

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

**Finding of No Significant Impact**

**DOI-BLM-UT-W020-2015-0017-EA**

**May 2016**

**Population Control Research Wild Horse Gather for the  
Conger and Frisco Herd Management Areas**

**Location: Beaver and Millard counties, Utah**

**U.S. Department of the Interior  
Bureau of Land Management  
Fillmore and Cedar City Field Offices**



## **INTRODUCTION**

The Bureau of Land Management (BLM) has conducted an environmental analysis (DOI-BLM-UT-W020-2015-0017-EA) to authorize the gather and removal of excess wild horses within the Conger Mountain and Frisco Herd Management Areas (HMAs) to bring the populations of both HMAs towards Appropriate Management Level (AML), while achieving a population of approximately 100 animals on each HMA in the first year for the purpose of gathering data for United States Geological Survey (USGS) and Colorado State University (CSU) studies. The population size has been identified appropriate for a comparative statistical analysis for the proposed studies by USGS and CSU that would measure core demographic parameters. The population would be allowed to increase for the next four years during the study after which excess wild horses would be removed to achieve and maintain AML. Any wild horses located outside the HMAs (in areas not designated for their use) would also be removed. In addition, the USGS research project would provide empirical data for population and ecosystem modeling, to improve future management of wild horses, and to contribute to a better understanding of the behaviors and ecology of wild horses. The behavioral studies at Conger HMA Mountain (treatment population) would inform the BLM about the behavioral effects of gelding a portion of a wild horse herd. That type of information is not currently available. Studies at both Conger Mountain HMA and Frisco HMA would improve the BLM's understanding of wild horse demography. The National Academy of Sciences (NAS) committee recommended the use of statistical models for the understanding of herd demography, but little empirical data exists on which to build such models. The data collected from the studies would contribute to population dynamics models that may point to environmental factors that have the greatest influence on demographic parameters. The data would also be used to improve, update, and revise the WinEquus population model currently being used by BLM wild horse specialists. Following the completion of the research study, additional gathers in both HMAs would be necessary to remove excess wild horses to achieve a thriving ecological balance with multiple resources by achieving and maintain AMLs within the HMAs. Some gelded animals would remain on the Conger Mountain HMA as a non-reproductive segment of the population for further observation and to achieve management objectives.

## **FINDING OF NO SIGNIFICANT IMPACT**

Based upon a review of the EA and the supporting documents, I have determined that the project is not a major federal action and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27, nor do the environmental effects exceed those described in the Pinyon Management Framework Plan or the Warm Springs Resource Area Resource Management Plan. Therefore, an environmental impact statement is not needed. This finding is based on the context and intensity of the project as described below.

**Context:** The project is a site-specific action on BLM administered public land and does not in and of itself have international, national, regional, or statewide importance. The gathers and research will occur in the Conger Mountain and Frisco HMAs located in Beaver and Millard counties, Utah.

**Intensity:** The following discussion is organized around the Ten Significance Criteria described in 40 CFR 1508.27 and incorporated into resources and issues considered (includes supplemental authorities Appendix 1 H-1790-1) and supplemental Instruction Memorandum, Acts, Regulations and Executive Orders. The following have been considered in evaluating intensity for this proposal.

**Impacts may be both beneficial and adverse:** The environmental analysis considered both the beneficial and adverse impacts of the Proposed Action on resources and issues as described in the EA. The gathers will benefit the health of the rangeland by decreasing the removal of vegetation by wild horses. This will benefit riparian and soils resources, as well. A decrease in competition for forage will benefit livestock grazing and wildlife, allowing for continued multiple use and sustained yield. A decrease in wild horse numbers will reduce soil compaction from horse trampling. Wild horses will be impacted by being gathered and removed from the range. Results of the research studies will benefit wild horse management in the future. Design Features and Standard Operating Procedures (see Proposed Action, Appendix B and Appendix C of the referenced EA) will be implemented to reduce impacts to wild horses during the gathers.

Based on numerous studies that have used modern radio collars with remote releases and tags to study the ecology of wild ungulates and equids in particular, these devices have minimal effects on the animals wearing them. The use of collar and tag technology is critical to research and understanding how free-roaming horses move across the HMAs and use increasingly scarce resources. Such information can be used for future management decisions within the HMAs.

None of the environmental impacts disclosed above and discussed in detail in the EA are considered significant.

**The degree to which the selected alternative will affect public health or safety:** The gathers and research will be conducted in accordance with the specifications and procedures outlined in the EA, insuring compliance with all health and safety regulations and requirements.

**Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farm lands, wetlands, wilderness, wild and scenic rivers, or ecologically critical areas:** The project area is not proximate to any park lands, wild and scenic rivers, or ecologically critical areas. The gathers and research will have no effect to significant cultural resources. The capture and temporary holding locations will be located on an area of existing disturbance. The possibility of finding intact cultural resources in these areas is minimal to non-existent. If an existing disturbed area cannot be located for the capture and temporary holding areas, a cultural resource inventory will take place prior to the gather. If cultural resources are located during this inventory, the capture area will be moved to another location which does not contain cultural resources.

**The degree to which the effects on the quality of the human environment are likely to be highly controversial:** No anticipated effects have been identified that are scientifically controversial. Comments received during the public comment period for the EA provided no expert scientific evidence supporting claims that the project will have significant effects. Some comments expressed concern that current gather policies are disputed by the National Academy

of Sciences, in the findings and recommendations of its report, "Using Science to Improve the BLM Wild Horse and Burro Program: A Way Forward." It is the opinion of the authorized officer that nothing in this report refers to the scientific community being in dispute about the proposed action nor is the proposed action controversial in the scientific community.

**The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks:** The act of gathering wild horses, gelding horses and use of collars or tags is not the first of its kind, neither are the effects highly uncertain or involve unique or unknown risks. There have been similar actions that have occurred since the passage of the 1971 Wild Free-Roaming Horses and Burros Act that have been evaluated in environmental assessments and none were found to require an EIS. GPS/VHF collars and tags have been used on numerous wildlife and equine species throughout the world to gather data on animal resource use, habitat preference, home range and movement patterns, study social structure, behavioral patterns and a variety of other information.

**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:** The Proposed Action will not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration. Actions were considered by the Interdisciplinary Team within the context of past, present, and reasonably foreseeable future actions. Any future projects within the area or in the surrounding areas will be analyzed on their own merits and implemented or not, independent of the actions currently selected. A complete analysis of the direct, indirect, and cumulative effects of the selected alternative, and all other alternatives considered, is described in Chapter 4 of the EA.

**Whether the action is related to other actions with individually insignificant but cumulatively significant impacts - which include connected actions regardless of land ownership:** The interdisciplinary team evaluated the possible actions in context of past, present and reasonably foreseeable actions. Significant cumulative effects are not predicted. A complete disclosure of the effects of the action is contained in Chapter 4 of the EA.

**The degree to which the action may adversely affect districts, sites, highways, structures, other 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 historical resources:** These gathers and research will not affect significant cultural resources. The capture locations will be located on an area of existing disturbance. The possibility of finding intact cultural resources in these areas is minimal to non-existent. If an existing disturbed area cannot be located for the capture locations, a cultural resource inventory will take place prior to the gather. If cultural resources are located during this inventory, the capture location or temporary holding will be moved to another location, which avoids or does not contain the cultural resources.

**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, or the degree to which the action may adversely affect: 1) a proposed to be listed endangered or threatened species or its habitat, or 2) a species on BLM's sensitive species list:**

No portions of the Conger Mountain and Frisco HMAs are within sage-grouse Priority Habitat Management Areas.

There is the potential that wild horses might trample and collapse underground dens and burrows of species such as the kit fox, pygmy rabbit, and burrowing owl. If occupied dens are collapsed, the inhabitants could be crushed and killed. If they are not killed, additional stress and energy could be expended to dig out the collapsed burrow or dig a new burrow, which could affect the individual fitness of the animal. Temporary displacement may occur during the gather however, the impacts are expected to be minimal to these species.

**Whether the action threatens a violation of a federal, state, local, or tribal law, regulation or policy imposed for the protection of the environment, where non-federal requirements are consistent with federal requirements:** The Proposed Action will not violate or threaten any Federal, State, or local law or requirement imposed for the protection of the environment. Applicable laws and regulations were considered in the EA. State, local and tribal interests were presented with the opportunity to participate in the environmental analysis process.

/s/ Michael D Gates  
Michael D. Gates  
Fillmore Field Office Manager

5/27/2016  
Date

/s/ Elizabeth R Burghard  
Elizabeth R. Burghard  
Cedar City Field Office Manager

5/27/2016  
Date