

INFORMATION MEMORANDUM FOR THE SECRETARY

Meeting with Nevada Attorney General Laxalt

March 29, 2017, 11:30 am - 12:00 pm

DATE: March 28, 2017
FROM: Downey Magallanes, Special Assistant to the Secretary, Room 6126,
202-501-0654
SUBJECT: Greater Sage-grouse conservation, Wild Horse & Burro issues

I. STATEMENT OF PURPOSE

This memo provides background on the issues of interest to the Nevada Attorney General's office

II. BACKGROUND

Nevada Attorney General Laxalt requested a meeting with you to discuss conservation of the Greater Sage-grouse (GRSG) and the Wild Horse & Burros (WHB) program. **Note: The Attorney General and Nevada Governor are not in total agreement on a path forward on GRSG conservation.**

Attendees:

- Attorney General Adam Laxalt
- Lawrence Van Dyke, Solicitor General
- Joseph Tartakovsky, Deputy Solicitor General

III. DISCUSSION

Greater Sage-grouse (GRSG) conservation

- The State of Nevada (**only represented by the Attorney General**) and individual Nevada counties have joined a case brought by the mining organization Western Exploration against the Department on the Nevada and Northeastern California GRSG resource management plan.
- There is disagreement between the Attorney General and the Governor on GRSG conservation. Governor Sandoval appeared with Secretary Jewell during the plan rollout.

Wild horse issues

- There are currently 133,000 Wild Horse and Burros (WHB) under BLM care, which is 106,000 over the limit deemed acceptable. The program cost is around \$80 million.
- 10 Western states and 27 million acres have WHB, and Nevada contains 50% of the entire WHB population.
- WHB do irreparable damage to watering facilities, cause soil erosion – especially at water sources, and overgraze areas used for personal and commercial cattle and sheep operations
- Federal law requires the Department to “manage, protect, and control” WHB and authorizes the BLM to remove excess WHB from the range to sustain public lands, however an annual appropriations rider prohibits the sale of WHB without limitation and the destruction of healthy animals.

IV. NEXT STEPS

GRSG Management:

- The Department of Justice is reaching out to all plaintiffs in GRSG litigation to begin

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confidential settlement discussions, and the first meeting should take place in Denver in April.

- We are working internally to determine what we can legally roll back in the short term without fully rescinding the resource management plans.

WHB Program:

- We are exploring legislative action to reenact the ‘sale without limits’ stipulation of the Act authorizing the program.