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OCT 04 1996

NOTICE OF FINAL DECISION
FULL FORCE AND EFFECT

SNOWSTORM MOUNTAINS HERD MANAGEMENT AREA (HMA)
EMERGENCY REMOVAL

Three fires; Getchel, Humboldt and Oregon Canyon, burned portions of the Snowstorm HMA. The attached map shows the boundary of the HMA and the location of the fires within the HMA. Total Acres burned were as follows:

HUMBOLDT FIRE:	18,800
GETCHEL FIRE:	26,598
OREGON FLAT:	7,040
TOTAL	52,438

Of these total acres, approximately 40,000 were within the boundaries of the HMA. Rehabilitation plans have been approved which direct the aerial seeding of the drainages and drilling seed on the flat areas in the north and west corner of the HMA.

Two hundred wild horses now inhabit the HMA. Their preferred use areas are located in the First Creek Pasture, Castle Ridge Pasture and the Dry Hills. The fire and suppression activities have pushed the bulk of the horses into the Castle Ridge Pasture. At least thirty-six horses are in the Dry Hills Pasture and this has been a traditional use area for them. Only a small portion of the HMA extends into the Dry Hills Pasture; most of the area used by horses is outside HMA boundaries. At this time, the HMA boundary, within the Dry Hills Pasture, does not follow fences or natural barriers so the horses have access to all the area.

On August 25, 1994 the FINAL MULTIPLE USE DECISION was issued for the Bullhead Allotment which established the Appropriate Management Level (AML) for wild horses within the Snowstorm Mountains HMA within a range of 90-140 adult wild horses. This decision is under appeal.

During the period October 7-11 of 1994, 285 wild horses were gathered from the Snowstorm HMA and 96 were released back into the HMA. The population within the Snowstorm HMA at that time was 125, which included and estimated 25-30 head of uncaptured wild horses. Some undetermined movement of horses from adjacent HMA's and reproduction of 26-30% since the gather has resulted in the current population of approximately 200 head.

It is estimated that adequate forage resources remain to support the wild horse herd through the coming winter. However, it is

our opinion that the wild horse herd, which is 125% above the low point of AML, will have a negative impact on seedling re-establishment. After reviewing all available options which includes; fencing, relocation of horses, removal of domestic livestock- it is my decision to reduce the horses to the low point of AML and remove domestic livestock for a period of two growing seasons.

Under current post-fire management measures, the removal of domestic livestock from the Bullhead Allotment for a period of two growing seasons is being implemented by a notice of closure of livestock grazing which is being issued in conjunction with this decision. F-063

The wild horse herd will be gathered and horses 9 years old and under will be removed and placed in the adoption program. Horses 10 and over will be released back into the HMA. Given the estimated age structure of the population, it may be possible to reduce horse numbers to around 90 head. A gather of this area is scheduled for 8/1/1997 so this decision moves the gather up one year. In addition, this decision modifies the original gather plan in that horses 9 and under will be removed rather than 5 years old and under. A copy of the revised Capture Plan is enclosed.

Due to the emergency nature of these conditions, it is necessary to implement this immediately, through a Full Force and Effect Decision. This decision will be implemented on or about 10/21/1996 and will continue until the action is completed. The rationale for placing this decision in Full Force and Effect are as follows:

1. Wild fire has damaged approximately 40,000 acres within the Snowstorm HMA. This area needs to be reseeded to aid in preventing the invasion of annuals, protect soil, air, water, and to restore the land to former productivity. These areas will be reseeded this fall.

2. Grazing of newly established seedlings retards and sometimes prevents the recovery process. It is standard procedure to eliminate livestock grazing on any seeding for at least two years. Due to the nature of the burns, and the presence of wild horses, temporary or permanent fencing is not a feasible option.

3. Grazing pressure must be reduced on the seeded areas by the time the seeds germinate next spring.

MONITORING

In the event monitoring indicates excessive use of the seeded areas during the two year recovery process the following actions will be taken in priority order:

1. Hazing the horses into the Castle Ridge Pasture and closing off the fence in an attempt to temporarily relocate the herd. The Castle Ridge Pasture is within the HMA and is a traditional use area. Forage resources within this area will be monitored and when average utilization of key forage plants reaches 50% the gate into First Creek Pasture will be opened and the horses will be encouraged to move in the First Creek Area.

2. Install temporary fencing with flagging in identified critical areas.

AUTHORITY: The authority for this decision is contained in Sec.3(a) and (b) of the Wild Free-Roaming Horse and Burro Act (P.L. 92-195) as amended and Title 43 of the Code of Federal Regulations. The authority for Full Force and Effect decisions can be found at 43 CFR 4770.3(c) which states:

"notwithstanding the provisions of paragraph (a) of 4.21 of this title, the authorized officer may provide that the decisions to remove wild horses or burros from public or private lands in situations where removal is required by applicable law or is necessary to preserve or maintain a thriving ecological balance and multiple use relationship shall be effective upon issuance or on a date established in the decision."

APPEALS: Within 30 days of receipt of this decision, you have the right of appeal to the Board of Land Appeals, Office of the Secretary, in accordance with the regulation at 43 CFR, Part 4, Subpart E and 43 CFR 4770.3(a) and (c). Within 30 days after filing a Notice of Appeal, you are required to provide a complete statement of the reasons why you are appealing. The appellant has the burden of showing that the decision appealed from is in error. If you wish to file an appeal and petition for a stay, the petition for a stay must accompany your notice of appeal and be in accordance with 43 CFR, Part 4, Subpart E and 43 CFR 4770.3(c). Copies of the Notice of Appeal and Petition for a Stay must be submitted to (1) the Interior Board of Land Appeals, Office of Hearing and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, (2) the Regional Solicitor's Office, Pacific Southwest Region, U.S. Department of the Interior, 2800 Cottage Way, Room E-2753, Sacramento, CA 95825-1890, and (3) Winnemucca District Office, 5100 E. Winnemucca Blvd., Winnemucca, Nevada 89445. The original documents should be filed with this office.

If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. A petition for a stay of decision pending appeals shall show sufficient justification based on the following standards:


1. The relative harm to the parties if the stay is granted or denied.
2. The likelihood of the appellant's success on

merits.

3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

ADDITIONAL INFORMATION: Contact Ron Hall of my staff, at (702) 623-1574 or write the above address.

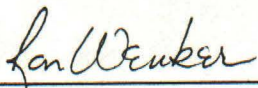
Concurrence:



Colin P. Christensen
ADM- Renewable Resources
Winnemucca District Office

10/3/96
Date

Approval:



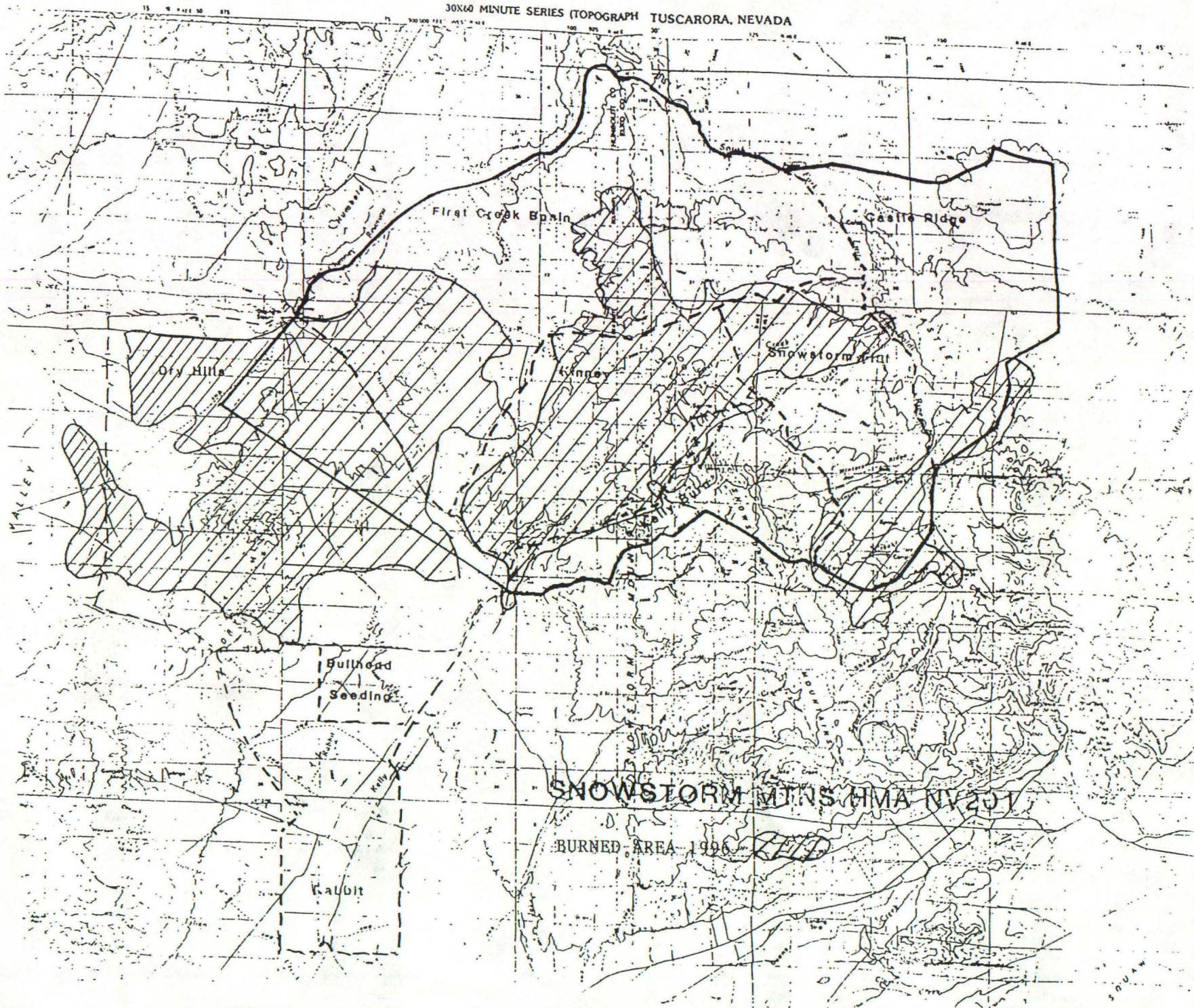
Ron Wenker
District Manager
Winnemucca District Office

10/3/96
Date

Enclosures:

1. Area Map
2. Revised Capture Plan

30X60 MINUTE SERIES (TOPOGRAPH) TUSCARORA, NEVADA



U.S. DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WINNEMUCCA DISTRICT OFFICE

Snowstorm Mountains HMA

Wild Horse Removal Plan

Burn Rehab/Emergency Removal

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 capturing approximately 200 wild horses and removing approximately 110 from the Snowstorm Mountains Herd Management Area (HMA), and public lands outside official HMA boundaries. 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 three fires that burned approximately 40,000 acres within the HMA. The removal operation will be conducted as soon as a contractor can be scheduled into the area, but no earlier than October 21, 1996. The decision will remain in effect until the action is completed.

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 areas will be seeded and the allotment will be closed to livestock grazing for at least two growing seasons to facilitate recovery.

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 Rock Creek HMA within the Elko BLM District, on the north by the South Fork of the Little Humboldt River and the Owyhee HMA, 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 Winnemucca District Office. The eastern portion of the HMA lies within the Elko BLM District; however all renewable resources in the area are administered by the Winnemucca District. 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 by wild horses lie within the Castle Ridge, First Creek 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.

Three fires; Getchel, Humboldt and Oregon Flat burned approximately 40,000 acres of the HMA. Maps of these burns are attached to the Full Force and Effect Decision which is enclosed with this document.

B. Vegetation/Forage

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 vegetative resource. However, the establishment of seedlings and the recovery of the burned areas is questionable unless grazing pressure is reduced.

The area's vegetative composition, outside the burned areas, 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 at 90-140 adult wild horses. At this AML all forage consuming herbivores will be in a thriving natural ecological balance. We are now 125% above the low point of the range and 43% above the high point of the range. A gather is scheduled for this HMA for August 1997. This action would implement the gather one year early and would reduce grazing pressure on areas to be seeded. Seed will be distributed no later than 3/1/97.

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. We are charged with maintaining viable, free roaming, wild horse populations and believe 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. We do not believe enough information is available to evaluate or even understand this process or its importance. As such, we have elected to reduce this population down to the low point of the AML range which corresponds to a population that we believe to be viable. This herd will then be monitored during the burn recovery process. If grazing by wild horses is damaging or retarding the recovery process then actions outlined in the Full Force and Effect Decision and the EA will be implemented.

Other options such as temporary/permanent fencing and relocation were considered and rejected. These options are fully explored in the E.A. which is available for review at the Winnemucca District Office.

D. Reference to Environmental Assessment (EA)

An Environmental Assessment (Amended-No. NV-020-04-29) 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 District 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	200	110

During the most recent gather, October 1994, 285 wild horses were captured and 189 were removed. Ninety-Six (96) horses 5 years old and over were released back into the HMA. With an estimated 25-30 uncaptured wild horses this left a fall 1994 adult population of 125 horses. This number coupled with 27-30 % reproduction over the last two years, and some undetermined

movement between adjacent HMA's, has resulted in the present population of approximately 200.

Captured horses from the HMA nine years old and under will be shipped to a preparation facility. Wild horses that are ten years of age or 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, while achieving the low point of the AML, then this will be done to try and mitigate the effects to 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 ration-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.

All animals to be released back into the HMA (except foals) will be freeze-marked with a four-inch numerical mark, to assist with data collection on longevity, fertility, and movement patterns. Blood sampling for collection of genetic baseline data will be collected on all release horses.

III. Methods For Removal And Safety

"The primary method for gathering wild horses and burros is the use of helicopter drive trapping or bait trapping. Roping will only be used as a supplemental gather technique when extremely necessary and only after determination by the on-site Contracting Officer's Representative that helicopter drive trapping or bait trapping has not been successful. Circumstances where roping may be necessary include, but are not limited to: 1. when wild horses and/or burros cannot be captured by helicopter or bait trapping methods in areas which require complete removal, 2. when it is necessary to capture an orphaned foal or a suspected wet mare. In all cases, when it is determined by the on-site Contracting Officer's Representative that animals must be roped, the roping will only proceed after consultation with the District Manager."

If conditions allow, 36 wild horses ranging primarily outside the HMA may be water trapped. The Bureau of Land Management will contract with a private party for the gather or, in the event that scheduling is impossible, will conduct the gather "in house". The following stipulations and procedures will be followed during the gather 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. 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. 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 Project Inspector or Gather Supervisor.
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 reasonable quality grass hay at the rate of not less than two pounds of hay per 100 pounds of estimated body weight per day. P.I's will monitor feeding to insure it is spread in a manner where all horses have access to it and is of a sufficient quantity. Horses will be fed a least twice each day between the hours of 6:00 AM-9:00 AM and 5:00 PM to 8:00 PM.

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, if not weanable, 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.
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.

IV. Responsibility and Lines of Communication

The Primary Project Inspector, Ron Hall, has the direct responsibility to ensure the Contractor's compliance with the contract stipulations. In the event the gather is conducted "in house", Ron Hall will ensure employees are in compliance with stipulations in the gather plan and practice humane procedures. However, the Associate District Manager for Renewable Resources and the Winnemucca District Manager will take an active role to ensure that appropriate lines of communication are established between the field, District, State, and Preparation Facility 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 Associate District Manager for Renewable Resources. This individual will be the primary contact and will coordinate the contact with the Preparation Facility 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.

V. Full Force and Effect

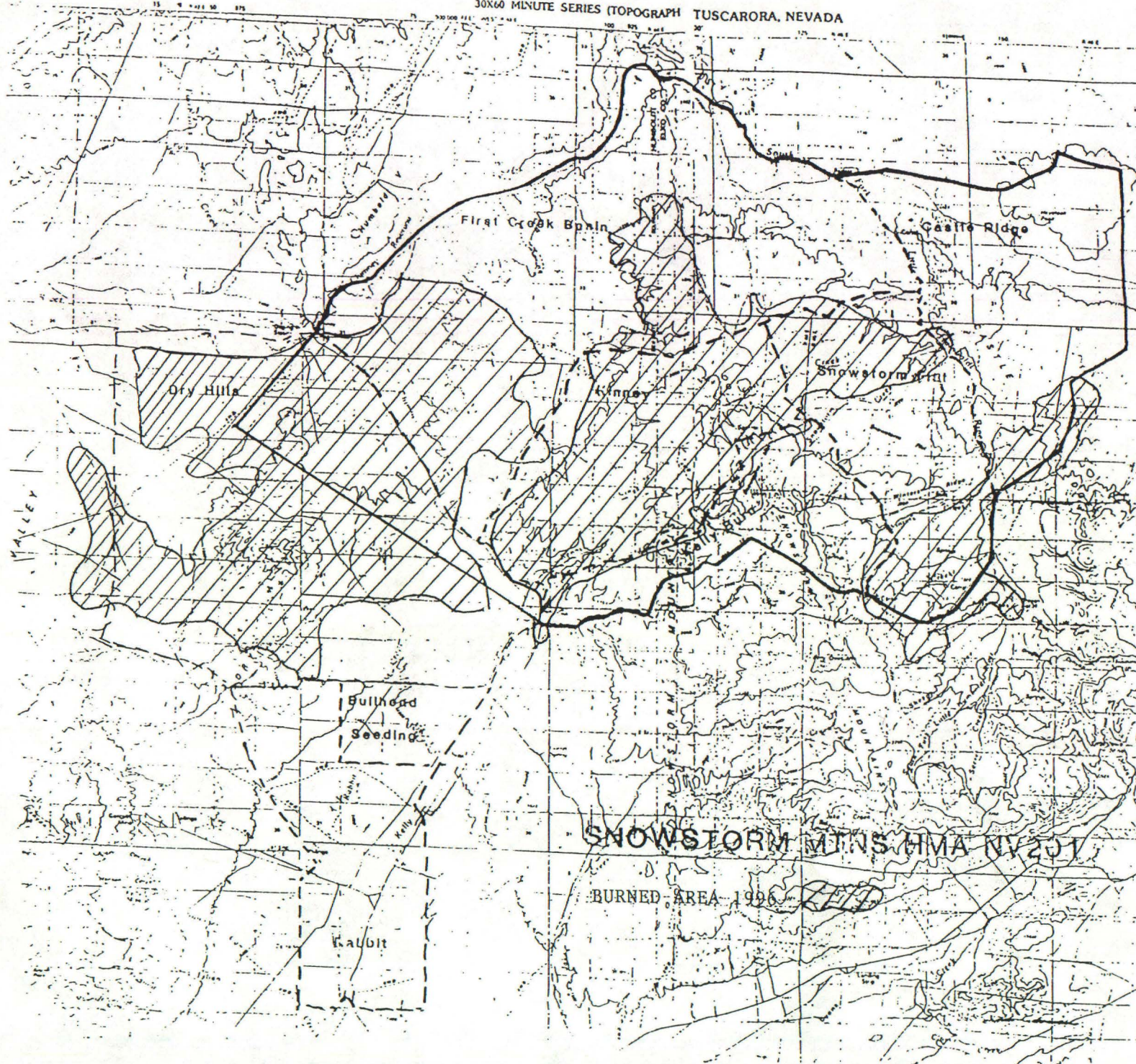
To reduce pressure on new seedlings within the burn areas by seed germination next spring (1997), this action is placed in Full Force and Effect (43 CFR 4770.3(c)). Concurrent with this action, the Bullhead Allotment will be closed to livestock grazing for a period of time not less than two growing seasons or until objectives are attained.

VI. Signatures:

Prepared by: Ron Hall Date 10-3-96
Wild Horse and Burro Specialist
Winnemucca District Office

Recommended by: Colin P. Child Date 10/3/96
A.D.M. of Renewable Resources
Winnemucca D.O.

Approved by: Ron Wenker Date 10/3/96
Winnemucca District Manager





United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Winnemucca District Office
5100 East Winnemucca Boulevard
Winnemucca, Nevada 89445
702-623-1500

In Reply Refer To:
(NV-241.3)
4160.3(f)

CERTIFIED MAIL NO. Z374112678
RETURN RECEIPT REQUESTED

OCT 09 1996

Ms. Cathy Barcomb
Commission for the Preservation
of Wild Horses
255 West Moana, Suite 207 A
Reno, NV 89509

Dear Interested Public:

Enclosed are copies of Notice of Closure(s) and Final Decision(s) involving allotments that were impacted by wildfires this past summer/fall.

This is in accordance with the Code of Federal Regulations 43 CFR 4110.3-3(b).

If you wish to appeal a closure and/or decision, please be very specific as to the closure/decision you are appealing. Those procedures are outlined in the Final Decision.

If you have any questions, feel free to contact the rangeland management specialists on my staff.

Sincerely yours,

Colin P. Christensen
ADM, Renewable Resources

Enclosures



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Winnemucca District Office
5100 East Winnemucca Boulevard
Winnemucca, Nevada 89445
702-623-1500

October 9, 1996

In Reply Refer To:
4110.3-3(b)
(NV-241.3)

Notice of Closure to Livestock Grazing

For protection of the soil and vegetation, due to fire, and because continued grazing use poses a significant risk of resource damage, I hereby close to all livestock grazing use on public lands herein described in the following allotments located in Humboldt and Elko Counties:

UC Allotment -	entirety of Eight Mile Native Pasture, entirety of National Pasture, entirety of Creek Pasture
Bloody Run Allotment -	Eastern side of the Bloody Run Mountains; burned portion of the wesern side of the Bloody Run Mountains
Sand Pass Allotment -	burned area only
Sand Dunes Allotment -	burned area only
Bullhead Allotment -	entirety of Dry Hills, First Creek, Kinney, Upper Kelly, and Snowstorm Flat Pastures
Eden Valley Allotment -	entirety of allotment
Osgood Allotment -	entirety of summer use area north of Petit Rehab Fence
Little Owyhee Allotment	burned portions of Capital Peak and Rock Spring Pastures burned portions of South Twin Valley Spring and South East Fairbanks Pastures
Kings River Allotment-	entirety of Rodeo Flat and Log Cabin Pastures burned portion of Coyote Point Fire
Diamond S Allotment	North side of Interstate 80
Harmony Allotment	Highway pasture

(Maps of the fires can be viewed at the Winnemucca District Office)

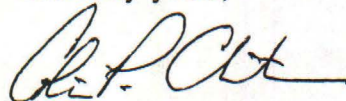
Livestock use may be authorized in those allotments where portions of a burned pasture are fenced to exclude livestock. This Notice of Closure is to remain in effect for two (2) growing seasons or until the rehabilitation objectives have been met. Upon determination that the rehabilitation objectives have been met, authorized grazing use may resume.

The Winnemucca District will monitor the recovery of the burned area to determine if objectives of the closure are being achieved.

This Closure is issued as a final decision and is effective upon issuance pursuant to Title 43 CFR, sections 4110.3.3(b) and 4160.3(f) of the Grazing Regulations for the Public Lands.

This notice is to inform you that any livestock grazing upon public land or other lands under Bureau of Land Management's control are in violation of 43 CFR 4140.1(b)(1) and may be impounded. The unauthorized livestock may be impounded at any time after five (5) days from delivery of this notice or after five (5) days from publishing and posting of this notice. This notice is issued in accordance with 43 CFR 4150.4; any impoundment of unauthorized livestock in connection with this notice will be done in accordance with 43 CFR 4150.4-2.

Sincerely yours,



Colin P. Christensen
ADM, Renewable Resources



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Winnemucca District Office
5100 East Winnemucca Boulevard
Winnemucca, Nevada 89445
702-623-1500

October 9, 1996

In Reply Refer To:
(NV-241.3)

CERTIFIED MAIL NO. Z374112677
RETURN RECEIPT REQUESTED

Notice of Final Decision

Nevada First Corporation
P.O. Box 490
Winnemucca, NV 89446

Dear Mr. Bengochea:

In accordance with the Notice of Closure signed by the ADM, Renewable Resources, the burned portions of south Twin Valley Spring, southeast Fairbanks, Capital Peak, and Rock Springs pastures of the Little Owyhee Allotment, the burned portion of Bloody Run Allotment and the entire Bullhead Allotment except for the Castle Ridge and Lower Kelly pastures are closed to all livestock for two (2) growing seasons or until the rehabilitation objectives have been met.

That portion of the Twin Valley Spring and Fairbanks pastures closed for grazing are located in:

T.41N., R.43E., Sec. 1,2,3,4,8,9

T.42N., R.43E., Sec. 1,11,12,13,14,15,16,21,22,23,24,26,27,28,33,34

T.42N., R.44E., Sec. 9,10,11,12,13,14,15,16,21,22,23,24,26,27,28,33,34

T.42N., R.45E., Sec. 7,18

That portion of the Capital Peak and Rock Spring pastures closed for grazing are located in:

T.46N., R.41E., Sec. 1,12,13

T.46N., R.42E., Sec. 4,5,6,7,8,17,18

T.47N., R.41E., Sec. 21,25,26,27,28,29,35,36

T.47N., R.42E., Sec. 30,31,32,33

That portion of the Bloody Run Allotment closed for grazing is located in:

T.38N., R.37E., Sec. 2,4,8,10,12,14,16,22,24,26,

T.38N., R.38E., Sec. 2,3,4,6,8,10,15,16,18,20,22,28,32,34

T.39N., R.37E., Sec. 34,36

T.39N., R.38E., Sec. 16,22,28,29,30,31,32,33,34,35

The entire Bullhead Allotment is closed to grazing except for the Castle Ridge and Lower Kelly pastures.

Preburn management practices will resume when a minimum of two growing seasons of rest have been provided for native species. Seedlings would also be protected from livestock grazing for a minimum of two growing seasons.

The emergency closure will be lifted when the vegetative cover meets or exceeds 50% of the minimum potential ground cover for the ecological site after two growing seasons. Burned aspen stands on public land (Bloody Run and Bullhead Allotments) will be released for use when 50% of saplings attain a height of five (5) feet. The Winnemucca District will monitor the recovery of the burned area to see if the objectives of the closure are being achieved.

The emergency closure will provide rest for surviving perennial species to regain vigor and will provide seedling establishment of native species. The rest will also benefit the native species by allowing sufficient time for germination of seed, development of adequate seedling root growth to prevent uprooting by grazing animals, and by allowing perennial seedlings to develop good vigor and produce viable seed.

Areas to be seeded lack perennial species for natural revegetation. The burn area will not successfully reestablish to a native perennial plant community in a reasonable time frame of two or three growing seasons. These areas, if left to natural rehabilitation, will be invaded by less desirable annual plant species. Areas that are dominated by annual species have a high potential hazard for recurring wildfires and the competition of annuals reduces the chance of perennial species establishing.

We will be soliciting your participation in the selection of key areas and key species which will be the basis for the re-opening of the closed portion(s) of the allotment.

The permittee must keep the livestock out of the burned portions of Capital Peak, Rock Springs and the Fairbanks pastures by herding. If livestock are observed in the burn, the permittee will be notified to remove the livestock from the burn. In the case of the Capital Peak and Rock Spring pastures, if livestock are continually observed within the burn, the livestock will be removed from these pastures and the AUMs identified for these pastures will be suspended until the rehabilitation objectives are met. The AUMs suspended will be 723 AUMs for the Rock Spring pasture and 625 AUMs for the Capital Peak pasture. If the livestock are continually being

observed within the burn in the Fairbanks pasture, the livestock will be removed from this portion of the pasture and placed in another use area. No AUMs are being suspended, in the Fairbanks pasture, due to the availability of forage in other areas of this pasture.

Due to the impacts of the fire and the proposed rehabilitation, 1071 AUMs are suspended for the Bloody Run Allotment. A temporary fence is proposed for the west side of the Bloody Run Mountains. This fence will separate the burn from the unburned. If the fence is not effective and/or maintained in preventing livestock access into the closure area, the entire allotment will be closed and the AUMs identified in the grazing permit will be suspended until the rehabilitation objectives are met. The amount of AUMs suspended for this allotment will be 1213 AUMs.

This final decision is **effective upon receipt** in accordance with 43 CFR 4110.3-3(b) and 4160.3(f) for the protection of the soil and vegetation due to fire.

Any applicant, permittee, lessee, or other person whose interest is adversely affected by this final decision may file an appeal and petition for stay of the decision pending final determination of the appeal under Sec. 43 CFR §4160.4 and §4.470. Appeals and petitions for a stay of the decision shall be filed in person or in writing to Pete Christensen, ADM Renewable Resources, Bureau of Land Management, Winnemucca District, 5001 E. Winnemucca Blvd., Winnemucca, NV 89445, within 30 days after receipt of the final decision.

The appeal shall state the reasons, clearly and concisely, why the appellant thinks the final decision is in error.

Should you wish to file a motion for stay, the appellant shall show sufficient justification based on the following standards under Sec. 43 CFR §4.21:

- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted.
- (4) Whether the public interest favors granting the stay.

As noted above, the petition for stay must be filed in the office of the authorized officer.

Sincerely yours,



Colin P, Christensen
ADM, Renewable Resources

cc NDOW - Wmca
NDOW - Fallon
RCI
NRDC
Sierra Club
DRI
Craig Downer
USFWS
Humboldt County Commissioners
Nevada Cattlemen's Assoc.
Nevada Farm Bureau Federation
WHOA
CPWH
USDA



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Winnemucca District Office
5100 East Winnemucca Boulevard
Winnemucca, Nevada 89445
702-623-1500

October 9, 1996

In Reply Refer To:
(NV-241.3)
4160.3(f)

CERTIFIED MAIL NO. Z374112675
RETURN RECEIPT REQUESTED

Notice of Final Decision

Jerry Harper
P.O. Box 93
Paradise Valley, NV 89426

Dear Mr. Harper:

In accordance with the Notice of Closure signed by the ADM, Renewable Resources, the burned portions of south Twin Valley Spring, Capital Peak and Rock Spring pastures are closed to all livestock for two (2) growing seasons or until the rehabilitation objectives have been met.

That portion of the Twin Valley Spring pasture closed for grazing is located in:

T.41N., R.43E., Sec. 1,2,3,4,8,9

T.42N., R.43E., Sec. 1,11,12,13,14,15,16,21,22,23,24,26,27,28,33,34

T.42N., R.44E., Sec. 9,10,11,12,13,14,15,16,21,22,23,24,26,27,28,33,34

T.42N., R.45E., Sec. 7,18

That portion of the Capital Peak and Rock Spring pastures closed for grazing are located in:

T.46N., R.41E., Sec. 1,12,13

T.46N., R.42E., Sec. 4,5,6,7,8,17,18

T.47N., R.41E., Sec. 21,25,26,27,28,29,35,36

T.47N., R.42E., Sec. 30,31,32,33

Preburn management practices will resume when a minimum of two growing seasons of rest have been provided for native species. Seedlings would also be protected from livestock grazing for a minimum of two growing seasons.

The emergency closure will be lifted when the vegetative cover meets or exceeds 50% of the minimum potential ground cover for the ecological site after two growing seasons. The Winnemucca District will monitor the recovery of the burned area to see if the objectives of the closure are being achieved.

The emergency closure will provide rest for surviving perennial species to regain vigor and will provide seedling establishment of native species. The rest will also benefit the native species by allowing sufficient time for germination of seed, development of adequate seedling root growth to prevent uprooting by grazing animals, and by allowing perennial seedlings to develop good vigor and produce viable seed.

Areas to be seeded lack perennial species for natural revegetation. The burn area will not successfully reestablish to a native perennial plant community in a reasonable time frame of two or three growing seasons. These areas, if left to natural rehabilitation, will be invaded by less desirable annual plant species. Areas that are dominated by annual species have a high potential hazard for recurring wildfires and the competition of annuals reduces the chance of perennial species establishing.

We will be soliciting your participation in the selection of key areas and key species which will be the basis for the re-opening of the closed portion(s) of the allotment.

The permittee must keep the livestock out of the burned portions of Capital Peak, Rock Springs and the Twin Valley Spring pastures by herding. If livestock are observed in the burn, the permittee will be notified to remove the livestock from the burn. If the livestock are continually being observed within the burn in the Capital Peak and Rock Springs pastures, the livestock will be removed from these pastures and the AUMs identified for these pastures will be suspended until the rehabilitation objectives are met. The AUMs suspended will be 723 AUMs for the Rock Springs pasture and 625 AUMs for the Capital Peak pasture. If livestock are continually being observed within the burn in the Twin Valley Spring pasture, the livestock will be removed from this portion of the pasture and placed in another use area. No AUMs are being suspended, in the Twin Valley Spring pasture, due to the availability of forage in other areas of this pasture.

This final decision is **effective upon receipt** in accordance with 43 CFR 4110.3-3(b) and 4160.3(f) for the protection of the soil and vegetation due to fire.

Any applicant, permittee, lessee, or other person whose interest is adversely affected by this final decision may file an appeal and petition for stay of the decision pending final determination of the appeal under Sec. 43 CFR §4160.4 and §4.470. Appeals and petitions for a stay of the decision shall be filed in person or in writing to Pete Christensen, ADM Renewable Resources, Bureau of Land Management, Winnemucca District, 5001 E. Winnemucca Blvd., Winnemucca, NV 89445, within 30 days after receipt of the final decision.

The appeal shall state the reasons, clearly and concisely, why the appellant thinks the final decision is in error.

Should you wish to file a motion for stay, the appellant shall show sufficient justification based on the following standards under Sec. 43 CFR §4.21:

- (1) The relative harm to the parties if the stay is granted or denied.
- (2) The likelihood of the appellant's success on the merits.
- (3) The likelihood of immediate and irreparable harm if the stay is not granted.
- (4) Whether the public interest favors granting the stay.

As noted above, the petition for stay must be filed in the office of the authorized officer.

Sincerely yours,

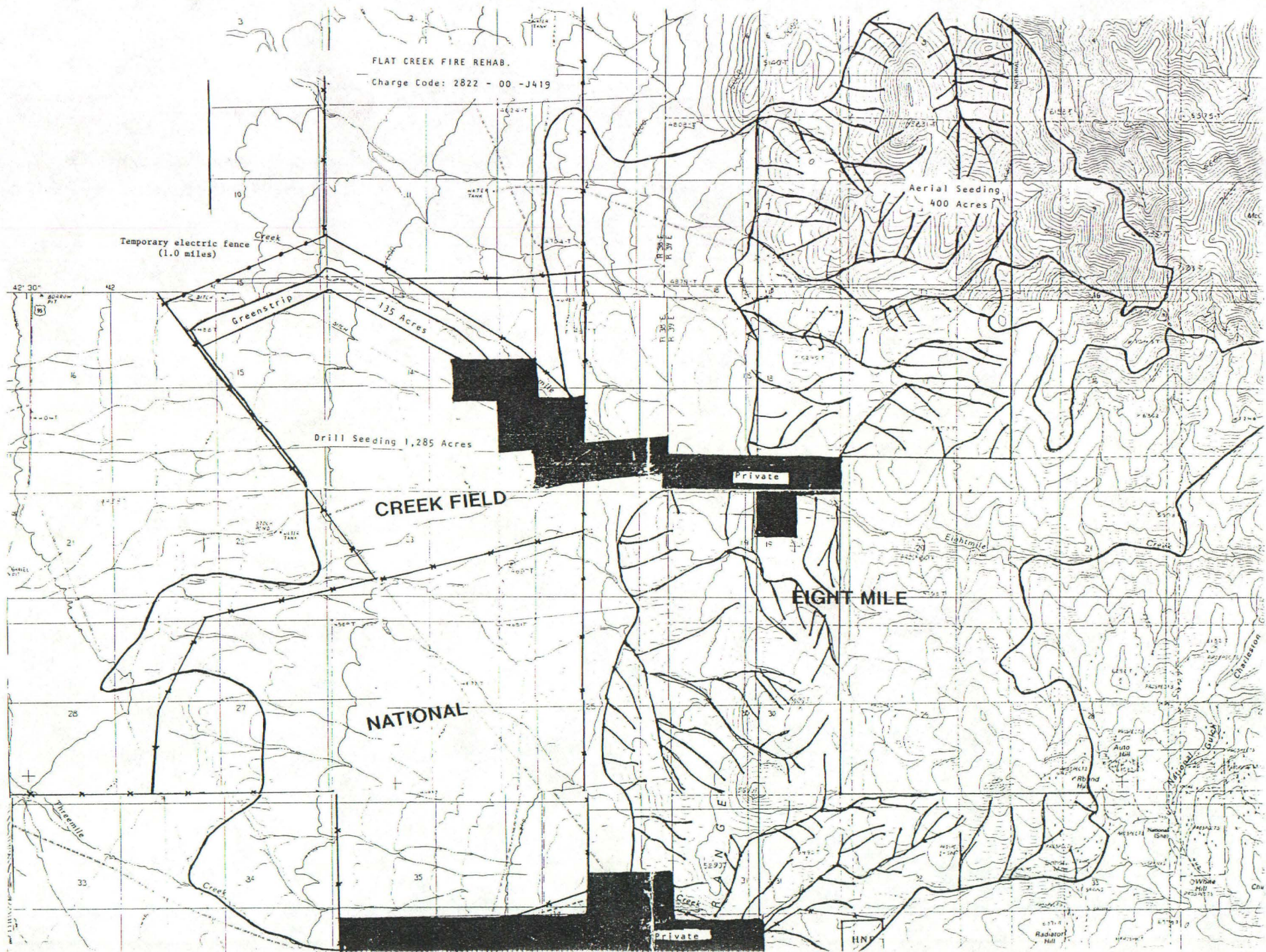


Colin P, Christensen
ADM, Renewable Resources

cc Nevada First Corporation
NDOW - Wmca
NDOW - Fallon
RCI
NRDC
Sierra Club
DRI
Craig Downer
USFWS
Humboldt County Commissioners
Nevada Cattlemen's Assoc.
Nevada Farm Bureau Federation
WHOA
CPWH

FLAT CREEK FIRE REHAB.

Charge Code: 2822 - 00 - J419



Temporary electric fence
(1.0 miles)

Greenstrip
135 Acres

Drill Seeding 1,285 Acres

Aerial Seeding
400 Acres

CREEK FIELD

EIGHT MILE

NATIONAL

Private

Private

HN

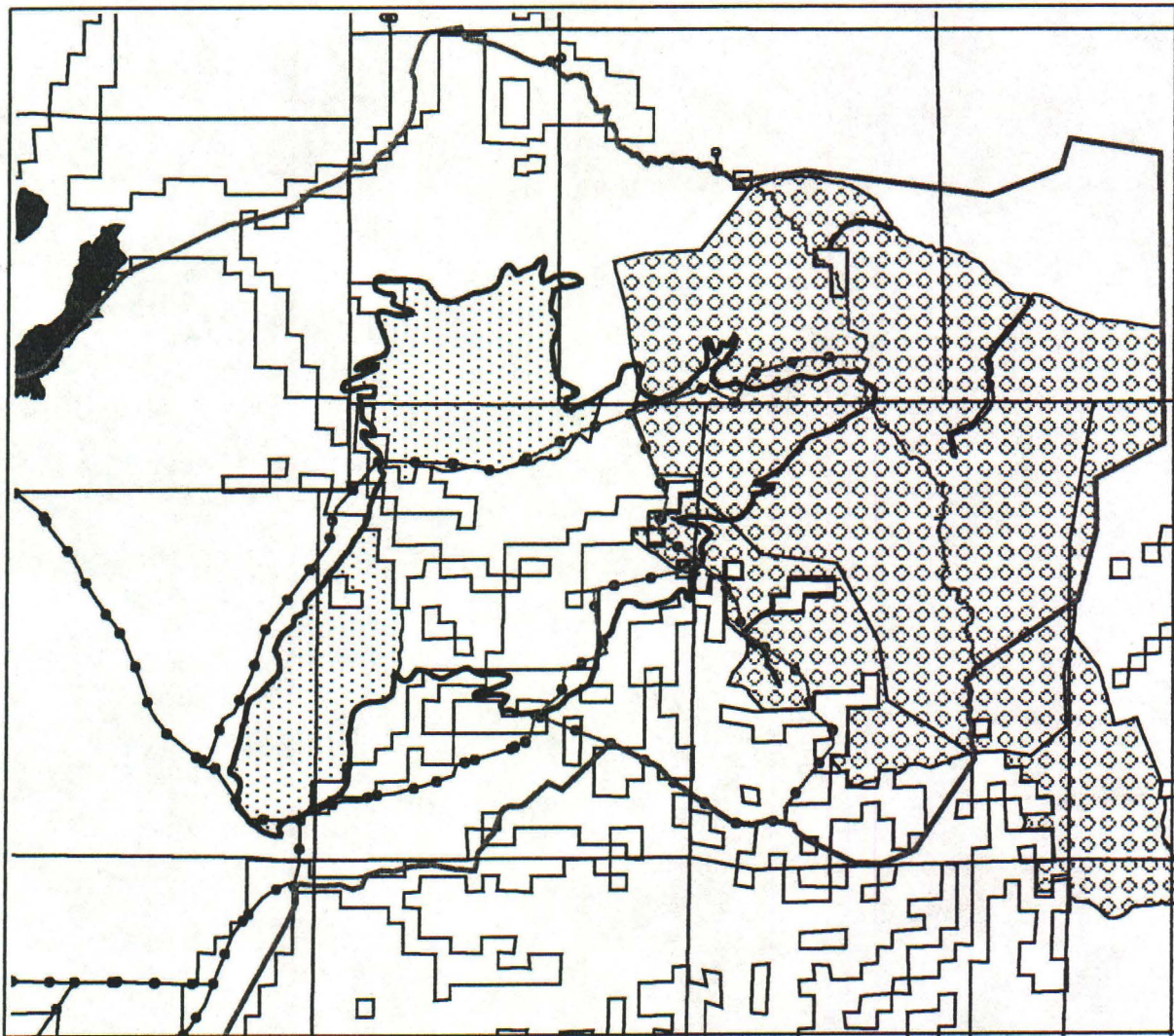
Humboldt Fire

R. 43 E.

R. 44 E.

R. 45 E.

R. 46 E.



T. 41 N.

T. 40 N.

T. 39 N.

2 0 2 4 Miles

 Proposed Aerial Seeding

 Bullhead Allotment Boundary

 Pasture Fences

 Humboldt Fire Perimeter

 Little Humboldt River WSA

 BLM Land

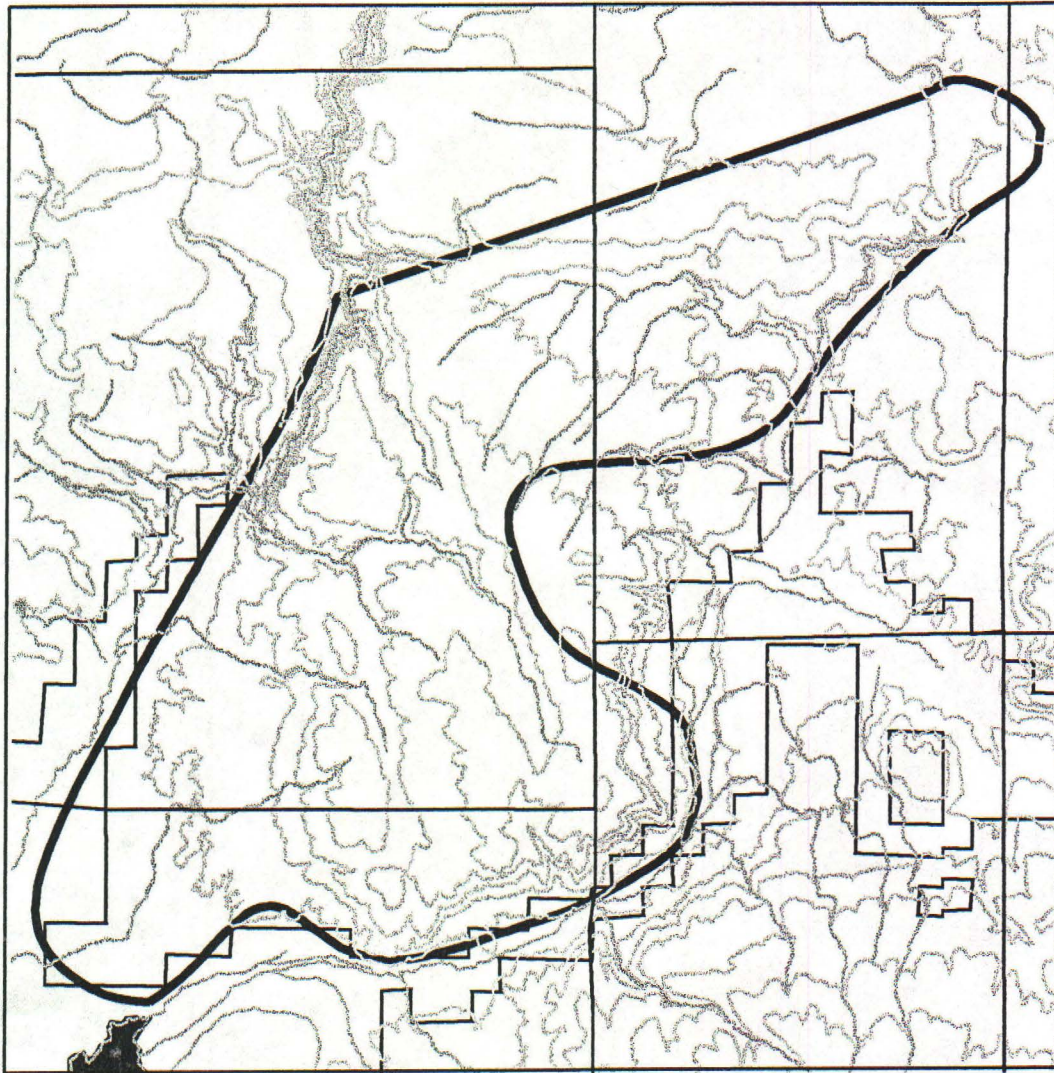
 Private Land

 Chimney Reservoir

NORTH CHIMNEY FIRE

R. 43 E.

R. 44 E.







T. 42 N.

T. 41 N.





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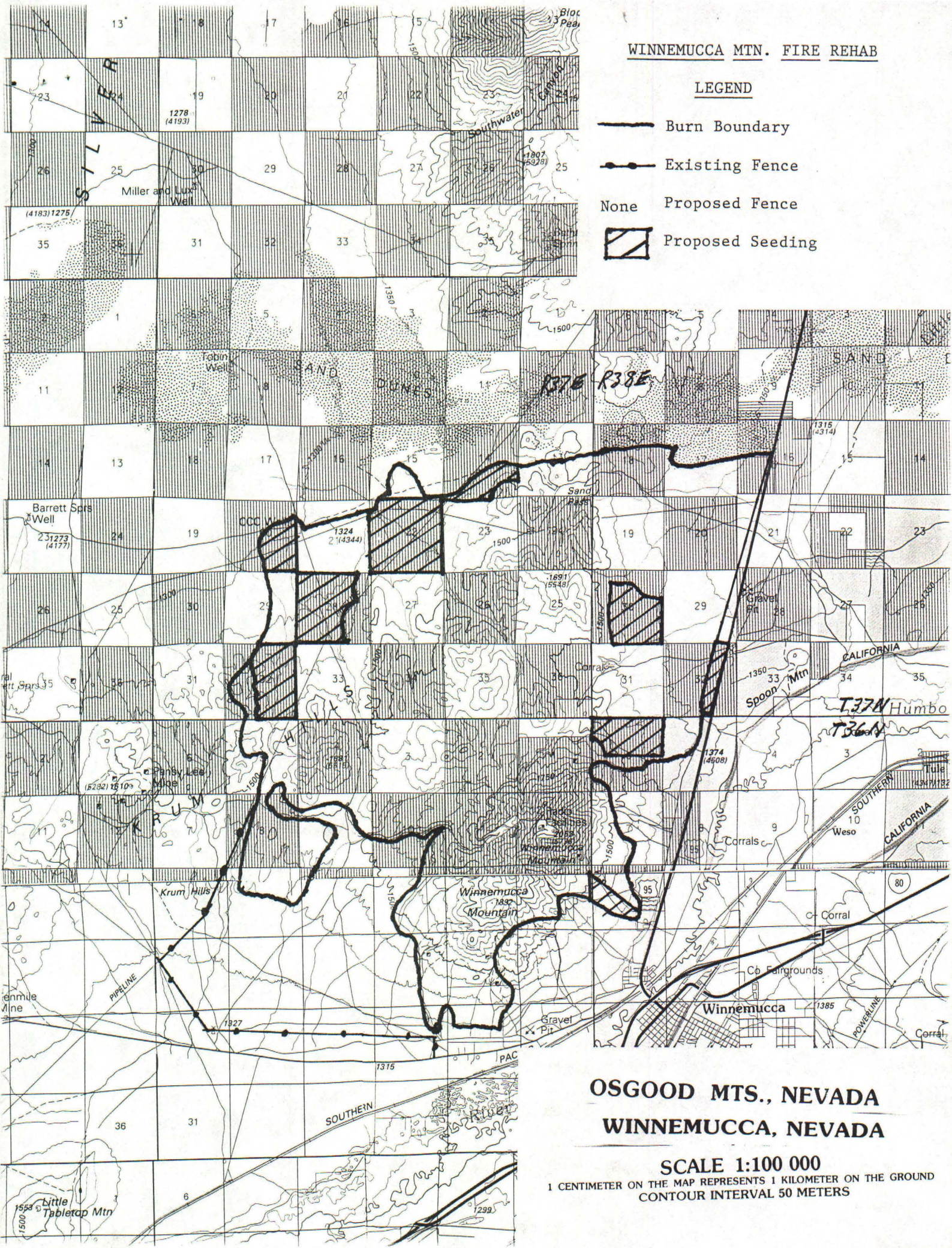


-  Fire Perimeter
-  BLM Land - 15,807 acres
-  Private Land - 752 acres
-  Chimney Reservoir

WINNEMUCCA MTN. FIRE REHAB

LEGEND

-  Burn Boundary
-  Existing Fence
-  None Proposed Fence
-  Proposed Seeding

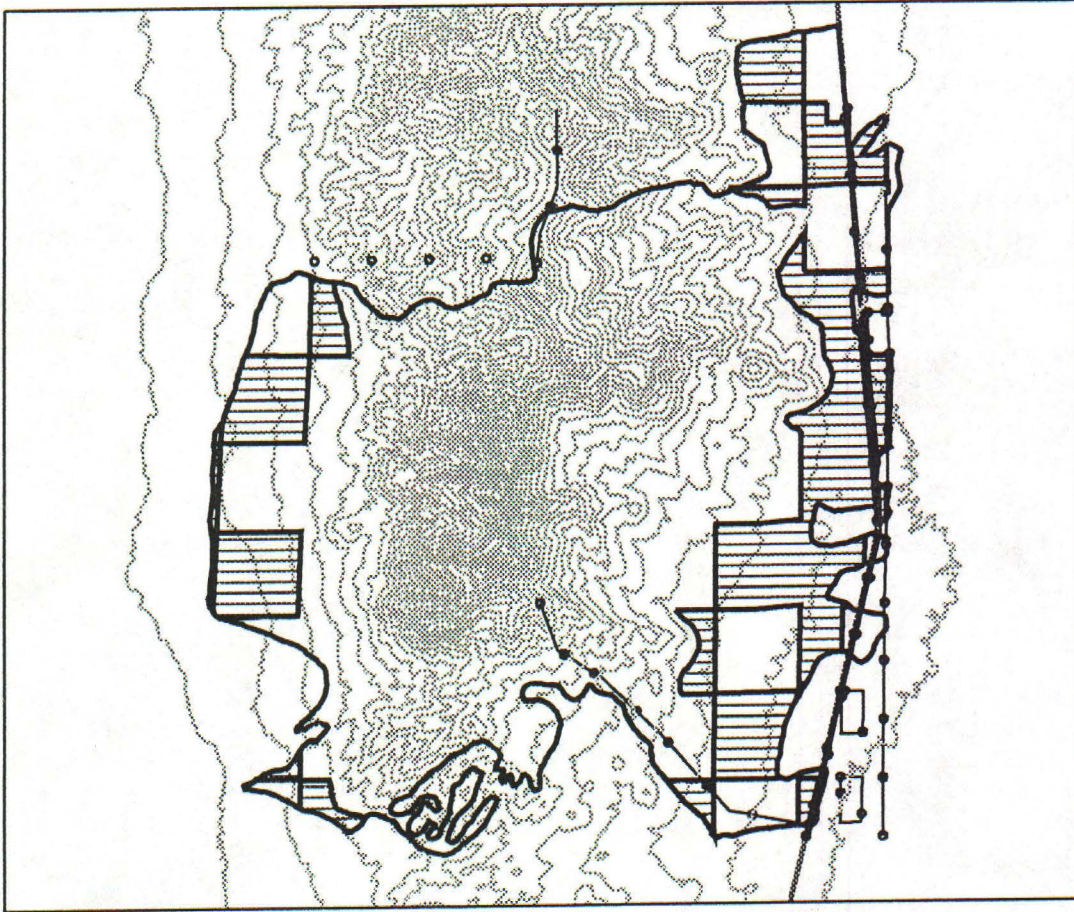







OSGOOD MTS., NEVADA
WINNEMUCCA, NEVADA

SCALE 1:100 000

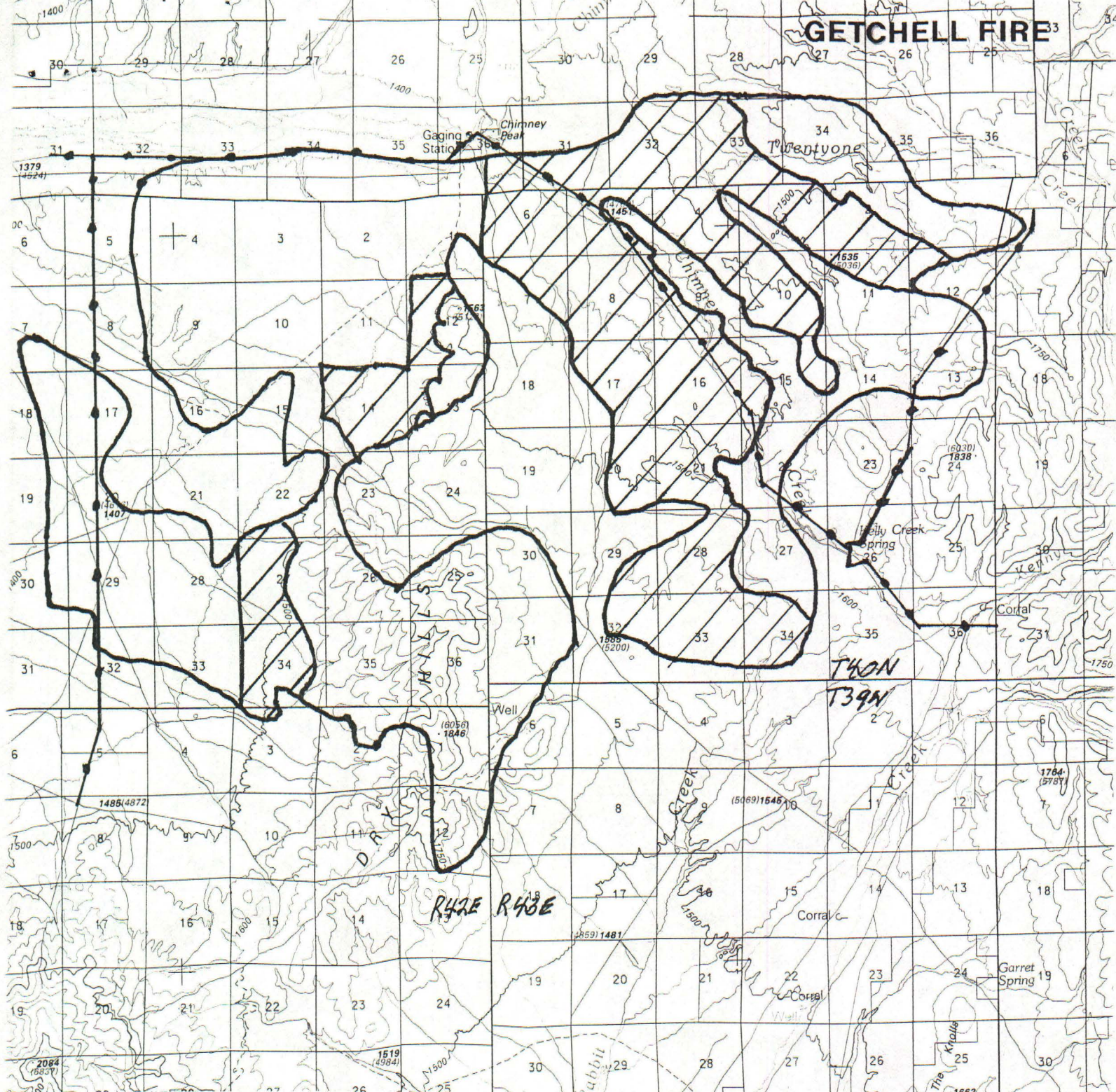
1 CENTIMETER ON THE MAP REPRESENTS 1 KILOMETER ON THE GROUND
CONTOUR INTERVAL 50 METERS

BLOODY RUN FIRE






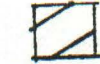
-  Burn Area
-  Proposed Seeding
-  Fence Line
-  Temporary Fence
-  U.S. Hwy 95

GETCHELL FIRE



GETCHELL FIRE REHAB

LEGEND

-  Burn Boundary
-  Existing Fence
-  None Proposed Fence
-  Proposed Seeding

OSGOOD MTS., NEVADA

SCALE 1:100,000
1 CENTIMETER ON THE MAP REPRESENTS 1 KILOMETER ON THE GROUND
CONTOUR INTERVAL 50 METERS
(CONVERSION OF SPOT ELEVATIONS TO FEET SHOWN IN PARENTHESES)

SCALE 1:100,000

1 CENTIMETER ON THE MAP REPRESENTS 1 KILOMETER ON THE GROUND 23

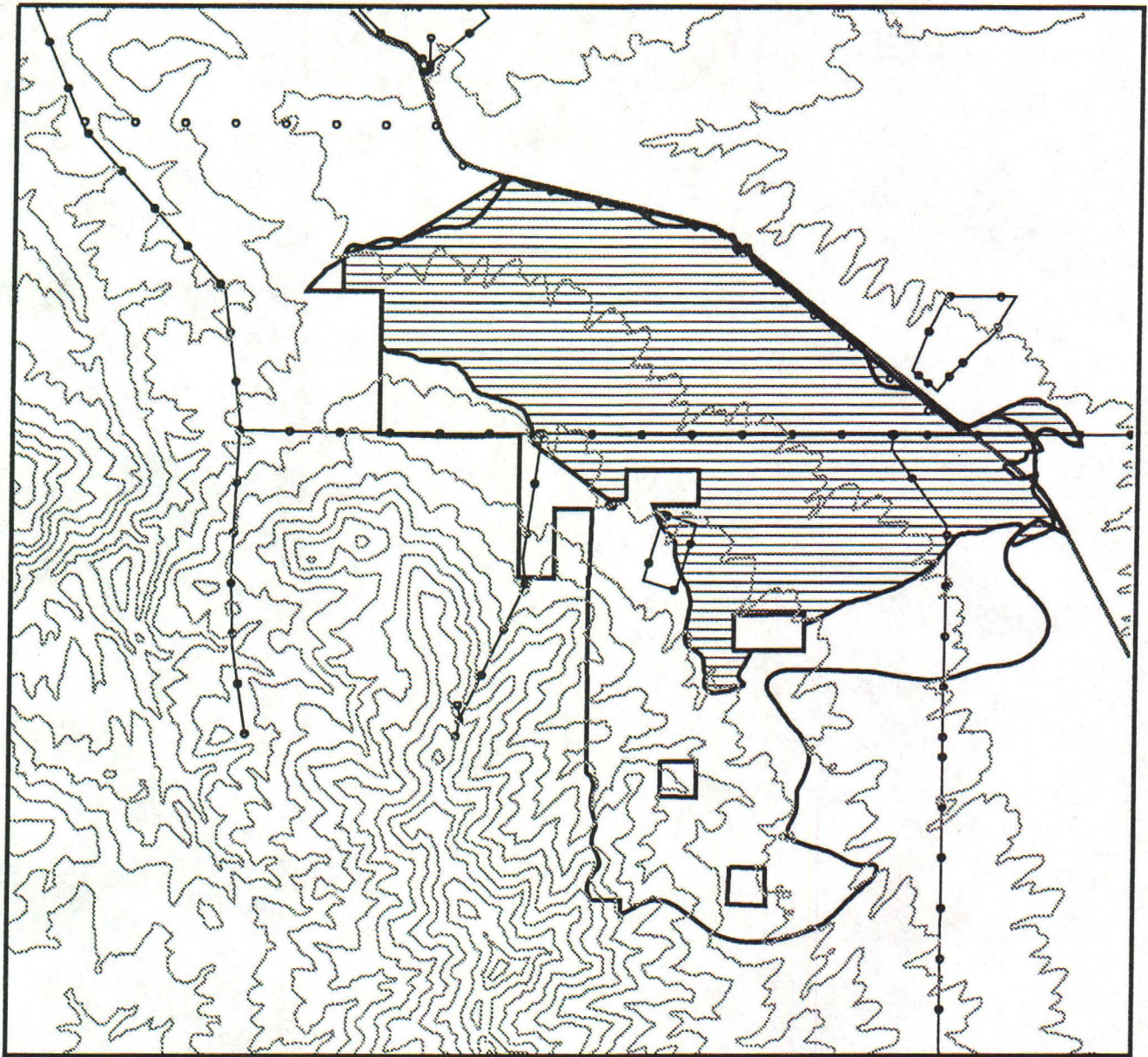
CONTOUR INTERVAL 50 METERS






(CONVERSION OF SPOT ELEVATIONS TO FEET SHOWN IN PARENTHESES)

- Burn Boundary
- Existing Fence
- Proposed Fence
- Proposed Seeding



QUINN FIRE



-  Burn Area
-  Proposed Seeding
-  Temporary Fence
-  Fence Line
-  Little Owyhee Road



COMMISSION FOR THE
PRESERVATION OF WILD HORSES

1105 Terminal Way
Suite 209

Reno, Nevada 89502
(702) 688-2626

October 24, 1996

Mr. Pete Christensen
Paradise-Denio Resource Area
Bureau of Land Management
5100 East Winnemucca Blvd.
Winnemucca, Nevada 89406

Subject: Emergency Gather - Snowstorm HMA

Dear Mr. Christensen:

The Commission for the Preservation of Wild Horses is in receipt of the Notice of Final Decision - Snowstorm Mountains Herd Management Area - Emergency Gather. Our agency supported the Bullhead Allotment Multiple Use Decision that determined an appropriate management level of 140 wild horses.

We support emergency efforts to protect and restore wild fires.

On September 11, 1996, post-fire, the Commission met the District to discuss the additional forage allocation of the First Creek Pasture of the Bullhead Allotment. As a result of this meeting, we concluded the following:

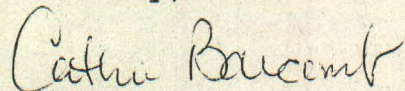
- * BLM surveyed 170 horses in the Snowstorm HMA.
- * Snowstorm wild horses do not use the First Creek Pasture.
- * The fire will have no impact on the AML.
- * Additional forage is available to livestock and wild horses.
- * BLM needs to show data to support the additional forage.
- * BLM has scheduled a gather in the fall of 1997.
- * Wild horses are well established outside of the HMA.

Mr. Pete Christensen
October 24, 1996
Page 2

Due to the more recent wild fire in the Snowstorm Mountains, the issues and concerns of our previous meeting are moot. Provisions found in the Snowstorm Gather Plan provide adequate protection to the surviving wild horses. We support the gather of wild horses nine years and younger to achieve the appropriate management level and protect new seedings. Since the gather plan did not provide the present age structure of this herd, we request that age, sex and recruitment data be collected in this emergency gather. These data may require a post-gather report to determine the status and viability of the Snowstorm Wild Horse Herd.

Pete, we appreciate the indepth knowledge and concern of Mr. Ron Hall concerning this emergency gather. As the Bureau implements the Strategic Plan's adoption policies, the District cannot ignore the federal regulations requiring a viable herd on the Snowstorms. Since no District has provided any assuring data to support the taking of younger horses will not damage herd integrity or viability, it will be appropriate to provide these data after this second gather in the Snowstorms. In the past the District has disregarded a gather criteria to sustain 10% of the younger horses to assure herd recruitment, this emergency gather may reveal new and critical data to assess the present adoption policy for future gathers. Again, thank Mr. Hall for providing us greater insight and support for your actions.

Sincerely,



CATHERINE BARCOMB
Executive Director