

4/24/87

IN REPLY REFER TO:



# United States Department of the Interior

4700 (NV-013)

## BUREAU OF LAND MANAGEMENT ELKO DISTRICT OFFICE

3900 E. Idaho Street  
P.O. Box 831  
Elko, Nevada 89801

FOIA - ELKO #1  
5/28/87 2pg.

APR 24 1987

rec'd 4/30/87

Wild Horse Organized Assistance  
P.O. Box 555  
Reno, NV 89504

Dear Interested Party:

Attached is a copy of a draft Wild Horse Capture Plan and the Associated Environmental Analysis No. NV-010-7-036. The proposed action involves capture of 410 horses in five herd areas near Elko, NV. Please review and make comments as you see fit. We would like all comments in this office by June 1, 1987.

If you have any questions, please contact Bruce Portwood, who is our District Wild Horse Specialist.

Sincerely yours,

*Rodney Harris*  
RODNEY HARRIS  
District Manager

TYPE-ERASE  
52% COTTON FIBER USA

ELKO #1  
UNDER  
LORC.1

WILD HORSE CAPTURE PLAN

Little Humboldt - Rock Creek - Bullhead - Little Owyhee  
Spruce/Pequop Herd Use Areas

INTRODUCTION

The proposed gathering area covers five wild horse herd use areas and portions of four adjoining allotments outside designated horse use areas. The majority of the area is located in the Elko Resource Area of the Elko District and the Paradise/Denio Resource Area of the Winnemucca District. This area straddles the north end of the boundary between Elko and Humboldt Counties. The gathering area also covers a herd management area in the Wells Resource Area of the Elko District. This area is in eastern Elko County (see Figs. 1 & 2).

This document outlines the process that will be involved in the wild horse gather for the Little Humboldt, Rock Creek, Bullhead, Little Owyhee, and Spruce/Pequop wild horse herd areas and portions of Jakes Creek, Tall Corral, Big Springs and Chase Spring Allotments. Included are the number of horses to be captured, the time and method of capture and the handling and disposition of captured horses.

- 1) None of the herd use areas are presently covered by a herd management plan (Little Owyhee Desert/Snowstorm Mountain Herd Area Activity Plan in draft), however RMP/EIS's have been developed for all three Resource Areas involved. There is also a CRMP for the Bullhead and Little Owyhee areas which recommended authorized management levels of horses. The RMP/EIS's established management numbers for horses in the respective herd areas. The Elko and Paradise/Denio RMP/EIS's were coordinated for horse management numbers in the Little Owyhee and Bullhead herd areas. The proposed gather is to reduce horse numbers to conform to the authorized management levels within herd use areas and to gather horses which are outside of designated herd use areas. This action is therefore considered a part of long-term management.

Number of Horses to be Gathered

468  
298  
170

The proposed number of horses to be gathered is shown by herd area as follows:

<u>Herd Area</u>	<u>Nos. to be Managed</u>	<u>No. Inventoried</u>	<u>Nos. to be Gathered</u>
Little Humboldt	107	168	61
Rock Creek	119	190	71
Bullhead	50 (adults)	133	67
Little Owyhee*	200 (adults)	409	159
Spruce/Pequop	64 to 80	116	52
TOTAL	540 to 556	1016	410

OBJ  
HMAP 298  
75

Horses from the above herd areas are expanding their range into allotments outside herd area boundaries specifically Jakes Creek, Tall Corral, Big Springs, and Chase Spring Allotments. Gathering efforts will be concentrated to remove all horses from these allotments and to leave the authorized management level within the herd area boundaries. This is based on census and 1987 estimated populations.

\* Gathering efforts will be concentrated in the Lake Creek Field of the Little Owyhee Herd Area.

- 2) An additional 20 head of horses in the Bullhead and Little Owyhee herd areas will be captured, fitted with color coded collars and released for study purposes.

Time and Method of Capture *001*

The gather contract is expected to be awarded in FY1987 with the work being done in early FY1988. The gather should last approximately 30 days.

- 3) The method of capture to be used will be a helicopter to bring the horses to trap sites and horseback riders at the wings of portable traps. The temporary traps and corrals will be constructed from portable pipe panels. Traps will need a holding area for horses prior to transport to the temporary holding facility. Traps will be constructed on existing roads, outside Wilderness Study Areas (see Figs. 3 & 4).
- 4) Trap sites will be selected by the contractor and approved by the COR. Trap sites will receive cultural and T&E plant and animal clearance prior to use.

Branded and Claimed Animals

- 6) A notice of intent to impound and a 28 day notice to gather wild horses will be issued concurrently by the BLM prior to any gathering operations in this area.
- 7) The Nevada Department of Agriculture and the District Brand Inspector will receive copies of these notices, as well as the Notice of Public Sale if issued.

The COR/PI will contact the District Brand Inspector and make arrangements for dates and time when brand inspections will be needed.

When horses are captured, the COR/PI and the District Brand Inspector will jointly inspect all animals at the holding facility in the gathering area. If determined necessary at that time by all parties involved, horses will be sorted into three categories.

- 8) a. Branded animals with offspring, including yearlings.
- 9) b. Unbranded or claimed animals with offspring, including yearlings with obvious evidence of existing or former private ownership (e.g. photo documentation, saddle marks, etc.).
- 10) c. Unbranded animals and offspring without obvious evidence of former private ownership.
- 11) The COR/PI, after consultation with the District Brand Inspector, will determine if unbranded animals are wild and free-roaming horses. The District Brand Inspector will determine ownership of branded animals and their offspring and if possible the ownership of unbranded animals determined not to be wild and free-roaming horses.
- 12) Branded horses with offspring and claimed unbranded horses with offspring for which the owners have been identified by the District Brand Inspector will be retained in the custody of the BLM pending notification of the owner or claimant.

A separate holding corral will be set up near the temporary holding corral to house these horses until the owner or claimant can pick them up.

13) The animals will remain in the custody of the BLM until settlement in full is made for impoundment and trespass charges as determined appropriate by the Paradise-Denio Area Manager, Elko Area Manager or Wells Area Manager in accordance with provision in 43 CFR Subpart 4150. In the event settlement is not made the horses will be sold at public auction by the BLM.

Branded horses with offspring whose owners cannot be determined and unclaimed, unbranded horses with offspring having evidence of existing or former private ownership will be released to the Nevada Department of Agriculture (District Brand Inspector) as estrays.

The District Brand Inspector will provide the COR/PI a brand inspection certificate for the immediate shipment of wild horses to Palomino Valley (Reno) and for the branded or claimed horses where impoundment and trespass charges have not been offered or received for shipment to public auction or another holding facility.

#### Destruction of Injured or Sick Animals

Any severely injured or seriously sick animal shall be destroyed in accordance with 43 CFR 4730.1. Animals shall be destroyed only when a definite act of mercy is needed to alleviate pain and suffering. The COR will make this determination, with advice from a veterinarian, when unsure of the severity of the illness or injury. Destruction will be done in the most humane method available. A veterinarian can be called from Elko if necessary to care for any injured horses.

Disposal of the carcass will be in accordance with I.M. No. NV-83-84.

#### Administration of the Contract

The COR will be the Elko District Wild Horse Specialist. The COR will be directly responsible for conducting the roundup and can appoint other BLM personnel to assist with the roundup as necessary. Personnel from the Winnemucca District will be available to assist the COR when gathering operations are taking place in areas administered by the Winnemucca District.

To assist the COR in administering the contract, BLM will have a second helicopter available at the round up site. This helicopter will be used with discretion to minimize disturbance of horses that would make gathering more difficult.

The COR is directly responsible for the conduct of the gathering operation, and is responsible for keeping the Elko District Manager, the Winnemucca District Manager and the Nevada State Office informed on the progress of the gathering operation.

#### 14) Contractors Briefing

The contractor, after award of the contract, will be briefed on his duties and responsibilities before the notice to proceed is issued.

### Public Meeting

One public meeting will be held in Elko at a place and time to be announced prior to the start of the gather. This meeting is required by law to get public input on the use of helicopter in the gathering process and motorized vehicles in transporting the animals.

### Temporary Holding Facility

The holding facility shall be on public land unless an agreement is made between the contractor and a private landowner for use of private facilities. When private land is used, the contractor must guarantee BLM, and the public, access to the facility and accept all liability for use of such facilities. Use of private facilities is subject to approval by the COR.

The contractor shall provide all feed, water, labor and equipment to care for captured horses at the holding facility, and transportation of captured horses from the temporary holding facility to the Nevada Distribution Center, Palomino Valley (Reno), Nevada. All work will be done according to the following specifications and attached work location map. All labor, vehicles, helicopters, traps, troughs, feed, temporary holding facilities and other equipment, including but not limited to the aforementioned, shall be furnished by the contractor. BLM will furnish contract supervision.

### Detailed Specifications

#### A. Roundup procedures within contract area:

1. The COR/PI will determine specific roundup areas and number of horses within each herd area as animal concentration and weather conditions dictate. Numbers of horses to be gathered by herd area are as follows:

<u>Herd Area</u>	<u>Numbers</u>
Little Humboldt	61
Rock Creek	71
Bullhead	67
Little Owyhee	159
Spruce/Pequop	<u>52</u>
TOTAL	410

2. The COR will determine specific roundup areas and numbers of animals within general contract areas as animal concentration and weather conditions dictate.
- B. In addition to the provisions of 43 CFR Part 4700 the use of the helicopter shall be further regulated to the extent that:
1. The helicopter shall be used in such a manner that bands or herds will tend to remain together.

2. The rate of movement shall not exceed limitations set by the COR who shall consider terrain, weather, distance to be traveled, and condition of the animals.
3. When refueling, the helicopter must remain a distance of at least 1,000 feet or more from the temporary holding facility, vehicles (other than fuel truck), and personnel not involved in refueling.

C. 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 insure that captured animals are transported without undue risk or injury.
3. Only stocktrailers shall be allowed for transporting animals from traps to temporary holding facilities. Only Bobtail trucks, stocktrailers, or single deck trucks shall be used to haul animals from temporary holding facilities to final destination. Sides or stockracks 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 to separate animals. Trailers less than 40 feet shall have at least one partition gate to separate the animals. The use of double deck trailers is unacceptable and shall not be allowed.
4. All vehicles used to transport animals to final destination shall be equipped with doors at the rear end of the vehicle. At least one of these rear doors shall be capable of sliding either horizontally or vertically.
5. Floors of vehicles shall be covered and maintained with a non-skid surface such as sand, mineral soil or wood shavings, to prevent the animals from slipping.
6. The number of animals to be loaded and transported in any vehicle shall be as directed by the COR and may include limitations on numbers according to age, size, sex, temperament and animal condition.
7. The COR shall consider the condition of the animals, weather conditions, type of vehicles, distance to be transported, or other factors when planning for the movement of captured animals. The COR shall provide for any brand and/or inspection services required for the captured animals.
8. If the COR 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 road is approximately twenty miles per load.
9. Vehicles traveling within WSA boundaries will be confined to existing roads and ways.

D. Trapping and Care

1. All capture attempts shall be accomplished by the utilization of a helicopter. Wing riders may be used if necessary. Roping will be done only when necessary, with prior approval by the COR. 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 or herds will to remain together as much as possible.
3. The rate of movement and distance the animals travel shall not exceed limitations set by the COR who will consider terrain, physical barriers, weather, condition of the animals and other factors.
4. It is estimated that six trap locations will be required to accomplish the work. All trap locations and holding facilities must be approved by the COR prior to construction. The contractor may also be required to change or move trap locations as determined by the COR. All traps and holding facilities not located on public land must have prior written approval of the landowner.
5. All traps, wings, and holding facilities shall be constructed, maintained and operated to handle the animals in a safe and humane manner. 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. All loading chute sides shall be fully covered with plywood or like material. The loading chute shall also be a minimum of 6 feet high. All runways shall be a minimum of 20 feet long and a minimum of 6 feet high and shall be covered with plywood or like material a minimum of 1 foot to 5 feet above ground level. Wings shall not be constructed out of barbed wire or other materials injurious to animals and must be approved by the COR. All crowding pens including the gates leading to the runways shall be covered with a material which prevents the animals from seeing out (plywood, burlap, etc.) and shall be covered a minimum of 1 foot to 5 feet above ground level.
6. No fence modification will be made without authorization from the COR. The contractor shall be responsible for restoration of any fence modification or damage which he has made.
7. When excessive dust conditions occur within or adjacent to the trap or holding facility, the contractor shall be required to wet down the ground with water at such location as directed by the COR.
8. Alternate pens, within the holding facility shall be furnished by the contractor to separate mares with small foals, sick and injured animals, and stray animals from the other horses. Where required by the COR, 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 COR 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 COR.

10. Animals held for 10 hours or more in the traps and/or holding facilities shall be provided fresh clean water by the contractor, in an amount of a minimum 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.

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 so that they may be provided treatment by the COR. The COR will determine if injured animals must be destroyed and provide for destruction of such animals. The contractor shall dispose of the carcasses as directed by the COR.

#### F. Helicopter, Pilot and Communications

1. The contractor must operate in compliance with Federal Aviation Regulations, Part 91. Pilots provided by the contractor shall comply with the Contractors Federal Aviation Certificates, applicable regulations of the State of Nevada and shall follow what are recognized as safe flying practices.

2. When refueling, the helicopter shall remain a distance of at least 1,000 feet or more from animals, vehicles (other than fuel truck), and personnel not involved in refueling.

3. The COR shall have the means to communicate with the pilot and be able to direct the use of the gather helicopter at all times. The frequency(s) used for this contract will be assigned by the COR when the government furnished "slip-in" VHF/FM portable radio is used. When a VHF/AM radio is used, the frequency will be 122.925 MHz.

4. The contractor shall obtain the necessary FCC licenses for the radio system.

5. The proper operation, service and maintenance of all contractor furnished helicopters is the responsibility of the contractor. The BLM reserves the right to remove from service pilots and helicopters which, in the opinion of the contracting officer or COR 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 contracting officer or his/her representatives.



G. Contractor-furnished Property

1. All hay, water, vehicles, saddle horses, helicopters and other equipment shall be provided by the contractor. Other equipment includes, but is not limited to, a minimum of 1,000 linear feet of 72-inch high (minimum height) panels for traps and holding facilities and enough water troughs for a minimum storage capacity of 300 gallons.
2. The contractor shall furnish an avionics system that will allow communications between the contractor's helicopter and his fuel truck.
3. The contractor shall furnish a VHF/AM radio transceiver in the contractor's helicopter which has the capability to operate on a frequency of 122.925 MHz.
4. The contractor shall provide an avionics system in the contractor's helicopter to accommodate a government furnished "slip-in" VHF/FM portable radio, manufactured by GE, Model HN-56 Porta-Mobil II, including the plugs necessary to connect the government radio to the aircraft's integrated audio and transmit selector system (see paragraph H, entitled "Avionics Systems Furnished by the Contractor to Accommodate Government-Furnished Equipment" and Illustration f1) and the connectors to an external antenna (see Illustration f2).

H. Avionics Systems Furnished by the Contractor to Accommodate Government-Furnished Equipment

1. This contract includes systems utilizing government-furnished avionics equipment, for which the contractor is required to make provisions in his aircraft.
2. The government will retain full ownership and control of any property which it may loan and retains the right to withdraw government property at any time. The contractor shall execute property loan documents for any property loaned and shall return, to the government office making the original issue, all government property upon the termination of the contract or immediately after the end of project use of the aircraft.
3. The contractor shall be responsible for any damage to government-furnished property in his custody, normal wear and tear excluded.
4. The contractor shall arrange with the COR for any required maintenance of the government-furnished property.
5. The government will furnish and maintain the following unit, "slip-in" VHF/FM portable radio, however, the contractor is responsible for the balance of the system necessary to insure proper operation in accordance with the installation and maintenance standards.
  - a. "Slip-in" VHF/FM portable radio. The contractor shall make the provisions in his aircraft to operate one "slip-in" VHF/FM portable radio through the independent "Audio Control System".

b. The wiring and connectors shall be designed to accommodate the Motorola PT-200, -300, -400 series of portable radios, and shall include the following:

- (1) A bungee cord hold-down radio mounting installed in the cockpit, with radio controls convenient to the pilot. The radio mounting and wiring shall permit fast and convenient installation and removal of the "slip-in" units.
- (2) The receiver audio, microphone audio, and transmitter keying circuits shall be connected to the aircraft's integrated audio and transmit selector system (designated Forest Net or FM-II), via a control cable from the main wiring harness terminated with a Motorola plug no. 28A16370 (Amphenol 91-MC4M-12).
- (3) A vertically polarized antenna shall be provided for each radio as shown on Illustration f2.
- (4) The plug shall be Motorola plug no. 28A16370 (Amphenol 91-MC4M-12), pin termination as follows:

Pin 1 - Airframe Ground  
Pin 2 - Microphone Audio  
Pin 3 - Microphone Key  
Pin 4 - Receiver Audio

- (5) The portable radio keying circuit requires an isolated contact closure from Pin 3 to airframe ground, instead of a diode keying circuit (the PT-200, -300, -400 has a positive battery ground).
- (6) The selector panel shall supply positive polarity microphone excitation voltage, from the aircraft 28-volt DC system through a suitable resistor network, to the aircraft microphone. A blocking capacitor shall be provided in the selector panel to prevent the portable microphone excitation voltage entering the system.
- (7) The portable receiver audio output power and impedance varies with the radio model (from 2 watts at 3.2 ohms to 3 milliwatts at 270 ohms).
- (8) The transmitter selector system shall supply microphone excitation voltage (talk-voltage) (from the aircraft 28-volt DC system through a suitable resistor network) to the microphone jack for the "slip-in" portable radio ("Forest Net" or FM-II) transmit positions. A blocking capacitor shall be provided to separate the aircraft microphone excitation voltage from the portable radio interface connector. The interphone shall be an override type that will operate at any time regardless of the position of the transmitter selector switch. The illustrations

attached show the equipment requirements to be contractor-furnished and maintained for the government-furnished "slip-in" unit.

6. Contractor-furnished adapter unit for "slip-in" portable radio, other than Motorola PT-200, -300, -400.

a. The aircraft shall be equipped to accept the Motorola PT-200, -300, -400 as specified previously. In addition, the contractor shall furnish an adapter as shown on Illustration fl. This adapter shall provide the interface connectors and circuits necessary to operate the General Electric, Model No. HN-56 radio through the PT-200, -300, -400 system in the aircraft. Make sure "talk voltage" is hooked up (as per paragraph H5b(8)).

TYPE-ERASE  
52% COTTON FIBER USA

Prepared by:

\_\_\_\_\_  
D. Waive Stager  
Range Conservationist  
Elko District Office

\_\_\_\_\_  
Date

Reviewed by:

Reviewed by:

\_\_\_\_\_  
Bruce E. Portwood  
Wild Horse & Burro Specialist  
Elko District Office

\_\_\_\_\_  
Date

\_\_\_\_\_  
Tim Hartzell  
Elko Area Manager  
Elko District Office

\_\_\_\_\_  
Date

\_\_\_\_\_  
Paradise/Denio Area Manager  
Winnemucca District Office

\_\_\_\_\_  
Date

\_\_\_\_\_  
John A. Phillips  
Wells Area Manager  
Elko District Office

\_\_\_\_\_  
Date

Concurred by:

Concurred by:

\_\_\_\_\_  
Rodney Harris  
District Manager  
Elko District Office

\_\_\_\_\_  
Date

\_\_\_\_\_  
Frank Shields  
District Manager  
Winnemucca District Office

\_\_\_\_\_  
Date

Approved by:

\_\_\_\_\_  
Edward Spang  
State Director

\_\_\_\_\_  
Date

TYPE-ERASE  
52% COTTON FIBER USA

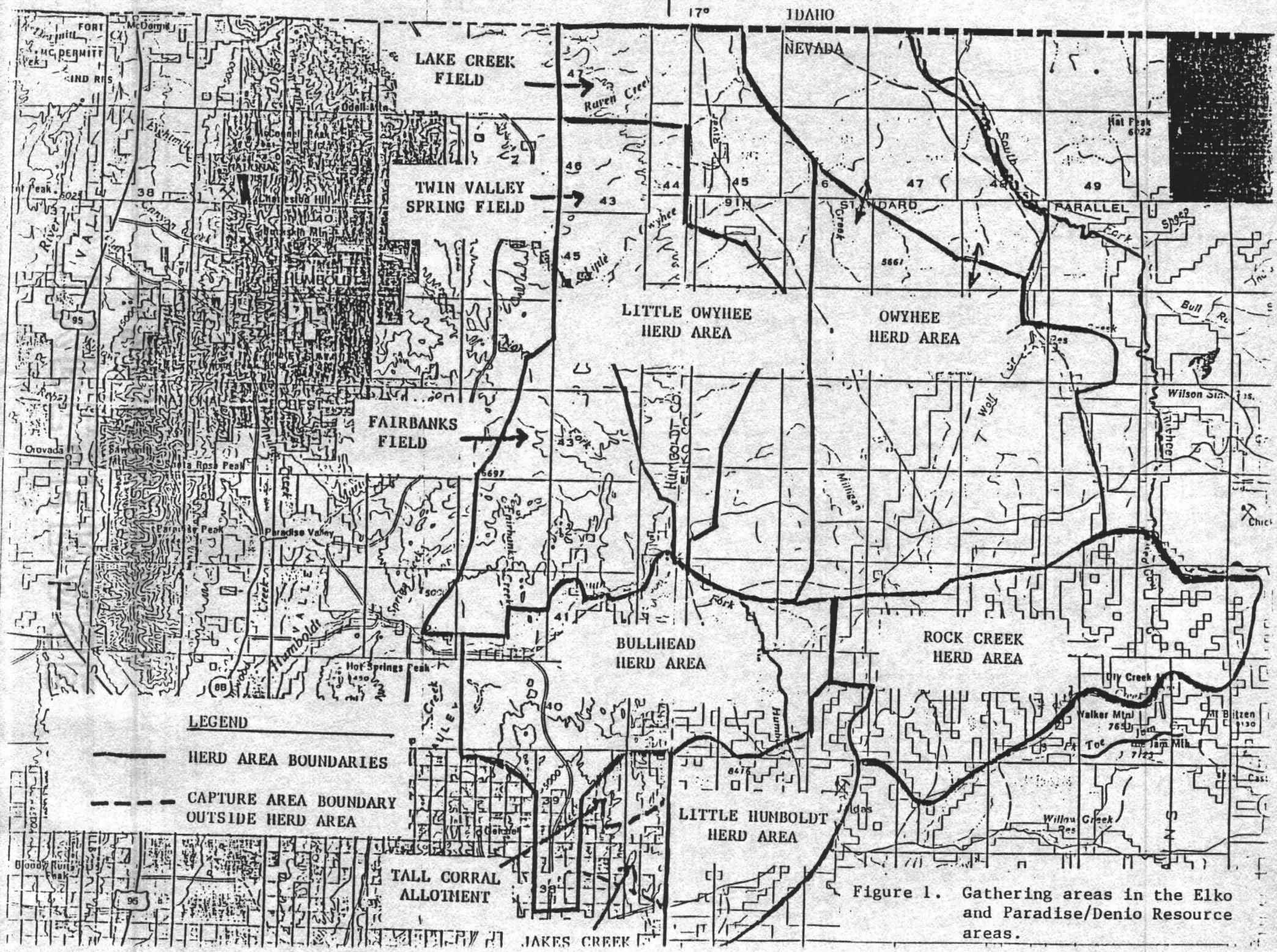


Figure 1. Gathering areas in the Elko and Paradise/Denio Resource areas.

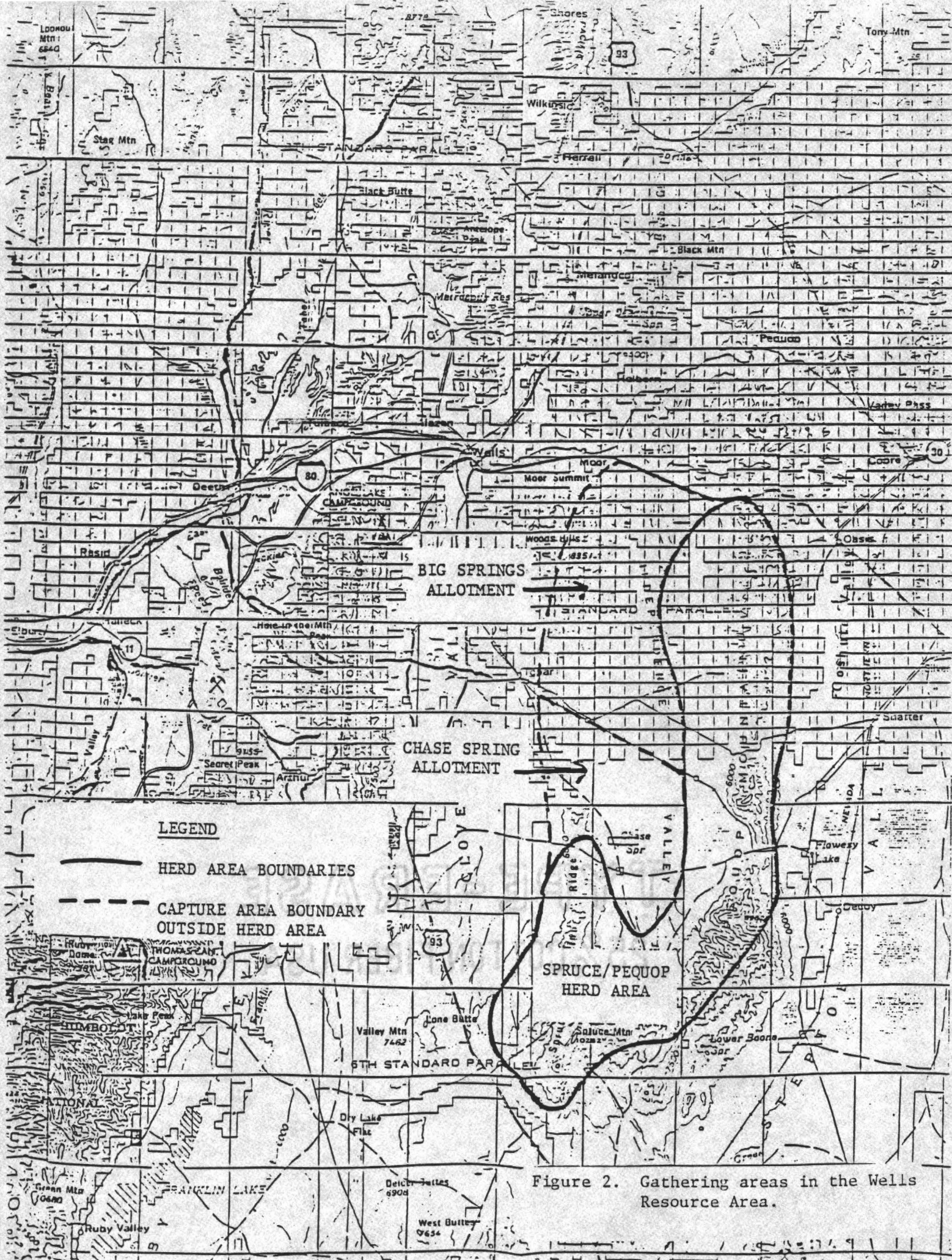


Figure 2. Gathering areas in the Wells Resource Area.

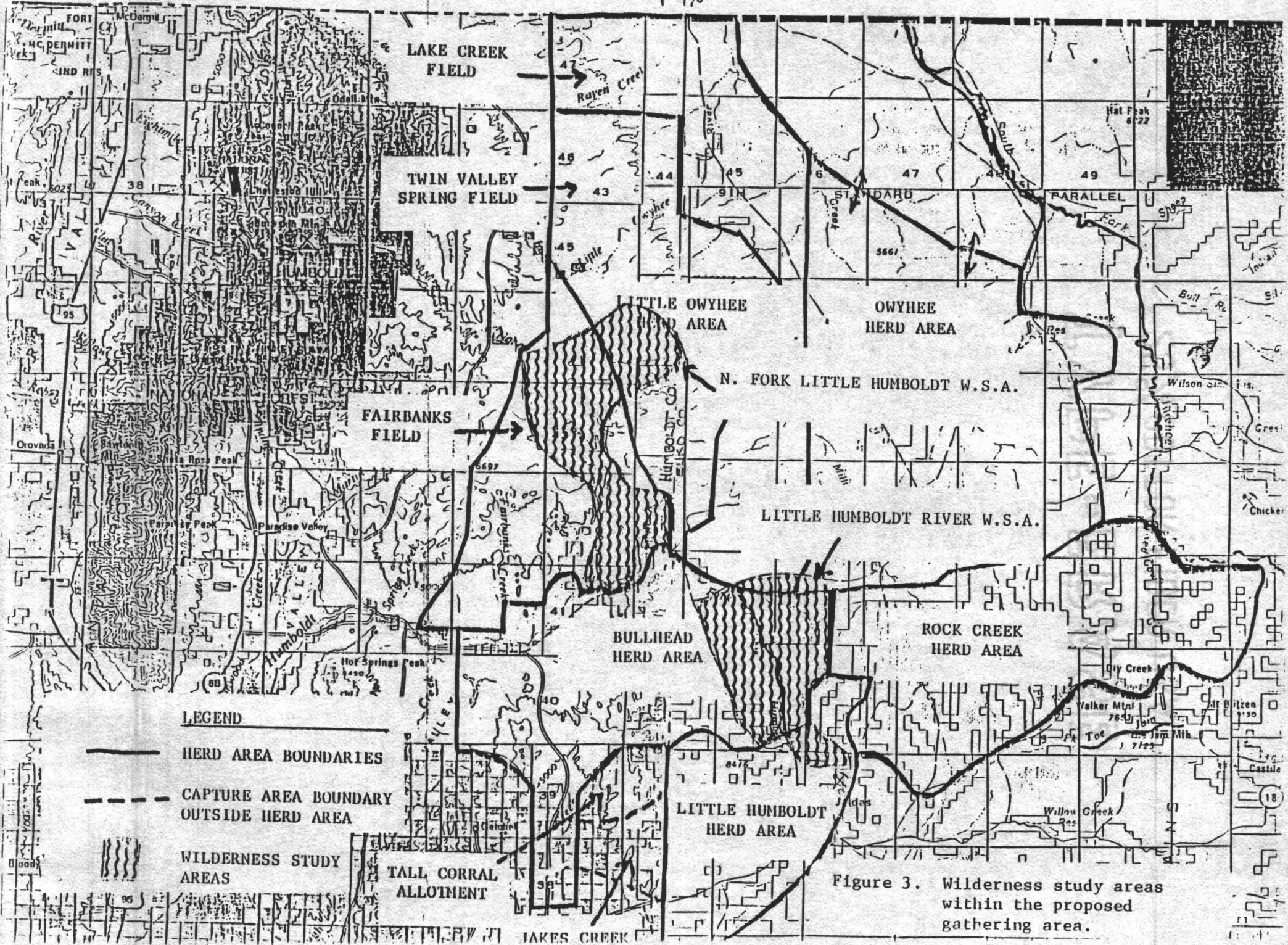


Figure 3. Wilderness study areas within the proposed gathering area.

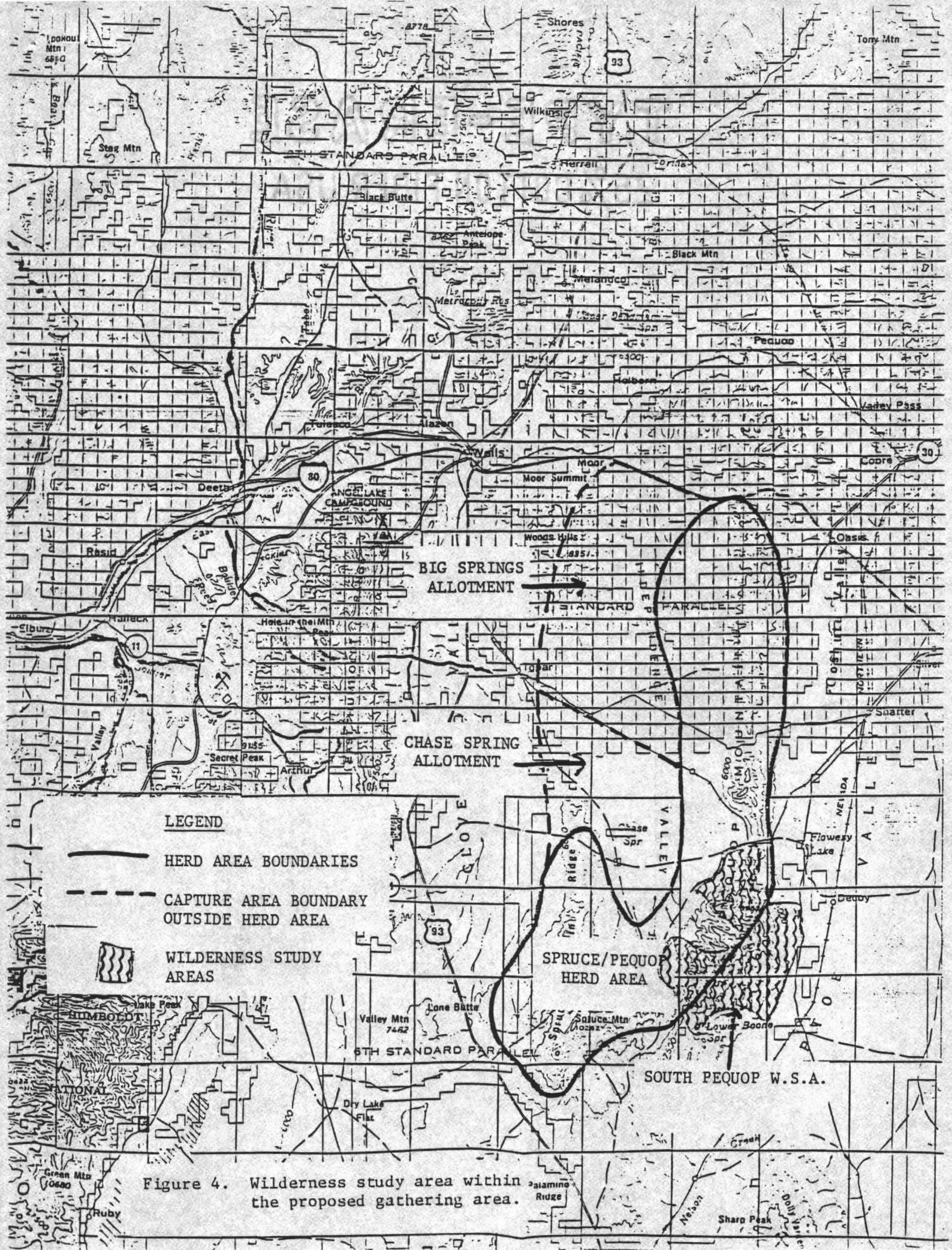


Figure 4. Wilderness study area within the proposed gathering area.



ENVIRONMENTAL ASSESSMENT NO. NV-010-7  
ELKO DISTRICT FY87 HORSE ROUND-UP

FILE ELKO  
UNDER  
LORC.SP  
5pg.

I. DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

The Elko Resource Area and Wells Resource Area, both in the Elko District and the Paradise Denio Resource Area in the Winnemucca District, are proposing the use of a helicopter, construction of traps, and holding corrals to gather excess wild horses. Refer to the Resource Management Plans for the aforementioned resource areas for analysis of the appropriate management levels of wild horses.

A. Introduction

As a result of excess wild horses within several Herd Use Areas (see attached Elko District FY87 Horse Capture Plan), it is necessary to determine the most cost efficient, effective and safest (to horses as well as people involved in the gather) method of gathering excess animals.

Several methods of wild horse capture exist, but only those methods accepted by BLM will be discussed.

Regardless of the method of capture chosen, it will also be necessary to construct temporary traps as well as temporary holding corrals. Impacts from such construction will be discussed within the proposed action.

B. Proposed Action

1) The proposed action consists of using a helicopter to gather excess wild horses in FY88. The helicopter would locate the bands of wild horses and drive them into the traps using wing riders (wranglers on horse back) where desired and necessary. The gathering would continue until the appropriate herd management levels have been reached. Hazards such as cliffs and fences would be scouted in advance and existing roads and trails would be used.

BLM  
Several temporary traps with deflector wings encompassing less than one acre would be erected on lands in each herd area. Temporary trap and corral sites would be mutually selected by the contractor and BLM. Each facility would be constructed from portable panels.

2) These traps and corrals would be moved from place to place during the gathering operation and completely removed from the area after the contract is completed.

10) Due to the movement of the herds, it is not feasible to establish traps sites or corral sites in advance thus site locations will be  
3) determined on a case-by-case basis.

C. Stipulations

1. Horse handling will be kept to a minimum. Capture and transporting operations are exceedingly traumatic to the animals. Minimizing the handling would increase the safety of the animals, as well as the handlers.
- 17) 2. No gathering will be allowed after March 1, 1988 because of the potential stress to pregnant and lactating mares and the possibility of induced abortions. Gathering may be resumed after the foaling period and after foals are grown enough to withstand the stress of gathering operations.
3. Horses will not be run more than 10 miles during gathering operations.
4. A veterinarian will be on call during gathering operations.
5. Helicopters will be used with caution. A qualified district BLM representative will be present during gathering attempts to insure strict compliance with the above mileage limitations and CFR 4700 regulations.
6. Captured horses that are obviously aged, lame, deformed, or sick will be humanely disposed of at the trap site.
7. Captured horses that are clearly unsuitable for adoption but that do not fall under (6) above, will be collared with identifiable neck bands and released for study purposes.
8. A cultural resources investigation by an archaeologist or D.A.T. will be made prior to any trap construction. If a significant find was discovered, an alternative trap site will be selected.
9. Trap sites or holding corrals will not be placed on any sites with any threatened or endangered plant species present.

D. Alternatives

1. Water trapping as an alternative has been considered. This involves placing temporary corrals with one way gates at water sources.

Due to the numerous water sources within the areas being trapped, it would not be possible to use this method and will no longer be considered.

2. Gathering of wild horses by wranglers on horse back as an alternative has been considered. This involves people on horse back locating the horses and trying to drive the wild horses into the portable traps.

Often times, the wild horses will out run the wranglers and scatter prior to reaching the trap. There is also an increased risk of injury to the wild horses as well as the wranglers and their horses since hazards cannot be seen in advance. This method takes longer and is not cost effective. For these reasons, this alternative is not feasible and will not be considered further.

3. No Action - the no action alternative would result in no wild horses being gathered, and herd levels would not be held at authorized management levels. Increasing horse numbers would severely impact wildlife and livestock, therefore, this alternative is not considered further.

## II. DESCRIPTION OF THE EXISTING ENVIRONMENT

The proposed gathering area covers five wild horse herd use areas and portions of four adjoining allotments outside designated horse use areas. The majority of the area is located in the Elko Resource Area of the Elko District and the Paradise/Denio Resource Area, the Winnemucca District (Appendix A). This area straddles the north end of the boundary between Elko and Humboldt Counties. The gathering area also covers a herd management area in the Wells Resource Area of the Elko District. This area is in eastern Elko County (Appendix B).

The following table shows the herd areas/allotments (non herd areas) that will be affected as well as the number of wild horses to be gathered:

<u>Herd Area</u>	<u>Nos. to be Managed</u>	<u>No. Inventoried</u>	<u>Nos. to be Gathered</u>
Little Humboldt	107	168	61
Rock Creek	119	190	71
Bullhead	50 (adults)	133	67
Little Owyhee *	200 (adults)	409	159
Spruce/Pequop	<u>64 to 80</u>	<u>116</u>	<u>52</u>
TOTAL	540 to 556	1016	410

$$\begin{array}{r} 133 \\ \underline{67} \\ 409 \end{array}$$
 66 foals  

$$\begin{array}{r} 159 \\ \underline{159} \\ 250 \end{array}$$
 foals  
 226

This is based on census and 1987 estimated populations.

- \* Gathering efforts will be concentrated in the Lake Creek Field of the Little Owyhee Herd Area.

For discussion purposes, the subject area will be divided into 2 major geographic locations, the first being that portion of the subject area lying within Elko and Paradise-Denio (A) Resource Areas and the second being that portion lying within the Wells Resource Area (B)

$$\begin{array}{r} 410 \\ \underline{226} \\ 184 \end{array}$$

$$\begin{array}{r} 335 \\ \underline{306} \\ 27 \end{array}$$

$$\begin{array}{r} 184 \\ \underline{27} \\ 157 \end{array}$$

A. Elko and Paradise-Deno Resource Areas

1) Topography

Topography of the subject area consists of a flat desert in the northern part and mountains, canyons, alluvial fans, basins and valley floors in the southern part. Annual precipitation varies from 20 inches in the Snowstorm Mountains to 8 inches on the Owyhee Desert. Precipitation occurrences are highest from November through January, occurring mostly as snow. Average temperatures range from 95° F. in summer to -10° F. in winter.

2) Air, Soils and Water

Prevailing winds are usually out of the west and are common from April through October.

Air quality is good and does not appear to exceed the State of Nevada Ambient Air Quality Standards. Air inversion layers may occur in some areas but are generally of short duration. There is no knowledge of air pollution occurring due to these inversions.

Soils are predominantly Aridosols and Mollisols and are shallow to moderately deep. The following table depicts soil characteristics.

<u>GENERAL DISTRIBUTION</u>	<u>PRODUCTIVITY</u>	<u>EROSION SUSCEPTIBILITY</u>	<u>TEXTURES</u>
Alluvial plains, bottoms	Moderate-High	Moderate	Mod. fine-medium
Benches, fans, terraces	Moderate	Moderate	Fine-Mod. fine
Mountain uplands	Moderate-High	Slight	Fine-Mod. fine

The majority of the streams flow intermittently and contribute most runoff during the spring. Reservoirs, springs and wells provide additional water.

3) Vegetation

Major plant associations are characterized as big sagebrush-grass, low sagebrush-grass, shadscale and riparian.

The big sagebrush-grass and low sagebrush-grass types are dominated by big sagebrush and low sagebrush respectively. Other shrubs include currant, rabbitbrush, snowberry, and antelope bitterbrush. Major grass species include bluebunch wheatgrass, Indian ricegrass, Idaho fescue, Sandberg bluegrass, and bottlebrush squirreltail. Forbs include arrowleaf balsamroot, lupine, phlox and aster.

Tree species occurring in the Spruce/Pequop Herd Area include pinyon, white fir and spruce.

The shadscale type is found in the northern portion of the Owyhee Desert. Major plant species include shadscale, bud sagebrush and big sagebrush. Smaller amounts of winterfat grow in this type. Major grass species include squirreltail, Sandberg bluegrass, and cheatgrass.

The only major riparian areas are along the South and North Forks of the Little Humboldt River and along the Little Owyhee River. The major tree species is willow. Major shrub species include big sagebrush, currant, Wood's rose and rabbitbrush. Various rushes, sedges and grasses comprise stringer meadows along portions of the streams. Forbs are typical of those found in wet meadows and include dandelion, yarrow and iris.

4) Animals

Wildlife in the subject area include deer, pronghorn antelope, chukar, dove, and sage grouse as game species and coyote, bobcat, small mammals and birds as nongame species.

2 Domestic livestock include (horses), sheep and cattle.

5) Mining Claims

Mining claims exist in the area however, will not be affected as a result of the proposed activities and will not be discussed further.

6) Threatened and Endangered Plant Species

The following species, located within 10 miles of the subject area, have been given a 3C status in the Federal Register (Volume 50, Number 188, Friday, September 27, 1985). A status of 3C are "taxa that are no longer being considered for listing as threatened or endangered species."

Hackelia ophiobia - has been located in shaded areas at the base of cliffs along Milligan Creek and extending up the cliff.

Eriogonum ammophilum - apparently associated with low sage plant community where soils are usually shallow.

The following species located within 10 miles of the herd area(s) have been given a 2 status in the same Federal Register. The information now available indicates it may be appropriate to list these plants as either threatened or endangered. The plants in this status need further research to determine their vulnerability, taxonomy and/or threats to these taxa.

Ivesia rhypara - found on tuffs and volcanic ash soils.

Mentzelia pachardiae - associated with loose slopes high in volcanic ash devoid of woody vegetation.

Astragalus yoderwilliamsii - found in association with low sage. Leptodactylon glabrum - is not listed in the Federal Register. Though it is not Federally listed, it is on a "watch list". It is found on steep canyon walls and vertical cliffs.

7) Wilderness Study Area (WSA)

Two WSAs (North Fork Little Humboldt WSA and Little Humboldt River WSA) occur, in part, within the area to be gathered (see Appendix E). The use of aircraft for removing wild horses from within WSAs is consistent with the Interim Management Policy and Guidelines (IMP), for lands under wilderness review 12/12/79, and revised 7/12/83, since it is considered as a nonimpairing activity.

No traps or corrals will be established within the WSA's and motorized vehicles will be confined to existing roads and ways therefore, no impacts are anticipated to the WSA's.

8) Visual Resource Management

Visual resources will not be affected by the proposed action since all structures are temporary.

9) Archeology

Numerous archeological sites occur within the subject area. To ensure no impact to this resource, an archeologist or a district archeological technician will be required to clear selected areas prior to any ground disturbing activity, including erection of the traps or corrals. Only areas with existing roads or trails will be used.

B. Wells Resource Area

1) Topography

Topography of the subject area is valley bottom in the western part and mountains, canyons and alluvial fans to the east. Annual precipitation varies from 4 to 8 inches in the valley bottoms to 8 to 16 inches on the upper benches and mountains. Precipitation is received primarily during the winter in the form of snow.

2) Air, Soils, Water

See II.A.2 for Air, Soils, and Water information.

3) Vegetation

The major plant associations are very similar to those mentioned in II.B.1.a except for the domination of juniper on the uplands and the larger percentage of shadscale and winter fat vegetation types within the Wells Resource Area.

- 4) Animals - Refer to II.A.4.
- 5) Mining Claims - Refer to II.A.5.
- 6) Threatened and Endangered Species - The following species located within 10 miles of herd area(s) have been given a 3C status in the Federal Register (Volume 50, Number 188, Friday, Sept. 27, 1985). Status of 3C "are taxa that are no longer being considered for listing as threatened or endangered species."

Lepidium nanum - has been found on dry gravelly knolls, rocky hillsides, and chalky areas associated with black sagebrush plant community.

Cryptantha interrupta - associated with rocky hillsides on sandy or clayey soils with a big sagebrush plant community.

7) Wilderness Study Area (WSA)

A portion of the South Pequop WSA occurs within the boundary of the subject area (see Appendix (2)).

No traps or corrals will be established within the WSA and motorized vehicles will be confined to existing roads and ways so no impacts are anticipated to the WSAs.

- 8) Visual Resource Management - Refer to II.A.8.
- 9) Archeology - Refer to II.A.9.

### III. ENVIRONMENTAL IMPACTS

#### A. Proposed Action

The use of helicopters to capture excess wild horses may result in leppy foals and split bands, as well as injured horses. Incidents like these tend to be increased if the animals are pushed too hard. However, a Bureau official will be present at the gathering site to ensure minimum injury occurs to the horses and that the stipulations in I.B.3. are adhered to. The authorized officer will also have a helicopter on site to use in monitoring and supervising the contract. This helicopter will be used with discretion to minimize disturbance of horses that would make gathering more difficult. ?

Vegetation may be disturbed as a result of erection of the portable traps and/or corrals. Some soil compaction and vegetation trampling may occur due to the concentration of horses within a 1 acre area. The horses may be kept within these facilities for no longer than 5 days unless approved by the authorized officer. Numbers of horses may vary depending on how many are caught in any one area.

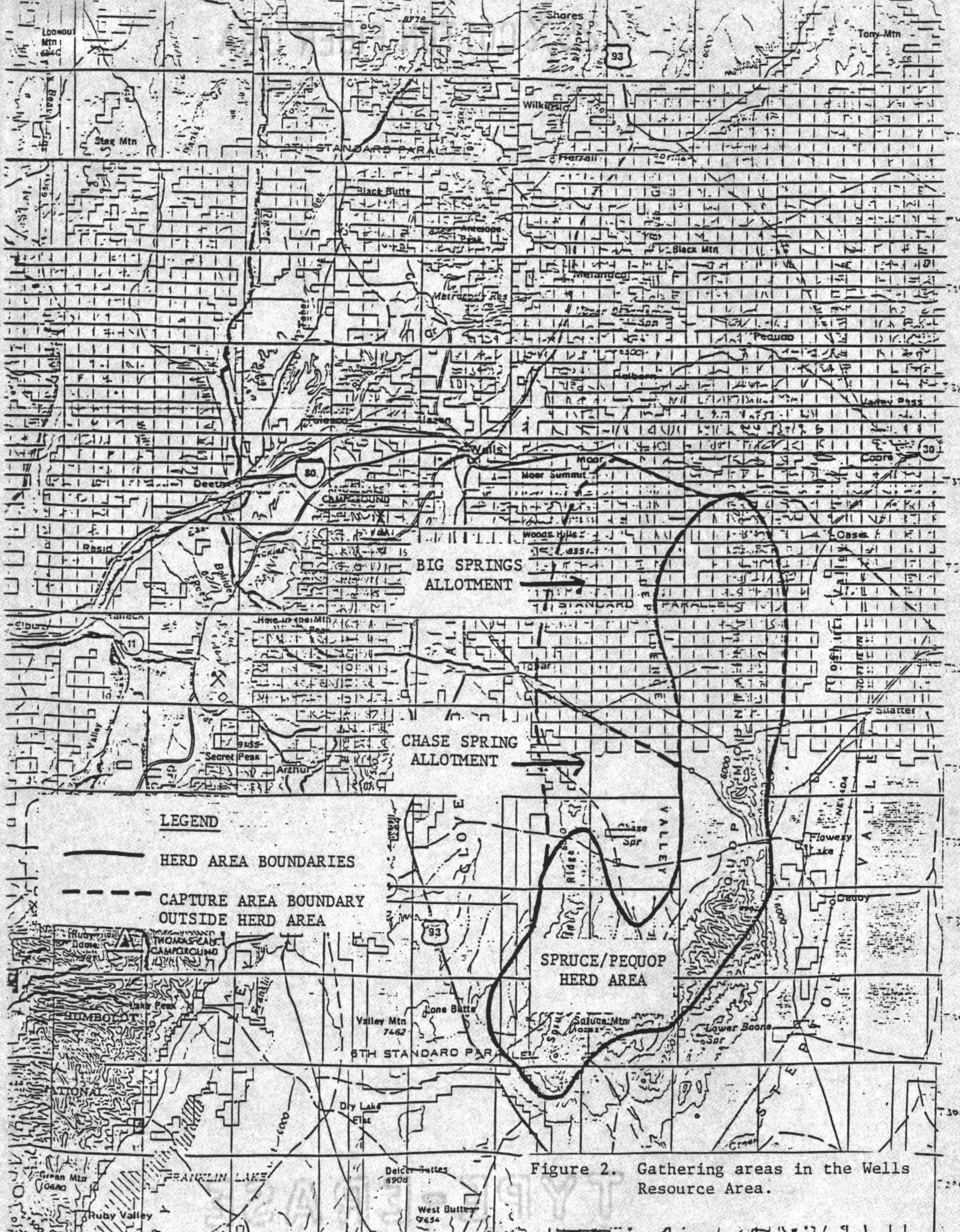


Figure 2. Gathering areas in the Wells Resource Area.



Any areas having a threatened or endangered species occurring within the area or archeological artifacts will not be used for trap sites or corral sites. If either of these resources are discovered at any proposed sites, locations will be recorded and turned into the appropriate specialists or area manager.

Since the helicopter will not result in any ground disturbing activity, and trap and corral sites are temporary (5 days or less), no significant impacts to any other resources are anticipated.

B. Alternatives

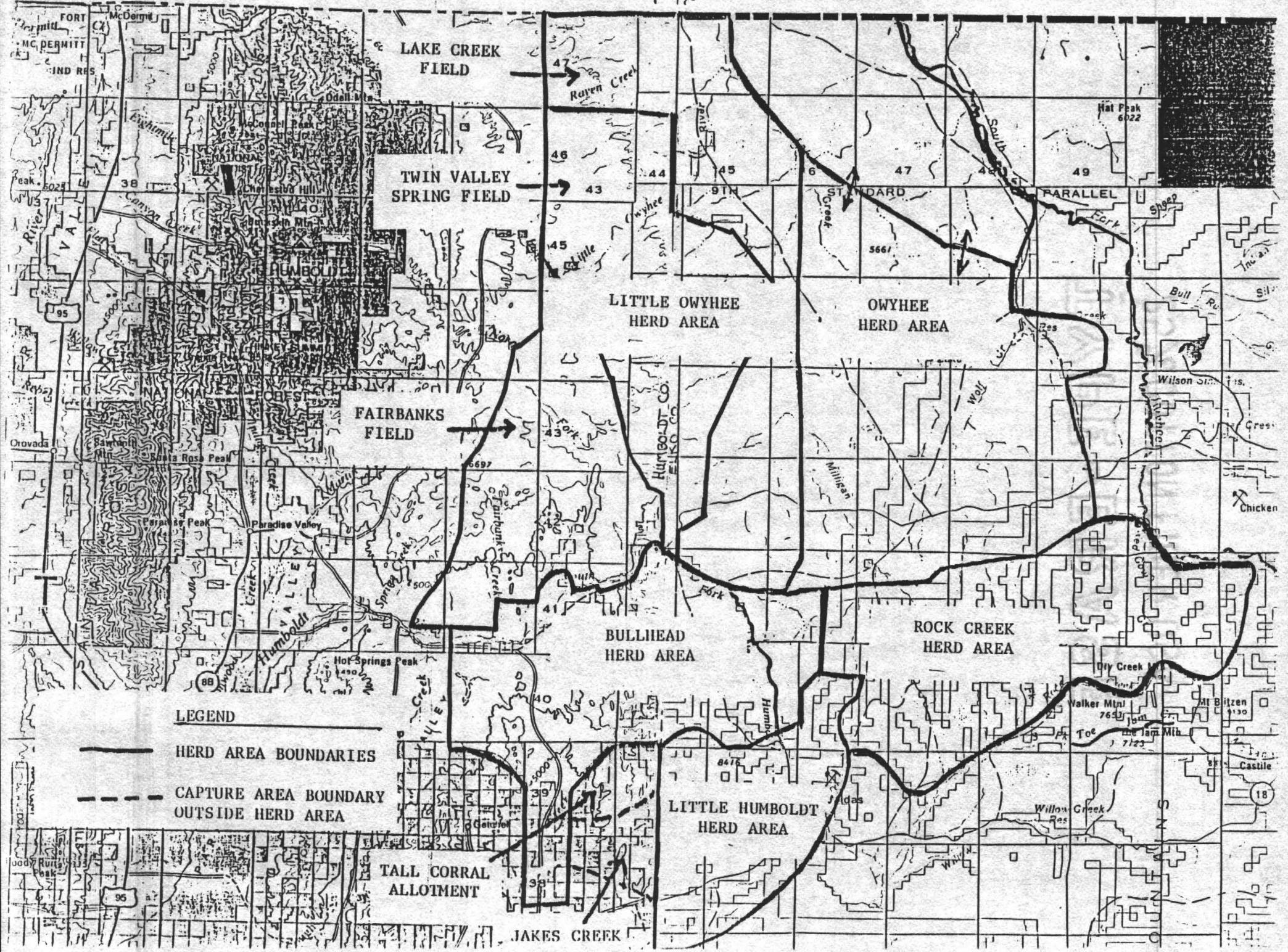
The alternatives have been discussed and determined not to be feasible for the reasons mentioned in I.C.1-3.

IV. APPENDICES

- A. Location Map, Elko RA, Paradise-Denio RA
- B. Location Map, Wells RA
- C. T&E Species Map, Elko RA, Paradise-Denio RA
- D. T&E Species Map, Wells RA
- E. WSA Map, Elko RA, Paradise-Denio RA
- F. WSA Map, Wells RA
- G. Wilderness Clearances
- H. VRM Clearances

V. PERSONS, GROUPS AND AGENCIES CONSULTED

- A. American Horse Protection Assn.
- B. National Mustang Assn.
- C. International Society for the Protection of Wild Horses and Burros
- D. Fund for Animals
- E. U.S. Humane Society
- F. Nevada State Dept. of Agriculture
- G. Animal Protection Institute
- H. American Humane Assoc.
- I. National Wild Horse Assoc.
- J. Wild Horse Organized Assistance
- K. Deborah Allard
- L. Save the Mustangs
- M. American Bashkir Curley Register
- N. Humane Society of Southern Nevada
- O. Nevada Humane Society
- P. Mr. Donald Molde
- Q. U.S. Fish and Wildlife Service
- R. Nevada Federation of Animal Protection Organization
- S. Craig C. Downer
- T. Commission for the Preservation of Wild Horses
- U. Elko District Office
- V. Winnemucca District Office
- W. Nevada Dept. of Wildlife



LAKE CREEK FIELD

TWIN VALLEY SPRING FIELD

FAIRBANKS FIELD

LITTLE OWYHEE HERD AREA

OWYHEE HERD AREA

BULLHEAD HERD AREA



ROCK CREEK HERD AREA

LITTLE HUMBOLDT HERD AREA

TALL CORRAL ALLOTMENT

JAKES CREEK

LEGEND

-  HERD AREA BOUNDARIES
-  CAPTURE AREA BOUNDARY OUTSIDE HERD AREA

Hat Peak 6022

Walker Mtn 7642

Mc Jam Mtn 7723

18

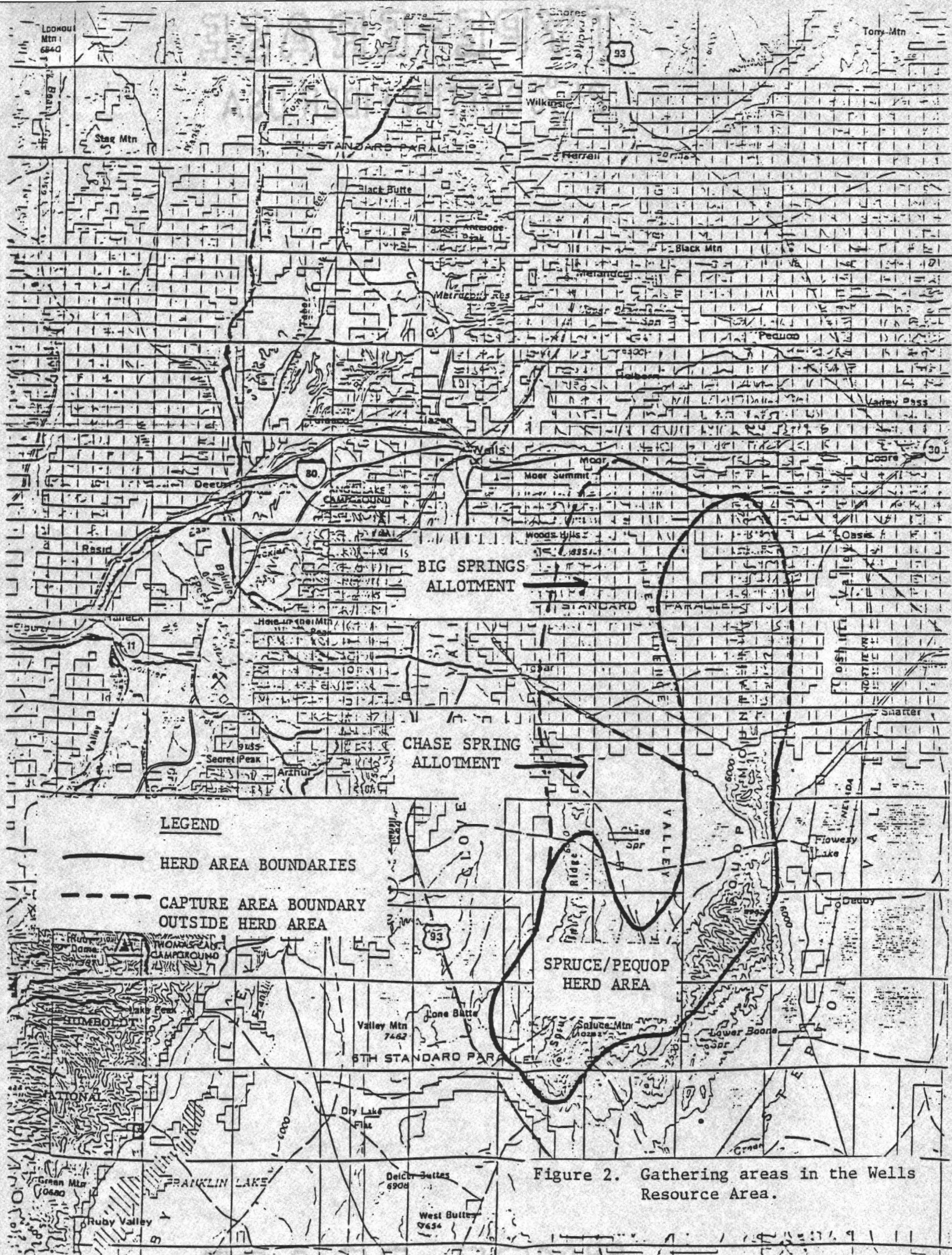


Figure 2. Gathering areas in the Wells Resource Area.

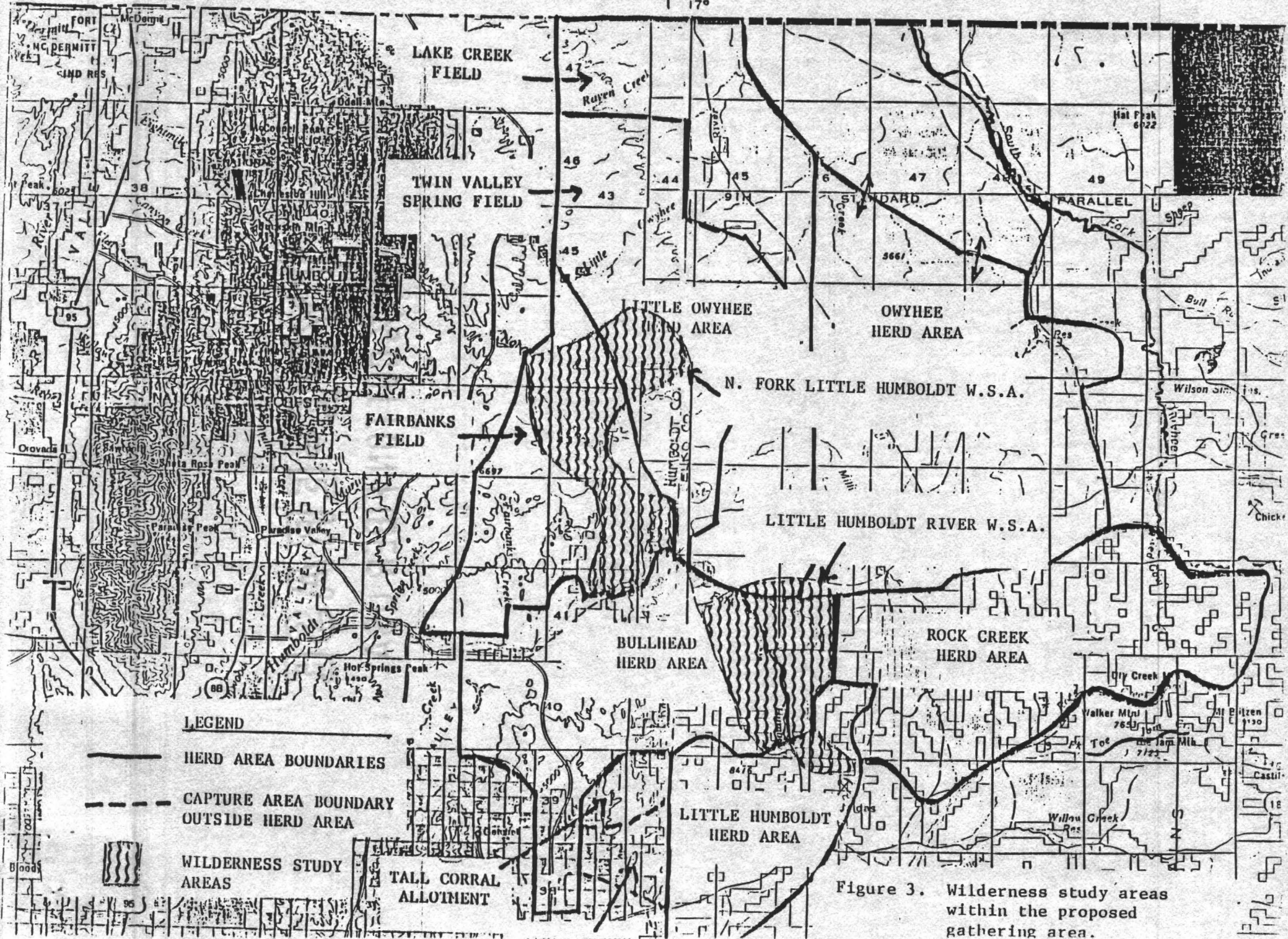


Figure 3. Wilderness study areas within the proposed gathering area.

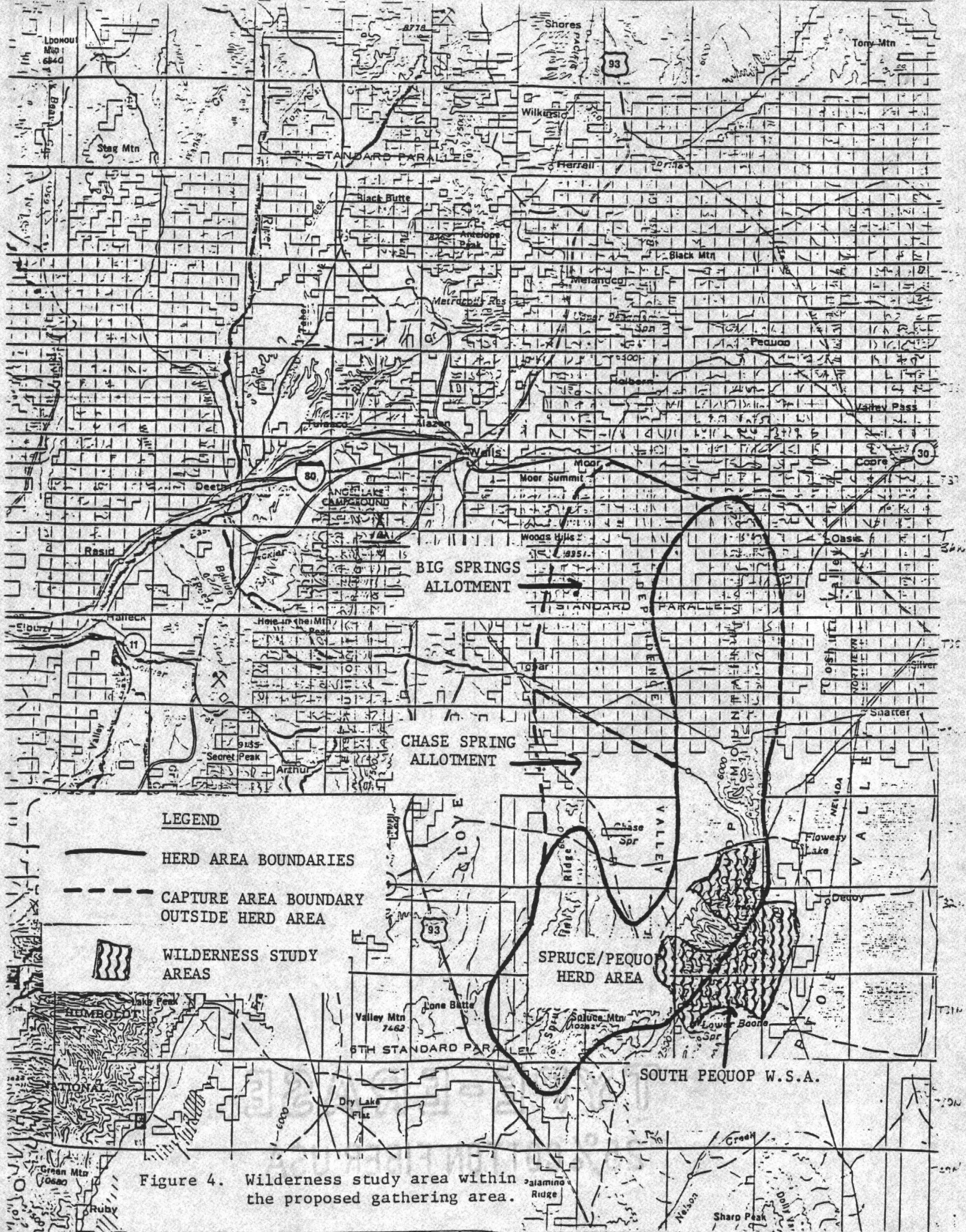
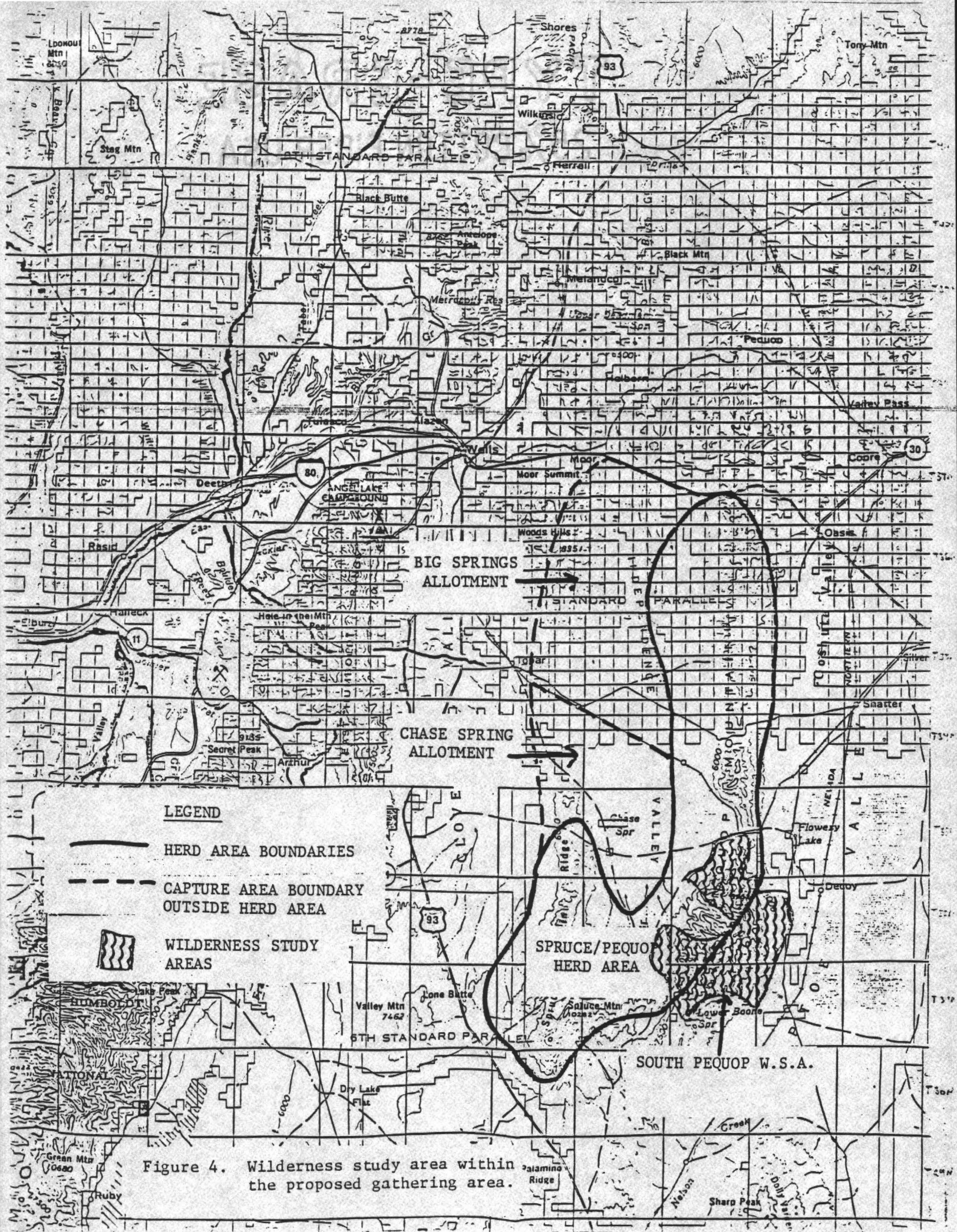


Figure 4. Wilderness study area within the proposed gathering area.



**LEGEND**


- HERD AREA BOUNDARIES
- - - CAPTURE AREA BOUNDARY OUTSIDE HERD AREA
-  WILDERNESS STUDY AREAS

Figure 4. Wilderness study area within the proposed gathering area.

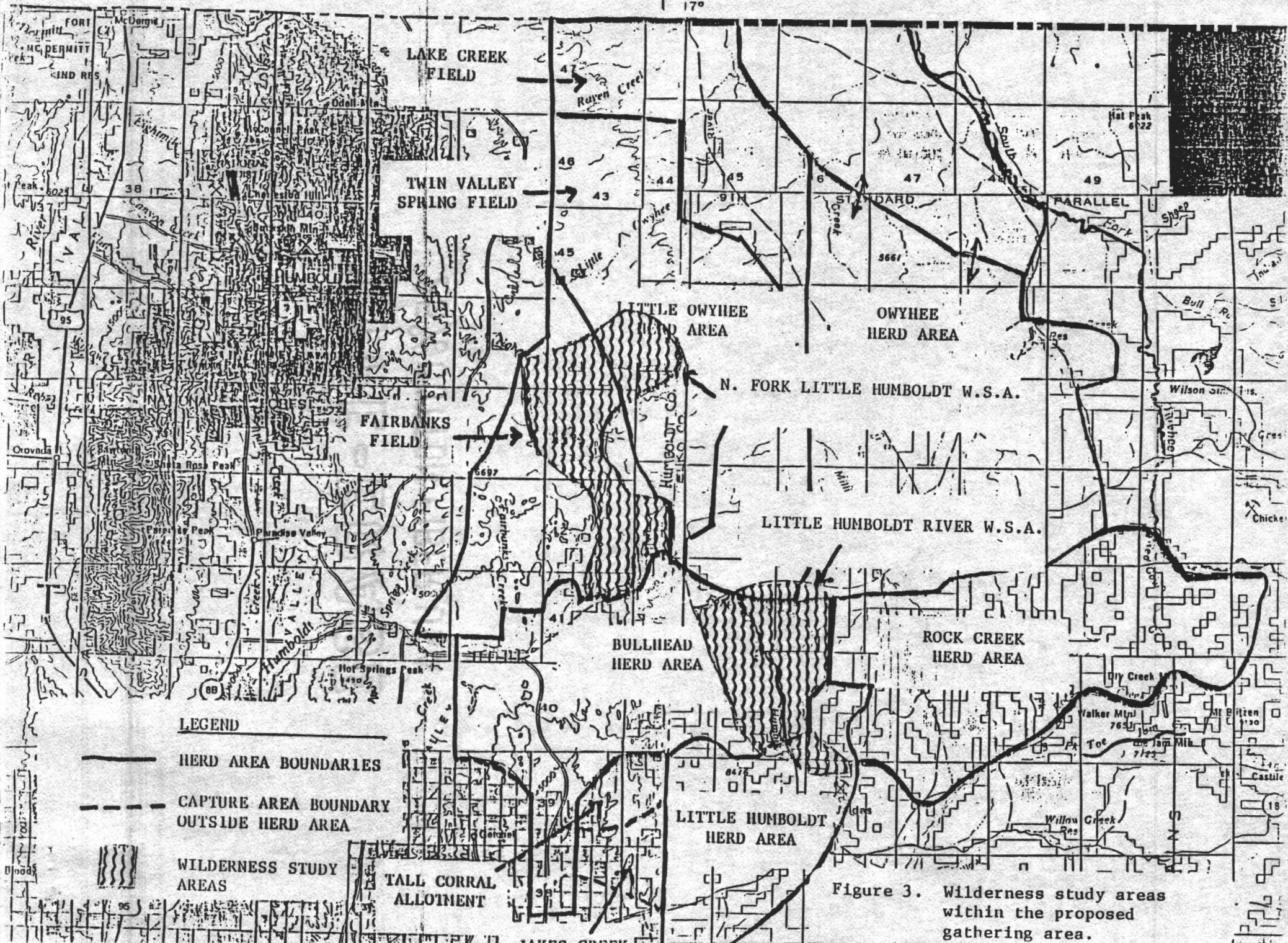


Figure 3. Wilderness study areas within the proposed gathering area.

5/27/87

May 27, 1987

Mr. Rodney Harris, District Manager  
Bureau of Land Management  
Post Office Box 831  
Elko, Nevada 89801

Dear Mr. Harris:

Thank you very much for the opportunity to comment on the draft portion of capture plan and environmental assessment for Little Humbolt, Rock Creek, and Spruce/Peguop herd areas. WHOA has sent a separate letter to you and the Winnemucca District regarding the Little Owyhee and Bullhead portion of the capture plan and environmental assessment. *The total NU-010-7- as written is in non compliance with RMP.*

ENVIRONMENTAL ASSESSMENT

1) Description of the Proposed Action and Alternatives

"Refer to RMP for the aforementioned resource areas for analysis of the AML of wild horses."

WE tried, first the Elko FEIS, the Elko RMP alternatives, the Elko issues and planning, none gave the herd management area names described in your documents; only that 330 animals would be managed in four herd areas. Next we tried the Wells RMP (with a magnifying glass) and found wild horses in allotments, but not by ~~the herd use~~ or herd management areas. The Elko numbers in the FEIS did not correspond with the totals given in your tables, minus the Little Owyhee and Bullhead; we had to assume it was close. We are assuming the Little Humbolt, Rock Creek and Spruce/Peguop are in the Elko FEIS.

A. Introduction

"As a result of excess wild horses within several Herd Use Areas (see attached Elko District FY 87 Horse Capture Plan..."

We did, the table in the capture plan shows a table by herd <sup>mgt area</sup> area; the same table in the EA states its based on census and 1987 estimated populations. Are the numbers listed in the table actual counts or are they estimates? If they are the No. to be Managed, are those referred to in the Elko FEIS (330), then the No. to be Managed are short (306) and the No. to be Gathered are over (160) in four herd areas.

B. Proposed Action (para. 1)

"The gathering would continue until the appropriate herd management levels have been reached."

Will there be a pre-census and a post-census? Who will scout the area in advance?

*Show me the calculations from which this estimate was obtained or ~~data~~ derived as described as being consistent with<sup>1</sup> NSO Manual Supp. 4730*



Page two  
Little Humbolt, Rock Creek, Spruce/Pequop

(para. 2)

"Temporary trap and corral sites would be mutually selected by the contractor and BLM."

This is in non-conformance with Instruction Memorandum 86-546, wherein BLM selects potential sites and scenarios.

(para.2)

"These traps and corrals would be moved place to place during the gathering operation and completely removed from the area after the contract is completed."

See Instruction Memorandum 86-546.

(para. 3)

"Due to the movement of the herds, it is not feasible to establish trap sites or corral sites in advance, thus site location will be determined on a case-by-case basis."

See Instruction Memorandum 86-546. Note, BLM tells us they protect, manage, and control wild horse populations, to do so you must know their distribution and movement patterns. Based on all the data BLM supposedly has, you should know approximately where the horses will be. But then, what happens if in October of 1987, the gathering commences and there are no wild horses outside the herd use areas and very few animals over the AML? If what the Winnemucca District tells us is correct the horses move back and forth between all the herd areas and allotments regardless of fences. We want to know where the traps sites will be in the Big Springs, Chase, Tall Corral, and Jakes Creek Allotments.

### C. Stipulations

(1) "Horse handling will be kept to a minimum."

Does this give enough guidance? What about roping?

None of the stipulations, that I can see, give any indication of what types of climatic conditions can exist during capture, or before captures are shut down?

(3) "Horses will not be run more than 10 miles during gather operations."

Is that 10 air miles or 10 ground miles and over what types of terrain?

(5) "Helicopters will be used with caution. A qualified BLM representative will be present during gathering attempts to insure strict compliance with the above mileage limitations and CFR 4700 regulations."

Are you stating a second helicopter, manned by BLM, will insure strict compliance? You are also restricted by Instruction Memorandum.

Page three

Little Humbolt, Rock Creek, Spruce/Pequop

(7)"Captured horses that are clearly unsuitable for adoption but that do not fall under (6) above, will be collared with identifiable neck bands and released for study purposes."

Are you saying that you are leaving, as part of the base herd, unsuitable horses? What qualifies as unsuitable for adoption, age, conformation, deformities, etc.? What information will the collars provide?

D.Alternatives

(2)"Gathering of wild horses by wranglers has been considered,,,is not feasible and will not be considered further."

Does this include spilled horses? See Comments Stipulations C.1.

(3)"No action-...increasing horse numbers would severely impact livestock and wildlife..."

WHOA does not agree that (160) horses in four herd areas over the AML equaling 1920 AUMs vs. 305,247 AUMs of livestock use would realistically threaten livestock. Moreover, is the removal of 160 wild horses in four herd areas cost-effective? The Bureau has always had the authority to remove horses outside the 1971 herd use areas, and those on private lands. Since the proposed plan also states that domestic use includes horses, this could be part of your problem. (I was under the impression that domestic horses could not be liscensed in herd areas.)

*Prog guidance No. 83-289 (1-26)(4)(A) "For these reasons herd areas must be closed to use by domestic horses & burros under 43CFR 4730.4."*

II. Description of the Existing Environment

"Appendix A and Appenix B."

Please explain what those appendix refer, are they the maps labled Figure 1 and Figure 2?

Herd Area	No. to be <u>Managed</u>	No. Inventoried	No. to be <u>Gathered</u>
Little Humbolt	107	168	61
Rock Creek	119	190	71
Spruce/Pequop	64-80	116	52
	306	474	184

Since I cannot find a reference to Spruce/Pequop is 64 the minimum and 80 the maximum? Or are there 64 in Spruce and 80 in Pequop? If 80 is the Maximum, how will it affect the No. to be gathered?

Page four

Little Humbolt, Rock Creek, Spruce/Pequop

- 1) How many wild horses were inventoried in Little Humbolt Herd Use Area?  
How many ~~wild~~ horses were inventoried in Tall Corral Allotment? What date?
- 2) How many wild horses were inventoried in Rock Creek Herd Use Area?  
How many ~~wild~~ horses were inventoried outside Herd Use Area? What date?
- 3) How many wild horses were inventoried in Spruce/Pequop Herd Use Area?  
How many ~~wild~~ horses in Big Springs and Chase Springs allotments? What date?
- 4) What are the authorized livestock AUMs within each of the herd use areas?

5) How many dom horse are licensed with ea of the <sup>HMA</sup> ~~HMA~~ <sup>by</sup>

- A. Air, Soils and Water para. 5 and please list by allot.
- (2) "The majority of the streams flow intermittently and contribute most run-off during the spring. Reservoirs, springs, and wells provide additional water."

Are there sufficient waters in the herd <sup>mgt areas</sup> use areas?

(4) "Domestic livestock includes horses, sheep and cattle."

Are they liscensed domestic horses on public land? Are they branded? I thought there were no authorized domestic horses in herd use areas, or at least non allowed?

### III. Environmental Impacts

- A. "However a Bureau official will be present at the gathering site to ensure minimum injury occurs to to horses, and that stipulations in I.B.3 are adherred to."

I.B.3 are insufficient, see Instruction Memorandum 86-546.

"This helicopter will be used with descretion to minimize disturbance of horses that would make gathering more difficult."

Use all the descretion you desire, but that second helicopter had better monitor the activities of the contractor. BLM will not be as lucky in the future as they were in Gerlach.

What is the estimated death loss from all causes?

Page five

Little Humbolt, Rock Creek, Spruce/Pequop

In summary the draft environmental assessment is inadequate, it fails to fully explain what animals in what RMP/EIS are being described. It fails to comply with Bureau guidance and Instruction Memorandums. It does not address the cost-effectiveness of the premature removal of a few horses over four herd areas. There are no herd management plans to adequately analyze the proposal. Since there are no herd management plans there obviously has been no official or legal allocation of forage for the appropriate management level ; and this proposal assumes the AML is the maximum number of horses that can be managed for in a herd management or ~~herd~~ use area.

WHOA does not support the removal of wild horses at this time.

Submitted,

Dawn Y. Lappin (Mrs.)  
Director

cc: Winnemucca District  
Mr. E. F. Spang  
National Coalition of Animal Organizations

May 27, 1987

WFOA comments, Draft Elko District  
Little Humbolt, Rock Creek, Spruce/Pequop Capture Plan

Introduction (para 3)

"None of the herd use areas are presently covered by a herd management plan."

X 43 CFR 4710.4 states the authorized officer shall prepare a herd management plan. It appears the regulations under 43 CFR are fairly consistent in their priority, it lists the land use planning process, inventorying and monitoring, management areas, and herd management plans. Under Subpart 4720 Removals "...upon examination of current information..." which we understand to mean the aforementioned regulations.

(para. 3)

"...and to gather horses which are outside of designated herd use areas."

Please refer to rather lengthy questions in Draft EA II Description 1-5.

(para 4)

"Gathering efforts will be concentrated to remove all horses (wild-?) from these allotments and to leave the AML within the herd management area boundaries."

Then what other factors besides numbers are involved with horses outside herd use areas? Not wild, livestock pressure within the HUA, or water?

The Table in my comments on the Draft EA II Description, is repeated here in that IF the horses in the herd area listed are those in the Elko FEIS (330 in four herd use areas), then the 306 listed as numbers to be managed is short (24) and the the numbers to be gathered are over (24). Will you do a pre-census and post census flights?

Time and Method of Capture

"Traps will need a holding area for horses prior to transfer to the temporary holding facilities."

Are you saying that horses will be loaded at the trap site, unloaded at the temporary holding, loaded for final destination and then unloaded? Why? Are you not risking more injury and death in addition to the stress? The past two gatherings I attended didn't have temporary facilities at all, the horses were shipped directly from the trap..some stayed over night until trucks became available. In fact they lepped about 10 colts because their mares had been shipped before them. Why can't the separation corrals be adjacent to the trap site?

"Trap sites will be selected by the contractor and approved by the COR."

See Instruction Memorandum 86-546.

Page two

WHOA comments, Elko District Draft Capture Plan  
Little Humbolt, Rock Creek, Spruce/Pequop

#### Branded and Claimed Animals

b. "Unbranded or claimed animals..."

The Attorney General's Office counsel for the Commission for the Preservation of Wild Horses has notified the Nevada Department of Agriculture that all claimed, unbranded horses will be issued a citation for failure to brand according to NRS Statutes. *owners*

(para 5)

"The COR/PI, after consultation with the District Brand Inspector, will determine if unbranded animals are wild free-roaming horses."

The BLM alone determines whether unbranded horses are to be determined to be wild free-roaming under the Act.

(para 8)

"In the event settlement is not made the horses will be sold at public auction by BLM."

Branded horses with offspring, regardless of whether they are claimed, are still in trespass, and the owner should be served with trespass fees, whether the animals are collected or not.

(para 10)

"Brand Inspection certificate for shipment...."

This brand certificate should include sex and color of animal.

#### Destruction of Injured or Sick

"...severely injured or severely sick...."

What is the BLM's definition of severely injured or severely sick? Would you ship a blind horse, deformed? Why put the animal through the additional stress and trauma of shipment only to be destroyed at the final destination?

#### Administration of Contract

Note BLM personnel are not responsible for moving equipment, building trap sites, or setting up corrals and tearing them down.

(para 2)

Please see note on EA III A. comments.

#### Contractors Briefing

"The contractor, after award of the contract, will be briefed on his duties.."

I don't agree at all, if BLM would contractors before about potential problems, perhaps the performance would be better.

#### Detailed Specifications

A. Please explain differences in A(1) and A(2). Under what situations would you not continue gathering?

Page three

WHOA comments, Draft Elko District Capture Plan  
Little Humbolt, Rock Creek, Spruce/Pequop

2) What limitations are considered? See Comments EA  
C(3).

C. Motorized Equipment

I see nothing in this section about the pre-inspection of transporting equipment. Elko did not shut down the gathering when a previous contractor subleased the transportation and the equipment was extremely poor.

(8) I have seen the BLM's compliance with dust hazard conditions when they thought no one was watching.

D. Trapping and Care

1) we prefer no tie down. Once a horse is spilled it ought to be left alone, it only increases the time and work to try and get one lone horse. Let alone the trauma and stress the tied down animal incurs.

11) Does the BLM pay for dead horses due to negligence?

H. Avionics

Are there any other government supplied equipment, other than radio?

Since WHOA is unsure of whether we have the correct horses, correct herd areas, and are assuming they are the four herd areas referred to in the Elko FEIS, we respectfully request, that we reserve the right to add an addendum to this comment, upon receipt of an FOIA request under separate cover.

In summary, WHOA does not believe the small number of animals in the four herd areas justify the expenditures of tax dollars, to put more horses into facilities that are now full. Those full facilities are a self-imposed crisis induced to affect a tax burden in order to obtain sale authority. We do not believe the relatively few horses will create that burden on wildlife and livestock that BLM claims. Nothing stops the BLM from removing unauthorized licensed horses, or trespass or even horses outside the herd use areas.

Submitted,

Dawn Y. Lappin (Mrs.)  
Director

cc: Winnemucca District  
Mr. E. F. Spang  
National Coalition of Animal Organizations

Page four

Little Humbolt, Rock Creek, Spruce/Peguop

- 1) How many wild horses were inventoried in Little Humbolt Herd Management Area? What date?  
How many horses were inventoried in Tall Corral Allotment  
What date?
- 2) How many wild horses were inventoried in Rock Creek Herd Management Area? What date?  
How many horses were inventoried outside Herd Management Area? What date?
- 3) How many wild horses were inventoried in Spruce/Peguop Herd Management Area? What date?  
How many horses in Big Springs and Chase Springs allotments? What date?
- 4) What are the authorized livestock AUMs within each of the herd management areas?
- 5) How many domestic horses were liscensed within each of the herd management areas, and please list by allotments.

A. Air, Soils and Water para. 5

(2) "The majority of the streams flow intermittently and contribute most run-off during the spring. Reservoirs, springs, and wells provide additional water."

Are there sufficient waters in the herd management areas?

(4) "Domestic livestock includes horses, sheep and cattle."

Are they liscensed domestic horses on public land? Are they branded? See comment EA D. (3) Program Guidance.

III. Environmental Impacts

A. "However a Bureau official will be present at the gathering site to ensure minimum injury occurs to to horses, and that stipulations in I.B.3 are adherred to."

I.B.3 is insufficient, see Instruction Memorandum 86-546.

"This helicopter will be used with descretion to minimize disturbance of horses that would make gathering more difficult."

Use all the descretion you desire, but that second helicopter had better monitor the activities of the contractor. BLM will not be as lucky in the future as they were in Gerlach.

What is the estimated death loss from all causes?