



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

NEVADA STATE OFFICE
850 Harvard Way
P.O. Box 12000
Reno, Nevada 89520-0006

Dist File

9 8/15/88



IN REPLY REFER TO:

4700
(NV-931.3)

Commission for the Preservation of
Wild Horses and Burros
c/o Terri Jay, Executive Director
Stewart Facility
5500 Snider Ave., Bldg. 6, Room 137
Carson City, Nevada 89710

AUG 5 1988

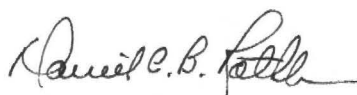
Dear Ms. Jay:

The Bureau of Land Management proposes to gather excess wild horses and burros from public lands in the State of Nevada no sooner than 28 days from the date of this letter.

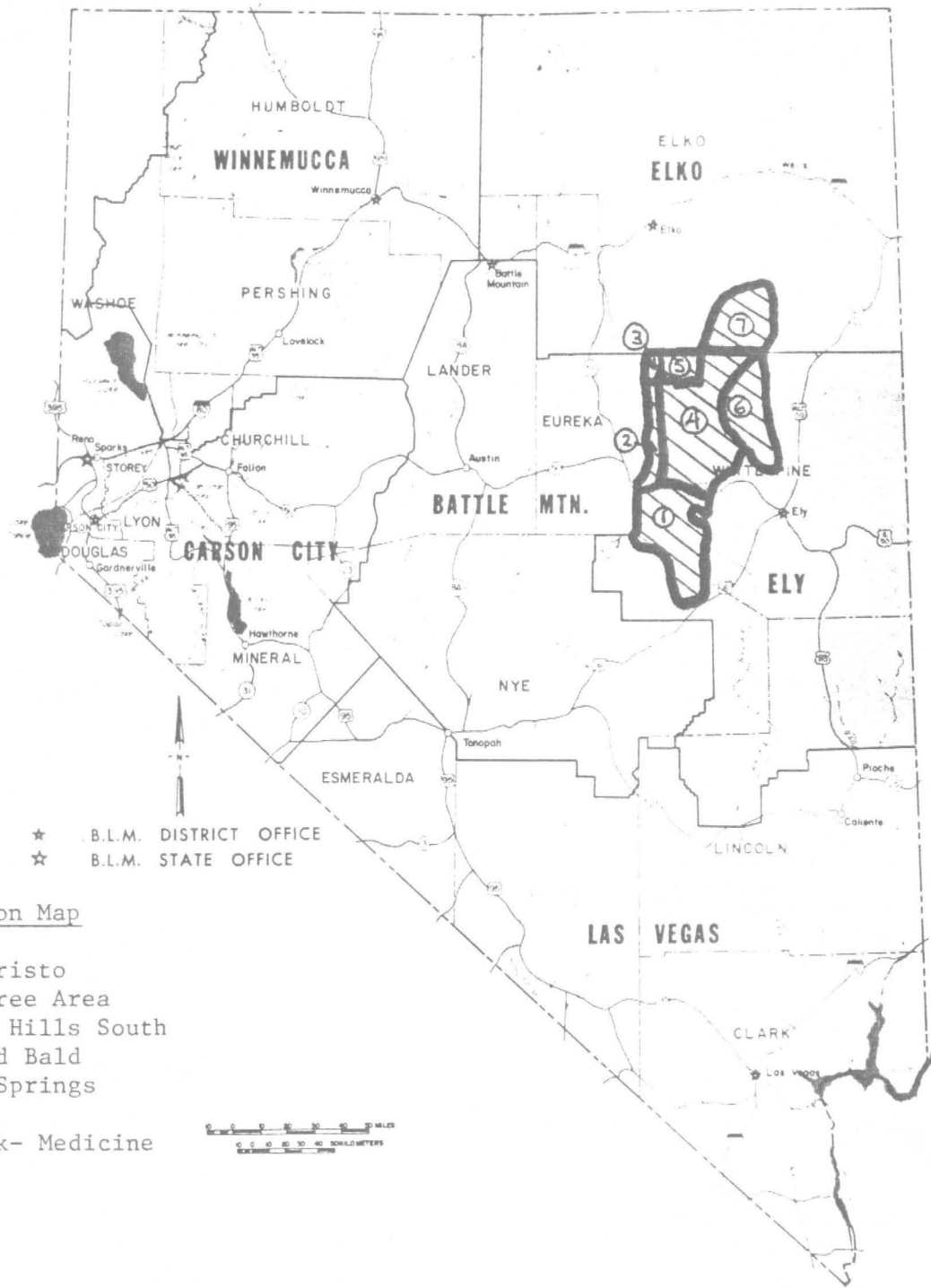
The proposed gathering will be conducted in the Ely District in the areas shown on the enclosed maps and as described below.

| <u>Herd Management Area/Herd Area Name</u> | <u>Environmental Analysis Record Number</u> | <u>Reason for Gathering</u> | <u>Approximate Number to Be Removed</u> | <u>Approximate Number to Remain</u> |
|--|---|---------------------------------|---|---|
| Monte Cristo | NV-040-8-15 | Comply with HMAP | 100 | 72 |
| Horse Free Area | NV-040-8-15 | Imple. Land Use Plan | 65 | 0 |
| Diamond Hills | | | | |
| South | NV-040-8-15 | Imple. Land Use Plan | 59 | 36 |
| Buck and Bald | NV-040-8-15 | Imple. Land Use Plan | 381 | 700 |
| Cherry Springs | NV-040-8-15 | Comply with HMAP | 50 | 50 |
| Butte | NV-040-8-15 | Imple. Land Use Plan | 142 | 60 |
| Maverick-Medicine | NV-040-8-15 | Imple. Land Use Plan | 248 | 195 |

Sincerely,

For 
Edward F. Spang
State Director, Nevada

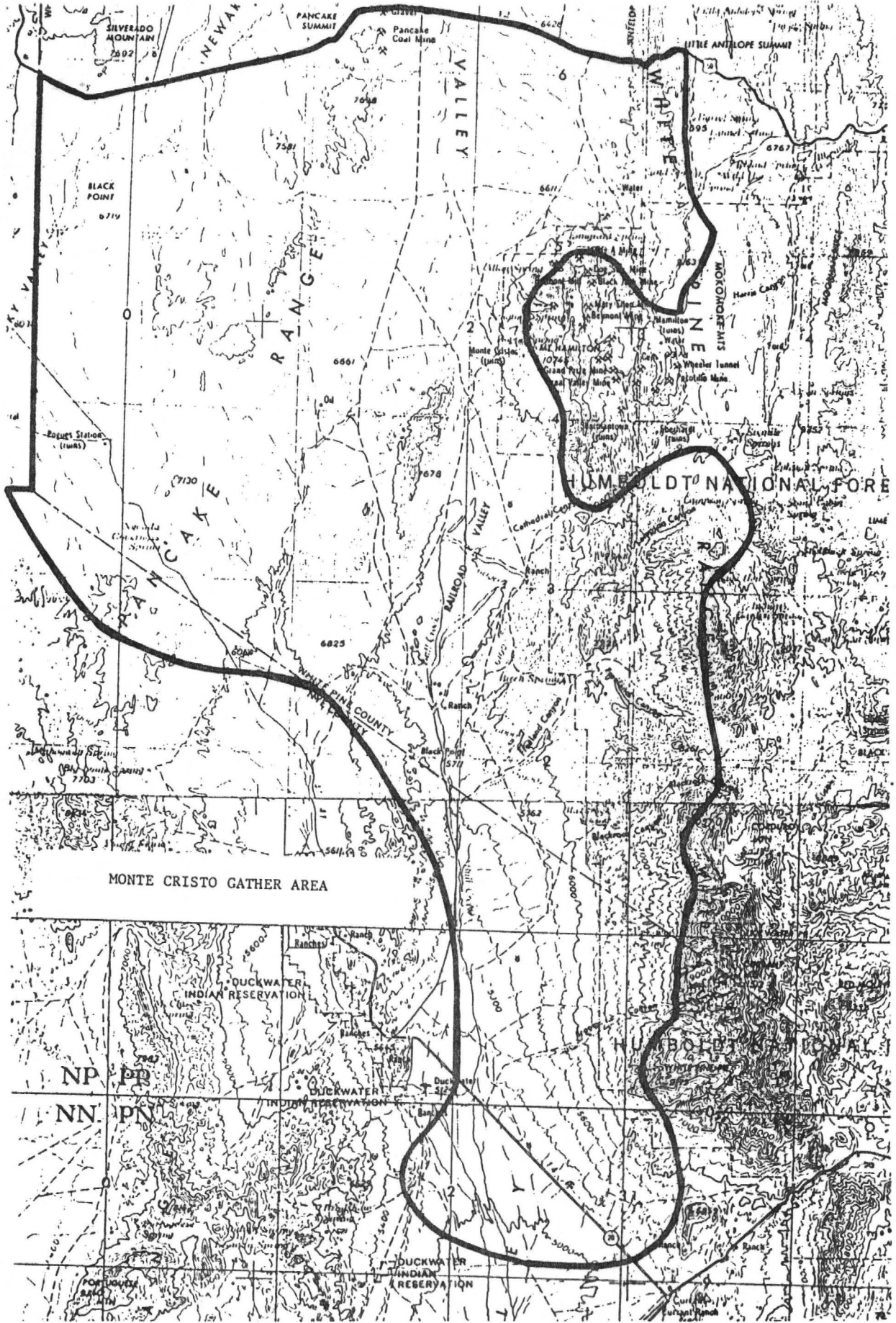
1 Enclosure
1 - Maps of Proposed Gathering (8 pp)



Work Location Map

NEVADA DISTRICTS

BUREAU OF LAND MANAGEMENT
 U. S. DEPARTMENT OF THE INTERIOR



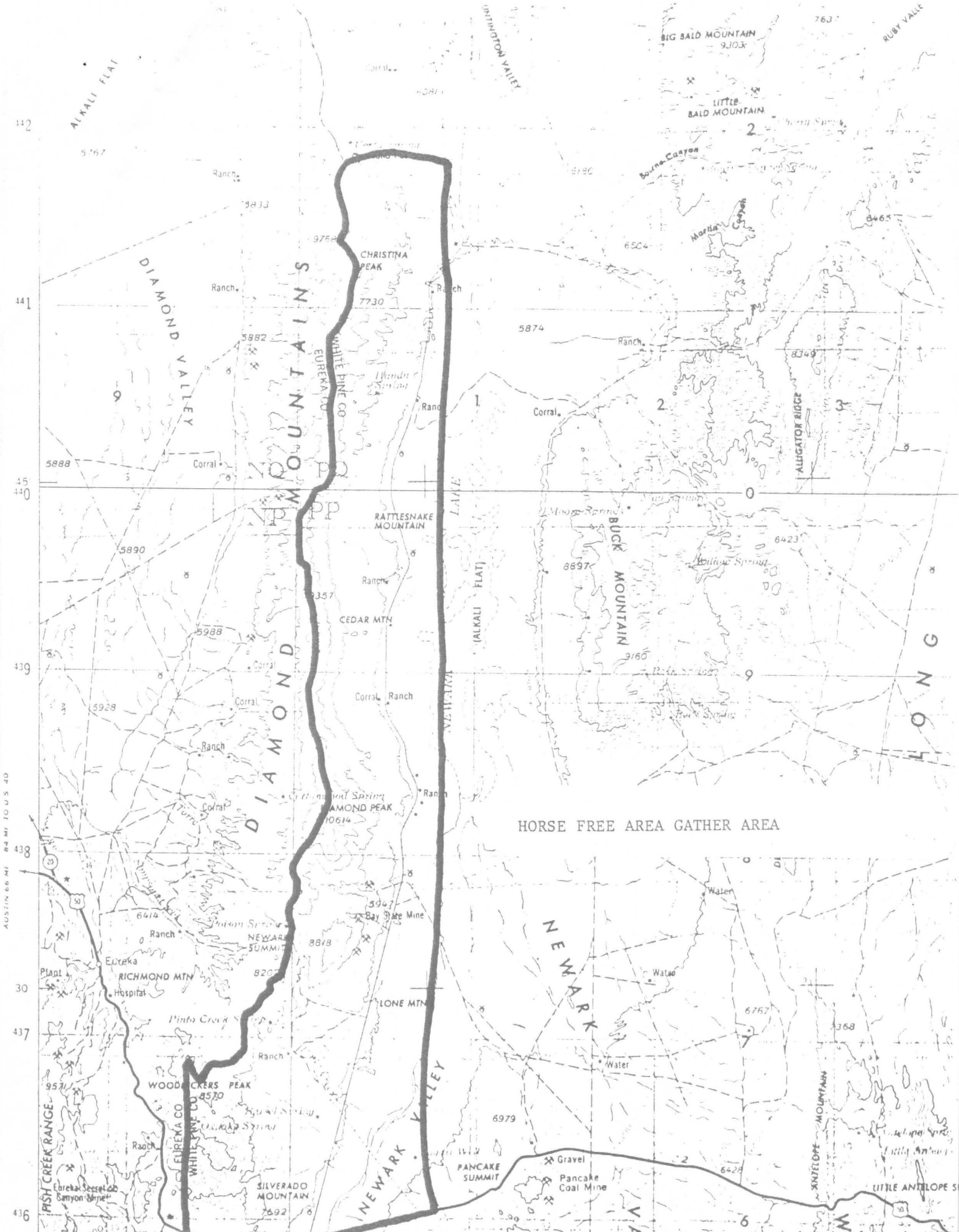
MONTE CRISTO GATHER AREA

NP PD
NN PN

DUCKWATER INDIAN RESERVATION

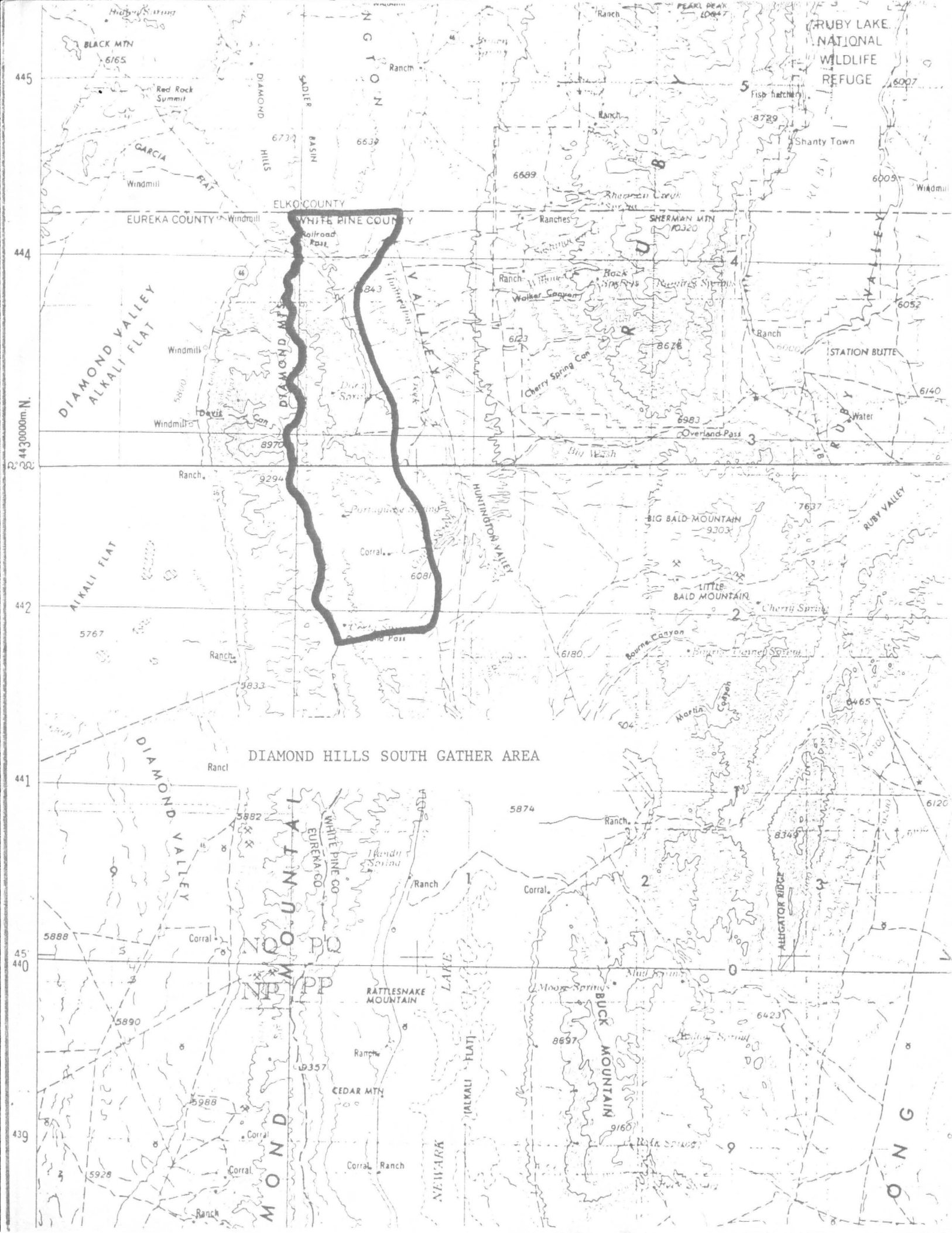
DUCKWATER INDIAN RESERVATION

DUCKWATER INDIAN RESERVATION



HORSE FREE AREA GATHER AREA

AUSTIN 66 MI 84 MI TO US 40



DIAMOND HILLS SOUTH GATHER AREA

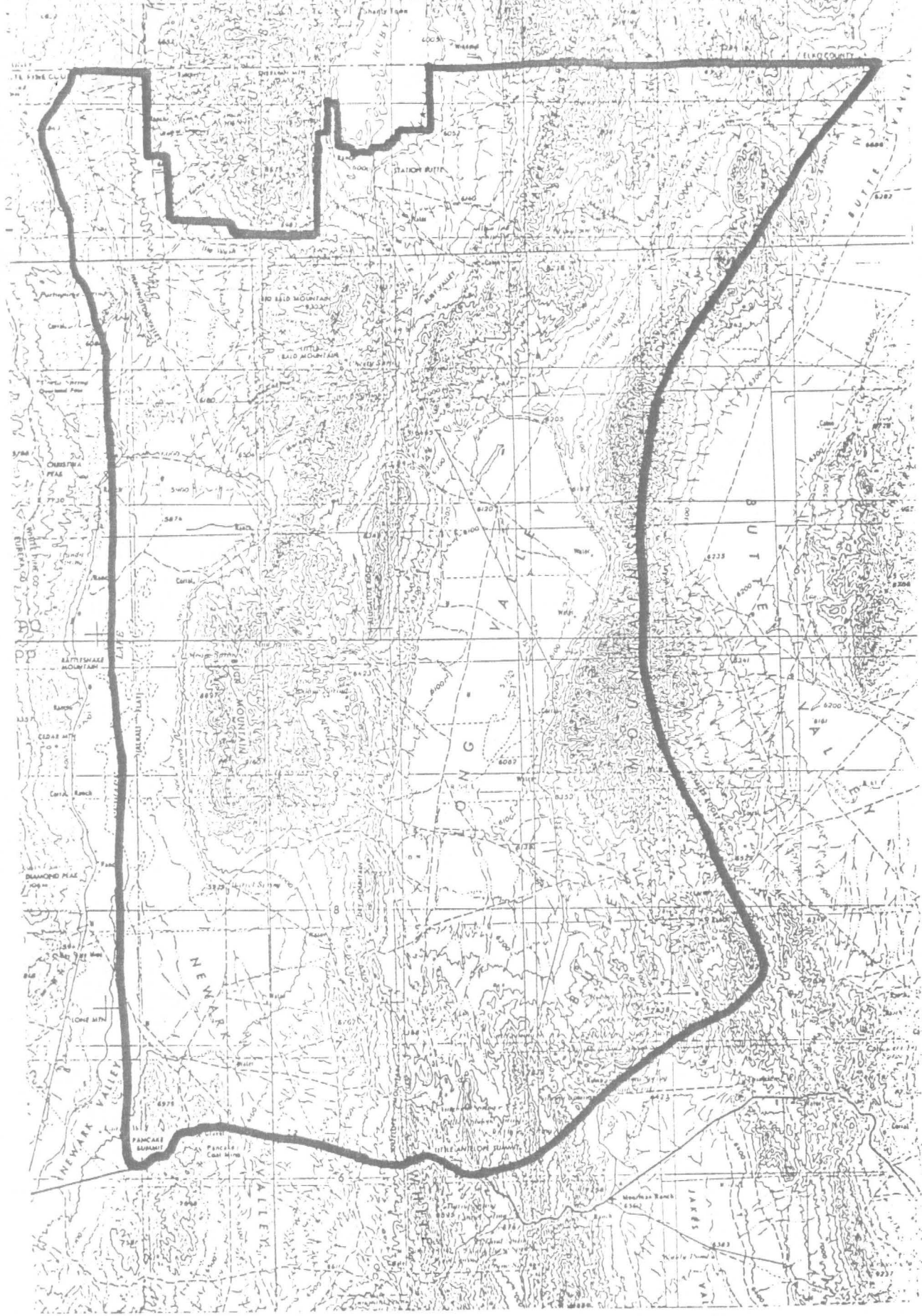
DIAMOND MOUNTAINS
 HUNTINGTON MOUNTAINS
 RUBY MOUNTAINS
 BUCK MOUNTAIN
 CEDAR MOUNTAIN
 RATTLESNAKE MOUNTAIN

DIAMOND VALLEY
 ALKALI FLAT
 HUNTINGTON VALLEY
 RUBY VALLEY
 NEWARK
 ALKALI FLAT
 LAKELAND

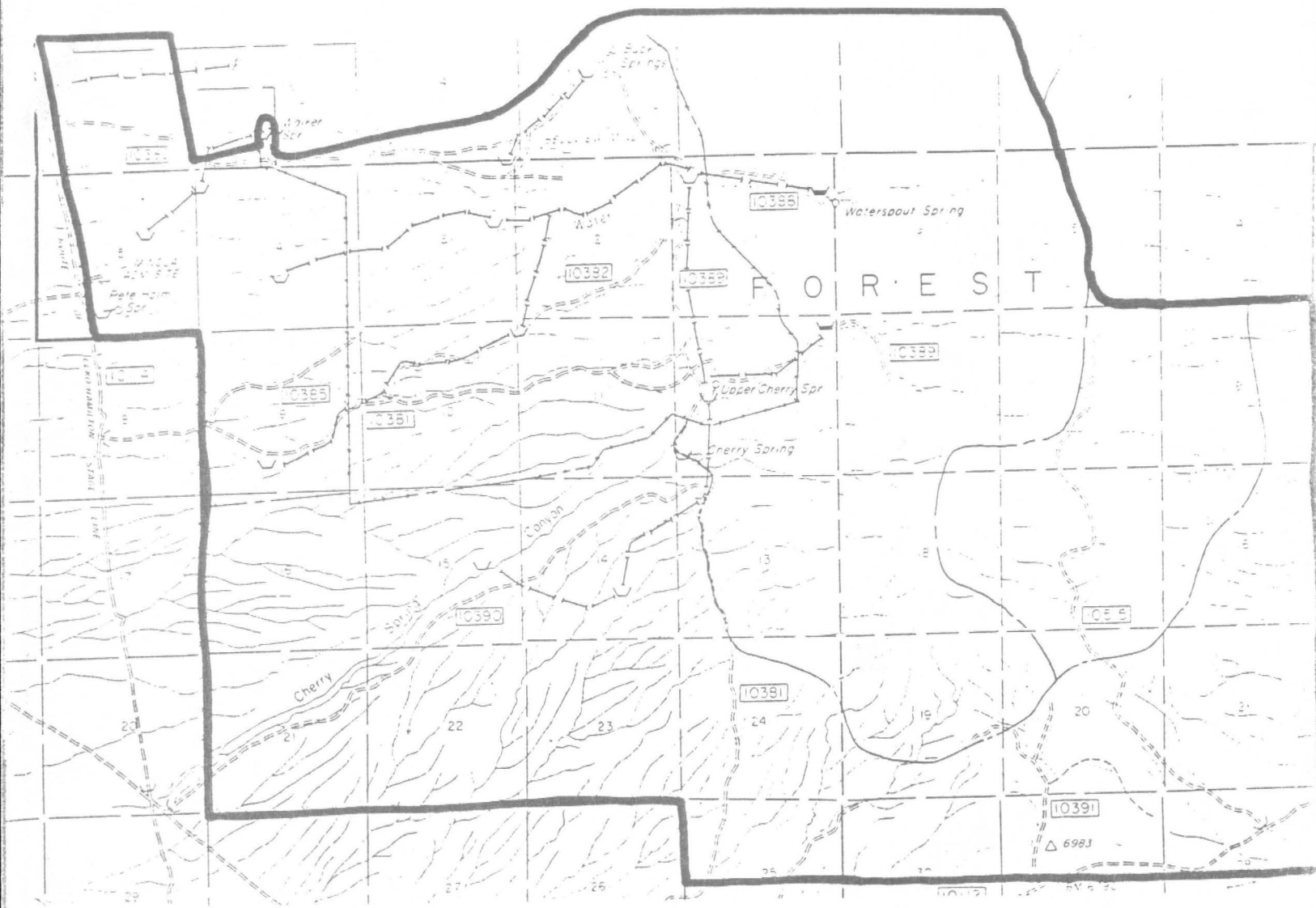
EUREKA COUNTY
 ELKO COUNTY
 WHITE PINE COUNTY

44° 45' 00" N
 44° 44' 00" N
 44° 42' 00" N
 44° 41' 00" N
 44° 40' 00" N
 43° 59' 00" N
 43° 49' 00" N
 43° 40' 00" N

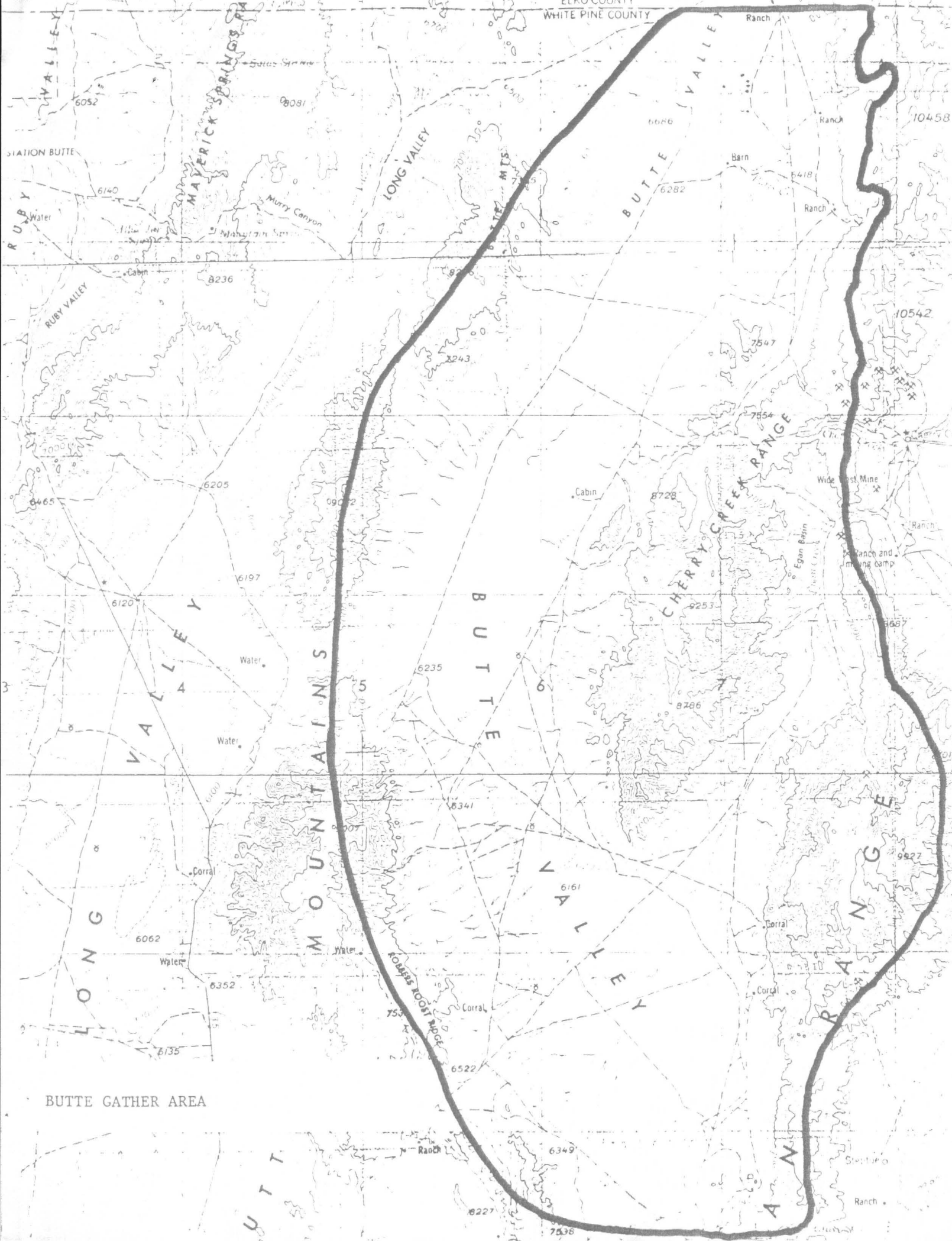
120° 45' W
 120° 40' W
 120° 35' W
 120° 30' W
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 120° 20' W
 120° 15' W
 120° 10' W
 120° 05' W
 120° 00' W



BUCK AND BALD GATHER AREA

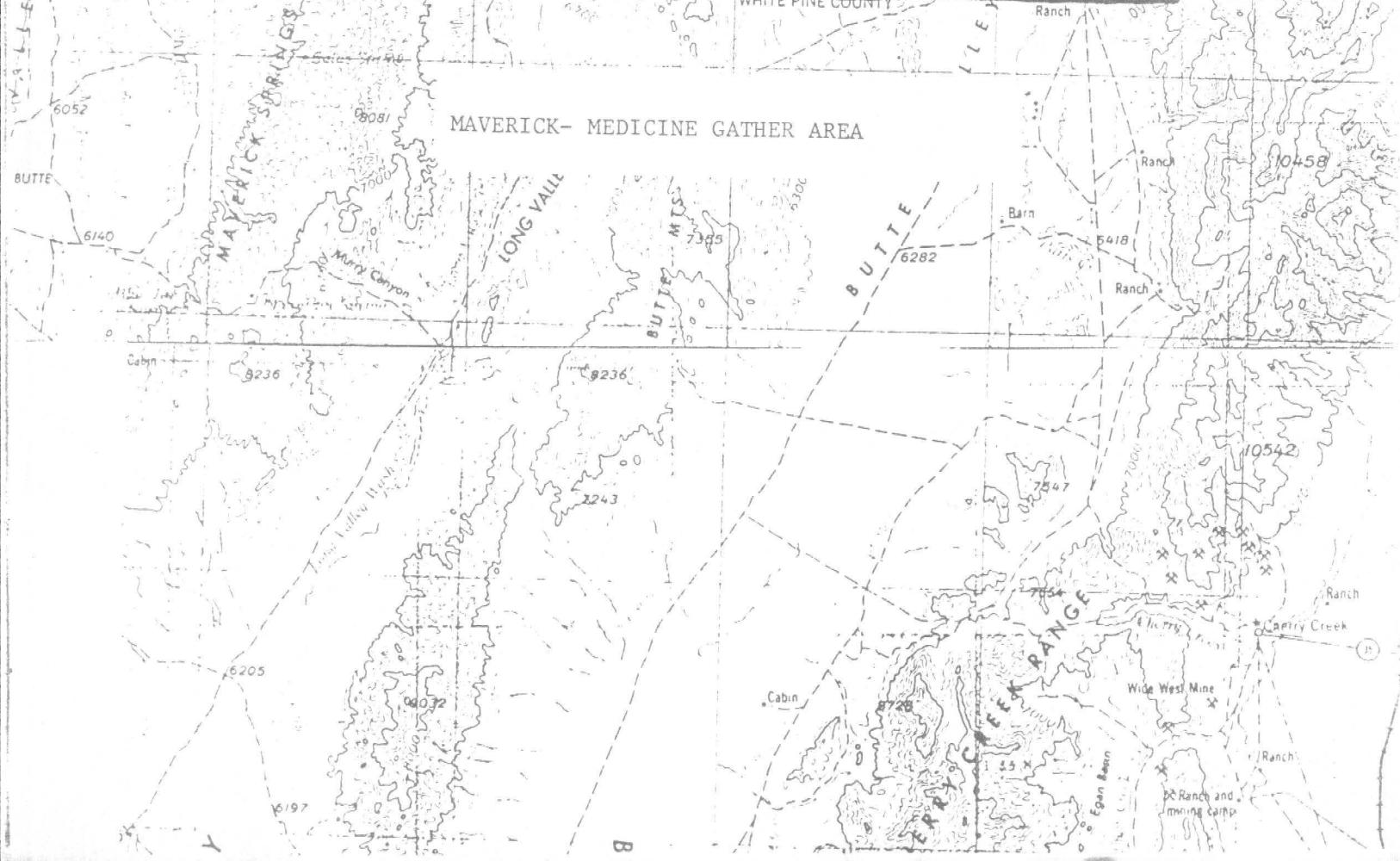
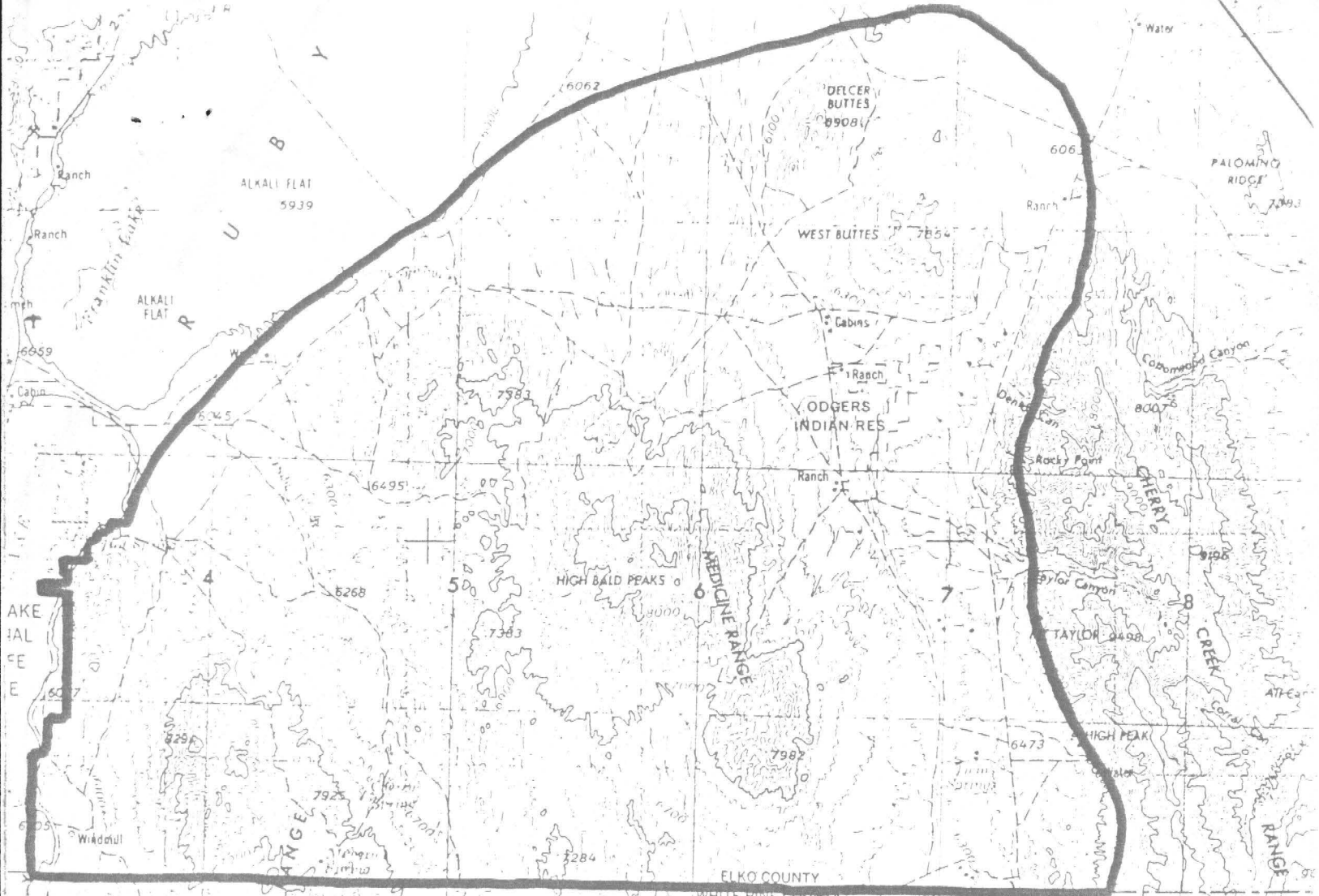


CHERRY SPRINGS GATHER AREA



ELKO COUNTY
WHITE PINE COUNTY

BUTTE GATHER AREA



5/16/88

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ENVIRONMENTAL ASSESSMENT
for the
ELY/ELKO DISTRICT WILD
HORSE GATHER

EA No. NV-040-8-15

Prepared by Robert E. Brown
Wild Horse and Burro Specialist
May 16, 1988

Bureau of Land Management
Ely District
Egan Resource Area
Ely, Nevada

DRAFTBACKGROUND INFORMATIONIntroduction

The Bureau of Land Management (BLM) Ely District, Egan Resource Area, in conjunction with the Elko District, Wells Resource Area, and the U.S. Forest Service (USFS) Humboldt National Forest, Ely Ranger District and Ruby Mountains Ranger District, is proposing to remove excess wild horses from five BLM herd management areas (HMA's), one designated horse free area, and two USFS wild horse territories.

The proposed gather area is located approximately 30 air miles west of Ely in western White Pine County and south-central Elko County, Nevada. The gather proposal includes the removal of excess wild horses from the Buck and Bald, Butte, Diamond Hills South, and Monte Cristo (HMA's), as well as one designated horse free area, in the BLM Ely District, Egan Resource Area. It also includes the Maverick-Medicine HMA in the BLM Elko District, Wells Resource Area. Two USFS Humboldt National Forest wild horse territories are also included, the Cherry Springs Territory in the Ruby Mountains Ranger District and the Monte Cristo Territory (jointly managed with BLM's Monte Cristo HMA) in the Ely Ranger District (see Appendix I - Location Maps).

Purpose and Need

The purpose of this Environmental Assessment (EA) is to assess the environmental consequences of the proposed action and alternatives in relation to the affected environment.

Wild horses have established home ranges outside of existing HMA's (designated horse free area) or have exceeded the appropriate management level (AML) established for specific HMA's/Territories. Thus, they are competing with other ungulates for forage, water, cover, and living space in greater than established numbers, and the ecological balance and multiple use relationship of the area is being threatened.

Relationship to Planning

The Monte Cristo HMA/Wild Horse Territory is managed through a cooperative management plan approved in 1977, between the USFS Humboldt National Forest, Ely Ranger District and the BLM Ely District, Egan Resource Area. The Monte Cristo Wild and Free Roaming Horses Management Plan established management numbers for the Monte Cristo herd at an average of 96 head, but to allow for a 25-percent fluctuation and maintain the herd between 72 and 120 horses.

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The Cherry Springs Wild Horse Territory is managed under the Cherry Springs Wild Horse Territory Plan, also approved in 1977. Management numbers are established in this plan, to maintain between 42 and 68 horses.

The remainder of the proposal area is not covered by herd management area plans (HMAP's). The Egan RMP (1984) and ROD (1987) established the following AML's for the Egan Resource Area HMA's in the proposed gather area:

| | |
|---------------------|----------------------|
| Buck and Bald | 700 |
| Butte | 60 |
| Diamond Hills South | 36 |
| Monte Cristo | 96 ± 25% (72 to 120) |

The Wells RMP (1983) and ROD (1985) established the Maverick-Medicine AML at 80-100 percent of the 1981 census level of 244 horses (195 to 244). In addition, the USFS wild horse territories' management numbers are addressed, to conform with the numbers established in the Monte Cristo and Cherry Springs management plans, in the ROD, final EIS, and Land and Resource Management Plan for the Humboldt National Forest (1986).

The proposal is in conformance with both BLM and USFS land use plans, as well as the 1971 Wild Horse and Burro Act (Public Law 92-195), as amended. The proposal is also consistent with the Elko and White Pine County Plans for Public Lands developed in compliance with Nevada Senate Bill 40 in 1985.

Major Issues

This proposal is concerned with two major issues. First, is to maintain an ecological balance and multiple use relationship of the area by managing wild horses within HMA/Territory boundaries at the established AML's. Second, is the humane treatment and safe handling of the wild horses during capture, care, temporary holding, and transportation to the BLM adoption preparation facility.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

Proposed Action

The proposed action consists of using a helicopter to gather approximately 1,045 excess wild horses as follows:

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| <u>Herd Area</u> | <u>Nos. to be Managed</u> | <u>Censused Population(Year)</u> | <u>Nos. to be Gathered*</u> |
|---------------------|---------------------------|----------------------------------|-----------------------------|
| Monte Cristo | 72 to 120 | 145 (1986) | 100 * |
| Horse Free Area | 0 | 65 (1987) | 65 |
| Diamond Hills South | 36 | 95 (1987) | 59 |
| Buck and Bald | 700 | 1,081 (1987) | 381 |
| Cherry Springs | 42 to 68 | 100 (1987) | 50 |
| Butte | 60 | 202 (1987) | 142 |
| Maverick-Medicine | 195 to 244 | 443 (1987) | 248 |
| Total | 1,105 to 1,228 | 2,131 | 1,045 |

* The number of horses to be gathered is greater than the difference between the latest census (1986) and the minimum management number for the Monte Cristo herd. Recent ground counts showed that 100 head could be removed and the AML of 72 to 120 wild horses would still remain. Under no circumstances will the herd be gathered below the AML of 72 wild horses. Any subsequent gather will require a new capture plan and EA. A post gather census will be conducted on each HMA to ensure that the AML remains after the gather is complete.

The horses will be gathered using a helicopter and portable wing traps. The gather is expected to take place through issuance of a removal contract during FY88, and last approximately 6 weeks. The approximate start date for the removal contract is September 1, 1988.

It is estimated that 13 temporary traps with deflector wings encompassing less than 1 acre each would be constructed on public lands in the herd areas. Temporary trap and corral sites would be selected by the contractor and approved by BLM. Each facility would be constructed from portable pipe panels. These traps would be moved as needed during the gathering operation and completely removed from the area after the contract is completed. A contracted helicopter and experienced wranglers would be used to drive and direct horses to each trap site in an efficient and careful manner. Hazards such as cliffs, fences, and old mine shafts would be scouted in advance and avoided. Existing roads and trails would be used whenever possible. Horses would be truck hauled to temporary holding facilities in Palomino Valley, Nevada, for processing, then shipped to distribution centers for adoption. Horses that might be held at the trap site in excess of 10 hours would have food and water provided.

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Branded trespass horses or other claimed horses and their current year's foals would be impounded and held until trespass fees, gathering fees, and other associated costs as determined by the Egan or Wells Area Manager are paid to the Bureau, and then these animals would be turned over to the owner. Branded horses not claimed would be treated under the Nevada State stray laws.

Applicable Standard Operating Procedures

These standard operating procedures (SOP's) are also part of the proposed action:

- (1) Horse handling will be kept to a minimum. Capture and transporting operations can be traumatic to the animals. Minimizing the handling would increase the safety of the animals, as well as the handlers.
- (2) No gathering will be allowed during the foaling season, between March 1 and July 1, because of the potential stress to pregnant and lactating mares and the possibility of induced abortions.
- (3) Horses will not be run more than 10 miles during gathering operations and gathering will be done in the early morning and early evening to avoid overheating horses during hot weather.
- (4) A veterinarian will be on call during gathering operations.
- (5) Trap sites or holding corrals will not be placed in areas of any known listed or proposed threatened or endangered plant or animal species.
- (6) A cultural resources investigation by an archaeologist or a district archaeological technician will be conducted prior to any trap or holding corral construction. If cultural values are discovered, an alternate site will be selected.
- (7) Helicopters will be used with caution. A qualified district BLM representative (COR or PI) will be present during gathering attempts to ensure strict compliance with the above mileage limitations and 43 CFR Part 4700 regulations. He/she will make a careful determination of a boundary line to serve as an outer limit within which attempts will be made to herd horses to a given trap.

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Topography, distance, weather, and current conditions of the horses will be considered in setting the mileage limits so as to avoid undue stress on the horses while they are being herded. The COR/PI will have a helicopter available during the entire gather operation to monitor all removal efforts as necessary.

- (8) Captured horses that are obviously lame, deformed, or sick will be humanely disposed of at the trap site.
- (9) Every effort will be made to keep mares and their young foals together.
- (10) A BLM law enforcement agent may be present during the gathering operation to provide protection for personnel working on the roundup, as well as the gathered horses.
- (11) Trap sites will not be placed within one-quarter mile of water sources such as streams, springs, reservoirs, or troughs.
- (12) Temporary traps and corrals will be removed and sites will be left clean of all debris within 30 days following the gathering operation.

In addition to the standard operating procedures, the following contract specifications will also be considered a part of the proposed action:

A. 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.

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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. 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 one door at the rear end of the vehicle which is capable of sliding either horizontally or vertically.
5. Floors of vehicles and the 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.
6. 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. A minimum of 1.4 linear foot per adult animal and .75 linear foot per foal shall be allowed per standard 8 foot wide stocktrailer/truck.
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.
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 roads is approximately 30 miles per load.

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B. Trapping and Care

1. All capture attempts shall be accomplished by the utilization of a helicopter. A minimum of one saddlehorse shall be immediately available at the trapsite to accomplish roping if necessary. Roping shall be done as determined by the COR. Under no circumstances shall animals be tied down for more than 1 hour.
2. The helicopter shall be used in such a manner that bands or herds will remain together. Foals shall not be left behind.
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.
4. It is estimated that 13 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.
5. 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, and the bottom rail of which shall not be more than 12 inches from ground level. All traps and holding facilities shall be oval or round in design.
 - b. 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.
 - c. 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.

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- d. Wings shall not be constructed out of barbed wire or other materials injurious to animals and must be approved by the COR.
 - e. All crowding pens including the gates leading to the runways shall be covered with a material which prevents the animals from seeing out (plywood, burlap, 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 letdown to provide a viewing window.
 - f. All pens and runways used for the movement and handling of animals shall be connected with hinged self-locking gates.
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.
 7. 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.
 8. Alternate pens, within the holding facility shall be furnished by the contractor to separate mares with small foals, sick and injured animals, and stray 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, to the extent possible, injury due to fighting and trampling.
 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. The Contractor shall schedule shipments of animals to arrive at final destination between 6:00 a.m. and 4:00 p.m. No shipments shall be scheduled to arrive at final destination on Sunday.

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10. The Contractor shall provide animals held in the traps and/or holding facilities with a continuous supply of fresh clean water at a minimum rate of 10 gallons per animal per day. Animals held for 10 hours or more in the traps or holding facilities shall be provided good quality hay at the rate of not less than 2 pounds of hay per 100 pounds of estimated body weight per day.
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 if treatment by the Government is necessary. The COR will determine if injured animals must be destroyed and provide for destruction of such animals. The contractor may be required to dispose of the carcasses as directed by the COR.

C. Helicopter, Pilot, and Communications

1. The contractor must operate in compliance with Federal Aviation Regulations, Part 91. Pilots provided by the contractor shall comply with the Contractors Federal Aviation Certificates, applicable regulations of the State of Nevada and shall follow what are recognized as safe flying practices.
2. When refueling, the helicopter shall remain a distance of at least a 1,000 feet or more from animals, vehicles (other than fuel truck), and personnel not involved in refueling.
3. The COR shall have the means to communicate with the Contractor's pilot and be able to direct the use of the gather helicopter at all times. If communications cannot be established, the Government will take steps as necessary to protect the welfare of the animals. The frequency(s) used for this contract will be assigned by the COR when the government furnished "slip-in" VHF/FM portable radio is used. When a VHF/AM radio is used, the frequency will be 122.925 MHz.

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4. The contractor shall obtain the necessary FCC licenses for the radio system.
5. The proper operation, service and maintenance of all contractor furnished helicopters is the responsibility of the contractor. The BLM reserves the right to remove from service pilots and helicopters which, in the opinion of the contracting officer or COR violate contract rules, are unsafe or otherwise unsatisfactory. In this event, the contractor will be notified in writing to furnish replacement pilots or helicopters within 48 hours of notification. All such replacements must be approved in advance of operation by the contracting officer or his/her representatives.

D. Contractor-Furnished Property

1. All hay, water, vehicles, saddle horses, helicopters and other equipment shall be provided by the contractor. Other equipment includes, but is not limited to, a minimum of 1,500 linear feet of 72-inch high (minimum height) panels for traps and holding facilities. Separate water troughs shall be provided at each pen where animals are being held.
2. The contractor shall furnish an avionics system that will allow communications between the contractor's helicopter and his fuel truck.
3. The contractor shall furnish a VHF/AM radio transceiver in the contractor's helicopter which has the capability to operate on a frequency of 122.925 MHz.
4. The contractor shall provide an avionics system in the contractor's helicopter to accommodate a government furnished "slip-in" VHF/FM portable radio, manufactured by GE, Model HN-56 Porta-Mobil II, including the plugs necessary to connect the government radio to the aircraft's integrated audio and transmit selector system and the connectors to an external antenna to accommodate the COR/PI in monitoring the gather operation.

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Alternatives

Different methods of capturing wild horses are discussed in the removal plan and will be briefly discussed in the alternative section of this environmental assessment. Current economic and political constraints limit "technically feasible and reasonably available" alternatives which could be expected to attain the objectives of the proposed action.

Alternative I - Water Trapping Wild Horses

Water trapping wild horses, though easier on the animal, is not feasible due to the number of water sources available in or adjacent to the proposed gathering area. Water traps take time to construct and require time for horses to accept as part of their environment. The time allotted to this roundup is limited; therefore, this alternative will not be considered further.

Alternative II - Trapping Wild Horses by Running Them on Horseback

Trapping horses by running them on horseback is not feasible because it is too easy to lose the horses after starting them towards the trap. Injuries to both people and horses are more likely. The cost factor shown from previous roundups using this method indicates that the costs are prohibitive. This alternative will, therefore, not be considered further.

Alternative III - No Action

Under the No Action alternative no gathering operations would be conducted; no wild horses would be gathered. Herd numbers would not be held at appropriate management levels and wild horses would be established outside of HMA/Territory boundaries; therefore, this alternative will not be considered further.

DESCRIPTION OF THE AFFECTED ENVIRONMENT

A complete description of the affected environment can be found in the Egan Draft RMP and EIS (1983), the Proposed Egan RMP and Final EIS (1984), the Wells Draft RMP and EIS (1983), the Proposed Wells RMP and Final EIS (1983), and the ROD, Final EIS, and Land and Resource Management Plan for the Humboldt National Forest (1986). These documents are on file at the BLM Ely and Elko District Offices, and the USFS Humboldt National Forest Ely and Ruby Mountains Ranger District Offices.

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ENVIRONMENTAL CONSEQUENCES

Proposed Action

There would be no impacts from the proposed action to threatened or endangered species (plants or animals); floodplains; wetlands; wilderness values; areas of critical environmental concern; wild and scenic rivers; visual resource management; prime or unique farmlands; or cultural, paleontological, and historical resource values.

Riparian Areas:

Reduced wild horse numbers would lessen grazing and trampling at waterholes and riparian areas, contributing to a more favorable riparian habitat.

Social and Economic Values:

Positive management and maintenance of wild horse numbers at a viable herd level could bring vicarious pleasure to wild horse advocates. The removal of excess wild horses from the gather area would please local sportsmen and livestock operators. Proceeding with the gather would help public relations for the Ely and Elko BLM Districts, as well as for the USFS Humboldt National Forest Ely and Ruby Mountains Ranger Districts.

Water (Drinking/Ground/Quality):

Reduced wild horse numbers would lessen the competition among wild horses, wildlife, and livestock for limited water supplies, which in turn would contribute to a more favorable water quality for all animals.

Air Quality:

Short-term increases in transient dust levels caused by operation of ground vehicles and running horses would occur. Short-term impacts to air quality would also occur during gathering operations and handling of horses, resulting from helicopter and vehicle exhaust emissions.

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Wild Horses and Burros:

A negative impact on wild horses would be expected during gathering and handling. This would result from traumatic effects of capturing, trapping, loading, and hauling the animals. The use of helicopters to capture excess wild horses may result in leppy foals and split bands, as well as injured horses. Incidents like these tend to be increased if the animals are pushed too hard.

Enough horses would remain to maintain viable herds and provide for interaction between bands. Reduced competition among wildlife, livestock, and horses for forage, water, cover, and living space would result in higher survival and reproduction rates in each.

Much biological information can be obtained from the gathered animals (sex and age ratios, parasites, diseases, etc.). All of this information would be useful in future wild horse management.

Soils:

Sites which presently exhibit active soil erosion would be positively impacted because of the reduction of animals and decreased trampling effects.

Vegetative cover has a direct influence on the availability and erosion potential of soils. The reduction in horse numbers and the resultant reduction in vegetative utilization (especially in heavy use areas) would have both short and long-term beneficial impacts to the soils resource. These beneficial responses - less soil compaction and improved vegetative cover - would be most important in heavy horse use areas.

Vegetation:

There would be a short-term negative impact to the vegetation at the trap sites and holding corrals, which would be less than 1 acre each. The vegetation would be severely trampled and soil would be compacted by all the horses that would be concentrated at those locations. This would be a minor impact, though, because the impacted areas would be small in relation to the gather area. Vegetative regeneration would be expected within 2 to 3 years depending on climatic conditions.

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The reduction in wild horses would have a positive long-term impact on the vegetative community of the area. The ecological condition of the different plant communities would improve after the gather. The more desirable grasses and shrubs would not be utilized as heavily. Production of these species would increase, as would their percentage of composition within the community.

The invasion of undesirable grasses and forbs would not be as great under the proposed action. Decreased grazing pressure would slow downward trends in overall range condition and would improve the ecological balance and multiple use relationship of the area.

Wildlife:

A minor impact to wildlife is expected during the gather. Some animals could be temporarily frightened or displaced by the increased activity during the removal operation. Any reduction in wild horse numbers should reduce competition for forage and result in a beneficial impact to the mule deer and antelope herds. Reduced competition for the short supply of mountain brush and other forage by all ungulates should help the deer and antelope through hard winters and reduce winter losses.

Reduced use and trampling on riparian areas should benefit a large number of wildlife species.

Livestock Grazing:

There would be a slight negative impact to livestock grazing as a result of the proposed action. Livestock would be disturbed by all the activities associated with the gather. This would be a short-term impact and only on those allotments being used at the time of the removal. There would be no impact to the other allotments.

The proposed action would have a long-term positive impact on livestock grazing on all the allotments in the removal area. Forage competition would be reduced after the gather.

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PROPOSED MITIGATING MEASURES

1. A BLM official (COR/PI) will be present at the gathering site to ensure minimum injury and other traumatic effects that could occur to the horses and that contract stipulations are adhered to. The Authorized Officer will also have a helicopter on site to use in monitoring and supervising the contract. This helicopter will be used with discretion to minimize disturbance of horses that would make gathering more difficult. However, it will be used as needed to assure that the contractor is complying with the contract specifications.
2. Wherever possible, gathering will be done to avoid high concentrations of mule deer and antelope to avoid stressing animals during hot and dry weather periods.
3. Livestock concentrations will be avoided whenever possible to reduce the disturbance to them during the gather.
4. Horses will not be kept within the traps or corrals for more than 3 days to minimize trampling effects and soil compaction, unless approved by the Authorized Officer. Number of horses to be held may vary depending on how many are caught in any one area.

SUGGESTED MONITORING

The COR/PI will continuously monitor the gather operation to ensure that all conditions and stipulations in this EA are complied with. The project area will be cleaned up (trash and debris) prior to release of the Contractor. The temporary traps and holding corrals will be removed by the Contractor within 30 days following contract completion.

The COR/PI will conduct an aerial census, by helicopter, of the HMA's immediately following the gather to ensure that the AML remains. Additional aerial census will be conducted every 3 to 5 years thereafter (funding permitting) to monitor the growth of the herds. When census numbers exceed established AML, a followup gather will be proposed to again reduce the herd to its AML.

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CONSULTATION AND COORDINATION

Intensity of Public Interest

Nationally, the issue of wild horses on western public rangelands has been an intense controversy spanning many years and beginning prior to the passage of the Wild Horse and Burro Act in 1971. Wild horse preservationists are generally concerned with maintaining adequate habitat on public lands for optimum population levels of wild horses and viable herds.

Ranchers who graze livestock on public lands view wild horses as competitive with livestock for forage and water and thus a threat to their interests. However, some ranchers and others support a maintenance of reasonable numbers of wild horses.

Sportsmen and other wildlife interests also see horses as a competitive threat to wildlife populations and site competition for food, water, cover, and space as being detrimental.

Nevada, the state with the highest wild horse population, was also home state of the wild horse protection movement fostered by the late Velma Johnston ("Wild Horse Annie"). In Nevada, ranching is a mainstay business in rural counties. The levels of public interest in wild horses are high in Nevada, both from the protection and removal viewpoints. The Bureau of Land Management in Nevada has been and is involved in wild horse related court litigation. Litigations have been brought mainly by protectionist groups seeking to stop what they view as unwarranted horse gathering. However, recent litigations have been brought by private landowners, many of whom have requested removal of wild horses from their lands.

Since public interest is high and the wild horse program is of a controversial nature, public notification of the project is being given and public comments are being solicited for a period of 30 days (see Record of Persons, Groups, and Agencies Contacted). Comments received will be considered for the final environmental assessment.

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EA NV-040-8-15

Record of Persons, Groups, and Agencies Contacted

American Horse Protection Association
National Mustang Association
International Society for the Protection of Wild Horses and Burros
Fund for Animals
U.S. Humane Society
Nevada State Department of Agriculture
Animal Protection Institute
American Humane Association
National Wild Horse Association
Wild Horse Organized Assistance
Save the Mustangs
American Bashkir Curly Register
Humane Society of Southern Nevada
Nevada Humane Society
U.S. Fish and Wildlife Service
Nevada Federation of Animal Protection Organization
Commission for the Preservation of Wild Horses
Mr. Craig C. Downer
American Wild Mustang and Burro Foundation
Ms. Deborah Allard
Ms. Nan Sherwood
Ms. Amanda Rush
Mr. John Walker, Nevada State Clearinghouse Coordinator
Nevada Department of Wildlife, Region II
Bureau of Land Management, Nevada State Director
Bureau of Land Management, Battle Mountain District Manager
Bureau of Land Management, Elko District Manager
U.S. Forest Service, Humboldt National Forest, Ely District Ranger
U.S. Forest Service, Humboldt National Forest, Ruby Mountains
District Ranger
U.S. Forest Service, Humboldt National Forest, Forest Supervisor

Internal District Review

| | |
|-------------------|---|
| Bill Lindsey | Livestock Grazing |
| Lisa Diercks | Livestock Grazing |
| Robert Brown | Wild Horses and Burros |
| Sarah Johnston | Cultural Resources |
| Shaaron Netherton | Visual Resources Management/Recreation |
| Cris Ann Bybee | Soils/Air/Watershed |
| Mark Barber | Riparian/Threatened and Endangered Animals/Water Quality |
| Mike Perkins | Wildlife |
| Kathy Lindsey | Threatened and Endangered Plants/ Vegetation |
| Jake Rajala | Socio-Economics/Environmental Coordination |
| Russell T. Dailey | ADM Resources |

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EA NV-040-8-15

SIGNATURES

Prepared by:

Robert E. Brown
Wild Horse and Burro Specialist
Ely District

Date

Reviewed by:

Jake A. Rajala
Environmental Coordinator
Ely District

Date

Russell T. Dailey
ADM Resources
Ely District

Date

Gene L. Drais, Manager
Egan Resource Area
Ely District

Date

John A Phillips, Manager
Wells Resource Area
Elko District

Date

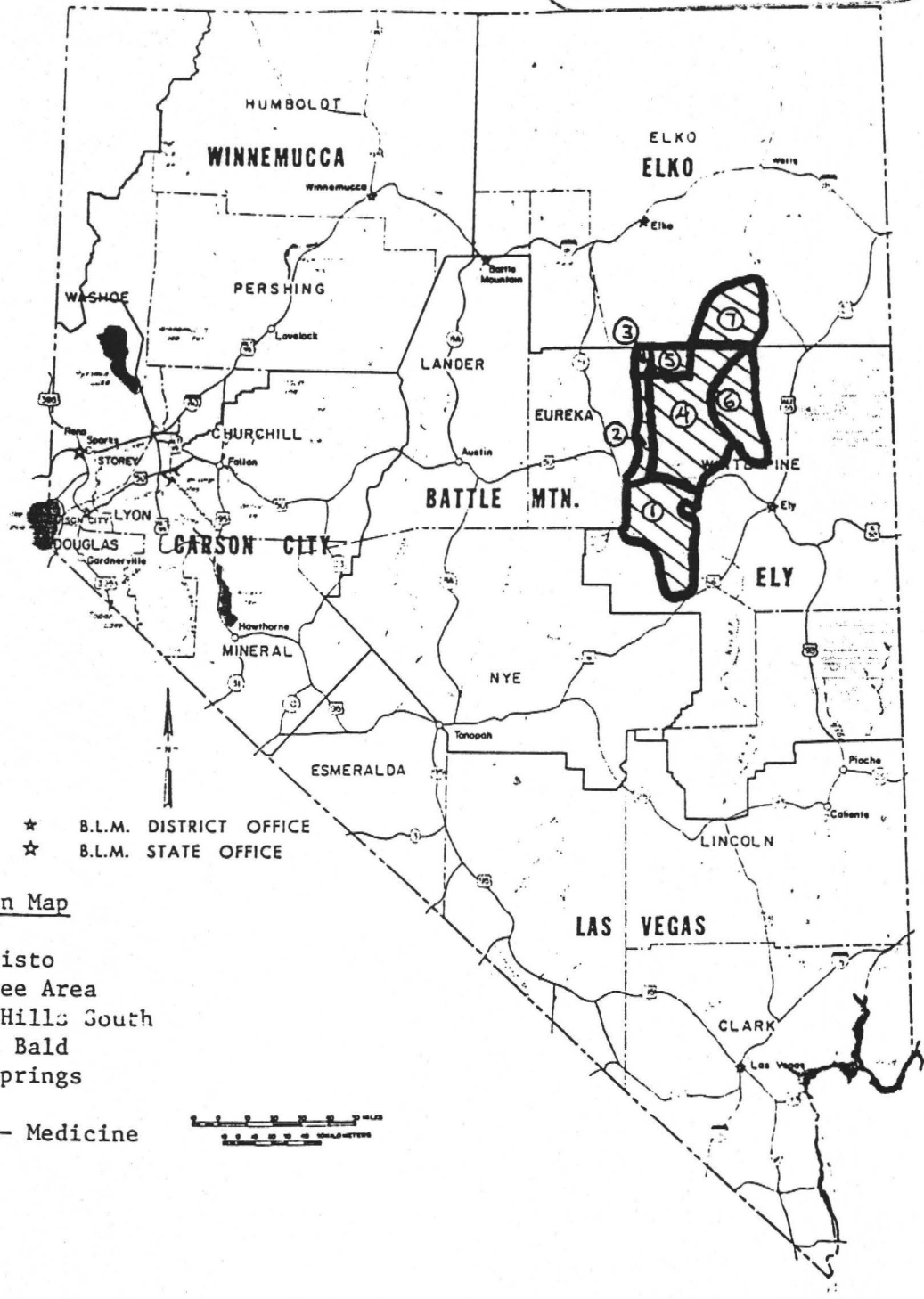
Paul Demeule
Ely District Ranger
Humboldt National Forest

Date

Mont E. Lewis, Jr.
Ruby Mountains District Ranger
Humboldt National Forest

Date

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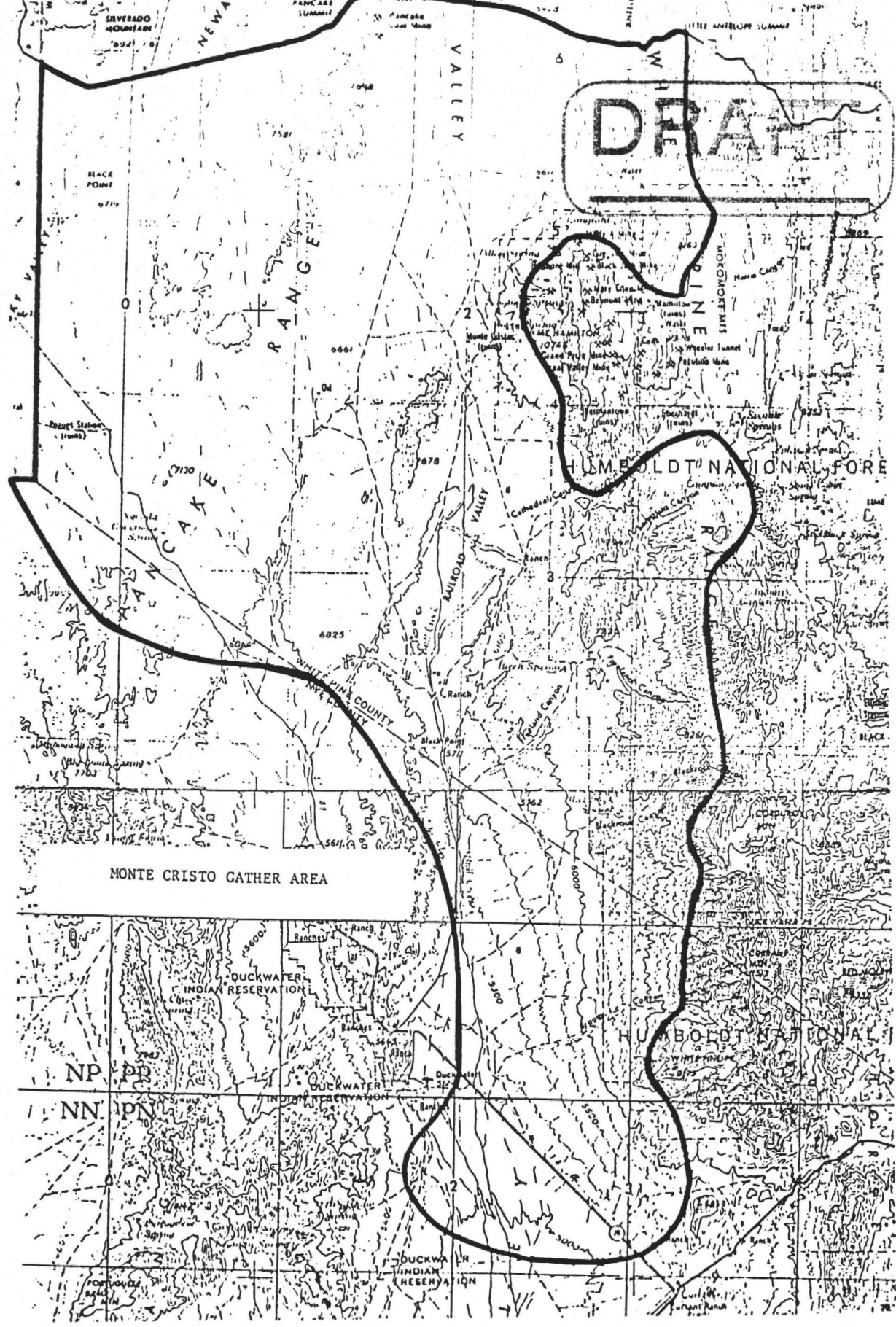
★ B.L.M. DISTRICT OFFICE
★ B.L.M. STATE OFFICE

Work Location Map

- 1. Monte Cristo
- 2. Horse Free Area
- 3. Diamond Hills South
- 4. Buck and Bald
- 5. Cherry Springs
- 6. Butte
- 7. Maverick- Medicine



NEVADA DISTRICTS
BUREAU OF LAND MANAGEMENT
U. S. DEPARTMENT OF THE INTERIOR



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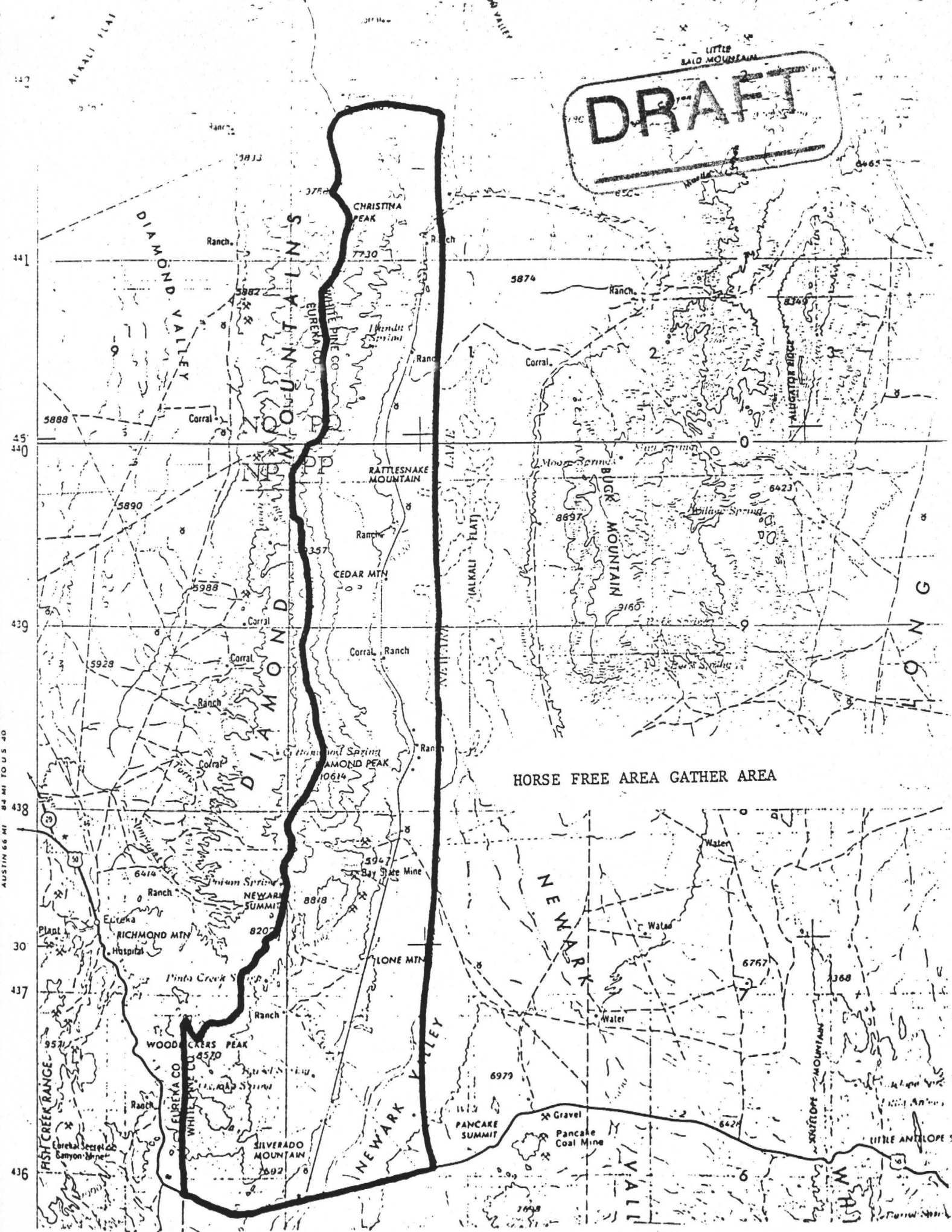
MONTE CRISTO GATHER AREA

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HORSE FREE AREA GATHER AREA

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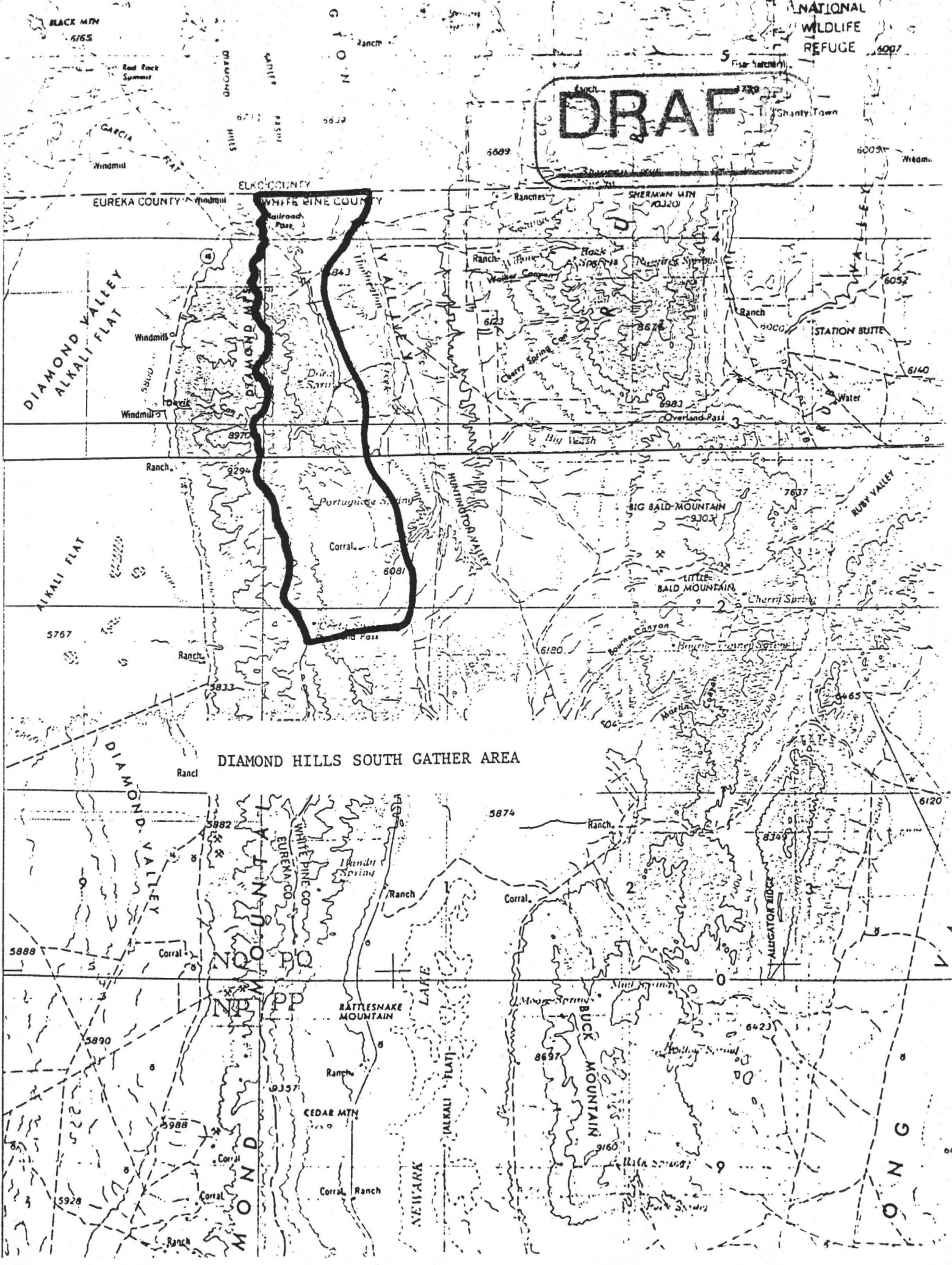
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DIAMOND HILLS SOUTH GATHER AREA

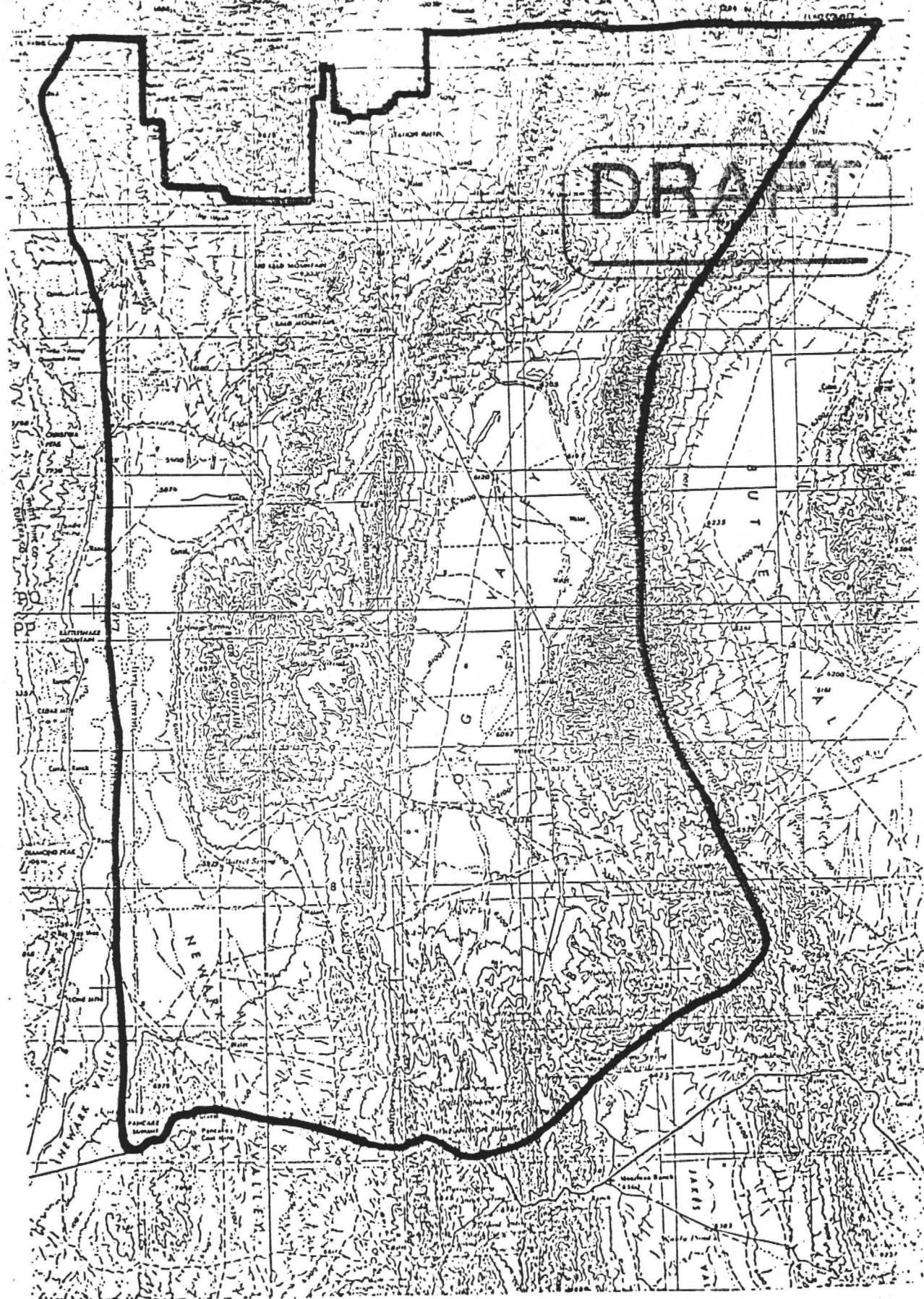
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ALKALI FLAT
DIAMOND MOUNTAINS
WHITE PINE CO
EUREKA CO
NEWARK MOUNTAINS
ALKALI FLAT
NEWARK

WHITE PINE CO
EUREKA CO
RATTLESNAKE MOUNTAIN
CEDAR MTN
NEWARK

BUCK MOUNTAIN
ALKALI FLAT
NEWARK

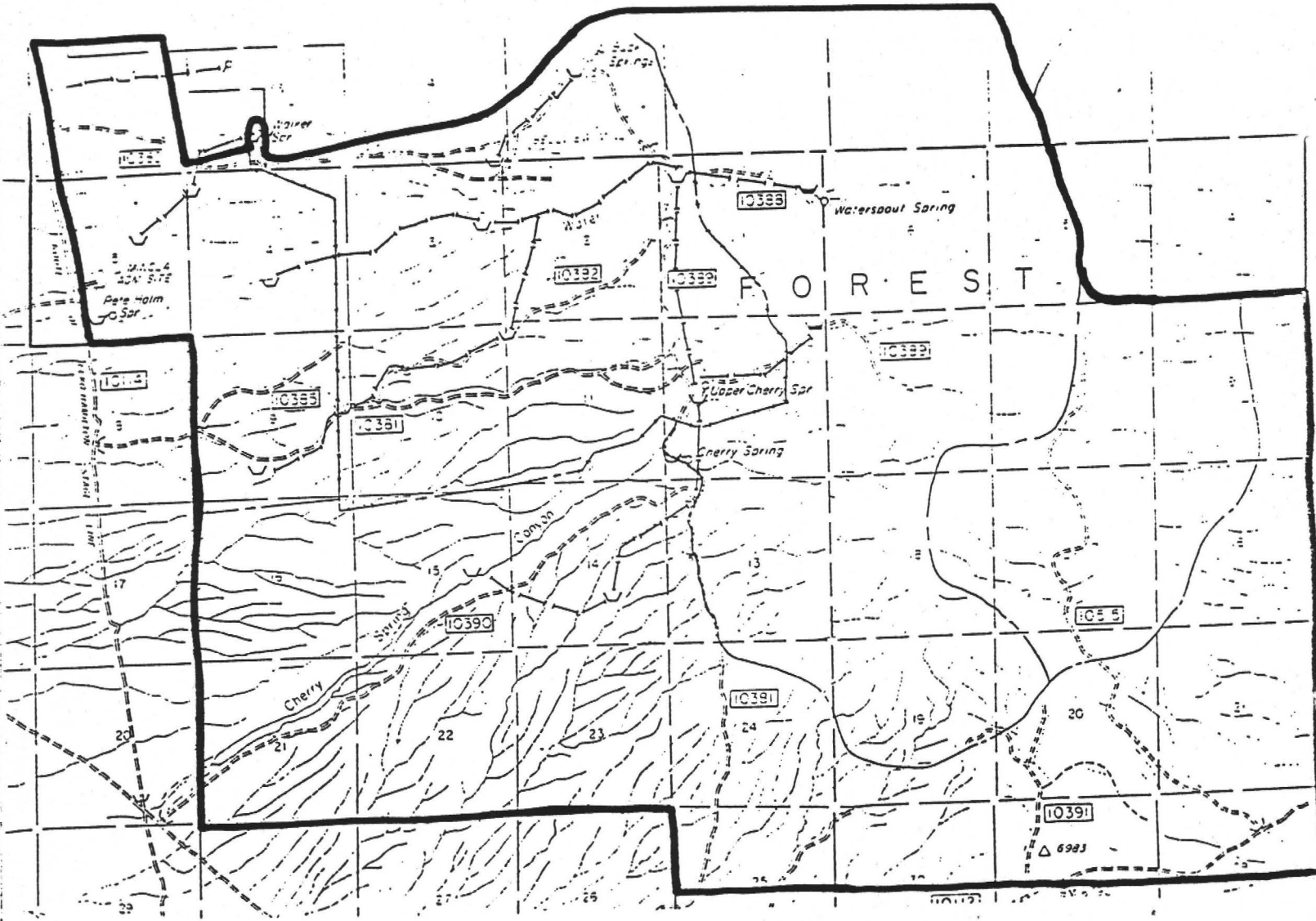
ALIGATOR RIDGE
RUBY VALLEY

ALIGATOR RIDGE
RUBY VALLEY



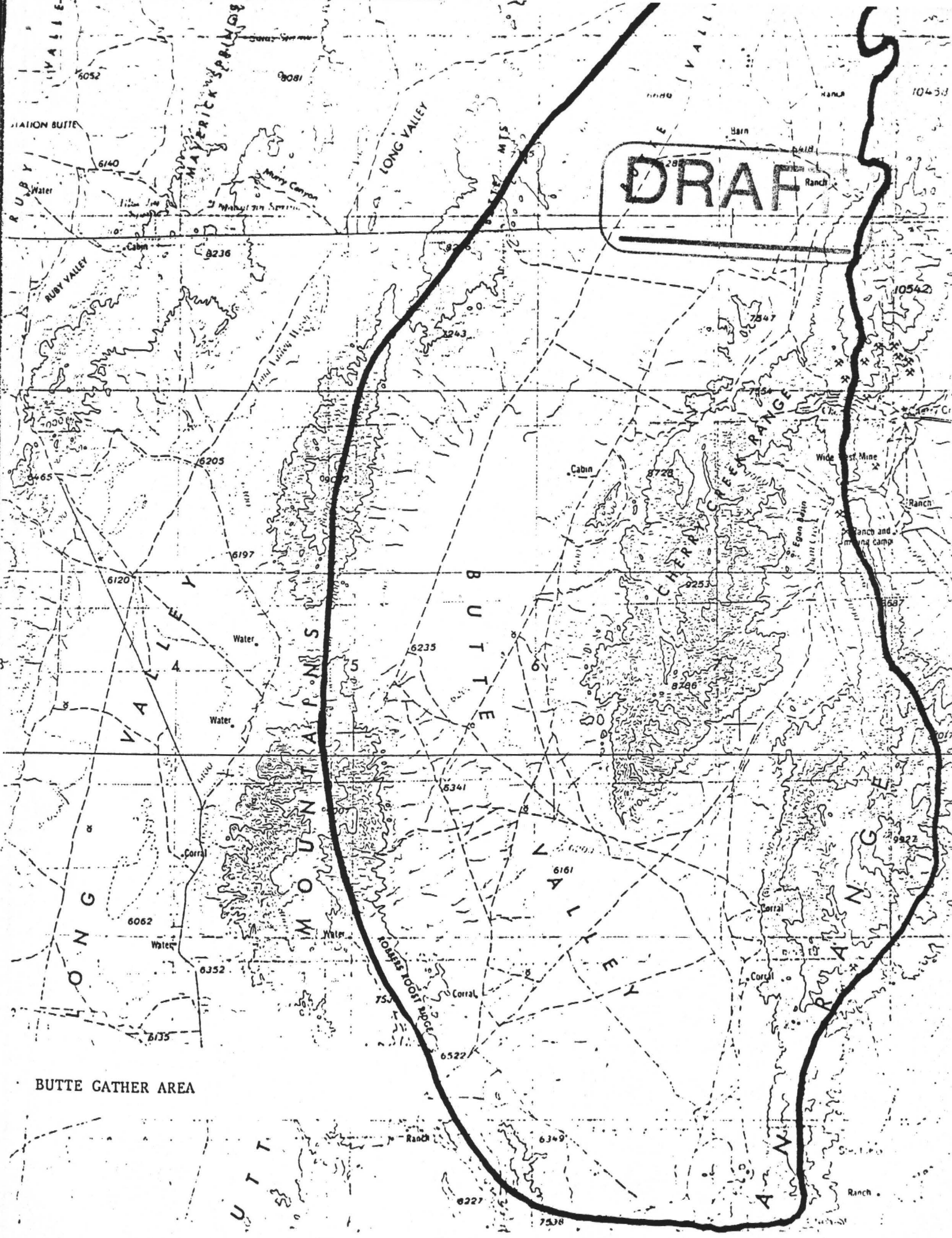
BUCK AND BALD GATHER AREA

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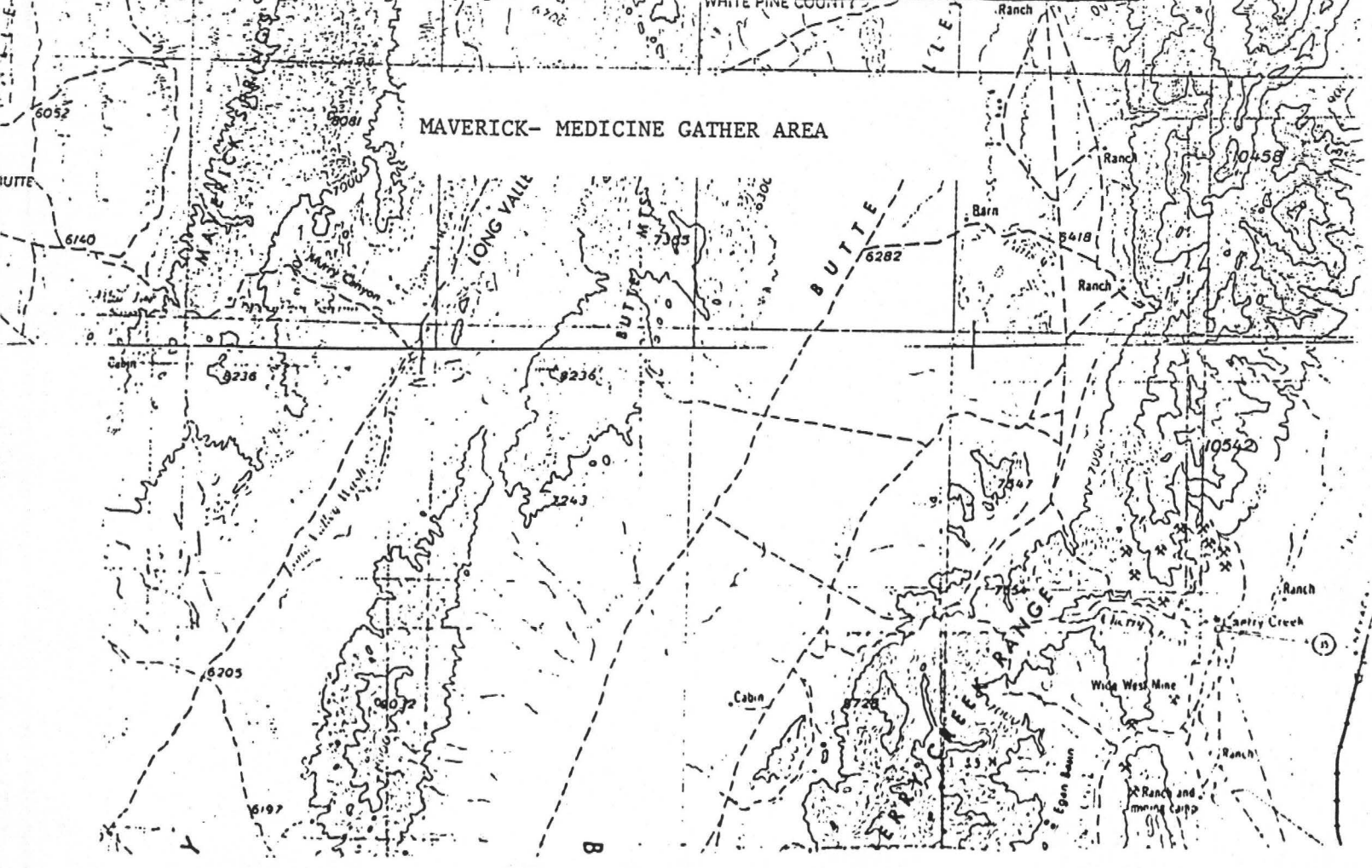
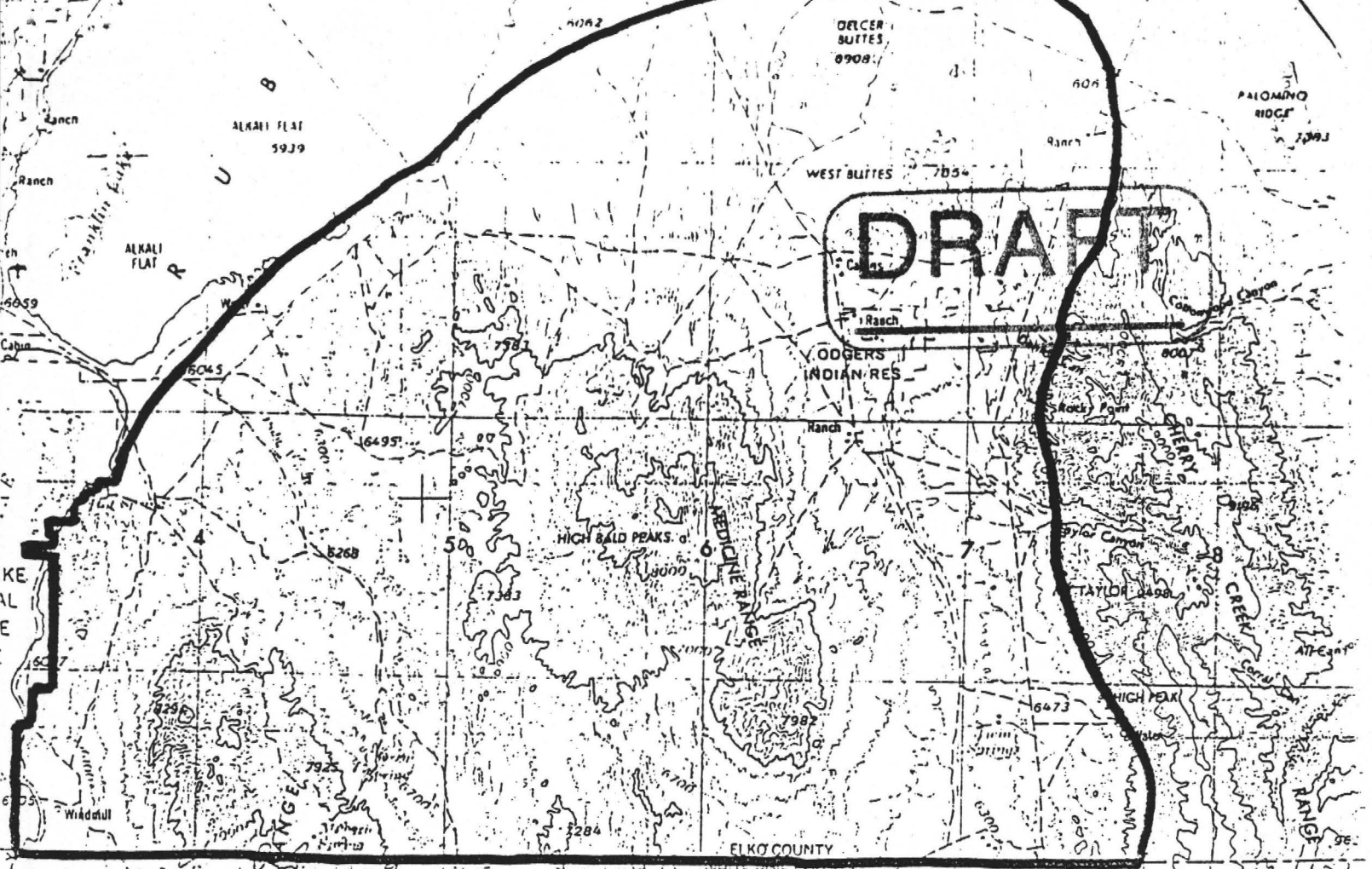


CHERRY SPRINGS GATHER AREA

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BUTTE GATHER AREA



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REMOVAL PLAN FOR
ELY/ELKO DISTRICT
WILD HORSE GATHER

Prepared by Robert E. Brown
Wild Horse and Burro Specialist

Bureau of Land Management
Ely District
Egan Resource Area
Ely, Nevada

Removal Plan for Ely/Elko District
Wild Horse Gather

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Introduction

The proposed gather area is located approximately 30 air miles west of Ely in western White Pine County and south-central Elko County, Nevada. The plan is titled Ely/Elko District Wild Horse Gather and includes the Buck and Bald, Butte, Diamond Hills South, and Monte Cristo Herd Management Areas (HMA's), as well as one designated horse-free area, in the Bureau of Land Management (BLM) Ely District, Egan Resource Area. It also includes the Maverick-Medicine HMA in the BLM Elko District, Wells Resource Area. Two U.S. Forest Service (USFS) Humboldt National Forest wild horse territories are also included, the Cherry Springs Territory in the Ruby Mountains Ranger District and the Monte Cristo Territory (included in BLM's Monte Cristo HMA) in the Ely Ranger District. Maps are enclosed to help locate the proposed removal areas.

This document outlines the process and the events involved with the wild horse roundup for the Ely/Elko District Wild Horse Gather. Included are the numbers of horses to be gathered, the time and method of capture, and the handling and disposition of captured horses. Also outlined are the BLM and USFS personnel involved with the roundup, the Contracting Officer's Representative (COR) and Project Inspectors (PI's), the delegation of authority, the briefing of the contractor(s), and the precapture evaluation held prior to gathering operations.

The Monte Cristo HMA is managed through a Cooperative Management Plan, approved in 1977, between the USFS Humboldt National Forest, Ely Ranger District and the BLM Ely District. The plan is entitled Monte Cristo Wild and Free Roaming Horses Management Plan. Management numbers set in the herd management plan are to maintain an average of 96 head, but to allow for a 25 percent fluctuation by not allowing the herd to increase above 120 head or to decrease below 72 head.

The Cherry Springs Wild Horse Territory is also covered by a management plan, the Cherry Springs Wild Horse Territory Plan, approved in 1977. Management numbers established in this plan are to maintain between 42 and 68 horses on the Cherry Springs Territory.

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The remainder of the gather area is not ~~covered~~ by a herd management area plan (HMAP); however, both the Egan and Wells Resource Management Plans (RMP's), and Records of Decision (ROD's) have established appropriate management levels (AML's) for the herds in their respective Resource Areas. In addition, the USFS territories' management numbers are addressed in the 1986 ROD, final EIS, and Land and Resource Management Plan for the Humboldt National Forest. These documents have established upper and lower limits of horses to be managed in the respective herd areas/territories. The proposed gather is to reduce horse numbers to conform to the levels established in these land use plans. This action is, therefore, considered a part of long term management.

Number of Horses to be Gathered

The proposed number of horses to be gathered is shown by herd area as follows:

| <u>Herd Area</u> | <u>Nos. to be Managed</u> | <u>Censused Population</u> (Year) | <u>Nos. to be Gathered*</u> |
|---------------------|---------------------------|-----------------------------------|-----------------------------|
| Monte Cristo | 72 to 120 | 145 (1986) | 100 * |
| Horse Free Area | 0 | 65 (1987) | 65 |
| Diamond Hills South | 36 | 95 (1987) | 59 |
| Buck and Bald | 700 | 1,081 (1987) | 381 |
| Cherry Springs | 42 to 68 | 100 (1987) | 50 |
| Butte | 60 | 202 (1987) | 142 |
| Maverick-Medicine | 195 to 244 | 443 (1987) | 248 |
| Total | 1,105 to 1,228 | 2,131 | 1,045 |

* The number of horses to be gathered is greater than the difference between the latest census (1986) and the minimum management number for the Monte Cristo herd. Recent ground counts showed that 100 head could be removed and the AML of 72 to 120 wild horses would still remain. Under no circumstances will the herd be gathered below the AML of 72 wild horses. Any subsequent gather will require a new capture plan and EA. A post gather census will be conducted on each HMA to ensure that the AML remains after the gather is complete.

Time and Method of Capture

The gather is expected to take place through issuance of a removal contract during FY88, and last approximately 6 weeks. The approximate start date for the removal contract is September 1, 1988. Under no circumstances will gathering be allowed during the foaling season (March 1 to July 1).

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The method of capture to be used will be a ~~helicopter~~ to bring the horses to trap sites and horseback riders at the wings of portable traps. The temporary traps and corrals will be constructed from portable pipe panels. A temporary holding corral will be constructed in the area to hold horses after capture. A loading chute at the holding corral will be equipped with plywood sides or similar material so horses legs won't get caught in the panels. Trap wings will be constructed of portable panels, jute netting, or other materials determined to be nonharmful to the horses. Barbed wire or other harmful materials will not be allowed for wing construction. All trap, corral, and wing construction will be approved by the COR.

Other methods of capture are not being considered for various reasons. Water trapping wild horses, though easier on the animal, is not feasible due to the numerous water sources available to horses in the proposed gathering area. Water traps take time to construct and require time for horses to accept as part of their environment; the time allotted to this roundup is limited. Trapping horses by running them on horseback is not feasible because it is too easy to lose the horses after starting them towards the trap; injuries to both people and horses are more likely and the cost factor shown from previous roundups using this method indicates that the costs are prohibitive.

It is estimated that 13 trap locations will be required to accomplish the work. Each site will be selected by the COR after determining the habits of the animals and observing the topography of the area. Specific siting may be selected by the contractor with the COR's approval within this general preselected area. Trap sites will be located to cause as little injury to horses and as little damage to the natural resources of the area as possible. Sites will be located on or near existing roads and will receive cultural and threatened/endangered plant and animal clearances prior to construction. Additional trap sites may be required, as determined by the COR, to relieve stress to pregnant mares, foals, and other horses caused by certain conditions at the time of the gather (i.e., dust, rocky terrain, temperatures, etc.).

Due to the many variables such as weather, time of year, location of horses, and suitable trap sites, it is not possible to identify specific locations at this time. They will be determined at the time of the gather.

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The terrain in the removal area varies from flat valley bottoms to mountainous, and the horses will be located at all elevations during the time that the gather is scheduled. There are few physical barriers and fences in the area and the contractor will be instructed to avoid them.

Administration of the Contract

BLM will be responsible for the capture, care, temporary holding of approximately 1,045 wild horses from the gather area, and their transportation to the adoption preparation facility through the issuance of a removal contract.

Prior to any gathering operation, BLM will provide for a precapture evaluation of existing conditions in the gather area. The evaluation will include animal condition, prevailing temperatures, drought conditions, soil conditions, topography, road conditions, locations of fences and other physical barriers, and animal distribution in relation to potential trap locations. The evaluation will also arrive at a conclusion as to whether the level of activity is likely to cause undue stress to the animals, and whether such stress would be acceptable to the animals if veterinarian expertise were present, or whether a delay in the capture activity is warranted. If it is determined that the capture can proceed with a veterinarian present, the services of a veterinarian will be obtained before the capture will proceed.

It is recommended that the COR be Robert E. Brown, Ely District Wild Horse Specialist. The recommended PI's are Bill Lindsey (Egan Resource Area Supervisory Range Conservationist), Walter A. Burdick Jr. (Egan Resource Area Range Technician), Bruce Portwood (Elko District Wild Horse Specialist), and Ray Lister (Wells Resource Area Wildlife Biologist). USFS representatives will be Wayne Swenson and Rita Suminski during the Monte Cristo removal effort, and Tom Shore and Frank Stilwill during the Cherry Springs removal effort. The COR will be directly responsible for conducting the roundup and can appoint other BLM personnel to assist with the roundup as necessary.

Other BLM personnel may be needed to help and include an archaeologist or a district archaeological technician to survey sites for cultural resources, Egan or Wells Resource Area personnel as the need arises, and a BLM law enforcement agent to protect BLM personnel and property from unlawful activities.

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The COR is directly responsible for the conduct of the gathering operation and for reporting the roundup proceedings to the Ely District Manager, the Elko District Manager, and the Nevada State Office. The USFS representatives are responsible for reporting to their respective ranger districts.

To assist the COR in administering the contract, BLM will have a helicopter available at the roundup site. This helicopter will be used with discretion to minimize disturbance of horses that would make gathering more difficult. However, it will be used as needed to assure that the contractor is complying with the specifications of the contract.

If the contractor fails to perform in an appropriate manner at any time, the contract will not be allowed to continue until problems encountered are corrected to the satisfaction of the COR.

All publicity, formal public contact, and inquiries will be handled through the Egan Resource Area Manager, Gene Drais. He will also coordinate the contract with Palomino Valley Corrals, the adoption preparation facility, to assure that there is space available in the corrals for the captured horses, that they can be handled humanely and efficiently, and that animals being transported from the capture site are arriving in good condition.

Contractor's Briefing

A bidders tour of the area will, be conducted, if necessary, prior to contract award. The contractor, after award of the contract, will be briefed on his duties and responsibilities before the notice to proceed is issued to him. There will also be an inspection of the contractor's equipment at this time to assure that it meets specifications and is adequate for the job. Any equipment that does not meet specifications must be replaced within 36 hours. The contractor will also be informed of the terrain involved, the condition of the animals, the condition of the roads, potential trap locations, and the presence of fences and other dangerous barriers.

Branded and Claimed Animals

A notice of intent to impound and a 28-day notice to gather wild horses will be issued concurrently by the BLM prior to any gathering operations in this area.

The Nevada Department of Agriculture and the District Brand Inspector will receive copies of these notices, as well as the Notice of Public Sale if issued.

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The COR/PI will contact the District Brand ~~Inspector~~ and make arrangements for dates and times when brand inspections will be needed.

When horses are captured, the COR/PI and the District Brand Inspector will jointly inspect all animals at the holding facility in the gathering area. If determined necessary at that time by all parties involved, horses will be sorted into three categories:

- a. Branded animals with offspring, including yearlings.
- b. Unbranded or claimed animals with offspring, including yearlings with obvious evidence of existing or former private ownership (e.g., geldings, bobbed tails, photo documentation, saddle marks, etc.).
- c. Unbranded animals and offspring without obvious evidence of former private ownership.

The COR/PI, after consultation with the District Brand Inspector, will determine if unbranded animals are wild and free-roaming horses. The District Brand Inspector will determine ownership of branded animals and their offspring and, if possible, the ownership of unbranded animals determined not to be wild and free-roaming horses.

Branded horses with offspring and claimed unbranded horses with offspring for which the owners have been identified by the District Brand Inspector will be retained in the custody of the BLM pending notification of the owner or claimant.

A separate holding corral will be set up near the temporary holding corral to house these horses until the owner/claimant or BLM can pick them up.

The animals will remain in the custody of the BLM until settlement in full is made for impoundment and trespass charges, as determined appropriate by the Egan Area Manager or Wells Area Manager in accordance with 43 CFR Subpart 4710.6 and provisions in 43 CFR Subpart 4150. In the event settlement is not made, the horses will be sold at public auction by the BLM.

Branded horses with offspring whose owners cannot be determined, and unclaimed, unbranded horses with offspring having evidence of existing or former private ownership will be released to the Nevada Department of Agriculture (District Brand Inspector) as estrays.

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The District Brand Inspector will provide ~~the COR/PI~~ a brand inspection certificate for the immediate shipment of wild horses to Palomino Valley (Reno), and for the branded or claimed horses where impoundment and trespass charges have not been offered or received, for shipment to public auction or another holding facility.

Destruction of Injured or Sick Animals

Any severely injured or seriously sick animal shall be destroyed in accordance with 43 CFR Subpart 4730.1. Animals shall be destroyed only when a definite act of mercy is needed to alleviate pain and suffering. The COR/PI will have the primary responsibility for determining when an animal will be destroyed and will perform the actual destruction. The contractor will be permitted to destroy an animal only in the event the COR/PI are not at the capture site or holding corrals, and there is an immediate need to alleviate pain and suffering of a severely injured animal. When the COR/PI is unsure as to the severity of an injury or sickness, a veterinarian will be called to make a final determination. Destruction shall be done in the most humane method available as per Washington Office Wild Free-Roaming Horse and Burro Program Guidance dated January 1983. A veterinarian can be called from Ely or Elko if necessary to care for any injured horses.

The carcasses of wild horses which die or must be destroyed as a result of any infectious, contagious, or parasitic disease will be disposed of by burial to a depth of at least 3 feet.

The carcasses of wild horses which must be destroyed as a result of age, injury, lameness, or noncontagious disease or illness will be disposed of by removing them from the capture site or holding corral and placing them in an inconspicuous location to minimize the visual impacts. Carcasses will not be placed in drainages regardless of drainage size or downstream destination.

Temporary Holding Facility

The holding facility shall be on public or National Forest land unless an agreement is made between the contractor and a private landowner for use of private facilities. When private land is used, the contractor must guarantee BLM, USFS, and the public, access to the facilities and accept all liability for use of such facilities.

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The contractor shall provide all feed, ~~water,~~ labor, and equipment to care for captured horses at the holding facility. The contractor shall also provide transportation of captured horses from the temporary holding facility to the Nevada Distribution Center, Palomino Valley (Reno), Nevada. BLM will provide transportation of unclaimed and claimed branded horses to an approved facility for release to the claimant or for handling under Nevada State estray laws. All work shall be accomplished in a safe and humane manner and be in accordance with the provisions of 43 CFR Part 4700 and the following specifications, provisions, and attached work location maps. All labor, vehicles, helicopters, traps, troughs, feed, temporary holding facilities, and other supplies and equipment including, but not limited to the aforementioned, shall be furnished by the contractor. BLM will furnish contract supervision.

Stipulations and Specifications

A. 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. 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 one door at the rear end of the vehicle which is capable of sliding either horizontally or vertically.

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5. Floors of vehicles and the 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.

6. 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. A minimum of 1.4 linear foot per adult animal and .75 linear foot per foal shall be allowed per standard 8 foot wide stocktrailer/truck.

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.

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 roads is approximately 30 miles per load.

B. Trapping and Care

1. All capture attempts shall be accomplished by the utilization of a helicopter. A minimum of one saddlehorse shall be immediately available at the trapsite to accomplish roping if necessary. Roping shall be done as determined by the COR. Under no circumstances shall animals be tied down for more than 1 hour.

2. The helicopter shall be used in such a manner that bands or herds will remain together. Foals shall not be left behind.

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.

4. It is estimated that 13 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.

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5. 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, and the bottom rail of which shall not be more than 12 inches from ground level. All traps and holding facilities shall be oval or round in design.

b. 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.

c. 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.

d. Wings shall not be constructed out of barbed wire or other materials injurious to animals and must be approved by the COR.

e. All crowding pens including the gates leading to the runways shall be covered with a material which prevents the animals from seeing out (plywood, burlap, 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.

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

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.

7. 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.

8. Alternate pens, within the holding facility shall be furnished by the contractor to separate mares with small foals, sick and injured animals, and stray 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, to the extent possible, injury due to fighting and trampling.

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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. The Contractor shall schedule shipments of animals to arrive at final destination between 6:00 a.m. and 4:00 p.m. No shipments shall be scheduled to arrive at final destination on Sunday.

10. The Contractor shall provide animals held in the traps and/or holding facilities with a continuous supply of fresh clean water at a minimum rate of 10 gallons per animal per day. Animals held for 10 hours or more in the traps or holding facilities shall be provided good quality hay at the rate of not less than 2 pounds of hay per 100 pounds of estimated body weight per day.

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 if treatment by the Government is necessary. The COR will determine if injured animals must be destroyed and provide for destruction of such animals. The contractor may be required to dispose of the carcasses as directed by the COR.

C. Helicopter, Pilot, and Communications

1. The contractor must operate in compliance with Federal Aviation Regulations, Part 91. Pilots provided by the contractor shall comply with the Contractors Federal Aviation Certificates, applicable regulations of the State of Nevada and shall follow what are recognized as safe flying practices.

2. When refueling, the helicopter shall remain a distance of at least a 1,000 feet or more from animals, vehicles (other than fuel truck), and personnel not involved in refueling.

3. The COR shall have the means to communicate with the Contractor's pilot and be able to direct the use of the gathar helicopter at all times. If communications cannot be established, the Government will take steps as necessary to protect the welfare of the animals. The frequency(s) used for this contract will be assigned by the COR when the government furnished "slip-in" VHF/FM portable radio is used. When a VHF/AM radio is used, the frequency will be 122.925 MHz.

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4. The contractor shall obtain the ~~necessary FCC licenses~~ for the radio system.

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

D. Contractor-Furnished Property

1. All hay, water, vehicles, saddle horses, helicopters and other equipment shall be provided by the contractor. Other equipment includes, but is not limited to, a minimum of 1,500 linear feet of 72-inch high (minimum height) panels for traps and holding facilities. Separate water troughs shall be provided at each pen where animals are being held.

2. The contractor shall furnish an avionics system that will allow communications between the contractor's helicopter and his fuel truck.

3. The contractor shall furnish a VHF/AM radio transceiver in the contractor's helicopter which has the capability to operate on a frequency of 122.925 MHz.

4. The contractor shall provide an avionics system in the contractor's helicopter to accommodate a government furnished "slip-in" VHF/FM portable radio, manufactured by GE, Model HN-56 Porta-Mobil II, including the plugs necessary to connect the government radio to the aircraft's integrated audio and transmit selector system and the connectors to an external antenna to accommodate the COR/PI in monitoring the gather operation.

Prepared by:

Robert E. Brown
Wild Horse and Burro Specialist
Ely District

Date

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Reviewed by:

Gene L. Drais
Egan Area Manager
Ely District Office

Date

John A Phillips
Wells Area Manager
Elko District Office

Date

Paul Demeule
Ely District Ranger
Humboldt National Forest

Date

Mont E. Lewis, Jr.
Ruby Mountains District Ranger
Humboldt National Forest

Date

DRAFT

Concurred by:

Kenneth G. Walker
District Manager
Ely District Office

Date

Rodney Harris
District Manager
Elko District Office

Date

B. J. Graves
Forest Supervisor
Humboldt National Forest

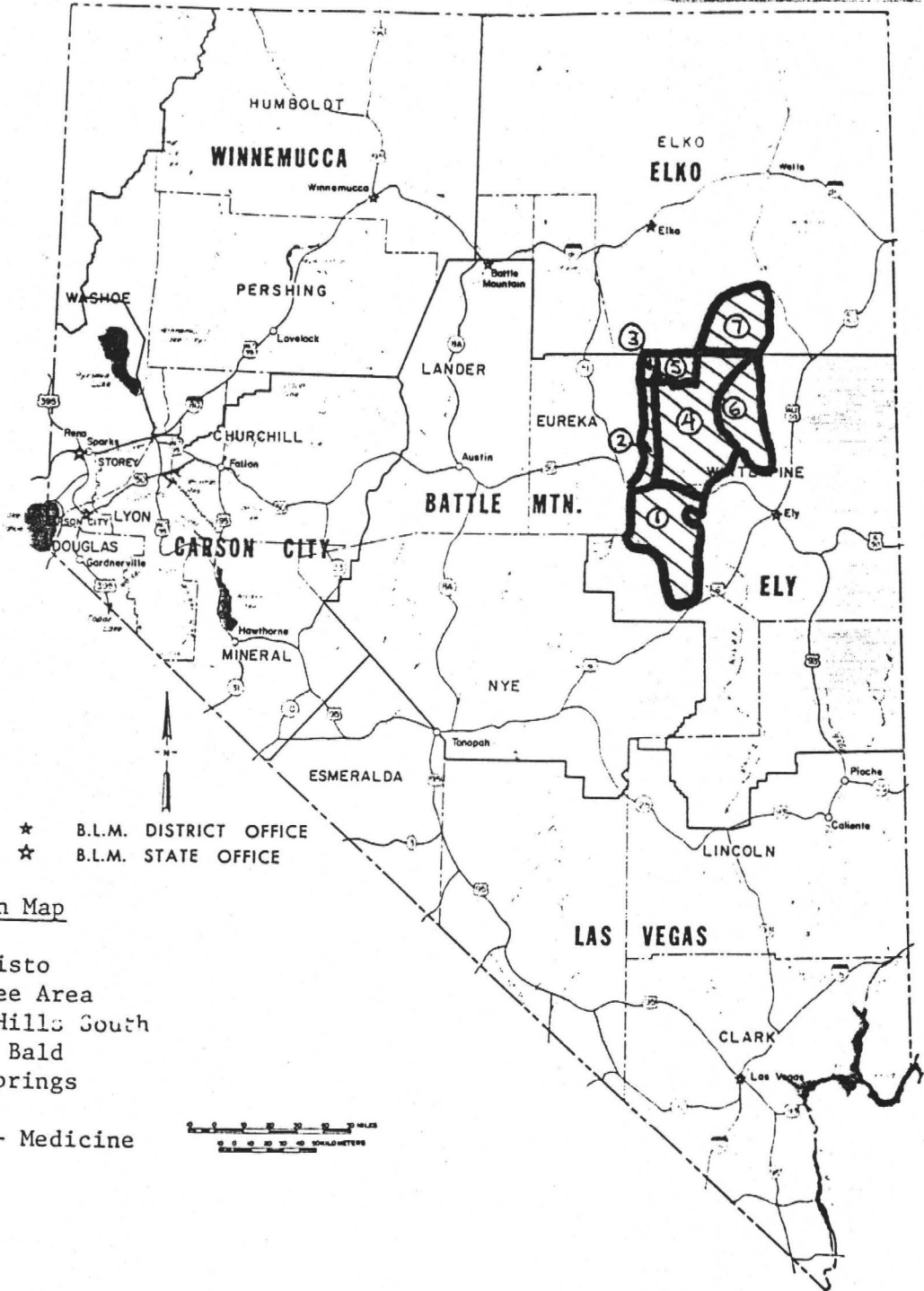
Date

Approved by:

Edward F. Spang
Nevada State Director

Date

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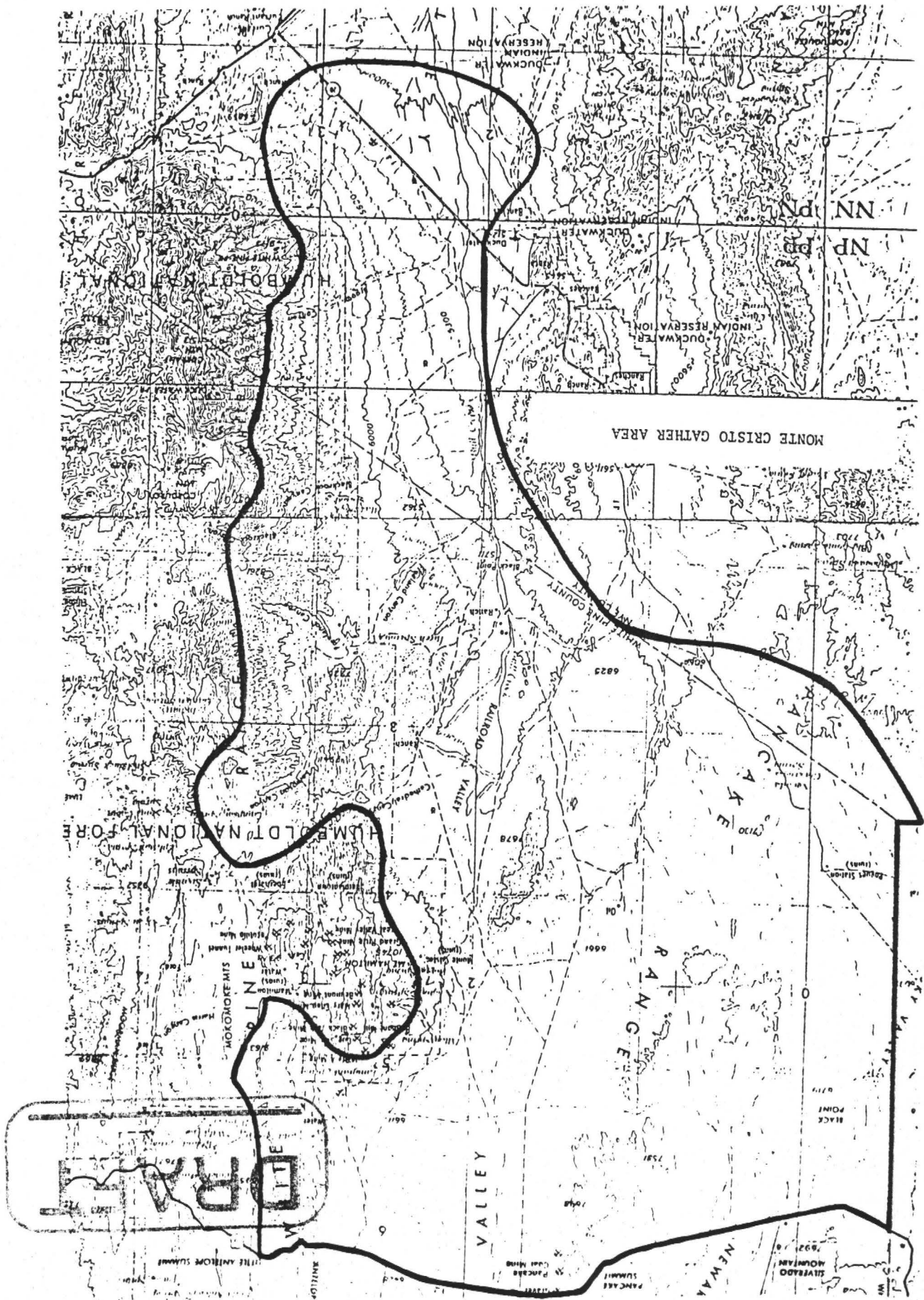
Work Location Map

- 1. Monte Cristo
- 2. Horse Free Area
- 3. Diamond Hills South
- 4. Buck and Bald
- 5. Cherry Springs
- 6. Butte
- 7. Maverick- Medicine



NEVADA DISTRICTS

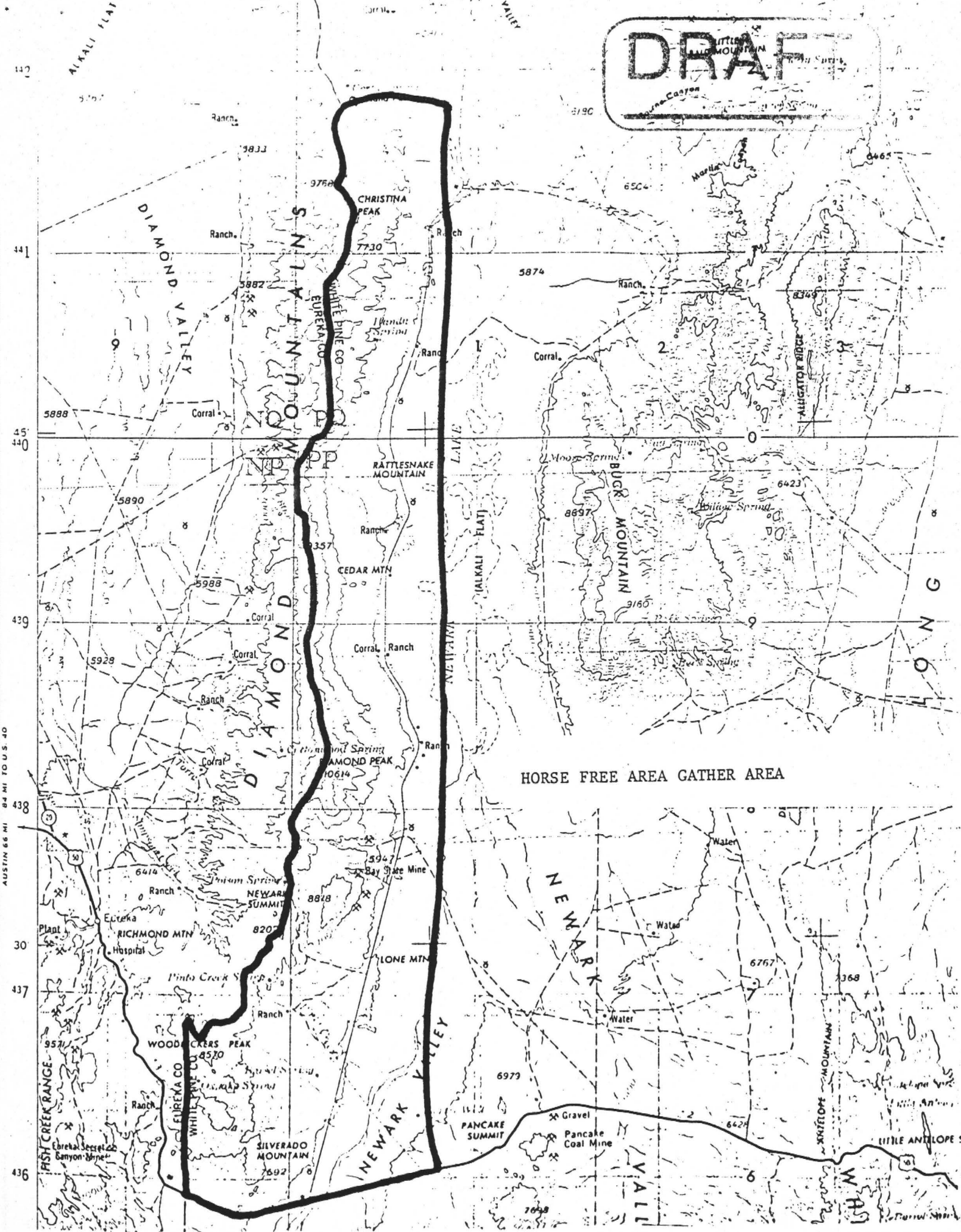
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HORSE FREE AREA GATHER AREA

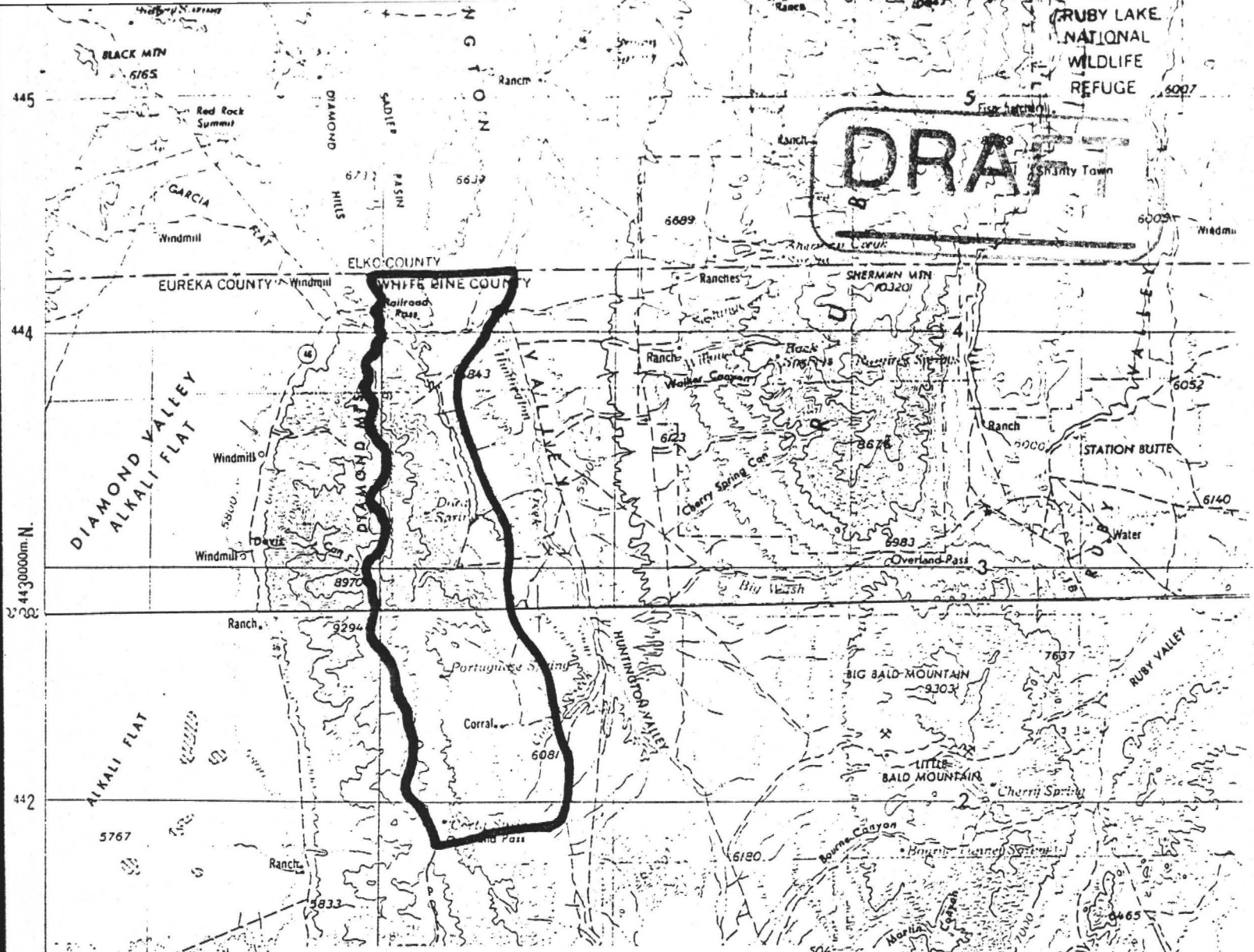
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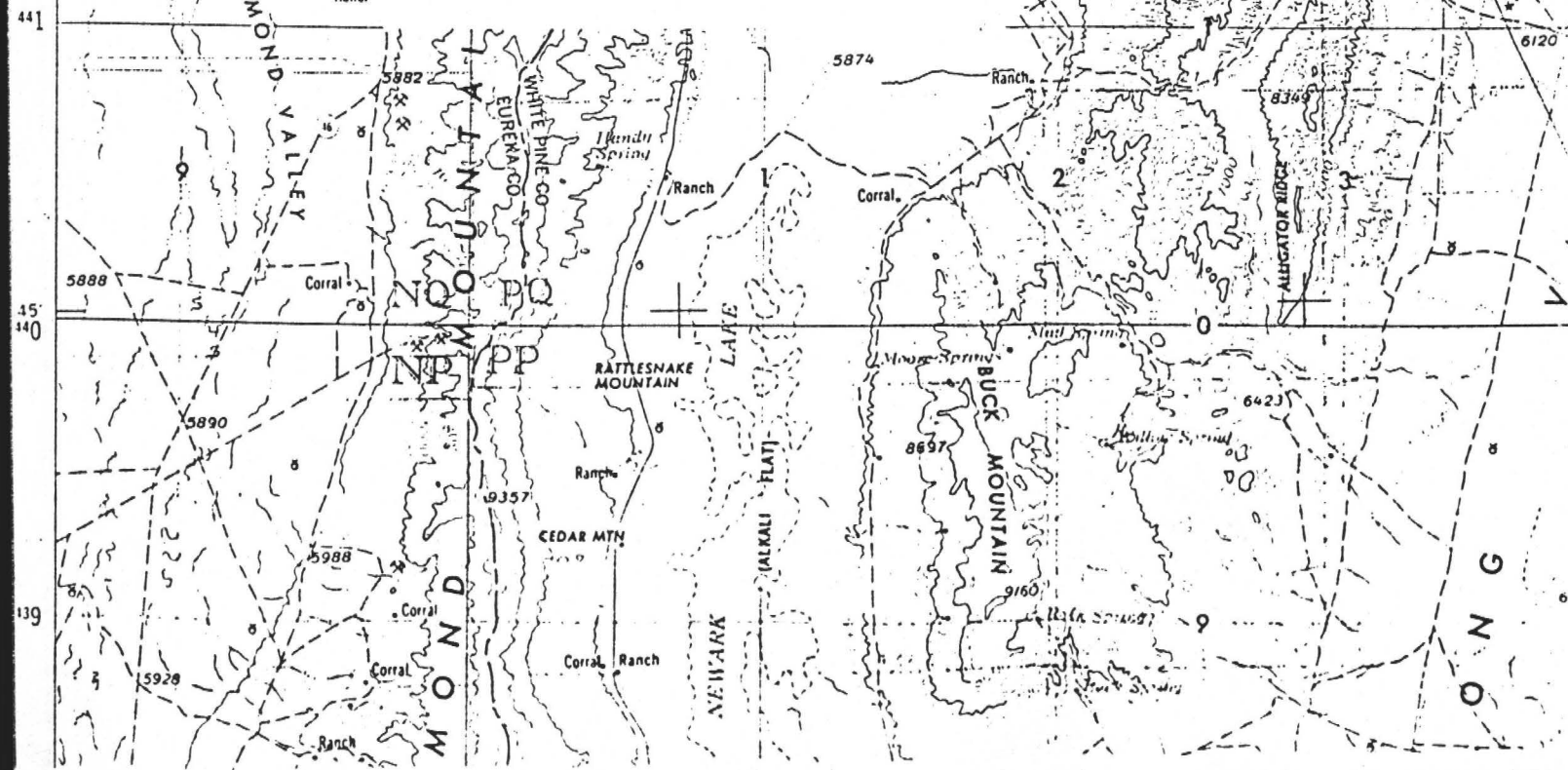
RUBY

L O N G

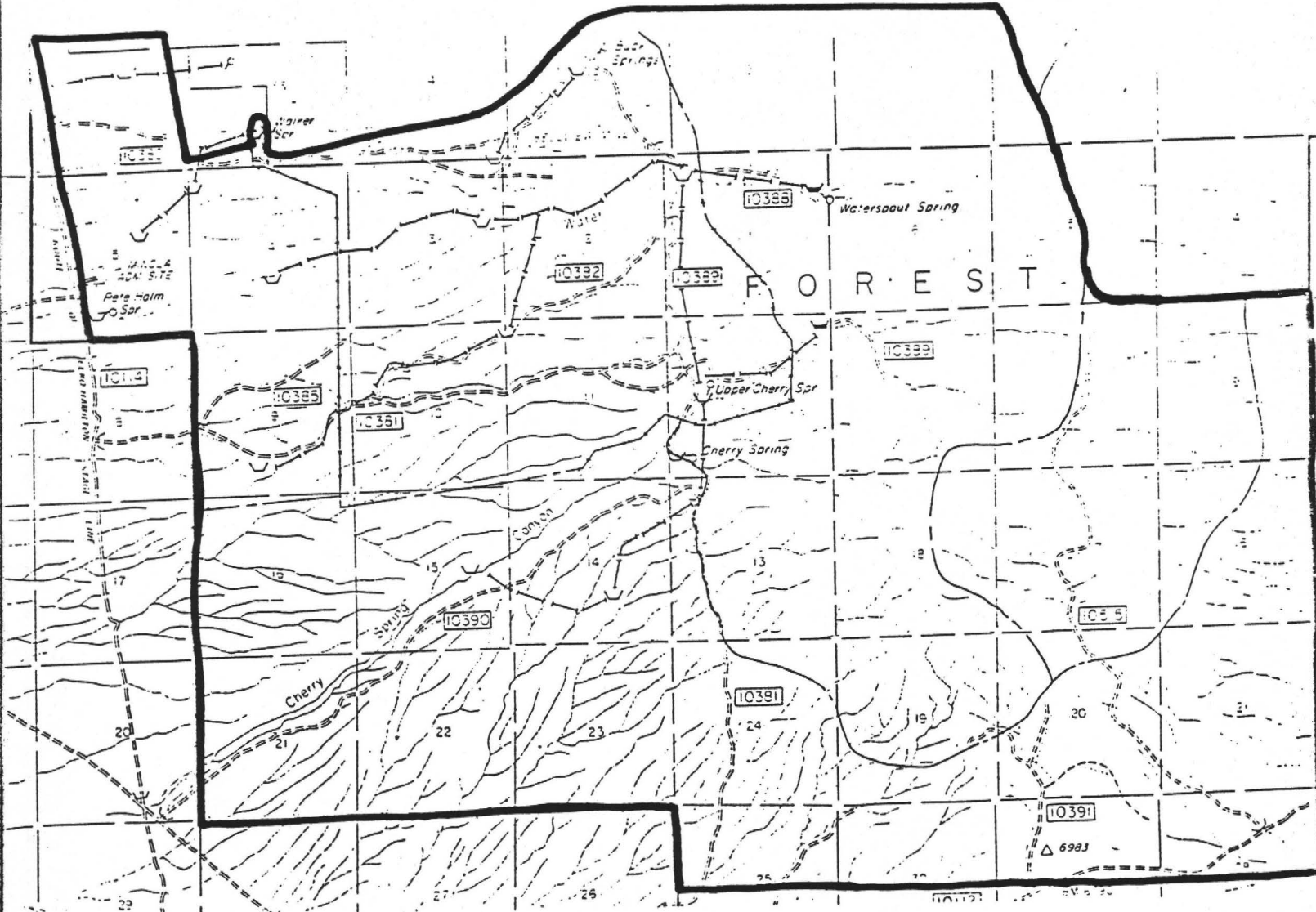
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DIAMOND HILLS SOUTH GATHER AREA

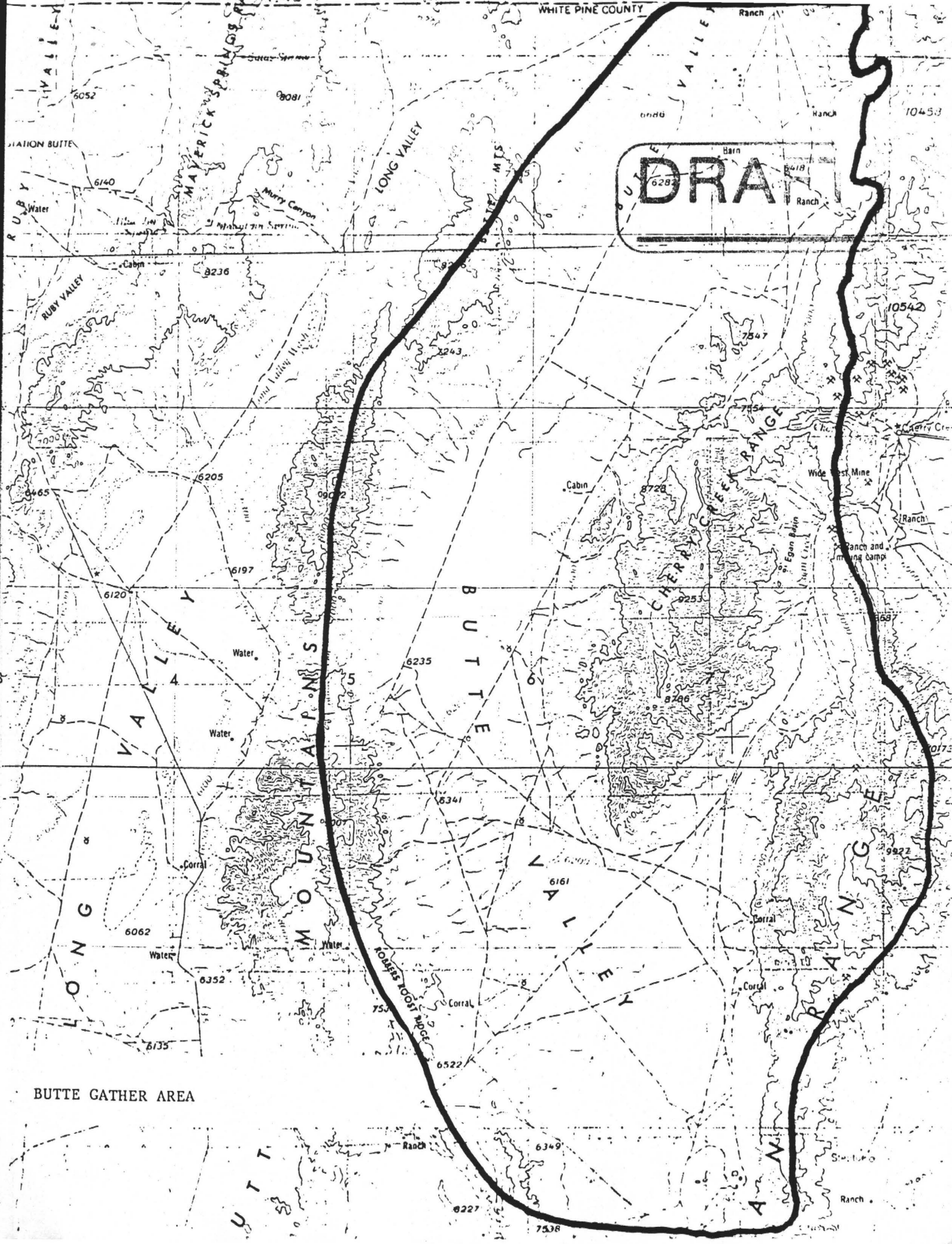


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CHERRY SPRINGS GATHER AREA

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BUTTE GATHER AREA

