

**U.S. Department of the Interior
Bureau of Land Management**

**Finding of No Significant Impact
for
Barren Valley Complex Wild Horse Gather Plan**

Environmental Assessment V040-2011-011-EA

**Jordan Resource Area
100 Oregon Street
Vale, Oregon 97918
May, 2011**



Finding of No Significant Impact (FONSI)

Background

The FONSI is a document that explains the reasons why an action will not have a significant effect on the human environment and, why, therefore, an EIS will not be required (40 CFR 1508.13). This FONSI is a stand-alone document but is attached to the Environmental Assessment (EA) and incorporates the EA by reference. The FONSI does not constitute the authorizing document: the decision record is the authorizing document.

Significance

“Significance” as used in National Environmental Policy Act (NEPA) requires considerations of both context and intensity (40 CFR 1508.27).

Context

For context, significance varies with the setting of the proposed action. For instance, for a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. For this proposed action, the effects are confined to the Barren Valley Complex where vegetation and riparian resources would experience decreases in use from wild horse activity after the gather. Other very confined effects would occur at individual trap sites, and these would be of short duration as defined in the EA analysis. For these reasons, the analysis of effects is in the context of the geographic description of the Herd Management Areas (HMAs). These effects are described and analyzed in the EA.

Intensity

Intensity refers to the severity of effect. The BLM would implement the gather described in the proposed action using the Standard Operating Procedures described in Appendix A. These procedures are referenced in the EA and limit the adverse effects to horses being gathered, and at the same time help contribute to achievement and maintenance of a natural ecological balance.

Controversy

Controversy in this context means disagreement about the nature of the effects, not expressions of opposition to the proposed action or preference among the alternatives. There will always be some disagreement about the nature of the effects for land management actions, and the decision-maker must exercise some judgment in evaluating the degree to which the effects are likely to be highly controversial. Substantial dispute within the scientific community about the effects of the proposed action would indicate that the effects are likely to be highly controversial.

The action being proposed is to gather and remove wild horses down to appropriate management levels to maintain a thriving natural ecological balance which protects public land resources from deterioration in the Barren Valley Complex. The NEPA process is intended to help public officials make decisions that are based on understanding of environmental consequences and take actions that protect, restore and enhance the environment (43 CFR 1500.1(c)).

Any land management action involving ground disturbance invariably, and by definition, entails environmental effects. I have determined, based upon the analysis of environmental impacts contained in the referenced EA (V040-2011-011), that the potential impacts resulting from the proposed action would not be significant and that, therefore, preparation of an environmental impact statement is not required.

Based on the analysis of potential environmental impacts contained in the Environmental Assessment (EA) and all other available information, I have determined that Alternatives #1, #2, #3, and #4 do not constitute a major Federal action that would significantly affect the quality of the human environment. Adoption of the No Action alternative could result in significant impacts. Therefore, an Environmental Impact Statement (EIS) is unnecessary and will not be prepared. This determination is based in the following factors:

1. *Impacts that may be both beneficial and adverse.* Beneficial, adverse, direct, indirect, and cumulative environmental impacts discussed in the EA have been disclosed. Analysis indicated no significant impacts on society as a whole, the affected region, the affected interests, or the locality. The physical and biological effects are limited to the Jordan Resource Area of the Vale District, Andrews Resource Area of the Burns District, and adjacent land. The reason for this determination is that removal of excess wild horses complies with land use plan objectives to achieve a thriving natural ecological balance of the ecosystem.
2. *The degree to which the proposed action affects public health or safety.* Public health and safety would not be adversely impacted and is safeguarded by following the Standard Operating Procedures delineated in the EA. There are no known or anticipated concerns with project waste or hazardous materials.
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 would be no adverse impacts to regional or local air quality, prime or unique farmlands, known paleontological resources on public land within the area, wetlands, floodplains, areas with unique characteristics, ecologically critical areas or designated Areas of Critical Environmental Concern (ACECs).
4. *The degree to which the effects on the quality of the human environment are likely to be highly controversial.* Effects of the gather are well known and understood. No unresolved issues were raised through consultation or public comments.
5. *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.* There are no effects that are highly uncertain or involve unique or unknown risk. Sufficient information on risk is available based on information in the EA and other past actions of similar nature within these HMAs and within other HMAs.
6. *The 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 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. This alternative does not set a precedent for other projects that may be implemented in the future to meet the goals and objectives of adopted Federal, State, or local natural resource-related plans, policies or programs. Future actions would be subject to evaluation through the appropriate level of NEPA documentation.

7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.* No cumulative impacts related to other actions that would have a significant adverse impact were identified or are anticipated. Refer to Section 4.3 of the EA.
8. *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing on the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resources.* Based on previous and ongoing cultural resource surveys, and through mitigation by avoidance, no adverse impacts to cultural resources were identified or anticipated. All trap locations will be surveyed for cultural resources. There are no known American Indian religious concerns or persons or groups who might be disproportionately and adversely affected as anticipated by the Environmental Justice policy.
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 of 1973.* No adverse impacts to any threatened or endangered species or their habitat, that was determined to be critical under the Endangered Species Act, were identified.
10. *Whether the action threatens a violation of Federal, State, local or tribal law or requirements imposed for the protection of the environment.* The Proposed Action and Alternatives except for the No Action Alternative are in compliance with the Southeast Oregon Resource Management Plan/Record of Decision dated September 2002, the Andrews Management Unit Resource Management Plan and Record of Decision dated August 2005, and are consistent with other Federal, State, local and tribal requirements for protection of the environment to the maximum extent possible.

Carolyn Freeborn
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Vale District BLM

Date