



**COMMISSION FOR THE
PRESERVATION OF WILD HORSES**

255 W. Moana Lane

Suite 207A

Reno, Nevada 89509

(702) 688-2626

September 23, 1994

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

Subject: Protest - DEA Buckhorn and Coppersmith Herd Gather Plan

Dear Mr. Danna:

The Nevada Commission for the Preservation of Wild Horses is concerned and must protest this proposed decision for gathers of Buckhorn and Coppersmith Wild Horse Herds. As numerous stated to the District, the establishment of appropriate management levels must be determined through rangeland monitoring data as stated in the IBLA Decision 109 IBLA 112 (June 7, 1989). As your legally defined duty, the attached Stipulation Among Parties For Change in Decision and Withdrawal of Appeal specifically details what actions the District must preform to relieve the issues of our appeal and stop resource damage on the Tuledad Allotment. We find that the Stipulation was disregarded by the Bureau in its grazing authorizations in 1994 and now fails to properly determine a carrying capacity to allocated available forage to wildlife, wild horses and livestock on this allotment.

As an appellant to the 1992 District Manager's Decision, the Commission, as well as numerous other affected interests, withdrew appeals in trust of the December 28, 1993, signed Stipulation between the Bureau of Land Management and state wildlife agencies. Draft Environmental Assessment CA-028-94-08 does not present or analyze use pattern mapping data and actual use data for wild horses or livestock on the Tuledad Allotment. The simple extraction of a one time winter census and survival prediction to determine carrying capacity is unfounded and is contrary to the Stipulation, federal regulation and Bureau policy regarding this matter.

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We encourage the District to embrace the Stipulation and principles of the 1992 Manager's Decision for Tuledad allotment to determine appropriate management levels for the Buckhorn and Coppersmith Wild Horse Herds. Please provide us adequate time for proper comment, appeal and petition for stay of action as provided for in 43 CFR Section 4.412 and 4.413.

I am faxing this today with hard copy to follow.

Sincerely,



Catherine Barcomb
Executive Director

cc. Willie Molini, Nevada Division of Wildlife
Boyd Gibbons, California Fish and Game
Rick Hanks, Susanville District