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**HOT SPRINGS MOUNTAINS
WILD BURRO GATHER
ENVIRONMENTAL ASSESSMENT**

**Preliminary
Environmental Assessment
NV-020-06-EA-07**



Winnemucca Field Office
Bureau of Land Management
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INTRODUCTION

1.1 Background Information

The Bureau of Land Management (BLM), Winnemucca Field Office (WFO) is proposing to capture approximately 92 burros (100% of the current estimated population) from the Hot Springs Mountains area in March 2006. The Wild Free-Roaming Horse and Burro Act of 1971 (Public Law 92-195 as amended) mandates that wild horses and burros be protected and managed as a component of the public lands on regions where they were present in 1971, when the Act was passed. Neither wild horses nor burros were present on the Hot Springs Mountains in 1971. Therefore it was designated neither a Herd Management Areas (HMAs) nor a Herd Area (HA) and there is no Appropriate Management Level (AML) or animal unit months (AUMs) associated with the wild burros in the Hot Springs Mountains. The Hot Springs Mountains are just east of Fernley, Nevada, south of Interstate 80 at Exit 65. The burros have been seen in both Churchill and Lyon Counties. See Map 1.

A wild burro gather was conducted in 1993. Seventy-three burros were removed at that time, but a few burros were inadvertently missed, resulting in the population currently residing in the Hot Springs Mountains.

An aerial census would not be conducted before the proposed gather. Aerial census techniques for burros are not as accurate as those for wild horses, due to the cryptic coloration and behavior of burros. Ground observations generally yield the best estimate of burro numbers within a given area. The last aerial census of the Hot Springs Mountains was done in July 2003, and found 17 burros. The following spring before the peak foaling period, 36 adult burros were observed in an area that did not cover the entire allotment. At that time a permittee was reporting more than 75 in the allotment.

Forage and water sources in that part of the Desert Queen Allotment south of I-80 are limited. Burros frequently crop grasses and shrubs shorter than do horses. Water sources available to burros in the Desert Queen are scarce and frequently saline. The long-term drought has exacerbated the situation for wild burros, livestock, and wildlife.

1.2 Need for Proposal

Burro populations in the Hot Springs Mountains Range are estimated at approximately 92 head. The need for this proposal is to remove animals residing outside of an HMA or HA as well as to help restore the range to a thriving natural ecological balance and to prevent rangeland health deterioration.

The 43 CFR (Code of Federal Regulations) 4710.3-1 says, "Herd management areas shall be established for the maintenance of wild horse and burro herds. In delineating each herd management area, the authorized officer shall consider...the relationships with other uses of the public and adjacent private lands..." As stated above, there were no burros in the Hot Springs Mountains when the 1971 Act was passed; the area has never been a HMA or a

HA. In addition during the ensuing years since the Act was passed, a geothermal plant has been established in the area and is presently in the process of expanding. Most of the waters the burros now use are generated as a result of the geothermal wells and are not natural sources. When the geothermal plant eventually shuts down, those sources will no longer be available.

The Proposed Action is needed to remove the entire population of wild burros in March 2006. The removal of burros will help the resident forage regain vitality, lessen stress on water sources, and remove the impact of equine hooves on the soil. It is needed to achieve and maintain a thriving natural ecological balance on the public lands and to protect the range from the deterioration associated with an unauthorized population of wild burros. It is in conformance with Section 3(a) of the 1971 Wild Free-Roaming Horse and Burro Act.

1.3 Conformance with Existing Land Use Plans (LUPs)

The Sonoma Gerlach Management Framework Plan (MFP) issued on July 9, 1982 does not provide for wild burros in the Desert Queen Allotment. The Proposed Action has been determined to be in conformance with this plan as required by regulation (43 CFR 1610.5-3(a)).

1.4 Conformance with Rangeland Health Standards

The affected allotments have not been assessed for conformance with the Rangeland Health Standards and Guidelines.

1.5 Relationship to Statutes, Regulations, or Other Plans

The Proposed Action is in conformance with the Wild Free-Roaming Horse and Burro Act of 1971 (PL 92-195 as amended) and with all applicable regulations at 43 CFR 4700 and policies.

Environmental analyses (EA) have been conducted during past years which analyzed the impacts of various gather methods on wild burros and their effects on the human environment. The following documents are available for public review at the Winnemucca Field Office:

- 1) Winnemucca District Wild Horse/Burro Removal Programmatic Environmental Assessment, EA No. NV-020-7-24, August, 1987.
- 2) McGee Mountain Wild Burro Capture Plan/Environmental Assessment, EA No. NV-020-05-23, September, 2005

1.6 Issue Identification

The following concerns were identified as a result of internal and external scoping regarding the proposed removal of wild burros from the Desert Queen Allotment.

- ❖ The wild burros are not residing in a HMA;
- ❖ Five years of consecutive drought have decreased plant health, vigor, and forage production;
- ❖ Over-utilization contributes to the loss of and/or the reduced health, density, and vigor of native bunch grasses and browse species, encouraging weed infestation and conversion of desirable plant communities to undesirable plant communities;
- ❖ Heavy trailing impacts due to animals traveling between forage and limited water sites have contributed to reduced vegetative cover, loosening of topsoil, increased erosion;
- ❖ The presence of burros on the allotment reduces the land's ability to achieve a "thriving natural ecological balance."

2.0 ALTERNATIVES

This chapter describes the Proposed Action and No Action Alternatives, which are analyzed in detail in this document.

- Alternative 1: Proposed Action (Gather All Burros)
- Alternative 2: No Action (Do Not Gather/Remove Wild Burros)

Alternative 1 was developed based on the need to remove animals residing outside of a HMA or HA as well as to help restore the range to a thriving natural ecological balance and to prevent rangeland health deterioration. Alternative 2 does not comply with the 1971 Act nor meet the purpose and need for this action. It is included as a basis for comparison and for assessment of the impacts in the event that a gather does not occur.

2.1 Proposed Action, Alternative 1

The Proposed Action would be to remove all wild burros (approximately 92 head) from the Desert Queen Allotment south of Interstate 80.

- Gather operations would be conducted in accordance with the Standard Operating Procedures (SOPs) described in the Nevada Wild Horse Gather Contract (Appendix A). The helicopter drive method would be used for this gather and would include multiple gather sites (approximately two).
- The BLM would be responsible for compliance, whether a contractor or BLM personnel conduct the gather.
- Wild burros would be sent to Bureau facilities for adoption or sale.

2.2 No Action, Alternative 2 (Do Not Gather/Remove of Wild Burros)

Alternative 2 would continue existing management. Wild burros would not be gathered. Wild burro populations are reported to increase by 11 percent or more per year. Populations may eventually reach equilibrium by regulating their numbers through periodic

elevated mortality rates caused by drought, insufficient forage, water and/or space availability, disease, predation, or a combination of these environmental factors. A management action to reduce herd numbers might be evaluated and implemented at another time, possibly due to an emergency situation.

3.0 AFFECTED ENVIRONMENT

This chapter describes the affected environment and the components of the human environment either affected or potentially affected by the Proposed Action and the No Action Alternative.

Table 1 below summarizes the presence of the critical elements of the human environment and other resources of concern within the project area. Elements marked as being present are discussed in the corresponding referenced section below.

Table 1. Critical Elements of the Human Environment and Other Priority Elements

Critical Elements	Present	Affected	Reference Section
Air Quality	Yes	No	--
Areas of Environmental Concern	No	No	--
Cultural Resources	Yes	Yes	3.1
Environmental Justice	No	No	--
Floodplains	No	No	--
Invasive, Non-Native Species	Yes	Yes	3.3
Migratory Birds	Yes	Yes	3.4
Native American Religious Concerns	No	No	3.2
Prime/Unique Farmlands	No	No	--
Special Status Species	Yes	Yes	3.6
Threatened or Endangered Species	Yes	Yes	3.5
Waste, Hazardous or Solid	No	No	--
Water Quality (Surface & Ground)	No	No	--
Wetland/Riparian Zones	No	No	--
Wild & Scenic Rivers	No	No	--
Wilderness/Wilderness Study Area (WSA)	No	No	--
Other Priority Elements	Present	Affected	Reference Section
Livestock Grazing	Yes	Yes	3.7
Vegetation	Yes	Yes	3.8
Wild Burros	Yes	Yes	3.9
Wildlife	Yes	Yes	3.10

3.1 Cultural Resources

A complete inventory of archeological sites within the project area has not been completed. Previous inventories have identified prehistoric sites (lithic scatters, camp sites, lithic sources, quarry sites, isolated projectile points, etc.) The highest concentration of prehistoric sites is in association with permanent and intermittent water sources. Major historic sites in the project area include the California Emigrant Trail, historic salt works and sites associated with historic mining, ranching and transportation and communication routes.

3.2 Native American Concerns

Native American consultation has been undertaken for other projects in the Hot Springs Mountains Wild Burro Gather Area in the past. No additional Native American consultation was undertaken for this project because, to the extent possible, previously disturbed areas would be used and the location of other possible trap sites is unknown at this time.

Based on the results of previous Native American consultations it is known that Desert Peak is considered a sacred site by the Fallon Paiute Tribe. Hot springs and other water sources are also considered sacred by Native American tribes. Riparian zones, in particular, are rich sources of plants for medicinal and other uses.

3.3 Invasive, Non-Native Species

Noxious weed and invasive non-native species introduction and proliferation are of growing concern among local and regional interests. Nevada Revised Statutes, Chapter 555.05 defines “noxious weeds” and mandates land owners and land management agencies to include control of noxious weeds on lands under their jurisdiction.

Noxious weed surveys including invasive and non-native species in the Hot Springs Mountains have been initiated and are ongoing. These surveys indicate that the following state listed noxious weeds occur:

Table 2. Invasive, Non-Native Plant Species.

Common Name	Scientific Name
Perennial pepperweed	<i>Lepidium latifolium</i>
Scotch thistle	<i>Onopordum acanthium</i>
Russian knapweed	<i>Centaurea repens</i>
Saltcedar	<i>Tamarix ramossissima</i>
Hoary cress	<i>Cardaria draba</i>

These weeds occur in a variety of habitats including road side areas, rights-of-way, wetland meadows, as well as undisturbed upland rangelands.

3.4 Migratory Birds

Neo-tropical migrant bird species are those species that breed in the temperate portions of North America and winter in the tropics in either North or South America. Within the project area, quality riparian habitats and healthy shadscale communities are required for healthy neo-tropical migrants' populations.

No migratory bird inventory has been completed for the proposed action. Common migratory birds which may use the area as habitat include various song birds, doves (*Zenaidura macroura*), raptors, and ravens (*Corvus corax*).

3.5 Threatened or Endangered Species

No on-the-ground field observations have been conducted for any Threatened or Endangered species. However, the US Fish and Wildlife Service (September 13, 2005) reports the following species may occur in the project area on a seasonal or yearlong basis: the bald eagle (*Haliaeetus leucocephalus*), a federally threatened species, and the yellow-billed cuckoo (*Coccyzus americanus*), a federal candidate species.

3.6 Special Status Species

According to the Nevada Natural Heritage database, numerous rare and sensitive forb plant species have been reported in the proposed project area. These plant species usually start to grow in early spring and by summer have fulfilled their life cycle and set seed.

The gather area is a shadscale community which is not habitat for Greater sage-grouse (*Centrocercus urophasianus*), pygmy rabbits (*Brachylagus idahoensis*), or burrowing owls (*Athene cunicularia hypugea*), all of which are BLM sensitive species.

3.7 Livestock Grazing

The Desert Queen Allotment straddles Interstate 80 with about 50% of the allotment on each side of the highway. In the allotment, cattle use is from November 15th to April 15th. Permittees alternate their livestock between the north and south side of the highway annually.

3.8 Vegetation

Climate is characterized by warm dry days, cool nights, and annual precipitation amounts that range from 4 to 8 inches. Vegetation is primarily salt desert shrub communities. Typical species include shadscale, winterfat, budsage, four-wing saltbush, Indian ricegrass, needle-and-thread, Cooper's wolfberry, Bailey's and black greasewood.

3.9 Wild Burros

The Hot Springs Mountains burros occupy the south half of the Desert Queen Allotment (about 50% of the 297,746 acres that comprise the allotment, Map 1). Approximately 50% of the land south of Interstate 80 is either private land, Bureau of Reclamation land, or Nevada State land; the rest is administered by the Bureau of Land Management. A geothermal facility operates in the area as do several mines.

Water is the biggest limiting factor for burro survival. Storms and snow melt (annual runoff events) supply some water, but most of the water utilized by burros comes from geothermal facility activities. Much of the other water in the area is brackish. Developed waters are minimal, and mostly on the north side of I-80 and inaccessible to the wild burro population. Perennial waters and/or wetlands are few, marshy and near the southeast corner of the allotment next to the railroad tracks. Closure or loss of access to the facility would severely affect the availability of water for the existing burro population.

The burros found in the Hot Springs Mountains area were brought in by livestock operators or cowboys after the 1971 Wild Free-Roaming Horse and Burro Act was passed. Burros were not in residence when the Act was passed. The Hot Springs Mountains Range area was never designated as a Herd Area and is not managed for wild horses and /or burros.

3.10 Wildlife

Terrestrial wildlife resources in the project area are typical of the driest portions of the Great Basin. Terrestrial wildlife expected to be found in the proposed project area are pronghorn antelope (*Antilocapra americana*), jackrabbits (*Lepus californicus*), small mammals, raptors, coyotes (*Canis latrans*), amphibians, and reptiles. The most limiting parameter for wildlife in the area is the lack of free water. There is no potential aquatic fishery habitat in the proposed project area.

4.0 ENVIRONMENTAL IMPACTS

This chapter will assess the environmental impacts on the components of the human environment either affected or potentially affected by the Proposed Action (Alternative 1) and the No Action Alternative.

4.1 Cultural Resources

Alternative 1: Proposed Action

Direct impacts to cultural resources are not anticipated to occur because gather sites and temporary holding facilities would be placed in previously disturbed areas or inventoried for cultural resources prior to construction. If cultural resources are encountered, these locations would not be utilized unless they could be modified to avoid impacts to cultural resources.

Indirect impacts to cultural resources would be reduced in riparian zones where concentrations of burros can lead to modification and displacement of artifacts and features as well as erosion of organic middens containing valuable information.

Alternative 2: No Action (Do Not Gather/Remove)

There would be no direct impacts under this alternative. There may be indirect impacts to cultural resource sites in riparian zones where concentrations of burros could lead to modification and displacement of artifacts and features as well as erosion of organic middens containing valuable information

4.2 Native American Concerns

Alternative 1: Proposed Action

No direct impacts to areas of Native American concern would occur because trap sites would be placed in previously disturbed areas and/or in areas where there are no known Native American concerns. Indirect impacts to plants in riparian zones used by Native Americans for medicinal and other purposes would be reduced or eliminated.

Alternative 2: No Action (Do Not Gather/Remove)

There would be no direct impacts under this alternative. There may be indirect impacts to areas of Native American concern in riparian zones where burros could impact plants utilized by Native Americans.

4.3 Invasive, Non-Native Species

Alternative 1: Proposed Action

Direct impacts include potential importation or transportation of weed species to the area, spread of existing weed seeds and plant parts to new areas, and increasing the size of existing weed sites. These impacts could occur through contractor vehicles and livestock entering the project area and/or through feeding of contaminated hay to captured burros.

Indirect impacts would be related to burro population densities and the degree of utilization on desired forage species. Existing weed infestations may spread more rapidly if native plant communities are degraded. Upon removal of the burros, no utilization would occur, thus, the potential for weed invasions or spread would be reduced.

Alternative 2: No Action (Do Not Gather/Remove)

No direct impacts are expected under this alternative. Indirect impacts would include the potential increase in noxious and invasive weeds from increased utilization levels and ground disturbance related to increased burro population numbers. Noxious weeds can increase with overuse of the range by grazing animals or through surface disturbance. Reduced vegetative vigor, health, and reproductive potential of desired vegetation would favor the increase of non-native invasive species.

4.4 Migratory Birds

Alternative 1: Proposed Action

No direct impacts would occur to bird populations or their habitats because most of the migratory birds have not started to nest in March. Habitat for migratory birds would be indirectly improved by the removal of the burro population. This alternative would reduce utilization on native perennial plants and reduce the competition for the available free water.

Alternative 2: No Action (Do Not Gather/Remove)

No direct impacts would be expected under this alternative. Indirect impacts would be increased utilization of forage and hoof impacts to habitat and increased competition for available free water. This indirect impact would increase each year a gather is postponed as burro populations increased.

4.5 Threatened or Endangered Species

Alternative 1: Proposed Action

No direct impacts would occur to the bald eagle or the yellow-billed cuckoo. The proposed burro gather would not impact either of these species. Indirect impacts may be the use of helicopters during the proposed project. This would not be expected to impact any bald eagles and/or yellow billed cuckoos which may be in the area because both of these species would avoid a helicopter. Therefore, the potential impact is expected to be minimal.

Alternative 2: No Action (Do Not Gather/Remove)

No direct or indirect impacts would be expected under this alternative. The bald eagle and the yellow-billed cuckoo would only use the project area as a flyway.

4.6 Special Status Species

Alternatives 1: Proposed Action

Direct impacts would consist of disturbance to plants immediately in and around the temporary gather site(s) and holding facilities which may, but are not likely to, include sensitive plant species. Impacts would be created by vehicle traffic and hoof action as a result of gathering burros. Generally, these sites would be small in size (less than one half acre) and would remain site specific and isolated in nature. Most rare and sensitive plants are dormant in March, so any disturbance would not occur during their active growing season.

Indirect positive impacts would occur as the removal of burros will decrease hoof trampling, soil compaction, and the potential consumption of sensitive plant species throughout the project area.

Alternative 2: No Action (Do Not Gather/Remove)

Direct impacts may include hoof trampling, soil compaction, and potential consumption of sensitive plant species by burros. All impacts would be expected to increase as burro populations increased.

Indirect negative impacts may occur to sensitive plant species viability if plants are repeatedly stressed by burro impacts as populations increase each year that a gather is postponed.

4.7 Livestock Grazing

Alternatives 1: Proposed Action

The direct impact in the Hot Springs Mountains would be the minor short-term displacement of livestock from gather activities and increased vehicle traffic in the project area. The indirect impacts would be beneficial and include an increase in the forage availability and quality, reduced competition for water and forage, and improved vegetative resources that will lead to a thriving ecological condition.

Alternative 2: No Action (Do Not Gather/Remove)

There would be no direct impacts of this alternative to the livestock operators or livestock operation. Indirect impacts would be increased utilization of resources resulting from competition between burros, wildlife, and livestock for water and forage. Rangeland health may suffer and cause undue hardship on the livestock operators.

4.8 Vegetation

Alternatives 1: Proposed Action

Direct impacts would consist of disturbance to vegetation and soils immediately in and around the temporary gather site(s) and holding facilities. Impacts would be created by vehicle traffic and hoof action. Generally, these sites would be small (less than one half acre) in size. Any impacts would remain site specific and isolated in nature. In addition, most gather and holding facility sites would be selected to enable easy access by transportation vehicles and logistical support equipment. Normally, sites are located near or on roads, pullouts, or other flat areas which have been previously disturbed.

Indirect impacts would be the opportunity for vegetative communities to progress toward achieving a thriving natural ecological balance. Removal of burros would contribute to the improvement of vegetative resources. Forage utilization levels would be reduced which should improve forage availability, resulting in increased density, cover, plant vigor, seed production, seedling establishment, and forage production.

Alternative 2: No Action (Do Not Gather/Remove)

No direct impacts are expected under this alternative. Indirect impacts include increased competition for forage among multiple-uses as burro populations continue to increase. Forage utilization would exceed the capacity of the range resulting in a loss of desired forage species from plant communities as plant health and watershed conditions deteriorate.

Soil loss from wind and water erosion, and invasion of undesired plant species would occur. Abundance and long-term production potential of desired plant communities may be compromised.

4.9 Wild Burros

Alternative 1: Proposed Action

Direct impacts to individual burros may result from stresses associated with herding, capture, and transportation of animals from the gather sites to an adoption preparation facility. Impacts may include handling stress, nervous agitation, and physical distress. Traumatic injuries are rare but may occur and include bruising or swelling due to kicking or biting. Direct impacts of the Proposed Action would include the capture and removal of approximately 92 burros in the Hot Springs Mountains area.

The indirect impacts of removing the burros include reducing the demand for water at available water sources, decreasing competition for available forage, and reducing negative impacts to riparian habitat.

Alternative 2: No Action (Do Not Gather/Remove Wild Burros)

The direct impacts of not removing the burros around the Hot Springs Mountains would be an expected population growth of 11% per year. Competition with livestock and wildlife for the limited resources of the area in four years would increase and range conditions would deteriorate.

Indirect impacts may include higher burro mortality rates, thinner body conditions, and poor animal health as habitat resources are diminished. Older and younger age classes and lactating jennies would be most affected by nutritional deficiencies and stress. Nutritional deficiencies would negatively affect growing animals and could limit their potential growth. Parasites and disease would increase as population densities increased. Burros would move outside the area they presently occupy in search of additional habitat as demands on resources increase. Fewer resources would be available for wildlife and livestock.

4.10 Wildlife

Alternative 1: Proposed Action

Direct impacts would consist primarily of disturbance and displacement to wildlife by the low-flying helicopter. Typically, the natural survival instinct to this type of disturbance results in fleeing from the perceived danger. Some mammals, reptiles, and birds may be temporarily displaced by the construction and use of temporary gather sites and holding facilities. These impacts would be minimal, temporary, and of short duration. There is a slight possibility that non-mobile or site-specific animals would be trampled.

Indirect impacts would be related to burro densities. The removal of burros would decrease competition for available cover, space, forage, inter-specific stress and competition, and water. Burros often display dominant behavior over wildlife species and livestock at water sites forcing animals to wait or go elsewhere for water. A reduction in forage utilization

levels and hoof action would improve forage conditions. Reduced utilization levels should produce increased plant vigor, seed production, seedling establishment, and ecological health of the habitat.

Alternative 2: No Action (Do Not Gather/Remove)

No direct impacts would occur. Indirect impacts include increased competition between species and diminished habitat conditions. Burro populations would increase each year that a gather is postponed, which would impact ecological conditions, wildlife populations, and other resource values.

CUMULATIVE IMPACTS

Definition of Cumulative Impacts

The Council of Environmental Equality (CEEQ) regulations defines cumulative impacts as: "...[T]he impact on the environment which results from the incremental impact of the action when added to other past, present, or reasonably foreseeable future actions regardless of what agency (Federal or Non-Federal) or person undertakes such actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time (40 CFR 1508.7). Please see Map 1 for the location of the cumulative impact assessment area for this environmental assessment.

Past, Present, and Reasonable Foreseeable Future Actions occurring within the assessment area include: burro grazing, livestock grazing, geothermal facility operations and exploratory operations, mining operations and exploration.

Cumulative Impacts

Alternative 1: Proposed Action

Implementation of Alternative 1 would remove about 92 head of burros. This would reduce competition for available water and forage, and allow for the ecological health of the rangeland to improve. The overall and long-term consequences of the proposed action is expected to be beneficial for migratory birds, rare and/or sensitive species, and wildlife through reductions in vegetation impacts (grazing and/or hoof actions) and reductions in usage of existing water sources.

Past, present, and reasonably foreseeable activities which would be expected to contribute to the cumulative impacts of implementing the proposed action include: continued livestock grazing, geothermal facility operation and exploration, and increased recreational uses.

Alternative 2: No Action (Do Not Gather/Remove)

Under the No Action alternative, burros would not be removed and the population would continue to grow at 11% or more per year. Cumulative impacts associated with livestock grazing, geothermal facility activity and exploration, and recreational use would continue. Unmanaged burro populations would result in animal mortality and diminished health; over-utilization and damage to forage, riparian, and water resources; and, increased

competition/conflicts between other uses, including wildlife, livestock, geothermal and recreational uses. A thriving natural ecological balance and multiple-use relationship would not be maintained.

6.0 PROPOSED MITIGATION AND MONITORING

Mitigation

No additional mitigation measures beyond the SOP's in Alternative 1 were identified within the impact analysis section of this document.

Monitoring

Noxious weed monitoring at trap sites and temporary holding facilities will be conducted in the spring and summer of 2006 by a BLM biologist, wild horse and burro specialist, or a rangeland management specialist. Treatment will be provided, if necessary, following guidance from the Noxious Weed Control EA# NV-020-02-19.

The BLM Contracting Officer Representative (COR) assigned to the Hot Springs Mountains gather would be responsible for insuring contract personnel abide by contract specifications and SOPs to insure inhumane treatment does not occur.

7.0 CONSULTATION AND COORDINATION

Interested individuals, groups, and agencies have been notified by mail of the Proposed Action and the availability of this Preliminary EA. A copy of the Hot Springs Mountains Gather Plan/Preliminary EA will be made available for public review for 30 days.

8.0 LIST OF PREPARERS

Heidi Hopkins	Wild Horse and Burro Specialist (Lead)
Clarence Covert	Fish & Wildlife Biologist
Lynn Ricci	Environmental Coordinator
Peggy McGuckian	Archaeologist
Derek Mesmer	Weeds Specialist
Quintin Boyles	Rangeland Technician
Mike Zielinski	Soil Scientist

APPENDIX A.
Wild Horse and/or Burro Gather-Standard Operating Procedures (SOPs)

Gathers would be conducted by utilizing contractors from the Wild Horse and Burro Gathers, Western United 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 condition, 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 efforts 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 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 a Gather

1. Helicopter Drive Trapping

This capture method involves utilizing a helicopter to herd wild horses and burros into a temporary trap. The following stipulations apply:

- 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 BLM. Under no circumstances shall animals be tied down for more than one hour.
- b. The Contractor shall assure that bands remain together, and that foals shall not be left behind.
- c. Domestic saddle horses may be used as a pilot (i.e. Judas) horse to lead the wild horses into the trap. Individual ground hazers may also be used to assist in the gather.

2. Helicopter Assisted Roping

This capture method involves utilizing a helicopter to herd wild horses or burros to ropers. The following stipulations apply:

- a. Under no circumstances shall animals be tied down for more than one hour.
- b. Roping shall be performed in such a manner that bands will remain together. Foals shall not be left behind.

3. Bait Trapping

This capture method involves utilizing bait (water or feed) to lure wild horses or burros into a temporary trap. The following stipulations apply:

- a. Finger gates shall not be constructed of materials that may be injurious to animals such as; "T" posts, sharpened willows, etc.
- b. All trigger and/or trip gate devices must be approved by the BLM prior to capture of animals.
- c. Traps shall be checked a minimum of once every 10 hours.

B. Trapping and Care

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

1. All trap and holding facility locations must be approved by the BLM prior to construction. The Contractor may also be required to change or move trap locations as determined by the BLM. All traps and holding facilities not located on public land must have prior written approval of the land owner. Prior to setting up a trap or temporary holding facility, BLM will conduct all necessary clearances (archaeological, T&E, etc.).
2. Proposed trap sites and holding facility sites would be examined for the presence of noxious weeds prior to construction. If noxious weeds were found, the trap/holding facility location would be moved to an alternate location.
3. The rate of movement and distance the animals travel shall not exceed limitations set by the BLM, who will consider terrain, physical barriers, weather, condition of the animals, and other factors.
4. All traps, wings, and holding facilities shall be constructed, maintained and operated to handle 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 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 with plywood (without holes) or like material.
 - 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 for burros and 1 foot to 6 feet for horses. The location of the

government furnished portable restraining chute used to restrain, age, or to provide additional care for animals shall be placed in the runway in a manner as instructed by or in concurrence with the BLM.

- 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, 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. Eight linear feet of this material shall be capable of being removed or let down to provide a viewing window.
 - e. All pens and runways used for the movement and handling of animals shall be connected with hinged self-locking gates.
5. No fence modifications will be made without authorization from the BLM. The Contractor shall be responsible for restoration of any fence modification, which he has made.
 6. 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.
 7. Alternate pens, within the holding facility, shall be furnished by the Contractor to separate mares or jennies with small foals, sick and/or injured animals, and strays 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 procedure. In these instances, a portable restraining chute will be provided by the government. Alternate pens shall be furnished by the Contractor to hold animals if the specific gathering requires the animals to be released back into the capture area(s). In areas requiring one or more trap sites, and when 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 BLM.
 8. 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. Separate water troughs shall be provided at each pen where animals are being held. Water troughs shall be constructed of such material (e.g. rubber, galvanized metal with rolled edges, rubber over metal) so as to avoid injury to the animals.
 9. 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 2 pounds of hay per 100 pounds of estimated body weight per day. The contractor together with the on-site BLM representative would examine hay for noxious weed seeds or plant parts prior to initiating the gather. If noxious weed seeds or plant parts are found in the hay, the hay would be removed from the area.
 10. It is the responsibility of the Contractor to provide security to prevent loss, injury or death of captured animals until delivery to final destination.

11. The Contractor shall restrain sick or injured animals if treatment is necessary. The BLM will determine if injured animals must be destroyed and provide for destruction of such animals. A veterinarian may be called to make a diagnosis and final determination for the disposition of sick or injured animals. The contractor may be required to dispose of the carcasses as directed by the BLM. Destruction shall be done by the most humane method available, in accordance with BLM policy outlined in Washington Office Instruction Memorandum No. 2001-165 which states;
A BLM authorized officer may authorize the euthanasia of a wild horse or burro with any of the following conditions:
 - a. Displays a hopeless prognosis for life;
 - b. Suffers from a chronic or incurable disease or serious congenital defect;
 - c. Requires continuous treatment for the relief of pain and suffering; or
 - d. Is incapable of maintaining a Henneke body condition score greater than 2, in a normal rangeland environment.
12. Animals shall be transported to final destination from temporary holding facilities within 24 hours after capture unless prior approval is granted by the BLM 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 BLM. 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 BLM. 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 BLM. 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 BLM.
13. Branded or privately owned animals captured during gather operations will be handled in accordance with state estray laws and existing BLM policy.

C. 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 BLM 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 vehicle 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 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 at the minimum a 5 foot wide swinging gate. The use of double deck trailers is unacceptable and will 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 the trailer 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 BLM.
5. Floors of tractor-trailers, stock trailers, and the loading chute 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 BLM 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/adult horse (1.4 linear feet in an 8 foot wide trailer)
 - 8 square feet/adult burro (1.0 linear feet in an 8 foot wide trailer)
 - 6 square feet/horse foal (0.75 linear feet in an 8 foot wide trailer)
 - 4 square feet/burro foal (0.50 linear feet in an 8 foot wide trailer)
7. The BLM 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 BLM shall provide for any brand and/or inspection services required for the captured animals.
8. If the BLM determines that dust conditions are such that the animals could be endangered during transportation, the Contractor will be instructed to adjust speed.
9. The contractor together with the on-site BLM representative would examine vehicles for noxious weed seeds or plant parts prior to initiating the gather. If noxious weed seeds or plant parts are found on vehicles, the vehicle would be cleaned.

D. Safety and Communications

1. The Contractor shall have the means to communicate with the BLM 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.
2. 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 BLM, 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 BLM.

3. All accidents occurring during the performance of any delivery order shall be immediately reported to the BLM.
4. The Contractor must operate in compliance with all applicable Federal, State, and Local laws and regulations.
5. Fueling operations shall not take place within 1,000 feet of animals.

E. 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 and burros held in a BLM facility. Only BLM or contractor personnel may enter the trap site or temporary holding facility corrals. The general public may not directly handle the animals at any time or for any reason during gather operations.

F. Responsibility and Lines of Communication

The Contracting Officer's Representative, and Project Inspectors, from the Winnemucca Field Office, will have the direct responsibility to ensure the Contractor's compliance with the contract stipulations. All employees involved in the gathering operation will keep the best interests of the animals at the forefront at all times.

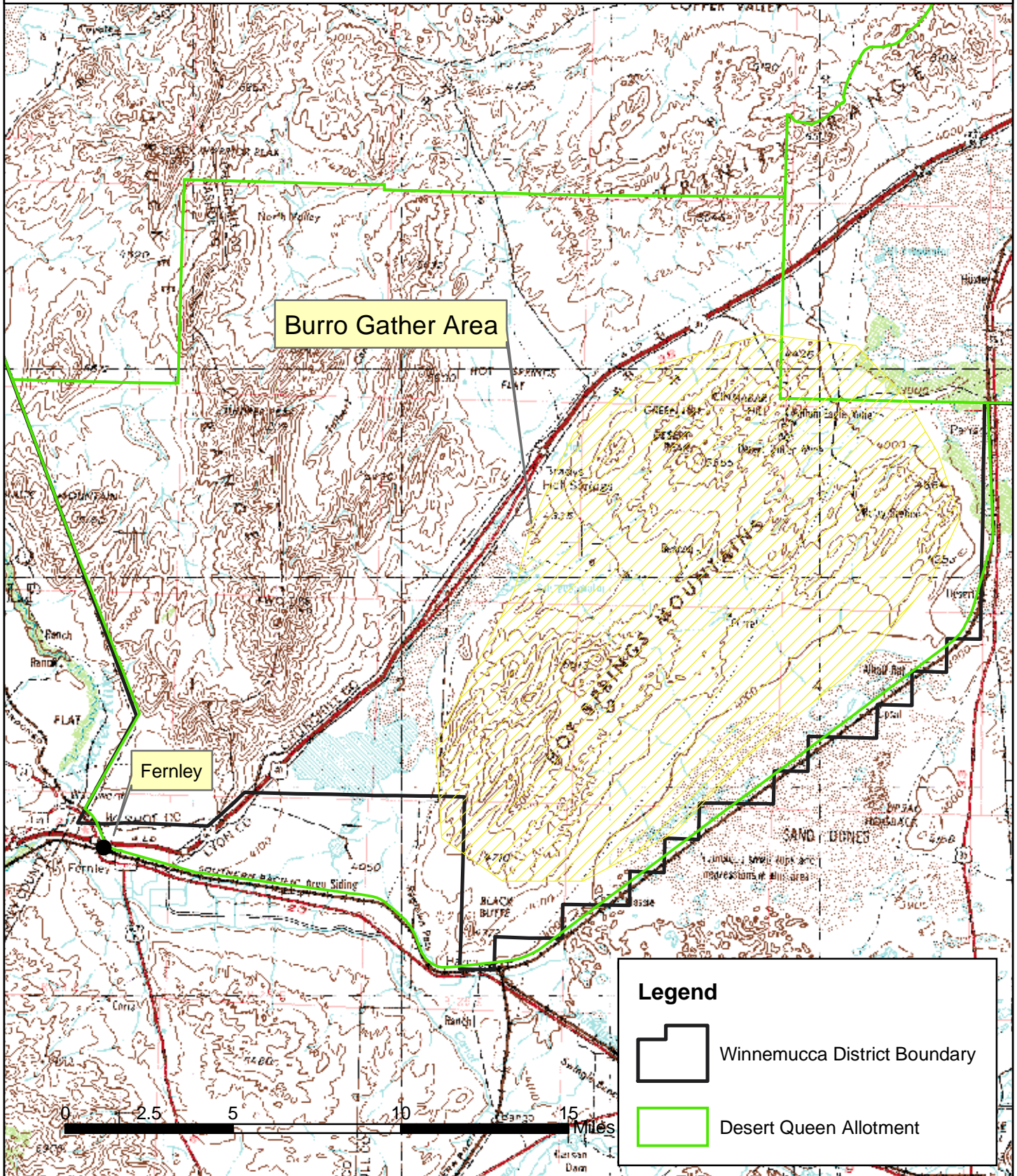
The Assistant Field Manager for Renewable Resources and the Field Manager will take an active role to ensure that appropriate lines of communication are established between the field, Field Office, Nevada State Office, National Wild Horse and Burro Program Office, and the Palomino Valley Wild Horse and Burro Center. All publicity, formal public contact and inquiries will be handled through the Assistant Field Manager for Renewable Resources.

G. Cultural Resources

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

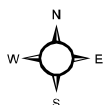
Prior to implementation of gather operations, trap sites and temporary holding facilities would be evaluated for cultural resources. Gather sites and temporary holding facilities would not be constructed on wetlands or riparian zones.

Hot Springs Mountain Range Burro Gather



September 10, 2005

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data.



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