

CHAPTER 5

Proposed Action and Alternatives

This chapter describes the no-action alternative along with the proposed action and the alternatives that we considered for developing a partnership with CSKT through an AFA for managing or assisting with the operations at the National Bison Range Complex:

- Alternative A—No Action
- Alternative B—Draft AFA (Proposed Action)
- Alternative C—AFA for Fire and Visitor Programs
- Alternative D—AFA Same as Alternative C Plus Incremental Addition of More CSKT Staff in All Programs
- Alternative E—AFA Same as Alternative D Plus District Programs with Combined Service and CSKT Staff in All Programs

Section 5.8 describes alternatives that we considered but eliminated from detailed study.

5.1 Elements Common to Alternatives Considered for Further Analysis

- An AFA would have a term of up to 5 years.
- All current permanent Federal employees of the refuge complex would be able to maintain their current Federal employment status, pay, and benefits under any future AFAs.
- The refuge manager, deputy refuge manager, and law enforcement officer would remain Federal positions.
- Any positions transferred to CSKT would include money for associated salaries and \$5,000 per full-time employee (prorated for seasonal positions) for indirect costs.
- We would convert our two term positions to permanent positions after they expire and before they are transferred to CSKT because they would otherwise expire before the end of the 5-year term of the AFA.
- We would keep most of the operating budget, excluding salaries and indirect costs associated with positions transferred to CSKT.
- The management and enforcement of the conservation easement program is not part of any proposal. This responsibility will be retained by the Service.

- CSKT staff would be required to follow all Service laws, policies, and planning documents. We would transfer construction and deferred maintenance project money to CSKT on a case-by-case basis.
- CSKT would offer no more than 5-year contracts to employees hired under an AFA. These positions would depend on the AFA continuing. A year before the termination of these contracts and the AFA, we and CSKT would agree to extend the existing AFA or renegotiate another management option.
- If an AFA were cancelled, no CSKT employee would be guaranteed continued employment with us or the Tribes.

5.2 Alternative A—No Action

Alternative A is the no-action alternative under which we would continue to administer and carry out all programs on the refuge complex and would not pursue an AFA with CSKT. This is the alternative against which all the remaining alternatives are compared for the environmental consequences analysis in chapter 7.

STAFF

Under the direction of the refuge manager and in accordance with approved Service plans and policies, our employees would plan, design, and conduct work on the refuge complex, augmented as needed by contractors, volunteers, and cooperators such as universities and researchers. We would continue targeted recruiting of CSKT tribal members and descendants for seasonal positions, vacated permanent positions, and the Federal Pathways Programs for students, which would give individuals the experience and opportunity to qualify for careers with us or other agencies.

We would keep 9 current permanent positions and convert back to permanent appointments the 4-year term maintenance worker (term seasonal) and fish and wildlife biologist (figure 5) as follows.

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|--|--|
| ▪ refuge manager | ▪ fish and wildlife biologist (convert term back to permanent) |
| ▪ deputy refuge manager | ▪ law enforcement officer |
| ▪ supervisory wildlife biologist (program leader) | ▪ equipment operator (program leader) |
| ▪ supervisory outdoor recreation planner (program leader)—currently vacant | ▪ maintenance worker |
| ▪ range conservationist—currently vacant | ▪ maintenance worker (convert term back to permanent) |
| | ▪ range technician (permanent seasonal) |

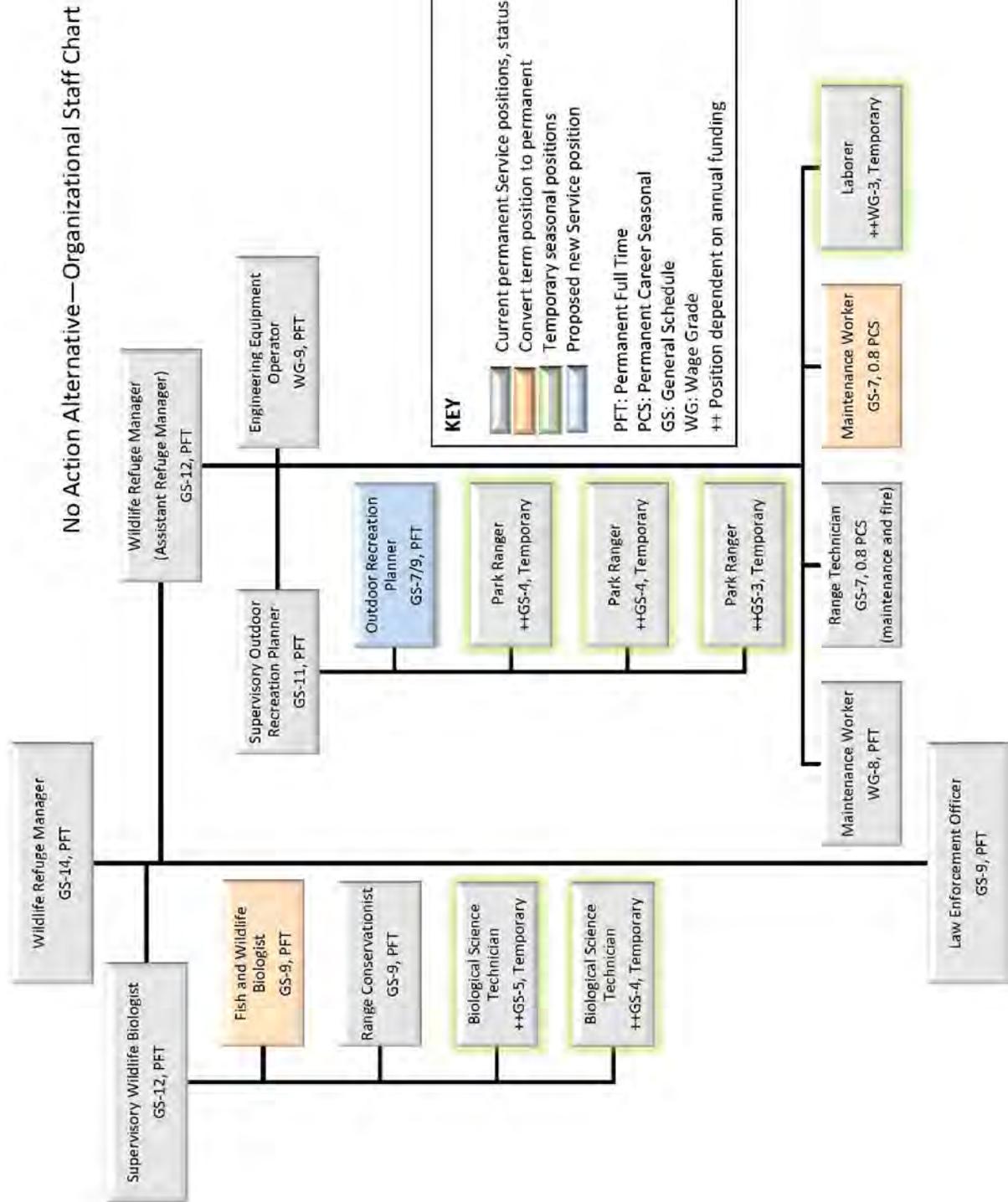


Figure 5. Organizational staff chart for alternative A (no action).

We would annually recruit two to six seasonal employees (figure 5), depending on project funding. Our program leaders in the biology, visitor services, and maintenance programs would continue to recruit and supervise or lead the respective staff in their programs. The refuge manager would propose adding a GS-9 outdoor recreation planner to help develop programs and projects and to manage the visitor center for the 150,000 visitors that come to the refuge complex each year.

TRIBAL COORDINATION

We would continue to coordinate with CSKT as the entity responsible for wildlife management on tribal lands within the Flathead Indian Reservation and as the owner of the lands within the Ninepipe and Pablo Refuges. Our informal and formal cooperation with CSKT would continue on issues such as invasive plant species control, trumpeter swan restoration, habitat management and native plant restoration, and grizzly bear and gray wolf management on the reservation. The Service would continue to collaborate with the CSKT Fire Management Division to plan and conduct the prescriptive fire program and responses to wildfires on the refuge complex. Service staff would continue to collaborate with CSKT on the protection of all cultural resources throughout the refuge complex in accordance with section 106 of the National Historic Preservation Act. CSKT's Tribal Historic Preservation Officer and culture committee would continue to be asked to inspect all sites proposed for disturbance.

Cooperative agreements would continue to be developed which would allow for the transfer of money to CSKT to leverage combined Service and FWRC staff knowledge and abilities. Projects of mutual interest would be developed to address resource issues and complete projects that would benefit both agencies. The Tribe would also be provided opportunities to complete deferred maintenance projects such as construction of facilities.

We would continue to coordinate with the FWRC to develop outreach and education programs that highlight the cultural and historical aspects of the landscape and wildlife found within the refuge complex. .

BIOLOGY PROGRAM

We would continue to plan and manage all biological programs to support and accomplish the purposes for which each unit of the refuge complex was established. We would continue to determine annual resource management priorities, designing and monitoring short- and long-term projects to better understand the resources of the refuge complex. This information would be used to by refuge biologists and managers to address resource issues and make management decisions. Inventory and monitoring programs would continue to focus on Federal trust species and the biological resources, including vegetation and water quality and quantity that support those species. We would develop or update our long-range management plans including the habitat management plan, integrated pest management plan, and inventory and monitoring plan.

Habitat Management

The quality of the forage, including the spread of invasive plant species and the effects of other grazing animals and insects, would continue to be studied and maintained on the Bison for range health and to fulfill management objectives. Biological staff would continue to develop the annual rotational grazing program to ensure that pastures defined by interior fences are not over-utilized or grazed at the same time of year in successive years. This rotational grazing plan will be coordinated with maintenance staff who have the lead on the logistics associated with bison moves by horseback. Biology staff would continue to use place-based experience and professional judgment to evaluate how to adjust or improve the grazing program. The Service would continue to coordinate any cattle grazing management activities conducted on Ninepipe and Pablo with permittees and CSKT to ensure these activities are supporting habitat management objectives.

Refuge complex staff would continue to inventory and monitor infestations of invasive plant species and develop and apply treatment strategies using an integrated approach of chemical, biological, cultural, and mechanical methods. We would continue to coordinate with CSKT and other partners in Lake and Sanders Counties to develop a treatment strategy that identifies priorities, new invaders, and treatment areas that would have a greater effect on a larger landscape.

Water quality data would be collected periodically on all refuge complex waters including wetlands, streams, and ponds. We would coordinate water level management on the Ninepipe and Pablo Refuges and waterfowl production areas with CSKT and the Flathead Irrigation District. We would use water level management structures to optimize nesting, feeding, and brood-rearing habitat for waterfowl and other waterbirds.

To improve and restore habitat, we would use prescribed fire, haying, and prescriptive cattle grazing on the Ninepipe and Pablo Refuges and the waterfowl production areas in the Northwest Montana Wetland Management District (Lake County).

Wildlife Management

Bird surveys, including surveys of waterfowl, neotropical migrants, and resident birds, would continue to be designed and carried out by our staff or coordinated with other agencies such as FWRC. We would conduct annual big game counts, per recommendations in the Bison Range's Fenced Animal Management Plan.

We would continue to monitor and manage bison health and genetics with our wildlife health office. We would monitor the health of our bison herd, including conducting necropsies as appropriate on animals that die, to guide preventative management and appropriate response to disease. A necropsy is a routine herd health surveillance technique used to evaluate baseline disease prevalence. Our maintenance and biological staff would plan and conduct the annual bison roundup to collect genetic information and monitor herd health.

In coordination with the Service's wildlife health office, we would monitor wildlife health, including that of big game and bird species. Necropsies to monitor for diseases would be conducted on all big game animals that died naturally or were dispatched.

VISITOR SERVICES

We would continue to plan and execute all visitor services programs, which would focus on the Federal trust species such as bison and migratory birds, other resident wildlife, and habitats native to the areas around the refuge complex. We would continue to work with the State and CSKT to collaborate on interpretive and environmental education programs. We would work with the Tribe's to develop or expand programs and displays designed to highlight the Tribe's cultural and historical values of the resources found on refuge complex.

We would continue to provide hunting and fishing opportunities in areas where they would not detract from the purpose for which a refuge complex unit was established, following State and reservation laws.

We would continue to develop and provide environmental education and interpretive programs to local schools and conduct outreach through local media and online resources.

MAINTENANCE PROGRAM

We would continue to be responsible for all projects and programs associated with the maintenance program including the maintenance and repair of all facilities, roads, equipment, and vehicles to provide dependable, safe, and secure operating conditions for all programs. Our maintenance staff would continue to assist with habitat management projects, such as invasive species control, haying and grazing programs, habitat restoration, and water level management.

Our maintenance staff would continue to be responsible for the movement of bison for grazing management and the annual roundup activities necessary for monitoring herd health and excessing animals. Using horses, our maintenance staff would continue to lead the operations needed to move bison between grazing units, with assistance from the biological staff. The lead biologist would make the determination on the period of rotation, which is currently every 2 to 3 weeks (April through September), but could be shortened or extended based on habitat evaluations. The objective of this program would be to manage refuge habitats and provide optimal grazing opportunities. They would also continue to lead the operations needed to move bison through the corral system during the annual roundup, upgrading and maintaining this system as needed. Maintenance staff would also continue to coordinate all transportation of excess bison necessary to manage the herd. Following the annual roundup, refuge staff would continue to move the bison herd to the winter range where they would remain through March. The two highest-graded maintenance employees would continue to train other employees, including management and biology staff, on how to safely assist with these operations.

OPERATIONS

We would continue to protect cultural resources according to section 106 of the National Historic Preservation Act (USHR 1966a) with the help of the State and Tribal Historic Preservation Officers. The Service and Tribal cultural resources and archeological experts would continue to inspect all sites proposed for disturbance.

The Tribes would continue to conduct initial attack operations for all wildfires on the refuge complex, and we would coordinate all prescribed fire activities with CSKT.

The refuge complex staff would continue to coordinate projects for construction and deferred maintenance. The refuge manager would approve all associated design, engineering, and construction plans, specifications, and drawings. This would include getting the necessary approvals from our regional engineer.

Our program leaders and their staff would plan and prepare all long-range management plans for the biology and visitor services programs, including the 15-year comprehensive conservation plan and supporting plans for habitat, integrated pest, fire, and wildlife management. We would develop these documents with the full involvement of various partners including tribes and the State. These documents would be reviewed and approved by the Refuge Supervisor and any supporting NEPA documentation would be reviewed and signed by the Region 6 Regional Director.

5.3 Alternative B—Draft AFA (Proposed Action)

We would execute and carry out the draft AFA negotiated with CSKT during 2011–2012 (appendix A). CSKT would be responsible for designing, implementing, and managing refuge programs, including biology, fire, maintenance, and visitor services.

STAFF

Three of the 11 current Service employees—refuge manager, deputy refuge manager, law enforcement officer—would remain employed by us, be stationed at the refuge complex, and would not be requested to sign an IPA. Remaining staff would be voluntarily assigned or transferred to CSKT as described below or transferred to other positions. Figure 6 displays the Service and CSKT employees that would manage and carry out all programs for the refuge complex under this alternative. As IPA Service staff transfer, resign, or retire, their positions and funding will be given to CSKT to recruit their own employees for whom they would supervise and support.

Initially, we would keep the environmental education program, management of the cooperating association bookstore, and volunteer selection and coordination until the current supervisory outdoor recreation planner transferred or retired. At that time, we would transfer the position to CSKT for recruitment and transfer the remaining visitor services and volunteer program to CSKT.

Five permanent employees—lead wildlife biologist, range conservationist, equipment operator, maintenance worker, and range (fire) technician—would remain Federal employees. However, we would ask these to sign IPAs assigning them to work for CSKT. This would allow the Tribes to manage refuge programs, including supervising all program leaders and support staff and recruiting and supervising volunteers. IPA assignments are voluntary, and must be agreed to by our employees. Our employees assigned to CSKT under IPAs would have no change to their Federal pay, benefits, or other entitlements, rights, and privileges. If our five affected employees did not accept the options available to them through this AFA (appendix A, section 13.F), we would transfer these positions to CSKT for recruitment of their own employees (appendix A, section 13.F.4).

Two occupied term employee positions—a maintenance worker and a fish and wildlife biologist—would not be renewed.

Alternative B (proposed action), Organizational Staff Chart

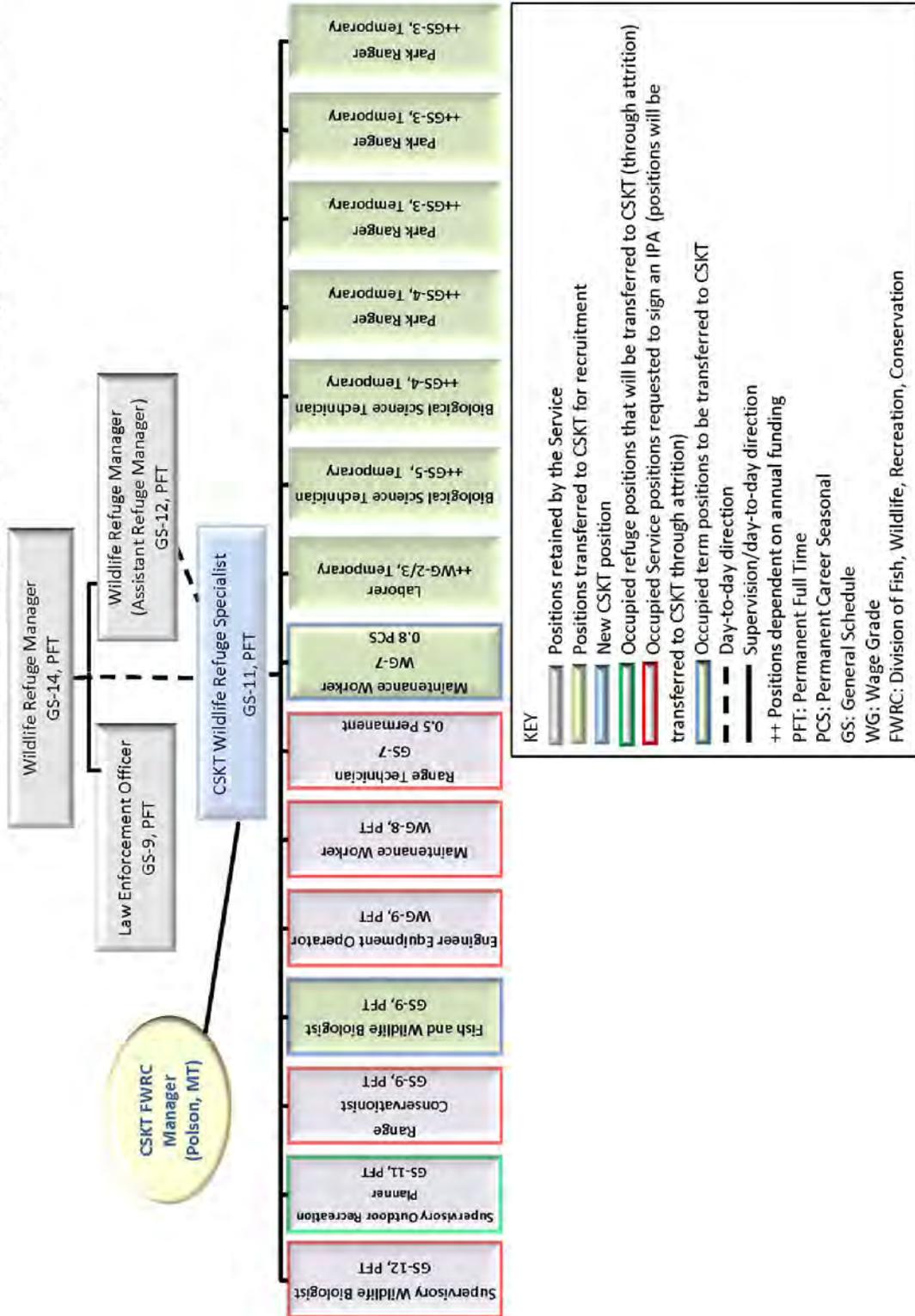


Figure 6. Organizational staff chart for alternative B, the draft AFA (proposed action).

We would give CSKT money to recruit two to six temporary seasonal employees to support all refuge complex programs during primarily spring through fall and to recruit a GS-11 (equivalent) wildlife refuge specialist. The individual occupying this new position would be supervised by the manager of FWRC, but would receive day-to-day direction from either our refuge manager or deputy refuge manager. The wildlife refuge specialist would supervise all CSKT and IPA Service staff (figure 6), directing the day-to-day work of employees and volunteers in the biology, fire, maintenance, and visitor services programs (appendix A, section 7.C). In the absence of the CSKT wildlife refuge specialist, a CSKT-designated official would provide day-to-day direction to CSKT and IPA employees and volunteers. CSKT would provide personnel support to their employees including payroll, leave, benefits, and other human resources.

TRIBAL COORDINATION

CSKT staff would be responsible for designing, implementing, and managing the biology, maintenance, and visitor services programs for the refuge complex under the direction and supervision of a CSKT GS-11-equivalent wildlife refuge specialist. This CSKT manager would interact with the Service's refuge manager and deputy refuge manager to receive day-to-day direction, determine priorities, receive guidance on procedures and policies, and address issues. This CSKT manager and the manager of the FWRC would also serve on a refuge leadership team, as described in Operations below. CSKT staff would be responsible for coordinating with other partners including the State, counties, and private landowners to distribute information about refuge programs and develop partnerships to achieve landscape level planning activities. The Tribes would continue to conduct initial attack operations for all wildfires on the refuge complex and would plan and coordinate all fire management activities, including prescribed fire used to treat invasive plants and to restore and enhance habitat.

On agreement between CSKT and us, the AFA may be amended to include construction or deferred maintenance money for work to be performed by the Tribes. The Tribes would not begin any construction covered by this AFA without the refuge manager's previous written approval of all associated design, engineering, and construction plans, specifications, and drawings. The refuge manager would be responsible for obtaining necessary approvals from our regional engineer. We would oversee each project, and CSKT would be responsible for following established guidelines, design specifications, and relevant laws including helping with any analysis required under the National Environmental Policy Act. The Tribes would return to us any money not used for a project.

BIOLOGY PROGRAM

CSKT would be responsible for designing, implementing, and managing the biology program as described in the affected program and in alternative A, including the development of all long-range management plans. All refuge plans would require review and concurrence by the refuge manager.

VISITOR SERVICES

CSKT would be responsible for designing, implementing, and managing the visitor services program as described for alternative A, including developing a visitor services plan for the refuge complex with concurrence from the refuge manager.

MAINTENANCE PROGRAM

CSKT would be responsible for designing, implementing, and managing the maintenance program as described for alternative A, including all activities related to the movement of bison between grazing units and at the annual roundup under the direction of the refuge manager.

OPERATIONS

A refuge complex leadership team would be formed to develop annual work plans, set work priorities, address performance and conduct issues, prepare periodic status reports, and resolve disputes. The leadership team would include our refuge manager and deputy refuge manager, the CSKT wildlife refuge specialist, and the manager of FWRC. The team would meet as needed to discuss management plans and address any issues. The leadership team would develop and use consensus decision making in all of its work; however, if the team were unable to reach consensus on any matter, the decision of the refuge manager would prevail. The Manager of the CSKT Division of FWRC can invoke the dispute resolution process if the Refuge Manager has decided not to accept a CSKT recommendation and, on request, has failed to provide a reasonable explanation for the decision, and the CSKT believes the refuge manager's decision is arbitrary or capricious" (appendix A, section 7.D.5).

5.4 Alternative C—AFA for Fire and Visitor Programs

We would negotiate an AFA with CSKT, different from the draft AFA in alternative B, in which the partnership would include the Tribes conducting full fire management and collaborating on all aspects of the visitor services program. All work of the refuge complex would be accomplished under the supervision, direction, and leadership of our refuge manager or deputy refuge manager and our program leaders in accordance with approved Service plans and policies.

STAFF

Besides keeping our refuge manager, deputy refuge manager, and law enforcement officer, we would retain the following staff (figure 7):

- eight permanent positions
- three temporary, seasonal positions (biology and maintenance)
- two term positions converted back to permanent positions

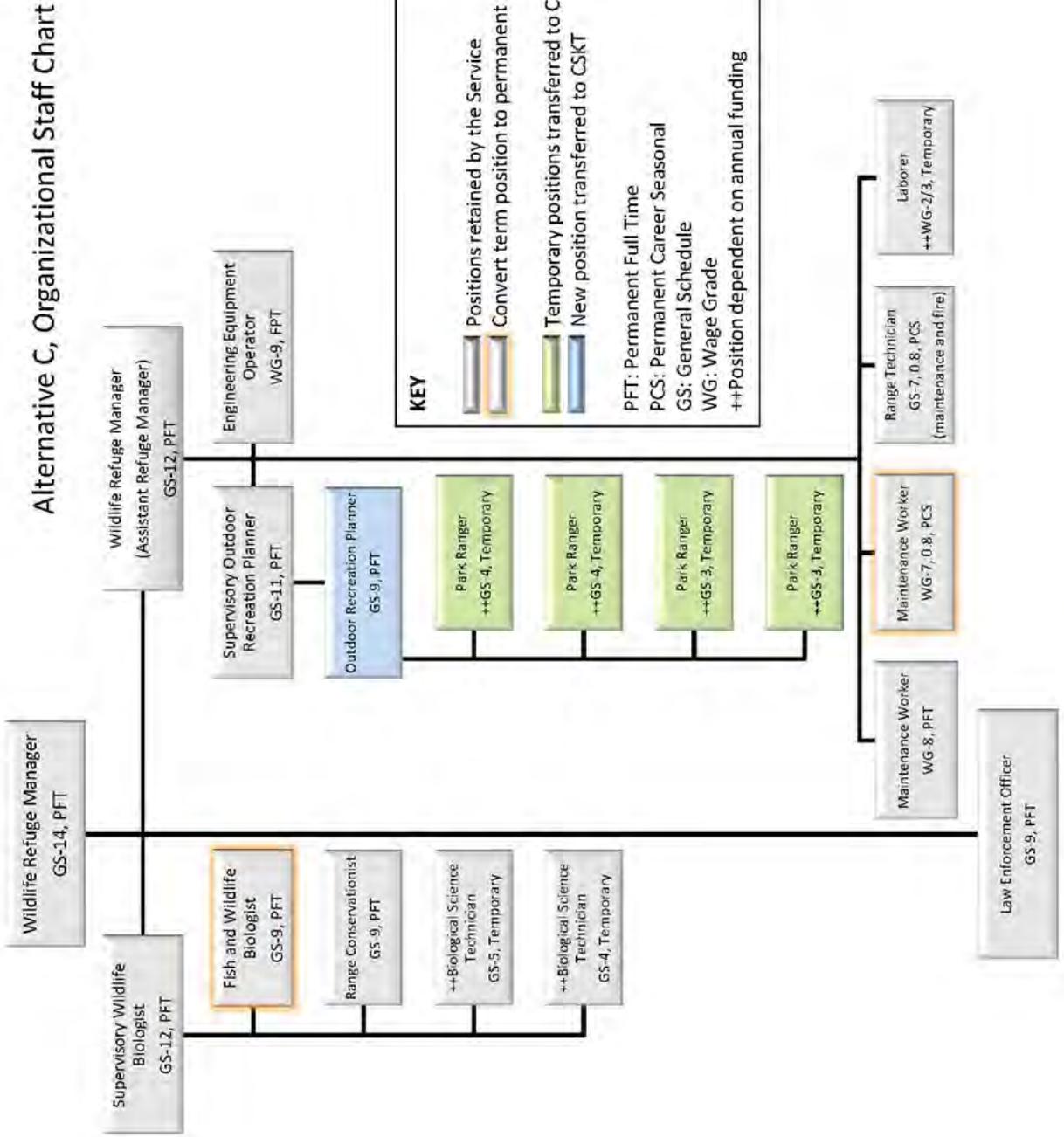


Figure 7. Organizational staff chart for alternative C, AFA for fire and visitor programs.

CSKT Fire Management Division staff would implement the fire management program. The Division (under the Tribes' Forestry Department) is responsible for wildland fire management including fire preparedness, wildfire suppression, and application of prescribed fire on the Flathead Indian Reservation. The Tribes' fire program is fully integrated into the National Interagency Fire Management Program. CSKT fire management employees are fully qualified under the National Interagency Fire Qualification System.

We would give CSKT money to recruit a GS-9 (equivalent) outdoor recreation planner and up to 4 seasonal CSKT employees for visitor services, depending on annual project funding (figure 7). The CSKT outdoor recreation planner would supervise these seasonal employees. CSKT would provide personnel support to their employees, including payroll, leave, benefits, and other human resources.

TRIBAL COORDINATION

Our coordination with the Tribes would be the same as described for alternative A, except that the Tribes would have more involvement in planning, designing, and implementing the visitor services and fire management programs, as described below.

BIOLOGY PROGRAM

The program would be the same as described for alternative A.

VISITOR SERVICES

The CSKT-recruited outdoor recreation planner would work alongside our supervisory outdoor recreation planner. They would collaborate on interpretive and education programs and displays and on providing visitors with information on the resources, management, history, and cultural significance of the refuge complex. The CSKT outdoor recreation planner would supervise the Tribes' seasonal visitor services staff responsible for orienting and interacting with refuge visitors, collecting fees for the Red Sleep Mountain Drive, operating the cooperating association sales outlet, and interpreting exhibits in the visitor center. These seasonal employees would also help develop interpretive programs and take part in public programs and events such as the annual bison roundup.

MAINTENANCE PROGRAM

The program would be the same as described for alternative A.

OPERATIONS

Actions for cultural resource protection and plan development and implementation would be the same as alternative A.

The Tribes would continue to conduct initial attack operations for all wildfires on the refuge complex, and we would coordinate all prescribed fire activities with CSKT. CSKT fire staff would continue to respond to all wildfires on the reservation, including the refuge complex. The AFA would enable, under the direction and oversight of the refuge complex biological program, the expansion of

this partnership into more habitat management programs by applying prescribed fire to enhance grasslands and control invasive plant species. As under alternative B, the AFA may be amended to include construction or deferred maintenance money for work to be performed by the Tribes.

5.5 Alternative D—AFA Same as Alternative C plus

In addition to the fire operations and visitor services programs as described in alternative C, CSKT would receive funding to recruit up to three more seasonal employees (in addition to the four seasonal visitor services staff). These added CSKT employees would support the biology and maintenance programs. Our leaders would train all CSKT staff in all programs. The long-term objective would be to transfer more of the permanent positions to CSKT through attrition and negotiation. All work on the refuge complex would be supervised and directed by our refuge manager or deputy refuge manager and our program leaders, in accordance with approved Service plans and policies.

STAFF

CSKT would be provided with more permanent positions over time as our current employees transferred or retired and CSKT-recruited seasonal employees gained the experience and knowledge necessary to fully perform the activities of permanent positions.

In addition to the refuge manager, deputy refuge manager, and law enforcement officer, the following staff would remain Service employees (figure 8):

- program leader or highest graded position in the biology program
- program leader or highest graded position in the maintenance program
- program leader or highest graded position in the visitor services program
- GS-9 fish and wildlife biologist or range conservationist
- second-highest graded maintenance worker (currently Wage Grade [WG]–8)

These eight positions could continue refuge programs and train new employees, including new CSKT staff, regardless of the status of an AFA. The current term positions (fish and wildlife biologist and maintenance worker) would be converted back to permanent. Three positions could transfer to CSKT (after vacated through transfer, retirement, or resignation) (figure 8):

- GS–9 fish and wildlife biologist or range conservationist (we would retain the other position)
- GS–7 range technician
- GS–7 maintenance worker

Alternative D, Organizational Staff Chart

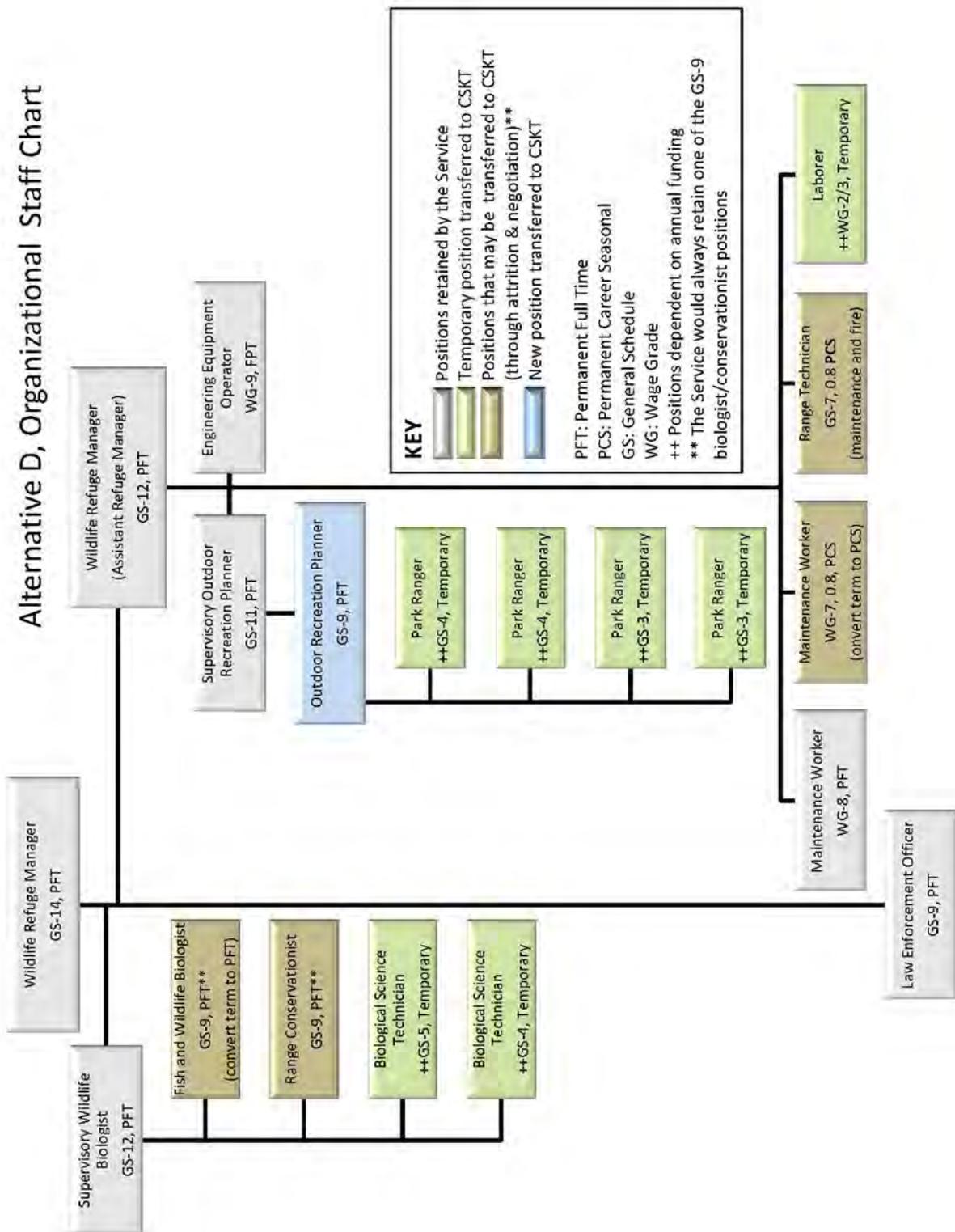


Figure 8. Organizational staff chart for alternative D, AFA same as alternative C with incremental addition of more CSKT staff.

As these employees transferred or retired, our refuge manager would renegotiate with CSKT to decide whether or not to transfer these permanent positions to CSKT. Our employees would work closely with the Tribes' seasonal staff to provide the training and experience needed to support the operations and programs of the refuge complex and to help them compete for permanent positions with us or CSKT.

As in alternative C, we would give the Tribes money to recruit a GS-9 (equivalent) outdoor recreation planner and up to four seasonal CSKT employees for visitor services (figure 8), depending on annual project funding. The CSKT outdoor recreation planner would supervise these seasonal employees. Besides the GS-9 outdoor recreation planner, initially, most of the positions provided to CSKT would be temporary and seasonal (two to seven positions depending on annual funding). These seasonal positions would be in the biology, maintenance, and visitor services programs. Our refuge manager or the three program leaders would work collaboratively with CSKT to review applications and make selections, working with both personnel and human resources offices.

TRIBAL COORDINATION

In addition to the coordination described in alternative C for the visitor services and fire management programs, the Service would provide funding to CSKT to recruit additional staff that would assist with designing and implementing the biology and maintenance programs as well. Through attrition and negotiation, CSKT may be provided additional positions that would expand their involvement in the design and implementation of refuge programs.

BIOLOGY PROGRAM

The program would be the same as described for alternative A, except CSKT would recruit up to two seasonal biological science technicians who would fully participate in developing and implementing all biological projects and programs. CSKT may be provided an additional biologist or range conservationist position that would expand their involvement in the design and implementation of the biology program.

VISITOR SERVICES

The program would be the same as described for alternative C.

MAINTENANCE PROGRAM

The program would be the same as described for alternative A, except CSKT would recruit a seasonal laborer position that would assist with maintenance operations. CSKT may be provided an additional maintenance and range technician position that would expand their involvement in the design and implementation of the maintenance program. Our maintenance employees would continue to train and lead all refuge complex staff on how to safely use horses to move bison for grazing management and annual roundup activities. They would also train and lead Service and CSKT maintenance employees in all operations needed to maintain and repair all facilities and equipment, in particular, the extensive fencing system used to contain and manage the bison herd.

OPERATIONS

These actions would be the same as alternative A: cultural resource protection and plan development and implementation.

CSKT would provide personnel support to their employees including payroll, leave, benefits, and other human resources. Although CSKT would administer performance management and employee discipline for its employees in accordance with its personnel policies, our program leaders would direct the day-to-day activities of the assigned CSKT employees, except for the four seasonal visitor services staff. The CSKT outdoor recreation planner (under the direction of our supervisory outdoor recreation planner) would supervise these seasonal visitor services staff. The refuge manager or deputy refuge manager would work with the FWRC manager to address performance and conduct issues.

As described under alternative B, the AFA may be amended to include construction or deferred maintenance money for work to be performed by the Tribes.

5.6 Alternative E—AFA Same as Alternative D plus

In addition to transferring fire and visitor services operations to CSKT, as described in alternatives C and D, this AFA would add more CSKT staff positions, expanding CSKT's involvement in management activities while adding to our management capabilities. CSKT-recruited staff would be involved in all operations on the refuge complex, particularly the management of the district (the Ninepipe and Pablo Refuges and the nine waterfowl production areas). All work of the refuge complex would be accomplished under the direction, leadership, and day-to-day direction of our refuge manager or deputy refuge manager and our program leaders in accordance with approved Service plans and policies.

STAFF

As described in alternatives C and D, the AFA would include CSKT helping with the fire management and visitor services programs and give the Tribes a new GS-9 (equivalent) outdoor recreation planner.

Although we currently coordinate some activities with CSKT for the Ninepipe and Pablo Refuges and nine waterfowl production areas in the district, historically we have managed these units exclusively with Service money and staff. Under this AFA, we would give the Tribes money to recruit two new employees (figure 9) to help with the management of the district; the manager of FWRC would supervise these employees:

- GS-11 (equivalent) wildlife refuge specialist (wetland management district manager)
- WG-6 (equivalent) maintenance worker (permanent seasonal)

Alternative E, Organizational Staff Chart

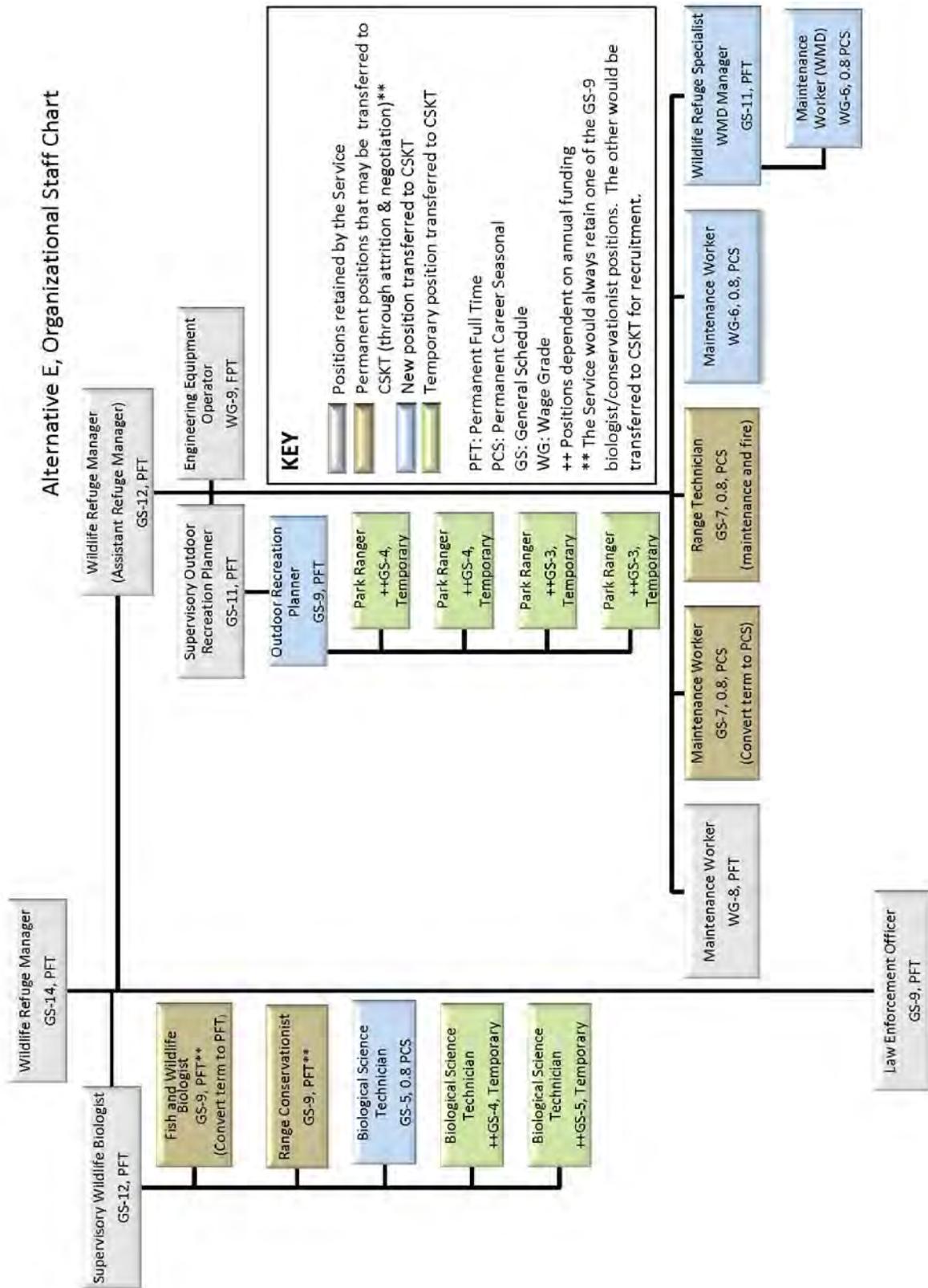


Figure 9. Organizational staff chart for alternative E, AFA same as alternative D plus district programs with combined Service and CSKT staff in all programs.

Besides the outdoor recreation planner and two positions to manage the district, we would give the Tribes money to recruit more employees to help with all refuge complex programs. Our program leaders would direct the day-to-day activities of the following CSKT employees:

- WG–6 (equivalent) maintenance worker (permanent seasonal)
- GS–5 (equivalent) biological science technician (permanent seasonal)
- GS–9 (equivalent) range conservationist to help with developing and implementing biological projects throughout the refuge complex
- an average of two to six temporary employees (depending on annual project funding) in the biology, visitor services, and maintenance programs

Our refuge manager and program leaders would be involved in the recruitment and selection of all CSKT staff, working collaboratively with both agencies' personnel or human resources offices.

Initially, we would keep nine employees, working closely with the CSKT staff to provide the training and experience needed to support the operations and programs of the refuge complex and safely manage our bison herd. Through negotiation after transfer, retirement, or resignation of our in-place employees, we may transfer up to three more positions to the Tribes (figure 9):

- a GS–9 (equivalent) fish and wildlife biologist or range conservationist
- a WG–7 (equivalent) maintenance worker
- a GS–7 (equivalent) range technician

If all positions were transferred, we would keep 7 permanent positions, and CSKT would have 9 permanent positions or up to 15 positions, including temporary staff (figure 9).

TRIBAL COORDINATION

Our coordination with the Tribes would be the same as described for alternative D, except that the Tribes would have more involvement in all of the programs throughout the refuge complex. In addition, CSKT-recruited staff would be responsible for managing the Ninepipe and Pablo Refuges and the nine waterfowl production areas in the district. All work of the refuge complex would be accomplished under the direction and leadership of our refuge manager or deputy refuge manager and our program leaders in accordance with approved Service plans and policies.

BIOLOGY PROGRAM

The program would be the same as described for alternative A. In addition, under the direction of the refuge manager, the new CSKT wildlife refuge specialist and maintenance worker would conduct maintenance and habitat management activities for the district, such as maintaining public use areas, water level manipulation, habitat restoration, and invasive plant species management. They would also

coordinate with current and future permittees for prescriptive activities such as grazing and haying on the Ninepipe and Pablo Refuges and the waterfowl production areas. Although these tribal employees would be assigned to work on the Ninepipe and Pablo Refuges and the waterfowl production areas, they would also take part in a variety of activities on the Bison Range, including bison management activities. CSKT would also recruit a GS–9 permanent range conservationist, a GS–5 permanent biological science technician, and up to two seasonal biological staff. These CSKT employees would assist with the design and implementation of all biological projects and programs on the refuge complex. Our lead biologist would direct the day-to-day activities of both the Service and CSKT biology staff.

VISITOR SERVICES

The program would be the same as described for alternative C.

MAINTENANCE PROGRAM

The program would be the same as described for alternative A, except CSKT would recruit two permanent employees and one temporary employee to support all maintenance projects and programs throughout the refuge complex. Our maintenance employees would train and lead all staff on how to safely use horses to move bison for grazing management and annual roundup activities as well as how to safely maintain and repair facilities and equipment.

OPERATIONS

Operations would be the same as described for alternative D, except for more tribal involvement in managing the district and the refuge complex. CSKT would provide personnel support to their employees including payroll, leave, benefits, and other human resources. Although CSKT would administer performance management and employee discipline for its employees in accordance with its personnel policies, our program leaders would direct the day-to-day activities of the assigned CSKT employees, except for the new district staff, who would be supervised and directed by the FWRC manager. CSKT staff would be required to follow all Service laws, policies, planning documents, and management objectives.

We would continue to help the Tribes manage the district units, providing equipment and staff time as approved by our refuge manager. We would also provide operating funds for the habitat management and maintenance programs on district units.

CSKT-recruited maintenance and biology staff would be involved in all habitat, wildlife, and maintenance programs on the refuge complex, including the management of the bison herd.

5.7 Alternatives Considered but Eliminated from

The following is a summary of the alternatives that we considered for forming a long-term partnership with CSKT but eliminated from detailed study for the reasons described below.

HIRING TRIBAL MEMBERS AS SERVICE EMPLOYEES

For this alternative, we would continue to diversify the refuge complex workforce through expanded outreach and targeted recruiting of highly qualified CSKT members to fill vacant positions through open competition. CSKT involvement would be through individual tribal members working as our employees.

We would use authorities such as the Federal Pathways Programs for students to develop, train, and hire CSKT members and other Native Americans enrolled at Salish Kootenai College in Pablo, Montana, and other accredited institutions to fill professional, technical, administrative, and skilled trade positions at the refuge complex. Many CSKT members are veterans of the U.S. Armed Forces, and a variety of veterans' hiring authorities would also be available to recruit new refuge employees.

This alternative would help us in achieving workforce diversity and would meet the purpose and needs of this action in delivering the mission of the Refuge System and fulfilling the purposes of the refuge complex. It would also provide opportunities for additional Tribal influence and contributions to refuge programs important to CSKT. Although this alternative could expand and strengthen a strong partnership between CSKT and us, it would not support the purpose and need related to self-governance for CSKT as stated in chapter 1. AFAs are the only avenue identified for implementing the Self-Governance Act with non-BIA agencies. We eliminated this alternative from further analysis.

COOPERATING THROUGH A PARTNERSHIP AGREEMENT

The Secretary of the Interior has many broad cooperative authorities in the management of fish and wildlife and their habitat. The Fish and Wildlife Act of 1956 provides the Secretary broad authority to "take such steps as may be required for the development, advancement, management, conservation, and protection of fish and wildlife resources." In addition, conservation partnerships with Tribes are allowed by Executive Order 12996 of March 25, 1996. For this alternative, we would use these authorities to transfer money to CSKT, which would provide tribal employees to perform a variety of work at the refuge complex as negotiated and set forth in a cooperative partnership agreement.

This alternative would achieve the purpose and need of expanding and strengthening a partnership between CSKT and us, furthering the mission of the Refuge System, and fulfilling the purposes of the refuge complex. This alternative would also meet our Native American Policy (FWS 1994), which lists a cooperative agreement as a viable option for supporting self-governance. However, this alternative would not meet the goals of the Self-Governance Act and its implementing regulations at 25 Code of Federal Regulations Part 1000, which call for the use of AFAs with self-governing tribes whenever possible. We eliminated this alternative from further analysis.

ASSIGNING TRIBAL EMPLOYEES TO THE SERVICE

This alternative would involve the assignment of qualified CSKT employees to fill all seasonal positions and any permanent positions at the refuge complex that are not currently encumbered by our permanent or term employees with IPAs. The IPA Mobility Program allows for the temporary assignment of employees from a tribal government to a Federal agency. To qualify for an IPA agreement, an individual must have been employed for at least 90 days in a permanent position with the tribal government (U.S. Office of Personnel Management 1997). Because CSKT would be bringing newly hired employees to these refuge complex positions, the 90-day requirement would not be met. In addition, this alternative would not support the purpose and need related to self-governance for CSKT as stated in chapter 1. AFAs are the only avenue identified for implementing the Self-Governance Act with non-BIA agencies. We eliminated this alternative from further analysis.

INCLUDING MORE THAN THE 2008 AFA

During government-to-government negotiations for the proposed action (alternative B), we and CSKT revisited the previous 2008 AFA and discussed transferring the remaining staff positions to CSKT staff. However, we agreed that the refuge manager, deputy refuge manager, and law enforcement officer, would remain with the Service. We also discussed the idea of CSKT handling other tasks, such as operational budgets (for utilities, maintenance, and biology), but these were not included in the negotiated AFA due to operational challenges in the previous AFA (section 3.6). Since both parties agreed not to add these to future AFAs, we eliminated this alternative from further analysis.

