Categorical Exclusion Documentation
Reestablishment of the Relict Leopard Frog
Union Pass Spring
DOI- BLM-AZ-C010-2011-011-CX

A. Background

BLM Office: Kingman Field Office

Proposed Action: Relict Leopard Frog Reestablishment at Union Pass Spring by the Fish and Wildlife Service in cooperation with the BLM and the Arizona Game and Fish Department.

Location of Proposed Action: T. 21N, R. 20W, sec. 2. UTM: NAD 83. 737640mE, 3901720mN (Figure 1)

Description of Proposed Action:

Release: The proposal is to reestablish the Relict Leopard Frog (*Rana onca*) at Union Pass Spring and at multiple pools located downstream of the source in section 2. Total potential area of release is approximately 0.5 miles in length. The release would occur in late spring to early summer when frogs become available from head starting facilities in Nevada and Arizona. Released individuals would include first year frogs, and may include late stage tadpoles, depending on recommendations of the Relict Leopard Frog Conservation Team. Multiple releases would occur over a ten year period depending on natural recruitment. There is potential that a self sustaining population could establish in five years. (Proposal was taken from Exhibit 1 prepared by U.S. Fish and Wildlife Service).

Habitat preparation for release: To create sites for frog basking, a few overhanging branches of turbinella oak at six to twelve spots would be removed to open up areas for sunlight penetration. Hand tools such as loppers and a hand saw would be used. No motorized equipment would be used.

Frogs and tadpoles would be carried in with hand buckets and dumped into the spring and pool areas.

Monitoring: Surveys would be conducted 2-3 times per year. Surveys would be conducted during the day and night. Nocturnal surveys would be conducted during the spring and fall in search of frogs. A diurnal (daytime) egg mass survey would be conducted during the spring to search for egg masses. Survey frequency may increase depending upon survey results.

Habitat maintenance for survey: Survey crews would maintain open pathways to survey for frogs.

Research Studies: Research studies may be conducted to investigate the conservation biology of the frog.

B. Land Use Plan Conformance

Land Use Plan Name: *Kingman Resource Management Plan/EIS*

Date Approved/Amended: March 1995

The proposal is in conformance with the Kingman Resource Management Plan (RMP), BLM 1995. The Kingman RMP does not specifically provide for the reestablishment of the Relict Leopard Frog but is clearly consistent with the approved plan (see Exhibit 2: Plan Conformance Statement, 3-2-2011, attached).

C. Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9, J. Other, Number 11. *Actions where the BLM has concurrence or co-approval with another DOI agency and the action is categorically excluded for that DOI agency*.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed (see Table 1), and none of the extraordinary circumstances described in 516 DM 2 apply.

I considered the following:

The BLM has co-approval authority with the Fish and Wildlife Service. The Fish and Wildlife Service has determined that the proposed action is categorically excluded from NEPA documentation requirements consistent with 40CFR 1508.4, 516 DM 2.3A, 516DM 2 Appendix 1 and 516 DM 8 Appendix 1.4 (Exhibit 1: U.S. Fish and Wildlife Service Environmental Action Statement for Categorical Exclusion, 2-11-2011).

The BLM review of this project has found the CX to be the appropriate documentation for this project for the following reasons: This project involves the reestablishment of the Relict Leopard Frog, a native species into historical habitat. The project was scoped at the Project Coordination Meeting at the Kingman Field Office on January 4, 2011. Members of the interdisciplinary team have concluded that there are negligible impacts to the environment associated with the proposed action and that a Categorical Exclusion is appropriate. The reestablishment would be non-destructive, animals would be carried in by hand, hand tools would be used to trim overhanging branches in six to twelve spots, subsequent surveys would be conducted on foot and no motorized vehicles or equipment would be used in the project area. The grazing permittee was given an opportunity to review the project proposal and had no comments. Access and use of the spring and associated riparian habitat would not exclude livestock, wild burro, recreation, or other wildlife.

D. Signature

Reviewing Official: ___/ s / Don McClure_____ Date: __3/14/2011_____

Don McClure
Assistant Field Manager

Contact Person

For additional information concerning this CX review, contact Rebecca Peck, Wildlife Biologist, Kingman Field Office, 2755 Mission Boulevard, Kingman, AZ 86401, 928-718-3732.

Table 1. Extraordinary Circumstances Review, 3-10-2011.

Extraordinary Circumstances Review 3-10-2011	Comment
1. Have significant effects on public health or safety.	No
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988) national monuments; migratory birds; and other ecologically significant or critical areas.	The Interdisciplinary Team determined that resources would be unaffected by the proposed action. Habitat for migratory birds is found within the project area. Habitat for these species would remain unaltered and open for use by these species. Eagles would be unaffected by implementation of the project. There are no known eagle nests within the project area. The project is located within the Black Mountain Area of Critical Environmental Concern. The proposed action is in conformance with the goals and objectives of the ACEC.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)].	There are no controversial or unresolved conflicts with implementation of the proposed action. All resources currently using the project area will continue their current use.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	No significant environmental effects or risks were identified by the ID Team.
5. Establishes a precedent for future action or represents a decision in principle about future actions with significant environmental effects.	No precedent would be set.
6. Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.	No cumulatively significant environmental effects were identified by the ID Team.
7. Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by either the bureau or office.	There are no properties listed within the project area.
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.	There are no listed species within the project area. However the project would further the conservation of the candidate species the Relict Leopard Frog.
9. Violate a Federal law, or a State, local, or Tribal law or requirement imposed for the protection of the environment.	No Federal State, local, or Tribal law would be violated.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).	There would be no affect to low income or minority populations.
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).	No access would be limited.
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).	The action would not contribute to the introduction or spread of noxious weeds or non-native invasive species. None are known from the project area.

Compliance and assignment of responsibility: Rebecca Peck, Wildlife Biologist

Monitoring and assignment of responsibility: Rebecca Peck, Wildlife Biologist

Review: *We have determined that the proposal is in accordance with the categorical exclusion criteria and that it would not involve any significant environmental effects. It is recommended that this action be categorically excluded from further environmental review.*

Prepared by: ___/ s / Ammon Wilhelm *for*_____ Date: _3/14/2011___

Rebecca Peck
Wildlife Biologist
Project Lead
Kingman Field Office

Reviewed by: ___/ s / David Brock_____ Date: _3/14/2011___

David Brock
NEPA Coordinator
Kingman Field Office

Reviewed by: ___/ s / Don McClure_____ Date: _3/14/2011___

Don McClure
Assistant Field Manager
Kingman Field Office

Approval and Decision

Project Description: The proposal is to reestablish the Relict Leopard Frog (*Rana onca*) on public land at Union Pass Spring and at multiple pools located downstream of the source in Township 21 north, Range 20 West, section 2.

Decision: Based on a review of the project described above and field office staff recommendations, I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed, with the following stipulations (if applicable).

Recommended: __/ s / _ Ruben A. Sánchez _____ Date: __3/15/2011_____
Ruben A. Sánchez
Field Manager
Kingman Field Office

Concur: _/ s / Viola E. Hillman *for*_____ Date: __3/15/2011_____
Angie C. Lara
District Manager
Lake Havasu District Office

Approved: __/ s / Raymond Suazo *for*_____ Date: ___3/15/2011_____
James G. Kenna
State Director
Arizona State Office

Exhibits:

1. U.S. Fish and Wildlife Service Environmental Action Statement for Categorical Exclusion, 2-11-2011).
2. Kingman Resource Management Plan, Plan Conformance Statement, 3-2-2011

Stipulations: none

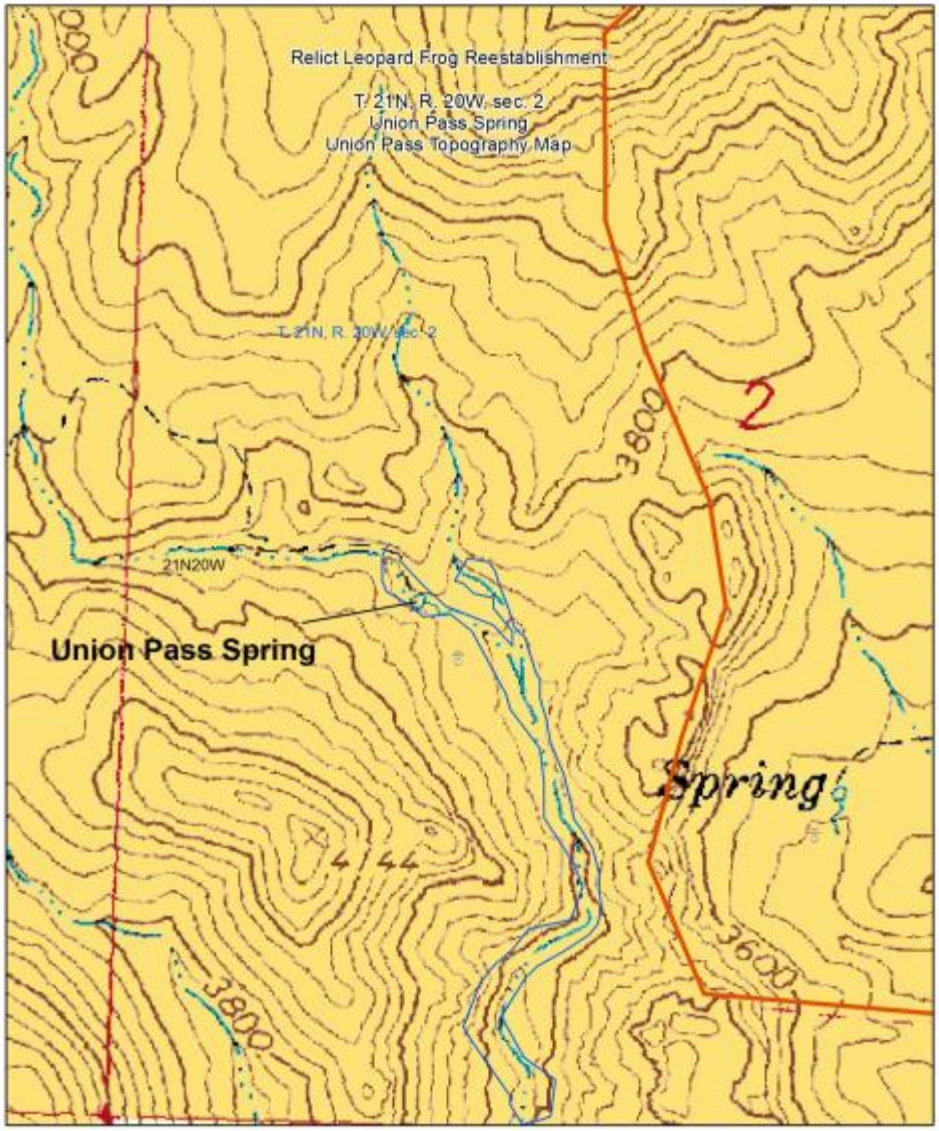
Relict Leopard Frog Reestablishment
T. 21N, R. 20W, sec. 2
Union Pass Spring
Union Pass Topography Map
T. 21N, R. 20W, sec. 2
2
3800
21N20W
Union Pass Spring
Spring
4144
3600
3800

Figure 1

Miles
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Exhibit 1. U.S. Fish and Wildlife Service Environmental Action Statement for Categorical Exclusion, 2-11-2011).

U. S. FISH AND WILDLIFE SERVICE ENVIRONMENTAL ACTION STATEMENT FOR CATEGORICAL EXCLUSION

Within the spirit and intent of the Council on Environmental Quality's regulations for implementing the National Environmental Policy Act (NEPA), and other statutes, orders, and policies that protect fish and wildlife resources, I have established the following administrative record and determined that the following proposed action is categorically excluded from NEPA documentation requirements consistent with 40 CFR 1508.4, 516 DM 2.3A, 516 DM 2 Appendix 1, and 516 DM 8 Appendix 1.4.

Proposed Action and Alternatives. *Describe the proposed action and any alternatives explored. Discuss briefly why proposed action was selected over other alternatives.*

The relict leopard frog (*Lithobates onca*) was listed as a candidate species by the Fish and Wildlife Service (FWS) in 2002 (67 FR 40657). The Conservation Agreement and Rangewide Conservation Assessment and Strategy (Conservation Agreement and Strategy) (July 2005) was signed by the FWS, Arizona Game and Fish Department (AGFD), Nevada Department of Wildlife (NDOW), Bureau of Land Management (Arizona, Nevada, and Utah State Offices) (BLM), National Park Service (Pacific West Region), and Nevada Department of Wildlife. The Agreement was developed to expedite implementation of conservation measures for the relict leopard frog in Clark County, Nevada, and Mohave County, Arizona, as a collaborative and cooperative effort among resource agencies, landowners, and other participants.

The proposal is to introduce/release the relict leopard frog at Union Pass Spring (Township 21 North, Range 20 West, Section 2), Mohave County, Arizona, and at multiple pools located downstream of the spring. This area is managed by the BLM Kingman, Arizona, office. The total potential area of release is approximately 0.5 mile in length. The release would occur in 2011 from late spring to early summer when frogs become available from head-starting facilities in Nevada and Arizona. Released individuals would include first-year frogs and may include late-stage tadpoles, depending on recommendations of the Relict Leopard Frog Conservation Team. Multiple releases would occur over a ten year period depending on natural recruitment. There is potential that a self-sustaining population could establish in five years.

To create sites for frog basking, a few overhanging branches of turbinella oak at six to twelve spots would be removed to create open areas for sunlight penetration. Hand tools such as loppers and a hand saw would be used. No motorized equipment would be used.

Frogs and tadpoles would be carried to the site with hand buckets and released into the spring and pool areas.

Surveys would be conducted 2-3 times per year. Surveys would be conducted during the day and night. Nocturnal surveys would be conducted during the spring and fall to search for frogs. A diurnal (daytime) egg mass survey would be conducted during the spring. Survey frequency

may increase depending upon survey results. Survey crews would maintain open pathways to facilitate the surveys for frogs.

No other alternatives were analyzed as this action meets the purpose and need of establishing relict leopard frogs at Union Pass Spring. This action was identified as necessary to meet recovery objectives in the Conservation Agreement.

Categorical Exclusion(s). *Quote and provide the Departmental Manual citation(s) for the specific Categorical Exclusions you are using; if it appears necessary, discuss why you believe the action fits as this Categorical Exclusion; mention that the action does not trigger an Exception to the Categorical Exclusions at 516 DM 2 Appendix 2; and/or if it does trigger an Exception, discuss why it does not apply for this action.*

The proposed action meets the following FWS categorical exclusions, as defined in 516 DM 8.5.

1) Resource Management Exclusion B.6: The reintroduction or supplementation (e.g., stocking) of native, formerly native, or established species into suitable habitat within their historic or established range, where no or negligible environmental disturbances are anticipated.

The proposed action would implement the Conservation Agreement and Strategy (July 2005) and would help achieve objectives 2, 3, 4, 5, and 6 found in the 2005 Conservation Agreement. Implementation of the Management and Conservation Objectives may keep this species off of the endangered species list.

Management and Conservation Objectives from Agreement:

#1 – Remove or substantially minimize threats to extant populations and occupied habitats.
#2 – Enhance existing habitat and/or create new habitats where feasible.
#3 – Establish additional populations of relict leopard frogs in existing or created habitats.
#4 – Manage relict leopard frogs and their habitats to ensure persistence in diverse aquatic ecosystems, and facilitate processes that promote self-sustaining populations.
#5 – Monitor relict leopard frog populations.
#6 -Investigate the conservation biology of the relict leopard frog, and use the results of such investigations to better meet the overall conservation goal and objectives.

As described below, this reintroduction of relict leopard frogs into their native range will result in negligible environmental disturbance.

> Wetlands/Riparian Zones: There would be no effect to the riparian zone from the introduction of the relict leopard frog. The small amount of overhanging vegetation that is to be trimmed over the water would not affect the functionality of the riparian zone. The vegetation to be trimmed is turbinella oak which is not a riparian species.
>
> Vegetation: No effect: Although vegetation trimming is proposed over 6-12 pools of water, the amount of vegetation to be removed would be barely discernable to the human eye.

Visual Resources: This project occurs within VRM 4 and will not affect the visual resources within this area.

Recreation: Recreationists would not be prevented from hiking up or down this canyon. There would be enhanced wildlife viewing from the addition of leopard frogs into the canyon.

Grazing: This project is within the Gediondia Allotment which is actively grazed by cattle. Grazing by livestock and management of the livestock would be unaffected by the Proposed Action. No forage would be removed from the area and livestock would retain access to the spring and riparian area. Conflicts between livestock and leopard frogs are not expected. Currently livestock grazing is light within this area.

Migratory Birds: Various migratory birds are expected to nest and forage within this habitat area. The Proposed Action is not expected to affect the reproductive success of migratory birds. Very few shrub branches would be removed. When surveys are conducted, human disturbance would be minimal with people present less than one hour on any day in any location within the project area.

2) Resource Management Exclusion B.8: Consultation and technical assistance activities directly related to the conservation of fish and wildlife resources.

The proposed action would involve technical assistance from the FWS, AGFD, and other Relict Leopard Frog Conservation Team members regarding the introduction, subsequent stockings, monitoring, and management of the population.

Permits/Approvals. *Discuss any additional permits/approvals needed before the proposed action can be implemented, such as a Clean Water Act section 404 permit, Endangered Species Act section 7 consultation, and/or National Historic Preservation Act section 106 clearance.*

No additional permits are needed before the proposed action can be implemented. The BLM will also be following their NEPA process and will produce a categorical exclusion, to be signed by the State Director, for the introduction. This proposed action is in conformance with the Kingman Resource Management Plan approved March 1995. The plan states that the 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.

Public Involvement/Interagency Coordination. *Discuss the opportunities provided to the public, other agencies, and/or Tribes to get involved with the proposed action, any significant comments they may have made, and our responses.*

The creation of the Conservation Agreement and Strategy, which identified the proposed action, is the result of a cooperative effort by a large group of individuals representing a diverse group of agencies and interests. Besides the signatory agencies listed above, other organizations and

agencies involved in the development of the Conservation Agreement and Strategy include Clark County, Detroit Zoo, Environmental Protection Agency, Mirage Casino, Nevada Division of Water Resources, Southern Nevada Water Authority, The Nature Conservancy, University of Arizona, University of Nevada, Las Vegas, University of Nevada, Reno, U.S. Geological Survey, and the Utah Division of Wildlife Resources. The BLM has contacted the grazing permittee regarding the proposed action.

Supporting Documents. Supporting documents for this determination include relevant office file material and the following key references: *(List document citations here.)*

Relict Leopard Frog Conservation Team. 2005. Final Conservation agreement and rangewide conservation assessment and strategy for the relict leopard frog (*Lithobates onca*).

BLM Kingman Proposed Resource Management Plan. 1995. U.S. Department of Interior, Bureau of Land Management, Phoenix, AZ.

(Project Leader) **(Date)** 2/11/11

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Exhibit 2. Kingman Resource Management Plan, Plan Conformance Statement, 3-2-2011

Exhibit 2

Kingman Resource Management Plan

Plan Conformance Statement
3-2-2011

Proposal

Reestablishment of Relict Leopard Frog in Union Pass approximately 30 miles west of Kingman AZ.

Plan Conformance Requirements

Plan conformance is defined in 43 CFR 1601.0-5 as follows:

(b) Conformity or conformance means that a resource management action shall be specifically provided for in the plan, or if not specifically mentioned, shall be clearly consistent with the terms, conditions, and decisions of the approved plan or plan amendment.

(c) Consistent means that the Bureau of Land Management plans will adhere to the terms, conditions, and decisions of officially approved and adopted resource related plans, or in their absence, with policies and programs, subject to the qualifications in Sec. 1615.2 of this title.

Plan Conformance Determination

The proposal is in conformance with the Kingman Resource Management Plan (RMP), BLM 1995. The Kingman RMP does not specifically provide for the reestablishment of the Relict Leopard Frog but is clearly consistent with the approved plan.

Rationale for Plan Conformance Determination

The intent of the Kingman RMP decisions are to manage wildlife habitat for viable populations and native species diversity, manage habitats and special status species in cooperation with state and federal agencies, and review with the FWS, actions affecting special-status species. The following decisions from the Kingman RMP are applicable to making the conformance determination:

1. The objectives of the special status species program are to provide for recovery of listed species, to manage other species habitats to avoid the need to federally list them and to improve habitat of special status species, RMP, pg. 85.

Kingman Field Office (KFO) conducted the following actions without amending the RMP:

1985- 25-40 bighorn sheep were reintroduced into the Black Mountain/Ives Peak area south of the Santa Maria River.
2006- 28 bighorn were reestablished in the Hell's Half Acre historical use area west of Burro Creek.
2008 - 10-15 additional bighorn were transplanted into this area.

2007- Approximately 650 burrows were constructed to house burrowing owls in Hualapai Valley near Antares north and east of Kingman.
2008- 14 burrowing owls were introduced into two burrow complexes (32 burrows, i.e. 16 burrows per complex) in Hualapai Valley.
2009- Four burrow complexes (64 burrows) received transplanted burrowing owls in the spring of 2009.

2. Management of special status species is guided by habitat management and recovery plans in cooperation with state and federal agencies and affected parties, RMP, pg. 29.

   The Conservation Agreement and Rangewide Conservation Assessment and Strategy for the Relict Leopard Frog (CAS), 2005, was developed in cooperation with the Arizona Game and Fish Department, Nevada Department of Wildlife, Fish and Wildlife Service, BLM Arizona and BLM Nevada. BLM Arizona is signatory to this plan.

   Implementation of the actions identified in "The Conservation Agreement and Rangewide Conservation Assessment and Strategy for the Relict Leopard Frog (CAS), 2005", specifically, pg. 60: Conservation Action # 9.1., says " Establish additional populations of relict leopard frogs in existing or created habitats." Reestablishment of the species in KFO would further the recovery of this species and help to achieve the RMP objective of avoiding the need to federally list the species.

3. Maintain and enhance wildlife habitat to ensure viable populations and natural diversity, RMP, pg. 18.

   Establishment of this species in KFO would increase natural diversity of the Black Mountains and promote a viable population of the relict leopard frog.

4. Manage public lands and resources under the concept of multiple-use to attain the optimum combination of uses, RMP, pg. 18.

   Establishment of this species is in conformance with the multiple use concept as it furthers the attainment of providing for an optimum combination of uses of public lands and resources in KFO.

5. Conduct management of candidate species in such a way as to avoid the need to federally list these species as threatened or endangered RMP page 29

   In several locations within the RMP, BLM policy from the 6840 Manual, Special Status Species, is referenced. This policy directs the BLM (KFO) to carry out management of candidate species, and their habitats and must ensure that actions authorized, funded, or carried out do not contribute to the need to list any of these species as threatened or endangered .The proposal to reestablish the relict leopard within KFO is consistent with multiple use conservation for this candidate species and its' habitat.