



United States Department of the Interior

IN REPLY REFER TO:

4700 (NV-013)

BUREAU OF LAND MANAGEMENT ELKO DISTRICT OFFICE

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

Spruce/Pequop

JUN 18 1987

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

Dear Ms. Lappin:

Thank you for your comments on the Draft Capture Plan and Environmental Assessment for the Little Humboldt, Rock Creek, and Spruce/Pequop Herd Management Areas. The Capture Plan and EA are being revised to address your concerns and you will receive a copy of the final document.

I will take this opportunity to address some of your comments.

ENVIRONMENTAL ASSESSMENT

Item 1) page 1. This information has been furnished you as per your Freedom of Information request of May 22, 1987.

Item 1) A. Page 1, Introduction. The tables shown in the Capture Plan and EA provide figures for the AML and current census by herd management area. The herd management areas proposed for gathering are not all in the Elko Resource Area. The numbers listed are actual counts.

Item 1) B. page 1&2, Proposed Action. There will be a pre-census and a post-census which will be conducted by the Elko District Wild Horse Specialist. The statement on trap sites is being changed. The BLM will select areas for possible trap sites and these areas will be shown on maps attached to the final document. There is nothing in I.M. 86-546 concerning removal or non-removal of traps and corrals from the gathering area.

Item 1) C. Stipulations

(1) Roping is allowed when authorized by the COR. This is a standard stipulation and was stated as such in the gathering plan.

As long as the weather is clear enough for flying a helicopter, capture operations may be performed.

- (3) The reference is to ground miles and the terrain is generally flat to rolling hills. Since the gather is slated for late October temperatures are cooler and colts are bigger.
- (5) A second helicopter will be used to supervise the contract and ensure that specifications are followed.
- (7) Horses that are 5 to 6 years old or older particularly studs will be used for this purpose. They are generally not as adoptable as younger horses. The information gained will be primarily herd movements and distribution patterns. This is only in the Little Owyhee and Bullhead herd areas.

Item 1) D. Alternatives

- (2) As a practical matter gathering large numbers of horses is not feasible with only wranglers on horseback. It has only been with the use of helicopter that BLM has been able to gather significant numbers of horses. This is not to say that mounted wranglers are not useful in conjunction with the helicopter and occasionally rope a spilled horse when authorized by the COR.
- (3) As a portion of total AUMs I would agree that wild horse AUMs at the current level over the AML is not a threat to livestock. However, if we limit livestock people to their licensed use it is only fair that we limit wild horse use to AML pending monitoring. The licensed livestock use in the allotments involved is 113,076 AUMs not 305,000. There are no domestic horses licensed in any of the herd areas.

Item II. Description of the Existing Environment

The appendix refers to figure 1 and figure 2 and in the final document the text will be changed to correspond to the maps.

Spruce-Pequop is in the Wells Resource Area and 64-80 is the range of horses for AML. When gathering operations are conducted horses will be reduced to 64 and then allowed to increase to 80.

Census Data is as follows:

<u>Herd Mgmt. Area</u>	<u>Allotment Outside Herd Area</u>	<u>No. Horses Inventoried</u>	<u>Date</u>
(1) Little Humboldt		101	March 1987
	Tall Corral	67	March 1987
(2) Rock Creek	--	190	March 1987
(3) Spruce-Pequop		54	March 1987
	Chase Spring	55	March 1987
	Big Spring	7	March 1987

- (4) Authorized livestock AUMs within each herd management area is as follows:

<u>Herd Management Area</u>	<u>Authorized Livestock AUMs</u>
Little Humboldt	7,656
Rock Creek	48,997*
Spruce-Pequop	Not broken out. Herd management area covers portions of several allotments and no determination of livestock use by herd area has been made, only horse use by allotment.

* Herd management area only covers $\frac{1}{2}$ the allotment

- (5) Domestic horse use licensed within herd management areas is as follows:

<u>Herd Management Area</u>	<u>Allotment</u>	<u>No. of Domestic Horses Licenses</u>
Little Humboldt	Little Humboldt	0
Rock Creek	Rock Creek	0
Spruce-Pequop	Big Spring	0
	Spruce	0
	Chase Spring	0

Item II. A. Air, Soils and Water, Para. 5

- (2) Water in Rock Creek and Little Humboldt herd management areas is usually adequate. Water is short in the Spruce-Pequop herd management area particularly in dry years.
- (4) Horses licensed on public land are required to be branded.

III. ENVIRONMENTAL IMPACTS

As stated previously the document will be beefed up in final draft to more closely conform to I.M. 86-546. The comment concerning use of the second helicopter is not well taken. The Elko District is the only district in Nevada that has ever defaulted a contractor because of poor performance and it was by use of the second helicopter that this was done so our track record is good in this regard.

The estimated death loss including horses destroyed because of deformities or age is less than 2 percent.

CAPTURE PLAN

Horses become excess when they exceed the AML. The AML is determined through the RMP/EIS process. 43 CFR 4710.1 states that management activities affecting wild horses shall be in accordance with land use plans (RMP/EIS) prepared pursuant to part 1600 of 43 CFR. There is nothing in the CFR prohibiting the gathering of excess horses before a herd management plan is prepared.

→ Since the herd area boundaries are not fenced horses are free to move to other areas as they see fit. Gathering operations in previous years has had some impact on horse movements as has water distribution.

The capture area only refers to two herd areas in the Elko Resource Area (Little Humboldt and Rock Creek). The Spruce-Pequop herd area is in the Wells Resource Area.

Time and Method of Capture

In most cases the trap and the holding facilities are all in the same place and this works well and does eliminate some handling and stress. However, in some areas where roads are limited and large truck travel is impossible it is necessary to have the trap and holding facilities separated in order that horses do not have to be run as far before capture.

Branded and Claimed Animals

Instruction Memo NV-85-416 states under procedures for processing privately owned animals that the BLM authorized officer will determine, after consultation with the District Brand Inspector, if unbranded animals are wild and free-roaming horses.

Horses that are branded and not claimed are sold at public auction to satisfy damages and trespass. This is in accordance with 43 CFR 4150.4-5.

Brand Inspection Certificates do show age, sex and color of animal.

Destruction of Injured or Sick

Ordinarily we do not ship deformed, severely injured or blind horses. Occasionally a one eyed horse gets by, but this is not the normal practice in the Elko District.

Administration of Contract

No where is it stated in the gathering plan or EAR that BLM would be responsible for equipment, building traps, or setting up corrals. BLM is responsible to see that the Contractor does this according to specifications.

Contractors Briefing

Contractors that come to a show me trip or call prior to bidding are briefed on problems. However, the formal briefing is made to the successful bidder prior to undertaking the job.

Detailed Specification

A(1) and A(2) are essentially the same. Weather conditions that prohibit flying such as heavy snow storm, high winds, or fog would be situations where gathering operations would be shut down.

Motorized Equipment

Pre-inspection of equipment will be in the final draft. You are mistaken in stating that Elko did not shut down a previous contract. Elko is the only district in the state that has defaulted a Contractor for faulty equipment and poor performance.

Since the gather is proposed for the end of October dust is not likely to be a problem.

Trapping and Care

Roping is only used as a last resort and for problem horses or complete removal. In most cases they are not tied down at all but led to the trap immediately.

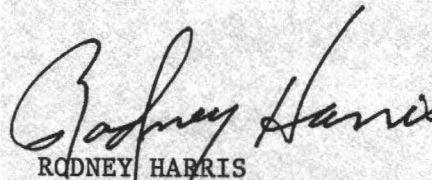
BLM does not pay for horses killed during capture or transport if due to the Contractors negligence.

Avionics

Radios are the only government supplied equipment.

As stated previously the final draft of the gathering plan and EAR will incorporate your comments as appropriate and you will receive a copy of the final document. Thank you again for your comments.

Sincerely yours,


RODNEY HARRIS
District Manager