

**United States Department of the Interior
Bureau of Land Management**

**Cañon City, Delta (Sutherland), and Wheatland Off-Range Corrals
Environmental Assessment
DOI-BLM-WO-WO2000-2020-004-EA**



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1.0 Introduction

The Bureau of Land Management (BLM) manages wild horses and burros (WHB) as part of its overall multiple-use mission. Under the authority of the 1971 Wild Free-Roaming Horses and Burros Act (WFRHBA), the BLM manages and protects these living symbols of the Western spirit while ensuring that population levels are in balance with other public rangeland resources and uses. To ensure that healthy herds thrive on healthy rangelands, the BLM removes excess animals from the range to control the size of herds, which have virtually no predators and can double in population every four to five years.

As part of its responsibility to manage and protect WHB, including those removed from herds roaming Western public rangelands, the BLM has solicited proposals for new, off-range corrals (ORC) located in Colorado, Utah, and/or Wyoming, under Solicitation #140L0119R0007. The solicitation was open between July 29, 2019 through September 16, 2019.

The solicitation was for one or more ORC accommodating a minimum of 500 and a maximum of 3,500 WHB. The proposed ORCs had to be within 10 hours of travel time from herd management areas (HMA) located in Wyoming and Colorado. Facilities in Colorado (west of I-25 and north of I-76 and no more than 25 miles south of Hwy 50), in Wyoming (south of Hwys 20 and 26), and Utah (east of I-15 and north of I-70) were considered. The offered property could be located outside of said described boundary, however, the proposed ORC had to be within 35 miles of described boundary. Further, all facility proposals had to be accessible by an all-weather road or highway. Each ORC had to be able to provide humane care for a one-year period, with a renewal option under BLM contract for four one-year extensions. The animals would remain in ORC until they are placed into private maintenance through adoptions or sales or are transported to off-range pastures (ORP).

The Proposed Action, as described in Chapter 2, is for the BLM to fund up to three contracts for ORCs located near Cañon City, Colorado, Delta (Sutherland), Utah and/or Wheatland, Wyoming, each privately owned and operated, with capacity for up to 7,500 WHBs cumulatively.

1.1 Purpose and Need for Action

The purpose of the Proposed Action is to construct, maintain and operate up to three ORCs within 10 hours of travel time from Wyoming and Colorado HMA through a BLM contract for a maximum of 7,500 WHB on private land in Colorado, Utah and/or Wyoming. The need for the Proposed Action is to provide holding space necessary to safely and humanely care for excess WHB removed from the public lands consistent with authority provided in Section 3 of the WFRHBA.

1.2 Land Use Plan Conformance

The 1996 Royal Gorge Resource Area (Royal Gorge Field Office) Resource Management Plan (RMP) and Record of Decision (ROD), 1987 House Range Resource Area (Fillmore Field Office) RMP and ROD, and 2007 Casper (Casper Field Office) RMP and ROD are silent on private land, but do not disallow such a management action.

1.3 Relationship to Laws, Regulations, and Other Plans

The Proposed Action does not conflict with any known State or local planning or zoning ordinances. This action is not specifically addressed in the Fremont County Master Plan (2015, Colorado), Millard County General Plan (2013, Utah) or the Platte County Development Plan (2008, Wyoming) however, the proposal is consistent with the land uses occurring within the areas.

The award of up to three contracts to fund space, feeding, and care for up to 7,500 excess WHB in ORCs on private land is considered a Federal action which requires BLM to comply with all applicable laws, including the National Environmental Policy Act (NEPA). As a result, this Environmental Assessment (EA) has been prepared to document BLM's site-specific analysis of the potential impacts that could result from the implementation of the Proposed Action or No Action Alternatives. The following statutes and resultant regulations are of primary concern to this EA:

- Clean Water Act of 1972, as amended.
- National Environmental Policy Act of 1969, as amended.
- National Historic Preservation Act of 1966, as amended.
- Threatened and Endangered Species Act of 1973, as amended.
- Wild Free-Roaming Horses and Burros Act of 1971, as amended.
- Title 43 Code of Federal Regulations (CFR) §4700.

1.4 Decision to be Made

Based on the results of the NEPA analysis, the authorized officers from the Colorado State Office in Colorado, Fillmore Field Office in Utah, and Casper Field Office in Wyoming will decide if and under what conditions, stipulations, and terms an ORC would be funded within their field office to provide space, feed, and care for WHB.

1.5 Required Permits

County building permits in addition to all other required permits would be the responsibility of the contractors. The Delta (Sutherland) ORC and Wheatland ORC would be responsible for obtaining the necessary permits required for a Concentrated Animal Feeding Operation (CAFO) from the State of Utah and Wyoming, respectively, and for the construction and maintenance of any infrastructure associated with the CAFO permit. The Cañon City ORC has an existing CAFO permit in place with the State of Colorado due to their history of holding WHB. The ORC would adhere to and maintain the proper reporting documents pertaining to any necessary permits.

1.6 Scoping and Identification of Issues

Interdisciplinary Teams (IDT) from the Colorado State Office (Cañon City ORC), Fillmore Field Office (Delta ORC), and Casper Field Office (Wheatland ORC) identified resources that are present and potentially impacted (Appendix A) through internal scoping. The issues identified in the IDT Checklists, which have been carried forward in this EA for detailed analysis include:

Cañon City ORC

- Soil Resources- How would the maintenance of WHB at the existing ORC affect soil resources?

Delta (Sutherland) ORC

- No issues identified.

Wheatland ORC

- Wildlife- What impacts would the construction of an ORC and maintenance of WHB at the ORC have on the designated crucial pronghorn winter habitat?
- WY BLM Special Status Species Wildlife-What impacts would the construction of an ORC and maintenance of WHB at the ORC have on black-tailed prairie dogs, swift fox, and Baird's sparrow potential habitat?

2.0 Description of the Alternatives

This EA analyzes only the Proposed Action and No Action alternatives since the decision to be made is whether to fund contracts for ORCs in Colorado, Utah and/or Wyoming. The No Action alternative is considered and analyzed to compare impacts with the Proposed Action, even though the No Action alternative does not respond to the purpose and need for action. The Proposed Action meets BLM's need because it provides the necessary ORC space to safely and humanely care for excess WHB removed from public lands in accordance with the WFRHBA.

2.1 Alternative 1- Proposed Action

The Proposed Action is to fund space, feeding, and care for up to 7,500 excess WHB at three separate ORCs on private land in Colorado, Utah, and Wyoming. Solicitation #140L0119R0007 is incorporated into the Proposed Action by reference because of the specifications for construction and care of the WHB. The following proposals were evaluated and selected by a BLM technical panel: 1) Up to 3,000 excess WHB would be cared for on approximately 120 acres of Colorado Department of Corrections (CDOC) land owned by the State of Colorado 1.5 miles east of Cañon City, CO; 2) Up to 1,000 excess WHB would be cared for on approximately 20 acres of private land owned by G & R Livestock, Inc 4.5 miles northwest of Delta, UT and 1.5 miles northwest of Sutherland, UT; and 3) up to 3,500 WHB would be cared for on approximately 200 acres of private land owned by ZimMetal and Welding, Inc 11 miles north of Wheatland, WY. Each ORC facility is required to:

- Provide land, pens, feed, salt, minerals, and water necessary for maintaining WHB in their care.
- Provide corrals and adequate facilities to load, unload, prepare, and sort WHB.
- Provide humane care of all WHB during receiving, holding and preparation, prior to shipment to other ORC or ORP, adoption or sale.
- Provide regular, on-the-ground observation of the WHB to ascertain their well-being and safety.
- Provide facility management by individuals who are knowledgeable and experienced about the behavior and nutritional requirements of WHB.
- Maintain and prepare excess WHB for placement into private care, from BLM wide gather operations or from other western ORCs.
- Provide the opportunity for the BLM to host private placement events for the public to select animals.
- Provide an office building equipped with electricity, phone, fax machine, internet, office furniture, and restrooms.
- Ensure entry gates into the ORC can be locked to provide adequate security during non-work hours.

The Cañon City ORC is an existing WHB facility located in T19S, R70W, Section 1, that has been the home of the CDOC Colorado Correctional Industries Wild Horse Inmate Program since 1985 (Figure 1). The facility consists of 67 corrals, which are 72-inches tall constructed of 2 7/8-inch steel pipe and cable spaced 12 inches apart. The capacity of the pens varies from one head to 100 head, providing 750 square feet per animal (more than the required amount of 700 square feet). Gates are 72-inches tall, steel constructed, and covered with rubber belting or fabric. All holding pens are connected with 12-foot-wide alleyways that allow movement of WHB between

pens. The pens were designed for low stress and safe movement when handling WHB. No new construction would take place to meet the requirements of the contract. Based on the existing corral space, the facility would adequately accommodate a up to 3,000 WHB.

The Delta (Sutherland) ORC located in T16S, R7W, Section 21, is a private livestock handling facility consisting of eight existing corrals constructed of 2 7/8-inch steel pipe covered with heavy belting (Figure 2). These corrals range in size, the smallest is 50 feet by 100 feet and the largest is 150 feet by 150 feet. Currently the corrals are 60 inches tall, but the height would be increased to 72 inches by the addition of a top rail of pipe. The existing corrals cover 280,000 square feet and would accommodate 400 WHBs, providing the required 700 square feet per animal. The belting on the corrals acts as shade from the sun as well as a wind and weather break for the WHB. A total of ten new 170 feet by 250 feet corrals would be constructed using the same materials as the existing corrals and would accommodate 60 head of animals per pen totaling 600 WHB (Figure 3). Currently the area where the new construction would take place is a cultivated field just west of the existing corrals, the area would be graded to facilitate the construction. A total of 700,000 square feet of corral space would be available upon completion to adequately accommodate up to 1,000 WHB. Feed bunks would be located along the outside edge of each pen.

The Wheatland ORC located in T26N, R68W, Section 26, would be constructed on private land which is currently planted to alfalfa (*Medicago sativa*). The alfalfa currently in the pivot would be removed from about 200 acres of the site and the area would then be graded to facilitate construction of the corrals and working facility (Figure 4). The WHB would be housed in four pinwheel shaped corral systems, each pinwheel would have 11 holding pens for a total of 44 pens (Figure 4). Each pen would range in size from 70,500 square feet to 79,000 square feet, providing more than the required 700 square feet for 80 animals per pen (Figure 5). The pens and alleyways would be constructed of 1 1/4 inch 14-gauge pipe, with 3 inch by 3 inch square tube posts. The overall height of the fence and gates would be 72 inches upon completion. The pens would be 483 feet in length, 20 feet wide at narrow end and 283 feet to 328 feet wide, with 250-foot-long feed bunks, at the long end. The facility would be capable of holding up to 3,500 WHB upon completion.

Slopes within the pens at the ORC would provide for adequate drainage. All the pens would be cleaned a minimum of twice per year to remove excess manure or more often when warranted at the direction of the Contracting Officers Representative (COR) or Project Inspector (PI). Separate corrals (with a minimum of 400 square feet per animal) at the facility would be available for confining lame or sick animals needing special care. These pens would have overhead cover along with a wind break. A perimeter fence at least 48 inches in height would be provided around the facility in the event a WHB escapes from an individual pen.

Feed (grass/alfalfa hay) would always be stored on-site in quantities appropriate to the number of WHB present. Some animals may require grass hay or additional feed in coordination with the BLM COR/PI to ascertain their well-being. Processed hay (cubes, chopped, pelleted or other processed) would need to be approved by the BLM COR/PI. Animals would be fed daily. Granulated, rock, or block salt would be accessible to all WHB in each pen. Minerals necessary to maintain WHB in good condition would be provided to WHB in each pen as a supplement or

added to the salt. An inventory of WHB kept at the site would be maintained along with all treatments and records of deaths. WHB would be observed daily. Any remains would be disposed of in accordance with State or local sanitation laws. Each pen would have a water trough, which would have a reliable water source capable of supplying a minimum of 16 gallons of clean water per animal, per day.

2.2 Alternative 2 - No Action Alternative

The No Action Alternative would not fund nor authorize the holding of WHB at any of the locations.

Figure 1. Cañon City ORC Footprint (Inside red polygon)



Figure 2. Delta (Sutherland) ORC Footprint (Inside red polygon)



Figure 3. Delta (Sutherland) ORC Proposed Facility Expansion Layout

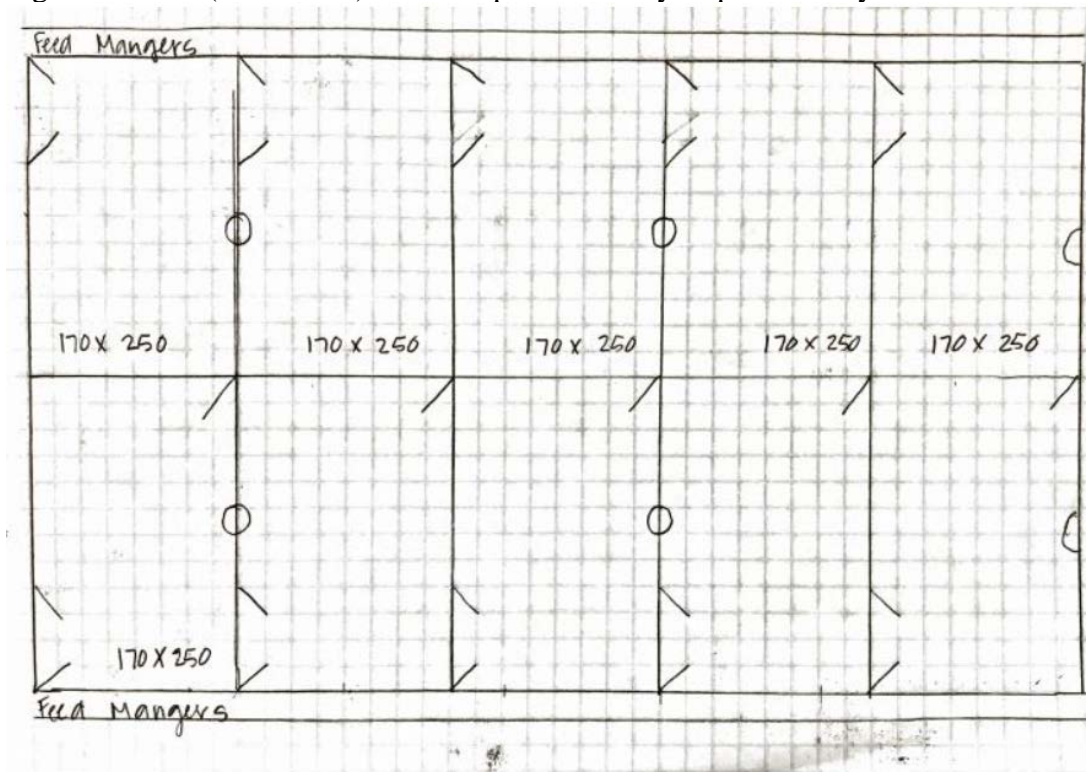


Figure 4. Wheatland ORC Schematic of Proposed Facility Layout.

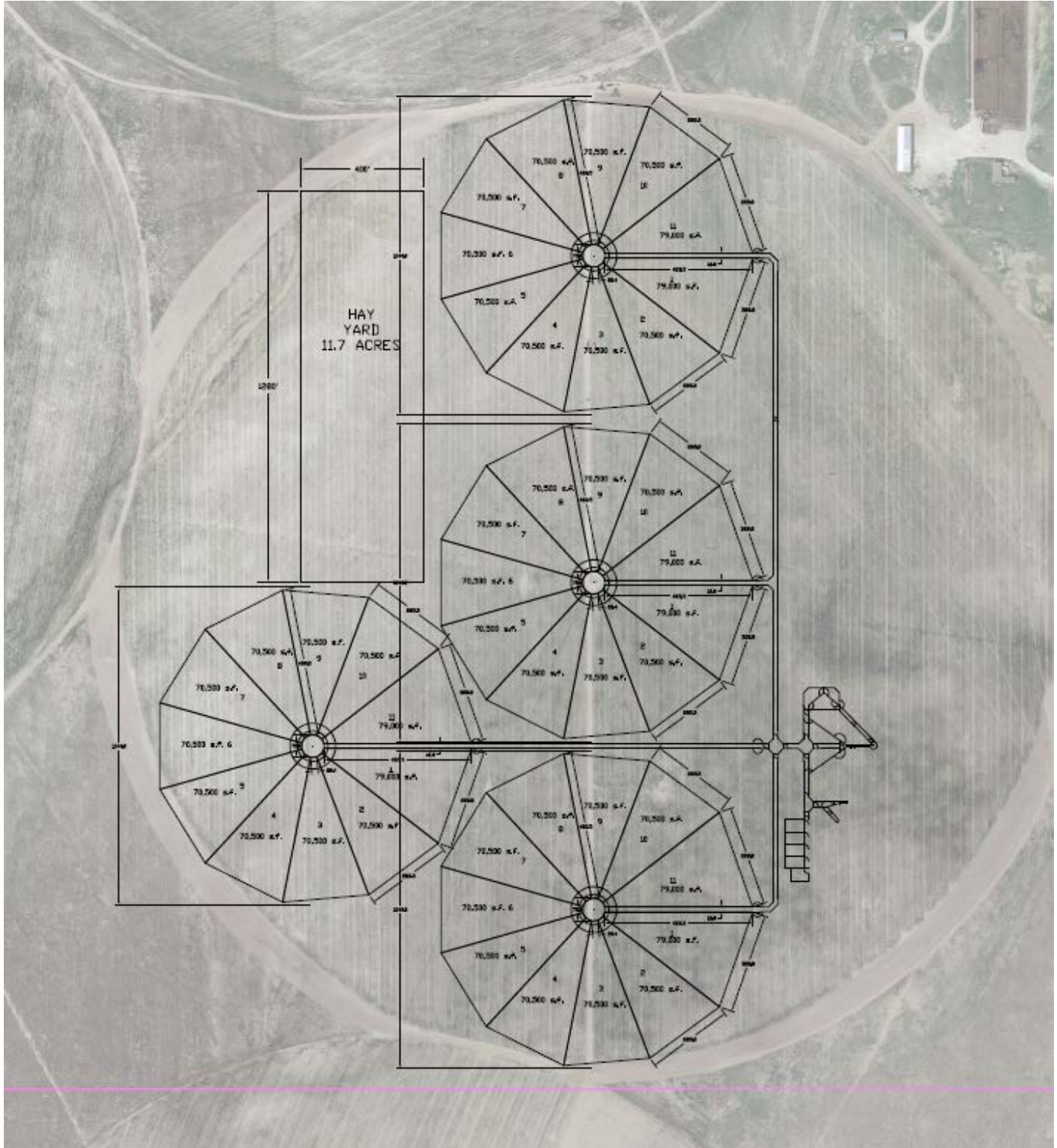
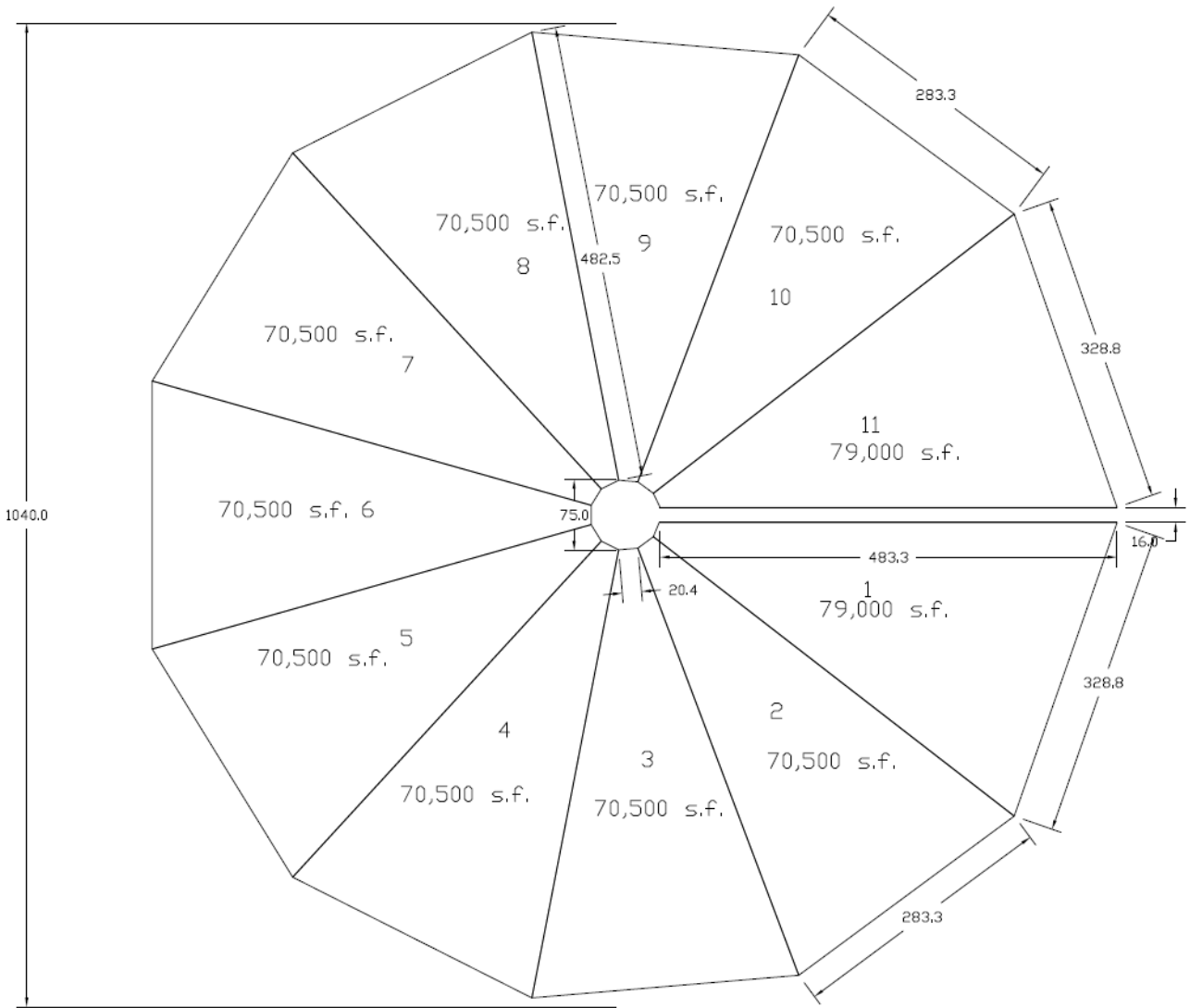


Figure 5. Wheatland ORC Holding Pen Diagram.



3.0 Affected Environment and Environmental Effects

This chapter details the affected environment section, which is the baseline resource data displaying current conditions of each identified resource with an issue (i.e., the physical, biological, and resources) that could be potentially affected by the Proposed Action. Direct effects are caused by the action and occur at the same time and place. Indirect effects are caused by the action and are later in time or farther removed in distance but are still reasonably foreseeable.

As noted in Section 1.5, each ORC has different issues identified, therefore, not every issue will be analyzed for each ORC.

3.1 Soils

3.1.1 Affected Environment

Cañon City ORC

The soils within the ORC footprint or project area consist of Kim Loam (~85%), Shingle very cobbly sandy loam (~8%), Midway-Cascajo complex (~4%), and Limon-Gaynor silty loam clay (~3%). All the soils are well drained and the Kim Loam and Limon-Grayer have a low to medium runoff potential. The Shingle very cobbly sand loam and Midway-Cascajo complex have a high run off potential. However, the erosion hazard for all the soil types within the project area is slight, which indicates that erosion is unlikely under ordinary climatic conditions (NRCS 2020). The majority (~93%) of the soils have moderate permeability. Soil reactions range from mildly to strongly alkaline. Substantial change in the surface layer of the soils is likely due to the presence of a WHB ORC since 1985. However, soil profiles are likely intact below the surface layer.

3.1.2 Alternative 1- Proposed Action

Direct and Indirect Effects

Cañon City ORC

The soil conditions under this alternative would remain largely unchanged within the existing footprint of the ORC. It can be expected that accumulations of manure and unused feed would build up, however twice a year (or more) it would be removed. The removal would stop short of excavating the existing soil profile. The soil profile below the ORC would remain unaltered.

Since the ORC is existing and no new construction would take place, there would be no net change in soil productivity within the existing footprint of the ORC.

3.1.2.1 Alternative 1-Mitigation

Cañon City ORC

Design features, the dust prevention and control plan, and the CAFO plan would reduce the risk of runoff and erosion. There is an existing engineered drainage system that catches all run off, even during high water events, and drains it into the CAFO ponds to evaporate or is applied to farm fields owned and operated by the CDOC. These plans would ensure all solid and liquid wastes along with sediment are stored on-site in a manner that prevents wastes and sediment from entering surface water and seepage of nutrients into ground water.

3.1.3 Alternative 2- No Action

Direct and Indirect Effects

Cañon City ORC

As a reminder, Alternative 2 would result in the BLM not funding the contract for the ORC to hold WHB, thereby eliminating a Federal Action. It is speculative to say what CDOC would do with the existing ORC if the BLM would select this alternative and since this activity would be beyond the BLM's influence, the effects of this would be outside the scope of this analysis.

3.2 Wildlife (Including Special Status Species)

3.2.1 Affected Environment

Wheatland ORC

The proposed ORC would be constructed on an existing agriculture field, which currently planted to alfalfa and has a center pivot on it. Directly adjacent to the proposed project area on three sides (north, south, and west) are additional center pivots planted to alfalfa, with the Wheatland Highway bordering the east side. The closest uncultivated lands are located across the Wheatland Highway and are privately owned.

The project area contains designated and potential habitat for several wildlife species, including crucial winter range for pronghorn antelope (*Antilocapra americana*), and potential habitat for three WY BLM special status species, including black-tailed prairie dogs (*Cynomys ludovicianus*), swift fox (*Vulpes velox*), and Baird's sparrow (*Ammodramus bairdii*).

Pronghorn Antelope Crucial Winter Range

The proposed project area is within the southern edge of a 66,167-acre block of pronghorn antelope Crucial Winter Range Habitat as designated by the Wyoming Department of Game and Fish (WDGF). Although the area is designated as crucial winter range, it has been cultivated for several decades, and as a result the site does not contain native grasses, forbs, or shrubs that would be used by pronghorn antelope on crucial winter range. Pronghorn antelope tend to occupy a variety of habitats, including native and non-native plant communities, but prefer expansive stands of sagebrush-steppe when it is available. In winter, sagebrush (*Artemisia tridentata*) or browse species can comprise up to 80% of the pronghorn diet (Medcraft and Clark 1986) where available.

WY BLM Special Status Species Black-tailed Prairie Dog Potential Habitat

Black-tailed prairie dogs historically inhabited shortgrass and mixed-grass prairies throughout the United States (Buseck et al. 2005). Area containing shrubs are less favorable for colony establishment but may not inhibit expansion of existing colonies (Weltzin et al. 1997). The black-tailed prairie dog is herbivorous, consuming the stems, leaves, seeds, and roots of various grasses, forbs, shrubs, and cacti (Buseck et al. 2005). These colonies provide habitat to a host of other special status species including the burrowing owl (*Athene cunicularia*), swift fox, and mountain plover (*Charadrius montanus*). No active prairie dog colonies are present in the immediate project area or surrounding pivots, although there are some in adjacent areas.

WY BLM Special Status Species Swift Fox Potential Habitat

The swift fox occurs in short- and mid-grass prairies, agricultural areas, and irrigated and native meadows. The swift fox uses underground dens year-round. Although not an obligate, the swift

fox often is found in association with prairie dog towns and utilize abandoned burrows (Nicholson et al. 2006). The species feeds on small birds, rabbits, and mice in the winter and, typically, ground squirrels in the spring. Swift fox may also feed on prairie dogs if alternative prey sources are sparse throughout the year (Nicholson et al. 2006). In addition to small mammals, the swift fox supplements its diet with insects during summer and fall (BLM 2015).

WY BLM Special Status Species Baird's Sparrow Potential Habitat

The Baird's sparrow occupies grasslands and nests in depressions. It forages on insects and seeds (BLM 2015).

3.2.2 Alternative 1- Proposed Action

Direct and Indirect Effects

Wheatland ORC

The construction of the proposed Wheatland ORC will permanently remove approximately 200 acres of the 66,167 acres designated as Crucial Winter Range Habitat in this area. The entire area has been and is currently planted to alfalfa, there was most likely some usage of the area by pronghorn during the winter although they prefer native grasses, forbs, and browse species during this time if available. The removal of 200 cultivated acres from the 66,167 available acres will result in no net loss, as the area was cultivated and contains none of the forage that pronghorn antelope utilize on crucial winter range.

The conversion of this area to agriculture occurred an unknown amount of years ago. Land conversion to agriculture makes inhabitation by prairie dogs difficult, as the two land uses conflict. Black-tailed prairie dogs are considered a pest and management is overseen by the Wyoming Weed and Pest Council, Board of Agriculture, and WDGF. They are commonly controlled through cost share programs with rodenticides on private lands. The owners of the project area, ZimMetal and Welding has not noted the presence of any prairie dog towns of either species in the general project area. Once construction is complete on the project area would become completely uninhabitable by prairie dogs, thus removing approximately 200 acres of potential habitat.

The potential habitat for swift fox, and Baird's sparrow will also be removed as the area will be fenced and no longer open space. With the activity related to cutting hay several times a year along with frequent irrigation (pivot crossing over the area), the 200 acres where the proposed ORC would be constructed was most likely rarely used by either of the species. They would more likely be found in the surrounding areas of private land that are not cultivated, thus reducing potential and frequent disturbance by humans and pivots crossing over the area.

3.2.3 Alternative 2- No Action

Direct and Indirect Effects

Wheatland ORC

Alternative 2 would result in the BLM not funding the contract for the ORC to hold WHB, thereby eliminating a Federal Action. It is speculative to say what the contractor would do with the existing agriculture land. Since this activity would be beyond the BLM's influence, the effects of this would be outside the scope of this analysis.

4.0 Cumulative Impacts

Cumulative impacts result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

4.1 Soils

Cañon City ORC

The cumulative impacts analysis area (CIAA) is limited to the approximate 120 acres comprising the project area because impacts for soil resources are not expected to go beyond the project boundary. Past and presently, this site has been a WHB ORC (Section 3.1). There are no known reasonably foreseeable future actions which would affect soil resources more than they have already been affected by the presence of a WHB ORC since 1985.

The direct and indirect effects of this project are not felt outside this perimeter due to the existing engineered drainage system that catches all run off, even during high water events, and drains it into the CAFO ponds. All solid and liquid wastes along with sediment are stored on-site, therefore, no additional effects would occur.

4.2 Wildlife (Including Special Status Species)

Wheatland ORC

The CIAA is limited to the approximate 200 acres comprising the project area because impacts for wildlife resources are not expected to go beyond the project boundary. Past and presently this site has been a cultivated agriculture field (Section 3.2). This area was available for wildlife use, however in the future if the ORC is constructed it will no longer be available. When added to past, present, and future action of constructing an ORC, the aggregate impacts of direct and indirect effects are not expected to significantly impact wildlife populations in a negative way.

5.0 Consultation and Coordination

On July 10, 2020, a preliminary EA was released to the public for a 15-day comment period on the BLM ePlanning website. Directions on accessing the preliminary EA were delivered via mail or email to 250 individuals, organizations, and State and county agencies.

Scoping comments were submitted via mail, e-mail or on the ePlanning website; each comment was reviewed, and substantive comments were identified. A total of nineteen comment letters were received, which included comments from eleven individuals, three groups, and five agencies. Appendix C contains a list of all substantive comments along with a response. Every comment was read and considered; however, a response was not provided to every comment. Non-substantive comments were identified; however, not all non-substantive comments received a response. Non-substantive comments include, but are not limited to, comments such as open-ended questions, opinions without supporting rationale, or comments about other projects or activities.

5.1 List of Preparers

Krystle Wengreen Wild Horse & Burro Specialist, National Program Office
Casper Field Office Interdisciplinary Team
Colorado State Office Interdisciplinary Team
Fillmore Field Office Interdisciplinary Team

Appendix A. Impacts Analysis Tables

To comply with NEPA, the BLM is required to address specific elements of the environment that are subject to requirements specified in statute or regulation or by executive order. The following tables outline the elements that must be addressed in all environmental analyses, as well as other resources deemed appropriate for evaluation by the BLM. Interdisciplinary Teams (IDT) from the Colorado State Office (Table 1, Cañon City ORC), Fillmore Field Office (Table 2, Delta ORC), and Casper Field Office (Table 3, Wheatland ORC) identified resources that are present and potentially impacted.

Table 1. Cañon City ORC IDT Checklist

Determination ¹	Resource	Rationale for Determination
NI	Air Quality	Air quality not impacted
NP	Geology and Minerals	State lands
PI	Soil Resources	Trampling, hoof shear and animal waste could impact soil productivity and sediment delivery off-site. Snowmelt runoff and summer convective thunderstorms are the primary processes leading to off-site sedimentation, but would depend on slope, vegetation type and density, as well as proximity to a drainage.
NP	Riparian Areas and Aquatic Wildlife	There are no riparian areas or aquatic wildlife within the footprint of the project area. Unless the addition of horses creates a water quality issue that connects to a live water source, there should be no impacts from the proposed action.
NI	Vegetation	The facility has a weed team in place that removes undesirable vegetation when found. Weed removal is an on-going process at the facility, therefore no impacts are expected.
NP	Special Status Animal Species	No TES animal species are known to occur within footprint of project area. Potential habitat for TES species outside of the project area should not be affected by continuation of horse holding/training activities within the existing facility and project footprint.
NP	Special Status Plant Species	No TES plant species are known to occur within footprint of project area. Potential habitat for special status plant species should not be affected by the continuation of current activities.
NP/NI	Raptors and Migratory Birds	Birds/raptors may flyover area or perch on fence posts, buildings or isolated trees. Artificial habitat occurs for opportunistic birds that use buildings or man-made structures for nesting, but no natural habitat is present so birds will not breed or spend significant time in project area. Since proposed action is continuation of actions within footprint of previously disturbed area, no impacts are anticipated or analyzed.
NP	Terrestrial Wildlife (Big Game)	No habitat (forage, cover, security) for terrestrial wildlife occurs within footprint of project (existing corrals, roads, and buildings) area. No new disturbances or infrastructure are proposed in connection to this facility. No further analysis is warranted.
NI	Wild Horses	There are not any free roaming wild horses, burros, or HMAs near the proposed project area. Holding for removed excess horses is analyzed in site specific EAs.
NI	Cultural Resources	There are no known cultural resources present within the Analysis area. The APE is the 141 acres of existing corral structures. The site itself is not historic being constructed in the 1980s, and no cultural

		resources have been identified within the APE. The previous disturbance within the APE is such that no cultural resources would remain if they had been present.
NI	Paleontological Resources	The facility is built on exposures of the Vermejo Formation and Trinidad Sandstone which are Cretaceous in age. Fossil plant remains, particularly leaves, occur at many localities in both formations. Any ground disturbing activities below the soil horizon and weathered zone of either formation may result in uncovering the fossil plant material. If fossil leaves are found, if possible, it would be desirable to collect and save examples of better preserved specimens for curation in a museum collection. No ground disturbing activities will take place though, as it is an existing facility.
NI	Native American Religious Concerns	
NP	Visual Resources	
NI	Hazardous or Solid Wastes	CAFO plan in place with existing facility
NP	Fire Management	
NI	Social and Economic Conditions	All alternatives would have no impact.
NI	Environmental Justice	No segments of the population are disproportionately effected
NP	Lands with Wilderness Characteristics	
NP	Forestry and Woodland Products	
NP	Livestock Grazing	
NP	Hydrology and Water Rights	
NP	Lands and Realty	
NP	Recreation	
NP	Public Access	
NP	Prime and Unique Farmlands	
NP	Areas of Critical Environmental Concern	
NP	Wilderness Study Areas	
NP	Wild and Scenic Rivers	
NP	Scenic Byways	

¹ NP = Not present in the area impacted by the Proposed Action or Alternatives. NI = Present, but not affected to a degree that detailed analysis is required. PI = Present with potential for impact analyzed in detail in the EA.

Table 2. Delta (Sutherland) ORC IDT Checklist

Determination ¹	Resource	Rationale for Determination
NI	Visual Resources	There would be no impacts to VRM Class IV Classification.
NP	Wild Horses and Burros	There are not any free roaming wild horses, burros, or HMAs near the proposed project area.
NP	Lands with Wilderness Characteristics	There are no LWC Units in the proposed project area.
NI	Cultural Resources	A cultural resources inventory of the proposed APE was completed 6/10/2020 by a qualified BLM Archaeologist. No historic properties were identified. The BLM has made a determination of No Historic Properties Affected for this undertaking, as determined by qualified BLM staff as defined and in accordance with the Statewide Programmatic Agreement for Small-Scale Undertakings.
NI	Greenhouse Gas Emissions	There would only be a negligible amount of greenhouse gas emissions therefore there would be no impact.
NI	Environmental Justice	There would be no impacts to environmental justice.
NI	Farmlands (Prime or Unique)	Soils are of "Statewide Importance." However, farmland is not being converted. Conversion does not include construction of on-farm structures necessary for farm operations.
NP	Fish Habitat	No fish habitat occurs within the proposed action.
NP	Floodplains	There are no floodplains within the proposed project area
NI	Fuels/Fire Management	The proposed project will have no impact to fire/fuels within the project area.
NP	Geology / Mineral Resources/Energy Production	No potential impact to mining
NI	Invasive Species/Noxious Weeds (EO 13112)	Invasive species/Noxious Weeds may be present at the site. The spread and control of these species will have little to no impact on BLM lands.
NI	Lands/Access	This project will have no impact on lands/access. Authorization would be subject to existing right-of-ways.
NI	Visual Resources	There would be no impacts to VRM Class IV Classification.
NP	Wild Horses and Burros	There are not any free roaming wild horses, burros, or HMAs near the proposed project area.
NP	Lands with Wilderness Characteristics	There are no LWC Units in the proposed project area.
NP	Livestock Grazing	There are no grazing allotments within the proposed project area
NI	Migratory Birds	Migratory birds of various species can be anticipated to use the proposed project at various levels throughout the year. However, implementation of the proposed action is not anticipated to alter the use of the property by migratory birds beyond that already occurring on the property.
NP	National Historic Trails	There are no NHT's in the project vicinity.
PI	Native American Religious Concerns	Tribal consultation was initiated via certified letter 6/16/2020 with the Confederated Tribes of the Goshute, The Hopi, The Paiute Indian

		Tribe if Utah (including the Kaibab and Kanosh Bands), The Navajo Nation, Skull Valley Band of Goshute, The Ute Indian Tribe, and the Pueblo of Jemez. To date no response has been received.
NP	Paleontology	No potential impact to paleontological resource area is in quaternary type deposits.
NP	Property Boundary Evaluation	There will be no impact to property or boundaries.
NP	Rangeland Health Standards	Rangeland Health Standards would not be affected because there are no grazing allotments within the proposed project area.
NP	Recreation	There would be no impacts to casual recreation use on public lands.
NP	Sage Grouse Habitat	There in no sage grouse habitat within the vicinity of the proposed project area.
NI	Socio-Economics	There would be no impact to low income or disadvantaged citizens.
NI	Soils	Planned actions are likely to cause soil compaction and concentrations of salt and nutrients. However, affected areas is sufficiently small as to not be a significant affect.
NP	Threatened, Endangered, Candidate or Special Status Plant Species	There are no known federally-listed or other rare special status plants at the proposed wild horse facility west of Delta, Utah.
NP	Threatened, Endangered, Candidate or Special Status Animal Species	There are no known federally ESA listed threatened, endangered, candidate, or special status species or designated habitat known within or reasonably near the proposed action.
NP	Wastes (hazardous or solid)	No potential for negative impact
NI	Water Resources/Quality (drinking/surface/gr ground)	There will be no impact Water Quality/Resources with the implementation of the proposed project.
NP	Wetlands/Riparian Zones	There are canals/ditches present in the surrounding area that transport water for agricultural purposes, but there are no wetland or riparian areas present.
NP	Wild and Scenic Rivers	There are no wild and scenic rivers within the proposed project area.
NP	Wilderness/WSA	There are no WSAs within the proposed project area.
NP	Wildlife Excluding Special Status Species	No general wildlife, primarily big, or their habitat occurs within the proposed action.
NP	Woodland / Forestry	There are no woodland/forestry products within the proposed action location
NI	Vegetation Excluding Special Status Species	The proposed action is likely to cause disturbance to vegetation. However, affected areas is sufficiently small as to not be a significant affect.
NI	Visual Resources	There would be no impacts to VRM Class IV Classification.
NP	Wild Horses and Burros	There are not any free roaming wild horses, burros, or HMAs near the proposed project area.
NP	Lands with Wilderness Characteristics	There are no LWC Units in the proposed project area.

NI	Visual Resources	There would be no impacts to VRM Class IV Classification.
NP	Wild Horses and Burros	There are not any free roaming wild horses, burros, or HMAs near the proposed project area.
NP	Lands with Wilderness Characteristics	There are no LWC Units in the proposed project area.

¹ NP = Not present in the area impacted by the Proposed Action or Alternatives. NI = Present, but not affected to a degree that detailed analysis is required. PI = Present with potential for impact analyzed in detail in the EA.

Table 3. Wheatland ORC IDT Checklist

Determination ¹	Resource	Rationale for Determination
NI	Air Quality and Visibility	While the project could impact this resource, these impacts are minimal to unrecordable.
NP	Energy	There are no energy projects in the area.
NP	Environmental Justice	According to the PROPOSED Resource Management Plan and FINAL Environmental Impact Statement for the Casper Field Office Planning Area, sections 3.8.4 and 4.8.4 "While minority and low-income populations exist in the planning area, no particular BLM actions proposed in any of the alternatives are identified as causing disproportionate adverse impacts on these populations."
NI	Farmlands (Prime or Unique)	No anticipated impacts from the project.
NP	Floodplains	No designated floodplains are within the project area
NI	Forestry	No anticipated impacts from the project.
NI	Fuels / Fire Management	No anticipated impacts from the project.
NI	Geology	There are no geology projects in the proposed project area. Subsequently, the proposed project area is on private surface & minerals.
NI	Greenhouse Gasses and Climate Change	While the project could impact this resource, these impacts are minimal to unrecordable.
NP	Ground Water	Groundwater will not be impacted by the project.
NI	Heritage Resources	Historic properties present in project area. Per phone and email conversations with Richard Currit of SHPO on 18 May 2020, no historic properties affected and project does not count as an undertaking because action does not approve construction or installation of any structures
NI	Historic Trails	No anticipated impacts from the project.
NI	Invasive, Non-native Species	With disturbance could come to the potential for weed spread.
NP	Lands and Realty	There are no right-of-way projects in the area.
NI	Leasable Minerals	There are no geology projects in the proposed project area. Subsequently, the proposed project area is on private surface & minerals.
NI	Livestock Grazing	No anticipated impacts from the project, private land/developed facility.

NI	Locatable Minerals	There are no geology projects in the proposed project area. Subsequently, the proposed project area is on private surface & minerals.
NP	Native American Religious Concerns and Traditional Cultural Properties	No Native American concerns in the project area.
NI	Paleontology	PFYC 5 Arikaree Formation is located on private surface & minerals.
NI	Public Health and Safety	The companies will be bound by OSHA and other regulations to protect this resources.
NI	Rangeland Health Standards and Guidelines	Private surface, no rangeland health assessment has been completed.
NI	Rangeland Management	Private surface, no rangeland resources are present.
NI	Recreation	Access to recreation opportunities in the project area will not be impacted. The proposed action is on private surface land. Localized and short-term impacts to recreational travel could be associated with increased vehicle traffic during construction phases, but will not affect overall recreation opportunities.
NI	Saleable Minerals	There are no geology projects in the proposed project area. Subsequently, the proposed project area is on private surface & minerals.
NI	Socio-Economic	While the project could impact this resource, these impacts are minimal to unrecordable for the region as a whole. The town of Wheatland may see an increase in revenue from taxes but not enough be useful for disclosure of impacts.
NI	Soils	No anticipated impacts from the project, private land/developed facility.
NI	Special Management Areas including ACECs, WSAs, ERMAs, SRMAs.	The proposed action is located in the Casper Field Office Extensive Recreation Management Area. There will be no impact to the management goals of the project area from the proposed actions.
PI	Special Status Animal or Plant Species other than FWS candidate or listed species	Refer to wildlife clearance
NP	Surface Water	No natural drainages are present within the project area. The area has largely been disturbed to agricultural pivots.
NP	Threatened, Endangered or Candidate Animal or Plant Species	Refer to wildlife clearance
NP	Transportation	There are no transportation concerns in the area.
NI	Travel Management	There will be minimal impacts to travel management in the project area.
NI	Vegetation	No anticipated impacts from the project, private land/developed facility.
NI	Visual Resources	The proposed action is consistent with the visual resources management goals of the project area. The proposed action is located in a Class IV VRM class designation on non-federal land.

NI	Wastes (hazardous or solid)	The companies are bound by CERCLA and other laws, rules and regulations regarding this resource therefore no potential impact.
NI	Water	The wild horses and burros will need a water source to drink from, no significant impact will occur to water resources.
NP	Water Quality (Prime or Sole Source Drinking Water)	No prime or sole source drinking water will be impacted by the project.
NP	Wetlands and Riparian Zones	No wetlands or riparian zones are within the project boundary.
NP	Wild and Scenic Rivers	There are no wild and scenic rivers designated in the project area.
NP	Wilderness Characteristics	There are no lands with wilderness characteristics in the project area.
PI	Wildlife	Refer to wildlife clearance

¹ NP = Not present in the area impacted by the Proposed Action or Alternatives. NI = Present, but not affected to a degree that detailed analysis is required. PI = Present with potential for impact analyzed in detail in the EA.

Appendix B. Literature Cited

- BLM. 2015. Final Environmental Impact Statement, TransWest Express Transmission Project. U.S. Department of the Interior, Bureau of Land Management. Cheyenne, Wyoming.
- Buseck, R. S., D. A. Keinath, and E. Everett. 2005. Species assessment for Black-tailed Prairie Dog (*Cynomys ludovicianus*) in Wyoming, p 64, Wyoming Natural Diversity Database and USDI Bureau of Land Management, University of Wyoming, Laramie, WY
- Medcraft, J. R. and W. R. Clark. 1986. Big Game Habitat Use and Diets on a Surface Mine in Northeastern Wyoming. *The Journal of Wildlife Management* 50:135-142.
- Natural Resources Conservation Service (NRCS), Soil Survey Staff, United States Department of Agriculture. Web Soil Survey. Available online at the following link: <http://websoilsurvey.sc.egov.usda.gov/>. Accessed [05/05/2020].
- Nicholson, K. L., W. B. Ballard, B. K. McGee, J. Surles, J. F. Kamler, P. R. Lemons. 2006. Swift Fox Use of Black-Tailed Prairie Dog Towns in Northwest Texas. *The Journal of Wildlife Management* 70:1659-1666.

Appendix C. Response to Public Comments

Cmt #	Commenter	Comment	BLM Response
1	Individuals	Want all horses and burros to remain on the range, with no gathers occurring for management. PZP should be used on the range instead of removing horses and burros.	This comment is outside the scope of this EA. Gathers and removals, along with the use of fertility control vaccines are analyzed in site-specific EAs.
2	Individual	ORC for what? How long?	The BLM maintains a large network of ORCs to prepare animals for private placement, facilitate the placement of wild horses and burros into private care through the Adoption and Sales Programs and as a transition point for horses going to Off-Range Pastures. ORCs are intended for short-term holding, however there is no specific time frame. The time spent in ORC changes on a rolling basis, depending on private placements as well as available space in Off Range Pastures.
3	Tammy McCullough	The amount of money that this process has cost, would cost to implement, and additionally would cost to sustain has got to be astronomical. None of this is documented in the proposal.	Offeror proposals, including their proposed pricing, is considered source selection sensitive information, and cannot be shared during the procurement process. Some of the information may be available after contract award through a Freedom of Information Act (FOIA) request.
4	Tammy McCullough	700 square feet allotted per animal! To put a wild or even a domestic horse or burro in such a small enclosure for up to 4 years or longer, is cruel and in humane. These are wild animals that were allowed to roam free, as it is their God given right to do so.	When WHBs are adopted, the BLM requires potential adopters to provide 400 square feet per WHB (43 CFR 4750.3-2(a)(3)(i)) to ensure a sufficient amount of space. A minimum amount of required square footage in the off-range corrals is 700 per WHB, 300 square feet more per WHB than is required by an adopter. Therefore, the square footage provided for each WHB at these off-range corrals would provide for the health and safety of the WHBs.
5	Tammy McCullough	The sites would be cleaned 2 x per year! With Horses and Burros confined in such small corrals this is clearly neglectful and anyone who has animals knows that it is a daily requirement to clean their habitats.	Thorough cleaning two times per year is adequate within most ORCs, however corrals will be cleaned more often if conditions warrant additional cleanings. Cleaning corrals too often can result in the removal of soil from within the corrals.
6	Tammy McCullough	WHB are social animals that live in family societies that are intrinsic to their health, survival, learning, safety, and herd health. Isolation is the leading cause of health decline and death , it creates inflammation and a cytokines storm in our body that will cause death, and I can only believe this is credible data for our sentient herd animals also.	This comment is outside the scope of this EA. Impacts to individual animals are analyzed in site-specific EAs. Animals are not placed into pens by themselves, they are typically in a pen with several other animals. They are separated by age and sex at the ORCs.

7	Tammy McCullough	What about the impact on the Wild Mustangs and Burros forcibly removed from their herds, families, offspring, and elders? Peer reviewed studies have proven the detriment of these type of actions.	Please see comment response #1.
8	Tammy McCullough	The impact on other wildlife is being glossed over also. The pronghorn sheep and their ability to roam will be interrupted. The development and or preservation of wildlife corridors has been a critical tool that has been gaining momentum and shown to be critical for our coexistence of animals and humans and this definitely pertains to the endangered pronghorn.	Please see section 3.2 of the EA. As described the project area at Wheatland is part of a large block of pronghorn antelope crucial winter range, with over 65,000 acres remaining after removing the 200-acre project area. Pronghorn antelope are not listed as an endangered species or a WY BLM special status species.
9	Tammy McCullough	Prairie dogs are a Keystone species, with less than 10 % of their natural habitat even available to them. This clearly dictates that their presence be keenly noted to allow them a healthy existence and the ability to thrive and survive also.	Please see section 3.2 of the EA. As noted, due to the presence of farming, prairie dogs, if ever present, were eradicated from the cultivated areas prior to this project proposal.
10	Tammy McCullough	The use of PZP as a safe, inexpensive, and herd managing monitor has proven highly effective, humane, and popular around the world. It is now being used with herds of elephants because of the efficacy shown to humanely manage wild mustangs and Burros.	This comment is outside the scope of this EA. The use of fertility control vaccines is analyzed in site-specific EAs.
11	Wyoming Department of Agriculture	WDA supports the renewal and creation of new wild horse off-range corrals. Wyoming has recently been negatively impacted by the lack of appropriate off-range corrals, where a wild horse gather was suspended in mid-gather because there was not enough room in off-range corrals within the designated timing restrictions. This event has led to the BLM not meeting its removal goals and allowing excess wild horses to remain on the range and continue to negatively impact the natural resources and rangeland health within that Herd Management Area.	Comment noted. Thank you for your comment.
12	Wyoming Department of Agriculture	WDA is specifically focused on the Wheatland, WY proposed off-range corrals. The proposed project will be built on private lands on a center pivot currently used to grow alfalfa. The site is surrounded by adjacent center pivots and Wyoming Highway 320 (Wheatland Highway). We agree that there are no impacts to special status species or designated crucial winter ranges. We see no reason why the contract should not be	Comment noted. Thank you for your comment.

		awarded to the private landowners who applied for the ability to house wild horses on their private lands.	
13	Stella Trueblood	Access to the facility is difficult and has to be by prior arrangement with the Department of Corrections and security clearance. This is not ideal for adoption events or those that want to visit and consider horses for adoption. New facility access should be a requirement, allowing visitors to enter the facility without having to go into the secured prison grounds,	This comment is outside the scope of this EA. Specifically, policies in place by the Colorado Department of Corrections are outside of the BLM's control.
14	Stella Trueblood	Space: I do not believe 750 square feet to be livable space for any horse removed from the range. Horses in their natural environment move many miles a day. Crowding and lack of space is of top concern. -Every effort should be made to supply adequate room for horses. This is particularly important when horses first enter the holding facility, when stallions are stressed out and are unnaturally placed with other stallions. Give them room and separate the young colts from the stallions for safety.	Please see comment response #4. Animals are separated by age and sex prior to or when they arrive at the ORC.
15	Stella Trueblood	Food and Water: It is assumed the facility would provide adequate food and water. There should be several water sources in each pen. Food should be placed so as not to blow away in wind, and should be spread out.	Please see section 2.1. As described the ORC contractors must provide land, pens, feed, salt, minerals, and water necessary for maintaining WHB in their care. One water trough per pen will be provided.
16	Stella Trueblood	Veterinary care: It is assumed the BLM will observe the horses on a -daily basis and make note of any sick or injured, calling for humane vet care when appropriate.	BLM and/or the contractors will observe the animals daily and contact a veterinarian when needed or as animals arrive from gathers.
17	Stella Trueblood	Management: It is assumed the BLM would have an on-site management team responsible for the well being of the horses and to facilitate adoptions and conduct tours.	BLM will have the COR/PI present a minimum of 5 days per week.
18	Stella Trueblood	Gentling and Training: The Canon City facility should continue it's excellent gentling and training program and expand this as much as possible!	This comment is outside the scope of this EA.
19	Stella Trueblood	Sanctuary: The facility should develop relationships with private sanctuaries and continue with already established relationships such the Great Escape Mustang Sanctuary (GEMS), These sanctuaries could serve as smaller off-site holding facilities for limited numbers of younger, adoptable horse-s. They could	This comment is outside the scope of this EA.

		provide gentling, training and adoption services,	
20	Jon Hill	This is a much-needed step to bringing the Wild Horse population under control and down to AML. We need it to be used for Colorado and Wyoming horses only, instead of filling the corrals with Nevada horses. The local horses always seem to be left till last and their numbers are soon to be reaching crisis levels also.	BLM maintains a network of ORCs across the West and depending on program priorities and the WHB Program budget, the space may be needed for animals gathered in other states such as Nevada.
21	Wyoming Department of Game and Fish	The proposed Wheatland, WY location has been farmed with irrigated crops for decades. As a result, the site does not contain native grasses, forbs or shrubs that would be used by pronghorn on crucial winter range. Therefore, we have no concerns with this proposed corral location.	Section 3.2 has been updated to reflect that although the area falls within a block of designated crucial winter range it no longer contains the necessary forage components due to the history of cultivation.
22	Disappointment Valley Mustangs	Disappointment Valley Mustangs and its members fully support a renewed contract for BLM's short-term, off-range holding facility near Canon City to continue to receive funding to house (however temporarily), feed and care for the mustangs and wild burros that enter it from any of Colorado's herd management areas or elsewhere.	Comment noted. Thank you for your comment.
23	UT Public Lands Policy Coordinating Office	The creation or contracting for off range corrals is a critical first step in the achievement AML on the public lands. When an animal gather takes place the BLM will need a place to sort, inspect, and provide care for the animals. The State is very supportive of these facilities coming on line to help the BLM achieve AML.	Comment noted. Thank you for your comment.
24	UT Public Lands Policy Coordinating Office	In regard to the proposed Delta facility, the BLM should create an alleyway to access each pen individually in the "addition" what is being built. Currently, in the diagram for the facility, access to each pen is only available through the adjoining pen. Further, each facility should also have a sorting alley and pens to accommodate the initial handling of the horses and burros. The initial holding pen for the offloading prior to sorting is much too small in the Wheatland facility. BLM should increase the size of the holding pen. Ideally, the pen should be big enough to hold wild horses and burros. Further, more gates in the long alley ways are needed at the	BLM acknowledges your comments and concerns regarding design modifications suggested at both Delta, UT. and Wheatland, WY. facilities. Designs provided in vendor proposals do sometimes lack important infrastructure to better accommodate safe handling of horses and burros. Proposal designs are primarily based off of the government facility specifications in the "Statement of Work". Once official award is made to such vendor and construction can begin, "subject matter experts" (BLM COR's/PI's) work closely with the contractors and review their facility designs to identify areas in the infrastructure that need modified in order to safely accommodate the handling of the horses and burros.

		<p>Wheatland site. Additional alley gates would keep “back draft” animals from going the entire length of the alley. Additionally, the extra gates could be used to create short term holding areas while sorting, moving, and working with the animals. Lastly, the BLM should add sufficient spacing between corrals and add alleyways between corrals to accommodate feeding operations and manure removal at the Wheatland site. The current rendering suggests they are too close for easy access.</p>	
25	AWHC	<p>Overall, the construction of more off-range corrals is a misguided management approach because it only addresses a symptom and not the real issue – wild horse reproduction. Such an infrastructure will only perpetuate the failed roundup/remove/warehouse approach to wild horse management that has been consistently criticized as being unsustainable by government agencies; for example, Government Accountability Office, as well as the nation’s premier scientific body – the National Academy of Sciences (“NAS”). Removals not only do not work, but they also make the problem worse by increasing the reproductive rates of the horses who remain on the range. As stated in the 2013 NAS report on the BLM wild horse and burro program, “Management practices are facilitating high horse population growth rates.” Thus, it makes no sense to invest more tax dollars to perpetuate this failed approach when money could be invested in proactive plans such as humane, reversible birth control and rancher compensation funds.</p>	<p>Comment noted. Thank you for your comment.</p>
26	AWHC	<p>Therefore, AWHC strongly opposes the proposed action in this EA, to fund the expansion of an existing facility and establish two new facilities. Instead, the BLM must focus its budget on sustainable, humane, and fiscally responsible on range management practices. However, if the BLM moves forward with the proposed action, in the final EA BLM should engage in a meaningful analysis of the effects of, and reasonable alternatives to, the wide-scale stockpiling of the majority of federally protected wild horses as further articulated below.</p>	<p>Effects of holding WHB in ORCs are analyzed in site specific EAs. Therefore, this comment is outside the scope of this EA.</p>

27	AWHC	<p>Additionally, according to information provided in the draft EA, the BLM did not conduct an external scoping process but instead gathered an interdisciplinary team that identified issues for the action. If in fact no external scoping period was conducted, then the final EA must include an explanation as to why external scoping was not conducted as recommended by Section 8.3.3 of the BLM's NEPA Handbook.</p>	<p>External scoping has been conducted on similar projects; thus, BLM did not see the need to conduct external scoping for this project. Instead, BLM offered a public comment period on the preliminary EA, to help further develop issues and impacts developed during internal scoping.</p> <p>In addition, as per 40 CFR 1501.7, external scoping for EAs is optional.</p>
28	AWHC	<p>NEPA requires the EA to include a hard look at all relevant issues, including the impacts on the wild horses that will be kept at these facilities. While the EA dismisses impacts to wild horses from consideration because they are apparently analyzed in site specific roundup EAs, there is no way that the public could have known what the new holding conditions would be when submitting comments on past roundup EAs. Thus, impacts to wild horses must be considered in the final EA in order for this analysis to comply with NEPA.</p>	<p>Impacts to individual WHBs are analyzed in site specific EAs. There are several other ORC throughout the west in similar settings/climates with the same or similar requirements. The conditions as a result of these requirements in these other facilities have shown to provide humane care for the animals. Regardless of where these WHBs are cared for, any WHB that is removed from public land will be cared for in a similar facility with the same or similar requirements as described in the site specific EAs, therefore there is not a need to analyze the impacts to individual animals within this EA.</p>
29	AWHC	<p>As an initial matter, the EA is completely silent regarding whether or not these facilities will follow the BLM's Comprehensive Animal Welfare Program's ("CAWP") policies for holding facilities. This addition must be included in the final EA so that the contractors holding horses in each facility are held to a clear standard of humane care and management. Further, the BLM must inspect each facility for compliance with the approved plans and CAWP standards. For example, both Cañon City's and Wheatland's descriptions in the EA make no note of whether shade and wind breaks will be installed in order to protect the horses from harsh winters and summer elements.</p>	<p>The ORCs must comply with Solicitation #140L0119R0007, which includes the CAWP standards for short-term holding facilities, as it becomes part of their final contract if awarded. Section 2.1 has been updated to reflect that Solicitation #140L0119R0007 is incorporated by reference because of the specifications for construction and care of the WHB. Solicitation #140L0119R0007 states that "All horses shall be handled, treated, and maintained in a humane manner in accordance with BLM guidance and policies (See attached - Comprehensive Animal Welfare Program Standards for Off-Range Corrals)." As per the CAWP standards, "Facilities must provide wind break structures in pens housing WH&Bs that require special attention due to disease, lameness or poor physical condition." Section 2.1 states, Separate corrals (with a minimum of 400 square feet per animal) at the facility would be available for confining lame or sick animals needing special care. These pens would have overhead cover along with a wind break.</p> <p>Shade and windbreaks are not a requirement for healthy WHBs.</p>

30	AWHC	<p>Additionally, the WHA mandates that “[a]ll management activities shall be at the minimal feasible level.” 16 U.S.C. § 1333(a). Continuing to stockpile wild horses in off-range corrals falls far short of this legal requirement. Such plans are not only inhumane, but ineffective and a waste of taxpayer funds and cannot be said to constitute the minimal feasible level of management in accordance with a statute that aims to protect wild horses.</p>	<p>Comment noted. Thank you for your comment.</p>
31	AWHC	<p>The EA must further analyze the soil condition for Delta and Wheatland because each of those locations will be converting previously cultivated land into holding pens. There is no notation or analysis in the EA on the quality of the soil that the horses will have access to, whether or not pesticides or fertilizers had been applied in these areas, etc. While Wheatland notes that construction will level the area, perhaps covering the existing soil and mitigating such risks of exposure, there is no similar discussion of Delta. Further, Wheatland will continue to be surrounded by active fields of alfalfa and as such there should be complete analysis on potential drainage issues associated with fertilizers and pesticides running off from the fields and into the holding pens.</p>	<p>The Delta ORC would have similar grading of the area prior to construction of the new corrals. Section 2.1 has been updated to accurately reflect that.</p> <p>CAFO related infrastructure will be engineered to ensure that drainage into and out of the pens from adjacent pivots would be controlled.</p>
32	AWHC	<p>Finally, the EA must clearly analyze how each facility will ensure that the horses are kept in pens that provide appropriately dry footing for proper animal care. The EA notes that the pens will only be cleaned <i>twice a year</i>, yet with hundreds, if not thousands, of horses in each facility the manure alone will pile up long before six months have passed. Thus, with this plan horses will be left to languish in their own waste. The BLM <i>must</i> increase the number of times that a pen is required to be cleaned to at least once or twice a month in order to decrease the accumulation of animal waste that these horses will be forced to stand in day in and day out.</p>	<p>Please see comment response #5.</p>
33	AWHC	<p>Thus, the final EA must include a detailed economic analysis of all costs associated with the construction and operations of the facilities as well as an accounting of the funding source(s) for the projects.</p>	<p>Please see comment response #3.</p>

		Therefore, the EA must be amended to include a cost and benefit study that details the costs and benefits of constructing and operating new holding facilities for up to 7,500 horses, creating an infrastructure that will perpetuate a failed approach to wild horse management, vs. the costs and benefits of investing the funds in a humane management program that reduces the wild horse population humanely over time and with compensation for ranchers who reduce use of grazing permits while the horse population is stabilized.	
34	AWHC	Instead of moving forward with this action, the BLM should be looking into how it could implement comprehensive field-darting fertility control programs that will save the agency, and taxpayers, money while managing the horses humanely. The EA must consider the social preference of American taxpayers, 80 percent of whom want wild horses protected and managed humanely on public lands. (Attachment 2). Congress has repeatedly instructed the BLM to implement comprehensive fertility control on the range, now and with the tools currently available, in an effort not to burden off-range holding any further. Yet, each year the BLM spends less than 1 percent of its program budget on the implementation of fertility control programs. The option to implement vaccine-based fertility control in place of a roundup, removal, and stockpiling plan is not only cost-effective but also in line with the wishes of the majority of American taxpayers and many members of Congress.	This comment is outside the scope of this EA.
35	AWHC	In sum, the BLM should abandon this proposal, i.e. choose not to fund the construction, and instead pursue analysis on how a proposed plan of utilizing darting fertility control programs will not only successfully manage wild horse population numbers without perpetual roundups, which are costly to American taxpayers and the horses themselves, but will also decrease unnecessary and wasteful spending of taxpayer funds with off-range corrals.	This comment is outside the scope of this EA. The use of fertility control is analyzed in site-specific EAs.
36	AWHC	However, if the agency funds these facilities, then, in addition to the other suggestions as detailed in this comment	As per Solicitation #140L0119R0007 these ORCs are closed to the public, but the public could contact the BLM facility

		letter, the BLM must ensure that the public has access to these government-funded operations in order to observe the horses and all activities involving their care and handling. Daily observation and access should be no less than four hours per day/five days per week.	manager and/or COR for potential site visits.
37	AWHC	Nevertheless, since these states are not subject to NEPA or many other federal laws, BLM must analyze all reasonably foreseeable impacts of constructing these corrals to hold horses, which would necessarily include impacts to air and water quality stemming from the large amounts of concentrated animal waste. For example, the EA notes that Cañon City has existing CAFO ponds and drainage infrastructure but fails to consider what drainage impacts Delta and Wheatland will have on the environment. Further, the EA includes no analysis on the impacts that the Delta facility will have on the environment and is thus completely lacking in its current state. The BLM must analyze the impacts of this facility, and fully analyze the impacts of the others, in order to be in compliance with NEPA. Thus, the final EA must include analysis on each facility's impacts to air and water quality in order to both properly analyze the overall impacts of these facilities under NEPA and properly inform the public on those impacts in order to facilitate meaningful comments on this action.	As per Section 1.5, all the ORCs must obtain the required permits, which includes constructing proper, State approved, CAFO infrastructure and drainage ponds. Air and water quality were found to not be impacted as per the IDT Checklist in Appendix A.
38	Marybeth Delvin	Confining large numbers of animals in close quarters is a perfect environment for spreading disease. Further, it is under such conditions that viruses that normally would be limited to animals to jump species and transfer to humans. In this era of worldwide Covid-19 pandemic, CAFOs should be closed down. BLM is irresponsible in moving to establish more CAFOs.	All animals receive proper vaccinations for infectious diseases in accordance with BLM IM 2015-070. https://www.blm.gov/policy/im-2015-070
39	Marybeth Delvin	There have been problems in the past with such facilities. Horses have perished <i>en masse</i> from improper care and feeding. BLM does not have the personnel available to perform the daily monitoring that would be necessary to protect the horses from neglect or mismanagement.	Contractors are required to observe animals daily. In addition, the BLM COR/PI will be on site 5 days per week.
40	Marybeth Delvin	Wild Horse Freedom Federation conducted a five-year investigation into	Comment noted. Thank you for your comment.

		BLM's holding facilities for captured wild horses. Because BLM still appears to suffer from corruption in its contracting, particularly with regard to off-range corrals, there should be no such new facilities.	
41	Marybeth Delvin	BLM needs to rescind this EA. No more feedlots, no CAFOs for wild horses. Keep wild horses wild.	Comment noted. Thank you for your comment.
42	Susan Carter	How many of the 7500 Wild Horses will be in Canon City at any given time?	As stated in Section 2.1 up to 3,000.
43	Susan Carter	This would be an AFO, Animal Feeding Operation or Commercial Animal Feeding Operation. Does it comply with the Colorado Regulations regarding AFOs or CAFOS? There are limits on stocking densities and manure holding.	Yes, the Cañon City ORC has complied with Colorado regulations since 1985.
44	White River and Douglas Creek Conservation Districts	The White River and Douglas Creek Conservation Districts support the Proposed Action to approve and house 3,000 head of horses and/or burros in the Canon City facility. District staff has visited this site on several occasions when horses were being kept there in years past. The facility is designed specifically for this use with corrals being safe for holding and working corrals and chutes being safe for horses and the people handling the horses. Horses appeared to be well cared for and had ample space. With this number of any type of livestock in confinement, the Districts' concerns would be with impacts to the soil and water resources. With the below statement, it appears those issues have been addressed. "There is an existing engineered drainage system that catches all run off, even during high water events, and drains it into the CAFO ponds to evaporate or is applied to farm fields owned and operated by the CDOC. These plans would ensure all solid and liquid wastes along with sediment are stored on-site in a manner that prevents wastes and sediment from entering surface water and seepage of nutrients into ground water. Since the ORC is existing and no new construction would take place, there would be no net change in soil productivity within the existing footprint of the ORC."	Correct, the quoted text explains the mitigation measures in place to avoid impacts to soil and water resources.

45	Beaver County Commission	For these reasons, Beaver County has a vested interest in the Off-Range Corrals proposed in this EA, particularly for the Delta site identified. There needs to be a purpose built location to house the wild horses that have been gathered in our area. The location chosen for these facilities needs to be centrally located for the majority of wild horse gathers in Utah. This facility needs to house and feed a large number of horses which will be temporarily held until adoptions can be made or until a placement in long-term pastures is made.	Comment noted. Thank you for your comment.
46	Beaver County Commission	After reviewing the EA, Beaver County would like to place its support behind Alternative A. We believe it is necessary to develop these holding facilities and the locations that have been chosen are very appropriate. We assert that the management of wild free-roaming horses and burros requires the BLM to constantly manage the population and herd size of these animals and that gathering excess animals as they approach AML is compulsory and necessary for health of the animals and the rangeland. As an essential part of being able to gather wild horses safely and to provide temporary locations in which to house, feed and care for these horses while providing adoption opportunities, these Off-Range Corrals are important to the process. We heartily endorse this effort. We would also like to support and encourage the site located near Delta, Utah. We believe this will be an ideal location and will serve western Utah superbly.	Comment noted. Thank you for your comment.