

Blue Wing Complex (BWC) Emergency Drought Gather Plan and Monitoring Report

1. Introduction

The Blue Wing Complex (BWC) is comprised of the Seven Troughs, Lava Beds, Kamma Mountains, Blue Wing Mountains, Nightingale Mountains and Shawave Mountains Herd Management Areas (HMAs). The BWC HMAs are located north and west of the town of Lovelock, in the Winnemucca District (WD). The BWC has been experiencing severe to extreme drought conditions for the past two years, as confirmed by BLM's monitoring and by the July 23, 2013 U.S. Drought Monitor report which indicates the BWC is currently experiencing extreme to exceptional drought conditions.

Drought, limited forage regrowth and high number of wild horses and burros observed in 2012 by WD staff, made the BWC a priority watch area for drought monitoring in 2013. Because this area was a high priority due to risk of an emergency situation developing, BLM staff have been closely monitoring these HMAs for rangeland resource and wild horse and burro body condition. Since on the ground observations did not show the large number of wild horses and burros that BLM expected, a monitoring flight was conducted in June 2013 to determine where the wild horses and burros had moved to since the fall of 2012.

The June 2013 flights and a July 2013 follow up flight, combined with BLM site visits, confirm that there remain large numbers of excess wild horses both within and just outside of the BWC. The large numbers of wild horses present within the northeastern portion of the BWC are lacking in sufficient forage and water resources, are showing the start of declining body condition and given continued severe drought conditions, the immediate removal of wild horses from the BWC and adjacent area is needed for protection of the animals and the rangeland resources. Approximately 200 excess wild horses would be removed from this emergency gather area in order to prevent suffering or death of animals within the next few weeks as available forage and water continue to be depleted due to drought conditions on the range and to reduce the continuing degradation of resources affected by drought.

The proposed emergency gather area includes three of the six HMAs in the BWC, namely most of the Kamma Mountains HMA, a small portion of the Seven Troughs and Lava Beds HMAs as well as areas immediately adjacent to these three HMAs to which the excess horses have spread, that together encompass approximately 110,637 acres. The emergency gather area is approximately 24 miles long and 15 miles wide. A portion of the gather area is located within the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Area (NCA).

2. Background

The last gather of the area occurred in late 2005 and the last census flight was in July 2011. The June 2013 flights, although not a direct count, allowed for an estimation of the wild horse populations for each HMA as follows:

Wild Horse and Burro Population Estimates June 2013

HMA	Horses	Burros	AML Range Horses	AML Range Burros
Nightingale Mtns.	193	47	38 - 63	0
Shawave Mtns.	300	65	44 - 73	0
Bluewing Mtns.	0	112	22 - 36	17 - 28
Lava Beds	461	145	89 - 148	10 - 16
Seven Troughs	287	218	94 - 156	28 - 46
Kamma Mtns.	333	0	46 - 77	0
Total	1,574	587	333 - 553	55 - 90

Because animals are not observed during population surveys (due to tree cover, flight from area when they hear the helicopter, etc.) and the June 2013 flights were not population inventories, it is extremely likely that at least ten (10) to twenty (20) percent of the wild horses were not observed or counted during these flights.

The proposed emergency gather area within the BWC includes portions of the Seven Troughs and Lava Beds HMAs and most of the Kamma Mountains HMA. The Granite Springs Wash, which is a non-HMA area, is included in the emergency gather area (see attached map).

3. Drought Wild Horse or Burro Gather Rationale

3.1. Climate

The July 15, 2013 Vegetation Drought Response Index has characterized the vegetation within the emergency gather area as ranging from Pre-Drought through Extreme Drought.

The July 23, 2013 U.S. Drought Monitor report indicates the BWC is experiencing extreme to exceptional drought conditions.

The Seasonal Drought Outlook released July 18, 2013 shows that the drought in the BWC is expected to persist or intensify through October 31, 2013.

The National Oceanic and Atmospheric Administration's (NOAA) website states that all counties in the state of Nevada have been designated natural disaster areas by the United States Department of Agriculture Secretary, Tom Vilsack, due to drought.

3.2. Drought Response Triggers (DRTs) and Monitoring results

Drought Response Triggers (DRTs) are thresholds associated with vegetation and water resources that indicate the need for site-specific drought response actions (DRAs). DRTs can be used separately or in combination in determining whether it is necessary to activate DRAs. The DRTs have been placed into two categories: water and vegetation.

1. Water

Even during non-drought years, available water is very limited throughout the BWC. There appear to be five main springs being utilized by the wild horses in the emergency drought gather area. They are Outlaw Springs, Un-named Spring #1, Un-named Spring #2, Un-named Spring #3, and Rabbit Hole Spring. Observations from the July 2013 flight showed that at least two of the springs (Un-named Springs #1 and #3) observed during the June 2013 flights had dried to the point of becoming mud holes.

The known springs within the emergency gather area, with the exception of Rabbit Hole Spring, are all considered **unavailable** under the criteria set forth in the Winnemucca District Drought Plan. Available is defined as an amount of water sufficient to provide a safe and reliable source of water for fisheries, wildlife, wild horses and burros and livestock while maintaining resource values. Resource values associated with riparian areas include riparian vegetation, bank stability, wildlife habitat and water quantity and quality. Resource values associated with upland areas include vegetation, nutrient cycling, soil site stability, hydrologic function and wildlife habitat.

Unavailable is defined as an absence of water or a quantity/quality of water that is insufficient to provide a safe and reliable source of water for fisheries, wildlife, wild horses and burros and livestock while maintaining resource values.

Although one of the five main springs in the emergency gather area, Rabbit Hole Springs, is still classified as “available,” it appears that it is only being used by a small herd of wild horses due to the human presence in the area associated with Hycroft Mine.

The remaining four main springs in the emergency gather area: Outlaw Springs, Un-named Spring #1, Un-named Spring #2, and Un-named Spring #3, are “unavailable”. These springs mostly have no riparian vegetation left, no stability to the banks as they have been denuded of vegetation and pawed out by wild horses in search of water. They no longer provide quality wildlife habitat and the quantity and quality of the springs are declining due to the excessive numbers of wild horses drinking from them, wading in them and defecating in the remaining water.

Un-named Spring #1 and Outlaw Spring, within the Kamma Mountains HMA and Un-named Spring #2 and #3 and outside the HMAs were observed to be experiencing heavy use from excess wild horses, with signs of digging by wild horses in order to obtain water. This is really evident at Un-named Spring #1 and #3.



Figure 1. Unnamed Spring #1 with excessive digging in the Kamma Mountains HMA



Figure 2. Outlaw Springs Photo taken July 10, 2013



Figure 3. Un-named Spring #2, with wild horse standing in water



Figure 4. Un-named Spring #3, dug out by wild horses, no riparian vegetation, no stable banks and no wildlife habitat



Figure 5. Aerial view of Un-named Spring #3

Aerial and ground surveys indicate that water resources, that are already classified as unavailable under the Winnemucca District Drought Plan are at risk of becoming fully depleted and are not sufficient to meet the needs of the current number of excess wild horses and wildlife within the area. As noted on the July 12, 2013 monitoring flight, a rain event on July 4 filled a few basins and reservoirs, however, the daily temperatures during the week of July 15, 2013 averaged over 100 degrees Fahrenheit and it is anticipated that these waters have already dried up due to the significant amount of excess wild horses utilizing them along with the high temperatures.

If any of the five main water sources; Outlaw Springs, Un-named Spring #1, Un-named Spring #2, Un-named Spring #3, and Rabbit Hole Spring dry up due to the extreme temperatures or by wild horses pawing through the clay lenses that result in the surface expression of water at these sites, wild horses that are dependent on these sources could begin dying off within four days if they do not locate another source of water.

Figure 6. Pond in undesignated area south of the Kamma Mountains HMA





Figure 7. Dry trough observed on July Flight the stud pile shows that it has been used by wild horses in the past

2. Vegetation

On March 20, 2013, field observations indicated that vegetative growth in the lower elevations within the BWC and around the proposed gather area was fairly non-existent and the perennial grasses had heavy use. No residual vegetation from past growing seasons was observed. The higher elevations produced less than average amounts of forage for their associated ecological sites and there was approximately 1-1.5 inches of new growth on the perennial grasses. Utilization by cattle, wild horses and burros on March 20, 2013 in the higher elevations was observed to be 41-60% and there was some residual vegetation throughout the area.

Professional observations in June and July 2013 indicated utilization on vegetation increased from March observations and there is not likely enough forage in the emergency gather area to carry the number of excess wild horses present through the remainder of the year.

a. Utilization and Stubble Height

The following utilization parameters developed in the Winnemucca District Drought Plan EA apply to the rangelands in the BWC and establish the level of utilization above which action is required to protect vegetative resources during drought:

- **Salt Desert Shrub**
 - o 25 % utilization of key species.
- **Sagebrush Grassland**
 - o 30% utilization of key species.
- **Riparian Zones**
 - o 6 inch stubble height of key riparian species.
 - o 20% utilization of key woody species.

Salt Desert Shrub

The lower elevations of the BWC do not normally produce an abundant amount of forage given ecological constraints even in normal years. The soils in the lower elevations of the BWC are conducive to producing a Salt Desert Shrub or Greasewood vegetation type. The utilization parameter established for Salt Desert Shrub in the Winnemucca District Drought Plan EA is 25%. This utilization level was already significantly exceeded on the lower elevations of the BWC as early as March 20, 2013, when utilization levels by cattle, wild horses and burros within the HMAs were observed to be 61-80%.

Professional observations in June and July 2013 indicated utilization on vegetation increased from March observations and there is not likely enough forage to carry the number of excess wild horses present through the remainder of the year.



Figure 8. Range Condition for the Salt Desert Shrub (July 11, 2013)

There is a lack of noticeable perennial grasses, such as Indian ricegrass (*Achnatherum hymenoides*), bottlebrush squirreltail (*Elymus elymoides*), and Sandberg's bluegrass (*Poa secunda*) between the shrubs, as can be seen in the prior photo. Perennial grasses are high in protein and are necessary for wild horses to help sustain their body condition. Annual grasses, such as cheatgrass (*Bromus tectorum*) lack the protein of perennial grasses when dry and can

also be injurious to wild horses as the awned seed head can become impacted in the jaw if it is their main diet. Without protein, the body condition of the wild horses begins to decline.

Sagebrush Grassland

The utilization parameter established for Sagebrush Grassland in the Winnemucca District Drought Plan EA is 30%. This utilization level was exceeded on some of the higher elevations of the BWC as early as March 20, 2013, when utilization levels by cattle, wild horses and burros within the HMAs were already observed to be 41-60%. Professional observations in June and July 2013 indicated utilization on vegetation increased from March observations and there is not likely enough forage to carry the number of wild horses present through the remainder of the year.



Figure 9. Photo of upland vegetation in Kamma HMA taken July 11, 2013

Riparian Zones

The utilization parameter established for Riparian Zones in the Winnemucca District Drought Plan EA is a 6-inch stubble height on key riparian species and 20% utilization on key woody species. The previous photos of Un-named Springs #1, #2 and #3 as well as the following photos of Un-named Spring #2 establish that there is very little to no riparian vegetation left at these springs and therefore, the 6-inch stubble height on key riparian species has been significantly exceeded.



Figure 10. Un-named Spring #2 (July 16, 2013)

b. Livestock/Wild Horse Distribution

Livestock were authorized to graze and were observed grazing within the emergency gather area in June and July 2013. However, as of July 29, 2013, the permittee has voluntarily removed all livestock from this area.

Flights of the HMAs within the BWC Complex were conducted from June 17 through June 20, 2013. BLM personnel observed large groups of wild horses moving off Un-named Spring #1 in the Kamma Mountains HMA.

Other professional observations during the June 2013 flights were:

1. Some wild horses had protruding hips, shoulders and backbones;
2. Springs sources appeared to have flows that cannot sustain the numbers of excess wild horses present;
3. Numerous springs have been dug out by wild horses as they try to get water;
4. There are significant trails leading to Outlaw Spring and Un-named Spring #1, indicating that large numbers of wild horses are relying on these waters; and
5. Vegetation appears to be lacking in the lower elevations and there is not enough forage to carry the excess wild horses through the remainder of the year.



Figure 11. Large herd of wild horses on the Lava Beds HMA June 18, 2013

On the July 12, 2013 flight, large herds of wild horses were not seen directly within the Kamma Mountains HMA as they were during the June 2013 flights, therefore it appears that the wild horses are travelling between the Kamma Mountains, Seven Troughs and Lava Beds HMAs in a search for forage and water.

Trails at Un-named Spring #1 (outside HMA boundaries) went west toward the Lava Beds HMA, north further into the Kamma Mountains HMA and south toward the Seven Troughs HMA where Un-named Spring #2 and #3 are located.

c. Plant Production/Drought Stress

The following are indicators that plants are experiencing drought-related stress and that drought response actions (DRAs) are needed to protect plant resources:

- Drought induced senescence or reduced production of key upland and/or riparian species which results in an insufficient quantity/quality of vegetation for wildlife, wild horses and burros and/or livestock;

- Drought induced senescence of key riparian herbaceous species which results in insufficient plant growth/height to provide for stubble heights equal to or greater than six inches within riparian areas; and
- Noticeable signs of drought stress which impede the ability of key species to complete their life cycle (e.g., drought induced senescence, reduced seed head development, etc.).

Visual appraisal of production is used to determine the amount of forage currently available for wildlife, wild horses and burros and livestock. Visual appraisal of production is an efficient means to check whether forage supply and demand are in balance (Allison 2001). Areas determined to be affected by drought will be visited and a visual appraisal of production will be completed. Areas visited will receive one of the following production scores as defined in Allison (2001):

Production Scores		
1.	Extreme Drought	No growth occurred this year.
2.	Below-Average Production	Production appears less than most years.
3.	Average Production	Production is comparable to most years.
4.	Above-Average Production	Production is greater than most years.
5.	Extremely Wet Year	Excellent growing season. Range production is at maximum potential.

Based on professional observations made by natural resource specialists, wildlife biologists, rangeland management specialists and wild horse and burro specialists, from March 2013 through July 2013, the lower elevations of the BWC fall in the Extreme Drought Category –No growth occurred this year. The higher elevation rangelands of the BWC fall into the Below-Average Production Category-Production appears less than most years. Therefore, this DRT has occurred within the BWC.

3.3. Animal Health and Characteristics

Population Information

The Appropriate Management Level (AML) for wild horses and the June 2013 population estimates for wild horses in the BWC HMAs are:

Name of HMA	June 2013 Wild Horse Population Estimate	Appropriate Management Level for Wild Horses	
		High	Low
Kamma Mountains	333	77	46
Seven Troughs	287	156	94
Lava Beds	461	148	89
Blue Wing Mountain	0	36	22
Nightingale Mountains	193	63	38
Shawave Mountains	300	73	44
Total	1574	553	333

Based on BLM’s wild horse monitoring flights in June and July 2013, the HRFO has determined that there are a significant number of excess wild horses present within and outside the boundaries of the BWC, that these wild horses are competing for limited vegetation and water resources that are experiencing stress from extreme drought conditions and from over-utilization. Within the proposed emergency gather area alone, there are approximately 300 wild horses. Given that not all animals are observed during population overflights and that the June and July 2013 flights were not rigorous population inventories, it is extremely likely that at least ten (10) to twenty (20) percent more wild horses are present that were not observed or counted during these flights.

Based on the June 2013 counts, the wild horse population exceeds the total high range for the AML by an estimated 700 wild horses for the Kamma Mountains, Seven Troughs and Lava Beds HMAs. Of these excess wild horses, approximately one half are currently residing in the BWC emergency gather area and are competing for ever limited and diminishing water and forage resources.

Wild Horse Health

In July 2013, wildlife cameras were placed at four springs (Outlaw Springs and Un-named Springs #1, #2 and #3) within the BWC to capture photos of wild horses and wildlife that were using the springs. Given the tendency of wild horses in this area to avoid human presence, the cameras were used to help determine wild horse body condition, the level of spring use and overall water availability and sufficiency.

The BLM utilizes the Henneke Body Condition Score to determine the overall health of the wild horses. This scoring system utilizes the following categories:

- | | |
|------------------------------|--------------------------------|
| Category 1 - Poor | Category 6 – Moderately Fleshy |
| Category 2 - Very thin | Category 7 – Fleshy |
| Category 3 - Thin | Category 8 – Fat |
| Category 4 - Moderately Thin | Category 9 – Extremely Fat |
| Category 5 - Moderate | |

Photos from the wildlife camera placed at Un-named Spring #1 show that it appears there is a band of wild horses frequenting this spring throughout the day based on markings and colors on the horses. Some of the wild horses in this particular band Within the proposed emergency gather area alone in thin (Henneke 3) condition based on the photographs taken July 10 and 11, 2011 (see photos below).



Figure 12. Horses documented by wildlife camera at Unnamed Spring #1 (Henneke 3)



Figure 13. Wild Horses documented by wildlife camera at Unnamed Spring #1

Game camera photos retrieved on July 24, 2013 from Un-named Springs #2 and #3 show that some of the wild horses are now very thin (Henneke 2).



Figure 14. Wild mare at Unnamed Spring #2, note the protruding backbone and shoulders, July 2013 (date was not set on game camera)



Figure 15. Un-named Spring #3, note the protruding back bones (Henneke 2)



Figure 16. Un-named Spring #3, a few with protruding back bones (Henneke 2), some in a little better condition (Henneke 3)

Dust pneumonia and other health complications associated with excessive dust due to over utilization of vegetation around watering sources is becoming a growing concern. Water sources located within the proposed gather area have heavy trailing coming into them from the direction of each HMA, indicating that wild horses from the three HMAs may be exhausting their only shared water resource. As use increases due to less available water within respective HMAs, the observed trailing routes to the water sources in the BWC will become powder-like and the likelihood for animals to develop dust pneumonia rises (see photos below).

Figure 17. Extensive trailing from the unnamed spring to Outlaw Spring, taken during June 2013 flights





Figure 18. Heavy trailing on uplands in the Kamma HMA between springs taken June 28, 2013

Professional observations in June and July 2013 indicated show continued and increased over-utilization of vegetation since the March observations and that there is not enough forage to sustain the current population of wild horses through to the next growing season (February 2014).



Figure 19. Forage on uplands in the higher elevations in the emergency gather area, July 11, 2013

The Kamma Mountains HMA appears to be one of three major locations which wild horses from the Lava Beds and Seven Troughs HMAs utilize for water. There are approximately 40 wild horses that would be considered a resident herd to the Kamma Mountains HMA. The other horses observed during the July 12, 2013 flight appear to have moved outside the Kamma Mountains HMA and into the Granite Springs Wash south of the Kamma Mountains HMA, east of the Lava Beds HMA, and north of the Seven Troughs HMA.

Due to the extreme drought conditions that have led to a lack of sufficient water and forage in portions of the BWC, BLM has been closely monitoring the areas of greatest concern. This monitoring confirms that if a gather of excess wild horses from those areas is not completed promptly, as early as the end of August 2013 (or in a matter of weeks), approximately 300 wild horses are at great risk of suffering and death.

3.4 Status of Livestock

Four livestock permittees graze within the Blue Wing/Seven Troughs Allotment; although only two (C Punch Ranch Inc. and Dufurrenna Sheep Company) of the four permittees graze within the proposed gather area. C-Punch Ranch Inc, the cattle operator, owns a substantial amount of land and water rights within the Blue Wing/Seven Troughs Allotment. C-Punch Ranch Inc. has

allowed and continues to allow wild horses and burros to use their private waters throughout the Blue Wing/Seven Troughs Allotment, including in the BWC. As a point of reference, the acreage of the total Blue Wing/Seven Troughs Allotment is 1,376,287 acres and the acreage of the BWC emergency gather area is approximately 110,637 acres. Summaries of the grazing permits and seasons of use for each operator are as follows:

C-Punch Ranch Inc Preference

Active	Suspended	Total
14,058	11,806	25,864

Grazing System

Allotment	Livestock # and Kind	Season of Use	AUMs
Blue Wing Seven Troughs	1,298 Cattle	10/15-04/14	6,482
Blue Wing Seven Troughs	1,518 Cattle	04/15-10/14	7,580

C-Punch Ranches turned out fewer numbers within the Blue Wing/Seven Troughs Allotment during the 2012 and 2013 grazing season. Currently, they are running 1,298 head of cattle and utilizing 12,928 AUMs per year, or 1,098 AUMs less than their permitted use.

Dufurrena Sheep Co.

Active	Suspended	Total
544	0	544

Grazing System

Allotment	Livestock # and Kind	Season of Use	AUMs
Blue Wing Seven Troughs	544 Sheep	11/1-3/31	544

Dufurrena Sheep Company took complete non-use during their November 1, 2012 through March 30, 2013 season-of-use on their sheep permit.

Estill Ranches LLC

Active	Suspended	Total
2,869	106	2,975

Grazing System

Allotment	Livestock # and Kind	Season of Use	Total
Blue Wing Seven Troughs	4,320	12/7-3/17	2,869

John Espil Sheep Co.

Active	Suspended	Total
2,647	0	2,647

Allotment	Livestock # and Kind	Season of Use	Total
Blue Wing Seven Troughs	2,200 Sheep	12/1-5/31	2,647

The proposed gather area is located within lower elevations that even in non-drought years do not produce an abundant amount of forage given soil and ecological constraints. Livestock grazing in this area is limited; however there will be no sheep or cattle grazing within the proposed emergency gather area through June 14, 2014 as a result of BLM implementing Livestock Use Agreements with the permittees for voluntary non-use under their grazing permits.

3.5. Drought Response Triggers Applicable:

BLM's monitoring of conditions on the range show that numerous drought response triggers have been met and/or significantly exceeded in the emergency gather area. These include:

- Unavailable waters that are insufficient to provide a safe and reliable source of water for fisheries, wildlife, wild horses and burros and livestock while maintaining resource values;
- Exceeded utilization levels and stubble height;
- Livestock and wild horse distribution issues;
- Drought induced senescence or reduced production of key upland and/or riparian species which results in an insufficient quantity/quality of vegetation for wildlife, wild horses and burros and/or livestock;
- Drought induced senescence of key riparian herbaceous species which results in insufficient plant growth/height to provide for stubble heights equal to or greater than six inches within riparian areas; and
- Noticeable signs of drought stress which impede the ability of key species to complete their life cycle (e.g., drought induced senescence, reduced seed head development, etc.).

3.6. Drought Response Actions To-Date

DRAs have been placed into two categories: livestock and wild horses and burros. They have been separated due to the differing nature and capabilities for management. DRAs are selected based on site-specific information. In areas where livestock and wild horse and burro use overlap, both livestock and wild horse and burro DRAs should be implemented concurrently.

Based on monitoring showing that the DRTs have been met or significantly exceeded, the following DRAs have been identified as necessary and are proposed to be initiated within the emergency drought gather area:

Livestock

The livestock operators within the emergency drought gather area have voluntarily implemented the following DRAs, both prior to and concurrently with the proposed emergency gather: Temporary Reduction in AUMs, Temporary Reductions in Grazing Duration, and Temporary Partial Closure of an Allotment (i.e., non-use within the emergency gather area).

Wild Horses

During the June 2013 flights, it was determined that there was a lack of water available in the emergency gather area for the excess wild horses. BLM entertained the option of hauling water to the emergency gather area, however, the wild horses in this population respond negatively to human presence; they are very flighty and take off quickly when human presence occurs. BLM has determined it would not be feasible to alleviate the water shortages, even on a temporary basis pending emergency removal of at-risk horses, through water hauling in the BWC gather area because of the negative response of the wild horses to human presence and because the current watering holes where the wild horses are located are inaccessible to vehicles for water hauling.

It is also not feasible to relocate wild horses to any of the six HMAs within the BWC as they all have populations in excess of AML for wild horses and burros (in those HMAs that have burros) and would not have sufficient forage and water under drought conditions to sustain additional wild horses.

The only feasible DRA for wild horses within the emergency drought gather area is removal of a sufficient number of excess wild horses given the lack of adequate water or forage resources. Given the current condition of the range and numbers of wild horses, removal of excess wild horses from the emergency gather area is necessary to prevent wild horse suffering or death that could occur in a matter of weeks.

3.7. Other information pertinent to the need for a gather

Based on the wild horses' negative response to human presence and limited vehicular access to water sources due to inaccessible terrain, water trapping in this case would be ineffective and possibly detrimental to animal health. In order to water trap, the contractor would have to be able to haul water to the water sources currently being used by the wild horses. As previously stated, there are no roads into these areas in which a vehicle can be driven to haul water. Also setting up gather sites at these waters could deter the wild horses from coming into the area to get water, and therefore, compound the situation.

3.8. Summary: Determination of Excess and Rationale for Drought Gather

The appropriate management level (AML) for wild horses and the June 2013 population estimates for wild horses in the BWC HMAs are:

Name of HMA	June 2013 Wild Horse Population Estimate	Appropriate Management Level for Wild Horses	
		High	Low
Kamma Mountains	333	77	46
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Total	1574	553	333

Based on BLM's wild horse monitoring flights in June and July 2013, the BLM has determined that there are a significant number of excess wild horses present within and outside the boundaries of the BWC. Within the proposed emergency gather area alone, there are approximately 300 wild horses in an area that can sustain only a fraction of that population due to extreme drought conditions. Furthermore, because all animals are not observed during population surveys (due to tree cover, flight from area when they hear the helicopter, etc.) and the June and July 2013 flights were not population inventories, it is extremely likely that there are at least ten (10) to twenty (20) percent more wild horses that were not observed or counted during these flights.

These June 2013 estimates show that the population of wild horses exceeds the total high range AML by 700 wild horses for the Kamma Mountains, Seven Troughs and Lava Beds HMAs. Of these excess wild horses, approximately one half are currently residing in the BWC emergency gather area and are competing for limited space and diminishing water and forage resources.

4.0. Drought Gather Plan

The proposed emergency gather area includes three of the six HMAs in the BWC: most of the Kamma Mountains HMA, a small portion of the Seven Troughs and Lava Beds HMAs and areas immediately adjacent to these three HMAs that together encompass approximately 110,637 acres. The emergency gather area is approximately 24 miles long and 15 miles wide.

BLM plans to initiate the emergency gather in early August 2013, before wild horse health is further compromised, given the existing emergency conditions and body condition of wild horses documented within the BWC. It is anticipated that the gather would take approximately 10 days to complete.

A helicopter gather is planned for this emergency gather because there is limited access to the areas where the wild horses are watering and due to the flighty nature and high sensitivity of the wild horses within this area to human presence. Based on the wild horses' negative response to human presence and limited access to water sources due to inaccessible terrain, water trapping in this case would be ineffective and possibly detrimental to animal health.

Due to escalating conditions of drought and excess wild horses that have resulted in a continued decline in wild horse health and that has brought individual horses already to the brink of further rapid declines indicating the need to take prompt action to prevent suffering and death, as well as an extremely large operational area, a helicopter gather would be the primary gather mechanism. The contractor would be required to conduct all helicopter operations in a safe manner and in compliance with Federal Aviation Administration (FAA) regulations 14 CFR § 91.119 and BLM IM No. 2010-164.

BLM policy prohibits the gathering of wild horses with a helicopter (unless under emergency conditions) during the period of March 1 to June 30 which includes and covers the six weeks that precede and follow the peak of foaling (mid-April to mid-May). This policy is inapplicable to the proposed gather since it would fall within the period during which helicopter gathers may occur.

The use of roping from horseback could also be used when necessary and approved by the Contracting Officer's Representative (COR).

There are approximately 300 wild horses residing in the emergency drought gather area. Once the gather begins, approximately 200 excess wild horses will be removed from the emergency gather area to reduce excessive competition for severely limited resources and to prevent individual wild horse mortality and suffering due to drought and inadequate forage and water for the current wild horse population within the emergency gather area.

Multiple gather sites (trap sites) would be used to gather wild horses both from within and outside the HMA. The BLM would make every effort to place gather sites in previously disturbed areas and in areas that have been inventoried and have no cultural resources. If a new gather site is needed, a cultural inventory would be completed prior to using the new gather site. If cultural resources were to be encountered, the location would not be utilized unless the trap or holding site configuration could be repositioned to avoid impacts to cultural resources. No trap or holding sites would be set up near greater sage-grouse leks, known populations of sensitive species, or in riparian areas, cultural resource sites, or within Wilderness Study Areas (WSA). The BLM would make every effort to place gather sites outside of areas known to contain noxious species. All gather and handling activities would be conducted in accordance with Standard Operating Procedures (SOPs) in Attachment 1. Standard Operating Procedures for Wild Horse Gathers.

Traps would be constructed outside wilderness and wilderness study areas. No mechanized vehicles other than the helicopter would be used within wilderness or wilderness study areas except in case of emergency. No helicopter landings within wilderness or wilderness study areas would occur except in case of emergency.

Gathered and removed wild horses would be transported to BLM holding facilities where they would be prepared for adoption and/or sale to qualified individuals who can provide them with a good home or for transfer to long-term grassland pastures. Wild horses gathered from the BWC emergency gather area will be shipped to the Palomino Valley Wild Horse and Burros Corrals located north of Sparks, Nevada.

A BLM contract veterinarian, Animal and Plant Health Inspection Service veterinarian, or other licensed veterinarian would be on site during the gather to examine animals and make recommendations to BLM for care and treatment of wild horses. BLM staff would also be present on the gather at all times to observe animal condition and ensure humane treatment. Additionally, animals transported to BLM holding facilities are inspected by facility staff and on-site contract veterinarians to observe health and ensure the animals are being cared for humanely.

Decisions to humanely euthanize animals in field situations would be made in conformance with BLM policy (Washington Office IM 2009-041). Conditions requiring humane euthanasia occur infrequently and are described in more detail in Chapter 3.3.8 Wild Horses. Current policy reference:

http://www.blm.gov/wo/st/en/info/regulations/Instruction_Memos_and_Bulletins/national_instruction/2009/IM_2009-041.html.

Monitoring of water, vegetation and wild horse body conditions will continue after the gather is complete. Removal of 200 wild horses is not expected to allow for an improvement to the rangeland resources. Instead, the gather would relieve pressure on critical rangeland resources within the emergency drought gather area and help prevent the suffering and death of individual wild horses that are at imminent risk as a result of extreme drought conditions and over population.

Noxious weed monitoring at trap sites and temporary holding facilities would be conducted in the spring and summer of 2014 by BLM resource specialists. Treatment would be provided, if necessary, consistent with the Noxious Weed Control EA# NV-020-02-19 for the HRFO. In order to minimize noxious weed spread, on-road use would be promoted and off-road travel would be limited.

In order to ensure the safe and humane handling of all gathered wild horses, the gather will comply with the measures set forth in the National Instruction Memorandum, WO-IM-2013-059: "Wild Horse and Burro Gathers: Comprehensive Animal Welfare Policy dated January 23, 2013.

5.0. Attachments

Standard Operating Procedures for Wild Horse Gathers

July 23, 2013 Drought Monitor

Map of the proposed emergency drought gather area

Map of the 5 main springs being utilized by wild horses

IM-2013-059: "Wild Horse and Burro Gathers: Comprehensive Animal Welfare Policy dated January 23, 2013

Attachment A. Standard Operating Procedures for Wild Horse Gathers

Gathers are conducted by utilizing contractors from the Wild Horse Gathers-Western States Contract or BLM personnel. The following standard operating procedures (SOPs) for gathering and handling wild horses apply whether a contractor or BLM personnel conduct a gather. For helicopter gathers conducted by BLM personnel, gather operations would be conducted in conformance with the Wild Horse Aviation Management Handbook (January 2009).

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

Gather sites and temporary holding sites would be located to reduce the likelihood of 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 whenever possible.

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

1. Helicopter Drive Gathering. This gather method involves utilizing a helicopter to herd wild horses into a temporary gather site.
2. Helicopter Assisted Roping. This gather method involves utilizing a helicopter to herd wild horses to ropers.
3. Bait Trapping. This gather method involves utilizing bait (e.g., water or feed) to lure wild horses into a temporary gather site.

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

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

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

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

2. The rate of movement and distance the animals travel shall not exceed limitations set by the COR who would consider terrain, physical barriers, access limitations, weather, extreme temperature (high and low), condition of the animals, urgency of the operation (animals facing drought, starvation, fire rehabilitation, etc.) and other factors. In consultation with the contractor the distance the animals travel would account for the different factors listed above and concerns with each HMA.
3. All gather sites, wings, and holding facilities shall be constructed, maintained and operated to handle the animals in a safe and humane manner and be in accordance with the following:
 - a. Gather sites and holding facilities shall be constructed of portable panels, the top of which shall not be less than 72 inches high for horses and 60 inches high for burros, and the bottom rail of which shall not be more than 12 inches from ground level. All gather sites and holding facilities shall be oval or round in design.
 - b. All loading chute sides shall be a minimum of 6 feet high and shall be fully covered, plywood, metal without holes larger than 2"x4".
 - c. All runways shall be a minimum of 30 feet long and a minimum of 6 feet high for horses, and 5 feet high for burros, and shall be covered with plywood, burlap, plastic snow fence or like material a minimum of 1 foot to 5 feet above ground level for burros and 1 foot to 6 feet for horses. The location of the government furnished portable fly chute to restrain, age, or provide additional care for the animals shall be placed in the runway in a manner as instructed by or in concurrence with the COR/PI.
 - d. All crowding pens including the gates leading to the runways shall be covered with a material which prevents the animals from seeing out (plywood, burlap, plastic snow fence, etc.) and shall be covered a minimum of 1 foot to 5 feet above ground level for burros and 2 feet to 6 feet for horses.
 - e. All pens and runways used for the movement and handling of animals shall be connected with hinged self-locking or sliding gates.
4. No modification of existing fences would be made without authorization from the COR/PI. The Contractor shall be responsible for restoration of any fence modification which he has made.
5. When dust conditions occur within or adjacent to the gather site or holding facility, the Contractor shall be required to wet down the ground with water.
6. Alternate pens, within the holding facility shall be furnished by the Contractor to separate mares or jennies with small foals, sick and injured animals, estrays or other animals the COR determines need to be housed in a separate pen 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 would require that animals be restrained for the purpose of determining an animal's age, sex, or other necessary procedures. In these instances, a portable restraining chute may be necessary and would be provided by the government.

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

7. The Contractor shall provide animals held in the gather sites and/or holding facilities with a continuous supply of fresh clean water at a minimum rate of 10 gallons per animal per day. Animals held for 10 hours or more in the gather site or holding facilities shall be provided good quality hay at the rate of not less than two pounds of hay per 100 pounds of estimated body weight per day. The contractor would supply certified weed free hay if required by State, County, and Federal regulation.
8. An animal that is held at a temporary holding facility through the night is defined as a horse/burro feed day. An animal that is held for only a portion of a day and is shipped or released does not constitute a feed day.
9. It is the responsibility of the Contractor to provide security to prevent loss, injury or death of gathered animals until delivery to final destination.
10. The Contractor shall restrain sick or injured animals if treatment is necessary. The COR/PI would determine if animals must be euthanized and provide for the destruction of such animals. The Contractor may be required to humanely euthanize animals in the field and to dispose of the carcasses as directed by the COR/PI.
11. Animals shall be transported to their final destination from temporary holding facilities as quickly as possible after gather unless prior approval is granted by the COR for unusual circumstances. Animals to be released back into the HMA following gather operations may be held up to 21 days or as directed by the COR. Animals shall not be held in gather sites and/or temporary holding facilities on days when there is no work being conducted except as specified by the COR. The Contractor shall schedule shipments of animals to arrive at final destination between 7:00 a.m. and 4:00 p.m. No shipments shall be scheduled to arrive at final destination on Sunday and Federal holidays; unless prior approval has been obtained by the COR. Animals shall not be allowed to remain standing on trucks while not in transport for a combined period of greater than three (3) hours in any 24 hour period. Animals that are to be released back into the gather area may need to be transported back to the original gather site. This determination would be at the discretion of the COR/PI or Field Office Wild Horse & Burro Specialist.

B. Gather Methods That May Be Used in the Performance of a Gather

1. Gather attempts may be accomplished by utilizing bait (feed, water, mineral licks) to lure animals into a temporary gather site. If this gather method is selected, the following applies:
 - a. Finger gates shall not be constructed of materials such as "T" posts, sharpened wouldows, etc., that may be injurious to animals.

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

C. Use of Motorized Equipment

1. All motorized equipment employed in the transportation of gathered animals shall be in compliance with appropriate State and Federal laws and regulations applicable to the humane transportation of animals. The Contractor shall provide the COR/PI, if requested, 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 gathered 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 gather site(s) to temporary holding facilities, and from temporary holding facilities to final destination(s). Sides or stock racks of all trailers used for transporting animals shall be a minimum height of 6 feet 6 inches from the floor. Single deck tractor-trailers 40 feet or longer shall have at least two (2) partition gates providing at least three (3) compartments within the trailer to separate animals. Tractor-trailers less than 40 feet shall have at least one partition gate providing at least two (2) compartments within the trailer to separate the animals. Compartments in all tractor-trailers shall be of equal size plus or minus 10 percent. Each partition shall be a minimum of 6 feet high and shall have a minimum 5 foot wide swinging gate. The use of double deck tractor-trailers is unacceptable and shall not be allowed.

4. All tractor-trailers used to transport animals to final destination(s) shall be equipped with at least one (1) door at the rear end of the trailer which is capable of sliding either horizontally or vertically. The rear door(s) of tractor-trailers and stock trailers must be capable of opening the full width of the trailer. Panels facing the inside of all trailers must be free of sharp edges or holes that could cause injury to the animals. The material facing the inside of all trailers must be strong enough so that the animals cannot push their hooves through the side. Final approval of tractor-trailers and stock trailers used to transport animals shall be held by the COR/PI.
5. Floors of tractor-trailers, stock trailers and loading chutes shall be covered and maintained with wood shavings to prevent the animals from slipping as much as possible during transport.
6. Animals to be loaded and transported in any trailer shall be as directed by the COR/PI and may include limitations on numbers according to age, size, sex, temperament and animal condition. The following minimum square feet per animal shall be allowed in all trailers:
 - 11 square feet per adult horse (1.4 linear foot in an 8 foot wide trailer);
 - 8 square feet per adult burro (1.0 linear foot in an 8 foot wide trailer);
 - 6 square feet per horse foal (0.75 linear feet in an 8 foot wide trailer);
 - 4 square feet per burro foal (0.5 linear feet in an 8 foot wide trailer).
7. The COR/PI shall consider the condition and size of the animals, weather conditions, distance to be transported, or other factors when planning for the movement of gathered animals. The COR/PI shall provide for any brand and/or inspection services required for the gathered animals.
8. If the COR/PI determines that dust conditions are such that the animals could be endangered during transportation, the Contractor would be instructed to adjust speed.

D. Safety and Communications

1. The Contractor shall have the means to communicate with the COR/PI and all contractor personnel engaged in the gather of wild horses utilizing a VHF/FM Transceiver or VHF/FM portable Two-Way radio. If communications are ineffective the government would 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 contracting officer or COR/PI violate contract rules, are unsafe or otherwise unsatisfactory. In this event, the Contractor would be notified in writing to furnish replacement personnel or equipment within 48 hours of notification. All such replacements must be approved in advance of operation by the Contracting Officer or his/her representative.
3. The Contractor shall obtain the necessary FCC licenses for the radio system

4. All accidents occurring during the performance of any task order shall be immediately reported to the COR/PI.
5. Should the contractor choose to utilize a helicopter the following would apply:
 - a. The Contractor must operate in compliance with Federal Aviation Regulations, Part 91. Pilots provided by the Contractor shall comply with the Contractor's Federal Aviation Certificates, applicable regulations of the State in which the gather is located.
 - b. Fueling operations shall not take place within 1,000 feet of animals.

E. Site Clearances

1. No personnel working at gather sites may excavate, remove, damage, or otherwise alter or deface or attempt to excavate, remove, damage or otherwise alter or deface any archaeological resource located on public lands or Indian lands.
2. Prior to setting up a gather site or temporary holding facility, BLM would conduct all necessary clearances (archaeological, T&E, etc.). All proposed site(s) must be inspected by a government archaeologist. Once archaeological clearance has been obtained, the gather site or temporary holding facility may be set up. Said clearance shall be arranged for by the COR, PI, or other BLM employees.
3. Gather sites and temporary holding facilities would not be constructed on wetlands or riparian zones.

F. Animal Characteristics and Behavior

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

G. Public Participation

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

H. Responsibility and Lines of Communication

- Contracting Officer's Representative/Project Inspector: Melanie Mirati
- Contracting Officer's Representative/Project Inspector: Ruth Thompson

The Contracting Officer's Representatives (CORs) and the project inspectors (PIs) have the direct responsibility to ensure the Contractor's compliance with the contract stipulations. The Field Managers for the Humboldt River and Tuscarora Field Offices would take an active role to

ensure the appropriate lines of communication are established between the field, Field Office, District Office, State Office, National Program Office, and BLM Holding Facility offices. All employees involved in the gathering operations would keep the best interests of the animals at the forefront at all times.

All publicity, formal public contact and inquiries would be handled through the Field Manager and District Public Affairs Officer. These individuals would be the primary contact and would coordinate with the COR/PI on any inquiries.

The COR would coordinate with the contractor and the BLM Corrals to ensure animals are being transported from the gather site in a safe and humane manner and are arriving in good condition.

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

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

U.S. Drought Monitor

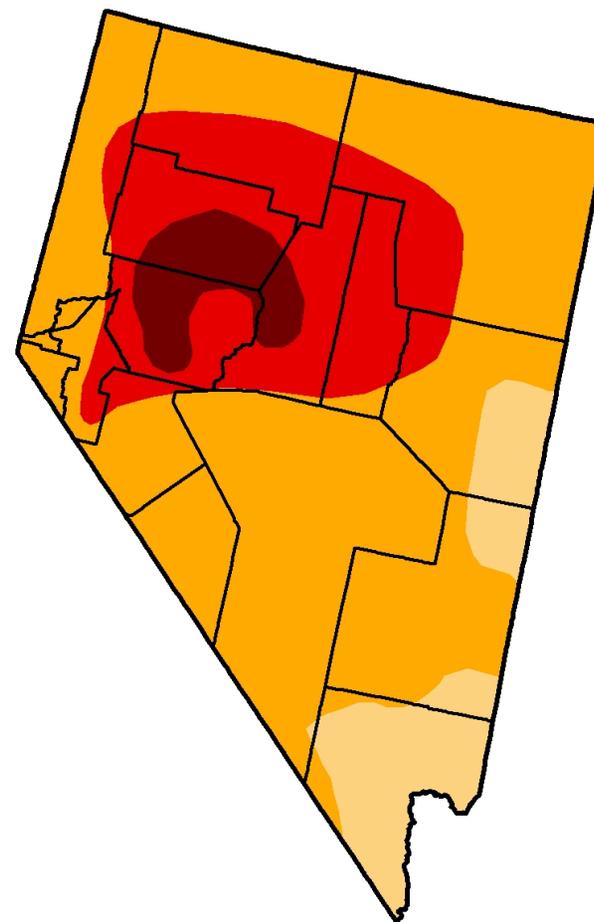
July 23, 2013

Valid 7 a.m. EST

Nevada

Drought Conditions (Percent Area)

	None	D0-D4	D1-D4	D2-D4	D3-D4	D4
Current	0.00	100.00	100.00	88.69	28.37	5.37
Last Week (07/16/2013 map)	0.00	100.00	100.00	88.69	28.37	5.37
3 Months Ago (04/23/2013 map)	0.00	100.00	89.73	55.31	12.22	0.00
Start of Calendar Year (01/01/2013 map)	0.00	100.00	94.13	62.22	16.46	0.00
Start of Water Year (09/25/2012 map)	0.00	100.00	99.24	56.05	26.78	0.00
One Year Ago (07/17/2012 map)	0.00	100.00	99.70	78.82	11.98	0.00



Intensity:

- D0 Abnormally Dry
- D1 Drought - Moderate
- D2 Drought - Severe
- D3 Drought - Extreme
- D4 Drought - Exceptional

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. See accompanying text summary for forecast statements.

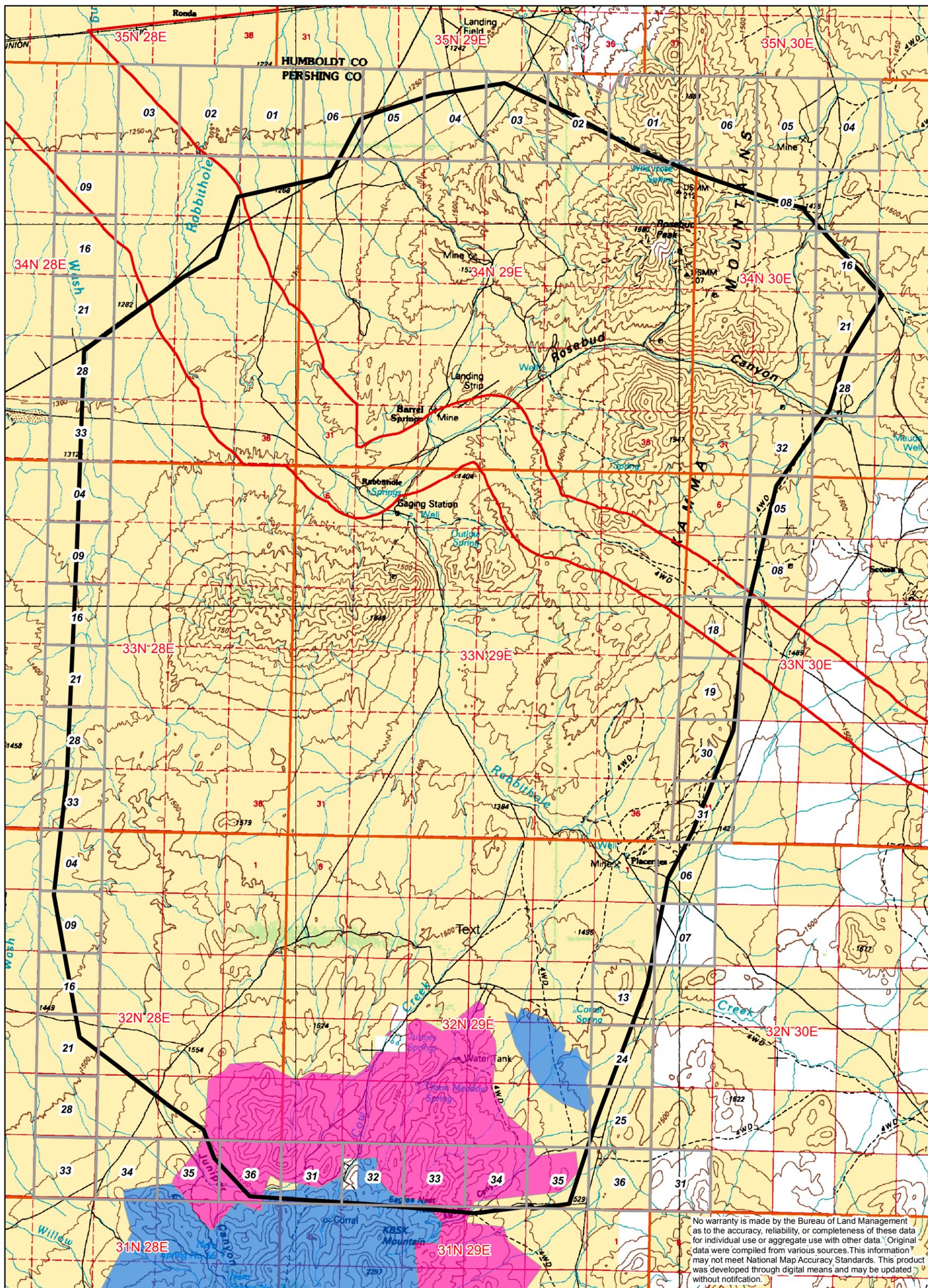
<http://droughtmonitor.unl.edu>



Released Thursday, July 25, 2013

Richard Heim, National Climatic Data Center, NOAA

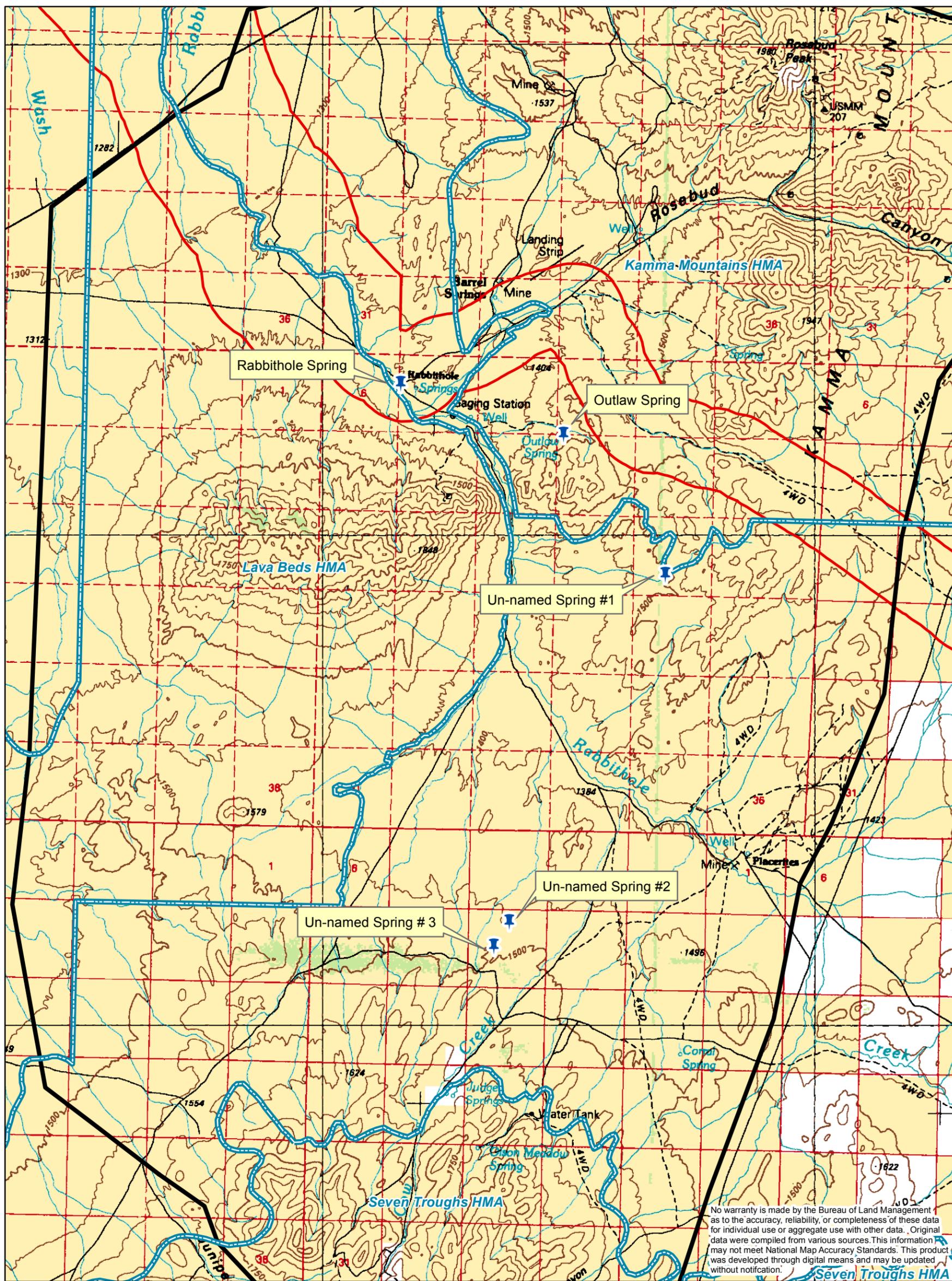
Blue Wing Complex Gather



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. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

Legend Section Project Area Sage Grouse PGH PPH BLM NCA		Land Status Bureau of Land Management Private NDOT Roads Interstate US Highway State Route		Eugene Mountains, NV USGS 100k Quadrangles Project Area: 110,637 Acres 1:100,000 Miles		 Winnemucca District Office Bureau of Land Management 5100 E. Winnemucca Blvd Winnemucca, NV. 89445		N Date: 7/29/2013
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Blue Wing Complex Gather Area: Five Main Water Sources Used by Wild Horses



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. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.

Legend	Eugene Mountains, NV USGS 100k Quadrangles Project Area: 110,637 Acres		N	Date: 7/29/2013
Herd Management Area (HMA) Polygons Project Area BLM NCA	1:80,000	Winnemucca District Office Bureau of Land Management 5100 E. Winnemucca Blvd Winnemucca, NV. 89445		
Land Status Bureau of Land Management Private	 0 0.75 1.5 3 Miles			

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20240
<http://www.blm.gov>

January 23, 2013

In Reply Refer To:
4710 (NV934) PEMS TRANSMISSION 01/30/2013
Instruction Memorandum No. 2013-059
Expires: 09/30/2014

To: All Field Office Officials (except Alaska)

From: Assistant Director, Renewable Resources and Planning

Subject: Wild Horse and Burro Gathers: Comprehensive Animal Welfare Policy

Program Area: Wild Horse and Burro (WH&B) Program**Purpose:** The purpose of this Instruction Memorandum (IM) is to establish policy and procedures to enable safe, efficient, and successful WH&B gather operations while ensuring humane care and treatment of all animals gathered.**Policy/Action:** The Bureau of Land Management (BLM) is committed to the well-being and responsible care of WH&B we manage. At all times, the care and treatment provided by the BLM and our Contractors will be characterized by *compassion and concern* for the animal's well-being and welfare needs. Effective immediately, all State, District, and Field Offices must comply with this IM for all gathers within their jurisdiction.

This IM is part of a package of IMs covering various aspects of managing WH&B gathers.

- IM No. 2013-060, Wild Horse and Burro Gathers: Management by Incident Command System
- IM No. 2013-058, Wild Horse and Burro Gathers: Public and Media Management
- IM No. 2013-061, Wild Horse and Burro Gathers: Internal and External Communicating and Reporting

Roles and responsibilities of all gather personnel are covered in IM No. 2013-060, Wild Horse and Burro Gathers: Management by Incident Command System.

The goal of this IM is to ensure that the responsible and humane care treatment of WH&B remains a priority for the BLM and its Contractors at all times. Our objectives are to use the best available science, husbandry, and handling practices applicable for WH&B and to make improvements whenever and wherever possible, while meeting our overall gather goals and objectives in accordance with current BLM policy, standard operating procedures, and contract requirements.

The Lead Contracting Officer's Representative (Lead COR) is the primary party responsible for promptly addressing any actions that are inconsistent with the expectations set forth below. The Lead COR may delegate responsibility to an alternate COR. The responsibilities of a BLM Project Inspector are assigned by the Lead COR and are limited to performing on-the-job government inspection of work accomplished by the Contractor.

The Lead COR has authority to *suspend* gather operations if he/she believes actions contrary to the humane treatment expectations are taking place or that an unsafe condition exists. The Lead COR will promptly notify the Contractor if any improper or unsafe behavior or actions are observed, and will require that such behaviors be promptly rectified and eliminated. Any observed problems shall be reported at the end of each day. The Lead COR and Incident Commander (IC), through coordination with the Contracting Officer (CO) shall, if necessary, ensure that corrective action has been taken to prevent those behaviors or actions from occurring again and all follow-up and corrective actions shall

be reported as a component of the Lead COR's daily reports.

Based on past experience with WH&B gathers and the need to adapt some gather practices to specific local conditions, the following information will be discussed with all gather personnel before gather operations begin and shall be incorporated as management's expectations that is included as an appendix to the documentation supporting the gather and made available on BLM's website. Humane care and handling of WH&B during gather operation is always the primary concern. During the pre-work conference facilitated by the Lead COR, expectations for the humane treatment and care of WH&B during gather operations will be discussed. They include the following expectations:

1. The Lead COR will ensure that the gather helicopter(s) will not be operated in a manner where, for any reason, the helicopter could reasonably be expected to come into contact with a WH&B. In cases when it is necessary during gather operations, hovering by the helicopter over the WH&B is acceptable.
2. Handling aids (including body position, voice, flags, paddles and electric prods) will be used in a manner that is consistent with domestic livestock handling procedures. Flags and paddles will be used as signaling and noise making devices first, with only light contact of the flag or paddle end allowed when necessary. Animals will not be whipped or beaten with these or any handling aids. Flagging and paddles will be used strategically and in a manner that avoids desensitizing the WH&B. While it may be necessary on occasion to use a hand or foot to safely move a WH&B, the Lead COR will ensure that kicking or hitting of WH&B does not occur.
3. Electric prods (hotshots) will not be routinely used on WH&B, but rather should only be used as a last resort when WH&B or human safety is in jeopardy or other aids have been tried and are not working. When used, electric prods will only be used to shock animals, not to tap or hit animals. Similarly, electric prods will not be applied to injured or young animals, nor will they be applied to sensitive areas such as the face, genitals, or anus.
4. Gates can be used to push WH&B but will not be used in a manner that may be expected to catch legs. Gates and doors will not be slammed or shut on WH&B.
5. Only the Lead COR will identify and request the Contractor to pursue and capture a single WH&B. Pursuing a single WH&B should be a rare event and not standard practice. If the animal is identified as a stud, further pursuit should be abandoned unless for management purposes (such as public safety, nuisance animals, or animals outside HMA boundaries or on private lands) it is necessary to capture the animal.
6. The Lead COR will ensure every effort is made to prevent foals from being left behind or orphaned in the field. If a foal has to be dropped from a group being brought to the trap because it is getting too tired or cannot keep up, the pilot will relay to the Lead COR and ground crew the location of the foal and a description of the mare to facilitate "pairing-up" at temporary holding. In this case, the Contractor will provide trucks/trailers and saddle horses for the retrieval of the foal and transport the foal to the gather site or temporary holding. If the helicopter is needed to locate and capture the foal, retrieval of the foal should occur prior to another band being located and driven to the trap. The method of capture will be directed by the Lead COR.
7. The Lead COR will ensure that if during the gather any WH&B (including foals or horses that may be aged, lame, injured or otherwise appear weak or debilitated) appear to be having difficulty keeping up with the group being brought in, the Contractor will accommodate the animals having difficulty to allow for rest before proceeding, drop those animals from the group, or drop the entire group. It is expected that animals may be tired, sweaty and breathing heavily on arrival at a trap, but they should not be herded in a manner that results in exhaustion or collapse.
8. The need to rope specific WH&B will be determined by the Lead COR on a case-by-case basis.
9. While gathering, a WH&B may escape or evade the gather site while being moved by the helicopter. If there are foals in the band and an animal that has evaded capture has been identified as a mare that might have one of these foals, the Contractor may make multiple attempts to move the mare by the helicopter to the gather site for capture prior to roping or other alternative for capture. In these instances, animal condition and fatigue will be evaluated by the Lead COR on a case-by-case basis to determine the number of attempts that can be made to capture the animal. Animals will not be pursued to a point of exhaustion or distress.

10. Mares and their dependent foals will be separated from other animals at the temporary holding facility and moved to a designated BLM preparation facility. The Lead COR will ensure that any foals that are not weaned and have been maintained with their mares at temporary holding will be transported with their mares to the BLM preparation facilities as soon as practical.
11. The Lead COR will ensure that all sorting, loading or unloading of WH&B will be performed during daylight hours.
12. All handling pens, including the gates leading to the alleyways, should be covered with a material which serves as a visual barrier (plywood, burlap, plastic snow fence, etc.) and should be covered a minimum of 1 foot to 5 feet above ground level for burros and 2 feet to 6 feet for horses. Perimeter panels on the holding corrals should be covered to a minimum height of 5 feet for burros and 6 feet for horses. Those panels attached to and leading directly into the trailers from the trap will be covered with a material which serves as a visual barrier. Padding should be installed on the overhead bars of all narrow gates used in single file alleys leading or leaving the squeeze chute set up. Screening will be placed on all division gates in the sorting area and solid fencing placed on panels from the working chute to the semi-trailers in an effort to decrease outside stimuli.
13. When dust conditions within or adjacent to the trap or holding facility so warrant, the Contractor shall be required to wet down the ground with water.
14. When possible (e.g., soil conditions allow) and as needed (e.g., the WH&B are unwilling to step up), the Lead COR should request that the Contractor will have the trailer floor at ground level to ease the loading of WH&B at the gather site.
15. If the pilot is moving WH&B and observes an animal that is clearly injured or suffering, the animal should be left on the range and its location noted. The BLM Lead COR with veterinary assistance from an Animal Plant Health Inspection Service or locally licensed veterinarian will then go to the identified location as promptly as possible so that any animal that cannot make it to the trap will be inspected to determine the problem. The Lead COR will then decide on the most appropriate course of action.
16. Injuries that required veterinary examination or treatment, deaths and spontaneous abortions that occur will be noted in gather reports and statistics kept by the Lead COR.
17. At the discretion of the Lead COR, if a WH&B is injured or in distress during gather operations and the animal is within the wings or first corral of the trap, gather operations may be temporarily suspended if necessary to provide care for the animal and subsequent removal. Such actions should take place prior to the trapping of additional animals whenever possible.
18. The Contractor shall provide animals held in facilities with a continuous supply of fresh clean water at a minimum rate of 10 gallons per animal per day. Pens containing more than 50 animals will have water provided in at least two separate locations of the pen (i.e. opposite ends of the pen). Animals held for 10 hours or more in the traps or holding facilities shall be provided good quality hay at the rate of not less than two pounds of hay per 100 pounds of estimated body weight per day. If the task order notes that weed free hay is to be used for this gather the Contractor will provide certified weed free hay in the amounts stated above. The Contractor will have to have documentation that the hay is certified weed free. An animal that is held at a temporary holding facility after 5:00 p.m. and on through the night, is defined as a WH&B feed day. An animal that is held for only a portion of a day and is shipped or released does not constitute a feed day.
19. When extreme environmental conditions exist (such as temperature) during a gather, the overall health and well-being of the animals will be monitored and the Lead COR will adjust gather operations as necessary to protect the animals from climatic and gather related health issues. The Lead COR should be equipped to take air temperatures periodically throughout the day to help with the monitoring of environmental conditions at the gather site. There may be days when the Lead COR determines that gather operations must be suspended or ceased based on temperatures or other environmental conditions.
20. The rate of movement and distance the animals travel shall not exceed limitations set by the Lead COR who will consider terrain, physical barriers, access limitations, weather, extreme temperature (high and low), condition of the animals, urgency of the operation (animals facing drought, starvation, fire rehabilitation, etc.) and other factors. In consultation with the

Contractor, the distance the animals may travel will take into account the different factors listed above and other concerns relevant to individual HMAs. With foals, pregnant mares, or horses that are weakened by body condition, age or poor health, the appropriate herding distance and rate of movement will be determined on a case-by-case basis considering the weakest or smallest animal in the group and the range and environmental conditions present. The maximum gather distance will depend on the specific animal and environmental conditions on the day of the gather and direct dialogue with the pilot/ Contractor and Lead COR to provide important information as to numbers, number of foals, locations distance and/or overall animal and/ or environmental conditions. The trap locations will be moved closer to horse locations whenever possible to minimize the distance the animals need to travel.

21. The Lead COR or IC should be available to provide a short briefing to any members of the public that may be present at the end of daily operations, including the preliminary tallies on the total number of animals captured by sex, number of foals, and any incident that required medical attention or euthanasia. This briefing should occur at temporary holding corral after all animals have been sorted, fed and watered and allowed to settle. The public should be clearly informed that such preliminary tallies may change after all the information is processed from the day's gather and that the final results of the day's gather will be posted to the appropriate BLM website.
22. The Lead COR should ensure that holding alleys will not be overcrowded at temporary holding facilities. If there is a risk of overcrowding, gates should remain open to allow animals to move back out of the alley and be reloaded. If an animal falls in the alley no other animals should be moved through the alleyway until the animal stands on its own or the alleyway is clear.
23. The Lead COR should ensure that animals will not be left in alleyways for any extended period of time (greater than 30 minutes). If personnel are not present at the temporary holding corrals to sort animals, the horses should be placed into a holding pen until such time as they can be sorted and placed into the appropriate pen.
24. Bait/water trapping: All traps will be checked a minimum of once every 24 hours when the traps are "set" to capture without human presence (trip trigger traps, finger traps, etc.). All handling procedures outlined above in this document apply to bait trapping to the extent applicable.

Again, at all times, the care and treatment provided by the BLM and our Contractors should be characterized by *compassion and concern* for the animal's well-being and welfare needs. The IC will ensure that everyone involved in gather operations receives a copy of these expectations prior to the start of the gather and the Lead COR and all BLM employees present shall ensure that gather operations are conducted in compliance with these expectations.

Timeframe: This IM is effective immediately.

Budget Impact: Unit costs for conducting gathers as a result of this interim guidance are not expected to increase significantly when compared to existing costs.

Background: The BLM is committed to the humane treatment and care of WH&B through all of the phases of its WH&B program. To ensure a clearer statement of its expectations and greater consistency in the program, the development of a Comprehensive Animal Welfare Policy has been undertaken. In addition to the standard operating procedures (SOP) for capture operations, SOPs for management on the range, capture operations, short- and long-term holding facilities, transportation, and adoption will be developed.

Manual/Handbook Sections Affected: None

Coordination: This IM was coordinated among WO-200, WO-260, WO-600, WO-610, WO-LE, WH&B State Leads, WH&B Specialists, State External Affairs Leads, public affairs and law enforcement staff in the field.

Contact: Any questions regarding this IM can be directed to Joan Guilfoyle, Division Chief, Wild Horse and Burro Program (WO-260) at 202-912-7260.

Signed by:
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