

8/9/89

August 9, 1989

Curtis Tucker, Area Manager
Caliente Resource Area
P.O. Box 237
Caliente, Nevada 89008

Dear Mr. Tucker,

Thank you for the opportunity to provide comments on the Draft Resource Plan and EIS for the Nellis Air Force Range Planning Area. In order to simplify matters, I have referenced comments by page number.

S-2 Summary of Alternatives - Under wild horses, you state the "No Action Alternative" as gathering horses to the AMLs. Please explain how gathering horses is no action. Also, in light of the recent IBLA decision, AMLs no longer exist or are no longer applicable as justification for removals.

2-3 Wild Horses - What is the anticipated time frame for revising the Five Party Agreement?

2-6 Wild Horses - A.,1., Did you use the Draft Habitat Evaluation Procedures Users Guide in determining the key areas and key plant species for wild horses?

B.,1., How often and by what method will you monitor the condition of the horses when you have such limited access?

B.,2., Same as preceding question.

B.,3., Same as preceding question.

B.,6., Please explain what is meant by the Nevada Wild Horse Range, as I have several maps, all from the BLM, and all show a different area for the Wild Horse Range.

Management Direction - 2. With limited access, how will you perform monitoring to justify removals?

4. What is an initial management level?

5. How often and by what method will you monitor the physical condition of the horses?

2-7 Management Direction - 6. Who will perform the studies and how often will field work be conducted?

ALTERNATIVE B-PREFERRED ALTERNATIVE

Goal: In your goal statement, you again mention the appropriate management level. This goal will need to be redefined to conform with the IBLA ruling. Horses will need to be managed to achieve a "thriving ecological balance."

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Management Actions - 1. Please modify this action as you must have monitoring data in order to determine what is "excess" and then to justify removals of any horses.

2. Fencing riparian areas should be done to protect the riparian areas. Period. Seeing if removals or reductions of livestock will help the problem seems like an excuse, when fencing may prevent removals or reductions from having to be done.

2-8 ISSUE 2: WILDLIFE HABITAT

Management Direction: 1. If all forage outside the boundaries of the Nevada Horse Range is reserved for wildlife, then 3., all forage inside the Nevada Wild Horse Range should be reserved for the maximum number of horses that the forage can support.

ISSUE 3: WILD HORSES

Management Direction: 1. In light of the IBLA ruling, "appropriate management levels" are no longer valid.

2. Same as above.

3. If you are not planning on fencing the NHR immediately, then it is not reasonable to expect horses to adhere to an invisible boundary. Please check BLM guidance for the definition of a "problem" animal.

Management Actions: 1. Again, the IBLA prohibits removals based solely on the appropriate management level. The number of horses will need to be flexible, based on a thriving ecological balance.

2. See Issue 3, number 3.

5. Since the resource plan as proposed, needs modification to conform with the IBLA ruling, you must modify the Draft Resource Plan. Then, obviously you would have to amend the HMAP.

6. If your intention is to keep horses on the NWHR, fencing will have to be addressed.

4-9 IMPACTS OF ALTERNATIVE A - NO ACTION

WILD HORSES - 2nd paragraph - You state that horses will become exposed to more hazardous materials when they expand their range and you site that 61 horses died after drinking contaminated water. The incident you site was a violation of federal and state laws and the perpetrators were fined. What happened was an accident caused by carelessness and ignorance of the laws. Are you telling us that horses need to be reduced because otherwise there are going to be more deaths attributed to carelessness?

Hazardous materials on the Bombing Range and Test Site must still be handled according to federal and state standards, so I request that you delete the portion of the paragraph that refers to hazardous materials. It is not a justification for reduction.

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** It is interesting to note, that nowhere in your EIS do you mention that fact that above-ground nuclear testing occurred in the 50's and 60's on the area that is now the Bombing Range and the NWHR. Some of the weapons tested and used on the bombing range also contain radioactive materials.

What kind of monitoring are you doing on the horses that are removed for adoption, to insure that the adopting public is not receiving contaminated horses? Since some of these horses went into the fee-waiver program for slaughter, how did you insure that contaminated horses were not used for human consumption or pet food? How will you address this in the future?

4-9 Cumulative Impacts - Last paragraph - Please clarify, on a detailed map, the difference between the 1962 area for wild horses verses the 1965 and 1971 area.

4-10 IMPACTS OF ALTERNATIVE B-PREFERRED ALTERNATIVE
Vegetation - You state that water can be turned on and off to manipulate wild horse utilization. How will you guarantee that horses won't die using this technique?

4-12 Wild Horses - Delete potentially hazardous substances as per my previous comments from page 4-9.

2nd paragraph - Delete references to AML as per IBLA.

4th paragraph - Please explain how fencing will not significantly impact the free-roaming behavior of the horses.

5-3 Public Review of the Draft - Please be advised that the Commission for the Preservation of Wild Horses is a State Agency and not an Organization.

B-2 FIVE PARTY COOPERATIVE AGREEMENT

Section I. 4, Have the five-parties met at least yearly? Are minutes of the meetings available to the public? If so, I hereby request copies of minutes of all meetings for the past five years.

B-4 Section V. Bureau Responsibilities - Delete "level determined by the management plan." I fully realize that the appendix is provided for reference only, but in light of the IBLA decision, these pertinent documents should be updated to reflect the changes in wild horse management.

D-2 HMAP - II., B., 1. How can you determine key areas and key species to determine habitat suitability when you have no vegetative inventory, nor is one planned?

D-3 5., a. Wildlife - You state that mountain lions are found throughout the area. Has anyone determined to what extent the mountain lions may impact the wild horses, as is occurring in other parts of the state?

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D-7 6. Population Demography - Here you state that rate of increase is 9 per cent. Yet in your capture plans, you state that rate of increase is 20 per cent. What is it?

In your document you specify water projects that will benefit the wild horses. Does this include the three spring improvements that REECO was ordered to perform as partial settlement?

At this time, I would like to recommend that you contact the Commission in regards to funding for the proposed water projects. These projects would be something that the Commission would be very interested in looking at, for funding through our grant program.

If we can provide you with information regarding the grant program, please feel free to contact me at the Commission office. Thank you for your time.

Sincerely,

TERRI JAY
Executive Director

TJ/cb