

# Environmental Assessment

## *Rocky Mountain Front Conservation Area Expansion*

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**Prepared by**

U.S. Fish and Wildlife Service  
Benton Lake National Wildlife Refuge Complex  
922 Bootlegger Trail  
Great Falls, MT 59404-6133  
406 / 727 7400  
<http://www.fws.gov/bentonlake>

*and*

U.S. Fish and Wildlife Service  
Region 6, Division of Refuge Planning  
P.O. Box 25486 DFC  
Denver, CO 80225  
303 / 236 4378  
303 / 236 4792 fax  
<http://mountain-prairie.fws.gov/planning/lpp.htm>

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In accordance with the National Environmental Policy Act and U.S. Fish and Wildlife Service policy, an environmental assessment has been prepared to analyze the effects of expanding the Rocky Mountain Front Conservation Area in western Montana.

- Alternative B was selected as the preferred alternative. Included in the appendixes is the response to comments of the Draft Environmental Assessment and Land Protection Plan for the Rocky Mountain Front Conservation Area and the finding of no significant impact.

*Note: Information contained in the maps within these documents is approximate and does not represent a legal survey. Ownership information may not be complete.*

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# Abbreviations

<b>BLM</b>	Bureau of Land Management
<b>CA</b>	Conservation Area
<b>CoCE</b>	Crown of the Continent ecosystem
<b>EA</b>	environmental assessment
<b>FONSI</b>	finding of no significant impact
<b>Front</b>	Rocky Mountain Front
<b>FTE</b>	full-time equivalent
<b>GIS</b>	geographic information system
<b>GNLCC</b>	Great Northern Landscape Conservation Cooperative
<b>LPP</b>	land protection plan
<b>LWCF</b>	Land and Water Conservation Fund
<b>MEA</b>	Millennium Ecosystem Assessment
<b>MFWP</b>	Montana Department of Fish, Wildlife and Parks
<b>MNHP</b>	Montana Natural Heritage Program
<b>NEPA</b>	National Environmental Policy Act
<b>NHPA</b>	National Historic Preservation Act
<b>NRCS</b>	Natural Resources Conservation Service
<b>NWR</b>	National Wildlife Refuge
<b>PFW</b>	Partners for Fish and Wildlife
<b>Service</b>	U.S. Fish and Wildlife Service
<b>SWAP</b>	Small Wetlands Acquisition Program
<b>TNC</b>	The Nature Conservancy
<b>USFWS</b>	U.S. Fish and Wildlife Service



# 1 Purpose of and Need for Action



*Upper Teton River watershed in the Rocky Mountain Front Conservation Area.*

Among conservation biologists, the Rocky Mountain Front (Front) is ranked in the top one percent of wildlife habitat remaining in the United States (The Nature Conservancy 1999). Virtually every wildlife species found in this area upon the arrival of Lewis and Clark in 1806, with the exception of free ranging bison, remains today in relatively stable or increasing numbers. In addition, it is the only remaining area in the continental United States with a complete, intact assemblage of large mammalian carnivores, including the grizzly bear, gray wolf, wolverine, pine martin, and Canada lynx.

The Front is part of the Crown of the Continent ecosystem (CoCE), which includes the larger Columbia Basin and Upper Missouri/Yellowstone Rivers watersheds (see figure 1). Within the CoCE, an exceptional diversity of wetland types occurs including: major riparian areas (including the Teton, Sun, Blackfoot, and Dearborn rivers), smaller riparian tributaries, glacial prairie potholes, lakes, bogs, fens, swamps, and boreal peatlands. The lowlands support over 170 different species of wetland plants. Along the elevation gradient, large expanses of fescue grasslands phase into alpine meadows or sagebrush steppe, which then transition into montane forests consisting of white pine, Douglas-fir, and ponderosa pine. These transitional zones of valley floors to montane forests are extremely important to fish and wildlife.

The continued presence of this large expanse of intact habitat and historic wildlife corridors would benefit federal trust species such as the grizzly bear, gray wolf, wolverine, and Canada lynx; migratory birds such as harlequin ducks, red-necked grebes, black tern, peregrine falcons, greater sandhill cranes, northern pintail, and trumpeter swans; and westslope cutthroat trout. The Front provides excellent habitat for black bear, elk, mule deer, white-tailed deer, moose, mountain lion, bobcat, coyote, wolverine, and a wide variety of small mammals.

## PROPOSAL

This proposal involves acquisition of up to an additional 125,000 acres of conservation easements within an expanded project boundary encompassing approximately 918,000 acres. No land would be purchased in fee title under this project. Depressed agricultural markets continue to stress the financial solvency of many large family ranches in the area, which are being placed onto the real estate market and command high recreational prices. Adjacent ranchers simply can not afford to purchase these properties at inflated prices, and the land use patterns change accordingly. This is the beginning of the unraveling of the ecosystem, as historical ranch families (and the ranching economy) have been the primary reason the landscape has remained largely intact.



Figure 1. Crown of the Continent ecosystem.

The Front has been a successful model for partnering with and connecting to lands already owned by the State of Montana, The Nature Conservancy (TNC), the U.S. Forest Service, the Montana Land Reliance, the Boone and Crockett Club, and the Bureau of Land Management (BLM). In addition, local ranchers, business owners, and representatives of local governments have formed a landowner advisory council to identify options and strategies for maintaining ranching and rural lifestyles in the area. Conservation easements are a tool that they strongly support as a means of conserving the ranching lifestyle along the Front.

Funding would come primarily from the Land and Water Conservation Fund (LWCF) and potential conservation partners.

## PROJECT AREA

The Rocky Mountain Front Conservation Area (CA) was approved as a unit of the National Wildlife Refuge System in 2005 and is a landscape conservation strategy to protect a unique, highly diverse, and largely unfragmented ecosystem in north central Montana. The Front encompasses the massive ecotone formed by the intersection of the western edge of the Northern Great Plains and the Rocky Mountains. Mid-grass prairie, foothills prairie, montane forest, and alpine tundra occur in close juxtaposition, resulting in high species and community diversity.

The expansion encompasses a project area totaling approximately 918,000 acres along the eastern edge of the CoCE and is centered 65 miles northwest of Great Falls, Montana. Lying in the shadow of the rugged Continental Divide, the Bob Marshall Wilderness Area, and the Lewis and Clark National Forest mark its western boundary. The 1.5 million-acre Blackfeet Indian Reservation borders the project to the north, and the eastern boundary is dictated by the distribution of fescue grasslands and critical riparian areas. The southern boundary falls approximately along the watershed of the South Fork of the Dearborn River. The U.S. Fish and Wildlife Service (Service) plans to expand the authorized acquisition goal by up to an additional 125,000 acres, resulting in the approval to acquire conservation easements on up to 295,000 acres of private land within the expanded project boundary (see figure 2).

## DECISIONS TO BE MADE

Based on the analysis in this environmental assessment (EA), the Service's director of region 6, with the concurrence of the director of the U.S. Fish and Wildlife Service, will make three decisions:

- Determine whether the Service should expand the boundary of the Rocky Mountain Front Conservation Area.

- If yes, select an approved, conservation easement boundary that best fulfills the habitat protection purposes.
- If yes, determine whether the selected alternative will have a significant impact on the quality of the human environment.

The National Environmental Policy Act (NEPA) of 1969 requires this decision. If the quality of the human environment will not be significantly affected, a finding of no significant impact (FONSI) will be signed and made available to the public. If the alternative will have a significant impact, completion of an environmental impact statement will be required to further address those impacts.

## ISSUES IDENTIFIED AND SELECTED FOR ANALYSIS

An open house public meeting was held in Choteau, Montana on May 17, 2010. Public comments were taken to identify issues to be analyzed for the proposed expansion of the easement project. Approximately thirty landowners, citizens, and elected representatives attended the meetings and most expressed positive support for the project. Additionally, fourteen individuals, four agencies, and two organizations provided written comments during this scoping period.

In addition, the Service's field staff has contacted local government officials, other public agencies, and conservation groups, which have expressed an interest in and a desire to provide a sustainable future for the Rocky Mountain Front Conservation Area. Factsheet flyers were distributed at the public meeting and project information was also made available on the refuge and regional planning websites. Following the open house meeting, factsheet and flyers were posted in the Benton Lake National Wildlife Refuge Complex headquarter's visitor center notifying visitors of the proposed expansion project.

Many of the comments received addressed the need for a balance between natural and cultural systems. There are two main categories of commonly expressed issues and concerns, biological and socioeconomic.

## BIOLOGICAL ISSUES

Biological issues mentioned were

- the impacts of habitat fragmentation due to residential development;
- the Service's role in management of private land encumbered with a conservation easement;
- concerns about habitat fragmentation and potential impacts on wildlife habitat and water resources.

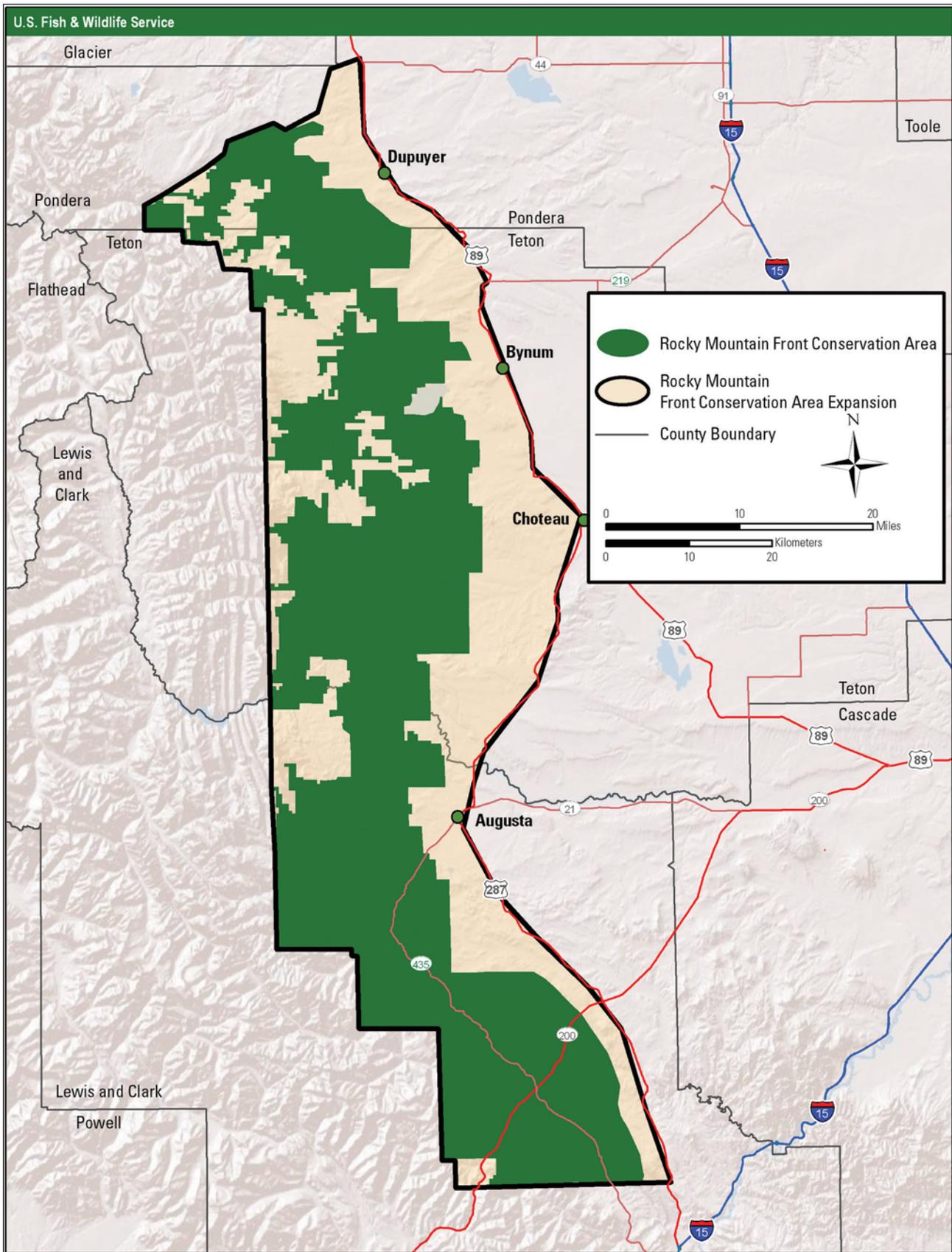


Figure 2. Rocky Mountain Front Conservation Area expansion project area.

## Wildlife Habitat

Habitat fragmentation is a concern not only in the Rocky Mountain Front, but also in other areas of Montana. Given the current strong market for scenic western properties, especially when cattle prices are low, there is concern that ranches in the Rocky Mountain Front would be vulnerable to sale and subdivision for residential and commercial development. The subdivision process is not difficult. Under Montana law, land may be split into lots of 160 acres or greater without local review or approval. Moreover, with no county zoning in place, small-lot subdivisions are possible.

Housing development, and the associated infrastructure, can disrupt wildlife migration patterns. Nesting raptors and grassland bird species may be especially vulnerable to habitat fragmentation in the Rocky Mountain Front.

Riparian habitat loss due to development is a key concern. Riparian habitat is a key component to grizzly bear movement between the mountains and valley. Livestock grazing and ranching practices tend to be compatible with grizzly bears, which move unimpeded up and down riparian corridors. Riparian areas also provide nest sites for many species of migratory birds that may be negatively impacted by development.

The Service, as well as conservation groups and people in the region, have voiced concern with the fragmentation of habitats in other areas of Montana. In a landscape which is largely intact, habitat fragmentation poses a substantial threat to the continued viability of wildlife populations within the Front, including grizzly bear recovery efforts.

## Water Resources

Residential development in the Rocky Mountain Front presents a potentially significant threat to the aquatic ecosystem. Housing developments can bring about sewage-derived nutrient additions to streams and lakes, additional wetland drainage, water diversion, and introduction of invasive plants and nonnative fishes into aquatic ecosystems.

## SOCIOECONOMIC ISSUES

Socioeconomic issues mentioned were

- the loss of rural character of the Rocky Mountain Front;
- the need to keep private land in private ownership;
- the effect of easements on oil and gas exploration;
- the impacts of conservation easements on local community centers and their ability to grow;

- public access for hunting or other recreational opportunities.

## Landownership and Land Use

The rural character of the Rocky Mountain Front is likely to undergo substantial change over the next 10 to 20 years.

There was concern that perpetual easements would negatively affect future generations of landowners. Specifically, that conservation easements would limit the choices of future landowners, even though they may have paid as much for the land as if it had no restrictions. There were concerns that perpetual easements would lower the resale value of the land.

There was concern that the selection process would favor landowners whose properties are larger in size, over smaller, but biologically valuable properties.

## Oil and Gas Exploration and Development

The potential impact of conservation easements to oil and gas development on private lands in the Rocky Mountain Front was a concern.

## Wind Energy Development

The potential impact of conservation easements to wind energy development on private lands in the Rocky Mountain Front was a concern.

## Public Use

The public's right to use or access lands encumbered with a conservation easement was a concern. Landowners were concerned they would be forced to allow the public to access their land for hunting, fishing, or other recreational uses.

## ISSUES NOT SELECTED FOR DETAILED ANALYSIS

Historically, there has been concern about the amount of tax generated for the counties when land protection programs take place. Since the proposed expansion project is a conservation easement project, the land enrolled in the project does not change hands and, therefore, the property taxes paid by the landowner to the county are not affected.

Development of rural landscapes often leads to increased demand for services and higher costs to rural counties. There would generally be an offset of any perceived reduction in the tax base since the county would not incur the expense of providing services to rural developments. The use of conservation easements serves an additional function since easements preclude the necessity for county zoning in the project area.

## NATIONAL WILDLIFE REFUGE SYSTEM AND AUTHORITIES

The mission of the National Wildlife Refuge System is to preserve a national network of lands and waters for the conservation, management, and where appropriate, restoration of fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans. The proposed Rocky Mountain Front Conservation Area expansion project would continue to be managed as part of the National Wildlife Refuge System in accordance with the National Wildlife Refuge System Administration Act of 1966 and other relevant legislation, executive orders, regulations, policies, and management plans such as:

- Land and Water Conservation Fund Act (1965)
- Migratory Bird Treaty Act (1918)
- Endangered Species Act (1973)
- Bald Eagle Protection Act (1940)
- Migratory non game Birds of Management Concern in the U.S. (2002)
- U.S. Fish and Wildlife Act (1956)
- North American Waterfowl Management Plan (1994)

## RELATED ACTIONS AND ACTIVITIES

The project area lies adjacent to and includes a large complex of federal, state, and private conservation lands that serve as anchors or core areas for numerous trust species. These include the 1.5 million-acre Bob Marshall Wilderness Complex; three state wildlife management areas (Sun River, Ear Mountain, and Blackleaf wildlife management areas totaling 34,000 acres); The Nature Conservancy's Pine Butte Swamp Preserve (13,000 acres); two Bureau of Land Management areas of critical environmental concern (11,500 acres); two Bureau of Reclamation resource management areas (formerly Pishkun and Willow Creek national wildlife refuges totaling 9,000 acres); and the Boone and Crockett Club's Theodore Roosevelt Memorial Ranch (6,055 acres). In addition, nearly 100,000 acres of private land are already protected with perpetual conservation easements held by TNC and the Montana Land Reliance.

The Service has been acquiring conservation easements on properties with significant wetland habitat under the Small Wetlands Acquisition Program (SWAP). To date, over 21,000 acres have been protected with Migratory Bird Conservation Fund. LWCF will continue to be used to target acquisition of easements on properties that don't meet the wetland requirements of the SWAP.

## HABITAT PROTECTION AND EASEMENT ACQUISITION PROCESS

The economy of the Front is primarily agrarian, and cattle ranches dominate the private lands within the project area. Ownerships are relatively large in size (2,000 to 25,000 acre blocks) which helps maintain this intact landscape. The human population is sparse and towns are widely scattered. Landowners along the Front are representative of rural Montana's independent and conservative social fabric. The ranchers' livelihoods depend on natural resources (grass, water, and open space) and, while generally resistant to regulation, the ranchers have a deep-rooted feeling for the land. Unlike many other areas in the country, the key to protecting the Front lies primarily in sustaining the current pattern of ranching and low-density use, not in large-scale restoration.

Other significant public lands within the project area include 113,000 acres of state (school trust) lands that are managed to generate revenues for public schools in Montana.

Habitat protection will occur through the purchase of conservation easements. It is the long-established policy of the Service to acquire minimum interest in land from willing sellers to achieve habitat acquisition goals.

The acquisition authority for the proposed expansion project is the Fish and Wildlife Act of 1956 (16 U.S.C. 742 a-742j). The federal money used to acquire conservation easements from the Land and Water Conservation Fund are derived primarily from oil and gas leases on the outer continental shelf, motorboat fuel tax revenues, and sale of surplus federal property. There could be additional funds to acquire lands, waters, or interest therein for fish and wildlife conservation purposes through congressional appropriations, the Migratory Bird Conservation Fund, the North American Waterfowl Conservation Act funds, and donations from nonprofit organizations.

The basic considerations in acquiring an easement interest in private land are the biological significance of the area, existing and anticipated threats to wildlife resources, and landowner interest in the project. The purchase of conservation easements will occur with willing sellers only and will be subject to available funding.

## 2 Alternatives, Including the Proposed Action



Kathleen Burchett/USFWS

*Ear Mountain in the Rocky Mountain Front.*

This chapter describes the two alternatives identified for this project:

- alternative A, the no-action alternative
- alternative B, the proposed action, giving the Service the authority to expand the boundary of the Rocky Mountain Front Conservation Area

The alternatives consider the effects of expanding the conservation project within the boundaries identified for this project area in this EA.

### **ALTERNATIVE A (NO ACTION)**

The Service started a conservation easement project in the Rocky Mountain Front in 2005. The project authorized the Service to purchase easements from willing sellers on up to 170,000 acres of private land in Lewis and Clark, Teton, and Pondera counties.

To date the Service has acquired easements on nearly 28,000 acres within the current project boundary using LWCF funding. The Service will continue to secure conservation easements on the remaining 142,000 acres of the acquisition goal. When the 170,000 easement-acre goal is reached, no new easements would be acquired with LWCF money.

Habitat enhancement or restoration projects on private lands such as water developments, grazing systems, and grassland management could continue through cooperative efforts with private landowners.

Private efforts by land trusts will continue to secure conservation easements.

### **ALTERNATIVE B (PROPOSED ACTION)**

This proposal involves acquisition of up to an additional 125,000 acres of conservation easements within an expanded project boundary encompassing approximately 918,000 acres. No land would be purchased in fee title under this project.

The Service would seek to purchase conservation easements from willing sellers on privately owned mountain foothills, wetlands, stream courses, and native grasslands. Conservation easement contracts would specify perpetual protection of habitat for trust species and would restrict development.

Prioritization of areas considered for conservation easements within the project areas would be based on the biological needs of the wildlife species of concern (migratory birds, and threatened and endangered species), the threat of development, connectivity with other protected lands, and the quality of habitat types (including riparian areas, wetlands, and native grasslands) for trust species. The land protection plan (LPP) describes these priorities in detail.

The proposed easement expansion project would rely on voluntary participation from landowners. Grazing would not be restricted on the land included in the easement contract.

Subdividing and development for residential, commercial, or industrial purposes would not be permitted on properties under a conservation easement. Alteration of the natural topography, conversion of native grassland to cropland, drainage of wetlands, and establishment of game farms would also be prohibited.

Conservation easement lands would remain in private ownership; property tax and land management, including invasive weed control, would remain the responsibility of the landowner. The Service would seek to provide participating landowners with additional assistance with invasive plant control. Control of public access to the land would remain under the control of the landowner.

The project area would be managed by the Benton Lake National Wildlife Refuge (NWR) Complex staff headquartered in Great Falls, Montana. The Benton Lake NWR Complex staff would be responsible for monitoring and administering all easements on private land. Monitoring would consist of periodically reviewing land status in meetings with landowners or land managers to ensure that the stipulations of the conservation easement are being met. Photo documentation and a baseline inventory study would be used at the time the easements are established to document baseline conditions.

## **ALTERNATIVES CONSIDERED BUT NOT STUDIED**

There was no further analysis for the following two alternatives.

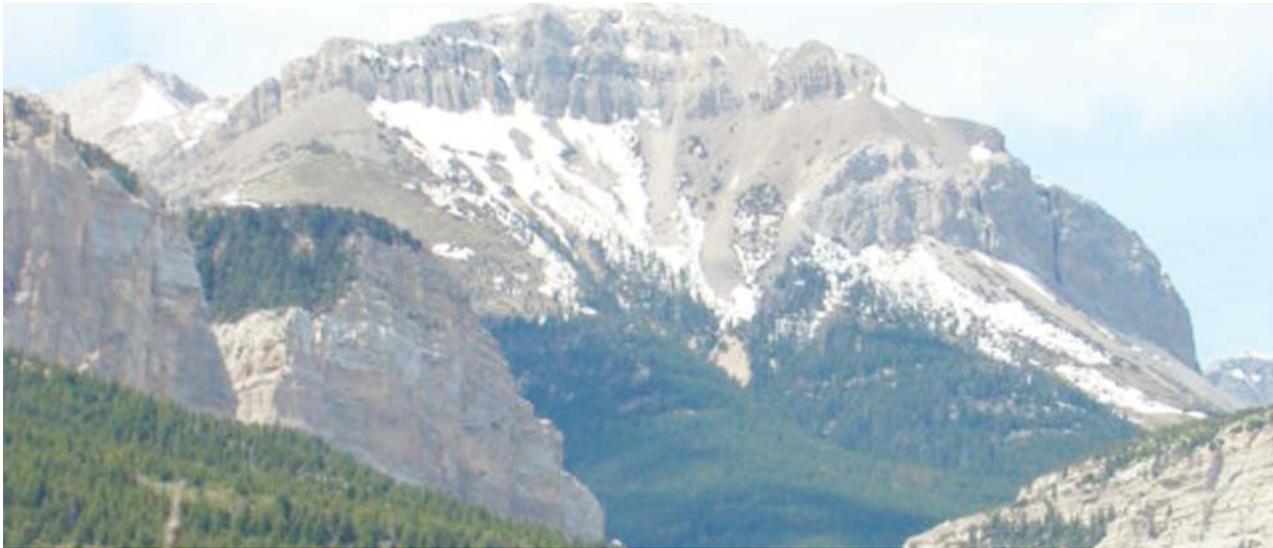
### ***VOLUNTARY LANDOWNER ZONING***

Landowners would voluntarily petition the county commissioners to create a zoning district to direct the types of development that can occur within an area. This is “citizen-initiated” zoning. For example, landowners would petition the county government to zone an area as agricultural, precluding certain types of non agricultural development such as residential subdivision. “Citizen initiatives” are rarely used and this alternative was not studied further.

### ***COUNTY ZONING***

In a traditional approach used by counties and municipalities, the local government would use zoning as a means of designating what type of development could occur in an area. Most counties in Montana prefer not to use this method and the alternative was not studied further. Comments received from county commissioners to date have expressed support instead for conservation easements (alternative B) as a means of maintaining rural area values and potentially reducing the need for future zoning. In addition, zoning would be subject to frequent changes, and would not ensure the long-term prevention of residential or commercial development in the proposed conservation areas.

# 3 Affected Environment



*Ear Mountain in Blackleaf Wildlife Management Area.*

This chapter describes the biological, cultural, and socioeconomic resources most likely affected by expanding the Rocky Mountain Front Conservation Area.

## **BIOLOGICAL ENVIRONMENT**

The biological environment studied included climate, geological resources, habitat, and wildlife.

### ***CLIMATE***

The climate is generally cool and dry, but there is considerable variability corresponding to the east-west elevational gradient that greatly influences vegetation and habitat. The weather station at the Gibson Reservoir near the western boundary has above freezing average maximum temperatures all year, with the coldest minimum temperatures in January (12.4°F). July and August are the warmest months with an average high around 77°F and a low near 45°F. The Augusta climatic station at the eastern boundary of the Front has similar above freezing winter average maximums, but is colder at night with January having average minimums of 10°F. Average summer temperatures are also warmer in Augusta with July and August having maximums slightly over 80°F and minimums around 47°F.

Gibson Dam receives almost 18 inches of precipitation annually; May and June are the

wettest months with about 3 inches per month; all of the winter months receive less than 1 inch of precipitation per month. Augusta has a similar pattern with relatively wet springs and dry winters, although the total precipitation averages only about 14 inches annually. This precipitation gradient (along with soils) is vital for structuring vegetation communities across the Front (Kudray and Cooper 2006).

### ***GEOLOGICAL RESOURCES***

The Front lies at the eastern edge of the Rocky Mountains where tectonic plates collided and pushed large slabs of rock upward in a fold-and-thrust belt. The highest elevation landforms are located in the most western section of the Front and are mapped as Paleozoic Era sedimentary rock composed of sandstone, shale, and limestone (including dolomite). The Kootenai Formation from the Mesozoic Era is found adjacent at lower elevations and is also sedimentary rock, but composed of conglomerate, sandstone, shale, and mudstone. The Colorado Shale Formation of shale and siltstone is typically found at the next lowest topographic position. At lower elevations, alluvial deposits are common with layers of gravel, sand, and silt. There are also significant low-elevation glacial deposits from the Pleistocene Age that have variable, mostly coarse textures. The Two Medicine Formation from the Cretaceous Era is one of the most common lower elevation types and

is sedimentary with clay, limestone, and sandstone. There is also a prominent area of Cretaceous volcanic rock in the far southern part of the Front (Kudray and Cooper 2006).

## **HABITAT**

An ecotone formed by the meeting of two major ecoregions along a mountains–plains gradient, the Front hosts a rich mixture of glaciated wetlands (“prairie potholes”), riparian corridors, mixed grass prairie, and coniferous forests. Alpine meadows lie on the shoulders of the high peaks along the western edge of the Front. Montane forests consisting of limber pine, Douglas-fir, and ponderosa pine transition eastward into aspen parklands and a large expanse of fescue grasslands. The Front’s varied topography and soils give rise to a diverse array of plant communities, including some of considerable scientific importance. The Montana Natural Heritage Program has rated the Rocky Mountain Front as highly significant for biodiversity including 114 species or communities of special concern.

The landscape is extremely variable and extends from higher elevation barren rock or forested stands of Douglas-fir or aspen, to mid-elevation limber pine woodlands down to a complex mosaic of mixed-grass prairie with agricultural grain and hay fields at lower elevations and in floodplains.

Numerous hydrological features bisect the project area. The Dearborn, Sun, and Teton rivers form major riparian corridors running from the mountains eastward into the prairies. Numerous other tributaries provide a diversity of riparian and wetland plant communities. A large number of vascular plants occur within the project boundary, representing a remarkable biological diversity. Approximately 30% of the over 700 species of plants are associated exclusively with wetland or riparian habitats, including some of the largest remaining fens in the Pacific Northwest. The project area contains the largest intact expanse of fescue grasslands left in the Northern Great Plains (Lesica 1994).

Higher elevations also include fescue grasslands and a large acreage recovering from a wildfire that is now a mix of mostly Douglas-fir regeneration, among burned tree trunks over relatively lush fescue grasslands. The fescue is often mixed with shrubs; creeping juniper and kinnikinnick occurring on somewhat drier sites, while shrubby cinquefoil is common in more mesic areas (habitat with a moderate- or well-balanced supply of moisture). Shrubby cinquefoil is particularly common in the northern extreme of the Front, but also follows the greater eastward expansion of the fescue-type habitat in the southern end, where it is more closely associated with stream terraces. The aspen stands are typically small clonal (genetically identical) patches in landforms that receive some additional

moisture or have a more mesic aspect. Limber pine stands are generally in decline, primarily from white pine blister rust disease. Dead and dying trees are typical; some former stands can only be recognized by the dead tree trunks.

The riparian corridors associated with the larger drainage system are especially diverse and rich in habitat value. Natural vegetation communities generally correspond to the height of the floodplain above the water table, although successional influences also affect the distribution of shrubby and forested types—early shrub establishment can give way to later forested stands on suitable sites.

The shrub communities also respond to a moisture gradient; willows and red-osier dogwood dominate the wetter sites while chokecherry, Saskatoon serviceberry, and Woods’ rose occur on drier sites, sometimes with an aspen overstory. Wet meadows dominate riparian areas where water tables are high and there is not sufficient water movement to oxygenate the soil enough for shrubs and trees. Flood-irrigated hay meadows are also common where the floodplain is wider and soils are suitable.

The fescue grasslands at higher elevation (and correspondingly greater precipitation) transition at lower elevations to grasslands dominated by various grass species in response to soil and topography. Western wheatgrass is the dominant species in swales (lower elevation land that remains moist) with heavier soils and often moisture run-in. Needle and thread is the most common species on sandier soils, which tend to occur somewhat higher in the local landscape. Bluebunch wheatgrass is associated with steeper slopes; mixtures of any or all these grasses can occur with the variable conditions found in this diverse landscape. Blue grama can become very common with sustained heavy grazing. The absence of sagebrush is notable and currently unexplained.

A variety of wetland types occurs throughout the upland matrix in pothole depressions, larger shallow basins, or swales with impeded drainage. There is considerable diversity; some basins have dry to bare soil after seasonal flooding while others will have a variety of wetland types in a zoned pattern dependent on seasonal water table depths and salt concentrations. Most of these areas are dominated by graminoids (grasses), but shrubby cinquefoil is common in swales. Willows may be found, but are much more common in riparian wetlands.

Agricultural fields are most common in the central part of the project area. In addition to flood-irrigated hay fields, there are some central pivot-irrigated hay fields and dryland small grain production. Barley and wheat are the typical dryland crops but some fields have been planted to a variety of introduced species and are used for grazing land or hay production. Although a somewhat uncommon practice, fields have also been planted back to cultivars (presumed) of

native species (mostly western wheatgrass) and can be identified by their unusual degree of uniformity, lack of forb (herbaceous flowering plant) diversity and telltale furrowing.

## **WILDLIFE**

About 240 species of birds or approximately 65% of all birds found in Montana are known to inhabit this area. At least 134 species of birds are known to breed, an additional fifty-four species are suspected of breeding within the project area, and some 108 species of Neotropical migrants have been observed (see appendix A).

## **Mammals**

Lying adjacent to Bob Marshall Wilderness Area, the diverse habitats of the Front play a critical role in sustaining the Northern Continental Divide's free-ranging wildlife populations. It is the last remaining area in the continental United States with an intact assemblage of large mammalian carnivores, and it is the only place in the world where grizzly bears still roam from the mountains onto the prairies as they did nearly 200 years ago. An estimated 100–150 bears frequent the project area, which is included in much of the recovery plan for the Northern Continental Divide grizzly bear population. Gray wolves continue to migrate back into the area from the Canadian Rockies and several packs have established home ranges in Bob Marshall Wilderness Area. The Front supports one of the largest populations of wolverine and Canada lynx in the lower forty-eight states and it once supported a large concentration of swift fox which were nearly extirpated from the state. Swift fox are now being reintroduced just north of the project area through a partnership between Defenders of Wildlife and the Blackfoot Indian Nation and are expected to eventually move back into the project area. (see appendix B, "List of Endangered and Threatened Species").

Protecting these private lands from habitat fragmentation is a critical step that will ultimately assist in the recovery of the Northern Continental Divide Ecosystem grizzly bear population (Dr. Christopher Servheen, Grizzly Bear Recovery Coordinator, University of Montana, Missoula, MT; personal interview, 11 June 2008). In addition, protecting these lands may help prevent the need for the listing of several species the Service has been petitioned to list such as the trumpeter swan, wolverine, and westslope cutthroat trout.

The windswept plains along the mountains provide critical winter range for all large ungulates (hoofed mammals) found within the eastern section of the Bob Marshall Wilderness Complex. Thousands of elk and mule deer winter primarily on state wildlife management areas along the Front. Shiras moose, a subspecies found in the Central Rocky Mountains,



*Grizzly*  
©Cindie Brunner

occasionally frequent the project area and white-tailed deer are found throughout the riparian corridors. The grasslands along the eastern portion of the project boundary sustain small populations of pronghorn. Mountainous terrain along the western edge of the project area supports the largest populations of Rocky Mountain bighorn sheep and mountain goats in the continental United States (USFWS 1987).

## **Amphibians and Reptiles**

A number of amphibians occur along the Front including three species of frogs (boreal chorus, northern leopard, and Columbia spotted), two species of toads (plains spadefoot and western), and two species of salamanders (tiger and long-toed). The common garter snake, plains garter snake, terrestrial garter snake, western rattlesnake, greater short-horned lizard, and painted turtle are reptiles known to occur along the Front (Maxwell et al. 2003).

## **Fish**

Several streams and rivers along the Front support pure strains of westslope cutthroat trout, and are considered to be highly significant for the population found on the east slope of the Front. The Sun River was historically a stronghold for fluvial Arctic grayling which were eliminated from the system as a result of habitat degradation. In the spring of 1999, grayling were reintroduced above Gibson Dam into the upper Sun River tributaries. A rare hybrid of the northern redbelly dace also occurs within the project area.

## **Migratory and Other Birds**

Lying at the western end of the Prairie Pothole Region, the Front provides habitat for a significant diversity of wetland-dependent species. Some seventeen species of waterfowl breed within the project area, including the harlequin duck, which is found in several mountain streams. Three nesting pairs of rare trumpeter swans have been documented

in the Bean Lake-Nylan Reservoir Complex, one of the few breeding occurrences outside of the Centennial Valley in southwestern Montana. Hundreds of thousands of snow geese migrate along the Front, including 40,000 Wrangel Island snow geese, representing 50% of the entire known population. Peak flights of waterfowl along the Front during spring and fall migration often exceed several million birds. Six species of grebes are known to nest including the red-necked grebe, a species in serious decline in many other areas. Eleven different species of shorebirds breed in the wetlands and adjacent grasslands scattered throughout the area. The westernmost breeding occurrence of inland piping plovers occurs at Alkali Lake near the northeastern boundary of the project area. Several thousand sandhill cranes from the Rocky Mountain population use the river corridors during their spring and fall migration, and a portion of the cranes breed in these areas as well.

Cliff and riparian areas provide the two most important habitats for nesting raptors within the project area. At least twenty-one species of raptors breed along the Front, including nine species of owls. One of the Nation's densest populations of golden eagles and prairie falcons reside in the rock escarpments along the western edge of the project area. The Front hosts relatively robust populations of bald eagles, peregrine falcons, ferruginous hawks, and goshawks.

The project area includes one of the largest remaining expanses of native prairie left in the Northern Great Plains. This "sea of grass" provides essential habitat for numerous grassland birds, many of which are experiencing significant population declines. These include chestnut-collared longspurs, Le Conte's sparrows, bobolinks, Sprague's pipit, burrowing owls, marbled godwits, long-billed curlews, and lark buntings.



Mike Parkeir/USFWS

*Long-billed curlew.*

## CULTURAL RESOURCES

The Service has a trust responsibility to American Indian tribes that includes protection of the tribal sovereignty and preservation of tribal culture and other trust resources.

Currently, the Service does not propose any project, activity, or program that would result in changes in the character of, or adversely affect, any historical cultural resource or archaeological site. When such undertakings are considered, the Service takes all necessary steps to comply with Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended. The Service pursues compliance with Section 110 of the NHPA to survey, inventory, and evaluate cultural resources.

## SOCIOECONOMIC ENVIRONMENT

The project area includes portions of three counties—Lewis and Clark, Pondera, and Teton. Four communities are within the project area, all located along the eastern boundary on Highway 89/287. The largest community is Choteau with a population of 1,781. Augusta has 284 people, and Dupuyer and Bynum both have less than 200 people (U.S. Census Bureau 2000).

Most of the rural population is involved in ranching and livestock production. Hunting of a wide variety of game species occurs on private lands, with elk hunting bringing the most people to the Front.

A seasonal influx of tourists are attracted to the Front for opportunities to bird watch, mountain bike, horseback ride, backpack, camp, canoe, fish, and view archeological and paleontological resources. Choteau and Augusta are "gateway" communities for recreational activities in the Lewis and Clark National Forest, Bob Marshall, and Scapegoat Wildernesses, and Glacier National Park.

## AGRICULTURAL RESOURCES

The economy of the Rocky Mountain Front is primarily agrarian. Large cattle ranches dominate the private lands within the project area.

## LANDOWNERSHIP

Ownerships are relatively large in size (2,000 to 25,000 acre blocks) which helps maintain this intact landscape. The human population is sparse and towns are widely scattered. Towns tend to be service centers for the agricultural economy, but also support tourism and recreation.

Other significant public lands within the project area include 113,000 acres of state (school trust) lands that are managed to generate revenues for public schools in Montana (see figure 3).

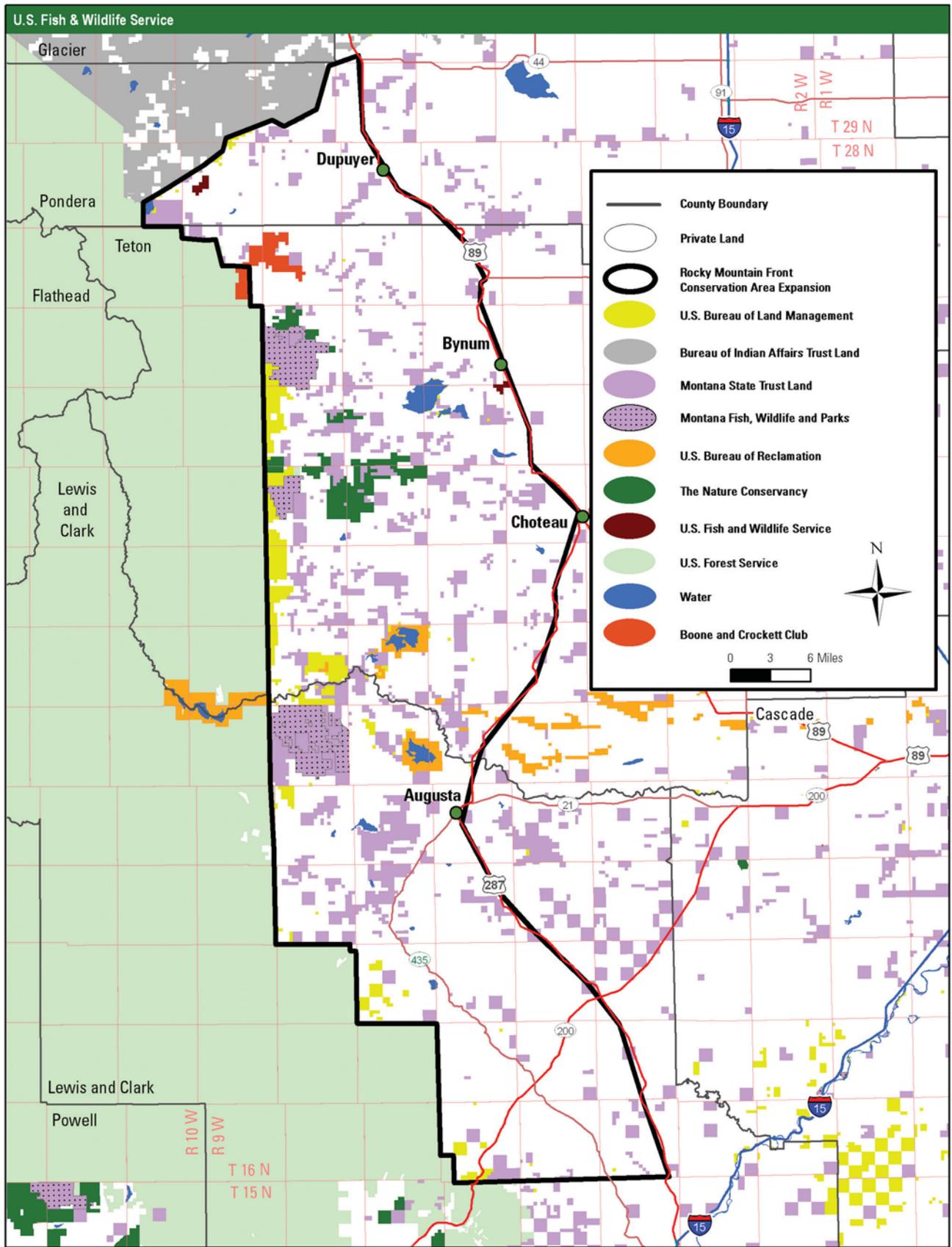


Figure 3. Landownership in the Rocky Mountain Front Conservation Area.

### ***PROPERTY TAX***

Currently, landowners pay property taxes on their private lands to the counties. The land does not change hands and, therefore, the property taxes paid by the landowner to the county are not affected. No changes to the tax base are anticipated.

### ***PUBLIC USE AND WILDLIFE-DEPENDENT RECREATIONAL ACTIVITIES***

Hunting and fishing are very popular throughout the project area. Hunting for a variety of wildlife includes waterfowl, upland game birds, pronghorn, elk, moose, deer, black bear, bighorn sheep, mountain lion, and furbearers. Private landowners often give permission for hunting and fishing on their land. Under a conservation easement, control of public access to land would remain under the discretion of the landowner.

# 4 Environmental Consequences



*A grizzly bear roams a streamside in the Rocky Mountain Front.*

This chapter assesses the environmental impacts expected to occur from the implementation of alternatives A or B, as described in chapter 2. Environmental impacts are analyzed by issues for each alternative and appear in the same order as discussed in chapter 2.

## EFFECTS ON THE BIOLOGICAL ENVIRONMENT

This section describes the estimated effects on climate change, wildlife habitat, and water resources of carrying out alternatives A and B.

### ***CLIMATE CHANGE***

Climate change is the pre-eminent issue for conservation in future decades. Current trends in climate change are expected to more acutely affect high mountain ecotypes and lower elevation, snow-melt dependent watersheds, such as those found in the Front.

Predictions regarding the specific effects of climate change in the Front are in the early stages. Empirical data indicates that during the 20th century, the region has grown warmer, and in some areas drier, especially east of the Continental Divide on the Rocky Mountain Front. Annual average temperature has increased 1–3 degrees over most of the region.

This seemingly modest increase masks much larger shifts in minimum winter temperatures (10°F) and shifts in maximum summer temperatures (7°F). In the “2007 Introduction to the Summary for Policy Makers Synthesis Report,” the Intergovernmental Panel on Climate Change described that average air temperatures may raise by up to six degrees by the end of this century according to regionally downscaled models from the Pacific Northwest (USFWS 2009).

Changes in temperature and precipitation are expected to decrease snowpack and will affect streamflow and water quality throughout the Front. Warmer temperatures will result in more winter precipitation falling as rain rather than snow throughout much of the region, particularly in mid-elevation basins where average winter temperatures are near freezing. This will result in

- less winter snow accumulation;
- higher winter streamflows;
- earlier spring snowmelt;
- earlier peak spring streamflow and lower summer streamflows in rivers that depend on snowmelt (USFWS 2009).

As glaciers and alpine snowfields melt and winters warm in Montana, specialized habitat for fish and wildlife species is expected to diminish. Snow conditions that facilitate hunting success for forest

carnivores, such as Canada lynx, are now changing due to winter warming (Stenseth 2004). High-elevation forest plants such as whitebark pine, (an important food source for grizzly bears) and other birds and mammals throughout the Crown of the Continent and Greater Yellowstone ecosystems (Kendall and Arno 1989) will also be negatively impacted by winter warming. Whitebark pine is susceptible to increased mortality as the incidence of drought, high elevation wildfire, and mountain pine beetle attacks increase, all associated with a warming climate (Hanna et al. 2009).

This warming may also have impacts on grizzly bears. Important food resources are expected to decline as warming causes an increase in whitebark pine blister rust, reducing the availability of the pine to bears. This may result in shifts in foraging elevations and a potential increase in grizzly bear conflict with humans and livestock.

According to Service Grizzly Bear Recovery Coordinator, Chris Servheen (University of Montana, Missoula, MT; personal interview, 11 June 2008), it is highly likely that grizzly bear delayed fall den entry dates and earlier spring emergence dates will begin occurring on the Front as they have in the Greater Yellowstone area; a change which is related to climate change. This will also potentially increase their likelihood of human-caused mortality from increased encounters (Endangered Species Coalition 2009).

As late summer flows are affected by global warming, fewer rivers will be able to supply the ample cold water required by some species. Some species' distributions are expected to be negatively impacted by the heightened ambient air temperatures (Endangered Species Coalition 2009).

The impacts of climate change will extend beyond the boundaries of any single refuge or easement project and will require large-scale, landscape-level solutions that extend throughout the CoCE. A goal of the proposed project area expansion is to build resilience in ecological systems and communities, so that, even as climate conditions change, the Front will continue to support its full range of native biodiversity and ecological processes. Building resilience includes maintaining intact, interconnected landscapes, and restoring fragmented or degraded habitats.

## **ADAPTATION, MITIGATION, AND ENGAGEMENT**

The Service's strategic response to climate change involves three core strategies: adaptation, mitigation, and engagement (USFWS 2009). Through adaptation, the impacts of climate change on wildlife can be reduced by conserving habitats expected to be resilient.

Increased landscape connectivity is one of the most effective methods to help wildlife adapt to climate change. Large landscapes, especially those within mountains, and the ability to move between them, provide the best chances for plant and animal species, as well as ecosystems and ecological processes, to survive changing conditions. The ability to migrate to higher latitudes, higher elevations, or cooler exposures can make possible the successful adaptation of plants and animals. The Yellowstone to Yukon Ecosystem, which encompasses the Crown of the Continent ecosystem, is the most intact mountain ecosystem remaining on Earth and is one of the world's few remaining areas with the geographic variety and biological diversity to accommodate the wide-scale adaptive responses that might allow whole populations of animals and plants to survive (Yellowstone to Yukon Conservation Initiative 2009).

One of the results of changing climates is the alteration of the habitats upon which wildlife depend. Wildlife will have to adapt to changes in habitat to survive. Protecting and linking contiguous blocks of unfragmented habitat will facilitate movement of wildlife responding to climate change.

Carbon sequestration forms one of the key elements of mitigation. The Rocky Mountain Front conservation easement project will protect large forested areas from subdivision. Forests are critically important in the efforts to remove carbon dioxide from the atmosphere and mitigate climate change. The carbon dioxide from the atmosphere is absorbed by trees through photosynthesis and stored as carbon in the tree trunk, branches, foliage, and roots, with oxygen as a byproduct. The organic matter in forest soils, such as the humus produced by the decomposition of dead plant material, also acts to store carbon.

Engagement involves cooperation, communication, and partnerships to address the conservation challenges presented by climate change (USFWS 2009). The project is located in an area that is designated as a high priority for conservation and linkage protection by many of our partners including Montana Fish, Wildlife and Parks (MFWP); The National Fish and Wildlife Foundation; The Nature Conservancy; The Conservation Fund; and American Wildlands. Many of these organizations are involved in trans-boundary conservation, protecting and connecting habitat in the United States and Canada. Strong partnerships have already been developed to meet the challenges of climate change and wildlife resources.

Given the level of public and private partnerships focused on land protection within the Rocky Mountain Front, this landscape is arguably one of the most promising large-scale opportunities remaining in North America for species resiliency and adaptation in the face of climate change.

## **WILDLIFE HABITAT**

The effects on wildlife habitat for alternatives A and B are described in this section.

### **Alternative A**

Although efforts by the Service's Partners for Fish and Wildlife (PFW) program and partners would continue to enhance habitat on some private lands, degradation of resources on many unprotected lands would continue. These potential impacts could result in the further decline of migratory birds, resident wildlife, and listed species.

Many acres of land would likely be developed for recreational home sites or isolated commercial uses, as economic forces change in the future. In recent years, subdivision and the demand for recreational property have been spilling over from western Montana, posing the greatest single threat to the Rocky Mountain Front. Lands adjacent to natural areas are choice home sites and are targeted for residential development. In particular, burgeoning subdivisions occur at the mouths of the Dearborn, Sun, and Teton river canyons and land prices have increased dramatically. Long-time family ranches are beginning to be sold and are commanding very high prices as recreational properties.

No action would result in the loss of opportunity to protect historically important upland and wetland habitats. Without the protection of private land with conservation easements, the future of wildlife habitat in the project area would be uncertain.

Habitat fragmentation is one the greatest impacts caused by rural subdivision and residential development. The Front has more than 700,000 privately owned acres, with the majority remaining in large ranch ownership. However, under state law, the subdivision process is not difficult—land may be split into lots of 160 acres or greater without local review or approval. Moreover, with no county zoning in place, small lot subdivisions are possible.

Private land subdivision results in smaller ownerships. Subsequent effects, including those listed below, would likely impact wildlife:

- fragmentation
- invasive plant infestations
- increased fencing, roads, and vehicle traffic
- loss of habitat and travel corridors for wildlife

In addition, these effects would bring increased human presence in the form of snowmobiles, predator-prey shifts, and sources of disturbance that can disrupt wildlife movement patterns and render habitat unusable.

Loss of habitat and travel corridors for wolverine, Canada lynx, grizzly bear, gray wolf, and other

species would likely have a negative impact on these species' populations along the Front. Research has shown that grizzly bears move between private lands along the Front, Glacier National Park, and the Lewis and Clark National Forest, all of which are part of the Northern Continental Divide Ecosystem (USFWS 1987). These key geographic and biological linkages can be lost and wildlife populations isolated once an area is fragmented by subdivisions or other development.

Increased human settlement can also result in increased human-wildlife conflicts, as well as impacting actions to control important natural ecological events such as fire and seasonal floods.

Conversion of native prairie to cropland, especially within the eastern portion of the Front, has an effect on bird populations. In the fescue prairie region of Alberta, Canada, total passerine populations and diversity have decreased significantly as native rangeland has been converted to cereal grain production (Owens and Myers 1972). Overall, grassland bird populations are decreasing faster and over a larger area than any other avian species group, including Neotropical migrants (Knopf 1996).

### **Alternative B**

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

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

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

Compatible agricultural practices such as livestock grazing or haying would continue, while sodbusting (breaking of native rangeland) would be prohibited. Easements would maximize the connectivity with other protected grasslands and decrease the negative impacts of habitat fragmentation on grassland birds (Owens and Myers 1972).

## **WATER RESOURCES**

The effects of alternatives A and B on water resources are described below.

### **Alternative A**

The prospect of residential development along the Front represents a potentially significant threat to the aquatic habitat. Sewage-derived nutrient additions to streams and lakes could have detrimental effects on the aquatic ecology (Wernick et al. 1998).

Housing developments could also result in additional wetland drainage, water diversion, and introduction of invasive species. Development could also change drainage patterns or the rate of surface runoff, increasing soil erosion and nonpoint source pollution.

As demand for potable water increases for new subdivisions, water rights could be questioned and challenged to a greater extent in the future. Groundwater aquifers would receive more demand, resulting in potential degradation to the hydrology of some wetland areas.

Conversion of grasslands to cropland has been documented to increase sedimentation and pesticide runoff into wetlands. Tillage increases the sediment load into wetlands when compared to grasslands (Gleason and Euliss 1998, Kantrud et al. 1989), primarily due to wind erosion (NRCS 1992).

### **Alternative B**

Water resources on the up to 125,000 acres of additional conservation easements would be protected from increased nonpoint source pollution from residential subdivision, commercial development, and draining of wetlands, all of which are prohibited under the proposed easement project.

The landowner would continue to own and control water rights.

## **EFFECTS ON THE SOCIOECONOMIC ENVIRONMENT**

This section describes the estimated effects of alternatives A and B on land ownership, land use, oil and gas exploration and development, wind energy development, public use, and economic impacts.

### **LANDOWNERSHIP AND LAND USE**

The effects on land ownership and use are described below.

### **Alternative A**

The resources studied by the Service for conservation easements along the Rocky Mountain Front would remain in private ownership with no restrictions. Ranching opportunities could be reduced when landowners begin to split tracts into smaller lots.

Landowners that subdivide could increase their revenue by developing recreational home sites. With subdivision, tracts could potentially increase in value if there is a desire to cluster housing or to keep open space for future housing developments.

The community would lose open space and the aesthetics of the Front would diminish significantly. Subdivision and development would reduce hunting and wildlife observation opportunities and diminish revenue associated with these activities to local communities.

### **Alternative B**

The proposed expanded easement project would enhance the protection of trust resources through conservation of wildlife habitat, and protection of land from surface disturbance or development.

The proposed action would affect location and distribution, but not rate or density, of human population growth. Ongoing, traditional agricultural uses such as livestock grazing would allow compatible ranching to continue. This alternative would maintain open space on a large landscape scale, thereby preserving the rural lifestyle of the area.

Preventing subdivision and development could decrease future tax revenues in a defined market area. However, open space could actually provide a net savings to local governments when compared to the revenues generated and costs of services associated with residential development (Haggerty 1996).

Positive effects may occur from increased public wildlife viewing, fishing, and hunting opportunities. Open space also may enhance property values on adjoining lands as people begin to seek out undeveloped lands in the future.

The purchase of an easement would not result in a transfer of land title and, therefore, the property taxes paid by the landowner to the county are not affected. No changes to the tax base are anticipated. The land remains under private ownership.

The proposed expansion of the easement project would have no effect on tribal jurisdiction or tribal rights because it is outside of reservation land.

## VALUE OF INTACT ECOSYSTEMS

Humans influence every ecosystem on earth, leading to impairment of natural ecosystem structure and function (MEA 2005). Converting native land to row crop agriculture, suppressing fire, diverting water flow, increasing nutrient and toxic pollution, altering global precipitation patterns and gas concentration, and homogenizing and lowering global biodiversity are a few of the ways humans have altered ecosystems. North American forests, savannas, and grasslands have experienced substantial losses, whereas woody savanna, shrubland, and desert areas have expanded because of desertification and woody expansion into grasslands (Wali et al. 2002), inevitably leading to changes in ecosystem function (Dodds et al. 2008).

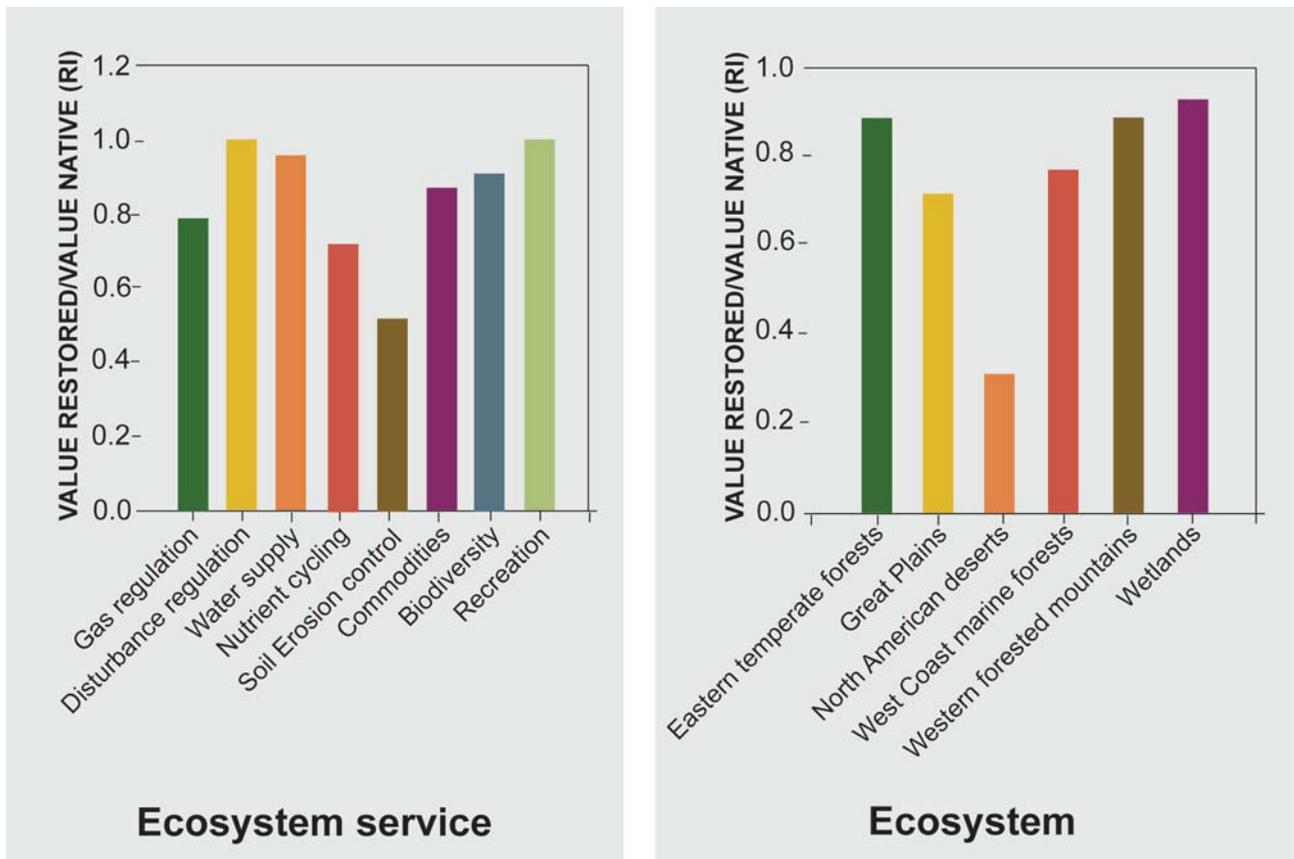
The Montana Natural Heritage Program has rated the Front as one of the most significant natural landscapes in the state, a tribute to its intact ecological systems, expansive wetlands, and diverse native fauna and flora, including a concentration of rare species.

## Alternative A

Under the no action alternative, the threat of habitat fragmentation would continue unabated. Landowners could continue to face economic pressures to subdivide their ranches. Tree encroachment and urban fragmentation would compress the project area, leaving fewer large parcels of intact habitat.

## Alternative B

Conserving native land cover is an important component of maintaining ecosystem structure and function. Under the proposed action, native forest habitats would remain intact, continuing to provide ecosystem goods and services to landowners and local communities. Ecosystem services include: soil erosion control, water supply, biodiversity, and carbon sequestration. Forested ecoregions (eastern temperate, western mountain, and west coast marine) have less than 5% of native area remaining. The proposed action would help protect valuable ecosystem services (see figure 4). Furthermore, it would prevent the prohibitively high cost of restoration.



**Figure 4. Relative native and restored benefits of ecosystem goods and services.**

*The relative value, RI, is determined as the ratio of estimated benefits derived from native and restored acreages per year. (Source: Dodds et al. 2008)*

### ***OIL AND GAS EXPLORATION AND DEVELOPMENT—ALTERNATIVE A***

Oil and gas development would continue to occur on private lands in the project area. Stipulations to protect the surface estate would be governed by existing state regulations.

### ***OIL AND GAS EXPLORATION AND DEVELOPMENT—ALTERNATIVE B***

The proposed easement expansion project would not preclude oil and gas exploration or development on private land. Typically, conservation easements do not affect subsurface estates (oil and gas deposits) because the Service only acquires rights associated with surface ownership. In many places where the subsurface estate has been severed from surface ownership, including those in the Rocky Mountain Front, the landowner does not own the subsurface rights; this means that the easement that the Service acquires from the landowner is junior to the subsurface rights.

In instances where a landowner owns both the surface and the subsurface estate, the Service would treat oil and gas development as a permitted use and provide for such development in the easement document. Easements would contain reasonable surface stipulations for actions such as revegetation of disturbed areas, access, and site reclamation.

Easements would not be acquired on federal lands where the BLM administers the oil and gas leasing program. The BLM program is concentrated on public lands, whereas the Service's conservation easements are concentrated on private lands.

### ***WIND ENERGY DEVELOPMENT—ALTERNATIVE A***

The new interest in wind development has heightened the very real threat of accelerated fragmentation along the Front. Under the no action alternative, wind speculators would be unencumbered to move across the landscape tying up large tracts of lands through wind leases for future wind farm development projects. In addition to the negative impacts of fragmentation due to the development of roads, turbine pads, collection lines, and transmission lines, the project area would be susceptible to increased exposure of noxious weed infestations.

### ***WIND ENERGY DEVELOPMENT—ALTERNATIVE B***

Conservation easements purchased from willing sellers on private land would prevent the development of commercial wind resources on those lands. The proposed easement expansion project would enhance the protection of an intact ecosystem through conservation of wildlife habitat and

protection from surface disturbance or development of wind energy infrastructure while providing some financial compensation to landowners through the sale of the easements.

The proposed action would affect only lands on which the Service has acquired a conservation easement. Location and distribution, and sales by willing sellers of wind energy development on adjacent lands without Service conservation easements would not be restricted by the Service. This alternative would maintain open space on a large landscape scale, thereby preserving the rural lifestyle of the area.

### ***PUBLIC USE—ALTERNATIVE A***

Landowners would continue to manage public use.

### ***PUBLIC USE—ALTERNATIVE B***

Conservation easements purchased on private tracts would not change the landowner's right to manage public access to their property.

Under the proposed expanded easement project, private landowners would continue to retain full control over their property rights, including allowing or restricting hunting and fishing on their lands. This is different from the MFWP's block management program, where participating landowners are paid to provide hunter access to their private lands.

### ***ECONOMIC IMPACTS—ALTERNATIVE A***

Under alternative A, the no-action alternative, economic impacts would remain at current levels.

There are currently 4.3 full-time equivalent (FTE) employees assigned to the Rocky Mountain Front CA whose total wages amounted to \$151,875, or an average of approximately \$35,320 per employee. Assuming employees spend 79 percent of their earnings locally, the existing annual economic impacts related to the employment at Rocky Mountain Front CA is \$119,981.

According to Service staff, operating expenditures are \$3,076 annually. When combined with employment related economic impacts, the annual baseline economic activity associated with the existing Rocky Mountain Front CA is \$123,057.

### ***ECONOMIC IMPACTS—ALTERNATIVE B***

Under alternative B, increases in employment, annual operating expenditures, and easement purchases would contribute to the economic activity that the Benton Lake National Wildlife Refuge Complex generates in the project area. The socioeconomic impact of visitor expenditure is undetermined, as historical public visitor data at conservation areas is not available and visitor

increases due to public awareness of conservation activities is difficult to quantify.

According to Service staff, new employment associated with Rocky Mountain Front CA Alternative B would increase by 1.67 FTEs to a total of 5.97 FTEs. New employee salaries total \$91,518, or an average of approximately \$54,801 per new employee. Assuming employees spend 79 percent of their earnings locally, the direct socioeconomic impacts of increased employment at Rocky Mountain Front CA is \$72,299 annually.

The direct economic impacts of easement acquisitions are more difficult to attribute to the study area as it is less obvious where landowners may spend this income. In the Rocky Mountain Front CA, easements are worth an estimated \$48,875,000.

Approximately \$29,365 in operating expenditures associated with landowner management, employee training, and travel expenses would be added. These funds are spent on local goods and services and therefore directly impact the economy in the study area. Table 1 presents a summary of annual operating costs and salaries associated with the economic impacts.

**Table 1. Summary of annual operating costs and salaries associated with alternative B.**

	<i>Current Impacts</i>	<i>Alternative B Impacts</i>
Salaries	\$119,981	\$192,280
Operations	\$ 3,076	\$ 32,441
Total Impacts	\$123,057	\$224,721
Increase above baseline	\$101,664	

As shown above, the total direct economic impacts related to the proposed Rocky Mountain Front CA expansion is estimated at \$224,721, an increase of \$101,664 above baseline impacts.

## UNAVOIDABLE ADVERSE IMPACTS

Any adverse effects that may be unavoidable while carrying out alternatives A and B are described below.

### ALTERNATIVE A

The adverse impacts of degradation and habitat fragmentation would be expected to be more widespread and prevalent in the project area.

### ALTERNATIVE B

No direct or indirect unavoidable adverse impacts to the environment would result from the selection

of alternative B. The proposed easement expansion project would not result in unavoidable adverse impacts on the physical or biological environment. The proposed expansion of the conservation area boundary would not, by itself, affect any aspect of land ownership or values.

## IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Any commitments of resources that may be irreversible or irretrievable as a result of carrying out alternatives A and B are described below.

### ALTERNATIVE A

There would be no additional commitment of resources by the Service if no action is taken.

### ALTERNATIVE B

There would not be any irreversible or irretrievable commitments of resources associated with the selection of alternative B, as lands would only be acquired as funding is available. Once easements are acquired, irreversible and irretrievable commitments of funds to protect these lands (such as expenditure for fuel and staff for monitoring) would exist.

## SHORT-TERM USE VERSUS LONG-TERM PRODUCTIVITY

This section describes the short-term effects versus long-term production from the expected actions in alternatives A and B.

### ALTERNATIVE A

Ranches could be sold to developers for short-term gains, which would have a negative impact on the long-term biological productivity of the area.

Over the long-term, the costs to counties to sustain development in rural areas could be significant.

Wind energy and oil and gas development would provide short-term income gains, but would have a long-term adverse impact on the ecosystem of the Front from the subsequent effects of habitat fragmentation.

### ALTERNATIVE B

The proposed conservation easement expansion project would maintain the long term biological productivity of the grassland, riparian, forest, and tundra ecosystems; including the increased protection of endangered and threatened species and the protection of biological diversity by preserving a large, intact, functioning system. The nation would



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*McCown's longspur.*

gain the protection of species dependent on these habitats for future generations of Americans.

## CUMULATIVE IMPACTS

Cumulative impacts are defined by National Environmental Policy Act policy as the impacts on the environment which 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 (40 CFR § 1508.7).

This section describes the cumulative impacts that could result from the combination of expected actions in alternatives A or B, together with other biological and socioeconomic conditions, events, and developments.

### ALTERNATIVE A

Current Service program work such as PFW would continue along the Rocky Mountain Front. The Service would continue to work cooperatively with landowners to voluntarily improve habitat on private land.

### ALTERNATIVE B

This section describes the cumulative impacts that may result from the combination of expected actions of the project, together with other biological and socioeconomic conditions, events, and developments.

### Past Actions

The proposed expansion of the project area lies adjacent to and includes a large complex of federal, state, and private conservation lands that serve as anchors or core areas for numerous trust

species. These include the 1.5 million-acre Bob Marshall Wilderness Complex; three state wildlife management areas (Sun River, Ear Mountain, and Blackleaf wildlife management areas totaling 34,000 acres); The Nature Conservancy's Pine Butte Swamp Preserve (13,000 acres); two Bureau of Land Management areas of critical environmental concern (11,500 acres); two Bureau of Reclamation resource management areas (formerly Pishkun and Willow Creek national wildlife refuges totaling 9,000 acres); and the Boone and Crockett Club's Theodore Roosevelt Memorial Ranch (6,055 acres). In addition, nearly 100,000 acres of private land are already protected with perpetual conservation easements held by TNC and the Montana Land Reliance.

The Service has been acquiring conservation easements on properties with significant wetland habitat under the SWAP. To date, over 21,000 acres have been protected through the Migratory Bird Conservation Fund. LWCF would continue to be used to target acquisition of easements on properties that do not meet the wetland requirements of the SWAP.

### Present Actions

Within the CoCE, areas that were not suitable for homesteading and settlement were designated as federal lands. Settlers selected the milder, more fertile valleys. These areas are currently under the greatest developmental pressure. Because of these threats and pressures, the Service has proposed three project areas within the CoCE to concentrate strategic acquisition to (1) maintain biological diversity related to wildlife values; (2) link together existing protected areas; (3) preserve existing wildlife corridors; and (4) protect the large, intact, functioning ecosystem, while maintaining the rural character and agricultural lifestyle of western Montana. The Land and Water Conservation Fund and potential conservation partners will provide funding for these efforts. Table 2 shows the proposed acquisition acreage, type of acquisition tool, focal species, and key partners for each of the three proposed project areas, Blackfoot Valley Wildlife Management Area expansion, Rocky Mountain Front Conservation Area expansion, and Swan Valley Conservation Area.

### Economic Effects of Present Actions

Combining the effects of Service employment (\$228,177) and operations (\$22,123), the total baseline economic activity generated by the conservation areas in the twelve-county study region is approximately \$250,300 annually.

If all three conservation area proposals (two expansions, one new area) occur, as described in Table 5, total operational expenditures would increase by \$64,423. A total of 5.01 new FTE employees would be hired at a combined salary

**Table 2. Summary of U.S. Fish and Wildlife Service projects for the Crown of the Continent ecosystem.**

<i>Project Area</i>	<i>Proposed Project Area</i>	<i>Potential New Acreage</i>	<i>Type of Acquisition Tool</i>	<i>Focal Species</i>	<i>Key Partners</i>
Rocky Mountain Front Conservation Area expansion	Expand existing area from 527,000 acres to 918,000 acres	125,000 acres	Conservation easement	Grizzly bear, migratory birds, long-billed curlew, Sprague's pipit, McCown's longspur	Private landowners, The Nature Conservancy, The Conservation Fund, Richard King Mellon Foundation
Blackfoot Valley Wildlife Management Area expansion	Expand existing area from 165,000 acres to 824,024 acres	80,000 acres	Conservation easement	Grizzly bear, Canada lynx, bull trout, westslope cutthroat trout, migratory birds	Private landowners, The Blackfoot Challenge, The Nature Conservancy, Trout Unlimited
Swan Valley Conservation Area	New proposed area of 187,400 acres	11,000 acres	Conservation easement and limited fee title (less than 1,000 acres)	Grizzly bear, Canada lynx, bull trout, migratory birds: Lewis' woodpecker, black tern, trumpeter swan, olive-sided flycatcher	Private landowners, The Nature Conservancy, Trust for Public Lands, Swan Valley Ecosystem Center, Plum Creek Timber Company, Vital Ground, Trout Unlimited, Northwest Connections

of \$274,554. Assuming 79 percent of salaries are spent within the impact region, there would be an additional \$216,897 in direct economic impacts to the study area. The increased operational (\$64,423) and employment (\$216,897) expenditures added to baseline direct economic activity (\$250,300) yields a total direct economic impact of \$531,620 annually, which is an increase of \$281,320 from current baseline impacts.

#### Other Present Actions by the Service

In the past 5 years, TNC has provided \$2.1 million in private funding to the Service's easement project within the project area. In addition, this partnership recently expanded to include The Conservation Fund and the Richard King Mellon Foundation, both of whom have committed to provide an additional \$15 million dollars in private funding for the purchase of conservation easements along the Front.

The Partners for Fish and Wildlife Program continues to develop strong partnerships with private landowners along the Front through the implementation of habitat restoration and management projects on private lands. Strong partnerships have also developed with a variety of agencies and organizations jointly involved to accomplish similar objectives through restoration and protection projects. Habitat restoration efforts currently focus on wetlands, streams, native grasslands, and riparian areas. Typical projects include wetland restoration, riparian corridor enhancement (revegetation), instream restoration,

and the development of grazing systems to rejuvenate native grasslands.

Several grant programs administered by the Division of Ecological Services are available to tribes, states, and individual private landowners, for projects that benefit federally listed, proposed, or candidate species. The Front provides an opportunity for the Service to collaborate with many public and private partners to conserve endangered species.

Conservation easements will protect and maintain the integrity of the Front's unique complex of wetland, grassland, and riparian habitats and their diverse complement of fish, wildlife, and plants. These easements will also provide a vital link or protected habitat corridor between the existing protected "biological anchors" including three state wildlife management areas, Pine Butte Swamp Preserve, Theodore Roosevelt Memorial Ranch, Bureau of Reclamation Resource Management Areas, the adjacent Lewis and Clark National Forest, Bob Marshall Wilderness Area, and Bureau of Land Management Areas of Critical Environmental Concern lands.

The existing easement project will have long term positive impacts on wildlife habitat and will result in the long term conservation of migratory birds, threatened and endangered species, native plants, and the overall biological diversity of the Rocky Mountain Front.

### Reasonably Foreseeable Future Actions

Based on past conservation successes within the Crown of the Continent ecosystem, the Service anticipates nonprofit organizations will continue to promote and secure conservation easements on additional private lands. It is likely that the bulk of the nonprofit work involving conservation easements will be in partnership with the Service's goal of protecting 216,000 additional acres (Rocky Mountain Front CA expansion, Blackfoot Valley WMA expansion, and Swan Valley CA) within the Crown of the Continent ecosystem.

#### Lewis and Clark County Open Space Bond

Lewis and Clark County has established an open space bond with over \$5,000,000 dedicated to protecting private lands while keeping it in private ownership and on the tax rolls. Future partnerships to protect private land and their associated fish and wildlife resources are expected to occur with the Service under this initiative.

#### Coalition to Protect the Rocky Mountain Front

On September 16, 2009, The Coalition to Protect the Rocky Mountain Front unveiled a draft plan proposing a new comprehensive approach for managing public lands along the Rocky Mountain Front. The proposal, termed the Rocky Mountain Front Heritage Act, was developed through 3 years of meetings and negotiations with ranchers, sportsmen, private landowners, weed experts, and conservation groups. It encompasses roughly 400,000 acres of public land south of Birch Creek/Swift Reservoir.

The Rocky Mountain Front Heritage Act is a Montana-made proposal that will give local communities and land managers more tools to control the spread of noxious weeds. The coalition goals are to create legislative options that could buffer ranchers and wildlife from the impacts of noxious weed, safeguard traditional access to renowned hunting and fishing areas, and help protect a way of life. The grassroots proposal will eventually include congressional direction and tools to help control noxious weeds, create a unique landscape protection designation for the majority of the public lands called a "Conservation Management Area," as well as make common-sense additions to the Bob Marshall Wilderness complex. The noxious weed management area includes 434,237 acres; the conservation management area includes 218,327 acres; and the wilderness additions include 85,910 acres. This conservation initiative will further advance conservation along the Rocky Mountain Front (Coalition to Protect the Rocky Mountain Front 2009).

#### The Conservation Fund—Rocky Mountain Front Initiative

The Conservation Fund is partnering with TNC, the Service, and the state of Montana 5-year effort to protect 220,000 acres of wildlife habitat along the Rocky Mountain Front. The goal is to maintain the area's ranching heritage. In its first year, four projects protected 21,274 acres of critical migratory corridors for grizzly bears and other species. The Conservation Fund is planning future conservation protection for an additional 198,726 acres over the next 4 years (The Conservation Fund 2010).

# 5 Coordination and Environmental Review



USFWS

*Rocky Mountain Front Advisory Council.*

The Service coordinated within the agency, as well as with other federal agencies and local agencies, while developing this EA. Coordination efforts for contaminants and hazardous materials is described below.

The Service conducted this environmental analysis under the authority of the National Environmental Policy Act. The resulting document will be distributed to the project mailing list, and copies can be requested.

The analysis and documentation was prepared by a combination of field and regional Service staff, along with partners (see appendix C). Appendix D contains the finding of no significant impact, appendix E contains the environmental action statement, appendix F contains the environmental compliance certificate, and appendix G contains the section 7 biological evaluation. Director's memorandums are appendix H.

## **AGENCY COORDINATION**

The Service has discussed the proposal to expand the Rocky Mountain Front Conservation Area with landowners; conservation organizations; other federal agencies; tribal, state, and county governments; and other interested groups and individuals.

The Service held an open house public meeting to provide information and discuss the proposal with landowners and other interested citizens. Information on the Rocky Mountain Front project area has been made available to county commissioners in each of the three counties included in the project area.

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

Nongovernmental conservation groups are vital to the success of the proposed expansion project. Service staff has coordinated with partner organizations such as The Nature Conservancy, The Montana Land Reliance, and the Rocky Mountain Front Land Owner Advisory Council.

Appendix I lists the comments and responses from the public review.

## CONTAMINANTS AND HAZARDOUS MATERIALS

Fieldwork for the pre acquisition contaminant surveys will be conducted, on a tract-by-tract basis, prior to the purchase of any land interest. Any suspected problems or contaminants requiring additional surveys will be referred to a contaminants specialist located in the Service’s ecological services office in Helena, Montana.

## NATIONAL ENVIRONMENTAL POLICY ACT

As a federal agency, the Service must comply with provisions of NEPA. An EA is required under NEPA to evaluate reasonable alternatives that will meet stated objectives, and to assess the possible impacts to the human environment. The EA serves as the basis for determining whether implementation of the proposed action will constitute a major federal action significantly affecting the quality of the human environment.

The analysis for, and development of this EA, facilitated the involvement of government agencies and the public in the decision making process.

## LANDSCAPE CONSERVATION COOPERATIVES

The Service will use landscape conservation cooperatives as a means to reach across broad landscapes, involve many partners, and function at a scale necessary to address wildlife adaptation in response to climate change.

The Rocky Mountain Front Conservation Area lies within the U.S. Fish and Wildlife Service’s Great Northern Landscape Conservation Cooperative (GNLCC) (see figure 5). GNLCC includes the mountain and transitional habitats in regions of Wyoming, Montana, Idaho, and the upper Green River basin in southern Wyoming and small parts of Colorado and Utah, and portions of the Interior Columbia Plateau reaching into Oregon and Washington westward to the Cascade Mountains. The GNLCC also includes the international landscapes of the interior British Columbia and Alberta, Canada, and covers the entirety of the northern Rocky Mountains and mid-continent lowlands of the interior northwest.

The GNLCC has identified priority species including: bull trout, grizzly bear, Lewis’ woodpecker, trumpeter swan, cutthroat trout, Arctic grayling, wolverine, willow flycatcher, sage grouse, burrowing owl, and Columbia spotted frog.



**Figure 5. Great Northern Landscape Conservation Cooperative with Rocky Mountain Front Conservation Area expansion.**

The GNLCC works with a variety of science partners including many of which are also supporters of the proposed expansion of the easement project. The protection of the Front, through an expansion of the conservation easement project would significantly contribute to the conservation of GNLCC priority habitats and the federal trust species identified above.

As the GNLCC continues to develop, an overarching priority will be to serve as a convening body to bring together partners to address existing and future issues related to climate change and landscape scale conservation. The Service will work with existing partnerships within the Rocky Mountain Front to further refine priorities and leverage resources for acquisition.

## **DISTRIBUTION AND AVAILABILITY**

Copies of the EA were sent to federal and state legislative delegations, agencies, landowners, private groups, and other interested individuals.

Additional copies of the document are available from the following offices and websites.

U.S. Fish and Wildlife Service  
Benton Lake National Wildlife Refuge Complex  
922 Bootlegger Trail  
Great Falls, MT 59404-6133  
406 / 727 7400  
<http://www.fws.gov/bentonlake>

and

U.S. Fish and Wildlife Service  
Region 6, Division of Refuge Planning  
Branch of Land Protection Planning  
P.O. Box 25486–DFC  
Denver, Colorado 80225  
303 / 236 4378  
303 / 236 4792 fax  
<http://mountain-prairie.fws.gov/planning/lpp.htm>



# Appendix A

## List of Plants and Animals

### PLANTS

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

### FISH

SCIENTIFIC NAME	COMMON NAME
<i>Thymallus arcticus</i>	Arctic grayling
<i>Phoxinus eos</i>	Northern redbelly dace
<i>Oncorhynchus clarki lewisi</i>	Westslope cutthroat trout
<i>Salvelinus confluentus</i>	Bull trout

### AMPHIBIANS AND REPTILES

SCIENTIFIC NAME	COMMON NAME
<i>Pseudacris maculata</i>	Boreal chorus frog
<i>Rana luteiventris</i>	Columbia spotted frog
<i>Thamnophis sirtalis</i>	Common garter snake
<i>Phrynosoma hernandesi</i>	Greater short-horned lizard
<i>Ambystoma macrodactylum</i>	Long toed salamander

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

## MAMMALS

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

## BIRDS

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

<b>SCIENTIFIC NAME</b>	<b>COMMON NAME</b>
<i>Melanerpes lewis</i>	Lewis' woodpecker
<i>Numenius americanus</i>	Long billed curlew
<i>Limosa fedoa</i>	Marbled godwit
<i>Anas acuta</i>	Northern pintail
<i>Charadrius melodus T</i>	Piping plover
<i>Falco mexicanus</i>	Prairie falcon
<i>Podiceps grisegena</i>	Red-necked grebe
<i>Centrocercus urophasianus</i>	Sage grouse
<i>Grus canadensis</i>	Sandhill crane
<i>Chen caerulescens</i>	Snow goose
<i>Anthus spragueii</i>	Sprague's pipit
<i>Cygnus buccinator</i>	Trumpeter swan
<i>Empidonax traillii extirmus</i>	Willow flycatcher



# Appendix B

## *List of Endangered and Threatened Species*

### MAMMALS

SCIENTIFIC NAME	COMMON NAME	SPECIES DESIGNATION
<i>Lynx canadensis</i>	Canada lynx	Threatened
<i>Canis lupus</i>	Gray wolf	Endangered
<i>Ursus arctos horribilis</i>	Grizzly bear	Threatened

### BIRDS

SCIENTIFIC NAME	COMMON NAME	SPECIES DESIGNATION
<i>Charadrius melodus</i>	Piping plover	Threatened

*Endangered*—listed in the Federal Register as being in danger of extinction.

*Threatened*—listed in the Federal Register as likely to become endangered within the foreseeable future.



# Appendix C

## *List of Preparers and Reviewers*

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

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



# Appendix D

## *Finding of No Significant Impact*

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

### **FINDING OF NO SIGNIFICANT IMPACT**

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

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

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

1. Expanding the Rocky Mountain Front Conservation Area would provide for the conservation of up to 125,000 acres of important habitat on private land. This project would help maintain the uniqueness of the Rocky Mountain Front region and complement other conservation efforts by The Nature Conservancy, Boone and Crockett Club, The Montana Land Reliance, Rocky Mountain Front Land Owner Advisory Council, and other state and federal agencies.
2. Conservation easements within the expanded Rocky Mountain Front Conservation Area would help alleviate habitat fragmentation issues. Maintaining key biological linkages would facilitate wildlife movement and provide for wildlife habitat requirements for species such as the grizzly bear, Canada lynx, wolverine, and gray wolf. The potential for human-wildlife conflicts would be greatly reduced.
3. Compatible agricultural practices such as livestock grazing or haying would continue, while sodbusting (breaking of native rangeland) would be prohibited. Easements would maximize the connectivity with other protected grasslands and decrease the negative impacts of habitat fragmentation on wildlife species.
4. Water resources on 125,000 acres would be protected from increased non-point source pollution from residential subdivision, commercial development, and draining of wetlands, which are prohibited under the proposed easement program. This project will help reduce the demand for potable water associated with new subdivisions and the challenges to water rights that may follow.
5. The proposed action would affect location and distribution, but not rate or density, of human population growth. Positive effects may occur from increased public wildlife viewing, and hunting opportunities. Open space also may enhance property values on adjoining lands as people begin to seek out undeveloped lands in the future.

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

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

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

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

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

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

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

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

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

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

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

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

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

**Supporting Reference**

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

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

9/24/10  
Date

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

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

# Appendix E

## *Environmental Action Statement*

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

### ENVIRONMENTAL ACTION STATEMENT

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

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

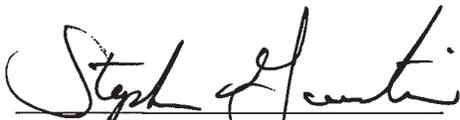
Other supporting document:

*Draft Environmental Assessment and Land Protection Plan, Rocky Mountain Front Conservation Area Expansion*



Assistant Regional Director  
National Wildlife Refuge System, Region 6

9/24/10  
Date



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

9/24/10  
Date



# Appendix F

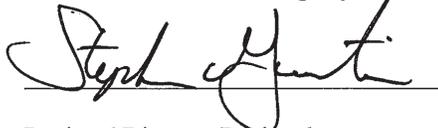
## *Environmental Compliance Certificate*

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

PROJECT: Rocky Mountain Front Conservation Area Expansion  
STATE: Montana

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

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



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

9/24/10

Date

## STATEMENT OF COMPLIANCE

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

1. **Executive Order 11593. Protection of Historical, Archaeological, and Scientific Properties.** The regional archaeologist determined that the acquisition of easements within the Rocky Mountain Front Conservation Area Expansion is not an undertaking under section 106 of the National Historic Preservation Act. In fact, the project has the potential to protect cultural resources. If, in the future, the Service grants a special permit for the landowner under the easement, section 106 may be relevant at that time. If so, the Service will take the necessary steps to address any historical or archaeological issues.
2. **Executive Order 11988. Floodplain Management.** No structures that could be damaged by or that would significantly influence the movement of floodwater are planned for construction by the Fish and Wildlife Service on easements acquired as part of this project.
3. **Executive Order 11990. Protection of Wetlands.** This action is consistent with protection of existing wetland resources from incompatible activities and thereby complies with this executive order.
4. **Executive Order 12372. Intergovernmental Review.** The Service has discussed the proposal to expand the Rocky Mountain Front Conservation Area with landowners; conservation organizations; other federal agencies; state, and county commissioners; and other interested groups and individuals.

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

5. **Executive Order 12898. Federal Actions to Address Environmental Justice in Minority and Low-Income Populations.** Expanding the Rocky Mountain Front Conservation Area will not have a disproportionately high or adverse human health or environmental effect on minority or low-income populations. Therefore, this action complies with this Executive Order.
6. **Executive Order 12996. Management and General Public Use of the National Wildlife Refuge System.** The public has been invited to participate in the planning process and has been very engaged. The Service held a public open house to seek input from the public regarding the proposed expansion of the conservation easement program, and to identify the issues that needed to be addressed in the planning process. Approximately nineteen written comments have been received from the public. The public's issues and comments have been incorporated into the Environmental Assessment and a copy of the final document will be sent to all interested landowners, agencies, private groups, and other parties. Since this project will strictly be easement acquisition, the Service will not manage or have control





# Appendix G

## Section 7 Biological Evaluation

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

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

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

**Date:** 8/27/10

**I. Region:** Region 6

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

**III. Pertinent Species and Habitat**

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

<b>LEWIS AND CLARK COUNTY</b>		
Gray Wolf	<i>Canis lupus</i>	E
Grizzly Bear	<i>Ursus arctos horribilis</i>	T
Canada Lynx	<i>Lynx canadensis</i>	T
<b>PONDERA COUNTY</b>		
Gray Wolf	<i>Canis lupus</i>	E
Piping Plover	<i>Charadrius melodus</i>	T
Grizzly Bear	<i>Ursus arctos horribilis</i>	T
Canada Lynx	<i>Lynx canadensis</i>	T
<b>TETON COUNTY</b>		
Gray Wolf	<i>Canis lupus</i>	E
Grizzly Bear	<i>Ursus arctos horribilis</i>	T
Canada Lynx	<i>Lynx canadensis</i>	T

C - Candidate  
T - Threatened  
E - Endangered

**B. Proposed species and/or their proposed critical habitat within the county / action area:**

Mountain plover (*Charadrius montanus*) is listed as proposed threatened species in Lewis and Clark, Pondera, and Teton counties.

**C. Candidate species within the county / action area:**

None.

**IV. Geographic Area/Action**

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

**V. Location**

The proposed boundary expansion (see attached map):

- State of Montana
  - A. Counties: Lewis and Clark, Pondera, Teton.
- Description of extent of boundary for the conservation area:

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

**VI. Description of the Proposed Action**

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

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

## VII. Determination of Effects

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

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

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

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

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

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

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

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

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

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

**VIII. Effects Determination and Response Requested**

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

No Effect / no adverse modification

X Concurrence

May affect, but is not likely to adversely affect species / modify critical habitat

X Concurrence

May affect, and is likely to adversely affect species / modify critical habitat

\_\_\_\_\_ Formal Consultation

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

No effect on proposed species / no adverse modification of proposed critical habitat (species: mountain plover)

X Concurrence

Is likely to jeopardize proposed species or adversely modify proposed critical habitat (species: mountain plover)

\_\_\_\_\_ Concurrence

*Kathleen A. Burchett*

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

**IX. Reviewing ESO Evaluation**

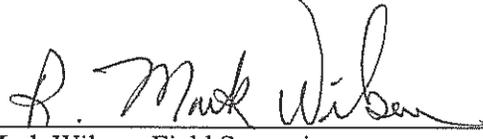
X Concurrence

\_\_\_\_\_ Non-Concurrence

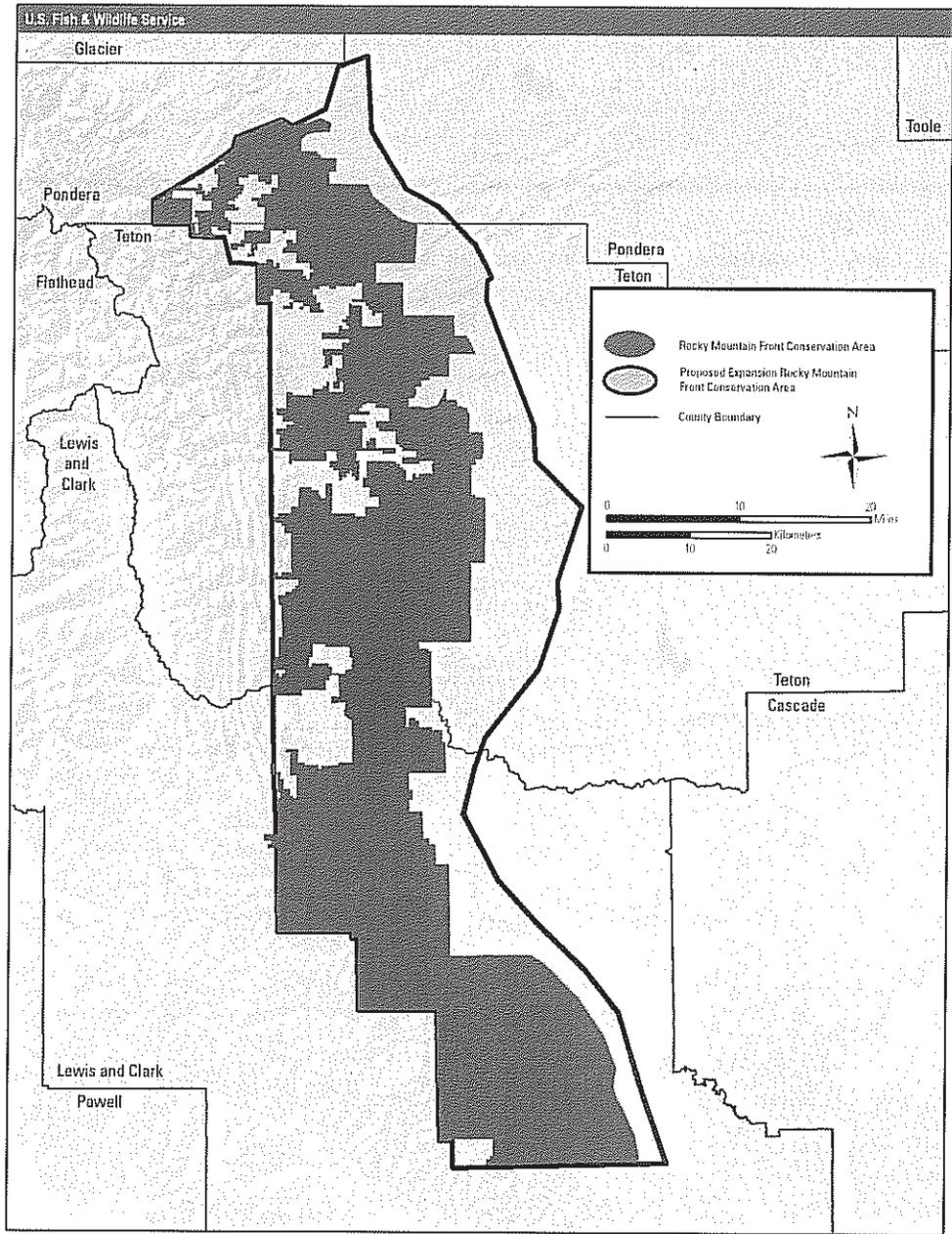
Formal Consultation Required

Conference Required

Informal Conference Required

 9-7-10

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



# Appendix H

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



IN REPLY REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Mountain-Prairie Region



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

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

SEP 27 2010

Memorandum

To: Director

From: Regional Director, Region 6 

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

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

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

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

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

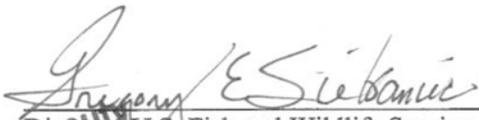
Attached are the following documents, in accordance with land acquisition planning requirements, submitted for the Director's concurrence.

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

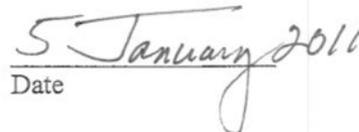
An Engineering Assessment was not completed, because these projects involve only conservation easements; and, therefore, no fee-title interests will be acquired and no structures will be built by the Service on any land acquired through this project. A Conceptual Management Plan was not completed, because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

Concurrence

Non-concurrence

  
\_\_\_\_\_  
Director, U.S. Fish and Wildlife Service  
Attachments

**Acting Deputy**

  
\_\_\_\_\_  
Date



## United States Department of the Interior

FISH AND WILDLIFE SERVICE

Washington, D.C. 20240



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

FEB 1 2011

### Memorandum

To: Regional Director, Region 6  
Deputy

From: Director *Carroll Ashe*

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

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

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

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



# Appendix I

## Public Involvement

### RESPONSE TO PUBLIC COMMENTS

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

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

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

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

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

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

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

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

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

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

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

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

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

**Comment 3.** *I would like to lend our families' support for the expanded easement zone along the Front which you can certainly reference on May 17th as helpful. We have been ranching for 2 ½ decades (relative newcomers in that country) on more than 25,000 deeded acres plus many tens of thousands more USFS [U.S. Forest Service] and state lands, and all the members of our family support voluntary conservation easements as a practical*

*way to maintain traditional agricultural uses while benefitting the globally significant wildlife resources of the Front. The way the Front lays, we feel it is very practical to extend the boundary of the focus zone to the east making 287 the general boundary. Please keep up the voluntary, cooperative approach to conservation along the Front.*

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

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

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

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

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

The easement project endorses best management practices. Ranchers currently on the landscape successfully manage their areas to ensure economic viability. The Service does not endorse management practices that degrade resources or production. Cattlemen are successful at determining their land's

carrying capacity and being good stewards of their land which includes determining the number of cattle to graze. The Service does not control their economic production. We do restrict draining wetlands, development for residential and commercial operations, and conversion of native grasslands. The lands with conservation easements remain in private ownership and are maintained by the private landowner. The Service provides management suggestions at the landowner's request. The Service works with local individuals, community groups, county commissioners, as well as special interest conservation groups.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Response 13.** See response 12.

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

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

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

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

## AGENCY AND ORGANIZATION COMMENTS

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

**Comment 16.** *I will be unable to attend the upcoming meetings regarding easements. I do want to express my support for the easement expansion along the Front and in the Blackfoot. I also support*

*establishment of an easement program in the Seeley/Swan region. As you know, there are significant amounts of state trust land in all the areas which we manage in cooperation with neighboring landowners. Maintaining these working lands for habitat and open space as well as livestock and timber productivity is critical for the state and local communities.*

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

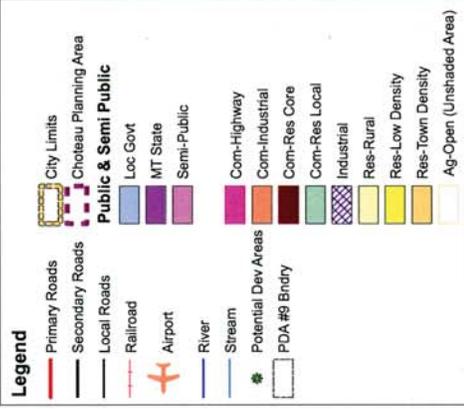
*Mary Sexton, Director  
DNRC  
[State of Montana, Department of Natural Resources and Conservation]*

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

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

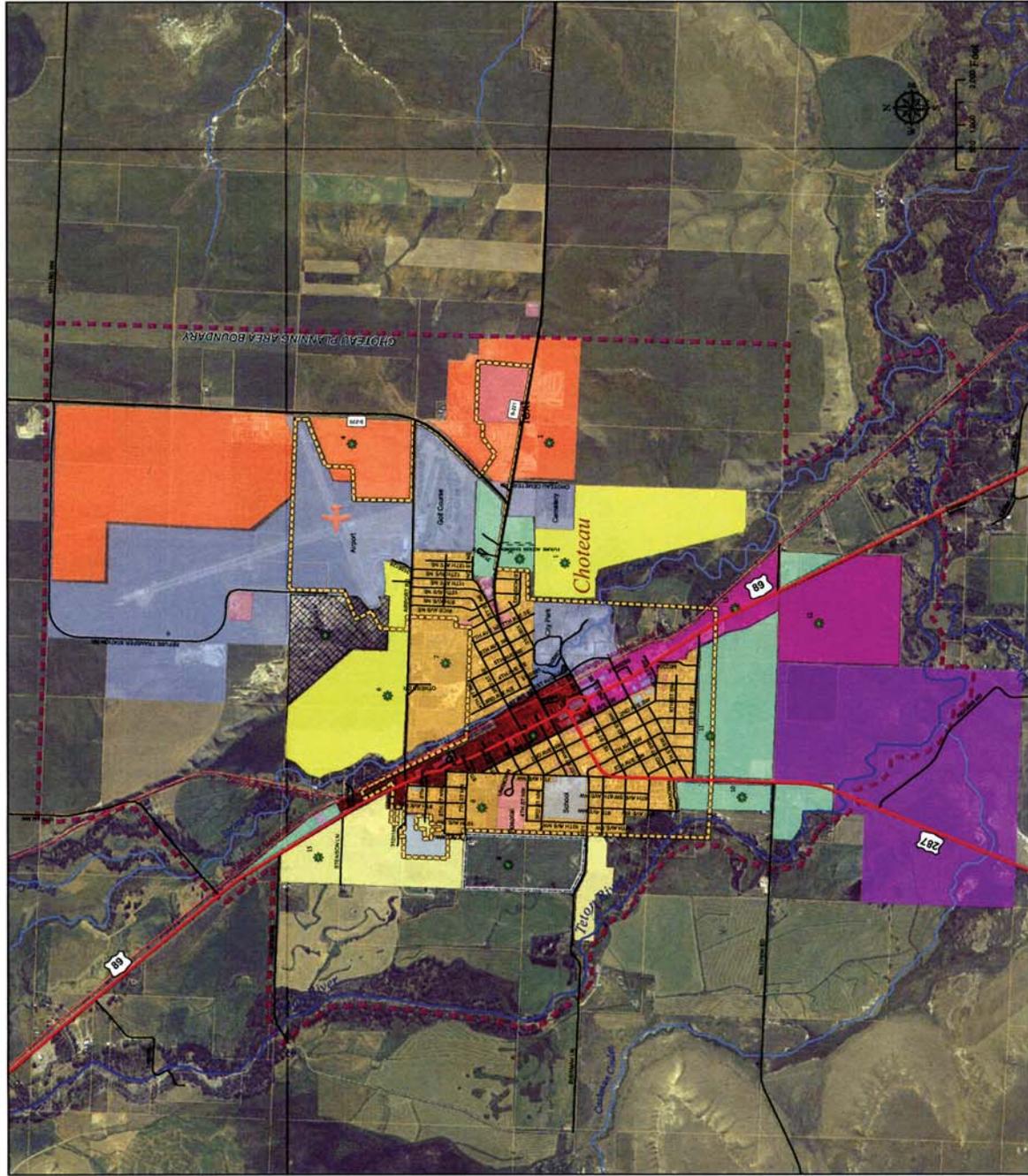
**Response 17.** Thank you for your comments. The Service recognizes the need to work with local communities within the Rocky Mountain Front Conservation Area to ensure their ability to grow. We will adopt the “Choteau Area Land Use Plan” to include a no-easement buffer within the “Choteau Planning Area”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

# CHOTEAU AREA LAND USE PLAN



NOTE: See FEMA maps for flood plain areas

**FIGURE 9**  
*Choteau Planning Area  
Growth Policy*



Comment 17 map.

**Letter # 18****Rocky Mountain Elk Foundation**

Mike Mueller  
 Lands Program Manager  
 8550 Saint Vrain Way  
 Missoula, MT 59808  
 Phone (406) 493-6650  
[mmueller@rmef.org](mailto:mmueller@rmef.org)  
[www.rmef.org](http://www.rmef.org)

August 24, 2010

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

Dear Toni,

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

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

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

Sincerely,

*Mike Mueller*

Mike Mueller  
 Lands Program Manager

**Response**

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

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

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

## Letter # 19



The Nature Conservancy in Montana Tel (406) 443-0303  
 32 South Ewing Street Fax (406) 443-8311  
 Helena, MT 59601

nature.org/montana

June 7, 2010

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

Dear Toni:

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

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

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

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

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

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

**Letter # 19**

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

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

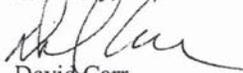
If the growing population of grizzly bears is to be delisted, secure, unfragmented and linked habitat will be one of the most important factors in the decision. Easements will play a huge role in the debate about secure habitat.

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

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

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

Sincerely,



David Carr

Rocky Mountain Front Project Director

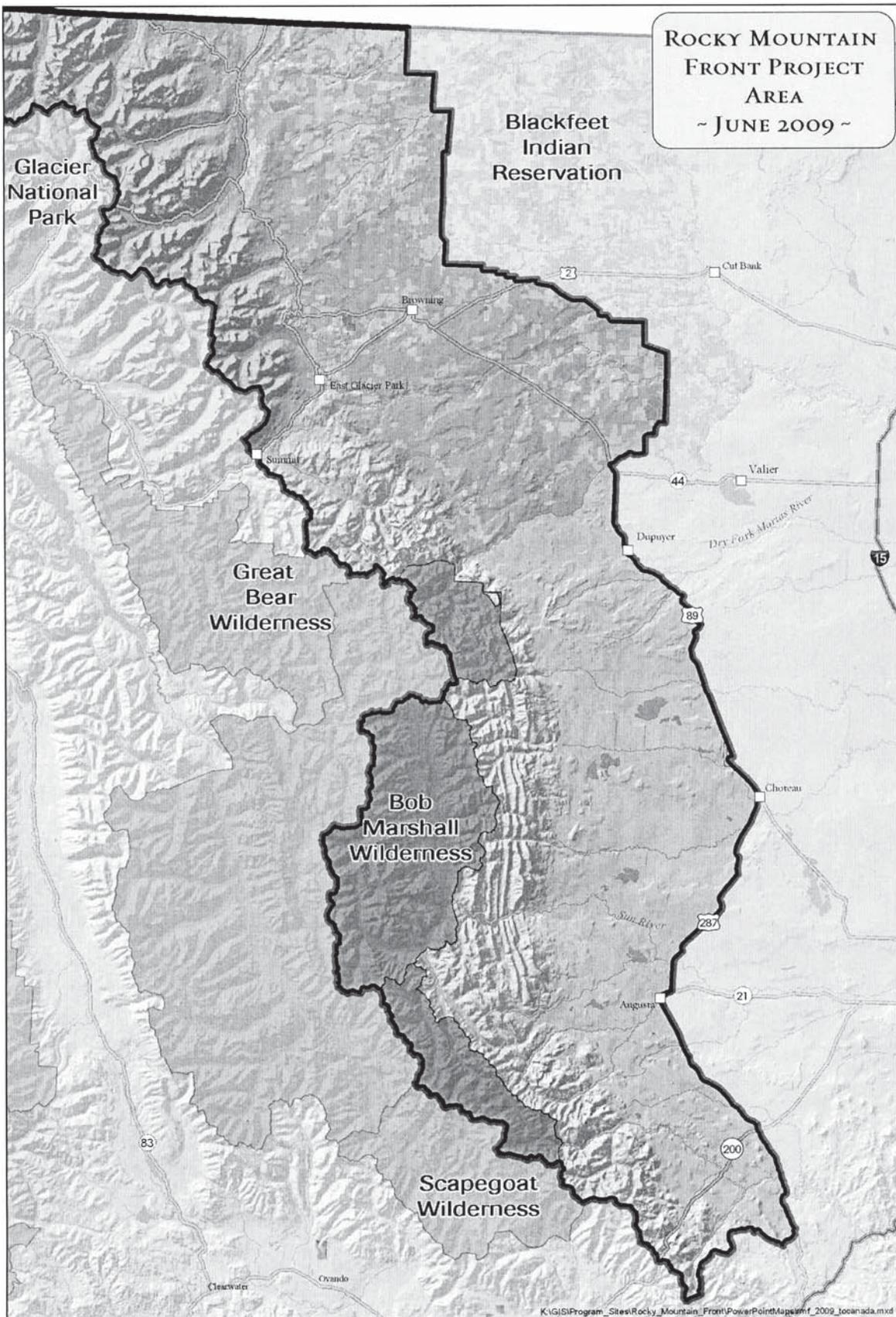
**Response**

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

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

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

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



Comment 19 map.

**Letter # 20**

The Nature Conservancy in Montana    Tel (406) 443-0303  
 32 South Ewing Street, Suite 215    Fax (406) 443-8311  
 Helena, MT 59601

nature.org/montana

August 11, 2010

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

Dear Toni:

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

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

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

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

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

Sincerely,

David Carr

Rocky Mountain Front Project Director

**Response**

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

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

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



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