

Bureau of Land Management
Surprise Field Office
602 Cressler Street
P.O. Box 460
Cedarville, CA 96104-0460

June 15, 2007

RE: 4700 (CA-370) P
Nut Mountain Complex Wild Horse Gather Plan EA # CA-370-05-28

Dear Mr. Surian:

I am writing in regards to the proposed action to remove wild horses in the Nut Mountain Complex, which include the following HMAs, Bitner, Nut Mountain and Wall Canyon East.

The Environmental Assessment, Finding of No Significant Impact (FONSI) and Record of Decision (ROD) for the proposed action was issued on October 18, 2005. The failure to issue a current proposal and information about the proposed action circumvents the public's right to legally challenge and appeal the decision if they believe the decision is in error and that it will cause irreparable harm.

The management of the wild horses within proposal area also indicates that, despite significant foreknowledge of the proposed action through its 2005 issuance and its inclusion on the 2007 Gather Schedule published in October 2006, the BLM is also denying the public's ability to effectively request a "Stay" of the decision through the Interior Board of Land Appeals (IBLA).

The general time frame for the IBLA to review a Request for Stay is currently approximately two months. The timing of the proposals release to the public for comment, as the majority of the BLMs wild horse gather plans, is strategically issued to also render all Requests for Stay by IBLA a "moot point", since the capture and removals of the wild horses has already be executed and there is no longer any issue for IBLA to consider in the granting of the "Stay" of BLMs actions.

Since no legal challenge is permitted prior to the BLMs issuance of the FONSI and ROD, and the timeframe to file for an Appeal and Request for Stay has expired, the current proposal renders the public no available outlet or recourse to the BLMs management and decisions of our National resources.

Since the issuance of the FONSI and ROD of this proposal in 2005, significant factors may have changed regarding both the site specific and cumulative impacts of the management and preservation of the wild horses and burros within the proposal area and throughout the West that may cause the public to have reasons to challenge the proposed action and decision.

Failure to issue a current and timely proposal will continue to circumvent our rights to participate in, and have legal recourse to, the BLMs management and implementation of proper stewardship of balanced multiple-use relationships and conformance with existing laws and regulations.

Therefore, I strongly urge the Surprise Field Office to reevaluate their current decision to utilize the outdated wild horse removal and gather plan and to issue a timely and current proposal that is in compliance with laws that grant us the right to appeal the BLMs decision if we believe it is in error.

Thank you for this opportunity to participate in the management of our Nations resources.

Sincerely,

NAME/ADDRESS REMOVED