m 5-14-87

IN REPLY REFER TO:
4700
(NV-043)

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Ely District Office
Star Route 5, Box 1
Ely, Nevada 89301

MAY 14 1987

Done Complete ltr of June 8th

Dear Reader:

Enclosed is a copy of the Draft Removal Plan for Sand Springs Wild Horse Gather and the associated Environmental Assessment No. NV-040-7-6.

We request your review and comments on the proposed action to remove approximately 340 wild horses from the Sand Springs Herd Management Area (HMA) located in the northeast portion of Nye County, Nevada. This action will leave the appropriate management level (AML) of 494 wild horses as identified in the Egan Resource Management Plan (RMP) and Record of Decision (ROD) for the Sand Springs HMA.

Your comments must be received in our office by June 15, 1987, for consideration in this proposed action. If you have any questions or require additional information, please contact:

Bob Brown, Wild Horse Specialist
Bureau of Land Management
Ely District Office
Star Route 5, Box 1
Ely, Nevada 89301

or call (702) 289-4865.

Sincerely,

Kenneth G. Walker

Kenneth G. Walker
District Manager

2 Enclosures
1. Draft Removal Plan (14 pp)
2. EA NV-040-7-6 (27 pp)

Kathy Sturm
(916)587-6412

DRAFT

Removal Plan for Sand Springs
Wild Horse Gather

Introduction

The proposed gather area is located approximately 50 air miles southwest of Ely in the northeast portion of Nye County, Nevada. The plan is titled Sand Springs Wild Horse Gather and includes the Sand Springs Herd Management Area (HMA) in the BLM Ely District, Egan Resource Area. Maps are enclosed to help locate the proposed gather area. Horses will be gathered from Priority No. 1 Area first. Priority No. 2 Area will only be gathered if the horses have moved out of Priority No. 1 Area and it is necessary to move to Area No. 2 to complete the gather.

This document outlines the process and the events involved with the wild horse gather for the Sand Springs HMA. Included are the numbers of horses to be gathered, the time and method of capture, and the handling and disposition of captured horses. Also outlined are the BLM personnel involved with the roundup, the Contracting Officer's Representative (COR) and Project Inspectors (PI), the delegation of authority, the briefing of the contractor(s), and the public meetings held prior to gathering operations.

The Sand Springs herd is not covered by a herd management area plan (HMAP); however, the Egan Resource Management Plan (RMP) and Record of Decision (ROD) have established the appropriate management level (AML) for this herd at 494 wild horses. This level of management is based on an aerial census of 494 conducted in 1983. The latest aerial census, completed in April 1986, showed an inventoried population of 809. There have been no gathers conducted on this HMA. Census information for the Sand Springs herd is as follows:

Date	Censused Population
1975	248
1976	305
1978	311
1983	494
1986	809

A ground count conducted in December 1985 showed in excess of 900 horses on the HMA, and a similar ground count in December 1986 showed in excess of 1,000 wild horses.

% of

Number of Horses to be Gathered

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

Herd Area	Nos. to be Managed	1986 Censused Population	Nos. to be Gathered*
Sand Springs	494	809	340

* The number of horses to be gathered is greater than the difference between the latest census (1986) and the minimum management number for the Sand Springs herd. The 1985 and 1986 ground counts showed that 340 head could be removed and the AML of 494 wild horses would still remain. Under no circumstances will the herd be gathered below the AML of 494 wild horses. Any subsequent gather will require a new capture plan and EA. A post gather census will be conducted on the HMA to ensure that the AML remains after the gather is complete.

Time and Method of Capture

The gather is expected to take place between August 15, 1987, and September 30, 1987, and last approximately 3 weeks.

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

Any collared horses and their unweaned offspring that are captured will be released from the trap site back into the HMA. This is necessary for the integrity of ongoing studies. Capture of collared horses and their offspring will be avoided if possible.

Other methods of capture are not being considered for various reasons. Water trapping wild horses, though easier on the animal, is not feasible due to the numerous water sources available to horses in the proposed gathering area. Water traps

roping?

take time to construct and require time for horses to accept as part of their environment; the time allotted to this roundup is limited. Trapping horses by running them on horseback is not feasible because it is too easy to lose the horses after starting them towards the trap; injuries to both people and horses are more likely and the cost factor shown from previous roundups using this method indicates that the costs are prohibitive.

During the most recent census and ground count the horses were heavily concentrated in Big Sand Springs Valley. Therefore, one or two traps should be sufficient in the Sand Springs HMA. Each site will be selected by the contractor and approved by the COR/PI after determining the habits of the animals and observing the topography of the 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.).

NO WATER

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

The Sand Springs gather will be concentrated mainly in the Big Sand Springs Valley area just west of Portuguese Mountain (Priority No. 1 Area on attached maps). This area was chosen due to the heavy concentration of horses noted during the 1986 census, the 1985 and 1986 ground counts, and during subsequent field observations.

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.

BLM only

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. NO

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. Cited + FINED

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.

Destruction of Injured or Sick Animals

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

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.

Administration of the Contract

It is recommended that the COR be Bob Brown, Ely District Wild Horse Specialist. The recommended PI's are Bill Lindsey, Egan Resource Area Supervisory Range Conservationist, and Walter A. Burdick Jr., Egan Resource Area Range Technician. The COR will be directly responsible for conducting the roundup and can appoint other BLM personnel to assist with the roundup as necessary.

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

The COR is directly responsible for the conduct of the gathering operation and for reporting the roundup proceedings to the Ely District Manager and the Nevada State Office.

Contractor's Briefing

The contractor, after award of the contract, will be briefed on his duties and responsibilities before the notice to proceed is issued to him. A tour of the area, if necessary, will also be conducted to help familiarize the contractor with the area. The contractor shall be paid according to the basis for payment as listed in the contract (see Appendix 1).

Public Meeting

One public meeting will be held in Ely, at 2:00 p.m. on July 15, 1987, at the Ely District Office, to get public input on the gathering process, which will use a helicopter. (A public hearing is required by law to get public input on the use of helicopters in the gathering process.)

A Federal Register notice announcing the Ely hearing will be issued in ample time to allow the public time to attend the hearing.

Wild Horse Protection Groups will be notified and asked for input into the environmental assessment and will be given the opportunity to review the assessment.

Temporary Holding Facility

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

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

inspection

Stipulations and Specifications

A. Motorized Equipment

1. All motorized equipment employed in the transportation of captured animals shall be in compliance with appropriate State and Federal laws and regulations applicable to the humane transportation of animals.

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

3. Only stocktrailers shall be allowed for transporting animals from traps to temporary holding facilities. Only bobtail trucks, stocktrailers, or single deck trucks shall be used to haul animals from temporary holding facilities to final destination. Sides or stockracks of transporting vehicles shall be a minimum height of 6 feet 6 inches from vehicle floor. Single deck trucks with trailers 40 feet or longer shall have two partition gates to separate animals. Trailers less than 40 feet shall have at least one partition gate to separate the animals. The use of double deck trailers is unacceptable and shall not be allowed.

4. All vehicles used to transport animals to final destination shall be equipped with doors at the rear end of the vehicle. At least one of these rear doors shall be capable of sliding either horizontally or vertically.

5. Floors of vehicles shall be covered and maintained with a non-skid surface such as sand, mineral soil or wood shavings, to prevent the animals from slipping.

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

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

8. If the COR determines that dust conditions are such that the animals could be endangered during transportation, the contractor will be instructed to adjust speed. The maximum distance over which animals may have to be transported on dirt road is approximately 40 miles per load.

B. Trapping and Care

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

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

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

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

5. All traps, wings, and holding facilities shall be constructed, maintained and operated to handle the animals in a safe and humane manner. 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. All loading chute sides shall be fully covered with plywood or like material. The loading chute shall also be a minimum of 6 feet high. All runways shall be a minimum of 20 feet long and a minimum of 6 feet high and shall be covered with plywood or like material a minimum of 1 foot to 5 feet above ground level. Wings shall not be constructed out of barbed wire or other materials injurious to animals and must be approved by the COR. All crowding pens including the gates leading to the runways shall be covered with a material which prevents the animals from seeing out (plywood, burlap, etc.) and shall be covered a minimum of 1 foot to 5 feet above ground level.

6. No fence modification will be made without authorization from the COR. The contractor shall be responsible for restoration of any fence modification which he has made.

7. When excessive dust conditions occur within or adjacent to the trap or holding facility, the contractor shall be required to wet down the ground with water at such location as directed by the COR.

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

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

10. Animals held for 10 hours or more in the traps and/or holding facilities shall be provided fresh clean water by the contractor, in an amount of a minimum of 10 gallons per animal per day. Animals held for 10 hours or more in the traps or holding facilities shall be provided good quality hay at the rate of not less than two pounds of hay per 100 pounds of estimated body weight per day.

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

12. The contractor shall restrain sick or injured animals so that they may be provided treatment by the COR. The COR will determine if injured animals must be destroyed and provide for destruction of such animals. The contractor shall dispose of the carcasses as directed by the COR.

C. Helicopter, Pilot, and Communications

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

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

3. The COR shall have the means to communicate with the pilot and be able to direct the use of the gather helicopter at all times. The frequency(s) used for this contract will be assigned by the COR when the government furnished "slip-in" VHF/FM portable radio is used. When a VHF/AM radio is used, the frequency will be 122.925 MHz.

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

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

D. Contractor-furnished Property

1. All hay, water, vehicles, saddle horses, helicopters and other equipment shall be provided by the contractor. Other equipment includes, but is not limited to, a minimum of 1,000 linear feet of 72-inch high (minimum height) panels for traps and holding facilities and enough water troughs for a minimum storage capacity of 300 gallons.

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

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

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

E. Inspection and Acceptance

1. The contractor shall be required to present for inspection by the COR all equipment that will be used in performance of the contract. The time and place of inspection shall be determined by the COR. Except for helicopters, any equipment that the COR determines to be inadequate shall be replaced or repaired by the contractor within 36 hours.

2. The COR/PI will have a second helicopter, under contract with the BLM, available during the entire gather operation for their use to monitor all removal efforts as necessary.

Prepared by:

_____ _____

Robert E. Brown — Date
Ely District Wild Horse Specialist

Reviewed by:

_____ _____

Gene L. Drais — Date
Egan Resource Area Manager

Concurred by:

_____ _____

Kenneth G. Walker — Date
Ely District Manager

Approved by:

_____ _____

Edward F. Spang — Date
Nevada State Director

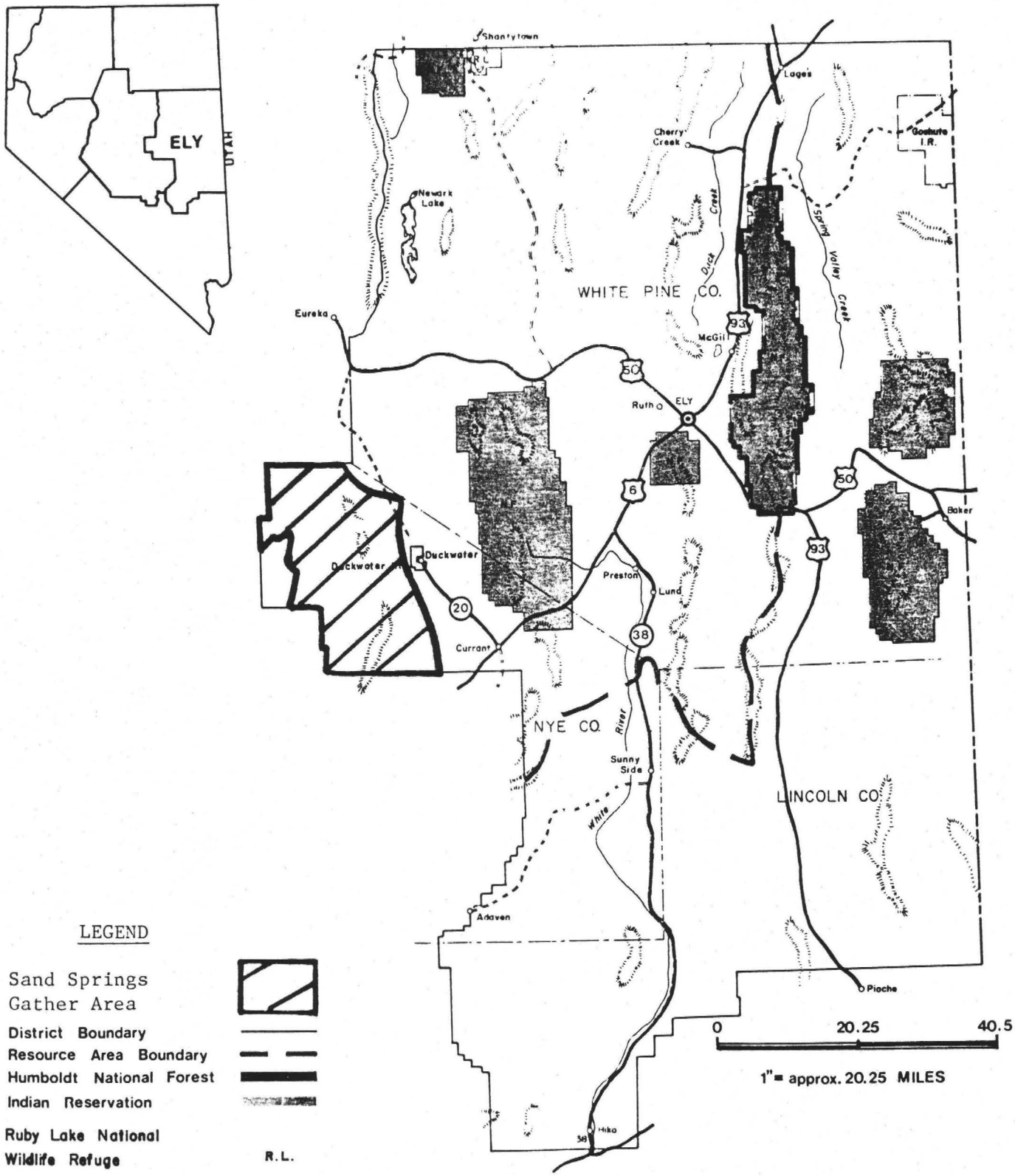
APPENDIX 1

BASIS FOR PAYMENT

1. Payment shall be made for Schedule Item No. 1 at the Unit Price shown on the Bid Schedule for the number of animals captured by helicopter trapping which have been 1) delivered live to the temporary holding facility, 2) killed or destroyed (at the COR's direction) without any fault or negligence on the part of the contractor or his employees, or 3) released back to the public lands at the direction of the COR. The contractor shall not be entitled to payment for capturing any animals which are lost, killed or destroyed during capture due to the fault or negligence on the part of the contractor or his employees. FINED 2,

2. Payment shall be made for Schedule Item No. 2 at the Unit Price shown on the Bid Schedule for the feeding and care of those animals at the temporary holding facility. The contractor shall not be entitled to payment for feeding and caring of any animals which are killed or destroyed due to the fault or negligence on the part of the contractor or his employees while the animals are at the temporary holding facility.

3. Payment shall be made for Schedule Item No. 3 at the Unit Price shown on the Bid Schedule for those animals which have been transported, and 1) delivered live to final destination or, 2) killed or destroyed (at the COR's direction) without any fault or negligence of the contractor or his employees. The contractor shall not be entitled to payment for transportation of any animals which are killed or destroyed during transportation due to the fault or negligence on the part of the contractor or his employees.



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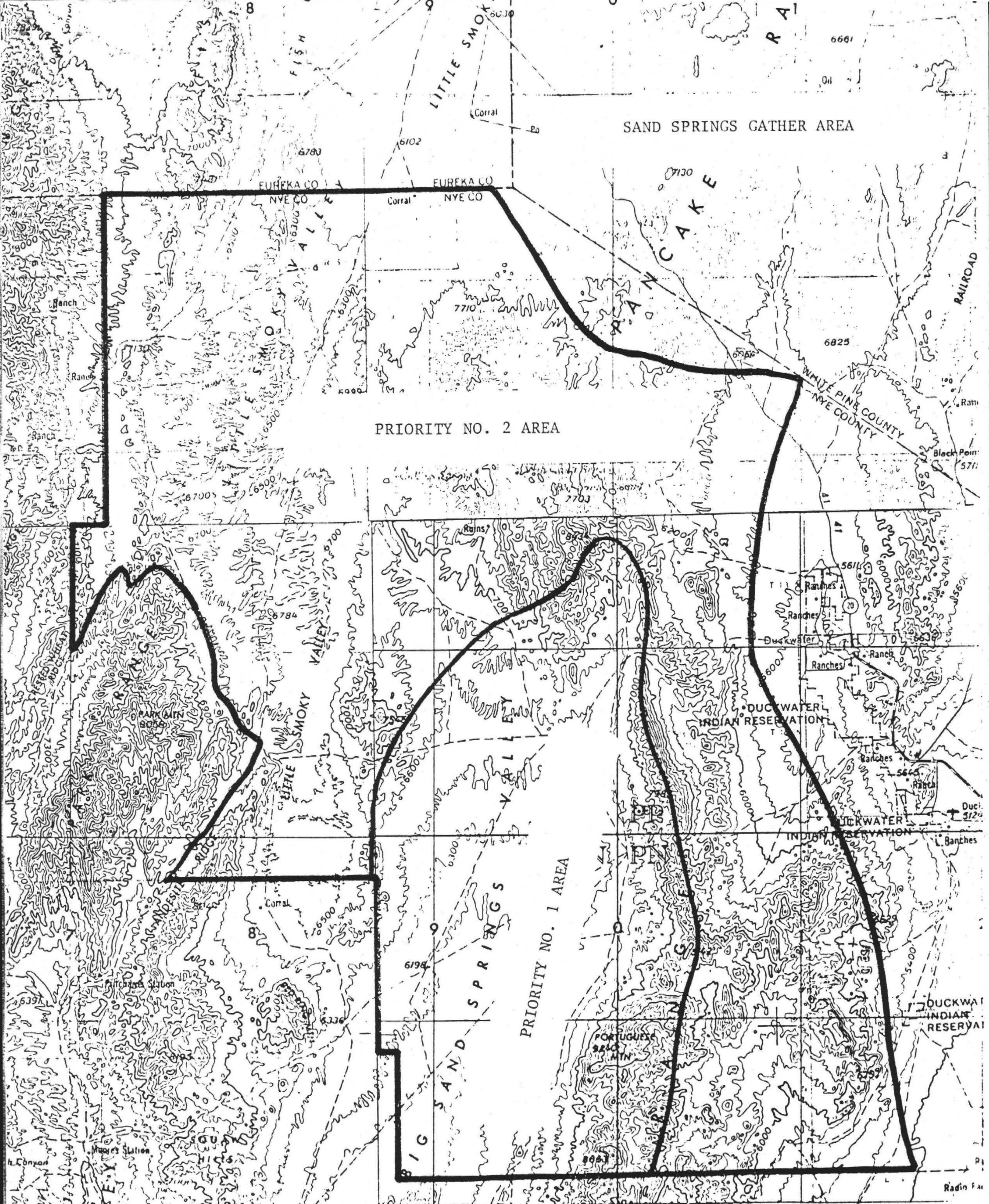
BUREAU OF LAND MANAGEMENT
U. S. DEPARTMENT OF THE INTERIOR


SAND SPRINGS GATHER AREA
PRIORITY NO. 2 AREA
PRIORITY NO. 1 AREA
EUREKA CO
NYE CO
EUREKA CO
NYE CO
LITTLE SMOKY VALLEY
PANCAKE RANGE
WHITE PINE COUNTY
NYE COUNTY
RAILROAD
BIG SAND SPRINGS VALLEY
PARK MTN
PORTUGUESE MTN
DUCKWATER INDIAN RESERVATION
Duckwater
Ranches
Ranch
Corral
Ruins
Black Point
Radio Fac
Moores Station
Pritchards Station

DRAFT

ENVIRONMENTAL ASSESSMENT NO. NV-040-7-6
Sand Springs
Wild Horse Removal

I. DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

The Egan Resource Area, Ely District, is proposing a helicopter removal of excess wild horses from the Sand Springs wild horse herd located in the northeast portion of Nye County, Nevada, (see Appendix 1 - location maps).

Introduction

The 1971 Wild Horse and Burro Act (Public Law 92-195) directed the Bureau of Land Management to protect and manage wild horses in established ranges as components of public lands in a manner that is designed to achieve and maintain a "thriving natural ecological balance."

In 1978 Congress passed the Public Rangelands Improvement Act (PRIA) (Public Law 95-514), amending the 1971 Act. PRIA requires BLM to maintain a current inventory of wild horses on given areas of the public lands so that determinations can be made as to whether overpopulation exists and whether action should be taken to remove excess animals. PRIA defines "excess" horses as those that have been removed or "must be removed from an area in order to preserve and maintain a thriving natural ecological balance and multiple use relationship in that area."

In planning for management of the wild horses, including determination of desirable numbers, BLM is directed by Section 202 of the Federal Land Policy and Management Act of 1976 (Public Law 94-579) to utilize a multiple-use planning system to determine appropriate actions needed to achieve proper population levels. Such planning actions which significantly affect the human environment are required by the National Environmental Policy Act of 1969 to have the environmental consequences analyzed and documented in an Environmental Impact Statement (EIS).

The Egan Resource Area completed a Management Situation Analysis in August 1982. This document provided the information base for preparation of alternatives in the EIS portion of the proposed Resource Management Plan (RMP). The Egan Draft RMP was issued in October 1983, along with an EIS which analyzed the proposed action of the RMP. A Proposed RMP and Final EIS were issued in September 1984.

Negativism

irrelevant

superfluous to the facts

is justification in LUP.

altern. horseback? watertrapping

A Record of Decision (ROD) which lists all management decisions adopted was issued on February 3, 1987. A Rangeland Program Summary (RPS) is expected to be issued late in 1987. This RPS will summarize the range program decisions to be adopted.

The Egan RMP is designed to provide a framework for future management of the public lands and resources consistent with existing legislation, regulations, and policy. Implementation of this management plan requires the development of activity plans to identify site-specific management actions. In the case of wild horses, a wild horse Herd Management Area Plan (HMAP) would be developed for each herd area to determine appropriate actions needed to achieve the populations established in the management plan. The Egan RMP has determined horse population levels in the Ely District be managed at the 1982-83 census levels. This is 494 horses for the Sand Springs herd. An HMAP has not yet been completed for the Sand Springs herd.

There have been no previous BLM gathers on the Sand Springs Herd Management Area (HMA). Aerial census information for this herd is as follows:

Census Date	Censused Population
1975	248 horses
1976	305 horses
1978	311 horses
1983	494 horses
1986	809 horses

In addition, a ground count conducted in December 1985 showed in excess of 900 horses, and a similar count in December 1986 showed in excess of 1,000 horses. The largest concentration of horses was noted in Big Sand Springs Valley west of Portuguese Mountain.

Fund restrictions and wide-spread controversy regarding wild horse roundups have generally complicated this aspect of wild horse habitat management. The proposed project area has been regularly focused on by Nevada State agencies and area news media who echo the Bureau of Land Management's concern that vegetation and short supplies of surface water (needed by horses, wildlife, and livestock) are being stressed beyond acceptable management limits.

Current inventory data shows that wild horse numbers have reached a level nearly double that which has been identified for management in the Egan RMP. The range condition and ecological balance of the area are being threatened. The winterfat flats in Big Sand Springs Valley (Duckwater Allotment) appear to be receiving the greatest impacts from heavy grazing pressure by large ungulates. Utilization mapping studies conducted in Big Sand Springs Valley the past 2 years show heavy to severe utilization (see Appendix 2).

The proposed action is considered long-term management consistent with the Egan RMP. The proposal is also consistent with the Nye County Plan for Public Lands developed in compliance with Nevada Senate Bill 40 in 1985.

Proposed Action

Approximately 340 excess wild horses are proposed to be removed from the Sand Springs HMA (see Appendix 1 - location maps). The proposed gathering operation would remove the following number of horses:

Herd Area	Nos. to be Managed *	1986 Censused Population**	Nos. to be Gathered *
Sand Springs	494	809	340

* The number of horses to be gathered is greater than the difference between the latest census (1986) and the minimum management number for the Sand Springs herd. The 1985 and 1986 ground counts showed that 340 head could be removed and the appropriate management level (AML) of 494 wild horses would still remain. Under no circumstances will the herd be gathered below the AML of 494 wild horses. Any subsequent gather will require a new capture plan and EA. A post gather census will be conducted on the HMA to ensure that the AML remains after the gather is complete.

** The Sand Springs HMA was inventoried in April 1986. Comprehensive ground counts were also conducted in December 1985 and again in December 1986. The April 1986 census and 1985/1986 ground counts were used to establish Sand Springs gather numbers.

The horses will be gathered using a helicopter and portable wing traps. The proposed gather is expected to occur between August 15, 1987, and September 30, 1987, and last approximately three weeks. No gathering will take place during the foaling season, which is from March 1 to July 1.

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

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

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

(1) Horse handling will be kept to a minimum. Capture and transporting operations can be traumatic to the animals. Minimizing the handling would increase the safety of the animals, as well as the handlers.

(2) No gathering will be allowed during the foaling season, between March 1 and July 1, because of the potential stress to pregnant and lactating mares and the possibility of induced abortions.

(3) Horses will not be run more than 10 miles during gathering operations and gathering will be done in the early morning and early evening to avoid overheating horses during hot weather.

(4) A veterinarian will be on call during gathering operations.

(5) Trap sites will not be placed in areas of any known listed or proposed threatened or endangered plant species. Trap sites located within a 10 mile radius of known plants will require an inspection of the proposed site by a qualified BLM employee.

(6) A cultural resources investigation by an archaeologist or a district archaeological technician will be conducted prior to any trap construction. If cultural values are discovered, an alternate trap site will be selected. A cultural resource report will be completed after the survey.

(7) Helicopters will be used with caution. A qualified district BLM representative (COR or PI) will be present during gathering attempts to ensure strict compliance with the above mileage limitations and 43 CFR Part 4700 regulations. He/she will make a careful determination of a boundary line to serve as an outer limit within which attempts will be made to herd horses to a given trap. Topography, distance, weather, and current conditions of the horses will be considered in setting the mileage limits so as to avoid undue stress on the horses while they are being herded. The COR/PI will have a helicopter available during the entire gather operation to monitor all removal efforts as necessary.

(8) Captured horses that are obviously lame, deformed, or sick will be humanely disposed of at the trap site.

(9) Every effort will be made to keep mares and their young foals together. Mares with foals (on the ground) will be separated from stallions and barren mares before shipping to central BLM facilities at Palomino Valley (Reno, Nevada).

(10) Horses will not be held at the trap site or holding corrals for more than 10 hours without food or water.

(11) A BLM law enforcement agent will be present during the gathering operation to provide protection for personnel working on the roundup, as well as the gathered horses.

(12) All corral panels will be a minimum of 72" high in order to prevent horses from jumping out of traps.

(13) Trap sites will not be placed within 1/4 mile of water sources such as streams, springs, reservoirs, or troughs.

(14) Temporary traps and corrals will be removed and sites will be left clean of all debris within 30 days following the gathering operation.

(15) A consultation as provided under the American Indian Religious Freedom Act (AIRFA ; P.L. 95-431; 42 U.S.C. 1996) will be initiated with recognized Native American groups in the project vicinity prior to plan approval.

Alternatives

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

The Proposed Egan RMP and Final EIS is designed to be a comprehensive, long range plan which sets the framework and guidelines for future site specific activity plans. This document has established the population level identified in the proposed action as an objective for future management.

Alternative I - Water trapping 340 wild horses

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

Alternative II - Trapping 340 wild horses by running them on horseback

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

Alternative III - No Action

Under the No Action alternative no gathering operations would be conducted in the HMA.

II. DESCRIPTION OF THE AFFECTED ENVIRONMENT

The subject area is rural in character. Topography consists of valley floors, alluvial fans, canyons, mountains, steep ridges, and basins. The climate of the gather area is arid to semiarid. Annual average precipitation varies from approximately 15 inches in higher elevations to 6 inches or less at the lower elevations. The bulk of the precipitation occurs through early spring rains and winter snows. Temperatures range from summer maximums in excess of 100 degrees F. to winter lows falling well below zero.

The small number of springs recorded on the water survey is as expected in this arid and semiarid area. Spring sources can be found widely scattered through the mountain areas particularly near Portuguese Mountain. The few developed springs in the area have a low rate of flow and provide less than 2 gallons of water per minute on a regular basis. Some even dry completely during periods of drought. Reservoirs are the principal water sources in the arid valleys. These reservoirs provide an undependable water source since they only catch water during high rainfall periods and dry up the remainder of the year.

Springs, reservoirs, and occasional intermittent streams from snowmelt provide a water supply of generally fair to good quality. Competition by large animals (wildlife, wild horses, livestock) for use of the water is a threat to future maintenance of water quality as evidenced by excessive trampling of both developed and undeveloped springs and seeps.

Air quality is good, although short-term increases in fugitive dust levels occur as the result of climatic variations and vehicular traffic.

Soils within the gather area 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.)

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:

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

Major plant associations may be generally characterized as big sagebrush-grass, mid sagebrush-grass, pinyon pine-juniper, and winterfat-saltbush flats.

The dominant shrub in the big sagebrush-grass community is big sagebrush (Artemisia tridentata). Other shrubs of this type occurring are greasewood, (Sarcobatus vermiculatus); gray rabbitbrush, (Chrysothamnus nauseous); at higher elevations Utah serviceberry, (Amelanchier utahensis); and bitterbrush (Purshia tridentata). Common forbs include buckwheat, (Eriogonum spp.); princesplume, (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); Indian ricegrass, (Oryzopsis hymenoides); 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 mid sagebrush-grass are low sagebrush, (Artemisia arbuscula) and black sagebrush, (Artemisia arbuscula nova). Black sagebrush occurs more frequently than low sagebrush in this area. Other common shrubs occurring in this type are little rabbitbrush, (Chrysothamnus viscidiflorus); shadscale, (Atriplex confertifolia); winterfat, (Ceratoides lanata); and Mormon tea (Ephedra viridis). Common forbs in this type are mustards, (Brassica spp.); buckwheats, (Eriogonum spp.); locoweeds, (Oxytropsis spp. and Astragalus spp.); pepperweeds, (Lepidium spp.); and penstemon, (Penstemon spp.). Common grasses include western wheatgrass, (Agropyron smithii); Sandberg bluegrass, (Poa secunda); Indian ricegrass, (Oryzopsis hymenoides); and squirreltail, (Sitanion hystrix).

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 mid sagebrush-grass communities. Other shrubs occurring in the pinyon pine-juniper type are curlleaf mountain mahogany, (Cercocarpus ledifolius); green Mormon tea, (Ephredra viridis); and snowberry (Symphoricarpos spp.). At higher elevations and where water is at or near the ground surface there are scattered patches of aspen, (Populus tremuloides) in the area.

The fourth major plant association is the winterfat-saltbush flats. This plant association occurs on the valley bottoms and lower valley benches. The dominant shrubs in this type are

shadscale, (Atriplex confertifolia) and winterfat, (Ceratoides lanata). Other common shrubs in this type are spiny hopsage, (Grayia spinosa); greasewood, (Sarcobatus vermiculatus); budsage, (Artemisia spinescens); kochia (Kochia spp.); little rabbitbrush, (Chrysothamnus viscidiflorus); and big sagebrush, (Artemisia tridentata). The most common forbs are buckwheats, (Eriogonum spp.) and mustards, (Brassica spp.). The most common grasses are galleta grass, (Hilaria jamesii); Indian ricegrass, (Oryzopsis hymenoides); squirreltail, (Sitanion hystrix); and sand dropseed, (Sporobolus spp.).

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

There are no threatened, endangered, or candidate plant species known to occur within the area of the proposed gather.

The vegetation in the area has been receiving heavy to severe use as a result of the increasing number of wild horses (see Appendix 2). The ongoing utilization and trend studies in the area show that the vegetative resource is being damaged due to overuse and the forage is not adequate for the large number of animals. This is particularly noticeable on the winterfat flats in Big Sand Springs Valley. There has been no livestock use in Sand Springs Valley for the past 2 years.

#'s over AML - not increase

The herd area supports a variety of wildlife. This region provides limited summer and winter habitat for the Area 13 mule deer herd. There are an estimated 100-150 pronghorn antelope found yearlong in Little Smoky and Big Sand Springs Valleys. Sage grouse can also be found throughout the herd area. Five leks or strutting grounds have been identified on the north end of the gather area (Little Smoky Valley), but none have been noted in Big Sand Springs Valley. Small riparian areas are scattered throughout the area around the springs and seeps. Amphibians, reptiles, mammals, rodents, raptors, and passerine bird species common to the Great Basin can be found in the area.

Federally endangered bald eagles winter annually just outside the area near the Duckwater Indian Reservation between November and April. Bald eagles have been observed in the gather area. Endangered peregrine falcons may occur in or near the area, but there have been no recent sightings. Another species under consideration for threatened or endangered status and listed as a candidate "category 2" species by the U.S. Fish and Wildlife Service within the area is the ferruginous hawk (one known nesting site in the area).

Wild horses have started to enlarge their use area. In the last couple of years, the horses have been observed outside of the herd area south of Duckwater in Railroad Valley. The winter range in Sand Springs Valley is being grazed yearlong by an ever increasing number of horses. The springs and associated riparian areas are being severely impacted by extremely heavy use. Developed springs (Sand, Martilletti, and Portuguese) have been literally destroyed by the extreme horse use (fences torn down, pipelines torn up). Are waters being turned off?

Horses prefer grasses and grass-like species but they will utilize shrubs and forbs when necessary. In the Big Sand Springs Valley area recent heavy grazing use by the wild horses and heavy use by livestock in past years has reduced desirable grasses to the point that only shrubs and less desirable or available grasses remain. Pressure is extremely heavy to severe on Big Sand Springs Valley's winterfat flats.

The gather area encompasses a portion of one grazing allotment (Duckwater Allotment). Thirteen allottees graze cattle and/or sheep on this allotment. One allottee is licensed to graze throughout the entire year, and five more are licensed to graze during the winter. Four others are licensed during the spring, summer, and fall; there are three licensed during the fall through spring months. The following table shows the livestock use in the area of the proposed action:

Spring devel. have not been properly installed or maintained?
What is maint record? Who has respons.
When last time BLM required range user to maint?

MAINTENANCE.
MAINTAINABLE

Livestock Use in the Sand Springs HMA

Allottee	AUM's Active Preference	Class of Livestock*	Season of Use
United Dressed Beef **	1,017	S	Winter
Dan Russell **	7,836	S & C	Spg-Sum-Fall
Paris Livestock **	1,106	S	Winter
Mae Bradshaw **	485	C	Spg-Sum-Fall
Barry and Norma Bradshaw **	77	C	Spg-Sum-Fall
S&H Ranches	3,024	S	Winter
Duckwater Stockmans Assn. **	11,122	C	Spg-Sum-Fall
Ernest Gubler, Inc.	209	C	Winter
Halstead-Forsgren Ranches	6,445	C	Fall-Wint-Spg
John, Gailin & John D. Manzonie	1,514	C	Fall-Wint-Spg
Manzonie Irrevocable Trust	926	C	Fall-Wint-Spg
Nathan Maynard	17	C	Winter
Richard McKay **	29	C	All Year

* S = sheep; C = cattle.

** These allottees normally graze their livestock within the boundaries of the Sand Springs HMA. Although this is a common use allotment without major division fences, the remainder of the allottees do not normally use the area of the proposed gather.

This area has traditionally been grazed by domestic livestock since the existing ranches were established in the late 1800's. Historically, both cattle and sheep have grazed the area, but primary use was by large nomadic bands of sheep.

With the passage of the Taylor Grazing Act of 1934, the number of livestock was greatly reduced, and only the established ranches were allowed to graze livestock. During the 1950's most of the livestock operators converted from sheep to cattle due to economic conditions which have prevailed to the present time.

The Duckwater allottees have realized that the allotment is being severely impacted within the Sand Springs HMA. They have taken voluntary nonuse for the past 2 years to reduce some of the grazing pressure caused by livestock and increasing horse numbers. Wild horses also need to be removed from the white sage (winterfat) flats in Big Sand Springs Valley during the critical growing season, to provide increased winter forage. The reduced pressure is also needed for increased availability of palatable grass species and for improved riparian area condition around the springs.

The area within the proposed Sand Springs horse gather is an area of low interest for minerals, both hard rock and leasable. There are presently no mining operations within the area. An exploration oil well has been authorized in the southeast portion of the HMA but there has been no drilling activity started to date. There are only a few hard-rock prospecting operations within the area of the proposed horse gather. The area has undergone only minimal seismic exploration for oil and gas.

The area of the gather is sparsely settled. It is rural in character and the primary source of income is from ranching operations. There are no towns within the gather area. Some ranchers have strong historical and family ties to the area. Other uses are primarily for recreational purposes.

Contrasting and varied topography make the gathering area visually pleasing. Major population centers are far removed, the nearest community being Duckwater, Nevada, which is located approximately 5 miles to the east. The nearest major population center is Ely, Nevada, located approximately 50 miles to the northeast.

Wild free-roaming horses were declared to be "living symbols of the historic and pioneer spirit of the West" by Public Law 92-195, the Wild Horse and Burro Act. As such, they have educational, scientific, and cultural values to the people of the region and nation. Local attitudes are varied regarding the

presence of wild horses, both generally and in the subject area. The greatest potential interest in preserving and viewing wild horses arises from large urban areas both on a state and national basis. It is believed that there is no recreation use of horses, either by viewing or photography, made by visitors because the Sand Springs HMA is too far removed from populated areas and access into the area is poor.

Other recreation values are limited within the proposed gather area also. Deer, antelope, and upland game hunting may occur throughout the proposed gather area. Hunting seasons for deer normally occur from early October through mid-November. Antelope season is at the end of August. Upland game seasons extend from September through late January. Some trapping activities may occur in the area with peak trapping activity from October through mid-February.

There are no wilderness study areas (WSA's) located within the gather area. The Park Range WSA lies just to the west and borders Priority No. 2 Area.

The gather area encompasses numerous cultural resource sites. Cultural occupation of the gather area occurred from the Paleoindian Period (12,000 B.P.) to the Late Prehistoric (to 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. Historic period sites representative of early ranching or mining activities are also known to exist in the project area.

More information concerning the affected environment can be found in the Egan RMP/EIS.

III. ENVIRONMENTAL CONSEQUENCES OF PROPOSED ACTION - HELICOPTER REMOVAL OF 340 WILD HORSES

The spring rich areas are attractive in an arid environment. The primary site of impact from changes in number of wild horses is the spring rich area around Portuguese Mountain. Reduced competition among livestock, wildlife, and wild horses for limited water supplies would be a high positive impact.

The horse gathering operation and handling of horses would be conducted at least 1/4 mile away from water; therefore, no direct impact on water quality would result. Reduced wild horse numbers would lessen grazing and trampling at waterholes and riparian areas, contributing to a more favorable habitat and associated water quality for all animals.

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

Sites which presently exhibit active soil erosion would be positively impacted as would the water quality of sources presently exhibiting severe trampling and resultant contamination through sediment increase and/or fecal deposits in water.

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

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

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

The invasion of undesirable grasses and forbs would not be as great under the proposed action. Decreased grazing pressure would slow downward trends in overall range condition.

There should be no impact to threatened or endangered plant species from the proposed action.

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

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

There would be no displacement of bald eagles as a result of a summer gather. Displacement of peregrine falcons is not expected either. No adverse impacts are expected to ferruginous hawks in the area. There is a possibility of displacement and/or collision between ferruginous hawks and the helicopter during the gather. No impacts are expected to occur to T&E or potential T&E species. Because activities would be conducted away from water, no adverse impacts would be anticipated on riparian areas as a result of the gathering operation.

A negative impact on wild horses would be expected during gathering and handling. This would result from traumatic effects of capturing, trapping, loading, and hauling the animals. Enough horses would remain to maintain a viable herd and provide for interaction between bands. Reduced competition between wildlife, livestock, and horses for limited water, forage, and space would result in higher survival and reproduction rates for each.

The proposed action would have a long-term positive impact on livestock grazing on the allotment. Competition for forage and water would be reduced after the gather.

There would be no impact to mining or exploration activities performed under the general mining laws or to operations conducted under the mineral leasing laws.

Positive management and maintenance of wild horse numbers at a viable herd level could bring vicarious pleasure to wild horse advocates. The removal of excess wild horses from the gather area would please local sportsmen and livestock operators. Proceeding with the gather would help public relations for the Ely District BLM.

A contractor would be paid to conduct the gather, but it would provide negligible economic stimulation to the local area. Lifestyles and quality of life of residents would not be impacted. If reduction of horses in this mule deer and antelope range results in higher population levels leading to more tags for deer management area 13 and antelope management area 22, the Ely vicinity would be economically benefited from the increased tourism.

Since there are no wilderness study areas within the gather area there would be no conflicts with wilderness.

Recreational opportunities would not be affected because of the short-term nature of the gather.

Because all necessary facilities would be temporary, the gathering operation would not affect the visual quality of the subject area.

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

how gathered ?

There would be no impacts from the proposed action to areas of critical environmental concern, wild and scenic rivers, flood plains and wetlands, prime or unique farmlands, or paleontological resources.

This alternative is consistent with the Egan RMP and is in conformance with known plans of other state and local agencies.

Mitigating Measures for the Proposed Action

(1) Gathering efforts during the summer months should avoid ferruginous hawk nesting areas.

(2) When possible, gathering should be done to avoid high concentrations of mule deer or antelope to avoid stressing animals during hot and dry weather periods.

(3) If during site investigation any threatened, endangered, or candidate plant species are found to exist in the vicinity of trap or holding corral locations, the trap or corral will be moved to a new location.

Unavoidable Adverse Impacts from the Proposed Action

WATER ?

Short-term increases in transient dust levels caused by operation of ground vehicles and running horses could occur if conditions are dry.

The vegetation and soil at trap sites and holding corrals would be severely trampled by the large horse concentration there. The impact would be minor though due to the small area (less than 1 acre) involved at each site. Also, the reduced competition for water and vegetation after the gather should result in improved plant vigor, condition, and reproductive potential over the entire herd area.

Although the standard operating procedures would lessen stress to horses during capture and handling, a negative impact can still be expected during the gather. This would result from traumatic effects of capturing, trapping, loading, and hauling the animals. Livestock may also be disturbed to a lesser degree by the gather activities. Injuries and/or deaths to some wild horses may also occur.

9.7

Irreversible and Irretrievable Commitments of Resources

None.

IV. ENVIRONMENTAL CONSEQUENCES OF NO ACTION ALTERNATIVE

Uncontrolled horse populations combined with wildlife and livestock use would continue to have a negative impact on soils susceptible to erosion.

Vegetative cover would continue to decline in heavy and severe use areas.

Erosion and soil compaction would increase, causing not only loss of soil and productivity but increased sedimentation and decreased water flow in unprotected springs.

Competition for water would continue to increase, resulting in continued overgrazing and trampling of the existing waterholes and riparian areas. The impact would be the most negative during the dry years (most years in this arid environment).

Under the no action alternative, the ecological condition of the different plant communities would continue to decline. This would be a very negative impact. The more palatable plant species would continue to be overutilized. Less desirable grasses and forbs would increase. Continued heavy grazing of preferred forage plants would cause continued loss of plant vigor and reproductive capacity, and an increase in undesirable forage species. Vegetative succession would regress to a lower seral stage with undesirable forage species making up a greater portion of the total vegetative cover. This would ultimately result in lower productivity and population decline for all animals.

The no action alternative would have a long-term negative impact on livestock grazing on all allotments. Competition for forage would remain high.

Without the gathering, competition between mule deer, antelope, and other ungulates would continue to increase with a long-term negative impact on deer and antelope population numbers especially during severe winters.

Without the gather any chance of dislocation and/or collision between ferruginous hawks and a helicopter would be eliminated. Continued overgrazing by all users would eliminate the forage needed by the ferruginous hawks' prey species, the Townsend ground squirrel, and would, therefore, reduce the potential for any active nest sites of ferruginous hawks to be successful.

Uncontrolled horse numbers would increase to the point that most available forage would be used, to the increasing detriment of livestock, wildlife, and horses themselves. Some animals may die of thirst due to limited water supplies. Horses concentrate in preferred forage areas yearlong and tend to overuse them, moving only when climatic conditions or an absolute lack of forage force them to move to other areas. Available remaining forage would be adversely affected until a reasonable relationship between numbers of horses, wildlife and livestock is attained. The herds would expand into areas not currently occupied by wild horses.

There would be greater opportunity to view horses, particularly in Big Sand Springs Valley, through steadily increasing populations. However, increased mortality of wild horses would offend many people's values. In addition, the poor quality of horses resulting from poor nutrition would detract from the viewers' pleasure in being able to see large horse herds.

The primary socio-economic impact at the local level would be poor public relations with ranchers and sportsmen. Wild horse advocates may be pleased with a higher number of wild horses within these wild horse herds. Lifestyles and quality of life of residents would be impacted. Ranchers impacted by increased wild horse use would move into other rancher's use areas on a permanent basis. This would create rangeland disputes and strained relations between users. Resource damage would increase in other portions of the Duckwater Allotment due to the increase in sheep and cattle grazing there.

The no action alternative would not impact cultural resources, threatened and endangered plants, wilderness values, areas of critical environmental concern, wild and scenic rivers, flood plains and wetlands, prime or unique farmlands, or paleontological resources.

This alternative would not be consistent with the Egan RMP or with known plans of other state and local agencies.

Mitigating Measures for the No Action Alternative

None.

Unavoidable Adverse Impacts for the No Action Alternative

Refer to the Environmental Consequences of No Action Alternative.

Irreversible and Irretrievable Commitments of Resources

Continued overgrazing of forage resources would result in wind and water erosion of unprotected soils, decreased soil productivity, and the eventual loss of the forage base itself. This in turn would result in a higher mortality of all grazing animals (horses, livestock, and wildlife) due to starvation and loss of waters.

V. INTENSITY OF PUBLIC INTEREST

Local newspapers in Ely have long been critical of the Bureau of Land Management wild horse management program. A series of articles and one editorial in the Ely Daily Times in October of 1978 focused on horse management problems in another area. A more recent article in September 1984 expressed concern over the increasing horse population in Nevada. Letters are received periodically at the local Bureau of Land Management level that are highly critical of Bureau of Land Management horse roundups and the general treatment given wild horses. These letters highlight the sympathy and intense feeling one segment of the public has for wild horses.

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

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

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

Nevada, the state with the highest wild horse population, was also home state of the wild horse protection movement fostered by the late Velma Johnston ("Wild Horse Annie"). In Nevada, ranching is a mainstay business in rural counties. The levels of public interest in wild horses are high in Nevada, both from the protection and removal viewpoints. The Bureau of Land Management in Nevada has been and is involved in wild horse

related court litigation. Litigations have been brought mainly by protectionist groups seeking to stop what they view as unwarranted horse gathering. However, recent litigations have been brought by private landowners, many of whom have requested removal of wild horses from their lands.

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

VI. RECORD OF PERSONS, GROUPS, AND AGENCIES CONTACTED

Participating Staff

Robert E. Brown	- Wild Horses and Burros, Ely District
Dana Larsen	- Livestock Grazing, Egan Resource Area
Mike Perkins	- Wildlife, Egan Resource Area
Mark Barber	- Watershed/Threatened and Endangered Animals, Ely District
Kathy Lindsey	- Vegetation/Threatened and Endangered Plants, Ely District
Jake Rajala	- Socio-Economics/Environmental Coordination, Ely District
Cris Ann Bybee	- Soils, Ely District
Shaaron Netherton	- Recreation/Wilderness/Visual Resources Management, Egan Resource Area
Sarah Johnston	- Cultural Resources, Egan Resource Area
Paula Peterson	- Minerals, Egan Resource Area
Bill Lindsey	- Livestock Grazing, Egan Resource Area

Review

American Horse Protection Association
National Mustang Association, Inc.
International Society for the Protection of Wild Horses and Burros
Fund for Animals
U.S. Humane Society
Nevada State Department of Agriculture
Animal Protection Institute
American Humane Association
National Wild Horse Association
Wild Horse Organized Assistance
Save the Mustangs
American Bashkir Curly Register
Humane Society of Southern Nevada

Nevada Humane Society
U.S. Fish and Wildlife Service
Nevada Federation of Animal Protection Organization
Commission for the Preservation of Wild Horses
Craig C. Downer
American Wild Mustang and Burro Foundation
Mr. John Walker, Nevada State Clearinghouse Coordinator
Bureau of Land Management, Battle Mountain District Manager
Nevada Department of Wildlife, Region III

Letters of Information

Mr. Donald Molde
Deborah Allard
American Mustang and Burro Registry
The Center for Wild Horse and Burro Research
Tina Nappe
Nevada Cattlemen's Association
Nevada Department of Wildlife, c/o Mr. Dale Elliott
Nevada Farm Bureau Federation
Nevada Outdoor Recreation Association
Nevada Wildlife Federation
Sierra Club, Great Basin Group
Sierra Club, Las Vegas Group
Sierra Club, c/o Rose Strickland, Public Lands Committee of the Toiyabe Chapter
White Pine Sportsmen
Nye County Commissioners
Wild Horse and Burro Committee for National Academy of Science
United Dressed Beef
Dan Russell
Paris Livestock
Mae Bradshaw
Barry and Norma Bradshaw
S&H Ranches
Duckwater Stockman's Association
Ernest Gubler, Inc.
Halstead-Forsgren Ranches
John, Gailin, and John D. Manzonie
Manzonie Irrevocable Trust
Nathan Maynard
Richard McKay
Mr. John Polish, Chairman, Ely District Advisory Council
Mr. Van C. Gardner, Chairman, Ely District Grazing Advisory Board
Bristlecone Bowmen, c/o Mr. Fred Smith
Jerry Millett, Tribal Chairman, Duckwater Reservation (AIRFA)

VII. SUGGESTED MONITORING

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

The Ely District Wild Horse Specialist will conduct an aerial census, using a helicopter, of the Sand Springs HMA immediately following this gather. Additional aerial censuses will be conducted every 2 to 3 years thereafter (funding permitting) to continue to monitor the growth of the herd. When the census numbers exceed the established AML of the herd (494), a followup gather will be proposed to again reduce the herd to its AML.

Utilization studies will be conducted annually to include utilization mapping of the HMA as a minimum. If funding and manpower permits, utilization will be completed prior to livestock entering the allotment and again as they leave on an annual basis.

Frequency trend plots will be established and read every 3 to 5 years to determine changes in range condition.

Actual use information will be supplied to the BLM by the livestock operators on an annual basis.

The above monitoring studies will be conducted in areas where they are presently established, and as they are established in the future through the Ely District Monitoring Plan.

VIII. SIGNATURES

Prepared by:

Robert E. Brown
Ely District
Wild Horse Specialist

Date

Reviewed by:

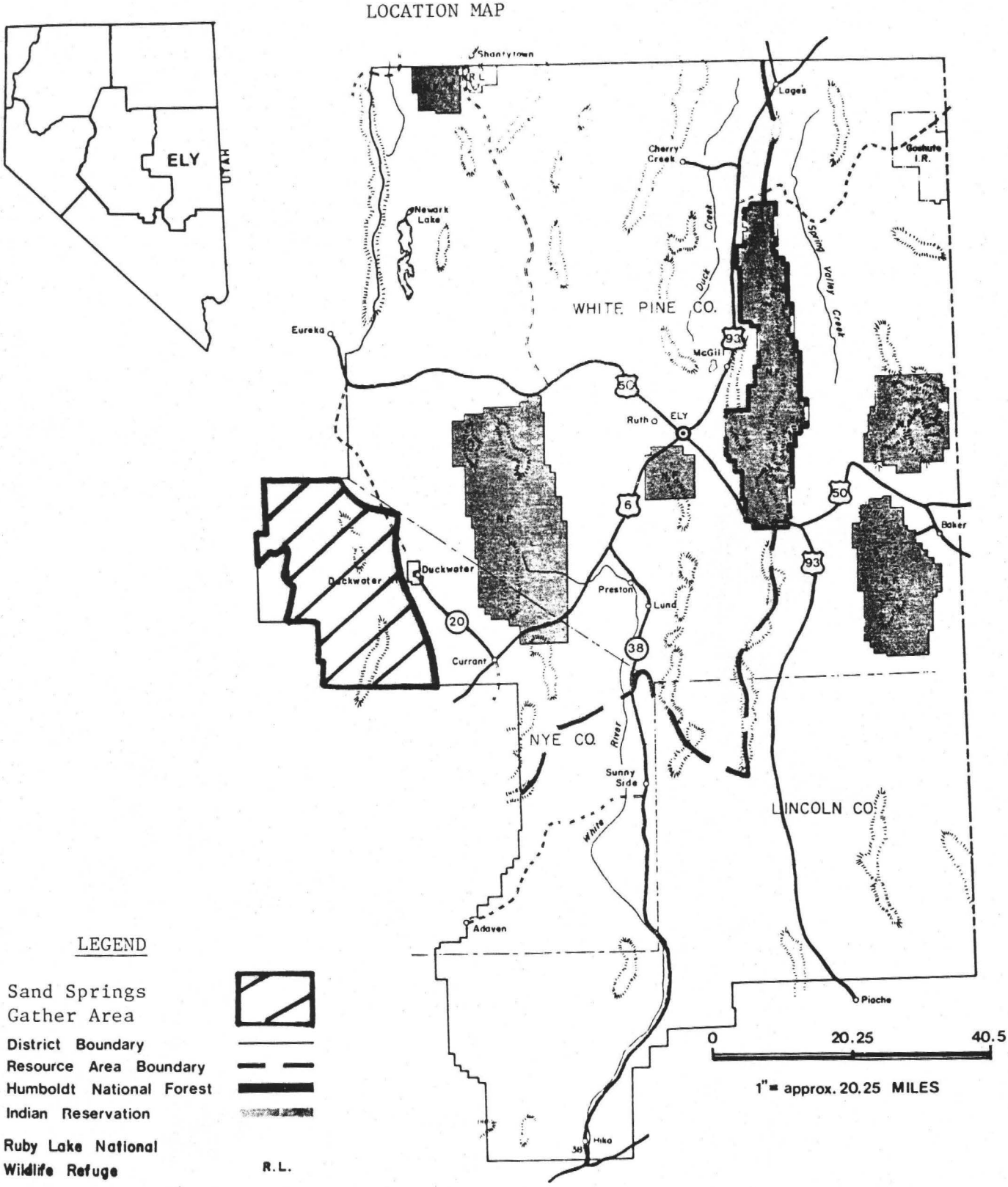
Jake A. Rajala
Ely District
Environmental Coordinator

Date

Gene L. Drais, Manager
Egan Resource Area

Date

APPENDIX 1
LOCATION MAP



LEGEND

Sand Springs Gather Area

District Boundary

Resource Area Boundary

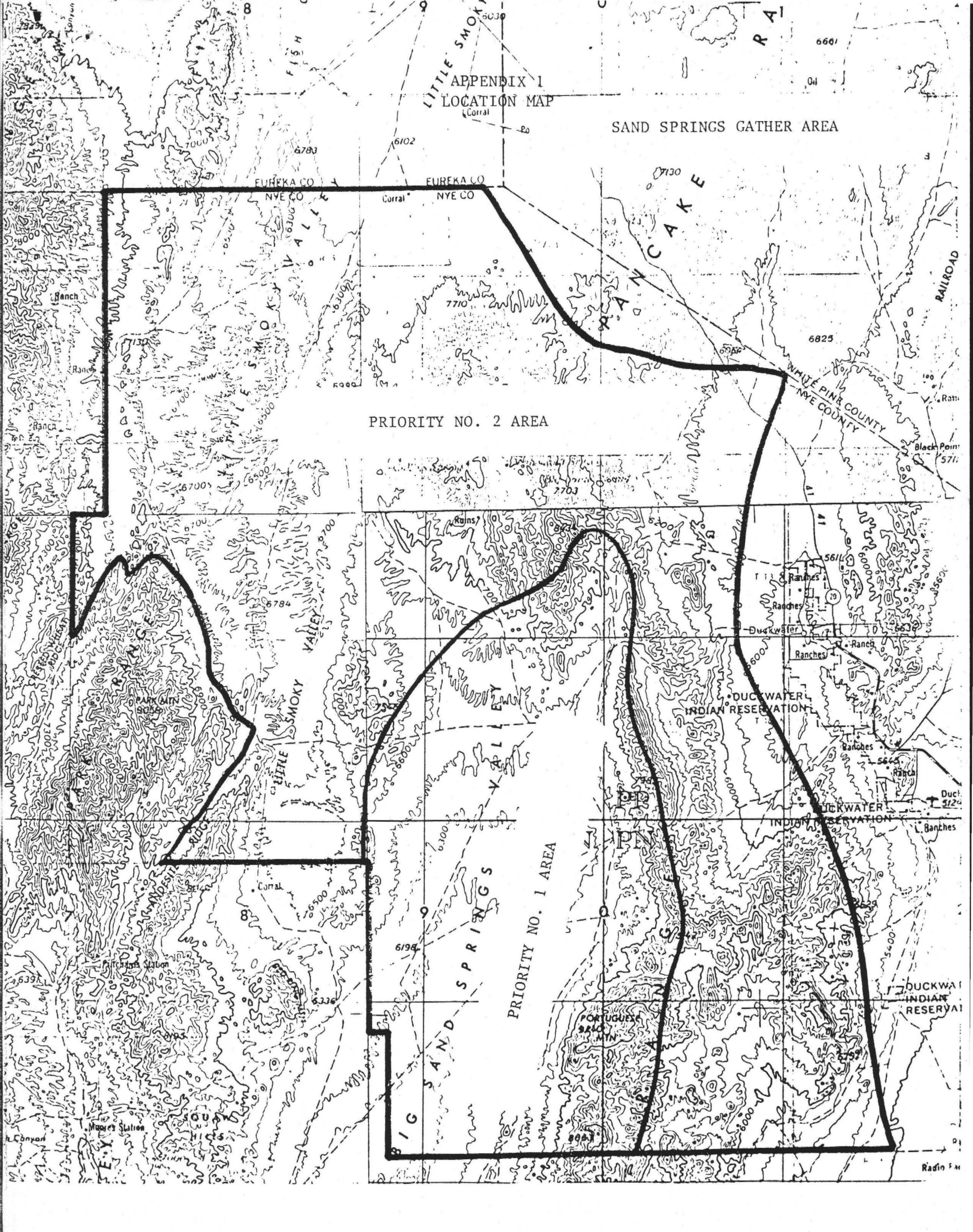
Humboldt National Forest

Indian Reservation

Ruby Lake National Wildlife Refuge R.L.

ELY DISTRICT

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

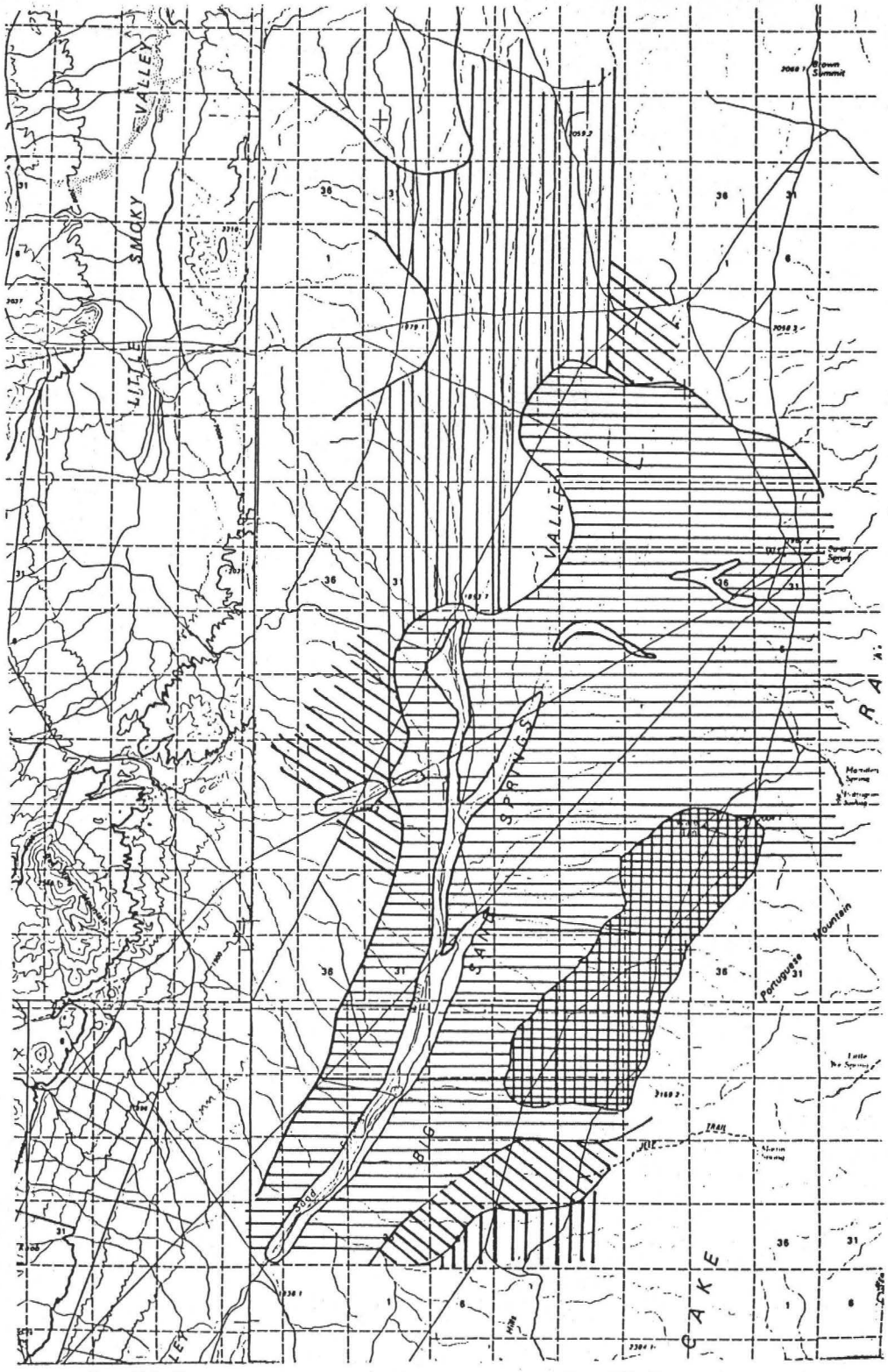

APPENDIX 1
LOCATION MAP
SAND SPRINGS GATHER AREA
PRIORITY NO. 2 AREA
PRIORITY NO. 1 AREA
EUREKA CO
NYE CO
WHITE PINE COUNTY
NYE COUNTY
PANCAKE
LITTLE SMOKY VALLEY
BIG SAND SPRINGS VALLEY
DUCKWATER INDIAN RESERVATION
Duckwater
Ranches
Ranch
Corral
Ruins
RAILROAD
Black Point
PARK MTN
PORTUGUESE MTN
ANDESITE RIDGE
Moores Station
Pritchards Station
SQUAW HILLS
Radio Fac

APPENDIX 2

Sand Springs Valley
Utilization Map
March, 1987

- Severe
- Heavy
- Moderate
- Light
- Slight
- No Forage Available

3/8 inch = 1 mile



APPENDIX 2

Sand Springs Valley
Utilization Map
December, 1985

Severe
Heavy
Moderate
Light
Slight
No Forage Available

3/8 inch = 1 mile