



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
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5100 East Winnemucca Boulevard
Winnemucca, Nevada 89445
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In Reply Refer To:
4700 (NV-022.44)

AUG 29 2003

CERTIFIED MAIL NO. 7003 0500 0000 9663 9048
RETURN RECEIPT REQUESTED

Dawn Lappin
Wild Horse Organized Assistance
P.O. Box 555
Reno, NV 89504

Dear Ms. Lappin,

Enclosed are the Decision Records (DR) and Finding of No Significant Impacts (FONSI) for the Augusta Mountains HMA Gather Plan/Environmental Assessment (EA) and the South Blue Wing Complex Gather Plan/EA.

The Record of Decision for the Augusta Mountains HMA Gather Plan and EA and the South Blue Wing Complex Gather Plan and EA are placed in Full Force and Effect in accordance with Title 43 of the Code of Federal Regulations at 4770.3(c). If you wish to appeal one or both of these decisions, it may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with 43 CFR part 4. If you appeal, your appeal must be filed with the Bureau of Land Management at the following address:

Terry A. Reed
Field Manager
Bureau of Land Management
Winnemucca Field Office
5100 E. Winnemucca Blvd.
Winnemucca, NV 89445

Your appeal must be filed within thirty (30) days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4942, January 19, 1993) for a stay (suspension) of the decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted. A petition for a stay is required to 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.

Copies of the notice of appeal and petition for a stay must also be submitted to the:

Interior Board of Land Appeals
Office of Hearings and Appeals
4015 Wilson Boulevard
Arlington, VA 22203

and to the appropriate office of the Solicitor:

Field Solicitor
U.S. Department of the Interior
6201 Federal Building
125 South State Street
Salt Lake City, UT 84138-1180

at the same time the original documents are filed with this office.

If you have any questions or require further information, please contact Nadine Paine, Glenna Eckel, or Rodger Bryan at (775) 623-1500.

Sincerely,


Terry A. Reed
Acting Field Manager

2 Enclosures

1. DR/FONSI Augusta Mountains HMA (2 pp)
2. DR/FONSI South Blue Wing Complex (3 pp)

cc:

FM Battle Mountain (NV-060)
FM Carson City (NV-030)

**FINDING OF NO SIGNIFICANT IMPACT
AND
DECISION RECORD**

**AUGUSTA MOUNTAINS HERD MANAGEMENT AREA
WILD HORSE REMOVAL PLAN**

NV-020-03-22

DECISION

It is my decision to select Alternative I as described in the Augusta Mountains Herd Management Area Wild Horse Removal Plan/EA NV-020-03-22.

Alternative I is to gather wild horses within the Jersey Valley, Hole In The Wall, Home Station Gap, and Cottonwood Allotments in the Augusta Mountains Herd Management Area (HMA), reducing the population to the lower range of the Appropriate Management Level (AML). Alternative I includes removing all horses from the area outside the HMA boundaries south of the Echo Bay Mine in the Buffalo Valley and Carico Lake Allotments administered by the Battle Mountain Field Office. This action is in conformance with the BLM's 2000 Wild Horse Strategy. Alternative I is to capture approximately 446 wild horses and remove 310 head, determine sex, age, and color, and collect blood samples for genetic marker analysis. Animals will be sorted by age, sex, temperament, and/or physical condition, and selected animals returned to the range. Excess wild horses will be transported to the National Wild Horse and Burro Center at Palomino Valley.

This decision incorporates the Standard Operating Procedures identified in Appendix D of this EA as stipulations. All trap sites and holding facilities would be inventoried for cultural resources prior to construction and would be constructed outside the Augusta Mountains Wilderness Study Area NV-030-108. Fertility control will not be administered under this Alternative.

This decision is placed in Full Force and Effect in accordance with Title 43 of the Code of Federal Regulations at 4770.3(c). The scheduling of the gather is dependent on funding and could be affected by other priorities or the need to conduct emergency gathers, but would not begin prior to September 1, 2003.

RATIONALE

After careful consideration of comments received from the public, a review of potential impacts of the alternatives analyzed in the EA, the selection and implementation of Alternative I would result in achieving a thriving natural ecological balance, and multiple use relationship within the Augusta Mountains HMA. The forage and water situation for the wild horses in Augusta Mountains HMA is becoming critical. Due to the drought, three of the four allotments in the HMA are currently being rested. It is highly unlikely

that there is sufficient forage and water to support the current wild horse population through the winter. There is a high likelihood animals will disperse outside the HMA boundary in search of forage and water. Presently, a few horses are exhibiting Henke condition class 2 while many exhibit condition class 3. Animal condition is likely to degrade as forage becomes scarce. If the wild horse population is not reduced and the area receives normal to above normal precipitation this winter, there is a high likelihood for a winter death loss of 20% to 40% of the population, similar to that encountered during the winter of 1992/1993 in other areas administered by the Winnemucca Field Office. The horses occupying the area outside the HMA south of Echo Bay Mine, are impacting sage-grouse in the Fish Creek Population Management Unit (PMU). Implementation of Alternative I would eliminate impacts from wild horses to sage-grouse occupying the PMU.

Alternative I is in conformance with the wild horse objectives in the Winnemucca Field Office's Sonoma-Gerlach Resource Area Management Framework Plan, the Carson City Field Office's Consolidated Resource Management Plan, and the Battle Mountain Field Office's Shoshone Eureka Resource Area (SERA) Record Of Decision. Alternative I is in conformance with federal and state laws, regulations, and plans to the maximum extent possible.

FINDING OF NO SIGNIFICANT IMPACT

Based on the analysis of potential environmental impacts contained in EA NV-020-03-22, I have determined that this action would not have a significant effect on the human environment. Therefore, in accordance with Section 102(2)(C) of the National Environmental Policy Act, the preparation of an environmental impact statement is not required for the following reasons:

1. Sensitive resource values will not be adversely impacted from implementation of Alternative I;
2. There will be no adverse affect on threatened or endangered, or Nevada State sensitive species;
3. The gather will not adversely affect or cause a destruction of significant scientific, cultural, or historic resources;
4. Alternative I will not adversely affect public health or safety. The gather and its potential effects on the human environment are not highly uncertain and do not involve unique or unknown risks.

Terry A. Reed
Terry A. Reed
Field Manager
Winnemucca Field Office

8/29/03
Date

**DECISION RECORD (DR)
AND
FINDING OF NO SIGNIFICANT IMPACT (FONSI)**

**South Blue Wing Complex
Gather Plan and Environmental Assessment
NV-020-03-21**

Decision

It is my decision to select Alternative II as described in the South Blue Wing Complex (SBWC) Wild Horse & Burro Gather Plan and Environmental Assessment (EA), EA NV-020-03-21.

Alternative II is "Removal to the Lower Limit of the Management Range without Fertility Control." Based on a July 2003 census flight, herd population numbers have been adjusted from the estimated population numbers referenced in the EA to actual numbers counted during the census. Alternative II, utilizing current census numbers, is to gather approximately 868 wild horses and 119 burros; remove approximately 862 wild horses and 112 burros; and, release approximately 6 wild horses and 7 burros to the SBWC. The post gather wild horse and burro herd populations will represent the lower limit of the management range. Excess wild horses and burros will be transported to the National Wild Horse and Burro Center at Palomino Valley. Wild horses in the Trinity Range HA will not be gathered at this time as the census flight found fewer horses than expected and no evidence of reproduction.

Alternative II incorporates all the "Actions in Common" as described in the EA which include: maintenance of a management range and collection of demographic data. Due to the low number of animals being released after gather, collection of biological samples including blood samples for genetic marker analysis will be performed at the National Wild Horse and Burro Center at Palomino Valley instead of at the gather site. Fertility control will not be administered under this Alternative.

This decision incorporates the Standard Operation Procedures (SOP) identified in Appendix A of the EA as stipulations. These stipulations include BLM conducting all necessary inventories (such as archaeological and T&E) prior to setting up gather traps or temporary holding facilities. Trap sites and holding facility locations will be provided to James D. Morefield, Botanist for the Nevada Natural Heritage Program.

This decision is placed in Full Force and Effect in accordance with Title 43 of the Code of Federal Regulations at 4770.3(c). The scheduling of the gather is dependent on funding and could be affected by other priorities or the need to conduct emergency gathers, but would not begin prior to September 12, 2003.

Rationale

Results of a census flight flown in early July of 2003 counted 980 head of horses and 119 burros in the SBWC versus the population estimates in the EA (Table 7) of 824 horses and 121 burros.

The difference in estimated versus census is 156 head higher for horses and two head fewer for burros. Only six horses were found in the Trinity Range HA in three groups of two adults. There was no indication of reproduction and most likely are same sex groups.

After careful consideration of comments received from the public, a review of potential impacts of the alternatives analyzed in the EA, and given the revised horse population numbers, the selection and implementation of Alternative II would result in achieving a thriving natural ecological balance and multiple use relationship within the South Blue Wing Complex. Population modeling indicates that Alternative II would have the highest average growth rate of all alternatives analyzed in the EA, but would result in an average median population size in five years that is only 3.50 % larger than the Proposed Action (Removal to the Lower Limit of Management Range with Fertility Control).

The current population exceeds AML in the SBWC by a cumulative total of 570% for wild horses and 461% for burros. Range conditions are depleted – heavy trailing is evident as animals travel long distances from water in search of forage; heavy trampling impacts at waters are apparent as animals congregate and fight for available water; water quantity is limited as animals wait for others to depart or for water to replenish. It is highly unlikely that there is sufficient forage and water to support the current wild horse and burro population through the winter. There is a high likelihood animals will disperse outside HMA boundaries in search of forage and water. Presently, a few horses are exhibiting Henneke condition class 2 while many exhibit condition class 3. Animal condition is likely to degrade as forage becomes scarce. Depletion of resources effect wildlife and other uses as well. Three sage-grouse (a BLM sensitive species) population management units are located in the SBWC gather area. The gather has been scheduled for the past two years, but has been postponed because of other emergencies and limitations on gather numbers. If this gather is postponed again it is highly likely an emergency gather will be necessary.

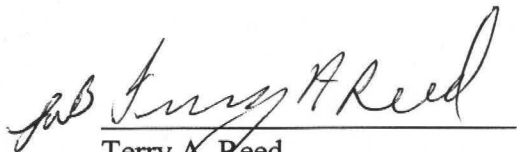
From 1999 through 2002 northern Nevada has experienced hot dry weather conditions and severe drought. The latest National Oceanic and Atmospheric Administrations (NOAA) U.S. Seasonal Drought Outlook predicts severe to extreme drought conditions from May – August of 2003 with below normal rainfall. The current dry conditions may persist or intensify in northern Nevada. The SBWC area is currently experiencing extreme drought conditions. The Climate Prediction Center's (CPC) May 2003 Forecast Forum indicates that development towards El Nino will continue with weak to moderate El Nino conditions through early 2004. A weak to moderate El Nino would feature much weaker global impacts than were experienced in the very strong 1997-1998 El Nino. The climatic forecasts indicate that the action should be implemented as scheduled to protect the health and welfare of wild horses/burros and their habitat, as well as to ensure there is adequate forage available for winter 2003/2004.

The proposed action is in conformance with the wild horse/burro objectives in the Sonoma-Gerlach Resource Area Management Framework Plan. Based on the environmental analysis, it is determined that Alternative II will not result in any undue or unnecessary environmental degradation of the public lands and is consistent with federal, state, and local laws, regulations and plans.

Finding of No Significant Impact

Based on the analysis of potential environmental impacts contained in EA NV-020-03-21, I have determined that this action will not have a significant effect on the human environment. Therefore, in accordance with Section 102(2)(C) of the National Environmental Policy Act, the preparation of an environmental impact statement is not required for the following reasons:

- 1) Sensitive resource values will not be adversely impacted from implementation of Alternative II;
- 2) There will be no adverse affect on threatened or endangered, or Nevada State sensitive species;
- 3) The gather will not adversely affect or cause a destruction of significant scientific, cultural, or historic resources;
- 4) Alternative II will not adversely affect public health or safety. The gather and its potential effects on the human environment are not highly uncertain and do not involve unique or unknown risks.



Terry A. Reed
Field Manager
Winnemucca Field Office

8/29/03
Date