

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
NEEDLES FIELD OFFICE**

DECISION RECORD

Chemehuevi Indian Reservation Nuisance Wild Burro Removal

In accordance with 43 United States Code 1701 *et seq.*, it is my decision to approve the Chemehuevi Indian Reservation Nuisance Wild Burro Removal as reviewed in DOI-BLM-CA-D090-2012-0042-CX (case file number CA-D090-4700-2012-2) and described below. I find that this action falls within one of the categories of actions which the Bureau of Land Management has determined do not have a significant effect on the quality of the human environment and for which, therefore, neither an Environmental Assessment nor an Environmental Impact Statement is required (40 Code of Federal Regulations 1508.4). A categorical exclusion review has been conducted in accordance with 516 Departmental Manual Chapters 1 through 6 and no exceptions to the categorical exclusions apply. I further find that this action is in conformance with the California Desert Conservation Area Plan of 1980, as amended and that it will not cause unnecessary or undue degradation. The attached Conditions of Approval are incorporated by reference as the decision of the Bureau of Land Management regarding this action. A copy of this Decision Record shall be in the possession of the on-site BLM representative during all undertakings approved herein.

Specifically, the approved action consists of the gather and removal of approximately 60 nuisance wild burros impacting the Chemehuevi Indian Reservation Tribal lands near Havasu Lake, California, in accordance with the provisions of 43 CFR 4720.2-1.

The method of capture will be the bait trapping removal method. This will be implemented by the BLM Ridgecrest Field Office wrangler crews. Two to three bait traps will be placed within the Chemehuevi Indian Reservation in the area where burros are creating a nuisance. Location of the trap sites will be coordinated with the Chemehuevi Conservation Officer. No trap sites will be placed on public lands.

The start date for trapping operations will be from mid- August, 2012 and will continue approximately 4 - 6 weeks.

This decision is issued Effective Immediately, in accordance with Title 43 Code of Federal Regulations 4770.3(c). Pursuant to Title 43 Code of Federal Regulations 4720.2-1, the authorized officer shall remove stray wild horses and burros from private lands as soon as practicable. This action will reduce the risk of burro vehicle collisions and reduce property damage within the residential areas of the Tribal community.

Appeals

This decision is issued Effective Immediately in accordance with Title 43 Code of Federal Regulations 4770.3(c). This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in Title 43 Code of Federal Regulations (CFR) Part 4 and the enclosed Form 1842-1. If an appeal is taken, a notice of appeal must be filed in the Needles Field Office, Bureau of Land Management, U.S. Department of the Interior, 1303 South U.S. Highway 95, Needles, California 92363, within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

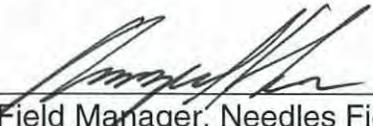
Pursuant to 43 Code of Federal Regulations 4770.3(b) this decision shall remain effective pending appeal unless the Secretary of the Interior rules otherwise. If the appellant wishes to file a petition pursuant to regulation Title 43 Code of Federal Regulation 4.21 for a stay of the effectiveness of this decision during the time that the appeal is being reviewed by the Board, the petition for a stay must accompany the notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If a stay is requested, the appellant has the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied;
- (2) The likelihood of the appellant's success on the merits;
- (3) The likelihood of immediate and irreparable harm if the stay is not granted; and
- (4) Whether the public interest favors granting the stay.

Approved by:



Field Manager, Needles Field Office

7 Aug 12
Date