



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Rock Springs Field Office
280 Highway 191 North
Rock Springs, Wyoming 82901-3447



In Reply Refer To:
4720 (040)

AUG 21 2007

Dear Reader:

The Bureau of Land Management Rock Springs Field Office has prepared Environmental Assessments (EAs) for the gathering of excess wild horses within the Divide Basin, Adobe Town and Saltwells Creek Wild Horse Herd Management Areas. These EAs (EA WY-040-EA06-107 and WY-040-07-EA-37) and associated decision documents may be viewed on the Wyoming Rock Springs Field Office BLM website at:

www.wy.blm.gov/nepa/rsfodocs/atw_complex
www.wy.blm.gov/nepa/rsfodocs/divide_basin

This web site can be accessed by the general public at anytime. You may also obtain a paper copy of the EAs and Decision Record by contacting the Rock Springs Field Office at the address or phone number below:

Bureau of Land Management
Rock Springs Field Office
Attn: Jay D'Ewart
280 Highway 191 North
Rock Springs, Wyoming 82901
Phone number: 307-352-0331

Enclosed is the Decision Record/FONSI 8-20-2007. The population management action that is the subject of the Decision Record is scheduled to begin on or about August 22, 2007. If you have any questions you may contact Jay D'Ewart at the address and phone number listed above.

Sincerely,

Lance C. Porter
Acting Rock Springs Field Manager

Enclosure



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Rock Springs Field Office
280 Highway 191 North
Rock Springs, Wyoming 82901-3447

**DECISION RECORD (DR)
and
FINDING OF NO SIGNIFICANT IMPACT (FONSI)**

**Divide Basin Herd Management Area
ENVIRONMENTAL ASSESSMENT
WY-040-EA06-107**

And

**Adobe Town – Salt Wells Creek Herd Management Area
ENVIRONMENTAL ASSESSMENT
WY-040-07-EA-37**

**Rock Springs Field Office
and
The Rawlins Field Office**

SUMMARY

The Bureau of Land Management (BLM), Rock Springs and Rawlins Field Offices, propose to gather wild horses within the boundaries of the Divide Basin Wild Horse Herd Management Area (HMA) and any wild horses outside the Divide Basin, Adobe Town and Salt Wells Creek HMAs. The primary purpose of the proposed action is to bring the wild horse population into a “thriving natural ecological balance”. This would be accomplished by reducing the Divide Basin herd to 415 wild horses and removing all of the horses outside of the Divide Basin, Adobe Town and Salt Wells Creek HMAs. This would prevent deterioration of the health and condition of the wild horses, as well as the vegetative and riparian resources. The current population of wild horses within the Divide Basin herd is estimated at 902 wild horses. The Appropriate Management Level (AML) for the Divide Basin HMA is established at 415 - 600 wild horses. The current population for the Adobe Town and Salt Wells Creek HMAs combined is estimated at 1,084. The combined (AML) for the Adobe Town - Salt Wells Creek HMAs is established at 861 - 1,165 wild horses. The spring 2007 inventory also revealed that there are approximately 60-70 horses residing outside of the Adobe Town and Salt Wells Creek HMAs on private lands and non-HMA public lands within Wyoming and Colorado. The current AML ranges are in conformance with the August 2003 Wyoming Consent Decree pertaining to the management of wild horses on the public lands of Wyoming. This is an out of court settlement agreement between the State of Wyoming and United States Department of the Interior, BLM

Public notification and scoping of EA WY-040-EA06-107, dated August 24, 2006 was sent to the persons, groups, and agencies on the list of interested publics for wild horses maintained at the Rock Springs Field Office, with a review and comment period. All three comments received on the WY-040-EA06-107 EA were in support of the gather and the removal of excess wild horses.

Public notification and scoping of EA WY-040-07-EA-37, dated January 4, 2007 was sent to the persons, groups, and agencies on the list of interested publics for wild horses maintained at the Rock Springs and Rawlins Field Offices, with a review and comment period. The comments received represented a wide range of viewpoints. Thirty-four comments were received during the public review of WY- 040-07-EA-37 and have been considered in the development of that EA. BLM responses to these comments can be found in Appendix A of the January 4, 2007 decision. No unresolved issues remain.

Additional notification and scoping of the proposed actions in both EAs was sent to the public on July 18, 2007. The comments received were similar to the comments previously received and analyzed in both EAs. No new data was received requiring further analysis.

SUMMARY OF PROPOSED ACTION

The proposed action is to capture approximately 640 wild horses. Approximately 100 of these wild horses are located outside of the HMAs and would be removed. Approximately 480 of these wild horses would be removed from the Divide Basin HMA. Wild horses captured in the Divide Basin HMA would be sorted by sex and age, and selective removal criteria would be utilized in determining which 60 of the captured wild horses would be returned to the range.

DECISION RECORD

As a result of the analyses presented in the EAs, and to be in conformance with the 43 CFR 4700 decision process, it is our decision to approve capture of approximately 540 wild horses in the Divide Basin HMA, and to remove a total of approximately 480 of those wild horses. The Divide Basin HMA will be gathered down to a level of 415 wild horses.

Our decision also includes removing all (approximately 100) wild horses located outside of the Divide Basin, Adobe Town and Salt Wells Creek HMAs on private lands and non-HMA public lands within Wyoming and Colorado.

Rationale: The gathering and removal of excess wild horses is being selected in order to ensure a “thriving natural ecological balance” as well as preserve the multiple use relationship within the Divide Basin HMA immediately and over the next several years. Further, this action is needed in order to comply with the consent decree, prevent the range from deterioration associated with an overpopulation of wild horses, to maintain horse health, and to remove all wild horses residing outside the Divide Basin, Adobe Town and Salt Wells Creek HMA boundaries. The gather operation will leave an AML of no less than 415 wild horses within the Divide Basin HMA boundary. Due to the prolonged drought and current resource conditions, removal of excess wild horses to a level of 415 wild horses will ensure healthy animals and progress towards meeting rangeland health standards. Immunocontraception vaccine (fertility control) was analyzed in the EAs, but the use of fertility control will not be administered during this gather.

ADMINISTRATIVE PROCEDURES

This decision is effective upon issuance 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.” Once the decision is final, it will be subject to appeal. If you wish to appeal this decision, as provided by 43 CFR 4770.3 and 43 CFR 4.4, you must file an appeal in writing within 30 days of this decision with the Rock Springs Field Office, 280 Highway 191 North, Rock Springs, Wyoming 82901.

The appeal must 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 Reasons, 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.

FINDING OF NO SIGNIFICANT IMPACT

Based on the analysis presented in the environmental assessments for Divide Basin, Adobe Town and Salt Wells Creek HMAs, EAs WY-040-EA06-107 and WY-040-07-EA-37, I (we) find that the impacts to the quality of the human environment are not expected to be significant. Therefore, an environmental impact statement is not necessary.

I (we) have reviewed my (our) responsibilities under existing laws, regulations, policies, and land use decisions, and my (our) decision is consistent with them.

Bernard Weynand
Bernard Weynand
Assistant Field Manager, Renewable Resources
Rock Springs Field Office

Aug 20, 2007
Date

Debbie Johnson
Debbie Johnson
Assistant Field Manager, Renewable Resources
Rawlins Field Office

Aug. 17, 2007
Date

I concur.

Lance C. Porter
Lance C. Porter
Acting Field Manager
Rock Springs Field Office

8/20/2007
Date

Mark Storzer Acting
Mark Storzer
Field Manager
Rawlins Field Office

8/17/07
Date