UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
BATTLE MOUNTAIN DISTRICT/TONOPAH FIELD OFFICE

FINDING OF NO SIGNIFICANT IMPACT

I have reviewed the Final Reveille Wild Horse Gather Environmental Assessment (EA), DOI-BLM-NV-B020-2010-0089-EA (Reveille HMA Gather EA), dated July 16, 2010. After consideration of the environmental effects as described in the EA, and incorporated herein, I have determined that the Proposed Action and Alternative 1 with the project design specifications, including minimization or mitigation measures identified in the EA will not significantly affect the quality of the human environment and that an Environmental Impact Statement (EIS) is not required to be prepared.

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.

Context

The gather area is administered by the Bureau of Land Management's Tonopah Field Office. The Reveille HMA is located approximately 50 miles east of Tonopah in Nye County, Nevada, and includes portions of the Kawich and Reveille Ranges and Reveille Valley. The proposed gather area includes areas within and outside of the Reveille HMA boundaries throughout the Reveille Allotment. The Reveille HMA is 105,494 acres in size. The gather area encompasses the Reveille HMA as well as non-HMA area within the Reveille Allotment where wild horses are currently residing.

The last complete gather of the Reveille HMA was completed in 2001. In 2007, removal of 23 wild horses outside of the HMA boundary took place in conjunction with the Stone Cabin Complex gather. The most recent helicopter inventory flight of the Reveille Allotment and HMA was conducted February 14, 2010, which resulted in a direct count of 231 wild horses. The annual rate of increase for the Reveille HMA based on aerial inventory since 2006 is 19-25%. Using 20%, the anticipated post-foaling wild horse population in 2010 will be 278 wild horses, which exceeds the established AML by 140 total wild horses.

As detailed in the preliminary EA, the AML for the Reveille HMA was established through the Final Multiple Use Decision (FMUD) for the Reveille Allotment issued June 13, 2001, which adjusted the AML to 138 wild horses. The Tonopah Field Office is also bound by stipulations of a 1987 Stipulated Settlement and 2001/2002 Interior Board of Land Appeals (IBLA) orders which require the BLM to complete annual inventory and then to remove excess wild horses when the AML is exceeded to a level that allows for up to three years of population growth before AML again reached.

The preliminary Reveille HMA Gather EA was made available to the interested public on May 27, 2010 for 30 day comment period. Comments received were reviewed and considered in completion of the Final Reveille HMA Gather EA. Several letters in support of the gather were received as well as numerous form letters generated from an animal welfare organization. These comments are summarized within Appendix F of the Final EA. Some additions were made to the EA for clarification purposes; however, no substantial modifications were made to the EA as a result of the comments received.

The proposed gather includes the capture of approximately 250 wild horses and removal of 198 excess wild horses. Approximately 52 wild horses would be returned to the HMA to achieve a post-gather population of 80 wild horses. Consistent with the established AML, with a 20% annual population growth, a post-gather population of 80 wild horses in the HMA would be necessary to provide a 3-year interval until AML is exceeded and another gather is necessary[1].

The Proposed Action also involves application of fertility control to all the released mares to decrease the future annual population growth. Approximately 85-95% of the population would be captured, and 100% of the mares released back to the range inoculated with a single dose of the two-year contraceptive vaccine Porcine Zona Pellucidae (PZP), for population growth rate control. The objective for the sex ratio of the post gather population would be 60% studs (males) and 40% mares (females). In order to achieve a post-gather population of 80 animals at the desired sex ratio, approximately 34 studs and 18 mares would need to be released. This assumes a 90% capture success rate and a total of 28 uncaptured animals with an estimated 50:50 sex ratio.

Alternative 1 is similar to the Proposed Action with the exception that Fertility Control would not be administered to any mares released back to the HMA. Wild horses would be selected for release back to the range to achieve a post gather population of 80 wild horses. The objective for the sex ratio of the post gather population would be 60% studs (males) and 40% mares.

The Proposed Action and Alternatives 1 would promote improved health of rangeland vegetation communities, prevent further degradation to the range, and ensure healthy wild horses within the boundaries of the Reveille HMA.

Intensity

1. Impacts that may be both beneficial and adverse.

The Environmental Assessment considered both beneficial and adverse impacts of the gather and removal of excess wild horses from outside of the Reveille HMA boundaries and within the HMA if necessary. Removing excess wild horses from within the HMA and from areas not within the designated Herd Management Area boundaries would reduce the level of use endured by rangeland and riparian vegetation, and help alleviate

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1. Consistent with the 1987 Stipulated Settlement and 2001/2001 orders from IBLA, should an inventory show that the AML of 138 wild horses has been exceeded prior to 3 years, then a gather would be planned to occur within 120 days to remove the excess wild horses.

competition for resources between wildlife, livestock, and wild horses. Removal of excess wild horses will allow for the recovery and improvement of natural resources, such as soils, vegetation, watersheds, wildlife, fisheries and wild horse habitat. A healthy population of wild horses will remain in the HMA in balance with the available forage and water.

Archaeological site clearances would be conducted prior to the construction of temporary gather sites and holding facilities. Standard Operating Procedures would be followed to minimize stress on wild horses and impacts to other resources. 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 and safety.
The Wild Horse and Burro Standard Operating Procedures (EA, Appendix A) would be used to conduct the gather and are designed to protect human health and safety, as well as the health and safety of the wild horses and burros. The Proposed Action, and Alternatives 1 would have minimal affects to public health or safety.

3. Unique characteristics of the geographic area such as proximity of historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.
There are no park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas within the gather area. A cultural resources inventory would be completed prior to constructing temporary gather sites and holding facilities. If cultural resources are found in an area, a new location would be determined to set up temporary gather sites and holding corrals. Wild horse gather activities would not be conducted within Wilderness Study Areas.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.
The effects that would occur from implementation 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 and burros through gathers and other population controls, and are not highly controversial.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.
The Proposed Action and Alternatives 1 have 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.
Future projects occurring within the gather area would be evaluated through the appropriate NEPA process and analyzed under a site-specific NEPA document. The Proposed Action and Alternatives 1 do not set a precedent for future actions.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.
The Proposed Action and Alternatives 1 are not related to other actions within the project area that would result in cumulatively significant impacts. Proper NEPA analysis would be completed for all proposed actions in the future. Cumulative impacts were analyzed in the EA.

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 historic resources.
The Proposed Action and Alternatives 1 would not affect significant scientific, cultural, or historical resources. A cultural resource inventory would be completed prior to gather site and corral construction. Temporary gather sites and holding facilities would be cleared to determine the presence of sites that are unclassified, eligible, or potentially eligible for the NRHP. Archaeological site clearances and avoidance measures would ensure that loss or destruction of significant scientific, cultural, or historical resources does not occur.

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.
There are no known threatened and endangered plants present in the project area.

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 and Alternatives 1 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 and Alternatives 1 are in conformance with all applicable 43 CFR (Code of Federal Regulations). The Proposed Action and Alternatives 1 would not violate the Migratory Bird Treaty Act or Endangered Species Act.

Thomas J. Seley

Thomas J. Seley
Field Manager
Tonopah Field Office

July 16, 2010
Date