



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Elko District Office

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In Reply Refer To:
4700(NVE0200)

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

Owyhee, Rock Creek and Little Humboldt Herd Management Areas Wild Horse Gather Plan Environmental Assessment DOI-BLM-NV-N020-2010-0014-EA

Based on the analysis of potential environmental impacts in the EA, I have determined that implementing a combination of the Proposed Action and Alternative B (hereafter referred to as "Proposed Action") will not have a significant effect on the human environment. Therefore, the preparation of an environmental impact statement is not required for compliance with the National Environmental Policy Act of 1969.

Reasons for these findings are based on my consideration of the Council on Environmental Quality (CEQ) criteria for significance (40 CFR § 1508.27) with regard to the context and intensity of impacts.

Context: The affected region is limited to the Owyhee, Rock Creek and Little Humboldt HMAs (and adjacent areas of the Rock Creek HMA). The HMAs consist of approximately 482,191 acres of public and private land and are located northwest of Elko, Nevada within Elko County (EA Map 1). The environmental analysis was prepared with input from the interested parties.

Intensity: There is no evidence that the severity of impacts is significant:

1. The action is expected to meet BLM's objective for wild horse management of maintaining a thriving natural ecological balance and multiple use relationship consistent with other resource needs.

The Bureau of Land Management (BLM) is proposing to gather up to 1,548 wild horses and remove approximately 1,137 to 1,197 of the gathered wild horses (approximately 686 excess wild horses in the Owyhee HMA; 425 excess wild horses located outside of the Rock Creek HMA and 26 to 86 weanlings; also 4- year old mares from the Rock Creek and Little Humboldt HMAs) beginning on or after July 9, 2010. Approximately 399 wild horses would be released back to the range following the gather. Of these, about 195 mares would be vaccinated with PZP-22 (Porcine Zona Pellucida) fertility control vaccine. The gather, removal and fertility control are intended to slow population

growth, maintain population size within the appropriate management levels (AMLs) and extend the time before another gather to remove excess wild horses would be needed.

2. The Standard Gather Operating Procedures (EA, Appendix A) would be used to conduct the gather and are designed to protect human health and safety, as well as the health and safety of the wild horses and burros. The proposed action has no effect on public health or safety.
3. The proposed action has no potential to affect unique characteristics such as historic or cultural resources. No adverse impacts to the Owyhee, Rock Creek and Little Humboldt HMAs are anticipated. There are no wild and scenic rivers, or ecologically critical areas present in the areas.
4. The effects of the proposed action on the quality of the human environment are not considered to be highly controversial, and effects of the gather are well known and understood.
5. Possible effects on the human environment are not highly uncertain and do not involve unique or unknown risks. The Proposed Action has no known effects on the human environment which are considered highly uncertain or involve unique or unknown risks. This is demonstrated through the effects analysis in the EA.
6. The action is compatible with future consideration of actions required to improve wild horse management in conjunction with meeting objectives for wildlife habitat within the herd management area. The Proposed Action does not set a precedent for future actions. Future actions would be subject to evaluation through the appropriate level of NEPA documentation.
7. The proposed action is not related to other actions with individually insignificant but cumulatively significant impacts.
8. The proposed action has no potential to adversely affect properties listed or eligible for listing in the National Register of Historic Places and would not cause loss or destruction of significant scientific, cultural, or historical resources.
9. The proposed action would have no effect on threatened or endangered species or habitat determined to be critical under the Endangered Species Act. The EA has identified one threatened species (Lahontan cutthroat trout) and one candidate species (Greater sage grouse) in the project area. Review of the threatened and endangered species section of the EA indicates an overall improved/sustained ecological condition for the threatened and candidate species under the Proposed Action. The threatened and candidate species are expected to meet life cycle requirements. Therefore, it has been determined the proposed activities would not adversely affect any threatened or candidate species or their critical habitat.

10. The proposed action does not threaten to violate any Federal, State, or Local laws or requirements imposed for the protection of the environment.

The Proposed Action is in conformance with all applicable 43 CFR (Code of Federal Regulations). The Proposed Action would not violate the Migratory Bird Treaty Act or Endangered Species Act.

A letter was sent to the Fish and Wildlife Service seeking their concurrence on April 28, 2010. In a letter dated June 4, 2010 the U.S. Fish and Wildlife Service concurred with BLM's determination that the proposed action may affect, but is not likely to adversely affect Lahontan cutthroat trout (LCT), a federally listed threatened species. Furthermore, the Fish and Wildlife Service concurs that the direct effects of the gather on LCT will be insignificant or discountable and that the indirect and cumulative effects from the proposed action will be beneficial to LCT. Additional measures, recommended by the Fish and Wildlife Service to reduce any potential impacts to LCT have been incorporated into the EA as mitigation measures.

/s/

June 7, 2010

Kenneth E. Miller
Elko District Manager

Date