

11-22-91

DEC-1

TO 87026875631 P.02



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
WINNEMUCCA DISTRICT OFFICE
705 EAST 4TH STREET
WINNEMUCCA, NEVADA 89445

IN REPLY REFER TO:
4100
(NV-240)

November 22, 1991

NOTICE WILD HORSE GATHER

TO WHOM IT MAY CONCERN:

By this letter be advised that the Bureau of Land Management intends to gather excess wild horses from the Black Rock Range - East Herd Management Area (HMA) and from adjacent public and private lands.

The Black Rock Range - East HMA is contained within the Paiute Meadows grazing allotment which is managed by the Paradise-Denio Resource Area of the Winnemucca District.

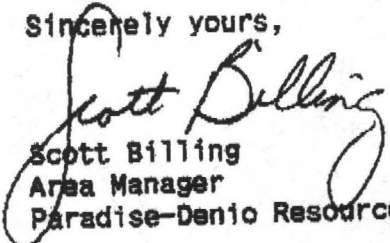
Please find enclosed a copy of the following documents:

- (1) Gather Plan - Black Rock Range - East
- (2) Paiute Meadows final allotment evaluation
- (3) Multiple Use Decision implementing the selected management action

These documents outline the evaluation of monitoring data, the determination of carrying capacity, the determination of appropriate management level and the environmental concern if the selected management actions are not implemented.

It is the intention of the Bureau of Land Management to gather the excess animals between December 22, 1991 and January 30, 1992.

If you have any questions, please give me a call at (702) 623-1500

Sincerely yours,

 Scott Billing
 Area Manager
 Paradise-Denio Resource Area

U.S. DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

Winnemucca District Office

Paradise-Denio Resource Areas

WILD HORSE/BURRO MANAGEMENT

BLACK ROCK RANGE EAST
HERD MANAGEMENT AREA

WILD HORSE GATHERING PLAN

NOVEMBER 22, 1991

Prepared by: *Jott Dillies*
Paradise-Denio Resource Area

Reviewed by: *Robert J. Henry*
Wildlife Program Leader
Wild Horse and Burro Program Leader

Recommended by: *Jott Dillies*
Area Manager, Paradise-Denio Resource Area

Robert J. Henry
Associate District Manager

Approved by: *Lon Wenker*
District Manager

I. INTRODUCTION

The intent of this proposed gathering plan is to outline the methods and procedures to be used in removing approximately 458-601 wild horses. This action would result in the achievement of an Appropriate Management Level (AML) of wild horses in the Black Rock Range-East Herd Management Area (HMA) and attainment of a thriving natural ecological balance as determined through the Bureau's allotment evaluation process. The proposed action will bring the population of wild horses to a level in balance with available forage within the HMA. The wild horses will be removed from the Black Rock Range-East HMA and adjacent public lands. The population adjustment is based solely on the analysis of monitoring data. The removal operation is scheduled to begin about December 22, 1991, and be completed by January 30, 1992. A helicopter will be utilized to herd the wild horses to trap sites.

WHO'S DATA

II. GENERAL AREA DESCRIPTION-BACKGROUND DATA

A. Location and Land Status

The Black Rock Range-East HMA is located approximately 90 air miles northwest of Winnemucca, Nevada and is administered by the Paradise-Denio Resource Area (RA) as part of the Paiute Meadows grazing allotment.

The Black Rock Range-East HMA is roughly 55 miles long north to south and 21 miles wide east to west. The low country is dominated by shadscale-greasewood vegetation types. As elevation increases and soils change, these types give way to sagebrush-grass, aspen and mountain mahogany vegetation types.

Land Status

	<u>Public (%)</u>	<u>Private (%)</u>	<u>Total</u>
Black Rock Range-East HMA	91,300 (96%)	3,894 (4%)	95,194

B. Reference to Land Use Plans (LUPs)

The LUP for the Paradise-Denio RA was approved on July 9, 1982. The LUP (Management Framework Plan - Step III) decision was to manage for wild horses and burros in those HMAs where they existed prior to 1971, and to remove all wild horses and burros from the checkerboard Herd Areas (HAs).

The proposed gathering of wild horses would occur on non-checkerboard lands within and adjacent to the Black Rock Range-East HMA.

C. Reference to Environmental Assessment (EA)

Environmental Assessment NV-020-02-06 and Programmatic Environmental Assessment NV-020-7-24 analyze the environmental consequences and mitigating measures of the proposed action and its alternatives. These documents are available for review at the Winnemucca District Office.

D. Population and Removal Data

The proposed removal of wild horses is based on the Paiute Meadows allotment evaluation dated 11/22/91 and the population estimates for the HMA.

<u>Herd Management Area</u>	<u>Management Level*</u>	<u>Population Estimates</u>	<u>Number of Horses to Remove</u>
Black Rock-East	50		
	7/17-18/1989	651 ¹	
	2/12-14/1990	508 ¹	458-601
	7/26/1991	589 ²	

¹ Based on an aerial census conducted in a Bell 47/Soloy Helicopter.

² Based on an aerial census conducted in a Maule 5 fixed-wing aircraft.

*Management level was determined in the Paiute Meadows allotment evaluation dated November 22, 1991.

In accordance with Washington Office Instruction Memorandum No. 91-216, only healthy, adoptable, excess animals will be removed from the public lands. Animals that are 10 years of age or older must be returned to the HMA.

An analysis of demographic data assimilated from past gathering operations in this area indicates that approximately 10.6% of the population will be 10 years of age or older. The entire population of animals will have to be gathered and restrained in a portable chute to determine age. It is possible that the total population of animals returned to the HMA will be older than 10 years of age.

The Wild Horse and Burro Advisory Board has recommended that the BLM continue to pursue fertility control, population modeling, and other options as a management tool to regulate or suppress reproductive rates in wild horses and burros. It is possible that

sex ratios in the Black Rock Range-East HMA may be manipulated to favor a higher percentage of males over females.

III. JUSTIFICATION

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

A land use plan was completed in 1982 for the Paradise-Denio Resource Area. A major portion of the plan was the preparation and publication of a Grazing Environmental Impact Statement which analyzed five different alternatives to manage public lands: (1) distribute available vegetation to livestock, wildlife, and wild horses/burros; (2) no action; (3) no livestock grazing; (4) maximize livestock; and (5) maximize wild horses/burros. The final analysis culminated with the issuance of the Winnemucca District Manager's Management Framework Plan (MFP) Step III (LUP) Decisions on June 30, 1982. The decision received the State Director's concurrence on July 9, 1982. The MFP III (LUP) WH/B decision number 1.1 provides for the retention and management of wild horses/burros on non-checkerboard lands in the Paradise-Denio Resource Area. The decision stated that existing/current numbers (as of July 1, 1982) would be used as a starting point for monitoring purposes, except where one of the following conditions exists:

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

An evaluation of monitoring data has been completed in Paiute Meadows Allotment Evaluation. Analysis of the monitoring data indicates that 4,950 AUMs of forage are available for use by livestock and wild horses while still maintaining a thriving natural ecological balance on the public lands.

The current demand for forage is 10,642 AUMs. In order to achieve and maintain a thriving natural ecological balance, the level of livestock

and wild horse use will be adjusted to conform with proportions established in the LUP.

The LUP proportion was established at 92 percent of the available forage for livestock and 8 percent for wild horses. This equates to 4,554 AUMs of the available forage for livestock and 396 for wild horses.

Reducing the wild horse herd size below 50 head may jeopardize the genetic viability of the herd; therefore, the AML for wild horses will be 50 adult horses, or 600 AUMs of use. This results in 4,350 AUMs available for livestock.

The resultant proportion of available forage for livestock and wild horses that will maintain a thriving natural ecological balance is livestock, 87%, and wild horses, 13%. This was established in the Area Manager's Multiple-Use decision issued on 11/22/91.

The Wild Free-Roaming Horse and Burro Act of 1971 (Public Law 92-195) as amended, Section 3.(b)(2) requires the Secretary (Interior and/or Agriculture) to immediately remove excess animals from the range so as to achieve appropriate management levels and restore a thriving natural ecological balance to the range. BLM authority under 43 CFR 4720.1 requires the authorized officer to remove excess wild horses immediately.

IV. METHODS FOR REMOVAL AND SAFETY

The methods employed during this capture operation will be herding animals with a helicopter to a trap built with portable panels. The Bureau of Land Management will contract with a private party for this operation. Two or more Bureau employees will be supervising the contractor at all times during the gathering 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 shall 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.

Roping will be allowed only to capture an orphaned foal or a suspected wet mare that has eluded helicopter herding operations.

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 placing stationary observers in strategic locations.

3. The rate of movement and distance the 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 avoidable 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 mountainous, and the animals may be located at all elevations (ranging from 3,900 feet to 8,600 feet) during the time the gathering is scheduled.

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

- a. The parent material for the majority of the capture area is composed almost exclusively of flood basalt. This volcanic material is very sharp, and as a result, there is concern that some animals hoofs and fetlocks may become injured--especially the younger animals.
- b. Water is a limiting factor in and adjacent to this HMA. As a consequence, the animals may have to travel long distances between forage and water as a part of normal daily activities. This may result in the animals hoofs being tender and sore before the gathering operation takes place.
- c. There are steep and extensive escarpments in the HMA. These geological features limit areas where animals can be brought into the trap.
- d. The Black Rock Range-East HMA encompasses part of two (2) Wilderness Study Areas (WSAs). A WSA designation restricts the choices for suitable trap sites and might place constraints on removal operations.

Prior to any gathering operation, BLM will provide for a pre-capture evaluation of existing conditions in the gather area. The evaluation will include animal condition, prevailing temperatures, drought conditions, soil conditions, topography, road conditions, locations 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 and existing fences and/or physical barriers prior to any gathering operation. The Contractor will also be appraised of the above conditions and will be given direction regarding the capture and handling of animals to assure their health and welfare is protected.

4. It is estimated that a minimum of two trap sites will be required 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 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. The removal operation will start on the south end of the Paiute Meadows allotment, then continue north.

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 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 level.
 - d. Wings shall not be constructed out of barbed wire or other materials 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.
 - f. All pens and runways used for the movement and handling of animals shall be connected with hinged self-locking gates.
6. No fence modification will be made without authorization from the BLM. The Contractor shall be responsible for restoration of any fence modification which he has made.
- If the route the Contractor wishes to herd animals passes through a fence, the Contractor will be required to roll up the fencing 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 shipments of animals to arrive at final destination between 6:00 a.m. and 4:00 p.m. No shipments shall be scheduled to arrive at the final destination on Sunday or Federal holidays. Animals shall not be allowed to remain standing in trucks while not in transport for a combined period of greater than two (2) 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.

Animals 10 years of age and older will be returned to the HMA. The entire population of animals will have to be gathered and restrained in a portable chute to determine age.

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. All temporary trap sites located within WSA boundaries will be placed on existing roads and ways, not to exceed 50 feet either side of the access route. Cross-country travel would be allowed so long as it does not cause impacts inconsistent with the requirements of the non-impairment criteria outlined in the Interim Management Policy and Guidelines for Lands Under Wilderness Review.

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 the 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 side.

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, sex, 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/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 the 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 area 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 fuel truck), and personnel not involved in refueling.
3. The BLM shall have the means to communicate with the Contractor's pilot and be able to direct the use of the gather helicopter at all times. If communications cannot be established, the Government will take steps as necessary to protect the welfare of the animals.
4. The proper operation, service and maintenance of all contractor furnished helicopters is the responsibility of the Contractor. The BLM reserves the right to remove from service, pilots and helicopters which, in the opinion of the BLM violate contract rules, are unsafe or otherwise unsatisfactory. In this event, the Contractor will be notified in writing to furnish replacement pilots or helicopters within 48 hours of notification. All such replacements must be approved in advance of operation by the BLM.

V. RESPONSIBILITY AND LINES OF COMMUNICATION

The Contracting Officer's Representative, Thomas Pogacnik from the Nevada State Office, and Project Inspectors (Tom Seley and Dave Stockdale), from the Winnemucca District, have the direct responsibility to ensure the Contractor's compliance with the contract stipulations. However, the Paradise-Denio Resource Area Manager 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 Valley offices. All employees involved in the gathering operations will keep the best interests of the animals at the forefront at all times.

All publicity, formal public contact and inquiries will be handled through the Paradise-Denio Area Manager. This individual will be the primary contact and will coordinate the 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 the removal operations. These specifications are designed to minimize the risk of injury and death during and after capture of the animals. The specifications will be enforced vigorously. Should the Contractor show negligence and not perform according to contract stipulations, he will be issued written instructions, stop work orders, or defaulted.

VI. FUTURE REMOVAL EFFORTS

A new gathering plan will not be required for future gathering operations in the HMA to maintain wild horse numbers at an AML of 50 animals. Monitoring data will be evaluated three years after this gather. Should the data indicate an adjustment in wild horse and livestock numbers is needed, a new gathering plan will be prepared.



MOUNTAIN

FOREST
PINE

MOUNTAIN

BEAR RIVER
VALLEY

SUNFLOWER MOUNTAIN

RIVER

NATIONAL

LITTLE C

SPRING RA

BLACK
ROCK
RANGE
EAST

THE MESA

1015

1193

455

737

215

4559

VALLEY

SLUMBERING
HILLS
NORTH

BLOODY

HOT
SPRINGS
MOUNTAINS

SNO
MOUN

JACKSON

MOUNTAINS

SLUMBERING
HILLS
SOUTH

RUNS

LOWER
PARADISE
VALLEY

MOUNTAINS

OSGOOD
MOUNTAINS

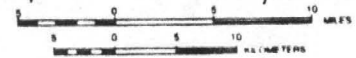
KRUM HILLS

WHITEMUCCA MTN.

EUGENE
MOUNTAINS

GREY CROSSING

471



EA FACE SHEET

OFFICE: Paradise-Denio Resource Area FY & REPORT # EA#-NV-020-02-06

ACTION: Wild Horse Gather NO. OF PAGES 13
(Project Name, Case Type, etc.)

LOCATION: Black Rock Range East HMA SERIAL NO. N- N/A

TEAM SIGNATURES:	TITLE	RESOURCE VALUES ASSIGNED	HOURS
<u>Abbie Jessie</u>	<u>Range Con</u>	<u>Preparation</u>	
<u>Tau [unclear]</u>		<u>Range</u>	
<u>Robert J. Neary</u>		<u>Wild Horses & Burros</u>	
<u>Robert T. [unclear]</u>	<u>Wildlife Biologist</u>	<u>Wildlife</u>	
<u>Lynn A. Cleven</u>	<u>Outdoor Rec. Pln.</u>	<u>Wilderness</u>	
<u>Regina C. Smith</u>	<u>Archaeologist</u>	<u>Cultural</u>	
<u>Donald [unclear]</u>	<u>Soil Scientist</u>	<u>Soils & Vegetation</u>	
<u>Robert J. Neary</u>		<u>ADM Resources</u>	

ENVIRONMENTAL COORDINATOR: [Signature] (Signature) 22 November 91 (Date)

COMPLIANCE OFFICER: _____ (Title or Name)
DISTRICT (AREA MANAGER) [Signature] (Signature)
11/22/91 (Date)

ENVIRONMENTAL ASSESSMENT
GATHER AND REMOVAL OF EXCESS WILD HORSES
FROM THE BLACK ROCK RANGE EAST HERD MANAGEMENT AREA

I. DESCRIPTION OF ALTERNATIVES

A. Background Data

This document has been prepared to assess the environmental impacts of adjusting the numbers of wild horses in the Black Rock Range East Herd Management Area. This EA addresses the Land Use Plan (LUP) decision to establish a level of animals that will be monitored and how adjustments will be made. It also references the 1981 EIS which analyzes a proposed action and several alternatives similar to those detailed here. It will not assess the impacts of different methods of gathering horses. These impacts were analyzed in a programmatic EA (No. NV-020-7-24) prepared in May 1987. After the incorporation of public comments, a Record of Decision and Finding of No Significant Impact was approved on August 4, 1987 and assessment remains valid today. That EA is on file and available for review in the office of the Paradise-Denio Resource Area.

The LUP decision was to manage for wild horses and burros in those HMAs where they existed prior to 1971, and to remove all wild horses and burros from the checkerboard Herd Areas (HAs). A major portion of the plan was the preparation and publication of a Grazing Environmental Impact Statement which analyzed five different alternatives to manage public lands: (1) distribute available vegetation to livestock, wildlife, and wild horses/burros; (2) no action; (3) no livestock grazing; (4) maximize livestock; and (5) maximize wild horses/burros. The final analysis culminated with the issuance of the Winnemucca District Manager's Management Framework Plan (MFP) Step III (LUP) Decisions on June 30, 1982. The decision received the State Director's concurrence on July 9, 1982. The MFP III (LUP) WH/B decision number 1.1 provides for the retention and management of wild horses/burros on non-checkerboard lands in the Paradise-Denio Resource Area. The decision stated that existing/current numbers (as of July 1, 1982) would be used as a starting point for monitoring purposes, except where one of the following conditions exists:

1. Numbers are established by adequate and supportable resource data.
2. Numbers are established through the CRMP process as documented in CRMP recommendations and agreed to by the District Manager.
3. Numbers are established by formal signed agreement between affected interests.

4. Numbers are established through previously developed interim capture/management plans. Plans are still supportable by parties consulted in the original plan. EAs (EARs) were prepared and are still valid.
5. Numbers are established by court order.

The Paiute Meadows Allotment Evaluation was prepared as directed by Washington Office Instruction Memorandum No. 86-706. This Allotment Evaluation analyzed monitoring data collected through 1990 in the Paiute Meadows Allotment which contains the Black Rock Range East Herd Management Area (See Paiute Meadows Final Allotment Evaluation, November 22, 1991 for complete details). The analysis indicates that 4950 AUMs of forage are available for use by livestock and wild horses while still maintaining a thriving natural ecological balance as defined by W.O. Instruction Memorandum No. 90-491. The thriving natural ecological balance is the condition of the public range that exists when management objectives in approved land use and activity plans have been achieved that will: (1) sustain healthy populations of wild horses and burros, wildlife, and livestock on public land and (2) protect the desired plant community from deterioration.

Through evaluation of the monitoring data collected through 1990 on the Paiute Meadows allotment it has been determined that the short and long term objectives are not being met. Adjusting the stocking rate to the carrying capacity as determined through the evaluation of the monitoring data is necessary. The evaluation determined that the primary cause of the lack of achievement of the objectives was due to the wild horse population in the South Paiute Use Area and due to both wild horses and livestock in the North Paiute Use Area. (See attached map)

The proportion of livestock/wild horses as determined through the land use planning process was 92:8. The LUP identifies the population for monitoring in the Black Rock Range East HMA as 59 horses. This equates to 708 AUMs annually. This was 8% of the total AUMs for livestock and wild horses. The Active Preference for livestock in the LUP was 7827 AUMs.

B. Purpose and Need

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

The current demand for forage is 10,642 AUMs. The carrying capacity of the Paiute Meadows allotment has been determined to be 4950 AUMs. If LUP proportions were utilized, the AUMs would be distributed as follows:

Livestock	4554 AUMs
Wild Horses	396 AUMs

In order to maintain genetic viability, the wild horse population would be reduced to 50 adult wild horses. This equates to 600 AUMs annually.

Therefore, the proportion of livestock to wild horses would be adjusted to 88:12. This would distribute the carrying capacity of 4950 AUMs as follows:

Livestock	4350 AUMs
Wild Horses	600 AUMs

Key to the achievement of the objectives is the management of the grazing animals. The livestock grazing demand for the Paiute Meadows Allotment is 4350 AUMs Active use and 3477 AUMs Non-Use. The current wild horse population of approximately 508 animals requires 6096 AUMs. A population of 50 animals would cause a demand that, along with the livestock use would fully utilize the carrying capacity of the range. (Note: Currently the HMA is not completely fenced to contain the wild horses or prevent migration into the HMA from other HMAs).

Present demand for forage exceeds the carrying capacity by 5692 AUMs. Based on the estimated carrying capacity and the current grazing demand by wild horses and livestock, adult wild horse numbers over 50 are determined to be excess. It is necessary to reduce the horse numbers to bring the grazing demand to within the carrying capacity of the range. Failing to do so would continue over utilization of the preferred forage species resulting in decreases in vegetation densities, vigor, reproduction, productivity, and available forage. Achievement of the objectives of the LUP and the allotment specific objectives would not be possible.

Livestock use was restricted to 4350 AUMs when the permit was transferred in 1990, and the use period restricted to spring/summer in the North Paiute Use Area only. This action was deemed necessary as the range was receiving heavy to severe use in the South Paiute Use Area with wild horse use alone. This represented a 44% reduction of Active Preference to the permittee.

The Wild Free-Roaming Horse and Burro Act of 1971 (P.L. 92-195) and 43 CFR 4700 - Protection, Management, and Control of Wild and Free-Roaming Horses and Burros, direct that wild horses be managed in balance with other uses and the productivity of their habitat. The Bureau is also directed to determine if an excess of wild horses exists and immediately remove the excess animals so as to restore a thriving natural ecological balance to the range and protect the range from the deterioration associated with overpopulation.

C. Proposed Action and Alternatives

Proposed Action

The proposed action is to remove the excess wild horses from the Black Rock Range East Herd Management Area. This would be accomplished by reducing the wild horse population from approximately 508 animals to 50 animals as directed by law, regulation, and the LUP. Gathering operation would be accomplished by contract and would proceed as follows:

The proposed gathering of wild horses would occur on non-checkerboard lands within and adjacent to the Black Rock Range- East HMA.

Wild horses would be gathered and directed into capture corrals using a helicopter. A minimum of one saddle horse shall be immediately available at the site to accomplish roping if necessary and only with prior approval by a BLM authorized officer. Under no circumstances shall animals be tied down for more than one hour.

Roping would be allowed only to capture an orphaned foal or a suspected wet mare that has eluded helicopter herding operations.

Alternate pens, within the holding facility shall be present at the site to separate animals with small foals, sick and injured animals, and stray animal from the other animals. Animals shall be sorted as to age, number, size, sex, temperament, and condition so as to minimize, to the extent possible, injury due to fighting and trampling. All horses would be inspected for brands. Horses identified to be privately owned would be released upon full trespass settlement by the claimant. Unclaimed branded horses would be released to the State of Nevada for disposition under State estray laws.

At the site, the entire population of animals would have to be gathered and restrained in a portable chute to determine age. All wild horses ten (10) years of age or older would be sorted and returned to the Black Rock Range East Herd Management Area in accordance with W.O. I.M. No. 91-216.

Captured wild horses which are sick, lame, seriously injured, deformed, or very old would be humanely destroyed either at the site or holding corrals.

Once captured, the horses 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 corrals and/or temporary holding facilities on days when there is no work being conducted except as specified by the BLM. The Contractor shall schedule

shipments of animals to arrive at final destination between 6:00 a.m. and 4:00 p.m. No shipments shall be scheduled to arrive at the final destination on Sunday or Federal holidays. Animals shall not be allowed to remain standing in trucks while not in transport for a combined period of greater than two (2) hours.

All wild horses transported to the permanent facility would be processed as required by Bureau procedures (freeze branding, vet. treatment, etc.) and would then be available for adoption.

The gather operation is expected to begin December 22, 1991 and conclude no later than January 31, 1992.

Alternative I

This alternative is the same as the proposed action except that wild horse numbers would be reduced to 412 animals rather than 50. This alternative maximizes wild horses and would effectively eliminate livestock grazing as this level of wild horses would utilize the entire carrying capacity.

Alternative II - No Action Alternative

No wild horses would be gathered; population control would be left to biological processes. This alternative would increase the impact to the ecological community in the HMA and surrounding areas.

II. AFFECTED ENVIRONMENT

The Black Rock Range-East HMA is roughly 55 miles long north to south and 21 miles wide east to west. Elevations range from 6000 to 8631 feet. The allotment is divided into the North and South Paiute Use Areas by Paiute Creek which flows from west to east. This channel is typified by a narrow gorge which limits movement by grazing animals between the north and south halves of the allotment. The upper reaches of the stream are within an open basin which allows migration between the two use areas.

The climate is semi-arid. Precipitation is 08-14 inches per year, varying with elevation.

a. Vegetation

The area is mostly sagebrush-grass vegetative type with Lahontan sagebrush, Wyoming big sagebrush, bluebunch wheatgrass and Thurber needlegrass being the dominant species. The northern part of the area is dominated by mountain big sagebrush, low sagebrush and Idaho fescue. Shadscale and Bailey greasewood are the major plants in the southern part of the area. Streambank riparian habitat is found along the Paiute, Battle and Bartlett Creeks and their tributaries throughout the allotment. Some localized areas have been converted to annuals. There is one seeding in the upper elevations south of Paiute Creek.

The 1981 Paradise-Denio Grazing EIS identified the range condition to be 91% poor and 8% good.

An Ecological Status Inventory has not been completed on the allotment.

The suitable grazing areas for wild horses would be somewhat greater than that of livestock but this alone would not explain the large amount of vegetation in poor condition. Until such time as an ecological site inventory is completed, ecological condition cannot be accurately stated. Ecological Status was collected at four Key Areas and indicated at those locations that the ecological condition was mid-seral.

The Paradise-Denio EIS identifies trend as downward in 1981. No recent data has been collected to assess trend since that time. The current range condition of the suitable grazing areas is the result of past grazing use, including livestock and wild horses.

b. Soils and Water

The predominant soils are clays and clay loams that formed in residuum and colluvium from tertiary volcanic rocks. The soils are shallow through moderately deep, with low available water capacity and slow permeability. Runoff is rapid. Because of the many rock fragments on the soil surface, potential for erosion is low.

c. Wildlife

The HMA provides important deer and pronghorn habitat as well as over 69,000 acres of potential bighorn sheep habitat. Wildlife use has been primarily from deer and pronghorn antelope.

d. Livestock

The HMA lies within the Paiute Meadows Allotment and encompasses about 54 percent of the allotment. Livestock grazing use varied since 1983, including three years of no use. Average licensed use was 3803 AUMs, which equates to 49% of the Active Preference. The grazing preference on this allotment is currently held by Daniel H. Russell and amounts to 4350 active AUMs. Mr. Russell has taken Non-Use of 3477 AUMs in the transfer of the permit to him in 1990. Mr. Russell has agreed to continue with taking 3477 AUMs of voluntary non-use until the start of grazing year 1995 to assist the BLM in achieving the allotment specific objectives for the Paiute Meadows Allotment. This adjustment was taken due to the lack of forage to meet the demand of 7827 AUMs of livestock and the current forage demand of 6096 AUMs by wild horses.

The allotment is 97 percent public land and shall be grazed under a deferred rotation grazing system effective with grazing year 1992 following the initial removal of wild horses to the AML. Included in the allotment are 5,170 acres of the permittee's private land. Refer to the November 1991 Final Allotment Evaluation for the Paiute Meadows Allotment for a more detailed description of the livestock grazing system.

e. Wild Horses

The Black Rock Range East HMA consists of 91,300 acres of public land, and 3,894 acres of private land. The entire HMA lies within the Paiute Meadows Allotment. Wild horse grazing use has ranged from a high of 7547 AUMs in 1987 just prior to the last gather in 1987-1988, to 2452 AUMs in 1988 after the 1987 gather. The current Actual Use by wild horses is 6096 AUMs. There are currently 508 wild horses in the HMA. They generally range within the herd management area however, there is a significant amount of use occurring in the eastern and southern portion of the Paiute Meadows Allotment outside the HMA and on other public and private lands.

Three wild horse gathers have been completed on the Black Rock Range East HMA since the winter of 1979-1980. The number of wild horses removed during each gather is as follows:

<u>Year</u>	<u>No. of Horses Removed</u>
1979/1980	81
1986	193
1987-1988	445

f. Wilderness

Approximately 51,200 acres of the HMA are within the Black Rock Desert WSA and approximately 19,840 acres are within the Pahute Peak WSA.

Wilderness characteristics for the Black Rock WSA, as documented in the intensive inventory report are as follows:

NATURALNESS

The Black Rock Desert WSA is predominantly natural. The WSA is a large, dry, alkali lake bed, one of the remains of ancient Lake Lahontan. Isolated islands of desert playa and scatterings of saltbush, greasewood and sagebrush create intriguing mosaic patterns. Local relief is minimal, generally less than 10 feet.

OUTSTANDING OPPORTUNITIES FOR SOLITUDE

The entire WSA was considered to have outstanding opportunities for solitude, mainly due to its large size. The area under consideration in this document does have extremely good opportunities for solitude, despite the WSA boundary road, because of the roughness of the road and the extremely small numbers of visitors this portion of the WSA receives.

OPPORTUNITIES FOR PRIMITIVE AND UNCONFINED RECREATION

No primitive recreational features are considered outstanding within the WSA. However, hiking, nature study and camping are possible recreation pursuits. These opportunities are viewed as unique because of the undeveloped nature of the WSA, but nonetheless not outstanding to the average recreationist. Antelope, cougar, sage grouse and chukar are sometimes found on the edge of the WSA.

SPECIAL FEATURES

The Black Rock Desert is one of the largest, virtually undeveloped desert valley floors in the western United States. Recent discoveries indicate that the WSA contains paleontologic and archeologic resources of national importance. It is not known if the area under consideration in this report contain these two values.

Wilderness characteristics for the Pahute Peak WSA, as documented in the intensive inventory report, are as follows:

NATURALNESS

The WSA is predominantly natural but there are a few developments for the range resource. There are three distinct landforms in that portion of the WSA under consideration. The high elevation ridge crest is an undulating highland with a few lightly cut drainages. The east side of the Black Rock range is a rolling to moderately steep landform and the fringing desert piedmont gently slopes from the mountain range.

OUTSTANDING OPPORTUNITIES FOR SOLITUDE

The WSA offers outstanding opportunities for solitude. Along the ridge crest, low shrubs provide minimal vegetative screening, except locally in aspen and mountain mahogany stands. On the east slopes of the range, low shrubs provide minimal vegetative screening with fair to good topographic screening in the major drainages. Low shrubs provide minimal vegetative screening in the fringing desert piedmont where there is fair to poor topographic screening. The size and configuration of the WSA are sufficient to provide outstanding solitude.

OPPORTUNITIES FOR PRIMITIVE AND UNCONFINED RECREATION
This portion of the WSA offers fair opportunities for primitive and unconfined recreation. The size and varied topography create opportunities for day-hiking, camping, backpacking, hunting, horse packing, rock scrambling and nature study. Although the opportunity to conduct these activities is present there are numerous other places in the Winnemucca District where they can take place and yield better experiences for the recreationist.

SPECIAL FEATURES

There are no known special features in this portion of the WSA.

g. Recreation

VISITOR USE AREAS

Most visitors to this portion of the WSA are hunters during the deer, antelope and chukar seasons. Other recreational use is not significant. The road from the Leonard Creek Ranch to the Paiute Meadows Ranch and then to the Soldier Meadows Ranch is under consideration as part of a proposed Back Country Byway.

h. Cultural Resources

Significant cultural resources have been identified in the adjacent area as well as a number of unevaluated cultural resources. The sites range from seasonal hunting camps and resources procurement areas to historic ranching and settlement area.

No traditional Native American use areas or sacred areas have been identified for the project area. However, the Summit Lake Indian Reservation is to the northwest of this project area.

Gathering sites selected would most likely be identical to those used in the 1987-1988 gather of this area. These sites were all located on private lands in previously disturbed areas. No mitigation was done.

III. ENVIRONMENTAL CONSEQUENCES

Proposed Action

Direct Impacts

Gathering operations would result in soil and vegetation disturbance, at the temporary facilities, from horse and vehicle activity. Access to the area by the public would be limited or prohibited during gather operations. The opportunity for wild horse viewing after the

gather would be reduced due to the reduced numbers of horses. The horses would undergo stress related to being captured and handled. The helicopter would occasionally land during the gather operation.

There is a high probability that these landings may be inside the boundary of the Black Rock WSA. The only impacts occurring would be temporary ones. All temporary gathering sites located within WSA boundaries would be placed on existing roads and ways, not to exceed 50 feet either side of the access route. Cross-country travel would be allowed so long as it does not cause impacts inconsistent with the requirements of the non-impairment criteria outlined in the Interim Management Policy and Guidelines for Lands Under Wilderness Review. The landing of helicopters satisfies the non-impairment criteria and would not require the construction of heli-spots as the helicopter would be landing on unimproved sites.

Indirect Impacts

Several indirect impacts may occur.

a. Vegetation, Soil, and Watershed

The attainment of the carrying capacity and AML would allow for increased efficiency in the use of the forage resource and a reduction of grazing demand. Adult wild horse numbers of 50 head would place a grazing demand for livestock and wild horses at 4950 AUMs. The forage demand after the gather would be at the estimated carrying capacity.

Continuing the management programs outlined in the Final Allotment Evaluation for the Paiute Meadows Allotment would contribute toward an improvement in ecological condition and associated benefits of improved watershed condition and improved water quality through the reduction of the sediment and salt loads in the surface runoff.

b. Wildlife and Livestock

The proposed action would result in the increase of quantity and quality of forage available to livestock and wildlife.

c. Wild Horses

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

Wild horse numbers would be allowed to increase to 75 animals before a maintenance gather would be scheduled. The effects of releasing 50 animals or more in excess of ten years of age has not been analyzed in any other NEPA document to date. It is projected that if the majority of the herd that is released is over 10 years of age, that population increases would be less likely to occur at the normal 14% per year, which may allow for an interval between gathers in excess of 5 years.

Wild horse viewing opportunities would be reduced after the gather due to the reduced numbers.

Population demographics of the herd would be significantly altered after return of the "unadoptable" wild horses of ten years of age or older back to the HMA. It is estimated that 10.6% of the current population of wild horses within the HMA may be of ten years of age or older. It is possible that the total population of animals returned to the HMA would be older than 10 years of age.

d. Cultural Resources and Threatened and Endangered Species

A clearance for cultural resources and T&E species would be conducted prior to any surface disturbance activity. Any resources located would be avoided.

e. Wilderness

The Black Rock WSA is affected by the proposed Black Rock Range East HMA gather. Implementation of the proposed action would result in improved ecological condition with associated watershed and soil benefits and would enhance wilderness values by returning the range to a more natural condition.

The implementation of management control of grazing animals would benefit vegetative and watershed resources and enhance wilderness values.

f. Mitigating Measures and Residual Impacts

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

1. Cultural resource and T&E inventories will be conducted prior to setting up capture and holding facilities. Any resources identified will be avoided.
2. No surface disturbing activities are anticipated. Unanticipated surface disturbing actions will be approved only after cultural and T&E clearance.

Under no circumstances will they occur inside the WSAs.

3. All phases of the gather and processing operation will be carried out according to Bureau policy with the intent of conducting as safe and humane an operation as possible.
4. All temporary gathering sites located within WSA boundaries will be placed on existing roads and ways, not to exceed 50 feet either side of the access route. Cross-country travel would be allowed so long as it does not cause impacts inconsistent with the requirements of the non-impairment criteria outlined in the Interim Management Policy and Guidelines for Lands Under Wilderness Review.
5. After attainment of the AML of 50 adult wild horses, the population of adult animals will be allowed to increase to 75 before additional gathers are initiated.

No Impacts

a. Critical Elements

The following critical elements are not affected: Air Quality, ACEC, Farmlands, Floodplains, Native American Religious Concerns, Solid or Hazardous Wastes, and Wild and Scenic Rivers.

Alternative I

Direct Impacts

This alternative would have the same direct impacts as the proposed action.

Indirect Impacts

a. Vegetation, Soil, and Water

Reduction of the horse herd to 412 animals would reduce the current forage demand in the herd management area. This level would only reduce the animals to the estimated carrying capacity of the range and within one year the natural increase would result in excess horse numbers and grazing demand would exceed the grazing capacity of the range. Gathering of adult wild horses in excess of 412 would be necessary each year to maintain the AML or an over utilization problem may occur within 2 years.

The overall result would be a continued excessive use of the forage resource resulting in decreased plant vigor, reduced plant cover for watershed protection, increased soil loss to erosion, and an overall decline in ecological condition.

b. Wildlife, Livestock, and Wild Horses

Livestock use would be eliminated due to lack of adequate forage.

c. Critical Elements

The impact of this alternative to critical elements would be the same as the proposed action.

This alternative is inconsistent with the Bureau's Multiple-Use mandate.

d. Wilderness

The impacts would be the same as the proposed action.

e. Mitigating Measures and Residual Impacts

Same as the proposed action.

Alternative II

No direct environmental impacts would result from gather operations. Wild horse populations would continue to increase. Livestock use would be eliminated due to a lack of forage, which is not consistent with the Bureau's Multiple-Use mandate. With continued increases in wild horse numbers, livestock use would not be reinstated. Wildlife forage may decline due to the uncontrolled increases in the wild horse population. Indirect impacts to the forage resource and the ecological condition would occur. Preferred forage species would continue to be over utilized resulting in decreases in vegetation densities, vigor, reproduction, productivity, and available forage. This alternative was analyzed in the Paradise-Denio Grazing EIS. Refer to the EIS for further information.

Decision Record
Gather and Removal of Excess Wild Horses
from the Black Rock Range East Herd Management Area

I. Proposed Action and Alternatives

- A. Proposed Action - The proposed action is to remove the excess wild horses from the Black Rock Range East Herd Management Area (HMA) and wild horses that have moved into areas outside the HMA on public and private lands. This will be accomplished by selectively reducing the wild horse population from approximately 508 animals to 50 animals as directed by law, regulation and the Land Use Plan (LUP).
- B. Alternative I - This alternative is the same as the proposed action except that wild horse numbers would be reduced to 412 animals rather than 50, and would eliminate livestock grazing.
- C. Alternative II - No wild horses will be gathered; population control will be left to biological processes. The wild horse population will continue to expand throughout the Black Rock Range and outside of the HMA on both public and private lands. This alternative precludes control wild horses and the associated impacts on the resources in the area.

II. Decision and Rationale

The decision is to adopt the proposed action. All other alternatives would fail to meet resource objectives and the Bureau's Multiple-Use mandate. The environmental assessment has determined that the proposed action will not result in significant adverse environmental impacts, conforms with management prescribed in the LUP, and will contribute toward a management program that will improve the ecological condition of the range.

III. Mitigation, Monitoring, and Compliance

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

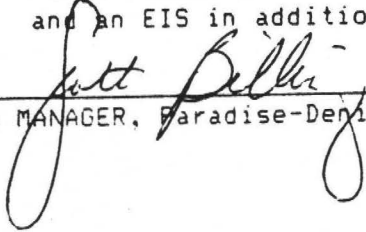
1. Cultural resource and T&E inventories will be conducted prior to setting up gathering and holding facilities. Any resources identified would be avoided.
2. No surface disturbing activities are anticipated. Unanticipated surface disturbing actions will be approved only after cultural and T&E clearance.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

4. Gathering sites will not be constructed within the Wilderness Study Areas (WSAs). All actions taking place within any WSA would be in compliance with the Bureau's Interim Management Policy (IMP) for lands under wilderness review.

5. After attainment of the AML of 50 adult wild horses, the population of adult animals will be allowed to increase to 75 before additional gathers are initiated.

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

11-22-91

Date