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United States Department of the Interior

BUREAU OF LAND MANAGEMENT
District Office

1050 E. William Street, Suite 335
Carson City, Nevada 89701

IN REPLY
REFER TO:
4700
(N-033)

MAR 11 1983

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

Gentlemen:

Enclosed is a copy of the Draft Marietta Wild Burro Interim Removal Plan and accompanying Environmental Assessment (EA) for your review and comment. Comments should be reviewed at this office no later than April 11, 1983, to be considered in the Final Plan and EA.

If you have any questions, please feel free to contact this office.

Sincerely yours,

Norman L. Murray
acting

Thomas J. Owen
District Manager

Enclosure

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MARIETTA WILD BURRO INTERIM REMOVAL PLAN

I. Objective

The objective of this plan is to discuss the implementation of the proposed action presented in the accompanying Environmental Assessment. Land use planning has not been completed for this area, therefore, to prevent further wild burro habitat deterioration and to maintain wild burros in their historical use area, this interim action is necessary.

II. Area of Concern

The Marietta Wild Burro Herd Use Area is located approximately 20 miles south-east of Hawthorne, Nevada. The historical mining town of Marietta is located near the center of the Herd Use Area (HUA). The major burro use occurs around Teels Marsh (see attached Map No. I). This major use area closely corresponds to the historical use area.

III. Numbers of Wild Burros

The most current aerial census was conducted September 10, 1982. A total of 264 head of burros were counted. During implementation of this plan approximately 189 head will be removed. At least 75 head will remain within the HUA.

IV. Capture Operations

The areas into which the burros have expanded their range during recent years have priority for removal. These areas include: Whiskey Flat, Rattlesnake Flat, Garfield Flat, Huntoon Valley, Little Huntoon Valley, Rhodes Salt Marsh, Belleville, and Basalt Flat. After removal from these areas, the remaining number of burros to be removed will be captured in the major use area around Teels Marsh.

Capture will be performed by BLM personnel. The methods of capture may include one or all of the following:

1. Water Traps - This method involves constructing a temporary corral around a water source. The opening to the corral is affixed with two finger gates. These finger gates are pointed inward with springs attached. The animal can move through the gates to water, but cannot escape because the springs pull the gates almost closed and the fingers are pointed toward the animal. (See attached illustration.) Another method of water trapping involves a trip wire attached to a gate. When animals enter the corral, the wire is tripped, allowing the gate to close trapping the animals inside.

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2. Wing Traps - This method involves constructing a temporary corral from portable panels (height 6 to 7 feet). Extending from the capture corral would be wings (1/8 to 1/4 mile) also constructed from portable panels. The entire trap will be camouflaged with sagebrush or juniper. A helicopter would direct the burros toward the trap. When the burros enter the wings, riders on horseback would fall in behind the animals driving them into the trap. Once the burros enter the trap, the gate would be closed by hand. Should a burro turn back at the trap, it would be roped, if possible, by the riders.
3. Roping - This method is the most common capture method for burros. It involves riders on horseback who pursue and rope the animals, tie them down for a short time, and load them into a waiting stock trailer. The burros may be directed toward the ropers by helicopter. To reduce the possibility of laming animals, the maximum time a burro will be allowed to be tied down will be 4 hours.

When the helicopter is used in either of the later two methods, a BLM employee will make careful determination of boundary lines to serve as an outer limit, within which attempts will be made to herd burros to a given trap or to ropers. Topography, distance and current condition of the burros are factors that will be considered in setting the limits to avoid undue stress on the burros while they are being herded. Each area will be flown prior to the start of trapping to locate any hazards to the burros while being herded (fences, cliffs, etc.). The helicopter will carry a BLM employee only when necessary, and should the burros become unnecessarily stressed during herding, 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.

If temporary corrals are used, the sites 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 resource clearance prior to use. If significant cultural values are found, the trap will be moved.

After capture, the animals will be placed in a central holding corral in or near the capture area. If held overnight or longer, prior to transporting to Palomino Valley Wild Horse and Burro Adoption Facility, the burros will be fed and watered. Because the capture area and the Palomino Valley Facility are located in the same Nevada State Brand Inspection District, the animals will be transported prior to brand inspection.

Capture operations may occur at any time of the year, due to the lack of a peak foaling period among this burro herd.

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V. Responsibility

It will be the responsibility of the Capture Crew Leader from Palomino Valley Corrals to locate the trap sites, provide humane treatment to the burros at all times, work in a safe manner, observe the guidelines set forth in this removal plan, and to determine if destruction of any sick or injured animals is necessary.

The Carson City District Wild Horse and Burro Specialist will have the responsibility to assure that the capture is being conducted in accordance with applicable regulations, BLM policy, and this removal plan. If for some reason the Wild Horse and Burro Specialist is unavailable, the District Staff Range Specialist or a Walker Resource Area Range Conservationist will act in his absence.

VI. 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.

VII. Injuries and Disease

For injuries and disease not requiring destruction, the animal will be transported to Palomino Valley Corrals (PVC). A veterinarian will treat the animal upon arrival at PVC.

VIII. Safety

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

IX. Longevity of the Removal Plan

This plan is in effect until capture of the indicated number of burros is completed. This plan may be modified in the future if population levels or utilization studies affecting population levels indicate a need for removing a different number of animals. The public will be notified if a modification is needed.

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X. Signatures

Prepared by:

Timothy B. Reuwsaat
Timothy B. Reuwsaat
Wild Horse and Burro Specialist

3-10-83
Date

Reviewed by:

Rob E Bennett
Norman L. Murray
Chief, Division of Resources

3-10-83
Date

Acting

Approved by:

J. Matthiessen
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Area Manager
Walker Resource Area

3/10/83
Date

Tom Owen
Thomas J. Owen
District Manager
Carson City District Office

3-10-83
Date

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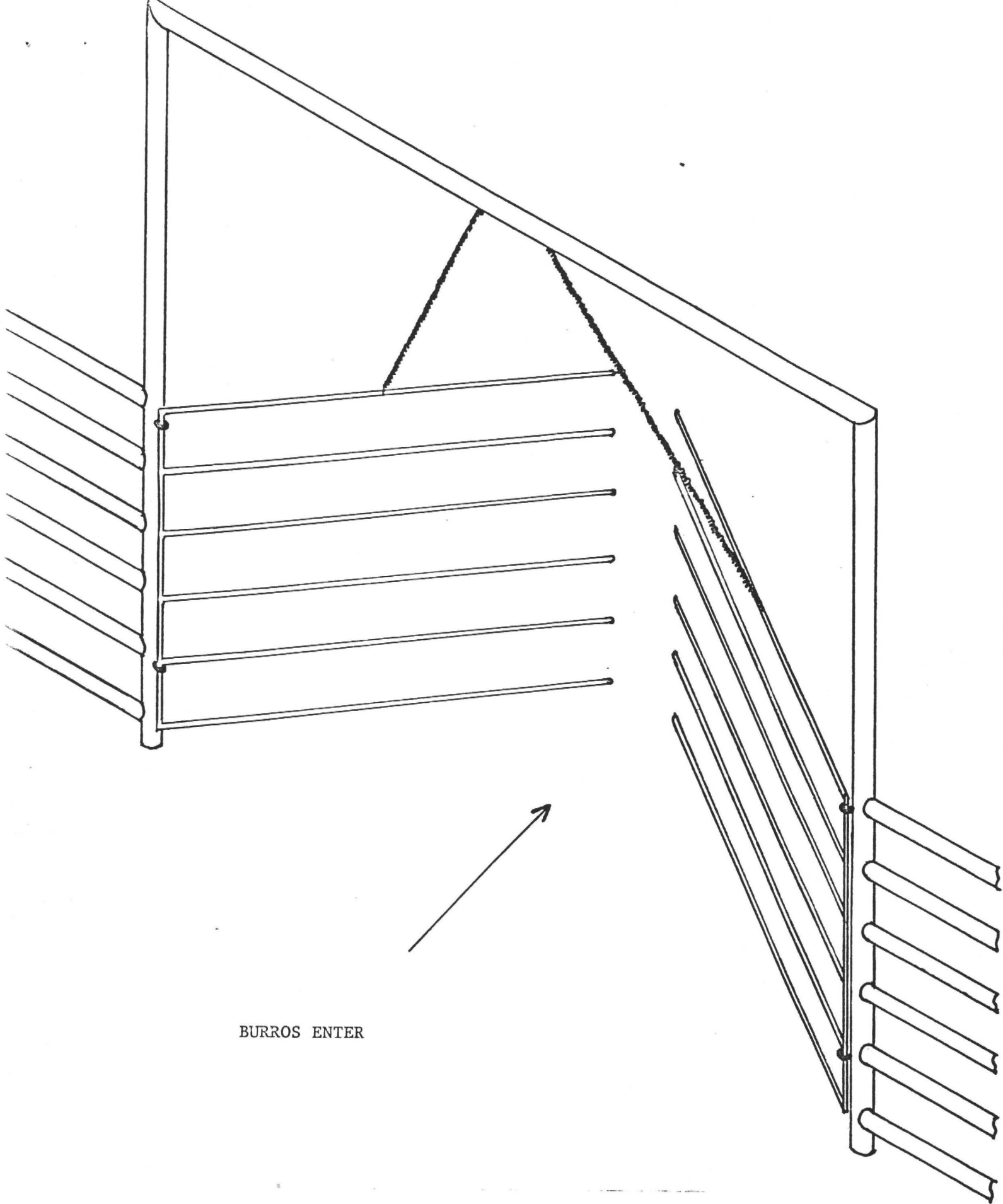
MAP NO. I

Approx. Existing Herd Use Area Boundary
Approx. Historical Use Area Boundary

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BURROS ENTER

TYPICAL WATER TRAP FINGER GATES

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ENVIRONMENTAL ASSESSMENT

Marietta Wild Burro Interim Removal

The purpose of this Environmental Assessment is to analyze the effects of wild burro removal from the Marietta Wild Burro Herd Use Area and other alternatives.

I. DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

The proposed action is to remove approximately 189 wild burros from the Marietta Wild Burro Herd Use Area (HUA). Approximately 75 head of burros would remain within the historical use area. The livestock permittees will voluntarily exclude livestock from the heavy-severe utilization area as delineated on Map III within Marietta Allotment for two years following the capture of burros.

The wild burro capture method will be either water trapping, wing trapping or roping, or a combination thereof.

The animals will be transported to the Palomino Valley Wild Horse and Burro Adoption Center, where they will be made available for adoption to the public.

Reduction is only an interim measure until management population levels can be determined through Land Use Planning.

Alternatives to this proposed action are:

Alternative No. 1 is to remove approximately 189 wild burros from the HUA. The livestock use area would remain as it has been (delineated on Map No. II) which includes the southern portion of the heavy-severe utilization area.

In Alternative No. 2, all livestock use would be suspended within the Marietta Allotment. The wild burro population would be allowed to remain and would not be reduced.

Alternative No. 3 would eliminate all wild burros from the Marietta Wild Burro HUA.

Alternative No. 4 is "no action". Wild burros would not be reduced and the livestock use area would remain as delineated on Map No. II.

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II. DESCRIPTION OF THE EXISTING SITUATION

The Marietta Wild Burro Herd Use Area is located approximately 20 miles southeast of Hawthorne, Nevada (see attached Map No. I). The historical use area surrounds Teels Marsh.

The vegetation of the area consists of Indian ricegrass, galleta grass, bottlebrush squirreltail, desert greasewood, Anderson's wolfberry, shadscale, sagebrush, pinyon pine, rabbitbrush and spiny menadora. The wildlife of the area consists of rabbits, coyotes, chukar, deer and occasional waterfowl and shorebirds. Key deer winter range occurs in the Excelsior Mountains. Yearlong deer habitat occurs in the Jack's Spring Canyon area. The wild burros are expanding their range into the Excelsior Mountains and the Jack's Spring Canyon areas.

Although the HUA takes in all or part of Garfield Flat, Huntoon Valley, Candelaria, Pilot Mountain and Basalt livestock allotments (see attached Map No. II), the major use area of the wild burros is located in 1/3 of the Marietta Allotment. There are two permittees, who run livestock within the allotment. The livestock grazing season on this allotment is from November 1 to April 15. The livestock use which has occurred during the past five years has been confined to the southern portion of the allotment.

The total livestock grazing preference for the allotment is 2015 AUMs. The livestock use within Marietta Allotment for the past five years has been approximately 50% of the preference or less.

One of the livestock permittees applied for and received, in the summer of 1982, a nonrenewable grazing permit in the Candelaria Allotment. One reason for obtaining the permit was that the Marietta Allotment was being overutilized by wild burros and there was no feed left for the cattle.

Aerial helicopter censuses of the wild burros in the area are as shown below:

<u>Date</u>	<u>No. of Burros Counted</u>
1973	68
1975	111
March 1979	220
Dec. 1979	246
Sept. 1982	264

Although these censuses indicate that the trend of the population is increasing, sufficient data is lacking to estimate a rate of increase.

Results of burro inventories in the Black Mountains in Arizona indicated a resight rate of marked burros of 51% to 54% (Census Method for Wild Horses and Burros, University of Minnesota, Final Report of BLM Contract

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No. AA851-CT0-52). This would indicate that censuses for burros undercount the true population. This is probably the case in the Marietta Wild Burro HUA also, but a correction factor for censuses conducted within the HUA has not been established.

As the burro herd increased, they have also expanded their range. During the winter of 1978-1979, twenty-two head were reported in Garfield Flat. In the fall of 1980, burro sign was seen in the canyon leading to Little Huntoon Valley. In 1980, there was use by burros at Belleville Spring and reports that the burros were using springs at the southern end of Rhodes Marsh. In the winter of 1981 and 1982, burros were observed in Huntoon and Little Huntoon Valleys. In the summer of 1982, burros were seen in Rattlesnake Flat. By the fall of 1982, they had expanded into Whiskey Flat. Some individuals have reported seeing the wild burros near Hawthorne.

As a result of the expansion into Huntoon Valley, the Toiyabe National Forest requested that the Carson City District remove the burros before they became established and started competing with the wildlife, wild horses and livestock for which forage has already been allocated for on the Forest administered lands.

There is concern that the burros that have moved into Whiskey Flat may cause automobile accidents on State Route 31.

Because the burros frequent the area along Highway 10 in search of forage, three burros were killed by automobiles during November of 1982. As a result, the Nevada Department of Transportation requested that BLM look into the situation and attempt to locate the burros away from the highway.

In 1978, six burros were shot from Highway 10 along the same portion of the road.

Forage utilization studies have been conducted within the Marietta Allotment.

The heavy and severe utilization within the allotment is concentrated around Teels Marsh (see Map No. III). This major burro use area closely corresponds with the historical burro use area (see Map No. I). The livestock use within the allotment overlaps these utilization classes only slightly in the southern end. The major portion of the heavy and severe utilization classes is grazed only by wild burros. There are three utilization cages located within the severe utilization area. The protected key species, Indian ricegrass, is quite vigorous inside the cages, but outside the plant species is difficult to locate.

Eighty percent of the burros were in the severe use area at the time of the last aerial census, and it is estimated from on-the-ground observations that the burros spend about 80% of their time within this area.

So,

254 head censused x 80% of the burros = 211 head.
211 head x 80% of the time = 169 head.

This means that of the 264 head censused, 169 contribute to the severe (90%) utilization.

Although 55% utilization is the standard yearlong proper utilization (Nevada Range Monitoring Procedures, Nevada Range Studies Task Group, 1981), 40% is used in the following calculations to allow the key wild burro forage species to recover and allow for seedling reestablishment.

Using the Proper Utilization Stocking Rate Formula, and the 169 head,

$$\frac{169 \text{ head}}{90\% \text{ Utilization}} = \frac{?}{40\%} = 75 \text{ head}$$

The difference between the 264 head censused and the 75 head remaining is the resulting 189 head that should be removed from the expansion area and the major use area.

III. ANALYSIS OF THE PROPOSED ACTION AND ALTERNATIVES

A. Proposed Action

1. Impacts

The social structure of the wild burros may be disrupted during capture attempts.

Burros may experience stress during capture operations, but would eventually benefit when adopted and given proper care. Some of the burros may be injured or killed in the process of capture or being transported to the adoption center.

The burros that are left in Marietta will have better habitat as a result, as the competition for food and water by their own kind will be greatly reduced.

The vegetative resource in the area will probably recover from the severe overuse that is occurring. The grasses would have a chance to recover their vigor and reestablish themselves once they are allowed to go to seed. Amount of vegetation recovery depends on future climatic conditions.

Limiting the livestock use to that area outside of the heavy-severe utilization areas will insure that the forage

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plants in the heavy and severe utilization areas will have a chance for recovery. This will create some hardship for the permittees, since they will have to push the animals to the south periodically.

The reduction of the wild burros would make the area more desirable for wildlife due to better forage conditions. The reduction of the burros would also reduce most of the burro use from the deer winter range in the Excelsior Mountains.

Removal of the burros from Whiskey Flat will eliminate the chance of automobile accidents occurring due to the presence of burros on the highway. The public safety will be enhanced and the chance for burros being killed or injured will be eliminated, unless the burros range into this area again.

Also, the reduction of burros would lower the chance of burros being involved in highway accidents on Highway 10.

The wildlife, wild horses and livestock on Forest Service administered lands in the Huntoon Valley Area would benefit. There would be no competition for the already allocated forage by the burros when removed from this area.

Soil and vegetation disturbance may result as a result of capture operations.

Injury to saddle horses and capture personnel may occur during capture operations.

Possible Mitigating or Enhancing Measures

- a. Burros, when roped, should not be tied down longer than 2 hours, the maximum time allowed will be 4 hours. This is to reduce the possibility of laming a burro.
- b. Wings on the corrals or traps will be constructed of materials and in such a manner as to minimize injury to the burros.
- c. The roundup will be conducted following the Bureau's safety guidelines for capture operations.
- d. No new roads, trails or permanent structures will be constructed in the area.
- e. Livestock use will be made in the Candelaria Allotment, rather than Marietta, to the extent possible, for at least two years following the burro reduction.

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- f. The roundup will be conducted to the extent possible that only whole bands be removed so band structure would not be disturbed.

Recommendations for Mitigation or Enhancement

All the possible mitigating or enhancing measures be adopted.

Residual Impacts

A very small disturbance to the soil and to vegetation cannot be avoided under the proposed action. Natural revegetation will reduce the severity of the disturbance over a period of time.

Injury and death of some wild burros may occur despite safety and humane precautions.

Injury to personnel may occur even though safety precautions will be taken.

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

The removal of burros from the area would alleviate current heavy use of the area, but over a long-term period, the wild burro population will probably rebuild. The wild burro population will have to be reduced periodically or the long-term productivity of the area will be affected.

3. Irreversible and Irretrievable Commitments of Resources

None.

B. Alternative No. 1

1. Impacts

The social structure of the wild burros may be disrupted during capture attempts.

Burros may experience stress during capture operations, but would eventually benefit when adopted and given proper care. Some of the burros may be injured or killed in the process of capture or being transported to the adoption center.

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The burros that are left in Marietta will have better habitat as a result, as the competition for food and water by their own kind will be greatly reduced.

The vegetation resource in the majority of the heavy-severe utilization area will probably recover from the severe overuse that is occurring. The grasses would have a chance to recover their vigor and reestablish themselves once they are allowed to go to seed. Amount of vegetation recovery depends on future climatic conditions.

If livestock used the allotment as is presently done, the chance for vegetation recovery in the southern portion of the heavy-severe utilization area would not be as good as with implementation of the proposed action.

The reduction of the wild burros would make the area more desirable for wildlife due to better forage conditions. The reduction of the burros would also reduce most of the burro use from the deer winter range in the Excelsior Mountains.

Removal of the burros from Whiskey Flat will eliminate the chance of them being killed or injured by automobiles. Also, the public safety would be enhanced. The reduction of burros would lower the chance of burros being involved in highway accidents on Highway 10.

Wildlife, wild horses and livestock on Forest Service administered lands in the Huntoon Valley area would benefit from this alternative by the burros. There would be no competition for the already allocated forage when they are removed from this area. Soil and vegetation disturbance may result as a result of capture operations.

Injury to saddle horses and capture personnel may occur during capture operations.

Possible Mitigating or Enhancing Measures

- a. Burros, when roped, should be tied down no longer than two hours, the maximum time allowed will be four hours. This is to reduce the possibility of laming a burro.
- b. Wings on the corrals or traps will be constructed of materials and in such a manner as to minimize injury to the burros.
- c. The roundup will be conducted following the Bureau's safety guidelines for capture operations.

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- d. No new roads, trails or permanent structures will be constructed in the area.
- e. The roundup will be conducted to the extent possible that only whole bands be removed so band structure would not be disturbed.

Recommendations for Mitigation or Enhancement

All the possible mitigating or enhancing measures be adopted.

Residual Impacts

A very small disturbance to the soil and to vegetation cannot be avoided under the proposed action. Natural revegetation will reduce the severity of the disturbance over a period of time.

Injury and death of some wild burros may occur despite safety and humane precautions.

Injury to personnel may occur even though safety precautions will be taken.

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

The removal of burros from the area would affect the short-term heavy use of the area, but over a long-term period, the wild burro population will probably rebuild. The wild burro population will have to be reduced periodically or the long-term productivity of the area will decrease.

3. Irreversible and Irretrievable Commitments of Resources

None.

C. Alternative No. 2 - All livestock use would be suspended within the Marietta Allotment. The burro population would not be reduced.

1. Impacts

Elimination of livestock use on the allotment could present a hardship to the two permittees. They would have to attempt to make arrangements to graze their livestock on alternative areas.

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The vegetation in the livestock use area would benefit slightly, but burros would continue to forage within the heavy-severe utilization area. Some forage plants would disappear from the continued constant use. The basic vegetation community would change with encroachment of invader species, therefore, causing deterioration of the burro habitat. The loss of suitable habitat would have an adverse effect on the animals themselves. Migration to new areas may affect animal behavior and social interactions. As the burros expand their range, they would compete for forage with existing wild horse, wildlife and livestock use.

The probability of motor vehicle accidents involving burros would increase as the burros expand their range and increase in numbers.

No stress would be placed on the wild burros due to capture operations, but there would be additional stress from the burros having to search for available forage and water sources in areas away from their historical use area.

Possible Mitigating or Enhancing Measures

- a. Transfer all livestock grazing preference to other areas.
- b. Fence highways where burros might become involved in accidents.

Recommendation for Enhancement or Mitigation

- a. One of the permittees in the Marietta Allotment has received a permit for the Candelaria Allotment. There are no other allotments nearby that have any available preference.
- b. Fence construction would inhibit the free-roaming movement of the burros, so shall not be adopted.

Residual Impacts

All impacts would occur as stated.

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

With removal of livestock, the utilization would be decreased in the livestock use area for 1 to 2 years, but as the wild burro population increased through natural demographics, the forage utilization would increase.

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3. Irreversible and Irretrievable Commitments of Resources

The constant utilization of the forage plants may eliminate those species from the area. At that time, some burros may die of starvation if they remain in the historical use area and do not range to other areas in search of available forage.

D. Alternative No. 3 - All wild burros would be removed.

1. Impacts

This alternative would eliminate the burro population that now occurs in the area. The public would lose the opportunity to observe wild burros in this herd use area.

The vegetation resource would benefit from this action. The forage plant species would increase in vigor and seedling reestablishment would occur. The time period and amount of increased plant vigor and seedling reestablishment would depend on the amount of livestock use.

Competition with wildlife and for mutual habitat requirements would be eliminated.

Possible Enhancing or Mitigating Measures

All measures identified under the Proposed Action with the exception of Measure "g" should be considered.

Recommendation for Enhancement and Mitigation

All presented above.

Residual Impacts

A small amount of soil and vegetation disturbance would be associated with the temporary trap sites. Natural revegetation would reduce or eliminate this disturbance over time.

Injury or death to some wild burros may occur despite safety and humane precautions.

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

The complete removal of all the burros from the area would eliminate the long-term population productivity of the burros.

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The complete removal would also have a short-term large increase in vegetation in the area and over a long-term, the productivity would level off.

3. Irreversible and Irretrievable Commitments of Resources

None.

E. Alternative No. 4 - No Action. The wild burro population would not be reduced. Livestock use would be allowed to be run as presently done.

1. Impacts

Impacts would be the same as in Alternative No. 2, with the exception that the livestock permittees would still be allowed to use the allotment. The livestock use area would be subject to increased utilization.

Possible Mitigating and Enhancing Measures

Same as Alternative No. 2.

Recommendations for Mitigation and Enhancement

Same as Alternative No. 2.

Residual Impacts

All impacts as stated.

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

Utilization would continue as is in the short term, with eventual vegetation change and species disappearance in the long term.

3. Irreversible and Irretrievable Commitments of Resources

None.

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IV. Persons, Groups and Government Agencies Consulted

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

American Horse Protection Association
American Humane Association
Animal Protection Institute
U.S. Humane Society
International Society for the Protection
of Wild Horses and Burros
Funds for Animals
National Mustang Association
National Wild Horse Association
Nevada Farm Bureau Federation
Tina Nappe
Sierra Club
Nevada Cattlemen's Assn.
Nevada Wildlife Federation
Nevada Humane Society
State Clearinghouse
Wild Horse Organized Assistance
Save the Mustang
Nevada State Department of Agriculture
American Bashkir Curley Register
Humane Society of Southern Nevada
Wild Horse and Burro Committee
for National Academy of Science
Toiyabe National Forest
Mineral County Board of Commissioners
Queen Valley Ranch
Harris Brothers
Mervin McKay
Rod McKay
Sweetwater Ranch Company.

In addition, if sufficient interest exists, a public meeting will be held in a locality near the capture area which will be open to the public.

V. Intensity of Public Interest

Public interest is anticipated to be moderate to high. Residents near the area have opposing opinions on removal of wild burros.

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VI. Participating and Reviewing Staff

Prepared by:

Timothy B. Reuwsaat
Timothy B. Reuwsaat
Wild Horse and Burro Specialist

3-10-83
Date

Reviewed by:

Rob E. Bennett
Norman L. Murray
Chief, Division of Resources

3-10-83
Date

Acting

Stephen A. Weiss
Stephen A. Weiss
Environmental Coordinator

March 10, 1983
Date

J. Matthiessen
J. Matthiessen
Area Manager
Walker Resource Area

3/10/83
Date

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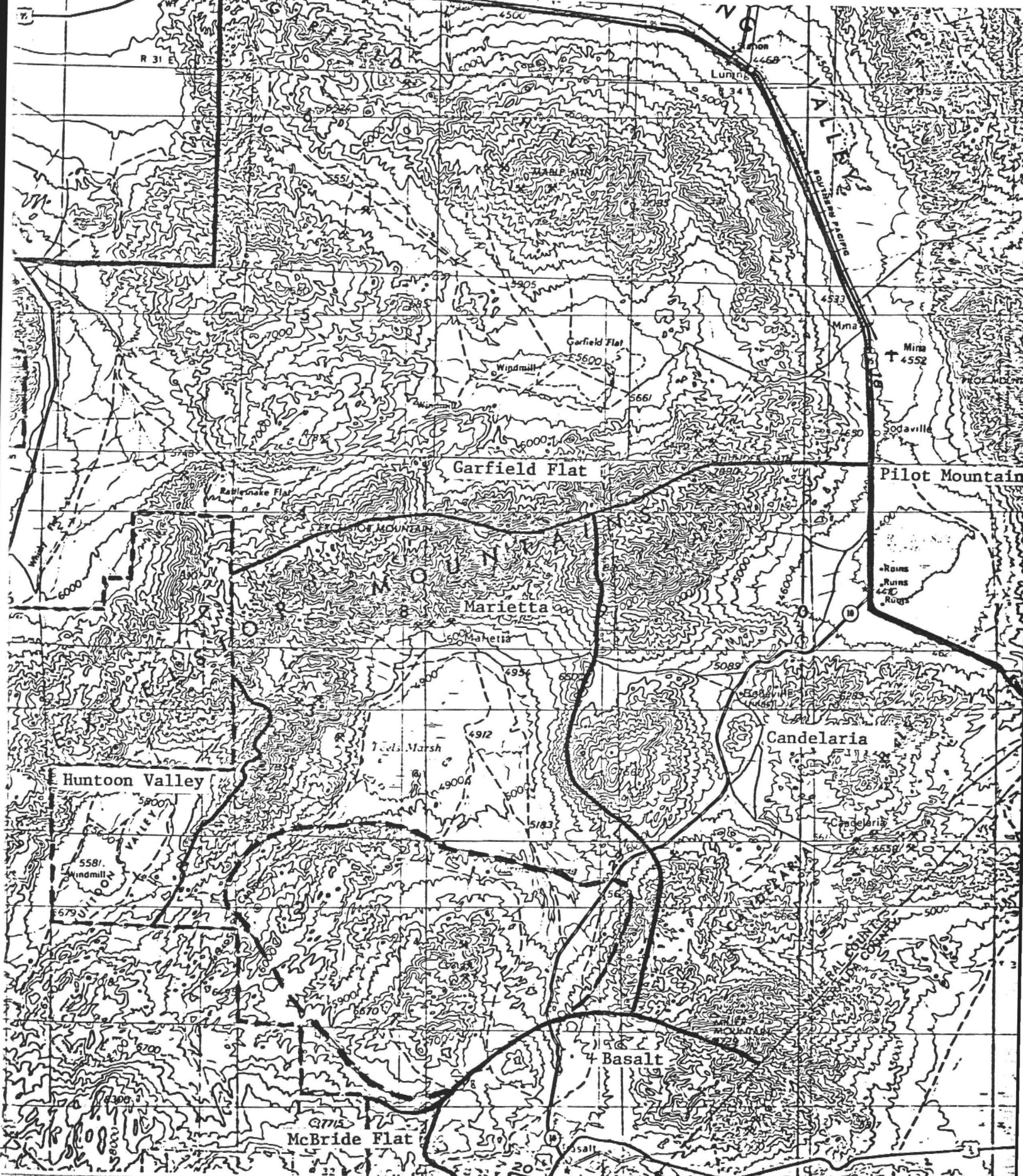
MAP NO. I

Approx. Existing Herd Use Area Boundary ———
Approx. Historical Use Area Boundary - - - - -

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Approx. Utilization Class Boundaries

(Average Past 3 Years)

Heavy (HV) ———

Severe (SV) - - -

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MAP NO. III

