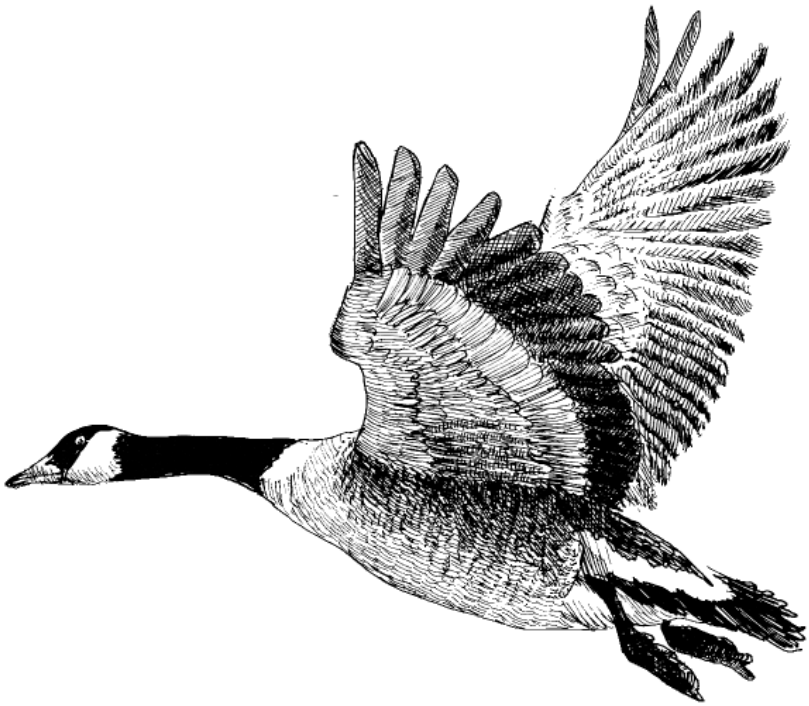
Glossary



Canada Goose
Bob Savannah/USFWS

Glossary

alternative: (1) a reasonable way to solve an identified problem or satisfy the stated need (40 CFR 1500.2); (2) alternatives are different means of accomplishing refuge purposes and goals and contributing to the Refuge System mission (Draft Service Manual 602 FW 1.5).

biological integrity: Biotic composition, structure and function at genetic, organism and community levels comparable with historic conditions, including the natural biological processes that shape the genomes, organisms, and communities.

CCP: *See* comprehensive conservation plan.

compatible use: A wildlife-dependent recreational use or any other use of a refuge that, in the sound professional judgment of the director of the U.S. Fish and Wildlife Service, will not materially interfere with or detract from the fulfillment of the mission of the Refuge System or the purposes of the refuge (Draft Service Manual 603 FW 3.6). A compatibility determination supports the selection of compatible uses and identified stipulations or limits necessary to ensure compatibility.

comprehensive conservation plan (CCP): A document that describes the desired future conditions of the refuge; and provides long-range guidance and management direction for the refuge manager to accomplish the purposes of the refuge, contribute to the mission of the Refuge System, and to meet other relevant mandates (Draft Service Manual 602 FW 1.5).

cultural resources: The remains of sites, structures, or objects used by people in the past.

easement refuge: *See* limited-interest national wildlife refuge.

ecosystem: A dynamic and interrelating complex of plant and animal communities and their associated non-living environment. A biological community, together with its environment, functioning as a unit. For administrative purposes, the Service has designated 53 ecosystems covering the United States and its possessions. These ecosystems generally correspond with watershed boundaries and their sizes and ecological complexity vary.

endangered species (federal): A plant or animal species listed under the Endangered Species Act of 1973 (as amended) that is in danger of extinction throughout all, or a significant portion of, its range.

endangered species (state): A plant or animal species in danger of becoming extinct or extirpated in a particular state within the near future if factors contributing to its decline continue. Populations of these species are at critically low levels or their habitats have been degraded or depleted to a significant degree.

environmental assessment (EA): A concise public document, prepared in compliance with the National Environmental Policy Act, that briefly discusses the purpose and need for an action, alternatives to such action, and provides sufficient evidence and analysis of impacts to determine whether to prepare an environmental impact statement or finding of no significant impact (40 CFR 1508.9).

fragmentation: The alteration of a large block of habitat which creates isolated patches of the original habitat that are interspersed with a variety of other habitat types (Koford et al. 1994); the process of reducing the size and connectivity of habitat patches, making movement of individuals or genetic information between parcels difficult or impossible.

goal: Descriptive, open-ended, and often broad statement of desired future conditions that conveys a purpose but does not define measurable units (Draft Service Manual 620 FW 1.5).

habitat: Suite of existing environmental conditions required by an organism for survival and reproductions. The place where an organism typically lives and grows.

habitat disturbance: Significant alteration of habitat structure or composition. Event may be natural (e.g., fire) or human-caused (e.g., timber harvest, disking).

habitat type (vegetation type, cover type): A land classification system based on the concept of distinct plant associations.

impoundment: A body of water created by collection and confinement within a series of levees or dikes, thus creating separate management units, although not always independent of one another.

inviolate sanctuary: A place of refuge or protection where animals and birds may not be hunted.

invasive plant: a species that is nonnative to the ecosystem under consideration and whose introduction causes, or is likely to cause, economic or environmental harm or harm to human health.

issue: Any unsettled matter that requires a management decision; e.g., a Service initiative, opportunity, resource management problem, a threat to the resources of the unit, conflict in uses, public concern, or the presence of an undesirable resource condition (Draft Service Manual 602 FW 1.5).

limited-interest national wildlife refuge: A national wildlife refuge that has more than 85% of its approved boundary covered by a 1930s flowage easement and/or refuge easement, giving the Service limited management capabilities.

management alternative: *See* alternative.

migration: Regular extensive, seasonal movements of birds between their breeding regions and their "wintering" regions (Koford et al. 1994); to pass periodically from one region or climate to another for feeding or breeding.

migratory birds: Birds that follow a seasonal movement from their breeding grounds to their "wintering" grounds. Waterfowl, shorebirds, raptors, and song birds are all migratory birds.

mission: Succinct statement of purpose and/or reason for being.

mixed-grass prairie: A transition zone between the tall-grass prairie and the short-grass prairie dominated by grasses of medium height that are approximately 2–4 feet tall. Soils are not as rich as the tall-grass prairie and moisture levels are less.

national wildlife refuge: "A designated area of land, water, or an interest in land or water within the Refuge System, but does not include coordination areas." Find a complete listing of all units of the Refuge System in the current *Annual Report of Lands Under Control of the U.S. Fish and Wildlife Service*.

National Wildlife Refuge System: Various categories of areas administered by the Secretary of the Interior for the conservation of fish and wildlife, including species threatened with extinction, all lands, waters, and interests therein administered by the Secretary as wildlife refuges, areas for the protection and conservation of fish and wildlife that are threatened with extinction, wildlife ranges, game ranges, wildlife management areas, or waterfowl production areas.

National Wildlife Refuge System Improvement Act of 1997: Sets the mission and the administrative policy for all refuges in the Refuge System. Clearly defines a unifying mission for the Refuge System; establishes the legitimacy and appropriateness of the six priority public uses (hunting, fishing, wildlife observation and photography, and environmental education and interpretation); establishes a formal process for determining appropriateness and compatibility; establish the responsibilities of the Secretary of the Interior for managing and protecting the Refuge System; and requires a comprehensive conservation plan for each refuge by the year 2012. This Act amended portions of the Refuge Recreation Act and National Wildlife Refuge System Administration Act of 1966.

native species: A species that occurred or currently occurs in that ecosystem and is not the result of human introduction into that ecosystem.

nongovernmental organization (NGO): Any group that is not composed of federal, state, tribal, county, city, town, local, or other governmental entities.

objective: An objective is a concise target statement of what will be achieved, how much will be achieved, when and where it will be achieved, and who is responsible for the work. Objectives are derived from goals and provide the basis for determining management strategies. Objectives should be attainable and time-specific and should be stated quantitatively to the extent possible. If objectives cannot be stated quantitatively, they may be stated qualitatively (Draft Service Manual 602 FW 1.5).

plant community: An assemblage of plant species unique in its composition; occurs in particular locations under particular influences; a reflection or integration of the environmental influences on the site, such as soil, temperature, elevation, solar radiation, slope, aspect, and rainfall; denotes a general kind of climax plant community, i.e., ponderosa pine or bunchgrass.

proposed action: The alternative proposed by the Service to best achieve the refuge purpose, vision, and goals; contributes to the Refuge System mission, addresses the significant issues; and is consistent with principles of sound fish and wildlife management.

priority public use: One of six uses authorized by the Improvement Act of 1997 to have priority if found to be compatible with a refuge's purposes. This includes hunting, fishing, wildlife observation, and photography, environmental education and interpretation.

public: Individuals, organizations, and groups; officials of federal, state, and local government agencies; Indian tribes; and foreign nations. It may include anyone outside the core planning team. It includes those who may or may not have indicated an interest in Service issues and those who do or do not realize that Service decisions may affect them.

public involvement: A process that offers affected and interested individuals and organizations an opportunity to learn about Service actions and policies and to express their opinions. The Service gives thoughtful consideration to public opinions when shaping decisions for refuge management.

purpose of the refuge: The purpose of a refuge is specified in, or derived from, the law, proclamation, executive order, agreement, public land order, donation document, or administrative memorandum establishing, authorization, or expanding a refuge, refuge unit, or refuge subunit. (Draft Service Manual 602 FW 1.5).

refuge purpose: *See* purpose of the refuge.

refuge use: Any activity on a refuge, except for an administrative or law enforcement activity, carried out by, or under the direction of, an authorized Service employee.

restoration: Management emphasis designed to move ecosystems to desired conditions and processes, and/or to healthy upland habitats and aquatic systems.

riparian area or zone: An area or habitat that is transitional from a terrestrial to an aquatic ecosystem—includes streams, lakes wet areas, and adjacent plant communities and their associated soils that have free water at or near the surface; an area whose components are directly or indirectly attributed to the influence of water; of or relating to a river; specifically applied to ecology, "riparian" describes the land immediately

adjoining and directly influenced by streams. For example, riparian vegetation includes any and all plant life growing on the land adjoining a stream and directly influenced by the stream.

scoping: The process of obtaining information from the public for input into the planning process.

Service: *See* U.S. Fish and Wildlife Service.

shorebird: Any of a suborder (*Charadrii*) of birds (such as a plover or a snipe) that frequents the seashore or mud flat areas.

strategy: A specific action, tool, or technique—or combination of actions, tools, and techniques—used to meet unit objectives (Draft Service Manual 602 FW 1.5).

U.S. Fish and Wildlife Service (Service, USFWS): The principal federal agency responsible for conserving, protecting, and enhancing fish and wildlife and their habitats for the continuing benefit of the American people. The Service manages the 93-million-acre Refuge System comprised of more than 530 refuges and thousands of waterfowl production areas. It also operates 65 national fish hatcheries and 78 ecological service field stations, the agency enforces federal wildlife laws, manages migratory bird populations, restores national significant fisheries, conserves and restores wildlife habitat such as wetlands, administers the Endangered Species Act, and helps foreign governments with their conservation efforts. It also oversees the federal aid program, which distributes millions of dollars collected from excise taxes on fishing and hunting equipment to state wildlife agencies.

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

USFWS: *See* U.S. Fish and Wildlife Service.

vision statement: A concise statement of the desired future condition of the planning unit, based primarily on the Refuge System mission, specific refuge purposes, and other relevant mandates (Draft Service Manual 602 FW 1.5).

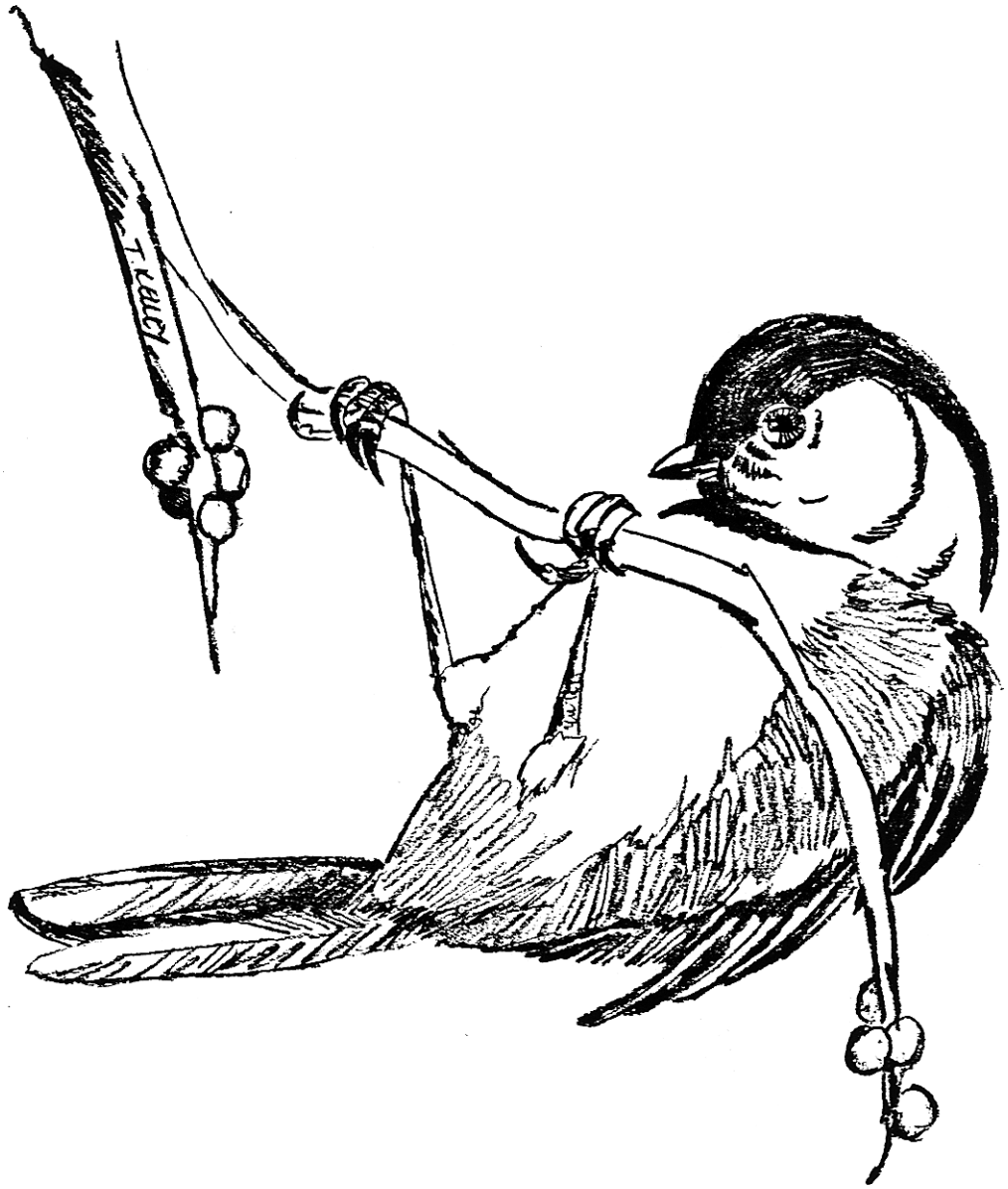
warm-season grasses: Grasses that begin growth later in the season (early June). These grasses require warmer soil temperatures to germinate and actively grow when temperatures are warmer. Examples of warm season grasses are Indiangrass, switchgrass, and big bluestem.

waterfowl: A category of birds that includes ducks, geese, and swans.

watershed: The region draining into a river, river system, or body of water.

wildlife-dependent recreational use: The six priority public uses of the Refuge System as established in the Improvement Act are: hunting, fishing, wildlife observation and photography, and environmental education and interpretation. The Service also considers other wildlife-dependent uses in the preparation of CCPs; however, the six priority public uses always take precedence.

Appendices



Black-capped Chickadee
Tom Kelley/USFWS

Appendix A

Planning Team and Contributors

This plan is the result of the efforts by members of the planning team for Bear Butte NWR. The draft CCP and EA were written by refuge staff and the refuge planning team with input from other team members.

Planning Team

Name	*Title*	*Agency*
Linda Kelly	Planning team leader	USFWS
Tom Koerner	Project leader	USFWS
Shilo Comeau	Refuge biologist	USFWS

Other Contributers

Name	*Title*	*Agency*
Michael Spratt	Chief, division of refuge planning	USFWS
Mimi Mather	Landscape architect/planner	Shapins and Associates
Tom Gibney	Landscape architect/planner	Shapins and Associates

Appendix B

Key Legislation and Policies

NATIONAL WILDLIFE REFUGE MISSION, GOALS, AND GUIDING PRINCIPLES

The mission of the System is *"to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans"* (National Wildlife Refuge System Improvement Act of 1997).

Goals of the National Wildlife Refuge System are:

A. To fulfill our statutory duty to achieve refuge purpose(s) and further the System mission.

B. Conserve, restore where appropriate, and enhance all species of fish, wildlife, and plants that are endangered or threatened with becoming endangered.

C. Perpetuate migratory bird, inter-jurisdictional fish, and marine mammal populations.

D. Conserve a diversity of fish, wildlife, and plants.

E. Conserve and restore, where appropriate, representative ecosystems of the United States, including the ecological processes characteristic of those ecosystems.

F. To foster understanding and instill appreciation of fish, wildlife, and plants, and their conservation, by providing the public with safe, high-quality, and compatible wildlife-dependent public use. Such use includes hunting, fishing, wildlife observation and photography, and environmental education and interpretation.

There are four guiding principles for management and general public use of the refuge System established by Executive Order 12996 (3/25/96):

- **Public Use.** The Refuge System provides important opportunities for compatible wildlife-dependent recreational activities involving hunting, fishing, wildlife observation and photography, and environmental education and interpretation.
- **Habitat**. Fish and wildlife will not prosper without high quality habitat, and without fish and wildlife, traditional uses of refuge cannot be sustained. The Refuge System will continue to conserve and enhance the quality and diversity of fish and wildlife habitat within refuges.
- **Partnerships.** America's sportsmen and women were the first partners who insisted on protecting valuable wildlife habitat within wildlife refuges. Conservation partnerships with other federal agencies, state agencies, tribes, organizations, industry, and the general public can make significant contributions to the growth and management of the System.
- **Public Involvement**. The public should be given a full and open opportunity to participate in decisions regarding acquisition and management of our national wildlife refuges.

Legal and Policy Guidance

Management actions on national wildlife refuges are circumscribed by many mandates (laws, Executive Orders, etc.), the latest of which is the Volunteer and Community Partnership Enhancement Act of 1998. Regulations that affect refuge management the most are listed below.

National Historic Preservation Act of 1996, as amended: Instructs federal agencies to consider the effect their undertakings have on cultural resources. Section 106, outlines a procedure to accommodate historic preservation concerns with the needs of Federal undertakings through a process of information gathering and consultation.

National Wildlife Refuge System Improvement Act of 1997: Sets the mission and administrative policy for all refuges in the National Wildlife Refuge System; mandates comprehensive conservation planning for all units of the National Wildlife Refuge System.

Endangered Species Act (1973): Requires all Federal agencies to carry out programs for the conservation of endangered and threatened species.

National Environmental Policy Act (1969): Requires all agencies, including the Service, to examine the environmental impacts of their actions, incorporate environmental information, and use public participation in the planning and implementation of all actions. Federal agencies must integrate this Act with other planning requirements, and prepare appropriate documents to facilitate better environmental decision making (from 40 CFR 1500).

National Wildlife Refuge System Administration Act (1966): Defines the National Wildlife Refuge System and authorizes the Secretary to permit any use of a refuge, provided such use is compatible with the major purposes for which the refuge was established.

Refuge Recreation Act (1962): Allows the use of refuges for recreation when such uses are compatible with the refuge's primary purposes and when sufficient funds are available to manage the uses.

Fish and Wildlife Coordination Act (1958): Allows the Fish and Wildlife Service to enter into agreements with private landowners for wildlife management purposes.

Migratory Bird Conservation Act (1929): Establishes procedures for acquisition by purchase, rental, or gifts of areas approved by the Migratory Bird Conservation Commission.

Migratory Bird Treaty Act (1918): Designates the protection of migratory birds as a Federal responsibility. This Act enables the setting of seasons and other regulations, including the closing of areas, Federal or non-Federal, to the hunting of migratory birds.

Appendix C

Public Involvement

Public Scoping

Public scoping was completed in December 2004. A public meeting was held in Sturgis, South Dakota, on December 2, 2004. Two people attended this meeting and in addition five written comments were received during the open-comment period. Comments received identified biological, social, and economic concerns regarding management. These comments were considered during preparation of the draft comprehensive conservation plan/environmental assessment (CCP/EA).

Public Comments

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

Eight-six review and comment letters were received. Ten were received from government agencies and/or officials, tribal governments, and conservation organizations. The remaining 76 letters were received from the public, with a large number being from individual tribal members.

Response to Public Comments

Comment 1: Pages 8, 9, 10, and 24 misidentify landscape components. They are cultural resources.

Response: Agree. The text has been clarified.

Comment 2: Please state that Bear Butte was designated a National Historic Landmark in 1981.

Response: Agree. The information has been added.

Comment 3: Concern was expressed regarding turning over management responsibility to the state of South Dakota, Bureau of Land Management, and private landowners.

Response: These agencies have provided for management of the site according to their mandates, in particular, the 1967 cooperative agreement with the state.

Comment 4: The EA did not discuss a full range of alternatives and should propose another alternative expanding the USFWS presence.

Response: A full range of alternatives were considered, including transferring the easements to another entity and expanding the role of the USFWS at Bear Butte NWR. These two options were not further developed after determining they either were not allowed or were not feasible.

Comment 5: The draft EA provides insufficient documentation of the existence of conflicts between recreation and wildlife.

Response: There is very limited data available on wildlife use at the site.

Comment 6: Despite the USFWS mission for the conservation of wildlife, non-wildlife-dependent public uses are being allowed.

Response: A use is not automatically restricted if it is not one of the priority public uses of hunting, fishing, wildlife observation, photography, environmental education, and interpretation. Non-wildlife-dependent recreation, such as camping and swimming, have been allowed since establishment and are part of the establishing purposes as evidenced in several of the easements. Again, the area is managed according to the 1967 cooperative agreement.

Comment 7: Removal of USFWS interests will seriously threaten the protection of Native American interests. Divestiture will result in further encroachment of development that will harm Mato Paha (Bear Butte), considered a sacred place. Culturally inappropriate development is not mentioned in the "Environmental Justice" section of the EA.

Response: The USFWS has no authority outside the limited-interest easements it holds.

Comment 8: Tribal consultation did not occur, nor was it sought.

Response: Tribal consultation did occur at the Lacreek open house held in Martin, South Dakota, in 2004, attended by members of the Rosebud and Oglala Sioux tribes and the South Dakota Game, Fish, and Parks Department (SDGFP), and at the open house attended by members of several tribes and Bear Butte State Park staff in April 2004 (mentioned in draft CCP). All tribes were invited to the refuge open house in Sturgis in March 2004, but no one attended. The refuge wildlife biologist also met with all game and fish department representatives from the Dakotas, Montana, and Nebraska at the Native American Fish and Wildlife Society Great Plains conference in Rapid City, South Dakota, in March 2004. In addition, the regional director of the USFWS region 6 sent formal invitations to participate in the planning process to the tribal chairmen and tribal committees from 24 Plains tribes listed in appendix C.

Comment 9: An environmental impact statement (EIS) should be prepared, as the affected areas have "unique characteristics."

Response: The USFWS does not believe development of an EIS is warranted in this case.

Comment 10: There is a hope that the USFWS will acquire more land and conservation easements in the area.

Response: The USFWS has no interest in acquiring more land or easements in the area.

Comment 11: Please improve the map of the refuge to more clearly depict ownership.

Response: The map will be edited for the final CCP.

Comment 12: Discuss the effects of your plans on the heron rookery.

Response: It was reported that a heron rookery exists in the area. Our final CCP has adopted the current management scenario. No change in management is proposed.

Comment 13: Please provide more detail on the cooperative agreement with the state.

Response: A long history of cooperation exists between the USFWS and the state of South Dakota in management of Bear Butte NWR. The state acquired the majority of lands from private landowners and established Bear Butte State Park. Shortly thereafter, a more formal cooperative agreement was established, which provided for the state to manage the limited-interest easements in consultation with the USFWS (refer to appendix F).

Comment 14: The CCP fails to discuss cumulative impacts.

Response: Based on the limited management responsibilities at Bear Butte NWR, environmental impacts are extremely limited. Particularly in light of the fact that the USFWS has designated alternative A—current management (no action) as the preferred alternative (final CCP).

Comment 15: The CCP does not include a Section 7 evaluation.

Response: A Section 7 consultation is a formal review between the refuge staff and the ecological services office of the USFWS to determine if any proposed actions may affect species that have been formally listed as federally threatened or endangered. A Section 7 consultation, which was completed for the draft CCP/EA, determined that no effects to threatened or endangered species known to use the site will result. The final signed Section 7 is generally included with the final CCP. Since the final CCP has adopted a current management scenario, and no changes are proposed, a revised Section 7 consultation is not warranted.

Comment 16: Concern was expressed regarding a proposed highway bypass and its impact on potential commercial development on lands near Bear Butte.

Response: During the planning phase for this proposed highway bypass, a similar public review process will likely be required, as federal dollars will likely fund a significant share of the project.

MAILING LIST

The following mailing list was developed for this CCP:

Federal Officials

U.S. Representative Stephanie Herseth, Washington DC, Rapid City, SD, Area Director

U.S. Senator Tim Johnson, Washington DC, Rapid City, SD, Area Director

U.S. Senator John Thune, Washington DC, Rapid City, SD, Area Director

Federal Agencies located in South Dakota

Bureau of Land Management, South Dakota Field Office, Belle Fourche

U.S. Fish and Wildlife Service Ecological Services, Pierre

National Park Service, Omaha, NE

National Park Service, Interior

USDA Forest Service, Black Hills National Forest, Custer

USDA Forest Service, Chadron, NE

Tribal Organizations

Arapaho Business Council, Fort Washakie, WY

Black Feet Tribal Business Council, Browning, MT

Cheyenne River Sioux Tribe, Eagle Butte, SD

Chippewa Cree Business Committee, Box Elder, MT

Crow Creek Sioux Tribal Council, Fort Thompson, SD

Crow Tribal Council, Crow Agency, MT

Flandreau Santee Sioux Executive Committee, Flandreau, SD

Fort Belknap Community Council, Harlem, MT

Fort Peck Tribal Executive Board, Popular, MT

Lower Bruele Sioux Tribal Council, Lower Brule, SD

Northern Cheyenne Tribal Council, Lame Deer, MT 59043

Oglala Sioux Tribal Council, Pine Ridge, SD

Omaha Tribal Council, Macy, NE

Ponca Tribe of Nebraska, Niobrara, NE

Rosebud Sioux Tribal Council, Rosebud, SD

Santee Sioux Tribal Council, Niobrara, NE

Shoshone Business Council, Fort Washakie, WY

Sisseton-Wahpeton Sioux Tribe, Agency Village, SD

Spirit Lake Tribal Council, Fort Totten, ND

Standing Rock Sioux Tribe, Fort Yates, ND

Three Affiliated Tribes, New Town, ND

Tribal Preservation Office, Standing Rock Sioux Tribe, Fort Yates, ND

Winnebago Tribal Council, Winnebago, NE

Yankton Sioux Tribe, Marty, SD

South Dakota State Officials

Office of the Governor, Pierre

Senator Cooper Garnos, Preesho

Senator Theresa Two Bull, Pine Ridge

Senator Kenneth McNenny, Sturgis

Senator J.P. Duniphan, Rapid City

Representative Jim Bradford, Pine Ridge

Representative Betty Olson, Prairie City

Representative Thomas Brunner, Nisland

Representative Larry Rhoden, Union Center

Representative Michael Buckingham, Rapid City

Representative Don Van Etten, Rapid City

South Dakota State Agencies

Department of Agriculture, Pierre

Department of Emergency Management, Pierre

Department of Environment and Natural Resources, Pierre

Department of Game, Fish and Parks, Pierre, Sturgis, Rosebud and Lead

Division of Water Rights, Pierre

State Historic Preservation Officer, Pierre

State Conservationist, Pierre

Farm Bureau Federation, Huron

South Dakota Local Agencies

City of Sturgis, South Dakota

Meade County Conservation District, Sturgis

Meade County Government, Sturgis

Interest Groups

Izaak Walton League, Washington DC

The Humane Society of the U.S., Washington DC

Sierra Club-Black Hills Group, Rapid City

Audubon Society-Prairie Hills Chapter, Black Hawk

Animal Welfare Institute, Washington DC

Porcupine School, Porcupine

Individuals

(68 people)

Appendix D

Environmental Compliance

Environmental Action Statement

U.S. Fish and Wildlife Service, Region 6
Lakewood, Colorado

Within the spirit and intent of the Council on Environmental Quality's regulations for implementing the National Environmental Policy Act and other statutes, orders, and policies that protect fish and wildlife resources, I have established the following administrative record.I have determined that the action of implementing the Comprehensive Conservation Plan for Bear Butte National Wildlife Refuge is found not to have significant environmental effects, as determined by the attached finding of no significant impact and the environmental assessment.

Stephen Guertin 9/24/07

Stephen Guertin — Date
Regional Director, Region 6
U.S. Fish and Wildlife Service
Lakewood, CO

Lance B. Kuester 09/24/07

Acting

Richard A. Coleman, PhD — Date
Assistant Regional Director, Region 6
National Wildlife Refuge System
U.S. Fish and Wildlife Service
Lakewood, CO

Acting Dave Linehan 09/24/07

Rod Krey — Date
Refuge Supervisor (KS, ND, NE, SD)
U.S. Fish and Wildlife Service, Region 6
Lakewood, CO

Tom Koerner 9/24/07

Tom Koerner — Date
Refuge Manager
Bear Butte National Wildlife Refuge
Martin, SD

Finding of No Significant Impact

U.S. Fish and Wildlife Service, Region 6
Lakewood, Colorado

Two management alternatives for Bear Butte National Wildlife Refuge (NWR) comprehensive conservation plan (CCP) were assessed as to their effectiveness in achieving the refuge's purposes and their impact on the human environment. Alternative A—current management (no action), which is now the preferred alternative, will continue current management of the refuge. Under this alternative, existing habitat within the limited-interest easement and all public use programs will continue to be administered and maintained by the South Dakota Game, Fish, and Parks Department per the 1967 cooperative agreement. Alternative B proposed that easements will be relinquished to current landowners and that the U.S. Fish and Wildlife Service will divest its interests. Bear Butte NWR will be taken out of the National Wildlife Refuge System and the easements will be transferred to the current landowners.

The preferred alternative (alternative A) was selected because it best meets the purposes for which Bear Butte NWR was established and is preferable to alternative B in light of physical, biological, economic, and social factors. During preparation and review of the draft comprehensive conservation plan and environmental assessment, alternative B was the proposed action, in keeping with a long history of proposing divestiture of this limited-interest refuge. However, after reviewing public comments, evaluating new information, and further analysis, the final CCP adopted alternative A—no action.

I find that the preferred alternative is not a major federal action that will significantly affect the quality of the human environment within the meaning of Section 102(2) (C) of the National Environmental Policy Act of 1969. Accordingly, the preparation of an environmental impact statement on the proposed action is not required.

The following is a summary of anticipated environmental effects from implementation of the preferred alternative. The preferred alternative will not:

- adversely impact endangered or threatened species or their habitat
- adversely impact archaeological or historical resources
- adversely impact wetlands nor does the plan call for structures that could be damaged by or that will significantly influence the movement of floodwater
- have a disproportionately high or adverse human health or environmental effect on minority or low-income populations

The state of South Dakota has been notified and given the opportunity to review the CCP and associated environmental assessment.

9/24/07

Stephen Guertin — Date
Regional Director, Region 6
U.S. Fish and Wildlife Service
Lakewood, CO

Appendix E
Bird List

BIRDS

Loons and Grebes

Common loon
Western grebe
Horned grebe
Eared grebe
Pied-billed grebe

Pelicans and Cormorants

American white pelican
Double-crested cormorant

Geese and Ducks

Canada goose
Greater white-fronted goose
Snow goose
Mallard
Northern pintail
Gadwall
American wigeon
Northern shoveler
Blue-winged teal
Cinnamon teal
Green-winged teal
Wood duck
Redhead
Canvasback
Ring-necked duck
Lesser scaup
Common goldeneye
Bufflehead
Old squaw
White-winged scoter
Hooded merganser
Red-breasted merganser
Common merganser
Ruddy duck

Vultures, Hawks, and Eagles

Turkey vulture
Cooper's hawk
Sharp-shinned hawk
Northern harrier
Rough-legged hawk
Ferruginous hawk
Red-tailed hawk
Swainson's hawk
Broad-winged hawk
Bald eagle
Golden eagle
Osprey
Prairie falcon
American kestrel
Merlin

Gallinaceous Birds

Wild turkey
Sharp-tailed grouse
Ring-necked pheasant
Gray partridge

Herons

Great blue heron
Green-backed heron
Yellow-crowned night-heron

Cranes, Rails, and Coots

Sandhill crane
Sora rail
American coot

Shorebirds

American avocet
Black-bellied plover
Piping plover
Killdeer
Marbled godwit
Long-billed curlew
Greater yellowlegs
Lesser yellowlegs
Solitary sandpiper
Upland sandpiper
Willet
Spotted sandpiper
Short-billed dowitcher
Lon-billed dowitcher
Wilson's phalarope

Common snipe
Least sandpiper
Semi-palmated sandpiper
Western sandpiper

Gulls and Terns

Ring-billed gull
Franklin gull
Common tern
Forster's tern
Black tern

Pigeons and Doves

Rock dove
Mourning dove

Cuckoos

Yellow-billed cuckoo
Black-billed cuckoo

Owls

Screech owl
Great horned owl
Lon-eared owl
Short-eared owl
Snow owl
Northern saw-whet

Goatsuckers, Swifts, and Kingfishers

Common nighthawk
Chimney swift
Belted kingfisher

Woodpeckers

Lewis' woodpecker
Red-headed woodpecker
Downy woodpecker
Hairy woodpecker
Northern flicker

Flycatchers

Eastern kingbird
Western kingbird
Say's phoebe
Least flycatcher
Western flycatcher
Trail's flycatcher
Western wood pewee
Olive-sided flycatcher

Larks

Horned lark

Swallows

Barn swallow
Cliff swallow
Violet-green swallow
Tree swallow
Bank swallow
Northern rough-winged swallow

Corvids

Blue jay
Gray jay
Black-billed magpie
American crow

Chickadees, Nuthatches, and Creepers

Black-capped chickadee
White-breasted nuthatch
Red-breasted nuthatch
Brown creeper

Wrens

House wren
Rock wren
Canyon wren
Marsh wren

Thrashers and Thrushes

Gray catbird
Brown thrasher
American robin
Townsend's solitaire
Veery
Eastern bluebird
Mountain bluebird

Kinglets, Pipits, and Waxwings

Ruby-crowned kinglet

Water pipit
Bohemian waxwing
Cedar waxwing

Shrikes and Starlings

Northern shrike
Loggerhead shrike
European starling

Vireos and Warblers

Solitary vireo
Red-eyed vireo
Warbling vireo
Black-and-white warbler
Orange-crowned warbler
Yellow warbler
Yellow-rumped warbler
  Myrtle race
  Audubon race
Ovenbird
Common yellow-throat
Yellow-breasted chat
American redstart
Chestnut-sided warbler
Blue-gray gnatcatcher
Blue-winged warbler

Weaver Finches

House sparrow

Blackbirds and Orioles

Bobolink
Western meadowlark
Yellow-headed blackbird
Red-winged blackbird
Brewer's blackbird
Common grackle
Brown-headed cowbird
Orchard oriole
Northern oriole

Tanagers, Grosbeaks, and Others

Western tanager
Rose-breasted grosbeak
Black-headed grosbeak
Evening grosbeak
Blue grosbeak
Indigo bunting
Lazuli bunting
Rosy finch
Common redpoll
Pine siskin
American goldfinch
Red crossbill
Rufous-sided towhee

Sparrows and Longspurs

Savannah sparrow
Grasshopper sparrow
Lark bunting
Vesper sparrow
Lark sparrow
Dark-eyed junco
  Slate-colored race
  White-winged race
  Oregon race
American tree sparrow
Chipping sparrow
Clay-colored sparrow
Field sparrow
Harris's sparrow
White-crowned sparrow
White-throated sparrow
Song sparrow
Chestnut-collared longspur

COOPERATIVE AGREEMENT

THIS AGREEMENT entered into between the Department of the Interior through the Fish and Wildlife Service, hereinafter referred to as the Service, and the State of South Dakota, Department of Game, Fish, and Parks, hereinafter referred to as the State, witnesseth that:

WHEREAS the Service, pursuant to the Act of Congress approved August 14, 1946 (60 Stat. 1080; 16 U.S.C. 661-666c), is authorized to provide assistance to and cooperate with State agencies in the development, protection, rearing, and stocking of all species of wildlife, resources thereof, and their habitat; and

WHEREAS, the Service, pursuant to the terms and conditions of, and under the rights granted in eight (8) Easements and one (1) License to the United States, from the State and private parties, now operates and maintains an area for migratory bird, wildlife conservation and other purposes, known as the Bear Butte Lake Project in Meade County, South Dakota; and

WHEREAS it is the desire of the parties to this agreement to cooperate in the continued operation and maintenance of said project; and

WHEREAS the State represents itself as authorized and willing to assume the responsibility and cost of maintaining and operating the aforesaid Bear Butte Lake Project;

NOW THEREFORE, it is mutually agreed, in consideration of the covenants and releases hereinafter contained, that

1. The State will administer, operate and maintain the Bear Butte Lake Project pursuant to the rights and interest in real property heretofore acquired by the United States in connection with the said Bear Butte Lake

Project, Meade County, South Dakota, and more particularly described and set forth in the eight (8) Easements and one (1) License identified as Tracts (2P), (4P), (5P), (7F), (8F), (8M), (9F), and (11P), copies of which are attached hereto and made a part hereof.

2. The State agrees to report annually not later than August 1 to the Director of the Fish and Wildlife Service as to the use or non-use of the above-described lands for the purposes herein specified during the preceding fiscal year ending June 30.

3. The State agrees to notify promptly the Service, through the Regional Director, of any intention to relinquish administration of the project.

4. No member of or delegate to Congress or resident commissioner shall be admitted to any share or part of this agreement, or to any benefit to arise therefrom, separate and apart from any benefit accruing to the general public.

5. This agreement shall become effective as of the date of a letter of notice from the Service informing the State that execution of the agreement has been completed and that the above-described lands are available for administration by the State.

IN WITNESS WHEREOF, the parties have executed this cooperative agreement on the day, month, and year opposite their signatures thereto.

July 12, 1967

The State of South Dakota

by R. A. Hodgins

Director, Department of Game, Fish and Parks

Aug. 1, 1967

The United States of America
Department of the Interior

by [illegible]

Director, Fish and Wildlife Service

Appendix G

Compatibility Determinations

Name: Bear Butte National Wildlife Easement Refuge

Establishing and Acquisition Authority:

- Migratory Bird Conservation Act 45 Stat 1222;
- Executive Order, August 26, 1935, "*as a refuge and breeding ground for migratory birds and other wildlife.*"
- Migratory Bird Conservation Act "*for use as an inviolate sanctuary, or for any other management purpose, for migratory birds.*"

Refuge Purposes:

"For use as an inviolate sanctuary, or for any other management purpose, for migratory birds." USC 715d (Migratory Bird Conservation Act)

National Wildlife Refuge System Mission:

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

Mandatory 15-year Reevaluation Date: 2022

1. Description of Proposed Use: Environmental Education and Interpretation

Provide Opportunities for Environmental Education and Interpretation: Environmental education consists of activities conducted by South Dakota Game, Fish, and Parks staff, refuge staff, volunteers, and teachers. Interpretation occurs in less formal activities with refuge staff volunteers or through exhibits, educational trunks, signs, and brochures. Currently, environmental education and interpretation activities are entirely conducted by staff and volunteers from Bear Butte State Park, who provide tours and interpretation for a variety of groups.

Availability of Resources: Continuance of environmental education and interpretation will remain entirely up to the discretion of the SDGFP and its volunteers.

Anticipated Impacts of Use: Minimal disturbances to wildlife and wildlife habitat will result from these uses at the current and proposed levels. Adverse impacts are minimized through careful timing and placement of activities. Some disturbance to wildlife will occur in areas frequented by visitors. There will be some minor damage to vegetation, littering, and increased maintenance. Location and time limitations placed on environmental education and interpretation activities will ensure that this activity will have only minor impacts on wildlife and will not detract from the primary purposes of the refuge.

No cultural resources will be impacted negatively, only positively through education. No impact to endangered species should occur.

Determination: Environmental education and interpretation are compatible.

Stipulations Necessary to Ensure Compatibility:

- Allow environmental education and interpretation under the guidance of SDGFP staff, a volunteer or a trained teacher to ensure minimal disturbance to wildlife, minimal damage to vegetation, and minimal conflicts between groups

Justification: Based on biological impacts described in the environmental assessment (EA) and the final CCP, it is determined that environmental education and interpretation within the Bear Butte National Wildlife Refuge will not materially interfere with or detract from the purposes for which this refuge was established.

Environmental education and interpretation are priority public uses listed in the National Wildlife Refuge System Improvement Act of 1997. By facilitating environmental education, refuge visitors will gain knowledge and an appreciation of fish, wildlife, and their habitats, whish will lead to increased public awareness and stewardship of natural resources. Increased appreciation for natural resources will support and complement the Service's actions in achieving the purposes of the refuge and the mission of the Refuge System.

Mandatory 15-year Reevaluation Date: 2022

2. Description of Proposed Use: Wildlife Observation and Wildlife Photography

Provide Opportunities that Support Wildlife-dependent Recreation: Wildlife observation and wildlife photography are facilitated by two hiking trails.

The CCP proposes to continue the above uses, which are entirely provided for and maintained by the SDGFP.

Availability of Resources: The availability of this use will be entirely at the discretion of the SDGFP.

Determination: Wildlife observation and wildlife photography are compatible.

Stipulations Necessary to Ensure Compatibility:

- Monitor use, regulate access, and maintain necessary facilities to prevent habitat degradation and minimize wildlife disturbance

Justification: Based on the anticipated biological impacts above and in the EA, it is determined that wildlife observation and wildlife photography on the Bear Butte National Wildlife Refuge will not interfere with the habitat goals and objectives or purposes for which it was established.

Wildlife observation and wildlife photography are priority public uses listed in the Improvement Act. By facilitating these uses, visitors will gain knowledge and an appreciation of fish and wildlife, which will lead to increased public stewardship of wildlife and their habitats. Increased public stewardship will support and complement the Service's actions in achieving the purposes of the refuge and the mission of the Refuge System.

Mandatory 15-year Reevaluation Date: 2022

3. Description of Use: Recreational Fishing

Continue to Provide for Recreational Fishing at Designated Fishing Areas in Accordance with State Regulations.

Currently, the fisheries resource is non existent, due to ongoing drought. It is possible, that future runoff events may fill the lake to levels where a fisheries resource may be restocked. The stocking and subsequent management of the fishery will be entirely at the discretion of the SDGFP.

Availability of Resources: If a fisheries is reestablished, it will be entirely administered by SDGFP staff. The CCP does not call for the implementation of any new fishing programs.

Anticipated Impacts of Use: Fishing and other human activities may cause some disturbance to migratory birds and other wildlife. Disturbance caused by fishing pressure will vary with availability of the resource and the ability to use boats. Currently, no fishing or boating activity is possible due to ongoing drought and low lake levels, which will eliminate disturbance issues for waterbirds. A large share of migratory bird species prefer shallow water levels, and their use will be expected to rise with the shallow lake levels. Once water returns, and deeper lake levels permit re-establishment of a fisheries, bird use for most species will decline. Disturbance potential will be reduced, due to reduced habitat suitability for most migratory bird species.

Determination: Recreational fishing is compatible.

Stipulations Necessary to Ensure Compatibility:

- Require that fishing follow state and federal regulations

Justification: Based on the biological impacts addressed above and in the EA, it is determined recreational fishing will not materially interfere with the habitat goals and objectives or purposes for refuge establishment.

Fishing is a priority public use as listed in the National Wildlife Refuge System Improvement Act of 1997.

Mandatory 15-year Reevaluation Date: 2022

4. Description of Use: Recreational Hunting

Allow recreational hunting for all legal species according to state regulations.

Availability of Resources: Currently, the SDGFP administers the recreational hunting program.

Anticipated Impacts of Use: Some wildlife disturbance will occur during recreational hunting activities at the refuge. Other public use activities such as boating, swimming, and recreational fishing will be minimally impacted by recreational hunting.

Determination: Recreational hunting is compatible.

Stipulations Necessary to Ensure Compatibility:

- Require the use of nontoxic shot, in accordance with current regulations for migratory bird hunting
- Continue to prohibit hunting within the developed campground sites.
- Require that hunting be in accordance with federal and state regulations

Justification: Hunting on national wildlife refuges has been identified as a priority public use in the National Wildlife Refuge System Improvement Act of 1997. Hunting is a legitimate wildlife management tool that can be used to manage populations. Hunting harvests a small percentage of the renewable resources, which is in accordance with wildlife objectives and principles.

Based on the biological impacts anticipated above and in the EA, it is determined that recreational hunting at Bear Butte easement National Wildlife Refuge will not materially interfere with or detract from the purposes for which this refuge was established or its habitat goals and objectives.

Mandatory 15-year Reevaluation Date: 2022

5. Description of Proposed Public Use: Boating, Swimming, Picknicking, and Camping

Continue recreational activities including boating, swimming, picknicking, and camping in accordance with state and refuge regulations.

Boating, swimming, picnicking, and camping have been allowed at Bear Butte easement NWR since it was created. Easements taken also include recreational developments, indicating these were included in the purposes for establishment.

Availability of Resources: These activities are provided

for and maintained entirely by the SDGFP, as they are the land owners and manage the site as part of Bear Butte State Park. Facilities and programs are adequately maintained. Continuance of these programs is entirely at the discretion of the SDGFP.

Anticipated Impacts of the Use: Recreational activities proposed will likely provide some disturbance to wildlife and wildlife habitat. Increased public use activities may create disturbance to nesting waterfowl and other wildlife.

Determination: Boating, swimming, picnicking, and camping at Bear Butte easement NWR are compatible.

Stipulations Necessary to Ensure Compatibility:

- Activities are conducted in accordance with state and refuge regulations

Justification: These activities have been allowed since establishment and are part of the purposes for establishment.

Mandatory 15-year Reevaluation Date: 2022

Signature

Tom Koerner 08/13/2007

Tom Koerner, Refuge Manager Date
Bear Butte easement NWR
Martin, SD

Review

Lloyd Jones 8/16/07

Lloyd Jones Date
Regional Compatibility Coordinator
USFWS, Region 6

Rodney F. Krey 8/20/07

Rod Krey Date
Refuge Program Supervisor
(ND, SD, NE, KS)
USFWS, Region 6

Concurrence

Richard A Coleman 8/20/07

Richard A. Coleman, PhD Date
Assistant Regional Director
National Wildlife Refuge System
USFWS, Region 6

Bibliography

Bibliography

Bureau of Land Management and South Dakota Game, Fish, and Parks Department. 1991. Birds of the Fort Meade Recreation Area and Bear Butte State Park. Bear Butte State Park, SD.

"Black Hills" encyclopedia entry in Wikipedia. <http://www.en.wikipedia.org/wiki/Black_Hills> accessed 1/15/05

Green, J.; and Short, N.M. 1971. Volcanic landforms and surface features: a photographic atlas and glossary. NY: Springer Verlag. 519 p.

Karner, F.R.; and Halvorson, D.L. 1987. The Devils Tower, Bear Lodge Mountains: cenozoic igneous complex. In Beus, S.S., ed., Centennial field guide. Volume 2. Geological Society of America, Rocky Mountain Section. 161–164.

National Park Service entry for Wind Cave National Park. <http://www.nps.gov/wica/Grasses_of_the_Mixed_Grass_Prairie.htm> 2/15/06

South Dakota Game, Fish, and Parks Department. 2003. South Dakota Statewide Fisheries Survey 2102-F21-R-36. Pierre, SD.

"Sturgis, South Dakota" encyclopedia entry in Wikipedia. <http://en.wikipedia.org/wiki/Sturgis%2C_South_Dakota>

U.S. Census Bureau Quick Facts. 2002.

U.S. Fish and Wildlife Service (USFWS). 2002. Birds of conservation concern. U.S. Fish and Wildlife Service, Division of Migratory Bird Management. Arlington, VA. <http://migratorybirds.fws.gov/reports/BCC2002.pdf>

———. 2005. Draft comprehensive conservation plan and environmental assessment, Kirwin National Wildlife Refuge. Denver, CO.

USFWS, Chief, Division of Realty, Region 6. Memo dated May 26, 2004. U.S. Fish and Wildlife Service.