

Finding of No Significant Impact

Murderer's Creek Herd Management Area Wild Horse Gather

Environmental Assessment
DOI-BLM-OR-P040-2011-0048-EA

US Department of the Interior, Bureau of Land Management
Prineville District Office, Oregon

Introduction

The Bureau of Land Management (BLM) has completed an Environmental Assessment (EA No. DOI-BLM-OR-P040-2011-0048-EA) that analyzes the effects of two action alternatives to gather and remove wild horses in excess of Appropriated Management Levels (AML) from within and adjacent to the Murderer's Creek Herd Management Area (HMA).

The current population of wild horses within in the HMA is estimated to be 213 animals. The AML for the herd is 50-140 wild horses with an objective herd size of 100 animals. The current population of wild horses is approximately 113 animals in excess of the objective herd size (100).

The actions are to: 1) gather (phase 1) approximately 113 wild horses in the fall of 2012/winter of 2013 to achieve an objective herd size of 100 animals, 2) following completion of phase 1, gather (phase 2) 100-150 wild horses over a 3-4 year period to achieve low end of AML (50), and 3) gather (phase 3) up to 309 wild horses over 6-10 years and implement selective removal criteria, population control measures, and sex ratio adjustments to the Murderer's Creek herd. The actions would slow population growth and maintain a healthy population within the established AML, protect rangeland resources and other critical species and their habitat from further deterioration associated with the current overpopulation, and restore a thriving natural ecological balance and multiple use relationship on public lands in the area consistent with the provisions of Section 3(b)(2) of the WFRHBA of 1971.

The EA is incorporated by reference in this Finding of No Significant Impact (FONSI).

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).

Context

The action alternatives are limited to the portion of Grant County where the Murderer's Creek HMA is located near the eastern Oregon towns of Dayville, Seneca, and Mt. Vernon. The action alternatives would have local impacts on affected interests, lands, and resources similar to and within the scope of those described in the 1985 John Day Resource Management Plan (RMP)/Record of Decision (ROD). The actions described in the EA represent anticipated program adjustments complying with the 1985 John Day RMP/ROD and implementation of the wild horse management program within the scope and

context of this document and there would not be international, national, regional, or state-wide importance not previously considered in the NEPA analysis for the John Day RMP.

The gather has been planned with input from interested public and users of public lands.

Intensity

I have considered the potential intensity and severity of the impacts anticipated from implementation of a Decision on this EA relative to each of the ten areas suggested for consideration by the CEQ. With regard to each:

1. Would any of the alternatives have significant beneficial or adverse impacts (40 CFR 1508.27(b)(1))?

No.

Rationale: The action alternatives would impact resources as described in chapter 4 of the EA. The removal of excess wild horses is expected to meet BLM's objectives for wild horse management of maintaining a thriving natural ecological balance consistent with other multiple uses. Although the gathering and removal of excess wild horses is expected to have short-term impacts on individual animals, it is expected to ensure the long-term diversity of the wild horse herd and help to improve forage and critical habitat conditions in the HMA. Project Design Features (PDFs) were incorporated into the action alternatives to reduce ground disturbing activities and impacts to resources. PDFs are included in Appendix B of the EA. None of the environmental effects discussed in detail in the EA are considered significant, nor do the effects exceed those described in the relevant RMP/EISs.

2. Would any of the alternatives have significant adverse impacts on public health and safety (40 CFR 1508.27(b)(2))?

No.

Rationale: There are no known effects to public safety as a result of capturing and removing wild horses from and adjacent to the Murderer's Creek HMA.

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))?

No.

Rationale: The action alternatives would have no measurable impacts on the unique geographic characteristics listed above. Parklands, prime and unique farm lands, ecologically critical areas (ACECs), and wilderness areas are not present within the project area. Wetlands, wild and scenic rivers, and a portion of a wilderness study area which has found to have wilderness characteristics exist within the project area. The action alternatives are not expected to have adverse effects on the resources listed above. PDFs have been incorporated into the EA's action alternatives to

eliminate or reduce the effects to resources of concern. Standard Operating Procedures (SOPs) would also be implemented to reduce impacts to resources.

4. Would any of the alternatives have highly controversial effects (40 CFR 1508.27(b)(4))?

No.

Rationale: The effects of the action alternatives (gather activities) are well known and have been documented and studied, primarily from past BLM gather projects. No unique or appreciable scientific controversy has been identified; therefore, there are no highly controversial effects.

5. Would any of the alternatives have highly uncertain effects or involve unique or unknown risks (40 CFR 1508.27(b)(5))?

No.

Rationale: There are no unique or unusual risks. The environmental effects are fully analyzed in chapter 4 of the EA. There are no predicted effects on the environment that are considered to be highly uncertain or 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))?

No.

Rationale: The action is compatible with future consideration of actions required to improve wild horse management and provide for other habitat needs and multiple use objectives within the HMA. 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. Are any of the alternatives related to other actions with potentially significant cumulative impacts (40 CFR 1508.27(b)(7))?

No.

Rationale: The actions were considered by the interdisciplinary team within the context of past, present, and reasonably foreseeable future actions. Significant cumulative effects are not predicted. An analysis of the effects of the action alternatives described in the EA.

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))?

No.

Rationale: The project will not adversely affect scientific, cultural, or historic resources, including those eligible for listing in the National Register of Historic Places. Any cultural or historic resource identified within the project area would be avoided so that the project would not result in any adverse impacts to that resource.

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))?

No.

Rationale: The EA's Appendix B (Issues Considered but eliminated from detailed analysis and project design features) includes PDFs which eliminate or reduce effects to threatened or endangered species which could occur from implementing the action alternatives. Botanical and wildlife clearances would be completed prior to any gather activities.

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))?

No.

Rationale: The proposed gather conforms to the approved 1985 John Day RMP/ROD. Further the proposed gather is consistent with other Federal, State, local, and tribal requirements for protection of the environment to the maximum extent possible.

Finding

On the basis of the information contained in the EA, the consideration of intensity factors described above, all other information available to me, it is my determination that: (1) implementation of the alternatives would not have significant environmental impacts beyond those already addressed in the 1984 John Day RMP/Final EIS; (2) the alternatives are in conformance with the approved 1985 John Day RMP/ROD; and (3) neither alternative would constitute a major federal action having a significant effect on the human environment. Therefore, an EIS or a supplement to the existing EIS is not necessary and will not be prepared.

H.F. "Chip" Faver
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Date

*NOTE: Prineville District policy is to issue an **unsigned FONSI** with the EA, allowing public input, then issue the signed FONSI with the Decision.*