

Comment 1. A request for a detailed assessment analyzing and comparing the impacts of livestock grazing as compared to use by wild horses.

Response: The Ely and Elko Field Offices (BLM) completed a detailed and in-depth evaluation of range conditions and established a permitted level of livestock use, appropriate management levels (AML) of wild horses, and wildlife habitat management objectives through the Multiple-Use Decision (MUD) process for the allotments within the Complex. AML is defined as the number of wild horses that can be sustained within a designated HMA which achieves and maintains a thriving natural ecological balance keeping with the multiple-use management concept for the area. The AML for each HMA was established through the issuance of MUDs between 1990 and 2001. This analysis of data is completed over a period time taking into account factors such as drought years and normal and above average precipitation years. The BLM allotment, AML, MUD or Management Plan, and date of decision are shown in Appendix I. of the EA (No. EK-2005-013/NV040-04-017). This data, together with data collected since AML was established, indicates that the current AML of wild horses is appropriate and that excess wild horses are present and require immediate removal (also refer to EA, Page 4 and Page 10-27).

Comment 2. BLM must demonstrate that excess wild horses are present.

Response: The Elko and Ely Field Offices (BLM) have reviewed population census and range monitoring data and have determined that excess wild horses are present and must be removed to protect the range from further deterioration. Careful review of the summer 2005 gather operation and census completed in June 2005 and March 2006, confirms that the current estimated population for the Complex is 2,200 animals, substantially above the appropriate management level (AML).

Although 803 excess animals were removed from the Buck and Bald, Butte and Cherry Creek HMAs and the Cherry Springs WHT portions of the Buck and Bald Complex during summer 2005, no excess animals were removed from the Maverick-Medicine HMA. Following the 2005 gather, an estimated 1,502 wild horses remained on the range, about 975 animals above the low range of the appropriate management level (AML). Insufficient funding and contractor time capability existed at the time to capture, process, and provide long term feed and care for the remaining excess animals.

Monitoring data prior to the 2005 gather indicated wild horses were contributing to the non attainment of utilization objectives. Additionally, monitoring data continues to indicate vegetation use level objectives are not being met due to excess use by wild horses. This data indicates that a follow-up gather is needed at this time to protect the range from the deterioration associated with overpopulation of wild horses as authorized under Section 3 (b) (2) of the 1971 Wild Free-Roaming Horses and Burros Act and Section 302 (b) of the Federal Land Policy and Management Act of 1976. Refer to EA No. EK-2005-013/NV040-04-017, Page 2-3, and Pages 10-29.

Comment 3. Has BLM considered the impacts of vegetation treatment, wild vs. prescribed fires, Oil and Gas exploration and development, mining or other activities and their impact on displacement or alteration of horse use?

Response: BLM considers potential impacts to wild horses and their wild, free-roaming behavior in regards to public lands activities within designated herd management areas. Activities including mining, oil and gas, prescribed fire and any other activities that potentially might have adverse impacts must address wild horses. Environmental assessments analyzing potential approval of these public lands activities would address wild horses as being potentially impacted.

Any of these activities (including wild land fire) that would effect the gather operation or create a need for a gather would be addressed in a gather plan/EA. As an example, EA EK-2005-013/NV040-04-017 discussed the 2004 Chrome Fire and its impacts to the wild horse population as well as potential wild horse impacts on rehabilitation activities.

Comment 4. How has last year's round-up affected current herd demographics? Also, please consider an alternative that darts mares with immunocontraceptive.

Response: During the 2005 operation, the Ely Field Office gathered 850 wild horses and removed 803. The release of approximately 47 animals back into the HMAs was due to the animal's age category (animals were over age 16). Gather statistics for 2005 are summarized as: 850 captured (479 females and 371 males). Age groups of those captured are: colts to 5 year olds - 622 horses (of which 192 were 2005 foals); 6 year olds to 9 year olds - 110 horses; and 10 years old + - 118 horses. Current herd demographics would be expected to be the close to the same as shown from 2005 capture data.

Finally, BLM did consider an alternative to apply immunocontraceptives, however, due to the potential need for a follow-up gather in 2006, this alternative was not selected (refer to EA, Page 6-7 and 10-14, and Decision Record, page 1-2). Darting has not proven to be an effective delivery method for mares in a population of the size present within the Buck and Bald Complex.

Comment 5. BLM needs to prepare a new environmental assessment as there is new data and circumstances have changed since 2005.

Response: In making the determination that a follow-up gather is necessary, BLM completed an evaluation of the additional census data (including distribution and numbers) and the monitoring data collected during the past year. The environmental impacts analysis documented in Environmental Assessment (EA) No. EK-2005-013/NV040-04-017 was also carefully reviewed. Based on this review, the BLM has concluded the existing environmental impacts analysis is adequate and a new EA need not be prepared for this follow-up gather as outlined in the Decision Record.

Comment 6. Please provide detailed budgeting information so the public can understand the veracity of funding claims.

Response: Information about BLM's budget is outside the scope of the Buck and Bald environmental analysis. The Buck and Bald environmental analysis is limited to analyzing the impacts associated with BLM's proposal to remove excess wild horses and whether or not fertility control should be applied to mares released back to the range following the gather ((refer to EA No EK-2005-013/NV040-04-017, Page 2).

Comment 7. Please don't let the pressure from private cattle interests and oil and gas exploration force these animals into traumatic captures breaking up their herds and leaving them with a life of uncertainty.

Public lands are managed under the Federal Land Policy and Management Act of 1976 (FLPMA). Under the FLPMA, it is not a matter of selecting horses over cattle or oil and gas exploration and development, but of balancing the uses of livestock, wild horses and wildlife with other resource uses and the land's productive capability.

Comment 8. Livestock are not part of a healthy, biodiverse ecosystem as they damage riparian areas, defecate in water or overgraze forage. Horses do not damage riparian areas, defecate in water or overgraze forage. As a native wildlife species, they are part of a healthy, biodiverse ecosystem.

As discussed in response to Comment #7 above, public lands are managed under the Federal Land Policy and Management Act of 1976 (FLPMA). Under the FLPMA it is not a matter of selecting horses over cattle and sheep but balancing the uses of livestock, wild horses and wildlife with other resource uses and the land's productive capability. Under the law, the management of wild horses differs from the management of many native wildlife species in at least one key respect – wild horses are protected from hunting, illegal capture and harassment under the law (43 CFR 4770.1). By contrast, hunting is a tool which is often used to manage/control native wildlife populations.

The statements that wild horses don't impact resources are not true. Any animal that exists in numbers larger than its habitat can sustain will damage resources. Monitoring data has shown that wild horses are contributing to non-attainment of utilization objectives within the Complex.

The Wild Free-Roaming Horse and Burro Act (Act) of 1971 requires the Bureau of Land Management to “*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*” and “*to protect the range from the deterioration associated with overpopulation*” of wild horses (refer to Section 3 (a) and (b) (2) of the 1971 Act, as amended). Additionally, Promulgated Federal Regulations at Title 43 CFR 4700.0-6 (a) state: “*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.*”

Comment 9. Rounding up wild horses in the heat of summer will cause many horses to suffer fatigue and dehydration. The new foals will be especially subject to injuries and death.

The capture of wild horses by using a helicopter is prohibited during the 6 weeks that proceed and the 6 weeks that follow the peak foaling period (BLM Manual 4720.21). Additionally, helicopters are required to herd wild horses in a manner that allows mares to remain with their foals and which minimizes stress to the animals by limiting the speed and distance animals are herded in accordance with the condition of the animals, the nature of the terrain, and the weather (BLM Manual 4740.11 A and B). Also during summer gather operations we try to conclude capture operations by late morning to early afternoon to avoid running animals during the hottest part of the day.

Comment 10. How have you determined that horse numbers have so greatly increased? How did you get it so wrong before?

The Complex was gathered in 2001 to achieve AML. Due to funding limitations and other HMAs with a higher priority for census, the Complex was not censused again until June 27-29, 2005. Prior to the 2005 census, the estimated population of the Complex was approximately 1,280 animals. The 2005 census estimated approximately 2,300 animals within the Complex. This higher than expected number may be due to the length of time since the last census was flown, increased population recruitment, and/or inter-movement of animals (refer to July 2005 Decision Record, Page 2).

Comment 11. The Ely Draft Resource Management Plan (DRMP) has been issued and proposes significant alterations on horse herd areas.

The Ely DRMP proposes to consolidate the Buck and Bald, Butte, and Cherry Creek HMAs into one large HMA in order to better manage wild horses as one population. The AML is not being reduced, but rather combined, to facilitate the future management of wild horses. Further, only a small reduction on the west side of the Buck and Bald HMA is proposed within the Ely DRMP. This slight boundary change would serve to eliminate fingers of public land in between private land that is not accessible to wild horses.