

National Overview -2006-

At the turn of the century, wild horses were estimated at 2-3 million strong but the results of the 1974 Bureau of Land Management (BLM) census recorded that their numbers had dwindled to merely 60,000 nationwide, 14,000 of those were estimated to be wild burros.

After the passage of 1971 Wild Free-Roaming Horse and Burro Act, the BLM became the lead agency charged with the mission of protecting wild horses and burros on public lands and 53.3 million acres of critical habitat was reserved for their future preservation.

Today, BLM oversees approximately 262 million public acres, yet nearly 20 million acres of the wild horse and burro original territory is no longer deemed suitable for management with only 34.4 million acres of their historical Herd Areas still allowing any populations at all. If wild horses or burros leave these imaginary boundaries, they are considered nuisance animals and removed.

To illustrate some examples of habitat and population loss, in 1980 Southern California alone, BLM managed over 3.5 million acres for an “allowable population level” of over 2,700 wild burros.

As of 2006, California now has only three remaining BLM managed herds with a *maximum* appropriate population target for the entire state of merely 345 burros. Southern California itself has seen a 90% reduction in both acres and burros.

Nationally, wild horse and burro populations have been reduced to such low “managed” numbers that over 70% of the remaining herds now risk inbreeding. It is projected that within the next decade, BLM will begin declaring them non self-sustaining populations due to the very management and decisions they themselves have made, issuing the final orders to have the remaining handfuls zeroed out.

Yet the BLM claims they are merely maintaining a “thriving ecological balance”, a balance that issues only 10% or less of available resources to mustangs and burros within their own protected habitat.

One of the major issues of contention is resource competition with livestock. BLM manages approximately 159 million public acres for grazing and combined with United States Forest Service managed lands, livestock are authorized on a little over 332 million acres or almost ten times as much as wild horses and burros.

The Western States livestock industry supports 9 million cattle alone, not including sheep, and continues to dominate public land resources despite significant loss to taxpayers. It is estimated that public land ranchers pay 98.5% less for the privilege of grazing public lands than private land ranchers do and a 1999 article published by the *San Jose Mercury News* stated that “the top 10% of grazing-permit holders control a striking 65% of all livestock on BLM property.”

As of January 2007, the United States Department of Agriculture reported 97.1 million cattle were within the United States, up 400,000 from last year’s number, with a total world population estimated at 1.3 billion head.

Within the eleven Western States dedicated to animal agriculture, 70% of the available water is used for livestock production purposes, 85% of all soil erosion is directly attributed to the livestock industry, their overall waste output creates vast amounts of pollution that often ends up in waterways and rivers, and methane, the second leading cause of global warming and rated in the livestock sectors as CO₂, is estimated at generating 18% more greenhouse gas emissions than transport.

While livestock are one of the most major contributors to serious environmental health problems today, meat and milk production are expected to more than double by the year 2050. Livestock now use 30% of the earth’s entire land surface and the need to meet the constantly growing demand has also resulted in severe deforestation, requiring more and more old growth forests be cleared in order to create the much needed pasture for their ever-increasing numbers.

The livestock industries monopoly on public resources is relatively well known, but the newest threat to wild horse and burro survival is big game interests masquerading as “wildlife specialists” with the hunting industry effectively campaigning to further reduce the mustangs and burros already pitiful numbers.

Over 630 million acres is now controlled by some sort of federal agency such as National Park Service, United States Fish and Wildlife Service, United States Forest Service as well as Bureau of Land Management itself, and this figure omits any state controlled land and all 630 million acres is managed in some way for wildlife.

Under the guise of environment protection and citing a dubious status of non-native and feral, wild horses and burros have routinely been replaced by tall dollar hunting species like bighorn sheep, elk and pronghorn antelope as billions of dollars are poured into intensive management practices aimed at the continuous expansion of these big game animals.

In 2005, at one annual event, twenty bighorn sheep tags were auctioned off for a total of \$2.2 million dollars. The top place auction winners included Arizona, which received \$199,000 for its bighorn tag, New Mexico earned \$177,800, and Oregon netted \$130,000.

In a 1996 report titled *The Economic Importance of Hunting-Economic Data on Hunting in the U.S. and California*, stated that, if hunting were to be considered a corporate industry, it would rank number thirty-five on the Fortune Five Hundred list creating a nationwide economic impact of \$416 billion dollars.

In the year 2000, the national total population of wild horses and burros was estimated at 48,000.

In 2001, a comprehensive Five-Year Management Plan was launched, which included experimental fertility control injections on the wild horses returned to the range in order to bring them under control, and since its initiation, over 70,000 wild horses and burros were captured between October 2001 and March 2007 in efforts to achieve a national target population not to exceed 24,556 wild horses or 2,695 wild burros.

In late November 2004, with removals well underway and containment centers running at full capacity, what many believe was a key component of the 5-Years Plans hidden agenda was then initiated by Senator Conrad Burns (R-Montana) when he slipped a rider in the 3,300 page Omnibus Appropriations Act of 2005 the day before Thanksgiving. Rider #142 effectively repealed the thirty-year ban on the slaughtering of America's wild horses and burros, finally granting BLM the legal right to sell them "unconditionally" with no opportunity for public debate.

In April of 2005, a total of forty-one American mustangs were legally slaughtered for human consumption, sparking public outcry and causing Congress to again demand that BLM be vigilant with the new "sales authority" and prevent wild horses and burros from ending up in slaughterhouses.

Yet BLMs track record for protecting wild horses and burros has come under repeated fire over the years, with scandal after scandal involving both mismanagement and blatant legal violations.

In 1989, the BLM was involved in elaborate sanctuary schemes and "mass adoptions" that resulted in hundreds, if not thousand of mustangs and burros in their care ending up at slaughter, resulting in Congress having to amend the Act to prohibit more than four adoptions per year.

In the mid-90's, a federal grand jury gathered enough evidence to warrant an investigation into BLM illegal activities that required coordination from every level of the agency; field agents, managers, as well as the National Program Office itself while the Secretary of the Interior at the time, Bruce Babbitt, was accused of asking BLM employees to "look the other way".

The investigation found a whole host of black book activities that included double branding to hide half the wild horses and burros removed, inaccurate reporting of those actually removed, not branding wild horses and burros removed so they could not be identified as BLM animals, falsifying records and identification numbers used to track adopted animals, adopting animals to family members and friends that were never found, conducting large scale elaborate sanctuary

schemes again to pocket the profits of the animals sent to slaughter, as well as witness tampering and BLM managers tipping off key suspects of impending search warrants.

One person working under the direction of the BLM was quoted as saying, "...I believe 90% of these horses go to slaughter".

The grand jury investigation initiated a multi-level strategy from those within BLM, as well as influences outside the agency, which effectively blocked the grand jury from acquiring requested evidence and succeeded in preventing the case from ever going to trial and finally shutting it down in July of 1996.

This was accomplished by successfully lobbying for the investigation to only include a limited scope that would not allow an examination the National Program as a whole, blocking subpoenas for requested information, reassigning the original investigators from the case to other areas, and the final death blow delivered when it was successfully argued that the case should be dismissed on the grounds that, *"it would be **unfair** to single out one or two employees for prosecution when tolerance within the BLM for wild horses and burros going to slaughter was so widespread!"*

Records gathered by the Associated Press who helped investigative efforts and followed the grand jury's activities, indicated that this practice of shutting down criminal investigations involving wild horses and burros was not uncommon.

Some of these included a case in Nevada where two defendants believed to have been involved in the shooting of approximately 600 mustangs failed to be prosecuted, adopters who announced intentions of "fattening the horses up" to sell them for slaughter were given horses anyway, and Indian Tribes who blatantly admitted that once they garnered title to the adopted mustangs, they would sell them to killer buyers.

Though not official by conviction, these black book operations were exposed over ten years ago, yet Congress chose to never investigate the allegations further, opting instead to defy their own laws and allow BLM to ignore the required bi-annual Congressional reports about the programs status since 1997.

Without Congressional oversight and no longer held accountable, often BLM barely hid their contempt for public protests as they authorized they swept the more than 70,000 wild horses and burros off their home ranges since 2001.

These removals were supported by environmental assessments that were little more than exercises in cut-n-paste, always producing the same results, always reaching the same conclusions; wild horses and burros are excessive and must be removed to maintain the thriving ecological balance.

One such example of the reality behind these assessments and the purported thriving ecological balance in question, is the round ups conducted in the Ely, Nevada area in December 2006, which removed sixty-four “excessive” wild horses and left an estimated twenty-five on the range. The Highland Peak Herd Management Area (HMA) spans approximately 137,000 acres and the BLM has determined that a maximum of thirty-three horses, or one horse per 4,178 acres, is all the range can support.

Two weeks after the horses were removed, truckloads of sheep began arriving and continued to arrive daily for the next month until an estimated 1,000 or more sheep now grazed where the horses once roamed.

The cost of holding our mustangs and burros has skyrocketed with BLM spending \$19.6 million in 2006 for containment costs alone. The helicopter contractors they employ to round up the mustangs and burros, an often grueling and brutal gauntlet for the animals in itself, also command exorbitant fees, ranging from the tens to hundreds of thousands of dollars per gather, depending on the size of the herds removed, and they are paid by the animal they bring in, dead or alive.

Any more reasonable alternatives to these excessive costs are bitterly opposed, with BLM citing they are required to manage for “minimum feasibility”.

Somehow BLM translates this to mean, it’s less trouble to hire a helicopter crew to remove the animals, transport them, provide medical care, feed them, hold them in containment centers or ship them all over the country in efforts to find adopters rather than pay a livestock operator to leave the water on once the livestock are removed, deviating from the usual practice of shutting it off. Or perhaps reimbursing them for more forage allocations so they can leave the mustangs and burros on their home ranges without financial loss to the permittees - never mind the question of having to pay private ranchers to allow a federally protected species to remain on public land.

Wildlife organizations regularly contribute labor, material, and large donations to BLM and other government agencies in exchange for preferential treatment in forage allocations and management decisions. Recently, Nevada Bighorns Unlimited sent BLM a check for \$10,000 with instructions to apply it towards “whatever was needed”.

Yet too often when it comes to groups or citizens attempting to help wild horses or burros in the same manner, BLM merely states that it’s against agency policy.

In California, one recent example involved citizens who volunteered materials and labor to run a water line for the historic Clark Mountain burros, scheduled for their final removals this past January due to a land transfer that reassigned the burros only year-round water source to National Park Service (NPS).

Well within BLMs authority to negotiate a viable solution, they refused, while NPS maintains that the water source is now for the exclusive use of the *native* wildlife, a.k.a. transplanted bighorn sheep, and not the burros that had lived and thrived there for the last four hundred years.

Additionally, despite centuries of interspecies harmony between the burros and Threatened desert tortoise, government-funded studies concluded the burros were having devastating effects on the tortoises habitat and their complete removals were necessary for the tortoises survival. Meanwhile, livestock are still permitted in the area and the California Wildlife Commissioners issued an additional bighorn tag for the 2007 hunt season in the Clark Mountain area.

As of December 2006, BLM reported there are now more mustangs and burros in long term holding facilities than roam free, yet.....the round ups continue.

It has been two years since the Burns Amendment shattered the only marginal safety net Americas mustangs and burros had left and Congress has repeatedly failed to amend it.

The overflowing containment facilities and adoption system now routinely give deals of unlimited numbers of animals to “qualified adopters”. One such marketing ploy involved an offer to ranchers to purchase unlimited numbers of mustangs or burros for a paltry \$10.00 each.

The legal and illegal transport of horses for slaughter across Mexican and Canadian borders is at an all-time high and as BLMs numbers continuously shift like sand, with unlimited adoptions, unconditional sales, and the animals always on the move, many believe it has become open season on the gathered mustangs and burros, certain of the likelihood that the French and Belgians are now enjoying a taste of Americas Heritage species.

The BLM stands firm that the care and protection our mustangs and burros receive has not faltered and that every effort is made to prevent them from ending up in feedlots and slaughterhouses.

Yet the evidence of their management and their history begs to differ. With adoption facilities that have never measured up to their own adoption standards, such as providing shade or shelter from the elements, and repeated outbreaks of disease such as shingles and ringworm due to the often overcrowded holding pens, it is easy to question BLMs commitment to quality care.

While the Senate sits and waits, bidding their time to vote on whether to repeal the lost protections of these magnificent creatures, stories surface of BLM sabotaging adoption events in efforts to keep containment numbers up and program costs high in order to convince Congress that the management tool of “unconditional sale” is absolutely vital and necessary to the overall “success” of the program.

This too could be just another ruse, as it was Congress themselves who has allowed, approved and funded the majority of the Bureaus activities. The real purpose may be to have BLM provide justification for saving political face, that perhaps it was always the intention of those who pull Congress' strings to both institute and leave the For Sale Authority intact, ensuring the *final solution* of our last mustangs and burros.

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Nevada's Wild Horse & Burro Status - 2006

Acreage

As of 2006, BLM reports that Nevada's Herd Areas encompasses 22,681, 326 acres.

Of that acreage, BLM manages 19,593,299 acres and 3,088,027 acres fall within "Other" agency jurisdictions.

Of this Herd Area acreage, the BLM has determined that only 17,474,209 acres is suitable for long-term management of wild horses and burros also known as Herd Management Areas (HMAs).

Of this Herd Management acreage, BLM manages 15,778,284 acres and 1,695,925 acres falls under "Other" agency jurisdictions.

The difference between the Herd Areas and the Herd Management Areas is a loss of 5,207,117 acres of habitat.

An additional 1,270,599 acres is being applied towards Herd Management Area acre totals that have been completely zeroed out for all wild horse and burro use.

BLM also lists 444,112 acres as transferred to "Other" areas, though it is not known if these transfers involve other government agencies, state agencies or private use.

The total loss of habitat due to transfers, zeroed out Herd Management Areas, and Herd Area acreage not deemed suitable for long-term management is 6,921,828 acres.

The actual acreage that wild horses and burros are managed in Nevada for is 15,759,498 acres or almost 33% less acreage than the original starting point of designated Herd Areas.

Of the 102 Herd Management Areas identified in Nevada, 14 have either been zeroed out or have no reported population, bringing the actual remaining Herd Management Areas in Nevada to 88.

Appropriate Management Levels

Since 2004, Nevada's statewide "appropriate management level" (AML) has officially lost 1,021 wild horses and burros.

The 2006 official state AMLs level is cited as 12,587 for wild horses and 948 for burros, a combined statewide total of 13,535.

However, BLM is applying AMLs towards the state totals where no current populations are being reported. This includes a wild horse AML of 358 and a wild burro AML of 109 bringing the total to 467 less than what is being reported as being managed in Nevada.

Based on these adjustments, the actual total statewide AML is 13,068 with the actual wild horse AML totaling 12,229 and the actual wild burro AML totaling 839.

Of the 88 Herd Management Areas remaining, BLM has established AMLs at 50 or under for 23 wild horse herds and 10 wild burro herds (some of these were in the same HMAs).

In 1989, Nevada was reported to have 74% of the national wild horse and burro population. Today, even without the other "adjustments", the official AML shows Nevada has now has less than 50%.

Removals

As of October 2001, at the start of the National 5-Year Removal Plan, Nevada's statewide population was reported as 25,096.

In March 2007, BLM announced that statewide AML had been achieved. This means that the Nevada wild horse and burro populations are now less than 13,535 by BLMs official figures, though it is not known how much under this figure the population truly is.

Since the 5-Year Removal Plan was initiated, between October 2001 and March 2007, the BLM has removed 35,161 wild horses and burros from Nevada.

A significant component of the 5-Year Removal Plan was to inject the mares returned to the Herd Management Areas with PZP, an experimental fertility control drug designed to slow reproduction rates and population growth.

Nevada's Wildlife Status - 2006

Mule Deer

According to Nevada Department of Wildlife (NDOW), the 2006 Nevada mule deer population was estimated to be 110,000.

The current population of mule deer is at least four times higher than what was believed to have historically occurred in Nevada. The increase in population is attributed to severe overgrazing by livestock during the late 1800's and early 1900's that resulted in dramatic changes in forage composition, which allowed higher levels of preferred mule deer diet forage species to flourish.

In the mid 1980's, Nevada mule deer populations reached an unprecedented and historical high estimated at 250,000. Big game specialists and hunters alike have since based all mule deer populations on this 1980's standard and have since declared mule deer populations are in drastic decline. This unprecedented mule deer population coincided with the 1989 Nevada wild horse and burro populations being estimated as comprising 74% of the national totals.

In 2003, NDOW threatened to sue BLM if more wild horses and burros were not removed from public lands, stating their excessive numbers were responsible for a 50% decline in mule deer population throughout the state.

In March 2006, Nevada Board of Wildlife Commissioners announced the possibility of again using legal action against BLM if wild horse and burro populations weren't kept under the Nevada statewide AMLs.

Nevada mule deer populations currently outnumber wild horses by a ratio of 9-1 and wild burros by ratio of 131 to 1.

Pronghorn Antelope

Pronghorn antelope were estimated to be 35-40 million in North America near the year 1800. By 1918, their population dwindled to the all time low of 13,000 nationwide. By 1924, numbers began to rise and were estimated as 26,604.

In 1980, Nevada estimated the state pronghorn antelope population to be 9,824.

The 1983 Nevada Pronghorn Species Management Plan set a management target population of 20,000 pronghorn by the year 2000. This number was revised to a statewide population target of 25,000 and in 2002, Nevada wildlife managers indicated that Nevada has a statewide population potential of 28,000.

The 2007 estimated pronghorn population is 23,500, the highest recorded population in Nevada's history and the 2002 national population was estimated at 457,156.

Nevada's pronghorn antelope outnumber wild horses by almost 2-1 and wild burros by 28-1. The current Nevada statewide pronghorn management population target of 25,000 exceeds the national wild horse population target of 24,556.

Rocky Mountain Elk

Though elk remains had been found in Nevada, elk had disappeared until 1932 when Nevada sportsman introduced 30 elk into the state. The estimated elk population in Nevada in 2006 was 8,200.

Wild horses outnumber elk by a ratio of 3-2 but elk outnumber wild burros by a ratio of almost 10-1. Nevada Department of Wildlife cites the low elk populations as a result of excessive wild horse populations.

The 1999 Lincoln County Elk Management Plan states that no elk were recorded in Lincoln County area prior to their introduction in 1979 and the plan has a target population of 1,850 elk within the management area.

There are 14 Herd Management Areas that span 2.6 million acres within this elk management area with a maximum wild horse AML established at 644 wild horses. Most of these AMLs were determined in 2003 through a mass AML decision issued for the area.

The introduced elk will outnumber wild horses by a ratio of almost 3-1 within the planning area. The Elk plan also states that no environmental assessment or environmental impact study was done for the Lincoln County Elk Management Plan because it was introduced as a "categorical exclusion". More statewide elk management plans are currently being developed.

Additional points of interest include objectives to:

- "evaluate options and develop solutions to secure adequate monies to outsource BLM NEPA clearances for water developments"
- "On maintenance of existing vegetation conversion projects, any previous cooperative agreement or range improvement permit will be taken into consideration by the team when allocating additional forage"
- "Prior to any habitat enhance project, all parties will be given the opportunity to participate in funding the project. This will be taken into consideration during the allocation process".

Bighorn Sheep

All species of bighorn sheep had been almost completely extirpated from North America by the mid 1950's due to diseases contracted from domestic sheep herds and over hunting. In the late 1960's, Nevada wildlife specialists began re-introducing bighorn back into Nevada with spectacular success.

The 2006 estimate for Desert bighorn was 5,800, California bighorn at 1,600 and Rocky Mountain bighorn at 360 for a combined statewide total of all species estimated at 7,760.

Nevada's wild horse maximum AML outnumber all species of bighorn by a little less than 3-2 but bighorn outnumber wild burros maximum AML by over 9-1.

According to the Wildlife Society Bulletin 32(2), in the year 2000, the Southwest desert bighorn sheep population was estimated at 20,000 adults and this population earned them the title of one of the "*rarest ungulate species in North America*".

This estimated bighorn population is almost the equivalent of the entire National "managed" maximum wild horse population objectives of 24,556 and would indicate, despite their federally protected status, wild horses would also be considered one of the rarest ungulate species in North America, while the national population target of 2,695 or less remaining wild burros could qualify them as a candidate for petitioning under the guidelines of the Endangered Species Act.

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Southern Nevada

The total usable acreage established in Southern Nevada for wild horses and burros is 2,074,710 acres.

Bureau of Land Management

The Las Vegas Field Office has jurisdiction over all Southern Nevada wild horse and burro Herd Management Areas (HMAs).

Total Herd Area acreage is listed as 2,598,030. Of that acreage, BLM oversees 980,806 acres and 1,617,224 acres is under "Other" jurisdiction.

Total Herd Management Area acreage deemed suitable for long-term management is listed as 2,317,832 acres. Of this acreage, BLM oversees 973,925 acres and 1,343,907 acres is under "Other" jurisdiction.

The loss of habitat between Herd Area acres and Herd Management Area acres is 280,198 acres.

Of the original 9 HMAs within their jurisdiction, 4 HMAs have been zeroed out completely for all wild horse and/or burro use. The Johnnie HMA was zeroed out for wild horses in 2005 and included the decision to manage it exclusively for wild burros.

Approximately 406,926 acres of habitat has been removed between all zeroed out HMAs equaling a total habitat loss of 687,124 acres between Herd Area acres and zeroed out HMAs.

Total actual available Herd Management Area acreage administered by the BLM Las Vegas Field Office is 1,910,906 acres.

BLM Las Vegas Field Office's Nine Herd Management Areas

- 4 Completely Zeroed Out
- 6 Completely Zeroed Out for Wild Horses
 - 2 Managed for Burros Only
 - 1 Managed for Wild Horses Only
- 2 Managed for Wild Horses & Burros

United States Forest Service

In 1987, BLM transferred 411,979 acres within the Spring Mountain area to United States Forest Service (USFS). Because this acreage was legally established as wild horse and burro herd areas, USFS established three new areas under their jurisdiction called Wild Horse Territories in cooperation with BLM, which totals 163,804 acres.

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Wild Horses

Southern Nevada has 3 BLM Herd Management Areas for wild horse use:

Red Rock HMA- Maximum AML-	27 Wild Horses
Wheeler Pass HMA- Maximum AML-	66 Wild Horses
Nevada Wild Horse Range- Maximum AML-	500 Wild Horses

The total maximum wild horse population target in Southern Nevada is 593 wild horses or less.

Since 2004, the Nevada Wild Horse Range has increased by approximately 700,000 acres but issued a reduction in the “appropriate management level” from 1,000 to 500.

Wild Burros

Southern Nevada has 4 BLM Herd Management Areas for wild burro use:

Red Rock HMA- Maximum AML-	49	Wild Burros,
Johnnie HMA- Maximum AML-	108	Wild Burros
Wheeler Pass HMA-Maximum AML-	35	Wild Burros
Gold Butte HMA- Maximum AML-	98	Wild Burros

The total maximum wild burro population target in Southern Nevada is 290 wild burros or less.

Bighorn Sheep

The 2006 estimated population for bighorn sheep in Southern Nevada, considered to be a “sensitive species” requiring special management, was 1,590 adults. Bighorn in Southern Nevada outnumber wild horses by over 2 to 1 and outnumber burros by 5 ½ to one.

The Spring Mountain Area

The Spring Mountain Complex is now comprised of 866,353 total acres and has three BLM Herd Management Areas (HMAs); the Red Rock HMA, Wheeler Pass HMA and Johnnie HMA and three USFS Wild Horse Territories, Red Rock WHT, Spring Mountain WHT and Johnnie WHT.

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Why this distinction is important is, though BLM typically assumes the lead role in wild horse and burro management, the land transfer resulted in 21 of the 24 springs being transferred to USFS, leaving BLM with only 3 water sources in the area. Since USFS now controlled all the water sources, they became the lead agency in resource management for the Spring Mountain area.

First, USFS removed the most prime 100,000 acres of habitat (approximately) from any wild horse and burro use, most of which included many of the quality springs. Then USFS issued a 15% water allocation for the introduced elk and only 7% water allocation for the wild horses and burros in the Spring Mountain area.

USFS also established wild horse and burro “appropriate management levels” for their Wild Horse Territories and these have been the “managed populations” for the entire Spring Mountain area, including BLMs HMAs as well.

According to the 1998 Resource Management Plan, BLM was required to manage wild horse and burro populations at the levels established by USFS until BLM could set their own “appropriate management levels” (AMLs) for the HMAs. The Resource Management Plan also established the official HMA boundaries, dividing up the previous single herd area into individual HMAs.

In December 2005, BLM established AMLs in one document for the Muddy Mountains HMA (located in the Lake Mead area), the Wheeler Pass HMA and the Johnnie HMA (Spring Mountains area).

With regards to the Wheeler Pass HMA, BLM only used one year of forage monitoring and utilization levels by the wild horses and burros in the area. According to their reports, though wild horse and burro populations far exceeded the established AML or what the range supposedly could support without resource damage, the most utilization BLM noted was 2% moderate. No heavy use or even severe use, just 2% moderate. Everything else was slight or none.

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Yet, when BLM calculated the “new AMLs”, they substituted a 50% moderate figure instead of 2% moderate figure for forage utilization, which of course resulted in substantially lower population levels being approved of.

Nevada Department of Wildlife’s Dr. Brad Hardenbrook stated about BLM’s final decision regarding the new population levels for Johnnie and Wheeler Pass (2005 AML Decisions): *“Since the water data and analysis is absent and the calculated AUMs (animal unit months) are misleading averages and inconsistently applied, the summary and conclusions of the Bureau’s PEA are not valid for the Johnnie and Wheeler Pass HMAs”*.

In the Johnnie HMA, BLM zeroed out the entire area for all wild horse use and decided to manage it only for burros, citing lack of water as the reason. Some interesting things about this decision are that the Johnnie HMA was recently created in the 1998 RMP and up until that time, it was all one complete herd area with no individual boundaries.

BLM stated that the Johnnie burros would still be a “genetically viable population” at the newly established AML levels of 108 burros because they were known to historically move back and forth between what was established as Wheeler Pass HMA and the Johnnie HMA, thereby preventing any inbreeding.

Yet in this same document, BLM zeroed out the Johnnie HMA out for all wild horse use *knowing* that the wild horses may move back and forth just as much as the burros do. Due to this decision, wild horses that move from the Wheeler Pass HMA into the Johnnie HMA will now be legally removed, despite decades of prior and historical use.

Another significant issue with the Spring Mountain area is a serious conflict regarding the established AMLs. Traditionally, BLM Herd Management Areas and USFS Wild Horse

Territories establish separate and individual AMLs for the acreage under each agencies jurisdiction.

The 1998 Las Vegas Resource Management Plan stated that until BLM determined their own AMLs for their Herd Management Areas in the Spring Mountains, the interim AMLs established by USFS would be the population target.

When BLM did establish the new AMLs for their Herd Management Areas, which included the zeroing out of wild horses in Johnnie, no changes were made to the USFS AMLs in the Wild Horse Territories.

During BLMs wild horse and burro removal proposal in November 2006, BLM attempted to remove wild horses and burros based on a mix of their own AMLs and USFS AMLs. The serious discrepancies in population targets were discovered and BLM and USFS admitted that they had failed to properly coordinate AML populations.

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Due to this conflict, both agencies agreed to follow the original AMLs established by USFS until the conflict could be resolved, and the established BLM AMLs of an additional allowable population of 284 wild horses and burros completely disappeared.

This also resulted in both agencies allowing wild horses to return to the Johnnie HMA instead of zeroing them out as BLM intended because USFS management plans allowed wild horses in the Johnnie Wild Horse Territory.

After the January round ups, approximately 40 wild horses were allowed to remain in Johnnie but this was accompanied with the promise that new paperwork would be drawn to reduce the USFS AMLs and subsequent wild horse use for the area, possibly zeroing it out again.

The Spring Mountain area was one of the most heavily censused areas in Nevada and BLM estimated the total population was approximately 1,004 wild horses and burros for the area prior to the scheduled January round ups.

In the January 2007, BLM removed 293 wild horses and 572 burros for a combined total of 865. BLM estimates the remaining population at 127 wild horses and 134-198 wild burros, bringing the actual population prior to the removals to an estimated population of 1,126 to 1,190.

In February 2007, BLM removed an additional 9 wild burros in the Red Rock area citing them as nuisance animals.

Bighorn Sheep

The Spring Mountains is estimated at having 170 adult bighorn while the Johnnie HMA, which contained the Last Chance Herd Area had a 2006 estimated bighorn population of 120. BLM also shows that they transferred 3,786 acres of the former Last Chance Herd Area acres to another source but it is not known who this transfer went to or if it involved any water sources.

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The Lake Mead Area

The Lake Mead area had historically supported a healthy and thriving wild burro population, though that is certainly not the case today.

The BLM cites a total wild horse and burro Herd Area acreage of 553,743 acres but only 273,545 acres was deemed suitable for long-term management and given Herd Management Area status, a loss of 280,198 acres of habitat.

When the Herd Management Area boundaries were drawn, all designated and historical acreage that surrounded Lake Mead was withdrawn from the Herd Management Areas use and now is managed under National Park Services authority.

There were three officially designated Herd Management Areas surrounding Lake Mead; the El Dorado HMA, the Muddy Mountains HMA and the Gold Butte HMA.

The El Dorado HMA was zeroed out in 1998 for all wild horse and burro use resulting in a habitat loss of 95,223 acres but is now home to an estimated 190 bighorn sheep.

The Muddy Mountains HMA was zeroed out for all wild horse and burro use in December 2005 resulting in a habitat loss of 187,310 acres but is now home to an estimated 265 bighorn sheep.

National Park Service and BLM had renewed their historical agreement regarding the wild burros of the area (also known as Memorandum of Understanding-MOU) on April 15, 2005. According to the MOU, wild burros were allowed "incidental use" to access Lake Meads water and BLM was to establish AMLs based on forage availability within the HMAs.

However, in the 2005 when BLM established new AMLs for the Muddy Mountain HMA, they stated that, "*The Muddy Mountains HMA has insufficient water within the boundaries of the HMA. The major water source is Lake Mead managed by National Park Service. The wild free-roaming horse and burro act does not apply to lands managed by the National Park Service. BLM cannot manage wild horses and/or burros outside designated areas therefore Lake Mead is not a water source that can be relied upon for the use of wild horses and burros within the Muddy Mountain HMA*".

Despite BLM renewing their historical agreement with NPS just months before they established the new AMLs for the Muddy Mountains, an agreement that stated wild burro AMLs were to be based on available forage within the HMAs, BLM instead determined AMLs not based on available forage levels as cited within the agreement, but on lack of available water.

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During the BLMs public comment period regarding the November 2006 wild burro removal proposal and despite requests for copies or summaries of the agreement between BLM and NPS, BLM refused public access to this MOU until after all capture operations had been completed, citing it was an “internal document” not available for public review.

Once all wild burros were captured and removed from the area effectively rendering the issue a moot point, BLM finally allowed public access to the MOU with National Park Service.

According to the MOU, National Park Service can also declare any wild burros nuisances or excessive and have been granted the authority to remove them in any manner they see fit.

The Muddy Mountains area is now cited as the second largest bighorn hunt unit within Nevada with plans to manage for 505 bighorn sheep based on available forage.

The last remaining Herd Management Area around Lake Mead is the Gold Butte HMA. The Herd Area acreage is listed as 271,210 acres but only 178,443 was deemed suitable for long-term management and granted HMA status, a loss of 92,767 acres of habitat.

The maximum wild burro population established for Gold Butte is 98 wild burros. A wildfire destroyed 47% of the HMAs vegetation and in March 2006, BLM removed 132 wild burros leaving an estimated 36 after the round ups.

In July 2006, BLM again proposed removing more wild burros from the Gold Butte HMA as well as all other wild burros in the Lake Mead area.

In March 2007, BLM removed a total of 216 additional wild burros leaving an estimated 31 wild burros throughout the entire Lake Mead region.

