



File Code: 1950
Date: June 19, 2017

Dear Interested Public:

The Ochoco National Forest is proposing to update the Ochoco Wild Horse Herd Management Plan written in 1975; the updated plan would guide the management of wild horses on the Big Summit Territory (Territory) both on-range and off-range for the next 15-20 years.

Forest Service Manual 2260 defines a territory plan as “An operational plan for managing one or more herd units of wild free roaming horses and burros. This plan describes desired population level, detailed management practices, interagency coordination, scheduling, and monitoring requirements for managing each herd unit, within the direction established in the Forest Plan.”

Laws, Regulations and Manual Guidance

The management of wild horses on public and National Forest System lands is governed by a variety of laws, directives and documents including:

- Wild Horse Protection Act of 1959
- Wild Free-Roaming Horses and Burros Act of 1971, as amended by the Federal Land Policy and Management Act of 1976, and the Public Rangelands Improvement Act of 1978 as amended by subsequent Acts
- Forest Service Manual 2200 (Range Management) and Chapter 2260 (Wild Free-Roaming Wild Horses and Burros)
- 36 CFR 222 Subpart D, Management of Wild Free-Roaming Horses and Burros

Forest Plan Direction

The Ochoco Land and Resource Management Plan (LRMP) provides the following direction regarding range and wild horse management:

- Provide forage for wildlife, domestic livestock and wild horses in a manner consistent with other resource objectives and environmental constraints, while maintaining or improving ecological condition and plant community stability (LRMP, 4-11).
- Utilization tables have been developed for “Primary Range” and “Riparian” (LRMP, 4-141).
- Manage the Forest to lend support to the social and economic viability of local communities, as well as to the nation as a whole (LRMP, 4-27).
- Manage soil to maintain, restore, or improve its natural productive potential (LRMP, 4-29).



- Provide, manage and improve fish and wildlife habitats to maintain viable populations of existing native and desired non-native vertebrate species, including threatened, endangered, and sensitive species (LRMP, 4-37).
- Maintain native, historic, and desirable introduced plant and animal species and communities, including those that may be threatened, endangered, or sensitive (LRMP, 4-3).
- Maintain or enhance ecosystem functions to provide long-term productivity of forest resources and biological communities (LRMP, 4-3).

Background

The Big Summit Territory is located approximately 30 miles east of Prineville on the Ochoco National Forest. Please see the attached maps for the location of the Territory. The Territory includes approximately 27,300 acres of forested habitat including Round Mountain and Duncan Butte. The general description of the Territory is a mix of ponderosa pine, Douglas-fir and other conifer trees with a variety of shrubs and grasses, creeks and small mountain meadows.

The existing Ochoco Wild and Free Roaming Horse Management Plan (Plan) was approved in 1975. This Plan set an Appropriate Management Level¹ (AML) of 55-65 horses, while the Ochoco National Forest Land and Resource Management Plan (LRMP) states horses will be managed at a maximum of 60 head (LRMP, pg. I-1). The 1975 Plan indicates that the wild horses on the Ochoco National Forest originated from areas around Mitchell and Post by escaping from ranches or being set loose. The Environmental Analysis (EA) for the 1975 Plan indicated that unwanted effects to vegetation, soil condition and water quality related to the resident horses were occurring in some locations in the Territory. Summer forage in the Territory is not a limiting factor and is sufficient for the multiple forage uses in the area, including permitted livestock, wild horses and wildlife. Winter forage, however, is a limiting factor; even in average winters horses may experience reduced body conditions and some animals in the herd have perished. These and other resource effects continue to be of concern as the herd size increases. The original EA indicated that any increase in herd size would be impractical because of the social structure of the herd and available space within the Territory.

The Ochoco NF estimates that there are currently about 122 wild horses on the Forest, based on the 2016 wild horse census. The annual census from 2013-2016 ranged from 110 horses to 152 horses, with an average of 126 wild horses. That herd size has resulted in animals moving outside of the Territory on and off National Forest System lands, in search of habitat essentials like space. The herd size is out of balance with the availability of winter range, resulting in effects to the health of horses. Resource damage is occurring in some areas, particularly in riparian areas, because of horse use. Currently, the wild horses are not in a thriving natural ecological balance with other uses and the productive capacity of their habitat as required by the 1971 Wild Free Roaming Horse and Burro Act as amended (WFRHBA).

¹ Appropriate Management Level is defined in the BLM Handbook 4700-1 as a population range within which wild horses can be managed for the long term.

most limiting factors for essential habitat needs must be used to create a thriving natural ecological balance and multiple use relationship in the area. The most limiting factors for the Big Summit Territory are winter forage and space. The AML analysis will calculate the winter forage available for horses and allocate the forage for maintenance of healthy horses with consideration of the multiple uses in the Territory.

Based on an annual census, horses above the identified AML range would be considered excess animals.

2. Correct the Territory boundary map to remove private land that was mistakenly included in the original Territory map; this would revise the Territory acres to 26,975, as opposed to 27,300 acres as described in the original Environmental Assessment.
3. Manage for genetic diversity in the population through introduction of new genes, adjustments of the sex ratio or other actions. We will continue to work with Texas A&M University and monitor genetic diversity with samples collected from captures or other opportunities to ensure genetic diversity is managed to the best of our ability.
4. Implement methods to slow the herd's rate of growth (reproductive rate) as needed to maintain AML within the identified range. Methods to slow the herd growth rate could include adjusting age distribution and approved fertility control methods such as Porcine Zona Pellucida (PZP).
5. Develop an Emergency Action Framework for effectively and humanely managing situations such as sick, lame or old horses or public safety concerns. This Emergency Action Framework would be used to help inform the Forest Service's Responsible Official.
6. Develop an off-range plan that would include protocols for capturing horses, handling horses including identifying facilities and needs, adoption of horses, training programs and the sale of horses. At a minimum, a corral that is currently located at the Ochoco Ranger Station compound on the Lookout Mountain Ranger District would be improved to fit the needs of off-range management.
7. Forest Plan Amendment: If the analysis indicates that a different AML or range of AMLs is appropriate for the revised Herd Management Plan, a Forest Plan amendment would be required. The Planning Rule at 36 CFR 219 includes provisions that must be considered when a forest plan amendment is completed. Substantive rule requirements that are likely to be directly related to the proposed amendment include: *219.8(a)(2) Air, soil, and water; 219.8(a)(3) Riparian areas; 219.9(a)(1) Ecosystem integrity; 219.10(a)(1) Aesthetic values, air quality, cultural and heritage resources, ecosystem services, fish and wildlife species, forage, geologic features, grazing and rangelands, habitat and habitat connectivity, recreation settings and opportunities, riparian areas, scenery, soil, surface and subsurface water quality, timber, trails, vegetation, viewsheds, wilderness, and other relevant resources and uses; 219.10(a)(5) Habitat conditions, subject to the requirements of 219.9, for wildlife, fish, and plants commonly enjoyed and*

In previous years, the Forest Service had a national agreement with the Bureau of Land Management (BLM) to assist in the capture, processing and off-range management of wild horses. The Ochoco National Forest was able to utilize this agreement to provide the necessary off-range care for any horses captured and removed from the Big Summit Territory with help from the BLM. This agreement was changed in 2013 and the Ochoco National Forest does not currently have an agreement with the BLM, and also does not have the tools, like a handling facility or identification system, needed for off-range care.

Two recent genetics studies of the wild horses in the Big Summit Territory have indicated low genetic diversity (Cothran, 2011 and Mills, 2010). Genetic health was not acknowledged in the 1975 Plan, but should be considered in the management of wild horses for maintenance of a thriving natural ecological balance as required by the WFRHBA.

Wild horse herds can grow at an average rate of 20% annually (National Research Council, 2013). Population management actions such as application of fertility control measures or sex ratio adjustments were not considered in the 1975 Plan, but may contribute to managing the horses in a thriving natural ecological balance and allow for management at the minimal feasible level as required by the WFRHBA.

Purpose and Need

The purpose of the proposed action is to revise the 1975 Plan to incorporate best available science and to be consistent with the 1971 Wild Free Roaming Horse and Burro Act as amended (WFRHBA), 36 CFR 222 Subpart D, the Ochoco NF LRMP, Forest Service Manual 2260 and other associated direction. The need for the proposed action is to ensure the herd is managed as a self-sustaining population of healthy animals in a thriving natural ecological balance with other uses and the productive capacity of their habitat as required by the WFRHBA.

Proposed Action

The Ochoco National Forest is proposing the following actions to update and revise the 1975 Herd Management Plan:

1. Determine if the current AML of a maximum of 60 head, as established in the Ochoco National Forest LRMP, continues to be valid, and if not, determine the optimum number of animals the Territory can support on a yearlong basis with a thriving natural ecological balance required by the WFRHBA. An AML range will be proposed to provide for a thriving natural ecological balance incorporating the minimal feasible level of management as required by the WFRHBA.

The AML analysis will be conducted according to the guidance of the Bureau of Land Management Wild Horses and Burros Management Handbook (H-4700-1). Under this guidance there is a three tier process to determine AML that considers: (1) the four essential habitat needs to sustain a healthy wild horse population and healthy lands over time; (2) the amount of sustainable forage use available for wild horses; and (3) management of the genetic diversity of the wild horse herd. In determining the AML, the

used by the public; for hunting, fishing, trapping, gathering, observing, subsistence, and other activities (in collaboration with federally recognized Tribes, Alaska Native Corporations, other Federal agencies, and State and local governments); 219.10(a)(10) Opportunities to connect people with nature.

Deciding Official and Decision Framework

The deciding official for this project will be the Ochoco National Forest Supervisor.

An Environmental Impact Statement (EIS) document will be prepared to determine impacts associated with implementation of a revised Herd Management Plan. Based on the EIS, the Forest Supervisor will make the following decisions:

1. An appropriate AML range that would support the thriving natural ecological balance required by the WFRHBA.
2. Methods to maintain a healthy horse herd including genetic diversity and monitoring consistent with the WFRHBA.
3. Population control methods to allow for the minimal feasible level of management required by the WFRHBA.
4. Protocol for effectively managing situations such as imperilment, horses off-Territory and humane treatment of sick, lame or old horses consistent with the WFRHBA and 36 CFR 222 Subpart D.
5. Off-range protocol including but not limited to capturing, handling and adopting out excess horses in a manner consistent with the WFRHBA and 36 CFR 222 Subpart D.

How to Get Involved

I am inviting your comments on this proposal. Your comments will be used to help us determine if these proposed activities are appropriate to implement or if alternate activities should be considered. Your comments would be most useful if they are focused specifically on issues pertaining to the proposed action and environmental consequences of the proposed action. Your comments can be mailed to Ochoco Wild and Free Roaming Herd Management Plan Revision Project c/o Marcy Anderson, Lookout Mountain Ranger District, 3160 NE Third Street, Prineville, OR 97754. Comments may also be hand delivered to the Ochoco National Forest during business hours. Alternately, electronic comments may be submitted at <https://cara.ecosystem-management.org/Public/CommentInput?project=46228>; electronic comments may be entered into the online form and/or submitted as an attachment in plain text (.txt), Microsoft Word (.doc), rich text format (.rtf), or portable document format (.pdf).

The 30-day comment period will begin when the Notice of Intent to Prepare an Environmental Impact Statement is published in the *Federal Register*. Publication date is anticipated to be June 21, 2017; therefore, to be most useful, comments on this proposed action should be received by the Lookout Mountain Ranger District within 30 days of the publication date.

Comments received in response to this solicitation, including names and addresses of those who comment, will be considered part of the public record on this Proposed Action and will be available for public inspection. Comments submitted anonymously will be accepted and considered; however, those who submit anonymous comments will not have eligibility to object

to the subsequent decision under 36 CFR 218 (applicable regulation is found in 36 CFR 218 Subparts A and B). Additionally, pursuant to 7 CFR 1.27 (d), any person may request the agency to withhold a submission from the public record by showing how the Freedom of Information (FOIA) permits such confidentiality. Request for confidentiality may be granted in only very limited circumstances, such as to protect trade secrets. The Forest Service will inform the requester of the agency's decision regarding the request for confidentiality; if the request is denied, the agency will return the submission and notify the requester that the comments may be re-submitted with or without name and address within 10 days.

Section 106 of the National Historic Preservation Act requires agency officials to determine whether a proposed Federal action is an undertaking that has the potential to cause effects to historic properties. In addition, the Forest Service is required to provide those with significant interests in historic preservation issues the opportunity to participate in the consultation process as a consulting party. Participating in consultation during the early stages of a proposed undertaking is in everyone's best interest to avoid having problems emerge later as a project develops. If effects are identified, the Forest must reduce or eliminate those effects through avoidance, data recovery, or other forms of mitigation and in consultation with the State Historic Preservation Office, Native American tribes, and interested parties. In order for you to be considered as a consulting party, you must submit a written request to me in response to this letter. Each request will be reviewed in consultation with the State Historic Preservation Office, Tribal Historic Preservation Office and Native American tribes to determine which should be consulting parties.

For further information, contact Tory Kurtz, Project Lead, at 3160 NE Third Street, Prineville, OR 97754, via telephone at 541-416-6500, or by email at tlkurtz@fs.fed.us.

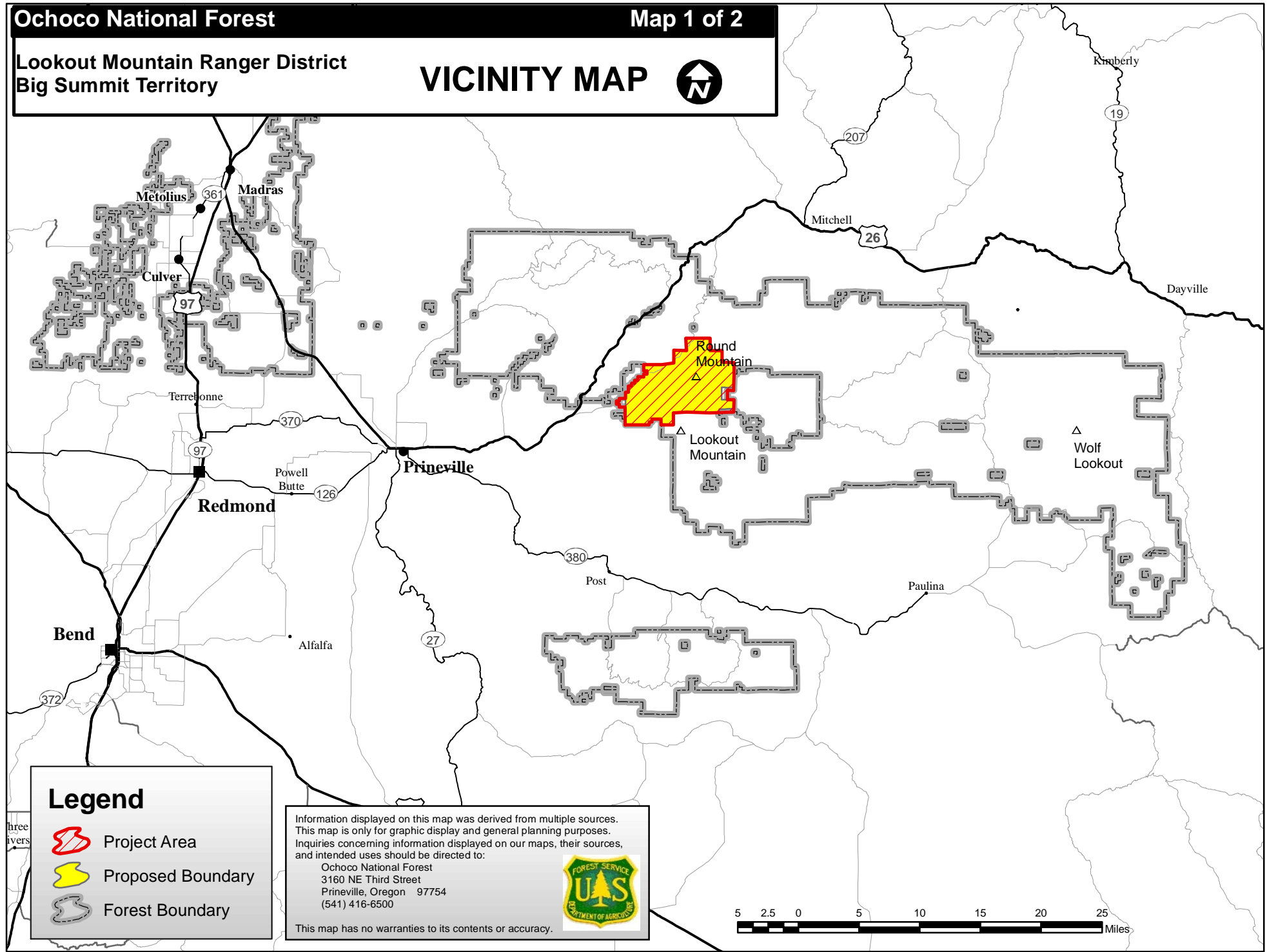
Sincerely,



SLATER TURNER
District Ranger

Enclosures: Two maps

VICINITY MAP




Legend

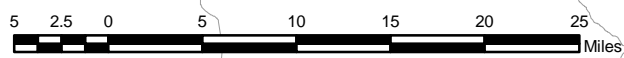
- Project Area
- Proposed Boundary
- Forest Boundary

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Ochoco National Forest
3160 NE Third Street
Prineville, Oregon 97754
(541) 416-6500



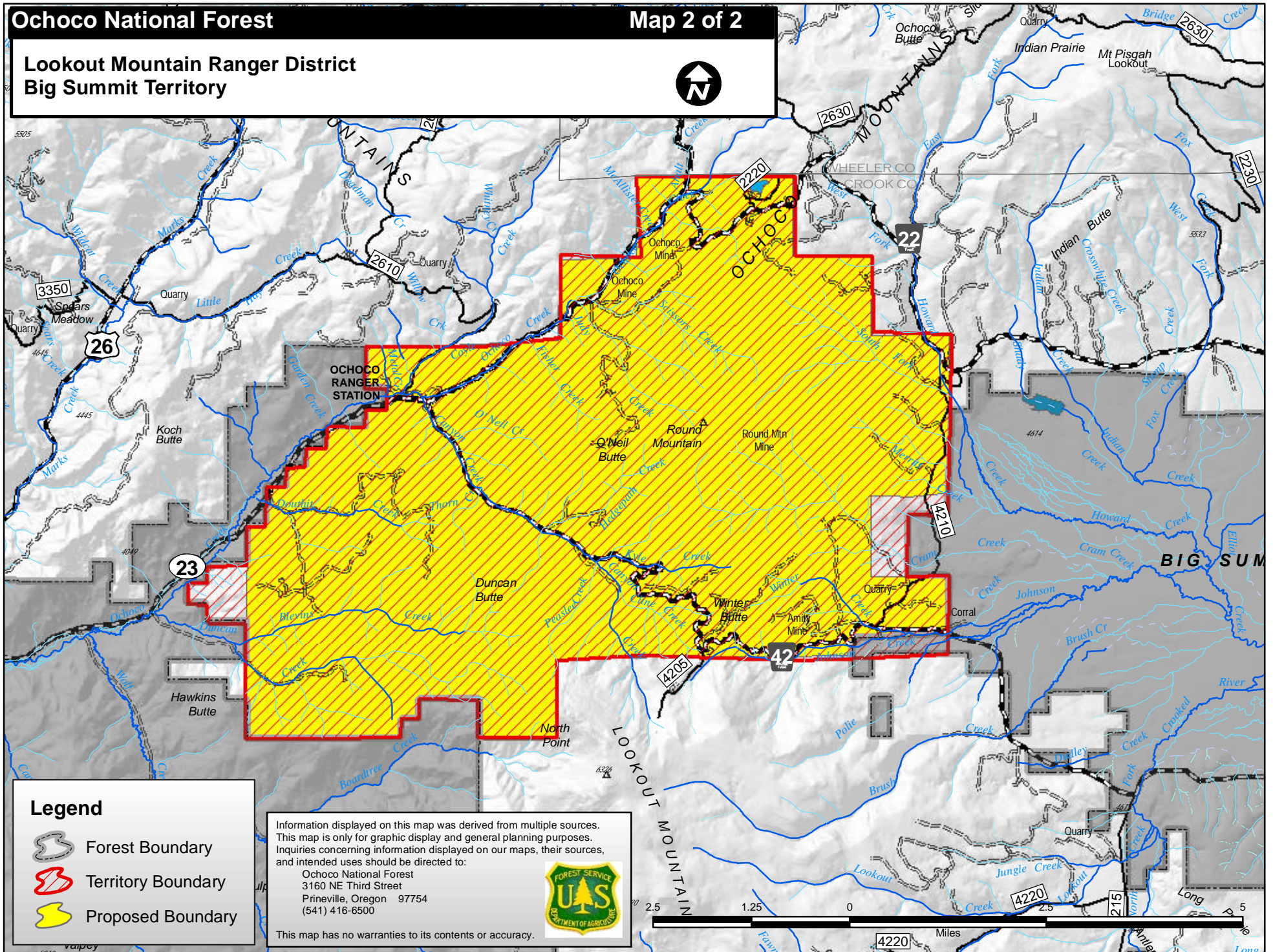
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Ochoco National Forest

Map 2 of 2

Lookout Mountain Ranger District Big Summit Territory



Legend

- Forest Boundary
- Territory Boundary
- Proposed Boundary

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