

**U.S. Department of the Interior  
Bureau of Land Management**

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**Finding of No Significant Impact  
Wood Hills Area Water/Bait Trapping Gather**

**PREPARING OFFICE**

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# **Finding of No Significant Impact**

## **Wood Hills Area Water/Bait Trapping Gather**

**Prepared by**  
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**Bureau of Land Management**  
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**Elko, NV**

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# **Chapter 1. Finding of No Significant Impact**

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## 1.1. Wood Hills Area Water/Bait Gather

DOI-BLM-NV-030-2015-0015-DNA

I have reviewed Determination of NEPA Adequacy ( DOI-BLM-NV-030-2015-0015-DNA the Wood Hills Area Water/Bait Trapping Gather, dated June 1, 2015. After consideration of the environmental effects as described in the EAs, references in the DNA and incorporated herein, I have determined that the proposed action identified in the DNA will not significantly affect the quality of the human environment and that an Environmental Impact Statement (EIS) is not required to be prepared.

I have the proposed action is in conformance with the approved Wells RMP Resource Management Plan, and is consistent with applicable plans and policies of county, state, tribal and Federal agencies. This finding and conclusion is based on my consideration of the Council on Environmental Quality's (CEQ) criteria for significance (40 CFR 1508.27), both with regard to the context and the intensity of impacts described in the EAs.

### 1.2. Context:

The gather area is administered by the Bureau of Land Management's (BLMs) Wells Field Office. The gather area is located in Elko County south of Wells, Nevada. The Wells Field Office (WFO) is the project lead for completion of NEPA and gather planning.

The proposed gather area is not located within a Herd Management Area (HMA) or Herd Area (HA). The project area is approximately 193,000 acres of public and private lands. The Wood Hills area was not designated for the long term management of the wild horses in the Wells Resource Management Plan (1985) or in the 1993 Wells RMP Wild Horse Amendment and Decision Record. The last gather in the Wood Hills Area occurred during the 2004-2005 Antelope Complex gather which removed 64 wild horses from the area.

The estimated population of the Wood Hills area is 227 adult excess wild horses. The Wood Hills area is managed for zero wild horses as per the Well Resource Management Plan.

Bait/water trapping would be the primary mechanism for the gather. Due to gather efficiency constraints, funding and holding space limitations, it may take multiple gathers over a 5 year period after the initial gather to achieve the desired population of zero. Gather activities would occur until the wild horse population is reduced to zero animals or for up to five years following approval of the proposed action. Gathering of the excess wild horses utilizing bait/water trapping could occur at any time of the year and would extend until the target number of animals are removed to relieve concentrated use and resource degradation by excess wild horses in an area and/or to remove all animals residing outside HMA boundaries.

The proposed initial gather is expected to take approximately 30 days to complete.

### 1.3. Intensity:

1. Impacts that may be both beneficial and adverse.

The proposed gather would be consistent with the Wells RMP Wild Horse Amendment and Decision Record, approved August 1993 (US DOI 1993) (Wells RMPWHA).

The goal is to conduct targeted removals of wild horses from areas not identified for management of wild horses and from private lands using bait or water trapping. Gathering of the excess wild horses utilizing bait/water trapping could occur at any time of the year and would continue until all animals are removed to relieve concentrated use and resource degradation by excess wild horses residing outside HMA boundaries in areas that are not managed for wild horses.

Standard Operating Procedures (SOPs) are in place (and documented in the Final Three HMA Gather EA and Antelope HMA Complex EA) to minimize stress and injury to the gathered excess wild horses and to minimize the disturbance of natural resources and wildlife. The Bureau of Land Management (BLM) is committed to the well-being and responsible care of wild horses and burros managed by the BLM (See Instruction Memorandum [IM] No. 2013-059, Wild Horse and Burro Gathers: Comprehensive Animal Welfare Policy). The BLM is committed to ensure humane care and treatment for wild horses and burros during gathers and following their removal from the range. At all times, the care and treatment provided by the BLM and their contractors will be characterized by compassion and concern for the animal's well-being and welfare needs. The policies and procedures followed by the BLM and its contractors will prevent or minimize fear, pain, distress, suffering and the risk of injury to the greatest extent possible while providing for the needs of the animals in a humane manner. BLM representatives would be on site during all phases of capture and sorting of animals to ensure that animals are treated humanely at all times and that the health and safety of the excess wild horses is not jeopardized (in accordance with IM No. 2013-059).

Archaeological site clearances would be conducted prior to the construction of temporary gather sites and holding facilities.

BLM will gather excess wild horses from sites outside HMAs using bait or water trapping. These targeted removals could occur over a period of up to five years following approval for this action. Gathering of the excess wild horses utilizing bait/water trapping could occur at any time of the year and would continue until the target numbers of animals residing outside HMA boundaries are removed. Removing excess wild horses outside HMA boundaries (i.e., Wood Hills area) would prevent further degradation of rangeland and riparian resources and promote continued improvement in the quality of habitat over the long term. Preventing an overpopulation of excess wild horses and ensuring a thriving natural ecological balance outside HMAs will allow for the recovery and improvement of natural resources, such as soils, vegetation, watersheds, and important wildlife habitat.

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

The SOPs and Observation Protocols would be followed to conduct the gather and are designed to protect human health and safety, as well as the health and safety of the wild horses. The SOPs and Protocols can be found in the Final Three HMA Gather EA Appendix 1. The Proposed Action would have no effect on public health or safety

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

The Proposed Action has no potential to affect unique characteristics such as historic or cultural resources or properties of Native Americans. Direct impacts to cultural resources are not anticipated because gather sites and temporary holding facilities would be placed in

previously disturbed areas or inventoried for cultural resources prior to construction. There are no park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas within the gather area.

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

The effects that would occur from implementation of the gather are well known and documented in the Three HMA Water/Bait Trapping Gather EA and 2010 Antelope HMA Complex EA. In addition, whereas some commenters raised concerns about BLM removing wild horses from the HMAs rather than reducing livestock, those comments have limited relevance to the present action because the area of concern (Wood Hills Area) has received little if any livestock grazing and is not managed for wild horses since it falls outside any HMA.

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

The Proposed Action has no known effects on the human environment which are considered highly uncertain or involve unique or unknown risks. This is demonstrated through the effects analysis in the previous EAs.

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.

Future projects occurring within the gather area would be evaluated with the appropriate level of NEPA documentation. The Proposed Action does not set a precedent for future actions.

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

The Proposed Action is not related to other actions within the gather area that would result in cumulatively significant impacts.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the NRHP or may cause loss or destruction of significant scientific, cultural, or historical resources.

The Proposed Action has no potential to adversely affect significant scientific, cultural, or historical resources.

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 ESA of 1973.

The proposed gather is not likely to adversely affect any listed species, and does not include any habitat determined to be critical under the Endangered Species Act.

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

The Proposed Action would not violate or threaten to violate any Federal, State, or local law or requirement imposed for the protection of the environment. The Proposed Action is in

conformance with all applicable regulations under 43 CFR. The Proposed Action would not violate the Migratory Bird Treaty Act or Endangered Species Act.

### **1.4. Signed:**

/s/ Melanie Mirati, acting for  
Bryan A. Mulligan  
Acting Field Manager

6/5/2015  
[Date]

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Wells Field Office