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U.S. DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

Winnemucca District Office

WILD HORSE/BURRO MANAGEMENT

4740

Sonoma-Gerlach Resource Area

FOX AND LAKE RANGE HERD USE AREA

GATHERING PLAN

I. Introduction

The intent of this gathering plan is to outline the methods and procedures to be used in removing approximately 160 wild horses from the Fox and Lake Range Herd Use Area (HUA). The gathering operation is scheduled to take place between July 1 and September 30, 1985, and should take approximately one week to complete.

II. General Area Description-Background Data

The Fox Range and north finger of the Lake Range are located approximately 60 air miles northeast of Reno, Nevada (see Figure 1). Both ranges have a north-south orientation. The Fox Range is approximately 18 miles long and 12 miles wide. The Lake Range is approximately 12 miles long and six miles wide. Elevations range from a high of 7,608 feet at Pah Rum Peak in the Fox Range to 3,897 feet at the north end of the HUA.

The vegetation in the CRMP area is characterized by juniper-sagebrush types in the higher elevations, to sagebrush-grass types at moderate elevations, to shadscale-shrub and greasewood types in the valley bottoms.

The area to be considered for the wild horse gathering consists of all of two allotments: Rodeo Creek and Pole Canyon (see Figure 2). The allotments are located in the Buffalo Hills Planning Unit of the Sonoma-Gerlach Resource Area in the Winnemucca District.

Land status in the HUA is as follows:

<u>Allotment</u>	<u>Public Land (%)</u>	<u>Private Land (%)</u>	<u>Total Acres</u>
Rodeo Creek	193,402 Acres (97)	5,373 Acres (3)	198,775
Pole Canyon	13,877 Acres (100)		

In the winter of 1979-80, a total of 312 wild horses were removed from the HUA. The area was inventoried in June and July of 1980 with a Bell 47G3B-1 helicopter. The results of the census are listed below:

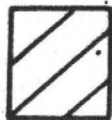
<u>Allotment</u>	<u>Inventoried Numbers (Horses)</u>
Rodeo Creek	271
Pole Canyon	81
TOTAL	352

Since this census was completed, five foaling seasons have occurred on the HUA. Therefore, it is estimated that currently there are more than 352 horses inhabiting the HUA.

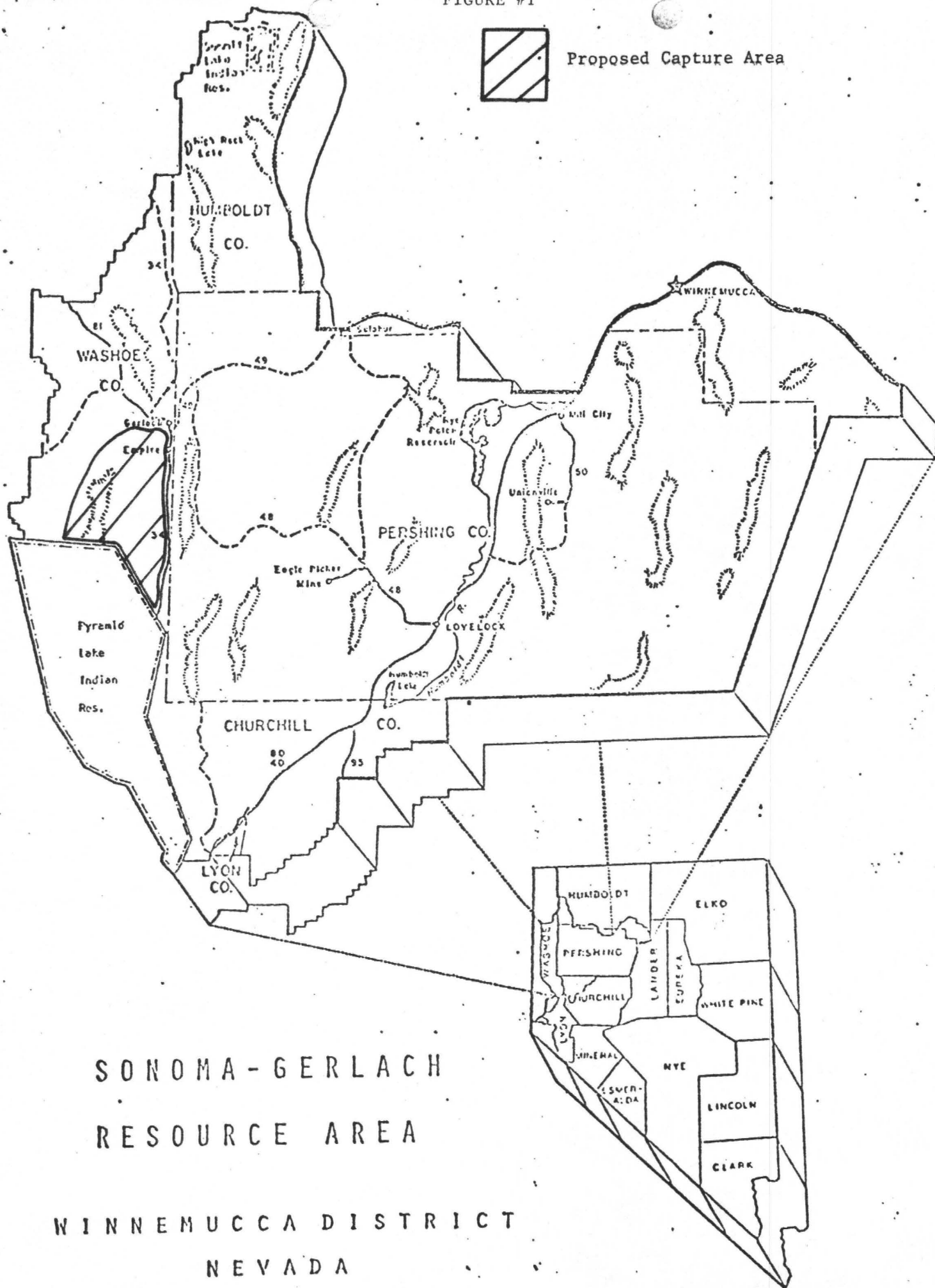
The Winnemucca District Office has not received any affidavits or claims of ownership of domestic horses on public lands in the HUA.

The area supports a small population of mule deer, antelope, and a low density population of chukar, sagehen, and mourning dove, based on figures supplied by the Nevada Department of Wildlife.

FIGURE #1



Proposed Capture Area

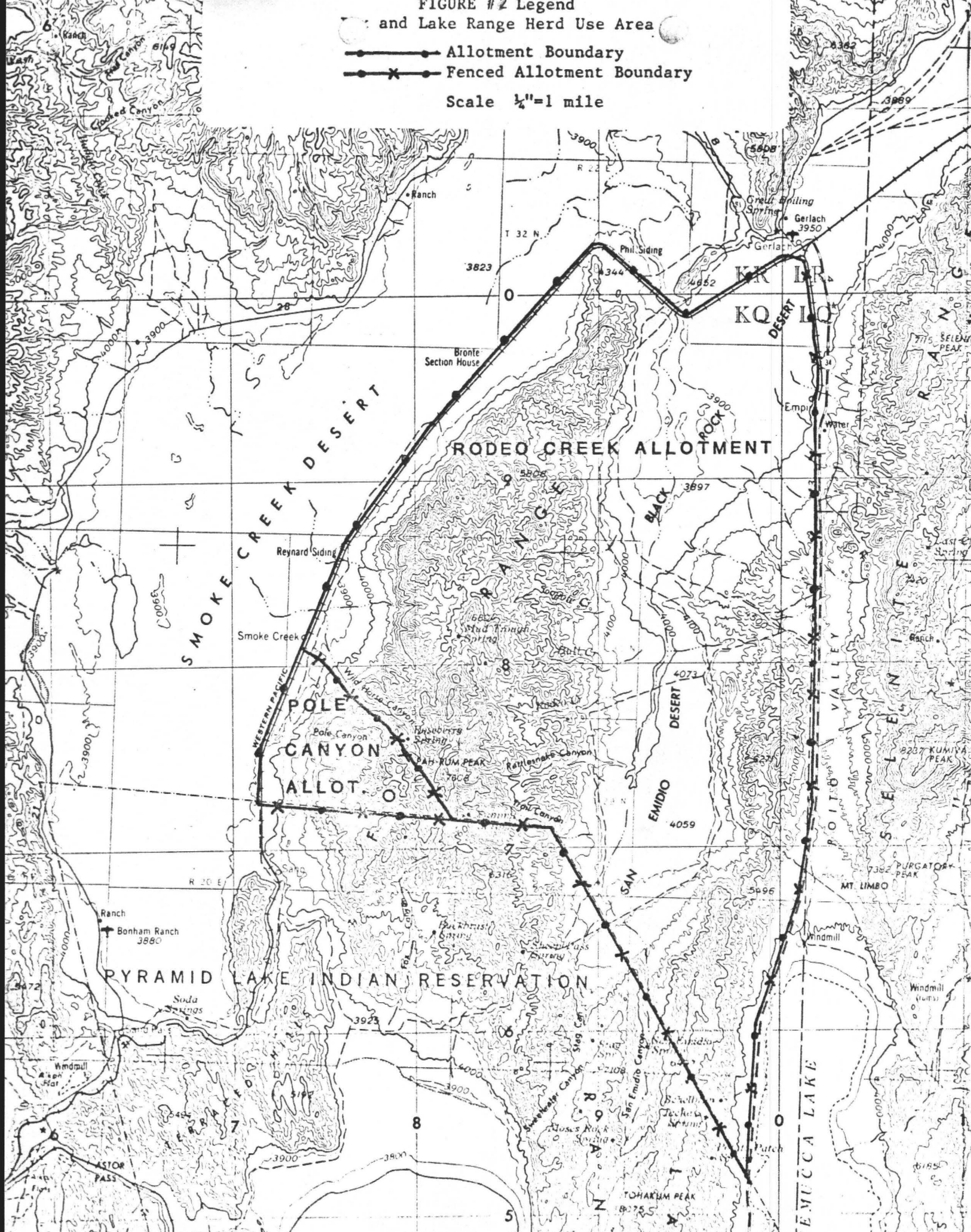


SONOMA-GERLACH
RESOURCE AREA

WINNEMUCCA DISTRICT
NEVADA

FIGURE #2 Legend
and Lake Range Herd Use Area

- Allotment Boundary
 - X—●— Fenced Allotment Boundary
- Scale 1/4" = 1 mile



III. Justification

Section 14 of Public Law 95-514, the "Public Rangelands Improvement Act of 1978," states that the Secretaries of Interior and Agriculture shall "determine appropriate management levels of wild free-roaming horses and burros on areas of public lands; and determine whether appropriate management levels should be achieved by the removal or destruction of excess animals, or other options (such as sterilization or natural controls on population levels)."

A land use plan has recently been developed for the Sonoma-Gerlach Resource Area. A major portion of this plan was the preparation and publication of a Grazing Environmental Impact Statement which analyzed five different alternatives to manage public lands: (1) distribute available vegetation to livestock, wildlife, and wild horses/burros; (2) no action; (3) no livestock grazing, (4) maximize livestock; and (5) maximize wild horses/burros. The final analysis culminated with the issuance of the Winnemucca District Manager's Management Framework Plan (MFP) Step III Decisions on June 30, 1982. The decisions received the State Director's concurrence on July 9, 1982.

The MFP III WH/B decision number 1.1 provides for the retention and management of wild horses/burros on non-checkerboard lands in the resource area. The decision stated that existing/current numbers (as of July 1, 1982) would be used as a starting point for monitoring purposes except where one of the following conditions exist:

1. Numbers are established by adequate and supportable resource data.
2. Numbers are established through the CRMP process as documented in CRMP recommendations and agreed to by the District Manager.
3. Numbers are established by formal signed agreement between affected interests.
4. Numbers are established through previously developed interim capture/management plans. Plans are still supportable by parties consulted in the original plan. EAs (EARs) were prepared and are still valid.
5. Numbers are established by court order.

At the present time none of the five above-mentioned conditions exist for the Fox and Lake Range HUA. Therefore, the Appropriate Management Level (AML) for this area will be the estimated population number as of July 1, 1982, which is 434 horses and burros.

IV. Capture Plan and Methods

Wild horses will be rounded up through the use of a helicopter. The horses will be directed toward temporary capture corrals by means of a helicopter. Wings (from 1/8 to 1/4 mile) will be constructed leading into the corral. When the horses have been driven to within 1/4 to 1/2 mile of the trap, riders on horseback will then flank the animals and guide them into the trap. Once the horses are in the trap the gate will be closed by hand. Should a horse break back at the trap, it will be roped, if possible, by the riders.

It is expected that the number of animals that are driven into the traps will vary from one to 35 horses at a time.

The capture corrals will generally be circular (100' in diameter) and constructed of approximately 90 to 100 portable panels (height 6' to 7'). Each trap will have in addition a small holding corral (100' in diameter) adjoining the trap. This corral will also be circular and constructed from portable panels. The trap will be camouflaged with sagebrush or juniper, where necessary.

Captured horses will be loaded into stock trailers to be transported from the traps to the holding facilities, where necessary.

Wings constructed or meant for restraint will be made from portable panels (6' to 7' high), but other devices used to turn horses will be made from white rope or ribbon stretched on 6 1/2' steel fence posts. The fence posts will be spaced from 50' to 100' apart, depending upon the terrain.

The helicopter will carry a Bureau employee when necessary and, should the horses become unnecessarily stressed, the BLM employee will instruct the pilot to break off the pursuit so that the animals may rest and recover. All attempts will be made to move and keep bands together.

A Bureau of Land Management employee will make careful determination of boundary lines to serve as an outer limit within which attempts will be made to herd horses to a given trap. Topography, distance, and current condition of the horses are factors that will be considered in setting the limits to avoid undue stress on the horses while they are being herded. Each area will be flown prior to the start of trapping to locate any hazards to the horses while being herded (fences, cliffs, etc.).

More than one trap site will be needed in the capture area. Each site will be located after the habits of the horses in that area are determined. In general, all sites will be located to cause as little damage to the natural resources of the area as possible. Sites will be located close to existing roads when possible, and all sites will be approved by a qualified Bureau employee.

As the horses are captured at the trap sites they will be loaded onto gooseneck trailers or stock trucks and shipped to Palomino Valley or to temporary holding corrals in the area.

Branded or privately-owned animals whose owners are known will be impounded by BLM, and if not redeemed by payment of trespass and capture fees, will be sold at public auction. If owners are not known, the private animals will be turned over to the State for processing under Nevada estray laws.

The area adjacent to each trap site will be thoroughly worked by the helicopter until the authorized officer determines the trap should be moved to another location.

Captured horses that are obviously lame, deformed, or sick will be humanely disposed of at the trap site. If an animal has to be destroyed the carcasses will be placed in as inconspicuous a location as possible to minimize the visual impact. The carcasses will not be placed in the bottoms of drainages and will be scattered so as not to concentrate them in one area.

Any horses that have been moved to the temporary holding corrals will be shipped by single deck trucks only, as transportation is available, to the Bureau's Palomino Valley corral facility.

The sole responsibility of the gathering crew is to capture the wild horses/burros in the safest and most humane manner. The district authorized officer will make the determination as to which horses will be shipped to the Palomino Valley corral facility and which horses will be released for study purposes or humanely destroyed at the trap site by a qualified Bureau employee.

Any transportation of captured animals will be subject to the following humane procedures as outlined in CFR section 4740.2(b) (1-5) and 4740.2(c):

- (1) All such transportation shall be in compliance with appropriate State and Federal laws and regulations applicable to the humane transportation of horses and burros.
 - (2) 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 of injury.
 - (3) Vehicles shall be inspected and approved by an authorized officer prior to use.
 - (4) Where necessary and practical, 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.
 - (5) The authorized officer shall consider the condition of the animals, weather conditions, type of vehicles, and distance to be transported when planning for the movement of captured animals.
- (c) The transportation of wild free-roaming horses and burros shall be under humane conditions. Unless otherwise approved by the authorized officer, transportation shall be limited, in sequence, to a maximum of 24 hours followed by a minimum of five hours of on-the-ground rest with adequate feed and water.

V. Stipulations For Gathering

1. Archeological clearance will be done on all trap sites prior to their construction. If archeological values are present, trap sites will be moved. Traps will not be placed near any of the identified historic sites. The Nevada Division of Historic Preservation and Archeology will be notified before any action is taken.

2. All corral panels will be from 72" to 84" high in order to prevent horses from jumping out of traps.
3. Brutality to horses in any form will not be tolerated. Any person who mistreats any horse will be dismissed immediately from the roundup operation.
4. The helicopter shall be under the direct supervision of a duly authorized BLM employee. He must be able to communicate with the pilot and be able to direct the use of the helicopter so as to observe the effects on the well being of the animals.
5. Only experienced horseback riders will be used in the gathering operations.
6. All saddle horses will be properly shod and over three years in age. All saddles and tack will be in good repair.
7. Only experienced drivers will be used to transport the horses to the holding facilities.
8. The helicopter will have radio communication with the Authorized Officer or his designated representative at all times.
9. The United States Fish and Wildlife Service and the Nevada Department of Wildlife will be notified before any action is taken.
10. Disturbed ground around each trap site will be rehabilitated in such a manner that is determined feasible by the District Specialist.
11. A qualified Bureau employee will clear all sites prior to construction, to insure that a trap will not significantly impact any Federal or State listed or proposed threatened or endangered sensitive plant species. If significant disturbance is anticipated, the trap site will be moved.
12. A veterinarian will be on call at all times during the roundup operation. The veterinarian will never be more than 100 miles from the roundup operation. In an emergency, the veterinarian could be helicoptered in, arriving in one to one and a half hours.
13. Every effort will be made to locate a trap near existing horse trails so that once the animals are started towards the capture area they will be able to pick a natural route and proceed at their own pace.
14. Allowance are made for high temperatures so that horses are not driven long distances in hot conditions.
15. Generally, captured animals shall not be held in traps or temporary holding facilities more than 24 hours prior to transportation to Palomino Valley. Horses held for 10 hours or more in the traps and/or holding facilities will be provided fresh clean water and good quality hay.

16. All temporary trap sites located within the Wilderness Study Area boundaries will be placed on existing roads and ways, not to exceed 50' either side of the access route. Cross-country travel would be allowed so long as it does not cause impacts inconsistent with the requirements of the nonimpairment criteria outlined in the Interim Management Policy and guidelines for lands under wilderness review.
17. Roping will be done only at the direction of the authorized officer. Under no circumstances will horses be tied down for more than one hour.

VI. Signatures

Lead responsibility:

Rodger T. Bryan
 Rodger T. Bryan
 Natural Resource Specialist

March 15, 1985
 Date

Reviewed by:

Gerald L. Moritz
 Gerald L. Moritz
 Environmental Coordinator

15 March 85
 Date

Richard D. Wheeler
 Richard D. Wheeler
 District Wild Horse/Burro Specialist

3-18-85
 Date

Gerald P. Brandvold
 Gerald P. Brandvold
 Sonoma-Gerlach Resource Area Manager

3-18-85
 Date

Submitted to State Director by:

For Robert J. Neary
 Frank C. Shields
 District Manager, Winnemucca

3/18/85
 Date

Approved by:

Edward F. Spang
 Edward F. Spang
 State Director

1/28/86
 Date

UNITED STATES
DEPARTMENT OF THE INTERIOR

Bureau of Land Management

EA FACE SHEET

OFFICE: Winnemucca District Office FY & REPORT # FY 85
Fox and Lake Range Wild Horse
 ACTION: Gathering Plan NO. OF PAGES 6
 (Project Name, Case Type, etc.)
 LOCATION: Buffalo Hills Planning Unit SERIAL NO. N-V-020-5-12

TEAM SIGNATURES:	TITLE	RESOURCE VALUES ASSIGNED	HOURS
<u>Robert B. By</u>	Natural Resource Specialist	Author/Range/WH&B	8
<u>Dick Whalen</u>	District WH&B Specialist	Wild Horses/Burros	1
<u>Peggy McIndrian</u>	Area Archeologist	Cultural Resources	1
<u>Bob Winters</u>	Range Conservationist	Sensitive Plants	1
<u>Lynn A. Clemon</u>	Outdoor Rec. Planner	Wilderness/VRM	1
<u>Kenneth G. Detwiler</u>	Area Wildlife Biologist	Wildlife	1

ENVIRONMENTAL
COORDINATOR:Gerald L. Mord
(Signature)15 March 85
(Date)COMPLIANCE
OFFICER:Wild Horse & Burro Contract Officer
(Title or Name)

DISTRICT/AREA MANAGER

Gerald Baudvold
(Signature)3-18-85
(Date)

Environmental Assessment (EA) For Implementation of the
Sonoma-Gerlach MFP III Wild Horse/Burro (WH/B) Decision 1.1
For the Fox and Lake Range Herd Use Area (HUA) NV-020-5-13

I. Description of the Alternatives Including the Proposed Action

A. Background Data

1. Location and Description of Area

The Fox and Lake Range HUA consists of two separate allotments, Rodeo Creek and Pole Canyon. The allotments are located in the Buffalo Hills Planning Unit of the Sonoma-Gerlach Resource Area. The allotments were established by Final Advisory Board Recommendation and District Manager's Decision dated December 22, 1966, in accordance with the Range Line Agreement dated May 19, 1966, and June 14, 1966 (see Figure 1).

The Pole Canyon Allotment is located on the west side of the Fox Range on the northern boundary of the Pyramid Lake Indian Reservation. The allotment is roughly five miles long (north-south) and six miles wide (east-west). This allotment is 100% public land and has 13,877 acres within the boundaries.

The Rodeo Creek Allotment is located north of the Pyramid Lake Indian Reservation with the western and northern boundary being the Western Pacific Railroad. The eastern boundary of the allotment is Highway 447. To the south the allotment is bordered by the Pole Canyon Allotment and the Indian Reservation. The major physical features in the allotment are the Fox Range, north finger of the Lake Range, San Emidio Desert, and the southern tip of the Black Rock Desert. The allotment consists of 97% or 193,402 acres public land and 2% or 5,373 acres private land.

2. Population Data

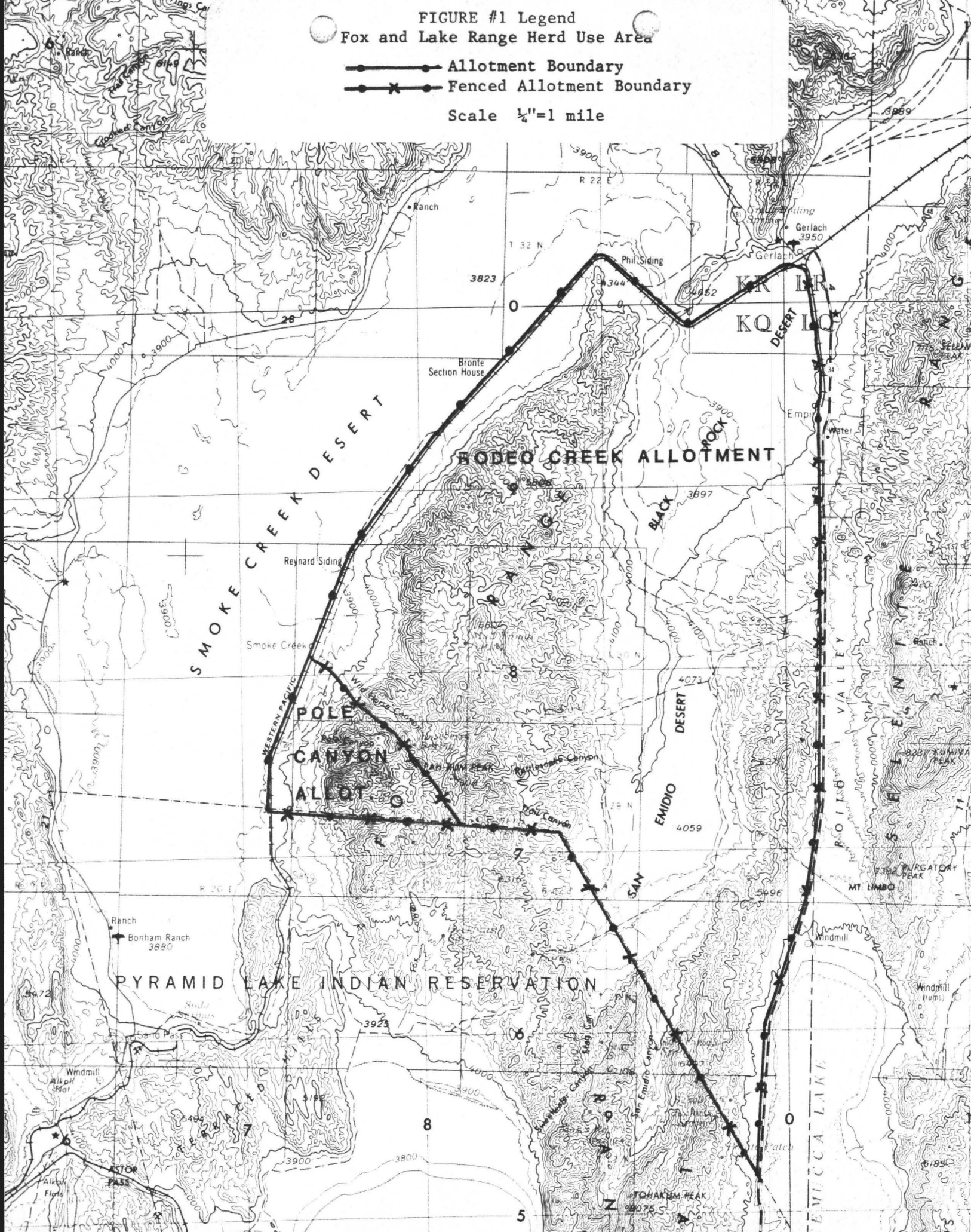
The Fox and Lake Range HUA has an estimated population of 593 wild horses and one wild burro. The herd primarily occupies the Fox Range during the spring, summer, and fall months, due to the limited availability of reliable water sources. In the winter, the horses move to the east side of the Fox Range towards the San Emidio Desert. It is likely that some horses are crossing the desert to winter on the north finger of the Lake Range.

During past years the fenceline that separates the HUA from the Pyramid Lake Indian Reservation has been reported to be in poor condition. The last time this fence was inspected by BLM personnel was in 1979. This inspection revealed numerous holes in the fence, and entire sections up to 1/4 mile long where the wire was down. Undoubtedly, horses move freely between the Reservation and public lands on the allotments.

FIGURE #1 Legend
Fox and Lake Range Herd Use Area

- Allotment Boundary
- X— Fenced Allotment Boundary

Scale 1/4"=1 mile



3. Reference to the Land Use Plan (LUP)

The Final Sonoma-Gerlach Grazing Environmental Impact Statement (EIS) was completed in September of 1981. It analyzed a proposed rangeland management program, along with several alternatives, for livestock grazing, wildlife habitat resources, and wild horse and burro grazing for the Winnemucca District's Sonoma-Gerlach Resource Area. Upon completion of the EIS, the District began the last phase of the planning process for these resource management programs for the purpose of determining final land use decisions. The Winnemucca District Manager's Management Framework Plan (MFP) Step III decisions were issued June 30, 1982, and received State Director's concurrence July 9, 1982.

The MFP III wild horse and burro decision number 1.1 addresses HUAs that are in a non-checkerboard land pattern. It states:

WHB 1.1

DISTRICT MANAGER'S DECISION - WILD HORSE AND BURRO PROGRAM - NON-CHECKERBOARD LANDS

Establish wild horse and burro number by herd use area using the following criteria:

Existing/current WH&B numbers (as of July 1, 1982) will be used as a starting point for monitoring purposes except where one of the following conditions exist:

1. Numbers are established by adequate and supportable resource data.
2. Numbers are established through the CRMP process as documented in CRMP recommendations and agreed to by the District Manager.
3. Numbers are established by formal signed agreement between affected interests.
4. Numbers are established through previously developed interim capture/management plans. Plans are still supportable by parties consulted in the original plan. EAs (EARs) were prepared and are still valid.
5. Numbers are established by court order.

At the present time none of the five above-mentioned conditions exist for the Fox and Lake Range HUA. Therefore, the Appropriate Management Level (AML) for this area will be the estimated population number as of July 1, 1982, which is 434 horses and one burro.

B. Purpose and Need

The purpose and need for this Environmental Assessment is to determine the environmental impacts of removing approximately 160 wild horses from the Fox and Lake Range HUA to implement the MFP III wild horse/burro decision.

C. Proposed Action

The proposed action is to remove approximately 160 horses from the Rodeo Creek and Pole Canyon Allotments. This action would reduce the population to the Appropriate Management Level of 434 horses and one burro outlined in the District Manager's MFP III Decision.

If the proposed action takes place as scheduled, it would be held between July and September 1985 and take approximately one week to complete.

Implementation of the gathering plan will involve the construction of temporary traps with deflector wings, the movement of horses by a contracted helicopter and horse riders, the transportation of horses from the traps to temporary holding corrals, the holding of horses in the temporary corrals, and the transportation of horses to the Palomino Valley Wild Horse and Burro Placement Center.

D. Alternatives

The Sonoma-Gerlach Grazing EIS analyzed four different alternatives to the proposed action: (1) no livestock grazing, (2) no action, (3) maximize livestock grazing, and (4) maximize wild horse and burro grazing. The alternatives outlined in the Sonoma-Gerlach FEIS were discussed in detail. The analysis was subject to an extensive scoping process, public meetings, formal hearings, and protest periods. In an effort to avoid repetition, an analysis of these alternatives will not be reiterated in this document, but can be found in the Sonoma-Gerlach Grazing EIS in the Winnemucca District Office files.

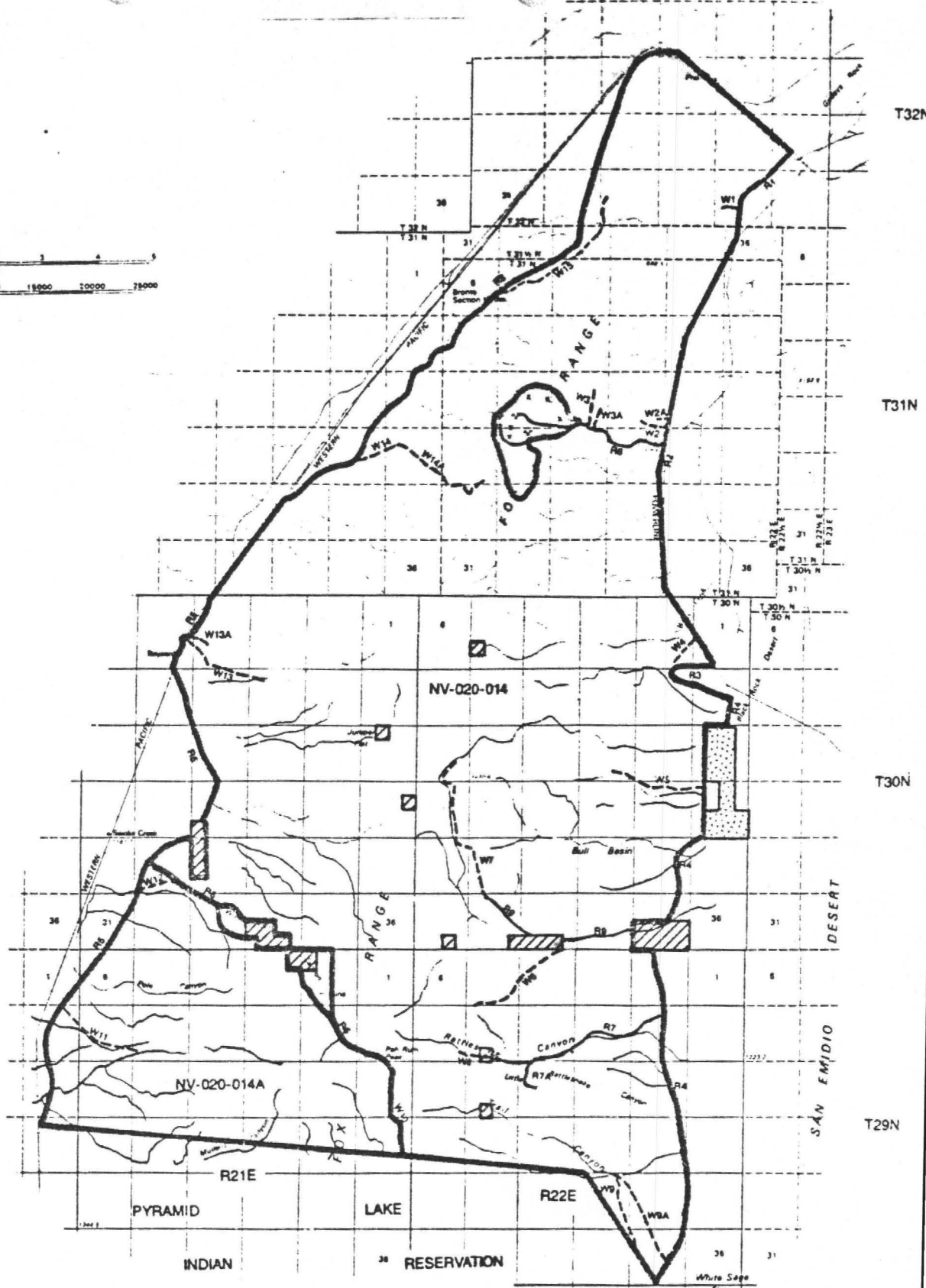
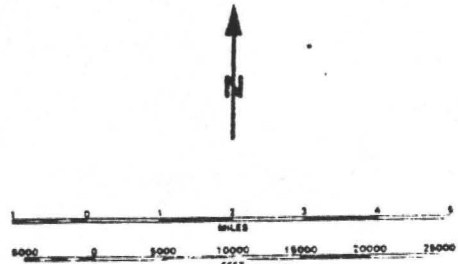
II. Affected Environment








With the exception of wilderness, the description of the affected environment will be the same as those discussed in the Fox and Lake Range Wild Horse Gathering Plan Environmental Assessment NV-020-0-6, located in the Winnemucca District Office files.

A. Wilderness Study Areas (WSAs)

In 1980, two areas encompassing 88,373 acres of public land within the boundaries of the HUA were designated as WSAs (see Figure 2): (1) NV-020-014 Fox Range (75,404 acres) and (2) NV-020-014A Fox Range (Pole Creek)(12,969 acres). In 1983, a draft Environmental Impact Statement was completed for the Winnemucca District which made a recommendation as to what areas would be declared Wilderness Areas. The preferred alternative for the District was that neither NV-020-014 nor NV-020-014A be declared wilderness. The areas will be managed as WSAs under the Interim Management Policy (IMP) and

FIGURE #2



-  PRIVATE LAND (SURFACE & MINERALS)
-  PRIVATE SURFACE - PUBLIC MINERALS
-  W.S.A. BOUNDARY
-  ROAD
-  WAY
-  PROSPECT
-  MINE



NV-020-014 FOX RANGE
 NV-020-014A FOX RANGE (POLE CREEK)

Guidelines for lands under wilderness review until Congress makes their final determination.

III. Environmental Consequences

The environmental consequences discussed in EA NV-020-0-6 will be the same for the proposed action and the alternatives except for wilderness.

A. Wilderness

Neither the proposed action nor the alternatives would result in any significant adverse impacts on the WSAs, provided the mitigating measure discussed in Section IV is adhered to.

IV. Mitigating Measures

The mitigating measures listed in EA NV-020-0-6 will apply for this proposed action, in addition to the following:

All temporary trap sites located within the WSA boundaries will be placed on existing roads and ways, not to exceed 50' either side of the access route. Cross-country travel would be allowed so long as it does not cause impacts inconsistent with the requirements of the nonimpairment criteria outlined in the IMP.

V. Persons, Groups, and Agencies Consulted

A letter was sent to the following groups and individuals describing the circumstances that led to the formulation of the proposed action.

American Bashkir Curely Register, Ely, NV
American Horse Protection Association, Washington, D.C.
American Humane Association, Denver, CO
Animal Protection Institute, Sacramento, CA
W. B. Ceresola, Wadsworth, NV
Fish Springs Ranch, Reno, NV
Fund For Animals, New York, NY, and Phoenix, AZ
Humane Society of So. Nevada, Las Vegas, NV
International Society For the Protection of Mustangs and Burros, Reno, NV
Donald Molde, Sparks, NV
National Mustang Association, Newcastle, UT
National Wild Horse Association, Las Vegas, NV
Nevada Cattlemen's Association, Elko, NV
Nevada Humane Society, Sparks, NV
Nevada State Clearinghouse, Carson City, NV
Nevada Woolgrowers, Ely, NV
Save The Mustangs, Rockwood, PA
U.S. Fish and Wildlife Service, Reno, NV
U.S. Humane Society, Washington, D.C.
Wild Horse Organized Assistance, Reno, NV

VI. Intensity of Public Interest

Nationwide, the wild horse program is very popular and there is much public sentiment to support keeping the present wild horse/burro numbers. Statewide and locally, the general attitude toward wild horses is very different. The ranchers consider the horses, if left uncontrolled, a definite threat to the existence of their livestock operations. The Nevada Department of Wildlife and wildlife enthusiasts can see the competition they place on forage and water needed for game species.

VII. Participating Staff and Signatures

The specialists who have signed the face sheet of this document have been involved in the development and review of the proposed project and concluded it would not significantly impact their resources.

Decision Record/Finding of No Significant Impact (FONSI)
No. NV-020-5-13

Decision Record

Based on the Environmental Assessment (EA) and the Management Framework Plan for the Sonoma-Gerlach Resource Area, a net beneficial impact to the total environment would result from implementing the proposed action; therefore, the proposed action is adopted in its entirety.

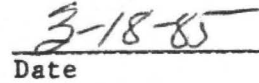
The mitigating measures identified in the EA will be adopted as stipulations.

FONSI

The EA adequately analyzes the environmental impacts of the proposed action. Since no significant impacts are expected as a result of implementing the decision, an EIS is not required.



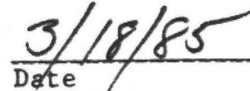
Gerald P. Brandvold, Area Manager



Date

For 

Frank C. Shields, District Manager



Date