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NOTICE OF PROPOSED ACTION

AND

OPPORTUNITY TO COMMENT

Wild Horse and Burro Appropriate Management Levels (AMLs)

AUSTIN/TONOPAH RANGER DISTRICTS

LANDER COUNTY, NEVADA

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COMMENTS WELCOME

The Austin/Tonopah Ranger District of the Humboldt-Toiyabe National Forest welcomes your comments on the Wild Horse and Burro Appropriate Management Levels (AMLs) Project. The purpose of this project is to establish AMLs and set general management direction for the Wild Horse and Burro territories (WHTs) on the Monitor and Hot Creek Mountain Ranges. We would like your thoughts on the scope of issues to be addressed in the environmental analysis (EA) and your comments on the proposed action.

BACKGROUND

The Wild Free-Roaming Horses and Burros Act was signed and became Public Law 92-195 on December 15, 1971. The original Act has been modified by the Public Rangelands Improvement Act of 1978 (P.L. 95-514), the Federal Land Policy and Management Act of 1976 (P.L. 94-579), the Omnibus Parks and Public Lands Management Act of 1996 (P.L. 104-333), and the Fiscal Year 2005 Omnibus Appropriations Act (P.L. 108-447). The Act mandates that the Secretaries of Interior and Agriculture manage and protect wild free-roaming horses and burros in accordance with the provisions of the Act. Specific provisions include 1) the Secretary shall manage wild free-roaming horses and burros in a manner that is designed to achieve and maintain a thriving natural ecological balance on the public lands (Section 1333a), 2) all management activities shall be at the minimal feasible level (Section 1333a), 3) determine appropriate management levels of wild free-roaming horses and burros on public lands (Section 1333b-1), 4) determine 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) (Section 1333b-1), 5) where the Secretary determines 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 animals, he shall immediately remove excess animals from the range so as to achieve appropriate management levels (Section 1333b-2-iv).

The Code of Federal Regulations (CFR), Title 36, Part 222, Subpart B provides direction for Forest Service management of wild free-roaming horses and burros. Under this direction, the Chief, Forest Service, shall: administer wild free-roaming horses and burros and their progeny on the National Forest System in the areas where they now occur (wild horse and burro territory) to maintain a thriving ecological balance considering them an integral component of the multiple use resources, and regulating their population and accompanying need for forage and habitat in correlation with uses recognized under the Multiple-Use Sustained Yield Act of 1960 (§ 222.21a-1); analyze each wild horse or burro territory and, based on the analysis, develop and implement a management plan (§ 222.21a-4); determine appropriate management levels, whether action should be taken to remove excess animals and what actions are appropriate to achieve the removal or destruction of excess animals (§ 222.21a-6); when he determines over-population of wild horses and burros exists and removal is required, take immediate necessary action to remove excess animals from that particular territory (§ 222.29a); in the most humane manner possible, sick, lame, or old animals shall be destroyed (§ 222.29c-1); relocate animals to other National Forest System

lands which were identified as 1971 wild horse or burro territory (WHTs), providing suitable habitat exists and relocation of animals will not jeopardize vegetation condition (§ 222.29c-2).

These laws and regulations require the Forest Service to maintain a thriving ecological balance while considering wild horses as an integral component of the multiple use resources and regulating their population. There are seven WHTs located in the Monitor and Hot Creek mountain ranges; two of the seven territories have established appropriate management levels (AMLs), one of which is in need of re-evaluation. None of the territories have an established plan for management and monitoring of the wild horse resource.

The Monitor WHT was divided into two management areas now referred to as Monitor (north) and Monitor (south). The boundary between Monitor (north) and Monitor (south) is McCann Canyon. All wild horses north of McCann Canyon will be considered Monitor (north) and the wild horses south of McCann Canyon will be considered Monitor (south). Field inspections document that Monitor (north) wild horses interact with the Little Fish Lake WHT whereas Monitor (south) wild horses interact with the Saulsbury Herd Management Area (HMA). The horses residing in the Monitor (north) area were considered when the original AML was established for the Little Fish Lake Valley through Coordinated Resource Management Planning in 1983. These horses traveled back and forth from Clover Creek, Burnt Cabin Spring, and Indian Garden Spring to Little Fish Lake Valley regularly. Over the course of time and personnel changes, the AML established in 1983 was mistakenly interpreted to only include horses on Little Fish Lake Herd Management Area (HMA) and WHT.

Within the seven WHTs there are twelve cattle allotments administered by the Forest Service (8 active and 4 vacant, Table 1). The current permitted season of use authorizes both winter and summer grazing within the Butler Basin and Monitor WHTs and summer grazing in Little Fish Lake, Stone Cabin and Sevenmile WHTs. Currently, the only WHT not authorized for any livestock grazing is Kelly Creek.

Table 1. Current permitted livestock season of use within the seven wild horse territories. (*) Indicates the Sevenmile Wash Allotment, which, is presently administered by the Bureau of Land Management (BLM).

Territory	Allotment(s)	Current Season of use
Kelly Creek	Kelly Creek /North Monitor	Vacant (summer)
Butler Basin	South Monitor White Rock Horse Haven Monitor Winter	Vacant (summer) Vacant (summer) Summer Winter
Dobbin Summit	South Monitor Little Fish Lake Wagon Johnnie	Vacant (summer) Summer Summer
Monitor North	Monitor Complex C&H	Summer

South	Little Fish Lake C&H McKinney C&H Stone Cabin C&H Saulsbury Winter C&H Monitor Complex C&H	Summer Vacant (winter) Summer Winter Summer
Little Fish Lake	Wagon Johnnie	Summer
Stone Cabin	Wagon Johnnie	Summer
Sevenmile	*Sevenmile Wash	Summer

To varying degrees, wild horses within the Monitor and Hot Creek Wild Horse Territories (WHTs) utilize Bureau of Land Management (BLM) administered Herd Management Areas (HMAs). Seasonal movement patterns of the wild horses are primarily dependent on availability of forage. In general, the Forest Service WHTs have limited suitable winter habitat while the BLM HMAs have limited suitable summer habitat. Consequently, when setting the WHT AMLs the Forest Service considered the amount of winter habitat on Forest System Lands.

The Humboldt-Toiyabe National Forest adapted the 'Wild Horse and Burro Habitat Evaluation Procedures User Guide' (Bureau of Land Management 1986) to produce a Geographic Information System (GIS) model for determining appropriate herd size of wild horses based on habitat quality. This computer model is designed to calculate the total area suitable for grazing. However, since the WHT on Forest Service administered lands have limited suitable winter habitat the model was also modified to calculate the wild horse capacity based on suitable winter habitat (Table 2).

Table 2. Modeled suitable winter grazing area for each WHT.

Wild Horse Territory	**Total Area (Acres)**	**Winter Acres Generally Suitable (Acres)**
Kelly Creek	20,902	7950
Butler Basin	53,523	4400
Dobbin Summit	48,711	5450
Monitor North South	339,428	 27032 71880
Little Fish Lake	88235	29200
Stone Cabin	1460	700
Sevenmile	5710	1200

Wild horse census were conducted for each WHT. Census data was used as a tool to develop the winter habitat GIS model (Table 3, Map1). Examining census data indicates that wild horses are able to graze up to 7500 feet in elevation during the winter months, therefore

winter habitat was defined as the part of the wild horse territory below 7500 feet in elevation. Census data was also used as a tool to determine if the AML developed using the Horse and Burro Habitat Evaluation Procedures User Guide was reasonable. It should be noted that census flights are a point in time measurement and may not adequately represent the amount of wild horses use during the winter and summer months.

Table 3. Range in wild horse numbers using census flights and ground observations.

Territory	**Winter Census**	**Summer Census**
Kelly Creek	0	10-49
Butler Basin	*89	178 - 259
Dobbin Summit*	0	0-6 **
Monitor		
South	54 ***	88
Little Fish Lake	N/A	158-133
Monitor North	0 -18	11
Stone Cabin	N/A	
Sevenmile	N/A	4

*Butler Basin winter census was conducted at a point in time (late winter) when the snow pack on mid elevations was retreating therefore this census does not an average winter use. Inadition the inspection report documented wild horses within areas of deep snow which is not typical.

** Field inspections indicates that wild horses did not spend much time in the Dobbin Summit WHT. No fresh sigh was seen during the three ground inspections of the area during the 2006 field season. In addition Dobbin Summit WHT was flown by Forest Service personal and no horses were observed.

*** The 2002 winter census flight conducted by the BLM and Forest Service determined that there were 118 wild horses within the Monitor WHT. A map was not attached to the census flight report therefore the exact number of wild horse can not be determined for Monitor(south) or Monitor (north). The inspection report documented that the majority of wild horse were observed in Monitor (south). Therefore it is assumed more than 60 horses wintered in Monitor (south).

The GIS model generates suitable acres of wild horse habitat by identifying areas where the four habitat requirements (i.e., forage, water, cover, and space) overlap. This model was used to determine forage availability and capacity of WHTs within the Monitor and Hot Creek mountain ranges (Table 4) and has been validated by previous wild horse census flights and ground observations. The AML originally stated in the Wild Horse and Burros Scoping Document was determined without considering seasonal forage availability or seasonal wild horse movement. Numerous comments were made during the scoping process pertaining to the omission of a winter habitat analysis. These comments prompted the Forest Service to reevaluate the proposed appropriate management levels (AMLs). The current proposed AMLs takes into consideration suitable winter habitat.

Table 4. Modeled wild horse capacity for each Wild Horse Territory (WHT). This is a comparison between AMLs reported in the Scoping Document and the winter wild horse capacity. Includes the revised AML estimate that takes into consideration seasonal wild horse movement between WHTs and HMAs.

Territory	AML Identified in the Scoping Document.	Winter Wild Horse Capacity	Revised AML
Kelly Creek	8-15	Incidental	8*
Butler Basin	30-50	Incidental	30-50**
Dobbin Summit***	0	NA	0
Monitor			
North	30-50	11-20	11-20
South	45-80	40-70	40-70
Little Fish Lake	30-50	16-28	16-28
Stone Cabin	1-2	Incidental	1-2
Sevenmile	1-3	Incidental	1-3

*Kelly Creek WHT has limited amount of winter range and relies on the North Monitor HMA for winter habitat. The BLM set the AML for North Monitor HMA at 16 wild horses for six months. Therefore it is prudent that the Forest Service set the AML for Kelly Creek at 16 horses for six months, reported as AML of 8 to reflect the Forest Service portion of this herd (50% of 16).

**Butler Basin WHT has a limited amount of winter range and relies on the Sevenmile HMA for winter habitat. The BLM set AML for Sevenmile HMA at 60-100 wild horses for six months. Therefore it is prudent that the Forest Service set AML for Butler Basin at 60-100 wild horses for six months, reported as AML of 30-50 to reflect the Forest Service portion of this herd (50% of 60-100).

***During the 2004 summer census no wild horses were observed in the Dobbin Summit WHT. In addition the 2006 field inspection did not observe any old or fresh wild horse sign.

Table 5 Combined Forest Service and BLM Appropriate Management Levels:

FS - WHT	BLM - HMA	Total	Metapopulation
Monitor, south: 40-70	Saulsbury: 40	80-110	623-653
Stonecabin: (1-2)	Stone Cabin: 364	364	
	Hot Creek: 41	41	
	Reveille: 138	138	
Dobbin Summit: 0	None	0	241-375
Little Fish Lake: 16-28 Monitor, north: 11-20	Little Fish Lake: 39	66-87	

Sevenmile: 1-3 Butler Basin: 30-50	Sevenmile: 60-100	60-100	*it is unclear the extent that Kelly Creek horses mix with others.
Kelly Creek: 8	North Monitor: 8	8	
	Fish Creek: 107-180	107-180	

LOCATION

The project area includes all WHTs on the Monitor and Hot Creek mountain ranges. The Monitor and Hot Creek mountain ranges are located in central Nevada with the northern end approximately 25 miles west of Eureka, Nevada and the southern end approximately 15 miles east of Tonopah, Nevada. Elevations range from 6000 feet to 11,000 feet. Climate is represented by hot, dry summers and cold winters with temperatures ranging from below zero in the winter to 90+ F in the summer. Average annual precipitation is 5-12 inches. According to the Nevada Natural Resources Status Report dated August 2002, periods of drought are frequent in Nevada, and Nevada's river systems experience more "below average water years" than "above average water years." The Report documents five serious drought periods during the Twentieth Century: 1928-37, 1953-55, 1959-62, 1976-77, and 1987-94. The National Oceanic and Atmospheric Administration (NOAA) also reports drought in Nevada from 1999-2004.

PURPOSE AND NEED FOR ACTION

The purpose of this initiative is to establish Appropriate Management Levels (AMLs) and set general management direction for the Wild Horse and Burro territories (WHTs) on the Monitor and Hot Creek Mountain Range.

This action is needed, because under existing conditions there are no Territory Management Plans for the Wild Horse Territories within the Monitor/Hot Creek Ranges administered by the Austin/Tonopah Ranger District, Humboldt-Toiyabe National Forest. Only two of the seven territories have established AMLs, and one of these is old and in need of re-evaluation. None of the territories have an established plan for management and monitoring of the wild horse resource.

Without AMLs established on five of the seven territories, these populations are increasing without any means for control. Without population control, a thriving natural ecological balance cannot be achieved, as mandated by the Wild Free-Roaming Horses and Burros Act of 1971. A thriving natural ecological balance exists when the cumulative effect of approved multiple uses in a Territory do not cause unacceptable impacts or deterioration of the rangeland resources and maintains healthy animals. As evidence of this lack of balance,

there are a number of sites which are not meeting current Forest Plan standards for ecological condition due to overgrazing, and overgrazing is causing adverse effects on watershed conditions in certain areas.

Under desired conditions, a Territory Management Plan for wild horse territories on the Monitor/Hot Creek Ranges would be in place and implemented. The wild horses would be managed within appropriate management levels through designated control methods. Resource conditions would meet Forest Plan standards. A thriving natural ecological balance would be achieved. This action would move existing conditions toward desired conditions. This action responds to the goals and objectives outlined in the Toiyabe N.F. Forest Plan, and helps move the project area towards desired conditions described in that plan.

This area has very high archaeological site density. Less than 1% of the area has been inventoried for archaeological sites, but it is clear that there is a high density for prehistoric archaeological sites and a good representation of historic sites. Archaeological sites recorded in the Monitor Range in 2005 and 2006 field season frequently note the impacts of horses on the site integrity. Horses and early peoples gravitate to the same places due to factors like water, shade, vegetation type and low slopes, so the overlap between sites and horse use is quite notable.

Horse impacts to sites include heavy trampling and churning, de-vegetation, heavy manuring, and rubbing damage to historic structures and fences. When prints or manure are evident, its clear when impacts are specifically equine damage, but many of the described impacts overlap with those done by cattle, native wildlife and other introduced wildlife. .

Horses have been living in Central Nevada for over two hundred years and their populations have shifted up and down in response to climate and human trapping for use for working animals, meat, or to eliminate them as grazing competition for other livestock.

ALTERNATIVES

Two alternatives have been identified the no action and proposed action alternatives.

NO ACTION ALTERNATIVE-

This alternative does not take any action towards establishing wild horse AMLs. Consequently, there will be no changes to management of horses on the Forest System Lands. Resources potentially affected by the no action alternative include wildlife (sensitive and non-sensitive), vegetation (sensitive and non-sensitive), range, cultural and water resources (Table 4).

THE PROPOSED ACTION

Within the National Forest System Lands, there are seven wild horse territories and based on analysis, the following are proposed appropriate management levels (AMLs, by territory):

1) **Kelly Creek Wild horse territory (WHT)**: 8 wild horses (16 wild horses for six months) on 20,902 acres. This herd interacts with BLM's North Monitor Herd Management Areas (HMA). Census flights, ground observations and modeled winter capacity indicates that this herd spends summers on Kelly Creek WHT and most of the herd winters on North Monitor HMA. The combined AML for Kelly Creek WHT and North Monitor HMA is 16 wild horses for 12 months. It is assumed that the wild horses will spend six months on Kelly Creek WHT and six months in North Monitor HMA. In the future, if the BLM decides to readjust the North Monitor HMA the Forest Service will adjust the Kelly Creek WHT to the same level up to the 30 wild horses which is the maximum modeled summer capacity.

2) **Butler Basin WHT**: 30-50 wild horses (60-100 wild horses for six months) on 53,523 acres. This herd spends summers on Butler Basin WHT and winters on BLM's Sevenmile HMA. The combined AMLs with BLM are 60-100 wild horses that spend six months on Butler Basin WHT and six months on Sevenmile HMA

3) **Dobbin Summit WHT**: 0 wild horses on 48,711 acres. Wild horses do not regularly occupy this territory. No horse sign was seen during the 2006 ground inspections. During a BLM flight in 2006 six horses were seen, however a Forest Service flight later in the year did not observe a single horse. No horses were seen during the 2004 summer census, and the population has been reported as 0 in 2002.

4) **Monitor WHT**: 55-96 wild horses on 339,428 acres.
   - Monitor (north) - 11-20 wild horses managed north of McCann Canyon. These horses interact with the Little Fish Lake WHT and BLM's Little Fish Lake HMA. Computer analysis indicates that Monitor (north) is limited by winter habitat and has a surplus of summer habitat. The computer analysis also indicates that Monitor (north) has enough generally suitable winter habitat to support 11-20 wild horses. Setting the AML based on winter habitat will reduce the probability of over-stocking the Little Fish Lake HMA and Little Fish Lake WHT during the winter months.
   - Monitor (south) - 40-70 wild horses managed south of McCann Canyon. These horses interact with BLM's Saulsbury Herd Management Area (HMA). Computer analysis indicates that Monitor (south) WHT has slightly less winter habitat than summer habitat. Since winter habitat is limited, the AML for this portion of the Monitor WHT was also set based on generally suitable winter habitat. Setting the AML based on winter habitat will reduce the probability of over-stocking the Saulsbury HMA during the winter and summer months.

5) **Little Fish Lake WHT**: 16-28 wild horses on 88,235 acres. These horses interact with BLM's Little Fish Lake HMA and Monitor (north) WHT. Computer analysis indicates the Little Fish Lake wild horse territory (WHT) is limited by winter habitat. Setting the appropriate management levels (AMLs) based on winter habitat will reduce the probability of stocking the Little Fish Lake herd management area (HMA) and Monitor (north) WHT over the AML during the winter months.

6) **Stonecabin WHT**: 1-2 wild horses on 1460 acres. These horses are part of BLM's Stone Cabin HMA herd, and this AML allows for incidental use on the National Forest System lands. This WHT has insufficient summer and winter habitat to support a resident herd.

7) **Sevenmile WHT**: 1-3 wild horses on 5710 acres. These horses are part of BLM's Sevenmile HMA herd, and this AML allows for incidental use on the National Forest System lands. This WHT has insufficient summer and winter habitat to support a resident herd.

The following general management direction is proposed:

- **Sex Ratio**: Manage for a normal sex ratio, which is normally 52% female and 48% male, but may range from 60/40 male to 60/40 female.

- **Age Structure**: Manage for a normal age structure, which has representation from each age class in a pyramidal structure with foals representing the largest age class at the base of the pyramid. Zero to five year olds will make up the largest percent of the population, six to nine year olds will be the middle percentage, and ten and older horses will be the smallest percent.

- **Recruitment Rate**: Manage for a recruitment rate less than or equal to 18%. Fertility control could be used to reduce the recruitment rate.

- **Animal Condition**: Manage for a healthy population with the majority of the wild horses in the population moderately thin to moderately fleshy (Henneke body condition scores of 4-6). If the average body condition score falls below "thin," that is average condition scores are1 or 2, then action will be taken to restore the health and condition of the horses. Such action could involve supplemental feeding, supplemental water, and/or removal of enough animals to restore an ecological balance.

- **Phenotype**: Manage wild horses for historic characteristics. Historic characteristics include well muscled, medium to heavy bone structure, an average size of 14-15 hands, and a variety of colors, notably a dark gray color. Other colors include light gray, rose gray, bays, sorrels, roans, buckskins, and blacks, and a wide face blaze is noted as historically common. Horses should be without apparent genetic defects.

- **Distribution**: Manage for historic patterns of use within and among Forest Service territories and BLM herd management areas, preserving the free-roaming behavior of the wild horses. It is common for horses to spend summers on Forest Service and winters on BLM. During more severe winters, snow pack causes more horses to move to BLM, and during less severe winters, more horses stay on Forest Service, as water and cover are more available.

- **Genetic Diversity**: Manage for a high level of genetic diversity in wild horses. Management goal is for a 90% probability that 90% of the existing genetic diversity within each herd is conserved over a 200 year period. The two metapopulations in the Monitor and Hot Creek Ranges should be of sufficient size to maintain long term genetic diversity. However, simulation studies conducted by Colorado State University showed that populations managed with a target size of fewer than 500 horses were at some risk of losing more than 90% of selective neutral genetic variation over a long period of 200 years (Resource Notes No. 29, Date 07/26/00, National Science & Technology Center, BLM). Over time, inbreeding can lead to general diminishment of vigor with decreases in disease resistance as well as in general reproductive vigor. Therefore, should the coefficient of inbreeding (Fis) ever become $\geq$ 0.25 in a herd, then to re-establish genetic health of the herd, action will be taken to restore diversity by introducing 1 or 2 young mares of similar genetics or phenotype from another wild horse population into the herd of concern.

The following population controls are proposed:

- Once the estimated population reaches or exceeds the upper level of appropriate management level (AML), gather and removal of excess wild horses would be authorized to maintain an ecological balance on the rangeland. The number of excess wild horses to be removed would equal the number in excess of the lower level of AML. Example: If AML is 60 to100 and estimated population is 130, then 70 (130 minus 60) would be the number of excess animals to be removed. Acceptable gather methods would be helicopter drive trapping, horseback herding to a trap, roping, and bait trapping. Gather operations would follow BLM's Standard Operating Procedures for each gather method.

- Fertility control may be used as a tool to reduce the rate of population growth. Fertility control may extend gather cycles resulting in fewer disturbances to populations and reduce budgetary demands. Fertility control on mares is more effective than fertility control on stallions to reduce population growth rates because a larger percentage of mares participate in breeding. Thus far, research has shown that porcine zona pellucida (PZP) is most effective for meeting objectives of fertility control in wild horses. If PZP is used on wild horses within the affected territories of this analysis, 50%-80% of the breeding age mares will be treated with one shot of the 2-year PZP. Based on BLM research, this treatment level should result in approximate herd growth rates of 18% in year one (as mares are already pregnant when drug is given), 2% in year two, 7% in year 3, 12% in year 4, and normal recruitment levels in year 5. The 2-year PZP may be administered to the same mares

not more than every 4 years, and treated mares will be identifiable as treated in future years and will not enter the adoption program for at least 3 years post treatment. PZP will be administered by trained individuals. Identification of treated mares may require a freezemark on the left hip. At a minimum, treated herds will be censused prior to any subsequent gather, generally 4 years after the initial fertility control treatment. Standard data collected during the census will include the total number of adult horses observed and the total number of foals observed. More intensive field monitoring of the treated herds may be conducted as time and budget allows. More intensive monitoring would include 1) the annual number of marked and unmarked mares with and without foals and 2) foaling seasonality.

- Wild horses captured with genetic defects would be removed or sterilized to prevent the propagation of such defects.

- Euthanasia may be authorized for a wild horse as an act of mercy for any animals that 1) displays a hopeless prognosis for life, 2) suffers from a chronic or incurable disease or serious physical defect, 3) requires continuous treatment for the relief of pain and suffering, 4) incapable of maintaining a Henneke body condition score greater than two in a normal rangeland environment, or 5) suffers from a traumatic injury or other condition that causes acute pain.

MITIGATION MEASURES

Mitigation measures will be implemented to avoid and minimize negative effects to resources surrounding and within the project area. Specific measures identified to date are:

Traps and shipping pens will only be located on BLM lands reducing the impacts to Forest System Lands.

Noxious Weeds

During the wild horse gather, the contractor will be required to abide by the Forest Service certified weed free order. This states that any feed used on the Forest System Lands has to be certified weed free. Additionally, any livestock (needing supplemental feed) used on Forest System Lands have to be fed certified weed free feed at least three days prior to project implementation.

Rare Plants

There are no federally listed plants located in the analysis area

Public Safety

During the gather public access will be limited along roads near the corral sites and within areas where horses are actively being gathered. In areas near gather locations signs will be posted along roadsides. Additionally, public notices will be posted in Eureka, Austin, and Tonopah to inform the public the gather dates and areas where access will be restricted.

SCOPING

Public input regarding the proposed action was invited through the mailing of a scoping letter on May 4th, 2006 to interested parties and any comments were to be received no later than June 4th, 2006. In addition to involving the public, an internal and inter-agency scoping process was performed throughout April 2006

TRIBAL COORDINATION

The Yomba Tribal Council was notified on May 12, 2006 by District Ranger Steven Williams regarding the Wild Horse and Burros Appropriate Management Levels (AMLs). During the Tribal Council meeting no concerns or issues were raised.

PRELIMINARY ISSUES

Preliminary Issues related to the proposed action have been identified based upon public comment, tribal government comments, and input from Forest Service specialists.

Vegetation	Wildlife Species - General
Horses	Appropriate Management Levels (AMLs)
Monitoring	Range
Water Resources	Wildlife Species- Sensitive
Miscellaneous	Cultural Resources
Rare Plants	

Table 6. A summary of the potential impacts of the no action and proposed action alternatives– separated by affected resources

SUMMARY OF THE POTENTIAL IMPACTS OF THE PROPOSED ACTION		
Affected Resource	**Summary of potential no action impacts**	**Summary of potential proposed action impacts**
Vegetation/ Rare Plants	No known federally listed plants occur in the analysis area. Sensitive plant populations are known to occur within each wild horse territory	

	(WHT), but to date, herbivory by wild horses on these plants has not been documented. The following sensitive plants are known to occur in the analysis area: Eastwood milkvetch, scorpion milkvetch, Toquima milkvetch, Toiyabe buckwheat, Nachlinger catchfly, alpine goldenweed, and arid draba.	
	With regard to plants, choosing this alternative will reduce the possibility of attaining ecological balance (Brown 2006). Uncontrolled wild horse populations could cause direct disturbance to sensitive plant communities. Additionally, riparian habitats could receive excessive herbivory and physical disturbance (e.g., hoof action) at water sources. Impacts in riparian zones may adversely affect Marsh's bluegrass and Nachlinger catchfly. Consequently, unmanaged wild horse populations would result in a downward trend of the ecological status of riparian habitats.	Establishing AMLs for each WHT will maintain horse population at levels that promote ecological balance. Furthermore, managing at the designated appropriate management levels (AMLs) will reduce negative environmental impacts in degraded areas attributed to wild horses, which may result in an upward vegetative trend.
Wildlife Species -	With regard to wildlife, choosing the no action alternative will reduce the possibility of attaining ecological balance (Brown 2006). Uncontrolled wild horse populations would cause direct disturbance to wildlife and their habitats. Excessive wild horse populations could increase vegetation utilization to levels that exceed the Forest Plan Standards. Additionally, riparian habitats (i.e., ecological status) would move in a downward trend, also exceed Forest Plan standards. Affects of excessive utilization, poor riparian and upland habitats will adversely influence the quality and quantity of wildlife habitat.	Establishing AMLs for each wild horse territories (WHTs) will maintain horse population at levels that promote ecological balance. Competition for forage and water between wildlife and wild horses will reduce negative environmental impacts in degraded areas. Following implementation of AMLs adequate forage, water, and cover would be available for wildlife, wild horses, and permitted livestock resulting in improvement of condition and function for upland and riparian habitats. Temporary disturbance of wildlife would occur during gather operations, however, this disturbance will be conducted infrequently (only when WHT numbers reach gather threshold) and brief in duration.

Horse Distribution Patterns	Within each WHT a computer analysis was completed to determine the areas of potential wintering habitat. It was determined that the Monitor and Little Fish Lake WHT have a substantial amount of winter habitat where as Dobbin Summit, Sevenmile, Butler Basin and Kelly Creek have limited amount of winter habitat.	
	The no-action alternative will seasonally overstock the adjacent Herd Management Areas (HMAs).	In the long-term establishing appropriate management levels (AMLs) will not impact the horse distribution patterns only the density of animals. However, a temporary disturbance of wild horses would occur during gather operations, however, this disturbance will be conducted infrequently (only when WHT numbers reach gather threshold) and brief in duration.
Range	The no-action alternative would not set AMLs for each wild horse territory (WHT) and ecological balance would not be attained. Failing to set wild horse AMLs will result in uncontrolled grazing which may exceed Forest Service livestock utilization standards. If utilization was exceeded before the permitted livestock grazing season the only management tool that could be used is the early removal of livestock.	Establishing wild horse AMLs will not increase the amount of livestock or season permitted to graze within the WHT. However, wild horse AMLs will reduce the resource competition between livestock, wild horses and wildlife. Additionally, AMLs will lessen the negative environmental impacts in degraded areas. The proposed AMLs will reduce grazing frequency and severity in areas where livestock, wildlife and wild horse grazing overlap. The reduction in grazing frequency and severity may result in an upward ecological trend.
Water Resources	The no action alternative would cause negative impacts on water resources due to the increased number of wild horses utilizing streams, springs, seeps, and other riparian areas. These impacts would include excess sedimentation in streams and hillslope erosion due to increased soil compaction and degradation of riparian vegetation. Water quality would also be	The proposed action would maintain or improve water resources by managing the numbers of wild horses that would be utilizing streams, springs, seeps, and other riparian areas. Establishing AMLs or each WHT will contribute to maintaining those areas that presently have an acceptable ecological status and will help improve those areas that

	degraded as concentrations of nutrients and coliform bacteria would increase. The ecological status of riparian areas would experience a downward trend and would fail to meet the standards outlined in the Toiyabe Land and Resource Management Plan.	are below acceptable levels.
Wildlife Species - Sensitive	Excessive wild horse populations could cause direct impacts (i.e., herbivory and/or physical disturbance) to habitats occupied by sensitive wildlife species. Furthermore, the ecological status of riparian habitats may follow a downward trend, due to excessive disturbance from the horses. In the uplands critical sage grouse upland habitats could also be impacted by horse use.	Habitat requirements for sensitive wildlife species will be maintained and/or improved by managing for AML.
Cultural Resources	Taking no action to set AML will increase impacts to archaeological sites because the horse populations appears to be increasing and there is a positive correlation between total numbers of horses and the amount of damage sites undergo. Not taking any action to limit their numbers will result in increasing damage to archaeological sites.	Any reduction in the number of horses will reduce the overall impact horses are having on archaeological sites. The recommended AML may be a fraction of the current populations, and would reduce impacts to archaeological sites. Setting AML implies there may be action taken to reduce horse numbers or fertility. Any ground disturbing locations such as traps or corrals will need the usual compliance with Section 106 of the National Historic Preservation Act and would be considered separately from this document on a case by case basis. As discussed in the mitigation section above, these activities would be planned on BLM managed lands, not on Forest

		System lands.

MONITORING

Recent vegetation assessments have been completed within the project area. The Analysis of the vegetation assessments indicates most of the riparian and upland study sites have moderate similarities to the potential natural community (PNC). Little Fish Lake WHT is the only exception, of the 20 vegetation assessment plots 17 had negative to weak similarity to PNC. Post gathering monitoring will be conducted within the Little Fish Lake WHT to determine if the AML is increasing range condition.

COMMENT PROCESS

The Austin/Tonopah Ranger District of the Humboldt-Toiyabe National Forest is providing a 30 day comment period on this proposal and encourages your comments on this proposed action in accordance with Forest Service Appeal regulations (36 CFR 215.11 (a)). Appeal eligibility is limited to those who provided comment or otherwise expressed interest in this proposed action and submitted comments by the close of the comment period.

Please send your comments to John Rademacher at P.O. Box 130, 100 Midas Canyon Rd, Austin, NV 89310, (775) 964-2671, Fax: (775) 964-1451; or you may hand-deliver your comments to the above address during normal business hours of 7:30 am to 4:30 pm, Monday through Friday, excluding Federal holidays.

Comments received in response to this solicitation, including names and addresses of those who comment, will be considered part of the public record for this project and will be available for public inspection and will be released if requested under the Freedom of Information Act.

If there is no potential for significant impacts, that finding along with the environmental assessment and a decision notice will be released for public information. If any comments are received on the proposed action then a 45-day appeal period will be provided after release of the environmental assessment and Decision Notice/Finding of No Significant Impact. If the environmental assessment concludes that there is the potential for significant impacts then an environmental impact statement would be prepared.

Your comments will help us prepare an environmental assessment on the proposed action.

ANALYSIS PROCESS

A team of specialists has been identified to analyze the environmental effects of the proposed action. Preliminary analysis, displayed below, indicates that impacts to affected resources would be minor and short-term in nature (Table 4). The final results of this analysis will be

displayed in the Environmental Assessment (EA) being prepared.

If there is no potential for significant impacts, that finding along with the environmental assessment and a decision notice will be released for public information. If any comments are received on the proposed action then a 45-day appeal period will be provided after release of the environmental assessment and Decision Notice/Finding of No Significant Impact. If the environmental assessment concludes that there is potential for significant impacts then an environmental impact statement would be prepared.

Your comments will help us prepare an environmental assessment on the proposed action.

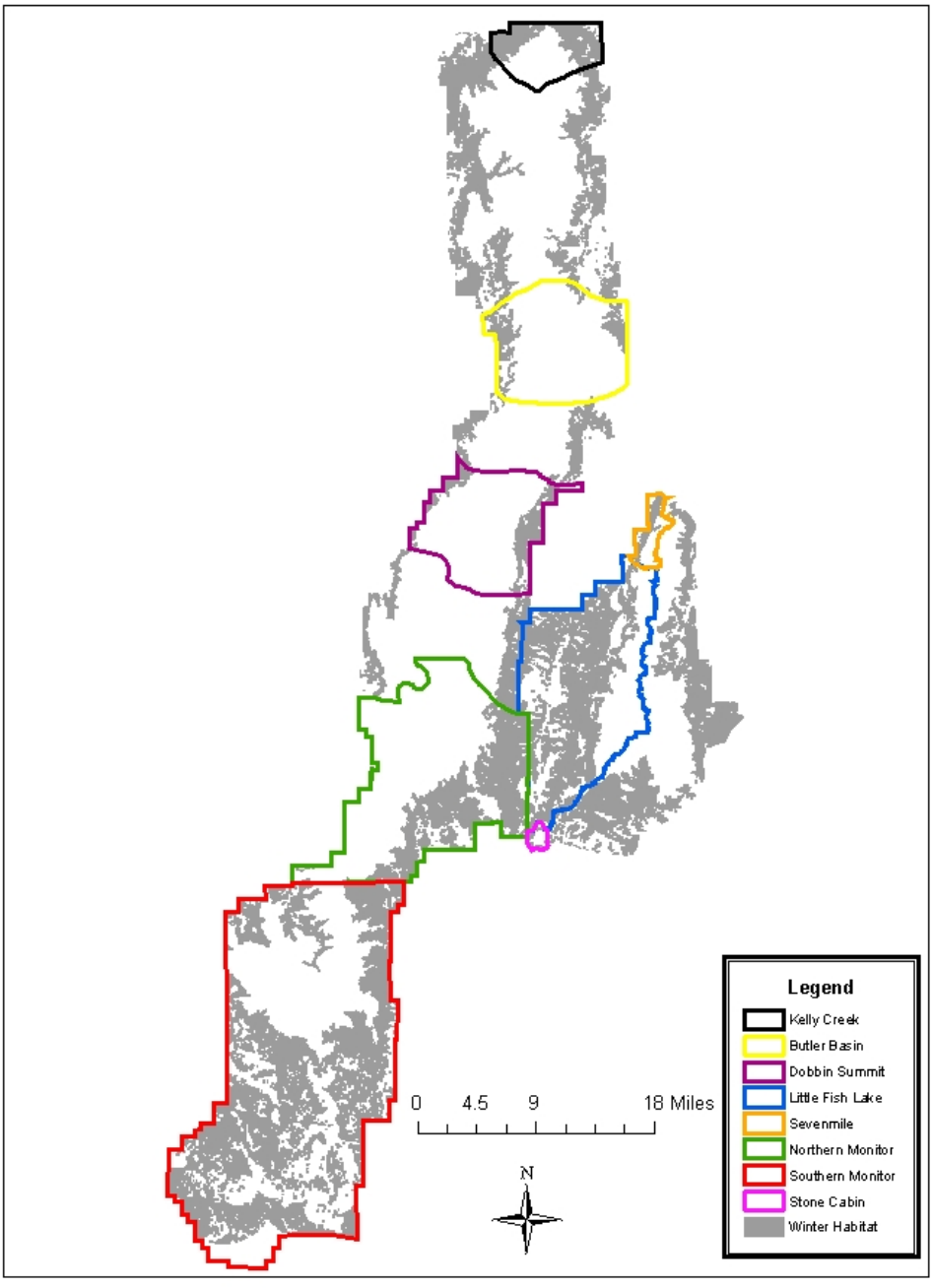
Responsible Official

The responsible official for this project is Steven Williams, District Ranger, Austin/Tonopah Ranger Districts, 100 Midas Canyon Road, Austin, Nevada 89310. The telephone number is (775) 964-2671.

Contact Person

For further information regarding this proposal, please contact John Rademacher at (775) 964-2671.

Map 1. Wild Horse Winter Habitat



09/06/2006