



United States Department of the Interior

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DEPARTMENT OF ADMINISTRATION
OFFICE OF THE DIRECTOR
BUDGET AND PLANNING DIVISION

In Reply Refer To:
4700
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DEC 15 2005

Dear Interested Party:

Enclosed is a copy of the Gold Butte Herd Management Area Gather Plan Preliminary Environmental Assessment. Proposed is capture and removal of excess burros to the lower limit of appropriate management level (AML) or 22 burros. The proposed removal of about 136 burros is needed to prevent possible death and/or suffering from starvation due lack of forage as well as to provide for stabilization for the Tramp and Fork Fire Management Areas, and to limit the potential of the burros moving outside the HMA boundaries on to adjoining National Park Service managed lands. The proposed action would be implemented in February 2006.

An initial scoping meeting and open house was held on October 5, 2005 at the Las Vegas Field Office. Approximately forty-five individuals attended this meeting. A public comment period of thirty days was established. Two letters were received during the 30 day comment period in reference to the Gold Butte HMA. Both comments supported removal of burros to some degree, and placement of the burros into the adoption program.

A 30 day public comment period has been established for this Environmental Assessment. Comments must be postmarked or otherwise delivered to the Las Vegas Field Office within 30 days of receipt of this letter.

If you have any questions please call Jerrie Bertola, Wild Horse and Burro Specialist at (702) 515-5024.

Sincerely,

Karla D. Norris
Assistant Field Manager
Recreation and Renewable Resources

**United States Department of the Interior
Bureau of Land Management
Las Vegas Field Office**



December, 2005

**Las Vegas Field Office
4701 North Torrey Pines Drive
Las Vegas, NV 89130**

**Gold Butte Herd Management Area Preliminary Gather Plan
Environmental Assessment**



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Introduction

Background Information

The Bureau of Land Management (BLM) Las Vegas Field Office (LVFO) is proposing to remove approximately 136 wild burros from the Gold Butte Herd Management Area (HMA) impacted by the Tramp and Fork Fires. The gather is proposed to start in mid-February 2006.

Higher than average precipitation during the winter of 2004-05 promoted abundant growth of native shrubs, forbs and grasses as well as heavy growth of non-native, invasive annual plant species, especially those in the genus *Bromus*, leading to the above mentioned fires. The Southern Nevada Complex Fires were ignited by dry lightning storms and burned approximately 740,000 acres from June 22, 2005 to July 10, 2005. Of the total areas burned, 142,904 acres are on lands managed by the Las Vegas Field Office. The Tramp and Fork Fires burned approximately forty-seven percent of the Gold Butte HMA. Refer to Figure 1 for a map of the affected area.

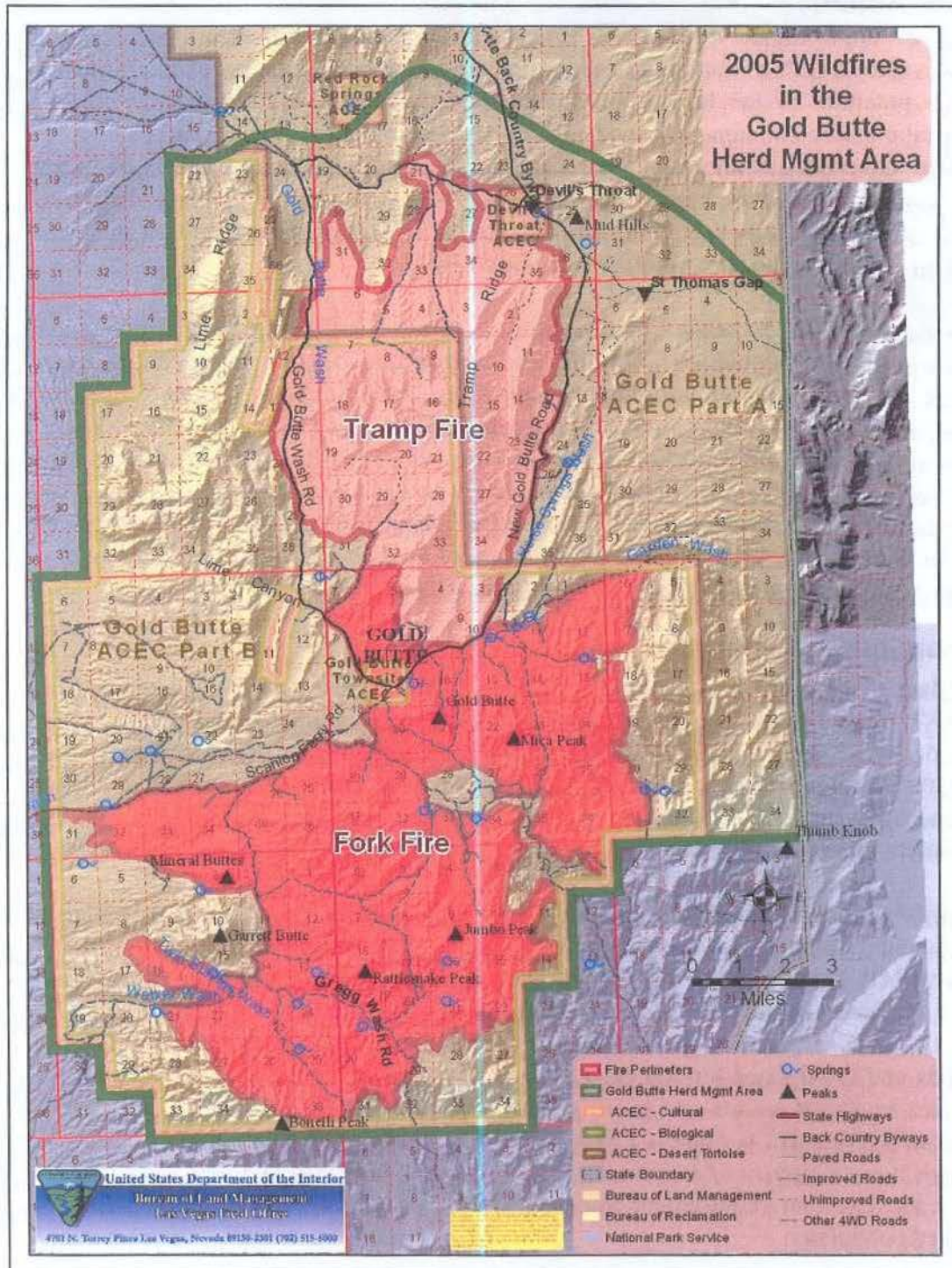
The Gold Butte HMA is located in south-central Nevada in Clark, County. The BLM Las Vegas Field Office and National Park Service have joint administrative responsibilities for wild burro management within these public lands.

The appropriate management level (AML) for the Gold Butte HMA was established in 1991 as a population range of 22-98 burros. Appropriate Management Level (AML) is defined as the number of wild horses or burros that can be sustained within a designated HMA which achieves and maintains a thriving natural ecological balance keeping with the multiple-use management concept for the area. The AML for the Gold Butte HMA was based on in-depth analysis and monitoring data and established through the issuance of a BLM decision.

The current population of burros was estimated based on aerial census conducted November 30 and December 1, 2005. The current estimated burro population is seven times the low point of the population range, or 22 burros.

As a result of the Tramp and Fork Fires, forage availability for burros is limited. Heavy use of forage near available water and competition between wild burros and wildlife for limited forage and water has increased. While burros are currently in good condition, the current population is at a level that is expected to lead to increasing competition between burros and wildlife for the available forage or to increase the likelihood that burros will migrate off the HMA onto adjoining National Park Service lands. Removal of burros to the low point of the AML range, or 22 animals, would provide for stabilization of burned area and promote progress towards attainment of rangeland health standards. It would also provide adequate forage and water to sustain remaining burros in a healthy condition, and would minimize competition between burros and wildlife for limited forage as native rangelands recover from the two fires.

Figure 1. Map of the Affected Area.



Purpose and Need

Need for Action

Removal of approximately 136 burros is needed to prevent possible death and/or suffering from starvation due to lack of forage as well as to provide for stabilization of the burned areas, and limit the potential of the burros moving outside the HMA boundaries and on to adjoining National Park Service managed lands. BLM has determined that large and/or key forage areas for burros have burned and no longer can provide forage for maintenance of burros at their current population level. Further, the presence of burros would jeopardize the stabilization efforts of the burned areas, resulting in non-productive rangeland as well as increased grazing pressure on unburned areas within the Gold Butte HMA.

The proposed action is needed at this time to achieve a thriving natural ecological balance between wild burro populations, wildlife, and vegetation; to make significant progress towards attainment of Mojave-Southern Great Basin Resource Advisory Council rangeland health standards; and to protect the range from the deterioration associated with overpopulation of wild burros as authorized under Section 3(b) (2) of the 1971 Free-Roaming Wild Horses and Burros Act and Section 302(b) of the Federal Land Policy and Management Act of 1976. Additionally, Promulgated Federal Regulations at Title 43 CFR 4700.0-6 (a) state “*Wild horses and burros shall be managed as self-sustaining populations of healthy animals in balance with other uses and the productive capacity of their habitat* (emphasis added).”

Relationship to Planning

Public lands are managed under the Federal Land Policy and Management Act of 1976 (FLPMA). The FLPMA emphasizes that the public lands are to be managed to protect the quality of scenic, ecological, environmental, and archeological values; to preserve and protect public lands in their natural condition; to provide feed and habitat for wildlife and livestock; and to provide for outdoor recreation. The FLPMA also stresses harmonious and coordinated management of the resources without permanent impairment of the environment.

This Action is in conformance with the Las Vegas Resource Management Plan and Final Environmental Impact Statement (RMP) (October 1998). The Las Vegas RMP Record of Decision (ROD) states in *WHB 2 f. Wild horses and burros will be removed when animals are residing on lands outside the Herd Management Area or when the Appropriate Management Level is exceeded*. The Mojave/Southern Great Basin Resource Advisory Council (RAC) Standards and Guidelines for Rangeland Health state that BLM would manage for wild horses and burros in “*Wild horses and burro population levels in HMAs should not exceed AML, and management levels will not conflict with achieving or maintaining standards for soils, ecological components, or diversity of habitat or biota.*” Under the proposed action in this EA federal, state, or local law or requirement imposed for the protection of the environment will not be threatened or violated.

The proposed action is also in conformance with all applicable regulations at 43 CFR (Code of Federal Regulations) 4700 and policies, as well with the Wild Free Roaming Horses and Burros Act of 1971.

Decision to Be Made

The decision by the authorized officer will determine if removal of burros from the Gold Butte HMA to the low point of the population range is necessary to protect any rehabilitation efforts and promote natural recovery of vegetation within the area. It will further decide if it is necessary to remove burros to prevent movement outside the HMA and prevent any deaths or suffering due to starvation of burros within the Gold Butte HMA.

The proposed action does not establish any precedence for future actions with significant effects and does not represent a decision in principle about future considerations. All future wild horses and burro actions would be subject to the same environmental assessment standards as well as an independent decision making process.

Significant Issues

Issues to be considered are the protection of the burros from suffering and/or death by starvation and the protection of the stabilization efforts. Other issues include potential for movement by burros outside the Gold Butte HMA into non HMA areas and the protection of the natural recovery of the vegetation within the HMA boundaries.

Public Involvement

An initial scoping meeting and open house was held on October 5, 2005 at the Las Vegas Field Office. Approximately forty-five individuals attended this meeting. A public comment period of thirty days was established. Two letters were received during the 30 day comment period in reference to the Gold Butte HMA. Both comments were supportive of removal of burros to some degree, and placement of the burros into the adoption program. This feeling was also supported during the October 5, 2005 Open House for the Gold Butte HMA.

Proposed Action and Alternatives

Descriptions of Alternatives

Proposed Action

The Proposed Action is to capture and remove approximately 136 burros within the Gold Butte HMA. Approximately 158 burros are currently living in the affected area based on current census data, and the BLM would attempt to capture and remove the burros to the lower limit of the appropriate management level (AML) of 22 burros.

Multiple capture sites (traps) would be used to capture burros from the HMA. Whenever possible, capture sites would be located in previously disturbed areas. All capture and handling activities (including capture site selections) would be conducted in accordance with Standard

Operating Procedures (SOPs) described in Appendix 1. Capture techniques would be the helicopter-drive trapping method and/or helicopter-roping from horseback and/or water trapping.

No Action Alternative

The No Action Alternative is required by National Environmental Policy Act (NEPA) analysis to provide a baseline for impact analysis.

Under this alternative a burro gather would not take place in February. There would be no active management to control the size of the burro population at this time. The current population would be put a risk of starvation due to a lack of habitat. Most likely burros that do not die from starvation would be subject to traumatic suffering from malnutrition. Existing management, including monitoring, would continue, or burros would move outside the HMA boundaries and into areas that have not been identified for management of burros.

The No Action Alternative would violate the Wild Free Roaming Horses and Burros Act, federal regulations and Bureau policy. The Wild Horses and Burros Act of 1971 mandates the Bureau to prevent the range from deterioration associated with overpopulation, and preserve and maintain a thriving natural ecological balance and multiple use relationships in that area. In addition, the No Action Alternative would not comply with the Mojave/Southern Great Basin RAC Standards and Guidelines for Rangeland Health and Healthy Wild Horse and Burro Populations.

Alternatives Considered but Dismissed from Detailed Analysis

One alternative which was considered but dismissed from detailed analysis is temporarily fencing burned areas to promote vegetation recovery. Due to the scope and extent of the burned areas, it was determined that temporary fencing was not feasible. Moreover, the unburned areas remaining would not be expected to provide sufficient forage for current burro and wildlife populations, without risk of death or suffering by starvation. Another possible alternative would be to gather burros to the high point of the appropriate management level. However, given the forage condition at the present time, it would be inhumane to not remove as many of animals as possible to prevent the risk of death or suffering by starvation.

Another possible alternative would be to allow natural predators to control wild burro populations allowing post-fire vegetation recovery without the need to gather/remove wild burros. However, wild burros are an introduced species within North America and have few natural predators. Even if natural predators were present, allowing wild burros to slowly starve before becoming prey is cruel and inhumane when viable options exist such as gather/removal before individual animal and herd health is jeopardized.

Another option considered was relying primarily on water and/or bait trapping as the primary gather/removal method as compared to helicopter drive-trapping or helicopter-roping from horseback methods. However, this method is extremely time and labor intensive, requiring daily monitoring, often over several weeks to effectively capture/remove the animals. Helicopter drive-trapping or helicopter-roping from horseback have proven to be safe and effective methods for capture/removal and are expected to be more cost-effective given the number of animals proposed for removal and the size and complexity of the affected area.

Description of the Affected Environment and Environmental Consequences

Table 1: Critical Elements and Other Resources Checklist

CRITICAL ELEMENTS	CRITICAL ELEMENTS		OTHER RESOURCES	OTHER RESOURCES	
	Present	Affected		Present	Affected
ACECs	YES	YES	Fire Management	YES	NO
Air Quality	YES	NO	Forestry and Woodland	YES	NO
Cultural	YES	NO	Land Use Authorizations	YES	NO
Environmental Justice	NO	NO	Livestock Management	YES	NO
Floodplains	NO	NO	Minerals	YES	NO
Waste (Hazardous or Solid)	NO	NO	Paleontology	YES	NO
Noxious Weeds	YES	YES	Rangeland Vegetation Resources	YES	YES
Native American Religious Concerns	YES	NO	Recreation	YES	NO
Migratory Birds	YES	NO	Socioeconomics	YES	NO
Prime or Unique Farmlands	NO	NO	Soils	YES	YES
Riparian-Wetland Zones	YES	NO	Visual Resources	YES	NO
T&E Species	YES	MAY	Wild Horse and Burros	YES	YES
Water Quality	NO	NO	Wildlife	YES	YES
Wild and Scenic Rivers	NO	NO	Wilderness and Wilderness Study Area	YES	NO

Areas of Critical Environmental Concern (ACEC)

Affected Environment

The Fork and Tramp Fire burned portions of the Gold Butte Area of Critical Environmental Concern (ACEC) Part A and Part B, Gold Butte Townsite ACEC, and Devils Throat ACEC. The Gold Butte Part A ACEC has critical desert tortoise habitat, and is to be managed at zero burros. All of the ACECs have archaeological and cultural resource values. Devils Throat ACEC is a natural hazard.

Environmental Consequences

Alternative A – Proposed Action

The gather and removal of burros from within the ACEC Part A would enhance the area for the management of critical desert tortoise habitat, and would remove any burros that have moved into that portion of the HMA that is to be managed at zero burros. The gather and removal of burros would also be beneficial to the archaeological and cultural resources that may be exposed due to the fires, as the burros would be less concentrated in the area.

Alternative B – No Action

Under the no action alternative the removal of the burros that have moved into the ACEC Part A would have to wait until normally scheduled gather operation. Burros could continue to concentrate in larger numbers around archaeological and cultural resources.

Noxious Weeds

Affected Environment

Noxious weeds are defined by Nevada as “any species of plant which is, or likely to be, detrimental or destructive and difficult to control or eradicate” (NRS 1999). Noxious, invasive, and non-native weedy species are known to exist on public lands within the administrative boundaries of the Las Vegas Field Office and may occur within the Gold Butte HMA. Not all of the areas within the HMA have been inventoried for invasive, non-native and noxious weeds. Tamarisk (*Tamarix ramosissima*), downy brome (*Bromus tectorum*), red brome (*Bromus rubens*) and Sahara mustard (*Brassica tournifortii*) are known to occur in areas throughout the HMA. A list of weedy plant species from the Clark County MSHCP Weed Working Group can be found in Appendix II.

These weedy species are aggressive, ecologically damaging, undesirable plants that when combined with others factors like drought, fire, over grazing and insects can change the successional direction of any plant community they occur in. This retrogression is successional change that is usually away from the existing climax community that leads to a less diverse and less structurally complex plant or animal community.

The management of noxious, invasive and non-native weedy species within the Las Vegas District is driven *indirectly* by the Las Vegas Field Office Resource Management Plan which states that there are two objectives associated with the management of vegetation communities within the Las Vegas District of the BLM. The first is to maintain or improve the condition of vegetation on public lands to a Desired Plant Community or to a Potential Natural Community. To achieve this goal the BLM will manage to achieve a Desired Plant Community or a Potential Natural Community. The last is to restore plant productivity on disturbed areas of public lands. To achieve this second vegetation management goal, the BLM will rehabilitate, reclaim, or revegetate areas subjected to surface-disturbing activities, where feasible. When rehabilitation disturbed areas, manage for optimum species diversity by seeding native species, except where non-native species are appropriate. To reach the two goals outlined above, management of noxious, invasive, non-native, and weedy species must occur.

Invasive weeds typically establish in disturbed areas that are a result of drought, fire, insects, grazing or other natural or human action that impact the native vegetation. Typical locations include areas like riparian areas, near water troughs, along trails, along roads & highways, erosion areas, and high traffic areas. The seeds of weedy species are transported by vehicles, wind, wild horses and burros, birds, campers, hikers, wildlife, and flowing water.

Sahara mustard, an invasive non-native winter annual forb, is being considered as a Nevada state-listed noxious weed. It is new to the area, which is why it has not yet been listed. Sahara

mustard spread from the Sonoran Desert through the Mojave Desert and into the Colorado Plateau by being a roadside invader (Brooks and Lair 2005). This species is already abundant in Clark County. Without treatment, it is expected that the disturbance and removal of vegetation associated with the fire will give this species even greater opportunity to spread quickly northward.

Environmental Consequences

Alternative A – Proposed Action

The proposed gather and removal may spread existing noxious weed species by a mechanical process. This process involves the operation of vehicles in areas with unknown weed infestations. In these weedy locals the seeds become lodged and accumulate in the nooks and crevices of the undercarriages of trucks and trailers. The seeds then fall out wherever the vehicle may be. When in the Gold Butte area, seeds from the nooks and crevices fall out and are spread upon the landscape. These areas may be weed-free areas where the deposited weed seed may become established and allowed to proliferate.

The contractor together with the contracting officer's representative or project inspector (COR/PI) would examine proposed trap sites and holding corrals prior to construction. If noxious weeds were found, the location of the facilities would be moved. Any off-road equipment that has been exposed to weed infestations would be cleaned before moving into relatively weed free areas. All trap sites, holding facilities, and camping areas on public lands would be monitored during the next several years. Despite short-term risks, with the reduction in burro numbers, and the subsequent recovery of the native vegetation, fewer disturbed sites would be available for non-native plant species to invade.

It is anticipated that invasive and non-native weed species would continue to spread into some areas of each HMA under this alternative since the spread of weeds are not solely influenced by gathering activities. The implementation of this alternative would further allow for the attainment of Rangeland Health Standards and would result in improved native rangeland conditions. Healthy rangelands would lessen the risk of invasion and spread by invasive and non-native weed species.

Alternative B – No Action

Under this alternative, the burro gather and removal would not take place at this time. The likelihood of noxious weeds being spread by gather operations would not exist. However, without removal of the burros, native vegetation recovery would be slowed, and disturbed sites would be more likely to offer opportunities for non-native plant species to invade, resulting in deteriorated rangeland health conditions over the longer term.

Wildlife, Threatened and Endangered Species, Special Status Species and Migratory Birds

Affected Environment

The mosaic of plant communities and topographic features found on the Gold Butte HMA supports a wide variety of wildlife species that use the habitats within the HMA for resting,

courtship, foraging, travel, supplies of food and water, thermal protection, escape cover and reproduction.

Species specific surveys were not conducted for common wildlife within the HMA. Species that are typically found within this type of habitat, include: black-tailed jackrabbit (*Lepus californicus*), desert pocket mouse (*Chaetodipus penicillatus*), Merriam's kangaroo rat (*Dipodomys meriami*), greater road runner (*Geococcyx californianus*), horned lark (*Eremophila alpestris*), common raven (*Corvus corax*), black-throated sparrow (*Amphispiza bilineata*), side blotched lizard (*Uta stansburiana*), western whiptail lizard (*Cnemidophorus tigris*), and the Mojave green rattlesnake (*Crotalus scutulatus*) banded Gila monster (*Heloderma suspectum cinetum*). In general, big game species include elk (*Cervus elaphus*), desert bighorn sheep (*Ovis canadensis nelsoni*) and mule deer (*Odocoileus hemionus*) are found. Predators include mountain lion (*Felis concolor*), coyote (*Canis latrans*), bobcat (*Felis rufus*), civet cat (*Bassariscus astutus*), kit fox (*Vulpes macrotus*), gray fox (*Urocyon cinereoargenteus*), badger (*Taxidea taxus*) and two species of skunk. Birds-of-prey include peregrine falcon (*Falco peregrinus*), northern goshawk (*Accipiter gentiles*), golden eagle (*Aquila chrysaetos*), and others. Numerous avian fauna, bats, reptilian, amphibian, invertebrates and other wildlife species are present within the three HMAs. For a list of species found within the Las Vegas Field Office jurisdiction, which includes the Gold Butte HMA, see the Las Vegas RMP/FEIS dated October 1998.

Threatened and Endangered Species are species that are either federally listed as threatened or endangered, or are species that are being proposed for listing. There is also the historic category of candidate species that have been proposed for special consideration before the passage of the Endangered Species Act.

The desert tortoise (*Gopherus agassizii*), is known to occur within the Gold Butte HMA. The Mojave population of desert tortoise was listed as threatened in 1990, and has the potential to occur with creosote bush scrub, creosote bursage complex, mixed scrub, and salt desert scrub. The desert tortoise primarily forages on annual wild flowers and native desert grasses. There is designated critical habitat for the desert tortoise within the Gold Butte HMA. The ACEC was established in the Las Vegas RMP in 1998 and is known as Gold Butte ACEC. The desert tortoise is widely distributed below 1,500 meters in elevation, in association with Mojave Desert scrub, particularly in creosote-bursage communities. The bald eagle is also known to be found in the Gold Butte HMA. The bald eagle winters around Lake Mead and may forage in the fire areas in the winter.

Another listing for special status species is the BLM sensitive category. These may be species that are listed or proposed for listing by a state or county in a category that implies potential endangerment or extinction. This is above and beyond those species listed as threatened and endangered by the US Fish & Wildlife Service.

The BLM is mandated to protect and manage threatened, endangered, candidate, proposed, and sensitive plant species and their habitat. The BLM is also required to protect and manage sensitive species jointly identified with the appropriate state agency.

Some of the BLM sensitive wildlife species (not including federally listed species known to occur within the HMA: phainopepla (*Phainopepla nitens*), western burrowing owl (*Athene cunicularia*) and desert bighorn sheep (*Ovis canadensis nelsoni*). Phainopepla may occur throughout the HMAs within ephemeral washes and upland scrub areas supporting catclaw acacia plants. Burrowing owls may also occur throughout the disposal area, within the same habitats as desert tortoises. The western burrowing owl maybe found in the open, dry, Mojave Desert shrub plant community that can be found on the HMA. This species commonly nests in abandoned kit fox, badger, or tortoise burrows and spends much of it's time on the ground or on low perches such as fence posts or dirt mounds. Bighorn sheep are found in the HMA and use some of the same areas as the burros.

Most birds are protected by the Migratory Bird Treaty Act of 1918 and subsequent amendments (16 U.S.C. 703-711), that makes it unlawful to take, kill, or possess migratory birds. A list of those protected birds can be found in 50 CFR 10.13. Surveys for migratory birds, other than special status species, were not conducted in support of this document. Migratory birds that are known to associate with the creosote-bursage scrub plant community include the horned lark, common raven, black-throated sparrow, phainopepla, and the burrowing owl.

Raptors, birds of prey, occur and breed throughout the area and are not protected under the ESA and are not species of concern. These raptors, however, are protected by the federal government under the Migratory Bird Treaty Act and by the State of Nevada. Raptors include all vultures, hawks, kites, eagles, ospreys, falcons, and owls. Since these birds occupy high trophic levels of the food chain, they are regarded as sensitive indicators of ecosystem stability and health.

Environmental Consequences

Alternative A – Proposed Action

Trap sites would be constructed and operated under the direction and guidance of a wildlife biologist to avoid potential conflicts with the desert tortoise. Wildlife adjacent to trap sites would be temporarily displaced during capture operations by increased activity of trap setup, helicopters and vehicle traffic. Reduction of burro numbers would result in reduced competition between burros and wildlife as soon as the gather is completed. This would result in making more of the limited post-fire forage available for use by wildlife over the short term and to improved habitat conditions over the longer term by increasing forage availability, herbaceous cover, and quality. In addition, it would reduce competition between burros and wildlife for available forage and water resources. Disturbance associated with burros along stream bank riparian habitat and adjacent upland habitat would be reduced.

Alternative B – No Action

Wildlife would not be temporarily displaced or disturbed under the no action alternative. There would be continued competition with burros for limited water and forage resources. This competition would increase as burro numbers increased annually. Burros are aggressive around water sources, and some wildlife species may not be able to compete successfully. The competition for resources may lead to increased stress or dislocation of native wildlife species, or possible death of individual animals. Additionally, competition between burros and wildlife species for the new growth important to making and storing carbohydrates and promoting long-

term vegetation recovery, could delay or impact vegetation recovery and encourage non-native or invasive plants to become established, resulting in deteriorated habitat conditions for native wildlife over the longer term.

Vegetation and Soils

Affected Environment

A variety of vegetation types burned in the Fork and Tramp Fires, including communities dominated by creosote bush white bursage, Mojave mid-elevation desert scrub (blackbrush), mixed salt desert scrub, sagebrush dominated shrubland, playa, warm desert wash and pinyon-juniper woodlands. These communities respond differently to the effects of fire.

The Gold Butte HMA primarily consists of sites dominated by desert shrubs, with low percentages of perennial herbaceous plants. Short-lived ephemeral-type forbs and grasses may be periodically abundant when favorable climatic conditions result in “desert bloom”. Joshua trees, Spanish daggers and other cactus and succulents are also common. Burros forage on the following key grass and browse species: galleta grass, Indian ricegrass, stipa species, white bursage, winterfat and spiny menodora.

Soils (from *ES Plan Environmental Assessment*)

The dominant soil orders found within the burned areas are Aridisols, Entisol, and Mollisols. The soils are mineral soils; layers are highly variable in thickness, texture, rock fragment content, and physical and chemical properties. Elevation, geology, climate, vegetation, and landform have a strong influence on distribution of the solid in the region.

Aridisols form in dry environments. These soils may have one or more pedogenic horizons that formed under the present climate conditions or may be relicts of formation during former climate regimes. Aridisols are light-colored, low in organic matter and have accumulations of calcium carbonates and soluble salts. Older Aridisols have substantial accumulation of calcium and silica (hardpans) and reddened clay horizons. The properties of older Aridisols can make them less pervious to precipitation and, therefore, more likely to generate surface runoff. Aridisols form on piedmonts and low mountain slopes.

Entisols have little to no evidence of pedogenic horizons. Entisols have formed on deposits of very young materials. Entisols typically consist of relatively unconsolidated deposits of sand and gravels. Entisols are very low in organic matter. Entisols are found on stream terraces (ephemeral washes).

Mollisols are dark-colored and high in organic matter. Mollisols developed under grass-dominated soils. Mollisols are found at higher elevations of mountain ranges. Mollisols may have substantial accumulation of calcium and silica (hardpans) and reddened clay horizons. Mollisols are associated with wetlands.

Environmental Consequences

Alternative A – Proposed Action

Removing burros from the Gold Butte HMA would prevent over utilization of remaining forage species and re-growth of vegetation from either rehabilitation or natural recovery of the vegetation. The potential for competition among burros and wildlife for forage would be decreased and less pressure on the remaining vegetation lessened do to the gather and removal of burros. Reduced concentrations of burros would contribute to the recovery of the vegetative resources. Implementation of the proposed action would reduce the burro population and the associated grazing pressure from the burros within the HMA. The reduction in burro numbers would allow for the success of rehabilitation of vegetation or natural recovery of vegetation within the HMA. Further the gather and removal of burros will allow for the young vegetation to grow and develop roots so that they may withstand grazing in the future.

The direct impacts to vegetation with implementation of the proposed action as a result of the gather and removal operations could include disturbance of native vegetation immediately in and around temporary trap sites and holding and processing facilities. Impacts could be by vehicle traffic and the hoof action of penned burros, and could be locally severe in the immediate vicinity of the corrals or holding facilities. Generally, these activity sites would be small (less than one half acre) in size. Since most trap sites and holding facilities would be re-used during recurring burro gather operations, any impacts would remain site-specific and isolated in nature. In addition, most trap sites or holding facilities are selected to enable easy access by transportation vehicles and logistical support equipment and would generally be adjacent to or on roads, pullouts, water haul sites, or other flat spots that were previously disturbed. By adhering to these Standard Operating Procedures (SOPs), adverse impacts to soils would be minimized.

Removal of about 136 burros would directly lessen the impacts of hoof action on the soil around unimproved springs and stream banks, which should lead to increased stream bank stability and improved riparian habitat conditions. There would also be a reduction in hoof action on upland habitats, limited removal of green growth important to making and storing carbohydrates and promoting long-term vegetation recovery, and reduced competition for available water sources.

Alternative B – No Action

The severe localized trampling associated with trap sites would not occur, however, as burro populations continue to grow; soil erosion would increase throughout the HMA and in areas outside the HMA where burros are living. Increased burro use throughout the HMA would adversely impact soils and vegetation health, especially around the water locations. As native plant health deteriorates and plants are lost, soil erosion would increase. The shallow soils typical of this region cannot tolerate much loss without losing productivity and thus the ability to be re-vegetated with native plants. Invasive, non-native plant species would increase and invade new areas following increased soil disturbance and reduced native plant vigor and abundance. This would lead to both a shift in plant composition towards weedy species and an irreplaceable loss of topsoil and productivity from erosion. These impacts would also be seen outside the HMA, and could reach even larger geographic areas as burros forage further from the HMA.

Wild Burros

Affected Environment

Wild burros were introduced within North America and have few natural predators. Few natural controls act upon burro herds making them very competitive with native wildlife and other living resources managed by the BLM.

The current estimated burro population for the Gold Butte HMA is approximately 158, and there are no wild horses within the Gold Butte HMA. The growth rate is approximately 20% for burros with year round foaling. Dominant colors are gray, brown, black and maltese (gray with black mask). Fluctuation of burro numbers is expected and it is known that burros move outside the Gold Butte HMA boundaries on Lake Mead National Recreation Area. This movement is heavily influenced by water availability within in the Gold Butte HMA, and the continuous availability of water at Lake Mead. Census data from December 2005 indicates that burros are trailing long distances from within the HMA boundary to Lake Mead for water. During the census several small bands for burros were observed near the Gold Butte Town site, just outside the burned areas. Very limited re-growth was observed during the census resulting in limited forage available for use by burros and other wildlife species.

Environmental Consequences

Alternative A – Proposed Action

Removing approximately 136 burros from the affected area is expected to minimize the potential impacts to individual animals and the herd from the risk of death or suffering by starvation. The Fork and Tramp Fires have significantly reduced the amount of forage available for use. Competition for scarce forage resources would severely stress jennies (breeding age females) and foals and increase fighting among animals as they protect their position for limited forage. Additionally, natural vegetation recovery would be slowed as burros travel looking for green growth, impacting the plant's ability to grow and store carbohydrates.

Gathering burros causes impacts to individual animals. These impacts may occur as a result of the stress associated with the gather, capture, processing, and transportation of animals. The intensity of these impacts varies by individual and is indicated by behaviors ranging from nervous agitation to physical distress. Mortality to individuals from this impact is infrequent but does occur in one half to one percent of burros captured in a given gather. Other impacts to individual burros includes separation of members of individual bands of burros and removal of animals from the population.

Indirect impacts can occur to burros after the initial stress event, and may include increased social displacement, or increased conflict between animals. These impacts are known to occur intermittently during burro gather operations. Traumatic injuries may occur, and typically involve biting and/or kicking bruises, which don't break the skin. The occurrence of spontaneous abortion events among jennies following capture is very rare.

Alternative B – No Action

Under this alternative, burros would not be removed at this time. The burros would not be subject to any individual direct or indirect impacts described in the Proposed Action as a result of a gather operation. The current population of 158 burros could not be sustained with the lack of forage that is currently available. Consequences of burros on the range after these fires would be increased risk to the health of the rangelands, and risk to burro herd health. Individual burros would be at risk of death by starvation. The population of burros would compete for the available forage resources, affecting jennies and foals most severely. Social stress would increase. Fighting among animals would increase as they protect their position at scarce forage sources, as well as injuries and death to all age classes of animals. The areas closest to the water would experience severe utilization and degradation. Over time, the animals would deteriorate in condition as a result of declining forage availability and the increasing distance traveled to forage if forage can be found. Many burros, especially foals and jennies, would likely die through the following summer due to a lack of forage, or more outside the HMA boundaries into areas that are not to be managed for burro use.

Wilderness and Wilderness Study Areas

Affected Environment

The Fork and Tramp Fire burned small portions of the Lime Canyon Wilderness Area, Jumbo Springs Wilderness Area and Million Hill Wilderness Study Area. These areas are generally isolated and difficult to access.

Environmental Consequences

Alternative A – Proposed Action

Impacts to opportunities for solitude could occur during gather operations due to the possible noise of the helicopter and increased vehicle traffic around wilderness areas. Those impacts would cease when the gather was completed. No surface impacts within the wilderness are anticipated to occur during the gather since all trap sites and holding facilities would be placed outside wilderness areas. Wilderness values of naturalness after the gather would be enhanced by a reduction in burro numbers which would be expected to result in improved ecological condition of the plant communities and other natural resources as plant communities are allowed to stabilize absent burro herbivory.

Alternative B – No Action

No impacts to wilderness due to gather and removal operations would occur. Impacts to wilderness values of naturalness could be threatened through the continued population growth of burros. Degradation of vegetative and soil resources by would be expected if burros are present.

Cumulative Impacts

Cumulative impacts are impacts on the environment which result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions. Cumulative impacts can result from

individually minor but collectively significant actions taking place over a period of time. The area of cumulative impact analysis is the area immediately adjacent to it.

According to the 1994 BLM *Guidelines for Assessing and Documenting Cumulative Impacts*, the cumulative analysis should be focused on those issues and resource values identified during scoping that are of major importance. Accordingly, the issues of major importance that are analyzed are maintaining rangeland health and proper management of burros within the established boundaries of an HMA.

Past Actions

Fires were relatively uncommon in Mojave Desert ecosystems in the past. Burro use occurred in portions of the affected area, which may have altered vegetation community composition. Large-scale invasion and increases in abundance of invasive annual *Bromus* grasses has occurred.

Herd Areas were identified in 1971 as areas occupied by wild horses and burros. The HMAs or Territories were established in the 1980s through the land use planning process as areas where wild horse and burro management was an approved multiple-use. The BLM also moved to long range planning with the development of Resource Management Plans and Grazing Environmental Impact Statements.

Gathering this HMA on a regular basis has never happened, except where burros have moved outside the HMA boundaries and end up spending considerable amount of time on National Park Service managed lands within the Lake Mead National Recreation Area.

Present Actions

A wet winter and spring during 2004/2005 season promoted increased density of annual *Bromus* grasses, which permitted large-scale fires in June and July of 2005. Non-fire adapted shrubs, especially blackbrush, were consumed over large portions of these fires. Precipitation events post-fire likely aided in the regeneration of many shrub species, except for blackbrush.

Today the Fork and Tramp Fires areas have an estimated population of 158 burros. Burro health is endangered due to the fires. Current BLM policy is to removal all animals during emergency situations, as well as protection of rehabilitation efforts until such a time as wild burro use is appropriate. Program goals have expanded beyond establishing a “*thriving natural ecological balance*” (by setting appropriate management level (AML)) for individual herds, to include achieving and maintaining healthy, viable, vigorous, and stable populations.

Current mandates prohibit the destruction of healthy animals that are removed or deemed to be excess. Only sick, lame, or dangerous animals can be euthanized, and destruction is no longer used as a population control method. A recent amendment to the Wild Free-Roaming Horses and Burros Act allows the sale of excess wild horses and burros that are over 10 years in age or have been offered unsuccessfully for adoption three times. Some of the animals removed as a result of the proposed action could be over age 10 and eligible for sale under the new authority.

Today public interest in the welfare and management of wild horses and burros is higher than it has ever been. Many different personal values pertaining to wild horse and burro management

form current perceptions. Wild horses and burros may be viewed as nuisances, as or may be seen as living symbols of the pioneer spirit.

The focus of wild horse and burro management has also expanded to place more emphasis on achieving rangeland health as measured through the RAC Standards. Mojave Southern Great Basin Resource Advisory Councils (RAC) developed standards and guidelines for rangeland health from the current basis for managing wild horses and burros within the Las Vegas District. Attainment of these standards cannot be met with the current burned area situation.

Reasonably Foreseeable Future Actions

An increase in dominance of invasive annual grasses is likely, especially in areas formerly dominated by blackbrush. Corresponding changes to fire regimes are also likely. With this scenario, it is probable that fire would spread to adjacent areas that are presently dominated by blackbrush, causing further reductions in blackbrush dominated communities. Sahara mustard, without treatment, could rapidly spread northward, given the window of opportunity provided by the presently burned landscape.

While no amendments to the Wild and Free-Roaming Horses and Burros Act that would change the way burros could be managed on the public lands are anticipated, the Act has been amended three times since 1971. Therefore, there is potential for further amendments to the Act as a reasonably foreseeable future action.

Impacts

Past actions regarding the management of burros have resulted in the current burro population within the Fire Area. Burro management has contributed to the present resource condition and burro herd structure within the gather area.

The combination of the past, present, and reasonably foreseeable future actions, along with the proposed action, should result in stabilization efforts being realized.

Mitigation Measures and Suggested Monitoring

The area would continue to be monitored for the detection of burros living in the HMA affected by the fires. The health and condition of remaining animals would be assessed and removal of additional animals through an appropriate method, such as water trapping, would be implemented as needed.

Proven mitigation and monitoring are incorporated into the proposed action through standard operating procedures, which have been developed over time. These SOPs (Appendix I) represent the "best methods" for reducing impacts associated with gathering, handling, transporting and collecting herd data. Additional mitigation regarding wild horse and burro gathers within desert Tortoise habitat will be adhered to as well.

Consultation and Coordination

Public hearings are held annually on a state-wide basis regarding the use of helicopters and motorized vehicles to capture wild horses (or burros). During these meetings, the public is given the opportunity to present new information and to voice any concerns regarding the use of these methods to capture wild horses (or burros). The Nevada State BLM Office held a meeting on May 17th, 2005, and received input from various members of the public. An Open House meeting was held on October 5, 2005. The Preliminary EA was mailed to the following list of people on December 16, 2005:

Mary Sue Kunz	Robert Wiemer	Charlie Day	Shari Warren
Janet Byer	Conni Canaday	Ed Dodrill	Tedi Gable
Pam Passman	Karen R. Deckert	Judy Wrangler	Sandee Stoeckle
Dee Ellen Grubbs	Maria J. Duvall	Pamela Vilkin	John M. Martin Jr.
Janel Brookshire	Jesse Paxton	Laruie Howard	Christine Brehm
Ellis Greene	Micki Jay	Elnorma Reeves	Chris Burhoe
Norman & Barbara Wolin	Rick & Cindy Cicerelle		Julie Spear

Assemblywoman Kirkpatrick
Goodsprings Town Council
National Wild Horse Association
Wild Horse Organized Assistance
National Park Service Lake Mead National Recreation Area
Nevada Department of Wildlife
State of Nevada Commission for the Preservation of Wild Horses
State of Nevada Department of Administration

List of Preparers

Jerrie Bertola	Wild Horse and Burro
Christina Lund	Vegetation
Gerald Hickman	Wildlife/T&E/Special Status Species
Everett Bartz	Invasive, non-native species
Donn Siebert	Wilderness
Susanne Rowe	Archaeology and Cultural Resources
Michael N. Johnson	Planning and Environmental Coordination
Karla D. Norris	Assistant Field Manager, Recreation and Renewable Resources

APPENDIX I STANDARD OPERATING PROCEDURES

Gathers would be conducted by utilizing contractors from the Wild Horse and Burro Gathers-Western States Contract, or BLM personnel. The following procedures for gathering and handling wild horses and burros would apply whether a contractor or BLM personnel conduct a gather. For helicopter gathers conducted by BLM personnel, gather operations will be conducted in conformance with the *Wild Horse and Burro Aviation Management Handbook* (March 2000).

Prior to any gathering operation, the BLM will provide for a pre-capture evaluation of existing conditions in the gather area(s). The evaluation will include animal conditions, prevailing temperatures, drought conditions, soil conditions, road conditions, and a topographic map with wilderness boundaries, the location of fences, other physical barriers, and acceptable trap locations in relation to animal distribution. The evaluation will determine whether the proposed activities will necessitate the presence of a veterinarian during operations. If it is determined that capture operations necessitate the services of a veterinarian, one would be obtained before the capture would proceed. The contractor will be apprised of all conditions and will be given instructions regarding the capture and handling of animals to ensure their health and welfare is protected.

Trap sites and temporary holding sites will be located to reduce the likelihood of undue injury and stress to the animals, and to minimize potential damage to the natural resources of the area. These sites would be located on or near existing roads.

The primary capture methods used in the performance of gather operations include:

1. Helicopter Drive Trapping. This capture method involves utilizing a helicopter to herd wild horses and burros into a temporary trap.
2. Helicopter Assisted Roping. This capture method involves utilizing a helicopter to herd wild horses or burros to ropers.
3. Bait Trapping. This capture method involves utilizing bait (water or feed) to lure wild horses and burros into a temporary trap.

The following procedures and stipulations will be followed to ensure the welfare, safety and humane treatment of wild horses and burros in accordance with the provisions of 43 CFR 4700.

A. Capture Methods used in the Performance of Gather Contract Operations

1. The primary concern of the contractor is the safe and humane handling of all animals captured. All capture attempts shall incorporate the following:

All trap and holding facilities locations must be approved by the Contracting Officer's Representative (COR) and/or the Project Inspector (PI) prior to construction. The Contractor may also be required to change or move trap locations as determined by the COR/PI. All traps and holding facilities not located on public land must have prior written approval of the landowner.

2. The rate of movement and distance the animals travel shall not exceed limitations set by the COR/PI who will consider terrain, physical barriers, weather, condition of the animals and other factors.
3. All traps, wings, and holding facilities shall be constructed, maintained and operated to handle the animals in a safe and humane manner and be in accordance with the following:
 - a. Traps and holding facilities shall be constructed of portable panels, the top of which shall not be less than 72 inches high for horses and 60 inches for burros, and the bottom rail of which shall not be more than 12 inches from ground level. All traps and holding facilities shall be oval or round in design.
 - b. All loading chute sides shall be a minimum of 6 feet high and shall be fully covered, plywood, metal without holes.
 - c. All runways shall be a minimum of 30 feet long and a minimum of 6 feet high for horses, and 5 feet high for burros, and shall be covered with plywood, burlap, plastic snow fence or like material a minimum of 1 foot to 5 feet above ground level for burros and 1 foot to 6 feet for horses. The location of the government furnished portable fly chute to restrain, age, or provide additional care for the animals shall be placed in the runway in a manner as instructed by or in concurrence with the COR/PI.
 - d. 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, plastic snow fence, etc.) and shall be covered a minimum of 1 foot to 5 feet above ground level for burros and 2 feet to 6 feet for horses
 - e. All pens and runways used for the movement and handling of animals shall be connected with hinged self-locking gates.
4. No modification of existing fences will be made without authorization from the COR/PI. The Contractor shall be responsible for restoration of any fence modification which he has made.
5. When dust conditions occur within or adjacent to the trap or holding facility, the Contractor shall be required to wet down the ground with water.
6. Alternate pens, within the holding facility shall be furnished by the Contractor to separate mares or jennies with small foals, sick and injured animals, and estrays from the other animals. Animals shall be sorted as to age, number, size, temperament, sex, and condition when in the holding facility so as to minimize, to the extent possible, injury due to fighting and trampling. Under normal conditions, the government will require that animals be restrained for the purpose of determining an animal's age, sex, or other necessary procedures. In these instances, a portable restraining chute may be necessary and will be provided by the government. Alternate pens shall be furnished by the

Contractor to hold animals if the specific gathering requires that animals be released back into the capture area(s). In areas requiring one or more satellite traps, and where a centralized holding facility is utilized, the contractor may be required to provide additional holding pens to segregate animals transported from remote locations so they may be returned to their traditional ranges. Either segregation or temporary marking and later segregation will be at the discretion of the COR.

7. 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. An animal that is held at a temporary holding facility after 5:00 p.m. and on through the night, is defined as a horse/burro feed day. An animal that is held for only a portion of a day and is shipped or released does not constitute a feed day.
8. It is the responsibility of the Contractor to provide security to prevent loss, injury or death of captured animals until delivery to final destination.
9. The Contractor shall restrain sick or injured animals if treatment is necessary. The COR/PI will determine if injured animals must be destroyed and provide for destruction of such animals. The Contractor may be required to humanely euthanize animals in the field and to dispose of the carcasses as directed by the COR/PI.
10. Animals shall be transported to final destination from temporary holding facilities within 24 hours after capture unless prior approval is granted by the COR/PI for unusual circumstances. Animals to be released back into the HMA following gather operations may be held up to 21 days or as directed by the COR/PI. 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/PI. The Contractor shall schedule shipments of animals to arrive at final destination between 7:00 a.m. and 4:00 p.m. No shipments shall be scheduled to arrive at final destination on Sunday and Federal holidays, unless prior approval has been obtained by the COR. Animals shall not be allowed to remain standing on trucks while not in transport for a combined period of greater than three (3) hours. Animals that are to be released back into the capture area may need to be transported back to the original trap site. This determination will be at the discretion of the COR.

B. CAPTURE METHODS THAT MAY BE USED IN THE PERFORMANCE OF A GATHER

1. Capture attempts may be accomplished by utilizing bait (feed or water) to lure animals into a temporary trap. If the contractor selects this method the following applies:
 - a. Finger gates shall not be constructed of materials such as "T" posts, sharpened willows, etc., that may be injurious to animals.

- b. All trigger and/or trip gate devices must be approved by the COR/PI prior to capture of animals.
 - c. Traps shall be checked a minimum of once every 10 hours.
 2. Capture attempts may be accomplished by utilizing a helicopter to drive animals into a temporary trap. If the contractor selects this method the following applies:
 - a. A minimum of two saddle-horses shall be immediately available at the trap site to accomplish roping if necessary. Roping shall be done as determined by the COR/PI. Under no circumstances shall animals be tied down for more than one hour.
 - b. The contractor shall assure that foals shall not be left behind, and orphaned.
 3. Capture attempts may be accomplished by utilizing a helicopter to drive animals to ropers. If the contractor with the approval of the COR/PI selects this method the following applies:
 - a. Under no circumstances shall animals be tied down for more than one hour.
 - b. The contractor shall assure that foals shall not be left behind, or orphaned.
 - c. The rate of movement and distance the animals travel shall not exceed limitations set by the COR/PI who will consider terrain, physical barriers, weather, condition of the animals and other factors.

C. USE OF 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. The Contractor shall provide the COR/PI with a current safety inspection (less than one year old) for all motorized equipment and tractor-trailers used to transport animals to final destination.
2. All motorized equipment, tractor-trailers, and stock trailers shall be in good repair, of adequate rated capacity, and operated so as to ensure that captured animals are transported without undue risk or injury.
3. Only tractor-trailers or stock trailers with a covered top shall be allowed for transporting animals from trap site(s) to temporary holding facilities, and from temporary holding facilities to final destination(s). Sides or stock racks of all trailers used for transporting animals shall be a minimum height of 6 feet 6 inches from the floor. Single deck tractor-trailers 40 feet or longer shall have two (2) partition gates providing three (3) compartments within the trailer to separate animals. Tractor-trailers less than 40 feet shall have at least one partition gate providing two (2) compartments within the trailer to separate the animals. Compartments in all tractor-trailers shall be of equal size plus or

minus 10 percent. Each partition shall be a minimum of 6 feet high and shall have a minimum 5 foot wide swinging gate. The use of double deck tractor-trailers is unacceptable and shall not be allowed.

4. All tractor-trailers used to transport animals to final destination(s) shall be equipped with at least one (1) door at the rear end of the trailer which is capable of sliding either horizontally or vertically. The rear door(s) of tractor-trailers and stock trailers must be capable of opening the full width of the trailer. Panels facing the inside of all trailers must be free of sharp edges or holes that could cause injury to the animals. The material facing the inside of all trailers must be strong enough so that the animals cannot push their hooves through the side. Final approval of tractor-trailers and stock trailers used to transport animals shall be held by the COR/PI.
5. Floors of tractor-trailers, stock trailers and loading chutes shall be covered and maintained with wood shavings to prevent the animals from slipping.
6. Animals to be loaded and transported in any trailer shall be as directed by the COR/PI and may include limitations on numbers according to age, size, sex, temperament and animal condition. The following minimum square feet per animal shall be allowed in all trailers:
 - 11 square feet per adult horse (1.4 linear foot in an 8 foot wide trailer);
 - 8 square feet per adult burro (1.0 linear foot in an 8 foot wide trailer);
 - 6 square feet per horse foal (.75 linear foot in an 8 foot wide trailer);
 - 4 square feet per burro foal (.50 linear feet in an 8 foot wide trailer).
7. The COR/PI shall consider the condition and size of the animals, weather conditions, distance to be transported, or other factors when planning for the movement of captured animals. The COR/PI shall provide for any brand and/or inspection services required for the captured animals.
8. If the COR/PI determines that dust conditions are such that the animals could be endangered during transportation, the Contractor will be instructed to adjust speed.

D. SAFETY AND COMMUNICATIONS

1. The Contractor shall have the means to communicate with the COR/PI and all contractor personnel engaged in the capture of wild horses and burros utilizing a VHF/FM Transceiver or VHF/FM portable Two-Way radio. If communications are ineffective the government will take steps necessary to protect the welfare of the animals.
 - a. The proper operation, service and maintenance of all contractor furnished property is the responsibility of the Contractor. The BLM reserves the right to remove from service any contractor personnel or contractor furnished equipment which, in the opinion of the contracting officer or COR/PI violate contract rules, are unsafe or otherwise unsatisfactory. In this event, the Contractor will be notified in writing to furnish replacement personnel or equipment within 48 hours of

notification. All such replacements must be approved in advance of operation by the Contracting Officer or his/her representative.

- b. The Contractor shall obtain the necessary FCC licenses for the radio system
- c. All accidents occurring during the performance of any task order shall be immediately reported to the COR/PI.

2. Should the contractor choose to utilize a helicopter the following will apply:

- a. The Contractor must operate in compliance with Federal Aviation Regulations, Part 91. Pilots provided by the Contractor shall comply with the Contractor's Federal Aviation Certificates, applicable regulations of the State in which the gather is located.
- b. Fueling operations shall not take place within 1,000 feet of animals.

G. SITE CLEARANCES

Personnel working at gather sites will be advised of the illegality of collecting artifacts.

Prior to setting up a trap or temporary holding facility, BLM will conduct all necessary clearances (archaeological, T&E, etc). All proposed site(s) must be inspected by a government archaeologist. Once archaeological clearance has been obtained, the trap or temporary holding facility may be set up. Said clearance shall be arranged for by the COR, PI, or other BLM employees.

Gather sites and temporary holding facilities would not be constructed on wetlands or riparian zones.

H. ANIMAL CHARACTERISTICS AND BEHAVIOR

Releases of wild horses would be near available water. If the area is new to them, a short-term adjustment period may be required while the wild horses become familiar with the new area.

I. PUBLIC PARTICIPATION

Opportunities for public viewing (i.e. media, interested public) of gather operations will be made available to the extent possible; however, the primary consideration will be to protect the health and welfare of the animals being gathered. The public must adhere to guidance from the on site BLM representative. It is BLM policy that the public will not be allowed to come into direct contact with wild horses or burros being held in BLM facilities. Only authorized BLM personnel or contractors may enter the corrals or directly handle the animals. The general public may not enter the corrals or directly handle the animals at anytime or for any reason during BLM operations.

J. RESPONSIBILITY AND LINES OF COMMUNICATION

Las Vegas District - Contracting Officer's Representative

Jerrie Bertola

Christine Pontarolo, Battle Mountain

Las Vegas District - Project Inspector

Carrie Ronning

The Contracting Officer's Representatives (CORs) and the project inspectors (PIs) have the direct responsibility to ensure the Contractor's compliance with the contract stipulations. The Las Vegas Assistant Field Manager for Recreation and Renewable Resources or the Las Vegas Field Manager will take an active role to ensure the appropriate lines of communication are established between the field, Field Office, State Office, National Program Office, and Ridgecrest Corral offices. All employees involved in the gathering operations will keep the best interests of the animals at the forefront at all times.

All publicity, formal public contact and inquiries will be handled through the Assistant Field Manager for Renewable Resources. This individual will be the primary contact and will coordinate the contract with the BLM Corrals to ensure animals are being transported from the capture site in a safe and humane manner and are arriving in good condition.

The contract specifications require humane treatment and care of the animals during removal operations. These specifications are designed to minimize the risk of injury and death during and after capture of the animals. The specifications will be vigorously enforced.

Should the Contractor show negligence and/or not perform according to contract stipulations, he will be issued written instructions, stop work orders, or defaulted.

Appendix II. Clark County Multiple Species Habitat Conservation Plan listed weed species of concern.

COMMON NAME

BOTANICAL NAME

DICOTS

African malcolmia	<i>Malcolmia africana</i>
Athel tamarisk	<i>Tamarix aphylla</i>
Bassia	<i>Bassia hyssopifolia</i>
Bur buttercup	<i>Ceratocephala testiculata</i>
Camelthorn	<i>Alhagi maurorum</i>
Dandelion	<i>Taraxacum officinale</i>
Filaree	<i>Erodium cicutarium</i>
Flixweed	<i>Descurania sophia</i>
Halogeton	<i>Halogeton glomeratus</i>
Heart-podded hoary cress	<i>Cardaria draba</i>
Jerusalem thorn, Mexican palo verde	<i>Parkinsonia aculeata</i>
London rocket	<i>Sisymbrium irio</i>
Malta starthistle	<i>Centaurea melitensis</i>
Mediterranean, shortpod mustard	<i>Hirschfeldia incana</i>
Oriental mustard	<i>Sisymbrium orientale</i>
Perennial pepperweed	<i>Lepidium latifolium</i>
Puncturevine	<i>Tribulus terrestris</i>
Russian knapweed	<i>Acroptilon repens</i>
Russian olive	<i>Elaeagnus angustifolia</i>
Sahara, African mustard	<i>Brassica tournefortii</i>
Saltcedar/Tamarisk complex	<i>Tamarix ramossissima</i>
Silverleaf nightshade	<i>Solanum eleaegnifolium</i>
Tree tobacco	<i>Nicotiana glauca</i>
Tumble mustard	<i>Sisymbrium altissimum</i>

MONOCOTS

Arabian grass	<i>Schismus arabicus</i>
Bermudagrass	<i>Cynodon dactylon</i>
California fan palm	<i>Washingtonia filifera</i>
Cheatgrass	<i>Bromus tectorum</i>
Date Palm	<i>Phoenix dactylifera</i>
Giant reed	<i>Arundo donax</i>
Green fountaingrass	<i>Pennisetum setaceum</i>
Mexican fan palm	<i>Washingtonia robusta</i>
Mediterranean grass	<i>Schismus barbatus</i>
Medusahead	<i>Taeniatherum caput-medusae</i>
Rabbitfoot, Annual beard grass	<i>Polypogon monspeliensis</i>
Red brome	<i>Bromus madritensis ssp. rubens</i>
Ripgut brome	<i>Bromus diandrus</i>

