



# United States Department of the Interior

## BUREAU OF LAND MANAGEMENT

Winnemucca District Office  
705 East 4th Street  
Winnemucca, Nevada 89445

✓ a 6-7-93  
TAKE  
PRIDE IN  
AMERICA

IN REPLY REFER TO:

4700  
(NV-240)

JUN 07 1993

Ms. Cathy Barcomb  
Commission for the Preservation of Wild Horses  
Stewart Facility  
5500 Snider Avenue  
Carson City, NV 89710

Dear Ms. Barcomb:

As requested in your phone conversation with Dave Stockdale on June 1, 1993, I have enclosed a copy of the environmental assessment for the relocation of approximately 5-10 head of wild horses into the Jackson Mountains Herd Management Area.

Also, at your request, I have enclosed a copy of the letter we received from Mr. Tim DeLong requesting that we remove the wild horses from private lands in the Alpha Mountain area.

If you have any questions, you may contact Dave Stockdale at (702) 623-1500.

Sincerely yours,

*Scott Billing*  
Scott Billing, Area Manager  
Paradise-Denio Resource Area

Enclosures 2

- 1-EA for Wild Horse relocation
- 2-Letter Dated 12-13-92 from Mr. Tim DeLong

6-4-93

ACTIVITY 4370

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
Bureau of Land Management

# EA FACE SHEET

OFFICE: NU 020 FY & REPORT # NV-020-03-32  
ACTION: Relocation of Wild Horses NO. OF PAGES \_\_\_\_\_  
(Project Name, Case Type, etc.)  
LOCATION: \_\_\_\_\_ SERIAL NO. N- \_\_\_\_\_

TEAM SIGNATURES:	TITLE	RESOURCE VALUES ASSIGNED	HOURS
<i>Kimberly J. Tooley</i>	SCA vol.	author	
<i>Daniel R. Stotable</i>	WHA Spec.	Wild horses	
<i>Bob Popper</i>	Range	Range	.5
<i>Shirley Tolson</i>	Wildlife	Wildlife <del>WHA</del>	
<i>Regina Smith</i>	Cultural		
<i>Shirley Tolson</i>	T+E plants		
<i>Lynn A. Clemon</i>	Wilderness	Wilderness	
	Environmental Coordinator		

ENVIRONMENTAL COORDINATOR: *Gerald Blunt* (Signature) 04 June 93 (Date)

COMPLIANCE OFFICER: \_\_\_\_\_ (Title or Name)  
DISTRICT/AREA MANAGER: *Just Billig* (Signature)  
6-4-93 (Date)

ENVIRONMENTAL ASSESSMENT  
REMOVAL OF WILD HORSES  
FROM THE EUGENE MOUNTAINS HERD AREA

I. DESCRIPTIONS OF ALTERNATIVES

A. Background Data

This document has been prepared to assess the relocation of unadoptable wild horses in the Eugene Mountains Herd Area (H.A.)

B. Purpose and Need

The bureau is proposing a removal of approximately twenty-five wild horses, at the request of the private land owners, as soon as practicable in the HA. The owner has requested that the wild horses be removed off his privately owned land. This action is being taken under the Wild Free-Roaming Horse and Burro Act of 1971, Public Law (92-195). It states that if wild free-roaming horses or burros stray from public lands onto privately owned land, the owners of such land may inform the nearest Federal marshal or agent of the Secretary, who shall arrange to have the animals removed. The Code of Federal Regulations under 43 CFR 4720.2-1 states that upon written request from the private land owner to any representative of the Bureau of Land Management, the authorized officer shall remove stray wild horses and burros from private lands as soon as practicable.

As the wild horses are removed from private lands, the adoptable animals would be transported to Palomino Valley and the unadoptable animals would be relocated to another HMA within the Resource Area.

This action is in conformance with the Land Use Plan for the Paradise-Denio Resource Area.

C. Proposed Action and Alternatives

The proposed action is to remove the entire HA population of approximately twenty-five wild horses according to the following criteria.

1. To capture all horses off of the Eugene Mountain HA. All those horses nine years and under would then be shipped to the Palomino Valley Center (PVC).
2. Those horses ten years of age and older (5 to 10 animals) would be released into the Jackson Mountains HMA, specifically on the Deer Creek and Happy Creek allotments.

The proposed action is expected to begin June 21st, 1993 and be completed by July 1st, 1993.

### Alternative I

Leave horses 10 years of age and older on the checkerboard land.

### Alternative II

The unadoptable horses would be released on other HMAs within the RA or district.

### Alternative III

Euthanasia would be humanely used on the wild horses that are unadoptable.

### Alternative IV - No Action Alternative

No wild horses would be gathered. Population control would be left to natural processes.

## II. AFFECTED ENVIRONMENT

*non use*  
*89 28*  
*49% pan*

The Jackson Mountains are located approximately 40 miles west of Winnemucca, Nevada. The range has a north-south orientation. The HMA is approximately 40 miles long and 12 miles wide and HMA is administered by the Paradise-Denio Resource Area of the BLM Winnemucca District. The Jackson Mountain HMA is comprised of approximately 496,827 acres: 485,207 acres (98%) of BLM land and 11,620 acres (2%) of private land. The HMA is contained in the Denio Planning Unit of the Paradise-Denio Resource Area allotments.

The elevation varies from a high of 7,100 feet at Deer Creek Peak to a low of 3,900 feet at Quinn River on the north end, on the west side of the Jackson Mountains.

The HMA contains vegetation at the lower elevations that include greasewood, shadscale, budsage changing to big sagebrush-grass, and grass at the higher elevations. Monitoring data collected in March and April for the end of the grazing year, on the Deer Creek and Happy Creek allotments indicated that utilization levels were slight in the vicinity of the release sites. Based on this data, there is sufficient forage available in the areas designated as release sites and the release of the wild horses will not exceed the carrying capacities of these allotments. The HMA provides habitat for the wild horses, mule deer, bighorn sheep, antelope, and a low density population of chukar, sage grouse, mourning dove, and valley quail, based on figures supplied by the Nevada Department of Wildlife. Wild horses and wildlife inhabit the area year round.

The relocation environment of Deer Creek and Happy Creek allotments would offer numerous springs, wells, and creeks. There are five springs available in the Deer Creek allotment. In the Happy Creek allotment at

Buckbrush Spring, where the horses will be released, there is plenty of available water. There are also numerous water sources in the upper elevations of the Happy Creek allotment.

### III. ENVIRONMENTAL CONSEQUENCES

#### Proposed Action

##### Direct impacts

Release operations would result in some temporary soil and vegetation disturbance from horse and vehicle activity.

##### Indirect Impacts

Several indirect impacts may occur.

##### a. Vegetation, soil and watershed

The number of Animal Unit Months (AUMs) of use would increase due to the expansion of the wild horses on the HMA. Utilization data indicates there should be adequate forage to handle the increase.

##### b. Wildlife and Livestock

The proposed action would create more competition for space between existing populations of wildlife and livestock, and wild horses.

##### c. Wild Horses

There would be some social adjustments between the newcomers and the horses already established.

##### d. Wilderness

Small portions of the Happy Creek and Deer Creek allotments are located in the North Jackson Mountain WSA ( NV-020-606) that would not be affected by the release of the horses (see attachment 1)

##### e. Mitigating Measures and Residual Impacts

The following mitigating measures would be part of the proposed action.

1. After the animals are relocated they will be monitored to make sure they adjust properly. Animals released will be freeze branded, which will assist in monitoring.
2. All phases of the relocation operation will be carried

out according to Bureau policy with the intent of conducting as safe and humane an operation as possible.

If undue stress is likely to be placed on animals already in poor condition, as determined by BLM or veterinary personnel on site, the operation will be suspended and affected animals will be humanely euthanized.

3. Animals will be released into areas where adequate forage and water exist.

#### No Impacts

The following critical elements are not affected: Air Quality, ACEC, Farmlands, Floodplains, Native American Religious Concerns, Solid or hazardous wastes. Wild and Scenic Rivers, and Paleontological Resources. In addition, there would be no impact on the recreational or visual resources nor any impact to cultural resources as there would be no surface disturbance associated with this action other than natural.

#### Alternative I

This alternative would have the same direct and indirect impacts as the proposed action. In addition the animals would likely spend a portion of their time on private lands.

#### Alternative II

Other HMA's are over AML and are experiencing problems with overuse of the vegetative resource.

#### Alternative III

No direct environmental impacts would result, since their population would be humanely euthanized.

#### Alternative IV

No direct environmental impacts would occur, since there would be no gather operations.

#### Consultation and Coordination of the Gather Plan

Natural Resources Defense Council  
Sierra Club-Toiyabe Chapter  
Craig Downer  
The Wilderness Society  
Nevada Department of Wildlife -- Fallon  
John Marvel  
Nevada Land Action Association

Nevada Farm Bureau Federation  
Wild Horse Organized Assistance  
Animal Protection Institute of America  
Comm. for the Preservation of Wild Horses  
Int'l Society for Protection of Mustangs & Burros  
American Horse Protection Association  
U.S. Humane Society  
Claudia J. Richards  
Humboldt County Commissioners  
Dave Cassinelli  
Tim DeLong

Consultation and Coordination of the Environmental Assessment

Resource Area Staff Specialists

Range  
Wildlife  
Wild Horses and Burros  
Cultural  
T & E Plants  
Wilderness

Resource Staff Specialists

Soils  
Environmental Specialist

Decision Record  
Removal of Wild Horses  
from the Eugene Mountain Management Area

I. Proposed Action and Alternatives

- A. The proposed action is to remove approximately five to ten wild horses from the Eugene Mountains HA. Criteria for removal would be the Wild Free-Roaming Horse and Burro Act of 1971 Public Law (92-195).
- B. Alternative I - Leave horses 10 years of age and older on the checkerboard land. Criteria for removal would be animal age.
- C. Alternative II - The horses would be released on other HMAs in a different district or RA.
- D. Alternative III - Euthanasia would be humanely used on the wild horses that are unadoptable.
- E. Alternative IV - No Action Alternative - No wild horses would be gathered.

II. Decision and Rationale

The decision is to adopt the proposed action. Alternative I is rejected because of the Wild Free-Roaming Horse and Burro Act of 1971 Public Law (92-195). Alternative II is rejected because other HMA's are over AML and/or monitoring indicates the vegetative resource is being overused. Alternative III is rejected as not being palatable to destroy healthy animals. Alternative IV is not implemented as it is not in compliance with 43 CFR 4720.2.

III. Mitigation, Monitoring and Compliance

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

1. After the animals are relocated they will be monitored to make sure they adjust properly. Animals released will be freeze branded, which will assist in monitoring.
2. All phases of the relocation operation will be carried out according to Bureau policy with the intent of conducting as safe and humane an operation as possible.

If undue stress is likely to be placed on animals already in poor condition, as determined by BLM or veterinary personnel on

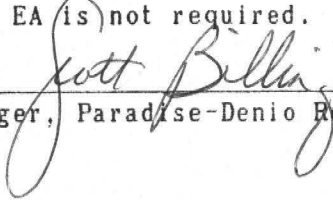


site, the operation will be suspended and affected animals will be humanely euthanized.

3. Animals will be released into areas where adequate forage and water exist.

#### IV. Conclusion

The proposed action is in conformance with the Paradise-Denio Land Use Plan. Based on the EA, no significant environmental impacts will result and an EIS in addition to this EA is not required.

  
\_\_\_\_\_  
Area Manager, Paradise-Denio Resource Area





6-4-93  
Date

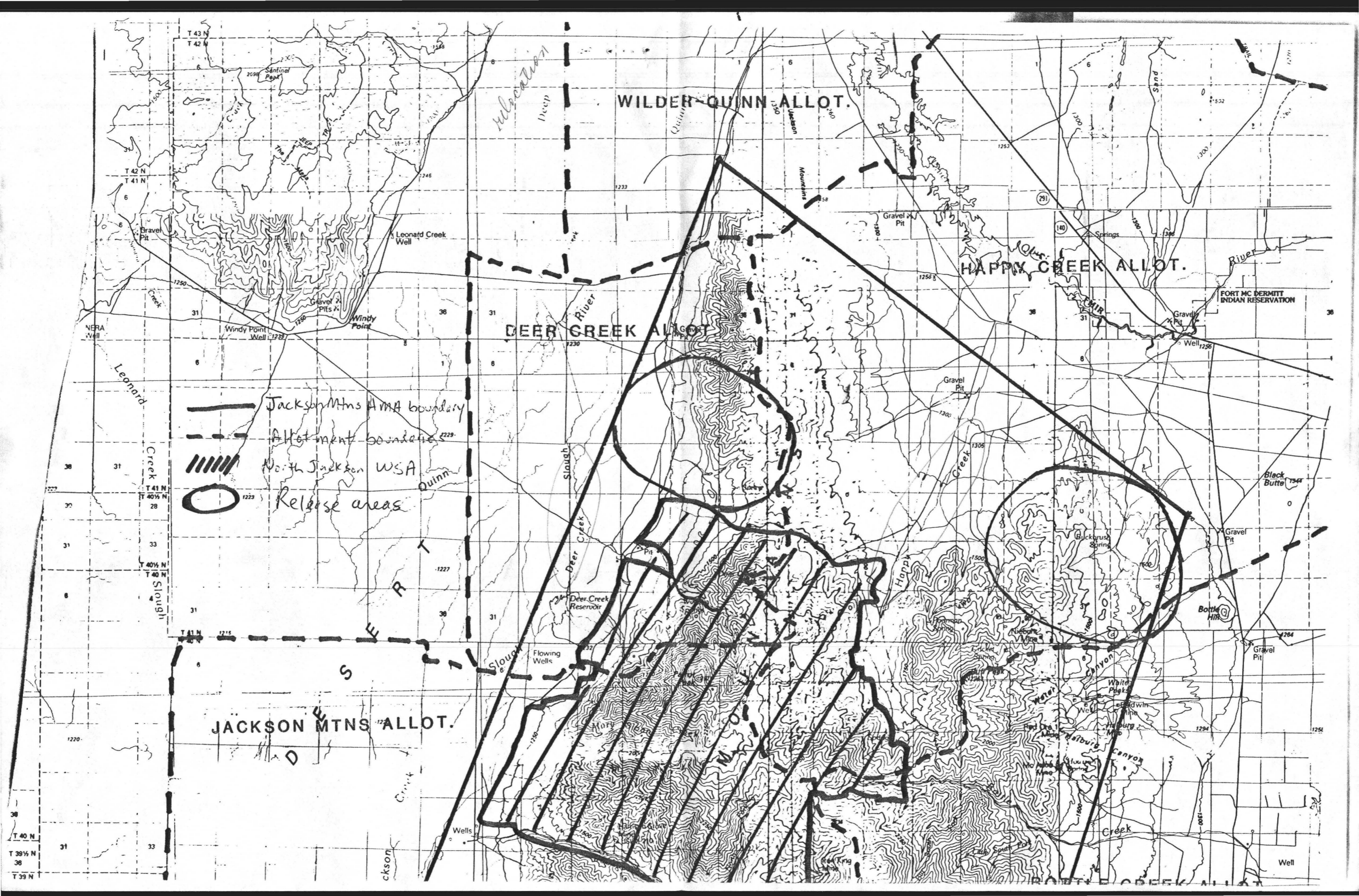
WILDER QUINN ALLOT.

HAPPY CREEK ALLOT.

DEER CREEK ALLOT.

JACKSON MTNS ALLOT.

 Jackson Mtns AMA boundary  
 Allotment boundaries  
 North Jackson WSA  
 Release areas



U.S. DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

Winnemucca District Office

Paradise-Denio Resource Area

Eugene Mountains Checkerboard

Wild Horse Removal Plan

1993

## Eugene Mountains Checkerboard Wild Horse Removal Plan

### I. INTRODUCTION

The intent of this document is to outline the methods and procedures to be used in removing approximately 25 wild horses from the Eugene Mountains Herd Area (HA). The proposed action would remove all animals from the area in conformance with the Paradise-Denio MFP-III decision WH&B 1.4. The removal would take place at the same time as the removals indicated in the Sonoma-Gerlach Resource Area Checkerboard Removal Plan dated April 27, 1992 are carried out. Funding has been requested for this gather for fall 1993.

### II. GENERAL AREA DESCRIPTION - BACKGROUND DATA

#### A. Location

The capture area is located in the Denio Planning Unit of the Paradise-Denio Resource Area. The capture area is situated within the checkerboard lands adjacent to the Southern Pacific Railroad. Refer to the attached map for the specific location of the gather area. The removal area is located approximately 33 miles southwest of Winnemucca, Nevada.

#### B. Justification

The Wild Free-Roaming Horse and Burro Act of 1971 (Public Law 92-195) as amended, Section 4 states, if wild free-roaming horses or burros stray from public lands onto privately owned land, the owners of such land may inform the nearest Federal marshal or agent of the Secretary, who shall arrange to have the animals removed. The Code of Federal Regulations under 43 CFR 4720.2-1 states that upon written request from the private landowner to any representative of the Bureau of Land Management, the authorized officer shall remove stray wild horses and burros from private lands as soon as practicable. The private land owners within the Eugene Mountains HA have requested that we remove the wild horses from this area as soon as possible.

TIM DELONG

The Paradise-Denio Management Framework Plan Wild Horse and Burro decision WH&B 1.4 is to remove wild horses and burros from the checkerboard Herd Areas unless a cooperative agreement providing for the retention and protection of wild horses and burros is consummated with the affected private landowner(s). Cooperative agreements have not been obtained for the Eugene Mountains HA.

#### C. Reference to Environmental Assessment (EA)

A Programmatic EA (No. NV-020-7-24) analyzing the impacts of various gather methods 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 public hearing to discuss the use of helicopters and

motorized vehicles in the gathering and transportation of wild horses and burros during FY-93 was held at the Winnemucca District Office on January 8, 1993. A Land Use Plan conformance action was completed for the proposed action. These documents, including the minutes of the 1/8/93 meeting, are available for review at the Winnemucca District Office.

D. Population and Removal Data

The most current population estimate for the Eugene Mountains HA is 25 wild horses. The objective of the capture is to remove all animals found in the area in accordance with the Paradise-Denio MFP decision WH&B 1.4 and Public Law 92-195. All captured animals will be shipped to the Palomino Valley Corrals. Wild horses that are 10 years of age or older will be released into a Herd Management Area (HMA) on the Winnemucca District and prior to release a fertility control procedure may be performed on the animals. A fertility control procedure and subsequent release of animals into another HMA on the District will not take place unless objectives have been developed and approved, and an environmental assessment of the proposed action has been prepared and adopted.

III. 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

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.

It is anticipated that roping of some animals may occur in the capture area in order to facilitate the removal of all wild horses.

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.

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.

BLM will not allow horses to be herded more than 10 miles nor faster than 20 miles per hour. The COR may decrease the rate or distance traveled, should the route to the trap site pose a danger or cause undue stress.

Temperature limitations are 10°F as a minimum and 95°F as a maximum.

The terrain in the removal area varies from flat valley bottoms to hilly, and the animals may be located at all elevations (ranging from 4000 to 6000 feet) during the time the gathering is scheduled.

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, drought conditions, 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 to the animals if veterinarian expertise were present, 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, 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 the 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, deep snow, 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 1 foot to 5 feet above ground level for burros and 2 feet to 6 feet for horses. Eight linear feet of this material shall be capable of being removed or let down to provide a viewing window.
  - f. All pens and runways used for the movement and handling

of horses 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 dust conditions occur within or adjacent to the trap or holding facility, the Contractor shall be required to wet down the ground with water to ensure that dust does not pose a problem to personnel or to the animals.
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.

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 dust 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.

#### IV. Responsibility and Lines of Communication

The Contracting Officer's Representative, Thomas Pogacnik from the Nevada State Office, and Project Inspectors (Ron Hall, Dave Stockdale and Tom Seley), from the Winnemucca District, have the direct responsibility to ensure the Contractor's compliance with the contract stipulations. However, the Paradise-Denio and/or Sonoma-Gerlach Area Managers and the Winnemucca District Manager will take an active role to ensure the appropriate lines of communication are established between the field, District, State, and Palomino 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 and Sonoma-Gerlach Area Managers. These individuals will be the primary contact and will coordinate the contract 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.

IV. SIGNATURES

Prepared by: David R Storchala  
Wild Horse and Burro Specialist  
Paradise-Denio Resource Area

Date 5/20/93

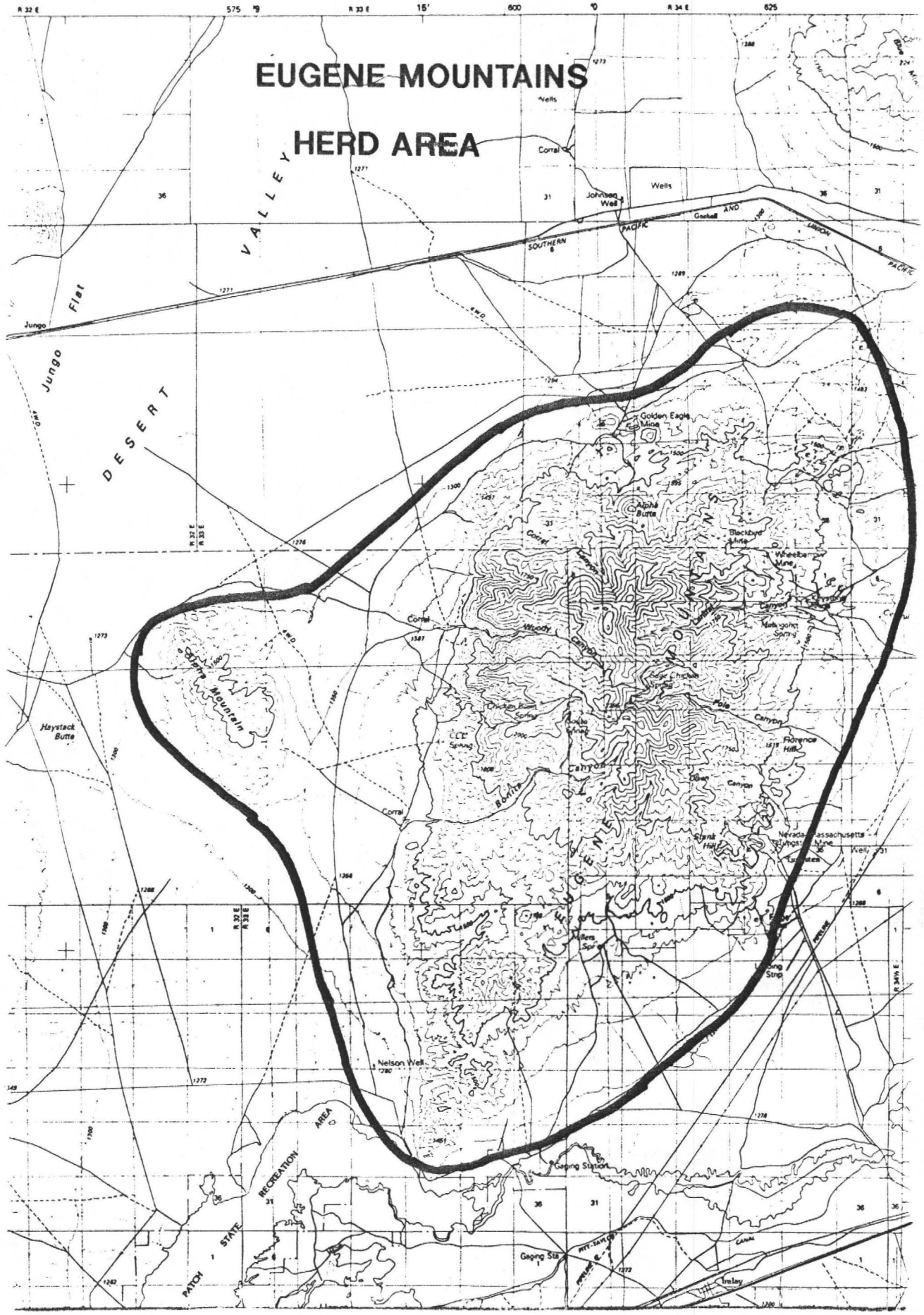
Recommended by: Scott Bellamy  
Area Manager  
Paradise-Denio Resource Area

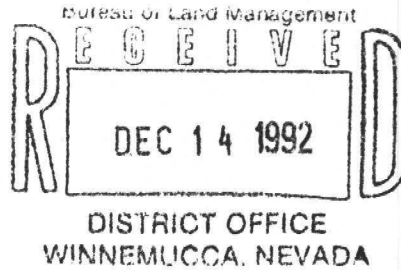
Date 5/20/93

Approved by: Lon Wenker  
Winnemucca District Manager

Date 5/24/93

*Captivity*





December 13, 1992

Bud C. Gribley <sup>(2)</sup>  
Sonoma/ Gerlach Area Manager  
Bureau of Land Management  
Winnemucca District Office  
705 East 4th Street  
Winnemucca, Nevada 89445

Dear Sir:

I am writing about the wild horses in the checker board allotments that I have a permit in; Seven Troughs, Majuba, and Humboldt Valley. There is about 25 head of horses in Humboldt Valley near Alfa Mountain.

I want all of the horses removed from these checker board grounds!

Thank you,

Tim DeLong  
Range User and Tax Payer

*Tim DeLong*



COMMISSION FOR THE  
PRESERVATION OF WILD HORSES

Stewart Facility  
Capitol Complex  
Carson City, Nevada 89710  
(702) 687-5589

COMMISSIONERS

Dan Keiserman,  
Las Vegas, Nevada  
Michael Kirk, D.V.M., Chairman  
Reno, Nevada  
Paula S. Askew  
Carson City, Nevada  
Steven Fulstone  
Smith Valley, Nevada  
Dawn Lappin  
Reno, Nevada

June 24, 1993

Ron Wenker, District Manager  
BLM-Winnemucca District Office  
705 East 4th St.  
Winnemucca, Nevada 89445

Dear Mr. Wenker,

Thank you for the opportunity to review and comment on the final Wild Horse and Burro Removal Plan for Checkerboard Lands in the Eugene Mountains Herd Area.

We have provided comments (attached), to the Jackson Mountain Allotment Evaluation which expresses our concerns for that allotment. As we stated in our response, "It would be important that population estimates and recruitment rates be fully explained to support an appropriate management level in a multiple use decision." This is of grave concern to us in that with "lack of proper and coordinated activity plans" that carrying capacity for the habitat has been exceeded. This is also evidenced by the fact that the permittee is taking non-use in 1993 because of lack of forage.

Our concern is that you are readily placing "excess older" animals from your Eugene Mountain HA gather into an already stressed Jackson Mountain HA. Your utilization maps show no concentration of grazing animals in the Deer Creek and Happy Creek areas although according to many years experience, it is doubtful that they will remain there. We realize that the permittee, Tim DeLong, has requested the removal of the horses. Has he been approached regarding leaving only the 5-10 horses, all of which could be made non-reproductive; since they will probably return shortly anyway? This will save the Bureau having to gather those animals again of which they will probably bring others back with them from the herd area. This would limit the animals in the area and being non-reproductive would eventually solve itself as a problem to the permittee.



Ron Wenker, District Manager  
June 23, 1993  
Page 2

Please inform us of your final decision on the released animals.

Sincerely,

A handwritten signature in cursive script that reads "Catherine Barcomb". The signature is written in dark ink and is positioned above the typed name.

CATHERINE BARCOMB  
Executive Director

# W H O A

WILD HORSE ORGANIZED ASSISTANCE

P.O. BOX 555  
RENO, NEVADA 89504  
(702) 851-4817

## BOARD OF TRUSTEES

DAVID R. BELDING  
JACK C. McELWEE  
GORDON W. HARRIS

### In Memoriam

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

June 24, 1993

Ron Wenker, District Manager  
BLM-Winnemucca District Office  
705 East 4th St.  
Winnemucca, Nevada 89445

Dear Mr. Wenker,

Thank you for the opportunity to review and comment on the final Wild Horse and Burro Removal Plan for Checkerboard Lands in the Eugene Mountains Herd Area. HMA

We have provided comments (attached), to the Jackson Mountain Allotment Evaluation which expresses our concerns for that allotment. As we stated in our response, "It would be important that population estimates and recruitment rates be fully explained to support an appropriate management level in a multiple use decision." This is of grave concern to us in that with "lack of proper and coordinated activity plans" that carrying capacity for the habitat has been exceeded. This is also evidenced by the fact that the permittee is taking non-use in 1993 because of lack of forage.

Our concern is that you are readily placing "excess older" animals from your Eugene Mountain HA gather into an already stressed Jackson Mountain HA. Your utilization maps show no concentration of grazing animals in the Deer Creek and Happy Creek areas although according to many years experience, it is doubtful that they will remain there. We realize that the permittee, Tim DeLong, has requested the removal of the horses. Has he been approached regarding leaving only the 5-10 horses, all of which could be made non-reproductive; since they will probably return shortly anyway? This will save the Bureau having to gather those animals again of which they will probably bring others back with them from the herd area. This would limit the animals in the area and being non-reproductive would eventually solve itself as a problem to the permittee.

Ron Wenker, District Manager  
June 23, 1993  
Page 2

Please inform us of your final decision on the released animals.

Sincerely,

A handwritten signature in cursive script that reads "Dawn Y. Lappin". The signature is written in dark ink and is positioned above the typed name.

DAWN Y. LAPPIN  
Director

Jan Briggs 313-628-2986

5-25-93



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT  
Winnemucca District Office  
705 East 4th Street  
Winnemucca, Nevada 89445

IN REPLY REFER TO:  
**4700**  
**(NV-248)**

May 25, 1993

Dear Interested Party:

Enclosed is the final Wild Horse and Burro Removal Plan for Checkerboard Lands within the Paradise-Denio Resource Area located in the Eugene Mountains Herd Area. The purpose of the removal is to remove animals which have permanently moved onto the checkerboard lands.

The action is in conformance with the Paradise-Denio MFP-III decision WH&B 1.3 which is to remove all wild horses and burros from checkerboard Herd Areas unless a cooperative agreement providing for the retention and protection of wild horses and burros is consummated with the private land owner(s). Cooperative agreements have not been obtained for the Eugene Mountains Herd Area.

The only addition is that we have prepared an environmental assessment to address relocation of animals 10 years and older into another HMA.

If you have any questions regarding the removal plan contact Dave Stockdale at (702) 623-1500.

The Bureau of Land Management proposes to gather excess wild horses from public lands in the State of Nevada no sooner than 28 days from the date of this letter.

The proposed gathering will be conducted in the Winnemucca District in the area shown on the enclosed map and as described below.

<u>Herd Management Area/Herd Area Name</u>	<u>Environmental Analysis Record Number</u>	<u>Reason for Gathering</u>	<u>Approximate Number to be Removed</u>	<u>Approximate Number to Remain</u>
Eugene Mountains	NV-020-7-24	Land Use Plan Decision for Checkerboard Lands	25	0

*Stockdale, we don't know if it will affect or not, we have no idea on RML.*

Sincerely,

*for Wenker*

District Manager

*h/w up North  
h/w into Jackson Mtn's 275  
Deer Creek  
Happy Creek allotments  
all other allotments are over all acate*

1 Enclosure  
1 - Map of Eugene Mountains Herd Area (1 p)

cc: NV-930  
Palomino Valley Corral Manager

*NDow told Stockdale 12-15 his dead, he hasn't flown one of these days he'll get to it.*