

*Charles M. Russell National Wildlife Refuge*  
*UL Bend National Wildlife Refuge*

# **Scoping Report**

**April 2008**



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## Introduction

The U.S. Fish and Wildlife Service (Service) is developing a Comprehensive Conservation Plan (CCP) to provide a foundation for the management and use of Charles M. Russell National Wildlife Refuge (NWR) and UL Bend NWR which is located within Charles M. Russell NWR (refuge). The refuge is located in north central Montana (figure 1). The CCP is being developed in compliance with the National Wildlife Refuge System Improvement Act of 1997 (Refuge Act) and Part 602 of the Fish and Wildlife Service Manual on refuge planning (USFWS 2000a). The actions described in the CCP also meet the requirements of the National Environmental Policy Act of 1969 (NEPA). Compliance with NEPA is being achieved throughout the process by involving the public and including an Environmental Impact Statement (EIS). Table 1 shows the schedule for the planning project. It is anticipated to take four years to complete. When fully implemented, the CCP will strive to achieve the vision, goals, and purposes of the two refuges. Fish and wildlife are the first priority in refuge management, and public use is encouraged as long as it is compatible with a refuge's purpose. The priority public uses (hunting, fishing, wildlife observation, photography, interpretation and environmental education) are given first consideration.



**Figure 1. Location of Charles M. Russell NWR in North Central Montana**

The CCP is being prepared by a planning team composed of representatives from various Service programs along with representatives from Montana, Fish, Wildlife, and Parks (MFWP), Montana Department of Natural Resources (MDNR), U.S. Army Corp of Engineers (USACE), Bureau of Land Management (BLM), the six counties that surround the refuges—Fergus, Petroleum, Garfield, McCone, Valley, and Phillips, and the Missouri River Conservation Districts.

## Public Scoping Activities

The public scoping process is an important component of the CCP and EIS project. During this phase of the project, the Service sought input from the public and interested organizations and federal, State, and local agencies to help inform the CCP and EIS process. This helped identify specific opportunities, issues, concerns, and ideas related to the management of the refuge.

**Table 1. Planning Schedule for CCP**

<i>Planning Stage</i>	<i>Time Frame</i>	<i>Public Involvement Opportunities</i>
Preplanning	Completed	
Public Involvement and Scoping	Completed	Public Scoping Meetings- January-February 2008
Develop and Analyze Alternatives		
	Spring 2008-Fall 2008	September 2008
Prepare Preliminary Draft CCP/EIS	Winter 2009-Fall 2009	
Publish Draft CCP/EIS	Winter-Spring 2010	Spring 2010
Final CCP/EIS and Record of Decision	Summer-September 2011	

The formal scoping period for the general public began on December 4, 2007, with the publication of a Notice of Intent (NOI) in the Federal Register. The NOI (Appendix B) notified the public of the Service's intent to begin the CCP and EIS process and solicited public comments. The scoping period was initially scheduled to end on February 4, 2008, but it was extended to February 29, 2008. Comments received after February 29, 2008 were not considered in this document, although they will still be considered by the CCP and EIS planning team. Public input is welcomed throughout the process.

Public scoping meetings were scheduled for January 28 in Bozeman, January 29 in Great Falls, January 30 in Ft. Peck and Malta, February 4 in Lewistown, February 5 in Jordan, and February 6 in Bozeman. Due to inclement weather, the Bozeman meeting was rescheduled to February 21, 2008. The following materials were used to inform the public of these meetings. Copies of outreach materials are included in Appendix C.

## **Public Outreach**

Early in the preplanning phase, the Service identified a process that would be inclusive of many interests and would involve a range of activities for keep the public informed and ensure meaningful public input. A copy of the *Charles M. Russell NWR Public Involvement Process* is included in Appendix A. The Service used various methods to solicit guidance and feedback from interested citizens, organizations, and government agencies. These methods included outreach materials, public scoping meetings, agency meetings (planning team), briefings and presentations, as well as letters, email and telephone calls.

## **Planning Update**

A *Planning Update* was mailed to 625 persons and businesses during the period leading up to the public meetings, and most updates were mailed in early January. The planning update and an earlier piece titled *Planning Process Summary* (included in Appendix C), outlined the planning process,

the draft vision and goals for the refuge, and the dates, times and locations of the public scoping meetings. Information contained in the *Planning Update* was announced at local agency meetings. The *Planning Update* distribution list consisted of individuals, agencies, and organizations who previously expressed an interest in refuge activities.

## **Press Release**

A press release announcing the planning process and notifying the public of the schedule and location of the public meetings (Appendix C) was sent to nearly 270 media organizations throughout Montana including congressional offices, other federal and state agency offices, and tribal agencies. A number of news articles about the planning process appeared in a number of newspapers, radio, TV and online publications prior to the meetings. A second press release was distributed announcing a reschedule of the Bozeman meeting.

## **Paid Advertisements**

The Service placed paid advertisements (Appendix C) in nine newspapers to publicize the project and invite the public to the scoping meetings. The advertisements, 3.75 inches x 6 inches, were placed in the Billings Gazette (January 24), Bozeman Daily Chronicle (January 24), Great Falls Tribune (January 24), Circle Banner (January 17), Glasgow Courier, Glendive Ranger Review (January 17), Jordan Tribune (January 25), Lewiston News-Argus (January 16), and Phillips County News (January 16).

## **Project Web Site**

The project's planning web site <<http://www.fws.gov/cmr/planning>> was established in early January 2008 and contained information about the public scoping meetings, as well as downloadable versions of all of the available public scoping documents. An example of the web site is included in Appendix C.

**Public Scoping Meetings**

The seven public scoping meetings (January 29 - February 21, 2008) were a major component of the public scoping process. The purpose of these meetings was to solicit public concerns and planning ideas that will

be considered in the CCP/EIS. Meetings were held at seven locations as detailed in Table 2.

**Table 2. Public Scoping Meetings**

<i>Location</i>	<i>Date</i>	<i>Venue</i>	<i>Time</i>	<i>Attendance</i>
Great Falls	January 29	Mansfield Center	7:00-9:00 p.m.	27
Ft. Peck	January 30	Ft. Peck Interpretive Center	2:00-4:00 p.m.	47
Malta	January 30	Great Northern	7:00-9:00 p.m.	22
Lewistown	February 4	Yogo Inn	7:00-9:00 p.m.	33
Jordan	February 5	VFW Post	2:00-4:00 p.m.	43
Billings	February 6	Billings Hotel and Convention Center	7:00-9:00 p.m.	17
Bozeman	February 21	Best Western Gran Tree Inn	1:00-3:00 p.m.	21

Meeting Format

Following a brief welcome and introduction, Service staff made a 15-minute presentation that outlined the following points:

- Description of the Service and the purpose of the refuge System
- Key points of the legislation establishing Charles M. Russell and UL Bend NWR
- CCP and EIS process
- Project schedule

Following the presentation, the remainder of the meeting was broken up into two components, questions and answers and public comments. During the question and answer session, the facilitator took all the audience’s questions and posted them on flip charts. In turn, Service staff answered all questions. Most of the meeting time was spent in the question and answer session. After all the questions were answered, the Service took comments from those who wanted to offer them. This format enabled participants to have their questions and concerns answered about the planning process and also identified many of the important issues. Refer to Appendix D for a complete description of the questions and comments from each of meetings.



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*Participants at the meeting in Ft. Peck, Montana*

**Agency Coordination**

In accordance with the Service’s planning policy, the preplanning and scoping process began with formal notification to Native American tribes and other federal and state agencies with a land management interest and inviting them to participate as cooperating agencies and members of the planning team.

**Native American Tribes**

The Service sent letters of notification about the planning process including an invitation to participate on the planning team to the following tribes: Arapahoe Business Council, Cheppewa Cree Tribe, Crow Tribal Council, Fort Belknap Tribal Council, Fort Peck Tribal Council, and Northern Cheyenne Tribe. The Service will continue

to keep the Native American tribes appraised throughout the process.

### ***Federal, State, and Local Agencies***

The Service sent letters of notification about the planning process including an invitation to participate on the planning team to the following agencies: USACE, BLM, MFWP, and MDNR. Additional letters of notification were sent to the Montana State Historic Preservation Office and to the six counties (Fergus, Petroleum, Garfield, McCone, Phillips, and Valley).

In September 2007, Service staff met with representatives from the Conservation districts and the Counties to inform them of the CCP and EIS process, answer any questions about the project, and gather any issues or concerns.

The Service received formal letters requesting cooperating agency status from the six counties, the Garfield County Conservation District, and the Missouri River Conservation District Council. The Service granted the six counties cooperating agency status. Two representatives will attend the planning team meetings on behalf of all the counties. The Service has also granted the six Conservation districts that surround the refuge cooperating status. One representative will attend meetings on behalf of the Conservation districts.

The cooperating agencies include the following: USACE, BLM, MFWP, MDNR, Fergus, Petroleum, Garfield, McCone, Phillips, and Valley Counties, and the Missouri River Conservation Districts.

## **Scoping Results**

The following summarizes the methods for comment collection and analysis, the number and source of comments received and a summary of the comments.

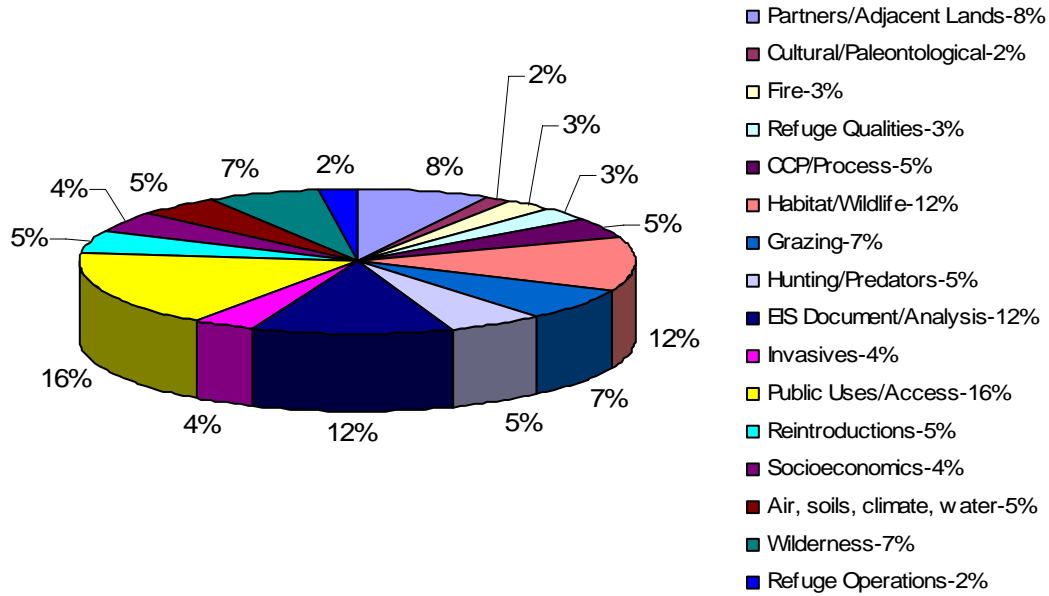
The planning team collected comments, questions and concerns about the future of the refuge through public meetings, letters, email, and other methods as described in the Public Scoping Activities section above.

### ***Methods for Comment Collection and Analysis***

The objective of the scoping process is to gather the full range of comments, questions and concerns that the public has about management of the refuge or the planning process. All comments, questions, or issues, whether from written submissions or recorded at the public meetings were organized by topic into a spreadsheet and coded for organizational purposes. Every effort was made to document all issues, questions, and concerns. Regardless of whether comments and questions were general in nature or about specific points of concern, they were added to the spreadsheet one time.

All comments received from individuals on Service NEPA documents become part of the official public record. Requests for information contained in comments are handled in accordance with the Freedom of Information Act, NEPA (40 CFR 1506.6 (f) and other Department of Interior and Service policies and procedures. In compliance with the policies of the Service regarding disclosure of personal information, any names, addresses, or other personal information of individuals (does not apply to agencies or organizations) who commented will not be published in this document unless that information was spoken in a public meeting.

It should be noted that public scoping is not a voting process, and each comment is considered to be of equal importance. A summary list of all the comments received during the scoping process is found in Appendix E. Figure 2 illustrates the percentage of comments received on the general topics and subtopics.



**Figure 2. Percentage of Comments by Topic or Subtopic.**

**Number and Source of Comments Received**

During the course of the public scoping process, the planning team received hundreds of questions and comments during seven public meetings held across Montana, and 23,867 written responses in the form of letters, emails, and from the handout sheet provided at the public meetings as described in the *Public Scoping Activities* section. Table 3 shows the breakout of comments received. Twenty-three organizations and

agencies submitted comments which are listed in Table 4. Additionally, the Service received 23,753 form-type petitions submitted by members of the Wilderness Society that emphasized the following: the refuge is a national treasure that needs to be managed for wildlife, wilderness, and quality recreation; the importance of protecting and enhancing habitat and wilderness values; and concerns about road impacts and mineral exploration.

**Table 3. Source of Public Comments.**

<i>Type of Comment</i>	<i>Number received</i>
<b>Public meetings</b> -questions and comments (number of questions and public comments read at meeting)	301
<b>Form letter</b>	23,753
<b>Individual</b> letters, questionnaires, emails	81
<b>Agency &amp; organization</b>	23

**Table 4. List of Agencies and Organizations that Submitted Comments**

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U.S. Environmental Protection Agency	Hellgate Hunters and Anglers
Montana, Fish, Wildlife, and Parks	Montana Association of Conservation Districts
Fergus County	Montana Audubon
Garfield County	Montana Mountain Bike Association
McCone County	Montana Wilderness Association
Phillips County	Montana Wildlife Federation
Valley County	Prairie Hills Audubon
Garfield County Conservation District	Western Watersheds Project
Missouri River Conservation Districts	Wilderness Society
Council	
Central Montana Wildlands Association	World Wildlife Fund
Defenders of Wildlife	Montana Mountain Bike Association
Friends of the Missouri Breaks Monument	

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### ***Summary of Scoping Comments***

Below is a summary of the issues, questions, and comments raised during public scoping. Comments were submitted in writing and/or offered at the public meetings held in January and February 2008 in Bozeman, Great Falls, Ft. Peck, Malta, Lewistown, Jordan and Billings. For a complete list of the issues, refer to Appendix E.

#### ***Planning Process/General CCP***

Clarify the purpose of a CCP. Why is it a 15-year plan and can it be revised? Who makes up the CCP planning team? Does this plan include the satellite refuges? What step-down plans will be incorporated into the CCP? Are step-down plans subject to the 2012 deadline? What are the next steps in the CCP process? Explain how the whole process will play out. Is there currently a management plan and, if so, what changes will be made to it through the CCP? There is concern that empirical data won't play enough of a role in the plan and that politics and emotion will be the driving factors. Concern that the desire for preservation will eliminate opportunities for use and the refuge won't be available for the next generation. Produce a document which represents sound empirical data with input from all related agencies. Global warming should be factored into the analysis.

*Cooperating Agencies:* Who are the cooperating agencies? How are they

selected, and are the conservation districts included? Is there an opportunity for others to join the planning team as cooperating agencies. Disappointed that Garfield County Conservation District was denied cooperating agency status. They have a right to this position and the conservation districts should be invited to the table. At the Six County Fort Peck Roads Group meeting it was decided that each county would request cooperating agency status for the CCP. Two representatives and two alternates will attend the CCP meetings and keep the rest of the counties informed. Each county reserves the right to represent themselves at the CCP meetings on any specific issue.

*Partners:* Is the livestock industry being represented on the planning team? Shouldn't they be? What are the state lands roles in the process? What is the relationship with MFWP? Is this transparent? You could gain by opening up the process to more stakeholders. The counties expertise should be utilized in the planning effort and county experts should be involved in the planning process and the long-term management of the refuge. How will the county commissioners be involved in the process? Continue and increase cooperation with surrounding counties, agencies and landowners on major issues like weed control, fire suppression and management. Conservation districts

appreciate involvement and willingness to meet. They have expertise as do the other groups. They cooperate with other agencies such as the BLM and are insisting to be at the table. Not all six districts want to be at the table, but at least one representative. Conservation districts are elected officials asked with resource management in their counties.

*Public Scoping Process:* How are meeting times decided? Why is the meeting held on a Wednesday in the middle of the day? Do public comments from locals carry more weight? How effective are locals in comparison to other organizations? Local comments should weigh heavy when the management strategies of the refuge are addressed. What are the 2-3 main concerns that you've heard across the state during public scoping?

*Purpose:* Did the refuge's purpose change from its original purpose in 1976? Can the planning process modify refuge purposes?

*Alternatives:* The heart of NEPA is the development and evaluation of management alternatives. We want to see an alternative evaluated on the ability of managed livestock grazing to meet targets for soil and vegetation management and for maintenance of key wildlife species.

*Qualities:* People of Montana are proud of the refuge, and this should be considered in the CCP. The refuge is something special and unique, and it offers something that other places don't offer. Continue to ask what makes the refuge special and factor this uniqueness in developing the CCP. Also keep up the good stewardship.

The refuge has great historic value to the local community and landowners. The geologic formations, archaeology, paleontology, unique terrain and bareness of the area are something to treasure and preserve. Also, the refuge has great economic impact on the local community thru recreation and grazing. Many of the counties expressed concerned about the

economic impact that grazing the refuge has on local ranchers.

#### Refuge management

*Resource Extraction:* Will resource extraction regulations change with regards to oil and gas and other minerals? How will mineral rights on the refuge and within state lands be managed? Will oil and gas exploration outside the refuge be considered? Adverse impacts to ecosystems and wildlife are associated with construction of well pads, pump and compressor stations, roads, impoundments, and treatment facilities, pipelines, utility lines, increased traffic, etc. Avoid oil and gas exploration and development unless it can be planned without adverse ecological and environmental effects. A higher threshold should be set for acceptable impacts and adequate mitigation within the refuge to assure protection of natural resources and ecosystems. Conflicts should favor the protection of natural resources and ecosystems.

*Cabin Sales:* How will the CCP impact the Enhancement Act of 2000 and affect the privately-owned cabin sites?

*Cultural Resources:* What are plans for management of historical and cultural resources? What is the situation for the Rocky Point buildings and Carroll Trail?

*Adjacent Land:* What are the plans for acquiring lands, including private land, within the refuge? Is there opportunity to manage BLM lands? Are plans to exchange state lands on the refuge for elsewhere. Determine land use adjacent to the refuge and coordinate management with landowners. Protect large, interconnected blocks of habitat. Phillips County is opposed to expanding the refuge beyond the current boundaries.

*Water/Water Rights:* We would like to see you work with the grazing permittees on water development. Water development can assist grazing and other management issues. Do you consider water development and will you enhance water resources? How will

private water rights be treated in the CCP? Will the Service step in and play a role in managing Missouri River flows? Preserve all water rights as they stand today. Recognize all holders of water rights on and adjacent to the refuge. Describe water bodies which may be impacted by proposed refuge development. Analysis should be consistent with the goals and objectives of the Clean Water Act and compliant with Water Quality Standards. Source water for public water supplies may originate on refuge lands. Analyze and disclose potential project impacts on the quality of the surface or ground water sources and methods of mitigation. The Environmental Protection Agency considers the protection, improvement, and restoration of wetlands to be of high priority.



*Many people expressed concern about the number of roads and the condition of roads.*

*Roads:* Concerned with which roads have been shut down and which are left in disrepair. How many of the roads that we have shut down are county roads? Do we recognize petitioned county roads? Will more roads be improved? Does the refuge have the right to close roads through private lands? Why doesn't the refuge take the lead in road easement establishment? What are plans for road closures? Concerned about closing roads since roads are needed to control fire. The roads that are rutted and damaged by the creek and are difficult to travel. There is a lot of erosion on the roads. Please take better care of the bad parts of the roads—some of it is getting dangerous. Closing roads limits opportunities for handicap hunters. A few

more open roads with less use may be a solution. Roads that access state or private lands should remain open. I'd like to see more areas that don't have road access during hunting season. Shouldn't have roads that are 2-3 miles apart. Concerned that if roads are temporarily closed during hunting season that they will not be re-opened. Increased public access further into isolated public land could have adverse effects on watersheds, water quality, fisheries, wildlife, etc, with an increase of off-road motorized travel. The challenge is to provide adequate access for public recreation and land management while protecting and restoring aquatic and terrestrial ecosystems. Determine the effects of roads and motorized travel on ecological resources, including contribution to nonpoint source pollution, stream impairments, and habitat fragmentation. Determine the refuge's ability to limit off-road motorized uses that cause resource damage and properly maintain needed roads and trails.

*Emergency Access:* Do not restrict emergency services being performed within the refuge.

*Air Quality:* If the proposed Great Falls coal fire plant is built, would the refuge monitor air quality impacts? Avoid levels of particulate concentrations that exceed health standards downwind of burns and the reduction of visibility caused by smoke. Characterize air quality problems with source of pollution, frequency, degree of severity, and mitigation.

*Multiple Use:* Does the multiple use concept apply to the refuge? Will there be multiple uses in the future? Will leasing continue?

*Funding:* What is the source of funding for the refuge and the Service? Concern that there will not be adequate funding and staffing to implement the CCP. How is the refuge in terms of funding and budget and staffing? Provide adequate funding to ensure full implementation of effective conservation measures over the life of the plan. The EIS should identify and discuss

estimated funding levels and sources to implement the CCP.

*Cooperation/Partnerships:* More cooperation with the community of Malta is needed in the promotion of the refuge. How do we work with the state and local governments to manage lands outside the refuge? Would like to see the relationship between agencies and local communities improved? How can we ensure a more common sense and cooperative approach to relationships with the local communities. The Iron Dollar Grazing Association has had a good working relationship with the refuge in the past and looks forward to working with them in the future.

*Law Enforcement:* How is enforcement management—could you request more wardens in order to reduce the amount of road hunting that occurs? More law enforcement is needed. Field people have a lot to do with how the public perceives the refuge—bad experiences with field people affect community relations. Guidelines that the field people have are too strict—they should be given more latitude. It does not make sense to fine the ranchers looking for their livestock and for using historic roads. Ranchers would like to go off roads and not worry about being “dinged” for dealing with their livestock or fencing problem. What law enforcement situations are pending and how will the CCP be affected? Enforce restrictions to protect wildlife, manage vegetation, and control erosion. Develop an effective refuge law enforcement strategy, including personnel needs, costs and funding sources to identify and prosecute violations of motorized vehicle access restrictions. Promote public understanding and compliance through user education and signage.

*Staffing:* What is the current staffing? Will there be additional staffing to implement the plan?

*Monitoring:* Describe a monitoring program to evaluate compliance and effectiveness of

the CCP. Ensure through the EIS that there are adequate budgets for monitoring the CCP by the Service.

What are current strengths and weaknesses of management today? What threats does the Service perceive at the refuge, and how would they rank these threats?

#### Habitat/Wildlife

*Grazing fees and allotments:* Will the cost of Animal Unit Months (AUMs) change? Will the CCP address grazing fees? Will grazing increase or decrease? Will the CCP address the transfer of grazing permits? Base changes in AUM grazing allotments on sound range management practices (forage availability, AUMs, etc.) in coordination with local County Extension Agents and local Natural Resource Conservation Service range specialists. Compensation should be given if these rights are taken away. Concern over the ability to fund local government which has relied upon the local tax base in Montana through the federal program “payment in lieu of taxes” (PILT). Ranching operations rely on grazing leases to make their ranching operations viable. Provide for a guaranteed, unrestricted transfer of grazing permits, without a decrease in AUMs. Concern of continually elevated grazing lease rates in conjunction with the elimination of livestock grazing. Recognize the financial value of Garfield County landowner’s use of the refuge land. There is the appearance that the refuge managers are lease-hold owners of the land. How will you ensure that grazing continues on the refuge? What will happen with grazing allotments? Could you incorporate monitoring with existing grazing permittees? Support the use of well-managed livestock in developing and maintaining high-quality wildlife habitat for our prairie species. Grazing should be used as a primary the management tool. Increase the use of grazing as a management tool for range improvement and fuels reduction. Make all resources available for domestic livestock, except those required for the preservation of wildlife. What studies have been done on effects of overgrazing? Oppose

transfer of grazing rights when ownership changes; maintain current policy.

*Permittees:* Cooperation, compromise and understanding are necessary when dealing with permittees. Encourage the Service to reevaluate its regulations involved with permit grazing and realize the burden and ineffectiveness to ranchers when off-road access to livestock is not allowed. The effectiveness of grazing would be increased if it was approached in a more rancher friendly manner. The lack of off-road access to livestock, water development, and the high rates make effective livestock grazing difficult for a lessee. Lessees should be issued (2) 4-wheelers or off- road permits each for livestock management during the grazing season.

*Grazing and Riparian Areas:* Livestock grazing can adversely impact streams and riparian areas, resulting in the reduction of vegetation, stream channel widening, destabilization of banks, loss of aquatic habitat, adverse effects on fisheries, and water quality. Analyze and describe the effects of grazing on the environment, including wildlife and grassland and riparian ecosystems. Manage grazing to protect ecosystems and wildlife resources. Identify economic, social, resource management, and environmental tradeoffs, and give priority to the conservation of biodiversity over the economic return to grazing permittees, and facilitate public understanding. There should not be livestock grazing on refuge lands. Reduce and then eliminate cattle from refuge as soon as possible; remove all interior barbwire fencing. Reevaluate livestock use on refuge recognizing conservation and management of wildlife is first priority. Livestock grazing is a driving force for adverse change on CMR; wildlife habitats are far from being in good health. Resolve conflicts between cattle grazing and wildlife habitat. CMR should not just be another cattle ranch. It is a national wildlife refuge. Study from mid 1990s found 80% of CMR's stream and riparian areas were not functioning; riparian areas are used by 80-90% of the wildlife on the landscape;

livestock stay in or near riparian areas until vegetation is severely impacted.

*Grazing and Habitat Management:* Consider the ability of managed livestock grazing to meet habitat targets for soil and vegetation management and for the maintenance of key wildlife species. MFWP use cattle grazing to enhance forage quality and increase wildlife. Prescriptive grazing would achieve goals for wildlife, riparian and grassland habitats at the lowest cost. Domestic livestock grazing would help reduce fuel loads and reduce fire suppression costs, CO<sub>2</sub> emissions and soil erosion. Herded groups of cattle, sheep and goats could be utilized with limited infrastructure. Consider development of a grassbank for neighbor ranchers providing key wildlife habitat off the refuge (i.e. Matador grassbank). Working together, we can leverage conservation across many thousands of acres of lands outside the boundary of the refuge. Prescriptive grazing to achieve conservation goals for wildlife, riparian and grassland habitats has been examined elsewhere and found to be a successful, cost effective alternatives, and we've seen it work here, too.

*Partnerships:* Partnerships to improve weed control have been effective, and we'd like to see more cooperation. Encourage you to work more closely with the USACE on water levels in order to better control weeds.

*Weeds:* Weeds are a major issue and need to be addressed in the CCP. Increase weed control efforts to prevent the spread of weeds to private property. Implement a program of weed control everywhere on the refuge; monitor and control salt cedar, knapweed, and leafy spurge. Provide an annual program to address weeds along roads, in river bends, and between water level and high water mark. How will Japanese brome and salt cedar be addressed? What is the Service doing about weeds in burned areas? Could you use sheep or goats on the weeds in the riparian bottoms to deal with the salt cedar problems? Will herbicides be used? Noxious

weed management should include herbicide, biological, and grazing by domestic livestock and other practices as an integrated weed eradication program. Livestock grazing is necessary on riparian systems to control weeds. Roads are a vector for spread of new weed infestations. Provide boat wash stations at the major boat ramps and consider weed wash stations for hunting vehicles. Monitor campgrounds for weeds. Need a comprehensive noxious weed plan between the Service, USACE, local communities and other agencies to ensure a coordinated weed control effort. Involve local service vendors when possible. Among the greatest threats to biodiversity is the spread of noxious weeds and exotic plants. Focus management techniques on nonchemical treatments before using chemicals. Evaluate and mitigate water contamination from herbicide use. Detail a strategy for prevention, early detection of invasion, and control procedures for each species.

*Fire:* What are the plans for changing the fire management policy? Develop a policy that distinguishes between the planned use of fire as a management tool and naturally caused fires. Reconsider the “let it burn” policy. Address fire as it pertains to all public and private entities. Develop a policy to address fires individually in coordination with the county fire officials. We’d like to see more cooperation with the local fire managers on fire suppression and fire control. What are we going to do about fires so they don’t get out of control? Can domestic livestock be used to manage catastrophic fire? Will you use heavy equipment in fire suppression? Fire as a management tool should be used with caution—we are a little more sensitive south of the river due to prevailing winds. Prescribed fire has a more limited role and comes with a high risk of damaging adjacent lands, and it cannot duplicate the natural soil disturbance that created habitat during the pre-settlement period. Stagnant stands of prairie grasses are causing loss of productivity for wildlife species and are causing the more mobile large animals to seek forage off the refuge. Use prescribed

fire to mimic its natural ecological role—to control fuel accumulation and fire risk and influence vegetative structure.



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*The role of livestock grazing and fire management was a common topic of concern during scoping.*

*Ft. Peck Lake/Water Levels:* Will water levels of Ft. Peck be considered? With the reduction of the size of the lake and the new riparian habitats that have resulted, wildlife are moving in. As the lake goes down, do you assume responsibility for area below high water mark or is that the USACE’s responsibility? Is there a future workable plan with the USACE to maintain decent water levels instead of the extremes that we’ve been seeing? Low water levels are problematic since it leads to decreased access and conflicts with refuge field managers. Improve access to the lake for recreation and fire suppression.

*Water:* Less water is available in the hill areas and the small reservoirs have washed out in the last several years and have not been repaired. The use of this area by large ungulates has decreased relative to the availability of water on that upper plateau. Restoring these reservoirs on the plateau could create more small pockets of habitat and take the pressure off the water bottoms. Consider water development away from the lake to benefit wildlife and livestock and improve damaged riparian areas.

*Wildlife:* What’s the plan for wildlife management and population control? What species will be prioritized? The white-tail population seemed low last year— did blue-

tongue hit the area hard? How will sharp-tail grouse and pronghorn be managed since they are specified in the purpose? What is their status today? Focus management on the original intent of the establishment of a game range and refuge—to maintain healthy populations of sharp-tail grouse and pronghorn, and such nonpredatory secondary species to maintain a balanced wildlife population. What is the status of sage grouse on the refuge? Is the refuge looking across administrative boundaries in wildlife management—for example sage grouse and leks move across boundaries. Recognize the different habitat needs of various wildlife species and develop conservation measures that protect and enhance habitat and habitat connectivity. Include measurable biological objectives and clear criteria that define success and provisions for monitoring and data collection. Provide a plan of action resulting in the conservation of the threatened or endangered species on the refuge.

*Reintroductions:* Bison, wolves—how will the reintroduction of historically occurring species be addressed? Will the plan address accommodating species that just arrive on the refuge? Do not consider the introduction of any new animal species on the refuge, especially those that would negatively impact the permittees or any neighboring land owners stock or livelihoods. The presence of wolves is prohibited in Phillips County by resolution 2003-03. Do you plan to return the refuge to conditions 150 years ago? Are there plans to reintroduce bison on the refuge? How would bison be managed? What safeguards are in place to deal with bison and the spread of disease? Will there be vaccination programs? If wolves arrive how will they be managed? Will wolves be re-introduced? Concerned that wolves (and grizzlies) will have a negative impact on ranchers. Are there wolves on the refuge right now? A decision to reintroduce bison should be made with direct involvement of all who may be affected by such a reintroduction. There are many potential adverse affects to neighboring ranches. Bison are classified as livestock in the state of Montana, not wildlife and should not be

allowed to roam freely on the refuge. How does the refuge classify bison—wildlife vs. livestock? Cattle are certainly more manageable than bison and are much more readily available, so wouldn't cattle make more sense than bison. What is the refuge's priority for rare species? There is confusion about MFWP's quarantine process and the status of bison control and state bison conservation planning. Would like the Service review the laws regarding bison and the classification as a big game management species. There are other sources that would meet the 100% genetic purity besides Yellowstone National Park bison like Wind Cave National Park, etc. I would like to see the bison taken out of Yellowstone National Park. There are currently calves available. They've been weaned, and they would know how to survive on the refuge if reintroduced. They are able to survive as separate groups. Start the NEPA process and push for bison.

*Other Wildlife:* How will prairie dogs and black-footed ferrets be managed? Will ferrets be reintroduced? What about swift fox?

*Disease:* Was chronic wasting disease found in the elk heads that were studied? Determine the causes of West Nile disease, habitat loss, and effects on wildlife before determining that they are man caused.

*Habitat Management:* Will you use livestock and fire in managing habitat? Wouldn't it be better to manage the refuge for wildlife rather than cattle? Thank you for doing a good job and good stewardship. Biodiversity may be a critical consideration for new projects, major construction or when special habitats will be affected. The natural grassland and riparian ecosystems and wildlife resources are of high value. Protect and conserve ecosystems and habitat for all wildlife species, aquatic species, and water quality. The Service has been doing a fine job at the refuge, but I think we have to look at grazing closely— exchange out the state lands, most have a grazing lease. Need to look at the balance. This is a national wildlife refuge, not BLM land, nor is it managed by their grazing laws.

*Riparian Corridor:* What is the overall condition of the riparian area? In the Missouri River Breaks National Monument there is concern about the health of the cottonwoods. What is the state of cottonwoods in the riparian area within the refuge? How does grazing impact the condition of this riparian habitat? Riparian habitats are important ecological areas supporting many species of wildlife. Protect these areas to ensure maintenance of water quality and hydrologic processes.

*Wetlands:* Describe existing wetlands within the analysis area, method of protection, potential impacts and methods of mitigation.

*Predator Control:* What are the plans for predator control? Increase predator control and encourage no wolves on the refuge. Address the systematic control of wolf, coyote, and mountain lion on the refuge, and consider them to be historically detrimental to all wildlife in uncontrolled numbers. Before a new lion hunting program is initiated, look at lion numbers and health of population; few people get to see these animals; hunting should not diminish this further.

*Wildlife Population:* What are population numbers for deer and elk? How will you control wildlife populations? Deer management should include predator control, weed control and lack of sufficient water. Determine if the Service and MFWP have shared big game and predator survey data in accordance with a 1997 Memorandum of Understanding and jointly consider solutions to wildlife damage to private land associated with the refuge big game populations.

Does the Service have special plans for the management of threatened and endangered species?

#### Public Use/Access

*Hunting:* On cow elk tags given out at the end of the season, why does the Service then offer additional tags to those who get

them? Wouldn't it be better to have more hunters rather than the same hunters getting an additional elk given the demand? Why does MFWP have a depredation hunt at the same time as the refuge is closed to hunting? Will lion hunting be permitted? Will trophy deer management be considered? Is it possible to establish a point restriction on deer and elk hunts? Will there be special hunting permits that will be used to manage wildlife? Also the uniqueness of the hunting experience there at the refuge should be considered. Support the mule deer closure during the rut. What and why are there differences in how the refuge manages their hunting programs versus the MFWP's hunting program?

*Float Planes:* The impact of float planes need to be assessed in the plan, as they have the potential for major impacts.

*Access/ Roads:* Concerns with changes in refuge access and a desire for increased access were expressed. Improve access to trailheads for horse access. Why was the gate pad locked up on Cut Throat last year? If we're closing it all off, what good is it to the "present" generation including 70-year olds today? How will state and private lands be accessed? How can we ensure access to the general public? Why can't we drive ATVs on the ice for ice fishing? Will motorized access for ice fishing be addressed? Can people drive to access the river as it lowers? Increase points of access to the refuge and allow more access within the refuge boundaries for both recreation and fire protection. Develop a community group to discuss access issues on a local level including adjacent landowners. Discontinue road closures and ensure accessibility to all users, including the handicapped and elderly. Provide measures that facilitate livestock management such as off-road access, access for 4-wheelers, 2-wheel bikes, etc. Recognize Fergus County RS2477 roads within the refuge and that Phillips County has petitioned roads within the refuge. Leave all access points to the river and lake open, with no additional road closures or motor boat restrictions on water or ice. Permit chasing and hunting lions with dogs.

Allow hunters to retrieve downed game on the refuge with ATVs, though no hunting should be allowed from these vehicles. Consider all roads on and leading to the refuge and reevaluate closed roads and access points with input from a joint coalition of ranchers, Natural Resources Conservation Service officials, county agents, sportsmen, refuge managers, and local fire officials. Allow camping and recreating along one mile of shoreline on either side of access points. No additional roads are needed but driving should be permitted. Provide shoreline access. Establish easements and rights-of-ways. How are roads managed? Manage roads for the benefit of wildlife and quiet recreation including closing roads as needed to enhance the wild nature of the refuge. Wildlife security is more important than increasing driving opportunities. Assess how many user-created two-track roads have been created; routes should be presumed illegal unless evidence exists to show they are legal. Support road closures—close unnecessary roads and reclaim. Roads should be located minimize damage to resources.

*Visitation:* How are visitor numbers calculated? Are visits to the visitor center calculated? Who is using the refuge? What are the numbers with regards to visitation at the refuge? What is the breakdown between nonresident and resident users? How about number of other users—nonhunters?

*Universal Accessibility:* Need more public use access for people of all abilities.

*Paleontological:* What is the fossil hunting policy?

*Boating:* Why can't you take a boat from the Crooked Creek ramp? Are boat ramps planned for east of the Fred Robinson Bridge? Maintain recreation on the Missouri River. Do not impose new boat restrictions on the Missouri River.

*Volunteers:* What's the role of volunteers? Volunteer opportunities should be made

available. How does one sign up to volunteer?

*Commercial Use/Outfitters:* What is the current commercial use policy, and are any more being considered? Will outfitters with permits be allowed to keep them? Do any outfitters have assigned areas within the refuge?



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*Many commenters value the refuge for its rugged beauty and outstanding opportunities for quality experiences.*

*Camping:* Why is there no camping on the islands within the refuge? How will camping be addressed—will regulations change? How about designated camping?

*Lumber/Firewood:* If there was a catastrophic fire could lumber be collected? Could burned, diseased timber be harvested for firewood? Permit the harvesting of dead or damaged timber to reduce catastrophic fire potential and fire suppression costs, CO<sub>2</sub> emissions and erosion. Harvest of commercial timber and firewood is an established practice on forested refuges elsewhere (e.g. Little Pend Oreille NWR).

#### Wilderness

*Public Use in Wilderness:* Concern with how changes in wilderness designations will affect public use opportunities. Clarify whether a game cart is permissible in proposed and designated wilderness areas. Will wilderness areas be accessible with a boat via the river? Will there be any long-term restrictions on boat access? How would boaters be impacted if proposed wilderness is designated? Can you boat camp in the wilderness areas? Will

wilderness designation affect fishing? What will happen with the proposed wilderness designations? Is consolidation being considered?

*Wilderness and Grazing:* Will grazing be permitted in wilderness areas?

*Future Condition of Wilderness Areas:* Will proposed and/or designated wilderness areas be enlarged, eliminated, shrunk? Will new wilderness areas be created? Will all of the refuge be converted to wilderness? What is the time limit on wilderness proposals—when will it expire? Wilderness study areas (WSAs) have been there for a long time, and Congress can't seem to get the job done. Rather than trying to tackle wilderness throughout the State, why not go to Congress with the refuge's specific wilderness areas? Proposed wilderness areas should either be acted on or not treated as wilderness areas until Congress makes a ruling. Reevaluate these areas as to whether they qualify as wilderness and if not remove them. Limit the decision time needed to designate a wilderness area to one year and do not treat areas as wilderness until a ruling is made. Promote and enhance more wilderness on the refuge. WSAs represent secure habitat reservoirs within the refuge that offer benefits for wildlife and hunters.

*Roads in Wilderness:* Will roads be eliminated within proposed and existing wilderness?

How will the management of BLM and Service wilderness areas be coordinated?

Define what a wilderness designation and proposed wilderness means. How many acres of proposed wilderness and designated wilderness lie within the refuge? What is the refuge's definition for wilderness? How does it differ for nondesignated portions of the refuge?



*Many questions were raised about access in wilderness and nonwilderness areas.*

### Socioeconomics

#### *Payment in Lieu of Taxes (PILT):*

Livestock and PILT revenues are declining; can we tax the refuge since its becoming a liability for the counties? Require the Service to pay fair market value property taxes to Garfield County on the federal land. What are the effects of payment in-lieu of taxes? How will funding for counties surrounding the refuge be addressed? Change PILT payments to fair market value so that federal land is taxed at the same rate as deeded ground in the county (Garfield County). The refuge should be taxed as other grazing land in the county and taxed as recreational land as cattle are removed from the allotments. Large natural landscapes are known magnets for up-scale professional and entrepreneurial people who can live where they choose while earning good incomes on global markets. Communities in Northeast and Central MT need to tap into these opportunities

*Economic Impact:* Are economic impacts and benefits, including to the surrounding communities, considered in decision making? Consider all surrounding county land use plans when making decisions. Who will be used to conduct the analysis? What will the economic analysis focus on? Will it account for lost grazing permits and its effect on the county? Have you studied the change in the number of permits?

Populations are declining and aging in Garfield County. Be considerate of local residents; their options outside of agriculture are limited. We need to predict

the viability of our communities and our county (Garfield) if grazing permits are reduced.

#### Research

Do you ever use any independent third party review of your studies? Are you going to use existing data from data from others agencies on grazing, wildlife? Has the relationship between fire and grazing been studied—has it changed over time? When there was more grazing, were there fewer fires? Have you studied the correlation between grazing and fire in the past and present?

#### Partnerships

How will the refuge work with MFWP on wildlife management? Disappointed that Garfield County Conservation District was denied cooperating agency status. They have a right to this position and the conservation districts should be invited to the table. You could gain by opening up the process to more stakeholders.

## **Significant issues to be Considered in the CCP and EIS Process**

Based on the qualities, issues, and recommendations identified in the scoping comments, as well as guidance from the Refuge Act, NEPA, and the Service's planning policy, the Service organized all the comments into seven significant topics and a number of subtopics that will be addressed in the CCP and EIS:

1. Habitat and Wildlife Management
2. Public Uses and Access
3. Wilderness
4. Socioeconomics
5. Water Resources
6. Partnerships, Collaboration, and Consultation
7. Cultural Values, Traditions, and Resources

## **Rationale for Selecting Significant Issues**

The planning team considered every comment received during the public scoping process. These comments were grouped for consideration into relevant topics and subtopics, as described in the *Summary of Scoping Comments* section above and Appendix E Based on guidance from NEPA and the Service Planning Policy, the planning team determined which topics would constitute significant issues, and which were outside the scope of the planning process. Issues that are deemed significant are typically those issues that are within the Service's jurisdiction, suggest different actions or alternatives, and will influence the Service's decision. Many of the significant issues are interrelated. Issues identified in the scoping process that were not considered to be significant issues are described under the *Issues Outside the Scope of the CCP and EIS* section.

### **Habitat and Wildlife Management**

The refuge encompasses more than a million acres of expansive badlands, riparian areas, old-growth forested coulees, sagebrush steppes and mixed prairie in North central Montana. Much of the land adjacent to the refuge has not been developed or converted to nonhabitat uses and is in private, federal, tribal, and state land ownership. These large blocks of land provide opportunities for management of habitat and wildlife management on a landscape scale as compared to many areas of the country. The role of the refuge, its purposes, and particularly how the refuge fits into the larger regional and national landscape for wildlife and habitat is relevant. Native grasses, shrubs and forbs have declined as a result of drought and other climate changes, historical fire management practices, its long history of livestock grazing, and changes in ungulate populations, trends and movements. Invasive species are viewed as a primary threat to the refuge and adjacent lands. Opinions and concerns about what wildlife, if any, should be reintroduced, how

predators should be managed, the restoration of native habitat, and the protection of threatened, endangered, and rare species are as varied and diverse as the landscape itself. All of these topics are important issues in the planning process. Specifically the plan will address the following:

- The use and role of fire management, livestock grazing, hunting, fencing or other management tools in the preservation and restoration of habitat conditions on the refuge
- Wildlife and habitat management in the context of the larger landscape that includes adjacent private, state, tribal, and federal lands
- Species reintroductions or management of species that move onto the refuge, specifically:
  - bison
  - wolves
  - bighorn sheep
- Invasive species and noxious weed management including the management tools used to combat invasive species
- Special consideration of threatened, endangered, and species of concern
- Predator management

## **Public Uses and Access**

The refuge is one of the highest visited refuges in the National Wildlife Refuge System (Refuge System) with 233,081 recreational visits reported in 2006, and it is the main core of a larger regional area that provides many outdoor recreation opportunities and access. The most popular activity is hunting, and the large ungulate populations offer renowned hunting opportunities that attract local, regional, out-of-state, and international visitors. The refuge provides uncrowded, solitary experiences not afforded on other public lands, and many areas require self-reliance and backcountry travel skills. However, about 80 percent of the refuge is accessible by about 600 miles of roads (mostly two-track and gravel roads), and there are 135

miles of lake and river access for visitors to participate in a variety public use activities.

Some believe that the extensive road network is impacting wildlife populations such as fragmentation of habitat for grassland bird species, big game disturbance, and introduction of noxious weeds. Others are opposed to past road closures, desire improved access to recreation areas, and have concerns about access opportunities for persons of all abilities. Adjacent counties are concerned about ownership, maintenance, and rights-of-way. Some desire fewer access restrictions for recreational access and livestock management. Many others believe more limits need to be established and are in support of the Refuge System's policy of "closed until "open" and would like to see more limits on motorized access. Some feel the CCP should address more opportunities for other priority public uses—wildlife observation, photography, interpretation, and education. Because of its immense size, the refuge allows dispersed camping, and many have opinions about how far off road this activity should occur.

The types of public uses that are permitted including hunting, fishing, wildlife observation, interpretation, and education, and the facilities and access associated with these uses such as roads, camping, types of motorized access, facilities, and other programs that are needed to support these uses are important issues in the planning process. Specifically the CCP and EIS will address:

- Public access including motorized and nonmotorized types of access and law enforcement operations
- Roads including number, location, and types of roads, maintenance, ownership, and rights-of-way
- Priority public uses—hunting, fishing, wildlife observation and photography, interpretation and environmental education
- Nonpriority uses such as camping and bicycling

- Facilities, programs, infrastructure to support public uses and access

## Wilderness

Within the refuge boundaries, there is one federally designated wilderness (within UL Bend NWR) of approximately 20,819 acres and 13 proposed wilderness areas containing approximately 176,140 acres. These Wilderness Study Areas (WSAs) are awaiting congressional action on formal inclusion into the National Wilderness Preservation System. It is the Service's policy to manage proposed wilderness areas as though they are designated wilderness which precludes roads. The planning policy requires refuges to review special designation areas such as wilderness and specifically address the potential for any new special designations. Concurrent with the CCP process, the Service will conduct a wilderness review and incorporate a summary of the review and make recommendations on wilderness in the CCP process. This is an important issue in the planning process. Specifically the CCP will make recommendations on:

- Existing WSAs—consolidation, expansion, or contraction
- Identification of potential for any new designations
- Access, infrastructure, and use of management tools

## Socioeconomics

The refuge is surrounded by six counties in North Central Montana including Fergus, Petroleum, Garfield, McCone, Valley, and Phillips counties. Management of the habitat and wildlife resources and public uses in ways that protect refuge resources, are financially responsible, and are integrated with the economic viability of surrounding communities is an important issue in the planning process. The CCP will specifically address:

- Benefits of refuge and promotion of refuge values
- Impacts of refuge activities on the local economy and community

## Water Resources

Wildlife populations, both on and off the refuge are impacted by available water quality and access to water. Livestock grazing has degraded habitat, particularly near water sources. Stock watering ponds can impact stream flow, fish and riparian conditions. Water quality and quantity are important issues in the planning process. The CCP and EIS will specifically address the following subtopics:

- Water quality and quantity
- Water development (stock ponds, wells, infrastructure)
- Missouri River riparian ecosystem
- Water rights

## Adjacent Lands and Partnerships

Although the refuge encompasses more than a million acres, it is less than a mile wide in places. Wildlife populations and movements are greatly affected by conditions both outside and inside the refuge boundaries. Invasive species are viewed as the biggest threat facing State, federal, and private landowners. Reduced budgets require collaboration and coordination to leverage money to combat noxious weeds and to manage wildlife on lands within and adjacent to the refuge. Ownership of private lands adjacent to refuge boundaries is changing, and these changes have implications for habitat and wildlife and public access. Changes in land ownership and a declining population in and around the refuge impact local tax revenues, and future acquisition of refuge land is of interest and concern for many. Similarly, refuge payments (Refuge Revenue Sharing Act and PILT) have declined and are of concern. Privately-owned mineral rights, future energy development, and rights-of-ways influence the future conditions and use of the site. Management strategies and recommendations related to these topics are important issues to address in the planning process. Specifically the CCP and EIS will address:

- Adjacent land management issues

- Consultation and coordination with federal, state, and local partners
- Minerals, climate change, oil, gas, and energy development; recommendations and strategies on reducing resource impacts
- Priority recommendations for future land acquisitions

## **Cultural Values, Traditions, and Resources**

The refuge contains unique qualities that are valued on a national, regional, and local level by many organizations, agencies, and people. The western boundary is designated as the Upper Missouri National Wild and Scenic River. Significant acreage is either designated or proposed for designation into the National Wilderness Preservation System. It is the second largest national wildlife refuge in the lower 48 states. The Montana glaciated plains in and around the refuge support rich and diverse wildlife populations. During scoping, many people described the refuge's qualities—rugged, isolated, and offering outstanding opportunities for solitude, hunting, fishing and other public uses. It also has a rich prehistoric and historic value to the local and regional community from when Native Americans tribes hunted the lands, to the recorded documentation of the area by the Lewis and Clark expedition, and to the western traditions and practices of livestock grazing that have affected the lives of ranchers and their families for many generations. The geology, archaeology, paleontology are significant resources. These social and cultural aspects are important issues in the planning process. Specifically, the CCP and EIS will address:

- Refuge values and qualities
- Traditions and lifestyles
- Cultural and paleontological Resources

## **Issues Outside the Scope of the CCP and EIS Process**

Several issues that were identified during the scoping process were not selected for detailed analysis in the CCP and EIS. In accordance with NEPA requirements, the Service identified and eliminated from detailed study the topics and issues that are not significant, discussing those issues only briefly. These issues, and the rationale for not selecting them as significant issues are described below.

### **Enhancement Act of 2000**

Title VIII of the Water Resources Development Act of 2000 authorized the Secretary of the Army, working with the Secretary of the Interior, to identify cabin sites suitable for conveyance (i.e., sale) to current lessees, and to perform the necessary environmental and real estate activities to dispose of these cabin sites at fair market value. The funds received from the conveyance of the cabin sites will be deposited in the Montana, Fish, and Wildlife Conservation Trust for use in acquiring other lands with greater wildlife and other public value for the refuge. The actions outlined in the Enhancement Act of 2000, including the time limits imposed in the Act, are outside the scope of this planning process.

### **Fort Peck Lake Levels**

The Fort Peck Lake is the nation's fourth largest manmade reservoir and backs up from the dam approximately 135 river miles to the west and south. At maximum pool, the lake surface area is approximately 249,000 acres. The Fort Peck Project was authorized for flood control, navigation, hydropower, wildlife, recreation, municipal and industrial water supply, and irrigation. The determination of water levels through the refuge is outside the scope of this planning process.

## **Grazing Fees, Transfer of Grazing Permits, and AUMS**

*Grazing fee rates*—The Service grazing guidance (including the process for determining rates of charge) is provided in 6 RM 9 of the Fish and Wildlife Service Manual (1982). The Public Rangelands Act of 1978 (Taylor Grazing Act) does not apply to the Service. For Region 6, grazing fee rates are based on the U.S. Department of Agriculture (USDA) Statistics Board publication for *Grazing Fee Rates for Cattle by Selected States and Regions for 2008* (USDA 2008). Region 6 uses these USDA yearly published rates as the base rate of charge with increases in the yearly fee allowed by \$1.00/AUM until the base rate is reached. The USDA fee structure is adjusted each year based on data available. The refuge began adjusting to fair market value for grazing rates in 1994 as per guidance from the Washington office. The grazing rates for the refuge are the same rates for refuges across Montana. Grazing fees will not be addressed in the CCP.

*Transfer of Grazing Rights (privileges)*—The Refuge Act does not provide for transferability of grazing permits. Grazing is a secondary use on a National Wildlife Refuge and must be compatible with purposes of the refuge. The transfer of grazing privileges will not be addressed in the CCP and EIS.

*Increase AUMs*—The 1986 Record of Decision (ROD) on the Final EIS for resource management for the refuge called for a decrease in grazing to approximately

30,000 AUMs. The CCP and EIS will not readdress the decision made in the 1986 ROD and reaffirmed by the U.S. District Court in 1990 following litigation of the ROD. Instead, the CCP and EIS will address how livestock grazing is used as a management tool to meet specific habitat goals, objectives, and strategies for managing habitat and wildlife.

## **Exercise of Private Property Rights for Mineral Extraction**

The CCP and EIS will not address the right of a private property owner to exercise his or her right to extract minerals on state or private lands within or adjacent to the refuge.

## **Summary of Future Actions**

Although the formal scoping period has passed, there will be two additional opportunities for official public involvement before completion of the Final CCP and EIS (Table 1). At anytime during the planning process, the Service welcomes any comments from the public. Additional comments, questions, or concerns can be directed to:

U.S. Fish and Wildlife Service  
Attn: Laurie Shannon  
134 Union Blvd.  
Lakewood, CO 80028  
Phone: 303 / 236-4317  
Fax: 303 / 236-4792  
Email: cmrplanning@fws.gov

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