

Deer Run Horse Herd

Solution Proposal



Compiled by:



February 18, 2013

For:

Mr. Leon Thomas

Field Manager, Bureau of Land Management

Sierra Front Field Office
5665 Morgan Mill Road
Carson City, Nevada 89701

FEB 19 2013

2/18/2013

Leon Thomas, Field Manager

Bureau of Land Management Sierra Front Field Office

5665 Morgan Mill Road

Carson City, NV 89701

Dear Mr. Thomas,

On February 6, 2013, you held a meeting at Applebee's in Carson City for people interested in understanding the purpose of the recent partial roundup of the Deer Run Herd.

At that meeting, you said the reasons for the roundup of the herd were due to **public safety and inbreeding**. You gave "your word", as you said, that you were open to proposals for resolving those issues if they were presented to you by February 20, 2013. You gave two weeks for ordinary, non-professionals to develop solutions for these problems that have plagued this herd for decades.

Being problem solving type person, I immediately left the meeting to work on solutions. I later became aware a group under the leadership of [REDACTED] at your assignment, was to address the Deer Run Herd issues. I am not part of that formal group because I did not know of their existence, although I have subsequently made them aware of this proposal. Their approval of this proposal has been conveyed to me.

For years, knowledgeable and experienced horse people with whom I have been in contact have discussed the economic and visitor attraction advantages of having the area herd so close to Carson City. They concede management and man-caused problems have complicated the little herd's success in our environment.

Upon leaving the meeting at Applebee's, I contacted these qualified horse friends and acquaintances to discuss your specified concerns of **public safety and inbreeding** in regard to this herd. These people wish to help in the long run. The proposal presented herein is the collective conclusions of our discussions.

I met with [REDACTED] because I know that with issues of this particular type, Carson City must be involved because they are part of the solution. After my meeting with [REDACTED] you contacted me by telephone. I informed you of all of the above information.

This proposal *more than* adequately addresses your concerns of **public safety and inbreeding**. These solutions will take some time to implement and to work out all of the details required for them to succeed.

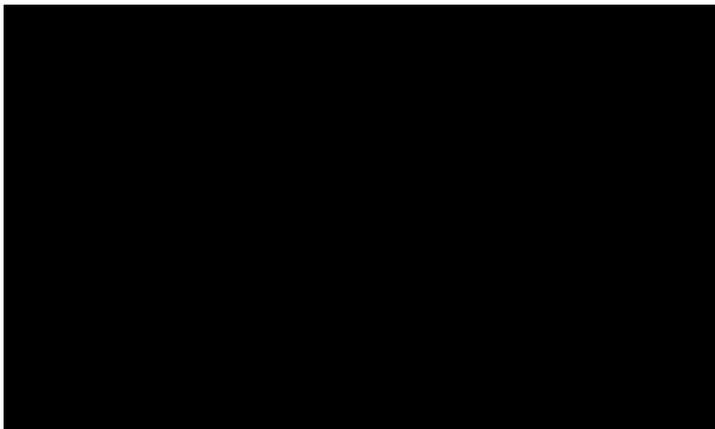
Surely this tiny horse herd deserves a reprieve from their imminent total roundup. Carson City also deserves a chance to assist with this problem pertinent to their identity as the Capital City of Nevada.

Please, we have met you demands in the time frame you wished. It is time to work together.

Sincerely,



CC:



DEER RUN HORSE HERD SOLUTION PROPOSAL

Existing Conditions:

A small herd of horses that has been a continuous presence on the east side of Carson City for at least 50 or more years has been partially rounded up by the BLM. The remaining six horses are scheduled to be collected immediately after February 20, 2013, according to BLM Manager Leon Thomas. Mr. Thomas has given the remaining horses a temporary reprieve of two weeks to allow development of a workable solution by interested parties for the problems he has identified as **public safety** and **inbreeding**.

This tiny local herd is part of the Pine Nut Mountain Herd Management Area encompassing over 90,000 acres in Lyon, Douglas and Carson City Counties. There used to be two herds in the Deer Run Road area but a roundup over a decade ago removed all but one stallion and a couple of mares. This resulting group is now isolated from any other herds. Six horses, nearly all of them mares, now remain in the Deer Run area.

There have been problems with the Carson City herd because of its isolation, small size, and the removal of too many horses by the BLM for the herd to survive healthily, thus resulting in genetics problems. A long delayed response to a problem stallion that was not only the source of the in-breeding problem but was also aggressive toward people and domesticated horses, led to many complaints piling up before he was finally removed last year by the BLM. A new stallion became part of the herd in recent months.

There were well-meaning people feeding the herd at Riverview Park, along Deer Run, and Sedge Roads, and at their residences in the area. The herd had begun to hover in areas frequented by people in hopes of a handout. An effort was made by residents to educate people feeding horses along the roads. Signage at Riverview Park was installed to warn against feeding or approaching horses. Through these efforts, public safety issues improved significantly.

Then suddenly this month a roundup of the horses occurred, ordered by the BLM for public safety reasons—which is administratively allowed within the BLM whether the threat to public safety is real or perceived. The reasons given by Mr. Thomas was that someone felt they had to climb a tree somewhere at some time in order to avoid an “attack” by one of the horses. Another reason was because a horse (not part of this herd) was struck by a motorist in Pleasant Valley, fifteen miles away. The new stallion and some fillies were captured, cutting the number of horses in the herd in half. The upside to the roundup was that nearly all the existing inbred stock within the herd was captured and removed.

At this time, it appears the problems of **public safety** and **inbreeding** have been mostly solved. The following addresses residual aspects of these issues.

Proposed Solutions:

The small, localized herd has become part of the landscape in eastern Carson City, drawing visitors seeking an opportunity to experience life in the west. Since The Capital City of Nevada already provides the opportunity to ride the V&T Railroad to and from Virginia City and to visit the Silver Saddle Ranch, a historic working ranch in the immediate area of Deer Run Road, maintaining a small free roaming herd of wild horses greatly enhances the connected visitor experience and local quality of life.

The following is proposed to facilitate this experience while maintaining public safety and the health of the herd:

1. **OSAC Role:** Carson City, through the Open Space Advisory Committee (OSAC) and its new role in managing the acquired BLM and other lands in the immediate area, can participate in facilitating the horses remaining within the BLM herd management area or manage the situation when the horses roam onto Carson City Open Space Lands. A formal volunteer committee of experienced horse people knowledgeable in resource management and the handling, health, and history of the herd could provide valuable advice in this effort.
2. **Ordinance with Penalties:** In conjunction with an outreach program to educate the public on interacting with wild horses, a Carson City ordinance is needed to address approaching or feeding the horses. It is critical to keep the herd as independent as possible and to prevent problems with people domesticating the horses through deliberate actions. Penalties for feeding or harassing wildlife are common in many state and national parks..
3. **Wildlife Corridor:** There is a recognized wildlife corridor east of the Carson River between the Brunswick Canyon Bridge to the north and Sedge Road on the south. Deer, coyotes, mountain lions, bobcats, and free roaming horses all use this area for crossing from the Pine Nut Range to the Carson River for water. Only one major road transects this corridor—Deer Run Road. Both ends of this section of Deer Run Road should be signed to alert motorists of the wildlife corridor and warn them of possible sudden encounters with large animals. Sedge Road should also be signed.
4. **Watering Stations:** With the transfer of BLM lands to Carson City, which include an area between Deer Run Road and the Carson River, there may be an administrative concern that the herd does not have water on BLM land within their management area. There are no proposals by Carson City to restrict the movement of wildlife or horses moving through the area to water. If horses crossing Deer Run Road are an issue, it can be ameliorated by providing watering areas east of Deer Run Road. In the BLM current land use planning document there are provisions to construct watering sites to prevent health and safety problems. The City could participate with the BLM on construction of these improvements, create them on City land, or establish temporary watering stations on BLM land (at homes bordering BLM land) and managed by volunteers.

5. **Herd Management and In-breeding:** Carson City Open Space, with the advice and participation of the formal volunteer committee of horsemen, can monitor herd numbers, genetics, behavior, and health of the herd and be alert to resource issues in regard to forage availability and land degradation. When it is advisable to cull, remove, or replace horses in the herd, the City can work with State or Federal agencies to facilitate the needed actions for removal and adoption. A herd of six to ten horses is not a major problem to monitor and manage in this manner.
6. **Conflict Resolution and Public Safety:** When problems involving the herd develop, the issues can be referred through the Open Space Manager to the volunteer advisors to look into and recommend solutions. OSAC already uses volunteers to monitor and assist the public in other Open Space areas. Enforcement issues can be handled by the Carson City Sheriff, Parks and Open Space Rangers, or BLM enforcement personnel.

Summary:

The local herd is part of the heritage of this area and an attraction for many. Although the presence of this herd has been the cause of occasional concern, most of the problems are man-caused. These are issues common to many animals both in the wild and in the urban interface—they require some management. With the right cooperation and responsible planning, problems can be resolved economically, efficiently, and effectively. The easy way to dodge problems is to get rid of the animals.

This proposal provides a long term approach that allows wildlife resources to be sustained and managed by keeping the horses in their traditional habitat while allowing the public to safely enjoy their presence. Each element of this proposal is vital: Carson City's participation, education and enforcement to prevent feeding and approaching horses, respect for the wildlife corridor, reducing the need for animals to cross Deer Run Road, herd management, and a method for conflict resolution. The cost for these solutions can be minimal.

These management steps, fully implemented and given a fair trial, can resolve any threats to public safety and the herd inbreeding. If these proposed solutions succeed, Carson City would retain the benefits of open space fire fuel load reduction through grazing, continue the significant visitor attraction, and ensure another important part of Carson City's quality of life and open space legacy. Carson City could offer a welcome prototype for managing free roaming horses in the urban interface for many areas struggling with similar issues.

**MEETING OF THE: DEER RUN WILD HORSE PROTECTION GROUP
And Sierra Front office of the Bureau Of Land Management (BLM)
2/19/2013**

AGENDA

A. SUMMARY OF GROUP INTENT

We are a citizen coalition representing an overwhelming majority to support keeping our historic band of wild mustangs, intact as a family unit where they have lived for over 40 years, wild and free. We are providing the groundwork in a multi-pronged approach to address concerns of the BLM. We have undergone constructing our program in the absence of factual information previously requested, i.e. written complaints, documentation of safety concerns. We have acted in good faith to present solutions to what we can only perceive as the issues leading to the capture of the Deer Run Wild Horse band.

We respectfully request the opportunity to work cooperatively with the BLM in an ongoing effort focused on maintaining the integrity of the family unit known as the DEER RUN WILD HORSE band.

We commit to actively participating in implementing the Deer Run Range Improvement plan, with benchmarks toward execution of a this plan combined with the constructive suggestions of the BLM.

We request that further trapping of the Deer Run Wild Horse band be suspended as these constructive improvements are carried out.

That in accordance to law, specifically the Wild Horse and Burro Act, the responsibility of the BLM is to protect not remove wild horses from their range and support them living wild and free.

B. Maps illustrating the Pine Nut HMA (Herd Mgmt. Area) and Allotments of the HA (Herd Area) illustrating the zeroed out portions of Allotments.

1. Maps demonstrate that with very few small breaches, the horses have done admirably to roam within their assigned territory, under 'invisible' boundaries unknown to them.

The small band of 11 horses is of no impact or consequence to the 'over limit' (AML) numbers elsewhere in the HMA, being isolated by Brunswick Canyon. Allowing this family band of 11 horses to remain is inconsequential to the Herd Area as a whole.

The BLM does not need to act at all to accommodate the 11 wild horses from the Deer Run band.

2. Maps with overview of Allotments show the small area allocated to wild horses in comparison.
3. It is highly unlikely that migratory patterns were taken into account when this HMA was established. This small band ranges just a few miles while typical bands of wild horses roam up to 60 miles.
4. BLM has discretion to give back land previously assigned for grazing, if this is an issue.

It appears that there are still grazing allotments in the zeroed out areas of the HA. What is *ACTUAL USE* in zeroed out areas of HA and HMA, if overage in numbers is indeed an issue with this band.

Again, according to statements made by BLM Field Manager Thomas, this small band has 'no impact' on the grazing area in the HMA, due to its isolated location and range.

The BLM Must Take a Hard Look at Mandatory Reduction or Elimination of Livestock Grazing *BEFORE Wild Horses Are Removed*, rather than acting in a defensive mode to address angry citizens of the community.

The BLM must accommodate current wild horse population and, if necessary, make adjustments to livestock grazing. This alternative would forgo any removals and accommodate current wild horse numbers by using the agency's adaptive management mandate and its discretion under 43 C.F.R. 4710.3-2 and 43 C.F.R. 4710.5(a), which allows for the reduction or elimination of grazing for privately-held animals in order to improve conditions and forage availability for wild horses.

The law does not require that the BLM remove horses merely because they are at, near or over the arbitrarily set AML. Rather, the law requires BLM to show that the existence of the horses on the range – as opposed to livestock or other factors – are causing harm to the “thriving natural ecological balance” (TNEB) in an HMA. No threat to the TNEB is greater than the extensive livestock grazing. Has the BLM researched this option prior to taking the most invasive action removing wild horses first. It appears that no other options were contemplated prior to the initial trapping of 5 horses from the Deer Run band. While the BLM Sierra Field Manager Leon Thomas attempts to legitimize the trapping of these horses by tying his order to a prior action (2011), the BLM could very easily solicit ideas for potential solutions from the community at large. This would suggest that the BLM is not acting in good faith to be transparent in its actions.

The BLM should not merely cite anecdotal examples of wild horse range usage, safety issues and alleged landowner complaints to justify the removal of wild horses.

Inconsistent assessments indicate that further analysis is needed to justify any proposed removals and thorough and sincere analysis is needed of alternatives in order to allow the current population of wild horses to remain in the HMAs. This especially applies to the Deer Run band, and its “no impact” status to the HMA.

AWHPC notes that the BLM's discretion under 43 C.F.R. 4710.3-2 and 43 C.F.R. 4710.5(a) is not limited to "emergency" situations. Even if it were, the BLM is in the midst of a fiscal crisis caused by the warehousing of wild horses in government holding facilities and all alternatives to worsening this situation must be explored. It is not sufficient to dismiss this alternatives, given the fiscal costs of continuing to remove horses from the range in numbers that far exceed adoption demand.

In the situation of the Deer Run band and others in the HMA, adoption appears to be a convenient means by the BLM of dealing with the wild horses, when it should be an absolute *last effort to keep wild horses out of incarceration by the BLM*. The members of the DRWHP group are making themselves wholly available to cooperatively work with the Carson City BLM toward keeping this historic band of wild horses on their range as Congress intended.

The DRWHP group must remind the BLM that it has a *statutory mandate* to protect and preserve wild horses.

B. PROPOSED RESOLUTION TO PERCEIVED ISSUES AND COMPLAINTS on the management of the Deer Run Wild Horse band

1. PUBLIC SAFETY

- a. Installation of reflective signs throughout the mile stretch of Deer Run Road. Signs manufactured by Strieter-Lite have been documented 78-90% effective with deer, and are an excellent tool for this location. These were being tested by NDOT on Hwy, 50 previously, but most were destroyed accidentally during the road widening project.

We are currently in dialogue with NDOT representatives to determine how many of these reflective signs were salvaged and simultaneously gathering pricing information for additional signs needed.

These reflectors work placed on both sides of the road, bouncing headlight signals back and forth. These signals frighten wild animals away from the road.

- b. Signage on Deer Run as notification that motorists are entering a Wildlife Corridor, at reduced speeds.
- c. Reduced speeds combined with cooperation with local law enforcement to ticket violators
- d. Signage for penalties for feeding, etc.
- e. County ordinance and/or legislation imposing increased penalties for feeding or harassing horses.
- f. County ordinance and/or legislation imposing penalties for releasing domestic horses into the wild
- g. Community Task Force to work cooperatively with CC BLM, to constructively work to investigate and respond to complaints to determine legitimacy, as well as if there is a special interest served to an individual that is not in the best interests of the community at large
- h. Community Task Force to educate the public via outreach through formal organizations, educational brochures and public service talks.
- i. Additional 'rumble' strips at strategic locations on Deer Run, especially near blind curves.
- j. Involve the City of Carson; they are managers of Riverview (5th St.) Park, comanagers of Ambrose Park, and pending owners of Silver Saddle Ranch. We are already dialoging with the Mayor's office to this end.
- k. Work cooperatively with residents and citizens to eliminate public feeding of wild horses.
- l. Additional Watering stations East of Deer Run to give easier access to this herd, who currently rely on Carson River and other small streams. One watering station supplied by a local land owner has been used for over 15 years on the East side of Deer Run; a 70 gallon tank that local wildlife, including wild horses have come to rely on as an alternative to crossing the road to access the river.

2. GENETIC (In Breeding)

- a. As a result of [what we have heard] was a complaint against a stallion known as "Study", with the herd, the BLM removed this stud horse a year or more ago. A new stud appeared within weeks, yet was captured and incarcerated by the BLM under the argument of 'In breeding'. What the new BLM field manager didn't thoroughly understand, was that with the arrival of the new stud, the inbreeding issue was naturally dealt with, This stud should not have been captured, nor should the other mares.
- b. Our group has a commitment of a national Wild Horse Protection League to supply and administer birth control to the mares of this herd to prevent inbreeding. This would be administered as part and parcel to monitoring of breeding activity by a citizen-based reporting group in cooperation with degreed 'specialists' of the BLM. When needed, stud horses could be circulated if it is not done through natural process as the wild horses have been doing for years. Leaving the horses on their home range allows nature to do it's work, allowing herds access to outside studs to replace old ones.
- c. Alleged evidence for inbreeding as a condition of the hooves, has been investigated by this group with independent veterinarians. We are told that the only condition that exists having to do with feet in horses is similar to a 'club foot', which exists in domestic horses as well.

3. STATUS OF THE DEER RUN MARES

There are currently three significantly pregnant mares. In consulting with independent veterinarians, we have learned that any stress to animals in this stage of pregnancy presents significant risks. It is critical that they remain undisturbed and allowed to deliver naturally in their own range.

SUMMARY

What we have here is a golden opportunity to change the tide of how issues are resolved between the BLM and private citizens. By cooperatively working toward solutions we can create the basis for a template that could be used statewide, if not nationwide. We can prove to naysayers everywhere that it can be done.

In the article below, BLM quoted some 37,300 wild horses and burrows on the range (31,500 horses and 5,800 burros), with an estimate of 49,000 in holding areas being fed or paid for on long term pastures. The \$80,000,000 dollar a year system needs work. We are here to help begin that work on our small scale, with a band of 11 horses in a family that has lived on our range for over 50 years.

They are treasured, respected and part of our culture. We have grown up with them and we are educating our children about Nevada's rich heritage of the wild mustang. *We've provided a link below as a source for information:*

<http://wildhorsepreservation.org/media/contraceptive-vaccine-wild-horses-burros-gains-epa-registration#.UR6qVT8CdsQ>.email

This is the basis for our submission to you today. We have the ability to make lasting change for the better for our community and beyond. We hope you will grasp this opportunity with an enthusiastic and creative community.

Respectfully submitted,

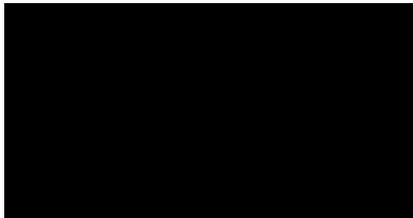
The DEER RUN WILD HORSE PROTECTION GROUP

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To the BLM managers of Pine Nuts HMA ~ Deer Run Road horses.

My proposal is for BLM to leave at least the mares and let them have their foals at home, and continue to exist as they have been in the Deer Run area of the Pine Nuts HMA, with the following management.

BLM needs to implement management protection of these horses as law requires, by educating the public in various ways, beginning with signs such as, "Do Not Feed the Wild Horses". I have never in 3 years time, seen the mares fighting, as was described in a supposed complaint of mares fighting at a school bus stop. It seemed reasonable to me that children are feeding them & thus it made sense to me finally, that those horses could have been bickering over treats! I know for a fact, that in the past, a young girl was often feeding popsicles to the gray dapple stud colt. Her grandmother knew this, but later called BLM to remove this horse fearing for her grand daughters safety! Why didn't she tell her not to feed the horses? Out of guilt I think the woman adopted the colt & later I adopted him through a transfer adoption. Education is key - posted warnings as well as posted laws, should be in order.

Signs along Deer Run Road stating "Wild Horse Crossing - Slow Down", should be posted as well. An officer should be present daily to write tickets to speeders, who might hit a horse crossing the road. Even now, horses are not often hit here & I only know of one in the past 3 years that was.

If BLM's true reason for zeroing out this family band is that its over AML, then this also needs to be addressed! Although the Deer Run band is of the Pine Nuts HMA, (allegedly over AML) it is an isolated band of a dozen or less wild horses at any given time and they have been present in this area allegedly for at least 50 years, with many locals and visitors enjoying them for all of this time.

I ask that BLM manage these horses at Deer Run Road area by leaving them home where they are presently found and use management tools such as public education and protective measures, to make their preservation a success on all levels of concern.

I am sure that hundreds of taxpaying citizens support the preservation and presence of these horses, so many more than the few who complain about them. I also question the validity of the complaints as well.

I have been documenting the Deer Run horses for years and I am including photos in my upcoming books and would not like to have my rights to follow these horses violated by their removal. Please leave the remaining horses for all to enjoy as we have been.

Sincerely,

[Redacted signature]

[Redacted address]

[Redacted phone number]

[Redacted email address]