G 6/7/93

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Ely District Office
HC 33 Box 33500
Ely, Nevada 89301-9408

IN REPLY REFER TO:

4700 (NV-047)

JUN 7 1993

July 7

Butte - Dry Lake/Willow Creek

FF & E WHY? not necessary unless in place

Dear Reader:

Enclosed is a final approved copy of the Butte Wild Horse Herd Management Area Plan (HMAP) and Environmental Assessment (EA), along with the Decision Record/Finding of No Significant Impact (DR/FONSI) for these documents.

The enclosed DR/FONSI is my final decision for approval of the proposed action as analyzed in the EA and to implement the Butte Wild Horse HMAP. This decision is issued Full Force and Effect to allow for the immediate removal of excess wild horses from the Butte HMA to reach the established AML. Immediate removal of wild horses in excess of AML is necessary to restore the range to a thriving natural ecological balance and to avert the imminent overgrazing caused by wild horses in the HMA. The Full Force and Effect determination is in accordance with the regulations at 43 CFR 4770.3(c).

Within 30 days of receipt of this decision, you have the right of appeal to the Board of Land Appeals, Office of the Secretary, in accordance with the regulations at 43 CFR, Part 4, Subpart E. If an appeal is taken, you must follow the procedures outlined in the enclosed Form 1842-1, Information on Taking Appeals to the Board of Land Appeals. Within 30 days after you appeal, you are required to provide a Statement of Reasons to the Board of Land Appeals and a copy to the Regional Solicitor's Office listed in Item 3 on Form 1842-1. Please provide this office with a copy of your Statement of Reasons. Copies of your appeal and the Statement of Reasons must also be served upon any parties adversely affected by this decision. The Appellant has the burden of showing that the decision appealed from is in error. For other questions or comments, please contact Joe Stratton, Egan Resource Area Wild Horse Specialist, at (702)289-4865.

Sincerely,

Kenneth G. Walker

Kenneth G. Walker
District Manager

4 Enclosures
1. Butte HMAP
2. EA
3. DR/FONSI
4. Form 1842-1

Butte Wild Horse Herd
Management Area Plan

Ely District, BLM
Egan Resource Area

Prepared by
Joseph A. Stratton
Egan Resource Area
Wild Horse and Burro Specialist

TABLE OF CONTENTS

		Page
I.	Introduction	4
	A. Location and Setting	4
	B. Background Information	5
	C. Resource Information	5
	1. Wild Horse Population Information	5
	a. Wild horse use history	5
	b. Present situation	7
	i. Wild horse habitat and use areas	7
	ii. Relationship to Buck and Bald HMA	10
	2. Land Use Plan Objectives and Constraints	13
	a. Short-term (0-5 years)	13
	b. Long-term (6-20 years)	14
	3. Other Resources	15
	a. Livestock Use	15
	b. Wildlife Use	15
	c. Vegetation and soils	16
	i. Ecosystem/Plant communities	16
	ii. Soils	16
	d. Recreation	16
	e. Water and riparian	17
	f. Cultural resources	18
II.	HMAP Objectives	18
	A. Habitat Objectives	19
	1. Maintaining or improving ecological condition	19
	2. Improving wild horse distribution	19
	B. Population Objectives	19
	1. Achieving AML	19
	2. Maintaining AML	19
	3. Implement exchange study	19
	4. Maintain color diversity	19
	5. Maintain wild and free-roaming characteristics	19
III.	Management Actions	20
	A. Habitat maintenance or Improvement	20
	1. Methods to maintain or improve ecological condition	20
	2. Methods to improve wild horse distribution	20
	B. Population Maintenance and Improvement	21
	1. Methods to achieve AML	21
	2. Methods to maintain AML	21
	a. Selective removals	21
	b. Immunocontraception	22
	c. Selected Action	22
	d. Future Actions	23
	3. Methods to implement exchange study	23

4. Maintaining color diversity..... 23
5. Maintaining wild and free-roaming characteristics..... 24

IV. Evaluation and Revision..... 24
A. Habitat Maintenance and Improvement..... 24
1. Rangeland monitoring..... 24
2. Range improvements..... 24
B. Population Maintenance and Improvement..... 24
1. Methods to determine maintenance of AML..... 24
2. Methods to determine herd growth rate..... 25
3. Methods to determine amount of exchange..... 25
C. Plan Revision..... 25
1. Criteria for Plan Revision..... 25
2. Revision Implementation..... 25

V. Approval..... 26

VI. Appendices
Appendix I Vegetation and Soils Summary..... 27

Appendix II Maps..... 29
Map 1-General location of Butte HMA in Nevada... 30
Map 2-Allotment boundaries within HMA..... 31
Map 3-Butte HMA potential water sources..... 32
Map 4-Butte HMA seasonal use areas..... 33
Map 5-Butte HMA key use areas..... 34
Map 6-Area needing permanent water..... 35
Map 7-Land Status..... 36

Appendix III Capture/Removal Plan..... 37

Butte Wild Horse Herd
Management Area Plan

I. INTRODUCTION

A. Location and Setting

The Butte Herd Management Area (HMA) is approximately 20 miles northwest of Ely Nevada in northern White Pine County. The western boundary of the HMA is adjacent to the Buck and Bald HMA. This boundary follows the crest of the Butte Mountain Range to the north where the boundary is formed by the White Pine-Elko County line and the Elko, BLM District boundary. The northeast corner of the Butte HMA is adjacent to the Cherry Creek HMA. The remainder of the eastern boundary runs south along the crest of the Cherry Creek Range to the Egan Range continuing south to Gold Canyon. At this point the HMA boundary turns southwest taking in the south end of Butte Valley turning back toward the northwest to the crest of the Butte Range.(Map 1, Appendix II)

The Butte HMA is approximately 436,500 acres, including 6010 acres of private land, and overlaps five separate livestock grazing allotments. They are Medicine Butte, Thirty-Mile Spring, North Butte, South Butte and Cherry Creek. Medicine Butte (287,000 acres) makes up 65% of the HMA and contains approximately 85.4% of the horses. Thirty-Mile Spring allotment has approximately 80,000 acres, 18% of the area included within the Butte HMA and contains approximately 10.2% of the horses. Cherry Creek allotment has approximately 18,000 acres, 4% of the area included within the Butte HMA and contains approximately 0.8% of the horses. North Butte allotment has about 22,500 acres, 5% of the area included within the Butte HMA and provides winter use within the allotment for up to 2.1% of the horses. South Butte allotment has about 29,000 acres, 7% of the area with winter horse use within the allotment for 1.5% of the horses (See Map 2, Appendix II). The percentage of the herd within each of these allotments is based on the September 1, 1992 aerial census and is a representation, not an absolute, of horse use within the HMA. The seasonal nature of census can be misleading as to where wild horses make use. The figures above do not incorporate the movements of horses throughout the year. The following discussion of use areas will explain in more detail the seasonal nature of wild horse use. Map 7 in Appendix II shows the location of private land and public land within the Butte HMA.

The Butte, Buck and Bald, and Elko District's Maverick-Medicine HMAs are adjacent and horses mix between HMAs. Herd Management Area Plans (HMAPs) will be written separately but areas where mixing occurs will be considered in writing management plans.

B. Background Information

Preparation of a wild horse HMAP designed to specifically manage wild horse habitat and population within the Butte HMA with multiple use taken into consideration was recommended by the Proposed Egan Resource Management Plan and Final Environmental Impact Statement(RMP/EIS), (Ely Bureau of Land Management, U.S. Department of Interior, 1984), as well as the Egan Resource Area Record of Decision (ROD February 1987). The Removal Plan portion of this document (Appendix III) has been added because it is an integral part of wild horse management within the Butte HMA in terms of obtaining and maintaining Appropriate Management Level (AML) as established through monitoring, evaluation, and Final Multiple Use Decisions (FMUD), and recommended in the Land Use Plans (LUP) cited above.

The Butte HMAP is designed to effectively manage the wild horse population inhabiting the Butte HMA in accordance with Washington Office Instruction Memorandum 83-289, Title 43 Code of Federal Regulations, Part 4700, and Nevada State Office Manual Supplement 4730.6. The wild horse habitat and population will be managed as a component of the public lands in a manner that maintains or improves the rangeland ecosystem. The HMAP adheres to the multiple-use policy specified in the Wild Free-Roaming Horse and Burro Act of 1971 (P.L. 92-195) and the Federal Land Policy and Management Act of 1976 (P.L. 94-579), while maintaining the free-roaming behavior of the wild horses within the HMA.

This HMAP was developed in coordination with other resource uses in the Butte HMA and incorporates the objectives of the other resources considered in allotment evaluations. In addition, WO IM-86-706 requires evaluation of the rangeland resources using Final Multiple Use Decisions to establish a thriving natural ecological balance between all users of the rangelands.

C. Resource Information

1). Wild Horse Population Information

a. Wild Horse History

Horses have always been a part of the range scene, at least since contemporary livestock use began. In several cases,

homesteaders, ranchers, and miners turned horses out on the range during the winter when weather prevented them from using horses for their occupational needs. In the spring, they would roundup, sort, and keep those that were fit for work. Remaining horses would be turned out or sent to processing plants. Due to the natural tendency of domestic animals to go wild, many horses escaped and were never retrieved.

The Butte HMA has not had a wild horse gather for removal of excess horses since the HMA was formed in 1971 with the passage of the Wild Horse and Burro Act. In 1978, a removal occurred to capture claimed horses by an area permittee. No wild horses were removed.

The Butte herd has grown considerably over the last two years as shown in Table 1. Several possibilities may exist to explain this occurrence. Increased mining activity within the Buck and Bald mountains may have pushed horses from that area eastward to the Pony Springs area. Population increases and 1986 and 1989 gathers within the Buck and Bald HMA in combination with increased mining activity may have forced increased immigration into the Butte HMA. Whatever the reason(s), the Butte herd increased 88% between the 1990 and 1991 census.

TABLE 1 Wild horse census history for the Butte HMA.

DATE	TOTAL COUNT	ADULTS/FOALS	REPROD. RATE%
8/1975*	188	186/2	1.0%
1978	307	NA	NA
6/1987	202	165/37	22.0%
3/1989	238	221/17	7.7%**
3/1990	269	249/20	7.9%**
7/1991	505	427/78	18.0%
3/1992	318	NA+	NA
6/1992	546	450/96	21.3%
9/1992	522	425/97	22.8%

NA-Not Available
* Census was recorded in the Butte Planning Unit which is larger than the Butte HMA.
** Census was conducted in March when it is difficult to distinguish between previous year's foals and adults.
+ Young were not separated out during this census because it was intended to be a seasonal distribution count; also the smaller number is believed to be affected by weather conditions and the exchange between Butte and Buck and Bald HMAs.

$$\text{REPROD. RATE\%} = \frac{\text{Number of Animals 0-1 Year of Age}}{\text{Number of Animals >1 Year of Age}}$$

b. Present situation

i. Wild Horse Habitat and Use Areas

The restrictions of water and weather exclude horses from using certain portions of the Butte HMA. Existing water and forage do not provide adequate resources for the existing population and other multiple-users. There are large sections of Butte Valley which provide limited use for wild horses except in winter when snow is available or when livestock operators are pumping wells. This creates problems of overuse within the Pony Springs, Hunter Point, and Telegraph use areas which do have permanent water available. The Medicine Butte Allotment Final Multiple Use Decision/Evaluation (1992) addresses the utilization problems and decisions associated with this portion of the Butte HMA.

The Butte HMA has sufficient escape and thermal cover in the form of pinyon-juniper woodlands and natural topography to meet wild horse requirements within the HMA. The timber and topography provide cover during inclement weather and for loafing throughout the HMA. These features also provide areas where females can leave the band during the foaling period.

The HMA covers sufficient acreage to provide adequate living space for the Butte herd. Fencing in the HMA is very limited. Those that exist do not seriously impede horse movement as they are open ended fences (See Map 3).

The Butte HMA is made up of five use areas that are seasonal in nature as weather dictates forage availability (See Maps 4 and 5). Map 4 in Appendix II shows the general areas within the Butte HMA that horses use on a seasonal basis. Map 5 in Appendix II identifies horse concentration areas as shown by aerial census and observations of horse use and movement patterns on the ground.

<u>Hunter Point-Telegraph</u>

The Hunter Point and Telegraph use areas are seasonally related depending on snow conditions. The Hunter Point use area provides year-round use to typically a small number of horses, such as six in 1987, but may be as large as 65, as in 1992. The heaviest use occurs in the winter months in years of heavy snow and low forage availability at the higher elevations. The Hunter Point use area is within Medicine Butte and Thirty-Mile Spring allotments. The Thirty-Mile Spring allotment portion makes up 52% of the use area by acres. Using this proportion, 52% of the horses within this use area are determined to use the Thirty-Mile Spring allotment portion of the use area and 48% of the horses counted use the Medicine Butte allotment portion of the use area.

These proportions are being used in preparation of the respective allotment evaluations because of the mobile nature of wild horses and because no specific data exists as to the numbers using the portions of the respective allotment.

During winter census, horses are observed within pinyon/juniper stands, near Hunter Point, using these areas for thermal cover in the colder months of the year. The winter use by wild horses in the Hunter Point area appears to be related to the water available at Hunter Tank as well as the white sage available to horses for forage.

The Telegraph use area provides predominantly summer range for wild horses as well as intermittent fall, winter, and spring use when snow conditions allow access to the higher elevations. There is also a portion of the Telegraph use area along the valley bench that can provide winter range. This is where the horses in March 1989 were counted. In March 1990, 31 horses were observed outside the HMA to the east side of Telegraph Peak. As the population has grown, horse sightings have increased outside the HMA east of Telegraph peak. The data presented in Table 2 gives an indication of seasonal use by wild horses of these two use areas.

TABLE 2 Seasonal use by wild horses between the Hunter Point and Telegraph use areas as counted using aerial census.

Hunter Point	TELEGRAPH	DATE
6	109	6/1987
70	70	3/1989
121	8	3/1990*
46	256	7/1991**
65	316	6/1992
104	170	9/1992

* There were 31 horses counted east of the Telegraph use area outside of the HMA between Gold and Water Canyons.
**1991 saw the Butte herd increase greatly from 272 animals in 1990 to 505 in 1991.

Pony Mountain

The Pony Mountain use area is in the northwest corner of the Butte HMA. This area is adjacent to the Buck and Bald HMA and Elko District's Maverick-Medicine HMA; management of this area will affect a portion of these HMAs. The Pony Mountain use area is predominantly a year-round use area for wild horses due to the yearlong presence of available water and/or snow. Some wild horses drift south from the Pony Mountain area to utilize the west bench of Butte Valley for grazing when snow is present on the benches. Otherwise the bench area is not used a great

deal by wild horses because of the lack of water available in this portion of Butte Valley.

TABLE 3 Numbers of wild horses counted within the Pony Mountain use area of the Butte HMA collected by aerial census.

Pony Mountain*	DATE
50	6/1987
40	3/1989
40	3/1990
120**	7/1991
107	6/1992
131	9/1992

*These figures are within the Butte HMA portion of the Pony Mountain use area. Movements between Buck and Bald and Butte HMAs occurs in this area. Also, exchange occurs into the Elko District's Maverick-Medicine HMA.
** 1991 saw Butte HMA increase greatly from 272 animals in 1990 to 505 animals in 1991.

Butte Valley

The Butte Valley use area is normally a winter use area during years when snow is available throughout the valley bottom. However, the area is very large and takes in several foothill areas that can have summer water. The June 1987 count is somewhat confusing but these horses were counted out of Butte Valley proper in the foothill areas with water. The bulk of the use in this use area is winter. No water exists in the Butte Valley proper portion of the HMA for the purpose of year-round horse use.

TABLE 4 Number of wild horses present within the Butte Valley use area collected by aerial census.

Butte Valley	DATE
32	6/1987
64	3/1989
60	3/1990
0	7/1991
23	6/1992
54	9/1992

Black Mountain/Canyon

The Black Mountain/Canyon use area is located in the Cherry Creek Range north of Hunter Point. There is typically only two or three bands in this use area which can be in the area year-round depending on the snow conditions.

TABLE 5 Census data showing wild horse numbers within the Black Mountain/Canyon use area.

BLACK MOUNTAIN/CANYON	DATE
5	6/1987
0	3/1989
0	3/1990
12	7/1991*
0	6/1992
40	9/1992

* The year between 1990 and 1991 showed the Butte herd growing from 272 to 505 wild horses.

Slough

The Slough use area is located in the northern portion of Butte Valley. This area has permanent water year-round and provides some riparian vegetation. Horses can be found in this use area year-round in small numbers. Larger numbers will move in for shorter periods from surrounding areas.

TABLE 6 Census data showing wild horse numbers within the Slough use area.

SLOUGH	DATE
0	6/1987
3	3/1989
9	3/1990
31	7/1991*
28	6/1992
19	9/1992

* The year between 1990 and 1991 showed the Butte herd growing from 272 to 505 wild horses.

ii. Relationship to Buck and Bald HMA

The Buck and Bald HMA, encompassing approximately 800,000 acres, borders the Butte HMA on the west . Much exchange is believed to occur between the two herds especially in the Pony Mountain area due to permanent water being present as well as a pass around the north end of the Butte mountains. The Maverick-Medicine HMA to the north in the Elko District is adjacent to this area and horse exchange occurs among all three HMAs. The herd composition data for the Buck and Bald HMA comes from removals conducted in 1986 and 1989 and should closely reflect the condition that exists within the Butte HMA. Population demographics decisions made concerning the Butte HMA will be extrapolated from information obtained from previous Buck and Bald gathers. Buck and Bald information is being used since

there is presently no population information available for the Butte HMA, and these two herds are closely related and interact along their boundaries regularly.

TABLE 7 A census history of the Buck and Bald HMA.

DATE	TOTAL COUNT	AD/FOAL	REPROD. RATE%**
1972	282	NA	NA
1973*	126	NA	NA
1974*	318	NA	NA
1975	301	NA	NA
1976	303	NA	NA
1978	260	NA	NA
1980	1,086	1,079/7	0.6%
1981	755	650/150	16.2%
1982	1,185	973/212	21.8%
9/1985	910	725/185	25.5%
12/1985	1,089	922/167	18.1%
6/1987	1,081	887/194	21.9%
3/1989	1,012	950/62	6.5%
10/1989	835	NA	NA
7/1991	1,228	1.027/201	19.6%
8/1992	1,281	1,065/216	20.3%

NA Not Available
* These censuses were ground counts conducted on the Newark Planning Unit.

$$\text{**REPROD. RATE\%} = \frac{\text{Number of Animals 0-1 Year of Age}}{\text{Number of Animals >1 Year of Age}}$$

TABLE 8 Removal and gather history of the Buck and Bald HMA.

DATE	NUMBERS REMOVED
1974-1978*	940
8/1980	489
2/1986	347
8/1989	338

* These were claimed horses collected over five years.

As shown in Table 7, the Buck and Bald HMA has had a high reproductive rate over several years, beginning in 1981, excluding census conducted in March when previous year's foals are difficult to distinguish from adults. Reproductive rates are an indicator of the productivity in a population. As presented in Table 1, the Butte HMA had a reproductive rate of 20.4% using the average of 1987, 1991, and 1992, years in which the March censuses were not included. Average reproductive rates for the Buck and Bald HMA for those years not censused in March are 20.5% from Table 8. Population computer models exist to estimate population growth, and Dr. Walt Conley from New Mexico State

University has a model available for estimating wild horse population growth. This model was used to estimate the herd growth in Butte HMA using Buck and Bald data.

Herd composition data, such as color variation, sex ratio, or age structure, does not exist for the Butte herd because of the lack of removals which provide this information. Population information from two removals conducted in the Buck and Bald HMA is presented in Tables 9 & 10 to represent color, sex ratio, and age structure information for the Butte HMA.

The data in Table 9 suggests an increasing population supported by 0-3 year-old animals making up 57.2% of the population. A decreasing population would show a similar proportion of the population made up of older age groups. The small proportions of older age animals is probably due to the low population levels that existed at the time of the passage of the 1971 Wild Free-Roaming Horse and Burro Act.

TABLE 9 Sex ratio and age structure information using the 1986 and 1989 Buck and Bald HMA gathers.

AGE	MALE	FEMALES	M:F	TOTAL	%
0-1	69	63	1.1:1	132	19.9
1	27	40	0.7:1	67	10.1
2	58	55	1.1:1	113	17.1
3	35	32	1.1:1	67	10.1
4	25	34	0.7:1	59	8.9
5	11	12	0.9:1	23	3.5
6	12	22	0.5:1	34	5.1
7	23	14	1.6:1	37	5.6
8	6	12	0.5:1	18	2.7
9	7	9	0.8:1	16	2.4
10	2	3	0.7:1	5	<1
11	2	5	0.4:1	7	1.1
12	4	12	0.3:1	16	2.4
13	2	7	0.3:1	9	1.4
14	9	3	3.0:1	12	1.8
15	3	9	0.3:1	12	1.8
16	2	0	-	2	<1
18	3	7	0.4:1	10	1.5
19	2	0	-	2	<1
20	6	4	1.5:1	10	1.5
21>	2	4	0.5:1	6	<1
25>	1	2	0.5:1	3	<1
30>	4	0	-	4	<1
TOTAL	315	349	0.9:1	664	

TABLE 10 Color variation within the Buck and Bald HMA data taken from 1986 and 1989 gathers.

COLOR	% OF POP.
SORREL	34
BAY	21
PALOMINO	13
CHESTNUT	8
BLACK	5
BROWN	3
GRAY	4
BUCKSKIN	3
STRAWBERRY ROAN	3
RED ROAN	2
PINTO	1
WHITE	1
BLUE ROAN	<1
SEVINA	<1
DUN	<1

The overall condition of the horses in the Butte HMA is generally good. Occasionally a poor condition horse is found, its condition a result of lameness, old age, injury, parasites, disease, and/or nutritional deficiencies. Mares sometimes exhibit poor health after parturition and while nursing a foal. In extreme cases, a horse may become so debilitated that it is unable to reach areas offering the necessary forage, water, and cover required for survival. But the majority of horses in the Butte HMA are sound, relatively healthy, and adapted to the type of environment they live in.

2). Land Use Plan Objectives and Constraints

This activity plan is in conformance with the Egan Resource Management Plan/Environmental Impact Statement (RMP/EIS) 1984, Record of Decision (ROD) 1987, and Rangeland Program Summary (RPS) 1988 with all objectives written in this plan to incorporate the phases of the Land Use Plan (LUP).

The 1987 Egan Resource Area Record of Decision (ROD) listed five major management decisions for short-term and long-term management of the Resource Area's wild horse herds, as follows:

a. Short-Term (0-5 years)

(1) Wild horses will be managed at a total of 1,451 animals.

NOTE: IBLA decisions 88-591, 88-638, 88-648, and 88-679 dated June 7, 1989, stated that initial stocking levels stated in land use

plans were not to be used as AMLs but that AMLs must be based on monitoring data. Through the allotment evaluation process, stocking level (AML) was determined based on the analysis of monitoring data.

(2) Continue existing rangeland monitoring studies and establish new studies as needed.

(3) Monitoring studies will be used to determine if adjustments in wild horse numbers are necessary to meet management objectives.

b. Long-Term (6-20 years)

(1) Future adjustments in wild horse numbers will be based on data provided through the rangeland monitoring program.

(2) The rangeland monitoring program will also provide data to determine the need for additional improvements for wild horses.

The ROD also outlined implementation methods for the above management decisions.

The wild horse management decisions will be implemented through wild horse herd management area plans. These plans will identify such details as the location of range improvements for the benefit of wild horses. The management actions developed for these plans will be integrated into a total management program designed to assure progress towards meeting the objectives of the resource management plan.

Censuses will be conducted periodically and herd management levels will be maintained by gathering excess animals.

The management of wild horses will be coordinated through wild horse herd management area plans. Wild horses will not be maintained outside of 1971 use areas. While it is recognized that some wild horses may drift outside these areas, management will be designed to minimize such drift.

The Medicine Butte Final Multiple Use Decision (FMUD) became final 3/16/92 allocating forage for wild horses and livestock within the Butte HMA. The multiple use decision allocates 822 AUMs for 69 wild horses year-round within the Butte HMA portion of the Medicine Butte allotment and 7232 AUMs

allocated for livestock. The South Butte allotment wild horse decision became final on 1/30/93 allocating 60 AUMs for wild horses and establishing an AML of 7 horses for 9 months within the allotment. The livestock portion of the South Butte allotment decision is currently under appeal by the permittee. The Cherry Creek, North Butte, and Thirty-Mile Spring allotment evaluations will also allocate forage to wild horses in the Butte HMA by the end of Fiscal Year 1994 in order to set an overall AML for the HMA. This HMAP will not be reviewed by the public each time a future FMUD is issued establishing an AML within an allotment. This plan defines the management practices within the HMA regardless of AML. This plan will incorporate AMLs established in future FMUDs.

3). Other Resources

Currently no Wildlife Habitat Management Plans (HMP) or livestock-grazing Allotment Management Plans (AMP) exist within the confines of the Butte HMA. Future AMPs and HMPs will be written upon completion of the evaluation process.

a. Livestock Use

Livestock use within the Butte HMA has traditionally been the main use within the HMA and continues to be a major component of the management considerations within the HMA. Grazing conflicts between livestock and wild horses is the major issue within the Butte HMA. This conflict is being resolved in accordance with the recommendations in the Egan RMP/EIS and ROD as well as through Washington Office IM-86-706 which provides direction to evaluate range conditions and allocate forage for livestock, wildlife, and wild horses to achieve a thriving natural ecological balance among all multiple users.

The livestock use within the Butte HMA will be in accordance with the Medicine Butte, Thirty-Mile Spring, Cherry Creek, South Butte, and North Butte Allotment Evaluations and Final Multiple-use Decisions.

b. Wildlife Use

The Butte HMA encompasses a wide variety of habitat types that support a variety of mammals and birds. Pronghorn antelope and mule deer are resident within the Butte HMA. The Butte HMA lies within Nevada Department of Wildlife's Management Areas 10 and 12 with Management Area 12 making up the largest portion of the Butte HMA. Sage grouse also occur in significant numbers throughout the HMA using the riparian areas as brooding habitat. Currently, there are no Habitat Management Plans (HMP) written that involve the Butte HMA.

Ferruginous hawks and northern goshawks are known to nest within the Butte HMA. Both birds are Category II listed species in Nevada; thus, they receive special consideration when activities occur in the area of an occupied nest site. Many other birds of prey occur within or migrate through the HMA including golden and bald eagles, red-tailed hawks, northern harriers, and rough-legged hawks. The endangered peregrine falcon can be observed throughout the year as a resident or seasonal migrant. Wildlife use and the AUMs allotted to them are addressed in more depth in the specific Allotment Evaluations/Final Multiple Use Decisions within the HMA.

c. Vegetation and Soils

i. Ecosystems/Plant communities

Major plant associations may be generally characterized as big sagebrush-grass, black sagebrush-grass, pinyon-juniper, and winterfat-saltbush flats. A more detailed description of these vegetation types is in Appendix I.

ii. Soils

Soils within the Butte HMA vary with the extremes of landscape, topography, and geology. They range from generally low to high producing Entisols and Aridisols on valley floors to low producing soils on alluvial fans and in mountainous areas. (Third Order Soil Survey information can be referenced for detailed soil and ecological site data, available in the Ely District Office.) See Appendix I for a more in depth description of the soils within the Butte HMA.

d. Recreation

Contrasting and varied topography make the HMA visually pleasing to many people. It is believed that some recreation use of wild horses, either by viewing or photography, is made by visitors in the area. During the summer the Hunter Point and Telegraph areas provide the most potential for photo opportunities.

Other recreation in the area is limited, with hunting and trapping being the major recreational activities. Deer and upland game hunting occur in portions of the area. Hunting seasons for deer normally occur from late August through mid-November. Upland game seasons extend from September through late January. Trapping activities are moderate with peak activity from October through mid-February.

Some post and woodcutting may take place occasionally in the area.

e. Water and Riparian

Water in the form of wells, springs, pipelines, and sloughs are spread throughout the Butte HMA with some exceptions. Map 3 shows the water sources that are available to wild horses throughout the year. Map 6 shows the area that year-round water sources for horses need to be provided. There is some overlap between the two maps and this is because the wells located in Butte Valley provide water to wild horses only when livestock are grazing. Thus, year-round sources need to be developed in these areas. Table 11 lists the private water sources and wells used by wild horses. Table 12 lists the public water sources used by wild horses. The springs and pipelines are located mostly in the higher elevations of the Telegraph and Pony Mountain use areas. In Butte Valley, there are wells that are owned and maintained by permittees and are used for livestock operations. Water is readily available to wild horses in the Pony Mountain, Hunter Point, and Telegraph use areas. The water deficiency occurs within Butte Valley proper and the Butte and Cherry Creek Ranges where no free water exists for wild horse use except during times when the livestock operator is pumping wells to provide water for livestock or water is trapped in puddles.

Table 11 Private waters and wells that wild horses use within the Butte HMA.

NAME	T	R	SEC.	USE PERIOD	DEVELOPED
Telegraph Crk.	20N	62E	36	spring/summer	no
Mustang Spring	21N	62E	26	spring/summer	no
North Spring	21N	62E	2	spring/summer	no
Meadow Spring	21N	62E	14	spring/summer	no
Unnamed Spring	21N	62E	12/13	spring/summer	yes
Unnamed Spring	21N	62E	14	spring/summer	no
Rock Spring	21N	62E	23	spring/summer	yes
Cherry Spring	21N	62E	26	spring/summer	yes
Nine-mile Spr.	20N	62E	21/22	Dry	yes
Hunter Spring	21N	62E	21	spring/summer	yes
Unnamed Spring	25N	62E	5	year-round	no
Butte Spring	22N	60E	20	spring/summer	yes
Frank's Well	22N	61E	20	spring/winter	yes
Old Well	22N	60E	20	spring/fall	yes
Nine-Mile Well	24N	61E	14	spring/winter	yes
Cow Camp Well	22N	61E	7	spring/winter	yes
Uhalde Well	21N	61E	7	spring/fall	yes
Robinson Well	23N	60E	22	summer	yes
Caboose Well	23N	61E	9	spring/winter	yes
Egan Basin Well	23N	62E	9	spring/summer	yes

Table 12 Water sources on public land that wild horses use within the Butte HMA.

Name	T	R	Sec.	Use Period*	Developed
Pony Spring	24N	60E	1	Year-round	yes
Johnson Spring	24N	62E	29	winter	yes
Unnamed Reservoir	22N	61E	5	intermittent	-
Unnamed Reservoir	24N	62E	4	" "	-
Unnamed Reservoir	24N	62E	8	" "	-
Unnamed Reservoir	25N	62E	17	" "	-
Unnamed Reservoir	25N	62E	21	" "	-
Unnamed Reservoir	25N	62E	33	" "	-
Unnamed Reservoir	23N	61E	12	" "	-
Unnamed Spring	25N	62E	8	year-round	no
Unnamed Spring	24N	60E	22	intermittent	no
Unnamed Spring	25N	60E	36	dry	no
Unnamed Spring	26N	62E	33	year-round	no
White Rock Spring	25N	60E	12	year-round	no
Willow Spring	25N	61E	31	year-round	yes
Pot Spring	25N	60E	12	year-round	yes
Westside Spring	21N	62E	15	spring/summer	yes
Pipe Spring	21N	62E	11	spring/summer	yes
Egan Creek	23N	62E	14	year-round	no

*Intermittent use period refers to water being available only in the form of storm runoff or snow melt.

f. Cultural Resources

The HMA encompasses numerous cultural resource areas typical of the Great Basin. Cultural occupation of the HMA occurred from the Paleoindian Period (12,000 B.P.) to the Late Prehistoric (1850 A.D.). Typical prehistoric sites are open lithic tool and debitage scatters, though more unusual sites such as rock shelters with preserved perishable artifacts, rock art sites, and hunting blinds or traps composed of piled rock or vegetation may also occur. The Pony Express trail crosses over mountain passes and through Butte Valley within the HMA.

II. HMAP OBJECTIVES

Based upon the information presented in Section I, the following objectives have been identified for the Butte HMA. There are no other activity plans for the area so no coordination with other plans can be done at this time. The overall objective is to maintain and manage the wild free-roaming horse population as a recognized component of the public land environment, in balance with its habitat and other resource uses.

A. Habitat Objectives

The habitat objectives for the Butte HMA are as follows:

1. Maintain or enhance ecological condition of the native vegetation by maintaining utilization levels by all herbivores at the levels specified in the Egan Rangeland Program Summary. These levels are as found on page 23 of the Nevada Rangeland Monitoring Handbook and are reproduced in Table 13 in the Evaluation and Revision section of this document. The levels outlined in Table 13 may be adjusted in the respective allotment evaluations depending on the resource problems existing within the respective evaluation.

2. Improve distribution, and maintain or improve wild horse habitat by assuring free access to water yearlong by wild horses, by creating new waters in areas it is now lacking or only seasonally available, and by properly maintaining those waters now existing in the area. Also, improve distribution of wild horses through other range improvements.

B. Population Objectives

The Butte HMA wild horse population objectives needed to maintain a healthy, viable population of wild horses in a thriving natural ecological balance with all other resources and users are as follows:

1. Achieve AML as determined through allotment evaluations and future rangeland monitoring to restore the range to a thriving natural ecological balance within a ± 15% range to allow flexibility in herd numbers.*

*At present the AML within the Butte HMA is not fully established. About 65% of the HMA is contained within the Medicine Butte allotment. This allotment contains from 50 to 90 percent of the wild horses within the Butte HMA, depending on season of use. The established AML for the Medicine Butte allotment portion of the Butte HMA, based upon monitoring, is 69 horses. The AML determined through allotment evaluations will provide the midpoint for a ± 15% allowable herd fluctuation. Removals will be to the lower limit of the fluctuation level on evaluated allotments only. Therefore, at this time, 59 wild horses will remain in the Medicine Butte allotment portion of the Butte HMA after removal. The South Butte allotment makes up approximately 7% of the allotment. The AML for this portion of the allotment is for 7 horses for 9 months and will be maintained at this level.

2. Maintain the AML by reducing the herd growth within the Butte HMA to 12% or less per year using fertility

control measures outlined in the Management Action section that follows.

3. Implement a study to determine the exchange between the Butte, Buck and Bald, and Elko District's Maverick-Medicine HMAs in the Pony Mountain area.

4. Maintain the color diversity of the herd as it exists at the time of the initial gather.

5. Maintain the wild and free-roaming characteristics of the wild horses within the Butte HMA.

III. Management Actions

A. Habitat Maintenance and Improvements

The planned actions needed to achieve the habitat objectives in section II A. above are as follows:

1. The maintenance or enhancement of ecological condition will be achieved by the proper stocking levels of all grazing animals (i.e. wildlife, livestock, and wild horses) as determined through monitoring. Section IV, Evaluation and Revision, explains more completely how the level of range users will be established.

2. The Egan Rangeland Program Summary (RPS) did identify potential water projects that could be completed within the Butte HMA. These projects will continue to be pursued as well as implementing new projects such as spring developments, guzzler installation, water rights claims on exploration wells, and cooperative agreements with permittees to provide water to improve wild horse distribution. The opportunities for water development in this area will primarily be wells drilled in the area or guzzlers that can be installed. Four springs used by wild horses are proposed for development and fencing to protect riparian habitat in conjunction with other resources. This should improve at least the quality of water within the HMA, as well as, the quantity by protecting the spring source. The springs proposed for development are listed below.

White Rock Spring	T25N	R60E	Sec.12
Hunter Pipeline/Tank	T21N	R62E	Sec.31
Unnamed Spring	T24N	R60E	Sec.22
Unnamed Spring	T25N	R60E	Sec.36

In addition, other projects to improve the range such as prescribed burns and chainings, in conjunction with the range and wildlife program, will be investigated and implemented on areas that fit the criteria for such actions. At the present time,

these projects have not been outlined nor have specific project areas been identified. However, upon the achievement of AML, these kinds of projects will become of higher priority. WHY?

B. Population Maintenance and Improvement

The planned actions to achieve the animal objectives listed in section II. B. are as follows:

1. The removal of horses to achieve AML will be consistent with Nevada State Office policy in terms of the age classes which can be removed from the range. At present, the initial removal will include animals 5 years old and under but in the future policy may change to allow for removals of animals 9 years old and under. Maintenance of AML will be through selective removals as outlined in the Strategic Plan for Management of Wild Horses and Burros on Public Lands. The selective removals outlined in this plan will consist of capturing 90% of the population within the HMA and removing the most adoptable age classes, as determined by the abilities of the adoption program to adopt wild horses. Removals, however, will not occur on allotments that do not have an Allotment Evaluation or Final Multiple Use Decision complete. At present, the most adoptable age classes are the 0-3 year olds. This may change, however, as the demand for wild horses rises and falls over the next several years.

The AML for the Butte HMA will not be reached in one gather. The Strategic Plan calls for a rotation of HMAs to be gathered every three years until AML is reached. Upon reaching AML, herds will be gathered every three years, as necessary, in order to maintain AML. A $\pm$ 15% variation will be allowed to reduce the number of removals necessary. Removals to achieve and/or maintain AML will be to 15% below established AML. The capture/removal plan for this HMA is included in Appendix III.

2. In order to achieve population growth of not more than 12%, population manipulations will be possible using several techniques or combinations of techniques as outlined below. Capture/removal procedures are addressed in the Capture/Removal Plan in Appendix III. All handling of wild horses will be in accordance with procedures specified in the Nevada Wild Horse and Burro Program Guidance.

a. Selective removals may be used separately or in conjunction with other methods listed below to maintain AML and achieve the not more than 12% herd growth objective. A herd growth objective of 12% was chosen because of the minimal difference over three years of the number of animals produced versus the 10% herd growth estimated to be achieved using immunocontraception. Use of selective removals achieves nearly

the same goal with less handling of horses. Selective removals could consist of removal of specific sex or age classes. Either method will provide for a herd growth of 12% per year based on modeling using historic gather figures from Nevada. Age specific removals will create an older population resulting in social changes requiring older animals that are less productive to assume dominant roles filled by younger age animals in the present population. Sex specific removals will create a skewed sex structure resulting in more males than females, thus, lowering reproductive potential of the population due to a lower proportion of reproducing females. Neither treatment would be permanent and would allow for return to a pre-treatment age structure over a matter of years.

b. Immunocontraception could be used alone or in conjunction with selective removals. Immunocontraception is a hypodermic injection which renders females infertile for a limited period of time and is not a permanent sterilant. This inoculation would be administered to 50% of 4-9 year old females based on herd age composition and most recent aerial census. Horses will be aged, sorted by sex, and marked with a grease pencil at the trap site. Those animals meeting the age criteria for inoculation will be given a one-shot hypodermic injection and, if necessary, taken to a central holding facility. Upon completion of the gather or need of the holding facility, horses will be returned and released at the location they were captured. Current technology exists for a one-shot treatment that will render a mare infertile for one year. It is anticipated that within two years a one-shot drug will be available that will be effective for 3-5 years.

c. SELECTED ACTION

The initial removal of horses 5 years old and under is consistent with the Nevada State Office removal policy. This policy is subject to change if the adoption program allows for older age groups to be removed. Removals of horses up to 9 years of age may be allowed in the future. If so, the removals in the Butte HMA will be conducted to remove those age groups that will allow achievement of AML in the shortest manner possible. At this time, however, subsequent removals to this initial one will be targeted for the 0-3 year old age classes in order to follow the Strategic Plan for removing the most adoptable animals. Table 9 shows the estimated age class breakdown of the population for the 5 and under age classes. This is consistent with the modeling data used from previous removals within the state since 1986. Removal of 5 and under age classes will result in the removal of 70% of the population but will not achieve AML within the evaluated portion of the Butte HMA. It would take gathering 87% of the population to achieve AML which would require gathering 0-11 year olds; this is not a feasible option because of the needs of the adoption program. The removal of 5 years and

under age classes results in removing 70% of the population which is only 17% short of achieving AML. It is conservatively estimated that over three years a death loss of around 5% per year is possible; thus by the third year, through implementation of the Strategic Plan by removing 0-3 year olds, AML could be achieved. In the future, immunocontraception will be used when a one-shot, longer-term fertility drug exists in conjunction with selective removals of 0-3 year old horses. If a longer-term immunocontraceptive drug has not been developed, then removal of 0-3 year old animals will be used to maintain AML and also to reduce herd growth to 12% per year.

Any of the above methods could be used alone or in combination in an attempt to reduce the Butte herd growth.

d. FUTURE ACTIONS

There is little doubt that immunocontraception will become an integral part of the management of wild horses in Nevada. The use of immunocontraception will be implemented when the drug exists in a form that is effective for more than one year. Immunocontraception will be used in combination with selective removals in order to reduce the frequency of removals necessary to maintain AML. Administration of the drug will be restricted to 4-9 year old mares that will be held in a squeeze shoot, aged, administered the shot, and held in a central holding facility until they are released back onto the range. A temporary mark such as a colored grease pencil will be used to identify horses by the area they were captured and released back into the same area. The number of mares that will need to be given the shot will be determined by the age structure and population level of the herd at the time of capture/removal operations. The capture and handling of the animals will be in accordance with the capture techniques outlined in Appendix III.

3. This study will use temporary marks such as cropping of tails and paint marking. Other marking techniques may be used that will improve the identification. The length of any mark used will be a year or more but will not be permanent. The mark will enable identification from the air during seasonal census to identify the proportion of horses that move between the Butte, Buck and Bald, and Elko District's Maverick-Medicine HMAs in the Pony Mountain area.

4. Due to a lack of historical information for the Butte HMA, there is no data as to the color variety of the population. Information on the herd will be collected during future gathers for a basis to manage the herd color composition.

5. All projects and resource uses for the Butte HMA will be analyzed in depth through an environmental analysis

(EA) to determine if the project will impact the wild free-roaming characteristics of wild horses. Wild horse distribution, seasonal movements, daily movements, and home ranges will also be preserved in accordance with NSO Manual Supplement 4730, Release NV 4-6.

IV. EVALUATION AND REVISION

A. Habitat Maintenance and Improvements

1. Monitoring studies will be conducted in accordance with the Nevada Rangeland Monitoring Handbook (NRMH) and the BLM Technical Reference 4400 Rangeland Monitoring Manuals. Monitoring studies which will be conducted include; use pattern mapping, utilization transects, ecological condition and trend. Monitoring will be conducted by the Egan Resource Area wild horse and burro specialist or range conservationist. Re-evaluations will occur the third and fifth year after the Final Multiple Use Decision is issued. Monitoring will be done on key species with utilization levels outlined in Table 13 below.

Table 13 Allowable use levels on key species by season of use.

Plant Category	Spring	Summer	Fall	Winter	Yearlong
Annual Grasses	60%	90%	90%	90%	83%
Perennial Grasses and Forbs	50%	50%	60%	60%	55%
Annual Forbs	60%	90%	90%	90%	83%
Perennial Forbs and Biennial Forbs	50%	50%	60%	60%	55%
Shrubs-Half Shrubs and Trees	30%	50%	50%	50%	45%

2. Range improvements that are completed will be evaluated generally by the success of the project in terms of improving distribution and overall well being of wild horses.

B. Population Maintenance and Improvement

1. Achievement and maintenance of AML will be evaluated by aerial census. This will ensure that AML will be maintained and allow the BLM to determine the need for future removals. Seasonal movement flights will also be incorporated into the data analysis to better attribute the use of resources within the HMA among the multiple users.

2. Population growth rate will be determined by annual census and based on the rate of increase. Rate of increase is defined as the percent increase in overall population numbers from one year to the next. Seasonal census will continue and the summer census will be used as the base figure to compute annual increase from year to year.

3. Seasonal aerial census will also aid in determining the exchange and seasonal use of horses in the Pony Mountain area between Butte, Buck and Bald, and Elko District's Maverick-Medicine HMAs. Ground counts will also be used to define the movements between the HMAs.

C. Plan Revision

1. Criteria For Plan Revision/Amendment - A joint review of this plan will be conducted periodically by the Ely District and Egan Resource Area Wild Horse and Burro Specialists, the Egan Resource Area Manager, and any Egan Resource Area staff needed. This plan may need to be modified due to any number of reasons including court orders, major policy changes, changes in law, changes in resource objectives, and the outcome of allotment evaluations.

2. Revision Implementation - Population adjustments, if determined to be needed, would be implemented as outlined in Section III., Management Actions. If the evaluation dictates that adjustments in this plan are necessary, such changes will be made as soon as feasible considering workload commitments at the time.

V. APPROVAL

Prepared by: Joseph A. Stratton 6/2/93
Joseph A. Stratton, Egan Resource Area Wild Horse Specialist

Concurrence: Bob Brown 6/3/93
Bob Brown, Ely District Wild Horse Specialist

Recommended by: B.C. Amme (Actng)
for Gene L. Drais, Egan Resource Area Manager

Approved by: Kenneth G. Walker 6-3-93
Kenneth G. Walker, Ely District Manager

VI. Appendix I-VEGETATION AND SOILS SUMMARY

Vegetation

The dominant shrub in the big sagebrush-grass community is big sagebrush (Artemisia tridentata). Other shrubs occurring in this type are greasewood (Sarcobatus vermiculatus), spiny hopsage (Grayia spinosa), and green rabbitbrush (Chrysothamnus viscidiflorus). At higher elevations Utah serviceberry (Amelanchier utahensis) and antelope bitterbrush (Purshia tridentata) are frequently found. Common forbs include buckwheat (Eriogonum spp.), princessplume (Stanleya pinnata), mustards (Brassica spp.), and lupine (Lupinus spp.). Common grasses include Great Basin wildrye (Elymus cinereus), western wheatgrass (Agropyron smithii), Sandberg bluegrass (Poa secunda), bluebunch wheatgrass (Agropyron spicatum), galleta grass (Hilaria jamesii), Indian ricegrass (Oryzopsis hymenoides), bottlebrush squirreltail (Sitanion hystrix) and where perennial grasses have been overutilized or removed by fires, cheatgrass (Bromus tectorum) has become the dominant understory.

The dominant shrubs in the black sagebrush-grass community are black sagebrush (Artemisia nova), green rabbitbrush, shadscale (Atriplex confertifolia), winterfat (Ceratoides lanata), and Mormon tea (Ephedra viridis). Common forbs in this type are mustards, buckwheats, locoweeds (Oxytropis spp. and Astragalus spp.), pepperweeds (Lepidium spp.) and penstemon (Penstemon spp.). Common grasses include western wheatgrass, Sandberg bluegrass, Indian ricegrass, bottlebrush squirreltail, and galleta grass.

The Pinyon pine-juniper type occurs on valley benches and extends into the higher elevations. The pinyon pine (Pinus monophylla) and Utah juniper (Juniperus osteosperma) are the dominant overstory. Understory plants include segments from the big sagebrush-grass and black sagebrush-grass communities. Other shrubs occurring in the pinyon pine-juniper type are curlleaf mountain mahogany (Cercocarpus ledifolius), Mormon tea, snowberry (Symphoricarpos spp.) and cliffrose (Cowania mexicana). At higher elevations and where water is at or near the ground surface there are scattered patches of aspen (Populus tremuloides) in the area. However, this community is rare in the HMA.

The fourth major plant association is the winterfat-saltbush type. This plant association occurs on the valley bottoms and lower valley benches. The dominant shrubs in this type are shadscale (Atriplex confertifolia) and winterfat. Other common shrubs in this type are spiny hopsage, greasewood, budsage (Artemisia spinescens), green molly (Kochia americana), green rabbitbrush, and big sagebrush. The most common forbs are buckwheats and mustards. The most common grasses are galleta grass, Indian ricegrass, bottlebrush squirreltail, and various dropseeds (Sporobolus spp.).

Invasions of halogeton (Halogeton glomeratus), Russian thistle (Salsola kali) and cheatgrass are common where areas have been disturbed by man and/or overgrazed by wild horses or livestock. Green rabbitbrush has replaced the dominant desirable shrubs in this type where overgrazing has occurred.

Threatened and Endangered Plants

There are no threatened, endangered, or candidate plant species known to occur within the Butte HMA.

Poisonous plants

Poisonous or noxious plants, other than halogeton and larkspur, exist but are limited in the plan area.

Soils

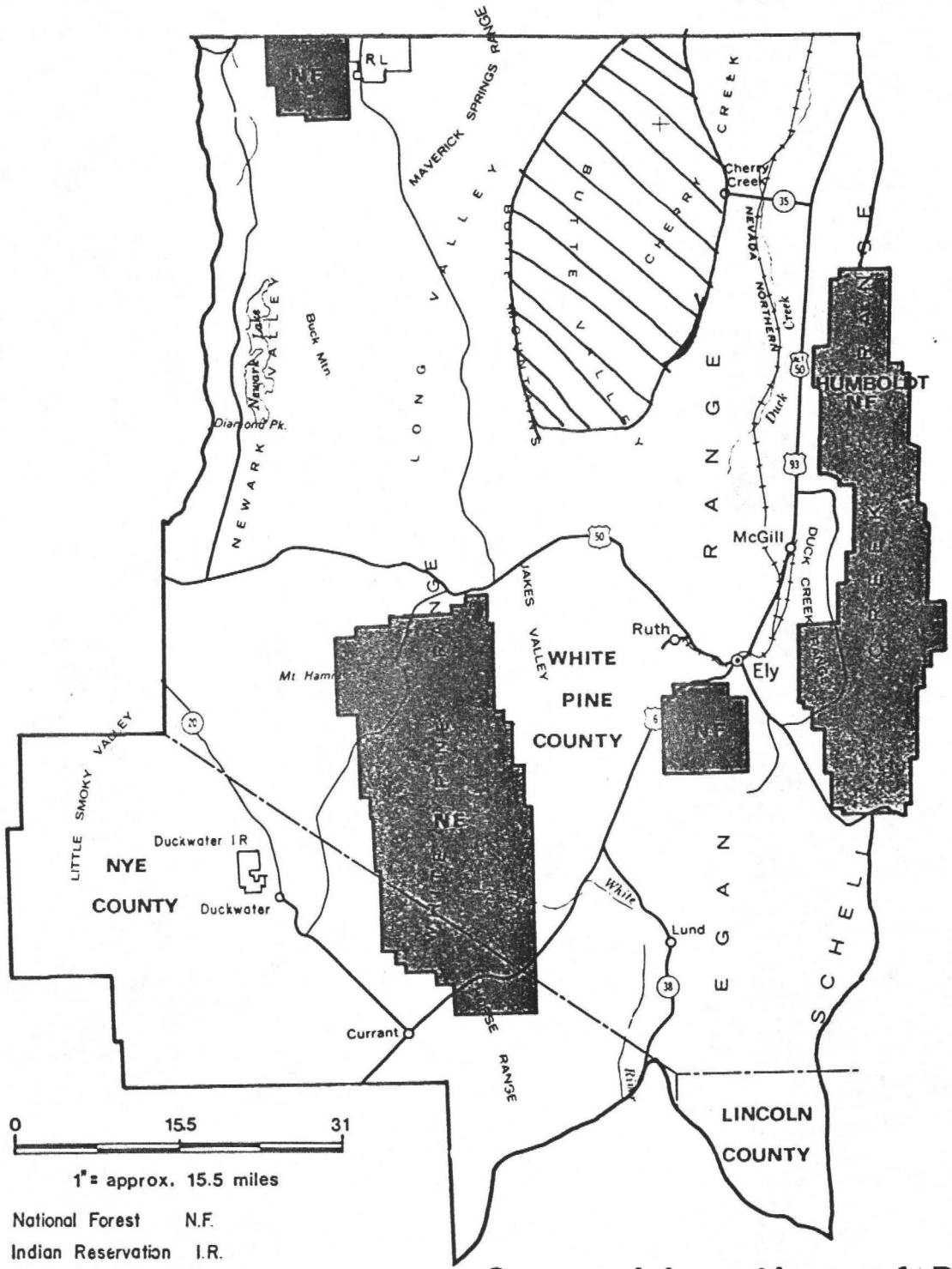
Soil textures are generally sandy loams, loams, clay loams, and silt loams, most of which are capable of supporting palatable species of vegetation for livestock, wildlife, and wild horses. The following table depicts soil characteristics:

Table I-1. Soils characteristics/Butte HMA

Distribution	Principal Soil Orders	Soil Productivity	Erosion Susceptibility
Mountains	Aridisols & Entisols	Low	Moderate to Severe
Benches and Alluvial Fans	Aridisols & Entisols	Low	Moderate
Valley Floors	Aridisols & Entisols	Low to High	Slight to Severe

APPENDIX II-MAPS

Map 1 - General location of Butte HMA in Nevada.
Map 2 - Allotment Boundaries within HMA.
Map 3 - Butte HMA Potential Water Sources.
Map 4 - Butte HMA seasonal use areas.
Map 5 - Butte HMA key use areas.
Map 6 - Areas needing permanent waters.
Map 7 - Land status.



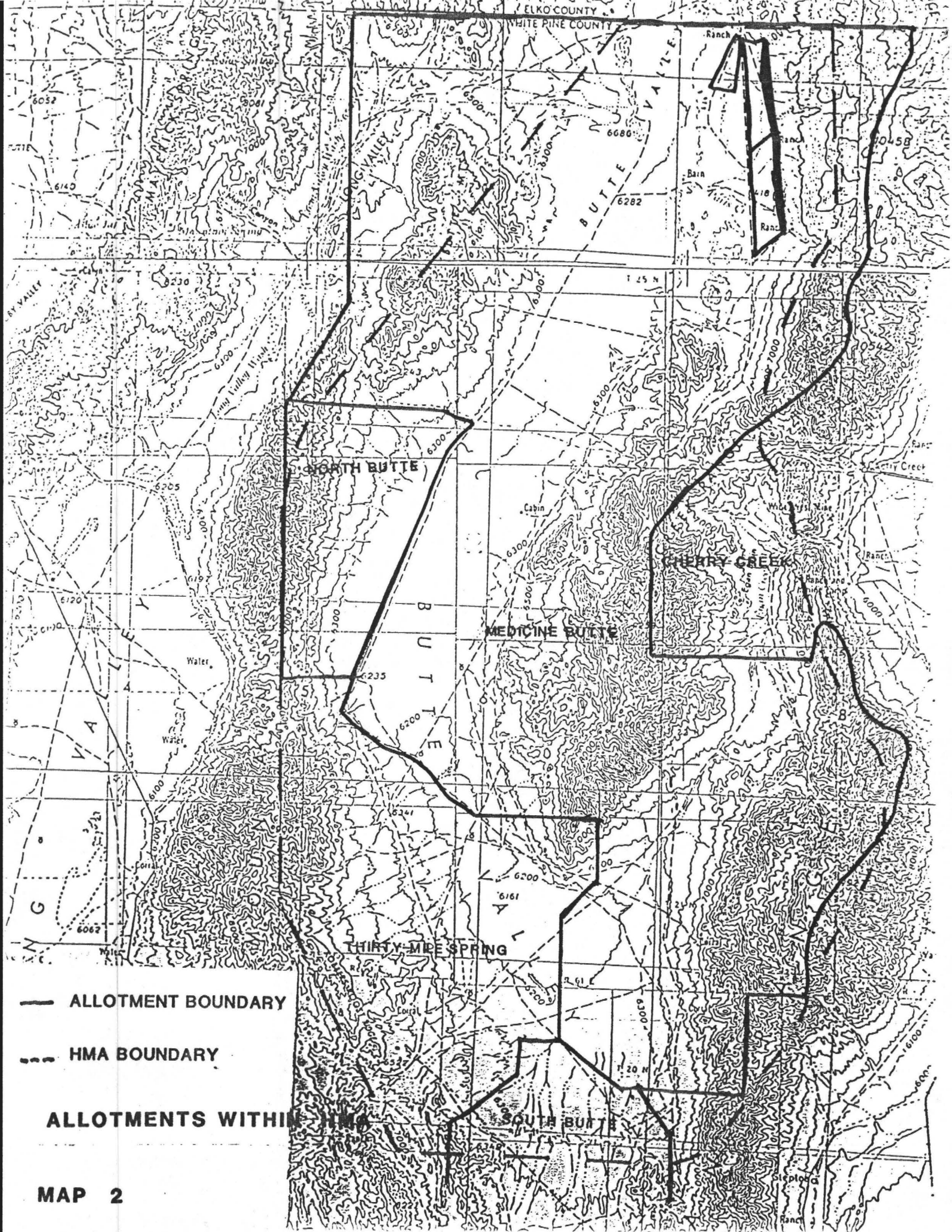
General location of Butte HMA

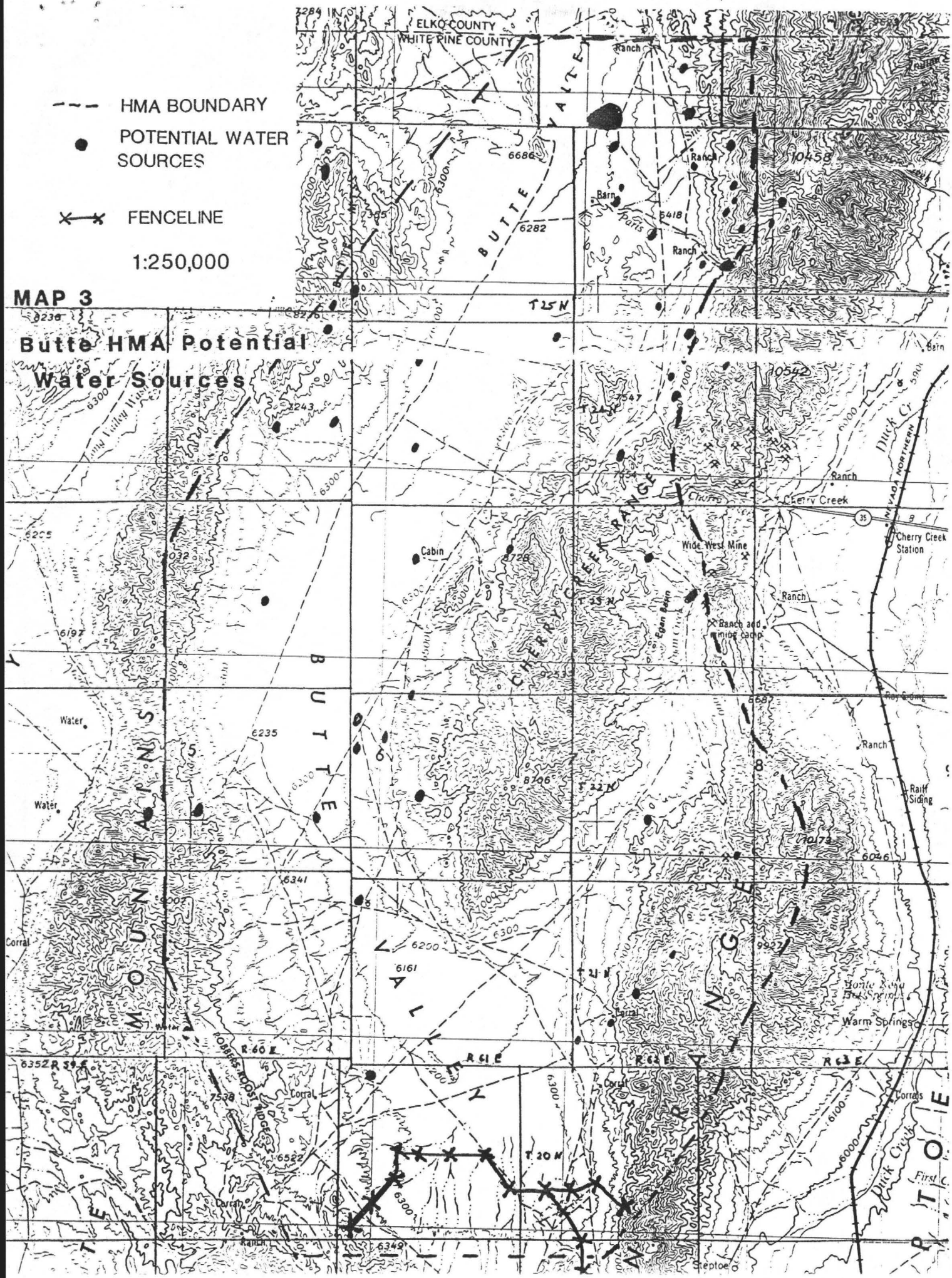
EGAN R.A.

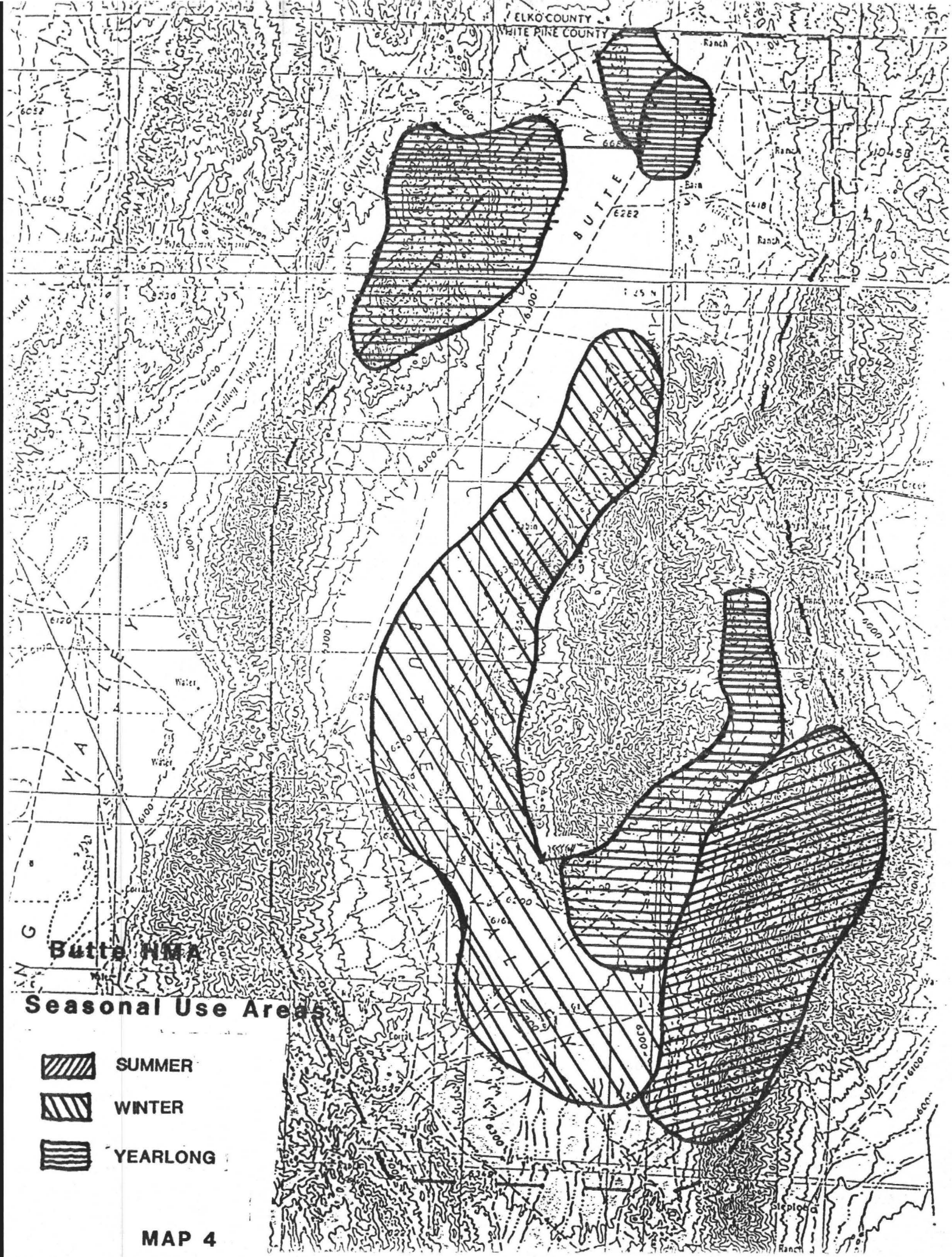
ELY DISTRICT

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

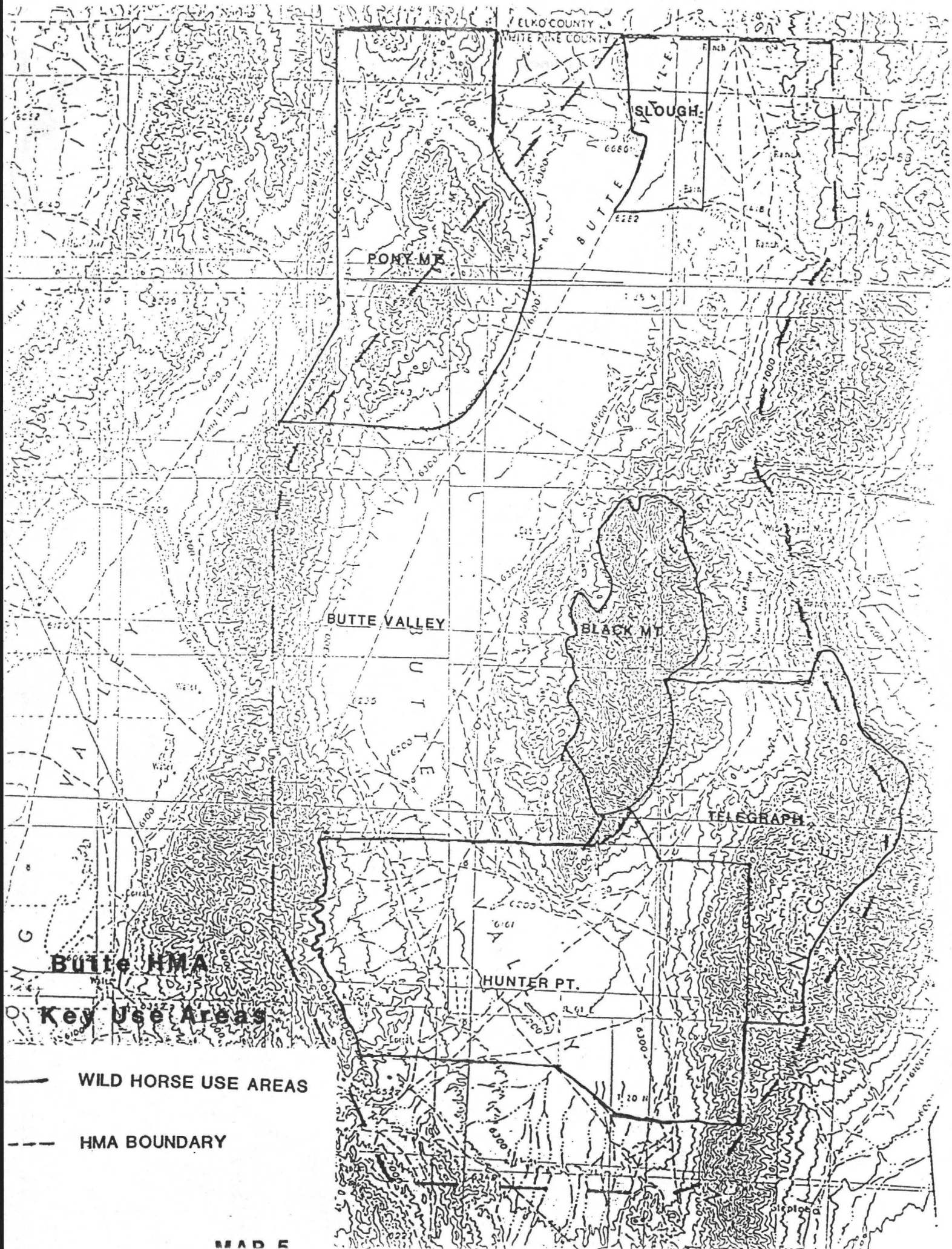
MAP 1


ELKO COUNTY
WHITE PINE COUNTY
NORTH BUTTE
CHERRY CREEK
MEDICINE BUTTE
THIRTY-MILE SPRING
SOUTH BUTTE
BUTTE VALLEY
LONG VALLEY
ALLOTMENT BOUNDARY
HMA BOUNDARY
ALLOTMENTS WITHIN HMA
MAP 2

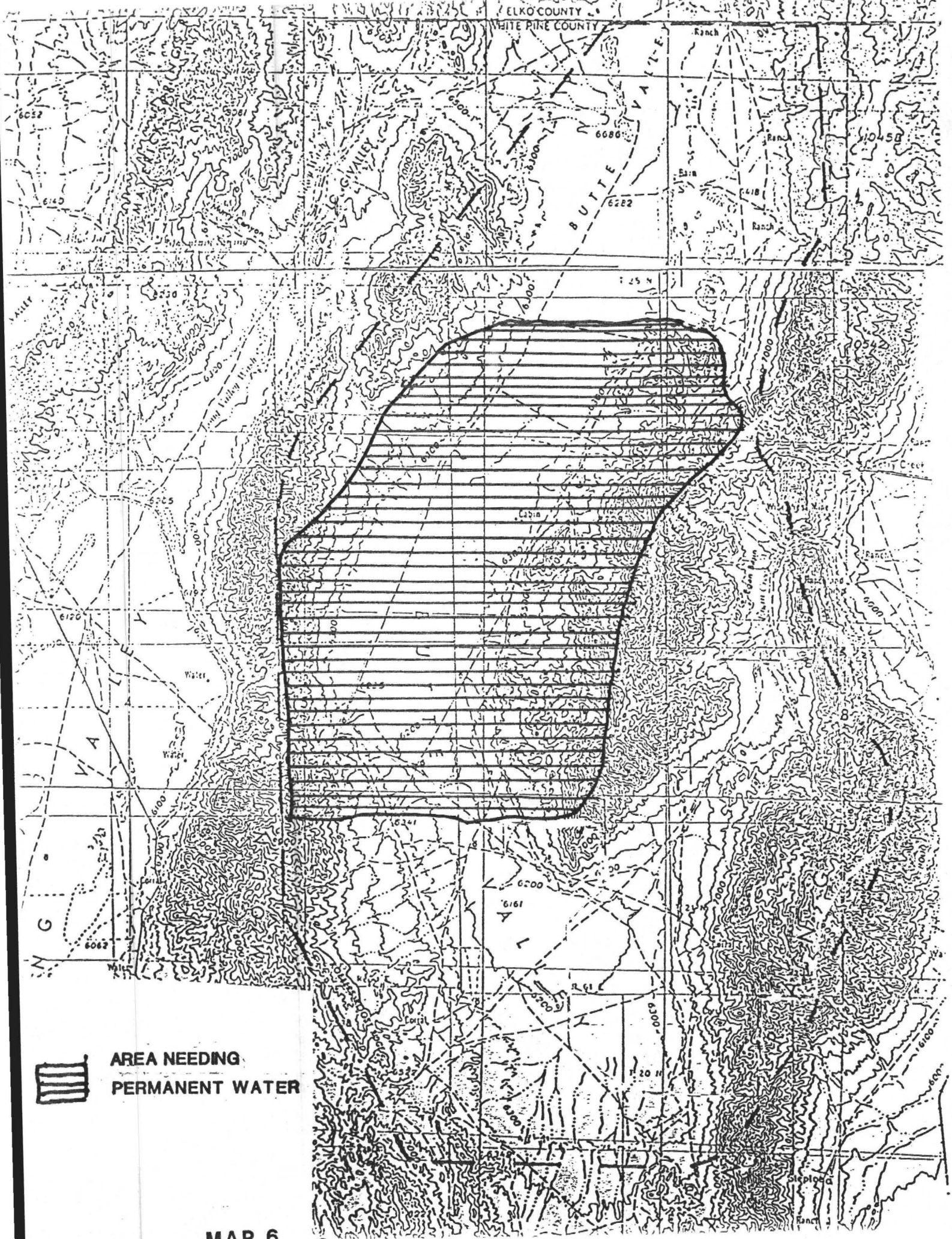

HMA BOUNDARY
POTENTIAL WATER SOURCES
FENCELINE
1:250,000
MAP 3
Butte HMA Potential Water Sources
ELKO COUNTY
WHITE PINE COUNTY
BUTTE VALLEY
BUTTE MOUNTAINS
CHERRY CREEK RANGE
ANTELOPE RANGE
Cherry Creek
Cherry Creek Station
Wide West Mine
Ranch and mine camp
Egan Basin
Duck Cr
Nevada Northern
Rail Siding
Warm Springs
Corral
Cabin
Barn
Ranch
Water
Roberts Roost Ridge
T 25 N
T 24 N
T 23 N
T 22 N
T 21 N
T 20 N
R 60 E
R 61 E
R 62 E
R 63 E


ELKO COUNTY
WHITE PINE COUNTY
BUTTE
BUTTE
Butte HMA
Seasonal Use Areas
SUMMER
WINTER
YEARLONG

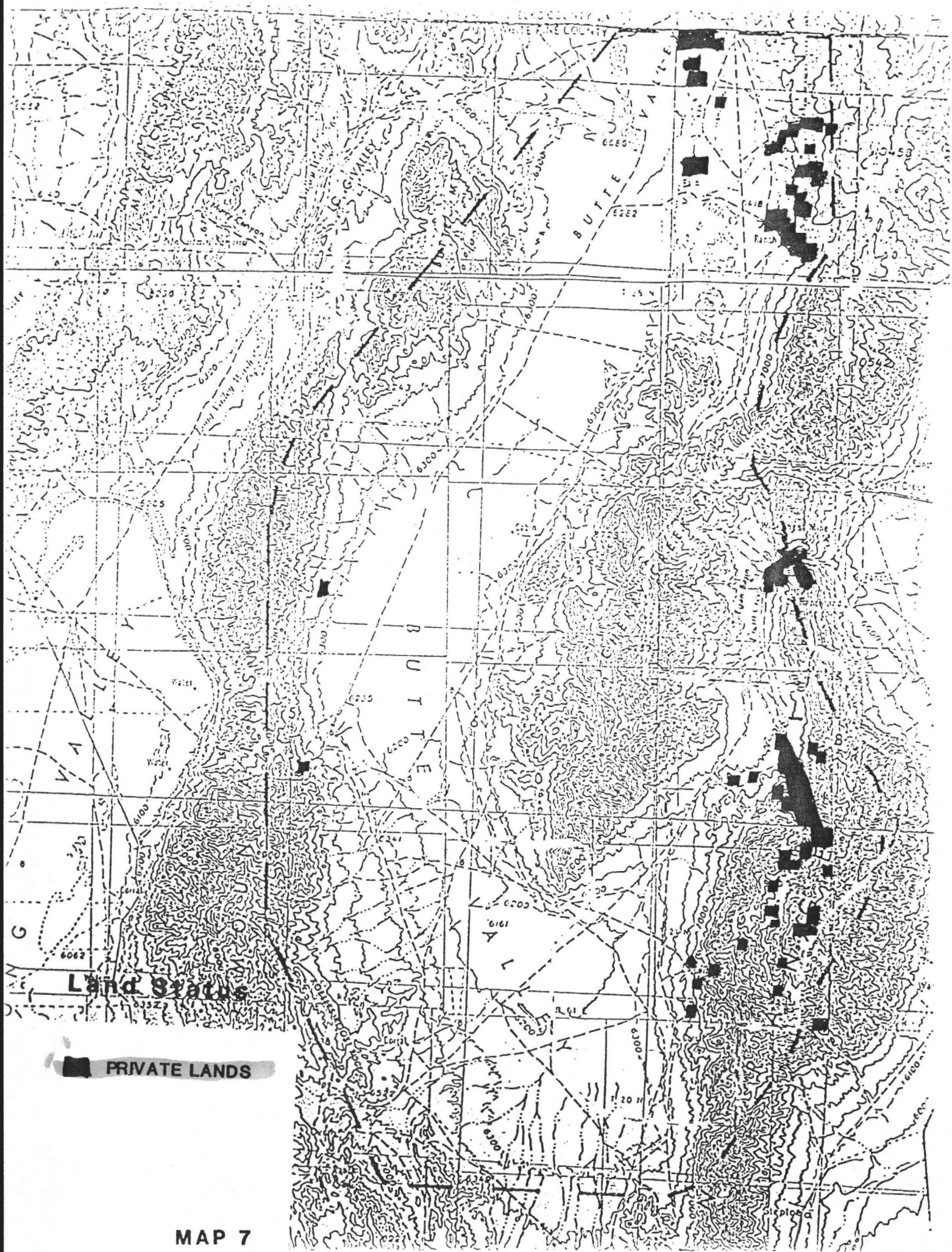
MAP 4


ELKO COUNTY
WHITE PINE COUNTY
SLOUGH
BUTTE
PONY MT.
BUTTE VALLEY
BLACK MT.
TELEGRAPH
HUNTER PT.
Butte HMA
Key Use Areas
WILD HORSE USE AREAS
HMA BOUNDARY

MAP 5


ELKO COUNTY
WHITE PINE COUNTY
BUTTE VALLEY
AREA NEEDING
PERMANENT WATER

MAP 6



MAP 7

Appendix III

CAPTURE/REMOVAL PLAN
FOR
BUTTE HERD MANAGEMENT AREA

PURPOSE

The proposed action is to initially capture and remove wild horses 5 years old and under or current Nevada State Office approved age classes up to 9 years old within the Medicine Butte allotment of the Butte and Buck and Bald HMAs and the South Butte allotment portion of the Butte HMA to approach achievement of AML. The Buck and Bald HMA portion of the Medicine Butte allotment is incorporated into this capture/removal plan because this allotment has an established AML by HMA and the area is a movement corridor for horses between the Butte and Buck and Bald HMAs. As the Buck and Bald HMAP is completed, the AML for the entire Buck and Bald HMA will be determined and future removals of this area will be addressed in the Buck and Bald HMAP. In future removals, the BLM intends to implement selective removal of 0-3 year olds and immunocontraception, separately or in combination, in order to maintain AML and restore the range to a thriving natural ecological balance. The use of selective removals in conjunction with immunocontraception will allow for a reduced level of herd growth and require less frequent removals in the future. The proposed action will bring the population of wild horses to a level in balance with available forage in the Medicine Butte Allotment within the Buck and Bald and Butte HMA and Cherry Creek, Thirty-Mile Spring, North Butte, and South Butte allotments within Butte HMA. The population adjustment is based solely on analysis of monitoring data. Helicopters will be the primary method used to capture the wild horses. Some roping from horseback will also be allowed. Water trapping may be used as an alternative method in areas of heavy horse concentrations if a helicopter gather is not feasible.

This document outlines the process and the events involved with the capture and/or removal of wild horses within the Butte and Buck and Bald HMAs. Included are the approximate numbers to be removed, the appropriate management level (AML) to be gathered to, the time and method of capture, and the handling and disposition of captured horses. Also outlined are the BLM 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 pre-capture evaluation held prior to gathering operations.

AREA OF CONCERN

The Butte HMA is located approximately 20 miles northwest of Ely in northern White Pine County, Nevada, in the Bureau of Land

Management (BLM) Ely District, Egan Resource Area. The portion of the Buck and Bald HMA is adjacent to the northwest corner of the Butte HMA approximately 50 miles northwest of Ely. Removals may also occur in adjacent horse-free areas if it is determined that wild horses are residing outside the HMA yearlong. Maps of the Butte HMA and the Medicine Butte and South Butte allotments are located in Appendix II.

The proposed action is in conformance with the Draft Egan Resource Management Plan (RMP) and Final EIS, the Egan ROD, and the Final Multiple Use Decision (FMUD) for the Medicine Butte allotment. Future allotment FMUD's for Thirty-Mile Spring, North Butte, South Butte, and Cherry Creek will also conform to the objectives outlined in the Land Use Plan. The proposed action is also being written to be in conformance with the FMUDs for the above mentioned allotments because this action is considered to be part of long term management for the Butte HMA.

Any removals will be followed by a post-removal census to determine that the proper number of horses remain in the HMA.

CAPTURE/REMOVAL PROCEDURES

The removals for the Butte HMA will initially be horses 5 and under or the current Nevada State Office approved age classes up to 9 years old. This criteria was selected to remove the most adoptable animals from the HMA while achieving AML in the shortest manner possible. The removal of horses 5 and under will not achieve AML within the Butte HMA in one removal effort; however, it is believed that subsequent removals will require removing only 0-3 year olds to achieve and maintain AML. The subsequent captures/removals may result in the use of immunocontraception in conjunction with selective removal of 0-3 year olds in order to reduce the herd growth and maintain AML. The initial removal will remove approximately 350 animals, 5 years-old and under. Wet mares and foals 5 years-old and under and orphaned foals will be removed from the range. Older wet mares and foals will be returned to the range. A strategy for gathering HMAs on a three year schedule is to begin in FY1993 in Nevada. After the initial removal, subsequent removals beginning in 1996 will implement the Strategic Plan for the Management of Wild Horses on Public Land. The Butte HMAP established a ± 15% range around the AML established by allotment evaluations as the median point. All gathers will be implemented with the intent to reduce the herd to the lower limit of the range. This will reduce the number of removals necessary to maintain a thriving natural ecological balance and reduce the need to stress the horses because of repeated removal operations. The initial removal will take place within the Medicine Butte allotment which has an established AML of 80 (69 in Butte HMA and 11 in Buck and Bald HMA) and the South Butte allotment which has an established AML of 7 horses for 9 months. Using the ±15% range, attempts will be made to gather down to 68 animals (59 in the Butte

HMA and 9 in the Buck and Bald HMA) within the Medicine Butte allotment only. As Allotment Evaluations and Final Multiple Use Decisions become final, they will be incorporated into removal efforts to achieve AML as determined by the Allotment Evaluation process.

Time and Method of Capture

The initial gather is expected to take place through issuance of a removal contract during FY93, and last approximately 3 weeks. The start date for the removal contract will be dependent on the funding available in FY93. Subsequent captures in future years will also take place through the issuance of a removal contract. Under no circumstances will helicopter gathering be allowed during the foaling season (March 1 to June 30). Water trapping will be allowed throughout the year but would be used only if helicopter gathering were unfeasible. Water trapping operations would vary in length depending on the numbers of horses to be removed and the wariness of the horses coming into the trap.

The primary 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. Roping horses on horse back may be used in combination with the helicopter in order to remove horses in areas outside of the HMA boundary. 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 non-harmful 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.

Water trapping is a backup method that is being considered to remove horses in limited areas where resource damage is occurring. If performed by BLM personnel, the BLM will be responsible for the transportation of horses to Palomino Valley Corrals. If water trapping is performed by contract, the contractor will have responsibility for the transportation of horses to Palomino Valley Corrals. Water trapping would be used in cases of chronic problems catching horses within a particular area and the continued occurrence of resource damage. Water trapping would also be used only in areas where it would be a feasible method, i.e. not trapping in areas with abundant water sources. Traps would be constructed with the same materials described in the paragraph above.

Trapping horses by herding 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 up to 5 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 sites 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 other 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.

The terrain in the removal area varies from flat valley bottoms to mountainous, and the horses could 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.

Monitoring

Due to the large numbers of horses that will be held in corrals during this gather operation, the potential for band disruption, and the possibility of wild horses contracting dust pneumonia, additional monitoring of the area after the gather is completed will be necessary in order to guard against detrimental effects to the horses. Horses that are captured at a specific trap site will be marked with a grease pencil to ensure that upon release back to the range they will be released in the vicinity of the trap location that they were captured. Horses that are held throughout the length of the gather will be monitored in the holding facility to prevent spread of dust pneumonia or other conditions which may occur.

Water trapping should not create these problems listed above as it will be on a more limited scale and horses will not be held for long periods.

Administration of the Contract

BLM will be responsible for overseeing a contract for the capture, care, aging and temporary holding of approximately 500 wild horses from the gather area for the initial removal. The BLM will also be

responsible for the capture, care, aging, and temporary holding of wild horses during future removals that will achieve or maintain AML. BLM is also responsible to oversee the transportation to the adoption preparation facility as specified in the removal contract.

Within two weeks prior to the start of the contract, BLM will conduct a pre-capture evaluation of existing conditions in the gather area. The evaluation will include animal condition, prevailing temperatures, snow 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 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.

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 duties and responsibilities before the notice to proceed is issued. There will also be an inspection of the contractor's equipment at this time to ensure 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, wilderness study area boundaries and motorized equipment limitations, and the presence of fences and other dangerous barriers.

At least one authorized BLM employee will be present at the site of captures/removals. Either a Contracting Officer's Representative or a Project Inspector (PI) will be on site. The COR/PIs will be directly responsible for the capture/removal. Other BLM personnel may be needed to assist the operation; i.e. an archaeologist or an archaeological technician to conduct cultural inventories, and a BLM law enforcement agent to protect BLM personnel and property from unlawful activities.

The COR/PIs are directly responsible for the conduct of the capture/removal operation and for reporting progress to the Ely District Manager, and the Nevada State Office.

The Egan Resource Area Manager and the Ely District 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 most important concern and responsibility of the District Manager, Area Manager, and COR/PIs.

All publicity, public contact, and inquiries will be handled through the Egan Resource Area Manager. The manager will also

coordinate the contract with the National Wild Horse and Burro Center at Palomino Valley, the adoption preparation facility, to assure there is space available in the corrals for the captured horses, animals are handled humanely and efficiently, and animals being transported from the capture site are arriving in good condition.

The COR/PIs will constantly evaluate the contractor's ability to perform the required work in accordance with the contract stipulations. Compliance with the contract stipulations will be ensured through issuance of written instructions to the contractor, stop work orders and default procedures should the contractor not perform work according to the stipulations.

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

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/PIs.

STIPULATIONS AND SPECIFICATIONS

A. TRAPPING AND CARE

All capture attempts shall be accomplished utilizing helicopter drive-trapping and shall incorporate the following:

1. Trap and Holding Facility Locations. All trap locations and holding facilities must be approved by the COR and/or PI prior to construction. The contractor may also be required to change or move trap locations as determined by the COR/PI. All traps and holding facilities not located on public land must have prior written approval of the landowner.

The COR/PI will ensure that the general location of the trap is close to major concentrations of horses. General locations of traps will be selected by the COR/PI after determining the habits of the animals and observing the topography of the area. Specific locations may be selected by the contractor with the COR/PI'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.

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 capture.

Trap sites or holding corrals will not be placed in areas of any known threatened or endangered species or in areas of candidate species.

A cultural resources investigation by an archaeologist or an archaeological technician will be conducted prior to trap or holding facility construction. If cultural values are found, an alternative site will be selected

Trap sites for capturing horses with a helicopter will not be placed within ¼ mile of water sources such as streams, springs, reservoirs or troughs.

Temporary traps and corrals will be removed and sites will be left free of all debris within 30 days following the operation.

Traps or corrals will not be placed within WSAs and motorized equipment will be limited to existing roads and ways. Helicopters may be flown over the WSA but will not land unless an emergency exists. The contractor will be informed of all WSA boundaries and limitations.

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

BLM will not allow horses to be herded more than 10 miles nor faster than 20 miles per hour. The COR/PI may decrease the rate of travel or distance moved should the route to the trap site pose a danger or cause avoidable stress (steep and/or rocky). Animal condition will also be considered in making distance and speed restrictions.

Temperature limitations are 10 degrees F. as a minimum and 95 degrees F. as a maximum. Special attention will be given to avoiding physical hazards such as fences.

3. Trap and Holding Facility Construction. All traps, wings and holding facilities shall be constructed, maintained and operated to handle 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 (without holes) or like material. The loading chute shall also be a minimum of 6 feet high.

c. All runways shall be a minimum of 30 feet long and a minimum of 6 feet high and shall be covered with plywood, burlap, plastic snow fence or like material a minimum of 1 foot to 6 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/PI.

e. All crowding pens including 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 2 feet to 6 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.

4. Fence Modifications. No fence modifications will be made without authorization from the COR/PI. The contractor shall be responsible for restoration of any fence modification which he has made.

5. Dust. 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.

6. Animal Separation. Alternate pens, within the holding facility, shall be furnished by the contractor to separate mares with small foals, sick and injured animals, and estrays from the other animals. 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. The contractor will be required to restrain animals for the purpose of determining age. Alternate pens shall be furnished by the contractor to

hold older animals which will be returned to the herd areas. Additional holding pens will be needed to segregate animals transported from remote locations so they may be returned to their traditional ranges. Segregation or temporary marking and later sorting will be at the discretion of the COR.

7. Food and Water. 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 two pounds of hay per 100 pounds of estimated body weight per day.

8. Security. It is the responsibility of the contractor to provide security to prevent loss, injury or death of captured animals until delivery to final destination.

9. Sick or Injured Animals. The contractor shall restrain sick or injured animals if treatment by the Government is necessary.

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 is 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 if necessary to care for any injured horses.

The contractor may be required to dispose of the carcasses as directed by the COR/PI.

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.

10. Transportation. Animals shall be transported to final destination (the National Wild Horse and Burro Center at Palomino Valley) from temporary holding facilities within 24 hours after capture unless prior approval is granted by the COR/PI for unusual circumstances. Animals to be released back into the HMA following capture operations may be held up to 21 days or as directed by the COR/PI. 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/PI. The contractor shall schedule shipments of animals to arrive at the final destination between 6:00 a.m. and 4:00 p.m. No shipments shall be scheduled to arrive at final destination on Sunday or Federal holidays. Animals shall not be allowed to remain standing on trucks while not in transport for a combined period of greater than three (3) hours. Animals that are to be released back into the capture area may need to be transported back to the original trap site. This determination will be at the discretion of the COR/PI.

Animals that will be shipped are those age groups that are allowed by Nevada State Office Policy at the time of the removal. Mares with foals, wet mares in the specified age groups, and orphaned foals that cannot be paired up with their mare will all be sent to Palomino Valley. Older age mares and their non-weanable foals will be returned to the range if they are paired. Every attempt will be made to keep mares and foals together. In the event mares and foals are separated, a separate pen will be constructed to allow mares and foals the opportunity to pair up.

11. Release of Horses onto Range Amimals which are to be released back to the range will be released in small groups to avoid a stampede situation. Mare/foal pairs will be released together. Stud horses will not be released at the same time as mares or mares with foals to avoid fighting over mares and injury to foals. If a foal becomes separated from a mare, the foal will be recaptured and sent to PVC.

B. CAPTURE METHODS FOR HELICOPTER DRIVE TRAPPING

1. Capture attempts shall be accomplished by the utilization of a helicopter. A minimum of one saddle-horse shall be immediately available at the trap-site to accomplish roping if necessary. Roping shall be done as determined by the COR/PI. Under no circumstances shall animals be tied down for more than one (1) hour.

Roping will be allowed only to capture an orphaned foal or a suspected wet mare. However, since all wild horses have to be removed from the area outside of the HMA's, roping will be allowed if certain individual horses continue to elude helicopter herding operations.

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

3. Helicopter, Pilot and Communications

a. 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/PI 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(ies) used for this contract will be assigned by the COR/PI when the radio is used. When a VHF/AM radio is used, the frequency will be 122.925 MHz.

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/PI 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.

6. At time of delivery order completion, the contractor shall provide the COR with a completed copy of the Service Contract Flight Hour Report.

7. All incidents/accidents occurring during the performance of the delivery order shall be immediately reported to the COR.

C. 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. The contractor shall provide the COR/PI with a current safety inspection (less than one year old) of all tractor/stocktrailers used to transport animals to final destination.

2. Vehicles shall be in good repair, of adequate rated capacity, and operated so as to ensure captured animals are transported without undue risk or injury.

3. Only stocktrailers with a covered top shall be allowed for transporting animals from trap site(s) to temporary holding facilities. Only stocktrailers or single deck trucks shall be used to haul animals from temporary holding facilities to final destination(s). Sides or stock racks of transporting vehicles shall be a minimum height of 6 feet 6 inches from the floor. Single deck trucks with trailers 40 feet or longer shall have two (2) partition gates providing three (3) compartments within the trailer to separate animals. The compartments shall be of equal size plus or minus 10 percent. Trailers less than 40 feet shall have at least one (1) partition gate providing two (2) compartments within the trailer to separate the animals. The compartments shall be of equal size plus or minus 10 percent.

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(s) shall be equipped with at least one (1)

door at the rear end of the vehicle which is capable of sliding either horizontally or vertically. The rear door must be capable of opening the full width of the trailer. All panels facing the inside of the trailers must be free of sharp edges or holes that could cause injury to the animals. The material facing the inside of the trailer must be strong enough so that the animals cannot push their hooves through the side. Final approval of vehicles to transport animals shall be held by the COR/PI.

5. Floors of vehicles, trailers, and the loading chutes shall be covered and maintained with wood shavings to prevent the animals from slipping.

6. Animals to be loaded and transported in any vehicle or trailer shall be as directed by the COR/PI and may include limitations on numbers according to age, size, sex, temperament, and animal condition. The following minimum square feet per animal shall be allowed in all trailers:

11 square feet per adult horse (1.4 linear foot in an 8 foot wide trailer);
8 square feet per adult burro (1.0 linear foot in an 8 foot wide trailer);
6 square feet per horse foal (.75 linear foot in an 8 foot wide trailer);
4 square feet per burro foal (.5 linear foot in an 8 foot wide trailer);

7. The COR/PI 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/PI shall provide for any brand and/or inspection services required for the captured animals.

8. If the COR/PI determines that dust conditions are such that the animals could be endangered during transportation, the contractor will be instructed to adjust speed.

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 2,500 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. Water troughs shall be

constructed of such material (e.g. rubber, galvanized metal with rolled edges, rubber over metal) so as to avoid injury to the animals.

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 a programmable VHF/FM radio transceiver in the contractor's helicopter to accommodate the COR/PI in monitoring the gather operation.

E. GOVERNMENT FURNISHED PROPERTY

The government will provide a portable "Fly" restraining chute at each pre-work conference, to be used by the contractor for the purpose of restraining animals to determine the age of specific individuals or other similar practices. The government may also provide portable 2-way radios, if needed. The contractor shall be responsible for the security of all government furnished property.

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.

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 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.

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.

ENVIRONMENTAL ASSESSMENT
for the
BUTTE WILD HORSE HERD MANAGEMENT AREA PLAN
EA No. NV040-02-20

Prepared by Joseph A. Stratton
Egan Wild Horse and Burro Specialist

Ely District
Bureau of Land Management
Ely, Nevada

BACKGROUND INFORMATION

Introduction

The Bureau of Land Management (BLM), Ely District, Egan Resource Area is proposing to implement a Herd Management Area Plan (HMAP) for the Butte Herd Management Area (HMA).

This area is located approximately 20 miles northwest of Ely, Nevada in White Pine County. The herd area is approximately 436,000 acres and encompasses portions of the Medicine Butte, Thirty-Mile Spring, Cherry Creek, North Butte, and South Butte allotments. The HMA is bordered on the west by the Buck and Bald HMA and the north by the Ely-Elko BLM District boundary, and the Maverick-Medicine HMA. Refer to the "Location and Setting" portion of the HMAP for a more detailed description.

Purpose and Need

The HMAP will implement management strategies in coordination with other multiple resource users in order to achieve a thriving natural ecological balance, as recommended in the Egan Resource Management Plan/Environmental Impact Statement (RMP/EIS) in 1984 and in accordance with Washington Office IM 86-706.

Relationship to Planning

Preparation of a wild horse HMAP designed to identify management strategies for the wild horses populating the Butte HMA with multiple use taken into consideration was recommended in the Approved Egan RMP/EIS and the Egan Resource Area Record of Decision (ROD). The proposed HMAP is in conformance with the Egan RMP/EIS.

The 1987 Egan ROD states that "wild horse management decisions will be implemented through wild horse herd management area plans. These plans will identify such details as the location of range improvements for the benefit of wild horses. The management actions developed for these plans assure progress towards meeting the objectives of the resource management plans."

The HMAP is designed to effectively manage the Butte wild horse herd in accordance with Title 43 Code of Federal Regulations, Part 4700 and Nevada State Office Manual Supplement 4730.6. The HMAP adheres to the multiple-use policy specified in the Wild Free-roaming Horse and Burro Act of 1971(P.L. 92-195) and the Federal Land Policy and Management Act of 1976 (P.L. 94-579).

The proposal is also consistent with the White Pine County Policy Plan for Public Lands, which states in part, "wild horse herds should be managed at reasonable levels to be determined with public involvement and managed with consideration of the needs of other wildlife species and livestock." It does not conflict with any county or State land use or zoning decision or recommendations.

Major Issues

The major issue involved in the development of Butte HMAP is developing a strategy for achieving and maintaining appropriate management levels (AML) for wild horses as determined by monitoring and evaluation of allotments.

DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

Proposed Action

The proposed action consists of developing and implementing the Butte HMAP for the management of the wild horse herd within the Butte HMA. The Butte HMAP describes actions which can be used to achieve AML and reduce herd growth in order to limit the need for future removals. Management objectives and management actions are described in the HMAP. Specific habitat management projects will have separate environmental analyses completed on them as projects are developed. This environmental analysis will consider the effects of selective removal of horses 5 years old and under or current Nevada State Office approved age classes in order to achieve AML. Then, during subsequent captures/removals, the selective removal of 0-3 year olds, possibly in conjunction with immunocontraception a one-shot vaccine that inhibits female reproduction, to maintain AML and reduce herd growth. Refer to the HMAP Objectives section and Appendix III for management actions proposed in the HMAP.

Applicable Standard Operating Procedures

Basic standard operating procedures for projects and HMAPs within the Egan Resource Area are part of the proposed action and are outlined in the Egan Resource Area ROD. These appear in Appendix I. The standard operating procedures for capture/removals are addressed in Appendix III of the HMAP. These deal with the handling and sorting of the horses and how they will be administered.

No Action

The no action alternative will mean that no HMAP will be followed in the management of the wild horses of the Butte HMA. With no plan to follow, AML will be established but no plan will exist for maintaining this level over time.

DESCRIPTION OF THE AFFECTED ENVIRONMENT

The affected environment is described in the Egan RMP/EIS, the Egan Rangeland Program Summary (RPS), and the Medicine Butte and South Butte Allotment Evaluations. These documents are available upon request at the Ely District BLM Office. For further description of the Affected Environment, see the "Location and Setting" section of the HMAP.

ENVIRONMENTAL CONSEQUENCES

Proposed Action

The following resources are not impacted by the proposed action: areas of critical environmental concern; wild and scenic rivers; wilderness; floodplain and wetlands; prime or unique farmlands; visual resources; threatened or endangered animals or plants; cultural, historical and paleontological resource values; Native American religious concerns; solid or hazardous waste; social and economic values; or air quality.

Soils and Vegetation

Soils and vegetation should be positively affected by proper utilization levels and better wild horse distribution. Soils will benefit positively by reduced erosion and compaction in riparian areas and those areas where vegetation has been removed by overuse. Capture/removal operations would create temporary areas of disturbance at trap sites where large numbers of horses would be concentrated. Regeneration of these areas would be expected within 2-3 years with the affected area being a small area of only a few acres. This rate of recovery has been substantiated by NEPA evaluations of previous trap sites.

Water-Riparian

Improved water distribution will serve to better distribute wild horses throughout the herd area. It will also improve the use on vegetation in those areas where use is currently not being made. It will also maintain or improve riparian complexes through proper riparian vegetation use levels. No impacts are anticipated to drinking water. Ground water quality and quantity may be improved because of fewer users and better distribution of users.

Wild Horses

The main goal of these actions is to achieve AML which will lead to improvement of range resources, riparian areas, wild horse distribution, and the wild horse herd by the improvement of resources within the Butte HMA. The HMAP ensures that the wild

horse is an intricate component of range use providing for a thriving natural ecological balance.

The management proposed in the HMAP will require, through the early stages, intensive handling and monitoring of wild horses. The application of the Standard Operating Procedures, outlined in this document, will minimize impacts to wild horses throughout capture and removal operations. The process of achieving AML will create an opportunity to collect data on herd composition and seasonal use. Upon achievement of AML, range improvements will have more benefit to all range users because a thriving natural ecological balance will exist.

The initial removal of horses 5 years old and under or current Nevada State Office approved age classes will achieve AML in the shortest amount of time while still providing adoptable horses for the adoption program. Subsequent selective removal of 0-3 year old horses will create a population that has these cohorts with significantly reduced representation. As the population ages and declines in numbers, these cohorts will be less productive, thus lowering herd growth. Long-term use of this strategy should reduce herd growth to around 12% as shown by modeling from the BLM Nevada State Office and the Antelope Fertility Study Task Force report. Selective removal of 0-3 year olds in conjunction with immunocontraception will lead to a herd growth rate that will reduce the need for more frequent removals and establish the Butte herd in a thriving natural ecological balance with the other multiple users of the range resource. The use of selective removals will reduce the representation of younger animals within the population; however, these younger animals will not be totally removed and if necessary the population can return to pre-removal age structure over time.

Wildlife

Temporary impacts during the capture/removal operations will occur such as, displacement from gather areas and frightening by increased human activity and helicopter operations. Some loss of vegetation will occur in the holding area. This should be only a few acres in size and will re-vegetate as quickly as 2-3 years. Death loss of less mobile lizards and rodents will also occur.

Reduced impacts by horses on riparian areas, soils, and vegetation is expected to increase available forage for wildlife. Water development would also make additional areas available to wildlife.

Recreation

Lower numbers of wild horses would reduce the opportunity for viewing and photographing them; however, they would still be present in large enough numbers to provide observation

opportunities. The existence of proper numbers of horses will reduce the degraded appearance of areas overutilized improving the aesthetic value of the rangelands within the Butte HMA.

Livestock Grazing

Achieving AML will reduce some effects of overuse on range vegetation and improve the forage quality for livestock users. The reduced competition for forage and water will improve overall range conditions within the Butte HMA.

Cumulative Impacts

There are no other past, present, or reasonably foreseeable future actions which will cumulatively affect resources of concern within the Butte HMA. The only previous removal within the Butte HMA consisting of claimed horses occurred in 1978. Implementation of the HMAP would result in fewer capture/removals necessary to maintain AML and thus minimize cumulative impacts of capture/removal operations.

No Action

The no action alternative will further add to the detrimental range situation that exists within the Butte HMA. It will not provide guidance for the maintenance of AML that is being established through the allotment evaluation process. Currently, as shown in the Medicine Butte and South Butte allotment evaluations, management objectives are not being met due to overgrazing by livestock and wild horses. Continuing to allow wild horses to remain on the range above AML will not allow achievement of allotment management objectives.

The adoption of the no action alternative will result in the continuance of the current situation of not meeting management objectives for the allotments within the Butte HMA. The resources mentioned above that will be impacted by this proposed action: soils and vegetation; water-riparian; wild horses; wildlife; and livestock grazing would be adversely impacted by continuing the existing situation within the Butte HMA. The analysis done above concerning the proposed action would be reversed if the no action alternative were adopted. Cumulative impacts would increase because of the need for more frequent removals due to no firm plan to establish and maintain AML within the HMA. The only exception would be recreation. Increased numbers may increase opportunities to view wild horses.

PROPOSED MITIGATING MEASURES

No mitigation is proposed in addition to the Standard Operating Procedures which are already included in the proposed action.

SUGGESTED MONITORING

The Egan Resource Area Wild Horse and Burro Specialist in coordination with the Egan Resource Area Manager and Range Staff, will ensure that monitoring the effectiveness of the Butte HMAP occurs as identified in the HMAP, section IV. EVALUATION AND REVISION.

CONSULTATION AND COORDINATION

Intensity of Public Interest

The issue of wild horses and their management has been one of high public interest for many years. Prior to the passage of the first protective regulations in the 1950's, local area residents captured horses on a regular basis, generally to be sold for slaughter. As laws were passed and more publicity generated about the issue, public concern became greater, both for and against protection of these animals. In recent years, groups have become very vocal for the total protection of wild horses with reduction in livestock grazing pressure in the areas where wild horses are found. Public interest continues but now also includes groups and individuals interested in wildlife and game resources.

Interest in the issue of forage allocation among advocates for wildlife, wild horses, and livestock exists on the national level through organized wild horse interest groups, humane and animals rights organizations, environmental groups, and organized wildlife and livestock interests. On the local level, there is a high degree of interest from the affected livestock grazing permittee and from sportsman's clubs concerned with allocating a portion of the forage resource to wildlife. These concerns are first addressed in the issuance of Final Multiple Use Decisions resulting from allotment evaluations. These evaluations determine management levels of all species using the public land based on vegetation monitoring.

Since the public interest is high and the wild horse program is of a controversial nature, public notification of the HMAP was given and public comments have been solicited for a period of 30 days(see RECORD OF PERSONS, GROUPS, AND AGENCIES CONTACTED). Comments to the preliminary documents were received from Susan Alden, the Animal Protection Institute of America, and Rutgers School of Law-Newark on behalf of Michael Blake, Tim Wilson, and the Public Lands Resource Council. Major points raised dealt with monitoring data and the establishment of Appropriate Management Level (AML). The HMAP does not establish AML as presented in the HMAP; AML is established through the Allotment Evaluation and Final Multiple Use Decision process. These decisions which allocate forage for wildlife, livestock, and wild horses are based on range studies using wild horse census, use

pattern mapping, and utilization transects in accordance with the BLM Range Monitoring 4400 series manuals and the Nevada Rangeland Monitoring Handbook. Appropriate Management Level has previously been established on the major portion of the Butte Herd Management Area (HMA) through this process, as presented in the HMAP. More specificaly, Susan Alden had questions dealing with groups of wild horses that would be removed. APIA, in part, believed an HMAP had no value as a planning document and only changes in the Land Use Plan were valid. Rutgers Law School, in part, believed there is no need for the proposed removals because they had counts showing the Butte HMA is at AML and that no removals should proceed until an EIS was completed. Other comments were made concerning the HMAP and all pertinent comments were considered and incorporated into the Final HMAP.

Record of Persons, Groups, and Agencies Contacted

-Susan Alden
-Ms. Deborah Allard
-American Bashkir Curly Register
-American Horse Protection Association
-American Mustang and Burro Registry
-Ms. Joneille Anderson
-Animal Protection Institute of America
-Mr. Paul C. Clifford Jr.
-Commission for the Preservation of Wild Horses and Burros
-Craig C. Downer
-Barbara Eustis-Cross, Executive Director, L.I.F.E. Foundation
-Steven Fulstone
-Fund for Animals
-Claudia Jean Richards
-Humane Society of Southern Nevada
-International Society for the
Protection of Wild Horses and Burros
-Mr. Donald Molde
-Tina Nappe
-National Mustang Association, Inc.
-Jan Nachlinger, Nevada Protection Planner,
The Nature Conservancy
-Nevada Cattlemen's Association
-Nevada Department of Wildlife
Region II
-Nevada Farm Bureau Federation
-Nevada Federation of Animal Protection Organizations
-Nevada Humane Society
-Nevada Outdoor Recreation Association
-Nevada State Department of Agriculture
-Nevada Wildlife Federation
-Bobbi Royle
-Ms. Amanda Rush
-Save the Mustangs
-Ms. Nan Sherwood

-Sierra Club
-U. S. Fish and Wildlife Service
-The Humane Society of the United States
-United States Wild Horse and Burro Foundation
-Mr. Ron Sparks, Nevada State Clearinghouse (15 copies)
-White Pine County Commissioners
-White Pine Sportsmen
-Wild Horse Organized Assistance
-Gloria Wilkins, Georgia Earth Alliance
-Gracian Uhalde
-Bertrand Paris
-Pete Paris
-Warren Robison
-Helene G. Rand
-Ms. Ann Earle
-BLM Elko District
-BLM Nevada State Office

Internal District Review

Dan Netcher	Geologist
Harry Rhea	Forest Resources
Wendy Fuell	Area Range Conservationist
Bob Brown	Wild Horses
Brian Amme	Cultural/Native American Concerns
Mike Bunker	Wilderness/Recreation
Jack Norman	Soils
Loran Robison	Air/Water Resources
Mark Barber	Riparian/T&E Animals
Chris Mayer	Range/T&E Plants
Hal Bybee	Operations
Jake Rajala	Environmental Coordinator
Tim Reuwsaat	ADM Resources
John Longinetti	Area Range Conservationist
Gene Drais	Area Manager

Signature
Prepared by:

Joseph A. Stratton 6/2/93

Joseph A. Stratton — Date
Egan Resource Area Wild Horse Specialist

Reviewed by:

6/3/93

Jake Rajala — Date
Environmental Coordinator

6/3/93

Tim Reuwsaat — Date
ADM Resources

B.C. Clemmer (Acting) 6/3/93

for Gene Drais — Date
Egan Resource Area Manager

APPENDIX 1 Egan ROD (1987)

1. Fence construction must comply with BLM Manual 1737. Lay-down fences will be constructed in wild horse areas if necessary and feasible. Fences in wild horse areas will contrast enough with surroundings so as to be visible to horses and will have gates installed at least once every mile and at all corners. Fences in wild horse herd use areas will be located to minimize interference with the normal distribution and movement of wild horses. Selected portions of new fences constructed in these areas will be flagged or otherwise marked for one year after construction to make them more visible to horses.

2. Water for wild horses is to be made available on a yearlong basis in allotments and rested pastures, whenever feasible.

3. When required, excess wild horses will be removed from public lands and put in custody of individuals, organizations, or other government agencies. Field destruction of wild horses or burros, including cases of sick or lame animals, will be made only with appropriate authorization.

4. Environmental analyses will be conducted prior to implementing any HMAP's, gathering excess animals, or carrying out any specific projects (fences, spring developments, seedings, etc.).

5. Any future land disposal would consider ownership patterns to eliminate the possibility of splitting use areas of wild horses, so the animals are able to move freely from one use area to another.

6. Some spring developments may be fenced to prevent overgrazing and trampling of adjacent vegetation and to provide escape areas for wildlife. Water at all spring developments will be maintained at the source. It fenced, water will be provided for wild horse use outside of the fence.

7. Established wild horse capture techniques will be used as specified in wild horse program guidance.

DR/FONSI
for
Butte Wild Horse
Herd Management Area Plan
EA No. NV-040-02-20

Decision: I have reviewed the Environmental Assessment (EA) for the Butte Wild Horse Herd Management Area Plan (HMAP) and concur with the analysis. I approve of the proposed action as analyzed in the EA and it is my decision to implement the Butte Wild Horse HMAP for the management of the wild horses within the Butte Herd Management Area (HMA). No mitigation is required beyond the Standard Operating Procedures which are considered part of the proposed action. The non-selected alternative consists of no action. Site specific environmental analyses will be required prior to construction or development of any projects/improvements undertaken as a result of this activity plan.

This final decision is issued Full Force and Effect to allow for the immediate removal of excess wild horses from the Butte Herd Management Area.

Rationale: The proposed action should be undertaken to effectively manage the wild horses and their habitat within the Butte HMA. The decision to implement this HMAP will allow for effective multiple use management in a coordinated manner within this area. Better resource management will be implemented through the activity plan and will ultimately result in better distribution of the wild horses within the HMA, improved habitat conditions, more uniform utilization of the forage resource, maintenance of a thriving natural ecological balance, and optimum wild horse use based on sustained yield of the forage resource. The proposal is in conformance with the Egan RMP and ROD, as well as the Wild Free-Roaming Horse and Burro Act of 1971 (P.L. 92-195), as amended.

Immediate removal of excess wild horses to achieve the AML as established through the allotment evaluations and Final Multiple Use Decisions and stated in the Butte HMAP, is necessary to avert the imminent degradation of the rangeland resources caused by overgrazing of wild horses. Immediate removal of the excess wild horses is also necessary to restore the range to a thriving natural ecological balance. Issuing this decision Full Force and Effect is in accordance with the regulations at 43 CFR 4770.3(c).

FONSI: There will not be a significant impact to the quality of the human environment resulting from the implementation of the proposed action. Therefore, an environmental impact statement is not required for this action.

Rationale: The proposed action will not have significant impacts since there will be no adverse impacts to public health or safety, threatened or endangered species, cultural or historical resources, unique characteristics of the geographic area, or the quality of the human environment. The possible affects of implementing the proposed action are not uncertain nor do they involve unique or unknown risks. The Standard Operating Procedures will minimize adverse impacts.

Kenneth G. Walker
Ely District Manager

6-3-93
Date