

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

**Categorical Exclusion
for
Issuance of Revised Instruction Memorandum for Adoption
Incentive Program for Wild Horses and Burros**

Bureau of Land Management - Headquarters

DOI-BLM-WO-2600-2022-0001-CX



A. Background

BLM Office: HQ200/HQ260 **Lease/Serial/Case File No.:** N/A

Proposed Action Title/Type: Issuance of revised Instruction Memorandum for the Adoption Incentive Program for Wild Horses and Burros (WHB).

Location of Proposed Action: Nationwide

Description of Proposed Action:

HQ200 proposes issuing a revised Instruction Memorandum (IM) that outlines policies and procedures for administering the Bureau of Land Management's (BLM) Adoption Incentive Program for untrained wild horses and burros. The revised IM would update IM No. 2019-025, which issued on March 12, 2019.

The AIP serves as a marketing tool of the WHB Adoption Program, which is authorized by the Wild Free-Roaming Horses and Burros Act, 16 U.S.C. § 1333, and governed by agency regulations at 43 C.F.R. Subpart 4750. The purpose of the AIP is to "increase the number of adoptions of untrained wild horses and burros placed into private care through offering financial incentives to defray associated initial costs, such as veterinary care, feed, and training" and encourage "new individuals and organizations to adopt a wild horse or burro and motivates previous adopters to re-engage with the program and adopt additional animals." The BLM uses the AIP alongside other marketing tools, such as product branding, paid advertising, social media outreach, and conventional public relations and communications.

The revised IM would include procedures that would allow the BLM in the field to offer a single incentive payment of up to \$1,000 at the time of titling (rather than two payments of \$500 at time of adoption and time of titling). The revised IM includes additional procedures, including a requirement that title applications be signed by a veterinarian or BLM official before the BLM makes any incentive payments; clarification that animals adopted under the AIP would not be eligible for any reduced fee (instead a minimum fee of \$125 would apply to all AIP animals); and direction to the BLM in the field to conduct compliance inspections on animals adopted under the AIP within six months of the adoption date (rather than the current 12 months).

B. Land Use Plan Conformance

Land Use Plan Name: N/A **Date Approved/Amended:** N/A

The proposed action is not specifically provided for in any land use plan but is not inconsistent with approved land use plans across the BLM that allow for management and adoption of wild horses and burros.

C: Compliance with NEPA:

CATEGORICAL EXCLUSION REVIEW:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 43 C.F.R. § 46.210(i) relating to "policies, directives, regulations, and guidelines: that are of an administrative, financial, legal, technical, or procedural nature; or whose environmental effects are too broad, speculative, or conjectural to lend themselves to meaningful analysis and will later be subject to the NEPA process, either collectively or case-by-case." Issuing a revised IM is a purely administrative function and the contents of the revised IM

are of an administrative and procedural nature. Moreover, subsequent adoptions and titling events will later be subject to the NEPA process, either collectively or on a case-by-case basis.

Reliance on a categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed with the list of extraordinary circumstances (43 CFR 46.215) described below; none of these circumstances apply to the proposed action.

1. Have significant adverse effects on public health and safety.
2. Have adverse effects on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands, floodplains; national monuments; migratory birds; and other ecologically significant or critical areas.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.
6. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects.
7. Have significant impacts on properties listed, or eligible for listing, in the National Register of Historic Places.
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species.
9. Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.
10. Have disproportionately high and adverse effect on low income or minority populations.
11. Limit access to and ceremonial use of Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites.
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species.

D: Signature

Authorizing Official: _____ **Date:** _____

(Signature)

Name: David Jenkins

Title: Assistant Director, Resources and Planning

Contact Person

For additional information concerning this categorical exclusion review, contact Holle' Waddell, Acting Wild Horse and Burro Division Chief at 405-579-1860; hwaddell@blm.gov.