G 6-13-97

United States Department of the Interior
Bureau of Land Management
Las Vegas District Office
4765 Vegas Drive
Las Vegas, Nevada 89108

June 13, 1997

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

Dear Dawn::

Enclosed are the supporting documents for the ucoming gather on the Nevada Wild Horse Range beginning tomorrow, June 14.

I will be keeping your apprised of the gather activities on a weekly basis until the gather is completed. I will be calling you every Monday after the previous week of activities.

If you have any questions or need additional information you can reach me at (702) 647-5060.

Sincerely,

M. Dan Morgan

M. Dan Morgan
Assistant District Manager
Division of Renewable Resources

NEVADA WILD HORSE RANGE (NWHR)

ADDENDUM TO:

OCTOBER 1996 EMERGENCY WILD HORSE REMOVAL PLAN

In June 1997 the Bureau will continue a gather operation that was initiated in January 1997. The original actions listed will continue, however some additional items will be incorporated as discussed in this Addendum.

Gather operations will begin on June 14, 1997 and will be conducted until the operation is completed. The wild horses selected for removal are scheduled to be shipped to Palomino Valley Corrals.

Communications with the Wild Horse Specialist are difficult because the Herd Management Area (HMA) is located on a military base and phone service is limited. However, the logistics to alleviate this problem are addressed in the attached Communication Plan.

The Bureau estimate's that up to 25 head of animals could meet the criteria listed in C.F.R. 4370.1 stating "old, sick or lame animals shall be destroyed". **The draft Washington Offive policy on destruction of animals will be followed.** Veterinarian Tom Hartgrove (702-658-1925) will be on call during the gather operation to assist the Wild Horse Specialist when requested. The following "draft policy" will be followed;

a. Any traumatic injury, the decision will be handled by the Contract Officer's Representative (COR), Wild Horse Specialist.

b. **Any condition class one animal, and any animal that should be euthinized for humane purposes will be identified as a candidate for euthanasia by the Wild Horse Specialist. This situation will be referred to the District Manager and the advice of a veterinarian will be obtained before a final determination is made.** Arrangements have been made with Dr. Tom Hartgrove, who will provide assistance in determining and documenting animal condition, and if euthanasia is appropriate. Any animal not meeting the criteria will either be shipped for adoption or released.

This gather will be conducted during the foaling season which is in conflict with Bureau policy. The foaling season is designated from April 1 thru June 30, and gather operations are not allowed during this time frame to minimize stress of the foals. In an effort to conserve limited forage available for the animals that are selected to remain and to preserve a good condition class of the wild horses the Bureau will initiate gather operations seventeen days before the end of the foaling season. However, Wild Horse Advocacy groups have been advised and are in agreement with this action.

During the gather operation the mares with foals (pairs) will be held in a separate facility to

allow the foals to continue to nurse. These pair's will be held until the gather is completed approximately one month, then the foals that can be weaned will be sent to PVC, and foals needing veterinarian assistance and or are not old enough to be weaned will be sent to Las Vegas for more intensive care to be supplied by the National Wild Horse Association under the direction of the Bureau.

The Appropriate Management Level (AML) has been established as 600 to 1000 head. **The target populatuin at the close of this gather will be approximately 600 horses, but may be slightly lower in order to establish a sex ratio of approximately 60% mares to 40% stallions.** This will allow for the development of band structure, associated horse sociology, and/or interaction. To accomplish this all horses will be gathered, the number of mares available for release will determine the total herd size, not to exceed 600 head.

Currently, 107 mares from the NWHR are being held in Calientie, Nevada. Most of these mares are part of an immuno-contraceptive study and/or were to poor to return to the range at the conclusion of the January 1997 gather. These mares will be held until the June 1997 gather is completed and will be released as a portion of the total herd. The mares in the immuno-contraceptive study are branded, and the mares being held in Calientie have received a booster inoculation. The remaining study mares on the NWHR will receive a booster inoculation during the June 1997 gather. A booster shot for each mare in this study will retard the population growth in the NWHR and will accelerate the recovery of the vegetative resource which may enhance the condition of the wild horses.

The NWHR horses are a very old population (avg. 18 yr.), this is a result of reducing the herd from approximately ten thousand head to the AML of six hundred head. Numerous gather operations have been conducted since 1991 in conformance the Bureau's selective removal policy which only allowed horses 9 years old and under to be removed. This has removed almost all animals in the 1 to 15 year age class, leaving a herd that is approaching a non-productive stage. The Bureau will balance the recovery of the vegetative resource with the recovery of band and age structure by retarding population growth in the short term (immuno-contraceptive) and retaining replacement animals during gather cycles every 3 to 4 yrs..

Prepared by: M. Dan Morgan, ADM-RR Date 6/13/97
FOR: Gary McFadden, Wild Horse Specialist

Authorized by: Michael J. Dwyer Date 6/13/97
Mike Dwyer, District Manager, Las Vegas

JUNE, 1997
COMMUNICATIONS PLAN
NEVADA WILD HORSE RANGE (NWHR)
LAS VEGAS FIELD OFFICE

05-28-97

INTERNAL COMMUNICATIONS

Reports by phone will be provided at a minimum on a daily basis, or more often if necessary, to report ongoing activities or controversial situations.

The Wild Horse Specialist (WHS) will check his voice mail at noon (reply if necessary) and will directly communicate with his supervisor Dan Morgan ADM Resources each evening on questions regarding the operation. Also, for emergency communication with the WHS, call Advanced Security Inc. (ASI) and they will inform the WHS of a needed phone conference (702-295-8285, 702-652-3806). Daily reports will be provided to the District Manager by ADM Resources. Reports should cover numbers gathered, physical condition of the animals, and whether measures were taken to deal with traumatic injuries, or condition class 1 animals, etc. The District Manager will in turn report the information to Terry Woosley, Lead, Biological Resources or Sandy Allen, DSD Chief, Natural Resources.

Daily briefings before the start of gather operations will bring together BLM and contractor personnel for a review of the day's activities and information sharing. Subjects covered will be where the animals are likely being gathered from, and any safety concerns.

Personnel

Gary McFadden, Wild Horse Specialist
Hotel phone 702-482-9777

Alan Shepherd, Wild Horse and Burro Specialist
Hotel phone: 702-482-9777

Tom Pogacnik, National Wild Horse and Burro Program Chief,
phone: 702-785-6583 home: 702-849-0642

Dr. Tom Hartgrove, veterinarian, will be on call.
Answering service 702-658-1925

EXTERNAL COMMUNICATIONS

There may be a general news release. However, the new's media is not allowed on site and visitor's will be limited.

ADOPTIONS

There will be an adoption for pre-approved adopters in October at Palomino Valley Corrals, call (702) 475-2222.

GENERAL INFORMATION

The gathers are necessary to remove excess horse populations from the NWHR Herd Management Area. The gather location is located approximately 40 miles southeast of Tonopah, NV. The removal of about 600 horses out of about 1,100 is deemed necessary to reduce the number of horses to the Appropriate Management Level. All animals selected will be transported to Palomino Valley Corrals near Sparks, Nevada, for processing into the adoption program.

METHODS FOR REMOVAL AND CARE

It is important to emphasize that the removal method by helicopter drive trapping is safe, effective, and generally less stressful on the horses than chasing them on horseback. Other means, such as roping, are only used when extremely necessary and only after determining that this is the only method that will work and is used on a limited number of animals. Roping could be necessary when the intent is to capture every individual herd member to accomplish complete removal, or when it's necessary to capture an orphaned foal or suspected wet mare. The helicopter is used in a manner that encourages bands to stay together so that no foals are left behind.

INTEREST GROUPS

A number of interest groups were notified prior to the gather. The list is as follows;

National Wild Horse Association

Wild Horse Organized Assistance

Commission for the Preservation of Wild Horses

For Release June 16, 1997 More Information: Dan Morgan 702-647-5060

WILD HORSE GATHER CONTINUES TO OFFSET DROUGHT IMPACTS

Approximately 500 wild horses will be removed over the next 30 days from the Nellis Bombing and Gunnery Range. The wild horse gather has been scheduled to ensure the remaining horses will have enough feed and water to survive the summer without the threat of starvation or dehydration.

The gather is a continuation of Bureau of Land Management efforts to reduce the size of the Nevada Wild Horse Range herd to a level that can be sustained by the range. Over the past year approximately ** animals have been removed from the range. Many of the animals were in extremely poor condition evidence of the overpopulation and additional stress placed on the herd by current drought conditions.

According to Mike Dwyer, District Manager for the BLM in Las Vegas, the gather will reduce the herd size to approximately 600 and then the herd will be allowed to return over a three year period to 1,000 animals. During the interim three year period BLM expects the range will recover and be able to easily support 1,000 animals. Dwyer also indicted that the Air Force has been cooperating with the BLM in the emergency drought period by providing additional water to the herd and allowing BLM to conduct gather operations between military exercises.

Horses from the Nellis gather will be available for adoption in late August. More information on wild horse adoptions is available from BLM at 800-417-9647 or on the Internet at ftt::/www.blm.gov.whb.

-30-

NEVADA WILD HORSE RANGE EMERGENCY REMOVAL CHRONOLOGY 1996-1997

July 1996- Emergency Drought Removal

554 Animals Gathered and Removed, Estimated Population 1,450

Sept. 1996- Emergency Drought Destruction Plan

Allowed for destruction of suffering animals prior to gather under special protocol. Identified need for water hauling and water development to move horses to areas with forage.

Oct. 1996- Habitat Evaluation and Drought Effect Evaluation

Recommended removal of animals to a level of approximately 600 and correction of sex ratio. Recommendations based on forage availability. Recommended allowing the herd size to grow from approximately 600 to 1,000 AML over a 3 year period without disruption of additional gathers.

Oct. 1996- Gather Plan, Environmental Assessments, Decision & 28 Day Notice

Implementation of drought emergency animal removal pursuant to above recommendations. Recommended gather to begin on November 1.

Nov. 1996- Gather Rescheduled for Jan. 1997

Jan. 1997- Gather

428 animals removed, 140 held in Caliente- Estimated herd size 922

May 1997- Census and Forage Evaluation

947 animals including 55 foals- No improvement in forage conditions

May 1997- 53 animals shipped for adoption from Caliente including 13 foals-107 animals held

May 1997- 28 Day notice for June Gather, Updated Gather Plan and EA, Communication Plan

Scheduled gather for June 14- July 13. Objective reduce population to approximately 600 animals, continue contraceptive study, correct sex ratio in herd.

United States Department of the Interior

Bureau of Land Management
Las Vegas District Office
4765 Vegas Drive
Las Vegas, Nevada 89108

In Reply Refer To:
4700 (NV-052)

NWHR

05-07-97

28 Day Notice

Dear Interested Public:

The Bureau of Land Management will gather excess wild horses and burros from public lands in the State of Nevada within 28 days from the date of this letter.

The gather will be conducted in the Las Vegas District on the Nevada Wild Horse Range (NWHR) Herd Management Area (HMA).

Herd Management Area/Herd Area Name	Environmental Analysis Record Number	Reason for Gathering	Approximate Number to be Removed	Approximate Number to Remain
NWHR	NV-055-02-01 NV-057-04-05 NV-052-97-005	Achieve AML	500	600

This gather is a continuing effort to reduce the population of animals to the established Appropriate Management Level (AML) of 600 to 1000 animals. A current census (04-18-97) was conducted and verified that there are animals in excess of the AML. In an effort protect the animals and their environment it is necessary accomplish this action prior to the end of the foaling season. The AML and gather plan were previously implemented by decision. This letter is intended to inform you of our pending operation and is not a decision document and can not be contested by the appeal process.

Sincerely,

Marvin Dan Morgan
Assistant District Manager
Renewable Resources

.ortoise Council
.orth Sierra Way
Bernardino, CA 92401

Nevada Department of Wildlife
Attn. Mike Wickersham
Region III
State Mailroom Complex
Las Vegas, NV 89158

J.S.D.I. National Park Service
.ake Mead NRA
01 Boulder Highway
Boulder City, NV 89005

U.S. Fish and Wildlife Service
Nevada State Ecol. Services
4600 Kietzke Lane, Bldg. C-125
Reno, NV 89502

Natural Resource Defense Council
Johanna Wald
1350 New York Avenue
Suite 300
Washington, D.C. 20005

John Payne, Esq.
Office of the Solicitor
Pacific Southwest Region
2800 Cottage Way, Room E-2753
Sacramento, CA 95825-1898

Vild Horse Organized Assistance
P.O. Box 555
Reno, NV 89504

Animal Protection Institute
2831 Fruitridge Road
P.O. Box 22505
Sacramento, CA 95822

Fraternity of Bighorn Sheep
Bob Snider, President
P.O. Box 27494
Las Vegas, NV 89126

Clark County Game Management Board
Jack Coons, Chairman
728 Brick
Henderson, NV 89015

Clark County Deptartment of
Comprehensive Planning
500 South Grand Central Parkway
Las Vegas, NV 89155

Bobbi Royle
Wild Horse Spirit
25 Lewers Creek Rd.
Carson City, NV. 89704

Nevada Dept. of Transportation
Garth Dull, Director
1263 S. Stewart Street
Carson City, NV 89712

BLM Kingman Resource Area
2475 Beverly Ave.
Kingman, AZ 86401

Commission for the Preservation of Wild
Horses
c/o Cathy Barcomb
1105 Terminal Way, Suite 209
Reno, NV 89502

U.S. Fish and Wildlife Service
Reno Field Station
4800 Kietske Lane, Bldg. C-125
Reno, NV 89502

Wild Horse Organized Assistance
Dawn Lappin
P.O. Box 555
Reno, NV 89504

Nevada Dept. of Transportation
P.O. Box 170
Las Vegas, NV 89125-0170

International Society for Protection of
Mustangs & Burros
Karen Sussman
6212 E. Sweetwater Ave.
Scottsdale, AZ 85254-4461

National Wild Horse Association
National Headquarters
P.O. Box 12207
Las Vegas, NV 89112

National Mustang Association
P.O. Box 42
Newcastle, UT 84756

Nevada Department of Wildlife
c/o Mike Wickersham
4747 Vegas Drive
Las Vegas, NV 89108

Nevada Department of Wildlife
Box 10678
Reno, NV 89510

United States Department of the Interior

Bureau of Land Management
Las Vegas District Office
4765 Vegas Drive
Las Vegas, Nevada 89108

In Reply Refer To:
4700
NV-050

NOTICE OF FINAL DECISION
FULL FORCE AND EFFECT

NEVADA WILD HORSE RANGE
HERD MANAGEMENT AREA (HMA)
EMERGENCY REMOVAL

Severe drought conditions exist within the Nevada Wild Horse Range (NWHR) and forage production is extremely limited. Forage utilization in the primary use area on the north half of the NWHR is currently in a severe use (80-95%) category. Based on field observations of available forage and water, as well as a review of monitoring data, it has been determined the wild horses and their habitat are being adversely impacted. Forage exists for approximately 600 animals, and the current population is estimated to be 1350 animals. It has been determined that a Thriving Natural Ecological Balance (TNEB) does not exist. Therefore, approximately 750 excess wild horses must be gathered and removed from the NWHR.

Due to the emergency nature of these conditions, it is necessary to implement this removal immediately, through a Full Force and Effect decision. An analysis of these conditions are contained in the October 07-96 Habitat Evaluation which is available upon request from the Las Vegas District Office. This Decision will be implemented on November 1, 1996 and will continue until the action is completed. The rationale for placing this decision in Full Force and Effect are as follows:

1. Drought conditions have critically limiting forage production and water availability for wild horses. The north portion of the NWHR is receiving severe use, has received below normal precipitation, and is not expected to produce enough forage to sustain the animals currently occupying the area. The well being of the wild horses and competing wildlife species is in immediate danger.

2. The southern portion of the NWHR is traditional winter range, however no moisture was received in the winter's of 1995 or 1996 which has concentrated utilization on the northern half of the range. Water facilities will be developed on the southern half of the range to duplicate natural seasonal migrations. However, forage for only approximately 600 animal's exists on the southern range.

AUTHORITY: The authority for this decision is contained in Sec.3(a) and (b) and Sec.4 of the Wild Free-Roaming Horse and Burro Act (P.L. 92-195) as amended and Title 43 of the Code of Federal Regulations, specifically 43 CFR 4720.1. The authority for the Full Force and Effect decision can be found at 43 CFR 4770.3(c) which states:

> *The authorized officer may place in full force and effect decisions to remove wild horses or burros from public lands if removal is required by applicable law or to preserve or maintain a thriving ecological balance and multiple use relationship. Full force and effect decisions shall take effect on the date specified, regardless of an appeal. Appeals and petitions for stay of decision shall be filed with the Interior Board of Land Appeals, as specified in this part.*

APPEALS: Within 30 days of receipt of this decision, you have the right of appeal to the Board of Land Appeals, Office of the Secretary, in accordance with the regulation at 43 CFR, Part 4, Subpart E and 43 CFR 4770.3(a) and (c). Within 30 days after filing a Notice of Appeal, you are required to provide a complete statement of the reasons why you are appealing. The appellant has the burden of showing that the decision appealed from is in error. If you wish to file an appeal and petition for a stay, the petition for a stay must accompany your notice of appeal and be in accordance with 43 CFR, Part 4, Subpart E and 43 CFR 4770.3(c). Copies of the Notice of Appeal and Petition for a Stay must be submitted to (1) the Interior Board of Land Appeals, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, (2) the Regional Solicitor's Office, Pacific Southwest Region, U.S. Department of the Interior, 2800 Cottage Way, Room E-2753, Sacramento, CA 95825-1890, and (3) Las Vegas District Office, 4765 Vegas Drive, Las Vegas, NV 89108. The original documents should be filed with this office.

If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. A petition for a stay of a decision pending appeals shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

ADDITIONAL INFORMATION: Contact Gary McFadden of my staff, at (702) 647-5024 or write to the above address.

Approval: _____ October 11, 1996
Marvin D. Morgan — Date
Associate District Manager
Renewable Resources

Concurrence: _____ 10/16/96
Mike Dwyer — Date
District Manager, Las Vegas

2 Enclosures:

1. Capture Plan
2. Environmental Assessment

NEVADA WILD HORSE RANGE
HERD MANAGEMENT AREA
GATHER PLAN

PREPARED BY
Gary McFadden
Wild Horse and Burro Specialist

Las Vegas District
October 1996

NEVADA WILD HORSE RANGE (NWHR)

EMERGENCY WILD HORSE REMOVAL PLAN

I. Purpose

Due to severe drought conditions in the Las Vegas District, resource conditions and animal health are currently being adversely affected. Current drought conditions prevent the Herd Management Area (HMA) from producing enough forage to sustain the animals currently occupying the area. To prevent further resource and animal stress an emergency gather will be initiated.

II. Justification

The Las Vegas District Manager has determined that a Full Force and Effect Decision is necessary to accomplish an emergency gather to prevent resource degradation. Habitat Evaluation of forage and water availability, indicates has been determined that wild horses and burros and their habitat are being negatively impacted. The following conditions exist in the HMA;

Animal Condition;	Mares	= condition class 2-6
	Studs	= condition class 3-7
Forage Condition;	Evidence of little to no growth this year. Forage is available to support 600-700 animals for the next 12 months.	
Forage Utilization;	Severe utilization on herbaceous forage (80 to 95%) on the north half of the range.	

Water Availability; Currently water production is approximately 75% of normal. Horses do not have natural water sources in area's with forage.

Capture Method; Helicopter/Trap.

Number of Animals; Horses, capture 800-900 , removed 750, leave 600 hd.

Age Criteria; Any age animal can be removed from the NWHR..

Precipitation; Palmer Drought Index for the region is well below -4.0.

An evaluation of the current data and the Herd Area Management Plan confirms the established AML of 1000 head. The herd will be reduced to 600 hd. then allowed to grow to 1000 hd. over a three year period. Historical herd growth or recruitment rates of 20% substantiate this growth rate. Wild horses of any age may be removed. Mares marked as participating in the wild horse contraceptive study, and mares with foals will be retained to balance a skewed sex ratio of approximately 60% studs to 40% mares. A total of approximately 600 horses will remain in the HMA. The gather operation will be conducted by helicopter drive trap method.

Habitat Evaluation as follows;

NEVADA WILD HORSE RANGE HABITAT EVALUATION AND DROUGHT EFFECTS MITIGATION PLAN

October 7, 1996

Prepared by
Kris Eshelman and Gary McFadden

PURPOSE AND OBJECTIVES

The purpose of this evaluation is to:

1. Gather, analyze, and interpret data and information about the Nevada Wild Horse Range (NWHR) and its historical range. The historical horse range and the official horse range is shown in Figure 1.

2. Assess the current Appropriate Management Level (AML), and

3. Determine an appropriate short term wild horse and burro population level. Short term means the duration of the current drought. The short term management level will be based on the lower of:

   a. The available forage supply within the existing service area (with water), or

   b. The population that, based on the recruitment rate, will grow to the AML figure within three (3) years (1999).

BACKGROUND

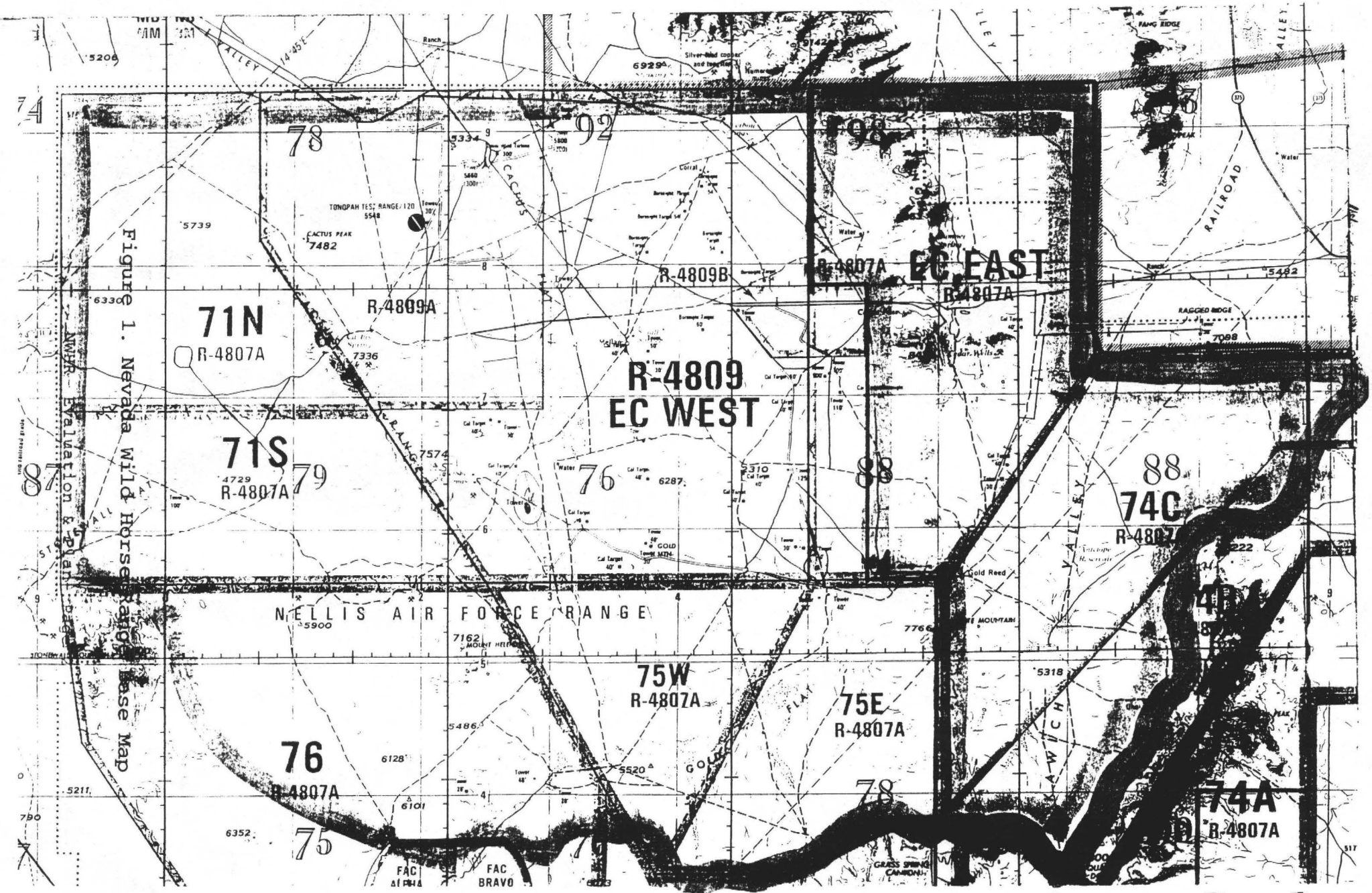
Management of the NWHR is directed by the Nellis Air Force Range Resource Plan and Record of Decision (February, 1992) and the NWHR Herd Management Area Plan (HMAP). The NWHR HMAP establishes an AML of 1000 animals; this number is based primarily on water availability. The AML by policy may be adjusted when monitoring data indicates that the established AML may be too high or too low in its relationship to the Thriving Natural Ecological Balance (TNEB). Populations may also be adjusted at any time to ensure the longevity and health of the herd(s). The herd now occupies almost all of the Tonopah Test Site, an area nearly three times the size of the official NWHR.

The authors toured the Tonopah test site on September 24, 25, and 26 1996. Existing and potential sources were checked, utilization was mapped, utilization studies were conducted, and ocular assessment of range health and forage condition were made.

MONITORING RESULTS

Climate

Climatological information for Tonopah, Nevada and vicinity indicate extreme drought conditions exist across the entire NWHR and Southern Nevada (Figure 2.) Little to no precipitation has fallen since June of 1995. A storm event occurred during July, 1996 which doused the central area with a shower and provided some runoff into reservoirs.


71N
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71S
4729
R-4807A
R-4809
EC WEST
R-4809A
R-4809B
EC EAST
R-4807A
R-4807A
75W
R-4807A
75E
R-4807A
76
R-4807A
74C
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74A
R-4807A
NELLIS AIR FORCE RANGE
Figure 1. Nevada Wild Horse Range Base Map
1971 RANGE
NV WILD HORSE RANGE

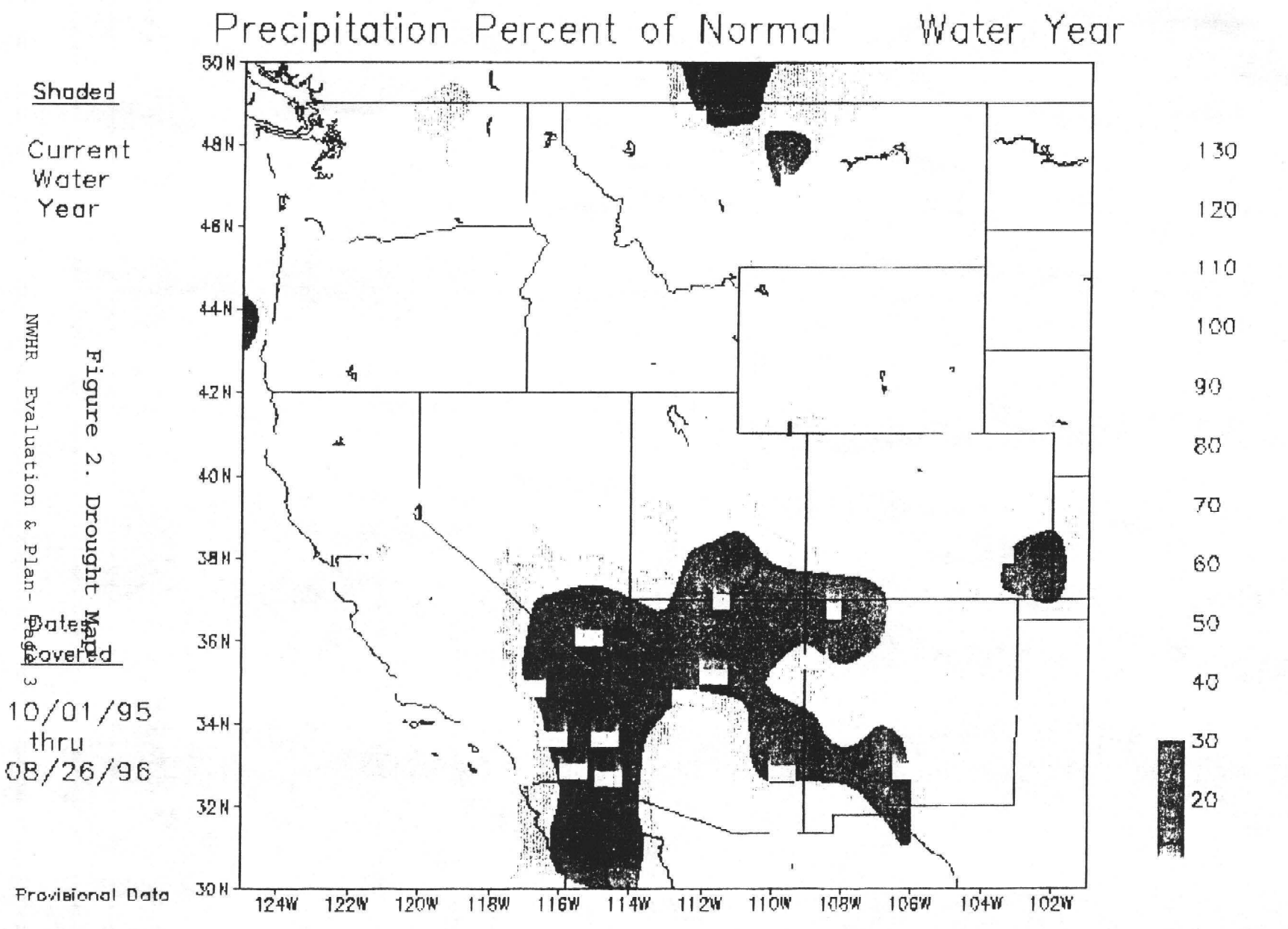


Figure 2. Drought Map

The Palmer Drought Index for this region in August 1996, is well below -4.0. The 100 Year Palmer Drought Index since 1896 is illustrated in Figure 3.

Actual Use

The population estimates (Use) since June 1995 are:

JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB
2400	2400	2400	2400	2400	2400	2400	2400	1800

MAR	APR	MAY	JUN	JUN	JUL	AUG	SEP
1800	1800	1800	1800	1800	1800	1350	1350

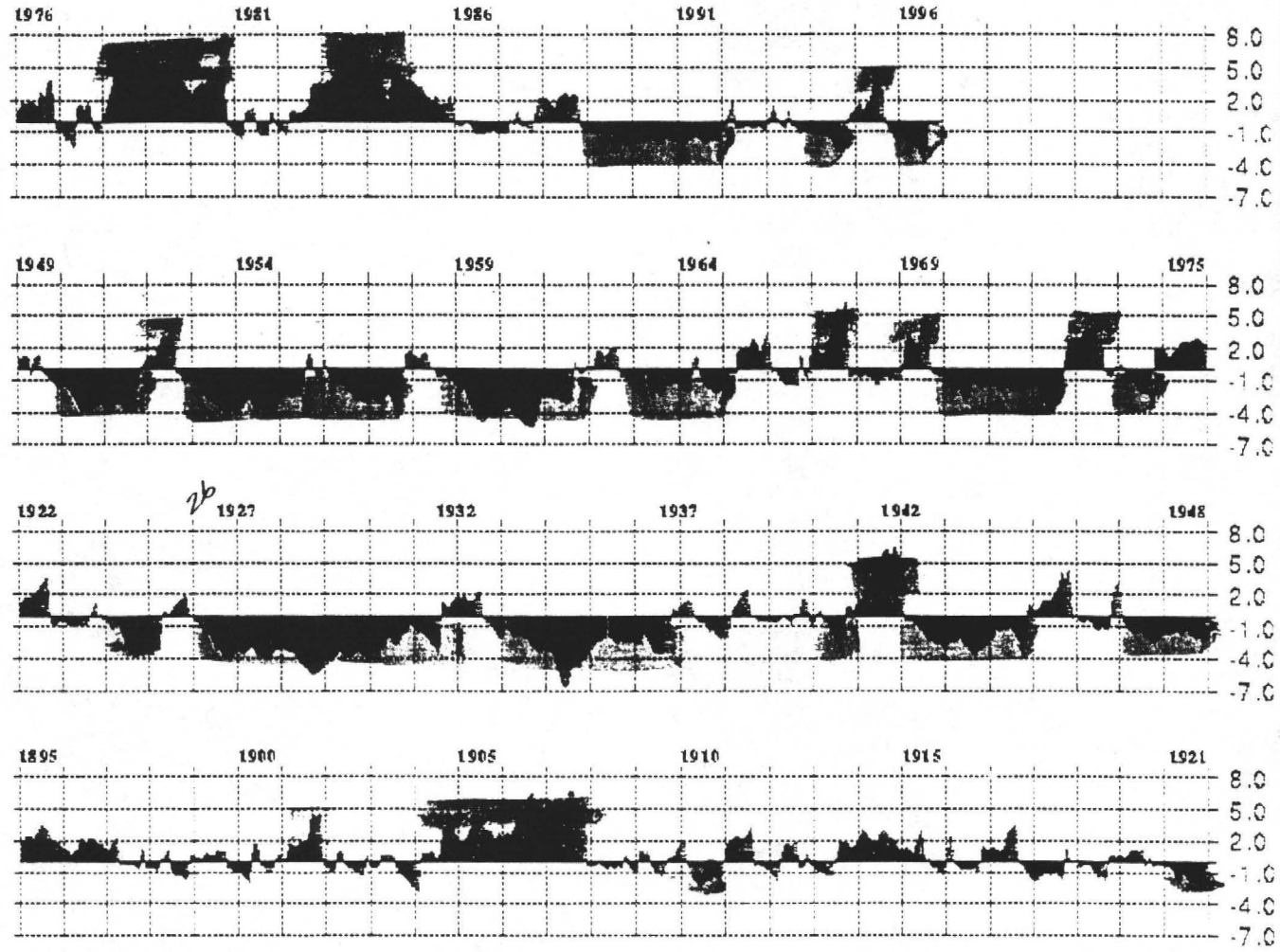
June 1995 - February 1996	21,000 AUMs
March 1996 - September 1996	13,500 AUMs
Total AUMs during drought period	34,500 AUMs

Utilization

Most of the NWHR and surrounding areas were traversed by vehicle. Observations were taken at twelve locations scattered across the area. A modified Key Forage Plant Method, using height/weight relationships, was the method selected to determine utilization. Because of very low forage production in 1996, utilization estimates were made considering forage removed in 1995 and 1996.

In general the Northwest, North Central, East Central, and Central portions are heavily or severely grazed. utilization of most forage species is 80% by weight or higher (Utilization Map Figure 4.) Mountains ridges, Areas 75 and 76, and the Northeastern quadrant have had little to no grazing pressure. Utilization in these areas appears to be by wildlife. Utilization relates directly to water sources, and topographic barriers.

Sampled use levels (Appendix 1) confirmed ocular estimates of utilization classes. There are some forage preferences apparent. Indian ricegrass (Oryzopsis hymenoides) appears to have been the preferred forage species through the spring of 1996. When galleta grass (Hilaria jamesii), a warm season species, greened it became the preferred species. It is anticipated that Indian ricegrass and winterfat (ceratoides lanata) will become the preferred species when winter rains and cold weather arrive. Figure 5 illustrates areas that are unsuitable because of slope and areas potentially suitable if water were developed. Low utilization levels, as shown in Figure 4., strongly correlate to areas considered unsuitable and potentially suitable.



Severe Drought

Above Normal

Figure 3. Palmer Drought Severity Index

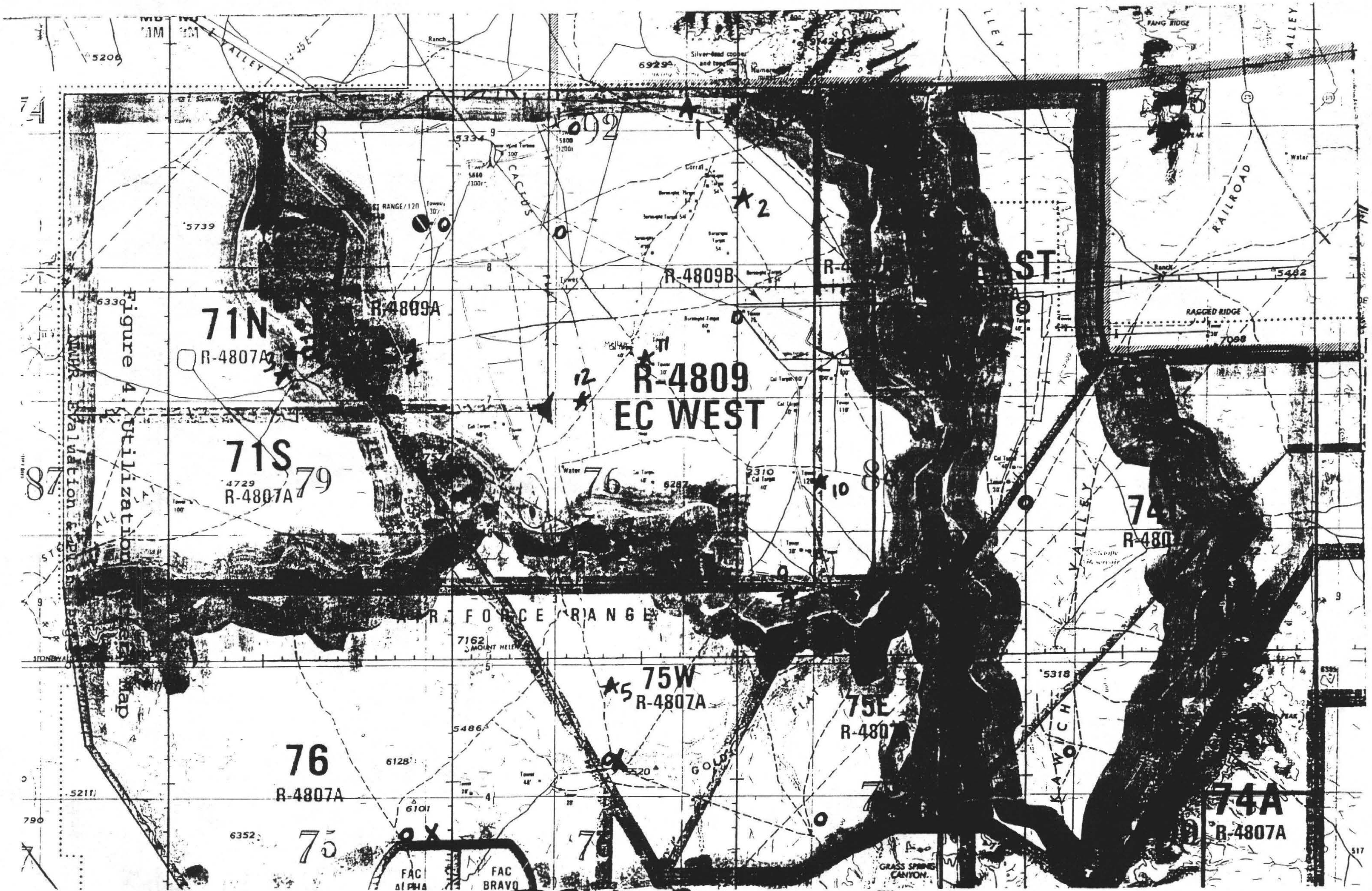
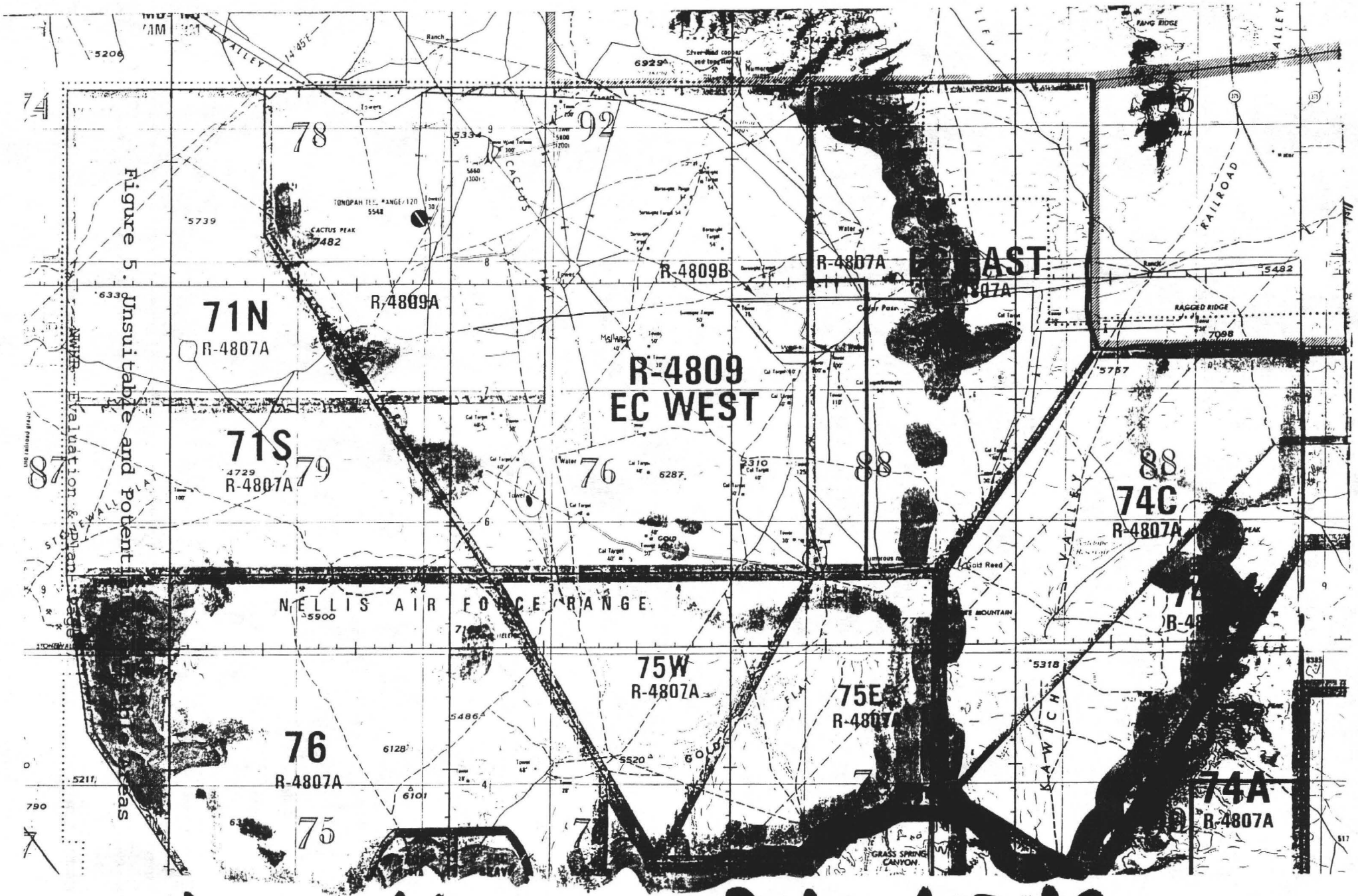


Figure 4. Utilization [illegible] Map
NWHR Evaluation & Planning [illegible]

♂ Spring ▼ Reservoir X well ★ TRANSECTS o ocular

>60% use 40-60% <40%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71S
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R-4807A
76
R-4807A
75
R-4809A
R-4809B
R-4809
EC WEST
R-4807A
EAST
75W
R-4807A
75E
R-4807
74C
R-4807A
74A
R-4807A
NELLIS AIR FORCE RANGE
CACTUS
RAILROAD
RAGGED RIDGE
GOLD
GRASS SPRING CANYON
Figure 5. Unsuitable and Potential Suitable Areas
Unsuitable
Potential

ANIMAL CONDITION

Horse conditions currently range from 2 to 7 (Appendix 2.) Most horses rate a condition 5. As typical with horses, studs are in the best condition followed by the mares, then the foals. During June and July, mares were rated to be in condition classes 2-4, but now rate between 3 and 5. The improvement in the condition of all the animals is because:

1. Cool temperatures in September allowed horses to search farther to find forage before having to return to reservoirs and springs to water.

2. Rainfall in the Central portion of the NWHR produced runoff water filling several ponds. These additional water sources allowed horses to graze previously unused areas.

3. Rainfall in the Central portion of the NWHR stimulated some growth of Globemallow (Sphaeralcea spp.) and galleta grass. This provided valuable protein to wild horses and wildlife.

4. The removal of foals from the mares in July allowed the mares to recover quickly because nutritional intake was directed to their maintenance needs rather than lactation. As a result, health conditions of the mares has improved 1-2 classes.

POPULATION CHARACTERISTICS

The sex structure of NWHR is skewed strongly toward studs (estimated to be as high as 65% males.) The additional physiological stress on the mares of foaling and lactation in an environment that has not supplied the proper amounts of forage and water required for these high nutritional functions is believed to have led to an excessive reduction in the life expectancy of the mare.

Also of interest is the presence of many two horse (1 male, 1 female) bands. This is considered a negative population characteristic because the behaviors of dominance, subdominance, patterning, etc. of the lead mare and stud are not passed on to future generations. This could disrupt or even permanently change the social structure.

The male, with his dominant demeanor, will boldly go to water, while the mare is more apprehensive to approach. The result is that the stud often gets his fill of water before the mare feels comfortable enough to drink. With only one mare to herd, the stud quickly gathers her up and leaves in search of feed. The mare is now with little or even without water possibly for one or two days. With few water sources on the NWHR capable of watering many animals at one time, watering every day or every other day is a stressful and quick event.

Watching over a foal, and following her natural instinct of a alpha mare she is apprehensive by nature and on guard for the band even if the band is only two animals. This adversely affects her because there are not additional mares there to occupy the stud. More mares in the band require the stud to work harder to move or herd the band and reduces the stress on the individual mares. When band movement is slowed down it allows additional time for the mares and foals to acquire food and water.

RANGE HEALTH

Although range health or condition studies were not performed, the NWHR is in surprisingly good health considering the abuse the range has taken. Most major species are present although not in the proportions that might be found on healthy examples of these range sites.

Small weed infestations were observed, and one noxious weed, Knapweed, has been reported. Species composition in the heaviest grazed areas is deteriorating rapidly as many plants are uprooted, crushed, or die. Many woody species have suffered mortality or extreme decadence because of the drought.

Sandy sites and gravely sites are in the worst condition where horse use is heaviest. These sites will be the first to respond though when the drought is broken. Winterfat is in poor condition throughout the NWHR. It will be a very important species this winter as it will provide much of the horses energy requirements to buffer the winter cold.

ANALYSIS OF FORAGE AND AML

Forage Production

Current Available Forage- Utilization studies indicate little forage is available on most of the NWHR, particularly on the areas having 80% or more utilization. Standard range management concepts strongly encourage short term removal of all herbivores when utilization exceeds 50-60%. All currently grazed areas have at least 40% use on one or more key forage species, with grasses often utilized at 80% or more. It is estimated that one-half of the area is severely overgrazed.

Forage, within proper use factors, is only available in Areas 75 and 76. Average forage production in these unused (without water) areas is ocularly estimated to be about 50 pounds per acre (sampling was not conducted.) These two areas (approximately 200,000 acres) have a standing crop of about 12,000 AUMs. One fourth of those AUMs should be allocated to wildlife and other aesthetic uses based on the Resource Management Plan, leaving 9,000 AUMs available to wild horses as forage. A drought safety factor of about 10% should be deducted from the total. Therefore, about 8,000 AUMs are estimated to be available to wild horses. This amount of forage would feed about 667 horses for one year or 1300 animals for 6 months.

Water development in areas 75 and 76 could provide habitat for about 700 head year-round and maintain a desired utilization level of 40% or less. This would be well within the TNEB. This area should adequately provide forage for up to 600 horses until the spring forage season starts.

Analysis of AML

The current AML (maximum population) is based on existing water sources and is capable of servicing 1000 animals.

Wild horses consumed 34,500 AUMs during the 17 month period from June 1995 through September 1996. The estimated average utilization for that period is 80%. The standard formula for computing proper use is:

*Proper Utilization / Actual Utilization * Actual Use = Proper Use*

*40% / 80% * 34,500 AUMs = 17,250 AUMs 17,250/17 months=1015 animals*

Therefore the long term AML of 1000 on the currently utilized area and as prescribed in the HMAP is confirmed by this data and analysis. Some might argue that a higher proper utilization level (i.e. 50%) should be used. Normally this would be true, however, there should be some concession for drought and other natural factors that cause the forage supply to fluctuate. Monitoring of animal health, utilization and climate should continue to be conducted to ensure the herd is healthy and the AML is appropriate for the area.

Forage and AML Summary

The AML of 1000 animals is a valid long term figure which is within the TNEB given normal climatic fluctuations. Permanent waters can support 1000 animals, but forage is only available for 600 animals for up to one year (assumes drought through the summer of 1997). Therefore, the current population of 1350 animals should be reduced to the forage supply (600 head). If the recruitment rate is 20% the population should grow to the AML of 1000 animals by the Summer of 1999.

RECOMMENDED ACTIONS

1. Begin hauling water immediately to:

   a. The Southwest corner of EC West. Water should be sufficient to water about 600 head (6000 gallons/day during warm temperatures.) Daily use is expected to decline as temperatures cool or rainfall occurs. Water could be placed in several troughs connected to a small storage tank or a small pit tank could be constructed and lined with bentonite clay.

   B. The Southeast corner of EC East. Water should be sufficient to water about 400 head (4000 gallons/day during warm temperatures.) Daily use is expected to decline as temperatures cool or rainfall occurs. There is a pit on the west side of Gold Flat road, near the intersection of Gold Mountain Road that can be used. Bentonite clay should be added to the pit before dumping water.

2. Continue periodical monitoring to ensure herd health does not decline.

3. Remove 600-700 animals beginning on or about November 2, 1996. Operations should most likely occur during the morning hours. Every effort should be made to ensure sex ratios are near 50/50. Gather priority should be in the North and central portions of the NWHR where utilization exceeds 80%. Retention priority should go to:

a. Mares involved in the fertility control study.
b. Mare/foal pairs
c. Dry Mares
d. Healthiest studs

4. Begin development of permanent waters in Area 75 West utilizing existing water sources, primarily Gold Flat Well Number 2.

5. Begin development of permanent waters in Area 75 East utilizing existing water sources (thus far unproven) or by drilling a new well.

6. Begin development of permanent waters in Area 74C utilizing existing water sources (thus far unproven) or by drilling a new well.

7. Begin water rotation (turning waters on and off or restricting access) throughout the NWHR to rest different areas from grazing pressure. Continue that practice until range health recovers and the natural watering pattern can be resumed. Modify waters to allow exclusion of large herbivores yet allow wildlife access.

8. Update, as necessary, the NWHR documents including the Master Agreement, Land Use Plan, and Herd Management Area Plan. The revisions should consider the historical range of the herd as well as what might be the most appropriate for long term management.

COORDINATION

The Air Force has agreed to pursue item 1 and item 4. BLM will be responsible for any troughs, floats and pipeline material if it cannot be salvaged from military stock. Bentonite will be provided by BLM to seal ponds. They also agreed that item 2. should continue and recommended that item 3. occur during November. They did not commit to items 5-8 but agreed in concept.

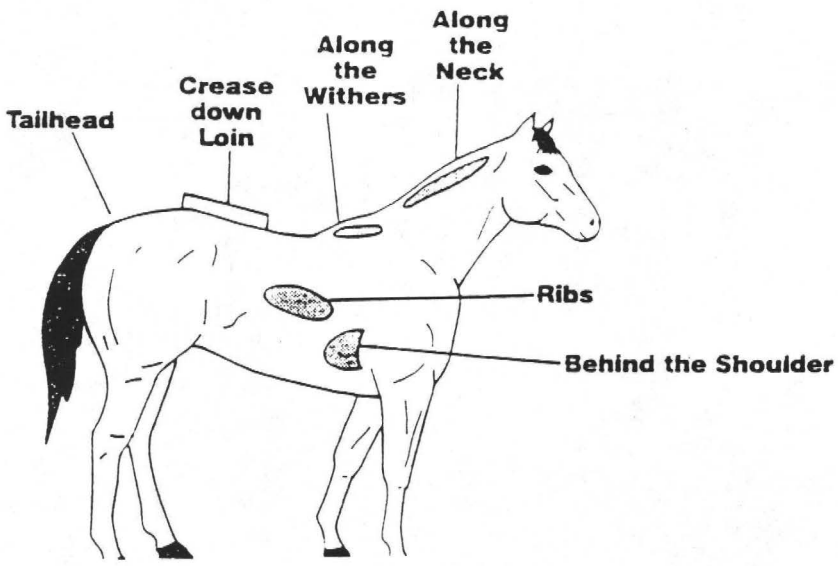
Appendix 1

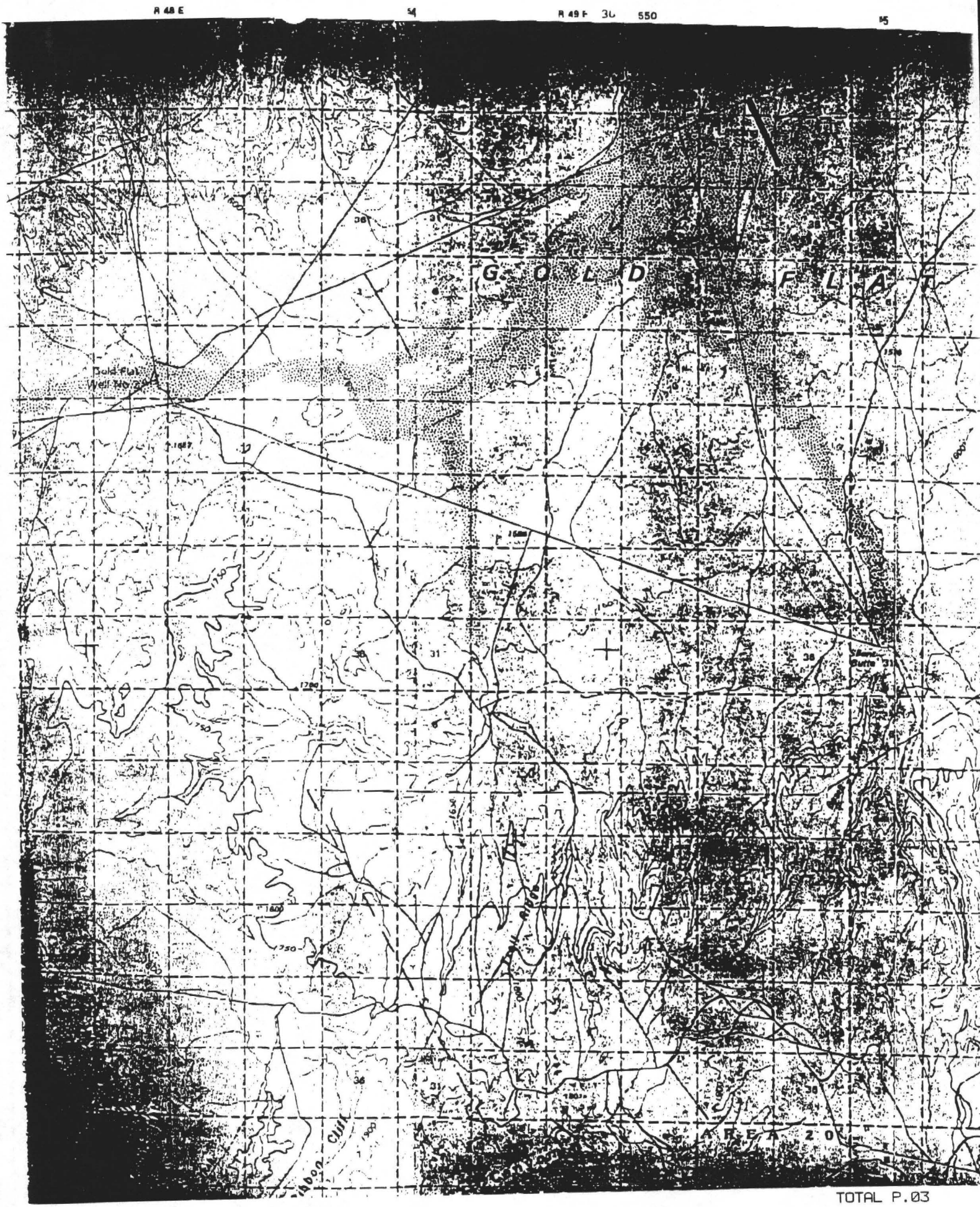
Utilization Summary

Species	Transect Number 1	2	3	4	5	6
ORHY	75	85	-	-	7	10
HIJA	76	91	96	93	-	44
CELA	90	93	-	95	4	10

Species	Transect Number 7	8	9	10	11	12
ORHY	26	17	100	73	100	84
HIJA	46	16	100	63	100	73
CELA	-	-	100	36	100	71

CONDITION	NECK	WITHERS	LOIN	TAILHEAD	RIBS	SHOULDER
1 POOR	Bone structure easily noticeable	Bone structure easily noticeable	Spinous processes project prominently	Tailhead (pinbones) and hook bones projecting prominently	Ribs projecting prominently	Bone structure easily noticeable
	Animal extremely emaciated; no fatty tissue can be felt					
2 VERY THIN	Faintly discernible	Faintly discernible	Slight fat covering overbase of spinous processes. Transverse processes of lumbar vertebrae feel rounded Spinous processes are prominent	Tailhead prominent	Ribs prominent	Faintly discernible
	Animal Emaciated					
3 THIN	Neck accentuated	Withers accentuated	Fat buildup halfway on spinous processes but easily discernible. Transverse processes cannot be felt	Tailhead prominent but individual vertebrae cannot be visually identified Hook bones appear rounded, but are still easily discernible Pin bones not distinguishable	Slight fat cover over ribs Ribs easily discernible	Shoulder accentuated
4 Moderately THIN	Neck not obviously thin	Withers not obviously thin	Negative crease along back	Prominence depends on conformation fat can be felt Hook bones not discernible	Faint outline discernible	Shoulder not obviously thin
5 MODERATE	Neck blends smoothly into body	Withers rounded over spinous processes	Back level	Fat around tailhead beginning to feel spongy	Ribs cannot be visually distinguished but can be easily felt	Shoulder blends smoothly into body
6 Moderately FLESHY	Fat beginning to be deposited	Fat beginning to be deposited	May have slight positive crease down back	Fat around tailhead feels soft	Fat over ribs feels spongy	Fat beginning to be deposited
7 FLESHY	Fat deposited along neck	Fat deposited along withers	May have positive crease down back	Fat around tailhead is soft	Individual ribs can be felt, but noticeable filling between ribs with fat	Fat deposited behind shoulder
8 FAT	Noticeable thickening of neck	Area along withers filled with fat	Positive crease down back	Tailhead fat very soft	Difficult to feel ribs	Area behind shoulder filled in flush with body
	Fat deposited along inner buttocks					
9 Extremely FAT	Bulging fat	Bulging fat	Obvious positive crease down back	Bulging fat around tailhead	Patchy fat appearing over ribs	Bulging fat
	Fat along inner buttocks may rub together		Flank filled in flush			




R 48 E
R 49 E
G O L D F L A T
Gold Flat Well No. 2
AREA 20
Indian Cliff

Standard operating procedures include all methodologies for captures and/or removals which are defined in the Nellis Air Force Wild Horse Removal Plan (1991) and analyzed in EA NV-055-02-01. This gather plan tier's off these original documents.

II. Area of Concern

The proposed emergency gather area is located in Nye County, Nevada and administered by the Las Vegas District. The area of concern is the Nevada Wild Horse Range HMA, approximately 40 miles southeast of Tonapah, Nevada (refer to Map 1).

III. Time Frame

The animals will be removed from the HMA beginning approximately November 1, 1996 and continue until November 15, 1996 or until completed whichever is earlier.

IV. Gather Methods

The gather operation will adhere to the "Nevada Wild Horse and Burro Gather Contract 1422-NV961-C96-3004.

V. Administration of the Contract

The BLM will be responsible, through contract 1422-NV961-C96-3004, for all capture, care and temporary holding until release. The COR will be the Las Vegas District Wild Horse Specialist which will be directly responsible for conducting the gather.

VII. Disposition of Removed Animals:

Approximately 750 animals will removed from the NWHR and placed in the Bureau's adoption program and contract sanctuary's. Mare's participating (in the fertility study) and mare's with foals will be retained. Dry mares may be retained at the discretion of the COAR. This will maintain the current research and alleviate the current unbalanced sex ratio of 60% stud's to 40% mare's. The population will be approximately 600 animals after this gather.

VIII. Branded and Claimed Animals

A notice of intent to impound and a 28 day notice to gather wild horses and burros will be issued concurrently by the BLM prior to any gathering operations in this area. The Nevada Department of Agriculture and the District Brand Inspector will receive copies of these notices, as well as the Notice of Public Sale if issued. The COR/PI will contact the District Brand Inspector and make arrangements for dates and times when brand inspections will be needed. Impounded privately owned animals will be handled in accordance with the Bureau of Land Management, Nevada State Office Instruction Memoranda NV-84-116 and NV-85-416.

IX. Destruction of Injured or Sick Animals

Any severely injured or seriously sick animal shall be destroyed in accordance with 43 CFR 4730.1. Animals shall be destroyed only when a definite act of mercy is needed to alleviate pain and suffering. The COR will make this determination, with the advice of a veterinarian, if needed, when unsure of the severity of the illness or injury. Destruction will be done in the most humane method available.

X. Responsibility:

The District Manager is responsible for maintaining and protecting the health and welfare of the wild horses. To ensure the contractor's compliance with the contract stipulations, the COR from the Las Vegas District, will be on site at all times. The health and welfare of the animals is the overriding concern of the District Manager, Area Manager, COR and PI's.

Prepared By:

Gary McFadden
Wild Horse and Burro Specialist
Las Vegas District

10-11-96
Date

Approved By:

Marvin D. Morgan
Associate District Manager
Renewable Resources
Las Vegas District

October 11, 1996
Date

Concurrence By:

Mike Dwyer
District Manager
Las Vegas District

10/16/96
Date

FINAL
ENVIRONMENTAL ANALYSIS
for
NEVADA WILD HORSE RANGE
HERD MANAGEMENT AREA PLAN

EA No. NV-052-97-005

Prepared by Gary McFadden
Wild Horse and Burro Specialist

Las Vegas District
Bureau of Land Management

BACKGROUND INFORMATION

Introduction

The Bureau of Land Management (BLM), Las Vegas District, proposes to implement a revised Nevada Wild Horse Range Herd Management Area Plan (HMAP). In 1985, an HMAP was developed and approved for the Nevada Wild Horse Range (NWHR) the HMAP was revised in 1995. Recent changes in the direction and policy in the wild horse and burro program necessitated a revision of the 1995 HMAP.

The Nevada Wild Horse Range (NWHR) is contained within the north-central portion of the Nellis Air Force Range (NAFR). The NAFR is located in south-central Nevada in Clark, Lincoln and Nye counties. The NAFR comprises 2,209,326 acres for use as a high-hazard military weapons testing and training facility. The NWHR composes approximately 394,000 acres of the NAFR.

Purpose and Need

Population control actions are required to effectively manage the NWHR's wild horse population in order to achieve the appropriate management level (AML). The AML was established in 1991 through a multiple-use evaluation and decision. This AML of 1000 horses was based upon water availability from perennial water sources within the NWHR. Achieving the AML will help to maintain the wild horse population in a natural, thriving ecological balance with the other resources and uses within the NWHR.

This Environmental Analysis (EA) analyzes only those management actions which have not been previously analyzed in prior analyses, which were prepared in accordance with the National Environmental Protection Act (NEPA). All other activities in the HMAP were analyzed through the Nellis Air Force Range Resource Plan (RP) / Environmental Impact Statement (EIS) (1992), the EA prepared for the 1985 HMAP (EA-NV-057-4-05) and the EA prepared for the last series of removals in the NWHR (EA-NV-055-02-01) (1991) and (EA-NV-057-4-05).

Relationship to Planning and Other Applicable Regulatory Authorities

This EA is tiered to the Nellis Air Force Range Resource Plan/Final (EIS) which analyzed the ecological impacts of managing the rangelands under a program of habitat monitoring and adjustment of wild horse numbers.

The proposal is in conformance with all applicable regulations and policies: The Wild Free-Roaming Horse and Burro Act (Public Law 92-195), as amended by the Federal Land Policy and Management Act (Public Law 94-579); the Military Lands Withdrawal Act of 1986 (Public Law 99-606) which withdrew the Nellis Air Force Range for use as a high-hazard military weapons testing and training facility; Title 43 Code of Federal Regulations, Part

4700; BLM Manual 4710, Rel. 4-90; the BLM Strategic Plan for Management of Wild Horses and Burros on Public Lands (1992); and the Draft Nevada State Office Manual Supplement (Jan. 1989), and the Nellis Air Force Range Resource Plan (2-92).

PROPOSED ACTION

The proposed action would be to maintain the AML of 1000 hd., however this would be accomplished by developing an upper and lower number of animals for an AML. This would consist of a range of 600 to 1000 animals. The herd would be reduced to 600 hd. then be allowed to grow to 1000 hd. over a three year period. This would allow the herd to exist with out any external influences during this 3 year period. Once the herd reaches its upper AML limit of 1000 animals a gather would be initiated to reduce the herd to its lower limit of 600 animals.

During this gather (proposed action) the selective removal criteria will be waived, animals of any age will be eligible for removal. However, mare's in the fertility control study and mare's with foals will be retained to complete on going research and balance a skewed sex ratio of approximately 60% stud's to 40 % mare's. Dry mares may be retained at the option of the COAR. Subsequent gathers will allow for the removal of old animal's and the retention of young age mare's to ensure a sex ratio of 45% stud's to 55% mare's. Also, the branded mare's in the contraceptive study may receive a booster shot to extent their non productivity status. This would leave approximately 50 % of the mare population with the possibility of foaling.

Standard operating procedures (SOPs) include all methodologies for captures and/or removals which are defined in the Nellis Air Force Range Wild Horse Removal Plan (1991) and analyzed in EA NV-055-02-01.

ENVIRONMENTAL CONSEQUENCES

The consequences of removing wild horses and maintaining AML in the NWHR have been analyzed in the EA for the latest Wild Horse Removal Plan (EA-NV-055-02-01) and the EA for the 1985 NWHR HMAP (EA-NV-057-4-05). The proposed actions, developing a range of 600 to 1000 animals for an AML, and balancing the sex ratio, would have no impact on the physical environment beyond those already analyzed. The following do not occur or would not be significantly impacted by the proposed action: threatened or endangered species (plant or animal); riparian areas; wilderness or wilderness study areas; social and economic values; water (drinking/ground/quality); air quality; Native American Religious concerns, wastes (hazardous and solid); floodplains; wetlands; areas of critical environmental concern; wild and scenic rivers; visual resource management; prime or unique farmlands; or cultural, paleontological, and historical resources.

All trap-sites and holding facilities used in captures or removals would be inventoried for threatened and/or endangered plants and animals as well as cultural resources. Traps would be relocated if these resources are found in the area.

Wild Horses

Development of an AML that ranges from 600 to 1000 animals, booster contraceptive shots and balancing the sex ratio will reduce the demand on the natural resources of the NWHR. This action will implement a gather cycle of approximately three years ensuring that the animals can propagate during the cycle unaltered, develop band structure and a natural age diversity throughout the herd. The decreased frequency of removal would reduce stress on the herd and improve herd health.

The NWHR's horse habitat would show a positive response to the proposed action by receiving reduced utilization pressure on the vegetative growth that occurs each year. The vegetative component of the area would be able strengthen its root reserves and fulfill its reproductive cycles due to the reduced grazing pressure by the wild horses.

PROPOSED MITIGATING MEASURES

Standard operating procedures (SOPs) include all methodologies for captures and/or removals which are defined in the Nellis Air Force Range Wild Horse Removal Plan (1991) and analyzed in EA NV-055-02-01. All trap-sites and holding facilities used in captures or removals would be inventoried for threatened and/or endangered plants and animals as well as cultural resources. Traps would be relocated if these resources are found in the area.

Standard operating procedures for implementing the wild horse contraception are all methodologies found The Wild Horse and Burro Fertility Management Policy and Procedures Task Group - Final Report (June 1992) as well as the experimental protocol provided by Dr. John Turner.

All additional data (reproduction rates within older age class mares, recruitment rates, success of fertility control, etc.) will be collected through processing of the animals during gather operations and field observations of the animals.

The wild horses within the NWHR will be managed at a range of 600 to 1000 animals.

SUGGESTED MONITORING

All monitoring identified in the NWHR HMAP would occur. In addition, the herd will be checked weekly for the month after the

gather to ensure problems do not occur.

CONSULTATION AND COORDINATION

Intensity of Public Interest and Record of Contacts

The issue of wild horses and their management has created intense public interest for many years. Concerns include forage allocation for wild horses, livestock and wildlife; maintaining levels of wild horses; and removals of wild horses.

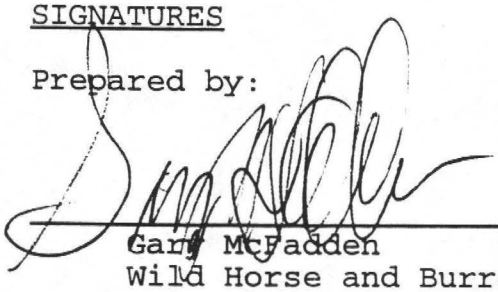
Due to the emergency nature of this action, this decision package is issued Full Force and Effect.

Internal District Review

Gary McFadden	Wild Horses
Marvin Dan Morgan	Renewable Resource Manager
Mike Dwyer	Las Vegas District Manager
Jeff Stienmetz	Environmental Coordinator

SIGNATURES

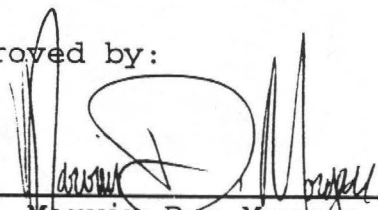
Prepared by:



Gary McFadden
Wild Horse and Burro Specialist
Las Vegas District

10-11-96
Date

Approved by:



Marvin Dan Morgan
Assistant District Manager
Renewable Resources
Las Vegas District

October 11, 1996
Date

RECORD OF DECISION FONSI
EA-NV-052-97-005
NWHR Emergency AML Evaluation

DECISION

The proposed action is accepted with the following mitigating measures;

1. All SOP's will be followed as listed in the following documents.

a. Nellis Air Force Range Wild Horse Removal Plan (1991).

b. EA-NV-055-02-01 (1991)

c. The Wild Horse And Burro Fertility Management Policy and Procedure and Procedure Task Group Final Report (1992).

d. District Archeological Clearances.

RATIONALE

The proposed action will rescue approximately 750 from a stressed enviroment and ensure adiquate forage for 600 wild horses that will remain on the NWHR. Also this action will enhance the environment by relieving grazing pressure in areas of heavy use, improve forage utilization and enhance the use of wild horse habitat. Due to this emergency situation this action is placed in Full Force and Effect.

AUTHORITY: The authority for this decision is contained in Sec.3(a) and (b) and Sec.4 of the Wild Free-Roaming Horse and Burro Act (P.L. 92-195) as amended and Title 43 of the Code of Federal Regulations, specifically 43 CFR 4720.1. The authority for the Full Force and Effect decision can be found at 43 CFR 4770.3(c) which states:

> *The authorized officer may place in full force and effect decisions to remove wild horses or burros from public lands if removal is required by applicable law or to preserve or maintain a thriving ecological balance and multiple use relationship. Full force and effect decisions shall take effect on the date specified, regardless of an appeal. Appeals and petitions for stay of decision shall be filed with the Interior Board of Land Appeals, as specified in this part.*

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

The EA has shown that implementing the proposed action will not significantly affect the quality of the human environment. Therefore, an environmental impact statement is not required.

Marvin Dan Morgan
Associate District Manager
Renewable Resources

October 11, 1996
Date