

U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641

FINDING OF NO NEW SIGNIFICANT IMPACT (FONSI)

West Douglas Herd Area Wild Horse Gather DOI-BLM-CO-N05-2015-0023-EA

Background

The most recent inventory of the WDHA, conducted in February 2012, found that there are approximately 154 excess wild horses within the WDHA. With an estimated foal crop of 20 percent and less the 20 wild horses that were gathered in the summer of 2013 due to lack of water, the population could reach 291 wild horses by 2015. Further, the February 2012 inventory accounted for 36 excess wild horses adjacent to the WDHA. With an estimated foal crop of 20 percent, the population of wild horses outside of the WDHA could reach 74 wild horses by 2015. Refer to Map 1 for area where wild horses will be gathered and removed.

The need for this action is after the review of *Wild Horse Management History and Current Conditions within the West Douglas Herd Area (January 2015)*, see Appendix C within the Environmental Assessment DOI-BLM-CO-N05-2015-0023-EA or this document is also available online at: http://www.blm.gov/co/st/en/fo/wrfo/wrfo_wild_horse_and.html, inventories, the White River Resource Management Plan and all applicable Resource Management Plan Amendments, any existing court ordered EISs, and other information in accordance with The Wild Free-Roaming Horses and Burros Act of 1971, as amended, the BLM has determined that excess wild horses exist on the public lands within and adjacent to WDHA requiring they be gathered and removed. This history document has outlined how the wild horses that reside in the WDHA or areas adjacent to the WDHA are impacting the landscape and the ability to maintain a thriving, natural ecological balance and multiple-use relationship in the area.

After a careful review of the WDHA history document and the current land use plan, the WRFO Field Manager concluded that all wild horses within or adjacent to the WDHA meet the statutory definition of excess animals, and therefore, consistent with the authority provided in 16 USC § 1333 (b) (2), the Bureau of Land Management (BLM) shall immediately remove excess animals from the range and is requesting such action take place under the “West Douglas Herd Area Review of Current Situation” Information Memorandum dated January 2015. Gather and removal operations shall be conducted until excess animals have been removed in order to restore a thriving natural ecological balance and protect the range from deterioration associated with an overpopulation of wild horses.

Therefore, the purpose for this action is to remove excess wild horses that reside in or adjacent to the WDHA in accordance with The Wild Free-Roaming Horses and Burros Act of 1971 and in order to comply with existing Land Use Planning¹ decisions set forth in the White River Resource Management Plan (Record of Decision, July 1997), and reaffirmed in the West Douglas Herd Area Amendment to the White River Resource Management Plan (Record of Decision October 10, 2007).

In accordance with 16 USC § 1332 (f) "excess animals" means wild free-roaming horses or burros which must be removed from an area in order to preserve and maintain a thriving natural ecological balance and multiple-use relationship in that area and to manage wild horses within designated management areas.

Finding of No New Significant Impact

Based upon a review of the EA and the supporting documents, I have determined that the Proposed Action will not have a significant effect on the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity, as defined at 40 CFR 1508.27 and do not exceed those effects as described in the White River Resource Area Proposed Resource Management Plan and Final Environmental Impact Statement (1996), to which DOI-BLM-CO-N05-2015-0023-EA is tiered . Therefore, an environmental impact statement is not required. See 43 CFR 46.140(c). This finding is based on the context and intensity of the project as described below.

Context

The project is a site-specific action directly involving BLM administered public lands that do not in and of itself have international, national, regional, or state-wide importance. This Environmental Assessment (EA) specifically considers the methods to be used to gather excess wild horses that reside in or adjacent to the WDHA. The BLM is preparing this EA to disclose and analyze the environmental consequences of the methods used to gather excess wild horses in the WDHA in compliance with the National Environmental Policy Act (NEPA).

For this project, BLM would conduct most, if not all, of the necessary activities on previously disturbed lands which is estimated at impacting less than 50 acres in the short-term. Design features are included for pre-construction in previously disturbed and undisturbed locations, as well as, post-construction monitoring on all lands. Existing disturbances within the analysis area include: grazing by livestock, wild horses and wildlife; and construction and/or maintenance associated with range improvement projects; vegetation treatments; and both wildfires and prescribed burns. Further, the energy development in the area was conducted decades ago with few new exploration wells being drilled in recent times, however, the maintenance of these energy related facilities continues and is necessary to keep those facilities operational (i.e., producing wells).

Affected interests for this project may include wild horse special interest groups, energy facilities operators, grazing permittees, and people who use the area for recreation.

¹ 16 U.S.C. §1333(b)(2)

Intensity

The following discussion is organized around the 10 Significance Criteria described at 40 CFR 1508.27. The following have been considered in evaluating intensity for this Proposed Action:

1. Impacts that may be both beneficial and adverse.

Beneficial and adverse effects of the Proposed Action and alternatives were described in the EA. Design features to reduce potential short-term impacts to soils, distribution of invasive non-native species, sensitive plants, migratory birds, wildlife, cultural and paleontology are identified.

Beneficial impacts of the project would be the BLM/WRFO's ability to focus wild horse management within the Piceance-East Douglas Herd Management Area.

None of the environmental impacts disclosed in the EA exceed what has been documented in White River Resource Management Plan (Record of Decision, July 1997), and reaffirmed in the West Douglas Herd Area Amendment to the White River Resource Management Plan (Record of Decision October 10, 2007).

2. The degree to which the Proposed Action affects public health or safety.

Gather operations would comply with the BLM's policy and guidelines, and other federal, state, and local laws. The potential for risks to public health and safety would be low, however, if they occurred, would occur over limited, brief periods.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

There are no park lands, prime farmlands, or wild and scenic rivers, in the project area.

Cultural resources would be protected by the design features and unknown future trap locations would have cultural clearances completed prior to construction. For the Areas of Critical Environmental Concern (Oil Spring Mountain) and Wilderness Study Area (Oil Spring Mountain) no traps would be located in the boundary of the Oil Spring Mountain Wilderness Study Area/Area of Critical Environmental Concern.

4. Degree to which the possible effects on the quality of the human environment are likely to be highly controversial.

This decision is to remove excess horses from in or adjacent to the WDHA only. Wild horse management will continue within the Piceance-East Douglas Herd Management Area and has also been conducted on those public lands since 1971. Multiple comments and concerns, as well as, litigation against the removal of wild horses from public lands have been received regarding the possible effects on the quality of the human environment during scoping.

5. Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risk.

The project is not unique or unusual in this area. Approximately nine other such gather operations have occurred in this area. No highly uncertain or unknown risks to the human environment were identified during analysis of the Proposed Action.

6. Degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The Proposed Action neither establishes a precedent for future BLM actions with significant effects nor represents a decision in principle about a future consideration. This decision is not precedent setting. The Proposed Action was considered in the context of past, present and reasonably foreseeable actions. This decision is not unusual and impacts from gather operations have been previously evaluated in several EAs: CO-110-2006-166-EA, CO-110-2008-052-EA, and DOI-BLM-CO-110-2010-0088-EA. Impacts from the Proposed Action are not predicted to exceed previously disclosed impacts and an EIS is not required. This decision does not entail any known issues or elements that would create a precedent for wild horse gather methods. The decision does not represent a decision in principle about a future consideration.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The EA did not reveal any significant cumulative effects. The interdisciplinary team evaluated the possible actions in context of past, present and reasonably foreseeable actions. Significant new cumulative effects are not expected.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed on the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

No potential impacts to districts, sites, highways, or structures have been identified within the project area. Per the design features included in the EA all traps and temporary holding facilities locations will be surveyed for cultural resources prior to placement. Bait or water trapping would also avoid all known sites and the traps sites themselves would not cause any impacts to known sites.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act (ESA) of 1973.

There are no threatened or endangered animal species that are known to inhabit or derive important use from the analysis area. There is no known Threatened, Endangered or Candidate plant species known to exist in the analysis area. Limited inventories have been conducted for these and other special status plant species within the analysis area. However, BLM will conduct surveyed for plant species in locations where potential exists for them to occur prior to trap placement.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

Neither the Proposed Action or alternatives nor impacts associated with the Proposed Action or Alternatives with it violate any laws or requirements imposed for the protection of the environment.

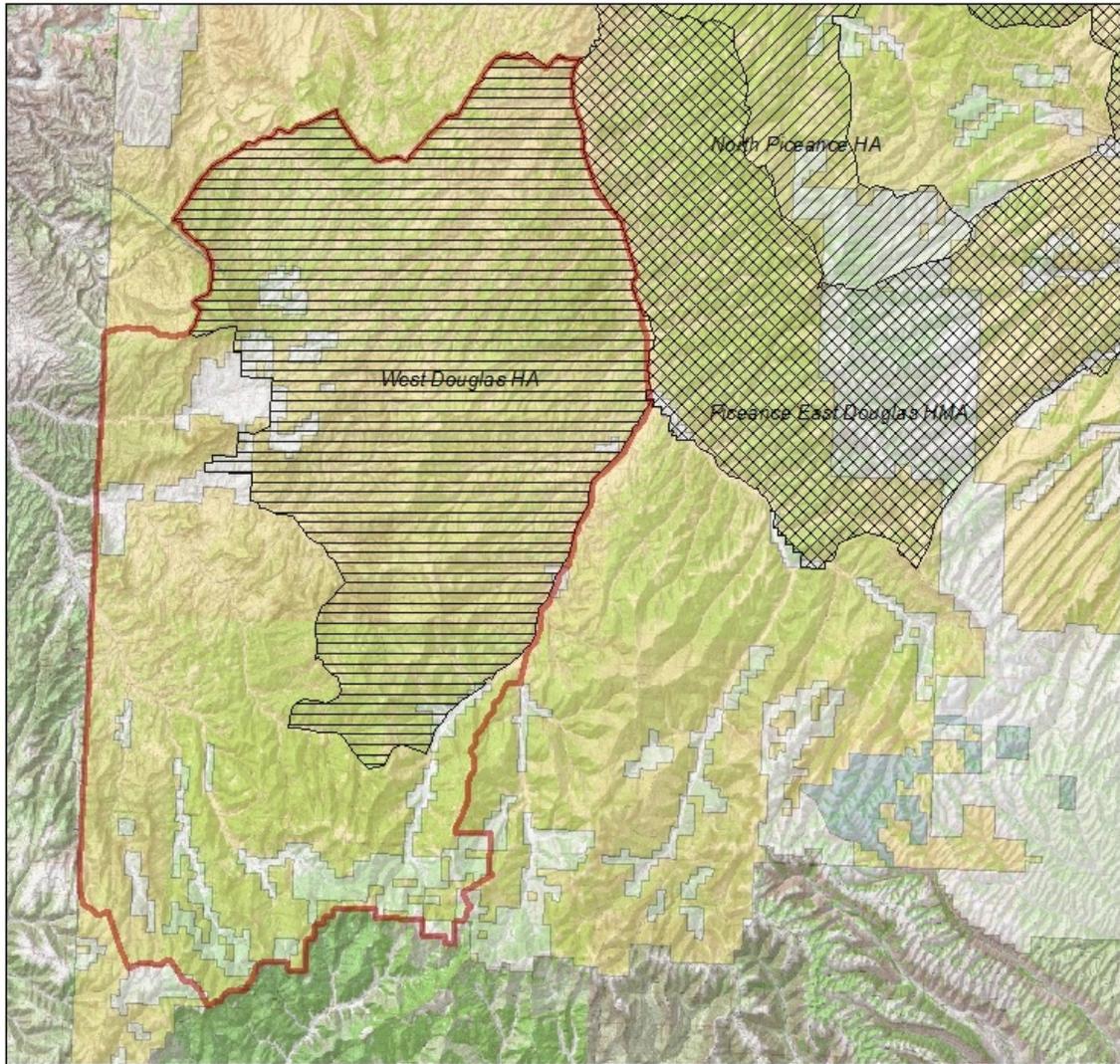
Signature of Authorized Officer

Kent E. Walter, Field Manager

Date

Appendix A. Map 1 – Proposed Gather Area

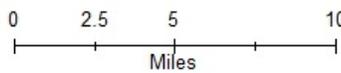
DOI-BLM-CO-N05-2015-0023-EA



January 9, 2015

Legend

- WDHA Gather Area
- North Piceance HA
- Piceance East Douglas HMA
- West Douglas HA
- BLM
- CDW
- PRI
- STA



Map Disclaimer:
 Although the data presented within this map, and the map itself, have been processed successfully on computers of BLM, no warranty, expressed or implied, is made by BLM regarding the use of this map or the data represented, nor does the fact of distribution constitute or imply any such warranty.

