

KINGMAN FIELD OFFICE SCOPING FORM

Proposal: Birds would be prevented from re-building a nest in 2010 following the removal of the Swainson's hawk nest from a buckhorn cholla prior to corral decommissioning. Birds would not be able to nest in 2010 but the tree would be available for nesting in future seasons.

DOI-BLM-AZ-C010-2010-0021 S:/BLMshare: WH&B Stuff/2009 EA/Scope DNA 2010 021 OldCorralsAddendum 2-16-2010

NEPA Document Number

Document Location

Land Description: T. 22 N., R., 15 W., section 6: Located ten miles northeast of Kingman on Route 66.

Applicant: BLM, KFO

INVOLVEMENT: Indicate in the left column which disciplines need to provide information into the EA.

Needed Input (X)	Discipline	Signature
	Lands	
	Minerals	
	Range	
	Wild Horse and Burro	
	General Recreation	
	Cultural and Paleontological Resources	
	Wilderness	
	Soils	
	Surface and Groundwater Quality/Water Rights	
	Air Quality	
X	Wildlife	/s/ Rebecca L. Peck 02/16/2010
X	Threatened and Endangered Plants and Animals	/s/ Rebecca L. Peck 02/16/2010
X	Migratory Birds	/s/ Rebecca L. Peck 02/16/2010
	Surface Protection	
	Hazardous Materials	
	Areas of Critical Environmental Concern	
	Visual Resources	
	Socio-Economics/Environmental Justice	
	General Botany/Noxious Weeds	
	Energy Policy	

Writer: /s/ Rebecca L. Peck

Date 02/16/2010

Environmental Coordinator: /s/ David Brock

Date 02/16/2010

Field Manager: /s/ Don McClure

Date 02/16/2010

Worksheet
Determination of NEPA Adequacy (DNA)
U.S. Department of the Interior
Bureau of Land Management

OFFICE: Kingman Field Office (KFO)

NEPA DOCUMENT NUMBER: DOI-BLM-AZ-CO10-2010-0021-DNA

PROPOSED ACTION TITLE/TYPE: Old Corrals Decommissioning Addendum

LOCATION/LEGAL DESCRIPTION: T. 22 N., R., 15 W., section 6: Located ten miles northeast of Kingman on Route 66 on land BLM leases from the Arizona State land Department.

APPLICANT (if any): Bureau of Land Management

A. Description of the Proposed Action and any applicable mitigation measures: Birds would be prevented from re-building a nest in 2010 following the removal of the Swainson's hawk nest from a buckhorn cholla prior to corral decommissioning. Birds would not be able to nest in 2010 but the tree would be available for nesting in future seasons.

B. Land Use Plan (LUP) Conformance

LUP Name: *Kingman Resource Management Plan/EIS*
Date Approved: March 1995

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions):

TE03 BLM will manage for conservation of candidate and BLM-sensitive species (and State Listed species) and their habitats. BLM will ensure that actions authorized will not contribute to the need to list any of these species as threatened or endangered (RMP page 29)

C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.

NEPA# DOI-BLM-AZ-C010-2009-0049-EA - Decommissioning of the Old Kingman Wild Horse and Burro Corrals, Kingman Field Office

Interim Empty Nest Policy of the U. S. Fish and Wildlife Service, Region 2, Effective May 2000. Revised, November 15, 2000.

Nest Destruction Policy, Migratory Bird Permit Memorandum, MBPM-2, , U. S. Fish and Wildlife Service, Washington D.C. April 15, 2003.

Biological Evaluation and Site Visit Report. Rebecca L. Peck, 2009. Bureau of Land Management, Kingman, AZ. Unpublished.

D. NEPA Adequacy Criteria

1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

A. Documentation of answer and explanation: The project is exactly the same as described in the existing Nepa document with the exception that along with the nest being removed the birds would not be allowed to rebuild the nest in 2010. This would prevent any take of migratory birds. This would remove the constraint on the construction period. Birds would not be able to nest this season but the tree would be available for nesting in future seasons.

By Decision dated 9/21/2009 BLM committed to the following: BLM will implement the following mitigation measure: Prior to the breeding season the BLM would remove the twine in and below the nest tree (cholla). This may result in the nest also being removed. It is expected that the nest will be rebuilt by the hawks in early April.”

2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?

Documentation of answer and explanation: Yes the current range of alternatives is adequate. Resource values, environmental concerns and interests have not changed.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?

Documentation of answer and explanation: There have been no changes to endangered species lists or BLM Sensitive species list.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

Documentation of answer and explanation: The effects analyzed in the existing NEPA document are the same.

5. Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

Documentation of answer and explanation: Yes, in addition coordination was completed with Fish and Wildlife Service, Arizona Department of Game and Fish and the Arizona State Land Department concerning the removal of the nest.

E. Persons/Agencies/BLM Staff Consulted

<u>Name</u>	<u>Title</u>	<u>Resource/Agency Represented</u>
Trevor Buhr	Habitat Management Specialist	Arizona Game and Fish Department (2-16-2010)
Elvira Hunt	Migratory Bird Permit Officer	Fish and Wildlife Service (2-4-2010)
Melissa Swain	Scientific Collecting Permits Administrator's Assistant	Arizona Game and Fish Department (2-12-2010)
Tony Orlich	Arizona State Land Department	
Project Meeting	The proposal was discussed at the BLM Project Coordination meeting of 2/16/10. No new issues were identified. Notes are on file at BLM, Kingman Field Office.	

Note: Refer to the EA/EIS for a complete list of the team members participating in the preparation of the original environmental analysis or planning documents.

Conclusion

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitute BLM's compliance with the requirements of the NEPA.

_____/s/ Rebecca L. Peck_____
Signature of Project Lead
Rebecca Peck

_____/02/22/2010_____
Date

_____/s/ David Brock_____
Signature of NEPA Coordinator
David Brock

_____/02/22/2010_____
Date

_____/s/ Don McClure_____
Signature of the Responsible Official
Don McClure
Field Manager
Kingman Field Office

_____/02/22/2010_____
Date

Note: The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest and appeal under 43 CFR Part 4 and the program-specific regulations.

DECISION RECORD

NEPA Document Number: DOI-BLM-AZ-CO10-2010-0021-DNA

B. Description of the Proposed Action: Birds would be prevented from re-building a nest in 2010 following the removal of the Swainson's hawk nest from a buckhorn cholla prior to corral decommissioning. Birds would not be able to nest in 2010 but the tree would be available for nesting in future seasons.

LUP Name: *Kingman Resource Management Plan/EIS* Approved: March 1995

Based on the analysis of potential environmental impacts contained in the attached Determination of NEPA Adequacy and as analyzed in the previous environmental assessment (EA-AZ-____) (or documents), I have determined that the action will not have a significant effect on the human environment. An environmental impact statement is therefore not required.

It is my decision to approve the action as proposed, with the following stipulations (if applicable).

_____/s/ Don McClure_____
Signature of the Responsible Official
Don McClure
Assistant Field Manager
Kingman Field Office

_____/02/22/2010_____
Date

Exhibits:

- 1) Stipulations: Remove the portion of stipulation No. 2 from the Decision dated 9/21/09 that reads: "No construction activities are to occur during the breeding season of April 1 through September 4", i.e., removal of this stipulation allows construction activities to occur during the breeding season.

