



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Needles Field Office

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Needles, CA 92363

www.blm.gov/office/needles-field-office

In Reply Refer To:

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(CAD090.23)

Dear Reader,

This is a notice of intent by the Bureau of Land Management (BLM), Needles Field Office (NFO) to implement a wild burro gather and removal from within and adjacent to the Clark Mountain Herd Area (HA) and the continued nuisance burro removal from the MP Materials Mine located at Mountain Pass utilizing water/bait trap methods.

The HA is located in Southern California in the upper eastern portion of San Bernardino County and is under the jurisdiction of the NFO. It encompasses the area just north of the Mojave National Preserve, north of Interstate 15 from the town of Baker to the Nevada/California State line and extends to the north to Mesquite Dry Lake (233,410 acres total).

The California Desert Conservation Area (CDCA) Plan (1980) as amended by the 2002 Northern and Eastern Mojave Coordinated Management Plan (NEMO) reduced the Appropriate Management Level (AML) of the HA to zero (0) burros and established the Shadow Valley Desert Wildlife Management Area (DWMA) to aid the recovery of the threatened desert tortoise (*Gopherus agassizii*). A helicopter assisted burro population survey was conducted May 2-4, 2019. There are an estimated 135 burros within the HA and 100 burros outside the HA to the south of Mountain Pass. Within the HA there are approximately 40 burros congregating at Bull, Francis, and Halloran Springs. There are currently approximately 40 burros impacting the MP Materials Mine operations and reclamation efforts. The burros rely heavily upon man-made and natural springs in the area; however, most of the springs are ephemeral, consistently drying by early to mid-summer and pose a health and safety risk to burros.

Halloran Spring, Bull Spring Corral, and Francis Spring are in the western portion of the HA, east of the town of Baker, San Bernardino County, California. These springs are in designated desert tortoise critical habitat. Groaner Corral is in the Mescal Mountain Range, south of Mountain Pass Mine and Interstate 15 and south of the HA boundary. Although there is no designated desert tortoise critical habitat nor HA in the Mescal Mountain Range, the burros there cross under Interstate 15 and pose a threat to motorists that use the on/off ramps to I-15.

The BLM NFO received a letter dated August 13, 2019, from the Private Landowner, MP Materials Mine – Human Environmental Safety Manager requesting the removal of burros from the Mountain Pass rare earth mine. Burros are impacting mining operations, reclamation efforts, and creating public safety issues. An initial attempt to remove up to 80 nuisance burros utilizing water/bait trapping techniques from the MP Materials Mine was initiated November 14 and suspended on December 10, 2019. A total of 37 burros were captured.

By resuming the removal of burros from MP Materials and utilizing the Groaner Corral, Bull Spring

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Corral, Francis Spring, and Halloran Spring areas for gathers, the NFO would work towards achieving the AML, remove nuisance burros, reduce future resource impacts to vegetation, soils, desert tortoise and its critical habitat, prevent deaths of burros due to dehydration as the springs dry up, and minimize other safety hazards to burros and people.

Removal Authority:

Codes of Federal Regulations (43 CFR 4700 - Protection, Management, and Control of Wild Free-Roaming Horses and Burros); 4720.2-1: Removal of strayed animals from private lands: Upon written request from the private landowner to any representative of the BLM, the authorized officer shall remove stray wild horses and burros from private lands as soon as practicable.; 4720.1: Removal of excess animals from public lands. The action to remove burros from public lands are in accordance with 43 CFR 1610.5-3. The management plan provides that wild horses and burros will be removed from public lands not designated as retention areas.

The actions to remove burros from MP Materials – Mountain Pass Mine are designated as categorical exclusions (CXs) pursuant to 516 DM 11.9.; subpart D – Rangeland Management; Item 4. Removal of wild horses or burros from private lands at the request of the landowner. DOI-BLM-CA-D090-2020-0001-CX addresses the action of burro gather activities which are impacting MP Materials. A copy of the decision record can be requested from the BLM NFO.

A Determination of National Environmental Policy Act (NEPA) Adequacy (DNA) to the gather to the Clark Mountain Heard Area Burro Removal, Fiscal Years 2007-1012 Environmental Assessment (EA) DOI-CA-690-EA04-27 has been completed for this decision. The action to remove burros from Bull Spring Corral, Francis Spring, Groaner Corral, and Halloran Spring areas is a feature of the preferred alternative analyzed in the EA and authorized by a 2007 Decision Record. DOI-BLM-CA-D090-2020-0011-DNA addresses the action of burro gather activities within and adjacent to the HA. A copy of the decision record can be requested from the BLM NFO.

All removed burros will be placed into the National BLM's Wild Horse and Burro Adoption Program. The health and welfare of all the animals will be given the highest priority.

Therefore, I would appreciate it if you have any comments, questions concerning these actions, or need further clarification concerning the burro removals; please contact Jenna Moore, Rangeland Management Specialist at 760-326-7051 (jnmoore@blm.gov), or Alex Neibergs, Wild Horse and Burro Specialist at 760-384-5796 (aneiberg@blm.gov).

Thank you for your interest in the Bureau of Land Management's Wild Horse and Burro Program.

Sincerely,

Michael Ahrens
Needles Field Office Manager