

DECISION RECORD

Paisley Desert Herd Management Area 2012 Emergency Water Developments

EA Log No: DOI-BLM-OR-L050-2013-0029-EA
Proponent: Bureau of Land Management
Address: 1301 South G Street
Lakeview, OR 97630
County: Lake
BLM Office: Lakeview District, Lakeview Resource Area

Decision:

Two wells will be constructed to provide permanent, reliable water sources for wild horses within the Paisley Desert Herd Management Area (HMA), as described for the Proposed Action in the attached Environmental Assessment (EA). Halfway and Burma Wells would be constructed in the locations shown on Maps 2 and of the attached EA. While the wells have been proposed specifically to address emergency water needs of wild horses during drought conditions, they would be maintained thereafter and used to provide additional water in the HMA when drought conditions have ceased.

Authority:

Authority for this decision is found in the Wild and Free Roaming Horses and Burros Act of 1971 (Public Law 92-195 as amended and Title 43 Code of Federal Regulations (CFR) part 4700 including 43CFR4720.1, 43 CFR 4710.3-1 and 4710.4.

Rationale:

The two wells are necessary to prevent wild horses within the HMA from dying from lack of water during drought conditions and assist in providing more even distribution of horses during more favorable water conditions. The wells will also provide additional water for livestock and wildlife use.

This management action conforms with the wild horse management goals and direction contained in the Lakeview RMP/ROD (see EA p. 1).



Thomas E. Rasmussen
Field Manager

6/25/13

Date

FINDING OF NO SIGNIFICANT IMPACT

PAISLEY DESERT HERD MANAGEMENT AREA 2012 EMERGENCY WATER DEVELOPMENTS

DOI-BLM-OR-L050-2013-0029-EA

The Bureau of Land Management, Lakeview Resource Area (BLM), has analyzed several alternative proposals related to providing reliable water to wild horses residing within the Paisley Desert Herd Management Area (HMA) during drought conditions. An environmental assessment (EA) was prepared in accordance with the emergency provisions of 40 CFR 1506.11, the DOI NEPA Manual, and the BLM NEPA Handbook that analyzed the potential environmental impacts of the alternatives. The alternatives included No Action (no water developments) and construction of 2 emergency water developments (see page 1 of attached EA).

The Council on Environmental Quality (CEQ) regulations state that the significance of impacts must be determined in terms of both context and intensity (40 CFR 1508.27). The context of the proposed project is the Paisley Desert HMA. For this reason, the analysis of impacts in the attached Environmental Assessment (EA) is focused appropriately at this scale. The CEQ regulations also include the following ten considerations for evaluating the intensity of impacts:

1) Would any of the alternatives have significant beneficial or adverse impacts (40 CFR 1508.27(b)(1)? Yes No

Rationale: Based on the analysis contained in the attached EA, none of the alternatives would have either significant beneficial or adverse impacts on the human environment. There are no prime or unique farmlands, surface water or aquatic resources, floodplains, wetlands or riparian areas, wild and scenic rivers, significant caves, designated wilderness areas, wilderness study areas, other areas with wilderness characteristics, ACEC/RNAs, threatened or endangered plants and animals, hazardous waste sites, cultural sites, areas of native American religious concerns, or low income or minority populations located in the project area. No measureable impacts would occur to air quality (page 2).

2) Would any of the alternatives have significant adverse impacts on public health and safety (40 CFR 1508.27(b)(2)? Yes No

Rationale: None of the alternatives analyzed in the attached EA would have significant impacts on public health or safety because the project area is not located near any populated rural or urban area. For this reason, there would also be no impacts to low income or minority populations. Further, there are no known hazardous waste sites in the HMA. There are no perennial streams or surface drinking water sources located near the two project areas. There would be no measureable impacts to air quality within and surrounding the HMA (page 2).

3) Would any of the alternatives have significant adverse impacts on unique geographic characteristics (cultural or historic resources, park lands, prime and unique farmlands, wetlands, wild and scenic rivers, designated wilderness or wilderness study areas, or ecologically critical areas (ACECs, RNAs, significant caves)) (40 CFR 1508.27(b)(3)? Yes No

Rationale: There are no park lands, prime or unique farmlands, riparian or wetlands, wild and scenic rivers, significant caves, designated wilderness areas, WSAs, or ACEC/RNAs located in the project area (page 2).

- 4) Would any of the alternatives have highly controversial effects (40 CFR 1508.27(b)(4)? Yes
 No

Rationale: The BLM has extensive expertise planning, analyzing impacts, and implementing wild horse management actions such as those proposed by the two alternatives addressed in the attached EA. The potential impacts of these actions on soils, upland vegetation, and wildlife values can be reasonably predicted based on existing science and professional expertise. The attached EA addressed these impacts (pages 2-3). The nature of these impacts is not highly controversial, nor is there substantial dispute within the scientific community regarding the nature of these effects.

The public has been given an opportunity to review and comment on the analysis of effects. The BLM is not currently aware of any potential highly controversial effects, as defined under 40 CFR 1508.27(b)(4), but will review any comments received and address any substantive comments prior to signing this FONSI.

- 5) Would any of the alternatives have highly uncertain effects or involve unique or unknown risks (40 CFR 1508.27(b)(5)? Yes No

Rationale: The BLM has extensive expertise planning, analyzing impacts, and implementing wild horse management actions such as those proposed by the alternatives addressed in the attached EA. The potential impacts of these actions on soils, upland vegetation, and wildlife values can be reasonably predicted based on existing science and professional expertise. The attached EA addressed these impacts (pages 2-3). The nature of these impacts is not highly uncertain nor does it involve unique or unknown risks.

- 6) Would any of the alternatives establish a precedent for future actions with significant impacts (40 CFR 1508.27(b)(6)? Yes No

Rationale: The BLM has extensive expertise planning, analyzing impacts, and implementing wild horse management actions such as those proposed by the alternatives addressed in the attached EA. None of the alternative actions represents a new, precedent-setting wild horse management technique or would establish a precedent for future similar actions with potentially significant effects.

- 7) Are any of the alternatives related to other actions with potentially significant cumulative impacts (40 CFR 1508.27(b)(7)? Yes No

Rationale: The BLM has extensive expertise planning, analyzing impacts, and implementing wild horse management actions such as those proposed by the alternatives addressed in the attached EA. None of the alternatives would have significant cumulative effects at the HMA scale, even when added to the effects of other past, present, and reasonably foreseeable future actions.

- 8) Would any of the alternatives have significant adverse impacts on scientific, cultural, or historic resources, including those listed or eligible for listing on the National Register of Historic Resources (40 CFR 1508.27(b)(8)? Yes No

Rationale: The two well project sites were surveyed for potential cultural resources. None were found; therefore, there would be no impacts to such resources. There are no known native American religious or sacred sites, Traditional Cultural Properties, or plant collecting sites known at the two well project sites; therefore, there would be no impacts to such resources.

- 9) Would any of the alternatives have significant adverse impacts on threatened or endangered

species or their critical habitat (40 CFR 1508.27(b)(9)? Yes No

Rationale: The two well project sites were surveyed for potential special status species, including Federally listed threatened or endangered species. None were found; therefore, there would be no impacts to special status species, listed threatened or endangered species, or designated critical habitat.

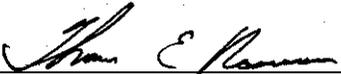
10) Would any of the alternatives have effects that threaten to violate Federal, State, or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10)? Yes No

Rationale: The alternatives analyzed in the attached EA comply with all Federal, State, and local environmental laws or other environmental requirements, including the requirements of the National Environmental Policy Act, Clean Water Act, Clean Air Act, and Endangered Species Act.

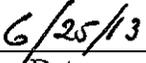
The Federal Land Policy and Management Act requires that any action that BLM implements must also conform with the current land use plan and other applicable plans and policies. The purpose and need for the proposed action conforms with the management direction contained in the *Lakeview Resource Management Plan/Record of Decision* (EA page 1).

Finding

On the basis of the analysis contained in the attached EA, the consideration of intensity factors described above, and all other available information, my determination is that none of the alternatives analyzed would constitute a major federal action which would have significant adverse or beneficial impacts on the quality of the human environment. Therefore, an Environmental Impact Statement (EIS) is unnecessary and will not be prepared.



Thomas E. Rasmussen, Field Manager
Lakeview Resource Area



Date

NEPA Log Number: DOI-BLM-L050-2013-0029-EA

PROJECT TITLE/TYPE: Paisley Desert Herd Management Area (HMA) 2012 Emergency Water Developments

PROJECT LOCATION: T. 30 S., R. 21 E., Section: 17 SE1/4SW1/4 and T. 28 S., R. 20 E., Section 30: SE1/4SW1/4 (see Maps 1-3).

BLM OFFICE: Lakeview Resource Area, Lakeview District, 1301 South G Street, Lakeview, OR 97630.

LEASE/SERIAL/CASE FILE #: (if applicable)

APPLICANT (if any): N/A

CONFORMANCE WITH APPLICABLE LAND USE PLAN(S): The Lakeview RMP/ROD (BLM 2003a, as maintained) is the governing land use plan. The proposal is consistent with the Wild Horse Management Goal, to “maintain and manage wild horse herds in established herd management areas at appropriate management levels to ensure a thriving natural ecological balance between wild horse populations, wildlife, livestock, vegetation resources, and other resource values” (page 55). The management direction states that “range improvements will be installed to encourage horses to stay within herd management area boundaries... Construction of water developments and other projects that minimize impacts to other resources and emphasize natural values will be considered” (page 56).

PURPOSE and NEED FOR ACTION: Drought issues in and adjacent to the Paisley Desert HMA, Lakeview Resource Area, started in April 2012. BLM fire and force account crews started hauling water to Fire Lake and Bull Lake on July 13, 2012. By the end of July, all but two existing water sources in the HMA were dry. An emergency gather was conducted between 7/27/2012 and 7/30/2012 following procedures outlined in the Paisley Desert Herd Management Area Wild Horse Population Control and Gather Environmental Assessment (BLM 2009). A total of 196 horses were removed. The removed horses were taken to the Burns, Oregon, Wild Horse Corrals for short-term holding. Approximately 100 horses were left in the HMA. At that time, BLM hoped that the two remaining water sources would provide adequate water for the remaining horses.

As the drought continued, force account crews were hauling 5000 gallons a week to Fire Lake. A second water haul site was added in late August. By early September, all natural water sources in the area were dry and fire crews could not continue to haul water. A water haul contract was established with a private party at a cost of \$1450 per water haul. This contract continued through September, October, and November of 2012. Temporary water hauling and placement of troughs associated with this action are activities that are categorically excluded from NEPA.

Permanent water developments were proposed as a cost-effective means to provide reliable water during and after the drought. Due to the emergency nature of the proposed action, a NEPA document was not prepared prior to implementation. The wells were completed in November 2012. This EA has been prepared in accordance with the guidance provided for emergency actions described under 40 CFR 1506.11, the DOI NEPA Manual, and the BLM NEPA Handbook.

DESCRIPTION of PROPOSED ACTION and ALTERNATIVES

PROPOSED ACTION - Two emergency wells were proposed for construction: Halfway Well and Burma Well. These wells would be permanent and used in the future to provide reliable water for wild horses within the HMA.

Burma Well is located at T. 28 S., R. 20 E., Section 30: SE1/4SW1/4 (see Map 2). Burma well included a solar powered pump/panel assembly, short segment of above ground pipeline to a 1200 gallon trough, and a 100' X 200' X 8' overflow pond.

Halfway Well is located at T. 30 S., R. 21 E., Section: 17 SE1/4SW1/4 (see Map 3). Halfway well included a solar powered pump/panel assembly, short section of above ground pipeline, and 1200 gallon trough. (Construction of extra water storage may be necessary in the future to keep this as a functional and dependable water source).

ALTERNATIVE 1 (NO ACTION) - Under this alternative, the two wells would not be constructed and temporary water hauling would cease once the contract funds had been expended and the contract expired.

AFFECTED ENVIRONMENT: The affected environment within the Paisley Desert HMA was recently described in detail with the Paisley Desert Herd Management Area Wild Horse Population Control and Gather Environmental Assessment (BLM 2009). This description is hereby incorporated by reference in its entirety and will not be repeated here. This document is available to the reviewer on BLM's website at <http://www.blm.gov/or/districts/lakeview/plans/index.php>.

ENVIRONMENTAL IMPACTS: The potential environmental impacts resulting from the alternatives were evaluated relative to the following critical resource values. The following table is a summary of the results:

Critical Element/ Resource Value	Affected		Critical Element/ Resource Value	Affected	
	Yes	No		Yes	No
Air Quality		X	Threatened and Endangered Species		X
ACEC/RNAs		X	Wilderness/Wilderness Study Areas		X
Cultural Resources		X	Wild and Scenic Rivers		X
Farmlands, Prime/Unique		X	Hazardous Wastes		X
Low Income/ Minority Populations		X	Water Quality		X
Floodplains		X	Wetlands/Riparian Zones		X
Native American Religious Concerns		X			

DESCRIPTION of OTHER IMPACTS: The primary types of impacts expected from new water developments were previously described in the *Proposed Lakeview RMP/Final EIS* (BLM 2003b). This analysis is hereby incorporated by reference in its entirety and will not be repeated here. In summary, these impacts would include new ground disturbance from concentrated wild horse, livestock, and wildlife use that would likely include soil compaction, vegetation trampling and removal for about a quarter mile radius around each new well (pages 4-35 to 4-36). This would have some minor negative impacts to upland wildlife habitat due to altering forage, cover, and/or habitat structure (p. 4-64) in the immediate vicinity.

The two new water sources would provide additional reliable water to support wild horses within the HMA.

The water from the two wells would be unaffected by weather extremes such as drought. This would assist in supporting a viable, healthy herd of wild horses.

In addition, since horses will travel further from water to obtain forage than livestock, the Burma Well would add an additional forage base of up to a 5-mile radius of the well, in an area previously slightly used by horses due to lack of water. Additionally, water would be available in the summer, fall, and winter on low snow years in an area that formerly provided only limited spring season use after rain events. Halfway Well would add an additional forage base of up to a 5-mile radius of the well in the central and eastern portions of the HMA.

The wells would provide a means for further dispersion of wild horses, livestock and wildlife. Wildlife would also benefit from additional water sources in this area.

The wells would reduce or eliminate the need for future emergency horse gathers within the HMA, which has had a history of repeated drought-related emergencies.

Impacts of No Action Alternative:

Under the no action alternative, the same drought stress issues of the past would continue within the HMA during drought years. While temporary water hauling could continue to be used as a method to resolve water shortage issues, it would be expensive and would not provide a long-term solution. In absence of water hauling, some horses would likely die due to lack of water during drought conditions.

DESCRIPTION of MITIGATION MEASURES and RESIDUAL IMPACTS: The potential for weed invasion or future need to treat for weeds at the two well sites will be handled in accordance with the existing weed monitoring and treatment methodologies described in the current Integrated Weed Treatment Plan (such as BLM 2004).

PREPARER(S): Theresa Romasko (Associate Field Manager) and Paul Whitman (Planning and Environmental Coordinator).

REFERENCES:

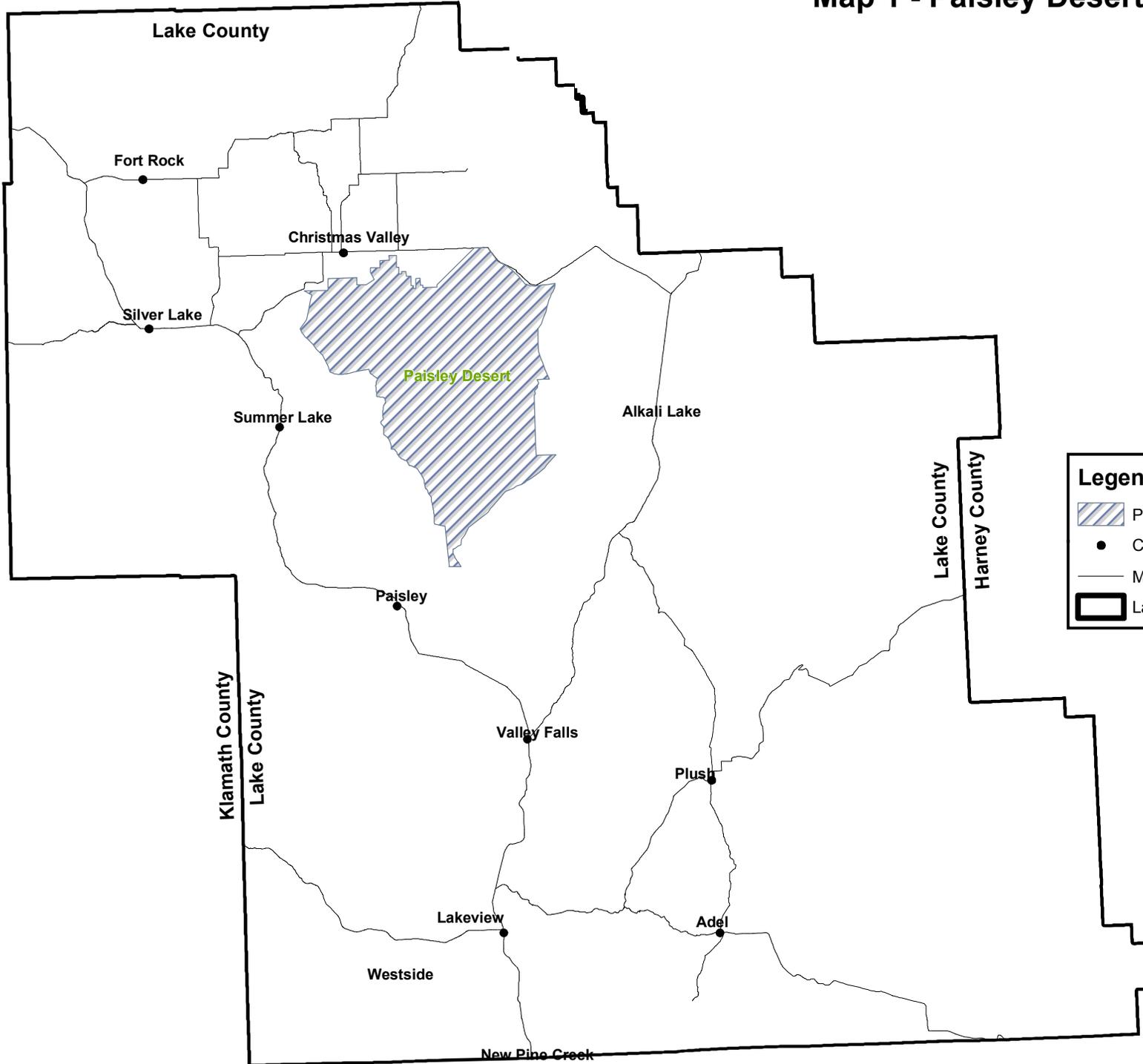
BLM. 2003a. Lakeview Resource Management Plan/Record of Decision. USDI, BLM, Lakeview Resource Area, Lakeview District, Lakeview, OR. 3 volumes.

BLM. 2003b. Lakeview Proposed Resource Management Plan/Final Environmental Impact Statement. USDI, BLM, Lakeview Resource Area, Lakeview District, Lakeview, OR. 4 volumes.

BLM. 2004. Integrated Noxious Weed Management Program. EA#OR-010-2004-03. USDI, BLM, Lakeview Resource Area, Lakeview, OR.

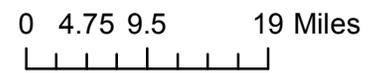
BLM. 2009. Paisley Desert Herd Management Area, Wild Horse Population Control and Gather. Environmental Assessment DOI-BLM-OR-L050-2009-0066-EA. USDI, BLM, Lakeview Resource Area, Lakeview, OR.

Map 1 - Paisley Desert HMA Location

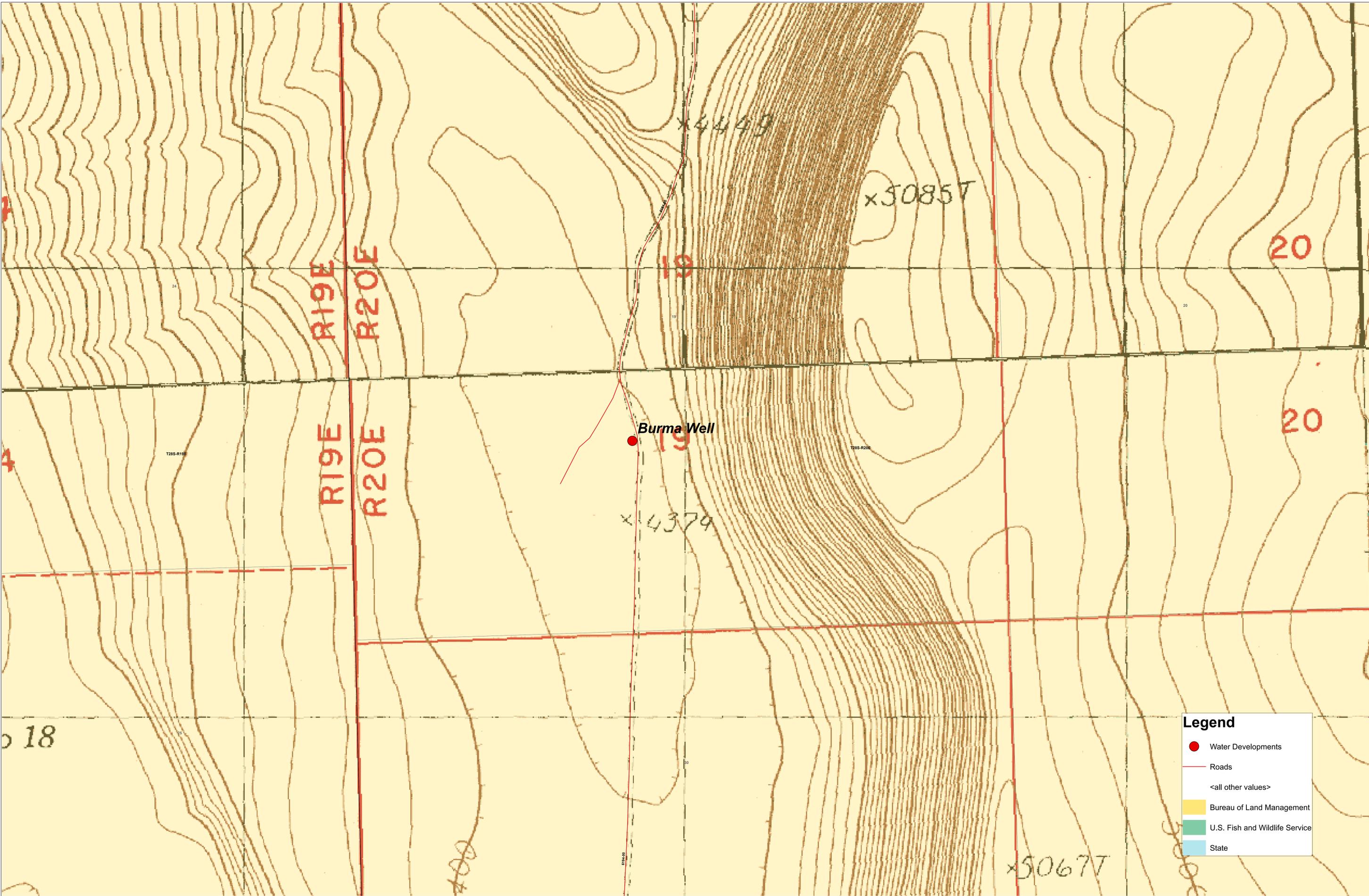


Legend

-  Paisley Desert Herd Management Area
-  Cities
-  Major Roads
-  Lakeview Resource Area



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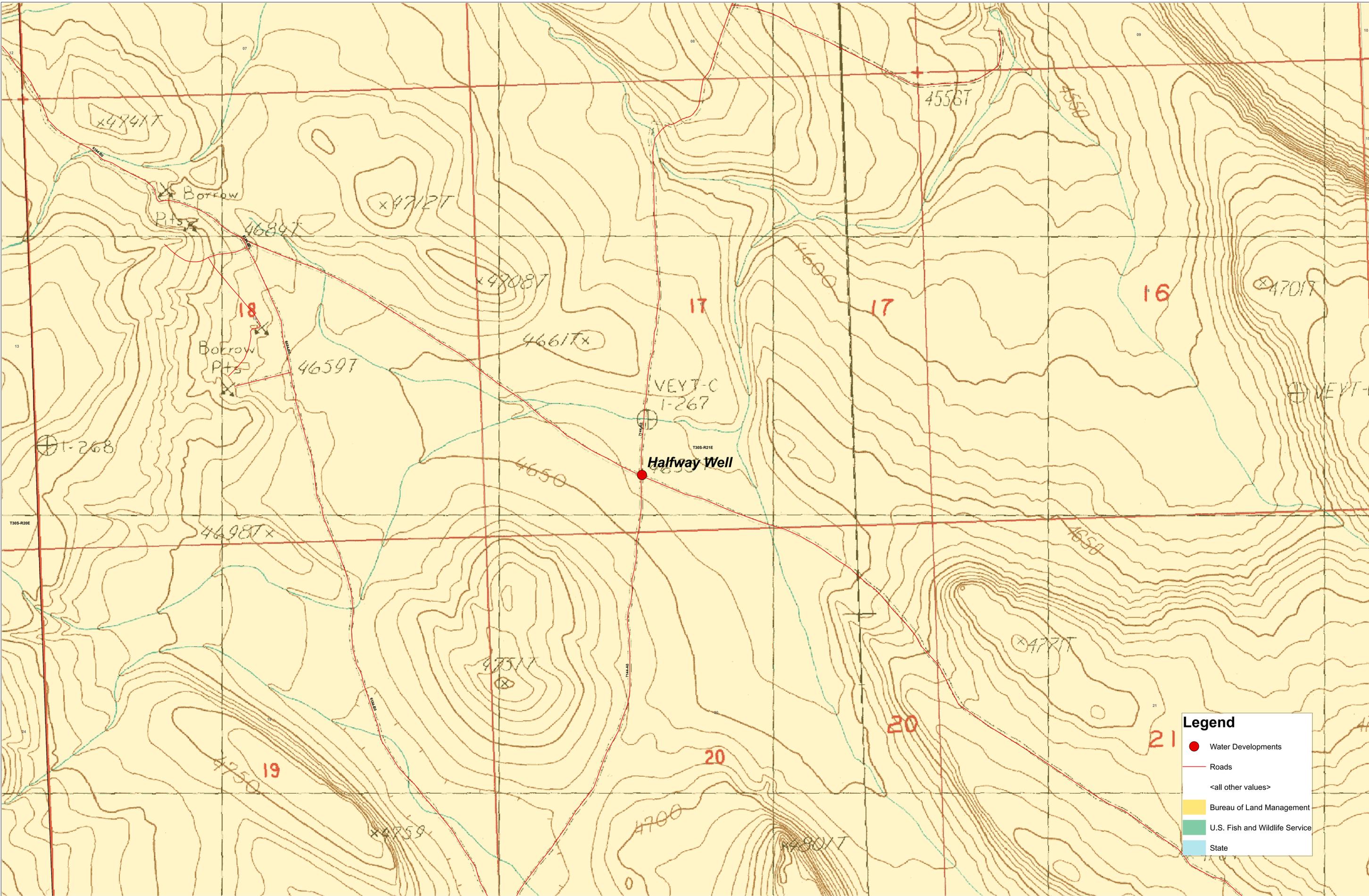
Map 2 - Location of Burma Well

Legend

- Water Developments
- Roads
- <all other values>
- Bureau of Land Management
- U.S. Fish and Wildlife Service
- State



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Legend

- Water Developments
- Roads
- <all other values>
- Bureau of Land Management
- U.S. Fish and Wildlife Service
- State

Map 3 - Location of Halfway Well



0.35 0.175 0 0.35 Miles

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