

**UNITED STATES DEPARTMENT OF THE INTERIOR  
Bureau of Land Management  
Vale District Office  
Malheur Field Office**

**Finding of No Significant Impact**

**Population Management Plan for the Cold Springs Herd Management Area  
Environmental Assessment  
DOI-BLM-ORWA-V040-2015-022-EA**

**I. Introduction**

The Bureau of Land Management (BLM), Malheur Field Office, Vale District has completed an Environmental Assessment (EA) No# DOI-BLM-ORWA-V040-2015-022-EA, that analyzes the gather and removal of excess wild horses and implementation of population control measures on wild horses from the Cold Springs Herd Management Area (HMA) in order to achieve a thriving natural ecological balance and manage the wild horse population within appropriate management level (AML) 75-150 over a 10-year timeframe. Various methods of gathering and removal of wild horses are available (e.g., helicopter drive trapping, bait/water trapping, horseback drive trapping). The method(s) to be used will be determined by the authorized officer. The EA is incorporated by reference in this Finding of No Significant Impact (FONSI).

Summary of the Actions described in the Alternatives:

The proposed action, Alternative 1, is designed to manage wild horse populations over a 10-year time frame and will incorporate two to three gather cycles. Implementation of the proposed action will begin in the fall of 2016. Approved fertility control measures will be used in conjunction with gathers to assist in controlling populations.

Bait, water, horseback drive, and helicopter drive trapping will continue to be used as tools to remove excess horses in areas where concentrations of wild horses are detrimental to habitat conditions or other resources within the HMA, to remove wild horses from private lands or public lands outside the HMA boundary, to selectively remove a portion of excess horses for placement into the adoption program, or to capture, treat, and release horses for application of fertility control. Gathers will be conducted as needed between normal helicopter drive gather cycles. Trapping operations could take anywhere from one week to several months dependent upon the number of animals targeted to trap, weather conditions, or other considerations. Operations will be conducted either by contract or by BLM personnel.

Specific project design elements of the proposed action are included in the EA (p. 4).

Alternative 2 would follow the same actions proposed in Alternative 1 (Proposed Action) with the exception of applying fertility treatment. None of the animals returned to the HMA would have any fertility treatments conducted on them.

Alternative 3 would be the same as Alternative 1 (Proposed Action) with the addition of the gelding of 15 stallions selected to be returned to the range. These 15 stallions would be gelded (castrated) and released back into the HMA to be managed as a non-reproductive component in the HMA. Under this alternative, 15 geldings, 30 mares, and 30 stallions would be released to the range following the gather. This non-reproductive component would allow horses to remain on the range with a 50/50 ratio of mares to stallions.

Alternative 4 includes the same Gather Standard Operating Procedures (SOPs) (CAWP, 2013) as the Proposed Action, but would only gather excess horses down to the low AML (75 animals) and end the gather. All the animals captured would be removed from the HMA. Fertility control would not be applied and no changes to the herd's existing sex ratio would be made. Horses remaining in the HMA would not be managed to maintain the desirable characteristics of the Cold Springs herd.

Under Alternative 5, No Action Alternative, no gather would occur and no additional management actions would be undertaken to control the size or sex ratio of the wild horse population at this time.

## **II. Determination of Significance**

The Council on Environmental Quality's (CEQ) regulations provide that the significance of impacts must be determined in terms of both context and intensity (40 C. F. R. §1508.27). An analysis of the context and intensity of the effects of the alternatives follow.

I have considered the potential intensity and severity of the impacts anticipated from the implementation of a decision on this EA relative to each of the ten areas suggested for consideration by the Council on Environmental Quality (CEQ). With regard to each:

### **Context**

In accordance with CEQ regulations found at 40 C. F. R. §1508.27(a), the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short and long-term effects are relevant.

The BLM has determined that the context of the proposed action is approximately 33,000 acres which include the Cold Springs HMA (29,877 acres) and interspersed State and private (3,000 acres) lands. The proposed action only applies to one HMA out of seven in the Vale District, 17 in Oregon, and a total of 179 in the United States.

### **Intensity**

I have considered the potential intensity and severity of the impacts anticipated from implementation of a Decision on this EA, relative to each of the ten significance criteria described in CEQ regulations found at 40 C. F. R. §1508.27(b). With regard to each:

**1. Would any of the alternatives have significant beneficial or adverse impacts (40 CFR 1508.27(b)(1))?**

*No*

**Rationale:**

The EA considered potential beneficial and adverse effects. Project Design Elements were incorporated to reduce impacts where needed (EA. p. 4).

- Livestock Grazing Management (EA. p. 26)
- Noxious Weeds (EA. p. 37)
- Special Status Species, Riparian Zones, Wetlands, and Water Quality (EA. p. 38)
- Social and Economic Values (EA. p. 40)
- Soils and Biological Soil Crusts (BSC) (EA. p. 39)
- Upland Vegetation (EA. p. 29)
- Wild Horses (EA. p. 13)
- Wildlife and Locally Important Species (EA. p. 36)
- Special Status Species and Habitat-Sage-grouse (EA. p. 31)

**2. Would any of the alternatives have significant adverse impacts on public health and safety (40 CFR 1508.27(b)(2))?**

*No*

**Rationale:** Every gather day is considered a public observation day unless the agency representative/authorizing officer has made a decision to temporarily close or restrict access on public lands due to availability of gather observation sites, safety concerns, or other considerations relevant to individual gather observations. Gather operations involve some level of inherent risk due to both the nature of working with wild animals and risks associated with normal helicopter operations. The BLM follows the policy and procedures established in IM 2013-058 Wild Horse and Burro Gathers: Public and Media Management for safe and transparent visitation by the public/media at wild horse and burro gather operations

**3. Would any of the alternatives have significant adverse impacts on unique geographic characteristics (cultural or historic resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas (Areas of Critical Environmental Concern(ACEC), RNA, significant caves)) (40 CFR 1508.27 (b)(3))?**

*No*

**Rationale:** Other unique characteristics for the Cold Springs HMA include Special Status Species (SSS), Livestock Grazing Management, Sage-grouse Priority Area for Conservation (PAC) and Sage-grouse Fire and Invasive Assessment Tool (FIAT) Planning Area in the Northern Great Basin. See Section 1 above for related impacts.

There are no prime or unique farmlands, designated Wilderness, or Wild and Scenic Rivers located in the Cold Springs HMA project area.

**4. Would any of the alternatives have highly controversial effects (40 CFR 1508.27(b)(4)?**

*No*

**Rationale:** Controversy in this context means disagreement about the nature of the effects, not expressions of opposition to the proposed action or preference among the alternatives. The most common controversies identified through scoping are the effects of the application of PZP and the argument that bait trapping is safer for the horses than helicopter drive trapping. The effects of treating mares with PZP are fully analyzed in the EA starting on page 20. The effects of bait trapping as compared to helicopter drive trapping are discussed in the EA starting on page 16.

**5. Would any of the alternatives have highly uncertain effects or involve unique or unknown risks?**

*No*

**Rationale:** Helicopter drive trapping as well as bait/water and horseback drive trapping are not new methods of capturing wild horses and have been successfully completed for decades. There are no uncertain or unknown risks to the human environment associated with these capture methods. PZP and other fertility control treatments may involve controversy (see question 4 above) but there are no uncertain or unknown risks to the human environment associated with their application.

**6. Would any of the alternatives establish a precedent for future actions with significant impacts (40 CFR 1508.27(b)(6)?**

*No*

**Rationale:** This project neither establishes a precedent nor represents a decision in principle about future actions outside the 10-year time frame analyzed. The alternatives only apply to wild horse population management in the Cold Springs HMA over a 10-year time period. In addition, gathering, removal, and other approved methods of population control of wild horses are ongoing and expected actions as analyzed in the Southeastern Oregon Resource Management Plan Final Environmental Impact Statement (SEORMP/FEIS, 2001) and SEORMP Record of Decision, 2002. No long-term commitment of resources causing significant impacts was noted in the EA or RMP.

**7. Are any of the alternatives related to other actions with potentially significant cumulative impacts (40 CFR 1508.27(b)(7)?**

*No*

**Rationale:** The environmental analysis did not reveal any cumulative effects with significant impacts as discussed in Chapter 3 of the EA (p. 11).

**8. Would any of the alternatives have significant adverse impacts on scientific cultural or historic resources, including those listed or eligible for listing on the National Register of Historic Resources (40 CFR 1508.27(b)(8))?**

*No*

**Rationale:** There are no features within the project area listed or eligible for listing in the National Register of Historic Places. However, as part of the project design features identified in the EA, trap sites would be inventoried and cleared for cultural resources prior to being set up. Sites eligible for listing in the National Register of Historic Places within the areas of effect of trap sites would be avoided to mitigate potential effects.

**9. Would any of the alternatives have significant adverse impacts on threatened or endangered species or their critical habitat (40 CFR 1508.27(b)(9))?**

*No*

**Rationale:** There are no known threatened or endangered species or their habitat affected by the proposed action or alternatives. In the Federal Register notice dated October 2, 2015, the US Fish and Wildlife Service determined that "the listing of the Greater Sage-Grouse is not warranted at this time" (80 FR 191, p 59858-59942). The decision was based on the determination that "the primary threats to Greater Sage-Grouse have been ameliorated by conservation efforts implemented by Federal, State and private landowners." Effects to sage-grouse and their habitat are described in the EA.

**10. Would any of the alternatives have effects that threaten to violate Federal, State, or local law or requirements imposed for the protection of the environment (40 CFR 1508.27(b)(10))?**

*No*

**Rationale:** The EA demonstrates that the Proposed Action and Action Alternatives comply with all Federal, State, and local environmental laws and other environmental requirements. The alternatives are in accordance with Federal, State, local laws and requirements. The Federal Land Policy and Management Act requires that any action that BLM implements must also conform to the current land use plan and other applicable plans and policies. The proposed and action alternatives are in compliance with the Southeastern Oregon Resource Management Plan (2002), which provides management direction for the protection of the environment on public lands.

*Yes*

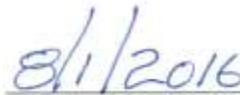
**Rationale:** The EA demonstrates that the No Action Alternative does not comply with all Federal, State, and local environmental laws and other environmental requirements. This alternative is not in accordance with Federal laws (WHFRBA). The Federal Land Policy and Management Act requires that any action that BLM implements must also conform to the current land use plan and other applicable plans and policies. The no action alternative is not in compliance with the Southeastern Oregon Resource Management Plan (2002), which provides management direction for the protection of the environment on public lands.

**Finding**

On the basis of the information contained in the EA, the consideration of the intensity factors described above, and all other information available to me, it is my determination that: (1) the Proposed action and action alternatives will not have significant environmental impacts beyond those already addressed in the SEOPRMP/FEIS (2002); (2) the Proposed Action and action alternatives are in conformance with the SEORMP/ ROD; (3) there would be no adverse societal or region impacts and no adverse impacts to the affected interests; and (4) the environmental effects, together with the proposed project Design Features, against the tests of significance (described above and found at 40 CFR 1508.27) do not constitute a major federal action having a significant effect on the human environment. Therefore, an EIS or supplement of an existing EIS is not necessary and will not be prepared.



Thomas Patrick "Pat" Ryan  
Field Manager  
Malheur Field Office



Date