Comprehensive Conservation Plan

Bear Butte National Wildlife Refuge

September 2007

Prepared by the U.S. Fish and Wildlife Service

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Comprehensive Conservation Plan

Bear Butte National Wildlife Refuge

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Abbreviations

BLM	Bureau of Land Management
CCP	comprehensive conservation plan
CD	compatibility determination
EA	environmental assessment
EO	executive order
FONSI	finding of no significant impact
Improvement Act	National Wildlife Refuge System Improvement Act of 1997
NEPA	National Environmental Policy Act of 1969
NOI	notice of intent
refuge	Bear Butte National Wildlife Refuge
Refuge System	National Wildlife Refuge System
SDGFP	South Dakota Game, Fish, and Parks Department
Service or USFWS	U.S. Fish and Wildlife Service
state	state of South Dakota

Summary

Bear Butte National Wildlife Refuge (NWR) was established as a limited-interest refuge in the late 1930s with the acquisition of easements from private landowners, the state of South Dakota, and the War Department (now transferred to the Bureau of Land Management at Fort Meade) to maintain an area for "migratory bird, wildlife conservation, and other purposes." The refuge is 374.20 easement acres and has no fee title.

The U.S.. Fish and Wildlife Service entered into a cooperative agreement with the state of South Dakota on July 12, 1967, to administer, operate, and maintain the refuge pursuant to the rights and interests in real property acquired by the United States, and more particularly described in the easement agreement (see appendix F).

This comprehensive conservation plan and environmental assessment (CCP/EA) has been prepared by a planning team consisting of representatives from various U.S. Fish and Wildlife Service programs, including the refuge staff, and in consultation with the South Dakota Game, Fish, and Parks Department (SDGFP). See appendix A for a list of planning team members and contributors.

PURPOSES OF ESTABLISHMENT

The purposes of the refuge are as follows:

Executive Order, August 26, 1935, "as a refuge and breeding ground for migratory birds and other wildlife."

Migratory Bird Conservation Act "for use as an inviolate sanctuary, or for any other management purpose, for migratory birds."

THE PLANNING PROCESS

This final CCP/EA for the refuge was mandated by the National Wildlife Refuge System Improvement Act of 1997.

ALTERNATIVES

Two alternatives were developed during the planning process. Alternative A—current management (no action) describes the current and future management of the refuge. Under the preferred alternative, the U.S. Fish and Wildlife Service will continue to manage the refuge within the parameters of the cooperative agreement. Existing habitat within the easement and all public programs will continue to be administered

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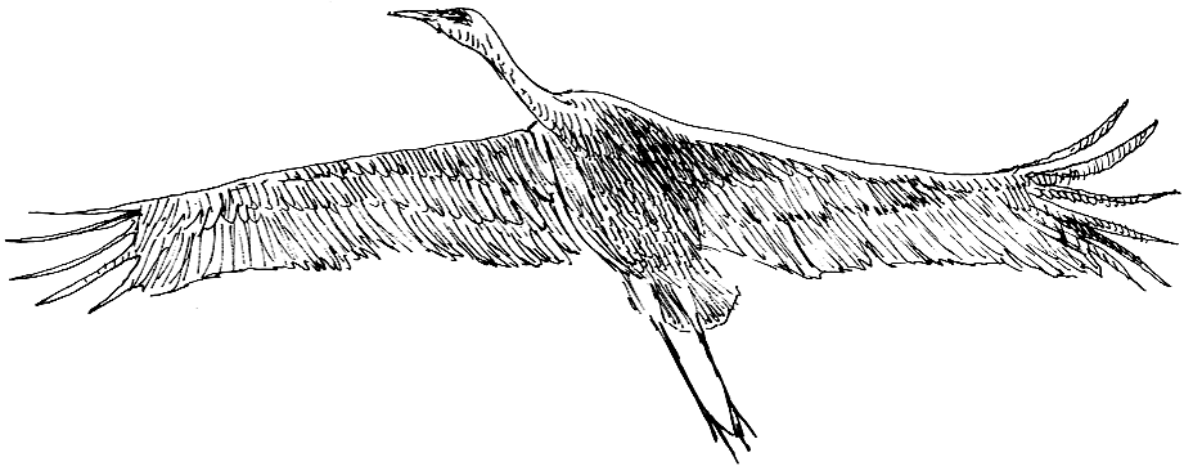
American Avocet

and maintained by SDGFP as per the 1967 cooperative agreement.

Alternative B. proposes relinquishing the easement to current landowners. Under this alternative, Bear Butte NWR will be taken out of the National Wildlife Refuge System and the easements will be transferred to the current landowners. Under this alternative, the U.S. Fish and Wildlife Service's requirements will no longer exist. It will divest its interest in the refuge. This was the proposed action in the draft CCP/EA.

However, after further evaluation and consideration of tribal concerns and issues raised by the public, alternative A—current management (no action) is now the preferred alternative, hence the final CCP. According to refuge planning policy (May 25, 2000), the CCP should be revised when significant new information becomes available. This should occur every 15 years or sooner, if necessary. It is important to note that if conditions change, the Service could reconsider actions approved in the CCP. If revisions were considered, full disclosure through extensive public involvement using the National Environmental Policy Act of 1969 (NEPA) and other compliance procedures would be closely followed.

1 Introduction



Sandhill Crane
Bob Savannah/USFWS

1 Introduction

The U.S. Fish and Wildlife Service (Service) has developed this final comprehensive conservation plan (CCP) for Bear Butte National Wildlife Refuge (the refuge). It meets the intent of the National Wildlife Refuge System (Refuge System) Improvement Act of 1997 (Improvement Act).

The plan was developed in compliance with the Improvement Act and part 602 (Refuge System Planning) of the Service manual. The actions described within this plan also meet the requirements of the National Environmental Policy Act of 1969 (NEPA). Compliance with this act is being achieved through the involvement of the public and the inclusion of an integrated environmental assessment (EA).

The refuge was established as a limited-interest refuge in the late 1930s with the acquisition of easements from private landowners, the state of South Dakota (state), and the War Department, now transferred to Bureau of Land Management at Fort Meade, to maintain an area for "migratory bird, wildlife conservation, and other purposes." The refuge is 374.20 easement acres and has no fee title. The easement obtained from the state only applies to lands below the ordinary high-water mark of the lake. A cooperative agreement was entered into with the state on July 12, 1967, to administer, operate, and maintain the refuge pursuant to the rights and interest in real property acquired by the United States, and more particularly described in the easement agreements (see appendix F).

The plan has been prepared by a planning team composed of representatives from various Service programs, including the refuge staff, and in consultation with the South Dakota Game, Fish, and Parks Department (SDGFP).

After reviewing public comments and management needs, the planning team developed a preferred alternative. A draft CCP was developed and released for public review and comment. The draft CCP listed alternative B as the proposed action, which included divestiture of the limited-interest easements. After reviewing public comments, further evaluation, and taking into account tribal concerns, the final CCP adopted alternative A—current management (no action). This alternative will attempt to address all significant issues while determining how best to achieve the intent and purposes of the refuge. The preferred alternative is the Service's recommended course of action for the future management of this refuge and is embodied in this final CCP/EA.

According to refuge planning policy (May 25, 2000), the CCP should be revised when significant new information becomes available. This should occur every 15 years or sooner, if necessary. It is important to note that if conditions change, the Service could reconsider actions approved in the CCP. If revisions were considered, full disclosure through extensive public involvement using NEPA and other compliance procedures would be closely followed.

PURPOSE AND NEED FOR PLAN

The purpose of this final CCP/EA is to identify the role that the refuge will play in support of the mission of the Refuge System, and to provide long-term guidance to management programs and activities. The plan is needed to:

- provide a clear statement of direction for future management;
- provide landowners, neighbors, visitors, and government officials with an understanding

Tom Koerner /USFWS

Bear Butte

of the Service's management actions on and around this refuge;

- ensure that the Service's management actions are consistent with the mandates of the Improvement Act of 1997, and;
- ensure that the management of this refuge is consistent with federal, state, and county plans.

THE U.S. FISH AND WILDLIFE SERVICE AND THE NATIONAL WILDLIFE REFUGE SYSTEM

The U.S. Fish and Wildlife Service

"The mission of the U.S. Fish and Wildlife Service is working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people."

Today, the Service enforces federal wildlife laws, manages migratory bird populations, restores nationally significant fisheries, conserves and restores vital wildlife habitat, protects and recovers endangered species, and helps other governments with conservation efforts. It also administers a federal aid program that distributes hundreds of millions of dollars to states for fish and wildlife restoration, boating access, hunter education, and related projects across America.

The National Wildlife Refuge System

In 1903 President Theodore Roosevelt designated the 5.5-acre Pelican Island in Florida as the nation's first wildlife refuge for the protection of brown pelicans and other native nesting birds. This was the first time the federal government set aside land for the sake of wildlife. This small but significant designation was the beginning of the Refuge System. One hundred years later, this system has become the largest collection of lands in the world specifically managed for wildlife, encompassing over 96 million acres within 544 refuges and over 3,000 small areas for waterfowl breeding and nesting. Today, there is at least one refuge in every state in the nation, as well as in Puerto Rico, Guam, and the U.S. Virgin Islands.

In 1997, the Improvement Act established a clear mission for the Refuge System.

"The mission of the National Wildlife Refuge System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans."

The Improvement Act further states that each refuge shall:

- fulfill the mission of the Refuge System;
- fulfill the individual purposes of each refuge;
- consider the needs of fish and wildlife first;
- develop a CCP for each unit of the Refuge System, and fully involve the public in the preparation of these plans;
- maintain the biological integrity, diversity, and environmental health of the Refuge System;
- recognize that wildlife-dependent recreational activities, including hunting, fishing, wildlife observation and photography, and environmental education and interpretation, are legitimate and priority public uses, and
- retain the authority of refuge managers to determine compatible public uses.

In addition to the overall mission of the Refuge System, the wildlife and habitat vision for each refuge stresses the following principles:

- Fish and wildlife come first.
- Ecosystems, biodiversity, and wilderness are vital concepts in refuge management.
- Refuges must be healthy.
- Growth of refuges must be strategic.
- The Refuge System serves as a model for habitat management with broad participation from others.

Following passage of the Improvement Act, the Service immediately began efforts to carry out the direction of the new legislation, including the preparation of CCPs for all refuges. The development of these plans is now occurring nationally. Consistent with the Improvement Act, all refuge CCPs are being prepared in conjunction with public involvement, and each refuge is required to complete its own plan within the 15-year schedule (by 2012).

Decision

The Mountain–Prairie regional director of the Service has selected the alternative that will be implemented as the refuge's CCP. This decision has been made in recognition of the environmental effects of each alternative considered. The decision is disclosed in a finding of no significant impact (FONSI). Implementation of the CCP will begin once the regional director has signed the FONSI (see appendix D).

People and the National Wildlife Refuge System

The nation's fish and wildlife heritage contributes to the quality of American lives. Wildlife and wild places provide special opportunities to recreate, relax, and enjoy the natural world. People and nature are linked through spiritual, recreational, and cultural ties.

ECOSYSTEM DESCRIPTIONS AND THREATS

Missouri River Main Stem

The Service has adopted watersheds as the basic building blocks for implementing ecosystem

conservation. The refuge is located in the Missouri River main stem ecosystem. This vast area covers all of North Dakota and South Dakota and small portions of Montana, Nebraska, and Wyoming. The major threats identified for this ecosystem include conversion of prairie to cropland, overgrazing, invasive species, and aggressive prairie-dog control. The Service contributes to the accomplishment of goals for this ecosystem through its Partners for Fish and Wildlife Program.

NATIONAL AND REGIONAL MANDATES

The administration of the Refuge System is guided by a variety of international treaties, federal laws, and presidential executive orders (EOs). Management options under each refuge's establishing authority and the Improvement Act are contained in the documents and acts (see appendix B).

THE PLANNING PROCESS

This final CCP/EA complies with the Improvement Act and NEPA and their implementing regulations. The Service issued a final refuge planning policy in 2000 that established requirements and guidance for Refuge System planning, including CCPs, ensuring that planning efforts comply with the provisions of the Improvement Act. The planning policy identified several steps of the CCP and EA process (see figure 1):

- Form a planning team and conduct preplanning.
- Initiate public involvement and scoping.
- Draft vision statement and goals and determine significant issues.
- Develop and analyze alternatives, including proposed action.
- Prepare draft CCP and EA.
- Prepare and adopt final CCP and EA and issue a FONSI (or determine whether an environmental impact statement is needed).
- Implement plan, monitor, and evaluate.
- Review plan (every 5 years) and revise (every 15 years).

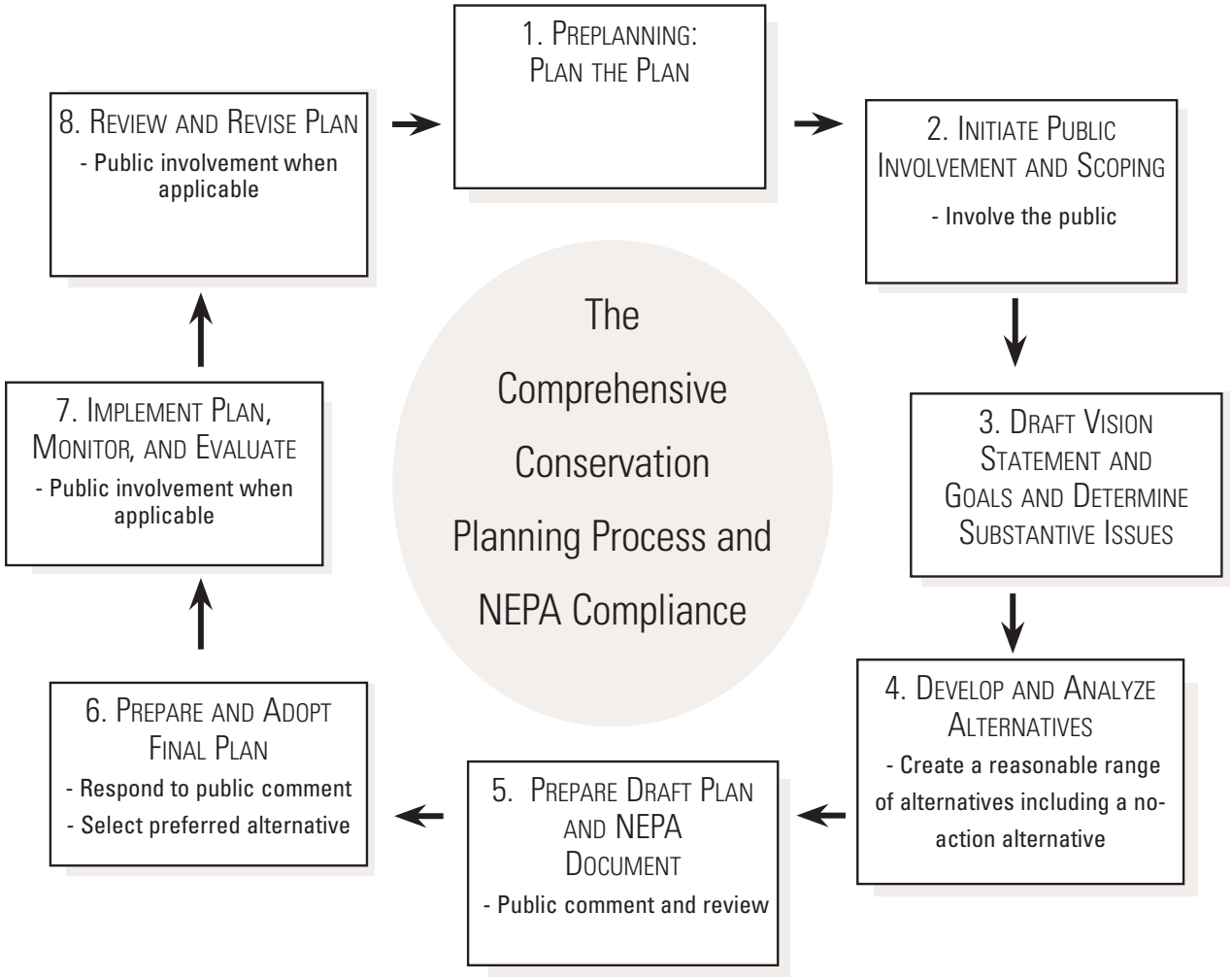


Figure 1. The steps in the CCP planning process

The Service began the preplanning process in September 2004. The refuge is part of the Lacreek National Wildlife Refuge Complex, headquartered near Martin, South Dakota. A planning team comprised of Service personnel from the Lacreek NWR was developed shortly after the initial kickoff meeting (there are currently no Service personnel at Bear Butte NWR). The planning team developed issues and qualities lists.

A notice of intent was published in the "Federal Register" on November 30, 2004. Notification of a public open house was distributed through media press releases.

In October 2004, the region 6 regional director invited the director of the SDGFP to participate in the CCP. The local SDGFP wildlife managers and the Bear Butte State Park manager met with the refuge staff and planning team in early December to discuss the CCP process and the state park operations. They held a public meeting later that October evening in Sturgis, South Dakota. The refuge manager has contacted the Bureau of Land Management and state park personnel throughout the course of the project.

The regional director also sent letters to 24 Native American tribal governments in the northern plains informing them of the upcoming CCP project and inviting them to serve on the core team. Representatives from the Rosebud and Oglala Sioux tribes attended a public open house in Martin, South Dakota, on November 30, 2004, and provided input for the CCP planning team.

The refuge biologist attended a meeting in March 2005 that included all the tribal Game and Fish departments in the Dakotas and Montana. The group had no objections to the state managing fish and wildlife resources on the refuge.

On April 9, 2005, the refuge biologist attended an annual meeting between the SDGFP and several tribes to discuss issues related to Bear Butte State Park and surrounding lands. At that meeting the biologist informed the tribes of the easement refuge the Lacreek NWR Complex has on Bear Butte Lake and the CCP process. Approximately 40 people were in attendance representing three tribes from South Dakota (Standing Rock, Rosebud, and Pine Ridge) and the Northern Cheyenne tribe of Montana. Also in attendance were a state legislator and four SDGFP representatives.

The biologist explained how the easement was acquired, what the easement allows the Service to do, and the cooperative agreement with the state. The biologist then presented the alternatives and asked for verbal and written comments, as part of the public outreach process for the CCP.

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Sandhill Crane

During the discussion, the biologist was asked how many acres around the lake itself are under the easement and what the divestiture will involve. Two individuals, representing distinct constituencies, indicated that they would like the Service to maintain the easement. They want to protect the area from development and believe the Service's retaining the easement could serve that purpose. The biologist asked them to provide written comments for the record.

Over the course of preplanning and scoping, the planning team collected information about the resources of the refuge and the surrounding areas. This information is summarized in chapter 4.

A draft CCP was developed and released for public review and comment. An open house was held in Sturgis on February 28, 2007, at the Community Center. Ten individuals attended representing state, county, tribal, local conservation organizations, and landowners interests. In addition, nearly 90 comment letters were received as well as phone calls. These comments were all reviewed by the planning team and taken into consideration (see appendix C).