National Park Service
U.S. Department of the Interior

Grand Canyon-Parashant National Monument
Region 8

FINDING OF NO SIGNIFICANT IMPACT
Tassi-Gold Butte Herd Management Area
Wild Burro Gather Plan

Recommended:

BENJAMIN ROBERTS

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1. Introduction

In compliance with the National Environmental Policy Act (NEPA) of 1969, as amended (42 United States Code [USC] 4321 et sq)[1], the Bureau of Land Management (BLM) and the National Park Service (NPS) prepared a joint Environmental Assessment (EA) (PEPC-124215, DOI-BLM-AZ-A030-2024-0009-EA) to disclose and analyze the environmental consequences of implementing wild burro gather operations within the project area. The project area is solely within Grand Canyon-Parashant National Monument (GCPNM), which is cooperatively managed by the BLM and the NPS. The project includes a combination of ongoing population inventories and burro gathers, using various methods, to move the project area toward desired conditions (as described in Section 1.3 of the EA) on both BLM and NPS lands. In total, both BLM and NPS portions of the project include approximately 424,913 acres.

This Finding of No Significant Impact (FONSI) informs NPS's decision making process and only applies to NPS-managed lands. Likewise, the BLM issues their own FONSI applicable to their managed lands. The statements and conclusions reached in this FONSI are based on documentation and analysis provided in the EA and associated decision file. To the extent necessary, relevant sections of the EA are incorporated by reference below.

2. Selected Alternative and Rationale for the Decision

Based on the analysis in the EA, NPS and BLM selected the Proposed Action Alternative.

Under the selected action, 100% of the existing wild burros found in the Tassi-Gold Butte HMA and surrounding greater Pakoon Basin will be gathered and removed. If gather efficiencies during the initial gather do not allow for the attainment of the proposed action or if additional burros venture into the project area, the GCPNM will conduct follow up gathers to remove wild burros necessary to achieve and maintain the overall herd size of zero wild burros within the HMA and surrounding area. These follow-up gather activities to remove all remaining wild burros will be conducted in a manner consistent with those described for the initial gather and could be conducted year-round. Funding limitations and competing priorities might impact the timing of the initial gather and any subsequent maintenance gathers. A population inventory flight will be completed as soon as practical to provide current data on the wild burro population size and spatial distribution in the Tassi-Gold Butte HMA and the greater Pakoon Basin.

Subsequent population inventories and routine resource/habitat monitoring would be completed periodically after the initial gather to document post-gather population levels, growth rates, and

[1] Executive Order 14154, Unleashing American Energy (Jan. 20, 2025), and a Presidential Memorandum, Ending Illegal Discrimination and Restoring Merit-Based Opportunity (Jan. 21, 2025), require the Department to strictly adhere to the National Environmental Policy Act (NEPA), 42 U.S.C. §§ 4321 et seq. Further, such Order and Memorandum repeal Executive Orders 12898 (Feb. 11, 1994) and 14096 (Apr. 21, 2023). Because Executive Orders 12898 and 14096 have been repealed, complying with such Orders is a legal impossibility. The National Park Service verifies that it has complied with the requirements of NEPA, including the Department's regulations and procedures implementing NEPA at 43 C.F.R. Part 46 and Part 516 of the Departmental Manual, consistent with the President's January 2025 Order and Memorandum. The National Park Service has also voluntarily considered the Council on Environmental Quality's rescinded regulations implementing NEPA, previously found at 40 C.F.R. Parts 1500–1508, as guidance to the extent appropriate and consistent with the requirements of NEPA and Executive Order 14154.

areas of continued resource concern (burro concentrations, riparian impacts, etc.) prior to any follow up gather.

The BLM and NPS will follow the BLM Handbook 4700-1, Wild Horses and Burros Management Handbook including all updates in PIM 2021-002 and associated Comprehensive Animal Welfare Program (CAWP). Gather methods will be determined on a case-by-case basis depending on access, time of year, funding, personnel availability, and the difficulty of gathering the burros (due to terrain, weather, water and forage availability, and/or number of burros to be gathered). See EA Section 2.2.1 and Appendix B for details.

Rationale

The Proposed Action alternative was chosen because it best addresses the purpose and need to attain the Appropriate Management Level (AML) of zero wild burros per the 2008 GCPNM RMP/GMP and restore a thriving natural ecological balance and multiple use relationship on the public lands consistent with the provisions of Section 1333 (a) of the Wild Free- Roaming Horses and Burros Act of 1971 and NPS Management Policies (2006). This decision has been made after considering environmental impacts to resources and resource uses, including land access, cultural resources, livestock grazing, soils, vegetation (including invasive, non-native species), wilderness, and wildlife.

The No Action alternative does not adequately address the NPS's need to implement the decisions in the 2008 GCPNM RMP/GMP regarding wild burros, or work toward restoring a thriving natural ecological balance in the project area.

3. Mitigation Measures

The selected alternative includes Best Management Practices in its description (see EA Section 2.2.1). No additional mitigation measures have been identified.

4. Other Alternatives Considered

No Action Alternative

Under the no action alternative, no gather would occur, and no additional management actions would be undertaken to control the size or growth rates of the wild burro population at this time. The no action alternative would not achieve the identified purpose and need. The no action alternative does not comply with the WFRHBA of 1971, its implementing regulations, the approved 2008 GCPNM RMP/GMP or the 1995 Lake Mead Nation Recreation Area Burro Management Plan and Final EIS.

Alternatives Considered but Eliminated from Detailed Analysis

1. Chemical Immobilization

BLM Policy Manual 4720 describes chemical immobilization as the use of chemicals to sedate or immobilize wild horses or burros to enable their capture. It is a very specialized technique and is strictly regulated. Under CAWP section II, A. 3. states "Chemical immobilization must only be used for capture under exceptional circumstances and under the direct supervision of an on-site veterinarian experienced with the technique." Chemical immobilization as a method of capturing wild burros was not considered to be a technically feasible alternative for this gather plan. It would be unreasonable for the capture of more than one or two animals at a time. The BLM does not currently have sufficient in-house expertise to implement this method, making it

impractical to use given the size of the HMA, access limitations, and approachability of the burros.

2. Raising the Appropriate Management Level for Wild Burros

See EA Section 1.2 Background for the discussion on why the AML is set at zero wild burros for the Tassi-Gold Butte HMA. The 1995 Lake Mead NRA Burro Management Plan and Final EIS established those portions within the NRA as zero burro use. The 1998 Decision Record for the Mojave Amendment of the Arizona Strip RMP modified the decision to implement the 1982 HMAP and set the wild burro herd management level at zero. Consequently, the herd management level for the entire HMA has been set to zero. This decision was aimed at protecting the threatened desert tortoise (Gopherus agassizii) and its habitat, which is found in the area. The 1998 Mojave Amendment called for the removal of burros from the Tassi portion of the HMA, as did the 1995 NPS Burro Management Plan (BLM 2007).

Currently, the Tassi-Gold Butte HMA has an AML set at zero wild burros. This AML was established through the BLM and NPS Record of Decisions (RODs) and Approved 2008 GCPNM RMP/GMP and the Lake Mead National Recreation Area Burro Management Plan and Final EIS. Raising the AML above zero counter to previous decisions and policy.

Raising the AML above zero does not meet the purpose and need to remove wild burros from the Tassi-Gold Butte HMA and greater Pakoon Basin to restore a thriving natural ecological balance and to protect monument resources and to prevent unnecessary or undue degradation of the public lands associated with excess population of wild burros.

3. Wild Burro Numbers Controlled by Fertility Control Vaccines

These alternatives, 3.1 Fertility Control Treatment Only (No Removal) and 3.2 Field Darting with ZonaStat-H (Native PZP) and GonaCon (No Gathers, No Removal) below, would rely only on the use of fertility control vaccines to limit herd growth of burros with no burros being removed. Use of fertility control vaccination alone is not expected to cause the herd to reduce down to zero burros; even where fertility control vaccination is used to reduce wild horse and burro growth rates, herds almost always continue to grow. As such, this method would not achieve the purpose and need (EA Section 1.3) to remove all wild burros to reach and maintain an AML of zero burros and to restore a thriving natural ecological balance and multiple use relationship on the public lands consistent with the provisions of Section 1333 (a) of the WFRHBA of 1971. It would not protect monument resources and prevent unnecessary or undue degradation of the public lands associated with excess population of wild burros within the Tassi-Gold Butte HMA and the greater Pakoon Basin. These alternatives were eliminated from further consideration.

3.1 Fertility Control Treatment Only (No Removal)

Experience has shown that herds would only decrease in response to management that only uses fertility vaccines (without gathers and removals) over time scales of more than 10 years, and only if the vast majority of females (i.e., 90% or more) are successfully treated and rendered infertile every year. Available fertility control vaccines require females to be identifiable and require revaccination (booster doses) to cause infertility for more than one year (BLM 2021a). It is not economical or feasible to capture, uniquely mark, vaccinate, and release the majority of jennies every year in the Tassi-Gold Butte HMA and greater Pakoon Basin. A reliance on darting is not expected to lead to high enough rates of vaccination every year. Because use of a fertility

control vaccine-only management would require a very long time to slowly start to reduce herd sizes, and because the burro herds present in the Tassi-Gold Butte HMA and greater Pakoon Basin are currently far greater than AML and are already causing ecological damage, this alternative would not meet the purpose and need for the action, and would be contrary to the WFRHBA, and was dismissed from further study.

3.2 Field Darting with ZonaStat-H (Native PZP) and GonaCon (No Gathers, No Removal)

This alternative was eliminated from further consideration due to the logistical difficulties in darting wild burros in the project area. Field darting of wild burros might work well in small areas with good access, and where animals are acclimated to the presence of people who come to watch and photograph them. The size of the Tassi-Gold Butte HMA and greater Pakoon Basin is large (approximately 424,913 acres) and many areas do not have safe and ready access, including the wilderness area. The skittishness of the wild burros and general lack of approachability on the Tassi-Gold Butte HMA and greater Pakoon Basin is such that it is not expected that delivering vaccine dose via darting could be possible with any regularity. The presence of multiple water sources within the Tassi-Gold Butte HMA and greater Pakoon Basin make it almost impossible to restrict wild burro access to be able to dart burros consistently. Burro behavior limits their approachability/accessibility, so that the number of jennies expected to be treatable via darting would be insufficient to control growth or result in an AML of zero burros. Available fertility control vaccines require females to be identifiable and require revaccination (booster doses) to cause infertility for more than one year. Without gathering animals to give them unique identifiable marks, BLM would have difficulties keeping records of animals that have been treated due to common and similar colors and patterns. Annual darting of wild burros in large areas is unlikely to lead to the levels of treatment needed to cause ecologically meaningful population declines (BLM 2021a). For these reasons, and because the wild burro herds present in the Tassi-Gold Butte HMA and greater Pakoon Basin exceed the zero AML and are already causing ecological damage, this alternative was determined to not be an effective or feasible method of applying population controls to wild burros from the Tassi-Gold Butte HMA and greater Pakoon Basin or for addressing the resource degradation being caused by the animals.

4. Wild Burro Numbers Controlled by Natural Means

The alternative of using natural controls to achieve and maintain a desirable AML of zero wild burros has not been shown to be feasible in the past (BLM 2021a). Wild burros in the HMA are not substantially regulated by predators or other natural factors. In addition, wild burros are long-lived species with documented foal survival rates that may exceed 95% (Ransom et al. 2016), and they do not self-regulate their population growth rate (NAS 2013).

Survival rates for wild burros on western public lands is generally high (Ransom et al. 2016). None of the significant natural predators from the ranges of the wild horses and burros in Europe and Asia –wolves, brown bears, and possibly one or more of the larger cat species – exist in significant numbers on the wild horse and burro ranges in the western United States. Predators such as mountain lions may prey on wild equids in some circumstances (Andreasen et al. 2021, Lundgren et al. 2022, Mesler and Jones 2022). While mountain lions may reduce wild horse or burro herd growth rates in rare circumstances (Turner and Morrison 2001), they do not generally prevent burro herds from growing, perhaps in part because smaller ungulates such as mule deer

and bighorn are preferred over burros as prey for mountain lions (Knopff et al. 2010, Blake and Gese 2016, Andreasen et al. 2021).

Many wild burro herds grow at sustained high rates of 15-18% per year, and the species is not self-regulating (NAS 2013). The NAS report (2013) concluded that the primary way that equid populations would be regulated by density would be through increased competition for forage at high densities, which results in smaller quantities for forage available per animal, poorer body condition, decreased natality and survival, and a susceptibility to large mortality events when resource availability fluctuates (such as due to drought). The NAS (2013) also concluded that the effects of severely high burro densities would include impacts to resource and herd health that are contrary to BLM management objectives and statutory and regulatory mandates. This alternative would result in a steady increase in the herd population which would continue to exceed the AML, eventually resulting in a catastrophic mortality of wild burros in the HMA, and irreparable damage to rangeland resources.

While some members of the public have advocated 'letting nature take its course', allowing burros to die of dehydration and starvation would be inhumane treatment and would be contrary to the WFRHBA, which mandates removal of excess wild burros (BLM 2021a). The damage to rangeland resources that results from excess numbers of wild burros is also contrary to the WFRHBA, which mandates the Bureau to "…protect the range from the deterioration associated with over population…," to "…remove excess animals from the range so as to achieve appropriate management levels…," and "…to preserve and maintain a thriving natural ecological balance and multiple-use relationship in that area."

Title 43 CFR § 4700.0-6 (a) states "Wild horses shall be managed as self- sustaining populations of healthy animals in balance with other uses and the productive capacity of their habitat" (emphasis added). Land use planning decisions have already established that this population of burros should have AML of zero. As the vegetative resources are over utilized and degraded to the point of no recovery as a result of the wild burro overpopulation, wild burros would start showing signs of malnutrition and starvation. The weaker animals, generally the older animals, and the jennies and foals would be the first to be impacted. It is likely that a majority of these animals would die from starvation and dehydration in a catastrophic die off. The resultant population could be heavily skewed towards the stronger jacks which could contribute to social disruption in the HMA. Competition between wildlife and wild burros for forage and water resources would be severe. Wild burros can be aggressive around water sources, and some wildlife might not be able to compete (Rubin et al. 2024), which could lead to the death of individual animals. Wildlife habitat conditions would also deteriorate as wild burro numbers above AML reduce herbaceous vegetative cover, damage springs, increase erosion, and could result in irreversible damage to the range (BLM 2021a). For these reasons, this alternative was eliminated from further consideration. This alternative would not meet the purpose and need for this EA which it is to remove excess wild burros from within and outside the HMA to the established AML of zero wild burros.

5. Remove or Reduce Authorized Livestock Grazing within the Tassi-Gold Butte HMA and Greater Pakoon Basin

This alternative would remove or reduce authorized livestock grazing instead of gathering and removing wild burros within the HMA and/or the greater Pakoon Basin (Appendix A, Figure A.2 shows current grazing allotment availability). This alternative was not considered in detail

because it is outside of the scope of this project and contrary to the GCPNM RMP/GMP (BLM 2008a) decisions which allocated forage for livestock use and set the AML for the HMA to zero, see Section 3.2.1 Table 3.3. Changes in livestock management would not be in conformance with the RMP/GMP (BLM 2008a) or the WFRHBA, which directs the Secretary to immediately remove excess wild burros once the BLM has determined removal is necessary to achieve the established AML of zero burros. Livestock could only be reduced or eliminated through provisions identified within the grazing regulations (43 CFR § 4100) and must be consistent with multiple use allocation set forth in the RMP, see EA Section 3.2.1 Table 3.3 for the status of grazing allotments within the HMA and greater Pakoon Basin. This alternative would be contrary to the BLM's multiple use missions as outlined in FLPMA because this alternative would exchange use by livestock for use by wild burros. The BLM is required to manage wild burros in a manner designed to achieve a thriving natural ecological balance between wild burro populations, wildlife including the threatened desert tortoise (*Gopherus agassizii*), livestock, and other uses. The AML for wild burros was set to zero for wild burros in the Tassi-Gold Butte HMA through the Lake Mead NRA Burro Management Plan and Final EIS (NPS 1995) and the Decision Record for the Mojave Amendment of the Arizona Strip RMP (BLM 1998). Consequently, the herd management level for the entire HMA has been set to zero. This decision was aimed at protecting the threatened desert tortoise (*Gopherus agassizii*) and its habitat, which is found in the area. The 1998 Mojave Desert Tortoise Amendment called for the removal of burros from the Tassi portion of the HMA, as did the NPS Burro Management Plan.

Currently, the Tassi-Gold Butte HMA has an AML set at zero wild burros. This AML was established through the 2008 BLM and NPS Record of Decisions (RODs) and Approved GCPNM RMP/GMP and the 1995 Lake Mead National Recreation Area Burro Management Plan and Final EIS.

The Tassi grazing allotment that the Tassi-Gold Butte HMA is within has already been closed to permitted livestock by GCPNM RMP/GMP decision (BLM 2008a) see EA Section 3.2.1 Table 3.3. This includes the lands managed by both the BLM and NPS.

6. Bait Trap Only

Due to the limited bait trap sites that are accessible by road, equipment and personnel, bait trapping alone would not accomplish the purpose and need of the action of reducing the amount of animals to the AML of zero. In addition to logistical reasons, bait trapping alone is of limited effectiveness due to burro behavior.

5. Public Involvement/Agency Consultation

A Notice of Public Comment Period letter and news release announced that the draft EA was available for review and comment for a 30-day public comment period from August 9 through September 9, 2024. Five form letters were received from over 4,450 individuals and entities including many with minor non-substantive variations. An additional 48 individuals or entities, including non-governmental organizations, state, and county agencies, provided comments.

Agency Outreach

U.S. Fish and Wildlife Service Consultation

Consultation under Section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.) was completed as of March 28, 2025(USFWS Biological Opinion 2024-0143536-

S7-001). USFWS concurred the proposed action may affect, but is not likely to adversely affect, the endangered California condor (*Gymnogyps californianus*). GCPNM determined that the proposed action may affect, and is likely to adversely affect, the threatened Mojave desert tortoise (*Gopherus agassizii*). USFWS concluded, after "reviewing the current status of the tortoise, designated tortoise critical habitat, the environmental baseline for the action area, the effects of the proposed action and the cumulative effects, it is our biological opinion that the action, as proposed, is not likely to jeopardize the continued existence of the tortoise and is not likely to destroy or adversely modify designated tortoise critical habitat". They also concluded that "we anticipate long-term beneficial effects due to the removal of burros and subsequent potential for improved vegetation conditions".

Arizona State Historic Preservation Office

The NPS consulted separately with the Arizona State Historic Preservation Office (SHPO) and committed to following similar identification and protection measures contained in the Programmatic Agreement between the BLM, Southwestern Region Three U.S. Forest Service, U.S. Fish and Wildlife Service, Interior Region Eight, Arizona State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the Effects of Vegetation and Range Management Activities in Arizona, executed September 30, 2020. The NPS received concurrence on October 10, 2024 with a finding of No Adverse Effect.

Tribal Outreach & Coordination

The BLM and NPS consults with federally recognized Indian Tribes before making decisions or undertaking activities that would influence federally recognized tribes, their assets, rights, services, or programs. GCPNM contacted the tribes listed below as part of the formal Tribal consultation process, which was initiated on July 8, 2024. No Tribal response has been received as of the release of the Finding of No Significant Impact.

Tribal entities consulted with include:

- Chemehuevi Indian Tribe
- Colorado River Indian Tribes
- Havasupai Indian Tribe
- Hualapai Indian Tribe
- Kaibab Band of Paiute Indians
- Las Vegas Paiute Tribe
- Moapa Band of Paiute Indians
- Navajo Nation
- Paiute Indian Tribe of Utah
- San Juan Southern Paiute Tribe
- The Hopi Tribe
- The Pueblo of Zuni

6. Finding of No Significant Impact

6.1 Potentially Affected Environment

The EA considered the affected environment within the entire project area. However, as this FONSI applies only to NPS-managed lands, not all affected environment issues are discussed below. Analysis of the proposed and no action alternatives found the potentially affected environment included vegetation, both native and invasive non-native plants, soil resources, Threatened or Endangered animal species, wetland and riparian areas, proposed Wilderness, wild burros and wildlife, including sensitive species and migratory birds.

6.2. Degree of Effects of the Action

The NPS considered the following actual or potential project effects in evaluating the degree of effects (40 CFR 1501.3(b)(2)) for the selected alternative.

Beneficial and Adverse, and Short-term and Long-term Effects of the Selected Alternative

No significant impacts to resources were identified that would require analysis in an Environmental Impact Statement (EIS). Whether taken individually or as a whole, the impacts of the selected alternative, including direct, indirect and cumulative effects, do not reach the level of a significant effect because adverse impacts associated with implementation will be minimal or temporary, lasting only as long as actions are being executed. The selected action will result in substantial long-term beneficial impacts. Best management practices as outlined above will further minimize any potential adverse impacts.

As described in the EA, the selected alternative has the potential for adverse impacts on soils, threatened or endangered animal species, vegetation, wild burros, and wildlife; however, no potential for significant adverse impacts was identified. The selected alternative also has the potential for beneficial impacts on these categories and also riparian zones. The selected alternative also has the potential for adverse and beneficial impacts on resources found only on the BLM managed lands within the project area, namely livestock grazing and designated Wilderness. See EA Chapter 4 for a discussion of the impacts to these two resource areas and their associated issues.

<u>Proposed Wilderness</u>

The adverse impacts of gather activities on the natural, undeveloped, opportunities for solitude or primitive and unconfined recreation, and other features of value qualities are expected to be of short duration, moderate intensity, and limited extent.

Any landing of a helicopter in wilderness is a prohibited use under the Wilderness Act and a adverse impact on the undeveloped quality. An emergency landing situation would be of short duration and is unlikely, therefore the adverse impact would be temporary and rare. Naturalness would be beneficially impacted by the removal of non-native species (burros) that damage ecosystem integrity. The surveying and gather activities conducted by helicopter and fixed wing aircraft could adversely affect opportunities for solitude for visitors to the wilderness who experience the noise or sight of the aircraft flying over, even at a distance; however, this would be a short duration in time, likely measured in hours. The natural quality may be adversely affected during gather operations. Bighorn sheep or other wildlife could be startled. Burros could crush tortoise burrows. However, affected wildlife are sparsely distributed in the project area and are anticipated to be minimally affected during helicopter operations. Additionally, best

management practices, as mentioned previously, are in place to minimize adverse impacts.

The beneficial impacts from removing burros on the natural and other features of value qualities are expected to grow over time, have profound benefits to the ecosystem, and be widespread. Therefore, the overall effect to wilderness resources would be positive.

Soil Resources

Soils may be adversely affected by compaction from vehicles, foot traffic, and corralling operations. Most compaction would occur only during the onsite gather activities at corrals. Compaction may lead to erosion at the corral sites; however, this is unlikely. Vehicles that do not remain on roads and previously disturbed sites, as planned, may cause compaction tracks altering the desert pavement appearance, damage cryptogamic soils, and change surface water runoff patterns. Eventual physical weathering and ongoing soil processes would take decades to dissipate these long-term impacts, should they occur. Best practice methods will minimize potential vehicle operator errors.

Soils will be beneficially impacted by reduced presence of wild burros from the project area thereby reducing burro trails of compacted soils, manure piles, and disturbed soil pits (where burros rest). These reduced impacts would contribute to less compacted and more stabilized soils and allow the native vegetation to reclaim the burro trails. Manure piles, over 5-10 years, would degrade and return the nutrient levels of the impacted topsoil to its former state. Physical weathering would return the burro resting pits back to the prevalent armored desert pavement soil crust surface. Given several decades, cryptogrammic soils would regenerate on these disturbed sites, resulting in a topsoil with more resistance to wind erosion, and overall dust abatement.

Threatened, Endangered, or Candidate Animal Species

Mojave desert tortoise may be adversely affected by burro gather activities including killing or injuring of tortoises, displacement of individuals, and increased potential for harassment of tortoises. Drive trapping could increase the risk of a tortoise being trampled or a burrow collapsing; tortoises that wander into the areas near traps would be moved resulting in harassment. Best management practices, concurred with by USFWS, to minimize these adverse effects are incorporated in the selected alternative.

Beneficial impacts to Mojave desert tortoise, like livestock and other wildlife, will include decreased competition for forage and water. Another beneficial impact will be reduced risk of trampling by burros.

The use of aircraft during gather operations may have an adverse impact on California condors as there is an extremely remote possibility of collision. Condors are rare in the project area and USFWS concurred that no significant impacts are likely to occur.

Vegetation including Invasive, Non-native Plant Species

Approximately one acre of vegetation could be adversely affected at each location as a result of the installation and operation of the bait traps/stations. Crushing and trampling of some of the vegetation in the bait trap locations might occur but is expected to be short-term (1 month or less) and intermittent. Similarly, areas around drive trap locations may be disturbed during active drive trapping. Trap sites, corrals, holding facilities and parking areas are planned to be placed in previously disturbed areas where vegetation disturbance will be minimal. If native vegetation

disturbance occurs, site rehabilitation may include seeding and/or herbicide application to minimize the growth of invasive non-native plants in the disturbed areas.

Invasive nonnative plants may expand their range or become introduced to the project area through hay or other feed brought in during gather activities. To reduce the risk of introduction or spread of weeds, any hay or feed used in conjunction with the gather activities, for example bait trap, holding facilities, or saddle horse feed, would be certified weed free. Hay is to be free of any weed seeds and any state listed noxious weeds or non-native invasive plants. Areas with non-native invasive plants or noxious weeds would be avoided when establishing and accessing trap sites and holding facilities.

Native vegetation would be beneficially impacted as burro removal will allow recovery to individual plants and overall plant populations including past and future burned areas. Plant populations that cannot grow and reproduce due to the feeding behavior of burros will increase. Wild burros also contribute to trampling and trailing particularly to and from and near water sources damaging upland and riparian vegetation and soils crusts, this effect will be removed after burros are gathered. Competition for resources with invasive non-native plants will also decrease as burros will no longer be transporting said plants through their movements across the project area. The reduction in the current burro population would provide opportunity for vegetative communities to progress toward achieving a thriving natural ecological balance.

Wetlands and Riparian Zones

The removal of burros will have beneficial effects to riparian zones including a reduction in damage to vegetation and soils from reduced foraging and trampling. Burros are a known factor in wetland and riparian zone degradation, causing some water resources in the Pakoon Basin to be unsuitable for an amphibian species of concern, the barred tiger salamander.

Wild Burros

Gather operations, including driving, trapping, transport to off-range corrals, and adoption preparation may adversely impact individual wild burros. The frequency of occurrence of these impacts among a population varies with the individual animal (BLM 2021a). Short-term impacts can occur to burros after the initial stress event (capture) and could include increased social displacement or increased conflict between jacks. These impacts are known to occur intermittently during wild burro gather operations, whether by drive trap or bait trap. Traumatic injuries could occur and typically involve biting and /or kicking bruises. Burros might potentially strike or kick gates, panels, or the working chute while in corrals or trap which might cause injuries.

Gathering wild burros during the summer months can potentially cause heat stress. Gathering wild burros during the fall/winter months reduces risk of heat stress, although this can occur during any gather, especially in older or weaker animals. Heat stress does not occur often, but if it does, death can result. Most temperature related issues during a gather can be mitigated by adjusting daily gather times to avoid the extreme hot or cold periods of the day Adherence to the Comprehensive CAWP standards, and techniques used by the gather contractor or staff would help minimize the risks of heat stress.

The BLM and NPS would follow the BLM Handbook 4700-1, Wild Horses and Burros Management Handbook (BLM 2010) including all updates in PIM 2021-002 and associated Comprehensive Animal Welfare Program (CAWP) found in EA Appendix B to minimize

impacts and ensure humane animal care and high standards of welfare, including veterinary oversight.

Long-term beneficial impacts result from the gather as it lowers competition for forage and water resources on desert rangelands which would reduce stress and fighting for limited resources (water and forage) and promote healthier animals. Wild burros would continue to be wild and free roaming in the neighboring Gold Butte HMA in Nevada.

Wildlife (including BLM Sensitive Species and Migratory Birds)

Human presence at trap sites and corrals would adversely impact wildlife activities. Disturbance to migratory birds, sensitive species, and wildlife from the helicopter, increased human activity around trap sites, and the trapped burros could occur but would be short-term. The project area contains riparian and creosote/sagebrush habitats, therefore potential impacts to neotropical migrants may be expected. If the gather occurs in the winter, this is when migratory species are not expected to be present within the HMA. If weather or other factors (budget constraints, holding space limitations, etc.) prevent a winter gather, the gather could take place during a portion of the migratory bird breeding season (February 15th – August 31st). Noise and activity from gathers occurring during this time period might disturb migratory birds during the breeding season. Migratory bird surveys will occur prior to gather sites being constructed during migratory bird breeding season to detect nests and avoid or minimize potential impacts to breeding migratory birds and their nests. This impact would be minimal (approximately 1 acre/trap site), temporary, and short-term (two weeks or less) in nature.

Beneficial impacts to migratory birds, special status species, and wildlife will occur, through less competition for forage and water and will allow gradual improvement of upland and riparian habitat health. Burro competition with wildlife for water at natural springs and seeps would be drastically reduced. More water would be available for a longer period of time for wildlife species.

Degree to Which the Selected Alternative Affects Public Health and Safety

No negative effects to public health and safety will result from implementing the selected action, since no chemicals subject to reporting under Superfund Amendments and Reauthorization Act, Title III in an amount equal to or greater than 10,000 pounds will be used, produced, stored, transported, or disposed of annually in association with the project. Furthermore, no extremely hazardous substances, as defined in 40 CFR 355, in threshold planning quantities, will be used, produced, stored, transported, or disposed of in association with the project. Any trash produced will be confined in a covered container and hauled to an approved landfill. Burning of waste or oil will not be done, and human waste will be contained and disposed of at an approved sewage treatment facility.

Effects That Would Violate Federal, State, Tribal, or Local Law Protecting the Environment

The action does not violate any known federal, state, local or tribal law or requirement imposed for the protection of the environment. State, local, and tribal interests were given the opportunity to participate in the environmental analysis process. In addition, the action is consistent with applicable land management plans, policies, and programs.

7. Conclusion

As described above, the selected alternative does not constitute an action meeting the criteria that normally requires preparation of an environmental impact statement (EIS). This finding is based on consideration of the guidance from both the Council on Environmental Quality and the NPS on the criteria for significance, regarding the potentially affected environment and degrees of effects of the impacts described in the EA (which is hereby incorporated by reference) and as summarized above.[2]

[2] Executive Order 14154, Unleashing American Energy (Jan. 20, 2025), and a Presidential Memorandum, Ending Illegal Discrimination and Restoring Merit-Based Opportunity (Jan. 21, 2025), require the Department to strictly adhere to the National Environmental Policy Act (NEPA), 42 U.S.C. §§ 4321 et seq. Further, such Order and Memorandum repeal Executive Orders 12898 (Feb. 11, 1994) and 14096 (Apr. 21, 2023). Because Executive Orders 12898 and 14096 have been repealed, complying with such Orders is a legal impossibility. The National Park Service verifies that it has complied with the requirements of NEPA, including the Department's regulations and procedures implementing NEPA at 43 C.F.R. Part 46 and Part 516 of the Departmental Manual, consistent with the President's January 2025 Order and Memorandum. The National Park Service has also voluntarily considered the Council on Environmental Quality's rescinded regulations implementing NEPA, previously found at 40 C.F.R. Parts 1500–1508, as guidance to the extent appropriate and consistent with the requirements of NEPA and Executive Order 14154.

Appendix A:
Errata Indicating Text Changes to EA

The following errata constitute changes to the Tassi-Gold Butte Herd Management Area Wild Burro Gather Plan EA during and after public comment period. Non-substantive changes, such as page numbers, grammar, punctuation and spelling, are not included. Updated tables and maps can be found in the final EA. Appendix B (PIM 2021-002) was updated to include the two PIM 2021-002 attachments. The Appendix B update can be found in the final EA. Based on reviewer comments, "analysis area" was changed to "project area" throughout the document for consistency. Numbers of burros and burro population calculation dates were updated to current (2025) numbers. These numbers can be found in the final EA. The finalized and updated MRAF is attached to the final EA and the NPS FONSI.

Additions are underlined, retractions are struck through.

Title Page

Tassi-Gold Butte ~~HMA~~Herd Management Area Wild Burro Gather Plan

~~345 East Riverside Drive~~ 4001 Aviator Drive

List of Acronyms

GIS	Geographic Information System
GPBPA	Greater Pakoon Basin Project Area
Monument	Grand Canyon-Parashant National Monument
USFWS	United States Fish ~~&~~and Wildlife Service

1.1 Introduction

The gather plan would allow for an initial gather, as well as future gathers, to achieve and maintain appropriate management levels (AML), which was set to zero in ~~a 1998 agency decision~~.the 1998 Mojave Desert Amendment (EA-AZ-95-01) to implement the 1994 Desert Tortoise Recovery Plan. The 2008 GCPNM RMP/GMP carried forth both the 1998 BLM decision and the1995 Lake Mead Wild Horse and Burro Plan decision and is the guiding document.

This document conforms with the Grand Canyon-Parashant National Monument Resource Management Plan/General Management Plan (GCPNM RMP/GMP) (BLM 2008a) and Final Environmental Impact Statement approved January 29, 2008~~, and is in conformance with the Lake Mead National Recreation Area Burro Management Plan and Final EIS signed April 1995 (NPS 1995).~~ .

1.2 Background

~~Program~~WFRHBA program goals have always been to establish and maintain a "thriving natural ecological balance," which requires identifying the Appropriate Management Level (AML) for individual herds.

The Tassi-Gold Butte HMA is managed by BLM Arizona and NPS, but this herd area is separate and distinct from the nearby Gold Butte HMA, which is located in and managed by BLM Nevada.

In 1990, the Mojave desert tortoise was listed as threatened under the Endangered Species Act. In 1992, the Arizona Strip District Office Resource Management Plan was finalized, which kept the 1982 HMAP burro AML levels at 90-100.

In 1994, the USFWS released the Desert Tortoise Recovery Plan which established the Northeastern Mojave Recovery Unit, which was further split into Desert Wildlife Management Areas (DWMAs). The project area, including the Tassi-Gold Butte HMA, is within the Gold Butte-Pakoon DWMA for desert tortoise. The 1994 Desert Tortoise Recovery Plan states "The following activities should be prohibited throughout all DWMAs because they are generally incompatible with desert tortoise recovery and other purposes of DWMAs:… grazing by feral ("wild") burros and horses…"

The 1995 Lake Mead NRA Wild Horse and Burro ~~Management Plan and Final EIS (NPS 1995) established those portions within the NRA as~~ Plan was developed to implement the 1994 Desert Tortoise Recovery Plan and set burro levels to zero ~~burro use.~~ on all NPS managed lands within the DWMAs, including lands now managed as GCPNM.

The 1998 ~~Decision Record for the~~ Mojave Desert Amendment ~~of the Arizona Strip RMP (~~EA (EA-AZ-95-01) was developed to implement the 1994 Desert Tortoise Recovery Plan on BLM managed lands, established Pakoon ACEC for desert tortoise, and stated that "Beginning March 15, 2001, BLM will close the Pakoon ACEC to grazing", and set the Herd Management Level at zero for that portion of the Tassi-Gold Butte Herd Management Area within Arizona.

The USFWS Biological Opinion 2-21-96-F-132, for the 1998 Mojave Desert Amendment EA, required that:

> The Bureau shall set the herd management level to zero in that portion of the Tassi-Gold Butte Herd Management Area (HMA) on Bureau-administered lands in Arizona. Burros shall be promptly removed from the HMA in Arizona. The Bureau shall cooperate with Lake Mead National Recreation Area and Bureau offices in Nevada to keep the burro population in the HMA at approximately 10 animals or less at any one time. Any burros in the DWMAs/ACECs shall be promptly removed.[3]
>
> ~~in the area. The Mojave Amendment called for the removal of burros from the Tassi~~that ~~portion of the HMA, as did the NPS Burro Management Plan.~~
>
> ~~) modified the 1982 decision to implement the HMAP and set the wild burro at zero. The 1998 decision was aimed at protecting the threatened desert tortoise (*Gopherus agassizii*) and its habitat, which is found.~~ HMA at approximately ~~30~~10 animals.

~~The 2007 Arizona Strip Proposed RMP/GMP/Final EIS BLM (BLM 2007) estimated that there were~~

[3] The 1998 Mojave Desert Amendment EA states "[m]anage toward zero animals in the Tassi, recognizing that removal of the last few burros may be prohibitively expensive, and that burros from adjacent herds may wander into the area." The USFWS consultation recognized this issue and appears to have set a threshold action level for burro removal at 10 animals to account for burros entering the area, the rugged terrain in which burros may not be visible during surveys, and the difficulty of rounding up a small number of burros in such terrain.

~~Currently, the Tassi-Gold Butte HMA~~The 2008 GCPNM RMP/GMP revoked the Pakoon ACEC due to greater protection afforded by the Monument Proclamation and carried forward all previous decisions to implement the 1994 Desert Tortoise Recovery Plan. Specifically, the RMP/GMP stated that:

> Management objectives will give priority to desert tortoise and implementation of recovery plan actions. Activities administered by the Monument staff on Lake Mead National Recreation Area (NRA) and on public lands in Nevada will be managed in accordance with WHA prescriptions. Desert tortoise needs will be considered the highest priority in resolving resource conflicts in the Pakoon WHA [Wildlife Habitat Area].

The 2011 Desert Tortoise Recovery Plan (revised) also states that "Managing for zero population levels and gathering animals to maintain this goal inside desert tortoise conservation areas is consistent with existing land use plans and the Wild Free Roaming Horses and Burros Act of 1971". Thus, the Tassi-Gold Butte HMA currently has an Appropriate Management Level (AML) set ~~at~~to zero (0) wild burros. ~~This zero AML was established through the BLM and NPS Records of Decision (RODs) and Approved Grand Canyon- Parashant National Monument Resource Management Plan (RMP/GMP)/Environmental Impact Statement (EIS) (BLM 2008a) and the Lake Mead National Recreation Area Burro Management Plan and Final EIS (NPS 1995).~~

These numbers are based on the most recent aerial survey from September 2017 in the area, which used simultaneous double-observer methods for data recording (Ekernas~~, Griffin and Lubow~~ et al. 2017~~) and~~), analysis (Ekernas 2018~~).~~) and expected population growth. A recent study found that even after analyzing simultaneous double-observer data, aerial survey-based population estimates for burros typically underestimate true burro abundance by 25% or more although the exact level of that undercount cannot be estimated without additional information (Hennig et al 2022), so values in Table 1.1 and 1.2 and subsequent in this analysis should be considered minimal. In March 2019, there might have been a reporting error that underestimated the number of burros~~:~~as no survey was done nor was there a removal. 88 burros were reported to the public (2019 Wild Horse and Burro HA and HMA Statistics~~(available at: www.blm.gov/sites/blm.gov/files/2019_Final_HAHMA_Stats_05022019_final_508.pdf), though there had~~), although there has not been a removal ~~that would~~or reported deaths to have caused that decline.

Using the 88 number, there would have been at least 48 burros left in the HMA. There are no ~~particular~~specific records of widespread or unusually high levels of wild burro deaths between 2017 ~~– 2023, so~~and 2024; therefore, it is appropriate to use a 15% annual growth rate value, which is typical for many BLM-managed wild burro herds (BLM 2010). This 15% per year value may underestimate actual growth in the area, considering that a summary by Ransom et al. (2016) found an average annual growth rate of 19% per year for free-roaming burros.

Table 1.1. Population Estimate Inside the Tassi-Gold Butte HMA*.

* There could be ~~as many as~~at least 190 or more excess burros by 2029. If the reporting number had not been mistakenly ~~changed~~reduced in 2019, assuming a net 15% annual increase, it might be more accurate to conclude that there ~~are now~~could be more than 335 excess burros in the HMA by 2029.

There have been no burros removed from the greater Pakoon Basin and there are no records of unusually large numbers of wild burro deaths between 2017 ~~–2023.~~and 2024.

1.3 Purpose and Need for Action

This would achieve an AML of zero wild burros per the~~ 1995 Lake Mead NRA Burro Management Plan and~~ 2008 GCPNM RMP/GMP and restore a thriving natural ecological balance and multiple use relationship on the public lands consistent with the provisions of Section 1333 (a) of the Wild Free- Roaming Horses and Burros Act of 1971 and NPS management policies (2006).

1.5 Relationship to Laws, Regulations, and Other Plans

- The Wild Free-Roaming Horses and Burros Act (WFRHBA) (as amended) ~~and applicable regulations at~~ (43 CFR §4700)
- ~~State Protocol Agreement between the Bureau of Land Management, Arizona and the Arizona State Historic Preservation Office (2014)~~
- ~~The Antiquities Act of 1906~~
- U.S. Fish and Wildlife Service Revised Recovery Plan for the Mojave Population of the Desert Tortoise (2011)
- NPS Organic Act of 1916 (39 Stat. 535; 16 U.S.C. 1, 2, 3, and 4, as amended through P.L. 108–352)
- Wilderness Act of 1964 (16 U.S.C. § 1131 et seq.)
- ~~The~~ National Historic Preservation Act of 1966~~, as amended~~ (P.L. 89-665; 80 Stat. 915; 54 U.S.C. §306108)
- National Environmental Policy Act of 1969 (42 U.S.C. §4321 et seq.)[4]
- American Indian Religious Freedom Act of ~~1979~~1978 (P.L. 95-431; 92 Stat. 469; 42 U.S.C. 1996)
- ~~Archaeological~~ Executive Order 13007 ("Indian Sacred Sites," 61 F.R. 104, May 24, 1996)
- Executive Order 13175, Consultation and Coordination with Indian Tribal Governments (65 CFR Part 67249; November 6, 2000)
- ~~Resource Protection Act of 1979~~
- ~~Native American Graves Protection and Repatriation Act of 1990 (25 U.S.C. §3001-3013; 104 Stat. 3048-3058)~~

2.2.1 Management Actions and Best Management Practices of the Proposed Action

[4] Executive Order 14154, *Unleashing American Energy* (Jan. 20, 2025), and a Presidential Memorandum, *Ending Illegal Discrimination and Restoring Merit- Based Opportunity* (Jan. 21, 2025), require the Department to strictly adhere to the National Environmental Policy Act (NEPA), 42 U.S.C. §§ 4321 *et seq.* Further, such Order and Memorandum repeal Executive Orders 12898 (Feb. 11, 1994) and 14096 (Apr. 21, 2023). Because Executive Orders 12898 and 14096 have been repealed, complying with such Orders is a legal impossibility. The [bureau] verifies that it has complied with the requirements of NEPA, including the Department's regulations and procedures implementing NEPA at 43 C.F.R. Part 46 and Part 516 of the Departmental Manual, consistent with the President's January 2025 Order and Memorandum.

The BLM and NPS would follow the ~~Standard Operating Procedures (SOPs) found in Appendix B and in~~ BLM Handbook 4700-1 ~~titled~~, Wild Horses and Burros Management Handbook (BLM 2010~~).~~) including all updates in PIM 2021-002 and associated Comprehensive Animal Welfare Program (CAWP) found in Appendix B. Gather methods would be determined on a case-by-case basis depending on access, time of year, funding, personnel availability, and the difficulty of gathering the burros (due to terrain, weather, water and forage availability, and/or number of burros to be gathered).

- Any burros residing inside or outside of the Tassi-Gold Butte HMA boundaries and within the greater Pakoon Basin project area would be removed during gather operations (Appendix A, Figure A.1).
- The BLM Contracting Officer's Representative (COR) and Project Inspector (PI) assigned to the gather would be responsible for ensuring contract personnel abide by the contract specifications and the CAWP standards (Appendix B).
- Animals would be transported to the nearest BLM off-range corrals (ORC) with available space where they would be prepared (freezemarked, microchipped, vaccinated and de-wormed) for adoption, or sale (with limitations~~), or off-range pastures (ORP~~).
- Drive Trap: This gather method involves utilizing a helicopter to herd wild burros into a temporary trap. Wranglers on horseback may be utilized to rope burros as needed.
- Bait Trap: This gather method involves utilizing bait (e.g., water, mineral supplement, or feed) or sexual attractants (jennies in heat) to lure wild burros into a temporary trap~~.~~ (BLM 2021b).
- Traps ~~will~~ would not be placed within riparian areas.
- ~~Ongoing monitoring~~ Monitoring of ~~forage condition~~ springs and ~~utilization, water availability, aerial~~ burro population ~~surveys,~~ size and ~~animal health~~ distribution would continue.
- Population inventories and routine resource/habitat monitoring would be completed ~~between gathers~~ as needed to document current population levels, growth rates, and area of continued resource concern (burro concentrations, riparian impacts, etc.) ~~prior to any follow up gather.~~to determine any follow up gather. All monitoring would be in accordance with agency approved monitoring protocols and would be subject to funding and staff availability.
- BLM and NPS would communicate and coordinate burro gather activities, locations, and schedules in advance with authorized grazing permittees and private landowners within the greater Pakoon Basin project area and inform Special Recreation Permit (SRP) holders and the general recreating public before the gather.
- Known salvage restricted plant species locations would be avoided at trap sites and temporary corral locations.
- Locate equipment storage, machine and vehicle parking or any other area needed for the temporary placement of people, machinery and supplies in areas that are relatively weed free~~.~~ and devoid of high fuel loading to prevent wildfire.
- To reduce the potential for introduction or spread of noxious weeds and non-native invasive species to the project area, the Contractor shall, prior to moving in motorized vehicles, trailers, and equipment to be used for gather activities, power wash off-site all such equipment, including body and undercarriage, personal protective equipment, to remove all dirt, plant parts and materials that may carry noxious weed and non-native invasive seeds. All equipment shall be inspected by the Authorized Officer/COR/PI prior

to moving said equipment to the project area. This includes cleaning all equipment before entering the Arizona Strip.

- Timing of gather activities would consider recreation use patterns whenever possible. Action should be scheduled to avoid known high-use times ~~such as weekends and hunting season.~~.
- Migratory bird surveys would occur prior to gather sites being constructed during migratory bird breeding season to detect any active nests and avoid or minimize potential impacts to breeding migratory birds and their nests.

Desert Tortoise Conservation Measures GCPNM RMP/GMP Appendix G 2.1.1 (BLM 2008a) states:

~~Appendix A, Figure A.5 is a map that shows Desert Tortoise Designated Critical Habitat within the analysis area.~~

California Condor Conservation Measures GCPNM RMP/GMP Appendix G 2.1.1 (BLM 2008a) states:

2.4 Alternatives Considered but ~~Dismissed~~ Eliminated from Detailed Analysis

2.4.3.2 Field Darting with ZonaStat-H (Native PZP) and GonaCon (No Gathers, No Removal)

The size of the Tassi-Gold Butte HMA and greater Pakoon Basin is large (approximately ~~424,545~~ 424,913 acres) and many areas do not have safe and ready access, including the wilderness area.

2.4.4 Wild Burro Numbers Controlled by Natural Means

Predators such as mountain lions may prey on wild equids in some circumstances (Andreasen et al. 2021, Lundgren et al. 2022~~).~~., Mesler and Jones 2022). While mountain lions may reduce wild horse or burro herd growth rates in rare circumstances (Turner and Morrison 2001), they do not generally prevent burro herds from growing, perhaps in part because smaller ungulates such as mule deer and bighorn are preferred over burros as prey for mountain lions (Knopff et al. 2010, Blake and Gese 2016, Andreasen et al. 2021).

Wild burros can be aggressive around water sources, and some wildlife might not be able to compete (~~reviewed in Crist~~Rubin et al. 20~~19~~24), which could lead to the death of individual animals.

3.1 General Description of the Affected Environment

~~Tassi-Gold Butte HMA is approximately 103,180 acres and the~~ The greater Pakoon Basin is approximately ~~321,365~~ 424,913 acres ~~of~~ and includes approximately 103, 421 acres of the Tassi-Gold Butte HMA. This remote and rugged Mojave Desert landscape is in the northwest corner of Mohave County, AZ (Appendix A, Figure A.1).

A series of springs ~~run~~ are located along the Grand Wash including Pakoon Springs, Seven Springs and Tassi Spring providing water for ~~desert creatures~~ wildlife.

The northern boundary of the project area is the boundary of the Grand Canyon-Parashant National Monument ~~boundary with~~ and the Arizona Strip Field Office on the south slope of the Virgin Mountains.

3.2 Elements of Resources of the Human Environment

~~Those elements of the human environment that are subject to the requirements specified in statute, regulation, or executive order, and must be considered in all EAs (BLM 2008b, NPS 2015) have been considered by BLM and NPS resource specialists to determine whether they would be potentially affected by the proposed action or alternatives.~~ The BLM and NPS resource specialists have considered the resources and elements of the human environment as part of the NEPA process. ~~Table 3.2 also contains other resources that have been considered in this EA. As with the elements of the human environment, if these resources were determined to be potentially affected, they were carried forward for detailed analysis.~~

3.2.1 Livestock Grazing

There are no ~~active and available~~ grazing allotments available for livestock grazing within the Tassi-Gold Butte HMA, which includes the public lands managed by the BLM and areas within the Lake Mead NRA (NPS). The Tassi Allotment is within the HMA and is ~~closed to~~unavailable for grazing, see Table 3.3 (Appendix A, Figure A.2). The Pakoon Springs Allotment, and a portion of the Mosby-Nay Allotment are outside of the HMA and are also ~~closed to~~ unavailable for grazing.

There are ten active ~~and available~~ grazing allotments available for livestock grazing and one forage reserve administered by GCPNM~~, which occur~~ entirely or partly within the greater Pakoon Basin ~~analysis~~project area (Appendix A, Figure A.2). See Table 3.3 for a list of the allotments. ~~Those~~ The grazing authorizations for the active grazing allotments a~~re authorized for cattle grazing. Permitted livestock have seasons~~include season of use restrictions, ~~pasture rotations~~rotation requirements, and maximum number of permitted AUMs~~ available for use as specified on the grazing permit to better manage grazing and to~~. These terms and conditions provide rest from grazing for a portion of the year. ~~These conditions~~ and are expected to ~~continue~~be carried forward on future grazing authorizations.

Grazing permittees on the Pakoon and Mosby-Nay Allotments have reported ~~having~~ wild burros at ~~all of their~~ waters, springs, water troughs, and wells within these allotments. Burros sometimes digdamage these range improvements by digging and chewing on water valves and pipelines ~~where water is dripping.~~.

The greater Pakoon Basin project area covers approximately 424,913 acres, see Appendix A, Figure A.2. There are about 245,949 acres within the greater Pakoon Basin project area that are also within desert tortoise designated critical habitat, Appendix A, Figure A.5. Of that area approximately 116,866 acres are available for livestock grazing.

3.2.2 Soil Resources

Overall, a visual review via ~~arial photography~~remote imagery, estimates 4-8% of the proposed area soils (12,000 to 25,000 acres) have already been impacted by the presence of wild burro.

3.2.3 Threatened, Endangered, or Candidate Animal Species

Tortoise~~ contains at least some of the key habitat requirements for desert~~ Survey data and the presence of suitable desert tortoise habitat ~~within the project area~~ suggest that tortoises may have the potential to ~~survive. Therefore, tortoises are present within the project area and might~~ wander onto the ~~project sites~~trap, corral, and staging areas during project related activities.

3.2.4 Vegetation including Invasive, Non-native Plant Species

The vegetative communities in the ~~analysis~~project area (Appendix A, Figure A.1) are Mojave Desert Ecological Zone, Mojave-Great Basin Transition Zone, and Mojave-Great Basin Ecological Zone~~. Vegetation communities vary~~ varying by elevation, ~~soils~~soil type, and precipitation. ~~Wildfires haveburned through portions of the analysis area and the vegetation is in recovery with a mixture of annual and perennial plants.~~ Both high and low intensity wildfires have burned through portions of the project area and some areas are showing signs of recovery with a mixture of annual and perennial plants.

Tassi-Gold Butte HMA

Cholla and other cacti are present.

Greater Pakoon Basin outside of the HMA

Cholla and other cacti~~. Desert~~ are present as are desert globemallow (*Sphaeralcea ambigua*) and other forbs.

Invasive, Non-native Plant Species

Several invasive, non-native plants species are found in the ~~analysis~~project area~~ with red~~. Red brome (*Bromus rubens*), common Mediterranean grass (*Schismus barbatus*), redstem filaree (*Erodium cicutarium*), and cheatgrass (*Bromus tectorum*) are the most dominant. ~~Invasive~~These and other invasive annual grasses and forbs ~~like those listed~~vary in abundance~~ based on yearly~~, density and distribution in response to annual precipitation and ~~disturbance like~~disturbances such as wildfire, overgrazing, or trailing. Invasive plant numbers, density and distribution vary year to year based on the same factors, as do other forms of vegetation in the project area, though their distribution is generally increasing in previously burned areas.

Malta starthistle (*Centaurea melitensis*),~~ is a State of~~ an Arizona Department of Agriculture Class B noxious weed,~~ it~~ was found and treated in 2003 at Middle Spring in the Mosby Allotment,~~ which is~~ now part of the Mosby-Nay Allotment. ~~Bermuda~~Additionally, bermuda grass (*Cynodon dactylon*) and Tamarisk (*Tamarix* sp.*)* have been found around some springs ~~or~~and washes.

3.2.5 Wetlands and Riparian Zones

Vegetation at springs/riparian areas within the ~~analysis~~project area ~~might~~may include: spikerush (*Eleocharis sp.)*, bulrush (*Scirpus americanus),* cattail (*Typha* sp.), yerba-mansa *(Anemopsis californica*), datura (*Datura wrightii*), Gooding's willow (*Salix goodingii)*, coyote willow (*Salix exigua*), seep willow (*Baccharis salicifolia),* Fremont cottonwood (*Populus fremontii*), mesquite (*Prosopis* sp*.),* and saltgrass (*Distichlis spicata*).

Trampling and trailing damage by burros is evident at most locations; soil compaction and surface and rill erosion ~~is~~are also evident~~. These trends are expected to continue~~.

3.2.6 Wilderness including Proposed Wilderness

The~~proposed~~ project area includes approximately 37,221 GIS acres of the Grand Wash Cliffs Wilderness Area managed by the BLM and approximately 40,109 GIS acres in the Proposed Wilderness areas within the NPS managed lands of the greater Pakoon Basin ~~analysis~~project area (Appendix A, Figure A.4). The Grand Wash Cliffs Wilderness makes up approximately ~~9~~12% of the greater Pakoon Basin ~~analysis~~project area. NPS Proposed Wilderness areas make up an additional ~~9~~12% of the ~~analysis~~project area.

~~Wilderness boundaries included avoidance of roads within the wilderness.~~ Grand Wash Cliffs Wilderness has experienced relatively few alterations to its character ~~since its creation.~~ from modern human activities. Sections of the Wilderness have experienced lightning-caused wildland fires resulting in a periodic decrease in naturalness ~~(post wildland fire vegetation becomes dominated by~~as non-native invasive vegetation becomes dominant following fire.

These lands do not have a wilderness management plan and have not yet been designated by Congress; management is guided by NPS policy, the GCPNM RMP/GMP, and the original 1979 draft wilderness proposal. The original proposal ~~notes the~~describes this landscape as a "harsh environment where the desert can be experienced on its own terms". The area is not expected to change much in the future as the area currently does not experience many wildland fires and human use is largely limited to existing ro~~ute~~ads.

The ~~term "wilderness character" was first referenced in the 1964~~ Wilderness Act~~. The Act states~~ requires that federal agencies~~ are responsible for preserving~~preserve the wilderness character of wilderness areas. The tangible qualities of wilderness incorporated in the descriptions of the proposed and designated wilderness include solitude, primitive and unconfined recreation, naturalness, and their untrammeled and undeveloped wilderness characteristics.

3.2.7 Areas Managed to Maintain Wilderness Characteristics (WCA)

This is approximately ~~54~~71% of the ~~analysis~~project area.

3.2.8 Wild Burros

Burros have been reported as being attacked by mountain lions (Mesler and Jones 202~~1~~2, Lundgren et al. 2022), but the frequency of predation by lions has apparently not slowed down the burro herd growth rate in the Tassi-Gold Butte HMA in recent years. Other predators such as ~~a wolf~~wolves or ~~bear do~~bears are not known to exist in this HMA.

This AML was established through the BLM and NPS Record of Decisions (RODs~~) and Approved~~), the approved Grand Canyon- Parashant National Monument Resource Management Plan (RMP/GMP)/Environmental Impact Statement (EIS) (BLM 2008a), and the Lake Mead NRA Burro Management Plan and Final EIS (~~NPS1995~~NPS 1995).

The most recent aerial survey of ~~the~~ Tassi-Gold Butte HMA and a portion of the greater Pakoon Basin took place in September 2017, see Section 1.2 Background and Tables 1.1 and 1.2 Population Estimates. ~~It was estimated~~ At that time, it was estimated that there were 105 burros on both BLM and NPS lands within the HMA. ~~15~~Fifteen burros were seen on the NPS administered lands within the HMA, 90 burros were seen on BLM administered lands within the HMA. ~~At the same time~~Additionally, it was estimated that there were an additional 55 wild burros outside of the HMA on BLM land within the greater Pakoon Basin on the GCPNM.

These numbers are based on the most recent aerial survey from September 2017 in the area, which used simultaneous double-observer methods for data recording (Ekernas~~, Griffin and Lubow~~et al. 2017~~) and~~), analysis (Ekernas 2018~~). Based on the survey, the estimated~~) and expected population ~~inside of the HMA at that time was 105 wild burros.~~growth. In March 2019, 88 burros were reported, however, there might have been a reporting error that underestimated the number of burros.~~88 burros were reported.~~ In ~~five~~four years, ~~applying the~~at a potential 15% per year growth rate, there could be as many as 190 burros by the year 2029.

These numbers are based on the most recent aerial survey in the area, ~~which was~~completed in September 2017, which used simultaneous double-observer methods for data recording (Ekernas~~, Griffin and Lubow~~ et al. 2017~~ and~~), analysis (Ekernas 2018) and expected population growth. In 2017, the estimated population outside of the HMA was 55 burros. ~~Applying the estimated 15% per year growth rate, the current population could be as many as 125 (Table 1.2).~~

Since there are no physical barriers (fences) between the Arizona and Nevada state line,~~some number of~~ wild burros can travel back and forth between the Tassi-Gold Butte HMA in Arizona and the Gold Butte HMA just over the state line to the west in Nevada (Appendix A, Figure A.1).

3.2.9 Wildlife (including sensitive species and migratory birds)

Excessive burro use can result in damage to frog habitat in the unfenced areas, potentially affecting their ~~numbers~~population size.

4.2.1 Livestock Grazing

Impacts from the Proposed Action

Direct impacts to livestock near gather activities would be temporarily disturbed and/or displaced by the aircraft and the increased vehicle traffic during the gather operation.

Removing wild burros would~~ provide rest to~~ allow vegetation to rest from potentially year-round grazing from wild burros~~ and would benefit~~, benefiting native perennial plant species. Implementing the proposed action~~ removing wild burros,~~ would have a beneficial impact for livestock grazing in the ~~analysis~~project area.

Impacts from the No Action Alternative

Over time, impacts to forage and water would increase as the population of wild burros continues to increase~~. Burro populations would continue to increase~~ at approximately 15% per year. It is estimated that in ~~five~~four years (2029) there could be ~~as many as~~ 190 or more burros in the HMA, that would be an additional ~~96~~82 burros over the 2024~~5~~ estimated population (Table 1.1).

4.2.2 Soil Resources

Impacts from the Proposed Action

Additional long-term impacts involving the proposed action would ~~also reduce~~be the reduced presence of wild burros from the project area thereby reducing burro trails of compacted soils, manure piles, and disturbed soil pits (where burros rest). ~~p~~Physical weathering would ~~also~~ return the burro resting pits back to the prevalent armored desert pavement soil crust surface.

4.2.3 Threatened, Endangered, or Candidate Animal Species

Impacts from the Proposed Action

Drive trapping could increase the risk of a tortoise being trampled or a burrow collapsing; tortoises that wander into the areas near traps would be moved resulting in harassment.

4.2.4 Vegetation including Invasive, Non-native Plant Species

Impacts from the Proposed Action

~~Areas receiving less than one month of bait trap use would not inhibit the reproductive capabilities of individual plants and vegetation would recover during the next growing season. Vegetation is expected to recover within a year.~~

Wild burros also contribute to trampling and trailing particularly to and from and near water sources damaging upland and riparian vegetation and soils crusts (Appendix A. ~~Figure A.6), photo of wild burro trail between Grapevine Spring and Buckhorn Spring. In an area closed to livestock grazing).~~Figure A.6). Removal of burros would eliminate the competition for forage and water in allotments that are permitted for livestock grazing. ~~Removal of wild burros~~Additionally, it would ~~remove a vector of~~eliminate the potential spread ~~for~~of invasive, non-native plant species and noxious weeds through feces. Implementing the proposed action, removing wild burros to the AML of zero, would have a beneficial impact for ~~V~~vegetation including ~~Invasive, Non~~invasive, non-native ~~Plant Species~~plant species in the ~~analysis~~project area.

Burros can be more destructive to the range than cattle due to their differing grazing habits. ~~Wild burros can exploit poor quality forage (reviewed in Douglas and Hurst 1993), as they have a similar digestive system to horses. However~~Additionally, the equine digestive system requires that horses and burros consume 20-65% more forage than a cow of equal body mass (Hanley and Hanley 1982, Menard et al. 2002). ~~Although seeds can pass through the horse digestive systems without being digested, this potential benefit has negative consequences when invasive species germinate from feces (i.e., King et al. 2019); germination of invasive species from burro feces can be assumed to be comparable. During times of greatest physiological stress (increased temperature, decreased precipitation), horses and burros can monopolize access to water sources, leaving limited time for other species~~Wild burros can exploit poor quality forage (reviewed in Douglas and Hurst 1993). ~~This raises concern for native species in water-limited environments (Hall et al. 2016) such as those which exist throughout the HMA (BLM 2020).~~

~~The dietary overlap between wild burros and cattle is much higher than with wildlife, and averages between 60 and 80% (Hubbard and Hansen 1976, Hansen et al. 1977, Hanley and Hanley 1982, Krysl et al. 1984, McInnis and Vavra 1987).~~

4.2.6 Wilderness including Proposed Wilderness

Impacts from the Proposed Action

While mitigations would be put into place to protect the natural quality during gather operations, wildlife like bighorn sheep and desert tortoise could be negatively affected. Bighorn sheep or other wildlife could be startled. Burros could crush tortoise burrows. However, affected wildlife are sparsely distributed in the project area and are anticipated to be minimally affected during helicopter operations.

The impacts of gather activities on the natural, undeveloped, opportunities for solitude or primitive and unconfined recreation, and other features of value qualities are expected to be of short duration, moderate intensity, and limited extent. The positive impacts from removing burros on the natural and other features of value qualities are expected to grow over time, have profound benefits to the ecosystem, and be widespread. Therefore, the overall effect to wilderness resources would be positive.

Impacts from the No Action Alternative

The negative impacts of burros on the natural and other features of value qualities would

continue indefinitely and worsen over time and space. Therefore, the overall effect to wilderness resources would be negative.

4.2.7 Areas Managed to Maintain Wilderness Characteristics (WCA)

Impacts of the Proposed Action

Under the proposed action neither the helicopter or fixed wing aircraft overflights or the emergency actions in the WCA ~~represent~~constitutes manipulations of the natural processes on-going in WCA.

4.2.8 Wild Burros

Impacts of the Proposed Action

Indirect individual impacts are those~~impacts~~ which occur to individual wild burros after the initial stress event and might include spontaneous abortions in jennies.

Adoption applicants are required to have at least a 400 square foot corral with panels that are at least ~~six~~4.5 feet tall.

Given the timing of these gathers, spontaneous abortion is not considered to be ~~an~~a frequent issue for the proposed gather.

Adherence to the Standard Operating Procedures (SOP) as well ~~and~~ as techniques used by the gather contractor help minimize the risks of heat stress.

Impacts of the No Action Alternative

Without a gather and removal ~~now~~, the wild burro populations in the HMA would grow to approximately 190 animals ~~in five years' time~~ or more by 2029 based on the average annual growth rate (see Table 1.1).

Damage to upland and riparian rangeland resources would ~~continue to worsen. At some point,~~increase. Left unmanaged, increased burro density ~~might be so great and~~ coupled with limited available forage and water resources ~~so limited that even the burros own very high~~could result in decreased burro fertility rates ~~could decline,~~ and increased mortality due to starvation ~~could increase~~ (NAS 2013).

4.2.9 Wildlife (including sensitive species and migratory birds)

Impacts from the Proposed Action

The project area contains riparian and creosote/sagebrush habitats, therefore potential impacts to neotropical migrants ~~might~~may be expected. Noise and activity from gathers occurring during this time period might disturb migratory birds during the ~~remaining portion of the~~ breeding season. Migratory bird surveys would occur prior to gather sites being constructed during migratory bird breeding season to detect nests and avoid or minimize potential impacts to breeding migratory birds and their nests.

During times of high temperatures or drought, horses and burros may monopolize access to water sources, increasing resource competition with wildlife. This raises concern for native species in water-limited environments (Hall et al. 2016) such as those which exist throughout the HMA (BLM 2020). Competition with wildlife for water at natural springs and seeps would be drastically reduced. More water would be available for a longer period of time for wildlife species.

4.3 Cumulative Effects

"Cumulative ~~impacts~~effects" are those ~~impacts~~effects resulting from the incremental impact of an action when added to other past, present, or reasonably foreseeable future actions regardless of what agency or person undertakes such other actions.

- Past, present, and reasonably foreseeable actions within the ~~analysis area~~project area as described in section 4.3.1 would continue to influence range resources, watershed conditions and trends.

4.3.1 Livestock Grazing

Cumulative Impacts of the Proposed Action Alternative

~~The largest impact to livestock grazing was the overgrazing that occurred~~Overgrazing prior to the implementation of the TGA, FLPMA, and PRIA~~. Overgrazing~~ resulted in erosion, loss of forage, and introduction of non-native invasive plants and noxious weeds. ~~Rangeland health conditions are improving but wild~~Wild burro populations over the established AML of zero are impacting availability of water and forage for wildlife and livestock.

Typically, livestock ~~would~~ move back into the area once gather operations cease (BLM 2020). ~~Impacts~~ Short term impacts from proposed gather activities ~~proposed~~would ~~be~~include potential trampling of forage from both human and animal activities around trap sites. ~~Trampled areas might be less productive than non-trampled areas, leading to reduced rangeland health when considered with other impacts to rangeland from human-caused disturbance.~~

Livestock grazing would continue in ~~active~~the available grazing allotments within the greater Pakoon Basin, the GCPNM, and the Arizona Strip District. New range improvements ~~might~~may be planned and implemented following appropriate NEPA analysis.

Cumulative Impacts from the No Action Alternative

Cumulative effects from the no action alternative would ~~incrementally~~ increase damage to rangeland ecosystems.

4.3.2 Soil Resources

Cumulative Impacts of the Proposed Action Alternative

The proposed action alternative~~, in terms of soils,~~ would have meaningful positive cumulative effects~~. The corralling and burro removal proposed actions, as described in Chapter 2, would have limited direct impacts as these are short-lived operations. However, the~~ on soil resources. The long-term indirect impacts resulting from the absence of wild burros in the proposed area include the ~~re-absorption~~fading of ~~non-used~~unused burro trails~~back into the landscape which would take decades. These~~, absence of burro manure, and improved vegetation recovery after wildfire, old mining claims, and livestock operations.

The altered soils surfaces caused by burro trailing would continue to modify precipitation run-off in the short term, which would have some slight changes to terrain ~~in terms of geomorphology.~~. Given ~~enough~~ time for arid climate weather processes to occur, most traces of the burro trails would be eliminated ~~with~~as natural gravel surfaces re-emerge and cryptobiotic soil crusts ~~restored. Another consideration would be the absence of burro~~regenerate.

Burro manure, which frequently occurs on or next to burro trails~~ Whereas typical condition of soils in the region is,~~ would continue to~~have lower concentrations of nutrients and organic materials, these manure piles~~ provide a source of nutrients and organic material which alter how the soils interact with the Mojave vegetation. ~~Wild horse manure has been shown to support germination of invasive annual plants such as cheatgrass (King et al. 2019) and the same may be true for burros. The absence~~The reduced level of manure nutrients over time would allow for soils to gradually revert to an original nutrient state to which native vegetation patterns could adapt.

Wildfires have been present in the proposed action area, with future wildfires anticipated. These fires typically leave behind denuded topsoil with exacerbated soil erosions rates until revegetation processes take place, usually within a year for native and invasive grasses. The proposed action with the absences of burros would allow for quicker revegetation after a wildfire, thereby protecting soils from increased erosion potential.

Mining tailings and mining claims in the proposed area are no longer active. The proposed action would have no cumulative effect on soil resources in terms of residual toxic metals being disturbed and altering soil composition.

Grazing allotments are currently active in the proposed area and will continue onwards into the future. Livestock operations, which have a similar impact to soils as burros with soil compaction, cattle trails, and manure piles, remain limited to cattle corrals and stock ponds. Similar burro impacts tend to be widely ranging given their extensive foraging behavior. Overall livestock impact is confined to existing disturbed areas. The proposed action would not increase the cattle impact nor alter future grazing allotment activity.

Cumulative Impacts of the No Action Alternative

The no action alternative would allow the continuation of wild burro impacts to persist and to amplify within the proposed area. Direct impacts would be continued proliferation of burro trails, ~~resulting~~manure deposits, mining, and wildfire impacts.

Burro trails would continue to result in ~~modifying~~the modification of large soil surface areas creating greater soil erosion impacts from gullies to ravines. Dust levels would affect visibility for recreation, wildlife, along with health concerns from gypsiferous soils located in Gyp Hills, producing dust particulates with arsenic and selenium, de~~ni~~grat~~d~~ing air quality.

Burro manure would also become common more common on burro trails creating an elevated source of nutrients and organic material (Appendix A, Figure A.6, ~~Photo of burro trail~~).

The no action alternative would allow for ongoing and future increased burro activity, which would continue to lessen the post-wildfire revegetation process, in turn also slowing down the ability of topsoil to return to its pre-fire soil erosion state.

Mining sites would remain unaffected with the no action alternative given the voided status and inert qualities of the existing mine tailings.

Grazing allotment activities would continue with their current livestock limited impacts under the no action alternative. However these impacts would also be co-mingling with burro impacts as foraging behaviors would overlap as they compete for the same limited grazing opportunities. Over foraging of available vegetation would lessen the topsoils ability to resist soil erosion.

4.3.3 Threatened, Endangered, or Candidate Animal Species

Cumulative Impacts of the Proposed Action Alternative

Cumulative impacts to desert tortoise from the proposed action when added to past, present, and reasonably foreseeable future actions include habitat ~~damage~~degradation, disturbance, injury, and fatality from recreation, particularly OHV use, as well as competition for resources from livestock grazing and burros.

Cumulative Impacts of the No Action Alternative

Cumulative impacts to desert tortoise from the no action alternative when added to past, present, and reasonably foreseeable future actions include habitat ~~damage~~degradation, disturbance, injury, and fatality from recreation, particularly OHV use, as well as competition for resources from livestock grazing and burro management.

4.3.4 Vegetation including Invasive, Non-native Plant Species

Cumulative Impacts of the Proposed Action Alternative

Cumulative impacts from the proposed action would result in a lower level of impact to vegetation as removal of the wild burros would decrease impacts on ~~these resources.~~this resource.

When considered with other past, present, and RFFAs, cumulative effects of the proposed action alternative could add to vegetation damage and ~~invasion~~introduce and/or increase the presence of invasive species in bait trap and holding areas. Increased off-highway vehicle use has been known to reduced habitat quality and increased invasive species.

Removing ~~excess~~ burros and managing the HMA and greater Pakoon Basin at the AML of zero would reduce foraging impacts to vegetation, minimizing impact from hoof activity and reduce compaction to soils. ~~Removing burros~~Additionally, it would remove pressure off vegetative reproduction by limiting overgrazing and leaving individual plants with reproductive capabilities.

The cumulative effects of the proposed action alternative, removing burros to the AML of zero, would have a potentially beneficial effect on long-term management goals to ~~maintain rangeland health~~improve conditions for vegetative communities.

4.3.6 Wilderness including Proposed Wilderness

Cumulative Impacts of the Proposed Action Alternative

The short-term, localized effects on the natural quality by gather operations may add to those from grazing, however, they are not expected to measurably increase the effects already seen by grazing infrastructure and trailing.

Trammeling by aircraft on preexisting commercial, private and military routes occurs over both the Grand Wash Cliffs Wilderness and the NPS proposed wilderness. The proposed action would add to trammeling of bighorn sheep in ways similar to the preexisting conditions, in short durations and in highly localized areas. Trammeling of desert tortoise potentially occurs due to livestock grazing and non-motorized hunting activity in the Grand Wash Wilderness. The proposed action would likely increase trammeling by limiting the routes burros would take, during gather operation, thereby increasing the possible damage to tortoise burrows if they occur in the limited travel route.

Cumulative Impacts of the No Action Alternative

Cumulative impacts to wilderness from the no action alternative when added to past, present, and reasonably foreseeable future actions include habitat ~~damage~~degradation and disturbance from recreation, as well as competition for resources from livestock grazing and burro management.

4.3.7 Areas Managed to Maintain Wilderness Characteristics (WCA)

Cumulative Impacts of the Proposed Action Alternative

When considered in conjunction with these other activities the proposed action would not add to any decline of naturalness ~~but~~ . However, the quality of solitude would decrease ~~a different aspect of solitude than grazing~~ by the introduction of short term, localized ~~introduction of~~ non-natural ~~sound.~~sounds associated with the gather (i.e. helicopter use).

4.3.8 Wild Burros

Cumulative Impacts of the Proposed Action Alternative

The result being ~~there were still~~that an estimated 48 burros remained in the HMA and as many as 55 burros in the greater Pakoon Basin.

Cumulative impacts to wild burros from the proposed action alternative would be beneficial in the long term, in that any burros that remain on the HMA would have improved habitat conditions up to the point when they are gathered.

Cumulative Impacts of the No Action Alternative

Under the no action alternative, wild burros would not be removed, the wild burro population within the HMA could reach at least 190 burros by 2029~~, see~~ (Table 1.1). The population of burros in the greater Pakoon Basin outside of the HMA could reach 253 ~~in~~or more by 2029 (Table 1.2). Continued and expanded movement outside the HMA would be expected as greater numbers of burros search for food and water for survival, thus impacting larger areas of public lands~~as wild burros search for forage and water~~.

4.3.9 Wildlife (including sensitive species and migratory birds)

Cumulative Impacts of the Proposed Action Alternative

The long-term impact is improved wildlife habitat. Removal of burros from the Pakoon Basin might reduce the risk of burro trampling and damage to wildlife habitats, especially around water sources where burro use can be concentrated.

Cumulative Impacts of the No Action Alternative

Burro numbers would continue to increase and associated habitat damage, potential trampling, and competition for resources would increase.

5.2 Section 106 Consultation

This Burro Gather is a screened undertaking under Appendix E.4 of the Programmatic Agreement among the BLM, Southwestern Region Three U.S. Forest Service, U.S. Fish and Wildlife Service, Interior Region Eight, Arizona State Historic Preservation Officer, and the Advisory Council on Historic Preservation Regarding the Effects of Vegetation and Range Management Activities in Arizona, executed September 30, 2020. The BLM will follow the

Appendix G Range Management Protocol to comply with Section 106 of the NHPA and ensure that activities associated with this gather will not affect historic properties.

The NPS consulted separately with the Arizona SHPO and committed to following similar identification and protection measures as the aforementioned Programmatic Agreement Appendix G. In separate consultation between the NPS and the Arizona SHPO, the NPS received concurrence on October 10, 2024 with a finding of No Adverse Effect.

5.3 Tribal Consultation

The BLM and NPS consults with federally recognized ~~tribes~~Indian Tribes before making decisions or undertaking activities that would influence federally recognized tribes, their assets, rights, services, or programs. Tribal response has been received as of ~~July 30, 2024~~the release of the Finding of No Significant Impact.

Tribal entities consulted with include:

- Colorado River Indian Tribes

5.4 U.S. Fish and Wildlife Service Consultation

Consultation under Section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.) ~~is ongoing~~has been completed as of March 28, 2025. The final USFWS Biological Opinion is posted on the BLM National NEPA Register and NPS Park Planning websites for this project.

5.5 Public Participation

A Notice of Public Comment Period letter and news release announced that the draft EA was available for review and comment for a 30-day public comment period from August 9 through September 9, 2024. Five form letters were received from over 4,450 individuals and entities including many with minor non-substantive variations. An additional 48 individuals or entities, including non-governmental organizations, and state and county agencies, provided comments. See Appendix E for public comments and responses.

6.0 References

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Appendix D. Supplemental Scientific Literature Review

The GAO reported that BLM had regular inspections of short-term holding facilities and ~~that~~ animals ~~I~~ there, ensuring that the corral equipment is up to code and that animals are treated with appropriate veterinary care (including that hooves are trimmed adequately to prevent injury).

Among the conclusions of their 2013 report, NAS (2013) ~~concluded~~noted that wild horse populations grow at 15-20 percent a year, and that predation by mountain lions will not typically control population growth rates of free-ranging horses.

Effects of Wild Horses and Burros on Rangeland Ecosystems

Parts of this review draw heavily on Parts 1 and 2 of the 'Science framework for conservation and restoration of the sagebrush biome' interagency report (Chambers et al. 2017, Crist et al.

~~2019).~~2019); some inferences from studies in the sagebrush biome are applicable to this project area, and many scientific references here are based on studies in desert ecosystems.

For the majority of wild horse herds, there is little overall evidence that population growth is significantly affected by predation (NAS 2013), although wild horse and burro herd growth rates may be somewhat reduced by predation in some localized areas, particularly where individual cougars specialize on horse or burro predation (Turner and Morrison 2001, Roelle et al. 2010, Mesler and Jones 202~~1~~2). Andreasen et al. (2021) and Iacono ~~(2023~~et al. (2024) found that the level of specializing on young horse varies across individual mountain lions (*Puma concolor*). Mesler and Jones (202~~1~~2) also documented that some mountain lions have a far higher prevalence of wild burro in their diet than others, though their sample size was relatively lower than Andreasen et al. (2021) or Iacono ~~(2023~~et al. (2024). Lundgren et al. (2022) advocated for not eliminating wild equids from landscapes, but that is not a consideration on most HMAs, where the ~~BLM aims to have herd sizes of~~AML is greater than zero. In the region near the project area, wild ~~horses and~~ burros ~~that~~will remain on Gold Butte HMA and some burros are expected to enter the project area at ~~or above the~~ low ~~level of AML.~~numbers (see section 4.3.8). Given the recent history of ~~consistent~~apparent growth in the Tassi-Gold Butte HMA wild burro herd, ~~as documented by repeated aerial survey,~~ the inference that predation does not limit local wild burro herd growth rates apparently applies.

Rubin et al. (2024) summarized effects of burro presence on Sonoran desert vegetation, birds, small mammals, and reptiles as a function of distance to water; some species had strongly negative associations with burro presence. Kodric-Brown and Brown (2007) described ecological changes in the Ash Meadows National Wildlife Refuge (in western Nevada) that caused the extinction of the Ash meadows killifish and substantial declines of other desert fish populations there by the early 1970s; these changes included groundwater depletion and the introduction of exotic fish and aquatic invertebrates. Along with those impacts, Kodric-Brown and Brown also hypothesized that the exclusion and removal of livestock and feral burros from the Refuge after 1984 caused overgrowth of vegetation and the subsequent extirpation of a pupfish population in a small spring (2007), but they did not implicate the removal of burros as the only cause leading up to that extirpation and they noted that other conservation measures maintained pupfish in a different spring that also had high levels of vegetation growth.

Recognizing the potential beneficial effects of low-density wild horse and burro herds, but also recognizing the totality of available published studies documented ecological effects of wild horse and burro herds, especially when above AML (as noted elsewhere), it is prudent to conclude that horse and burro herd sizes above AML may cause levels of disturbance that reduce landscapes' capacity for resilience in the face of further disturbance, such as is posed by extreme weather events and other consequences of ~~climate change.~~ changes in temperature and precipitation trends.

Appendix B:
Response to Substantive Public Comments

Although not required for an EA by regulation, an agency may respond to substantive and timely comments. Substantive comments: 1) question, with reasonable basis, the accuracy of information in the EIS or EA; 2) question, with reasonable basis, the adequacy of, methodology for, or assumptions used for the environmental analysis; 3) present new information relevant to the analysis; 4) present reasonable alternatives other that those analyzed in the Environmental Impact Statement (EIS) or EA; and/or 4) cause changes or revisions in one or more of the alternatives. No response is necessary for non-substantive comments (BLM, 2008). The NPS has similar policy direction (NPS, 2015).

All comments received were thoroughly reviewed and considered. Substantive comments were separated from non-substantive comments and categorized into topics as needed. If comments from different commenters were similar or identical, they were grouped and received one response. Individual comments in quotes were not corrected for spelling or grammar. If a comment resulted in changes to the EA, it is noted in the responses below.

Affected Environment

Comment 1: "Indeed, it appears that neither agency has invested in any scientific research on the subject since 1998, when this radical and extremely risky proposed plan was published. Therefore, I strongly oppose the plan and urge your agencies to scrap it, study the latest scientific research, and incorporate those findings in a fundamentally changed plan fit for the 21st century."

Response: See Chapter 3 and Chapter 4 which include references to the most recent and pertinent scientific literature. Appendix D includes a review of this literature.

Comment 2: "The EA claims that wild burro populations are growing by 15 percent a year. This claim is unproven."

Response: Please see EA Section 2.4.4. Many wild burro herds grow at sustained high rates of 15-18% per year, and the species is not self-regulating (NAS 2013). 15% per year population growth rate is an accepted rule of thumb for estimating wild burro population growth in the absence of additional survey data.

Comment 3: "Why is there such a difference between the estimated and corrected population numbers?"

Response: See Table 1.1. and the updated explanation in Section 1.2.

Alternatives

Comment 4: "An amendment to the RMP increasing AML for burros must be considered/put into place."

Response: See Section 2.4.2. The proposed action does not include adjusting AML. Additionally, amendments to the GCPNM RMP/GMP are outside the scope of this project.

Comment 5: "As stated by the NAS, NRC and CEQ the BLM must consider the prevailing public preference which, in this case, is to humanely manage wild horses/burros on the range using PZP or PZP-22…"

Response: Please see Section 2.4.3.

Comment 6: "As the vegetative resources are over utilized and degraded to the point of no recovery as a result of the wild burro overpopulation, wild burros would start showing signs of malnutrition and starvation. The weaker animals, generally the older animals, and the jennies and foals would be the first to be impacted. It is likely that a majority of these animals would die from starvation and dehydration in a catastrophic die off. P.22

BLM must provide data or evidence of reasonable likelihood of this type of crisis happening, and science demonstrating the basis for this projected thinking.

where is the evidence that more jacks would survive in the disaster scenario speculated here? If there are documented examples of this occurring, please provide."

Response: This information is found in Section 2.4.4. This section includes references. This alternative would not meet the purpose and need for this EA which it is to remove excess wild burros from within and outside the HMA to the established AML of zero wild burros.

Comment 7: Comments were received regarding the range of alternatives analyzed. Commenters requested additional alternatives such as those that would protect the desert tortoises and natural springs while keeping wild burros on the range, allow burros to remain, use only small scale bait traps, mitigate harm to range, desert tortoise and wild burros, or mitigate harm from burros on desert tortoise.

Response: This EA, including relevant references, provides a reasonable range of alternatives, analysis and information for the decision makers to implement the decision from the land use plan. See Chapter 2 for the full range of alternatives considered. Chapter 2 also includes alternatives that do not meet the purpose and need and incorporates comments on alternatives received from the public.

Comment 8: "Lastly, the EA must consider accommodating most of the current wild burro population in conjunction with range improvements (such as fencing off sensitive areas, protecting riparian areas, etc.)."

Response: See Section 2.4.2 regarding an alternative to "accommodate" the current burro population.

Comment 9: "Page 9, Gather Methods – Bait Traps: The Council recommends that, in addition to water and food used as bait, the Agencies consider using female burros in estrus to attract and trap male burros."

Response: See revised Section 2.2.1 and revised Appendix B.

Comment 10: "pg 3 As the agencies consider appropriate methods of managing wild horse populations, they should forgo selecting implementing actions that utilize roundups as the main method of controlling this wild horse population, and instead focus their attention on expanding the use of responsible PZP fertility control programs."

Response: See Section 2.4.3.

Comment 11: "pg 5 The agencies should consider relying more heavily on other methods of managing burro populations on the range and examine mandatory considerations regarding placement. Should the agencies retain their proposed action to gather burros on this range, they must analyze the economic, animal welfare, and human safety concerns related to increasing the already overcrowded off-range holding population of burros."

Response: Analyzing off-range holding population of burros is outside the scope of this environmental assessment. See revised Appendix B for more information related to holding facilities.

Comment 12: "Reasonable alternatives must be presented, not simply No Action vs. a draconian zeroing out."

Response: Multiple alternatives were considered but dismissed from detailed analysis. See Section 2.4.

Comment 13: Several comments questioned the decision to not analyze reducing livestock numbers or retiring livestock permits.

Response: See Section 2.4.5.

Comment 14: "The agencies discount an alternative that would raise the AML stating that it does not meet the purpose and need of the project, but it is impossible to confirm this without further reassessment."

Response: See Section 2.4.2. This alternative does not meet the purpose and need of the project. This EA analyzes the methods to implement the decision contained in the GCPNM RMP/GMP. It is unclear what "further reassessment" is referring to.

Comment 15: "The Bureau should consider eliminating livestock grazing from all critical habitat for the tortoise as a mitigation measure for the impacts from burros, as well as from livestock grazing adjacent to critical habitat. This would benefit tortoises, possibly increasing tortoise populations outside the HMAs."

Response: See Section 1.7 and Section 2.4.5.

Comment 16: "The current EA only briefly and generally explains the agencies' refusal to primarily or exclusively employ bait and trap methods instead of using helicopters. The vague explanation cites only general concerns based on logistics, but does not consider the environmental disturbance, or the effect on the welfare of the burros, from the use of helicopters during removal. As a result, further planning should more closely consider and discuss these issues related to the use of helicopters and should furthermore reexamine the use of bait and trap methods."

Response: See Section 2.2.1 which equally considers the use of drive trapping and bait trapping. See Chapter 4 for analysis of impacts on the environment, including burros. See revised Appendix B regarding burro welfare.

Comment 17: "The EA indicates that the burro population may be supported by the livestock grazing infrastructure on nearby grazing allotments that do authorize that use. Specifically, the EA states, at page 27, notes the permittees for the Pakoon and Mosby-Nay allotments have observed burros at the livestock waters. This livestock infrastructure appears to be attracting burros. The Bureau should consider an alternative, or a mitigation measure, that would close the

Pakoon and Mosby-Nay allotments to grazing, or that would eliminate the water infrastructure, to naturally discourage burros in the area and would likely also naturally reduce the burro population. Closure of the other adjacent allotments, or removal of water infrastructure followed by a reduction of AUMs for cattle, should be considered as an alternative or a mitigation measure."

Response: See Section 1.7 and Section 2.4.5.

Comment 18: "What wildlife is speculated "might not be able to compete"? And on what basis is this speculation of lack of forage and water? Is there inadequate forage or water at this time, for the current population?"

Response: See Section 2.4.4 for an updated citation for the statement.

Comment 19: "why is BLM deliberating altering the natural sex ratios in herd after herd after recent round ups?"

Response: Altering sex ratios of the herd is not part of the proposed action.

Appropriate Management Level

Comment 20: Comments were received regarding the currency of the AML and whether it should be revised due to current conditions. Commenters included opinions on the AMLs in the HMAP, 1995 plan, 1998 decision, the GCPNM RMP, as well as AMLs not specifically associated with a particular decision.

Response: Per Section 1.7 and Section 2.4.2, this EA is not to set or adjust AML, nor would it adjust livestock use, as these were set or reaffirmed in the GCPNM RMP/GMP. This decision and impact analysis assesses the method of implementation of the 2008 GCPNM RMP/GMP.

Comment 21: "There is no justification for taking wild burros' numbers further down placing them in a precarious position."

Response: BLM continues to manage the adjacent Gold Butte HMA in Nevada for burros (DOI-BLM-NV-S010-2020-0086-EA).

Comment 22: "What constitutes an excess population, what is that based on, and where is the evidence of these damages and degradation? "

Response: Per the BLM Handbook H-4700-1, excess animals are defined as "Wild, free-roaming horses or burros which have been removed or which must be removed from in order to preserve and maintain a thriving natural ecological balance and multiple-use relationship in an area." See Chapter 4 pertaining to damages and degradation.

Comment 23: "ZERO, must be BLMs favorite number. Why not ZERO out all the wild animal's period?! Your method of management is far from the meaning of the word. I can't see any reason to ZERO out the entire population of Wild Burros from Tassi-Gold areas!….Due to BLM the herd is already in genetic crisis. Leave them alone. The agency decision from the '90's should be revisited to find a better solution to this travesty."

Response: BLM continues to manage the adjacent Gold Butte HMA in Nevada for burros, including their genetic diversity (DOI-BLM-NV-S010-2020-0086-EA). Since the purpose of the proposed action is to remove wild burros from within the Tassi-Gold Butte Herd Management Area and greater Pakoon Basin, consistent with applicable laws and management plans, potential

impacts to genetic diversity on an AML of zero are not applicable. Considerations of genetic diversity beyond this are outside the scope of this EA.

Best Management Practices

Comment 24: Comments were received regarding burro welfare during and after roundup activities. Concerns included the efficacy and regulation of the BLM burro adoption program, ability of the public to observe roundups, adherence to the CAWP and environmental conditions under which roundups could occur.

Response: The objective of the proposed gather is to gather excess burros safely and humanely from the range and prepare them for adoption to the public. BLM follows guidelines to minimize those impacts and ensure humane animal care and high standards of welfare, including veterinary oversight. Adherence to the Comprehensive Animal Welfare Program (CAWP) standards, and techniques used by the gather contractor or BLM staff would help minimize the risks to animals and people. See revised Appendix B for more information on trapping, holding facilities and adoption procedures.

Comment 25: Comments were received regarding the use of helicopters and helicopter-assisted roping of burros, as described in the Proposed Action. Commenters opposed this use due to the perception this is a cruel or inhumane method of capturing burros.

Response: The objective of the proposed gather is to gather excess burros safely and humanely. Adherence to the Comprehensive Animal Welfare Program (CAWP) standards, and techniques used by the gather contractor or BLM staff would help minimize the risks to animals and people. Use of helicopters and roping is an approved method for gathering wild burros. See Section 4.2.8 and revised Appendix B.

Comment 26: "Establish strict requirements for suspending helicopter roundup operations in temperatures below 32 degrees F (freezing) or over 90 degrees F. Roundups outside of this temperature range would be blatantly inhumane."

Response: See revised Appendix B.

Comment 27: "However, we found no information on the procedures for relocating tortoises or tortoise eggs or a document cited that describes the relocation procedures. We suggest the Final EA reference the documents with procedures that will be implemented for relocating tortoises and tortoise eggs and that these procedures are approved by the DTRO and Arizona Ecological Services Field Office."

Response: Procedures for relocating tortoises and tortoise eggs are included in revised Section 2.2.1. The document referenced in that Section is "Desert Tortoise Council, Guidelines for Handling Desert Tortoises During Construction Projects (Desert Tortoise Council. 1994)".

Comment 28: "I think you would easily catch these wild Burris with bait and trap in a fenced area. Keep It peaceful and not run them to death and or risk injuries too."

Response: See revised Section 2.2.1, that clarifies bait trapping as a proposed gather method.

Comment 29: "limit the distance wild burros may be chsed by a helicopter to non more than five (5) miles"

Response: See revised Appendix B.

Comment 30: "Page 10, Invasive, Non-native Plants and State Listed Noxious Weeds: The Agencies say, " To reduce the risk of introduction or spread of weeds, any hay or feed used in conjunction with the gather activities, for example bait trap, holding facilities, or saddle horse feed, would be certified weed free." However, we found no mention in this section of ensuring that vehicles and equipment (e.g., trailers. tractor trailers, etc.) brought to the Monument and used to implement the Proposed Action Alternative would be cleaned before being used to implement the Proposed Action Alternative to ensure they are not transporting invasive or noxious plant species to each gather site/associated facilities and through the Monument.

Please add to the description of the Proposed Action Alternative this standard conservation measure of thoroughly washing vehicles and equipment to remove plant parts and dirt prior to their transport to the Monument."

Response: See revised Section 2.2.1.

Comment 31: "Page 10, Inventories and Surveys: The Council appreciates that the Agencies are trying to avoid direct impacts to sensitive species, including the tortoise. However, in this section we suggest that the Agencies add that they would implement the U.S. Fish and Wildlife Service's (USFWS) "Desert Tortoise (Mojave Population) Field Manual: (Gopherus agassizii) (USFWS 2009) and "Preparing for any action that may occur within the range of the Mojave desert tortoise (Gopherus agassizii)" (USFWS 2019). These documents state that prior to conducting pre-project surveys to determine presence/absence of the tortoise, the names and qualifications of the surveyors should be provided to USFWS and appropriate State agency for review prior to initiating surveys. For tortoise clearance surveys, the USFWS requires that if a proposed action will be implemented under the purview of a section 7 biological opinion for the Mojave population of the desert tortoise, the USFWS requires that "each desert tortoise survey be conducted by a desert tortoise Authorized Biologist approved by the USFWS." Please add these references and requirements to the Final EA."

Response: Procedures for tortoise surveys are included in revised Section 2.2.1. These procedures and any that result from consultation with the USFWS will be followed. This should be sufficient to ensure that surveys are conducted correctly and by qualified individuals.

Comment 32: "Page 22, Fires, Fuel Management: We suggest that the Agencies revise this explanation by adding that measures would be implemented to substantially reduce the ignition source and fuels for wildfires where motorized vehicles and equipment would be used and include these measures in the description of the Proposed Action Alternative."

Response: See revised Section 2.2.1.

Comment 33: "Require that the helicopter not chase/move wild burros at a pace that exceeds the natural rate of movement of the slowest animal. This means that if an animal begins to lag behind, the helicopter must lift pressure off the band in order to bring them in together. Keep older, sick, and young animals together with their companions, bands, or mothers as they are moved to the trap. The helicopter should not move or capture compromised, old, weak or young animals."

Response: See revised Appendix B.

Comment 34: "The Council's experience with proposed actions located in tortoise habitat on unpaved roads in the project area is that the speed limits usually do not exceed 25 mph. BLM

should explain why the speed limits may be faster than typically allowed in tortoise habitat for the Proposed Action Alternative."

Response: GCPNM has speed limits for projects in tortoise habitat that were established through USFWS Section 7 consultation for the 2008 GCPNM RMP/GMP.

Comment 35: "We strongly oppose the use of ropers to capture burros fleeing from the roundup stampede. Water bait trapping should be employed to capture burros despite BLM's claim it is not practicable. While we oppose the removal of burros from the range and oppose the use of helicopters in roundup actions…"

Response: See revised Section 2.2.1, that clarifies bait trapping as a proposed gather method.

Comment 36: "We were unable to find speed limits for this preferred alternative for lands managed by the NPS. Please include this information in the Final EA."

Response: Speed limits are included in Section 2.2.1.

Comment 37: "when roads are not available to water bait trap the animals, a minimum of two helicopters should be used simultaneously to, in the most humane manner possible, slowly direct the burros towards the trap site"

Response: See revised Appendix B.

Consultation

Comment 38: "Lastly, the Tribal consultation efforts, as briefly noted in the EA, seem perfunctory. I would urge the Agencies to take additional, more proactive approaches to involve tribal input before making a final Decision of Record."

Response: See Section 5.3. The Agencies consulted per policy and continue to maintain a positive working relationship with GCPNM affiliated Tribes. If any Tribe wishes to consult on this issue in the future, we would do so.

Comment 39: "Page 57, U.S. Fish and Wildlife Service Consultation: The Council requests that the completed consultation document (e.g., biological opinion) with the USFWS be included in the Final EA."

Response: The completed consultation document (e.g., biological opinion) with the USFWS will be posted on the BLM National NEPA Register and NPS Park Planning websites.

Comment 40: "Real consultation must take place with affected tribes. The EA states that "no response" was received by July 30 from letters mailed only three weeks earlier to 12 tribal governments. Mailing notices does not constitute consultation."

Response: See updated Section 5.2. Notices to Tribes are not consultation in and of themselves but are an integral first step to beginning consultation. Consultation is also not something that the Agencies can require of Tribes. In this case, notices were sent, and no responses have been received to date.

Comment 41: "since the adoption of the TMP/GMP in 2008, some conservation measures implemented for proposed actions in the range of the tortoise/tortoise habitat have been modified. The Agencies should coordinate with the USFWS's Desert Tortoise Recovery Office (DTRO) and Arizona Ecological Services Field Office to ensure that the latest avoidance and

minimization methods are being implemented to comply with the Federal Endangered Species Act (FESA)."

Response: Both agencies will include any Terms and Conditions that result from the consultation process**.** The completed consultation document (e.g., biological opinion) with the USFWS will be posted on the BLM National NEPA Register and NPS Park Planning websites associated with this project.

Decisions

Comment 42: " For example, where is the 1998 record and analysis that the agencies are basing this decision on? "

Response: Please find the 1998 document on the BLM National NEPA Register associated with this project.

Comment 43: "BLM policy explicitly states that when "making the determination that excess WH&B are present and require immediate removal, the authorized officer will analyze current information including grazing utilization and distribution, trend in range ecological condition, actual use, climate (weather) data, current population inventory, WH&B located outside the HMA in areas not designated for their long-term maintenance and other factors which demonstrate removal is needed to restore or maintain the range. Justifying a removal based on nothing more than the established AML is not acceptable." BLM Wild Horse and Burro Management Handbook (2010) at 47. Despite this unambiguous policy, the BLM's proposed action dismisses these safeguards, choosing instead to disregard even the agency's own policy."

Response: See revised Section 1.2 describing the decision to establish an AML of 0 within the Tassi-Gold Butte HMA. The decision and impact analysis of this EA assesses the method of implementing the 2008 GCPNM RMP/GMP. Outside the HMA in the Greater Pakoon Area, wild burros are damaging the range. See Sections 3.2.1 and Chapter 4 for a discussion of negative current impacts from burros within the project area.

Comment 44: "Burros on NPS-administered lands are managed to prescription set by the 1995 Lake Mead NRA Burro Management Plan

These land use plans do not supersede the 1971 WFRHBA or the HMAP.

Please provide a legal ruling you are basing that claim on, and for claiming these burros, protected by federal law, must be removed to accommodate land use planning decisions that may conflict with the established Wild Horse and Burro law."

Response: Section 1.2 clearly articulates general NPS authority and the Sections of the WFRHBA specific to the NPS. The 2008 GCPNM RMP/GMP is the controlling document for land use decisions on the Monument and either adopts or supersedes previous management documents including the 1982 HMAP and the 1995 Lake Mead Wild Horse and Burro Plan. Additional information was also added to Section 1.2 regarding the timeline of management actions and plans within the project area.

Comment 45: Comments were received questioning applicability of the various decision-making documents cited in the EA. Commenters were concerned over the legality and appropriateness of using the 1995 Lake Mead NRA Burro Management Plan and Final EIS, 1998 Decision Record for the Mojave Amendment of the Arizona Strip RMP, and 2008 GCPNM RMP to alter the

AMLs set in the 1982 HMAP. Some commenters also opined that the HMAP should be updated instead of relying on these other documents.

Response: BLM Handbook H-4700-1, Wild Horses and Burros Management Handbook states that Land Use Plans (including Management Framework Plans (MFPs) and Resource Management Plans (RMPs)), are the basis for every on-the-ground management decision that the BLM makes. LUPs establish goals and objectives (desired outcomes), identify the management actions needed to achieve the desired outcomes, and identify allowable uses of the public lands. As such, the 2008 GCPM RMP/GMP is the controlling document for land use decisions on the Monument and either adopts or supersedes previous management documents including the 1982 HMAP. See added clarification in Section 1.2.

Comment 46: Comments were received regarding the accuracy and applicability of the 1995 plan.

Response: The 1995 Lake Mead Plan is one of many management documents relevant to the current plan. See added clarification in Section 1.2.

Comment 47: Comments were received requesting an update or revision to the HMAP. Commentors requested the revision incorporate current data and observations and public participation.

Response: Revision to the HMAP is not necessary in this case. BLM Handbook H-4700-1, Wild Horses and Burros Management Handbook states that Land Use Plans (including Management Framework Plans (MFPs) and Resource Management Plans (RMPs)), are the basis for every on-the-ground management decision that the BLM makes. LUPs establish goals and objectives (desired outcomes), identify the management actions needed to achieve the desired outcomes, and identify allowable uses of the public lands. As such, the 2008 GCPNM RMP/GMP is the controlling document for land use decisions on the Monument and either adopts or supersedes previous management documents including the 1982 HMAP. See added clarification in Section 1.2.

Comment 48: Comments were received requesting documentation revealing the basis on which decisions were made. Commenters wanted to understand the process for determining zeroing out burros within Tassi-Gold Butte, how the public was involved and what data supported the claim that burros contributed to the "declining desert population".

Response: Per Section 1.7, this EA is not to set or adjust AML or reanalyze the previous decisions as these were set or reaffirmed in the GCPNM RMP/GMP. The decision and impact analysis of this EA assesses the method of implementation of the 2008 GCPNM RMP/GMP. Documentation of public involvement and burro effects on desert tortoise population are contained in the previous decision documents. See Chapter 6.

Comment 49: Comments were received that requested documentation on the basis of decisions regarding burro removal, public input into that process, updating the HMAP, and utilizing Adaptive Management to review the RMP determination.

Response: BLM Handbook H-4700-1 Wild Horses and Burros Management states that Land Use Plans (including Management Framework Plans (MFPs) and Resource Management Plans (RMPs)), are the basis for every on-the-ground management decision that the BLM makes. LUPs establish goals and objectives (desired outcomes), identify the management actions needed to achieve the desired outcomes, and identify allowable uses of the public lands. As such, the 2008

GCPNM RMP/GMP is the controlling document for land use decisions on the Monument and either adopts or supersedes previous management documents including the 1982 HMAP. See added clarification in Section 1.2.

Comment 50: "Neither the BLM nor the NPS has provided a convincing scientific justification for its proposal to eliminate wild burros from the Tassi-Gold Butte HMA."

Response: See revised Section 1.2.

Comment 51: "Please show the actual estimated carrying capacity of this area for burros, given the climate, terrain, ecosystem, forage, water, and other wildlife species."

Response: See Section 1.2 referring to the original 1982 HMAP which allowed 90 - 100 burros at the time.

Comment 52: "The elimination of HMA status is not in conformance with existing laws and therefore the RMP must be reviewed and the Proposed Action must be amended."

Response: The agencies are not proposing to eliminate the HMA in this EA.

Comment 53: "The Proposed Action is based on decades-old Land Use Plans (LUPs): the Grand Canyon-Parashant National Monument Resource Management Plan/General Management Plan (GCPNM RMP/GMP) (BLM 2008a) and the Lake Mead National Recreation Area Burro Management Plan and Final EIS signed April 1995 (NPS 1995). These LUPs predate the NAS recommendations and are not in conformance with the science-based NAS recommendations."

Response: Findings of the NAS report (2013) are referred to in many places in the EA and associated Appendices. That report has provided BLM and NPS with useful information and suggestions and has been taken into consideration and incorporated as appropriate. Implementing any specific recommendations of the 2013 NAS report is not required by law or policy.

Comment 54: "The Tassi-Gold Butte HMA AML appears to be first designated at zero in 1995. The EA fails to and must disclose the evaluation which led to this designation and why livestock grazing is not permitted in the HMA but is permitted in other areas of the DTDCH and whether there is any connection between the permittees who previously grazing in the HMA and in other areas of the DTDCH."

Response: See revised Section 1.2 and the associated decision documents. Information about individual permittees is beyond the scope of this EA.

Comment 55: "What is the historic population data indicating whether burro populations inside and outside the HMA increased, and at what pace? We learn from the EA that the last aerial survey was done a very long time in 2017, after which the BLM found critical errors. How was the estimate of 105 burros (within the HMA) determined in 2017, and what was the data dispute?

The EA states the current estimated population to be "at least 94 burros within the HMA and 125 outside." How does this represent an increase of 15% annually, and how is the EA projecting a doubling or even tripling of population by 2029?"

Response: See Table 1.1, Table 1.2, and revised Section 1.2. concerning the 2017 aerial survey.

Comment 56: "What metrics are being used to show grazer density and available forage, and how has BLM allocated forage before and after the time that livestock permits were withdrawn from the HMA?"

Response: See revised Section 1.2 and the associated decision documents. These prior decision documents contain details about forage allocation and grazer density.

Comment 57: " BLM has not provided sufficient justification to zero out Tassi-Gold Butte HMA or proof that alternative actions could not be undertaken to achieve the same goal(s). Such analysis has not been undertaken in the EA, is not outside the scope of the EA, and the Proposed Action must be in conformance with existing laws and regulations."

Response: See revised Section 1.2 and the associated decision documents and Section 2.4.

Comment 58: "Your agency is required to draft Herd Management Area Plans (HMAPs) and has not in this situation."

Response: A HMAP was prepared for this HMA in 1982.

Environmental Impact Statement

Comment 59: Several comments requested that the agencies prepare an Environmental Impact Statement (EIS).

Response: This Environmental Assessment was written to determine if there are significant impacts that may require an EIS. Based on this analysis, the agencies have determined that a Finding of No Significant Impacts is appropriate.

Comment 60: "The BLM cannot justify its failure to prepare an EIS on the highly controversial action to zero-out all burros from Tassi-Gold Butte HMA. EIS must be prepared for this proposed action to fully examine all direct, indirect and cumulative impacts."

Response: An EA is intended to be a concise public document that provides sufficient evidence and analysis for determining the significance of effects from a proposed action and that serves as a basis for reasoned choice. Based upon the EA analysis, either an Environmental Impact Statement (EIS) or a Finding of No Significant Impact (FONSI) will be prepared. BLM/NPS has not identified any significant impacts that would trigger the need for an EIS.

Impact Analysis

Comment 61: " What kind of harm are the burros causing the desert tortoises? Do they trample them or just what is the main problem. I can't see burros bothering any other animal. Soon there will be too many tortoises and will you ZERO them out too?"

Response: See Section 4.2.9.

Comment 62: "An EIS must examine the cumulative impacts of human-caused activities on desert tortoise, the key focal point of the proposed plan. Those impacts include mining, roads, off-road vehicles and livestock grazing, all of which affect tortoises in the area. Burro impacts cannot be claimed without site-specific documentation."

Response: See revised Section 4.2.3 and Section 4.3.3. See Section 4.3.9 for an analysis of cumulative impacts to desert tortoise in the project area.

Comment 63: "BLM has not done any landscape level analysis to demonstrate that zeroing out the burro population would achieve the goals stated in the proposed action: to zero out the burros. BLM is instead relying on outdated supposition that is not appropriate analysis for such and extreme action."

Response: Per Section 1.7, this EA is not to set or adjust AML, nor would it adjust livestock use, as these were set or reaffirmed in the GCPNM RMP/GMP. The decision and impact analysis assess the method of implementation of the 2008 GCPNM RMP/GMP.

Comment 64: Comments were received regarding the beneficial impacts of burros on ecosystems. Commenters expressed the opinion that the EA failed to consider these beneficial impacts in the analysis or were unaware of the beneficial impacts. One research publication was cited by commenters by varying levels of specificity (author name or publication or full citation): https://www.science.org/doi/10.1126/science.abd6775 (Lundgren)

Response: See revised Appendix D.

Comment 65: Comments were received regarding the negative impacts helicopter roundup would have on desert tortoise and their habitat.

Response: See Section 4.2.9.

Comment 66: "How has livestock overgrazing, which the EA acknowledges as a problem starting in the 1860s, contributed to range deterioration and desert tortoise decline?"

Response: See Section 4.3.

Comment 67: "Page 38, Threatened, Endangered, or Candidate Animal Species, Impacts from the Proposed Action: The Agencies provided a broad description of direct impacts to the tortoise from implementation of the Proposed Action Alternative. We suggest that examples of activities that could injure, kill, or harass tortoises located above and below ground be added to this section."

Response: See revised Section 4.2.3.

Comment 68: Several requested that the agencies consider the impacts to burro genetic diversity.

Response: BLM continues to manage the adjacent Gold Butte HMA in Nevada for burros, including their genetic diversity (DOI-BLM-NV-S010-2020-0086-EA). Since the purpose of the proposed action is to remove wild burros from within the Tassi-Gold Butte Herd Management Area and greater Pakoon Basin, consistent with applicable laws and management plans, potential impacts to genetic diversity on an AML of zero are not applicable. Considerations of genetic diversity beyond this are outside the scope of this EA.

Comment 69: "The BLM must take a hard look at negative impacts of the proposed action on wild burros."

Response: See Section 4.2.8.

Comment 70: "The BLM's and NPS's stated rationale for removing all burros from this HMA is the protection of the endangered Desert Tortoise. Yet according to the highly regarded and eminently credible environmental organization The Nature Conservancy, the three main threats facing the Desert Tortoise are habitat loss, habitat degradation from invasive grasses, and habitat fragmentation from roadways, all of which are the direct result of human activity, and which have nothing to do with wild burros."

Response: There are multiple factors that contribute threats to the Mojave desert tortoise of which wild burros are just one of the those contributing factors. The purpose of the proposed

action is to remove wild burros from within the Tassi-Gold Butte Herd Management Area and greater Pakoon Basin. This would achieve an appropriate management level (AML) of zero (0) wild burros per the decisions found in the 2008 GCPNM RMP/GMP.

Comment 71: "The EA states that the burros must be removed in order to protect the endangered desert tortoise. What data supports this? There are other scientific documents that can be cited that state otherwise, including the research by wildlife biologist Kristin Berry. She indicates the main threats to desert tortoise are human-caused: urban sprawl, power plants, roads, off-road vehicle use, mining, trash and livestock grazing. https://www.usgs.gov/centers/werc/science/human-influence-desert-tortoise-habitats The EA mentions none of those significant impacts. Berry's research concludes with this point: tortoise populations do best with no vehicle use or livestock presence. Wild burros are NOT livestock and do not have the same impacts."

Response: See Section 4.3.3. There are multiple factors that contribute threats to the Mojave desert tortoise of which wild burros are just one of the those contributing factors. The purpose of the proposed action is to remove wild burros from within the Tassi-Gold Butte Herd Management Area and greater Pakoon Basin. This would achieve an appropriate management level (AML) of zero (0) wild burros per the decisions found in the 2008 GCPNM RMP/GMP.

Comment 72: "They are far less intrusive and their footprint is much smaller than that of commercial cattle. Being that their estimated numbers are less than 300 in Tasso-Gold Butte HMA which according to the BLM site, is 101,816 acres, I believe the BLM would not be able to provide valid unbiased scientific evidence that would show that this small number of animals on this vast amount of land would have any measurable negative impact on the ecosystem, including tortoises."

Response: See Chapter 4.

Comment 73: "We request that the Final EA (1) include these eight principles in its analysis of cumulative impacts to the Mojave desert tortoise; (2) ensure that synergistic and interactive impacts from the Proposed Action Alternative are included in this analysis; (3) address the sustainability of the tortoise in/near the project area and in the Northeastern Recovery Unit including connectivity between populations (CEQ 2023) in Tortoise Conservation Areas/Critical Habitat Units (CHUs); and (4) include effective science-based mitigation, monitoring, and adaptive management that protect desert tortoises and their habitats during and following implementation of each burro gather, including effective and timely restoration of habitat degraded or destroyed from implementation of the Proposed Action Alternative."

Response: We have considered these suggestions, revisited the EA, and determined that the cumulative impacts have been sufficiently analyzed under NEPA.

Comment 74: "We searched the EA and were unable to find an analysis of impacts of the Proposed Action Alternative on the connectivity of tortoise populations.

To comply with this recent CEQ guidance, the Council requests that the Agencies add an analysis of the beneficial and adverse impacts of the Proposed Action Alternative and No Action Alternative to the Final EA with respect to connectivity of tortoise populations."

Response: There are no impacts to connectivity of tortoise populations that would occur from this project. No aspects of this project would create or remove any barriers to tortoise movements.

Comment 75: "What evidence is there of burro damage as described to springs and water? Please provide documentation from the HMA site."

Response: Burro damage to springs is well documented in the literature. Resource specialists from multiple agencies have observed burro sign and damage at springs and water sources in the HMA.

Livestock

Comment 76: Comments were received regarding livestock grazing in Mojave desert tortoise critical habitat. Commenters expressed confusion as to why the HMA AML was set at zero to protect desert tortoise, while livestock grazing was permitted in the desert tortoise critical habitat.

Response: Per Section 1.7, this EA is not to set or adjust AML, nor would it adjust livestock use, as these were set or reaffirmed in the GCPNM RMP/GMP. The decision and impact analysis assess the method of implementation of the 2008 GCPNM RMP/GMP. See revised Table 3.3.

Comment 77: Comments were received regarding trespass livestock grazing and requests to remove such animals from the project area and/or analyze their effects.

Response: Addressing trespass livestock grazing is outside the scope of this EA.

Comment 78: "Livestock grazing is permitted on public land north and east of the HMA – in the DTDCH. The EA fails to disclose the AUMs and season of use grazing in this area. If these public lands with the same sensitive designation can accommodate livestock grazing, there is no sound or legal basis for the elimination of all wild burros from this HMA."

Response: Per Section 1.7, this EA is not to set or adjust AML, nor would it adjust livestock use, as these were set or reaffirmed in the GCPNM RMP/GMP. AUMs for permitted livestock grazing are found in Appendix E of the GCPNM RMP/GMP. See revised Table 3.3 for season of use.

Miscellaneous

Comment 79: "Additionally, the EA must re-evaluate the current AML since wild burros are (a) thriving in the HMA, (b) livestock grazing continues on adjacent public lands and (c) the Proposed Action is in violation of existing laws and regulations that protect wild burros on these public lands.

The actions opposed, as outlined in this letter, should be rejected because the agency fails to provide sufficient analysis of readily available alternative actions and is thus in violation of governing laws and statutes. Instead, the agency must establish a new and valid AML for Tassi-Gold Butte as described above."

Response: Per Section 1.7, this EA is not to set or adjust AML, nor would it adjust livestock use, as these were set or reaffirmed in the GCPNM RMP/GMP.

See Section 1.5 Relationship to laws, regulations and other plans.

See Chapter 2 for alternatives considered (carried forward and eliminated) and Chapter 4 for detailed analysis of alternatives carried forward.

Comment 80: " If TNEB, desert tortoise and rangeland protection are objectives of the agencies, then the EA must take a fresh look at the entire DTDCH. It must consider whether the

elimination of livestock grazing in the entire DTDCH would result in improved protection of desert tortoises, rather than targeting wild burros, in a small portion of the DTDCH, for elimination.

The EA must consider allowing the burros to remain in the HMA in conjunction with taking protective measures for other areas in the DTDCH including but not limited to reducing or eliminating livestock grazing to better protect habitat for the desert tortoise.

The EA must analyze these issues (FLPMA - multiple use] because removal of livestock in the DTDCH, outside the HMA, will likely mitigate the need for the Proposed Action.

While there is no livestock grazing in the HMA, the EA fails to consider eliminating or reducing livestock grazing in the DTDCH which was established to achieve the goal of protecting the desert tortoise (one of the objectives of the Proposed Action). The EA must consider the interests of those who cherish and enjoy wild burros in Tassi-Gold Butte HM … these are the very burros which Congress declared to be "national esthetic treasure[s]" when it enacted the Wild Free-Roaming Horses and Burros Act of 1971."

Response: Per Section 1.7, this EA is not to set or adjust AML, nor would it adjust livestock use, as these were set or reaffirmed in the GCPNM RMP/GMP and are outside the scope of this EA. The decision and impact analysis assess the method of implementation of the 2008 GCPNM RMP/GMP.

See EA Section 2.4.2. See Section 1.2 for the discussion on why the AML is set at zero wild burros for the Tassi-Gold Butte HMA.

See EA Section 2.4.5.

Comment 81: " However, domestic livestock also cause similar resource damage, often to a much larger scale…. I wish that BLM would be even-handed and fair by simultaneously addressing the resource damage caused by cattle grazing."

Response: Thank you for your comment.

Comment 82: "A zero AML is not acceptable, nor is a status quo that ignores burro welfare, prioritizes their removal and refuses to incorporate scientific findings about their positive impacts on the range. Since 1998, dramatic land use changes have occurred. The NAS recommends that "environmental variability and change, changes in social values, and the discovery of new information require that AMLs be adaptable.""

Response: Thank you for your comment.

Comment 83: "Although this document is an EA, not an environmental impact statement, we recommend that the Agencies provide in the Final EA the citations to the scientific papers that they used to develop the information and conclusions presented in the Environmental Consequences sections for each resource issue analyzed, including the tortoise."

Response: See revised Section 6.

Comment 84: "BLM also needs to include any mining or energy activities or other potential development in this area if applicable. The area surrounding the HMA has mineral deposits and mining activity, and potential impacts are not mentioned in the EA. This needs to be discussed in an EIS."

Response: See Section 4.3 for cumulative effects. Upon designation of the Grand Canyon-Parashant National Monument (GCPNM), lands were withdrawn from location, entry, and patent under the mining laws, subject to valid existing rights. Specific activities were withdrawn in the monument proclamation. No new mining claims contiguous with the project area are allowed.

Comment 85: Comments supporting the Proposed Action were received. Reasons for support included concerns for wildlife, including desert tortoise, and burro-related resource damage, including damage at springs and water developments.

Response: Thank you for your comment.

Comment 86: Comments were received opposing the Proposed Action. These comments were general opposition, primarily on the grounds of cruelty to burros, non-specific statements regarding outdated science uses in Chapter 4, and the belief that burros are a natural part of the ecosystem.

Response: Thank you for your comment.

Comment 87: Comments were received using the example of "negative outcomes seen in Nevada's Ash Meadows, where burro removal resulted in the extinction of endangered fish species." or a variant, to express opposition to the Proposed Action.

Response: Reference to Kodric-Brown and Brown (2007) is included in revised Appendix D; they hypothesized that, along with changes in water availability and introduction of exotic fish and aquatic invertebrates, removal of livestock and removal of feral burros from the Ash Meadows US Fish and Wildlife Refuge contributed to local extirpation of a pupfish population at a small spring. However, no endangered fish species are known to have gone extinct solely due to burro removal, and no such impacts are expected in the Tassi-Gold Butte HMAP.

Comment 88: "Grand Canyon-Parashant National Monument Resource Management Plan/General Management Plan (GCPNM RMP/GMP) (BLM 2008a) and Final Environmental Impact Statement approved January 29, 2008, and is in conformance with the Lake Mead National Recreation Area Burro Management Plan and Final EIS signed April 1995(NPS 1995).

Please provide the planning documents mentioned in the EA, as BLM is required to do, or provide links where they are reasonably accessible.

They are not in the E planning page for this project, which is where they should be."

Response: The relevant planning documents are available on the project BLM National NEPA Register site. The Lake Mead National Recreation Area Burro Management Plan and Arizona Strip Resource Management Plan Amendment Mojave Desert Tortoise Habitat Management is located in the Documents tab. A link to the Grand Canyon-Parashant National Monument Resource Management Plan/General Management Plan has been provided under the Related Projects & Links tab.

Comment 89: "How will removal of these few wild burro herds from their federally designated habitat restore TNEB?"

Response: According to BLM Handbook H-4700-1, Thriving Natural Ecological Balance (TNEB) – WH&B are managed in a manner that "assures ... objectives, including those necessary to protect and manage Threatened, Endangered, and Sensitive Species". The previous

decision documents either recommend or decide that removal of burros from this area will aid in the recovery of the Threatened Mojave desert tortoise.

Comment 90: "How will removing burros protect desert tortoise from human encroachment which science indicates as their most dangerous threat?"

Response: The 2011 Revised Recovery Plan for the desert tortoise notes that removing wild burros reduces negative impacts to tortoises (i.e., soil compaction, vegetation change, and competition for the same food).

Comment 91: "It is understood that wild burros have been sold for adoption by BLMWHB to buyers whose plans were to have them killed for “medicine”. This is contrary to why there should be an adoption."

Response: See revised Appendix B.

Comment 92: "Lastly, the purpose and need for action does not fit well with the proposal itself. The BLM and NPS reject a range of alternatives because they are deemed not to be effective (EA at 14-18). However, the “gathers” have proven not to be effective; the last one happened in 2019 (EA at 3). This was 21 years after the policy was for zero burros in the HMA and the Pakoon Basin was adopted by the BLM and the NPS. Presumably other “gathers” took place prior to 2019. The EA on page 8 also recognizes that many “gathers” will likely be needed. This begs the question on whether the proposed action is any more effective than the dismissed alternatives. The past 25 years suggest not.”

Response: Since the GCPNM was created in 2000, there has only been one gather. In 2019, a targeted nuisance gather was conducted which gathered 40 burros. See Section 2.4

Comment 93: "Livestock cause the same types of resource degradation as burros."

Response: Comment noted.

Comment 94: "Please see Mohave County’s comments on the Tassi-Gold Butte HMA Wild Burro Gather EA below:

Wild burros are non-native to the area, and their population has been growing unchecked. This is causing problems for native wildlife and vegetation, as well as for the threatened desert tortoise.

Positive Impacts to Mohave County:

Reduced Competition for Resources: Removing burros would reduce competition for food and water with other wildlife, including livestock, and could help the desert tortoise population recover.

Improved Rangeland Health: Removing burros would allow native vegetation to recover and reduce erosion. This would be beneficial for the livestock industry and for overall ecosystem health.

Reduced Risk of Conflicts: Removing burros would reduce the risk of conflicts between burros and livestock, as well as between burros and humans."

Response: Thank you for your comment.

Comment 95: Several requests to extend the public comment period were received.

Response: An extension was considered, but it was determined not to extend the 30-day public comment period.

Comment 96: "The Arizona Game and Fish Department (Department) appreciates the opportunity to review the Tassi-Gold Butte HMA Wild Burro Gather Plan EA. The Wild Free-Roaming Horses and Burros Act (WFRHBA) of 1971 required the necessary management, protection, and control of wild horses and burros on public lands. As part of this, the Bureau of Land Management (BLM) is required to control any overpopulation once a determination has been made that excess animals are present and removal is necessary. Population levels are managed through Appropriate Management Levels (AML). The Tassi-Gold Butte Herd Management Area within the Grand Canyon-Parashant National Monument is jointly managed by the BLM and National Park Service (NPS). In 2007, approximately 30 burros were estimated to exist on the Tassi-Gold Butte HMA. The following year, the BLM and NPS Records of Decision and Approved Grand Canyon-Parashant National Monument Resource Management Plan/Environmental Impact Statement, and the Lake Mead National Recreation Area Burro management Plan and Final EIS set the AML at zero (0) burros. Through this EA, the BLM and NPS plan to periodically remove burros to reach and maintain an AML of zero. Burros removed would be made available for adoption or sale through the BLM's adoption and sales programs.

Under Title 17 of the Arizona Revised Statutes, the Department, by and through the Arizona Game and Fish Commission (Commission), has jurisdictional authority and public trust responsibilities to conserve and protect the state fish and wildlife resources. In addition, the Department manages threatened and endangered species through authorities of Section 6 of the Endangered Species Act and the Department's Section 10(a)(1)(A) permit. It is the mission of the Department to conserve and protect Arizona's diverse fish and wildlife resources and manage for safe, compatible outdoor recreation opportunities for current and future generations. For your consideration, the Department provides the following comments based on the agency's statutory authorities, public trust responsibilities, and special expertise related to wildlife resources and recreation.

The Department supports the goal of maintaining the established AML (of zero) at Tassi-Gold Butte HMA. The Department commends the BLM and the NPS on addressing the issue of the impact from burros on wildlife and wildlife habitat. As such, the Department considers the actions identified to be consistent with the direction in the Wild Free-Roaming Horse and Burro Act of 1971 to reach management actions necessary to address current AML burro numbers."

Response: Thank you for your comment.

Comment 97: "The EA contains no mention of mining activity, although uranium mining in the areas surrounding the Grand Canyon has apparently been a big feature, and lithium mining is close by. What extractive industries are active within range of the HMA and Pakoon Basin, and how have they impacted range health and threatened wildlife and plant species mentioned in the EA?"

Response: Upon designation of the Grand Canyon-Parashant National Monument (GCPNM), lands were withdrawn from location, entry, and patent under the mining laws, subject to valid existing rights. Specific activities were withdrawn in the monument proclamation. There is no known uranium and lithium mining contiguous to the project area.

Comment 98: "The EA must consider implementing the necessary Adaptive Management process to review the RMP determination of zeroing out Tassi-Gold Butte."

Response: The proposed action does not include adjusting AML. Additionally, amendments to the GCPNM RMP/GMP are outside the scope of this project.

Comment 99: "The EA says that captive burros can be sent to Off Range Pastures (ORPs). Where do ORPs exist for burros, and how many burros are currently in such pastures?"

Response: Please see revised Section 2.2.1.

National Academy of Sciences (NAS) Report (2013)

Comment 100: Comments were received regarding the NAS report recommendation "Horse and burro management and control strategies … should engage interested and affected parties and also be responsive to public attitudes and preferences." Commenters were concerned this recommendation was not considered during the current EA process.

Response: Findings of the NAS report are referred to in many places in the EA and associated Appendices. That report has provided BLM with useful information and suggestions and has been taken into consideration and incorporated as appropriate. Implementing any specific recommendations of the 2013 NAS report is not required by law or any other policy.

Comment 101: "The EA fails to address multiple point in the 2013 NAS Report."

Response: Findings of the NAS report are referred to in many places in the EA and associated Appendices. That report has provided BLM and NPS with useful information and suggestions and has been taken into consideration and incorporated as appropriate. Implementing any specific recommendations of the 2013 NAS report is not required by law or policy.

Outside Scope of Environmental Assessment

Comment 102: "But I wish BLM and NPS would concurrently mount a clandestine gather operation to remove Cliven Bundy's hundreds of trespassing cattle that are causing similar harm to these objects and resources. There should be an economy of scale for greater efficiency if burros and trespass cattle are both removed during a comprehensive gather. Burros and cattle both drink from the same water sources and they keep close to these sources during the hotter months. Cliven is a moron so a secret gather would comply with standing court orders and could be done in secret. Law enforcement does not require public notice or NEPA. Feds should stop their cowardice and start proving they are smarter than Cliven. Enough is enough. Three decades of trespass grazing is ridiculous and this pattern must end. Thanks for your consideration."

Response: This comment is outside the scope of this EA.

Comment 103: "In addition, we request that BLM and NPS add this project and its impacts to BLM and NPS databases and geospatial tracking systems for special status species, including the Mojave desert tortoise, that track cumulative impacts (e.g., surface disturbance, paved and unpaved routes, linear projects, invasive species occurrence, herbicide/pesticide use, wildfires, etc.), management decisions, and effectiveness of mitigation for each project. Without such a tracking system, BLM and NPS are unable to analyze cumulative impacts to special status species (e.g., desert tortoises) with any degree of confidence."

Response: Thank you for your suggestion. At this time, it is outside the scope of this EA.

Comment 104: "In like fashion, the EA notes evidence (Lundgren et al 2022) that mountain lion predation affects wild burro populations, but then dismisses it as inapplicable to Tassi-Gold Butte herds. But mountain lions are increasing their presence throughout public lands in the West. What is the basis for the EA's claims that the frequency of mountain lion predation has "apparently" not slowed down wild burro population increases? BLM and NPS have an obligation to present supporting data for counting out lions."

Response: See Section 2.4.4 and Section 3.2.8. BLM is responsible for managing wildlife habitat on public lands in cooperation with state and federal wildlife agencies. The Arizona Department of Game and Fish is the agency which manages wild megafauna populations, including mountain lions.

Comment 105: "In wildlife studies genetic viability is given weight to rare genetic traits. Since burros are a historical part of the American West, the rare white, paint and burros that carry the critically endangered African Ass genetics need to be identified, studied and protected. No data is available to document the genetics in the HMAs. Removal of all burros without detecting this data is extreme and disastrous."

Response: This comment is outside the scope of this EA.

Comment 106: "Indeed, BLM admits that many millions of acres of its approved grazing lands in the West are degraded and not meeting BLM's own required minimum standards for rangeland health. This is a sad admission of BLM's improper bias and management cowardice relating to grazing. Besides the harm caused by authorized grazing, BLM also consistently fails to adequately address chronic trespass grazing. Perhaps the most egregious example of this failure relates to Cliven Bundy's cattle in or near this project area and within BLM's adjacent Gold Butte National Monument. Burros have no political influence nor weapons so they are an easy target for removal. Lawless ranchers like Cliven Bundy, who can summon an armed militia to threaten law enforcement officers, can stop BLM in its tracks. This is fundamentally unfair. BLM managers need to grow backbones and stop hiding under their desks."

Response: This comment is outside the scope of this EA.

Comment 107: "Instead of targeting this beneficial species, the government must get serious about enforcing bans on the grazing of livestock, most particularly non-native, water-guzzling and environment-destroying cattle, by brazen criminals like Cliven Bundy."

Response: This comment is outside the scope of this EA.

Comment 108: "The 1998 decision was aimed at protecting the threatened desert tortoise (Gopherus agassii) and its habitat, which is found in the area. P.7

What was this decision based on? Please provide the data and science.

What site specific evidence of damage or danger to the tortoise in the area is there?"

Response: This comment is outside the scope of this EA.

Comment 109: "The agencies should thoughtfully evaluate the costs of livestock grazing on the American people and management of wild burros"

Response: Evaluating the costs of livestock grazing on the American people and management of wild burros is not within the scope of this EA.

Comment 110: "The agency has a responsibility to assess the habitat and status of this species [Mojave desert tortoise] using current information, including any consideration of a thriving natural ecological balance "TNEB") (emphasis added). If, after thorough analysis, the species and range are found to be in good health, the agencies should find the current number of burros to be in compliance with TNEB standards, the Endangered Species Act, and other authorities regarding the threatened species."

Response: The suggested course of action does not meet the purpose and need of EA.

Comment 111: "Thoughtfully evaluate the costs of livestock grazing on the American people and management of wild burros"

Response: This comment is outside the scope of this EA.

Wilderness

Comment 112: "Based on the maps provided, it appears NPS has decided to create a wilderness area within the HMA: but can they do this if it means removing the protected wild equids from their designated habitat area?"

Response: The NPS study of wilderness suitability conducted in 1973 predates the 1982 HMAP. The designation of "Proposed Wilderness" indicates the area has been determined to be suitable for Wilderness designation by Congress, but has not yet been so designated. Per NPS Management Policies (2006) "The National Park Service will take no action that would diminish the wilderness eligibility of an area possessing wilderness characteristics until the legislative process of wilderness designation has been completed. Until that time, management decisions will be made in expectation of eventual wilderness designation."

Comment 113: "Helicopter use in Wilderness is a significant action.

"Helicopters carry 'man and his works' and so are antithetical to a wilderness experience. It would be a rare case where machinery as intrusive as a helicopter could pass the test of being 'necessary to meet minimum requirements for the administration of the area.'" Wolf Recovery Found. v. U.S. Forest Serv., 692 F. Supp. 2d 1264, 1267-68 (D. Id. 2010); see also Mont. Wilderness Ass'n v. McAllister, 666 F.3d 549, 556 (9th Cir. 2011) (stating that, "from a common-sense perspective," helicopter presence "would plainly degrade ... wilderness character"). Accordingly, under the Wilderness Act, the BLM and NPS may only approve helicopter activities in the Wilderness if the agencies rationally demonstrate helicopter herding of burros in Wilderness is necessary to meet minimum requirements for administration of the area for the purpose of the Wilderness Act, and there is no alternative to otherwise-prohibited uses that would achieve that purpose. See 16 U.S.C. § 1133(c). That is a high bar, and neither the EA nor the MRAF meet that test."

Response: See revised Appendix B for proposed methods as described in Comprehensive Animal Welfare Program (PIM 2021-002). Helicopters are not anticipated to land in a designated or proposed wilderness area except in emergency situations. The Designated and proposed wilderness is under an existing helicopter and fixed wing flight route, therefore helicopter drives would not be an unusual occurrence in the area.

Comment 114: "It is not clear whether any activity would definitely occur in the Grand Wash Cliffs Wilderness.1 The EA points out less than 10% of the area is designated as Wilderness. To put a finer point on this issue, the minimum requirements analysis framework (MRAF, formerly

the MRDG) conflates the NPS proposed wilderness with the designated Wilderness (EA at 101 and 102). Thus, there is no real attempt to see if something could occur outside the Grand Wash Cliffs Wilderness, which is the only area statutorily designated as such in the planning area. Further, the Grand Wash Cliffs Wilderness is outside the HMA. The NPS proposed wilderness is within the HMA. The HMA is presumably the area with more burros.2 As such, the MRAF is flawed. At the very least, two separate MRAF documents should have been prepared for each of the two spatially distant areas."

Response: As the NPS Proposed Wilderness is treated according to NPS agency policy (NPS Management Policies 2006) as designated Wilderness, the analysis for the two areas must be to the same level. Potential actions in either area are substantially the same, therefore not combining analysis of the effects and minimum tools would be repetitive and not generate different conclusions based on Designated or Proposed Wilderness.

Comment 115: "The EA downplays the significance of this activity. It likely won't be "temporary" in Wilderness (EA at 41), as the EA tacitly admits on page 8. It has been an ongoing activity and will likely continue in perpetuity as burros from contiguous or adjacent HMAs will move into the project area."

Response: While the operation would be ongoing, to the individual stationary visitor, helicopter use at low altitudes would likely be noticeable for a few seconds to minutes. Therefore, the impact would be "temporary".

Comment 116: "The herding action of the aircraft could trammel the wildlife in Wilderness. Bighorn sheep are likely to be affected, as the "[w]ild burros" use "the steep, rugged terrain usually associated with desert bighorn sheep." EA at 33. Bighorns startled by the helicopters will be forced to move, and that trammels their free play. The aircraft could affect other wildlife as well. It will also affect the feral burros. Further, the actions intended to herd (trammel) burros could affect desert tortoises by trampling, as the EA admits above. Even the design measures may trammel the Wilderness if it is decided tortoises should be relocated just before the helicopters or other aircraft "herd" the burros in a specific place in Wilderness.

Without this proposal, the actions described above would not happen in Wilderness. Even under the flawed MRA process, the BLM and NPS should have recognized this action trammels and affects the natural conditions of the area."

Response: See revised Sections 4.2.6, 4.3.6 and Appendix C regarding trammeling of bighorn sheep and desert tortoise. Herding to trapping locations is outside Wilderness, therefore trammeling associated with " "herd[ing]" the burros in a specific place in Wilderness" would not apply.

Comment 117: "The MRAF analysis is based upon a serious misreading of the Wilderness Act."

Response: The GCPNM RMP/GMP (MA-WM-01) directs us to use the most current format which is the MRAF, formerly known as the MRDG.

Appendix C:
A Non-Impairment Determination

DETERMINATION OF NON-IMPAIRMENT

The NPS has discretion to allow impacts on Park resources and values when necessary and appropriate to fulfill the purposes of a Park (NPS 2006 sec. 1 .4.3). However, the NPS cannot allow an adverse impact that will constitute impairment of the affected resources and values (NPS 2006 sec 1.4.3). An action constitutes an impairment when its impacts "harm the integrity of Park resources or values, including the opportunities that otherwise will be present for the enjoyment of those resources or values" (NPS 2006 sec 1.4.5). To determine impairment, the NPS must evaluate "the particular resources and values that will be affected; the severity, duration, and timing of the impact; the direct and indirect effects of the impact; and the cumulative effects of the impact in question and other impacts" (NPS 2006 sec 1.4.5).

This determination on impairment has been prepared for the selected alternative described in the Finding of No Significant Impact. An impairment determination is made for all resource impact topics analyzed for the selected alternative occurring on National Park Service (NPS) managed lands within the project area. An impairment determination was not made for aspects of resource impact topics occurring on the Bureau of Land Management (BLM) managed lands within the project area; this includes the entire resource issues “Areas Managed to Maintain Wilderness Characteristics”, “Designated Wilderness”, and “Livestock Grazing”. An impairment determination was also not made for “Wild Burros” as they are not a park resource or value, as described in the Grand Canyon-Parashant National Monument Proclamation or 2008 RMP/GMP.

Soils

The selected alternative will not result in impairment to soils. Gather operations will result in minimal soil disturbance. Best practice methods will minimize potential impacts from vehicle operations. The removal of burros will prevent possible impairment of soil resources.

Threatened, Endangered, or Candidate Animal Species

Mojave desert tortoise, a threatened species, may be impacted by burro gather activities including killing or injuring of tortoises, displacement of individuals, and increased potential for harassment of tortoises. Drive trapping could increase the risk of a tortoise being trampled or a burrow collapsing. Best management practices, concurred with by USFWS, to minimize these adverse effects are incorporated in the selected alternative, resulting in no impairment expected to either the Mojave desert tortoise population or their habitat.

Design features are in place to avoid any potential impacts to the endangered California condor. Condors are rare in the project area, the USFWS conservation measures included in the selected alternative should result in no impairment to either the condor population or their habitat.

Vegetation (including Special Status Plants and Invasive, Non-native Species)

The selected alternative will not result in impairment of vegetation because the actions in the selected alternative would decrease the damage and grazing pressure from burros on vegetation. Invasive non-native species would decrease. Special status plants known to occur in or adjacent

to gather areas would be surveyed for and avoided during treatment. Design features for project implementation in the selected alternative include direction on timing, trap site selection, site rehabilitation, invasive plant species management and other aspects to limit the potential for any adverse effects.

Wetlands and Riparian Zones

Design features include a prohibition of trapping in riparian zones. No other activities are anticipated in riparian zones and no wetlands occur in the project area, therefore no impairment is expected for these ecosystems.

Wildlife (including BLM Sensitive Species and Migratory Birds)

Wildlife may be temporarily impacted by survey and gather operations, however design features in the selected alternative will result in no impairment to wildlife or their habitat. These design features include surveys, direction on trap site and corral locations to avoid sensitive species and migratory birds, and treatment timing to avoid nesting season.

CONCLUSION

The NPS has determined that the implementation of the Tassi-Gold Butte Herd Management Area Wild Burro Gather Plan will not constitute an impairment of the resources or values of Grand Canyon-Parashant National Monument. As described above, adverse impacts anticipated as a result of implementing the selected alternative on a resource or value whose conservation is necessary to fulfill specific purposes identified in its establishing legislation, key to their natural or cultural integrity or to opportunities for enjoyment, or identified as significant in relevant NPS planning documents, will not constitute impairment. This conclusion is based on consideration of the monument's purpose and significance, a thorough analysis of the environmental impacts described in the EA, the comments provided by the public and others, and the professional judgment of the park manager guided by the direction of the NPS *Management Policies 2006.*

Appendix D:
Minimum Requirements Analysis

MINIMUM REQUIREMENTS ANALYSIS FRAMEWORK WORKBOOK

"…except as necessary to meet minimum requirements for the administration of the area for the purpose of this Act…"

— Section 4(c), Wilderness Act of 1964

Introduction

The Minimum Requirements Analysis (MRA) is designed to examine whether a project truly needs to occur in wilderness, and if so, how to accomplish it with the least impact to the wilderness resource. The framework below is intended to help managers: 1) evaluate actions proposed in wilderness involving a use otherwise prohibited by the Wilderness Act; and 2) consider appropriate choices about administrative actions they might take. Like the previous version of this document (the Minimum Requirements Decision Guide (MRDG)), the MRA Framework (MRAF) is based on the Wilderness Act and is consistent with agency policy. The MRAF incorporates lessons learned by agency employees as they used the MRDG over the years. The goal of the MRAF is to help provide consistency in the way wilderness-managing agencies consider actions to address threats to wilderness, and to ensure that agencies strive to preserve wilderness character through their on-the-ground decisions.

This document is intended for uses prohibited by Section 4(c) of the Wilderness Act in designated wilderness, but it can be used to analyze all projects in wilderness. Check agency policy to determine if this workbook may be appropriate for other proposals in wilderness.

If applicable, per agency policies, collaborate and coordinate with associated Tribe(s) and/or Tribe(s) with historical, treaty, or related ties to the area.

Title: Tassi-Gold Butte HMA Wild Burro Gather Plan

Step 1: Determine If Administrative Action May Be Necessary

Issue Statement

There is a need to protect monument resources and to prevent unnecessary or undue degradation of the public lands associated with excess population of wild burros within the Tassi-Gold Butte HMA and the greater Pakoon Basin. The proposed method is to gather and remove wild burros.

Options Outside of Wilderness

Is this issue wilderness dependent, or can an action occur outside of wilderness to properly resolve the issue now or over time?

Can the issue be resolved or addressed outside of wilderness?

☐ YES **STOP – EXPLAIN BELOW AND DO NOT TAKE ACTION**

☒ NO **EXPLAIN BELOW AND PROCEED TO THE NEXT SECTION**

The burros have been sighted in both designated Wilderness and Proposed Wilderness areas. There is no practical method to draw the burros out of the approximately 62,000 combined acres from outside the wilderness.

Criteria for Determining Necessity

Do any of the criteria below apply?

A. Wilderness Character
Based on the Issue Statement, are any of the qualities of wilderness character degraded, impaired, or threatened to a degree that it is necessary to analyze potential action otherwise prohibited by Section 4(c) to address the issue?

UNTRAMMELED

☐ YES ☒ NO

This project is not necessary to preserve the untrammeled wilderness character.

UNDEVELOPED

☐ YES ☒ NO

This project is not necessary to preserve the undeveloped wilderness character.

NATURAL

☒ YES ☐ NO

Burros are a nonnative species, introduced by humans, that damage the ecosystem integrity of the Mojave Desert and Mojave Desert Transition zones. In addition, the AML within the HMA was set at 0 to assist in the recovery of the Mojave desert tortoise.

OUTSTANDING OPPORTUNITIES FOR SOLITUDE OR PRIMITIVE AND UNCONFINED RECREATION

☐ YES ☒ NO

This project is not necessary to preserve the solitude or primitive and unconfined recreation wilderness character.

OTHER FEATURES OF VALUE

☒ YES ☐ NO

Presidential Proclamation 7265 – Establishment of the Grand Canyon-Parashant National Monument (2000) states that “There are numerous threatened or endangered species as well, including the Mexican spotted owl, the California condor, the desert tortoise, and the

southwestern willow flycatcher." This recognizes the importance of these species to the formation and continuance of the monument.

B. Valid Existing Rights

Select your answer.

Is action necessary to satisfy a valid existing right? If so, cite the specific right, terms and conditions, and source.

☐ YES ☒ NO

There are no valid existing rights requiring burro removal.

C. Special Provisions of Wilderness Legislation

Is action necessary to satisfy a special provision in wilderness legislation (i.e., Section 4(d) of the Wilderness Act of 1964 or subsequent wilderness-enabling laws) that requires action? Cite law and section.

☐ YES ☒ NO

There are no "Special Provisions of Wilderness Legislation" requiring burro removal.

D. Requirements of Other Federal Laws

*Not including special provisions found in wilderness-enabling laws, does another Federal law, by itself or as implemented or interpreted through EO, court order, etc., **require** action? Cite law and section.*

☒ YES ☐ NO

Since the passage of the Wild Free-Roaming Horses and Burros Act (WFRHBA) of 1971, BLM has refined its understanding of how to manage wild horse and burro population levels. By law, BLM is required to control any overpopulation, by removing excess animals, once a determination has been made that excess animals are present, and removal is necessary.

Step 1: Determination – Is Administrative Action Necessary in Wilderness?

Based on the responses and detailed explanations in A through D above, is there a need to proceed to Step 2? If at least one criterion in B through D in Step 1 has been met, or at least one quality of wilderness character is threatened, check the "Yes" box and provide a thorough explanation of the rationale described in A through D. It may also be helpful to describe in this determination how action would be consistent with the public purposes of wilderness or satisfy a specific agency obligation. If none of the criteria have been met, action is NOT necessary. Check the "No" box, explain why the proposed project does not meet the criteria, and stop your analysis.

☒ YES **EXPLAIN BELOW AND COMPLETE STEP 2 OF THE MRAF**

☐ NO **STOP – EXPLAIN BELOW AND DO NOT TAKE ACTION**

Burros are a non-native species that damage the ecosystem integrity of the Mojave Desert and Mojave Desert Transition zones. In addition, the AML within the HMA was set at 0 to assist in the recovery of the Desert Tortoise. Continued presence of burros negatively impacts the natural wilderness characteristic of the wilderness areas as well as potentially the desert tortoise.

Therefore administrative action is necessary in wilderness to remove burros that are affecting naturalness. In addition, removal actions would likely be necessary as it is unlikely that all burros would be lured out of the wilderness to bait and trap sites.

Step 2: Determine the Minimum Activity

Other Direction

Is there "special provisions" language in legislation or other congressional direction that explicitly allows consideration of (but does not require) a prohibited use? (Step 1 has a similar question in Section C, but that question is specific to other legislation requiring action in wilderness; this question is specific to other legislation addressing consideration of prohibited uses).

AND/OR

Has the issue been addressed or prescribed in agency policy, management plans, or legal directive (e.g., treaty, EO, court order, or other binding agreement with federal, state, or local agencies or authorities)?

☒ YES **DESCRIBE OTHER DIRECTION**

☐ NO **SKIP TO "UNCONTROLLABLE TIMING REQUIREMENTS" BELOW**

The following decisions are from Table 2.5 in the Grand Canyon-Parashant National Monument Resource Management Plan/General Management Plan (RMP/GMP) regarding Special Status Species and burro management:

- MA-TE-45: Wild horses and burros will not be authorized on NPS and BLM administered lands in the Monument. Burros on NPS-administered lands are managed to prescription set by the 1995 Lake Mead NRA Burro Management Plan. The herd management level for the Tassi-Gold Butte Herd Management Area will be set to zero on BLM-administered lands in the Monument. Burros will be removed rather than destroyed on site.

Table 2.6 in the RMP/GMP regarding wild burros states:

- MA-HB-01: The Herd Management Level will continue to be set at zero on BLM-administered lands. (See Special Status Species decisions). Wild horse and burros will not be authorized on NPS-administered lands.

Uncontrollable Timing Requirements

What, if any, are the considerations that would dictate timing of the action?

Safely removing the burros without causing undue stress, particularly high heat during summer months, and foaling season, would dictate the timing of the gather.

Workflow Components
What are the distinct components or phases of the action?

Component	Description
Component 1	Transportation of personnel during survey operations.
Component 2	Transportation of personnel during gather operations.
Component 3	Emergency Actions.

Feasibility of Alternatives
Only include feasible alternatives in this section. Some alternatives that are not feasible may warrant documentation in the "Alternatives Considered but Dismissed" section to provide a brief description and explanation of why it was dismissed and not considered in detail.

Possible reasons for dismissal include alternatives that are impossible, have unacceptable impacts, are unsafe, are proven ineffective, have excessive costs, or whose timing would cause degradation to wilderness character.

The alternatives should also be reasonable. For example, there is no need to include helicopters in an alternative for equipment transport when that equipment can be easily carried by people or pack stock along a maintained trail.

Refer to the MRAF instructions regarding alternatives and the effects to each of the comparison criteria.

Step 2: Alternatives

Alternative 1
Gather and remove wild burros.

Component Methods
How will each of the components of the action be performed under this alternative?

Component	Workflow Components	Component Methods for this Alternative
1	Transportation of personnel during survey operations.	Conduct survey with personnel in a helicopter or fixed wing aircraft.
2	Transportation of personnel during gather operations.	Conduct gather with personnel in a helicopter.
3	Emergency Actions.	Land helicopter during gather if emergency occurs.

Description of the Alternative
The proposed action would gather and remove 100% of the existing wild burros found in the HMA and surrounding greater Pakoon Basin.

Gathering could be conducted year-round within parameters set to promote burro health and safety and protect monument resources.

Population inventories would be conducted using aerial surveys. Routine resource/habitat monitoring would be completed periodically after the initial gather to document post-gather population levels, growth rates and areas of continued resource concern (burro concentrations, riparian impacts, etc.) prior to any follow-up gather.

Gather operations would be conducted in accordance with the Comprehensive Animal Welfare Program (CAWP) for Wild Horses and Burro Gathers, which includes provisions of the Comprehensive Animal Welfare Program (BLM Permanent Instructional Memorandum 2021-002). A combination of gather methods might be used to complete the management actions and the methods to be used would depend on the needs of the specific actions including management needs regarding emergency situations.

The primary gather methods used in the performance of gather operations include:

- Drive Trap: This gather method involves utilizing a helicopter to herd wild burros into a temporary trap. Wranglers on horseback may be utilized to rope burros as needed.
- Bait Trap: This gather method involves utilizing bait (e.g., water, mineral supplement, or feed) or sexual attractants (jennies in heat) to lure wild burros into a temporary trap (BLM 2021b).

All trap sites, holding facilities, or any other structures would be outside of Wilderness boundaries.

An Animal and Plant Inspection Service (APHIS) or other veterinarian might be on-site or on-call during the gather, as needed, to examine animals and make recommendations to BLM for care and treatment of wild burros.

Decisions to humanely euthanize animals in field situations would be made in conformance with BLM Permanent Instruction Memorandum (PIM) 2021-007.

During gather activities the helicopter might sit down in Wilderness due to mechanical or personnel safety issues or if a burro becomes unduly stressed or injured.

Wilderness Character

Component Number	For each component number, indicate the impact the **method for this alternative** will have on each of the five qualities of Wilderness: Positive = P, Negative = N, No Effect = 0 *Describe in detail the impacts to each of the five qualities in the narrative section below*	Untrammeled	Undeveloped	Natural	Solitude or Primitive and Unconfined Recreation	Other Features of Value
1	Conduct survey with personnel in a helicopter or fixed wing aircraft.	0	0	P	N	0
2	Conduct gather with personnel in a helicopter	0	0	P/N	N	P/N
3	Land helicopter during gather if emergency occurs	0	N	0	0	0

What is the effect of each Component Method on the qualities of wilderness character? What mitigation measures will be taken? Include cumulative impacts in the explanation.

UNTRAMMELED: **Explain the intensity of the action that would intentionally control, manipulate, or hinder the conditions or processes of ecological systems:**

Neither the helicopter or fixed wings aircraft overflights or the emergency actions in the wilderness represent manipulations of the natural processes on-going in wilderness and therefore have no impacts to the untrammeled quality.

UNDEVELOPED: **Explain the effects to this quality in terms of how "the imprint of man's work [would] remain substantially unnoticeable," and how wilderness will continue to be in contrast with other areas of "growing mechanization":**

Any landing of a helicopter in wilderness is a prohibited use and a negative impact on the Undeveloped quality. Landing would be of short duration and is unlikely, therefore the negative impact would be temporary and rare.

NATURAL: **Explain the effects to this quality in terms of protection, degradation, or restoration of natural conditions:**

Naturalness would be positively impacted by the removal of non-native species (burro) that damage ecosystem integrity. Gather operations may disturb bighorn sheep by affecting (startling) them. Desert tortoise may be negatively affected if during gather operations the burros crush tortoise burrows, which is a possibility noted in the proposed action. However, mitigation measures would be taken to avoid these impacts and these species are sparsely distributed in the project area and are anticipated to be minimally affected during gather operations.

OUTSTANDING OPPORTUNITIES FOR SOLITUDE OR PRIMITIVE and UNCONFINED RECREATION: **Explain how opportunities for visitors to experience solitude or a primitive and unconfined type of recreation will be protected or degraded. As appropriate, describe solitude, primitive recreation, and unconfined recreation separately**:

The surveying and gather activities conducted by helicopter and fixed wing aircraft could negatively affect visitors to the wilderness who experience the noise or sight of the aircraft flying over, even at a distance.

OTHER FEATURES OF VALUE: **Explain any effects to features of scientific, educational, scenic, or historical value that are not accounted for in the above qualities, including cultural and paleontological resources that are integral to wilderness character:**

The alternative might have direct impacts on the desert tortoise from activities related to burro gathering, and could include killing or injuring of tortoises, displacement of individuals, and increased potential for harassment of tortoises. If not noticed and avoided during gather activities, desert tortoises could be either injured, killed, or harassed.
It is expected that, with the removal of burros from the area under the alternative, the desert tortoise population in the project area would ultimately benefit due to the reduced risk of trampling and less competition for forage and water.

Alternative 2
Not conduct the wild burro gather.

Component Methods
How will each of the components of the action be performed under this alternative?

Component	Workflow Components	Component Methods for this Alternative
1	Transportation of personnel during survey operations.	Not conduct survey operations
2	Transportation of personnel during gather operations.	Not conduct gather.
3	Emergency Actions.	No action.

Description of the Alternative
What are the details of this alternative? When, where, and how will the action occur? What mitigation measures will be taken? Provide a complete narrative description of the Component Methods identified above.

Under the no action alternative, no gather would occur, and no additional management actions would be undertaken to control the size or growth rates of the wild burro population at this time.

Wilderness Character

Component Number	For each component number, indicate the impact the **method for this alternative** will have on each of the five qualities of Wilderness: Positive = P, Negative = N, No Effect = 0 *Describe in detail the impacts to each of the five qualities in the narrative section below*	Untrammeled	Undeveloped	Natural	Solitude or Primitive and Unconfined Recreation	Other Features of Value
1	Not conduct survey operations.	0	0	0	0	0
2	Not conduct gather	0	0	N	0	N
3	No action	0	0	0	0	N

What is the effect of each Component Method on the qualities of wilderness character? What mitigation measures will be taken? Include cumulative impacts in the explanation.

UNTRAMMELED: **Explain the intensity of the action that would intentionally control, manipulate, or hinder the conditions or processes of ecological systems:**

No action would be taken in wilderness; therefore there would be no impacts to this quality.

UNDEVELOPED: **Explain the effects to this quality in terms of how "the imprint of man's work [would] remain substantially unnoticeable," and how wilderness will continue to be in contrast with other areas of "growing mechanization":**

No action would be taken in wilderness; therefore there would be no impacts to this quality.

NATURAL: **Explain the effects to this quality in terms of protection, degradation, or restoration of natural conditions:**

No action would occur in wilderness to remove a non-native species (burro) that causes damage to the Mojave Desert transition ecosystems; therefore as burro populations increase a continued negative affect on wildlife, vegetation, and soils would be expected to occur.

OUTSTANDING OPPORTUNITIES FOR SOLITUDE OR PRIMITIVE and UNCONFINED RECREATION: **Explain how opportunities for visitors to experience solitude or a primitive and unconfined type of recreation will be protected or degraded. As appropriate, describe solitude, primitive recreation, and unconfined recreation separately**:

No action would be taken in wilderness; therefore, there would be no impacts to this quality.

OTHER FEATURES OF VALUE: **Explain any effects to features of scientific, educational, scenic, or historical value that are not accounted for in the above qualities, including cultural and paleontological resources that are integral to wilderness character:**

If no action is taken, burros will continue to reproduce and further damage the landscape, water, and resources that desert tortoise depend on. Desert tortoises would continue to be at risk of trampling by burros.

Step 2: Alternatives Considered but Dismissed

What alternatives were considered but dismissed? Why were they dismissed?

Explain:

Chemical immobilization was considered however it is impractical to use, given the size of the HMA, access limitations, and approachability of the burros.

Raising the AML was considered but would decrease the Natural Wilderness character.

Fertility Control Treatment and Field Darting with ZonaStat-H (Native PZP) and GonaCon was considered however it would not quickly reduce the number of burros to the set AML. The methodology would include helicopter use, similar to Alternative 1.

Control of burro numbers was considered. This would require the introduction of sufficient numbers of natural predators to decrease the numbers in a reasonable amount of time to positively affect the Naturalness of the wilderness. Such introductions are infeasible.

Use of bait traps as the only gather method was considered. Due to the limited vehicular access for trailers and personnel to access trap sites, the degradation of the undeveloped quality of Wilderness for trapping apparatus to be set up in Wilderness, and the behavior of burros, this alternative was not considered further.

Step 2: Determination – What is the Minimum Activity?

Refer to the MRAF instructions before identifying the selected alternative and explaining the rationale for its selection.

Selected Alternative

Alternative 1: Gather and remove wild burros.

Explain rationale for selection, including a comparison of the selected alternative with other alternatives:

This alternative would allow the monument to be in compliance with direction set forth in the GMP/RMP. While opportunities for solitude and naturalness would be negatively impacted during the gather operations, the natural quality would be enhanced by removing a non-native invasive species. Without action, as described in Alternative 2, the natural quality would continue to degrade and burros would continue to inhabit areas of the monument where direction clearly states they should not do so.

Approved?	Prohibited Use	Quantity, Timing, Frequency, or Duration
N	Mechanical Transport:	NA
N	Motorized Equipment:	NA
N	Motor Vehicles:	NA
N	Motorboats:	NA
Y	Landing of Aircraft:	As needed for emergencies or according to needs proscribed in policies and protocols for animal welfare.
N	Temporary Roads:	NA
N	Structures:	NA
N	Installations:	NA

Describe mitigation measures as well as monitoring and reporting requirements, if appropriate:

The management actions and best management practices in Chapter 2.2.1 of the EA would be followed. While they also apply to the actions taken outside Wilderness, they incorporate direction that should minimize any negative impacts to the Wilderness units and their qualities. Reports of “landing of aircraft” incidents would be included in the documentation of the gather activities, as a part of either aircraft operations or burro health reporting.

Approvals

Project Title (from page 2)**:**Tassi-Gold Butte HMA Wild Burro Gather Plan

Refer to agency policies for the following signature authorities:

Prepared by:
Name Greg Page Position Outdoor Recreation Planner

Signature GREGORY PAGE Digitally signed by GREGORY PAGE Date: 2025.05.21 14:19:54 -06'00' Date _____

Reviewed by:
Name Jennifer Fox Position Ecologist

Signature JENNIFER FOX Digitally signed by JENNIFER FOX Date: 2025.05.21 14:22:35 -06'00' Date _____

Approved by:
Name Brandon Boshell Position Field Office Manager

Signature BRANDON BOSHELL Digitally signed by BRANDON BOSHELL Date: 2025.05.21 14:25:48 -06'00' Date _____

Approved by:
Name Ben Roberts Position Superintendent

Signature BENJAMIN ROBERTS Digitally signed by BENJAMIN ROBERTS Date: 2025.05.21 14:32:06 -06'00' Date _____