

RE: Monitor-Toquima Range Vacant Allotment Livestock Grazing EA

To: Lance Brown, Responsible Official and Humboldt-Toiyabe Forest Service Supervisor Jon M. Stansfield, Objection Reviewing Officer

Pursuant to 36 CFR Part 218, Wild Horse Education is submitting this Objection to the Humboldt-Toiyabe Forest Austin-Tonopah Ranger District “Monitor-Toquima Range Vacant Allotments Livestock Grazing EA.

Here is an Objection from Wild Horse Education (WHE) of the Monitor-Toquima Range Vacant Allotment Livestock Grazing EA and Draft Decision Notice (DDN).

Objection filed electronically at:

<https://www.fs.usda.gov/project/?project=59389>

Objector Organizational Interests: It is WHE’s mission to advocate for responsible and humane management of wild horse herds and the lands and waters on which they rely, and to conduct public outreach and education in support of sustainable and fair management of wild horse and burro herds.

The following Objection is based on WHE’s long-standing interest and efforts to bring about responsible, balanced, science-based and humane management of the West’s wild horse herds. WHE has long worked to affect change in federal management of the horses in this region in Stone Cabin, Saulsbury, Monitor and associated areas, which include these national Forest lands.

### **WHE Will Be Harmed by EA Management Actions**

Our organization staff and members would be directly affected by this project and past and ongoing actions by the Forest Service on these lands and watersheds that are vital for wild horse survival in a harsh landscape. The Monitor-Toquima grazing project would directly and significantly harm us and our members, who use this National Forest and adjacent BLM lands for wild horse viewing, recreational enjoyment of wild horses, photography, study and observation of herd dynamics and who enjoy viewing and experiencing wildlife here too. Cattle grazing would harm, disturb and may interfere with our activities and uses of the Monitor-Toquima allotments and the WHT lands.

### **Relation of Objection to Comments**

This project was scoped several years ago. There have been major new threats have arisen to the areas’ wild horse herds, sustainability of forage and water, and wildlife habitat since then. Below WHE explains some of those new and significant circumstances and changes that form the basis of our Objection. The agency regulations allow an Objection under these new circumstances. WE also stress the Forest service never prepared a Draft EA for the public to provide informed comment on.

In the 1983 Herd Management Area Plan (HMAP) multiple studies and projects were outlined that would clearly identify the exchange of horse populations where BLM and FS horses have never been distinguished, seasonal movement and which populations belong to which agency have never been determined. This fact makes any assertion of AML or appropriate forage allocation for wild horse use literally nothing but an assertion. The 1983 HMAP needed “more data” that would be provided in an “update” to make a determination of when livestock need to be removed or stocking numbers lowered to protect habitat for wild horses ([§ 4710.5 Closure to livestock grazing](#). (a) If **necessary to provide habitat** for wild horses or burros, to implement herd management actions, or to **protect wild horses or burros**, to implement herd management actions, or to protect wild horses or burros from **disease, harassment or injury**, the authorized officer *may close appropriate areas of the public lands to grazing use* by all or a particular kind of livestock.).

Authorizing livestock changes in livestock use without updating the HMAP is inappropriate.

### **Reasons for Objection, and new Information**

The Forest Service proposes to authorize livestock grazing on the McKinney, Meadow Canyon, Monitor Valley East, Monitor Valley West, Silver Creek, and Table Mountain allotments across > 200,000 acres. 57% of the lands proposed for significant amounts of cattle grazing with high use levels proposed are located in Wild Horse Territories, so this new grazing management is of concern to WHE.

Grazing on Forest Service lands is inter-connected with BLM grazing. There are currently no fences separating many areas of BLM vs. USFS land. The BLM has currently not authorized grazing on some of the adjacent BLM land areas on the old Hage allotments. There has been no current integrated analysis of the movement and use of wild horses between BLM and Forest Service WHTs here, and the condition of the range in the context of a thriving natural ecological balance. An EIS should be prepared on that issue alone. It is critical this be addressed before large-scale new cattle grazing schemes are imposed, or this should form a major part of the basis for any EIS that would allow cattle grazing on the vacant allotments.

WHE described how inter-connected the FS and BLM horse use is, and how uncertain and how poor and problematic management is:

<https://wildhorseeducation.org/2023/05/10/breaking-taking-a-stand-at-stone-cabin-on-file/>

*“The Stone Cabin HMA is located approximately 30 miles east of Tonopah in Nye County directly off Highway 6, both north and south. Saulsbury is just to the West, a couple of miles off the highway both north and south. The Monitor USFS WHT is located in between the Saulsbury and Stone Cabin HMAs (and it is worth noting that no studies have been done to show which populations spend more time on BLM or USFS land denoting jurisdiction for removal or*

*population growth suppression tools). The total approved target area represents 542,724 acres within the Stone Cabin Complex HMAs, and 343,457 acres outside of designated HMAs, in areas primarily adjacent to HMAs where wild horses have moved or may move to during gather activities. (If you note the observation about the Monitor WHT, this language also means wild horses that call USFS Monitor “Home Range” and may flee back home. The Monitor WHT is 380,000 acres (and we know USFS has not done much monitoring out there for 50 years, instead relying on BLM to remove Monitor horses each time a Stone Cabin roundup takes place.) BLM notes that any gather inside Monitor would require a decision from USFS... but we know from documenting roundups at Stone Cabin for over a decade, that this is not “how the chopper flies.”*

*Not only are there clear multi-jurisdictional issues with this approved plan, there are serious deficits involving a lack of actual data, failures to follow-through on underlying approved plans and so much more”.*

The EA now proposes forage “reserves” on 5 allotments, where cattle grazing could occur at any time of the year in critical wild horse seasonal use areas or movement corridors. This could result in severe new cattle conflicts with water sources. There is no certain grazing management scheme in 5 allotments, and much “flexibility”. Cows would be brought in from unknown and unspecified lands potentially with new diseases or pests that would harm wild horses, and permittees would be unfamiliar with the area and its management requirements.

Climate change stress has worsened since 2021 with temperatures getting hotter. This increases the potential for increased competition between wild horses and cattle over scarce water, palatable food on seasonal ranges, and how the animals use the land area space in the inter-connected HMA and WHTs.

BLM has issued a new Solar EIS with alternatives that may significantly conflict with wild horse and wildlife use of this landscape. Development of industrial solar projects, linked transmission lines, or linked access roads, and other foreseeable new disturbance may constrain or alter wild horse use, disrupt the Thriving Natural Ecological Balance, impact the free roaming ability of wild horses, or displace wildlife. Industrial solar projects may also displace human recreational uses and disturbance onto areas of the WHTs and HMA lands to the detriment of wild horse and wildlife use.

BLM in late 2021, after this grazing project was scoped, announced it was amending the sage-grouse plans. BLM with USGS has a new series of reports on sage-grouse declines and habitat loss. Resuming grazing in these Vacant allotments here will increase cattle conflicts with sage-grouse, and is likely to result in new calls for draconian measures for wild horse management – especially in livestock-grazed lands.

BLM also just finalized a new “conservation” rule that may affect grazing, vegetation “restoration” - and thus wild horse use - in the BLM area lands.

**Recently, WHE's federal court litigation (3:22-cv-00034-MMD-CLB) resulted in a ruling that required preparation of a management plan for wild horse HMAs.**

**Ww currently carries additional federal civil litigation (3:23-cv-00505-ART-CLb) DIRECTLY related to harmful delay (undue delay) in updating the HMAp in the exact area of this proposed change in livestock use.**

**It would be inappropriate to proceed until the court adjudicates 3:23-cv-00505-ART-CLB.**

WHE is very concerned that there is no updated management plan for the WHTs and HMA, and certainly no management plan for the WHT that considers the current climate, flammable cattle-caused weeds and other stresses on the WHT and HMA lands, and many other factors necessary to ensure compliance with the WHB and NFMA's sustainability requirements.

This is an arid weed-vulnerable rugged landscape now proposed for significant livestock grazing use and degradation across more than 200,000 acres. The EA describes that several land areas in allotments have not healed from past grazing use. This grazing proposal is much more than simply "re-stocking". The world has changed dramatically since the 1986 Toiyabe Forest Plan was compiled. Imposing large cattle herds is highly likely to cause new weed problems, stress waters that may be diminishing due to the prolonged drought and climate change effects, and may result in a loss of sustainable forage in the WHT lands. The Forest Service also proposes to "redevelop" defunct cattle projects, and we are very concerned that sustainable WH water for horses may be reduced or diminished with re-excavation or other actions.

Thus, WHE raises the preceding as Objection points. WHE also Objects that the EA proposed action is deeply flawed and not supported by a hard look NEPA analysis; the EA lacks a reasonable range of alternatives (there is only one alternative and No Action is not adequately described with a solid environmental baseline). The project will have very significant impacts to the WHTs, wild horses and wildlife and the TNEB, yet the Forest Service failed to prepare an EIS. We also believe the EA and proposed decision\ do not comply with NFMA sustainability mandates, does not comply with the Wild Horse and Burro Act – due to lack of an up to date management plan and failure to properly assess the current ecological balance and how grazing on the WHTs is inter-twined with BLM HMA management.

Sincerely,

/LL

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