4/6/85

IN REPLY REFER TO:

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
CARSON CITY DISTRICT OFFICE
1050 E. William St., Suite 335
Carson City, Nevada 89701

4740
(NV-033)

Wild Horse Organized Assistance
P.O. Box 555
Reno, NV 89505

Dear Gentlemen:

Enclosed is a copy of the Draft Flanigan - Ft. Sage Wild Horse Removal Plan and accompanying Environmental Assessment. Please review these documents and comment if you so desire. Comments should be received at this office by May 6, 1985 for consideration in the Final Plan.

Sincerely yours,

Norman L Murray
acting

Thomas J. Owen
District Manager

Enclosures - as stated above

DRAFT

FLANIGAN WILD HORSE REMOVAL PLAN

I. Objective

The objective of this Plan is to discuss the implementation of the proposed action presented in the accompanying Environmental Assessment.

II. Area of Concern

The Flanigan Herd Use Area (HUA) is located within the Virginia and Fort Sage Mountains approximately 50 miles north of Reno Nevada (see attached map).

III. Numbers of Wild Horses

Based on the most recent census, conducted in September 1984, the wild horse population was estimated at 894 animals within the herd area, prior to the foaling season.

Through the land-use-planning process, the decision was made to initially manage for 359 head of wild horses in the Flanigan Herd Area within Carson City District. Susanville District, through their land-use-planning decisions, is managing for 20-30 head on the Fort Sage portion of the Herd Area. Therefore, approximately 515 head of wild horses plus the number of horses which enter the populations due to foaling shall be removed, to reduce the population to the level identified in the land-use-plans.1/ In addition, 12 wild horses were censused just south of the herd area and shall be captured in accordance with BLM policy concerning expansion of wild horses.

IV. Claiming

Impounded privately-owned animals will be processed as outlined in BLM, NSO Instruction Memo NV-83-26.

V. Capture Operations

Capture of these wild horses will be through the use of a helicopter and temporary capture corrals. The horses will be directed toward the capture corrals with a helicopter. The helicopter will carry a BLM employee only when necesary, and should the horses become unnecessarily stressed, the BLM employee or the pilot will break off the pursuit, so that the animals may rest and recover. All attempts will be made to move and keep bands together. A BLM employee will make careful determination of boundary lines to serve as an outer limit, within which attempts will be made to herd horses to a given trap. Topography, distance and current condition of the horses are factors that will be considered in setting the limits to avoid undue stress on the horses while they are being herded. Each area will be flown prior to the start of trapping to locate any hazards to the horses while being herded (fences, cliffs, etc.).

1/ This number is only an estimate and may vary following data collected from censuses scheduled for the spring of 1985.

The temporary capture corrals will be constructed from portable pipe panels (height 6 to 7 feet). An adjoining holding corral will be constructed to hold the horses after capture. Extending from the capture corral will be wings (1/8 to 1/4 mile) also constructed from portable panels. The entire trap will be camouflaged with sagebrush or juniper.

The helicopter will drive the horses toward the wings of the trap. When the horses are just about to enter the wings, riders on horseback will then flank the animals and drive them into the trap. Once the horses are in the trap, the gate will be closed by hand. Should a horse turn back at the trap, it will be roped, if possible, by the riders.

It is expected that the number of animals that will be driven into the trap will vary from 1 to 35 head.

A portable chute will be used to load the animals onto stock trucks for transportation to Palomino Valley Corrals. BLM is authorized to transport the horses to Palomino Valley, prior to brand inspection.

VI. Trap Sites

A variety of trap sites may be needed to gather the horses from the area. Each site will be selected after determining the habits of the animals and observing the topography of the area. In general, all sites will be located to cause as little damage to the natural resources of the area as possible. Sites will be located on or near existing roads and ways, and all sites will receive cultural clearance prior to use. If archaeological values are found, the trap will be moved.

VII. Responsibility

It will be the responsibility of the contractor, who has entered into a contract with the BLM for the purpose of removing the wild horses from the Flanigan Herd Use Area, to locate the trap sites (with concurrence from a BLM employee), provide humane treatment to the horses during capture, holding and transportation, and to observe the guidelines set forth in the contract specifications.

The Carson City District Wild Horse and Burro Specialist (designated as the Contracting Officer's Authorized Representative, COAR) will have the responsibility to assure that the capture, holding and transportation of the wild horses is being conducted in accordance with applicable regulations, BLM policy, this capture plan and the contract specifications. He will also have the responsibility to determine if destruction of any sick or lame animals is necessary prior to transportation. If the COAR is not at the site, the alternate COAR or a Project Inspector (P.I.), a BLM employee, will act in his absence.

VIII. Destruction of Injured or Sick Animals

Any severely injured or seriously sick animal shall be destroyed in accordance with 43 CFR 4740.3-1. Such animals shall be destroyed only when a definite act of mercy is needed to alleviate pain and suffering.

Destruction shall be done in the most humane method available.

IX. Injuries and Disease

For injury and disease not requiring destruction, the authorized representative will transport the animal to Palomino Valley Corrals (PVC) without further injury, harm or undue pain. A veterinarian will treat the animal upon arrival at PVC.

X. Safety

All capturing and handling of the horses shall be done in the safest manner possible for the wild horses, personnel and saddle horses. Some guidance may be obtained from "Safety Guidelines for Handling Wild Horses," prepared by the BLM.

XI. Longevity of the Removal Plan

This Removal Plan is in effect for the duration of removal of approximately 515 horses plus the number of horse which enter the population due to foaling from the Flanigan HUA. The total operation should take 30 to 45 days to complete. The operation is expected to take place during the summer or fall of 1985.

VI. PARTICIPATING AND REVIEWING STAFF

Prepared by:

James M Gianola — 3-26-85

James M. Gianola
Range Conservationist
Lahontan Resource Area

Date

Reviewed by:

Timothy B. Reuwsaat — 3-26-85

Timothy B. Reuwsaat
District Wild Horse and Burro Specialist

Date

Norman L Murray — 3-26-85

Norman L. Murray
Assistant District Manager for Resources

Date

Stephen Weiss — April 1, 1985

Stephen A. Weiss
Environmental Coordinator

Date

James M Phillips — 4-2-85

James M. Phillips
Area Manager, Lahontan Resource Area

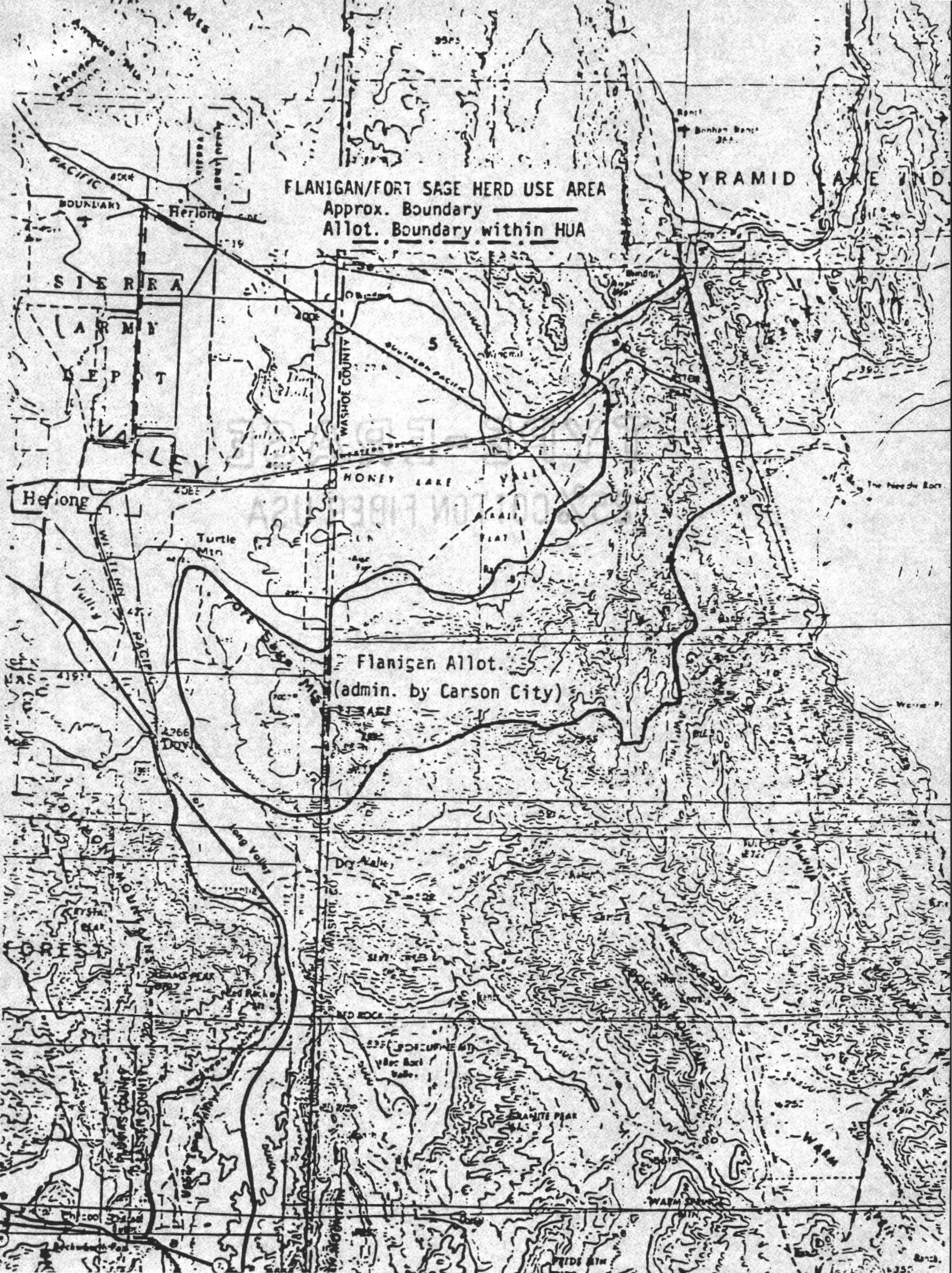
Date

Approved by:

Tom Owen — 4/5/85

Thomas J. Owen
District Manager

Date


FLANIGAN/FORT SAGE HERD USE AREA
Approx. Boundary
Allot. Boundary within HUA
PYRAMID LAKE IND.
SIERRA
ARMY
DEPT
VALLEY
Herlong
HONEY LAKE VALLEY
Turtle Mtn
Flanigan Allot.
(admin. by Carson City)
Dry Valley
FOREST
WARM SPRINGS

DRAFT

Environmental Assessment

Flanigan Wild Horse Removal

The purpose of this Environmental Assessment is to analyze the effects of wild horse removal from the Flanigan Wild Horse Herd Use Area and other alternatives.

I. DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

The proposed action is to remove approximately 515 wild horses plus the number of horses which entered the population due to foaling, from the Flanigan Wild Horse Herd Use Area. The capture method used will be gathering with a helicopter and herding the horses toward a temporary trap. The traps will be built from portable pipe corrals. The trap locations may have to be moved several times depending on the terrain and location of the horses.

The captured horses will be transported to the Palomino Valley Wild Horse and Burro Placement Center, where the wild horses will be made available for adoption.

Alternatives to this proposed action are to leave the existing number of horses in the area, or remove all of the animals.

Details of implementing the Proposed Action would be as shown in the attached Flanigan Wild Horse Removal Plan.

II. DESCRIPTION OF THE EXISTING ENVIRONMENT

The Flanigan Wild Horse Use Area (HUA) is located in the Virginia & Ft. Sage Mountains approximately 50 miles north of Reno Nevada. Sand Pass and Turtle Mountain are the extreme northern and western boundaries of the HUA.

The HUA is located primarily within the Flanigan Allotment which is approximately 90% public land.

Through the land-use-planning process the initial wild horse management level was established at 359 head within the Carson City District and 20 head within the Susanville District. A census conducted in September of 1984 estimated the population of wild horses at 894 head or 515 head plus the number of horses entering the population due to foaling above their initial management level identified in the land-use-plan.

This September 1984 an aerial count was conducted using the mark-resight method of censusing. 20%

A total of 67 horses were paint marked one day prior to the actual count. During the census a total of 724 horses were counted with 54 of the paint marked horses re-sighted. This is approximately 81% of the total number marked. Applying this factor to the actual count an estimated 894 horses were present at that time.

During this census 12 head were counted within the Winnemucca Ranch Allotment.

Utilization studies done in portions of the allotment grazed primarily by horses show degrees of utilization in the heavy and severe classes.

Due to population increases, horses are staying in the winter cattle grazing areas and the combination of the animals classes are grazing these areas heavier than normal.

Lack of winter forage, due to increased horse use prior to cattle turnout, has forced the past and present grazing permittees of Fish Springs Ranch to seek additional winter grazing outside of the Flanigan allotment. For the past several years Fish Springs Ranch has leased the Bonham Ranch in the Susanville District.

Although there is no documentation, (requested non-use) it is known that the permittee has not run full numbers, as indicated on his grazing license, since 1981, thus showing his concern over the high utilization figures.

An erosion study completed in 1984 shows an area around Juniper Basin to have a higher than estimated geologic erosion rate due to excessive grazing pressure. A band of approximately 50-60 head of horses graze this area yearlong contributing significantly to the high grazing levels.

In August of 1982 a small wild horse capture operation was conducted to capture wild horses which had expanded south onto the Winnemucca Ranch allotment.

There is also some drift of horses between the Pyramid Lake Indian Reservation and the HUA.

Vegetation within the herd unit is represented by 1 major plant community common to areas in northern Nevada - the Northern Desert Shrub.

Within the Northern Desert Shrub, two major vegetation types occur - Juniper Savannah and Loamy 10-12" ppt.

Dominant plants in the Juniper Savannah are Utah juniper, Wyoming big sagebrush and antelope bitterbrush. The major grass species are squirreltail, Thurbers needlegrass and Nevada bluegrass. The loamy 10-12" PZ supports much the same vegetation minus the Utah Juniper.

Numerous springs and intermittent streams throughout the HUA provide water, however, several wells located at the lower elevations are also utilized. The springs and wells are shown on the attached map.

In addition to a diverse population of small rodents, moderate populations of deer, bobcat, sagegrouse, chukar, California quail, and mourning dove are found in the area. A small herd of 50 antelope have also been sighted within HUA boundaries.

No threatened or endangerd animal species are known to exist in the HUA area.

The public lands within the HUA are grazed by livestock to the extent of 5062 AUMs.

III. ANALYSIS OF THE PROPOSED ACTION AND ALTERNATIVES

A. Proposed Action

1. Environmental Impacts

a. Anticipated Impacts

Horses will experience stress during the actual capture operations, but will be properly cared for following capture, both in the corral and when adopted. Some horses may be injured or killed in the process of capture or being transported to the adoption center. From past gatherings in Nevada, this has been approximately 1 to 2 percent.

Expansion of horses from the Herd Area onto adjoining areas would be decreased and possibly eliminated.

If livestock numbers remain the same, and the horses are removed the vegetation resource condition would improve from less utilization which in turn will help to rectify the erosion problem in the Juniper Basin Area.

There will be some minor disturbance to the vegetation and soils associated with the capture operations. The remaining horses will benefit from having more forage and shelter available to them.

b. Possible Mitigating or Enhancing Measures

(1) If a BLM employee is unsure as to the severity of an injury, a veterinarian will be summoned to the capture site.

(2) No capture operations will occur during the months of March, April, May and June when the majority of foaling takes place.

c. Recommendation for Mitigation or Enhancement

The above mitigating or enhancing measures be adopted as stated.

d. Residual Impacts

Localized disturbance to soil and vegetation cannot be entirely avoided under the proposed action. Natural revegetation will reduce the severity of the disturbance over a short period of time.

Injury or death of some wild horses could occur despite safety and humane precautions.

2. Relationship Between Short-Term Use and Long-Term Productivity

The removal of horses will result in considerably lower utilization percentages and would help to stabilize the soil and slow down the accelerated erosion of the Juniper Basin area.

The vegetal resource will have a chance to regain vigor and be allowed to go to seed.

3. Irreversible and Irretrievable Commitments of Resources

If a wild horse is sick or injured, it may be destroyed.

B. Alternative No. 1 - Leave All the Wild Horses in the Area

1. Environmental Impacts

a. Anticipated Impacts

This alternative initially would have the least impact on horses, since they would not be subject to the stress of capture; however, the horse population could increase over time through natural demographics. The vegetation resource would be subject to an increased utilization from that in the past. The competition for forage and water would increase between livestock, wildlife, and wild horses as the horses increase in the future.

If horses remained in the area, as their numbers increase the chance of expansion into areas and their subsequent gather would also increase.

The drift of the wild horses into the Pyramid Lake Indian Reservation may take place. The wild horses that drift onto the Reservation could be subject to capture, sale, and possible slaughter.

The erosion problems in the Juniper Basin area would worsen as horse numbers climb.

b. Possible Mitigating or Enhancing Measures

(1) Develop springs and watering sites to allow better opportunities for watering by livestock, wildlife, and wild horses.

(2) Reduce livestock as wild horse numbers increase.

c. Recommendations for Mitigation and Enhancement

The above mitigating or enhancing measures should be adopted with the exception of the livestock reduction. Livestock numbers have not increased from those presented in the land use plan. If, after this reduction of horses to the level

identified in the land use plan, further monitoring studies indicate a need, then further adjustments may be made in livestock and/or wild horses.

d. Residual Impacts

Excessive utilization of the vegetative resource would continue and the vegetation resource would deteriorate as the number of wild horses increase.

As the number of wild horses increase the chance of their expanding into other areas and the resultant gathering would increase.

2. Relationship Between Short-Term Use and Long-Term Productivity

The wild horses would remain, but utilization of forage would continue and be accelerated if the wild horse population increased. As the forage was depleted, the animals may move into other areas including areas that are now horse free. The vegetation may never be able to recover if some plant species disappear. The only possible recovery may be through costly rehabilitation.

3. Irreversible and Irretrievable Commitments of Resources

If horses are to remain and populate at a natural rate, at some time in the future, the basic soil and vegetation resource may be damaged to a point where it may never be able to return to a desirable state.

Wildlife habitat degradation may eventually occur.

C. Alternative No. 2 - Remove All of the Wild Horses

1. Environmental Impacts

a. Anticipated Impacts

A population of wild, free roaming horses would be eliminated.

Horses will experience stress during the actual capture operations, but will be properly cared for following capture, both in the corral and when adopted. Some horses may be injured or killed in the process of capture or being transported to the adoption center. From past gatherings in Nevada, this has been approximately 1 to 2 percent.

If livestock numbers remain the same, the vegetation resource condition would improve from less utilization after the horses are removed. This would in turn result in less soils erosion in the Juniper Basin Area.

With removal of the horses, stress placed on the animals during potential capture of wild horses that drift onto the Indian Reservation would be eliminated.

Wild horse expansion would be eliminated. There would be minimal disturbance to the vegetation and soils associated with the capture operation.

b. Possible Mitigating or Enhancing Measures

(1) If a BLM employee is unsure as to the severity of an injury, a veterinarian will be summoned to the capture site.

(2) No capture operations will occur during the months of March, April, May and June when the majority of foaling takes place.

c. Recommendation for Mitigation or Enhancement

The above mitigating or enhancing measures be adopted as stated.

d. Residual Impacts

Localized disturbance to soil and vegetation cannot be entirely avoided under the proposed action. Natural revegetation will reduce the severity of the disturbance over a short period of time.

Injury or death of some wild horses could occur despite safety and humane precautions.

2. Relationship Between Short-Term Use and Long-Term Productivity

Wild horses will be removed from the area; however, the HUA will retain its status as a wild horse area.

3. Irreversible and Irretrievable Commitments of Resources

If a wild horse is sick or injured, it may be destroyed.

IV. INTENSITY OF PUBLIC INTEREST

It is anticipated that public interest will be low, as the opportunity for public comment was provided during the Land Use Planning Process for the Reno Planning Area.

V. PERSONS, GROUPS AND GOVERNMENT AGENCIES CONSULTED

The Draft Environmental Assessment was sent to the following persons, groups and agencies for review and comment:

American Bashkir Curley Register
American Horse Protection Association

American Humane Association
Animal Protection Institute
Bureau of Indian Affairs
Fish Springs Ranch
Funds for Animals
Garnier Estates c/o Mary Conway
Felix Garnier
Humane Society of Southern Nevada
International Society for the Protection of Wild Horses and Burros
Joe, Pete Capurro & Sons
W. Dalton LaRue
Tina Nappe
National Mustang Association
National Wild Horse Association
Nevada Cattleman's Association
Nevada Farm Bureau Federation
Nevada Humane Society
Nevada State Department of Agriculture
Nevada Wildlife Federation
Pyramid Lake Indian Reservation
S.L. Robinson
Save the Mustang
Sierra Club
State Clearinghouse
U.S. Humane Society
Wild Horse Organized Assistance
The Center for Wild Horse and Burro Research

VI. PARTICIPATING AND REVIEWING STAFF

Prepared by:

James M Gianola — 3-26-85

James M. Gianola
Range Conservationist
Lahontan Resource Area

Date

Reviewed by:

Timothy B Reuwsaat — 3-26-85

Timothy B. Reuwsaat
District Wild Horse and Burro Specialist

Date

Norman L Murray — 3-26-85

Norman L. Murray
Assistant District Manager for Resources

Date

Stephen A Weiss — April 1, 1985

Stephen A. Weiss
Environmental Coordinator

Date

James M Phillips — 4-2-85

James M. Phillips
Area Manager, Lahontan Resource Area

Dte

IN REPLY REFER TO

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
CARSON CITY DISTRICT OFFICE
1050 E. William St., Suite 335
Carson City, Nevada 89701

Background data

1984-85

Flanigan Herd Use Area

General Information

The Flanigan Herd Use Area is located entirely within the Flanigan Allotment which is situated approximately 60 miles north of Reno in the Virginia Mountains. The wild horses range over the entire winter and summer range running from the north end of the Virginia Mountains to the Susanville District Boundary. The herd use area encompasses all of the BLM acreage of 56,639 acres and 2,700 acres of private land. Fish Springs Ranch Ltd. has a cattle grazing permit for 5,062 AUMs with use taking place from 3/1 thru 10/31.

Fish Spr. Ranch
7368 AUM
84 - 4977
85 - 3433 3815 Office preference
86 - 3285

Census Information

The Flanigan Herd Inventory is as follows:

Year	No. of Horses	Remarks
1962	140	Estimate
1973	96	Aerial Inventory
1975	130	Aerial Inventory
1976	164	Aerial Inventory
1978	168	Aerial Inventory
1979	216	Estimate
1983	275	Aerial (Incomplete)
1984	400-600	Estimate of Total Numbers

now 357 want 100
85
351 gathered
12% increase
Sept. 85 297

Gather Information

1976	59 Head Removed
1978	17 Head Introduced (Forced by Closure of Palomino Valley Corral due to Court Suit)
1979	3 Head Introduced (Horses Tagged - Migration Study)

Grazing Permit

Increased grazing use by horses and their expanding range forced the former grazing permittee, Fish Springs Ranch, to remove cattle from the Flanigan Allotment and acquire grazing lands outside of the Carson City District.

Management Plans

A Wild Horse Management Plan was completed in 1976, but a law suit by A.H.P.A. prohibited implementation of the plan. Continued lack of funding has prevented any subsequent removal of horses.

① H Sage Inventory - ② HUA boundaries

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1975	130	Aerial Inventory
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1979	216	Estimate
1983	275	Aerial (Incomplete)
1984	400-600	Estimate of Total Numbers

need 357 want 100
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Gather Information

12% increase

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1978	17 Head Introduced (Forced by Closure of Palomino Valley Corral due to Court Suit)
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① It Sage Inventory - ② HMA boundaries

draft

FLANIGAN WILD HORSE HERD

MANAGEMENT AREA PLAN
AND
ENVIRONMENTAL
ANALYSIS RECORD

Table of Contents

Table of Contents (condt.)

Tables

A. Background Information

The Flanigan Wild Horse Herd - A Brief History

It is generally assumed by local ranchers that these horses originated from ranch stock that was turned out in the area. These horses ranged on the north end of the Virginia Mountain until the construction of the Red Light Fence in 1952 and the Fort Sage - Mud Springs Fence in 1955. These two fences restricted what is now the Flanigan Herd to the summer range within Flanigan Grazing Allotment which is licensed by the Fish Springs Ranch. A few horses remained in the Winnemucca Ranch and Big Canyon Allotments. Occassional drift of the horses would occur into the Winnemucca Ranch and Big Canyon Allotments when snows or the horses would knock down these fences.

In 1962 there were approximately 140 horses in the Flanigan Herd. These horses were causing damage to water developments and fences as well as consuming a large amount of forage. In 1962 approximately 100 horses were gathered leaving 40 animals in the Flanigan Allotment.

In 1973 Earl Batteate claimed the majority of the Flanigan Herd (estimated at 96 animals). This claim was rejected (11/21/73) by the District Manager for lack of adequate proof of ownership.

Earl Batteate at this time contends that the horses (130-1975 estimate) are from the former Heller stock (previous owner of the Fish Springs Ranch). He will submit another claim with affidavits from witnesses stating that these horses are former Heller Stock.

At this time it is believed a reservation of forage for wild horses (1200 AUM's) and not allowing the permittee to be on the Federal range during the critical growing season of the forage species will make the Fish Springs Ranch a marginal livestock operation.

A. Background Information

1. Maps

See Attached Maps (½"/mile, 2½"/mile)

2. Location and Area

The herd area is located at the north end of the Pyramid Planning Unit, approximately 50 miles north of Reno, Nevada. The herd ranges on the extreme north end of the Virginia Mountains within the summer range of the Flanigan Grazing Allotment. The herd area includes 19,945 Federal acres and 1,590 private acres totaling 21,534 acres.

3. Resource Data

The Management Framework Plan for the Pyramid Planning Unit has been completed. Resource data may be obtained in the Step 3 of the Unit Resource Analysis.

The erosion condition for the herd area varies from slight (Big Sage) to moderate (Pinyon-Juniper type). The average soil surface factor is 27 (stable). Generally there appears to be no erosion problem.

The grazing capacity is as follows within the herd area:

	Year[1]	Acres[1]	AUM (Animal Unit Month)[1]
Federal	1975	19,945	2963 —
Private	1975	1,590	243
		21,535	3206
Federal	1973	17,095	2465 —
Private	1973	1,380	201
		18,475	2666

[1] Herd area increased from 1973 to 1975.

Condition and trend data (completed 1964) for the Flanigan Allotment is as follows:

Condition:

Satisfactory	90%
Unsatisfactory	10%

Trend:

Up	33%
Static	67%
Down	0%

Recent condition data is not available. Condition data will be completed in the Flanigan Allotment by the end of FY 76.

Big game species habitat found within the herd area include deer winter, deer yearlong range, and antelope yearlong range. Upland game species includes sage grouse, chukar and mourning dove. No critical habitat has been identified for any of the above mentioned species. No threatened species habitat has been identified in the Flanigan Allotment.

The Flanigan Herd forage requirements are as follows:

Year	Herd Total	Forage Requirement
1973	96	1152 AUM
1975	130	1560 AUM
1974	100[1]	1200 AUM

[1] Step III MFP Decision

Qualifications for the Flanigan Allotment which includes the horse area are as follows:

Active Use	5062
Suspended Non-Use[1]	2306
Cal-Nev Unit Active	185
TOTAL	7,553

[1] 2306 AUMs suspended non-use is the difference between the grazing demand and the grazing capacity in the 1967 ajudication of grazing privileges.

No forage has been reserved for wild horses or wildlife in the Flanigan Allotment.

A break down of Flanigan Herd numbers, colors, and sex is shown in Tables 3 and 4. The Flanigan Herd has increased 17%/year from 1973 to 1975.

Color slides of the herd are maintained in the district files.

Forage species include big sage (Artemisia tridentata) black sage (Artemisia nova), needle and thread (Stipa comata), blue bunch wheatgrass (Agropyron spicatum), cheat grass (Bromus tectorum), and meadow grass species in the low depressions and drainages.

Scattered junipers (Juniperus osteosperma) exist throughout the area. These trees provide shelter from the winter winds as well as escape cover.

Water is plentiful throughout the area with East and West Cottonwood Canyons having available live water their entire length year round. A number of the waters in the area have been developed (See Existing Projects). A total of 18 springs are present. These include developed and undeveloped springs on private lands.

The horses within the herd show little movement from east to west (laterally along the slope of the mountain).

There is movement up down the slope with the winter snows. However, only severe snow will move the animals to the extreme lower elevations.

The horses are familiar with escape routes and capture in this rugged terrain will be extremely difficult in a major portion of area.

4. Coordination

The Management Framework Plan Step III Decision is as follows:

1. Establish an intensive wild horse management area in the Flanigan Area. Maintain in that area the current population of about 100 horses (1973 estimate).

2. Conduct studies to determine the biological requirement of this herd. Based on these studies, determine the optimum number of wild horses that can be maintained in this intensive management area and adjust numbers accordingly.

1976
20

Maintenance of 100 horses will require a reduction in active use of 1200 AUM's for Fish Springs Ranch (licensed in the Flanigan Allotment). Qualifications for Fish Springs Ranch with consideration for maintenance of the wild horse herd would be:

Active Use	3,862
Suspended Non-Use	2,306
Cal-Nev Unit Active	185
Reservation of Forage for Wild Horses	1,200
TOTAL	7,553

A cooperative agreement with Nevada Department of Agriculture will be negotiated to assure that both federal and state responsibilities are adequately identified.

The Flanigan herd area is within one mile of the fenced boundary of the Pyramid Indian Reservation. Cooperative relations will be maintained with the tribal leaders for the maintenance of the reservation fence.

Fence cooperative agreements will continue between Joe, Pete Capurro and Sons, W. Dalton La Rue, Fish Springs Ranch and the Bureau of Land Management for existing projects.

Cooperative relations will be maintained with the organized wild horse groups for the disposal of excess horses.

The Bureau of Land Management is the only land management agency involved. Patented lands within the area are owned by Earl N. Batteate (1270 Acres) and Helen M. Garboe (320 Acres).

5. Existing Projects

At this time the herd area is partially enclosed on the north by the Fort Sage Cottonwood Drift Fence (Job 4263), on the east by the Red Light Drift Fence (Job 0210) and on the south by the Fort Sage-Mud Spring Fence (Job 5005).

3862
1200
2662

All of these fences are over 20 years old.

The Cottonwood Stock Trail (Job 4004) provides access through the center of the herd area. The remainder of the herd area is rugged and is generally accessable by four wheel drive jeep trails.

Spring developments include: 1) Sheep Trough Springs (Job 4325); 2) Rock Spring (Job 4326); 3) Lower Salt Cabin Spring (Job 5032); 4) Lower Adobe Spring (Job 5019) and 5) Upper Adobe Spring and Pipeline (No job no.).

Ten other undeveloped springs exist on federal land. Five private spring developments exist in the area.

B. Objectives

1. Habitat

a. Maintain the watershed in a slight erosion condition.
b. Maintain the range condition at 90% satisfactory level and allow no downward trend.
c. Reserve adequate forage in the Flanigan Allotment to meet the biological requirement of 100 wild and free roaming horses (1200 AUMs) on a continuing basis.

2. Animal

a. Management practices shall be at the minimal feasible level and shall be consistent to the extent possible and practical with the maintenance of their free roaming behavior.
b. The Flanigan Wild Horse Herd will be maintained at a maximum of 100 animals through disposal to private individuals, removal to other herd management areas or destruction of the animals.

3. Other

a. Provide adequate forage for 365 cows from 6/15 to 11/31 (1907 AUMs - 95% F.R.) within the herd management area (Fish Springs Ranch Permit).
b. Provide forage for a reasonable population of deer (estimated to be 150).

C. Management Methods

1. Habitat

Maintaining the slight erosion condition, 90% satisfactory condition and static or improving trend can be accomplished through a proper stocking rate within the herd management area as follows:

	[1]AUM	[1]Acres
[1]Active Use (livestock)	1,907	23,770 (Fed.)
Reservation of Forage for Wild Horses	1,200	
[1&2]Private Lands	201	1,380 (Private)
TOTAL	3,308	25,150

[1] Within proposed fenced Wild Horse Area
[2] 138 AUM - Batteatte, 63 AUM Garboe

Reservation of 1,200 AUM's will meet the biological requirements of 100 wild horses while maintaining and/or improving the habitat.

2. Animal

a. Initial Gathering

Currently there are 130 horses (both estrays and wild) in the herd management area. All of the animals must be gathered to determine which are wild and which are estrays.

The Management Framework Plan Step III Decision provides for the maintenance of 100 wild horses. Therefore:

a. If more than 100 wild horses are gathered then only 75 will be returned to the herd management area and the remaining animals will be disposed of through 1) cooperative agreement to private individuals; 2) relocated to other areas or 3) destroyed.

b. If fewer than 75 wild horses are returned to the Flanigan Herd Management Area then horses gathered from other herds may be placed in this area to make up total herd of 75 animals.

The herd will not be managed for color, conformation or "Native Barb" characteristics.

The initial turn out figure of 75 animals will allow for a 1 to 2 years annual increase in the herd, while allowing a thorough culling of the sick, old, injured and excess studs.

Turn out of the 75 horses will be broken down by sex as follows:

Sex	Proposed Numbers	Percent	1975 Numbers	Percent
Mares	50[1]	65	56	43
Studs	10[1]	14	35	27
Studs	5[2]	7		
Yearlings and Colts	5 male[3]	7	36	28
	5 fem.[3]	7		
Unknown			3	2
	75	100	130	100

1 1 Stud to 5 mares
2 For replacement and competition
3 1 to 1 ratio

Total gathering of the Flanigan Herd without the use of aircraft is going to be exceedingly difficult if not, impossible due to the availability of water and the rugged terrain.

Two wing traps sites, one water trap site and one holding corral are proposed.

Table 1. Trap Site and Type (See Map)

Location	Type	Temp or Permanent
East Virginia Peak	Wing Trap	Permanent
Cottonwood Canyon	Wing Trap	Permanent
Upper Adobe Spring	Water Trap	Permanent
Marl Corral	Holding and Sorting Corral	Permanent

Three miles of trail construction is necessary to provide access for equipment and horse removal to the Adobe water

trap and the East Virginia wing trap. Access is available to the Cottonwood Canyon wing trap. A small pipeline (1/8 mile) is required to water the Marl Holding Corral.

b. Maintenance of the Herd

The herd will be maintained at a maximum of 100 animals, an annual increase of 15% is expected.

The three traps constructed for the initial gathering will be permanent and will be used as a part of the maintenance of the herd.

If a particular animal cannot be captured through the use of the permanent traps then the animal will be destroyed. Equipment is now maintained in the district office for this purpose.

The herd area increased 2 miles to the west from the years 1973 to 1975. Three miles of fence construction (see map) on the 1973 herd boundary is necessary to maintain the herd in its present geographic range on the west side of the area. On the eastern perimeter of the area 10½ miles of fence is proposed to maintain the horses within the area and facilitate livestock management within the horse area. The proposed fence is adjacent to the county road and will allow the horses to drop to the lower elevations for additional public viewing. The fence will also allow horse movement 2 miles to the east. This eastern area in addition to lower elevational area provided will allow winter use under severe conditions.

Fencing the herd boundary (8½ miles) on the east as opposed to a fence along the county road would be difficult to construct and would not allow the additional public viewing and winter range.

3. Others

With the reservation of forage for 100 wild horse (1200 AUM), 1907 AUM's are available for livestock use. The present operation by the Fish Springs Ranch is as follows:

	100 C	3/1 to 3/31	90% F.R.	90 AUM
(Horse area-	750 C	4/1 to 10/31	90% F.R.	4725 AUM
included in)	50 C	11/1 to 2/28	90% F.R.	180 AUM

The following turn-in date for cattle in the wild horse area

will give the proper stocking rate and proper season of use:

Defer to Peak of Flowering of Agsp 365 C 6/15 to 11/31
95% F.R. 1907 AUMs.

A small number of deer may be found in the area. The present estimate is 95 animals. A herd of antelope (15 animals) move into the area occasionally.

The future deer number has been anticipated to be 150 animals. The required forage necessary to support this population is 225 AUMs.

D. Cooperative Agreements

E. Management Facilities and Equipment

1. Permanent Facilities	Estimated Cost	
a. Water trap Adobe Sp.	Material	$1,800
40 man days @ 25.00/day		1,000
		$2,800
b. 3 miles of road (stock trail) to haul material and animals to Adobe Spring and East Virginia Peak Trap 3 miles @ $600/mi.		$1,800

c.	1 Permanent wing trap on east of Virginia Peak	$ 2,800
d.	1 Permanent wing trap at mouth of East Cottonwood Canyon	$ 2,800
e.	Marl Holding and Sorting Corral Material, Labor	$ 4,000
f.	13½ miles fence on east and west sides of Herd Area @ 1300/mile	$17,550
g.	Marl Pipeline and Trough (1/8 Mi.) to service Marl Holding and Sorting Corral	$ 1,000
h.	Annual aerial inventory - 2 helicopter hours @ $125.00/Hr.	$ 250
	Sub-Total	$33,000

2. Temporary Expenditures

a.	Contract to catch horses in above traps and deliver to Fred True Well Holding Corral 130 horses @ $200/Horse	$26,000
b.	Veterinary fees for injured horses and shots when given to owners for adoption.	$ 1,000
c.	10 tons of hay for holding area	~~$ 6,000~~ 600
	Sub-Total	$33,000
	GRAND TOTAL	~~$66,000~~ 60,600

Error

F. Studies

Studies are an integral part of the Flanigan Herd Management Area Plan as provided for in the MFP Step III Decision:

> "Conduct studies to determine the biological requirement of this herd. Based on these studies, determine the optimum number of wild horses that can be maintained in this intensive management area and adjust numbers accordingly."

1. Standard BLM studies

The Flanigan Allotment is scheduled fourth in the Pyramid Planning Unit for an Allotment Management Plan. Standard BLM studies prior to the AMP will include:

Range Survey
Actual Use
Utilization
Condition and Trend
Climatological Data
Phenology

2. Other Studies

a. Habitat

Studies should be initiated to determine horse forage preference and season of use by plant species.

A study to determine range suitability for horses should also be considered.

b. Animal

Annual herd increase will be studies through a annual aerial survey.

A mortality study should also be considered (i.e., autopsy on the animals found dead and those destroyed).

G. Modification

This plan may be modified if data from studies and experience gained indicate that changes are desirable. Modification will be based on the results of the animal and habitat studies, inspections and/or operational problems.

Modification may also be initiated in conjunction with the Environmental Impact Statement scheduled to be completed in 1980.

H. Support

1. Fire Protection

Fire protection is critical. Loss of forage due to fire may require a reduction of the herd in order to maintain the condition and trend of the area.

2. Lands

Land exchanges should be considered when lands are offered by either Earl Batteate or Helen Garboe (present land owners).

3. Emergency Feeding

Emergency feeding of horses has been considered when the winter forage situation for herds throughout the west becomes critical. Emergency feeding for the Flanigan Herd should not be considered unless the survival of the entire herd appears to be in jeopardy (possibly below 20 animals).

I. Signatures

Prepared by:

Pardee Bardwell, Wildlife Biologist, Lahontan R.A.

Chris Erb, Range Conservationist, Lahontan R.A.

Bill R. Stewart, Range Technician, Lahontan R.A.

Concurred by: Norman L Murray 2-11-76

Norman L. Murray — Date
Area Manager, Lahontan R.A.

Approved by: L. Paul Applegate 2-12-76

L. Paul Applegate, District Manager — Date
Carson City District

E. I. Rowland — Date
State Director, Nevada

Herd Color Composition
from aerial survey - 2/7/75.

Color

1 black stud, 1 black mare, 1 buckskin mare, 1 buckskin yr.
2 bay mares, 1 bay yr., 1 unknown

1 brown stud, 1 black mare, 1 black colt, 3 bay mares, 2 bay yr.

1 bay stud, 1 bay mare, 1 bay yr.

1 black stud, 1 bay mare, 1 bay yr., 4 black mares, 1 black colt, 3 black yr.

1 bay stud, 1 brown mare, 1 bay mare, 1 bay yr.

1 bay stud, 1 brown mare, 1 brown yr.

1 brown stud, 1 black mare, 1 black yr., 2 bay mares

1 bay stud, 1 brown stud (both old)

1 palmino stud, 1 bay stud (bald face)

1 black stud, 1 black mare, 1 black yr., 1 bay mare, 1 bay yr.

1 black stud, 1 bay mare, 1 sorrel mare, 1 sorrel yr.,
1 black mare, 1 black yr.

1 bay stud (old)

1 sorrel stud, 1 brown mare, 1 sorrel yr., 1 sorrel mare,
1 sorrel colt

1 sorrel stud, 1 pinto mare, 1 bay mare, 1 bay yr.

1 bay stud, 1 pinto mare, 1 black mare, 1 sorrel mare,
1 sorrel colt, 2 unknown

1 black stud, 3 sorrel mares, 1 black mare, 1 black yr.

2 sorrel studs, 2 black studs, 1 brown stud

1 pinto stud, 1 brown mare, 1 brown yr.

1 sorrel stud, 1 sorrel mare, 1 sorrel yr., 1 buckskin mare

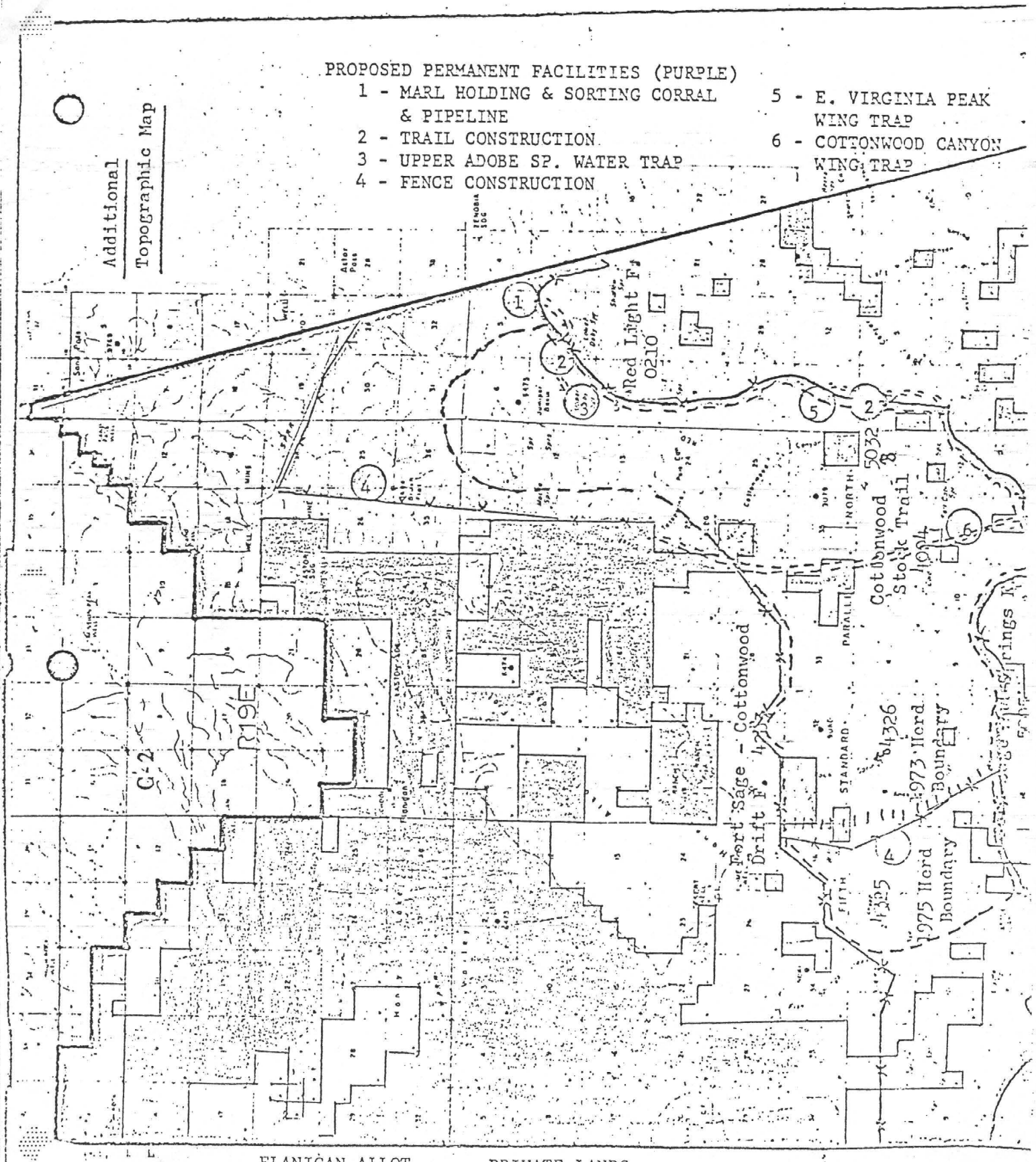
Table 4. Flanigan Herd Color Composition
Adopted from aerial survey 2/7/75.

Band No.	Total	Color
20	2	2 sorrel studs
21	8	1 sorrel stud, 2 bay mare, 1 sorrel yr., 1 Bay yr., 2 brown mares, 1 brown yr.
22	7	1 sorrel stud, 2 pinto mares, 1 pinto colt, 2 black mares, 1 balck yr.
23	3	1 bay stud, 1 sorrel stud, 1 black stud
24	1	1 sorrel stud (old)
25	10	1 sorrel stud, 2 grey mares, 1 grey yr., 2 sorrel mares, 2 sorrel yr., 1 bay mare, 1 bay yr.
26	7	1 roan stud, 3 sorrel mares, 1 grula mare, 1 sorrel yr., 1 grulo yr.

Table 2. Flanigan Herd Composition
Adapted from aerial survey - 2/1973

Band No.	Total	Studs	Colts	Mares	Yearlings	Unknown
1	14	1	4	9	0	
2	3	3	0	0	0	
3	9	1	2	6	0	
4	12	1	2	6	3	
5	10	1	3	4	2	
6	2	2*	0	0	0	
7	3	3	0	0	0	
8	12	1	2	6	3	
9	4	1	1	2	0	
10	4	4	0	0	0	
11	8	1	3	4	0	
12	5	1	2	2	0	
13	8	1	3	4	0	
14	2	2	0	0	0	
	96	23	22	43	8	0

*Located on East side of Division Fence between Flanigan and Big Canyon Allotments


PROPOSED PERMANENT FACILITIES (PURPLE)
1 - MARL HOLDING & SORTING CORRAL & PIPELINE
2 - TRAIL CONSTRUCTION
3 - UPPER ADOBE SP. WATER TRAP
4 - FENCE CONSTRUCTION
5 - E. VIRGINIA PEAK WING TRAP
6 - COTTONWOOD CANYON WING TRAP
Additional Topographic Map
Red Light F
0210
5032
Cottonwood Stock Trail
1084
NORTH
PARALLEL
Fort Sage - Cottonwood Drift F.
STANDARD
4326
1973 Herd Boundary
1975 Herd Boundary
4325
FIFTH
Hot Springs F
T 24 N
R19E
FLANIGAN ALLOT. BOUNDARY (RED)
PRIVATE LANDS (GREEN)
NATIONAL RESOURCE LANDS (WHITE)

5/2/85

WHOA!

WILD HORSE ORGANIZED ASSISTANCE
INC.
A Foundation for the Welfare of
Wild Free-Roaming Horses and Burros

P. O. Box 555
Reno, Nevada 89504

702-851-4817

May 2, 1985

COPY

Mr. Tom Owens, District Manager
Bureau of Land Management
1050 E. Williams Street, Suite 335
Carson City, Nevada 89701

Dear Mr. Owens:

You must get just as tired of hearing from me as I have writing to you, regarding your proposed actions for wild horses. WHOA's comments to the DEIS and 1601-1792 (N-031) fully described our displeasure with the Reno land use plan and that stance has not altered. Since the Reno EIS is in litigation, it remains to be seen whether the BLM will be able to reconcile whatever decision comes forth with the already actions taken. WHOA wholly disapproves of the stance that Carson City does not have sufficient data to adjust livestock numbers, but uses that same data to reduce wild horse numbers and in some cases totally eliminate them and their herd use area.

Mindful that WHOA does not support the Carson City proposal for wild horses, we in any event, will comment on the Draft Flanigan Wild Horse Removal Plan. I find it sufficient that every other district calls them gather plans and the Carson calls them removal plans, which in my mind, reflects the attitude of the District.

FLANIGAN WILD HORSE REMOVAL PLAN

Numbers of Wild Horses

III. WHOA questions the use of marked horses resighted. The BLM counts using this technique were about 15% over actual numbers in Pine Nuts, Pah Rahs, and Garfield. We reject the notion, without data, that horses simply moved. We question the cencus method and the high estimate of horses. Are the 359 adult animals?

Claiming

Should this occur WHOA wants to know how many trespass animals were captured and the amount of trespass charged. Since the area is 90% federal land it should be fairly easy to assess the damage.

Capture Operations

V. The discription of operations is deficient. The plan does not indicate the distance wild horses will be brought, nor does it give any limitation on that distance. I was told the Pah Rah horses were taken half way from I-80 to Palomino and then picked up again the next day; however, resident time and flight documentation in addition to WHOA's film coverage of the capture, shows wild horses, with a helicopter right on top of them, exhausted and unable to keep pace. Carson City now has the opportunity to be known nationally for those methods.

WHOA will intercede should this occur again and take action under Nevada humane laws. We insist that some limits be put on the distance wild horses can be brought from the sighting to the capture corrals. The temporary corrals give no indication of size. WHOA objects strenuously to any "cowboying" with ropes with terrified and exhaused animals. The helicopter can pick them up another day. I would think with the incidents that have occurred previously with the attempts to rope escaping horses would have discouraged this activity once and for all.

Responsibility

WHOA wants some language in the contract, that contractors will only be paid for the capture and delivery of LIVE animals. Somehow the contractor must be held responsible for sub-contractors that he hires to deliver the horses to Palomino.

How can the COAR determine if horses are stressed or the distance is too long, if he isn't in the helicopter when the horses are captured? What he is told and what happens four miles from his position may be another matter.

VIII.

What is meant by "most humane method possible?"

X.

Safety considerations will be uppermost, then why take chances with roping?

XI.

There appears to be no temperature guidance even though the plan is for some of the hottest months of the year.

Assessment

I. The use of sight remark in 3 other areas were higher than actual populations. WHOA belives these numbers are too high.

I don't suppose that Carson City District remembers the wild horses that it removed from Silver Springs, that supposedly were collared and freed in Flanigan; but in case you do, we would like to have those horses remain in Flanigan. At the time, BLM concurred their coloration and conformation were good additions to the Flanigan range. And, just for once, I'd like BLM in Carson City to keep one of the commitments.

I don't agree with the term "primarily grazed by wild horses" either you have documentation that wild horses are over grazing or you don't. I'd also like to know how you separate out horse use from cow use. While livestock numbers may be low now, for whatever reason, it does not mean that livestock have not over utilized the area in the past, causing some resource damages, attributed to wild horses. If livestock use cannot be documented then the paragraph should be removed.

The Removal Plan reflects the same negative attitude on wild horses that was reflected in the DEIS, a whole lot of assumptions, without any substantiation.

Since the Removal Plan appears to be deficient and more census data will be available in July (personal communication with Anderson 5-2-85), WHOA reserves the opportunity to comment in addendum and review of the contracting language. Please send data from cencus and contract to be put to bid.

Most sincerely,

Dawn Y. Lappin (Mrs.)
Director

cc: E. F. Spang
Board of Trustees
David A. Hornbeck, Esq.