBS	SHRUBS	%	ACRES
BUCHHORN / COPPERSMITH HERD AREAS - SPRING, SUMMER AND FALL USE AREAS.					
I. UPLAND AREAS (ELEVATION 5500' TO 7000')				80	30,968
<p>These vegetative communities provide approximately 70% of the wild horse AUMs. The season of use ranges from March 15 to November 30.</p>					
**Well Drianed Fan 12-14 **Stoney Loam 12-14	Blue Bunch Wheatgrass Idaho Fescue Thurbers needlegrass carex	Lupine Hawksbeard Balsamroot Phlox	mountian sagebrush	2	3,584
*Loamy 14-16	Idaho Fescue Thurber Needlegrass Blue Bunch Wheatgrass Basin Wildrye bluegrass carex	Balsamroot Hawksbeard Lupine phlox	mountian sagebrush bitterbrush snowberry serviceberry	25	41,180
*Loamy 10-12	Bluebunch wheatgrass needlegrass Basin wildrye	Lupine phlox erigonum	Wyoming big sagebrush bitterbrush rabbitbrush	2	3,268
Clay Basin 12-14	Nevada bluegrass creeping wildrye mat muhly	poverty weed evening primrose dock	silver sagebrush rabbitbrush greasewood	T	271
Clay Pan 14-16 Scabland 10-14	Idaho fescue bluegrass needlegrass	Balsmroot aster Lupine clover	low sagebrush serviceberry rabbitbrush	32	52,760
Wet Clay Basin	mat muhly sedge rush	poverty weed evening primrose dock	silver sagebrush	2	3,669
Churning Clay	squirretail bluegrass needlegrass	erigonum lupine phlox	rubber rabbitbrush low sagebrush	3	5,318
Loamy 16+	Mountian brome needlegrass Idaho fescue bluegrass	larkspur balsmroot hawksberd wyethia	mountian sagebrush snowberry	1	1,217
Dry Meadow	Nevada bluegrass perennial grasses carex	yarrow wild iris dandelion clover buttercup	willow rose silver sagebrush big sagebrush	T	752

RANGE SITE NAME	GRASS/SEDGE	FORBS	SHRUBS	%	ACRES
BUCKHORN \ COPPERSMITH HERD AREAS - WINTER USE AREAS.					
II. FOOTHILL AREAS (ELEVATION 4500' TO 5500')				10	17,313
These vegetative communities proved for approximately 25% of the wild horse AUMs. The average season of use is December 1 to February 28.					
Loamy Bottom 8-12	Basin wildrye blurgrass	lupine poverty weed	Basin big sagebrush rubber rabbitbrush	1	2,211
Loamy 8-10	needlegrass ricegrass squirreltail Basin wildrye	lupine phlox erigonum	Wyoming big sagebrush spiny hopsage rabbitbrush Basin big sagebrush	9	15,102
III. VALLEY SLOPES (ELEVATION 4500' TO 5000')				3	3,161
These vegetative communities provide approximately 10% of the annual livestock AUMs. The average season of use is from April 15 to April 30 and September 15 to October 15.					
Loamy 5-8	Indian ricegrass squirreltail	annuals	shadescale bud sagebrush spiny hopsage	T	47
Dune 8-10	needle and thread Basin wildrye Indian ricegrass	penstomen scurfpea	Basin big sagebrush spiny hopsage greasewood	1	288
Dry Floodplain 8-10	Basin wildrye salt grass bluegrass	poverty weed thelypody	Basin big sagebrush rubber rabbitbrush greasewood	2	2,826
IV. BOTTOM LANDS (ELEVATION 3500' TO 4500')				7	10,985
These vegetative communities provide approximately 5% of the annual livestock AUMs. The average season of use is from April 15 to April 30 and September 15 to October 15.					
Saline Bottom 6-10 Sodic Flat 6-8	Basin wildrye saltgrass squirreltail	poverty weed	greasewood shadscale rabbitbrush	7	10,985
ALLOTMENT TOTALS ----				100	162,427
* Acres include total of federal and private.					

APPENDIX 3
DEFINITIONS

DEFINITION

Animal Unit Month (AUM): The amount of forage required to support one cow and one calf or five ewes with lambs for one month.

Light saddle horse conformation: There are three general types of horse conformation, draft, warmblood, and light. Light horses are the most commonly used horses for recreational riding. They have the least distance around the chest as compared to height, lighter bones, and less muscular structure than either draft or warmblooded horses.

Multiple Use: Management of the public lands and their various resource values so that they are utilized in the combination that will best meet the present and future needs of the American people. Multiple use is making the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions. The use of some land for less than all of the resources is a consideration. Combinations of balanced and diverse resource uses take into account the long-term needs of future generations for renewable and nonrenewable resources including, but not limited to recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific and historical values. Harmonious and coordinated management of the various resources without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output.

Red Juice Stage: Refers to antelope bitterbrush seed development. This stage occurs after flowering is completed and a fruit with bright red juice has developed. Red juice stage usually occurs between late June and mid July, depending on elevation and temperature. Ungulate use of antelope bitterbrush commonly increases markedly during this stage.

Soil Conservation Service (SCS) Site Potential: "The natural plant community of a range site in the absence of abnormal disturbances and physical site deterioration."

Structured Herd Management: Parent stock are selected to be retained in a Base Herd. They are usually five years and over when selected and appear to have the ability to produce offspring that will be highly adoptable. The Base Herd horses remain in the HMA for the extent of their natural lives. Younger horses are selected during gathers as needed to complete the Base Herd and to replace Base Herd horses that have died. Structured herd management was developed by the Susanville District. It is analogous to, but more detailed than, the general BLM policy of selective removal.

Thriving Natural Ecological Balance: Congress, in effect, declared that wild horses be considered as a native wildlife species, and that they be managed to achieve and maintain a balance on the Public Lands. Natural ecological balance is created by nature not by a Congressional Act. The act did not create a natural ecological niche for wild horses. Only in a few cases do wildhorses exist in situations approaching a natural ecological niche. In a few

herds, mountain lions are keeping wildhorse populations in balance with the other resources. In the absence of effective predators, the ecological balance must be achieved by the actions of man. This balance must protect the soil, vegetation and other uses.

Use Area: An area within a pasture in which, due to fencing, elevation, natural boundaries, water distribution, or vegetation type, use patterns are different from adjacent areas. Use areas generally do not have fences or complete boundaries surrounding them; therefore, livestock use cannot be 100% controlled between use areas. However, with appropriate management, the majority of the livestock use within a use area can be controlled.

APPENDIX 4

ADDITIONAL INPUT INTEREST GROUPS

Dedicated to:

Protection & Preservation
of America's Wild Equine,

Service to adopters,

Public and adopter education

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WILD HORSE HERD SURVEY

1994

For four days, from June 22 through June 25, 1994, members of the American Mustang and Burro Association, Inc., accompanied by Bureau of Land Management personnel, conducted a survey on horseback of wild horse herds in the Buckhorn, Coppersmith and Fox-Hog Herd Management Areas of the Surprise Resource Area.

Representing AMBA were George Berrier, Jason Randall, Ann Dickson and Kate Ford. BLM was represented by Tara DeValois, Denny Ellerman and Charlie Reed.

George W. Berrier Jr.
Chief Executive Officer

No aerial survey was done prior to going out on the ground on horseback.

Advisory Panel

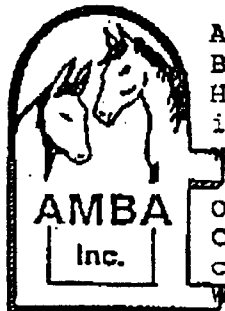
Morgan James
National Spokesperson

Thomas D. Morrow, DVM

Each day we trailered horses from Cedarville, CA to the HMA in which we intended to ride that day, then returned to Cedarville that evening. Our horses were kept in the Forest Service corral there, and we owe the local U.S. Forest Service office a debt of gratitude for allowing us to use their pens.

On Wednesday, June 22, 1994, we rode through much of the Buckhorn HMA north of the Buckhorn Road. We split up into two groups for better coverage. On that day the count of horses sighted was 122, with the strong probability that a group of 8 horses were counted by both parties. Therefore, the total count was adjusted to 114. Of that number, 18 were current year foals.

Most of the horses were found in dry lake beds, where grass was abundant. We counted 67 animals in S.O.B. Lake alone. All horses were in excellent condition.



An aerial count of horses by BLM in 1993 found 145 in the Buckhorn HMA. Since we covered only about one third of the HMA, and more lake beds and water sources exist in that HMA, it is reasonable to assume that there are more horses in the HMA which we did not see.

On Thursday, June 23, 1994, we rode through a portion of the Coppersmith HMA which lies south of the access road, specifically in the area of a series of dry lake beds known as the Wire Lakes.

**American Mustang
& Burro Assn., Inc.**

a non-profit tax exempt corp.

P.O. Box 788
Lincoln, CA 95648
(916)633-9271

Dedicated to:

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1994 WILD HORSE HERD SURVEY

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BLM's aerial count in Coppersmith HMA in 1993 was 59 horses. We again split into two groups and discounting duplicate counting of 9 horses we sighted a total of 104. Of this number, 14 were current year foals.

It is likely that there are even more horses in Coppersmith HMA north of the access road.

We found adequate supplies of water and good forage in both the Buckhorn and Coppersmith HMA's. Appropriate Management Levels of wild horses in these HMA's need to be adjusted to current conditions. AML for Buckhorn is now set at 63 and for Coppersmith is also 63. It is evident that each of these HMA's has been able to support very nicely well in excess of 100 horses apiece.

George W. Berrier Jr.
Chief Executive Officer

On Friday, June 24, 1994, we trailered to a windmill in the Bear Allotment just outside the Fox-Hog HMA. Apparently, about 30 horses had been seen wandering outside the HMA and the Surprise Resource Area office was considering gathering these horses. Again we divided into two groups, with Jim Massey substituting for Tara DeValois. We were able to cover a very large area, but found only one lone stud horse.

Advisory Panel

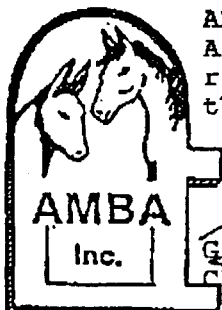
Morgan James
National Spokesperson

Thomas D. Morrow, DVM

On Saturday, June 25, 1994, the four AMBA members traversed the Little High Rock Canyon. No wild horses were sighted, although there was plenty of sign that they had been in the canyon, which contains a number of good water holes and some pretty good grass.

AMBA cannot address the issue of removal of horses in Fox-Hog HMA. Our ride through the Bear Allotment was inconclusive.

Foal rate in the Buckhorn HMA by observation was 19% and in the Coppersmith HMA was 16%. All animals were in excellent condition. We can support a removal of horses to bring the populations down to Appropriate Management Levels, assuming that the AML's will be adjusted upward to reflect existing conditions. An AML of 80-85 for each of these HMA's would appear to be more reasonable, even allowing for some population growth during the next four years.



George W. Berrier, Jr.
CEO

**American Mustang
& Burro Assn., Inc.**

a non-profit tax exempt corp.

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SUMMARY OF ACTIONS TAKEN DURING 1993-1995 ON THE TULEDAD ALLOTMENT
BLM - Surprise Resource Area
12/6/95

Introduction

The Surprise Resource Area (SRA) has made significant good faith effort and progress toward meeting the intent of the Stipulated Agreement for the Tuledad Allotment between 1993-1995. The actions taken in response to the specific stipulations are summarized below.

Grazing Decision(s)

Issuance of a modified grazing decision has not been needed because the SRA has been able to negotiate grazing terms and conditions with the permittees during 1993-1995. We are continuing to work toward a long-term decision for the Tuledad area in conjunction with the East Lassen Planning effort.

Annual Grazing Authorization

Annual grazing authorizations were issued for the Tuledad permittees during 1993-1995, in accordance with BLM policy.

Terms and Conditions for Grazing

Livestock Turnout

We are continuing to turn sheep out for lambing between March 26 and April 30 annually. Cattle turnout onto native range has been delayed until about April 15.

Key Riparian-Wetland Areas -- Stubble Heights

The Stipulated Agreement requires a minimum of 4" overall stubble height remaining following grazing. By contrast, a 2" minimum stubble height was required in the Interim Grazing Decision. Because actual stubble height production for various key riparian areas was unknown, utilization cages were established in several key riparian areas. Monitoring indicates that while many sites produce more than 4" of stubble height annually, some areas produce less than 4". Similarly, the amount of residual vegetation remaining following grazing varies by site and by year. For many locations, stubble heights averaged 2-4" during 1993-95. Other locations averaged less than 2" annually. As a result, the SRA issued a decision in November, 1995 to gather excess wild horses within the Coppersmith and Buckhorn HMA's and will be continuing to work with the Tuledad grazing permittees in 1996 and beyond, to improve livestock distribution and management.

Bitterbrush Utilization, Key Bitterbrush Areas and Late Summer/Fall Sheep Use

The stipulations call for use of key browse species to be 45% or less; to avoid use of the Coppersmith, Buckhorn and Cottonwood Mountain key bitterbrush areas; and to manage late summer/fall sheep use based on in-season monitoring. During 1993-1995, cattle have been herded by a full-time rider away from the three key bitterbrush areas. Sheep have been managed to either avoid or move quickly through the areas. Utilization results vary by site and location. Average livestock utilization of bitterbrush has generally been well below 45%. However, total utilization has averaged about 50-80%, indicating that wildlife are making substantial use of bitterbrush in the fall during transition to deer winter range.

Monitor In-Season Use

SRA has monitored in season use and worked with the permittees to move their livestock when allowable use has been reached. Utilization data for uplands indicates mainly light to moderate use, while riparian area use varies considerably. Many riparian areas are demonstrating overall improvement. Other areas are demonstrating little improvement and will require additional attention and management.

Annual Adjustment of Livestock Numbers and Seasons of Use

One of the main purposes of the annual spring meeting is to negotiate annual adjustments in

livestock use. Further adjustments are made based on in-season monitoring. During 1993-95, the following adjustments in livestock use have been made:

- * Continuing to delay livestock turnout onto native range for two weeks and to remove livestock one month early.
- * Three permittees are in total nonuse, and we have been encouraging them not to turnout.
- * About 50% of the permitted cattle (Bare Ranch) are totally removed from the Tuledad Allotment about July 15 and taken to the Modoc National Forest's Bear Camp Allotment.
- * The permittees are voluntarily hiring a full-time rider to herd cattle away from key bitterbrush areas and out of key riparian areas when allowable use has been reached.
- * Overall, livestock use is averaging only 70% of the total permitted.

Adjustment of Wildhorse Numbers

The Stipulated Agreement called for wild horse numbers to be adjusted in 1994. The SRA did not adjust wild horse numbers in 1994; however, a decision to remove excess wild horses was issued in November, 1995. This decision established AML's for wild horses based on actual use and monitoring data. Key factors influencing the decision included utilization and trampling impacts to key riparian areas based on continual year-round use by wild horses; an annual increase in wild horse population of 16+%; and the presence of wild horses outside their HMA's in areas such as Snake Lake. Wild horses were last gathered in 1989. In the interim, livestock use has been adjusted on an annual basis and livestock have been managed to minimize hot season use of key riparian areas.

As a result of the gather, 126 wild horses were removed from the Buckhorn HMA, leaving 64 wild horses for the base herd. On the Coppersmith HMA, 120 wild horses were removed, leaving 72 horses for the base herd.

Riparian Fencing

The Bud Brown riparian area was fenced; however, the effectiveness of the enclosure has been minimized by wild horses continuing to utilize the fenced area. This situation improved significantly in 1995 as SRA was more aggressive in maintaining the fence, and getting better control of wild horse use. Ant Spring is scheduled for fence construction during Fall, 1995.

Willow Flycatcher Inventory

A willow flycatcher inventory was completed in 1994. No willow flycatchers were found.

In 1995, two additional inventories were completed. An aspen inventory identified the presence of mostly even-aged aspen stands with little reproduction and heavily used understories. Riparian Functional Assessments (RFA) were also completed on 1,259 acres (26 miles of stream channel). The RFA indicates that 90% of the riparian areas are in properly functioning hydrologic condition; however, many riparian areas offer less vegetation diversity and fewer resource values than those which could be provided. The condition of aspen and riparian areas are key issues for the East Lassen planning effort. The issues are being addressed in the short-term by adjusting wild horse numbers in November, 1995 and continuing to make annual adjustments in livestock use.

Plan for Livestock Movement

This is developed annually at the permittee meeting and adjusted if needed as the season progresses based on in-season monitoring.

Timing of Decisions

No decisions have been issued as we have handled the concerns cooperatively, through negotiations.

CDFG and NDOW Support

Rich Heap, NDOW, is participating as a member of a TRT addressing landscape options and future management of the area in support of the East Lassen Planning effort.

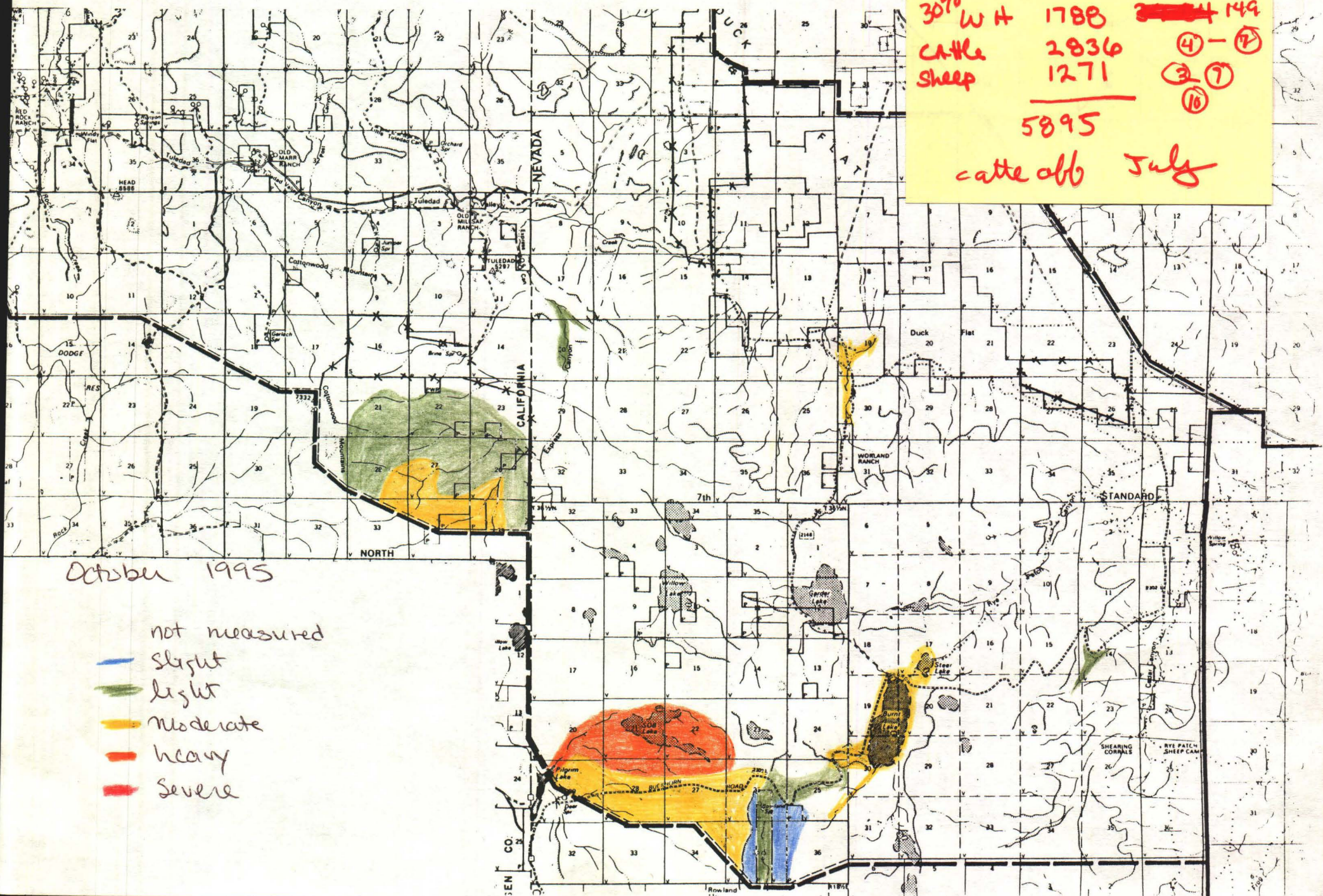
ACTUAL USE
1989 through 1995

YEAR	COPPERSMITH HMA NORTH PASTURE			USER GROUP	BUCKHORN HMA SOUTH PASTURE			BOTH HMA'S
	SEASON OF USE		AUMS		SEASON OF USE		AUMS	
1995	3/1	2/28	1896	WILDHORSE	3/1	2/28	1788	WILDHORSE
	7/15	10/14	1029	CATTLE	4/15	7/20	2836	3684
	3/24	7/2	743	SHEEP	3/25	7/25	1110	LIVESTOCK
	8/15	10/24	296	SHEEP	10/1	10/12	161	6175
	30% USE			3964	TOTAL	35% USE		5895
1994	3/1	2/28	1536	WILDHORSE	3/1	2/28	1452	WILDHORSE
	4/15	7/7	2363	CATTLE	7/6	10/9	2031	2988
	3/25	7/2	657	SHEEP	3/27	7/25	1126	LIVESTOCK
	8/15	10/24	467	SHEEP	10/1	10/12	138	6782
	50% USE			5023	TOTAL	50% USE		4747
1993	3/1	2/28	1272	WILDHORSE	3/1	2/28	1248	WILDHORSE
	7/13	10/31	2014	CATTLE	4/16	7/15	1839	2520
	3/25	7/1	615	SHEEP	3/27	8/15	1301	LIVESTOCK
	9/12	10/24	283	SHEEP	10/01	10/10	109	6161
	50% USE			4184	TOTAL	40% USE		4497
1992	3/1	2/28	1056	WILDHORSE	3/1	2/28	1080	WILDHORSE
	7/8	9/23	1541	CATTLE	4/15	7/9	2221	2136
	3/24	6/16	552	SHEEP	3/28	8/2	1243	LIVESTOCK
	10/1	10/23	302	SHEEP	9/1	10/16	296	6155
	NOT MEASURED			3451	TOTAL	40% USE		4840
1991	3/1	2/28	876	WILDHORSE	3/1	2/28	936	WILDHORSE
	4/16	10/1	4233	CATTLE			0	1812
	3/26	6/30	637	SHEEP	3/26	7/31	980	LIVESTOCK
	9/25	10/17	242	SHEEP	9/25	10/24	197	6289
	NOT MEASURED			5988	TOTAL	NOT MEASURED		2113
1990	3/1	2/28	720	WILDHORSE	3/1	2/28	804	WILDHORSE
	7/16	10/15	2000	CATTLE	4/19	7/15	2502	1524
	3/26	7/1	644	SHEEP	3/26	8/5	832	LIVESTOCK
	9/25	10/18	223	SHEEP	9/25	10/24	185	6386
	45% USE			3587	TOTAL	45% USE		4323
1989	3/1	2/28	612	WILDHORSE	3/1	2/28	696	WILDHORSE
	7/10	10/14	1780	CATTLE	4/7	7/9	1796	1308
	4/13	6/30	388	SHEEP	3/26	8/10	970	LIVESTOCK
	9/26	10/18	142	SHEEP	9/26	10/18	142	5218
	NOT MEASURED			2922	TOTAL	NOT MEASURED		3604

WT Ave:

SOUTH PASTURE

30% W H	1788	34 149
cattle	2836	(4) - (7)
sheep	1271	(3) (7)
	<hr/>	(10)
	5895	
	cattle obb	July



October 1995

- not measured
- slight
- light
- moderate
- heavy
- severe

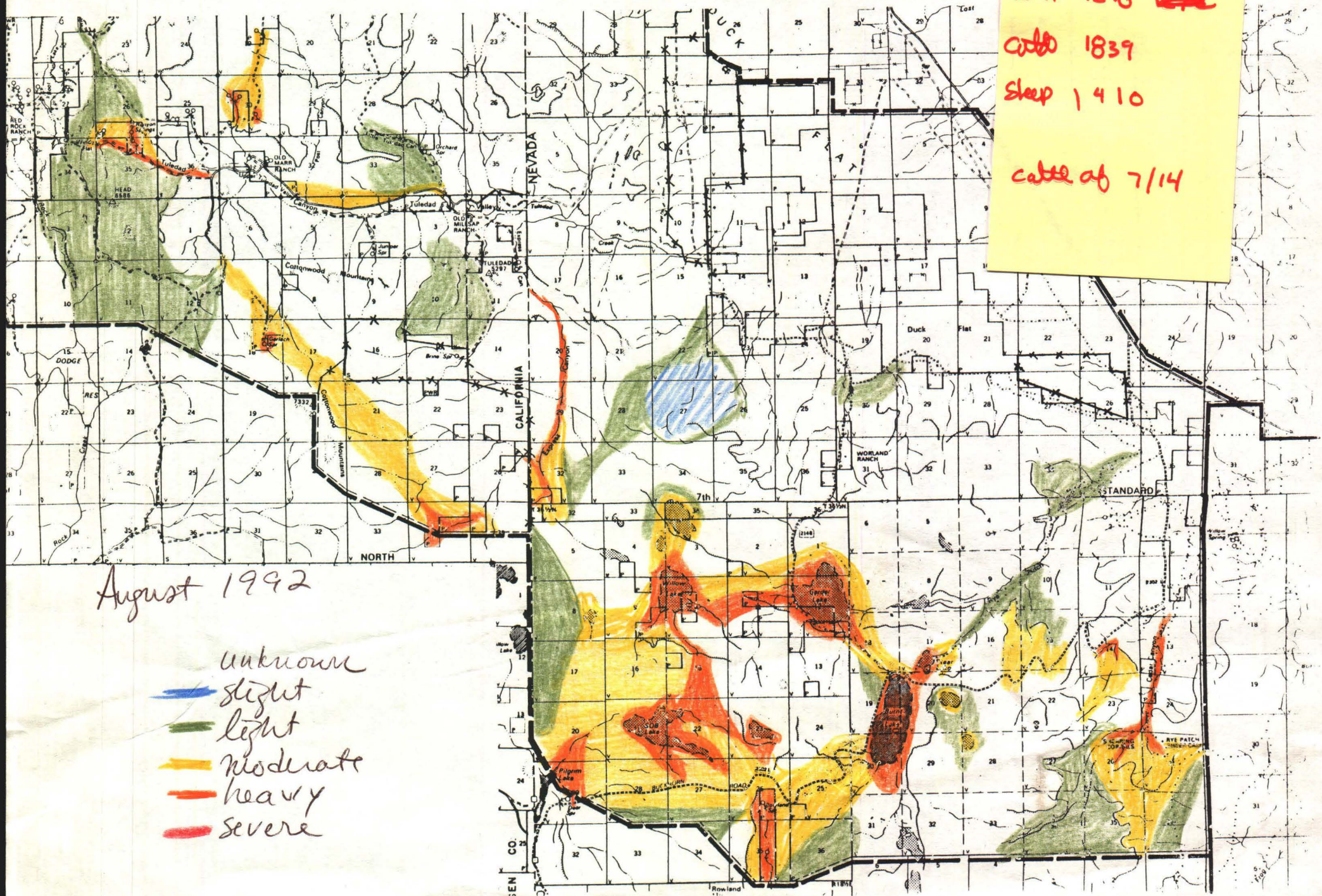
South Pasto

W# 1248 ~~1272~~

Conto 1839

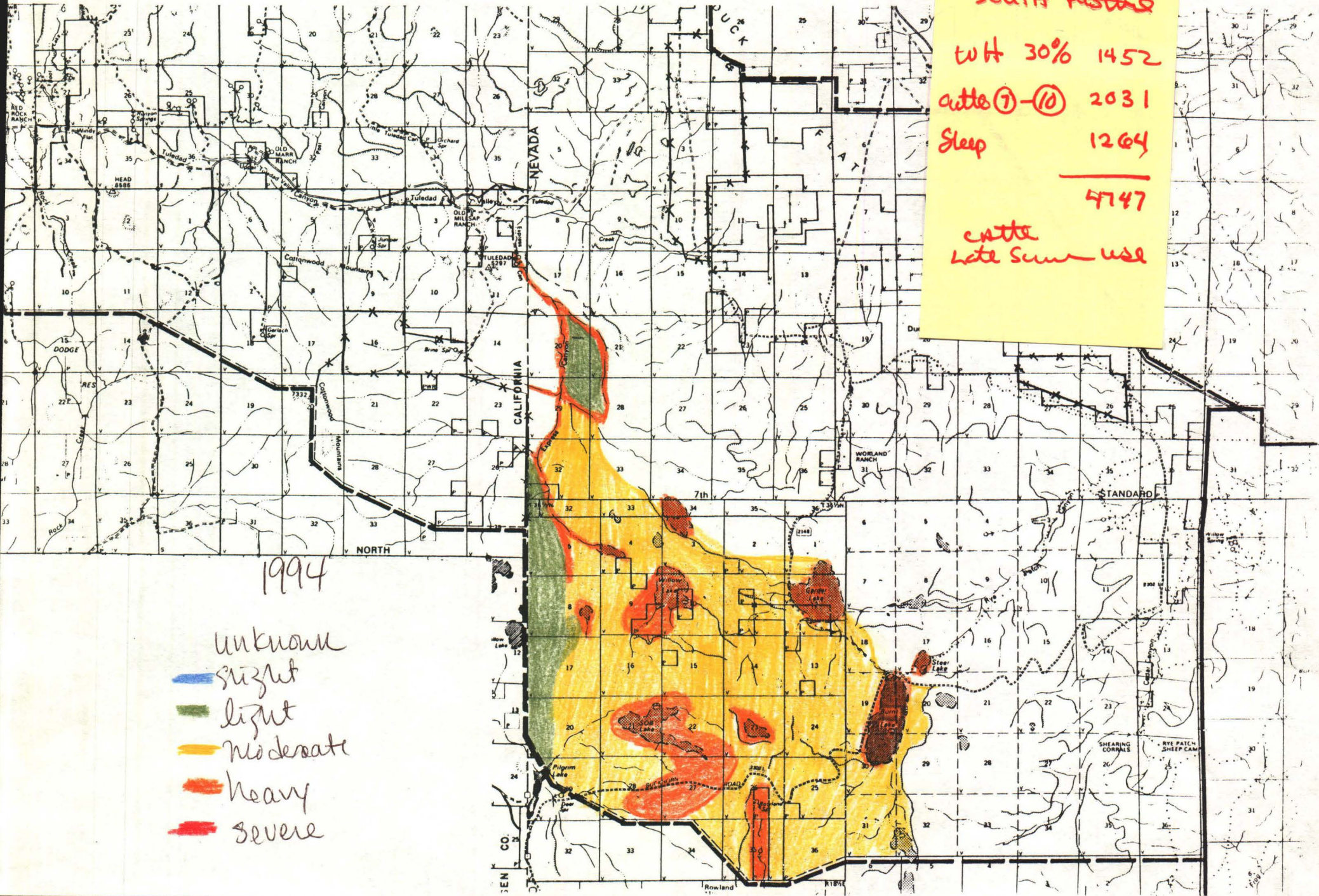
Sheep 1410

cattle of 7/14



August 1992

- unknown
- slight
- light
- moderate
- heavy
- severe



SOUTH Pasture
 twt 30% 1452
 cattle ⑦-⑩ 2031
 Sleep 1264

 4747
 cattle
 Late Summer use

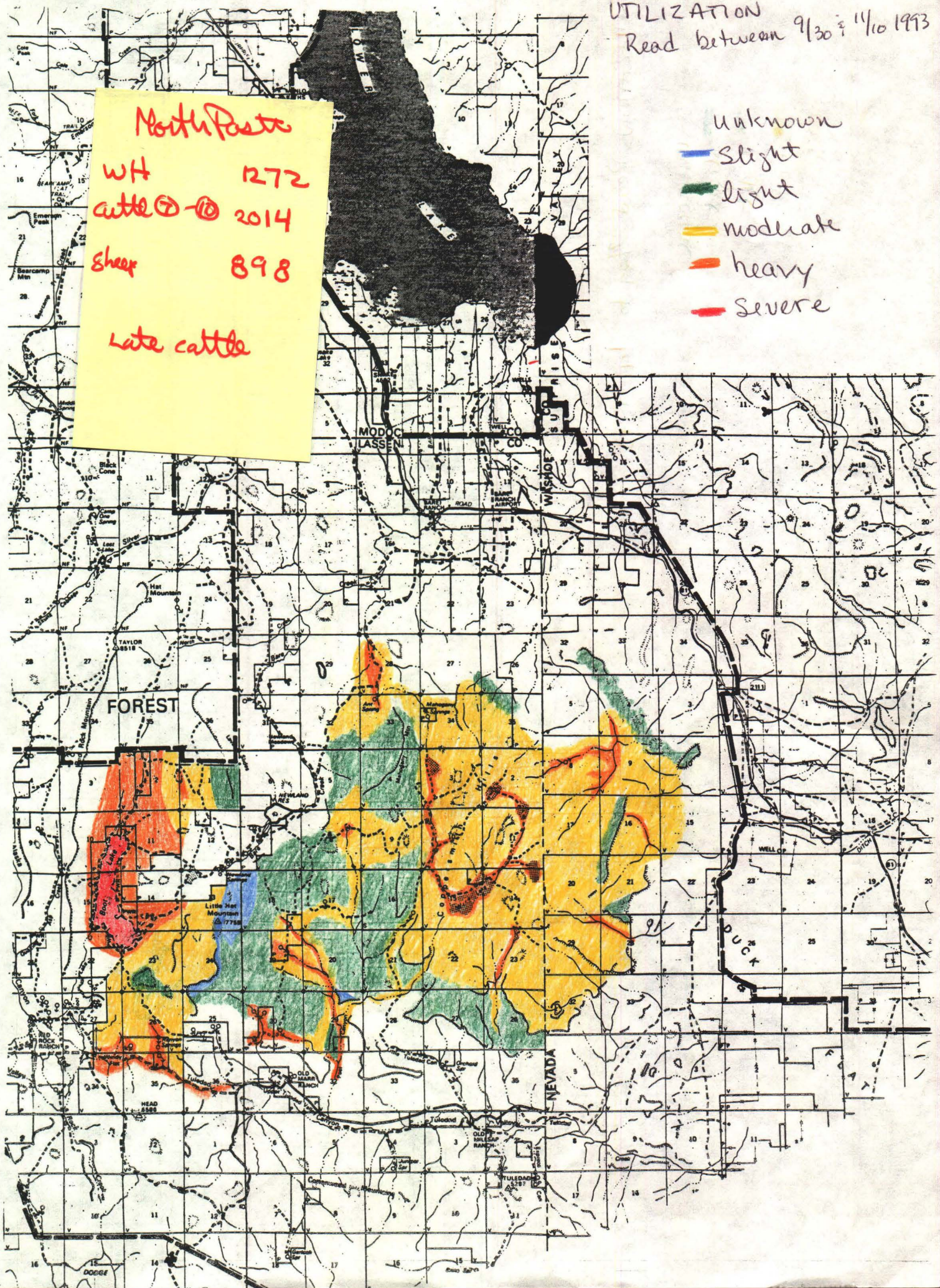
1994

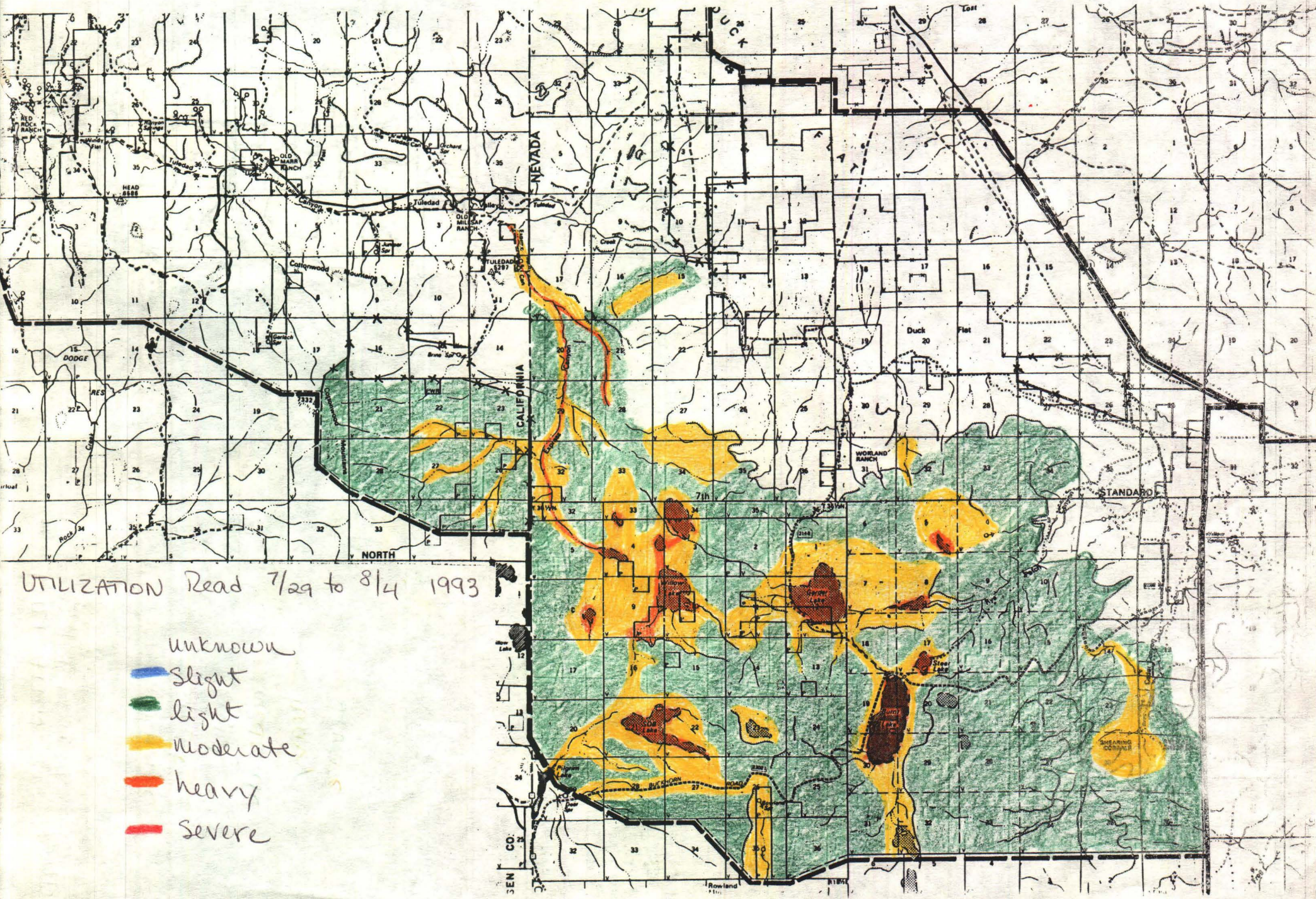
unknown
█ slight
█ light
█ moderate
█ heavy
█ severe

UTILIZATION
Read between 9/30 & 11/10 1993

NorthPasta
WH 1272
cattle ①-⑩ 2014
Sheep 898
Late cattle

- Unknown
- Slight
- light
- moderate
- heavy
- Severe





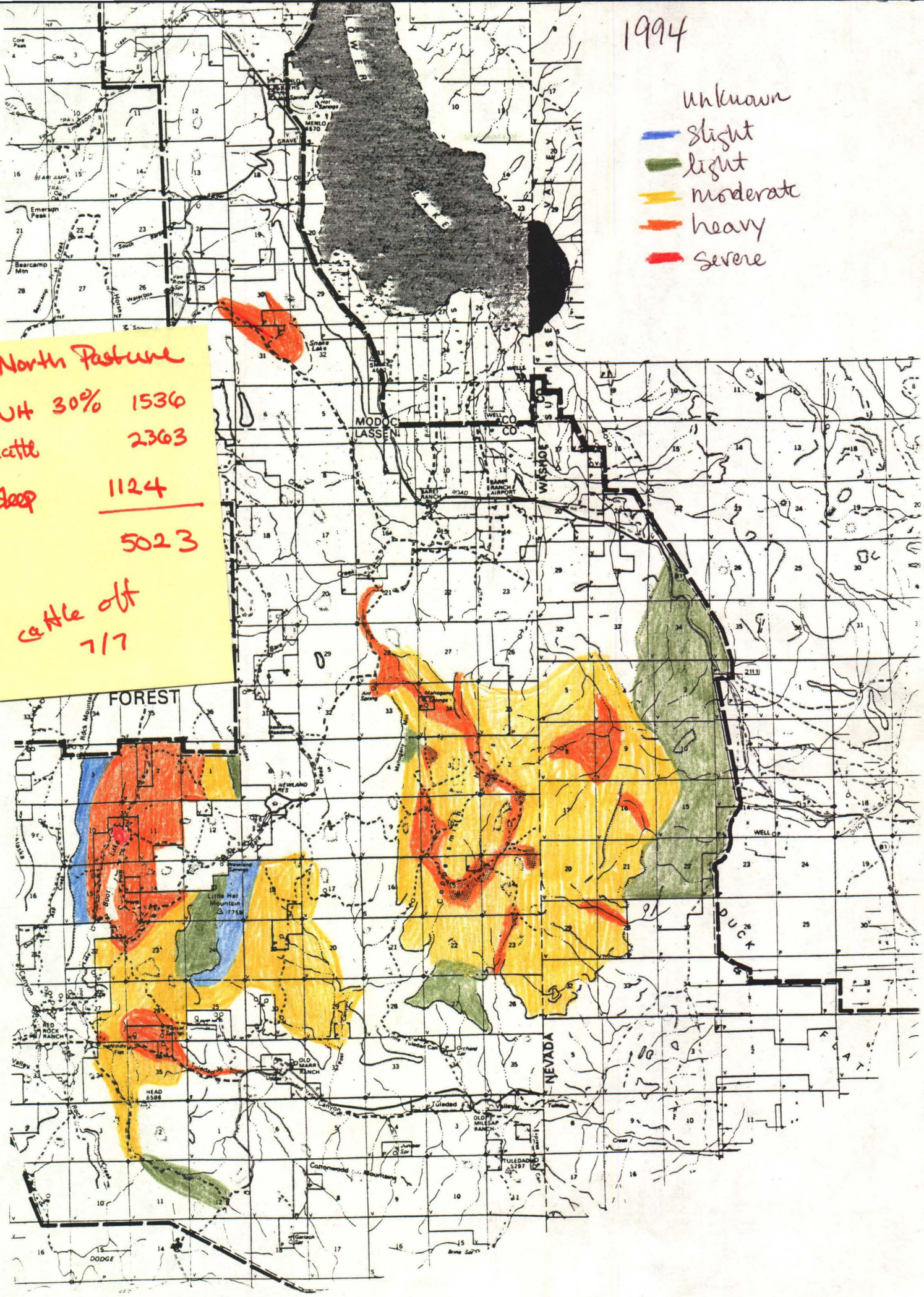
UTILIZATION Read 7/29 to 8/4 1993

- unknown
- slight
- light
- moderate
- heavy
- severe

1994

- Unknown
- Slight
- light
- moderate
- heavy
- Severe

North Pasture
 WH 30% 1536
 cattle 2363
 Sheep 1124
 5023
 cattle off
 717

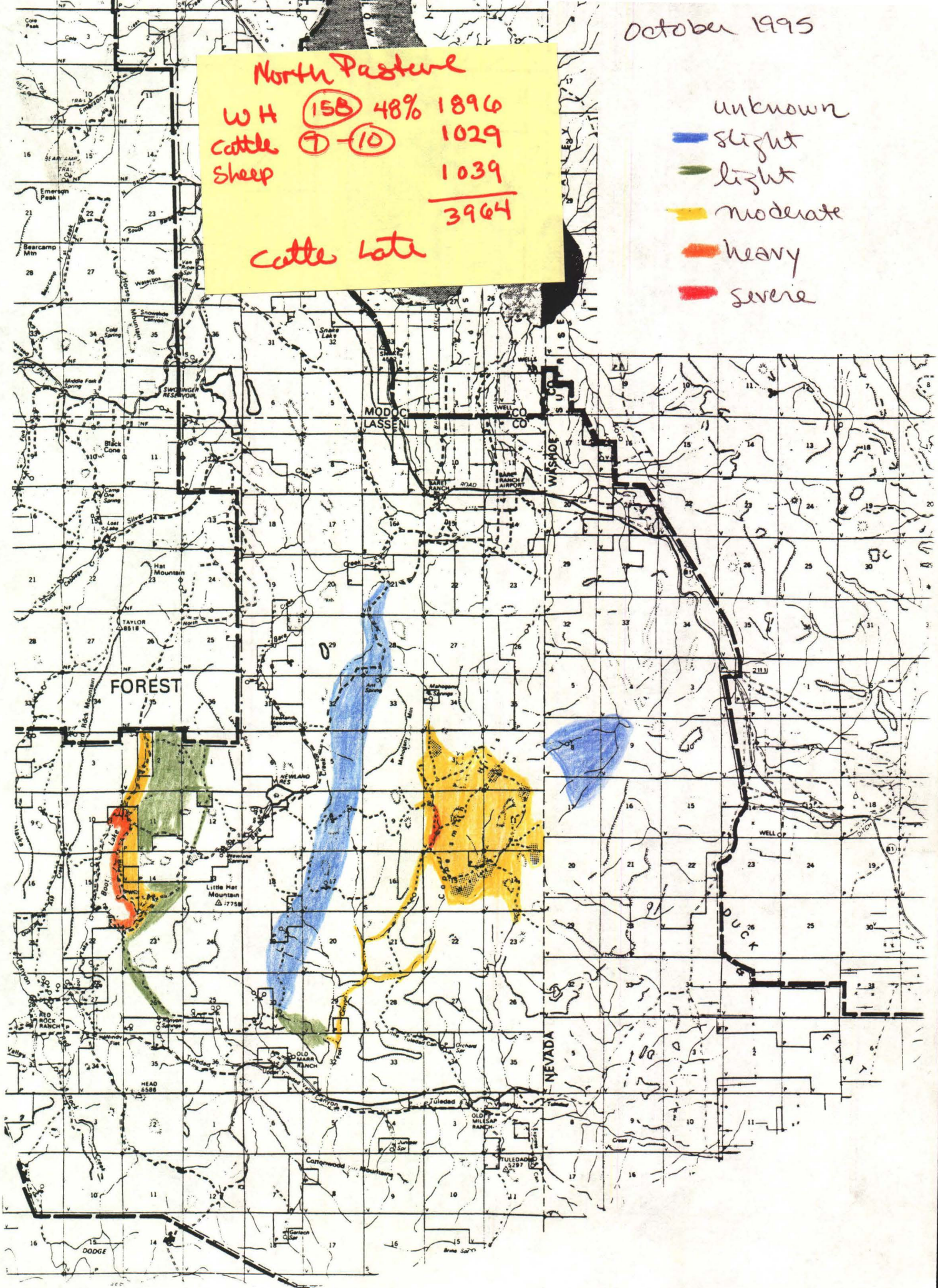


October 1995

North Pasture
 WH (158) 48% 1896
 Cattle (7) - (10) 1029
 Sheep 1039

 3964
 cattle late

unknown
 slight
 light
 moderate
 heavy
 severe



**Gathering Summary- Buckhorn and Coppersmith HMAs
Gathered 11/24/95-12/02/95**

Gathering operations were conducted on the Buckhorn HMA on 11/24, 11/25, 11/26 and 11/27. A total of 175 wild horses were gathered. Prior to turnout, a post gather census was conducted with 15 head (12 adults/3 young) found to be remaining. A total of 48 head were returned to the range bringing the number to 65. Prior to the gather, it is estimated that there were 190 horses in the HMA (8/95 census was 176). All young from this gather were over 6 months old. See attachment #1 for population age structure. Note: This chart is off by 2 head.

Gathering operations were conducted on the Coppersmith HMA on 11/29, 11/30 and 12/02. A total of 161 wild horses were gathered. Prior to turnout, a post gather census was conducted and 31 head (26 adults/5 young) were found remaining in the HMA. A total of 41 head were turned out bringing the number to 72. Prior to the gather, it is estimated that there were 192 animals in the HMA (8/95 census was 137). All young from this removal were over 6 months old, except one which was removed and one which was returned to the HMA. See attachment #2 for age structure. Note: This chart is off by 8 head.

ATTACH #1

HMA NAME: BUCKHORN (CA-262)
 GATHERED 11/24/95 - 11/27/95

AGE	HORSES REMOVED			HORSES RETURNED			TOTAL POP. STRUCTURE
	MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL	
<1*			33				33
1	10	20	30				30
2	8	8	16		1	1	17
3	10	4	14				14
4	8	7	15		1	1	16
5	2	3	5		1	1	6
6	5	7	12	2	3	5	17
>6**				5	15	20	20
7				3	2	5	5
8				5		5	5
9				1		1	1
10				1		1	1
11				1	2	3	3
12				1		1	1
13							
14				2		2	2
15				1		1	1
16							
20				1		1	1
TOTALS	43	49	125	23	25	48	173

* SEX NOT DETERMINED UNTIL PREPARATION

** HORSES MARKED AND RELEASED DURING 1989 GATHER. THESE ANIMALS WERE NOT AGED, BUT ARE KNOWN TO BE OVER SIX YEARS OLD.

ATTACH # 2

HMA NAME: COPPERSMITH (CA-261)
 GATHERED 11/29/95 - 12/02/95

AGE	HORSES REMOVED			HORSES RETURNED			TOTAL POP. STRUCTURE
	MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL	
<1*			23		1	1	24
1	13	19	32				32
2	3	6	9				9
3	3	7	10				10
4	7	14	21				21
5	2	3	5				5
6	6	7	13				13
>6**				6	17	23	23
7				4	2	6	6
8				2	3	5	5
9							
10							
11				2		2	2
12					1	1	1
13							
14					1	1	1
15				1		1	1
16							
TOTALS	34	56	113	15	25	40	153

* SEX NOT DETERMINED UNTIL PREPARATION

** HORSES MARKED AND RELEASED DURING 1989 GATHER. THESE ANIMALS WERE NOT AGED, BUT ARE KNOWN TO BE OVER SIX YEARS OLD.



BOB MILLER
Governor

STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

DIVISION OF WILDLIFE

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Reno, Nevada 89520-0022
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PETER G. MORROS
Director
Department of Conservation
and Natural Resources

WILLIAM A. MOLINI
Administrator

December 19, 1995

Ms. Susan Stokke
Surprise Resource Area
Bureau of Land Management
P.O. Box 460
Cedarville, California 96104-0460

Subject: Buckhorn and Coppersmith Wild Horse Gather\Tuledad
Allotment Management

Dear Ms. Stokke:

We appreciate your efforts to meet with the Commission and Division of Wildlife on December 7, 1995 to discuss the management actions for the Tuledad Allotment. We apologize for the inconvenience of meeting in Reno and will in the future make arrangements to reduce travel. As a result of the meeting, our agencies have a better understanding of the past and future management of natural resources in the Surprise Resource Area.

As explained in our meeting, the Nevada resource agencies have been contributing parties to all land use planning processes that have occurred in the Resource Area prior to 1975. Land use plan goals, objectives, decisions and activity plans are accomplishments of our cooperative working relationships for the past 20 years. Although the District chose to initiate more planning for the Resource Area, your commitment to maintain the integrity of the existing land use plan provides us the needed assurances that the Bureau's original commitments to wildlife will be honored.

Bureau of Land Management policies governing specific procedures or actions are too often subject to multiple interpretations across an array of state, district and resource boundaries. In Nevada, we often observe a variety of interpretations within the 14 land use plans or resource areas. As we discussed, national policies addressing allotment evaluations/decisions and duties for consultation pertain to wild horse gather plans or any other action affecting this allotment.

Ms. Susan Stokke
December 21, 1995
Page 2

The 1988 Tulead Allotment Evaluation, 1992 Tulead Environmental Assessment and the 1992 Tulead Interim Decision did not establish a carrying capacity to allocate forage to livestock, wildlife and wild horses. These actions circumvented the initial land use plan, federal regulations and specific national policies requiring the District to do so. It was obvious from the eight administrative appeals of the 1992 Interim Decision that additional actions would be required to set appropriate standards and schedule management decisions. The state wildlife agencies and the District came to a Stipulated Agreement in 1993 that relieved all contested issues by establishing a course for new decisions and planning. As the primary condition of this agreement, the District was to issue management decisions no later than February 15, 1994 that would implement specific conditions for livestock permits and determine appropriate management levels for wild horses. Furthermore, the agreement limited the scope of future planning to existing land use plan decisions by completing an Integrated Activity Plan no later than 1995.

While it may be conceivable that new planning could stay all decisions until its completion, the Buckhorn and Coppersmith Wild Horse Herd gathers prove this is not the case. The Susanville District has not adhered to the agreement as demonstrated by examples including the Integrated Vegetational Plan, East Lassen Ecosystem Plan and present East Lassen Plan. These planning processes have not met any agreed upon or scheduled deadlines.

Specific to the Wild Horse and Burro Act, the Bureau of Land Management must consult the state wildlife agencies. Neither draft or final gather plans were provided to the state wildlife agencies for review or comment. Federal regulation and national policy require 30 days for comment and review by affected interests. In this case, conditions did not warrant a waiver of the 30 day consultation period. While we recognize the administrative urgency of this action, the condition of the wild horses and mild winter did not indicate an immediate threat. Your personnel commitment to avoid future oversight is welcomed and accepted.

With regard to the new planning efforts for the East Lassen Area, the Commission can strongly support the continuation and better refinement of the ongoing land use plan implementation. While it may be conceivable to stay the existing situation with new planning, we cannot be overly optimistic with a process that was due for completion in June of 1995. We are impressed with your commitment to complete the plan and to sustaining the long term investment to the land use plan by affected interests and cooperating resource agencies.

Ms. Susan Stokke
December 21, 1995
Page 3

Recognizing that comments to the wild horse Decision Record may be moot, because the gather was conducted during the comment period, we feel specific comments are warranted.

Appropriate Management Levels

The Decision Record establishes appropriate management levels for the Coppersmith and Buckhorn wild horse herds without any adjustment to livestock. The Stipulated Agreement item three on page three states: "If riparian-wetland utilization limits for the key riparian-wetland areas are not met at the end of the 1994 grazing season, BLM shall make such adjustments in livestock season of use, livestock numbers and other factors as may be necessary to achieve these utilization limits in the 1995 grazing season." Use pattern mapping data collected in 1993 and 1994 clearly indicated that utilization limits were exceeded that would require adjustments in livestock and wild horses for 1995.

Appropriate management levels for wild horse herds were determined by use of 1992 and 1994 utilization studies on Bud Brown and Ant Springs riparian areas. Computations were estimated wild horse numbers that would achieve two inch stubble height of these riparian areas.

The stipulated agreement required four inch stubble height for key riparian vegetation as the allotment objective. Actual use data indicates that pastures were used by both livestock and wild horses during all years monitored. From these data, approximately 30 percent of the use was by wild horses with 70 percent use by livestock in pastures each year. An appropriate management level for wild horses should not have been determined without factoring in livestock use.

Bud Brown Cabin riparian fences were scheduled for the past 10 years. Fences were chosen as the management action to meet the riparian objectives. Presently, the fence is two years old and is in disrepair. The 1995 decisions to allow domestic sheep into the enclosure and to adjust wild horses to meet riparian objectives on Bud Brown Riparian are contrary to our Stipulated Agreement (item J on page 6).

The appropriate management levels for wild horse wintering habitat were not determined by range land monitoring data. No data were presented that the winter population suffered undue mortality in 1993. Interior Board of Land Appeals (88-591) Ruling requires range monitoring data to support any wild horse management action.

Ms. Susan Stokke
December 21, 1995
Page 4

Response to Comments on the Environmental Assessment

Page 7, Winter Range carrying capacity.

The District's response admits no range land monitoring data were used to determine the wild horse carrying capacity for winter ranges.

Page 9, IM 90-30

Wild horses have impacts on other resources than vegetation. However, the environmental assessment disclosed only use pattern mapping or utilization studies. These are the only data collected to determine proper use of natural resources by livestock, wild horses and wildlife.

Page 10, Stipulated Agreement

Based upon the Decision Record and failure to adhere to the stipulations, the District has discarded the 1993 Stipulation Among Parties. However, a recent document "Summary of Actions Taken During 1993-1995 On the Tuledad Allotment" suggests the District has made a good faith effort toward meeting the intent of the agreement. We have the following comments to this document:

We agree that a Grazing Decision has not been issued.

Livestock turnout was to be determined by utilization of previous years growth of key species. No data were provided for authorizations made in 1993, 1994 or 1995.

Stubble height is only one measurement of percent utilization or allowable use levels of key species. Any correlation between stubble height and proper use of key riparian species is appropriate. We are unaware of any key riparian species that cannot achieve at least six inches of annual growth.

Bitterbrush is a key species. No documentation has been presented to determine the amount of bitterbrush loss on study sites since 1993. We have been advised that the Buckhorn Road Study found about 60% mortality in 1993. From on-the-ground observations made by the wildlife agencies, bitterbrush plants continue to be lost at these study sites. It is possible that as much as 80 percent of the bitterbrush has been lost since 1993 and surviving deer are now making substantial use of surviving plants. The District should provide data to quantify their conclusions concerning bitterbrush on the Tuledad Allotment.

Ms. Susan Stokke
December 19, 1995
Page 5

Monitoring has been conducted on the allotment. Use pattern mapping data for 1993, 1994 and 1995 have been provided to the Division. Data collected in 1993 and 1994 replicate the data summary of the 1992 environmental assessment for the Interim Decision. None of the data are summarized for the nine use area management system developed in 1988.

Adjustment in wild horse numbers is consistent with the Stipulated Agreement. However, livestock were to be adjusted to meet allotment specific objectives in 1995. In simple terms, wild horse numbers and livestock permits are the same status as 1989. No new terms or conditions have been added to 10-year term permits. Numerous comments suggest that the permittees are entitled to another 30 percent increase in stocking levels. Livestock, wild horses and wildlife are not at a natural thriving ecological balance as required by law. While it is desirable to negotiated necessary adjustments, this was not the case in determining wild horse numbers for the Tuledad Allotment.

Page 11, Tuledad Allotment Management Plan

The allotment management plan was never implemented. Prescribed grazing practices to achieve allotment specific objectives should be terms and conditions of any livestock permit. However, the wild horse environmental assessment described livestock management in the context of the allotment management plan. Use pattern mapping data collected since the Interim Decision indicate that riparian objectives are not being achieved under current active use by livestock and wild horses.

SUMMARY

The Wild Horse and Burro Act requires wild horses to be a part of a thriving natural ecological balance and the Tuledad/Home Camp land use plan required that the Tuledad Allotment active preference be verified as the carrying capacity by 1986. Riparian utilization standards established in the 1992 Interim Decision have not been achieved. Wild horse reductions of this recent decision adjust horse numbers to 1989 levels. Ungulate use of the Tuledad Allotment are similar to levels observed prior to the 1988 allotment evaluation. It would appear a management cycle has been repeated with the same on-the-ground results.

Ms. Susan Stokke
December 19, 1995
Page 6

RECOMMENDATIONS

* Issuance of all 10-year livestock permits require an environmental assessment.

* In the absence of a completed integrated management plan, annual grazing authorizations will be reviewed by affected interests.

* In absence of standards and guidelines, annual grazing authorizations will have utilization limits for riparian and bitterbrush key management areas.

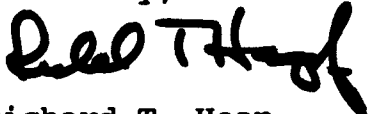
* Any new land use planning will be consistent with existing Wildlife MFP III Decisions.

* Wild horse population models for Buckhorn and Coppersmith Herds will be completed.

* A remedial plan to address compliance deficiencies with the items of Stipulated Agreement will be presented to affected interests.

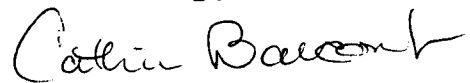
* Planning will consider elk introductions in Nevada.

Sincerely,



Richard T. Heap
Nevada Division of Wildlife

Sincerely,



Cathy Barcomb
Nevada Commission for
the Preservation of
Wild Horses