



COMMISSION FOR THE  
PRESERVATION OF WILD HORSES

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Capitol Complex  
Carson City, Nevada 89710  
(702) 687-5589

April 11, 1991

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

Dear Mr. Tucker,

Thank you for the opportunity to review and comment on the draft Gather Plan and Environmental Assessment for the Nellis Air Force Range.

In our June 1990 comments to the Draft Nevada Wild Horse Range Evaluation and draft NWHR EA and Gather Plan; WHOA supported the comments made by the Commission for the Preservation of Wild Horses. We will support the removal of excess wild horses from the NRC, down to that level which will achieve proper utilization of the water and vegetative resource in the entire area currently occupied by wild horses.

We understand the August 1990 draft capture plan and EA was replaced with a final capture plan and EA dated February 1991, which has now become a draft capture plan, dated March 1991.

In August 1990 a census showed an actual count of 4,302 wild horses. The Commission was advised in February 1991, (Las Vegas Commission meeting) by Harley Dickensheets and Jule Durfee that another complete census was to be done that following weekend, to explain how the original draft had a population level, after removals, of over 6000 wild horses. We are advised now that the February 1991 census was changed to determine relative density and location of wild horses.

Our comments on the EA No. NV-055-00-22 and Removal Plan (in that order) are as follows:

Proposed Action, page 3...states that "Implementation of the Proposed Action would gather between 800 and 2,000 wild horses, contingent upon available funding potential contract costs, and personnel constraints, during FY 1991."

Page 2, Paragraph 4, states that "sufficient perennial water is available within the gather area to support 1100 - 1200 wild horses." Whereas, Page 7, Paragraph 5, states "consistent monitoring of perennial water sources in 1990 indicated sufficient perennial water exists to support between 1100 - 1200 wild horses on the Nellis Air Force Range." Please explain 1) the difference in the gather area and the Nellis Air

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Force Range computations, when each is a different boundary, yet will support the same number of wild horses; 2) what happens to the wild horses in excess of available water that are not captured due to the constraints mentioned on page 3, paragraph 1. What contingencies have you planned to make water available for the remaining horses? How will the balance of the wild horse population survive the remainder of this year with only enough water for approximately half of them? What allowances have you made for wildlife with the data available below?

SPRING SOURCE SOURCE	RATE OF FLOW	HORSE NUMBERS SUPPORTED
Cliff Spring	2 gal/min*	288
Cedar Well	0.19 gal/min	25
Rose Spring	2 gal/min	288
Silver Bow	1 gal/min*	144
Silver Bow Trough	1 gal/min	144
Tunnel Spring	0.09 gal/min	13
Corral Spring	0.48 gal/min	70
Harleys Spring	1 gal/min*	144
Cedar Pass Spring	0.125 gal/min*	18
Cactus Spring	1.5 gal/min	216
Antelope Spring	0.75 gal/min	108
TOTALS	10.1 gal/min	1458

(\*Estimated flow rate)

"It should be noted that this number, 1458, assumes 100 percent water consumption by wild horses without allowance for wildlife consumption and evaporative loss."

On February 9 and 10, 1991 Water Survey Conducted by Bob Stager, Harley Dickensheets, and Jule Durfee, the results are as follows:

Nellis AFB Range Chart Designations	Relative Water POOR	Status SATISFACTORY
71N	100%	0%
71S	No known water, they use 71N & 76 waters	
76	0	100%
75E	No known water available	
R-4809A	0	100%
EC West	75%	25%
EC East	50%	50%
748	67%	33%
SUMMARY	62%	38%

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The more recent water survey shows a decreased flow on the Nellis Range although we have no way to determine by the coordinates given which number coincides with which water source for comparison.

Page 3, paragraph 2... gives a start date of April 1, which has passed, and lasting approximately 4 - 12 weeks. Page 5, paragraph 7 however states "no helicopter gathering will be allowed during the foaling season between March 1, and July 1, then in the next paragraph, number 8, states "if a helicopter is used." This should be reworded to state "no helicopter will be used from March 1, to July 1, for capture purposes, gathering after July 1, helicopter may be used with limitations.

Page 3, paragraph 5...Correct language to read prohibition of helicopter during foaling period.

Page 4, paragraph 2...please indicate exactly which processing areas the BLM has assured access.

Page 5, number 9...The Commission was advised in February 1991, (Las Vegas Commission meeting), the capture was to be water trapping, and BLM employees were to be utilized. We understand that a contract for capture was initiated late February. When questioned about contract vs BLM, we were told it is cheaper. Please provide contract costs, as well as those costs for BLM personnel to be present along with the COR/PI.

Page 5, number 11...correct to foaling period.

Page 5, last paragraph...You state "Monitoring of wild horse numbers and rangeland conditions would continue on NAR at regular intervals, as established by the HMAP." Continuing evaluations would be made of monitoring data in order to determine if the wild horse populations are being "maintained in a thriving natural ecological balance..." First, we know that not all of the waters available within the NRC were surveyed and analyzed. So you are basing the 1100 to 1200 on the presently surveyed waters; had waters been monitored, maintained and the storage available (as per RMP/EIS), then the removal and future "maintenance" of thriving natural ecological balance would follow. Surely BLM is not stating, with this capture, that the 1100 - 1200 wild horses is a thriving natural ecological balance.

#### Alternatives

Developing Waters Sources...Although all known water sources have been developed, they have not been rehabilitated or maintained. Please supply a time table for each water source currently requiring rehabilitation.

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At what point in time does the BLM estimate that it will have sufficient monitoring data to establish an AML?

Isn't the preferred use of perennial grasses for fall and winter use 60% (RMP)? Your 1989 utilization studies show 65% on Indian ricegrass, how do you obtain allowable use levels at 50%.

Page 9, paragraph 2...You state "BLM has been involved in wild horse related litigation and protests since 1987. Gathering of wild horses during this period has been curtailed." How do you explain the removal in 1987 of 1210, and 1989 of 683 if the roundups were curtailed. Clarify that protests were due to improper delineation of 1971 boundary. Although the Commission is not opposing this capture based on available waters, we do believe BLM has not surveyed all waters on NRA. We do not believe BLM adequately addressed or researched reasons for a reduced water production, other than drought. (See attached Nevada Special Report, page 2-113, 2.9.4).

Delete page 9, last paragraph, last sentence. You state the biological information obtained from the capture would be useful in future management, yet of the past removals, we see no inclusion of that data.

Water trapping...The Commission was led to believe that water trapping during foaling was the only method to be used. We strongly reconfirm our support for water trapping, and upon cost comparison of BLM employees vs a contractor. We support the most humane and economical method, in light of the fact that there is some question as to sufficient capture funds.

Alternative 1, no action, page 10...remove first line as BLM has no data substantiating significant die-offs. Delete last sentence, "wild horse survival rates would continue to drop," when BLM data shows a healthy 16 - 20% birth rate.

Vegetation, page 11, Proposed Action...How can you say the trap sites (remember we are water trapping) would sustain negative impacts, when your data states 0 - 5 miles from water is 100% utilized?

We agree with second paragraph under vegetation, but only so long as BLM continues judiciously monitoring and managing wild horse numbers accordingly.

Cumulative Impacts, page 13, Proposed Action...Remove the sentence stating "maintaining a thriving natural ecological balance." Your data shows severe use now one to five miles from water with horses traveling from water to sufficient vegetation

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of approximately 15 miles. The last sentence of paragraph 3 alternative 1, No Action, states "an equal number of wild horse deaths would occur as a result of increasing contacts with potentially hazardous or lethal substances." (See attached Draft working copy 12/22/89, enclosed; hydrological resources report).

Page 13...Irreversible and Irretrievable Commitment of Resources...We do not agree that there are no irreversible commitments of resources with Alternative 1, No Action.

When did Milton Frei, as Wild Horse and Burro Specialist, Nevada State Office, review these documents as stated on page 15 of the EA?

Capture, Purpose, page 2...Remove first sentence and replace with "The proposed action will be the first step to bring the population of wild horses to a level approaching a balance with currently available water and forage within the historical area of use in the NAFR. The population adjustment is based solely on partial surveys of water and analysis of partial monitoring data.

Regarding the census data, capture numbers, and available funding see EA comments.

Number of Horses to be Gathered

Remove paragraph and restate.

Captures are not the only alternative to obtain a thriving natural ecological balance. The last sentence page 2, paragraph 2, should be consistent with page 3, paragraph 1.

Page 3, paragraph 5, lists Tunnel Springs as a potential trap site, the EA states Tunnel Springs is dried up.

Administration of Gather, page 3

We support the most humane and economical capture since funds are the limiting factor for the number of horses to be gathered; however we want either the BLM supervisor or COR/PI to be identified in the Final.

Page 4, paragraph 2, states BLM will provide precapture evaluation of existing conditions in gather area, we request a copy of that precapture evaluation.

Contractors Briefing page 5

Before the draft comments were received, a contract was signed on February 28, by the BLM with a contractor for the Nellis gather, despite assurances to the Commission and WHOA. We were informed that a particular contractor could complete this

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Nellis capture for \$49.00 per horse. We would like to know what the bid finally was, as well as an accounting of why you have chosen this over any other means of gathering.

Did the BLM advertise for this gather?

We request copies of certificates of safety inspections if a contractor is used.

Branded and Claimed

Please send a copy of all claimed/unbranded horses from the Nellis gather.

Omit...(c) unbranded animals and offspring without obvious evidence of former private ownership.

Page 5, paragraph 4, BLM alone determines wild free roaming status of unbranded horses.

Destruction, page 6...Have Advanced Security Systems been adequately trained in humane destruction of horses. When and where were they trained and by whom?

Page 7, paragraph 1...feed should be grass hay.

Stipulations, page 7

- (1) See contractors Briefing page 5, capture plan.
- (5) As recommended by Palomino Valley Corrals, use only wood shavings (no sand or soil materials).

Trappings and Care page 9

Throughout this document you refer to foals when by your own EA no helicopters will be used through foaling season.

Traps should be placed in heavy and severe use areas.

Page 11...change 24 hours to 48 hours since horses will be trapped at water and some may not have had an opportunity to drink.

Contractor

Refer to comments on BLM employees and water trapping, February 1991 Commission meeting - Las Vegas. However, all hay should be grass hay.

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Again, we appreciate the opportunity to review and comment on the draft Gather Plan and EA for the Nellis Air Force Range. If you have any questions, please feel free to call.

Sincerely,

CATHY BARCOMB  
Executive Director.