



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Ely Field Office

HC 33 Box 33500 (702 No. Industrial Way)

Ely, Nevada 89301-9408

<http://www.nv.blm.gov>



In Reply Refer To:
4700 (NV-042)

JUL 15 1999

Dear Reader:

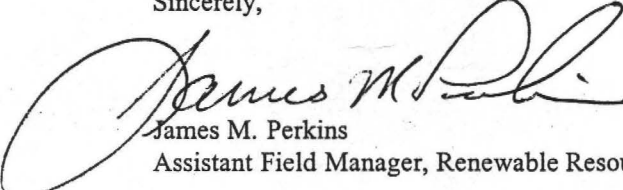
This letter is to inform you that the Ely Field Office tentatively plans to water trap and remove approximately ten to fifteen wild horses from private land at the request of the landowner. These problem animals are presently located southeast of and adjacent to our Caliente Field Station's Highland Peak Wild Horse Herd Management Area (HMA). The horses have become a nuisance to the private landowner by taking up residence and watering at a spring located on her land. They are also eating the grass on her lawn and the ornamental shrubs in her yard. The surrounding public lands in the HMA are currently experiencing extremely dry conditions and there is no other water available for the wild horse's use in the surrounding area. If, in the near future, the area receives sufficient summer rains to draw them back into the HMA and scatter them away from the private residence, the removal will not occur.

These same animals have created a public safety hazard to vehicles travelling along U.S. Highway 93 both north and west of Caliente, Nevada, due to their current proximity to the highway. Two horses were killed and two people were seriously injured in a horse/vehicle collision which occurred north of Caliente on June 25, 1999. The private residence where they are feeding and watering is located just west of Caliente; there is a potential for another accident along the highway whenever the horses come in to feed and water.

For more detailed information regarding the reasons, methods, and standard operating procedures for this removal, see the enclosed Rowe Problem Animal Removal Plan and associated Categorical Exclusion number NV-040-99-024. This removal will be conducted under the regulatory authority at 43 CFR 4720.2-1.

If you have any questions or concerns regarding the Rowe Problem Animal Removal, contact Alan Shepherd, Caliente Field Station Wild Horse Specialist, at (775) 726-8121, or contact Bob Brown, Ely Field Office Wild Horse Specialist, at (775) 289-1843. You may also send written concerns to the address above.

Sincerely,



James M. Perkins
Assistant Field Manager, Renewable Resources

2 Enclosures

1. Rowe Problem Animal Removal Plan (4pp)
2. Categorical Exclusion Number NV-040-99-024 (2pp)

ROWE PROBLEM ANIMAL REMOVAL JULY 1999

I. PURPOSE AND AUTHORITY

This gather will resolve a wild horse public safety issue, as well as a private land issue, within and adjacent to the Highland Peak Wild Horse Herd Management Area (HMA). Wild horses are creating a public safety problem both to themselves and to vehicles travelling along U.S. Highway 93 outside of Caliente, Nevada.

On the morning of June 25, 1999, a vehicular/wild horse accident occurred approximately 5 miles north of Caliente on U.S. Highway 93. The accident involved two vehicles and three wild horses. Two people were seriously injured and two were badly shaken. Two of the three horses were killed in the incident. The third wild horse escaped injury and returned to the HMA. It is believed that the horses involved were bachelor stallions associated with the same horses causing the private land problems both in and near Caliente.

An estimated 15 wild horses (3 bands) residing within this area rely on a very small spring source located on private property owned by Dorothy Rowe for their water needs along the extreme southeastern corner of the HMA. Under normal situations, these horses enter the private property to water and then leave the area to forage. Due to extremely dry conditions in the area, the spring is producing very little water, and the forage for wild horses is extremely dry and scarce. On multiple occasions (6-8) since late April 1999, the horses have remained on the private property and have fed on the lawn of the property owner's residence. They have torn up the grass and have eaten several ornamental plants within the yard area. The property owner has made repeated attempts to haze the horses off her lawn until they leave. The horses show little fear of people and could eventually become a safety problem during the hazing off the property.

The property involved is located along U.S. Highway 93, roughly 1 1/4 miles outside of Caliente, Nevada, to the west of town. This section of highway receives a fairly large amount of vehicle traffic and the horses, when on the private property, are only 150 yards from the highway. The potential for a vehicular incident is very high if the horses go the wrong way when being hazed off the lawn area. Some of these same wild horses have recently been reported entering the west side of the city of Caliente by private landowners there.

Authority for this proposal is contained in the Wild Free-Roaming Horse and

Burro Act of 1971 (Public Law 92-195), as amended, and the regulations contained in Title 43 Code of Federal Regulations (CFR) parts 4710.4, 4720.1, 4720.2-1, and 4770.3 (c).

II. PROPOSED GATHER AREA

The proposed gather area is located in the Ely District in central Lincoln County, Nevada. The area of concern exists along the west side of the town of Caliente along the southeastern edge of the Highland Peak HMA, both inside and outside of the HMA.

This proposal is in conformance with the Caliente Management Framework Plan 09-83.

III. NUMBER OF ANIMALS TO BE GATHERED

Approximately 10-15 wild horses will be gathered and removed from the area.

IV. TIME FRAME

Gather operations will begin on approximately July 19, 1999 and will continue until completed. Future problems will be considered a continuation of this effort and will be covered by this document.

V. GATHER METHODS AND SAFETY

The initial gathering effort will be through the use of water and/or bait trapping. The horses are reliant on the water source associated with the private property, so this form of capture should be useful. A temporary corral will be constructed around the water trough and the horses will be given time to become accustomed to the panels. Water and possibly a small amount of hay will be available at all times to attract the horses to the corral. After a period of time, a gate and pulley system will be attached to the panels and the trap will be ready. All people involved in the gather operation will be instructed on any potential safety concerns.

If water trapping proves to be ineffective and the problem persists, actions may be taken involving the government wild horse gather contractor using helicopter-drive trapping. The Standard Operating Procedures listed in the Great Basin Wild Horse and Burro Gather contract will be followed if the contractor is used to solve this problem.

VI. DISPOSITION OF REMOVED ANIMALS

Following the capture of the animals, the horses will be aged and separated based on this aging. Those horses 5 years of age and younger will be transported to the BLM wild horse facility at Palomino Valley nears Sparks, Nevada. These horses will be prepared for the adoption program.

The remaining animals over 5 years of age will be transported to the Antelope HMA north of Ely, Nevada. The horses will be released onto an area containing numerous water sources within the HMA and they will be monitored until they acclimate to the area. The Antelope HMA was gathered to the Appropriate Management Level (AML) in the winter of 1998 and is scheduled to have approximately 160 horses removed again in the summer of 2000. The release of the approximate 5-7 animals expected to be over 5 years old should not have any negative affects on the present herd within the Antelope HMA or on the released horses.

VII. BRANDED AND CLAIMED ANIMALS

The Wild Horse and Burro Specialist will notify the Nevada District Brand Inspector and make arrangements for inspections as needed. Impounded privately owned animals will be handled in accordance with the Bureau of Land Management, Nevada State Office Instruction Memorandum No. NV-84-116 and NV-85-416.

VIII. DESTRUCTION OF INJURED OR SICK ANIMALS

Any severely injured or sick animals shall be destroyed in conformance with 43 CFR 4730.1 and Washington Office Instruction Memorandum No. 98-141. No animals are expected to meet this criteria to have to be destroyed.

IX. RESPONSIBILITY

The Ely Field Manager is responsible for maintaining and protecting the health and welfare of wild horses and burros within his jurisdiction. Compliance with the gather procedures is the responsibility of the Wild Horse And Burro Specialists within the Ely Field Office and Caliente Field Station. The Field Manager will be advised of any decisions concerning animal health thru the Assistant Field Manager, Renewable Resources.

X. APPROVAL

acting for

Robert E. Brown

Alan B. Shepherd
Wild Horse Specialist
Caliente Field Station

July 2, 1999

Date

James M. Perkins

James M. Perkins
Assistant Field Manager, Renewable Resources
Ely Field Office

7-2-99

Date

Gene A. Kolkman

Gene A. Kolkman
Field Manager
Ely Field Office

7/7/99

Date

ELY DISTRICT
CATEGORICAL EXCLUSION REVIEW
AND APPROVAL

Team Leader Robert E. Brown Date July 9, 1999

Name of Proposed Action Rowe Problem Animal Removal

CX Number NV-040-99-024 Project or Serial Number _____

CATEGORICAL EXCLUSION REFERENCE

Cite the Departmental Manual and date, and reference the appropriate categorical exclusion. 516 DM 2.3A(3) and Appx. 2, dated March 31, 1992, reference D. Rangeland Management (4)

Cite the Categorical Exclusion (exactly as it appears in the Departmental Manual) "Removal of wild horses or burros from private lands at the request of the landowner."

DESCRIPTION OF PROPOSED ACTION AND STANDARD OPERATING PROCEDURE The proposed action is to water trap and remove approximately 10-15 wild horses from private land owned by Dorothy Rowe, at her request. The Rowe private land lies southeast of and adjacent to the Caliente Field Station's Highland Peak Wild Horse Herd Management Area (HMA). See attached Rowe Problem Animal Removal Plan for details and standard operating procedures.

NV-040-1791-3
July 15, 1983
Revised 11/13/84
Revised 3/13/91

SCREENING FOR EXCEPTIONS TO CATEGORICAL EXCLUSIONS

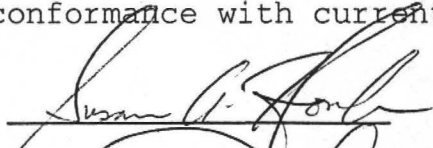
The following exceptions apply to actions being considered as categorically excluded. Environmental documents must be prepared if any of these exceptions apply. Would the proposed action:

- | | Yes | No |
|--|-----|------|
| 1. Have significant adverse effects on public health or safety? | [] | [X] |
| 2. Have adverse effects on such unique geographic characteristics as historic or cultural resources, park, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks? | [] | [X] |
| 3. Have highly controversial environmental effects? | [] | [X] |
| 4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks? | [] | [X] |
| 5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects? | [] | [X] |
| 6. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects? | [] | [X] |
| 7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places? | [] | [X] |
| 8. Have adverse effects on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species? | [] | [X] |
| 9. Require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act? | [] | [X] |
| 10. Threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment? | [] | [X] |

FINDINGS

Based on review of the proposal and the 10 exceptions listed above, this action qualifies as a categorical exclusion and environmental analysis is not required. The proposed action is in conformance with current BLM Land Use Plans.

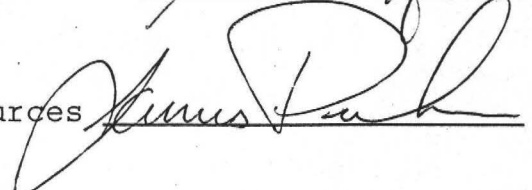
Reviewed by Environmental Coordinator



Date

7/9/99

Approved by ADM Renewable Resources



Date

7/9/99