

Johnnie
U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
NEVADA STATE OFFICE

Las Vegas



DIVISION OF NATURAL RESOURCES, LANDS AND PLANNING

FACSIMILE MESSAGE

FAX # (702) 861-6712

Johnnie
HMA

DATE <i>3/4/99</i>	NUMBER OF PAGES (Incl this page) <i>9</i>	AUTHORIZED BY	FILE CODE
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TO (NAME): <i>Cathy Barcomb</i>	FROM (NAME): <i>Don Rothman</i>
OFFICE:	OFFICE: DIVISION OF NATURAL RESOURCES, LANDS AND PLANNING
FAX #: <i>687-6122</i>	Confirmation # (702) 861-8466/6464

Subject: *Pahrump paperwork.* *LAS VEGAS*

SPECIAL INSTRUCTIONS:

Cathy - Here is all of the paperwork on the Pahrump gather. It includes Bob Abbey's note to me, my note to Mike Dewyer, Woodley's note back to me, our request to the Washington office and Las Vegas' plan. On a private land owner request for removal ~~participation~~ for animals on private lands outside of the HMA we don't normally do an EA.

Because public safety was a major issue we moved very fast on this. Because we moved so fast I was concerned about temptations to take short cuts. Procedurally we did this by the book.

I feel very very bad that I was not more specific during my conversation with you on 3/24. For whatever it may be worth we did not get our W.O. approval until 3/25 in the afternoon. Dave Gator was on the way, but we would not have touched an animal without W.O. OK. I am very sorry and apologize to you for not being more clear on 3/24 with you. In my heart & mind I believed I had you fully briefed on this. Since you do not

*believe I did I can only apologize and learn to be more clear. No one else is at fault but me. They did as I asked them to do. *Don 3/4**

2/9

Dan:
Please call Las Vegas
and determine what
they are doing to fix this
fence. Thanks - Abbey

To: Mike Dwyer or Acting.
Can you please groupwise
a response to Bob's
question to me, Terry &
Wesley and with
a cc to Bob Abbey.
Thanks -

DOI
WO-610
SD/ASD
911
930
960
NV-PACs
NV-065

January 29, 1999

Dan R 2/9/99
NY-130

PAHRUMP VALLEY TIMES

PAGE 38

Burros pose growing threat to motorists

Fourth north PV collision in six months Tuesday

By HENRY BREAN

The number of car accidents involving wild burros is on the rise again on Highway 160, and a downed fence along Roadrunner Road may be to blame.

According to Sgt. Mark Clark of the Nevada Highway Patrol, four burros have been hit on the highway in the last six months, including two at almost the same location in the last month alone.

The latest accident occurred Tuesday night, when a van driven by 37-year-old Pahrump resident Margo Johnson struck and killed a burro that was crossing Highway 160 north of Leslie Street. Both Johnson and her passenger were wearing their seat belts, and neither was injured, but the front end of the van was badly damaged. The burro was killed instantly.

Johnson said she was driving south at about 55 mph, and in the midst of a well-spaced line of other cars, when the animal suddenly appeared in her headlights. "I had just barely enough time to hit the brakes," she said. "I got to say 'hold on,' and that was it."

The burro was part of a herd that may have gained access to the highway through one of several downed sections of a barbed-wire fence originally erected by the Bureau of Land Management for express purpose of keeping the animals away from the road.

The fence appeared to be doing the trick. Clark said that over the last three or four years, NHP has seen a drop in the

number of accident reports involving burros and horses along Highway 160. That is, until about six months ago.

It is not known how long the fence has been down, but BLM officials have known about it for at least a month according to Cameron McRae, an assistant chief for the Pahrump Valley Volunteer Fire Department. McRae said he personally contacted the BLM after he noticed, while responding to a fire call on Roadrunner, that the fence was down in "three or four places."

At least one of the downed spots is as long as 100 feet, he said, and while some of the damage appears to be the result of flooding, much of it looks like it was cut by human hands.

McRae, who is also a county commissioner, added that he plans to have the county's Department of Natural Resources and Federal Facilities contact the BLM again and stress the importance of the fence being repaired. But he won't be holding his breath. "They're not very fast," he said of the BLM.

Clark, who also reported the possibility of a downed fence to the BLM, cautioned motorists to be on the lookout for horses and burros on Highway 160, especially on the north end of Pahrump.

He said he had to deal with a similar situation involving cattle while working for NHP in northern Nevada. What he

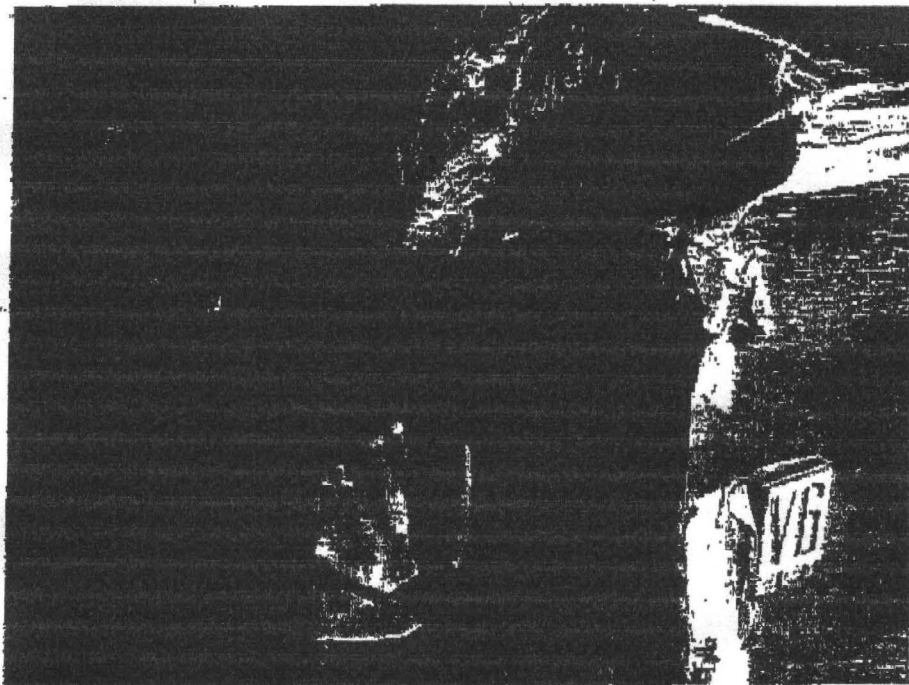
(See "Burros," B-10)

This & this

are the important parts.
Thanks
Dan

1 of 2

PAHRUMP VALLEY TIMES PAGE 810



The burro's impact on Margo Johnson's van Tuesday night caused extensive damage and left clumps of the animal's hair stuck to the vehicle. The burro was killed. (PVT photo by Henry Breaux)

Burros

(Continued from B-8)

learned, he said, is that fences are a deterrent but not an insurmountable barrier to large animals. "If they're determined to go somewhere, a barbed wire fence isn't going to stop them."

One person died as a result of a collision with a wild horse last year — an accident that occurred on the Las Vegas side of the mountain. Earlier this month, a wild burro was hit by a car at almost the same location as Tuesday's accident, but Clark said the animal wasn't hurt badly enough to keep it from walking away from the scene. "It may have gone off somewhere and expired," he said. "I just don't know."

For Johnson, Tuesday's wreck was the second she has had involving a burro on Highway 160. Five years ago, she and her son were on their way to the Calvada sports complex when a burro crossed in front of her truck. Luckily, she said, she saw the burro in time to slam on her brakes, and the collision amounted to nothing more than a light "spanking" for the animal. Her truck was not damaged.

Johnson said the burro she hit Tuesday was much larger than the previous one.

Clark estimated Tuesday's burro at 400 to 500 pounds, but a local animal control officer said the animal was almost certainly larger than that.

At the time of her first run-in with a burro in the road, Johnson was working at Country View Market in northern Pahrump. Back then, she said she saw the herd cross the highway near Leslie Street almost every day and sometimes twice a day. "They had a regular path," she said, "but (before Tuesday) I hadn't seen them in years."

Johnson urged those who drive that section of the highway to take it slow and keep their eyes open. Because of their gray coats, burros can be hard to see even when you are looking for them, she said. In her case, the burro she hit Tuesday never turned to look in her direction, so she didn't get to see the telltale reflection of her headlights on its eyes. The first thing that showed up in her lights, she said, was a patch of lighter-colored hair on the animal's thigh, but by then it was too late.

"People should be more aware," she said. "It's not just a sign you see on the side of the road. Burros are real, and they're out there."

Initially transmit by e-mail to WO-260. The response and transmittal data become your record of approval when printed and placed in your files. To ensure timely response, send request 30 days prior to planned commencement of gather.

Memorandum

4720

To: WO-260 [tpocagnik]
AD-200/cc:WO-220

Date Transmitted
2/223/99

From: State Office WH&B Program Lead, Administrative State Nevada

Subject: FY99 Animal Removal Authorization

We request approval according to FY99 PAWP Directives to begin, reschedule or adjust numbers in gathers. We understand that funding will be distributed for removal costs based on this authorization and estimate.

Name of gather: Pahrump Nuisance Burros

List HMA's included: Outside the Johnnie HMA on private land

Administrative Field Office: Las Vegas Field Office

Number to be gathered (H) (B): 30 Burros

Number to be removed (H) (B): 25 Burros

Age range to be removed: All age classes

Scheduled date to begin gather or proposed dates for reschedule: 2/27/99

Anticipated date of completion: 2/27/99

If the gather is being rescheduled or to adjust numbers, what is the justification: Burros from the Johnnie HMA have moved and are residing on the edge of the town of Pahrump where they are feeding on landscaping materials in residential areas and the airport. Accidents between vehicles and burros on highway 160 have increased significantly and are occurring at a rate of at least one a month. The most recent was yesterday 2/22. The only fatalities have been burros, but if the problem is left unchecked, a human fatality is inevitable. Efforts have been made to bait trap the animals, but have been unsuccessful. Dave Cattoor is working in Death Valley and will be passing through the area about Friday 2/26. He is willing to helicopter trap the animals for \$100 per head. The operation will only take one day. We estimate that about 10 of the animals can be adopted in the Las Vegas area, the rest will need to be shipped to a preparation facility.

Operations cost estimate: \$3,000 to gather, plus \$2,000 to prepare and feed the animals until adoption efforts are complete and the remainder of the animals shipped to a facility.

Action: Begin, Reschedule or Adjust Numbers

Recommendation by NPO WO-260:

PAH
LAS VEGAS JOURNAL ARTICLE

BURRO ISSUE

I have not seen a response from Las Vegas to the questions posed regarding the article in the Las Vegas paper regarding the burro/vehicle accident, so I called Gary McFadden. The area of concern is the north end of Pahrump on highway 160. Gary explained that the fence mentioned in the article was built by BLM, probably in the 1960s. The fence is located on easements over private lands, and apparently, BLM has not kept current with the terms of the easement. For this reason, the easements may not remain valid. Additional work and negotiations would be needed with the land owners to allow for maintenance or reconstruction of certain fence sections. The Town of Pahrump has offered to help with these negotiations. Most of the damage to the fence has been caused by land owners developing access into their property. To mitigate the problem, at least one cattle guard would be needed, if we were to close all the areas where the fence is down.

It is not uncommon for a burro to be hit in this area, but historically most incidents are not covered by the press. With the influx of new people into the Pahrump area, the incidents have increased and interest in the problem is now a major concern. Burros occasionally will be found on runway of the city airport which creates an additional safety issue. The City of Pahrump is very concerned about the safety problem and the Town Manager, Town Board Chairman and Pahrump Times have met with Gary several times, the most recent meeting was last week. They are not opposed to the burros, but are concerned about the safety of the burros, residents and negative press that could affect the town.

Gary estimates that about 30 burros are creating the problem, and he has had a bait trap set in the area for about a month. To date, bait trapping has been unsuccessful in removing any of the animals. Dave Cattoor, BLM's primary gather contractor, is presently working in Death Valley. He and his crew will be returning through Las Vegas when they are finished, and is willing to remove the problem animals. Cost estimate would be approximately \$100.00 per head or approximately \$3000.00. The removal would only take one day. Since the animals are creating a safety problem, we can get approval from the WO to remove the animals. Gary estimates that he could adopt out 10 burros in the Las Vegas area and the rest would need to be sent to a preparation facility.

We expect the gather to cost about \$3,000 and the preparation and holding until the animals are transferred to a facility to cost approximately \$2000.00. These costs will cause additional over spending in 1060, but the animals need to be removed before a human fatality occurs.

PAHRUMP PROBLEM ANIMAL REMOVAL FEBRUARY 1999

I. PURPOSE AND AUTHORITY

This gather will deal with animals outside of their HMA that are creating a safety problem to themselves and the public. The burros in question approximately 30 head hang out on the outskirts of town until dark then move into town which requires crossing State Highway 160. Several burros (4-5) have been killed in the last month from being struck by vehicles. These accidents have resulted in vehicle damage and potential humane fatalities.

Authority for this proposal is contained in the Wild Horse and Burro Act of 1971 (Public Law 92-195) and regulations contained in Title 43 Code of Federal Regulations (CFR) 4720.1 and 4770.3 (c).

- II. The proposed gather area is located in the Las Vegas District in Clark and Nye County Nevada. The area of concern exists along the northwest side of the town of Pahrump.

This proposal is in conformance with the Las Vegas Resource Management Plan 10-98.

- III. Number of Animals to be Gathered

Approximately 30 burros will be gathered.

- IV. Time Frame

Gather operations will begin approximately on 02-24-99 and will continue until complete. Future problems will be considered a continuation of this problem and will be covered by this document.

- V. Gather Methods and Safety

The Standard Operating Procedures listed in the Great Basin Wild Horse and Burro Gather contract.

VI. Disposition of Removed Animals

An adoption campaign will be initiated in conjunction with the Pahrump Times and The Town of Pahrump. Any animals not adopted in this effort will be transferred to a holding facility. Adopted animals will be branded and have shots administered locally by staff in Las Vegas.

VII. Branded and Claimed Animals

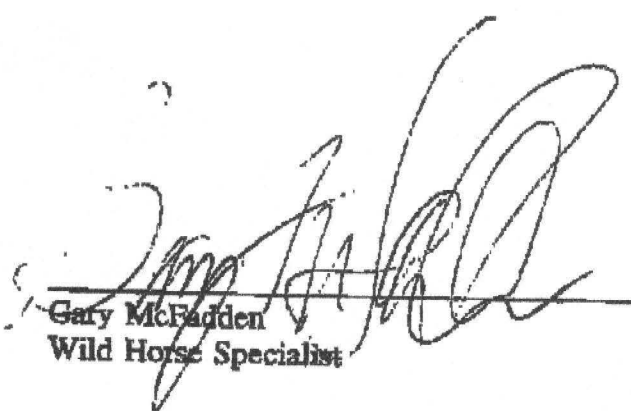
The Wild Horse and Burro Specialist will notify the District Brand Inspector and make arrangements for inspections as needed. Impounded privately owned animals will be handled in accordance with the Bureau of Land Management, Nevada State Office I.M. NV-84-116 and NV-85-416.

VII. Destruction of Injured or Sick Animals

Any severely injured or sick animals shall be destroyed in conformance with 43 CFR 4730.1 and Instruction Memorandum No. 98-141. No animals are expected to meet this criteria.

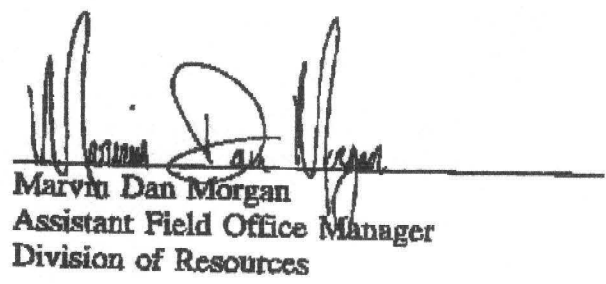
VII. Responsibility

The Field Office Manager is responsible for maintaining and protecting the health and welfare of WH&B's in their jurisdiction. Compliance with the gather procedures is the responsibility of the Wild Horse And Burro Specialist from the Las Vegas Field Office. The Field Office Manager will be advised of any decisions concerning animal health thru the Assistant Field Manager, Division of Resources



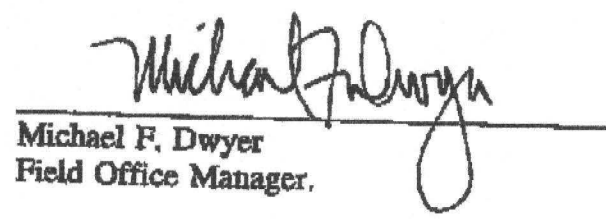
 Gary McFadden
 Wild Horse Specialist

2-22-99
 Date



 Marvin Dan Morgan
 Assistant Field Office Manager
 Division of Resources

2/22/99
 Date



 Michael F. Dwyer
 Field Office Manager.

2/22/99
 Date