

## **Categorical Exclusion Documentation Format for Actions Other Than Hazardous Fuels and Fire Rehabilitation Actions**

### **Pronghorn Antelope Capture DOI-BLM-AZ-P030-2012-001-CX**

#### **A. Background**

BLM Office: *Agua Fria National Monument (AFNM)*

Lease/Serial/Case File No.: **N/A**

Proposed Action Title/Type: **Pronghorn Antelope Capture**

Location of Proposed Action: **Agua Fria National Monument**

Description of Proposed Action: The Arizona Game and Fish Department, Bureau of Land Management, Tonto and Prescott National Forests have been working cooperatively for several years on grassland improvement projects for grassland health, especially as it relates to pronghorn antelope. There is an opportunity now to monitor pronghorn movements and distribution, in how it relates to these habitat projects and also in how distribution of pronghorn relates to barriers such as I-17 for movement. Understanding current distribution and movements will be necessary to planning and mitigation of any movement corridors across I-17 for pronghorn and other wildlife.

To understand how pronghorn use the landscape, travel between areas of high use, and are affected by barriers such as I-17, aerial capture of animals is needed. Data obtained via this method will provide pronghorn locations during multiple points a day will help to inform the decisions and priorities for future grassland improvement projects.

To accomplish these data acquisition goals, actions will require a centralized group located at a staging area, ground scout crews, and fixed wing and helicopter working in coordination to capture pronghorn. Personnel will prioritize and track capture efforts at the staging area. Ground based personnel as well as fixed wing and rotary aircraft will scout and relay animal locations. Once individual pronghorn are selected, Arizona Game and Fish Department follow department guidance/protocols to capture animals.

Upon successful immobilization, the helicopter lowers to the netted animal. The mugger (AZFGD staff trained to handle captured animals) restrains the animal, blindfolds it, and starts to untangle the netting. Concurrently, the helicopter lands at a safe distance and the pilot and net-gunner exit to assist with processing the animal.

At this point a telemetry/GPS collar is fitted and attached, along with an ear tag. All applicable blood, genetic, and disease samples are collected after collaring. Once the process is complete, restraints are removed. The animal is released at its capture site. If any predators begin pursuit, they are deterred to the best ability of the capture crew. Once the animal is released, capture supplies are loaded back into the helicopter and the process is repeated.

**B. Land Use Plan Conformance**

Land Use Plan (LUP) Name: **Agua Fria National Monument Record of Decision and Approved Resource Management Plan**

Date Approved/Amended: **4/22/2010**

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

WF-3. Manage habitat to avoid fragmentation and provide conditions that promote natural movement and fawning behavior of pronghorn.

WF-7. Emphasize and give priority to managing priority species and priority habitats in the event of conflicts between resource management objectives. Priority species include the following, as specified in Appendix H of the Proposed RMP:

- game species,
- special status species,
- birds of conservation concern, and
- raptors.

Priority habitats include areas allocated as WHAs (pronghorn fawning habitat, pronghorn movement corridors, and bighorn sheep habitat), ACECs, riparian areas, springs, bat roosts, and desert tortoise habitat.

WF-10. Identify, minimize, and mitigate for wildlife habitat degradation, loss, and fragmentation to achieve Desired Future Conditions.

WF-14. Reasonable administrative vehicular access will be allowed for AGFD staff to wildlife water facilities for maintenance, repair, or research.

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 decision(s) (objectives, terms, and conditions):

WF-4. Restore and maintain habitat of suitable quality and quantity to promote long-term sustainability of a viable pronghorn population.

WF-22. Apply prescribed fire and fuels management projects to improve habitat for pronghorn fawning and movement.

WF-24. Limit or suitably mitigate new recreation site developments in pronghorn movement corridors to avoid disturbing pronghorn movement.

WF-25. Close pronghorn fawning areas to Special Recreation Permit activities between April 1 and June 1 annually.

**C: Compliance with NEPA:**

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 Departmental Manual (DM) 11.9:

Appendix 3 Departmental Categorical Exclusions - 1.6 Nondestructive data collection, inventory (including field, aerial, and satellite surveying and mapping), study, research, and monitoring activities.

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, and none of the extraordinary circumstances described in 516 DM 11.9 apply.

I considered: the impacts of aerial net-gunning of 20 animals and associated capture activities on the cultural, biological and abiotic resources within the Agua Fria National Monument. Livestock operators in the area will not be affected by activities. Known archeological resources will be avoided by the implementation of a 250 foot no landing zone around cultural sites. Mortality to pronghorn antelope is expected to be around 5% which equates to an anticipated loss of one pronghorn as a result of capture activities.

**D: Signature**

**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 (see Attachment 1). Therefore, it is categorically excluded from further environmental review.*

**Prepared by:** \_\_\_\_\_/s/\_\_\_\_\_

**Paul Sitzmann  
Project Lead**

**Reviewed by:** \_\_\_\_\_/s/\_\_\_\_\_

**Leah Baker  
Planning & Environmental Coordinator**

**Approved by:** \_\_\_\_\_/s/\_\_\_\_\_

**Bryan Lausten  
Acting Agua Fria National Monument  
Manager**

**Contact Person**

For additional information concerning this CX review, contact:  
**Paul Sitzmann Wildlife Biologist at psitzmann@blm.gov**

**Note:** A separate decision document must be prepared for the action covered by the CX.

BLM Categorical Exclusions: Extraordinary Circumstances<sup>1</sup>  
**Attachment 1**

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215) apply. The project would:		
1. Have significant impacts on public health or safety		
<b>Yes</b>  <input type="checkbox"/>	<b>No</b>  <input checked="" type="checkbox"/>	<b>Rationale:</b> Pronghorn capture activities will be conducted in accordance to Arizona Game and Fish Department protocols and guidelines. Animals will be captured via net-gun fired from a helicopter. No actions will impact public health or safety.
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness or wilderness study 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 (Executive Order 13186); and other ecologically significant or critical areas?		
<b>Yes</b>  <input type="checkbox"/>	<b>No</b>  <input checked="" type="checkbox"/>	<b>Rationale:</b> Pronghorn capture activities will not have any impact to historic or cultural resources; park, recreation or refuge lands; wilderness or wilderness study areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); migratory birds (Executive Order 13186); and other ecologically significant or critical areas.  Although capture activities will occur within the Agua Fria National Monument, no long term impacts will occur. The pronghorn capture is expected to last no more than four days and occur during daylight hours. Animals will be collard for one year. Following the one year data collection period, collars will automatically release and fall to the ground. Collar retrieval will be done in a manner consistent with AFNM ROD/RMP.  Pronghorn antelope numbers are estimated to be approximately 200 individuals west of I-17 within Game Management Unit (GMU) 21. A limited number of antelope tags hunting tags are issued in GMU 21. As a result of aerial net-gunning activities, individual pronghorn mortalities are probable. However, animal take is expected to be less than occurs during antelope hunts. The expected mortality rate of individuals is 5%. This equates to 1 animal of the anticipated goal of 20 animals captured. The capture technique to be employed has the

<sup>1</sup> If an action has any of these impacts, you must conduct NEPA analysis.

		lowest probability of mortality of the capture techniques.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?		
<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/>	<b>Rationale:</b> The environmental effects of aerial net-gun wildlife capture activities are well known and negligible. Capture activities are expected to last less than four days. No impacts are expected to persist following the capture.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		
<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/>	<b>Rationale:</b> Aerial net-gunning of wildlife have predicable and insignificant consequences. Losses of pronghorn individuals due to mortality as a result of capture activities are likely at a rate of 5%. This equates to one animal of the 20 anticipated to be captured. No long term impact to other resources is likely.
5. Establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?		
<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/>	<b>Rationale:</b> Aerial net-gunning of wildlife is a common practice for wildlife management agencies.
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?		
<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/>	<b>Rationale:</b> Actions will last less than four days. No long term impacts are expected, thus, cumulative impacts are nonexistent.
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?		
<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/>	<b>Rationale:</b> Staging activities will not occur on lands listed or eligible for the National Historic Register. While aerial net-gunning and pronghorn captures will take place on the Perry Mesa National Historic District, which is on the National Historic Register, impacts to known cultural sites from helicopter landing will be mitigated through the implementation of a 250ft. "no landing zone" buffer around known cultural sites.
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?		
<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/>	<b>Rationale:</b> No threatened, endangered or special status species occur where pronghorn capture activities will occur. Activities will occur outside of migratory bird breeding season. The majority of capture activities will be conducted by AZGFD staff with AZGFD resources.
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?		
<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/>	<b>Rationale:</b> Capture activities do not violate any Federal, State, local, or tribal law or requirement imposed for the protection of the environment. Activities will not be conducted on Tribal or ITA lands.

10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		
<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/>	<b>Rationale:</b> The capture activities will occur in remote locations away from any inhabited areas.
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)?		
<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/>	<b>Rationale:</b> Activities will not limit access to and ceremonial use of Indian sacred sites or significantly adversely affect the physical integrity of such sacred sites.
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)?		
<b>Yes</b> <input type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/>	<b>Rationale:</b> No noxious weeds or non-native invasive species will be introduced, promoted or otherwise proliferate as a result of pronghorn capture activities.

**Decision**  
**Attachment 2**

**Project Description:** The Arizona Game and Fish Department, Bureau of Land Management, Tonto and Prescott National Forests have been working cooperatively for several years on grassland improvement projects for grassland health, especially as it relates to pronghorn antelope. There is an opportunity now to monitor pronghorn movements and distribution, in how it relates to these habitat projects and also in how distribution of pronghorn relates to barriers such as I-17 for movement. Understanding current distribution and movements will be necessary to planning and mitigation of any movement corridors across I-17 for pronghorn and other wildlife.

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<b>Decision:</b> 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).
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- Landing of aircraft within 250 feet of Cultural Sites is not permitted.

**Appeal Opportunities:**

The decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4. Public notification of this decision will be considered to have occurred on December 22, 2010. Within 30 days of this decision, a notice of appeal must be filed in the office of the Authorized Officer at 21605 North 7th Avenue, Phoenix Arizona, 85027. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the Authorized Officer.

If you wish to file a petition for stay pursuant to 43 CFR Part 4.21(b), the petition for stay should accompany your notice of appeal and 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 irreparable harm to the appellant or resources if the stay is not granted,
4. Whether the public interest favors granting the stay.

If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the Authorized Officer. A copy of the notice of appeal, any statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken to: Field Solicitor, U.S. Department of the Interior, 401 West Washington Street, Suite 404, Phoenix Arizona 85003, not later than 15 days after filing the document with the Authorized Officer and/or IBLA.

**Approved By:** \_\_\_\_\_/s/\_\_\_\_\_ **Date:** \_12/12/11\_\_\_\_\_

**Bryan Lausten**

**Acting Agua Fria National Monument Manager**