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# United States Department of the Interior

JUL -7 PM 1:59 BUREAU OF LAND MANAGEMENT

Carson City Field Office  
5665 Morgan Mill Road  
Carson City, Nevada 89701  
775-885-6000  
<http://www.nv.blm.gov>



In Reply Refer To:  
4700  
(NV-032)

**JUL 06 2000**

Dear Interested Public:

An emergency situation has developed regarding the sole water source for the wild horses inhabiting the Horse Mountain HMA, which is approximately 20 miles south of Fallon NV. The sole water source for the entire HMA is a return drain operated by the Truckee Carson Irrigation District (TCID). This source is on the verge of exhaustion. This is the last ditch in the system and some of the water rights associated with the fields which utilize the ditch have been sold. Shelby Cecil (TCID) stated that water would only be available for the fields in question during years receiving above average precipitation.

Due to the emergency nature of this situation and in order to prevent the loss of all horses resulting from dehydration we will conduct an emergency removal starting July 7, 2000. Enclosed is the full force and effect emergency removal plan and environmental assessment.

If you have any questions concerning these actions, please contact John Axtell at the above address or call (775) 885-6146.

Sincerely,

*Daniel M. Stanola (acting)*

Daniel Jacquet  
Assistant Manager, Renewable Resources  
Carson City Field Office

## HORSE MOUNTAIN EMERGENCY WILD HORSE REMOVAL PLAN

### I. Purpose and Authority

The proposed action is to remove approximately 120 wild horses which are threatened because their sole source of water will be depleted within several days (estimated 3 to 10; appendix 1). In order to prevent the death of the entire herd they would be removed as soon as possible. Authority for this action is contained in the Wild Horse and Burro Act of 1971 (Public Law 92-195) and regulations contained in 43 CFR 4720.1 and 4770.3(c).

### II. Area of Concern

The area of concern is the Horse Mountain HMA and Horse Mountain Allotment. The location of the area is shown on the attached map 1.

### III. Numbers of Wild Horses

Based on the latest census there are approximately 120 wild horses dependent upon the failing water source. This number includes wild horses both inside and adjacent to the Horse Mountain HMA.

### IV. Methods for Removal and Safety

The methods employed during this capture operation would be either herding horses with a helicopter into a trap built with portable panels or capturing the horses using portable panels around water troughs. The Bureau of Land Management may contract with a private party for part or all of this operation. If a private party is used for this operation two or more Bureau employees would be supervising the contractor at all times during the gathering operation. The following stipulations and procedures would be followed during the contract to ensure the welfare, safety and humane treatment of wild horses and that wild horses are removed from proper areas. If capture operations are performed by Bureau personnel, the Bureau would follow the same stipulations that we require of a private contractor.

## ENVIRONMENTAL ASSESSMENT

EA No. NV-030-00-026

### Horse Mountain Emergency Wild Horse Removal

#### I. INTRODUCTION AND PURPOSE

The proposed action is to remove approximately 120 wild horses which are threatened from a lack of water because their sole source of water will be depleted within several days (estimated 3 to 10; appendix 1). In order to prevent their death they would be removed as soon as possible.

It is not feasible to provide dependable water to the herd. Once dependable water becomes available horses would be relocated back into the HMA.

This proposal is in conformance with the Lahontan Resource Management Plan (RMP). The proposed action involves removals in order to prevent the death and suffering of a large number of wild horses. We anticipate removing approximately 120 horses.

#### Relationship to Other Environmental Documents

This EA is tiered to the Lahontan Resource Management Plan (RMP)/EIS which analyzed the general ecological impacts of managing rangelands in the Reno area under a program of monitoring and adjustment of wild horses and livestock. This EA is a project specific refinement of the RMP/EIS focused on the emergency removal of wild horses in the Horse Mountain HMA. The decisions regarding overall rangeland management analyzed in the Lahontan RMP/EIS would not be changed by the Horse Mountain Emergency Removal Plan. Both documents are available for public review at the Carson City Field Office.

#### II. DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

- A. The proposed action is to remove wild horses from the Horse Mountain HMA with the use of a helicopter and/or water trapping. Other motorized equipment would also be used. The wild horses would be herded by a helicopter into traps constructed of portable steel panels. The Bureau of Land Management may contract with a private party for the removal operation. If a contractor is used he/she would be supervised at all times by at least two Bureau employees. Approximately 120 wild horses are proposed for removal.
- B. Alternative No. 1 is to conduct the removal by water trapping where portable traps would be constructed around water.
- C. Alternative No. 2 is to conduct the removal by herding the wild horses from horseback. Riders would herd horses into traps built of portable steel panels.
- D. The no action alternative is to not conduct the wild horse removals.

### III. AFFECTED ENVIRONMENT

#### A. Wild Horses

The Horse Mountain HMA is located approximately 5 miles south of Fallon, Nevada. The Horse Mountain HMA lies within the Carson City Field Office of the Bureau of Land Management.

The HMA location is shown on the attached map as well as the capture area boundaries (Map 1).

The sole source of water for the entire population of wild horses in this HMA is a extension drain operated by the Truckee Carson Irrigation District (TCID). In the past irrigation water was supplied to irrigated fields, however, the owner of the fields has sold the rights to some of the water, therefore, except during exceptionally wet years water is not expected to flow in the ditch during the summer. We contacted the TCID, unfortunately they cannot divert water into the ditch unless someone with water rights orders it(appendix 1).

The key species (indian ricegrass, needlegrass & squirrel tail.

#### B. Critical Elements of the Human Environment:

The following critical elements of the human environment are not present or are not affected by the proposed action or alternatives in this EA:

- Air Quality
- Areas of Critical Environmental Concern
- Cultural Resources
- Environmental Justice
- Farm Lands (prime or unique)
- Floodplains
- Native American Religious Concerns
- Noxious Weeds
- Paleontology
- Threatened or Endangered Animals
- Threatened or Endangered Plants
- Wastes (hazardous or solid)
- Water Quality
- Wetlands/Riparian
- Wild and Scenic Rivers
- Wilderness

#### C. Resources Present but not Affected: (other than critical elements)

Livestock Use

Wildlife Use Due to the lack of water within this HMA large mammalian wildlife does not occur. Due to the lack of trees bird diversity is limited to species utilizing rock outcrops and sage brush habitat types.

#### IV. ENVIRONMENTAL IMPACTS/MITIGATION MEASURES

##### A. Proposed Action

Unavoidable impacts in the form of injuries to the horses may occur as a result of the removal process. We expect that the death loss would not exceed 1% of the horses captured at the trap site. Potential injuries and fatalities can be limited through strict enforcement of contract specifications for safety and humane treatment of animals. BLM representatives would be monitoring the contractor's activities at all times during removal to ensure compliance with specifications and humane treatment of animals. If the Bureau conducts this gather the Bureau would follow the same stipulations that a private contractor would be required to follow (Appendix 2).

Some stress to the horses would be associated with the helicopter herding operations, however, after adoption, the horses would become accustomed to captivity and would receive proper care.

Small localized areas within the vicinity of trap sites and holding facilities would receive trampling and the subsequent loss of vegetation. However, overall the vegetative resource would improve due to the reduction in grazing pressure. Forage availability should increase and utilization levels decrease.

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

Removal of wild horses would prevent the death of a substantial number of horses due to the lack of a water supply.

##### B. Water Trapping

General impacts from a reduction in wild horse numbers would be identical to those outlined for the proposed action. Once captured, the handling and transportation of the animals would be the same as the proposed action. As most injuries to wild horses occur during handling and transportation, the injury and fatality rate would remain approximately the same. Once prepared for adoption, the animals become accustomed to captivity and would receive proper care.

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

No impacts would occur to cultural resources, as the trap sites would be inventoried 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, the horses would likely undergo more stress than with a helicopter capture. In addition it would take more manpower to implement this alternative, therefore, it would be significantly more expensive to the taxpayer than the proposed action.

Bands of horses are not controlled effectively with horseback herding, therefore, many bands are spilled or individual horses 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 actions is significantly fewer, therefore, it

is very time consuming resulting in very high capture costs.

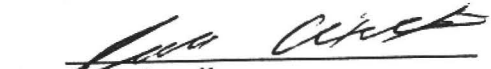
This method of capture is very tiring for the saddle horses which results in injuries to both the saddle horses and personnel involved.

C. No Action

The no action alternative would result in no wild horses being removed. The animals would not undergo stress, injuries, nor fatalities related to capture, handling and transportation. However, the stresses involved with the absence of water would result in the death of most if not all of the animals in this HMA. Attainment of Land-Use-Planning objectives would not be met.

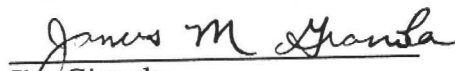
VIII. Signatures

Prepared by:

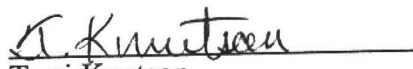
  
\_\_\_\_\_  
John Axtell  
Wild Horse and Burro Specialist  
Carson City Field Office

30 Jun 00  
Date

Concurred by:

  
\_\_\_\_\_  
Jim Gianola  
Wild Horse and Burro Specialist  
Carson City Field Office

7-5-00  
Date

  
\_\_\_\_\_  
Terri Knutson  
Environmental Coordinator  
Carson City Field Office

6/30/00  
Date

FINDING OF NO SIGNIFICANT IMPACT  
AND  
DECISION RECORD

EA No. NV-030-00-026

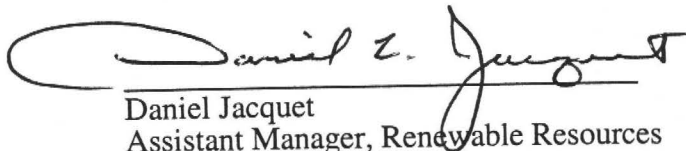
DECISION: It is my decision to implement the proposed action. This decision authorizes the emergency removal of wild horses from the Horse Mountain HMA due to the lack of water.

FINDING OF NO SIGNIFICANT IMPACT: Based on the analysis of potential environmental impacts contained in the attached environmental assessment NV-030-00-026, I have determined that impacts are not expected to be significant and an environmental impact statement is not required.

RATIONAL FOR THE DECISION: This plan is in the public interest because the proposed action would prevent the death of a substantial number of wild horses.

The proposed plan is in accordance with the Lahontan Resource Management Plan and is in the public interest.

Approved:

  
Daniel Jacquet  
Assistant Manager, Renewable Resources  
Carson City Field Office

7/5/00  
Date



V. Public Involvement

Because of the urgency required to prevent the loss of a substantial number of wild horses public comment prior to implementing the proposed action is not possible. However, this environmental assessment and capture plan has been sent to the following persons, groups and government agencies.

Andrea Lococo  
American Horse Protection Association  
American Mustang & Burro Foundation  
Animal Protection Institute  
Barbara Flores  
Commission for the Preservation of Wild Horses  
Craig C. Downer  
Elaine Letcher  
Friends of Nevada Wilderness  
Fund for Animals  
International Society for the Protection of Mustangs and Burros  
Jan Nachlinger  
Joanne Hardesty  
Michael Kirk  
Nevada Cattlemen's Association  
Nevada Division of Wildlife  
Nevada Humane Society  
Nevada State Clearinghouse  
Nevada State Division of Agriculture  
Office of Sen., Bryan  
Office of Cong., Gibbins  
Office of Sen., Reid  
Paul Clifford  
Rebecca Kunow  
Roberta Royle  
Sharon Crook  
Steven Fulstone  
The Mule Deer Foundation  
U.S. Fish and Wildlife Service  
U.S. Humane Society  
Wild Horse Organized Assistance

FULL FORCE AND EFFECT DECISION FOR THE HORSE

MOUNTAIN EMERGENCY REMOVAL

Rationale: The water situation for the wild horses occupying the Horse Mountain HMA has become critical. It is estimated that there is sufficient water for only several days. Therefore, an emergency removal is required to prevent a loss of a substantial number of wild horses.

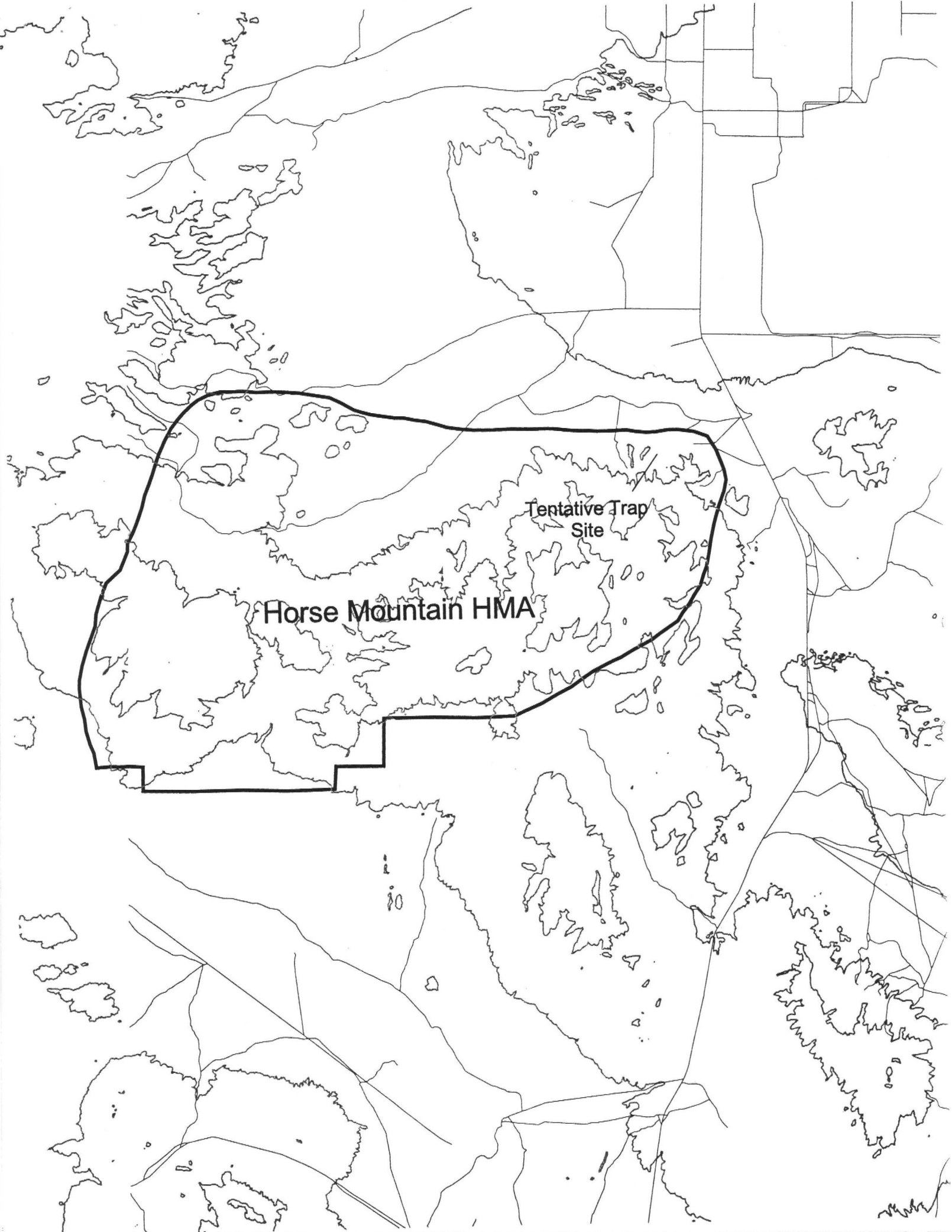
Authority: The authority for this decision is contained in 43 CFR 4770.3(c).



John Singlaub  
Manager  
Carson City Field Office

7-5-00

Date



Horse Mountain HMA

Tentative Trap Site

*[Handwritten signature]*

Attachment 1.

## United States Department Of The Interior

### BUREAU OF LAND MANAGEMENT

Carson City Field Office  
5665 Morgan Mill Road  
Carson City, NV 89701

IN REPLY REFER TO:  
4700  
(NV-0320)

TO: Files, Through Assistant District Manager

FROM: Wild Horse and Burro Specialist

SUBJECT Horse Mountain HMA Water Situation

On Monday, June 26, 2000, I received a call from a gentleman who has an interest in the Horse Mountain herd. He stated that the drainage ditch was almost dry. Following our conversation I inspected the ditch and in fact the areas where the horses traditionally have obtained water were dry. However, there was a limited quantity of water approximately 300m to 1000m to the south where the horses are currently obtaining water.

Later on Monday, I spoke with Joanne Corkill, an engineer with the Truckee Carson Irrigation District (TCID). She stated that they did not anticipate using that ditch anymore this year, and that it would not be a reliable source of water. While inspecting the ditch I noticed that the fields associated with it were dry. This is the last return ditch in the system.

On Tuesday, June 27, 2000, I censused the HMA and found that approximately 120 horses are using the ditch as their sole source of water which in all likely hood will completely dry out in a few days.

On Wednesday, June, 28, 2000, Dave Overhill of TCID returned my call, we had inquired about the possibility of them diverting some water down the ditch for a few days until we could capture the horses. He was sorry, though he said that without a water order he could not do divert water into the ditch and water rights were required to order water, he also added that it would require a lot of water to fill the ditch.

I contacted A & K Earthmovers about the possibility of them hauling water to the horses for a few days until we are able to capture them. Unfortunately, the person they say I need to contact is out of the office for a while, of course I will try again.

Because this ditch is essential to the survival of these horses they must be removed soon to minimize stress and avoid possible losses.

On Wednesday, June 28, 2000, I talked to Shelby Cecil, the Water Master for TCID, he stated that some of the water rights for the pastures associated with the ditch had been sold, therefore, these pastures would only be irrigated early in the season and in years receiving above average precipitation..

## Attachment 2, Standard Operating Procedures.

### I. Methods for Removal and Safety

The methods employed during this capture operation would be either herding horses with a helicopter to a trap built with portable panels or capturing the horses using portable panels around water troughs. The Bureau of Land Management may contract with a private party for part or all of this operation. If a private party is used for this operation, Bureau employees would be supervising the contractor at all times during the gathering operation. The following stipulations and procedures would be followed during the contract to ensure the welfare, safety and humane treatment of wild horses and that wild horses are removed from proper areas. If capture operations are preformed by Bureau personnel, the Bureau would follow the same stipulations that are required of a private contractor.

#### A. Roundup Procedures within Contract Area:

The Contracting Officer's Representative (COR) or Project Inspectors (PI) would 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/PI would select the general location of trap sites in which to herd the animals. Animal concentration, terrain, physical barriers and weather conditions would all be considered when selecting trap sites.

#### 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 of injury.
3. Only stock trailers shall be allowed for transporting animals from traps to temporary holding facilities. Only Bobtail trucks, stock trailers, or single deck trucks shall be used to transport animals from temporary holding facilities to final destination. Sides of stock racks 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 2 partition gates to separate animals. Trailers less than 40 feet shall have at least 1 partition gate to separate the animals. Each partition shall be a minimum of 6 feet high and shall have a minimum 5 foot wide swinging gate. The use of double deck trailers is unacceptable and shall not be allowed.
4. All vehicles used to transport animals to final destination shall be equipped with at least 1 door at the rear end of the vehicle which is 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 would be confirmed by a BLM employee prior to loading (every load).
6. Animals to be loaded and transported in any vehicle shall be as directed by the COR/PI and may include limitations on numbers according to age, size, sex, temperament and animal condition. A minimum of 1.4 linear foot per adult animal and .75 linear foot per foal shall be

allowed per standard 8 foot wide stock trailer/truck.

The BLM employee supervising the loading of the wild horses to be transported from the trap to the temporary holding corral would require separation of small foals and weak horses from the rest, if they could be injured during the trip. Distance and condition of the road and animals would be considered in making this determination. Horses shipped from the temporary holding corral to the BLM facility would normally 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.

The BLM employee supervising the loading would exercise authority to off-load animals should there be too many horses on the trailer or truck.

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

It is currently planned to ship all horses to the Palomino Valley facility. Communication lines have been established with the Palomino Valley personnel involved in off-loading the horses, to receive feedback on the condition of shipped horses. Should problems arise, shipping methods or separation of the horses would be changed in an attempt to alleviate the problems.

8. If the COR/PI determines that dust conditions are such that the animals could be endangered during transportation, the contractor would be instructed to adjust speed. The maximum distance over which animals may have to be transported on dirt road is approximately 5 miles.

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

### C. Trapping and Care

1. The helicopter shall be used in such a manner that bands of horses would remain together. Foals shall not be left behind.

The Carson City Field Office may use an observation helicopter to supervise the use of the project helicopter. In the absence of an observation helicopter a saddle horses may be used to place a BLM observer on a point overlooking the area of the helicopter herding operations. Mares would be checked soon after capture to determine if they are nursing. If nursing mares are captured without foals intensive monitoring would be conducted to identify the reason(s) foals are being abandoned and a solution would be developed. The health and well being of the captured animals are paramount and foals would not be left behind.

1. The helicopter shall be used in such a manner that bands of horses would remain together. Foals shall not be left behind.

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

BLM would not allow horses to be herded more than 12 miles. The COR/PI may decrease the distance moved should the route to the trap site be steep or rocky enough to pose a danger or cause avoidable stress. Animal condition would also be considered in making distance and speed restrictions.

3. It is estimated that 1 trap location would be required to accomplish the work. All trap locations and holding facilities must be approved by the COR/PI prior to construction. The contractor may also be required to change or move trap locations as determined by the COR/PI.

If tentative trap site (Map 1) is not located near enough to the concentrations of horses, then the trap site would not be approved. The COR/PI would move the general location of the trap closer to the horses. Trap sites would not be approved where barbed-wire fences are used as wings, wing extensions, or to turn the horses, during herding, toward the trap.

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

- a. 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.

- b. 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. Eight linear feet of this material shall be capable of being removed or let down to provide a viewing window.

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

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

7. Alternate pens, within the holding facility shall be furnished by the contractor to separate mares with small foals, sick and injured animals, and estray animals from the other horses. Animals shall be sorted as to age, number, size, temperament, sex, and condition when in the holding facility so as to minimize injury due to fighting and trampling.

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

8. Animals shall be transported to final destination from temporary holding facilities within 24 hours after capture unless prior approval is granted by the COR/PI for unusual circumstances. Animals shall not be held in traps or temporary holding facilities on days when there is no work being conducted except as specified by the COR/PI. The contractor shall schedule shipments



of animals to arrive at final destination between 6:00 a.m. and 4:00 p.m.

9. The contractor shall provide animals held for 5 hours or more in the traps or holding facilities with a continuous supply of fresh clean water at 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 2 pounds of hay per 100 pounds of estimated body weight per day.

10. Animals which have been roped would not be tied down longer than 1 hour.

12. 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.

13. Mares and foals would be paired up soon after capture and separated from other adult horses. Mares that are within the target age group for removal would be shipped to PVC with their foal. Foals of older mares (mares older than the ones selected for removal) that are old enough to wean, would be weaned and shipped to PVC. While holding animals at temporary corrals every effort would be made to pair up mares with foals. Any foals that do not pair up with an mare would be shipped to PVC.

14. Foals of older mares which are too young to wean would be released back into the HMA with their mare. In order to minimize stress to the foals, older mares and their foals would be released separately from other mares and stallions. Depending upon the situation they may be released prior to the other animals or after the other animals have been released. Also, we may transport the mares with very young foals in a stock trailer to areas close to their core areas when feasible. The objective would be to maximize the period of time between releasing small foals and other animals. Also, mares with foals would be released in small groups to minimize the likelihood of the adult horses running off too quickly for the foals to keep up.

15. Following the release of animals from corrals or trailers, the area surrounding the release site would be monitored to determine the success of the release prior to the contractor moving to another area or the termination of the task order.

## II. Disposition of Removed Animals

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

Impounded, privately-owned animals would be processed as outlined in the Bureau of Land Management, Nevada State Office Instruction Memoranda NV-84-116 and NV-85-416.

## III. Responsibility

The Field Office Manager is responsible for maintaining and protecting the health and welfare of the wild horses. To ensure the contractor's compliance with the contract stipulations, the COR and PIs all from the Carson City Field Office, would be on site. Also, the Lahontan Area Manager and the Carson City Field Office Manager are very involved with guidance and input into this removal plan and with contract monitoring. The health and welfare of the animals is the overriding concern of the Field Office Manager, Area Manager, COR and PIs.

The COR and/or PI would constantly, through observation, evaluate the contractor's ability to



perform the required work in accordance with the contract stipulations. Compliance with the contract stipulations would 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 would 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 and constantly during the course of the contract the COR and/or PIs would evaluate the conditions which may cause undue stress to the animals. The factors considered would include animal condition, prevailing temperatures, drought conditions, soil conditions, topography, animal distribution, distance animals travel to water, quantity of available water and condition of roads that animals are to be transported over. These factors would be evaluated to determine if additional constraints other than those already discussed above, need be initiated in order to safely capture and transport the animals (i.e. veterinarian present, or delay of capture operations). This is of special concern during this year of drought which may intensify the impact of removal operations on the animals and the roads.