

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

Decision Record
and
Finding of No Significant Impact
for
South Steens Gather Plan for the
South Steens Herd Management Area
Environmental Assessment
OR-03-27-068

It is my decision to implement the proposed action as described in the South Steens Gather Plan for the South Steens Herd Management Area (HMA) Environmental Assessment (EA) OR-03-27-068. This decision is to be implemented in order to restore and maintain a thriving ecological balance and multiple-use relationship and will become final on October 7, 2004, in accordance with 43 CFR 4770.3(c).

A wild horse gather in the South Steens HMA will be conducted fall/winter 2004, contingent upon weather, scheduling and/or other necessary circumstances. Approximately 582 horses will be gathered from within the South Steens HMA to achieve a thriving ecological balance between wild horses, wildlife, livestock, and vegetation; of those, 488 wild horses will be removed following selection for returning appropriate animals to the HMA for breeding stock.

Based on the analysis of potential environmental impacts contained in the EA and all other available information, I have determined that the proposal and alternatives analyzed do not constitute a major Federal action that would adversely impact the quality of the human environment. Therefore, an Environmental Impact Statement is unnecessary 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. Analysis indicated no significant impacts on society as a whole, the affected region, the affected interests or the locality. The physical and biological effects are limited to the Burns District, Andrews Resource Area and adjacent land.
2. Public health and safety would not be adversely impacted. There are no known or anticipated concerns with project waste or hazardous materials.
3. There would be no adverse impacts to prime or unique farmlands, known paleontological resources on public land within the area, wetlands, floodplains, areas with unique characteristics, ecologically critical areas or designated Areas of Critical Environmental Concern. Wetlands, riparian habitat, and water quality would be protected and enhanced.

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 adopted Federal, State or local natural resource-related plans, policies or programs.
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 by avoidance or other means, no adverse impacts to significant cultural resources were identified or anticipated. There are no known American Indian religious concerns or use areas or persons or groups who might be disproportionately and adversely affected as anticipated by the Environmental Justice policy.
9. No adverse impacts were identified to any threatened or endangered species or their habitat that was determined to be critical under the Endangered Species Act.
10. Wildlife habitat would improve.
11. The proposed action would enhance and protect the integrity of watershed function, improve watershed stability, and decrease accelerating erosion by increasing vegetation cover and litter, and reduce the amount of exposed soil.
12. Riparian condition would be improved. Stream functionality would be improved by increasing hydric herbaceous and deciduous riparian woody species vegetation cover and improving bank stability. Wetland meadows would be improved by increasing hydric species vegetation cover and improving the functionality of these headwater meadows.
13. Improved grazing management opportunities would have a significant beneficial effect on overall visual quality as management actions improve vegetation communities.
14. Recreation opportunities would be enhanced as the overall health of the land improves.
15. This proposed action is in compliance with relevant Federal, State, and local laws, regulations, and requirements for the protection of the environment.
16. All actions are in accordance with the Interim Management Policy for Wilderness Study Areas and would not have any negative impacts on potential Wilderness values.

17. All potential actions in Wilderness have been analyzed in a Minimum Requirements Decision Guide to minimize negative impacts to Wilderness character and values. If gather activities are conducted in Wilderness, there would be short-term effects to naturalness, solitude, and primitive and unconfined recreation in the Steens Mountain Wilderness. Some recreationists could be displaced to other locations within or outside of the Wilderness.

Having considered a range of alternatives and associated impacts within the analysis of The South Steens Gather Plan for the South Steens HMA EA, it is my decision to implement the proposed action. The proposed action established the best combination of management actions to achieve the best overall health of the landscape by providing an ecological balance between wild horses, wildlife, livestock and vegetation.

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 (attached). If an appeal is filed, your notice must be filed in the Burns District Office, 28910 Hwy 20 West, Hines, Oregon 97738 by October 7, 2004. 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
Karla Bird
Andrews Resource Area Field Manager

9/8/2004
Date