United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Battle Mountain Field Office
50 Bastian Road
Battle Mountain, Nevada 89820
http://www.nv.blm.gov

TAKE PRIDE IN AMERICA

In Reply Refer To:
NV062
4700

Sep 2 3 2005

Dear Reader:

Enclosed for your information is a copy of the Simpson Park Mountain Range Wild Horse Removal Environmental Assessment and Finding of No Significant Impact (FONSI). You are asked to provide this office with any information, issues, or concerns you may have regarding the proposed project to facilitate the decision making process. Comments must be postmarked or otherwise delivered by 4:30 p.m. October 31, 2005. All comments will be considered and incorporated into the EA. Should comments warrant a significant change to the EA, it will be re-issued with the FONSI and Decision Record.

Please send comments to Christine Pontarolo, Wildlife Horse and Burro Specialist, at the above address. If you have any questions, you may contact her at (775) 635-4058.

Sincerely,

Doug Furtado
Assistant Field Manager
Renewable Resources

Enclosures: 2
1. Simpson Park Range Wild Horse Removal EA and FONSI

United States Department of the Interior
Bureau of Land Management
Battle Mountain Field Office October 2005

Battle Mountain Field Office
Bureau of Land Management
50 Bastian Road
Battle Mountain, NV 89820

Environmental Assessment
NV062-EA04-35
Simpson Park Range
Wild Horse Removal

Table of Contents (p. 1)

Background Information

The Bureau of Land Management (BLM) proposes to remove approximately 200 wild horses with established residence in grazing allotments outside of Herd Management Area (HMA) boundaries. The removal area was not documented/ inventoried as a Herd Area in 1971. The proposed removal area is located northeast of Austin, Nevada. The proposed removal area is comprised of the Simpson Park, Dry Creek, Santa Fe/Ferguson, Grass Valley, Three Bars and Underwood Allotments managed by the Battle Mountain Field Office (BMFO). The removal area, in the affected allotments, is outside the delineated boundaries of any of the 12 Herd Management Areas (HMAs) established in the Shoshone-Eureka Area Resource Management Plan (SERA RMP) with the exception of the Simpson Park Allotment. Approximately 11,000 acres of the Callaghan HMA are located within the northwestern corner of the Simpson Park Allotment. The Hickison HMA and Burro Wild Burro Territory (WBT) are cooperatively managed between BLM and U.S. Forest Service. The Hickison HMA extends north of Highway 50 into the Simpson Park Allotment. The northern portion of the Hickison HMA is separated by the southern portion of the HMA and Burro WBT by Highway 50 right-of-way fences. A Rangeland Health Assessment is being completed for the Simpson Park Allotment. The assessment would set the appropriate management level (AML) for wild horses for the portion of the Callaghan HMA; and set AML for wild burros on the Hickison HMA within this allotment.

Wild horses have established permanent residence within the Simpson Park Mountain Range. Aerial census and ground observation data affirm that wild horses within the removal areas are not dependent on resources within the boundaries of the Callaghan HMA or any other nearby HMAs. Observations and issues involving wild horses within the removal area have been documented at various times of the year by the Shoshone-Eureka Resource Area Rangeland Management Specialists, Wild Horse Specialist, Hydrologist, and Wildlife Biologist.

Wild horses have also traveled south from the Rocky Hills HMA and established residence within private lands on the Gund Ranch located in the Grass Valley Allotment. A nuisance horse from the Rocky Hills HMA was recently removed from private lands on the Santa Fe-Ferguson Allotment.

Refer to maps for allotments, herd management area boundaries, and proposed removal area.

Purpose Of and Need For Action

The purpose of the Proposed Action is to remove approximately 200 wild horses which have established permanent residence outside of the boundaries of the Callaghan HMA east of the Grass Valley Road; remove wild horses from within the boundaries of the Hickison HMA which is designated for wild burro use; and wild horses strayed from public land onto privately owned lands.

The Proposed Action would eliminate wild horse distribution outside of an HMA, respond to specific requests for removal of wild horses from private lands and public lands not designated as wild horse herd management areas, and mitigate damage to private and public lands.

A riparian inventory and assessment was completed during Fiscal Year (FY) 2003 for all of the Simpson Park Allotment. (Refer to 2003 Surface Water Inventory and Riparian Assessment for

Simpson Park Allotment) The assessment documented wild horses, their sign, and impacts to riparian and surface water resources. An initial riparian inventory has been completed on the Dry Creek and Santa Fe/Ferguson Allotments; a Riparian Assessment has not been completed for these allotments. Wild horses

The need for the Proposed Action is to manage wild horses within designated Herd Management Area boundaries, respond to conflicts with wild horses on private land, and alleviate resource degradation by wild horses which are leading to Rangeland Health Standards not being met.

Based on Code of Federal Regulations (CFR) §4710.4 *"Management of wild horses shall be undertaken with the objective of limiting animals' distribution to herd areas..."* and §4720.2-1 *" Upon written request from the private landowner to any representative of the Bureau of Land Management, the authorized officer shall remove stray wild horses from private lands as soon as practicable."*

The Proposed Action would enable BLM to maintain public rangeland health and wild horse populations at levels set in conformance with current laws, regulations, and multiple-use decisions.

Conformance with Existing Land Use Plans

The Proposed Action is in conformance with the Shoshone-Eureka Resource Area Management Plan (RMP) Objectives (Shoshone-Eureka RMP Record of Decision dated 1986 and Shoshone-Eureka RMP Amendment, Record of Decision dated 1987 (SERA-RMP)).

Wild Horse & Burro Management Objectives:

1) To manage viable herds of sound, wild horses in a wild and free roaming state.
2) To initially manage wild horse populations at existing numbers based on the 1982 aerial counts and determine if this level of use can be maintained.
3) **To manage wild horses within the areas which constituted their habitat at the time of the Wild and Free-Roaming Horse and Burro Act became law in 1971.**

Relationship to Statutes, Regulations, or Other Plans

The Proposed Action is in conformance with all applicable regulations at 43 CFR (Code of Federal Regulations) §4700 and policies, Public Law 92-195 (Wild Free-Roaming Horse and Burro Act of 1971), and Northeastern Great Basin Resource Advisory Council (RAC) Standards and Guidelines.

CFR 4710.2 (Inventory and Monitoring) states "The authorized officer shall maintain a record of the herd areas that existed in 1971,..." and CFR §4710.4 (Constraints on Management) states "Management of wild horses and burros shall be undertaken with the objective of limiting the animals' distribution to herd areas."

Public Law 92-195 (Wild Free-Roaming Horse and Burro Act of 1971) as amended mandates BLM to protect, manage and control wild free-roaming horses and burros on public lands and in

adjacent private lands. The gathering of wild horses is also in conformance with the Northeastern Great Basin Resource Advisory Council (RAC) Standards and Guidelines (approved December 14, 2000) reflecting the stated goals of improving rangeland health while providing for the viability of the livestock industry, all wildlife species and wild horses and burros.

Proposed Action and No Action Alternative

Proposed Action

Remove Wild Horses with Established Residence Outside of a Herd Management Area and Strayed Wild Horses on Private Lands.

The BLM, Battle Mountain Field Office (BMFO) proposes to complete a wild horse gather within the proposed removal area in accordance with this EA. Approximately 200 wild horses would be removed from the project area using standard helicopter drive trapping methods in accordance with the BLM National Gather Contract and Standard Operating Procedures (SOPs).

The Proposed Action is to complete a wild horse gather to remove all wild horses with established residence outside of the Callaghan HMA east of the Grass Valley Road; remove wild horses from within the boundaries of the Hickison HMA which is designated for wild burro use; and wild horses strayed from public land onto privately owned land.

A wild horse adoption would be held at the Eureka County Fairgrounds in Eureka, Nevada on December 10 following the Simpson Park Range wild horse removal. Approximately 30 wild horses would be offered to qualified applicants. All guidelines pertaining to adoptions during gather operations per IM No. NV-2001-041 would be adhered to.

This EA analyzes the impacts associated with the Proposed Action and No Action Alternative. **Gathers would not occur during peak foaling season**. The proposed removal is scheduled for fall, Fiscal Year 2006.

No Action Alternative

The No Action Alternative would forego the option of conducting a wild horse gather in the Simpson Park Mountain Range. The wild horse populations would not be actively managed at this time. The current population of wild horses would continue to increase at a rate of approximately 17.5% annually.

Competition for available forage and water resources would continue to increase between wild horses, wildlife and livestock in areas not designated for wild horse use. Utilization levels would be most severe in areas closest to water causing range degradation. With an increase in population size, wild horse health and condition would deteriorate as a result of declining forage availability and increasing distance traveled to forage. Wild horses would continue to cause problems and utilize resources on private lands.

Affected Environment/Environmental Consequences
Critical Elements and Other Resources Check List

Resources listed in the following table, including the sixteen "critical elements" whose review is mandated by law or regulation, have been reviewed for the Proposed Action and No Action Alternative. Those marked as not affected would not be impacted by or cause impacts to the Proposed Action, or are not present in the area of the Proposed Action. Discussion of expected impacts to affected resources follows the table.

Table 1. Critical Elements and Other Resources Checklist

Critical Element	No Affect	May Affect	Rationale
Air Quality		X	Discussed in detail below.
ACECs	X		No ACEC are present within the project area.
Cultural-Paleontological Resources		X	Cultural resources are likely present. All temporary construction sites would be cleared by a fully qualified archaeologist or District Archaeological Technician.
Environmental Justice	X		No impacts to Environmental Justice are associated with the proposal.
Flood Plains	X		Not affected.
Invasive, Non Native Species		X	Discussed in detail below.
Migratory Birds		X	Discussed in detail below. Activities would be conducted outside of the migratory bird nesting season.
Native American Religious Concerns	X		No impacts to Native American Religious Concerns are associated with the proposal.
Prime or Unique Farmlands	X		Not present.
Threatened and Endangered Species (Plants)		X	Discussed in detail below.
Threatened and Endangered Species (Animals)		X	Discussed in detail below.
Wastes, Hazardous or Solids	X		No Wastes, Hazardous or Solids, are associated with the project.
Water Quality		X	Discussed in detail below.
Wetlands and Riparian Zones		X	Discussed in detail below.
Wild and Scenic Rivers	X		Not present.
Wilderness		X	Simpson Park WSA, discussed in detail below.

* Archaeological clearance of trap sites and holding corrals would occur prior to set up; if cultural resources are found within the proposed area, a new location would be selected upon clearance.

Other resources of the human environment that have been considered for this environmental assessment (EA) are listed in the table below. Elements that may be affected are further described in the EA. Rationale for those elements that would not substantially or adversely be affected by the Proposed Action and alternative is listed in the table below.

Other Resources	No Affect	May Affect	Rationale
Forestry	X		No impacts to forest resources would occur.
Grazing Management		X	Discussed in detail below.
Land Use Authorization	X		Project area is located on public land, with no special use authorizations.
Minerals	X		Actions do not conflict with mineral exploration or mining operations.
Recreation	X		The project area is prime wildlife habitat, providing recreation opportunities such as hunting and wildlife viewing. Recreation would not be impacted by the proposed removal.
Socio-Economic Values	X		No impacts.
Soils		X	Discussed in detail below.
Vegetation		X	Discussed in detail below.
Visual Resources	X		No visual impacts would occur.
Wild Horses and Burros		X	Discussed in detail below.
Wildlife		X	Discussed in detail below.
Special Status Species (Plants)		X	Discussed in detail below.
Special Status Species (Animals)		X	Discussed in detail below.

Air Quality

Affected Environment

Particulate matter can be generated from a variety of activities, including wild horse gathers through temporary increases in traffic on unpaved roads. Air quality within the proposed removal area is considered good and typical of rural areas within the Northern Great Basin. The generation of particulate matter is the main contributor to reduced air quality in rural Nevada. The project area is unclassified for all criteria pollutants.

Environmental Consequence

Proposed Action:

The Proposed Action would temporarily impact air quality for a short duration. An increase in airborne particulates would occur from increased hoof action due to congregation of horses in confined areas (trap sites and holding corrals) as well as increased traffic during transportation of horses from trap sites to the holding corrals. Dust caused by a concentration of animals at the temporary gather site(s) and at the temporary holding facility would be controlled by watering the areas as needed to keep dust to a minimum. Traffic associated with the gather operations would be required to maintain speeds low enough to keep dust to a minimum.

No Action:

Air quality would not be impacted under the No Action Alternative.

Invasive Non-Native Species

Affected Environment

District-wide, including both the Battle Mountain Field Office and the Tonopah Field Station areas of responsibility, twenty (20) species of invasive plants and noxious weeds are known to infest approximately 7,824 acres of public land, including 528 miles of roads. Eleven (11) species of crickets and grasshoppers are known to infest approximately 538,000 acres of public, state and private land. Of these known infestations in or within effectual distance to the Simpson Park Range Wild Horse Removal area five (5) species of invasive plants and noxious weeds infest approximately 589 acres of public land and 96.5 miles of roads, and two (2) species of crickets and grasshoppers infest approximately 79,945 acres. Inventory, treatment or re-treatment, or evaluation of treatments for all seven (7) species of plants and pests are either ongoing or being scheduled for control and/or eradication. Refer to Appendix A which identifies by allotments, wilderness study area, and specific locations the District Weed and Pest Program activity for areas associated with or adjacent to the Simpson Park Range Wild Horse Removal area.

Environmental Consequences

Proposed Action:

Over-utilization of native vegetation and ground disturbance caused by wild horses contributes to the infestation and spread of invasive plants, noxious weeds and, in some cases, pests. The Proposed Action would provide for a lesser impact to existing natural plant communities and thus provide a lower potential for invasive plants, noxious weeds and, in some cases, pests to occur.

In the short-term, the Proposed Action to complete a wild horse removal within the proximity of the Simpson Park Range may result in new infestations and the immediate spread of existing populations of invasive plants, noxious weeds and, in some cases, pests to the affected environment. During certain phases of the gather including, but not limited to, helicopter staging, trap-site and holding facility construction, maintenance, operation and removal, the use and feeding of wrangler stock, and the use of motorized vehicles for transportation of personnel, equipment and horses into, within and out of the area this may occur. Temporary trap sites and holding facilities are typically selected in previously disturbed areas such as gravel pits. Areas disturbed specifically by gather operations would be monitored, re-vegetated (if appropriate), and treated for potential new infestations of non-native invasive plants as a result of gather operations. Refer to Battle Mountain Field Office's Invasive Plant, Noxious Weed, and Pest Prevention Schedule and Best Management Practices recommended by the BMFO Weed and Pest Management Specialist, available upon request. As per, Instruction Bulletin No. NV-2004-042, until a Final Supplemental Rule is issued providing guidance on the use of certified weed free forage in BLM-sponsored or BLM-permitted programs... *"Nevada BLM has no formal prohibition against using non-certified forage or straw on public lands.* New infestations are not likely to occur during winter.

In the long-term, the Proposed Action is expected to reduce the impacts to the affected environment through the immediate and long-term reduction of the number of wild horses in the Simpson Park Range and surrounding valleys.

No Action:

Conversely, under the No Action Alternative the spread and increase of invasive plants, noxious weeds and, in some cases, pests would continue at present rates or increase with continued degradation of upland vegetative species.

Riparian Wetland Zones and Water Quality

Affected Environment

A Riparian Assessment was completed for the Simpson Park Allotment in 2003, and field data was collected for Santa Fe/Ferguson in 2004. For the Simpson Park Allotment, a total of 12.84 acres of lentic (standing water) and 8.88 miles of lotic (flowing water) riparian systems were rated during this period. Of the total acres of lentic resources assessed for the Simpson Park Allotment, 43% was rated non-functional. Of the total acres of lotic resources assessed for the Simpson Park Allotment, 14% was rated non-functional.

Table 2.

% Total	PFC	FAR-UP	FAR-NA	FAR-DN	NF
Lentic Resources	39%	0%	5%	13%	43%
Lotic Resources	38%	0%	28%	21%	14%

PFC=Proper Functioning Condition; FAR-UP= Functioning at Risk Upward Trend; FAR NA= Functioning at Risk trend not apparent; FAR DN= Functioning at Risk Downward Trend; NF= Non-Functioning.

Wild horses, their sign, and impacts to riparian and surface water resources were documented through out the assessment/inventory process for the Indian Ranch Creek watershed. The most severe impacts attributable to wild horse use are in the headwaters of Eagle Canyon, the upper reaches and northern side drainage of Indian Ranch, and the western pediment of the Simpson Park Mountains. The majority of springs within these areas received a rating of Non-Functional to Functioning at Risk. Refer to the 2003 Surface Water Inventory and Riparian Assessment for the Simpson Park Allotment.

Photos 1 through 6 show conditions of riparian degradation mainly caused by the impacts associated with wild horse use. Severe hummocking and hoof action cause vertical soil to be displaced increasing exposed riparian soils and loss of riparian vegetation resulting in the inability of the riparian site to effectively hold water.

Photo 1Extensive bank shear and hummocking at spring source. 8.18.03

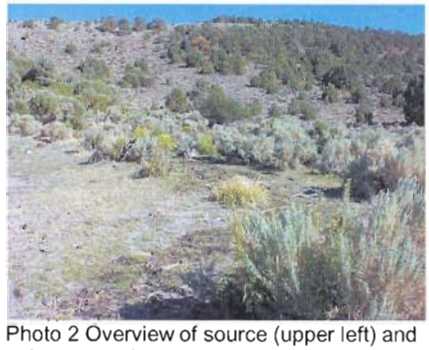

Photo 2 Overview of source (upper left) and stringer meadow. 8.18.03

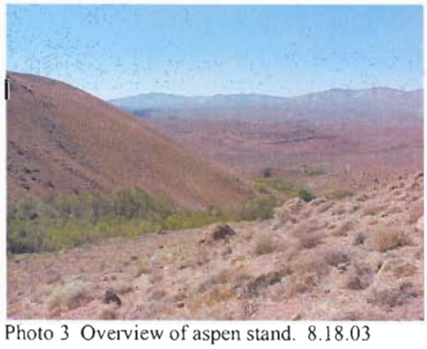

Photo 3 Overview of aspen stand. 8.18.03

Photo 4 Extensive hoof action caused by wild horses. 3..29.04

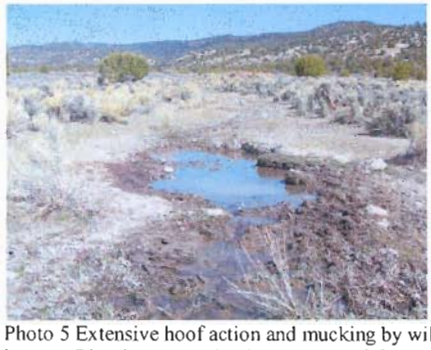

Photo 5 Extensive hoof action and mucking by wild horses. Riparian vegetation is scarce. 3.29.04

Photo 6 Overview of riparian area, note hoof action by wild horses. 3.29.04

Wild horses and livestock graze riparian areas due to the presence of water, shade, and succulent vegetation. Riparian areas are vulnerable to the effects of overgrazing due to heavy concentration of wild horses and livestock within these areas. Livestock and wild horse grazing impacts water in many ways. Grazing impacts can alter the chemical, physical and biologic integrity of the water. Grazing impacts can also have the ability to modify the hydrologic response of watersheds by reducing infiltration, reducing vegetative cover, stream channel/floodplain degradation, accelerated erosion processes, surface roughness, and increase compaction. All of these impacts are known to occur, but the impacts cannot be quantified in a predictive manner. Through the development of mitigation measures and monitoring, the impacts to water resources can be minimized and grazing can co-exist with other multiple-uses of the public land. The Simpson Park Complex Evaluation and Rangeland Health Assessment (July, 2005) evaluated Northeastern Great Basin RAC Standards 2 Riparian And Wetland Sites which was not met for the Simpson Park Allotment with wild horses being a causal factor in the non-attainment of this standard in areas located in the Indian Ranch/Rye Patch Watersheds.

Environmental Consequences

Proposed Action:

The Proposed Action would not have any direct impacts to riparian wetland zones or water quality.

The Proposed Action would indirectly impact riparian wetland zones and water quality due to the decreased utilization by wild horses in these sensitive areas allowing for the possibility of riparian wetland areas to improve through natural processes. Implementing the Proposed Action would decrease competition for water sources and alleviate pressures exerted on riparian habitat due to wild horses congregating around these sensitive areas. The functionality of riparian resources would improve in condition towards a more properly functioning condition (PFC) with the removal of wild horses.

No Action:

The No Action Alternative would allow continued degradation of riparian areas due to wild horses. Riparian systems would continue to degrade, increasing the probability that these systems would eventually not recover to a properly functioning condition.

Wilderness Study Area (WSA)

Affected Environment

The Simpson Park WSA is encompassed within the Underwood, Grass Valley, Santa Fe/Ferguson and Dry Creek Allotments. The Simpson Park WSA includes 49,670 acres of public land and surrounds two privately owned inholdings totaling 80 acres. Except for a short section in the north and south portion of the WSA, the boundary follows a 7,000 foot topographic contour line around the central part of the Simpson Park Mountains. The remainder of the boundary follows roads and drainages. WSA lands are managed under the Interim Management Policy for Lands Under Wilderness Review (IMP). In February 2005, a wild horse aerial census was conducted in the proposed removal area; wild horses were located within WSA boundaries.

Environmental Consequences

Proposed Action:

The potential exists where the Proposed Action would have direct impacts to the WSA. Wild horses would be removed from the Simpson Park WSA using standard helicopter removal techniques. To the extent possible, trap sites would be established outside of the WSA eliminating the need for vehicle traffic within WSA boundaries. However, the success of accomplishing a complete removal of wild horses from the project area may not be realized without entry into the WSA via existing roads (cherry-stemmed or inventoried roads). It is possible that temporary trap sites would have to be placed on existing roads in the WSA which may lead to the necessity of constructing temporary wings constructed of jute netting and steel posts extending outside of the limitations of the roads. This action, if necessary would cause

temporary impacts to the surface resources such as soils and vegetation within the WSA. Mechanized equipment and vehicles would not be used in the construction of temporary wings. Vehicles would be limited to existing roads, no off-road vehicular travel would occur within the WSA.

The IMP specifically addresses wild horse and burro management in Chapter III, Section E which specifically allows for the use of helicopters for the gathering of wild horses. Chapter 1, Section B.2, discusses the need for any proposed actions in WSAs to meet the test of *nonimpairment.* Essentially, any actions which would cause *surface disturbance* as defined in Chapter 1, Section B.3, should be denied. Since the Proposed Action excludes the use of motorized/mechanized vehicles or the development of any facilities within the Simpson Park WSA it stays within the nonimpairment criteria and should not result in any unacceptable impacts to WSA lands.

Instruction Memorandum No. NV-2005-053 provides guidance for public notification procedures for proposed actions within WSAs. Per this memo, a notification letter was sent to the wilderness mailing list maintained for the Battle Mountain Field Office.

No Action:

The No Action Alternative would allow wild horses to continue utilizing resources within the WSA which is not within any HMAs. The IMP takes into *"account that wild horse and burro numbers fluctuate dramatically within WSAs due to a variety of factors, the Bureau must still endeavor to make every effort not to allow populations within WSAs to degrade wilderness values, or vegetative cover as it existed on the date of the passage of the Federal Land Policy and Management Act (FLPMA). Wild horse and burro populations must be managed at appropriate management levels as determined by monitoring activities to ensure a thriving natural ecological balance."*

Soils

Affected Environment

The Battle Mountain District is characterized by nearly level valleys and basins bordered by long, gently sloping to strongly sloping alluvial fans between north-south trending steep mountain ranges. Soils are quite varied throughout the Simpson Park Mountain Range. Appendix B illustrates only a portion of the major soil types, precipitation zones, vegetative component, and soil factors by associated allotment within the proposed removal area.

Biological soil crusts are comprised of a mosaic of cyanobacteria, green algae, lichens, mosses, microfungi, and other bacteria. Biological soil crusts are commonly found in semiarid and arid environments. Biological soil crusts are a prominent feature within the Great Basin. Biological soil crusts perform a variety of ecological functions effecting soil stability, water infiltration, and possibly plant germination and growth. The integrity of biological soil crusts can be impaired by disturbances which cause compression such as livestock and wild horse grazing, hiking, biking, and off-road-vehicle use. Biological soil crust inventories have not been completed within the Battle Mountain District.

Environmental Consequences

Proposed Action:

Direct impacts such as soil displacement and compaction would occur at trap sites (less than 1 acre in size) during the construction phase and gather operations. Trap sites are ideally located in areas of previous disturbance, gravel pits or along road sides minimizing impacts to undisturbed soils. Some soil disturbance may occur at trap site locations where gather associated vehicles pulling stock trailers may require additional maneuvering capabilities than allowed by the road, or disturbed area. Off-road-vehicular travel would be kept to a minimum to reduce impacts on soils.

The majority of soils within the proposed removal area have slight wind and water erosion when disturbed. Removing wild horses in areas near water sources would reduce the disturbance of soils by reducing the frequency of trails and use on forage. Also, impacts to soils associated with wild horse use on riparian habitats would improve causing more stabilized soils, increased infiltration, reduced run-off, and decreased erosion and compaction.

Disturbance to biological soil crusts is generally more destructive in the dry season (summer) than wet season (winter, spring). Moisture plays a major role in the ability of biological crusts to recover from disturbance. A fall removal has less potential to dramatically damage biological soil crusts due to increased moisture levels. Removing wild horses would alleviate some of the impacts induced on biological soil crusts by large grazing ungulates. In this effort, biological soil crusts would maintain or improve in condition where present. Trap sites are typically located in areas of previous disturbance which would reduce the impacts to areas where soils and biological soil crusts have not been disturbed by compaction activities. Areas with a high density of biological soil crusts would be avoided during trap site selection.

No Action:

Impacts to soils and biological soil crusts by wild horses would continue at current levels under the No Action Alternative.

Vegetation

Affected Environment

The terrain within the complex varies from low valleys to high mountains with elevations ranging from 5,800 feet to over 9,053 feet. Vegetation types are distributed according to topography, elevation and precipitation (see Appendix B). The valley bottoms support large alkali flats supporting salt tolerant plants such as alkali sacaton, inland saltgrass and alkali bluegrass. The lower, drier elevation consists of saltbrush, greasewood, sagebrush and a variety of annual and perennial grasses. Pinyon-Juniper communities are prevalent in the alluvial fans and hillsides. Mountain big sagebrush, antelope bitterbrush, snowberry, serviceberry and curlleaf mountain mahogany with an understory of bluebunch wheatgrass, needlegrass species, Indian ricegrass and bottlebrush squirreltail dominate the higher elevations.

Upland utilization on key vegetative species such as Indian ricegrass has been documented in areas showing no evidence of recent livestock use. Desirable grass species are at risk due to extended periods of drought related stress and reduced vegetative production. Key perennial grasses and forbs are scarce in these sites.

Photo 7 Simpson Park Key Area 7 cage. 3.29.04

Photo 8 Simpson Park Key Area 7 transect overview. 3.29.04

Photo 9 Wild horse sign at Simpson Park Key Area 7. 3.29.04

Photo 10 Simpson Park Key Area 7 transect, old use by wild horses. 3.29.04

Riparian habitat such as aspen and willow are commonly associated with riparian areas on the Simpson Park Mountains. Aspen and willow stands provide important nesting and foraging habitat for a variety of wildlife species. A portion of the aspen stands associated with riparian areas exhibited little regeneration with little age class diversity.

Photo 11 Aspen stand showing little regeneration. Area was used as a loafing area for wild horses and livestock. 8.18.03

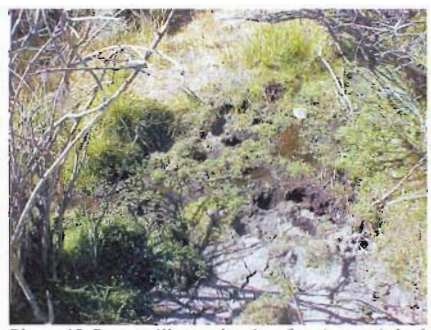

Photo 12 Source illustrating hoof action and depleted ground water due to lack of riparian vegetation. Also note browse on willow species. 8.18.03

Environmental Consequences

Proposed Action:

Disturbance would occur to native vegetation in and around temporary trap sites and holding facilities due to the use of vehicles and concentration of horses in an isolated area. Trap sites and holding facility locations are usually selected in areas easily accessible to livestock trailers and standard equipment, often utilizing roads, gravel pits or other previously disturbed sites.

Removing wild horses would reduce the over utilization on and trampling of key forage species and the resulting reduction in plant productivity, health, and vegetative ground cover. Wild horses have the ability to remove more plant material than most other ungulates due to the presence of upper and lower incisors. Removing wild horses would contribute to the recovery of the vegetative resource. Forage utilization levels would be reduced which would result in improved forage availability, vegetation density, increased plant vigor, seed production, seedling establishment, and forage production over current conditions. Important riparian habitat would improve in condition, enabling aspen stands to regenerate without impacts from wild horses and decrease browse on willow species.

No Action:

The No Action Alternative would allow utilization levels on vegetation by wild horses outside the HMAs to continue. Vegetation resources may be further degraded due to continued use by established wild horse herds outside the HMAs.

Grazing Management

Affected Environment

The proposed removal area is comprised of the Simpson Park, Grass Valley, Dry Creek, Santa Fe/Ferguson, Three Bars, and Underwood Allotments. Underwood, Dry Creek, and Santa Fe/Ferguson Allotments have no Animal Unit Months (AUMS) allocated to wild horses as no portion of these allotments is included inside an HMA boundary.

Cattle, sheep and domestic horse AUMs are associated with grazing permits within the respective allotments in the proposed removal area. Evaluations and Rangeland Health Assessments have been completed for some of the allotments within the proposed removal area. Past Evaluations and Rangeland Health Assessments have addressed changes in seasons of use, permitted AUMs, protection of riparian areas by eliminating hot season grazing, and other valuable management principles to improve rangeland condition. Permittees within these allotments have voiced concerns pertaining to wild horse use and degradation to riparian areas.

Environmental Consequences

Proposed Action:

The Proposed Action would not directly impact livestock operations within the allotments associated with the gather area. Operations involved in removing wild horses may temporarily

cause some disturbance to livestock present during the removal process. Livestock owners within the area of impact would be notified prior to removing wild horses enabling them to take precautions and avoid conflict with livestock.

Implementation of the Proposed Action would indirectly impact livestock operations by improving the quality and quantity of forage available once wild horse populations are removed. The Proposed Action would provide the greatest opportunity for range resources to improve.

No Action:

The No Action Alternative would allow continued utilization and degradation by wild horses. Permittees may continue to take livestock non-use in areas where wild horses are heavily impacting vegetation and riparian resources.

Wild Horses

Affected Environment

A Rangeland Health Assessment is being completed within the Simpson Park Allotment at which time an appropriate management level (AML) for wild horses and/or burros would be set for that portion of the allotment within the Callaghan HMA (wild horses) and the Hickison HMA (wild burros). The Shoshone-Eureka Rangeland Program Summary (RPS) Wild Horse and Burro Objectives are to initially manage to provide 492 AUMs of forage for 41 wild horses within the Callaghan HMA and 78 AUMs of forage for 13 wild burros within the Hickison HMA. Wild horses were not identified for management within the Hickison HMA through the SERA-RMP or Rangeland Program Summary and would not be identified for management in the Simpson Park and Kingston Allotments Rangeland Health Assessment.

Table 3. Allotments

Allotment	Public Acres	Associated HMA	HMA Acres	AUMs Allocated to Wild Horses/Burros (RPS/FMUD)
Simpson Park	97,659	Callaghan	93,117	492 (Horses) RPS
		Hickison	33,789	78 (Burros) RPS
Grass Valley	288,592	Callaghan	59,823	163 FMUD 2002
Dry Creek	97,714	NA	NA	0 RPS
Santa Fe Ferguson	86,072	NA	NA	0 RPS
Underwood	19,952	NA	NA	0 RPS
Three Bars	78,785	Roberts Mountain	99,989	1,104 FMUD 1995

No horses would be gathered from within the Callaghan HMA portion of the Grass Valley and Simpson Park Allotment. However, wild horses would be gathered and removed within the Hickison HMA portion of the Simpson Park Allotment, which is managed primarily for wild burros. Managing for wild horses within the Hickison HMA is not an objective of the Shoshone-Eureka RPS and wild horses are causing degradation to range and riparian resources in the northern portion. Wild horses would be gathered in accordance with SOPs (Appendix C).

The wild horse population existing within the proposed gather area is estimated to be 170-200 head and is not reliant upon any resources within HMA boundaries. This is an established herd

located outside of HMA boundaries, photo 7. Extensive documentation exists where wild horses are utilizing resources within the proposed removal area.

Table 4. Estimated Wild Horse Populations

Allotment	2004 Population
Simpson Park	60-90
Dry Creek/Santa Fe Ferguson	70
Underwood	40
Total	170-200

Table 5. 2005 Census

Allotment	2004 Population
Simpson Park	80
Grass Valley	34
Dry Creek	5
Santa Fe/Ferguson	12
Underwood	12
Three Bars	8
Total	151

A wild horse removal plan and gather was devised in November of 1993 to gather wild horses from areas outside of the Callaghan HMA boundaries. A total of 559 wild horses were captured from the removal area:

Allotment	Number Removed
Grass Valley	155
Underwood & Santa Fe Ferguson	139
Dry Creek & Simpson Park	265

For more details refer to the 1993 Callaghan HMA Wild Horse Removal Plan and EA N64-EA3-02 available for review upon request at the Battle Mountain Field Office. The gather plan was to provide a basis for future removals stating "subsequent gatherings/relocations may be required to assure that wild horses remain distributed within the HMA boundaries."

Removal operations would not extend into the portions of the Simpson Park or Grass Valley Allotments encompassed within the Callaghan HMA. AML for the Simpson Park Allotment portion of the Callaghan HMA would be set through a Final Multiple Use Decision upon completion of the Rangeland Health Assessment.

Wild horses would be removed from the portion of the Hickison HMA managed by BLM located north of Highway 50. The Shoshone-Eureka RPS does not identify wild horses as an objective for management within the Hickison Burro HMA and no AUMs were allocated to wild horses. The Highway 50 right-of-way fence acts as a physical barrier between the northern and southern portions of the Hickison HMA. The portion north of Highway 50 has no burros associated with the area. All burros inhabit the portion of the Hickison HMA and U.S. Forest Service Burro Wild Burro Territory south of the Highway 50 right-of-way fence. The 2005 Simpson Park and Kingston Allotment Rangeland Health Assessment and Final Multiple-Use Decision would set AML for wild horses within the Callaghan HMA and wild burros within the Hickison HMA. The portion of the Hickison HMA extending north of Highway 50 which is fenced off by a

highway right-of-way fence does not contain sufficient forage and riparian resources to sustain a healthy population of wild horses. Also, it is not the intent of the Battle Mountain Field Office to manage for wild horses within the Hickison HMA.

Environmental Consequences

Proposed Action:

Impacts to wild horses under the Proposed Action would be both direct and indirect, occurring both on individuals and populations as a whole. Spontaneous abortion in mares as a result of stress associated with the gather occurs but is rare. **The peak foaling period for wild horses is March 1 to June 30. Gather activities are suspended during this time frame.** The SOPs would be implemented to ensure a safe and humane gather occurs; reducing impacts to wild horses (Appendix C). Individual, direct impacts on horses immediately following implementation of the Proposed Action include stress associated with the gather as a result from capture, sorting, handling and transportation of the wild horses. Mortality from these impacts is infrequent but may occur in less than one half to one percent of the wild horses gathered. Individual, direct impacts also occur during gather operations. Brief conflicts sometimes occur among wild horses once sorted and released into the appropriate holding pen. Traumatic injuries usually do not result from these conflicts in most cases, however, they do occur.

All efforts would be made to offer the wild horses that are removed to the public through the BLM Wild Horse and Burro adoption program. Currently, the Battle Mountain Field Office is proposing a trap site adoption to be held after the removal. Logistics are being worked out.

No Action:

The No Action Alternative would allow wild horses to continue using areas outside of the HMA. Wild horses would continue reproducing at an average annual rate of increase of 17.5% which could lead to insufficient resources to maintain a healthy population.

Wildlife (Including Migratory Birds)

Affected Environment

A wide variety of wildlife species are an integral part of the Simpson Park Mountain Range. This area is home to several species of mammals, birds and reptiles. Big game species present include mule deer (*Odocoileus hemionus)* and pronghorn (*Antelocapra americana*). Fur bearing species present are coyote (*Canis latrans*), bobcat (*Lynx rufus*), mountain lion (*Felis concolor*), and badger (*Taxidea taxus*). Upland species present are chukar (*Alectoris chukar*), gray partridge (*Perdix perdix*), blue grouse (*Dendragopus obscurus*) and sage grouse (*Centrocercus urophasianus*). In addition, a wide variety of non-game mammals, birds and reptiles exist within the Simpson Park Mountain Range.

Any ground clearing or other vegetation-disturbing action during the migratory bird nesting season (roughly, April through August) risks a violation of the Migratory Bird Treaty Act by destroying the eggs or young of common shrub-nesting birds such as the sage thrasher, sage

sparrow, Brewer's sparrow, horned lark and meadow lark. Almost every migratory bird, with the exception of a few species such as the starling and English sparrow, is covered by this law.

Environmental Consequences

Proposed Action:

Removing wild horses from the proposed removal area would have minimal, short term direct impacts to wildlife. Some wildlife present in or near trap sites or holding facilities would be temporarily displaced. Implementing the Proposed Action would reduce utilization on key forage species, improving the quantity and quality of forage available to wildlife and decrease competition for water sources.

Migratory birds would not be impacted by the Proposed Action because it is scheduled to occur outside of the migratory bird nesting season. Important habitat, such as riparian areas and aspen stands but not limited to, would improve upon the removal of wild horses that are impacting these areas. The functionality of riparian areas would improve with decreased use, and aspen stands impacted by wild horses would regenerate, thus improving habitat for migratory birds.

No Action:

The No Action Alternative would allow wild horses to continue using areas outside of the HMAs. Important wildlife and migratory bird forage and habitat resources would continue to be impacted to a greater degree as the wild horse population is allowed to increase.

Special Status Plant and Animal Species

Affected Environment

Threatened and Endangered Species

The BLM is required by the Threatened and Endangered Species Act of 1973, as amended to ensure that no action on the public lands jeopardizes a threatened, endangered, or proposed species. The threatened bald eagle (Haliaeetus leucocepahlus), which winters at low density throughout northern Nevada is the only federally listed or proposed species that occurs in the Simpson Park Mountains.

Other Special Status Species

In addition to federally listed species, BLM also protects by policy (BLM 1988, 1998), other ***special status*** plants and animals. The list includes certain species designated by the state of Nevada, as well as species designated as "sensitive" by the Nevada BLM State Director. Special status species known or believed to occur either in the proposed project area or within the Simpson Park Mountains include:

Scientific Name	Common Name
Mammals	
Brachylagus idahoensis	pygmy rabbit
Euderma maculatum	spotted bat
Myotis ciliolabrum	small-footed myotis

Myotis evotis	long-eared myotis
Myotis volans	long-legged myotis
Plecotus townsendii pallescens	pale Townsend's big-eared bat
Plecotus townsendii townsendii	Pacific Townsend's big-eared bat

Birds

Aquila chrysaetos	golden eagle
Accipiter gentilis	northern goshawk
Buteo regalis	ferruginous hawk
Centrocercus urophasianus	greater sage grouse
Speotyto cunicularia	burrowing owl

Plants

Opuntia pulchella	sand cholla
Lomatium ravenii	raven lovage
Camissonia bothii	bottlebrush suncup
Astragalus calycosus	oneleaflet Torrey milkvetch
Oxytheca watsonii	Watson spinecup
Castilleja salsuginosa	Monte Neva paintbrush

Environmental Consequences

Proposed Action:

Trap sites would typically be located in areas that have previously been disturbed (i.e. gravel pits). Trap sites would be inventoried prior to selection to determine the presence of sensitive species and avoided if observations indicate use. The following avoidance measures would be utilized to minimize impacts to sage grouse and Ferruginous hawk:

Sage Grouse:

- Avoid active leks (strutting grounds) by 2 miles. **March 1- May 15**
- Avoid nesting and brood rearing areas (especially riparian areas where broods concentrate beginning usually in June) by 2 miles. **April 1 – August 15**
- Avoid sage grouse wintering areas by 2 miles while occupied. Most known wintering grounds in the Shoshone-Eureka Resource Area occur at high elevations and are not likely to be affected. **Dates vary with severity of winter**
- Minimize and mitigate disturbance to the vegetation in all known sage grouse habitat.

Ferruginous Hawk:

- Avoid active nests by 2 miles. **March 15- July 1**

The proposed wild horse gather would have negligible potential to affect the threatened bald eagle which winters in low density in the area or any other special status species. Bald eagles may be temporarily displaced by low flying helicopters. Overall, removing horses is expected to have a beneficial effect on the habitat and the fauna that it supports. Removal activities would occur outside of the spring and summer avoidance measures for sage grouse and Ferruginous hawk. Sage grouse wintering areas would be avoided.

No Action:

The No Action Alternative would allow wild horse utilization to continue outside of the HMAs impacting forage and habitat resources important to special status species.

Cumulative Impacts

Cumulative environmental impacts result when incremental impacts associated with the Proposed Action are combined with other past, present and reasonably foreseeable future actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

According to the 1994 BLM *Guidelines for Assessing and Documenting Cumulative Impacts*, the cumulative analysis should be focused on those issues and resource values identified during scoping that are of major importance. Accordingly, the issues of major importance that are analyzed are managing for healthy rangeland (Grazing Management, Soils, Vegetation) and managing healthy, viable populations of wild horses. Other resources of concern addressed in the cumulative analysis are Air Quality, Cultural-Paleontological Resources, Invasive Non-Native Species, Migratory Birds, Special Status Species including Threatened and Endangered, Water Quality, Wetland and Riparian Zones, Wilderness, and Wildlife.

Past Actions

In 1971 Congress passed the Wild Free-Roaming Horse and Burro Act which placed wild and free-roaming horses, that were not claimed for individual ownership, under the protection of the Secretaries of Interior and Agriculture. The act provided protection, but no appropriation for the management of wild horses. In 1976 the Federal Land Policy and Management Act (FLPMA) was passed which gave the BLM a direction for management as well as approved appropriation authority for management of wild and free-roaming horses on public lands. FLPMA gave the Secretary the authority to use motorized equipment in the capture of wild free-roaming horses as well as continued authority to inventory the public lands.

In 1971, Herd Areas were identified as areas being occupied by wild horses. Herd Management Areas (HMAs) were established in the 1980s through the Shoshone-Eureka RMP objectives (Shoshone-Eureka RMP Record of Decision dated 1986 and Shoshone-Eureka RMP Amendment, Record of Decision dated 1987).

An amendment to the Wild Free-Roaming Horse and Burro Act in 1978, through the Public Range Improvement Act, allowed the Secretary to place excess wild horses into private ownership or adoption to United States citizens in order to improve the condition of the public lands through wild horse removals.

A wild horse removal plan and gather was completed in November of 1993 to gather wild horses from areas outside of the Callaghan HMA boundaries. A total of 559 wild horses were captured from the Grass Valley, Underwood, Santa Fe/Ferguson, Dry Creek and Simpson Park Allotments. Wild horses ten years old and older were released into the Callaghan HMA due to management direction of the Wild Horse and Burro Program.

Present Actions

The Simpson Park Range Removal Area has an estimated population of 170-200 wild horses. The majority of the removal area is not within an established HMA or HA with the exception of the northern portion of the Hickison HMA which is managed primarily for wild burros. Resource damage is occurring due to wild horses establishing residence outside of designated HMAs.

A Surface Water Inventory and Riparian Assessment for the Simpson Park Allotment have been completed in 2003. Field data for riparian resources in the Santa Fe/Ferguson Allotment was collected in 2004, but a Surface Water Inventory and Riparian Assessment have not been written for this allotment.

Field data for Riparian Proper Functioning Condition has been completed for the Dry Creek and Santa Fe/Ferguson Allotments. A Surface Water Inventory and Riparian Assessment has not been completed yet.

A Rangeland Health Assessment for the Simpson Park and Kingston Allotments is being completed which would establish an Appropriate Management Level through the Final Multiple-Use Decision for wild burros residing in the Hickison HMA and wild horses residing in the Callaghan HMA.

Reasonably Foreseeable Future Actions

In the future, the BMFO would continue to monitor wild horse movement outside of established HMAs. Wild horses would continue to be an integral component of public lands, managed within a multiple-use concept within HMAs.

Production, line-intercept, frequency, and utilization data would continue to be collected for the future rangeland management actions. Rangeland Health Assessments for the other allotments associated with this area would be completed. Establishing wild horse AMLs has been a district wide priority and all HMAs within the Battle Mountain Field Office will have AMLs set by end of Fiscal Year 2005.

The removal area contains a variety of resources and supports a variety of uses. Any alternative course of wild horse management has the opportunity to affect and be affected by other authorized activities ongoing in and adjacent to the area. Future activities which would be expected to contribute to the cumulative impacts of implementing the Proposed Action include: future wild horse gathers, continuing livestock grazing in the allotments within the area, development of range improvements, continued development of mineral extraction, oil and gas exploration, new or continuing infestations of invasive plants, noxious weeds, and pests and their associated treatments, and continued native wildlife populations and recreational activities historically associated with them. The significance of cumulative effects based on past, present, proposed, and reasonably foreseeable future actions are determined based on context and intensity.

Cumulative Impacts Summary and Determination of Significance

The impacts to resources associated with the Proposed Action were analyzed in Appendix D. The significance of Past, Present, Proposed, and Reasonably Foreseeable Future Actions was

determined based on context and intensity associated with the Cumulative Impacts in the Project Area. The Council on Environmental Quality (CEQ) defines context as the society as a whole, the affected region, the affected interests, and the locality; and states factors defining intensity include magnitude, geographic extent, duration, and frequency of the effects.

The context for the majority of resources analyzed for Cumulative Effects was established as the Grazing Allotments associated with the Proposed Action. Resources for which the context was set established outside of the Grazing Allotments was determined in Appendix D.

The Proposed Action is confined to a local area within the Battle Mountain Field Office District. Cumulative impacts associated with the Proposed Action have been analyzed and a determination made in the Finding of No Significant Impact (FONSI).

Consultation and Coordination

Public hearings are held prior to gathers using helicopters and motorized vehicles to capture wild horses (or burros). During these meetings, the public is given the opportunity to present new information and to voice any concerns regarding the use of these methods to capture wild horses (or burros). Further consultation and coordination is completed when the EA is sent to individuals and organizations on the interested public mailing list, as well as the wilderness mailing list, for review and comment.

List of Preparers

Battle Mountain Field Office (BMFO)

Christine Pontarolo	Wildlife Biologist	Lead Preparer
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Joe Ratliff	Soil Scientist	Air Quality, Soils
Richard Kurtz	Weed & Pest Mgt. Specialist	Invasive Plants, Noxious Weeds & Pests

References

Bureau of Land Management. 1986. Shoshone-Eureka Resource Area Record of Decision. Battle Mountain Field Office. Battle Mountain, Nevada.

Bureau of Land Management. 1988. ShoshoneEureka Rangeland Program Summary. Battle Mountain Field Office. Battle Mountain, Nevada.

Bureau of Land Management, Battle Mountain District, Programmatic Environmental Assessment of Integrated Weed Management on Bureau of Land Management Lands and Record of Decision & FONSI, NV-060-EA97-39, Battle Mountain, Nevada.

Bureau of Land Management, Battle Mountain District, Weed & Pest Management Plan (Long-Term), Draft, Battle Mountain, Nevada.

Bureau of Land Management, Battle Mountain District, Weed & Pest Annual Operating Plan (FY04), Draft, Battle Mountain, Nevada.

Guidelines for Coordinated Management of Noxious Weeds: Development of Weed Management Areas, US Forest Service, Montana Department of Agriculture, Bureau of Land Management, Idaho Department of Agriculture, Park County Weed & Pest Control District-Wyoming, Yellowstone National Park Service, Ag West Communications, Weed Management Service- Montana, Lewis H. Waters, and Jimmy Pribble, 14 Contiguous Western United States.

USDA, Rangeland Grasshopper and Mormon Cricket Suppression Program, Final Environmental Impact Statement and Record of Decision- 2002.

Bureau of Land Management, Battle Mountain District, 2003 Surface Water Inventory and Riparian Assessment for the Simpson Park Allotment.

Bureau of Land Management, Battle Mountain District, 2004 Diamond Mountain Range Complex Wild Horse EA and Gather Plan (NV062-EA-04-13) Standard Operating Procedures.

U.S. Department of the Interior, Bureau of Land Management, U.S. Geological Survey, Biological Soils Crusts: Ecology and Management, Technical Reference 1730-2 (2001).

Wild Horse Gather/Removal Plan 2005
Simpson Park Range Wild Horse Removal
Managed by
Battle Mountain Field Office

Introduction

The purpose of the gather plan is to outline the methods and procedures for gathering and removing approximately 170-200 wild horses from BLM administered public lands and adjacent private lands within the Battle Mountain district.

Gather Area

Wild horses would be gathered from the Simpson Park, Grass Valley, Dry Creek, Santa Fe Ferguson, Three Bars, and Underwood Allotments, and private lands using approved helicopter drive trapping.

Refer to map for gather area.

Administration of the Contract /Gather Operations

The National Wild Horse and Burro Gather Contract would be used to conduct the proposed removal. BLM personnel would be responsible for overseeing the contract for the capture and temporary holding of approximately 170-200 wild horses from the capture area. BLM Wild Horse and Burro Specialists from BMFO would be present during all aspects of the gather activities.

Standard Operating Procedures (SOPs) (refer to Appendix C) would be utilized for the capture and handling of wild horses. SOPs have been developed over time to reduce impacts associated with gathering, handling, transporting and collecting herd data.

Multiple trap sites may be used to capture wild horses. Ideally, trap sites would be established in areas of previous disturbance. A cultural resources investigation by a BLM archaeologist would be conducted prior to the construction of traps and temporary holding facilities. In areas where cultural resources are found, an alternative site would be selected.

A notice of intent to impound would be made public prior to the gather. Branded and/or claimed horses would be transported to a temporary holding facility. Ownership would be determined under the estray laws of the State of Nevada by a Nevada Brand Inspector. Collection of gather fees and any appropriate trespass charges would be collected if deemed necessary at the time of change of possession under 43 CFR § 4150.1 Unauthorized Grazing Use stating "*the authorized officer is responsible for determining if horses or burros are wild free-roaming animals. Appropriate State or local officials may determine the ownership of unauthorized horses or burros that the authorized officer has determined are not wild or free-roaming. In allotments or pastures where there is a likelihood that unauthorized horses or burros may become intermingled with wild and free-roaming horses or burros, a notice alleging unauthorized horse*

or burro use must specify that the unauthorized animals can be claimed and gathered in accordance with 43 CFR §4720.

A veterinarian would be on call for the duration of the gather to provide recommendations to Wild Horse and Burro Specialists for care and treatment of sick or injured wild horses. Consultation with the veterinarian would take place prior to the euthanasia of a wild horse in accordance with Washington Office Instruction Memorandum 2001-165.

Precautions would be taken to ensure that young or weak foals are safely gathered and cared for. If a foal is determined to be an orphan, qualified adopters would be contacted immediately to provide proper care for the foal.

If needed, electrolytes would be added to the water at the holding facility to reduce stress typically associated with heat. However, being a winter gather, heat stress should not be a factor.

Wild horses would be shipped to an approved BLM Holding Facility for inclusion into the National Adoption Program or long-term holding depending on suitability, or if feasible a trap site adoption would be proposed. All guidelines pertaining to adoptions during gather operations per IM No. NV-2001-041 would be adhered to.

Appendix A
District Weed and Pest Program Activity

Allotment/WSA	Location	Activity	Species	Acres/Miles	Notes
Grass Valley Allotment	Allotment-wide	Evaluation & Re-treatment	Russian knapweed	200 acres	2004
			Hoary cress	40 miles	2004
			Field bindweed	12 miles	2004
	Trail Canyon		Musk thistle	45 acres	2004
			Scotch thistle	45 acres	2004
	Fye Canyon		Musk thistle	50 acres	2004
			Scotch thistle	50 acres	2004
	McClusky Creek		Musk thistle	50 acres	2004
			Scotch thistle	50 acres	2004
	Horse Ranch Road		Musk thistle	7 miles	2004
			Scotch thistle	7 miles	2004
			Hoary cress	7 miles	2004
	Keystone Seeding		Russian knapweed	3 acres	2004
	Grass Valley Road	Initial Treatment	Scotch thistle	2 miles	2004
		Inventory		None	2004
		Inventory – Previous		None	None
	NW Simpson Park Mtns., NE Grass Valley & SE Cortez Mtns.	Inventory &/or Treatment	Mormon crickets & Clear-winged grasshoppers	79,945 acres	2004
		Multiple Use Decision		282,854 acres	2003
Dry Creek Allotment	Allotment-wide	Evaluation & Re-treatment	None	None	None
	Dry Creek Ranch Road	Initial Treatment	Hoary cress	11 miles	2004
	Lander/Eureka County Line		Musk thistle	96 acres	2004
	Grass Valley Road		Scotch thistle	2 miles	2004
		Inventory		None	2004
		Inventory – Previous		149,225 acres	1999
		Multiple Use Decision		None	None
Santa Fe Allotment	Allotment-wide	Evaluation & Re-treatment	None	None	None
	Grubbs Canyon	Initial Treatment	Musk thistle	0.5 miles	2004
	Ferguson Creek Road		Scotch thistle	5.5 miles	2004
	Santa Fe Road		Hoary cress	2.5 miles	2004
	Allotment-wide	Inventory		None	2004
		Inventory – Previous		84,375 acres	1999
		Multiple Use Decision		None	None
Underwood Allotment	Allotment-wide	Evaluation & Re-treatment	None	None	None
	Allotment-wide	Initial Treatment	None	None	None
	Allotment-wide	Inventory		19,832 acres	2004
		Inventory – Previous		None	None
		Multiple Use Decision		19,832 acres	2004
Simpson Park WSA	Allotment-wide	Evaluation & Re-treatment	By Allotments (see above)	By Allotment (see above)	None
	Allotment-wide	Initial Treatment	By Allotments (see above)	By Allotment (see above)	None
	Allotment-wide	Inventory		None	2004
		Inventory – Previous		49,670 acres	1999
		NV Wilderness Action Plan		None	1997
		WSA Notebook		49,670 acres	2001
Sub-Totals		**Evaluation, Re-treatment & Initial Treatment**	**Russian knapweed**	**203 acres**	**2004**
			Hoary cress	**60.5 miles**	**2004**
			Field bindweed	**12 miles**	**2004**
			Musk thistle	**241 acres 7.5 miles**	**2004**
			Scotch thistle	**145 acres 16.5 miles**	**2004**
Totals		**Evaluation, Re-treatment & Initial Treatment**	**Invasive plants & Noxious weeds**	**589 acres 96.5 miles**	**2004**
		Treatment	**Mormon crickets**	**79,945 acres**	**2004**
			Clear-winged Grasshoppers	**Included w/crickets (see above)**	**2004**
		Inventory		**19,832 acres**	**2004**

Appendix B

Soil and Vegetative Community Characteristics

Allotment	Site Number/ Association	Classification/ Parent Material	Average Annual Precipitation	Major Vegetative Species		Hazards of Erosion
				Grass	Shrubs	
Simpson Park	028BY016/ Locane-Coztur-**Punchbowl**	Lithic Xerollic Haplargids, loamy, mixed, frigid/ residuum derived from andesite, dacite, rhyolite & tuff	9"	Bluegrass, bottlebrush squirreltail	Black sagebrush	Water- moderate, wind- slight
Simpson Park	028BY010/ **Locane**-Muni	Haploxerollic Durargids, loamy, mixed, mesic, shallow/mixed alluvium that includes loess and volcanic ash	10"	Needlegrass, bluegrass	Wyoming big sagebrush	Water- slight, wind- slight
Simpson Park	028BY037/ Robson-**Ninemile**-Ravenswood	Lithic Argixerolls, clayey, montmorillontif, frigid/ residuum derived from andesite, basalt, & tuff	14"	Bluegrass, needlegrass, Idaho fescue	Low sagebrush	Water- slight, wind- slight
Simpson Park	029XY017 **Unsel**-Caphor-Chedehap	Duric Haplargids, fine-loamy, mixed, mesic/ mixed alluvium	7"	Bottlebrush squirreltail, galleta	Shadscale, Bailey's greasewood	Water- slight, wind- severe
Dry Creek	028XY010/ **Glyphs**-Muni	Durixerollic Haplargids, fine-loamy, mixed, mesic/ mixed alluvium that includes loess 7 volcanic ash	9"	Indian ricegrass, needelandthread, bluegrass	Wyoming big sagebrush	Water- slight, wind-severe
Dry Creek	024XY027/ Punchbowl-**Belate**-Reluctan	Aridic Argixerolls, loamy-skeletal, mixed, frigid/ mixed alluvium that includes loess & volcanic ash	14"	Idaho fescue, bluebunch wheatgrass	Low sagebrush	Water- severe, wind- slight
Grass Valley	028BY016/ Akerue-Simpark-Punchbowl	Xerollic Darargids, clayey- skeletal, montmorilonitic, frigid, shallow/ residuum derived from andesite, rhyolite & quartzite	10"	Needleandthread, Indian ricegrass	Black sagebrush	Water- slight, wind- slight
Grass Valley	024XY002/ Broyles-Creemon	Duric Camborthids, coarse-loamy, mixed, mesic/ thin loess mantle over mixed alluvium	7"	Indian ricegrass, bluegrass	Shadscale, bud sagebrush	Water- slight, wind- slight
Grass Valley	024XY007/ **Wendane**- Gund	Aeric Halaquepts, fine-silty, mixed (calcareous), mesic/ silty alluvium derived from volcanic rock, tuff, loess, & volcanic ash	8"	Basin wildrye	Basin big sagebrush, black greasewood	Water- slight, wind- slight
Grass Valley	024XY003/ Batan silt loam	Durorthidic torriorthents, fine-silty, mixed (calcareous) mesic/ silty alluvium high in content of loess & pryoclastic material	7"	Bottlebrush squirreltail	Shadscale, black greasewood	Water- slight, wind- slight
Underwood	024XY002/ Creemon-Misad	Duric Camborthids, coarse-silty, mixed, mesic/ silty alluvium derived from various kinds of rock includes some volcanic ash	7"	Indian ricegrass	Shadscale, bud sagebrush	Water- slight, wind- slight
Santa Fe/ Ferguson	028BY010/ Silverado sandy loam	Duriverollic Camborthids, coarse-loamy, mixed frigid/ mixed alluvium includes volcanic ash	9"	Indian ricegrass, needlegrass	Wyoming big sagebrush,	Water- slight, wind- severe
Santa Fe/ Ferguson	028BY034/ **Loncan**-Gando-Glean	Aridic Haploxerolls, loamy-skeletal, mixed, frigid/ residuum and colluvium derived from chert	14"	Bluebunch wheatgrass, needlegrass	Mountain big sagebrush	Water- moderate, wind- slight

Appendix C Standard Operating Procedures

TRAPPING AND CARE

a. The primary concern of the contractor is the safe and humane handling of all animals captured. All capture attempts shall incorporate the following:

All trap and holding facilities locations must be approved by the Contracting Officer's Representative (COR) and/or the Project Inspector (PI) prior to construction. The Contractor may also be required to change or move trap locations as determined by the COR/PI. All traps and holding facilities not located on public land must have prior written approval of the landowner.

b. The rate of movement and distance the animals travel shall not exceed limitations set by the COR/PI who will consider terrain, physical barriers, weather, condition of the animals and other factors.

c. All traps, wings, and holding facilities shall be constructed, maintained and operated to handle the animals in a safe and humane manner and be in accordance with the following:

(1) Traps and holding facilities shall be constructed of portable panels, the top of which shall not be less than 72 inches high for horses and 60 inches for burros, and the bottom rail of which shall not be more than 12 inches from ground level. All traps and holding facilities shall be oval or round in design.

(2) All loading chute sides shall be a minimum of 6 feet high and shall be fully covered, plywood, metal without holes.

(3) All runways shall be a minimum of 30 feet long and a minimum of 6 feet high for horses, and 5 feet high for burros, and shall be covered with plywood, burlap, plastic snow fence or like material a minimum of 1 foot to 5 feet above ground level for burros and 1 foot to 6 feet for horses. The location of the government furnished portable fly chute to restrain, age, or provide additional care for the animals shall be placed in the runway in a manner as instructed by or in concurrence with the COR/PI.

(4) All crowding pens including the gates leading to the runways shall be covered with a material which prevents the animals from seeing out (plywood, burlap, plastic snow fence, etc.) and shall be covered a minimum of 1 foot to 5 feet above ground level for burros and 2 feet to 6 feet for horses

(5) All pens and runways used for the movement and handling of animals shall be connected with hinged self-locking gates.

d. No modification of existing fences will be made without authorization from the COR/PI. The Contractor shall be responsible for restoration of any fence modification which he has made.

e. When dust conditions occur within or adjacent to the trap or holding facility, the Contractor shall be required to wet down the ground with water.

f. Alternate pens, within the holding facility shall be furnished by the Contractor to separate mares or jennies with small foals, sick and injured animals, and estrays from the other animals. Animals shall be sorted as to age, number, size, temperament, sex, and condition when in the holding facility so as to minimize, to the extent possible, injury due to fighting and trampling. Under normal conditions, the government will require that animals be restrained for the purpose of determining an animal's age, sex, or other necessary procedures. In these instances, a portable restraining chute may be necessary and will be provided by the government. Alternate pens shall be furnished by the Contractor to hold animals if the specific gathering requires that animals be released back into the capture area(s). In areas requiring one or more satellite traps, and where a centralized holding facility is utilized, the contractor may be required to provide additional holding pens to segregate animals transported from remote locations so they may be returned to their traditional ranges. Either segregation or temporary marking and later segregation will be at the discretion of the COR.

g. The Contractor shall provide animals held in the traps and/or holding facilities with a continuous supply of fresh clean water at a minimum rate of 10 gallons per animal per day. Animals held for 10 hours or more in the traps or holding facilities shall be provided good quality hay at the rate of not less than two pounds of hay per 100 pounds of estimated body weight per day. An animal that is held at a temporary holding facility after 5:00 p.m. and on through the night, is defined as a horse/burro feed day. An animal that is held for only a portion of a day and is shipped or released does not constitute a feed day.

h. It is the responsibility of the Contractor to provide security to prevent loss, injury or death of captured animals until delivery to final destination.

i. The Contractor shall restrain sick or injured animals if treatment is necessary. The COR/PI will determine if injured animals must be destroyed and provide for destruction of such animals. The Contractor may be required to humanely euthanize animals in the field and to dispose of the carcasses as directed by the COR/PI.

j. Animals shall be transported to final destination from temporary holding facilities within 24 hours after capture unless prior approval is granted by the COR/PI for unusual circumstances. Animals to be released back into the HMA following gather operations may be held up to 21 days or as directed by the COR/PI. Animals shall not be held in traps and/or temporary holding facilities on days when there is no work being conducted except as specified by the COR/PI. The Contractor shall schedule shipments of animals to arrive at final destination between 7:00 a.m. and 4:00 p.m. No shipments shall be scheduled to arrive at final destination on Sunday and Federal holidays, unless prior approval has been obtained by the COR. Animals shall not be allowed to remain standing on trucks while not in transport for a combined period of greater than three (3) hours. Animals that are to be released back into the capture area may need to be transported back to the original trap site. This determination will be at the discretion of the COR.

CAPTURE METHODS THAT MAY BE USED IN THE PERFORMANCE OF A GATHER

a. Capture attempts may be accomplished by utilizing bait (feed or water) to lure animals into a temporary trap. If the contractor selects this method the following applies:

(1) Finger gates shall not be constructed of materials such as "T" posts, sharpened willows, etc., that may be Injurious to animals.

(2) All trigger and/or trip gate devices must be approved by the COR/PI prior to capture of animals.

(3) Traps shall be checked a minimum of once every 10 hours.

b. Capture attempts may be accomplished by utilizing a helicopter to drive animals into a temporary trap. If the contractor selects this method the following applies:

(1) A minimum of two saddle-horses shall be immediately available at the trap site to accomplish roping if necessary. Roping shall be done as determined by the COR/PI. Under no circumstances shall animals be tied down for more than one hour.

(2) The contractor shall assure that foals shall not be left behind, and orphaned.

(3) Pilot "Prada" horses and ground hazers will be used to assist in the gather.

c. Capture attempts may be accomplished by utilizing a helicopter to drive animals to ropers. If the contractor with the approval of the COR/PI selects this method the following applies:

(1) Under no circumstances shall animals be tied down for more than one hour.

(2) The contractor shall assure that foals shall not be left behind, or orphaned.

(3) The rate of movement and distance the animals travel shall not exceed limitations set by the COR/PI who will consider terrain, physical barriers, weather, condition of the animals and other factors.

MOTORIZED EQUIPMENT

a. All motorized equipment employed in the transportation of captured animals shall be in compliance with appropriate State and Federal laws and regulations applicable to the humane transportation of animals. The Contractor shall provide the COR/PI with a current safety inspection (less than one year old) for all motorized equipment and tractor-trailers used to transport animals to final destination.

b. All motorized equipment, tractor-trailers, and stock trailers shall be in good repair, of adequate rated capacity, and operated so as to ensure that captured animals are transported without undue risk or injury.

c. Only tractor-trailers or stock trailers with a covered top shall be allowed for transporting animals from trap site(s) to temporary holding facilities, and from temporary holding facilities to final destination(s). Sides or stock racks of all trailers used for transporting animals shall be a minimum height of 6 feet 6 inches from the floor. Single deck tractor-trailers 40 feet or longer shall have two (2) partition gates providing three (3) compartments within the trailer to separate animals. Tractor-trailers less than 40 feet shall have at least one partition gate providing two (2) compartments within the trailer to separate the animals. Compartments in all tractor-trailers shall be of equal size plus or minus 10 percent. Each partition shall be a minimum of 6 feet high and shall have a minimum 5 foot wide swinging gate. The use of double deck tractor-trailers is unacceptable and shall not be allowed.

d. All tractor-trailers used to transport animals to final destination(s) shall be equipped with at least one (1) door at the rear end of the trailer which is capable of sliding either horizontally or vertically. The rear door(s) of tractor-trailers and stock trailers must be capable of opening the full width of the trailer. Panels facing the inside of all trailers must be free of sharp edges or holes that could cause injury to the animals. The material facing the inside of all trailers must be strong enough so that the animals cannot push their hooves through the side. Final approval of tractor-trailers and stock trailers used to transport animals shall be held by the COR/PI.

e. Floors of tractor-trailers, stock trailers and loading chutes shall be covered and maintained with wood shavings to prevent the animals from slipping.

f. Animals to be loaded and transported in any trailer shall be as directed by the COR/PI and may include limitations on numbers according to age, size, sex, temperament and animal condition. The following minimum square feet per animal shall be allowed in all trailers:

11 square feet per adult horse (1.4 linear foot in an 8 foot wide trailer);
8 square feet per adult burro (1.0 linear foot in an 8 foot wide trailer);
6 square feet per horse foal (.75 linear foot in an 8 foot wide trailer);
4 square feet per burro foal (.50 linear feet in an 8 foot wide trailer).

g. The COR/PI shall consider the condition and size of the animals, weather conditions, distance to be transported, or other factors when planning for the movement of captured animals. The COR/PI shall provide for any brand and/or inspection services required for the captured animals.

h. If the COR/PI determines that dust conditions are such that the animals could be endangered during transportation, the Contractor will be instructed to adjust speed.

SAFETY AND COMMUNICATIONS

a. The Contractor shall have the means to communicate with the COR/PI and all contractor personnel engaged
in the capture of wild horses and burros utilizing a VHF/FM Transceiver or VHF/FM portable Two-Way radio. If communications are ineffective the government will take steps necessary to protect the welfare of the animals.

1. The proper operation, service and maintenance of all contractor furnished property is the responsibility of the Contractor. The BLM reserves the right to remove from service any contractor personnel or contractor furnished equipment which, in the opinion of the contracting officer or COR/PI violate contract rules, are unsafe or otherwise unsatisfactory. In this event, the Contractor will be notified in writing to furnish replacement personnel or equipment within 48 hours of notification. All such replacements must be approved in advance of operation by the Contracting Officer or his/her representative.

2. The Contractor shall obtain the necessary FCC licenses for the radio system

3. All accidents occurring during the performance of any task order shall be immediately reported to the COR/PI.

b. Should the contractor choose to utilize a helicopter the following will apply:

1. The Contractor must operate in compliance with Federal Aviation Regulations, Part 91. Pilots provided by the Contractor shall comply with the Contractor's Federal Aviation Certificates, applicable regulations of the State in which the gather is located.

2. Fueling operations shall not take place within 1,000 feet of animals.

CONTRACTOR-FURNISHED PROPERTY

a. As specified herein, it is the contractor's responsibility to provide all necessary support equipment and vehicles, hay and water for the animals and any other needed items, personnel, vehicles, horses, etc. to support the capture, care and transport of horses/burros. Other equipment includes but is not limited to, a minimum 2,500 linear feet of 72-inch high (minimum height) panels for horses or 60-inch high (minimum height) for burros for traps and holding facilities. Separate water troughs shall be provided at each pen where animals are being held. Water troughs shall be constructed of such material (e.g., rubber, galvanized metal with rolled edges, rubber over metal) so as to avoid injury to the animals.

b. The Contractor shall provide a radio transceiver to insure communications are maintained with the BLM project PI when driving or transporting the wild horses/burros. The contractor needs to insure communications can be made with the BLM and be capable of operating in the 150 MHz to 174 MHz frequency band, frequency synthesized, CTCSS 32 sub-audible tone capable, operator programmable, 5kHz channel increment, minimum 5 watts carrier power.

GOVERNMENT FURNISHED EQUIPMENT/SUPPLIES/MATERIALS

The government will provide a portable restraining chute for each contractor to be used for the purpose of restraining animals to determine the age of specific individuals or other similar procedures. The contractor will be responsible for the maintenance of the portable restraining chute during the gather season. The government may also provide VHF/FM portable 2-way radios, if needed. The government will provide all inoculate syringes, freezmarking equipment, and all related equipment for fertility control treatments. When required a boat will be furnished to transport burros. The Contractor shall be responsible for the security of all Government Furnished Property (GFP).

SITE CLEARANCES

Prior to setting up a trap or temporary holding facility, BLM will conduct all necessary clearances (archaeological, T&E, etc). All proposed site(s) must be inspected by a government archaeologist. Once archaeological clearance has been obtained, the trap or temporary holding facility may be set up. Said clearance shall be arranged for by the COR, PI, or other BLM employees.

Additional Stipulations

Qualified BLM personnel will be on- site during all phases of the gather operation.

A contract veterinarian will be on call during all phases of the operation.

Traps will be constructed in a fashion to minimize the potential for injury to wild horses or burros and personnel. Gates would be wired open at all unmanned trap sites, and would be left closed only when needed to confine wild horses or burros. Trapped horses or burros would not be held inside the traps for exceeding 10 hours with appropriate feed and water.

The Nevada Department of Wildlife will be notified as soon as possible if any wildlife becomes injured during the gather operation. Wildlife caught inside traps would be released immediately.

Prior to the commencement of gather operations, the COR/PI will provide for a pre-capture evaluation of existing conditions in the gather area. The evaluation will include animal condition, prevailing temperatures, drought conditions, soil conditions, road conditions, a topographic map with location of fences, other physical barriers, and acceptable trap locations in relation to animal distribution. If animal conditions warrant, a veterinarian will be on-site before capture operations will proceed. The contractor will be apprised of all conditions and will be given instructions regarding the capture and handling of animals to ensure their health and welfare is protected.

No fence modifications will be made without authorization from the COR/PI. The contractor/BLM will be responsible for restoration of any fence modification which was made. Fence openings should be large enough to allow for free and safe passage of

animals. Fence materials will be rolled up and fence posts removed or sufficiently marked to ensure safe passage. The standing fence on each side of the gap shall be flagged and covered with jute or like material.

Branded or privately owned animals captured during operations will be handled in accordance with all state estray laws and existing BLM policy and regulations.

All temporary facilities shall be constructed so that no riparian vegetation is contained within them. No vehicles would be operated on riparian vegetation or on saturated soils associated with riparian/wetland areas.

Private landowners or proper administering agency(s) shall be contacted and authorization obtained prior to setting up traps on any lands which are not administered by BLM. If at all possible, traps will not be constructed as to restrict vehicular access on roads.

Herd Health and Viability Data Collection

The following information will be collected form each animal captured: age, sex, color, overall health, pregnancy or nursing status.

In addition, blood or hair samples may be collected from individuals within the herd. Certain other activities including immunocontraceptive research radio collaring, and freeze marking may be conducted.

Population Management Plan/Selective Addition or Removal

Blood samples may be taken for the purposes of furthering genetic ancestry studies and incorporation into the Population Management Plans which will be developed for each HMA/complex.

On occasion, it may be necessary to enhance and maintain genetic diversity. A few animals with compatible characteristics may be introduced from other HMAs. Introduced animals will be taken from areas with similar habitat.

Immunocontraceptive Research

When the immunocontraceptive vaccine is used, delivery of the vaccine will be conducted by trained individuals, using approved delivery methods. The vaccine will be administered to the large muscle on the hip.

Public Participation

Prior to conducting a gather, a communication plan (or similar document) summarizing the procedures to follow when media or interested public request information or viewing opportunities during the gather, should be prepared.

The public must adhere to guidance from the agency representative and viewing must be prearranged.

Safety

Safety of BLM employees, contractors, members of the public, and the wild horses (or burros) will be given primary consideration. The following safety measures will be used by the Authorized Officer and all others involved in the operation as the basis for evaluating safety performance and for safety discussions during the daily briefings:

A briefing between all parties involved in the gather will be conducted each morning.

All BLM personnel, contractors and volunteers will wear protective clothing suitable for work of this nature. BLM will alert observers of the requirement to dress properly. BLM will assure that members of the public are in safe observation areas.

The handling of hazardous or potentially hazardous materials such as liquid nitrogen and vaccination needles will be accomplished in a safe and conscientious manner by BLM personnel or the contract veterinarian.

Responsibility and Lines of Communication

The Contracting Officer(s) Representative and Project Inspectors from the Battle Mountain Field Office (BMFO), Elko Field Office (ELFO) and Ely Field Office (EYFO), have the direct responsibility to ensure the contractor(s) compliance with the contract stipulations.

The BMFO Assistant Field Manager for Renewable Resources and Field Manager will take an active role to ensure the appropriate lines of communication are established between the field, Field Office, State Office, and Palomino Valley Corrals.

All employees involved in the gathering operations will keep the best interests of the animals at the forefront at all times.

Appendix D: Cumulative Impacts Analysis: Project Inclusion List for Cumulative Impacts Assessment

Project	Name or Description	Status (x)		
		Past	Present	Future
Oil and Gas Lease/Exploration				X
Callaghan Ranch (Mount Hope) Mine			X	
Cortez Mine			X	
Roberts Mine			X	
Antelope Mine (Tonkin)			X	
Spencer Hot Springs Mine		X		
Mineral Exploration				X
Reclamation of abandon mine lands				X
Recreational Activities (OHV, hunting, hiking, wildlife viewing)			X	
Grazing Management Multiple-Use Decisions	Issuance of multiple-use decisions and grazing permits through the allotment evaluation process.			X
Grazing Management Multiple-Use Decisions	Simpson Park Complex Evaluation and Rangeland Health Assessment		X	
Grazing Management Multiple-Use Decision	Grass Valley Allotment Evaluation and Rangeland Health Assessment	X		
Grazing Management Multiple-Use Decision	Three Bars and Roberts Mountain Allotments Final Evaluation	X		
Grazing Management- Range Improvement Project	Pine Canyon Wilderness Study Area Boundary Fence			X
Riparian Exclosures				X
Wildfire Suppression				X
Wildfire Rehabilitation				X
Trail Canyon Wildfire (1999)	Over 100,000 acres, Burned Area Emergency Restoration (BAER) team, 78,190 acres within cumulative effects area	X		
Grass Valley Wildfire (1999)	Over 200 acres, 5 acres within cumulative effects area			
Orange Wildfire (2000)	Less than 200 acres, 177 acres within cumulative effects area	X		
Vigus Wildfire (2000)	Less than 1,000 acres, 713 acres within cumulative effects area	X		
Ferguson Wildfire (2000)	35 acres within cumulative effects area			
Establishment of wildlife guzzlers				X
Sage Grouse Habitat Enhancement	Tonkin Sage Grouse Habitat Enhancement Project		X	
Sage Grouse Improvement Projects				X
Invasive Weed Treatments				X
Vegetative Habitat Improvement Projects				X
Wild Horse & Burro Gathers				X
Wild Horse & Burro Gathers	1993 Callaghan HMA Wild Horse Removal Plan, EA N64-EA3-02	X		

Mitigation of Impacts to other Resource Values

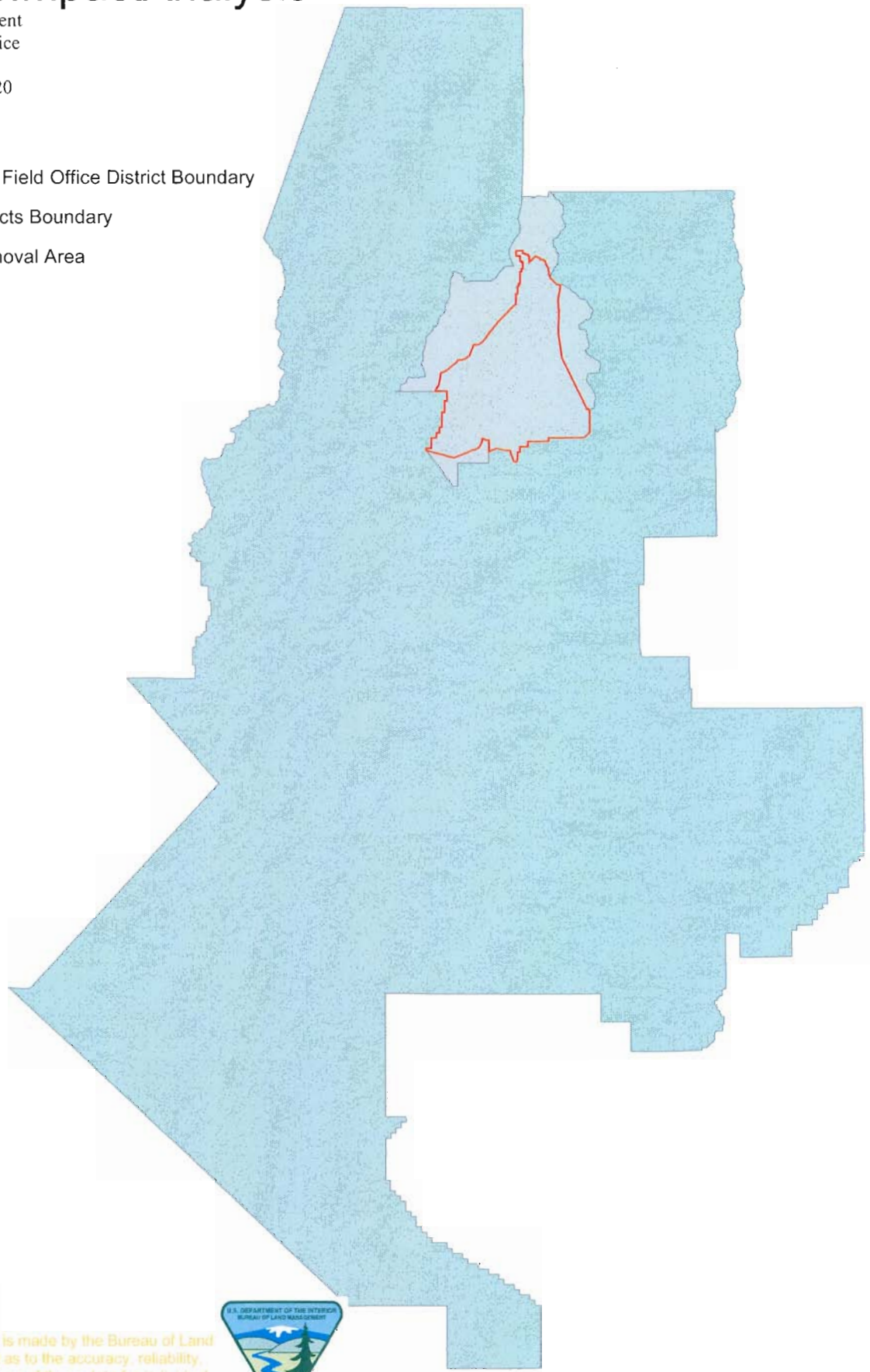
Mitigation Description	Mitigation Success		
	None	Partial	Complete
er down temporary trap sites and holding facilities. Mitigation limited to site ificity.		X	
haeological site clearances will be conducted prior to construction of temporary sites and holding facilities.			X
id high concentrations of invasive, non-native species.			X
id conducting activities during the critical nesting period for migratory birds. ioval activities will be done in November.			X
lerness public notification and consultation was completed prior to the EA. icle traffic will be limited to cherry stemmed roads and existing roads within the A. Additional activities such as construction of temporary traps will be done by ing-in materials. All materials will be removed upon completion.			X
stock permittees within the affected grazing allotments will be contacted prior to er activities.		X	
ie extent possible, temporary trap sites and holding facilities will be constructed sturbed areas such as gravel pits or on roads.		X	
ie extent possible, temporary trap sites and holding facilities will be constructed sturbed areas such as gravel pits or on roads. Activities will occur outside of the al growing periods for most vegetation.		X	
intent of the Proposed Action is to remove all wild horses within the project area iave established residence outside of HMA boundaries. All SOPs will be wed to ensure the health and safety of the wild horses is the primary ideration.			
wildlife will be temporarily displaced during activities due to reactions to the opter and increased human activity in the project area.			

CumulativeImpactAnalysis

Bureau of Land Management
Battle Mountain Field Office
50 Bastian Road
Battle Mountain, NV 89820

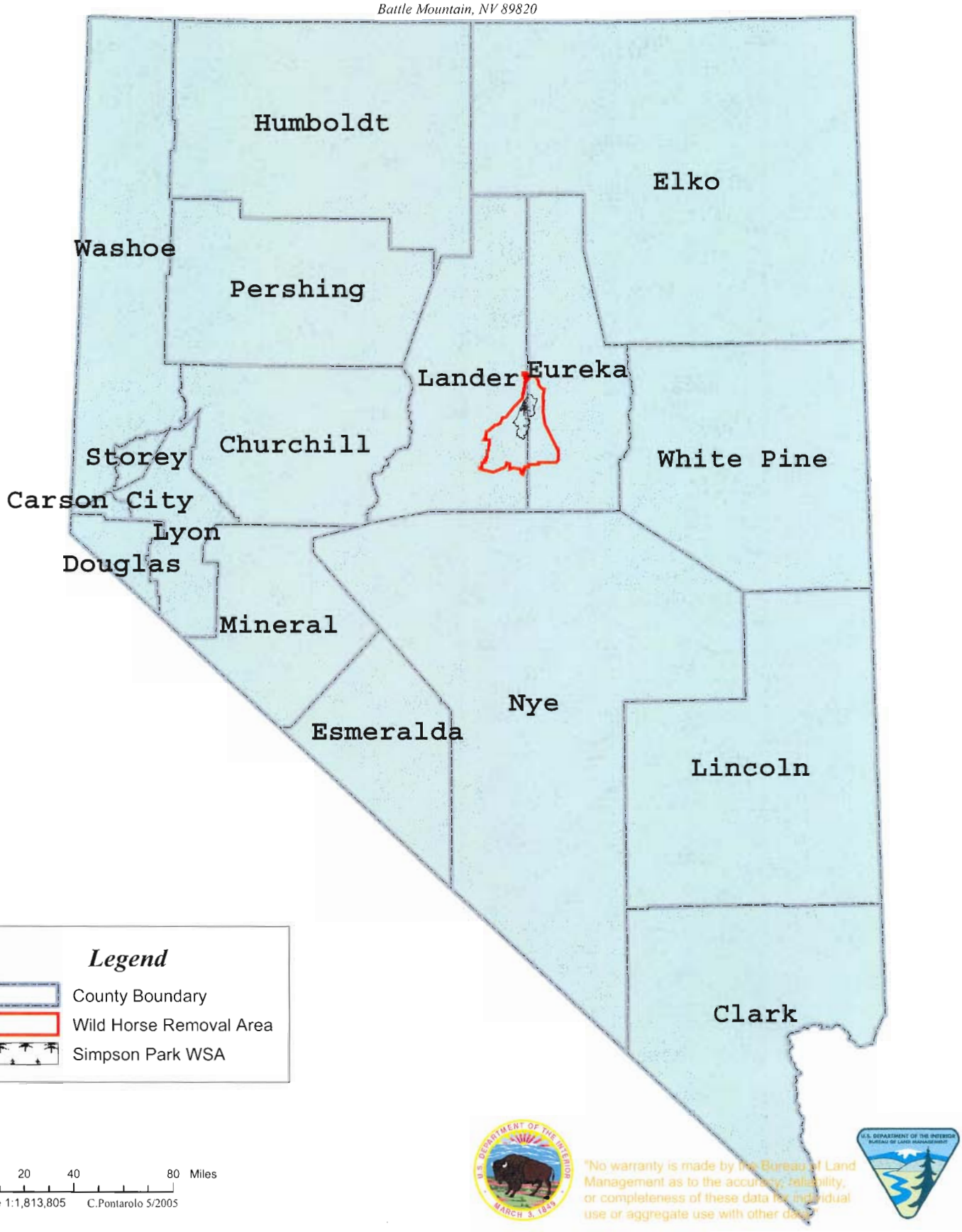
Legend

- Battle Mountain Field Office District Boundary
- Cumulative Effects Boundary
- Wild Horse Removal Area



Simpson Park Range
Wild Horse Removal Area

Bureau of Land Management
Battle Mountain Field Office
50 Bastian Road
Battle Mountain, NV 89820



Simpson Park Range
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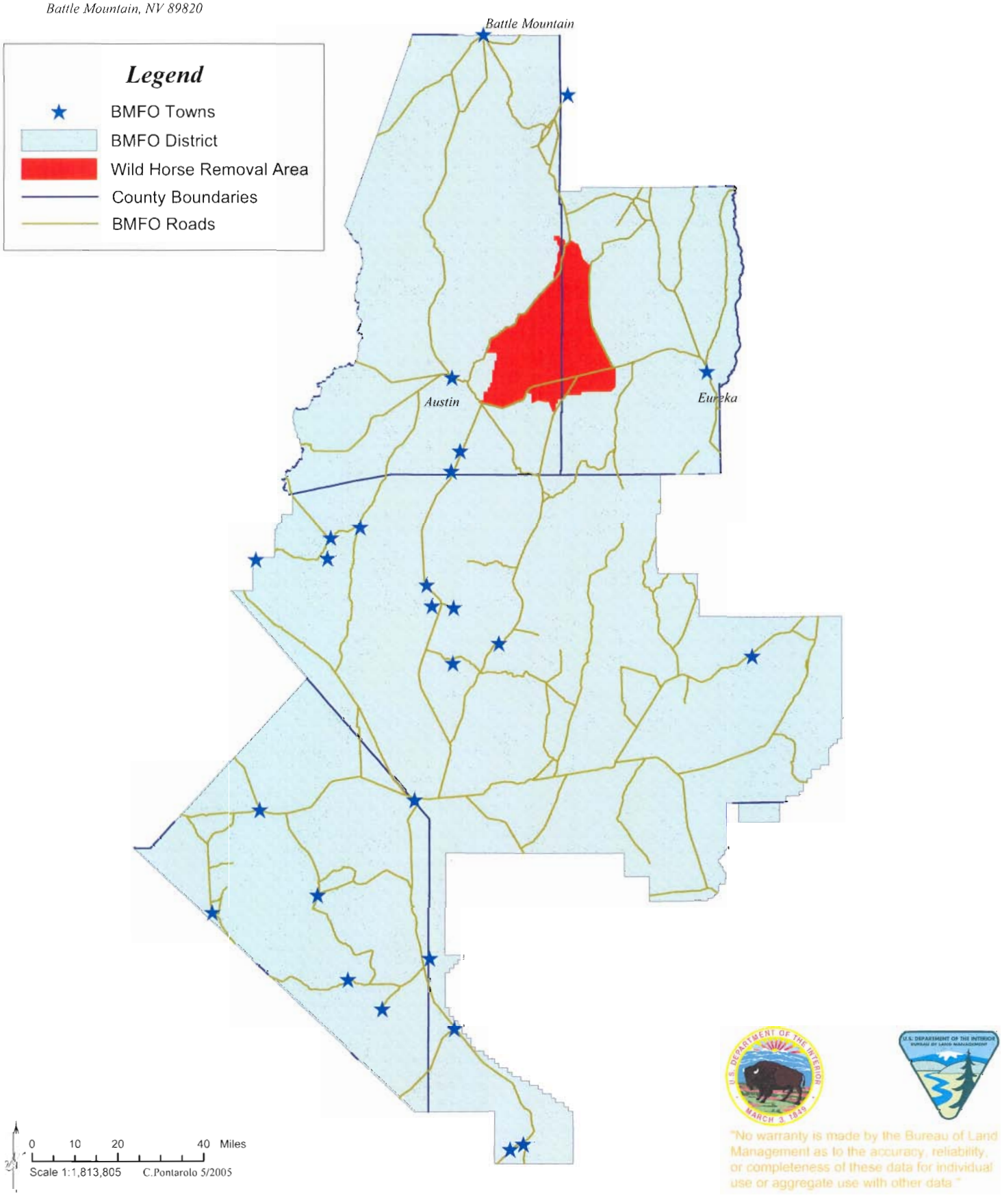

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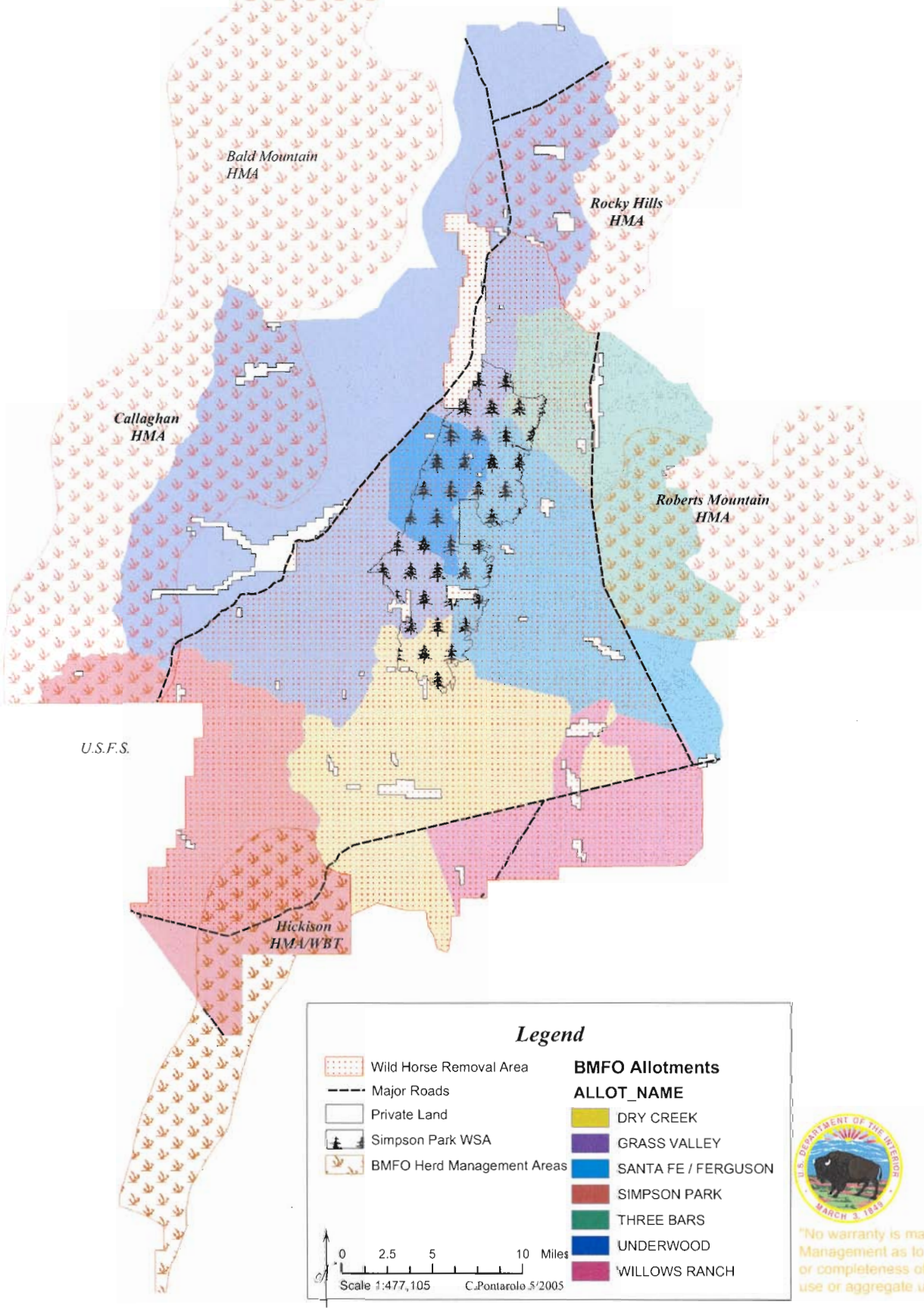

FINDING OF NO SIGNIFICANT IMPACT
FOR
Simpson Park Range Wild Horse Removal
Project # NV062-EA04-35

Finding of No Significant Impact

Environmental Assessment (EA) NV062-EA04-35, dated September 2005 has been reviewed through the interdisciplinary team process. After consideration of the environmental effects described in the EA and supporting documentation, it has been determined that the Proposed Action identified in the EA is not a major Federal action and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental affects meet the definition of significance in context or intensity as described in 40 CFR 1508.27. Therefore, preparation of an Environmental Impact Statement (EIS) is not required.

We have determined the Proposed Action is in conformance with the approved Shoshone-Eureka Resource Management Plan, and is consistent with the plans and policies of neighboring local, county, state, tribal and federal agencies and governments. This finding and conclusion is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts described in the EA.

Context

The wild horse removal proposed in the EA involves removing approximately 200 wild horses from 7 horse-free allotments administered by the Bureau of Land Management's Battle Mountain Field Office (BLM BMFO). The Simpson Park Range Wild Horse Removal is located in a rural area between east of Austin, NV within both Lander and Eureka counties.

The Proposed Action is to completely remove wild horses within the identified project area which have established residence outside of any of the 14 BMFO designated Herd Management Area boundaries as well as remove all wild horses located in the portion of the Hickison HMA which extends north of Highway 50 which was identified for wild burro management in the Shoshone-Eureka Rangeland Program Summary.

Intensity

*1) **Impacts that may be both beneficial and adverse.*** The Environmental Assessment considered both beneficial and adverse impacts of the complete removal of wild horses on the Simpson Park Mountain Range. Removing wild horses from areas not within designated Herd Management Area boundaries would reduce the level of use endured by upland and riparian vegetation, and help alleviate competition for resources between wildlife, livestock, and wild horses. Adverse impacts to soils and air quality are expected to be minimal and short-term. Archaeological site clearances will be conducted

prior to the construction of temporary trap sites and holding facilities. Standard Operating Procedures will be followed to minimize stress on wild horses. Wild horses removed from the project area will be placed for adoption or long-term holding.

2) The degree to which the proposed action affects public health or safety. The Standard Operating Procedures and Great Basin Wild Horse and Burro Gather Contract will be used to conduct the maintenance gather and are designed to protect human health and safety, along with the health and safety of the wild horses.

3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas. There are no park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas within the Simpson Park Mountain Range removal area. A cultural resources inventory will be completed prior to constructing temporary trap sites and holding facilities. If cultural resources are found in an area, a new location will be determined to set up temporary trap sites and holding corrals.

4) The degree to which the effects on the quality of the human environment are likely to be highly controversial. The Proposed Action is not expected to be highly controversial. Wild horses are inhabiting areas which were not identified as Herd Management Areas. Permittees as well as Nevada Department of Wildlife are in support of the wild horse removal.

5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks. The Proposed Action has no known effects on the human environment which are considered highly uncertain or involve unique or unknown risks.

6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration. Future projects occurring within the Simpson Park Mountain Range will be evaluated through the appropriate NEPA process. The Proposed Action does not set a precedent for future actions.

7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. The Proposed Action is not related to other actions within the project area that would result in cumulatively significant impacts. Proper NEPA analysis will be completed for all proposed actions.

8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the NRHP or may cause loss or destruction of significant scientific, cultural, or historical resources. The Proposed Action will not affect significant scientific, cultural, or historical resources. A cultural resource inventory will be completed by archaeologists. Temporary trap sites and holding facilities will be cleared to determine the presence of sites that are unclassified, eligible, or potentially eligible for the NRHP. Archaeological site clearances and

avoidance measures will ensure that loss or destruction of significant scientific, cultural, or historical resources does not occur.

9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical in the ESA of 1973. The bald eagle is the only known threatened and endangered species occurring in the Simpson Park Range. Bald eagles winter at low densities in the Simpson Park Mountains. The Proposed Action has no negative implications on the bald eagle or its' winter habitat. There are no known threatened and endangered plants present in the project area.

10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment. The Proposed Action will not violate or threaten to violate any Federal, State, or local law or requirement imposed for the protection of the environment. The Proposed Action is in conformance with all applicable 43 CFR (Code of Federal Regulations), Northeastern Great Basin Resource Advisory Council (RAC) Standards and Guidelines, and the Strategic Plan for the Management of Wild Horses and Burro on Public Lands. The Proposed Action will not violate the Migratory Bird Treaty Act or Endangered Species Act.