

**NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)
COMPLIANCE RECORD FOR CATEGORICAL EXCLUSIONS (CX)
U.S. Department of Interior
Bureau of Land Management**

PART I. – PROPOSED ACTION

BLM Office: Hassayampa Field Office
2014-0027-CX

NEPA No.: DOI-BLM-AZ-P010-

Case File No.: N/A

Proposed Action Title/Type: Trapping of nuisance wild burros along Loop 303 south of SR 74 in south central Arizona

Applicant: BLM

Location of Proposed Action: Trap Sites: Multiple locations along Loop 303, between Loop 303 and SR 74 (see attached map).

Description of Proposed Action: Erect temporary corrals with temporary water sources to remove up to 60 nuisance wild burros that regularly access lands managed by the State of Arizona, Maricopa County Water District (MCWD), and private lands south and north of Loop 303, south of State Route 74 (SR 74), and west of Lake Pleasant Road. Traps would be constructed and used for up to 30 days per location. These nuisance burros are outside the Lake Pleasant Herd Management Area (HMA) and have been creating a public health and safety issue along Loop 303, Lake Pleasant Road and SR 74 (see attached map). The nuisance removal request is from the Arizona State Land Office and surrounding private land owners. Nuisance burros have historically and are currently accessing areas along the Loop 303, Lake Pleasant Road and SR 74 creating public health and safety concerns and are considered a nuisance for the Arizona Department of Public Safety (DPS), Arizona Department of Transportation (ADOT) and the Peoria Police Department (PPD) and motorists. Over the past year there have been 23 instances where a burro was struck and killed by motor vehicles along the roads mentioned above.

The temporary traps will be placed on lands managed by the State of Arizona and on private lands, in areas that are not well-travelled and, aside from those participating in the trapping effort, should receive negligible human contact. Captured burros will be fed certified weed free alfalfa while on site and will be humanely transported to the BLM Ridgcrest holding facility in California. Captured burros will be prepped and made available for adoption through the Wild Horse and Burro Adoption Program.

Part II. – PLAN CONFORMANCE REVIEW

This proposed action is subject to the following land use plan(s): Bradshaw-Harquahala Resource Management Plan

Decisions and page nos.: Wild Burro Management, Page 56

Management Action HB-4: “Burros will be removed...if burros are determined to be nuisance animals as defined by the Wild Free Roaming Horse and Burro Act of 1971.”

Date plan approved/amended: 4/22/2010

This proposed action has been reviewed for conformance with these plans (*43 CFR 1610.5-3, BLM Manual 1601.04.C.2*).

PART III. – NEPA COMPLIANCE DETERMINATION REVIEW

A. The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9

D2. Placement and use of temporary (not to exceed one month on location) portable corrals and water troughs, providing no new road construction is needed.

D4. Removal of wild horses or burros from lands at the request of the landowner(s).;

And

B. Extraordinary Circumstances Review: In accordance with **43 CFR 46.215**, any action that is normally categorically excluded must be subjected to sufficient environmental review to determine if it meets any of the 12 Extraordinary Circumstances described. If any circumstance applies to the action or project, and existing NEPA documentation does not adequately address it, then further NEPA analysis is required.

IMPORTANT: Appropriate staff should review the circumstances listed in Part IV, comment and initial for concurrence. Rationale supporting the concurrence should be included in the appropriate block.

Part IV. – EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION

PREPARERS:

DATE:

Steven Bird	04/30/2014
Gloria Tibbetts	04/30/2014
Bryan Lausten	04/30/2014
Codey Carter	04/30/2014

GloriaTibbetts _____
 PLANNING & ENVIRONMENTAL SPECIALIST

04/30/2014 _____
 DATE

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215(a)-(l)) apply. The project would:

(a) Have significant impacts on public health or safety.

Yes	No	<p>Rationale: The proposed action is designed to reduce mortality of wild burros and impacts to motorists the State of Arizona, Private, and BOR (MCWD managed) property and relocate nuisance/public health and safety burros located near and around Loop 303, SR 74 and Lake Pleasant Road. Regarding public health and safety: wild burros are habitually moving across these three roads at dawn and dusk during low visibility hours which has created vehicle/burro accidents. The intent of the removal of burros is to reduce, and hopefully eliminate, the presence of these burros on or near the roadways creating a potential risk of vehicle strikes or other traffic accidents and reduce damages caused by the nuisance burros to surrounding vegetation and infrastructure. The temporary traps will be placed on lands managed by the State of Arizona and private land in areas that are not well-travelled and, aside from those participating in the trapping effort, should receive negligible human contact.</p>
	X	

Preparer's Initials SB

(b) Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.

Yes	No	<p>Rationale: It is estimated that there are currently 60-100 nuisance burros located in the area south and north of the Loop 303, south of SR 74 and west of Lake Pleasant Road. The act of bait trapping wild burros would not impact the above mentioned items.</p>
	X	

Preparer's Initials SB

(c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].

Yes	No	<p>Rationale: The proposed action of placing a temporary corral to trap and relocate nuisance wild burros does not involve any highly controversial environmental effects or unresolved environmental issues.</p>
	X	

Preparer's Initials SB

(d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		
Yes	No <input checked="" type="checkbox"/>	<p>Rationale: Proposed portable corrals and a water source do not involve any unknown environmental risks. Corrals are made of portable ready-made steel panels that do not require any permanent digging or foundations. The water source is mobile. Gates are left open except when active trapping is occurring in order to prevent trapping of wildlife or owned livestock.</p> <p style="text-align: right;">Preparer's Initials <u>SB</u></p>
(e) Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.		
Yes	No <input checked="" type="checkbox"/>	<p>Rationale: Placement of temporary corrals and a water source for the removal of nuisance wild burros does not set a precedent or represent a decision in principle for a future action.</p> <p style="text-align: right;">Preparer's Initials <u>SB</u></p>
(f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		
Yes	No <input checked="" type="checkbox"/>	<p>Rationale: The proposed action would not cause any significant cumulative environmental effects.</p> <p style="text-align: right;">Preparer's Initials <u>SB</u></p>
(g) Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau.		
Yes	No <input checked="" type="checkbox"/>	<p>Rationale: The trap sites are located on previously disturbed areas and will not have a significant impact on historic properties.</p> <p style="text-align: right;">Preparer's Initials <u>SB</u></p>
(h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		
Yes	No <input checked="" type="checkbox"/>	<p>Rationale: None present.</p> <p style="text-align: right;">Preparer's Initials <u>SB</u></p>

(i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.		
Yes	No <input checked="" type="checkbox"/>	Rationale: The proposed action would not violate any applicable laws or requirements. Preparer's Initials <u>SB</u>
(j) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		
Yes	No <input checked="" type="checkbox"/>	Rationale: None present. Preparer's Initials <u>SB</u>
(k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).		
Yes	No <input checked="" type="checkbox"/>	Rationale: Not applicable. Preparer's Initials <u>SB</u>
(l) Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).		
Yes	No <input checked="" type="checkbox"/>	Rationale: Feed, alfalfa, that will be used for the trapping will be certified weed free and will not contribute to the spread of noxious weeds. Preparer's Initials <u>SB</u>

PART V. –COMPLIANCE REVIEW CONCLUSION

I have reviewed this plan conformance and NEPA compliance record, and have determined that the proposed project is in conformance with the approved land use plan and that no further environmental analysis is required.

MITIGATION MEASURES/OTHER REMARKS: The nuisance burros are causing a public health and safety hazard and their removal will reduce the chance of additional mortality due to motor vehicle accidents in the area. Additionally, I considered the potential impacts to cultural resources, recreational opportunities, travel management, and wildlife habitat and I have determined that no significant impacts to these public land resources would occur.

APPROVING OFFICIAL: _____ DATE: _____

TITLE: _____

Note: The signed conclusion on this compliance record is part of an interim step in the BLM’s internal decision process and does not constitute an appealable decision. A separate decision to implement the action should be prepared in accordance with program specific guidance.