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March 26, 2010

NDOW-SR#: 10-259
LVO-10-056
SAI #: E2010-150

Mr. Steve Williams, District Ranger
U.S. Forest Service
Austin/Tonopah Ranger Districts
P.O. Box 130
1000 Midas Canyon Road
Austin, NV 89130

Re: Wild Horse and Burro Appropriate Management Levels (AMLs) on the Monitor, Hot Creek and Toquima Mountain Ranges.

Dear Mr. Williams:

The Nevada Department of Wildlife (Department) appreciates notice and the opportunity to provide comments on the Wild Horse and Burro AMLs Project. This project proposes to update or establish AMLs and set general management direction for the Wild Horse and Burro Territories (WHTs) on the Monitor, Hot Creek, and Toquima mountain ranges. In a letter to John Rademacher dated November 16, 2006 (NDOW-SR# 07-081), the Department provided comments concerning the Forest Service's October 2006 Notice of Proposed Action (NOPA) and Opportunity to Comment on Wild Horse and Burro AMLs. A copy is enclosed for your reference. Concerns and recommendations outlined in our 2006 letter remain relevant today; however, we take the present opportunity to provide updates on several key points.

- It appears the AMLs Project mirrors the Forest Service's 2006 effort. This is somewhat disappointing from our perspective, as there has been no follow-up or communication with the Department regarding our original concerns. We believe it is important to observe per the Wild Free-Roaming Horse and Burro Act of 1971 (Act), *All management activities shall be at the minimal feasible level and shall be carried out in consultation with the wildlife agency of the State wherein such lands are located in order to protect the natural ecological balance of all wildlife species which inhabit such lands, particularly endangered wildlife species.* We welcome timely coordination and the opportunity to work with our federal partner to this end.
- The U.S. Fish and Wildlife Service recently concluded that listing of the Greater Sage-Grouse under the federal Endangered Species Act of 1973, as amended, was warranted but precluded by other at-risk species having higher priority. This decision has important implications for management planning involving Sage-Grouse habitat. Sage-Grouse inhabit all of the WHTs; and, few WHTs, if any, meet standards and guidelines for Sage-Grouse habitat. Sage-Grouse guidelines need to be incorporated into management decisions. In view of Sage-Grouse considerations, the Forest Service's presentation of vegetative monitoring data should allow for a review and determination of whether appropriate metrics

of plant composition, structure, and trend show favorable habitat condition. This is additional to demonstrating if excess forage for sustainable horse and burro AMLs is feasible without adverse consequences to wildlife habitat.

- We cannot overemphasize our concern for condition of riparian areas in the WHTs. Weighty consideration of the amount of *available* riparian habitat as a limiting factor is strongly recommended. Maintaining and promoting proper functioning condition of spring, riparian and meadow systems are critical to the successful management of many wildlife species and overall range health. For example, the population status of the Fish Springs pocket gopher (*Thomomys bottae abstrusus*), a Department species of conservation priority, remains unknown. However, land uses associated with severe grazing histories have contributed to this gopher's apparent absence from its type locality at Crocker Ranch, Little Fish Lake Valley. There in 2007, the meadow failed to yield a single pocket gopher burrow, even with the presence of hummocks (indicative of mesic sites) and the presence of meadow vegetation. In WHTs where riparian areas are not in a thriving natural ecological balance, the number of wild horses should be adjusted to a level that will attain overall forest management goals.



Crocker Ranch, Little Fish Lake Valley, 2007 (T. Slatauski, NDOW)

- Department observations indicate that even a small numbers of horses will continue to impact small and isolated springs like Harmon Spring along Moores Creek in the Toquima Range.



Horses at Harmon Spring and view of Harmon Spring, Toquima Range, September 2008 (T. Slatauski, NDOW)

- Wild burros are pioneering well outside the established Toquima WHT into the north end of the Toquima Range. A gather effectively removing those individuals additional to herd reduction within the WHT is appropriate.
- Mindful of predicted long-term drought conditions in Nevada, it would seem prudent to manage riparian systems in a manner which will ensure their healthy sustainability into the future. With numerous spring resources already on the verge of irretrievable loss, proactive management strategies are imperative for benefiting their recovery. The consequence is attaining recovery to the point where system resilience is robust enough for allowing multiple uses at reasonably feasible levels without their cumulative influences contributing to further declines of conservation sensitive species.

Again, we refer you to the comments previously presented in 2006 for our comprehensive perspective on the development of horse and burro AMLs. We look forward to further coordination and believe there is ample opportunity to tour the WHTs with Forest Service personnel prior to decisions made in finalizing AMLs. Should there be any questions or concerns, please contact Tracy Kipke of our Southern Region Office in Las Vegas for further assistance. She can be reached at 702-486-5127 x3612 or tkipke@ndow.org.

Sincerely,



D. Bradford Hardenbrook
Supervisory Habitat Biologist

TK/DBH:tk

cc: NDOW, Files
Nevada State Clearinghouse