

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT – EAGLE LAKE FIELD OFFICE

CATEGORICAL EXCLUSION DOCUMENTATION

BLM Office: LLCAN05000

NEPA File #: DOI-BLM-CA-N050-2018-02-CX

Project Title: Removal of Nuisance Burros from Private Land

Location:

Allotment or Area Name:

Buffalo Meadows, Heller, Bull Flat Ranches – Twin Peaks Grazing Allotment

Legal Description of Bait Trapping Areas:

Buffalo Well - Township 32 N., Range 20 E., Section 18

Buffalo Meadows Ranch – Township 33 N., Range 19 E., Section 15

Heller Ranch - Township 32 N., Range 20 E., Section 32

Bull Flat Ranch - Township 30 N., Range 17 E., Section 7

A. Background

The private landowner from Heller, Buffalo, and Bull Flat Ranches has submitted written and verbal requests to the Bureau of Land Management (BLM), Eagle Lake Field Office (ELFO) for removal of nuisance burros from his private lands.

Burros have been observed utilizing forage on private land which is vital to ranching operations. The forage in the private meadows and fields is rested during summer months when livestock are grazing public lands. The private meadows and fields are then used as wintering grounds for livestock. These sites are periodically used throughout the grazing season for livestock management, e.g. branding and weaning calves, marking and shearing lambs, etc.

Additionally, the Parsnip Fire burned approximately 20,000 acres of public and private land adjacent to Buffalo Meadows Ranch. The fire burned valuable vegetation and riparian areas where many burros congregate. This may increase the impact from burros pressuring private lands.

The landowner of the Heller and Buffalo Ranches have expressed the following written and verbal dating back to 2011, in regards to nuisance burros on private on his private lands.

- Landowners requested the removal of burros from their property. (verbal communication 2011)
- The landowner has observed 100-120 burros grazing on private land during the fall and winter months of 2012, 2013, 2015, and 2017. Post Rush Fire and drought conditions have intensified burro use on private lands. (written communication from land owner and BLM flight inventory observations)
- The burros continue to over-graze the private ranch land. The landowner is extremely frustrated that the BLM was not able to remove the burros in 2012 because all of the holding facilities were over capacity.

- The landowner again requests burros be removed from his private land. (written communication 2013)
- Burros have damaged fences on private lands and eating hay intended for their livestock. The landowner has fixed the fence and gates several times and the burros continue to break them down. The landowner requests removal of the burros. (written communication, Nov. 2013)
- Burros continue to over utilize too much forage on private land. In addition to the burros, horses have broken down fences and are utilizing private land over utilizing private land forage intended for livestock. The landowner requests the burros and horses removed. This problem has been escalating the past few years and now is totally out of control. (verbal and written communication, Sept. - Nov. 2014)
- 2015 – Not as many burros around private lands due to drought conditions, less water on private lands
- 2016 – Few burros on private. Average winter allowing higher dispersal for burros
- 2017 – Received several phone calls from private landowner during months of September and October regarding some concerns with potential burro use on private land due to Parsnip fire.
- 2017/10/12 – Spoke with landowner, burros have been observed on private lands, grazing meadows saved for other uses. Up to 20-40 burros have been observed grazing. Landowner would like BLM to consider bait trapping....
- 2017/10/23 – Email received stating: “This was Saturday when I got to Buffalo. About 80 head. They've hammered the feed North and East of the ranch.” Photo didn't come through
- 2017/10/24 – Photos of burros sent (See attached)
- 2017/10/25 – Email expressing need for burro removal from private lands

Description of the Proposed Action

The proposed action is to remove up 100 - 120 burros from Buffalo Meadows/Heller/Bull Flat Ranch areas. The BLM will utilize wildlife friendly bait or water trapping techniques to capture and remove burros. The traps will be in place for a minimum of 1-2 days or up to 1-2 months as necessary to capture the identified nuisance burros. Trap sites will utilize private livestock facilities Buffalo Meadows and Heller Ranches. One trap site, Buffalo Well, located on BLM land, may also be used. Trapping will take place during the Fall of 2017 through December 2018. Following capture, all burros will be transported to the Litchfield Wild Horse & Burro facility.

The trap sites at Buffalo Meadows, Heller Ranches and Buffalo Well have already been surveyed by BLM specialists and they will be re-surveyed, as needed, prior to bait trapping. (No new sites were identified; all sites are consistent with those from 2015). However, if a new site is needed, surveys will be completed prior to use.

B. Land Use Plan Conformance

The Proposed Action is in conformance with the Eagle Lake Resource Management Plan (RMP), and Record of Decision, April 2008 and the Nevada and Northeastern California Greater Sage-Grouse Approved Resource Management Plan Amendment and Record of Decision (2015).

Section 2.24.4 Proposed Management Actions, page 2-141:

- Manage wild horses and burros in accord with the Wild Free-Roaming Horses and Burros Act (1971, as amended) and with other laws and regulations that may apply.

All necessary steps have been taken by a qualified BLM staff specialist(s) to identify, record, and determine effects on cultural properties. These steps comply with all standards and guidelines of the Protocol Agreement of 2014 between BLM and the California State Historic Preservation Officer. Based on those efforts, no

properties deemed eligible for inclusion in the National Register of Historic Places or Traditional Cultural Properties are located within the area of potential effect.

The proposed action also falls under criteria number 4 for prioritizing gathers: "Private Land Encroachment" of Washington D.C.'s current rationale for removing WH&B's from public land.

C. Compliance with the National Environmental Policy Act

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, D. Rangeland Management, (4) Removal of wild horses or burros from private lands at the request of the landowner and in accordance with H-1790-1-National Environmental Policy Act Handbook, Appendix 4 – 150.

D. Signature

A categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the human environment. The proposed action has been reviewed by the ELFO interdisciplinary team (See Attachment 1), and none of the extraordinary circumstances described in 516 DM 2 apply. I have determined that the above described proposed action is a categorical exclusion pursuant to 516 DM 11.9, is in conformance with the ELFO RMP, and does not require further NEPA analysis.


Emily Ryan

Eagle Lake Field Manager (Acting)

11/2/17

Date

E. Contact

For more information, contact Patrick Farris, Rangeland Management Specialist, at 530-252-5319.

Attachments:

- 1: Review of Extraordinary Circumstances
- 2: Map 1 – Overall Location Map
- 3: Map 2 – Buffalo/Heller Ranches
- 4: Map 3 – Bull Flat Ranch Area
- 4: Private land owner email with photos

Attachment 1

Review of Extraordinary Circumstances

The Department of the Interior Manual 516 2.3A (3) requires review of the following “extraordinary circumstances” (516 DM 2 Appendix 2) to determine if an otherwise categorically excluded action would require additional environmental analysis/documentation.

1) *Have significant impacts on public health or safety.*

☐ Yes ☒ No

Comments: There will be no impacts to public health or safety by associated with removal of wild horses on private lands and/or outside of an HMA.

2) *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

Comments: There will be no impacts to any of the above-mentioned resources.

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

☐ Yes ☒ No

Comments: There are no controversial environmental effects or unresolved conflicts associated with removal of wild horses on private lands and/or outside of an HMA.

4) *Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.*

☐ Yes ☒ No

Comments: There are no uncertain or potentially significant environmental effects or risks associated with the project.

5) *Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.*

☐ Yes ☒ No

Comments: No precedent will be set through this action.

6) *Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.*

☐ Yes ☒ No

Comments: The project does not create cumulatively significant effects.

7) *Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.*

☐ Yes ☒ No

Comments: The project does not impact directly or indirectly any National Register of Historic Places sites.

8) *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.*

☐ Yes ☒ No

Comments: The project will not have effects on any listed or proposed for listed species or designated habitat.

9) *Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.*

☐ Yes ☒ No

Comments: The project does not violate any environmental laws.

10) *Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).*

☐ Yes ☒ No

Comments: The project will not impact minorities.

11) *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

Comments: There is no access limited with this project.

12) *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

Comments: This action will not contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area.

Reviewers


Invasive Species

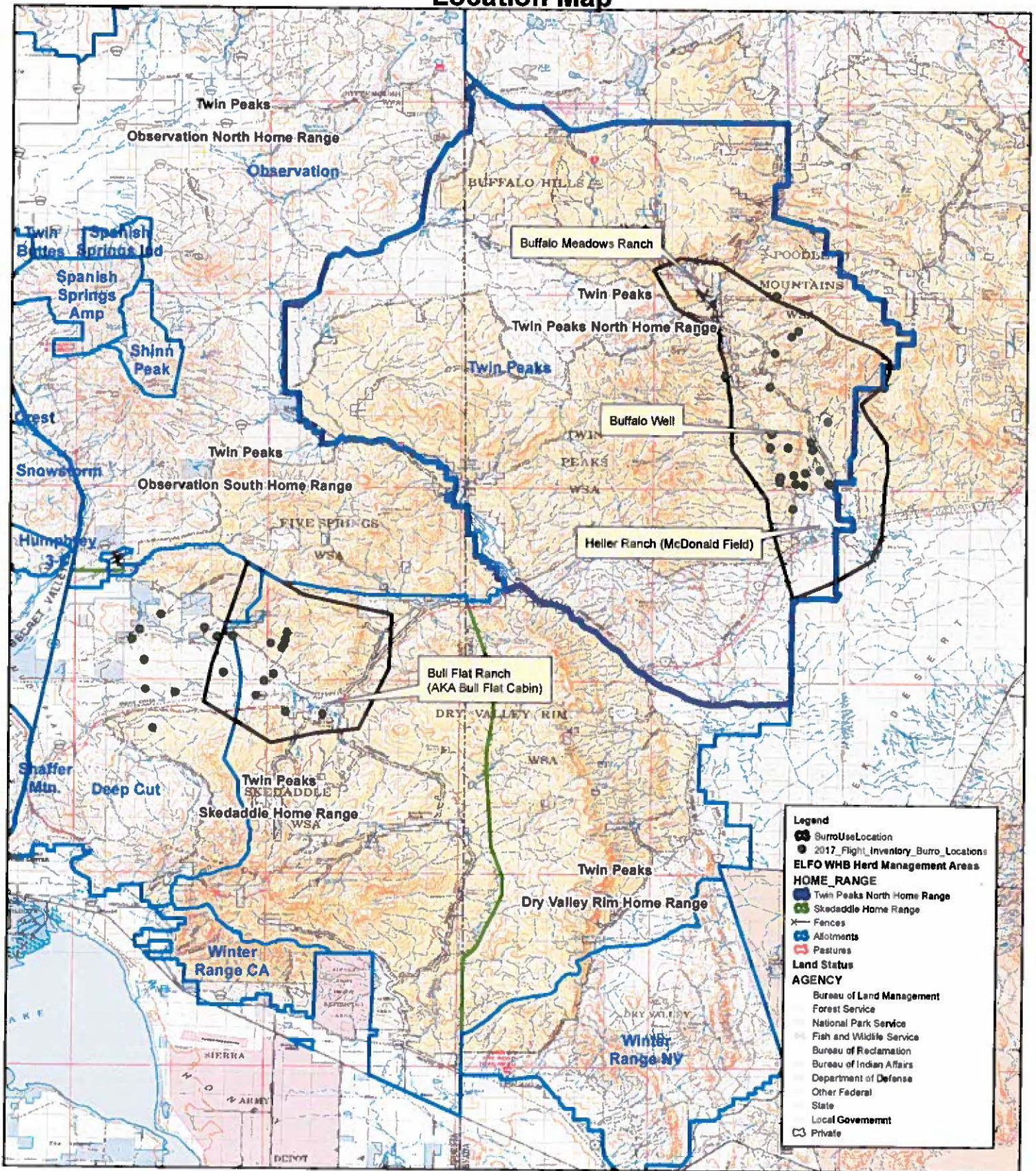

Cultural Resources


Wildlife

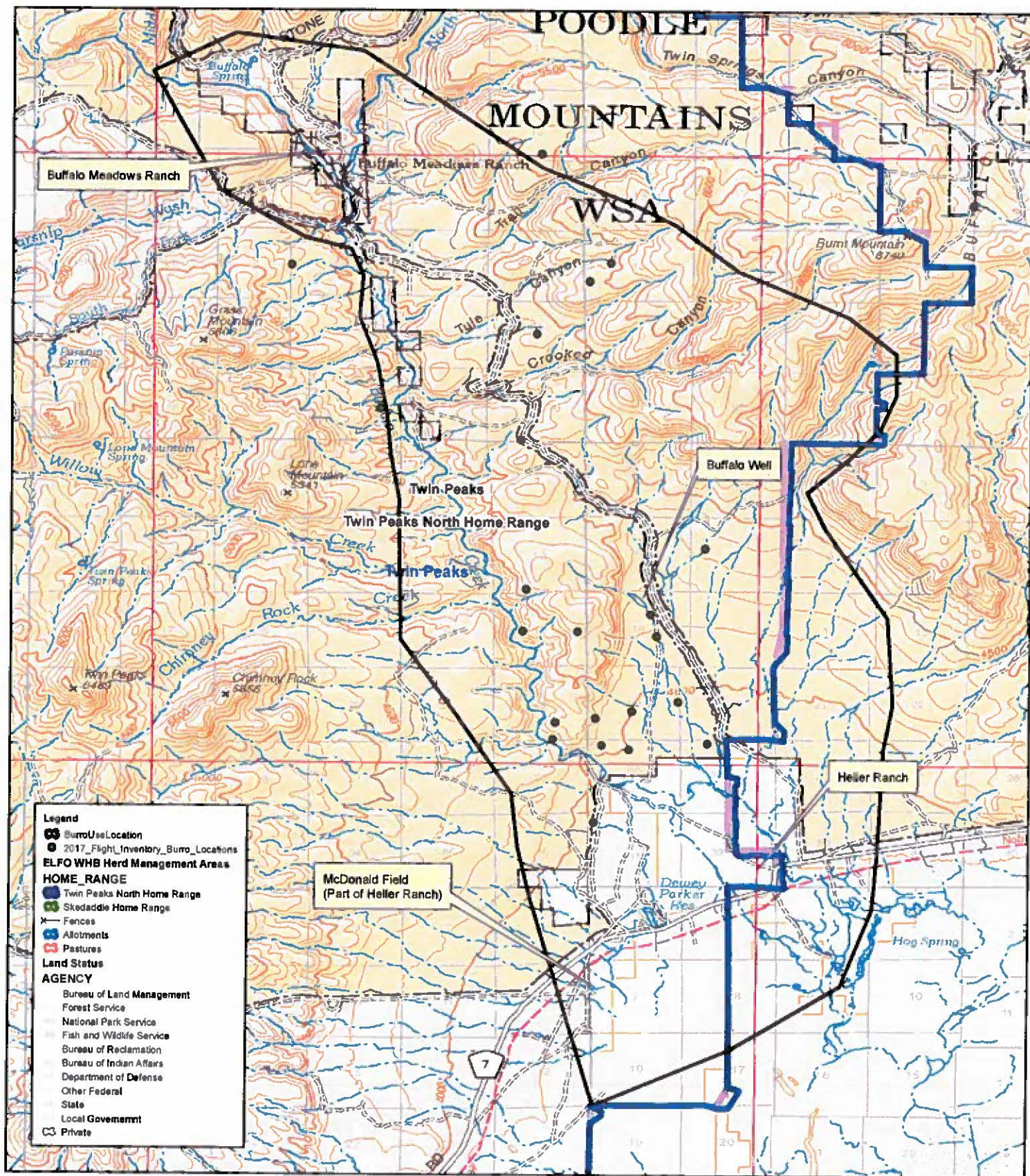

Rangeland Management


Wild Horse and Burro

2017 (FY 2018) Nuisance Burro Removal Location Map



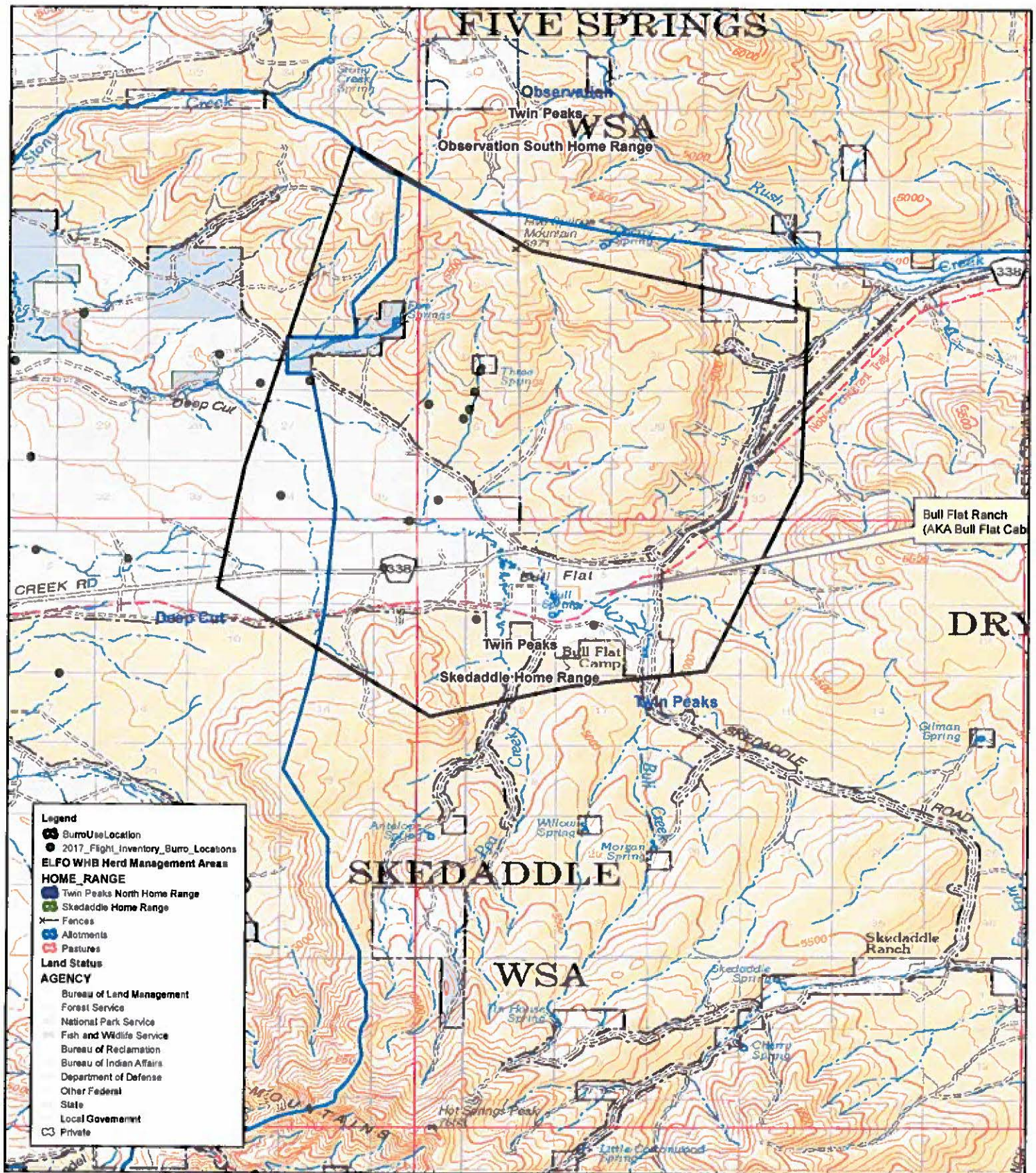
Buffalo Meadows - Heller Ranch - McDonald Field



No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregated use with other data. Original data was compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notice.

0 1.5 3 6 Miles

Bull Flat Ranch - (AKA) Bull Flat Cabin





Farris, Patrick <pfarris@blm.gov>

Burros and Private Property

1 message

Brent Espil <bespil@gmail.com>

Wed, Oct 25, 2017 at 4:04 AM

To: "Farris, Patrick" <pfarris@blm.gov>

Cc: sheepco@pyramid.net, mike BARDSLEY <bardsley.michael.r@gmail.com>

Pat,

A note to inform you of some problems we are having with wild burros on our private property.

Approximately 75 to 80 burros have been entering our properties at the Buffalo Meadows Ranch, T. 33N, R.19E, Sec. 10 and Sec. 15. The burros have broken the fences and have grazed the forage on our property very heavy, if not to the severe level.

Also 20 to 30 burros have been entering our property known as the McDonald Field, T.32N, R20E, Sec. 6 and 7. The same problems are happening there as Buffalo Meadows, fences being destroyed and water and forage being used by the burros.

If you did not receive the photos and video I sent, please let me know and I'll try again.

Any help in this matter would be greatly appreciated.

Thank you,

Brent Espil

Virus-free. www.avast.com



Burros along private fenceline located at Buffalo Meadow Ranch



Burros in Buffalo Creek drainage, Buffalo Meadows Ranch