



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
CARSON CITY DISTRICT OFFICE
1535 Hot Springs Rd., Ste. 300
Carson City, Nevada 89701

8/26/87
G
IN REPLY REFER TO:

4700
(NV-033)

AUG 26 1987

Wild Horse Organized Assistance
P.O. Box 555
Reno, NV 89504

Gentlemen:

Enclosed is a copy of the Draft Marietta Wild Burro and Pilot Mountain Wild Horse Removal Plan and accompanying Environmental Assessment.

Please review these documents and comment if you so desire. Comments must be received at this office by September 25, 1987, for consideration in the Final Plan.

Sincerely yours,

Norman L Murray
acting

James W. Elliott
District Manager

Enclosure:
As Stated Above

MARIETTA WILD BURRO
AND
PILOT MOUNTAIN
WILD HORSE REMOVAL PLAN

I. Purpose

The purpose of this plan is to discuss the implementation of the proposed action in the accompanying environmental assessment. The proposed action is to remove excess numbers of wild horses with the use of a helicopter, to bring the population of wild horses in the Pilot Mountain Herd Management Area (HMA) down to the appropriate management level identified in the Walker Resource Management Plan and the Esmeralda-Southern Nye RMP. The proposed action also includes removing excess numbers of wild burros with the use of a helicopter and/or roping to adjust the population of wild burros in the Marietta Wild Burro Herd Management Area to the level identified in the Marietta Wild Burro Herd Management Area Plan.

II. Areas of Concern

The areas of concern are the Pilot Mountain Wild Horse Herd Management Area and the Marietta Wild Burro Herd Management Area. The Pilot Mountain HMA is located approximately 30 miles east of Hawthorne, Nevada. The Marietta HMA is located approximately 25 miles southeast of Hawthorne, Nevada (see attached Maps I and II).

III. Number of Wild Horses and Burros

The most recent census in the Pilot Mountain HMA, conducted May 27 and 28, 1987, resulted in an actual count of 1158 head. The appropriate management level for the HMA is 466, therefore 692 excess wild horses will be removed. When the capture operations result in capture nearing the 692, another census shall be conducted. This census result will determine if additional excess animals (above the appropriate management level) exist and additional capture is required.

The most recent census in the Marietta HMA, conducted May 29, 1987, resulted in an actual count of 163 burros. The management method from the Marietta Herd Management Area Plan to be implemented, calls for an adjustment to approximately 70 head. Therefore, a reduction of 93 head is required. When capture operations result in capture nearing the 93 head, another census shall be conducted. This census result will determine if there are additional animals above the 70 head level and if additional capture is required.

IV. Methods for Removal and Safety

The methods employed during this capture operation will be herding horses with a helicopter to a trap built with portable panels. The burros will be also herded with a helicopter to a trap built with portable panels or to riders on horseback and roped near a portable corral. The Bureau of Land Management will contract with a private party for this operation. Two or more Bureau employees will be supervising the contractor at all times during the gathering operation. The following stipulations and procedures will be followed during the contract to ensure the proper areas are captured and to ensure the welfare, safety and humane treatment of the wild horses.

A. Roundup Procedures within Contract Area:

1. There is no order of preference for capture of animals by Herd Management Area (HMA). However, animals outside these HMAs in the expansion areas will receive priority for removal as follows:

Marietta HMA

<u>Priority</u>	<u>Expansion Area</u>
1	Storm/Silver Dyke Canyons
2	Eastside Mine
3	Jacks Spring Canyon
4	Huntoon/Little Huntoon Valleys
5	Within Herd Mgmt. Area

Pilot Mtn. HMA

<u>Priority</u>	<u>Expansion Area</u>
1	Cedar Mountain
2	Within Herd Mgmt. Area

2. The expansion areas shall be subject to removal of all animals. After removal of the animals from the expansion areas, then the remaining numbers of animals to be gathered in this contract will be removed from within the respective Herd Management Area.
3. The COR will determine specific roundup areas and numbers of animals within general contract areas as animal concentration, terrain, physical barriers and weather conditions dictate. Upon determination of the specific roundup areas, the COR will select the general location of trap sites in which to herd the animals, also dependent on animal concentration, terrain, physical barriers and weather conditions.

B. Motorized Equipment

1. 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.
2. Vehicles shall be in good repair, of adequate rated capacity, and operated so as to insure that captured animals are transported without undue risk or injury.
3. Only stocktrailers shall be allowed for transporting animals from traps to temporary holding facilities. Only Bobtail trucks, stocktrailers, or single deck trucks shall be used to haul animals from temporary holding facilities to final destination. Sides or stockracks of transporting vehicles shall be a minimum height of 6 feet 6 inches from vehicle floor. Single deck trucks with trailers 40 feet or longer shall have two partition gates to separate animals. Trailers less than 40 feet shall have at least one partition gate to separate the animals. The use of double deck trailers is unacceptable and shall not be allowed.
4. All vehicles used to transport animals to final destination shall be equipped with doors at the rear end of the vehicle. At least one of these rear doors shall be capable of sliding either horizontally or vertically.
5. Floors of vehicles and loading chute shall be covered and maintained with a non-skid surface such as sand, mineral soil or wood shavings, to prevent the animals from slipping.

This will be confirmed by a BLM employee prior to loading every load.

6. The number of animals to be loaded and transported in any vehicle shall be as directed by the COR and may include limitations on numbers according to age, size, sex, temperament and animal condition.

The BLM employee supervising the loading of the wild horses to be transported from the trap to the temporary holding corral will require separation of small foals and/or weak horses from the rest should he/she feel that they may be injured during the trip. He/she will consider the distance and condition of the road in making this determination. Horses shipped from the temporary holding corral to the BLM facility will be separated by studs, mares and foals (including small yearlings). However, if the numbers of these classes of animals are too few in one compartment and too

many in another, animals may be shifted between compartments to properly distribute the animals in the trailer. This may include placing a younger, lighter stud with the mares or a weak mare with the foals. Further separation may be required should condition of the animals warrant. However, recent observations indicate the condition of the animals to be good.

The BLM employee supervising the loading will exercise his authority to off-load animals should he feel there are too many horses on the trailer.

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

It is currently planned to ship all horses to the Palomino Valley facility. All loads will be shipped in order to off-load at the final destination during daylight hours.

Communication lines have been established with the Palomino Valley personnel involved in off-loading the horses, to receive feedback on how the horses arrived. Should problems arise, shipping methods and/or separation of the horses will be changed in an attempt to alleviate the problems.

8. If the COR determines that dust conditions are such that the animals could be endangered during transportation, the contractor will be instructed to adjust speed. The maximum distance over which animals may have to be transported on dirt road is approximately 20 miles per load.

Periodic checks by BLM employees will be made as the horses are transported along dirt roads. If speed restrictions are placed in effect, then BLM employees will, at times, follow and/or time trips to ensure compliance.

C. Trapping and Care

1. All capture attempts of wild horses shall be accomplished by the utilization of a helicopter. Wing riders may be used if necessary. Roping will be done only when necessary, with prior approval by the COR. Under no circumstances shall animals be tied down for more than one hour.

Roping will be allowed only to capture an orphaned foal or a suspected wet mare.

Capture attempts of wild burros may be accomplished either by the utilization of a helicopter or roping at the preference of the contractor. When helicopter trapping is used, wing riders may be utilized. Under no circumstances shall animals be tied down for more than one hour. Every possible attempt shall be made by the roper to maintain slack in the rope when the animal has been captured by roping.

The BLM employees will especially be aware of the potential for choking down a burro which has been roped and will constantly observe the contractor during this phase of the operation to ensure it doesn't happen.

2. The helicopter shall be used in such a manner that bands or herds will remain together as much as possible.

The Carson City District will use an observation helicopter as the primary means in which to supervise the use of the project helicopter. In the absence of an observation helicopter, the project helicopter or saddle horses may be used to place a BLM observer on a point overlooking the area of the helicopter herding the wild horses.

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

BLM will not allow horses to be herded more than 10 miles nor faster than 20 miles per hour. The COR may determine the distance and rate needs to be reduced if the route to the trap site is so steep and/or rocky that wild horses are being stressed or risk injury.

Temperature limitations are 10° F. as a minimum and 95° F. as a maximum.

Special attention will be given to avoiding physical hazards such as fences. Maps III and IV show locations of fences and any other potential hazards.

4. It is estimated that five trap locations will be required to accomplish the work. All trap locations and holding facilities must be approved by the COR prior to construction. The contractor may also be required to change or move trap locations as determined by the COR. All traps and holding facilities not located on public land must have prior written approval of the landowner.

If tentative trap sites (see Maps III & IV) are not located near enough to the concentrations of horses, then the trap site will not be approved. The COR will move the general

location of the trap closer to the horses. Trap sites will not be approved where barbed-wire fences are used as wings, wing extensions, or to turn the horses, during herding, toward the trap.

5. All traps, wings and holding facilities shall be constructed, maintained and operated to handle the animals in a safe and humane manner. Traps and holding facilities shall be constructed of portable panels, the top of which shall not be less than 72 inches high, the bottom rail of which shall not be more than 12 inches from the ground level. All traps and holding facilities shall be oval or round in design. All loading chute sides shall be fully covered with plywood or like material. The loading chute shall also be a minimum of 6 feet high. All runways shall be a minimum of 20 feet long and a minimum of 6 feet high and shall be covered with plywood or like material a minimum of 1 foot to 5 feet above ground level. Wings shall not be constructed out of barbed-wire or other materials injurious to animals and must be approved by the COR. All crowding pens including the gates leading to the runways shall be covered with material which prevents the animals from seeing out (plywood, burlap, etc.) and shall be covered a minimum of 1 foot to 5 feet above ground level.
6. No fence modification will be made without authorization from the COR. The contractor shall be responsible for restoration of any fence modification which he has made.

If the route the contractor wishes to herd horses passes through a fence, the contractor will be required to roll up the fencing material and pull up the posts to provide at least one-eighth mile of gap. The standing fence on each side of the gap will be well-flagged for a distance of 300 yards for the gap on each side.

7. When excessive dust conditions occur within or adjacent to the trap or holding facility, the contractor shall be required to wet down the ground with water at such location as directed by the COR.
8. Alternate pens, within the holding facility shall be furnished by the contractor to separate mare with small foals, sick and injured animals, and estray animals from the other horses. Where required by the COR, 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.

As a minimum, studs will be separated from the mares and foals when the animals are held overnight.

9. Animals shall be transported to final destination from temporary holding facilities within 24 hours after capture unless prior approval is granted by the COR for unusual circumstances. 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.
10. Animals held for 10 hours or more in the traps and/or holding facilities shall be provided fresh clean water by the contractor, in an amount of a minimum 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.

If some animals are held in the trap overnight, the studs will be separated from the mares and foals.

11. It is the responsibility of the contractor to provide security to prevent loss, injury or death of captured animals until delivery to final destination.
12. The contractor shall restrain sick or injured animals so that they may be provided treatment by the COR. The COR will determine if injured animals must be destroyed and provide for destruction of such animals. The contractor shall dispose of the carcasses as directed by the COR.
13. When refueling, the helicopter shall remain a distance of at least 1,000 feet or more from animals, vehicles (other than fuel truck), and personnel not involved in refueling.

V. Disposition of Removed Animals

The wild horses and burros will be sent to Palomino Valley Wild Horse and Burro Placement Center to be processed for adoption.

Impounded, privately-owned animals will be processed as outlined in the Bureau of Land Management, Nevada State Office Instruction Memoranda NV-84-16 and NV-85-416.

VII. Responsibility

The Contracting Officer's Representative and Project Inspectors, all from the Carson City District, have the responsibility to ensure the contractor's compliance with the contract stipulations. However, the Walker Area Manager and the Carson City District Manager are very involved with guidance and input into this removal plan and contract monitoring.

The COR and/or Project Inspector (PI) will constantly, through observation, evaluate the contractor's ability to perform the required work in accordance with the contract stipulations.

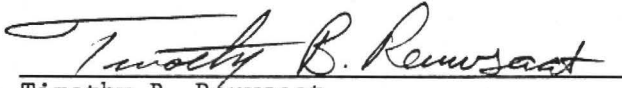
Compliance with the contract stipulations will be through issuance of written instructions to the contractor, stop work orders and default procedures should the contractor not perform work according to the stipulations.

Prior to issuance of the "Notice to Proceed" to the contractor, the COR and PIs will inspect the equipment to be used during the contract, to insure the equipment meets or exceeds the standards contained in the contract stipulations.

Prior (less than 20 days) to the start of the contract, the COR and/or PIs shall inspect the condition of the animals and the roads the animals will be transported over. The condition of the animals and the roads will be evaluated to determine if further constraints need be initiated in order to safely capture and transport the animals.

VIII. Signatures

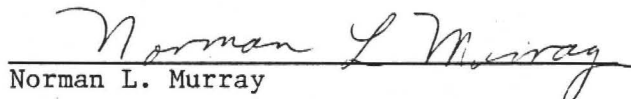
Prepared by:



Timothy B. Réuwsaat
Wild Horse and Burro Specialist
Carson City District

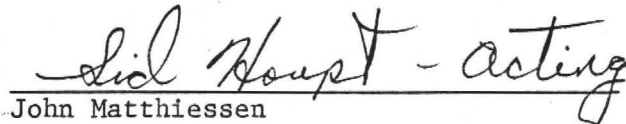
9/30/87
Date

Concurred by:



Norman L. Murray
Assistant District Manager, Resources

9-30-87
Date



John Matthiessen
Area Manager
Walker Resource Area

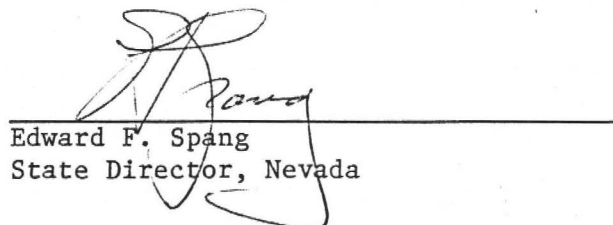
30 Sept 1987
Date



James W. Elliott
District Manager

9/30/87
Date

Approved by:

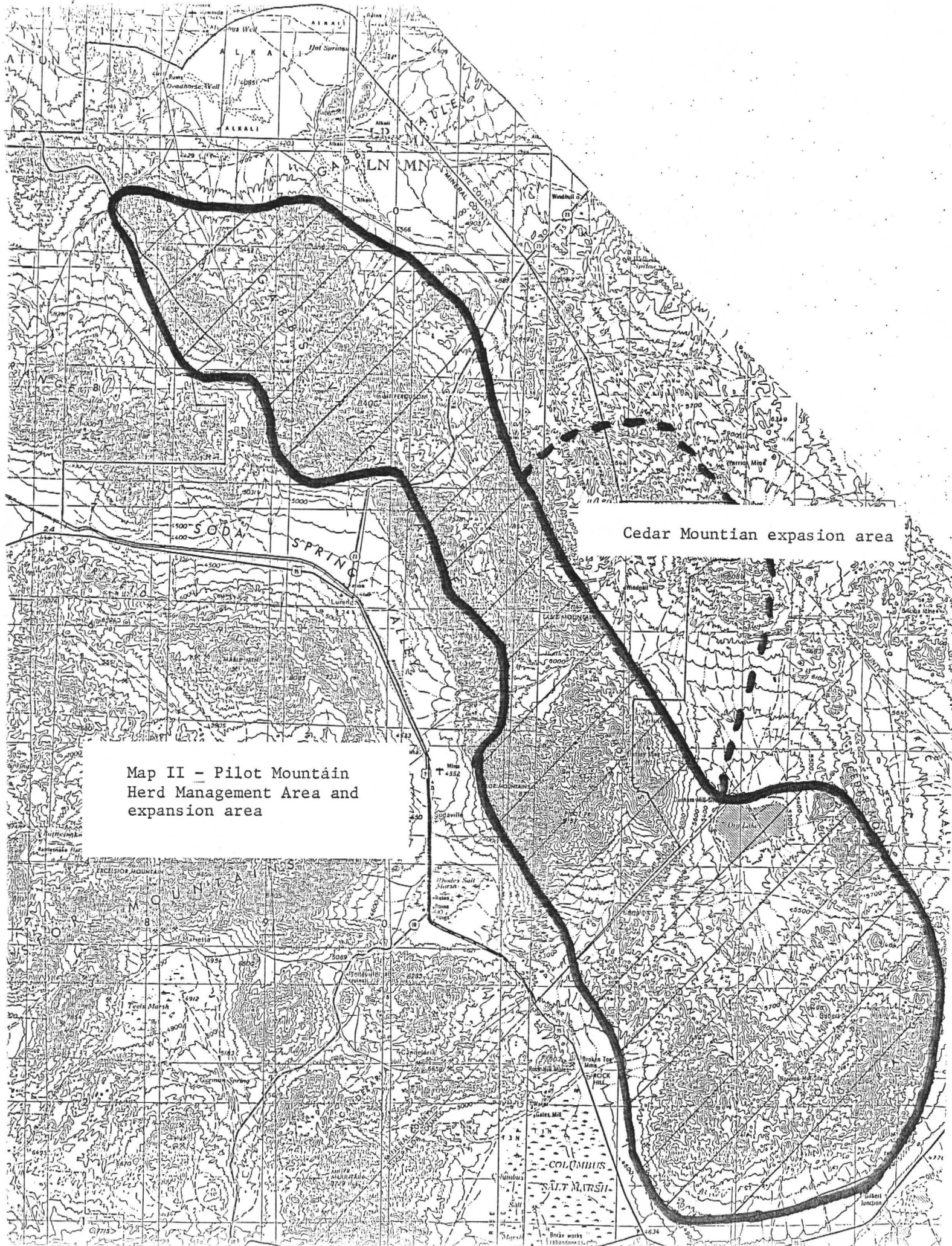


Edward F. Spang
State Director, Nevada

10/5/87
Date


Map I - Marietta Herd
Management Area and
expansion areas


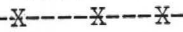




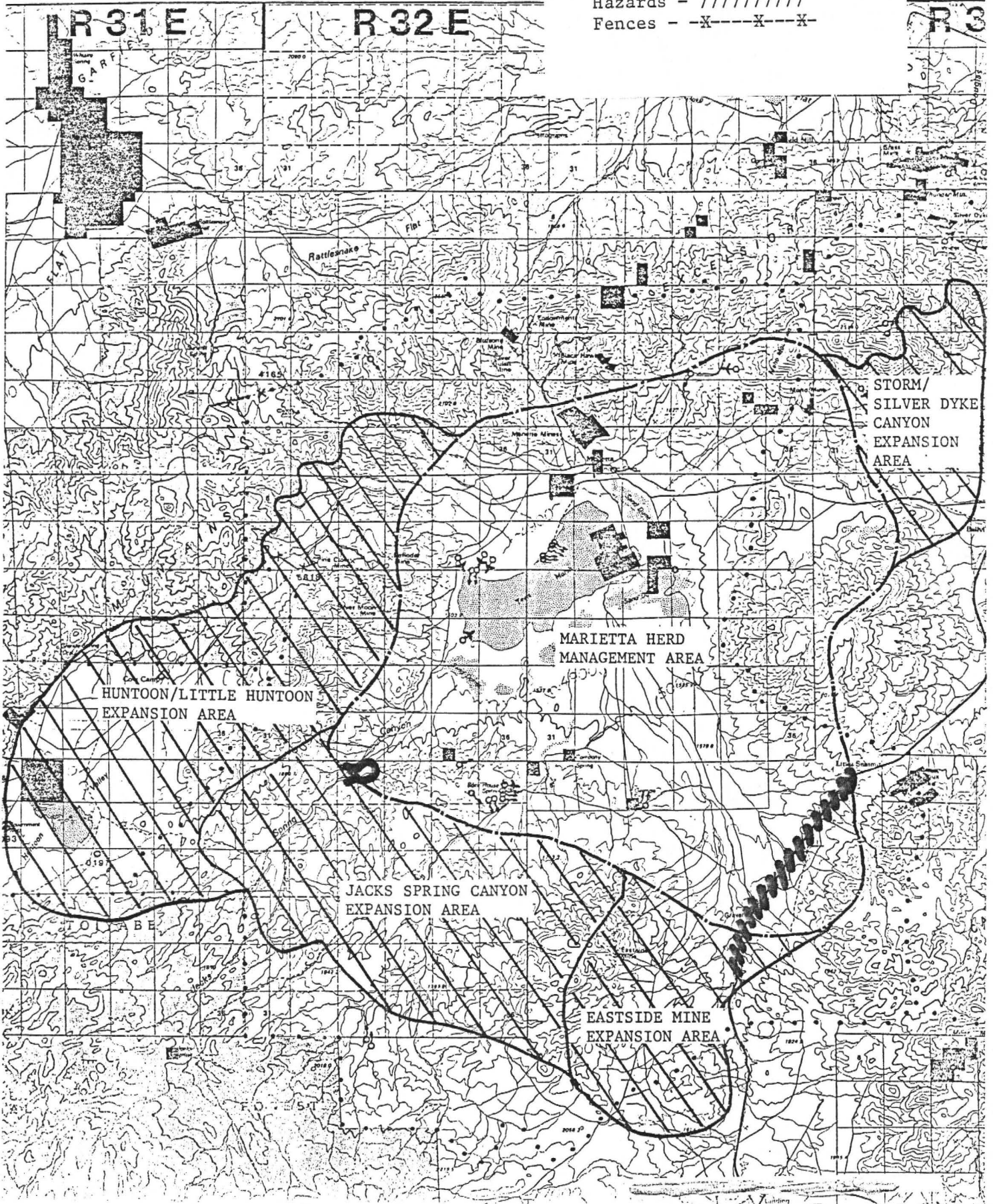
Map II - Pilot Mountain
Herd Management Area and
expansion area

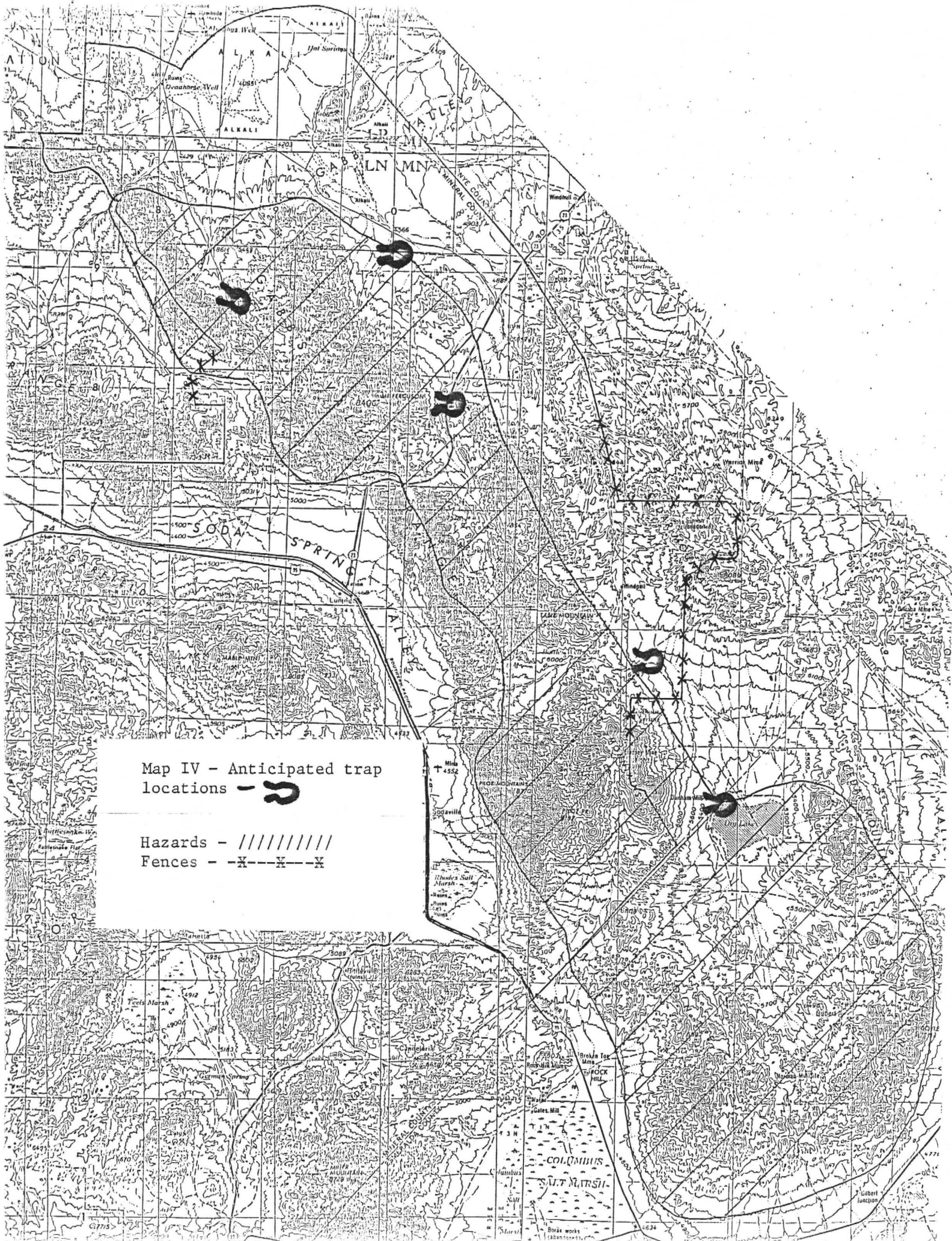
Cedar Mountain expansion area

Map III-Anticipated trap locations - 

Hazards - 
Fences - 

R 33





Map IV - Anticipated trap locations

Hazards - // // // // //
Fences - -X--X--X

FINDING OF NO SIGNIFICANT IMPACT

Marietta Wild Burro and Pilot Mountain Wild Horse Removal

Decision

Impacts associated with implementation of the proposed action are not of a significant nature, therefore, an Environmental Impact Statement is not required.

The proposed action of removing approximately 93 wild burros and 692 wild horses will be implemented. The action is necessary to bring the population of wild horses to the appropriate management level for the Pilot Mountain Herd Management Area in accordance with the Walker Resource Management Plan and adjust the wild burro population in accordance with the Marietta Herd Management Area Plan.

Rationale

Based on the environmental assessment, a net beneficial impact would result from implementing the proposed action. The proposed action is the most feasible method of wild horse and burro removal.

Public interest was light based on the small number of responses to the draft removal plan. Two responses were received, both concerned with the details of humane and safe animal capture.

Approved:

John Matthiessen
John Matthiessen
Area Manager
Walker Resource Area

30 September 1987
Date

Concurred:

James W. Elliott
James W. Elliott
District Manager
Carson City District

9/30/87
Date

ENVIRONMENTAL ASSESSMENT

Marietta Wild Burro and Pilot Mountain Wild Horse Removal

I. INTRODUCTION AND PURPOSE

The Walker Resource Management Plan (RMP) identified an appropriate management level for wild horses in the Pilot Mountain Herd Management Area of 397 head (a combination of Gabbs and Pilot Mountain subunits). The Esmeralda-Southern Nye RMP identified 69 head as initial management level in the Dunlap Herd Management Area (HMA). A county line separates the HMAs, therefore, the Carson City and Battle Mountain Districts have entered into an Interdistrict Agreement to manage the wild horse herd as one, with lead responsibility assigned to Carson City District. The most recent census for the entire HMA, resulted in an actual count of 1158 head, therefore, 692 excess wild horses exist.

The Marietta Wild Burro Herd Management Area Plan identified a 70 head level in which to adjust the wild burro population to during reductions. The most recent census resulted in 163 actual count, therefore, 93 head shall be removed to implement the plan.

The purpose of this environmental assessment is to analyze impacts associated with alternative methods of removal.

II. DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

- A. The proposed action is to remove excess wild horses in the Pilot Mountain Herd Management Area through the use of a helicopter and other motorized equipment. The wild horses would be herded by a helicopter into traps constructed of portable steel panels. The Bureau of Land Management would contract with a private party for the removal operation. The contractor would be supervised at all times by at least two Bureau employees.

In addition, excess wild burros in the Marietta Herd Management Area would be removed through the use of a helicopter herding the burros into a portable trap or by herding the burros past riders on horseback, and then roped. This removal operation would also be contracted to a private party and would be supervised at all times by at least two Bureau employees.

- B. Alternative No. 1 is to conduct the removal operations through the use of water traps. Traps consisting of portable panels would be constructed around water sources and the horses and burros caught when coming into water.
- C. Alternative No. 2 is to conduct the removal by herding the wild horses and burros from horseback. Riders would herd horses and burros into traps built on portable steel panels.
- D. The no action alternative is to not conduct the wild horse and burro removals. The appropriate management level and the adjusted population level identified for the Pilot Mountain Herd Management Area and Marietta Herd Management Area would not be met.

III. AFFECTED ENVIRONMENT

A. Wild Horses

The Pilot Mountain Herd Management Area is located approximately 30 miles east of Hawthorne, Nevada. The Marietta Herd Management Area is located approximately 30 miles southeast of Hawthorne, Nevada. Attached are maps showing location and the boundaries of the removal area.

As described in the Introduction and Purpose, the numbers of animals within each HMA are in excess of the level identified within applicable RMPs and HMAPs.

B. Vegetation

Vegetation types vary by elevation and topography from pinyon-juniper at the higher elevations to sagebrush, shadscale and greasewood at the lower elevations.

C. Water

There are twenty-seven flowing springs in the Marietta HMA, 9 of which are on private lands. The Pilot Mountain HMA has greater than sixty flowing wells, several of which are on private land.

D. Wilderness

There is one Wilderness Study Area within the Pilot Mountain HMA. Attached is a map which shows the delineation of the Gabbs Valley Range Wilderness Study Area. As a standard operating procedure, no traps, holding corrals or motorized ground vehicles will be allowed within the boundary.

E. Cultural Resources

Cultural resources exist within the gather area. Temporary trap sites or water barriers could impact these. As a standard operating procedure, all sites will receive a cultural clearance prior to construction.

F. Threatened and Endangered Species

There are no known threatened and endangered species, plants or animals, located within the HMAs.

IV. ENVIRONMENTAL IMPACTS/MITIGATION MEASURES

A. Proposed Action

Unavoidable impacts in the form of injuries to the horses and burros may occur as a result of the removal process. Death loss is not expected to exceed 2% of the horses captured. Potential injuries and fatalities can be mitigated through strict enforcement of contract specifications for safety and humane treatment of animals. BLM representatives would be monitoring contractor's activities at all times during removal to ensure compliance with specifications and humane treatment of animals.

Some stress to the horses and burros will be associated with the helicopter herding operations, however, after adoption, the horses will become accustomed to domestication and most will receive proper care and feed.

No additional stress to the burros is expected by roping them. Their relatively calm behavior reduces their fighting the rope, with the majority hazed in with the rope slack.

Small localized areas within the vicinity of trap sites and holding facilities will receive trampling and the subsequent loss of vegetation. Overall, the vegetative resource will improve due to the reduction in grazing pressure. Forage availability should increase and utilization levels decrease. This impact will have both short and long term effects.

No impacts will occur to cultural resources, as the trap sites will be cleared prior to construction.

- B. This method of capturing wild horses and burros is the least stressful to the animals. However, once captured, the handling and transportation of the animals would be the same as the proposed action. As most injuries to wild horses and burros occur

during handling and transportation, the injury and fatality rate will remain approximately the same. Once prepared for adoption, the animals become accustomed to domestication and most will receive proper care and feed.

Small localized areas within the vicinity of trap sites and holding facilities will receive trampling and subsequent loss of vegetation. Overall, the vegetation resource will improve due to the reduction in grazing pressure. Forage availability should increase and utilization levels decrease. This impact will have both short and long term effects.

No impacts will occur to cultural resources, as the trap sites will be cleared prior to construction.

Due to the time necessary for construction of complex water traps and the prolonged period it would take for the animals to become accustomed to using the traps, it will take more manpower to implement this alternative, therefore, will be significantly more expensive than the proposed action. In addition, the abundance of numerous springs in the removal areas would make the water trapping method of capture unfeasible, due to the amount of fencing material required.

- C. Using riders on horseback to herd horses and burros to traps, results in less stress to the animals during capture than the proposed action. However, once captured, the handling and transportation of the animals would be the same as the proposed action. As most injuries to wild horses and burros occur during handling and transportation, the injury and fatality rate will remain approximately the same. Once prepared for adoption, the animals become accustomed to domestication and most will receive proper care and feed.

Some localized areas within the vicinity of trap sites and holding facilities will receive trampling and subsequent loss of vegetation. Overall, the vegetation resource will improve due to the reduction in grazing pressure. Forage availability should increase and utilization levels decrease. This impact will have both short and long term effects.

No impacts will occur to cultural resources as the trap sites will be cleared prior to construction.

Bands of horses and burros are not controlled effectively with horseback herding, therefore, many bands are spilled or individual horses and burros separated from the band. This results in increased social structure disruption and/or orphaned foals, which requires attempts to capture these separated animals. The number of animals captured per day versus the proposed action is significantly fewer, therefore, is very time consuming resulting in very high capture costs.

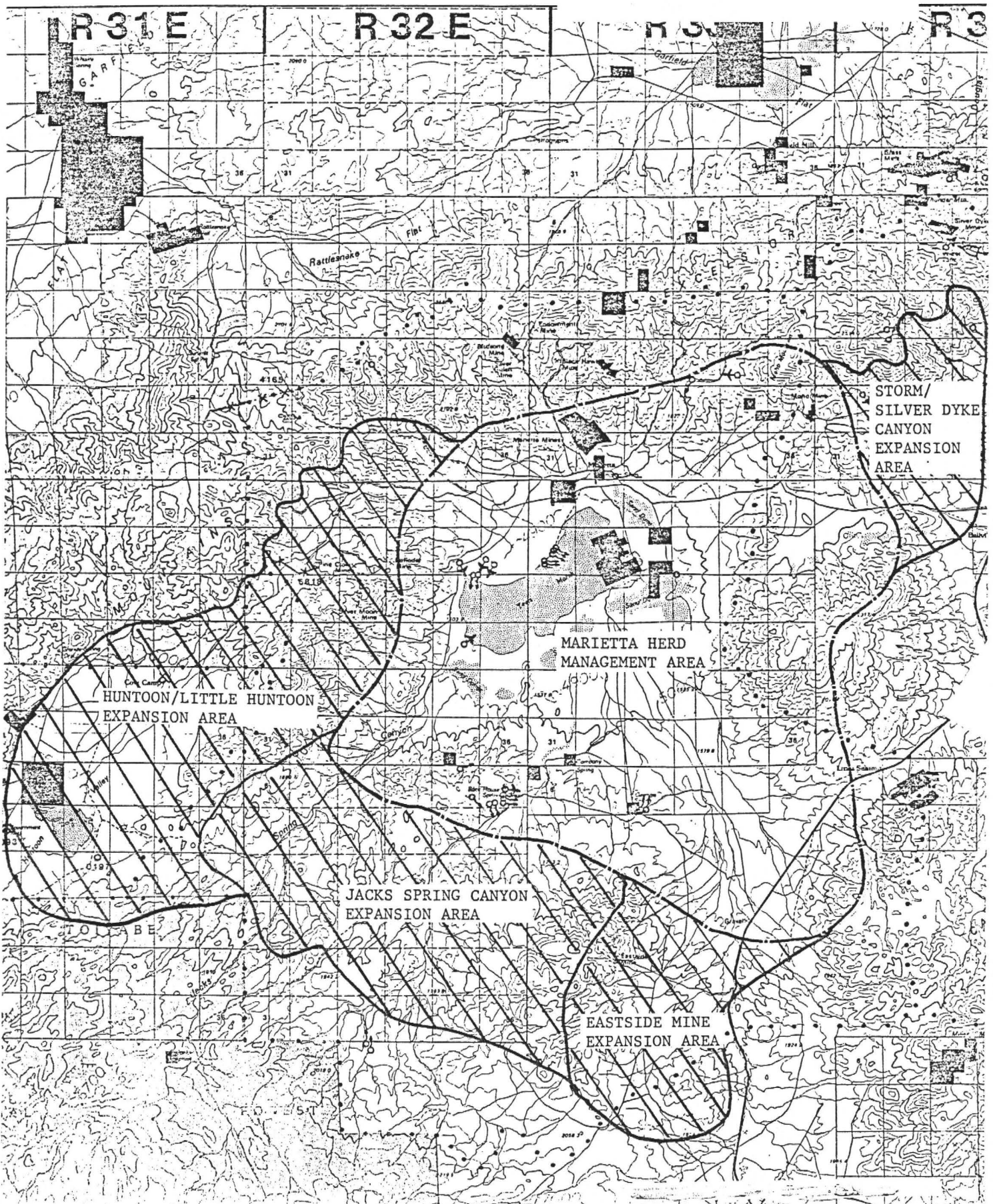
This method of capture is very tiring for the saddle horses which results in injuries to both the saddle horses and personnel involved.

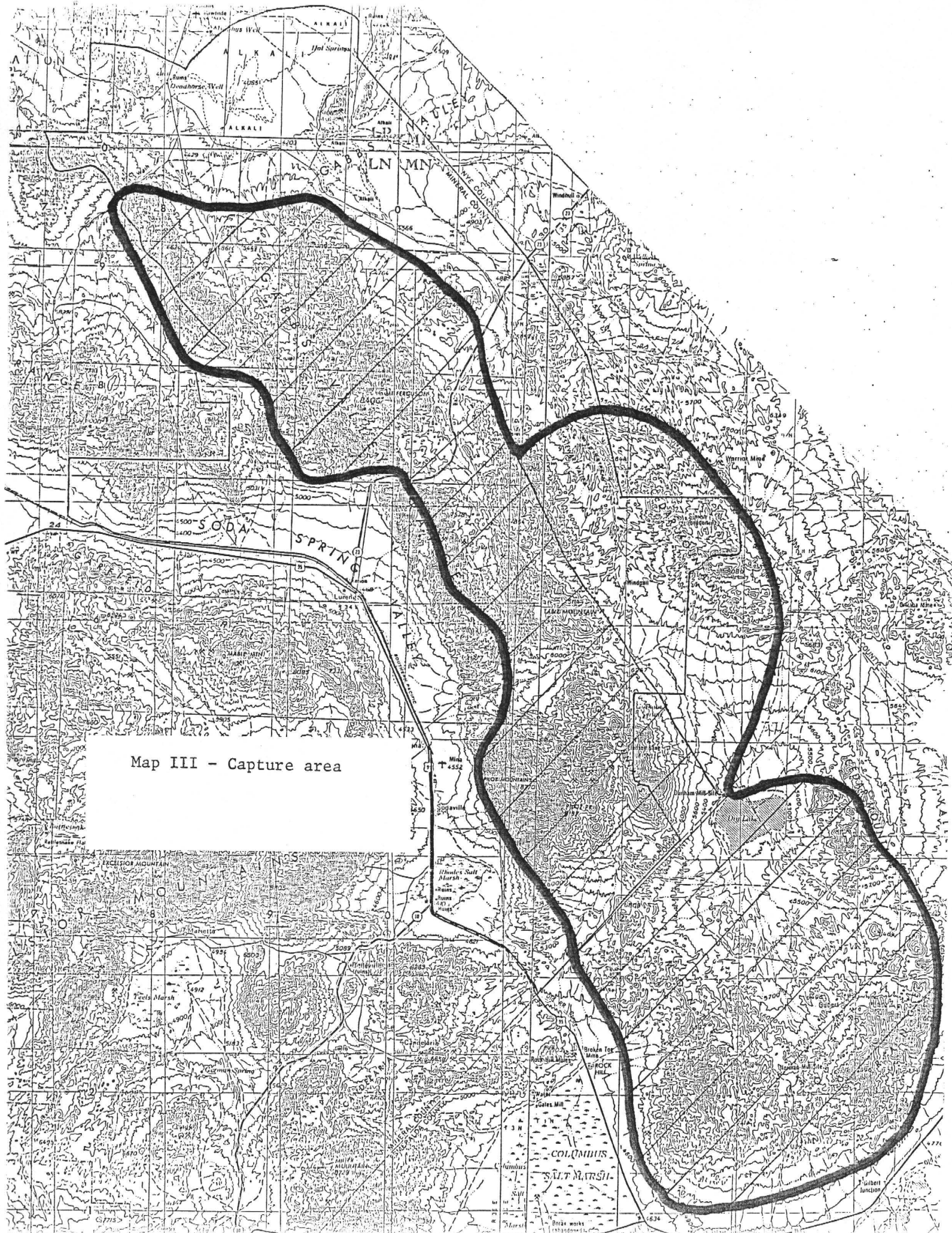
- D. The no action alternative will result in no wild horses and burros being removed. The animals would not undergo stress, injuries, nor fatalities related to capture, handling and transportation. However, in the long term, should the population increase to a point where the habitat becomes deteriorated, the animals will suffer stress searching for food and may be subject to starvation.

V. Public Involvement

This Environmental Assessment will be distributed to interested parties for comments as outlined in Bureau of Land Management, Nevada State Office Instruction Memorandum No. NV-85-345, Change 2. Copies will also be sent to those who specifically make a request and others who may otherwise be affected by the proposed action.

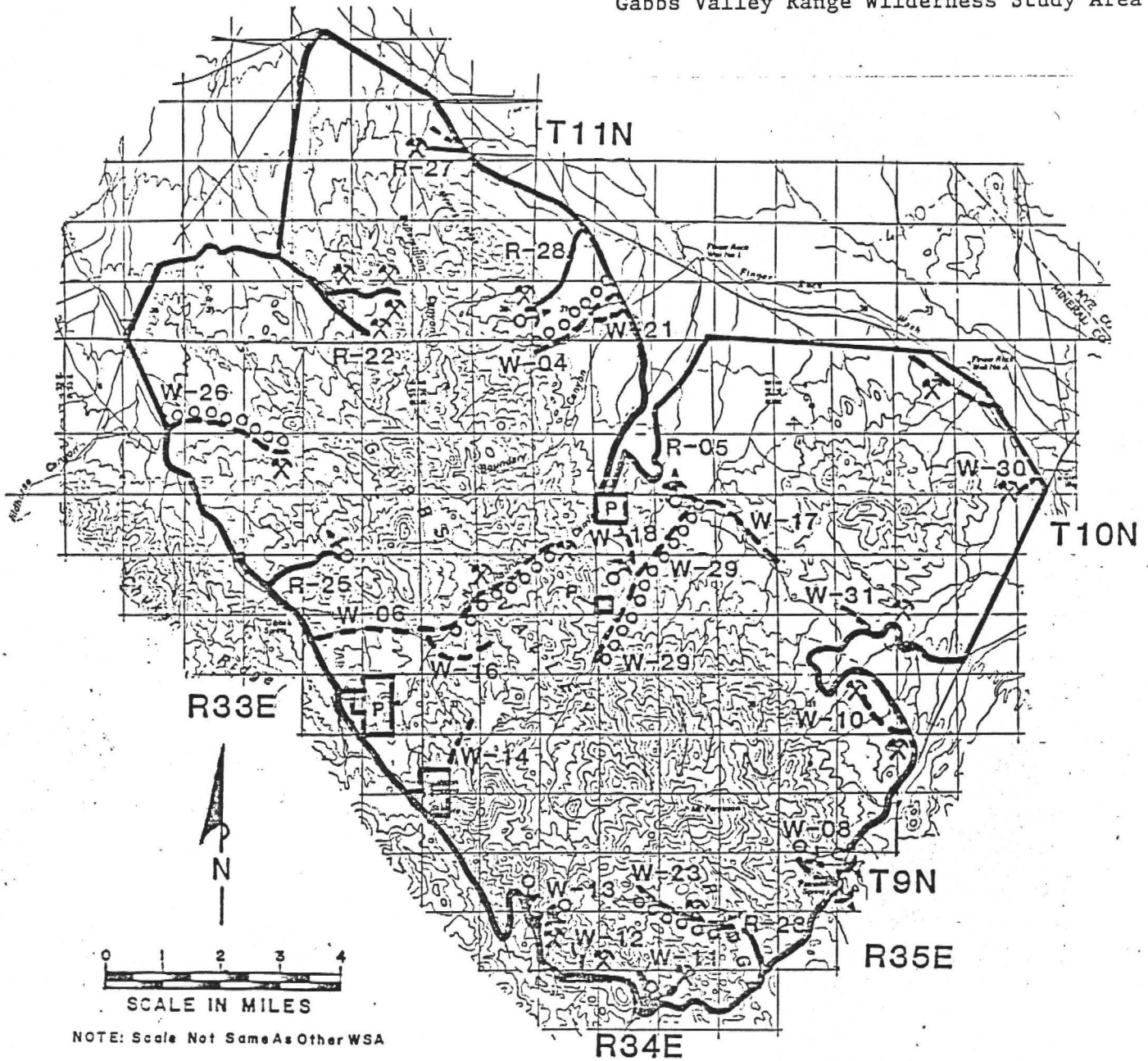
Map II - Capture area





Map III - Capture area

Gabbs Valley Range Wilderness Study Area



NOTE: Scale Not Same As Other WSA

LEGEND

- ROADS
- - - WAYS
- oooo WAY IN WASH
- W-11 WAY IDENTIFICATION NUMBER
- R-11 ROAD IDENTIFICATION NUMBER
- ⌘ MINING ACTIVITY
- P PRIVATE LAND
- ⊕ DEVELOPED SPRING

ENVIRONMENTAL ASSESSMENT

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C. Water

There are twenty-seven flowing springs in the Marietta HMA, 9 of which are on private lands. The Pilot Mountain HMA has greater than sixty flowing wells, several of which are on private land.

D. Wilderness

There is one Wilderness Study Area within the Pilot Mountain HMA. Attached is a map which shows the delineation of the Gabbs Valley Range Wilderness Study Area. As a standard operating procedure, no traps, holding corrals or motorized ground vehicles will be allowed within the boundary.

E. Cultural Resources

Cultural resources exist within the gather area. Temporary trap sites or water barriers could impact these. As a standard operating procedure, all sites will receive a cultural clearance prior to construction.

F. Threatened and Endangered Species

There are no known threatened and endangered species, plants or animals, located within the HMAs.

IV. ENVIRONMENTAL IMPACTS/MITIGATION MEASURES

A. Proposed Action

Unavoidable impacts in the form of injuries to the horses and burros may occur as a result of the removal process. Death loss is not expected to exceed 2% of the horses captured. Potential injuries and fatalities can be mitigated through strict enforcement of contract specifications for safety and humane treatment of animals. BLM representatives would be monitoring contractor's activities at all times during removal to ensure compliance with specifications and humane treatment of animals.

Some stress to the horses and burros will be associated with the helicopter herding operations, however, after adoption, the horses will become accustomed to domestication and most will receive proper care and feed.

No additional stress to the burros is expected by roping them. Their relatively calm behavior reduces their fighting the rope, with the majority hazed in with the rope slack.

Small localized areas within the vicinity of trap sites and holding facilities will receive trampling and the subsequent loss of vegetation. Overall, the vegetative resource will improve due to the reduction in grazing pressure. Forage availability should increase and utilization levels decrease. This impact will have both short and long term effects.

No impacts will occur to cultural resources, as the trap sites will be cleared prior to construction.

- B. This method of capturing wild horses and burros is the least stressful to the animals. However, once captured, the handling and transportation of the animals would be the same as the proposed action. As most injuries to wild horses and burros occur

during handling and transportation, the injury and fatality rate will remain approximately the same. Once prepared for adoption, the animals become accustomed to domestication and most will receive proper care and feed.

Small localized areas within the vicinity of trap sites and holding facilities will receive trampling and subsequent loss of vegetation. Overall, the vegetation resource will improve due to the reduction in grazing pressure. Forage availability should increase and utilization levels decrease. This impact will have both short and long term effects.

No impacts will occur to cultural resources, as the trap sites will be cleared prior to construction.

Due to the time necessary for construction of complex water traps and the prolonged period it would take for the animals to become accustomed to using the traps, it will take more manpower to implement this alternative, therefore, will be significantly more expensive than the proposed action. In addition, the abundance of numerous springs in the removal areas would make the water trapping method of capture unfeasible, due to the amount of fencing material required.

- C. Using riders on horseback to herd horses and burros to traps, results in less stress to the animals during capture than the proposed action. However, once captured, the handling and transportation of the animals would be the same as the proposed action. As most injuries to wild horses and burros occur during handling and transportation, the injury and fatality rate will remain approximately the same. Once prepared for adoption, the animals become accustomed to domestication and most will receive proper care and feed.

Some localized areas within the vicinity of trap sites and holding facilities will receive trampling and subsequent loss of vegetation. Overall, the vegetation resource will improve due to the reduction in grazing pressure. Forage availability should increase and utilization levels decrease. This impact will have both short and long term effects.

No impacts will occur to cultural resources as the trap sites will be cleared prior to construction.

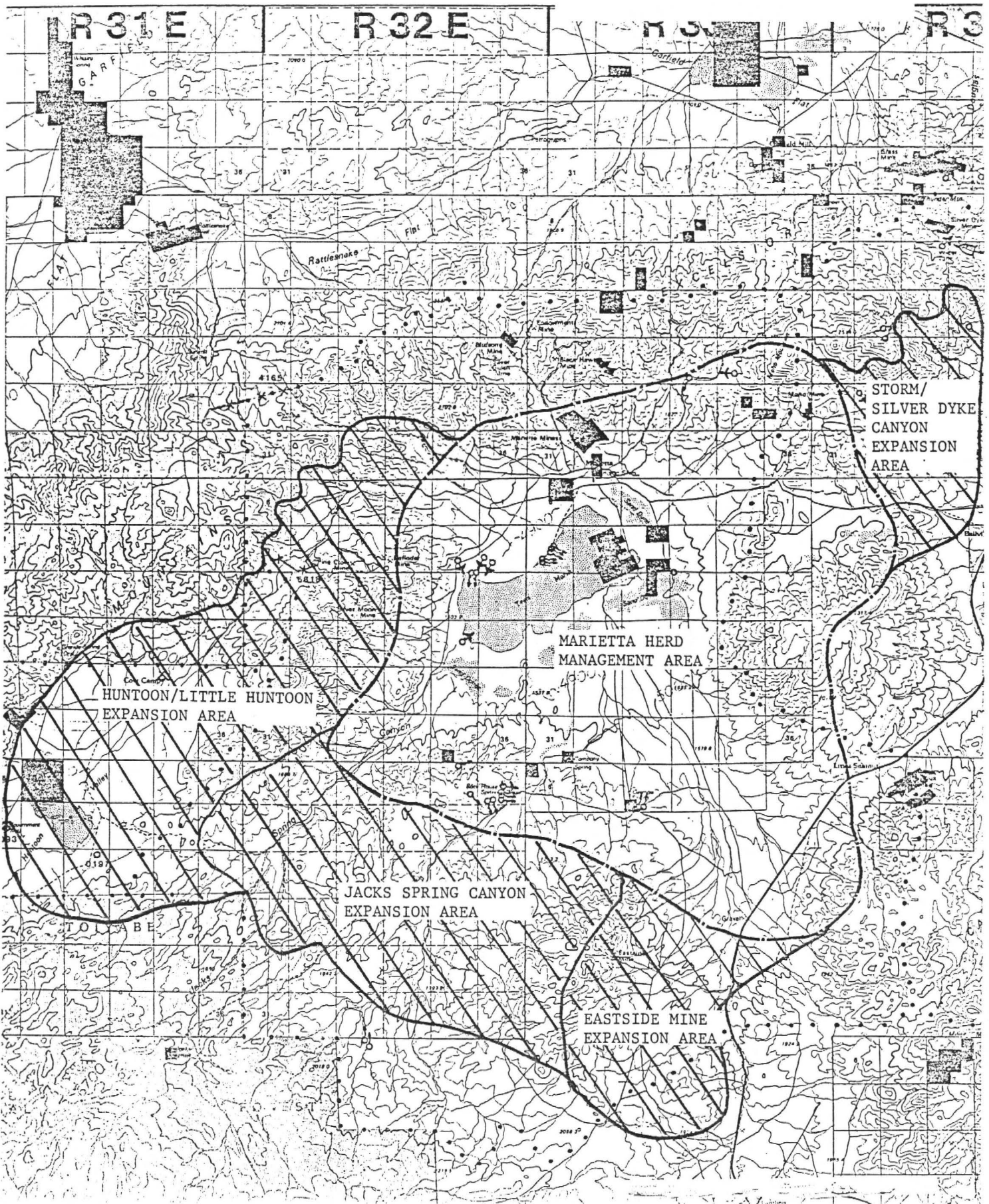
Bands of horses and burros are not controlled effectively with horseback herding, therefore, many bands are spilled or individual horses and burros separated from the band. This results in increased social structure disruption and/or orphaned foals, which requires attempts to capture these separated animals. The number of animals captured per day versus the proposed action is significantly fewer, therefore, is very time consuming resulting in very high capture costs.

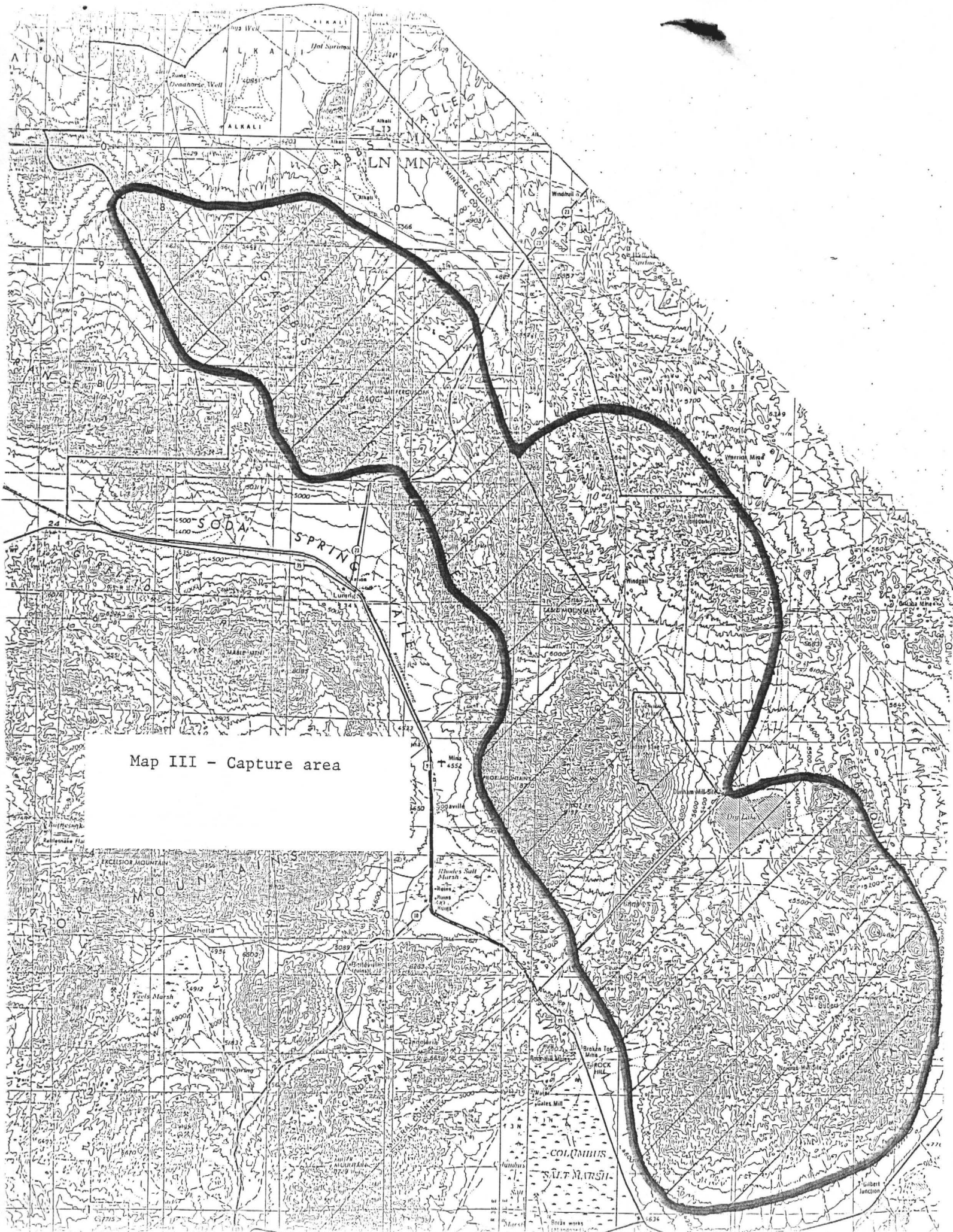
This method of capture is very tiring for the saddle horses which results in injuries to both the saddle horses and personnel involved.

- D. The no action alternative will result in no wild horses and burros being removed. The animals would not undergo stress, injuries, nor fatalities related to capture, handling and transportation. However, in the long term, should the population increase to a point where the habitat becomes deteriorated, the animals will suffer stress searching for food and may be subject to starvation.

V. Public Involvement

This Environmental Assessment will be distributed to interested parties for comments as outlined in Bureau of Land Management, Nevada State Office Instruction Memorandum No. NV-85-345, Change 2. Copies will also be sent to those who specifically make a request and others who may otherwise be affected by the proposed action.





Map III - Capture area

W H O A !

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A Foundation for the Welfare of
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Reno, Nevada 89504

GERTRUDE BRONN, Honorary

In Memoriam

LOUISE C. HARRISON

VELMA B. JOHNSTON "Wild Horse Annie"
September 1987

Mr. James W. Elliott, District Manager
Bureau of Land Management
1535 Hot Springs Road, Ste. 33
Carson City, Nevada 89701

Dear Mr. Elliott:

Thank you very much for the opportunity to review the Draft Marietta and Pilot Mountain Environmental Assessment and Capture Plan. WHOA submits the following comments.

I. Please explain what is meant by "initial management level?"

III. Pilot Mountain: I would suggest that you remove all wild horses from outside the HMA, then census, and remove any additional excess from within the HMA. You would then be assured the horses remaining within the HMA total the management level. Since the census was done in May those animals may have moved.

You do not state in either the Pilot Mountain or the Marietta if those management levels are adult. I believe your Washington Instructions indicate those numbers are to be adult. I also refer to a letter from Mr. Spang (4700 N-931.3), dated April 1980, stating that BLM should not be calculating AUMs to foals unless they are six months of age. Thus it can be taken to mean that a mare and foal (under six months) is considered one, not two. This year's foal crop will not be six months old. I assume you will correct the language and refer to the initial levels to be 466 adult horses in the Pilot Mountain and 70 adult burros in the Marietta.

IV. I presume you will identify before capture the approximate number of traps and location. Otherwise how do you scout in advance for fences (presumably those not listed in BLM plans); or determine mileage and terrain?

A. 1. I agree horses, or burros outside HMA should be taken first.

A. 2. I agree, however, Page 1, III, states census will be done only after 692 horses are captured. See comments on III.

A. 3. I agree, however this should be done prior to contract.

1210
EPA

SAFETY BOND
EPA CASE

1210-1000

Page two

Please explain what happens to the PI or COR if any of the State Office Instructions , policies, stipulations , and procedures are not followed?

B.5. Will animals be shipped in those above discribed trucks if flooring material is not present? Flooring stipulations were required in the capture of horses in the Nevada Wild Horse Range, however, the material did not arrive on time, and animals were shipped on bare flooring.

B.6. Who is responsible if the animals are improperly loaded and injury and/or death result?

B.7. You do not indicate the mileage limitations for this time of year. Nor do you state what the minimum or maximum temperature allowances during capture.

B.8. I remember Mr. Spang ordering a slow down on dusty roads last summer. I also know that I watched trucks coming across a playa over thirty miles an hour and the trucks were engulfed in dust...so unless the PI and COR have some sensitivity to the animals, or they are aware they are under observation, this stipulation hasn't carried much weight.

C.1. The second paragraph should be inserted before "Roping will be done only when necessary,...." in the first paragraph. Please explain what you mean by roping? Do you mean their legs will be tied? Do you know what happens to the circulation in the animals legs when they are tied.. do you know it can cause abcesses?

What do you mean when you state the contractor will have perference on helicopter or roping? Isn't the COR supposed to decide how the animals will be captured and what is best for the animals? How will the employee "constantly" observe the roping process?

C .3 If an observation helicopter is not use, will the PI or COR show the contractor where he may bring animals from?

Are you talking about 10 air miles or 10 ground miles. Either way 10 miles this time of the year is excessive. How would you like to run 10 miles at 10 miles per hour at 95 degrees? Do you really believe it is in the best interests and welfare of the colts with those mares to be driven so far?

C. 4. No traps will be constructed using any or a portion of an existing fence line.

C. 8. Does paragraph mean than studs will be left with foals during holding and only separated if held over night?

Page three

C. 10. If the animals are caught early morning and the contractor does not return until evening, the mares and foals will be in the pens with studs?

V. Will trespass be assessed?

ENVIRONMENTAL ASSESSMENT

I. What is meant by "initial management levels?"

Does the count of 1158 actual count in the HMA include foals or only adults? Does the 163 actual count include foals or only adults?

Is the 397 head (combination of Gabbs and Pilot) adults?

Is the Dunlap 69 head, adults?

II.A. Who will the "two" BLM employees be?

IV. Has anything greater than a 2% death loss been analyzed? The capture operations have always had written strict stipulations, are you stating the District is requiring stricter enforcement? Is the 2% death loss at the capture sight, or does that include the animals that are injured during transportation and those injured or dead from capture related injuries after being shipped to the permanent holding facilities?

B... The vegetation resource will improve, but only if the BLM does not replace the removed animals with livestock.

I don't agree that water traps are complex, they do not need to be any different than the panels used in helicopter contracts. At this time of the year, regardless of numbers of waters, the water trap is a humane and gentler method of capture. Only difficulty is that BLM does not consider it expedient enough. I can assure you that the death loss from water trap is miniscule compared to the helicopter.

In conclusion, it is my hope the capture will proceed, for the animals sake, as described; however, it has been my experience that employees tend to get caught up with the "latent cowboy" activities, tend to abrogate responsibility to the contractor, and get hardened to injuries to the animals. I just finished studies of injured and dead horses from every capture since 1984, and there is no one district that hasn't disregarded stipulations, or procedures at one time or another...Hopefully this capture operation will be a new beginning. I used to be an advent supporter of BLM helicopter capture operations, the needless injuries and deaths of thousands of wild horses, many just colts, have undermined that trust.

Page four

The Bureau of Land Management and its' personnel must be mindful of not only the stipulations and procedures set down in these papers, but that the disregard of instruction memorandums, policies, manuals, could also put the personnel in jeopardy of the Nevada State Statutes on humane treatment of wild horses.

Most sincerely,

Dawn Y. Lappin (Mrs.)
Director

cc: Board of Trustees
David A. Hornbeck