

**FONSI 2011 Spring Creek  
Basin Wild Horse Gather EA**

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**FINDING OF NO SIGNIFICANT IMPACT (FONSI)  
Spring Creek Basin HMA 2011 Wild Horse Gather Plan  
Environmental Assessment # DOI-BLM-CO-S010-2011-0062EA:**

**Finding of No Significant Impact**

I have reviewed the Final Spring Creek Basin HMA 2011 Wild Horse Gather Plan Environmental Assessment (EA), DOI-BLM-CO-S010-2011-0062-EA, dated July 25<sup>th</sup>, 2011. Based upon an interdisciplinary analysis of the environmental effects as described in the EA, and incorporated herein, I have determined that the impacts from implementation of the Proposed Action, Alternative 1, with the project specifications, including mitigation measures identified in the EA will not significantly affect the quality of the human environment. Therefore, preparation of an Environmental Impact Statement (EIS) is not required as per Section 102 (2) (C) of the National Environmental Policy Act (NEPA).

**Comment [gt1]:** Corrected EA # on 8/4/2011 after FONSI was signed and sent out.

This finding and conclusion is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts described in the EA. Therefore, the preparation of an EIS is not required for compliance with the NEPA.

**Context:**

The Spring Creek Basin Wild Horse Herd Management Area (HMA) has an established appropriate management level (AML) that is expressed as a range, from a maximum of 65 adult horses to a minimum of 35 adult horses. The AML was established in the 1994 Spring Creek Basin Wild Horse Herd Management Area Plan Decision based on Environmental Assessment *CO-800-2005-027EA* in 2005 that reduced livestock use (Finding of No Significant Impact/Decision Record for Grazing Permit Renewal in the Spring Creek Grazing Allotment) and the AML for wild horse use (Finding of No Significant Impact/Decision Record for Wild Horse Appropriate Management Level in the Spring Creek Basin Herd Management Area). The HMA is administered by the Bureau of Land Management's (BLM) Dolores Public Lands Office (DPLO). The directly affected region is limited to the Spring Creek Basin HMA and immediately adjacent areas. The HMA is located in San Miguel and Dolores Counties, about 45 miles northeast of Dove Creek, CO and 33 miles southwest of Norwood, CO off San Miguel County road 19Q. The HMA encompasses 21,932 acres of Federal land managed by the BLM, DPLO. The weekend of May 14-15, 2011, 78 horses were counted within the HMA by volunteers from the Disappointment Wild Bunch Partners. The volunteers estimated at least 10 foals with a possibility of another 3 mares yet to give birth resulting in a total of approximately 88-91 wild horses in the HMA. Monitoring data confirms that the condition of ecological sites within the HMA continues to be static or declining and removal of excess wild horses is necessary for BLM to manage the resources in the HMA to achieve a thriving natural ecological

**FONSI 2011 Spring Creek  
Basin Wild Horse Gather EA**

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balance. The number of wild horses at the time of the proposed gather will be approximately 90 (inclusive of both adult horses and foals).

**Intensity:**

1. ***Impacts that may be both beneficial and adverse.***

The action is expected to meet BLM's objectives for wild horse management of maintaining a thriving natural ecological balance and multiple use relationship consistent with other resource needs. The EA considered both beneficial and adverse impacts of the gather and removal of excess wild horses from the HMA and initiation of fertility control actions designed to reduced population growth rates and the need for future gathers of excess wild horses. Fertility control measures would follow **Standard Operating Procedures for Population-level Fertility Control Treatments** (Appendix B).

The Proposed Action would be expected to contribute to objectives for halting and reversing declining trends on ecological sites within the HMA that were determined in the 2003 Rangeland Health Assessment not to meet the land health standards, and would prevent further long-term effects due to incompatible levels or duration of growing season use by wild horses. The BLM anticipates that the removal of wild horses over time would add to improving trend in vegetation communities moving them toward meeting the Colorado Public Land Health Standards and maintaining a thriving natural ecological balance and multiple-use relationship. The BLM would follow **2010 Standard Operating Procedures for Wild Horse Gathers** (Appendix A) to minimize stress on wild horses and impacts to other resources. Excess wild horses removed from the project area would be transported to wild horse and burro holding facilities and prepared for adoption, sale or long-term holding pastures.

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

The **2010 Standard Operating Procedures for Wild Horse Gathers** (Appendix A) would be used to conduct the gathers and are designed to protect human health and safety, as well as the health and safety of the wild horses. Public observations of gather operations would be managed using the **Spring Creek Basin Wild Horse Gather Observation Protocol** (Appendix D). The Proposed Action would have minimal affects to public health or safety.

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 wild and scenic rivers, ecologically critical areas, park lands, prime farmlands, wetlands, or wild and scenic rivers within the gather area. Wild horse gather facilities would not be established within the McKenna Peak Wilderness Study Area. Direct impacts to cultural resources are not anticipated because gather sites and temporary holding facilities would be placed in previously disturbed areas. Archaeological site reviews have already been conducted on the locations that would be used as trap sites and holding sites.

**FONSI 2011 Spring Creek  
Basin Wild Horse Gather EA**

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The Proposed Action would not impact resources identified above. Achievement and maintenance of the established AML would help to protect these landscapes from adverse impacts caused by the current over-population of wild horses relative to the level at which a thriving natural ecological balance can be maintained.

4. ***The degree to which the effects on the quality of the human environment are likely to be highly controversial.***

The effects of the Proposed Action on the quality of the human environment are not considered to be highly controversial, and effects of the gather are well known and understood. No unresolved issues were raised following public notification of the proposed gather. This is demonstrated through the effects analysis in the EA. Some members of the public have the view that no wild horses should be removed from any public lands and advocate removal of livestock or letting “nature take its course”. However, the effects of wild horse gathers on the quality of the human environment are well documented through the many years of management of wild horses through gathers and other population controls.

5. ***The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.***

The Proposed Action has no known effects on the human environment which are considered highly uncertain or involve unique or unknown risks. This is demonstrated through the effects analysis in the EA.

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

The Proposed Action is not related to other actions within the cumulative assessment area that would result in cumulatively significant impacts.

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

The Proposed Action would not affect significant scientific, cultural, or historical resources. No districts, sites, highways, structures or objects listed in or eligible for listing in the National Register of Historic Places were identified in any of the areas to be disturbed by the trap sites and/or holding sites. The Proposed Action would not cause the loss or destruction of significant scientific, cultural or historical resources.

**FONSI 2011 Spring Creek  
Basin Wild Horse Gather EA**

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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 in the Endangered Species Act of 1973.*

The Proposed Action would have no effect on any threatened or endangered species or habitat determined to be critical under the Endangered Species Act. No animals listed, proposed, or candidate under the Endangered Species Act are known to make appreciable use of the HMA. There are no known threatened, endangered or candidate plant species known to exist in the HMA.

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

The Proposed Action would not violate or threaten to violate any Federal, State, or local law or requirement imposed for the protection of the environment. The Proposed Action is in conformance with all applicable regulations in Title 43 of the Code of Federal Regulations. The Proposed Action would not violate the Migratory Bird Treaty Act or Endangered Species Act.

\_\_\_\_\_/S/ Connie Clementson\_\_\_\_\_  
**Field Manager, Dolores Public Lands Office**

\_\_\_\_8/1/2011\_\_\_\_\_  
**Date**

**FONSI 2011 Spring Creek  
Basin Wild Horse Gather EA**

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**Persons, agencies, organizations list for 2011 Spring Creek Gather Decision.**

List is based on attendance at the Public Hearing, submission of comments on the EA, requesters of a copy of the EA (subsequent copies will be provided to all that request one), and those expressing interest in the management of wild horses.

Pat Amthor	Tina Arapkiles	Attn: Wild Horse Gather Vet USDA-APHIS
Jack Barnett Ex. Dir., CRBSCF	Taylor Bauer	The Honorable Michael Bennett U.S. Senator
Thomas Berry	J. Paul Brown Colorado State Representative	Attn: Mark Caddy CDOW
Cathy Carlson National Wildlife Federation	Betsy Chapoose, Dir. Cultural Rights & Protection Uintah & Ouray Agency	Attn: Amber Clark San Juan Citizens Alliance
Nancy Colbert	Colorado Cattleman's Assn.	Bob Conner
Louise & Ray Dalen	Jimmie Dearman	Patricia A. Fennell
Sally Florence	Barb Flores AMBA	Four Corners Back Country Horsemen
Attn: Jim Garner CDOW	Paula Gilbertson	Sue Grabbe DVM
Rodeo & Marilyn Harbottle	Kathe Hayes	Barb Headley
Al Heaton Public Lands Liaison for the Dolores County Commissioners	T. J. Holmes	Mike and Jane Hopkins
Linda Horn	Charles P. Hughes c/o Scott Hughes Grazing Permittee	Humane Society of America Wildlife Habitat Protection
Elise Jones Executive Director CEC	Ginger Kime Kime Ranch	Bonnie Kline, Ex. Dir. Colorado Woolgrowers Assn.
Pete Kolbenschlag Colorado Environmental Coalition	Dawn Lappin Wild Horse Association.	Tamara Lewis
Robin Lohnes	Dan Luecke Environmental Defense Fund	Tina Mavor Mile High Mustang Club
Claire McCullough	Sherwood N. McGuigan	Heidi McIntosh Wilderness Society
Mesa Verde Back Country Horsemen	Toni Moore WH&B Coalition	Lorri Morgan
Claire Moseley Public Lands Advocacy	Robie Nichols Friends of the Mustangs	Kit Page South District Manager Colorado State Land Board
Christopher H. Papouchis Animal Protection Institute of America	Ellen Roberts Colorado State Senator	Scott Robertson
Nancy Schaufele	Jerry Schmutzler	Attn: Dave Schneck San Miguel County Environmental Health Department
Mary Schoknecht	Jenifer Seidenberg Colorado Environmental Coalition	Richard Sewing Director NMA
Bill Shapley Mesa County Wilderness Society	Steve Smith Sierra Club; SW Regional Rep.	Vera Smith Colorado Mountain Club; Conservation Dir.

**FONSI 2011 Spring Creek  
Basin Wild Horse Gather EA**

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John Stansfield Sierra Club; Colorado Springs Group	Joel Stevenson CO Board of Stock Inspection	Matt Sura Acting Ex. Dir. Western Colorado Congress
Karen Sussman ISPM&B	Pati & David Temple	L.R. Pat Thomspson Thompson Ranch
The Honorable Scott Tipton Representative to Congress	The Honorable Mark Udall U.S. Senator	Sharon Venne
Phyllis Walker	Dennis White HSUS, SW Regional Ofc.	Floyd Wopsock, Chairman Tribal Council & Business Comm. Unitah & Ouray Agency
Ted Zukoski Land & Water Fund	Wayne Werkmeister Bureau of Land Management Grand Junction Field Office	Montezuma County Board of Commissioners
Dolores County Commissioners	Steve and Pamela Jo Suckla	Fran Ackley Colorado State Office/Wild Horse Specialist Bureau of Land Management