

Final Environmental Assessment

for Turkey Hunting, Expanded Archery Hunting for White-Tailed Deer, and Expanded Sport Fishing on Lee Metcalf National Wildlife Refuge

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Date: July 2020

This environmental assessment (EA) is being prepared to evaluate the effects associated with this proposed action and complies with the National Environmental Policy Act (NEPA) in accordance with Council on Environmental Quality regulations (40 Code of Federal Regulations [CFR] 1500–1508) and Department of the Interior (43 CFR 46; 516 DM 8) and United States (U.S.) Fish and Wildlife Service (Service) (550 FW 3) regulations and policies. NEPA requires examination of the effects of proposed actions on the natural and human environment.

1.0 Introduction

1.1 Proposed Action

The Service is proposing to open hunting opportunities for wild turkey on Lee Metcalf National Wildlife Refuge (NWR) on approximately 40 acres west of the Bitterroot River in accordance with State of Montana seasons and regulations (see Figure 1). White-tailed deer hunting would be expanded to include archery hunting on 40 acres west of the Bitterroot River. The use of Deer B License 260-20 (either sex white-tailed deer) would also be allowed on the refuge beginning in September 2020. Sport fishing would be opened on approximately 40 acres west of the Bitterroot River.

The Service is also proposing to revise the regulations, reducing the regulatory burden for migratory bird hunters by removing the requirement to complete the Migratory Bird Hunt Report (FWS Form 3-2361) and for deer hunters by removing the requirement that hunters complete the Big Game Harvest Report (FWS Form 3-2359). The blind lottery and requirement to set the appropriate blind selector (metal flip tag) would remain (Waterfowl Unit).

This EA and companion hunting and fishing plan (USFWS 2020a) is in accordance with the comprehensive conservation plan (CCP) completed by the Service in 2012 (USFWS 2012).

The proposed action is often iterative and may evolve during the NEPA process as the agency refines its proposal and gathers feedback from the public, tribes, and other agencies. The proposed action was revised in response to public comment. The proposal to open wild turkey hunting applies to approximately 40 acres west of the Bitterroot River but does not include areas east of the Bitterroot River.

1.2 Background

National wildlife refuges are guided by the mission and goals of the National Wildlife Refuge System (Refuge System), the purposes of an individual refuge, Service policy, and laws and international treaties. Relevant guidance includes the National Wildlife Refuge System Administration Act of 1966 (NWRSA), as amended by the Refuge System Improvement Act of 1997 (Improvement Act), Refuge Recreation Act of 1962, and selected portions of the Code of Federal Regulations and U.S. Fish and Wildlife Service Manual.

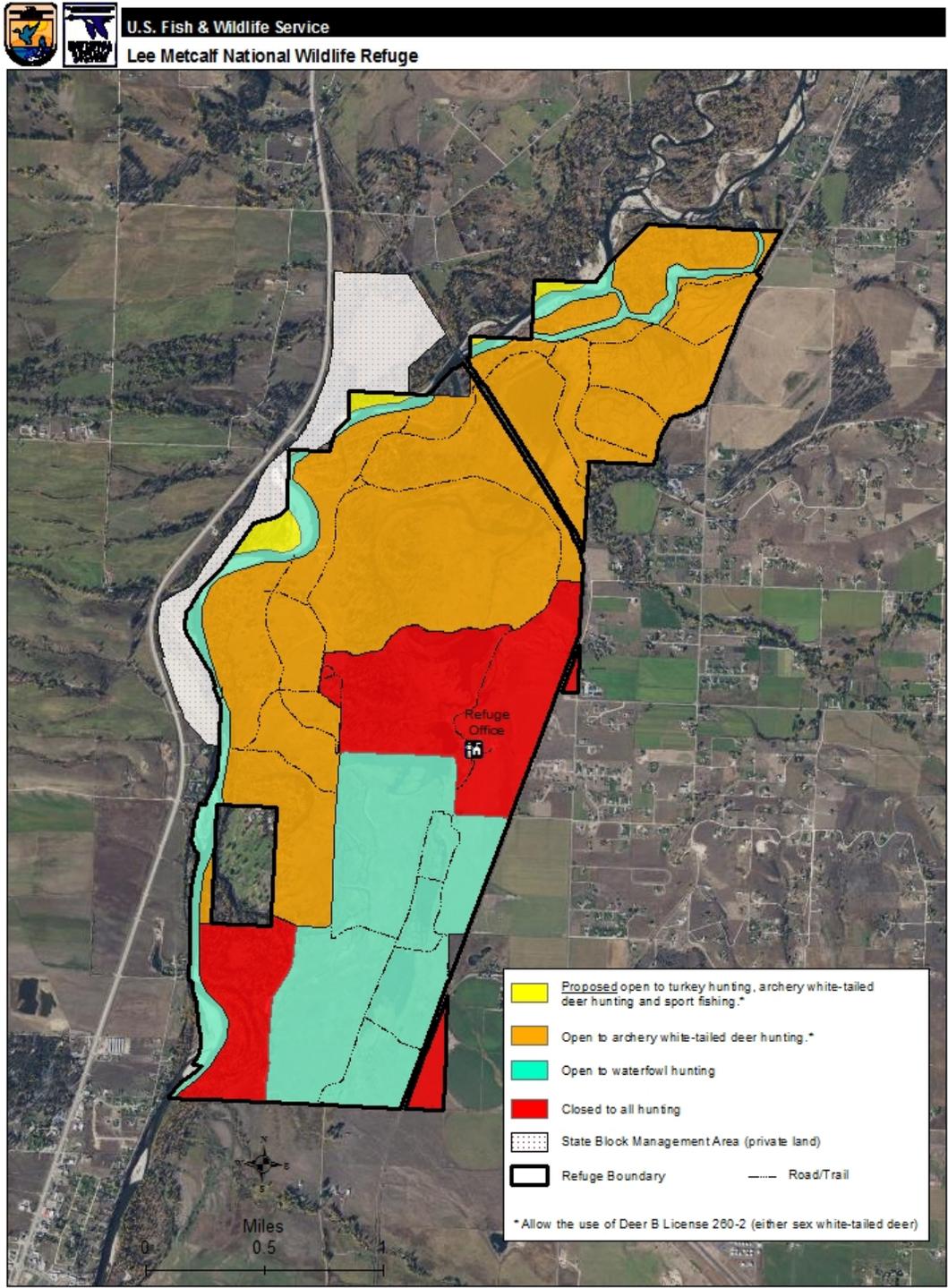


Figure 1. Proposed and Current Hunting and Fishing Opportunities on Lee Metcalf National Wildlife Refuge.

The refuge was established on December 10, 1963 by the Migratory Bird Conservation Commission using the authority of the 1929 Migratory Bird Conservation Act to approve the acquisition of 2,700 acres in 18 tracts to establish the Ravalli NWR. In 1978, the refuge was renamed to honor the late Senator Lee Metcalf, who was instrumental in establishing this refuge, and to recognize his lifelong commitment to conservation. On February 4, 1964, the first purchase was made, Tract 21, consisting of 408.05 acres. Over the next 25 years, the Service purchased another 23 tracts for a total of 2,799.52 refuge acres.

The primary purpose of the refuge is to provide a feeding and resting area for migrating waterfowl in a locality where sanctuary is needed.

The mission of the Refuge System, as outlined by the NWRSA, as amended by the Improvement Act (16 U.S. Code 668dd et seq.), is:

“ . . . to administer a national network of lands and waters for the conservation, management and, where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.”

1.3 Purpose and Need for the Proposed Action

The purpose of this proposed action is to provide compatible wildlife dependent recreational opportunities on Lee Metcalf NWR. The need of the proposed action is to meet the Service’s priorities and mandates as outlined by the NWRSA to “recognize compatible wildlife dependent recreational uses as the priority general use of the Refuge System” and “ensure that opportunities are provided within the Refuge System for compatible wildlife-dependent recreational uses” (16 U.S. Code 668dd[a][4]).

The NWRSA mandates the Secretary of the Interior in administering the Refuge System to (16 U.S. Code 668dd[a][4]):

- ensure that the mission of the Refuge System described at 16 U.S. Code 668dd(a)(2) and the purposes of each refuge are carried out;
- recognize compatible wildlife-dependent recreational uses as the priority public uses of the Refuge System through which the American public can develop an appreciation for fish and wildlife; and
- ensure that opportunities are provided within the Refuge System for compatible wildlife-dependent recreational uses.

Therefore, it is a priority of the Service to provide for wildlife-dependent recreation opportunities, including hunting and fishing, when these opportunities are compatible with the purposes for which the refuge was established and the mission of the Refuge System.

The refuge hosts approximately 240,000 public use visits per year, most of which are not associated with hunting or fishing. The refuge currently hosts waterfowl hunting on 654 acres and white-tailed deer archery hunting on 2,275 acres. These hunts have been in place for many years. There are approximately 965 waterfowl-hunting visits and 1,030 deer-hunting visits per year. These represent approximately less than 1 percent of refuge visits each year.

Designated fishing sites are located in the wildlife-viewing area and include Francois Slough and the Bitterroot River shoreline. There are no boat launches within the refuge. However, people can float and fish the part of the Bitterroot River that passes through the refuge, but they must

remain below the high watermark and must not access the refuge from the river. It is difficult to obtain an exact count on the number of anglers.

The refuge is managed to separate public uses to reduce the impact of consumptive users on nonconsumptive user groups. Although disturbance to wildlife does occur with the hunt program, reducing this disturbance provides for wildlife viewing and photography opportunities.

2.0 Alternatives

2.1 Alternatives Considered

Alternative A – Open Hunting Opportunities for Wild Turkey, Expand Archery Hunting for White-Tailed Deer, and Expand Sport Fishing – Proposed Action Alternative

The Service is proposing to open hunting opportunities for wild turkey on the refuge on approximately 40 acres west of the Bitterroot River (see Figure 1). Hunting of white-tailed deer would also be allowed on refuge lands west of the Bitterroot River. Private and public lands west of the river are currently open to white-tailed deer archery hunting, including a Block Management Area and two Montana Department of Fish, Wildlife, and Parks (MFWP) fishing access sites. The Deer B licenses that are permitted to be used on the refuge would expand to include Deer B 260-20. Sport fishing would also be opened on approximately 40 acres west of the Bitterroot River.

The Service is also proposing to revise the regulations, reducing the regulatory burden for migratory bird hunters by removing the requirement to complete the Migratory Bird Hunt Report (FWS Form 3-2361) and for deer hunters by removing the requirement that hunters complete the Big Game Harvest Report (FWS Form 3-2359). The blind lottery and requirement to set the appropriate blind selector (metal flip tag) would remain (Waterfowl Unit).

This EA and companion hunting and fishing plan (USFWS 2020a) is in accordance with the CCP completed by the Service in 2012 (USFWS 2012).

Alternative B – Lee Metcalf National Wildlife Refuge Would Remain Closed to Turkey Hunting – No Action Alternative

The refuge would remain closed to turkey hunting. Waterfowl and archery deer hunting would continue on designated areas of the refuge (as described in 50 CFR 32.45, www.gov.ecfr.io). Sport fishing would continue on designated areas of the refuge (as described in 50 CFR 32.45).

3.0 Affected Environment and Environmental Consequences

3.1 Affected Environment

Lee Metcalf NWR consists of 2,799.52 acres (4.37 square miles) in Ravalli County, Montana next to the Bitterroot River and just north of the town of Stevensville (Figure 1).

The refuge is composed of 1,186 acres of uplands (primarily tame grasses), 502 acres of woodlands and wetlands near woodlands, 958 acres of wetland impoundments (open water, emergent vegetation), 62 acres of river channel, and 89 acres of bare or sparse vegetation. The proposed action is located west of the Bitterroot River and east of Highway 93 in a mixed river bottom habitat.

Tables 1 through 6 provide brief descriptions of each resource affected by the proposed action.

For more information regarding the affected environment, please see Chapter 3 of the refuge's CCP, which can be found here: www.fws.gov/mountain-prairie/refuges/completedPlanPDFs_FL/lmc_ccp_2_refuge.pdf.

3.2 Environmental Consequences of the Action

This section analyzes the environmental consequences of the action on each affected resource, including direct and indirect effects. This EA covers the written analyses of the environmental consequences on a resource only when the impacts on that resource could be more than negligible and therefore considered an “affected resource” or are otherwise considered important as related to the proposed action. Any resources that would not be more than negligibly affected by the action and have been identified as not otherwise important as related to the proposed action have been dismissed from further analyses.

Tables 1 through 5 provide:

- a brief description of the affected resources in the proposed action area; and
- impacts of the proposed action and any alternatives on those resources, including direct and indirect effects.

Table 6 provides a brief description of the anticipated cumulative impacts of the proposed action and any alternatives.

Impact Types:

- *Direct effects* are those that are caused by the action and occur at the same time and place.
- *Indirect effects* are those that are caused by the action and are later in time or farther removed in distance but are still reasonably foreseeable.
- *Cumulative impacts* result from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions.

Table 1. Affected Natural Resources and Anticipated Direct and Indirect Impacts of the Proposed Action and Any Alternatives.

Affected Resources	<u>Alternative A (Proposed Action)</u> <i>Hunting opportunities for wild turkey would be opened on Lee Metcalf NWR. Hunting of white-tailed deer would be expanded on the refuge, and sport fishing would also be expanded on approximately 40 acres west of the Bitterroot River.</i>	<u>Alternative B (No Action)</u> <i>Lee Metcalf NWR would remain closed to turkey hunting. Waterfowl and archery deer hunting, and sport fishing, would continue on designated areas of the refuge.</i>
Species to be Hunted		
<p><i>Wild Turkey</i></p> <p>Wild turkeys are not native to Montana and were introduced at various times to support hunting opportunities. According to the MFWP, no population surveys are conducted on wild turkey in the Bitterroot Valley. Population surveys of wild turkeys are also not conducted on the refuge. Turkeys group in communal flocks during the winter and typically stay on private lands south of the refuge. By late spring, the winter flock has broken up with toms searching for hens in small groups that make their way north onto the refuge. Turkeys are also located on private lands west of the Bitterroot River. Some of these birds make their way east to the refuge lands in late spring.</p> <p><i>White-tailed Deer</i></p> <p>White-tailed deer surveys have not been conducted on the refuge since 2011. The average winter nighttime deer counts in 2011 were 93 deer. In 1989, the average winter nighttime deer counts were 377. In the past, MFWP conducted helicopter deer surveys in the Bitterroot Valley. Although not refuge-specific, the survey segment that encompassed the refuge covered the north end of the refuge, between the highways, and south to the Stevensville cutoff road.</p> <p>Data from this helicopter survey, which was last conducted in 2005, found 409 white-tailed deer. Data from the helicopter surveys for the survey segment that covered the refuge between 1988 and 2005 averaged 260 white-tailed deer.</p>	<p><i>Wild Turkey</i></p> <p>We, the Service, anticipate that up to 30 hunters would access the refuge to hunt turkeys annually. However, the number of turkeys that would be present on the refuge each year is expected to be highly variable depending on spring weather and habitat conditions. We estimate that the annual turkey harvest on the refuge would be fewer than 20 and, in some years, may be zero. In some years, due to hunting pressure or spring conditions, turkeys may not be present on the refuge temporarily. However, given the small number of turkeys that may be harvested on the refuge, it is likely to have a negligible effect on the wild turkey population in the Bitterroot Valley, and these turkeys would be expected to repopulate the refuge in most years.</p> <p><i>White-tailed Deer</i></p> <p>Typically, there are more than 1,000 deer-hunting visits per year. Archers harvested 26 white-tailed deer on the refuge in 2018 and accrued 2,862 hunt hours in 942 archery hunt visits.</p> <p>We estimate that the added hunt pressure and harvest incurred by opening the areas of the refuge west of the Bitterroot River and by allowing the 260-20 tag to be used on the refuge would increase by 10 percent or less. This would be a minimal impact to the current white-tailed deer population on the refuge.</p>	<p>Under this alternative, the refuge would remain closed to turkey hunting, and white-tailed deer archery hunting and sport fishing would not be expanded. Thus, no impacts to wild turkeys would occur. Also, no added impacts to deer or sport fish would occur beyond the current refuge hunting and fishing programs.</p>

Affected Resources	<u>Alternative A (Proposed Action)</u>	<u>Alternative B (No Action)</u>
<p><i>Sport Fish</i></p> <p>Fish species present on the refuge include Montana brook trout, brown trout, bull trout, Columbia slimy sculpin, cutthroat trout, largemouth bass, largescale sucker, longnose sucker, mountain whitefish, northern pike, northern pike minnow, peamouth, pumpkinseed, rainbow trout, redbreast shiner, slimy sculpin, and westslope cutthroat trout.</p>	<p><i>Sport Fish</i></p> <p>Although opening more areas on the west side of the Bitterroot River would provide new access for sport fishing, the new area that would be opened is only 2 percent of shoreline of the Bitterroot River. This is not expected to result in an increase in the overall number of anglers, fishing days, or fish caught. Therefore, the proposed action would not have any added impacts on sport fish as a result of the proposed action.</p>	<p><i>Lee Metcalf NWR would remain closed to turkey hunting. Waterfowl and archery deer hunting, and sport fishing, would continue on designated areas of the refuge.</i></p>
Wildlife and Aquatic Species		
<p>Riverfront woodlands and wetlands provide important nesting, foraging, and stopover habitat for many birds. These include neotropical songbirds such as the least flycatcher, yellow warbler, Vaux's swift, and Lewis's woodpecker, as well as waterbirds such as the common merganser and wood duck. Riverfront forest is also important for nesting and perching sites for large raptors such as bald eagles and ospreys. The most common reptiles are garter snakes. Mammals that use the riverfront forest include the northern river otter, mink, white-tailed deer, raccoon, beaver, muskrat, and yellow-pine chipmunk. There are 11 bat species found on the refuge, all of which depend on the gallery forest for various stages of their life cycles. Of these 11 species, three are state species of concern, including Townsend's big-eared bat, hoary bat, and fringed myotis.</p> <p>Some of the more common wildlife species observed in the upland habitat are small mammals like the Columbian ground squirrel, meadow vole, American deer mouse, white-tailed deer, striped skunk, coyote, red fox, and American badger.</p>	<p>Turkey hunting may result in temporal disturbance in the area open to hunting. Occasional gunshots and hunting activity may displace some bird and mammal species.</p> <p>White-tailed deer archery hunting may also result in temporal disturbance to wildlife in the areas open to hunting.</p> <p>These impacts would be minimal, and we assume that displaced wildlife would reoccupy disturbed sites following hunter departure.</p> <p>In general, turkey hunting can result in more lead exposure to wildlife. When a hunter fires, the pellets in a shotgun shell that do not hit the bird fall to the ground or into nearby water. As a result, birds and other wildlife may ingest the lead because they mistake the pellets for food or grit. In addition, birds of prey such as eagles, hawks, and owls may be affected as a result from eating animals that have lead shot embedded in their flesh.</p>	<p>Under this alternative, the refuge would remain closed to turkey hunting, and white-tailed deer archery hunting and sport fishing would not be expanded. Thus, no added impacts to refuge wildlife or aquatic species would occur beyond the current refuge hunting and fishing program.</p>

<p style="text-align: center;">Affected Resources</p>	<p style="text-align: center;"><u>Alternative A (Proposed Action)</u></p> <p><i>Hunting opportunities for wild turkey would be opened on Lee Metcalf NWR. Hunting of white-tailed deer would be expanded on the refuge, and sport fishing would also be expanded on approximately 40 acres west of the Bitterroot River.</i></p>	<p style="text-align: center;"><u>Alternative B (No Action)</u></p> <p><i>Lee Metcalf NWR would remain closed to turkey hunting. Waterfowl and archery deer hunting, and sport fishing, would continue on designated areas of the refuge.</i></p>
<p>Common reptile species include the terrestrial garter snake and common garter snake. Sandhill cranes have also been seen foraging in the upland fields. The abundance of small mammals in this habitat provides feeding opportunities for great blue herons and raptors, including the red-tailed hawk, rough-legged hawk, American kestrel, and prairie falcon. Upland habitats also provide browsing opportunities for white-tailed deer.</p> <p>Throughout the riparian woodlands are various wetland types, including ephemeral pools, sloughs, and remnants of former gravel pits that provide breeding grounds for amphibians such as the long-toed salamander and the boreal toad, a state species of concern. Native beavers, northern river otters, mink, muskrats, and Columbia spotted frogs. Nonnative American bullfrogs also inhabit these wetlands.</p>	<p>We estimate that the annual turkey harvest on the refuge would be fewer than 20 and, in some years, may be zero because due to hunting pressure or spring conditions, turkeys may not be present on the refuge. In addition, turkey hunting would only be opened on 40 acres of the refuge, which is just over one percent of the total area of the refuge. Due to the small number of turkeys expected to be harvested on the refuge, and the limited area on the refuge that would be open to turkey hunting, the additional lead shot is expected to have a negligible negative impact.</p> <p>Deer hunting is archery only and therefore would not increase lead in the environment. Fishing on the refuge is in accordance with State of Montana regulations which only allows artificial flies and lures, which typically do not contain lead.</p>	
<p>Threatened and Endangered Species and Other Special Status Species</p>		
<p>We reviewed six species for possible impacts for the proposed action: grizzly bear, bull trout, yellow-billed cuckoo, North American wolverine, Canada lynx, and whitebark pine (USFWS IPAC database, 2020b). A grizzly bear was documented using the refuge and subsequently trapped on the White-Tailed Golf Course next to the refuge in 2018. Bull trout historically used refuge waters to access spawning areas. North Burnt Fork Creek and the Bitterroot River are bull trout critical habitat. Although yellow-billed cuckoos have not been documented on the refuge, appropriate habitat is present and there are records of the birds in the area north of the refuge in the Bitterroot Valley. Canada lynx and wolverine have not been documented on the refuge.</p>	<p>Canada lynx, wolverines, and grizzly bears are wide-ranging species that could possibly move through the refuge but thus far only one record of grizzly bears has been documented on the refuge. Yellow-billed cuckoos are only known in Montana in June and July during migration, which is outside of the months the proposed hunting opportunities would occur and are not known to occur on the refuge. Spring turkey hunting may result in temporal disturbance in the area open to hunting. Occasional gunshots and hunting activity could displace species of special concern. White-tailed deer archery hunting may also result in temporal disturbance to wildlife in the areas open to hunting.</p>	<p>Under this alternative, the refuge would remain closed to turkey hunting, and white-tailed deer archery hunting and sport fishing would not be expanded. Thus, no added impacts to endangered species, threatened species, or species of special concern would occur beyond the current refuge hunting and fishing programs.</p>

Affected Resources	<u>Alternative A (Proposed Action)</u>	<u>Alternative B (No Action)</u>
<p>There is not suitable habitat for whitebark pine on the refuge. A total of 42 wildlife state species of concern and 21 federal birds of conservation concern have been found in the Bitterroot Valley (USFWS 2012). There are also two plant species of concern found on or near the refuge, Guadalupe water nymph and shining flatsedge. The state forest and grassland bird species of concern that have been recorded on the refuge are the peregrine falcon, black swift, burrowing owl, great gray owl, Lewis's woodpecker, olive-sided flycatcher, Clark's nutcracker, loggerhead shrike, black-and-white warbler, Le Conte's sparrow, and bobolink. There are also three documented mammal state species of concern on the refuge: hoary bat, fringed myotis, and Townsend's big-eared bat. The damselfly, boreal bluet, and boreal toad, an amphibian, are also species of concern that have been recorded on the refuge.</p> <p>The state wetland bird species of concern that have been recorded on the refuge are the common loon, American white pelican, American bittern, great blue heron, black-crowned night-heron, white-faced ibis, trumpeter swan, bald eagle, long-billed curlew, Franklin's gull, black tern, common tern, Caspian tern, and Forster's tern.</p>	<p>Hunting opportunities for wild turkey would be opened on Lee Metcalf NWR. Hunting of white-tailed deer would be expanded on the refuge, and sport fishing would also be expanded on approximately 40 acres west of the Bitterroot River.</p> <p>These impacts would be minimal, and we assume that displaced wildlife would reoccupy disturbed sites following hunter departure.</p> <p>Expanding sport fishing is not expected to change the current numbers of people using the refuge to access fishing areas and therefore would not have any other impacts on bull trout or critical habitat as a result of the proposed action.</p>	<p>Lee Metcalf NWR would remain closed to turkey hunting. Waterfowl and archery deer hunting, and sport fishing, would continue on designated areas of the refuge.</p>
Vegetation		
<p>Historically, vegetation in the Bitterroot River floodplain on the refuge covered seven distinct habitat and community types: (1) riverfront-type forest, (2) floodplain gallery-type forest, (3) persistent emergent wetland, (4) wet meadow herbaceous, (5) floodplain and terrace grassland, (6) saline grassland, and (7) grassland sagebrush. Gallery forest is located mostly on the western portion of the refuge, west and east of the river, between the riverfront forest and the wetland impoundments.</p>	<p>Refuge vegetation is currently affected by the high level of public use (approximately 240,000 annual visitors), the high number of vehicles that already use the county road through the refuge, and the nonnative species that are found on more than 70 percent of refuge lands. The proposed action would expand hunting and sport fishing on less than 3 percent of the refuge.</p>	<p>Under this alternative, the refuge would remain closed to turkey hunting, and white-tailed deer archery hunting and sport fishing would not be expanded.</p>

<p style="text-align: center;">Affected Resources</p>	<p style="text-align: center;"><u>Alternative A (Proposed Action)</u></p> <p><i>Hunting opportunities for wild turkey would be opened on Lee Metcalf NWR. Hunting of white-tailed deer would be expanded on the refuge, and sport fishing would also be expanded on approximately 40 acres west of the Bitterroot River.</i></p>	<p style="text-align: center;"><u>Alternative B (No Action)</u></p> <p><i>Lee Metcalf NWR would remain closed to turkey hunting. Waterfowl and archery deer hunting, and sport fishing, would continue on designated areas of the refuge.</i></p>
<p>This habitat is more closely associated with backwater and overbank flooding than with drier upland conditions. Dominated by mature black cottonwood and ponderosa pine, it is found on higher floodplain elevations with layers of Chamokane loams over underlying sands along natural levees and point bar terraces next to minor floodplain tributaries. Indicator tree and shrubs species for gallery forest include ponderosa pine with black cottonwood, along with an understory of large woody shrubs such as thin-leaved alder, river hawthorn, red osier dogwood, and Woods’ rose. There may also be mixed grasses such as bluebunch and fescue under and between trees and shrubs.</p> <p>Nonnative species are prolific on the refuge, displacing native plants and affecting more than 70 percent of refuge lands as a result of alterations to topography, drainages, clearing, conversion to various agricultural crops or livestock forage, grazing by cattle and sheep, and sedimentation pre- and post-establishment of the refuge. Many of the species are transported to the refuge as “hitchhikers” on vehicles, pedestrians, and animals. Wildfowl Lane, a county road that bisects the refuge, is used by more than 240,000 visitors annually in vehicles from all over the world. These factors have contributed to the introduction and distribution of invasive species, as have the surrounding development, landscape-level invasive species in western Montana, the vulnerable exposed soil on the refuge (from wetland habitat construction and prior agricultural uses), and the locations of the Bitterroot River, the railroad bed, Highway 93, and Eastside Highway.</p>	<p>The area to the west of the Bitterroot River is currently used by the public for wildlife observation and photography.</p> <p>Minimal disturbance or trampling of individual shrubs or grasses is expected as hunters and anglers navigate the newly opened area. Some compaction of soils may occur.</p> <p>If hunter- or angler-created trails develop from repeated trampling and compaction, the effects would be more moderate. Most impacts would be short-term, although excessive, repeated disturbance of the same area may cause moderate impacts in localized areas.</p> <p>Overall, more hunters and anglers accessing newly opened areas would be expected to have minimal added effect on refuge vegetation.</p>	<p>Thus, no added impacts to refuge vegetation would occur beyond the current refuge hunting, fishing, and other public use opportunities.</p>

Key: MFWP = Montana Department of Fish, Wildlife, and Parks; NWR = National Wildlife Refuge; T&E = threatened and endangered

Note: The impacts to refuge soils, geology, air quality, water resources, wetlands, and floodplains are all considered to be nonexistent or negligible and have not been analyzed further.

Table 2. Affected Visitor Use and Experience and Anticipated Direct and Indirect Impacts of the Proposed Action and Any Alternatives.

Affected Resources	<u>Alternative A (Proposed Action)</u>	<u>Alternative B (No Action)</u>
<p>The refuge hosts approximately 240,000 public use visits per year, most of which are not associated with hunting. The refuge currently hosts waterfowl hunting on 654 acres and white-tailed deer archery hunting on 2,275 acres. These hunts have been in place for many years. There are approximately 965 waterfowl hunting visits and 1,030 deer hunting visits per year. These represent approximately less than 1 percent of refuge visits each year.</p> <p>The refuge is also popular as a fishing designation with approximately 920 fishing visits annually. Fishing is allowed on the Bitterroot River and North Burnt Fork Creek, known locally as Francois Slough, as it travels through the refuge.</p> <p>Opportunities for wildlife observation and photography are located at or along the following places: (1) the wildlife-viewing area, (2) Visitor Contact Area, (3) Kenai Nature Trail, and (4) Wildfowl Lane, a county road that runs through the refuge. Visitors must follow refuge regulations to protect wildlife and their habitats while enjoying the opportunity to view and photograph them.</p> <p>The wildlife-viewing area is about 188 acres and has more than five miles of trails. One trail is designated as a National Recreation Trail, National Ice Age Trail, and Lewis and Clark Historical Trail.</p>	<p><i>Hunting opportunities for wild turkey would be opened on Lee Metcalf NWR. Hunting of white-tailed deer would be expanded on the refuge, and sport fishing would also be expanded on approximately 40 acres west of the Bitterroot River.</i></p> <p>The refuge attempts to separate the various public uses as much as possible to reduce conflicts between user groups. Opening the areas of the refuge west of the Bitterroot River should not create conflict as much of the area near the refuge is already open to hunting and fishing. Increasing the license opportunity for archery white-tailed deer in the archery hunt area east of the river should not create any added conflict with other user groups. Opening turkey hunting west of the Bitterroot River may create some controversy with wildlife photographers and wildlife observers as they enjoy photographing and observing these birds, especially in the spring, when the toms are displaying. By limiting the opening to the west of the river, there should be ample opportunity for wildlife photographers and observers to still enjoy turkeys on the refuge in late spring.</p> <p>Expanding sport fishing to the west river area is not expected to change the current numbers of people using the refuge to access fishing areas and therefore would not have any added impacts on public use as a result of the proposed action.</p> <p>Overall, the proposed opening of the refuge to turkey hunting and expansion of white-tailed deer archery hunting and sport fishing would have a minimal effect on other public use opportunities on the refuge.</p>	<p><i>Lee Metcalf NWR would remain closed to turkey hunting. Waterfowl and archery deer hunting, and sport fishing, would continue on designated areas of the refuge.</i></p> <p>Under this alternative, the refuge would remain closed to turkey hunting, and white-tailed deer archery hunting and sport fishing would not be expanded. Thus, no other impacts would occur beyond the current refuge hunting and public use opportunities. Visitor services programs and activities would continue as budgets and staffing levels allow.</p>

<p style="text-align: center;">Affected Resources</p>	<p style="text-align: center;"><u>Alternative A (Proposed Action)</u></p> <p><i>Hunting opportunities for wild turkey would be opened on Lee Metcalf NWR. Hunting of white-tailed deer would be expanded on the refuge, and sport fishing would also be expanded on approximately 40 acres west of the Bitterroot River.</i></p>	<p style="text-align: center;"><u>Alternative B (No Action)</u></p> <p><i>Lee Metcalf NWR would remain closed to turkey hunting. Waterfowl and archery deer hunting, and sport fishing, would continue on designated areas of the refuge.</i></p>
<p>The Kenai Nature Trail traverses different plant communities and the views differ from those in the wildlife-viewing area, offering visitors a different wildlife viewing experience.</p> <p>Wildfowl Lane is a Ravalli County road that travels almost three miles through the southern half of the refuge. This road loops through the refuge and connects at both ends to Eastside Highway. It is not an official auto tour route, but all refuge visitors use this road to access the refuge and view wildlife in the adjoining lands and wetland impoundments.</p> <p>On average, the refuge hosts 3,800 students in instructor-led environmental education annually. Students come from communities as far as Darby to the south and Ronan to the north. Most students are from grades 3 through 5.</p>		

Key: NWR = National Wildlife Refuge

Table 3. Affected Cultural Resources and Anticipated Direct and Indirect Impacts of the Proposed Action and Any Alternatives.

Affected Resources	<u>Alternative A (Proposed Action)</u> <i>Hunting opportunities for wild turkey would be opened on Lee Metcalf NWR. Hunting of white-tailed deer would be expanded on the refuge, and sport fishing would also be expanded on approximately 40 acres west of the Bitterroot River.</i>	<u>Alternative B (No Action)</u> <i>Lee Metcalf NWR would remain closed to turkey hunting. Waterfowl and archery deer hunting, and sport fishing, would continue on designated areas of the refuge.</i>
<p>The Bitterroot Valley has a rich history and a dynamic culture. Before Euro-American settlement, the Salish people called this valley home for several centuries, and literature shows that there were several Salish campsites on the refuge. Within decades of the passage of Lewis and Clark through the Bitterroot Valley in 1805 and 1806, other Euro-Americans followed. In 1891, the U.S. Government relocated the Salish people to a reservation in the Jocko Valley. The arrival of Euro-American settlers forever changed the landscape and the uses of this valley from traditional harvesting of native plants and wildlife to intensive agriculture.</p> <p>The refuge does not have a complete inventory of cultural resources. However, the staff continue to work with the regional archaeologist and State Historic Preservation Office on a case-by-case basis to evaluate projects with the potential to cause impacts to cultural resources.</p>	<p>Due to the temporary and superficial use of refuge habitats during hunting and fishing activities, there should be no direct impacts to cultural resources under this alternative from visitors engaged in hunting and fishing activities, as delineated in the hunting and fishing plan.</p>	<p>Under this alternative, the refuge would remain closed to turkey hunting, white-tailed deer archery hunting and sport fishing would not be expanded, and no change would be made to existing environmental conditions. Subsequently, no direct or indirect impacts to cultural resources are anticipated under this alternative.</p>

Key: NWR = National Wildlife Refuge; U.S. = United States

Table 4. Affected Refuge Management and Operations and Anticipated Direct and Indirect Impacts of the Proposed Action and Any Alternatives.

Affected Resources	<u>Alternative A (Proposed Action)</u> <i>Hunting opportunities for wild turkey would be opened on Lee Metcalf NWR. Hunting of white-tailed deer would be expanded on the refuge, and sport fishing would also be expanded on approximately 40 acres west of the Bitterroot River.</i>	<u>Alternative B (No Action)</u> <i>Lee Metcalf NWR would remain closed to turkey hunting. Waterfowl and archery deer hunting, and sport fishing, would continue on designated areas of the refuge.</i>
Administration		
<p>Current staffing levels on the refuge include a refuge manager, maintenance worker and administrative assistant/ business team travel specialist who assists 13 other stations or programs throughout the region. The law enforcement officer is shared with the National Bison Range. There is no biologist or visitor service specialist.</p> <p>The refuge manager currently administers a waterfowl and archery deer hunt on the refuge and the public use program that accommodates approximately 240,000 yearly visits to the refuge.</p>	<p>Administering the hunting and fishing program would annually require staff time from the refuge manager, maintenance worker, administrative assistant, and refuge complex law enforcement officers to respond to hunter and angler inquiries; conduct hunter, angler, and visitor outreach; decrease conflicts among users; conduct law enforcement; maintain boundary posting and parking areas; repair hunt kiosks; maintain fishing platform, parking areas, waterfowl blinds, gates, and infrastructure; mow and grade roads and trails; observe impacts to wildlife, habitat, and visitor use; and ensure public safety.</p> <p>The refuge is part of the larger Western Montana NWR Complex (refuge complex). In 2019, the refuge complex hired two more law enforcement officers. Law enforcement officers are deployed to different locations within the refuge complex to ensure coverage during peak times. With the addition of the two new officers, we do not anticipate that the new hunting and fishing opportunities would have a significant impact on the refuge or the refuge complex as a whole.</p> <p>Access to the hunt areas would be from State Highway 93, and vehicle traffic on Luby Lane would not increase on the refuge. There may be increased access off and onto state Highway 93 and Luby Lane.</p>	<p>Under this alternative, the refuge would remain closed to turkey hunting, and white-tailed deer archery hunting and sport fishing would not expand. Thus, no other impacts to refuge administration would occur beyond the current refuge hunting and fishing program.</p>

Affected Resources	<u>Alternative A (Proposed Action)</u> <i>Hunting opportunities for wild turkey would be opened on Lee Metcalf NWR. Hunting of white-tailed deer would be expanded on the refuge, and sport fishing would also be expanded on approximately 40 acres west of the Bitterroot River.</i>	<u>Alternative B (No Action)</u> <i>Lee Metcalf NWR would remain closed to turkey hunting. Waterfowl and archery deer hunting, and sport fishing, would continue on designated areas of the refuge.</i>
	<p>The annual cost of the refuge's proposed hunting program is estimated to be at least \$90,000. This cost covers staff and resources to provide public education, hunter assistance, enforcement, and maintenance and repair of hunting and fishing infrastructure.</p> <p>Because the opening of new hunting and fishing opportunities are not anticipated to attract significant numbers of new hunters, we anticipate that opening these areas would not require significant staff time to manage. The overall impact to refuge administration would be minimal.</p>	

Key: NWR = National Wildlife Refuge

Table 5. Affected Socioeconomics and Anticipated Direct and Indirect Impacts of the Proposed Action and Any Alternatives.

Affected Resources	<u>Alternative A (Proposed Action)</u> <i>Hunting opportunities for wild turkey would be opened on Lee Metcalf NWR. Hunting of white-tailed deer would be expanded on the refuge, and sport fishing would also be expanded on approximately 40 acres west of the Bitterroot River.</i>	<u>Alternative B (No Action)</u> <i>Lee Metcalf NWR would remain closed to turkey hunting. Waterfowl and archery deer hunting, and sport fishing, would continue on designated areas of the refuge.</i>
Local and Regional Economics		
<p>The refuge is located in Ravalli County in southwestern Montana approximately 2 miles north of Stevensville. The County is 2,400 square miles with a population of 42,563. The recreational opportunities and natural beauty of this valley have made it one of the most rapidly expanding human population areas of Montana. The refuge is surrounded by development, including agriculture and housing. Thousands of people visit the nearby Bitterroot National Forest each year, and annually, the refuge has approximately 240,000 visitors.</p>	<p>Turkey and white-tailed deer hunting is currently permitted on lands near the refuge. The limited acres on the refuge that would be opened for turkey hunting and expanded for white-tailed deer archery hunting and sport fishing would probably not attract significant numbers of new hunters and is not expected to attract new anglers to the area. However, some local hunters may increase the number of times that they pursue turkey or white-tailed deer on the new areas and opportunities opened by the proposed action. This would result in a small positive economic impact to the area. No change in the amount of sport fishing is expected to occur.</p>	<p>Under this alternative, the refuge would remain closed to turkey hunting, and white-tailed deer archery hunting and sport fishing would not expand. Thus, no other impacts to refuge administration would occur beyond the current refuge hunting and fishing program.</p>
Environmental Justice		
<p>Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, requires all Federal agencies to incorporate environmental justice into their missions by finding and addressing disproportionately high or adverse human health or environmental effects of their programs and policies on minorities and low-income populations and communities.</p>	<p>The Service has not identified any potential high and adverse environmental or human health impacts from this proposed action or any of the alternatives. The Service has identified no minority or low-income communities within the impact area. Minority or low-income communities would not be disproportionately affected by any impacts from this proposed action or any of the alternatives.</p>	<p>Same as the Proposed Action Alternative.</p>

Key: NWR = National Wildlife Refuge

3.3 Cumulative Impact Analysis

Cumulative impacts are defined as “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions” (40 CFR 1508.7).

Table 6. Anticipated Cumulative Impacts of the Proposed Action and Any Alternatives.

Other Past, Present, and Reasonably Foreseeable Activity Impacting Affected Environment	Descriptions of Anticipated Cumulative Impacts
Wildlife	
<p><i>Wild Turkey, White-tailed Deer, Sport Fish</i></p>	<p>Wild Turkey</p> <p>MFWP does not perform formal surveys for turkeys, but all evidence points to continually expanding populations and a need to reduce numbers (Kuglin 2018). Turkeys are also one of the most common game damage complaints received by MFWP. Therefore, if up to 20 more turkeys are harvested on the refuge each year, it is likely to have a negligible impact to the overall wild turkey population in the Bitterroot Valley of Montana. In addition, the small number of turkeys that may be harvested on the refuge would make a negligible contribution to the overall number of turkeys harvested on national wildlife refuges in Montana.</p> <p>White-tailed Deer</p> <p>Hunters harvest approximately 35 white-tailed deer on the refuge annually. This is not expected to increase by more than 10 percent with neither the expansion of approximately 40 more acres nor the use of the 260-20 tag. Therefore, expanding white-tailed deer archery hunting would have a negligible impact on the regional and statewide population of deer.</p> <p>Sport Fish</p> <p>Sport fishing is not expected to change the number of fish harvested by anglers and therefore would have no impact on the sport fish populations.</p> <p>By keeping adequate sanctuary on the refuge, wildlife learn to use the refugia and populations are sustained. Refuge signage, hunting/fishing and general brochures, informational kiosks, Web site postings, and state hunting and fishing regulations would also inform hunters and anglers of where and how the hunting and fishing program is managed to reduce overharvest of any wildlife population segment.</p>

Other Past, Present, and Reasonably Foreseeable Activity Impacting Affected Environment	Descriptions of Anticipated Cumulative Impacts
Use of Lead Ammunition and Tackle	
<p>At present, there is no prohibition on the use of lead ammunition for hunting wild turkeys on the refuge. Non-toxic shot is required for hunting migratory birds the refuge.</p> <p>Deer hunting is archery only and therefore would not increase lead in the environment. Fishing on the refuge is in accordance with State of Montana regulations which only allows artificial flies and lures, which typically do not contain lead.</p>	<p>We estimate that the annual turkey harvest on the refuge would be fewer than 20 and, in some years, may be zero because turkeys may not be present on the refuge due to hunting pressure or spring conditions. The small number of turkeys that may be harvested on the refuge would make a negligible contribution to the overall number of turkeys harvested in Montana (see discussion above). The area that would be opened to turkey hunting on the refuge (40 acres) is less than 0.01 percent of the acres of private and public lands enrolled in MFWP's Block Management Program in Region 2 that are available for hunting. Therefore, the overall increase in lead ammunition in the environment due to additional birds harvested and area available for hunting, is expected to be negligible.</p>
Climate Change	
<p>Ecological stressors are expected to affect a variety of natural processes and associated resources into the future.</p> <p>Precipitation availability may have a large effect on the availability of wetlands and grasslands across the primary breeding grounds in the United States and Canada.</p> <p>These habitat changes, if realized in the future, may reduce the amount and quality of both grassland and wetland for migratory birds that are hunted. As a result, wildlife would be displaced into other areas of available habitat.</p>	<p>While the impacts from climate change on refuge wildlife and habitats are not certain, allowing hunting on the refuge would not add to the cumulative impacts of climate change. The refuge uses an adaptive management approach for its hunt program, annually monitoring (through direct feedback from state and local user groups) and reviewing the hunt program annually and revising annually (if necessary). The Service would adjust the hunt program as necessary to ensure that it does not contribute to the cumulative impacts of climate change on resident wildlife and migratory birds.</p>

Key: MFWP = Montana Department of Fish, Wildlife, and Parks; NWR = National Wildlife Refuge

3.4 Monitoring

MFWP monitors big game populations as well as harvest and hunter activity annually for upland gamebirds. These are reported each year on the MFWP website. In addition, numbers of hunters and anglers, hunter and angler satisfaction, safety concerns, and potential environmental issues or conflicts with other wildlife-dependent public users would be evaluated annually to determine whether changes need to occur. Refuge staff would also coordinate annually with MFWP to discuss if any changes or adjustments are warranted.

3.5 Summary of Analysis

The purpose of this EA is to briefly provide sufficient evidence and analysis for determining whether to prepare an environmental impact statement or a finding of no significant impact.

Alternative A – Proposed Action Alternative

As described above, the proposed action alternative would open hunting opportunities for wild turkey and white-tailed deer, as well as more sport fishing access, on the Lee Metcalf NWR. We do not expect the direct impacts of turkey, white-tailed deer, or sport fish harvest on the refuge to have any population-level effects. Opening the refuge to more hunting and fishing would result in short-term disturbance to wildlife. These impacts would be minimal, and it is assumed that displaced wildlife would reoccupy disturbed sites following hunter or angler departure.

Opening the areas of the refuge west of the Bitterroot River and increasing the license opportunity for archery white-tailed deer on the archery hunt area east of the river should not create any added conflict with other user groups. Opening turkey hunting may create some controversy with wildlife photographers and wildlife observers as they enjoy photographing and observing these birds, especially in the spring, when the toms are displaying. By limiting the opening to the west of the river, there should be ample opportunity for wildlife photographers and observers to still enjoy turkeys on the refuge in late spring. Overall, the proposed opening of the refuge to turkey hunting and the expansion of white-tailed deer archery hunting and sport fishing would have a minimal effect on other public use opportunities on the refuge.

This alternative meets the purpose and needs of the Service as described above because it provides hunting and fishing opportunities on the refuge and meets the refuge-establishing purposes. The Service has the resources necessary to carry out this alternative and has determined that the proposed action described in this alternative is compatible with the purposes of the refuge and the mission of the Service (USFWS 2020c).

Alternative B – No Action Alternative

This alternative does not meet the purpose and needs of the Service as described above because it would not provide added hunting and fishing opportunities.

There would be no added costs to the refuge under this alternative. There would be no change to current public use and wildlife management programs on the refuge under this alternative. The refuge would not increase its effect on the economy and would not provide new hunting and fishing access opportunities. Although this alternative has the fewest direct impacts on physical and biological resources, it would not support our mandates under the NWRSA and Secretarial Order 3356.

3.6 List of Sources, Agencies, and Persons Consulted

The following agencies and organizations were consulted during the development of this EA:

- MFWP

3.7 List of Preparers

Name	Position	Work Unit
Tom Reed	Refuge Manager	Lee Metcalf NWR (Stevensville, MT)
Bob Johnson	Refuge Manager	Benton Lake NWR (Great Falls, MT)
Benjamin Gilles	Project Leader	Western Montana Complex (Great Falls, MT)
Vanessa Fields	Wildlife Biologist	Mountain-Prairie Regional Office (Lakewood, CO)
Allison Parrish	Zone Archeologist (MT/UT/WY)	Mountain-Prairie Regional Office (Bozeman, MT)

3.8 State Coordination

The refuge reviewed the operations and regulations for neighboring state wildlife management areas and refuges to find consistency where possible. We discussed opening the refuge west of the Bitterroot River for white-tailed deer archery hunting and turkey hunting and expanding the refuge archery white-tailed deer hunt to include the use of hunt license 260-20, with the MFWP Region 2 Bitterroot Valley wildlife biologist and Region 2 supervisor. This interest is congruent with the Department of Interior Secretarial Order 3356, “Hunting, Fishing, Recreational Shooting, and Wildlife Conservation Opportunities and Coordination with States, Tribes, and Territories.”

After the public comment period, we consulted with MFWP about comments we received on turkey hunting (see below). MFWP supported our decision not to open the areas east of the Bitterroot River to limited entry turkey hunting. A limited entry hunt would not help to meet their harvest goals and opening this area in full alignment with State regulations would not be compatible. We will continue to consult and coordinate on specific aspects of the hunting and fishing plan to ensure safe and enjoyable recreational hunting opportunities.

3.9 Tribal Consultation

The Service mailed an invitation for comments to all tribes potentially affected by initiating an EA to open the refuge to wild turkey hunting and to expand white-tailed deer archery hunting and sport fishing. The Service extended an invitation to engage in government-to-government consultation in accordance with Executive Order 13175. We did not receive responses from any tribes we contacted.

3.10 Public Outreach

On April 1, 2020, the Service put the hunting and fishing plan and EA out for 30-day public review and comment. The refuge announced the availability of the draft EA and hunting and fishing plan via public notices on the refuge’s website and in the refuge’s headquarters office. During a 30-day public comment period, the Service accepted comments in writing, in person, electronically, or in any other form the public wished to present comments or information. Upon close of the comment period, all comments and information were reviewed and considered. The

Service received comments from 41 individuals. We received comments that expressed general support for opening hunting on Lee Metcalf NWR and comments expressing general opposition.

Comment (1): We received comments that wildlife refuges should not allow hunting.

Response: The word “refuge” includes the idea of providing a haven of safety for wildlife, and as such, hunting might seem like an inconsistent use of the Refuge System. However, the NWRSA stipulates that hunting, if found compatible, is a legitimate and priority public use of a refuge. In this case, turkey hunting and white-tailed deer has been found to be compatible on Lee Metcalf NWR (please see the final compatibility determination, USFWS 2020c). We also recognize that in Montana there are hunting opportunities on other public lands, such as Bureau of Land Management, U.S. Forest Service, and State of Montana. However, facilitating hunting opportunities is an important aspect of the Service's roles and responsibilities as outlined in the legislation establishing the Refuge System, and the Service will continue to facilitate these opportunities, where compatible with the purpose of the specific refuge and the mission of the Refuge System.

We did not make any changes to the EA as a result of this comment.

Comment (2): We received comments expressing concern about opening the refuge to spring and fall turkey hunting, particularly refuge areas east of the Bitterroot River. Concerns included significant conflicts with other public use on the refuge and impacts to nesting birds in the spring.

Response: After further consideration of these issues, we have amended the proposed action to open turkey hunting on the 40 acres west of the Bitterroot River only. While there may still be some disruption to nesting birds in the area west of the river in the spring due to noise disturbance or trampling, the State of Montana Block Management Area immediately next to these refuge parcels is currently open to spring turkey hunting. The additional negative impact to spring nesting birds on these small, disjunct refuge parcels would be expected to be minimal.

Comment (3): We also received comments that other forms of public use on the refuge are important and the increase in hunting opportunities would cause more conflicts.

Response: Congress, through the NWRSA, as amended, envisioned that hunting, fishing, wildlife observation and photography, and environmental education and interpretation would all be treated as priority public uses of the Refuge System. Therefore, the Service facilitates all of these uses on refuges, as long as they are found compatible with the purposes of the specific refuge and the mission of the Refuge System. As described in Table 2 of the EA, there are several other compatible public uses enjoyed by the public on Lee Metcalf NWR and the refuge attempts to separate the various public uses as much as possible to reduce conflicts between user groups. In addition, as mentioned above, the proposed action has been revised to open turkey hunting only in the areas west of the Bitterroot River, which reduces conflicts, as much of the area near the refuge is already open to hunting and fishing and other uses, such as wildlife observation and photography.

We did not make any changes to the EA as a result of this comment.

Comment (4): We received a comment that hunting should be expanded and used as a tool to eradicate nonnative wild turkeys and reduce white-tailed deer populations to benefit habitat management.

Response: We are proposing to open or expand hunting for both species on Lee Metcalf NWR, however, as discussed in the previous comment, hunting must be considered in balance with the other public uses on the refuge.

We did not make any changes to the EA as a result of this comment.

Comment (5): We received a comment asking about more fishing opportunities on the refuge and the use of lead lures.

Response: Besides the current fishing opportunities on the refuge described in Table 2, the refuge also currently hosts, through a special use permit, an annual kids fishing clinic in the wetlands for children ages 7–12 on the first Saturday in June that is sponsored by the Big Sky Bassers. Wetlands outside of the current designated fishing areas are closed to fishing, and all other public access (except some are in the archery hunt area), because the Refuge mission is to manage for migratory birds. Fishing (and monofilament line) would not be compatible with maintaining sanctuary for nesting and migratory birds in these areas. Fishing on the refuge is in accordance with State of Montana regulations which only allows artificial flies and lures, which typically do not contain lead.

We did not make any changes to the EA as a result of this comment.

Comment (6): We received a comment expressing concern about waterfowl hunting on the Bitterroot River next to the refuge's Wildlife-Viewing Area (WVA).

Response: The refuge currently prohibits entry to the Bitterroot River through the WVA and we do not allow boats to put in or take out from the WVA. We will continue to make these restrictions clear through refuge signs and brochures.

We did not make any changes to the EA as a result of this comment.

Comment (7): We received a comment requesting more areas be opened for waterfowl hunting.

Response: Currently, the Service cannot expand waterfowl hunting on the refuge and meet the refuge establishing purposes, which includes keeping at least 60 percent of the refuge closed to hunting to provide inviolate sanctuary for migratory birds.

We did not make any changes to the EA as a result of this comment.

Comment (8): We received a question about requirements for hunters to sign in and tracking hunting statistics on the refuge.

Response: Hunters on the refuge would no longer be required to sign in. Previously this was the method the refuge used to track the number of hunters, hunter hours, and animals harvested. Since the refuge is no longer requiring hunters to sign in, these statistics would no longer be tracked.

The proposed action has been revised in the EA to clarify this information.

Comment (9): We received comments that the Service does not have adequate law enforcement to implement the proposed action.

Response: We have considered the factors involved in this opening and find we have adequate staff coverage and money for this use. Service policy (603 FW 2.12[7]) requires station managers to determine that adequate resources (including staff, which in turn includes law enforcement) exist or can be provided by the Service or a partner to properly develop, run, and

maintain the use in a way that will not materially interfere with or detract from fulfillment of the refuge purpose(s) and the Service's mission. If resources are lacking for establishment or continuation of wildlife-dependent recreational uses, the refuge manager would make reasonable efforts to obtain additional resources or outside assistance from states, other public agencies, local communities, or both private and nonprofit groups before determining that the use is not compatible. When Service law enforcement resources are lacking, we are often able to rely upon state fish and game law-enforcement capacity to assist in the enforcement of hunting and fishing regulations.

We did not make any changes to the EA as a result of this comment.

Additionally, on April 9, 2020, the Service published the Draft 2020–2021 Refuge-Specific Hunting and Sport Fishing Regulations in the Federal Register (see 85 FR 20030). The Service received three public comments on the refuge-specific regulations proposed in conjunction with the refuge's hunting and fishing plan and EA.

Comment (10): We received comments expressing concern over the effects of lead ammunition and tackle on wildlife and human health, as well as the cumulative impacts.

Response: The Service shares commenters concerns regarding the bioavailability of lead in the environment and the fragments that can be deposited in killed game. Deer hunting is archery only and therefore would not increase lead in the environment. Fishing on the refuge is in accordance with State of Montana regulations which only allows artificial flies and lures, which typically do not contain lead. In the case of turkey hunting, Table 1 has been updated to include the impacts of lead ammunition on the refuge (see "Wildlife and Aquatic Species"). Due to the low populations of turkey on the refuge (0–20 expected to be harvested each year) and relatively small area being opened (40 acres), the additional lead in the environment as a result of the proposed action is expected to have a negligible negative effect on wildlife.

We also analyzed the cumulative impacts of lead in Table 6. The number of turkeys that are expected to be harvested on the refuge would be negligible compared to the statewide harvest and would therefore, not contribute to a significant increase in lead in the environment. The area that would be opened to turkey hunting on the refuge (40 acres) is less than 0.01 percent of the acres of private and public lands enrolled in the MFWP's Block Management Program in Region 2 that are available for hunting. Therefore, the overall increase in lead ammunition in the environment, both in number of animals harvested and area affected, is expected to be negligible.

The Service encourages refuge-state partnerships to reach decisions on usage and will continue to encourage hunters to voluntarily use non-toxic ammunition for all harvest activities. The Service's intent is to reduce the potential of lead poisoning to migratory birds and birds of prey, as well as lower the risk of lead exposure for humans ingesting wild game hunted on refuges.

We have added more analysis to the direct impacts (Table 1) and the cumulative impacts (Table 6) in the EA. We did not make any other changes as a result of these comments.

Comment (11): We received a comment that the threatened yellow-billed cuckoo, bull trout, and grizzly bear may be adversely affected at Lee Metcalf NWR.

Response: In both the EA (see Table 1) and the Intra-Service Section 7 review (see Appendix C), the Service determined that opening the refuge to turkey hunting and expanding deer hunting and sport fishing opportunities would result in insignificant or discountable effects to yellow-billed cuckoos, bull trout, and grizzly bears.

We did not make any changes to the EA as a result of this comment.

Comment (12): We received a comment that the Service should consider the impacts to grizzly bears cumulatively at Lee Metcalf NWR and Swan River NWR as a result of proposed new hunting and fishing opportunities.

Response: In the EAs and Intra-Service Section 7 consultations for each of these refuges, the Service determined that the proposed actions would result in insignificant or discountable effects on grizzly bears (Appendix C, USFWS 2020d). Opening Swan River NWR to archery-only black bear hunting is expected to have an insignificant impact on grizzly bears because the number of new users on the refuge is expected to be less than five per year and due to the relatively small size of the refuge. We estimated the resulting number of additional grizzly bear mortalities to be 0.0002 bears per year or one every 500 years, on average. Swan River NWR is less than 0.015 percent of the 13 million acres already open to black bear hunting within the area occupied by grizzly bears in Montana. On Lee Metcalf NWR, the impacts to grizzly bears are discussed in Table 1 and in Appendix C of this document. Grizzly bears are wide-ranging species that could possibly move through the refuge, but thus far only one record of a grizzly bear has been documented on the refuge. In addition, Lee Metcalf NWR is not located in a designated recovery zone for grizzly bears in the lower-48 states. Given these insignificant and discountable impacts at each refuge, the cumulative impact would also be expected to be negligible.

We did not make any changes to the EA as a result of this comment.

3.11 Determination

This section will be filled out upon completion of any public comment period and at the time of finalization of the EA.

- The Service's action will not result in a significant impact on the quality of the human environment. See the attached "**Finding of No Significant Impact.**"
- The Service's action **may significantly affect** the quality of the human environment and the Service will prepare an Environmental Impact Statement.

Preparer Signature: _____ Date: _____

Name/Title/Organization: Benjamin Gilles, Project Leader, Western Montana National Wildlife Refuge Complex

Reviewer Signature: _____ Date: _____

Name/Title: Noreen Walsh, Regional Director, Interior Regions 5 and 7, Lakewood, CO

3.12 References

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APPENDIX A OTHER APPLICABLE STATUTES, EXECUTIVE ORDERS, AND REGULATIONS

Statutes, Executive Orders, and Regulations
Cultural Resources
<p>American Indian Religious Freedom Act, as amended, 42 U.S. Code 1996–1996a; 43 CFR 7</p> <p>Antiquities Act of 1906, 16 U.S. Code 431-433; 43 CFR 3</p> <p>Archaeological Resources Protection Act of 1979, 16 U.S. Code 470aa–470mm; 18 CFR 1312; 32 CFR 229; 36 CFR 296; 43 CFR 7</p> <p>National Historic Preservation Act of 1966, as amended, 16 U.S. Code 470–470x-6; 36 CFR 60, 63, 78, 79, 800, 801, and 810</p> <p>Paleontological Resources Protection Act, 16 U.S. Code 470aaa–470aaa-11</p> <p>Native American Graves Protection and Repatriation Act, 25 U.S. Code 3001–3013; 43 CFR 10</p> <p>Executive Order 11593 – Protection and Enhancement of the Cultural Environment, 36 Federal Register 8921 (1971)</p> <p>Executive Order 13007 – Indian Sacred Sites, 61 Federal Register 26771 (1996)</p>
Fish and Wildlife
<p>Bald and Golden Eagle Protection Act, as amended, 16 U.S. Code 668–668c, 50 CFR 22</p> <p>Endangered Species Act of 1973, as amended, 16 U.S. Code 1531–1544; 36 CFR 13; 50 CFR 10, 17, 23, 81, 217, 222, 225, 402, and 450</p> <p>Fish and Wildlife Act of 1956, 16 U.S. Code 742 a–m</p> <p>Lacey Act, as amended, 16 U.S. Code 3371 et seq.; 15 CFR 10, 11, 12, 14, 300, and 904</p> <p>Migratory Bird Treaty Act, as amended, 16 U.S. Code 703–712; 50 CFR 10, 12, 20, and 21</p> <p>Executive Order 13186 – Responsibilities of Federal Agencies to Protect Migratory Birds, 66 Federal Register 3853 (2001)</p>
Natural Resources
<p>Clean Air Act, as amended, 42 U.S. Code 7401–7671q; 40 CFR 23, 50, 51, 52, 58, 60, 61, 82, and 93; 48 CFR 23</p> <p>Wilderness Act, 16 U.S. Code 1131 et seq.</p> <p>Wild and Scenic Rivers Act, 16 U.S. Code 1271 et seq.</p> <p>Executive Order 13112 – Invasive Species, 64 Federal Register 6183 (1999)</p>
Water Resources
<p>Coastal Zone Management Act of 1972, 16 U.S. Code 1451 et seq.; 15 CFR 923, 930, and 933</p> <p>Federal Water Pollution Control Act of 1972 (commonly referred to as Clean Water Act), 33 U.S. Code 1251 et seq.; 33 CFR 320–330; 40 CFR 110, 112, 116, 117, 230-232, 323, and 328</p> <p>Rivers and Harbors Act of 1899, as amended, 33 U.S. Code 401 et seq.; 33 CFR 114, 115, 116, 321, 322, and 333</p> <p>Safe Drinking Water Act of 1974, 42 U.S. Code 300f et seq.; 40 CFR 141–148</p> <p>Executive Order 11988 – Floodplain Management, 42 Federal Register 26951 (1977)</p> <p>Executive Order 11990 – Protection of Wetlands, 42 Federal Register 26961 (1977)</p>

Key: CFR = Code of Federal Regulations; U.S.C. = United States Code

APPENDIX B FINDING OF NO SIGNIFICANT IMPACT

FINDING OF NO SIGNIFICANT IMPACT AND DECISION TO OPEN WILD TURKEY HUNTING AND EXPAND WHITE- TAILED DEER AND SPORT FISHING

LEE METCALF NATIONAL WILDLIFE REFUGE

Ravalli County, Montana

The United States (U.S.) Fish and Wildlife Service (Service) is opening hunting opportunities for wild turkey, expanding hunting for white-tailed deer, and expanding sport fishing on the Lee Metcalf National Wildlife Refuge (NWR) in accordance with the refuge's hunting and fishing plan (USFWS 2020a) and the refuge's comprehensive conservation plan (CCP) (USFWS 2012). Hunting for wild turkey, archery hunting for white-tailed deer, and sport fishing would be allowed on the 40 acres west of the Bitterroot River. The use of Deer B License 260-20 (either sex white-tailed deer) would also be allowed on the refuge beginning in September 2020.

Selected Action

Alternative A – Proposed Action Alternative: The Service is proposing to open hunting opportunities for wild turkey on the refuge on approximately 40 acres west of the Bitterroot River (see Figure 1). This is a modification of the original proposal that included opening a limited entry opportunity hunting for wild turkeys on designated areas of the refuge east of the Bitterroot River. Hunting of white-tailed deer would be allowed on refuge lands west of the Bitterroot River. Private and public lands west of the river are currently open to white-tailed deer archery hunting, including a Block Management Area and two Montana Department of Fish, Wildlife, and Parks (MFWP) fishing access sites. The Deer B licenses that are permitted to be used on the refuge would expand to include Deer B 260-20. Sport fishing would also be opened on approximately 40 acres west of the Bitterroot River.

The Service is also proposing to revise the regulations, reducing the regulatory burden for migratory bird hunters by removing the requirement to complete the Migratory Bird Hunt Report (FWS Form 3-2361) and for deer hunters by removing the requirement that hunters complete the Big Game Harvest Report (FWS Form 3-2359). The blind lottery and requirement to set the appropriate blind selector (metal flip tag) would remain (Waterfowl Unit).

The proposed action is often iterative and may evolve during the National Environmental Policy Act (NEPA) process as the agency refines its proposal and gathers feedback from the public, tribes, and other agencies. The proposed action was revised in response to public comment. The proposal to open wild turkey hunting applies to approximately 40 acres west of the Bitterroot River but does not include areas east of the Bitterroot River.

This alternative was selected over the other alternatives because it offers increased opportunities for public hunting and fulfills the Service's mandate under the National Wildlife Refuge System Administration Act of 1966 (NWRSA), as amended by the National Wildlife Refuge System

Improvement Act of 1997 (Improvement Act), and Secretarial Order 3356 while having only a minimal effect on physical and biological resources. The Service has determined that the hunting plan is compatible with the purposes of the refuge and the mission of the National Wildlife Refuge System (Refuge System; USFWS 2020c).

Other Alternatives Considered and Analyzed

Alternative A – No Action Alternative: The refuge would continue current management. All existing public uses, such as wildlife observation, wildlife photography, wildlife interpretation, and environmental education, would continue at existing levels. No changes to existing habitat management actions (including water management) would occur. There would be no added costs to the refuge under this alternative. The refuge would remain closed to turkey hunting. Waterfowl and archery deer hunting would continue on designated areas of the refuge (as described in 50 Code of Federal Regulations 32.45, www.gov.ecfr.io). Sport fishing would continue on designated areas of the refuge (as described in 50 Code of Federal Regulations 32.45).

There would be no added costs to the refuge under this alternative. There would be no change to current public use and wildlife management programs on the refuge under this alternative. The refuge would not increase its impact on the economy and would not provide new hunting and fishing access opportunities. Although this alternative has the least direct impacts on physical and biological resources, this alternative was not selected because it would not support our mandates under the NWRSA, as amended by the Improvement Act, and Secretarial Order 3356.

Summary of Effects of the Selected Action

An environmental assessment (EA) was prepared in compliance with the NEPA to provide decision-making framework that (1) explored a reasonable range of alternatives to meet project objectives, (2) evaluated potential issues and impacts to the refuge, resources and values, and (3) identified mitigation measures to lessen the degree or extent of these impacts. The EA evaluated the effects associated with opening hunting opportunities for wild turkey, expanding hunting for white-tailed deer, and expanding sport fishing. It is incorporated as part of this finding.

Implementation of the agency's decision would be expected to result in the following environmental, social, and economic effects:

Opening hunting opportunities for wild turkey and white-tailed deer, as well as more sport fishing access, on the Lee Metcalf NWR is not expected to have any population-level effects. Opening the refuge to more hunting and fishing would result in short-term disturbance to wildlife. These impacts would be minimal, and it is assumed that displaced wildlife would reoccupy disturbed sites following hunter or angler departure.

Opening the areas of the refuge west of the Bitterroot River and increasing the license opportunity for archery white-tailed deer on the archery hunt area east of the river should not create any added conflict with other user groups. Opening turkey hunting may create some controversy with wildlife photographers and wildlife observers as they enjoy photographing and observing these birds, especially in the spring, when the toms are displaying. By limiting the opening to the west of the river, there should be ample opportunity for wildlife photographers

and observers to still enjoy turkeys on the refuge in late spring. Overall, the proposed opening of the refuge to turkey hunting and the expansion of white-tailed deer archery hunting and sport fishing would have a minimal impact on other public use opportunities on the refuge.

The Service has the resources necessary to carry out this alternative and has determined that the proposed action described in this alternative is compatible with the purposes of the refuge and the mission of the Service (USFWS 2020c).

Measures to mitigate or minimize adverse effects have been incorporated into the selected action. These measures include:

The refuge attempts to separate the various public uses as much as possible to reduce conflicts between user groups. Opening the areas of the refuge west of the Bitterroot River should not create conflict, as much of the area near the refuge is already open to hunting and fishing.

By keeping adequate sanctuary on the refuge, wildlife learn to use the refugia and populations are sustained. Refuge signage, hunting and fishing and general brochures, informational kiosks, Web site postings, and state hunting and fishing regulations would also inform hunters and anglers of where and how the hunting and fishing program is managed to reduce overharvest of any wildlife population segment.

While refuges, by their nature, are unique areas protected for conservation of fish, wildlife and habitat, the proposed action would not have a significant effect on refuge resources and uses for several reasons:

- In the context of state and refuge hunting and fishing programs, the proposed action would only result in a negligible to minor effect on other fish and wildlife harvested. The Service works closely with the state to ensure that additional species harvested on a refuge are within the limits set by the state to ensure healthy populations of the species for present and future generations of Americans.
- The action would result in beneficial impacts to the human environment, including wildlife-dependent recreational opportunities and socioeconomics of the local economy.
- The adverse direct and indirect effects of the proposed action on air, water, soil, habitat, and wildlife are expected to be minor and short-term.
- The Refuge System uses an adaptive management approach to all wildlife management on refuges, checking and re-evaluating the hunting and fishing opportunities on the refuge on an annual basis to ensure that the hunting and fishing programs continue to contribute to the biodiversity and ecosystem health of the refuge. These opportunities do not contribute to any cumulative impacts to habitat or wildlife from climate change, population growth and development, or local, state, or regional wildlife management.
- The action, along with proposed mitigation measures, would ensure that there is low danger to the health and safety of refuge staff, visitors, and the hunters and anglers themselves.
- The action is not in an ecologically sensitive area.
- The action would not impact any threatened or endangered species; or any federally-designated critical habitat.

- The action would not impact any cultural or historical resources.
- The action would not impact any wilderness areas.
- There is no scientific controversy over the impacts of this action and the impacts of the proposed action are relatively certain.
- The proposal is not expected to have any significant adverse effects on wetlands and floodplains, pursuant to Executive Orders 11990 and 11988 because the action of opening the refuge to wild turkey hunting and expanding deer hunting and sport fishing would not cause any destruction or degradation of wetlands or result in any floodplain development.

Public Review

The proposal has been thoroughly coordinated with all interested and affected parties. Parties contacted include:

Coordination with Montana Fish, Wildlife, and Parks

The refuge reviewed the operations and regulations for neighboring state wildlife management areas and refuges to find consistency where possible. We, the Service, discussed opening the refuge west of the Bitterroot River for white-tailed deer archery hunting and turkey hunting and expanding the refuge archery white-tailed deer hunting to include the use of hunt license 260-20, with the MFWP Region 2 Bitterroot Valley wildlife biologist and Region 2 supervisor. This interest is congruent with the Department of Interior Secretarial Order 3356, “Hunting, Fishing, Recreational Shooting, and Wildlife Conservation Opportunities and Coordination with States, Tribes, and Territories.”

After the public comment period, we consulted with MFWP about comments we received on turkey hunting (see below). MFWP supported our decision to not open the areas east of the Bitterroot River to limited entry turkey hunting. A limited entry hunt would not help to meet their harvest goals and opening this area in full alignment with state regulations would not be compatible. We will continue to consult and coordinate on specific aspects of the hunting and fishing plan to ensure safe and enjoyable recreational hunting opportunities.

Tribal Coordination

The Service mailed an invitation for comments to all tribes potentially affected by initiating an EA to open the refuge to mourning dove hunting. The Service extended an invitation to engage in government-to-government consultation in accordance with Executive Order 13175. We did not receive responses from any tribes we contacted.

Public Comment

On April 1, 2020, the Service put the hunting and fishing plan and EA out for a 30-day public review and comment. The Service received comments from 41 individuals. We received comments that expressed general support for opening hunting on Lee Metcalf NWR and comments expressing general opposition.

Comment (1): We received comments that wildlife refuges should not allow hunting.

Response: The word “refuge” includes the idea of providing a haven of safety for wildlife, and as such, hunting might seem like an inconsistent use of the Refuge System. However, the NWRSA stipulates that hunting, if found compatible, is a legitimate and priority public use of a refuge. In this case, turkey hunting and white-tailed deer has been found to be compatible on Lee Metcalf NWR (please see the final compatibility determination, USFWS 2020c). We also recognize that in Montana there are hunting opportunities on other public lands, such as Bureau of Land Management, U.S. Forest Service, and State of Montana. However, facilitating hunting opportunities is an important aspect of the Service's roles and responsibilities as outlined in the legislation establishing the Refuge System, and the Service will continue to facilitate these opportunities, where compatible with the purpose of the specific refuge and the mission of the Refuge System.

We did not make any changes to the EA as a result of this comment.

Comment (2): We received comments expressing concern about opening the refuge to spring and fall turkey hunting, particularly refuge areas east of the Bitterroot River. Concerns included significant conflicts with other public use on the refuge and impacts to nesting birds in the spring.

Response: After further consideration of these issues, we have amended the proposed action to open turkey hunting on the 40 acres west of the Bitterroot River only. While there may still be some disruption to nesting birds in the area west of the river in the spring due to noise disturbance or trampling, the State of Montana Block Management Area immediately next to these refuge parcels is currently open to spring turkey hunting. The additional negative impact to spring nesting birds on these small, disjunct refuge parcels would be expected to be minimal.

Comment (3): We also received comments that other forms of public use on the refuge are important and the increase in hunting opportunities would cause more conflicts.

Response: Congress, through the NWRSA, as amended, envisioned that hunting, fishing, wildlife observation and photography, and environmental education and interpretation would all be treated as priority public uses of the Refuge System. Therefore, the Service facilitates all of these uses on refuges, as long as they are found compatible with the purposes of the specific refuge and the mission of the Refuge System. As described in Table 2 of the EA, there are several other compatible public uses enjoyed by the public on Lee Metcalf NWR and the refuge attempts to separate the various public uses as much as possible to reduce conflicts between user groups. In addition, as mentioned above, the proposed action has been revised to open turkey hunting only in the areas west of the Bitterroot River, which reduces conflicts, as much of the area near the refuge is already open to hunting and fishing and other uses, such as wildlife observation and photography.

We did not make any changes to the EA as a result of this comment.

Comment (4): We received a comment that hunting should be expanded and used as a tool to eradicate nonnative wild turkeys and reduce white-tailed deer populations to benefit habitat management.

Response: We are proposing to open or expand hunting for both species on Lee Metcalf NWR; however, as discussed in the previous comment, hunting must be considered in balance with the other public uses on the refuge.

We did not make any changes to the EA as a result of this comment.

Comment (5): We received a comment asking about more fishing opportunities on the refuge and the use of lead lures.

Response: Besides the current fishing opportunities on the refuge described in Table 2, the refuge also currently hosts, through a special use permit, an annual kids fishing clinic in the wetlands for children ages 7–12 on the first Saturday in June that is sponsored by the Big Sky Bassers. Wetlands outside of the current designated fishing areas are closed to fishing, and all other public access (except some are in the archery hunt area), because the Refuge mission is to manage for migratory birds. Fishing (and monofilament line) would not be compatible with maintaining sanctuary for nesting and migratory birds in these areas. Fishing on the refuge is in accordance with State of Montana regulations which only allows artificial flies and lures, which typically do not contain lead.

We did not make any changes to the EA as a result of this comment.

Comment (6): We received a comment expressing concern about waterfowl hunting on the Bitterroot River next to the refuge's Wildlife-Viewing Area (WVA).

Response: The refuge currently prohibits entry to the Bitterroot River through the WVA and we do not allow boats to put in or take out from the WVA. We will continue to make these restrictions clear through refuge signs and brochures.

We did not make any changes to the EA as a result of this comment.

Comment (7): We received a comment requesting more areas be opened for waterfowl hunting.

Response: Currently, the Service cannot expand waterfowl hunting on the refuge and meet the refuge establishing purposes, which includes keeping at least 60 percent of the refuge closed to hunting to provide inviolate sanctuary for migratory birds.

We did not make any changes to the EA as a result of this comment.

Comment (8): We received a question about requirements for hunters to sign in and tracking hunting statistics on the refuge.

Response: Hunters on the refuge would no longer be required to sign in. Previously this was the method the refuge used to track the number of hunters, hunter hours, and animals harvested. Since the refuge is no longer requiring hunters to sign in, these statistics would no longer be tracked.

The proposed action has been revised in the EA to clarify this information.

Comment (9): We received comments that the Service does not have adequate law enforcement to implement the proposed action.

Response: We have considered the factors involved in this opening and find we have adequate staff coverage and money for this use. Service policy (603 FW 2.12[7]) requires station managers to determine that adequate resources (including staff, which in turn includes law enforcement) exist or can be provided by the Service or a partner to properly develop, run, and maintain the use in a way that will not materially interfere with or detract from fulfillment of the refuge purpose(s) and the Service's mission. If resources are lacking for establishment or continuation of wildlife-dependent recreational uses, the refuge manager would make reasonable efforts to obtain additional resources or outside assistance from states, other public agencies, local communities, or both private and nonprofit groups before determining that the use is not

compatible. When Service law enforcement resources are lacking, we are often able to rely upon state fish and game law enforcement capacity to assist in the enforcement of hunting and fishing regulations.

We did not make any changes to the EA as a result of this comment.

Additionally, on April 9, 2020, the Service published the Draft 2020–2021 Refuge-Specific Hunting and Sport Fishing Regulations in the Federal Register (see 85 FR 20030). The Service received three public comments on the refuge-specific regulations proposed in conjunction with the refuge’s hunting and fishing plan and EA.

Comment (10): We received comments expressing concern over the effects of lead ammunition and tackle on wildlife and human health, as well as the cumulative impacts.

Response: The Service shares commenters concerns regarding the bioavailability of lead in the environment and the fragments that can be deposited in killed game. Deer hunting is archery only and therefore would not increase lead in the environment. Fishing on the refuge is in accordance with State of Montana regulations which only allows artificial flies and lures, which typically do not contain lead. In the case of turkey hunting, Table 1 has been updated to include the impacts of lead ammunition on the refuge (see “Wildlife and Aquatic Species”). Due to the low populations of turkey on the refuge (0–20 expected to be harvested each year) and relatively small area being opened (40 acres), the additional lead in the environment as a result of the proposed action is expected to have a negligible negative effect on wildlife.

We also analyzed the cumulative impacts of lead in Table 6. The number of turkeys that are expected to be harvested on the refuge would be negligible compared to the statewide harvest and would therefore, not contribute to a significant increase in lead in the environment. The area that would be opened to turkey hunting on the refuge (40 acres) is less than 0.01 percent of the acres of private and public lands enrolled in the MFWP’s Block Management Program in Region 2 that are available for hunting. Therefore, the overall increase in lead ammunition in the environment, both in number of animals harvested and area affected, is expected to be negligible.

The Service encourages refuge-state partnerships to reach decisions on usage and will continue to encourage hunters to voluntarily use non-toxic ammunition for all harvest activities. The Service’s intent is to reduce the potential of lead poisoning to migratory birds and birds of prey, as well as lower the risk of lead exposure for humans ingesting wild game hunted on refuges.

We have added more analysis to the direct impacts (Table 1) and the cumulative impacts (Table 6) in the EA. We did not make any other changes as a result of these comments.

Comment (11): We received a comment that the threatened yellow-billed cuckoo, bull trout, and grizzly bear may be adversely affected at Lee Metcalf NWR.

Response: In both the EA (see Table 1) and the Intra-Service Section 7 review (see Appendix C), the Service determined that opening the refuge to turkey hunting and expanding deer hunting and sport fishing opportunities would result in insignificant or discountable effects to yellow-billed cuckoos, bull trout, and grizzly bears.

We did not make any changes to the EA as a result of this comment.

Comment (12): We received a comment that the Service should consider the impacts to grizzly bears cumulatively at Lee Metcalf NWR and Swan River NWR as a result of proposed new hunting and fishing opportunities.

Response: In the EAs and Intra-Service Section 7 consultations for each of these refuges, the Service determined that the proposed actions would result in insignificant or discountable effects on grizzly bears (Appendix C, USFWS 2020d). Opening Swan River NWR to archery-only black bear hunting is expected to have an insignificant impact on grizzly bears because the number of new users on the refuge is expected to be less than five per year and due to the relatively small size of the refuge. We estimated the resulting number of additional grizzly bear mortalities to be 0.0002 bears per year or one every 500 years, on average. Swan River NWR is less than 0.015 percent of the 13 million acres already open to black bear hunting within the area occupied by grizzly bears in Montana. On Lee Metcalf NWR, the impacts to grizzly bears are discussed in Table 1 and in Appendix C of this document. Grizzly bears are wide-ranging species that could possibly move through the refuge, but thus far only one record of a grizzly bear has been documented on the refuge. In addition, Lee Metcalf NWR is not located in a designated recovery zone for grizzly bears in the lower-48 states. Given these insignificant and discountable impacts at each refuge, the cumulative impact would also be expected to be negligible.

We did not make any changes to the EA as a result of this comment.

Finding of No Significant Impact

Based upon a review and evaluation of the information contained in the EA as well as other documents and actions of record affiliated with this proposal, the Service has determined that the proposal to implement hunting opportunities for wild turkey, expanding hunting for white-tailed deer, and expanding sport fishing on the Lee Metcalf NWR does not constitute a major federal action significantly affecting the quality of the human environment under the meaning of Section 102 (2) (c) of NEPA (as amended). As such, an environmental impact statement is not required.

Decision

The Service has decided to open hunting opportunities for wild turkey on the refuge on approximately 40 acres west of the Bitterroot River. Hunting of white-tailed deer would be allowed on refuge lands west of the Bitterroot River. The Deer B licenses that are permitted to be used on the refuge would expand to include Deer B 260-20. Sport fishing would also be opened on approximately 40 acres west of the Bitterroot River. The Service is also removing the requirement for migratory bird hunters to complete the Migratory Bird Hunt Report (FWS Form 3-2361) and for deer hunters to complete the Big Game Harvest Report (FWS Form 3-2359).

This action is compatible with the purposes of the refuge and the mission of the Refuge System (see the final compatibility determination, USFWS 2020c).

The action is consistent with applicable laws and policies regarding the establishment of hunting on national wildlife refuges. Refuge-specific regulations promulgated in conjunction with this action are in the process of being finalized (see 85 FR 20030). This action will not be implemented until the regulations are finalized.

Noreen Walsh
Regional Director, Interior Regions 5 and 7
U.S. Fish and Wildlife Service
Lakewood, Colorado

Date

**APPENDIX C INTRA-SERVICE SECTION 7 BIOLOGICAL EVALUATION FORM –
REGION 6**

Intra-Service Section 7 Biological Evaluation Form - Region 6

Originating Person: Tom Reed Date Submitted: 3/17/2020

Telephone Number: 406-777-5552 x205

- I. Service Program and Geographic Area or Station Name:**
Refuges, Lee Metcalf National Wildlife Refuge, Stevensville, Montana (Ravalli County)
- II. Flexible Funding Program (e.g. Joint Venture, etc) if applicable:** Not applicable
- III. Location:** See attached map; Lee Metcalf National Wildlife Refuge, Ravalli County, Montana
- IV. Species/Critical Habitat:**
Bull Trout (threatened): Historically used refuge waters to access spawning area

Bull Trout (critical habitat): North Burnt Fork Creek and Bitterroot River

Yellow-billed cuckoo (Threatened): suitable habitat present; never documented

Grizzly bear (Threatened): documented on the refuge in 2018

Canada lynx (Threatened): may pass through the refuge; never documented

North American wolverine (Proposed Threatened): unlikely on the refuge, no suitable habitat present; never documented

White bark pine (Candidate): No suitable habitat present

V. Project Description:

The U.S. Fish and Wildlife Service (Service) is proposing to open hunting opportunities for wild turkey on Lee Metcalf National Wildlife Refuge (NWR, refuge) on approximately 40 acres west of the Bitterroot River (see map). In addition, the refuge would be open for limited entry opportunity hunting for wild turkeys on designated areas of the Lee Metcalf NWR east of the Bitterroot River.

Hunting of white-tailed deer would be allowed on Refuge lands west of the Bitterroot River. Private and public lands west of the River are currently open to archery white-tailed deer hunting, including a Block Management Area and two Montana Fish, Wildlife, and Parks fishing access sites. The deer B licenses that are permitted to be used on the Refuge would expand to include Deer B 260-20. Sport fishing access would also be opened on approximately 40 acres west of the Bitterroot River.

VI. Biological Justification:

The purpose of this proposed action is to provide compatible wildlife dependent recreational opportunities on the Lee Metcalf NWR. The need of the proposed action is to meet the Service's priorities and mandates as outlined by the NWRSA to "recognize compatible wildlife dependent recreational uses as the priority general use of the NWRs" and "ensure that opportunities are provided within the NWRs for compatible wildlife dependent recreational uses" (16 U.S.C. 668dd(a)(4)).

The NWRSAA mandates the Secretary of the Interior in administering the National Wildlife Refuge System to (16 U.S.C. 668dd(a)(4)):

- Ensure that the mission of the NWRS described at 16 U.S.C. 668dd(a)(2) and the purposes of each refuge are carried out;
- Recognize compatible wildlife-dependent recreational uses as the priority general public uses of the NWRS through which the American public can develop an appreciation for fish and wildlife;
- Ensure that opportunities are provided within the NWRS for compatible wildlife-dependent recreational uses;

Therefore it is a priority of the Service to provide for wildlife-dependent recreation opportunities, including hunting and fishing, when these opportunities are compatible with the purposes for which the refuge was established and the mission of the National Wildlife Refuge System.

VII. Determination of Effects:

(A) Description of Effects:

The Lee Metcalf Refuge hosts approximately 240,000 public use visits per year, the vast majority of which are not associated with hunting or fishing. The Refuge currently hosts waterfowl hunting on 654 acres and archery white-tailed deer hunting on 2,275 acres. These hunts have been in place for many years. There are approximately 965 waterfowl hunting visits and 1,030 deer hunting visits per year. These represent approximately less than one percent of Refuge visits each year.

Designated fishing sites are located in the Wildlife Viewing Area (WVA) and include Francois Slough and the Bitterroot River shoreline. There are no boat launches within the refuge. However, people can float and fish the part of the Bitterroot River that passes through the refuge, but they must remain below the high watermark and must not access the refuge from the river. It is difficult to obtain an accurate count on the number of anglers. In recent years fishing seems to be less popular within the WVA and Francois Slough.

Canada lynx, wolverine and grizzly bears are wide ranging species that could possibly move through the refuge. A grizzly bear was documented on the refuge in 2018.

Spring turkey hunting may result in temporal disturbance to listed species in the area open to hunting. Turkey hunters are typically low impact, move very quietly and typically hunt during the morning. Occasional gunshots and hunting activity could displace listed species passing through the refuge. Archery white-tailed deer hunting may also result in temporal disturbance to listed species in the areas open to hunting. These impacts would be minimal and it is assumed that displaced wildlife would reoccupy disturbed sites following hunter departure.

Yellow-billed cuckoo are only known in Montana in June and July during migration, which is outside of the months the proposed hunting opportunities would occur and the species is not known to occur on the refuge.

Expanding sport fishing is not expected to change the current numbers of people using the refuge to access fishing areas and therefore would not have any additional impacts on bull trout or bull trout critical habitat as a result of the proposed action.

(B) Determination: Determine the anticipated effects of the proposed project on species and critical habitats listed in item IV. Check all applicable boxes and list the species (or attach a list) associated with each determination.

Determination

No Effect: This determination is appropriate when the proposed project will not directly or indirectly affect (neither negatively nor beneficially) individuals of listed/proposed/candidate species or designated/proposed critical habitat of such species. **No concurrence from ESFO required.**

X *May Affect but Not Likely to Adversely Affect:* This determination is appropriate when the proposed project is likely to cause insignificant, discountable, or wholly beneficial effects to individuals of listed species and/or designated critical habitat. **Concurrence from ESFO required.**

May Affect and Likely to Adversely Affect: This determination is appropriate when the proposed project is likely to adversely impact individuals of listed species and/or designated critical habitat. **Formal consultation with ESFO required.**

May Affect and Likely to Adversely Affect but the proposed action is for the purpose of endangered or threatened species recovery and falls under Region 6's Programmatic Consultation on Service-initiated Recovery Actions: This determination is appropriate when adverse effects are likely but the project is designed to assist with recovery of listed species and/or designated critical habitat. **Concurrence from the ESFO that the project is covered by the programmatic consultation is required.**

May affect but Not Likely to Jeopardize candidate or proposed species/critical habitat: This determination is appropriate when the proposed project may affect, but is not expected to jeopardize the continued existence of a species proposed for listing or a candidate species, or adversely modify an area proposed for designation as critical habitat. **Concurrence from ESFO optional.**

Likely to Jeopardize candidate or proposed species/critical habitat: This determination is appropriate when the proposed project is reasonably expected to jeopardize the continued existence of a species proposed for listing or a candidate species, or adversely modify an area proposed for designation as critical habitat. **Conferencing with ESFO required.**

Signature 

Date 3-23-2020

Reviewing Ecological Services Office Evaluation (check all that apply):

A. Concurrence Nonconcurrency

Explanation for nonconcurrency:

B. Formal consultation required
List species or critical habitat unit _____

C. Effects are addressed in the Programmatic Consultation on R6's
Recovery Program – no further consultation needed _____

D. Conference required
List species or critical habitat unit _____

Name of Reviewing ES Office Montana

Signature [Handwritten Signature] Date 3-20-20

Revised 1/2012



U.S. Fish & Wildlife Service
Lee Metcalf National Wildlife Refuge

