

DECISION RECORD
and
FINDING OF NO SIGNIFICANT IMPACT
for the
Pryor Mountain Wild Horse Range
FY2001 Wild Horse Population Gather and Selective Removal
EA Number MT-010-1-44

I. DECISION

The Billings Field Manager has made the decision to gather and remove ~ 60 excess wild horses from the Pryor Mountain Wild Horse Range (PMWHR) and to reduce the population to an Appropriate Management Level (AML) of ~ 150 total horses (including ~ 30 foals) as described as the Proposed Action in Environmental Assessment # MT-010-1-44.

The EA and 2001 Gather Plan outline current information about the Pryor Mountain wild horse herd and present the justification, methods and procedures to be used in gathering wild horses. This document also assesses the environmental impacts of removing excess wild horses from the PMWHR. Operations will be conducted in accordance with the Proposed Action section and the Standard Operating Procedures for Removal and Safety attachments (1A and 1B). These sections serve as the 2001 Operational Gather Plan and address the herd AML, management goals for establishing AML, as well as the technical and logistical aspects of the proposed action.

Purely from the standpoint of humane management, all yearling and two-year old mares (~11) remaining with the herd after the selective removal, will receive a single-dose (primer) of PZP contraceptive vaccine. The intent of this action is to prepare these mares to receive a single booster, allowing one year of infertility and giving these mares an opportunity to fully mature before shunting limited resources to a developing foal. The decision to apply a booster vaccine, in order to prevent conception during the 2002 breeding season, will be made during late Fall 2001 or early Winter 2002. The BLM will then prepare a separate Environmental Assessment and Action Plan for public review and comments prior to proceeding with this booster effort.

As stated in the plan, wild horses that have drifted outside designated boundaries, and land made available through interagency agreements or established grazing leases of the PMWHR, will be removed in accordance with 43 CFR-4710.4 All reasonable precautions will be taken, at all times, to avoid injury to the horses, and to ensure the safety of the public and all personnel involved in the gather and adoption.

The removal operation is scheduled to begin no earlier than September 10, 2001. Culmination of the gather effort, with an organized oral competitive-bid adoption, is scheduled for Saturday, September 29, 2001 at the BLM Britton Springs Administrative Site, near Lovell, Wyoming. **A public hearing, regarding the use of helicopters in the gather, will be held on Thursday, August 16th, 2001 (7 pm) at the Bighorn Canyon National Recreation Area Visitor Center, in Lovell, Wy.**

II. FULL FORCE AND EFFECT

To implement the Pryor Mountain Herd Management Plan (1984) and Revision to the Herd Management

Plan (1992), and toward attainment of the AML and to promote progression toward the attainment of a thriving natural ecological balance and multiple use relationship, this action is placed in Full Force and Effect. This decision is issued in accordance with 43 CFR 4770.3(a), which states in part: "decisions to removeshall be effective on issuance or on a date established in the decision."

III. ALTERNATIVES CONSIDERED

The proposed action and 3 alternatives represent a reasonable range of alternatives based on the issues and goals identified through public scoping efforts and results of multi-agency, multi-institutional research efforts on genetic viability and ecosystem modeling on the PMWHR. The EA considered two alternatives in detail: the PROPOSED ACTION - Selective Removal Strategy, Blood-Draws for Genetic and Health Studies and Humane-use of Fertility Control on Yearlings and Two-year Old Mares; and the ALTERNATIVE ACTION - Selective Removal Strategy and Blood-Draws for Genetic and Health Studies. Two other alternatives were considered, but eliminated from further analysis, due to unacceptable impacts on the population, at this time, and the inability of these alternatives to reduce the herd to AML within a timely manner.

IV. RATIONALE

The intent of the EA and Gather Plan is not to propose a revision of the existing AML for the Pryor horse herd. The intent of the document is to provide the justification and logistics for the proposed population gather and selective removal in order to promote a "thriving natural ecological balance" on the PMWHR. As emphasized in the plan, all available evidence including research, adaptive modeling and range monitoring efforts concur that PMWHR range conditions may suffer markedly under the prolonged impact of a wild horse population surpassing 200 animals in size.

Research efforts have also shown that reducing the PMWHR population below 140-150 total herd size, over the long term, could have negative effects on the genetic viability. The genetic diversity of the population is high but consists of rare and low frequency material which can be easily lost through cycles of random breeding events under small herd sizes (<200 animals). This suggests that this number (140-150), which provides the herd which an effective genetic population size (N_e) of ~50, should be considered a minimum if the management goal is to manage for a self-sustaining herd.

BLM's intent, therefore, is to reduce the herd to a size which will not negatively impact its genetic viability in the short term nor cause irreparable harm to the range. This will allow time for further interagency and public discourse as BiFO proceeds with on-going data evaluation and the herd plan revision for the Pryor Mountain wild horse herd.

V. HERD MONITORING AND GENETIC RESEARCH

In addition to the usual monitoring and herd census information conducted during the gather, blood samples will be drawn from all captured animals (~125 to 150) to acquire further information on the genetics of the population. These samples will be used to supplement existing blood and hair samples which have been gathered periodically during the last decade. These data will help further evaluate male

and female contribution to the gene pool and estimates of genetic viability and effective genetic population size for the Pryor herd.

These same blood samples will then be tested and banked at Colorado State University in efforts to evaluate the risks of infectious upper respiratory diseases (IURDs), including strangles and other health issues, in the Pryor herd. Additionally, post-gather observations will continue to be made in the field, to identify any effects on herd social structure resulting from the gather and subsequent removal of younger horses.

VI. PUBLIC INPUT

Twenty-one documents (letters and e-mail) were received by the Billings Field Office (BiFO) in response to the EA and 2001 Gather Plan for the PMWHR. BLM has carefully considered all public comments and wishes to thank all commentors for their interest in PMWHR management, and their sincere concern for the preservation of the wild horse herd and many other values and resources of the Pryor range.

Much valuable input was provided to the BLM to assist in the decision-making process. Questions, concerns and comments were very diverse and an effort has been made to summarize and consolidate the content of all letters in order to facilitate BLM's response process. The response document (Attachment 1) provides additional details and clarification of information and recommendations already advanced in the EA and Gather Plan. Individual public letters are on file at BiFO, and individuals and agencies who responded are listed in the response document.

VII. FINDING OF NO SIGNIFICANT IMPACT

BLM has reviewed this environmental assessment including the explanation and resolution of any potentially significant environmental impacts. BLM has determined that the proposed action will not have any significant impacts on the human environment and that an EIS is not required. BLM finds that implementation of the proposed gather would not result in unnecessary or undue degradation of the Public Lands. BLM has determined that the proposed action is in conformance with the appropriate approved land use plans.

VIII. APPEALS

Within 30 days of the date of the Full Force and Effect Decision, you have the right of appeal to the Board of Land Appeals, Office of the Secretary, in accordance with the regulation at 43 CFR, Part 4, Subpart E and 43 CFR 4770.3(a) and (c). If an appeal is taken, your notice of appeal must be filed in the Billings Field Office, P.O. Box 36800 (5001 Southgate Drive), Billings, Montana, 59107. Within 30 days after filing a Notice of Appeal, you are required to provide a complete statement of the reasons why you are appealing. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the Notice of Appeal and Petition for a Stay must be submitted to (1) the Interior Board of Land Appeals, Office of Hearing and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, (2) the Field Solicitor's Office, Pacific Northwest Region,

316 North 26th Street, Billings, MT, 59101 and (3) Billings Field Office, P.O. Box 36800 (5001 Southgate Drive), Billings, Montana, 59107. The original documents should be filed with this latter office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied;
2. The likelihood of the appellant's success on merits;
3. The likelihood of immediate and irreparable harm if the stay is not granted; and
4. Whether the public interest favors granting the stay.

IX. SIGNATURES

Prepared by: _____ Date _____
PMWHR Manager
State Wild Horse and Burro Specialist
Billings, MT

Approved by: _____ Date _____
Billings Field Manager
Billings Field Office
Billings, MT