United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Green River District Office
Vernal Field Office
170 South 500 East
Vernal, UT 84078
http://www.blm.gov/ut/st/en/fo/vernal.html

July 27, 2011

In Reply Refer To:
4720
UTG012

Dear Reader:

The final Environmental Assessment (EA) for the Winter Ridge Herd Area Wild Horse Gather and Removal Plan (DOI-BLM-UT-010-2010-0208 – EA), Finding of No Significant Impact and Decision Record is available on-line at http://www.ut.blm.gov/ or at http://www.blm.gov/ut/st/en/fo/vernal.html. Hard copies of the documents can also be obtained upon request from the Vernal Field Office.

The EA was prepared to analyze the Bureau of Land Management (BLM) Vernal Field Office proposal to gather and remove approximately 150 excess wild horses from the vicinity of the Winter Ridge Herd Area (HA) beginning after September 01, 2011. This document is tiered to the Vernal Field Office Resource Management Plan Final Environmental Impact Statement and Record of Decision, 2008. A Finding of No Significant Impact has been prepared to document the determination that the proposed action will not result in "significant environmental impacts," and the Decision Record approves the implementation of the proposed gather and removal.

If you have any questions on this matter, please contact Dusty Carpenter, BLM Vernal Field Office Range Management and Wild Horse and Burro Specialist at (435) 781–3415, or Mark Wimmer, BLM Vernal Field Office NEPA Coordinator at (435) 781–4464.

Sincerely,

Michael G. Stiewig
Field Manager

United States Department of the Interior
Bureau of Land Management

Finding of No Significant Impact
Environmental Assessment
DOI-BLM-UT-G010-2010-0208-EA

July, 2011

Winter Ridge HA Wild Horse Gather and Removal Plan

Location:

Township 14, 15, & 16 South, Range 21 & 22 East
Uintah and Grand Counties

Vernal Field Office
170 South 500 East
Vernal, UT 84078
435-781-4400
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BLM

FINDING OF NO SIGNIFICANT IMPACT

ENVIRONMENTAL ASSESSMENT
DOI-BLM-UT-010-2010-0208
Winter Ridge HA Wild Horse Gather and Removal Plan

Based on the analysis of potential environmental impacts contained in the (referenced or attached) environmental assessment, and considering the significance criteria in 40 CFR 1508.27, I have determined that the Proposed Action: Capture and remove all wild horses (no fertility control or sex ratio adjustment) from the Winter Ridge Herd Area and surrounding area will not have a significant effect on the human environment. An environmental impact statement is therefore not required for compliance with the National Environmental Policy Act of 1969.

Michael G. Stiewig
Vernal Field Manager

7/26/11

Date

United States Department of the Interior
Bureau of Land Management

Decision Record
Environmental Assessment
DOI-BLM-UT-G010-2010-0208-EA

July, 2011

Winter Ridge HA Wild Horse Gather and Removal Plan

Location:

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July, 2011

In Reply Refer To:
4700

DECISION RECORD
Winter Ridge HA Wild Horse Gather and Removal Plan
Environmental Assessment
DOI-BLM-UT-010-2010-0208

The Vernal Field Office (VFO) of the Bureau of Land Management (BLM) is proposing to gather and remove approximately 150 excess wild horses from the Winter Ridge Herd Area (HA). The purpose of the gather is to implement decisions made in the 2008 VFO Resource Management Plan Record of Decision (ROD). The ROD stated that the Winter Ridge HA would not be managed for wild horses, that the horses would be gathered and removed from the HA, and that Animal Unit Months (AUMs) for wild horses would be re-allocated in a future planning process.

The Winter Ridge HA encompasses approximately 46,500 acres of public and private land, within Grand and Uintah Counties in Utah. The HA is approximately 90 miles south of Vernal, Utah. The BLM has prepared an environmental assessment (EA) to analyze the environmental impacts associated with the gather and removal; refer to **DOI-BLM-UT-010-2010-0208.**

DECISION

It is my decision to implement Alternative 1 (the Proposed Action), described in the Final Environmental Assessment (EA) for the Winter Ridge HA **(DOI-BLM-UT-010-2010-0208)**. This decision is effective immediately pursuant to 43 CFR § 4770.3 (c); the Winter Ridge HA Wild Horse Gather and Removal (as per the site specific analysis within the EA), is approved to begin on or after September 01, 2011.

RATIONALE

Implementation of Alternative 1 (complete gather and removal) would result in placing approximately 150 excess wild horses in short-term holding or long-term pastures, and/or the adoption or sale program. Under Alternative 2, a subsequent gather(s) would be needed to remove excess animals. Leaving excess horses on the range under the No Action Alternative would not be in conformance with the 2008 ROD. The EA **(DOI-BLM-UT-010-2010-0208)** analyzed 3 alternatives. Alternatives 1 and 2 are in conformance with planning decisions made in the 2008 VFO ROD. Alternative 3, the No Action Alternative, is not in conformance with the planning decisions in the 2008 VFO ROD. These planning decisions are listed below:

- FOR – 18 (page 83) states: "The Winter Ridge Herd Area and Hill Creek Herd area will not be managed for wild horses. Upon removal, the 2340 AUMs for wild horses will be allocated through a future planning process."

- WHB – 8 (page 137) states: "A gathering plan will be prepared for the removal of wild horses that will be made available for adoption under the BLM's Adopt-A-Horse program.

- WHB – 9 (page 137) states: "All wild horses will be removed, and the Winter Ridge Herd Area will be declared unpopulated. The area will only be managed as an HA with no specific management plan for wild horses. Any horses present after the wild horses are removed are in trespass."

PUBLIC INVOLVEMENT

The proposed action was initially posted on the Electronic Notification Bulletin Board (ENBB) for Utah BLM NEPA documents on April 5, 2010. A public scoping notice regarding the proposed action and map of the project area was posted on the Utah BLM website on April 10, 2010. Public comments were received by the VFO BLM for 30 days following the posting of the scoping notice. Approximately 2,600 electronic and 5 paper copies of comments were received during the scoping comment period. On July 26, 2010 the Vernal Field Office issued the Winter Ridge HA Wild Horse Gather and Removal Plan Environmental Assessment (EA) DOI-BLM-UT-010-2010-0208 along with a notification of its availability for a 30 day review and comment period. The preliminary EA was posted on the BLM's website at: http://www.blm.gov/ut/st/en.html.

Consultation and Coordination in Development of EA

The BLM consulted with the Utah Division of Wildlife Resources (UDWR), US Fish & Wildlife Service (USFWS), livestock operators and others. Public hearings are held annually on a state-wide basis regarding the use of helicopters and motorized vehicles to gather and transport wild horses (or burros). During these meetings, the public is given the opportunity to present new information and to voice any concerns or opinions regarding the use of these methods to gather and transport wild horses (or burros). Utah BLM will be holding a meeting on July 26, 2011 at the Green River District Office in Vernal, Utah.

Comments

During the public comment period for the EA, in excess of 3,700 comment letters/emails were received. The vast majority of these comments were one of two form letters. The form letters were reviewed and considered for substantive comments. Several other comment letters/emails were reviewed and considered resulting in a total of 9 unique, substantive comments. Substantive comments were utilized to revise the EA as appropriate. Although BLM's review of public comments did not indicate that changes to the conclusions presented in the original EA were warranted, the comments did lead to changes in the document to better explain and clarify BLM's analysis. As a result, the reader should be better informed regarding the proposed gather plan and its expected impacts. The Response to Comments table is attached to this EA as Appendix F.

AUTHORITY

The authority for this Decision is contained in Section 3(b)(2) of the 1971 Free-Roaming Wild Horses and Burros Act, Section 302(b) of the Federal Land Policy and Management Act (FLPMA) of 1976, and Code of Federal Regulations (CFR) at 43 CFR §4700.

§4700.0-6 Policy

(a) Wild horses and burros shall be managed as self-sustaining populations of healthy animals in balance with other uses and the productive capacity of the habitat;

(b) Wild horses and burros shall be considered comparably with other resource values in the formulation of land use plans;

(c) Management activities affecting wild horses and burros shall be undertaken with the goal of maintaining free-roaming behavior;

(d) In administering these regulations, the authorized officer shall consult with Federal and State wildlife agencies and all other affected interests, to involve them in planning for the management of wild horses and burros on the public lands.

§4710.4 Constraints on Management

Management of wild horses and burros shall be undertaken with the objective of limiting the animals' distribution to herd areas. Management shall be at the minimum level necessary to attain the objectives identified in approved land use plans and herd management area plans.

§4720.1 Removal of excess animals from public lands

Upon examination of current information and a determination by the authorized officer that an excess of wild horses or burros exists, the authorized officer shall remove the excess animals immediately in the following order.

(a) Old, sick, or lame animals shall be destroyed in accordance with subpart 4730 of this title;

(b) Additional excess animals for which an adoption demand by qualified individuals exists shall be humanely gathered and made available for private maintenance in accordance with subpart 4750 of this title; and

(c) Remaining excess animals for which no adoption demand by qualified individuals exists shall be destroyed in accordance with subpart 4730 of this title.

The Bureau of Land Management is currently not implementing this portion of the CFRs. Future decisions regarding this option would not occur before public involvement and comment.

§4740.1 Use of Motor Vehicles or Aircraft

(a) Motor vehicles and aircraft may be used by the authorized officer in all phases of the administration of the Act, except that no motor vehicle or aircraft, other than helicopters, shall be used for the purpose of herding or chasing wild horses or burros for capture or destruction. All such use shall be conducted in a humane manner.

(b) Before using helicopters or motor vehicles in management of wild horses or burros, the authorized officer shall conduct a public hearing in the area where such use is to be made.

§4770.3 Administrative Remedies

(a) Any person who is adversely affected by a decision of the authorized officer in the administration of these regulations may file an appeal. Appeals and petitions for stay of a decision of the authorized officer must be filed within 30 day of receipt of the decision in accordance with 43 CFR part 4.

(c) Notwithstanding the provisions of paragraph (a) of §4.21 of this title, the authorized officer may provide that decisions to remove wild horses or burros from public or private lands in situations where removal is required by applicable law or is necessary to preserve or maintain a thriving natural ecological balance and multiple use relationship shall be effective upon issuance or on a date established in the decision.

APPEAL PROVISIONS

Within 30 days of receipt of this wild horse decision, you have the right to appeal to the Board of Land Appeals, Office of the Secretary, in accordance with regulations at 43 CFR Subpart E 4.4. If an appeal is taken, you must follow the procedures outlined in the enclosed Form 1842-1, "Information on Taking Appeals to the Board of Land Appeals." Please provide this office (*see address above on cover page*) with a copy of your Statement of Reasons. An appeal should be in writing and specify the reasons, clearly and concisely, as to why you *think* the decision is in error. In addition, within 30 days of receipt of this

decision you have a right to file a petition for a stay (suspension) of the decision together with your appeal in accordance with the regulations at 43 CFR Subpart B 4.21. The petition must be served upon the same parties identified in items 2, 3, and 4 of the enclosed Form 1842-1. The appellant has the burden of proof to demonstrate that a stay should be granted. A petition for a stay of decision pending appeal shall follow 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 of the 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.

At the conclusion of any document that a party must serve, the party or its representative must sign a written statement certifying that service has been or will be made in accordance with the applicable rules and specifying the date and manner of such service (43 CFR Subpart E 4.401(c)(2)).

APPROVAL

The gather is approved for implementation on or about September 01, 2011 for the Winter Ridge HA. The decision is effectively immediately pursuant to 43 CFR § 4770.3(c), and the Winter Ridge Wild Horse Gather and Removal Plan is approved to begin on or about September 1, 2011. This decision also is issued in accordance with Title 43 of the Code of Federal Regulations (CFR) Part 4. It may be appealed to the Board of Land Appeals, Office of the Secretary, in accordance with 43 CFR Part 4, Subpart B (enclosed Form 1842-1).

Michael G. Stiewig
Vernal Field Manager

7/26/11
Date

BLM

United States Department of the Interior
Bureau of Land Management

Final Environmental Assessment
DOI-BLM-UT-G010-2010-0208

Winter Ridge Herd Area
Wild Horse Gather and Removal Plan

Locations:
Winter Ridge: Township 14, 15, 15 ½ and 16 South, Range 21, and 22
Uintah County, Vernal, Utah
Grand County, Moab, Utah

U.S. Department of the Interior
Bureau of Land Management
Vernal Field Office
170 South 500 East
Vernal, Utah 84078
Phone: 435-781-4400
FAX: 435-781-4410

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1.0 Purpose of and Need for the Proposed Action

1.1 Introduction

The Bureau of Land Management (BLM) is proposing to gather and remove approximately 150 excess wild horses from within and outside the Winter Ridge Herd Area (HA) in the summer of 2011 beginning approximately September 01, 2011.

This Environmental Assessment (EA) has been prepared to disclose and analyze the environmental consequences of the proposed Winter Ridge HA, Wild Horse Gather and Removal Plan proposed by the Vernal Field Office of the BLM. The EA is a site-specific analysis of potential impacts that could result with the implementation of the Proposed Action or an alternative to the Proposed Action. The EA assists the BLM in project planning and in making a determination as to whether any "significant" impacts could result from the analyzed actions. An EA also provides evidence for determining whether a statement of "Finding of No Significant Impact" (FONSI) will be prepared or whether an Environmental Impact Statement (EIS) will be required. A FONSI is a document that briefly presents the reasons why implementation of the Proposed Action or alternatives would not result in "significant" environmental impacts. If the decision maker determines that this project has no "significant" impacts following the analysis in the EA, a Decision Record and FONSI would be prepared approving the selected alternative. If impacts from the proposal are expected to result in "significant" impacts, an EIS would likely be prepared.

1.2 Background

It is thought that the Winter Ridge Wild Horse Herd (referred to hereafter as "the herd") originated from escaped tribal and/or local ranch horses in the early history of the Uinta Basin. It is known that this herd was maintained and kept bred up by the local ranchers on Willow Creek by turning out well bred (blooded) stallions with "feral" mares (USDI 1984). This activity was primarily done for the sport of chasing wild horses and as a source of horses to use on their ranches. During these periods this was a thriving herd. The horses were large and had good conformation because of better blood lines being introduced to the herd. Many of the current Winter Ridge horses were at one time domestic horses of the current grazing permittee and/or the descendants of those horses.

No official herd record was ever kept prior to 1977. The first record, made in 1977, indicated that there were about 40 horses present in the area. The winters of 1977-78 and 1978-79 were very severe, and deep snows and several weeks of below zero temperatures resulted in a herd loss of about 70 percent of the population. The 1980 count revealed only eight horses in the Winter Ridge area. In 1982, the herd consisted of six adults and two foals (November 1984, BLM Final Environmental Impact Statement on the Book Cliffs Resource Management Plan).

According to the 1985 Book Cliffs RMP, the Winter Ridge wild horses were to be gathered and removed; however, the decision has not been implemented. The rational for the 1985 decision to remove horses from the herd area was that the area might not be suitable habitat for wild horses. Because of the high elevation of the area, deep snow (24-40 inches annually) can accumulate during the winter months, putting a wild horse herd in this area at risk (2008 Vernal RMP – Chapter 3.20.2).

The 2008 Vernal Field Office (VFO) Resource Management Plan Record of Decision (ROD) did not establish an Appropriate Management Level (AML) for wild horses within the HA. Further, the ROD did not allocated Animal Unit Months (AUMs) for wild horses. The ROD determined that the existing free roaming horses throughout the Winter Ridge HA were in excess and would be removed.

The current estimated population of the herd is between 120 and 150 animals. Estimates are based on an aerial population inventory conducted in April of 2010 and field observations on the ground conducted from 2008 through 2010. The above estimates do not factor in the potential for additional horses foaled during 2010. Horse numbers have increased an average of 26% per year since the HA was last surveyed in 2004.

Based upon all information available at the time that the 2008 ROD was signed, the BLM determined that all of the horses within the HA were in excess and needed to be removed. This assessment is based on the following factors including, but not limited to:

- A direct count of (number) wild horses in (month/year) showed (number) horses in excess.
    - Use by wild horses is exceeding the forage allocated to their use by >100 times (*forage is not allocated for wild horses*).
- Potential for an outbreak of Equine Infectious Anemia (EIA).
- Issues concerning management of unfenced non public lands (i.e. private, state, and tribal).
- Elevation concerns regarding sporadic heavy snowfall throughout the winter months.

The HA comprises about 46,500 acres of public and other land. The HA is located within Uintah and Grand County, about 90 miles south from Vernal, Utah (*see map in Appendix E*).

1.3 Purpose of and Need for the Proposed Action

The purpose of the Proposed Action is to gather and remove all excess wild horses within the HA. Any wild horses located outside the HA (in areas not designated for their use) would also be removed.

This action is needed in order to implement the decisions of the 2008 RMP/ROD (see section 1.4 below), consistent with the provisions of Section 3(b) (2) of the Wild Free-Roaming Horses and Burros Act of 1971 (WFRHBA)[1]. The act can be viewed and downloaded at:

http://www.blm.gov/style/medialib/blm/wo/Planning_and_Renewable_Resources/wild_horses_and_burros/sale_authority.Par.69801.File.dat/whbact_1971.pdf

1.4 Land Use Plan Conformance

[1] The Interior Board of Land Appeals (IBLA) defined the goal for managing wild horse (or burro) populations in a thriving natural ecological balance as follows: "As the court stated in Dahl vs. Clark, supra at 594, the 'benchmark test' for determining the suitable number of wild horses on the public range is 'thriving natural ecological balance.' In the words of the conference committee which adopted this standard: 'The goal of WH&B management should be to maintain a thriving ecological balance (TNEB) between WH&B populations, wildlife, livestock and vegetation, and to protect the range from the deterioration associated with overpopulation of wild horses and burros.'"

Alternatives 1 and 2 (see Chapter 2) are in conformance with decisions made in the VFO 2008 ROD and Alternative 3, the No Action Alternative, is not in conformance with the above decisions in the 2008 VFO ROD:

- FOR – 18 (page 83) states: "The Winter Ridge Herd Area and Hill Creek Herd Management Area will not be managed for wild horses. Upon removal, the 2340 AUMs (*Hill Creek*) for wild horses will be allocated through a future planning process."
- WHB – 8 (page 137) states: "A gathering plan will be prepared for the removal of wild horses that will be made available for adoption under the BLM's Adopt-A-Horse program.
- WHB – 9 (page 137) states: "All wild horses will be removed, and the Winter Ridge Herd Area will be declared unpopulated. The area will only be managed as an HA with no specific management plan for wild horses. Any horses present after the wild horses are removed are in trespass."

1.5 Relationship to Laws, Regulations, and Other Plans

Statutes and Regulations

Alternatives 1 and 2 are within the scope of the WFRHBA (as amended), and the associated regulations found in 43 CFR § 4700 outlined below:

❒ **43 CFR 4710.3-1 Herd areas.**
Herd areas shall be established for the maintenance of wild horse and burro herds. In delineating each herd area, the authorized officer shall consider the appropriate management level for the herd, the habitat requirements of the animals, the relationships with other uses of the public and adjacent private lands, and the constraints contained in 4710.4. The authorized officer shall prepare a herd area plan, which may cover one or more herd areas.

❒ **43 CFR 4710.4 Constraints on management.**
Management of wild horses and burros shall be undertaken with limiting the animals' distribution to herd areas. Management shall be at the minimum feasible level necessary to attain the objectives identified in approved land use plans and herd area plans.

❒ **43 CFR 4720.1 Removal of excess animals from public lands.**
Upon examination of current information and a determination by the authorized officer that an excess of wild horses or burros exists, the authorized officer shall remove the excess animals immediately.

❒ **43 CFR 4740.1 Use of motor vehicles or aircraft.**
(a) Motor vehicles and aircraft may be used by the authorized officer in all phases of the administration of the Act, except that no motor vehicle or aircraft, other than helicopters, shall be used for the purpose of herding or chasing wild horses or burros for capture or destruction. All such use shall be conducted in a humane manner.
(b) Before using helicopters or motor vehicles in the management of wild horses or burros, the authorized officer shall conduct a public hearing in the area where such use is to be made.

Alternative 3, the No Action Alternative, would not be in the scope of the WFRHBA (as amended), and the associated regulations found in 43 CFR § 4700, specifically, 4720.1 (*Removal of excess animals from public lands*) and 4710.4 (*Constraints on management*).

1.6 Conformance with Rangeland Health Standards and Guidelines

Rangeland health assessments were completed for the Winter Ridge Allotment, in June 2010. During the assessment the interdisciplinary team determined that excess wild horses *were* not contributing factors for not achieving and/or not allowing for progress towards achieving the following Standards for Rangeland Health. The allotment was considered to be meeting rangeland health standards. Two of the three sites inventoried were determined to have deviated none to slight from the ecological site potential. The third site exhibited between slight to moderate, and moderate deviation from the ecological site potential due to an apparent decrease in cool season grass diversity.

Rangeland health assessments were also completed for the portion of the Horse Point Allotment within the Winter Ridge HA in 2009. This portion of the allotment was also considered to be meeting rangeland health standards, although a "Determination" of Rangeland Health has not been made at the time this document was written. The Fundamentals of Rangeland Health Standards and Grazing Guidelines are attached as Appendix C.

1.7 Decision to be Made

The authorized officer would determine whether to implement the proposed population control measures in order to achieve the objective for wild horse management set forth in the 2008 VFO ROD, and to prevent deterioration of the range resulting from the current wild horse overpopulation. The authorized officer's decision is limited to the need to gather and remove excess wild horses. It would not set or adjust AML nor would it adjust livestock use, as these were set through previous decisions.

1.8 Scoping and Identification of Issues

The proposed action was initially posted on the Electronic Notification Bulletin Board (ENBB) for Utah BLM NEPA documents on April 5, 2010. A public scoping notice regarding the proposed action and map of the project area was posted on the Utah BLM website on April 10th. Public comments were received by the VFO BLM for 30 days following the posting of the scoping notice. Approximately 2,630 electronic and paper copies of comments were received during the scoping comment period.

The following issues were identified as a result of consultation/coordination and public and/or internal scoping:

1. Fish and Wildlife Excluding USFWS Designated Species
   - Crucial mule deer and Rocky Mountain elk habitat present
   - Raptor nesting and foraging habitat present
   - Colorado River Cutthroat habitat present
   - Bird Habitat Conservation Area – migratory birds present.

2. Livestock Grazing
   - Cattle may need to be removed from the area of the gather site as not to impede the movement of horses into the trap sites.
   - The removal of the current horses would reduce competition for forage and water resources
3. Threatened, Endangered, (T&E) or Candidate Animal Species
   - Mexican spotted owl habitat is present.
   - Greater sage-grouse crucial brooding habitat is present in the HA.
4. Visual Impacts
   - VRM I, II, and III are within the proposed project area
5. Wilderness/WSA
   - Gather activities will take place within the Winter Ridge WSA
6. Wild Horses
   - Concerns regarding impacts to rangeland resources on Utah State Institutional Trust Lands (SITLA)
     Measurement indicators for this issue include:
     - SITLA rangeland monitoring data
   - Potential disease transmission (Equine Infectious Anemia) from wild horses to domestic horses
     Measurement indicators for this issue include:
     - 1999-2001 EIA outbreak in the Uinta Basin
   - Concerns regarding impacts to individual wild horses and the entire wild horse herd
     Measurement indicators for this issue include:
     - Expected impacts to individual wild horses from handling stress
     - Expected impacts to herd social structure
     - Potential impacts to animal health and condition

2.0 Proposed Action and Alternatives

2.1 Introduction

This section of the EA describes the Proposed Action and alternatives, including any that were considered but eliminated from detailed analysis. Three alternatives are considered in detail:

- Alternative 1: Proposed Action – Capture and remove all wild horses (no fertility control or sex ratio adjustment) from the Winter Ridge Herd Area and surrounding area.
- Alternative 2: Phased capture and removal of wild horses
- Alternative 3: No Action — Defer gather and removal.

Alternatives 1 and 2 were developed to respond to the identified resource issues and the Purpose and Need to differing degrees. The No Action Alternative would not achieve the identified Purpose and Need. The No Action Alternative is also in violation of the WFRHBA which requires the BLM to immediately remove excess wild

horses, and the VFO RMP ROD 2008. However, it is analyzed in this EA to provide a basis for comparison with the other action alternatives, and to assess the effects of not conducting a gather at this time.

2.2 Description of Alternatives Considered in Detail

2.2.1 Management Actions Common to Alternatives 1-2

- The gather would begin on or after September 01, 2011, and take about (10) days to complete. Several factors such as animal condition, herd health, weather conditions, or other considerations could result in adjustments in the schedule. If the gather and removal cannot take place before winter storms arrive, the entire project would be postponed until the following year.
- Gather operations would be conducted in accordance with the Standard Operating Procedures (SOPs) described in Appendix B. The primary gather (capture) methods would be the helicopter drive method with occasional helicopter assisted roping (from horseback).
- Trap sites and temporary holding facilities will be located on lands managed by Utah State Institutional Trust Lands (SITLA), previously used sites or other disturbed areas (Appendix C) whenever possible. Undisturbed areas identified as potential trap sites or holding facilities would be inventoried for cultural resources. If cultural resources are encountered, these locations would not be utilized unless they could be modified to avoid impacts to cultural resources.
- An Animal and Plant Inspection Service (APHIS) representative or other veterinarian may be on-site 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 (Washington Office Instruction Memorandum 2009-041). Current policy reference: http://www.blm.gov/wo/st/en/info/regulations/Instruction_Memos_and_Bulletins/national_instruction/2009/IM_2009-041.html
- Data including sex and age distribution, condition class information (using the Henneke rating system), color, size and other information may also be recorded, along with the disposition of that animal (removed).
- Excess animals would be transported to the Salt Lake Wild Horse and Burro Center located in Herriman, Utah where they will be prepared (freeze-marked, vaccinated and de-wormed) for adoption, sale (with limitations), or long-term holding.
- Due to the historical outbreaks of EIA in the Uinta Basin area, all wild horses captured will be tested at the on-site holding facility (within capture area) for presence of EIA. In consultation and cooperation with the Utah State Veterinarian, should any animal test positive for EIA, all of the gathered wild horses would be held in quarantine for a 45-day period (*Utah Administrative Code, Rule R58-22. Equine Infectious Anemia (EIA)*).
    - Any and all test positive horses would be put down in a humane manner and in accordance with Utah State law. This would involve a lethal injection of a commercially prepared chemical substance affecting the nervous system. Their remains would be buried to a minimum depth of 6 feet, with 4 feet of soil on top, in the vicinity of the holding facility. Lime would be added to the pit to aid in rapid decomposition. It is unknown at this time if any horses may test positive for EIA. It is

estimated that a single pit and associated burial disturbance could involve about 0.5 (one-half) acre/horse. At the end of the quarantine, all the remaining gathered wild horses would be retested. Such a process would continue until the State Veterinarian determines that the remaining wild horses are EIA-free. Once such a determination is reached, e.g., the remaining wild horses are EIA-free, the horses' disposition would be as outlined below:

- All wild horses gathered would be assigned individual identification tags. Each horse's physical condition would be assessed and basic data collected (age, color, sex, etc.) Blood samples would be drawn sufficient to conduct the Coggins test (Agar Gel Immuno-Diffusion test or AGID). Additional blood could be drawn for research purposes. However, the Coggins test would be the only determinant of EIA.

➢ Prior to their use in this gather, the saddle and pilot (or "Judas") horses would be required to have a Coggins report for the detection of EIA. No domestic horse would be used in this operation that would not meet this health requirement.

2.2.2 Alternative 1. Proposed Action

The Proposed Action would gather and remove approximately 150 excess wild horses from within and outside the Winter Ridge Herd Area (HA) beginning in about September 01, 2011. All animals gathered would be removed; therefore, no selective removal strategy (*horses removed for characteristic traits like color and/or conformation, sex, and/or age etc.*) would be necessary.

2.2.3 Alternative 2: Phased Removal

Alternative 2 would gather and remove about 50-75 excess wild horses from within and outside the Winter Ridge Herd Area (HA) beginning about September, 2011. Fertility control would not be applied and no changes to the herd's existing sex ratio would be made. The remaining horses would be gathered and removed in the future as time and resources allow.

2.2.4 Alternative 3: No Action

Under the No Action Alternative, no gather would occur and no additional management actions would be undertaken to control the size of the wild horse population at this time.

2.3 Summary Comparison of Alternatives

Table 2.3: Summary Comparison of the Alternatives

Item	Alternative 1: Proposed Action – Complete Gather and Removal	Alternative 2 Phased Gather and Removal	Alternative 3: No Action
Fish and Wildlife Excluding USFWS Designated Species	Temporary displacement may occur to individual	Temporary displacement may occur to individual	Impacts to wildlife would not occur as a result of not

	species during the gather; however, long term beneficial impacts would occur through less forage and water competition between wild horses and wildlife.	species during the gather; however, disturbance would be prolonged more than that of the Proposed Action. Long term beneficial impacts would occur through less forage and water competition between wild horses and wildlife.	gathering wild horses. However, wild horses would continue to be present and conflicts with degradation of habitat quality may occur.
Livestock Grazing	Livestock operations may be interrupted and temporarily altered to accommodate the health and safety of personnel and wild horses during the gather operations. Competition would not occur for forage and water resources between livestock and wild horses.	Livestock operations may be interrupted and temporarily altered to accommodate the health and safety of personnel and wild horses during the gather operations. Competition would decrease for forage and water resources between livestock and wild horses.	Livestock grazing would continue as authorized; however wild horses would continue to be present and forage and water conflicts may occur.
Migratory Birds	Temporary displacement may occur to individual species during the gather; however, long term beneficial impacts would occur through less forage and water competition between wild horses and wildlife.	Temporary displacement may occur to individual species during the gather; however, disturbance would be prolonged more than that of the Proposed Action. Long term beneficial impacts would occur through less forage and water competition between wild horses and wildlife.	Impacts to migratory bird species would not occur as a result of not gathering wild horses. However, wild horses would continue to be present and forage conflicts may occur.
Socio-Economics	The removal of horses may negatively affect the sense of well being of individuals and/or groups interested in free-roaming wild horses. Some people who enjoy viewing wild horses may be less likely to visit the project area.	The removal of horses may negatively affect the sense of well being of individuals and/or groups interested in free-roaming wild horses Some people who enjoy viewing wild horses may be less likely to visit the project area.	Impacts to social or economic status would not occur as a result of not gathering wild horses.
Threatened & Endangered (T&E) or Candidate Animal Species	Temporary displacement may occur to individual species during the gather; however, long term beneficial impacts would occur through greater	Temporary displacement may occur to individual species during the gather; however, disturbance would be prolonged more than that of the Proposed	Impacts to USFWS designated wildlife species would not occur as a result of not gathering wild horses. However, wild horses would continue to

	forage availability, vegetation density and structure.	Action. Long term beneficial impacts would occur through greater forage availability, vegetation density and structure.	be present and forage conflicts may occur.
Visual Impacts	Form, Line, Texture, and color would not be affected with the exception of dust caused temporarily by gathering operations. Temporary structures on SITLA lands may be visible from BLM lands, however, they would be short term and not directly impact BLM managed lands.	Same as alternative one, only the phased nature of the gather would repeat temporary visual intrusions from dust.	Impacts to Visual Resources would not occur as a result of not gathering wild horses. Normal grazing and herd movement would continue to occur along with wildlife and permitted grazing.
Wilderness/WSA	Noise and dust from helicopter and herd movement would be invasive in the short term, but would not prevent any decision from Congress to designate this area as a wilderness area. No new surface disturbance would occur.	Noise and dust from helicopter and herd movement would be greater based on the number of phases, however it would still be short term and would not prevent any decision from Congress to designate this area as a wilderness area. No new surface disturbance would occur.	Impacts would not occur to the WSA as a result of not gathering wild horses. Normal Grazing and herd movement would continue to occur within the WSA.
Wild Horses and Burros	Approximately 150 wild horses would be gathered and removed from the Winter Ridge HA and surrounding area; effectively implementing the decisions within the 2008 ROD.	Approximately 50-75 wild horses would be initially gathered and removed from the Winter Ridge HA and surrounding area; effectively phasing in the implementation of decisions outlined in the 2008 ROD. Additional phases would occur within time and budget constraints. Bands of remaining horses on the HA may be socially and spatially interrupted due to the partial gather.	No wild horses would be gathered and removed from the Winter Ridge HA and surrounding area. Decisions regarding wild horse management within the 2008 ROD would not be implemented at this time. The present bands of horses on the HA would not be socially and spatially interrupted.

2.4 Alternatives Considered but Dismissed from Detailed Analysis

2.4.1 Use of Bait and/or Water Trapping

It would not be timely, cost-effective or practical to use bait and/or water trapping as the primary gather method because of topography and the number of water sources on both private and public lands within and outside the HA would make it almost impossible to restrict wild horse access to the selected water trap sites. As a result, this alternative was dismissed from detailed analysis.

2.4.2 Remove or Reduce Livestock within the HA

This alternative was not considered in detail because it is contrary to previous decisions which allocated forage for livestock use. Such an action would not be in conformance with the existing land use plan, and would also be inconsistent with the WFRHBA, which directs the Secretary to immediately remove excess wild horses.

3.0 Affected Environment

This section of the EA briefly discusses the relevant components of the human environment which would be either affected or potentially affected by the Action Alternatives or No Action (refer to Table 2). Direct impacts are those that result from the management actions while indirect impacts are those that exist once the management action has occurred and are outlined in Chapter 4 of this document.

3.1 General Description of the Affected Environment

The Winter Ridge HA encompasses approximately 46,500 acres of public and private land, within Grand and Uintah Counties in Utah (Appendix E). The HA is approximately 90 miles south of Vernal, Utah. The elevation ranges from about 7000 feet on the north boundary to about 7500 feet on the south boundary along the Uintah and Grand County line. The HA is generally characterized by flat open ridge tops and steep canyons. Drainages occur from the ridges into Main Canyon, Willow Creek, and Meadow Creek.

Vegetation varies from riparian willow/sedge community in the perennial water drainages to pinyon and juniper (PJ) woodlands and open sagebrush and perennial grass parks on the uplands. Douglas-fir and browse species are found on the steep slopes of the ridge. There are two dominant community types: 1) open mountain and Wyoming sagebrush (*Artemisia tridentata ssp.*) parks consisting of perennial grasses such as western wheatgrass, bluegrass, gramma grass, needle and thread, june grass, galleta grass and perennial and annual forb understory; 2) pinyon and juniper (*Pinus edulis* and *Juniperus osteosperma*) woodland sites with various sparse browse and herbaceous species within the understory.

The soils within the HA are mainly sandy silt loams derived from the Green River Formation. Rocky outcrops occur both on the ridges and canyon walls. There are areas on Winter Ridge where the soils are derived from "Loess". These soils are deep, fine textured, and have excellent structure.

Water availability for vegetation is bi-modal; half falls within the growing season and half falls during the winter months as snowfall. Intermittent streams bisecting the HA are Trail Canyon, the forks of Asphalt Canyon, and

Wire Fence Canyon. According to the Winter Ridge Remote Atmospheric Weather Station (RAWS), the growing season (March to July 1) to date has had ~3.3 inches or precipitation an average of ~.82 inches for each of the 4 months. Temperatures can exceed 100 degrees Fahrenheit during the summer and can reach lows of -20 degrees Fahrenheit during the winter.

3.2 Description of Affected Resources/Issues

Appendix A lists the elements of the human environment subject to requirements in statute, regulation, or executive order which must be considered.

3.2.1 Fish and Wildlife Excluding USFWS Designated Species (including Migratory Birds)

Terrestrial wildlife resources in the wild horse gather area are typical of the northeast region, Utah. A wide variety of wildlife species can be found here such as the cottontail rabbit, black-tailed jackrabbit, coyote, red fox, badger, striped skunk, western spotted skunk, bobcat, mountain lion, black bear, and various species of rodents, reptiles, big game, raptors, and migratory birds. Although all of these species are essential members of wildlife ecosystems, most are common and have widespread distributions within all or most of this typical region. Consequently, the relationship of most of these species within the area is not discussed in the same depth as species that are threatened, endangered, sensitive, of special economic interest, or are otherwise of high public interest or unique value; therefore, many of these species will not be discussed specifically in further analysis; however, impacts to these species would be similar in nature to big game and raptors as discussed in Section 4.2.

Colorado River Cutthroat Trout:

Colorado River cutthroat trout (CRCT) are currently limited to a few small headwater streams of the Green River and upper Colorado River in Colorado, Utah, and Wyoming. There are also populations in several high elevation lakes of the Rocky Mountains as a result of stocking efforts. Most of these lake populations are not self-sustaining due to the lack of adequate spawning streams (Spahr et al. 1991).

In efforts to protect CRCT the Utah Division of Wildlife Resources (UDWR), in cooperation with BLM, conduct annual studies for the species within the Willow Creek and Hill Creek drainages which lie in the Winter Ridge HA.

Big Game:

Four resident big game species that commonly occur within the wild horse gather area are mule deer, Rocky Mountain elk, pronghorn antelope, and American bison. The vegetation within the proposed horse gather area could be categorized into two broad vegetative types –pinyon/juniper and sagebrush/conifer forest. These vegetative types provide important habitat for big game species. The VFO RMP identifies crucial habitat for mule deer and Rocky Mountain elk. Crucial habitat is defined by habitat on which the local population of a wildlife species depends for survival because there are no alternative ranges or habitats available. Crucial value is essential to the life history requirements of a wildlife species. Degradation or unavailability of crucial value habitat will lead to significant declines in carrying capacity and/or numbers of the wildlife species in question. The VRMP does not designate crucial habitat for pronghorn antelope or American bison. Further detailed

analysis for these two species will not be further discussed; however, impacts to these species would be similar in nature to mule deer and Rocky Mountain elk as discussed in Section 4.2.

Mule Deer – Mule deer in the Book Cliffs are migratory, fawning and spending the warmer months at higher elevations. During this time mule deer prefer foraging on the succulent growth of forbs and the new twigs of trees and shrubs. As summer progresses and the herbaceous plants mature and dry, the diet shifts more toward woody browse, such as sagebrush and bitterbrush. This diet then continues as the deer migrate north to lower elevation crucial winter ranges. For more information on the life histories refer to the Statewide Management Plan for Mule Deer (UDWR 2008).

The UDWR population objective for mule deer within the Book Cliffs Herd Unit is 15,000 individuals. During post-season 2009 classifications, the UDWR estimated the population within the herd unit at approximately 8,050 individuals (UDWR 2010a) or about 54% of the population objective level. As identified by the VRMP a total of 7,630 acres of crucial winter habitat and 338 acres of crucial fawning habitat occur within the proposed wild horse gather area.

Rocky Mountain Elk – Rocky Mountain elk are found in the gather area year-round, where they forage on primarily grasses and forbs during the spring/summer months and grasses and shrubs during the winter months. Very limited aspen woodlands and riparian bottoms provide protective habitat and calving and foraging areas for this species. During winter, elk are found on south-facing slopes, primarily in pinyon-juniper woodlands. Like other members of the deer family, this species relies on a combination of browse, grasses, and forbs, depending on their availability throughout the year. For more information on the life history refer to the Statewide Management Plan for Elk (UDWR 2010b).

The UDWR population objective for Rocky Mountain elk within the Book Cliffs Herd Unit is 7,500 individuals. During post-season 2009 classifications, the UDWR estimated the population within the herd unit at approximately 4,650 individuals (UDWR 2010b), or about 62% of the population objective level. As identified by the VRMP a total of 54,961 acres of crucial winter habitat and 6,385 acres of crucial calving habitat occur within the proposed wild horse gather area.

Raptors:

Some of the more common and visible birds within the proposed wild horse gather area include raptors, or birds of prey. All raptor species and their nests are protected from take or disturbance under the Migratory Bird Treaty Act (MBTA) of 1918 (16 USC, 703 et seq.). The MBTA was implemented for the protection of migratory birds. Unless permitted by regulations, the MBTA makes it unlawful to pursue, hunt, kill, capture, possess, buy, sell, purchase, or barter any migratory bird, including the feathers or other parts, nests, eggs, or migratory bird products. In addition to the MBTA, Executive Order 13186 sets forth the responsibilities of federal agencies to further implement the provisions of the MBTA by integrating bird conservation principles and practices into agency activities and by ensuring that federal actions evaluate the effects of actions and agency plans on migratory birds.

The proposed wild horse gather area provides diverse breeding and foraging habitat for raptors such as: cool desert shrub communities, rocky outcrops, riparian zones, and upper elevation shrub lands. BLM data identifies that there are two American kestrel, two red-tailed hawk, and nine golden eagle nests within the proposed wild horse area. Most of the identified nests have been inactive in past years – current status is unknown.

Migratory Birds:
In addition to the above section for raptors, the Utah Steering Committee has identified 30,324 acres of a Bird Habitat Conservation Area (BHCA) located within the proposed wild horse gather area (USC 2005). BHCA's have no official status for protection of any given species; however, they display areas where bird habitat conservation projects may take place, predicated on concurrence, collaboration, and cooperation with all landowners involved (USC 2005). The BHCA that occurs within this area is the Willow Creek BHCA (BHCA # 38), which includes the lowland riparian priority habitat type. Willow and Hill Creeks located within the proposed wild horse gather boundary are both very important perennial streams that support breeding and foraging habitat for migratory birds and other wildlife species in an otherwise arid environment.

The following section addresses migratory birds as identified as state sensitive or as Priority Species by Utah Partners-in-Flight that may be present within the proposed wild horse gather area. Utah Partners-in-Flight is a cooperative partnership among federal, state, and local government agencies as well as public organizations and individuals organized to emphasize the conservation of birds not covered by existing conservation initiatives. Migratory bird species that may utilize the area are listed below based on preferred habitats (i.e., nesting and foraging habitats) and vegetative communities present in the area.

Pinion-juniper/Desert Shrub/Conifer/Riparian Areas – The following migratory bird species may be associated with the pinion-juniper, desert shrub, conifer, and riparian communities within the area: black-chinned hummingbird, broad-tailed hummingbird, Brewer's sparrow, Cassin's finch, Clark's nutcracker, gray flycatcher, gray vireo, greater sage-grouse, green-tailed towhee, juniper titmouse, Lewis's woodpecker, mountain bluebird, pinion jay, prairie falcon, sage sparrow, sage thrasher, three-toed woodpecker, Virginia's warbler, and white-throated swift. (Parrish et al. 2002).

3.2.2 Livestock Grazing

The Winter Ridge and Horse Point Allotments are within the HA. One livestock operator is currently authorized to graze livestock in the allotments within the Winter Ridge HA. The operator is authorized to use 910 Animal Unit Months (AUMs) on the Winter Ridge Allotment and 950 AUMs on Horse Point Allotment of forage each year. An AUM is the amount of forage needed to sustain one cow, for a month. The allotment(s) consist of various pastures grazed in deferred-rotation. The season of use may vary by 1-2 weeks annually based upon forage availability, drought conditions, and other management criteria.

The BLM allocated forage for livestock use through the 2008 VFO ROD. The ROD determined livestock grazing is a compatible use on public lands within the allotment, within the authority of the 1934 Taylor Grazing Act (TGA), the 1976 Federal Land Policy and Management Act (FLPMA), and the grazing administration regulations

contained in 43 CFR 4100.

Livestock grazing is an accepted and valid use of the BLM range management program, as provided for by the Taylor Grazing Act (TGA), Federal Land Policy and Management Act (FLPMA), and the Public Rangelands Improvement Act (PRIA), as amended. Regulations controlling livestock grazing on public lands are found in 43 CFR 4100. The objective of these regulations are to, "Promote healthy sustainable rangeland ecosystems; to accelerate restoration and improvement of public rangelands to properly functioning conditions; to promote the orderly use, improvement and development of the public lands; to establish efficient and effective administration of grazing of public rangelands; and to provide for the sustainability of the western livestock industry and communities that are dependent upon productive, healthy public rangelands"

Table 3.2.2 below summarizes the livestock use information for the allotments in the HA(s):

Table 3.2.2: Livestock Use Information

Allotment	Total Allotment Acres	% of Allotment in HA	Livestock	Authorized Season of Use	Active Livestock AUMs (Preference)	Average Actual Livestock Use (*Approximate*)
Winter Ridge 08827	33,957 Public 7,520 State 710 Private ***~42,188 Total***	~60	122 Cattle	11/16 – 6/30	914 – Active	140% (1987-2010) 120% (2005-2010)
Horse Point 08825	33,114 Public 269 other Federal 4,860 State ***~38, 244 Total***	~50	174 Cattle	11/16-04/30	950 – Active	66% (2005-2010)

3.2.3 Threatened & Endangered (T&E) or Candidate Animal Species

Section 7 (a) (2) requires federal agencies to ensure that activities they authorize, fund, or carry out are not likely to adversely affect or jeopardize the continued existence of a federally-listed species or result in the adverse modification or destruction of its Critical Habitat. Regulations implementing this interagency cooperation provision of the Endangered Species Act (ESA) are codified at 50 CFR 402. The BLM has a commitment to ensure that actions requiring its authorization or approval are consistent with the conservation needs of special status species and do not contribute to the need to list any special status species, either under provisions of the ESA or other provisions of this policy (USDI 2008). Habitat for Mexican spotted owl, a federally threatened species, including crucial habitat for greater sage-grouse, a candidate species, occurs within the proposed gather area.

Mexican Spotted Owl:

The Mexican spotted owl (MSO) is federally listed as a threatened species. MSO ranges from southern Utah and Colorado through the mountains in Arizona, New Mexico, and west Texas into the mountains of central Mexico. MSO's in Utah are located in the Colorado Plateau Recovery Unit (RU), as described in the MSO Recovery Plan

(USDI 1995). In Utah, MSO's are a permanent resident that nests in the deep, sheer-walled, standstone, or rocky canyons of the Green and Colorado River basins.

SWCA Environmental Consultants' (SWCA) Assessment of Potential Mexican Spotted Owl Habitat (SWCA 2005) identified approximately 13,442 acres of potential MSO habitat. There is no designated Critical Habitat within the gather area. Presence and absence surveys have been completed throughout most of the gather area in 2005-2007; these surveys did not reveal the presence of owls in the area (BLM data).

Greater Sage-grouse:
The greater sage-grouse is listed as a federal candidate species. These birds inhabit sagebrush plains, foothills, and mountain valleys. Sage-grouse require large expanses of sagebrush with good under stories of forbs and grasses for nutrition and shelter. Factors involved in the decline in both the distribution and abundance of sage-grouse include permanent loss, degradation, and fragmentation of sagebrush-steppe habitat throughout the western states including Utah (Heath et al.1996, Braun 1998). Sage-grouse populations have declined (approximately 80%) from the mid 1960's to mid-1980's throughout much of the western states. Research and conservation efforts throughout the last twenty years have helped stabilize and recover many populations (UDWR 2009).

Sage-grouse generally have lower reproductive rates and higher survival rates than other species of upland game birds. Nesting rates vary from year to year from area to area. Some of the variation is likely a result of the quality of nutrition available and the health of the females. Clutch sizes are also linked to the quality of nutrition and health of the females. Important dietary and structural components for brood-rearing include key forbs, shrubs, grasses, and invertebrates. Sage-grouse chicks must have insects to survive for the first three weeks after hatching.

In January of 2005 the U.S. Fish and Wildlife Service (USFWS) completed a status review for greater sage-grouse and other numerous petitions. The status review was published "not warranted." In December 2007 the court remanded the decision on the combined greater sage-grouse petitions and required a new status review to be published by December 2008. The USFWS failed to publish the new status review and agreed with petitioners to publish the review by February 26, 2010. The USFWS announced that listing of the greater sage-grouse warrants the protection of the ESA, but that listing the species is precluded by the need to address higher priority species first.

The VRMP designates 79,255 acres of crucial brooding habitat within the proposed horse gather area. There are two active sage-grouse leks located within the horse gather area: Winter Ridge Lek and Horse Point Lek. Leks are collective breeding grounds for sage-grouse and are generally considered to be the core areas of nesting activity.

3.2.4 Visual Impacts
VRM class I is the most restrictive class and states:

Class I Objective. The objective of this class is to preserve the existing character of the landscape. This class provides for natural ecological changes; however, it does not preclude very limited management activity. The level of change to the characteristic landscape should be very low and must not attract attention.

The landform is generally panoramic to enclosed rolling hills with open flats and some canyons. No dominant features. Landform lines are generally horizontal and diagonal/vertical. Texture of the landform is rolling hills with open flats and some canyons. Landform color is generally vegetation based with sagebrush greens, pinion greens and light desert tans/browns.

Structures consist of naturals surface roads of varying widths, oil and gas infrastructure, and primitive camp sites. Lines are horizontal and vertical with roads curving at times to form to the landscape. Shapes include conical tanks and rectangular oil and gas developments with pipelines stretching parallel to roads at times. Structure texture is smooth and sharp. Structure colors vary from natural soils browns for the roads to varied paint schemes on oil and gas infrastructure varying from Carlsbad browns to green/sky blue based camouflage.

Vegetation is predominantly sagebrush and pinion/juniper based. Lines are broken by manmade structures and stippled, and this creates a coarse texture in the foreground but fades to a smooth look in the background. Colors identified above.

3.2.5 Wilderness/WSA

The Winter Ridge WSA was carried forward within the 2008 RMP which states:

Manage the existing WSAs listed below (55,808 acres) as directed in the Interim Management Policy (IMP) for Lands under Wilderness Review (H-8550-1) in a manner that does not impair their suitability for designation as wilderness. Allow temporary uses that create no new surface disturbance nor involve permanent placement of structures.

In 2002 the BLM conducted the Hill Creek Horse Gather (see NEPA document number UT-080-02-320) which occurred within a Wilderness Inventory Area (WIA). The methods were the same, and within the document the BLM stated,

> " Implementation of the Proposed action would result in impacts to the Desolation WIA that would be short-term and would not degrade wilderness characteristics so as to affect the potential of the WIA to be established as a Wilderness Study Area or Wilderness Area. No trap sites would be located within the WIA, no blading of the surface to bare ground would occur, vehicles used in conjunction with the project would be restricted to existing roads and/or trails, and no cross-country vehicle use would occur. The helicopter may haze wild horses from the WIA into traps located nearby on the HMA. Surface impacts include increased dust from animal movement and helicopter presence and noise within the WIA. As no roads would be constructed, the Proposed Action would not reduce the size of the WIA. Naturalness

would not be degraded by the proposed action. Footprints by wild horses along established trails and/or overland in response to helicopter hazing would be temporary and negligible. Outstanding opportunities for solitude would be temporarily degraded during the time the helicopter is in the WIA. It is anticipated that the hazing helicopter would be in the WIA for two days. The hazing helicopter would create some noise for the short-term while the helicopter is within the WIA. Existing noise levels in the WIA is estimated to range between 19-39 dBA. A helicopter could temporarily raise the existing "quite" level to "moderate" to "very loud", depending upon the distance from the helicopter and to a lesser extent, atmospheric conditions. Therefore, the use of a helicopter in the vicinity of the WIA for the time require to haze wild horses would degrade solitude and primitive and unconfined recreation for an estimated two days."

Additionally the BLM conducted a smaller scale removal in 2004 (see NEPA document #UT-080-04-0497) where the BLM indentified and addressed similar concerns.

3.2.6 Wild Horses

The HA was formally designated as a herd area (HA) through the WFRHBA, the 1984 Book Cliff Resource Management Plan, as well as the 2008, Record of Decision for the approved Vernal Field Office RMP. An AML was not established for this HA and forage (AUMs) were not allocated; therefore wild horses within the HA and surrounding area (Map as Appendix E) are considered excess animals and must be removed as per the FRWHBA.

Table 3.2.6 (a) summarizes the current population, and estimated removal numbers for the HA under the Proposed Action:

Table 3.2.6(a): Summary of Wild Horse Population Information

HA	Acres	AML	Est. Current Population	Target Gather	Target Remove
Winter Ridge	46,500	0	119	150	150

The last removal of excess wild horses from the Winter Ridge HA was completed in (2003) when 45 horses were gathered and removed (*see table below*).

Table 3.2.6(b): Wild Horse Gather History

HA	Year	Captured	Removed	Released	Died/Euthanized
WR	2003	45	45	0	1

The current estimated population of the herd is between 120 and 150 animals. Estimates are based on an aerial population inventory conducted in April of 2010 and field observations on the ground conducted from 2008 through 2010. The above estimates do not factor in the potential for additional horses foaled during 2010. Horse numbers have increased an average of 26% per year since the HA was last surveyed in 2004. Currently, the horses

appear in good health and generally have a body score of 5. The 2010 foals appear vigorous and in good health as of recent field visits.

The population of wild horses within the HA fluctuates from migration patterns based on seasonality, climatic conditions, and other possible scenarios (fire, etc).

Table 3.2.6(c): Summary of Wild Horse AUM Use, Under Various Ongoing Population Scenarios

HA	Horse Population	Est. Annual AUMs Based on 100% Public Land
Winter Ridge	50	600
	75	900
	100	1200
	150	1800

4.0 Environmental Consequences

4.1 Introduction

This section of the EA documents the potential environmental impacts which would be expected with implementation of the Action Alternatives (Alternatives 1 and 2), and/or the No Action Alternative. These include the direct impacts (those that result from the management actions) and indirect impacts (those that exist once the management action has occurred).

4.2 Predicted Effects of Alternatives

The direct and indirect impacts to these resources which would be expected to result with implementation of the Action Alternatives or No Action Alternative are discussed in detail below.

4.2.1 Fish and Wildlife Excluding USFWS Designated Species

Impacts Common to Action Alternatives (1-2)

Big Game:
Direct impacts to big game species may occur through temporary displacement through the utilization of a helicopter to facilitate in the gathering of the horses. These impacts would be minimal and of short-term. The gather dates would not occur during the crucial wintering period (December 1 – April 30) or during crucial fawning and calving (May 15 – June 30) periods for mule deer and Rocky Mountain elk. Indirect impacts would be associated to wild horse densities and their patterns of use throughout the area. This in turn would result in a decrease in big game and wild horse competition leading to lower levels of inter-specific competition and stress including a decrease in forage and water competition. By removing excess numbers of wild horses a reduction in forage utilization and stream bank trampling along Willow and Hill Creek drainages would occur. The wild horses use and estimated 1,800 AUM's annually (*refer to Table 3.2.6(c) in the EA*).

Both action alternatives are anticipated to reduce competition with big game, which would increase the quantity and quality of available forage.

Raptors/Migratory Birds:
The proposed gather area contains a variety of vegetative types which supports various raptors and other migratory species that occur within the area. Direct impacts to raptors and migratory bird species may occur through temporary displacement through the utilization of a helicopter to facilitate in the gathering of the horses. The gather dates would not occur during the breeding or nesting period for raptors and other migratory birds that may inhabit within the gather area. Indirect impacts would be associated to wild horse densities and their patterns of use throughout the area. By removing excess numbers of wild horses a reduction in forage utilization and stream bank trampling along Willow and Hill Creek Drainages would occur. The wild horses use an estimated 1,800 AUM's annually (*refer to Table 3.2.6(c) in the EA*).

Both action alternatives are anticipated to reduce competition with raptors and migratory birds, which would increase the quantity and quality of available forage for those species or their prey.

Impacts of Alternative 1 (Proposed Action)
Impacts to wildlife species would be as described above in Impacts Common to Alternatives (1and 2).

Impacts of Alternative 2
Impacts to wildlife species would be as described above in Impacts Common to Action Alternatives (1-2); however, direct impacts would occur more frequently than that of the Proposed Action Alternative.

Impacts of Alternative 3 (No Action)
Big Game:
Big game species would not be disturbed or displaced because gather operations would not occur under the No Action Alternative. Conditions for big game species could deteriorate as wild horses compete with big game species for forage and water resources.

Raptors/Migratory Birds:
Avian species would not be disturbed or displaced because gather operations would not occur under the No Action Alternative. Species-specific habitats for avian birds could deteriorate as wild horses compete with raptors and migratory birds or their prey species for forage and water resources.

4.2.2 Livestock

Impacts Common to Action Alternatives (1-2)
Gather and removal activities could result in direct short-term impacts by disturbing and dispersing the present livestock operation. Reduced competition (*short term and long term*) between livestock and wild horses for the available forage and water would also result. Indirect impacts would include an increase in the quality and quantity of the available forage in the short-term. Over the longer-term, improved vegetation resources would lead to a thriving natural ecological condition, if there are no increases (beyond the current level) to livestock and wildlife numbers. However, gathering and removing horses would create an ecological spatial and resource niche that could be filled with other large herbivores such as livestock and/or big game wildlife; thus requiring proactive rangeland management following any gather and removal activity.

Impacts of Alternative 1 (Proposed Action)
Impacts to livestock would be as described above in Impacts Common to Action Alternatives (1-2).

Impacts of Alternative 2
Impacts to livestock would be as described above in Impacts Common to Action Alternatives (1-2); however, indirect and direct competition between livestock and horses for space, forage and water resources would continue to occur.

Impacts of Alternative 3 (No Action)
Utilization by authorized livestock has been indirectly impacted within the HA, and directly impacted outside the HA due to the current overpopulation of wild horses. The livestock operator has not been forced to take voluntary non-use due to the impacts of the wild horse population on range vegetation/forage conditions within the Winter Ridge HA the operator has utilized full active preference for the last 20 + years. The current wild horse population is 100 times above their forage allocation. Heavy to severe utilization does occur near water sources and during drought years. The indirect impacts of No Action (Defer Gather and Removal) could be: continued damage to the range within the HA near water sources; continued competition between livestock, wild horses and wildlife for the available forage and water; possible reduced quantity and quality of forage and water; and possible undue hardship on the livestock operator during drought years on those areas outside of the HA.

4.2.3 Threatened & Endangered (T&E) or Candidate Animal Species

Impacts Common to Action Alternatives (1-2)
Mexican Spotted Owl:
The majority of the gather area has had MSO surveys that were conducted from 2005-2007 in accordance to USFWS protocol. Though MSO have never been identified within the Willow Creek and Hill Creek drainages it is possible owls have migrated into the area during the past four years. The BLM in conjunction with USFWS,

have scheduled spotted owl surveys for spring 2011, which would cover portions of the proposed gather area. These surveys, weather permitting, would be accomplished prior to the proposed gather dates. If surveys identify the presence of MSO within the HA project activities would be prohibited within a spatial and temporal buffer determined by the BLM, in coordination with USFWS. In addition, if MSO nesting activity is confirmed the BLM, in coordination with USFWS would delineate a Protected Activity Center (PAC) and project activities would not occur within the designated PAC. The parameters and restrictions for continuation or discontinuation of project activities would be determined through Section 7 Consultation in accordance of the ESA. These timing and spatial limitations around active nests would effectively eliminate potential adverse impacts from project activities on breeding and nesting Mexican spotted owls. Currently, there have been no designations of critical habitat for MSO and previous surveys indicate that there have been no known occurrences of MSO in the HA. The nearest known occurrence of MSO was located in 2010 approximately 25 miles west of the gather area in Desolation Canyon.

MSO that may be present within the HA may have direct impacts through temporary displacement through the utilization of a helicopter to facilitate in the gathering of the horses. MSO's in Utah nest in caves, crevices, or cavities of rocky canyon walls where horses would not typically be found. Owlets would have left the nest by early to mid-June though they are not fully independent until August-September (USFWS, 2003). The gather dates would not occur during the breeding season for MSO, but would occur during the mid-fledgling stage. As mentioned if owls are found during the spring surveys further mitigation would apply. Indirect impacts would be associated to wild horse densities and their patterns of use throughout the area.

Both action alternatives are anticipated to reduce competition with raptors including migratory birds, which would increase the quantity and quality of available forage for those species or their prey. Based on this assessment and the above analysis, the BLM has determined that the two action alternatives would result in a ***"may affect, not likely to adversely affect"*** situation for MSO.

Greater Sage-grouse:

Direct impacts to sage-grouse may occur through temporary displacement (flushing) by gathering of the horses. These impacts would be minimal and of short-term. The gather dates would not occur during the breeding or nesting season for grouse. Early brood-rearing (May-July) habitat generally occurs relatively close to nest sites. As herbaceous plants mature and dry, hens move their broods to late brood-rearing (July-September) habitats which consist of more succulent vegetation. Indirect impacts would be associated to wild horse densities and their patterns of use throughout the area. This in turn would result in an increase of plant vitality, seed production, seedling establishment, and the overall ecological health of the surrounding habitat of which is crucial for brood rearing.

Both action alternatives are anticipated to increase the amount of forage available for sage-grouse. Based on this information, implementation of the two Action Alternatives *may impact sage-grouse through temporary displacement, but is not likely to contribute to the need to become federally listed.*

Impacts of Alternative 1 (Proposed Action)

Impacts to greater sage-grouse would be as described above in Impacts Common to Action Alternatives (1-2).

Impacts of Alternative 2
Impacts to greater sage-grouse would be as described above in Impacts Common to Action Alternatives (1-2); however, direct impacts would occur more frequently than that of the Proposed Action Alternative.

Impacts of Alternative 3 (No Action)
Greater sage-grouse would not be disturbed or displaced because gather operations would not occur under the No Action Alternative. Conditions for greater sage-grouse could deteriorate as wild horse numbers above AML compete with sage-grouse for forage and water resources.

4.2.4 Visual Impacts

Impacts of Alternative 1 (Proposed Action) and Alternative 2 –
The proposed action and all alternatives with the exception of the no action alternative would create temporary dust intrusions visually; however, the landform itself would remain virtually unchanged. Based on the duration of the action and the relative low visitation use to the area during the proposed gather intrusions would be minimal and have been addressed through the proposed action and will not be carried forward for further analysis. Thus the project would meet the class one objectives as a "...very limited management activity", and the level of change to the landscape would be low and not attract attention.

Impacts of Alternative 3 (No Action) –
No impacts to Visual values would occur.

4.2.5 Wilderness/WSA

Impacts of Alternative 1 (Proposed Action) –
The proposed action could take approximately 10 days to complete, which would be 8 days longer than that of the 2002 gather, however best management practices have been identified both in the 2002 document and within the wild horse and burro program itself. Based on these best management practices, the proposed action would not impair the ability of the Winter Ridge WSA to be designated as a Wilderness Area by congress should any decision be forthcoming.

Impacts of Alternative 2 –
Best management practices have been identified both in the 2002 document and within the wild horse and burro program itself. Based on these best management practices, the proposed action would not impair the ability of the Winter Ridge WSA to be designated as a Wilderness Area by congress should any decision be forthcoming.

Best management practices have been identified both in the 2002 document and within the wild horse and burro program itself. Based on these best management practices, the proposed action would not impair the ability of the Winter Ridge WSA to be designated as a Wilderness Area by congress should any decision be forthcoming.

Impacts of Alternative 3 (No Action) –

No impacts to wilderness value would occur.

4.2.6 Wild Horses and Burro

Impacts Common to Action Alternatives (1-2)

Over the past 35 years, various impacts to wild horses as a result of gather activities have been observed. Under the Proposed Action, impacts to wild horses would be both direct and indirect, occurring to both individual horses and the population as a whole.

The BLM has been conducting wild horse gathers since the mid-1970s. During this time, methods and procedures have been identified and refined to minimize stress and impacts to wild horses during gather implementation. The SOPs in Appendix B would be implemented to ensure a safe and humane gather occurs and would minimize potential stress and injury to wild horses.In any given gather, gather-related mortality averages between 0.5% and 1.2%, which is very low when handling wild animals. Approximately, another six-tenths of one percent (0.6%) of the captured animals could be humanely euthanized due to pre-existing conditions and in accordance with BLM policy (GAO-09-77). These data affirm that the use of helicopters and motorized vehicles has proven to be a safe, humane, effective, and practical means for the gather and removal of excess wild horses (and burros) from the public lands. The BLM also avoids gathering wild horses by helicopter during the 6 weeks prior to and following the peak foaling season (see IM 2010-183). The peak foaling for wild horses on public lands in the West falls within about a two week period, from mid-April to mid-May. Therefore, the use of helicopters to capture wild horses is prohibited from March 1 until June 30, unless an emergency situation occurs.

Individual, direct impacts to wild horses include the handling stress associated with the roundup, capture, sorting, handling, and transportation of the animals. The intensity of these impacts varies by individual, and is indicated by behaviors ranging from nervous agitation to physical distress. When being herded to trap site corrals by the helicopter, injuries sustained by wild horses may include bruises, scrapes, or cuts to feet, legs, face, or body from rocks, brush or tree limbs. Rarely, wild horses will encounter barbed wire fences and will receive wire cuts. These injuries are very rarely fatal and are treated on-site until a veterinarian can examine the animal and determine if additional treatment is indicated.

Other injuries may occur after a horse has been captured and is either within the trap site corral, the temporary holding corral, during transport between facilities, or during sorting and handling. Occasionally, horses may sustain a spinal injury or a fractured limb. Based on prior gather statistics, serious injuries requiring humane euthanasia occur in less than 1 horse per every 100 captured. Similar injuries could be sustained if wild horses were captured through bait and/or water trapping, as the animals still need to be sorted, aged, transported, and otherwise handled following their capture. These injuries result from kicks and bites, or from collisions with corral panels or gates.

To minimize the potential for injuries from fighting, the animals are transported from the trap site to the temporary (or short-term) holding facility where they are sorted as quickly and safely as possible, then moved into large holding pens where they are provided with hay and water. On many gathers, no wild horses are injured or

die. On some gathers, due to the temperament of the horses, they are not as calm and injuries are more frequent. Overall, direct gather-related mortality averages less than 1%.

Indirect individual impacts are those which occur to individual wild horses after the initial event. These may include miscarriages in mares, increased social displacement, and conflict in studs. These impacts, like direct individual impacts, are known to occur intermittently during wild horse gather operations. An example of an indirect individual impact would be the brief 1-2 minute skirmish between older studs which ends when one stud retreats. Injuries typically involve a bite or kick with bruises which do not break the skin. Like direct individual impacts, the frequency of these impacts varies with the population and the individual. Observations following capture indicate the rate of miscarriage varies, but can occur in about 1 to 5% of the captured mares, particularly if the mares are in very thin body condition or in poor health.

A few foals may be orphaned during a gather. This can occur if the mare rejects the foal, the foal becomes separated from its mother and cannot be matched up following sorting, the mare dies or must be humanely euthanized during the gather, the foal is ill or weak and needs immediate care that requires removal from the mother, or the mother does not produce enough milk to support the foal. On occasion, foals are gathered that were previously orphaned on the range (prior to the gather) because the mother rejected it or died. These foals are usually in poor, unthrifty condition. Every effort is made to provide appropriate care to orphan foals. Veterinarians may administer electrolyte solutions or orphan foals may be fed milk replacer as needed to support their nutritional needs. Orphan foals may be placed in a foster home in order to receive additional care. Despite these efforts, some orphan foals may die or be humanely euthanized as an act of mercy if the prognosis for survival is very poor.

In some areas, gathering wild horses during the winter may avoid the stress that could be associated with a summer gather. By fall and winter, foals are of good body size and sufficient age to be easily weaned. Winter gathers are often preferred when terrain and higher elevations make it difficult to gather wild horses during the summer months. Under winter conditions, horses are often located in lower elevations due to snow cover at higher elevations. This typically makes the horses closer to the potential trap sites and reduces the potential for fatigue and stress. While deep snow can tire horses as they are moved to the trap, the helicopter pilots allow the horses to travel slowly at their own pace. Trails in the snow are often followed to make it easier for horses to travel to the trap site. On occasion, trails can be plowed in the snow to facilitate the safe and humane movement of horses to a trap.

In some areas, a fall/winter gather may result in less stress as the cold and snow does not affect wild horses to the degree that heat and dust might during a summer gather. Wild horses may be able to travel farther and over terrain that is more difficult during the winter, even if snow does not cover the ground. Water requirements are lower during the fall/winter months, making distress from heat exhaustion extremely rare. By comparison, during summer gathers, wild horses may travel long distances between water and forage and become more easily dehydrated.

Through the capture and sorting process, wild horses are examined for health, injury and other defects. Decisions to humanely euthanize animals in field situations would be made in conformance with BLM policy. BLM Euthanasia Policy IM-2009-041 is used as a guide to determine if animals meet the criteria and should be euthanized (refer to SOPs, Appendix B). Animals that are euthanized for non-gather related reasons include those with old injuries (broken or deformed limbs) that cause lameness or prevent the animal from being able to maintain an acceptable body condition (greater than or equal to BCS 3); old animals that have serious dental abnormalities or severely worn teeth and are not expected to maintain an acceptable body condition, and wild horses that have serious physical defects such as club feet, severe limb deformities, or sway back. Some of these conditions have a causal genetic component and the animals should not be returned to the range to prevent suffering, as well as to avoid amplifying the incidence of the problem in the population.

Wild horses not captured may be temporarily disturbed and moved into another area during the gather operation. With the exception of changes to herd demographics from removals, direct population impacts have proven to be temporary in nature with most, if not all, impacts disappearing within hours to several days of release. No observable effects associated with these impacts would be expected within one month of release, except for a heightened awareness of human presence.

Over the next 4 years, implementation of the Proposed Action would result in zero excess wild horses which would require removal from the range. For every excess horse not placed in the adoption, sale or long-term holding pipeline, a savings to the American taxpayer of up to $12,000 per animal over 20 years would accrue.

Transport, Short Term Holding, and Adoption (or Sale) Preparation

About 100-150 excess horses would be removed. Animals would be transported from the capture/temporary holding corrals to the designated BLM short-term holding corral facility(s). From there, they would be made available for adoption or sale to qualified individuals or to long-term holding (grassland) pastures.

Wild horses removed from the range are transported to the receiving short-term holding facility in a straight deck semi-trailers or goose-neck stock trailers. Vehicles are inspected by the BLM COR or PI prior to use to ensure wild horses can be safely transported and that the interior of the vehicle is in a sanitary condition. Wild horses are segregated by age and sex and loaded into separate compartments. A small number of mares may be shipped with foals. Transportation of recently captured wild horses is limited to a maximum of 8 hours. During transport, potential impacts to individual horses can include stress, as well as slipping, falling, kicking, biting, or being stepped on by another animal. Unless wild horses are in extremely poor condition, it is rare for an animal to be seriously injured or die during transport.

Upon arrival at the short term holding facility, recently captured wild horses are off-loaded by compartment and placed in holding pens where they are fed good quality hay and water. Most wild horses begin to eat and drink immediately and adjust rapidly to their new situation. At the short-term holding facility, a veterinarian examines each load of horses and provides recommendations to the BLM regarding care, treatment, and if necessary, euthanasia of the recently captured wild horses. Any animals affected by a chronic or incurable disease, injury, lameness or serious physical defect (such as severe tooth loss or wear, club feet, and other severe congenital

abnormalities) would be humanely euthanized using methods acceptable to the American Veterinary Medical Association (AVMA). Wild horses in very thin condition or animals with injuries are sorted and placed in hospital pens, fed separately and/or treated for their injuries as indicated. Recently captured wild horses, generally mares, in very thin condition may have difficulty transitioning to feed. Some of these animals are in such poor condition that it is unlikely they would have survived if left on the range. Similarly, some mares may lose their pregnancies. Every effort is taken to help the mare make a quiet, low stress transition to captivity and domestic feed to minimize the risk of miscarriage or death.

After recently captured wild horses have transitioned to their new environment, they are prepared for adoption or sale. Preparation involves freeze-marking the animals with a unique identification number, drawing a blood sample to test for equine infections anemia, vaccination against common diseases, castration, and de-worming. During the preparation process, potential impacts to wild horses are similar to those that can occur during handling and transportation. Serious injuries and deaths from injuries during the preparation process are rare, but can occur.

There are some complications that can arise even with a routine castration. Probably the most common is swelling that spreads down the hind legs. Ultimately the incision will need to be reopened to ensure proper drainage. Hind leg swelling is the body's sympathetic response to the swelling in the sheath area and more probably, the premature closing of the incisions and inability of the area to drain. Until closure at about two weeks, there should be a gradual decrease in the amount of drainage: copious at first, scant toward day 14. If drainage halts abruptly, use a warm compress on the scrotal area to soften the crusted incision area and then exercise the young horse immediately. This will usually cause the incision to burst open and release the accumulated pus. If the premature closure is persistent, perhaps your veterinarian needs to enlarge one or both of the incisions. If the spermatic cord was not emasculated thoroughly, excess bleeding may result and the cord may need to be clamped. In other cases, if too much spermatic cord was pulled out of the abdominal cavity during the surgery, after emasculation, the stump may retract into the abdomen. The subsequent bleeding and infection that would likely follow might require major abdominal surgery or result in death. Sometimes, after recumbent surgery, horses will exhibit temporary facial paralysis, but it is uncommon. It can be caused by an object pressing on a facial nerve when the horse's head is on the ground during the castration. Temporary paralysis may manifest as a drooping lip, a flaccid nostril on one side, perhaps a floppy ear. Sometimes the horse's eye will water continually. It is possible that a horse could have difficulty eating if the paralysis affects both sides of the face. Generally the side that he was laying on is the one that is affected. Recovery takes about ten days.

At short-term corral facilities, a minimum of 700 square feet is provided per animal. Mortality at short-term holding facilities averages approximately 5% per year (GAO-09-77, Page 51), and includes animals euthanized due to a pre-existing condition; animals in extremely poor condition; animals that are injured and would not recover; animals which are unable to transition to feed; and animals which are seriously injured or accidentally die during sorting, handling, or preparation.

Although horses are vaccinated, treated for illness and cared for in a humane manner at short-term facilities, there is risk of contagious diseases such as equine strangles (i.e. distemper) to occur, due to the close proximity of

individuals. Although outbreaks of strangles is not common, it can occur and requires specific management practices which include but may not be limited to: quarantine, isolation, possible veterinarian treatment, sanitary practices (regularly cleaning infected pastures, and disinfecting water sources).

Adoption or Sale with Limitations, and Long-Term Grassland Pastures (LTP)

Adoption applicants are required to have at least a 400 square foot corral with panels that are at least six feet tall for horses over 18 months of age. Applicants are required to provide adequate shelter, feed, and water. The BLM retains title to the horse for one year and the horse and the facilities are inspected to assure the adopter is complying with the BLM's requirements. After one year, the adopter may take title to the horse, at which point the horse becomes the property of the adopter. Adoptions are conducted in accordance with 43 CFR 5750.

Potential buyers must fill out an application and be pre-approved before they may buy a wild horse. A sale-eligible wild horse is any animal that is more than 10 years old; or has been offered unsuccessfully for adoption three times. The application also specifies that all buyers are not to re-sell the animal to slaughter buyers or anyone who would sell the animal to a commercial processing plant. Sales of wild horses are conducted in accordance with Bureau policy.

Since fiscal year 2008, the BLM has removed over 31,680 excess wild horses or burros from the Western States. Most animals not immediately adopted or sold have been transported to long-term grassland pastures in the Midwest.

Potential impacts to wild horses/burros from transport to adoption, sale or long-term grassland pastures (LTP) are similar to those previously described. One difference is that when shipping wild horses/burros for adoption, sale or LTP, animals may be transported for up to a maximum of 24 hours. Immediately prior to transportation, and after every 24 hours of transportation, animals are offloaded and provided a minimum of 8 hours on-the-ground rest. During the rest period, each animal is provided access to unlimited amounts of clean water and two pounds of good quality hay per 100 pounds of body weight with adequate bunk space to allow all animals to eat at one time. The rest period may be waived in situations where the anticipated travel time exceeds the 24-hour limit but the stress of offloading and reloading is likely to be greater than the stress involved in the additional period of uninterrupted travel.

Long-term grassland pastures are designed to provide excess wild horses with humane, and in some cases life-long care in a natural setting off the public rangelands. There, wild horses are maintained in grassland pastures large enough to allow free-roaming behavior and with the forage, water, and shelter necessary to sustain them in good condition. About 28,600 wild horses that are in excess of the current adoption or sale demand (because of age or other factors such as economic recession) are currently located on private land pastures in Oklahoma, Kansas, and South Dakota. Establishment of LTPs was subject to a separate NEPA and decision-making process. Located in mid or tall grass prairie regions of the United States, these LTP are highly productive grasslands compared to more arid western rangelands. These pastures comprise about 256,000 acres (an average of about 10-11 acres per animal). Of the animals currently located in LTP, less than one percent is age 0-4 years, 49 percent are age 5-10 years, and about 51 percent are age 11+ years.

Mares and sterilized stallions (geldings) are segregated into separate pastures except at one facility where geldings and mares coexist. Although the animals are placed in LTP, they remain available for adoption or sale to

qualified individuals; and foals born to pregnant mares in LTP are gathered and weaned when they reach about 8-12 months of age and are also made available for adoption. The LTP contracts specify the care that wild horses must receive to ensure they remain healthy and well-cared for. Handling by humans is minimized to the extent possible although regular on-the-ground observation by the LTP contractor and periodic counts of the wild horses to ascertain their well being and safety are conducted by BLM personnel and/or veterinarians. A very small percentage of the animals may be humanely euthanized if they are in very poor condition due to age or other factors. Although horses residing on LTP facilities live longer, on the average, than wild horses residing on public rangelands, natural mortality of wild horses in LTP averages approximately 8% per year, but can be higher or lower depending on the average age of the horses pastured there (GAO-09-77, Page 52).

Euthanasia and Sale without Limitation

While euthanasia and sale without limitation has been limited by Congressional appropriations, it is authorized under the WFRHBA. Congress prohibited the use of appropriated funds between 1987 and 2004 and again in 2010, and 2011 for this purpose. It is unknown if a similar limitation will be placed on the use of FY2012 appropriated funds.

Impacts of Alternative 1 (Proposed Action) –

Alternative 1 (Proposed Action) would gather approximately 150 horses, of which all would be removed to obtain the resource objectives within the RMP/ROD 2008, (*no viable population of wild horses within the HA*). Under Alternative 1, some horses may not be captured due to lack of flight, difficult terrain, weather issues, and other possible unforeseeable circumstances, and would continue to reside within the Herd Area. Under this alternative, entire bands would be gathered and removed; no manipulation of sex ratios or herd structure would occur.

Impacts of Alternative 2 –

Implementation of Alternative 2 would result in capturing fewer wild horses than would be captured in Alternative 1. A gate cut removal would be implemented rather than a selective removal (i.e., the gather would end when the number of excess wild horses which requires removal has been captured). Alternative 2 would not involve fertility control; mares would not undergo the additional stress of receiving fertility control injections or freeze-marking and would foal at normal rates until the next gather is conducted.

Impacts of Alternative 3 (No Action)

Under the No Action Alternative, there would be no active management to control the population size. In the absence of a gather, wild horse populations would continue to grow at the average annual rate of ~ 25 % per year; however, this number would fluctuate due to immigration and emigration of Winter Ridge horses into and out of surrounding areas. Without a gather and removal now, the population could grow to more than 200 horses in four years time based on the typical average annual growth rate. Or the horse population could decrease in the area due to horses leaving the area under extreme climatic circumstances (i.e. fire, drought, severe winter conditions, etc).

Use by wild horses would continue to exceed the amount of forage allocated for their use. Competition between wildlife, livestock and wild horses for limited forage and water resources would continue. Damage to rangeland

resources (primarily water and some forage) could increase. Over time, the potential risks to the health of individual horses would increase, and the need for emergency removals to prevent their death from starvation or thirst would also increase. Over the long-term, the health and sustainability of the wild horse population is dependent upon achieving a thriving natural ecological balance and sustaining healthy rangelands. Allowing wild horses to die of dehydration or starvation would be inhumane and would be contrary to the WFRHBA which requires that excess wild horses be immediately removed. Allowing rangeland damage to continue to result from wild horse overpopulation would also be contrary to the WFRHBA which requires the BLM to "*protect the range from the deterioration associated with overpopulation*", "*remove excess animals from the range so as to achieve appropriate management levels*", and "*to preserve and maintain a thriving natural ecological balance and multiple-use relationship in that area.*"

4.3 Cumulative Effects for All Alternatives

The NEPA regulations define cumulative impacts as impacts on the environment that result from the incremental impact of the Proposed Action when added to other past, present, and reasonably foreseeable future actions, regardless of what agency or person undertakes such actions (40 CFR 1508.7). Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. The cumulative impacts analysis area (CIAA) for the purposes of evaluating cumulative impacts is the Winter Ridge HA and the surrounding area delineated on Map 1.

According to the 1994 BLM *Guidelines for Assessing and Documenting Cumulative Impacts*, the cumulative analysis should be focused on those issues and resource values identified during scoping that are of major importance. Accordingly, the issues of major importance to be analyzed are:

4.3.1 Fish and Wildlife Excluding USFWS Designated Species

The Cumulative Impact Analysis Area (CIAA) for wildlife purposes is the wild horse gather area. This CIAA was based on the abundance of wildlife that occurs within the boundaries of the Willow Creek and Hill Creek drainages generally staying within the Winter Ridge area. Past and present impacts within the CIAA include ongoing and planned oil and gas development, recreational use, range improvements, and monitoring. Oil and gas activities have reduced the amount of available cover, foraging opportunities, and breeding areas for wildlife species.

4.3.2 Livestock Grazing

The CIAA for livestock (*cattle*) purposes is the wild horse gather area. Past and present impacts within the CIAA include ongoing and planned oil and gas development, recreational use, range improvements, and monitoring. Oil and gas activities have reduced foraging opportunities, as well as have led to an increase in vehicle traffic. Recreational off road travel by vehicles occurs primarily during the spring antler shed hunt and contributes to forage trampling and overall degradation of grazing resources. As this sport increases in popularity it is expected that rangeland impacts from vehicles and associated dispersed camping will also increase.

Through previous decisions, the BLM has allocated the available forage to wildlife and domestic livestock. Other decisions have resulted in adjustments to livestock numbers and seasons of use and for implementation of grazing systems and the associated range improvements to promote rangeland health. The current level of permitted livestock grazing use is approximately full active preference (100 %). Adequate records are not attainable regarding grazing use between 1971 when the WFRHBA passed and the mid 1980's when the Book Cliffs Resource Management Plan was completed (this plan has since been replaced by the current VFO RMP ROD 2008).

Additional AUMs may be available in the future due to forage increases from ongoing fire and fuels projects. Any future additional forage available will be allocated to wildlife and livestock as per the 2008 ROD. Currently, there is a large effort to reintroduce bison into the area as well as maintain the existing big game populations. Future redistribution of forage may impact livestock operations due to competition overlap of many big game species (specifically, bison and elk) and cattle.

4.3.3 Threatened & Endangered (T&E) or Candidate Animal Species

The Cumulative Impact Analysis Area (CIAA) for wildlife purposes is the wild horse gather area. Past and present impacts within the CIAA include ongoing and planned oil and gas development, recreational use, range, improvements and monitoring. Oil and gas activities have reduced the amount of available cover, foraging opportunities, and breeding areas for wildlife species.

4.3.4 Visual Impacts

Based on the proposed action and Best Management practices identified in previous chapters, and no surface disturbance from the proposed action, impacts from the horse gather will be short term and not have a long term measureable effect on the landscape.

4.3.5 Wilderness/WSA

Based on the proposed action and Best Management practices identified in previous chapters, and no surface disturbance from the proposed action, impacts from the horse gather will be short term and not have a long term measureable effect on the ability of Congress to designate or not designate the identified WSA as a Wilderness Area.

4.3.6 Wild Horses

The VFO RMP/ROD 2008 did not designate the Winter Ridge HA for the long-term management of wild horses. The HA boundary reaffirmed in the VFO RMP/ROD 2008 is nearly identical in size and shape to the original herd areas identified in 1971. AML was not established and the management of wild horses within the HA today is guided through issuance of the RMP/ROD 2008.

The actions which have influenced today's wild horse population are primarily the release of domestic horses into the HA, one severely harsh winter, ingress and egress of horses from other lands not managed by the BLM, and wild horse gathers, which have resulted in the capture and removal of some 45 wild horses, (see Table 3.2.6(b)). The CIAA for impacts to wild horses is the boundary of the "gather area", which includes the HA (see Appendix E).

Congressional appropriations over the past ten years and most recently for the 2010 budget year prohibits the destruction of healthy animals that are removed or deemed to be excess. BLM policy is consistent with these appropriations provisions such that only sick, lame, or dangerous animals can be euthanized, and destruction is no longer used as a population control method. Nor does BLM sell excess wild horses for slaughter; rather BLM makes every effort to place excess wild horses with private citizens who can provide the animals with a good home.

Public interest in the welfare and management of wild horses continues to be very high. There are many different values pertaining to wild horse management from the public's perceptions. Some view wild horses as nuisance animals, while others strongly advocate management of wild horses as living symbols of the pioneer spirit in the West.

4.4 Reasonably Foreseeable Future Actions

4.4.1 Fish and Wildlife Excluding USFWS Designated Species

Cumulative effects from the action alternatives would include increased available forage and reduced competition for water sources, which would positively impact wildlife species including deer and elk which are currently under management objectives for the Book Cliffs Herd Unit. Benefits from the removal of excess horses for other wildlife species including raptors and migratory birds would include fewer animals competing for limited water quantity and at limited sites reduced potential for destruction of potential nesting habitat. Other reasonably foreseeable actions within the CIAA impacting forage and water availability through surface disturbance or impacting species presence through human interference include ongoing oil and gas development, recreational activities, range improvements, and monitoring. The BLM would continue, in coordination with state agencies, to monitor and evaluate current grazing practices including wildlife and livestock correlations within the area.

Under the No Action Alternative current trends would continue. Impacts could include destruction of habitat, and increased competition for forage, water, and space between species.

4.4.2 Livestock Grazing

Livestock grazing is expected to continue at similar stocking rates and utilization of the available vegetation (forage) would also be expected to continue at similar levels. Continuing to graze livestock in a manner consistent with grazing permit terms and conditions would be expected to continue achieving Land Health Standards. Within the foreseeable future the grazing permit for the area will be evaluated for renewal through a NEPA document such as an EA, at which time possible changes in livestock operations could occur depending on

the outcome of the analysis.

4.4.3 Threatened & Endangered (T&E) or Candidate Animal Species

Cumulative effects from the action alternatives would include increased available forage and reduced competition for water sources, which would in turn positively impact avian species. Benefits from the removal of excess horses would include fewer animals competing for limited water quantity and at limited sites reduced potential for destruction of potential nesting habitat. Other reasonably foreseeable actions within the CIAA impacting forage and water availability through surface disturbance or impacting species presence through human interference include ongoing oil and gas development, recreational activities, range improvements, and monitoring. The BLM would continue, in coordination with state agencies, to monitor and evaluate current grazing practices including wildlife and livestock correlations within the area.

Under the No Action Alternative current trends would continue. Impacts could include destruction of habitat, and increased competition for forage, water, and space between species.

4.4.4 Visual Resources

Over the next 10 year period, reasonably foreseeable future actions include gathers about every 2 years to remove excess wild horses in order to achieve the resource objectives set forth in the RMP/ROD 2008. The actions from these additional gathers could have the same impacts as this gather, or be more or less significant depending on the location of holding pens.

4.4.5 Wilderness/WSA

Over the next 10 year period, reasonably foreseeable future actions include gathers about every 2 years to remove excess wild horses in order to achieve the resource objectives set forth in the RMP/ROD 2008. The actions from these additional gathers could have the same impacts as this gather, or be more or less significant depending on the location of holding pens.

4.4.6 Wild Horses

Over the next 10 year period, reasonably foreseeable future actions include gathers about every 2 years to remove excess wild horses in order to achieve the resource objectives set forth in the RMP/ROD 2008. The excess animals removed would be transported to short-term corral facilities where they would be prepared for adoption, sale (with limitations), or long-term holding. Any future wild horse management would be analyzed in appropriate environmental documents following site-specific planning with public involvement.

4.5 Summary of Past, Present, and Reasonably Foreseeable Future Actions:

Impacts Common to Action Alternatives (1-2)

The cumulative effects associated with the capture and removal of excess wild horses includes gather-related mortality of less than 1% of the captured animals, about 5% per year associated with transportation, short term holding, adoption or sale with limitations and about 8% per year associated with long-term holding. This

compares with natural mortality on the range ranging from about 5-8% per year for foals (animals under age 1), about 5% per year for horses ages 1-15, and 5-100% for animals age 16 and older (Stephen Jenkins 1996, Garrott and Taylor 1990). In situations where forage and/or water are limited, mortality rates increase, with the greatest impact to young foals, nursing mares and older horses. Animals can experience lameness associated with trailing to/from water and forage, foals may be orphaned (left behind) if they cannot keep up with their mare, or animals may become too weak to travel. After suffering, often for an extended period, the animals may die. Before these conditions arise, the BLM generally removes the excess animals to prevent their suffering from dehydration or starvation.

While humane euthanasia and sale without limitation of healthy horses for which there is no adoption demand is authorized under the WFRHBA, Congress prohibited the use of appropriated funds between 1987 and 2004 and again in 2010 for this purpose. It is unknown if a similar limitation will be placed on the use of FY2011 appropriated funds.

The other cumulative effects which would be expected when incrementally adding either of the Action Alternatives to the CIAA would include continued improvement of upland vegetation conditions, which would in turn benefit permitted livestock and native wildlife.

Impacts of Alternative 1 (Proposed Action)

Same as above.

Impacts of Alternative 2 (Phased Removal)

The return of wild horses back into the HA could lead to decreased ability to effectively gather horses in the future as released horses learn to evade the helicopter.

Impacts of Alternative 3 (No Action)

Under the No Action Alternative, the wild horse population could possibly exceed 200 in four years, or could decrease below current levels pending climatic, environmental or other possible circumstances. Movement outside the HA would be expected as greater numbers of horses search for food and water for survival, thus impacting larger areas of public lands. Heavy to excessive utilization of the available forage would be expected and the water available for use could become increasingly limited. Eventually, ecological plant communities could be damaged to the extent that they are no longer sustainable and the wild horse population would be expected to crash.

Emergency removals could be expected in order to prevent individual animals from suffering or death as a result of insufficient forage and water. These emergency removals could occur as early as winter of 2010/2011. During emergency conditions, competition for the available forage and water increases. This competition generally impacts the oldest and youngest horses as well as lactating mares first. These groups would experience substantial weight loss and diminished health, which could lead to their prolonged suffering and eventual death.

5.0 Monitoring and Mitigation Measures

The BLM Contracting Officer's Representative (COR) and Project Inspectors (PIs) assigned to the gather would be responsible for ensuring contract personnel abide by the contract specifications and the SOPs (Appendix A). Ongoing monitoring of forage condition and utilization, water availability, aerial population surveys, and animal health would continue.

6.0 List of Preparers

The interdisciplinary team checklist (Appendix A) lists each BLM specialist's area of responsibility.

7.0 Consultation and Coordination

A public hearing is held annually in the state of Utah regarding the use of helicopters and motorized vehicles to capture wild horses (or burros). During the hearing, the public is given the opportunity to present new information and to voice any concerns or opinions regarding the use of these methods to capture wild horses (or burros). The Salt Lake Field Office held a hearing on June 09, 2010. BLM reviewed its Standard Operating Procedures in response to the views and issues expressed at the hearing and determined that no changes to the SOPs were warranted.

The proposed project has been discussed verbally with USFWS on several occasions prior to the release of this EA. The BLM provided the USFWS with a shape file map of the gather area. Informal consultation with USFWS for impacts to Mexican spotted owl will be formally completed prior to the signing of this document.

Coordination with the State Institutional Trust Lands of Utah, the Utah Division of Wildlife Resources, Uintah County and the current grazing permittee has been initiated for this project regarding the necessary level of involvement from each of the above entities.

8.0 Public Involvement

Notification of the proposed action was listed on the ENBB and a 30 day public scoping notice was held regarding the intent of the VFO BLM to prepare this EA (*refer to section 1.8 on pages 5-6).*

9.0 List of References

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Force Base, New Mexico.

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UDWR. 2008. Statewide Management Plan for Mule Deer. State of Utah Department of Natural Resources, Division of Wildlife Resources, Salt Lake City, Utah.

UDWR. 2009. Utah Greater Sage-Grouse Management Plan. State of Utah Department of Natural Resources, Division of Wildlife Resources, Salt Lake City, Utah.

UDWR. 2010a. Overview of 2010 Antlerless Permit Recommendations. Regional Advisory Council. State of Utah Department of Natural Resources, Division of Wildlife Resources, Salt Lake City, Utah.

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Utah Steering Committee (USC). 2005. Coordinated Implementation Plan for Bird Conservation In Utah. Intermountain West Joint Venture.

BLM Documents:
Mexican Spotted Owl Presence/Absence Surveys
BLM Range Administration System (RAS)
BLM Range and WHB Files

10.0 Appendices and Attachments

Appendix A - Interdisciplinary Checklist
Appendix B - Standard Operating Procedures (Gather Operation)
Appendix C - Utah Standards and Guidelines for Rangeland Health
Appendix D - Threatened, Endangered, Candidate, Utah Special Status Animal Species including Partners-In-Flight Species of Concern
Appendix E - Map of Winter Ridge Gather and Removal Area
Appendix F - Response to Substantive Comments

APPENDIX A
INTERDISCIPLINARY TEAM CHECKLIST

Project Title: Winter Ridge Herd Area Wild Horse Gather and Removal
NEPA Log Number: DOI-BLM-UT-G010-2010-0208
Project Leader: Dusty Carpenter – NRS (Wild Horse & Burro and Range Management)

DETERMINATION OF STAFF: ***(Choose one of the following abbreviated options for the left column)***

NP = not present in the area impacted by the proposed or alternative actions
NI = present, but not affected to a degree that detailed analysis is required
PI = present with potential for relevant impact that need to be analyzed in detail in the EA
NC = (DNAs only) actions and impacts not changed from those disclosed in the existing NEPA documents cited in Section D of the DNA form. The Rationale column may include NI and NP discussions.

Determi-nation	Resource	Rationale for Determination*	Signature	Date
RESOURCES AND ISSUES CONSIDERED (INCLUDES SUPPLEMENTAL AUTHORITIES APPENDIX 1 H-1790-1)				
NI	Air Quality	Dust emissions currently occur from vehicles utilizing the subject roads. Those air quality impacts are encompassed within the Uinta Basin Air Quality Study (UBAQS) that was conducted in 2009. Overall, air quality in the Basin was modeled as being within attainment of the NAAQS. The 2012 horizon showed isolated modeled exceedences of the ozone NAAQS, which are thought to be residual effects from utilizing Wasatch Front monitors (which are 120 miles away in a non-attainment area) to calibrate the model. An additional model was run for the Greater Natural Buttes project. The results of that model correspond with the results of the UBAQS model. There are no regulatory monitoring data for the project area to verify and calibrate the results of either model, although monitoring is ongoing beginning in July 2009. Preliminary monitoring results are showing exceedences of the ozone NAAQS in the Uinta Basin during the winter when snow cover is present. However, ozone formation from its component parts (NOx and VOCs) is a non-linear, photo-reactive process, and no models exist for predicting winter-time ozone formulation. It is anticipated that the incremental change from this project's alternatives would be so small as to be undetectable by both models and monitors.	Stephanie Howard	9/8/2010
NP	Areas of Critical Environmental Concern	None present as per Vernal RMP/ROD and GIS layer review	Jason West	4/28/2010
NP	BLM Natural Areas**	None Present as per Vernal RMP/ROD and GIS layer review	Jason West	6/29/2010
NP	Cultural Resources	A review of areas close to the gathering areas revealed a low probability of finding any "eligible" cultural material in the immediate areas. Based on the topography, limited vegetation and lack of water it is unlikely that you would find any significant cultural material in the immediate area.	Keith Waldron	5/17/2010
NI	Greenhouse Gas Emissions	It is anticipated that greenhouse gas emissions associated with this action and its alternative(s) would be negligible due to the small size of the project and its short duration. No standards have been set by EPA or other regulatory agencies for	Stephanie Howard	3/5/2010

Determi-nation	Resource	Rationale for Determination*	Signature	Date
		greenhouse gases. In addition, the assessment of greenhouse gas emissions and climate change is still in its earliest stages of formulation. Global scientific models are inconsistent, and regional or local scientific models are lacking so that it is not technically feasible to determine the net impacts to climate due to greenhouse gas emissions.		
NI	Environmental Justice	No minority or economically disadvantaged communities or populations would be disproportionately adversely affected by the proposed action or alternatives because the gather is being conducted to collect wild horses from BLM- and State-administered lands in the Winter Ridge Area. The gather area adjoins the Uintah and Ouray Indian Reservation boundary, so there is a slight chance that horses belonging to members of the Ute Tribe may wander into the gather area and be inadvertently gathered. However, if that should occur, those horses will be released to their proper owners immediately upon provision of documentation or proof of ownership.	Stephanie Howard	3/5/2010
NI	Farmlands (Prime or Unique)	All prime farmlands in Uintah County are irrigated. No unique farmlands occur on BLM-administered lands in Uintah County. Prime farmland in Grand County is land that has the best combination of physical and chemical characteristics for producing food, feed, fiber, forage, oilseed, and other agricultural crops with minimum inputs of fuel, fertilizer, pesticides, and labor, and without intolerable soil erosion. Unique farmland in Grand County is land other than prime farmland that is used for the production of specific high-value food and fiber crops such as citrus, tree nuts, olives, cranberries, fruits, and vegetables. All prime farmland in Uintah County occurs in the top half of the County. All prime and unique farmland in Grand County occurs in the southern half of the County. No prime or unique farmland overlaps the project area, which occurs in the bottom half of Uintah County and the top half of Grand County.	Stephanie Howard	3/5/2010
PI	Fish and Wildlife Excluding USFWS Designated Species	Raptor nests are present within the gather boundary: 2 American kestrel, 2 red-tailed hawk, and 9 golden eagle; however, no negative impacts are anticipated to nesting raptors. Fledglings would have left their nests by this time if the nests are active this year. Beneficial impacts to raptor species are anticipated from the Proposed Action as degradation of wildlife habitat from horse use would not continue. Crucial winter range for mule deer and Rocky Mountain elk is present. In addition, crucial fawning and calving habitat for both is present. The gather would be completed outside of the VRMP identified crucial winter range and fawning and calving dates. Beneficial impacts to big game species are anticipated from the Proposed Action as degradation of wildlife habitat from horse use would not continue. Colorado River Cutthroat trout is located within the Willow	Brandon McDonald	6/28/2010

Determi-nation	Resource	Rationale for Determination*	Signature	Date
		Creek and Hill Creek Drainages. Horse gathering would have the potential for horses to run through these drainages but there would not be expected adverse impacts. Beneficial impacts are anticipated from the Proposed Action as bank trampling and degradation of riparian habitat from horse use would not continue.		
NI	Floodplains	The project area has HUD inventoried flood plains along the stream channels of Main Canyon, Trail Canyon, Willow Creek and a few other lesser drainages. Horse gathering would have the potential for horse to run through these drainages but there would not be expected any adverse impacts and the wild horses presently utilize the same area for grazing.	Stan Olmstead	3/18/2010
NI	Fuels/Fire Management	The project area does not contain any planned fuel reduction projects, and does fall within several completed fuel reduction projects. The proposed gather is not expected to result in any impacts to the completed projects. Fire suppression efforts are also not expected to be impacted by the gather as the proposed gather date of September is outside the typical fire suppression season	Steve Strong	6/10/2010
NI	Geology / Mineral Resources/Energy Production	No adverse impact to geology or mineral resources.	Betty Gamber	4/9/2010
NP	Hydrologic Conditions**	The horse gather would not be expected to alter any hydrologic flow patterns of surface waters. Moving wild horses from their area of utilization to a holding corral would not cause a change in surface water flow patterns.	Stan Olmstead	3/18/2010
NI	Invasive Species/Noxious Weeds	No corrals or burial sites would be located on BLM administered lands and thus no anthropogenic surface disturbance will occur due to the proposed project. Weed seeds may be carried on horses being gathered, however, these impacts are not expected to be different from the currently occurring transport on existing horses as they move within the area.	Aaron Roe	4/14/2010
NI	Lands/Access	The proposed area is located within the Vernal Resource Management Plan area, which allows for multiple uses of resources. Current land uses, within the area identified in the proposed action and adjacent lands, consist of existing oil and gas development and rights-of-way. No existing land uses would be changed or modified by the horse gathering. Right-of-way holders are present in the project area. BLM will notify the right-of-way holders of the proposed action.	Cindy McKee	4-7-10
PI	Livestock Grazing	There is a potential for the livestock operation to be impacted prior to and during the WH gather operations. Cattle may need to be removed from the area of the gather site as not to impede the movement of the horses into the trap sites. The removal of horses may lessen competition for forage and water resources.	Dusty Carpenter	3/10/10
PI	Migratory Birds.	The gather boundary is located within a Bird Habitat Conservation Area (Willow Creek # 38); however, it is not anticipated that negative impacts would occur to migratory birds during the breeding season as the gather dates would not occur during the early spring months. During the proposed gather dates migratory birds would have fledged their nests; however, temporary displacement from foraging areas may	Brandon McDonald	4/01/2010

Determi-nation	Resource	Rationale for Determination*	Signature	Date
		occur to individual species. Beneficial impacts to migratory birds and/or breeding birds are anticipated from the Proposed Action as degradation of wildlife habitat from horse use would not continue.		
NP	Native American Religious Concerns	No Native American concerns are associated with this project.	Keith Waldron	5/10/10
NI	Paleontology	Any surface effects of this action would likely only be minor to fossils present in the area.	Betty Gamber	4/9/2010
NI	Rangeland Health Standards	Rangeland Health Assessments were initiated on the Horse Point Allotment within the Winter Ridge HA in 2009. Although, not complete, initial evaluations point to the allotment of Horse Point is meeting rangeland health. Winter Ridge Assessments were completed on 06/29/10 and the initial evaluation shows that the Winter Ridge Allotment is meeting rangeland health standards. There is no quantitative documentation that horses have impacted rangeland health standards.	Dusty Carpenter	6/30/10
NI	Recreation	The proposed action will involve several designated BLM dispersed campgrounds/sites, but based on the type and kind of activity will allow for recreation to continue within these sites. The project is located within the Vernal Extensive Recreation Management Area (ERMA). VFO does not track quantifiable visitor use data in this area, however primary season of use based on staff observation is fall/winter hunting season.	Jason West	4/28/2010
NI	Socio-Economics	The economic status of Grand and Uintah Counties, or their communities would not be affected by the proposed wild horse gather. However, as disclosed in the RMP, the removal of the horses may negatively affect the sense of well-being of individuals or groups interested in free roaming wild horses. Also, people who enjoy viewing wild horses may be less likely to visit the project area.	Mark Wimmer	7/08/2010
NI	Soils	The proposed gather is not expected to impact the soils resource, as no extensive soil disturbance is involved in the gather. There will be some minor disturbance to soils from the trampling impact of the animals where they are corralled during the gathering operation.	Steve Strong	6/10/10
NP	Threatened, Endangered or Candidate Plant Species	There are no threatened, endangered or candidate plant species within the project area.	Aaron Roe	6/14/2010
PI	Threatened & Endangered (T&E) or Candidate Animal Species	Greater sage-grouse brooding and lekking habitat is present throughout the gather area. There are 2 known active leks: Winter Ridge Lek & Horse Point Lek. However, sage-grouse would not be nesting and broods would be dispersed during this time. It is anticipated that the Proposed Action would benefit the species through less destruction of habitat and forage competition. Mexican spotted owl habitat is present within the gather boundary. Most of the nesting habitat for owls have been surveyed from 2005-2007 – no owls were identified. In addition, the gather would occur outside the nesting season. Beneficial impacts to Mexican spotted owls are anticipated	Brandon McDonald	4/01/2010

Determi-nation	Resource	Rationale for Determination*	Signature	Date
		from the Proposed Action as degradation of wildlife habitat from horse use would not continue.		
NI	Wastes (hazardous or solid)	No chemicals subject to reporting under SARA Title III in amounts greater than 10,000 pounds would be used, produced, stored, transported, or disposed of annually in association with the project. Trash and other waste materials would be cleaned up and removed immediately after completion of operations.	Dusty Carpenter	3/10/2010
NI NP	Water Resources/Quality (drinking/surface/ground)	Surface waters: Perennial waters are present on some of the main drainages of the project area and the horse gather would have the potential for horses to run through these waters during the gather. However the horses already utilize the area and the waters. Once corralled the horses would be more than ½ mile from perennial waters. Ground waters: The horse gather is a surface only activity and ground waters would not be impacted.	Stan Olmstead Stan Olmstead	3/18/2010 3/18/2010
NI	Wetlands/Riparian Zones	The project area does have inventoried riparian areas and during the horse gather animals could potentially run through these sites, however the horses presently utilize the area and would most likely run past or over the riparian sites and cause little or no impact to riparian. Once the horses are corralled the animals would be more than ½ mile from wetland areas and water ways.	Stan Olmstead	3/18/2010
NP	Wild and Scenic Rivers	None Present as per Vernal RMP/ROD and GIS layer review.	Jason/Evan	4/28/2010
PI	Wilderness/WSA	Winter Ridge WSA is present within the proposed project area.	Jason West	4/28/2010
NI	Woodland / Forestry	The project will not impact woodlands or forestry	Dave P.	5/9/2010
SSP: NI Veg: NI	Vegetation Excluding USFW Designated Species	SSP: There is a small chance that Graham's penstemon may be within the project area. However, no corrals or burial sites would be located on BLM administered lands and thus no anthropogenic surface disturbance will occur due to the proposed project on BLM administered lands. There may be damage to individual plants during the gather, however, these impacts are not expected to be different from impacts due to the activity of the horses currently. Veg: No corrals or burial sites would be located on BLM administered lands and thus no anthropogenic surface disturbance will occur due to the proposed project on BLM administered lands. There may be damage to individual plants during the gather, however, these impacts are not expected to be different from impacts due to the activity of the horses currently.	Aaron Roe	SSP: NI Veg: NI
PI	Visual Resources	VRM I, II and III within the proposed project.	Jason West	4/28/2010
PI	Wild Horses and Burros	The implementation of the proposal will effectively "zero" out the current population of Wild Horses throughout the Winter Ridge HA. Horses will be impacted during the various gather	Dusty Carpenter	3/10/2010

Determi-nation	Resource	Rationale for Determination*	Signature	Date
		operations, via the aerial herding operations, confinement, corralling, veterinarian inspections, transport and eventual adoption and/or long term holding, etc.		
NP	Non WSA Areas with Wilderness Characteristics	Reviewed in 2007. The Wolf Point Area was identified by the public in 2002 and recommended to the BLM for re-inventory. The BLM did re-inventory and identified 11,802 acres that did contain wilderness characteristics, however the identified area was not carried forward as a natural area in the 2008 RMP (see page 34) based on the following rationale. "The area is considered high potential for O&G [Oil and Gas] Development. 7,999 acres of the total area is currently leased for O&G. Wilderness characteristics could not be protected, preserved or maintained. The BLM does not currently manage the Wolf Point Area for Wilderness Characteristics based on this finding. However, the activity from the proposed action would not affect wilderness characteristics or prevent the area from being considered for inclusion in any recommendation, finding, or designation by congress in the future.	Jason West	6/29/2010

FINAL REVIEW:

Reviewer Title	Signature	Date	Comments
Environmental Coordinator		7/12/11	2010-0208
Authorized Officer		7/26/11	

APPENDIX B
Standard Operating Procedures for Wild Horse (or Burro) Gathers

Gathers are conducted by utilizing contractors from the Wild Horse Gathers-Western States Contract or BLM personnel. The following procedures for gathering and handling wild horses apply whether a contractor or BLM personnel conduct a gather. For helicopter gathers conducted by BLM personnel, gather operations will be conducted in conformance with the *Wild Horse Aviation Management* (Handbook H-4740-1, January 2009).

Prior to any gathering operation, the BLM will provide for a pre-capture evaluation of existing conditions in the gather area(s). The evaluation will include animal conditions, prevailing temperatures, drought conditions, soil conditions, road conditions, and a topographic map with wilderness boundaries, the location of fences, other physical barriers, and acceptable trap locations in relation to animal distribution. The evaluation will determine whether the proposed activities will necessitate the presence of a veterinarian during operations. If it is determined that a large number of animals may need to be euthanized or capture operations could be facilitated by a veterinarian, these services would be arranged before the capture would proceed. The contractor will be apprised of all conditions and will be given instructions regarding the capture and handling of animals to ensure their health and welfare is protected.

Trap sites and temporary holding sites will be located to reduce the likelihood of injury and stress to the animals, and to minimize potential damage to the natural resources of the area. These sites would be located on or near existing roads whenever possible.

The primary capture methods used in the performance of gather operations include:

1. Helicopter Drive Trapping. This capture method involves utilizing a helicopter to herd wild horses into a temporary trap.
2. Helicopter Assisted Roping. This capture method involves utilizing a helicopter to herd wild horses or burros to ropers.
3. Bait Trapping. This capture method involves utilizing bait (e.g., water or feed) to lure wild horses into a temporary trap.

The following procedures and stipulations will be followed to ensure the welfare, safety and humane treatment of wild horses in accordance with the provisions of 43 CFR 4700.

A. Capture Methods used in the Performance of Gather Contract Operations

1. The primary concern of the contractor is the safe and humane handling of all animals captured. All capture attempts shall incorporate the following:

   All trap and holding facilities locations must be approved by the Contracting Officer's Representative (COR) and/or the Project Inspector (PI) prior to construction. The Contractor may also be required to change or move trap locations as determined by the COR/PI. All traps and holding facilities not located on public land must have prior written approval of the landowner.

2. The rate of movement and distance the animals travel shall not exceed limitations set by the COR/PI who will consider terrain, physical barriers, weather, condition of the animals and other factors. Under normal

circumstances this travel should not exceed 10 miles and may be much less dependent on existing conditions (i.e. ground conditions, animal health, extreme temperatures (high and low), etc.).

3. All traps, wings, and holding facilities shall be constructed, maintained and operated to handle the animals in a safe and humane manner and be in accordance with the following:

    a. Traps and holding facilities shall be constructed of portable panels, the top of which shall not be less than 72 inches high for horses and 60 inches for burros, and the bottom rail of which shall not be more than 12 inches from ground level. All traps and holding facilities shall be oval or round in design.

    b. All loading chute sides shall be a minimum of 6 feet high and shall be fully covered, using plywood, metal or other material that is without holes larger than 2"x4".

    c. All runways shall be a minimum of 30 feet long and a minimum of 6 feet high for horses, and 5 feet high for burros, and shall be covered with plywood, burlap, plastic snow fence or like material a minimum of 1 foot to 5 feet above ground level for burros and 1 foot to 6 feet for horses. The location of the government furnished portable fly chute to restrain, age, or provide additional care for the animals shall be placed in the runway in a manner as instructed by or in concurrence with the COR/PI.

    d. All crowding pens including the gates leading to the runways shall be covered with a material which prevents the animals from seeing out (plywood, burlap, plastic snow fence, etc.) and shall be covered a minimum of 1 foot to 5 feet above ground level for burros and 2 feet to 6 feet for horses

    e. All pens and runways used for the movement and handling of animals shall be connected with hinged self-locking or sliding gates.

4. No modification of existing fences will be made without authorization from the COR/PI. The Contractor shall be responsible for restoration of any fence modification which he has made.

5. When dust conditions occur within or adjacent to the trap or holding facility, the Contractor shall be required to wet down the ground with water.

6. Alternate pens, within the holding facility shall be furnished by the Contractor to separate mares or jennies with small foals, sick and injured animals, estrays or other animals the COR determines need to be housed in a separate pen from the other animals. Animals shall be sorted as to age, number, size, temperament, sex, and condition when in the holding facility so as to minimize, to the extent possible, injury due to fighting and trampling. Under normal conditions, the government will require that animals be restrained for the purpose of determining an animal's age, sex, or other necessary procedures. In these instances, a portable restraining chute may be necessary and will be provided by the government. Alternate pens shall be furnished by the Contractor to hold animals if the specific gathering requires that animals be released back into the capture area(s). In areas requiring one or more satellite traps, and where a centralized holding facility is utilized, the contractor may be required to provide additional holding pens to segregate animals transported from remote locations so they may be returned to their traditional ranges. Either segregation or temporary marking and later segregation will be at the discretion of the COR.

7. The Contractor shall provide animals held in the traps and/or holding facilities with a continuous supply of fresh clean water at a minimum rate of 10 gallons per animal per day. Animals held for 10 hours or more in the traps or holding facilities shall be provided good quality hay at the rate of not less than two pounds of hay per 100 pounds of estimated body weight per day.

   An animal that is held at a temporary holding facility through the night is defined as a horse/burro feed day. An animal that is held for only a portion of a day and is shipped or released does not constitute a feed day.

8. It is the responsibility of the Contractor to provide security to prevent loss, injury or death of captured animals until delivery to final destination.

9. The Contractor shall restrain sick or injured animals if treatment is necessary. The COR/PI will determine if animals must be euthanized and provide for the destruction of such animals. The Contractor may be required to humanely euthanize animals in the field and to dispose of the carcasses as directed by the COR/PI.

10. Animals shall be transported to their final destination from temporary holding facilities as quickly as possible after capture unless prior approval is granted by the COR for unusual circumstances. Animals to be released back into the HMA following gather operations may be held up to 21 days or as directed by the COR. Animals shall not be held in traps and/or temporary holding facilities on days when there is no work being conducted except as specified by the COR. The Contractor shall schedule shipments of animals to arrive at final destination between 7:00 a.m. and 4:00 p.m. where possible. No shipments shall be scheduled to arrive at final destination on Sunday and Federal holidays, unless prior approval has been obtained by the COR. Animals shall not be allowed to remain standing on trucks while not in transport for a combined period of greater than three (3) hours in any 24 hour period. Animals that are to be released back into the capture area may need to be transported back to the original trap site. This determination will be at the discretion of the COR/PI or Field Office horse specialist.

B. Capture Methods That May Be Used in the Performance of a Gather

1. Capture attempts may be accomplished by utilizing bait (feed, water, mineral licks) to lure animals into a temporary trap. If this capture method is selected, the following applies:

   a. Finger gates shall not be constructed of materials such as "T" posts, sharpened willows, etc., that may be injurious to animals.

   b. All trigger and/or trip gate devices must be approved by the COR/PI prior to capture of animals.

   c. Traps shall be checked a minimum of once every 10 hours.

2. Capture attempts may be accomplished by utilizing a helicopter to drive animals into a temporary trap. If the contractor selects this method the following applies:

   a. A minimum of two saddle-horses shall be immediately available at the trap site to accomplish roping if necessary. Roping shall be done as determined by the COR/PI. Under no circumstances

shall animals be tied down for more than one hour.

b. The contractor shall assure that foals shall not be left behind, and orphaned.

3. Capture attempts may be accomplished by utilizing a helicopter to drive animals to ropers. If the contractor, with the approval of the COR/PI, selects this method the following applies:

   a. Under no circumstances shall animals be tied down for more than one hour.

   b. The contractor shall assure that foals shall not be left behind, or orphaned.

   c. The rate of movement and distance the animals travel shall not exceed limitations set by the COR/PI who will consider terrain, physical barriers, weather, condition of the animals and other factors.

C. Use of Motorized Equipment

1. All motorized equipment employed in the transportation of captured animals shall be in compliance with appropriate State and Federal laws and regulations applicable to the humane transportation of animals. The Contractor shall provide the COR/PI, if requested, with a current safety inspection (less than one year old) for all motorized equipment and tractor-trailers used to transport animals to final destination.

2. All motorized equipment, tractor-trailers, and stock trailers shall be in good repair, of adequate rated capacity, and operated so as to ensure that captured animals are transported without undue risk or injury.

3. Only tractor-trailers or stock trailers with a covered top shall be allowed for transporting animals from trap site(s) to temporary holding facilities, and from temporary holding facilities to final destination(s). Sides or stock racks of all trailers used for transporting animals shall be a minimum height of 6 feet 6 inches from the floor. Single deck tractor-trailers 40 feet or longer shall have at least two (2) partition gates providing at least three (3) compartments within the trailer to separate animals. Tractor-trailers less than 40 feet shall have at least one partition gate providing at least two (2) compartments within the trailer to separate the animals. Compartments in all tractor-trailers shall be of equal size plus or minus 10 percent. Each partition shall be a minimum of 6 feet high and shall have a minimum 5 foot wide swinging gate. The use of double deck tractor-trailers is unacceptable and shall not be allowed.

4. All tractor-trailers used to transport animals to final destination(s) shall be equipped with at least one (1) door at the rear end of the trailer which is capable of sliding either horizontally or vertically. The rear door of stock trailers must be capable of opening the full width of the trailer. Panels facing the inside of all trailers must be free of sharp edges or holes that could cause injury to the animals. The material facing the inside of all trailers must be strong enough so that the animals cannot push their hooves through the side. Final approval of tractor-trailers and stock trailers used to transport animals shall be held by the COR/PI.

5. Floors of tractor-trailers, stock trailers and loading chutes shall be covered and maintained with wood shavings or other material to prevent the animals from slipping as much as possible during transport.

6. Animals to be loaded and transported in any trailer shall be as directed by the COR/PI and may include

limitations on numbers according to age, size, sex, temperament and animal condition. The following minimum square feet per animal shall be allowed in all trailers:

11 square feet per adult horse (1.4 linear foot in an 8 foot wide trailer);
8 square feet per adult burro (1.0 linear foot in an 8 foot wide trailer);
6 square feet per horse foal (.75 linear foot in an 8 foot wide trailer);
4 square feet per burro foal (.50 linear feet in an 8 foot wide trailer).

7. The COR/PI shall consider the condition and size of the animals, weather conditions, distance to be transported, or other factors when planning for the movement of captured animals. The COR/PI shall provide for any brand and/or inspection services required for the captured animals.

8. If the COR/PI determines that dust conditions are such that the animals could be endangered during transportation, the Contractor will be instructed to adjust speed.

D. Safety and Communications

1. The Contractor shall have the means to communicate with the COR/PI and all contractor personnel engaged in the capture of wild horses utilizing a VHF/FM Transceiver or VHF/FM portable Two-Way radio. If communications are ineffective the government will take steps necessary to protect the welfare of the animals.

   a. The proper operation, service and maintenance of all contractor furnished property is the responsibility of the Contractor. The BLM reserves the right to remove from service any contractor personnel or contractor furnished equipment which, in the opinion of the contracting officer or COR/PI violate contract rules, are unsafe or otherwise unsatisfactory. In this event, the Contractor will be notified in writing to furnish replacement personnel or equipment within 48 hours of notification. All such replacements must be approved in advance of operation by the Contracting Officer or his/her representative.

   b. The Contractor shall obtain the necessary FCC licenses for the radio system

   c. All accidents occurring during the performance of any task order shall be immediately reported to the COR/PI.

2. Should the contractor choose to utilize a helicopter the following will apply:

   a. The Contractor must operate in compliance with Federal Aviation Regulations, Part 91. Pilots provided by the Contractor shall comply with the Contractor's Federal Aviation Certificates, applicable regulations of the State in which the gather is located.

   b. Fueling operations shall not take place within 1,000 feet of animals.

G. Site Clearances

No personnel working at gather sites may excavate, remove, damage, or otherwise alter or deface or attempt to excavate, remove, damage or otherwise alter or deface any archaeological resource located on public lands or

Indian lands.

Prior to setting up a trap or temporary holding facility, BLM will conduct all necessary clearances (archaeological, T&E, etc). All proposed site(s) must be inspected by a government archaeologist. Once archaeological clearance has been obtained, the trap or temporary holding facility may be set up. Said clearance shall be arranged for by the COR, PI, or other BLM employees.

Gather sites and temporary holding facilities would not be constructed on wetlands or riparian zones.

H. Animal Characteristics and Behavior

Releases of wild horses would be near available water. If the area is new to them, a short-term adjustment period may be required while the wild horses become familiar with the new area.

I. Public Participation

Opportunities for public viewing (i.e. media, interested public) of gather operations will be made available to the extent possible; however, the primary considerations will be to protect the health, safety and welfare of the animals being gathered and the personnel involved. The public must adhere to guidance from the on-site BLM representative. It is BLM policy that the public will not be allowed to come into direct contact with wild horses or burros being held in BLM facilities. Only authorized BLM personnel or contractors may enter the corrals or directly handle the animals. The general public may not enter the corrals or directly handle the animals at anytime or for any reason during BLM operations.

J. Responsibility and Lines of Communication

Contracting Officer's Representative/Project Inspector
Dusty Lynn Carpenter; Range and WHB Specialist

Contracting Officer's Representative/Project Inspector
Gus Warr; WHB UT State Program Lead

The Contracting Officer's Representatives (CORs) and the project inspectors (PIs) have the direct responsibility to ensure the Contractor's compliance with the contract stipulations. The (Vernal Field Office) Assistant Field Manager for Resources and (Vernal Field Office) Field Manager will take an active role to ensure the appropriate lines of communication are established between the field, Field Office, State Office, National Program Office, and BLM Holding Facility offices. All employees involved in the gathering operations will keep the best interests of the animals at the forefront at all times.

All publicity, formal public contact and inquiries will be handled through the Assistant Field Managers for Renewable Resources and Field Office Public Affairs. These individuals will be the primary contact and will coordinate with the COR/PI on any inquiries.

The COR will coordinate with the contractor and the BLM Corrals to ensure animals are being transported from the capture site in a safe and humane manner and are arriving in good condition.

The contract specifications require humane treatment and care of the animals during removal operations. These

specifications are designed to minimize the risk of injury and death during and after capture of the animals. The specifications will be vigorously enforced.

Should the Contractor show negligence and/or not perform according to contract stipulations, he will be issued written instructions, stop work orders, or defaulted.

APPENDIX C
Utah BLM Standards and Guidelines for Grazing Management

BLM has developed the following Fundamentals of Rangeland Health and their companion rules-Standards for Rangeland Health and Guidelines for Grazing Management for BLM in Utah ([BLM-UT-GI-97-001-4000] U.S. DEPARTMENT OF INTERIOR BUREAU OF LAND MANAGEMENT, UTAH STATE OFFICE 1997).

Fundamentals of Rangeland Health:

As provided by regulations, developed by the Secretary of the Interior on February 22, 1995, the following conditions must exist on BLM lands:

1. Watersheds are in, or making significant progress toward, properly functioning physical condition, including their upland, riparian –wetland, and aquatic components; soil and plant conditions support infiltration, soil moisture storage, and the release of water that are in balance with climate and landform and maintain or improve water quality, and timing and duration of flow.

2. Ecological processes, including the hydrologic cycle nutrient cycle, and energy flow, are maintained, or there is significant progress toward their attainment, in order to support healthy biotic populations and communities.

3. Water quality complies with State water quality standards and achieves, or is making significant progress towards achieving established BLM management objectives such as meeting wildlife needs.

4. Habitats; are, or are making significant progress toward being, restored or maintained for Federal threatened and endangered Species, Federal proposed, Category 1 and 2 Federal candidate and other special status Species.

In 1997, the BLM in Utah developed rules to carry out the Fundamentals of Rangeland health. These are called Standards for Rangeland health and Guidelines for grazing management.

Standards spell out conditions to be achieved on BLM Lands in Utah, and **Guidelines** describe practices that will be applied in order to achieve the Standards.

Standards for Rangeland Health

Standard 1: Upland soils exhibit permeability and infiltration rates that sustain or improve site productivity; considering the soil type, climate, and landform.

As indicated by:

1. Sufficient cover and litter to protect the soil surface from excessive water and wind erosion, promote infiltration, detain surface flow, and retard soil moisture loss by evaporation.

2. The absence of indicators of excessive erosion such as rills, soil pedestals and actively eroding gullies.

3. The appropriate amount, type, and distribution Of vegetation reflecting the presence of (1) the Desired Plant Community IDPCI, where identified in a land use plan, or (2) where the PVC is not identified, a community that equally sustains the desired level of productivity and properly functioning ecological conditions.

Standard 2: Riparian and wetland areas are in properly functioning condition. Stream channel morphology and functions are appropriate to soil type, climate and landform.

As indicated by:

1. Stream bank vegetation consisting of or showing a trend toward species with root masses capable of withstanding high stream flow events. Vegetative cover adequate to protect stream banks and dissipate stream flow energy associated with high-water flows, protect against accelerated erosion, capture sediment, and provide for groundwater recharge.

2. Vegetation reflecting: Desired Plant Community. maintenance of riparian and wetland soil moisture characteristics, diverse age structure and composition. high vigor. large woody debris when site potential allows, and providing food, cover and other habitat needs for dependent animal species.

3. Revegetating point bars: lateral stream movement associated with natural sinuosity: channel width, depth, pool frequency and roughness appropriate to landscape position.

4. Active floodplain.

Standard 3: Desired species, including native, threatened, endangered and special status species, are maintained at a level appropriate for the site and species involved.

As indicated by:

1. Frequency, diversity, density, age classes, and productivity of desired native species necessary to ensure reproductive capability and survival.

2. Habitats connected at a level to enhance species survival.

3. Native species reoccupy habitat niches and voids caused by disturbances unless management objectives call for introduction or maintenance of nonnative species.

4. Appropriate amount, type, and distribution of vegetation reflecting the presence of (1) the Desired Plant Community DPC, where identified in a land use plan conforming to these Standards, or (2) where the DPC is identified a community that equally sustains the desired level of productivity and properly functioning ecologic processes.

Standard 4: BLM will apply and comply with water quality standards established by the State of Utah (R.317-2) and the Federal Clean Water and Safe Drinking Water Acts. Activities on BLM lands will fully support the designated beneficial uses described in the Utah Water Quality Standards {R.317-2) for surface and groundwater.

As indicated by:

1. Measurement of nutrient loads, total dissolved solids, chemical constituents, fecal coliform, water temperature and other water quality parameters.

2. Macro-invertebrate communities that indicate water quality meets aquatic objectives.

Because BLM Lands provide forage for grazing of wildlife, wild horses and burros, and domestic livestock, the following rules have been developed to assure that such grazing is consistent with the Standards listed here.

1. BLM will continue to coordinate monitoring water quality activities with other Federal, State and technical agencies.

Guidelines for Grazing Management

1. Grazing management practices will be implemented that:

   a. Maintain sufficient residual vegetation and litter on both upland and riparian sites to protect the soil from wind and water erosion and support ecological functions;

   b. Promote attainment or maintenance of proper functioning condition riparian/wetland areas, appropriate stream channel morphology, desired soil permeability and permeability and infiltration, and appropriate soil conditions and kinds and amounts of plants and animals to support the hydrologic cycle, nutrient cycle, and energy flow.

   c. Meet the physiological requirements of desired plants and facilitate reproduction and maintenance of desired plants to the extent natural conditions allow;

   d. Maintain viable and diverse populations of plants and animals appropriate for the site,

   e. Provide or improve within the limits of site potentials, habitat for Threatened or Endangered Species;

   f. Avoid grazing management conflicts with other species that have the potential of becoming protected or special status species;

   g. Encourage innovation, experimentation and the ultimate development of alternatives to improve rangeland management practices;

   h. Give priority to rangeland improvement projects and land treatments that offer the best opportunity for achieving the Standards.

2. Any spring or seep developments will he designed and constructed to protect ecological process and functions and improve livestock, wild horse and wildlife distribution.

3. New rangeland projects for grazing will be constructed in a manner consistent with the Standards. Considering economic circumstances and site limitations, existing rangeland projects and facilities that conflict with the achievement or maintenance of the Standards will be relocated and/or modified.

4. Livestock salt blocks and other nutritional supplements will be located away from riparian/wetland areas or other permanently located, or other natural water sources. It is recommended that the locations of these supplements be moved every year.

5. The use and perpetuation of native species will be emphasized. However, when restoring or rehabilitating disturbed or degraded rangelands nonintrusive, nonnative plant species are appropriate for use where native species (a) are not available, (b) are not economically feasible, (c) can not achieve ecological objectives as well as nonnative species, and/or (d) cannot compete with already established native species

6. When rangeland manipulations are necessary, the best management practices, including biological processes, fire and intensive grazing, will be utilized prior to the use of chemical or mechanical manipulations.

7. When establishing grazing practices and rangeland improvements, the quality of the outdoor recreation experience is to be considered. Aesthetic and scenic values, water, campsites and opportunities for solitude are among those considerations.

8. Feeding of hay and other harvested forage (which does not refer to miscellaneous salt, protein, and other supplements) for the purpose of substituting for inadequate natural forage will not be conducted on BLM lands other than in (a) emergency situations where no other resource exists and animal survival is in jeopardy, or (b) situations where the Authorized Officer determines such a practice will assist in meeting a Standard or attaining a management objective.

9. In order to eliminate, minimize, or limit the spread of noxious weeds, (a) only hay cubes, hay pellets, or certified weed-free hay will be fed on BLM lands, and (b) reasonable adjustments in grazing methods, methods of transport, and animal husbandry practices will be applied.

10. To avoid contamination of water sources and in advertent damage to non-target species, aerial application of pesticides will not be allowed within 100 feet of a riparian wetland area unless the product is registered for such use by the EPA.

11. On rangelands where a standard is not being met, and conditions are moving toward meeting the standard, grazing may be allowed to continue. On lands where a standard is not being met, conditions are not improving toward meeting the standard or other management objectives, and livestock grazing is deemed responsible, administrative action with regard to livestock will be taken by the Authorized Officer pursuant to CUR 4180.2(c).

12. Where it can he determined that more than one kind of grazing animal is responsible for failure to achieve a Standard, and adjustments in management are required. those adjustments will be made to each kind of animal, based on interagency cooperation as needed. in proportion to their degree of responsibility.

13. Rangelands that have been burned, reseeded or otherwise treated to alter vegetative composition will be closed to livestock grazing as follows: (I) burned rangelands, whether by wildfire or prescribed burning, will be ungrazed for a minimum of one complete growing season following the burn; and (2) rangelands that have been reseeded or otherwise chemically or mechanically treated will be ungrazed for a minimum of two complete growing seasons.

14. Conversions in kind of livestock (such as from sheep to cattle) will be analyzed in light of Rangeland Health Standards. Where such conversions are not adverse to achieving a Standard, or they are not in conflict with BLM land use plans, the conversion will be allowed.

Appendix D: Threatened, Endangered, Candidate, Utah Special Status Animal Species including Partners-In-Flight Species of Concern.

Species	Status	Habitat Association	Potential for Occurrence Within the Proposed Project area and Cumulative Effects Area	Eliminated From Detailed Analysis (Yes/No)
Bonytail *Gila elegans*	FE	Is endemic to the Colorado River system within main channels of large rivers, and favor swift currents.	None. This species occurs in the Green River. Habitat is not present within the proposed gather area.	Yes
Colorado pikeminnow *Ptychocheilus lucius*	FE	Known from the Colorado River system. Uses large swift rivers.	None. This species occurs in the Green and White Rivers. Habitat is not present within the proposed gather area.	Yes
Humpback chub *Gila cypha*	FE	Is endemic to the Colorado River System within deep, swift-running rivers, with canyon shaded environments.	None. This species occurs in the Green River. Habitat is not present within the proposed gather area.	Yes
Razorback sucker *Xyrauchen texanus*	FE	Endemic to large rivers of the Colorado River system.	None. This species occurs in the Green and White Rivers. Habitat is not present within the proposed gather area.	Yes
Black-footed ferret *Mustela nigripes*	FE	Semi-arid grasslands and mountain basins. It is found primarily in association with active prairie dog colonies that contain suitable burrow densities and colonies that are of sufficient size.	None. The distribution of this species is limited to a "nonessential experimental population" reintroduced (1999) into Coyote Basin, Uintah County. Habitat is not present within the proposed gather area.	Yes
Canada Lynx *Lynx lynx canadensis*	FT	Primarily occurs in Douglas-fir, Spruce-fir, and subalpine forests at elevations above 7,800 feet amsl. The lynx uses large woody debris, such as downed logs and windfalls.	Low. If extant in Utah, this species most likely occurs in montane forests in the Uinta Mountains. A lynx linkage zone is identified by the VRMP as being within the gather area; however, suitable habitat is not present within the proposed gather area.	Yes
Mexican spotted owl *Strix occidentalis lucida*	FT; PIF	In Utah, found primarily in rocky canyons. Nests in caves or crevices. Roosts on ledges or in trees in canyons. The species prefers mesic (moister/cooler) canyons with mixed conifer or riparian components. Breeding and nesting season: March through August.	Low. The habitat has been surveyed and determined suitable for nesting owls (*Assessment of Potential Mexican Spotted Owl Nesting on BLM-Administered Lands in Northeastern Utah, September 2005*). Most of the nesting habitat for owls have been surveyed from 2005-2007 – no owls were identified. In addition, the gather would occur outside the nesting season. Beneficial impacts to Mexican spotted owls are anticipated from the Proposed	No

Species	Status	Habitat Association	Potential for Occurrence Within the Proposed Project area and Cumulative Effects Area	Eliminated From Detailed Analysis (Yes/No)
			Action as degradation of wildlife habitat from horse use would not continue.	
Western yellow-billed cuckoo *Coccyzus americanus occidentalis*	FC; PIF	Riparian obligate and usually occurs in large tracts of cottonwood/willow habitats. However, this species also has been documented in lowland deciduous woodlands, alder thickets, deserted farmlands, and orchards. Breeding season: late June through July.	None. Species is known to occur along the Green River and the Ouray National Wildlife Refuge. Habitat is not present within the proposed gather area.	Yes
Greater Sage-grouse *Centrocercus urophasianus*	FC; PIF	Inhabits upland sagebrush habitat in rolling hills and benches. Breeding occurs on open leks (or strutting grounds) and nesting and brooding occurs in upland areas and meadows in proximity to water and generally within a 2-mile radius of the lek. During winter, sagebrush habitats at submontane elevations commonly are used.	High. The species is widespread, but declining, with extant populations in Uintah and Duchesne counties. The majority of the gather area contains crucial brooding habitat for the species. The Proposed Action would benefit the species through less destruction of habitat and forage competition.	No
Bluehead sucker *Catostomus discobolus*	CAS	Occupies a wide range of aquatic habitats ranging from cold, clear mountain streams to warm, turbid rivers.	None. The Bluehead sucker is native in parts of Utah. The species occurs in the upper Colorado River system. Habitat is not present within the proposed gather area.	Yes
Flannelmouth sucker *Catostomus latipinnis*	CAS	Adults occur in riffles, runs, and pools in streams and large rivers, with the highest densities usually in pool habitat. Young live in slow to moderately swift waters near the shoreline areas.	None. The Flannemouth sucker is native in Utah. The species occurs in the Colorado River system. Habitat is not present within the proposed gather area.	Yes
Roundtail chub *Gila robusta*	CAS	Adults inhabit low to high flow areas in the Green River; young occur in shallow areas with minimal flow.	None. The Roundtail chub is native in Utah. The species occurs in the Colorado River system. Habitat is not present within the proposed gather area.	Yes
Colorado River Cutthroat trout *Oncorhynchus clarkii pleuriticus*	CAS	Requires cool, clear water and well-vegetated streambanks for cover and bank stability; instream cover in the formof deep pools and boulders and logs also is important; adapted to relatively cold water, thrives at high elevations. Most remaining populations are fluvial or resident. Occurs also in lakes.	Moderate. CRCT is located within the Willow Creek and Hill Creek Drainages. Horse gathering would have the potential for horses to run through these drainages, but there would not be expected adverse impacts to CRCT. Beneficial impacts to CRCT are anticipated with the removal of the horses due to less	No

Species	Status	Habitat Association	Potential for Occurrence Within the Proposed Project area and Cumulative Effects Area	Eliminated From Detailed Analysis (Yes/No)
			damage along stream banks.	
Northern Goshawk *Accipiter gentilis*	CAS	Generally found in a wide variety of forest types including deciduous, coniferous, and mixed forests. Typically mature and old growth forests and generally selects larger tracts of forest over smaller tracts. In the western U.S., characteristically nests in coniferous forests including those dominated by ponderosa pine, lodgepole, or in mixed forests dominated by various coniferous speciss including, Douglas-fir, cedar, hemlock, spruce, and larch. Western birds also nest in deciduous forests dominated by aspen, paper birch, or willow.	None. Prefers old-growth forests near or within large drainage systems. Suitable habitat is not present within the gather area.	Yes
Bald eagle *Haliaeetus leucocephalus*	WSC	In Utah, breeding occurrences are limited to 10 locations within four counties (Carbon, Daggett, Duchesne, Grand, and Salt Lake counties). Winter habitat typically includes areas of open water, adequate food sources, and sufficient diurnal perches and night roosts.	None. Bald eagles utilize ungulate winter ranges that provide carrion, and areas of open water such as the Green River. Roosting or nesting habitat does not occur within the proposed gather area.	Yes
American white pelican *Pelecanus erythrorhynchos*	WSC; PIF	Inhabits areas of open water including large rivers, lakes, ponds, and reservoirs with surrounding habitats ranging from barren to heavily vegetated sites. Typically nests on isolated islands in lakes or reservoirs.	None. Known to nest on islands associated with Great Salt and Utah Lakes. In northeastern Utah, the species occurs as a transient on larger water bodies. Habitat is not present within the proposed gather area.	Yes
Ferruginous hawk *Buteo regalis*	WSC; PIF	Resides mainly in lowland open desert terrain characterized by barren cliffs and bluffs, pinon-juniper woodlands, sagebrush-rabbit brush, and cold desert shrub. Nesting habitat includes promontory points and rocky outcrops.	None. This species is known to occur in the West Desert and the Uintah Basin as a summer resident and a common migrant. Within the Uintah Basin, the species is more associated with prairie dog colonies as the main prey base. Habitat is not present within the proposed gather area.	Yes
Burrowing owl *Athene cunicularia*	WSC	Inhabits desert, semi-desert shrubland, grasslands, and agriculture areas. Nesting habitat primarily consists of flat, dry, and relatively open terrain;	None. Known to occur in Uintah and Duchesne counties. Habitat is not present within the proposed gather area.	Yes

Species	Status	Habitat Association	Potential for Occurrence Within the Proposed Project area and Cumulative Effects Area	Eliminated From Detailed Analysis (Yes/No)
		short vegetation; and abandoned mammal burrows (within northeastern Utah primarily in association with prairie dog complexes) for nesting and shelter.		
Mountain plover *Charadrius montanus*	WSC; PIF	In the Uintah Basin, small Mountain plover populations breed in shrub-steppe habitat where vegetation is sparse and sagebrush communities are dominated by Artemesia spp. with components of black sage and grasses. Nest locations also vary with respect to topography (nests were located on flat, open ground; on the top or at the base of slopes; or very close to large rocky outcroppings).	None. The only known breeding population of Mountain plover in Utah is located on Myton Bench. Habitat is not present within the proposed gather area.	Yes
White-tailed prairie dog *Cynomys leucurus*	WSC	Inhabits grasslands, plateaus, plains and desert shrub habitats. White-tailed prairie dogs form colonies or "towns" and spend much of their time in underground burrows and hibernating during the winter months.	None. Prairie dogs are an obligate species to several other state-sensitive species, such as Ferruginous hawk, Mountain plover, and Burrowing owl, in that these species depend on them for food, shelter, and nesting habitat or habitat manipulation. Habitat is not present within the proposed gather area.	Yes
Short-eared owl *Asio flammeus*	WSC	Inhabits arid grasslands, agricultural areas, marshes, and occasionally open woodlands. In Utah, cold desert shrub and sagebrush-rabbit brush habitats also are utilized. Typically a ground nester.	Low. Known to occur in Uintah County, with occurrence probable in Duchesne County. Owl surveys have been conducted by the BLM-VFO and no owls were identified. Suitable nesting habitat is not present within the proposed gather area.	Yes
Lewis's Woodpecker *Melanerpes lewis*	WSC; PIF	Inhabits open habitats including pine forests, riparian areas, and pinion-juniper woodlands. Breeding habitat typically includes ponderosa pines and cottonwoods in stream bottoms and farm areas. The species inhabits agricultural lands and urban parks, montane and desert riparian woodlands, and submontane shrub habitats.	Moderate. In Utah, the species is widespread, but is an uncommon nester along the Green River. Breeding by this species has been observed in Ouray and Uintah counties, and along Pariette Wash. Habitat is present within the proposed gather area. The species is likely to have migrated out of the area during the proposed gather dates; however, beneficial	No

Species	Status	Habitat Association	Potential for Occurrence Within the Proposed Project area and Cumulative Effects Area	Eliminated From Detailed Analysis (Yes/No)
			impacts to migratory birds and/or breeding birds are anticipated from the Proposed Action.	
Three-toed Woodpecker *Picoides tridactylus*	WSC; PIF	Prefers coniferous forest, primarily spruce and balsam fir. It inhabits areas where dead timber remains after fires or logging. It is found less frequently in mixed forest, and occasionally in Willow thickets along streams. Also found in high elevation aspen groves, bogs, and swamps.	Moderate. In Utah, the species is widespread but no habitat exists within the Project area. The Three-toed woodpecker is associated more with spruce trees and not pinion pine or Doug-fir. Habitat is present within the proposed gather area. The species is likely to have migrated out of the area during the proposed gather dates; however, beneficial impacts to migratory birds and/or breeding birds are anticipated from the Proposed Action.	No
Grasshopper sparrow *Ammodramus savannarum*	WSC; PIF	Prefers grasslands of intermediate height and are often associated with clumped vegetation interspersed with patches of bare ground. Other habitat requirements include moderately deep litter and sparse coverage of woody vegetation.	None. In Utah, the species is widespread and has been known to breed in Uintah, Duchesne, and Daggett counties. Habitat is not present within the proposed gather area.	Yes
Long-billed Curlew *Numenius americanus*	WSC; PIF	Inhabits shortgrass prairies, alpine meadows, riparian woodlands, and reservoir habitats. Breeding habitat includes upland areas of shortgrass prairie or grassy meadows with bare ground components, usually near water.	None. Widespread migrant in Utah. Breeding birds are fairly common but localized, primarily in central and northwestern Utah. Potential nesting has been reported in Uintah County, but has not been confirmed. Habitat is not present within the proposed gather area.	Yes
Bobolink *Dolichonyx oryzivorus*	WSC; PIF	Inhabits mesic and irrigated meadows, riparian woodlands, and subalpine marshes at lower elevations (2,800 to 5,000 feet amsl). Suitable breeding habitat for this ground nester includes tall grass, flooded meadows, prairies, and agricultural fields; forbs and perch sites also are required.	None. The species breeds in isolated areas of Utah, primarily in the northern half of the state. Breeding and winter habitat have been documented throughout Uintah, Duchesne, and Daggett counties. Habitat is not present within the proposed gather area. This species occur at lower elevations.	Yes
Big free-tailed bat *Nyctinomops macrotis*	WSC	Rocky areas in rugged country. The species has been observed in lowlands of river floodplain-arroyo association; also in shrub desert and woodland habitats. Roosts in rock crevices	None. The species has been documented in northeastern part of the state from Daggett County into Wyoming. Habitat for this species is not present within the proposed gather area.	Yes

Species	Status	Habitat Association	Potential for Occurrence Within the Proposed Project area and Cumulative Effects Area	Eliminated From Detailed Analysis (Yes/No)
		(vertical or horizontal) in cliffs; also in buildings caves, and occasionally tree holes. Winter habits unknown.		
Fringed myotis *Myotis thysanodes*	WSC	The species is widely distributed throughout Utah, but is not very common in the state. The Fringed myotis inhabits caves, mines, and buildings, most often in desert and woodland areas.	None. High value and substantial value habitat exists for the species in southern Utah in lower elevations; however, the species has had a couple documented sightings along the White River. Habitat is not present within the proposed gather area.	Yes
Spotted bat *Euderma maculatum*	WSC	Inhabits desert shrub, sagebrush-rabbit brush, pinion-juniper woodland, and ponderosa pine and montane forest habitats. The species also uses lowland riparian and montane grassland habitats. Suitable cliff habitat typically appears to be necessary for roosts/hibernacula. Spotted bats typically do not migrate and use hibernacula that maintain a constant temperature above freezing from September through May.	None. The species potentially occurs throughout Utah; however, no occurrence records exist for the extreme northern or western parts of the state. Known occurrences have been reported in northeastern Uintah County. Habitat is not present within the proposed gather area.	Yes
Townsends big-eared bat *Corynorhinus townsendii*	WSC	Inhabits a wide range of habitats from semidesert shrublands and pinion-juniper woodlands to open montane forests. Roosting occurs in mines and caves, in abandoned buildings, on rock cliffs, and occasionally in tree cavities. Foraging occurs well after dark over water, along margins of vegetation, and over sagebrush.	High. The species occurs throughout much of Utah including Duchesne and Uintah counties. One individual was collected at the Ouray National Wildlife Refuge in 1980. Roosting habitat for this species potentially could occur in areas where rock cliffs and caves are present. Habitat is present within the proposed gather area; however, no impacts are anticipated. The Propopsed Action would not impact hibernacula periods.	Yes
Western (Boreal) toad *Bufo boreas*	WSC	Commonly found throughout most of Utah and can be found in a variety of habitats, including slow moving streams, wetlands, desert springs, ponds, lakes meadows, and woodlands.	None. The species is commonly spread throughout central and northern Utah. The only known occurrence in the basin exists within the northwest portion of Uintah County which has substantial value habitat for the species. Habitat is not present within the	Yes

Species	Status	Habitat Association	Potential for Occurrence Within the Proposed Project area and Cumulative Effects Area	Eliminated From Detailed Analysis (Yes/No)
			proposed gather area.	
Corn snake *Elaphe guttata*	WSC	Habitat includes pine woodlands, brushy fields, open hardwood forests, mangrove thickets, barnyards, and abandoned buildings, areas near springs, old trash dumps, and caves.	None. Occurs in Uintah County. The species have been identified at Ouray National Wildlife Refuge. Habitat is not present within the proposed gather area.	Yes
Smooth green snake *Opheodrys vernalis*	WSC	Habitat includes meadows, grassy marshes, moist grassy fields at forest edges, mountain shrublands, stream borders, bogs, open moist woodland, abandoned farmland, and vacant lots.	None. Although not commonly seen throughout Utah the species has been documented in the northern section of Uintah County in lower elevations. Habitat is not present within the proposed gather area.	Yes
Prairie falcon *Falco mexicanus*	PIF	Habitat includes alpine, cliff, cropland/hedgegrow, desert, and grassland/herbaceous areas.	Low. Habitat is present within the proposed gather area. There are no known or documented nests within the gather area. Beneficial impacts to raptor species are anticipated from the Proposed Action.	No
Swainson's hawk *Buteo swainsonii*	PIF	Inhabits grasslands, deserts, agricultural areas, shrublands, marshlands, and riparian forests. Nest in trees in or near open areas. Breeding season: April 1 – July 15.	None. Habitat is not present within the proposed gather area.	Yes
Black-chinned hummingbird *Archilochus alexandri*	PIF	Habitat includes dry lowlands and foothills with pinion-juniper woodlands.	Moderate. Habitat is present within the proposed gather area. The species is likely to have migrated out of the area during the proposed gather dates; however, beneficial impacts to migratory birds and/or breeding birds are anticipated from the Proposed Action.	No
Broad-tailed hummingbird *Selasphorus platycercus*	PIF	Habitat includes open woodland, especially pinion-juniper, pine-oak, and conifer-aspen association; brushy hillsides; montane scrub and thickets.	Moderate. Habitat is present within the proposed gather area. The species is likely to have migrated out of the area during the proposed gather dates; however, beneficial impacts to migratory birds and/or breeding birds are anticipated from the Proposed Action.	No
Brewer's sparrow *Spizella breweri*	PIF	Habitat includes desert and shrubland/chaparral.	Moderate. Habitat is present within the proposed gather area. The species is likely to have migrated out of the area during the	No

Species	Status	Habitat Association	Potential for Occurrence Within the Proposed Project area and Cumulative Effects Area	Eliminated From Detailed Analysis (Yes/No)
			proposed gather dates; however, beneficial impacts to migratory birds and/or breeding birds are anticipated from the Proposed Action.	
Cassin's finch *Carpodacus cassinii*	PIF	Habitat includes open coniferous forest; in migration and winter also in deciduous woodland, secondary growth, scrub, brushy areas, partly open situations with scattered trees.	Moderate. Habitat is present within the proposed gather area. The species is likely to have migrated out of the area during the proposed gather dates; however, beneficial impacts to migratory birds and/or breeding birds are anticipated from the Proposed Action.	No
Cassin's kingbird *Tyrannus vociferan*	PIF	Habitat includes sparse woods and dry scrub areas.	None. Habitat is not present within the proposed gather area.	Yes
Clark's nutcracker *Nucifraga Columbiana*	PIF	Habitat includes open coniferous forest, forest edge and clearings, primarily in mountains, but wandering into various habitats; in winter also in lowlands.	Moderate. Habitat is present within the proposed gather area. The species is likely to have migrated out of the area during the proposed gather dates; however, beneficial impacts to migratory birds and/or breeding birds are anticipated from the Proposed Action.	No
Gray flycatcher *Empidonax wrightii*	PIF	Habitat includes arid areas of sagebrush or pinion-juniper woodlands.	Moderate. Habitat is present within the proposed gather area. The species is likely to have migrated out of the area during the proposed gather dates; however, beneficial impacts to migratory birds and/or breeding birds are anticipated from the Proposed Action.	No
Gray vireo *Vireo vicinior*	PIF	Habitat includes dry shrubby areas, chaparral, and sparse woodlands.	High. Winter habitat is present for the species. Beneficial impacts to migratory birds and/or breeding birds are anticipated from the Proposed Action.	No
Green-tailed towhee *Pipilo chlorurus*	PIF	Habitat is usually low shrubs, sometimes interspersed with trees; avoids typical forest, other than open pinion-juniper woodlands. In pinion-juniper, associated with sagebrush (*Artemesia* spp.) dominated openings with high shrub species richness.	Moderate. Habitat is present within the proposed gather area. The species is likely to have migrated out of the area during the proposed gather dates; however, beneficial impacts to migratory birds and/or breeding birds are anticipated from the Proposed Action.	No
Juniper titmouse	PIF	Habitat includes sparse pinion-juniper and oak	Moderate. Habitat is present within the	No

Species	Status	Habitat Association	Potential for Occurrence Within the Proposed Project area and Cumulative Effects Area	Eliminated From Detailed Analysis (Yes/No)
Parus inornatus		woodlands.	proposed gather area. The species is likely to have migrated out of the area during the proposed gather dates; however, beneficial impacts to migratory birds and/or breeding birds are anticipated from the Proposed Action.	
Mountain bluebird *Sialia currucoides*	PIF	Habitat includes subalpine meadows, grasslands, shrub-steppe, savanna, and pinion-juniper woodlands; in south usually at elevations above 1500 m (4900 ft.). In winter and migration also inhabits desert, brushy areas and agricultural lands.	Moderate. Habitat is present within the proposed gather area. The species is likely to have migrated out of the area during the proposed gather dates; however, beneficial impacts to migratory birds and/or breeding birds are anticipated from the Proposed Action.	No
Pinion jay *Gymnorhinus cyanocephalus*	PIF	Habitat includes semi-arid foothills with pinion-juniper woodlands.	High. Winter habitat is present for the species. Beneficial impacts to migratory birds and/or breeding birds are anticipated from the Proposed Action.	No
Sage sparrow *Amphispiza belli*	PIF	Habitat includes dry sagebrush/scrublands with sparse vegetation.	Moderate. Habitat is present within the proposed gather area. The species is likely to have migrated out of the area during the proposed gather dates; however, beneficial impacts to migratory birds and/or breeding birds are anticipated from the Proposed Action.	No
Sage thrasher *Oreoscoptes montanus*	PIF	Habitat includes desert and shrubland/chaparral.	Moderate. Habitat is present within the proposed gather area. The species is likely to have migrated out of the area during the proposed gather dates; however, beneficial impacts to migratory birds and/or breeding birds are anticipated from the Proposed Action.	No
Virginia's warbler *Vermivora virginiae*	PIF	Habitat includes dry woodlands, scrub oak brushlands, canyons and ravines.	High. Winter habitat is present for the species. Beneficial impacts to migratory birds and/or breeding birds are anticipated from the Proposed Action.	No
White-throated swift *Aeronautes saxatalis*	PIF	Habitat includes cliffs and canyons.	Moderate. Habitat is present within the proposed gather area. The species is likely to have migrated out of the area during the	No

Species	Status	Habitat Association	Potential for Occurrence Within the Proposed Project area and Cumulative Effects Area	Eliminated From Detailed Analysis (Yes/No)
			proposed gather dates; however, beneficial impacts to migratory birds and/or breeding birds are anticipated from the Proposed Action.	
Wilson's phalarope *Phalaropus tricolor*	PIF	Habitat includes grassland/herbaceous riparian and wetlands.	None. Habitat is not present within the proposed gather area.	Yes

Federally Listed Species:

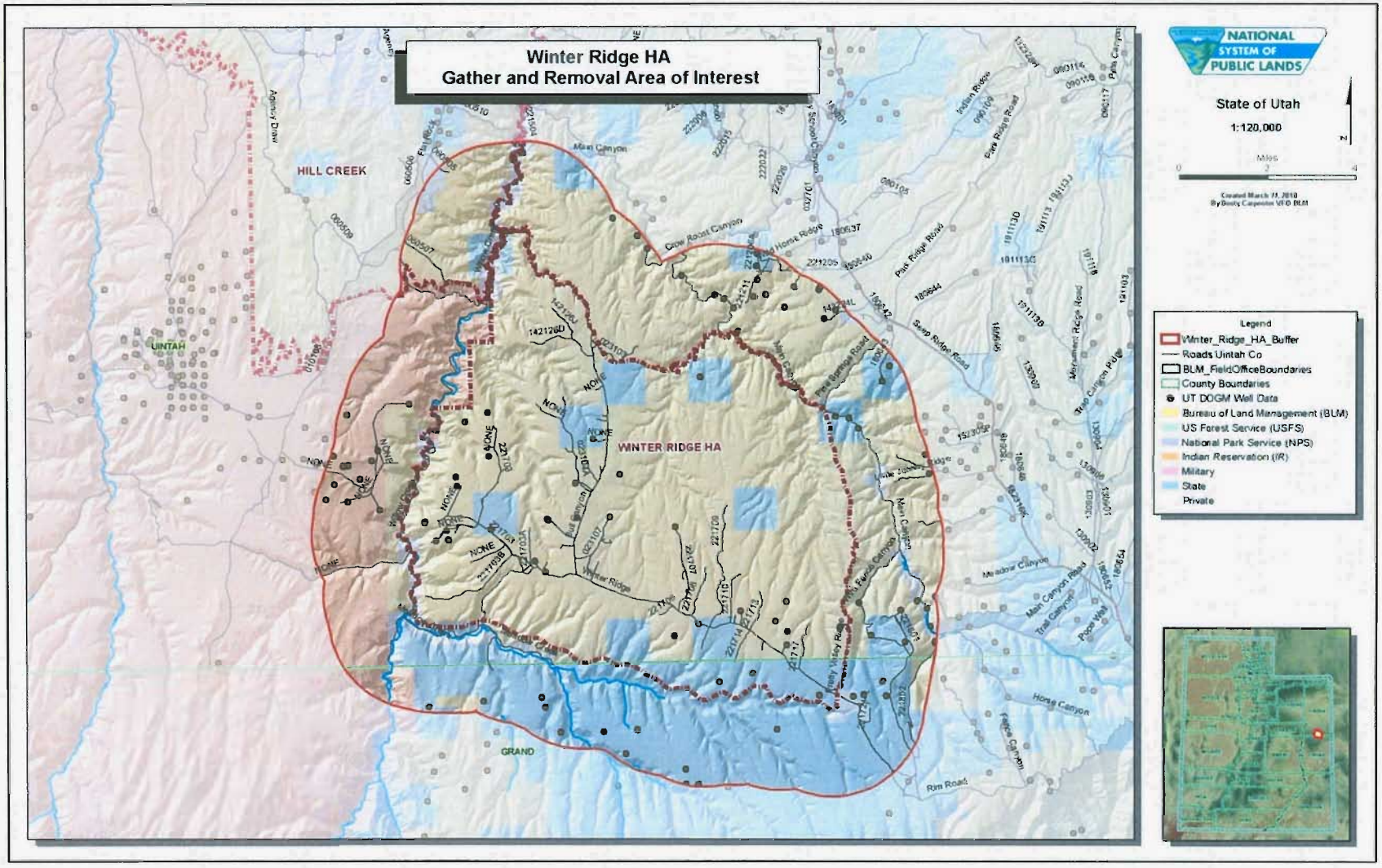
- FE = Federally listed as endangered;
- FT = Federally listed as threatened;
- FC = Federally listed as candidate

State Sensitive Species:

- CAS = State Conservation Agreement Species;
- WSA = Wildlife Species of Concern

PIF = Partners in Flight species of concern, Colorado Plateau, Utah Mountains, potentially in the Vernal Field Office.

APPENDIX E: MAP OF WINTER RIDGE GATHER AND REMOVAL AREA



APPENDIX F: RESPONSE TO ENVIRONMENTAL ASSESSMENT COMMENTS

Winter Ridge (HA)-Wild Horse Gather and Removal Plan
Environmental Assessment, DOI-BLM-UT010-2010-0208-EA

Comments in common to several groups or individuals were combined into one comment, where applicable; and subsequently addressed in one response. Comments that were not considered substantive (e.g. opinions or preferences) did not receive a formal response, but were considered in the BLM decision-making process. In excess of 3,700 comment letters/emails were received from individuals, and 3 were received from organizations/agencies following the issuance of the Winter Ridge HA-Wild Horse Gather and Removal Plan Preliminary Environmental Assessment, DOI-BLM-UT-010-2010-0208 Scoping Notice. Comments were reviewed and considered in the decision making process. BLMs responses to substantive comments are identified in the table below.

No.	Commenter	Comment	BLM Response
1	Individuals	[We] "request that the VFO utilize its discretion, as per Interior Secretary Order N0. 3270 issued March 9, 2007 establishing the agency policy to incorporate Adaptive Management into management programs, to postpone the proposed roundup and modify the VFO Resource Management Plan (RMP) to reassess and reinstitute "Herd Management Area" status and to establish adequate Appropriate Management Levels (AML) to accommodate the wild horses currently in the HA. Request that the VFO postpone the planned gather and removal of wild horses to modify the VFO Resource Management Plan (RMP) to reassess and reinstitute "Herd Management Area" status to	Changing this decision is beyond the scope of the EA. BLM previously determined that the Winter Ridge HA would no longer be managed for wild horses. The proposed action in the EA to implement decision FOR-18, found on pg. 83 in the the Vernal Field Office (VFO) Record of Decision (ROD) Approved Resource Management Plan (RMP) which states: "The Winter Ridge Herd Area and Hill Creek Herd Management Area will not be managed for wild horses. Upon removal, the 2,340 AUMs no longer needed for wild horses will be allocated through a future planning process."

No.	Commenter	Comment	BLM Response
		accommodate the horses currently in the HA."	
2	Individuals	The EA does not state that range conditions have deteriorated, and are a factor in removing the horses.	The EA does not state that range conditions have deteriorated, but that rangeland conditions are considered to be meeting land health standards, see section 1.6 of the EA. The rationale for removing the horses is referred to Section 1.2 of the EA.
3	Individuals	"You [the BLM] have failed to properly determine that there is an excess number of wild horses and that removal is necessary in order to restore a thriving natural ecological balance to and prevent a deterioration of the range caused by that excess in accordance with section 3 (b)(2) of the WFRHBA."	The scope of the EA is limited to impacts associated with gather activities, not determining excess. The Background section in the EA (pg. 1) states that the VFO ROD determined that the existing horses in the HA were in excess and would be removed.
4	Individuals	This EA fails to adequately consider realistic alternatives to the permanent removal of horses from the range. These include options for range improvements such as reseeding, water source enhancement and repair as well as fence removal.	Alternatives are addressed in Section 2 of the EA. Range improvements are outside the scope of this analysis.
5	Individuals	"Any environmental assessment conducted for this proposal must include…a detailed economic analysis of the long- and short-term costs associated with the capture, removal and warehousing of these horses……as well as the loss of eco-tourism"……	Socio-economic issues are addressed in the Interdisciplinary Checklist (pg. 14, Table 3.2) of the EA. On page 29 of the EA, an estimate of the cost of holding one animal for 20 years is stated.

No.	Commenter	Comment	BLM Response
6	Individuals	The EA fails to adequately assess the impacts to horses related to gathering, transportation, and short & long term holding. The EA fails to adequately evaluate the impacts to the horses of helicopter stampede and permanent warehousing in BLM holding pens and pastures. A recent report by the American Wild Horse Preservation Campaign on the deaths of wild horses as a result of the roundup in the Calico Mountains Complex, found a vast majority of those fatalities were related to the stress and trauma from capture, loss of freedom and the destruction of wild horse family bands. The report included the opinion of Dr. Bruce Nock, Associate Professor at the Washington University School of Medicine and expert on the physiological effects of stress on animals that the capture and removal of wild horses "is extremely detrimental to their long-term health and soundness."	Section 4.2.6 (pg. 27) of the EA analyzes impacts common to wild horse gather activities. The EA adequately addresses the potential impacts related to the gather operations as well as the maintenance and care of any excess animals. Gather operations adhere to Gather SOPs which further assures the animals welfare. The Vernal Field Office BLM has not reviewed the identified report and therefore cannot comment on those alleged findings.
7	Individuals	The Vernal BLM Office should explore opportunities to work with and offer any ranchers grazing in the HA the option to retire cattle grazing allotments or convert cattle grazing allotments to wild horse allotments to promote eco-	This comment is beyond the scope of this analysis. Any conversion of grazing use on BLM lands must be in conformance with the Land Use Plan(s) for the area(s) of interest.

No.	Commenter	Comment	BLM Response
		tourism.	
8	Individuals	The EA does not mention distemper at crowded facilities or complications from gelding	Comment noted and taken into consideration. Page 30 and 31 (Chapter 4) of the EA includes this information.
9	Uintah County Commission, Utah	The EA fails to include monitoring for other roaming or tribal horses that come onto BLM lands, the time frame allowed in removing these animals, and what would be done if they were not removed.	The BLM is responsible for free roaming horses and burros within those areas identified through the 1971 Free Roaming Wild Horse and Burro Act. If horses are completely removed from Herd Areas and the BLM determines those areas "zeroed out", the responsibility of future feral or estray animals that are considered to be livestock falls within the jurisdiction of state and county legal codes.