



United States Department of the Interior

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In Reply Refer To:
4700 (NV022.00)

September 30, 1999

Dear Interested Party:

The Winnemucca Field Office is planning an emergency removal of wild horses and burros from the Snowstorm Mountains and Seven Troughs Herd Management Areas (HMAs) and the Antelope Range Herd Area (HA). This removal is driven by several severe wildfires which occurred on Winnemucca Field Office lands during the summer of 1999, and the subsequent loss of forage available to the animals. The gathers are expected to begin no earlier than October 6, 1999, and conclude by October 18, 1999.

Enclosed are the capture plans and environmental assessments pertaining to these gathers. If you have any questions, please feel free to contact Rodger Bryan or Dave Stockdale of this office at 775-623-1500.

Sincerely,

for Colin P. Christensen
ADM Renewable Resources

Enclosures

ACTIVITY: 4700

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
EA FACE SHEET

OFFICE: Winnemucca F.O. FY & REPORT #: F 99

ACTION: Emergency Horse Gather NO. OF PAGES: 12

LOCATION: Snowstorm Mtns HMA SERIAL NO: NV-026-99-26

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ENVIRONMENTAL COORDINATOR: Ch. P. Che 9/30/99
Aetrus (Signature) (Date)

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(Title or Name)

FIELD MANAGER/ASSISTANT FIELD MANAGER, RENEWABLE RESOURCES Ch. P. Che
(Signature)
9/30/99
(Date)

ENVIRONMENTAL ASSESSMENT
GATHER AND SELECTIVE REMOVAL OF WILD HORSES
FROM THE SNOWSTORM MOUNTAINS HERD MANAGEMENT AREA

I. DESCRIPTION OF ALTERNATIVES

A. Background Data

This Environmental Assessment (EA) has been prepared to assess the environmental impacts of gathering and selectively removing wild horses in the Snowstorm Mountains Herd Management Area (HMA). This action is being implemented immediately following the Chimney Fire which burned approximately 27,151 acres in the HMA in August 1999. This EA analyzes different gathering options, and options available, other than gathering, to reduce grazing pressure on seedings which will be established in the burn areas. This EA does not assess the impacts of different methods of gathering horses. These impacts were analyzed in a programmatic EA (No. NV-020-7-24) prepared in May 1987. After the incorporation of public comments, a Decision Record and Finding of No Significant Impact was approved on August 4, 1987 and the assessment remains valid today. That EA is on file and available for review in the Winnemucca Field Office.

A helicopter census was taken September 19, 1999 which counted 238 total animals in the HMA. The results of the census by pasture are as follows:

<u>Pasture</u>	<u>Adults</u>	<u>Foals</u>
First Creek	107	28
Castle Ridge	30	7
Dry Hills	43	13
Snowstorm Flat	8	2
Kinney	0	0
Kelly Burn	0	0

B. Purpose and Need

The Chimney Fire burned 27,151 acres within the Snowstorm HMA. The burned area comprises a significant portion of the First Creek pasture, as well as a part of the Castle Ridge and Snowstorm Flat pastures. The bulk of the wild horses within the HMA use these pastures. (See map). The burned portions of the First Creek, Snowstorm Flat and Kinney pastures, and the entire Castle Ridge pasture of the Bullhead Allotment are being closed to livestock grazing concurrently with the proposed action. In the Winnemucca Field Office, it is standard procedure to reduce or temporarily eliminate grazing in burns to

facilitate recovery of the vegetative resource. The question addressed in this EA is:

Would the horse population at 166% above AML of 140 head (258% above the low point of the AML range(90 horses) impact the recovery process? If so, how do we reduce or mitigate this impact?

The Final Multiple Use Decision (MUD) for the Bullhead Allotment established the Appropriate Management Level (AML) for wild horses within the Snowstorm Mountains HMA at 140 adult wild horses, to be managed within a range of 90-140 horses. It is therefore necessary to remove sufficient wild horses from the HMA to reduce the grazing pressure on the non-burn areas in the First Creek, Castle Ridge and Snowstorm Flat pastures to an acceptable level.

Bureau policy regarding removals of horses follows the guidelines set forth in the Strategic Plan for the Management of Wild Horses and Burros on Public Land (Strategic Plan). The Strategic Plan indicates that only adoptable animals may be removed from the range. In accordance with Washington Office Instruction Memorandum 99-053, dated February 2, 1999, only horses 5 years of age and younger will be removed from Herd Management Areas. Horses aged 6-9 years, if deemed adoptable, may also be gathered and shipped. Older horses from these areas must be returned to an HMA. Deviation from this policy is permitted only upon written approval from the Wild Horse and Burro National Program Office (NPO). The IM also states, "When animals must be removed in response to emergency environmental conditions, the selective removal criteria may be amended with prior written approval of the WO-260. The state where the emergency situation exists will immediately contact the WO-260 to jointly develop criteria or removal for the animals, resolve the emergency and address final disposition of all removed animals." Due to the severity and magnitude of wildfires in the state of Nevada in 1999, the age removal criteria for the burned area has been modified as follows:

- 1) Mares nine years of age and younger, and studs seven years of age and younger, will be removed and placed in the adoption program.
- 2) Mares and studs 15 years of age and older will be placed on the sanctuary.
- 3) All animals between the ages listed above will either be placed in another HMA, or moved to a temporary holding area until the burns have recovered sufficiently to allow grazing.

The age structure for the Snowstorm Mountains HMA, using the Jenkins population model, is estimated to be: 147 head 0-5 years old; 1 head 6-9 years old; 25 head 10-14

years old; and 65 head 15 years and above. If possible, a percentage of older animals 15+ would be removed to leave a larger proportion of younger aged animals.

This action is in conformance with the Paradise-Denio Land Use Plan, Decision WH&B 1.4.

C. Proposed Action and Alternatives

Proposed Action

The proposed action is to remove approximately 62% of the wild horses from the First Creek, Castle Ridge and Snowstorm Flat pastures within the Snowstorm Mountains HMA. Horses to be removed would be mares aged 0-9 years and stallions aged 0-7 years.

If a sufficient number of younger horses were not obtained from the above named pastures, horses would be gathered from the Dry Hills pasture. If an insufficient number of horses still remains, older male horses (15 and older) would be gathered. Horses were not found in the Kinney and Kelly Burn pastures.

Horses removed from the HMA would be shipped to National Wild Horse and Burro Center at Palomino Valley. All remaining animals would be released back into the HMA.

The number of horses to be removed and placed in the adoption program under this action would be approximately 115. It is expected that most if not all of the younger animals removed would be three years old and younger. The number of horses to remain in the HMA would be approximately 125, within the AML range.

The proposed removal operation would be expected to begin on or after October 4, 1999. The gather is expected to take less than a week.

Alternative I

Wild horses would be removed from the Castle Ridge, First Creek and Snowstorm Flat pastures in proportion to the areas of these pastures burned in the Chimney Fire: 44.4% of First Creek; 16.2% of Castle Ridge, and 14.4% of Snowstorm Flat. Horses to be removed would be mares aged 0-9 years and stallions aged 0-7 years. Approximately 67 horses would be removed under this alternative: 60 from First Creek, 6 from Castle Ridge and 1 from Snowstorm Flat. The number of horses to remain on the range would be approximately 170, or 22% above the AML range.

Alternative II

The horses to be removed would be relocated elsewhere, either within this HMA or to another HMA.

Alternative III

Horses would not be removed. Reseeded areas would be temporarily fenced, using electric fence and flagging to keep them off the burned/seeded areas.

Alternative IV

Horses would not be removed. Reseeded areas would be permanently fenced, to keep them off the burned/seeded areas.

Alternative V - No Action Alternative

No wild horses would be gathered. Horses would be allowed to use the burn and seeded areas at present population levels.

II. AFFECTED ENVIRONMENT

For a description of the affected environment, reference the Snowstorm Mountains HMA gather plan dated August 30, 1994, part II, A and B, the Paradise-Denio Grazing EIS, and the Elko District Resource Management Plan. In addition, the Snowstorm HMA experienced three fires burning approximately 40,000 acres in the summer of 1996. Much of this area was rehabilitated by reseeding. An emergency removal of wild horses was conducted in October 1996, resulting in the removal of 88 horses aged 9 and under from the range.

III. ENVIRONMENTAL CONSEQUENCES

A. Proposed Action

1. Direct Impacts

Gathering operations would result in temporary soil and vegetation disturbance, at the temporary facilities, from horse and vehicle activity. Access to the area by the public would be limited or prohibited during gather operations. The opportunity for wild horse viewing after the gather would be reduced due to the lesser numbers of horses. The horses would undergo stress related to being captured and handled.

The age structure of the wild horse population in the HMA would be affected. The proposed action would essentially remove the entire 0-12 age classes from three pastures within the HMA, leaving the population comprised of mature animals in the 13+ age class. The sex ratio would be skewed to favor the males, in approximately a 55:45 ratio.

There is a possibility that the helicopter would occasionally land inside the boundary of the Little Humboldt River Wilderness Study Area (WSA) during the capture operation, but normally this would occur only in event of emergency. The only impacts occurring would be temporary ones. The landing of helicopters satisfies the non-impairment criteria and would not require the construction of heli-spots as the helicopter would be landing on unimproved sites.

Instruction Memorandums WO-89-600 and NV-89-313 require that any disturbance in a WSA be capable of reclamation the same day as the disturbance. Therefore, cross country travel would not be allowed in the WSA and trap sites would not be constructed within the WSA. There would be impacts to solitude in the WSA during the gather due to helicopter noise. These impacts would be temporary and would cease when the gather is completed.

2. Indirect Impacts

Several indirect impacts may occur.

a. Wild Horses

The reduction in horse numbers would bring the forage demand closer to the forage production capability of the range. This would aid in achieving proper forage utilization levels and resource objectives of the Land Use Plan and allotment specific objectives.

Population dynamics of the herd may be altered. Reproductive rates may decrease somewhat as a result of removal of potential breeders. Productivity in older age class mares may increase due to increased forage availability and better nutrition -more older mares would cycle and produce foals. The overall mortality rate of the herd is likely to increase, due to the greater numbers of older animals. Social structure may be affected by the change in sex ratio. An increase in the number of bachelor bands is likely, as is increased competition and

fighting over females, which would result in a lower average band size and may result in higher mortality in both sexes. (Increased competition for mares results in some turmoil in the population with its resultant stress.)

The wild horse populations in several other HMAs on this District have undergone selective removals of the 0-5 and 0-9 age classes. Almost all herds experienced reproductive success the year following the removal, with reproductive rates varying from approximately 10 to 30 percent depending on environmental variables, such as winter weather and forage production. These preliminary data show that one selective removal of the type proposed would not harm the population. However, the proposed action will be the third selective removal in the past 5 years. Further selective removals would require extensive analysis. The progressively aging population on the range would eventually die, and if there are no younger animals to replace them, the herd would be eliminated.

Population modeling over a 10 year period of this herd following the proposed action shows an increase in numbers to 200-220 by the time of the next scheduled gather in 2002, then fluctuating between 105 and 150 animals over the next 7 years. According to the model, there is a very small probability (0.3%) of crashing the population, i.e. reducing it to 20 or fewer animals.

b. Vegetation, soil and watershed

Removal of 115 horses would allow for increased efficiency in the use of the forage resource and a reduction of grazing demand, by approximately 280 tons. It is hoped that this reduced level of grazing would increase the chances for successful seedling reestablishment in the rehabilitated areas. Continuing the management policies outlined in the final multiple use decision for the Bullhead allotment would contribute toward an improvement in ecological condition and associated benefits of improved watershed condition and improved water quality through the reduction of the sediment and total dissolved solid loads in the surface runoff.

c. Wildlife and Livestock

The proposed action would result in an increase in quantity and quality of forage available to livestock and wildlife once rehabilitation objectives are achieved.

d. Cultural Resources and Threatened and Endangered Species

An inventory for T&E and sensitive species would be conducted prior to any surface disturbance activity. Any resources located would be avoided. An inventory for cultural resources was conducted at the NV Garvey Ranch trap site (CR2-2519N). No cultural resources were found. If other trap sites are needed, a cultural resources inventory would be conducted in coordination with the Field Office Archaeologist.

e. Mitigating Measures and Residual Impacts

The following mitigating measures would be a part of the proposed action:

- 1). Cultural resource and T&E inventories would be conducted prior to setting up capture and holding facilities. Any resources identified would be avoided.
- 2). No surface disturbing activities are anticipated. Unanticipated surface disturbing activities would be approved only after cultural and T&E clearance. Under no circumstances would they occur inside the WSA.
- 3). All phases of the gather and processing operation would be carried out according to Bureau policy with the intent of conducting as safe and humane an operation as possible.
- 4). Any actions taking place within a Wilderness Study Area would be in compliance with the Bureau's Interim Management Policy for Lands under Wilderness Review.
- 5). Wild horse numbers and behavior would be

monitored following the removal. If possible, a fixed wing aircraft flight would be scheduled one week after the animals are returned to the HMA and at other times as needed for data collection. Horse behavior would also be monitored from the ground at least monthly when possible. From ground and aerial observations, the following data would be collected and analyzed: average band size, distribution, production, location of the relocated horses; and reproductive and survival rates.

3. No Impacts

The following critical elements would not be affected: Visual Resources, Air Quality, ACEC, Farmlands, Floodplains, Native American Religious Concerns, Solid or Hazardous Wastes, Wild and Scenic Rivers, Water Quality, Wetlands/Riparian Zones, Paleontological Resources, and Noxious Weeds.

B. Alternatives

Alternative I

This alternative would have the same direct and indirect impacts, caused by the gather operation itself, as the proposed action. Lesser impacts to the horse population and age structure would occur, as fewer younger aged animals would be removed. The seedings may take more time to establish as a greater number of horses would be in the HMA, and horses during their normal movements between Castle Ridge and First Creek pastures would be moving back and forth across them. The remaining population following the gather would be above AML by approximately 22%. Population modeling projects the population reaching 320-350 by the next scheduled gather in 2002 (228-250% above AML), then growing to 170-180 by 2005. If a gather then takes place, the population would fluctuate between 115 and 155 over the next 4 years.

Alternative II

Direct Impacts

Even if suitable rangeland were available to which

the horses could be relocated, relocation is a considerable risk to the population. Horses will normally try to return to their historical areas of use. This has resulted in horses becoming trapped by fences, ending up on highway rights of way and dying of water deprivation.

Indirect Impacts

Relocating the horses within the HMA, i.e. to the Dry Hills or Castle Ridge pastures, even if they were to stay there, would still leave the population above AML. Another gather would need to be scheduled, resulting in unnecessary stress to the population and considerable expense to the wild horse program. All other HMAs within the Winnemucca Field Office are at or above AML, and there is no other HMA which could absorb an additional 115 horses.

Alternative III

Direct Impacts

Temporary fences have not worked well to keep domestic livestock out of burns and reseeded areas. Due to this experience, it is believed that it will not work to keep horses out either. The rehab areas would therefore not become established, resulting in decreased forage availability for all herbivores. In addition, fencing would not be allowed within the Little Humboldt River WSA.

Indirect Impacts

This alternative would probably result in flagging and electric fence wire being scattered through the area. Electric fences cost about 50% more than regular barbed wire fences, and they have a high maintenance requirement.

Alternative IV

Direct Impacts

Wild horse populations would be adversely affected by permanent fencing. Seasonal movement patterns, which are essential to the long term welfare of the horses, would be impaired. Additional fencing would be in direct conflict with the Land Use Plan which directs BLM to maintain "Free-roaming behavior".

Indirect Impacts

Fencing of the seeded areas and excluding of both domestic livestock and wild horses would result in providing the recovery process the best chance of success.

Alternative V

Direct Impacts

Not gathering the horses down to a level commensurate with the available forage supplies would result in damage to the vegetative resource. Experience has shown that wild horses may concentrate on seedings and retard or prevent the recovery process. Observations on reclaimed mining areas within the Bottle Creek Allotment showed that the reclaimed/seeded areas were preferred use areas and grazed heavily.

Indirect Impacts

The wild horse population would be concentrated on less available acreage due to the burned areas. Although it is unlikely that their use of these areas would result in damage this winter, it is probable that their use of the seeded areas next spring and summer would result in damage.

Decision Record/Finding of No Significant Impact
Gather and Selective Removal of Wild Horses
from the Snowstorm Mountains Herd Management Area

I. Proposed Action and Alternatives

- A. Proposed Action - The proposed action is to remove approximately 115 wild horses from the First Creek, Castle Ridge and Snowstorm Flat pastures in the Snowstorm Mountains HMA within the Bullhead Allotment. Horses to be removed would be aged 9 years and younger for females, 7 years and younger for males. All other horses would be released back into the HMA. This removal is driven by the burning of approximately 27,151 acres within the HMA and the reseeding of portions of those acres.
- B. Alternative I - Horses would be removed from the same areas as in the proposed action. The numbers of horses removed would be proportionate to the areas of First Creek, Castle Ridge and Snowstorm Flat pastures burned in the recent wildfire. Approximately 67 horses would be removed.
- C. Alternative II - Horses would not be removed - they would be relocated either within the HMA or into some other area.
- D. Alternative III - Horses would not be removed - temporary fencing would be installed in an attempt to keep the horses off the burned/seeded areas.
- E. Alternative IV - Horses would not be removed - permanent fencing would be constructed to protect selected burned and seeded areas.
- F. Alternative V - No Action Alternative. No wild horses would be gathered. No attempt would be made to keep horses off burned or seeded areas. Population control would be left to natural processes.

II. Decision and Rationale

The decision is to adopt the proposed action. Alternative I is rejected as horse movements across the seeded areas may prevent their establishment, and the number of horses remaining on the range would exceed AML. Alternative II is rejected because suitable areas are not available for relocation, and the risks of relocation are unacceptable.

Alternative III is rejected as this action as this action is too labor intensive and probably would not work anyway. Alternative IV is rejected due to the impacts on the wild horse population. Alternative V is rejected due to the potential impact of the horses on a very expensive seeding.

III. Mitigation, Monitoring and Compliance

The following mitigating measures will be a part of the proposed action:

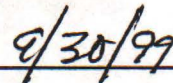
1. Cultural resource and T&E and sensitive species inventories will be conducted prior to setting up gathering and holding facilities. Any resources identified will be avoided.
2. No surface disturbing activities are anticipated. Unanticipated surface disturbing actions will be approved only after cultural and T&E/sensitive species clearance.
3. All phases of the gather, capture and processing operation will be carried out according to Bureau policy with the intent of conducting as safe and humane an operation as possible.
4. All actions taking place within a Wilderness Study Area will be in compliance with the Bureau's Interim Management Policy for Lands under Wilderness Review.
5. Horse numbers and behavior will be monitored from the air and ground following the removal.

IV. Finding of No Significant Impact

The proposed action is in conformance with the Paradise-Denio Land Use Plan. Based on the EA, and in accordance with section 102(2)(c) of the National Environmental Policy Act, no significant environmental impacts will result and an EIS in addition to this EA is not required. This action is placed in Full Force and Effect in accordance with the provisions of 43 CFR 4770.3(c).



Colin P. Christensen
AFM, Renewable Resources
Winnemucca Field Office



Date

U.S. DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WINNEMUCCA FIELD OFFICE

Snowstorm Mountains HMA

Wild Horse Removal Plan

Burn Rehab/Emergency Removal

1999

Snowstorm Mountains HMA
Wild Horse Removal Plan
Fire Rehab/Emergency Gather

I. INTRODUCTION

The intent of this removal plan is to outline the methods and procedures to be used in removing approximately 115 wild horses from the Snowstorm Mountains Herd Management Area (HMA). The proposed action would reduce the horse population of the HMA to a number within the AML range established in the Bullhead Allotment Final Multiple Use Decision (MUD) dated August 25, 1994. This action will be taken under emergency gather procedures due to the Chimney Fire which burned approximately 27,151 acres within the HMA in August 1999. The burn included areas used preferentially by wild horses. The removal operation will be conducted as soon as a contractor can be scheduled into the area, but no earlier than October 4, 1999.

II. PURPOSE AND AUTHORITY

The purpose of this action is to remove as much grazing pressure from the burned portions of the HMA as possible. Portions of the burned area will be seeded and the allotment will be closed to livestock grazing for at least two grazing seasons to facilitate recovery of the perennial vegetation.

The authority for reduction of the wild horse population is contained in the Wild Horse and Burro Act of 1971 (Public Law 92-195) Secs. 3(a) and (b), and Title 43 of the Code of Federal Regulations-CFR4720.1(b). The authority for the Full Force and Effect decision can be found at 43 CFR 4770.3(c).

III. GENERAL AREA DESCRIPTION - BACKGROUND DATA

A. Location

The geographical center of the Snowstorm Mountains HMA is approximately 50 miles northeast of Winnemucca, Nevada. The area is bordered on the west by the Osgood Mountains, on the east by the Elko BLM Field Office, on the north by the South Fork of the Little Humboldt River, and on the south by Kelly Creek. The elevation ranges from 4500 feet at the Little Humboldt River to 7738 feet at Snowstorm Mountain.

The HMA is administered by the BLM Winnemucca Field Office. The eastern portion of the HMA lies within the Elko BLM Field Office; however all renewable resources in the area are administered by the Winnemucca Field Office. The HMA is approximately 145,538 acres in area: 133,138 acres (91%) public land and 12,400 acres (9%) private land. Primary use areas lie within the Castle Ridge, First Creek Basin and Dry Hills pastures of the Bullhead Allotment.

The HMA includes habitat for wild horses, domestic livestock, chukar, sage grouse, deer, antelope, coyotes, and various species of birds, rodents and reptiles. Wildlife and wild horses inhabit the HMA year-round. Domestic livestock use the area in spring and summer.

One Wilderness Study Area (WSA) (Little Humboldt River, NV-010-132) is located within the Snowstorm HMA. A WSA designation restricts the choices for suitable trap sites and may place constraints on removal operations.

The following table gives acres burned by pasture.

Pasture	Acres Burned			Total Pasture Acres	Percent Pasture Burned
	Public	Private	Total		
Castle Ridge	3122	0	3122	19233	16.2%
First Creek	18599	1033	19632	44215	44.4%
Total Spring	21721	1033	22754	63448	35.9%

Kinney	1896	185	2081	17768	11.7%
Snowstorm Flat	2264	52	2316	16064	14.4%
Total Summer	4160	237	4397	33832	13.0%

B. Vegetation

After the burns, it is estimated that enough forage is available to sustain the wild horses in their respective use areas without significant damage to the native vegetative resource, if all domestic livestock were removed. However, the establishment of seedlings and the successful recovery of the burned area would not be attained unless grazing pressure from the wild horse population is reduced.

The area's vegetative composition outside of the burned area is almost entirely the sagebrush-grass types typical of the cold desert and Great Basin. Low sagebrush (Artemisia arbuscula) and big sagebrush (A. tridentata) predominate throughout the greatest portion of the areas. Other plant species include cheatgrass (Bromus tectorum), Idaho fescue (Festuca idahoensis), needlegrass (Stipa spp.), Indian ricegrass (Oryzopsis hymenoides), bluebunch wheatgrass (Agropyron spicatum), squirreltail (Sitanion hystrix), bluegrass (Poa spp.), shadscale (Atriplex confertifolia), spiny hopsage (Grayia spinosa), green rabbitbrush (Chrysothamnus viscidiflorus), grey rabbitbrush (C. nauseosus), bud sagebrush (A. spinescens) and winterfat (Eurotia lanata).

C. Justification

The 1994 Bullhead Allotment Final Multiple Use Decision established the AML for the HMA as 90-140 adult wild horses. At this AML range all forage consuming herbivores will be in a thriving natural ecological balance, under normal range conditions.

It is standard practice to close burned areas and particularly seedings to livestock grazing to facilitate recovery. Wild horses present a unique challenge in terms of dealing with the recovery process of these areas. The BLM is charged with maintaining viable, free roaming wild horse populations and believes unique attributes may be lost if this or any herd is totally removed. These horses have been adapting to this environment through a dynamic selective process since the first horses inhabited this area. Sufficient information is not available to evaluate or even understand this process or its importance. As such, the BLM has elected to reduce this population down to a level slightly below the AML range, which corresponds to a population it believes to be viable. This herd will then be monitored during the burn recovery process.

D. Reference to Environmental Assessment (EA)

An Environmental Assessment (No. NV-020-99-26) has been prepared addressing impacts of this gather and selective removal.

A Programmatic EA (No. NV-020-7-24) analyzing the environmental consequences and mitigating measures for the use of helicopters during gather operations was prepared and distributed for public comment in May 1987. After the incorporation of public comments, a Record of Decision and Finding of No Significant Impact was approved on August 4, 1987.

A Plan Conformance Record for the Bullhead Allotment evaluation was completed and finalized on December 14, 1993.

These documents are available for review at the Winnemucca Field Office.

E. Population and Removal Data

The following table shows the most current wild horse population estimates for the capture area.

<u>Capture Area</u>	<u>AML</u>	<u>Population Estimate</u>	<u>Estimated Post-removal Population</u>
Bullhead Allotment	90-140	238	125

During the most recent gather, in October 1996, 174 wild horses were captured and 88 removed, with 86 released back into the HMA (including 8 mares 8 years old or younger, and 2 unweaned foals). An additional 9-10 horses were not captured. An aerial census was conducted immediately prior to the gather operation to determine the exact number of horses in the area. Population modeling using the Jenkins wild horse population model was used to estimate current age structure.

Mares captured from the HMA nine and younger and studs seven and younger will be shipped to the Palomino Valley Corrals and placed in the adoption program. Horses fifteen years and older will be shipped to Palomino Valley for processing prior to being placed on the wild horse sanctuary. Mares that are between ten and fourteen years of age or older and studs between eight and fourteen years and older will be released back into the herd management area. If the existing population age structure will allow the release of some younger age class animals, then this will be done to try and mitigate the effects of this gather on the age structure of the population. Horses between the ages of 2-9 and of a sex ratio favoring the female at a percentage approximating 80-20 will be released. This skewed sex ratio in favor of the female is an attempt to offset the fact that the older age classes often favor the male by a ratio approaching 70-30. It is also recognized that it is important to have a few young males maturing in the population.

The freeze marking program conducted in the previous two gathers in this HMA, will not be used in this gather.

IV. Methods For Removal And Safety

The methods employed during this capture operation will be herding animals with a helicopter to a trap built with portable panels, or herding animals with a helicopter to ropers. The Bureau of Land Management will contract with a private party for this operation. The following stipulations and procedures will be followed during the contract to ensure the welfare, safety and humane treatment of the wild horses.

A. Trapping and Care of Animals

1. All capture attempts will be accomplished by the utilization of a helicopter. A minimum of one saddle horse shall be immediately available at the trap site to accomplish roping if necessary. Roping will be done only when necessary and only with prior approval by a BLM authorized officer. Under no circumstances shall animals be tied down for more than one hour.
2. The helicopter shall be used in such a manner that bands will remain together. Foals shall not be left behind. The project helicopter actions may occasionally be observed by a Government controlled helicopter. All actions of the Government helicopter will be coordinated with the Contractor to prevent interference with the project helicopter and contract operations.

In the event an additional helicopter is not available to observe the project helicopter, other methods will be utilized to observe the removal operations such as using observers on horseback, in vehicles and/or placing stationary observers in strategic locations.

Capture operations shall be monitored to ensure foals are not orphaned and left on the range. It will be standard practice to check for wet mares without foals or foals coming into the trap without a mare. Field personnel should provide additional on-the-ground monitoring of capture operations where possible. Additional personnel may be requested through the National Program Office (NPO) to assist with capture operations during periods when young foals are expected. If it appears that foals are being separated during the capture operations and ground monitoring will not provide adequate information to develop a solution, a monitoring helicopter may be used to determine the cause of the separations and to assist in reaching a resolution to the situation. The health and well being of the captured animals are paramount and responsibility for meeting this objective lies with the district office and COR.

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

Temperature limitations are 0°F as a minimum and 95°F as a maximum.

The terrain in the removal areas varies from flat valley bottoms to mountainous, and the animals may be located at all elevations (ranging from 4500 feet to 7700 feet) during the time the gathering is scheduled.

Experience gained from past removals in this area indicates the proposed action may cause some stress to the animals. It will be difficult to remove animals from these areas without some concern for the welfare of the animals due to the following reasons.

- a. Excessively dusty conditions may occur in the capture area. Animals may suffer from dust pneumonia.

Prior to any gathering operation, BLM will provide for a pre-capture evaluation of existing conditions in the gather areas. The evaluation will include animal condition, prevailing temperatures, soil conditions, topography, road conditions, location of fences and other physical barriers, and animal distribution in relation to potential trap locations. The evaluation will also arrive at a conclusion as to whether the level of activity is likely to cause undue stress to the animals, and whether such stress would be acceptable or whether a delay in the capture activity is warranted. If it is determined that the capture efforts necessitate the services of a veterinarian, one will be obtained before the capture will proceed.

The Contractor will be provided with a topographic map of the removal area which shows acceptable trap locations and existing fences and/or physical barriers prior to any gathering operations.

The Contractor will also be appraised of the above conditions and will be given direction regarding the capture and handling of animals to ensure their health and welfare is protected.

4. It is estimated that a minimum of one trap site will be required in each capture area to accomplish the work. All trap locations and holding facilities must be approved by a BLM employee prior to construction. The Contractor may also be required to change or move trap locations as determined by the BLM. All traps and holding facilities not located on public land must have prior written approval of the landowner.

Each general site will be selected by a BLM employee after determining the habits of the animals and observing the topography of the area. Site specific locations may be selected by the Contractor with the BLM's approval within this general preselected area. Trap sites will be located to cause as little injury and stress to the animals and as little damage to the natural resources of the

area as possible. Sites will be located on or near existing roads and will receive cultural, and threatened/endangered plant and animal clearances prior to construction. Additional trap sites may be required, as determined by the BLM, to relieve stress caused by certain conditions at the time of the gather (i.e. dust, rocky terrain, temperatures, etc.).

Due to the many variables affecting the distribution of animals such as weather, health and condition, and time of year, it is not possible to identify specific locations at this time. They will be determined at the time of the removal operation.

5. All traps, wings, and holding facilities shall be constructed, maintained and operated to handle the animals in a safe and humane manner and be in accordance with the following:
 - a. Traps and holding facilities shall be constructed of portable panels, the top of which shall not be less than 72 inches high, and the bottom rail of which shall not be more than 12 inches from the ground level. All traps and holding facilities shall be oval or round in design.
 - b. All loading chute sides shall be fully covered with plywood without holes or separation of plies, or like material. The loading chute shall also be a minimum of 6 feet high.
 - c. All runways shall be a minimum of 30 feet long and a minimum of 6 feet high, and shall be covered with plywood without holes or separation of plies, or like material a minimum of 1 foot to 6 feet above ground.
 - d. Wings shall not be constructed out of barbed wire or other material injurious to animals and must be approved by a BLM employee.
 - e. All crowding pens, including the gates leading to the runways, shall be covered with a material which prevents the animals from seeing out (plywood without holes or separation of plies, burlap, jute, etc.) and shall be covered a minimum of 2 feet to 6 feet above ground level. Eight linear feet of this material shall be capable of being removed or let down to provide a viewing window for brand inspection.
 - f. All pens and runways used for the movement and handling of shall be connected with hinged self-locking gates.
6. No fence modifications will be made without authorization from the BLM. The Contractor shall be responsible for restoration of any fence modifications which he has made.

If the route the Contractor proposes to herd animals passes through a fence, the Contractor shall be required to roll up the fence material and pull up the posts to provide at least a 50 yard gap. The standing fence on each side of the gap will be well flagged or covered with jute or like material for a distance of 50 yards from the gap on each side.
7. When excessively muddy conditions occur within or adjacent to the trap or holding facility, the Contractor shall be required to scatter wood shavings or straw to alleviate the problem.

When excessively dusty conditions occur within or adjacent to the trap or holding facility, the Contractor shall be required to water down the area to alleviate the problem.
8. Alternate pens within the holding facility shall be furnished by the Contractor to separate animals with small foals, sick and injured animals, and stray animals from the other animals. Animals shall be sorted as to age, number, size, temperament, sex, and condition when

in the holding facility so as to minimize, to the extent possible, injury due to fighting and trampling.

9. Animals shall be transported to final destination from temporary holding facilities within 24 hours after capture unless prior approval is granted by the BLM for unusual circumstances. Animals shall not be held in traps and/or temporary holding facilities on days when there is no work being conducted except as specified by the BLM. The Contractor shall schedule to arrive at the final destination between 6:00 a.m. and 4:00 p.m.. No shipments shall be scheduled to arrive at final destination on Sundays or Federal holidays. Animals shall not be allowed to remain standing in trucks while not in transport for a combined period of greater than 3 hours.

10. The Contractor shall provide animals held in the traps and/or holding facilities with a continuous supply of fresh clean water at a minimum rate of 10 gallons per animal per day. Animals held for 10 hours or more in the traps or holding facilities shall be provided good quality hay at the rate of not less than two pounds of hay per 100 pounds of estimated body weight per day.

Separate water troughs shall be provided at each pen where animals are being held. Water troughs shall be constructed of such material (e.g. rubber, rubber over metal) so as to avoid injury to animals.

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

12. The Contractor shall restrain sick or injured animals if treatment by the Government is necessary. The BLM will determine if injured animals must be destroyed and provide for destruction of such animals. The Contractor may be required to dispose of the carcasses as directed by the BLM.

Any severely injured or seriously sick animal shall be destroyed in accordance with 43 CFR Subpart 4730.1. Animals shall be destroyed only when a definite act of mercy is needed to alleviate pain and suffering. A BLM employee will have the primary responsibility for determining when an animal will be destroyed and will perform the actual destruction. When a BLM employee is unsure as to the severity of an injury or sickness, a veterinarian will be called to make a diagnosis and final determination. Destruction shall be done in the most humane method available. A veterinarian can be called, if necessary, to care for any injured animal.

The carcasses of the animals which die or must be destroyed as a result of any infectious, contagious, or parasitic disease will be disposed of by burial to a depth of at least 3 feet.

The carcasses of the animals which must be destroyed as a result of age, injury, lameness, or noncontagious disease or illness will be disposed of by removing them from the capture site or holding corral and placing them in an inconspicuous location to minimize the visual impacts. Carcasses will not be placed in drainages regardless of drainage size or downstream destination.

13. 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.

14. Selecting pairs of mares and foals to be released back to the range as opposed to those to be shipped to PVC should consider the selective removal and the gather plan and/or herd management area plan objectives.

The following criteria shall be used to determine which animals will

be returned to the range or sent to PVC:

- a. Mares older than the age group to be removed should be paired with their foals and returned to the range.
 - b. When mares older than the age group to be removed will not pair with their foals, the foals should be sent to PVC and the mares returned to the range.
 - c. When mares older than the targeted age group to be removed will accept their foals, but either the mare or the foal or both are in poor physical condition and their survival on the range is questionable, the animals should be held on site until healthy. If at the termination of the gather it still appears that the animal's survival is questionable, they should then be sent to PVC.
 - d. When mares within the targeted age group to be removed are captured and will accept her foal, the pair should be sent to PVC.
 - e. When mares within the age group to be removed are captured and will not accept the foal, both the mare and the foal should be sent to PVC.
15. When holding the animals at the capture site, every attempt will be made to pair animals at the trap site and ensure they remain paired. Although it is standard practice for the contractor to construct separate pens for holding pairs, should the COR determine it is necessary to construct special facilities beyond the contractor's capability additional portable panels are available at several districts and at PVC. It is recommended that the pen used to hold pairs be separated from the stallion pens by as great a distance as possible. It may be prudent to consider a satellite facility for the pairs removed from the main holding facility, yet within convenient access for feeding, watering, security, and observation.
16. When releasing animals back into the HMA, every effort should be made to avoid releasing all of the pairs at once so as to avoid a herd stampede mentality. The pairs should be released slowly, preferably a pair at a time and the animals allowed to fully clear the area around the gather site before releasing the remaining mares and stallions. The order of animal release should be adjusted to reflect the specific characteristics of each capture site and previous experience releasing animals from that site. Even with these precautions, there may be instances where foals are separated. Should some of these foals return to the trap site or be observed alone, they should be recaptured and sent to PVC.
17. Following release from the trap site, the area surrounding the trap will be monitored to determine the success of the releases prior to the contractor moving to another trap site or termination of the task order. The method of monitoring is dependent on the terrain in which the gather is being conducted and the trap site location. Monitoring should emphasize ground observation techniques and only be necessary within the immediate trap site area. In situations when ground observation is impractical due to terrain or vegetative cover, a monitoring helicopter may be employed.

B. Motorized Equipment

1. All motorized equipment employed in the transportation of captured animals shall be in compliance with appropriate State and Federal laws and regulations applicable to the humane transportation of animals.
2. Vehicles shall be in good repair, of adequate rated capacity, and operated so as to ensure that captured animals are transported

without undue risk or injury.

3. Only stock trailers with a covered top shall be allowed for transporting animals from traps to temporary holding facilities. Only bobtail trucks, stock trailers, or single deck trucks shall be used to haul animals from temporary holding facilities to final destination. Sides or stock racks of transporting vehicles shall be a minimum height of 6 feet 6 inches from vehicle floor. Single deck trucks with trailers 40 feet or longer shall have two partition gates providing three compartments within the trailer to separate animals. Trailers less than 40 feet shall have at least one partition gate providing two compartments within the trailer to separate animals. The compartments shall be of equal size plus or minus 10 percent. Each partition shall be a minimum of 6 feet high and shall have a minimum 5 foot wide swinging gate. The use of double deck trailers is unacceptable and shall not be allowed.
4. All vehicles used to transport animals to the final destination shall be equipped with at least one door at the rear end of the vehicle, which is capable of sliding either horizontally or vertically. The rear door must be capable of opening the full width of the trailer. All panels facing the inside of all trailers must be free of sharp edges or holes that could cause injury to the animals. The material facing the inside of the trailer must be strong enough, so that the animals cannot push their hooves through the sides.

The Contractor will not be allowed to begin work on the contract until all vehicles and equipment are in compliance with these stipulations.

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

The adequacy of this material will be confirmed prior to every load by a BLM employee.
6. Animals to be loaded and transported in any vehicle shall be as directed by a BLM employee and may include limitations on numbers according to age, size, temperament and animal condition. The following minimum linear feet per animal shall be allowed per standard 8 foot wide stock trailer/truck:

1.40 linear foot per adult horse (11 square feet per adult horse)

.75 linear foot per horse foal (6 square feet per horse foal)

The BLM employee supervising the loading of the animals to be transported from the trap to the temporary holding corral will require separation of small foals and/or weak animals from the rest should he/she feel that they may be injured during the trip. He/she will consider the distance and condition of the road in making this determination. Animals shipped from the temporary holding corral to the BLM facility will be separated by sex and age class (including small yearlings). Further separation may be required should condition of the animals warrant.

The BLM employee supervising the loading will exercise his/her authority to off load horses should he/she feel there are too many animals on the vehicle.

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

It is currently planned to ship all animals to the Palomino Valley facility. Communication lines have been established with the Palomino Valley personnel involved in off-loading the animals, to receive

feedback on how the animals arrive. Should problems arise, gathering methods, shipping methods and/or separation of the animals will be changed in an attempt to alleviate the problems.

8. If a BLM employee determines that road conditions are such that animals could be endangered during transportation, the Contractor will be instructed to adjust speed. The maximum distance over which animals may have to be transported on dirt roads is approximately 60 miles per load.

In general, roads in the capture areas are in fair to good condition. If a problem develops, speed restrictions shall be set or alternate routes used.

Periodic checks by BLM employees will be made as the animals are transported along dirt roads. If speed restrictions are in effect, then BLM employees will, at times, follow and/or time trips to ensure compliance.

C. Helicopter, Pilot and Communications

1. The Contractor must operate in compliance with Federal Aviation Regulations, Part 91. Pilots provided by the Contractor shall comply with the Contractor's Federal Aviation Certificates, applicable regulations of the State of Nevada and shall follow what are recognized as safe flying practices.
2. When refueling, the helicopter shall remain a distance of at least 1,000 feet or more from animals, vehicles (other than the fuel truck), and personnel not involved in refueling.
3. The BLM shall have the means to communicate with the Contractor's pilot and be able to direct the use of the gather helicopter at all times. If communications cannot be established, the Government will take steps as necessary to protect the welfare of the animals.
4. The proper operation, service and maintenance of all Contractor furnished helicopters is the responsibility of the Contractor. The BLM reserves the right to remove from service, pilots and helicopters which, in the opinion of the BLM violate contract rules, are unsafe or otherwise unsatisfactory. In this event, the Contractor will be notified in writing to furnish replacement pilots or helicopters within 48 hours of notification. All such replacements must be approved in advance of operation by the BLM.

V. Responsibility and Lines of Communication

The Contracting Officer's Representative, Rodger Bryan and Project Inspectors Dave Stockdale and Bryan Fuell from the Winnemucca Field Office, have the direct responsibility to ensure the Contractor's compliance with the contract stipulations. However, the Assistant Manager for Renewable Resources and the Winnemucca Field Office Manager will take an active role to ensure that appropriate lines of communication are established between the field, District, State, and Palomino Valley offices. All employees involved in the gathering operations will keep the best interests of the animals at the forefront at all times.

All publicity, formal public contact and inquiries will be handled through the Paradise-Denio Area Manager. This individual will be the primary contact and will coordinate the contact with the Palomino Valley Corrals to ensure animals are being transported from the capture site in a safe and humane manner and are arriving in good condition.

The contract specifications require humane treatment and care of the animals during removal operations. These specifications are designed to minimize the risk of injury and death during and after capture of the animals. The specifications will be enforced vigorously.

Should the Contractor show negligence and not perform according to contract

stipulations, he will be issued written instructions, stop work orders, or defaulted.

VI. Full Force and Effect

To prevent undue stress to the wild horse population and to promote the recovery of the perennial vegetative resource, this action is placed in full force and effect (43 CFR 4770.3(c)). Concurrent with this action, portions of the Bullhead Allotment will be closed to livestock grazing for a period of time not less than two growing seasons or until rehabilitation objectives are attained, in accordance with 43 CFR 4110.3-3(b) and 4160.3(f).

VII. Signatures:

Prepared by: Roger T. Egan
Wild Horse and Burro Specialist
Winnemucca Field Office

Date 9/30/99

Recommended by: Ch. P. Chit
Assistant Field Manager
Renewable Resources

Date 9/30/99

Approved by: Ch. P. Chit
Winnemucca Field Manager
Acting.

Date 9/30/99

ACTIVITY:

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
EA FACE SHEET

OFFICE: Winnemucca F.O. FY & REPORT #: FY99 NV-020-99-27

ACTION: Emergency Horse Gather NO. OF PAGES: 12

LOCATION: Seven Troughs HMA SERIAL NO: NV-020-99-27

Antelope Range HA

<u>TEAM SIGNATURES</u>	<u>TITLE</u>	<u>RESOURCE VALUES ASSIGNED</u>	<u>HOURS</u>
<u>David R. Stahlke</u>	<u>WH&B Spec.</u>	<u>Wild Horses</u>	
<u>Dana Speidert</u>	<u>Rangeland Mgt. Specialist</u>	<u>Range</u>	
<u>Lynn Clugan</u>	<u>Outdoor Rec. Planner</u>	<u>Recreation</u>	
<u>Daggy McDuckin</u>	<u>Archeologist</u>	<u>Cultural</u>	
<u>Robert By</u>	<u>Wildlife Biologist</u>	<u>Wildlife</u>	

ENVIRONMENTAL COORDINATOR: *Col. P. Ch...* 9/30/99
Adms (Signature) (Date)

COMPLIANCE OFFICER: _____
(Title or Name)

FIELD MANAGER/ASSISTANT FIELD MANAGER, RENEWABLE RESOURCES *Col. P. Ch...*
(Signature) 9/30/99
(Date)

ENVIRONMENTAL ASSESSMENT
GATHER AND SELECTIVE REMOVAL OF WILD HORSES
FROM THE SEVEN TROUGHS HERD MANAGEMENT AREA (HMA)
AND
THE ANTELOPE RANGE HERD AREA (HA)

I. DESCRIPTION OF ALTERNATIVES

A. Background Data

This Environmental Assessment (EA) has been prepared to assess the environmental impacts of gathering and selectively removing wild horses in the Seven Troughs HMA and the Antelope Range HA. This action is being implemented immediately following the Abel, Fairview, and Poker Brown fires which burned approximately 90,671 acres within the HMA and HA in August 1999, and the Dead Horse Fire, located in the west side of the Seven Troughs HMA which burned an additional 1,638 acres on September 10th and 11th. The fires burned 36.2% of the land area of the Seven Troughs HMA, and 29.1% of the land area of the Antelope Range HA. This EA analyzes options available to reduce grazing pressure on the native range and proposed seedings which would be established in the burned areas. This EA does not assess the impacts of different methods of gathering horses. These impacts were analyzed in a programmatic EA (No. NV-020-7-24) prepared in May 1987. After the incorporation of public comments, a Decision Record and Finding of No Significant Impact was approved on August 4, 1987 and the assessment remains valid today. That EA is on file and available for review in the Winnemucca Field Office.

A helicopter census was conducted on the Seven Troughs HMA and Antelope Range HA on September 17-18, 1999. The results of the census are as follows:

<u>HMA/HA</u>	<u>Horses</u>		<u>Burros</u>	
	<u>Adults</u>	<u>Foals</u>	<u>Adults</u>	<u>Foals</u>
Seven Troughs	160	32	91	11
Antelope	75	12	0	0

B. Purpose and Need

The June 2, 1999 Management Agreement For The Seven Troughs And Blue Wing Allotment Between C-Punch Corporation, Permittee, and USDI, BLM established the AML within the Seven Troughs HMA at 156 wild horses and 46 wild burros. It is necessary to remove approximately 70 excess wild horses and 40 excess wild burros from the

Seven Troughs HMA and another 25 horses from the Antelope Range HA to reduce the grazing pressure on the non-burned areas in this HMA and HA to acceptable levels.

The Abel, Fairview, Poker Brown and Dead Horse fires burned 92,299 acres within the Seven Troughs HMA and the Antelope HA, significant portions of the preferred horse use areas. (See attached maps). Burned areas in both the Blue Wing/Seven Troughs Allotment and the Majuba Allotment in which the HMA and HA are located, are being closed to livestock grazing concurrently with the proposed action. In the Winnemucca Field Office, it is standard procedure to reduce or temporarily eliminate grazing in burns to facilitate recovery of the vegetative resource. The questions addressed in this EA are:

1) Would the horse population at 36 horses above the appropriate management level (AML) of 156 head in the HMA impact the recovery process? If so, how do we reduce or mitigate this impact?

2) Would reducing the horse population in the HMA to 122 horses have adverse impacts on future population genetics, size and age structure? If so, how can we reduce or mitigate this impact?

Horse population impacts are not being analyzed for the Antelope Range HA, since it is a Herd Area where horses will not be permanently maintained; the populations will ultimately be removed or relocated to an HMA to concur with the Sonoma-Gerlach Land Use Plan (LUP) signed July 9, 1982. Population impacts are not being analyzed for burros, as a selective removal will not take place.

Bureau policy regarding removals of horses follows the guidelines set forth in the Strategic Plan for the Management of Wild Horses and Burros on Public Land (Strategic Plan). The Strategic Plan indicates that only adoptable animals may be removed from the range. In accordance with Washington Office Instruction Memorandum 99-053, dated February 2, 1999, only horses 5 years of age and younger will be removed from Herd Management Areas. Horses aged 6-9 years, if deemed adoptable, may also be gathered and shipped. Older horses from these areas must be returned to an HMA. Deviation from this policy is permitted only upon written approval from the Wild Horse and Burro National Program Office (NPO). The IM also states, "When animals must be removed in response to emergency environmental conditions, the selective removal criteria may be amended with prior written approval of the WO-260. The state where the emergency situation exists will immediately contact the WO-260 to jointly develop criteria or removal for the animals, resolve the emergency, and address final disposition of all removed animals." Due to the severity and magnitude of wildfires in the state of Nevada in 1999, the age

removal criteria for the burned area has been modified as follows:

- 1) Mares nine years of age and younger, and studs seven years of age and younger, will be removed and placed in the adoption program.
- 2) Mares and studs 15 years of age and older will be placed on the sanctuary.
- 3) All animals between the ages listed above will either be placed in another HMA, or moved to a temporary holding area until the burns have recovered sufficiently to allow grazing.

The age structure for the Seven Troughs HMA and the Antelope Range HA, using the Jenkins population model, is estimated to be: 72 head 0-5, 10 head 6-9, 47 head 10-14, and 63 head 15 and older. If possible, a percentage of older animals 15+ would be removed to leave a larger proportion of younger aged animals.

This action is in conformance with the Sonoma Gerlach Land Use Plan, Decision WH&B 1.3.

C. Proposed Action and Alternatives

Proposed Action

The proposed action is to remove approximately 70 head or 85% of the horses from the 0-9 age class for females and 0-7 age class for males, and 40 burros of any age, from the Seven Troughs HMA, and 25 horses from the Antelope Range HA. One hundred percent of mares aged 0-9 and stallions aged 0-7 would be removed from the Antelope Range to get as close to the desired 25 head removal number as possible. If more horses are needed from the Antelope Range to make up the 25 head, they will be taken from male horses aged 15 and older. These numbers are derived by multiplying the percentage of area burned by the number of animals censused (see under Background Information). Horses removed from the HMA and HA would be shipped to National Wild Horse and Burro Center at Palomino Valley. All remaining animals would be released back into the HMA and HA.

The number of horses to be removed under this action would be approximately 95. The number of burros removed would be approximately 40. The number of horses to remain in the HMA would be approximately 122 in the Seven Troughs HMA and 62 in the Antelope Range HA. This would leave the HMA at 25 below AML (22%). The number of burros remaining in the HMA would be approximately 71, or 25 above AML (54%).

The proposed removal operation would be expected to begin

on or after October 4, 1999. The gather is expected to take less than a week.

Alternative I

Relocate horses and burros to be removed elsewhere, either within this HMA and HA, or to another HMA.

Alternative II

Horses and burros would not be removed. Temporarily fence reseeded areas using electric fence and flagging to keep them off the burned/seeded areas.

Alternative III

Horses and burros would not be removed. Permanently fence the seeded areas, to keep them off the burned/seeded areas.

Alternative IV - No Action Alternative

No wild horses or burros would be gathered. Horses and burros would be allowed to use the burn and seeded areas at present population levels.

II. AFFECTED ENVIRONMENT

For a description of the Seven Troughs HMA affected environment, reference the Blue Wing/Seven Troughs HMA gather plan dated December 6, 1995, part II, A,5 and the Sonoma-Gerlach Grazing EIS. For a description of the Antelope Range HA affected environment, reference the Checkerboard Wild Horse and Burro Removal Plan dated April 15, 1992 and the Sonoma-Gerlach Grazing EIS.

The Seven Troughs HMA was last gathered in July 1998. A total of 348 horses aged 9 and under were removed from the range, and 108 horses aged 10 and older were returned to the range. An additional 31 burros were captured and removed from the range. The Antelope Range HA was last gathered in February 1998. One hundred twenty six horses aged 9 and under, and 3 mules, were removed from the range, and 44 horses aged 10 and older were returned to the range.

III. ENVIRONMENTAL CONSEQUENCES

A. Proposed Action

1. Direct Impacts

Gathering operations would result in temporary soil and vegetation disturbance, at the temporary facilities, from horse and vehicle activity. Access to the area by the public would be limited during gather operations. The opportunity for wild horse viewing after the gather would be reduced due to the lesser numbers of horses. The horses would undergo stress, related to being captured and handled.

The age structure of the wild horse population in the HMA would be affected. The proposed action would essentially remove 85% of the 0-9 age classes, leaving the population composed almost entirely of animals ten years of age and older. The sex ratio would be skewed to favor the males, in approximately a 55:45 ratio.

2. Indirect Impacts

Several indirect impacts may occur.

a. Wild Horses

The reduction in horse numbers would bring the forage demand closer to the forage production capability of the range. This would aid in achieving proper forage utilization levels and resource objectives of the Land Use Plan and allotment specific objectives.

Population dynamics of the herds may be altered after the removal of younger age classes and return of older age classes to the range. Reproductive rates in the future may decrease somewhat as a result of removal of potential breeders in their peak foaling years. Productivity in older age class mares may increase due to increased forage availability and better nutrition; more older mares would cycle and produce foals. The overall mortality rate of the herd is likely to increase, due to the greater numbers of older animals. Social structure may be affected by the change in sex ratio, resulting in an increased number of bachelor bands and/or a decrease in the average band size within the HMA and HA. The skewed sex ratio could result in increased competition by studs for breeding partners and could result in injuries and a higher mortality sustained by both sexes. (Increased competition for mares results in some turmoil in the population with its resultant stress.)

The wild horse populations in several other

HMA's on this District have undergone selective removals of the 0-5 and 0-9 age classes similar to the proposed action. Those removals were analyzed in EA NV-020-05-05 (available for review at the Winnemucca Field Office). Selective removal may lead to a large decrease in foaling and recruitment rates the first year following removal as bands reorganize, especially if the winter is severe and the removal was great. Or, it may lead to an immediate increase. The majority of the herds analyzed in the aforementioned EA experienced reproductive success the year following the removal and all experienced reproductive success in subsequent years. Reproductive rates varied from approximately 10 to 31 percent, depending on environmental variables such as winter weather and forage production. Releasing older horses back into the HMA would preserve the base line genetic makeup of the herds and older horses may experience somewhat greater longevity due to decreased competition for forage and water, especially after seeded areas are rehabilitated and reopened to grazing.

These preliminary data show that one selective removal of the type proposed would not harm the population. However, the proposed action will be the second selective removal in the past 2 years. Further selective removals would require extensive analysis.

Population modeling of the Seven Troughs herd over a 10 year period indicates an increase in numbers to approximately 240 by the time of the next scheduled gather in 2002, and would remain at 13% below to 34% above the AML for the next seven years, assuming gathers at 3 year intervals. Therefore this selective removal should not harm the population.

b. Vegetation, soil and watershed

Removal of 70 horses and 40 burros from the HMA and another 25 horses from the HA would allow for increased efficiency in the use of the forage resource and a reduction of grazing demand, by approximately 300 tons. It is hoped that this reduced level of grazing would increase the chances for successful seedling reestablishment in the rehabilitated areas. Continuing the management policies outlined in the final multiple use decision for the Blue

Wing/Seven Troughs allotment and the Management Agreement for this allotment between C-Punch Corp., Permittee and USDI, BLM would contribute toward an improvement in ecological condition and associated benefits of improved watershed condition and improved water quality through the reduction of the sediment and total dissolved solid loads in the surface runoff. Seeding along with livestock restrictions and horse population reductions will result in establishment of healthy new growth and the prevention of erosion resulting from the fires.

c. Wildlife and Livestock

The proposed action would result in an increase in quantity and quality of forage available to livestock and wildlife once rehabilitation objectives are achieved.

d. Cultural Resources and Threatened and Endangered Species

An inventory for T&E and sensitive species would be conducted prior to any surface disturbance activity. Proposed trap sites would be inventoried for cultural resources in consultation with the Field Office Archeologist. Any resources located would be avoided.

e. Mitigating Measures and Residual Impacts

The following mitigating measures would be a part of the proposed action:

- 1). Cultural resource and T&E inventories would be conducted prior to setting up capture and holding facilities. Any resources identified would be avoided.
- 2). No surface disturbing activities are anticipated. Unanticipated surface disturbing activities would be approved only after cultural and T&E clearance.
- 3). All phases of the gather and processing operation would be carried out according to Bureau policy with the intent of conducting as safe and humane an operation as possible.

- 4). Wild horse numbers and behavior would be monitored following the removal. If possible, a fixed wing aircraft flight would be scheduled one week after the animals are returned to the HMA and HA and at other times as needed for data collection. Horse behavior would also be monitored from the ground at least monthly when possible. From ground and aerial observations, the following data would be collected and analyzed: average band size, distribution, production, location of relocated horses; and reproductive and survival rates.

3. No Impacts

The following critical elements would not be affected: Visual Resources, Air Quality, ACEC, Farmlands, Floodplains, Native American Religious Concerns, Solid or Hazardous Wastes, Wild and Scenic Rivers, Water Quality, Wetlands/Riparian Zones, Paleontological Resources,, Wilderness, and Noxious Weeds.

B. Alternatives

Alternative I

Direct Impacts

Even if suitable rangeland were available to which the horses could be relocated, relocation is a considerable risk to the population. Horses will normally try to return to their historical areas of use. This has resulted in horses becoming trapped by fences, ending up on highway rights of way and dying of water deprivation.

Indirect Impacts

Relocating the horses within the HMA, even if they were to stay there, would still leave the population above AML. Another gather would need to be scheduled, resulting in unnecessary stress to the population and considerable expense to the wild horse program. All other HMAs within the Winnemucca Field Office are at or above AML, and there is no other HMA which could absorb an additional 95 horses and 40 burros.

Alternative II

Direct Impacts

Temporary fences have not worked well to keep domestic livestock out of burns and reseeded areas. Due to this experience, it is believed that it will not work to keep horses out either. The rehab areas would therefore not become established, resulting in decreased forage availability for all herbivores.

Indirect Impacts

This alternative would probably result in flagging and electric fence wire being scattered through the area. Electric fences cost about 50% more than regular barbed wire fences, and they have a high maintenance requirement.

Alternative III

Direct Impacts

Wild horse populations would be adversely affected by permanent fencing. Seasonal movement patterns, which are essential to the long term welfare of the horses, would be impaired. Additional fencing would be in direct conflict with the Land Use Plan which directs BLM to maintain "Free-roaming behavior".

Indirect Impacts

Fencing of the seeded areas and excluding of both domestic livestock and wild horses would result in providing the recovery process the best chance of success.

Alternative IV

Direct Impacts

Not gathering the horses down to a level commensurate with the available forage supplies would result in damage to the vegetative resource. Experience has shown that wild horses may concentrate on seedings and retard or prevent the recovery process. Observations on reclaimed mining areas within the Bottle Creek Allotment showed that the reclaimed/seeded areas were preferred use areas and grazed heavily.

Indirect Impacts

The wild horse population would be concentrated on

less available acreage due to the burned areas. Although it is unlikely that their use of these areas would result in damage this winter, it is probable that their use of the seeded areas next spring and summer would result in damage.

Decision Record/Finding of No Significant Impact
Gather and Selective Removal of Wild Horses
from the Seven Troughs HMA/Antelope Range HA

I. Proposed Action and Alternatives

- A. Proposed Action - The proposed action is to remove approximately 70 wild horses aged 9 years and younger for females and 7 years and younger for males, and 40 wild burros of any age, from the Seven Troughs HMA within the Blue Wing/Seven Troughs allotment; and 25 wild horses aged 9 years and younger for females, 7 years and younger for males, from the Antelope Range HA within the Majuba allotment. Older horses would be released back into the HMA or HA. This removal is driven by the burning of approximately 92,299 acres within the HMA and HA, and the reseedling of portions of those acres.
- B. Alternative I - Horses and burros would not be removed - they would be relocated either within the HMA and HA, or into some other area.
- C. Alternative II - Horses and burros would not be removed - temporary fencing would be installed in an attempt to keep the horses off the burned/seeded areas.
- D. Alternative III - Horses and burros would not be removed - permanent fencing would be constructed to protect selected burned and seeded areas.
- E. Alternative IV - No Action Alternative. No wild horses or burros would be gathered. No attempt would be made to keep horses and burros off burned or seeded areas. Population control would be left to natural processes.

II. Decision and Rationale

The decision is to adopt the proposed action. Alternative I is rejected because suitable areas are not available for relocation, and the risks of relocation are unacceptable. Alternative II is rejected as this action as this action is too labor intensive and probably would not work anyway. Alternative III is rejected due to the impacts on the wild horse population. Alternative IV is rejected due to the potential impact of the horses on a very expensive seeding.

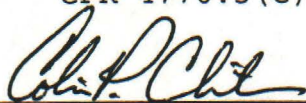
III. Mitigation, Monitoring and Compliance

The following mitigating measures will be a part of the proposed action:

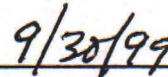
1. Cultural resource and T&E and sensitive species inventories will be conducted prior to setting up gathering and holding facilities. Any resources identified will be avoided.
2. No surface disturbing activities are anticipated. Unanticipated surface disturbing actions will be approved only after cultural and T&E/sensitive species clearance.
3. All phases of the gather, capture and processing operation will be carried out according to Bureau policy with the intent of conducting as safe and humane an operation as possible.
4. Horse numbers and behavior will be monitored from the air and ground following the removal.

IV. Finding of No Significant Impact

The proposed action is in conformance with the Sonoma-Gerlach Land Use Plan. Based on the EA, and in accordance with section 102(2)(c) of the National Environmental Policy Act, no significant environmental impacts will result and an EIS in addition to this EA is not required. This action is placed in Full Force and Effect in accordance with the provisions of 43 CFR 4770.3(c).



Colin P. Christensen
AFM, Renewable Resources
Winnemucca Field Office



Date

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WINNEMUCCA FIELD OFFICE

Seven Troughs HMA
&
Antelope Range HA
Wild Horse Removal Plan
Burn Rehab/Emergency Removal
1999

Seven Troughs HMA & Antelope Range HA
Wild Horse Removal Plan
Fire Rehab/Emergency Gather

I. INTRODUCTION

The intent of this removal plan is to outline the methods and procedures to be used in removing approximately 70 wild horses and 40 wild burros from the Seven Troughs Herd Management Area (HMA) and 25 wild horses from the Antelope Range Herd Area (HA). The proposed action would reduce the horse population of the Seven Troughs HMA to a number 15% below the Appropriate Management Level (AML) established in the Management Agreement for the Blue Wing/Seven Troughs Allotment between C-Punch Corporation, Permittee and BLM dated June 2, 1999, and would reduce the burro population to a number 54% above the AML. It would reduce the horse population of the Antelope Range HA to approximately 62 horses. This action will be taken under emergency gather procedures due to the Abel, Fairview, Poker Brown and Dead Horse Fires which burned approximately 92,299 acres within the HMA and HA in August and September 1999. The burn included areas used preferentially by wild horses and burros. The removal operation will be conducted as soon as a contractor can be scheduled into the area, but no earlier than October 4, 1999.

II. PURPOSE AND AUTHORITY

The purpose of this action is to remove as much grazing pressure from the burned portions of the HMA and HA as possible. Portions of the burned area of the allotments will be seeded and closed to livestock grazing for at least two grazing seasons to facilitate recovery of the perennial vegetation.

The authority for reduction of the wild horse population is contained in the Wild Horse and Burro Act of 1971 (Public Law 92-195) Secs. 3(a) and (b), and Title 43 of the Code of Federal Regulations-CFR4720.1(b). The authority for the Full Force and Effect decision can be found at 43 CFR 4770.3(c).

III. GENERAL AREA DESCRIPTION - BACKGROUND DATA

A. Location

The Seven Troughs HMA is located about twenty miles northwest of Lovelock, entirely in Pershing County. It is bordered on the north by the Kamma Mtns HMA to the west by the Lava Beds HMA, to the south by the Trinity Mtns. HA and to the east by the Antelope Range HA. It consists of approximately 147,910 acres in area, both public and private. Elevations within the HMA range from a high of 7,782 feet to a low of 4,100 feet on the valley floor.

The Antelope Range HA is adjacent to the Seven Troughs HMA; it is about 25 to 30 miles north of Lovelock, predominantly in Pershing County with a small portion of the northern section in Humboldt County. It consists of about 131,760 acres, 63% of which public and 37% private. Elevations range from 6,842 feet at Majuba Mountain to a low of 4,200 feet.

Both areas include habitat for wild horses, domestic livestock, chukar, sage grouse, deer, antelope, coyotes, and various species of birds, rodents and reptiles. Wildlife and wild horses inhabit the HMA and HA year-round.

B. Vegetation

After the burns it is estimated that enough forage is available in the unburned areas to sustain the wild horses in their respective use areas without significant damage to the native vegetative resource if all domestic livestock are removed. However, the establishment of seedlings and the successful recovery of the burned areas would not be attained unless grazing pressure from the wild horse populations is reduced.

Seven Troughs HMA vegetation includes salt desert shrub communities at lower elevations with big sagebrush/grass communities at upper elevations. Species in the salt desert shrub community includes shadscale (Atriplex confertifolia), budsage (Artemisia spinescens), winterfat (Eurotia lanata), black greasewood (Sarcobatus vermiculatus), indian rice grass (Oryzopsis hymenoides), squirrel tail (Sitanion hystrix), bluegrass (Poa spp.) and needlegrass (Stipa spp.). The sagebrush/grass communities include low sage (Artemisia arbuscula), wyoming sagebrush (Artemisia tridentata wyomingensis), desert peach (Prunus fasciculata), green rabbitbrush (Chrysothamnus viscidiflorus), needlegrasses, basin wild rye (Elymus cinereus), squirreltail (Sitanion hystrix), indian paintbrush (Castilleja) and phlox (Phacelia). Cheatgrass (Bromus tectorium) is found at all elevations.

The Antelope Range HA vegetation consists of big sagebrush, saltbrush (Atriplex spp.), budsage, low sage, Utah juniper (Juniperus osteosperma), rabbitbrush, horsebrush (Tetradymia), bluegrass, cheatgrass, squirreltail, needlegrass, and filaree (Erodium).

C. Justification

The June 2, 1999 Management Agreement For The Blue Wing and Seven Troughs Allotment Between C-Punch Corporation, Permittee, and USDI, BLM established the AML for the Seven Troughs HMA at 156 horses and 46 burros. The Antelope Range is a Herd Area, therefore not managed for horses (Sonoma-Gerlach Land Use Plan, July 9, 1982).

It is standard practice to close burned areas and particularly seedings to livestock grazing after a burn to facilitate recovery. Wild horses present a unique challenge in terms of dealing with the recovery process of these areas. The BLM is charged with maintaining viable, free roaming, wild horse populations and believes unique attributes may be lost if any herd in an HMA is totally removed. Sufficient information is not available to evaluate or understand this process or its importance. The BLM has elected to reduce the horse population of the Seven Troughs HMA to a level slightly below the AML range which corresponds to a population we believe to be viable. The wild horse population in the Antelope Range HA must also be reduced to facilitate the rehabilitation of the native range and proposed seedings.

D. Reference to Environmental Assessment (EA)

An Environmental Assessment (No. NV-020-99-27) has been prepared addressing impacts of this gather and selective removal.

A Programmatic EA (No. NV-020-7-24) analyzing the environmental consequences and mitigating measures for the use of helicopters during gather operations was prepared and distributed for public comment in May 1987. After the incorporation of public comments, a Record of Decision and Finding of No Significant Impact was approved

on August 4, 1987. The environmental impacts, associated with selective gathering of wild horses and burros, were analyzed in EA No. NV-020-05-05, a Record of Decision and Finding of No Significant Impact was approved December 6, 1994. These documents are available for review at the Winnemucca Field Office.

E. Population and Removal Data

The following table shows the most current wild horse population estimates for the capture areas. These estimates are based on a helicopter census conducted September 18 and 19, 1999.

<u>Capture Area</u>	<u>AML Horses/Burros</u>	<u>Population Estimate Horses/Burros</u>	<u>Estimated Post-removal Population Horses/Burros</u>
Seven Troughs HMA	156/46	192/111	122/71
Antelope Range HA	0/0	87/0	62/0

The most recent gathers were conducted in February 1998 and August 1998. Two hundred thirty wild horses and 4 mules were captured from the Antelope Range HA and the Kamma Mtns. HMA during the February 1998 gather. One hundred sixty nine horses were removed and 61 released back into the HA and HMA. In August 1998 461 horses were captured, 2 mules, and 31 burros from the Seven Troughs HMA. Approximately 348 horses and all the mules and burros were removed; 108 horses were returned to the HMA. Until the recent completion of the Majuba/Blue Wing/Seven Troughs fence horses moved freely between the Antelope Range HA, the Kamma Mtns. HMA, the Seven Troughs HMA, and the other HMAs in the Blue Wing/Seven Troughs allotment. This explains the discrepancy between population estimates and the number of horses released into the Antelope Range HA and Seven Troughs HMA after the last gathers. In addition this movement and the completion of the fence may result in less than 25 horses 9 and younger being found in the Antelope Range HA. If this occurs the deficit will be made up from older (15+) male horses in the Antelope Range HA.

Captured mares nine and younger, and studs seven and younger will be shipped to the Palomino Valley Corrals and placed in the adoption program. Mares ten to fourteen years of age, and studs eight to fourteen years of age will be released back into the HA and HMA. Mares fifteen and older, and any studs 15 and older that were not shipped, will be released back into the HMA and HA. If the existing population age structure will allow the release of some younger age class animals, then this will be done to try and mitigate the effects of this gather on the age structure of the population. Horses between the ages of 2-9 and of a sex ratio favoring the female at a percentage approximating 80-20 will be released. This skewed sex ratio in favor of the female is an attempt to offset the fact that the older age classes often favor the male be a ratio approaching 70-30. It is also recognized that it is important to have a few young males maturing in the population.

The freeze marking program conducted in previous gathers, will not be used in this gather.

IV. Methods For Removal And Safety

The methods employed during this capture operation will be herding animals with a helicopter to a trap built with portable panels, or herding animals with a helicopter to ropers. The Bureau of Land Management will contract with a private party for this operation. The following stipulations and procedures will be followed during the contract to ensure the welfare, safety and humane treatment of the wild horses.

A. Trapping and Care of Animals

1. All capture attempts will be accomplished by the utilization of a helicopter. A minimum of one saddle horse shall be immediately available at the trap site to accomplish roping if necessary. Roping will be done only when necessary and only with prior approval by a BLM authorized officer. Under no circumstances shall animals be tied down for more than one hour.
2. The helicopter shall be used in such a manner that bands will remain together. Foals shall not be left behind. The project helicopter actions may occasionally be observed by a Government controlled helicopter. All actions of the Government helicopter will be coordinated with the Contractor to prevent interference with the project helicopter and contract operations.

In the event an additional helicopter is not available to observe the project helicopter, other methods will be utilized to observe the removal operations such as using observers on horseback, in vehicles and/or placing stationary observers in strategic locations.

Capture operations shall be monitored to ensure foals are not orphaned and left on the range. It will be standard practice to check for wet mares without foals or foals coming into the trap without a mare. Field personnel should provide additional on-the-ground monitoring of capture operations where possible. Additional personnel may be requested through the National Program Office (NPO) to assist with capture operations during periods when young foals are expected. If it appears that foals are being separated during the capture operations and ground monitoring will not provide adequate information to develop a solution, a monitoring helicopter may be used to determine the cause of the separations and to assist in reaching a resolution to the situation. The health and well being of the captured animals are paramount and responsibility for meeting this objective lies with the district office and COR.

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

Temperature limitations are 0°F as a minimum and 95°F as a maximum.

The terrain in the removal areas varies from flat valley bottoms to mountainous, and the animals may be located at all elevations (ranging from 4500 feet to 7700 feet) during the time the gathering is scheduled.

Experience gained from past removals in this area indicates the proposed action may cause some stress to the animals. It will be difficult to remove animals from these areas without some concern for the welfare of the animals due to the following reasons.

- a. Excessively dusty conditions may occur in the capture area. Animals may suffer from dust pneumonia.

Prior to any gathering operation, BLM will provide for a pre-capture evaluation of existing conditions in the gather areas. The evaluation will include animal condition, prevailing temperatures, soil conditions, topography, road conditions, location of fences and other physical barriers, and animal distribution in relation to potential trap locations. The evaluation will also arrive at a conclusion as to whether the level of activity is likely to cause undue stress to the animals, and whether such stress would be acceptable or whether a delay in the capture activity is warranted. If it is determined that the capture efforts necessitate the services of a veterinarian, one will be obtained before the capture will proceed.

The Contractor will be provided with a topographic map of the removal area which shows acceptable trap locations and existing fences and/or physical barriers prior to any gathering operations.

The Contractor will also be appraised of the above conditions and will be given direction regarding the capture and handling of animals to ensure their health and welfare is protected.

4. It is estimated that a minimum of one trap site will be required in each capture area to accomplish the work. All trap locations and holding facilities must be approved by a BLM employee prior to construction. The Contractor may also be required to change or move trap locations as determined by the BLM. All traps and holding facilities not located on public land must have prior written approval of the landowner.

Each general site will be selected by a BLM employee after determining the habits of the animals and observing the topography of the area. Site specific locations may be selected by the Contractor with the BLM's approval within this general preselected area. Trap sites will be located to cause as little injury and stress to the animals and as little damage to the natural resources of the area as possible. Sites will be located on or near existing roads and will receive cultural, and threatened/endangered plant and animal clearances prior to construction. Additional trap sites may be required, as determined by the BLM, to relieve stress caused by certain conditions at the time of the gather (i.e. dust, rocky terrain, temperatures, etc.).

Due to the many variables affecting the distribution of animals such as weather, health and condition, and time of year, it is not possible to identify specific locations at this time. They will be determined at the time of the removal operation.

5. All traps, wings, and holding facilities shall be constructed, maintained and operated to handle the animals in a safe and humane manner and be in accordance with the following:
 - a. Traps and holding facilities shall be constructed of portable panels, the top of which shall not be less than 72 inches high, and the bottom rail of which shall not be more than 12 inches from the ground level. All traps and holding facilities shall be oval or round in design.
 - b. All loading chute sides shall be fully covered with plywood without holes or separation of plies, or like material. The loading chute shall also be a minimum of 6 feet high.

- c. All runways shall be a minimum of 30 feet long and a minimum of 6 feet high, and shall be covered with plywood without holes or separation of plies, or like material a minimum of 1 foot to 6 feet above ground.
 - d. Wings shall not be constructed out of barbed wire or other material injurious to animals and must be approved by a BLM employee.
 - e. All crowding pens, including the gates leading to the runways, shall be covered with a material which prevents the animals from seeing out (plywood without holes or separation of plies, burlap, jute, etc.) and shall be covered a minimum of 2 feet to 6 feet above ground level. Eight linear feet of this material shall be capable of being removed or let down to provide a viewing window for brand inspection.
 - f. All pens and runways used for the movement and handling of shall be connected with hinged self-locking gates.
6. No fence modifications will be made without authorization from the BLM. The Contractor shall be responsible for restoration of any fence modifications which he has made.
- If the route the Contractor proposes to herd animals passes through a fence, the Contractor shall be required to roll up the fence material and pull up the posts to provide at least a 50 yard gap. The standing fence on each side of the gap will be well flagged or covered with jute or like material for a distance of 50 yards from the gap on each side.
7. When excessively muddy conditions occur within or adjacent to the trap or holding facility, the Contractor shall be required to scatter wood shavings or straw to alleviate the problem.
- When excessively dusty conditions occur within or adjacent to the trap or holding facility, the Contractor shall be required to water down the area to alleviate the problem.
8. Alternate pens within the holding facility shall be furnished by the Contractor to separate animals with small foals, sick and injured animals, and estray animals from the other animals. Animals shall be sorted as to age, number, size, temperament, sex, and condition when in the holding facility so as to minimize, to the extent possible, injury due to fighting and trampling.
9. Animals shall be transported to final destination from temporary holding facilities within 24 hours after capture unless prior approval is granted by the BLM for unusual circumstances. Animals shall not be held in traps and/or temporary holding facilities on days when there is no work being conducted except as specified by the BLM. The Contractor shall schedule to arrive at the final destination between 6:00 a.m. and 4:00 p.m.. No shipments shall be scheduled to arrive at final destination on Sundays or Federal holidays. Animals shall not be allowed to remain standing in trucks while not in transport for a combined period of greater than 3 hours.
10. The Contractor shall provide animals held in the traps and/or holding facilities with a continuous supply of fresh clean water at a minimum rate of 10 gallons per animal per day. Animals held for 10 hours or more in the traps or holding

facilities shall be provided good quality hay at the rate of not less than two pounds of hay per 100 pounds of estimated body weight per day.

Separate water troughs shall be provided at each pen where animals are being held. Water troughs shall be constructed of such material (e.g. rubber, rubber over metal) so as to avoid injury to animals.

11. It is the responsibility of the contractor to provide security to prevent loss, injury or death of captured animals until delivery to final destination.
12. The Contractor shall restrain sick or injured animals if treatment by the Government is necessary. The BLM will determine if injured animals must be destroyed and provide for destruction of such animals. The Contractor may be required to dispose of the carcasses as directed by the BLM.

Any severely injured or seriously sick animal shall be destroyed in accordance with 43 CFR Subpart 4730.1. Animals shall be destroyed only when a definite act of mercy is needed to alleviate pain and suffering. A BLM employee will have the primary responsibility for determining when an animal will be destroyed and will perform the actual destruction. When a BLM employee is unsure as to the severity of an injury or sickness, a veterinarian will be called to make a diagnosis and final determination. Destruction shall be done in the most humane method available. A veterinarian can be called, if necessary, to care for any injured animal.

The carcasses of the animals which die or must be destroyed as a result of any infectious, contagious, or parasitic disease will be disposed of by burial to a depth of at least 3 feet.

The carcasses of the animals which must be destroyed as a result of age, injury, lameness, or noncontagious disease or illness will be disposed of by removing them from the capture site or holding corral and placing them in an inconspicuous location to minimize the visual impacts. Carcasses will not be placed in drainages regardless of drainage size or downstream destination.

13. 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.
14. Selecting pairs of mares and foals to be released back to the range as opposed to those to be shipped to PVC should consider the selective removal and the gather plan and/or herd management area plan objectives.

The following criteria shall be used to determine which animals will be returned to the range or sent to PVC:

- a. Mares older than the age group to be removed should be paired with their foals and returned to the range.
- b. When mares older than the age group to be removed will not pair with their foals, the foals should be sent to PVC and the mares returned to the range.
- c. When mares older than the targeted age group to be

removed will accept their foals, but either the mare or the foal or both are in poor physical condition and their survival on the range is questionable, the animals should be held on site until healthy. If at the termination of the gather it still appears that the animal's survival is questionable, they should then be sent to PVC.

- d. When mares within the targeted age group to be removed are captured and will accept her foal, the pair should be sent to PVC.
 - e. When mares within the age group to be removed are captured and will not accept the foal, both the mare and the foal should be sent to PVC.
15. When holding the animals at the capture site, every attempt will be made to pair animals at the trap site and ensure they remain paired. Although it is standard practice for the contractor to construct separate pens for holding pairs, should the COR determine it is necessary to construct special facilities beyond the contractor's capability additional portable panels are available at several districts and at PVC. It is recommended that the pen used to hold pairs be separated from the stallion pens by as great a distance as possible. It may be prudent to consider a satellite facility for the pairs removed from the main holding facility, yet within convenient access for feeding, watering, security, and observation.
 16. When releasing animals back into the HMA, every effort should be made to avoid releasing all of the pairs at once so as to avoid a herd stampede mentality. The pairs should be released slowly, preferably a pair at a time and the animals allowed to fully clear the area around the gather site before releasing the remaining mares and stallions. The order of animal release should be adjusted to reflect the specific characteristics of each capture site and previous experience releasing animals from that site. Even with these precautions, there may be instances where foals are separated. Should some of these foals return to the trap site or be observed alone, they should be recaptured and sent to PVC.
 17. Following release from the trap site, the area surrounding the trap will be monitored to determine the success of the releases prior to the contractor moving to another trap site or termination of the task order. The method of monitoring is dependent on the terrain in which the gather is being conducted and the trap site location. Monitoring should emphasize ground observation techniques and only be necessary within the immediate trap site area. In situations when ground observation is impractical due to terrain or vegetative cover, a monitoring helicopter may be employed.

B. Motorized Equipment

1. All motorized equipment employed in the transportation of captured animals shall be in compliance with appropriate State and Federal laws and regulations applicable to the humane transportation of animals.
2. Vehicles shall be in good repair, of adequate rated capacity, and operated so as to ensure that captured animals are transported without undue risk or injury.
3. Only stock trailers with a covered top shall be allowed for

transporting animals from traps to temporary holding facilities. Only bobtail trucks, stock trailers, or single deck trucks shall be used to haul animals from temporary holding facilities to final destination. Sides or stock racks of transporting vehicles shall be a minimum height of 6 feet 6 inches from vehicle floor. Single deck trucks with trailers 40 feet or longer shall have two partition gates providing three compartments within the trailer to separate animals. Trailers less than 40 feet shall have at least one partition gate providing two compartments within the trailer to separate animals. The compartments shall be of equal size plus or minus 10 percent. Each partition shall be a minimum of 6 feet high and shall have a minimum 5 foot wide swinging gate. The use of double deck trailers is unacceptable and shall not be allowed.

4. All vehicles used to transport animals to the final destination shall be equipped with at least one door at the rear end of the vehicle, which is capable of sliding either horizontally or vertically. The rear door must be capable of opening the full width of the trailer. All panels facing the inside of all trailers must be free of sharp edges or holes that could cause injury to the animals. The material facing the inside of the trailer must be strong enough, so that the animals cannot push their hooves through the sides.

The Contractor will not be allowed to begin work on the contract until all vehicles and equipment are in compliance with these stipulations.

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

The adequacy of this material will be confirmed prior to every load by a BLM employee.

6. Animals to be loaded and transported in any vehicle shall be as directed by a BLM employee and may include limitations on numbers according to age, size, temperament and animal condition. The following minimum linear feet per animal shall be allowed per standard 8 foot wide stock trailer/truck:

1.40 linear foot per adult horse (11 square feet per adult horse)

.75 linear foot per horse foal (6 square feet per horse foal)

The BLM employee supervising the loading of the animals to be transported from the trap to the temporary holding corral will require separation of small foals and/or weak animals from the rest should he/she feel that they may be injured during the trip. He/she will consider the distance and condition of the road in making this determination. Animals shipped from the temporary holding corral to the BLM facility will be separated by sex and age class (including small yearlings). Further separation may be required should condition of the animals warrant.

The BLM employee supervising the loading will exercise his/her authority to off load horses should he/she feel there are too many animals on the vehicle.

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

It is currently planned to ship all animals to the Palomino Valley facility. Communication lines have been established with the Palomino Valley personnel involved in off-loading the animals, to receive feedback on how the animals arrive. Should problems arise, gathering methods, shipping methods and/or separation of the animals will be changed in an attempt to alleviate the problems.

8. If a BLM employee determines that road conditions are such that animals could be endangered during transportation, the Contractor will be instructed to adjust speed. The maximum distance over which animals may have to be transported on dirt roads is approximately 60 miles per load.

In general, roads in the capture areas are in fair to good condition. If a problem develops, speed restrictions shall be set or alternate routes used.

Periodic checks by BLM employees will be made as the animals are transported along dirt roads. If speed restrictions are in effect, then BLM employees will, at times, follow and/or time trips to ensure compliance.

C. Helicopter, Pilot and Communications

1. The Contractor must operate in compliance with Federal Aviation Regulations, Part 91. Pilots provided by the Contractor shall comply with the Contractors Federal Aviation Certificates, applicable regulations of the State of Nevada and shall follow what are recognized as safe flying practices.
2. When refueling, the helicopter shall remain a distance of at least 1,000 feet or more from animals, vehicles (other than the fuel truck), and personnel not involved in refueling.
3. The BLM shall have the means to communicate with the Contractor's pilot and be able to direct the use of the gather helicopter at all times. If communications cannot be established, the Government will take steps as necessary to protect the welfare of the animals.
4. The proper operation, service and maintenance of all Contractor furnished helicopters is the responsibility of the Contractor. The BLM reserves the right to remove from service, pilots and helicopters which, in the opinion of the BLM violate contract rules, are unsafe or otherwise unsatisfactory. In this event, the Contractor will be notified in writing to furnish replacement pilots or helicopters within 48 hours of notification. All such replacements must be approved in advance of operation by the BLM.

V. Responsibility and Lines of Communication

The Contracting Officer's Representative, Rodger Bryan and Project Inspectors Tom Seley and Bryan Fuell from the Winnemucca Field Office, have the direct responsibility to ensure the Contractor's compliance with the contract stipulations. However, the Assistant Field Manager for Renewable Resources and the Winnemucca Field Office Manager will take an active role to ensure that appropriate lines of communication are established between

the field, District, State, and Palomino Valley Corral offices. All publicity, formal public contact and inquiries will be handled through the Assistant Field Manager for Renewable Resources. All employees involved in the gathering operations will keep the best interests of the animals at the forefront at all times.

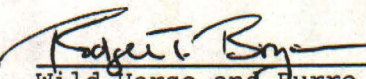
The contract specifications require humane treatment and care of the animals during removal operations. These specifications are designed to minimize the risk of injury and death during and after capture of the animals and will be enforced vigorously.

Should the Contractor show negligence and not perform according to contract stipulations, he will be issued written instructions, stop work orders, or defaulted.

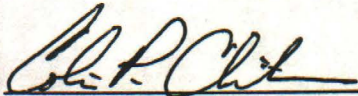
VI. Full Force and Effect

To prevent undue stress to the wild horse population and to promote the recovery of the perennial vegetative resource, this action is placed in full force and effect (43 CFR 4770.3(c)). Concurrent with this action, portions of the Blue Wing/Seven Troughs Allotment and the Majuba Allotment will be closed to livestock grazing for a period of time not less than two growing seasons or until rehabilitation objective are attained in accordance with 43 CFR 4110.3-3(b) and 4160.3(f).

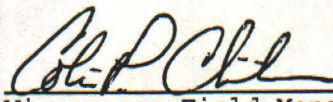
VII. Signatures:

Prepared by: 
Wild Horse and Burro Specialist
Winnemucca Field Office

Date 9/30/99

Recommended by: 
Assistant Field Manager
Renewable Resources

Date 9/30/99

Approved by: 
Winnemucca Field Manager
Acting

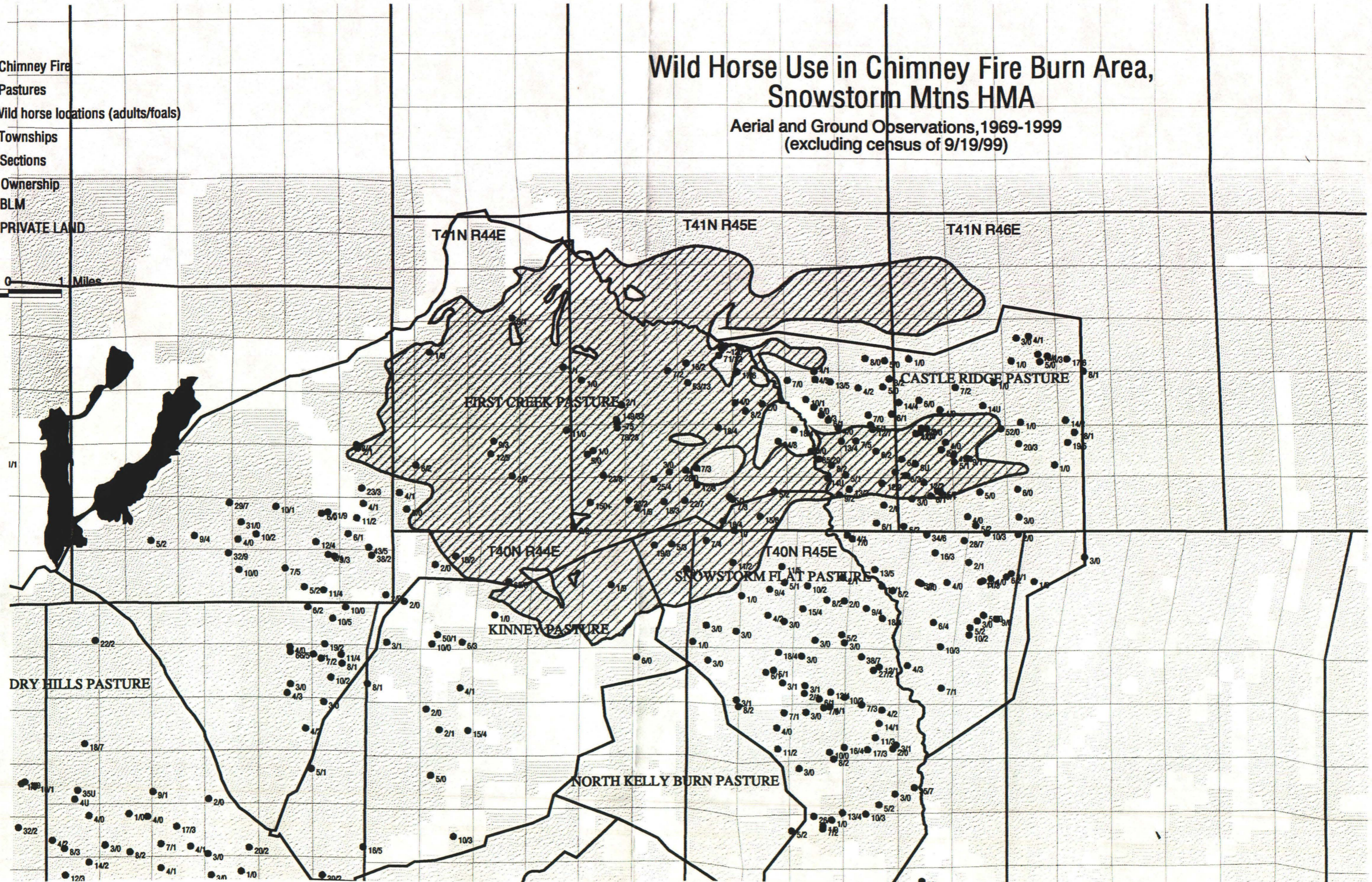
Date 9/30/99

Wild Horse Use in Chimney Fire Burn Area, Snowstorm Mtns HMA

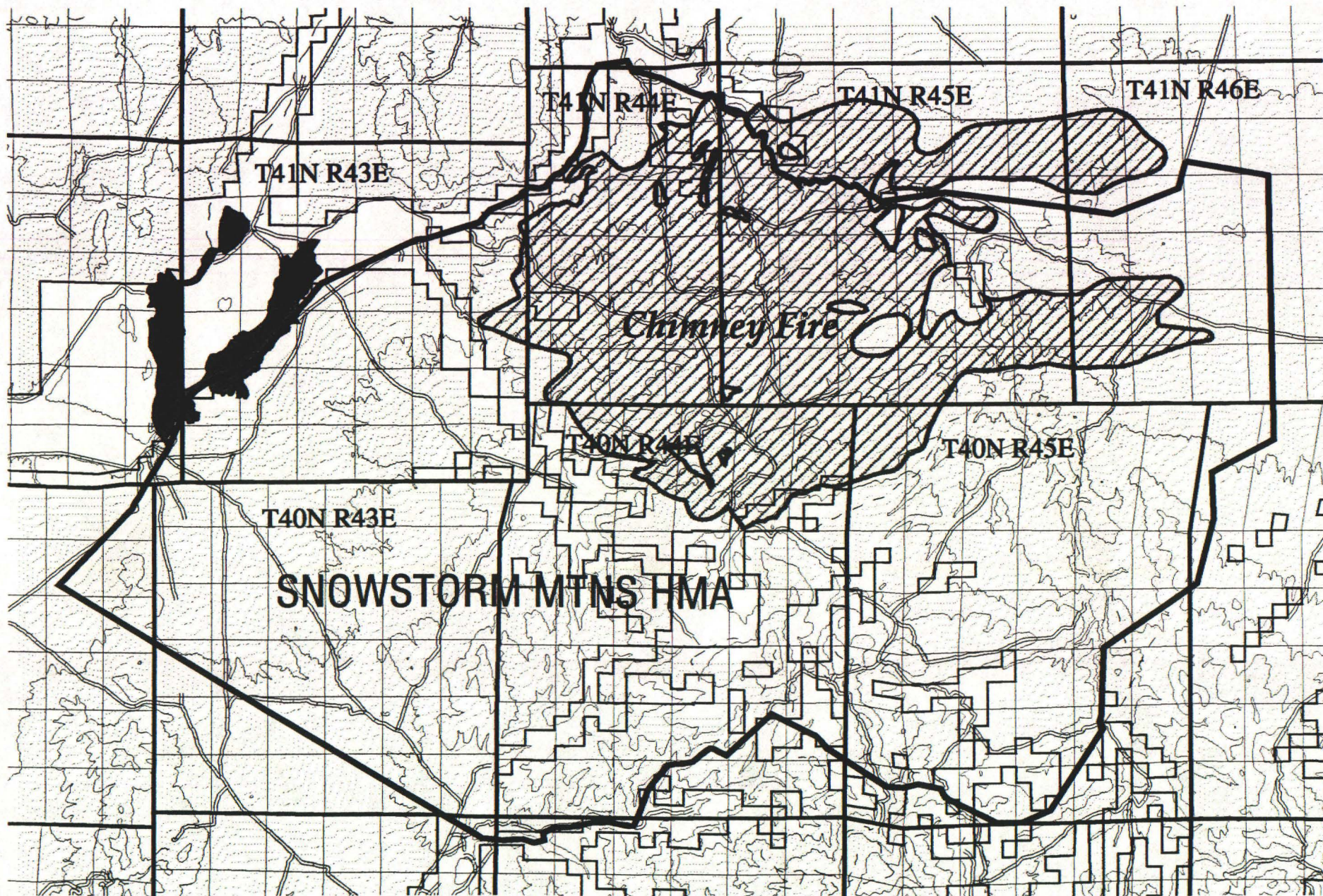
Aerial and Ground Observations, 1969-1999
(excluding census of 9/19/99)

- Chimney Fire
- Pastures
- Wild horse locations (adults/foals)
- Townships
- Sections
- Land Ownership
- BLM
- PRIVATE LAND

0 1 Miles

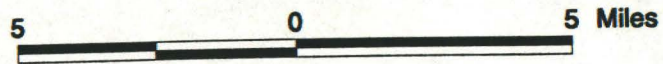
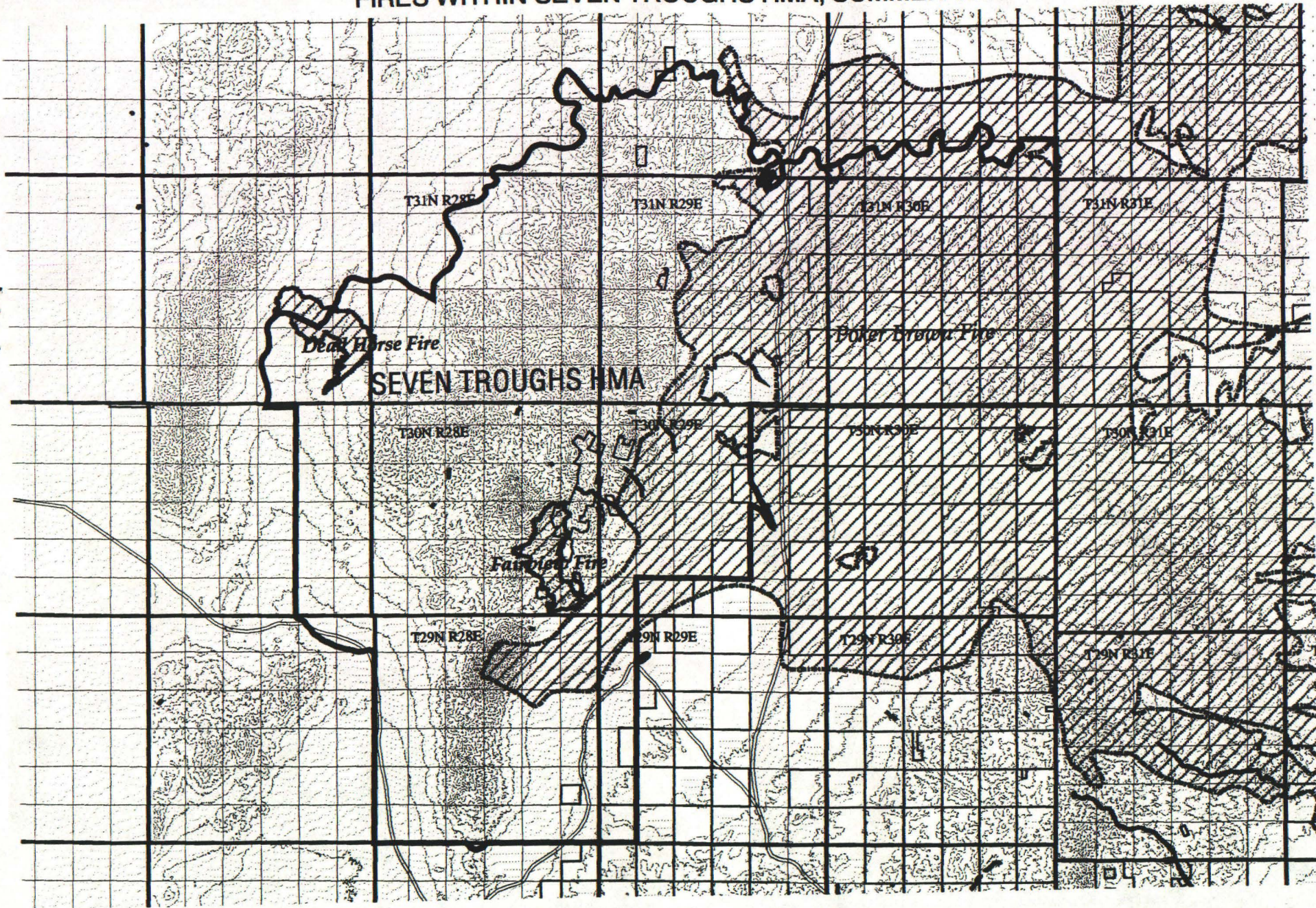


FIRES WITHIN SNOWSTORM MTNS HMA, SUMMER 1999

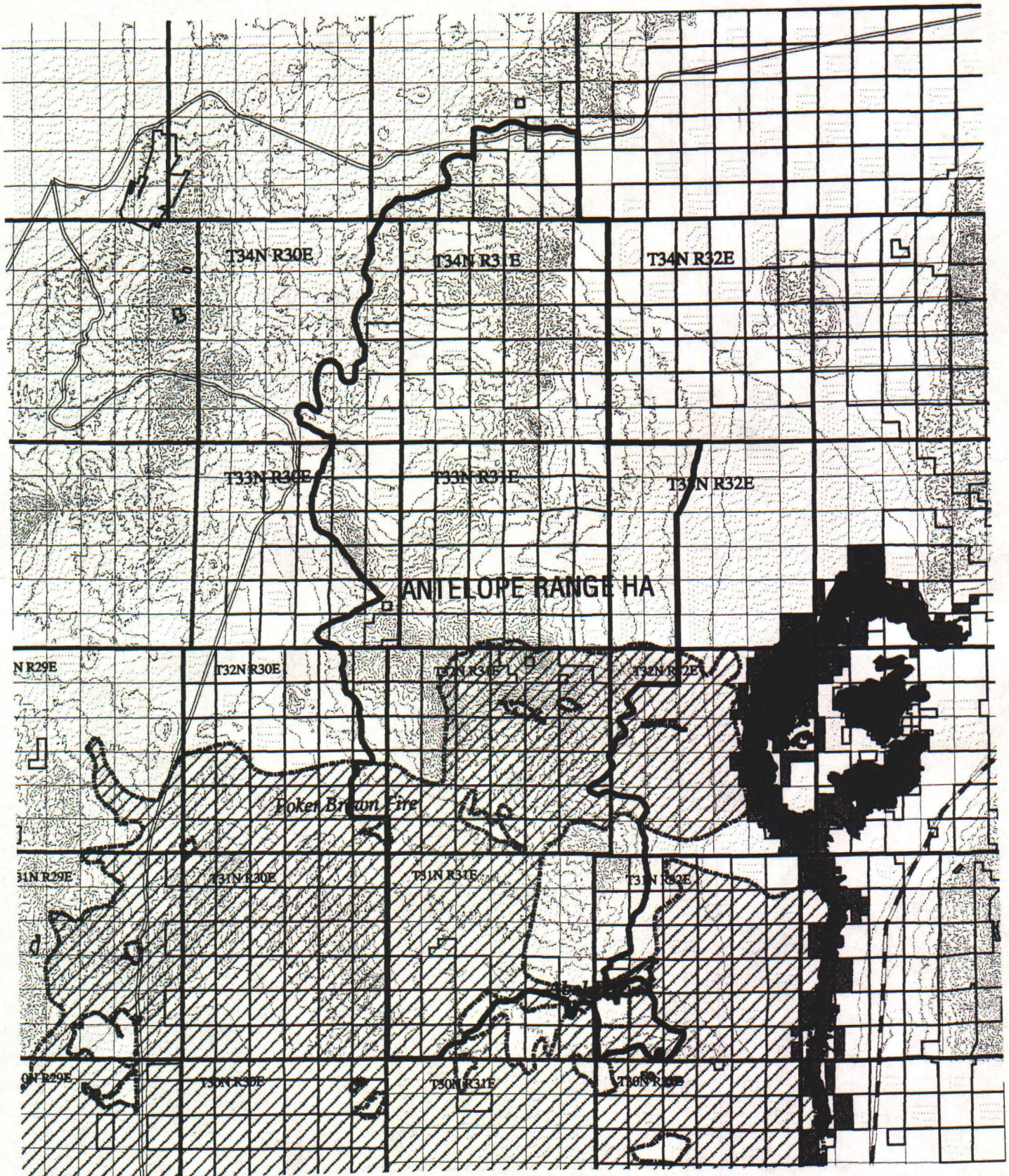


5 0 5 Miles

FIRES WITHIN SEVEN TROUGHS HMA, SUMMER 1999



FIRES WITHIN ANTELOPE RANGE HA, SUMMER 1999



5 0 5 Miles