



Categorical Exclusion Form

Project: SUP-SWCA, Inc-Eric Koster, Helicopter and Ground Survey for Golden Eagles

Project Number: 11-moja-020/PEPC 36140

Project Description:

Eric Koster (SWCA, Inc.) has applied for a special use permit to conduct aerial and ground surveys of golden eagle nests in Mojave National Preserve. Mr. Koster's firm, SWCA, Inc., has been contracted by Greater Searchlight Renewables, LLC, to conduct these pre-construction surveys in preparation for four wind energy projects to be constructed on Bureau of Land Management lands in Nevada near the town of Searchlight. Survey protocols were provided and/or approved by the BLM-Nevada, BLM-California, Nevada Department of Wildlife (NDOW), and US Fish & Wildlife Service (USFWS) for birds and bats.

SWCA plans to survey for golden eagle nesting within a 10-mile radius of the project areas. Based on historical observations provided by NDOW, BLM, NPS, USFWS and the Nevada Natural Heritage Program (NNHP), observers will search for additional nests within identified raptor habitat. The survey will be timed to best determine golden eagle occupancy; specific breeding status of nests will be recorded based on the behavior of the adult birds, presence of eggs, and/or age of any young observed. Survey timing will also be scheduled in consideration of bighorn sheep use areas.

For the 2011 field season, the first aerial survey is scheduled for April 18-25. If less than 10 nests are located, a second survey will be completed on the ground following methods described in Pagel et al 2010. If more than 10 nests are found during the first aerial survey, a second aerial survey will be completed, and will be timed to best determine nest productivity during the nesting cycle. This would mean when the young are >51 days old (late-May), at least 30 days after the first survey. Areas around the recorded nests will be further searched during the second survey for additional nests.

For the 2012 field season, a total of three nest revisits will be completed to further identify nest use, occupancy, and productivity. The first survey will be completed in late January to coincide with courtship/early breeding. The second survey will be completed in late April to determine occupancy. The third survey will be timed to best determine nest productivity, again when young are >51 days old (late May).

Project Locations:

Location 1

County:	San Bernardino	State:	CA
District:	New York Mountains	Section:	
Geo. Marker:		Other:	

Location 2

County:	San Bernardino	State:	CA
District:	Piute Range	Section:	
Geo. Marker:		Other:	

Mitigation(s):

Mojave National Preserve staff has completed two interdisciplinary reviews of the proposed activities. The two review periods were required because of the project proponent's changes to their request. The original request (April 2011) was put on hold because of a California Department of Fish and Game ban on overflights in the project area during bighorn sheep lambing period (roughly January through June). SWCA Consultants now wants to conduct helicopter surveys for golden eagles in December 2011, followed by ground truthing surveys in January-February, April, and/or May 2012.

Reviewers expressed concerns about (1) data sharing, (2) disturbance to golden eagles and other wildlife, (3) the need for law enforcement monitoring, (4) salvage of downed aircraft, and (5) aviation safety. The following two mitigations address data sharing of golden eagle and desert bighorn sheep observations.

SWCA Consultants' helicopter service contractor, Papillon Airways, has provided its Emergency/Accident Response Manual. It includes emergency response protocols, including procedures to follow in case of a downed aircraft.

- Project proponents must provide complete data to Mojave National Preserve at the conclusion of their survey activities. Report must describe disturbed behavior of raptors observed during survey work, effects of cumulative disturbance, and accounting of transitory and wintering birds. Negative results must also be reported. If Greater Searchlight Energy Renewables moves forward with the proposed wind energy project, they or their representatives (e.g., SWCA Consultants or other contractors) must provide details of how they will account for territory and hunting behavior of golden eagles observed during these pre-project surveys.
- Project proponent must report on any and all sighting of Nelson's desert bighorn sheep, including location (GPS coordinates) and group size. Report may be submitted at the conclusion of permitted activities in Mojave National Preserve.
- The project proponent's Emergency/Accident Response Manual needs to be supplemented with contact information for the Federal Interagency Communications Center (FICC): (909) 383-5651 for emergencies; (909) 383--5652, -5653, or -5654 for non-emergencies.
- If aircraft lands or is downed within Mojave National Preserve, the National Park Service will approve removal operations before aircraft wreckage, mail, or cargo is moved.
CONTACTS: Mark Peapenburg, (760) 252-6130; Kirk Gebicke, (760) 252-6131

Describe the category used to exclude action from further NEPA analysis and indicate the number of the category (see Section 3-4 of DO-12):

E.5 Nondestructive data collection, inventory (including field, aerial, and satellite surveying and mapping), study, research, and monitoring activities.

Mojave National Preserve staff has completed an interdisciplinary review of SWCA's request. Several issues that arose during two environmental reviews have been addressed; see the mitigations listed above. Reviewers have not identified any other issues that might result in significant adverse impacts to the natural or cultural resources of Mojave National Preserve. A special use permit, with the above mitigations incorporated as park conditions, may be issued to SWCA Consultants to carry out golden eagle surveys in Mojave National Preserve.

On the basis of the environmental impact information in the statutory compliance file, with which I am familiar, I am categorically excluding the described project from further NEPA analysis. No exceptional circumstances (e.g. all boxes in the ESF are marked "no") or conditions in Section 3-6 apply, and the action is fully described in Section 3-4 of DO-12.

Superintendent: *Louise J. Whelan* *acting* Date: 12/22/11

NPS Contact: *[Signature]* Date: 12/21/2011