

I. PURPOSE AND NEED

BACKGROUND

With passage of the Wild Free Roaming Horse and Burro Act of 1971 (Public Law 92-195), Congress found that: "...wild free roaming horses and burros are living symbols of the historic and pioneer spirit of the West..." In addition, the Secretary was ordered to "...manage wild free-roaming horses and burros in a manner that is designed to achieve and maintain a thriving natural ecological balance on the public lands..." From the passage of the Act, through the present day, the Bureau of Land Management (BLM) has endeavored to meet the requirements of the Act. The procedures and policies implemented to accomplish this mandate have been constantly evolving over the years.

Throughout this period, BLM experience has grown, and knowledge of the effects of current and past management on wild horses and burros has increased. For example, wild horses have been shown to be capable of 16 to 25% increases in numbers annually. This can result in a doubling of the wild horse population every 3 to five years. Without natural predators, practices designed to maintain the population within established levels have grown in importance and public interest. At the same time, nationwide awareness and attention to all the many facets of the wild horse program has grown. Program goals have expanded beyond simply maintaining a "thriving natural ecological balance" (by setting and achieving appropriate management level (AML)) for individual herds, to achieving and maintaining viable, vigorous, and stable populations.

This document has been prepared to assess the environmental impacts of adjusting the numbers of wild horses in the Adobe Town Herd Management Area (HMA) within the Rawlins Field Office and the Salt Wells Creek HMA within the Rock Springs Field Office (refer to Map 1a, 1b) through a program of capture, selection, removal, and the returning of a specific number of animals to the public lands. These adjustments are necessary as the current populations exceed the AMLs established for these two HMAs. The AMLs for these HMAs were established based on monitoring data and agreements with private land owners. Documents containing this information are available for public review at the Rawlins and Rock Springs Field Offices.

The Adobe Town HMA is located approximately 20 miles west of Baggs, within Carbon and Sweetwater Counties, Wyoming. The Adobe Town HMA is approximately 448,000 acres in size. The Rawlins Field Office manages the Adobe Town HMA. The Salt Wells Creek HMA is located southeast of Rock Springs, within Sweetwater County, Wyoming. The Salt Wells Creek HMA is approximately 1,193,000 acres of which 725,704 acres are public and the remaining acres are privately controlled. The majority of the private land holdings in the Salt Wells Creek HMA are in a checker board land pattern with every other section alternating between public and private owned or controlled land. The aforementioned land status pattern stems back to the land grants given to the railroad companies (in this case, the Union Pacific Railroad Company) to develop transportation corridors in the west. The Rock Springs Grazing Association is currently in control of a majority of the private lands in the checker board within the Salt Wells Creek HMA. The Rock Springs Grazing Association and Wild Horses Yes entered into an historic agreement in 1979 which provided for the management of specific numbers of wild horses on these privately controlled lands and the contiguous public lands. This was later affirmed as the framework for wild horse management in the area now known as the Salt Wells Creek HMA through the Green River RMP. The Rock Springs Field Office manages the Salt Wells Creek HMA.

In 1993, studies were completed that determined that the AML for wild horses in the Adobe Town HMA was a specifically defined population range that would result in an average population of 700 adults over time. That population range was determined assuming that a three year gather cycle would be implemented to maintain it and that all other authorized uses of the area would take place. It was based on what was then known about the Adobe Town population. The range was from 610 to 800 wild horses. Due to budgetary and logistical considerations, this AML was not achieved. Instead, the average adult horse population in the Adobe Town HMA from 1994 to 2003 was approximately 1100 wild horses. During this period of time, livestock use was variable but consistently less than the permitted use level that could have been authorized. Also during 1994 to 2003 several seasons of adverse drought like climatic conditions were documented. The range condition and trend studies that were used in 1993 to determine the level of use (AML) of 700 horses

were repeated in 2003-04 and revealed a consistent downward trend in range condition throughout the area from 1993 to 2003.

While this data cannot be used to determine if the recommended level of 700 was appropriate, it can be reasonably concluded that the actual level of use experienced during the period was too high for the available resources. In the summer of 2003, a series of population management actions were completed that brought the population close to the AML. This proposed action would finally achieve that AML and enable the necessary monitoring and evaluation as identified in the decision of 1994 to take place by 2011.

The population of the Adobe Town HMA was estimated at 1,053 wild horses as of 12/31/2004. A foal crop of approximately 200 colts is anticipated in the spring of 2005 and some mortality is anticipated in the interim. This will result in a total of approximately 1,200 wild horses in the Adobe Town HMA to be encountered during the gather. An additional 100 horses are expected to occupy the area outside the Adobe Town HMA known as I80 South.

The AML for wild horses within the Salt Wells Creek HMA was established through an agreement with the private land owners at a range of 251 to 365 adult horses and reaffirmed in the 1996 Green River Resource Management Plan and the 1999 Environmental Assessment for Wild Horse Gathering Inside and Outside Wild Horse Herd Management Areas (EA No. WY-040-EA9-041). The population of the Salt Wells Creek HMA is currently estimated at 480 wild horses and a foal crop of 96 colts are anticipated in the spring of 2005 for a total of approximately 576 wild horses.

In 2003, an increased level of coordination of management activities and objectives was entered into for the Adobe Town and Salt Wells Creek HMAs. Past capture, census, and distribution data collected indicate considerable movement and interchange among the horses of these two HMAs.

A. PURPOSE

The purpose of this environmental assessment (EA) is to analyze the impacts associated with the Bureau of Land Management's (BLM) proposal to remove excess wild horses from the Adobe Town and Salt Wells Creek Wild Horse HMAs in the summer or fall of 2005. Approximately 500 adult horses would be removed from within the Adobe Town HMA and 230 from within the Salt Wells Creek HMA. Approximately 860 adult horses would remain on the range within the two HMAs. This would adjust the population levels within the two HMAs to within the acceptable range associated with the respective AMLs.

B. NEED

The proposed Action and this EA are necessary because monitoring has determined that there are excess wild, free roaming horses in both the Adobe Town and Salt Wells Creek HMAs and stray horses nearby that must be removed in accordance with the appropriate provisions of the Act. More detail on those determinations is found in the Gather Plans for the respective HMAs (APPENDIX A)

The following table depicts the areas included in this analysis.

TABLE 1

AREA	PUBLIC ACRES	OTHER ACRES	AML	ESTIMATED POPULATION (12/31/2004)
ADOBE TOWN HMA	418,000	30,000	700	1,053
SALT WELLS CREEK HMA	690,400	480,308	308	480
I 80 S* (RFO)	359,000	195,000	0	87##
RSFO Outside HMAs**	279,808	121,724	0	25
TOTAL	1,747,208	827,050	1008	1,645

* All lands south of Interstate 80 and west of Wyoming Hwy 789 with the exception of the Adobe Town HMA. The horses are not uniformly distributed throughout this entire area.

**This represents only part of that area and includes all lands south of Interstate 80 and west of Flaming Gorge Reservoir with the exception of the Salt Wells Creek HMA. The horses are not uniformly distributed throughout this entire area.

##Gathers completed in February of 2005 are reflected here.

C. CONFORMANCE WITH LAND USE PLAN

Gathering and removal of excess wild horses from the Adobe Town and Salt Wells Creek HMAs is in conformance with both the Great Divide Resource Management Plan (RMP) approved November 1990 and the Green River RMP approved on August 8, 1997. The Great Divide RMP objectives for management of wild horses are to; protect, maintain, and control a viable, healthy herd of wild horses while retaining their free-roaming nature and to provide adequate habitat for free-roaming wild horses through management consistent with environmental protection and enhancement policies. It should be noted that the current Rawlins RMP revision underway does not propose to change the AML or HMA boundaries within the area covered by this EA.

The Green River RMP objectives for management of wild horses are to : 1) protect, maintain, and control viable, healthy herds of wild horses while retaining their free-roaming nature; 2) provide adequate habitat for free-roaming wild horses through management consistent with principles of multiple use and environmental protection; and 3) provide opportunity for the public to view wild horses. Gathering and removal of excess wild horses from the Salt Wells Creek HMA is in conformance with the Green River RMP. Wild horse numbers that were agreed to with private land owners and wild horse advocacy groups were addressed in developing the RMP. Wild horse HMAs were established or confirmed through the Green River RMP planning process.

D. RELATIONSHIP TO OTHER STATUTES, REGULATIONS, OR OTHER PLANS

No other federal, state, or local plans will be affected by implementing the proposed action and no other permits or authorizing actions are required unless fertility control is employed in conjunction with a gather. In that case, a research permit held by the Humane Society of the United States will be the permitting and regulatory mechanism (APPENDIX 2 of the Gather Plan.) The action will be implemented under the authority of Public Law 92-195 (the Wild, Free-Roaming Horse and Burro Act of 1971) as amended by Public Law 94-579 (Federal Land Policy and Management Act), and Public Law 95-514 (Public Rangelands Improvement Act). Public Law 92-195, as amended, requires the protection, management, and control of wild free-roaming horses and burros on public lands. The preparation and transportation of wild horses will be conducted in conformance with all applicable state statutes.

The Proposed Action is in conformance with all applicable regulations at 43 Code of Federal Regulations (CFR) 4700 and policies. The following are excerpts from 43 CFR

relating to the protection, management, and control of wild horses under the administration of the BLM.

43 CFR 4700.0-2 One of the objectives regarding wild horse management is to manage wild horses "as an integral part of the natural system of the public lands under the principle of multiple use..."

43 CFR 4700.0-6(a-c) Requires that BLM manage wild horses "...as self-sustaining populations of healthy animals in balance with other uses and the productive capacity of their habitat...considered comparably with other resource values..." while at the same time "...maintaining free-roaming behavior."

43 CFR 4710.4 "Management of wild horses and burros shall be undertaken with the objective of limiting the animals' distribution to herd areas."

43 CFR 4720.1 "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 4720.2 Removal of strayed or excess animals from private lands.

43 CFR 4180 requires that all BLM management actions achieve or maintain healthy rangelands.

All federal actions must be reviewed to determine their probable effect on threatened and endangered plants and animals (the Endangered Species Act).

Federal actions must also be reviewed to determine their probable effect on cultural and historic properties. This process is termed section 106 consultation (Section 106 of the Historic Preservation Act). The action analyzed here is essentially a continuation of established practices, modified slightly by a gradual shift from BLM conducted operations to End Product Contracting. This has resulted in a slight change in the surface use to complete the action but the objectives of the action are not new.

Executive Order 13212 directs the BLM to consider the President's National Energy policy and adverse impacts the alternatives may have on energy development.

Specific Habitat Management Area Plans (HMAP) guide the ongoing management of the horses in the Adobe Town HMA and Salt Wells Creek HMAs. The HMAPs contain objectives for both the horses and their habitat along with proposed management actions that will achieve those objectives. They are available for review in the respective field offices.

Attainment and maintenance of the AMLs established for these and all other HMAs in the state are key points in complying with the August 2003 Consent Decree between the State of Wyoming, United States Department of the Interior, and Bureau of Land Management.

When the indicated management action is a Population Management Action (PMA) (usually gather and removal), an individual gather plan is prepared to guide that action to insure effective operation and humane treatment of the animals involved. The Gather Plan contains detailed information with regard to the selection and evaluation of the specific practices such as post gather population targets, selective removal criteria, age/sex distributions, and fertility control practices that may be employed in carrying out the proposed action which is to adjust the population within the HMA. (APPENDIX A).