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CAPTURE PLAN FOR BUCK - BALD HORSE GATHER

INTRODUCTION

The proposed gathering area is located in the northwestern portion of White Pine County, Nevada and the south central portion of Elko County, Nevada. The plan is titled Buck and Bald Horse Gather and includes Buck and Bald (Ely), Maverick (Ely, Elko) and Medicine (Elko) Wild Horse Use Areas in both the Elko and Ely BLM Districts. Maps are attached to help readers locate the proposed gathering area.

This document outlines the process and the events involved with the Buck-Bald Horse Gather. Included are the number of horses to be captured, the time and method of capture and the handling of captured horses (wild and branded horses). Also outlined are the BLM personnel involved with the roundup, the Contracting Officer's Authorized Representative (COAR), Alternate COAR and Project Inspector (PI), the delegation of authority, the briefing of the contractor(s) and the public meeting to be held.

There is no herd management plan for the herd use area. Thus this action will be considered interim management. ←

Long term management numbers will be established through the Egan Resource Management Plan and a Coordinated Resource Management Planning group.

Number of Horses to be Gathered

The proposed number of horses to be gathered is 600 animals out of an inventoried 1246, or approximately a 50% reduction. This number is tentative because it is not known what the contract cost will be at the present time or how the capturing process will proceed due to climatic conditions, the animals' behavior and other unforeseen factors. The actual number of horses captured will not exceed 600 head.

A minimum of five trap sites and as many as ten will be needed to gather the 600 head from the area. Each site will be selected by the contractor and approved by the COAR/PI after determining the habits of the animals and observing the topography of the area. Trap sites will be located to cause as little damage to the natural resources of the area as possible. Sites will be located on or near existing roads and all sites will receive cultural clearance prior to use. ←

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 trap locations.

General areas where horses will be removed and approximate numbers are:

Buck Mountain	100 head
Bald Mountain	100 head
Long Valley	300 head
Maverick Springs Range	50 head
Medicine Range	50 head

### Time and Method of Capture

The roundup is expected to occur sometime between January 30, 1983 and September 30, 1983 and last approximately three weeks. However, a number of horses (not to exceed 600 head) may be removed over an 18 month period and require more than one roundup.

No gathering will be done during the foaling season, which is from March 1 to July 15th.

The method of capture to be used will be a helicopter and horseback riders at the wings of portable traps.

The temporary traps and corrals will be constructed from portable pipe panels. An adjoining holding corral will be constructed to hold horses after capture.

Other methods of capture are not being considered because of the increased cost per horse. Water trapping, though easier on horses, is not feasible due to the numerous springs, reservoirs and other water sources available to horses in the proposed gathering area. Water traps take time to construct and require time for horses to accept as part of their environment; the time allotted to this roundup is limited. Also, water traps after being used a few times are not successful in capturing horses. 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.

### Branded and Claimed Animals

Branded horses or claimed horses that are not branded, e.g. photo documentation, saddle marks or other identification, will be sorted from wild horses at the holding facility in the gathering area for inspection by the COAR/PI and State Brand Inspector. The determination that unbranded horses are wild, free roaming animals will be ultimately decided by the COAR/PI. The State Brand Inspector will determine the ownership of animals that are not wild and free roaming. A foal or yearling still following a claimed mare that is determined not to be a wild free-roaming animal and can be identified as her offspring will be considered privately owned.

Claimed horses that have been determined to be privately owned will not be released until the owner has paid trespass charges in accordance with 43 CFR 4720. This charge will include the value of forage consumed, a per head share of helicopter or contract costs and other associated costs as determined appropriate by the Egan Area Manager.

### Destruction of Injured or Sick Animals

Any severely injured or seriously sick animal shall be destroyed in accordance with 43 CFR 4740.31. Such animals shall be destroyed only

when a definite act of mercy is needed to alleviate pain and suffering. When the COAR/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.

#### BLM Personnel and Delegation of Authority

The COAR will be Hal Bybee, with Vearl Christiansen as alternate. The project inspector will be W. A. Burdick Jr. The COAR will be directly responsible for conducting the roundup and can appoint other BLM personnel to assist with the roundup.

Other BLM personnel that will be needed to help are an archaeologist or a district archaeological technician to survey trap 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 COAR is directly responsible for reporting the roundup proceedings to the Ely District Manager, the Nevada State Office and District Public Affairs officer.

#### 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.

#### Public Meeting

One public meeting will be held in Ely at a place and time to be determined before the roundup is started to get public input on the gathering process using a helicopter. Wild Horse Protection Groups and the public will be notified in ample time to allow them to attend the meeting. Wild Horse groups will be notified and asked for input into the environmental assessment and will be given the opportunity to review the assessment.

#### Restricting Public Access

If the road is a BLM road, possibly a daily closure with specific hours could be put into effect, but would require notice in the Federal Register. ←

The following stipulations will be applied to the helicopter and wing trap capture method:

The helicopter capture of wild horses will be from geographical area known as the Buck Mountain and Bald Mountain, Nevada, and transportation of captured horses from the site to a temporary holding facility within the gathering area (as agreed upon by the COAR/PI and the contractor).

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 facility 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, and transportation of captured horses from the temporary holding facility to the Nevada Distribution Center, Palomino Valley (Reno), Nevada. And transportation of unclaimed branded horses to Nevada Cattle Feeding Company, Fallon, Nevada. All work will be done according to the following specifications and attached work location map. All labor, vehicles, helicopters, traps, troughs, feed, temporary holding facilities and other equipment including, but not limited to the aforementioned, shall be furnished by the contractor. BLM will furnish contract supervision.

1. The helicopter and pilot furnished by the contractor must be carded by the Office of Aircraft Services, Department of the Interior and shall be under the direct supervision of the authorized officer at all times. Further, under the terms of 43 CFR 4730.7-2, it shall be governed by the following reservations and restrictions:
  - a. The Contracting Officer's Authorized Representative (COAR) and/or project inspector shall have the means to communicate with the pilot and be able to direct the use of the helicopter at all times.
  - b. The COAR and or Project Inspector shall be able to observe the effects of the use of the helicopter on the well-being of the animals. The contractor may be required to transport, via helicopter, the COAR and/or Project Inspector to a location which allows for such observation.
  - c. All pilots and helicopters provided by the contractor shall comply with all Federal air regulations and regulations of the Board of Aeronautics of the state in which the work project is located and shall follow what are recognized as safe flying practices.
  - d. The Bureau of Land Management reserves the right to remove from service pilots and helicopters which, in the opinion of the contracting officer, COAR or project inspector, violate contract rules, are unsafe or otherwise unsatisfactory. In this event, the contractor will be notified in writing and required to furnish replacement pilots or helicopters, as the case may be, within 48 hours. All such replacements must be approved, in advance of operation, by the COAR or his representative.
  - e. The proper operation, service and maintenance of all helicopters are responsibilities of the contractor.



- f. Inspection of Helicopters, Pilots and Support Equipment  
After award of contract and prior to start of work, inspection of contractor's helicopter, pilot, relief pilot or pilots and service facilities may be made. The inspection will take place at the designated base of operations or such other location as may be approved by the contracting officer. Each pilot shall, at the discretion of the contracting officer, pass an agency flight evaluation check in make and model of helicopter supplied by the contractor at no expense to the Government.
- g. Substitution of Helicopter and Pilot - During the period of this contract, the contractor may furnish substitute helicopters and pilots. Any helicopter or pilot so furnished shall fully meet the qualification of this contract. Substitution of either helicopter or pilot will be in writing by the contracting officer. Substitute pilot will be required whenever regular pilot is unavailable for any reason including, but not limited to, flight hour duty hour limitations. The contractor shall be required to replace or repair damaged or inoperative equipment within 48 hours after receipts of notification from the contracting officer or COAR.
- h. The contractor shall supply, at no additional expense, a service truck to be equipped as follows:
1. Micromic filter/water separator unit with Co-No-Go, or equal.
  2. Dump drain at lowest part of fuel tank.
  3. Grounding and bonding wires.
  4. "No Smoking" signs.
  5. Fire extinguisher for service truck (10 pounds or better).
  6. Fuel trucks will be marked for type of fuel carried.
- i. Pilot Qualifications - Pilot(s) shall have: 1. FAA Commercial Pilot Certificate with appropriate rating and 2. FAA Medical Certificate (valid).
- j. The helicopter to be used for this item shall be certified under Part 135 of FAR and operated in accordance with these regulations. A shoulder harness must be installed for the observer.
- k. Pilots must meet the Department of Interior requirements for carrying passengers in the type of aircraft offered in accordance with OAS OPM 81-2 or USFS Manual 5700. Pilot in command requirement is 1500 hours to include at least 50 hours in make and model of helicopter being flown and 200 hours over rough terrain.
- l. Pilot Flight Hour and Duty Limitations
1. Pilot flight hours will be computed from the helicopter

hour meter. All pilot hours for each pilot will be reported and used to administer flight limitations regardless of how or where performed.

2. Pilots may be removed from duty for fatigue or other causes before reaching flight hours or duty limitations.
3. All helicopter pilots flying on this contract will be limited to the following flight hour and duty hour limitations:
  - a. Unless further restricted by the using agency, pilot flight hours will not exceed eight hours during any 14-hour duty period.
  - b. Pilot duty hours will not exceed 14 consecutive hours
  - c. At least 10 consecutive hours of rest will be required prior to each duty period during each 24-hour period.
  - d. Pilots shall have two 24-hour periods of rest (off duty) during any 14 day period during the performance of this contract. Off duty periods shall be designated by the Government unless a relief pilot is required in the Bid Schedule. If a relief pilot is required, the contractor shall submit a schedule of relief pilot duty days to the COAR at the start of the contract period.
  - e. Pilots shall not exceed 36 hours flight time during any consecutive six day period. This flight time limitation may be temporarily exceeded during emergency conditions (life saving) or for unscheduled enroute delay due to weather conditions. When a pilot acquires 36 hours flight time in any consecutive six day period, he will be given at least the following 24 hour period off duty and a new six day cycle will begin.
  - f. Risk Damage - Contractor shall assume all risks in connection with performance of contract, and shall be liable for and hold the Government harmless on account of any damages to persons or property in connection with work related activities, including aircraft pilot or other employees of contractor.
  - g. Helicopter Equipment Requirements - Dual controls for pilot checkout, double strap shoulder harness for front seats and emergency locator transmitter. Helicopter must also have the necessary BLM radio equipment.

2. Under the provisions of 43 CFR 4740.4, the use of the helicopter shall further be regulated to the extent that:
  - a. The helicopter shall be used in such a manner that bands or herds will tend to remain together.
  - b. The rate of movement shall not exceed limitations set by the Coar and/or Project Inspector who shall consider terrain, weather, distance to be traveled and condition of animals. The contractor shall provide the helicopter pilot for the COAR and/or Project Inspector to perform an aerial reconnaissance prior to capture at each trap site to set these limitations (not to exceed 5 hours total flight time during the gathering).
  - c. The COAR/Project Inspector shall have the option at any time to ride in the helicopter to monitor the gathering.
  - d. The contractor shall provide the COAR/PI six hours helicopter time for a post gathering inventory.
3. All motorized equipment employed in the transportation of captured horses shall, under the provisions of 43 CFR 4740,4(b), be subject to the following reservations and/or restrictions:
  - a. All such transportation shall be in compliance with appropriate State and Federal laws and regulations applicable to the humane transportation of horses and burros.
  - b. Vehicles shall be in good repair, of adequate rated capacity and carefully operated so as to insure that captured animals are transported without undue risk or injury.
  - c. Vehicles shall be inspected and approved by the COAR/Project Inspector prior to award of the contract or at the prework conference.
  - d. Where required by the COAR and/or Project Inspector, animals shall be sorted as to age, size, temperament, sex and condition when transporting them so as to minimize, to the extent possible, injury due to fighting and trampling.
  - e. Trailers (including gooseneck or bumper pull) or other suitable equipment as approved by the COAR/Project Inspector may be used to transport horses from the traps to the temporary holding facility. Bob-tail trucks, tractor pulled single deck trailers

or double deck trailers with a minimum height of 13.6 feet will be permitted for transportation of captured horses to the Nevada Distribution Center, Palomino Valley (Reno). Trailer 30 feet in length will be required to have two sections (one partition) and trailers 40 feet or longer will have three sections (2 partitions).

- f. The COAR and/or Project Inspector shall consider the condition of the animals, weather conditions, type of vehicles and distance to be transported when planning for the shipment of captured animals.
  - g. The COAR shall provide for brand inspection services.
4. All trapping of horses shall be subject to the following reservations/restrictions:
- a. All trapping attempted under this contract shall be accomplished utilizing a helicopter to herd the wild horses into the traps. Wing riders may be used as necessary. Roping will be done only when necessary as determined by the COAR and/or Project Inspector. Under no circumstances will horses be tied down for more than one hour.
  - b. All materials and labor to build, repair and remove the traps and holding corrals will be provided by the contractor.
  - c. All traps and holding corrals will be located on BLM land unless the contractor makes an agreement with the private land owners to use their facilities. And the locations will be approved by the COAR and/or PI prior to construction.
  - d. The central holding corral will be located at a location agreed upon by COAR and contractor. Panels and other necessary equipment will be furnished by the contractor.
  - e. All trap wings and holding corrals will be constructed to handle wild horses safely and humanely. Trap wings and holding corrals will be constructed with portable panels, unless otherwise approved by COAR/PI; the top rail of the trap will not be less than 72 inches high and the bottom rail will not be more than 12 inches from the ground level. Holding corrals will not be less than 96 inches high and the bottom rail will not be more than 12 inches from the ground level. Traps and holding corrals will be round or oval in design and will not be less than 40 feet in diameter. Holding corrals may be required to be larger as determined by the COAR/PI.



- f. All trap and camp sites will be cleaned of all litter and debris when abandoned, to the satisfaction of the COAR.
5. Captured horses shall generally not be held more than 72 hours prior to transporting to Palomino Valley (Reno), Nevada. Exceptions to the 72 hours maximum may only be granted by the COAR/PI.
  6. Horses held for 10 hours or more in the traps or holding facility will be provided good quality hay at the rate of not less than (2) two pounds of hay per 100 pounds of body weight per day, or as directed by the COAR and/or PI. Horses held for 24 hours or more shall be fed all the hay they will eat, or as directed by the COAR and/or PI.
  7. Horses held for 10 hours or more in the traps and/or the holding facility will be provided, by the contractor, fresh clean water in an amount sufficient to satisfy the demand as directed by the COAR and/or PI.
  8. Where required by the COAR and/or PI, animals will be sorted by age, size, sex, temperment and condition while at the trap and holding corrals so as to minimize, to the extent possible, injury due to fighting and trampling.
  9. The COAR and/or PI shall be responsible for determining the need and provide for the treatment of sick or injured animals. The COAR and/or PI shall also determine if an injured animal must be destroyed and provide for destruction of the animals. The contractor shall dispose of carcasses as directed by the COAR and/or PI.
  10. The contractor will be required to furnish locks and chains to lock outside gates of the holding corrals if deemed necessary by the COAR.
  11. The COAR and/or PI will make available a Nevada Brand Inspector for the purpose of insepecting the animals for brands.
  12. Contractor Furnished Property

All feed, water, vehicles, helicopters, fuel and maintenance for vehicles, traps, holding facilities, loading chutes (no open sided chutes; open sided chutes must be lined with plywood or other suitable material) troughs and any other necessary equipment.

The contractor will be required to provide the temporary holding corrals, squeeze chutes and manpower to assist the Brand Inspector in his duties.

Contractor shall provide sufficient experienced personnel

and saddle horses with appropriate tack to complete the required work. The helicopter used for the gathering will have a radio capable of transmitting on BLM frequencies.

13. Roundup Procedures within Contract Area

The COAR/PI will determine specific roundup areas and number of horses within general contract area as animal concentration and weather conditions dictate. The trap will be moved a minimum of five times.

14. Only those bids from contractors with a proven background of capability and experience in handling wild or feral horses will be considered.

Prepared by:

Hal M. Bybee  
Hal M. Bybee  
Wild Horse & Burro Specialist

Jan 4, 1983  
Date

Reviewed by:

Kathy Lindsey  
Kathy Lindsey  
District Range Specialist

1/4/83  
Date

Mark Barber  
Mark Barber  
District Wildlife Biologist

1/5/83  
Date

George W. Cropper  
George W. Cropper  
Chief, Division of Resources

1/28/83  
Date

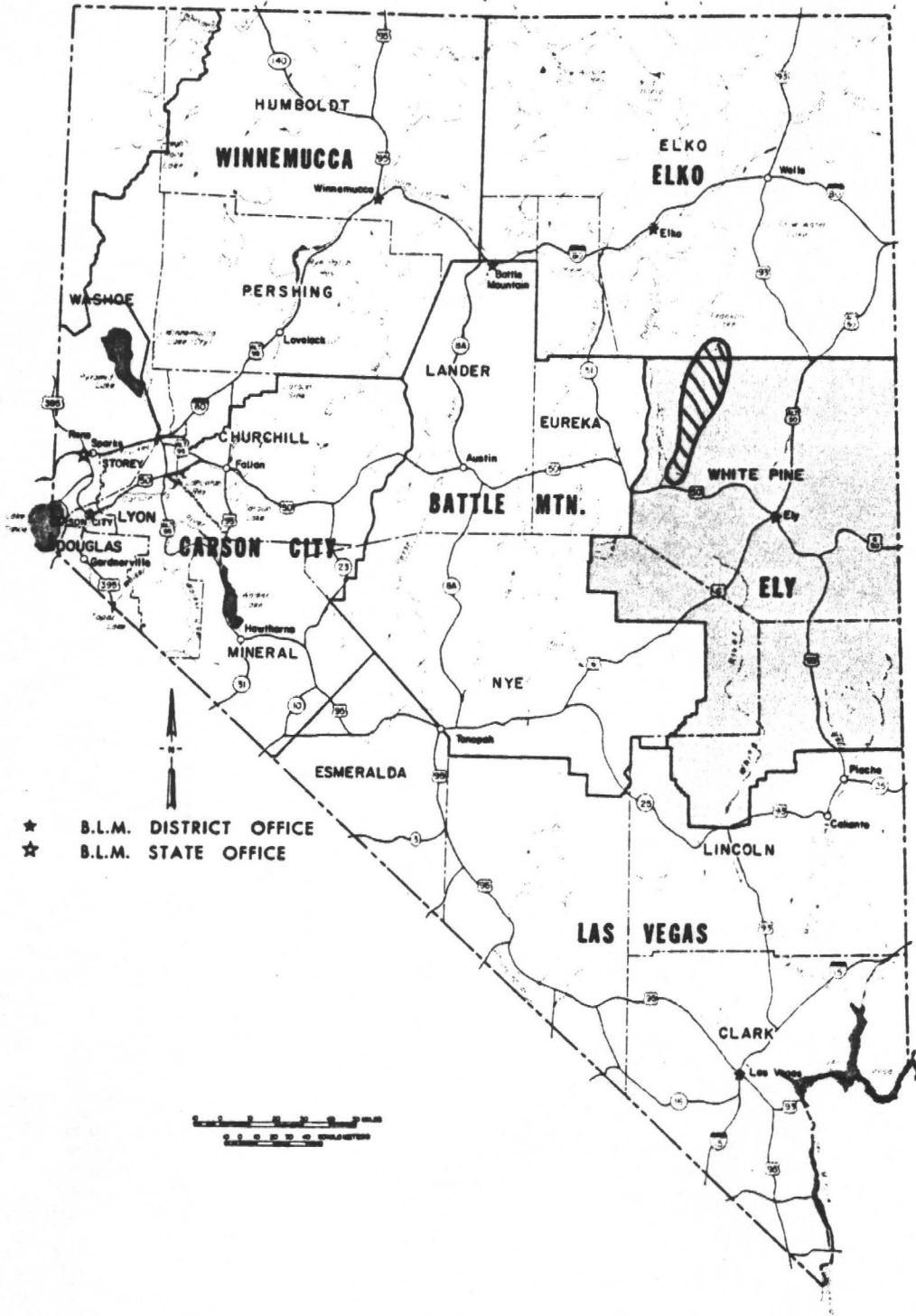
Howard Hedrick  
Howard F. Hedrick  
Egan Area Manager

January 13, 1983  
Date

Approved by:

Merrill L. DeSpain  
Merrill L. DeSpain  
Ely District Manager

1/31/83  
Date

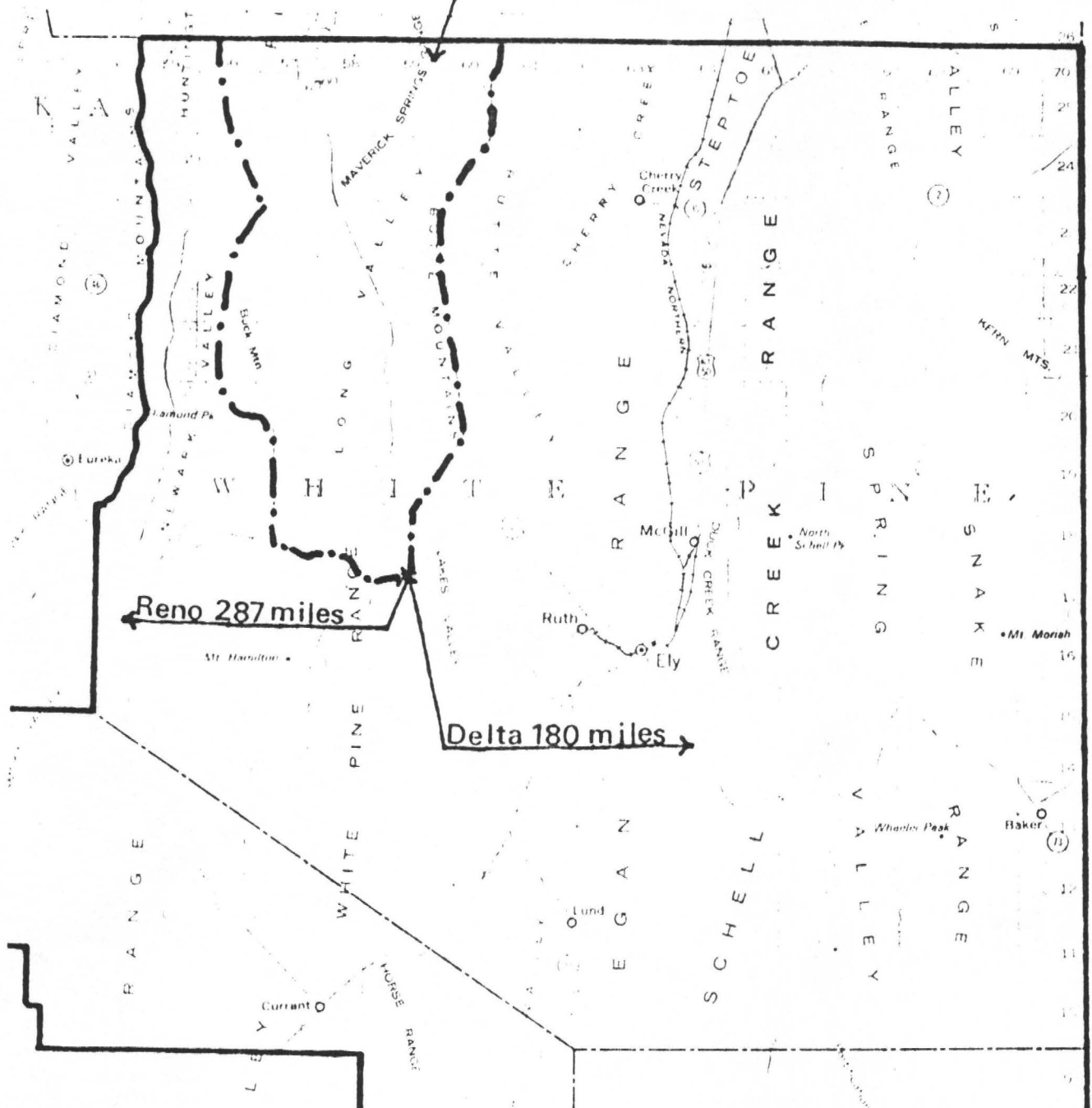


# NEVADA DISTRICTS

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



# BUCK-BALD HORSE GATHERING AREA



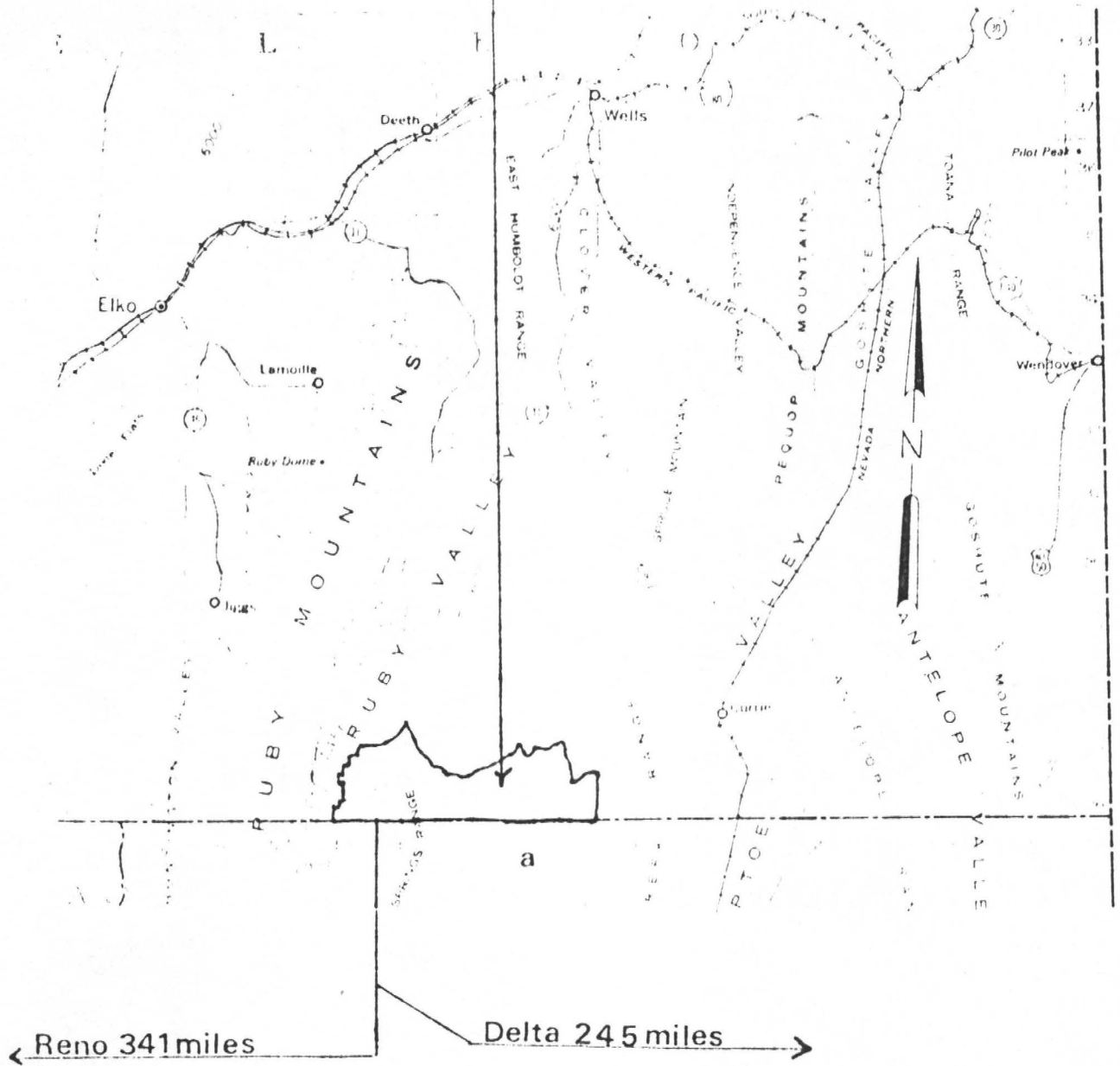
Reno 287 miles

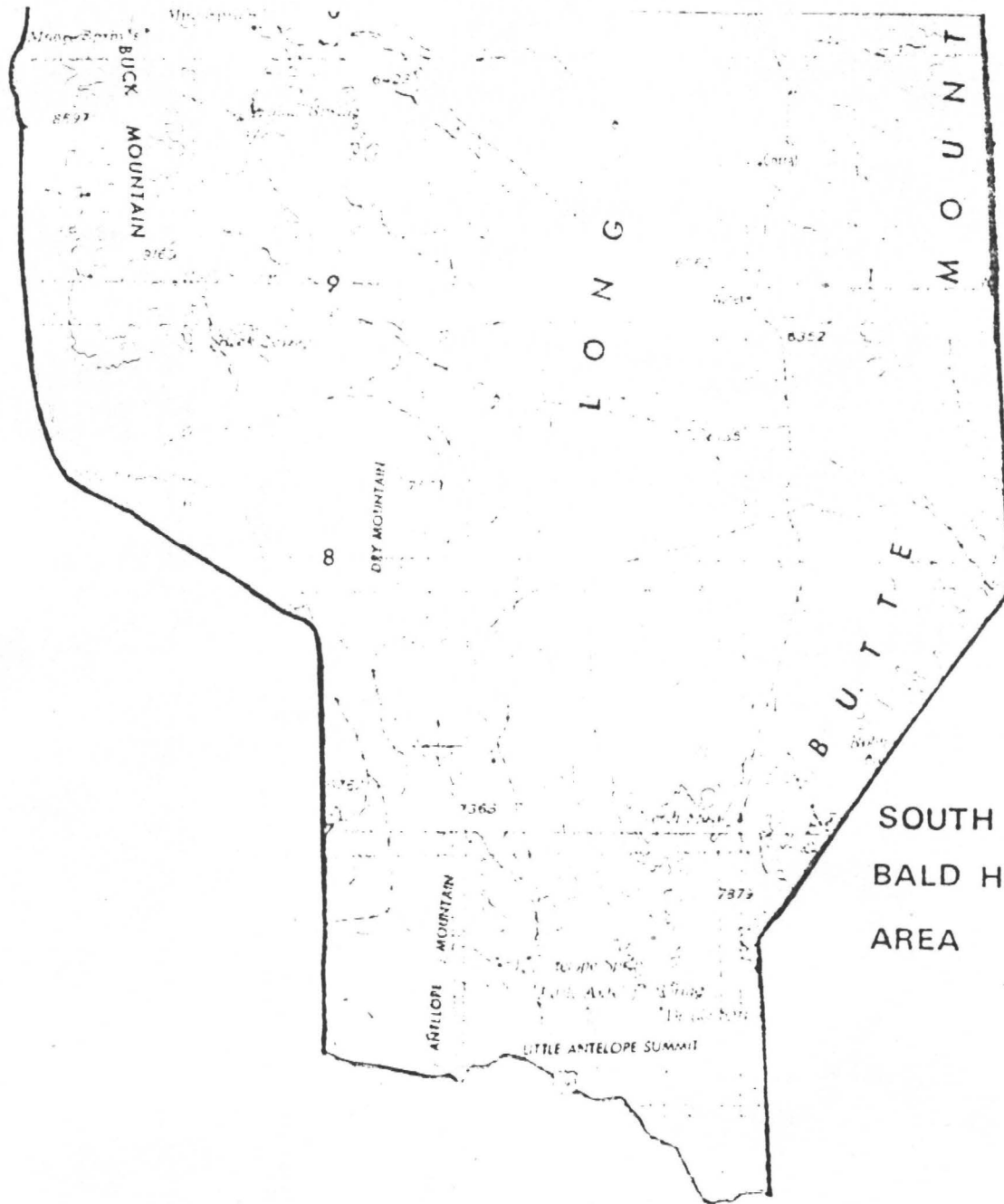
Delta 180 miles

40

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# ELKO COUNTY AREA IN THE BUCK-BALD HORSE GATHER



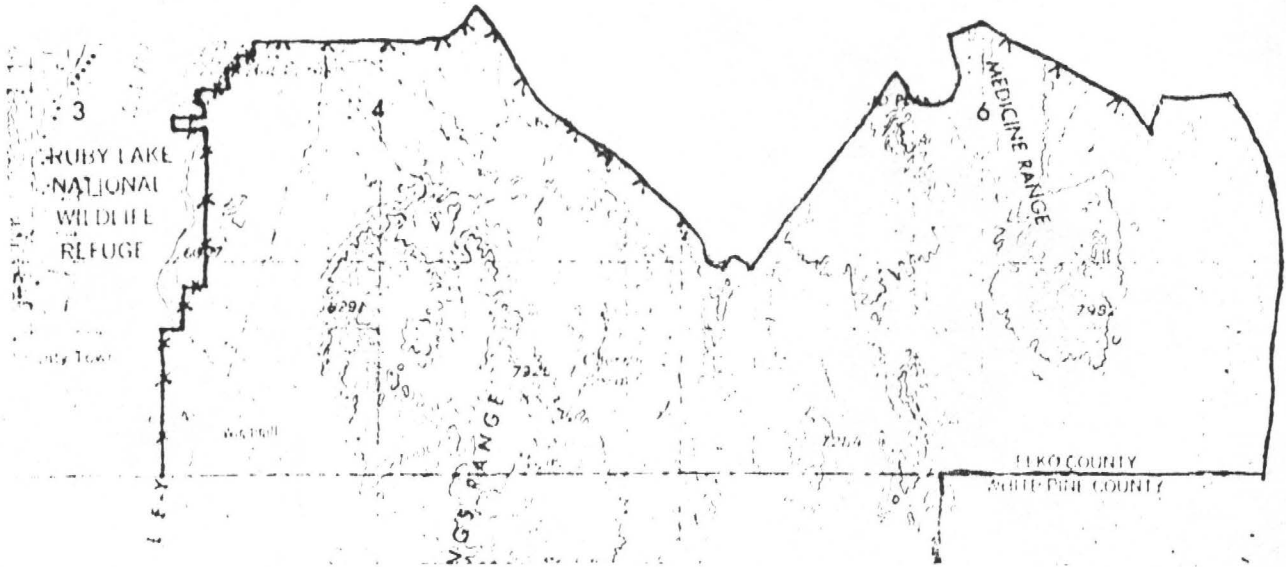


SOUTH HALF BUCK-  
BALD HORSE GATHERING  
AREA





ELKO COUNTY AREA IN THE BUCK-  
BALD HORSE GATHER



1/1983

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Buck and Bald Wild Horse Capture Plan

Environmental Assessment  
No. NV-040 3-8

Prepared by Bureau of Land Management

Ely District Office

January 1983

## Description of Proposed Action and Alternatives

### Background Information

The Buck and Bald Mountain - Long Valley Herd Use Area (See Maps I and II) of White Pine and Elko Counties in Nevada have an inventoried population of 1246 horses. The majority of these horses are wild and free-roaming but it is recognized that there are trespass branded or marked horses in the area.

The area had an estimated population of 1200 head in 1980. Based on that information the Ely and Elko Districts, Bureau of Land Management conducted a roundup during the same year. A total of 489 wild and trespass horses were removed which left a population of approximately 800.

The wild horse population was inventoried by helicopter in September 1982. (See Appendix I) A total of 1246 horses were counted with approximately 50% in the Warm Springs grazing allotment. Weather conditions were ideal on the 23rd of September but snow and rain reduced visibility on the afternoon of the 24th and the helicopter was grounded due to weather on the 25th. Thus Huntington Valley and the Medicine Range were not inventoried.

The Elko District conducted an aerial inventory of the Medicine Range in 1981 and counted 163 horses (see Appendix I). During that inventory there were no horses in Huntington Valley probably due to the fact that the horses had already moved off that portion of their winter range. X

During the inventory conducted in May 1981, 1054 horses were counted in the Herd Use Area in both Elko and Ely Districts. However this was probably an incomplete count because the majority of the animals were in the mountains which made observations more difficult due to the cover and rough terrain. Whereas, in the 1982 count, a larger number of horses were in the valleys which made observations considerably easier.

The different location of the horses probably accounts for the difference in inventory results. Even though the inventory results are not exact there is no doubt that the horse population has increased and that there are as many wild horses at the present time as there were before the 1980 gathering. X

Trespass branded or marked horses are known to occur in the Herd Use Area. During the 1974 claiming period, five individuals claimed 1,117 horses; of the total claim, 940 horses were actually removed. This figure does not include progeny. Figures on claims and added background information are in Appendix II.

### Proposed Action

The Egan Resource Area, Ely District and Wells Resource Area, Elko District, Bureau of Land Management propose to gather a minimum of 600

excess wild and/or privately owned horses using a helicopter and portable wing traps. The proposed gather is scheduled to occur after July 15, 1983. These 600 horses may be removed over an 18 month period and require more than one roundup.

No gathering will be done during the foaling season which is from March 1 to July 15. A minimum of five temporary traps with deflector wings encompassing less than one acre each would be constructed. The use of a helicopter and wranglers would be necessary to drive and direct horses in a careful and efficient 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. Wild horses would be transported by truck to the adoption facilities in Palomino Valley, Nevada. Horses that might be held at the trap site or holding corrals in excess of 12 hours would have food and water provided.

Branded trespass horses or other claimed horses and their current year's foal 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.

The proposed action is considered an interim management action to assist in control of habitat over-utilization pending completion of the Egan Resource Management Plan.

Wild horse groups and interested or affected persons will be notified before gathering operations take place, and a public meeting will be held at least two weeks prior to beginning the proposed roundup.

Priority will be given to avoid winter gathering in heavy deer concentration areas when deer use is at its highest level.

The proposed gathering operations would be conducted from the east boundary of the Ruby Lake National Refuge and extend east to the middle of Butte Valley in Elko County and extend four miles to ten miles from the Elko-White Pine County line north in Elko County. (See Map I.) In White Pine County, the area extends from the Elko-White Pine County line south to U.S. Highway 50; the eastern boundary is the crest of the Butte Mountains and extends west to the eastern side of Newark Valley. (See Map II.)

#### Alternatives

Different methods of capturing wild horses are discussed in the capture plan and will not be discussed in the alternative section of this environmental assessment.

#### Alternative I

Gather a maximum of 800 wild and/or trespass branded horses, which would reduce the wild horse population to approximately 400 head.



This alternative would constitute a greater reduction than the proposed action.

The initial gathering operation would be conducted between July 15, 1983, and September 30, 1983, and last approximately four weeks. Additional gathering operations would be conducted as funds become available until the wild horse population is reduced to a minimum of 400 head.

These operations would be subject to the same stipulations and mitigating measures as the proposed action.

#### Alternative II

Gather a maximum of 400 wild and/or trespass branded horses, concentrating in the Warm Springs Grazing Allotment where the greatest conflicts are occurring.

This would reduce the wild horse population in the entire Herd Use Area to approximately 800 head.

The gathering operation would be conducted between July 15, 1983, and September 30, 1983, and last approximately two weeks.

These operations would be subject to the same stipulations and mitigating measures as the proposed action.

#### Alternative III No Action

Under the No Action alternative no gathering operations would be conducted in the Herd Use Area.

### DESCRIPTION OF THE EXISTING ENVIRONMENT

#### Nonliving

The subject area is rural in character. Topography consists of valley floors, alluvial fans, canyons, mountains, steep ridges, and basins. Annual precipitation varies from 20 inches in higher elevations to 8 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 90 degrees F. to winter lows falling well below zero.

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

Soil textures are generally loams, clay loams, and silt loams, most of which are capable of supporting desirable species of vegetation. The following table depicts soil characteristics:

<u>General Distribution</u>	<u>Principal Soil Orders</u>	<u>Soil Productivity</u>	<u>Erosion Susceptibility</u>
Mountains	Mollisols	Moderate-high	Moderate
Benches and Alluvial Fans	Aridisols	Moderate	Moderate
Valley Floors	Ardisols and Entisols	Low	Slight

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

#### Living Components

Major plant associations may be generally characterized as big sagebrush-grass, mid sagebrush-grass, pinyon pine-juniper, winterfat-saltbrush 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 nauseosus); at higher elevations Utah serviceberry, (Amelanchier utahensis), and bitterbrush, (Purshia tridentata). Common forbs include buckwheat, (Eriogonum spp.), princess plume, (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 over utilized 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, (Chyrsothamnus viscidiflorus); shadscale, (Atriplex confertifolia); winterfat, (Ceratoides lanata); and Mormon tea, (Ephedra viridis). Common forbs in this type are mustards, (Brassica supp.); buckwheats, (Eriogonum spp.); locoweeds, (Oxytropis spp. and Astragalus spp.) Pepper weeds, (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 already listed are curlleaf mountain mahogany, (Cercocarpus ledifolius); green Mormon tea, (Ephedra 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, (Crayia 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 Indian ricegrass, (Oryzopsis hymenoides); squirreltail, (Sitanion hystrix), and sand dropseed grass, (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 livestock. Little rabbitbrush has replaced the dominant desirable shrubs in this type where overgrazing has occurred.

There is no past or current record of any threatened or endangered plants in the proposed horse gathering area.

The vegetation in the area has been receiving heavy to severe use as a result of the number of horses, livestock and deer. There are no extensive studies established in the area but the studies that have been done (Appendix III) show that the vegetative resource is being damaged due to overuse and the forage is not adequate for the large number of animals.

Riparian areas and meadows around water sources are receiving severe use, according to the utilization studies. Unfenced water sources are being trampled by wild horses and livestock and many are producing less water than their potential.

#### Wildlife

The area has historically provided important wildlife habitat, and has been subjected to heavy livestock, wild horse and trespass branded horse use. Currently, increased mining activities and seismic explorations are taking place in the area, decreasing the usable habitat for these animals.

Observations and studies over recent years by qualified Bureau of Land Management and Department of Wildlife field biologists have resulted in

growing concerns about the general deterioration of the range, combined with steadily increasing and unmanaged horse populations which reside in the area on a yearlong basis. \*

Resident and migratory deer use the area (see map II). Nevada Department of Wildlife (NDOW) estimate that currently 750 deer are in the area in the summer and 12,000-15,000+ mule deer are wintering in the area.

The NDOW states that the present Ruby Deer Herd population is limited by loss or deterioration of critical winter range, as a result of mining and overuse by wild horses and livestock. According to Steve Foree of NDOW, this area including Buck Mountain, is the key deer winter range for the Ruby deer herd. Presently this herd is the largest in the State with a 1982 spring population estimate of 30,000+ animals (see Appendix IV). It is believed that 40% to 50% of these animals will move into the Buck and Bald area in a normal winter. (Personal communication with Steve Foree, NDOW, 1982.)

Several areas were surveyed in the deer winter range of Buck and Bald Mountains in the fall of 1982. NDOW personnel determined that utilization on browse species in Cherry Springs and Mahoney Canyon areas is in excess of 95% this year (see Appendix II), leaving little forage available for wintering deer. During the winter of 1981-1982 there was a 49% fawn mortality attributed to poor forage conditions. (Personal communication with Steve Foree, NDOW, 1982.)

As horse numbers have increased, available forage on summer range in particular is decreasing, thus forcing horses and livestock to accelerate utilization of winter forage, especially browse species, into summer and fall. This has severely reduced the forage available for deer when the herd moves onto winter range. To reduce the deer to NDOW "reasonable numbers" 1,650 deer would have to be removed from the winter herd. This would equate to 1,856 AUMs (see Appendix IV). *x no info*

#### Threatened or Endangered Species

Wintering Bald Eagles use the area from late November through early March, and could have roosting sites within the area. American Peregrine Falcons have been known to use the area.

#### Wild Horses

Wild horses have started to enlarge their use area in an attempt to meet their forage needs. In 1982 the horses migrated from their summer range, Buck/Bald Mountains, to their winter range, Newark/Long Valleys, in August, two to three months earlier than normal. This indicates that the forage was depleted at the higher elevations.

Horses have inhabited this area for many years. They are all descendants of ranch horses that were released or escaped into the area and continued to propagate.



Horses prefer grasses and grass-like species but they will utilize shrubs and forbs when necessary. In the Buck/Bald Long Valley area heavy use by horses and other grazing animals has reduced desirable grasses to the point that only shrubs and less desirable or available grasses remain.

It appears from observations and studies that the horses competing with livestock consume the available grasses, thus forcing cattle to browse less desirable bitterbrush and snowberry, leaving little forage for wintering deer.

### Livestock

This area has traditionally been grazed by domestic livestock since the existing ranches were established in the late 1800s. 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 1950s most of the livestock operators converted from sheep to cattle due to economic conditions which have prevailed to the present time.

Livestock, both cattle and sheep, use portions of 17 grazing allotments within the proposed gathering area, throughout the year. Even though use by livestock has traditionally been heavy, the livestock operations over the past several years have been using less than their allocated preference. See Appendix IV for three year average of licensed livestock use in the area. \*

Trespass by livestock and branded horses has been and continues to be a problem but the majority of the livestock operators are cooperative and are working to solve problems in the area. \*

During the past several years fourteen springs have been improved, redeveloped and maintained providing additional water for livestock, wildlife and wild horses.

Warm Springs Ranch, whose grazing allotment is being severely impacted has acquired additional grazing privileges outside the herd use area and is willing to reduce some of the grazing pressure voluntarily if horse use is also reduced. Cattle will also be removed from the White Sage Flats in Long Valley during the critical growing season, providing increased winter forage.

### Mining/Oil and Gas Exploration

The area is currently undergoing intense exploration for oil and gas; mining claims and prospects cover the area and Amselco is currently operating an open pit mine and heap leaching process, with anticipated

expansion in the future. Amselco has established a permanent camp, constructed an all-weather haul road, and has a power line provided by Mt. Wheeler Power Company. Placer-Amex intends to submit a Plan of Operation for a similar mining operation northwest of Amselco.

All of these activities have impacted and will continue to impact not only the wildlife, but the wild horses as well. Habitat has been and will be taken out of production, thus forcing all large herbivores to compete for a decreasing forage base.

The loss of habitat isn't the only impact caused by these intensive activities. Such things as disruption of migration routes, disruption of major trail systems to water and actual physical harassment are occurring and are expected to increase as the search for precious metals, oil and gas intensifies.

Amselco has tentatively agreed to cooperate in the development of waters, protection of riparian habitat and revegetation of abandoned drill pads within the crucial mule deer winter range. These projects without some constraints or reductions, not only on wild horses but also livestock, will fail to achieve their goal. Constraints upon the mule deer rest with the State of Nevada through the establishment of hunting seasons and bag limits and cannot be achieved by the Bureau.

#### Human Values

Contrasting and varied topography make the gathering area visually pleasing to many people. Major population centers are far removed, the nearest community being Ely, Nevada, which is located 30 miles to the southeast.

Wild freeroaming 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 nationally. Local attitudes regarding the presence of wild horses, both generally and in the subject area, are varied. The greatest potential interest in preserving and viewing horses arises from the Reno and Las Vegas areas, and on a national level. It is felt that very little recreational use of horses either by viewing or photography is made by visitors in the area.

Known cultural values (archaeological remains) exist in the general gathering area. Little formal investigation has been conducted within this area; however, potential for evidence of previous human occupation is high.

There are no areas under consideration for wilderness in the project area.

There are high recreational values for big game hunting due to large concentrations of mule deer. Limited sage grouse and chukar hunting also occurs.



An estimate of hunter effort in the herd use area is 10% to 15% of total area 10, but the deer that are harvested in the Ruby Mountains depend on the winter range in the Buck/Bald-Long Valley areas. Hunters spent an estimated \$805,152 in pursuit of Area 10 deer during 1981. (See Appendix V, Economic Impacts.)

#### ANALYSIS OF PROPOSED ACTION AND ALTERNATIVES

#### ENVIRONMENTAL IMPACTS OF THE PROPOSED ACTION - REMOVE 600 WILD HORSES

##### Nonliving Components

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 fugitive 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.

Reduced competition among wildlife, livestock, and horses for water sources would be a short-term high positive impact.

No impact on water quality would result directly from the horse gathering operation or the handling of horses which would be conducted away from water. Reduced horse numbers would lessen grazing and trampling at waterholes and riparian areas. This would provide a more favorable habitat for all animals.

##### Living Components

A minimum of five areas less than one acre each (trap location), would be severely trampled during gathering operation. Vegetative regeneration would be expected within 2-3 years depending on climatic conditions.

It is expected that the intensity of livestock grazing would remain at approximately the same level.

A decrease in the horse population could be expected to have a short-term positive impact on areas which presently exhibit soil erosion or have potential erosion characteristics.

The decreased horse population would have a high short-term positive impact on terrestrial plants. The decreased grazing pressure, assuming no increase in livestock, would temporarily slow downward trends in overall range condition because of increased vigor and density of desirable perennial plants.

A negative impact on horses would be expected during gathering and handling. This would result from traumatic effects of capturing, trapping,

loading and hauling of the animals. Enough horses would remain to maintain a viable herd and provide for interaction between bands. There would be a high short-term positive impact on remaining horses, livestock and wildlife because of reduced competition with horses for available forage. A negligible impact to other terrestrial animals is expected during the gathering process. Other animals could be temporarily disturbed or displaced by the increased activity in the area.

#### Human Values

Should significant archaeological remains be present at the specific locations of the traps, damage or destruction could result.

Removal of wild horses would reduce viewing opportunity, and affect those who value horses. Removal of horses will have an economic impact on those ranchers who have trespass branded horses that are captured, since they will have to pay gathering costs, trespass fees and other associated costs before these animals can be turned over to them. Removal of horses would benefit ranchers by temporarily reducing competition \* for existing forage.

A potential exists for possible animosity between private horse owners and Bureau personnel.

The entire project area is currently in VRM (Visual Resource Management) interim management class III status. The proposed project will result in a limited and temporary disturbance of soil and vegetation, and a temporary structure on the landscape. Once the portable traps are removed there will be no residual short-term or long-term impacts on the visual resources. Therefore, a visual contrast rating is not necessary for this proposed project.

#### Recommended Mitigating Measures

- (1) Horse handling should 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 should be allowed between March 1 and July 15, because of the potential stress to pregnant and lactating mares and the possibility of induced abortions. Gathering may be resumed after the foaling period and after foals are grown enough to withstand the stress of gathering operations.
- (3) Horses should 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 the hot weather. 2
- (4) A veterinarian will be on call during gathering operations.

- (5) Helicopters will be used with caution. A qualified district BLM representative will be present during gathering attempts to insure strict compliance with the above mileage limitations and CFR 4700 regulations.
- (6) Captured horses that are obviously aged, lame, deformed, or sick should be humanely disposed of at the trap site.
- (7) A cultural resource investigation by an archaeologist or D.A.T. should be made prior to any trap construction. If a significant find is discovered, an alternate trap site should be selected.
- (8) 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).
- (9) Horses will not be held more than 12 hours without food or water.
- (10) A BLM law enforcement agent will be present during the gathering operation to provide protection for personnel working on the roundup.
- (11) Intensity of livestock grazing in the gather area will remain at approximately the same level.
- (12) Winter horse gathering operations will take every effort to avoid being conducted in winter deer use areas when deer use is high. The same effort will be taken to avoid any bald eagle use areas or roost sites.

#### Residual Impacts

Reduced competition for water and vegetation will result in temporary improved plant vigor, condition, and reproductive potential. A sufficient horse population would remain to maintain a viable horse herd.

#### Relationships Between Short-term Use and Long-term Productivity

The impacts of this proposed action would enhance the environment for a short period of time. (See Appendix VI for different rates of increase.) Over-utilization of forage by uncontrolled horse populations would increase to a degree detrimental to the horses themselves, as well as wildlife and livestock. It is estimated that horses in this area are increasing at a rate of 13 percent per year (Hal Bybee, WH&B Specialist).

#### Irreversible and Irretrievable Commitments of Resources

None.

## ENVIRONMENTAL IMPACTS - ALTERNATIVE I

Gather a maximum of 800 wild and/or trespass branded horses.

### Non-Living Components

Reducing the wild horse population by approximately 800 head, combined with decreased livestock use would have a short-term positive impact on soils susceptible to erosion. Gullies and soil compaction would decrease, reducing the loss of soil and decrease water sedimentation and establish a favorable environment for maintaining and increasing the density of preferred and desirable forage plants over a short period of time.

### Living Components

An initial negative impact would occur to the horses from the stress of the horse gathering operations of this magnitude. Over a short period of time with the increase in preferred and desirable forage, the horses, wildlife and livestock would benefit since the competition for existing resources would be substantially alleviated. The benefit to winter deer herds would be the greatest since the browse species would be available when the deer arrive in the area.

The reduced grazing pressure as a result of this alternative would significantly slow the downward trend in overall range condition, and improvement in conditions could be expected sooner than if the proposed action or the other alternatives are accepted.

### Human Values

There would be a mixed impact on these values. There would be a negative impact on people who enjoy seeing large numbers of wild horses, because of the reduced horse numbers. These people may be partially compensated by knowing that the horses remaining would have more and better quality forage. Ranchers in the area would experience economic gain from the increased forage even though it is expected that livestock will not increase but will actually be decreased. This economic benefit would result from increased gains, and increase value of the AUMs as the forage is temporarily improved in quantity and quality.

There would be a positive impact for people who enjoy seeing large deer herds, or hunters who would like to have more tags issued in the area. This would also result in economic gain for the local economy assuming NDOW issues more deer tags (see Appendix V).

### Recommended Mitigating Measures

Same as the Proposed Action.

### Residual Impacts

If wild horse populations are reduced they would be able to increase in the short term without decreasing the quality and quantity of available forage.

### Relationships Between Short-Term and Long-Term Productivity

The impacts of this alternative would enhance the environment for a longer period of time. Forage resources would be given the opportunity to increase and improve in quality without being overgrazed by livestock and horses, as long as there is no increase in livestock use.

Wild horses, though reduced initially, would be able to increase without overgrazing desirable vegetation. Wildlife would benefit from temporarily improved habitat conditions and decreased competition for existing resources.

### Irreversible and Irretrievable Commitments of Resources

None.

### ENVIRONMENTAL IMPACTS - ALTERNATIVE II

Remove a maximum of 400 wild and/or trespass horses, concentrating within the Warm Springs grazing allotment.

Reducing the wild horse population by 400 head combined with decreased livestock use would have the same impacts as the proposed action except to a lesser degree and affect a smaller area.

### ENVIRONMENTAL IMPACTS - ALTERNATIVE III No Action

#### Non-Living Components

Uncontrolled horse populations combined with wildlife and livestock use will continue to have a negative impact on soils susceptible to erosion. Gullies and soil compaction will increase, causing not only loss of soil but increased water sedimentation and decreased water flow in unprotected springs.

#### Living Components

A continuing negative impact on vegetation and animals is anticipated under this alternative. Uncontrolled horse numbers would increase to the point that most available forage would be utilized to the detriment of livestock, wildlife, and the horses themselves. (See Appendix VII for projected increase.)

Livestock operators are using less than their total preference (Appendix IV) and horses and deer are using the balance. This is not a major



problem but the main problem is that 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. This makes the competition for the forage in these areas severe with wildlife and livestock. Wildlife (mule deer) have natural predators and human hunters which affect their population levels; livestock are regulated by numbers, season of use and area of use; horses do not have any active controls on their population or distribution. The continued growth and expansion of their numbers will make excessive demands on the vegetative resource.

A negative impact surrounding vegetative succession should be anticipated from these alternatives. The uncontrolled horse numbers combined with livestock and wildlife use would have a continuing adverse effect on the dominant desirable vegetative species. Continued heavy grazing of preferred forage plants would cause continued loss of plant vigor and reproductive capacity. 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.

#### Human Values

There would be a greater opportunity to view wild horses through steadily increasing populations. An increased die-off of wild horses will eventually occur and would offend many people's values.

Fawn mortality is presently 49% in the area and is attributed to poor forage conditions. A greater die-off of deer both fawn and mature animals will occur before horses start to die off because of their ability to compete. The eventual reduced deer herd will offend many people's values and decreased deer tags will also result in an economic loss to the local area. Livestock operators in the area would experience a severe economic impact through the loss of forage from the increasing wild horse population. If the wild horse population is left totally uncontrolled the ranches will eventually go out of business.

#### Recommended Mitigating Measures

1. Further reduce the number of livestock in all the grazing allotments in the herd use area.
2. Negotiate with Nevada Department of Wildlife to reduce the Ruby Deer Herd, either by issuing more tags or allowing special late season hunts when the winter deer herd migrates into the area.
3. Fence all riparian and meadow areas to protect spring sources from trampling and overgrazing.
4. Identify areas that could be reseeded to alleviate competition between livestock, horses and mule deer.



### Residual Impacts

Wild horse populations would continue to increase, resulting in further deterioration of vegetation and reduced carrying capacities.

### Relationship Between Short-term Use and Long-term Productivity

Continued overuse will result in the eventual loss of soil, riparian areas and desirable forage plants. A general lowering of productivity of habitat will occur on a long term basis.

### Irreversible and Irretrievable Commitments of Resources

Continued overgrazing of the forage resources will result in wind and water erosion of unprotected soils. The soils removed from hills and mountain sides by erosion constitutes an irretrievable resource loss.

### Intensity of Public Interest

Local newspapers in both Ely and Elko 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. 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 cite 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, the Nevada Department of Wildlife filed suit in 1979 in an attempt to expedite Bureau of Land Management horse gathering

processes.

### Summary and Conclusions

In portions of the proposed gather area there is evidence of declining or deteriorated habitat condition. Excessive use by grazing animals, principally horses and livestock, is the primary causal factor. The subject area also provides key seasonal and yearlong habitat for many species of wildlife, notably mule deer.

Removal of 600 wild horses as proposed would be temporarily highly beneficial from the habitat management viewpoint. This would constitute removal of approximately 50 percent of the inventoried population, while still leaving sufficient numbers to maintain a viable herd.

The alternative proposing the removal of 800 horses would benefit this area because over-utilization would be prevented for a longer period of time. However, negative reactions from the various wild horse groups may be expected with the acceptance of this alternative.

The alternative proposing the removal of 400 horses, mainly from the Warm Springs Allotment would alleviate the most serious conflicts, but over-utilization would be prevented for only a short period of time.

Acceptance of the "no action" alternative would result in a continuing acceleration of habitat damage unless the mitigating measures are implemented. Under this alternative there is a significant potential for eventual direct loss of wildlife, horses and the livestock industry in the area.

Public interest is likely to be intense due to the controversial nature of the wild horse issue and the national visibility of the program. Viewpoints both pro and con should be anticipated.

Participating Staff

Howard Hedrick, Manager  
Egan Resource Area

George W. Cropper,  
Chief Division of Resources

Hal M. Bybee  
Wild Horse and Burro Specialist

Kathy Lindsey  
Range Specialist

Bill Lindsey  
Range Conservationist

Mike Perkins  
Wildlife Biologist

Mark Barber  
Wildlife Biologist

Jake Rajala  
Environmental Coordinator

Persons, Groups and Government Agencies Consulted

American Horse Protection Association  
1312 - 18th St. NW  
Washington D.C. 20036

American Humane Association  
9725 E. Hampden  
Denver, Colorado 80231

U.S. Humane Society  
2100 L St., NW  
Washington D.C. 20037

Animal Protection Institute  
P.O. Box 22505  
Sacramento, California 95822

International Society for the Protection  
of Wild Horses and Burros  
11790 Deodar  
Reno, Nevada 89506  
89701

Funds for Animals  
7167 South 2000 East  
Salt Lake City, Utah 84121

National Mustang Association  
P.O. Box 403  
St. George, Utah 84770  
15557

National Wild Horse Association  
P.O. Box 12188  
Las Vegas, Nevada 89112

Nevada Farm Bureau Federation  
1300 Marietta Way  
Sparks, Nevada 89431

White Pine Co. Commissioners  
White Pine County Court House  
Court House Plaza  
Ely, Nevada 89301

Sierra Club  
c/o Rose Strickland  
Public Lands Committee  
of the Toiyabe Chapter  
of the Sierra Club  
1685 Kings Row  
Reno, Nevada 89503

Nevada Wildlife Federation  
P.O. Box 8022  
Reno, Nevada 89507

Nevada Humand Society  
P.O. Box KIND  
Sparks, Nevada 89431

State Clearinghouse  
State Planning Coordination  
Capitol Complex  
Carson City, Nevada

Wild Horse Organized  
Assistance  
P.O. Box 555  
Reno, Nevada 89504

Save the Mustang  
P.O. Box 13  
Rockwood, Pennsylvania

Tina Nappe  
3340 Berthond  
Reno, Nevada 89503

Nevada Cattlemen's  
Association  
419 Railroad Street  
Elko, Nevada 89801

Rice Livestock Company  
P.O. Box 1838  
Elko, Nevada 89801

United Dressed Beef  
Helds Quarter Circle  
Eureka, Nevada 89316

White Pine Sportsmen  
P.O. Box 1187  
Ely, Nevada 89301

Stephen Wright  
Ruby Valley, Nevada 89833

Te Moak Livestock Association  
Lee, Nevada 89829

Art Cook  
Ruby Valley, Nevada 89833

Nevada Department of Wildlife  
Region II  
1375 Mountain City Highway  
Elko, Nevada 89801

Robert Dickerson  
Moorman Ranch  
1590 Webster Way  
Reno, Nevada 89502

Bert Paris  
Star Route 1, Box 26  
Ely, Nevada 89301

Lloyd Sorensen  
591 13th Street  
Elko, Nevada 89801

Thomas S. Van Horne  
Seventh Floor  
Crocker Bank Building  
1007 Seventh Street  
Sacramento, CA 95814

Nevada Department of  
Wildlife  
Dale Elliott  
Box 178  
Eureka, Nevada 89316

Appendix I

Wild Horse Inventory - Buck and Bald

September 23 and 24, 1982

South Newark Valley			
43 adults	14 colts	57 total	
Moorman Ranch (Long Valley)			
44 adults	17 colts	61 total	
Buck Mountain			
164 adults	32 colts	196 total	
Long Valley			
351 adults	87 colts	438 total	
Bald Mountain			
232 adults	54 colts	286 total	
Maverick Springs			
Ely    139 adults	8 colts	147 total	
Elko    52 adults	9 colts	<u>61 total</u>	
		1246 total	

1981 Aerial Inventory - Ely, Elko District

Buck and Bald Herd Use Area	687 horses
Maverick Springs Herd Use Area	204 horses
Medicine Range Herd Use Area	<u>163 horses</u>
Total Inventory in Gathering Area	1054 horses



Appendix II

Claimed Horses In Buck-Bald Gather Area

	<u>Name</u>	<u>Number</u>	<u>Number removed at the end of the Claiming Period</u>
1.	Art Cook*	237	145
2.	Frank Mader (Ross)	200	Claim filled
3.	Paul Held	33	15
4.	Pete Cordano	150	134
5.	Kay Lear	235	Claim filled
6.	Julian Goicoechea	44	0
7.	Robert Healy (Paris)	100	Claim filled
8.	Joe Salvi	9	2
9.	Bertrand Paris & Sons	109	Claim filled

\*Art Cook still maintains claim to approximately 300 head.

Appendix III

Range Utilization Studies

Percent of Forage Species Utilized

October 1982 - After cattle-horse use but before winter deer herds use the area.

Buck Mountain

	Species	% Utilization
Browse		
	Bitterbrush	59% - 65%
	*Snowberry	40% - 45%
	*Serviceberry	39% - 46%
Grasses		
	Indian Ricegrass	85% - 90%
	Western Wheatgrass	50% - 60%
	Sandberg bluegrass	55% - 60%

Bald Mountain

Browse		
	Bitterbrush	54% - 95%
	Snowberry	50% - 75%
Grasses		
	Idahoe Fescue	64% - 70%
	Bluebunch wheatgrass	68% - 70%
	Sandberg bluegrass	59% - 65%
	Indian ricegrass	76% - 85%

Mooney Basin

Grasses		
	Indian ricegrass	85% - 90%
	Sandberg bluegrass	65% - 70%
	Western wheatgrass	50% - 65%

May 1982 - After cattle-horse-deer winter use

Long Valley

Browse		
	White Sage	70% - 76%
	Nuttal Saltbush	62% - 81%
Grasses		
	Indian ricegrass	86% - 90%

October 1982 - Before cattle use---horse use only

Long Valley

Browse		
	White Sage	10% - 15%
	Nuttal Salthush	10% - 15%
Grasses		
	Indian ricegrass	60% - 65%

*right*  
*moderate*  
*grass plants are dormant*

Appendix IV

ELY

Allotment	class livestock	Preference AUMs	three year avg. AUMs	% active AUMs
Warm Springs	cattle	23,995	10,261	43%
Dry Mountain	sheep	966	836	87%
Sabala Spring	sheep	2,466	790	32%
Moorman Ranch	cattle	10,099	5,404	54%
North Pancake	sheep	648	381	59%
Ruby Valley	cattle	850	580	68%
Horse Haven	cattle	1,056	671	64%
Maverick Springs	cattle	1,500	1,375	92%
Medicine Butte	cattle & sheep	15,174	9,673	63%
Thirty Mile	cattle & sheep	8,405	5,047	60%
		<u>65,159</u>	<u>35,018</u>	Avg. <u>54%</u>

ELKO

Bald Mountain	cattle	920	920	100%
Ruby #9	cattle	785	785	100%
Maverick Springs	cattle	1,864	700	38%
		<u>3,569</u>	<u>2,405</u>	Avg. <u>67%</u>

Livestock use has remained fairly consistent over the last three years. The average AUM preference in the gathering area (Ely and Elko) is approximately 42,230 AUMs with about 40% active use and 60% remaining not in use.

	AUMs Currently	Being Used
Livestock	53%	35,018 AUMs
Deer	25%	16,593 AUMs
Horses	22%	<u>14,000 AUMs</u>
Total		66,011 AUMs

Appendix V

Deer Hunting Expenditures for Deer Hunter  
Effort in NDOW Area 10 - 1981

1979 Economic Impact of Outdoor Recreation in Nevada p.27, Estimated  
Daily expenditures for hunters:

Residents                    \$35.00 per person per day

Non-Residents              \$60.00 per person per day

Updating these figures for 1981 equals:

Residents                    \$42.00 per person per day

Non-Residents              \$72.00 per person per day

1981 Hunter effort in Area 10:

1819 total non-resident hunter days in Area 10 times \$72.00=  
\$130,968

16,052 total resident hunter days in Area 10 times \$42.00=  
\$674,184

\$674,184

\$130,968

\$805,152 total expenditures in pursuit of Area 10 deer in 1981.

Appendix VI

Projected Wild Horse Population at Various Rates of Increase  
With A Roundup of 600 From Inventoried Numbers

<u>Year</u>	<u>% of Increase</u>			
	<u>8%</u>	<u>10%</u>	<u>13%</u>	<u>15%</u>
1	646	646	646	646
2	697	710	729	742
3	752	781	823	853
4	812	859	930	981
5	876	944	1050	1128
6	946	1038	1186	1297
7	1021	1141	1340	1491
8	1102	1255	1514	1714

Appendix VII

Projected Wild Horse Population at Various Rates of Increase

With No Roundup

% of Increase

<u>Year</u>	<u>8%</u>	<u>10%</u>	<u>13%</u>	<u>15%</u>
1	1,246	1,246	1,246	1,246
2	1,345	1,370	1,407	1,432
3	1,452	1,507	1,590	1,646
4	1,568	1,657	1,796	1,893
5	1,693	1,822	2,029	2,176
6	1,828	2,004	2,292	2,502
7	1,974	2,204	2,590	2,877
8	2,131	2,424	2,926	3,308



Prepared by:

Hal M. Bybee  
Hal M. Bybee  
Wild Horse & Burro Specialist

31 Jan 83  
Date

Reviewed by:

George W. Cropper  
George W. Cropper  
Chief, Division of Resources

1/31/83  
Date

Kathy Lindsey  
Kathy Lindsey  
District Range Specialist

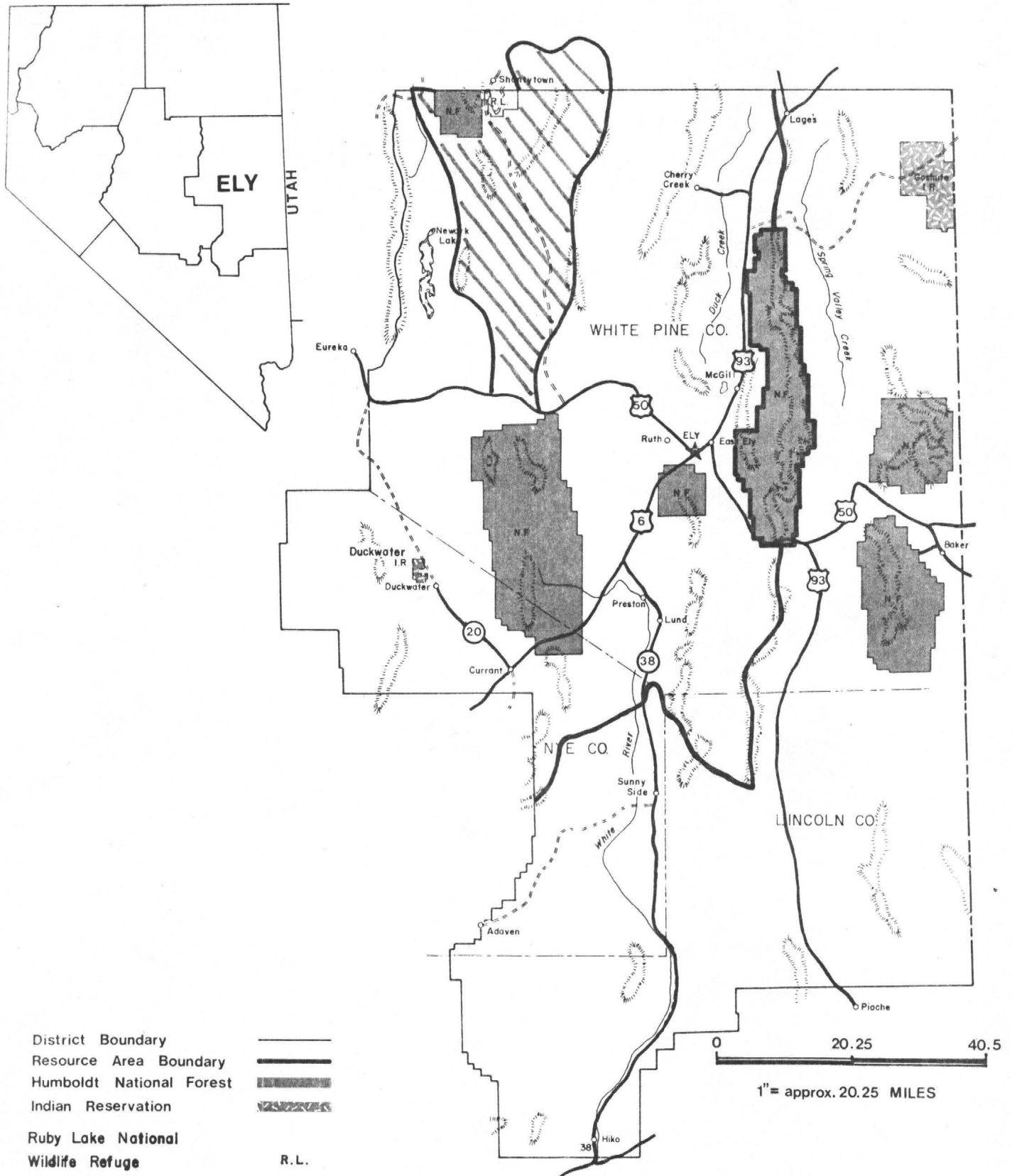
1/31/83  
Date

Mark Barber  
Mark Barber  
District Wildlife Biologist

1/31/83  
Date

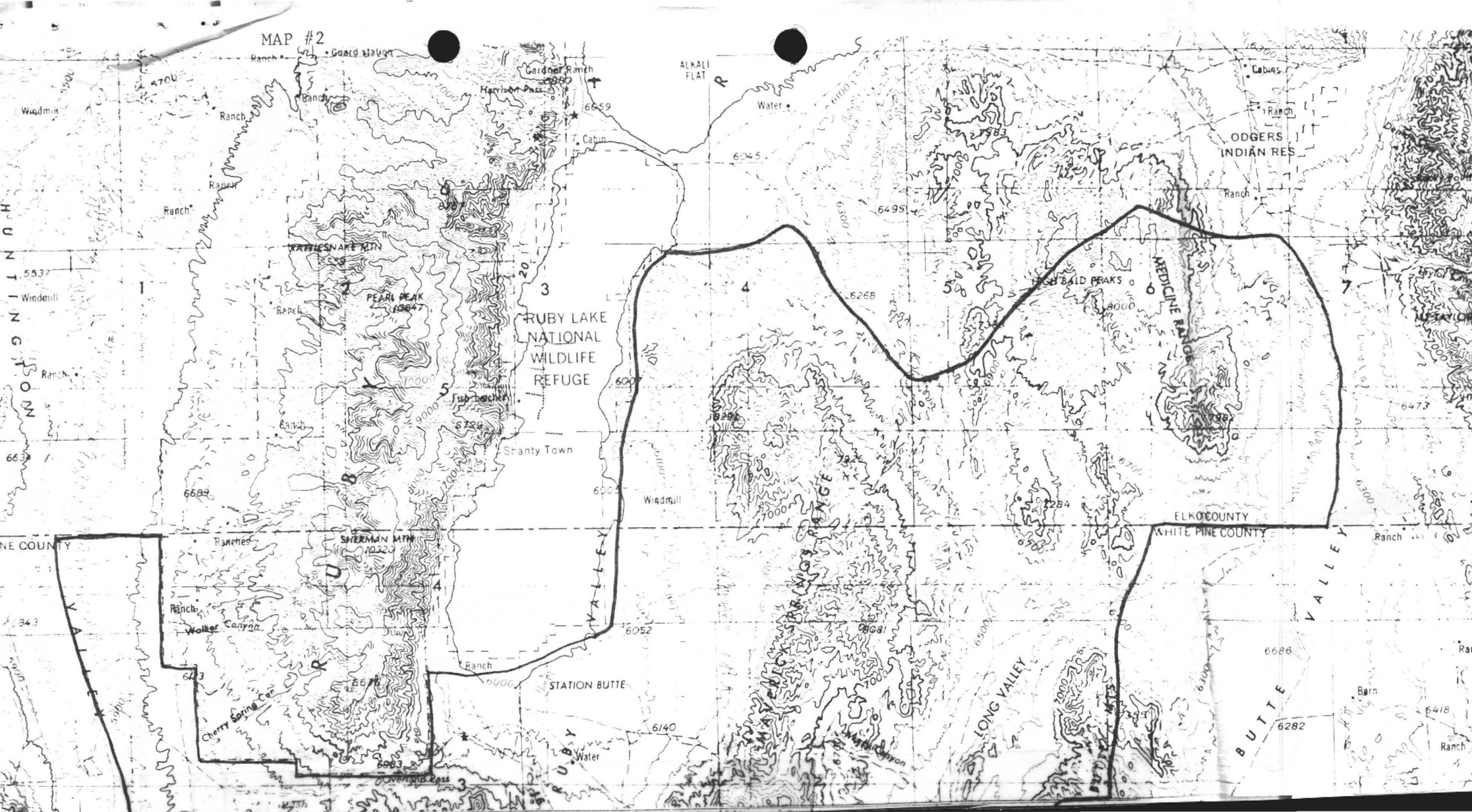
Jake Rajala  
Jake Rajala  
Environmental Coordinator

1/31/83  
Date



**ELY DISTRICT**  
 BUREAU OF LAND MANAGEMENT  
 U. S. DEPARTMENT OF THE INTERIOR

MAP #2



Guard station

Gardner Ranch

ALNALL FLAT

ODGERS INDIAN RES

RUBY LAKE NATIONAL WILDLIFE REFUGE

MEDICINE RANGE

PEARL PEAK 13847

FISH BALD PEAKS

Shanty Town

ELKO COUNTY

SPIERMAN MTN 10223

WHITE PINE COUNTY

Walker Canyon

STATION BUTTE

Cherry Spring Canyon

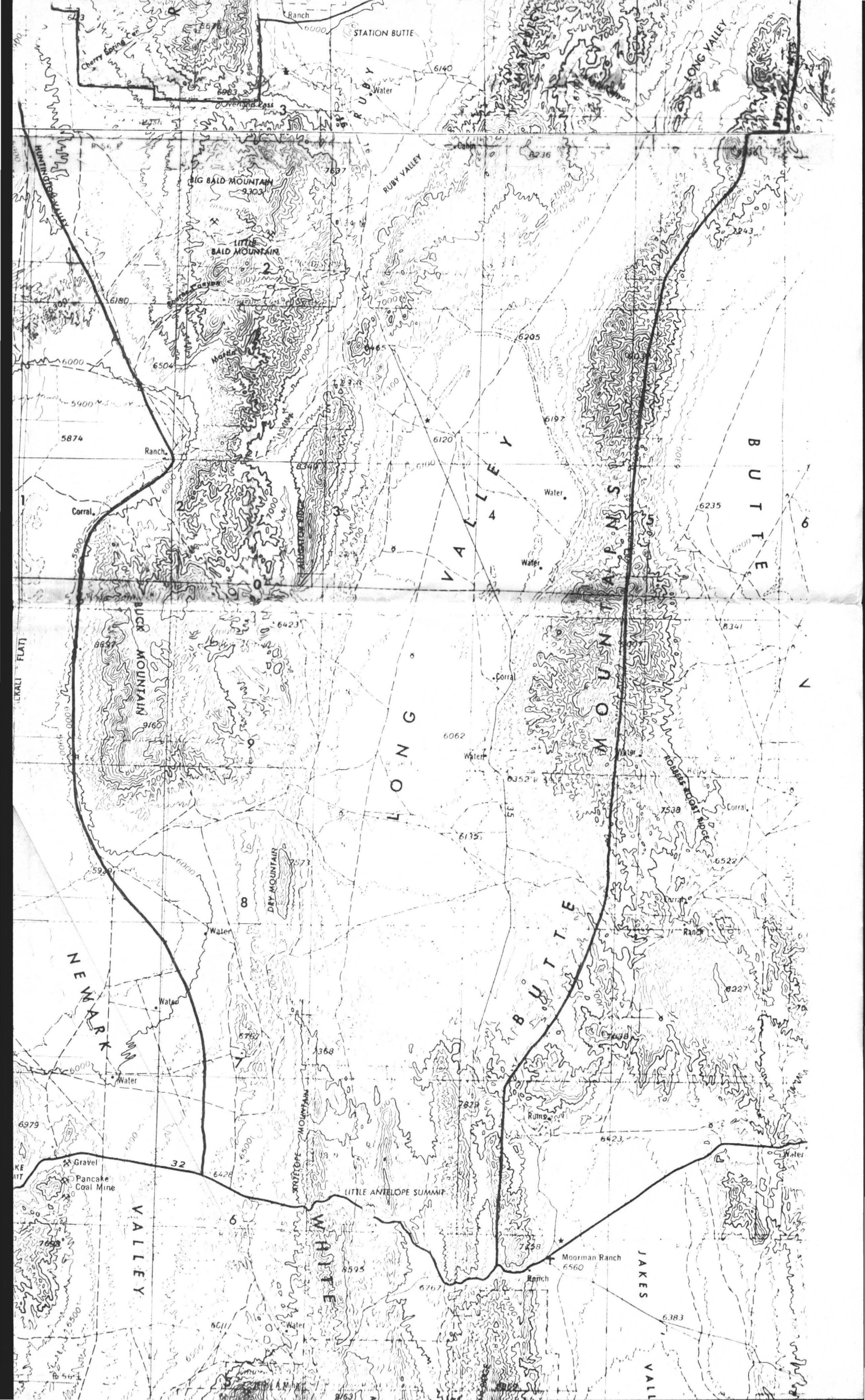
LONG VALLEY

BUTTE VALLEY

Water

Barn





3/3/83

# W H O A !

## BOARD OF TRUSTEES

DAVID R. BELDING  
JACK C. McELWEE  
GORDON W. HARRIS  
BELTON P. MOURAS  
GERTRUDE BRONN, Honorary

## WILD HORSE ORGANIZED ASSISTANCE

INC.  
A Foundation for the Welfare of  
Wild Free-Roaming Horses and Burros

P. O. Box 555  
Reno, Nevada 89504  
Telephone 323-5908  
Area Code 702  
.851-4817

March 3, 1983

### In Memoriam

LOUISE C. HARRISON  
VELMA B. JOHNSTON, "Wild Horse Annie"

Mr. Merrill L. DeSpain, District Manager  
Bureau of Land Management, Ely District Office  
Star Route 5, Box 1  
Ely, Nevada 89301

Dear Mr. DeSpain:

Thank you for the opportunity to comment on the Buck and Bald Capture and Environmental Assessment. Why you sent me this document, is clearly a disappointment; when it is my understanding the field trips and Reno meetings were to develop an 'interim' agreement between parties. Since I've received no further word from BLM, or the Russell meeting, I must assume an equitable agreement between parties was not intended.

There is absolutely no justification, rationale, or evidence to support your proposed action or alternatives; therefore WHOA will actively resist any attempt by your district to do so. My specific comments are attached.

Despite the insult to our efforts thus far in this particular area, we remain committed to resolving range issues through mutual agreement, land use planning, or CRMP.

Most sincerely,

Dawn Y. Lappin (Mrs.)  
Director

cc: Edward Spang  
Board of Trustees



Page 1; paragraph 1 through 6

It is our contention the inconsistencies in the horse inventories, by their variabilities constitute a 'one-time' survey. It is current BLM policy not to adjust livestock numbers based on a 'one-time' survey, and I use this policy for comparison only. The EAR does not indicate in each inventory the exact areas of census. In fact, the 1980 was based on estimates; the 1981 was incomplete (having been timed for when horses were not present), making the three useless for comparison. BLM Manual 4730 11/82 as well as numerous previously published documents, indicate the necessity to time counts so as to be comparable. There is absolutely no evidence the population has increased and while it may have, it also may not have. It could have easily been an underestimate or a miscount the first and second times. I am not prepared to reduce a herd by 50% based on "incompletes and probabilities." Although I have indicated to personnel in the past the 'need to know' the importance of seasonal migration, it is clear from the EAR, there are no improvements in the understanding of these issues. You cannot manage wild populations if you do not understand their habitat requirements. Evidently the assessment is having troubles comparing the data because it doesn't even attempt to guess a percent of rate of increase. It doesn't give any information on the timing of the inventories; doesn't give the method for each time; doesn't give adult/foal ratios each time.

Page 1; paragraph 7

Trespass horses and livestock are an administrative problem; not a wild horse problem, that the district continues in this line of thinking tries our patience. It is our contention that claims have been satisfied and anything else is blatant trespass or illegal capture and branding. Discussions with your BLM personnel acknowledged this issue and it was thought more attention was to be brought to bear. Out of 489 horses captured, approximately 71, or less than 6% were determined to be trespass. We will not continue to support reductions based on the guise of trespass.

40 trespass

Page 1; Proposed Action

". . . propose to gather a minimum of 600 horses." That would leave approximately 600; yet your previous EAR proposed action was to 'reduce horse populations to a more manageable level of approximately 800 horses.' What evidence supports an even further reduction? With livestock outnumbering horses in Nevada by 11 to 1, what would the ratio be if you reduced the horses further and added the illegal trespass of livestock and horses?

Page 2; paragraph 2

See comments page 1, paragraph 7.

Page 2; paragraph 3

How can you possibly call a 50% reduction an interim action? "Even major reductions in animal numbers do little to alleviate the problem; they simply tend to diminish the size of the impacted area." 1) It is extremely risky to put a bandaid on a critical wound and believe the patient will survive, in this case the range resource.

Page 2; Alternative I

If 50% is not acceptable, then 75% needs no comment, other than both are legally inviting.



Page 3; paragraph 1

The NAS Final Report, which evidently no one in the BLM has read, appropriately advises caution regarding certain seasonal captures. The lessening of abortion (Boyd) and foal mortality is certainly in the best interests of the horses and considerably more humane. The district would be well-advised to seek out the research that is available.

Page 3; Alternative II

There is no guarantee of livestock management or that the number of horses to be removed would alleviate the problem of deer winter range.

Page 3-Alternative III

WHOQ does not support a no action alternative as we believed the purpose of the previous trips and meetings were to agree on some equitable interim proposal.

Page 5 and 6; paragraph 4 through 10

Please send me records of these utilization studies that indicate when cattle are on and when cattle are off; along with dates and specifics (fecal analysis) of the utilization studies. Show me how you separated out horse use from livestock use in the utilization studies. Appendix III does not indicate this, except that horses use of grass in Long Valley when the plants are dormant, and browse utilization is negligible. Several studies say that horses don't use bitterbrush and you have shown me no evidence they use Snowberry or Serviceberry to any degree. "These utilization patterns, coupled with observation of higher production in the desirable shrub bitterbrush, concluded that intensive grazing by horses could be used to effectively improve the habitat ranges for wintering deer and elk." 2) The JOURNAL FOR RANGE MANAGEMENT 9/82, suggests the use of horse grazing as a "biological tool" to enhance bitterbrush on big game winter ranges and furthermore concludes that livestock stocking and seasonal use must be "precisely controlled to avoid excessive use of bitterbrush." NAS further implies that heavy winter stocking rates of horses are unlikely to lead to undesirable successional changes in the plant community. It is understandable that NDOW is interested in improving wildlife habitat, it is the BLM that seemingly has 'picked up' on the idea that massive horse reduction will accomplish that goal, when scientific information points to the contrary. For all these reasons, as well as the alleged, non-supportable allegation of horse/wildlife competition; that another alternative should be considered: the removal of livestock from deer winter range.

Page 6; paragraph 6

There is no evidence that BLM understands why horses have expanded their habitat, if in fact they have. If BLM does not know migration patterns, doesn't know when to effectively inventory; habitat requirements and forage preference; then how is it possible for you to understand why the horses left their summer range two months early. It could have been a reaction to climatical changes, spatial, harassment, or a normal deviation. Why weren't any of these issues analyzed? They are, despite BLM, wild free-roaming horses and as such cannot be compared to experiences with domestic stock.

Page 6; paragraph 7

This angers me beyond lady-like words. It does not matter whether they are descendants of domestic stock, or whether they have been there for eons; PL 92-195 makes them wild free-roaming. It is demeaning to the horses and myself to have to constantly remind the BLM of the LAW! It is not within your realm of responsibility to judge the correctness of the law; only to carry out its provisions.

Page 7; paragraph 2

Why doesn't the opposite apply? Why not, livestock are competing with wild horses and wildlife? There are very few areas (30% of Nevada) where the law allows wild free-roaming horses; but rarely do we see livestock eliminated from any areas. Dietary studies show cows consume browse and there's no evidence that removal of wild horses will change their habits.

Page 7; paragraph 3 through 8

While livestock numbers are decreasing on paper, testimony by Warm Springs and Cook admit to trespass. There are many reasons why cattle numbers are decreasing here and nationwide, but 99.9% of the reasons do not include wild horses; such as the nations decline for the consumption of red meat, interest rates, market, imports, etc....Nothing stops the permittee from voluntarily reducing livestock until wild horses are reduced and then asking for an increase the following year. You and I both know that BLM must grant that application. When you talk of livestock reductions (voluntary); do you speak of the historically high allocation of forage of original preference, or do you speak of the adjudicated and the suspended non-use?

Compare your statements on page 9...."it is expected the intensity of livestock would remain at the same level..." to the statement on page 7 wherein.... "Warm Springs Ranch is willing to reduce SOME livestock use voluntarily." I believe you catch my drift?! With the record of 'inaction' on the part of the BLM on trespass, do you really believe that I would settle for a massive reduction in horses, with some livestock reduction, only to realize that the inaction of the BLM would ignore trespass again.

Page 7; paragraph 9

Except for temporary disruption, most horse bands return to normalcy in mined areas. In fact some of the horses' best friends are miners. Whatever issues evolve on leases already granted can be mitigated through cooperative agreements, at least that's what BLM keeps telling me. How does the reduction of 600 horses change that intensity?

Page 8; paragraph 4

What about our human values? Doesn't the BLM represent all Americans? Or does the BLM consider our time and financial resources spent in your district to be of little value?

Page 10; paragraph 2

I believe this paragraph about sums up the entire situation; reduce horses for the benefit of livestock! In all other agreements, WHOA and horses have taken a second seat voluntarily for the benefit of wildlife....but we refuse to allow the BLM to use the GUISE of competition between horses and wildlife as an excuse to reduce horses solely for the benefit of livestock.

Page 10; paragraph 3

Potential animosity exists with wild horse interests as well.

Page 1-; Mitigating measures

- 1) 50%, 75% reduction can be traumatic as well.
- 2) refer to NAS research
- 3) What basis do you project 10 miles of running with a helicopter chasing you, as humane?
- 4) support, if I didn't object to the plan
- 5) what do you mean by qualified?
- 6) this action is always a part of management

- 8) see NAS research
- 9) previous pages said 10 hours
- 10) you don't need protection from us; I believe that costs of threats should also be used in the determination of trespass fees.
- 11) See pages 7 (3-8), pages 10 (2).
- 12) Since eagles usually use high rocky outcrops, it would have been assumed you would not have 'run' horses through this type of terrain.

Page 11; paragraph 3

Since horses numbers have been reduced in the past, you CANNOT claim "uncontrolled." Just because you have failed to collect the data necessary to substantiate your claims, does not mean the reduction you sought was accurate or based on sound rationale.

Page 15; paragraph 4 through 8

If it weren't so tragic, I'd laugh at the poor cattlemen you describe. The horse program subsidy at its highest was \$6,000,000; the livestock subsidy is \$38,000,000. It is the poor taxpayer, who should bemoan BLM policies for every three dollars spent by the BLM on livestock management, the return is one dollar. Of course the \$38,000,000 does not include the ASCS payment in 1982 of \$6,000,000, or the animal damage control, or numerous other programs cloaked in disguise from the taxpayer. In fact in the future, BLM might find it more profitable to produce wild horses.

Page 16; paragraph 1 through 6

There is probably evidence of declining or deteriorating habitat; it is the cause that appears to be in question. I repeat we have and will continue to support reasonable reductions in wild horses in critical wildlife habitat; but not because of some trumpeted up charge. What is your scientific basis for determining that a 50% reduction will maintain a viable herd?

I should have known that if I waited long enough the alleged 'cooperation' would diminish. I have committed WHOA in support of Mr. Spangs' policies and generally when an area has had legitimate concerns we have been able to address them and resolve them to mutual satisfaction. I take great exception to an 'implied' slur (page 16, para 3) and ask to see what reaction you would have had, had the District sought this from the livestock community. While horse suits have been filed (one by WHOA on the excessive fees, none on land use planning); they are a small number compared to the appeals by the livestock community to management. Just because we haven't doesn't mean we won't if pressed.

3/18/83

# WHOA!

## BOARD OF TRUSTEES

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BELTON P. MOURAS  
GERTRUDE BRONN, Honorary

### In Memoriam

LOUISE C. HARRISON  
VELMA B. JOHNSTON, "Wild Horse Annie"

## WILD HORSE ORGANIZED ASSISTANCE INC.

A Foundation for the Welfare of  
Wild Free-Roaming Horses and Burros

P. O. Box 555  
Reno, Nevada 89504  
Telephone 325-5908  
Area Code 702  
851-4817

March 18, 1983

Mr. W. Molini, Director  
NEVADA DEPARTMENT OF WILDLIFE  
1100 Valley Road  
Reno, Nevada 89501

Dear Mr. Molini:

I believe we have a situation of mutual concern developing in the Ely District of the Bureau of Land Management. A recently proposed Environmental Assessment and Capture Plan developed by the Ely office, involves the removal of wild horses from Buck and Bald Mountain area. The document indicates the area is a critical winter range for a large number of mule deer, which are at present, arriving in the area only to find virtually no forage unutilized.

I can appreciate the magnitude of this problem for wildlife and horses. It is the BLM's proposed solution that causes grave concern on our part. To take off horses only to be replaced by livestock will do neither deer nor horses any good.

In response to my comments on these concerns, an irate Hal Bybee of the Ely BLM office replied that "the NDOW is pressuring the BLM to remove horses in this area." It is not my intention, nor ever has been, to maintain or increase one wildlife specie at the expense of another, and would readily accept a reduction of wild horse numbers, if such would really help the wildlife situation in this area.

However, it would seem appropriate to seek a reduction of both livestock and wild horses through an agreement from which no applicant would seek an increase in forage until it became available, to assure the needed forage is available for deer in this critical habitat.

In working with the State and Federal agencies, I have come to respect and believe, in most cases, the statement of wildlife management professionals, who in comparison with most range people, take a more objective approach in wildlife management; this objective approach often is reflected in the management of wild horse populations as well. It is in this light that I am concerned with Hal Bybee's statements and presentation of the Department's position.





I believe we both share mutual objectives for all wildlife which can best be attained through support and understanding of each others problems. I enclose a copy of our comments sent to the Ely BLM office on the Buck and Bald Environmental Assessment and Capture Plan for your review. I would very much appreciate your response and views on this particular situation and how we might correct the problem.

Most sincerely,

*Dawn Y. Lappin*

Dawn Y. Lappin (Mrs.)  
Director

4/27/83



# United States Department of the Interior

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

IN REPLY  
REFER TO:

4700  
(N-043)

April 27, 1983

Wild Horse Organized Assistance Inc.  
P.O. Box 555  
Reno, Nevada 89504

Dear Group,

Thank you for your review and comments on Draft Environmental Assessment for the proposed wild horse gathering in the Buck and Bald herd use area.

Your comments and suggestions will be incorporated into the document where appropriate.

The comments received vary greatly depending on the viewpoint of interested individuals and groups and will be helpful to improve the information presented.

Recommendations on the most desirable alternative varied from removing no horses to reducing the herd to no more than 300 animals. I will use the rationale presented for these various recommendations and you will be notified as soon as I reach a decision.

The demands for space, water and forage for animals are obviously very heavy in the Buck/Bald area and the interest of involved parties is high. This area may present a good opportunity to cooperatively discuss varying viewpoints in a CRMP type effort to try to effect some long term direction for this region.

Sincerely yours,

Merrill L. DeSpain  
Ely District Manager