



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Needles Field Office
1303 S. Highway 95
Needles, CA 92363
www.ca.blm.gov/needles

In Reply Refer To:

Dear Reader,

This is a notice of intent by the Bureau of Land Management (BLM), Needles Field Office, Needles, California, to implement a nuisance wild burro gather and removal from the Molycorp, Incorporated, Mountain Pass Mine.

The Molycorp Mountain Pass mine is located in California on the south flank of the Clark Mountain Range, just north of the unincorporated community of Mountain Pass, San Bernardino County, California, near the California / Nevada State boundary where Interstate 15 crosses leading north to Las Vegas.

The mine is within the Clark Mountain Herd Area. The Record of Decision for the 2002, Northern and Eastern Mojave Desert Management Plan (NEMO), identified this area would not be managed for burros. There is an estimated 250 burros within the Clark Mountain Herd Area and there are currently approximately 120 burros on the 2,222 acres of private land impacting the mining reclamation efforts.

On April 11, 2016, the BLM Ridgecrest Field Office received a letter from the Molycorp, Incorporated, Mountain Pass Mine – Human Environmental Safety Manager requesting the removal of burros from the Mountain Pass rare earth mine.

On May 18, 2016, the Ridgecrest Field Office Wild Horse and Burro Specialist conducted a site visit to address the following items identified by Molycorp. The following is a description of the issues:

- **Burro Population:** Late summer 2015, an estimated 200 individual burros were observed on site in various size herds. During the site visit 65 burros were observed (49 adults, 8 last trimester jennies and 8 foals). This year, an estimated 200 or more are expected to be on site during the summer.
- **Surface Mining and Reclamation Act - SMARA:** Wild burros have damaged nearly all revegetation and reclamation areas currently required by SMARA. Three revegetation test plots have been destroyed. Several attempts have been made to protect and secure these areas; however, the burros have continued to gain access and destroy the revegetation efforts at a substantial financial cost to the land owner. **Storm Water Pollution Prevention Plan - SWPPP:** Burros have damaged Storm water conveyance areas and Best Management Products (BMPs) installed to control flow energy by destroying straw waddles, hay bales, terrain erosion (due to access trails they create). It has become too expensive to keep repairing impacted areas after thousands of dollars have already been spent.
- **Security:** Barbed wire fencing efforts have proven unsuccessful as well. Burros have learned how to break the strands of wire with their necks in order to gain access. This year, over \$60,000 has been spent installing and repairing perimeter fencing only to be repeatedly destroyed by wild burros, allowing the potential for illegal entry by people who intend to steal what they can from the site.

- **Public Safety:** The burros have lost their fear of humans and vehicles thus posing a threat to workers. Workers arrive and leave work in groups because of the threat presented by some of the male burros and new mothers which are very aggressive.
- **Water supply:** There is one active fresh water pond on site. The pond is located at the Main Office Building. Burros will concentrate at the mine site to access water when springs in the surrounding area dry up. While the burros come to drink they eat the landscape plants, grass and leave scat all over the lawn and walking trails. Many hours have been spent cleaning the areas each week.
- **Injured Burros:** Over the past few years, Molycorp has contacted Needles BLM Law Enforcement Officers to come to the site and dispatch severely injured burros. Molycorp has also spent internal resources to properly bury the deceased burros on-site.

An initial attempt to remove up to 120 nuisance burros utilizing water/bait trapping techniques from the Molycorp Mountain Pass Mine is anticipated to begin sometime in late August or early September, 2016. Bait traps will only be placed within the Molycorp Mountain Pass Mine property boundary.

Removal Authority:

Codes of Federal Regulations (43 CFR 4700 - Protection, Management, and Control of Wild Free-Roaming Horses and Burros); 4720.2-1: Removal of strayed animals from private lands: Upon written request from the private landowner to any representative of the Bureau of Land Management, the authorized officer shall remove stray wild horses and burros from private lands as soon as practicable.

These actions are designated as categorical exclusions (CXs) pursuant to 516 DM 11.9.; subpart D – Rangeland Management; Item 4. Removal of wild horses or burros from private lands at the request of the landowner.

Categorical Exclusion: DOI-BLM-CA-D090-2016-0025-CX addresses the action of burro gather activities which are impacting the Molycorp Incorporated, Mountain Pass Mine.

A copy of categorical exclusion and decision record can be viewed at:
<http://www.blm.gov/ca/st/en/fo/cdd.html> under the Wild Horse and Burro link “Gathers”.

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

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

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

Sincerely,



Michael Ahrens
Needles Field Office Manager