

Nellis

1-29-90

M E M O R A N D U M

TO: WHOA and Commission
FROM: N. Whitaker, API
SUBJECT: NELLIS RMP CHALLENGE
DATE: January 29, 1990

Attached is a packet of materials separated by a red sheet of paper. The first pages are all that should be needed to show the Commission the need to challenge the new management plan's elimination of acreage. The second part of the packet contains the pages I submitted to the Chairman of the Commission at the meeting.

I think our battle should be for the entire area covered in the 5-party agreement--to which BLM is a party. There is a discrepancy on the amount of acres this involves. How big is the combination of the three areas listed? The files indicate (see Spang's memo) that BLM chose to talk only about what they refer to as the C & C area. This decision violates the 5-party agreement and the law. The same memo indicates some friction with the military and that SPang was perhaps attempting to find an expedient resolution to it.

After I left the meeting I spoke briefly with Major Kreis of the Nellis AFB. He said "Do not confuse DOE and the AFB!" The Air Force wants to protect wild horses, they want to cooperate and do what is best for the preservation of wild horses on Nellis. His warning seemed so pointed but I'm not sure what it means. I felt there must be some kind of inter-agency friction between DOE and AFB. He explained that the AF commander is very much behind saving wild horses and his own assignment is to do it. He confided that he cannot get a straight answer out of BLM. He wants to do the right thing but can't trust them to tell him what it is. I suggested that he work with the Commission's investigation of water and he would be able to get a good handle on existing developed waters in need of repair or piping out of riparian areas. I related to him that API is not in favor of developing waters for wild horses but where they are adapted to existing developed waters these need to be kept fully functioning. We do favor BLM securing water rights for wild horses however. In the case of piping waters for wild horses, API does not recognize that horses cause damage to riparian areas. Where cattle cause damage, and in Nellis we view the damage as left over from cattle, we would support piping to attempt to restore riparian areas. In Nellis we would support piping 10-15 miles out from thrashed areas. The AF is eager to cooperate with preserving wild horses in the greater area. I gather that DOE is not.

June, 1965

WILD HORSE MANAGEMENT AREA

Agencies Involved: U.S. Air Force and the Bureau of Land Management.

Purpose: This was a reissuance of the June 1962 agreement. The new agreement reduced the size of the wild horse management area to 394,500 acres, which was the only change.

January 15, 1969

COOPERATIVE PLAN FOR THE CONSERVATION AND DEVELOPMENT OF FISH AND WILDLIFE RESOURCES ON THE NELLIS AIR FORCE RANGE.

Agencies Involved: U.S. Air Force, Bureau of Sports Fisheries and Wildlife (U.S. Fish and Wildlife Service), Nevada Fish and Game Commission (Nevada Department of Wildlife), and the Bureau of Land Management.

Purpose: This was a reissuance of the 1963 cooperative plan. The only change was an update of the animal numbers for the wild horse area which were as follows:

Horses - 400
Deer - 200
Antelope - 100

November 12, 1973

COOPERATIVE AGREEMENT BETWEEN THE BUREAU OF LAND MANAGEMENT, NEVADA STATE OFFICE, AND UNITED STATES AIR FORCE, NELLIS AIR FORCE BASE.

Agencies Involved: U.S. Air Force and the Bureau of Land Management.

Purpose: Cancelled 1962 and 1965 agreements. New agreement complied with provisions of the Wild Horse and Burro Act of December 15, 1971, and 43 C.F.R. 4700, which requires BLM to enter into cooperative agreements with other agencies when wild horses use lands under their jurisdiction during all or part of the year. The agreement recognized that the horses on the Nevada Wild Horse Range were under the jurisdiction of the BLM and called for the development of a management plan for the management of the horses and their habitat.

January, 1977

FIVE-PARTY COOPERATIVE AGREEMENT

Agencies Involved: U.S. Air Force, U.S. Fish and Wildlife Service, Department of Energy, Bureau of Land Management and Nevada Department of Wildlife.

Purpose: The agreement provided for the protection, development and management of the natural resources of fish and wildlife, vegetation, watershed, and wild horses and burros on the Nellis Air Force Range, the Nevada Test Site, and the Tonopah Test Range. The agreement calls for resource inventories and the development of a resource management plan.

See Military Land Withdrawal Act for number of total acres -

APPENDIX C

SUMMARY OF WILD HORSE AND WILDLIFE COOPERATIVE AGREEMENTS FOR THE NELLIS AIR FORCE RANGE

March 23, 1961 MEMORANDUM OF UNDERSTANDING - U.S. AIR FORCE AND THE NEVADA
STATE FISH AND GAME COMMISSION.

Agencies Involved: U.S. Air Force and Nevada State Fish and Game Commission

Purpose: To recognize the Nevada State Fish and Game Commission (NSF&GC) role in the protection and management of wildlife on the Nellis Air Force Range. It provided access for Fish and Game personnel to the Nellis Range and directed the Air Force to appoint a liaison person to work with the NSF&G.

June, 1962 WILD HORSE MANAGEMENT AREA.

Agencies Involved: U.S. Air Force and Bureau of Land Management.

Purpose: "Because of the deep concern expressed by a large number of people in regard to preservation of wild horses and the need to manage and control their use, an area within the boundaries of the land withdrawn for the Nellis Air Force Base Nevada, has been identified as suitable wild horse area. The area is presently being used by wild or abandoned horses by their own selection. The horse use is not inconsistent with the needs of the Air Force. Identifying the area for horse use will provide an area which can be managed for the horses and their habitat. It is reliably estimated on the basis of counts by the State Fish and Game Department that more than 200 horses now run in this area. This approximate number of wild horses will be maintained as long as their use of the range remains in balance with the forage resources available." The agreement stated further, "By cooperation with Nevada State and county officials the control of the desired number of horses to use the range will be achieved." The total area involved in the agreement was 435,000 acres.

December, 1963 COOPERATIVE PLAN FOR THE CONSERVATION AND DEVELOPMENT OF
FISH AND WILDLIFE RESOURCES ON THE NELLIS AIR FORCE RANGE.

Agencies Involved: U.S. Air Force, Bureau of Sports Fisheries and Wildlife (U.S. Fish and Wildlife Service), Nevada Fish and Game Commission (Nevada Department of Wildlife), and Bureau of Land Management.

Purpose: The agreement provided for the management, development and protection of fish and wildlife resources on the Nellis Air Force Range. It included all big game species (deer, antelope, big horn sheep). It also included horses under the term wildlife and estimated the population for the wild horse range to be 200 horses.

Public Law 99-606
99th Congress

An Act

To withdraw certain public lands for military purposes, and for other purposes.

Nov. 6, 1986
[H.R. 1790]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. WITHDRAWALS.

Defense and national security. Mines and mining.

(a) BRAVO-20 BOMBING RANGE.—(1) Subject to valid existing rights and except as otherwise provided in this Act, the lands referred to in paragraph (2) of this subsection, and all other areas within the boundary of such lands as depicted on the map specified in such paragraph which may become subject to the operation of the public land laws, are hereby withdrawn from all forms of appropriation under the public land laws (including the mining laws and the mineral leasing and the geothermal leasing laws). Such lands are reserved for use by the Secretary of the Navy for—

(A) testing and training for aerial bombing, missile firing, and tactical maneuvering and air support; and

(B) subject to the requirements of section 3(f), other defense-related purposes consistent with the purposes specified in this paragraph.

(2) The lands referred to in paragraph (1) of this subsection are the public lands comprising approximately 21,576.40 acres in Churchill County, Nevada, as generally depicted on the map entitled "Bravo-20 Bombing Range Withdrawal—Proposed", dated April 1986, and filed in accordance with section 2.

Nevada

(3) This section does not affect the withdrawals of July 2, 1902, August 26, 1902, and August 4, 1904, under which the Bureau of Reclamation utilizes for flooding, overflow, and seepage purposes approximately 14,750 acres of the lands withdrawn and reserved by this subsection.

Flood control.

(b) NELLIS AIR FORCE RANGE.—(1) Subject to valid existing rights and except as otherwise provided in this Act, the public lands described in paragraph (2) of this subsection are hereby withdrawn from all forms of appropriation under the public land laws (including the mining laws and the mineral leasing and the geothermal leasing laws). Such lands are reserved for use by the Secretary of the Air Force—

(A) as an armament and high-hazard testing area;

(B) for training for aerial gunnery, rocketry, electronic warfare, and tactical maneuvering and air support; and

(C) subject to the requirements of section 3(f), for other defense-related purposes consistent with the purposes specified in this paragraph.

(2) The lands referred to in paragraph (1) of this subsection are the lands comprising approximately 2,945,000 acres of land in Clark, Nye, and Lincoln Counties, Nevada, as generally depicted on the map entitled "Nellis Air Force Range Withdrawal—Proposed", dated January 1985, and filed in accordance with section 2.

Nevada

A-1

(c) BARRY M. GOLDWATER AIR FORCE RANGE.—(1) Subject to valid existing rights and except as otherwise provided in this Act, the lands described in paragraph (2) of this subsection are hereby withdrawn from all forms of appropriation under the public land laws (including the mining laws and the mineral leasing and the geothermal leasing laws). Such lands are reserved for use by the Secretary of the Air Force for—

(A) an armament and high-hazard testing area;

(B) training for aerial gunnery, rocketry, electronic warfare, and tactical maneuvering and air support; and

(C) subject to the requirements of section 3(f), other defense-related purposes consistent with the purposes specified in this paragraph.

Arizona.

(2) The lands referred to in paragraph (1) of this subsection are the lands comprising approximately 2,664,423 acres in Maricopa, Pima, and Yuma Counties, Arizona, as generally depicted on the map entitled "Luke Air Force Range Withdrawal—Proposed", dated January 1985, and filed in accordance with section 2.

(d) MCGREGOR RANGE.—(1) Subject to valid existing rights and except as otherwise provided in this Act, the public lands described in paragraph (2) of this subsection are hereby withdrawn from all forms of appropriation under the public land laws (including the mining laws and the mineral leasing and the geothermal leasing laws). Such lands are reserved for use by the Secretary of the Army—

(A) for training and weapons testing; and

(B) subject to the requirements of section 3(f), for other defense-related purposes consistent with the purposes specified in this paragraph.

New Mexico

(2) The lands referred to in paragraph (1) of this subsection are the lands comprising approximately 608,384.87 acres in Otero County, New Mexico, as generally depicted on the map entitled "McGregor Range Withdrawal—Proposed", dated January 1985, and filed in accordance with section 2.

(3) Any of the public lands withdrawn under paragraph (1) of this subsection which, as of the date of enactment of this Act, are managed pursuant to section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782) shall continue to be managed under that section until Congress determines otherwise.

Alaska.

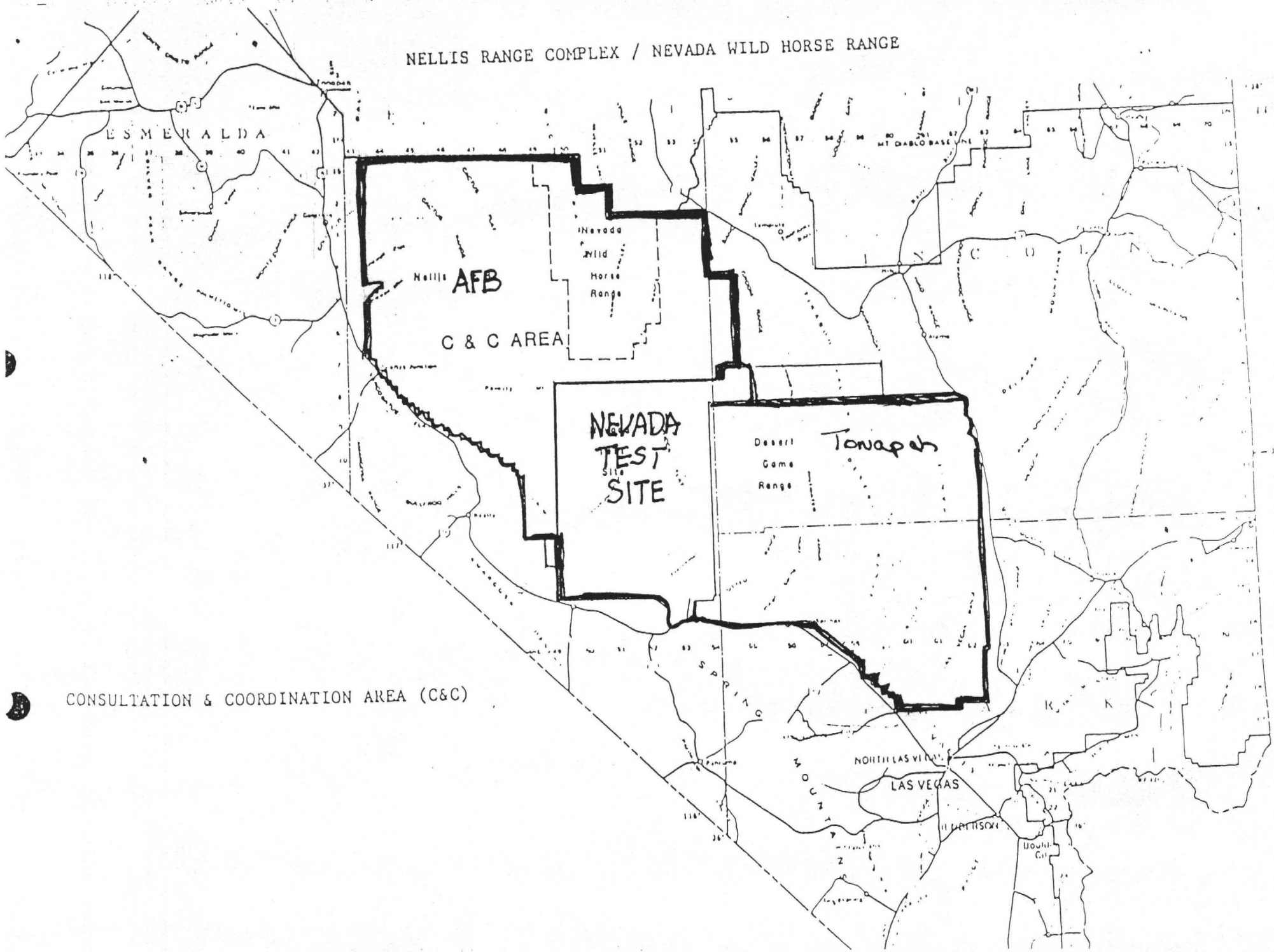
(e) FORT GREELY MANEUVER AREA AND FORT GREELY AIR DROP ZONE.—(1) Subject to valid existing rights and except as otherwise provided in this Act, the lands described in paragraph (2) of this subsection are hereby withdrawn from all forms of appropriation under the public land laws (including the mining laws and the mineral leasing and the geothermal leasing laws), under an Act entitled "An Act to provide for the admission of the State of Alaska into the Union", approved July 7, 1958 (48 U.S.C. note prec. 21), and under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.). Such lands are reserved for use by the Secretary of the Army for—

(A) military maneuvering, training, and equipment development and testing; and

(B) subject to the requirements of section 3(f), other defense-related purposes consistent with the purposes specified in this paragraph.

(2) The lands referred to in paragraph (1) of this subsection are—

NELLIS RANGE COMPLEX / NEVADA WILD HORSE RANGE



CONSULTATION & COORDINATION AREA (C&C)

1-34

*from with
New Mgmt Plan*

TABLE S-2

SUMMARY OF IMPACTS (CONTINUED)

OLD

New

RESOURCE	MANAGEMENT GUIDANCE COMMON TO ALL ALTERNATIVES	ALTERNATIVE A NO ACTION	ALTERNATIVE B PREFERRED ALTERNATIVE
WILD HORSES	None	Retain 5,000 wild horses.	Remove 4,000 wild horses.
	-	Allow wild horses to utilize 1,784,000 acres.	Wild horses restricted to 394,000 acres, if fencing constructed.
LIVESTOCK GRAZING	None	Same	Same
CULTURAL RESOURCES	Non-discretionary minerals actions could impact cultural resources on up to 516 acres.	Same	Same
	Discretionary minerals and lands actions could impact cultural resources on 760 acres.	Same	Same
	-	-	Up to 509 acres would be inventoried for cultural resources, if fencing constructed. Determinations of no effect or no adverse effect, through Section 106 consultation, would be made prior to surface disturbing activities.
VISUAL RESOURCES	Long-term impacts on 1,276 acres from minerals and lands activities.	Same	Same
	-	-	Long term impacts on 509 acres due to fencing, if constructed.
RECREATION	Positive impacts on 16,640 acres due to bighorn sheep hunting.	Same	Same
WILDERNESS	None	Same	Same
NATURAL AREAS	None	Same	Same
ACECs	None	Same	Same
FIRE MANAGEMENT	None	Same	Same
SOCIO-ECONOMICS	None	Same	Same

TABLE S-2
SUMMARY OF IMPACTS

old new

RESOURCE	MANAGEMENT GUIDANCE COMMON TO ALL ALTERNATIVES	ALTERNATIVE A NO ACTION	ALTERNATIVE B PREFERRED ALTERNATIVE
LANDS			
ROWS	None	Same	Same
Disposals	None	Same	Same
Permits/Leases	None	Same	Same
ACCESS	None	Same	Same
MINERALS	None	Same	Same
SOIL, WATER, AIR	Long-term impacts to soils on 1,276 acres from minerals and lands actions.	Same	Same
	Short-term impacts to water and air quality on 1,276 acres from minerals and lands actions.	Same	Same
	-	Long-term impacts to soils on 1,784,000 acres from wild horses.	Short-term impacts to soils on 394,000 acres from wild horses.
VEGETATION	Long-term impacts on 1,276 acres from minerals and lands actions.	Same	Same
	Short-term impacts on 37,175 acres from livestock grazing.	Same	Same
	-	Long-term impacts on 250 acres of riparian vegetation.	Long-term positive impacts on 250 acres of riparian vegetation and 3,600 acres of upland vegetation from fencing, if constructed.
	-	Long-term impacts on 1,784,000 acres from wild horses.	Short-term impacts on 394,000 acres from wild horses. Long-term positive impacts on 1,390,000 acres by removing wild horses. Short-term impacts on 509 acres from fencing, if constructed.
FORESTRY	None	Same	Same
WILDLIFE HABITAT	Long-term impacts on 1,276 acres of wildlife habitat from minerals and lands actions.	Same	Same
	Long-term impacts to wildlife at water sources utilized by wild horses or livestock.	Long-term impacts to 250 acres of riparian habitat from wild horse grazing.	Long-term positive impacts on 250 acres of riparian habitat from fencing, if constructed.
	-	Long-term impacts on 1,784,000 acres of wildlife habitat from wild horses.	Short-term impacts on 394,000 acres from wild horses.
	-	-	Long-term positive impacts on 1,390,000 acres by removing wild horses.
	-	-	Short-term impacts on 509 acres from fencing, if constructed.



NEWS RELEASE

U.S. DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT NEVADA

Nevada State Office PO Box 12000 850 Harvard Way
Reno, Nevada 89520

Release Number: 90-21
For Release: January 26, 1990

Contact: Maxine Shane (702) 328-6386
after Feb. 5 (702) 785-6586

NELLIS RESOURCE PLAN, EIS AVAILABLE TO PUBLIC

The Nellis Air Force Range Proposed Resource Plan and Final Environmental Impact Statement is now available to the public.

The Bureau of Land Management (BLM) prepared the plan in response to the Military Lands Withdrawal Act of 1986 (PL 99-606) and a 1988 amendment (PL 100-338). According to Ed Spang, Nevada State Director for the BLM, the proposed plan is designed to direct the management of natural resources on about 2.2 million acres of withdrawn public lands in Nye, Lincoln and Clark Counties.

The Nellis document focuses on the management of vegetation, wildlife habitat and wild horses. Vegetation, especially riparian (streamside) zones, will be managed to maximize wildlife values. On the Nevada Wild Horse Range, horses are to be managed to achieve a thriving ecological balance.

The lands have been withdrawn to test high hazard military weapons and to train military personnel, which limits resource management options. Spang notes the document does not address military uses or impacts within the planning area; those were addressed in previous environmental impact statements.

A unique ecological feature (the Timber Mountain Caldera National Natural Landmark) within the Nellis Air Force Range is being proposed as an Area of Critical Environmental Concern (ACEC). The 110,720 acres is already withdrawn from all forms of public land entry, and the BLM will not authorize or initiate any surface-disturbing activities within the ACEC that would detract from its value as a unique ecological feature.

NELLIS RESOURCE PLAN, EIS AVAILABLE TO PUBLIC -- 22222

Access to the proposed ACEC is subject to Air Force authorization, Spang says.

Copies of the Nellis Air Force Range document have been sent to those who participated in the planning process, and a protest period has been set until March 2. Copies of both the draft and the final plans are available by writing the Las Vegas District Office, BLM, P.O. BOX 26569, Las Vegas, NV 89126 or the Nevada State Office, BLM, P.O. Box 12000, Reno, NV 89520.

Memorandum

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

IN REPLY REFER TO:

4700
(N-053)

Handwritten notes:
12/3/82
Buller

To : State Director, Nevada (N-930)

Date: DEC

FROM : District Manager, Las Vegas

SUBJECT: Solicitor's Opinion concerning Responsibility for Wild
Horses/Burros on the Nellis AFB Bombing Range

Representatives from Nellis AFB have asked if a solicitor's opinion exists concerning responsibility for the horses on the USAF Tactical Fighter Weapons Training Center (formerly Nellis AFB Bombing and Gunnery Range) and Tonopah Test Range. We cannot find (nor are we aware of) a solicitor's opinion on the subject. Have we obtained one in the past? If not, could one be obtained now?

WILLIAM CALKINS
ASSOCIATE

TDriver/eg 12/3/82



United States Department of the Interior

IN REPLY REFER TO

4700
(N-931.3)

BUREAU OF LAND MANAGEMENT

Nevada State Office
300 Booth Street
P.O. Box 12000
Reno, Nevada 89520

	Int	Date	
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WILDERNESS			
WILDLIFE			
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AM SERA			
✓ WH&B CALIENTE			RAC 1/17

← ZERO OF MEMO ONLY, & SEND TO CALIENTE

MEMORANDUM

To: District Manager, Las Vegas (N-050)

From: State Director, Nevada

Subject: Solicitor's Opinion Concerning Responsibility for WH&B on the Nellis AFB Bombing Range

This memorandum is in response to your December 6, 1982 memo regarding the subject opinion. We have researched our files for a solicitor's opinion in this matter and were unable to locate such an opinion. However, upon considering the subject further, I am of the opinion that a solicitor's opinion relating to this situation is not warranted at this time.

Firstly, the Nellis AFB Bombing Range is currently not under a withdrawal of any type. As a result, management of the bombing range is being conducted under the five-party cooperative agreement (copy attached) for the Nellis AFB, Nevada Test Site, and Tonopah Test Site, which was signed in the fall of 1976. This agreement identifies and recognizes the wild horses on the Nellis Bombing Range as being the responsibility of the BLM.

Secondly, the Nevada Wild Horse Range, which is located within the Nellis Bombing Range, has been represented for many years as a BLM administered sanctuary for wild, free-roaming horses. While the Nevada Wild Horse Range is not an officially "Designated Range" as provided in 43 CFR 4730.5, the area has been represented to the public as a preserve for wild horses. As a result, even if a solicitor's opinion was available which considered the wild horses on the range to be the responsibility of the Department of Defense, it would not be politically feasible for BLM to absolve itself of the management responsibility for the animals and their habitat at this time.

Jim J. Grubick

Enclosure (1)
Cooperative Agreement

COOPERATIVE AGREEMENT

PURPOSE AND AUTHORITY:

This five-party cooperative agreement by and between the Department of Defense functioning through the Installation Commander, Nellis Air Force Base (NAFB), under the authority contained in 16 USC 670a-670f, 10 USC 2671, hereinafter referred to as the Air Force, the Department of Interior, functioning through the Regional Director of the U.S. Fish and Wildlife Service under the authority contained in 16 USC 661-667e, 668aa-668cc-6, hereinafter referred to as the Service and the Bureau of Land Management (BLM) functioning through the District Manager Las Vegas District of BLM under the authority contained in the Taylor Grazing Act of June 28, 1934; Wild Free-Roaming Horse and Burro Act, Pub. L. 92-195, 16 USC 1331 et seq and Public Land Administration Act, Pub. L. 86-649, 43 USC 1363, PLO2613 hereinafter referred to as the Bureau, the State of Nevada functioning through the Director, Nevada Department of Fish and Game under the authority contained in Nevada Revised Stat. and Nevada State Board Commission Regulations hereinafter referred to as the Department; and the Energy Research and Development Administration (ERDA) functioning through the Nevada Operations office of ERDA, hereinafter referred to as ERDA is entered into for the purpose of protecting, developing and managing the Natural Resources of fish and wildlife, vegetation, watershed and wild horses and burros on the Nellis AFR, the Nevada Test Site and Tonopah Test Range, within the purview of Public Law 91-190, National Environmental Policy Act 42 USC 4321, 4331-4335 and 4341-4347, Public Law 93-205, the Endangered Species Act of 1973, the Wild Free-Roaming Horse and Burro Act, Public Law 92-195, Taylor Grazing Act, 16 USC 1331 et seq, the Public Land Administration Act, Public Law 86-649 (43 USC 1363) PLO2613, and under the principles of multiple use sustained yield as defined in Public Law 86-517 (16 USC 528-531).

RESPONSIBILITIES

Whereas, the Air Force commander at Nellis AFB has jurisdiction over Nellis AF Range with the exception of the mineral, vegetative and wildlife resources thereon and those portions of Nellis AFR which are within the Desert National Wildlife Range and are used by the Air Force under the existing memorandum of understanding between USDI and USAF, and

Whereas, the Service is the agency of the Federal Government primarily responsible for the welfare of wildlife resources and research thereon with Federal responsibility for the management of migratory birds and protection of threatened and endangered species, and

Whereas, the Bureau is the agency of the Federal Government primarily responsible for habitat and the welfare and management of wild horses and burros, and retains jurisdiction over the mineral and vegetative resources of the land contained on the Nellis AFR, and

Whereas, the Department was created under the laws of the State of Nevada to provide an adequate and flexible system of control, propagation, protection and regulation of all fish and wildlife in Nevada, and

Whereas, the ERDA has jurisdiction over the Nevada Test Site and the Tonopah Test Range and is the agency of the Federal Government primarily responsible for research on atomic energy and other new energy forms, and has trusteeship responsibility to restore, conserve and protect the wildlife habitat thereon, and

Whereas, it is the mutual desire of the Air Force, the Service, the Bureau, the Department and ERDA to work in harmony for the common purpose of developing, maintaining and managing the wildlife and wild horse and burro resources for the best interest of the people of Nevada and the United States. Therefore, it is mutually agreed that:

SECTION I. Joint Activities of Air Force, Service, Bureau, Department, and ERDA.

1. All parties shall cooperate in conducting resource inventory(s) of the area and developing resource management plan(s) for wild horses and burros and fish and wildlife based on the inventory data.
2. No exotic plant or animal species will be introduced on Air Force and/or ERDA controlled lands without the prior written approval of the Air Force and/or ERDA, the Service, Bureau and the Department.
3. All parties shall cooperate in carrying out management decisions and studies as required in the implementation of the resource management plan. Copies of all study data and other reports will be furnished each of the cooperators and one copy each to HQ TAC/DEMM and HQ USAF/PREV, Washington, D.C. 20330.

4. All parties will meet jointly at least annually to discuss matters relating to the management plans. The Base Commander Nellis AFB, will be responsible for calling the meeting.

5. All hunting, and trapping at the Nellis AF Range will be conducted with the concurrence of the Nellis AFB Commander or his designee; will be in accordance with existing Federal safety and security standards; and will be in accordance with Federal and State game laws, the Federal laws taking precedence in the event of a conflict.

6. In addition to State and Federal hunting licenses and stamps, a user fee for on-range hunting may be charged under the authority contained in Public Law 86-797 (16 USC 670f) at a rate determined by the installation commander and concurred in by the undersigned. These shall be accounted for by the Air Force and used exclusively for the purposes of carrying out fish and wildlife conservation aspects of the approved resource management plan which is to be developed for the Nellis AF Range.

7. The use of chemical toxicants for the control of nuisance wildlife species on Air Force and ERDA controlled lands will be in accordance with current State and Federal laws, regulations and policies.

8. Nothing in this cooperative agreement is intended to modify in any manner the present cooperative program with other public agencies, conservation groups or educational institutions, or modify any rights granted by treaty or otherwise to any Indian tribe or member thereof. All parties shall cooperate to develop a technically sound management plan for wildlife and the wild horses and burros on AF and ERDA controlled lands.

9. This agreement may be modified or amended by mutual agreement by the authorized representatives of the five agencies. This agreement may be terminated in whole or in part upon provision of written notice of same by one of the signatories to the other signatories.

10. Supplemental agreements may be developed as required by any or all of the cooperators to cover other programs. This agreement does not supersede any other agreements involving the cooperators that are now in force.

11. All parties shall cooperate in controlling trespass on Air Force and ERDA controlled lands.

SECTION II. Air Force Responsibilities.

Within the limitations of the assigned military mission and the availability of funds and manpower, the Air Force agrees to:

1. Provide access to authorized agents and employees of the Service, the Bureau, the Department and ERDA in the execution of this cooperative agreement unless security or other military exigency should prevent the granting of such access.

2. Cooperate to maintain favorable habitat for species of fish and wildlife and wild horses and burros through the coordination of other land uses as identified in the approved resource management plan.

3. Cooperate to protect and preserve the habitat of threatened and endangered species.

SECTION III. Service Responsibilities.

Consistent with its primary objectives and responsibilities, the Service agrees within the limitation of funds and personnel to:

1. Provide technical consulting assistance in developing fish and wildlife management programs.

2. Make available as requested the services of a Game Management Agent to aid in enforcing Federal Game Regulations.

3. Provide technical assistance in the control of nuisance species and the resolution of special problems that may arise subsequent to the execution of this working agreement.

4. Confirm the existence and habitat of any threatened or endangered species in coordination with the Department and make recommendations for protecting the same.

5. Participate in fish and wildlife census surveys.

6. Further an understanding of wildlife conservation by cooperating in related research to solve field problems and assisting in related training programs.

SECTION IV. Department Responsibilities.

Consistent with its primary objectives and responsibilities and within the availability of funds and personnel, the Department agrees to:

1. Conduct an annual fish and wildlife census to determine yearly population trends and management recommendations for restoring or maintaining resident species.

2. Adjust resident game species or make recommendations for adjustment as feasible to avoid damage to public health, safety and other resource values, and to furnish each year a statement of current state hunting season dates, and all state hunting laws and revisions.

3. Make available, wardens for the normal enforcement of state game laws on the lands controlled by the Air Force and ERDA.

SECTION V. Bureau Responsibilities.

Consistent with its primary objectives and responsibilities, the Bureau agrees within the limitation of funds and personnel to:

1. Conduct an annual census of the wild horses and burros to determine yearly population trends. Take actions necessary for maintaining the wild horse and burro populations at a level determined by the management plan.

2. Conduct studies to determine the condition of the vegetative resource.

SECTION VI. ERDA Responsibilities.

Consistent with its primary objectives and responsibilities, ERDA agrees within the limitation of funds and personnel to:

1. Provide access to authorized agents and employees of the Air Force, the Bureau, the Service and the Department in execution of the management plan and cooperative agreement unless security or personal safety should prevent the granting of such access.

2. Maintain favorable habitat for species of fish and wildlife and wild horses and burros through the coordination of other land uses and accomplishment of direct habitat management improvement measures in accordance with an approved resource management plan.

3. Protect and preserve the habitat of threatened and endangered species.

Public Access:

General public access to Air Force and ERDA controlled lands is not usually authorized for any purpose due to safety and security requirements necessitated by the missions of the two agencies. However, the Resource Management Plan to be developed under the terms of this cooperative agreement, may allow limited public access. Such public access as established by the Plan will be permitted by the Air Force to the Nellis AFR only to the extent that safety and security considerations are not contravened and only when specifically authorized by local authorities of the Air Force. Public access to ERDA controlled areas is not envisioned.

SIGNATURE PAGE

Date 31 AUG 1976

Department of the Air Force

John A. Carter
Commander, Nellis Air Force Base

Date OCT 6 1976

U. S. Department of the Interior
U. S. Fish and Wildlife Service

R. Kahler Martinson
R. Kahler Martinson, Regional Director

Date _____

Nevada State Department of Fish & Game

Glen Griffith
Glen Griffith, Director

Date Jan 21, 1977

U. S. Department of the Interior
Bureau of Land Management

John S. Boyles
John S. Boyles, District Manager

Date Sept 30, 1976

Energy Research & Development Administration

Mahlon E. Gates
Mahlon E. Gates, Manager
Nevada Operations Office

1000
4700

1311 Charleston #3
Las Vegas, Nevada 89104

October 17, 1984

United States Dept. of the Interior
Bureau of Land Management
Caliente Resource Area
P.O. Box 237
Caliente, Nv. 89008

RECEIVED
OCT 22 1984

BUREAU OF LAND MANAGEMENT
CALIENTE RESOURCE AREA
CALIENTE, NV 89008

Mr. R.H. Wolfe
Area Manager

Dear Mr. Wolfe:

Thank you for your letter of October 10, 1984. I'm glad to see you've been concentrating on the Wild Horse problem in the D & C area.

From what I read in the RV today in the article "...to receive roundup funds", it looks like some success has finally been achieved in the long overdue solution to our overpopulation problem. Good luck and good planning!

Guess if people are using family planning because of world overpopulation of humans, why not the wildlife

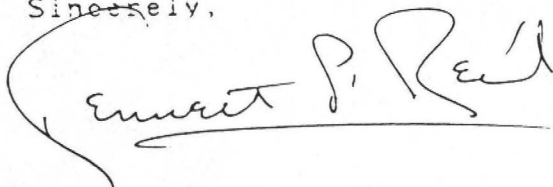
too? Ha! Ha!

If you do settle on October 27 for the next C & C meeting that would be fine for me and I'll look forward to it.

I'm anxious to hear what concrete steps and plans the BLM is thinking about for the implementation of "the great 1985 Wildhorse Roundup".

See you at the ranch house on October 27!

Sincerely,

A handwritten signature in cursive script that reads "Kenneth P. Reid". The signature is written in dark ink and is positioned above the typed name.

Kenneth P. Reid MA

C & C Chairman

Sierra Club rep.

To: NWHR CASE FILE

From: Wild Horse And Burro Specialist

Subject: Summary of events on the NWHR since the HMAP was developed.

Summary of use on the Nellis Range Complex:

198,795 acres severe 17%	319,616 acres severe 28%	165,760 acres severe 15%
177,835 acres heavy 16%	127,424 acres heavy 11%	143,040 acres heavy 13%
259,202 acres moderate 23%	117,568 acres moderate 10%	108,160 acres moderate 10%
244,431 acres light 21%	119,724 acres light 11%	119,040 acres light 10%
257,154 acres slight 23%	453,085 acres slight 40%	601,417 acres slight 53%

Also Utilized [redacted] in [redacted] 1987.

The severe category did go higher in 1986, but that can be attributed to lack of precipitation that would allow for wild horses to move away from areas surrounding the water sources.

[redacted]

During the summer of 1985 three miles of pipeline and four sets of water troughs were installed. This maintenance activity took place at Tunnel Springs, Rose Springs, and at the two sources at Corral Springs.

During the Summer of 1986 one water source was maintained at Camp Springs. Key monitoring areas were selected and utilization studies completed.

During the Spring of 1987 one additional Source was maintained at Camp Springs.

One project (Cedar Wells) has been identified to be maintained during the summer of 1988.

[redacted]

There has been a wild horse removal every year since 1985 on the NRC. During the spring of 1985, 1425 excess wild horses were removed from the west side of the Kawich Mountain Range, and 77 from the east side of the Range. During the Spring of 1985, 285 excess wild horses were removed from the west side of the Kawich Mountain Range, and 534 excess wild horses and 205 excess wild burros were removed from Stonewall Spring, also removed 224 horses and 28 Burros from wild horse Spring; both areas are on the extreme west side of the Nellis Range Complex boundary. The 1987 Excess wild horse round up removed 76 horses from the east side of the Kawich Range, 484 from the west side of the Kawich range 362 from the Breen Creek Reservoir, and 288 were removed from the Pedro Lake area.

The latest wild horse Census was completed during September 1986 at which time there were an estimated 4120 (actual count) wild horses still on the NRC. Of the 4120 counted half roam off the NWHR. The situation also exists with very limited perennial water sources available for the wild horses especially during summer months.

Phillip Colegnath
6/8/88

INTERNAL WORKING DOCUMENT

4700
NWHR
(NV-057.7)

STAFF REPORT

Title

[REDACTED]

Problem

Horses are starting to die at Cedar Wells as a result of lack of water.

Discussion

[REDACTED]

Water samples were taken (results not known). However, I investigated on July 16, 1986 and have determined the deaths to be a result of not enough water for all animals within the area. The new troughs which were installed on June 28, 1986 were working fine and approximately one gallon per minute of water flows into the troughs. Horses did not go readily to the new troughs at first and some horses still are standing around the reservoirs even though there is only a very small seepage of water available for their consumption. When I arrived at Cedar Wells there were close to 200-250 head of horses standing around. Several groups were at each of the three reservoirs and one large group at the new troughs. A lot of the animals showed extreme stress from lack of water, their movements were slow and almost staggering. Their flanks were completely drawn in with ribs starting to show. As I walked through the area, all the animals started to move eastward down into the flat. About 150 head stopped about 3/4 to one mile away and watched. I counted 13 dead animals all of different stages of decomposition. We talked with the Air Force several times about the possibility of them hauling some water to the reservoirs but they refused, on orders from their commander.

*Memorandum*DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENTIN REPLY REFER TO:
4700
(NV-057.7)

TO : Caliente Resource Area Manager

Date: MAY 24 1984

FROM : Range Conservationist/Wild Horse & Burro Specialist,
Caliente Resource Area

SUBJECT: Check on Wild Horse condition and a [REDACTED]

for [REDACTED]
the [REDACTED] items.

On April 26, 1984 Chester Davis, Phillip C. Seegmiller, from the Caliente Resource Area visited the NWHR on the TTR in the accompaniment of Cecil Lang (DOE). The purpose of the trip was to show Cecil areas where maintenance is needed on water sources to bring these water sources back into full operation to provide an adequate supply of water for the wild horse population.

Corral Spring - At this site there are two main spring sources which will be referred to as upper and lower springs. The lower spring seems to be operating fine although there is problems with the amount of storage. The waterflow is approximately one gallon per minute. Also, gravel needs to be placed around the head box to prevent a cave-in which might stop the flow of water. The upper spring needs to be redeveloped, this will require use of backhoe, installation of headbox, pipe, storage tanks, and troughs. If the upper spring was connected to lower spring with adequate storage added it could supply plenty of water for the number of wild horses in the area. Troughs at both sites are old but could be repaired to last for a few more years. What is needed is about a 5-10 thousand gallon tank for storage.

Materials needed: 300 feet of 1½" pipe (plastic), cement and epoxy (one yard of cement), storage tank, 5,000 to 10,000 gallons, valves and connectors.

All water should be collected from source and the overflow should come from the storage tanks.

Tunnel Spring - Needs to be redeveloped to try and get all water available at source. Present flow is just a small amount of approximately ¼ gallon per minute. Additional storage should also be added (2-3 thousand gallons).

Rose Spring pipeline needs to be cleaned out to allow more water down the line. There needs to be storage tanks added to line of approximately 5 to 10 thousand gallons. Water control valves needed to be

added in to line to extend life and better control water flow. Troughs also need to be added to create 1500-2000 gallon storage. Also, there should be an investigation concerning the possibility of extending the line past USAF Site 4 and build capture facilities.

Silverbow - Silverbow seems to have maintenance problems near the source. Lines should be pumped back to source from approximately 300-400 yards down the line with the filter off the source to clean out line. In addition, a trough of at least 1500-2000 gallon capacity with float valves needs to be added to the pipeline. Pipeline should also be extended four to five miles down the old corral road with capture facilities constructed to handle horses for removals.

Phillip C. Seaymiller

Memorandum

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

IN REPLY REFER TO:

4321
(NV057.7)

To : Caliente Resource Area Manager *W*

FROM : Range Conservationist/Wild Horse & Burro Specialist
Caliente Resource Area

SUBJECT: Field trip to the NWHR to conduct utilization studies
and inspect waters, etc.

Date: JUN 4 1984

On April 12, 1984, Phillip C. Seegmiller, R.H. Wolfe, Terry Driver, Rick Orr, Ed Guerrero BLM personnel, in the accompaniment of Ken Mulkey and Dave Gerhardt, USAF Range Group, visited the TTR. The purpose of this trip was to determine 1983 utilization and look at wild horse condition and [REDACTED]

Utilization varied throughout the area visited, but overall use appeared to be in the light to moderate categories. This may be a reflection of two good years with higher precipitation.

Animals sighted appeared to be in very good condition with the exception of some wild horses around Tunnel and Corral Springs which is a reflection of low water output for the number of wild horses in the area. With the USAF shut down of water at the O & M Compound wild horse pressure on other water sources is exceeding the water supply. Also, the pressure from the wild horses on the water facilities where supplies are low results to the detriment of the facilities.

[REDACTED]

p [REDACTED]

- 1) [REDACTED] Both springs need to be redeveloped with additional storage tanks and water troughs.
- 2) [REDACTED] Needs water storage and troughs.
- 3) [REDACTED] Needs troughs and repair to waterline.

Without redevelopment and repair to above-mentioned water facilities available water will not meet the need of present wild horse numbers, which may cause the loss of several wild horses.

Phillip C. Seegmiller

3

NWHR
4700
(NV-057.7)

Handwritten initials and date:
11/1/86

MEMORANDUM

AUG 1 1986

TO: District Manager, Las Vegas District Office
Through: Area Manager, Caliente Resource Area
FROM: WH&B Specialist, Caliente Resource Area
SUBJECT: Resolving Concerns over the Well Being of Wild Horses
and Wildlife on NWHR

~~In view of the problems concerning a shortage of water in the~~ the following Short and Long Range goals will resolve concerns over the horses well being.

<u>Short Range</u>	<u>Amount</u>	<u>Cost</u>
Haul water to Cedar Springs	5,000 gallons every other day	\$200.00/week

Short & Long Range

Develop and/or maintain springs in area. Springs identified in HERAP will cost approximately \$29,000* to become totally functional again.

Develop and/or maintain springs which need concurrence of 5 Party members \$34,200.00.*

Remove excess wild horses down to ANL of 2,000 head, and yearly maintenance of spring sources. A cost of approximately \$85,000.00 for removal, for 1500 head of horses (approximately).

Develop the means to remove the increase to the wild horses population every year or at least every other year.

Implementation costs for NWHR water projects and remaining wild horse reduction \$148,208.

*Figures do not reflect cost of water projects if contract installed. If contract installed, an additional 50,000 would be required. This would bring the total implementation costs for water projects and wild horse round-up to approximately \$198,208.00. If in fact this amount of funding was made available, there would be concerns as to whether all projects could be completed in a short time frame.

Costs of Redevelop or Maintenance of Springs

Finish maintenance of springs as outlined in NWTR HMAP.

<u>Cedar Wells</u>	2 Head Boxes @ 200.00	\$	400.00
	1,000' - 1/14 P.E. Pipe @ .26		260.00
	1,000 gallon trough @ 1500.00		1500.00
	10,000 gallon storage @ 8,000		8000.00
	Misc.		400.00
	4 days backhoe, 8 hr/day @ 35/hr		1120.00
			<hr/>
		\$	1168.00
 <u>Cedar Springs</u>	1 Head Box @ 200.00	\$	200.00
	500' - 1 1/4 P.E. Pipe @ .26		130.00
	500 gallon trough @ 700.00		700.00
	5,000 gallon storage @ 5000.00		5000.00
	Misc.		250.00
	1 1/2 days Backhoe 8 hrs/day @ 35.00/hr.		420.00
			<hr/>
		\$	6700.00
 <u>Silverbow</u>	19,000' 1 1/4 P.E. Pipe @ .26/ft.	\$	4940.00
	1000 gallon trough @ 1500.00		1500.00
	10,000 gallon storage @ 8000.00		8000.00
	Misc.		300.00
	5 days Backhoe 8 hrs/day @ 35.00/hr		1400.00
	Install pipe		5000.00
			<hr/>
		\$	21,140.00
	 GRAND TOTAL	\$	29,008.00

Maintenance and/or development of springs sources which need concurrence of 5 Party Members. These springs were located after the NSHR EMAP was written but are in areas within the NWHR which would, if developed, greatly benefit wild horses and wildlife.

<u>Indian Springs</u>	1 Head Box @ 200.00	\$	200.00
	500' 1 1/4 P.E. Pipe @ .26		130.00
	500 gallon trough @ 700.00		700.00
	5,000 gallon storage @ 5000.00		5000.00
	Misc.		250.00
	2 days Backhoe @ 8 hrs/day @		
	35.00/hr.		560.00
			<hr/>
		\$	6840.00

<u>Cliff Spring</u>	1 Head Box @ 200.00	\$	200.00
	500' 1 1/4 P.E. Pipe @ .26		130.00
	500 gallon trough @ 700.00		700.00
	5,000 gallon storage @ 5000.00		5000.00
	Misc.		250.00
	2 days Backhoe @ 8 hrs/day		560.00
			<hr/>
		\$	6840.00

<u>Wet Spring</u>	1 Head Box @ 200.00	\$	200.00
	500' 1 1/4 P.E. Pipe @ .26		130.00
	500 gallon trough @ 700.00		700.00
	5,000 gallon storage @ 5000.00		5000.00
	Misc.		250.00
	2 days Backhoe @ 8 hrs/day @		
	35.00/hr		560.00
			<hr/>
		\$	6840.00

<u>Unnamed Spring</u>	1 Head Box @ 200.00	\$	200.00
	500' 1/14 P.E. Pipe @ .26		130.00
	500 gallon trough @ 700.00		700.00
	5,000 gallon storage @ 5000.00		5000.00
	Misc.		250.00
	2 days Backhoe @ 8 hrs/day @ 35.00/hr		560.00
			<hr/>
		\$	6840.00

Unnamed Spring

1 Head Box @ 200.00	\$	200.00
500' 1 1/4 P.E. Pipe @ .26		130.00
500 gallon trough @ 700.00		700.00
5,000 gallon storage @ 5000.00		5000.00
Misc.		250.00
2 days Backhoe 8 hrs/day @ 35.00/hr.		560.00

\$ 6,840.00

Sub Total

\$ 34,200.00
29,008.00

TOTAL

\$ 63,208.00

ADMINISTERED
BY CALIFORNIA

WINNEMUCCA
DISTRICT

ELKO
DISTRICT

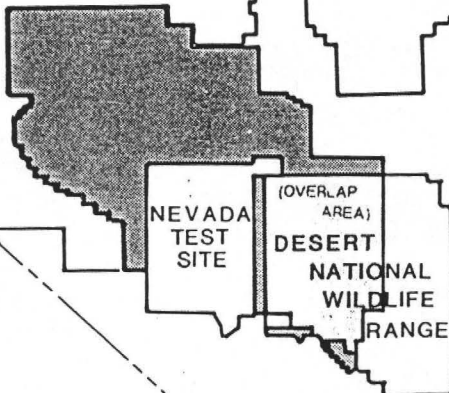
CARSON CITY
DISTRICT

BATTLE
MOUNTAIN
DISTRICT

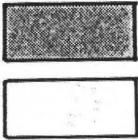
ELY
DISTRICT

MAP # 1

LAS VEGAS DISTRICT



LAS VEGAS
DISTRICT



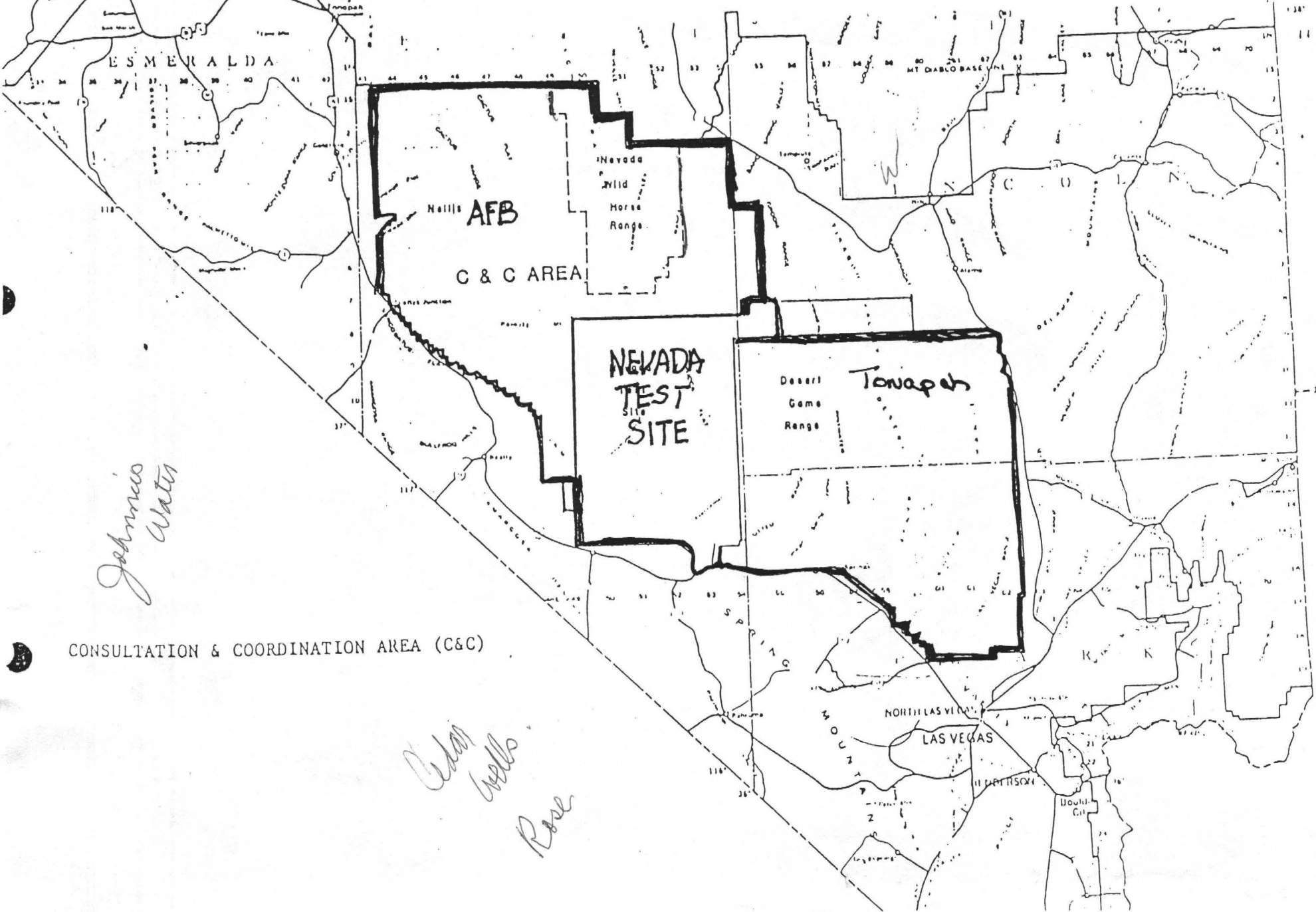
Nellis Air Force Range
Resource Plan

Overlap Area is the part of the
Nellis Air Force Range that will not
be covered by this Plan.

*IT was covered by
the 5-Party Agreement*

NELLIS RANGE COMPLEX / NEVADA WILD HORSE RANGE

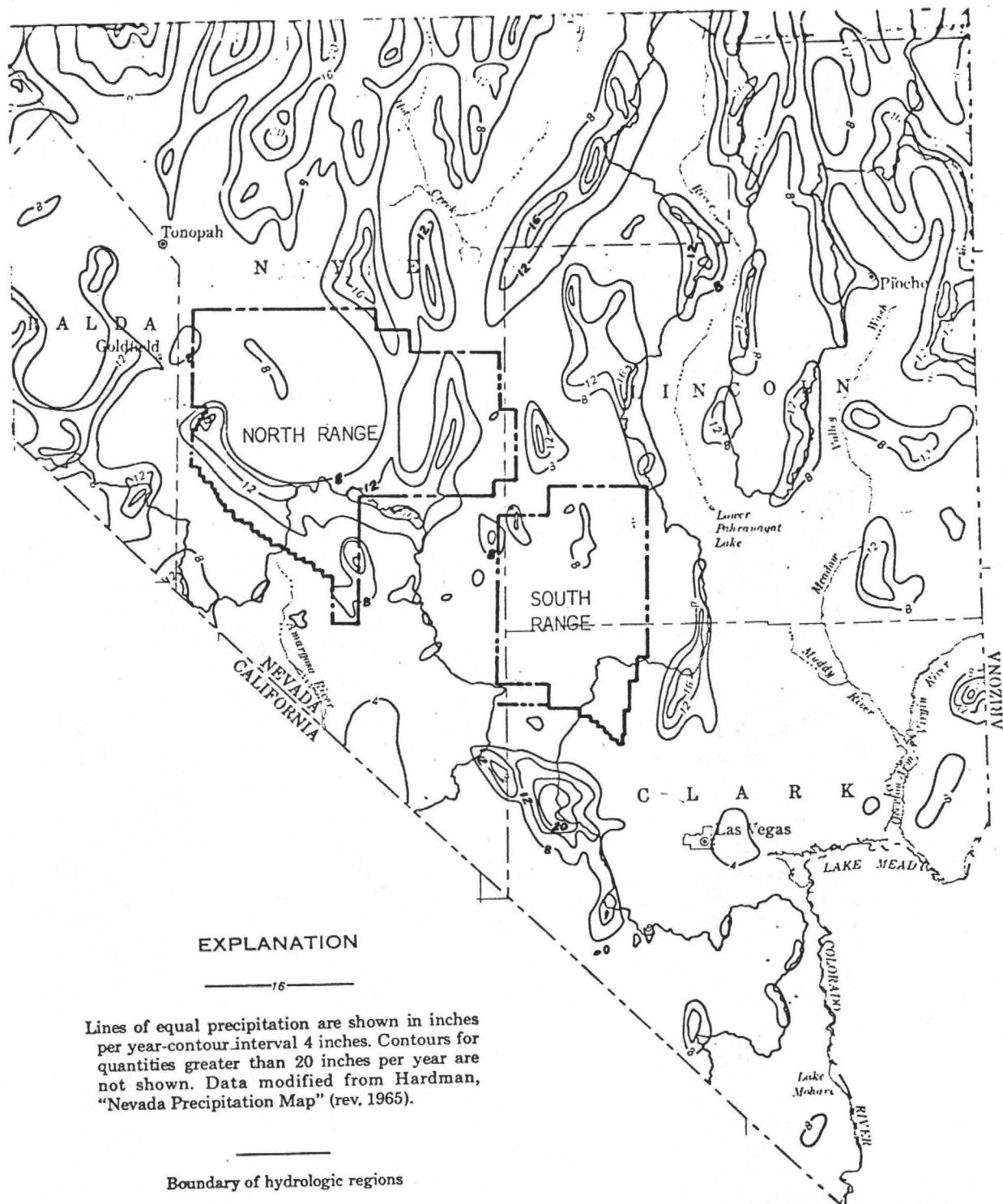
Sheet 1-34



*Johnnie
Water*

CONSULTATION & COORDINATION AREA (C&C)

*Adrian
Wells
Rose*



EXPLANATION

— 16 —
 Lines of equal precipitation are shown in inches per year—contour interval 4 inches. Contours for quantities greater than 20 inches per year are not shown. Data modified from Hardman, "Nevada Precipitation Map" (rev. 1965).

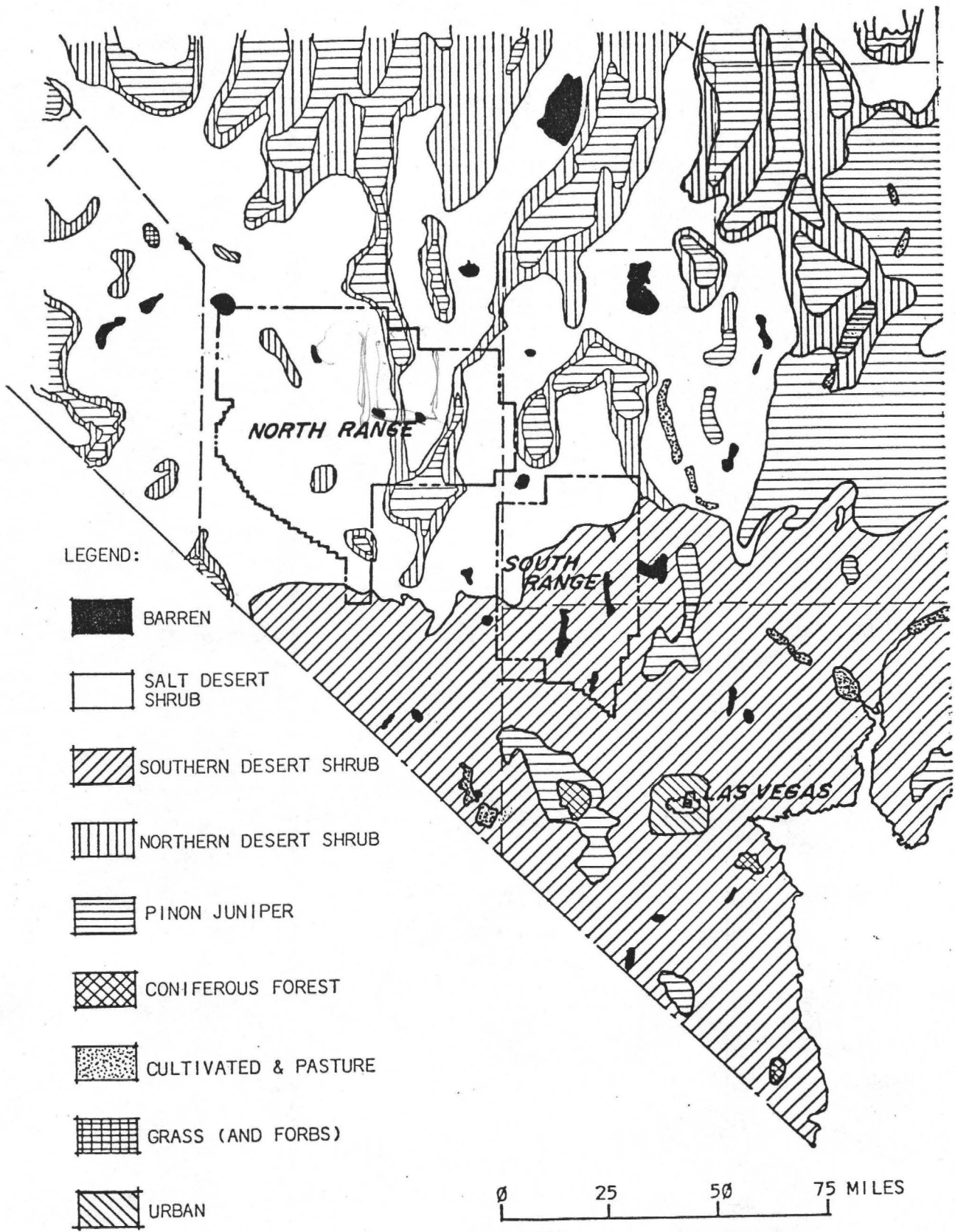
—
 Boundary of hydrologic regions

0 25 50 75 MILES










32 MILES TO THE INCH. APPROXIMATELY

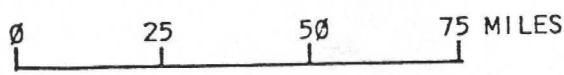
AVERAGE ANNUAL PRECIPITATION

FIGURE 2-1

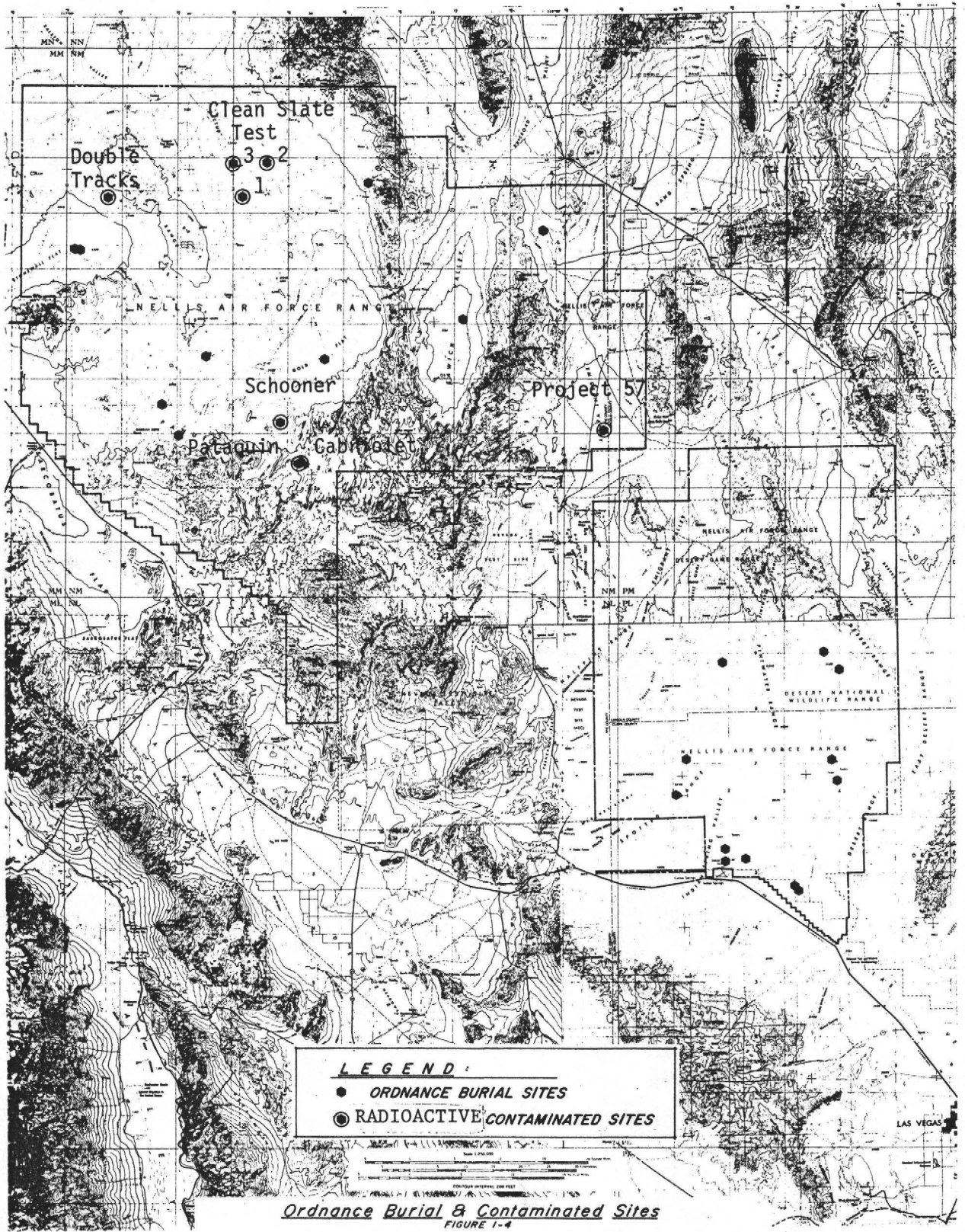


LEGEND:

-  BARREN
-  SALT DESERT SHRUB
-  SOUTHERN DESERT SHRUB
-  NORTHERN DESERT SHRUB
-  PINON JUNIPER
-  CONIFEROUS FOREST
-  CULTIVATED & PASTURE
-  GRASS (AND FORBS)
-  URBAN



VEGETAL COVER MAP
 FIGURE 2-6
 2-18



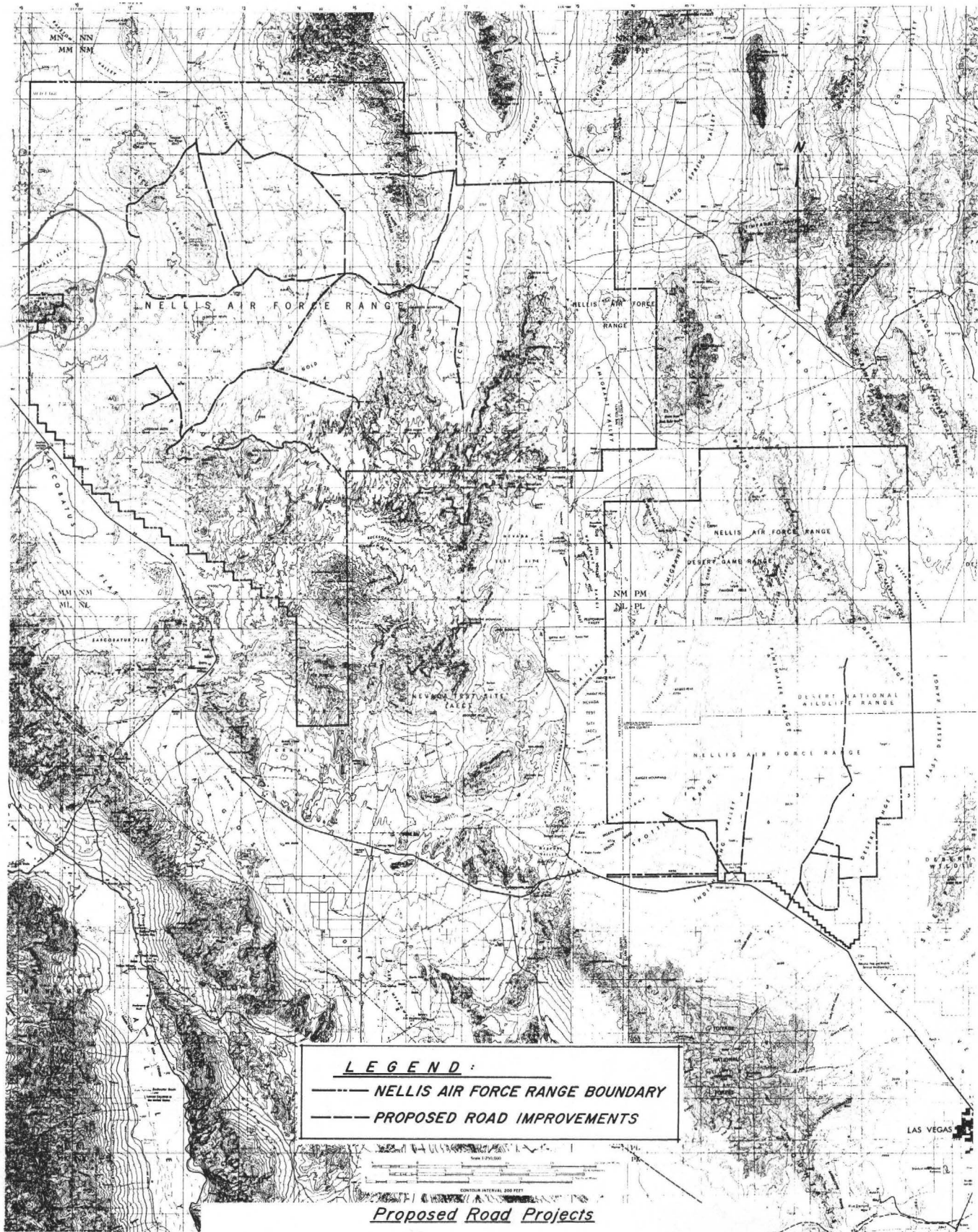


Figure 1-8