

**DECISION RECORD and FINDING OF NO SIGNIFICANT IMPACT  
for the  
Wild Horse Gathering of the Crooks Mountain  
Wild Horse Herd Management Area  
EA Number WY-050-EA06-129**



U.S. Department of the Interior  
Bureau of Land Management  
Lander Field Office  
August 2006

**DECISION RECORD**  
**and**  
**FINDING OF NO SIGNIFICANT IMPACT**  
**for the**  
**Crooks Mountain HMA**  
Capture/Removal and Fertility Control  
Bureau of Land Management  
Lander Field Office

**EA Number WY-050-EA06-129**

**FINDING OF NO SIGNIFICANT IMPACT**

I have determined that the Proposed Action and Alternative I are in conformance with the Lander Field Office Resource Management Plan (RMP). I have reviewed this environmental assessment, including the analyses of potentially significant environmental impacts. I have determined that the Proposed Action and Alternative I with the mitigation measures identified, will not have any significant impacts on the human environment and that an EIS is not required. It is my decision to implement Alternative I with the mitigation measures identified.

**FULL FORCE AND EFFECT DECISION**

It is my decision to approve and implement Alternative I as described in the Environmental Assessment (EA) for Wild horse Gathering and Fertility Control in the Crooks Mountain HMA. The Bureau of Land Management (BLM) will remove approximately 60 horses from the Herd Management Area (HMA). Excess wild horses will be gathered and removed according to the Wild Horse Gathering Plan. The gather operations will begin after August 20, 2006 and end upon completion of the project. The gathering operation is expected to take approximately one week.

**RATIONALE FOR DECISION**

My decision to approve gathering and removal of excess wild horses is based upon the following:

I have reviewed my responsibilities under existing laws, regulations, policies, and land use decisions, and my decision is consistent with them. The decisions in the Great Divide Resource Area Wild Horse Herd Management Area Evaluation provide for maintaining an Appropriate Management Level (AML) of 65 – 85 adult horses within the HMA. The March, 2006 wild horse inventory and the projected post 2006 foaling population indicates that wild horse numbers

in the HMA are above the AML. The Lander RMP sets objectives and identifies management actions which will be carried out to maintain a thriving, natural, ecological balance and to preserve the multiple-use relationship that exists in the areas occupied by wild horses. Management in accordance with these objectives is needed to maintain the health of public rangelands. The wild horses and other animals rely on these public rangelands to maintain populations at levels that insure the health and viability of the herds and prevent unwanted impacts to state and privately owned land. In order to achieve these objectives, it is necessary to remove excess horses from the Crooks Mountain HMA. For this reason, all horses above the AML are considered excess and subject to removal. Removal of excess wild horses will leave wild horse populations in conformance with the appropriate management levels established for the Crooks Mountain HMA.

Based on the analysis in EA No. WY-050-EA06-129, the impacts to the wild horses and to other resources will not be significant. This gather will not reduce the populations in the HMA below AML. The gather will be conducted in accordance with established procedures and will use proven methods. This will insure that the horses will be treated in a safe and humane manner. Population modeling developed by Dr. Stephen Jenkins affirmed all conclusions regarding population demographics. The gather will not compromise the long-term viability of the Crooks Mountain Herd. Safety risks to BLM employees and the wild horses will be minimized through the planned actions identified in the gathering plan.

## **PUBLIC COMMENTS ON THE EA**

Public comments on the EA were accepted until close of business August 8, 2006. Five comment letters were received. They represent the full range of opinion on management of the wild horses in the Crooks Mountain HMA. They vary from removal to the lower level of the AML for the HMA to no removal and no fertility control within the HMA. All of these varying viewpoints have been considered in the development of the current practices employed to carry out the intent of the Wild, Free Roaming Horse and Burro Act on public lands under the jurisdiction of the Lander Field Office.

## **COMPLIANCE AND MONITORING**

Gathering and removal of excess wild horses will be conducted as described in the gathering plan. The BLM will continue to monitor wild horse numbers, utilization, and range conditions to achieve the multiple use objectives within the wild horse herd management areas.

## **APPEALS**

This decision is issued in full force and effect in accordance with 43 CFR 4770.3(c) which states in part: "decisions ...shall be effective upon issuance or on a date established in the decision." This decision is issued in accordance with 43 CFR 4700.0-1. Administrative remedies are provided at 43 CFR 4770.3(a) which states: Any person who is adversely affected by a decision of the authorized officer in the administration of these regulations may file an appeal. If you wish to appeal this decision, as provided by 43 CFR 4770.3 and 43 CFR 4.21, you must file an appeal in writing within 30 days of receipt of this decision with the BLM Lander Field Office,

P.O. Box 589, Lander, Wyoming 82520. The appeal shall state clearly and concisely why you think the decision is in error.

Should you wish to file a motion for stay, the appellant shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied;
2. The likelihood of the appellant's success on 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.

If you decide to also submit a petition for stay of the decision, a copy of the notice of appeal, statement of reason, and petition for stay should be simultaneously filed with the Office of the Field Solicitor, Rocky Mountain Region, 755 Parfet Street, Suite 151, Lakewood, Colorado 80215.

*/s/ Rubel Vigil*

August 15, 2006

Rubel Vigil, Acting Field Manager

Date