



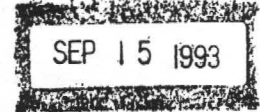
United States Department of the Interior

BUREAU OF LAND MANAGEMENT
ELKO DISTRICT OFFICE
3900 E. IDAHO STREET
P.O. BOX 831
ELKO, NEVADA 89801



IN REPLY REFER TO:

4710 (NV-015)



Dear Interested Party:

The Elko District is in the process of preparing a Gathering Plan for the removal of wild horses from the Goshute Herd Management Area (HMA). Enclosed is a copy of the proposed action and Environmental Assessment for your review and comment. You have thirty (30) days from the date of this letter to provide comments to this office at the address listed above. Your comments will be reviewed and considered for inclusion in the final gather plan.

If you have any questions, concerns or comments on the formulation of this plan, please contact Kathy McKinstry, Wild Horse Specialist at (702) 753-0200 or write to the address listed above.

Sincerely yours,

RODNEY HARRIS
District Manager

Enclosure: As stated above

GOSHUTE HERD MANAGEMENT AREA WILD HORSE GATHER
BLM\EK\PL-93\054
4710

I. INTRODUCTION/PURPOSE AND NEED

Introduction

The Wells Resource Area completed a capture plan and associated Environmental Assessment (EA) for the Goshute Herd Area in 1985. This gather was carried out as planned. A new draft gather plan and preliminary EA has been prepared to reflect changes in Bureau policy regarding wild horse management. This preliminary EA analyzes the impacts of those policy changes.

The Wild Horse Amendment to the Wells Resource Management Plan (EA-NV-010-92-063) was signed by the Nevada State Director on August 2, 1993, in order to establish Wild Horse Herd Management Areas (HMAs) in the Wells Resource Area. The establishment of the HMAs was necessary in order to solve management problems with checkerboard land pattern conflicts, identify habitat requirements and management practices, establish initial herd size, develop factors for adjustments in herd size, identify constraints on other resources, and to combine herd areas for the purpose of improving management of wild horses in the Wells Resource Area of the Elko District. Map 1 shows the location of the Wells Resource Area, land pattern ownership, and the general location of the Goshute HMA.

The Amendment also states that the checkerboard land pattern area in the northern end of the Goshutes be managed as horse free. This area is generally not considered good horse habitat due to the steep terrain and lack of forage within heavy pinyon-juniper habitat. Despite these circumstances, horses can sometimes be found in the area.

A fence will be necessary to restrict horse movements back into the checkerboard area once they are removed. Because horses cannot be kept out of the horse-free area until this fence is constructed, implementation of this Amendment objective will take place at a future date.

In June 1992, the BLM completed the Strategic Plan for Management of Wild Horses and Burros on Public Lands. The Strategic Plan directs the BLM to remove only adoptable animals from the range. Therefore, a selective removal policy must be used when removing wild horses from public lands. The updated attached draft gather plan and this associated Preliminary EA will address this new policy.

Purpose and Need

The purposes of the proposed action are to gather wild horses in the area of the formerly designated Goshute Herd Area (HA), and to reduce the herd to the initial herd size in the newly designated Goshute HMA. The need for this action is to implement the Wells Resource Management Plan Wild Horse Amendment (the Amendment).

Land Use Plan Conformance Statement

The proposed action and alternatives described below are in conformance with the Wells Resource Management Plan and the Amendment, and are consistent with Federal, State and local laws, regulations, and plans to the maximum extent possible.

II. PROPOSED ACTION AND ALTERNATIVES

Proposed Actions

The proposed action is a Bureau initiated action which would be carried out by a contractor. The proposed action is to remove excess horses in the Goshute HMA in order to meet the initial herd size in the Goshute HMA. The initial herd size of 160 horses was established in the Amendment.

The actions would be accomplished through helicopter trapping and by utilizing an age selective removal strategy. Map 2 is a detailed depiction of the proposed gather area.

1. Helicopter Trapping

A helicopter would be used to locate bands of wild horses and herd them into traps. The gather would continue until horse numbers within the HMA are reduced to 160, the initial herd size for the HMA. Hazards such as cliffs and fences would be located in advance and avoided. Existing roads and trails would be used to facilitate the herding process.

Several temporary traps/corrals with deflector wings would be erected. Each trap would measure less than one acre in size. Temporary trap and corral sites would be selected by the contractor in coordination with the BLM. Each facility would be constructed from portable panels. 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. It is estimated that three trap sites would be needed. Thus, less than three acres of land would potentially be disturbed. Every effort would be made to set the traps in previously disturbed areas such as gravel pits or halogeton flats.

Horses would be held in corrals adjoining the traps until they are either transported to Palomino Valley Center (PVC) or the central holding facility. If the horses are to be held at the trap for 10 hours or more, provisions for water and feed would be made by the contractor.

2. Age Selective Removal

To conduct an age selective removal, it is necessary to gather a majority of the horses for aging purposes. The construction of a temporary facility consisting of pens, corrals, and loading and squeeze chutes would be necessary to sort and age the horses. This facility would be constructed with the same materials as discussed above and would likely be associated with one of the temporary trap sites. Horses that are gathered within the target age group (0-3) would be transported to PVC. Horses over the age of 3 would be released back into the Goshute HMA. Horses that are located and gathered from the checkerboard lands would be sorted and aged as well. Those horses in the removal target age group would be transported to PVC; those horses older than the target age group would be released in an area free of fences and near reliable water sources.

Horses that are gathered from and released into the Goshute HMA would be monitored according to the following standards:

- a. Check horses' condition by ground and/or air within 24 hours of their release.

- CONFIDENTIAL
- b. A flight would be scheduled within 72 hours of their release to assure no animals were trapped behind a fence or other obstacle which would keep them from food or water.
 - c. Additional flights and subsequent ground checks would be conducted as needed.
 - d. After a period of three weeks, monitoring would return to the normal schedule with added emphasis on the release area.
 - e. All monitoring would be conducted by qualified BLM personnel.

All gather methods would be subject to the following Special Project Requirements:

- a. Horse handling would be kept to a minimum. Capture and transporting operations are sometimes traumatic to the animals. Minimizing the handling would increase the safety of the animals, as well as the handlers.
- b. No helicopter trapping would be allowed between March 1, 1994 and June 1, 1994 because of the potential stress to pregnant and lactating mares and the possibility of induced abortions. In addition, helicopter trapping would be delayed until after the foaling period for the area, and after foals are old enough to withstand the stress of gathering operations.
- c. Horses would not be moved by helicopter more than 10 miles during the gathering operations.
- d. A veterinarian would be on call during gathering operations.
- e. Helicopters would be used with caution. A qualified district BLM representative would be present during the gathering attempts to ensure strict compliance with the above mileage limitations and 43 CFR 4700 regulations.
- f. Captured horses that are determined by qualified personnel to be obviously lame, deformed, or sick would be humanely destroyed at the trap site.

In order to protect other resources, the proposed action would be subject to these additional Special Project Requirements:

- a. A cultural resources inventory by an archaeologist or district archaeological technician (DAT) would be made prior to any trap or holding facility construction. If significant cultural resources are discovered, the Wells Resource Area archaeologist would be notified and the trap/holding facility would be moved to an area void of cultural resources.
- b. Trap sites or holding corrals would not be placed on sites where threatened, endangered, or candidate plant or animal species are present. Known roosting sites of

both the Peregrine Falcon and Bald Eagle would be avoided when conducting low-level flights with the helicopter.

- c. Horses may be kept within temporary traps for no longer than three days unless approved by the authorized officer.
- d. If dust becomes excessive the contractor would be required to implement dust control, either in the form of water or spreading pea sized gravel. If the trap is within a Wilderness Study Area (WSA) only water would be utilized for dust abatement.
- e. Every effort would be made to place temporary traps and holding corrals on non-erosive soils.
- f. Every effort would be made to reduce visual impacts by locating traps and holding facilities well off commonly traveled roads. The nature of capturing wild horses, itself, requires that the traps be well hidden.
- g. All temporary trap sites within the Goshute Peak and/or the Bluebell WSA would be placed on existing roads and ways, not to exceed 50' either side of the access route. Vehicle travel would be limited to actual road beds. Wings of temporary traps may be placed off the road ways but evidence of these items may not remain after they have been removed.
- h. Trap sites which may overlap authorized land uses such as right-of-ways would require consultation with grant holders, and may result in trap relocation.

Alternatives

No Action

Under this alternative, the horse gather would not be implemented.

Alternatives Considered but Eliminated from Detailed Analysis

Gathering Using Wranglers on Horseback

The gathering of wild horses by wranglers on horseback as an alternative has been considered. This alternative involves wranglers on horseback locating the horses and attempting to drive them into portable traps. Wild horses are usually able to outrun the wranglers and scatter prior to reaching the trap. There is an increased risk of injury to the wild horses as well as to the wranglers and their saddle 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.

III. AFFECTED ENVIRONMENT

Proposed Action

The proposed project area is composed of topography typical of the Great Basin. The proposed gather area consists of rugged steep mountains which are covered with pinon-juniper woodlands. The gather area also consists of valleys which are composed of large alkaline playas dominated by greasewood and rabbitbrush. The mid-

elevation benches are dominated by sagebrush-grassland vegetation. The terrain varies in elevation and is interspersed with minor drainages.

The following critical elements of the human environment are not present or are not affected by the proposed action or alternatives in this EA:

- Air Quality
- Areas of Critical Environmental Concerns
- Farm Lands (prime or unique)
- Flood Plains
- Native American Religious Concerns
- Paleontological Resources
- Threatened, Endangered or Candidate Species
- Wastes (hazardous or solid)
- Water Quality (drinking/ground)
- Wetlands/Riparian Zones
- Wild and Scenic Rivers

Bureau specialists have further determined that the following resources, although present in the project area, would only be minimally affected, if at all, by the proposed action: Range (livestock operations), Lands (realty actions), Recreation, Geologic Resources, Forestry, and Soils/Watershed.

The following resources are present in the project area and are subject to analysis:

Vegetation: The Wells Resource Area supports vegetation typical of the Great Basin region. The extremes of climate, elevation, exposure, and soil type all combine to produce a diverse environment for a variety of vegetation types. The major vegetation type found in the project area is Sagebrush with various understories including Rabbitbrush and grasses. Other prevalent vegetation types include Pinon-Juniper, Saltbush, and Greasewood.

Wildlife: There are numerous species of wildlife occurring in the project area. Mule deer, pronghorn antelope, mountain lions, coyotes, bobcats and kit foxes are the main game and furbearer species present. Sage grouse, chukar, mourning doves, and cottontail rabbits constitute the major upland game species. In addition, a variety of non-game mammals, birds, and reptiles occur in the project area.

The Goshute Range is within a major raptor migration corridor; thousands of raptors pass through the area each spring and fall.

Cultural: Archaeological sites have been recorded throughout the proposed project area. Because the BLM does not know exact location of trap sites at this time, site specific cultural inventories have not been completed. However, an archeological inventory would be completed prior to trap construction,.

Wild Horses: The last census of the Goshute HMA occurred on August 5, 1993. This census found 230 horses within the newly amended HMA boundary leaving 20 outside the HMA boundary in the checkerboard land pattern.

Visual Resources: The proposed project would be occurring on lands designated as Visual Resource Management (VRM) Class II, III, and IV areas. All traps and holding facilities would be placed in

be gathered, sorted and aged even if they are not to be removed from the range.

Helicopter Trapping

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. By adhering to the Special Project Requirements these impacts would be minimized.

Age Selective Removal

The environmental consequences of an age selective removal are very much the same as those of a non-selective removal. Age selective removal has the added impact of gathering an animal then releasing it back to the range if it does not fall into the target age group. Where all animals are removed from the range in the checkerboard land ownership pattern, the animals older than the target age group would be released into the southern portion of the Goshute HMA. Relocation into an unfamiliar area would increase stress to the animal. The horses may make an attempt to return to their former territory or be unable to locate water. Adherence to the monitoring as described in the Proposed Action section would lessen these impacts.

Visual Resources: The proposed project activities would result in minimal, temporary impacts. By adhering to Special Project Requirements f and g, the proposed activity would meet all VRM requirements.

Wilderness: The use of a helicopter to herd wild horses into temporary traps would result in negative visual and audio impacts within the WSAs; however, impacts would be minimal and temporary.

Alternatives

No Action

Under this alternative the BLM would not be in conformance with the Wild Horse Amendment to the Wells Resource Management Plan and Wells Record of Decision. Under this alternative, horse numbers would continue to grow at an estimated 15-20% per year and would far exceed the initial herd size determined for the Goshute HMA and continued degradation of resources would result.

Cumulative Impact Analysis: All resource values have been evaluated for cumulative impacts. It has been determined that cumulative impacts would be negligible as a result of the proposed action or alternative.

Monitoring Needs: The monitoring described in the Proposed Action is sufficient for this action.

V. CONSULTATION AND COORDINATION

List of Preparers

Kathy McKinstry - Wild Horses; Lead Preparer
Lauren Mermejo - Environmental Coordinator
Laura Gutzwiller - Wildlife, T&E Animals
Roy Price - Wildlife, T&E Plants
Dave Mermejo - Wilderness, Visual Resources
Bryan Hockett - Cultural Resources

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PLANNING

Jeff Baker, Leticia Gallegos, Bruce Thompson - Range, Vegetation
Sarah Schmidt - Geology/Minerals
Carol Marchio - Soils/Watershed
Robert Marchio - Realty
Norman Ritter - Forestry

Persons, Groups or Agencies Consulted

Copies of this document are being sent to the following person, groups or agencies for comments:

American Horse Protection Association
American Mustang and Burro Association
Animal Protection Institute of America
Commission for the Preservation of Wild Horses and Burros
Fund for Animals
Humane Society of Southern Nevada
Humane Equine Rescue & Development Society
Humane Society of the United States
International Society for Protection of Mustangs and Burros
National Mustang Association, Inc.
National Wild Horse Association
Nevada Outdoor Recreation Association
Nevada Farm Bureau Federation
Nevada Humane Society
Nevada State Department of Agriculture
Nevada Department of Wildlife Region II
Save the Mustangs
Sierra Club
United States Wild Horse and Burro Foundation
Wild Horse Organized Assistance
Thomas S. Atkinson
Craig C Downer
E.B. Robinson, Jr.
Scott Egbert
Bobbie Royle
Cy Ryan
Rick Sorenson
Demar Dahl
Loyd Sorenson
Bob Barton
Permittees
Kenneth Jones
Larry Schutte
Von L. and Marian Sorenson
Simplot Land and Cattle Company
H&R Livestock
Thousand Peak Ranches, Inc.
L.W. Peterson
Charles Kippen and Sons
Stephen P. Richins

MAP 1

WELLS RESOURCE AREA

ENLARGEMENT AREA

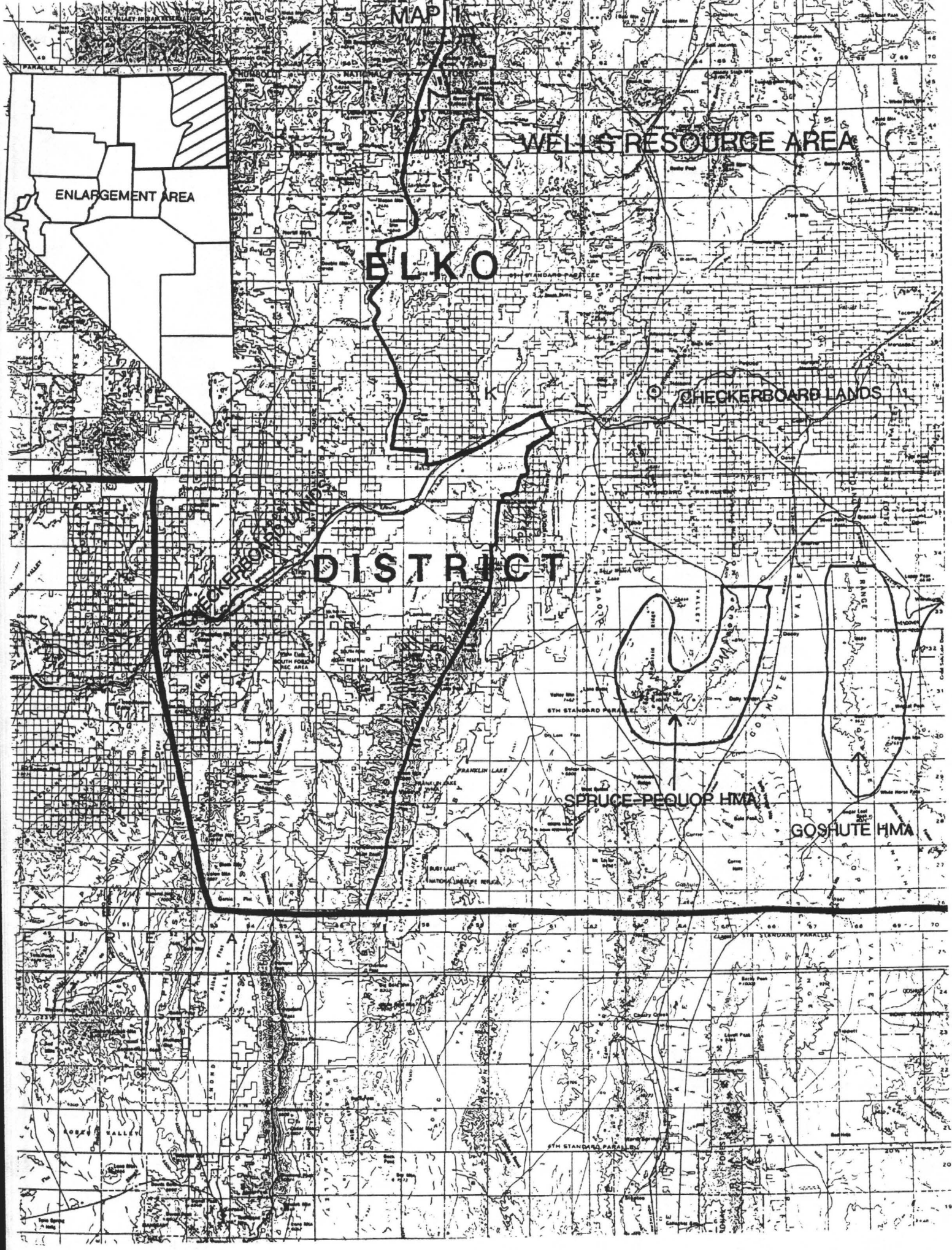
BLKO

CHECKERBOARD LANDS

DISTRICT

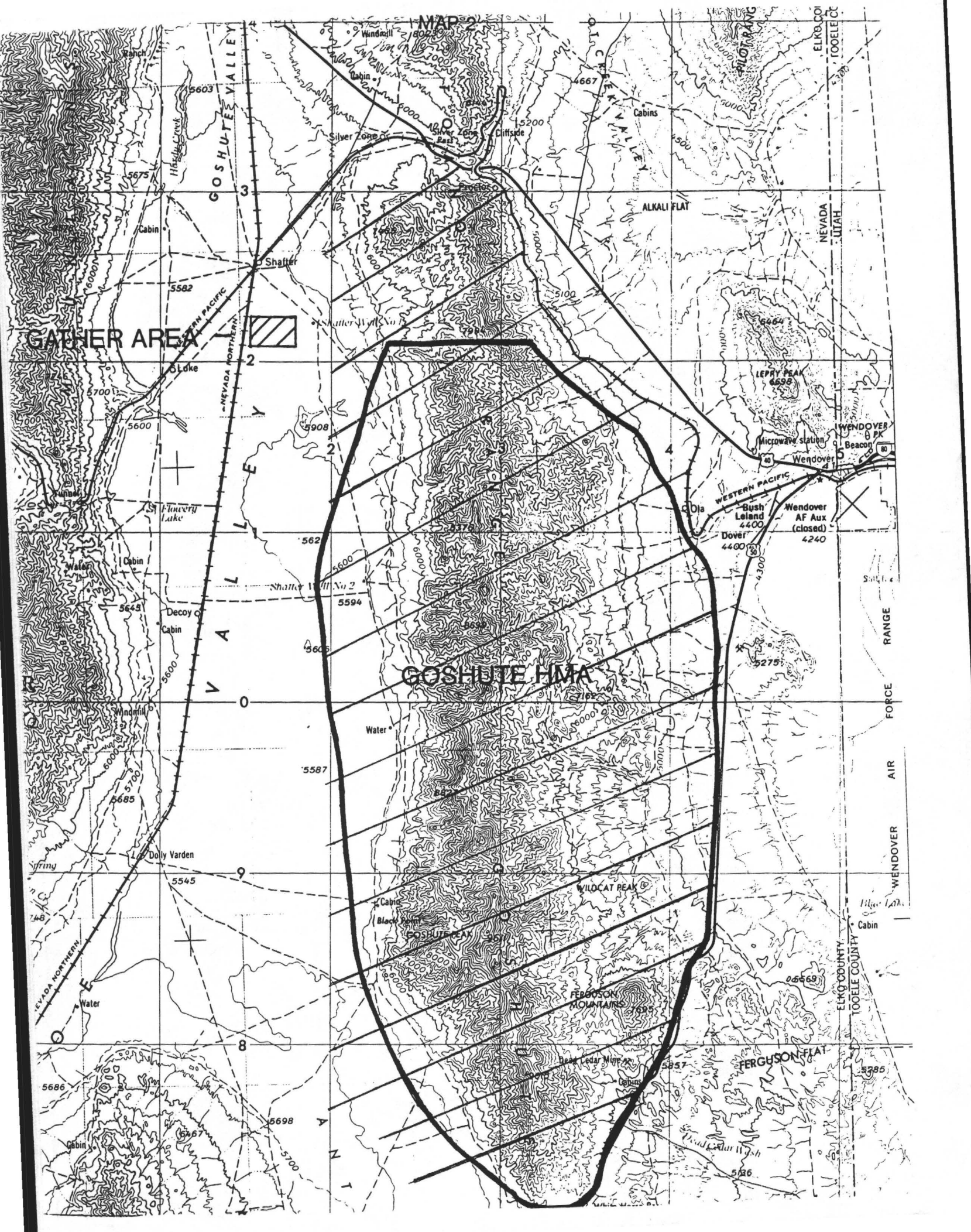
SPRUCE-PEQUOP HMA

GOSHUTE HMA



GATHER AREA

GOSHUTE HMA



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BUREAU OF LAND MANAGEMENT

Goshute Herd Management Area Wild Horse Gather Plan

Elko District Office
Wells Resource Area
1993

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The Strategic Plan for Management of Wild Horses and Burros on Public Lands (U.S Department of the Interior, Bureau of Land Management June, 1992) directs the BLM to develop a policy of removing only adoptable animals (ages 0-3) after appropriate management level (AML) is reached in an HMA. When conducting complete removals in cases of private land ownership or when an area is no longer going to be managed for horses, other alternatives are available.

In order to reduce horse numbers to the initial herd size, horses must be gathered and removed from the range. In the Goshute HMA, 160 horses are to remain which will require the removal of approximately 90-100 horses (the census flight conducted in August 1993 found 251 horses in the Goshute HMA). According to statewide averages, 57% of the HMA population should be in the 0-3 year age group, thus initial herd size of 160 could easily be met by removing only this age group.

(1) Selecting Animals for Removal

The following criteria shall be used to determine which animals will be returned to the range or sent to Palomino Valley Center (PVC):

- a. Mares older than the age group to be removed (4+) shall be paired with their foals and returned to the HMA.
- b. When mares older than the age group to be removed (4+) will not pair with their foals, the foals shall be sent to PVC and the mares shall be returned to the HMA.
- c. When mares older than the targeted age group to be removed (4+) will accept their foals, but either the mare or the foal or both are in poor physical condition and their survival on the range is questionable, the animals shall be held on site until either sufficiently healthy to survive on the range or the completion of the gather. If, at the termination of the gather it still appears that the animal's survival is questionable, they shall then be sent to PVC.
- d. When mares within the targeted age group to be removed (0-3) are captured and will accept their foals, pairs shall be sent to PVC.
- e. When mares within the age group to be removed (0-3) are captured and will not accept the foals, both the mare and the foal shall be sent to PVC.

Priority shall be placed on removing males in the target age group, mares without foals in the target age group and mares with weanable foals in the target age group.

2. Capture and Release

In order to accomplish an age selective removal and reduce horse numbers to initial herd size, a majority of the horses will have to be gathered, sorted and aged. Those horses over the age of three will be returned to the HMA. It is not anticipated that many horses will be found in the checkerboard area of the Goshute Mountains due to the ruggedness of the terrain and lack of forage, but in the event that horses are found in this area, they will be gathered and aged. Those between the ages of 0-3 will be removed from the range and those four and older will be released as near as possible to where they were caught. The released horses will be placed in an area that poses no danger of the horses becoming trapped by a fence or unable to find food or water.

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Prior to the completion of the gather contract, it will be necessary to conduct a census to ensure that approximately 160 horses remain in the Goshute HMA.

A. Monitoring of Released Animals

For animals which are to be released back to the HMA, minimum standards will be to monitor the horses' condition by ground and/or air within 24 hours of their release. A flight will be scheduled within 72 hours after release to assure no animals are trapped behind a fence or other obstacle which would keep them from food or water. Subsequent flights will be conducted with ground checks following up the aerial observations, if needed.

E. Time of Gather Operations

The gather contract is expected to be awarded in Fiscal Year (FY) 94 with the work being done prior to December 30, 1993. The gather could last approximately 2 - 3 weeks.

F. Gather Methods

The gather will be conducted through the FY 94 Nevada Wild Horse/Burro Removal Requirements Contract and supervised by a Contracting Officer's Representative (COR) and a Project Inspector (PI). Sorting and aging operations will be conducted by the contractor and supervised by the COR/PI.

1. Helicopter Trapping

Depending on the time of year and the availability of water, the main method of capture to be used will be a helicopter to bring the horses to trap sites. A parada horse will be released as horses enter the trap wings to lead horses into the trap. Roping will be allowed at the discretion of the COR. Under no circumstances shall animals be tied down for more than one hour. The temporary traps and corrals will be constructed from portable pipe panels. Trap wings will be constructed of panels, netting or other material not harmful to horses. Barbed wire or other harmful materials will not be allowed for wing construction. A temporary holding facility will be constructed in the area to hold horses after capture.

Trap sites will be selected by the COR after determining the habits of the animals and the topography of the area. Specific sites may be selected by the contractor with the COR's approval within this general preselected area. Trap sites will receive cultural and threatened and endangered plant and animal clearance prior to use.

At least three trap sites will be required to complete the gather. Trap sites will be located to cause as little injury to horses and as little damage to the natural resources of the area as possible. Additional trap sites may be required, as determined by the COR, to relieve stress to horses caused by conditions at the time of the gather (i.e., dust, rocky terrain, temperatures, numbers of horses being gathered, distance to horses, and the need to water trap, etc.).

Due to the many variables such as weather, time of year, location of horses, and suitable trap sites, it is not possible to identify specific trap locations at this time. They will be determined at the time of the gather.

When conducting an age selective removal, it is necessary to have a temporary holding facility where animals can be sorted by sex and age. Animals that are to be released back into the HMA will need to be held separately from those animals being shipped to PVC. A separate pen for mares and foals will be necessary to allow pairing.

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Animals determined to be in excess of initial herd size and in the target age group should be shipped as soon as possible to avoid stress and the possibility of contracting diseases associated with confinement.

2. Water Trapping

Water trapping although a recognized alternative to helicopter trapping, is not feasible for use in the Goshute gather due to the time of year it is scheduled to occur. At the time of year the proposed gather is to take place, water is usually readily available in the form of increased flows in springs and creeks. In addition, increased time and costs would be incurred making this method ineffective.

3. Herding on Horseback

Herding wild horses using wranglers on saddlehorses has been used in the past but has proven ineffective because it is too easy to lose the horses once started towards the trap. In addition, the increased danger to both horses and humans is too great to consider this method further.

G. Administration of the Contract

The BLM will be responsible, through a contract, for all capture, care and temporary holding until release. The COR will be the lead Elko District Wild Horse Specialist. The COR will be directly responsible for conducting the gather and will be assisted by the Wells Resource Area Wild Horse Specialist as a PI.

The COR and/or PI will constantly, through observation, evaluate the contractor's ability to perform the required work in accordance with the contract stipulations. Compliance with the contract stipulations will be through issuance of written instructions to the contractor, stop work orders and default procedures should the contractor not perform work according to the stipulations.

To assist the COR in administering the contract, BLM may have a second helicopter available at the gather site. This helicopter will be used to assure compliance and to assure that horses are not run too far, too fast or in a manner that will cause bands to split up. It will be used as needed to assure that the contractor is complying with the specifications of the contract. If the contractor fails to perform in an appropriate manner at any time, the contract will not be allowed to continue until problems encountered are corrected to the satisfaction of the COR.

The COR is directly responsible for the conduct of the gathering operation, and is responsible for keeping the Elko District Manager and the Nevada State Office informed on the progress of the gathering operation. At least one authorized BLM employee (COR or PI) will be present at the site of capture at all times.

The District Manager is responsible for maintaining and protecting the health and welfare of the horses. To ensure the contractor's compliance to the contract stipulations, the COR and/or PI will be on site. However, the Wells Resource Area Manager and the Elko District Manager are very involved with guidance and input in to this gather plan and with contract monitoring. The health and welfare of the animals is the overriding concern of the District Manager, Area Manager, COR and PI.

1. Contractors Briefing

The contractor, after award of the contract, will be briefed on his duties and responsibilities before the notice to proceed is issued. There will also be an inspection of the contractors equipment at this time to assure that it meets specifications and is adequate for the job. Any equipment that does not meet

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specifications must be replaced within 36 hours.

The contractor will also be informed of the terrain involved, the condition of the animals, the condition of the roads, potential trap locations, and the presence of fences and other dangerous barriers.

2. 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. 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.

3. Detailed Specifications

- a. The helicopter shall be used in such a manner that bands or herds will tend to remain together.
- b. The rate of horse movement shall not exceed limitations set by the COR who shall consider terrain, weather, distance to be traveled, and condition of the animals.
- c. 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.

4. Motorized Equipment

- a. 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.
- b. 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.
- c. 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. 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.
- d. 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

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these rear doors shall be capable of sliding either horizontally or vertically.

- e. 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.
- f. 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. A minimum of 1.4 linear feet per adult animal and .75 linear feet per foal shall be allowed per standard 8 foot wide stocktrailer/truck.
- g. 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.
- h. 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.

5. Trapping and Care

- a. All capture attempts shall be accomplished by the utilization of a helicopter to herd the animals to the traps. There is a possibility that a water trap may be used. A minimum of one saddle horse shall be available to accomplish roping 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.
- b. The helicopter shall be used in such a manner that bands or herds will tend to remain together. Foals shall not be left behind.
- c. 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.
- d. It is estimated that at least three 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.
- e. 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:
 - (1) 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.
 - (2) 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.

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- (3) 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.
 - (4) Wings shall not be constructed out of barbed wire or other materials injurious to animals and must be approved by the COR.
 - (5) 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. Eight linear feet of this material shall be capable of being removed or letdown to provide a viewing window.
 - (6) All pens and runways used for the movement and handling of animals shall be connected with hinged self-locking gates.
- f. 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.
 - g. 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.
 - h. 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.
 - i. 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. 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 final destination on Sunday.
 - j. 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.
 - k. It is the responsibility of the contractor to provide security to prevent loss, injury or death of captured animals until delivery to final destination.
 - l. 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 may be required to dispose of the carcasses as directed by the COR.

6. Helicopter, Pilot and Communications

- a. The contractor must operate in compliance with Federal Aviation Regulations, Part 91. Pilots provided by the contractor shall comply

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with the Contractors Federal Aviation Certificates, applicable regulations of the State of Nevada and shall follow what are recognized as safe flying practices.

- b. 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.
- c. 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 radio is used. When a VHF/AM radio is used, the frequency will be 122.925 Mhz.
- d. The contractor shall obtain the necessary FCC licenses for the radio system.
- e. 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.
- f. At time of contract completion the contractor shall provide the COR the total flight time (in hours/tenths), including ferry time to and from the contractors home base spent in performance of the contract.

7. Contractor-furnished Property

- a. 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 1,500 linear feet of 72-inch high (minimum height) panels for traps and holding facilities and enough water troughs for each pen where animals are being held. Water troughs shall be constructed of such material (e.g. rubber, rubber over metal) as to avoid injury to the animals.
- b. The contractor shall furnish an avionics system that will allow communications between the contractor's helicopter and his fuel truck.
- c. 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.

H. Branded and Claimed Animals

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.

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 times 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

DRAFT

categories:

1. Branded animals with offspring, including yearlings.
2. Unbranded or claimed animals with offspring, including yearlings with obvious evidence of existing or former private ownership (e.g. photo documentation, saddle marks, etc.).
3. Unbranded animals and offspring without obvious evidence of former private ownership.

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.

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.

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 Wells Area Manager in accordance with provisions 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 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.

I. 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 Instruction Memorandum No. NV-83-84.

J. Environmental Analysis

A gather plan and associated Environmental Assessments has been written for the Goshute HMA (NV-010-85-047). This plan is an update of the older plan reflecting changes in management policies (the Strategic Plan) and changes in Land Use Planning documents (the Wells RMP Wild Horse Amendment).

In reviewing environmental assessment EA-NV-010-85-047, it was determined that a new EA

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Prepared by:

Kathy McKinstry
Wells RA Wild Horse Specialist
Elko District Office

Date

Reviewed by:

Bill Baker, Manager
Wells Resource Area
Elko District Office

Date

Approved By:

Rodney Harris
District Manager
Elko District Office

Date

MAP 1

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WELL-SOURCE AREA

BLKO

CHECKERBOARD LANDS

DISTRICT

SPRUCE-PEGLOP HMA

GOSHUTE HMA

