

Determination of NEPA Adequacy (DNA)
U.S. Department of the Interior
Bureau of Land Management

OFFICE: Lake Havasu Field Office (LHFO), AZ-C030

TRACKING NUMBER: DOI-BLM-AZ-C030-2015-0043-DNA

CASE FILE NUMBER:

PROPOSED ACTION TITLE/TYPE: Lake Havasu 2015 Burro Removal

LOCATION/LEGAL DESCRIPTION: Havasu Herd Area
North Lake Havasu
See Figure 1

APPLICANT (if any):

A. Description of the Proposed Action and any applicable mitigation measures:

Bait trapping of approximately 50 nuisance wild burros will be conducted an area that is south of I-40, east of the Colorado River, west of State Route 95 (SR95) and north of Lake Havasu City. Bait trapping includes enticing wild burros into a corral which is constructed with a one way gate; the animals may enter but not exit the corral. Since wild burros generally have not acquired a taste for alfalfa hay, it takes time to get them acclimated to eating hay and familiar with panels before initiating a bait trapping operation. Once wild burros begin to utilize the hay offered, a temporary corral is constructed around the bait site.

Bait trap sites are placed in areas were wild burros have made nuisances of themselves. Traps are located on or near private land, or on public land in disturbed sites. The bait traps will be temporary and areas used can be quickly reclaimed just by removing the corral panels, and raking up hay and manure.

Interested parties registered on the mailing list wanting to know about actions involving Wild Horses and Burros on public lands will be notified of the proposed action.

B. Land Use Plan (LUP) Conformance

LUP name: *Lake Havasu Field Office Resource Management Plan*
Date approved: May 10, 2007

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decisions:

- HB-1. Viable, color-diverse burro populations will be maintained within the HMA, while maintaining a thriving natural ecological balance with other resources and consistent with other management agencies' objectives (including wildlife, riparian and upland vegetation, recreation, and others).
- HB-2. In accordance with the Wild Free-Roaming Horses and Burros Act, non-BLM administered lands including the Alamo Wildlife Area, will be excluded from HMAs. These lands will be excluded from determinations of Appropriate Management Level (AML) for burros within the HMA. Wild burros that use non-BLM lands as part of their habitat remain protected under the Wild Horse and Burro Act; therefore, any removal actions remain the responsibility of the BLM.
- HB-9. Safety issues will continue to be handled as emergency/nuisance removals, receiving top priority to correct public safety concerns.

Wildlife Habitat Management

- WF-2. The BLM will manage all wildlife habitats with the objective to conserve native species for sustainable public benefits.
- WF-4. Ensure that important habitats for migratory birds are managed, maintained, increased and improved to attain the vegetation structure plant species diversity and density to provide diverse habitat of quality and quantity (see Maps 6, 7, and 8).
- WF-5. Recognize the importance of the tortoise as a keystone species, which via its burrowing systems provides habitats for many other species.

Special Status Species Management

- TE-1. Conserve and protect Migratory Bird species (see Appendix C Table C-7) and their habitats, Lake Havasu Field Office will follow the guidance provided within the Migratory Bird Executive Order 13186, *Arizona Partners in Flight Bird Conservation Plan* (Latta, Beardmore, and Corman 1999), *Partners in Flight Desert and Riparian Bird Conservation Plan* (California Partners in Flight 2006), *USFWS North American Waterfowl Management Plan* (USFWS et al. 1998), and LCRMSCP (Reclamation, USFWS, and MWD 2004).
- TE-2. No net loss of quantity or quality of priority species and/or priority habitats will occur on the Lake Havasu Field Office. (See Table 3-4 in the PRMP/FEIS)

Cultural Resource Management

- CL-1. Preserve and protect significant cultural resources and ensure that they are available for appropriate uses by present and future generations.

Lands and Realty Program

- LR-6. The BLM will continue to lease recreation areas for concessions, state parks, county parks, and city parks in accordance with the prescribed recreation settings (see Map 20).

Travel Management

- TM-3. Travel between communities within the planning area will be made safer.

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions): N/A

C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.

List by name and date all applicable NEPA documents that cover the proposed action.

- North Lake Havasu Burro Removal (EA-AZ-330-2008-001)
- Havasu Herd Management Area Plan (1979)

List by name and date other documentation relevant to the proposed action (e.g., biological assessment, biological opinion, watershed assessment, allotment evaluation, and monitoring report).

N/A

D. NEPA Adequacy Criteria

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

Documentation of answer and explanation:

Yes, this is similar to the removal methods discussed in the LHFO RMP, North Lake Havasu Burro Removal (EA-AZ-330-2008-001), and the Havasu Herd Management Area Plan (1979).

As discussed in the LHFO RMP: Wild Burro Removals (page 2-293)

All wild burros that are removed are made available for adoption through the Wild Horse and Burro Adoption Program.

Wild burros would be removed as nuisance animals whenever a safety problem becomes apparent (such as burros crossing highways, burro related vehicle accidents, etc.). Removal of nuisance burros from private land is required when request in writing from the landowner. Excess wild burros would be removed from HMAs when the population exceeds the Appropriate Management Level (AML) as set by the Herd Management Area Plans.

Burros continuing to use public lands, even outside of a HA or HMA, as any part of their habitat remain protected under the Wild Horse and Burro Act. These burros would be removed by BLM when requested, or when regular removal is scheduled.

Methods for burro removal include bait or water trapping, roping, helicopter drive trapping, and helicopter-assisted roping. The Method would vary with the situation. Helicopter drive trapping is usually requires for gathering larger numbers of wild burros. Bait trapping is normally used for private land removals or when smaller numbers are planned for removal.

*As discussed in North Lake Havasu Burro Removal (EA-AZ-330-2008-001):
Havasu HMA Gather Plan (page 1)*

IV. Capture Methods

The removal of wild burros from the North Portion of the Havasu HMA will be accomplished through live capture operation. The animals may be captured by several methods utilizing the National Capture Contract and BLM personnel.

Wild burros will be captured utilizing one or more of the live capture techniques described below.

- (A) Helicopter Herding to a Roping Site: A helicopter herds the burros to a preselected capture site where wranglers on horseback roe them. The burros are then hazed into a small holding pen and then transported to a temporary holding corral. Typically, these roping capture sites are in sandy washes or other relatively rock free areas which allow a roping horse to use its superior speed. Such sites also afford a measure of safety for the burro, horse, and rider.
- (B) Helicopter Herding to Wing Trap: A site is selected where burros will travel by natural instinct. The trap site will typically be in a wash bottom, using natural features, to the extent possible, to disguise the trap site. A portable corral is set up with long wings of burlap stretched out and suspended on t-posts. The wings for a “V” with a corral situated in the apex of the “V”. The animals view the burlap as a solid barrier or wall with the only opening to be the end of the trap. Once the helicopter moves the burros into the mouth of the “V”, wranglers on horseback fall in behind the burros and hazes them into the corral. Once in the corral, the

gate is shut and the burros are caught. The captured burros are transported to temporary corrals.

- (C) Bait Trapping: Burros are enticed into a corral which is constructed with a one-way gate; the animals may enter but not exit the corral. Since wild burros generally have not acquired a taste for alfalfa hay, it takes some time to get them used to hay and panels before initiating a bait trapping operation. Once the burros begin utilizing the offered hay, a temporary corral is constructed around the bait site. To keep from scaring the burros away from the area, the corral is built in stages until the trigger gate is installed and the burros are forced onto one trail into the feed site. The trigger gates are hung from the frame and once set, become a one way gate. Bait trapping is slow but effective when dealing with a small number of animals.

As discussed in Havasu Herd Management Area Plan (1979) (Page 16):

B. Initial Removal of Excess Burros

Generally, this action is expected to capture approximately 750 burros using mainly two methods. Areas adjacent to the Colorado River would incorporate a helicopter to locate and drive burros to expert ropers and areas adjacent to the Bill Williams River would use alfalfa fields to trap burros with cooperation of Planet Ranch. Other methods that would be attempted are trapping burros at watering sites along major travel routes and those burros that inhabit Lake Havasu City which are unafraid of humans could be enticed by feed stuffers and caught with the aid of local residents.

The difference between the proposed action and the previous capture methods described above is that in the current proposed action will only be conducted by BLM personnel and only the bait trapping or roping methods would be used on the nuisance burros.

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?

Documentation of answer and explanation:

Yes, the range of alternatives is adequate. The proposed action is similar to the removal actions described in the NEPA documents (see #1 above).

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?

Documentation of answer and explanation:

New information and new circumstances would not substantially change the analysis of the new proposed action. There are no new Federally listed, BLM sensitive, or State listed species found in the Havasu Herd Management Area since the last analysis.

The bait trap areas will be in previously disturbed locations. Setting up temporary corral in these areas would mitigate impacts to all wildlife. Corrals placed in the already disturbed areas will also mitigate any impacts to cultural resources.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

Documentation of answer and explanation:

Yes, the direct, indirect, and cumulative effects from the proposed action are similar to those analyzed in the existing NEPA documents.

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

Documentation of answer and explanation:

Yes, public involvement in the Lake Havasu Field Office RMP (May 2008), North Lake Havasu Burro Removal (EA-AZ330-2008-001), and the Havasu Herd Management Area Plan was extensive. Over 500 individuals and groups were notified and requested to provide comments to the proposed actions of the above plans.

E. Persons/Agencies/BLM Staff Consulted

<u>Name</u>	<u>Title</u>	<u>Resource/Agency</u>
Victoria Anne	Planning and Env. Coordinator	BLM
Jennifer McGuire	Archaeologist	BLM
	Wildlife	BLM
		Havasu Nat'l Wildlife Refuge

Note: Refer to the EA for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

Conclusion

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.

/s/ Chad Benson

8-18-2015

Chad Benson
Project Lead

Date

/s/ Victoria Anne (signature in file)

8-18-2015

Victoria Anne
Planning and Environmental Coordinator

Date

/s/ Amanda Dodson (signature in file)

8-18-2015

Amanda Dodson
Assistant Field Manager

Date

/s/ Kimber Liebhauser (signature in file)

8-18-2015

Signature of the Responsible Official
Kimber Liebhauser
Field Manager
Lake Havasu Field Office

Date

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest and appeal under 43 CFR Part 4 and the program-specific regulations.

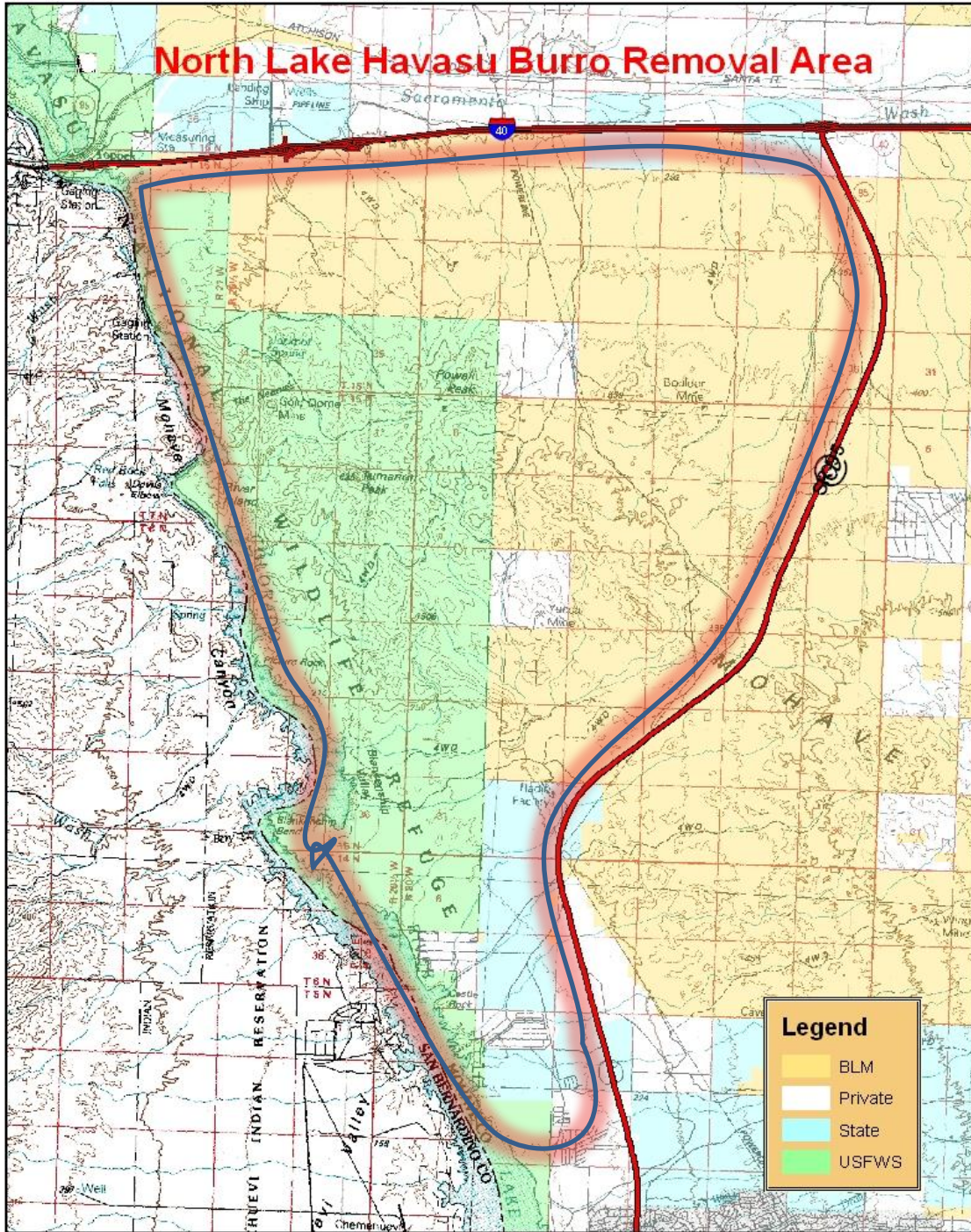


Figure 1: Burro Removal Area is within highlighted boundary.