

U.S. Department of the Interior
Bureau of Land Management
Little Snake Field Office
455 Emerson Street
Craig, CO 81625

DOCUMENTATION OF LAND USE PLAN CONFORMANCE AND NEPA ADEQUACY

NUMBER: DOI-BLM-CO-N010-2013-0029-DNA

PROJECT NAME: Sand Wash Basin Herd Management Area Population Suppression Plan

LEGAL DESCRIPTION:

Sand Wash Herd Management Area	T8N R99W Secs. 1, 2, 11-14, 24 T8N R98W Secs. 1-30 T8N R97W Secs. 4-10, 15-20, 30 T9N R99W Secs. 1-25, 34-36 T9N R98W All T9N R97W Secs. 4-9, 16-21, 28-33 T10N R100W Secs. 24-26, 34-36 T10N R99W Secs. 1, 2, 7-36 T10N R98W All T10N R97W Secs. 1-12, 14-22, 27-34 T11N R99W Sec. 36 T11N R98W Secs. 13, 14, 20-36 T11N R97W Secs. 19, 29-35
	153,118 acres - BLM 1,847 acres - Private <u>3,238 acres - State</u> 158,203 acres - Total

APPLICANT: BLM, prepared by Jerome Fox

A. Describe the Proposed Action

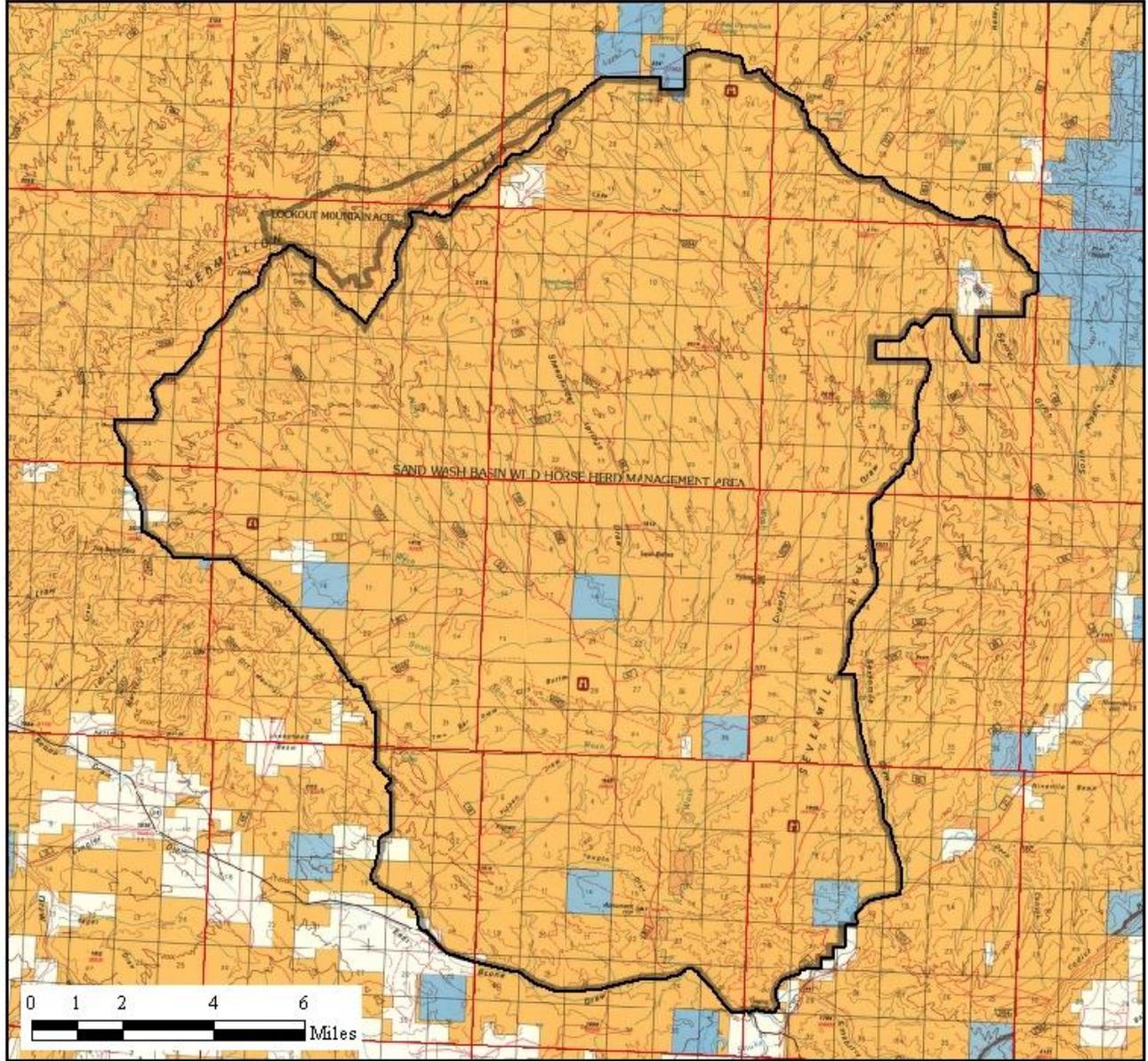
The proposed action is to continue the use of Pocine Zona Pellucida (PZP) in up to sixty mares within the Sand Wash Basin Herd Management Area (SWBHMA). This plan will serve to fill a gap between the study of the effects and efficacy of the fertility control drug on these identifiable sixty mares to using PZP as a fertility drug to control population expansion. The study of PZP has been ongoing for the past five years on these sixty mares within the SWBHMA. The study results have not been compiled as of this date. However the use of PZP has not shown any

negative effects on treated mares and efficacy of PZP immunocontraceptive vaccine will be forthcoming in a report from Humane Society of the United States (HSUS). Once the study has been completed and data analyzed the results will be incorporated into the Sand Wash Basin Herd Management Plan.

Regulatory issues concerning the use of PZP in equids, captive or free-roaming, is under the Environmental Protection Agency (EPA) (EPA Registration No. 86833-1). All requirements for EPA compliance are incorporated into the BLM Standard Operating Procedures (Attachment 1). When PZP use was analyzed in EA-CO-100-2008-050 it was being regulated by the Food and Drug Administration (FDA) as an experimental drug and could only be used in studies. Since that time the studies were complete enough for both safety and efficacy the regulatory oversight moved from FDA to EPA with registration (01/30/2012). PZP can now be used by trained personnel as one of the population control methods for the long term management of wild horses.

The SWBHMA Area is located 45 miles west of Craig, Colorado, in the Sand Wash Basin. The HMA encompasses 158,203 total acres, of which 153,118 acres are public, 1,847 acres are private and 3,238 acres are managed by the State of Colorado. The HMA has a gradual elevation change from 8,100 feet at Lookout Mountain to 6,100 feet at the south end of the HMA. The interior of the HMA consists of gently rolling to moderately steep slopes cut by numerous small drainages leading into Sand Wash Draw. Yellow Cat Wash and Dugout Wash drain most of the eastern half of the basin. Bordering Sand Wash Basin on the southwest is Dry Mountain, a small mountain range with elevations ranging from 6,900 to 7,500 feet. To the northwest, the HMA is bordered by the Vermillion Bluffs, a large extended rim with elevations ranging from 6,800 to 8,100 feet. The HMA is bordered on the east side by Sevenmile Ridge which extends in a north/south direction from Highway 318 northerly along the entire east side of the HMA towards Nipple Rim.

Bureau of Land Management Little Snake Field Office Sandwash Herd Management Area (HMA)



Legend

-  Herd Management Area Boundary
- Surface Management Status
-  BLM
-  Private
-  State Land Board



08/07/08

B. Land Use Plan (LUP) Conformance

LUP Name: Little Snake Resource Management Plan and Record of Decision (ROD)

Date Approved: October 2011

- Draft RMP/EIS January 2007
- Final RMP/EIS August 2010

The Proposed Action is in conformance with the applicable LUPs because it is specifically provided for in the following LUP decisions:

The Proposed Action implements the Wild Horse Resource Management objectives on page RMP-26 and 27 of the ROD,

- “other population management options”
- “Manage the Sand Wash wild horse herd ... at an appropriate management level (AML).”

The proposed action of this plans intent is to slow the growth rate so as to stay within AML while extending the normal gather cycle. The proposed action is in conformance with the Little Snake RMP/ROD.

C. Identify applicable NEPA documents and other related documents that cover the proposed action.

- Environmental Assessment EA #DOI-BLM-CO-N010-2008-050, Sand Wash Management Area Population Management Action, Decision signed 09/10/08

D. NEPA Adequacy Criteria

1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed? Is the current proposed action located at a site specifically analyzed in an existing document?

Yes. The current proposed action was analyzed in depth in EA #DOI-BLM-CO-N010-2008-050, Sand Wash Management Area Population Management Action, Decision signed 09/10/08. The proposed action continues the use of fertility control in the SWBHMA. Horses treated will consist of the horses previously treated. Previous NEPA documents have spelled out the impacts to the wild horse population, to the wild horse habitat and other resources. Proposed treatments will be under the same methodology and protocol of previous treatments. No additional impacts are expected.

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, and resource values?

Yes. The Environmental Assessment Record, Little Snake Field Office analyzed the environmental impacts of a No Action Alternative and a Proposed Action Alternative. The Proposed Action Alternative was selected as the preferred alternative for the EA which was

approved in the Decision Record signed 09/10/08. The Proposed Action in this DNA is a part of the preferred alternative. The current environmental concerns, interests, and resource values are essentially the same as those in 2008. No new alternatives have been proposed by the public to address current or additional issues or concerns.

3. Is the existing analysis valid in light of any new information or circumstances?

Yes. The Proposed Action would have no disproportionate impacts on minority populations or low income communities per Executive Order (EO) 12898 and would not adversely impact migratory birds per EO 13186. Analyses included in the previous documents are valid based on the goals and objectives of the fertility program have remained the same along with expected results to the population and impacts to the resources.

Subject to WO-IM 2011-154 and in accordance with BLM policy, some of the proposed project area falls within areas greater than 5000 acres which may be suitable as lands with wilderness characteristics. However, the proposed action would not impair wilderness characteristics as it is appropriate and consistent resource management considerations and is approved by the field manager.

4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current proposed action?

Yes. The Environmental Assessment Decision Record, Little Snake Field Office, EA #DOI-BLM-CO-N010-2008-050, Sand Wash Management Area Population Management Action, Decision signed 09/10/08 methodology and analytical approach are appropriate to this proposed action.

5. 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 analyze site-specific impacts related to the current proposed action?

Yes. Direct and indirect impacts of the Proposed Action are unchanged from those identified in the existing NEPA documents. The Environmental Assessment Decision Record, Little Snake Field Office, EA #DOI-BLM-CO-N010-2008-050, Sand Wash Management Area Population Management Action, Decision signed 09/10/08 analyzed the direct, indirect, and site-specific impacts of the area covered under this present proposed action.

6. Are the cumulative impacts that would result from implementation of the current proposed action substantially unchanged from those analyzed in the existing NEPA document(s)?

Yes. The cumulative impacts that would result from the implementation of the Proposed Action would remain unchanged from those identified in the existing Environmental Assessment Decision Record, Little Snake Field Office, EA #DOI-BLM-CO-N010-2008-050, Sand Wash Management Area Population Management Action, Decision signed 09/10/08. No additional activities have been implemented on either that would change the impacts resulting from the Proposed Action. Continuation of a reduced growth rate will provide for a viable horse population with a healthy genetic composition.

7. Are the public involvement and interagency review associated with existing NEPA

document(s) adequate for the current proposed action?

Yes. Extensive public outreach through scoping and involvement of the public and other agencies occurred during the development of the EA.

E. Interdisciplinary Analysis: The following ID team members participated in the preparation of this worksheet:

Name	Title	Resource Represented	Initials/Date
Jerome Fox	Wild Horse & Burro Specialist	Wild Horses	03/25/13
Emily Spencer	Ecologist	Air Quality, Floodplains, Prime/Unique Farmlands, Surface Water Quality, Wetlands/Riparian Zones	03/25/13
Kim Ryan	Archaeologist	Cultural Resources, Native American Concerns	04/03/13
Louise McMinn	Realty Specialist	Environmental Justice	03/25/13
Gina Robison	Outdoor Recreation Specialist	Recreation/Travel Management	04/03/13
Chris Rhyne	Rangeland Management Spec.	Invasive Non-native Species	04/03/13
Aimee Huff	Rangeland Management Spec.	Sensitive Plants, T&E Plant	0 3/27/13
Desa Ausmus	Wildlife Biologist	T&E Animal	0 3/25/13
Marty O'Mara	Geologist	Ground Water Quality	04/03/13
Gina Robison	Outdoor Recreation Specialist	WSA, W&S Rivers, Wilderness Characteristics, ACECs	04/03/13

STANDARDS:

Name	Title	Standard	Initials/Date
Jerome Fox	Wild Horse & Burro Specialist	Wild Horses	03/25/13
Desa Ausmus	Wildlife Biologist	Animal Communities	03/25/13
Desa Ausmus	Wildlife Biologist	Special Status, T&E Animal	03/25/13
Hunter Seim	Rangeland Management Spec	Plant Communities	04/03/13
Aimee Huff	Rangeland Management Spec	Special Status, T&E Plant	03/27/13
Emily Spencer	Ecologist	Riparian Systems	03/25/13
Emily Spencer	Ecologist	Water Quality	03/25/13
Emily Spencer	Ecologist	Upland Soils	03/25/13

Land Health Assessment

This action has been reviewed for conformance with the BLM’s Public Land Health Standards adopted February 12, 1997. This action will not adversely affect achievement of the Public Land Health Standards.

Cultural Resources

The conditions and analysis conducted in 2008 are still valid for this action. Reduction in horse numbers may be a benefit to cultural resource preservation by reducing surface disturbance that is associated with herds of grazing animals.

Much of the Sand Wash Management Area has not been subject to Class III cultural resource inventory. However, the management of wild horse herd populations through the use of PZP injections does not present potential impacts to cultural resources (no ground disturbance) and, therefore, does not necessitate formal assessment. Because the proposed action poses *no potential to affect historic properties*, the action does not constitute an undertaking subject to further evaluation and/or compliance with Section 106 of the National Historic Preservation Act. No additional cultural resource assessments or consultations are required.

Native American Religious Concerns

The BLM-LSFO performs annual consultation with the following tribes: the Eastern Shoshone, Ute Mountain Ute, Uinta and Ouray Agency Ute, and the Southern Ute. Letters were sent to the tribes in the spring of 2012 describing general resource management plans. No comments were received. Project-specific consultation is typically not conducted unless activities are proposed within a previously identified area of tribal concern and/or if an undertaking may involve culturally significant items, sites and/or landscapes.

Conclusion

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM’s compliance with the requirements of NEPA.

Signature of Lead Specialist _____/s/ Jerome Fox_____

Date 4/8/13

Signature of NEPA Coordinator _____Kathy McKinstry_____

Date 4/8/13

Signature of the Authorizing Official _____/s/ Wendy Reynolds_____

Date 4/15/13

Note: The signed Conclusion on this document is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision.

Attachments

Attachment 1: Standard Operating Procedures for Population-level Fertility Control Treatments

Attachment 2: PZP Application Report

Attachment 3: PZP Application Data Sheet

Attachment 1

Current Standard Operating Procedures (Fertility Control Treatment)

The following management and monitoring requirements are part of the Proposed Action:

- PZP vaccine would be administered by trained HSUS and/or BLM personnel.
- The fertility control drug is administered with two separate injections: (1) a liquid dose of PZP is administered using an 18 gauge needle primarily by hand injection; (2) the pellets are preloaded into a 14 gauge needle. These are loaded on the end of a trocar (dry syringe with a metal rod) which is loaded into the jabstick which then pushes the pellets into the breeding mares being returned to the range. The pellets and liquid are designed to release the PZP over time similar to a time release cold capsule.
- Delivery of the vaccine would be as an intramuscular injection while the mares are restrained in a working chute. 0.5 cubic centimeters (cc) of the PZP vaccine would be emulsified with 0.5 cc of adjuvant (a compound that stimulates antibody production) and loaded into the delivery system. The pellets would be loaded into the jabstick for the second injection. With each injection, the liquid and pellets would be propelled into the left hind quarters of the mare, just below the imaginary line that connects the point of the hip and the point of the buttocks.
- Treated mares may be freeze-marked on the hip to enable researchers to positively identify the animals during the research project as part of the data collection phase.
- At a minimum, monitoring of reproductive rates using helicopter flyovers will be conducted in years 2 through 4 by checking for presence/absence of foals. The flight scheduled for year 4 will also assist in determining the percentage of mares that have returned to fertility. In addition, field monitoring will be routinely conducted as part of other regular ground-based monitoring activities.
- A field data sheet will be used by the field applicators to record all the pertinent data relating to identification of the mare (including a photograph when possible), date of treatment, type of treatment (1 or 2 year vaccine, adjuvant used) and HMA, etc. The original form with the data sheets will be forwarded to the authorized officer at NPO (Reno, Nevada). A copy of the form and data sheets and any photos taken will be maintained at the field office.
- A tracking system will be maintained by NPO detailing the quantity of PZP issued, the quantity used, disposition of any unused PZP, the number of treated mares by HMA, field office, and state along with the freeze-mark (if used) applied by HMA.

Attachment 2 PZP Application Report

HMA Name /#
State
Certified Applicator

Subpopulation Name
Field Office
Name:
Phone:
Email:

Application Date(s)

Primer/Booster PZP Dose: Adjuvant Type: Time release pellets Process: Hot / Cold
/Pressure-molded (circle) Batch #:

Adjuvant Dose:

Delivery method: Hand injection or Dart (circle type) Injection Site

Dart delivery device used Dan Inject or Pneu-dart (circle type) Number of darts recovered (if applicable)

Freeze-mark Used Freeze-mark Location

Number of Treated Mares Returned to the Number of Non-Treated Mares Returned to the
Range Range

Attachment 3 PZP Application Data Sheet

HMA Name		HMA #			
Applicator		Date(s)			
#	Color	Age	Signalment/Description/ Optional Photo #	Comments – Unique Marks or Conditions	