

## [The Calico Complex Wild Horse Gather and the Proposed Ruby Pipeline Project](#)

The proposed route for the Ruby Pipeline project would cross portions of the Calico Mountain Complex. The construction of a pipeline and subsequent rehabilitation of the area would have a short-term impact to wild horses, wildlife, and livestock in the form of animals avoiding the area during construction activities.

The Cloud Foundation put out a news release recently claiming that the Proposed Ruby Pipeline Project is the reason the BLM is gathering and removing excess wild horses from the Calico Mountain Complex. The proof they claim was in statements included in documents prepared by a consultant to the proposed project.

Attached below is a link to the PDF document of the front page and the page of the actual quote, in which two lines of critical information was purposely left out of the Cloud Foundation's news release. On August 28, 2009, Ruby Pipeline responded to questions from the Office of Energy Projects (OEP). On page 30 OEP asked about Ruby's approach to preventing problematic right-of-way "reclamation" due to wild horses and burros grazing, which is summarized in the following response.

POD Appendix K, Draft Restoration and Reclamation Plans for Wyoming, Utah, Nevada and Oregon filed with FERC in July 2009, specifies actions to minimize wild horse and burro grazing "within the reclaimed ROW": Ruby will work with the BLM to minimize wild horse and burro grazing along the "restored" ROW for three years. **"Possible management actions would be to provide water sources away from the ROW, include low palatable plant species in the seed mix such as sagebrush, temporary fencing with gaps, and/or reduce wild horse populations following BLM policy in appropriate management areas."** BLM wild horse and burro resource specialists were consulted in developing this management approach.

The entire focus of the response addressed how Ruby will work with the BLM to minimize wild horse and burro grazing on the "reclaimed" ROW to allow rehabilitation of the vegetation to be most effective. Any proposed gathers would be analyzed and developed through the BLM normal NEPA and public review process, which is based upon achieving the AML for each particular HMA/Complex.

The EIS, released Friday, January 8, 2010, further outlines the follow specific conservation measures that Ruby will implement to further protect wild horse and burro populations:

### **5.3.13.3 Conservation Measures**

To minimize impacts to wild horses, Ruby would implement one or more of the following measures:

- Install soft plug or crossovers every 2,500 feet or closer depending on water sources to facilitate wildlife movement (1,200 feet within agency-defined migration corridors);
- Where necessary or if there is indication that wild horses and burros are not crossing at installed soft plugs or crossovers, locate temporary water supplies 0.5 mile out of the construction area if pipeline construction comes within 0.25 mile of an existing water source or if pipeline will impede access to nearby water source;
- Minimize the time the trench is open to decrease the potential of wild horse and burro entrapment;
- Leave major horse trails across trench intact as long as possible to minimize loss of movement to habitat;
- Be sure to close the fence gaps to restrict movement outside of the HMA;
- Install crossovers at existing fences within grazing allotments;
- Ensure that workers and other site personnel are educated regarding the federal protection of wild horse and burros and are aware of the penalties associated with harassment of wild horses and burros.

### **Ruby Pipeline LLC Responses to OEP**

The removal of wild horses/burros is not addressed in the Ruby Pipeline Final EIS, because it has nothing to do with the removal of wild horses or burros. Gathers such as the Calico Mountains Complex operation are conducted as part of the BLM land use management plans, and are conducted to remove excess animals, achieve Appropriate Management Levels, and achieve a thriving natural ecological balance in an effort to maintain healthy rangelands and ensure through our management practices that we have adequate food and water for the remaining wild horses and burros, wildlife and permitted livestock on the public lands.