

**Worksheet**  
**Determination of NEPA Adequacy (DNA)**  
**U.S. Department of the Interior**  
**Bureau of Land Management**

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**Project Lead:** John Axtell

**Field Office:** Sierra Front Field Office

**Lead Office:** Sierra Front Field Office

**Case File/Project Number:** N/A

**NEPA NUMBER:** DOI-BLM-NV-C020-2015-0013-DNA

**Project Name:** Pine Nut Wild Horse Gather

**Applicant Name:** BLM

**Project Location:** Carson City, Douglas County, Lyon County Nevada  
T 10 N through T 17 N; R 20 E through R 25 E.

**A. Description of the Proposed Action and any applicable mitigation measures:**

The Proposed Action is to gather up to approximately 332 wild horses and remove approximately 200 excess wild horses from outside and inside the Pine Nut Herd Management Area (HMA). Approximately 132 wild horses would be released back into the HMA after fertility treatment, after all mares one-year of age and older receive a contraceptive, porcine zona pellucide (PZP). These numbers assume a 100% gather efficacy based on the estimated current population; however, gather efficacy usually does not exceed 80% – 90% of the wild horse population (e.g., due to wild horses that are able to evade capture, that are located in areas where they cannot be readily spotted, etc.), so the exact number of horses removed, treated and released would depend upon conditions at the time of gather.

The combined appropriate management level (AML) for this HMA is 119 to 179. The AML was set through multiple use decisions for each of the nine grazing allotments within the HMA, so that the wild horse population would be maintained at a level compatible with the capability of HMA to produce forage grasses to sustain multiple use grazing and thus maintain a thriving natural ecological balance and avoid a deterioration of the range. The AMLs for each allotment were set as a range, where wild horse numbers would be reduced down to the lower range allowing gather intervals of four to five years until the wild horse population reaches or exceeds the high end of AML. Removal of all of the excess wild horses would bring the wild horse population to the lower end of the AML. However, at this time there is only enough capacity in holding facilities to remove 200 excess wild horses from this area. If there are fewer wild horses than estimated, then the lower end of the AML may be reached (119 animals).

Wild horse impacts are most severe in parts of the HMA within the Clifton and El Dorado Canyon grazing allotments. In some areas of these allotments, most of the key forage grasses have been eliminated by overgrazing attributable to excess wild horses, resulting in less productive and less desirable grass species replacing the key forage grass species. Livestock have not grazed the Clifton Allotment for at least 20 years and possibly for as much as 30 years. The only livestock use for the last 20 years within the El Dorado Canyon Allotment has been sheep trailing through the area for two to three days a year.

Most of the riparian areas in the Clifton Allotment are non-functional as a result of over use by excess wild horses, which has resulted in loss of wildlife habitat and possible diminished flows from the springs. The flows from many of the springs in the Clifton Allotment have diminished substantially. This was occurring even before the current drought. The cause is unknown though it may have resulted from excessive compaction of the water sources by wild horses, a general dewatering of the area, or a combination of the two. During the warmer months some bands of wild horses spend up to six hours at the sources to obtain enough water to survive, which is stressful to the horses especially the foals. This prolonged use prevents other species of wildlife from obtaining water. Deer, pronghorn, bobcats, and many other species of wildlife would not water at these springs while horses are present.

Because of the exceptional resource damage occurring in the Clifton Allotment, the wild horse population in Clifton and El Dorado Canyon grazing allotments would be reduced to the lower end of the AML for those allotments.

The last gather occurred in November 2010, in which 46 excess wild horses were removed from outside of the HMA and 43 mares were treated with PZP and released back into the HMA leaving an estimated 182 wild horses. Excess wild horses were to be removed from areas south of the HMA, but the contractor was unable to locate these animals.

The number of excess wild horses on public lands in the Western States exceeds the current adoption demand or capacity to maintain them in existing holding facilities. This HMA is a priority for gather and removal of excess wild horses due to the resource damage occurring, because the current population exceeds the AMLs, and because of the adverse impacts from excess wild horses to Bi-State sage-grouse habitat. On October 28, 2013, the U.S. Fish and Wildlife Service (USFWS) proposed to list the Bi-State distinct population segment (DPS) of greater sage-grouse (*Centrocercus urophasianus*) as threatened and designate critical habitat under the Endangered Species Act (ESA). The proposed critical habitat identified by the USFWS includes areas within the HMA and much of the area outside of the HMA currently being used and degraded by excess wild horses. Since residual grass cover is essential for nesting success of sage-grouse and year-long grazing is most detrimental to native bunch grass species, all of the excess wild horses need to be removed from areas outside of the HMA, which are not designated for management of wild horses. The wild horse population within Bi-State sage-grouse habitat needs to be brought to as close to the lower end of the AML range as gather efficiencies permit, so as to allow the native grasses to recover from years of overgrazing.

Excessive grazing from wild horses has not only degraded sage-grouse habitat, but has also removed and reduced the number of native grass plants in areas of the HMA, which impacts the overall availability of forage grasses and has reduced the number of wild horses that can be supported by current range conditions within the HMA.

The gather is expected to last up to 10 days during late January or early February 2015. Work would occur prior to the sage-grouse breeding season, which generally begins March 1. It is anticipated that four or five temporary trap sites would be required for the gather and one temporary holding corral. Trap sites are roughly ½ acre and corrals are roughly one acre. All sites would be cleared by an archeologist prior to approval. If cultural resources cannot be

avoided, different sites would be selected. Some of these sites would likely be in proposed sage-grouse critical habitat. These sites would be located on disturbed areas more than three miles from known active leks and in areas where sage-grouse use is minimal during the month of January or February. Trap sites are located along roads of sufficient size and condition to allow access by horse trailers. Areas of concentrated use by sage-grouse would be avoided. The Bureau of Land Management (BLM) has coordinated with the USFWS on potential effects to sage-grouse.

The temporary holding corral would likely be located at either T 16 N; R21 E; Sec 24, or T 16 N; R 25 E; Sec 6. Depending on road conditions and animal locations, the temporary trap sites would likely be located at four or five of the six following locations: T 13N; R 21 E; Sec 19, T 15 N; R 22E; Sec 5, T 14 N; R 22 E; Sec 28, T 13 N; R 23 E; Sec 28, T 15 N; R 24 E; Sec 31, or T 16 N; R 22 E; Sec 16. The potential gather area and trap locations are shown on Figure 1.

During gather operations, motorized vehicles would remain on existing roads. Off-road use of motorized vehicles on public lands would not be permitted.

Mitigation measure. BLM representatives would be on site during all phases of the capture, sorting and release of animals to assure that the animals are treated humanely (in accordance with Instruction Memorandum No. 2013-059, Wild Horse and Burro Gathers: Comprehensive Animal Welfare Policy) at all times and that the health and safety of wild horses is not jeopardized.

#### **B. Land Use Plan (LUP) Conformance**

This action is in conformance with the Carson City Field Office Consolidated Resource Management Plan under the following sections:

- WHB-1, objective 1: “Protect, manage, and control wild horses and burros on public lands as an integral part of the public land’s ecosystem.”

#### **C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.**

*Pine Nut Herd Management Areas Gather Plan Environmental Assessment (EA) (DOI-BLM-NV-C020-2010-0019-EA)*, Finding of No Significant Impact and Decision Record were approved on October 20, 2010. These documents are hereby incorporated by reference.

#### **D. NEPA Adequacy Criteria**

**1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?**

Yes, this proposed action is the same as described in the final EA in Sections 2.2.1 and 4.2.1. The analysis was for the same geographic area as the new proposed action, including areas within and adjacent to the Pine Nut HMA.

**2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?**

Yes, the range of alternatives analyzed in the existing NEPA document remains appropriate to the new proposed action. The existing NEPA document lists over-utilization of grasses as a result of an over-population of wild horses as a threat to sage-grouse habitat. Removing wild horses from areas outside of the HMA and managing the population within the AML ranges inside the HMA would improve habitat conditions that over time would benefit sage-grouse. Temporary trap sites are small at ½ acre in size and would be located in disturbed areas away from concentrations of sage-grouse and active lek areas. Trap sites are located along roads of sufficient size and condition to allow access by horse trailers. During gather operations, motorized vehicles would remain on existing roads. Off-road use of motorized vehicles would not be permitted.

**3. Is the existing analysis valid in light of any new information or circumstances (such as, range- land health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?**

The existing analysis remains valid even in light of new information and circumstances, specifically the USFWS proposed listing of Bi-State sage- grouse as a threatened species and proposed designation of critical habitat because sage-grouse were a BLM sensitive species in 2010 and were considered in the existing NEPA document. The new proposed action is the same as the proposed action analyzed in the existing NEPA document. Effects of a wild horse gather, removing wild horses from areas outside of the HMA and maintaining the wild horse population within the AML range inside of the HMA, were analyzed in the existing NEPA document, which states that sage-grouse require grass cover and that over-utilization of grasses by wild horses can negatively affect sage-grouse habitat. Per BLM Manual 6840 - Special Status Species Management and BLM Instruction Memorandum No. NV-2014-008, the BLM competed coordination with the USFWS on potential effects to sage-grouse due to their change in status from a BLM sensitive species to a proposed species.

**4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?**

The direct, indirect, and cumulative effects from the administration of PZP was analyzed in the existing EA. This action is the same as described in the final EA in Sections 2.2.1 and 4.2.1.

**5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?**

Yes. On August 23, 2010 the BLM provided a 30-day public comment period on the *Clan Alpine, Pilot Mountain, Pine Nut Herd Management Areas Gather Plan Environmental Assessment* (EA) (DOI-BLM-NV-C020-2010-0019-EA). A dear reader notification letter was sent to 61 individuals, organizations, and agencies on the project mailing list, including the Nevada State Clearinghouse. A news release was issued; articles appeared in the *Lahontan Valley News*, *My News 3\**, *My News 4\**, *Reno Gazette-Journal* (\*web versions) and the *Mineral*

*County Independent.* The comment period closed on September 23, 2010. A summary of the comments received on the 2010 EA can be found in Appendix G of the Final EA. On October 20, 2010 the BLM signed a Finding of No Significant Impact and Decision Record, which is hereby incorporated by reference.

**E. Persons/Agencies/BLM Staff Consulted**

<u>Name</u>	<u>Title</u>	<u>Resource/Agency Represented</u>
Rachel Crews	Archaeologist	BLM
Pilar Ziegler	Wildlife Biologist	BLM
Steve Abele	Wildlife Biologist	USFWS
Katrina Leavitt	Range Land Management Spec.	BLM

Note: Refer to the final EA for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

**Conclusion:** Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.

  
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Signature of Project Lead

  
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Signature of NEPA Coordinator

  
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Leon Thomas  
Field Manager  
Sierra Front Field Office

**DEC 19 2014**

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. See attached Decision Record for appeal information.