

Nellis

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12-8-89

DRAFT

December 89  
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To: District Manager, Las Vegas  
From: State Director, Nevada  
Subject: Wild Horse Gather, Nellis AFB

LAJEGAS

The purpose of this memorandum is to confirm recent decisions relative to gathering wild horses of Nellis AFB. Based on recent observations regarding the condition of the animals, the availability of water, the availability of feed and the ecological balance it is clear that expedited action is appropriate in the vicinity of Silverbow Springs (north eastern Breen Creek). In addition it is appropriate to remove wild horses from other areas south and west of Silverbow Springs.

Therefore, you are authorized to prepare an emergency gather plan for reducing the population of wild horses currently watering at Silver Bow Springs. The emergency gather should reduce herd numbers for this area only to the extent that emergency conditions exist. Any additional reductions will occur under normal gathering procedures. Care must be taken to avoid shipping or unnecessary handling of wild horses that appear to be too weak to survive such treatment. In addition, all wild horses that are captured, that are in good health and that are capable of withstanding transportation, should be transported. The objective of this emergency gather is to immediately bring the animal population in balance with available habitat (food and water) with a minimum effect on the herd profiles. Although we have a major concern for the welfare of the wild horses and their habitat, care must be taken to develop complete documentation of our actions justifying the emergency as a matter of public record.

With regard to the remainder of the area you are authorized to immediately prepare and circulate a normal gather plan. Based on your estimate of the situation it critical that you expedite preparation of the normal gather plan and obtain public comment as soon as possible. Nevada State Office staff is available should you wish to request their assistance with this task. No other special considerations appear warranted assuming a normal sequence of events. If problems or issues occur that would appear to delay actions we can reassess this position at that time.

At the present time it appears that funding is available to remove approximately 2000 wild horses through these two gather plans. Based on available information it is anticipated that the greatest bulk of the removal action will be done through the normal gather plan and not through the emergency plan.

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Good concept relative to emergency.

NELLIS RANGE COMPLEX  
BREEN CREEK (SILVERBOW SPRINGS) EMERGENCY GATHER PLAN

SITUATION:

During the past 14 months the area in the vicinity of Breen Creek has experienced below average precipitation. Precipitation recording stations in the vicinity of the north end of the Nellis Range Complex have recorded precipitation at 50% of normal. Much of the precipitation that has occurred over the past 14 months has not been effective for ground water recharge. This has caused a lowering of the water table. As a result wild horses in the area are forced to rely on seepage and available surface water. Although the cooler season has reduced demand, the current rate of flow only meets minimum requirements for survival and does not appear to meet the requirements of a thriving population of sound, healthy animals. At least 10 wild horses have died at Breen Creek spring during the past 60 days. While the exact cause of death is unknown, the relative occurrence of carcasses at this location appears disproportionately large in comparison to other water sources. All factors appear the same other than the quantity of available water.

In addition, the below normal precipitation has decreased the amount of available forage at reasonable distances from water. This requires the wild horses to travel abnormal distances to obtain forage. This has resulted in reduced physical condition of certain members of the herd.

When considered in the context of the time of year (winter), the diminished condition of the wild horses, the seasonal patterns of rainfall (the low probability of immediately natural relief), and the number of wild horses, availability of drinking water is currently the most significant factor. The combination of these factors now threatens the well being of selected members of the Breen Creek population to an unacceptable level thus creating an emergency situation.

PROBLEM STATEMENT:

The current population of wild horse watering at Breen Creek exceeds the available supply of water.

OBJECTIVES:

The Wild Horse and Burro Act requires management of wild horses in a manner that results in maintenance of a thriving natural ecological balance. As related to the Breen Creek situation the objectives are:

- a. to relieve the immediate imbalance between availability of water and the wild horse population.
- b. to insure humane treatment of animals in any actions designed to meet objective a.

PROPOSAL:

To meet the objectives, wild horses would be removed until an equilibrium with available water is established. Water trapping using Bureau employees would begin as soon as possible. Equilibrium would be determined by monitoring water inflow in relation to water consumption. Measurements of available water would be taken twice daily while concurrently removing and monitoring animal populations. Initial effort would involve removing 400 animals. Additional increments of approximately 200 animals each (depending on the results of the water availability monitoring) would be used until equilibrium is reached. Concurrently animal movements would be monitored to determine if movement patterns are an additional complicating factor.

All captured animals would be sent to Palomino Valley Corrals (PVC), NV. Ridgecrest, CA or Susanville, CA would be used if PVC capacity is exceeded. Exceptions are those animals that are determined to be incapable of surviving transportation. In keeping with objective b. above these animals would be released unless competent authority determines that it would be more humane to euthanize them.

ANALYSIS:

It is estimated that removal of 400 wild horses at Breen Creek should provide approximately 20% more water for the remaining animals. By allowing the remaining animals to satisfy their water needs while concurrently measuring the consumption and recharge of water equilibrium can be determined. In an "equilibrium" situation water recharge should equal or slightly exceed water consumption. Care must be taken to account for evaporation losses and the effects of temperature on water flow. Two water level readings will be made and maximum and minimum temperatures will be recorded each day.

Once the bodily requirements for water are met, efficiency of body functions and internal physiology should begin to normalize. This will facilitate increased physical activity to meet energy needs. An upward trend in the condition of the remaining animals should result.

By taking prompt action the Bureau can reduce the likelihood of an increased, unacceptable death rate resulting from a lack of water for the wild horse population in the vicinity of Breen Creek. The proposal is expected to result in equilibrium and thus meet both objectives by concurrently increasing the availability of natural water and leaving a population of sound healthy animals.

ALTERNATIVES CONSIDERED:

1. Haul Water - This alternative would involve delivering water to the Breen Creek site and making it available to the wild horses watering at that location. Water would be maintained on site in sufficient quantity to meet demand. Based upon historical precipitation patterns, water hauling would be required for a minimum of 4 months at which time Spring precipitation should increase the amount of water available. The impacts of this action would be similar to those of the proposal except that the number of animals would remain at the existing level which currently exceeds the supply of available water. Based upon preliminary examinations of forage conditions in the vicinity of Breen Creek, the wild horse population level also appears to exceed forage availability within that area.

In view of the above, this alternative is not considered to be in concert with the concept of maintaining a thriving, natural ecological balance. For this reason, the alternative was not selected.

2. Reconstruct Existing Water Facility at Breen Creek - This alternative is currently being pursued and design work for the facility is in process. The project is scheduled for completion prior to May 1990, which is too late to provide an immediate solution to the situation. In addition, at the end of the reconstruction process, there is no guarantee that the development will produce substantially more water than is currently available. When viewed in relation to the accelerated death loss at the Breen Creek site, the existing forage conditions in the general area, and the urgency of providing an immediate solution to prevent an accelerated death loss, this alternative was not selected in the short term. This alternative will however, be completed in the long term.

3. No Action - The no action alternative would entail allowing natural processes to take their course. Water availability would continue to remain the same or decline and wild horse conditions continue to deteriorate. It is expected that those wild horses which cannot adapt to worsening habitat conditions would expire at accelerated rates. It is estimated that a range of approximately 200 to 1500 animals could be expected to expire as a result of a combination of lack of water and weather elements. Although this alternative could possibly be construed to be in concert with the concept of minimum feasible levels of management, it cannot be considered to be in harmony with maintenance of a thriving natural ecological balance. Additionally, the alternative is not believed to be acceptable to the public as long as more humane alternatives are available. For these reasons, the no action alternative was not selected.

REMOVAL PROCESS:

BLM will be responsible for the capture, care and temporary holding of wild horses. Under the direction of the Caliente Resource Area Manager, the Rock Springs BLM Gather Crew, assisted by the Susanville BLM gather crew and Las Vegas District and other Nevada Bureau personnel will run the capture operation. The capture operation will utilize water and bait trapping as a primary method. All traps and holding facilities shall be constructed, maintained and operated to handle the animals in a safe and humane manner. Traps and holding corrals shall be constructed of portable panels.

Traps will be set up in the vicinity of Breen Creek. Horses that enter to eat and drink will be captured. Horses will move into a holding corrals and individuals sorted for transportation. Veterinarian services will be available as required. Horses will be watered and fed grass hay at the holding corrals until they are shipped. The capture, handling and transportation of animals will be conducted following the same policies and procedures contained in existing Nevada policy documents, as well as previously used removal plans and contracts for removal of excess animals within the State of Nevada. Copies of these documents will be provided to the Project Inspector and will serve as a guide for all activities conducted in this capture effort. In the event that these documents do not totally cover a situation unique to the Breen Creek capture, procedures equal to those identified in the previously utilized documents will be employed as required to ensure the safe and humane treatment of animals at all times. Prior to shipment, the horses will be inspected by a brand inspector. All captured animals would be sent to Palomino Valley Corrals (PVC), NV. Ridgecrest, CA or Susanville, CA would be used if PVC capacity is exceeded. If circumstances require shipment of horses outside of Nevada, appropriate State laws will be followed.

Those animals that are determined to be incapable of surviving transportation would be released unless competent authority determines that it would be more humane to euthanize them. Trapping operations would cease once monitoring has determined that equilibrium has been reached between available water and Breen Creek wild horse population.

TIME FRAMES:

Trapping operations will begin on December 8, 1989.

COORDINATION/ POINTS OF CONTACT:

- A. Caliente Resource Area  
Curtis Tucker, Area Manger 702/ 726-3141  
Tim Murphy, Superv. Range Conservationist, 702/ 726-3141  
Jule Durfee, Wild Horse & Burro Specialist 702/ 726-3141
- B. NSO-BLM  
Milt Frei, NSO WH/B Specialist 702/ 328-6264  
Robert Stewart, NSO PAO 702/ 328-6386
- C. Rock Springs BLM Gather Crew  
Don Schamam, Chief of Operations 307/ 382-5350
- D. Personnel at processing center(s)  
PVC Fred Wyatt 702/ 673-1150  
Susanville Lorin Slegelmilch 916/ 257-5381  
Ridgecrest Gene Nunn 916/ 446-6064
- E. Brand Inspector  
Chris Collis 702/ 289-2175
- F. USAF  
Harley Dickensheets 702/ 652-3650  
MAJ XXXXX AAAAAA, PAO, 702/ xxx-yyyy
- G. Veterinarian(s)  
TBD

DECISION:

Implement the proposal as an emergency action.

APPROVAL:

Approved: \_\_\_\_\_ Date \_\_\_\_\_  
Ben F. Collins  
District Manager

location mutually agreed upon.

2. Maintain records of the location and condition of wild horse foals that are placed in the custody of volunteer caretakers.
3. Transport wild horse foals to volunteer caretakers to provide temporary and reasonable care for the wild horse foals.
4. Notify BLM of individuals indicating a desire to adopt a wild horse foal.
5. Notify BLM of any death loss of wild horse foals and return the remains to PVC.

The Nevada Commission for the Preservation of Wild Horses shall:

1. Monitor the program to insure proper care of so long as the animals retain their status as wild horses.
2. Provide other assistance to meet the objectives of the MOU as appropriate and consistent with Nevada Revised Statutes.

Administrative Provisions:

Amendments to this MOU may be proposed by any of the parties at any time and shall become effective upon joint approval. This MOU may be terminated upon mutual agreement, or upon 30 days written notice served on the other parties. The reasons for termination shall be set forth.

Nothing in this MOU shall be construed as limiting or affecting in any way the authority or responsibility of the BLM State Director, the Director of the Nevada Commission for the Preservation of Wild Horse or the Director of WHOA to perform their respective authorities or to require any party to assume or expend any sum in excess of appropriations or amounts available.

This MOU becomes effective on the last date signed below.

Bureau of Land Management

By \_\_\_\_\_ Date \_\_\_\_\_

Nevada Commission for the Preservation of Wild Horses

By \_\_\_\_\_ Date \_\_\_\_\_

Wild Horse Organized Assistance

By \_\_\_\_\_ Date \_\_\_\_\_

MEMORANDUM OF UNDERSTANDING  
BETWEEN  
NEVADA COMMISSION FOR THE PRESERVATION OF WILD HORSES,  
WILD HORSE ORGANIZED ASSISTANCE  
AND  
BUREAU OF LAND MANAGEMENT

Purpose: The purpose of this memorandum of understanding is to outline procedures for the temporary care of orphaned foals that are captured incidental to the removal of wild horses on the Nellis Air Force Range in central Nevada.

Objectives: The primary objective is to minimize the death loss of foals and to provide temporary care until the individual animals can be entered into the Bureau's adoption program.

Background: Biological and environmental factors such as disease, predation, range condition, availability of water, condition of the mother, etc. result in a level of natural mortality of newborn wild horses. Separate from this natural process the Bureau of Land Management is conducting a removal operation to achieve a thriving natural ecological balance. Removal techniques are designed to avoid and minimize contribution to mortality of newborn animals. Where the Bureau has unavoidably come in contact with orphaned and poor condition foals there is a desire to prevent their loss.

Authority: 18 U.S.C. 47, 16 U.S.C. 1331-1340 and 43 CFR 4700.0-3,

Policy & Responsibility: To the extent of their existing authority the parties involved agree to the following:

The Bureau of Land Management (BLM) shall:

1. Provide transportation for orphaned and poor condition foals to the Palamino Valley Center (PVC) or to another destination upon mutual agreement including compliance with applicable laws and regulations affecting transportation of animals.
2. maintain records of animals from the point of origin until custody is transferred to Wild Horse Organized Assistance (WHOA).
3. Resume record keeping upon release of the animals from WHOA back to the Bureau.
4. Complete appropriate adoption procedures in the event a suitable adopter is identified.
5. Maintain ultimate jurisdiction over all wild horse foals processed in accordance with this MOU.

The Wild Horse Organized Assistance (WHOA) shall:

1. Assume custody of the wild horse foals at PVC or another