

**FINDING OF NO SIGNIFICANT IMPACT
AND
DECISION RECORD**

**JOHNNIE HERD MANAGEMENT AREA
EMERGENCY WILD BURRO GATHER AND REMOVAL
BLM(NV-052-00-061)**

Finding of No Significant Impact

Based on the analysis of potential environmental impacts contained in Environmental Assessment BLM (NV-052-00-061), I have determined that the action will not have a significant effect on the human environment, and therefore, an environmental impact statement will not be prepared.

Decision

It is my decision to approve the emergency gather and removal of wild burros from the Johnnie Herd Management Area (HMA) as described in the proposed action of BLM (NV-052-00-061). Each of the Standard Operating Procedures described in the Proposed Action will be strictly followed.

Monitoring

The monitoring described in the proposed action of BLM (NV-052-00-061) is sufficient for the proposed action.

Rationale

This action will allow for the gather of wild burros in the Johnnie HMA. The vehicle incident situation for the wild burros (approximately 30 hd), has become critical. The proposed action will prevent stress and possible death by vehicle incident of a substantial number of wild burros.

The Water Hauling Alternative was not selected because it is not feasible for the BLM to haul water to 140 wild horses and burros in remote locations.

No Action Alternative was not selected because it would not allow for the removal of wild horses and would allow for the potential death and suffering of a substantial number of wild horses.

The proposed action is in conformance with the objectives of the Las Vegas Resource Management Plan and is consistent with Federal, State and local laws, regulations and plans to the maximum extent possible.



John Jamrog
Assistant Field Manager
Renewable Resources

12/1/00
Date



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)

CERTIFIED MAIL
7000 0520 0020 6193 3233

RETURN RECEIPT REQUESTED

December 01, 2000

NOTICE OF FULL FORCE AND EFFECT DECISION
JOHNNIE HERD MANAGEMENT AREA
EMERGENCY WILD BURRO GATHER AND REMOVAL

MANAGEMENT ACTION: The action is to gather approximately 30 burros from the Johnnie Herd Management Area (HMA). Approximately 80 wild horses and burros will remain in the HMA. The action is in compliance with the Proposed Action of Environmental Assessment (NV-052-00-061), Red Rock HMA Wild Horse Emergency Gather, dated July 27, 2000.

BACKGROUND INFORMATION: A significant number of burros (2 to 3 per month) have been killed on highway 160 which runs through the HMA. A number of burros are presently residing on the roadside outside the HMA creating a hazard to motorist and themselves. In order to prevent additional loss of burros and potential harm to motorists, a gather will occur. Approximately 40 burros and 40 wild horses will remain in the HMA. The NWA has been briefed concerning this emergency gather and is in agreement with the action. The burros will be removed from the HMA and transported to the Ridgecrest California Facility.

DECISION: Enclosed is the Decision Record, Finding of No Significant Impact which is in compliance with Environmental Assessment (NV-052-00-061) which analyzes the impacts of removing wild horses and burros within the Red Rock HMA. Given the information contained in these documents, it is my decision to gather approximately 30 burros from the HMA and leave approximately 80 wild horses and burros in the HMA.

METHODS: The method of capture will be to use a helicopter to herd the animals to portable wing traps. The BLM will conduct the removal through a private contractor under the current requirements contract and supervised by a Contracting Officer's Representative. It is estimated that 2 trap locations will be required.

DATES: The action is scheduled to begin on December 13, 2000, and will likely be two days in duration.

LOCATION: The action will occur in the Johnnie HMA.

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. The authority for the Full Force and Effect decision can be found at 43 CFR 4770.3(c) which states:

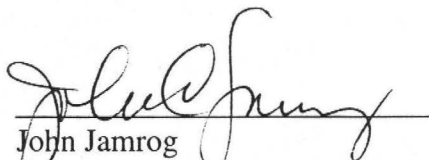
The authorized officer may place in full force and effect decisions to remove wild horses or burros from public lands if removal is required by applicable law or to preserve or maintain a thriving ecological balance and multiple use relationship. Full force and effect decision shall take effect on the 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 the 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, Western Region, U.S. Department of the Interior, Federal Building, Suite 6201, 125 S. State Street, Salt Lake City, UT 84138-1180, and (3) Las Vegas Field 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.


John Jamrog
Assistant Field Manager
Renewable Resources

12/01/00
Date

COMMUNICATIONS PLAN
JOHNNIE EMERGENCY WILD BURRO GATHER
Las Vegas Field Office

INTRODUCTION and BACKGROUND

Currently a significant number of burros (2-3 per month) have been killed on HWY 160 that runs through the HMA. A number of burros are presently residing on the roadside outside the HMA creating a hazard to motorist and themselves. In order to prevent a significant loss of wild burros and potential harm to motorists, a gather is requested immediately. Approximately 40 burros and 40 wild horses will remain in the Johnnie HMA. The NWA has been briefed concerning this emergency gather and is in agreement with the action. Approximately 30 burros will be removed from the HMA and shipped to the Ridgecrest California Facility.

PROJECT LOCATION

The Johnnie Herd Management Area (HMA) is located in the approximately sixty miles west of Las Vegas strip Clark County, Nevada and it encompasses over 200,000 acres of public land. Traps and holding areas will be determined at the initiation of the gather process. Maps will be made available as necessary.

INTERNAL COMMUNICATIONS

1. Management Communications - The Las Vegas Field Office Manager, Mark Morse and Assistant Manager, John Jamrog or his acting, will be provided daily summary reports on the gather. This daily report will be distributed to the Wild Horse and Burro Program Lead, Terry Woosley, and the Associate State Director, Jean Rivers-Council, at the Nevada State Office. John Jamrog Assistant Field Office Manager of Renewable Resources will be the main contact for the Contract Officers Representative (COR) in the field. The COR will provide data describing wild horse ages, physical condition of animals, numbers gathered, circumstances involving injuries to or death of animals and incident reports. The Assistant Field Office Manager will also advise the Public Affairs Coordinator of management concerns regarding media coverage.

The daily summary report should contain:

- date
- number gathered
- breakdown on total gathered - studs, mares and foals
- how many penned - studs, mares and foals
- breakdown of animals shipped - studs, mares and foals
- number of animals released - studs, mares and foals
- animals euthanized and circumstances
- notes on anything unusual

2. Public Affairs Communications - Internal communications for media from the gather site will be provided directly to the Nevada State Office (NSO). Maxine Shane, Office of Communications, will be the primary point of contact at the NSO. If Maxine Shane is not available, calls will be referred to Jo Simpson, Chief, Office of Communications, NSO. Reports will be provided on a daily basis, or more often if necessary, to report ongoing activities or controversial situations. The Wild Horse Specialist will recommend viewing areas for photography, and will decide whether a particular activity would interfere with gather operations or would be unsafe to viewers or wild horses.

Activities may include coordination of site visits to avoid interference with the gather operations, answering questions and providing for safety of visitors and wild horses. The COR will recommend viewing areas, times and locations for photography and site visits, interviews with the contractor and his employees, and whether particular public affairs activities would interfere with gather operations.

Personnel:

Las Vegas Field Office -

Gary McFadden, Wild Horse and Burro Specialist, COR/PI
office: (702) 647-5024
home: (702) 645-3251
cell: (702) 592-0132

Angie Lara, Associate Field Office Manager.
office: (702) 647-5043
home: (702) 655-4392 (BLM personnel only)
cell: (702) 255-2472

Mark Morse
office: (702) 647-5220
home: (702) 566-2874 (BLM personnel only)

John Jamrog, Assistant Field Office Manager, renewable Resources
office: (702) 647-5060
home: (702) 641-0127 (BLM personnel only)

Phil Guerrero
office: (702) 647-5046
home: (702) 498-6088
cell: (702) 256-2581

Nevada State Office -

Maxine Shane, External Affairs, NSO
office: (775) 861-6588
home: (775) 747-6211 (BLM personnel only)

Jo Simpson, Chief External Affairs, NSO
office: (775) 861- 6629
home: (775) 787-7556 (BLM personnel only)
cell: (775) 722-9796

Terry Woosley, Nevada Wild Horse and Burro Program Lead
office: (775) 861-6474
home: (775) 322-3776 (BLM personnel only)

National Wild Horse and Burro Office in Nevada -

Palomino Valley Corrals (PVC)
Sharon Kipping, Manager
office: (775) 475-2222
home: (775) 972-6960

Tom Pogacnik, Chief, Wild Horse and Burro Program
office: (775) 861-6583
home: (775) 849-0642 (BLM personnel only)

Veterinarians: When the services of a veterinarian are required, the following will be contracted for assistance. The veterinarian will be on-call to examine and make recommendations on euthanasia.

Dr . Tom Hartgrove
office: (702) 658-1925

Dr. Rich Sanford
PVC Veterinarian (775) 475-2222

Brand Inspections: A Nevada District Brand Inspector will inspect all wild horses prior to shipping.

Bert Gray
Home: (775) 553-2944
Work: (775) 553-2870
Cell: (775) 521- 3809

Chris Collis
cell phone: (775) 289-9499

EXTERNAL COMMUNICATIONS

There are no plans for a general news release. If requested, a media advisory can be provided to parties expressing interest. This advisory will contain a map and a list of contacts. The BLM contract does not provide for passengers in the contract helicopter, thus no media personnel will be allowed on board. If the media brings their own helicopter, the project COR will instruct the pilots on safety and concerns with harassment of horses and getting in the way of the gather operation. Media helicopters must maintain a distance no less than 1,500 feet behind and 500 feet above the gather helicopter. If there is any disagreement or breach, the COR will immediately halt the gather. Video or still cameras will not be mounted on the gather helicopter.

Communications with Military

The contractor and his pilot are solely responsible for contacting the appropriate military installation for all clearances into military airspace. The contractor will be fully briefed during the pre-work conference of the military airspace over the project area and will be reminded to obtain proper clearances.

METHOD FOR REMOVAL AND CARE

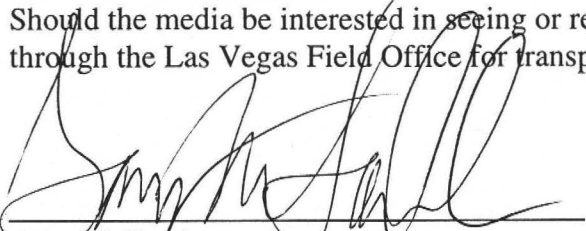
It is important to emphasize that the capture method by helicopter drive trapping is safe, effective, and generally less stressful on the horses than chasing them on horseback. Other means, such as roping, are only used when extremely necessary and only after determining that this is the only method that will work. Roping 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 is 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.

HANDOUTS AND INFORMATION

Suggestions for handouts are copies of the Wild Horse and Burro Act of 1971; 43 CFR 4700, Protection, Management, and Control of Wild Free Roaming Horses and Burros; and the "So You'd Like to Adopt" brochure.

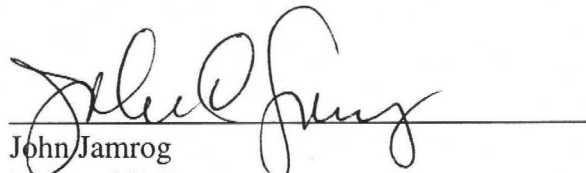
INTEREST GROUPS

Should the media be interested in seeing or reporting on the gather, arrangements can be made through the Las Vegas Field Office for transportation and instructions to the gather site.



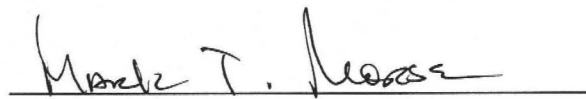
Gary McFadden,
Wild Horse Specialist

12-1-00
Date



John Jamrog
Renewable Resources

12-1-00
Date



Mark Morse,
Field Office Manager

12-1-00
Date