

**United States Department of the Interior  
Bureau of Land Management**

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**Environmental Assessment WY-050-EA08-95**

**Wild Horse Gather for the  
North Lander Complex Wild Horse Herd Management Areas  
(Conant Creek, Dishpan Butte, Rock Creek Mountain and Muskrat Basin)**

**Finding of No Significant Impact**

*Location:* Lander, Wyoming

*Applicant/Address:* Bureau of Land Management  
1335 Main Street, P.O. Box 589  
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## **INTRODUCTION:**

The Bureau of Land Management (BLM) has completed an environmental analysis, (EA No. WY-050-EA08-148), for a wild horse gather within the Lander Field Office's North Lander Complex of Wild Horse Herd Management Area's (HMA's). The proposed action is for removal of excess wild horses from the North Lander Complex HMA's.

The following alternatives were analyzed in detail:

- Alternative 1 (Proposed Action) – Gather to Low Range AML (320 Horses) with fertility control
- Alternative 2 – Gather to Low Range AML (320 Horses) without fertility control
- Alternative 3 (No Action) – No Gather/Removal

Alternatives 1 and 2 were developed based on the need to remove excess animals in order to manage the range in a thriving natural ecological balance and multiple-use relationship and to prevent range deterioration. The removal of wild horses under these alternatives would ensure that the wild horses remaining within the HMA have adequate forage and water to survive and maintain satisfactory physical condition. Removal of excess wild horses would also help to sustain the long-term productivity of the rangeland resources on the public lands that wild horses depend on. Application of fertility control is also analyzed to determine whether or not its use would be cost effective and result in reducing reproduction rates in mares released back to the range and in reducing gather frequency and decreasing disturbance to herd social structure. Although Alternative 3 (No Action) does not comply with the Wild Horse and Burro Act of 1971, as amended, nor meet the purpose and need for this action, nor complies with the Consent Decree Agreement with the State of Wyoming, it is included as a basis for comparison with the two action alternatives.

## **PLAN CONFORMANCE AND CONSISTENCY:**

The proposed action is in conformance with the land use plan terms and conditions as required by (43 CFR 1610.5-3(a)). Any action in the Lander Field Office is subject to requirements established by the Lander Resource Management Plan, (1987). The North Lander HMA Complex has been designated as suitable for long term, sustained wild horse use in the Lander RMP. The proposed capture and removal conforms to the land use decisions and resource management goals and objectives of the Lander resource Management plan.

## **FINDING OF NO SIGNIFICANT IMPACT DETERMINATION:**

Based upon a review of the EA and the supporting documents, I have determined that the project is not a major federal action and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. Environmental effects do not meet the definition of significance in context or intensity as defined in 40 CFR 1508.27 and do not exceed those effects described in the Lander RMP. *Therefore, an environmental impact statement is not needed.* This finding is based on the context and intensity of the project as described:

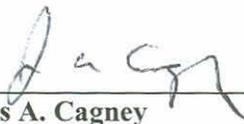
**Intensity:** The following discussion is organized around the ten significance criteria describe in 40 CFR 1508.27 and incorporated into BLM's Critical Elements of the Human Environment list (H-1791-1), and supplemental Instruction Memoranda, Acts, regulations and Executive Orders. The following have been considered in evaluation intensity for this proposal:

1. **Impacts may be both beneficial and adverse.** The proposed action would impact resources as described in the EA. Those resources analyzed are wild horses, soils, vegetation, riparian areas and watershed, endangered, threatened, proposed candidate and BLM Wyoming sensitive species, wildlife, heritage resources and energy development. Mitigation measures to reduce impacts have been incorporated into the proposed action in the form of the Standard BLM Operating Procedures for Wild Horse Removal.
2. **The degree to which the selected alternative will affect public health or safety.** The proposed action is designed to have minimum impact on public health. Transportation of equipment to the project location will be in conformance with state and federal laws.
3. **Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wilderness, wild and scenic rivers, or ecologically critical areas.** Heritage resources program support for the wild horse capture would consist of file search (Class I) and/or intensive field (Class III) inventories, and, if necessary, mitigation of impacts, at the locations of the horse trap prior to horse capture. The following Critical Elements of the Human Environment and Other Resource Issues are not present in the project area and are not affected: areas of critical environmental concern, environmental justice, farmlands (prime or unique), flood plains, Native American religious concerns, and wild/scenic rivers.
4. **The degree to which the effects on the quality of the human environment are highly uncertain or involve unique or unknown risks.** Comments received from the public were in support of the proposed action, and were addressed in the EA.
5. **The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.** The project is not unique or unusual. The BLM has experience implementing similar actions in similar areas. The environmental effects to the human environment are fully analyzed in the EA. There are no predicted effects on the human environment that are considered to be highly uncertain or involve unique or unknown risks.
6. **The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.** The actions considered in the selected alternative were considered within the context of past, present, and reasonably foreseeable future actions. Significant cumulative effects are not predicted. A complete analysis of the direct, indirect and cumulative effects of the selected alternative and other alternatives are described in Chapter 3 of the EA.
7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts – which include connected actions regardless of land ownership.** Significant cumulative effects are not predicted. A complete disclosure of the effects of the proposal is contained in chapter 3 of the EA.
8. **The degree to which the action may adversely affect districts, sites, highway, structures, or other objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.** The project will not affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places, nor will it cause loss or destruction of significant scientific, cultural, or historic resources. Consultation with SHPO

has been completed in accordance with Section 106 of the NHPA and the Programmatic Agreement between the Wyoming BLM and SHPO.

9. **The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to critical under the Endangered Species Act of 1973, or the degree to which the action may adversely affect: 1) a proposed to be listed endangered or threatened species or its habitat, or 2) a species on the BLM's sensitive species list.** Mitigating measures to reduce impacts to wildlife have been incorporated into the design of the proposed action. Although sensitive species may occupy habitat within the project boundary, it has been determined that they will not be affected because of measures outlined in the EA. No threatened or endangered plants or animals are known to occur in the area.
10. **Whether the action threatens a violation of a federal, state, local, or tribal law, regulation or policy imposed for the protection of the environment, where non-federal requirements are consistent with federal requirements.** The project does not violate any known federal, state, local or tribal law or requirement imposed for the protection of the environment.

**Authorized Official:**

  
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**James A. Cagney**  
**Lander Field Office Manager**

**Date:** 6-24-09