

## 4W RANCH FLP ENVIRONMENTAL ACTION STATEMENT SCREENING FORM FOR CANDIDATE CONSERVATION AGREEMENTS with ASSURANCES (CCAA)

### I. Project Information

- A. **Project name:** 4W Ranch FLP Candidate Conservation Agreement with Assurances
- B. **Affected species:** Black-tailed prairie dog, mountain plover, ferruginous hawk and burrowing owl (Covered Species)
- C. **Project size (in acres):** 3,370 acres of approximately 29,000-acre ranch.
- D. **Brief project description including conservation elements of the plan:**

The operational goal of the 4W Ranch LFP under the *4W Ranch LFP CCAA* is to continue managing livestock, wildlife and natural resources to maintain and enhance the economic viability of the ranch, while remaining flexible to incorporate natural resource and environmental issues, such as those for species of conservation concern.

The black-tailed prairie dog (BTPD) colonies will be managed to occur throughout the defined 3,000 total deeded acres of “core management area” on the 4W Ranch LFP CCAA. The committed 3,000 acres will be managed for a viable and self-sustaining population of BTPD, primarily through controlled recreational shooting and habitat improvements. An additional 370 acres included in the CCAA will be managed to exclude BTPD and will have more stringent management on these acres.

A BTPD population considered sufficient to sustain a recreational harvest has at least 10 active burrows per acre (>26 active burrows per hectare) with a minimum of 0.40:1.00 active:inactive burrow ratio. Recreational shooting will not occur unless monitoring indicates this density threshold has been exceeded. The level of take on the 3,000 acres of BTPD habitat will be quantified using an adaptive, outcome-based approach. The level of take for the remaining 370 acres of the CCAA area will be based on the annual number of active acres and is expected to be up to six (6) BTPD per acre per year as needed to exclude BTPD from important ranch production areas (hay meadows, etc.).

Population management will be conducted primarily via recreational shooting in designated areas from the 15th of May through the 15th of September each year. Shooters will continue to be rotated around the prairie dog towns each day (a different town each day during a 5-day hunt). Groups of shooters will be scheduled from three to five days, with no more than six shooters per group. One-day and drive-in shooters are not allowed.

There is a very limited possibility of lethal take of mountain plovers, burrowing owls, and ferruginous hawks as a result of prairie dog shooting on the 3,000 acres. Due to the education of shooters and quality of optics used by shooters, any take would be accidental and likely to result in only one of each of these species through the life of this CCAA. The 4W Ranch will phase out the use of lead bullets for existing clients, and require new shooters to use nontoxic (e.g., copper) and non-expanding bullets, which address the potential threat of lead assimilation.

### **Assumptions**

- Management of habitat on 3,000 acres of deeded land will meet the BTPD needs.
- This habitat management will also provide habitat for other short grass prairie species including the mountain plover, burrowing owl and ferruginous hawk.
- Management of populations as indicated above will not affect the ability of the BTPD to expand their colonies throughout the 3,000-acre area.
- BTPD will not be allowed to expand outside of the 3,000 acres set aside for them.

### **Additional activities for habitat improvements:**

Refurbishing consists of dragging the surface with a blade or spring tooth harrow to level or smooth out the BTPD mounds. When refurbishing the BTPD colonies, the BTPD will not be excluded from these areas. There will not be a reduction of the population in the refurbishing process. BTPD will restructure the active mounds within seven to ten days. Refurbishing will total twenty to fifty acres annually and will increase native grass in these areas.

## **II. Does the CCAA fit the criteria as described in the CCAA policy (remove or reduce threats and preclude the need to list)?**

The Service has determined that the benefits of the specific conservation measures described in the 4W Ranch CCAA, when combined with those benefits that would be achieved if it is assumed that similar conservation measures were also implemented on other necessary properties, would preclude or remove any need to list the BTPD under the ESA. "Other necessary properties" are other properties on which the conservation measures would need to be implemented in order to preclude or remove any need to list the BTPD, mountain plover, burrowing owl, and ferruginous hawk.

**A. Are the effects of the CCAA less than significant on the range-wide population of federally listed, proposed, or candidate species or other wildlife and their habitats covered under the CCAA?** Yes. The 4W Ranch is a small property relative to the rest of range of Covered Species, and does not occur on the edge of the range of these species. In addition, the Covered Species that occur on the 4W Ranch do not have distinct characteristics that are different than other populations range-wide. Management

currently protects habitat for these species.

**B. Are the effects of the CCAA minor or negligible on other environmental values or resources (e.g. air quality, geology and soils, water quality and quantity, socio-economic, cultural resources, recreation, visual resources, etc.)? Yes.** Activities are agricultural in nature, and none of the effects of the CCAA have other than minor or negligible effects to other environmental values or resources.

**C. Would the impacts of this CCAA, considered together with the impacts of other past, present and reasonably foreseeable projects not result, over time, in cumulative effects to environmental values or resources which would be considered significant? No.** See III. F. below.

**III. Do any of the exceptions to categorical exclusions apply to this CCAA? (from 516 DM 2.3, Appendix 2)** *If the answer is "yes" to any of the questions below, the project can not be categorically excluded from NEPA. Each "no" response should include an explanation.*

(Answers on the attached Appendix).

**Would implementation of the CCAA:**

**A. Have significant adverse effects on public health or safety?**

**B. Have adverse effects on such unique geographic characteristics as historic or cultural resources, park, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks?**

**C. Have highly controversial environmental effects?**

**D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?**

**E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?**

**F. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects?**

**G. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places?**

**H. Have adverse effects on listed or proposed species, or have adverse effects on designated Critical Habitat for these species?**

**I. Have adverse effects on wetlands, floodplains or be considered a water development project thus requiring compliance with either Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act?**

**J. Threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment?**

#### **IV. ENVIRONMENTAL ACTION STATEMENT**

Based on the analysis above, the 4 W Ranch Project meets the qualifications for Candidate Conservation Agreement whose implementation represents a class of actions which do not individually or cumulatively have a significant effect on the human environment. Therefore, this action is categorically excluded from further NEPA documentation as provided by 516 DM 2, Appendix 1 and 516 DM 6, Appendix 1.

Other supporting documents (list): Candidate Conservation Agreement and attachments, NEPA Compliance Checklist and Appendix.

Concurrence:

Scott Hixes for Brian Kelly

(1) Field Supervisor

5/20/2008

Date

J.R. Mally

(2) ARD - Ecological Services

9/22/08

Date

**Appendix 1**

### **Attachment to EAS for 4W Ranch CCAA**

- A. The described activities for the designated sites will cause no public health or safety concerns.
- B. The described activities will not result in adverse effects to unique geographic characteristics such as historic or cultural resources, park, recreation, or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register or Natural Landmarks.
- C. The described activities will not have highly controversial environmental effects.
- D. There are few, if any, environmental risks associated with described activities at the designated sites. These activities are understood and are not considered to be significant or unique.
- E. The described activities for the area will not set a precedent for future actions or represent a decision in principle.
- F. No other actions are proposed that will have individually insignificant, but cumulatively significant environmental effects.
- G. No properties are eligible for listing on the National Register of Historic Places.
- H. Per the Section 7 review, listed species will not be affected by identified covered activities on the property.
- I. The effects of the described activities will have only beneficial effects for floodplains and wetlands. The proposed actions will not have material adverse effects on resources requiring compliance with the Fish and Wildlife Coordination Act.
- J. No laws will be violated while conducting the described activities.