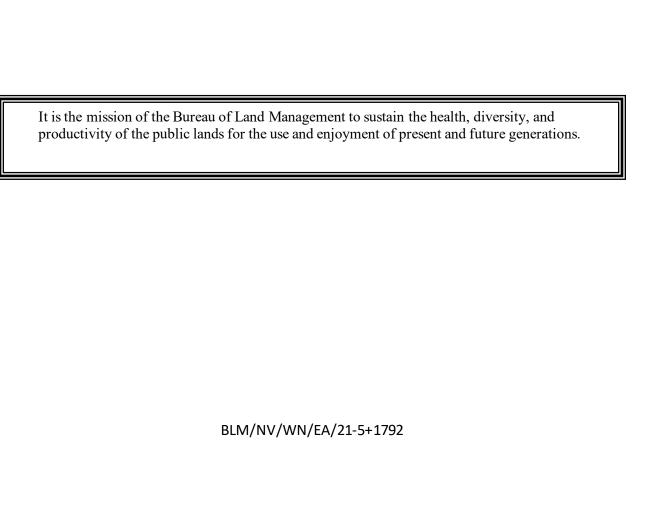
United States Department of the Interior Bureau of Land Management

Winnemucca Off-Range Corral Environmental Assessment DOI-BLM-NV-W010-2021-0036-EA



U.S. Bureau of Land Management Humboldt River Field Office 5100 E. Winnemucca Blvd. Winnemucca NV 89445-2921





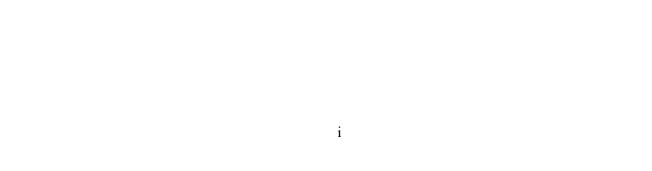


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1.0 INTRODUCTION

The Bureau of Land Management (BLM) manages wild horses and burros (WHB) as part of its overall multiple-use mission. Under the authority of the 1971 Wild Free-Roaming Horses and Burros Act (WFRHBA), the BLM manages and protects these living symbols of the Western spirit while ensuring that population levels are in balance with other public land resources and uses. To ensure that healthy herds thrive on healthy public lands, the BLM removes excess animals from the land to control the size of herds, which have limited natural predators and can double in population every four to five years.

As part of its responsibility to manage and protect WHB, including those removed from herds roaming Western public lands, the BLM has solicited proposals for new, off-range corrals (ORC) located in Idaho, Nevada, and Utah, under Solicitation #140L0120R0008 (Solicitation #140L0120R0008 Link). The solicitation was open between October 30, 2020, and December 4, 2020.

The proposed ORCs for Nevada may be located anywhere within the State of Nevada or within 30 miles of the state and must accommodate a minimum of 500 and a maximum of 10,000 WHB. Further, under the solicitation, all facility proposals must be accessible by an all-weather road or highway and each ORC must be able to provide humane care for a one-year period, with a renewal option under BLM contract for four or nine one-year extensions (option periods). The animals would remain in the ORC until they are placed into private maintenance through adoptions or sales or are transported to off-range pastures (ORP). The BLM maintains a large network of ORCs to prepare animals for private placement, facilitate the placement of wild horses and burros into private care through the Adoption and Sales Programs and as a transition point for horses going to Off-Range Pastures. ORCs are intended for short-term holding, however there is no specific time frame. The time spent in ORC changes on a rolling basis, depending on private placements as well as available space in Off Range Pastures.

The Proposed Action, as described in Chapter 2, is for the BLM to fund a contract with JS Livestock (Contractor) for an ORC located near Winnemucca, Nevada, with a capacity for up to 4,000 WHBs. The analysis and impacts disclosed in this environmental assessment (EA) would be limited to the proposed facility in Nevada.

Per the solicitation, a contracting officer representative (COR) and/or Project Inspector (PI) would be appointed by the BLM contracting officer upon award of the contract. The COR and the PI would be BLM employees and would be hired to staff these positions. The COR would oversee implementation of the contract on behalf of the BLM while the PI would be the onsite assistant facility manager. The COR/PI would be responsible for giving the Contractor any special instructions or guidance necessary to complete delivery as required by the contract. The COR or PI would not have the authority to modify or in any way amend the terms of this contract.

1.1 Purpose and Need for Action

The purpose of the Proposed Action is to construct, maintain, and operate an ORC facility through a BLM contract with the Contractor for a maximum of 4,000 excess WHB on 100 acres of private land near Winnemucca, Nevada. The need for the Proposed Action is to provide holding space necessary to safely and humanely care for excess WHB removed from public lands consistent with authority provided in Section 3 of the WFRHBA.

1.2 Land Use Plan Conformance

The Record of Decision (ROD) and Resource Management Plan (RMP) for the Winnemucca District Planning Area (USDI 2015) do not address ORCs on private land; however, the proposed project is consistent with the WHB goals and objectives identified in the RMP. Relevant goals are provided below.

- Objective WHB 1: Administer HMAs to support healthy populations and achieve land health standards for WHB where a TNEB (thriving natural ecological balance) and multiple-use relationship can be achieved and maintained.
- Objective WHB 5: Maintain Appropriate Management Levels within Herd Management Areas (HMAs).

1.3 Relationship to Laws, Regulations, and Other Plans

The Proposed Action does not conflict with any known State or local planning or zoning ordinances. This action is not specifically addressed in the 2012 update to the Humboldt County Regional Master Plan (Humboldt County 2012) however, the proposal is consistent with the land uses occurring within agricultural areas identified in that document.

The award of a contract is to fund space, feeding, and care for up to 4,000 excess WHB in an ORC on private land is considered a Federal action which requires BLM to comply with all applicable laws, including the National Environmental Policy Act (NEPA). As a result, this EA has been prepared to document and disclose BLM's site-specific analysis of the potential impacts that could result from the implementation of the Proposed Action or No Action Alternatives. The following statutes and resultant regulations are of primary concern to this EA:

Clean Water Act of 1972, as amended.
National Environmental Policy Act of 1969, as amended.
National Historic Preservation Act of 1966, as amended.
Threatened and Endangered Species Act of 1973, as amended.
Wild Free-Roaming Horses and Burros Act of 1971, as amended.
Title 43 Code of Federal Regulations (CFR) §4700.
Migratory Bird Treaty Act of 1918
Bald and Golden Eagle Protection Act (16 U.S.C. 668)

1.4 Decision to be Made

Based on the results of the NEPA analysis, the authorized officer from the Humboldt River Field Office will decide if and under what conditions, stipulations, and terms an ORC would be funded within their field office to provide containment, feed, and care for WHB.

1.5 Required Permits

County building permits in addition to all other required permits would be the responsibility of the Contractor. The proposed operation would qualify as a concentrated animal feeding operation (CAFO) under 40 CFR § 122.23. The applicant would obtain and follow the requirements of a National Pollutant Discharge Elimination System (NPDES) permit for a Large CAFO operation issued by the Nevada Division of Environmental Protection (NDEP). Under this permit, the operator would be required to develop and comply with a site-specific Nutrient Management Plan (NMP) designed to prevent discharge of process wastewater pollutants into waters of the U.S. except in the case of a 25-year, 24-hour rain event (40 CFR § 122.42(e)(5), 40 CFR §

412.13). The terms of the CAFO permit and NMP would be determined during the permitting process, but must include provisions to ensure adequate storage of process wastewater, provide diversion of clean water from the production area, identify site-specific conservation practices (e.g. buffers, dikes, and berms), recordkeeping and reporting, periodic inspections, and other requirements (40 CFR 122.42 (e)(1-6)).

Impacts to surface and ground water, potential for nutrient release during flood events or creating nutrient plumes, would be negligible when the requirements of the CAFO permit are implemented. While the CAFO process does not regulate discharges to groundwater, Chapter 445A of the Nevada Revised Statutes (NRS) prohibits discharge of pollutants to any waters of the State, including groundwater. In addition to meeting the requirements specified above, discharge permits issued by NDEP require the terms of the Nutrient Management Plan to include provisions to ensure compliance with state groundwater quality standards. Examples of potential requirements include berms, dikes, lined wastewater containment ponds or groundwater monitoring wells with periodic sampling and inspections.

1.6 Scoping and Identification of Issues

Interdisciplinary Teams from the BLM Nevada State Office and the Humboldt River Field Office identified resources that are present and potentially impacted (Appendix A) through internal scoping. The issues identified in the table presented in Appendix A have been carried forward in this EA for detailed analysis include:

- Soil Resources
- Raptors, Eagles, and Migratory Birds
- Terrestrial Wildlife (Big Game)
- Social and Economic Conditions

2.0 DESCRIPTION OF ALTERNATIVES

This EA analyzes only the Proposed Action and No Action alternatives since the decision to be made is whether to fund a contract with the Contractor for an ORC near Winnemucca, Nevada. The No Action alternative is considered and analyzed to compare impacts with the Proposed Action.

2.1 Alternative A - Proposed Action

The Proposed Action is to fund containment, feeding, and care for up to 4,000 excess WHB on 100 acres of private land owned by the Contractor. Solicitation #140L0120R0008 is incorporated into the Proposed Action by reference because of the specifications for ORC construction and care of the WHB. The ORC site would be located in Humboldt County, Nevada between Paradise Valley and Winnemucca: six miles from Highway 95 and 28 miles from Interstate 80. Per the conditions set out in the Solicitation, the ORC facility would be required to:

- Handle, treat, and maintain all WHB in a humane manner in accordance with BLM guidance and policies, including Permanent Instruction Memorandum (PIM) 2021-002, Wild Horse and Burro Comprehensive Animal Welfare Program (CAWP).
- Provide land, pens, feed, salt, minerals, and water necessary for maintaining WHB in their care.
- Provide corrals and adequate facilities to load, unload, prepare, and sort WHB.

- Provide humane care of all WHB during receiving, holding and preparation, prior to shipment to other ORC or ORP, adoption or sale.
- Provide regular, on-the-ground observation of the WHB to ascertain their well-being and safety.
- Provide facility management by individuals who are knowledgeable and experienced about the behavior and nutritional requirements of WHB.
- Maintain and prepare excess WHB for placement into private care, from BLM wide gather operations or from other western ORCs.
- Provide the opportunity for the BLM to host private placement events for the public to select animals.
- Provide an office building equipped with electricity, phone, fax machine, internet, office furniture, and restrooms.
- Ensure entry gates into the ORC can be locked to provide adequate security during non-work hours.

East, Section 03 (Mount Diablo Base and Meridian) (Figure 1), which is currently planted to alfalfa (*Medicago sativa*). The alfalfa currently under the pivot would be removed from about 100 acres of the site and the area would then be graded to facilitate construction of the corrals and working facility (Figure 2). The WHB would be housed in 40 pens (Figure 3) measuring 250 feet long x 300 feet wide (75,000 sq. ft.), with a capacity of 100 head per pen. The gray area in Figure 3 represents the loading and unloading areas and chutes leading to the pens. This would allow for 750 sq ft per horse, exceeding the required amount of 700 sq ft per head. The pens and alleyways would be constructed of $2\frac{3}{8}$ inch 14-gauge pipe, with 3-inch by 3-inch square tube posts. The overall height of the fence and gates would be 72 inches upon completion. The pens would have feed bunks that run along the perimeter of the pens. The facility would be capable of holding up to 4,000 WHB upon completion.

Slopes within the pens at the ORC would provide for adequate drainage. All pens would be cleaned a minimum of twice per year and up to four times per year to remove excess manure or more often when warranted at the direction of the COR or PI. Separate corrals (with a minimum of 400 square feet per animal) at the facility would be available for confining lame or sick animals needing special care. These pens would have overhead cover along with a wind break. A perimeter fence at least 48 inches in height would be provided around the facility in the event a WHB escapes from an individual pen.

Animals would be fed daily. The amount of feed given daily is outlined in Solicitation #140L0120R0008 and Permanent Instruction Memorandum (PIM) 2021-002, Wild Horse and Burro Comprehensive Animal Welfare Program (CAWP), "Quality hay must be provided daily to WHBs in the amount of 2-3% of their body weight per day." The Solicitation outlines that most horses or burros should be maintained with a Henneke body condition score of 4 or greater. Feed (grass/alfalfa hay) would always be stored on-site in quantities appropriate to the number of WHB present. Providing some animals with needed grass hay or additional feed would be coordinated with the BLM COR/PI. Processed hay (cubes, chopped, pelleted or other processed) would need to be approved by the BLM COR/PI. Granulated, rock, or block salt would be accessible to all WHB in each pen. Minerals necessary to maintain WHB in good condition would be provided to WHB in each pen as a supplement or added to the salt. An inventory of WHB kept at the site would be maintained along with all treatments and records of deaths. WHB

would be observed daily. Any remains would be disposed of in accordance with State or local sanitation laws. Each pen would have a water trough, which would have a reliable water source capable of supplying a minimum of 16 gallons of clean water per animal, per day.

2.1.1 Design Features

Design Features are those specific means, measures or practices that would reduce or eliminate adverse effects. Permanent BLM Instruction Memorandum 2021-002, Wild Horse and Burro Comprehensive Animal Welfare Program (USDI 2020b) consolidates current humane practices, incorporates the existing Standard Operating Procedures to ensure humane care and handling of the animals, and increases transparency concerning the humane treatment of WHB.

2.1.1.1 Dust Prevention and Control Plan

During construction activities, the Contractor would apply water to the soils in order to reduce fugitive dust emissions. The facility would have a pressurized irrigation system in the corrals and would be used to mitigate dust problems by wetting corrals and alleyways. The facility would have paved feeding areas to help reduce dust. The corrals would be reviewed weekly by the Contractor staff. The Contractor and BLM COR/PI would meet to determine the proper method of eliminating any excess dust found and take the action needed to solve the problem. The pens would be cleaned every quarter, at minimum, to help eliminate an unwanted buildup of dust. Cleaning pens (i.e., removing manure) reduces dust, because as manure dries out it breaks down into finer particles. The finer particles may contribute to the amount of dust during surface disturbances.

2.1.1.2 Manure Management

To reduce the stress on horses, corrals would be cleaned regularly at least twice per year and up to four times per year. Additional cleaning would be conducted if the team determines that it is necessary.

The Contractor would obtain the necessary permit required by the state of Nevada for a Concentrated Animal Feeding Operation permit (CAFO) and would maintain proper reporting documents and structures for this permit. The CAFO permit would include information on nutrient management. If at any time BLM requests a copy of the valid permit, it would be provided.

2.1.1.3 Soil Drainage Management

All corral pens will have adequate slopes for drainage, which would help to keep the pens from being wet and muddy. The Contractor would establish a plan to mitigate any standing water that is found to occur and implement that plan immediately.

2.1.1.4 Disposal of Dead Horses

Dead horses would be identified and recorded by freeze mark, microchip number, physical description, age, sex, and cause of death. Animals would be disposed of at the Humboldt County regional landfill in Winnemucca Nevada in accordance with Nevada state and local sanitation laws as the nearest rendering plant is in Reno, Nevada.

The Contractor would notify the COR and/or PI immediately if the death of a horse is other than by natural causes or euthanasia, and it appears that a postmortem examination should be performed by a veterinarian.

Under the direction of the COR/PI, The Contractor would euthanize an animal for reasons related to acts of mercy, health, or safety and would do it in accordance with the BLM euthanasia

policy found in Permanent Instruction Memorandum 2021-007 (USDI 2020a). the Contractor would record and give all information to the COR/PI including freeze marks, microchip number, sex, age, physical description, and cause of death.

2.1.1.5 Weed Control Management

All project personnel would prevent the spread of invasive non-native and noxious weed species:

- During construction of the facilities:
 - Vehicles would be washed before entering new locations and tires and under carriage would be washed when leaving a location.
 - o Clothing would be inspected before entering and leaving the project area and removing any plant material.
- If the spread of noxious weeds is noted, appropriate weed control procedures would be determined by the Contractor in coordination with the BLM COR/PI and would comply with State and local weed control laws and regulations.

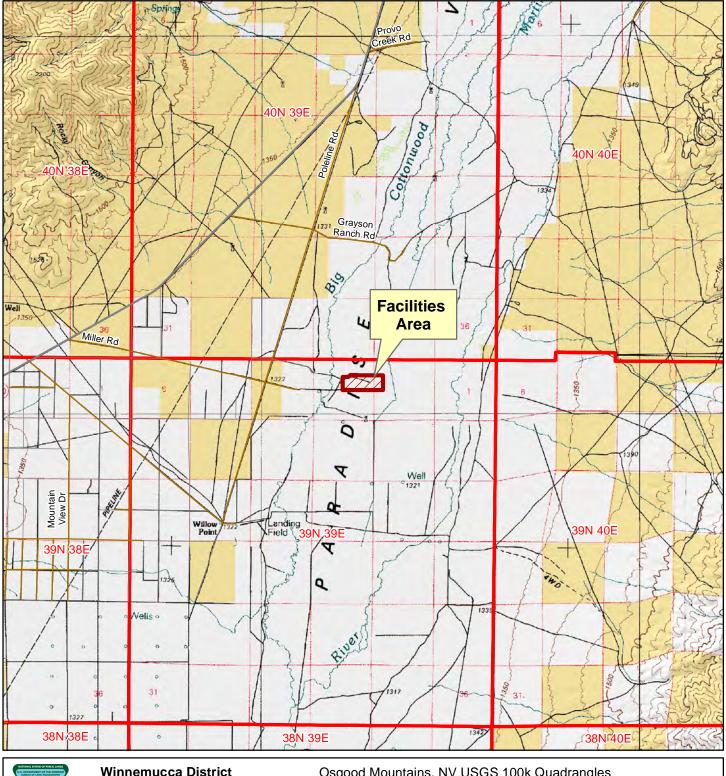
2.1.1.6 Migratory Bird Treaty Act Compliance

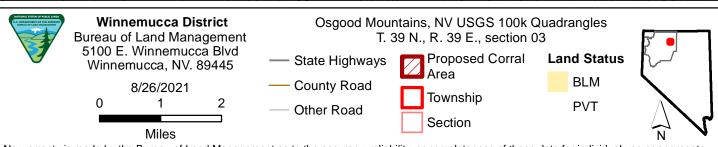
Migratory bird breeding season is between March 1 and August 31. Prior to the commencement of earthwork, standard pre-construction clearance surveys for migratory bird and raptor nests would be completed and avoidance buffers implemented during the breeding season. Buffers for non-raptor migratory birds is 260 feet and buffers for raptors is 1,320 feet (0.25 mile).

2.2 Alternative B - No Action Alternative

The No Action Alternative would not fund nor authorize the holding of WHB at the proposed ORC facility near Winnemucca, Nevada.

Winnemucca Wild Horse & Burro Off-Range Corral Project Figure 1 Proposed Project Location





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Figure 2 Proposed Project Area Aerial Photo Map





Winnemucca District

Bureau of Land Management 5100 E. Winnemucca Blvd Winnemucca, NV. 89445

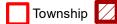
8/26/2021

500 1,000

Feet

Willow Point, NV USGS 24k Quadrangle T. 39 N., R. 39 E., sec. 3 (Entire extent of map is private lands.)

○ Ag Wells × - Fence



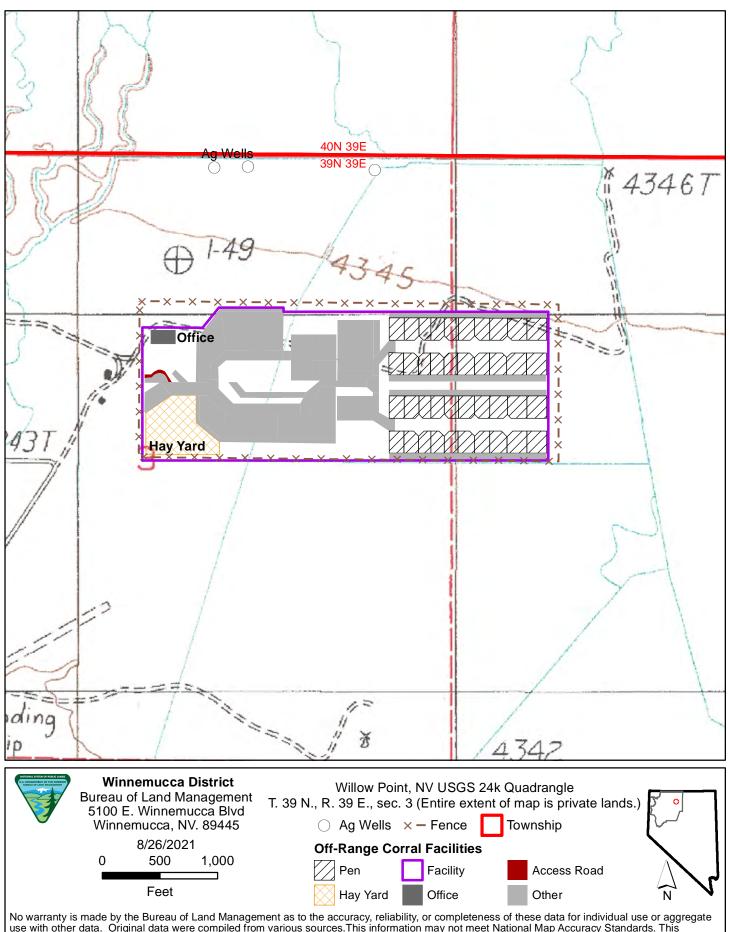


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Figure 3 Proposed ORC Facility Layout near Winnemucca, Nevada



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3.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

This chapter describes the affected environment, specifically the existing or baseline conditions relevant to each issue identified in Table 1 (Appendix A), followed by a description of the impacts projected to result from each alternative.

3.1 Soils

3.1.1 Affected Environment

The analysis area for soils is the 100-acre project area. The proposed project area is located on Delvada Silty Clay, which are very poorly drained, subject to occasional flooding, and may have a high-water table (USDA Natural Resources Conservation Service (NRCS) 2021). The soils are fine textured with high amounts of silt and clay and have a fairly high erodibility index for wind erosion. These are soils that become "powdery" when disturbed (pers com. Novak-Echenique 2021).

3.1.2 Alternative A - Proposed Action

Environmental Impacts

Grading of the site will be accomplished to allow for the proper draining of the soils within the site. Design features, the dust prevention and control plan, and the CAFO plan would reduce the risk of runoff and erosion. This plan would ensure all solid and liquid wastes along with sediment are stored on-site in a manner that prevents wastes and sediment from entering surface water and seepage of nutrients into ground water. Based on past agricultural work on the proposed project area, it is expected that agricultural work would continue within the project area. This trend in agricultural practices on the proposed project area would not create additional impacts outside of the impacts to soils that have already occurred.

3.1.3 Alternative B - No Action

Environmental Impacts

Alternative B would result in the BLM not funding the contract for the ORC to hold WHB, thereby eliminating a Federal Action and NEPA nexus. It would be speculative to assume how the Contractor would use the existing agriculture land. Since this activity would be beyond the BLM's influence, the effects of this would be outside the scope of this analysis.

3.2 Raptors and Migratory Birds

3.2.1 Affected Environment

The analysis area for migratory birds and raptors is the 100-acre project area. The proposed project area is located on existing alfalfa fields in Paradise Valley, Nevada. These alfalfa fields provide migratory bird nesting and foraging habitat as well as foraging habitat for raptors. Migratory bird species known to use agricultural lands include bobolink (*Dolichonyx oryzivorus*), long-billed curlew (*Numenius americanus*), sandhill crane (*Grus canadensis*), and white-faced ibis (*Plegadis chihi*). Raptor species known to hunt in agricultural lands include prairie falcon (*Falco mexicanus*), short-eared owl (*Asio flammeus*), Swainson's hawk (*Buteo swainsoni*), and western burrowing owl (*Athene cunicularia hypugaea*). In addition, golden eagles (*Aquila chrysaetos*) forage for prey in irrigated agriculture fields. This species has additional protection under the Bald and Golden Eagle Protection Act.

3.2.2 Alternative A - Proposed Action

Environmental Impacts

Impacts to migratory birds and raptors would include displacement, loss of habitat, or destruction/disturbance to nests. These impacts may occur due to the conversion of the

agricultural fields/habitat to pens and other supporting structures within the proposed project area. The proposed project area is 100 acres in size; it is expected that migratory birds and raptors would relocate permanently to other, similar habitat available in the vicinity of the proposed project area. Effects to nests and breeding behaviors could be avoided by implementation of the Migratory Bird Treaty Act Compliance design feature.

3.2.3 Alternative B - No Action

Environmental Impacts

Alternative B would result in the BLM not funding the contract for the ORC to hold WHB, thereby eliminating a Federal Action and NEPA nexus. It would be speculative to assume how the Contractor would use the existing agriculture land. Since this activity would be beyond the BLM's influence, the effects of this would be outside the scope of this analysis.

3.3 Terrestrial Wildlife (Big Game)

3.3.1 Affected Environment

The analysis area for big game wildlife is the 100-acre project area. The proposed project area is located on existing alfalfa fields in Paradise Valley, Nevada. The ranch on which the proposed project is located is completely fenced. The proposed project area is located within mule deer (*Odocoileus hemionus*) habitat and year-round pronghorn antelope (*Antilocapra americana*) habitat in Hunt Unit 051. This Hunt Unit is composed of approximately 1.6 million acres of mapped mule deer habitat and approximately 213,088 acres are classified as agricultural habitat for the Paradise Valley herd. The proposed project area accounts for less than 0.01% of mapped mule deer habitat that would be lost for both the Paradise Valley herd as well as other mule deer in Hunt Unit 051. Existing fencing associated with the alfalfa fields effectively precludes pronghorn antelope from accessing the project area.

3.3.2 Alternative A - Proposed Action

Environmental Impacts

Based on past agricultural work on the proposed project area, it is expected that agricultural work would continue within the project area. Impacts to pronghorn antelope are not expected because the agricultural fields surrounding the project area are already fenced to exclude them. Because the proposed project area represents such a small percentage of mule deer habitat, it is expected that mule deer would find other, more suitable habitat permanently.

3.3.3 Alternative B - No Action

Environmental Impacts

Alternative B would result in the BLM not funding the contract for the ORC to hold WHB, thereby eliminating a Federal Action and NEPA nexus. It would be speculative to assume how the Contractor would use the existing agriculture land. Since this activity would be beyond the BLM's influence, the effects of this would be outside the scope of this analysis.

3.4 Social and Economic Conditions

3.4.1 Affected Environment

The analysis area for social and economic conditions is Humboldt County, Nevada ("County"). The issue to be analyzed is to what impact, if any, the proposed action would have on feed prices, especially alfalfa, in the County. Humboldt County produced approximately 377,000 tons of alfalfa hay in 2017, the last year for which county level data is available¹. The State of Nevada

¹ Source for all production and price data: United States Department of Agriculture: National Agricultural Statistics Service (accessed 10-7-21 at https://www.nass.usda.gov/)

produced 770,000 tons in 2020, at an average sales price of \$183 per ton and an average yield of 4.4 tons per acre.

3.4.2 Alternative A - Proposed Action

Environmental Impacts

The proposed action would result in a facility housing up to 4,000 WHB at full capacity. Economists at the University of Nevada (UNR) and the University of Nevada Cooperative Extension (UNCE) projected that the facility would result in a minimal impact on demand for alfalfa in Humboldt County (UNR and UNCE, personal communications, October 6, 2021). For example, at full capacity, 4,000 WHB could consume up to 33,240 tons of feed per year. Assuming the feed consisted entirely of alfalfa produced in Humboldt County, and that no additional production would occur within the County to help supply that increased demand, this would amount to 8.82 per cent of the county's production of 377,000 tons, based on 2017 numbers (for the purposes of this analysis, UNCE assumed that alfalfa hay would be the only type of feed provided at the facility, but feed for wild horse and burros taken off the range consists of a mix of hay and other feeds). The market for alfalfa goes well beyond the County and is national, even global in scope. Given that the market is not limited to the County, the operator of the proposed facility as well as other local buyers, can search out suppliers well beyond the County's borders.

The loss of alfalfa production on the 100 acres occupied by the new facility would amount to 0.09 per cent of County alfalfa production of approximately 111,000 acres (based on 2017 numbers). The loss in economic output from taking 100 acres out of alfalfa production would be very small. Assuming 4.4 tons of alfalfa production per acre and an average per ton price of \$183, annual economic output from that production totals \$80,520. In contrast, BLM typically pays contractors four to five dollars per animal per day to operate this type of facility. Assuming full capacity, this equates to annual payments by BLM of \$5.8 to \$7.3 million, at least some of which (if not most) would be spent locally. Therefore, the proposed action, if approved, would likely produce net economic benefits for the County. Additionally, BLM plans to hire two new employees, likely to reside locally, to help run the operation. It is unknown if or how many employees the Contractor would hire to help run the operation.

3.4.3 Alternative B - No Action

Environmental Impacts

Alternative B would result in the BLM not funding the contract for the ORC to hold WHB, thereby eliminating a Federal Action and NEPA nexus. It would be speculative to assume how the Contractor would use the existing agriculture land. Since this activity would be beyond the BLM's influence, the effects of this would be outside the scope of this analysis. Impacts to the supply and demand for alfalfa in Humboldt County (and beyond) and therefore commodity prices, would remain at current levels.

4.0 BLM RECOMMENDED MITIGATIONS

As stated in Section 1.5, the applicant would obtain and follow the requirements of a National Pollutant Discharge Elimination System (NPDES) permit for a Large CAFO operation issued by the Nevada Division of Environmental Protection (NDEP). Under this permit, the operator would be required to develop and comply with a site-specific Nutrient Management Plan (NMP) designed to prevent discharge of process wastewater pollutants into waters of the U.S. except in the case of a 25-year, 24-hour rain event (40 CFR § 122.42(e)(5), 40 CFR § 412.13).

- The terms of the CAFO permit and NMP would be determined during the permitting process, but must include provisions to ensure adequate storage of process wastewater, provide diversion of clean water from the production area, identify site-specific conservation practices (e.g. buffers, dikes, and berms), recordkeeping and reporting, periodic inspections, and other requirements (40 CFR 122.42 (e)(1-6)).
- The BLM would recommend the contractor work with the NDEP to design, construct, and maintain stormwater diversions and sediment collection basins to meet the 100-year, 24-hour storm criteria.

5.0 CONSULTATION AND COORDINATION

On August 25, 2021, a project proposal letter, with an ePlanning link to the preliminary draft environmental assessment, was sent to the Winnemucca Indian Colony, Burns Paiute Tribe, Summit Lake Tribe, and McDermitt Paiute-Shoshone Tribe. The BLM has received no comments from the tribes either in oral form, when brought up during general monthly tribal consultation meetings, or in written form.

5.1 Public Comments

On September 2, 2021, the EA was released to the public for a 30-day comment period on the BLM ePlanning website. A letter with a project description and directions on accessing the preliminary EA were delivered via mail or email to 93 individuals, organizations, and State and county agencies.

Over 6,000 individual letters and e-mails during the comment period. Concerns raised during the comment period include:

- Air quality (odors)
- Air quality (dust)
- Animal waste management
- Disposal of dead animals
- Groundwater contamination
- Disease transmission
- Public access to facility
- Animal health and safety
- Climate change
- Social and economic values
- Previous litigation
- Environmental justice
- Flooding
- Grazing
- NEPA process
- Water rights
- Public health and safety

An economic analysis on hay pricing in Humboldt County was conducted to address concerns from Humboldt Count related to the effect on the local economy has been to Section 3.4 of the EA. The BLM conducted a review of the requirements for Concentrated Animal Feedlot Operations (CAFO) permitting and their relationship to the Clean Water Act to address the

concerns related to flooding, animal waste management, and the potential for nutrient contamination in surface and ground water. Section 2.1 of the EA was revised to provide clarifying information on wild horse and burro feeding regimes. Appendix D of the EA provides the list of substantive comments and the BLM's responses.

On November 3, 2021, the BLM met with Humboldt County Commissioners (County) regarding their concerns related to the flooding risks at the proposed ORC facility. They shared personal observations of flood events in the vicinity of the ORC and their concerns for the wild horses and burros housed at the site should a flood event occur. While the BLM analysis has shown that hydrology and floodplains are present but not affected to a degree that detailed analysis is required (see appendix A), the BLM is responding to Humboldt County's concerns and has included recommended mitigations in section 4.0. the BLM does not regulate water resources within the state of Nevada, nor can it issue the permits required for mitigation measures regarding that resource. The mitigations noted in that section are recommendations by the BLM.

In response to the county's concerns, watershed information related to the proposed ORC site and the Federal Emergency Management Agency's (FEMA's) National Flood Hazard Layer FIRMette (FEMA, 2021), which is a map that shows the FEMA designation for the proposed ORC site, have been included in Appendix E. Section 1.5 was revised to include clarifying information regarding CAFO permit requirements to control the potential for water run-on and run-off from the proposed facility.

5.2 List of Preparers

Humboldt River Field Office

Shannon Deep – Native American Consultation

Heather O'Hanlon – Public Affairs

Holley Kline – Wildlife

Robin Michel – Planning & Environmental Coordinator

Zwaantje Rorex – GIS Cartography

Dane Silva – Cultural Resources

Nevada State Office

Kimberly Allison – Weeds and Grazing

Nancy E. Army – Project Manager and NEPA

Patti Novak-Echenique – Soils

Jamie Fields – Wilderness Areas, Wilderness Study Areas, and Land with Wilderness

Characteristics

Coreen Francis - Forest and Woodland

Robert Gibson – Hydrology

Frank Giles – Noise and Air Quality

Miles Gurtler – Recreation, Access, and Visual Resource Management

Lara Kobelt – Botany

Virginia Morales – Realty Rights-of-Way, Communication Sites, Film Permits

Sarah Peterson – Soils

David Pritchett - NEPA

Carolyn Sherve – NEPA

Bill Stevens – Socioeconomics & Environmental Justice

Ruth Thompson – Wild Horses and Burros

Madeline Van der Voort – Cultural Resources

APPENDIX A. IMPACTS ANALYSIS TABLE

To comply with NEPA, the BLM is required to address specific elements of the environment that are subject to statute, regulation, or by executive order. The following tables outline the elements that must be addressed in all environmental analyses, as well as other resources deemed appropriate for evaluation by the BLM. Interdisciplinary Teams (IDT) from the Nevada State Office and Humboldt River Field Office identified resources that are present and potentially impacted.

Table 1. Interdisciplinary Checklist

Determination ¹	Resource	Rationale for Determination
Present, but not a ffected to a degree that detailed analysis is required.	Air Quality	Air quality impacts are expected to be minimal. proposed operations would not be expected to have significantly different impacts from the current a gricultural uses at the site. Construction-related fugitive dust emissions will be mitigated by obtaining and complying with a NDEP Surface Area Disturbance air permit for the project. The proposed new use of the site is not expected to significantly affect GHG emissions or climate change affects in Nevada. The alfalfa being replaced was presumably used as feed and so does not represent significant carbon storage. The horses are being moved from other locations to the new corrals. Their expected small GHG emissions are not new but have merely changed locations within the Nevada State airshed.
Not present in the area impacted by the Proposed Action or Alternatives.	Geology and Minerals	
Present with potential for impact analyzed in detail in this EA.	Soil Resources	See section 3.1 for analysis
Present, but not affected to a degree that detailed analysis is required.	Riparian Areas and Aquatic Wildlife	Impacts to riparian areas and aquatic wildlife, potential for nutrient release during flood events or creating nutrient plumes, would be negligible when the requirements of the CAFO permit are implemented.
Not present in the area impacted by the Proposed Action or Alternatives.	Botany	
Not present in the area impacted by the Proposed Action or Alternatives.	Special Status Animal Species	No threatened or endangered animal species are known to occur within footprint of project area. Potential habitat for TES species outside of the project area should not be a ffected by continuation of horse holding activities within the existing facility and project footprint. Impacts are not expected for Greater sage-grouse (GRSG) or their habitat as the project area does not overlap or occur in proximity to GRSG habitat.
Not present in the area	Special Status Plant Species	No threatened or endangered plant species are known to occur within footprint of project area. Potential habitat for special status

impacted by the		plant species should not be affected by the continuation of current
Proposed Action		activities.
or Alternatives.		activities.
Present with		
potential for		
impactanalyzed	Raptors and	See section 3.2 for analysis
in detail in this	Migratory Birds	See
EA.		
Present with		
potential for		
impactanalyzed	Terrestrial Wildlife	See section 3.3 for analysis.
in detail in this	(Big Game)	
EA.		
Present, but not		
affected to a		There are no free roaming wild horses, burros, or HMAs near the
degree that	Wild Horses	proposed project area. Holding for removed excess horses is
detailed analysis		a nalyzed in site specific wild horse and burro gather EAs.
is required.		
Present, but not		There are no known historic properties present within the 100-acre
affected to a		project area. There is no potential to a ffect historic properties since
degree that	Cultural Resources	the project would be conducted in existing disturbance and any
detailed analysis		properties present would lack integrity.
is required.		properties present would lack integrity.
Not present in		The project is located in an area designated by the BLM as Potential
the area	Paleontological	Fossil Yield Classification Class 2 (PFYC 2), indicating the project
impacted by the	Resources	area are not likely to contain paleontological resources. There are no
Proposed Action	11000001000	known fossil loca lities within the Project area or in its vicinity.
or Alternatives]
or Alternatives.	NI-4: A	
TBD	Native American	TBD
TBD	Native American Religious Concerns	TBD
TBD Not present in		TBD
TBD Not present in the area	Religious Concerns	TBD
TBD Not present in the area impacted by the		TBD
TBD Not present in the area impacted by the Proposed Action	Religious Concerns	TBD
TBD Not present in the area impacted by the	Religious Concerns	
TBD Not present in the area impacted by the Proposed Action	Religious Concerns	Design features, including the dust control measures (installation of
TBD Not present in the area impacted by the Proposed Action	Religious Concerns	Design features, including the dust control measures (installation of a pressurized irrigation system throughout the facility to control
TBD Not present in the area impacted by the Proposed Action	Religious Concerns	Design features, including the dust control measures (installation of a pressurized irrigation system throughout the facility to control dust), and the CAFO plan would reduce the risk of runoff and
TBD Not present in the area impacted by the Proposed Action or Alternatives.	Religious Concerns	Design features, including the dust control measures (installation of a pressurized irrigation system throughout the facility to control dust), and the CAFO plan would reduce the risk of runoff and erosion. The Solicitation required that the ORC must obtain the
TBD Not present in the area impacted by the Proposed Action	Religious Concerns Visual Resources	Design features, including the dust control measures (installation of a pressurized irrigation system throughout the facility to control dust), and the CAFO plan would reduce the risk of runoff and erosion. The Solicitation required that the ORC must obtain the required permits, which includes constructing proper, State
TBD Not present in the area impacted by the Proposed Action or Alternatives. Present, but not	Religious Concerns Visual Resources Hazardous or Solid	Design features, including the dust control measures (installation of a pressurized irrigation system throughout the facility to control dust), and the CAFO plan would reduce the risk of runoff and erosion. The Solicitation required that the ORC must obtain the required permits, which includes constructing proper, State approved, CAFO infrastructure and drainage ponds. An engineered
TBD Not present in the area impacted by the Proposed Action or Alternatives. Present, but not affected to a	Religious Concerns Visual Resources	Design features, including the dust control measures (installation of a pressurized irrigation system throughout the facility to control dust), and the CAFO plan would reduce the risk of runoff and erosion. The Solicitation required that the ORC must obtain the required permits, which includes constructing proper, State
TBD Not present in the area impacted by the Proposed Action or Alternatives. Present, but not affected to a degree that	Religious Concerns Visual Resources Hazardous or Solid	Design features, including the dust control measures (installation of a pressurized irrigation system throughout the facility to control dust), and the CAFO plan would reduce the risk of runoff and erosion. The Solicitation required that the ORC must obtain the required permits, which includes constructing proper, State approved, CAFO infrastructure and drainage ponds. An engineered drainage system will catch all run off, even during high water
TBD Not present in the area impacted by the Proposed Action or Alternatives. Present, but not a ffected to a degree that detailed analysis	Religious Concerns Visual Resources Hazardous or Solid	Design features, including the dust control measures (installation of a pressurized irrigation system throughout the facility to control dust), and the CAFO plan would reduce the risk of runoff and erosion. The Solicitation required that the ORC must obtain the required permits, which includes constructing proper, State approved, CAFO infrastructure and drainage ponds. An engineered drainage system will catch all run off, even during high water events, and drains it into the CAFO ponds to evaporate or is applied to farm fields owned and operated by the Contractor (if the CAFO allows that). These plans would ensure all solid and liquid wastes
TBD Not present in the area impacted by the Proposed Action or Alternatives. Present, but not a ffected to a degree that detailed analysis	Religious Concerns Visual Resources Hazardous or Solid	Design features, including the dust control measures (installation of a pressurized irrigation system throughout the facility to control dust), and the CAFO plan would reduce the risk of runoff and erosion. The Solicitation required that the ORC must obtain the required permits, which includes constructing proper, State approved, CAFO infrastructure and drainage ponds. An engineered drainage system will catch all run off, even during high water events, and drains it into the CAFO ponds to evaporate or is applied to farm fields owned and operated by the Contractor (if the CAFO allows that). These plans would ensure all solid and liquid wastes a long with sediment are stored on-site in a manner that prevents
TBD Not present in the area impacted by the Proposed Action or Alternatives. Present, but not a ffected to a degree that detailed analysis	Religious Concerns Visual Resources Hazardous or Solid	Design features, including the dust control measures (installation of a pressurized irrigation system throughout the facility to control dust), and the CAFO plan would reduce the risk of runoff and erosion. The Solicitation required that the ORC must obtain the required permits, which includes constructing proper, State approved, CAFO infrastructure and drainage ponds. An engineered drainage system will catch all run off, even during high water events, and drains it into the CAFO ponds to evaporate or is applied to farm fields owned and operated by the Contractor (if the CAFO allows that). These plans would ensure all solid and liquid wastes a long with sediment are stored on-site in a manner that prevents wastes and sediment from entering surface water and seepage of
Not present in the area impacted by the Proposed Action or Alternatives. Present, but not affected to a degree that detailed analysis is required.	Religious Concerns Visual Resources Hazardous or Solid	Design features, including the dust control measures (installation of a pressurized irrigation system throughout the facility to control dust), and the CAFO plan would reduce the risk of runoff and erosion. The Solicitation required that the ORC must obtain the required permits, which includes constructing proper, State approved, CAFO infrastructure and drainage ponds. An engineered drainage system will catch all run off, even during high water events, and drains it into the CAFO ponds to evaporate or is applied to farm fields owned and operated by the Contractor (if the CAFO allows that). These plans would ensure all solid and liquid wastes a long with sediment are stored on-site in a manner that prevents
TBD Not present in the area impacted by the Proposed Action or Alternatives. Present, but not affected to a degree that detailed analysis is required. Not present in	Religious Concerns Visual Resources Hazardous or Solid	Design features, including the dust control measures (installation of a pressurized irrigation system throughout the facility to control dust), and the CAFO plan would reduce the risk of runoff and erosion. The Solicitation required that the ORC must obtain the required permits, which includes constructing proper, State approved, CAFO infrastructure and drainage ponds. An engineered drainage system will catch all run off, even during high water events, and drains it into the CAFO ponds to evaporate or is applied to farm fields owned and operated by the Contractor (if the CAFO allows that). These plans would ensure all solid and liquid wastes a long with sediment are stored on-site in a manner that prevents wastes and sediment from entering surface water and seepage of
TBD Not present in the area impacted by the Proposed Action or Alternatives. Present, but not affected to a degree that detailed analysis is required. Not present in the area	Religious Concerns Visual Resources Hazardous or Solid Wastes	Design features, including the dust control measures (installation of a pressurized irrigation system throughout the facility to control dust), and the CAFO plan would reduce the risk of runoff and erosion. The Solicitation required that the ORC must obtain the required permits, which includes constructing proper, State approved, CAFO infrastructure and drainage ponds. An engineered drainage system will catch all run off, even during high water events, and drains it into the CAFO ponds to evaporate or is applied to farm fields owned and operated by the Contractor (if the CAFO allows that). These plans would ensure all solid and liquid wastes a long with sediment are stored on-site in a manner that prevents wastes and sediment from entering surface water and seepage of
Not present in the area impacted by the Proposed Action or Alternatives. Present, but not affected to a degree that detailed analysis is required. Not present in the area impacted by the	Religious Concerns Visual Resources Hazardous or Solid	Design features, including the dust control measures (installation of a pressurized irrigation system throughout the facility to control dust), and the CAFO plan would reduce the risk of runoff and erosion. The Solicitation required that the ORC must obtain the required permits, which includes constructing proper, State approved, CAFO infrastructure and drainage ponds. An engineered drainage system will catch all run off, even during high water events, and drains it into the CAFO ponds to evaporate or is applied to farm fields owned and operated by the Contractor (if the CAFO allows that). These plans would ensure all solid and liquid wastes a long with sediment are stored on-site in a manner that prevents wastes and sediment from entering surface water and seepage of
Not present in the area impacted by the Proposed Action or Alternatives. Present, but not affected to a degree that detailed analysis is required. Not present in the area impacted by the Proposed Action	Religious Concerns Visual Resources Hazardous or Solid Wastes	Design features, including the dust control measures (installation of a pressurized irrigation system throughout the facility to control dust), and the CAFO plan would reduce the risk of runoff and erosion. The Solicitation required that the ORC must obtain the required permits, which includes constructing proper, State approved, CAFO infrastructure and drainage ponds. An engineered drainage system will catch all run off, even during high water events, and drains it into the CAFO ponds to evaporate or is applied to farm fields owned and operated by the Contractor (if the CAFO allows that). These plans would ensure all solid and liquid wastes a long with sediment are stored on-site in a manner that prevents wastes and sediment from entering surface water and seepage of
Not present in the area impacted by the Proposed Action or Alternatives. Present, but not a ffected to a degree that detailed analysis is required. Not present in the area impacted by the Proposed Action or Alternatives.	Religious Concerns Visual Resources Hazardous or Solid Wastes Fire Management	Design features, including the dust control measures (installation of a pressurized irrigation system throughout the facility to control dust), and the CAFO plan would reduce the risk of runoff and erosion. The Solicitation required that the ORC must obtain the required permits, which includes constructing proper, State approved, CAFO infrastructure and drainage ponds. An engineered drainage system will catch all run off, even during high water events, and drains it into the CAFO ponds to evaporate or is applied to farm fields owned and operated by the Contractor (if the CAFO allows that). These plans would ensure all solid and liquid wastes a long with sediment are stored on-site in a manner that prevents wastes and sediment from entering surface water and seepage of
Not present in the area impacted by the Proposed Action or Alternatives. Present, but not a ffected to a degree that detailed analysis is required. Not present in the area impacted by the Proposed Action	Religious Concerns Visual Resources Hazardous or Solid Wastes	Design features, including the dust control measures (installation of a pressurized irrigation system throughout the facility to control dust), and the CAFO plan would reduce the risk of runoff and erosion. The Solicitation required that the ORC must obtain the required permits, which includes constructing proper, State approved, CAFO infrastructure and drainage ponds. An engineered drainage system will catch all run off, even during high water events, and drains it into the CAFO ponds to evaporate or is applied to farm fields owned and operated by the Contractor (if the CAFO allows that). These plans would ensure all solid and liquid wastes a long with sediment are stored on-site in a manner that prevents wastes and sediment from entering surface water and seepage of

impact analyzed in detail in this		
EA. Present, but not affected to a degree that detailed analysis is required.	Environmental Justice	At this time, no segments of the population are known to be disproportionately affected. BLM's EJ analysis has identified low income and NA populations within and close to the project area, but BLM has not determined if they are disproportionately a ffected. See Appendix C for BLM's EJ screening.
Not present in the area impacted by the Proposed Action or Alternatives.	Lands with Wilderness Characteristics	
Not present in the area impacted by the Proposed Action or Alternatives.	Forestry and Woodland Products	
Not present in the area impacted by the Proposed Action or Alternatives.	Livestock Grazing	
Present, but not affected to a degree that detailed analysis is required.	Hydrology and Water Rights	Impacts to surface and ground water, potential for nutrient release during flood events or creating nutrient plumes, would be negligible when the requirements of the CAFO permit are implemented. While the CAFO process, generally described in section 1.5, does not regulate discharges to groundwater, Chapter 445A of the Nevada Revised Statutes (NRS) prohibits discharge of pollutants to any waters of the State, including groundwater. In a ddition to meeting the requirements specified a bove, discharge permits issued by NDEP require the terms of the Nutrient Management Planto include provisions to ensure compliance with state groundwater quality standards. Examples of potential requirements include berms, dikes, lined wastewater containment ponds or groundwater monitoring wells with periodic sampling and inspections.
Not present in the area impacted by the Proposed Action or Alternatives.	Lands and Realty	
Not present in the area impacted by the Proposed Action or Alternatives.	Recreation	
Not present in the area impacted by the Proposed Action or Alternatives.	Public Access	
Not present in the area impacted by the	Prime and Unique Farmlands	

Proposed Action		
or Alternatives.		
Not present in the area impacted by the Proposed Action or Alternatives.	Areas of Critical Environmental Concern	
Not present in the area impacted by the Proposed Action or Alternatives.	Wilderness Study Areas	
Not present in the area impacted by the Proposed Action or Alternatives.	Wild and Scenic Rivers	
Not present in the area impacted by the Proposed Action or Alternatives.	Scenic Byways & Historic Trails (Including visual setting)	The California National Historic Trail is the closest resource and is approximately 14 miles south of the Project and would not be impacted.
Present, but not affected to a degree that detailed analysis is required.	Noise	The proposed facility is not expected to have significantly different noise impacts than the current a gricultural uses of the site.
Present, but not affected to a degree that detailed analysis is required.	Weeds	There would be a negligible potential for weed infestations to occur when the weeds control management design features are implemented.
Present, but not a ffected to a degree that detailed analysis is required.	Floodplains	The project area is in Federal Emergency Management Agency (FEMA) designated Zone X (FEMA 2021) (see appendix E), which is "the area determined to be outside the 500-year flood and protected by levee from 100-year flood. (FEMA undated)". Appendix E provides information the BLM downloaded from the State of Nevada Division of Water Resources (SNDWR) Nevada Flood Risk program.
Not present in the area impacted by the Proposed Action or Alternatives.	Wetlands	Irrigation runoff from the alfalfa fields has resulted in establishment of some riparian vegetation in the ditches and natural channels between fields in the project area. This vegetation would likely be removed during project installation and operation, but any riparian vegetation a ssociated with stream flows would not be affected.

APPENDIX B. LITERATURE CITED

Humboldt County 2012 Humboldt County Regional Master Plan 2012 Update. Website

accessed on 18 August 2021. Master Plan | Humboldt County, NV

(humboldtcountynv.gov)

FEMA 2021 National Flood Hazard Layer FIRMette. Map generated on

September 1, 2021.

FEMA undated Definitions of FEMA Flood Zone Designations. Website accessed on

September 1, 2021. Microsoft Word - fema-flood-zone-definitions.docx

(snco.us)

SNDWR, undated Nevada Flood Risk Program web page. Website accessed on

November 2, 2021. Nevada Flood Risk Program Page

UNR and UNCE Personal Communication with University of Nevada Reno

Cooperative Extension economists, October 6, 2021.

USDA NRCS 2021 Custom Soil Resource Report for Humboldt County, Nevada, East

Part.

USEPA undated EJSCREEN: Environmental Justice Screening and Mapping Tool.

Website accessed on accessed 8/25/21. http://www.epa.gov/ejscreen

USDI 2015 USDI Bureau of Land Management. 2015. Record of Decision and

Resource Management Plan for the Winnemucca District Planning

Area.

USDI 2020a USDI Bureau of Land Management Permanent Instruction

Memorandum 2021-007 Euthanasia of Wild Horses and Burros Related to Acts of Mercy, Health or Safety. <u>Euthanasia of Wild Horses and Burros Related to Acts of Mercy, Health or Safety.</u> | <u>Bureau of Land</u>

Management (blm.gov)

USDI 2020b USDI Bureau of Land Management Permanent Instruction

Memorandum 2021-002 Wild Horse and Burro Comprehensive Animal Welfare Program. Wild Horse and Burro Comprehensive Animal

Welfare Program | Bureau of Land Management (blm.gov)

USDI Undated Headwaters Economics BLM Socioeconomic Profiles. "Humboldt River

Field Office" search term. Website accessed on 8/20/21 https://headwaterseconomics.org/tools/blm-profiles/

APPENDIX C ENVIRONMENTAL JUSTICE SCREENING REPORT

Wild Horse & Burro Off Range Corral Environmental Justice Analysis

August 25, 2021

Bill Stevens Socioeconomic Specialist BLM

A low income EJ population is present. The percentage of the population classified as low income in some of the blockgroups analyzed is equal to or greater than 50 percent or more than 10 percentage points higher than that of the State of Nevada, which serves as the reference population for this analysis. In addition, Winnemucca City (not included in the blockgroups below) has a low-income population more than 10 percentage points higher than the State reference population. A low income EJ population, therefore, is present for the purposes of this analysis.

An American Indian EJ population is also present. There are concentrated populations of American Indians living within one or more of the blockgroups included in the analysis. An American Indian EJ population, therefore, is present for the purposes of this analysis.

Population	Low Income	Minority	American Indian
BLM SEP (Humboldt River FO)	13.1%	30.7%	4.8%
Blockgroup: 320130105001	38%	41%	25%
Blockgroup: 320130105003	13%	26%	1%
Blockgroup: 320130106002	34%	33%	17%
City: Winnemucca	27%	37%	2%
State of Nevada (reference population)	13.1%	50.8%	1.3%

Data sources:

- EPA EJScreen: http://www.epa.gov/ejscreen (accessed 8/25/21)
- Headwaters Economics BLM SEP (Humboldt River FO): https://headwaterseconomics.org/tools/blm-profiles/ (accessed 8/20/21)

It is not anticipated that there would be any disproportionate impacts on the existing EJ population(s) within the project area.

Determination: Present but Not affected. The location of the proposed project is a very rural area zoned for agricultural use. There are several agricultural operations growing alfalfa in Paradise Valley intermixed with BLM managed public lands as well as livestock grazing operations (ranches) with permits to graze cattle on BLM managed public lands. The Fort McDermitt Indian Reservation is located 60 miles northwest of the location of the proposed ORC and the Winnemucca Indian Colony, in Winnemucca, Nevada, is located 28 miles southwest of the proposed ORC. No disproportionate impacts to one or more of any EJ populations present are anticipated as a result of the proposed action.

APPENDIX D. RESPONSE TO PUBLIC COMMENTS

Comment	Comment		Draft EA		
No.	Date O/15/21	Commentor	Section	Comment Summary	Response
1	9/15/21	Judy Honey	3	Provided a link to an article on horses as carbon sequesters Most succinctly on the issue of management in her MEMORANDUM OPINION ROSEMARY M. COLLYER, District Judge stated: "BLM's authority to "manage" wild free-roaming horses and burros is expressly made subject to "theprovisions of this chapter[.]" 16 U.S.C. § 1333(a), including the provision that "[i] is the policy of Congress that wild free-roaming horses and burros shall be protected from capture" Id.§ 1331. It would be anomalous to infer that by authorizing the custodian of the wild free-roaming horses and burros to "manage" them, Congress intended to permit the animals' custodian to subvert the primary policy of the statute by capturing and removing from the wild the very animals that Congress sought to protect from being captured and removed from the wild. It is difficult to think of a "management activity" that is farther from a "minimal feasible level" than removal" How do off range corrals comply with the court findings in Mt. States v Hodel that "In structure and purpose, the Wild Free-Roaming Horses and Burros Act is nothing more than a land-use regulation enacted by Congress to ensure the survival of a particular species of wildlife. ERGO, how does off range corrals ensure the DNA future of captured wild horses that may carry ancient DNA of Distinct population segments? Are Off-Range Corals aka Feedlots compliant with Winnemucca RMP for historic	Outside the scope of the document As stated in Section 1.2 of the EA, The Record of Decision (ROD) and Resource
2	9/16/21	Kathleen Hayden	2.1	preservation and multiple species habitat? Can the Corrals be used for wildlife warehousing without amending the RMP. FLPMA required(s) that: " wild horses and burros shall be considered comparably with other resource values in the formulations of land use plans" 43 CFR Sec. 4700.0-6. How does the "Winnemuca feedlot comply with the RMP?	Management Plan (RMP) for the Winnemucca District Planning Area (USDI 2015) do not address ORCs on private land; however, the proposed project is consistent with the WH&B goals and objectives identified in the RMP.
3	9/17/21	Leslie Hassett	2.1	I strongly object to any BLM facility that denies regular public access to wild horses but pays contractors millions of my taxpayer dollars. We, the American people pay for the housing of our horses, we pay for the roundup, yet we are banned from seeing them? That is WRONG. Go ahead and build those facilities but I am vehemently opposed to my tax dollars spent to hold our horses on private land with the public kept away.	As per Solicitation #140L0120R0008 these ORCs are closed to the public, but the public could contact the BLM facility manager and/or COR for potential site visits. Thorough cleaning two times per year is adequate within most ORCs, however
4	9/17/21	Alison Klee	2.1	As a Veterinarian I would submit that this is absolutely not appropriate for the health of the horses. The severe overcrowding that would result in this would exponentiate viral and bacterial disease transmission, excessive stress put on the horses due such high population density, and would adversely affect the health of the horses as they would be standing and eating in manure on a daily basis as it would be impossible to provide adequate daily cleaning of the environment.	corrals will be cleaned more often if conditions warrant additional cleanings. Cleaning corrals too often can result in the removal of soil from within the corrals. All animals receive proper vaccinations for infectious diseases in accordance with BLM IM 2015-070. https://www.blm.gov/policy/im-2015-070
5	9/17/21	Marie Milliman	2.1	BLM states compliance with the Comprehensive Animal Welfare Policy. With the following obvious concerns,we cannot agree that this facility can fully comply with CAWP.	As stated in Solicitation #140L0120R0008 and the Environmental Assessment, the ORC contractor and BLM staff will handle, treat, and maintain all WHB in a humane manner in accordance with BLM guidance and policies, including Permanent Instruction Memorandum (PIM) 2021-002, Wild Horse and Burro Comprehensive Animal Welfare Program (CAWP).
6			2.1	BLM's assumption of what appears to be a simple "grading of the site", does not detail, nor specifically address the following. The proposed site can reasonably be described as "flat", as viewed on the topographic map which is clearly presented in Figure 3. Due to the potential environmental impacts considering the extensive grading required to meet a recommended slope of 3 percent for adequate drainage. It is reasonable to estimate that extensive fill and compaction will be required with a non-native base/fill material taking into consideration the existing flat/silty/clay poorly draining soil. The certain failure for adequate drainage is further amplified by the high-water table and is subject to flooding. Not only will the initial grading be extensive, but with the excessive amount of usage with such a high stocking capacity, the regular maintenance of the "corrals" requires a detailed/substantive outline. The facility layout also does not provide a reasonable expectation for adequate/safe drainage due to the design in general, and placement of the feeding "bunks" and alleyways. In general, Concentrated Animal Feeding Operations (CAFOs) present elevated challenges for drainage maintenance and humane housing waste control.	As per Section 1.5, all the Contractor must obtain the required permits, which includes constructing proper, State of Nevada approved, CAFO infrastructure and drainage ponds. The specific requirments of the CAFO permit are handled through the State of Nevada and outside the scope of this EA.
7	9/17/21	Jeremy Osgood	2.1	Dr. Kathleen Crandell, a nutritionist with Kentucky Equine Research, published an article on how confinement weakens the bones of horses and impairs their growth: "Bone is a dynamic, living tissue strengthened through use. Impact stress from moderate exercise—whether it's a structuredregime such as daily training or simply roughhousing in a pasture—encourages osteoblasts to lay down osteoid tissue, which isconverted into healthy, resilient bone. When a horse does not exercise regularly, osteoids grow lazy, refusing to deposit substratefor skeletal renewal, and eventually mature bones will demineralize. Over time, demineralization weakens individual bones, which in turn reduces the strength of the entire skeleton. Studies have shown that horses kept on an exercise regimen have stronger skeletons than their stall-bound peers." In a separate article she states, "results suggest that housing yearling and two-year-old horses in stalls without access to forced or free exercise impairs normal bone growth, compared with horses maintained on pasture. Initial training did not appear to alleviatethe negative effects of stalling on bone formation." Here comments were backed up and taken from a study that compared the bone mineral content and biochemical markers of bonemetabolism in stall- vs. pasture-reared horses found here: <link in="" pdf.="" the=""/>	This comment is outside the scope of this EA. Impacts to individual animals are analyzed in site-specific EAs. There are several other ORC throughout the west in similar settings/climates with the same or similar requirements. The conditions as a result of these requirements in these other facilities have shown to provide humane care for the animals. Regardless of where these WHBs are cared for, any WHB that is removed from public land will be cared for in a similar facility with the same or similar requirements as described in the site specific EAs, therefore there is not a need to analyze the impacts to individual animals within this EA. Any permit issued to a CAFO must include requirements to ensure that clean
8	9/17/21	Rondal Schimbeno	3.1.1	The proposed site is flat and prone to flooding. This site is not appropriate to house wild horses.	water is diverted from the production area and that there is no direct contact of confined animals with waters of the U.S. (40 CFR § 122.42 (e)(1)(iii-iv)). Sitespecific terms would identify and require implementation of conservation practices, BMPs or engineering controls (e.g. dikes, berms, and/or ditches) needed to divert clean water from production areas.
9				Shelter should be adequate to stop wind and provide shade for all horses/burros. Each pe nshould have multiple shelters to allow less dominant animals access.	As stated in Solicitation #140L0120R0008 and the Environmental Assessment, the ORC contractor and BLM staff will handle, treat, and maintain all WHB in a humane manner in accordance with BLM guidance and policies, including Permanent Instruction Memorandum (PIM) 2021-002, Wild Horse and Burro Comprehensive Animal Welfare Program (CAWP). As per the BLM CAWP standards (PIM 2021-002), "Facilities must provide access to shade and shelter (wind breaks) in pens designated for compromised animals needing special care (i.e., injured or weak animals). Additional provisions for shade and shelter (wind breaks) will be evaluated and determined by managers as appropriate for their region, the function of their facility and the condition of the animals under their care." Shade and windbreaks are not a requirement for healthy WHBs as per the

10	9/17/21	Ken Smith	2.1	Along with the dust will come flies and a number of airborne diseases. Every horse within miles of this facility will need to keep up on an all new all-inclusive vaccination program. (As you may not know, there are no vaccines for Pigeon Fever common to these facilities.) Not to mention the people who will be at risk. In the Palomino area, there are no geographical features to influence the flow of winds, however in our area there is the Hot Springs Range to the east and the Santa Rosa Mountain range to the west that come close together at the north end of the valley. This funneling effect, should these bacteria exist when this event happens, will affect every man, woman, child, domestic animal and horse in the north end of Paradise Valley.	As stated in Solicitation #140L0120R0008 and the Environmental Assessment, the ORC contractor and BLM staff will handle, treat, and maintain all WHB in a humane manner in accordance with BLM guidance and policies, including Permanent Instruction Memorandum (PIM) 2021-002, Wild Horse and Burro Comprehensive Animal Welfare Program (CAWP). The CAWP guildelines in PIM 2021-002, Attachment 2 Comprehensive Animal Welfare Standards for Off-Range Corrals will be followed in accordance with the Section IV. Care of Wild Horse and Burros, which includes Section A. Veterinarian and B. Biosecuirty if issues of disease or bacteria arise.
11			1.5	What will they do with the waste from 4000+ horses? If their solution is to spread it on the fields then yes it will eventually find its way into our water system. Also, where does any of the runoff go. The proposed sight is extremely flat. The soil is extremely tight and so during the winter it will become a lake. Their solution the way it sounds is to put in drainage ponds. My question is how do they expect to make the excess affluents run in to them when there is very little slope.	As per Section 1.5, the Contractor must obtain the required permits, which includes constructing proper, State of Nevada approved, CAFO infrastructure and drainage ponds. The specifc requirements of the CAFO permit are handled through the State of Nevada and outside the scope of this EA.
12			Appendix A	For this EA, FEMA states that there is nothing to be concerned about from the 100-year flood because of the levees that protect us. Not sure where they come up with that information because all the levees, I know of are on private ground and my guess is that nobody from FEMA is maintaining them. I've witnessed flooding that was within 3-4 inches of flowing to my door step and that much would have definitely covered the fields that are proposed. The 100 floods will put everything under water because part of the preposed pens have already been under water with some of the wetter years that we've had in the past.	Commenter's opinions are noted. Statements that are in opposition to or in support of the BLM's wild horse program activities were reviewed but did not warrant a change to the content of the EA (H-1790-1, section 6.9.2.1 substantive comments).
13			2.1	This facility appears to sit on my fence line to the north. This is a very busy road as the road to my pump runs along this fence along with our flood irrigation risers. We use 4-wheelers to buzz this area several times a day. We also use this fence line to move cattle via horse to our back meadow. We also have a rodent problem and this brings in badgers and coyotes. We have and will continue to use a very loud and startling means to rid them. This very well might cause danger to occupants working with these feral animals just a barbed wire fence away leading to injury or death.	Commenter's opinions are noted. Statements that are in opposition to or in support of the BLM's wild horse program activities were reviewed but did not warrant a change to the content of the EA (H-1790-1, section 6.9.2.1 substantive comments).
14			2.1	This ranch for the most part has been quiet and peaceful. The new operation will require a lot of traffic coming and going. It will be nonstop in and out of this place.	Commenter's opinions are noted. Statements that are in opposition to or in support of the BLM's wild horse program activities were reviewed but did not warrant a change to the content of the EA (H-1790-1, section 6.9.2.1 substantive comments).
15			2.1	My ranch could lose half its value over night because of all the uncertainties that this unwanted neighbor will bring. This EA does nothing to cover how this project may impact the people around it.	Commenter's opinions are noted. Statements that are in opposition to or in support of the BLM's wild horse program activities were reviewed but did not warrant a change to the content of the EA (H-1790-1, section 6.9.2.1 substantive comments).
16	9/17/21	Kelly Yochum	2.1	Additionally the EA is not clear on the cleaning schedule. Section 2.1.1.2 states 2-4 times a year clean out will occur. Section 2.1.1.1 states cleanings will occur quarterly. The schedule needs to be clarified.	As per Solicitation #140L0120R0008, pens shall be cleaned at a minimum of twice a year to remove excess manure. Thorough cleaning two times per year is adequate within most ORCs, however corrals will be cleaned up to four times if conditions warrant additional cleanings. Cleaning corrals too often can result in the removal of soil from within the corrals.
17			3.1.1	Additionally the Soil section 3.1.1 states that the soil is poorly drained and water table is high. The EA does not provide any specific information on how this was taken into account. Drainage is mentioned and stated it would be adequate. Also the pond proposed location is not shown or mentioned on the drawings or photos. With the paved paths and the pens, the drainage and maintenance with the high number of horses is not addressed. How will the water source for the horses be checked for contamination from the pens and pond.	Section 1.5 of the EA was revised, based on public concern, to clarify the required permits, which includes constructing proper, State of Nevada approved, CAFO infrastructure and drainage ponds. The specific requirements of the CAFO permit are handled through the State of Nevada and outside the scope of this EA. Table 1 in Appendix C, Hydrology and Water Rights, was revised based on public concern.
18	9/18/21	Barbara Harsha	2.1	The proposed holding facilities where thousands of horses, and wild horses at that, are crammed into a small acreage is a recipe for disease, injuries and death. But not the wild horses are at risk. An outbreak of a contagious disease will not be confined to the holding facility but will spread to domestic horses in the greater area. It almost appears as if the BLM is hoping for a disease to spread to have a justification for killing all of the horses to contain a disease.	All animals receive proper vaccinations for infectious diseases in accordance with BLM IM 2015-070. https://www.blm.gov/policy/im-2015-070
19	9/21/21	Jasmine Kleiber/NDOW	2.1	While the EA describes specifications for the ORC, the Department is interested in knowing what the timeline for completion of the ORC is, when WHB would be scheduled to arrive at the facility, and where the WHB would be coming from (if known).	As per Solicitation #140L0120R0008, animals may begin arriving at the facility on or about 120 days after contract award. Contract award will occur after a signed Decision Record. BLM maintains a network of ORCs across the West and depending on program priorities and the WHB Program budget, the space may be needed for animals gathered in Nevada, or other Western states.
20	9/30/21	Eddie Booth	1.5	The environmental impact (Section 3.1.2, Alt 1), the management of the liquid and solid waste generated by the animals, not to mention that the number could be up to 4,000 wild horses and/or burros, would be significant and the assessment of the impact seems to undermine the intelligence of the citizens of our rural community. The disposal of dead animal cavities would be excessive compared to the norm and could be an unfavorable addition to the county landfill facilities.	As per Solicitation #140L0120R0008 and Section 1.5 of the EA, all the Contractor must obtain the required permits, which includes constructing proper, State of Nevada approved, CAFO infrastructure and drainage ponds. The specific requirments of the CAFO permit are handled through the State of Nevada and outside the scope of this EA. As per Solicitation #140L0120R0008 and Section 2.1.1.4 of the EA, the Contractor shall dispose of the remains in accordance with state and local sanitation laws.
21			1.2	The impact the additional traffic and large vehicle / truck / trailer weight on the existing paved roads in the area will be immense and have an unfavorable effect on all traffic, including personal travel, leisure/ sightseeing travel, school bus travel, commuting, facility employees, seasonal hunting and OHV travel, not to mention the safety issue of additional semi-truck transports to and from the facility will increase odds of safety issues, as well as cause havoc on the integrity of our local asphalt roads.	Commenter's opinions are noted. Statements that are in opposition to or in support of the BLM's wild horse program activities were reviewed but did not warrant a change to the content of the EA (H-1790-1, section 6.9.2.1 substantive comments).

22			2.1	The absence, rather than the presence of such an "OFF RANGE CORRAL" on our air quality would be preferred. The consistent desert dust, not to mention the waste matter discharged from the corralled animals, will degrade the acreage within the placement of the facility, not to mention the negative impact of "second hand odor" on the entire valley, Winnemucca and township of Paradise Valley.	A stated in Appendix A, Air Quality would not be affected to a degree that detailed analysis is required. Section 2.1.1.1 Dust Prevention and Control outlines mitigation to reduce dust emissions during construction and operation of the ORC. As per Solicitation #140L0120R0008 and Section 1.5 of the EA, the Contractor must obtain the required permits, which includes constructing proper, State of Nevada approved, CAFO infrastructure and drainage ponds. The specific requirments of the CAFO permit are handled through the State of Nevada and outside the scope of this EA.
23			1.5	The management of the ground water, which will become continuously contaminated, will eventually be a major issue, with no end in site, having the potential of a significant economic impact on individuals with their own water/well system, not to mention the local governmental agencies and their maintenance of the quality of community water systems.	As per Solicitation #140L0120R0008 and the revised Section 1.5 of the EA, the Contractor must obtain the required permits, which includes constructing proper, State of Nevada approved, CAFO infrastructure and drainage ponds. The specific requirments of the CAFO permit are handled through the State of Nevada and outside the scope of this EA. Table 1 in Appendix C, Hydrology and Water Rights, provides more information on groundwater protection requirements.
24	9/30/21	Mark Evatz	1.5	In Section 3.1.2, Alt 1 – Proposed Action, Environmental Impacts a. Management of solid and liquid waste has very little detail. The amount of solid and liquid waste as 'generated' by up to 4,000 wild horses and/or burros is significant. This evaluation seamed to be short-sided as a look at solid and liquid waste associated with operational aspects of the facility. The primary generation of solid and liquid waste, concentrated in one location, is from the horses/burros. Again, this will be significant. In addition, consideration of management of dead horses should be further analyzed. One estimate for dead horses (based on horses that die from old age) ranges from 200 to 400 per year depending on the amount of horses being held at the facility (4,000 to 10,000 horses).	As per Section 1.5 of the EA, the Contractor must obtain the required permits, which includes constructing proper, State of Nevada approved, CAFO infrastructure and drainage ponds. The specific requirments of the CAFO permit are handled through the State of Nevada and outside the scope of this EA. Average mortality rates at ORCs were not included in this Environmental Assessment, since impacts to individual animals, such as mortality, are analyzed in site-specific Environmental Assessments. As per a 2008 US Government Accountability Office (GAO) report, average mortality is 5% in ORCs. As per Solicitation #140L0120R0008 and Section 2.1.1.4 of the EA, the Contractor shall dispose of the remains in accordance with state and local sanitation laws.
25			Appendix A	It states that 'air quality' impacts are expected to be minimal. Anyone that has driven by the holding facility (corrals) in Palomino Valley (Washoe County Nevada) has seen how air quality is negatively impacted by the beatdown surface soils. Even on days with minimal wind, the fugitive dust emissions are noticeable; they accelerate rapidly to significant emissions when the usual afternoon winds come up. The EA needs to address how the fugitive dust will be mitigated in support of meeting the NDEP Surface Area Disturbance Air Permits (and not just during construction).	A stated in Appendix A, Air Quality would not be affected to a degree that detailed analysis is required. Section 2.1.1.1 Dust Prevention and Control outlines mitigation to reduce dust emissions during construction and operation of the ORC.
26			Appendix A	There is no consideration of management of surface water events and ground water contamination (nitrates). Using average annual precipitation amounts for the project area, there will be 3.3 million Cubic-Feet or 25M gallons of water that need to be effectively managed to ensure no degradation occurs to the local ground water aquifer(s).	As per Solicitation #140L0120R0008 and the revised Section 1.5 of the EA, the Contractor must obtain the required permits, which includes constructing proper, State of Nevada approved, CAFO infrastructure and drainage ponds. The specific requirments of the CAFO permit are handled through the State of Nevada and outside the scope of this EA. Table 1 in Appendix C, Hydrology and Water Rights, provides more information on groundwater protection requirements.
27			2.1	Additional vehicle traffic will be associated with project. Large semi-truck transports, to and from the location, will occur in conjunction with delivery and pick-up of horses / burros and operational commodities. This increase in traffic, specific to the connection to the State Route (Paradise Valley highway) should have been considered.	Commenter's opinions are noted. Statements that are in opposition to or in support of the BLM's wild horse program activities were reviewed but did not warrant a change to the content of the EA (H-1790-1, section 6.9.2.1 substantive comments).
28	10/1/21	Ginger Journey	3.1	I also want to remind you that the Delvada Silty Clay soil present in this location is known to be a soil that poorly drains, is subject to flooding and erosion which will only further deplete the soil.	As per Solicitation #140L0120R0008 and the revised Section 1.5 of the EA, the Contractor must obtain the required permits, which includes constructing proper, State of Nevada approved, CAFO infrastructure and drainage ponds. The specific requirments of the CAFO permit are handled through the State of Nevada and outside the scope of this EA. Table 1 in Appendix C, Hydrology and Water Rights, provides more information on groundwater protection requirements.
29			2.1	Furthermore, the PER states the contractor is only expected to clean the manure from these pens in this 100 acre area 2 times a year up to 4 times if needed. The manure and urine that will remain on the ground is going to wash off and pollute the water table which is already vanishing.	As per Solicitation #140L0120R0008, pens shall be cleaned at a minimum of twice a year to remove excess manure. Thorough cleaning two times per year is adequate within most ORCs, however corrals will be cleaned up to four times if conditions warrant additional cleanings. Cleaning corrals too often can result in the removal of soil from within the corrals. As per Solicitation #140L0120R0008 and the revised Section 1.5 of the EA, the Contractor must obtain the required permits, which includes constructing proper, State of Nevada approved, CAFO infrastructure and drainage ponds. The specific requirments of the CAFO permit are handled through the State of Nevada and outside the scope of this EA. Table 1 in Appendix C, Hydrology and Water Rights, provides more information on groundwater protection requirements.
30			2.1	Not to say, keeping 4000 animals in pens piled up with manure and urine and only cleaned 2-4 times a year will result in the majority of the horses and burros getting sick and dying, that is if they manage to survive a lack of proper food due to the ongoing drought, diseased, rotten feet, etc. It is very possible disease will spread throughout the neighboring ranchers animals and I can't imagine anyone wants that to happen.	Commenter's opinions are noted. Statements that are in opposition to or in support of the BLM's wild horse program activities were reviewed but did not warrant a change to the content of the EA (H-1790-1, section 6.9.2.1 substantive comments).

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31			1	I would also like to address the misinformation stated in the PER that neither the wild horses or burros have natural predators. There are raptors who attack the foals, injured or stray animals. There are buzzards who attack livestock, horses etc and kill them by eating them alive.	Comments regarding predators of wild horses and burros are outside the scope of this EA and would be addressed in site specific EAs. In addition, nationally wild horses and burros are not substantially regulated by predators or other natural factors.
32	10/1/21	Cece Lewis	2.1	The impact of so many horses confined to such a small area which will lead to infiltration of nitrates into the water table, the odour and air quality for not only the animals, but people. This will only cause disease and deaths not kill them slowly which then leads to my next point	Impacts to individual WHBs are analyzed in site specific EAs. There are several other ORC throughout the west in similar settings/climates with the same or similar requirements. The conditions as a result of these requirements in these other facilities have shown to provide humane care for the animals. Regardless of where these WHBs are cared for, any WHB that is removed from public land will be cared for in a similar facility with the same or similar requirements as described in the site specific EAs, therefore there is not a need to analyze the impacts to individual animals within this EA.
33			2.1	The BLM have indicated that there would be 2 dead a horses a day, thats 14 a week, 56 a month and a conservative 730 a year to be deposited in a local landfill which is located near a semi residential area!	This comment is outside the scope of this EA. Average mortality rates at ORCs were not included in this Environmental Assessment, since impacts to individual animals, such as mortality, are analyzed in site-specific Environmental Assessments. As per a 2008 US Government Accountability Office (GAO) report, average mortality is 5% in ORCs, which well below 56 per month at a 4,000 head capacity ORC.
34	10/1/21	Kathie Reidhead	2.1	According to the proposal, officials project 2 dead horses per day. That's 60 dead horses per month that will be deposited in the local landfill, 720 dead horses per year. Wow! Those are staggering numbers for horses that came in off the range in healthy condition. It is unclear why the BLM thinks so many will die in holding but perhaps because the proposal is completely irresponsible for properly holding wild horses.	This comment is outside the scope of this EA. Average mortality rates at ORCs were not included in this Environmental Assessment, since impacts to individual animals, such as mortality, are analyzed in site-specific Environmental Assessments. As per a 2008 US Government Accountability Office (GAO) report, average mortality is 5% in ORCs, which well below 56 per month at a 4,000 head capacity ORC.
35			1.5	What level of nitrates will be dumped into the water table? What diseases may infect other animals (birds, coyotes, etc.) that frequent the landfill where the dead bodies are dumped? What about the odor and the air quality that will be contaminated from rotting corpses? What about the amount of manure that this facility will produce?	As per Solicitation #140L0120R0008 and the revised Section 1.5 of the EA, the Contractor must obtain the required permits, which includes constructing proper, State of Nevada approved, CAFO infrastructure and drainage ponds. The specific requirments of the CAFO permit are handled through the State of Nevada and outside the scope of this EA. Table 1 in Appendix C, Hydrology and Water Rights, provides more information on groundwater protection requirements. As per Solicitation #140L0120R0008 and Section 2.1.1.4 of the EA, the Contractor shall dispose of the remains in accordance with state and local sanitation laws.
38	9/15/21	Humboldt County	Appendix A	The Board believes it should have been consulted on possible socio-economic impacts related to this proposal," particularly related to local ranchers relative to the increased demand in the local hay market. The EA simply reads: "The proposed action and no action alternatives would have very minor impacts relative to the overall economy of the planning area," (EA, P.13). The Board views this statement as insufficient. Commissioner Cerri has raised important questions regarding the extent to which the increased demand for hay may raise hay prices while lowering hay availability, potentially impacting family ranches. If realized, such shortages would be exacerbated in drought conditions.	The environmental assessment has been revised based on reviewer's comments.
39			2.1	The proposed facility could have negative environmental impacts including dust, odor, run-off, water quality, erosion, manure accumulation.	As per Solicitation #140L0120R0008 and Section 1.5 of the EA, the Contractor must obtain the required permits, which includes constructing proper, State of Nevada approved, CAFO infrastructure and drainage ponds. The specific requirments of the CAFO permit are handled through the State of Nevada and outside the scope of this EA.
40			4	Concern with not being invited to be a cooperating agency.	BLM appreciates the interest of the county to be a cooperating agency on the EA and has sent the County a draft cooperating agency agreement to review and sign.
41	9/17/21	Cloud Foundation		Letter contains 5 attachments (#1. Burkholder J., Libra B, Weyer P., et al. Impacts of waste from CAFO on water quality. #2. Hribar, C. Understanding CAFOs and their Impact on Communities. #3. Miralha, L, Muenich, R L, Climate change impact analysis on confined animal feeding operations: A case study in Iowa. #4. Using Science to Improve the BLM Wild Horse and Burro Program: A way Forward. and #5. Temple Grandin letter dated 2012).	As per Solicitation #140L0120R0008 and Section 1.5 of the EA, the Contractor must obtain the required permits, which includes constructing proper, State of Nevada approved, CAFO infrastructure and drainage ponds. The specific requirments of the CAFO permit are handled through the State of Nevada and outside the scope of this EA. Comments related to the on range management of WHB are outside the scope of this EA. As stated in Section 1.4 of the EA, Based on the results of the NEPA analysis, the authorized officer from the Humboldt River Field Office will decide if and under what conditions, stipulations, and terms an ORC would be funded within their field office to provide containment, feed, and care for WHB.
42			2.1	The EA states, "All pens would be cleaned a minimum of twice per year and up to four times per year to remove excess manure or more often when warranted at the direction of the COR or PI." The EA fails to provide any details on or definition of the usage of the word "cleaned."	As stated in Section 2.1 of the EA, cleaning pens is removing excess manure.

43			3.1.1	The EA states, "The proposed project area is located on Delvada Silty Clay, which are very poorly drained, subject to occasional flooding, and may have a high water table (USDA Natural Resources Conservation Service (NRCS) 2021." The EA then goes on to claim – without any documentation or supporting scientific data, "Impacts to surface and ground water, potential for nutrient release during flood events or creating nutrient plumes, would be negligible when the requirements of the CAFO permit are implemented Irrigation runoff from the alfalfa fields has resulted in establishment of some riparian vegetation in the ditches and natural channels between fields in the project area. This vegetation would likely be removed during project installation and operation, but any riparian vegetation associated with stream flows would not be affected." The EA fails to provide any supporting scientific data or information on how waterways and ground water will be protected from manure contamination. The EA fails to consider at all that with climate change drastic weather events are more likely – including flash flooding, extreme temperatures and drought. (Attachment 3)	As per Solicitation #140L0120R0008 and the revised Section 1.5 of the EA, the Contractor must obtain the required permits, which includes constructing proper, State of Nevada approved, CAFO infrastructure and drainage ponds. The specife requirments of the CAFO permit are handled through the State of Nevada and outside the scope of this EA. Table 1 in Appendix C, Hydrology and Water Rights, provides more information on groundwater protection requirements.
44			3.1.2	The EA states, "This plan would ensure all solid and liquid wastes along with sediment are stored on-site in a manner that prevents wastes and sediment from entering surface water and seepage of nutrients into ground water." Yet, the EA fails to provide any information outlining how wastes (liquid and solid) would be "stored on-site." The EA fails to provide any scientific documentation for the assertions that environmental concerns related to CAFOs will be adequately addressed.	As per Solicitation #140L0120R0008 and the revised Section 1.5 of the EA, the Contractor must obtain the required permits, which includes constructing proper, State of Nevada approved, CAFO infrastructure and drainage ponds. The specife requirments of the CAFO permit are handled through the State of Nevada and outside the scope of this EA. Table 1 in Appendix C, Hydrology and Water Rights, provides more information on groundwater protection requirements.
45			Appendix A	The EA fails to consider climate change and the resulting change in environmental conditions – ranging from drought to flooding and increased extreme temperatures that are expected.	Climate change is outside the scope of this EA. As stated in Section 1.4 of the EA, Based on the results of the NEPA analysis, the authorized officer from the Humboldt River Field Office will decide if and under what conditions, stipulations, and terms an ORC would be funded within their field office to provide containment, feed, and care for WHB.
46			2.1	The EA fails to adequately consider and the Proposed Action fails to implement adequate standards of humane treatment for animals confined to the proposed feedlot facility. Confining animals in feedlot conditions, as outlined in the Proposed Action, is widely known to cause needless suffering and death to animals. Animals confined in pens do not have access to sufficient space for exercise, are forced to sleep and live in their own waste and due to the confinement and conditions of pens develop health conditions including but not limited to upper respiratory tract infection, strangles, and other highly contagious diseases that easily spread in the feedlot. The BLM knows the short-term holding pens cause this unnecessary suffering and has to shutdown and quarantine short-term holding facilities periodically due to these infectious diseases. The EA fails to disclose and consider the known infectious diseases that may, or are likely, to occur at the proposed facility and analyze the likelihood of similar situations occurring in long-term holding facilities where horses are able to live on thousands of acres thus eliminating the feedlot conditions outlined in the Proposed Action.	Impacts to individual animals are outside the scope of this Environmental Assessment, as they are anaylzed in site specific Environmental Assessments. As stated in Solicitation #140L0120R0008 and the Environmental Assessment, the ORC contractor and BLM staff will handle, treat, and maintain all WHB in a humane manner in accordance with BLM guidance and policies, including Permanent Instruction Memorandum (PIM) 2021-002, Wild Horse and Burro Comprehensive Animal Welfare Program (CAWP).
47	9/17/21	Eureka County	2.1	There is not enough information in the EA under description of the Proposed Action for us to understand how the facility will be managed and how many horses are expected to be held in the corrals at any given time. We do not wish to see the corrals evolve into a de facto long-term holding facility.	The BLM maintains a large network of ORCs to prepare animals for private placement, facilitate the placement of wild horses and burros into private care through the Adoption and Sales Programs and as a transition point for horses going to Off-Range Pastures. ORCs are intended for short-term holding, however there is no specific time frame. The time spent in ORC changes on a rolling basis, depending on private placements as well as available space in Off Range Pastures.
48			2.1	Additionally, while the EA does discuss the need to "have a reliable water source capable of supplying a minimum of 16 gallons of clean water per animal, per day" there is no discussion on the water rights and water use implications of the project. We acknowledge that 100 acres of irrigated land will come out of production to house the corrals but there is a high likelihood that the irrigation water rights would be used on other farm land, not for the corrals. There should be discussion and analysis regarding the total maximum water needed for the corrals and where the water itself and the attendant water rights would come from. The increased scrutiny of water rights in the Humboldt River Basin and how water rights to serve the corrals would fit should be included. ³ ALL use of water in Nevada must be properly accounted for and used through the permitting provisions of Nevada Water Law, even if temporary. As previously noted, BLM is obligated to discuss in the EA the relationship and consistency with state plans, policies, and laws. BLM's Water Rights Manual 7250 requires third-party uses of appropriated water under BLM permitting authority to comply with applicable state water right laws.	The purpose of BLM Water Rights Manual 7250 is to establish policy and guidance for the Bureau of Land Management (BLM) in locating, perfecting, documenting, and protecting BLM-administered water rights, which are considered property rights, necessary to manage and conserve the economic and resource values of the public lands. As stated in in Solicitation #140L0120R0008 and the EA, the Winnemucca ORC would be on private land, in which the Contractor would supply the water. No BLM administered water rights would be used for maintenance and care of wild horses and burros at the Winnemucca ORC. The Nevada Division of Water Resources would regulate the appropriate use of water.
49			Appendix A	For example, there will undoubtedly be effects on the local hay market which could impact local ranchers and other domestic horse owners buying hay in the region, especially in times of drought when forage and hay supplies are already strained. The real potential for inflated hay prices due to the corrals should not be disregarded. If the corrals are full with 4000 horses, and depending on the age and weight of the horse, the daily hay demand would be ~15 to 20 pounds of hay per day per horse equating to 30 to 40 tons of hay per day. This is not an inconsequential amount of hay to be supplied from the region. There are mitigation measures that could be put in place to avoid or minimize adverse adverse impacts to regional livestock producers and domestic horse owners. Please complete this necessary analysis and outline mitigation measures to overcome any adverse effect.	The environmental assessment has been revised based on reviewer's comments. Commenter's opinions are noted. Statements that are in opposition to or in support of the BLM's wild horse program activities were reviewed but did not
50	9/3/21	Gayle Walsh Mary Lynne	2.1	They cannot be kept in a facility that only cleans the area once to twice a month. A crowded facility does not assure that each horse will get proper feeding, because some horses are more aggressive than others. I find it especially worrisome that this proposed facility would be essentially off-limits to the public with only scheduled tours allowed. Since the BLM uses	warrant a change to the content of the EA (H-1790-1, section 6.9.2.1 substantive comments). As per Solicitation #140L0120R0008 these ORCs are closed to the public, but the public could contact the BLM facility manager and/or COR for potential site
51	9/3/21	Carpenter	2.1	I find it especially worrisome that this proposed facility would be essentially off-limits to the public with only scheduled tours allowed. Since the BLM uses taxpayer dollars to run these facilities, they need to be open to the public on a regular basis, at the minimum weekly.	the public could contact the BLM facility manager and/or COR for potential site visits.

52	9/3/21	Julie and Baz (no last name given)	2.1	I request shelter in ALL pins that are already built. There is no shelter and you worry about the health of these animals? As they are sitting in overheated pins with no shelter from the sun?	the ORC contractor and BLM staff will handle, treat, and maintain all WHB in a humane manner in accordance with BLM guidance and policies, including Permanent Instruction Memorandum (PIM) 2021-002, Wild Horse and Burro Comprehensive Animal Welfare Program (CAWP). As per the BLM CAWP standards (PIM 2021-002), "Facilities must provide access to shade and shelter (wind breaks) in pens designated for compromised animals needing special care (i.e., injured or weak animals). Additional provisions for shade and shelter (wind breaks) will be evaluated and determined by managers as appropriate for their region, the function of their facility and the condition of the animals under their care." Shade and windbreaks are not a requirement for healthy WHBs as per the
53	9/7/21	Bonnie Langford	2.1	I oppose the new holding facility for OUR Wild Mustangs on private land! Any Wild Mustangs in holding must be available for Me (the public) to view and monitor at any given time. 10 thousand Wild Mustangs do NOT belong on private land paid for by US (the taxpayers). If they must be removed from our public lands where the are Wild & Free and FREE for the taxpayer then they need to be where I can come at any given time to view them.	As per Solicitation #140L0120R0008 these ORCs are closed to the public, but the public could contact the BLM facility manager and/or COR for potential site visits.
54	9/13/21	Renee Faulkner	2.1	Provided non-substantive comments but provided attachments.	BLM's principle and practice to "Use the best available scientific knowledge relevant to the problem or decision being addressed, relying on peer reviewed literature when it exists" (Kitchell, K, S Cohn, R Falise, H Hadley, M Herder, K Libby, K Muller, T Murphy, M Preston, MJ Rugwell, and S Schlanger. 2015. Advancing science in the BLM: an implementation strategy. Department of the Interior, BLM, Washington DC.) The conclusions in that self-published work are not sufficiently reliable to warrant its use in this EA, and are contradicted by a large number of scientifically robust and peer-reviewed works, such as the report from the National Academies of Sciences.
55	9/13/21	Renee Faulkner	2.1	Provided non-substantive comments but provided attachments.	BLM's principle and practice to "Use the best available scientific knowledge relevant to the problem or decision being addressed, relying on peer reviewed literature when it exists" (Kitchell, K, S Cohn, R Falise, H Hadley, M Herder, K Libby, K Muller, T Murphy, M Preston, MJ Rugwell, and S Schlanger. 2015. Advancing science in the BLM: an implementation strategy. Department of the Interior, BLM, Washington DC.). The conclusions in that self-published work are not sufficiently reliable to warrant its use in this EA, and are contradicted by a large number of scientifically robust and peer-reviewed works, such as the report from the National Academies of Sciences.
56	9/17/21	Barbara (no last name given)	2.1	BLM should not be allowed to create any more facilities that do not allow weekly visitation.	As per Solicitation #140L0120R0008 these ORCs are closed to the public, but the public could contact the BLM facility manager and/or COR for potential site visits.
57			2.1	Shelter should be adequate to stop wind and provide shade for all horses/burros. Each pen should have multiple shelters to allow less dominant animals access.	As stated in Solicitation #140L0120R0008 and the Environmental Assessment, the ORC contractor and BLM staff will handle, treat, and maintain all WHB in a humane manner in accordance with BLM guidance and policies, including Permanent Instruction Memorandum (PIM) 2021-002, Wild Horse and Burro Comprehensive Animal Welfare Program (CAWP). As per the BLM CAWP standards (PIM 2021-002), "Facilities must provide access to shade and shelter (wind breaks) in pens designated for compromised animals needing special care (i.e., injured or weak animals). Additional provisions for shade and shelter (wind breaks) will be evaluated and determined by managers as appropriate for their region, the function of their facility and the condition of the animals under their care." Shade and windbreaks are not a requirement for healthy WHBs as per the CAWP.
					Commenter's opinions are noted. Statements that are in opposition to or in support of the BLM's wild horse program activities were reviewed but did not warrant a change to the content of the EA (H-1790-1, section 6.9.2.1 substantive comments). Any permit issued to a CAFO must include requirements to ensure that clean water is diverted from the production area and that there is no direct contact of confined animals with waters of the U.S. (40 CFR § 122.42 (e)(1)(iii-iv)). Site-specific terms would identify and require implementation of conservation practices, BMPs or engineering controls (e.g. dikes, berms, and/or
58			3.1.1	The proposed site is flat and prone to flooding. This site is not appropriate to house wild horses.	ditches) needed to divert clean water from production areas.
59	9/17/21	Sara Bassler	2.1	I strongly oppose the Proposed Action as outlined in the Winnemucca Off-Range Corral Environmental Assessment (EA). The EA fails to adequately consider the following: -Pens are only "cleaned" 2-4 times per year, which means the horses eat, sleep and live in their own waste. Standing in their own waste is detrimental to the health of a horse's hooves leading to potential infection, pain and possible lameness making a horse less likely to be adopted and making it more likely to be euthanized. Separate from any hoof infection, it is well documented that bacterial infections spread often at STH/ORC facilities causing the death and suffering of countless wild horses and burros. Moreover such an amount of waste leads to an excessive amounts of flies. According to Penn State Extension, Horse Stable Manure Management, Sept 25, 2019, (hereafter referred to as "Penn State") flies deposit eggs in the top few inches of moist manure and it has been calculated that under ideal breeding conditions, one fly can produce 300 million offspring in about 60 days. Flies then constantly land on the horses and congregate around horses' eyes leading to undue inhumane suffering because the horses have no means to escape these unrelentless flies. This is not the "safe, clean and supportive environment" required by BLM's CAWP standards.	As stated in Solicitation #140L0120R0008 and the Preliminary EA, the ORC contractor and BLM staff will handle, treat, and maintain all WHB in a humane manner in accordance with BLM guidance and policies, including Permanent Instruction Memorandum (PIM) 2021-002, Wild Horse and Burro Comprehensive Animal Welfare Program (CAWP). As per Solicitation #140L120R0008, pens shall be cleaned at a minimum of twice a year to remove excess manure. Thorough cleaning two times per year is adequate within most ORCs, however corrals will be cleaned up to four times if conditions warrant additional cleanings. Cleaning corrals too often can result in the removal of soil from within the corrals.

					As stated in Solicitation #140L0120R0008 and the Environmental Assessment, the ORC contractor and BLM staff will handle, treat, and maintain all WHB in a
					humane manner in accordance with BLM guidance and policies, including Permanent Instruction Memorandum (PIM) 2021-002, Wild Horse and Burro Comprehensive Animal Welfare Program (CAWP). As per the BLM CAWP standards (PIM 2021-002), "Facilities must provide access to shade and shelter (wind breaks) in pens designated for compromised animals needing special care (i.e., injured or weak animals). Additional provisions for shade and shelter (wind
60				-No protection from the elements: The main corrals have no overhead cover or wind break. These corrals are in Humboldt County, NV where summer temperatures can reach a high of 91 degrees and winters a low of 17 degrees with snow. These horses will be subjected to these temperatures with no shade in the summer and no protection of any kind from wind, rain or snow in the winter. This is inhumane. It is neither "safe" nor "supportive" as required by BLM's CAWP standards.	heaks) will be evaluated and determined by managers as appropriate for their region, the function of their facility and the condition of the animals under their care." Shade and windbreaks are not a requirement for healthy WHBs as per the CAWP.
					Amount of feed given daily is outlined in Solicitation #140L0120R0008 and Permanent Instruction Memorandum (PIM) 2021-002, Wild Horse and Burro Comprehensive Animal Welfare Program (CAWP), "Quality hay must be provided daily to WH&Bs in the amount of 2-3% of their body weight per day." The Solicitation outlines that Most horses or burros should be maintained with a
61				Lack of specificity: This EA lacks specificity in terms of the care of the wild horses to be placed in this facility: -EA provides "Animals would be fed daily" but provides no parameters for how much feed is to be allotted per horse. There are also no parameters in terms of permittable weight loss per horse or any parameters for judging their health to be in "good condition"EA provides "Minerals necessary to maintain WH&B in good condition would be provided". No clarification of what these minerals are and no definition of "good condition" is provided. Manure management is inadequate: Considering there will be 100 horses in each pen, whether it is two or four times/year this amount of removal is inadequate. According to Penn State the annual stall waste from one horse would fill it's 12 X 12 foot stall about 6 feet deep (assuming no settling). Extrapolating to the proposed 750 sq ft per horse, this means that each horse in the pen will create over 1 foot deep of waste annually, 100 horses will produce 850 tons of manure in a year.	Henneke body condition score of 4 or greater. Also included is that granulated or block trace mineral and salt shall be accessible to all horses and burros in each pen. As per Solicitation #140L0120R0008, pens shall be cleaned at a minimum of twice a year to remove excess manure. Thorough cleaning two times per year is adequate within most ORCs, however corrals will be cleaned up to four times if conditions warrant additional cleanings. Cleaning corrals too often can result in the removal of soil from within the corrals.
62	9/17/21	Sarah Kunnen		FIGURE 3 Proposed ORC Facility Layout near Winnemucca, Nevada on page 8, shows a large portion of this facility identified as "other" symbolized in light gray. What are the "other" areas? If the only holding/living areas are the pens as illustrated on the map, then 4,000 horses have much less than 100 acres for living space. This map does not identify the "other" areas, and the interpreted concern is housing up to 4,000 horses on much less than 100 acres in confined, crowded living space. I believe this is a risk for the health and well-being of the horses overall.	When WHBs are adopted, the BLM requires potential adopters to provide 400 square feet per WHB (43 CFR 4750.3-2(a)(3)(i)) to ensure a sufficient amount of space. A minimum amount of required square footage in the off-range corrals is 700 per WHB, 300 square feet more per WHB than is required by an adopter. Therefore, the square footage provided for each WHB at these off-range corrals would provide for the health and safety of the WHBs.
63	9/22/21	Alex (no last name given)	2.1	A residential area is no place for 4000 horses crammed into feeding pens. The smell will be terrible.	As per Section 1.5 of the EA, all the Contractor must obtain the required permits, which includes constructing proper, State of Nevada approved, CAFO infrastructure and drainage ponds. The specifc requirments of the CAFO permit are handled through the State of Nevada and outside the scope of this EA.
64			2.1	How do the operators plan to mitigate disease transmission in this very unnatural environment? How will they keep the inevitable disease outbreaks from reaching other nearby livestock?	All animals receive proper vaccinations for infectious diseases in accordance with BLM IM 2015-070. https://www.blm.gov/policy/im-2015-070
					with BLM IM 2015-070. https://www.blm.gov/policy/im-2015-070 Commenter's opinions are noted. Statements that are in opposition to or in support of the BLM's wild horse program activities were reviewed but did not warrant a change to the content of the EA (H-1790-1, section 6.9.2.1 substantive
65				We worry that disease transmission could effect the winnemucca economy if horse shows and rodeos stop coming to town.	comments). Comment noted. The environmental assessment has been revised to address
66			Appendix A	How will this massive influx of hay consuming animals effect the local hay market for agricultural producers who contribute to our national food supply?	concerns about potential increases to hay prices.
				Regarding the proposed Winnemucca Off-range Corral. 4,000 wild horse/burro capacity on 100 acres is not adequate and does not meet, according to BLM, specific requirements for consideration. Specific requirements for an off-range corral include: pastures, or combination of pastures, shall be of sufficient size to allow horse's freedom of movement and the ability to exercise for good health, natural hoof trimming, and to continue their free-roaming behavior. Pastures must be capable of producing sufficient standing forage for a period of at least 8 months or longer and will maintain animal's body condition at a 4 or better on	When WHBs are adopted, the BLM requires potential adopters to provide 400 square feet per WHB (43 CFR 4750.3-2(a)(3)(i)) to ensure a sufficient amount of space. A minimum amount of required square footage in the off-range corrals is 700 per WHB, 300 square feet more per WHB than is required by an adopter. Therefore, the square footage provided for each WHB at these off-range corrals
67	9/28/21	Pam Chandler		the Henneke Body Condition Score Chart. How will sufficient standing forage be produced during month after month of NV drought conditions?	would provide for the health and safety of the WHBs.

	02001			Reference 2.1 Alternative 1 Proposed Action. No mention of the contractor providing shelter from snow, sun, rain or wind. Shelters are required for adoption. Reference 2.1 Para Slopes within the pen Shelter is required for lame and sick horses. But not healthy horses. Reference 2.1 Para slopes within the pen All pens would be cleaned a minimum of twice a year or up to 4 times a year 100 horses in 75000 sq ft pen and excrement is only picked up as above? These horses will be wallowing in their own excrement. With rain or snow it will awful. The smell will be horrible. During fly season the horses will be constantly fighting flies due to the excrement. Also disease can be spread.	As stated in Solicitation #140L0120R0008 and the Environmental Assessment, the ORC contractor and BLM staff will handle, treat, and maintain all WHB in a humane manner in accordance with BLM guidance and policies, including Permanent Instruction Memorandum (PIM) 2021-002, Wild Horse and Burro Comprehensive Animal Welfare Program (CAWP). As per the BLM CAWP standards (PIM 2021-002), "Facilities must provide access to shade and shelter (wind breaks) in pens designated for compromised animals needing special care (i.e., injured or weak animals). Additional provisions for shade and shelter (wind breaks) will be evaluated and determined by managers as appropriate for their region, the function of their facility and the condition of the animals under their care." Shade and windbreaks are not a requirement for healthy WHBs as per the CAWP. As stated in Solicitation #140L0120R0008 and the Preliminary EA, the ORC contractor and BLM staff will handle, treat, and maintain all WHB in a humane manner in accordance with BLM guidance and policies, including Permanent Instruction Memorandum (PIM) 2021-002, Wild Horse and Burro Comprehensive Animal Welfare Program (CAWP). As per Solicitation #140L0120R0008, pens shall be cleaned at a minimum of twice a year to remove excess manure. Thorough cleaning two times per year is adequate within most ORCs, however corrals will be cleaned up to four times if conditions warrant additional cleanings. Cleaning corrals too often can result in the removal of soil from within the corrals. All animals receive proper vaccinations for infectious diseases in accordance
688		Theresa Myers Jennifer Best	2.1	Is this going to be an adoptable facility or no visitors ever. Horses life out there life there. Concentrated Animal Feeding Operations (CAFOs), such as the proposed ORC, where large numbers of animals are confined to small areas, are a significant source of pollution, parasites, and disease. The concentration of up to 4,000 animals in 100 acres is vastly different than allowing the wild horses to spread across millions of acres in herd management areas. The most pressing public health issue associated with CAFOs stems from the amount of manure produce in a concentrated area. This proposed ORC is unnatural and this amount of manure would never build up if the horses were left in the wild, nor are domestic horses generally kept in facilities similar to this. Manure contains a variety of potential contaminants. It can contain, among other things, nutrients such as nitrogen and phosphorus, pathogens such as E. coli, chemicals used as additives to the manure or to clean equipment, and animal blood. An adult horse can produce up to 55 lbs (25 kg) of manure daily or 10 tons per year. In addition, the EA fails to consider the risk of run-off pollution and water contamination. The risk of run-off pollution and water contamination is high for the proposed ORC because, as the EA admits, the soil in the affected areas "are very poorly drained, subject to occasional flooding, and may have a fairly high erodibility index for wind erosion." Thus, there is a high risk that waste from the facility will build up and runoff the area. This will cause unsanitary and unhealthy conditions for the wild horses, workers at the facility, and the surrounding community. BLM failed to analyze or disclose this impact. BLM merely states that "[a]ll corral pens will have adequate slopes for drainage, which would help to keep the pens from being wet and muddy. JS Livestock would establish a plan to mitigate any standing water that is found to occur and implement that plan immediately." BLM does not explain what slope is "adequate" in these	As per Solicitation #140L0120R0008 and the revised Section 1.5 of the EA, the Contractor must obtain the required permits, which includes constructing proper, State of Nevada approved, CAFO infrastructure and drainage ponds. The specific requirments of the CAFO permit are handled through the State of Nevada and outside the scope of this EA. Table 1 in Appendix C, Hydrology and Water Rights, provides more information on groundwater protection requirements.
70			1.5	In addition, the EA fails to disclose how the drainage will be collected and stored. Again, it just repeats conclusory statements with no analysis or information for meaningful comments and consideration of the environmental impacts. For example, the EA states "[d]esign features, the dust prevention and control plan, and the CAFO plan would reduce the risk of runoff and erosion. This plan would ensure all solid and liquid wastes along with sediment are stored on-site in a manner that prevents wastes and sediment from entering surface water and seepage of nutrients into ground water." The EA must disclose these alleged plans and design futures. Storage units can break or become faulty, or rainwater can cause holding lagoons to overflow. While CAFOs are required to have permits that limit the levels of manure discharge, handling the large amounts of manure inevitably causes accidental releases which have the ability to potentially impact humans.	As per Solicitation #140L0120R0008 and the revised Section 1.5 of the EA, the Contractor must obtain the required permits, which includes constructing proper, State of Nevada approved, CAFO infrastructure and drainage ponds. The specific requirments of the CAFO permit are handled through the State of Nevada and outside the scope of this EA. Table 1 in Appendix C, Hydrology and Water Rights, provides more information on groundwater protection requirements.
71			1.5	When concentrating so many horses in such a small area, nutrients overwhelm the absorptive capacity of the soil, and either run off or are leached into the groundwater, polluting local streams, creeks, groundwater, and drinking water supplies. In addition, emissions from degrading manure produce air pollutants that often affect ambient air quality in communities surrounding CAFOs including ammonia, hydrogen sulfide, volatile organic compounds, and particulate matter. These pollutants can lead to health problems, particularly for children and the elderly. Furthermore, liquid manure is often sprayed onto nearby fields, causing additional greenhouse gas emissions, odor, and particulate drift to surrounding communities. When this manure is over-applied to fields, it runs off into waterways, contributing to nitrate contamination. The smell from the manure lagoons also decreases the quality of life for surrounding communities. The EA completely fails to consider these impacts, and merely concludes that, "[a] ir quality impacts are expected to be minimal. Proposed operations would not be expected to have significantly different impacts from the current agricultural uses at the site." There is no reasonable basis for concluding that the existing agricultural use, alfalfa, would have the same impact as a CAFO that would be holding up to 4,000 wild horses. Alfalfa does not generate up to 40,000 tons of manure each year and it is absurd to claim the impacts of growing alfalfa and housing 4,000 wild horses are similar.	As per Section 1.5 of the EA, all the Contractor must obtain the required permits, which includes constructing proper, State of Nevada approved, CAFO infrastructure and drainage ponds. The specific requirements of the CAFO permit are handled through the State of Nevada and outside the scope of this EA. A stated in Appendix A, Air Quality would not be affected to a degree that detailed analysis is required. Section 2.1.1.1 Dust Prevention and Control outlines mitigation to reduce dust emissions during construction and operation of the ORC.
72			Appendix A	After refusing to disclose or analyze details of the proposed action and risks that come along with it, the EA concludes that impacts to riparian areas and aquatic wildlife, potential for nutrient release would be "negligible" when the requirements for the CAFO are implemented. However, BLM cannot merely rely on the undisclosed "requirements" to mitigate all impacts, especially without disclosing or analyzing those requirements.	As per Solicitation #140L0120R0008 and the revised Section 1.5 of the EA, the Contractor must obtain the required permits, which includes constructing proper, State of Nevada approved, CAFO infrastructure and drainage ponds. The specific requirements of the CAFO permit are handled through the State of Nevada and outside the scope of this EA. Table 1 in Appendix C, Hydrology and Water Rights, provides more information on groundwater protection requirements.

			Bacterial infections spread often at facilities, like the one proposed, causing the death and suffering of countless wild horses and burros. For example, BLM	All animals receive proper vaccinations for infectious diseases in accordance
73	3	2.1	reported that 25 wild horses died at a much smaller facility from colitis, or inflammation of the colon.	with BLM IM 2015-070. https://www.blm.gov/policy/im-2015-070
74	1	2.1	Quality of life can also suffer because of odors or insect vectors surrounding CAFOs, and property values can drop, affecting the financial stability of a community. The EA notes that manure may break down into finer particles and contribute to dust. But it fails to consider how this dust could be blown to surrounding communities affecting the quality of air and the quality of life. The waste odor will likely prevent local residents from spending time outdoors, opening windows, putting laundry out to dry, or inviting visitors over as has been reported in communities with CAFOs.	As per Section 1.5 of the EA, all the Contractor must obtain the required permits, which includes constructing proper, State of Nevada approved, CAFO infrastructure and drainage ponds. The specific requirements of the CAFO permit are handled through the State of Nevada and outside the scope of this EA. A stated in Appendix A, Air Quality would not be affected to a degree that detailed analysis is required. Section 2.1.1.1 Dust Prevention and Control outlines mitigation to reduce dust emissions during construction and operation of the ORC.
75	5	Appendix A	The proposed cite for the ORC is particularly concerning as it will likely contribute to increased concentration of pollution in an area with a low-income, minority population. The EA indicates that a low-income environmental justice (EJ) population is present and an Indigenous EJ population is present. The EA includes an Environmental Justice Screening report, however it failed to fully fill out this report. It appears that BLM just included a template where the sections intended to be fill out are still highlighted. BLM did not disclose whether it anticipated three would be an any disproportionate impacts on the existing EJ population within the project area, or how the EJ would be affected. In fact, the EA highlights "additional explanation as needed." The EA fails to consider the proposed action's exposure pathways (routes by which the minority or low-income population may come into contact with chemical, biological, or physical effects); the ecological, aesthetic, historic, cultural, economic, social, or health consequences to the community; and the distribution of adverse and beneficial impacts from the proposed action. CAFOs are a prime example of how environmental problems can directly impact human and community well-being, and this information needs to be addressed.	The environmental justice screening report in Appendix C of the environmental assessment was written before Native American tribes that were consulted would have responded with comments or issues on the project. The report was revised based on the results of Native American consultation conducted for this project.
76	5	2.1	Wild horse behavioral specialist, Dr. Bruce Nock, studied and described the intricate physiological events that take place when a wild horse is subjected to roundups and held in captivity at facilities like the proposed ORC.29 As described by Dr. Nock, horses initially experience what is known as the fight-or-flight reaction—bodily changes that enhance horses' chances of surviving a frightening situation by increasing their alertness, capacity for physical exertion, and ability to withstand injury. In Dr. Nock's professional opinion, while this reaction might enhance a wild horse's chance of surviving the roundup itself, it is not "an exaggeration to say, as gathers are routinely done in the USA, if a wild horse doesn't die straight off from the immediate devastation and commotion, it compromises him/her physically and mentally, putting him on a path of accelerated deterioration." Dr. Nock explains that at facilities, like the proposed ORC, "everything is foreign truly disturbing for a species that depends on familiarity for safety and comfort. [] Everything about captivity is probably stressful to one degree or another to wild horses, especially when it begins with the traumatic experience of a gather. It is extremely detrimental to their long-term health and soundness. Essentially, the stress of capture and captivity can put the horse "on a path of accelerated deterioration," leading to long-term physical and mental health problems and a shortened life expectancy.33 Likewise, the ongoing trauma experienced by wild horses after the initial roundup extends to both the captured wild horses (if any) that were left on the range. The conditions at the proposed ORC will be particularly traumatizing for wild horses.	Impacts to individual WHBs are analyzed in site specific EAs. There are several other ORC throughout the west in similar settings/climates with the same or similar requirements. The conditions as a result of these requirements in these other facilities have shown to provide humane care for the animals. Regardless of where these WHBs are cared for, any WHB that is removed from public land will be cared for in a similar facility with the same or similar requirements as described in the site specific EAs, therefore there is not a need to analyze the impacts to individual animals within this EA.

APPENDIX E. SUPPLEMENTAL DOCUMENTATION

National Flood Hazard Layer FIRMette

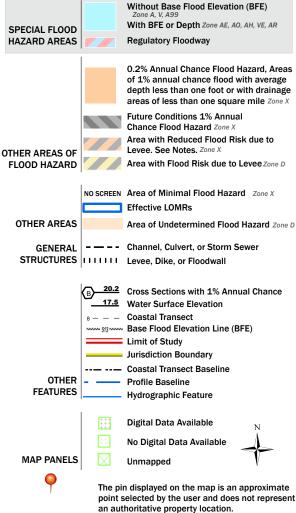


Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 9/1/2021 at 2:35 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

HUC-8 Wa	itershed Name	Little Hu	ımboldt	(Sq Mi.)	1,781
Pop	oulation	1,398		(Acres)	1,139,857
		His	story of Flooding		
			No significant, recent, flooding.		



A view of North Fork of the Little Humboldt River to the east of Paradise Valley. Photo: Wikipedia.org

Notes:

This sparsely populated HUC-8 watershed includes Paradise Valley and the counties of Humboldt and Elko. The Little Humboldt River flows into the Humboldt River near Winnemucca and is the major watercourse for this Huc. The river has a total drainage of 1,750 square miles and discharges into the Humboldt River only during flood events or high water periods. The only semi-populated area with FEMA mapped flood hazard zones is on the Little Humboldt near the confluence with the Humboldt River. Chimney Dam, built in 1974, impounds water on the Little Humboldt River for both irrigation and recreational uses.

Community Contacts:						
	Elko County					
Floodplain Administrator	Randy Brown, Planning and Zoning Director					
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Emergency Manager	Clair Morris, Emergency Manager					
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	Humboldt County					
Floodplain Administrator	Bobby Thomas, Building Official					
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Emergency Manager	Edwin Kilgore, County Sheriff					
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