

DECISION RECORD
FINDING OF NO SIGNIFICANT IMPACT
for
Burns Wild Horse Corral Improvements Project
EA OR-025-01-012

INTRODUCTION: Following a 30-day comment period of the Burns Wild Horse Corral Improvements Environmental Assessment (EA), OR-025-01-012, the Three Rivers Resource Area of the Bureau of Land Management (BLM) is issuing a decision to make improvements to the existing corral facilities. The decision is to implement the proposed action of the EA.

DECISION: Having considered a range of alternatives and associated impacts and based on the analysis in the Burns Wild Horse Corral Improvements EA and public input, it is my decision to implement the proposed action. The project proposes to expand the existing corral facilities by enclosing an additional 10 acres, construct approximately 1-mile of 4-strand barbed wire fence, extend an existing pipeline approximately 600 feet, and grant right-of-way reservations for the existing and proposed facilities not currently included in the administrative withdrawal. This decision pertains only to land administered by the BLM.

Rationale for Decision: I have selected the proposed action for the following reasons:

It meets the Bureau's need of having to process and manage larger numbers of wild horses.

It does not adversely impact the adjacent grazing permittee.

It is cost-effective in the recapture of escaped horses.

It protects the Bureau's investments at the site.

Public involvement consisted of direct mailing to five individuals, organizations, tribes, and agencies and notice in the local newspaper. I received one response during the EA/Finding of No Significant Impact (FONSI) review period. The response was neutral toward the project but raised two issues, a) potential impacts to bald eagles traveling from a known roost site to foraging areas, and b) nuisance insects. I consulted with staff specialists and determined there would be no adverse impacts to the eagles and there would be no noticeable increase in nuisance insect populations to nearby landowners.

It is in conformance with Section 7(a)1 of the Endangered Species Act.

It is in compliance with the Three Rivers Resource Management Plan (1992) and the Wild Horse and Burro Act (1971).

It is in compliance with Federal laws that mandate the management of public land resources (Federal Land Policy and Management Act of 1976).

The decision does not result in any undue or unnecessary environmental degradation.

I have also considered alternatives to the proposed action including:

Alternative 1 - No Action: This alternative would make no improvements or changes to the existing facilities at this time. I did not select this alternative because it was not responsive to the issue of the existing facility having to handle an increasing number of horses over the next several years.

I also considered the following alternative but did not develop it for the following reasons:

Expanding the corral system to the east. This alternative was considered but not developed because it would have additional impacts to an existing drainage and would require extensive reconstruction of the corrals to manage the safe, orderly movement of horses.

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and Form 1842-1. If an appeal is taken, your notice of appeal must be filed in the Burns District Office, HC 74-12533 Hwy 20 West, Hines, OR 97738, within 30 days of the receipt of this decision. The appellant has the burden of showing that the decision appealed is in error.

If you wish to file a petition, pursuant to regulation 43 CFR 4.21, for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. A petition for stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal 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.
4. Whether or not the public interest favors granting the stay.

Signature on File

March 14, 2001

Craig M. Hansen

Date

Three Rivers Resource Area Field Manager

USDI, Bureau of Land Management
Three Rivers Resource Area, Burns District
Hines, Oregon 97738

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This proposal is in conformance with objectives and land use plan allocations in the 1992 Three Rivers Resource Management Plan (RMP). The proposed action would increase the capacity and improve the efficiency of the wild horse corral facility on the Burns District.

Based on the analysis of potential environmental impacts contained in the Environmental Assessment (EA) and all other available information, I have determined that the proposal and alternatives analyzed do not constitute a major Federal action that would significantly impact the quality of the human environment. Therefore, an Environmental Impact Statement is not necessary and will not be prepared. This determination is based on the following factors:

1. Beneficial, adverse, direct, indirect, and cumulative environmental impacts discussed in the EA have been disclosed. The physical and biological effects are limited to the Three Rivers Resource Area.
2. Public health and safety would not be adversely impacted.
3. There would be no adverse impacts to wetlands, floodplains, areas with unique characteristics or ecologically critical areas.
4. There are no highly controversial effects on the environment.
5. There are no effects that are highly uncertain or involve unique or unknown risk. Sufficient information on risk is available based on information in the EA and other past actions of a similar nature.
6. This alternative does not set a precedent for other projects that may be implemented in the future to meet the goals and objectives of the Three Rivers RMP, 1992.
7. No cumulative impacts related to other actions that would have a significant adverse impact were identified or are anticipated.

8. Based on previous and ongoing cultural resource surveys, and through mitigation of avoidance, no adverse impacts to cultural resources were identified or anticipated.
9. No adverse impacts to any threatened or endangered species or their habitat, that was determined to be critical under the Endangered Species Act, were identified. If at a future time there could be the potential for adverse impacts, guidelines or stipulations would be modified or mitigated not to have an adverse effect or a new analysis would be conducted.
10. This alternative is in compliance with relevant Federal, State, and local laws, regulations, and requirements for the protection of the environment.

Signature on File

March 14, 2001

Craig M. Hansen
Three Rivers Resource Area Field Manager

Date