

6/24/82

*I believe
1982 document.*

Environmental Assessment
for
Wild Horse Herd Management and Capture Plans
for the USAF Fighter Weapons Center Range Complex
NV-050-2-32

I. Purpose of and Need for Action

The purpose of this Environmental Assessment (EA) is to analyze the impacts of the Wild Horse Herd Management and Capture Plans to be operational on the Nevada Wild Horse Range and Range Complex (see attached map). A need for action has been determined through on-site observations and utilization studies which have shown this area to be in various stages of range deterioration.

II. Introduction

The Nevada Wild Horse Range (NWHR) was established in 1962 to meet the demands of a concerned public for a refuge for wild and free-roaming horses. Since its inception, the NWHR's wild horse populations have gone virtually unchecked and herd management has been non-existent. In 1977, inventories were initiated to begin a population census of animal numbers in the area. Current (1982) populations are estimated, based on those censuses, at 3500-4800 animals. In 1979 and 1980, utilization and apparent condition and trend studies were initiated. These studies have indicated overutilization of forage and damage to the range resource; intensity of use being relative to distance from water.

Three herd units are now recognized. These are Kawich, Stonewall Mountain and Goldfield. The horses found in the Kawich HMA have expanded into Cactus Flat, an area used by USAF and Sandia Corporation, a contractor for D.O.E., for optics testing. The horses in the Stonewall Mountain and Goldfield areas have expanded into aircraft weapons testing areas. For location of these areas refer to the HMAP map.

The need for wild horse management in these areas has been identified by both the Bureau of Land Management (BLM) and the United States Air Force. This EA is written in conjunction with the Wild Horse Management and Capture Plans. These plans should be referred to for detailed description of the present situation and management objectives.

III.

This EA is written in conformance to and in accordance with Public Law 95-195 as amended by Public Laws 94-579 and 95-514.

Description of the Proposed Action and Alternatives

A. Proposed Action

The proposed action is to manage desirable numbers of wild horses on the Nevada Wild Horse Range and Range Complex in Nye County, Nevada. This action, to be initiated over a three-year period, entails the removal of 2,000 animals from three herd areas, funding permitted. Those animals removed will be made available to the public for adoption. Monitoring studies will be established for determining future numbers capable of being supported by the forage resource in the area. Once determined, populations will be maintained through herd management. A herd management plan and a capture plan have been developed for this area.

VI. Signatures

Prepared by:

3/29/82
Date

Anna R. Rubin
Anna R. Rubin, Range Conservationist

Reviewed by:

4-1-82
Date

William T. Combs
William T. Combs, WH&B Specialist

4/1/82
Date

Cheryl L. Hoke
Cheryl L. Hoke, Environmental Specialist

4/2/82
Date

Marta L. Witt
Marta L. Witt, Writer/Editor

5/6/82
Date

Darwin C. Anderson
Darwin C. Anderson, Area Manager

Approved by:

6/24/82
Date

Kemp Conn
Kemp Conn, District Manager

UNITED STATES GOVERNMENT

Memorandum

6854
(N-600)

Kel
12/1

TO : State Director, Nevada

DATE: September 25, 1970

FROM : District Manager, Las Vegas

SUBJECT: Horse Range Problem - Sensitive Issue

During a special meeting with you, part of your staff and George Lea of W.O. on September 17, 1970, I reported some critical problems connected with the Mustang range in Nye County. I consider the matter to be an extremely sensitive issue.

I am enclosing a copy of the notes made on the meeting with members of the Nevada Section of the National Mustang Association and representatives of Nevada Fish and Game on September 15 in this office. Also enclosed is a suggested notice, for your signature, to AEC, Sandia Corp, Nellis Air Force and Nye County Commissioner reporting problem on the horse range.

I suggest that as soon as possible an opinion be requested from Mr. Aho as to BLM's jurisdiction on (1) the horse range (2) the bombing range.

As we discussed in your office, I believe we should proceed as soon as possible to set up a meeting with the Air Force and AEC to discuss BLM authority and provisions to carry out its responsibility for vegetation, elimination of livestock trespass, possible fencing program, etc. The above suggested notice to them alerts them of the problem prior to a meeting.

We propose to proceed with a plan to cooperatively rehabilitate some of the waters in the Kawich range the weekends of October 24 or 31 if weekdays can not be arranged. We would maintain Tunnel, Corral, Pole Rose, Cedar Pass and possibly White Spot springs. We would do this from our project maintenance funds, if you approve, and if other excess funds are not available. We would probably get some manpower from Mustang Association. Battle Mtn. District did not indicate an interest in cooperating. If access cannot be gained during week we will need approval for weekend overtime for FA crew and several others, (possibly 6 or 7 total). By rehabilitating these waters we would hope to spread the distribution of the horses back on more of the horse range. They are now watering mostly at Silver Bow and waters north of the horse range.

The Mustang Association will ask Nye Co. Commissioner for permit to move some horses from concentrated area. This will be up to whatever they can work out with the County Commissioner. They would coordinate with Velma Johnson's group, Pontrelli, Humane Society, etc. They recognize the problem



March 25, 1970

largely due to cattle trespass but know that it will take time. Their relocation arguments are to alleviate concentrated range damage and to reduce possible winter kill, this winter.

The Mustang Association took their film to Rene last weekend and showed it to Velma Johnson and others. They are using it where ever possible to point out that the horses are in trouble, livestock encroachment, over use and deteriorated water. Their conclusions are in keeping with our observation on the range, also see attached copies of reports made to you of May 11, 13 and 14 pertinent to this matter. I strongly feel that our immediate interest and action in the matter is necessary.

Encls.
As stated

Annis Estes

UNITED STATES GOVERNMENT

Memorandum

4700
(N-053)

9/5
9/6
9/6
9/6

TO : State Director, Nevada

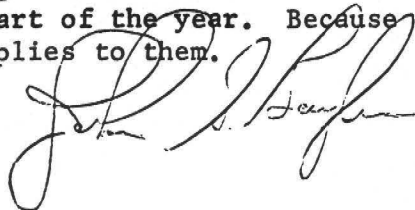
FROM : District Manager, Las Vegas

SUBJECT: Meeting with Nellis Air Force Base

DATE: September 4, 1973

We have arranged a meeting with Nellis Air Force Base for October 4, 1973 to discuss problems and management of the mustang range. The meeting is scheduled for 1:00 p.m. in our office. Major Carder, who is apparently in charge of coordinating activities for this area, will attend along with a couple of others from Nellis.

We would appreciate your advise as to the position we should take concerning our role in management of this area. We believe most of the horses on the mustang range use national resource lands in the Battle Mountain District for a part of the year. Because of this, we feel that Public Law 92-195 applies to them.



Mustang Meeting

The meeting was held at the Las Vegas District Office on September 15, 1970 from 4-6:30 p.m. The meeting was held at the request of the Nevada Chapter of the National Mustang Association to report on the Mustang Range.

BLM was represented by:

Dennis E. Hess, District Manager
Frank Bingham; Chief, Div. of Resource
Management
David J. Walter, Esmeralda Area Manager and
James Brunner, Range Staff Officer

NMA was represented by:

Walter E. Clutts, President
Richard O. Baker, Pilot
Jerry Hughes, Director
Carlos Black, Director
John L. McCormack, Director
Ellis LeFevre, Vice President

Nevada Fish and Game was represented by:

John Donaldson, Regional Manager
George Tsukamoto, Big Game Technician

The Mustang Association had recently completed a 2-day tour of the U. S. Department of Interior Mustang Range in Nye Co. President Clutts showed a movie they had made showing numerous horses filmed from their airplane. There were films made on the ground of the water holes, all of which require immediate maintenance or rehabilitation.

The group camped at Silver Bow and toured in pickups the west side of the Mustang Range plus the area north in the Battle Mtn. District. They counted 560 horses plus 60 colts. Wackenhut personnel have previously estimated 550 horses. The horses were mostly in the valley and foothills west and north of the Mustang Range.

This concentration related to available water and grazing pressure from cattle. They reported on the following waters:

Tunnel Spring - dry or nearly so. Needs a collection box.
Corral Spring - nearly dry, needs collection box.
Pole Spring - pools not deep enough. Needs work.
White Spot - not visited.
Cedar Pass - no water in pipeline.

They stated the area was very dry, little or no growth of grasses this year. Feed is exhausted for several miles around water. Range badly cut up with trails.

Mr. Clutts suggested, because of the poor water and feed conditions, that about 100 horses be relocated this fall. They fear heavy death loss if the winter is only moderately severe. The Mustang Association does not plan to make money from any relocation, in fact, past experience has shown they lose \$250-300 per horse captured. Mr. Clutts has discussed herd reduction philosophy with Mrs. Velma Johnson and stated she agreed in principle that herds must be kept in balance with range.

The NMA propose to relocate horses on other portions of range, sell some to horse lovers. Use the Amaru private fenced pastures for horse use. They said they take formal possession of the land and grazing privileges on January 2, 1971. Mr. Hess pointed out that compliance to written requirements and approval by BLM must occur before Amaru public range could be used in any way.

(NSO Range Specialist has stated that 2,500 head of cattle were counted on the Sandia Area (Colvin Cattle Co.) in either June or July, 1970.) Floyd Lamb cattle, estimated from 700 to 1500 head, make continual use of Kawich Valley. He has recently made extensive water developments in this area as far north as Cedar Wells without authority.

Both NMA and Fish and Game recommended relocations of horse numbers.

Priority jobs were decided to be:

1. Water maintenance to allow better distributions of horses.
2. Reduce horse numbers on area of concentration.
3. Reduce cattle trespass.

Mr. Hess reviewed the large public relations problem which developed on the Pryor Mountains and pointed out the sensitive potential of this situation. He suggested that the Humane Society, Velma Johnson's group, and County Commissioners all be aboard. Mr. Hess indicated that BLM would probably not oppose some relocations of horses to balance with the carrying capacity of the range. He will furnish a letter to Nye County Commissioners, AEC, USAF, and Sandia Corp. Pointing out the deteriorated condition of the range and waters resulting from the trespass cattle use plus concentration of horses in a restricted area mostly outside of horse range.

As to water maintenance, it was decided to try to get authority for BLM equipment and materials from Las Vegas and Battle Mountain for the weekend of October 24-25 or October 31-November 1. NMA will furnish 25 or more persons to assist. BLM would cooperate to extent possible to open waters not now available to horses.

Mr. Walter suggested that Dr. Pontrelli be invited to visit the Mustang Range to observe conditions and thus inform I.S.P.W H.&B.

Mr. Hess requested that any publicity be directed to water development. BLM will handle all publicity with the cooperation of NMA & Nevada Fish and Game.

The following preliminary contacts are planned to be made by:

A. Nevada Chapter of the National Mustang Association.

- (1) Mrs. Velma Johnson Weekend of September 19-20
- (2) Dr. Pontrelli - UN Reno Weekend of September 19-20
- (3) Colonel Gerard - Range Officer - Nellis Air Force Base
- (4) National and Nevada Humane Society
- (5) Brand Inspector
- (6) Sandia Corporation
- (7) AEC

B. BLM

- (1) Send Nye Co. Commissioners BLM Statement of range conditions
- (2) Battle Mountain BLM & NSO
- (3) Nellis A.F.B. - Base Commander Statement of water and range conditions.
- (4) Sandia - Statement of water and range conditions.
- (5) AEC - Statement of water and range conditions.

C. NF&G

- (1) In House coordination
- (2) Pontrelli

The group will make contact again on September 25, 1970, to discuss progress.

Respectfully submitted,

James R. Brunner
James R. Brunner

Walter E. Chubb N. M. A.
Jim Brunner B & M.

Richard O. Baky N. M. A. Pilot

Jerry E. Hughes N. M. A.

Charles Black N. M. A.

John L. M. Connack

Ellis L. Fere Vice Pres.

George Johnson

N F & G

John Donaldson

N F & G

DENNIS E HESS

BLM

DAVE WALTER

BLM

FRANK BINGHAM

BLM

4112.18
(N-600)

State Director

May 14, 1970

District Manager, N-5

Inventory of Potential Wild Horse Ranges

This is in reference to your subject memo of May 6, 1970 and my telephone conversation with Martin Buzan of May 11, 1970.

I have reviewed potential wild horse ranges in this district with my staff. There are several areas of suitable habitat in the district where ferral horses exist and thrive, other than our existing horse range. These areas however are all within existing grazing allotments or Sec. 15 leases. Grazing rights or leases would have to be extinguished and areas fenced to be set up as horse range. Related areas suitable to development for replacement forage are limited. Clearing and seeding areas may cost about \$40.00 per AUM. Privileges could be purchased for \$10.00 to \$12.00 per AUM.

The Lancaster Allotment under option to the Mustang Association is not fenced, is surrounded by other cattle allotments, is partly a common use allotment for another user. Standing lone, it would have many many problems to overcome to be used as a horse range.

The area that seems to have the most potential and suitability is our existing horse range. There is a substantial population of horses in the northern portion of the range and areas adjacent to it. In actuality, the bulk of the horse range is either not used or is lightly used by the horses. The bulk of the horses heavily use the north end of the Kawich range, and the valleys on the east and west sides. This is mostly outside of the horse range and partly outside the bombing range boundaries. Horses would no doubt make much greater use of other portions of the horse and bombing range in the absence of heavy use of trespass livestock and with the availability of improved water. With these two factors changed, this area could support many many more horses.

There would be a distinct advantage in extending the boundaries of the horse range north outside of the bombing range. Besides that fact that horses are prevalent in this area, the public and management would have ready access. This would provide at least a portion of the range and horses for public observation and would provide some additional protection for the horses on the portion within the bombing range.

Our suggestion is that we expand the size of horse range within the bombing range, and include the north end of Kawich range outside of the bombing range, make a unified effort to eliminate trespass cattle from within the bombing range, proceed to set up the management plan for the area including water developments.

This could be the largest horse range and support the largest number of horses in the country. Grazing rights are already extinguished within the range. It is possible that the Battle Mtn. District would have potential development areas for replacement forage for the livestock rights removed from the north end of the Kawich range. We have only briefly discussed this matter with Battle Mtn.

Attached is a map showing suggested enlargement of existing horse range. District personnel recently visiting the horse range counted more than 400 horses within the area shown in orange. They feel they saw only a portion.

DEHess/bad

RECEIVED
Dir. of Land Management
NEVADA LAND OFFICE

REPORT OF INSPECTION OF MUSTANG RANGE

September 6, 1969

10:00
A.M.

OCT 1 1969

Dave Jelter, Malcolm Charlton, Art Tower, Jim Brunner

NEVADA STATE OFFICE

RENO, NEVADA

We entered the Mustang Range at about 9:00 a.m. from Silverbow on the road in Section 3, T.13., R.49E. Four antelope were sighted, two just west of Silverbow and two east of Silverbow.

The flat in Section 10-14, T.13., R.49E., is 4 Artr-Hija (about 12 acres/AUM). We proceeded to Pole Spring which is four miles from the cross roads in Section 14. The rating deteriorates rapidly, going to 30 acres plus. From the tracks, there are about fifty head of horses watering at Pole Spring. The corridor from the flat to the spring is heavily over used. Pole Spring is back in the trees about one mile. In a small open sagebrush area are two springs about 75 feet apart. They consist of pools about 12 feet across and 8 inches to 12 inches deep in the center. They are currently adequate. (If necessary to develop, the area should be fenced with a pole corral. Dip out and place a spring box in each spring, pipe to a reservoir below them.)

We then returned to the cross roads in Section 14 and drove to Tunnel Spring. The range grasses improves in Section 25 (same township and range) and then becomes a 13 Atco-Chvila (40 acres plus) near the spring.

Tunnel Spring was developed in 1967 by BLM. It consists of an old tunnel, partly closed with railroad ties, piped about 100 feet with one inch plastic pipe to a steel trough 18 feet by 2½ feet. A small flow of water is not visable for measuring. A small overflow pit is available but the trough evidently seldom overflows. This installation is satisfactory.

Out on the Test Range, six to eight miles east of the Mustang Range were 60 to 80 horses or cattle, too far away to be sure.

Southwest of Tunnel Spring were 9/7/10/4/1/2 = 33 head of horses. Four were cattle, one was a lone stud.

Corral Spring is a hole dug into the ground, piped about 750 feet to a steel trough as at Tunnel Spring. The plastic pipe was broken about 5 feet from the trough and the water (1 gpm) is flowing into a large overflow pit. This is barely satisfactory. A spring box should be installed and the pipe repaired and buried with rocks to protect it.

The little spring 1.4 miles southeast of Corral Spring was not examined.

The vegetation changes from 13 type to 4 type about one and one-half miles south of Corral Spring. In general, the 4 type contains 3-5 per cent grass. Carrying capacity is low.

We then proceeded to Cedar Pass to the trough on the old Wild Horse Ranch pipeline. This line was re-laid (one mile of one inch plastic pipe) in 1967. The trough is dry. There is so little grass in the area that it is recommended that this water not be repaired until 1972 fiscal year.

We proceeded east through Cedar Pass. The mountain to the south is sheer rock and pine trees. Possibly some water exists, but no horse feed.

We took the road by "restricted" (on the map) and went south. No road could be found to the first spring marked. The second spring has not been developed but chukkas indicate water is present. There is an old horse trap just north of the first summit, between the two springs. The area has been heavily used by horses in the past, but is not used at present. Possibly this is winter country. Rating is 80-100 Acre/AUM.

We proceeded south to the junction 3.3 miles north of Gold Reed. About 2 miles north of this cross roads the vegetation changes from 4 to 13 type. Carrying capacity doubles immediately. We proceeded north through the 13 type which varies from 5 Acres to 20 Acre/AUM. We went to Cedar Wells. No horses were seen east of Cedar Pass, by the way.

Cedar Wells is a pit from which an ancient steel pipeline goes to a 15'x4' metal trough. There is five feet of water in the pit but the pipeline is dry. It was fixed in 1967. About 200 feet east of the trough is an open 8'x8'x8' pit with sheer sides with about 4' of water in it. This is a hazard. There is little grass in the area and it is weak. The advisability of developing this water is doubtful since cattle from the east would be pulled into the area.

We then proceeded to Cedar Spring. This was an old headquarters, now fallen down. Water can be heard running, probably into the pipeline to Cedar Pipeline Ranch, 8 miles east. The trough below the spring is dry and the trough in the corral is dry. Cattle were seen to the east.

We went to Cedar Pipeline Ranch. The area for two miles around the ranch is mostly halogeton.

We went southeast on the Antelope reservoir road. The vegetation improves, finally becoming pure white sage (4 acre/AUM). There are two new reservoirs north of Antelope Reservoir (see map). We proceeded to the big playa south of Lamb Pond, then across southeast. There is a large wire mesh corral on the east edge of the playa. It contained about 25 very good horses, mares and colts, plus three top riding horses. The mares had manes four inches long.

We proceeded east up a new road over over-grazed country to the Cliff Spring Road. We counted about 122 head of cattle between the Cedar Pipeline Ranch and Lakes Pond, all west of the road, around north of the Belted Range. It was dark by this time.

We returned to Las Vegas.

In summary, the present waters appear sufficient. The horses are mostly on the AEC, west of the Mustang Range. We saw none east of Cedar Pass. We saw no cattle west of Cedar Pass. The cattle are on the reservoirs in Kanitch Valley. There is ample feed in the flat for the numbers of horses we saw.

James R. Brunner
James R. Brunner

JRBrunner/mb

cc: ✓ JSD

Fish & Game
Battle Mtn. District
Verna Johnston
Tom Holland
Ed Clutto

4700.
(N-930.1)

4/24/73
B 4/15

APR 30 1973

District Manager, Las Vegas (N-050)

Assistant
State Director, Nevada

Wild Horse Range - Nellis Bombing and Gunnery Range

Reference is made to your memorandum of January 16, on the above subject. Enclosed is a copy of the Management Plan for the Nevada Wild Horse Range which contains a copy of the cooperative agreement for the Wild Horse Range. It is our understanding that the agreement has never been effective, even though signed by both parties. The Management Plan has never been put into effect or released to the public.

The Director's Office is currently negotiating an overall agreement with the Air Force regarding the Nellis Bombing and Gunnery Range. The area within the Wild Horse Range will be a part of that agreement. The agreement, if consummated, must include consideration of wildlife and livestock as well as wild horses. Since the Director's Office is currently working on such an overall agreement, you should not contact the Air Force or AEC pending completion of the agreement.

/s/ Roger J. McCormack

Enclosure:1
Management Plan

cc:
Director (330)

MLDeSpain:mc 4/26/73

CENTRAL FILES



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
301 E. Stewart Ave., Box #3
Las Vegas, Nevada 89101

4500
(N-053)

August 28, 1973

Mr. James N. Pickett
President & Director
Wild Horse and Burro Care Program
23 Lexington Drive
Las Vegas, Nevada 89109

Dear Mr. Pickett:

We refer you to Major Carder, Nellis Air Force Base, to obtain permission for entry onto the Bombing Range. Maj. Carder's phone number is 643-2185. We would like to remind you that any range improvement or development work done either on the horse range or on national resource lands must be authorized. We are presently not in the position to enter into cooperative agreements for range improvement work for wild horses and burros. We feel it is important to complete our inventory to determine how many animals exist and their location. We also feel that management plans must be developed in order to provide for the best needs of these animals.

If possible, we would like to have a representative from this office accompany you in the inspection of the horse range. We are also very much interested in the conditions that exist there and feel this would be an opportune time for us to jointly inspect the area. If this would meet with your plans, please contact me so that we can make the necessary arrangements.

Sincerely yours,

John S. Boyles
for John S. Boyles
District Manager

January 27, 1971

BOMBING RANGE MEETING
BLDG. T-2
NELLIS AFB, NEVADA

The meeting had been called by the Air Force for 3 p.m. Col Drake chaired the meeting.

Present were:

BLM - George Lea, Ed Spang, Ross Ferris, Dennis Hess, Jim Brunner
AEC - Gen. Hillyer, Col. Marks, Mr. Eppley
AF & GSA, Washington, D. C. - Mr. Mooney, Mr. Lungert, Mr. Rainey.
AF, Nellis - Col. Drake, Col. Frost, Maj. Daniels, Col. (lawyer),
Capt. Tucker (law), plus 8 or 10 others
BSW&W - Roger Johnson

Col. Drake stated the purpose of the meeting was to discuss the Bombing Range and the cattle trespass problem. BLM had made a staff study which had been earlier presented to the Air Force for their consideration. Maj. Daniels gave a brief history of the trespass problem. The Air Force inherited the cattle when they took the land in 1949. In 1954 some \$500,000 were paid for water rights to extinguish grazing on the Range. A map showing the areas of use of the 6 persons who graze on the Range was exhibited. Have had mining encroachment (which has been quieted) but still have cattle encroachment. The Mustang Range is located within the range. Wildlife such as antelope, deer, and bighorn sheep use the area. A court injunction has been issued requiring the cattle to be removed. Although conferences with the U. S. Attorney have been held, no further legal action has occurred.

Col. Drake said we hope today to get a consensus of direction of further action. GSA has been requested to try to cut each agency's land holdings by 10%. They are reviewing land use and needs. The District of Columbia people are here reviewing Nellis' need for the Bombing Range.

Col. Drake said the principles of AF policy are: (1) to retain present boundary and (2) no decrease in size of the Range. They are considering a physical barrier where trespass occurring. (3) How to control the mustangs to proper numbers for the range. This area has been designated for mustangs, so the cattle must be removed.

Col. Drake asked the group to consider some means to discourage and control trespass. If a physical barrier is involved, the cost of construction and maintenance is important and how it can be financed is essential.

Mr. Ferris' figures of the cost of fence construction were thought to be a more accurate figure than the AF's figure since BLM has had major experience. Mr. Ferris stated that BLM's major concern is our total responsibility to manage the ranges outside of and adjacent to the Range. Currently it is virtually impossible to manage our lands because of the continued drift back

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and forth across the line. BLM is looking for a solution. The problem appears to be that people are licensed on BLM lands just outside of the Range and cattle drift is continuing, admittedly much of it with the assistance of horses and riders. BLM is in total agreement on the need for a fence. One alternative in the Staff Study considered licensing the cattle within the Range. If this is not feasible, a fence would make enforcement possible. Major Daniels stated that innocent trespass by persons and groups would also be halted.

Col. Drake noted that it appeared that a physical barrier was essential. How the fence could be funded for construction and maintenance should be considered. Mr. Spang stated that Nevada is, by state law, an open range state. If a landowner does not want livestock on his private land, he must fence against them. Under this principle, it would appear to be the primary responsibility of the AF-AEC to construct the fence. Should BLM become involved in the construction, BLM would not want to divert its appropriations for this purpose because this money is already earmarked for specific projects through 1973 FY. BLM may submit a request for additional appropriations for this purpose.

Col. Drake noted the Staff Study indicated the lost revenues could pay for the fence. Mr. Ferris replied that this figure is not valid unless grazing is allowed and paid for inside of the Range. Cattle licensed outside of the range are now being paid for. There is no additional feed on BLM land to take care of the cattle running on the Range. A barrier would assist our intensive management outside of the Range.

Col. Drake asked if Senator Lamb was drifting onto the Range.

Mr. Hess replied that Senator Lamb had no BLM use adjacent to the range and trucked or drove his cattle in and out.

Col. Drake asked if the others outside would then be able to run less cattle.

Mr. Hess thought this would be the case. These persons are licensed outside but have additional numbers which run on the Range. Estimated that Burns may have 25 head drift, Moser possibly 25, Colvin 3,500, Lida 100, Lamb 700-1,500, Arcularis 1,400, Clifford 1,500, Fellini 600.

Major Daniels asked how much income per year outside and could this be used for fence? Can't BLM require the range user to fence as a condition to running outside of BLM?

Mr. Ferris pointed out that BLM can and occasionally does this on lands under the Taylor Grazing Act. The Bombing Range is not under the Taylor Grazing Act, therefore BLM cannot require such a boundary fence, being statutorily incompetent to do so. Col. Drake said it looked as if BLM and AF must budget to accomplish the fence.

AF: Perhaps a Red Horse project would be the answer.

Gen. Hillyer: Has AF considered grazing under license on the Range.

Col. Drake: AF does not want cattle grazing on the Range.

Col. Frost: There are many precedents for loss of Ranges through other uses creeping in. Regardless of any other item, if grazing use is permitted, we will lose this Range.

Major Daniels: Maintenance may be a problem.

Mr. Spang noted that when and if the boundary of the Range is fenced, BLM will have a tremendous investment needed to intensify management outside to try to take care of the cattle removed from the Range.

Major Daniels asked if BLM would accept responsibility for maintenance of the fence.

Mr. Ferris replied that he had not the authority to commit BLM. He pointed out that BLM lands contain thousands of miles of fence. Fences are retained and respected because there is a sufficient penalty on trespassers. A well constructed fence should require only minor maintenance for the first 20 to 30 years. Certainly the trespassers, who have had free grazing for 20 years are going to try you out when the fence goes in. Prompt legal action against trespass will convince them it is economically unfeasible to graze on the Range.

Col. Drake asked Gen. Hillyer for the AEC position.

Gen. Hillyer stated that AEC was an innocent bystander, that there were no cattle on AEC, that cattle would be destructive to AEC installations and there were no cattle on AEC. (NB: The General is differentiating between AEC-Las Vegas and Sandia. Sandia has perhaps 80% of the trespass cattle on the Range).

Col. Frost noted that they have had to abort missions because of livestock trucks near the targets and that only a few aborted missions would pay for the fence.

Col. (lawyer): Had one U.S. Attorney all ready to go on contempt proceedings, but he left. The U.S. Attorney seems reluctant to help us. We plan to try Justice Dept. Fenced or not fenced, it is a boundary, it shouldn't be violated, we shouldn't reward trespassers. Even if we couldn't charge the cattle trespass, we could charge the people in trucks with trespass. (NB: It is well settled in Federal Courts (Elko cases and Pyramid Lake case) that Federal lands need not be fenced to sustain trespass on Federal lands. Principle and dicta ruled that private persons are responsible for keeping their livestock off Federal lands. State law is moot.)

AF: Noted that BLM study indicated water developments, houses, corrals, etc. had been placed on the Range. If these improvements were removed, would this restrict cattle use on the Range? Would this affect wildlife detrimentally?

Mr. Hess stated that there are several situations concerning water. There are new reservoirs within the range, there are springs outside of the range which service areas within the range, there are springs within the range that have been developed for cattle, and some springs have been trampled in and ruined by the cattle.

Mr. Rainey asked what assistance to wildlife would accrue if the boundary was fenced.

Mr. Johnson said there is some competition between cattle and antelope and cattle and horses for water.

Mr. Ferris said he has seen deer, quail, chukar, antelope, and tracks of bighorn sheep. Livestock utilize all the feed around the water. Horses can and must range far out from water to get feed. The horses are forced to utilize wildlife feed. This is detrimental to expanding wildlife populations.

Mr. Johnson said the Desert Wildlife Range was closed to grazing when BSWF took exclusive control because (a) there wasn't enough forage to support a livestock operation and (b) because of the competition for water.

Mr. Rainey asked if the fence was important enough to BLM that they would help pay for the fence.

Mr. Ferris said the big question was who would be responsible for the wild horses. Wild horse jurisdiction is now with the State Department of Agriculture and the County Commissioners. Neither BLM nor AF now has any jurisdiction over wild horses. Bills now in Congress may define responsibility. This is a related problem but not immediately important.

Mr. Hess stated that when the range was set up, horse numbers were underestimated. Now we know there are 500-600 head of wild horses in the area. The waters on the range have deteriorated and been denied the horses through cattle pre-emption of the waters, and this plus lack of forage, which was also pre-empted by cattle, has forced most of the horses off the range to the west and north.

Mr. Ferris stated that if the cattle were removed there would presently be ample feed for the horses. Eventually population pressures would be a problem, but not for several years.

AF: What would happen if we took a hard line, went to Justice Department, confiscated cattle, and other property?

Col. Drake said this had been discussed. No help was offered or received from the U. S. Attorney. Plan to go to AF law section for assistance.

AF: Need a profit-loss motive to get people to build fence.

Col. Frost stated that one who trucks in livestock is blatantly defying the injunction. If fences were constructed first, we would only be protecting him. Removal of this operator should be a first step.

Col. Drake summarized the consensus as being:

- (1) continue legal steps
- (2) seek long-range funding for fence.

Mr. Spang asked clarification of Col. Drake's earlier principle of no change in the boundary and if it would be possible to make minor alterations to use natural boundaries. The Colonel stated that he meant no boundary changes due to loss by attrition.

Col. Frost explained that this is a weapons test area. Weapons are used at high altitudes at high speeds, now supersonic, someday hypersonic. A tremendous air space is essential and must have protected ground space below the test. AF can lose this range and they will never get another.

Major Daniels asked if BSW was interested in the wildlife on the Bombing Range.

Mr. Johnson replied to the effect that BSW is statutorily incompetent except on the Desert Game Range.

Mr. Spang stated that BLM is vitally interested in the fence and would like to help plan the type and location of the fence. He would not like to see a large investment in fence until Senator Lamb's operation has been removed from the range.

Mr. Johnson noted that if Senator Lamb was evicted from the Bombing Range, he would move onto the Desert Game Range and this would require fences to protect the Game Range.

Col. Frost stated that the solution to fencing would probably be to build the drift fence in increments. When fencing was proceeding, continued drift would be actionable.

Col. Drake stated the AF was interested in protection of the range and fence to keep off trespass. AF will redouble efforts in legal actions. May be able to Red Horse incrementally.

Major Daniels asked if AF constructed, would BLM maintain the fence.

Col. Drake noted that the nearest AF installation was at Indian Springs. It takes a week just to drive from there to the north end of the Range, do minor work and return.

Mr. Brunner asked if Wackenhut and AF guards could help on fence maintenance.

The Commander of Area 51 and Gen. Hillyer both replied in the negative.

AF: Noted that a helicopter patrol would be the simplest way to check the fence.

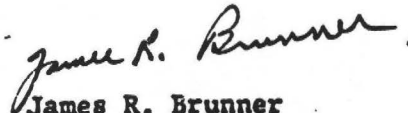
Mr. Hess noted that a road would have to be constructed along the boundary on the most feasible route, sometimes inside the boundary, sometimes outside the boundary to allow for ground maintenance.

Col. Drake felt BLM could assist in maintenance with greater efficiency than could AF, although the most efficient maintenance would be by the range user.

Mr. Ferris said that as Allotment Management Plans are developed in certain areas along the perimeter, it may be possible to shift maintenance responsibility to the range user as these are cooperative plans. This would be a small part of the boundary in the foreseeable future. If the range user will agree to the maintenance, it could be written into the plan. Such a provision could not be forced on the range user. BLM will cooperate to the full extent possible. BLM is obligated to cooperate.

The meeting adjourned at about 5 p.m.

Respectfully submitted,


James R. Brunner

DEPARTMENT OF THE AIR FORCE
HEADQUARTERS TACTICAL AIR COMMAND
LANGLEY AIR FORCE BASE, VIRGINIA 23355



30 SEP 1971

REPLY TO
ATTN OF:

DEPE

SUBJECT:

Grazing, Nellis AF Range, Nevada (Your letter, 11 Aug 71)

TO:

AF/PRERD

1. The attached Hq 57 CSG (DEPR) letter, 14 Sep 1971, Out-leasing of Grazing Areas, Nellis AFR, was prepared in response to your subject letter and is forwarded for your approval and issuance of the appropriate directive. We concur with the contents of the letter subject to the following exceptions:

a. This headquarters has added the area delineated as "Wild Horse Range" to the land area proposed for outgrant. A study completed by the Nevada Land Office, Bureau of Land Management, in 1970 indicates that this particular parcel has been one of the areas most seriously affected by trespass problems, including uncontrolled grazing of domestic cattle, for the past 30 years. This unauthorized grazing has forced most of the horses out of the established range. Outleasing the area for limited grazing purposes would provide a measure of control since the lessee would have a vested interest in insuring that unauthorized cattle were prevented from utilizing the leased area. Any grazing lease negotiated for this land should specify the maximum number of cattle to be allowed access to the range. This limit would be established consistent with proper management of the Wild Horse Range.

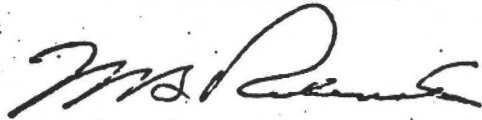
b. The two land areas delineated as "AEC Air Space" have also been included by this headquarters. Responsible local AEC personnel have indicated that AEC would interpose no objections to grazing in these two areas.

c. The term of the grazing leases should be for five years, revocable at will, without option to renew as suggested in paragraph 4a of the base's letter.

2. Recommend maximum advantage be taken of the income derived from the proposed leases by requiring the lessees to fence the entire perimeter of their particular parcels (excepting only those areas where fences or natural barriers are in existence). Cost of the fencing should be reimbursed through a compensating reduction in rent. Further recommend that the leased area be sub-divided into parcels to open bidding to the maximum number of cattlemen.

3. In view of the provisions in the Withdrawal Orders reserving jurisdiction of mineral and vegetative resources to the Department of the Interior, we concur in the base's recommendation that BLM be tasked with responsibility for advertisement and administration of the leases.

FOR THE COMMANDER



H. B. RUBENSTEIN, Colonel, USAF
Director of Programs

1 Atch
57CSG (DEPR) Ltr,
14 Sep 71, w/atck (3)

Cy to: USAFTFWC wo atch
57CSG/DE wo atch

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

An agreement between the respective agencies to establish a WILD HORSE MANAGEMENT AREA was signed by the BLM Nevada State Director and the Commander, Nellis Air Force Base in June 1962. An additional agreement containing the same provisions but modifying the location of the wild horse management area was signed by the BLM Nevada State Director on June 2, 1964 and the Commander, Nellis Air Force Base, on June 18, 1965. The Act of December 15, 1971 (16 U.S.C. 1331-1340), hereafter referred to as the Act, and the regulations of the Secretary of the Interior (43 CFR Part 4700), hereafter referred to as the regulations, places the responsibility for protection, management, and control of wild free-roaming horses and burros with the Bureau of Land Management when such animals use public lands administered by the Bureau as all or part of their habitat.

This Cooperative Agreement cancels and supersedes the agreements identified above and is for the purpose of establishing responsibilities relative to wild free-roaming horses and burros on the area described below in accordance with the Act. This agreement applies to the following described lands under the administration of Nellis Air Force Base:

The area described by townships and ranges with references to the Mount Diablo Base Line is as follows:

T. 1 S., R. 49 E., E-1/2; T. 1 S., R. 50 E., All;
T. 2 S., R. 50 E., All;
T. 2 S., R. 51 E., All; T. 3 S., R. 50 E., All;
T. 3 S., R. 51 E., All;
T. 3 S., R. 51-1/2 E., All; T. 3 S., R. 52 E., All;
T. 4 S., R. 50 E., All;
T. 4 S., R. 51 E., All; T. 4 S., R. 51-1/2 E., All;
T. 4 S., R. 52 E., All;
T. 5 S., R. 50 E., E-1/2; T. 5 S., R. 51 E., All;
T. 5 S., R. 52 E., All;
T. 5 S., R. 53 E., W-1/2; T. 6 S., R. 50 E., E-1/2;
T. 6 S., R. 51 E., All;
T. 6 S., R. 52 E., All; T. 6 S., R. 53 E., NW-1/4;
T. 7 S., R. 50 E., NE-1/4;
T. 7 S., R. 51 E., N-1/2; T. 7 S., R. 52 E., NW-1/4.

The area as described by longitude and latitude is as follows:

Beginning at the longitude of $116^{\circ}04'$ and a latitude of $37^{\circ}43'$ thence west on the same latitude to a longitude of $116^{\circ}13'$; thence north on the same longitude to a latitude of $37^{\circ}49'$; thence west on the same latitude to a longitude of $116^{\circ}20'$; thence north on the same longitude to a latitude of $37^{\circ}54'$; thence west on the same latitude to a longitude of $116^{\circ}30'$; thence south on the same longitude to a latitude of $37^{\circ}49'$; thence east on the same latitude to a longitude of $116^{\circ}26'$; thence south on the same longitude to a latitude of $37^{\circ}33'$; thence east on the same latitude to a longitude of $116^{\circ}23'$; thence south on the same longitude to a latitude of $37^{\circ}19'$; thence east on the same latitude to a longitude of $116^{\circ}11'$; thence north on the same longitude to a latitude of $37^{\circ}21'$; thence east on the same latitude to a longitude of $116^{\circ}07'$; thence north on the same longitude to a latitude of $37^{\circ}23'$; thence east on the same latitude to a longitude of $116^{\circ}04'$; thence north on the same longitude to the point of beginning.

It is jointly recognized that the horses and burros utilizing the area described above also utilize the adjacent public lands administered by the Bureau; therefore the wild free-roaming horses and burros utilizing these areas are under the jurisdiction and responsibility of the Bureau in accordance with the provisions of the Act and the regulations. It is also jointly recognized that some of the horses and burros utilizing these areas may be privately owned and subject to recovery by the owners in accordance with Section 5 of the Act or stray animals subject to impoundment and removal under Nevada statutes.

Therefore, in the interest of carrying out the purposes of the Act and the regulations, the undersigned hereby agree as follows:

1. That the wild, free-roaming horses and burros that use the above described lands or other lands under the jurisdiction of Nellis Air Force Base and the national resource lands under the jurisdiction of the Bureau of Land Management, will be considered under the jurisdiction of the Bureau. The BLM Nevada State Director has delegated direct responsibility for the wild horses and burros to the Bureau's Las Vegas and Battle Mountain District Managers.
2. Nellis Air Force Base will cooperate with the Bureau in the recovery and removal of privately owned horses and burros in accordance with the Act and the regulations and the removal of stray animals in accordance with the State statutes.

3. That a joint management plan will be developed to provide for the management of these wild horses and burros and their habitat in a manner consistent with the purposes of the Act. As a minimum, this management plan will include the following:
 - A. An annual inventory of the wild horse and burro populations in the area of joint concern.
 - B. A continuing review of the habits of the wild horses and burros in terms of grazing and watering patterns, seasonal migrations, and the availability of water and forage. This would include a determination of the condition of the horses and burros and their habitat and if any excess animals must be removed to protect the soil, vegetation, watershed or other resource values in the area.
 - C. A determination of the necessary management-facilitation projects--water, fencing, etc.--to provide for the welfare of the animals.
4. Implementation of the management plan shall be carried out as agency funds and priorities permit. Management-facilitation projects may be constructed in accordance with the management plan by either agency or as a joint project. All projects shall be carried out as a coordinated program and minimizing conflicts with the basic mission of Nellis Air Force Base.
5. That the following procedures will be used, and controls recognized in carrying out this joint effort:
 - A. The inventory of the horses and burros and their habitat will be conducted jointly in accordance with plans or techniques jointly agreed upon and may include aerial or on-the-ground surveys and photography. In no case will Bureau of Land Management officials engage in these activities without clearance from the Commanding Officer, and then only in accordance with the provisions of paragraph 6 of this agreement.
 - B. The Commanding Officer shall assure that responsible officials under his command shall be aware of the terms and conditions of this agreement, and, in carrying out their maneuvers and operations, shall

exercise controls and assure compliance therewith. The Commanding Officer and officials under his command shall also be aware of acts which are in violation of the Act and the regulations and immediately report any known or suspected violations to the Las Vegas District Manager. Violations and penalties as set forth under the Act and the regulations are listed below:

Any person who-

(1) Willfully removes or attempts to remove a wild free-roaming horse or burro from the public lands, without authority from the authorized officer - BLM or

(2) Converts a wild free-roaming horse or burro to private use, without authority from the authorized officer - BLM, or

(3) Maliciously causes the death or harassment of any wild free-roaming horse or burro, or

(4) Processes or permits to be processed into commercial products the remains of a wild free-roaming horse or burro, or

(5) Sells, directly or indirectly, a wild free-roaming horse or burro maintained on private or leased land pursuant to Section 4 of the Act, or the remains thereof, or

(6) Willfully violates any provisions of the regulations under Group 4700, shall be subject to a fine of not more than \$2,000 or imprisonment for not more than 1 year, or both. Any person so charged with such violation by the authorized officer - BLM may be tried and sentenced by a U.S. commissioner or magistrate, designated for that purpose by the court by which he was appointed, in the same manner and subject to the same conditions as provided in Section 3401, Title 18, U.S.C.

- C. If it is determined by the Commanding Officer that the presence of wild horses and burros interferes with military programs and operations, such problems shall promptly be referred to the District Managers, who shall be responsible for correcting the problem in accordance with access and related constraints or directives imposed by the Commanding Officer.
 - D. The Las Vegas and Battle Mountain District Managers, Bureau of Land Management, herein referred to as the District Managers, shall represent the State Director of the Bureau of Land Management in implementation of this agreement.
6. Bureau personnel will not enter the area covered by this agreement without clearance from Nellis Air Force Base. Nellis Air Force Base will grant the Bureau access to the area to carry out its responsibilities under the Act and the regulations for any period or periods of time when such access does not interfere with the operations and missions of Nellis Air Force Base.
 7. Requests for access to the area covered by this agreement by individuals or representatives of associations for any purpose related to the protection, management, and control of wild free-roaming horses and burros will be transmitted to and reviewed by the Bureau for a determination of the need and/or desirability of authorizing the access. If it is determined that access should be granted, the Bureau will contact Nellis Air Force Base and recommend that the access be granted. Generally, access to the area will be restricted to time periods when the individuals or representatives can be accompanied by either Bureau or Nellis Air Force Base personnel.
 8. There shall be at least annual joint reviews of this wild horse and burro management program by the Commanding Officer or his representative and the District Managers of the Bureau of Land Management. The management plan may be updated on the basis of information gathered in these reviews.
 9. No wild, free-roaming horses and burros shall be removed from the area, or harassed, captured, branded, or killed by either military or Bureau of Land Management personnel except as provided for in the Act and the regulations. In the event horses or burros are accidentally injured or killed by normal military operations, such instances shall be promptly reported to the Las Vegas District Manager.

10. There shall be open channels of communication between the District Managers and Commanding Officer to provide for prompt reporting of problems associated with wild horse and burro management and to promptly and efficiently carry out the programs here jointly agreed to. Any problems that cannot be reconciled at the District Manager-Commanding Officer level shall be referred through channels to higher authority of each agency for resolution.
11. The liability of the parties under this agreement is contingent upon the necessary appropriation and reservation of funds being made therefor.
12. No member or delegate of Congress, or Resident Commissioner, shall be admitted to any share or part of this agreement, or to any benefit which may arise therefrom.
13. All cooperative work under the provisions of this agreement or supplemental agreements or memorandums of understanding will be accomplished without discrimination against any person because of race, creed, color, sex, or national origin.
14. This agreement shall become effective when signed by the designated representatives of the parties hereto and shall remain in force until terminated by mutual agreement, or by either party upon thirty days' notice in writing to the other of its intention to terminate upon a date indicated. Amendments to this agreement may be proposed by either party and shall become effective upon approval by both parties.

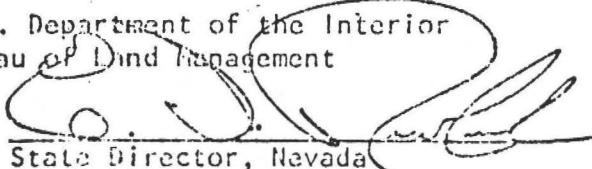
Approved:

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

Date:

Nov 12, 1973

By:

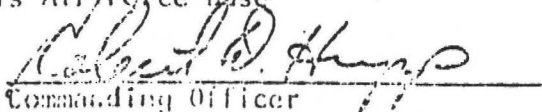

State Director, Nevada

U. S. Department of Defense
Nellis Air Force Base

Date:

8 Feb. 1974

By:


Commanding Officer

UNITED STATES GOVERNMENT

Memorandum

4711
(N-063)

B5/6
Q12 51.

TO : Chief, Division R/M, Battle Mtn. DO & FILES DATE: April 29, 1974

FROM : Wild Horse Specialist, Battle Mtn. DO

SUBJECT: Coordination Meeting w/USAF concerning Wild Horse Range on Nellis AFB

On April 26, 1974, the Battle Mountain and Las Vegas districts met with the USAF to conduct the first annual meeting concerning management of wild free-roaming horses and burros on Nellis AFB. An annual meeting is prescribed in the Cooperative Agreement recently entered into between BLM and USAF.

The meeting was held in the Las Vegas District Office.

Gene Nodine, District Manager, Sam Rowley, Tonopah Area Manager, and I, represented the Battle Mountain District. Major Carder, a special project liaison, represented the Air Force.

The Air Force recognizes the need to manage the horses on the bombing range. Major Carder said they were quite willing to cooperate in any way possible to develop and implement a management plan. An item which was not made clear is whether they are talking about the whole bombing range or just that portion covered by the recent Cooperative Agreement, which is the designated Wild Horse Range. This will need to be clarified.

Major Carder pointed out there are generally three periods during the year when their activity on and near the Horse Range is minimal to nil. These are 5/15 - 7/1, 9/1 - 10/15, and 1/1 - 2/15. Probably during these periods work could be done in that area without being in the way of their training programs.

It was stated the Air Force has no objections to construction of facilities for horse management on the reservation. Their being a party to the management plan proposing such facilities would constitute their agreement or permission.

The Battle Mountain district is administering gathering of claimed horses on the bombing range. We have stipulated in the gathering authorization a fifteen day notice prior to any gathering activity there. Carder indicated this is ample time for them to coordinate their activities with the gathering, or to direct a postponement.

It was tentatively agreed the Air Force would provide a helicopter and pilot to do an intensive horse inventory on the Horse Range and



surrounding area during the week of May 20, 1974. At least one representative from each district and from the Air Force are to ride each flight. Major Carder agreed to do all the coordination necessary with Sandia Corporation and with the Base Commander. He is to contact BLM, Las Vegas when the plans are firm and arrangements made.

MITCHEL/bt

Michael Mitchell

B 4/8

QMS 4/13

Meeting - Horses
Coordination with Air Force

The meeting was held in the Las Vegas District Office, 301 E. Stewart Avenue on April 26, 1974.

The meeting opened at 3:00 p.m. Present were Major Carder, United States Air Force; John S. Boyles, Las Vegas District Manager; Frank E. Bingham, Chief of Resources; Jeff O. Holdren, Stateline-Esmeralda Resource Areas Manager, Charles B. Godfrey, Outdoor Recreation Planner; and James R. Brunner, Staff Range Conservationist; from Battle Mountain District Office were Gene Nodine, District Manager; Sam Rowley, Area Manager; and Mike Mitchell, Wild Horse Specialist.

Mr. Nodine stated that Clifford's have made application to remove 1,100 head of private horses from Stone Cabin Valley and an authorization has been issued. Fellini's have been granted permission to gather 75 horses from southern Railroad Valley. Casey has made application to gather horses but has not received authorization.

Mr. Nodine would like to make a helicopter survey of the area south of Highway 6 and west of Highway 23, extending into the Bombing Range. The information on the number of horses in this area is vital to any management or management plans. He estimated it would require about five days flying time. Major Carder was in agreement.

Major Carder stated that one of the Air Force helicopters would be available for such an inventory. He expects light use of the range by the Air Force between May 13 and July 1. It was decided to try to fly May 20-25th, 1974. The flying will be done from Tonopah. Major Carder and three BLM personnel will fly.

Mr. Nodine noted that Walker Productions will film Clifford's efforts to run horses in late May and early June. BLM has portable corrals at Battle Mountain for BLM use.

In further discussion, Major Carder saw no difficulties in construction of management facilities for horses on the Bombing Range. After a Wild Horse Plan is completed, which plan will specify needed improvements, the signatures on the Plan will give approval for construction. Major Carder will get clearance from Sandia for flying, filming horses, and will see if they have range specialists who would like to participate. Other dates when the range is expected to have minimal use are September 1 through October 15 and January 1 to February 15.

Mr. Nodine will obtain the old Range Survey maps of the Bombing Range.

The meeting adjourned at 4:00 p.m.

Respectfully submitted,

James R. Brunner
James R. Brunner

Memorandum

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Nevada State Office
Room 3008 Federal Building
300 Booth Street
Reno, Nevada 89502

IN REPLY REFER TO:

4711
(N-930.7)

TO : Associate State Director, Nevada (N-910.1)
Through: Acting Chief, Div. of Resources
Date: October 8, 1974

FROM : Range Conservationist - WH&B

SUBJECT: Proposed Addition to Nevada Wild Horse Range

I have no specific problems with expanding the Nevada Wild Horse Range as proposed. The horses do make extensive use of the area, especially during dry periods.

The proposal will require the concurrence of the Air Force and AEC, and this proposal should be kept separate from the multi-resource proposal now under consideration by various agencies for other portions of the military withdrawal.

I suggest we proceed with the proposal.

R. S. Ferris

Enclosure:1

Memo from (N-060) dtd 9/25/74 w/map

DEPARTMENT OF THE AIR FORCE
HEADQUARTERS UNITED STATES AIR FORCE
WASHINGTON, D.C.
20330



REPLY TO
ATTN OF: PRERD

12 APR 1972

SUBJECT: Granting Grazing Privileges on Portions of Nellis Air Force Range, Nevada

TO: Mr. Nolan F. Keil
Assistant Director/Resources
Bureau of Land Management
Department of the Interior

1. Reference is made to the 31 Mar 1972 meeting among you, members of your staff, and representatives of this agency regarding the granting of grazing privileges on portions of Nellis Air Force Range, Nevada. It was mentioned that grazing could be authorized by competitive bidding under the Materials Act of 31 Jul 1947, as amended (30 USC 601, et seq) rather than at a fixed fee under the Taylor Grazing Act. This would give the Government a better monetary return.
2. Attached is correspondence from Tactical Air Command (TAC) outlining the terms and conditions under which portions of the range indicated on the map can be made available for grazing. Since these lands are withdrawn from the public domain and jurisdiction over the vegetative resources is retained by your department, we would appreciate your arranging for authorized grazing on as much of the indicated area as is practicable and under the terms and conditions stated in the attachment.
3. In the interest of continued harmonious inter-departmental relationships, it is considered advisable to consummate a Memorandum of Understanding on this matter. We suggest a meeting in the field as soon as possible, perhaps the week of 24 Apr 1972, to discuss the various aspects of the project and to develop such a document.

ARTHUR J. NORDEN, Colonel, USAF
Chief, AF Real Property Management Agency
Dir of Civil Engineering DCS/P&R

1 Atch
TAC/DEPE Ltr, 30 Sep 1971, w/atc



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS TACTICAL AIR COMMAND
LANGLEY AIR FORCE BASE, VIRGINIA 233



REPLY TO
ATTN OF:

DEPE

30 SEP 1971

SUBJECT:

Grazing, Nellis AF Range, Nevada (Your letter, 11 Aug 71)

TO:

AF/PRERD

1. The attached Hq 57 CSG (DEPR) letter, 14 Sep 1971, Out-leasing of Grazing Areas, Nellis AFR, was prepared in response to your subject letter and is forwarded for your approval and issuance of the appropriate directive. We concur with the contents of the letter subject to the following exceptions:

a. This headquarters has added the area delineated as "Wild Horse Range" to the land area proposed for outgrant. A study completed by the Nevada Land Office, Bureau of Land Management, in 1970 indicates that this particular parcel has been one of the areas most seriously affected by trespass problems, including uncontrolled grazing of domestic cattle, for the past 30 years. This unauthorized grazing has forced most of the horses out of the established range. Outleasing the area for limited grazing purposes would provide a measure of control since the lessee would have a vested interest in insuring that unauthorized cattle were prevented from utilizing the leased area. Any grazing lease negotiated for this land should specify the maximum number of cattle to be allowed access to the range. This limit would be established consistent with proper management of the Wild Horse Range.

b. The two land areas delineated as "AEC Air Space" have also been included by this headquarters. Responsible local AEC personnel have indicated that AEC would interpose no objections to grazing in these two areas.

c. The term of the grazing leases should be for five years, revocable at will, without option to renew as suggested in paragraph 4a of the base's letter.

2. Recommend maximum advantage be taken of the income derived from the proposed leases by requiring the lessees to fence the entire perimeter of their particular parcels (excepting only those areas where fences or natural barriers are in existence). Cost of the fencing should be reimbursed through a compensating reduction in rent. Further recommend that the leased area be sub-divided into parcels to open bidding to the maximum number of cattlemen.

3. In view of the provisions in the Withdrawal Orders reserving jurisdiction of mineral and vegetative resources to the Department of the Interior, we concur in the base's recommendation that BLM be tasked with responsibility for advertisement and administration of the leases.

FOR THE COMMANDER



E. B. RUBENSTEIN, Colonel, USAF
Director of Programs

1 Atch
57CSG (DEPR) Ltr,
14 Sep 71, w/atch (3)

Cy to: USAFTFWC wo atch
57CSG/DE wo atch

UNITED STATES GOVERNMENT

Memorandum

Horse Range File
4711 (N-060)

DATE: September 25, 1974

TO : State Director, Nevada (910-1101)

FROM : District Manager, Battle Mountain

SUBJECT: Horse Range Boundary

As discussed with you on the telephone this date I am enclosing a map depicting the proposed change in the size of the Horse Range.

This has not been discussed with the Air Force, however, Sandia Corp. has indicated an interest in amending the agreement we now have in effect.

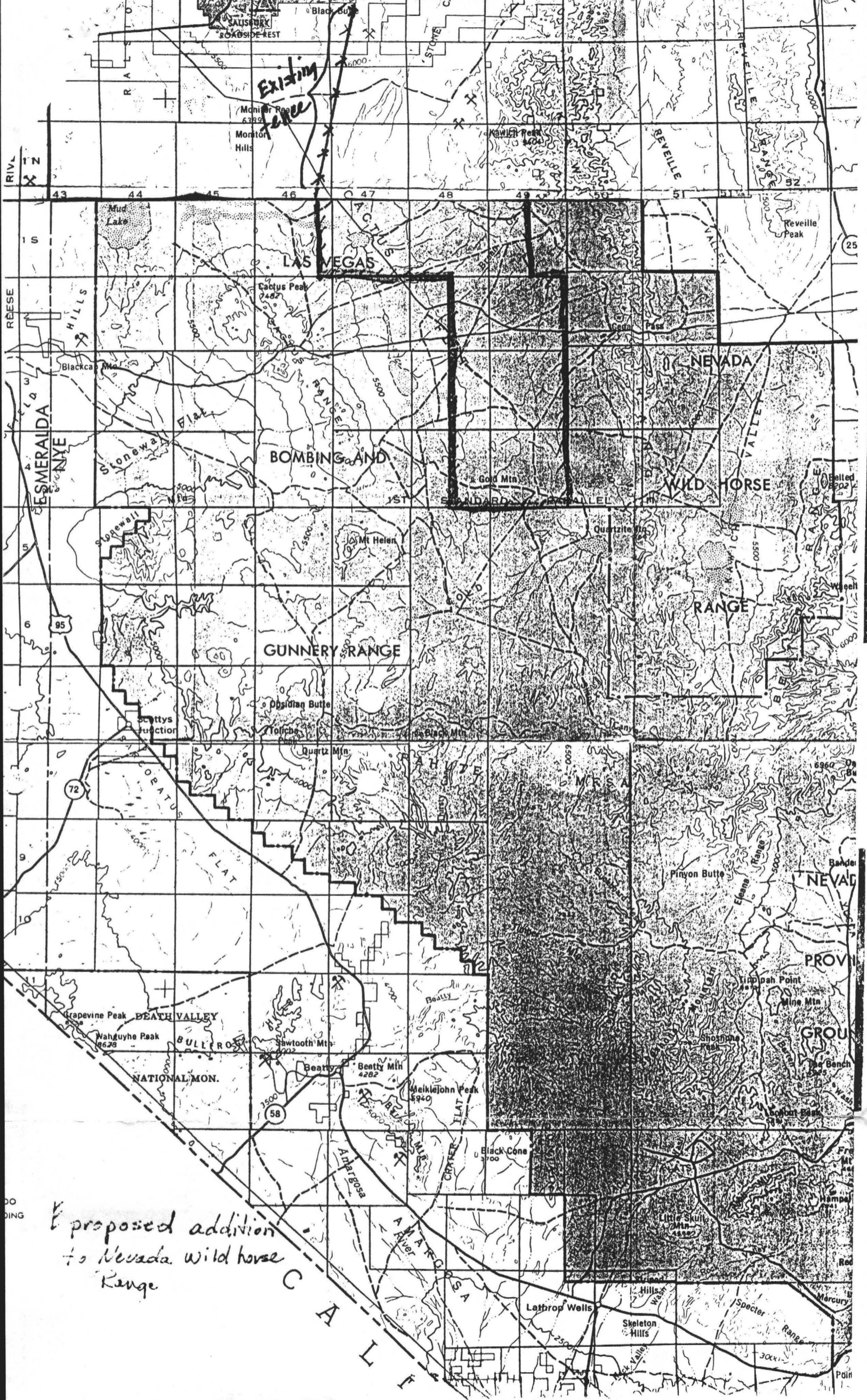
During the last count we made in the area (July 1974) we found most of the horses outside the Horse Range and within the area outlined in green.

I would like your thoughts on the proposal before we proceed further, we feel, in the district, that it may be desirable to amend this agreement as most of the horses are actually in this area.

Enclosure

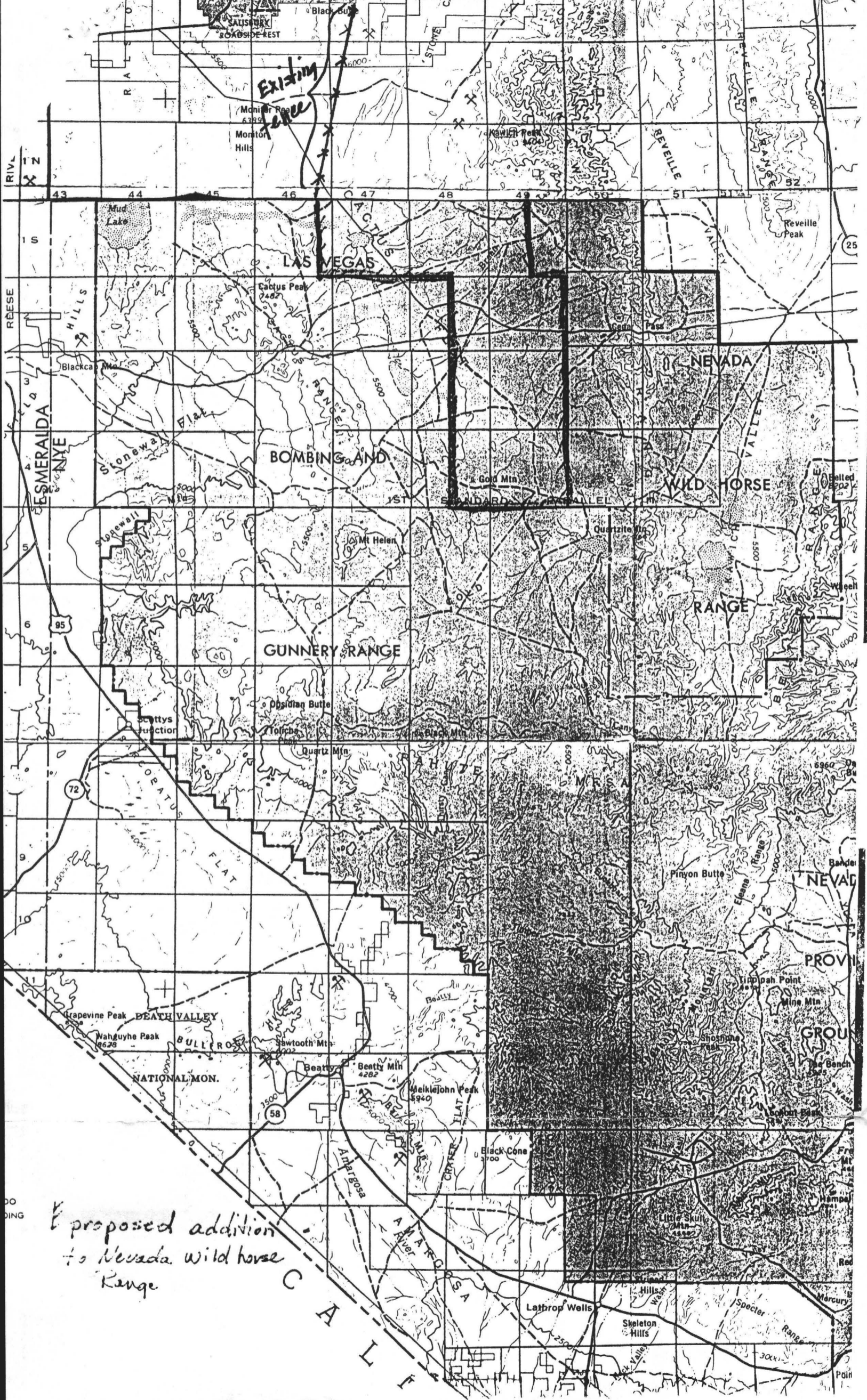
Sheridan Hansen
acting





Existing fence

Proposed addition to Nevada Wild Horse Range



Existing fence

Proposed addition to Nevada Wild Horse Range

Mustang Meeting

The meeting was held at the Las Vegas District Office on September 15, 1970 from 4-6:30 p.m. The meeting was held at the request of the Nevada Chapter of the National Mustang Association to report on the Mustang Range.

BLM was represented by:

Dennis E. Hess, District Manager
Frank Bingham; Chief, Div. of Resource
Management
David J. Walter, Esmeralda Area Manager and
James Brunner, Range Staff Officer

NMA was represented by:

Walter E. Clutts, President
Richard O. Baker, Pilot
Jerry Hughes, Director
Carlos Black, Director
John L. McCormack, Director
Ellis LeFevre, Vice President

Nevada Fish and Game was represented by:

John Donaldson, Regional Manager
George Tsukamoto, Big Game Technician

The Mustang Association had recently completed a 2-day tour of the U. S. Department of Interior Mustang Range in Nye Co. President Clutts showed a movie they had made showing numerous horses filmed from their airplane. There were films made on the ground of the water holes, all of which require immediate maintenance or rehabilitation.

The group camped at Silver Bow and toured in pickups the west side of the Mustang Range plus the area north in the Battle Mtn. District. They counted 560 horses plus 60 colts. Wackenhut personnel have previously estimated 550 horses. The horses were mostly in the valley and foothills west and north of the Mustang Range.

This concentration related to available water and grazing pressure from cattle. They reported on the following waters:

Tunnel Spring - dry or nearly so. Needs a collection box.
Corral Spring - nearly dry, needs collection box.
Pole Spring - pools not deep enough. Needs work.
White Spot - not visited.
Cedar Pass - no water in pipeline.

They stated the area was very dry, little or no growth of grasses this year. Feed is exhausted for several miles around water. Range badly cut up with trails.

Mr. Clutts suggested, because of the poor water and feed conditions, that about 100 horses be relocated this fall. They fear heavy death loss if the winter is only moderately severe. The Mustang Association does not plan to make money from any relocation, in fact, past experience has shown they lose \$250-300 per horse captured. Mr. Clutts has discussed herd reduction philosophy with Mrs. Velma Johnson and stated she agreed in principle that herds must be kept in balance with range.

The NMA propose to relocate horses on other portions of range, sell some to horse lovers. Use the Amaru private fenced pastures for horse use. They said they take formal possession of the land and grazing privileges on January 2, 1971. Mr. Hess pointed out that compliance to written requirements and approval by BLM must occur before Amaru public range could be used in any way.

(NSO Range Specialist has stated that 2,500 head of cattle were counted on the Sandia Area (Colvin Cattle Co.) in either June or July, 1970.) Floyd Lamb cattle, estimated from 700 to 1500 head, make continual use of Kawich Valley. He has recently made extensive water developments in this area as far north as Cedar Wells without authority.

Both NMA and Fish and Game recommended relocations of horse numbers.

Priority jobs were decided to be:

1. Water maintenance to allow better distributions of horses.
2. Reduce horse numbers on area of concentration.
3. Reduce cattle trespass.

Mr. Hess reviewed the large public relations problem which developed on the Pryor Mountains and pointed out the sensitive potential of this situation. He suggested that the Humane Society, Velma Johnson's group, and County Commissioners all be aboard. Mr. Hess indicated that BLM would probably not oppose some relocations of horses to balance with the carrying capacity of the range. He will furnish a letter to Nye County Commissioners, AEC, USAF, and Sandia Corp. Pointing out the deteriorated condition of the range and waters resulting from the trespass cattle use plus concentration of horses in a restricted area mostly outside of horse range.

As to water maintenance, it was decided to try to get authority for BLM equipment and materials from Las Vegas and Battle Mountain for the weekend of October 24-25 or October 31-November 1. NMA will furnish 25 or more persons to assist. BLM would cooperate to extent possible to open waters not now available to horses.

Mr. Walter suggested that Dr. Pontrelli be invited to visit the Mustang Range to observe conditions and thus inform I.S.P.W H.&B.

Mr. Hess requested that any publicity be directed to water development. BLM will handle all publicity with the cooperation of NMA & Nevada Fish and Game.

The following preliminary contacts are planned to be made by:

- A. Nevada Chapter of the National Mustang Association.
 - (1) Mrs. Velma Johnson Weekend of September 19-20
 - (2) Dr. Pontrelli - UN Reno Weekend of September 19-20
 - (3) Colonel Gerard - Range Officer - Nellis Air Force Base
 - (4) Nations/and Nevada Humane Society
 - (5) Brand Inspector
 - (6) Sandia Corporation
 - (7) AEC

- B. BLM
 - (1) Send Nye Co. Commissioners BLM Statement of range conditions
 - (2) Battle Mountain BLM & NSO
 - (3) Nellis A.F.B. - Base Commander Statement of water and range conditions.
 - (4) Sandia - Statement of water and range conditions.
 - (5) AEC - Statement of water and range conditions.

- C. NF&G
 - (1) In House coordination
 - (2) Pontrelli

The group will make contact again on September 25, 1970, to discuss progress.

Respectfully submitted,

James R. Brunner
James R. Brunner

Walter E. Clute N. M. A.
Jim Brunner B & M.

Richard O. Baky N. M. A. Pilot

Jerry E. Hughes N. M. A.

Charles Black N. M. A.

John L. McCannack

Ellis L. Fovee Vice Pres.

George Johnson

N F & G

John Donaldson

N F & G

DENNIS E HESS

BLM

DAVE WALTER

BLM

FRANK BINGHAM

BLM

UNITED STATES GOVERNMENT

Memorandum

4700
(N-053)

9/5
9/6
9/6
9/6

TO : State Director, Nevada

FROM : District Manager, Las Vegas

SUBJECT: Meeting with Nellis Air Force Base

DATE: September 4, 1973

We have arranged a meeting with Nellis Air Force Base for October 4, 1973 to discuss problems and management of the mustang range. The meeting is scheduled for 1:00 p.m. in our office. Major Carder, who is apparently in charge of coordinating activities for this area, will attend along with a couple of others from Nellis.

We would appreciate your advise as to the position we should take concerning our role in management of this area. We believe most of the horses on the mustang range use national resource lands in the Battle Mountain District for a part of the year. Because of this, we feel that Public Law 92-195 applies to them.

