

Finding Of No Significant Impact (FONSI)

McCullough Peaks Herd Management Area Bait Trap Removal

Cody Field Office, Wind River/Bighorn Basin District, Wyoming

BLM

December 2012



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DOI-BLM-WY020-EA12-050

Finding of No Significant Impact/Decision Record Cody Field Office

ENVIRONMENTAL ASSESSMENT (EA)
WY-020-EA12-50

McCullough Peaks Herd Management Area Bait Trap Removal

Introduction:

The Bureau of Land Management's (BLM) Cody Field Office (CYFO) proposes to remove 20 wild horses by bait trapping methods beginning January 2013 in the McCullough Peaks Herd Management Area (HMA) located in Park and Big Horn Counties, Wyoming. Also under consideration is maintaining the option through 2018 (or as long as we can reasonably conclude that no new information and no new circumstances have substantially changed in the area of analysis) to utilize bait trapping to facilitate fertility control administration and to utilize bait trapping in the future to remove wild horses that exceed the upper AML of 140. Bait trapping would occur mainly during the fall and winter months (November 1 to February 28) to avoid issues with foaling and sage grouse. Bait trapping removals would occur in increments of 20 or less on a given year if the population exceeds the 140 adult horses.

Alternatives analyzed in detail:

- Alternative I (Proposed Action) – Bait trap removal of 20 horses
- Alternative II – No Action – Do not remove 20 horses

The EA is available at the Cody Field Office or at the following web address and is incorporated by reference for this Finding of No Significant Impact (FONSI).

<http://www.blm.gov/wy/st/en/info/NEPA/documents/cyfo/mcculloughpeakshma.html>

Plan Conformance and Consistency:

The proposed population control is in conformance with Cody Resource Management Plan, Final EIS and Record of Decision (ROD) (1990) objectives to manage for a balance between a healthy population of wild horses and improvements in range condition, wildlife habitat, and watershed condition.

The proposed action would be in conformance with the Wild Free-Roaming Horses and Burros Act of 1971, (Public Law 92-195 as amended), and with all applicable regulations at 43 CFR (Code of Federal Regulations) 4700, and policies outlined by BLM. The Wild Free-Roaming Horses and Burros Act of 1971, (P. L. 92-195) as amended, Section 1333 (b) (1), states the Secretary of the Interior shall “determine appropriate management levels of wild free-roaming horses and burros on areas of public lands; and determine whether appropriate management levels should be achieved by the removal or destruction of excess animals, or other options (such as sterilization or natural controls on population levels).” According to 43 CFR 4700.0-6, “Wild horses shall be managed as self-sustaining populations of healthy animals in balance with other uses and the productive capacity of their habitat.”

FINDING OF NO SIGNIFICANT IMPACT (FONSI) DETERMINATION:

Based upon a review of the EA and the supporting documents, I have determined that the project is not a major federal action and would not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. Environmental effects do not meet the definition of significance in context or intensity as defined in 40 CFR 1508.27 and do not exceed those effects described in the Cody RMP/FEIS. *Therefore, an environmental impact statement is not needed.*

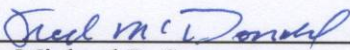
Reasons for this finding are based on my consideration of the Council on Environmental Quality (CEQ) criteria for significance (40 CFR 1508.27) with regard to the context and intensity of impacts.

Context: The affected region would be limited to the McCullough Peaks HMA. The environmental analysis was prepared with input from the interested parties.

Intensity: The following discussion is organized around the Ten Significance Criteria described in 40 CFR 1508.27, BLM NEPA Handbook (H-1790-1), and supplemental Instruction Memoranda, Acts, regulations and Executive Orders. The following have been considered in evaluating intensity for this proposal and there is no evidence that the severity of impacts would be significant:

1. **Impacts may be both beneficial and adverse.** The action is expected to meet BLM's objective for wild horse management of maintaining a thriving natural ecological balance and multiple use relationship consistent with other resource needs.
2. **The degree to which the selected alternative will affect public health or safety.** The proposed action has no effect on public health or safety.
3. **Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farm lands, wetlands, wilderness, wild and scenic rivers, or ecologically critical areas.** The proposed action has no potential to affect unique characteristics such as historic or cultural resources. No adverse impacts to the McCullough Peaks HMA are anticipated. There are no wild and scenic rivers, designated wilderness, or ecologically critical areas present in the area.
4. **The degree to which the effects on the quality of the human environment are likely to be highly controversial.** The effects of the proposed action on the quality of the human environment are not considered to be highly controversial.
5. **The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.** Possible effects on the human environment are not highly uncertain, and do not involve unique or unknown risks.

6. **The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.** The action is compatible with future consideration of actions required to improve wild horse management in conjunction with meeting objectives for wildlife habitat and achieving and maintaining a thriving natural ecological balance within the herd management area.
7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts – which include connected actions regardless of land ownership. The proposed action is not related to other actions with individually insignificant, but cumulatively significant impacts.** The proposed action is not related to other actions with individually insignificant, but cumulatively significant impacts.
8. **The degree to which the action may adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.** The proposed action has no potential to adversely affect properties listed or eligible for listing in the National Register of Historic Places, and would not cause loss or destruction of significant scientific, cultural, or historical resources.
9. **The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973, or the degree to which the action may adversely affect: 1) a proposed to be listed endangered or threatened species or its habitat, or 2) a species on BLM's sensitive species list.** The proposed action would have no effect on any other threatened or endangered species or habitat determined to be critical under the Endangered Species Act.
10. **Whether the action threatens a violation of a federal, state, local, or tribal law, regulation or policy imposed for the protection of the environment, where non-federal requirements are consistent with federal requirements.** The proposed action does not threaten to violate any Federal, State, or local laws or requirements imposed for the protection of the environment.



for Michael P. Stewart
Cody Field Manager

21/30/12
Date