

Attachment 3

Public Comment Responses

Stone Cabin Complex Wild Horse Gather Environmental Assessment #NV065-EA07-028

Numerous comment letters were received during the review period for the Stone Cabin Complex Gather Plan and EA. Comments were received via e-mails, faxes and letters. Some submissions were detailed, and provided substantial comments. The majority of the comments consisted of opinions of opposition to the gather with little additional comment or input. . The individuals that provided opinions of opposition were sent a letter which included information about becoming involved in the public participation process.

Comments which will be responded to include those received from Cindy McDonald, D. J. Schubert of Animal Welfare Institute, Kathleen Hayden, Katie Fite of Western Watersheds Projects, Jeff Wyles, Jennifer and Ken Foster, and Craig Downer.

Several comments received were similar in nature and will be addresses here:

A. COMMENT: Is the BLM still bound by the 1992 Consent Decision and 1987 Settlement Agreement that established AMLs?

RESPONSE: Yes. The Appropriate Management Levels (AMLs) for the Stone Cabin HMA and a portion of the Saulsbury HMA were established through Consent Decision signed by Administrative Law Judge David Torbet on May 11, 1992, through the Department of the Interior Office of Hearings and Appeals, Hearings Division. The Consent Decision established an AML for Stone Cabin Allotment (and HMA) at 364 horses, and the Ralston allotment portion of Saulsbury HMA at 10 horses. The AML for the Hunts Canyon Allotment portion of the Saulsbury HMA was established at 30 wild horses through Final Multiple Use Decision (FMUD) in 1996. The AML for the Reveille HMA was originally established as 145-165 wild horses through a 1987 settlement agreement (*Fallini vs. Hodel*, 1986, D. Nevada). This AML range was further analyzed in a Multiple Use Evaluation for the Reveille Allotment, and adjusted to an AML of 138 horses in the *Final Multiple Use Decision for the Reveille Allotment* (2001).

Furthermore, Multiple Use Evaluations and Rangeland Health Assessments for the Stone Cabin HMA and allotment will be completed in the near future, with the analysis of monitoring data and public participation. Should it be determined that changes in management are necessary to achieve Land Use Plan objectives and Standards for Rangeland Health, modifications to livestock numbers, season of use, and wild horse AMLs could be issued through a Final Multiple Use Decision. The interested public is able to participate in these projects through requesting to be included on the mailing lists for these areas. These requests need to be made in writing to the Tonopah Field Office.

B. COMMENT: The wild horse gather is being proposed without any accompanying reductions in livestock. The EA does not present information about the impacts of livestock to rangeland health and riparian heath in the Complex.

RESPONSE: This issue is outside of the scope of the environmental analysis. The purpose of the Stone Cabin Complex Gather EA is not to analyze the use of these areas by wild horses or cattle, but rather to analyze the environmental impacts of a proposed wild horse gather to achieve the established Appropriate Management Levels. Although BLM understands that some individuals may desire removal of some or all livestock or other uses from public land for the exclusive management of wild horses, the Federal Land Policy and Management Act of 1976 (PL-94-579) requires that management of public lands be managed on the basis of multiple use, which through the definition includes, but is not limited to recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific and historical values. Additionally, the WH&B Act, and Code of Federal Regulations require that wild horses be managed in balance with other uses and within the concept of multiple use.

C. COMMENT: BLM’s proposed removal numbers may cause negative impacts to the genetic health of the herds in the Stone Cabin Complex.

RESPONSE: The post-gather population proposed for this gather would be approximately 300 wild horses. Current information indicates that this population size would be adequate to maintain genetic health. In addition, movement occurs throughout the complex to various degrees. Movement also occurs between the HMAs of the Stone Cabin Complex, the Nevada Wild Horse Range to the south, the Monitor WHT in the central portion of the complex, the Hot Creek and Sand Springs HMAs to the northeast, and the Fish Creek Complex to the north. Please refer to pages 23-25 of the EA.

Because the Stone Cabin Complex does not consist of a small population or an isolated population, there are no indications at this time that the proposed gather would have negative impacts to the genetic health of the population (see EA, page 25). The BLM sends blood samples to Dr. Gus Cothran, Equine Genetics Lab at Texas A&M University. Dr. Cothran has been analyzing genetics data for wild horses for many years. As of spring, 2006, genetic diversity had been analyzed for a total of 54 herds of wild horses in the United States. Of those, all but 6 or 7 herds were noted to reflect high levels of genetic diversity, higher even than domestic horses.

Genetic variability has been researched and documented for many years by the BLM. The reader is referred to the numerous references listed on page 47 of the EA for detailed information about these topics. The reader is specifically directed to those identified for Coates-Markle, Singer, Kilpatrick, Turner and Zoo Montana which relate to genetic viability.

Genetics reports have been received for three other HMAs managed by the Battle Mountain District which include the Roberts Mountain HMA, the Callaghan HMA and the Diamond HMA/Diamond Mountain Complex. These reports indicate that the herds managed by the Battle Mountain District maintain average to high genetic variability and high allelic diversity. The herds are of mixed origins, with relatively high genetic similarity to all major groups of domestic horse breeds as compared to most feral herds. The genetic report for one HMA managed by the Tonopah Field Station indicated a critically low heterozygosity (Ho) which implies that inbreeding could be occurring. These reports are available at the Battle Mountain Field Office and Tonopah Field Station. Genetic reports for the Fish Creek Complex have not yet been received.

Genetic analysis was completed for the Stone Cabin HMA in the mid-1990’s by Ann Bowling. Attempts to locate the complete report for inclusion into the gather plan were unsuccessful. However, Dr. Gus Cothran was able to provide some information about the data. Though he did not have the raw data, he did have the gene frequency available in the data base. The expected heterozygosity (He) for the 1994 Stone Cabin samples was 0.338. A critically low value would be 0.31, and the average for feral horses is 0.351. Dr. Cothran also noted that the critical factor is herd size over time and states, “if the herd has been maintained at over 100 adults, probably little change has occurred.” The above information was obtained from by e-mail from Dr. Cothran. When the report becomes available, it will be incorporated into the data from blood work analyzed following the 2007 gather, and will include not only the Stone Cabin HMA, but the Reveille, and Saulsbury HMAs as well. The BLM will also request that the data be compared to neighboring HMAs, such as Fish Creek Complex located north of the Stone Cabin Complex as well as the Nellis Wild Horse Range to the south.

Specific comments received are addressed below.

Brad Hardenbrook, Nevada Department of Wildlife, Supervisory Wildlife Biologist	
1.	<p>COMMENT: Nevada Department of Wildlife (NDOW) supports the BLM’s plan to reduce wild horse numbers in the Stone Cabin Complex.</p> <p>RESPONSE: Thank you.</p>
2.	<p>COMMENT: The Department is concerned that the BLM and the US Forest Service are not in concert in developing strategy for wild horse management. We recommend that future wild horse and [sic] gather plans for adjacent wild horse areas and territories are cooperative, joint efforts.</p> <p>RESPONSE: We agree. The original objectives for the proposed gather were to include the Monitor WHT within the Complex after USFS established AML. However, USFS was unable to finalize their AMLs for this area. Due to resource and wild horse health concerns, it was determined that the gather should go forward, excluding the Monitor WHT. It is BLM’s goal to continue to work cooperatively with the USFS in future census and gather projects.</p>

3.	<p>COMMENT: The BLM ...proposes to directly alter herd sex ratios, whereas other BLM field offices...use fertility control agent (PZP). We find it curious by the Tonopah Field Station’s departure from management approaches elsewhere concerning PZP. We do not disagree with this departure as long as monitoring is accomplished and populations are managed within AML. However, we do recommend that any methods implemented be evaluated to determine the cost and time-effective, and least stressful management action.</p> <p>RESPONSE: The BLM did consider fertility control for mares released into the Stone Cabin HMA and for mares released into the entire Complex. Population modeling using the Jenkins Winequus Population Model indicated that population growth rates would not be lower than implementation of the proposed action. For that reason and consideration of additional costs, fertility control was not analyzed for the Stone Cabin HMA. Fertility control was not analyzed for the Reville or Saulsbury HMAs due to the small numbers of wild horses that would be released back to the range in these areas. This is explained on page 11-12 of the EA. Modeling indicated that sex ratio adjustment was the most cost-effective and least stressful management action. Wild horse populations will be carefully monitored to determine positive or negative impacts of this proposed action.</p>
4.	<p>COMMENT: It is apparent in this document that existing HMA boundaries may need to be revised to reflect the current management situation.</p> <ol style="list-style-type: none"> a. There are insufficient physical barriers to limit the distribution of wild horses.... b. The need for removal gathers from the Stone Cabin HMA...show existing boundaries are not reflecting actual use areas. c. If the fences along U.S. Highway 6 are properly maintained for public safety, precluding wild horses from crossing one side to the other, the southern portion of the Saulsbury HMA cannot serve as a viable independent management area. <p>RESPONSE: Regarding fencing HMA boundaries:</p> <ol style="list-style-type: none"> a. 40CFR 4700.0-6(c) states, “Management activities affecting wild horses and burros shall be undertaken with the goal of maintaining free-roaming behavior.” b. This comment is outside the scope of this EA. c. Because there are few continuous fences, there is adequate potential for horses to move across the unfenced Monitor WHT, Stone Cabin, and south Saulsbury HMAs, and across into Nellis Test Range. <p>Please feel free to contact TFS with information referenced in your comment letter. We would look forward to meeting with you regarding future management of the HMAs in this Complex.</p>
5.	<p>COMMENT: There is significant wild horse and livestock use at and around water sources in the SCC, such that few, if any, spring and riparian areas are in or near Proper Functioning Condition (PFC). Wild horse use is year-round and compounds any pressure attributable to cattle. In order to limit the distribution of wild horses to the HMAs and attain PFC at water sources, it may be necessary to reduce the AML below current numbers.</p> <p>RESPONSE: NDOW’s concerns with the riparian areas in the Complex were noted on page 20 of the EA. Any adjustment of AML is outside the scope of this EA, but will be addressed in future Rangeland Health Evaluations, with the participation of NDOW.</p>
6.	<p>COMMENT: Please note that the SCC Gather Plan and Environmental Assessment should include identification accounts and considerations for the following species of wildlife: ...mule deer...pronghorn antelope...Rocky Mountain elk ... pigmy rabbit... the desert bighorn sheep.</p> <p>RESPONSE: Thank you for bringing this to our attention. We apologize for this omission. As indicated in your comments, all of these wildlife species do occur throughout portions of the gather area. We anticipate that some isolated short-term disturbance could occur as a result of the gather activities. However, these species and their habitat will benefit from achieving and maintaining AML.</p>

State Historic Preservation Office	
7.	<p>COMMENT: The agency supports the proposal as written.</p> <p>RESPONSE: Thank you.</p>

Jennifer and Ken Foster	
8.	<p>COMMENT: I would like to see data clarification between livestock, big game species and wild horses stating that there is disproportionate share of resources allocated for the wild horses. I would also need to see the deer numbers so that I could feel I had all the information I needed.</p> <p>RESPONSE: This issue is outside of the scope of the Environmental Analysis. The allocation of forage to wild horses, livestock and wildlife is completed through the Multiple Use Evaluation Process (refer to response B above). The Nevada Department of Wildlife maintains deer population figures for this area.</p>
9.	<p>COMMENT: I am requesting copies of you NEPA Compliance especially to Section 106.</p> <p>RESPONSE: The EA analyzed impacts to cultural resources and was reviewed by a BLM archaeologist. As noted in Comment 7, the State Historic Preservation Office supports the Proposed Action. The BLM will complete Section 106 requirements when conducting the wild horse gather through qualified BLM archaeologists or district archaeological technicians.</p>
10.	<p>COMMENT: One other thing I did not see was an Economic Impact Statement, such as what is this removal going to do the Economics of State, County and Local Government. I know when I drive through Nevada my eyes are constantly on the look out for the Wild Horses and Burros. It is very easy for the Agency to say there is no economic impact on local government.</p> <p>RESPONSE: This issue is outside of the scope of the analysis.</p>
11.	<p>COMMENT: I need to know what Management Plan you are currently acting under.</p> <p>RESPONSE: Please refer to page 5 of the EA.</p>
12.	<p>COMMENT: If by chance this BLM Field Office is bending down to another Agency that makes it just that more wrong. Also if this action is being pushed by one or more Special Interest group that doubles the wrongness of this action.</p> <p>RESPONSE: Please be assured that the BLM is not “bending down” to any Agency or Special Interest group. The AMLs for the Reveille, Stone Cabin and a portion of the Saulsbury HMA were established through Consent Decision from an Administrative Law Judge or a Settlement Agreement resulting from <i>Fallini v. Hodel</i> (1986, D. Nevada) and are still in effect (refer to response A above). The BLM receives comments from the interested public which represents wildlife agencies of the state, wild horse or burro advocates, proponents of the livestock industry, and the general public. All comments received are considered in completion of Environmental Assessments, Finding of No Significant Impacts and Decisions.</p> <p>Furthermore, the BLM is mandated to comply with the requirements outlined within the Wild Free-Roaming Horses and Burros Act (WFRHBA) (PL-92-195), as amended, Code of Federal Regulations (CFR) at 43 CFR §4700 as well as all other laws, policy and regulation. The WFRHBA states that wild free-roaming horses and burros “shall be protected from capture, branding, harassment, or death; and to accomplish this they are to be considered in the area where presently found, as an integral part of the natural system of the public lands”. Additionally, the BLM is mandated to manage wild horses and burros “as self-sustaining populations of healthy animals in balance with other uses and the productive capacity of their habitat”. Other requirements identified within the WFRHBA include a determination through inventory whether and where an overpopulation exists and whether action should be taken to remove excess animals; determining appropriate management levels of wild free-roaming horses and burros on these areas of the public lands; and determining whether appropriate management levels should be achieved by the removal or destruction of excess animals, or other options (such as sterilization, or natural controls on population levels).” The WFRHBA also states “Where the Secretary determines on the basis of (i) the current inventory of lands within his jurisdiction; (ii) information contained in any land use planning completed pursuant to section 202 of the Federal Land Policy and Management Act of 1976; (iii) information contained in court ordered environmental impact statements as defined in section 2 of the Public Rangelands Improvement Act of 1978; and (iv) such additional information as becomes available to him from time to time, including that information developed in the research study mandated by this section, or in the absence of the information contained in (i-iv) above on the basis of all information currently available to him, that an overpopulation exists on a given area of the public lands and that action is necessary to remove excess</p>

	animals, he shall immediately remove excess animals from the range so as to achieve appropriate management levels.
13.	COMMENT: I am requesting that BLM, Tonopah Field Station put a stop to any further gatherings. RESPONSE: The No Action alternative was analyzed in the EA. Your comments have been reviewed and considered. We appreciate your interest in the Wild Horse and Burro Program and encourage you to become more informed and involved.

Katie Fite, Western Watersheds Project

14.	COMMENT: It (a wild horse gather) requires preparation of an EIS. NEPA requires that federal agencies base their decisions on sound ecological information and current science. This EA does neither. RESPONSE: Refer to responses A and B above. An EIS is not necessary or required to analyze to impacts of a wild horse gather. The EA analyses the impacts to all resources from completing a wild horse gather in the Complex, and incorporated all available information.
15.	COMMENT: Where has BLM conducted current rangeland health assessments and carefully and systematically separate horse from livestock impacts? If BLM has conducted such assessments, what is the population of horses in the particular areas that may be failing to comply with the FRH? What is the population in the areas that are found to be in compliance with the FRH? What is the livestock use pattern and stocking rates in these same areas? RESPONSE: This is outside of the scope of the analysis. The Stone Cabin Allotment is currently scheduled to be evaluated for rangeland health in approximately 2010. Reveille Allotment was evaluated for Rangeland Health, with resulting FMUD in 2001. See response B.
16.	COMMENT: Please provide detailed information on Actual Use by domestic livestock in each pasture or unit here during the past 20 years. RESPONSE: Refer to responses A and B above. This is outside of the scope of this analysis.
17.	COMMENT: Please provide detailed information, including maps on all domestic livestock facilities, water haul sites, mineral and salting sites, and assess their impacts on causing conflicts with wild horses and wildlife habitats (displacement, weed infestation and spread, depletion of native vegetation, etc.) as well as the current state of repair of all such facilities. ...Please provide parallel information for wild horses and explain how you have arrived at this information. ...Please provide a full history of any warning letters, trespass actions, or other non-compliance here. RESPONSE: Refer to response 16.
18.	COMMENT: Please also provide a detailed analysis of the current effects of livestock grazing on important and sensitive species and their habitats and populations. Please provide detailed analyses that clearly differentiate – with on-the-ground monitoring – between livestock and wild horse use. RESPONSE: Refer to responses A and B above. The AMLs for wild horses within the Complex was previously decided. This EA analyzes the impacts of a proposed gather. The allocation of forage to livestock and wild horses will be analyzed in future multiple use evaluations.
19.	COMMENT: A full range of reasonable alternatives must be considered. These include: Analysis of a series of reductions in domestic livestock grazing ... establishing more conservative standards of livestock use ... leaving intact horse bands in regions of the Complex no issuance of TNR relocate some of the horses. RESPONSE: This is outside of the scope of the analysis. Refer to responses A, B, and 15. Relocation of wild horses is very involved and must be completed with in-depth analysis. It would not be considered except in extreme circumstances.
20.	COMMENT: There are many fewer horses than domestic livestock here, yet BLM makes a big deal about horses getting out on the road. RESPONSE: Census flights and years of ground monitoring indicate that large numbers of wild horses

	congregate near the highway due to distribution of natural water sources. Cattle, on the other hand, are provided and chose to utilizes water tanks that are distributed throughout the allotments.
21.	<p>COMMENT: While BLM describes events in 1996 on winter range in Saulsbury - it blames horses. What was the domestic livestock grazing situation there for the preceding decades – and also since that time. How much has livestock grazing been reduced? How much rest has occurred? Etc.</p> <p>RESPONSE: This is outside of the scope of the analysis. However, livestock use throughout the Complex has typically been below permitted levels, and were reduced or removed by the permittees during periods of drought. The Ralston Allotment has been vacant in past years. Additionally, the Hunts Canyon and Ralston incorporate periods of rest and rotational grazing systems. Horses utilize these areas with annual population increase, requiring periodic removals such as the Proposed Action.</p>
22.	<p>COMMENT: While it is nice that BLM mentions the importance of riparian-wetland areas, the EA provides not a single shred of information and data about the condition of these areas, and that examines the different and separate, as well as cumulative impacts of livestock grazing and trampling vs. wild horse impacts, to these sites. Plus, nowhere is there any data on flow rates, changes in flows over time, location and effects of all livestock facilities or other water flow alterations including water diversions, de-watering spring gutting/development projects, and all manner of other alteration that may affect wild horse and wildlife use of these areas, as well as rare aquatic biota.</p> <p>RESPONSE: This is outside of the scope of the analysis. Refer to page 19-20 of the EA. Current PFC assessments have not been conducted, but are scheduled to be completed in the future.</p>
23.	<p>COMMENT: Were [sic], specifically in all pastures and use areas, and in relation to EVERY Key Area –and where is EVERY Key Area located (please provide maps) is there evidence documenting utilization rates across the allotments.</p> <p>RESPONSE: This is outside of the scope of the analysis, and is addressed in multiple use evaluations.</p>
24.	<p>COMMENT: Were livestock prevented from grazing the Stone Cabin and Saulsbury areas in 1995, 1996, 1997, 1998? Or any other areas in the HMA? Were numbers reduced?</p> <p>RESPONSE: Refer to response 21.</p>
25.	<p>COMMENT: BLM has not provided data and information critical to support its assertion that key forage plants would increase in vigor. We need to know what key forage plants still remain where, if larger-statured native grasses have been replaced by small increaser species, or worse – annual weeds – and other critical information. It has not examined the current rangeland health – at each and every key area, riparian area, etc. here – and the location of surface waters including any playas, spring and seeps, streams, water pipelines, wells, stock ponds, water haul and other sites, in relation to stocking rates and actual use by domestic livestock that has occurred – or that is foreseeable - here.</p> <p>RESPONSE: Refer to response 15 and 23.</p>
26.	<p>COMMENT: Where is the monitoring information that indicates watering areas used by this herd of horses are in good or excellent condition? That is very important data, and we would like to see it portrayed and analyzed in detail in the NEPA document. Are those areas currently grazed by domestic livestock, and at what actual levels? What is the information NDOW bases it concerns on?</p> <p>RESPONSE: Field observations by NDOW and BLM indicate that wild horses and livestock are impacting riparian areas in the Complex. This will be evaluated through PFC assessments and incorporated into rangeland health assessments in future years.</p>
27.	<p>COMMENT: How is military training activity – including low level flights, rangeland flare-caused fires or other activities affecting these lands and ecological conditions, or the causing stress or disturbance or displacement?</p> <p>RESPONSE: This is outside of the scope of the analysis. We are not aware of significant disturbance to wild horses from nearby military operations. Wildfire (man or natural caused) is rare in areas managed by the Tonopah Field Station.</p>
28.	COMMENT: Where (including on Forest or other lands used by this horse herd) are there mining claims, oil

	<p>and gas leases, geothermal, rights-of-way, or other exploration and disturbance existing, ongoing or planned?</p> <p>RESPONSE: Environmental impacts concerning these multiple uses have been addressed within the EA. Further detail is analyzed in final multiple use decisions.</p>
29.	<p>COMMENT: Where have all recent healthy forests or vegetation manipulation projects occurred in BLM and Forest lands here? Where are they proposed? How will these activities affect wildlife habitats and populations, and use of the landscape? How will they affect horses? How will they affect livestock grazing use, stocking rates, or cumulative disturbance impacts?</p> <p>RESPONSE: This is outside of the scope of the analysis.</p>
30.	<p>COMMENT: What were the effects of the Minnesota fertility study? BLM claims to be studying this fertility drug in each and every Nevada EA, yet little has ever resulted that we have seen. At some level, there has to be an assessment, and accountability of such actions.</p> <p>RESPONSE: Since the Minnesota study took place 20 years ago, we do not have that information readily available. If you are interested, please contact us and we will attempt to locate this information.</p> <p>However, fertility control has been researched and documented for many years by the BLM and researchers associated with the BLM and Bureau of Research and Development. The reader is referred to the numerous references listed on page 47 of the EA for detailed information about these topics. The reader is specifically directed to those identified for Coates-Markle, Singer, Kilpatrick, Turner and Zoo Montana which relate to fertility control and genetic viability. Through the research completed on fertility control application, it is indicated as a safe and reversible vaccine that is effective in slowing herd growth rates. Results have not indicated that survival capacity has been impaired. Also refer to response 3.</p>
31.	<p>COMMENT: What is the role of horses here in promoting a healthy mountain lion and other native carnivore population?</p> <p>RESPONSE: This is outside of the scope of the analysis. Please contact NDOW for wildlife statistics in this area.</p>
32.	<p>COMMENT: Where have all fires occurred? What was the result of these fires?</p> <p>RESPONSE: No significant fires have occurred in the Complex in recent years. Wildfire is rare in this area.</p>
33.	<p>COMMENT: What areas and plant communities – how many acres? Where? When were surveys done? contain cheatgrass, bromes, or other invasive grasses as a component of understories? Where are these species dominant? What lands are at risk to further infestation, and what is the relative role of horses vs. domestic livestock in this?</p> <p>RESPONSE: This is outside the scope of the analysis. Some of this information was discussed in the EA. This level of detail is provided in the Multiple Use Evaluations and Rangeland Health Assessments.</p>
34.	<p>COMMENT: It is impossible to understand what the EA (as at 22) is claiming about age structure. No old horses should be removed.</p> <p>RESPONSE: We apologize for the confusion. Per BLM policy prior to 2001, wild horses 10 years and older were returned to the range, and animals 9 years and younger were removed for adoption. There were very few exceptions to the policy, and as a result, primarily older horses were left on the range post-gather. Over time, foals would be born, and the younger age groups would “fill in.” However, there would be a “gap” between the ages of 0 and 9, that would change through the years as wild horses age. In the case of the Stone Cabin HMA, the last gather occurred in 1998. The older horses have continued to age and reproduce (1998-2006), and the current population may now reflect few horses between the ages of 8-18 years. Immigration from adjacent HMAs could help to offset age structure inconsistencies.</p> <p>Selection of animals for removal and release is guided by the <i>Selection Removal Criteria</i> discussed in Appendix A of the EA. Consistent with this policy, wild horses 5 and under will be the first priority for removal and placement into the National Adoption Program. BLM is responsible for and has the final decision relative to selecting the wild horses to release to the range post gather. However, in selecting between one horse and</p>

	<p>another, the BLM is willing to consider suggestions provided that the health and safety of the animals and the public can be assured. It is the objective of this gather to achieve the AMLs while adhering to the Selective Removal Policy, releasing animals with a wide range of ages and characteristics, and minimizing the stress to horses in the process.</p>
35.	<p>COMMENT: Is BLM still bound by that 1987 settlement? It is 20 years old now, and conditions on the ground have changed. Plus, the public has even greater concern about the impacts of domestic livestock (compared to wild horses) on the landscape.</p> <p>RESPONSE: Yes. See response A above.</p>
36.	<p>COMMENT: Please provide detailed economic analyses of the livestock grazing cost to the public (administrative as well as mitigation) as well as alternative uses foregone.</p> <p>RESPONSE: This is outside of the scope of the analysis.</p>
37.	<p>COMMENT: We note that there are LLCs and a Manager indicating an absentee - perhaps hobby owner? Is sub-leasing going on? If so, whose livestock actually graze here, and what has been their record of compliance on any public lands grazing allotment? Are there loans or bank liens on the grazing permits or base properties? Who owns the base properties?</p> <p>RESPONSE: This is outside of the scope of the analysis.</p>
38.	<p>COMMENT: Does APHIS conduct subsidized predator killing here? If so, where, and what does that cost taxpayers? Does aerial gunning or other disturbance affect or displace wild horses or wildlife?</p> <p>RESPONSE: This is outside of the scope of the analysis. Management of predators such as cougars, wolves, and coyotes is outside BLM's jurisdiction. Monitoring indicates that predation is not effectively controlling the size of the horse population and that excess horses are present and require removal to restore a thriving natural ecological balance to the range and protect the range from the deterioration associated with overpopulation.</p>
39.	<p>COMMENT: Please provide a detailed analysis of the relative impacts of horses vs. domestic livestock vs. wildlife, vs. combined wildlife and horse use – on the lands of Wilderness Study Areas here.</p> <p>RESPONSE: This is outside of the scope of the analysis.</p>
40.	<p>COMMENT: This action will have a major effect in increasing the likelihood of TNR issuance or increased grazing use on these lands . . .</p> <p>RESPONSE: This is outside of the scope of the analysis. See response B above.</p>
41.	<p>COMMENT: It seems like a blatant falsehood to claim that BLM's actions will have "minimal impact" on herd population or dynamics. It will have a tremendous impact on the dynamics of band groups, and potential learned use of areas. What role does learning play in wild horse [sic] of land areas?</p> <p>RESPONSE: Positive and negative impacts to wild horses from the proposed gather are discussed at length in the EA.</p> <p>Population-wide direct impacts are immediate effects, which would occur during, or immediately following the gather. They include the displacement of bands during capture and the associated re-dispersal which occurs following release, the modification of herd demographics (age and sex ratios), the temporary separation of members of individual bands of horses, the re-establishment of bands following releases, and the removal of animals from the population. With exception of changes to herd demographics, direct population wide impacts have proven, over the last 20 years, to be temporary in nature with most if not all impacts disappearing within hours to several days of release. No observable effects associated with these impacts would be expected within one month of release except a heightened awareness of human presence.</p> <p>The effect of band displacement on a population as a result of gather operations has been observed in several HMAs following releases. Most horses relocated themselves from the release site back to their home ranges within 12 to 24 hours and at times much faster. This redistribution occurred following a brief "reorientation swing" involving horses ranging out from the release site in a curving arc until their bearings were apparently restored.</p>

	<p>Following release, specialists have also observed horse behavior as it relates to bands that are separated at capture. While the affinity of individual animals to their band would be expected to vary, it was a very common observation that mares or studs broke from the group they were released with (unexpected behavior for a social animal exercising the flight response) and headed toward a particular animal or group of animals. Following this activity, the pair or trio of horses continue the re-orientation swing and then lined out together in a common direction. In some cases, individual groups were observed later together in a new area presumed to be the site of their original home range. Some specialists have noted individual mares re-associated with specific studs or mare groups following capture.</p>
42.	<p>COMMENT: The outcome of the proposed action is highly uncertain. You claim that you will follow selective removal criteria “to the closest extent possible” – yet you do not explain how you will deviate, nor do you analyze a range of alternatives related to such criteria – like leaving bands all intact in areas where horse numbers are not as great, and other actions that could be taken to ensure minimizing disturbance to horses and the lands as part of your actions here.</p> <p>RESPONSE: Refer to response 34 and 41. Adherence to the SOPs will help to alleviate stress to wild horses during the gather.</p>
43.	<p>COMMENT: Please make sure a detailed analysis of all impacts to all values of WSAs is provided.</p> <p>RESPONSE: The analysis of impacts to WSAs was addressed in the EA, page 37-38.</p>
44.	<p>COMMENT: Additionally, we have a real concern with BLM relying on Key Areas for monitoring horse impacts – horses typically range much further from water than cattle, so to accurately gauge their use, BLM should establish monitoring areas. BLM must also related [sic] horse numbers to actual land area, and not just fly the whole thing, and lump numbers across this vast region. There needs to be precision in determining effects, which horses to remove or keep, and other such effects.</p> <p>RESPONSE: This is outside of the scope of the analysis. BLM conducts comprehensive census flights of HMAs, and collects additional data to provide the best information of the “whole picture,” not just the wild horse numbers. This information is summarized into reports and maps and is utilized by the BLM staff to determine where to concentrate removal efforts or other management actions that may be needed. This level of detail is not provided in the EA, but is utilized by the staff during gather planning and implementation.</p>

Cindy McDonald	
45.	<p>COMMENT: <u>Regarding the Reveille HMA:</u></p> <p>The EA states that no gathers/removals will be done within the actual HMA. The 2007 National Gather Schedule is reporting plans to gather 128 and remove 52. Please explain this discrepancy.</p> <p>RESPONSE: National gather schedule is an estimate of the possible numbers to gather by HMA. The January 2006 and January 2007 census flights documented many of the horses located outside of the HMA boundaries. Therefore, the number of wild horses that remain within the HMA boundaries indicates that none will need to be captured from inside the HMA.</p>
46.	<p>COMMENT: The population estimates given for the Saulsbury HMA have include the population of Monitor Wild Horse Territory to increase “excess AML percentages”. Monitor WHT has yet to establish AML’s for its 339,428 acres.</p> <p>RESPONSE: We are not sure of what you are referring to. The population estimates identified on page 3 of the EA only include those wild horses within the Saulsbury HMA, and animals outside of HMA boundaries on BLM lands. They do not include any population figures for the USFS Monitor Wild Horse Territory (WHT). It is true that the USFS is in the process of determining the AML for this WHT. Therefore, the BLM has not included the WHT within the proposed gather area, and will not be removing any wild horses from the WHT.</p>
47.	<p>COMMENT: The current proposal is seeking to establish a remaining population of 25 wild horses on 483,695</p>

	<p>acres of public lands. Additionally, Monitor WHT was just gathered and removed wild horses one year ago.</p> <p>RESPONSE: The Proposed Action and Alternatives described on pages 8-11 of the EA involve gathering the Saulsbury HMA to a post-gather population of 25 wild horses which will prevent the AML of 40 horses from being exceeded for 3-4 years. The Saulsbury HMA is approximately 135,000 acres in size. The AMLs were established through Final Multiple Use Decision in 1996 and Consent Decision in 1992.</p> <p>The Monitor WHT was NOT gathered one year ago. The BLM Monitor HMA was gathered in July 2005 and January 2006. The Monitor HMA is not related to the Monitor WHT. We apologize for the confusion.</p>
48.	<p>COMMENT: Please explain why Monitor WHT population numbers are being reported as Sauslbury [sic] HMA population numbers.</p> <p>RESPONSE: Monitor WHT populations are not being reported in the EA. See response 46.</p>
49.	<p>COMMENT: Please explain why no information was reported or provided in this EA and to the public regarding the Monitor WHT, it's population estimates, AML's, or previous gather/removal history other than the statement within the EA that it was included within the gather/removal proposal.</p> <p>RESPONSE: Refer to response 46 above.</p>
50.	<p>COMMENT: Please explain why BLM states that wild horses within the Stone Cabin Complex interact with the Nellis Nevada Wild Horse Range horses versus the wild horses that comprise the Fish Creek Complex. The Nellis Nevada Wild Horse Range is located on a military installation that is completely fenced to prevent movement or intrusions. How have horses managed to cross these military barriers?</p> <p>RESPONSE: We believe that the comment refers to discussion of wild horse movement on page 24 of the EA, which states, "Some movement also occurs between the Nellis Test Site and Stone Cabin and Reveille HMAs, even though the Nellis boundary is fenced. ...Movement is also known to occur between Little Fish Lake WHT and the northern portion of Stone Cabin Valley, as this area is not fenced. Movement between BLM wild horse HMAs and USFS WHTs occurs from the Nellis Test Site north to U.S. Highway 50 (approximately 125 miles), encompassing the entire Monitor Range and associated valleys. The entire area exceeds several million acres, with an AML of over 1,000 wild horses. For these reasons, there is likely little concern for the current or future genetic health of these populations."</p> <p>This statement in the EA does include the Fish Creek Complex located north of the Stone Cabin Complex. The Fish Creek Complex extends north to U.S. Highway 50, as stated above. The following sentences were accidentally omitted from the EA at the end of paragraph 1, page 24.</p> <p style="padding-left: 40px;">"...BLM approaches management of these areas as Complexes to account for the movement and distribution patterns within this large area. The Fish Creek Complex includes the area from Little Fish Lake WHT north to U.S. Highway 50, and was gathered to AML during the course of two gather operations in July 2005 and February 2006 with the removal of 1,130 wild horses."</p> <p>We apologize for the omission that caused the confusion.</p> <p>Though the Nevada Wild Horse Range (Nellis) is located on a restricted military area adjacent to the Complex, wild horse movement does occur. The boundary is fenced with standard 3-4 strand barbed wire fencing. Wild horses are known to be able to jump these fences, go through breaks in fences and push fences over. Wild horses gathered from the Stone Cabin HMA in 1998 exhibited characteristics consistent with those from the Nevada Wild Horse Range. Additionally, during the January 2007 census flight, bands of wild horses were observed just inside the Nellis boundary south of the Stone Cabin HMA boundary.</p>
51.	<p>COMMENT: Did BLM cite the Nellis Nevada Wild Horse Range as interacting with the Stone Cabin Complex herds merely for the sole purpose of including the Nellis AML of 500 horses to artificially inflate AML numbers for the proposal area in an attempt to hide unhealthy genetic AML's and populations as a result of this proposal and implementing its decisions? Additionally, the Nellis Nevada Wild Horse Range has decreased its AML from 1,000 wild horses to 500 wild horses between 2004 and 2005 while at the same time increasing the Herd Area acreage by 699,642 acres. If wild horses are interacting between these areas as BLM</p>

	<p>asserts in this proposal, why are AML's being reduced instead of increased with the corresponding increase in resources?</p> <p>RESPONSE: The BLM included discussions of the Nevada Wild Horse Range (Nellis) to 1) note the potential existence of club foot in the Stone Cabin wild horses, 2) identify potential herds in which the Stone Cabin and Reveille HMAs interact, and 3) present information that pertains to metapopulations and the genetic diversity of the Stone Cabin Complex, so as to demonstrate that it is not an isolated or small herd. Management of the Nellis herd is outside the scope of this analysis. AMLs are not being reduced for the Stone Cabin Complex through this EA. See response A.</p>
52.	<p>COMMENT: The proposed gather area is adjacent to many HMAs that were gathered in the summer of 2005 and the winter of 2006. 1,179 wild horses have been removed so far and this proposal will remove 521 more: 1,700 in a year and a half.</p> <p>RESPONSE: The Fish Creek Complex includes the Little Fish Lake HMA/WHT, Sevenmile HMA, Butler Basin WHT, North Monitor HMA, and Fish Creek HMA. This area is located north of the Stone Cabin Complex and extends north to U.S. Highway 50. The region was gathered in July 2005, and included areas outside of recognized HMA boundaries. Due to elevation, terrain and tree cover, the gather objectives were not met during the summer months. The completion of the gather occurred in January 2006. In both gathers, 1,133 total wild horses were removed from inside and outside the WHT and HMA boundaries to achieve the AMLs established through FMUDs and Court Decisions, and to prevent the AMLs from being exceeded prior to the next gather.</p>
53.	<p>COMMENT: It is stated on page 25 that the post-gather population estimates for the Stone Cabin Complex and the Fish Creek Complex, a co-managed wild horse area, is expected to be 540 wild horses once the proposed removals are completed. The total combined acreage of these two Complexes equals 2,027,945 acres.</p> <p>RESPONSE: The Stone Cabin Complex and Fish Creek Complex are not co-managed, but do exist in close proximity to each other, and wild horse movement occurs between the two areas. The total acreage of the HMAs involved with the two complexes is approximately 1.2 million acres. The acreage of the proposed gather areas is larger to account for removal of wild horses from outside HMA boundaries.</p>
54.	<p>COMMENT: The estimated "over-population" scheduled for removal within the Stone Cabin Complex is 521 wild horses....Not only is the idea ridiculous that 1,061 wild horses dispersed over 2,000,000 acres (the current estimated population of the two complexes) is causing range deterioration, this proposal, as well as the previous gather and removal actions, is no longer considered "management" but harassment.</p> <p>RESPONSE: Please refer to responses A and B above.</p>
55.	<p>COMMENT: The HMA's and WHT's within this proposal, as well as the adjacent HMA's and WHT's managed under the Fish Creek Complex umbrella, indicate that previous aggressive removals within the areas are resulting in extreme stress to the wild horses, causing severe disturbances in normal distribution patterns and occupation by wild horses in areas that has never been documented before. The current BLM management strategies are resulting in extreme harassment to wild horses within the proposed gather and removal areas that borders on eradication.</p> <p>RESPONSE: Please refer to response 52 above. Adherence to the Standard Operating Procedures identified in the Gather Plan/EA would minimize stress to wild horses as a result of the gather activities. We agree that wild horse distribution patterns will change following gathers. We also believe that the distribution changes will benefit the wild horses. Observations from past gather and census projects in other locations indicate that when populations are high, distribution patterns are such that wild horses may be using areas that they would not select otherwise if competition for resources and competition between bands were not a factor. When competition is reduced as a result of achieving the AML, wild horses will utilize more desirable areas, and not tend to move into less desirable habitat. This should improve overall health and body condition of the horses remaining on the range by making preferred habitat more available.</p> <p>The proposed gather would not border on eradication of the wild horses within the Complex. The proposed</p>

	gather would achieve the established AMLs and prevent the AML from being exceeded for several years. The proposed gather would also prevent the need for emergency gathers in the future like those that were necessary in 1997-1998.
56.	<p>COMMENT: Further support for this harassment and aggressive excessive removals is provided on page 3 of this assessment, which states that reproduction rates have been noted at 23.5% for the last two years. . . it is also common knowledge that large reductions in wild horse populations spur a compensatory reproduction rate in efforts to re-stabilize herd dynamics. Why was this not considered or reported on as a reason for increased recruitment rates? Is it possible that this attempt to re-establish herd populations is the reason for increased reproduction rates versus additional available forage?</p> <p>RESPONSE: The figure identified on page 3 represents the estimated number of yearlings observed during the January 2006 census flight. Of the total animals observed, approximately 23.5% were documented as yearlings. This is an estimate only. Due to the above-average precipitation levels recorded in this desert ecosystem, it is estimated that the result was increased foaling rates and survival, as occurs in many wildlife and domestic species. There have not been significant fluctuations in the populations observed in the Complex that would indicate compensatory reproduction.</p>
57.	<p>COMMENT: The 2004 Fish Creek Complex wild horse removal proposal . . .and this assessment, repeatedly state that seasonal wild horse movements and distribution patterns fluctuate widely within these wild horse territories . . . (and) the horses that reside within the two million acres move around it considerably. This means that these horses have been rounded up three times in a year and a half. This too shows, not “management,” but harassment, which the 1971 Act was specifically written to prevent.</p> <p>RESPONSE: As noted above, the total gather area exceeds the actual HMA acreages. The Stone Cabin Complex was not gathered in conjunction with the Fish Creek Complex in 2005 and 2006. The Fish Creek Complex will not be gathered with the Stone Cabin Complex. Information pertaining to wild horse distribution and movement patterns is extrapolated from many sources including historical census and distribution flights, field observations, and population changes noted before and after gathers. Because the wild horses are not identified with brands or radio collars, and because of the ruggedness of the HMAs, it is not possible to document the movement of every band of horses. General patterns of movement are estimated from the available data Lone studs and bachelor bands from each HMA are most likely to disperse across adjacent HMAs.</p>
58.	<p>COMMENT: . . .Reveille HMA has not been officially gathered for six years and they are still not exceeding AML . . . the reason for this failure to approach high AML is not reported on within this proposal. What are the documented reasons this wild horse herd has failed to reproduce at the standard or high estimated reproduction rate ? Despite not exceeding AML, BLM is still planning on gathering the wild horses within the area.</p> <p>RESPONSE: As noted in the EA, movement between the Nellis range, Stone Cabin and Reveille HMAs is common. There are few fences, and the topography lends itself to easy movement east and west along the shared boundaries. Movement of wild horses into Stone Cabin HMA during Reveille gathers has also been documented. Wild horse bands are reproducing at normal levels as indicated by observations during census and field observations. The 2001 gather managed for a 59/41 male/female sex ratio which may account for slightly lower population increases. The animals observed appear to be healthy. The BLM is not aware of unreported gathers. The BLM objective for the Reveille HMA is to remove wild horses from outside of HMA boundaries in accordance with the 1987 Settlement Agreement.</p>
59.	<p>COMMENT: One of the main reasons for gathering wild horses in Reveille is cited as wild horses residing outside “horse managed areas”. Yet research shows a rather curious acreage allocation has been transpiring around this herd. In 1997, BLM reported that the Reveille herd had a Herd Area and Herd Management Area of an equal allocation of 125,400 BLM acres. In 2006, this acreage is now reported as 387,558 Herd Area acres while the “managed” acreage known as HMA has been reduced to 104,515 acres.</p> <p>RESPONSE: An October 1987 Settlement Agreement resulted in the identification of the “Herd Use Area” for the Reveille HMA, as well as specifying the management range that would be allowed in the HMA. The Reveille HMA boundaries established through the 1987 agreement includes an area considerably smaller than the Reveille Herd Area. In 1997 the Herd Area and Herd Management Area boundaries were not yet input into</p>

	<p>the Geographic Information System (GIS) system which may explain the discrepancies between the 1997 figures and the current figures. Between 2000 and 2006 the BLM Nevada finalized inputting Herd Areas and Herd Management Areas into GIS. The National Program Office also began developing a tracking system to identify Herd Area and Herd Management Areas that changed or were combined into other HMAs. Due to this recent activity, it is expected that discrepancies occur. We apologize for the confusion.</p>
60.	<p>COMMENT: The wild horses being proposed for removal are residing in their legally protected herd area. BLM is not authorized to remove these horses according to their own regulations and proposing to do so is in direct violation of it's own policies.</p> <p>RESPONSE: 43 CFR 4700.0-5 (d) defines a Herd Area as the geographic area identified as having been used by a herd as its habitat in 1971. 43 CFR 4710.4 states that management of wild horses and burros shall be undertaken with the objective of <i>limiting</i> (emphasis added) the animals distribution to herd areas. The BLM is not required to manage wild horses within the entire herd area. Through land use planning decisions, the BLM delineates Herd Management Areas (HMAs) for long term management of wild horses. If HMAs are delineated smaller than herd areas, then the BLM will remove wild horses from the Herd Area outside of the HMA boundaries.</p>
61.	<p>COMMENT: Please explain why, when BLM published on page 6, under authorizations through citation of CFR 4710.4, they censored, omitted re-worded and inaccurately quoted this regulation. 43 CFR 4710.4: <i>“Management of wild horses and burros shall be at the minimum level necessary to attain the objectives identified in approved land use plans.”</i></p> <p>Yet this CFR regulation actually reads: <i>“Management of wild horses and burros shall be undertaken with the objective of limiting the animals’ distribution to herd areas. Management shall be at the minimum level necessary to attain the objectives identified in approved land use plans and herd management area plans.”</i></p> <p>RESPONSE: You are correct. Thank you for bringing this to our attention. We apologize for the error.</p>
62.	<p>COMMENT: This proposal for the gathering and removal of wild horses within their legally protected and managed areas is clearly “reaching” for reasons to remove wild horses; there is no substantive evidence provided that wild horses are excessive by any standard within the complex area, only vague generalizations and assertions about “potential possibilities”.</p> <p>RESPONSE: AMLs have been established for these HMAs. Please refer to response A and B above.</p>
63.	<p>COMMENT: The known Animal Unit Months (AUM’s) that BLM has authorized for livestock grazing within the Stone Cabin Complex is 44,282 AUM’s or 13,248 head of cattle while wild horse use has been allocated at 6,564 AUM’s or 547 head of horses. The AUM’s that BLM has authorized for livestock grazing within the Reveille herd area is listed as 25,730 AUMs or 8,781 head of cattle of permitted use. If that much forage is available, how can horses starve to death?</p> <p>RESPONSE: This is outside of the scope of the analysis. Refer to response A and B above.</p>
64.	<p>COMMENT: Also, this assessment cites that within BLM’s own Code of Federal Regulations that, “Wild horses and burros shall be managed at self-sustaining populations of healthy animals and in balance with other uses and the <i>productive capacity of their habitat.</i>” (43 CFR 4700.0-6, a). Obviously, the habitat is very productive; yet only a marginal amount is allowed for wild horse use. Please explain how over 13,248 head of cattle versus 547 horses is either balanced, appropriate or complies with this regulation?</p> <p>RESPONSE: AMLs have been established for these HMAs. Please refer to response A and B above.</p>
65.	<p>COMMENT: “Roy Clifford of the Stone Cabin Partnership states concerns that horses have starved to death in the fenced-off Willow Creek Allotment because of lack of forage during an unusually heavy snowfall” and that “The Stone Cabin Ranch strongly urges BLM not to allow any horses on Willow Creek (Allotment) for this reason.”</p> <p>Is BLM allowing a livestock operator to dictate public lands policy, implement rangeland “improvements” that are clearly detrimental to wild horse habitat and health, and violating a variety of laws and regulations, the most glaring being CFR 4710.5.</p>

	<p>Why did BLM not address this hazard by proposing the elimination of the fence and the livestock grazing within this proposal as soon as this fact was reported?</p> <p>If the fence is removed and the allotment closed, as it should be according to CFR 4710.5, a resulting increase in forage allocations for wild horse use would thereby be obtained as well as obviously mitigating population and rangeland “pressures” that would negate the need for wild horse removals in the area.</p> <p>RESPONSE: There has been one documented case of wild horses dying as a result of winter snow in the Willow Creek allotment due to this fence during a period of extremely high snow fall. This is a legitimate concern by the permittee who is concerned about the welfare of the wild horses in this area. This permittee and his family have been present in the Stone Cabin area for many generations and do not wish to see harm come to wild horses in the area.</p> <p>The Willow Creek fence was constructed in 1974 following a 1970 agreement between four permittees. The area confined by the fence was subject to extremely heavy grazing by cattle from the north and south. It was determined that construction of the fence was critical to provide adequate “provide adequate control to protect the range from stopping cattle drift from the south”.</p>
66.	<p>COMMENT: Please explain how the current “management strategy” of the wild horses in the proposal area, who have been allocated 700% less forage than livestock, conforms to the directives provided in the 1971 Wild and Free-Roaming Wild Horse and Burro Act (Public Law 92-195), The Federal Lands Management Policy Act of 1976 (Public Law) or The Public Rangelands Improvement Act of 1978 (Public Law 95-514).</p> <p>RESPONSE: Please refer to response A and B above.</p>
67.	<p>COMMENT: BLM leases or “sells” the forage from our public lands for profit, both to the Bureau itself as well as for the profit of the authorized livestock grazing permittee. Removing wild horses for direct or indirect financial gain is expressly forbidden in CFR 4700.0-5, section (c) under commercial exploitation.</p> <p>RESPONSE: This is outside the scope of this analysis. This is a misinterpretation of “commercial exploitation” as it pertains to wild horses. The definition given under 43 CFR 4700.0-5 (c) is “using a wild horse or burro because of its characteristics of wildness for direct or indirect financial gain.” This refers to the prohibited use of wild horses or burros for commercial slaughter or as bucking stock.</p>
68.	<p>COMMENT: Please explain why the BLM has determined that it is more feasible to have the taxpayers pay for wild horses to live in long-term holding facilities while ranchers pocket the profit gleaned from utilizing the forage on our public lands, forage that is by legal right and mandate reserved for wild horses to a much larger extent than currently allocated within their designated herd areas.</p> <p>RESPONSE: This is outside of the scope of the analysis.</p>
69.	<p>COMMENT: Furthermore, the EA states that a population census will be done on the proposal area AFTER the issuance of this assessment. BLM is required by law to issue this “environmental assessment” to inform the public of it’s proposal and to report on relevant factors within the proposal for consideration and comment. Why then was the census not done prior to the issuance of this EA so that the public has the opportunity to have the most current, up-to-date information available for their consideration? Please explain why, knowing eight months in advance about this proposal, knowing that a population census would be done, BLM chose to schedule the census within a time frame that excludes reporting these figures to the public? If these figures are released to the public <i>after</i> the comment period is closed, what possible purpose can it serve to the public?</p> <p>RESPONSE: A census of the entire Stone Cabin Complex was completed in January 2006 in conjunction with a pre-gather census flight of the Fish Creek Complex. This comprehensive flight was conducted to assess the population and distribution of wild horses within the area for use in completion of the gather plan and EA. The purpose of the flight referenced above (which was conducted January 15-18, 2007) was to conduct a pre-gather census flight of the Complex to determine up-to-date population and distribution information in order to finalize gather planning work.</p> <p>The Environmental Assessment was issued with census data that was less than one year old, and considered</p>

	<p>very current. Only one foaling season occurred between the census and the issuance of the EA. This is very reasonable procedure. The BLM does keep an accurate inventory of the populations of HMAs. Because it is neither desirable nor cost effective to conduct census flights each year, the BLM uses established estimation methods based on historical average rates of increase that take into account mortality and reproduction for the years in which census data is not available. Additionally, in accordance with the 1987 Settlement Agreement, the BLM is required to census the Reveille HMA and Allotment every year.</p>
70.	<p>COMMENT: Please explain why BLM failed to release this EA in a manner that would be timely enough to allow for the public to request a stay and appeal the decision if warranted? Please explain why BLM waited so long to release this EA for public comment if the scoping process began almost a year ago? Please explain why the Tonopah Field Station has refused to allow the public the opportunity to comment via e-mails, a very common and convenient forum of public participation? Doesn't it <i>want</i> to hear from and consider the public concerns?</p> <p>RESPONSE: The Tonopah Field Station began planning for both the Stone Cabin Complex and the Silver Peak/Paymaster wild horse gathers in early spring 2006. The Silver Peak/Paymaster gather was scheduled and conducted in late September, early October, 2006. The Stone Cabin Complex gather was originally scheduled to begin December 1, 2006. Therefore, the Tonopah Field Station issued the scoping letters to the parties who had requested inclusion on the interested public mailing list. The letters were sent out for both gather projects well in advance of the proposed gathers to allow for ample time to receive comments, incorporate those comments, and issue the EA in advance of the gather.</p> <p>The BLM has afforded ample opportunity for participation by the interested public. Through the scoping letter issued in May 2006, the BLM requested comments or recommendations regarding the proposal to gather the Stone Cabin Complex. The scoping letter was issued to individuals and organizations that had requested in writing to be included in the interested public mailing list for the gather area. The Tonopah Field Station has allowed the public to submit comments electronically by e-mail in addition to mailed letters. The public was afforded ample opportunity to provide comment and input to the proposed gather plan and EA</p>
71.	<p>COMMENT: BLM has failed to provide any evidence in this proposal that an overpopulation of wild horses exists which could result in threats to rangeland health and deterioration. The evidence that <u>is</u> presented demonstrates that excessive livestock operations are being allowed and approved of to generate revenue for private individuals at the expense of the general public.</p> <p>RESPONSE: The overpopulation of wild horses and threats to rangeland health were discussed throughout the EA. AMLs are already established for these HMAs. Please refer to responses A and B above. The issue of livestock operations is outside of the scope of this environmental analysis.</p>
72.	<p>COMMENT: BLM is failing to provide proper stewardship of public lands and resources, is causing excessive costs to taxpayers through their exploitation of public resources "for sale", and is knowingly defying laws and regulations established through their own agency and Congress which have been established to protect our resources, now and for future generations.</p> <p>RESPONSE: This issue is outside of the scope of analysis. The proposed gather is in adherence to the WFRHBA, Code of Federal Regulations in addition to other policy and law pertaining to the management of wild horses. Please refer to response A above.</p>

Animal Welfare Institute	
73.	<p>COMMENT: The BLM has failed to substantiate the alleged need for the action, to consider a reasonable range of alternatives, and to provide an accurate scientific analysis of the impacts of the proposed action. The BLM offers not a single reference to any scientific study to substantiate the document, it fails to include information or analysis that it claims is in the document, and it fails to disclose data, evidence and information that are absolutely crucial . . .</p> <p>RESPONSE: Please refer to responses A, B, 15-18, 22, and 23.</p>
74.	<p>COMMENT: Failing to provide for an adequate opportunity for public participation in the decision-making process. AWI . . . was unable to locate an electronic copy of the document online . . . Its failure to do so</p>

	<p>impaired the ability of interested stakeholders who did not receive a hard copy of the document to have time to access the Draft EA</p> <p>RESPONSE: See response 70. In September 2006 the BLM informed AWI that to be included on the mailing lists, the organization would need to make the request to individual field offices, which it failed to do. Per our telephone conference on January 24, 2007, you will be added to the Tonopah and Battle Mountain mailing lists for fiscal year 2007.</p>
75.	<p>COMMENT: The BLM’s decision to summarize the alleged damage to the range caused by the alleged “overpopulation” of wild horses within the Stone Cabin Complex without providing actual data to document and substantiate such assertions violates NEPA.</p> <p>RESPONSE: Please refer to response 73 above. The AMLs have previously been established through Consent Decision, Settlement Agreement and Final Multiple Use Decision. Consideration of previous gathers, precipitation, drought conditions, emergency gathers, and review of available census and utilization data collected between 1993 and 2006, indicate that the established AMLs for the Stone Cabin, Saulsbury and Reveille HMAs remain valid. The referenced data was not provided in detail in the EA as it is outside of the scope of the analysis, and will be analyzed and interpreted comprehensively with other data and information pertaining to livestock, wildlife and wild horses in future Rangeland Health Evaluations. The purpose of the EA was to analyze impacts of the proposed wild horse gather.</p>
76.	<p>COMMENT: . . . the BLM provides an estimate of the number of horses in each HMA . . but fails to disclose the trend in wild horse numbers over time, the methodology used to census or otherwise estimate the number of horses within each HMA . . .In other words, the BLM must disclose how it counts horses on the range, whether its methodologies have changes over the years, and how the numbers of horses have changed over time.</p> <p>RESPONSE: Because aerial census techniques used by the BLM to inventory wild horses and burros is standard procedure, a detailed description of the methodology was not typically included in Gather Plan/EAs. The Tonopah Field Station generally utilizes helicopter contractors and pilots (some with up to 30 years of experience) to conduct census and distribution inventories of wild horses and burros. Multiple observers consisting of experienced wild horse and burro specialists, wildlife biologists and rangeland management specialists participate on the flights. On board GPS (Global Positioning System) is utilized to record the wild horse or burro locations. Observers document the numbers of adults and foals observed, and make notations of health, body condition, color of the animals and general observations made concerning rangeland or water characteristics as well as locations of snow in the winter. Data is tabulated and mapped using GIS (Global Information System) software. Data is verified and validated by the wild horse and burro specialist. Census flights are conducted every 2-4 years as funding allows. Trends in wild horse numbers over time have varied within the Stone Cabin Complex in relation to gathers and population increases through reproduction.</p>
77.	<p>COMMENT: Similarly, the BLM must disclose the data it has regarding the health of the rangeland . . .the BLM has a legal obligation to . . .summarize the methodology and present the relevant data in the Draft EA. Without such information the public cannot understand what impacts the wild horse may be having on the range, cannot assess the adequacy of the methodology used to collect such vegetation data and therefore cannot adequately evaluate the alleged need for the action and/or the impacts of the action if implemented.</p> <p>RESPONSE: Refer to response 73.</p>
78.	<p>COMMENT: BLM attempts to use and IBLA decision to avoid disclosing such data . . In other words, as interpreted by the BLM, if the number of horses exceeds the AML, then there is no thriving natural ecological balance and the range is deteriorating . . .IBLA required the BLM to use monitoring data to support these decisions, since AMLs are not intended to be etched in stone. . . . Consent Decision . . .cannot be valid indefinitely and cannot be used by the BLM to justify its actions if it has failed to meet it’s legal definitions under NEPA . . . the consent decision cannot possibly be open-ended since circumstances could change . . . that would invalidate those agreed upon horse numbers.</p> <p>RESPONSE: Refer to response A, B and 75 above.</p>
79.	<p>COMMENT: Failure to rigorously explore a reasonable range of alternatives. The three alternatives to the proposed action are only different in regard to the ratio of captured horses released back into the Stone Cabin</p>

	<p>HMA . . . in fact, it has evaluated at best two, an action alternative, and a no action alternative.</p> <p>RESPONSE: Through issuance of the scoping letter May, 2006, the BLM requested recommendations and comments from the interested public. Comments received in conjunction with input from the interdisciplinary team and Nevada State Office were utilized to formulate the Proposed Action and Alternatives analyzed in the EA. Each alternative to the Proposed Action analyzed different sex ratios of wild horses to release back to the range.</p>
80.	<p>COMMENT: The BLM was in error in removing the immunocontraception alternative from serious consideration in the Draft EA . . . its determination that this alternative would not reduce the population's growth rate as much as the proposed action incorrect . . . the BLM should have also evaluated a more comprehensive immunocontraceptive program to treat all captured mares in all three HMAs prior to the release of every animal back to their respective ranges.</p> <p>RESPONSE: Refer to the EA at pg. 11 and to response 3 above.</p>
81.	<p>COMMENT: Another series of alternatives that should have been analyzed are those that involve altering the number of cattle within each allotment to provide for the retention of a larger number of horses and eventual recalculation of an AML.</p> <p>RESPONSE: This is outside of the scope of this environmental analysis. Please refer to responses A and B above.</p>
82.	<p>COMMENT: The BLM has failed to disclose genetic data relevant to these horses. Previous data collected. There is no compelling reason for the BLM to keep such information secret and indeed its failure to disclose such evidence prevents the public from determining the full range of environmental impacts . . .</p> <p>RESPONSE: Refer to response C above.</p>
83.	<p>COMMENT: The BLM does identify the dominant vegetative types in each of the three HMAs, but fails to disclose any data about the productivity, abundance and composition of these dominant species and less abundant vegetation species in each HMA, what species horse and cattle tend to prefer, and what amount of overlap exists in the dietary preferences of wild horses, cattle and the predominant wildlife species in these areas.</p> <p>RESPONSE: This is outside of the scope of the environmental analysis. Please refer to response A and B above. This type of information will be analyzed and interpreted within Rangeland Health Assessments.</p>
84.	<p>COMMENT: . . . the BLM blames wild horses, cattle and recreational use for alleged damage to such areas yet it fails to disclose what amount of damage is attributable to each species or to recreational use. Human recreation use in the region, what type of use, how such use, which likely includes off-road vehicle use, adversely impacts wild horses and the habitat including riparian areas.</p> <p>RESPONSE: This is outside of the scope of the environmental analysis. Please refer to response A and B above. This type of information will be analyzed and interpreted within Rangeland Health Assessments.</p>
85.	<p>COMMENT: Suspiciously, while the BLM claims that water is not a limiting factor throughout most of the area except in the Saulsbury HMA, implementing the proposed action or alternatives, to further ensure that wild horse populations are in balance with the forage and water availability providing optimal dispersion of wild horses and reduction of impacts to riparian areas. Not only has BLM offered no data to substantiate this alleged benefit, but also clearly ignores the fact that wild horses do not tend to congregate around or remain near riparian areas.</p> <p>RESPONSE: See comment and response 5. In general, water is a limiting factor throughout most HMAs administered by the Battle Mountain Field Office and Tonopah Field Station. In the case of the Stone Cabin Complex, water is more limiting within the Saulsbury HMA than within the Stone Cabin and Reveille HMAs. Within all of these HMAs, BLM staff has observed through census flights and field observations that wild horses are concentrating near natural water sources, whereas livestock may be further dispersed utilizing man-made water sources (water tanks). Appropriate Management Levels are established to balance the populations of wild horses and burros with available resources to prevent emergency situations and support healthy populations. When populations exceed this level, especially during periods of drought (which are</p>

	common), populations do not reflect optimum distribution, may reflect reduced body condition, impact remaining riparian resources more heavily and utilize forage near remaining waters more severely.
86.	<p>COMMENT: . . . the BLM repeatedly suggests that the lack of action to reduce the wild horse population will result in wild horse starvation . . . the BLM not only has to disclose the relevant forage production data, but it also must disclose whatever data it has on the condition of the horses on the range. In particular, condition data or assessments made of horses previously removed from these HMAs during standard or emergency gathers should have been disclosed so that the public could assess the validity of the starvation argument based on condition indices.</p> <p>RESPONSE: This is outside of the scope of the analysis. Refer to response 85. Many HMAs in the Tonopah Planning Area (including the Stone Cabin and Saulsbury HMAs) have a history of emergency gathers due to drought. Documentation of wild horse condition during drought events is abundant and heart-breaking. When the population of wild horses or burros exceeds the carrying capacity of the range due to reduced forage production in drought, wild horses decline in body condition and will die of starvation. The BLM realized that some members of the public advocate letting “nature take its course.” However, allowing horses to die of dehydration and starvation would be inhumane treatment and clearly indicates that an overpopulation of wild horses exists within the HMAs. Furthermore, an overpopulation of wild horses in an extremely stressed ecosystem, such as occurs during drought, can cause irreparable damage to the arid/fragile rangeland, in turn causing possible reductions or eliminations of AML for those affected HMAs. This is discussed in the EA.</p>
87.	<p>COMMENT: Inadequate or incorrect analysis assumptions for fertility control.</p> <p>RESPONSE: As stated in response 3 above, the BLM utilized the Jenkins Winequus Population Model to analyze potential outcomes of the various alternatives. The model was also used to identify potential outcomes of the implementation of fertility control within the Complex. The model takes into account the percentage of mares that could foal each year, mortality rates, survivability rates and random environmental influences. The modeling results achieved by the BLM indicated that the release of 60% studs in the Stone Cabin HMA would in fact result in lower long-term growth rates than the implementation of fertility control and be more cost-effective.</p>

Jeff Wyles

88.	<p>COMMENT: I am asking that your BLM office take no action in reducing further the size of these wild horse herds in the Stone Cabin and Fish Creek areas. If your office goes ahead with this endeavor, it will clearly violate federal law and particularly the Wild Horse and Burro Act of the 1970's.</p>
1.	<p>RESPONSE: See response 12.</p>
89.	<p>COMMENT: . . . more wild horses kept in holding facilities than there are out there in the wild. The costs of such containments are significant, and we need to find a way to keep more of these free roaming animals on public lands.</p> <p>RESPONSE: This issue is outside of the scope of this environmental analysis. However, we agree. That is why we have proposed a 60/40 male/female sex ratio in the EA. In this manner, populations on the range will increase more slowly over time, thus reducing the need to gather as often and send un-adopted horses to long-term holding, while still adhering to federal laws and policies relevant to wild horse and burro management.</p>
90.	<p>COMMENT: If you go ahead with this gathering and other related ones, your office and others will clearly be in violation of federal law to maintain adequate herd sizes of wild horses in these HMA's.</p> <p>RESPONSE: Federal law (the WFRHBA) requires “that wild free-roaming horses and burros shall be protected from capture, branding, harassment, or death; and to accomplish this they are to be considered in the area where presently found, as an integral part of the natural system of the public lands”. At 43 CFR 4700.06, “Wild horses and burros shall be managed as self-sustaining populations of healthy animals in balance with other uses and the productive capacity of their habitat.” Federal law does not require the BLM to manage the wild horse and burro herds at a specific size. See response C.</p>

91.	<p>COMMENT: . . .these wild horses are supposed to be one of the principal occupants of these public lands (i.e. under federal law) and not livestock. However, pressures from the livestock industry, and some big game interests are trying to change the make up and distribution of these animals on public lands.</p> <p>RESPONSE: This is misunderstanding of part of the WFRHBA which defines "range" as "the amount of land necessary to sustain an existing herd or herds of wild free-roaming horses and burros, which does not exceed their known territorial limits, and which is devoted principally but not necessarily exclusively to their welfare in keeping with the multiple-use management concept for the public lands". The WFRHBA further states "The Secretary is authorized and directed to protect and manage wild free-roaming horses and burros as components of the public lands, and he may designate and maintain <i>specific ranges</i> (emphasis added) on public lands as sanctuaries for their protection and preservation" These "ranges" include the Nevada Wild Horse Range (Nellis) in Nevada, Little Book-cliffs Wild Horse Range in Colorado, Pryor Mountain Wild Horse Range in Montana and the Marietta Wild Burro Range in Nevada. These contrast to the BLM designations of <i>Herd Management Areas</i> which are areas identified for long term management for wild horses and burros through the Land Use Planning Process, and involve management of wild horses in the concept of multiple use on the public lands. The Battle Mountain and Tonopah BLM offices do not administer any wild horse <i>ranges</i>. These offices only administer HMAs.</p>
92.	<p>COMMENT: . . . in the areas that you are proposing these huge wild horse reductions there is something between 1.2 and 2 million acres of public lands. And yet you would only be allowing one horse per about every 3000 acres of land.</p> <p>RESPONSE: As described on page 1 of the EA, the gather areas includes the Saulsbury, Stone Cabin and Reveille HMAs as well as areas outside of HMA boundaries. Map 1 on page 2 of the EA shows the boundaries of the proposed gather area in conjunction with HMAs, and the areas not included within HMAs. The HMAs themselves total approximately 642,000 acres. Refer to response A, B, and 85.</p>
93.	<p>COMMENT: In addition, you are blaming the wild horses for many situations that are not their fault. You fail to realize the major deleterious impact of livestock grazing, elimination of natural predators such as the mountain lion, pro big game interest pressures, ORV and ATV and damages to the environment, and from negative impacts of mining/development interests that care not about the preservation of natural springs and other water resources.</p> <p>RESPONSE: This issue is outside of the scope of the environmental analysis. Refer to responses A and B above.</p>
94.	<p>COMMENT: Some of the corridor problems on U.S. Highway 6 could also be eliminated or reduced by Streiter Lite reflectors and yet you and other staff members of your Nevada BLM office do not even mention this fact as a management option for the wild horses in your area.</p> <p>RESPONSE: We are currently examining this option for future management proposals for this area. Thank you for this input and we apologize for the omission.</p>
95.	<p>COMMENT: I would also advocate that you not use artificial hormone birth control methods on these wild horse populations. If you do that, you will destroy the make up of these herds and jeopardize their survival capacity into the future.</p> <p>RESPONSE: See response C and 30.</p>
96.	<p>COMMENT: Also, by these sorts of herd reductions you are doing irreparable damage to the genetic variability of these wild horse populations.</p> <p>RESPONSE: Refer to C above and pages 23-25 of the EA.</p>
97.	<p>COMMENT: . . . there is a significant paleontological record for the origins of wild horses on this continent, and cattle are not native to North America. . . . so often the wild horses and burros are labeled as non-native and/or nuisance species these wild horses need to maintain their natural heritage species status that was given to them under the Wild Horse and Burro Actsome of our native North American Indian tribes, strongly feel that the wild horses did not go entirely extinct during the last major glaciation and that they were long used as beasts of burden by native peoples before the Spanish conquistadores ever arrived on this continent.</p>

	RESPONSE: This comment is outside of the scope of the analysis.
98.	<p>COMMENT: Your office needs to get more quantitative instead of qualitative in any such analyses. When you do not report the numbers of livestock on these same lands that are occupied by these wild horses, you do a great disservice to the scientific community. If and when you observe environmental damages (and the reasons for it), you need to have quality field professionals out there to substantiate it with real time observations. Arm chair conjecture about damages to the environment don't do any of us any good.</p> <p>RESPONSE: The BLM has presented in the EA the most current available information for the Stone Cabin Complex. Livestock information for the allotments that are affected is presented on pages 15-17 of the EA. Management of livestock within these allotments is outside of the scope of the environmental analysis. See response B.</p>

Barbara Warner	
99.	<p>COMMENT: The GAO report of 1990-1991 proved that wild horses <u>do not</u> cause degradation of the rangeland or damage to riparian areas. Allowing thousands of livestock . . . on this land . . . is <u>not in balance with other uses</u> as required 43 CFR 4700-6. . . The AMLs must be increased.</p> <p>RESPONSE: Please refer to responses A and B above. As previously stated, the purpose of the Stone Cabin Complex Gather EA is not to analyze the use of these areas by wild horses or cattle, but rather to analyze the impacts of a proposed wild horse gather to achieve the existing AMLs. AMLs will be re-evaluated through completion of future rangeland health assessments. Although BLM understands that some individuals may desire removal of all livestock or other uses from public land for the exclusive management of wild horses, the Federal Land Policy and Management Act of 1976 (PL-94-579) requires that management of public lands be managed on the basis of multiple use, which through the definition includes, but is not limited to recreation, range, timber, minerals, watershed, wildlife and fish, and natural scenic, scientific and historical values. Additionally, the WFRHB Act, and Code of Federal Regulations require that wild horses be managed in balance with other uses and within the concept of multiple use.</p>
100.	<p>COMMENT: No Gelding or PZP should be used.</p> <p>RESPONSE: We will consider your comment in completion of the final decision.</p>
101.	<p>COMMENT: There is no overpopulation of wild horses. Therefore we urge <u>The No Action Alternative</u>.</p> <p>RESPONSE: Current census information indicates that the current populations are exceeding the established AMLs, and it has been determined that a gather is necessary.</p>

Kathleen Hayden	
102.	<p>COMMENT: The reduction of wild horses to a severely diminished population level may have triggered the NEPA requirement for a Sec 106 review, and until that is determined, no gathers should proceed. . . . Wild horses and burros are also protected, not only by the WHBA but also by the National Historic Preservation Act NEPA Sec 106 compliance, as a natural, cultural, and Historic resource. A significant change to the herd and/or separation from the herd areas requires Sec 106 review, and consultation with the State Historic Preservation Officer.</p> <p>RESPONSE: See response 9. . . As noted in Comment 7, the State Historic Preservation Office supports the Proposed Action.</p>
103.	<p>COMMENT: Please provide the relative proportions of livestock, big game species and wild horses within the areas of consideration, which may result in a disproportionate share of resources allocated for the wild horses. Explain the relative proportion of herbivore classes: livestock, deer, and horses. . . . Please provide the data to differentiate between livestock, game animals, wild horse, mining and recreational impacts in assessing ecological deterioration. . . . What data concludes permanent/temporary degradation of riparian and water resources proportionate to each species? Please provide data that historic water sources are secured, restored,</p>

	<p>and maintained for wild horses.</p> <p>RESPONSE: This is outside the scope of this EA. Please refer to Responses A and B as well as other similar comments.</p>
104.	<p>COMMENT: Please provide data that the reduction to 181 horses does not threaten the genetic viability of this herd or has “minimal” impact on herd dynamics and age structure.</p> <p>RESPONSE: Please refer to Response C.</p>
105.	<p>COMMENT: How did the removal of 1,179 wild horses (gathered between 2005 and 2006 from the Fish Creek Complex adjacent to the Stone Cabin Complex which supported 2,000 wild horses) provide a balanced eco system? For instance, what was the increased/decreased predation to other species?</p> <p>RESPONSE: This is outside the scope of this EA. The Fish Creek Complex gather achieved AMLs that had been established through various Multiple Use Decision and a Consent Decision.</p>
106.	<p>COMMENT: Please provide the rationale for removing animals below the AML in light of consensus between the participating agencies and Wild Horse Advisory Board (meeting Las Vegas 2006) to reach and maintain AML.</p> <p>RESPONSE: Rationale for gathering horses to below established AML is provided in the EA (page 5).</p>
107.	<p>COMMENT: Provide the data to justify leaving 60% stallions in a harem species and its potential for additional friction among the males.</p> <p>RESPONSE: This proposed alternative and its affects is discussed in the EA. Also see response to 89.</p>
108.	<p>COMMENT: Please provide data that dust stirred up by the helicopters during the roundups is not a contributing pneumonia factor in wild horse gathers.</p> <p>RESPONSE: This issue is discussed in the Standard Operating Procedures attached to the EA (Appendix A). Furthermore, the proposed gather will be conducted during winter months when dust is greatly minimized by snow and frozen soils.</p>
109.	<p>COMMENT: Provide mitigation measures to rectify fatal damages to wild horses within the Stone Cabin Complex HMA’s due to fencing which interferes with winter migration essential to their survival, equitable proportioning of consumption patterns, seasonal migrations, and water access.</p> <p>RESPONSE: This is outside the scope of this EA. However, please refer to response 65 for details regarding the Willow Creek fence. Also see response 4 and 94.</p>
110.	<p>COMMENT: Please provide any data that wild horses, as compared to other species, are deleterious to Sage Grouse. Is it not true that pinon and juniper encroachment is the primarily responsible for diminution of sage grouse habitat?</p> <p>RESPONSE: This issue was covered on page 35-36 of the EA. Pinyon-Juniper encroachment into sage grouse habitat is outside the scope of this EA.</p>
111.	<p>COMMENT: DOI has had over thirty years to advise Congress of the necessity to expand grazing options for wild and free roaming horses and burros. Hundreds of thousands of acres have been decimated by drought and wildfire. Consideration for expanded, or alternate ranges may include the thousands of acres of conservation habitat, which has been added to the public domain with history of grazing. It is necessary and imperative to maximize other options...in order to restore and maintain healthy ranges for all wildlife and livestock.</p>

RESPONSE: The BLM is precluded from managing wild horses outside of Herd Areas where wild horses existed when the WFRHB Act was passed, per 43 CFR 4710.4, as well as the WFRHBA itself.
