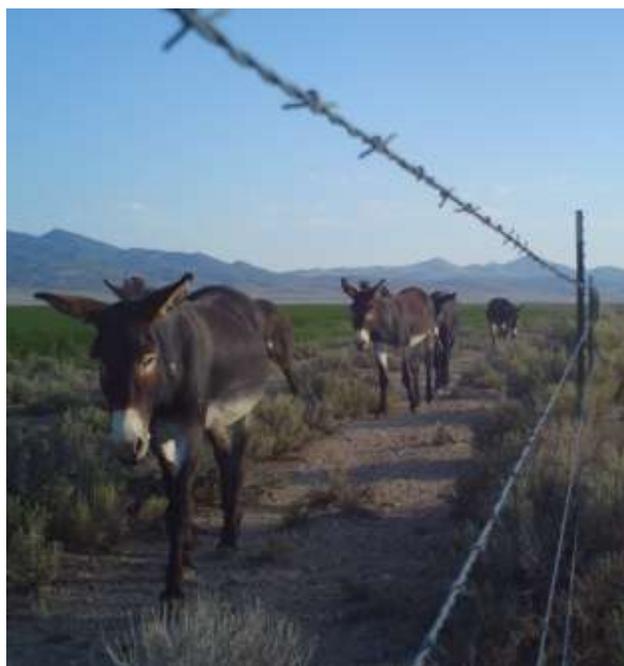


Battle Mountain District
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September 2013

Hickison Burro Nuisance Drought Gather

Wild Burro Gather Plan



**Hickison Burro
Nuisance Drought Gather Plan
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Photos on front cover:

Top: Burros located outside of the HMA near Key Area July 18, 2013.

Lower Left: Drought conditions and lack of forage observed during monitoring July 18, 2013.

Lower Right: Burros inside private land. Photo taken with remote trail camera, July 2013.

Hickison Burro Wild Burro Nuisance Gather Plan

1.0 Introduction

The Bureau of Land Management (BLM) Battle Mountain District, Mount Lewis Field Office (MLFO), plans to conduct a gather and removal of approximately 30 wild burros outside of the Hickison Herd Management Area (HMA). The purpose of the gather is to remove nuisance animals that have been causing property damage to private land outside of the HMA. The gather will be accomplished through the BLM's bait and water trapping contract and would take place on private land and public lands adjacent to private lands where burros have been encroaching. The gather and removal is in accordance with the Battle Mountain District Drought Management Environmental Assessment DOI-BLM-NV-B000-2012-0005-EA (Drought EA), dated June 22, 2012. A Determination of National Environmental Policy Act (NEPA) Adequacy (DNA) Drought EA has been completed for this project (DOI-BLM-NV-B010-2013-0067-DNA). The Final Drought EA and associated documents can be viewed at http://www.blm.gov/pgdata/etc/medialib/blm/nv/field_offices/battle_mountain_field/blm_information/nepa/battle_mountain_district.Par.40278.File.dat/BMD_FINAL_Drought_EA.pdf

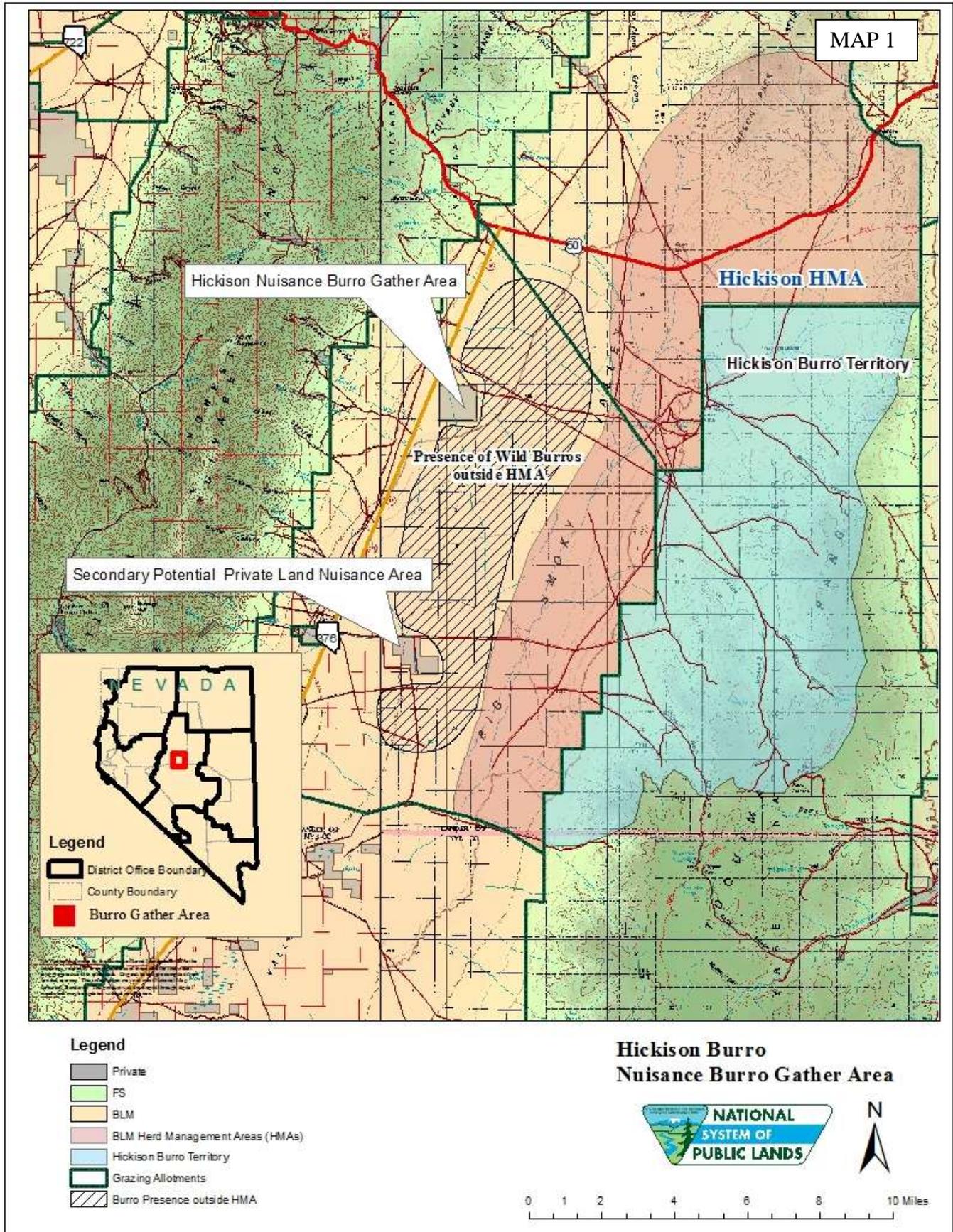
The gather area is located approximately 3-5 miles west of the Hickison HMA in Lander County Nevada, southeast of Austin, Nevada. It is possible that the gather area could also include the northern portion of Nye County. The Hickison HMA is administered by the MLFO in conjunction with the associated and Hickison Burro Territory (HBT) administered by the U.S. Forest Service (USFS) Humboldt-Toiyabe National Forest. The gather area and HMA/HBT are shown on Map 1.

2.0 Background

Gather and/or removal activities have not occurred within either the Hickison HMA or Territory since passage of the Wild Free Roaming Horses and Burros Act of 1971. The current population for the combined area is 112 burros based on a direct count made during a helicopter inventory conducted November 2012. The Hickison HMA and Burro Territory Complex cover an area approximately 74,000 acres in size, with approximately 18,000 acres north of U.S. Highway 50 and inaccessible to burros due to highway right-of-way fences. The HMA and Territory are managed for wild burros only.

The Final Multiple Use Decision (FMUD) for the Kingston and Simpson Park Allotments issued in 2005 established the Appropriate Management Level (AML) for the Hickison HMA as 16-45 for 5 months of the year on the portion administered by the BLM. The Humboldt-Toiyabe National Forest is planning to finalize the AML for the Burro Territory portion of the area (and the remaining 7 months of the year) within the next year; however no final AML has been established for that area at this time. The Hickison HMA AML was established for 5 months of the year to take into account that according to inventory records available at the time, burros spent approximately 40% of their time on BLM and 60% of their time on USFS administered lands.

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For several years, the burros have been documented expanding beyond the HMA and Territory boundaries to the east, south and west. This has been the result of a continuing increase in population size, loss of waters within the HMA/HBT, and drought conditions. For approximately three years, burros have been expanding west outside of the HMA to private land. The burros are trailing around the privately owned, fenced hay fields, taking advantage of irrigated grass and alfalfa accessible through the fence. In September 2012, burros began entering the private property on a regular basis by pushing over fences, or going through or under the fences. Considerable damage was done to fences and to the irrigated crops.

In April 2013, the burros again began encroaching into the irrigated hay fields. The BLM and land owner documented multiple occasions of burros entering the fields over the next four months, causing damage to fences each time they entered or exited. Trail cameras were mounted along the fence line to document burro presence along the fence and within the fields. A letter received by the BLM June 17, 2013 by the landowners formally requested the BLM and USFS to conduct gathers to resolve the problem.

3.0. Wild Burro Gather Rationale

Based on review of the monitoring data and documentation of burro caused damage to private land fences and crops, it has been determined that approximately 30 burros need to be removed from the area to prevent further private property damage and potential injury to burros. The BLM considered other options such as relocating the burros back into the Hickison HMA or HBT. Due to the current overpopulation, extreme drought conditions, lack of resources and existing impacts caused by an overpopulation of burros in the HBT, it was eliminated as a viable option. The likelihood of burros leaving the overcrowded HMA/HBT and returning to the irrigated fields is too high to justify relocation, and the nuisance animals will be removed from the area. Refer to Appendix B for additional information regarding drought conditions and monitoring within and outside of the boundaries of the Hickison HMA.

Burros have been documented moving outside of the HMA and HBT boundaries for several years as the population continues to increase, and as drought conditions have worsened through 2012 and 2013. Widespread drought conditions in 2012 and 2013 have reduced the already limited forage and water resources in the HMA and HBT, and burros are substantially expanding outside the areas designated for their use. Since September 2012, burros have been encroaching onto private property located outside of the HMA to access irrigated grass and alfalfa hay. Extensive damage to fences and crops occurred due to repeated intrusions by up to 30 burros. The damage resumed in April 2013 when burros again began entering the private land to access forage. The land owner has requested that the BLM remove the burros that habitually encroach onto their private land as soon as possible.

Burros are going through, under and over the fences to gain access to the privately owned, irrigated fields. Once humans approach, they typically scatter and run out of the private property through the fences, causing further damage to the fences. In doing so, the burros are at risk of serious injury each time they go through the fences. Injury could include minor scratches or serious injury and death. Barbed wire could tangle around burro legs or other parts of the body, causing serious injury that could lead to eventual suffering or death. Running burros could become impaled on steel fence posts and suffer terribly.

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Damage to private fences and crops has been documented since September 2012. The fences have been broken in literally hundreds of locations, with some areas broken and fixed multiple times. The fence, once fixed, is sound and not lacking in structural integrity. However, the burros continue to push on, through and under the fence to access grass and alfalfa that can be reached at the edges of the irrigation pivots. Through the constant pressure, eventually sections of the fence become compromised enough that the burros are able to go over, through or under the fence to enter the irrigated fields and graze on the crops. The following photos provide an overview of the issues.



North side of property, looking from private property to public lands. Fence has been pushed up from burros trying to reach the irrigated alfalfa. Heavy use of the alfalfa has occurred where it is accessible.



Private property fence on the eastern property boundary. Fence repaired in multiple location and lower wires are loose. June 2013, taken from public land looking into private land.



June, 2013, burros located inside private property, as documented with remote trail camera located on the eastern side of the property.



Private property fence at the south east corner where fence has been broken multiple times. Note the burro droppings inside the private land. June 2013, east side of private property, taken from public land looking into private land.

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Bent fence post on private property fence bordering a hay pivot. June 2013, south side of private property. Photo taken from public land looking into private land.



Burros trailing along the outside of the private property. Photo taken in May, 2013 with a remote trail camera located on the northwest corner of the property.



Burro tracks and droppings documented in June 2013, inside the private property, at the irrigated hay pivot.



Private property fence east boundary. These fence locations are broken in multiple locations. June 2013, Photos taken from public land looking into private land.

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The 1971 Wild and Free Roaming Horses and Burros Act (WFRHBA), and Code of Federal Regulations (CFRs), require the BLM to remove wild horses and burros from private land at the request of the land owner. Burro entry onto private land and damage to fences and crops in this area has been documented since September 2012. To delay a gather would not be consistent with existing law or policy. Removal of the burros is necessary to obviate further property damage and financial loss to the land owners and potential injury to burros as they continue to crawl over, under and through fences entering the fields, or run through fences when spooked and exit the fields.

Widespread drought conditions in 2012 and 2013 have impacted the availability of forage and water available to wildlife, wild horses and burros, and livestock throughout Nevada. Lack of forage, water and overpopulation of wild burros throughout the Hickison HMA and Burro HBT have contributed to burros leaving the HMA, using vegetation and water sources outside of the HMA boundaries and encroaching onto private land to access forage.

In June of 2012, the Battle Mountain District issued the Battle Mountain District (BMD) Drought Management Environmental Assessment (EA; DOI-BLM-NV-B000-2012-0005-EA), further referred to as the Drought EA, and the BMD Drought Detection and Monitoring Plan (DDMP). The Drought EA addressed potential environmental consequences associated with livestock and wild horse and burro management actions carried out during drought. The Final Drought EA may be accessed at this location:

http://www.blm.gov/pgdata/etc/medialib/blm/nv/field_offices/battle_mountain_field/blm_in_formation/nepa/battle_mountain_district.Par.4.0278.File.dat/BMD_FINAL_Drought_EA.pdf



Burro inside the private land. Photo taken in June, 2013 with a remote trail camera located on the eastern boundary of the private property.

The Drought EA and associated DDMP established clearly defined drought indicators and Drought Response Triggers (Triggers) that when met or exceeded could prompt the implementation of one or a combination of management actions, or Drought Response Actions (DRA). The Drought EA analyzed a range of management alternatives, or DRAs, that would be implemented to mitigate the effects of drought and to address emergency situations.

Triggers were placed into two categories: water and forage. Water would be classified as “available” or “unavailable” with clear definitions of each. The forage category was further broken down into triggers associated with utilization and stubble height, livestock/wild horse and burro distribution, and plant production and/or drought stress.

The U.S. Drought Monitor shows the Hickison HMA area experiencing Extreme Drought conditions at this time. Ongoing drought in Nevada through 2012 and 2013 has reduced forage and water sources used by wild horses and burros. In the Hickison HMA, forage production is inherently low due to the

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plant communities supported there, and low average annual precipitation levels. Additionally, waters are limited. Since 2009, two wells located on the USFS Burro Territory have been non-operational due to theft of the solar panels. They have not yet been replaced, and waters are limited to lacking throughout much of the HMA/HBT, and even more so under drought conditions. Another well located outside of the HMA receives some use by burros in that area.

Sustained drought conditions have resulted in severely reduced forage production and degraded conditions within the valley bottom, and foothills. Drought conditions observed throughout the Kingston and Simpson Park Allotments and Hickison HMA are consistent with extreme drought rating designated by the U.S. Drought Monitor for this area. Two consecutive years of drought is impacting the health and productivity of forb, grass and shrub species. Monitoring reveals that Drought Response Triggers specified in the Drought EA have been met and/or exceeded. Indicators of drought stress are prevalent throughout the area. There is an extensive absence of vegetative understory, and the typically drought tolerant shrubs are losing vigor and some are becoming senescent due to drought stress. Of the vegetation that is present, production is substantially reduced or absent with growth of grasses or forbs practically non-existent. Existing vegetation reflects reduced shoot and leaf growth, reduced seed head development and vigor, and plant death.

The areas experiencing severe/extreme drought conditions will not likely be capable of recovering this growing season even with abundant late season precipitation due to the lack of plant available moisture which has forced plants into completing their life cycle prematurely. Plants observed have surpassed their permanent wilting point due to severe water stress which limits a plants ability to resume growing.

Refer to Appendix B, Monitoring and Climate Summary for more information.

**4.0. Hickison Burro Nuisance
Drought Gather Plan**

The Hickison Burro gather will be conducted through bait/water trapping through use of a bait/water contract, and would begin after September 6, 2013, and continue until either the estimated 30 burros were successfully gathered, or until it is reasoned that most or all of the problem animals have been gathered. A special on-site burro adoption may be planned once the burros have been gathered. The bait trapping operation could last several weeks or longer depending on the nature of the burros to enter the traps to access bait or water. The gather



Burros within the privately owned, irrigated hay fields. Photo captured with remote game camera, June, 2013.

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would be completed in accordance with this Gather Plan and Standard Operating Procedures (SOPs; Appendix A), and BLM's Comprehensive Animal Welfare Policy Instruction Memorandum (IM). The BLM would be responsible for contractor compliance to national contract specifications including SOPs.

Bait/water trap corrals would be placed on private lands where burros have been encroaching, and on adjacent public lands in areas with the highest probability of success. Multiple gather sites (traps) could be used to gather wild burros from outside of the HMA boundaries. The BLM would make every effort to place gather sites in previously disturbed areas. A cultural resource inventory would be completed prior to using gather sites. No gather sites would be set up near greater sage-grouse leks, known populations of Sensitive Species; or in riparian areas, cultural resource sites, Wilderness Study Areas (WSAs) or congressionally designated Wilderness Areas. All gather and handling activities (including gather site selections) would be conducted in accordance with SOPs in Appendix A.

The primary goal for the gather is to remove wild burros causing damage to private property and crops located outside of the HMA boundaries. Once gathered, no animals would be released. Hair samples would be collected from all adult burros, (and young burros if possible) to complete genetics analysis.

The gathered burros would be transported to Battle Mountain District Facilities. The burros would remain in the care of Battle Mountain District staff, be examined by a veterinarian, vaccinated and dewormed, as well as receive the BLM freemark. An adoption event would be planned to place burros in caring homes. The event would be advertised and qualified persons able to adopt one or more of the burros through a competitive bid or lottery system. The dates and location of the adoption will be determined at a later time. Contact the Mount Lewis Field Office and the Hickison Burro Gather website for more information. Burros are typically easily gentled, regardless of age, and often used for packing, guard animals or companion animals. They are able to subsist on lower quality feed, and will readily consume brush in addition to grass.

It is highly unlikely that any burros would be injured or need to be euthanized during the bait trapping operation. However, any old, sick or lame burros unable to maintain an acceptable body condition (greater than or equal to a Henneke body condition score (BCS) of 3 or with serious physical defects such as club feet, severe limb deformities, or sway back would be humanely euthanized as an act of mercy. Decisions to humanely euthanize animals in field situations would be made in conformance with BLM policy (Washington Office Instruction Memorandum 2009-041). Refer to:

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

Temporary Holding Facilities

If deemed appropriate, the contractor may construct a set of holding corrals to hold captured burros until transport to BLM facilities, which would likely be located on private land in the vicinity of the trap corrals. Wild burros gathered would be transported from the gather corrals (trap sites) to a temporary holding corral in goose-neck trailers. At the temporary holding corrals wild burros would be separated into pens holding either adult Jacks or adult Jennies with foals. The burros would be fed hay and water while in the holding facility.

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Transport, Short Term Holding, and Adoption (or Sale) Preparation

Burros not adopted at Battle Mountain District Facilities may be transported to the BLMs Wild Horse and Burro Corrals at Litchfield, California or other designated BLM facility. Wild burros would be transported from to the designated BLM short-term holding corral facility(s) in straight deck semi-trailers or goose-neck stock trailers.

Vehicles would be inspected by the BLM Contracting Officer's Representative (COR) or Project Inspector (PI) prior to use to ensure wild burro safety. Wild burros would be segregated by age and sex and loaded into separate compartments. Jennies may be shipped with foals. Transportation of recently captured wild burros is limited to a maximum of 8 hours.

Upon arrival at the short term holding facility, recently captured wild burros would be off-loaded by compartment and placed in holding pens where they are fed hay and given water. Most wild burros begin to eat and drink immediately and adjust rapidly to their new situation. At the short-term holding facility, a veterinarian examines the animals and provides recommendations to the BLM regarding care, treatment, and if necessary, euthanasia.

At short-term corral facilities, a minimum of 700 square feet is provided per animal. Mortality at short-term holding facilities averages approximately 5% per year (GAO-09-77, Page 51), and includes animals euthanized due to a pre-existing condition; animals in extremely poor condition; animals that are injured and would not recover; animals which are unable to transition to feed; and animals which are seriously injured or accidentally die during sorting, handling, or preparation.

Euthanasia

While humane euthanasia of healthy wild horses and burros for which there is no adoption demand is required under the WFRHBA, Congress prohibited the use of appropriated funds for this purpose between 1987 and 2004 and again in 2011 and is presently in effect. It is unknown if a similar limitation will be placed on the use of Fiscal Year 2014 appropriated funds.

The Authorized Office (or designee) will make decisions regarding euthanasia, in accordance with BLM policy as expressed in Washington Office Instructional Memorandum No. 2009-041. A veterinarian may be called to make a diagnosis and final determination. Euthanasia shall be done by the most humane method available. Authority for humane euthanasia of wild horses or burros is provided by the Wild Free-Roaming Horses and Burros Act of 1971, Section 3(b)(2)(A), 43 CFR 4730.1, BLM Manual 4730 - Euthanasia of Wild horses and Burros and Disposal of Remains. The following are excerpted from IM 2009-41:

A Bureau of Land Management (BLM) authorized officer may authorize the euthanasia of a wild horse or burro in field situations (includes free-roaming horses and burros encountered during gather operations) as well as short- and long-term wild horse and Burro holding facilities with any of the following conditions:

(1) Displays a hopeless prognosis for life;

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- (2) *suffers from a chronic or incurable disease, injury or serious physical defect; (includes severe tooth loss or wear, severe club feet, and other severe acquired or congenital abnormalities)*
- (3) *would require continuous treatment for the relief of pain and suffering in a domestic setting;*
- (4) *is incapable of maintaining a Henneke body condition score greater than two, in its present environment;*
- (5) *has an acute or chronic injury, physical defect or lameness that would not allow the animal to live and interact with other horses or burros , keep up with its peers or exhibit behaviors which may be considered essential for an acceptable quality of life constantly or for the foreseeable future;*
- (6) *suffers an acute or chronic infectious disease where State or Federal animal health officials order the humane destruction of the animal as a disease control measure.*

There are three circumstances where the authority for euthanasia would be applied in a field situation:

(A) If an animal suffers from a condition as described in 1-6 above that causes acute pain or suffering and immediate euthanasia would be an act of mercy, the authorized officer has the authority and the obligation to promptly euthanize the animal. If the animal is euthanized during a gather operation, the authorized officer will describe the animal's condition and report the action using the gather report in the comment section that summarizes gather operations (See attachment 1). If the euthanasia is performed during routine monitoring, the Field Manager will be notified of the incident as soon as practical after returning from the field.

(B) Older wild horses and burros encountered during gather operations should be released if, in the opinion of the authorized officer, the criteria described in 1-6 above for euthanasia do not apply, but the animals would not tolerate the stress of transportation, adoption preparation, or holding and may survive if returned to the range. This may include older animals with significant tooth wear or tooth loss that have a Henneke body condition score greater than two. However, if the authorized officer has inspected the animal's teeth and feels the animal's quality of life will suffer and include health problems due to dental abnormalities, significant tooth wear or tooth loss; the animal should be euthanized as an act of mercy.

(C) If an animal suffers from any of the conditions listed in 1-6 above, but is not in acute pain, the authorized officer has the authority to euthanize the animal in a humane manner. The authorized officer will prepare a written statement documenting the action taken, and notify the Field Manager and State Office WH&B (WH&B) Program Lead. If available, consultation and advice from a veterinarian is recommended, especially where significant numbers of wild horses or burros are involved.

5.0. Special Stipulations

- 1) Private landowners would be contacted and authorization obtained prior to setting up gather corrals on private land. Wherever possible, gather corrals would be constructed in such a manner as to not block vehicular access on existing roads.
- 2) Gather corrals would be constructed so that no riparian vegetation is contained within them. No vehicles would be operated on riparian vegetation or on saturated soils associated with riparian/wetland areas.
- 3) Standard operating procedures in the site establishment and construction of gather corrals will avoid adverse impacts from gather corrals, construction, or operation to wildlife species, including threatened, endangered, or sensitive species.
- 4) Archeological clearance by a BLM archaeologist or District Archeology Technician of gather corrals, holding corrals, and areas of potential effects would occur prior to construction of gather corrals and holding corrals. If cultural resources were encountered, those locations would not be utilized unless they could be modified to avoid impacts.

7.0. Public Involvement



July, 2013. Burros inside private fields as documented with remote trail camera.

The public has expressed interest in being involved with this bait/water trap gather with the understanding that humans cannot be present during trapping operations due to the nature of this type of a gather (if people are near, the burros would not enter the trap corrals). In order to keep the public informed and allow reasonable access to the gather operations, the BMDO will schedule site visits by appointment to view the bait/water trap corrals, and ask questions. Throughout the trapping activities, the BLM would attempt to provide opportunities for the public to be present when burros have been captured and view them in the trap

and/or holding corrals and when animals are being loaded and transported to Battle Mountain District or other Wild Horse and Burro Facilities.

It is likely that burros would be trapped at a frequency of every few days or less and that most of the capture events would occur at night. The BMDO will make reasonable efforts to allow for public viewing of the captured burros within the limitations and fluid nature of bait/water trapping. Additionally, the BLM or USFS Project Inspector and/or Contracting Officer's Representative will take digital photographs of the burros in the pens each day a capture occurs as well as when they are in the holding corrals and during loading to facilities and post them on Flickr on a daily basis (within staff

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availability), and report the daily capture numbers, update on animal health or other notable information on the BMDO 2013 Summer Gather website.

6.0. Continued Monitoring

The BLM would continue to conduct the necessary monitoring to periodically evaluate the effects of drought in the Hickison HMA and Burro Territory. While drought conditions persist, BMD staff will continue to collect climate, water, forage, animal distribution, plant production and drought stress and the body condition of wild burros as defined by the Drought EA and DDMP.

Once USFS has established an AML for the Burro Territory, BLM and USFS will complete an EA to evaluate removal of excess burros and achievement of the AML within the combined HMA/HBT area. This EA will be prepared with involvement of the interested public.

Appendix A: Standard Operating Procedures

Gathers would be conducted by utilizing contractors from the National Wild Horse and Burro Bait/Water Trapping Contract, or BLM personnel. The following procedures for gathering and handling wild burros would apply whether a contractor or BLM personnel conduct a gather.

Prior to any gathering operation, the BLM will provide for a pre-capture evaluation of existing conditions in the gather area(s). The evaluation will include animal conditions, prevailing temperatures, drought conditions, soil conditions, road conditions, and a topographic map with wilderness boundaries, the location of fences, other physical barriers, and acceptable trap locations in relation to animal distribution.

Gather corrals and temporary holding sites will be located to reduce the likelihood of injury and stress to the animals, and to minimize potential damage to the natural resources of the area. These sites would be located on or near existing roads.

This Gather Plan applies only to bait/water trapping. The following procedures and stipulations apply to bait/water trapping gathers and will be followed to ensure the welfare, safety, and humane treatment of wild burros in accordance with the provisions of 43 CFR 4700.

1. TRAPPING AND ANIMAL CARE

The primary concern of the contractor is the safety of all personnel involved and humane handling of all wild burros captured:

- a. Some trap sites will require a staging area as determined by the COR/PI.
- b. All trap and staging areas locations must be approved by the Contracting Officer's Representative (COR) and/or the Project Inspector (PI) prior to construction. The Contractor may also be required to change or move trap locations as determined by the COR/PI. All traps and staging facilities not located on public land must have prior written approval of the landowner.
- c. The capture attempts may be accomplished by utilizing bait (feed, mineral supplement or water) or sexual attractants (mares in heat) to lure wild horses and burros into a temporary trap. All capture attempts shall incorporate the following:
 1. All feed bait ingredients, and the formula in that bait will be given to the COR/PI one full week prior to using in the trap.
 2. When using water as the bait, other water sources shall not be cut off in the bait area. If the government determines that cutting off other water sources is the best action to take under this contract, elimination of other water sources shall not last longer than 48 continuous hours.

- d. All traps, wings, and staging facilities shall be constructed, maintained and operated to handle the wild burros in a safe and humane manner and be in accordance with the following:
 1. Darting of wild burros will not be allowed.
 2. Traps and staging facilities shall be constructed of portable panels or equal material, the top of which shall not be less than 72 inches high for horses and 60 inches for burros, and the bottom rail of which shall not be more than 12 inches from ground level. All traps and staging facilities shall be flowing design without corners. All material used will be flush at the top and bottom, no protrusions, sharp areas.
 3. No barbed wire material shall be used in the construction of any traps.
 4. All loading alleys shall be a minimum of 6 feet high for horses and 5 feet high for burros and shall be fully covered on the sides with, tarps, plywood, etc.
 5. All crowding pens including the gates leading to the alleyways shall be covered with a material which serves as a visual barrier,(plywood, burlap, plastic snow fence, tarps etc.) and shall be covered a minimum of 1 foot to 5 feet above ground level for burros and 2 feet to 6 feet for horses. Perimeter panels on the staging corrals shall be covered to a minimum height of 5 feet for burros and 6 feet for horses.
 6. Self-latching gates will be used on all pens and alleyways for the movement and handling of wild burros.
 7. No modification of existing fences will be made without authorization from the COR/PI. The Contractor shall be responsible for restoration of any fence modification which he has made.
 8. Wild burros trapped at trap sites may need to be sorted into small sorting pens determined by age or sex in order to safely transport them to a BLM preparation facility or a staging area.
 9. Sick and injured burros, and strays will be separated as needed. Segregation will be at the discretion of the COR.
 10. Wild burros will not be held in the trap for more than 24 hours.
 11. A staging area will be required away from the trap site for any wild burros that are being held for more than 24 hours.
 12. The contractor shall assure that wet mares/jennies and their foal shall not be separated.
 13. Finger gates may be constructed of materials such as, juniper poles, pipe, etc., only with the prior approval and direction of the COR. Finger gates shall not be constructed of materials such as "T" posts, sharpened willows, etc. that may be injurious to wild burros.

14. All trigger and/or trip gate devices must be approved by the COR prior to capture of wild burros.
 15. Traps shall be checked a minimum of once every 24 hours when traps are “set” to capture wild burros.
 16. Contractor will report any injuries that resulted from trapping operations as well as pre-existing injuries to the COR and BLM preparation facility.
 17. The COR/PI may assist with the handling of wild burros.
- e. At the discretion of the COR/PI the Contractor may be required to delay shipment of animals until the COR/PI inspects the wild burros at the trap site prior to transporting them to the BLM preparation facility.

2. STAGING AREA AND ANIMAL CARE

The staging area will only be used when approved by the COR.

- a. Sorting pens shall be of sufficient size to minimize (*minimal 100 square feet per adult horse and or burro with only having a maximum of 25 wild horses or burros being held at any other time*), to the extent possible, injury due to fighting and trampling as well as to allow wild burros to move easily and have adequate access to water and feed.
- b. All pens will be capable of expansion on request of the COR. Alternate pens, within the staging facility shall be furnished by the Contractor to separate mares or Jennies with small foals, sick and injured wild horses and burros, and estrays from the other wild horses and burros.
- c. The Contractor shall provide wild burros held in the staging area with a supply of fresh clean water at a minimum rate of 10 gallons per animal per day.
- d. Wild burros approved to be held by the COR will be provided good quality hay at the rate of not less than two pounds of hay per 100 pounds of estimated body weight per day. If the task order notes that weed free hay is to be used for this bait trap gather the contractor will provide certified weed free hay in the amounts stated above. The contractor will have to have documentation that the hay is certified weed free.
- e. It is the responsibility of the Contractor to provide security to prevent loss, injury or death of captured wild burros until delivery to final destination. Animals lost from traps shall not be included in payment schedule.
- f. It is the responsibility of the Contractor to provide for the safety of the wild burros and personnel working at the trap locations and staging area.
- g. The Contractor shall restrain sick or injured wild burros if treatment is necessary in consultation with the COR and/or veterinarian. The contractor in consultation with the COR will determine if

injured wild burros must be destroyed and provide for destruction of such wild burros in accordance with the BLM

- h. Euthanasia policy. (Section J) The Contractor will have the ability to humanely euthanize wild burros in the field and to dispose of the carcasses in accordance with state and local laws.
- i. Separate water troughs shall be provided for each pen where wild burros are being held. Water troughs shall be constructed of such material (e.g., rubber, plastic, fiberglass, galvanized metal with rolled edges, and rubber over metal) so as to avoid injury to the wild burros.
- j. The use of solid covered panels or visual barriers in the alley ways keeps the animals from kicking thru the panels.
- k. All gates and panels are covered with snow fence for the safety of wild burros.
- l. Wild burros will be fed twice a day per a schedule determined by the COR/PI and will have water in every pen.

3. TRANSPORTATION AND ANIMAL CARE

- 1. Wild burros shall be transported to BLM preparation facilities within 24 hours after capture unless prior approval is granted by the COR/PI for unusual circumstances.
- 2. The Contractor shall schedule shipments of wild burros to arrive at BLM preparation facilities between 7:00 a.m. and 4:00 p.m. unless prior approval has been obtained by the COR. No shipments shall be scheduled to arrive at BLM preparation facilities on Sunday and Federal holidays; unless prior approval has been obtained by the COR.
- 3. Wild burros shall not be allowed to remain standing on gooseneck or semi-trailers while not in transport for a combined period of greater than three (3) hours.
- 4. Total drive time from the trap site or staging area to the BLM preparation facilities will not exceed 8 hours.
- 5. All motorized equipment employed in the transportation of captured wild burros shall be in compliance with appropriate State and Federal laws and regulations applicable to the humane transportation of wild burros.
- 6. All equipment used to transport wild burros will be inspected and accepted by the COR/PI prior to use to avoid any injury to wild horses and burros and shall be in good mechanical condition, of adequate rated capacity, and operated so as to ensure that captured wild burros are transported without undue risk.
- 7. No open stock trailers shall be allowed for transporting wild burros from trap site(s) or staging area to the BLM preparation facilities.

8. Sides or stock racks of all trailers used for transporting wild burros shall be a minimum height of 6 feet 6 inches from the floor. A minimum of one partition is required in each stock trailer.
9. The rear door(s) of the stock trailers must be capable of opening the full width of the trailer. All partitions and panels the inside of all trailers must be free of sharp edges or holes that could cause injury to the wild burros. The material facing the inside of all trailers must be strong enough so that the wild burros cannot push their hooves through the side.
10. All surfaces of the stock trailers shall be cleaned and a disinfectant used to eliminate the possibility of disease transmittal from domesticated horses to wild horses and burros prior to being transported.
11. Floors of stock trailers and loading chutes shall be covered and maintained with anti-slip materials (mats, wood shavings, sand etc.) to prevent wild burros from slipping.
12. Wild burros to be loaded and transported in any size trailer shall be as directed by the COR and may include limitations on numbers according to age, sex, size, temperament and animal condition. The following minimum square feet per animal shall be allowed in all trailers
 1. 12.6 square feet per adult horse (1.8 linear foot in a 7 foot wide trailer)
 2. 8.0 square feet per adult burro (1.15 linear foot in a 7 foot wide trailer)
 3. 6.0 square feet per horse foal (0.85 linear foot in a 7 foot wide trailer)
 4. 4.0 square feet per burro foal (0.57 linear feet in a 7 foot wide trailer)
13. The COR shall consider the condition and size of the wild burros, weather conditions, distance to be transported, or other factors when planning for the movement of captured wild burros. The COR shall provide for any brand and/or inspection services required for the captured wild burros. If wild burros are to be transported over state lines the COR will be responsible work with the receiving state veterinarian to get permission to transport the wild burros without a health certificate or coggins test.
 - a. If the receiving state does not allow wild burros in their state without a current health certificate or coggins test the COR/PI will obtain them through a local veterinarian prior to shipment.
14. An electric prod, paddle or wild rag may be humanely used to work wild burros during sorting and loading operations.
15. Flagging will be used strategically so not to desensitize the animal(s).
16. When transporting wild horses, drivers shall check for downed animals.
17. The contractor will separate the animals in trailer compartments so animals do not pile up in the rear of the trailer during transport from trap site to staging area/BLM preparation facility. Separation of animals helps prevent animals from falling down and being trampled.

18. All sorting, loading or unloading wild burros will be performed during daylight hours unless supplemental light is provided in the area to facilitate visibility.
19. Provide a visual barrier on panels in the area where the loading is accomplished at the trap site and at the staging area to eliminate holes, gaps, or openings where animals can be injured.
20. The contractor may dig holes at the end of the loading alley so that trailer floor is at ground level to ease the loading of burros at the trap site
21. Hot shots should not be used routinely or excessively on wild burros. Use of hot shots should be limited to instances of trying to protect or preserve human or animal safety (such as with animals that are down and reluctant to get up on trailers and in chutes) or as a near final resort for animals that refuse to move or load.
22. Hotshots should never be applied to 3 areas: the head (defined as everything above the throatlatch), anus and genitals (this includes the vulva, penis, and scrotum as well as the anogenital area which includes the anal recess, underside of the tail and the perineum which is the area between the anus and the vulva)
23. Only unmodified, commercially available hotshots that use DC battery power may be used, batteries should be maintained fresh at all times to avoid the overuse of apparently ineffective devices
24. A hot shot should only be used after 3 other stimuli have failed to successfully encourage forward movement (other options include use of body position and movement, use of voice or whistle, use of a wild rag to flag an animal, use of a shaker paddle as a visual and auditory stimulus, tapping animal with flag or shaker paddle, use of plastic tarp or bag, and returning animal to the point of origin and starting over.
 - y. A hot shot should be used to shock an animal not more than 3 times on any single occasion.
 - z. A hot shot should only be used when a path of escape or movement away from the stimulus is available (animals should not be encouraged to “push-up” with or without a hotshot – this too often leads to trampling).

4. SAFETY AND COMMUNICATION

The BLM/FS reserves the right to remove from service immediately any contractor personnel or contractor furnished equipment which, in the opinion of the contracting officer or COR violate contract rules, are unsafe or otherwise unsatisfactory. In this event, the Contractor will be notified in writing to furnish replacement personnel or equipment within 48 hours of notification. All such replacements must be approved in advance of operation by the Contracting Officer or his/her representative

- a. The Contractor shall have the means to communicate with the COR/PI and all contractor personnel engaged in the capture of wild burros utilizing a cell/satellite phone at all times during the trapping operations.

- b. Contractor will contact the COR/PI prior to loading burros to be delivered to BLM preparation facility.
- c. Contractor will contact BLM facility manager to schedule delivery and relay information of wild burros trapped (number of wild burros trapped, sex, approximate age, number of pairs, etc.)
- d. Contractor will photo document all animals trapped in a digital image format and digital photos will be delivered to the COR.
- e. Contractor will be required to provide State or National Rifle Association certification or equivalent (conceal carry, hunter safety, etc.) for firearm safety.
- f. All accidents involving wild burros or people that occur during the performance of any task order shall be immediately reported to the COR/PI.
- g. All domestic stock used for or around the bait trap or staging area will have current Coggins documentation and a health certificate. Trailers will be cleaned and have a disinfectant applied after any domestic horses have been hauled in it and before any WH&B's are loaded. This will help prevent transmission of disease into our populations at a BLM Preparation Facility.

5. PUBLIC AND MEDIA

Due to heightened public interest in wild horse and burro gathers, the BLM/Contractor may expect an increasing number of requests from the public and media to view the operation.

- a. Due to this type of operation (luring wild horses and burros to bait) spectators and viewers will be prohibited as it will have impacts on the ability to capture wild horses and burros. Only essential personnel (COR/PI, veterinarian, contractor, contractor employees, etc.) will be allowed at the trap site during operations.
- b. Public viewing of the wild burros trapped may be provided at the staging area and/or the BLM preparation facility by appointment.
- c. The Contractor agrees that there shall be no release of information to the news media regarding the removal or remedial activities conducted under this contract.
- d. All information will be released to the news media by the assigned government public affairs officer.
- e. If the public or media interfere in any way with the trapping operation, such that the health and wellbeing of the crew, horses and burros is threatened, the trapping operation will be suspended until the situation is resolved.

- f. Battle Mountain District plans to accommodate public viewing through an on-site public viewing opportunity prior to commencing the operation and periodic escorted public site visits to view burros during loading. The COR/Project Inspector will photograph burros in the trap and holding corrals and during transport and post to the BLM Nevada's website and Flickr.

6. CONTRACTOR FURNISHED PROPERTY

- a. As specified herein, it is the contractor's responsibility to provide all necessary support equipment and vehicles, bait, hay water, water, troughs, for the wild burros and any other needed items, personnel, vehicles (which shall include good condition trucks and stock trailers to haul burros from the trap site to the staging area/BLM preparation facility).
- b. If inclement weather or poor road conditions occur during trapping operations the contractor will need the necessary equipment to safely transport wild burros to a BLM preparation facility.
- c. The Contractor must have adequate equipment and materials needed for safely bait trapping wild burros.
- d. The Contractor must have adequate equipment and materials needed to safely hold burros in a staging area.
- e. The Contractor shall have a cell phone and or satellite phone that is operational in the zone they are working.
- f. The Contractor shall have a digital image camera or video camera.
- g. The Contractor will be required to have a firearm adequate for euthanizing wild burros.

7. COR/PI RESPONSIBILITIES

- a. In emergency situations, the COR/PI will implement procedures to protect animals as rehab is initiated, ie. Rationed feeding and watering at trap and or staging area.
- b. The COR/PI will authorize the contractor to euthanize any wild burros as an act of mercy.
- c. The COR/PI will ensure wild burros with pre-existing conditions are euthanized in the field according to BLM policy.
- d. Prior to setting up a trap or staging area on public land, the BLM and/or Forest Service will conduct all necessary clearances (archaeological, T&E, etc.). All proposed sites must be inspected by a government archaeologist or equivalent. Once archaeological clearance has been obtained, the trap or staging area may be set up. Said clearances shall be arranged for by the COR/PI.
- e. The COR/PI will provide the contractor with all pertinent information on the areas wild burros to be trapped.

- f. The COR/PI will be responsible to establish the frequency of communicating with the contractor.
- g. The COR/PI shall inspect trap operation prior to Contractor initiating trapping.
- h. The Contractor shall make all efforts to allow the COR/PI to observe a minimum of at least 25% of the trapping activity.
- i. The COR/PI is responsible to arrange for a brand inspector and/or veterinarian to inspect all wild burros prior to transporting to a BLM preparation facility when legally required.
- j. The COR/PI will be responsible for the establishing a holding area for administering PZP, gelding of stallions, holding animals in poor condition until they are ready of shipment, holding for EIA testing, etc.
- k. The COR/PI will ensure the trailers are cleaned and disinfected before WH&B's are transported. This will help prevent transmission of disease into our populations at a BLM Preparation Facility.

The following represents the BMDO procedures that will be followed throughout the gather activities by the COR and PI to ensure tracking of animals captured, sharing of the information with the public and posting of the information on the website for public interest:

- a. When it becomes known by the contractor that burros have been captured in the trap corrals, the contractor will notify the COR as soon as practical.
- b. The COR will contact the scheduled Project Inspector to inform him/her of the capture event.
- c. The PI will coordinate with the contractor and will be on site to document animal condition, numbers and capture success prior to burros being moved to holding corrals or being loaded for transport to BLM Preparation facilities. The PI will ensure humane treatment of the animals, and ensure adequate hay and water is being provided daily.
- d. The PI will complete a Daily Bait/Water Trap Summary, noting numbers of animals, foal/adult and sex. If needed, the PI will assist the contractor in separating Jacks from Jennies and their foals. The PI will photograph all animals in the trap corrals, during loading, transport and in the holding corrals to document health, characteristics, and numbers and to provide photos to share with the public on the internet.
- e. The PI will submit the Daily Bait/Water Trapping Summary to the COR or IC and will make the photos available to the BMDO Public Affairs Officer for posting on the internet.
- f. The COR or IC will complete any remaining information needed for posting on the internet and submit to the PAO for posting.
- g. When animals are loaded for transport to BLM Preparation Facilities the COR/PI will be on site to document animal condition and numbers and complete the Shipping Manifest, and California

Shipping Waiver. The COR will arrange for a brand inspector to be present. Numbers and other notable information will be recorded on the Daily Bait/Water Trapping Summary for tracking and reporting on the internet.



July, 2013. Burro inside private fields as documented with remote trail camera.

Monitoring and Climate Summary

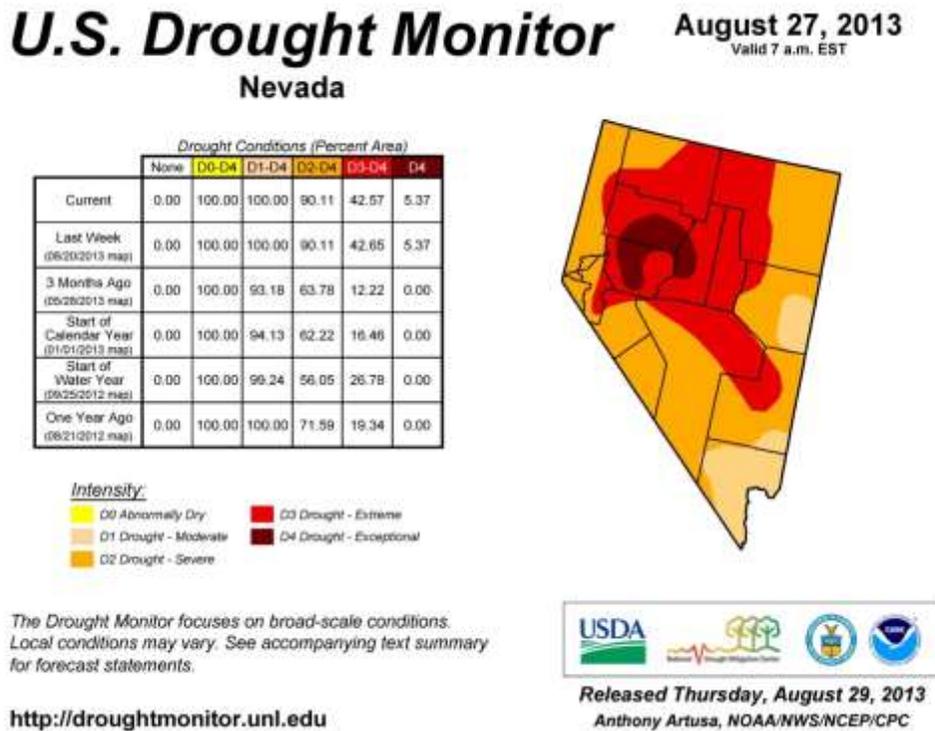
Appendix B: Monitoring and Climate Summary

1. Climate

As described in the Drought EA, the U.S. Drought Monitor (<http://droughtmonitor.unl.edu/>) was consulted to determine if weather conditions indicate drought and to identify affected areas. The Vegetation Drought Response Index (VegDRI) (<http://vegdrv.unl.edu/>) was utilized to determine areas where vegetation conditions indicated drought afflicted areas and drought stress.

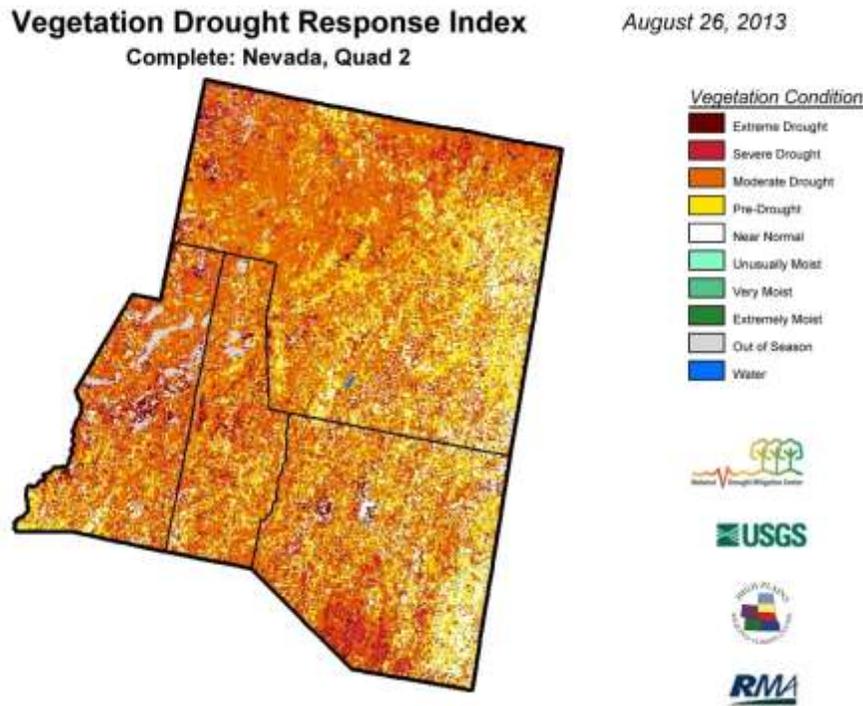
According to the U.S. Drought Monitor, August 27, 2013 the Hickison HMA and HBT are experiencing “Extreme” drought conditions, and are near “Exceptional”, the highest rating given. The Vegetation Drought Response Index (VegDri) also shows the Hickison HMA area as being in moderate to severe drought as of August 26, 2013. Refer to Figures 1 and 2 below.

Figure 1. U.S. Drought Monitor for Nevada on August 27, 2012.



Monitoring and Climate Summary

Figure 2. VegDRI map for northeastern Nevada counties, including Lander County.



2. Water

Water availability is considered a limiting factor in the Hickison HMA and Burro Territory. No perennial streams are present within the HMA or HBT. A primary water source for the burros is the Spencer Hot Springs, which is also heavily used by recreationalists. Other small springs and seeps exist on USFS. The USFS reports available water at Clipper Gap and Pete’s spring. A solar well located outside of the HMA in the southern portion of the Kingston Allotment is currently providing water to the burros; however monitoring of the area does not indicate heavy use of the source. Since 2009, two wells on the Burro Territory have been nonoperational with the theft of the solar panels, which have not been replaced. With the drought conditions experienced in 2012 and 2013, waters are very limited, and many burros have moved out of the HMA and HBT boundaries to the east, west and south.

3. Vegetation

Annual precipitation in the Hickison area is relatively low, averaging 5-8” annually on the valley bottoms, and 8-10” in the higher elevation USFS HBT. The following table reflects the dominant ecological sites their dominant vegetation, and expected production of air dry vegetation (shrubs, forbs and grasses) during poor years, on sites at Potential Natural Community (PNC). Refer to the 28B Major Land Resource Area Ecological Site Descriptions for more information (USDA Natural Resources Conservation Service <https://esis.sc.gov.usda.gov>).

Monitoring and Climate Summary**Table 1.** Common Ecological Sites within the Hickison HMA and surrounding area.

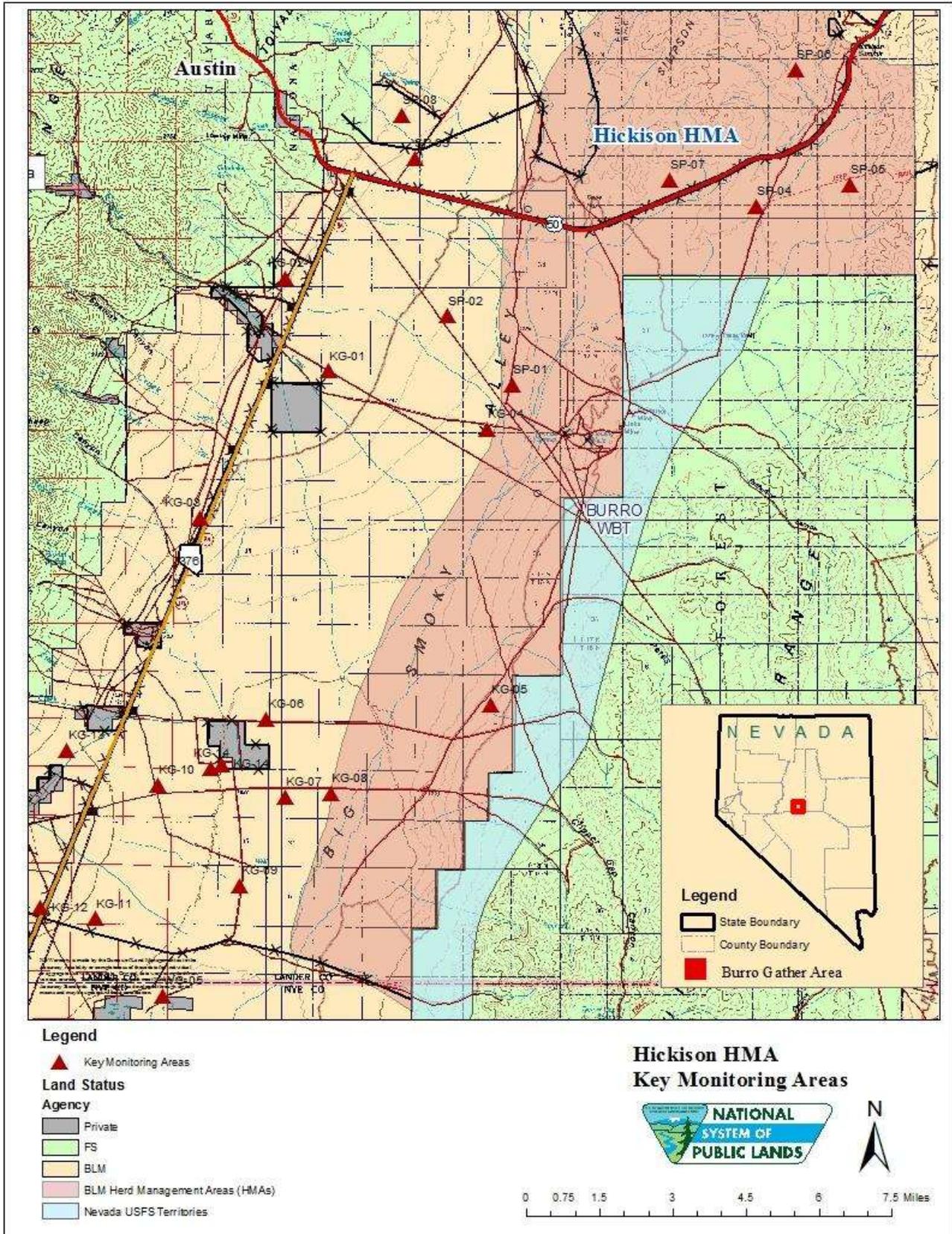
Ecological Site Name	Ecol. Site Number	Dominant Vegetation and % grass/forbs/shrubs at PNC	Production at PNC during below average years (dry weight #/acre)
Loamy 5-8" precipitation zone (pz)	29XY017NV	Shadscale saltbush - Bud sagebrush/Indian ricegrass (45/5/50)	200
Loamy 5-8" pz	24XY002NV	Shadscale saltbush - Bud sagebrush/Bottlebrush squireltail /Indian ricegrass (25/5/70)	300
Sodic Terrace 6-8" pz	24XY003NV	Shadscale saltbush - Black greasewood/Bottlebrush squireltail (10/5/85)	300
Dry Floodplain	24XY006NV	Basin big sagebrush/Great Basin wildrye (70/5/25)	600
Alkali Flat	28BY057NV	Silver buffalo berry - Black greasewood/Great Basin wildrye (45/5/50)	600
Droughty Loam 8-10" pz	28BY052NV	Wyoming big sagebrush- Spiny hopsage/Indian ricegrass (45/5/50)	450
Sodic Floodplain	24XY010NV	Iodinebush/Alcali sacaton (70/5/25)	150
Saline Bottom	24XY007NV	Black greasewood/Great Basin wildrye (70/5/25)	800

4. Drought Response Triggers and Monitoring Results

On July 18, 2013, 6 key areas within the Simpson Park Allotment, and 7 key areas within the Kingston Allotment were evaluated for drought conditions. Monitoring methodologies and focus is consistent with those described in the Battle Mountain District Drought Detection and Monitoring Plan (DDMP) and analyzed in the Drought EA.

The Drought EA and associated DDMP established clearly defined drought indicators and Drought Response Triggers (Triggers) that when met or exceeded could prompt the implementation of one or a combination of management actions, or Drought Response Actions (DRA). Drought Indicators are any single observation of a combination of observations signaling the start or continuation of a drought. Drought conditions are documented nationally through the U.S. Drought Monitor and Vegetation Drought Response Index (refer to Figures 1 and 2). Through field monitoring, current conditions were monitored relative to production of key forage species, drought stress, and plant death. Drought Response Triggers include the availability or lack of water, utilization and stubble height of key forage species, livestock and wild horse or burro distribution and plant production and/or drought stress.

The following map displays the allotment boundaries and the locations of the key areas for upland monitoring in the vicinity of the Hickison HMA.



Monitoring and Climate Summary

Simpson Park Allotment:

The Simpson Park Allotment is divided into north and south halves by U.S. Highway 50. The portion north is inaccessible to wild burros due to highway right-of-way fences. Four of the six key areas monitored were in the southern half, accessible to burros. Key areas SP-4, SP-5, and SP-1 are within the boundaries of the Hickison HMA, SP-2 is northwest of the HMA boundaries, but still accessible and used by wild burros.

SP-01 and SP-02

Sustained drought conditions have resulted in severely reduced forage production and degraded conditions. There is an extensive absence of vegetative understory and the typically drought tolerant shrubs (shadscale, spiny hopsage, greasewood, and budsage) have reduced leaf growth, reduced leader growth, losing vigor and some are becoming senescent due to drought stress. Of the vegetation that is present, production is substantially reduced or absent with growth of grasses or forbs practically non-existent. Only one Indian ricegrass plant on SP-02 was observed and no forbs were observed on either site. Use by wild burros was evident by the amount of burro manure along the roads to the key area locations. Utilization could not be determined due to absence of key species.



Key Area SP-01

Monitoring and Climate Summary



Key Area SP-02

SP-04

Sustained drought conditions have resulted in severely reduced forage production and degraded conditions. There is an extensive absence of vegetative understory and the typically drought tolerant shrubs (shadscale, spiny hopsage, and horsebrush) have reduced leaf growth, reduced leader growth, losing vigor and some are becoming senescent due to drought stress. Of the vegetation that is present, production is substantially reduced or absent with growth of grasses or forbs practically non-existent. The cheatgrass plants observed were residual production from past years, no current production was observed. Use by wild burros was evident by the amount of burro manure along the roads to the key area locations. Utilization could not be determined due to absence of key species.

Monitoring and Climate Summary



Key Area SP-04

SP-05

Sustained drought conditions have resulted in severely reduced forage production and degraded conditions. There is an extensive absence of vegetative understory and the typically drought tolerant shrubs (shadscale, spiny hopsage, and horsebrush) have reduced leaf growth, reduced leader growth, losing vigor and some are becoming senescent due to drought stress. The squirreltail and Sandberg bluegrass production is substantially reduced shoot and leaf growth, reduced seed head development and vigor, and in some instances plant death has occurred. No forbs were observed on the site. Use by wild burros was evident by the amount of burro manure along the roads to the key area locations. Utilization could not be determined due to severely limited growth of the key plant species.

Monitoring and Climate Summary

Key Area SP-05

Kingston Allotment:

Approximately 70% of the Kingston Allotment located east of State Highway 376 is accessible to use by burros, however more than half of this area is outside of the HMA boundaries. Of the seven key areas monitored for drought conditions, KG-04, KG-05, and KG-08 are inside or near the HMA boundaries, and KG-01, KG-06, KG-07 and KG-09 are outside of the HMA boundaries to the east of the HMA, but still accessible and used by wild burros.

Key Area KG-01, KG-04, KG-05, KG-06, KG-07, KG-08

The vegetation at all of these key monitoring sites is displaying similar signs of drought stress. There is a serious lack of plant understory and all plants exhibit poor vigor. Plants are dropping their outer foliage in an effort to sustain life but plant death is occurring on all the plant species. There is a lack of key plant species that would be suitable for grazing. The key plant species that did emerge are sparsely populated, are stunted and have reduced seed head development. There are large areas of bare soil with little to no plant litter to keep the soil covered and prevent wind or water erosion. There is a high potential for erosion due to the exposed soil. The soil has formed a crusted top layer which could lessen the erosion factor if the crust left intact.



Key Area KG-01



Key Area KG-04



Key Area KG-05



Key Area KG-06



Key Area KG-07



Key Area KG-08

Monitoring and Climate Summary

Key Area KG-09

5. Drought Conditions Summary

Sustained drought conditions have resulted in severely reduced forage production and degraded conditions within the valley bottom, and foothills. Drought conditions observed throughout the Kingston and Simpson Park Allotments and Hickison HMA are consistent with extreme drought rating designated by the U.S. Drought Monitor for this area. Two consecutive years of drought is impacting the health and productivity of forb, grass and shrub species. Monitoring reveals that Drought Response Triggers specified in the Drought EA have been met and/or exceeded. Indicators of drought stress are prevalent throughout the area. There is an extensive absence of vegetative understory and the typically drought tolerant shrubs are losing vigor and some are becoming senescent due to drought stress. Of the vegetation that is present, production is substantially reduced or absent with growth of grasses or forbs practically non-existent. Existing vegetation reflects reduced shoot and leaf growth, reduced seed head development and vigor, and plant death.

The areas experiencing severe/extreme drought conditions will not likely be capable of recovering this growing season even with abundant late season precipitation. The vegetation will not be capable of recovery this season due to the lack of plant available moisture which has forced plants into completing their life cycle prematurely. Other plants observed have surpassed their permanent wilting point due to severe water stress which limits a plants ability to resume growing.

Production of perennial key grasses and palatable shrubs is substantially reduced over normal years due to consecutive years of drought conditions. Lack of forage, water and overpopulation of wild burros throughout the Hickison HMA and Burro Territory have contributed to burros leaving the HMA, in search of palatable forage and water sources outside of the HMA boundaries and encroaching onto private land to access forage.