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

Winnemucca Field Office
Renewable Resources

Augusta Mountains HMA NV-311
&
Tobin Range HMA NV-231

Summer 1999

Draft

Wild Horse Removal Plan

I. INTRODUCTION

The intent of this removal plan is to outline the methods and procedures to be used in the capture of approximately 900 wild horses and removal of approximately 475 wild horses from the Augusta Mountains Herd Management Area (HMA) and the Tobin Range HMA. The removal would bring the population in the Augusta Mountains HMA to within about 85 horses of the Appropriate Management Level (AML) as established by the Winnemucca Field Office in the Final Multiple Use Decision (FMUD) for Hole In the Wall, Jersey Valley, and Home Station Gap Allotments on January 9, 1997, and by Battle Mountain Field Office in the FMUD for Cottonwood Allotment in August 1994. It would reduce the Tobin Range HMA population to within about five or six horses of AML as established by the Winnemucca Field Office in the FMUD for Pumpnickel Allotment on April 30, 1996. The removal is proposed to begin July 1, 1999 and conclude July 22, 1999.

II. GENERAL AREA DESCRIPTION - BACKGROUND

A. Location

The capture areas are located in eastern and southeastern Pershing County, northeastern Churchill County, and western Lander County. Attached maps indicate the capture areas and two of the proposed capture sites.

- 1. The Augusta Mountains HMA is located approximately 75 miles southeast of Winnemucca, Nevada in Churchill, Lander, and Pershing Counties. It overlaps the boundaries of three districts and four allotments.

Augusta Mountains Herd Management Area NV-311

<u>Allotment</u>	<u>District</u>
Jersey Valley	Winnemucca
Hole In The Wall	Carson City
Home Station Gap	Battle Mountain
Cottonwood	Battle Mountain

The capture area includes the entire Augusta Mountains HMA and its immediate adjacent areas. Two proposed capture sites include the Hole in the Wall and Favret Canyon; others will be proposed by the Contractor and the BLM authorized official, and receive archeological clearance prior to animal removal.

The Augusta Mountains Wilderness Study Area (WSA), NV-030-108, is located in the Augusta Mountains HMA capture area. Refer to the attached map for the specific location.

2. The Tobin Range HMA is located about 25 to 30 miles southeast of Winnemucca, Nevada in Pershing County. The capture area in the HMA would be restricted to Pumpnickel Allotment and areas immediately adjacent. Specific capture sites will be determined by the Contractor and the authorized BLM official. Archeological clearance will be received prior to the approval of the site.

B. Justification

The Wild Free-Roaming Horse and Burro Act of 1971 (Public Law 92-195) as amended, Section 3(b)(1), states that the Secretaries of the Interior and Agriculture shall “determine appropriate management levels of wild free-roaming horses and burros on areas of public lands; and determine whether appropriate management levels should be achieved by the removal or destruction of excess animals, or other options (such as sterilization or natural controls on population levels).” Section 3(b)(2) states, “that (if) an overpopulation exists on a given area of the public lands and that action is necessary to remove excess animals, he shall immediately remove excess animals from the range so as to achieve appropriate management levels. Such action shall be taken until all excess animals have been removed so as to restore a thriving natural ecological balance to the range, and protect the range from the deterioration associated with overpopulation.”

The Final Evaluations and Multiple Use Decisions for Hole In The Wall, Jersey Valley, Home Station Gap, Cottonwood, and Pumpnickel Allotments set the AMLs within each allotment to maintain a thriving natural ecological balance for the Augusta Mountains and Tobin Range HMAs as indicated below:

<u>Augusta Mtns HMA/Allotment</u>	<u>75% to AML</u>
Hole In The Wall	53 to 71
Jersey Valley	111 to 148
Home Station Gap	42 to 56
Cottonwood	<u>25 to 33</u>
Total for HMA	231 to 308

<u>Tobins Range HMA/Allotment</u>	
Pumpnickel	14 to 17
TOTAL (Both HMAs)	245 to 325

C. Reference to Environmental Assessments (EA)

A Programmatic EA (No. NV-020-7-24) analyzing the environmental consequences and mitigating measures of different gathering techniques 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 were analyzed in EA No. NV-020-05-05, a Record of Decision and Finding of No Significant Impact was approved December 6, 1994. An Administrative Determination, No. NV-020-99-AD-29, approved March 1, 1999, was prepared to establish that the intent of the National Environmental Policy Act was met for this removal. These documents are available for review at the Winnemucca District Office.

D. Population and Removal Data

The following table shows the AML and current population estimates in the HMAs. The population estimates are the result of a July 1997 helicopter census plus an 11% population increase for 1998 and another for 1999.

<u>Augusta Mtns. HMA/Allotment</u>	<u>AML</u>	<u>Est. Population</u>
Hole In The Wall	71	441
Jersey Valley	148	134
Home Station Gap	56	117
Cottonwood	<u>33</u>	<u>131</u>
Total for HMA	308	823
<u>Tobins Range HMA/Allotment</u>		
Pumpnickel	17	64
TOTAL (Both HMAs)	325	887

Based on current policy, wild horses removed from the range cannot exceed five years of age. However, horses which do not meet the age criteria may be removed with the approval of the National Program Office.

The table below represents the percentage of animals five years of age and younger captured in and adjacent to the Augusta Mtns. and Tobin Range HMAs.

Age Structure Data

<u>Gather</u>	<u>Total Captured</u>	<u>Percent Five & Under</u>
1986 Sonoma Range	403	65%
1991 Hole In The Wall	479	62%
1994 Cottonwood	140	44%

Age structure data for this gather has been estimated using data from the 1986 Sonoma Range Herd Area (HA) gather, a total removal; the 1991 Carson City District, Hole In The Wall gather, a gate cut gather; and the 1994 Battle Mountain District gather of the Cottonwood Allotment portion of the Augusta Mtns. HMA, a selective removal. A gate cut removal gathers and removes horses of all ages until the desired number is reached at which time the gather is concluded. Gate cut is assumed to not alter a herd's age structure. Although the 1994 Cottonwood gather was a selective removal all captured animals were aged and those over the selected age were released back into the HMA. It is presumed that drought during the years previous to the 1994 Cottonwood gather and an increasing mountain lion population in the area impacted the survival rate resulting in a lower percentage of horses being five or less. It is estimated that approximately 65% of the two populations is five and under. However, due to budget and facility space restrictions, an approximate 53% removal rate has been used in this document.

Captured animals that meet the age criteria of five and under will be shipped to the Palomino Valley Corrals or other BLM holding facilities. Wild horses six years old and older will be released back into their respective HMAs. Mares too old to ship with foals too young to wean will be released separately from the other release animals to ensure that the foals do not become separated from their mares.

Prior to release of the older animals, each horse will be freeze branded on the left hip with the last two digits of their respective HMAs to assist in determination of movement between HMAs and for identification purposes. Blood sampling may be conducted on approximately 10% of the captured animals to collect base line genetic data.

III. METHODS FOR REMOVAL AND SAFETY

The helicopter-drive method employed for this capture operation requires that horses be herded to a trap of portable panels and on extremely rare occasions to ropers who, after roping the animal, will bring it to the trap. 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 period to ensure the welfare, safety and

humane treatment of the wild horses in accordance with the provisions of 43 CFR 4700 and the Great Basin Wild Horse & Burro Gathers Capture Contract.

A. Capture Methods That May Be Used in the Performance of a Gather

1. Helicopter-Drive Trapping

- a. Capture attempts may 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 shall be done as determined by the Contracting Officer's Representative (COR) or Project Inspector (PI). Under no circumstances shall animals be tied down for more than one hour.
- b. The contractor shall assure that bands remain together, and that foals shall not be left behind.
- 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 in which the gather is located, and shall follow what are recognized as safe flying practices.
 - (2) When refueling, the helicopter shall remain a distance of at least a 1,000 feet or more from animals, vehicles (other than fuel truck), and personnel not involved in refueling.
 - (3) The COR/PI shall have the means to communicate with the Contractor's pilot at all times. If communications cannot be established, the Government will take steps as necessary to protect the welfare of the animals. The frequency(ies) used for this contract will be assigned by the COR/PI when the radio is used. When a VHF/AM radio is used, the frequency will be 122.925 MHz.
 - (4) The Contractor shall obtain the necessary FCC licenses for the radio system.
 - (5) The proper operation, service and maintenance of all Contractor furnished helicopters is the responsibility of the Contractor. The BLM reserves the right to remove from

service pilots and helicopters which, in the opinion of the Contracting Officer or COR/PI, violate contract and FAA rules, are unsafe or otherwise unsatisfactory. In this event, the Contractor will be notified in writing to furnish replacement pilots or helicopters within 48 hours of notification. All such replacements must be approved in advance of operation by the Contracting Officer of his/her representative.

- (6) At time of delivery order completion, the Contractor shall provide the COR with a completed copy of the Service Contract Flight Hour Report.
- (7) All incidents/accidents occurring during the performance of any delivery order shall be immediately reported to the COR.

2. Helicopter-Roping

- a. Capture attempts may be accomplished by utilizing a helicopter to drive animals to ropers.
- b. Under no circumstances shall horses or burros be tied down for more than one hour.
- c. Roping shall be performed in such a manner that bands will remain together. Foals shall not be left behind.

B. Trapping and Care of Animals

1. All capture attempts may be accomplished utilizing either helicopter-drive trapping, helicopter-roping, or bait trapping techniques which shall be determined by the contractor (with BLM concurrence) prior to issuance of delivery orders. All capture attempts shall incorporate the following:
 - (a) All trap and holding facilities locations must be approved by the COR/PI prior to construction. The Contractor may also be required to change or move trap locations as determined by the COR/PI. All traps and holding facilities not located on public land must have prior written approval of the landowner.

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

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. Additional trap sites may be required, as determined by the COR/PI, to relieve stress caused by specific conditions at the time of the gather (i.e. dust, rocky terrain, temperatures, etc.). Trap sites will not be located in the WSA.

The terrain in the removal areas varies from flat valley bottoms to mountainous, and the animals may be located at all elevations (ranging from 3,610 feet to 8,645 feet) depending upon weather conditions and precipitation.

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

- (a) The parent material in the capture areas includes siliceous sediment, limestone, and volcanic rock, such as volcanic clastic and ashflow tuffs. All these materials are very sharp and could result in some injuries to the horses' hooves and fetlocks.
- (b) There are steep and extensive escarpments in the capture areas which limit the areas where animals can be brought into the trap or to the ropers.

Prior to any gathering operations, the COR/PI 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, road conditions, and a topographic map with location of fences, other physical barriers, and acceptable trap locations in relation to animal distribution. The evaluation will determine the level of activity likely to cause undue stress to the animals, and whether such stress would necessitate a veterinarian be present. If it is determined that capture efforts necessitate the services of a veterinarian, one would be obtained before capture would proceed.

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

3. 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 for horses and 60 inches for burros, and the bottom rail of which shall not be more than 12 inches from ground level. All traps and holding facilities shall be oval or round in design.
 - (b) All loading chute sides shall be fully covered with plywood (without holes) 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 for horses, and 5 feet high for burros, and shall be covered with plywood, burlap, plastic snow fence or like material a minimum of 1 foot to 5 feet above ground level for burros and 1 foot to 6 feet for horses. The location of the government furnished portable fly chute to restrain, age, or provide additional care for animals shall be placed in the runway in a manner as instructed by or in concurrence with the COR/PI.
 - (d) Wings shall not be constructed out of barbed wire or other materials injurious to animals and must be approved by the COR/PI. Wings may be constructed along existing fence lines, at the discretion of the COR/PI, only if the barbed wire or other wire fencing material is removed from the fence posts and laid on the ground for the length of the wing, or if portable panels are placed along the inside of the fence to protect the animals from injury from the fence wire.
 - (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, burlap, 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 animals shall be connected with hinged self-locking gates.
4. No fence modifications will be made without authorization from the COR/PI. The Contractor shall be responsible for restoration of any fence modification 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.

5. 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.
6. Alternate pens, within the holding facility shall be furnished by the Contractor to separate mares or jennies with small foals, sick and injured animals, and estrays 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. Under normal conditions, the government will require that animals be restrained for the purpose of determining an animal's age or other similar practices. In these instances, a portable restraining chute will be provided by the government. Alternate pens shall be furnished by the Contractor to hold animals if the specific gathering requires the animals be released back into the capture area(s). In areas requiring one or more satellite traps, and where a centralized holding facility is utilized, the Contractor may be required to provide additional holding pens to segregate animals transported from remote locations so they may be returned to their traditional ranges. Either segregation or temporary marking and later segregation will be at the discretion of the COR.
7. 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. An animal that is held at a temporary holding facility from no later than 5:00 p.m. and on through the night, is defined as a horse/burro feed day. An animal that is held for only a portion of a day does not constitute a feed 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.

8. It is the responsibility of the Contractor to provide security to prevent loss, injury or death of captured animals until delivery to final destination.
9. The Contractor shall restrain sick or injured animals if treatment is necessary. The COR/PI 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 COR/PI.

Only severely injured animals will be destroyed immediately when a definite act of mercy is needed to alleviate pain and suffering. When an animal displays a hopeless prognosis for life, is incapable of maintaining a body score greater than one in a normal range environment, or the COR/PI 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. Authority for humane destruction of wild horses is provided by the Wild Free-Roaming Horse and Burro Act of 1971, Section 3(b)(2)(A), 43 CFR 4730.1, BLM Manual 4730 - Destruction of Wild Horses and Burros and Disposal of Remains, and is in accordance with BLM policy as expressed in Instructional Memorandum No. 98-141.

The carcasses of the animals that 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 that 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 visual impacts. Carcasses will not be placed in drainages regardless of drainage size or downstream destination.

10. Animals shall be transported to final destination from temporary holding facilities within 24 hours after capture unless prior approval is granted by the COR/PI for unusual circumstances. Animals to be released back into the HMA following gather operations may be held up to 21 days or as directed by the COR/PI. Animals shall not be held in traps and/or

temporary holding facilities on days when there is no work being conducted except as specified by the COR/PI. The Contractor shall schedule shipments of animals to arrive at final destination between 7:00 a.m. and 4:00 p.m. No shipments shall be scheduled to arrive at final destination on Sunday and Federal holidays, unless prior approval has been obtained by the COR. Animals shall not be allowed to remain standing on trucks while not in transport for a combined period of greater than three (3) hours. Animals that are to be released back into the capture area may need to be transported back to the original trap site. This determination will be at the discretion of the COR.

11. 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.

C. Special Handling of Animals

The Contractor will be required to assist in the special handling of some animals before their release or transport. Such special handling includes, but is not limited to, inoculations, drawing blood, fertility control administration, sterilization, and freeze branding.

D. 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. The Contractor shall provide the COR/PI with a current safety inspection (less than one year old) of all tractor/stock trailers used to transport animals to final destination.
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 trap site(s) to temporary holding facilities. Only stock trailers, or single deck trucks shall be used to haul animals from temporary holding facilities to final destination(s). Sides or stock racks of transporting vehicles shall be a minimum height of 6 feet 6 inches from the vehicle floor. Single deck trucks with trailers 40 feet or longer shall have two (2) partition gates providing three (3) compartments

within the trailer to separate animals. The compartments shall be of equal size plus or minus 10 percent. Trailers less than 40 feet shall have at least partition gate providing two (2) 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 at the minimum a 5 foot wide swinging gate. The use of double deck trailers is unacceptable and will not be allowed.

4. All vehicles used to transport animals to the final destination(s) shall be equipped with at least one (1) 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. Final approval of vehicles to transport animals shall be held by the COR/PI.
5. Floors of vehicles, trailers, and the loading chute shall be covered and maintained with wood shavings to prevent the animals from slipping.
6. Animals to be loaded and transported in any vehicle or trailer shall be as directed by the COR/PI and may include limitations on numbers according to age, size, sex, temperament, and animal condition. The following minimum square feet per animal shall be allowed in all trailers:

11 sq. ft. per adult horse (1.4 linear ft. in an 8ft. wide trailer);
8 sq. ft. per adult burro (1.0 linear ft. in an 8ft. wide trailer);
6 sq. ft. per horse foal (.75 linear ft. in an 8ft. wide trailer);
4 sq. ft. per burro foal (.50 linear ft. in an 8ft wide trailer);
7. The COR/PI shall consider the condition of the animals, weather conditions, type of vehicles, distance to be transported, or other factors when planning for the movement of captured animals. The COR/PI shall provide for any brand and/or inspection services required for the captured animals.

It is currently planned to ship all animals to a Bureau of Land Management adoption facility. Communication lines have been established with 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 the COR/PI determines that dust conditions are such that animals could be endangered during transportation, the Contractor will be instructed to adjust speed and/or use alternate routes.

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

IV. RESPONSIBILITY AND LINES OF COMMUNICATION

The Contracting Officer's Representative, Rodger Bryan, and Project Inspectors Nadine Francis, Tom Seley, Bryan Fuell, and Dave Stockdale, from the Winnemucca Field Office have the direct responsibility to ensure the Contractor's compliance with the contract stipulations. However, the Assistant Field Office Manager of Renewable Resources and the Winnemucca Field Office Manager will take an active role to ensure the appropriate lines of communication are established between the field, Field Office, State Office, and Palomino Valley Corral 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 Assistant Field Office Manager of Renewable Resources. This individual 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.

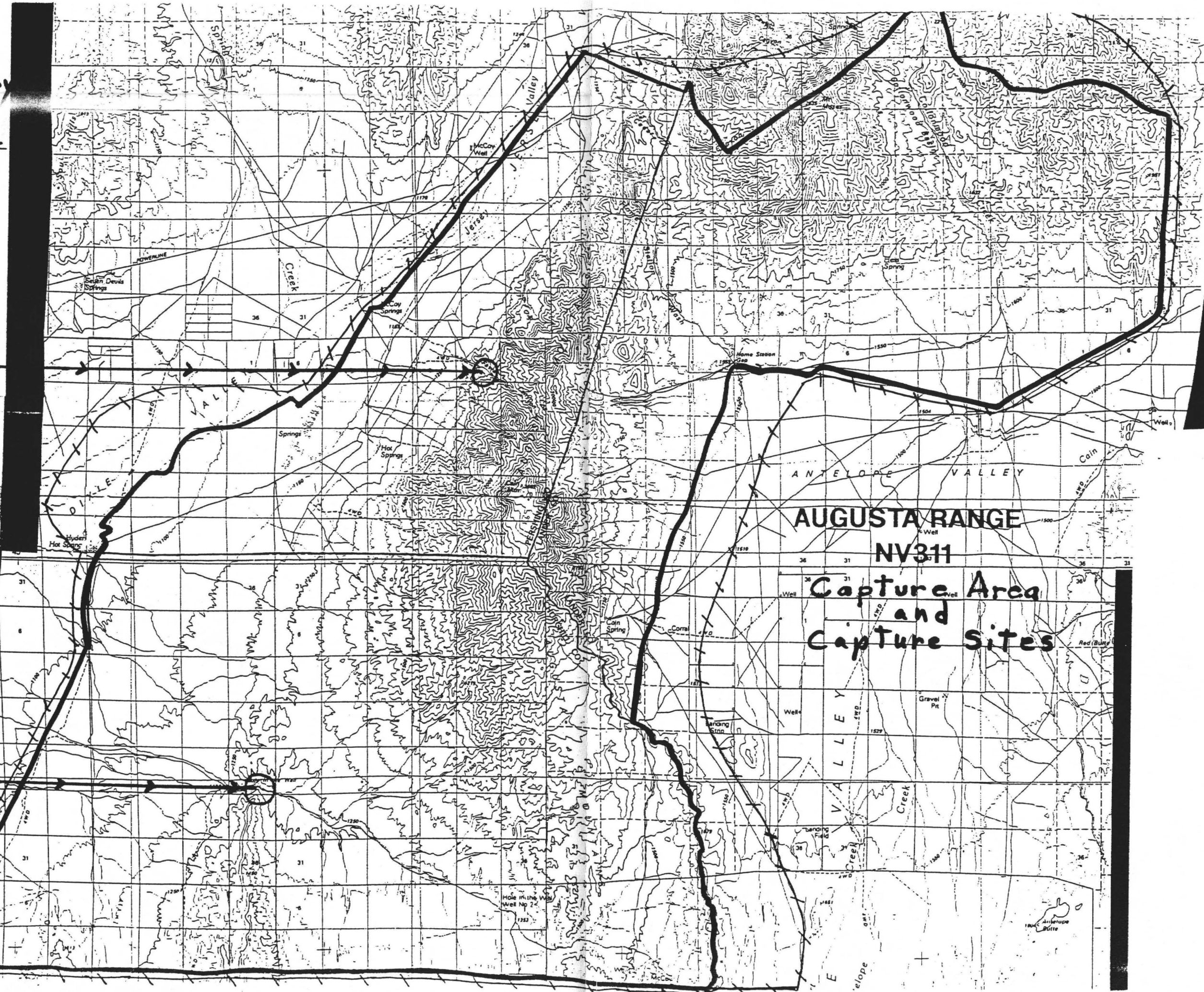
Should the Contractor show negligence and/or not perform according to contract stipulations, he will be issued written instructions, stop work orders, or defaulted.

HMA
Boundary

Capture
Area

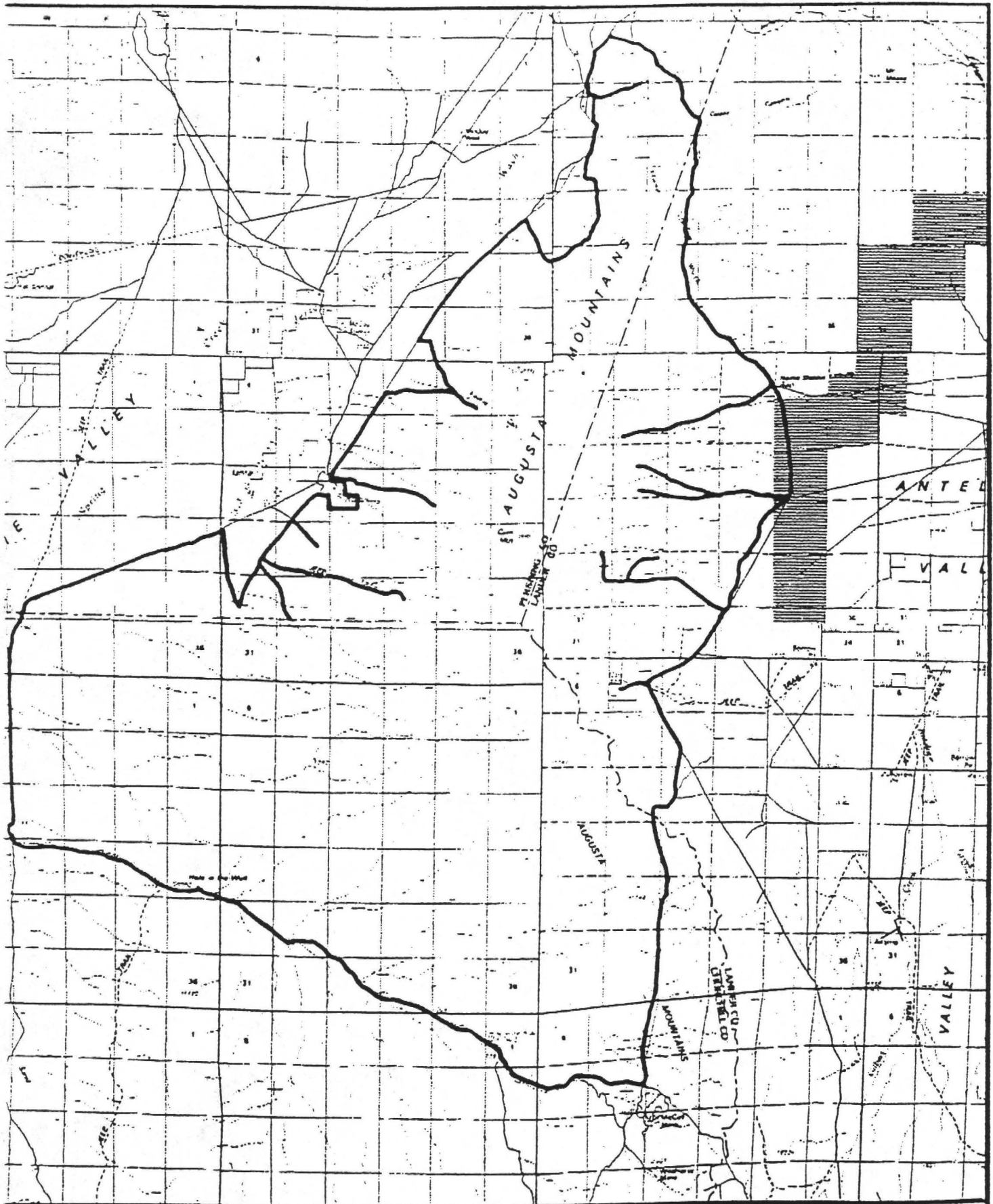
Favret Canyon
Capture
Site

Hole In
The Wall
Capture
Site



AUGUSTA RANGE
NV311

Capture Area
and
Capture Sites



R26E

R25E

R24E

R23E

R38E

R39E

R40E

Augusta Mtns WSA NV-030-108

Tobin Range
NF 281

JUMBOLO CO
PERSHING CO

PERSHING CO
LAUREL CO

———— Tobin Range HMA
Boundary
+ + + + Pampennicko Allotment
Boundary
Capture Area

