

December 3, 2003

Bob Abbey, State Director
BLM – Nevada State Office
1340 Financial Blvd
Reno, NV 89502

Dear Bob,

We would like to thank you for taking so much of your time in your busy schedule to attend the Wild Horse Commission meeting on November 14, 2003, in Reno.

We appreciate your personal attention to so many matters concerning this Commission on wild horse management in Nevada.

BLM has endeavored to follow the NEPA requirements for public disclosure on previous issues where fire horses were removed, placed in holding (all with public disclosure up front) and then prior to those horses ever being released back into the habitat, and only when the habitat was ready, appropriate NEPA documents were prepared analyzing the habitat, established AML, and/or insuring the public that it was safe and in the best interest of the horses to release them back into the HMA. For an excellent example of the NEPA process for this type of action, please refer to the Carson City District and their handling of the fire horses under their care. They did an excellent job of keeping the public informed from the removal all through the re-introduction process. I believe Jim Gianola was responsible for that work and all went smoothly as the public never felt "out of the loop" or that BLM was not NEPA compliant. The Carson District followed NEPA requirements to the letter, which should be an example to other Districts and followed.

We expect no less from the decision that will be made on the Red Rock horses. Not just the interest group in Las Vegas or this Commission, but BLM is under NEPA obligation to send out the information recently collected on the habitat, analyze it, analyze the impacts to the horses and the habitat and send out a proposed decision on the management options for this habitat. The public has the legal right to comment, protest, or appeal actions.

My Commissioners and I were notified of an "exit" meeting with the team assembled for the "special assessment of the range" in the Red Rock HMA. We were told that the

meeting was to be held on Thursday, December 4, 2003, at 4:30pm. BLM and myself both notified my Commissioners of that meeting. In addition I also notified NDOW officials in Las Vegas, as they wanted to discuss the tour as well. I was told that when Mark Morse and Billie Young walked in the room at 4pm that Mr. Morse ordered the meeting to start even though it was early and other interested parties were not there yet. It is also my understanding that other BLM personnel reminded Mr. Morse that there were other people, private and state government officials that had been invited to the meeting that was scheduled to start at 4:30pm, not 4. Mr. Morse replied that he didn't care and that the meeting was to start without them.

Government officials and private interests all arrived for a 4:30 meeting just to be told that the meeting was already over with, good-bye.

Mr. Abbey, the behavior on the part of your Area Manager was calculated, deliberate, and extremely unprofessional. This is how this State agency and others have been treated for the past 1 ½ years by the Las Vegas Area Manager. Is it no wonder why there were so many questions and animosity regarding the issues surrounding Red Rock horses at our Commission meeting and why we lack patience at this point. The rude and unprofessional behavior by your Area Manager blatantly mirrors previous behavior and his arrogance towards other affected public interests.

My Commissioners in Las Vegas have been closely following the horses from Red Rock and actions taken at the Oliver Ranch facility. They expressed grave concern for the health and well being of those animals over the 15 plus months they have been in captivity. The questions raised at the meeting were intended to ascertain exactly who was responsible for inactions in the care of those animals. BLM has an MOU with a private interest group in Las Vegas regarding the care of those animals, costs expended, responsibilities, etc. Even so, BLM is ultimately responsible for those horses, that's the bottom line. Fly control, feed, vet care, foot care, space, etc. all were in question not just in who was responsible for the lack of care but who was financially responsible. Since my Commissioners were unable to get answers all these months, it was requested that this be put on the agenda to ask BLM to respond. This could have been easily handled had the District been more open about management and care. Because of the frustration of my Commissioners, I personally had tried to call Mark Morse on numerous occasions. He has refused to personally return even one of my calls and has had others call for him.

NEPA

On the issue of land use planning, NEPA, and public involvement.....multiple agencies from the State of Nevada have followed the Red Rock issues closely. First the gather plan in 2002, was published and sent out to the public said nothing about holding horses. The gather plan notified the public that all excess animals would be shipped to Palomino Valley and placed in the adoption program. No notification was given to the public that the horses would be held at Oliver Ranch or that anything different had occurred. Afterwards my Commissioners notified me of the "holding" of horses at the request of the wild horse interest group in Las Vegas. Though the proposed action in the earlier documents had changed, no public notification, no amended NEPA documents were

circulated, no compliance. It took many months and comments from the Commission, NDOW, WHOA, and others to get BLM-LV District to send out a letter notifying the public of the change that horses were being held. In that letter the District also disclosed their intent to turn the horses back, an additional change to the original proposed action. The Commission, NDOW, and WHOA all responded reminding BLM of the responsibility to NEPA concerning public involvement, prior notification and comment period required, should BLM decide to return these horses. Also, we noted that BLM needed to establish an AML on Red Rock. There is no current AML established through the evaluation process prescribed in existing current BLM policy and public involvement. There is only an administratively filed target number that BLM was monitoring for. An emergency gather was performed because of range conditions that have still not recovered. There were 25 horses left on the range in 2002 which BLM needs to add the foal crop of 2003 to that number. Your future planning documents suggest 50-60 horses would be the AML and that in your first gather you would gather down 40% below AML.....you're already there so we cannot understand the BLM's push to wanting to put these horses back on degraded rangelands. BLM did not include the last 3-4 years of monitoring data which have been severe drought years to estimate that number. That document was challenged for NEPA compliance and is being re-evaluated to include previous years monitoring. Now, you must also include the data collected by your special team.

A few people were at this closed door meeting on the 4th, to evaluate the exit data. We would request copies and evaluation of this material being sent out to affected interests that were either not allowed or not notified of this "data evaluation" exit meeting. Also, those that were notified but BLM intentionally held the meeting at an earlier hour to deliberately exclude the affected public from discussions. If you are not intending to send out that information, please notify us of that decision as well.

Volunteerism

The subject of volunteers came up at the Commission meeting. You have not been in Nevada all of the past 15 years so thought I should note some things, for your information, that have happened regarding this Commission and our volunteers.

Over the years this Commission has funded many projects on BLM lands and for the benefit of wild horses.

- Back in the late 80's when over 1,000 wild horses were found dead in this State, the Commission funded grants to the Nevada Humane Society in excess of \$75,000 to hire a humane investigator to work solely with BLM law enforcement to investigate these crimes.
- Over the years we have funded numerous grant requests by BLM Districts for riparian protection projects and water developments. On many occasions, we personally camped out and joined in the work teams to accomplish these projects. Many were in collaborative efforts between the BLM, Forest Service, Cattlemen's Association, and local ranchers.

- We funded census flights for the Battle Mountain District to accomplish quarterly flights for three years to determine where horses were in different seasons through the year. The District felt this was critical to management and determining what animals were using what portions of the range seasonally. That data also showed and verified that the Roberts Mountain horses are the horses that trail seasonally between the HMA and the Dann Sisters Ranch. You and I had discussed this very issue prior to BLM removing the Dann horses as stray's. I expressed to you that many of those horses were BLM wild horses protected under the law and could be verified with BLM data.
- The Commission(ers) along with WHOA initiated and started the first wild horse and burro show in the United States over 12 years ago. Dawn Lappin, a Commissioner at the time, my Commissioners over the years, many volunteers, and myself have worked very hard over the past years to start and continue that event with the sole purpose of education and promotion of the BLM's adoption program. An important note is that we never have kept the proceeds. Each year of the National Wild Horse and Burro Show and now adding the Western States Wild Horse and Burro Expo, contributed funds for accomplishment of such objectives, we have given away funds to benefit BLM such as:
 - 1) to do projects on BLM lands (funding water developments/riparian restoration and protection);
 - 2) donated funds to rescue work for orphan foals;
 - 3) helped fund the prison wild horse training program;
 - 4) purchased hay for WHOA to continue on in their work,
 - 5) helped purchase a stock trailer for WHOA for rescue work which has involved hundreds of BLM foals and adults over their 30 plus years;
 - 6) in addition to the many thousands of dollars spent to host these events and many thousands of hours donated by volunteers to accomplish these goals over the past 12 years.
- The Commission(ers), Department of Corrections (NDOC), and volunteers worked to host the Bolo's and Blue Jeans event which raised approximately \$24,000 to help fund 4 different wild horse related projects; \$4,000 to the BLM Oliver Ranch educational center, \$12,000 to the prison training program which will now help fund the indoor arena, \$4,000 to the BLM's proposed visitors center in Carson City, and \$4,000 to help the Virginia Range groups to build a sanctuary for their horses.
- We are currently working very hard now to obtain funding for an indoor arena at the Warm Springs Training Program. This will allow for year round training of those horses to enter the BLM adoption program. We have obtained funding for

more panels to increase the size of the facility and over this past year BLM has seen how much the promotions have drastically increased the prices the horses are selling for. Currently on a \$75,000 project for the indoor arena, funding has been pledged by numerous contractors associated with the project, the Commission, the National Wild Horse and Burro Foundation, the National Wild Horse and Burro Show, the Western States Wild Horse and Burro Expo, Jones West Ford, Michael Hohl Motor Company, the Paul Iverson Trust Fund, and many other smaller donations. BLM is the beneficiary of this project and BLM is the only participant that has not pledged any funding for this indoor arena. I know you've stated that funds are hard to come by but that is true for everybody. We are all just trying as hard as we can to fund this project for the benefit of the BLM adoption program.

- The last I will mention is our ultimate sacrifice for the wild horse and burro program. We have sacrificed this agency to partner with the BLM to create the National Wild Horse and Burro Foundation. We knew at the time the result of funding that cooperative effort that would be shutting down the Commission, which is anticipated to be 5-6 years from now.

This is all done seemingly without Acknowledgement for the amount of contributed energy and funding. All of the above Bob, has been done out of caring and dedication for this program. Not once has the Commission, the volunteers or myself heard a "thank you". Not once has anybody ever received a letter of thanks from the BLM or have we ever been "commended" for our efforts. We get nothing financially out of this, we work hard, we fund projects, and we keep plugging on because we feel good about helping the horse program. Nobody I've ever worked with is looking for letters, recognition, or commendations, that is not my point. What I wanted to show you is that you have tremendous volunteers and hard working people that have worked hard for this program for many years, only to be treated as the enemy.

CONCLUSION

To that end, I will finish by expressing our disappointment with BLM's handling previously and as more recently as last week of the BLM created situation at Red Rock. It is my understanding of the report that the team recommends "no" horses on Red Rock at all, burros only.

We are only asking that communications be of such a quality that there is complete and timely disclosure. The underlying objective is to build trust through communications. While we may not agree with all your decisions, all we are asking is that we be allowed to gain accurate, timely and complete information so we may provide feedback and be certain that whatever decision results is at least made in light of input from this Commission. We are provided this opportunity under NEPA and State law. BLM procedures that have been in place for some number of years and have worked well in the past now appear to be at risk if not already set aside.

If you have any questions or would like to personally discuss any of our concerns, please feel free to contact me.

Sincerely,

CATHERINE BARCOMB
Administrator