

WHOA

WILD HORSE ORGANIZED ASSISTANCE
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6-21-90



... a note from

Dawn Y. Lappin

June 21, 1990

Mr. Curtis Tucker, Area Manager
Caliente Resource Area
Bureau of Land Management
P.O. Box 237
Caliente, Nevada 89008

Dear Mr. Tucker:

Thank you for the opportunity to review and comment on the Draft Nevada Wild Horse Range Evaluation and Draft NWHR EA and Gather Plan.

As an original member of the C & C Committee, WHOA is fully aware of the problems concerning the Nellis Range Complex, both from the agency standpoint as well as the militaries. The issue of the NWHR boundary was not addressed by the C & C Committee, as with all other Districts and all other herd area boundaries, the 1971 delineation was to be determined in the Land Use Planning Process. The Nellis Range Complex has been the ONLY exception. Had groups not intervened in behalf of wild horses, wildlife, and conservation concerns to the Caliente EIS, Las Vegas would have maintained the stasis quo. WHOA has in its' files substantial correspondence from the early 1960's to the present date; most, if not all are either BLM documents, or the Air Force, we did not invent them.

It is of critical concern to WHOA that either BLM did not research its' files or that it chose to ignore what it had. Many areas of historical horse habitat was eliminated in the land use planning due to "conflicts" with other resource values, Nellis is one area where the wild horse is not severely restricted to livestock management fences, and is one of a FEW areas where livestock use ceased. Many herd areas were eliminated during the land use planning process, either because of checkerboard stasis, or conflicts with other resources; with proper monitoring and management, Nellis' wild horses will not conflict with military purposes, nor will they conflict with other resources.

The C & C Committee was promised monitoring, it was promised management; and to my knowledge none of the public members of the C & C were aware that monitoring and management was not proceeding as intended, until the Breen Creek washout. WHOA has

page two-NWHR AE, EA and Gather Plan

been assured by the military that windows of opportunity to gather data or capture would have been provided had it been requested. The problem came about because BLM did not want to make some hard decisions based on the analysis of the data for the EIS and chose instead to maintain the status quo for livestock, with monitoring to stave off politically unpopular decisions until another day. The BLM now finds itself in a trap of its' own design, the public is asking for the monitoring and requiring that decisions be based on monitoring data. WHOA is no different, we insist you follow the law, we insist that your own legal arm IBLA has instructed you how you may proceed in order to reduce wild horse and burro populations. In order to proceed in that avenue you must follow the law and determine the 1971 herd area boundary. We must assume the agency felt that it could escape what every other state, district, and herd area has completed, by default.

Because we challenged you to make that determination, the agency now contends that is "we" who are the problem. The only time WHOA takes an adversary role is when laws, regulations, policies, and memorandums, designed to take politics out of resource management decisions, are ignored. WHOA does not take either intended or implied threats lightly, all of which has been interspersed in this controversy since the Breen Creek washout. WHOA believes we are serving our public's interest that wild horse habitat be preserved in order to protect and manage the wild horse and burro under the mandate of Congress. I find it appalling that the BLM has spent countless dollars and time trying to amend or repeal the Wild Horse Act instead of gathering the data necessary to do the job; now accuses the interested public of trying to inhibit management. When in fact all our challenges are for the agency to do their job.

In conclusion, WHOA supports and requests the Commission for the Preservation of Wild Horses for the State of Nevada comments be made a part of our comments. WHOA supports the continued collection, analization and interpretation of data. Furthermore, WHOA will support the removal of excess wild horses from the Nellis Range Complex, down to that level, which will achieve proper utilization of the water and vegetative resource in the entire area currently occupied by wild horses. WHOA will not support and will take all necessary actions to prevent the removal of wild horses which is based on a geographic boundary that is "legally" being contested. WHOA supports the short term objectives of the HMAP, but only so long as they apply to the entire Nellis Range Complex until the 1971 herd area boundary has been resolved.

page three-NWHR AE, EA and Gather Plan

WHOA strongly objects to condition criteria, unless the Bureau adopts statewide policies on all grazing animals. At the very least we would object until such a time as evidence would prove that what is normal in a domestic horse, is normal in a wild horse population. We insist that if a norm is to be established as to condition that BLM monitor through necropsies and/or blood work of deformed animals, that are otherwise healthy, but must be destroyed. The necropsies of a small percentage of animals captured does not indicate the health of the entire herd, and that is simply applying reason.

Mr. Tucker, the controversy regarding the 1971 herd area boundary started with the land use planning and was never addressed appropriately by the agency. The controversy regarding management started when the BLM took a Christmas vacation in the middle of a "so-called" emergency, and suspended the monitoring of the water resource. An "emergency" that developed in early fall was not resolved until January.

WHOA hopes that lessons have been learned by both sides, that 1) you recognize our legal responsibilities, and that we 2) recognize your physical/fiscal limitations and work together to resolve both. If BLM truly understands its' mandate by Congress and the courts, you will recognize the 1971 herd area is not properly supported by your AE, that we have no choice... but to challenge the elimination of critical habitat. Then apply your monitoring to the entire Nellis Complex, so that management can begin, until such time as the boundary dispute is resolved by the powers that be.

Most sincerely,

Dawn Y. Lappin (Mrs.)
Director

cc: David A. Hornbeck
Board of Trustees