

**NATIONAL ENVIRONMENTAL POLICY ACT
COMPLIANCE RECORD FOR CATEGORICAL EXCLUSIONS (CX)
U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT**

DOI-BLM-AZ-C020-2022-0017-CX

A. Proposed Action

BLM Office:

Yuma Field Office

Lease/Serial/Case File No.:

N/A

Proposed Action Title:

Outside Cibola-Trigo HMA: Yuma Proving Grounds Nuisance Wild Burro Gather

Applicant:

Bureau of Land Management, Yuma Field Office

Location of Proposed Action:

Yuma County, Dome Valley, Arizona
T4S, R20,21W
T5S, R16,19,20,21W
T6S, R20,21W
T7S, R16,17,18,19,20,21W

Description of Proposed Action:

The Bureau of Land Management, Yuma Field Office, proposes the use of bait traps to gather and remove approximately 80 nuisance wild burros from Yuma Proving Grounds and private land the outside and within Cibola Trigo Herd Management Area (HMA) near Dome Valley, Yuma County, AZ. Current Appropriate Management Level for the Cibola-Trigo HMA is 165 burros. The estimated population for this HMA as of March 2022 is 378 burros based on various analytical population count data and reports. Due to this over population, wild burros are drifting into populated areas causing disturbance within military lands located on the Yuma Proving Ground, creating hazardous conditions to the public near highways and public health and safety issues on private property.

A series of bait traps would be used to catch nuisance wild burros. The gathered animals would then be transported to a Wild Horse and Burro facility, where they would enter the Wild Horse and Burro adoption program. The gather area would be located within U.S. military lands located on Yuma Proving Ground north of Dome Valley, and private property within Dome Valley, Arizona. The need for this gather is a result of complaints of property damage, public health and safety, and the hazardous conditions burros pose to both Yuma Proving Ground employees and the public traveling on roads in the area

Mitigation Measures/Design Features:

Stipulations that would apply to the proposed action are attachments 3 and 4.

B. Land Use Plan Conformance

Land Use Plan (LUP) Name: Yuma Field Office Record of Decision and Approved Resource Management Plan

Date Approved/Amended: January 2010

The proposed action is in conformance with the applicable LUP because it is either specifically provided for, or it is clearly consistent with, the following LUP decision(s):

Decision(s) and Page Number(s):

Page 2-94; HB-003: The Appropriate Management Level (AML₂) for the Cibola-Trigo HMA will be 165 burros and 150 horses. Monitoring data, including climate, population, and vegetative data, will be collected and used to support removals and/or the revision of AML₂ for either wild horses, burros, or both.

Page 2-94; HB-008: Wild horses and burros utilizing the HA east of Highway 95 will be removed due to animal safety and health issues. Wild horses may be relocated into the HMA to the extent that they would not exceed the AML₂; all others will be offered for adoption through the Wild Horse and Burro Adoption Program.

C. Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9 (*BLM CXs*) or 43 CFR 46.210 (*DOI CXs*).

BLM Categorical Exclusions D. Rangeland Management 4. "Removal of wild horses and burros from private land at the request of the landowner."

D. Extraordinary Circumstances Review

In accordance with 43 CFR 46.215, if any of the following circumstances are present, then further NEPA analysis is required unless mitigating measures or other actions can be incorporated into the proposed action to avoid significant effects.

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215(a)-(1)) apply. The project would:			
(a) Have significant impacts on public health or safety.			
Yes	No X	Rationale: The proposed gather activities using bait traps is of low risk to public health and safety. It is proposed to occur on previously disturbed lands located outside of the Cibola-Trigo HMA.	Preparer's Initials CB
(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 X	Rationale: None of these resources or areas with unique geographic characteristics are present in the	Preparer's Initials CB ADR

		proposed gather areas. The bait traps would be located in previously disturbed areas to the extent possible. Any new areas would have a biological and cultural survey conducted prior to placing traps to ensure avoidance of sensitive resources.	
(c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].			
Yes	No X	Rationale: The proposal would have negligible impacts. No conflicts between alternative resource uses are anticipated. Similar projects implemented in the past have not resulted in resource conflicts or controversial impacts. This action is required by 43 CPR 4720.2-1 Removal of Strayed Animals from Private Lands, which requires removal as soon as practicable following receipt of written request by the landowner.	Preparer's Initials CB
(d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.			
Yes	No X	Rationale: The environmental impacts would be negligible. No unique unknown environmental risks are anticipated. The impacts are predictable based on previous similar projects.	Preparer's Initials CB
(e) Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.			
Yes	No X	Rationale: The proposed action is in response to a private landowner's request to remove nuisance wild burros. The placement of temporary traps on private land is not precedent setting and is consistent with policy regarding wild horses or burros that have strayed on to private land (43 CPR 4700.20) outside of the HMA. This action would not prompt future actions or represent a decision in principle about future actions with potentially significant effects.	Preparer's Initials CB
(f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.			
Yes	No X	Rationale: The impacts of the proposed bait trapping would not contribute to potentially cumulative significant effects now or in the reasonably foreseeable future.	Preparer's Initials CB ADR
(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 X	Rationale:	Preparer's Initials CB

		The proposed burro gathering would not have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places because historic properties would be avoided.	
(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 X	Rationale: There would be no effect to federally listed endangered, threatened, candidate or proposed species from this project. Species do not occur within the project area.	Preparer's Initials CB
(i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment.			
Yes	No X	Rationale: This project would not violate any Federal, State, local or tribal laws or requirements imposed for the protection of the environment.	Preparer's Initials CB ADR
(j) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).			
Yes	No X	Rationale: The proposed gather activities would not have any disproportionately high or adverse effects on low income or minority populations.	Preparer's Initials CB
(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 X	Rationale: The proposed action would not limit access to any sacred sites or those for ceremonial use, nor affect the integrity of any sites. The proposed gather activities would be temporary in nature.	Preparer's Initials CB
(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 X	Rationale: Trap sites would be located in previously disturbed areas to the extent possible. Any new sites would be placed in areas not infested with noxious weeds. Best management practices for these types or actions would further limit the potential spread of noxious and invasive species.	Preparer's Initials CB

Preparers and Reviewers		
Name:	Resource Program:	Signature/Date:
Chad Benson	Wild Horse and Burro Specialist	
Angelica Rose	Planning and Environmental Coordinator	

E. 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.

Approving Official:

Date:

Title: Field Manager, Yuma Field Office

Contact Person

For additional information concerning this CX review, contact Chad Benson, Wild Horse and Burro Specialist, Kingman Field Office, 2755 Mission BLVD, Kingman, AZ 86401, and 928-718-3750.

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 will be prepared in accordance with program specific guidance.

List of Attachments:

- 1 – Nuisance Removal Request Letter
- 2 – Project Maps
- 3 – Stipulations
- 4– Guidelines for Handling Desert Tortoise Encountered on Roads and Vehicle

Attachment 1



DEPARTMENT OF THE ARMY
INSTALLATION MANAGEMENT COMMAND HEADQUARTERS
UNITED STATES ARMY GARRISON, YUMA
301 C STREET
YUMA AZ 85365-9498

AMIM-YMP-E

8 December 2021

MEMORANDUM FOR Aaron King, Field Manager, Bureau of Land Management (BLM)
- Yuma Field Office, 7341 East 30th Street Yuma, Arizona 85365-6564

SUBJECT Nuisance Burro Removal from Yuma Proving Ground (YPG)

1. A substantial number of wild burros live in and around the YPG administrative areas. YPG is experiencing significant damage to equipment due to the wild burrow which travel across the installation in an attempt to reach drinking water. Equipment damage includes: pipes, valves, faucets, holding tanks, etcetera.
2. YPG Environmental Sciences Division (ESD) has documented five burro strikes within a one-month span on Highway 95 from mile marker 44 to 64. Other collisions have gone unreported on Highway 95 and Martinez Lake Road; however, ESD was able to document these occurrences due to the carcasses and reports received from BLM.
3. YPG ESD is requesting to work in conjunction with BLM to relocate as many burros as possible and as soon as possible. Release of the captured burros elsewhere on YPG is not recommended as it would interfere with mission activities, create a safety hazard for personnel on the range, and the burros would eventually return to their home range. In addition, YPG is a very poor habitat for burros, as they compete with native wildlife for limited water resources.
4. YPG ESD is currently monitoring the situation and has two locations which are prime capture areas where large herds of burros pass through water sources.
5. Point of Contact for this action is Mr. Reed Rider, Natural Resource Specialist, (928) 328-2665 or reed.w.rider.civ@army.mil.

RONNY JAMES
Garrison Manager

November, 2021

To Whom It May Concern:

We have had an increasing number of burros migrate out of the desert to the South and settle among the farm fields in the Dome Valley area. We have been assisted in the past with the removal of a few of the burros. We are hoping to complete a round-up of these wild burros that are damaging vital produce crops as soon as possible.

Because of the crops that are grown in the region, these burros pose a significant food safety risk to our nation's food supply as well as potential economic loss of millions of dollars. Not to mention the danger the burros pose to motorists on the busy Highway 95 extending through Avenue 18E in Dome Valley and additional surrounding roads.

Because of AZ Fish and Game Statue 4600, it is not legal for growers to protect our fields from these animals. They destroy our crops and expose our fields to inevitable food safety risk as well as great economic loss. There have been studies that show the feces of these animals can carry salmonella and E.coli and contaminate the crops that are being grown causing significant risks to consumers.

The Wild Free-Roaming Horses and Burro ACT of 1971 has given the authority of management of these animals to the Bureau of Land Management. Due to this Act, going through your office is the only course of action we have to protect our farms, investment, and the integrity of our food safety program.

Assistance in this matter would be greatly appreciated and necessary.

Thank you for your time,

Entity Name: Robert Nickerson Farms Inc.

Name/Signature David Nickerson / David I. Nickerson

Contact Number: (928) 503-7642

November, 2021

To Whom It May Concern:

We have had an increasing number of burros migrate out of the desert to the South and settle among the farm fields in the Dome Valley area. We have been assisted in the past with the removal of a few of the burros. We are hoping to complete a round-up of these wild burros that are damaging vital produce crops as soon as possible.

Because of the crops that are grown in the region, these burros pose a significant food safety risk to our nation's food supply as well as potential economic loss of millions of dollars. Not to mention the danger the burros pose to motorists on the busy Highway 95 extending through Avenue 18E in Dome Valley and additional surrounding roads.

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Assistance in this matter would be greatly appreciated and necessary.

Thank you for your time,

Entity Name: Duda Farm Fresh Foods

Name/Signature: 

Contact Number: 928-580-6651

November, 2021

To Whom It May Concern:

We have had an increasing number of burros migrate out of the desert to the South and settle among the farm fields in the Dome Valley area. We have been assisted in the past with the removal of a few of the burros. We are hoping to complete a round-up of these wild burros that are damaging vital produce crops as soon as possible.

Because of the crops that are grown in the region, these burros pose a significant food safety risk to our nation's food supply as well as potential economic loss of millions of dollars. Not to mention the danger the burros pose to motorists on the busy Highway 95 extending through Avenue 18E in Dome Valley and additional surrounding roads.

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Assistance in this matter would be greatly appreciated and necessary.

Thank you for your time,

Entity Name: Jolly Farms / Riesland Land

Name/Signature: Jonie Reibel

Contact Number: 928-210-1745

November, 2021

To Whom It May Concern:

We have had an increasing number of burros migrate out of the desert to the South and settle among the farm fields in the Dome Valley area. We have been assisted in the past with the removal of a few of the burros. We are hoping to complete a round-up of these wild burros that are damaging vital produce crops as soon as possible.

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The Wild Free-Roaming Horses and Burro ACT of 1971 has given the authority of management of these animals to the Bureau of Land Management. Due to this Act, going through your office is the only course of action we have to protect our farms, investment, and the integrity of our food safety program.

Assistance in this matter would be greatly appreciated and necessary.

Thank you for your time,

Entity Name: Harrison Farms

Name/Signature: AB - Amanda Brooks

Contact Number: 928-246-1090

November, 2021

To Whom It May Concern:

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Assistance in this matter would be greatly appreciated and necessary.

Thank you for your time,

Entity Name:

Ware Farms

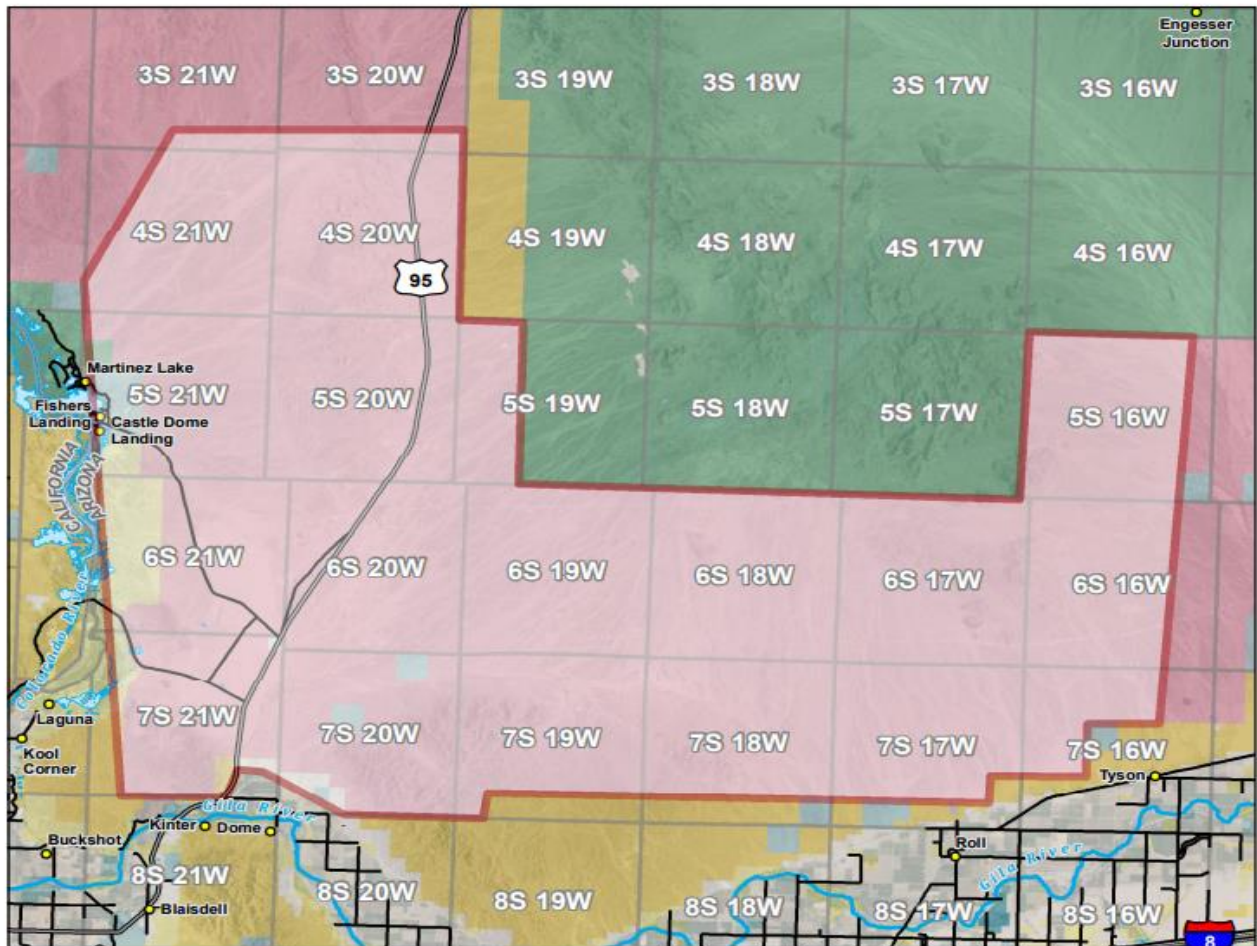
Name/Signature

W. A.

Contact Number:

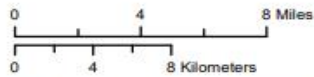
928-503-1267

Attachment 2



Yuma Proving Grounds (YPG) Nuisance Wild Burro Removal from Military and Private Property - Gather Area

Colorado River District - Yuma Field Office

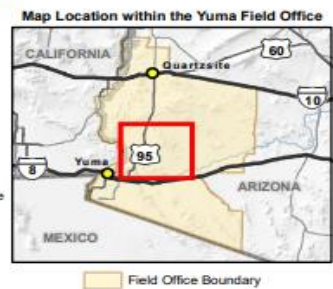


DISCLAIMER: No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual use or aggregate use with other data. Decisions in this document only apply to BLM lands. Routes depicted on non-BLM lands are displayed for information purposes only and do not grant access to non-BLM lands.

Map Produced by BLM Colorado River District Staff
File: BLM_YFO_YPG_Gather
Date: 11/30/2021
Map Scale: 1:334,710
Coordinate System: NAD 1983 UTM Zone 12N
AZ Reference System: U.S. PLSS GSR
CA Reference System: U.S. PLSS SBM



U.S. DEPARTMENT OF THE INTERIOR
**BUREAU OF LAND
MANAGEMENT**



Attachment 3

Stipulations

1. Actions which result in impacts to archaeological or historical resources shall be subject to the provisions of the Archaeological Resources Protection Act of 1979 as amended (ARPA) and the Federal Land Policy and Management Act of 1976. These statutes protect cultural resources for the benefit of all Americans. No person may excavate, remove, damage, or otherwise alter or deface any historic or prehistoric site, artifact or object of antiquity located on public lands without authorization. Damaging cultural resources more than 100 years of age is a punishable act under ARPA. Criminal and/or civil penalties may result if damage to archaeological resources is documented, as provided under ARPA and its implementing regulations at 43 CFR 7.
2. The holder shall immediately bring to the attention of the Yuma Field Office (or designated representative) any cultural resources (prehistoric/historic sites or objects) and/or paleontological resources (fossils) encountered during permitted operations and maintain the integrity of such resources pending subsequent investigation. All permitted operations within 30 meters (100 feet) of the cultural resources shall cease until written authorization to proceed is received from the Authorized Officer.
3. Contractors shall receive a copy of the tortoise handling guidelines (attached) and distribute to all workers the day of the project and advise on handling procedures.
4. In the event hazardous materials are encountered during any activities associated with this, all activity would cease with the hazardous material and a BLM Law Enforcement Ranger would be contacted immediately.
5. All personnel accessing YPG shall follow the appropriate range safety and access procedures:
 - a. All visiting personnel must view the Yuma Test Center (YTC) down range safety video (This video would take one day and is held onsite at YPG. Will be coordinated through the COR for a time set after the pre-work conference).
 - b. Obtain Range Access Pass (see attached Visit Authorization Letter Instructions).
 - c. Obtain YPG Gate Pass (fill out spread sheet and return to YPG point of contact)
 - d. All persons entering the range must call range control to obtain 1) range clearance, 2) notify control when moving to different locations and 3) exiting the range (YPG point of contact for coordinating throughout military lands will be provided during pre-work conference).

Attachment 4

United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Yuma Field Office
7341 E. 30th St.
Yuma, AZ
www.blm.gov/arizona



GUIDELINES FOR HANDLING DESERT TORTOISE ENCOUNTERED ON ROADS AND VEHICLE WAYS

1. Stop your vehicle and allow the tortoise to move off the road.
2. If the tortoise is not moving, gently** pick up the tortoise and move it approximately 200 feet off the road to a shaded location.
 - a. Do **not** turn the tortoise over.
 - b. Move the tortoise in the direction it was traveling. If it was crossing the road, move it in the direction it was crossing.
 - c. Keep the tortoise within 12-18 inches of the ground, move slowly so as not to cause it to become alarmed.
 - d. Release the tortoise under the shade of a bush or rock.

** Tortoise store water in their bladder. If a tortoise becomes alarmed its defense is to void its bladder onto the captor. This could lead to dehydration of the tortoise and potentially to death.



DECISION MEMORANDUM

Outside Cibola-Trigo HMA: Yuma Proving Grounds Nuisance Wild Burro Gather
DOI-BLM-AZ-C020-2022-0017-CX

U.S. Department of the Interior
Bureau of Land Management
Yuma Field Office
7431 E. 30th Street
Yuma, AZ 85365

Introduction

The Yuma Field Office proposes the use of bait traps to capture 80 nuisance wild burros outside the Cibola-Trigo Herd Management Area. A series of bait traps would be used to catch nuisance wild burros. The gathered animals will then be transported to a Wild Horse and Burro facility, where they will enter the Wild Horse and Burro adoption program. The gather area would be located within U.S. military lands located on Yuma Proving Grounds north of Dome Valley, Arizona.

The need for this gather is a result of complaints of property damage, public health and safety, and the hazardous conditions burros pose to both Yuma Proving Ground employees and the public traveling on roads in the area.

Approval and Decision

Based on the analysis of the *Outside Cibola-Trigo HMA: Yuma Proving Grounds Nuisance Wild Burro Gather* Project, described in Categorical Exclusion (CX) # DOI-BLM-AZ-C020-2022-0017-CX, and field office staff recommendations, I have determined that the project is in conformance with the Yuma Field Office Record of Decision Approved Resource Management Plan (2010) and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed with incorporation of the stipulations and mitigation measures attached to the CX document.

Administrative Review or Appeal Opportunities 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 the attached Form 1842-1

Rem Hawes
Field Manager

Attachment:
Form 1842-1