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Proposed Action: Wild Horse Gather

Proposed Name: Sand Springs Herd Management Area Emergency Gather

Project Leader(s) Jim Johnson

INSTRUCTION: Route through your immediate supervisor first.

T	NAME/DISCIPLINE	Date Reviewed	INITIALS	REVIEW COMMENTS
	(Wild horses) JOHNSON			
	(Range & Vegetation) BUMGARNER			
	(Botany & T&E Plants) FINDLEY			
	(ACEC/RNAs) FINDLEY			
	(Wildlife & T&E Animals) SADOWSKI			
	(Fisheries) ROSS			
	(Soil/Water/Air) WENDEROTH			
	(Cultural) SUDMAN			
	(Recreation) ALWARD			
	(Wilderness) ALWARD			
	(Project Leader) JOHNSON			FINAL EA & FONSI/DECISION RECORD PREPARATION
	(Jordan Resource Area Manager) FREEBORN			FINAL EA REVIEW & FONSI/DECISION RECORD (Signature)
	(P&E Coordinator) ERIC MAYES			FINAL REVIEW & FILING

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 AD/CE/EA & FONSI/DECISION RECORD

Sand Springs Herd Management Area Gather EA

OR-030-06-014

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Vale District Office

Emergency Gather Plan for Sand Springs

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BACKGROUND INFORMATION

With passage of the Wild Horse and Burro Act of 1971, Congress found that: “Wild horses are living symbols of the pioneer spirit of the West”. In addition, the Secretary was ordered to “manage wild free-roaming horses and burros in a manner that is designed to achieve and maintain a thriving natural ecological balance on the public lands”. From the passage of the Act, through present day, the Bureau of Land Management (BLM) Vale District has endeavored to meet the requirements of this portion of the Act. The procedures and policies implemented to accomplish this mandate have been constantly evolving over the years.

Throughout this period, BLM experience has grown, and the knowledge of the effects of current and past management on wild horses has increased. For example, wild horses have been shown to be capable of 18 to 25% increases in numbers annually. This can result in a doubling of the wild horse population about every 3 years. At the same time, nationwide awareness and attention has grown. As these factors have come together, the emphasis of the wild horse and burro program has shifted.

Program goals have expanded beyond simply establishing “thriving natural ecological balance” (setting appropriate management level (AML) for individual herds), to include achieving and maintaining viable, vigorous, and stable populations.

AML for the Sand Springs Herd Management Area (HMA) has been previously established at a range from 100 to 200 horses based on monitoring data and following a thorough public review. The Sand Springs HMA was last gathered in Fiscal Year (FY) 06. Documents containing this information are available for public review at the Vale District office.

Wildfire consumed 68,400 acres in August, 2006 encompassing most if not all horse preferred summer and fall range in the Sand Springs HMA.

PURPOSE OF AND NEED FOR ACTION

Gathering and temporary removal of part or all wild horses from the Sand Springs Herd Management Area (HMA) is necessary to support fire rehabilitation and maintain a thriving natural ecological balance which protects public land resources from deterioration. Both actions are consistent with necessary population controls that maintain appropriate management levels established in the Southeastern Oregon Resource Management Plan (SEORMP, 2002). Recent monitoring has indicated heavy utilization of key vegetative species in riparian zones along a perennial stream, springs, and reservoirs. Vegetation and soils have been extremely stressed in the summer when horses concentrate on the few available water sources. Wildfire has destroyed most of the available forage within reasonable traveling distance of the herd’s main water sources.

After the most recent gather in October 2005, an estimated 100 to 110 wild horses remained within the HMA. The SEORMP stipulates minimum and maximum population levels of 100 and 200 horses, respectively, with 2,400 animal unit months (AUMs) allocated. With an average 20% annual increase there would now be an estimated population of 125 horses.

The purpose and need of the proposed action is to remove part of all of the horses from the Sand Springs HMA to support fire rehabilitation efforts and attain a thriving ecological balance between horses, wildlife, livestock, and vegetation. Horses would be reintroduced to the HMA after two growing seasons.

CONFORMANCE WITH LAND USE PLANS AND REGULATIONS

This action is governed by the Wild Horse and Burro Act of 1971 (Public Law (PL) 92-195 as amended) and Title 43 Code of Federal Regulations (CFR) part 4700. Gathering and disposal of the wild horses would be in accordance with PL 92-195 as amended by PL 94-579 (Federal Land Policy and Management Act (FLPMA)) and PL 95-514 (Public Rangelands Improvement Act (PRIA)). Section 302(b) of 4700 CFR of FLPMA, states that all public lands are to be managed so as to prevent unnecessary or undue degradation of the lands. The proposed action is in compliance with: 1) 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.”; 2) 43 CFR 4710.3-1 - HMAs shall be established (through the land use planning process)

for maintenance of wild horse and burro herds; 3) 43 CFR 4180.2(b) - "Standards and guidelines must provide for conformance with the fundamentals of 43 CFR 4180.1." The Standards and Guidelines for Grazing Management for public lands have been reviewed by the Departmental Review Team who found that they comply with the requirements of the regulations. Gathering excess horses conforms to the standards and guides which were developed with full public participation and in consultation with Oregon/Washington's resource advisory councils and are in conformance with appropriate land use plans. Attainment of a thriving natural ecological balance which prevents excess utilization of vegetative resources would meet the objectives established in the Southeastern Oregon Resource Management Plan that constitutes the land use plan for Jordan Resource Area. All monitoring is coordinated with the range management program and the wild horse programs to identify areas of conflict between wild horses, wildlife, and domestic livestock. This effort is used to identify areas where resource damage is taking place due to excess wild horses, including but not limited to riparian areas, and helps to set priorities for determining where removal is needed to achieve or maintain a thriving ecological balance in accordance with the above statutes, plans, and regulations.

PROPOSED ACTION AND ALTERNATIVES

A. PROPOSED ACTION

The proposed action would be to remove all of the horses from the Sand Springs HMA in the fall of 2006 for a period of two growing seasons. The proposed action would include eventual return of all freeze branded fertility control mares in the Sand Springs HMA as they cannot be placed in the adoption program. At least twenty mares treated with the fertility control drug, PZP, would be retained in short term holding to be returned to the HMA after two growing seasons. 100 horses would be returned to the Sand Springs HMA, which is the minimum population of the range associated with the AML recommended in the SEORMP. Other criteria for returning horses to the HMA would be to maintain herd characteristics.

Gathering may be delayed as a result of unforeseen reasons including weather limitations and scheduling. All wild horses in the Sand Springs HMA would be helicopter-drive trapped at an appropriately located trap site specified by BLM and agreed to by the contractor. Depending on the location of the horses, more than one trap site may be used. Trap sites would be located in close proximity to the horses during gather operations which would minimize stress and injury to the horses during capture and the least possible damage to the natural resources. The catch pen and loading areas would be the most heavily disturbed. The native vegetation would be expected to fully reestablish without reclamation within one to three years. All trap sites have been previously established so no new sites would be established without approval and clearances. The selected trap would be constructed using the existing right-of-way road or way as the center of the trap with portable panels extending approximately 60 feet from the center of the catch pen. A portable loading chute would be placed in the road or at the edge of the roadway within the existing right-of-way to allow loading without creating a new road.

All capture and handling activities (including capture site selections) would be conducted in accordance with Standard Operating Procedures described in Appendix I.

The gathering and removal of wild horses would be conducted by a contractor authorized by the National Wild Horse and Burro Program Office in Reno, Nevada. The contractor would be responsible for trap construction, all gathering activities, transportation of wild horses, and trap removal. The Vale District BLM would provide a resource advisor/on-site project inspector while any horse activities are occurring. Proven gathering and transport practices would be used to provide maximum safety and protection for horse wranglers and horses. Standard Operating Procedures would follow established procedures for the gathering, handling, and transportation of horses in a humane manner and all safety measures would be adhered to.

The horses would be herded into a temporary trap constructed of portable metal panels and "jute" wings which would be removed when the proposed action is completed. No permanent structures would be constructed and no new road construction would occur. The trap and corral facilities would be portable and temporary and would be on the site only for as long as required to complete the gathering operation. The entire operation is expected to be completed in less than one week. Appropriate clearances, including cultural and botanical surveys, would be completed prior to any surface disturbance.

B. ALTERNATIVE 1

Alternative 1 would be the same as the proposed alternative but not all of the horses in the HMA would be removed. 100% of the horses would be captured; all of the PZP mares treated during the October 2005 gather would be sorted off and returned to the HMA along with selected studs for a total of approximately 37 head. At the culmination of the rehabilitation period a census would be conducted and selected horses from other HMAs would be added to the Sand Springs herd to bring the total number of horses to the low end of AML (100 head). In this alternative no interior fencing would be constructed to impact wild horses.

C. NO ACTION ALTERNATIVE

Under this alternative, wild horses would not be removed from the Sand Springs HMA during the fall of 2006. The existing population of 125 horses would continue to increase at approximately 20% per year.

D. ALTERNATIVES CONSIDERED BUT ELIMINATED FROM FURTHER ANALYSIS

1. The helicopter/roping method of gathering entails moving wild horses to a roping site by helicopter and then capturing the horses by roping. This is feasible, but this technique has only been used in limited circumstances where a small number of wild horses were difficult to trap. This method poses a safety hazard to wild horses, personnel, and their saddle horses. Due to these reasons, this alternative as a primary method of gathering has been eliminated from further consideration.
2. Fencing of the wildfire area to limit horse use was eliminated from consideration since it would deny horse access to all of the available water sources.

AFFECTED ENVIRONMENT

BACKGROUND

The Sand Springs Wild Horse Herd Management Area (HMA) is located directly north of Burns Junction, Oregon. The HMA is bordered on the east by the Owyhee River and Crooked Creek, on the south by Oregon State Highway 78, and on the north by the northern boundary of the Saddle Butte Allotment (Attachment 1). The Sand Springs HMA totals 194,846 acres.

A. WILD HORSES

Adult horses in the HMA weigh an average of 950 to 1,050 pounds and stand between 14.2 and 15.2 hands, with some stallions being slightly larger. The colors in this herd are widely varied with a fairly high percentage of pintos and buckskins.

Aerial inventories have been conducted in the Sand Springs HMA since the passage of the Wild Horse and Burro Act (Public Law 92-195). The most recent census flight was prior to the FY06 gather.

At times there is some movement of horses between the Sand Springs HMA and Sheepshead HMA when water is in short supply in Sand Springs HMA. These two HMAs are divided by Highway 78 with partial fencing. Typically, the bands of wild horses from the Sand Springs HMA have returned to their home range during the winter months when water is available. There also has been and continues to be horse movement between Sand Springs HMA and Heath Creek-Sheepshead HMA to the west as well as adjacent Coyote Lakes HMA and Alvord/Tule HMA to the south

Forage is allocated for 100 to 200 horses in the Sand Springs HMA or 2,400 AUMs.

In most herds that have not been selectively gathered for some time, the approximate age structure may be broken down as follows:

- Age Class 0-5: 60-70 percent of herd
- Age Class 6-20+: 30-40 percent of herd

Selective removal has typically increased the ratio of male wild horses to female wild horses. Prior to selective removal, most herds seem to have a 53:47 ratio favoring females. Where all horses 5 years and younger are

removed, the sex ratio may be adjusted to around 50/50. Previous selective removal criteria used in earlier gathering efforts called for the release of all horses over the age of nine. Under this criterion, the sex ratio was skewed more toward males than it is under current policy. This effect is mitigated by several factors: (1) Increased males in the population increases the likelihood that fertile mares will be bred and can result in smaller band size. This not only results in increased reproduction rates but also decreases the potential for inbreeding. (2) Research has shown that older mares are more fecund and successful at raising their foals than younger mares. (3) Large herd size (AML) dilutes these effects.

B. SURFACE WATER SOURCES AND RIPARIAN AREAS

Riparian vegetation is extremely limited in scope throughout the area, existing primarily at scattered springs and reservoirs. There are several natural water gaps that are fenced and gated on the Owyhee River. These are sparsely used by wild horses in late summer and fall. In winter these gaps are closed to prevent domestic livestock from accessing the river corridor. Riparian environments are even more limited in areas where gathers are likely to occur. While not extensive, riparian zones are an important resource for wildlife, wild horses, and livestock. Because of the demands on riparian areas, management considerations have focused on protecting these areas. Maintaining AML of wild horse herds is important to keeping utilization at acceptable levels and preserving riparian habitat.

C. SOILS

The soils found in the Sand Springs Herd Management Area were surveyed and described in Oregon's Long Range Requirements for Water 1969, Appendix I-11, Owyhee Drainage Basin. They are mainly a combination of Unit 76 and 99 soils on slopes varying from three to twelve percent.

Unit 76 soils are shallow, clayey, very stony, well drained soils over basalt, rhyolite, or welded tuff. These soils occur on gently undulating to rolling lava plateaus and some very steep faulted and dissected terrain. Native vegetation consists mostly of big sagebrush, low sagebrush, bluebunch wheatgrass, and Sandberg bluegrass.

Unit 99 is a miscellaneous land unit consisting of recent lava flows. These flows are generally on low slopes, but do have extremely irregular, rough surfaces. There do tend to be small pockets of soil development on which there is some vegetation.

D. VEGETATION

Vegetation in the vicinity of the proposed trap locations primarily consists of big sagebrush (*Artemisia tridentata*), low sagebrush (*Artemisia arbuscula*), bluebunch wheatgrass (*Agropyron spicatum*), bottlebrush squirreltail (*Sitanion hystrix*), Sandberg bluegrass (*Poa sandbergii*), and cheatgrass (*Bromus tectorum*). The present ecological condition of the vegetation is considered to be in middle seral stage with static trend.

E. WILDLIFE

The two major big game species in the HMA are pronghorn antelope (*Antilocapra americana*) and mule deer (*Odocoileus hemionus*). Approximately 20% of the HMA is utilized as winter range (November to March) by pronghorn. Mule deer inhabit approximately 10% of the HMA in the vicinity of Owyhee River Canyon during the winter and approximately 2% of the HMA year-long. Birds are especially abundant with high species diversity. Swainson's, Ferruginous, and red-tailed hawks, as well as kestrels and northern harriers are common. Peregrine falcons, prairie falcons and sharp-shinned hawks have also been observed. Golden eagles are abundant year-long while small numbers of bald eagles, attracted by abundant waterfowl, winter in the Owyhee canyons. The quality of the habitat as well as the diversity and abundance of wildlife within the area caused this resource to be deemed outstandingly remarkable and provide wilderness characteristics.

Other species (game and non game) which are known to occur in the HMA include chukar, Hungarian partridges, mourning doves, sage grouse, muskrats, bobcats, river otters, mountain lions, badgers, and marmots.

F. THREATENED AND ENDANGERED SPECIES

The kit fox (*Vulpes microtus*), a sensitive species in Oregon, inhabits localized areas of the more arid rangelands. The bald eagle (*Haliaeetus laucocephalus*), a threatened species in Oregon and the Western big-eared bat (*Plecotus townsendi*), a sensitive species in Oregon, are other species known to occur within the HMA. One plant species, Davis' peppergrass, *Lepidium davisii*, is listed as threatened in the State of Oregon, is a U.S. Fish and Wildlife Service species of concern, and is a B.L.M. special status species.

G. LIVESTOCK MANAGEMENT

The HMA lies within the Saddle Butte (#20805) grazing allotment and the East Ryegrass pasture of the Sheepshead Allotment (#10702) (Attachment 1). The total adjudicated livestock use licensed within the Saddle Butte Allotment is 6,426 AUMs with the season of use from November 1 to March 31. The allotment is currently stocked at 30 acres per AUM and has been winter use only. The allocated livestock use licensed within the East Ryegrass pasture is 900 AUMs with a season of use from April 1 to October 31. Average livestock utilization levels on key management species during the past 15 years have been moderate.

H. CULTURAL RESOURCES

Cultural inventory of the proposed trap sites have been done. No cultural resources were found.

I. RECREATION

The recreation use in the area includes hunting, caving, hiking, boating on the Owyhee River, and vehicle touring. The area contains highly sought after recreation opportunities including outstanding opportunities for primitive and unconfined types of recreation. The 2006 seasons for game animals within the HMA are shown in Table 1.

**Table 1
General Hunting Seasons**

<u>Species</u>	<u>From</u>	<u>To</u>
Pronghorn antelope	August 13	August 21
Mule deer	October 1	October 12
Chukar/partridge	October 9	January 31
Sage grouse	September 11	September 15
Duck	October 9	January 23
Goose	October 9	January 30

J. SPECIAL MANAGEMENT AREAS

Sand Springs HMA acreage includes 115,732 acres of Wilderness Study Areas (WSA). The Lower Owyhee Canyon WSA (3-110) and the Saddle Butte WSA (3-111) are located within the Sand Springs HMA (Attachment 2). WSA 3-110 contains 75,700 acres of public land which includes 3,385 acres of split-estate lands. In addition, 1,020 acres of private land are located within the boundaries of the WSA. The boundaries of the WSA are formed by gravel roads, private property, and a crested wheatgrass seeding. WSA 3-111 contains 86,300 acres of public land including eight parcels of split-estate lands totaling 4,920 acres. The boundaries of the WSA follow county gravel roads and state land.

**Table 2
WSA Acreage in HMA**

<u>WSA Name</u>	<u>WSA Number</u>	<u>Acreage in WSA</u>	<u>Acreage Recommended for Wilderness</u>
Saddle Butte	3-111	81,300	0
Lower Owyhee Canyon	3-110	34,432*	30,487
Total		115,732	30,487

*This figure represents only the acreage of the WSA which lies in the HMA. It was determined using an electric planimeter and a one-half inch equals one mile scale map.

Other special management areas within the HMA include the Saddle Butte ACEC, Palomino Playa Area of Critical Environmental Concern/Research Natural Area (ACEC/RNA), and the Owyhee Wild and Scenic River (Attachment 3).

K. OTHER

The following critical elements are either not affected by the proposal and alternatives or are not present:

Critical Element	Not Affected	Not Present
Air Quality	X	
Prime and Unique Farmlands		X
Floodplains		X
Native American Religious Concerns	X	
Hazardous and Solid Wastes		X
Ground Water Quality	X	
Environmental Justice	X	
Adverse Energy Impacts	X	

L. MONITORING

Extensive monitoring was done after the summer 2006 wildfire was controlled to determine how much forage was remaining in the HMA in usable distance from available water sources. The riparian areas mainly used by the wild horses during this time period include Sand Springs and Crooked Creek. There is no domestic livestock grazing in these areas between March 31 and November 1. All areas of concern were carefully evaluated for utilization levels and fire damage. Photographic documentation is on file in the Vale District Office along with the utilization readings of horse use in the fore mentioned areas. As the hot season progresses the wild horses are forced to congregate in the riparian areas more often and in greater numbers as other water sources within the Sand Springs HMA are depleted. Competition for limited water and forage is increased thus creating more confrontations and conflict among the bands. Excessive trailing by increasing numbers of wild horses coming into these water sources was documented by photo points. These water sources are very important to wildlife in providing food and cover. By September, the monitoring studies show there was very little riparian vegetation left remaining in the areas of concern.

ENVIRONMENTAL CONSEQUENCES

A. PROPOSED ACTION

1. Wild Horses

The chase and capture would subject the wild horses to considerable stress. There would be a possibility that some horses would be seriously injured or killed, that foals could become separated from their mothers, and that minor injuries could occur. Behavioral traits and band composition of the herd would be temporarily disrupted. Late-term abortions in mares would be insignificant to nonexistent as the gather would occur in fall.

Returned and released wild horses would experience interband encounters and confrontations. A short-term adjustment period would be required. Wild horses are highly adaptable and no long-term adverse effects to returned animals are anticipated. Released wild horses would increase the average age within the HMA slightly which may result in a small scale increase in mortality during a severe winter. However, the impacts of the loss of these individuals to the population will be short-term as it is unlikely that many of these animals are still reproductively active.

Wild horse populations would experience an increase in stress due to the short period of time between gathers.

2. Surface Water/Riparian Areas

Riparian areas in the HMA consist mainly of areas around springs and reservoirs with the exception of Crooked Creek and the Owyhee River. Regulating the number of wild horses in the HMA would protect the water sources and riparian areas and lessen degradation of these resources. The proposed action would limit the intensity of use at water sources and surrounding uplands. Protecting the water sources, riparian areas, and water quality is also important to wildlife, recreationists, and livestock.

The trap sites are not located adjacent to any surface water sources or riparian area therefore there would be no anticipated impact due to the gather.

3. Soils

Soil would be displaced and/or compacted on approximately 2 acres at each site in the construction of the trap panels, use of the access routes, and in the round-up and loading of the wild horses. The area of severe surface disturbance is normally less than 2,000 square feet. Minimal surface wind and water erosion is expected on these areas during the vegetative rehabilitation period (approximately 1 to 3 years).

4. Vegetation

In the immediate vicinity of the catch pens or corrals and the loading chute short-term disturbance would occur. The soil would be compacted and vegetation would be trampled during panel installation by humans and vehicles and severely trampled in the catch pen area during the round-up by wild horses, domestic horses, and the wranglers. It is estimated and anticipated that 1 to 3 years would be required for native vegetation to become reestablished under average conditions with no reclamation. The total area of impact per trap would be approximately 2 acres, with less than ¼ acre severely disturbed. Less than one AUM of livestock forage would be temporarily destroyed for one grazing season at each trap site used.

5. Wildlife

Wildlife populations in the areas from which horses are gathered by the helicopter would be forced to seek cover in areas adjacent to the flight path. This would not cause them to abandon their normal habitat areas as the disturbance would be of short duration (8 to 10 days) and very localized. Competition for water and/or forage that might exist between wild horses and wildlife would be reduced.

6. Threatened and Endangered Species

The proposed action would lessen the trampling impacts to the *Lepidium davisii* due to wild horses at the Palomino Playa ACEC/RNA.

7. Livestock Management

The proposed action would not affect livestock use at allocated levels.

8. Cultural

No impact is anticipated.

9. Recreation

Some negative impacts to hunters may occur along the Owyhee River canyon and the Crooked Creek canyon as a result of the low level flights of the helicopter. Due to the lack of water sources within the interior of the HMA no other areas are expected to be impacted.

10. Special Management Areas

The proposed action would not impair the area's wilderness values. If the proposal's impacts had existed at the time of intensive inventory, those impacts would not have disqualified the area from being identified as a wilderness study area. Also, the addition of this proposal would not produce an aggregate effect upon the area's wilderness characteristics/values that would constrain the Secretary's recommendation with respect to the area's suitability or unsuitability for preservation as wilderness (Appendix IV).

During the gathering operation, the opportunity for outstanding solitude would be temporarily reduced within the two WSAs as a result of the helicopter activity. The panels would be removed upon completion

of the gather, eliminating any visual impacts from the trap. The beneficial impacts of removing the horses include an improvement in vegetation, soil, wildlife habitat, and the natural appearance of the entire WSA.

The access route to trap HT-1 is the southern boundary of WSA 3-111. The majority of this trap would be constructed outside the WSA on the south side of the road. Approximately 5 to 10 foot panels would be located along the WSA side of the road, with distance from the edge varying from 1 to 10 feet. The panels would be placed within the disturbed area of the roadway wherever possible and surface disturbance would be held to a minimum. There would be no off road vehicle travel.

The proposed action has no negative impacts on Saddle Butte ACEC, Palomino Playa ACEC/RNA, and the Owyhee Wild and Scenic River. A positive impact would be expected at the Palomino Playa ACEC/RNA with the removal of wild horses until rehabilitation is complete.

11. Other

This proposal is consistent with SEORMP objectives to manage wild horse populations with established AMLs, to maintain a thriving natural ecological balance within the Sand Springs HMA. This action is in conformance with management objectives found in the land use plan and any proposed change to the AML is beyond the scope of this analysis.

B. ALTERNATIVE 1

1. Wild Horses

Impacts from this alternative would be the same as in the Proposed Action

2. Surface Water/Riparian Areas

Riparian areas may not get as much recovery as proposed action.

3. Soils

Soils may be impacted more than proposed action.

4. Vegetation

Vegetative resources may not get as much recovery as in the proposed action but a thriving natural ecological balance would still be achieved. Without slowing reproduction a steady increase in the number of horses would have a more steady impact on vegetation.

5. Wildlife

Wildlife may be displaced sooner than in proposed action during to increased gather frequency. Competition for forage may occur sooner with natural foaling rates of wild horses.

6. Threatened and Endangered Species

Threatened and endangered species may not get as much recovery as in proposed action.

7. Livestock Management

Livestock management would continue at a 70% reduction from current rates.

8. Cultural

Cultural resources around springs may be less protected than in proposed action.

9. Recreation

Recreation values may be impacted sooner than in proposed action.

10. Special Management Areas

Special management areas may be impacted sooner than in proposed action.

11. Other

Same as proposed action.

C. NO ACTION ALTERNATIVE

1. Wild Horses

The horses would continue to multiply and the population would increase at a rate of 15 to 20 percent per year until the habitat would no longer support the horse population and a natural die off would occur. Rehabilitation of the wildfire impacted areas would not occur do to continuous grazing. The horses would continue to overuse the remaining available forage and water. The horses would begin to show signs of malnutrition, and a decrease in the population rate can be expected. In concentrated, overabundant animal populations, lacking adequate forage, the individuals become much more susceptible to disease, which would endanger the entire population.

2. Surface Water/Riparian Areas

Increasing numbers of wild horses in the HMA would result in greater use and degradation of surface water sources and riparian areas. More wild horses would adversely affect the water sources and could potentially damage or change spring flows. The vegetation associated with riparian areas would be degraded as the horses would concentrate on it more in the summer. This would result in an unacceptable decline in water quality through increased sedimentation and an increase in water temperatures. This would impact other users of the water sources in the area. Gathering excess wild horses would help keep water quality within acceptable standards.

3. Soils

Soil loss and compaction can be expected to increase in those areas near water sources where horses are forced to concentrate. Increased wild horse numbers on uplands and riparian areas would negatively impact soil surface features and would increase erosion in the HMA.

4. Vegetation

Areas which are presently over utilized, such as areas adjacent to water sources, would continue to be used excessively. The area of over utilization would continue to increase in both size and degree. The composition of vegetation would change to a higher percentage of undesirable plants, soil cover would be reduced, and erosion would increase.

5. Wildlife

Wildlife populations in the HMA would be forced to compete for limited water and forage, which would most likely alter use patterns.

6. Threatened and Endangered Species

Colonies of *Lepidium davisii* would receive an increase in trampling as a result of the increase in wild horse numbers. This increased use would have a negative impact on the species.

7. Livestock Management

The HMA would increase at approximately 20% per year on average from the existing estimated population of 125 horses. Assuming that livestock use is suspended during the rehabilitation period in burned areas, and wildlife populations are managed to allocated levels, the carrying capacity of the HMA would be over allocated in 2006 due to the wildfire. The BLM may be forced to temporarily suspend or reduce the permitted use of livestock in the area to allow for rehabilitation. This would significantly affect the financial income of these operations.

8. Cultural

An increased horse population would compound the use near available water sources, and may damage or displace artifacts in the immediate vicinities.

9. Recreation

Some negative impacts to hunters would occur with degraded conditions for wildlife populations. The visual resources would be negatively impacted with increased use of the water sources and vegetation. There would be increased horse numbers in the area, thus increasing the horse viewing opportunities.

10. Special Management Areas

The continuing horse use during the rehabilitation period would impair the wilderness values of the two affected WSAs by changing the manner and degree of use. Vegetative changes would occur with the continuing use. The negative impacts of not removing the horses during rehabilitation include the degradation of vegetation, soil, wildlife habitat, and the natural appearance of the entire WSA. The no action alternative is not in compliance with the Wilderness Interim Management Policy.

The no action alternative would have negative impacts on the ACECs and the Owyhee River corridor because of increased use by wild horses.

11. Other

This alternative would not impact any prime and unique farmlands or air quality. The water quality and visual characteristics would be negatively affected. The reduction or suspension in livestock use would cause a negative impact in the social and economic element. This alternative is not consistent with the SEORMP objectives to manage wild horse populations.

MITIGATION MEASURES

A. PROPOSED ACTION

Gathering operation would occur early in the day and trap sites within a reasonable distance from the horses thereby minimizing the possibility of having wild horses succumb to heat exhaustion and reducing the chance of mares aborting a fetus.

Avoid low level flights near the Owyhee River Canyon and Crooked Creek Canyon, thereby minimizing the impacts to recreationists.

B. ALTERNATIVE 1

Mitigation measures would be the same as the proposed action.

CUMULATIVE IMPACTS

A. PROPOSED ACTION

The potential for cumulative effects on the identified resources other than wild horses is minimal. Any known or potential deleterious impacts to non wild horse resources would be mitigated through preplanning and gather placement. There would be no competition for forage and limited water with horses removed from the HMA during the rehabilitation period. In addition, a quality cross section of horses in all age groups can be released back into the HMA and less desirable or defective horses removed.

PAST ACTIONS

Herd Areas were identified in 1971 as areas occupied by wild horses. The Sand Springs HMA was established in the late 1980s through the land use planning process as areas where wild horse management was a designated land use. Since the early 1980s, AMLs have been established on the Vale BLM District HMAs.

The BLM also moved to long range planning with the development of the Southeastern Oregon Resource Management Plan (SEORMP) completed in 2002. This analyzed impacts of the Land Use Plan's management direction for grazing and wild horses, as updated through Bureau policies, Rangeland Program direction, and Wild Horse Program direction. Forage was allocated within the allotments for livestock use and range monitoring studies were initiated to determine if allotment objectives were being achieved, or that progress toward the allotment objectives was being made.

Due to these laws and subsequent court decisions, integrated wild horse management has occurred in the Sand Springs HMA. Gathers have been completed in the past in the HMA. Wild horses have been regularly removed from the Sand Springs HMA in the last 25 years and populations are thriving and have not been negatively impacted. An Appropriate Management Level (AML) determination for the Sand Springs HMA was established through BLM Multiple Use Decisions.

Similarly, adjustments in livestock season of use, livestock numbers, and grazing systems were made through the allotment evaluation process. In addition, temporary reductions to livestock grazing in areas burned by wildfires, or due to extreme drought conditions, were implemented to improve range condition.

Standards and guidelines for rangeland health have been the basis for managing wild horse and livestock grazing within the Vale District. Adjustments in numbers, season of use, grazing season, and allowable use are based on evaluating progress toward reaching the standards.

The Sand Springs HMA was gathered in October 2005 to reduce the numbers of wild horses to the low end of the AML range. There were no significant impacts to resources within the HMA.

PRESENT ACTIONS

The October 2005 horse gather lessened the impacts to resources in the HMA after the wildfire due to reduced competition for forage and water. Today the Sand Springs HMA has an estimated population of 125 wild horses. Current mandates prohibit the destruction of healthy animals that are removed or deemed to be excess. Currently only sick, lame, or dangerous animals can be euthanized, and destruction is no longer used as a population control method. Gather intervals are typically four to five years due to facility space and funding. A recent amendment to the Wild Free-Roaming Horses and Burro Act allows the sale of excess wild horses that are over 10 years in age or have been offered unsuccessfully for adoption three times. As this sale authority is implemented, facility space and funding for gathers should become more available as less unadoptable wild horses are maintained in facilities.

Today public interest in the welfare and management of wild horses is currently higher than it has ever been. Many different values pertaining to wild horse management form current wild horse perceptions. Wild horses are viewed as nuisances, as well as living symbols of the pioneer spirit.

The Vale District BLM has also modified grazing permits and conducted vegetation treatments to improve watershed health. Currently within the Sand Springs HMA cattle grazing occurs on a yearly basis during the winter.

The focus of wild horse management has also expanded to place more emphasis on achieving rangeland health.

REASONABLY FORSEEABLE FUTURE ACTIONS

There is an ESR plan being proposed that would have positive impacts on resources in the HMA. After restocking the HMA to low end of AML following the rehabilitation period, future gathers would be scheduled on a 4-or 5-year gather cycle. In the future, the BLM would manage wild horses within the Sand Springs HMA for a population range of AML of 100 to 200 horses, while maintaining genetic diversity, age structure, and sex ratios. Current policy is to express all future wild horse AMLs as a range, to allow for regular population growth, as well as better management of population. As the Geographic Management Area (GMA) process progresses in the Vale District, Future wild horse management would focus on an integrated ecosystem approach with the basic unit of analysis being the watershed. The Vale District Office would continue to conduct monitoring to assess progress toward meeting rangeland health standards. Wild horses would continue to be a component of the public lands, managed within a multiple use concept.

While there is no anticipation that there would be amendments to the Wild and Free-Roaming Horse and Burro Act that would change the way wild horses could be managed on the public lands, the Act has been amended four times since 1971. Therefore, there is potential for an amendment as a reasonably foreseeable future action. Once AML in

all HMAs is achieved gathers and removals should become more predictable due to facility space. This should increase stability of gather schedules, which would result in the Sand Springs HMA being gathered every four years. Fertility control should also become more readily available as a management tool, with treatments that last between gather cycles, reducing the need to remove as many wild horses, and possibly extending the time between gathers.

B. ALTERNATIVE 1

The potential for cumulative effects on the identified resources other than wild horses is minimal. Any known or potential deleterious effects to other resources would be mitigated through preplanning and gather placement. There would be lessened competition for forage and limited water with fewer numbers of horses. In addition, a quality cross section of horses in all age groups can be released back into the HMA and older, less desirable or defective horses removed. Gathering the HMA to less than the lower level of the AML (100 head) may not reduce the frequency of gathers as compared to the proposed action, but may maintain a thriving, ecological balance as compared to the No Action Alternative.

C. NO ACTION ALTERNATIVE

The horses would continue to overpopulate the HMA until the herds would be reduced or eliminated by natural means. Rehabilitation would not take place, range condition would deteriorate, watershed cover would be reduced, water quality would be reduced, soil erosion increased, wildlife use patterns and numbers would be altered, and domestic livestock could be reduced or eliminated. Lasting, long-term effects would occur across the entire landscape.

Monitoring studies document areas on upland and riparian sites which have moderate to very heavy grazing by wild horses. These excessive levels of utilization have negative effects on wildlife species.

CONSULTATION AND COORDINATION

In accordance with the Wild Horse and Burro Act (Public Law 92-195), a public meeting to discuss the use of helicopters in gathering wild horses and the proposed gathering schedule for FY 2006 was held in Burns District Office. The meeting was announced in the Federal Register. The intensity of a public interest concerning the proposed action has been low in past years.

A notice of the action was sent to the groups and individuals on the District Mailing List including wild horse and burro and wilderness special interest groups.

Livestock operators in the Saddle Butte Allotment have been consulted.

PARTICIPATING STAFF

The following persons have participated in the development of this EA as either an author or reviewer:

Jim Johnson - Wild Horse and Burro Specialist
Robert Bumgarner - Range Management Specialist
Robert Alward - Recreation/Wilderness Specialist
Jon Sadowski - Wildlife Biologist
Diane Pritchard - Archaeologist
Jack Wenderoth - Hydrologist
Shaney Rockefeller - Soil Scientist
Jean Findley - Botanist
Garth Ross - Fisheries
Carolyn Freeborn – Jordan Field Manager