

**UNITED STATES DEPARTMENT OF THE INTERIOR**

**Bureau of Land Management**

Billings Field Office

5001 Southgate Drive

Billings, MT 59101

**CATEGORICAL EXCLUSION**

DOI-BLM-MT-C010-2026-0002-CE

**A. BACKGROUND**

**Proposed Action Title/Type:** Private Land Wild Horse Removal 2025

**Location of Proposed Action:** Private lands near the Pryor Mountain Wild Horse Range (PMWHR)

**Lease/Serial/Case File No (if any):** None

**Applicant:** N/A

**B. DESCRIPTION OF PROPOSED ACTION:**

The proposed action is to remove three wild horses—a stallion, a mare, and a yearling filly—from private lands. This action is necessary to prevent continued damage to private property, domestic horses, and boundary fences.

The horses have a well-documented history of leaving the Pryor Mountain Wild Horse Range (PMWHR), with verified incidents dating back to 2023. They consistently breach the boundary fences or cross the cattle guards that are clean and equipped with additional design features intended to deter horses from stepping over them. In response, damaged fences have been repaired and visual deterrents, including drive-through flagging at cattle guards, have been installed. Despite these efforts, the stallion has continued to escape the range.

The agency has received numerous complaint calls, as well as a formal written request, seeking assistance with removing these horses from private property. The PMWHR population is currently estimated at 195 horses, including the 2025 foal crop, which exceeds current Appropriate Management Level (AML). Resulting range degradation associated with this overpopulation has likely contributed to the horses leaving the PMWHR in search of improved forage conditions, which are available on adjacent private lands.

Recently, the three horses were corralled by a private landowner on private property after commingling with and exhibiting aggressive behavior toward domestic horses. Immediate separation was a high priority to prevent further damage to the landowner's domestic animals and property. The landowner subsequently submitted a written request for BLM to remove the horses. The horses were then transported to the BLM corrals at Britton Springs on the PMWHR.

The horses are currently being held temporarily at the corrals for several reasons: (1) BLM needs to work through the appropriate administrative process to address the issue. (2) if released back onto the PMWHR prior to a management decision, the horses are anticipated to quickly return to adjacent private property; and (3) due to an ongoing nationwide Equine Herpesvirus (EHV-1) outbreak and the horses' recent commingling with domestic animals, the horses have been placed under quarantine as a precautionary measure to reduce the risk of disease transmission and to help ensure the continued health and safety of the Pryor Mountain herd.

The horses would be held at the Britton Springs corrals until a decision is made regarding their permanent removal from PMWHR. If a decision to permanently remove the horses is approved, the three horses would be transported to a BLM preparation facility or short-term holding facility. All handling and transportation would be conducted by BLM personnel or individuals authorized by BLM and would comply with the Comprehensive Animal Welfare Program guidelines, as required by PIM 2021-002.

### **C. LAND USE PLAN CONFORMANCE**

Land Use Plan Name: Billings Field Office RMP

Date Approved: September 21, 2015, as amended

The proposed action is in conformance with the applicable LUP because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions) even though it is not specifically provided for:

*MD WH-5: Herd Management Area Establishment: Manage wild horses on approximately 27,094 acres of BLM-administered lands (39,994 acres all ownerships) (Map 3-2).*

*Goal WH 1: Maintain, protect, manage, and control a healthy wild horse herd inside the HMA within the appropriate management level (AML) to ensure a thriving natural ecological balance, while preserving multiple use relationships with other uses and resources, and making progress towards Standards for Rangeland Health (Standards 1 and 5).*

*MD WH-7: Maintain desirable levels of genetic diversity, as measured by Observed Heterozygosity (Ho). Observed heterozygosity is a measure of how much diversity is found on average within individual animals in the HMA. If Ho drops below thresholds identified in the BLM Wild Horses and Burros Management Handbook H-4700-1, then BLM would take any combination of the following actions to reduce the possible risks associated with inbreeding depression:*

- 1) maximize the number of fertile, breeding age wild horses (6-15 years) within the herd;*
- 2) adjust the sex ratio in favor of males (but with not more than approximately 60 percent males); and/or*
- 3) introduce mares or stallions from other wild horse HMAs. Prioritize introductions from herds with characteristics similar to the Pryor Mountain*

*horses, such as the Sulfur herd in Utah, the Cerbat Mountain herd in Arizona, or others.*

Management Direction WH-5 and Goal WH-1 emphasize maintaining the wild horse herd on BLM-administered lands within the Herd Management Area (HMA). Allowing wild horses to stray onto adjacent private lands, damage private property, or pose a risk to domestic horses would be inconsistent with the Resource Management Plan (RMP).

The proposed action is also consistent with Management Direction WH-7, as current levels of genetic diversity within the herd are adequate, and the removal of three horses would have a negligible effect on genetic viability (see *Pryor Mountain Wild Horse Range Environmental Assessment*, DOI-BLM-MT-C010-2020-004-EA, incorporated by reference).

In addition, the proposed action conforms to the applicable Land Use Plan (LUP), as the Billings Field Office RMP/Record of Decision (ROD) contains no prohibition on gathering and removing wild horses that stray onto adjacent private lands. Furthermore, such actions are authorized under 43 CFR 4720.2-1.

#### **D. COMPLIANCE WITH NEPA**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with:

516 DM 1, Appendix 2 Section 11.9 (D)(4)  
*Removal of wild horses or burros from private lands at the request of the landowner.*

#### **E. EXTRAORDINARY CIRCUMSTANCES REVIEW**

**The proposed action will not:**

**(a) Have significant impacts on public health or safety.**

Rationale: The proposed activity presents a low level of risk to public health and safety. It is a routine horse removal action that is well understood by industry professionals and the public.

**(b) Have significant impacts 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.**

Rationale: The action is to remove from the range nuisance wild horses from private land. These resources are either absent from the project area or would not be affected by the removal of wild horses.

**(c) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.**

Rationale: The environmental impacts of the proposed action are expected to be negligible. No unique or unforeseen environmental risks are anticipated, and the impacts are predictable based on experience from similar past projects.

**(d) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.**

Rationale: The proposal is not precedent-setting and is consistent with policy regarding wild horses that have strayed onto private land (43 CFR 4700.20). This action is not expected to prompt similar future actions. At this time, no anticipated future actions are known that would result in significant environmental impacts.

**(e) Have a direct relationship to other actions that implicate potentially significant environmental effects.**

Rationale: The proposed action is not expected to contribute to any potentially significant aggregate effects now or in the reasonably foreseeable future.

**(f) Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.**

Rationale: The proposed action does not include any disturbances with the potential to adversely impact cultural resources that are potentially eligible for the National Register of Historic Places.

**(g) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.**

Rationale: The proposed action does not involve surface disturbing activities and is occurring on private lands and within existing disturbance footprints (e.g., established roads, corrals, etc.), there would be no effect to proposed or listed species from the proposed action. Species considered were identified using the Information for Planning and Consultation (IPaC) website. The review of the action area identified the proposed endangered, Suckley's cuckoo bumble bee and proposed threatened monarch butterfly, and listed as threatened Ute Ladies'-tresses. There is no designated or proposed critical habitat within the action area. The proposed action would not degrade the quality or quantity of habitat for proposed or listed species. Suitable habitat for Ute Ladies'-tresses is not present in the affected area. Monarch butterfly does not overwinter in Montana, and bumble bees hibernate underground or beneath duff or leaf litter over winter.

**(h) Significantly limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites.**

Rationale: The proposed action does not involve surface disturbing activities and is occurring on private lands and within existing disturbance footprints (e.g., established roads, corrals, etc.).

Through previous consultation efforts, the project area has not been identified by any Native American Community or Tribe as containing any sacred or ceremonial sites.

- (i) Contribute to potentially significant effects resulting from the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or from other actions that promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act).**

Rationale: The proposed action does not involve surface disturbing activities and is occurring on private lands and within existing disturbance footprints (e.g., established roads, corrals, etc.), there would be no effect on the continued existence, or spread of noxious weeds or non-native species. Noxious weeds or invasive species are not known to occur in the project area.

Implementation of the Proposed Action would not have any effect on the current vegetation because the site has a history of use by horses. The Proposed Action would not decrease the site potential or current vegetation, and therefore would not promote the introduction, growth, or expansion of the range of noxious weeds or non-native invasive species

## **F. CONCLUSION**

This categorical exclusion is appropriate in this instance because no extraordinary circumstances exist that could result in significant environmental effects. The proposed action has been reviewed, and none of the extraordinary circumstances described in 43 CFR §46.215 are applicable.

Based on this review, I have determined that the proposed action has no potential for significant impacts. The action is consistent with policy regarding wild horses that have strayed onto private land (43 CFR 4700.20) and would not cause any significant surface disturbance.

## **G. SIGNATURE**

Responsible Official: \_\_\_\_\_ Date: \_\_\_\_\_  
Stacie Thompson-Acting Field Manager