

**Finding of No Significant Impact
Bureau of Land Management
Rock Springs Field Office**

**Adobe Town and Salt Wells Creek Herd Management Area Wild Horse Gather
WY-040-EA13-82**

BACKGROUND

The proposed action is for removal of excess wild horses from the Adobe Town and Salt Wells Creek Herd Management Areas (HMAs).

The following alternatives were analyzed in detail:

- Alternative A (Proposed Action) – Remove Excess Animals to Lower Limit of AML Range with Fertility Control
- Alternative B – Remove Excess Animals to Lower Limit of AML Range
- Alternative C (No Action) – No Gather or Removal

Alternatives A and B were developed based on the need to remove wild horses from private lands as requested and to remove excess animals to manage the range in a thriving natural ecological balance and multiple-use relationship and to prevent range deterioration. The removal of strayed wild horses from private lands within the HMAs will assure compliance 43 CFR 4720.2-1 and a 2013 Consent Decree with the Rock Springs Grazing Association (RSGA). Additionally, the removal of excess wild horses will ensure that the wild horses remaining within the HMAs have adequate forage and water to survive and maintain satisfactory physical condition. Removal of excess wild horses will also help to sustain the long-term productivity of the rangeland resources on the public lands that wild horses depend on. Although Alternative C (No Action) does not comply with the Wild Free-Roaming Horses and Burros Act of 1971, as amended, nor meet the purpose and need for this action, nor comply with the 2013 Consent Decree with RSGA; it is included as a basis for comparison with the three 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 Rock Springs or Rawlins Field Offices is subject to requirements established by the Green River Resource Management Plan (RMP) (1997) and the Rawlins Resource Management Plan (2008), respectively. The Adobe Town and Salt Wells Creek HMAs Complex has been designated as suitable for long-term, sustained wild horse use in the Rock Springs and Rawlins field office areas. The proposed capture and removal conforms to the land use decisions and resource management goals and objectives of the Green River and Rawlins RMPs.

FINDING OF NO SIGNIFICANT IMPACT DETERMINATION

Based upon the information contained in the attached environmental assessment, *Wild Horse Gather for the Adobe Town-Salt Wells Creek Complex*, and all other information available to me, it is my determination that: (1) the implementation of Alternative A (Proposed Action) will not

have significant environmental impacts beyond those already addressed in the Green River and Rawlins RMPs; (2) the Alternative A (Proposed Action) is in conformance with the RMPs; and (3) the Alternative A (Proposed Action) does not constitute a major federal action having a significant effect on the human environment. Therefore, an environmental impact statement is not necessary and will not be prepared.

This finding is based on my consideration of the Council on Environmental Quality (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and to the intensity of the impacts described in the EA or as articulated in the letters of comment.

Context

The Adobe Town and Salt Wells Creek HMAs encompasses 1,618,624 acres of public, State, and private lands in Sweetwater and Carbon counties in southwest Wyoming. The AML for the Adobe Town HMA is 610-800 wild horses, established in the 1997 Green River Resource Management Plan and the 2008 Rawlins RMP. The AML for the Salt Wells Creek HMA is 251-365 wild horses, established in the 1997 Green River Resource Management Plan. Currently, the estimated population after the 2013 foaling season would be approximately 624 wild horses in the Adobe Town HMA and approximately 823 wild horses in the Salt Wells HMA. In combination the two HMAs are exceeding the low AMLs by 586 horses. Wild horses were last removed from the HMA in November 2010.

Additionally, the BLM received a written request to remove wild horses from private lands including those within the HMAs and needs to remove these wild horses in accordance with 43 CFR 4720.2-1 and a 2013 consent decree.

Intensity

I have considered the potential intensity of the impacts anticipated from Alternative A (Proposed Action), based on the ten intensity factors set forth in 40 CFR 1508.27(b). My conclusions with respect to each factor are summarized briefly below:

1. Impacts that may be both beneficial and adverse.

The proposed gather is consistent with the 1997 Green River RMP and 2008 Rawlins RMP and would maintain a thriving natural ecological balance and multiple use relationship consistent with other resource needs as required under the Wild Free-Roaming Horse and Burro Act of 1971.

As described in the EA, potential adverse impacts from the implementation of Alternative A (Proposed Action) include: handling stress and injury to wild horses from the gather operations and/or fertility control inoculation; temporary displacement of wildlife near trap sites; trampling of some vegetation and soil compaction at the trap sites; and temporary closure of habitat areas near trap sites or temporary holding facilities. However, none of these impacts would be significant at the local scale or cumulatively because of the relative scale and short duration of the project, design features of the Proposed Action, and standard operating procedures outlined in Appendices II and III.

Potential beneficial impacts from the implementation of Alternative A (Proposed Action) include improvements in the quality and quantity of forage in areas where excess or stray wild horses are removed. Since wildlife, livestock, and wild horses have similar dietary overlap (grasses and forbs) the removal of excess wild horses would reduce the direct competition of forage and circumvent over-utilization of forage and further reduction in vegetative ground cover. The quantity of forage throughout the HMA could be increased. Vegetation composition, cover, and vigor could improve or be maintained near water sources where wild horses tend to congregate. Vegetative diversity and health should improve in areas where excess wild horses are removed.

2. The degree to which the proposed action affects public health and safety.

The Standard Operating Procedures (Appendices II and III of the EA) would be used to conduct the gather and are designed to protect human health and safety, as well as the health and safety of the wild horses. Alternative A (Proposed Action) has no effect on public health and safety.

3. Unique characteristics of the geographic area such as proximity of historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

The Alternative A (Proposed Action) has no potential to affect unique characteristics such as historic or cultural resources or properties of concern to Native Americans. There are no wild and scenic rivers or ecologically critical areas present in the HMAs. Maintenance of appropriate numbers of wild horses is expected to help maintain resource objectives for improved riparian, wetland, aquatic and terrestrial habitat. Under the proposed action, the suitability of the Adobe Town Wilderness Study Area (WSA) for wilderness designation would be unimpaired and no trap sites would be placed within the WSA.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

The effects of the implementation of Alternative A (Proposed Action) are presented in the EA document. “Whether a proposed action is ‘likely to be highly controversial’ under 40 CFR 1508.27(b)(4) is not a question about the extent of public opposition, but, rather, about whether a substantial dispute exists as to its size, nature, or effect.” *Missouri Coalition for the Environment*, 172 IBLA 226, 249 n.23 (2007). Comment letters on the EA provided no scientific evidence supporting claims that the project will have controversial effects within the meaning of this factor.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

Possible effects on the human environment are not highly uncertain and do not involve unique or unknown risks. The analysis for the Alternative A (Proposed Action) does not show that this action would involve any unique or unknown risks. The BLM RSFO and RFO have also reviewed the National Academy of Science (NAS) report, “Using Science to Improve the BLM Wild Horse and Burro Program: A Way Forward” and have determined that its recommendations do not suggest that the gather and removal of excess wild horses proposed under Alternative A

presents any unique or unknown risks, highly controversial effects, or would otherwise meet any other intensity factor of 40 CFR 1508.27(b).

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.

After thorough analysis, the EA properly determined that the Alternative A (Proposed Action) would result in no significant unmitigated effects. This conclusion is based on the specific facts of this project and does not set a precedent for, or automatically apply to, future wild horse management actions. Future actions would be subject to evaluation through the appropriate level of NEPA analysis.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

No project specific or cumulative impacts associated with Alternative A (Proposed Action) have been identified that could not be avoided through the project's design or appropriate mitigation and avoidance measures. The impacts identified do not exceed the level of impacts outlined in the Rawlins and Green River RMPs.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or 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 historic resources.

Direct or indirect impacts to cultural and historic resources are not anticipated to occur from implementation of Alternative A. Surface disturbing activities at the trap locations would be minimal and no historic properties would be adversely affected due to avoidance and identification of conflicts. The RSFO or RFO archeologists would review all proposed temporary holding facility locations to determine if these have had a Class III cultural resources inventory, and/or if a new inventory is required. If cultural resources are encountered at proposed gather sites or temporary holding facilities, those locations would not be utilized unless they could be modified to avoid or mitigate adverse impacts to significant cultural resource site(s).

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

The Alternative A (Proposed Action) is not likely to adversely affect any listed species. Additionally, trap sites will be constructed and operated under the recommendations of a wildlife biologist to avoid adverse impacts to wildlife, including known sage-grouse leks, nesting and winter concentration areas, active raptor nests, White-tail Prairie Dog towns, Pygmy Rabbit habitat, Mountain Plover nesting habitat and big game crucial winter ranges and parturition areas.

10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

The Adobe Town and Salt Wells Creek HMAs Wild Horse Gather does not threaten to violate any known federal, state, local, or tribal law or requirement imposed for the protection of the environment.


Additionally, the project is in compliance with both the Green River RMP Record of Decision approved on August 8, 1997 and the Rawlins RMP Record of Decision approved on December 24, 2008, management objectives for wild horses.

Authorized Officials:



Michael J. Phillips
Rock Springs Field Manager

Date: 7/19/2013



Dennis Carpenter
Rawlins Field Manager

Date: 7/19/13