



# United States Department of the Interior

BUREAU OF LAND MANAGEMENT  
Cody Field Office  
P.O. Box 518  
Cody, Wyoming 82414-0518



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4700 (020)

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## **Scoping Statement McCullough Peaks Wild Horse Herd Management Area (HMA) Population Management Action**

### **DESCRIPTION OF PROJECT**

The Bureau of Land Management (BLM), Cody Field Office proposes to gather approximately 200 wild horses in the McCullough Peaks Wild Horse Herd Management Area (HMA) (see attached map). Census data for this HMA was collected in March 2008, and the wild horse population is exceeding the appropriate management level (AML) established for the HMA. The AML range for the McCullough Peaks HMA is 70-140 wild horses.

The primary capture method used in the performance of gather operations would include helicopter drive trapping. This capture method utilizes a helicopter to herd wild horses into a temporary trap. Gathering is scheduled to start on or about October 8, 2008, and the project may utilize a fertility control vaccine.

### **RELATIONSHIP TO EXISTING PLANS AND DOCUMENTS**

The alternatives, with the exception of the no action alternative, are in conformance with the Cody Resource Management Plan (RMP) approved on November 8, 1990.

The Cody RMP objectives for management of wild horses is to protect and maintain a viable herd that will maintain the free-roaming nature of the wild horses in a thriving ecological balance and to provide opportunity for the public to view wild horses. Gathering and removal of excess wild horses from the McCullough Peaks HMA is in conformance with the Cody RMP. The McCullough Peaks Herd Area was identified in 1971 and then established as an HMA in 1985 with the issuance of the McCullough Peaks Herd Area Management Plan. The HMA was confirmed through the Cody RMP planning process and then upheld during an Interior Board Land Appeal (IBLA) decision in 1992.

The proposed management action is in conformance with the August 2003, Consent Decree upheld by the United States District Court of Wyoming. This is an out of court settlement agreement between the State of Wyoming and the United States Department of the Interior; and the BLM.

This agreement specifies that when information is gathered that indicates that an HMA within the State of Wyoming is determined to be over the established AML, the BLM has one year from discovery to remove wild horses to the low range of AML.

### **NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)**

To comply with NEPA and the Council on Environmental Quality regulations, which implement NEPA, the BLM is required to prepare an environmental analysis. The environmental document will serve several purposes. It will provide both the public and governmental agencies with information about the potential environmental consequences of the project and alternatives; identify all practicable means to avoid or minimize environmental harm from the project and alternatives; and provide the responsible official with information upon which to make an informed decision regarding the project. The document will be prepared by an interdisciplinary team (IDT) of BLM resource specialists.

One essential element of the NEPA process is scoping. Scoping activities are initiated early in the process to; identify reasonable alternatives to be evaluated in the environmental analysis; identify environmental issues of concern related to the proposed gather; determine the depth of analysis for issues addressed in the environmental document; and identify potential mitigation.

Known resource issues or potential conflicts include: wild horses, domestic livestock, cultural resources, invasive non-native species, special status species, vegetation/riparian, wilderness study area (WSA), recreation, oil and gas drilling and utility construction.

This scoping statement has been prepared to describe means by which governmental agencies, the general public, and other interested parties may participate in and contribute to the analysis process. Public input is important in establishing the scope of analysis for any NEPA document, and the BLM encourages public participation.

### **PURPOSE AND NEED**

The purpose of this environmental assessment (EA) is to assess the impacts associated with the BLM's proposal to remove excess wild horses from the McCullough Peaks Herd Management Area (HMA) in October 2008 to restore the range to a thriving natural ecological balance and prevent further deterioration of the range.

### **DECISION TO BE MADE**

The Field Manager would be deciding on the number of horses to remove, the number of horses to return to the HMA and the age and sex ratio of those horses. He would also be deciding on whether or not to implement fertility control and how it will be used. He may also choose to not remove horses from the range.

## **ALTERNATIVES TO BE CONSIDERED**

### **ALTERNATIVE I (Proposed Action)**

#### **Removal to the Lower Limit (70 Animals) of the Management Range with Fertility Control**

This alternative would be the same as Alternative I except that 30 additional horses would be removed and only 70 horses would be returned to the HMA. Approximately 70 wild horses (35 mares and 35 studs) would be returned to the HMA, which represents the lower limit of the management range. A select number of mares would be planned for treatment on the McCullough Peaks HMA in Wyoming and would receive a 2-year time release Porcine Zonae Pullicida (PZP) vaccine administered during a scheduled gather.

### **ALTERNATIVE II**

#### **Removal to the Mid-Point (100 Animals) of the Management Range with Fertility Control**

Alternative I would be to gather approximately 200 wild horses, remove approximately 100 from the McCullough Peaks HMA and return 100 wild horses (50 mares and 50 studs) to the HMA after the gather.

Fertility control vaccine, PZP is available to BLM under a research protocol and only would be administered under a use permit (INAD) held by the Humane Society of the US (HSUS). . Delivery of the immuno-contraceptive vaccine would be as described under the Proposed Action.

### **ALTERNATIVE III**

#### **Removal to the Lower Limit (70 Animals) of the Management Range without Fertility Control**

Alternative III would be to gather approximately 200 wild horses and remove approximately 140 wild horses from the McCullough Peaks HMA. Approximately 70 wild horses (35 mares and 35 studs) would be returned to the HMA, which represents the lower limit of the management range. No fertility control would be implemented and all horses returned to the HMA would be adults of breeding age.

### **ALTERNATIVE IV**

#### **No action**

This alternative identifies no direct (i.e. passive) management activities that would be used to control the wild horse population in the McCullough Peaks HMA.

The wild horse population would be allowed to reach equilibrium by regulating their numbers through periodic elevated mortality rates caused by drought, disease, and insufficient forage, water and/or space availability or a combination of these factors.

### **TIMING REQUIREMENTS**

The public is encouraged to participate throughout the environmental analysis process to help in identifying the level of analysis needed, alternatives to the proposed action, other issues or concerns that should be analyzed, mitigation opportunities, and any other comments or ideas to help ensure the completeness of the analysis process.

Scoping comments are due by **July 3, 2008**. Please submit your comments to:

Patricia L. Hatle, Range/Wild Horse Specialist  
BLM, Cody Field Office  
P.O. Box 518  
Cody, Wyoming 82414

Fax: (307) 578-5939

E-mail: [Cody\\_wymail@blm.gov](mailto:Cody_wymail@blm.gov)

Please include "McCullough Peaks HMA Scoping Comments" in the subject line.

This scoping notice, EA, and subsequent decisions will be posted on the Wyoming BLM website at:

<http://www.blm.gov/wy/en/info/NEPA/cyfodocs/mcculloughpeakshma.html>

The web site can be accessed by the general public. You may also obtain a paper copy of these documents by contacting the Cody Field Office at the address or phone number above.

Sincerely,



Michael P. Stewart  
Field Manager, Cody

Attachment