

U.S. Department of the Interior
Bureau of Land Management
Grand Junction Field Office
2815 H Road
Grand Junction, Colorado 81506

DECISION RECORD

for Little Book Cliffs Wild Horse Range Management

DOI-BLM-CO-G010-2024-0007-EA

Decision

It is my decision to implement the Proposed Action (Alternative B), as described in DOI-BLM-CO-G010-2024-0007-EA. This decision authorizes the management of wild horses from inside and outside the Little Book Cliffs Wild Horse Range (LBCWHR) over a multi-year period beginning in mid-September 2024 to: remove excess wild horses to achieve and maintain a thriving natural ecological balance within the LBCWHR; continue a fertility control program to decrease the population growth rates, which will reduce the number and size of gathers on the range; and to collect genetic material and analysis for monitoring genetic diversity within the LBCWHR. This decision also authorizes the reduction of population numbers to within the Appropriate Management Level (AML) range of 90 to 150 wild horses through gather and removal of excess wild horses.

The wild horse gather plan would allow for an initial gather in mid-September of 2024 and follow-up gathers to be conducted over a multi-year period, if necessary to maintain AML.

These actions are summarized in the sections below.

This decision's initial implementation actions will include:

- Fertility Control Treatments
- Gather and removal of excess wild horses, with a helicopter drive trap with assisted roping where necessary, to achieve a population of approximately 105 to 120 horses
- Selective Removal, Augmentation, and Transport to Other Areas

Fertility Control Treatments

BLM Colorado will continue to work with the Colorado Wild Horse Working group and the Friends of the Mustangs whenever possible to improve and increase fertility control efforts to reduce growth rates within the LBCWHR. The BLM benefits from a longstanding fertility control program in partnership with Friends of the Mustangs and plans to accelerate this effort with support from the Wild Horse Working Group and State of Colorado to maintain populations levels within AML in the future. Fertility control methods include approved immune-contraceptive vaccines (e.g., porcine zona pellucida (PZP) vaccines or gonadotropin releasing hormone (GnRH) vaccines), flexible intrauterine devices (IUDs), and maintaining a male to female sex ratio that approximates 50:50 ratio in PopEquus modeling. The ratio of males to females returned to the

range after gathers can be changed and modeled again in PopEquus, depending on future sex composition of the herd.

BLM will continue fertility control efforts by darting selected mares. Once the herd size in the project area is within AML and population growth seems to be stabilized at or near the desired rate, BLM would decide the required frequency of new mare treatments and mare re-treatments with PZP vaccine, GonaCon-Equine vaccine, or flexible IUDs, to maintain the number of horses within AML. For example, the rates of PZP vaccine and GonaCon-Equine vaccine use required to achieve population growth level goals (between 2% to 5% per year) could be estimated based on records of how many living mares in the herd had been treated with those fertility control methods previously, the number of those treatments for each mare, and the time since last treatment for each mare.

This decision's initial implementation actions will include fertility treatment and release of some mares during the initial gather.

Gather and Removal of Excess Wild Horses

The Bureau of Land Management (BLM) Grand Junction Field Office (GJFO) has determined, based on review of wild horse population surveys, distribution, and ecological condition data, as described in DOI-BLM-CO-G010-2024-0007-EA that an excess population of wild horses exists within the Little Book Cliffs Wild Horse Range and that removal of some wild horses is necessary to maintain a thriving natural ecological balance (BLM 2024, pages 5 and 69). Removing excess wild horses will help to reach an on-range population that ensures that subsequent fertility treatments can successfully maintain the herd within AML, while also maintaining the target sex ratios, age classes, and genetic diversity. Removing excess wild horses from within and outside of the LBCWHR is required by Section 3 of the Wild and Free-Roaming Horses and Burros Act of 1971 (WFRHBA), 16 U.S.C. § 1333.

The types of approved gather methods include helicopter drive-trapping, bait and water trapping, and in rare instances, if necessary, helicopter-assisted roping may be used for the welfare of a horse, when near the gather site. Wild horses gathered would be transported from the gather sites to a temporary holding corral. Gathered wild horses that will be removed from the Little Book Cliffs would be transported to BLM off-range corrals. There they would be prepared for adoption and/or sale to qualified individuals or transfer to off-range pastures or other disposition authorized by the WFRHBA. All gather activities would be in accordance with the Comprehensive Animal Welfare Program.

Helicopter-drive trapping could be used to meet management objectives to capture the highest percentage of wild horses possible in the shortest amount of time, if necessary to maintain AML. During the multi-year period, the BLM would continue to conduct bait and water trap gathers to administer fertility control, address distribution issues, and manage for drought and wildfire impacts.

Given operational flexibility requirements during the gather operations (for the initial implementation of this decision) to ensure animal welfare and on range population characteristics,

the BLM will remove excess animals sufficient to maintain a population of approximately 105 to 120 horses in its initial gather.

Selective Removal, Augmentation, and Transport to Other Areas

Herd characteristic objectives and removal considerations are outlined in the 2002 Population Management Plan (Appendix A in the EA). BLM would prioritize retaining dominant stallions, established lead or partner mares, reproductively successful mares, and horses 20 years old or older on the range. The BLM would prioritize selective removal of horses 5 years of age or younger and horses 10 years and older. Horses 20 years of age or older would be returned to the range unless they needed to be removed to achieve gather objectives. The BLM would not remove older horses that are physically unable to survive the gather operation or transport from the range. Achieving the desired result, in terms of a managed herd size, would be the priority and may have an impact on the selection process.

Genetic sampling and analysis have been ongoing in the LBCWHR. The BLM will collect hair follicles from gathered horses to analyze genetic diversity. If analysis indicates a loss of heterozygosity, horses could be relocated from one area of the range to another, or horses could be augmented from other Horse Management Area(s) to maintain genetic variability. In addition, if specific horses contributing to genetic diversity are continually leaving the LBCWHR the horse(s) may be removed or relocated within the range.

RELATIONSHIP TO STATUTES, REGULATIONS, OTHER NEPA DOCUMENTS

The Proposed Action is in conformance with the Little Book Cliffs Herd Management Area Plan (HMAP) written in 1979, as revised in 1984 and 1992. In 2002, the Little Book Cliffs Population Management Plan (PMP) was prepared and amended the HMAP (Appendix A). The EA for the HMAP and PMP, along with gather plan EAs prepared in 2002, 2004, and 2007, analyzed and supported decisions to manage the wild horse population between 90 to 150 wild horses. These EAs also analyzed the fertility control program within the LBCWHR.

The Federal Land Policy and Management Act of 1976 (FLPMA) requires that an action under consideration be in conformance with the applicable BLM land use plan(s), and be consistent with other federal, state, and local laws and policies to the maximum extent possible.

The Proposed Action is also consistent with the WFRHBA, which mandates the Bureau to “prevent the range from deterioration associated with overpopulation”, and “remove excess horses in order to preserve and maintain a thriving natural ecological balance and multiple use relationships in that area”. The Proposed Action is consistent with all applicable laws and regulations at Title 43 Code of Federal Regulations (43 CFR) § 4700, 43 CFR §4710.01 and policies.

This decision authorizes activities to occur within Little Book Cliffs Wilderness Study Area in conformance with BLM policy manual 6330 – Management of BLM Wilderness Study Areas. Should Congress designate the area as Wilderness, BLM will re-evaluate this decision through future NEPA analysis.

43 CFR § 4700.0-6 (a) Wild horses shall be managed as self-sustaining populations of healthy animals in balance with other uses and the productive capacity of their habitat.

43 CFR § 4710.4 Management of wild horses and burros shall be undertaken with the objective of limiting the animals' distribution to herd areas. Management shall be at the minimum level necessary to attain the objectives identified in approved land use plans and herd management area plans.

43 CFR § 4720.1 Upon examination of current information and a determination by the authorized officer that an excess of wild horses or burros exists, the authorized officer shall remove the excess animals immediately....

43 CFR § 4740.1 (a) Motor vehicles and aircraft may be used by the authorized officer in all phases of the administration of the Act, except that no motor vehicle or aircraft, other than helicopters, shall be used for the purpose of herding or chasing wild horses or burros for capture or destruction. All such use shall be conducted in a humane manner. (b) Before using helicopters or motor vehicles in the management of wild horses or burros, the authorized officer shall conduct a public hearing in the area where such use is to be made.

Environmental Analysis and Finding of No Significant Impact

The Proposed Action was analyzed in DOI-BLM-CO-G010-2024-0007-EA and it was found to have no significant impacts, thus an EIS is not required.

Public Involvement

The BLM began external scoping by posting this project on the Grand Junction Field Office's ePlanning project page on April 26, 2024. The BLM initiated a 30-day public comment period on the preliminary EA on May 15, 2024. The BLM received approximately 420 comment letters from government agencies, advocacy groups, partner groups, and individuals. Those comments and responses are included in Appendix F in the EA. Common themes from parsed, substantive comments included adoptions, concerns about domestic grazing, genetic diversity, use of helicopters in gather operations, population control methods, and horses' impacts on wildfire mitigation. Many of the comments were helpful in shaping the decision although they did not change the alternatives considered or the environmental analysis. More specifically, substantive comments addressing genetic diversity, population control methods, and the ability to adopt out horses locally were valuable in determining a numerical range within AML for the initial gather that provides flexibility in applying a robust equine contraceptive program to stay within AML for the longest possible time, reduces the need to remove excess animals, and acknowledges the capacity of the local community to adopt horses from the LBCWHR.

Rationale

The decision to select the Proposed Action (Alternative B) is based on the following rationale:

1. This decision is based on a Finding of No Significant Impact (FONSI) dated July 26, 2024. This decision is in accordance with the policies and requirements of 43 CFR Part 4700 and the WFRHBA.
2. This decision is in conformance with the Grand Junction RMP (March 2015), which, for wild horse management, directs that the LBCWHR be managed “to sustain a healthy viable wild horse population while maintaining a thriving natural ecological balance of resources and uses.”
3. This decision is in accordance with Bureau policy and complies with 43 CFR § 4710.1 which states: “Management activities affecting wild horses and burros, including the establishment of herd management areas, shall be in accordance with approved land use plans prepared pursuant to part 1600 of this title.” The 2015 Grand Junction RMP is the most recent approved land use plan and delineates the boundaries of the LBCWHR as shown in this EA and continues the management identified in the Population Management Plan and Herd Management Area Plan.
4. As defined in 16 USC § 1332(f) “excess animals” means wild free-roaming horses or burros which must be removed from an area in order to preserve and maintain a thriving natural ecological balance and multiple-use relationship in that area. The excess wild horse population jeopardizes the BLM’s ability to maintain a thriving natural ecological balance for all plant and animal species in balance with other multiple resource uses. Implementation of the Proposed Action (Alternative B), provides the BLM with the best opportunity to maintain a thriving natural ecological balance on public lands, including maintaining a healthy, self-sustaining wild horse population, managing the wild horse population size within designated management areas and the established AML range of 90 to 150, achieve rangeland health as measured through the Standards for Rangeland Health and provide for a balanced multiple use relationship with other uses.
5. Alternative B best meets the Purpose and Need to address an excess of wild horses and maintain and restore a thriving natural ecological balance consistent with multiple uses, balance wild horse populations with other resources, restrict wild horses from areas where they were not “presently found” at the passage of the WFRHBA, and to manage wild horses within the area designated for long-term wild horse management (i.e., the LBCWHR).
6. This decision will initially be implemented through the removal of excess horses from the LBCWHR to achieve a population of approximately 105 to 120 horses in mid-September of 2024. The BLM will target this range and not the bottom of AML to (1) ensure that the herd maintains the target sex ratios, age classes, and genetic diversity, (2) to reduce the anticipated holding time for horses prior to adoption, and (3) because BLM believes that through a robust fertility control program the growth rates of the herd can be reduced enough to reduce the frequency of gathers without having to gather to the low end of AML.
7. The use of contraceptives has long been recognized as a humane method to limit the growth of wild horse herds while minimizing disruption to the herd gene pool. Individually treated mares may have their genetic contributions delayed but not removed. The use of contraceptives also increases the time between gathers, with associated cost benefits and reduction of resource impacts. BLM Colorado is committed to continuing to work with the

Colorado Wild Horse Working group and the Friends of the Mustangs to improve and increase darting efforts to reduce growth rates within the LBCWHR.

8. Currently, there is no evidence to indicate that the LBCWHR suffers from low genetic diversity, or a risk of deleterious effects of inbreeding. The following summarizes what is known about the LBCWHR as it pertains to genetic diversity based on the 2014 and 2020 reports by Dr. Gus Cothran: Genetic variation in the LBCWHR was average to moderately high. Allelic diversity also was high. Genetic variation indices based on samples from the LBCWHR have fluctuated somewhat since 1992 but has not been at levels that are cause for concern. In 2020, Cothran recommended sampling again by 2025, to monitor for any notable changes in genetic diversity. The genetic sampling that will be completed in 2024 will help to confirm the most current situation as recommended.
9. Wild horse mortality at BLM gathers averages about one percent (1.0%) or less nationwide. More than two-thirds of those horses included in all gather related mortality are humanely euthanized due to pre-existing conditions in accordance with BLM policy. Fewer than 0.4% of horses gathered by the BLM, on average, die due to acute causes that are attributable to gather-related injuries. The mortality rate was slightly higher for bait trap gathers (approximately 0.4%) than helicopter drive trap gathers (approximately 0.3%; Scasta 2019). This data confirms that the use of helicopters and motorized vehicles are a safe, humane, effective, and practical means for the gather and removal of excess wild horses (and burros) from the public lands.

After careful consideration of all the aforementioned information and relevant factors, I have determined that an overpopulation of wild horses exists, and that action is necessary to remove the excess wild horses from within and outside of the LBCWHR and the use of fertility control treatments to reduce the population growth rate of the wild horses that remain within the LBCWHR. These actions are necessary to protect land resources (upland vegetation and riparian plant communities, watershed function, habitat quality for wildlife, along with threatened and sensitive plant and animal species), and the continued multiple use management of the public lands. Other factors influenced the decision to leave the selected horses on the range including maintaining a genetically diverse herd, the ability to implement an effective and robust fertility control program, and the ability to adopt horses removed from the range. This action is necessary to ensure conformance with the applicable land use planning decisions. I have carefully reviewed all the available information and determined that gathering and removing of excess wild horses from within and outside of the LBCWHR and continuing fertility control treatments is necessary in order to maintain a thriving natural ecological balance and multiple use relationship in the area.

Based on this determination, it is my decision to implement a multi-year plan for the LBCWHR to use fertility control treatments in addition to an initial gather and periodic future gathers, as necessary, and removals of excess wild horses to manage the wild horse population in the LBCWHR within AML.

Authorities

The proposed gather and removal of excess wild horses within the Little Book Cliffs Wild Horse Range and the use of fertility control treatments on wild horses remaining in the LBCWHR is in

compliance with Public Law 92-125, the Wild Free-Roaming Horses and Burros Act (WFRHBA) as amended; the Federal Policy and Management Act (FLPMA); and Public Law 95-514, the Public Rangelands Improvement Act of 1978 (PRIA), which require the BLM to protect, manage, and control wild horse (or burro) populations on public lands.

Administrative Remedies

This decision is subject to appeal. If you wish to appeal this decision, as provided by 43 CFR § 4770.3 and 43 CFR Part 4, you must file an appeal in writing within 30 days of receipt of this decision with the Field Manager, Grand Junction Field Office, 2815 H Road, Grand Junction, Colorado 81506.

Should you wish to file a petition for stay, the appellant shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied.
2. The likelihood of the appellant's success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

If you decide to submit a petition for stay of the decision, a copy of the notice of appeal and petition for stay must be served simultaneously upon the parties identified below.

Field Manager
Grand Junction Field Office
2815 H Road
Grand Junction, Colorado 81506

Office of the Regional Solicitor
Rocky Mountain Region
755 Parfet Street, Suite 151
Lakewood, Colorado 80215

Office of Hearing and Appeals
Interior Board of Land Appeals
801 North Quincy Street, Suite 300
Arlington, Virginia 22203

You may file a notice of appeal by paper hardcopy only. The BLM Colorado will not accept a notice of appeal transmitted electronically (e.g., by email, facsimile, or social media means). Also, the BLM will not accept a petition for stay that is transmitted electronically (e.g., by email, facsimile, or social media means). Even if the BLM has previously corresponded with you by email, facsimile, or social media means, the BLM will not accept a notice of appeal transmitted electronically. Both the notice of appeal and any petition for stay must be received on paper at the office address above.

Approval

The Proposed Action is approved for a multi-year period effective upon issuance of this decision (40 CFR § 1501.11(c)). Implementation of the gather to remove excess wild horses from within the PEDHMA is in accordance with the authority provided in 43 CFR § 4770.3(c), which provides in part: "decisions...shall be effective upon issuance or on a date established in the decision" when

removal of excess animals is necessary to ensure and maintain a thriving natural ecological balance and multiple-use relationship.

Stacey Colón, Field Manager
Grand Junction Field Office