



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Boise District Office
3948 Development Avenue
Boise, Idaho 83705



Coyote Springs Wild Horse Bait Trap DOI-BLM-ID-B030-2014-0011-DNA of BLM-ID-B030-2012-0010-EA Decision Record

Decision: I have decided to authorize the wild horse gather as described the Determination of NEPA Adequacy (DNA) DOI-BLM-ID-B030-2014-0011-DNA Part A “**Description of the Proposed Action and Any Applicable Mitigation Measures**”. BLM will remove approximately 25-35 horses from the Hardtrigger Herd Management Area (HMA) within the Rats Nest Allotment at one trap site near Coyote Springs. The gather method (capture technique) will be bait trapping. The bait trapping method involves utilizing bait (e.g., water or feed) to lure wild horses into a temporary trap. An open-ended un-baited temporary trap will be erected in a disturbed area near Coyote Springs prior to the gather to allow horses to become gradually accustomed to the trap. The gather begins when the traps are outfitted with a one-way gate that closes after a horse enters. Horses enter the trap to eat or drink and are captured. The stress level to the animals will be lower during gather operations when utilizing bait trapping verses helicopter drive trapping. This is due to the animals becoming gradually accustomed to the trap whereas during helicopter trapping, the animals are driven into the trap with a helicopter. Although the bait trap method takes longer to gather animals because they are not actively driven into the traps, the gather operations are a low stress approach to gathering of wild horses when compared to helicopter gathers.

My decision will reduce wild horse populations and benefit vegetation resources by reducing vegetation utilization (grazing by horses) and levels of mechanical damage (trampling) in this concentrated use area. Additionally, reduced wild horse numbers will result in benefits to wildlife through slight improvements in habitat conditions and will help limit competition for forage between wildlife and wild horses. Overlap between wild horse and livestock use areas will also be limited resulting in appropriate utilization levels across the allotment.

The Finding of No Significant Impact (FONSI) for this DNA and proposal, which this Decision incorporate by reference, provides detail regarding the BLM’s finding that there will not be significant impacts from implementing this decision (see DOI-BLM-ID-B030-2014-0011-DNA Questions 1-5 and see BLM-ID-B030-2012-0010-EA). These considerations include beneficial and adverse impacts, effects to public safety, unique characteristics of the affected area, controversy over the effects, uncertain or unknown risks, how this decision affects future actions, its relation to other actions, threatened and endangered species, and regulatory requirements. These considerations did not indicate a significant impact to any affected resources. Therefore, an Environmental Impact Statement is not required.

Rationale for Decision: I have decided to implement the bait trap gather to protect resource values in the Coyote Springs Area of the Hardtrigger Herd Management Area. BLM will remove approximately 25-35 horses from the Hardtrigger Herd Management Area (HMA) within the Rats Nest Allotment at one trap site near Coyote Springs. This new proposed action is essentially the same as the trapping proposed in the BLM-ID-B030-2012-0010-EA except this proposal will use bait trapping instead of helicopter driving to capture the horses. This proposal will remove up to 35 horses verses 100 proposed for removal in the EA. Therefore this proposal is a subset of the proposal in BLM-ID-B030-2012-0010-EA.

It should be noted that BLM-ID-B030-2012-0010-EA didn't consider bait trapping as a viable alternative to capture 100 horses HMA-wide. The EA states:

“The BLM considered the use of bait or water trapping to capture wild horses. The BLM determined it would not be cost-effective or practical to use bait and/or water trapping as the primary gather method because the number of water sources on both private and public lands within and outside the HMA would make it almost impossible to restrict wild horse access only to the selected water trap sites. As a result, this alternative was eliminated from detailed analysis.”

The extended drought has changed the operating environment in the HMA by limiting other available water sources for these wild horses and caused them to congregate at Coyote Springs. This proposal is now viable because of the limited water sources in this portion of the HMA and the small area being considered for gather operations (Coyote Springs verses the entire HMA) make bait trapping cost-effective and practical. Furthermore, DOI-BLM-ID-B030-2014-0011-DNA concluded that the effects of bait trapping fall within the range of effects analyzed in BLM-ID-B030-2012-0010-EA because this proposal is the same as proposed in the EA except it is on a much smaller scale without the added stress level to the horses from helicopter herding into the trap (see DOI-BLM-ID-B030-2014-0011-DNA Questions 3-5)

Bait trapping will result in reduced stress level to the horses and wildlife (when compared to helicopter gathers) because there will be no active herding used to gather horses into the trap with the bait trap scenario proposed. Horses gradually become accustomed to the bait trap, walk in to eat or drink, and they are trapped; whereas with helicopter trapping, the animals are driven into the trap. Wildlife stress levels will be reduced under this proposal (when compared to the EA) because this proposal will not include a helicopter, and wildlife will not be required to move out of the way of horses being herded by the helicopter. However, wildlife in the area will be restricted from accessing water at Coyote Springs during gather operations. These impacts will be minimal because gather operations will not occur at night and the gate to the trap will be left open from approximately 10 pm to 5 am to allow for access to water.

This proposal will have similar direct, indirect, and cumulative effects those disclosed in the EA because the one trap proposed would be physically the same as proposed in the EA. However, the intensity of the effects would be less because only one trap would be constructed in an already disturbed area. The bait trapping scenario would cause less stress to the horses during the trapping when compared to helicopter trapping. This proposal is a subset of the proposal described in the EA and would therefore result in fewer effects because of the difference in the

magnitude of this proposal. This proposal is the same as proposed in the EA except it is on a much smaller scale without the added stress level to the horses from helicopter herding into the trap; therefore the effects of this proposal are substantially less than those disclosed in the EA.

The removal of wild horse is authorized under Section 3(b)(2) of the 1971 Wild Free-Roaming Horse and Burro Act (WFRHBA) and 43 CFR 4720.1.

Compliance with Applicable Land Use Plans: Bait trapping at Coyote Springs is in conformance with the Owyhee Resource Management Plan, Management Action 4 (USDI 1999 pp. 22) which directs the Owyhee Field Office to: “*Manage wild free-roaming horses as a component of the public lands in a manner that maintains or improves the rangeland ecosystem*”. Continued heavy utilization by wild horses in the Coyote Springs area is not maintaining or improving the rangeland ecosystem. Removing up to 35 horses from this heavily utilized site will allow this to happen by improving the vegetative resources for the entire Rats Nest Allotment.

Relationship to Statutes, Regulations, and Other Requirements: This action is in compliance with 43 CFR 4700.0-6(a); 4710.4; 4720.1 (a & b); and 43 CFR 4770.3 (c). These regulations state:

4700.0-6 (a)

(a) Wild horses and burros shall be managed as self-sustaining populations of healthy animals in balance with other uses and the productive capacity of their habitat

4710.4

Management of wild horses and burros shall be undertaken with the objective of limiting the animal distribution to herd areas. Management shall be at a minimum level necessary to attain the objectives identified in approved land use plans and herd management area plans.

4770.3(c)

(c) Notwithstanding the provisions of paragraph (a) of 4.21 of this title, the authorized officer may provide that decisions to remove wild horses or burros from public or private land in situations where removal is required by applicable law or necessary to preserve or maintain a thriving ecological balance and multiple use relationship shall be effective upon issuance or on date established in the decision.

Public Involvement: A scoping information letter requesting feedback on the proposed action, possible alternatives, and potential issues that should be addressed in the NEPA process was sent to 61 interested publics, organizations, government agencies, and tribes on December 30, 2011. Comment letters were received from 3,713 individuals and organizations. All comments were carefully considered and addressed in the Environmental Assessment.

Boise District Manager signed the decision to authorize the wild horse gather as described in Alternative A (Proposed Action) of the Environmental Assessment #DOI-BLM-ID-B030-2012-0010-EA. The proposed action would have gathered 156 to 180 (assuming an 80 to 91% capture

rate) wild horses from the Hardtrigger and Black Mountain Herd Management Areas (HMAs) in Fall of 2012. This decision was never appealed.

Appeal: The decision to remove excess wild horses within the Hardtrigger HMA is effective upon issuance, in accordance with the authority provided in 43 CFR 4770.3 (c). The BLM may implement the gather in late summer or early fall as weather and conditions permit.

This decision may be appealed to the Interior Board of Land Appeals, in accordance with 43 CFR, Part 4. Your appeal must be filed with the Bureau of Land Management at the following address within thirty (30) days from receipt of this decision: *James Fincher, District Manager, Boise District Office, 3948 S Development Ave, Boise, ID 83702.*

The appellant has the burden of showing that the decision appealed is in error.

If you wish to file a petition for a stay of the decision during the time that your appeal is being reviewed by the Board pursuant to 43 CFR 4.21 (as amended at 58 FR 4942, January 19, 1993) , a petition for stay must accompany your notice of appeal. Copies of the notice of appeal and petition for a stay must also be submitted to: *Interior Board of Land Appeals, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA, 22203.*

If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. A petition for a stay is 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.
4. Whether the public interest favors granting the stay.

A copy of the appeal documents and petition for stay must be sent to the Office of the Solicitor at the same time the original documents are filed with the above office. The address is *Office of the Solicitor, Boise Field Solicitor's Office, University Plaza, 960 Broadway Ave., Suite 400, Boise, ID, 83706.*

The Office of Hearings and Appeals regulations do not provide for electronic filing of appeals; therefore, they will not be accepted.

If you have any questions regarding this decision or your appeal rights, please contact Steve Leonard, District Wild Horse and Burro Program Lead at: blm_id_bdo_wildhorse@blm.gov.

/s/ James M. Fincher

6/19/2014

James M. Fincher

Date

District Manager