Worksheet
Determination of Land Use Plan Conformance and NEPA Adequacy (DNA)
DOI-BLM-L050-2015-0036-DNA
Beaty Butte Wild Horse Gather

U.S. Department of the Interior
Bureau of Land Management (BLM)

Note: This worksheet is to be completed consistent with the policies stated in the Instruction Memorandum entitled "Documentation of Land Use Plan Conformance and National Environmental Policy Act (NEPA) Adequacy" transmitting this worksheet and the "Guidelines for Using the DNA Worksheet" . During preparation of the worksheet, if you determine that one or more of the criteria are not met, you do not need to complete the worksheet. If one or more of these criteria are not met, you may reject the proposal, modify the proposal, or complete appropriate NEPA compliance (EA, EIS, Supplemental EIS, or CX if applicable) and plan amendments before proceeding with the proposed action.

The signed CONCLUSION at the end of this worksheet is part of an interim step in the BLM's internal analysis process and does not constitute an appealable decision.

BLM OFFICE: Lakeview District

TRACKING NUMBER: DOI-BLM-L050-2015-0036-DNA

PROPOSED ACTION TITLE/TYPE: Beaty Butte Wild Horse Gather

LOCATION OF PROPOSED ACTION: Beaty Butte Herd Management Area (HMA) (see attached maps).

APPLICANT (if any): NA

A. Description of the Proposed Action and any applicable mitigation measures:

The proposed action is to gather approximately 1,500 horses within and adjacent to the Beaty Butte HMA, consistent with 43 CFR 4710.3-1, 4710.4, 4720.1(a-c), 4720.2-1 and 4720.2-2. Approximately 1,400 horses will be permanently removed from the HMA. One hundred horses (60 studs and 40 mares) will be returned to the HMA, consistent with the appropriate management level (AML) of 100-250 horses, established for the Beaty Butte HMA. Mares will be treated with 22 month time release Porcine Zona Pellucida (PZP-22). It is estimated that there are an additional 30-50 Beaty Butte horses that have moved outside of the HMA. All of these horses would be gathered and removed to prevent conflicts with other resources and private landowners and to maintain the wild horse herd within the HMA boundary.

The gather is necessary due to several factors. The most urgent factors are the escalating problems identified in the Beatys Butte monitoring report (BLM 2015a). Escalating problems within this HMA include extended drought conditions, wild horse numbers in excess of the appropriate management level (AML), and heavy to severe wild horse grazing utilization that jeopardizes the health of the rangelands, wetlands, wildlife habitats, and ultimately wild horse health and condition.

This HMA has been identified on the BLM national list of HMA's with escalating issues since 2013. For these reasons, the authorized officer has determined that an excess of wild horses

currently exists within the Beaty Butte HMA and action is needed to prevent further damage to natural resources. A monitoring report (BLM 2015a) provides the basis for this determination, including the wild horse numbers in excess of appropriate management level (AML), extended drought conditions, and heavy to severe wild horse grazing utilization.

Gathering will begin on or around October 15, 2015, and continue until completed. The estimated gather timeframe is two weeks. Actual dates may change depending on dates that the contractor is available, location and extent of horses, and the number of trap sites necessary to safely capture wild horses, considering their welfare (BLM 2015c). The main method of gathering will be by helicopter herding in accordance with 43 CFR 4740.1. Roping and bait trapping may be used as alternate methods for smaller numbers of horses, if appropriate for the situation at the time of gather.

Gathers in this HMA typically require an average of four to five temporary traps and one to two holding facilities. Traps are typically 800 square feet in size and holding facilities are approximately 2000 square feet. Some temporary traps may be located in Wilderness Study Areas (WSAs). Traps located within WSAs will follow the appropriate guidance set forth in BLM Manual 6330 Section 1.6 D. 10 c. iii (p. 1-36 to 1-37).

Fertility control treatments will be implemented for this gather because of the need to reduce population growth. November to February are normally the months most appropriate for administering the PZP vaccine. The October-November timing of this gather is within this timeframe. Application of PZP will be in accordance with IM 2009-090, Population-Level Fertility Control Field Trials: Herd Management Area Selection, Vaccine Application, Monitoring and Reporting Requirements.

Horses are captured at temporary trap sites located within the HMA and then moved to a larger temporary holding facility, within the HMA, usually within an hour. At the holding facility horses are sorted by mares, studs, and foals to be transported by semi-truck to the Oregon Adoption facility near Burns/Hines OR. Horses do not remain at the trap site or temporary holding facility for more than a few hours up to one day. In the event that the Oregon Adoption facility would be closed by the time a load of horses would arrive, the horses are held at the temporary holding facility in the HMA overnight and shipped to Burns/Hines the next morning. Trap sites and temporary holding facilities are placed in already disturbed areas such as dry lakebeds, or areas with sparse or low vegetation, and near a gravel road to allow for transport vehicle traffic. Horses are moved out of the temporary holding facilities as soon as enough have been captured to constitute a truck load, at which point BLM then refills the temporary holding facility and repeats this process until the gather is complete. Although more horses will be moved from temporary traps and holding facilities, the placement of these facilities in already disturbed areas, will contain the area and extent of disturbance to defined areas that would be used no matter how many horses are removed. Therefore, the level of ground disturbance, footprint, and impacts to resources created by gathering additional horses would be the same as those described in the EA.

Mitigation Measures/Standard Operating Procedures (SOPs)

Cultural Resources and Special Status Plants: Trap sites and temporary holding facilities will be inventoried, prior to being used, for cultural resources and special status plants. If these resources are found, the trap site will either not be used or will be modified to avoid affecting these resources.

Weeds: All vehicles and equipment used during the gather operations will be cleaned before and after implementation to guard against spread of noxious weeds. Efforts will be made to keep trap and holding locations away from areas with noxious weeds. These locations will be monitored for at least two years after the gather and any necessary treatment or seeding will be implemented as needed.

Wild horses: Gather and trapping operations will be conducted in accordance with the Standard Operating Procedures (SOP) described in the Wild Horse and Burro (WH&B) Gathers: Comprehensive Animal Welfare Policy (Instruction Memorandum (IM) 2013-059) which was created to establish policies and procedures to enable safe, efficient, and successful WH&B gather operations while ensuring humane care and treatment of all animals gathered (Appendix A). An Animal and Plant Health Inspection Service (APHIS) veterinarian will be onsite during the gather, as needed, to examine animals and make recommendations to BLM for care and treatment of wild horses.

Decisions to humanely euthanize animals in field situations will be made in conformance with BLM policy outlined in IM-WO-2015-70.

Data, including sex and age distribution, will be recorded on all gathered horses (removed and returned). Additional information such as color, condition class information (using the Henneke (1983) rating system), size, disposition of animals, and other information may also be recorded.

Excess animals will be transported to a BLM short term preparation facility where they will be prepared (freeze marked, vaccinated, and dewormed) for adoption, sale (with limitations), or long-term pasture.

Hair samples will be collected to assess genetic diversity of the herd, as outlined in Washington Office (WO) IM 2009-062 (Wild Horse and Burro Genetic Baseline Sampling) (Appendix C). Hair samples will be collected from a minimum of 25 percent of the post-gather population.

Public and media management during helicopter gather and bait trapping operations will be conducted in accordance with WO IM 2013-058 - Wild Horse and Burro Gathers: Public and Media Management (Appendix D). This IM establishes policy and procedures for safe and transparent visitation by the public and media at WH&B gather operations, while ensuring the humane treatment of wild horses and burros.

Wilderness: BLM Manual 6330 will be followed to ensure Wilderness Study Areas (WSA) are not impaired in any way that would prevent their eligibility for wilderness. Some temporary trap locations in WSA may be seeded with native species, if necessary, to restore the area after the

gather.

B. Conformance with one or more of the following Land Use Plans (LUP)/Programmatic Strategies:

LUP Name: Lakeview Resource Management Plan and Record of Decision (RMP/ROD), November 2003, as maintained.

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions:

Wild Horse Management Goal – 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 (p. 55).

Land Use Allocation – the designation of HMAs and forage allocations for wild horses are Land Use Plan level decisions. The Beaty Butte HMA is shown on Map SMA-4.

Management Direction - the management direction outlined in the Lakeview RMP/ROD states wild horse population levels will be adjusted in accordance with the results of monitoring studies…., when needed, in order to achieve and maintain objectives for a thriving natural ecological balance and multiple use relationships in each herd management area. Gathering of wild horses will continue, as necessary, to adjust wild horse populations, in accordance with existing gather plans. During gathers, horses will normally be reduced to the low end of the appropriate management level range…. . If emergency situations arise, horses could be gathered for their survival. Horses straying outside the herd management areas will be removed (Table R-l, p. 8; Table R-2, p. 11, p. 55-56, and p. A-99). The AML range for Beaty Butte HMA is 100-250 horses (Table 4, p. 16).

C. Identify the applicable NEPA document(s) and other related documents that cover the proposed action.

1. List by name and date all applicable NEPA documents that cover the proposed action.
(In many cases these may be the same documents listed above as plans. If this is the case simply refer back to the list above.)

Beaty Butte Herd Management Area Wild Horse Population Control and Gather EA (BLM 2009).

2. List by name and date other documentation relevant to the proposed action (e.g., subbasin review, source drinking water assessment, biological assessment, biological opinion, watershed/landscape assessment, allotment evaluation, rangeland health standard assessments, and monitoring reports).

- Beaty Butte Allotment Management Plan/Record of Decision (BLM 1998a)
- Standards for Rangeland Health and Guidelines for Livestock Grazing Management in the States of Oregon and Washington (BLM 1997)

- Rangeland Health Standards Assessment (covering Beaty Butte Allotment; Appendix 2, BLM 1998b).
- Beaty Butte HMA Monitoring Report 2013-2015 (BLM 2015a).

D. NEPA Adequacy Criteria

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial? (Documentation of answer and explanation):

Yes. The proposed action is the same as that described in the Beaty Butte Herd Management Area Wild Horse Population Control and Gather EA; hereafter referred to as the 2009 EA (BLM 2009). Actions authorized in the 2009 Decision Record (DR) are based on a combination of alternatives analyzed in the 2009 EA.

Based on the analysis in the 2009 EA, the DR stated that future gather and fertility control actions would occur when:

1. *Excess wild horses will be gathered when, upon examination of current information and a determination by the authorized officer that an excess of wild horses exists. This analysis will include review of population inventory data together with resource monitoring or other data that supports the conclusion that an excess of wild horses exists and removal of these horses is necessary to maintain a thriving natural ecological balance, a multiple use relationship in the area, and prevent resource deterioration, and*

2. *If population inventory indicates an average herd growth rate greater than 10% following the September 2009 gather, additional population controls will be implemented during future gathers. These may include: adjusting the ratio of males to females to approximately 60/40 and returning geldings to the HMA as part of the male component, in combination with treatment of all breeding age mares released back to the range with PZP to further slow population growth.*

The 2009 EA covered the proposed action of conducting horse gathers on an as-needed basis, for a ten-year time period from 2009 through 2018. In addition, the impacts associated with using temporary trap sites within WSAs were analyzed in EA-OR-010-2004-09, hereafter referred to as the 2004 EA (BLM 2004); no additional impacts associated with this gather to WSAs are anticipated.

The decision to conduct future gathers at periodic intervals was made in 2009 and was to be based on current monitoring data triggers, as well as the previous analyses contained in the 2004 and 2009 EAs. Documentation provided in the attached 2013-2015 monitoring summary indicates that current range conditions warrant the gather of excess wild horses from the Beaty Butte HMA (BLM 2015a).

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, resource values, and circumstances? (Documentation of answer and explanation):

Yes. The 2009 gather EA analyzed four alternatives in detail:

A) Alternative 1- Remove Excess Wild Horses and Administer Fertility Control
B) Alternative 2- Remove Excess Wild Horses – No Fertility Treatment
C) Alternative 3- Remove Excess Wild Horses, Adjust Sex Ratio of Studs and Mares
D) Alternative 4- No Action

In addition, the 2004 EA analyzed two alternatives in detail:

A) Alternative 1 – No Action – Placing temporary trap sites only outside of WSAs
B) Alternative 2 – Placing temporary trap sites both within and outside of WSAs

3. Is the existing analysis adequate and are the conclusions adequate in light of any new information or circumstances (including, for example, riparian proper functioning condition [PFC] reports; rangeland health standards assessments; Unified Watershed Assessment categorizations; inventory and monitoring data; most recent Fish and Wildlife Service lists of threatened, endangered, proposed, and candidate species; most recent BLM lists of sensitive species)? Can you reasonably conclude that all new information and all new circumstances are insignificant with regard to analysis of the proposed action? (Documentation of answer and explanation):

Yes. Even though, new information is available from several sources, NEPA requires that BLM review and determine whether such information meets the definition of "significant new information" that would require additional NEPA analysis. Under 50 CFR 1502.9(c) significant new information is defined as, new information that: (1) is relevant to environmental concerns and bearing on the actions or their impacts and (2) would substantially alter the impact analyses and conclusions in existing NEPA documents or would lead to substantial changes in proposed actions or decisions that are relevant to environmental concerns. In the following section BLM staff have reviewed monitoring data, modelling outputs, recent research, and a variety of new management guidance and found that this information supplements and supports the existing analysis, conclusions, and decisions in the 2009 EA and does not constitute significant new information or a change in circumstances that warrants the preparation of a new or supplemental NEPA document.

New information is available from monitoring data which strongly supports the need to gather horses at this time, and confirms the need to maintain horses within the established AML (BLM 2015a). A monitoring report with photos is provided at the end of this document (BLM 2015a). Wild horses have been stressed by lack of water; have damaged vegetation in some areas, and approximately 30-50 horses have moved outside the HMA. A population model is presented in the 2009 EA as an attachment which describes the potential outcomes of the Gather Only, Gather with Fertility Control, and No Management alternatives.

The model predicts outcomes as a result of different population control measures and clearly

shows the benefit of some measure of population control. The use of PZP and the use of sex ratio adjustment favoring males are almost identical each in their ability to slow population growth. Therefore, it is reasonable to conclude that the use of both would slow population growth more than one method only. However, there are considerably more horses present now than the population model predicted. The model predicted a high of 927 horses in 2019 while inventory data shows approximately 1,500 horses within the HMA as of July 2015. The model only predicts future populations based on reproduction of the horses within the HMA, it does not consider immigration of horses from outside the HMA, which is likely happening in this area. The difference between the model prediction and the inventory data can be attributed to horses drifting into the area from other HMA's and/or the Sheldon National Wildlife Refuge. Since 2009, the Sheldon NWR has removed the majority of horses (over 1,500) and repaired boundary fences. This will likely reduce some of the issue of drift horses entering the HMA. With a reduced drift problem, the population model is expected to be reasonably accurate once horse numbers are back within AML. The larger-than-expected wild horse population is not the type of new information requiring new or supplemental NEPA, as the impacts of increased wild horse populations was analyzed in the 2009 EA. Based on this analysis, this information leads BLM to believe that a gather is necessary to stop resource degradation and to lessen impacts to the wild horse population as a whole.

New information on sage-grouse has been published since 2009. This includes: *Greater Sage-Grouse: Ecology and conservation of a landscape species and its habitats. Studies in Avian Biology Series* (Knick and Connelly 2011) (Monograph). The monograph was made available online in 2009 and was published in print in 2011. The Monograph is a compilation of recent research and addresses issues related to the management of sage-grouse at the regional or range-wide scale. Much of the research in the monograph was published in individual papers prior to the 2011 publication.

There is one research paper within the monograph that pertains directly to wild horses: *Influences of Free-Roaming Equids on Sagebrush Ecosystem, with a Focus on Greater Sage-Grouse* (Beever and Aldridge 2011). This research documents the negative impacts of dense horse populations on sage-grouse habitats and describes differences between livestock grazing and wild horse use. This information is consistent with the information before BLM at the time it prepared the 2009 EA and is not significant new information that would lead to the need to prepare new or supplemental NEPA.

Additional information on sage-grouse was published in 2010 in *Endangered and Threatened Wildlife and Plants and 12-Month Findings for Petitions to List the Greater Sage-Grouse (Centrocercus urophasianus) as Threatened or Endangered; Proposed Rule* (USFWS 2010) (12-month Finding). The 12-month Finding documents the U.S. Fish and Wildlife Service's determination that listing the Greater sage-grouse was warranted under the Endangered Species Act, but precluded due to other priorities. The 12-Month Finding discussed, analyzed, and relied on much of the information in the Monograph. The 12-month Finding also documented the potential threats to sage-grouse across its entire range. The 12-month finding concluded that "*Similar to domestic grazing, wild horses and burros have the potential to negatively affect sage-grouse habitats in areas where they occur by decreasing grass cover, fragmenting shrub*

canopies, altering soil characteristics, decreasing plant diversity, and increasing the abundance of invasive Bromus tectorum."

The *Greater Sage-Grouse Conservation Assessment and Strategy for Oregon: A Plan to Maintain and Enhance Populations and Habitats* prepared by the Oregon Department of Fish and Wildlife was published in 2011(Oregon Strategy) (ODFW 2011). The Oregon Strategy was originally issued in 2005 and a revised version was issued in 2011. Information from both the 12-Month finding and the Monograph were used and cited extensively throughout the 2011 Oregon Strategy. Thus, the information was synthesized for use and application on the local scale (Oregon) within the context of the 2011 Oregon Strategy.

Recommendations and Conservation Guidelines from ODFW (2011) are listed as follows:

Wild Horses--The management goals for wild horses are to manage them as components of the public lands in a manner that preserves and maintains a thriving natural ecological balance in a multiple use relationship. Wild horses are managed in twenty Herd Management Areas (HMAs) that involve 2.8 million acres of public land, primarily in southeastern OR.

1) The cumulative Appropriate Management Level (AML) for horse numbers should be kept within current AML (1,351 to 2,650) in herd management areas.

a) Management agencies are strongly encouraged to prioritize funding for wild horse round-ups in sage-grouse areas that are over AML.

b) Evaluate the AMLs for impacts on sagebrush habitat.

c) Further measures may be warranted to conserve sage-grouse habitat even if horses are at, above, or below the appropriate AML for a herd management area

This information and management guidelines are consistent with the information before BLM at the time it prepared the 2009 EA because the recommendations for wild horse management did not change between the 2005 and 2011 versions of the Oregon Strategy, and therefore, this document does not meet the definition of significant new information.

A new Instruction Memorandum for BLM directing Interim Management Policies and Procedures for sage-grouse (IM-WO-2012-043) (BLM 2012a) was published in 2012. This interim guidance supports the proposed action as follows:

Wild Horse and Burro Management - Ongoing Authorizations/Activities

1. *Manage wild horse and burro population levels within established Appropriate Management Levels (AML).*
2. *Wild Horse Herd Management Areas will receive priority for removal of excess horses.*
3. *Wild horses and burros remaining in Herd Management Areas where the AML has been established as zero will receive priority for removal.*
4. *When developing overall workload priorities for the upcoming year, prioritize horse gathers except where removals are necessary in non-PPH to prevent catastrophic herd health and ecological impacts.*

Since 2009, there has also been increased emphasis placed on Greater Sage-grouse habitat within

the Beaty Butte HMA. The HMA and surrounding area is now identified as a priority sagebrush focal area for sage-grouse habitat. Priority habitat for the greater-sage grouse overlaps the HMA in its entirety. Several documents and analyses have been prepared stressing the importance of maintaining wild horses within AML to reduce impacts on sage-grouse habitats (ODFW 2011), (Knick and Connelly 2011). Excessive numbers of horses can impact sage-grouse by removal of cover around nesting areas and around brood rearing areas. This reduced cover increases the predator success rates on nest sites and chicks. This removal of vegetation is even more exacerbated during periods of drought (Beever and Aldridge 2011). The western states including Oregon are in the process of updating existing land use plans to adopt additional management direction for sage-grouse (BLM 2015b). The proposed action will protect sage-grouse habitat from further degradation and is consistent with IM 2012-043, the Oregon Strategy, and information and monitoring results related to the area.

Additional research is available on immunocontraception effects to reproductive cycles in horses (Nunez et al. 2010). In summary, the use of PZP can extend the reproductive cycling into the fall which can result in decreased group stability and extension of male reproductive behavior. This could have effects on foal survivorship if foals are born late in the fall. PZP has been used in the Beaty Butte HMA in the past without long-term reduced herd growth results that would reduce the overall viability of horses within the HMA. PZP records and wild horse inventory records are located in the Beaty Butte Wild Horse files. The use of PZP in the Beaty Butte herd has not resulted in a long term decline in herd numbers and the herd has remained viable. This is likely due to the breaks between PZP treatments allowing for normal or near normal reproduction to resume 2 years after treatment. Nunez et. al. (2010) also indicated that breaks between treatments can also ameliorate other unintended behavioral or physiological changes in mares treated with PZP. Overall, Nunez et. al. (2010) indicated that PZP is currently the most humane and cost effective method for population control. This new research would not change the overall impacts described in the EA, especially since BLM intends to ensure that adequate breaks of at least five years occur between PZP treatments.

IM-WO-2015-070 and IM-WO-2013-059 were provided by the Washington office in 2015 and 2013, respectively, to ensure the health, maintenance, evaluation, and response of wild horse and burros. Guidelines and policy of these IMs will be adopted as mitigation measures during gathering, holding and transporting of wild horses. This is not a significant change from the methods described in the 2009 EA.

Additional genetic analysis has been performed on the Beaty Butte horses. Following the 2009 gather, hair samples were obtained from 32 horses on Beaty Butte and submitted to Texas A & M University for analysis of genetic variation. This report indicates high genetic variation and notes there has been no loss of genetic variation in this herd since the previous genetic analysis in 2002 (Cothran 2010).

The 6330 manual for Management of Wilderness Study Areas was updated in 2012. Wild horse and Burro management is addressed on pages 1-36 to 1-37. All guidance in this manual will be followed. When practical alternatives do not exist to locate traps outside of WSAs, temporary traps may be located within WSAs for the effective removal of animals in excess of the appropriate management level established for the HMA. Vehicles necessary for set up and take

down of traps and for transporting excess wild horses and burros away from the area may be driven off existing primitive routes or boundary roads on a route specified through NEPA analysis. Given that predetermined trap locations are not practical, all routes within the WSAs may be driven off to set up/ remove traps and transport animals out of the area (refer to Maps SMA-15, SMA-29, and SMA-31 in the Lakeview RMP/ROD Map Packet).

However, it is anticipated that no more than 5 traps will be set up, and not all of these will be within an existing WSA. Therefore, impacts from vehicles traveling off-road will be minimized and very localized to a few areas. Proposed actions are likely to result in short-term soil and vegetation disturbance at the trap sites and are not expected to require rehabilitation. These impacts have been previously analyzed (BLM 2004). In the unlikely event that rehabilitation is required, areas where vegetation is reduced will be seeded with native species and vehicle tracks will be raked in to the original contour of the soil so that the route is no longer visible to subsequent motor vehicle operators. Thus, the preservation of naturalness, opportunities for primitive and unconfined recreation, opportunities for solitude, and the supplemental values for which the WSAs were established will be maintained in conformance with the 6330 Manual. In addition, proposed activities in the WSAs will meet one of the exceptions to the non-impairment standard as the proposed action benefit the WSAs by protecting and/or enhancing wilderness values such as naturalness and will be carried out in a manner least disturbing to the site. The removal of approximately 1,400 horses will enhance denuded areas in the WSAs particularly around water features and allowing them to re-vegetate and enhance naturalness in the WSAs (refer to BLM Manual 6330 Section 1.6 C 2.f, .Pgs. 1-12 – 1-13.

In 2005, the Oregon Natural Desert Association (ONDA) submitted a report suggesting several areas (Spaulding I, Spaulding II, Hart Mountain, and Bald Mountain) within the HMA have wilderness characteristics. The BLM has updated its wilderness character inventory for most of the HMA and found two additional areas immediately adjacent to Hawk Mountain WSA (55 acres) and Sheldon Antelope Refuge's Round Mountain WSA (3,420 acres) containing wilderness characteristics. BLM's inventory updates are available for review at: http://www.blm.gov/or/districts/lakeview/plans/inventas.php and were addressed in the 2009 EA. While BLM has not yet completed an inventory update for the Hart Mountain East area, no horse traps, holding facilities, or other ground disturbing activities will be located in areas found to have wilderness characteristics or in areas where the inventory has not been updated, so there would be no potential for impacts to these values that would require additional analysis.

In June 2015, ONDA submitted additional wilderness inventory information to the BLM that consisted of a narrative report, maps, and additional photos for areas they believe contain wilderness character. BLM staff conducted a cursory review of this information and note that it does not represent a complete new citizen inventory as defined in current BLM inventory guidance (BLM 2012c, p. 3), but appears to represent a supplement to the inventory information that ONDA originally submitted in 2005. BLM further characterizes it primarily as a route-by-route critique of BLM's recent inventory unit road boundary determinations. BLM has determined that the report demonstrates a general difference of opinion regarding the proper interpretation and application of BLM's wilderness inventory guidance specifically related to BLM's wilderness inventory unit boundary road criteria. This disagreement does not represent a scientific controversy as to the nature or significance of effects. For these reasons, the information does not constitute "significant new information", as defined under 50 CFR

1502.9(c), nor does it require BLM to re-assess its recent road determinations or inventory findings. In addition, this information will not substantially alter the impact analyses and conclusions presented in the 2009 EA.

4. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document sufficiently analyze site-specific impacts related to the current proposed action? (Documentation of answer and explanation):

Yes. The direct and indirect impacts have previously been analyzed in the existing NEPA documents. The impacts expected from the proposed gather are essentially the same as those described in the 2004 EA and the 2009 EA. As described in section 3 above, there is no "significant new information" that would indicate the impacts of gathering horses would be different from those previously analyzed. The impacts of managing horse numbers within AML and conducting periodic gathers to remove excess horses within the HMA, as well as removing all of the horses that are outside the HMA, have been adequately analyzed in existing NEPA documents.

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action? (Documentation of answer and explanation):

Yes. Public involvement and interagency review associated with the existing NEPA document is adequate for the current proposed action. The 2009 EA, FONSI, and DR were mailed to 51 interested public and tribal representatives. The EA was available for public review beginning on August 19, 2009. The DR was revised to clarify the two part decision on September 3, 2009 and again mailed to interested parties. A 30 day appeal period began on September 3, 2009 and ended on October 2, 2009. No appeals were received. Interested persons were put on notice that future BLM management actions would occur when specific criteria were met and that the 2009 EA analyzed the potential impacts of those future actions.

E. Persons/Agencies/BLM Staff Consulted: Identify those team members conducting or participating in the preparation of this worksheet.

Name	Title	Resource Represented
Theresa Romasko	Assistant Field Manager	Wild Horses
Christopher Bishop	Recreation	Wilderness
Les Boothe	Rangeland Management Specialist	Livestock Grazing
David Probasco	Wildlife Biologist	Wildlife
Grace Haskins	Natural Resource Specialist	Weeds
Bill Cannon	Archaeologist	Cultural Resources

G. Conclusion: (Note: If one or more of the above criteria are not met, a conclusion of conformance and/or NEPA adequacy cannot be made).

Based on the review documented above, I conclude that this proposal conforms to the applicable land use or other existing plans and, therefore, meets the land use plan consistency requirements of the Federal Land Policy and Management Act. Further, the existing NEPA documentation

fully covers the proposed action and constitutes BLM's compliance with the requirements of the National Environmental Policy Act.

/ Todd Forbes 8/27/15

J Todd Forbes,
Field Manager

Date

Literature Cited

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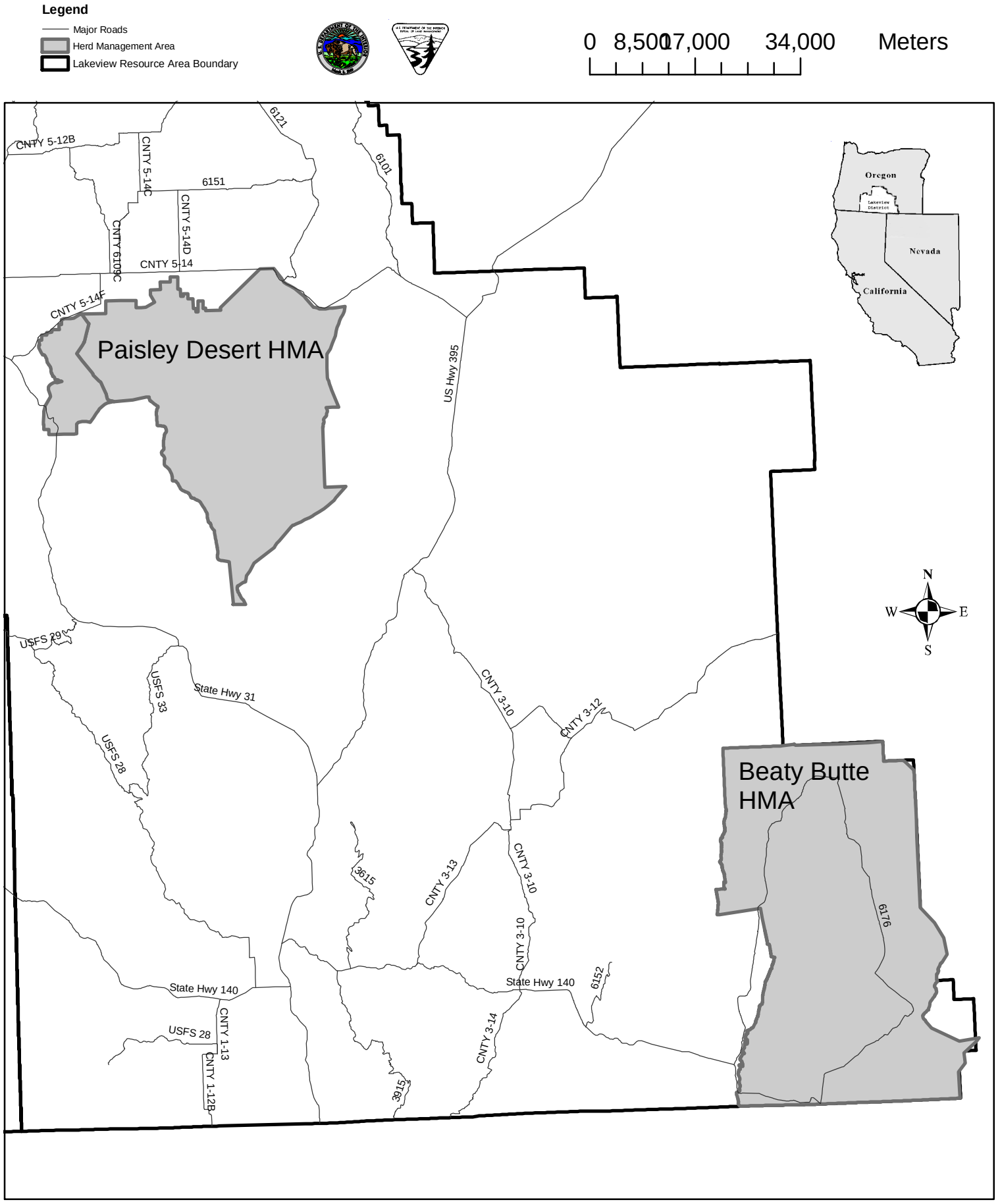
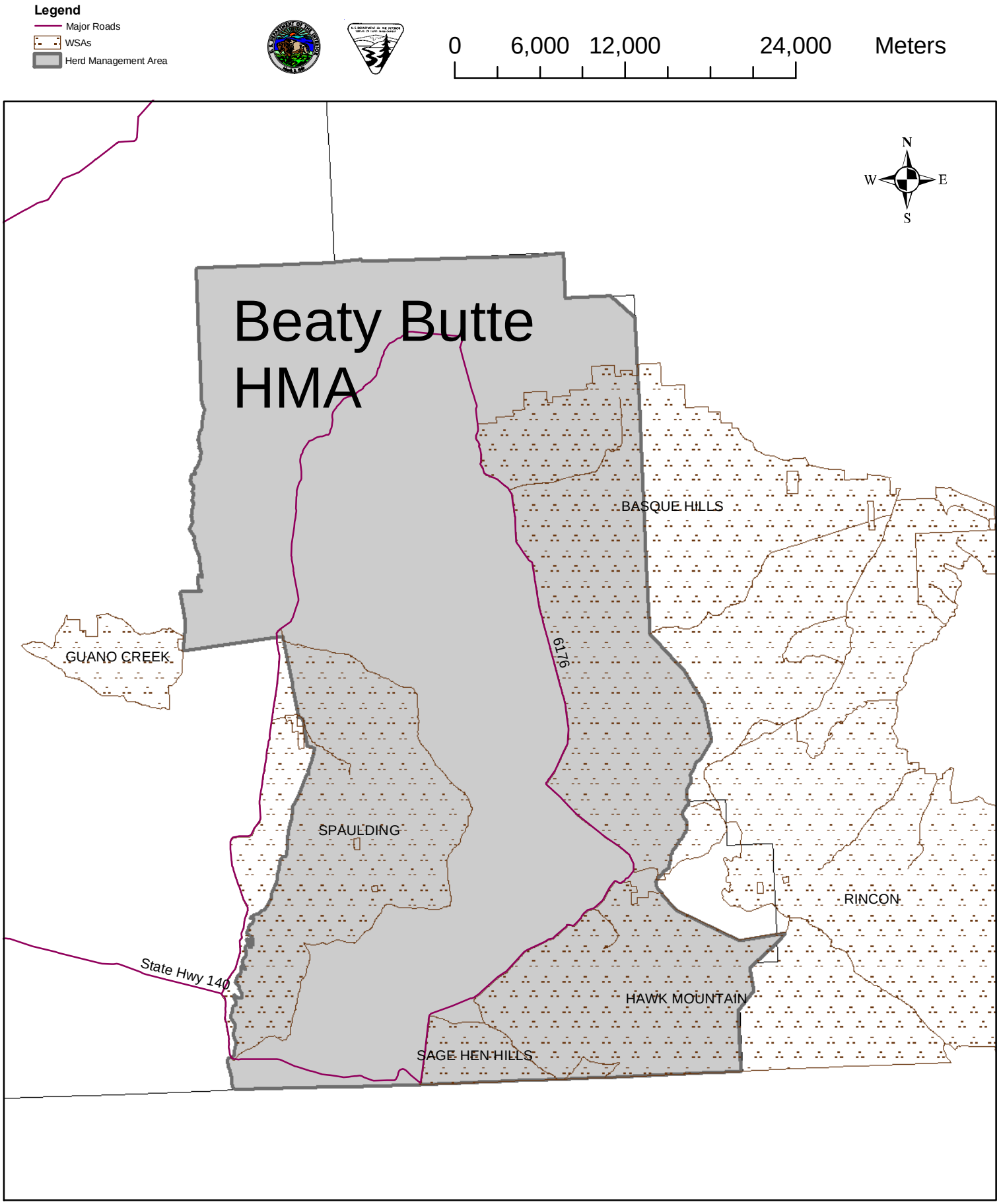
Map 1 - Herd Management Areas



Map 2 - Wilderness Study Areas in Relation to the Beaty Butte Herd Management Area



2013-2015
Beatys Butte HMA
Monitoring Report

The Beatys Butte Herd Management Area (HMA) has experienced a severe drought since 2013. This corresponds with increased numbers of wild horses within the HMA, and historically low numbers of livestock in the same area. From 1997 through 2009 the horse population averaged 230 horses with a gather every 3 to 4 years. Since the last gather in 2009 the horse population has grown from 102 horses to 1253 in 2014, determined by a simultaneous double count. The simultaneous double count is recommended by the USGS as the most accurate method of inventory for wild horses. This places the actual number between 1185 and 1329 in 2014 with a 90% confidence interval. The appropriate management level (AML) for the Beatys Butte HMA is 100 – 250 horses. With an estimated 20% increase in the population for 2015, the wild horse population is between 1422 and 1595. This puts the population 6 times over the high end of AML.

The Lakeview Resource Management Plan has 3,000 Animal Unit Months (AUM's) allocated for wild horses and 16,000 AUMS allocated for livestock use within the Beatys Butte Herd Management Area. Actual livestock use in 2013 was 13,913 AUM's, and wild horse AUM's were 10,740. Actual Livestock use in 2014 was 2,350 AUM's, and wild horse use was 15,036. Actual livestock use in 2015 was 4,000 AUM's, and at current numbers wild horse use will be 17,064 to 19,140 AUM's.

	Wild Horses	**Livestock**
Allocated AUM's	3,000	16,000
Actual Use AUM's 2013	10,740	13,913
Actual Use AUM's 2014	15,036	2,350
Actual Use AUM's 2015	17,064 – 19,140	4,000

With both livestock and wild horses grazing in the same area it is sometimes difficult to distinguish wild horse utilization from livestock. However, distinctions of grazing use by animal can be found using the following:

1)There is at least one area of predominately wild horse use located in the Snip waterhole area of Bald Mountain. All utilization in this area is by wild horses. Livestock have not been placed in this area, mainly for lack of reliable water.

2)Livestock grazing is managed with a rest rotation system. Each year half of the allotment/HMA is grazed and the other half is rested. In monitoring files and annual operating plans this is referred to as the North Common and South Common pastures although there is no division fence between the pastures.

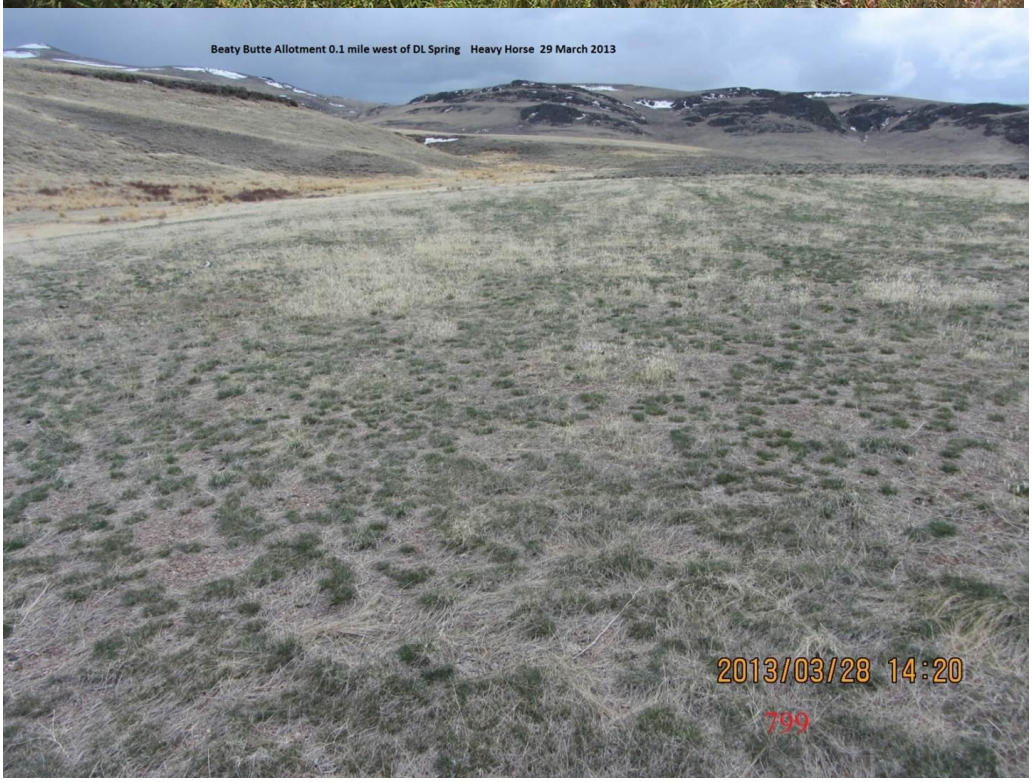
Heavy use from horses was first noted in 2013, (2013 Monitoring Summary) utilization levels were heavy to severe from wild horses on springs in the north part of the HMA. The horses have continuously grazed the same areas throughout the drought period. As horse numbers increased, the horses have moved to areas that they previously only slightly used with continued heavy use of the traditional areas. The majority of these new use areas can be found in the north part of the HMA around, Willow Spring, West Twin Spring, DL Spring, Buena Vista Spring, and East West Gulch.

The DL and Buena Vista Area, which is the area between and around the DL and Buena Vista springs on the north slope of Beatys Butte, is unique because even during years with livestock grazing (2003, 2005, and 2011) there was slight to light use in this area as shown by the photos on page 2.

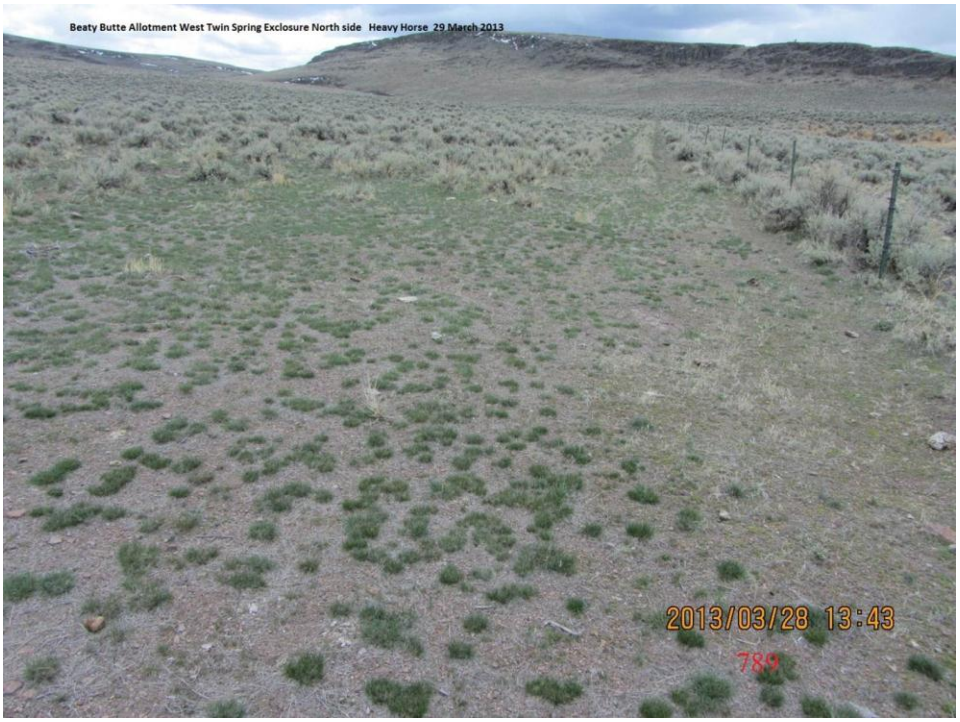
Figure 1 Livestock Grazing in this pasture April thru August

Figure 2 Livestock Grazing in this pasture April thru August

In March, 2013 before any cattle grazing occurred there was moderate to heavy use in the DL and Buena Vista springs areas. Compare the July of 2011 photo with the photo from March 2013(below). There is noticeable use in 2013 prior to livestock use. There were no cattle in the area from September 2011 until May 2013. Therefore, the significant use observed was entirely from horses. This correlates directly with the increase in horse numbers within this area.



More evidence of the impacts with the increase in horse numbers can be observed at West Twin, Willow, East Rd Spring and West Gulch Tank. Photos taken early in the season (2005 and 2011) following livestock grazing rest years showed vigorous vegetation growth and little sign of grazing. However as horse numbers increase in 2012 and 2013 there was significant use at these springs in March 2013, even though 2012 had been a rest year. Wild horse use is the only explanation for the significant use observed at these springs before cattle grazing started on the allotment. (please refer to photos on pages 4-7).




Beaty Butte Willow spring 7/8/2011


Beaty Butte Allotment Willow Spring Heavy Horse 29 March 2013
2013/03/28 14:10
797


Beaty Butte North Common East Rd Spring 27 July 2012


Beaty Butte Allotment East Rd Spring Heavy Horse Use 29 March 2013
2013/03/28 15:52
&49


Beaty Butte North Common West Gulch Tank 27 July 2012


Beaty Butte Allotment West Gulch Tank Heavy Horse Use 29 March 2013
2013/03/28 16:11
868

Mustang Spring had heavy use around the spring in livestock grazed years like 2007, but the use away from the spring (0.5 mile) was light until horse numbers and use increased in 2013 and 2014. Photos from 2013 and 2014, pages 8 and 9, (livestock rest years) showed heavy use near the spring and heavy use with trailing 0.5 mile from the spring.


Beaty Butte North Common Mustang Spring Heavy Horse Use
2014/10/10 14:48


Beaty Butte North Common Mustang Spring Heavy Horse Use
2014/10/10 14:49

Lick Spring is on the south end of the North Common Pasture and has received heavy use during livestock grazing years (see photos 2009 below). During the rest years the vegetation has regrown. However the current horse numbers have prevented this recovery as observed at Lick Spring (photo 2014 below), even after a year of rest from cattle grazing, the horse use is so severe, there is more bare ground than vegetation cover.

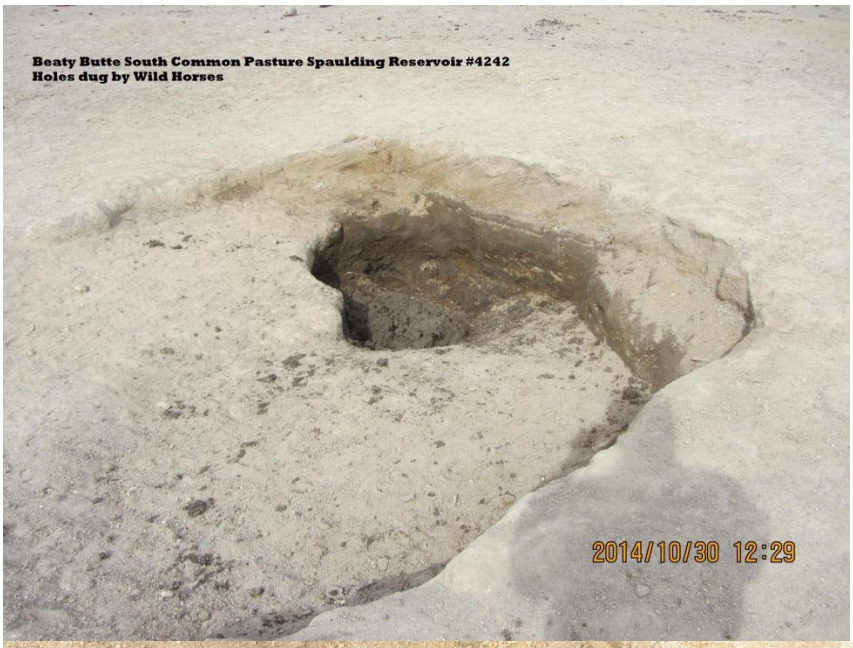
The use at Seep Spring (South Common Pasture) as illustrated in the photos below, had heavy use at the spring during cattle grazing years (2010) but light to moderate use 0.25 mile from the spring. In 2014 with the increased horse numbers, the use at the spring was severe, and the heavy horse use and trailing can be observed 0.25 mile away from the spring.

The 2015 photos below are from the Snip Waterhole area in the South part of the HMA. The first photo shows heavy to severe grazing, low plant vigor, lack of plants and lack of regrowth from plants after grazing by wild horses. All use in this area is from wild horses. The second photo, page 13, shows an ungrazed area in the same vicinity with the same ecological site and potential.

Heavy use of the springs and lack of water are issues arising in the Beatys Butte HMA, as presented in the escalating issues report. Spring enclosures and protective fences are being repeatedly destroyed by horses that will not leave the area once occupied. To protect the springs, wild horses must be driven out of the area and then fence can be rebuilt. Since this was not working effectively, BLM has begun rebuilding the spring enclosures out of pipe rather than wire, to keep the horses from tearing out the protective fence.

Although some water is available on private land at South Corral Spring; this is 3 miles from wild horses preferred or traditional use areas. Historically, wild horses in this HMA continue to use their traditional use areas while traveling further and further distances to acquire water.

Digging for water by horses has been observed at dry water holes (see photos below). As the summer and fall seasons continue with drought conditions we will see horse mortality. Surviving horses will be in weakened condition going into winter and spring foaling season.



The depth that wild horses are digging can be seen in the photo below. The person in the picture is standing where horses have been digging to reach water. There are 3 other holes in the picture where horses have been digging for water.

The area within the HMA is a focal area for the greater sage-grouse. The sagebrush plant communities that support sage-grouse are very complex and dynamic as are the effects of livestock grazing within these communities. These factors make it difficult to form large-scale conclusions about the impacts of current livestock grazing practices on sage-grouse populations (Crawford et al. 2004). However, research suggests it is possible for grazing to be managed in a way that promotes forage quality for sage-grouse since grazing can set back succession which may result in increased forb presence (Vavra 2005). When grazing management is periodic and allows forbs to regrow or prevents their utilization by livestock, the number of forbs available to sage-grouse may increase (Vavra 2005). Anderson and McCuistion (2008) found grazing management, when upland birds are present, should be flexible, but limited to a light to moderate use (30-50% utilization) using deferred or rest-rotation grazing to limit grazing disturbances during critical bird life stages such as nesting. They recommended light to moderate use in their conclusion; this level can increase forb quality and quantity since grazing can delay the maturation of forbs, extending their availability throughout the season (Anderson and McCuistion 2008). Anderson and McCuistion also acknowledge the complexity of managing grazing within sage-grouse habitat and determined no one grazing system is best suited in all cases, but should be site specific. Livestock grazing within the HMA has been managed under a rest rotation grazing. While many of these references specifically refer to livestock, it is concluded that they apply to wild horses as well, since they are also grazing animals. Without the ability to implement a rest rotation or other grazing systems for horses the only available method to manage grazing is to control the population within AML. If the wild horses are managed within AML, it is probable that utilization levels within the light to moderate range would be maintainable in the long-term, and would support sage-grouse habitat.

In conclusion; high numbers of wild horses are causing unacceptable levels of grazing utilization that are harming the resources and putting the horses themselves at risk. An excess of wild horses exits and the current range conditions warrant the gather of wild horses from the Beaty Butte HMA.

This monitoring summary was compiled by

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