# Appendix A

*List of Plants and Animals*

## PLANTS

| SCIENTIFIC NAME | COMMON NAME |
|---|---|
| *Populous tremuloides* | Aspen |
| *Pseudoroegneria spicata* | Bluebunch wheatgrass |
| *Bouteloua gracilis* | Blue grama |
| *Prunus virginiana* | Chokecherry |
| *Juniperus horizontalis* | Creeping juniper |
| *Pseudotsuga menziesii* | Douglas-fir |
| *Arctostaphylos uva-ursi* | Kinnikinnick |
| *Pinus flexilis* | Limber pine |
| *Hesperostipa comata* | Needle and thread |
| *Pinus ponderosa* | Ponderosa pine |
| *Cornus sericea* | Red-osier dogwood |
| *Artemisia tridentata* | Sagebrush |
| *Amelanchier alnifolia* | Saskatoon serviceberry |
| *Dasiphora fruticosa* | Shrubby cinquefoil |
| *Pascopyrum smithii* | Western wheatgrass |
| *Pinus albicaulis* | Whitebark pine |
| *Salix* spp. | Willow |
| *Rosa woodsii* | Woods' rose |

## FISH

| SCIENTIFIC NAME | COMMON NAME |
|---|---|
| *Thymallus arcticus* | Arctic grayling |
| *Phoxinus eos* | Northern redbelly dace |
| *Oncorhynchus clarki lewisi* | Westslope cutthroat trout |
| *Salvelinus confluentus* | Bull trout |

## AMPHIBIANS AND REPTILES

| SCIENTIFIC NAME | COMMON NAME |
|---|---|
| *Pseudacris maculata* | Boreal chorus frog |
| *Rana luteiventris* | Columbia spotted frog |
| *Thamnophis sirtalis* | Common garter snake |
| *Phrynosoma hernandesi* | Greater short-horned lizard |
| *Ambystoma macrodactlyum* | Long toed salamander |

| SCIENTIFIC NAME | COMMON NAME |
|---|---|
| *Rana pipiens* | Northern leopard frog |
| *Chrysemys picta* | Painted turtle |
| *Thamnophis radix* | Plains garter snake |
| *Spea bombifrons* | Plains spadefoot |
| *Thamnophis elegans* | Terrestrial garter snake |
| *Ambystoma tigrinum* | Tiger salamander |
| *Crotalus viridus* | Western rattlesnake |

## MAMMALS

| SCIENTIFIC NAME | COMMON NAME |
|---|---|
| *Ovis canadensis* | Bighorn sheep |
| *Bison bison* | Bison |
| *Ursus americanus* | Black bear |
| *Lynx rufus* | Bobcat |
| *Lynx canadensis* | Canada lynx |
| *Canis latrans* | Coyote |
| *Cervus elaphus* | Elk |
| *Canis lupus* | Gray wolf |
| *Ursus arctos horribilis* | Grizzly bear |
| *Alces alces* | Moose |
| *Oreamnos americanus* | Mountain goat |
| *Felis concolor* | Mountain lion |
| *Odocoileus hemionus* | Mule deer |
| *Martes americana* | Pine marten |
| *Antilocapra americana* | Pronghorn |
| *Vulpes velox* | Swift fox |
| *Odocoileus virginianus* | White-tailed deer |
| *Gulo gulo* | Wolverine |

## BIRDS

| SCIENTIFIC NAME | COMMON NAME |
|---|---|
| *Falco peregrinus* | American peregrine falcon |
| *Haliaeetus leucocephalus* | Bald eagle |
| *Chlidonias niger* | Black tern |
| *Dolichonyx oryzivorus* | Bobolink |
| *Athene cunicularia* | Burrowing owl |
| *Calcarius ornatus* | Chestnut-collared longspur |
| *Buteo regalis* | Ferruginous hawk |
| *Aquila chrysaetos* | Golden eagle |
| *Accipiter* spp. | Goshawk |
| *Histrionicus histrionicus* | Harlequin duck |
| *Calamospiza melanocorys* | Lark bunting |
| *Ammodramus leconteii* | Le Conte's sparrow |

| SCIENTIFIC NAME | COMMON NAME |
|---|---|
| *Melanerpes lewis* | Lewis' woodpecker |
| *Numenius americanus* | Long billed curlew |
| *Limosa fedoa* | Marbled godwit |
| *Anas acuta* | Northern pintail |
| *Charadrius melodus* | Piping plover |
| *Falco mexicanus* | Prairie falcon |
| *Podiceps grisegena* | Red-necked grebe |
| *Centrocercus urophasianus* | Sage grouse |
| *Grus canadensis* | Sandhill crane |
| *Chen caerulescens* | Snow goose |
| *Anthus spragueii* | Sprague's pipit |
| *Cygnus buccinator* | Trumpeter swan |
| *Empidonax traillii extirmus* | Willow flycatcher |

# Appendix B

*List of Endangered and Threatened Species*

## MAMMALS

| SCIENTIFIC NAME | COMMON NAME | SPECIES DESIGNATION |
|---|---|---|
| *Lynx canadensis* | Canada lynx | Threatened |
| *Canis lupus* | Gray wolf | Endangered |
| *Urus acrctos horribilis* | Grizzly bear | Threatened |

## BIRDS

| SCIENTIFIC NAME | COMMON NAME | SPECIES DESIGNATION |
|---|---|---|
| *Charadrius melodus* | Piping plover | Threatened |

*Endangered—listed in the Federal Register as being in danger of extinction.*
*Threatened—listed in the Federal Register as likely to become endangered within the foreseeable future.*

# Appendix C

*List of Preparers and Reviewers*

| *Author's Name* | *Position* | *Work Unit* |
|---|---|---|
| Kathleen Burchett | Project leader | USFWS, Benton Lake National Wildlife Refuge, Great Falls, MT |
| Mark Ely | Geographic information systems (GIS) specialist | USFWS, Region 6, Division of Refuge Planning, Lakewood, CO |
| Vanessa Fields | Wildlife biologist | USFWS, Benton Lake National Wildlife Refuge, Great Falls, MT |
| Randy Gazda | Wildlife biologist | USFWS, Benton Lake National Wildlife Refuge, Great Falls, MT |
| Toni Griffin | Refuge planner | USFWS, Region 6, Division of Refuge Planning, Lakewood, CO |
| Jim Lange | Wetland district manager | USFWS, Benton Lake National Wildlife Refuge, Great Falls, MT |
| Gary Sullivan | Realty supervisor | USFWS, Montana Acquisition Office, Great Falls, MT |
| Jason Steigert | Economist | BBC Research & Consulting, Denver, CO |

| *Reviewer's Name* | *Position* | *Work Unit* |
|---|---|---|
| Laurel Bowen | Writer-editor | TBC Solutions, Clinton, TN |
| David Lucas | Chief of planning | USFWS, Region 6, Division of Refuge Planning, Lakewood, CO |

# Appendix D

*Finding of No Significant Impact*

**U.S. Department of the Interior**
**FISH AND WILDLIFE SERVICE**
**Region 6, Denver, Colorado**

**FINDING OF NO SIGNIFICANT IMPACT**

**Rocky Mountain Front Conservation Area Expansion**
Lewis and Clark, Pondera, and Teton counties, Montana

The U.S. Fish and Wildlife Service has completed the Land Protection Plan and Environmental Assessment, Rocky Mountain Front Conservation Area Expansion. The Environmental Assessment evaluates two alternatives, including a No Action Alternative, and the subsequent environmental consequences of expanding the Rocky Mountain Front Conservation Area.

Alternative B, the preferred alternative, was selected for implementation because it best meets the Service's objective to maintain the continued presence of the large expanse of intact habitat along the Rocky Mountain Front. The Rocky Mountain Front Conservation Area expansion has been proposed to help protect the Rocky Mountain Front from being drastically changed by widespread, unplanned residential or commercial development. This proposal also would benefit the American public by protecting wildlife, water quality and open space. The following is a summary of anticipated environmental effects from implementation of the preferred alternative:

1. Expanding the Rocky Mountain Front Conservation Area would provide for the conservation of up to 125,000 acres of important habitat on private land. This project would help maintain the uniqueness of the Rocky Mountain Front region and complement other conservation efforts by The Nature Conservancy, Boone and Crockett Club, The Montana Land Reliance, Rocky Mountain Front Land Owner Advisory Council, and other state and federal agencies.

2. Conservation easements within the expanded Rocky Mountain Front Conservation Area would help alleviate habitat fragmentation issues. Maintaining key biological linkages would facilitate wildlife movement and provide for wildlife habitat requirements for species such as the grizzly bear, Canada lynx, wolverine, and gray wolf. The potential for human-wildlife conflicts would be greatly reduced.

3. Compatible agricultural practices such as livestock grazing or haying would continue, while sodbusting (breaking of native rangeland) would be prohibited. Easements would maximize the connectivity with other protected grasslands and decrease the negative impacts of habitat fragmentation on wildlife species.

4. Water resources on 125,000 acres would be protected from increased non-point source pollution from residential subdivision, commercial development, and draining of wetlands, which are prohibited under the proposed easement program. This project will help reduce the demand for potable water associated with new subdivisions and the challenges to water rights that may follow.

5. The proposed action would affect location and distribution, but not rate or density, of human population growth. Positive effects may occur from increased public wildlife viewing, and hunting opportunities. Open space also may enhance property values on adjoining lands as people begin to seek out undeveloped lands in the future.

6. The Service, within the approved project boundary, would create no additional land-use regulations. The purchase of an easement would not result in a transfer of land title, and private landowners would continue to pay property taxes. Preventing subdivision and development could decrease future tax revenues in certain market areas. However, open space could actually provide a net savings to local governments when compared to the revenues generated and costs of services associated with residential development.

7. The proposed easement program would not preclude oil and gas exploration or development on private land. Typically, conservation easements do not affect subsurface estates (oil and gas deposits) because the Service only acquires rights associated with surface ownership. In many places where the subsurface estate has been severed from surface ownership, including those in the Rocky Mountain Front, the landowner does not own the subsurface rights; this means that the easement that the Service acquires from the landowner is junior to the subsurface rights. In instances where a landowner owns both the surface and the subsurface estate, the Service would treat oil and gas development as a permitted use and provide for such development in the easement document. Easements contain reasonable surface stipulations for such actions as revegetation of disturbed areas, access, and site reclamation.

8. Wind development within the Rocky Mountain Front Conservation Area would not occur on conservation easements which reduces fragmentation within the Front from the placement of towers and associated infrastructure development. This improves wildlife corridors' integrity throughout the valley. Restricting wind towers also prevents mortality from direct strikes of towers by migratory birds and other avian wildlife species.

9. Conservation easements purchased on private tracts would not change the landowner's right to manage public access to their property. Private landowners would retain full control over their property access rights, including allowing or restricting hunting and fishing on their lands, under the proposed easement program.

10. The proposed conservation easement program would maintain the long term biological productivity of approximately 125,000 acres of grassland, riparian, forest and tundra ecosystems, including increased protection of endangered and threatened species and maintenance of biological diversity by preserving a large intact functioning system. The nation would gain the protection of species for future generations of Americans. The public would gain long term opportunities for wildlife-dependent recreational activities from the continued presence of wildlife in the Front.

As part of the public scoping process associated with this action, comments were solicited from the public through news releases and public meetings. An open house was held in Choteau, Montana May 17, 2010. Public comments were taken to identify issues to be analyzed for the proposed project. Approximately thirty landowners, citizens, and elected representatives attended the meetings, and most expressed positive support for the project. In addition, the Service's field staff has contacted local government officials, other public agencies, and conservation groups, all of which have expressed an interest in and a desire to protect the Rocky Mountain Front from the pressures brought about by rural subdivisions.

Thus, this EA has taken a hard look at the environmental impacts to inform the public and ourselves about the consequences of the proposed action. Environmental consequences will be beneficial to wildlife habitat, endangered species, migratory birds, water quality, and native fish. While the proposal

to expand the Rocky Mountain Front Conservation Area will largely preserve the current state of the natural environment and prevent degradation, there may be some reduction in energy development requiring surface occupancy, that would otherwise occur, but for the easements proposed by the Fish and Wildlife Service. Substantive conflict is not apparent over these land use issues; the vast majority of verbal and written comments received during scoping meetings and on the environmental assessment were in favor of the expansion of the Rocky Mountain Front Conservation Area through the use of voluntary conservation easements.

In determining whether this project is a major action significantly1 affecting the quality of the human environment, we looked at both the context and intensity of the action (40 CFR § 1508.27, 40 CFR § 1508.14) as required by NEPA. The project will be implemented over time dependent upon the Fish and Wildlife Service's ability to obtain the funding needed for easement acquisitions. Of the 918,000 acres of habitat within the boundary area, 125,000 acres may be entered into voluntary easements with the Service, on a strictly voluntary basis with willing sellers only.

Because the human environment is interpreted by the National Environmental Policy Act to mean the natural and physical environment and the relationship of people with that environment (40 CFR § 1508.14), in addition to our thorough analysis of physical environmental effects, we carefully assessed the manner in which the local people relate to the environment in the Rocky Mountain Front. Economic or social effects are not intended by themselves to require the preparation an environmental impact statement (40 CFR § 1508.14). The location of the proposed action is largely rural and dominated by agricultural industries, mainly ranching. The vast majorities of commentators on the Rocky Mountain Front Conservation Area project supported the proposed action indicating in various comments that it would help them to relate to their natural and physical environment in much the same way they do now-via a ranching economy. Those who are interested in pursuing other economic development opportunities, such as wind energy, will not be precluded from doing so because the proposed action involves easements acquired on a voluntary basis only.

Therefore, in consideration of the fact that the Fish and Wildlife Service's conservation easement approach has a proven track record of effectiveness and minimal controversy due to its fundamental basis of voluntary participation to accomplish mutual goals of the Service and landowners, the compelling science in support of the project, and my review and evaluation of the information contained in the supporting reference, I have determined that expanding the boundary for the Rocky Mountain Front Conservation Area is not a major federal action that would significantly affect the quality of the human environment within the meaning of Section 102(2)(C) of the National Environmental Policy Act of 1969.

The Finding of No Significant Impact (FONSI) and supporting Environmental Assessment will be available to the public. Copies of the Environmental Assessment are available for all affected landowners, agencies, private groups, and other interested parties.

The FONSI, Environmental Assessment, and other supporting documents are on file at the U.S. Fish and Wildlife Service, Refuges, Division of Planning, P.O. Box 25486-DFC, Denver, Colorado 80225. They are available for public inspection upon request.

**Supporting Reference**

U.S. Fish and Wildlife Service. 2010. *Land Protection Plan and Environmental Assessment, Rocky Mountain Front Conservation Area Expansion*, Denver, Colorado.

Regional Director, Region 6
U.S. Fish and Wildlife Service

9/24/10
Date

[1] 40 CFR § 1508.27 "Significantly" as used in NEPA requires considerations of both context and intensity: (a) Context. This means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant; and (b) Intensity. This refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action.

[2] 40 CFR § 1508.14 "Human environment" shall be interpreted comprehensively to include the natural and physical environment and the relationship of people with that environment. (See the definition of "effects" (40 CFR § 1508.8).) This means that economic or social effects are not intended by themselves to require preparation of an environmental impact statement. When an environmental impact statement is prepared and economic or social and natural or physical environmental effects are interrelated, then the environmental impact statement will discuss all of these effects on the human environment.

# Appendix E

*Environmental Action Statement*

**U.S. Fish and Wildlife Service**
**Region 6**
**Denver, Colorado**

**ENVIRONMENTAL ACTION STATEMENT**

Within the spirit and intent of the Council on Environmental Quality's regulations for implementing the National Environmental Policy Act (NEPA) and other statutes, orders, and policies that protect fish and wildlife resources, I have established the following administrative record and have determined that the action of expanding the executive boundary of the Rocky Mountain Front Conservation Area:

_ is a categorical exclusion as provided by 516 DM 2, Appendices 1 and 2, and 516 DM 6, Appendix 1. No further documentation will be made.
X is found not to have significant environmental effects as determined by the attached Finding of No Significant Impact and Environmental Assessment.
_ is found to have special environmental conditions as described in the attached environmental assessment. The attached Finding of No Significant Impact will not be final nor any actions taken pending a 30-day period for public review [40CFR 1501.4(e)(2)].
_ is found to have significant effects and, therefore, a notice of intent will be published in the *Federal Register* to prepare an environmental impact statement before the project is considered further.
_ is denied because of environmental damage, Service policy, or mandate.
_ is an emergency situation. Only those actions necessary to control the immediate impacts of the emergency will be taken. Other related actions remain subject to NEPA review.

Other supporting document:
*Draft Environmental Assessment and Land Protection Plan, Rocky Mountain Front Conservation Area Expansion*

Richard A Coleman — 9/24/10
Assistant Regional Director — Date
National Wildlife Refuge System, Region 6

Stephen A Guertin — 9/24/10
Regional Director, Region 6 — Date
U.S. Fish and Wildlife Service

# Appendix F

*Environmental Compliance Certificate*

**U.S. FISH AND WILDLIFE SERVICE, REGION 6**
**ENVIRONMENTAL COMPLIANCE CERTIFICATE**

PROJECT: Rocky Mountain Front Conservation Area Expansion
STATE: Montana

| ACTION (indicate if not applicable) | DATE |
|---|---|
| NEPA (NATIONAL ENVIRONMENTAL POLICY ACT)(INDICATE ONE) | |
| Categorical Exclusion | N/A |
| Environmental Assessment/Finding of No Significant Impact | 9/24/10 |
| Environmental Impact Statement/Record of Decision | N/A |
| Executive Order 11593, Protection of Historical, Archaeological, and Scientific Properties | 8/31/10 |
| Executive Order 11988, Floodplain Management | 8/31/10 |
| Executive Order 11990, Protection of Wetlands | 8/31/10 |
| Executive Order 12372, Intergovernmental Review of Federal Programs | 8/31/10 |
| Executive Order 12898, Federal Actions to Address Environmental Justice in Minority and Low-Income Populations | 8/31/10 |
| Executive Order 12996, Management and General Public Use of the National Wildlife Refuge System | 8/31/10 |
| Endangered Species Act, Section 7 | 9/07/10 |
| Coastal Zone Management Act, Section 307 | N/A |
| Uniform Relocation Assistance and Real Property Acquisition Policies Act | N/A |
| Level I Contaminants and Hazardous Waste (Secretarial Order 3127: 602DM2) | 8/31/10 |

I hereby certify that all requirements of the law, rules, and Service regulations or policies applicable to planning for the above project have met with compliance. I approve the expansion of the executive boundary for the Rocky Mountain Front Conservation Area to be administered and managed as part of the National Wildlife Refuge System.

Regional Director, Region 6
U.S. Fish and Wildlife Service

9/24/10
Date

## STATEMENT OF COMPLIANCE

The following Executive Orders and legislative acts have been reviewed as they apply to the expansion of the executive boundary of the Rocky Mountain Front Conservation Area:

1. **Executive Order 11593. Protection of Historical, Archaeological, and Scientific Properties.** The regional archaeologist determined that the acquisition of easements within the Rocky Mountain Front Conservation Area Expansion is not an undertaking under section 106 of the National Historic Preservation Act. In fact, the project has the potential to protect cultural resources. If, in the future, the Service grants a special permit for the landowner under the easement, section 106 may be relevant at that time. If so, the Service will take the necessary steps to address any historical or archaeological issues.

2. **Executive Order 11988. Floodplain Management**. No structures that could be damaged by or that would significantly influence the movement of floodwater are planned for construction by the Fish and Wildlife Service on easements acquired as part of this project.

3. **Executive Order 11990. Protection of Wetlands.** This action is consistent with protection of existing wetland resources from incompatible activities and thereby complies with this executive order.

4. **Executive Order 12372. Intergovernmental Review.** The Service has discussed the proposal to expand the Rocky Mountain Front Conservation Area with landowners; conservation organizations; other federal agencies; state, and county commissioners; and other interested groups and individuals.

   At the federal level, the Service staff has briefed Senators Baucus and Tester, as well as the congressional delegation, and coordinated with representatives from other federal agencies such as the Bureau of Land Management and the U.S. Forest Service. At the state level, Governor Schweitzer's staff, along with the Montana Fish, Wildlife and Parks was briefed on the project. In addition, the Service provided information to the Blackfeet Tribe on this project.

5. **Executive Order 12898. Federal Actions to Address Environmental Justice in Minority and Low-Income Populations.** Expanding the Rocky Mountain Front Conservation Area will not have a disproportionately high or adverse human health or environmental effect on minority or low-income populations. Therefore, this action complies with this Executive Order.

6. **Executive Order 12996. Management and General Public Use of the National Wildlife Refuge System**. The public has been invited to participate in the planning process and has been very engaged. The Service held a public open house to seek input from the public regarding the proposed expansion of the conservation easement program, and to identify the issues that needed to be addressed in the planning process. Approximately nineteen written comments have been received from the public. The public's issues and comments have been incorporated into the Environmental Assessment and a copy of the final document will be sent to all interested landowners, agencies, private groups, and other parties. Since this project will strictly be easement acquisition, the Service will not manage or have control

over public access to the protected lands. This right will remain with the private landowner and therefore a compatibility determination is not needed for this project.

7. **Endangered Species Act, section 7.** An internal section 7 consultation concluded the proposed action would have a 'May affect, but is not likely to adversely affect species/modify critical habitat' on listed species within the acquisition project area.

8. **Coastal Zone Management Act**. Due to the location of the project area, compliance of this Act was determined to be not applicable.

9. **Uniform Relocation Assistance and Real Property Acquisition Policies Act.** Since the Service will not be acquiring any land within the project area in fee-title, no relocation assistance will be needed and no real property acquisition will occur.

10. **Secretarial Order 3127. Contaminants and Hazardous Waste**. A Level 1 pre-acquisition contaminant survey will be completed prior to the purchase of any easement.

I hereby certify that the Service has complied with all requirements of law, rules, or regulations applicable to pre-acquisition planning for the above project. I approve the expansion of the executive boundary of the Rocky Mountain Front Conservation Area and the subsequent acquisition of up to 125,000 acres of easements from willing sellers:

Regional Director, Region 6
U.S. Fish and Wildlife Service

9/24/10
Date

# Appendix G

*Section 7 Biological Evaluation*

**INTRA-SERVICE ENDANGERED SPECIES ACT SECTION 7 EVALUATION FORM**

**Originating Persons**: Kathleen A. Burchett, Project Leader,
Benton Lake National Wildlife Refuge Complex and Toni Griffin,
Refuges, Division of Planning, Denver Regional Office

**Telephone Number:** 406/727-7400

**Date:** 8/27/10

**I. Region:** Region 6

**II. Service Activity**: Establishment of the expansion of the Rocky Mountain Front Conservation Area

**III. Pertinent Species and Habitat**

**A. Listed species and/or their critical habitat within the Conservation Area:**

| | | |
|---|---|---|
| ***LEWIS AND CLARK COUNTY*** | | |
| Gray Wolf | *Canis lupus* | E |
| Grizzly Bear | *Ursus arctos horribilis* | T |
| Canada Lynx | *Lynx canadensis* | T |
| ***PONDERA COUNTY*** | | |
| Gray Wolf | *Canis lupus* | E |
| Piping Plover | *Charadrius melodus* | T |
| Grizzly Bear | *Ursus arctos horribilis* | T |
| Canada Lynx | *Lynx canadensis* | T |
| **TETON COUNTY** | | |
| Gray Wolf | *Canis lupus* | E |
| Grizzly Bear | *Ursus arctos horribilis* | T |
| Canada Lynx | *Lynx canadensis* | T |

C - Candidate
T - Threatened
E - Endangered

**B. Proposed species and/or their proposed critical habitat within the county / action area:**
Mountain plover (*Charadrius montanus*) is listed as proposed threatened species in Lewis and Clark, Pondera, and Teton counties.

**C. Candidate species within the county / action area:**
None.

## IV. Geographic Area/Action

This Intra Section 7 covers the expansion of the Rocky Mountain Front Conservation Area in portions of 3 counties in Montana; Lewis and Clark, Pondera, and Teton counties.

## V. Location

The proposed boundary expansion (see attached map):

- State of Montana

  **A.** Counties: Lewis and Clark, Pondera, Teton.

- Description of extent of boundary for the conservation area:

The proposed boundary for the Rocky Mountain Front Conservation Area encompasses a project area totaling approximately 918,000 acres along the eastern edge of the Crown of the Continent ecosystem, and is centered 65 miles northwest of Great Falls, Montana. Lying in the shadow of the rugged Continental Divide, Bob Marshall Wilderness Area, and Lewis and Clark National Forest marks its western boundary. The 1.5 million-acre Blackfeet Indian Reservation borders the project to the north and the eastern boundary is dictated by the distribution of fescue grasslands and critical riparian areas. The southern boundary falls approximately along the watershed of the South Fork of the Dearborn River.

## VI. Description of the Proposed Action

The Rocky Mountain Front Conservation Area was approved as a unit of the National Wildlife Refuge System in 2005 and is a landscape conservation strategy to protect a unique, highly diverse and largely unfragmented ecosystem in north central Montana. This proposal involves acquisition of an additional 125,000 acres of conservation easements within an expanded project boundary encompassing approximately 918,000 acres. No land will be purchases in fee-title under this project.

The Service is proposing to expand the Rocky Mountain Front Conservation Area in order to protect important wildlife habitat, and key migration corridors for federal trust species such as the grizzly bear, gray wolf, wolverine, and Canada lynx; migratory birds such as harlequin ducks, red-necked grebes, black tern, peregrine falcons, greater sandhill cranes, and trumpeter swans; and westslope cutthroat trout.

## VII. Determination of Effects

At the federal level, four species are listed as threatened and endangered, including the grizzly bear, Canada lynx, piping plover and gray wolf. Bull trout are known to exist in Lewis and Clark County; however, outside the boundary of the Conservation Area; west of the Continental Divide. In addition, the piping plover is listed as a proposed species for threatened status.

The proposed expansion of the Rocky Mountain Front Conservation Area will have a beneficial effect on species listed in Section III. One of the purposes for the expansion of the Rocky Mountain Front Conservation Area is to support the recovery and protection of threatened and endangered species, and to reduce the likelihood of future listings under the Endangered Species Act.

Expanding the Rocky Mountain Front Conservation Area would provide for an increase in conservation protection on up to 125,000 acres of important habitat on private land. This program would help maintain the uniqueness of the Rocky Mountain Front and complement conservation efforts of the Montana Department of Fish, Wildlife and Parks, The Nature Conservancy, Boone and Crockett Club, Montana Land Reliance, and other federal and state agencies.

The fact that the Front remains biologically and ecologically intact is a tribute to the area's ranchers and residents, who have long recognized what this unique and important landscape represents for ranching and wildlife. The project aims to ensure habitat for wildlife (particularly wetlands and grasslands) remains intact in perpetuity and, by doing so, strengthens the ranching heritage of the Rocky Mountain Front.

Conservation easements along the Rocky Mountain Front would help alleviate habitat fragmentation issues. Key biological linkages would facilitate wildlife movement and provide for wildlife habitat requirements including Canada lynx, gray wolf, and grizzly bears. The potential for human-wildlife conflicts would be greatly reduced.

Compatible agricultural practices such as livestock grazing or haying would continue, while sodbusting (breaking of native rangeland) would be prohibited. Easements would maximize the connectivity with other protected grasslands and decrease the negative impacts of habitat fragmentation on grassland birds.

Water resources on 125,000 acres would be protected from increased non-point source pollution from residential subdivision, commercial development, and draining of wetlands, all of which are prohibited under the proposed easement program. Protection of wetlands would support conservation efforts for piping plovers and mountain plovers. Conservation easements also focus protection along riparian corridors which are critical for wildlife including grizzly bears and aquatic resources such as westslope cutthroat trout.

Lying adjacent to Bob Marshall Wilderness Area, the diverse habitats of the Front play a critical role in sustaining the Northern Continental Divide's free-ranging wildlife populations. It is the last remaining area in the continental United States with an intact assemblage of large mammalian carnivores, and it is the only place in the world where grizzly bears still roam from the mountains onto the prairies as they did nearly 200 years ago. An estimated 100–150 bears

frequent the project area, which is included in much of the recovery plan for the Northern Continental Divide grizzly bear population. Several gray wolf packs have established home ranges in the Front. The Front also supports one of the largest populations of wolverine and lynx in the lower forty-eight states.

Protecting these private lands from habitat fragmentation is a critical step that will ultimately assist in the recovery and protection of many threatened and endangered species utilizing the Front. Conserving native land cover is an important component of maintaining ecosystem structure and function. Under the proposed action, native forest habitats would remain intact, continuing to provide ecosystem goods and services to landowners and local communities. Ecosystem services include: soil erosion control, water supply, biodiversity, and carbon sequestration.

## VIII. Effects Determination and Response Requested

### A. *Listed Species / designed critical habitat*

| | |
|---|---|
| No Effect / no adverse modification | X Concurrence |
| May affect, but is not likely to adversely affect species / modify critical habitat | X Concurrence |
| May affect, and is likely to adversely affect species / modify critical habitat | _____Formal Consultation |

### B. *Proposed Species / proposed critical habitat*

| | |
|---|---|
| No effect on proposed species / no adverse modification of proposed critical habitat (species: mountain plover) | X Concurrence |
| Is likely to jeopardize proposed species or adversely modify proposed critical habitat (species: mountain plover) | _____Concurrence |

Kathleen A. Burchett

Kathleen A. Burchett, Project Leader
Benton Lake National Wildlife Refuge Complex
National Wildlife Refuge System
Region 6

## IX. Reviewing ESO Evaluation

X Concurrence

_____Non-Concurrence

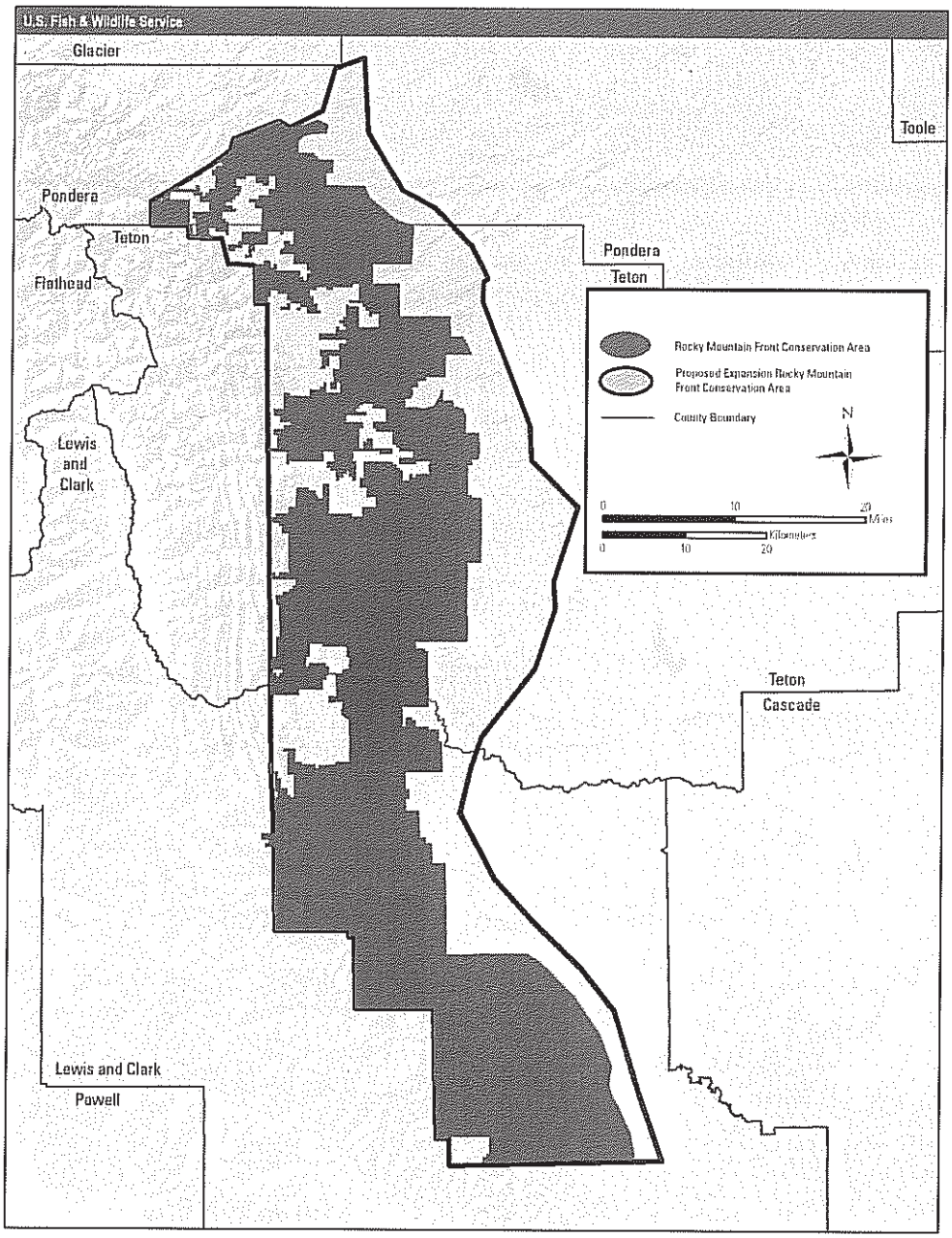
_____Formal Consultation Required

_____Conference Required

_____Informal Conference Required

R. Mark Wilson 9-7-10

Mark Wilson, Field Supervisor
Ecological Services Montana Field Office
Region 6


U.S. Fish & Wildlife Service
Glacier
Toole
Pondera
Teton
Flathead
Pondera
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Lewis and Clark
Teton
Cascade
Lewis and Clark
Powell
Rocky Mountain Front Conservation Area
Proposed Expansion Rocky Mountain Front Conservation Area
County Boundary
N
0
10
20
Miles
Kilometers
0
10
20

# Appendix H

*Director's Approval to Expand the Rocky Mountain Front Conservation Area*

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Mountain-Prairie Region

IN REPLY REFER TO:

MAILING ADDRESS:
P.O. Box 25486, DFC
Denver, Colorado 80225-0486

STREET LOCATION:
134 Union Boulevard
Lakewood, Colorado 80228-1807

SEP 27 2010

Memorandum

To: Director

From: Regional Director, Region 6

Subject: Transmittal of Decision Document—Crown of the Continent: Expanding the Blackfoot Valley Wildlife Management Area and the Rocky Mountain Front Conservation Area

The Decision Documents to expand the Blackfoot Valley Wildlife Management Area and the Rocky Mountain Front Conservation Area, in Montana have been approved. With the approval of these projects, the Service, in cooperation with our partners, will be able to conserve up to 205,000 acres of native habitat.

In order to strategically conserve habitat within the Blackfoot Valley, the Service focused on the threatened grizzly bear, bull trout, and Canada lynx. High priority grizzly bear habitat was identified using expert knowledge of current bear linkages and priority lynx habitat was identified using a spatially explicit model developed by the U.S. Forest Service. For the bull trout, critical habitat has been designated and explicitly mapped in each recovery unit (RU) by the Service. There are approximately 365,000 acres of unprotected private land and 75,000 acres of commercial timber company land in the Blackfoot Valley WMA. With the current levels of development and fragmentation within Blackfoot Valley, bull trout populations appear to be increasing while the pressure of human-cause mortality on grizzly bears for the Northern Continental Divide Ecosystem (NCDE) population is higher than acceptable for recovery. Conservation easements provide an opportunity to prevent further development and fragmentation that might reduce or reverse the positive trends in bull trout populations or increase human-grizzly interactions, putting further negative pressure on the NCDE population. Given that conserving all remaining private land with easements to prevent additional development is not a reasonable or desired goal, the Service has set a goal to protect 80,000 additional acres of existing private lands. Long-term monitoring of grizzly bears, lynx, and bull trout will be conducted and the acreage goal and acquisition priority will be periodically reevaluated, as additional scientific information is obtained collaboratively with Service partners and the Great Northern Landscape Conservation Cooperative.

In order to strategically conserve habitat within the expanded Rocky Mountain Front Conservation Area, the Service selected the grizzly bear as a key focal species. Focusing on grizzly bears is likely to capture the habitat needs of several of the other key trust species. High priority grizzly bear habitat along the Front was identified using a spatially-explicit model developed by a multi-agency working group. Currently, grizzly bear populations appear stable; however, the pressure of human-caused mortality on grizzly bears is higher than acceptable for recovery across the NCDC. How much more fragmentation or development could occur without

affecting population stability or significantly affecting grizzly bear mortality is unknown. Given that preventing development on all of the remaining 600,000 acres of unencumbered private land along the Front is not a reasonable or desired goal, the Service has set a goal to protect 125,000 additional acres of private land with conservation easements. Long-term monitoring of grizzly bears will be conducted and the total conservation goal of 295,000 acres and acquisition priority will be periodically re-evaluated, as additional scientific information is obtained collaboratively with Service partners and the Great Northern Landscape Conservation Cooperative.

Attached are the following documents, in accordance with land acquisition planning requirements, submitted for the Director's concurrence.

1. Environmental Assessment
2. Environmental Compliance Certificate
3. Environmental Action Statement
4. Finding of No Significant Impact
5. Land Protection Plan
6. Realty Feasibility Report

An Engineering Assessment was not completed, because these projects involve only conservation easements; and, therefore, no fee-title interests will be acquired and no structures will be built by the Service on any land acquired through this project. A Conceptual Management Plan was not completed, because daily management rights and responsibilities will remain with the private landowners. The only Service management responsibility will be annual monitoring for compliance with the terms of the easements.

X Concurrence

___Non-concurrence

Gregory E Siekaniec
Acting Deputy Director, U.S. Fish and Wildlife Service

5 January 2011
Date

Attachments

# United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240

In Reply Refer To:
FWS/ANRS-NRCP/046481

FEB 1 2011

Memorandum

To: Regional Director, Region 6

From: Deputy Director

Subject: Approval to Proceed with Publication and Distribution of the Final Planning Documents for the Expansion of Rocky Mountain Front Conservation Area and Blackfoot Valley Wildlife Management Area

I concur with the September 27, 2010, request by the Regional Director, Region 6, and authorize the expansion of these units of the National Wildlife Refuge System.

Congratulations on a thorough job with the Environmental Assessment and FONSI for these two units of the System. I am extremely excited about landscape projects such as this that strive to protect large areas for the conservation of fish and wildlife species.

You have proposed two expanded acquisition projects that define the principles of Strategic Habitat Conservation. Prior to land acquisition pursuant to the Land Protection Plan please link your priority areas to spatially explicit data. As these data become available, please assure that priority tracts are pursued that will provide measurable outcomes related to biological goals identified in the Environmental Assessment and Land Protection Plan.

TAKE PRIDE® IN AMERICA

# Appendix I

*Public Involvement*

Public involvement was initiated for the proposed expansion of the conservation easement project in the Rocky Mountain Front (Front) Conservation Area in May 2010. A media contact list was compiled and news releases and factsheets were developed and distributed to media outlets, local organizations, elected officials, and interested parties. The news releases and factsheets described the proposed expansion of the conservation easement project, and announced an open house to gather input from the public. Personal outreach efforts were made with county commissioners and other persons of interest.

Scoping was conducted during a public open house on May 17, 2010; 4–7 p.m. at the Stage Stop Inn, 1005 N. Main Avenue, in Choteau, Montana. The purpose of scoping was to seek input from the public regarding the proposed expansion of the conservation easement project, and to identify the issues that needed to be addressed during the planning process. Approximately thirty people attended the open house. Fourteen individuals, four agencies, and two organizations provided written comments during the scoping period. Comments identified biological, social, and economic concerns regarding the proposed expansion of the conservation easement project. The issues raised and comments received helped the planning team to develop the alternatives presented in the draft environmental assessment (EA) and land protection plan (LPP). Key issues are described in Chapter 1 of the draft EA and LPP, under "Issues Identified and Selected for Analysis."

The draft EA/LPP was presented to the public on July 26, 2010 for a 30-day comment period. Five written comments were received during the comment period on the draft environmental assessment and land protection plan.

## PUBLIC COMMENTS

The following issues, concerns, and comments are a compilation of those expressed during public scoping, and the July–August 2010 comment period for the draft environmental assessment and land protection plan. Comments were provided by local and county governments, state agencies, private organizations, and individuals concerned about the natural resources of the Rocky Mountain Front. Comments were received verbally at meetings, via email, and in writing.

The refuge staff recognizes and appreciates all input received from the public. To address this input, several clarifications and some changes are reflected in the final EA and LPP.

The issues, comments and concerns are presented as received, followed by responses from the U.S. Fish and Wildlife Service (Service). Comments about editorial and presentation corrections were addressed in the production of the final EA and LPP, and are not detailed here.

**Comment 1.** *I am writing in support of the US Fish & Wildlife Service proposal to use Land and Water Conservation money to purchase easements in 3 areas of Montana, the Blackfoot Valley, Rocky Mountain Front and Swan Valley.*

*During the last 40 years I have recreated in each of the areas in question and I value the relatively uncluttered space there greatly. What better way to spend tax dollars than to preserve a landscape that can be enjoyed by everyone in perpetuity.*

*I would like to continue hunting, fishing, camping and sightseeing in these areas. By purchasing these easements, we can keep the private lands a viable source of income for the owners and at the same time keep the landscape unchanged for visitors like me.*

**Response 1.** Thank you for your comments. The goals of the conservation easement projects are to protect fish and wildlife resources while concurrently maintaining the rural character of the area. Implementation of the expansion will support your values of preserving a landscape in perpetuity, keep private lands a viable source of income for the owners, and keep the landscape relatively unchanged for visitors to the Front.

**Comment 2.** *As landowners on the Rocky Mountain Front, with a conservation easement in place, we are fully in support of the proposed expansion by the USFWS [U.S. Fish and Wildlife Service] of its project boundary to acquire conservation easements. We understand this expansion would give the Montana staff the authority to acquire an additional 125,000 acres of easements from willing sellers within the project area.*

*Our conservation easement has given us the assurance that some very rich wildlife habitat can be safeguarded alongside a viable ranching operation.*

*In the past month, we've had a pair of two-year-old grizzly bears walk through our barnyard and had several gray wolf sightings, not to mention the multiple beaver dams, sandhill cranes, and long-billed curlew. While much of the nation seems to be losing its biological diversity, the Rocky Mountain Front's is flourishing. But it will need wide open spaces to assure that a growing human population doesn't present obstacles and conflicts.*

*The beauty of conservation easements is that they allow for economic return for the land, while preventing the threats that compromise natural diversity.*

*We support any proposal to expand conservation easement focus areas in Montana.*

**Response 2.** Thank you for your comments. The goals of the conservation easement expansion project are to protect fish and wildlife resources while concurrently maintaining the rural character of the area. Implementation of the expansion will support your values of preserving a landscape in perpetuity, keeping private lands a viable source of income for the owners, and keeping the landscape relatively unchanged.

**Comment 3.** *I would like to lend our families' support for the expanded easement zone along the Front which you can certainly reference on May 17th as helpful. We have been ranching for 2 ½ decades (relative newcomers in that country) on more than 25,000 deeded acres plus many tens of thousands more USFS [U.S. Forest Service] and state lands, and all the members of our family support voluntary conservation easements as a practical way to maintain traditional agricultural uses while benefitting the globally significant wildlife resources of the Front. The way the Front lays, we feel it is very practical to extend the boundary of the focus zone to the east making 287 the general boundary. Please keep up the voluntary, cooperative approach to conservation along the Front.*

**Response 3.** Thank you for your comments. The Service agrees that establishing the eastern boundary at Highway 287 is a practical solution. The Service will continue to maintain the easement project on a voluntary willing-seller basis.

**Comment 4.** *I'm 100% in favor of USF&W [U.S. Fish and Wildlife Service] conservation easement program. The terms are simple and easy to live with. It's hard to believe that I get paid to do what I would do anyway and it will last long after I'm gone. I'm looking forward to doing another easement with you this summer/fall.*

**Response 4.** Thank you for your comments.

**Comment 5.** *I am writing in response to your article published in the Seeley Swan Pathfinder of August 5, 2010. I am totally opposed to the government tying up any more land under conservation easements for a number of reasons. First, it is well known that most parcels of land that are presently under conservation easement by one of the several groups that facilitate them has been greatly ignored and is very mismanaged and the level of production has been diminished significantly. When the government is controlling anything, there are substantial cost over runs and the care taken is minimal at best. What has happened to the American dream of private ownership of the land and the dedication of the owners to be the best land stewards possible? I am in a position to be a victim of the US Fish and Wildlife Service in two areas. We have a family ranch on the east front of the Rocky Mountains and also have land in the Swan Valley. I would like to respectfully request that you do NOT attempt to occupy these lands and turn them into government run disaster areas where there is no local involvement other than the vocal special interest environmental groups that have nothing to lose if some citizen chooses to give up their rights to property.*

**Response 5.** The Service respects private property rights and, as such, will acquire conservation easements only from willing sellers. Landowner's choice whether or not to participate in the project is a tangible example of respect for personal property rights.

The easement project endorses best management practices. Ranchers currently on the landscape successfully manage their areas to ensure economic viability. The Service does not endorse management practices that degrade resources or production. Cattlemen are successful at determining their land's carrying capacity and being good stewards of their land which includes determining the number of cattle to graze. The Service does not control their economic production. We do restrict draining wetlands, development for residential and commercial operations, and conversion of native grasslands. The lands with conservation easements remain in private ownership and are maintained by the private landowner. The Service provides management suggestions at the landowner's request. The Service works with local individuals, community groups, county commissioners, as well as special interest conservation groups.

**Comment 6.** *Economic impacts to cities, towns and county should be considered in a project area of this size and magnitude.*

**Response 6.** The Service is very sensitive to the needs of communities to remain economically healthy. We engage the communities to ensure this by such actions as: coordinating with local communities to establish buffer zones as requested, maintaining the land in private ownership so as to not affect tax rolls, and meeting with county commissioners and community planning boards.

**Comment 7**. *Easement program is a great deal.*

**Response 7.** Thank you for your comment. The Service shares this opinion.

**Comment 8.** *Extend [conservation area] to Highway 89.*

**Response 8.** We concur that is the boundary of the expansion.

**Comment 9.** *I am really pleased about this conservation area expansion. It is good for our rural economy and good for the environment.*

**Response 9.** Thank you for your comment. See response 2.

**Comment 10.** *Conservation easements provide a win-win for the ranchers, the landscape and wildlife. The Front's value will grow exponentially if we can all preserve its character without degrading its qualities.*

**Response 10.** Thank you for your comments. See response 2.

**Comment 11.** *I appreciate this open forum meeting today Monday May 17th. The time 4pm to 7pm is good for people who come to the meeting straight from work. I also appreciate the number of staff from Fish and Wildlife Service present at this meeting.*

**Response 11.** Thank you for your comments. The determination of where, when, and which Service personnel were to attend, was to provide the greatest opportunity for public inclusiveness. We are happy to have met your needs.

**Comment 12.** *Support expansion of [conservation] area to Hwy 89/287.*

**Response 12.** That is the boundary of the proposed expansion.

**Comment 13.** *Expand the easement area east to Highway 89.*

**Response 13.** See response 12.

**Comment 14.** *Consider riparian corridors, [they are] very important for wildlife.*

**Response 14.** The Service does consider riparian corridors as priority focus areas. As stated they are extremely critical as wildlife linkage zones and foraging areas.

**Comment 15**. *Consider going further north (near Browning) and maybe further east.*

**Response 15**. At this time, the Service believes it can meet its conservation goals and objectives with the proposed expansion. Meeting the proposed acquisition goals is estimated to take 15 or more years to accomplish. If accomplishment of objectives occurs earlier than expected, and sound biological justification exists, we could revisit our boundary delineation.

## AGENCY AND ORGANIZATION COMMENTS

Agency and organization comments include the original letter received and our responses.

**Comment 16.** *I will be unable to attend the upcoming meetings regarding easements. I do want to express my support for the easement expansion along the Front and in the Blackfoot. I also support establishment of an easement program in the Seeley/Swan region. As you know, there are significant amounts of state trust land in all the areas which we manage in cooperation with neighboring landowners. Maintaining these working lands for habitat and open space as well as livestock and timber productivity is critical for the state and local communities.*

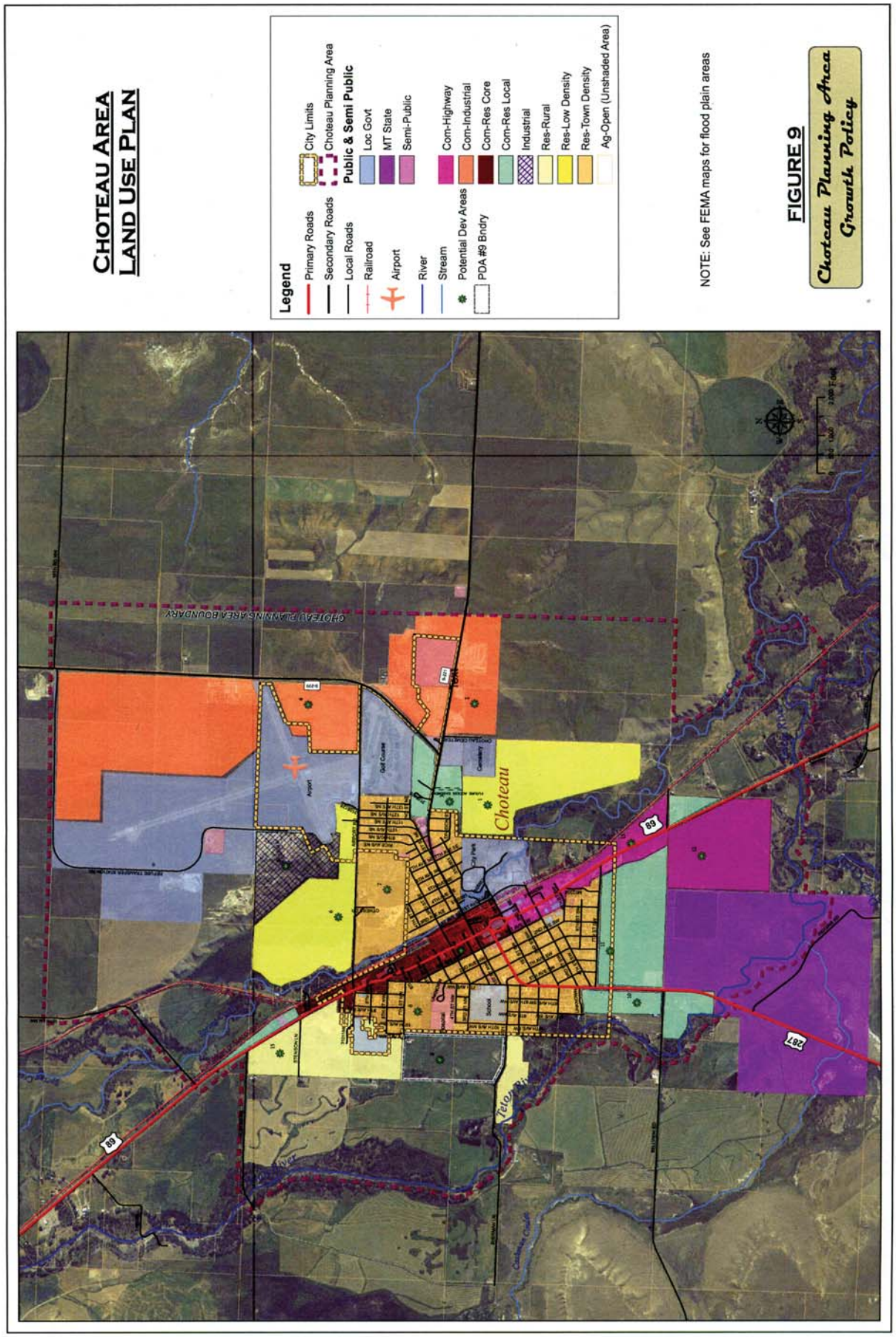
*Thank you for this opportunity to support conservation easements as a vital tool for maintaining working lands in these important areas of Montana.*

*Mary Sexton, Director*
*DNRC*
*[State of Montana, Department of Natural Resources and Conservation]*

**Response 16.** Thank you for your comments. The Service will continue to maintain close communications and implement collaborative conservation efforts with the Montana Department of Natural Resources Conservation in the future.

**Comment 17.** *[from City of Choteau] Good presentation last night. Here's our map… with the purple dotted line showing the planning area around Choteau. Keep up the good work.*

**Response 17.** Thank you for your comments. The Service recognizes the need to work with local communities within the Rocky Mountain Front Conservation Area to ensure their ability to grow. We will adopt the "Choteau Area Land Use Plan" to include a no-easement buffer within the "Choteau Planning Area" (see figure 6 in chapter 4 of the "Rocky Mountain Front Conservation Area Expansion Land Protection Plan"). The final land protection plan has been modified to include the no-easement buffer area for the City of Choteau.




*Comment 17 map.*

## Letter # 18

**Rocky Mountain Elk Foundation**
Mike Mueller
Lands Program Manager
8550 Saint Vrain Way
Missoula, MT 59808
Phone (406) 493-6650
mmueller@rmef.org
www.rmef.org

August 24, 2010

Toni Griffin
US Fish and Wildlife Service
Benton Lake National Fish and Wildlife Refuge Complex
922 Bootlegger Trail
Great Falls, MT 59404

Dear Toni,

Please consider this letter from the Rocky Mountain Elk Foundation as support for the expansion of the conservation easement boundaries and wildlife management areas for the Blackfoot Valley Conservation Easement Program and the Rocky Mountain Front Easement Program. The conservation of important landscapes, wildlife habitat, fisheries habitat, open space, working productive farms and ranches and wildlife corridors and connectivity that has been already accomplished by conservation easements in these areas has truly been impressive. It has been valuable work accomplished toward ensuring the future of our natural resources. We applaud the USFWS for these accomplishments and encourage these efforts continue in the future. The RMEF has a vested interest in completing conservation easements in both of these areas and would like the opportunity to work with the USFWS and other partners to protect even more valuable elk country.

The expansion of these conservation areas will allow for more accomplishments in land conservation in these landscapes and the ability for private and public conservation entities to work together with the private landowners in the area. Conservation easements are an important and effective tool to private land conservation. The RMEF has completed both acquisitions and easements in these areas and will continue to work toward conservation outcomes with private landowners and public land management agencies.

We encourage you to continue to consider expanding these wildlife management area boundaries which will allow more opportunity to conserve Montana's elk country. Please contact the RMEF or myself anytime at 406-493-6650 or mmueller@rmef.org. Thank you for the opportunity to comment on these proposals.

Sincerely,

*Mike Mueller*

Mike Mueller
Lands Program Manager

## Response

**Response 18.** Thank you for your comments.

**Response 18.1** The Service also looks forward to continuing our conservation partnership with the National Elk Foundation.

**Response 18.2** Fish and wildlife benefits generated from conservation easement projects expand to a large suite of species. These benefits are expected to include large herbivores such as elk.

## Letter # 19

The Nature Conservancy
Protecting nature. Preserving life.™

The Nature Conservancy in Montana
32 South Ewing Street
Helena, MT 59601

Tel (406) 443-0303
Fax (406) 443-8311

nature.org/montana

June 7, 2010

Toni Griffin, Planning Team Leader
Division of Refuge Planning
U.S. Fish and Wildlife Service
Denver, Colorado 80225

Dear Toni:

This letter is to provide comments from The Nature Conservancy in Montana for the U.S. Fish and Wildlife Service's (USFWS) scoping process for the ongoing Environmental Assessment (EA) on a proposed expansion of the conservation easement program on the Rocky Mountain Front of Montana.

Because of its high biological significance the Conservancy has been actively engaged in conservation work on the Rocky Mountain Front since 1978, originally through our purchase of private ranchlands that make up our Pine Butte Swamp Preserve, and more recently through the acquisition of conservation easements and collaborative work with the ranching community.

To date, the Conservancy has protected 74,171 acres on the Front at a cost of over $17 million. This consists of 15,653 acres of fee land and 58,518 acres of purchased and donated conservation easements. Since the inception of the USFWS easement program in 2006, we have found the Service to be a highly valued partner whose biological goals align well with ours. So well, in fact, that the Conservancy has put over $1,100,000 into USFWS easement projects on the Front.

The collaboration between the Conservancy, the USFWS and others has been vital to the conservation success on the Front. Thanks to these entities, over 138,000 acres of highly intact ranchlands have been protected. This conservation work has had a direct positive financial impact on over 30 ranch families. Demand for easements over the last five years has increased dramatically, and currently there is a potential to work on an additional 100,000 acres. No one entity can handle this demand. A number of the families who are interested in easements fall outside the current USFWS Conservation Area Boundary, a problem that the USFWS's proposed boundary expansion would address.

The Conservancy's philosophy about the appropriate scale at which to conduct conservation efforts has evolved substantially. This is due to our 32 years of experience working on the Front, the collection of new scientific data, and the development of new conservation tools. Initially, the Conservancy was focused solely on protecting the large fen/wetland complex at Pine Butte Preserve because of its high grizzly bear habitat attributes and the large accumulation of sensitive plant species associated with the wetland.

With the advent of the Conservancy's site planning and ecoregional planning processes we have been able to put the Montana portion of the Rocky Mountain Front into a larger context. Rapid ecological assessments of the Front from the Missouri River in Montana to the Highwood River in Alberta (just south of Calgary) showed that the U.S. portion of the Front had far more

100% post-consumer materials

## Letter # 19

intact and extensive native grasslands, a much higher tolerance and legal standards for grizzlies using the prairies, a smaller more widely dispersed human populace, and an average ranch size greater than those in Canada. Ecoregional planning for the Northern Great Plains Steppe Ecoregion indicated that the Front was not only vital because of its grizzly populations and wetlands, but also because it harbors one of the most intact, unique grasslands left in the Northern Great Plains.

It is the connectivity, remoteness and scale of these habitats that allows for the seasonal movement and relatively large populations of area-dependent species, such as grizzly bears, not found anywhere else, or greatly restricted in the lower 48 states. This system is highly susceptible to fragmentation, which may come in the form of subdivision, roads, industrial development, or other activities that disrupt the habitat or movement of species.

If the growing population of grizzly bears is to be delisted, secure, unfragmented and linked habitat will be one of the most important factors in the decision. Easements will play a huge role in the debate about secure habitat.

The Conservancy's project area for the Front can loosely be defined as running from the continental divide to highway 89 and 287 in the east and from the Canadian border almost to the Missouri River (see attached map). We applaud the USFWS proposed expansion of the Rocky Mountain Front Conservation Area both in terms of the overall acreage goal, and the boundaries. These will align much more closely with the ones that the Conservancy has adopted, they will better address the biological scale needed for grizzly bear recovery efforts, and will be more inclusive for ranch families with high quality habitat that have previously been outside the area.

In addition to our support for the expanded acreage and boundary goals described in the EA, I would like to suggest that the Conservation Area be further expanded north to encompass the western portion of the Blackfeet Indian Reservation. The Blackfeet Reservation is a biologically significant area that buffers Glacier National Park and the Badger-Two Medicine portion of the Lewis and Clark National Forest. Approximately one third of the land within the Reservation is privately held and could potentially be available for protection with conservation easements. The Conservancy includes the western portion of the Reservation in our project area and has successfully helped start the Blackfeet Indian Land Trust. The USFWS currently holds easements on the Reservation that were purchased using Migratory Bird dollars. Including this portion of the Reservation into the area in which Land and Water Conservation Funds could be spent would greatly enhance the possibility of protecting significant grizzly habitat as well as key prairie pothole areas.

In closing I would like to thank you for the chance to comment on this EA and reemphasize that the Conservancy enthusiastically supports this easement program and its stated goals. If you have questions please feel free to contact me.

Sincerely,

David Carr
Rocky Mountain Front Project Director

## Response

**Response 19.** Thank you for your comments.

**Response 19.1** The Service has had a long standing partnership with The Nature Conservancy. Our partnership has resulted in significant conservation benefit especially along the Front.

**Response 19.2** We look forward to working together to address future acquisitions generated by willing sellers.

As mentioned, the Service's focus on the Blackfeet Indian Reservation has been through Migratory Bird funding. The Land and Water Conservation Fund has not been used on the Blackfeet Indian Reservation. This strategy has been successful for meeting Service priorities in a long-term cost efficient manner. The Service will continue to utilize Migratory Bird funding on the Blackfeet Indian Reservation.

*Comment 19 map.*

## Letter # 20

The Nature Conservancy
Protecting nature. Preserving life.™

The Nature Conservancy in Montana
32 South Ewing Street, Suite 215
Helena, MT 59601

Tel (406) 443-0303
Fax (406) 443-8311

nature.org/montana

August 11, 2010

Toni Griffin, Planning Team Leader
Division of Refuge Planning
U.S. Fish and Wildlife Service
134 Union Blvd., Suite 300
Lakewood, CO 80228

Dear Toni:

This letter is to provide comments from The Nature Conservancy in Montana (TNC) to the U.S. Fish and Wildlife Service (USFWS) on the *Draft Environmental Assessment (EA)* for the proposed expansion of the conservation easement program on the Rocky Mountain Front of Montana.

We previously made positive comments on this concept after the open house in Choteau, Montana in May and our support has not changed. We feel that the proposed expansion better positions the USFWS to more appropriately scale their actions to protect key habitat and linkages for the continued survival of grizzly bear and grassland bird species. It is the connectivity, remoteness and extent of these habitats that allows for the seasonal movement and relatively large populations of area-dependent species, such as grizzly bears, not found anywhere else, or greatly restricted in the lower 48 states. This system is highly susceptible to fragmentation, which may come in the form of subdivision, roads, industrial development, or other activities that disrupt the habitat or movement of species.

The proposed expansion, in addition to being a more "right sized" area to protect the overall biodiversity of the Front, also recognizes that protecting the current intact and connected landscape provides the best chance for adaptation of species experiencing the impacts from climate change.

Demand from landowners to do easements has mushroomed and has surpassed the ability of TNC and others to keep up. A number of the families who are interested in easements fall outside the current USFWS Conservation Area Boundary, a problem that the USFWS's proposed boundary expansion would address. The new boundary in which the USFWS proposes to work is very similar to TNC's, and would be simpler and easier for landowners to understand. And it would have a positive financial impact on the community.

Thank you for the chance to comment on this Draft EA and reemphasize that the Conservancy enthusiastically supports this easement program and its stated goals. If you have questions please feel free to contact me.

Sincerely,

David Carr
Rocky Mountain Front Project Director

## Response

**Response 20.** Thank you for your comments.

**Response 20.1** The Service is actively engaged in climate change issues. The Service concurs that large, intact conservation protection is one avenue for providing resiliency in ecosystems to absorb uncertainties and stressors.

**Response 20.2** The Service agrees that the consistency of the proposed boundary with The Nature Conservancy's boundary will improve the efficiency and effectiveness of our conservation efforts.