

APPENDIX A

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APPENDIX B

Environmental Assessment

Kulm Wetland Management District – Habitat Management Plan
Dickey, LaMoure, Logan, and McIntosh counties, North Dakota

1.0 Introduction

This EA documents the purpose of and the issues, alternatives, and analysis associated with implementation of a HMP for the Kulm WMD.

The EA provides a comparison of two alternatives: (1) not implementing a habitat management plan for the District (no action) and (2) implementation of the habitat management plan for the District (proposed action). This represents the full range of alternatives and evaluates potential effects on resources protected by the Refuge and associated cultural, socioeconomic, and aesthetic resources that may be affected during implementation of the habitat management plan.

1.1 Kulm Wetland Management District

The District was established in 1971 to conserve habitat for the benefit of waterfowl and other migratory birds. The District primarily protects wetland and grassland habitat in perpetuity on 126,519 acres of wetland easements and 61,029 acres of grassland easements. These conservation easements are purchased voluntarily from willing landowners to conserve important habitats to meet the breeding requirements for waterfowl and other migratory birds. The District also manages a total of 45,402 acres distributed over 201 individual fee title WPAs. The Service purchased conservation easements and WPAs with funds generated primarily from the sale of federal Duck Stamps to provide habitat for waterfowl production. By administering these conservation lands, the District contributes to a much larger network of Districts and national wildlife refuges (Refuges) that collectively function to support migratory bird populations, ecosystem services, and the mission of the National Wildlife Refuge System in the PPR (Figure 1).

1.2 Background

The HMP is a step-down management plan of the North Dakota Wetland Management Districts CCP that was approved in 2008 (USFWS 2008a). The intent of the HMP is to provide additional details regarding specific

strategies and implementation schedules for meeting goals and objectives set forth in the CCP until 2023 when the next CCP is scheduled to be completed. In addition, an HMP provides an opportunity to evaluate the applicability of goals and objectives previously established in the CCP and determine if changes are required based on available data and other information. HMPs are dynamic documents that are modified using an adaptive management process that is based on monitoring progress toward achieving goals and objectives. In addition, the HMP is evaluated when a district considers revisions to the CCP (at least every 15 years) or at 5-year intervals using a peer review process (USFWS 2002).

Section 4(a) and 4(b) of the Improvement Act directs the Secretary, when administering the National Wildlife Refuge System, to “ensure that the biological integrity, diversity, and health of the System are maintained for the benefit of present and future generations of Americans...” The Improvement Act clearly mandates the use of sound professional judgment when determining the relationships between Refuge purposes and BIDEH. Further, the BIDEH policy (USFWS 2001a) clearly emphasizes management that restores historical ecosystem processes and functions as they are directly related to biological integrity and health. Collectively, these mandates instruct Refuge Managers to evaluate the potential to restore BIDEH when critical elements have been lost or severely degraded. The District HMP plays a key role in this process by strategically protecting remaining function of the mixed-grass prairie ecosystem and to what degree they can be conserved for waterfowl and other migratory bird populations.

1.3 Proposed Action

The Service began development of this HMP in 2011. The proposed action is to implement the HMP for the District using the principles of strategic habitat conservation (SHC) and adaptive management. The scope of this HMP is to:

1. Identify important resources of management concern on the District.
2. Develop goals and objectives that, once achieved, will ensure perpetuation of those resources.
3. Identify conservation strategies necessary to attain stated goals and objectives.
4. Identify appropriate monitoring strategies to measure progress toward achieving goals and objectives.

Further, the Service would implement the goals, objectives, and strategies included in this HMP using strategic habitat conservation and adaptive management techniques to target resource allocation in landscapes where biological potential is the highest to support waterfowl carrying capacity, waterfowl production, and meet the habitat requirements of wetland- and grassland-dependent migratory birds. This includes protection and acquisition of conservation easements, enhancement and restoration of wetland and grassland on private lands under the USFWS Partners for Fish and Wildlife Program, restoration of native mixed-grass prairie and reconstruction of non-native grasslands to diverse native stands on fee title WPAs, and management of plant community composition and structure on fee title WPAs.

1.4 Decisions to Be Made

Based on the analysis provided in this final EA, the Service will make two decisions:

1. Determine whether the Service should implement a habitat management plan for the Kulm Wetland Management District, in accordance with its planning policy.
2. If yes, determine whether the selected alternative will have a significant impact on the quality of the human environment. This decision is required by the NEPA. If the quality of the human environment would not be affected, a “finding of no significant impact” will be signed and will be made available to the public. If the preferred alternative would have a significant impact, an environmental impact statement will be prepared to further address those impacts.

1.5 Relation to Statutes, Regulations, and Other Plans

The District was established in 1971 as part of the Small Wetlands Acquisition Program under the authority of the Migratory Bird Hunting and Conservation Stamp Act of 1934 (“Duck Stamp Act”) as amended by Public Law 85-585 in August 1958. This legislation allowed for the acquisition of WPAs and conservation easements for waterfowl production. The purposes of the District were established by the following legal authorities:

1. Migratory Bird Hunting Stamp Act 16 USC 718(c) – “As waterfowl production areas subject to all provisions of the Migratory Bird Conservation Act...except the inviolate sanctuary provisions.”
2. Migratory Bird Conservation Act 16 USC 715(d) – “For any other management purposes, for migratory birds.”

A December 2006 memorandum from Region 6 Assistant Regional Director Richard A. Coleman further reaffirmed the purpose of all Region 6 Districts – “to assure the long-term viability of the breeding waterfowl population and production through the acquisition and management of waterfowl production areas, while considering the needs of other migratory birds, threatened and endangered species, and other wildlife.”

Conservation Easements

The legal authority for the Service to acquire conservation easements to protect grasslands and wetlands is granted under the Migratory Bird Hunting Stamp Act 16 USC 718d(c), the Fish and Wildlife Act of 1956, (16 U.S.C. 742a-742j), the Emergency Wetlands Resources Act of 1986, (16 U.S.C. 3901), the Land and Water Conservation Fund Act [16 U.S.C. 4601-9(a)(1)], and the North American Wetlands Conservation Act (16 U.S.C. 4401 - 4412).

Farmers Home Administration (FmHA) conservation easements in the District were not acquired as part of the Small Wetlands Acquisition Program. FmHA easements were established “for conservation purposes” by the

U.S. Farm Service Agency under the Consolidated Farm and Rural Act of 1981 and 1985 (7 U.S.C. 331 and 335), Executive Orders 11990 and 11988, and Section 1314 of the 1985 Food Security Act.

Waterfowl Production Areas

Waterfowl production areas are public lands bought by the federal government for increasing the production of migratory birds, especially waterfowl. These lands are owned in fee title whereby the federal government holds ownership of the land on behalf of the American public. Money to buy WPAs generally comes from the public purchase of federal Duck Stamps. All WPAs are administered by Service staff within an administrative boundary that defines the geographical extent of the District. WPAs are open to the public for hunting, fishing, bird watching, trapping, hiking and most other non-motorized and non-commercial outdoor recreation.

Wildlife Development Areas

Wildlife Development Area were purchased in fee title by the Bureau of Reclamation as part of North Dakota's Garrison Diversion Unit. WDAs were transferred to the Service through a memorandum of agreement between the Service, Bureau of Reclamation and the North Dakota Game and Fish Department. The District manages the Pilgrims Rest WDA, a 640 acre unit, similar to WPAs to benefit waterfowl and other migratory birds.

Limited-interest National Wildlife Refuges

The District has three limited-interest Refuges that were established in 1939 "as a refuge and breeding ground for migratory birds and other wildlife" by Executive Orders 8162 ([Bone Hill NWR; 640 acres] and [Maple River NWR; 712 acres]) and 8117 (Dakota Lake NWR; 2,799 acres).

Additional relevant statutes, regulations, and/or plans follow:

National Environmental Policy Act

NEPA (42 USC 4321-4370f) requires federal agencies to examine the environmental impact of their actions, incorporate environmental information, and utilize public participation, as appropriate, in the planning and implementation of their actions. NEPA compliance is required only when a federal agency takes an action.

- The HMP is a step-down management plan from the North Dakota Wetland Management Districts CCP (USFWS 2008a).

National Historic Preservation Act of 1966, as Amended

Section 106 of the National Historic Preservation Act (NHPA) requires federal agencies to assess the effects of an undertaking on historical and cultural resource sites. This is accomplished by inventorying proposed disturbance areas or the area of potential effect (APE), evaluating site importance and eligibility to the NRHP,

assessing the effect of the undertaking on NRHP-eligible sites, and consulting with appropriate historic preservation agencies. Compliance with Section 106 of NHPA was followed for the disturbance activities described in this EA.

Archaeological Resources Protection Act of 1979

The Archaeological Resources Protection Act of 1979 (16 USC 470aa-470mm) and amendments provide for the protection of archaeological resources on public and Native American lands and provide for exchange of information between governmental entities and academic or private archaeological researchers. An archaeological resource under this act is defined as material remains of past human life or activities that are of archaeological interest and includes but is not limited to pottery, basketry, bottles, weapons, tools, structures, rock paintings or carvings, intaglios, graves, and human skeletal materials.

Migratory Bird Treaty Act and Migratory Bird Conservation Act

The MBTA (16 USC 703-712) implements various treaties between the United States and other nations of the MBTA, and provides for the protection of migratory birds and specifies penalties for harming or unlawfully killing migratory birds.

Endangered Species Act

The Endangered Species Act (16 USC 1531-1544) provides for the protection of endangered and threatened species and the habitats upon which they depend. Section 7 of the act requires federal agencies to consult with the Secretary of the Interior or the Secretary of Commerce in cases where the agencies' action may affect a listed species, to ensure that actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of threatened or endangered species or result in the destruction or adverse modification of critical habitat for these species. Where federally listed threatened or endangered species occur in the District, the Service applies the management goals and strategies outlined in the following species recovery plans:

- Piping plovers (*Charadrius melodus*), a threatened species, have been documented in Logan and McIntosh Counties on both public and private lands. The District contains designated critical habitat in these counties (Figure 2) and follows the Piping Plover Recovery Plan for the Northern Great Plains (USFWS 1988) and the Draft Revised Recovery Plan for Piping Plovers Breeding on the Great Lakes and Northern Great Plains of the U.S. (USFWS 1994).
- The District lies within the eastern edge of the migration pathway for the endangered whooping crane (*Grus americana*). Recovery of this species is guided by the International Whooping Crane Recovery Plan (Canadian Wildlife Service and USFWS 2007). Whooping cranes are considered rare migrants to the District. The District consults the Whooping Crane Contingency Plan (USFWS 2001b) for appropriate actions when dealing with a confirmed observation of whooping cranes.
- Sprague's pipit (*Anthus spragueii*) is considered a candidate species whose breeding range includes the District. A Sprague's Pipit Conservation Plan provides information on their life-history and outlines goals to maintain or increase their current population size and viability throughout their distribution (Jones 2010). A step-down document, Management Strategy and Guidelines for Sprague's Pipit on U.S. Fish and

Wildlife Service Lands in Region 6, offers recommendations for identifying and managing Service-owned prairies, especially in cases where the site-specific occurrence of pipit has yet to be determined, or they are known to occur (USFWS 2011a).

Prairie Pothole Joint Venture Implementation Plan

The PPJV was established under the framework of the NAWMP. The PPJV Implementation Plan provides a conservation framework for all migratory birds in the Prairie Pothole Region (Ringelman et al. 2005). The plan incorporates stepped-down objectives for waterfowl, waterbirds, shorebirds and landbirds with conservation measures that focus on sustaining migratory bird populations at objective levels through targeted wetland and grassland protection, restoration and enhancement programs.

Land Protection Plan for the Dakota Grasslands Conservation Area

The majority of the District is included in the proposed DGCA which aims to protect wetlands and grasslands within the mixed-grass prairie ecosystem of North Dakota and South Dakota. The purpose of the DGCA is to provide for the long-term viability of breeding waterfowl populations through the conservation of existing habitats while considering the needs of other migratory birds, threatened and endangered species, and other wildlife. The DGCA follows the goals and objectives outlined in the PPJV plan and aims to conserve all migratory birds through the permanent protection of wetland and grassland habitat through conservation easements purchased from willing sellers (USFWS 2011b). If implemented, the DGCA would be to conserve 240,000 acres of wetlands and 1.7 million acres of grassland. At current acquisition rates, the goal for the proposed DGCA would be achieved within 30 years.

Comprehensive Conservation Plans

The North Dakota Wetland Management District CCPs (USFWS 2006, USFWS 2008a) provide broad guidance on the stewardship of District lands and related management activities for a period of 15 years. The CCPs identified the role that the District has in supporting the NWRS mission and specific goals and objectives were developed to provide a framework for managing District resources. This HMP is a step-down management plan from the District CCPs that will integrate and refine the CCP goals and objectives and provide specific management strategies that are consistent with purposes of the District and the overall mission of the NWRS.

2.0 Description of Alternatives

This section describes the two alternatives identified for this project:

- no-action alternative
- proposed action, giving the Service the authority to implement a habitat management plan for the Kulm Wetland Management District

These alternatives were developed according to NEPA §102(2)(E) requirements to “study, develop, and describe appropriate alternatives to recommend courses of action in any proposal which involves unresolved

conflicts concerning alternatives uses of available resources.” The alternatives consider the effects of planned habitat management activities within the Kulm Wetland Management District.

In addition, alternatives that were eliminated from detailed study are briefly discussed.

2.1 Alternative A – (no action)

The Service would continue with its management of the District in accordance with the goals and objectives outlined in the North Dakota Wetland Management Districts CCP (USFWS 2008a).

2.2 Alternative B – (proposed action)

The Service would implement the goals, objectives, and strategies included in this HMP using strategic habitat conservation and adaptive management techniques to target resource allocation in landscapes where biological potential is the highest to support waterfowl carrying capacity, waterfowl production, and meet the habitat requirements of wetland- and grassland-dependent migratory birds. This includes protection and acquisition of conservation easements, enhancement and restoration of wetland and grassland on private lands under the USFWS Partners for Fish and Wildlife Program, restoration of native mixed-grass prairie and reconstruction of non-native grasslands to diverse native stands on fee title WPAs, and management of plant community composition and structure on fee title WPAs.

2.3 Alternatives Considered but Eliminated from Further Analysis

The HMP is a step-down management plan. There was little controversy associated with the direction outlined in the North Dakota Wetland Management Districts CCP (USFWS 2008a) and there were no additional alternatives considered in this analysis.

3.0 Affected Environment

Please see a discussion of the resources and affected environment in Chapters 2 and 3 of the HMP in this volume.

4.0 Environmental Consequences

For alternatives A and B described in section 2, the following narrative documents the analysis of any significant environmental effects expected to occur from implementing each of the alternatives. For the purposes of this EA, the Service analyzed the potential effects of implementing each alternative on all resources protected by the Refuge, including the following:

4.1 Effects on the Physical Environment

The estimated effects of each alternative on mineral, soil, and water resources, and on the Service's ability to address climate change, are described below.

Alternative A

The land surface of District has been shaped largely by glacial processes which formed the Missouri Coteau Slope, Missouri Coteau, and Glaciated Plains physiographic regions. Historically, this ecosystem was characterized by a mosaic of mixed-grass prairie and wetlands that remained largely undisturbed until the onset of European settlement and the initial conversion of native prairie for low-intensity agriculture during the 1880's (Severson and Hull Sieg 2006). However, extensive conversion of wetlands (Oslund et al. 2010, Doherty et al. 2013, Johnston 2013, Dahl 2014) and grasslands (Stephens et al. 2008, Fargione et al. 2009, Rashford et al. 2011, Doherty et al. 2013, Wright and Wimberly 2013, Johnston 2014) for agricultural use has resulted in vast losses in habitat that migratory birds rely on for nesting. Under alternative A, the Service would continue with its management of the District in accordance with the goals and objectives outlined in its CCP and in accordance with relevant policies.

Alternative B

Implementation of the HMP includes several steps that are considered beneficial to the soils and water resources of the Refuge. Protection of wetland and grassland habitats through the USFWS easement program contributes to maintaining important ecological services, restoration and enhancement of wetlands and grasslands under the USFWS Partners for Fish and Wildlife Program, and restoration of native plant communities on fee title WPAs will have beneficial effects on soils and water quality on the District. In addition, the combination of maintaining intact landscapes under these USFWS programs and restoring native plant communities will support the future resiliency of the mixed-grass prairie ecosystem to potential effects from climate change to benefit wildlife populations within the District.

4.2 Effects on the Biological Environment

This section describes the likely effects of the project on the selected priority species and their habitats.

Alternative A

The Service administers a network of conservation easement and fee title WPA lands to benefit waterfowl and other migratory birds during their breeding period. Under alternative A, the Service would continue to implement conservation delivery within the District in accordance with the goals and objectives outlined in the North Dakota Wetland Management District CCP (USFWS 2008a). The CCP provides broad conservation strategies for wetland and grassland easement acquisition, restoration of native prairie, reconstruction of former cropland using native grasses and forbs, and limited application of the Partners for Fish and Wildlife Program to enhance and restore habitat on private lands. Under alternative A, the Service would not implement the strategic habitat

conservation based conservation design described in the HMP. Although significant conservation gains have been attained under the CCP, the more-refined conservation approach outlined in the HMP provides a solid foundation for resource allocation within specific landscapes that would increase benefits to waterfowl and other migratory birds.

Under alternative A, the Service will continue to manage and restore grasslands and control noxious weeds on fee title WPAs, but at lower levels than identified in the HMP. The Service also would continue to focus reconstruction of seeded introduced grasslands (grasslands on former cropland) broadly across all WPAs under this alternative.

The HMP fully describes the importance of strategically allocating resources in important landscapes to protect important breeding habitats for waterfowl and other migratory birds. Under alternative A, the Service would not explicitly tie goals, objectives, and strategies to population objectives identified in the HMP that are designed to contribute to the stability of waterfowl populations in the Prairie Pothole Region.

Alternative B

This HMP represents the biological planning and conservation design phases of SHC that identified the potential of the landscape to contribute to the carrying capacity and production of waterfowl and other migratory birds, while protecting functional portions of the mixed-grass prairie ecosystem. Staff selected a set of species considered as priority resources of concern (Table 3-1) to guide conservation delivery within Kulm WMD that is primarily focused on waterfowl conservation, but has significant benefits to other migratory bird populations.

The proposed action would implement an SHC approach to achieve the highest landscape-scale biological outcomes for the selected resources of concern through focused conservation delivery. To increase biological return under this approach, the Service would use a landscape classification index (Figure 4-1) to implement specific conservation treatments (Table 4-2) that are tied to the following population objectives:

- 1) Target wetland conservation in landscapes that support ≥ 25 breeding duck pairs/mi² to maximize carrying capacity levels for breeding waterfowl (*Anas* spp.) and contribute to stable populations within the Prairie Pothole Region.
- 2) Target grassland conservation in landscapes that support ≥ 60 breeding duck pairs/mi² (*Anas* spp.) and nest success levels above population maintenance levels (≥ 15 –20% nest success) (Cowardin et al. 1985) to maximize waterfowl production and contribute to stable populations within the Prairie Pothole Region;
- 3) Increase habitat protection in landscapes that support high brood occupancy rates (Walker et al. 2013) characterized by high densities of small- to mid-size wetland basins and a high proportion of grassland within a 10.4 km² area to maintain waterfowl recruitment potential within the Prairie Pothole Region;
- 4) Target habitat conservation in landscapes that support densities above mean population levels for priority wetland- and grassland-dependent migratory bird species identified in this HMP.

By integrating population goals with conservation treatments under the SHC conservation design, the District aims to improve the efficiency of conservation delivery at multiple scales (landscape to local) to meet the requirements of resources of concern and the establishing purposes of the District. Furthermore, linking each conservation treatment to individual goals, objectives, and strategies provided a highly detailed approach for integrated conservation of wetland and grassland easements, restoration and enhancement of private lands under the Partners for Fish and Wildlife Service Program, and management of fee title WPAs as described in this HMP. This comprehensive approach to conservation is based on the potential contribution of Kulm WMD to migratory bird populations within the Prairie Pothole Region. This SHC conservation design will allow staff to work more efficiently given limited availability of resources while improving the transparency and accountability of our actions.

Lastly, implementation of the HMP would benefit piping plover, whooping crane, and Sprague's pipit to the extent possible within the District by securing important wetland and grassland habitats in perpetuity.

4.3 Effects on Cultural Resources

The estimated effects of each alternative on cultural resources are described below.

Alternative A

No effect. Under alternative A, the Service would continue with its management of the District in accordance with the goals and objectives outlined in its CCP (USFWS 2008a) and in accordance with the National Historic Preservation Act of 1966 and Archaeological Resources Protection Act of 1979.

Alternative B

No effect. Under alternative B, the Service would implement the HMP in accordance with the goals and objectives outlined in its CCP (USFWS 2008a) and in accordance with the National Historic Preservation Act of 1966 and Archaeological Resources Protection Act of 1979. The HMP does not include activities that will impact cultural or historic sites on lands administered by the District.

4.6 Effects on Socioeconomic Environment

This section describes the estimated effects of the alternatives on land use, ecosystem services, land ownership, and the regional economy.

Alternative A

No effect. Similar to most of eastern North Dakota, the District is located in a rural agriculturally based region with a low human population density that generally does not exceed five people per square mile (U.S. Census Bureau 2010). Under alternative A, the Service would continue with its management of the District in accordance with the goals and objectives outlined in its CCP with little to no effect on the local economy.

Alternative B

Implementation of the HMP provides the opportunity to clearly identify habitat conservation goals and objectives for the District. Implementation of alternative B will not only provide increased habitat quality for wildlife, but will enhance opportunities for the public to pursue wildlife-dependent recreation on the District. These increases are important to neighboring rural communities, but they are not a significant impact to the regional economy of south-central North Dakota.

4.7 Irreversible and Irretrievable Commitment of Resources

Any commitments of resources that may be irreversible or irretrievable because of carrying out alternatives A or B are described below.

Alternative A

There would be no additional commitment of resources by the Service if alternative A were selected. The Service could still exercise its existing authority to manage the District in accordance with the CCP (USFWS 2008a).

Alternative B

Implementation of the HMP would not, of itself, constitute an irreversible or irretrievable commitment of resources. The implementation of habitat management activities and appropriate monitoring of these actions would represent a minor increase in overall Service administrative costs to the District.

4.8 Cumulative Impacts

As defined by NEPA regulations, a cumulative impact on the environment “results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions” (40 CFR 1508.7). The following describes the past, present, and reasonably foreseeable actions related to the proposed HMP. A discussion follows regarding the cumulative impacts of these actions in combination with the actions of alternatives A and B.

Past, present, and reasonably foreseeable future actions

The Service completed its CCP in 2008 (USFWS 2008a) which provided broad guidance on the stewardship of District lands and related management activities for a period of 15 years. In addition, the Service will release an Inventory and Monitoring Plan that steps-down from the HMP that will inform the adaptive management process based on the contribution of the District to the selected resources of concern.

Alternative A

Under alternative A, there would be no cumulative impacts on the environment since the Service would not undertake any of the habitat conservation activities included in the HMP.

Alternative B

This HMP provides a strategic plan for consistently and effectively protecting, acquiring, enhancing, restoring, and managing wetland and grassland habitat for the resources of concern on the District. Conservation delivery at the scale of the District is often incorrectly considered as independent of those occurring in the mixed-grass prairie ecosystem. Instead, these actions contribute to a much larger network of Districts and national wildlife refuges located in the Prairie Pothole Region that collectively function to support migratory bird populations, ecosystem services, and the mission of the National Wildlife Refuge System. The goals, objectives, and strategies outlined in the HMP do have a positive impact on waterfowl and other migratory bird populations at larger scales, but the cumulative impacts of these actions are not considered significant.

5.0 Coordination and Environmental Review

This section describes how the Service coordinated with others and conducted environmental reviews of various aspects of the project proposal and analysis. Additional coordination and review would be needed to carry out the proposed action, if selected.

5.1 Agency Coordination

The Service coordinated internally in the development of this EA. District staff conducted the analysis and prepared this document, as well as the HMP. An intra-service Endangered Species Act section 7 consultation will be conducted to evaluate the potential finding of “May affect but not likely to affect” ESA protected or candidate species (Appendix A). Staff from the Region 6 HAPET and I&M Initiative also assisted with the development of resources of concern and specific habitat management activities. The Region 6 regional archeologist has also reviewed this plan (see Appendix B).

5.2 National Environmental Policy Act

The Service conducted this environmental analysis under the authority of and in compliance with NEPA, which requires an evaluation of reasonable alternatives that will meet stated objectives, and an assessment of the possible effects on the natural and human environment.

5.3 Environmental Assessment

This EA will be the basis for determining whether the implementation of the proposed action would constitute a major Federal action significantly affecting the quality of the natural and human environments. NEPA planning

for this EA involved other government agencies and the public in the identification of issues and alternatives for the proposed project.

5.4 Distribution and Availability

The Service will make the draft EA (with the associated HMP in the same volume) to the project mailing list, which includes Federal, State, and local agencies; nongovernmental organizations; and interested individuals. Copies can be requested from the District office in Kulm, North Dakota.

6.0 References

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APPENDIX C

Scoping Notice

Kulm Wetland Management District – Habitat Management Plan
Dickey, LaMoure, Logan, and McIntosh counties, North Dakota

November 3, 2014

For Immediate Release

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**U.S. FISH AND WILDLIFE SERVICE TO ANNOUNCE PUBLIC NOTICE OF THE PREPARATION
OF THE DRAFT KULM WETLAND MANAGEMENT DISTRICT
HABITAT MANAGEMENT PLAN AND ENVIRONMENTAL ASSESSMENT**

The U.S. Fish and Wildlife Service (Service) announces the completion of a draft Habitat Management Plan and Environmental Assessment for Kulm Wetland Management District on November 3, 2014. The Kulm Wetland Management District (District) was established in 1971 to conserve habitat for the benefit of waterfowl and other migratory birds.

The purpose of this announcement is to solicit concerns and issues for the Service to consider on this Habitat Management Plan for Kulm Wetland Management District that steps-down from the North Dakota Wetland Management District Comprehensive Conservation Plan that was approved in 2008 which is available at: <http://www.fws.gov/mountain-prairie/planning/ccp/nd/wmd/wmd.html>. The draft Habitat Management Plan can be viewed at http://www.fws.gov/refuge/kulm_wmd/.

The Service proposes to implement the goals, objectives, and strategies included in this Habitat Management Plan to target resource allocation in landscapes where biological potential is the highest to support waterfowl carrying capacity, waterfowl production, and meet the habitat requirements of wetland- and grassland-dependent migratory birds. This includes protection and acquisition of conservation easements, enhancement and restoration of wetland and grassland on private lands under the USFWS Partners for Fish and Wildlife Program, restoration of native mixed-grass prairie and reconstruction of non-native grasslands to diverse native stands on fee title WPAs, and management of plant community composition and structure on fee title WPAs.

If you would like to comment on this Habitat Management Plan for Kulm Wetland Management District, send your comments via email to kulmwetlands@fws.gov or fax at (701) 647-2221. **Comments during this scoping period will be accepted until Wednesday, December 3, 2014.**

The U.S. Fish and Wildlife Service is the principal federal agency responsible for conserving, protecting and enhancing fish, wildlife and plants and their habitats for the continuing benefit of the American people. The Service manages the 150 million acre National Wildlife Refuge System which encompasses 562 National Wildlife Refuges and 38 Wetland Management Districts and other special management areas. The agency enforces federal wildlife laws, administers the Endangered Species Act of 1973, manages migratory bird populations, restores nationally significant fisheries, conserves and restores wildlife habitat such as wetlands and helps foreign and Native American tribal governments with their conservation efforts. It also oversees the Federal Assistance program, which distributes hundreds of millions of dollars in excise taxes on fishing and hunting equipment to state fish and wildlife agencies.

APPENDIX D

List of Comprehensive Conservation Plan Goals and Objectives

2008 North Dakota Wetland Management District Comprehensive Conservation Plan

The following list is a compilation of all of the Goals and Objectives described in the CCP for North Dakota Wetland Management Districts that pertain to Kulm Wetland Management District. They are listed here primarily for reference, to give the reader a sense of the broad conservation guidance described in the CCP. The majority of these goals and objectives step down to the HMP management goals and objectives described in this plan. The difference is that the HMP goals and objectives will tie the habitat needs of the Resources of Concern at landscape- and local-scales.

A. Habitat and Wildlife Goal:

1. Protect, restore and enhance the ecological diversity of grasslands and wetlands of the North Dakota Prairie Pothole Region. Contribute to the production and growth of the continental waterfowl populations to meet the goals of the North American Waterfowl Management Plan. Also support healthy populations of other migratory birds, threatened and endangered species, and other wildlife.

B. Habitat and Wildlife Objectives:

1. Wetlands in Easements – Objective 1 – During the 15 years after CCP approval, secure protected status on 40,000 wetland acres, with efforts focused on unprotected temporary and seasonal basins that are partially or totally embedded in cropland and that occur in areas that support ≥ 25 breeding duck pairs per square mile.
2. Wetland in Easements – Objective 2 – Over a 15-year period, through active monitoring and law enforcement, protect all wetland areas under perpetual Service easement according to the provisions of the conservation easement contracts.
3. Uplands in Easements – Objective 1 – Over a 15-year period, secure protected status on 425,000 acres of grassland. Focus on grasslands ≥ 55 acres located in areas that support ≥ 25 breeding duck pairs per square mile.
4. Uplands in Easements – Objective 2 – Over a 15-year period, protect all grassland areas under perpetual Service easement according to the provisions of the conservation easement contracts.

5. Developed Wetlands in WPAs – Objective 1 – Provide between 30% and 70% coverage of emergent vegetation (over water) on average, over 11 of 15 years.
6. Developed Wetlands in WPAs – Objective 2 – Within 10 years of the CCP approval, establish a monitoring plan for high-priority WPAs for water quality, aquatic invertebrates, and emergent and submergent aquatic vegetation.
7. Undeveloped Wetlands in WPAs – Objective 1 – Over a 15-year period, restore at least 100 acres of degraded (drained, filled, leveled, cattail-choked, and contaminated) wetlands for increased water-holding capacity and improved wetland function on fee title lands.
8. Native Prairie in WPAs – Objective 1 – Within 2 years of CCP approval, each district will identify native prairie tracts and establish permanent vegetation monitoring transects to collect baseline floristic composition data.
9. Native Prairie in WPAs – Objective 2 – Within 2 years of completing the basic inventory of native grasslands (objective 1, above), each district will (1) develop a specific and detailed method to prioritize native prairie units, (2) develop detailed objectives describing the desired vegetation conditions in these prairies, and (3) carry out the appropriate management strategies necessary to achieve these conditions.
10. Native Prairie in WPAs – Objective 3 – Each district will identify native prairie units that are of high and low priority for native prairie restoration, as described in objective 2. Manage low-priority native prairie tracts to provide a mosaic of vegetative structure across a broad landscape to satisfy the habitat needs of grassland-dependent bird species, primarily waterfowl: a minimum of 40% in a high visual obstruction reading (VOR) category (>8 inches), a minimum of 25% in a medium VOR category (4–8 inches), and a minimum of 5% in a low VOR category (<4 inches).
11. Invasive Plants – Objective 1 – Within 1 year after CCP approval, develop an IPM plan for control of invasive plants, including noxious weeds.
12. Invasive Plants – Objective 2 – Within 5 years of CCP approval, establish a baseline inventory of all invasive plants, including noxious weeds, on Service lands.
13. Invasive Plants – Objective 3 – Carry out measures to reduce and control 50% of invasive plants, including noxious weeds, on priority WPAs by 15 years after CCP approval.
14. Old Cropland in WPAs – Objective 1 – In an attempt to restore grasslands that resemble pre-settlement conditions, over the next 15 years reseed at least 10,000 acres to native herbaceous

mixtures in priority WPAs that, 10 years post establishment, will be comprised of >60% native grasses and forbs.

15. Dense Nesting Cover in WPAs – Objective 1 – Over 15 years, continue to use other options for grassland cover (such as DNC and tame grass) on old cropland WPAs to address site-specific migratory bird cover. Carry out appropriate management that maintains this cover at a minimum of every 4–7 years.
16. Invasive and Planted Woody Vegetation in WPAs – Objective 1 – Over a 15-year period, eliminate >50 acres of invasive or planted woody vegetation that are >3.28 feet tall at type 1–3 core area WPAs and >25 acres at noncore area WPAs.
17. Threatened and Endangered Species, Whooping Crane – Objective 1 – Over a 15-year period, annually inform the public of migrant whooping cranes stopping in the districts, in an effort to reduce the risk of an accidental shooting or other disturbances.
18. Predator Management in WPAs – Objective 1 – Annually use at least one predator management technique that, in areas where carried out, will achieve a Mayfield nest success of >40% for waterfowl, to help increase recruitment of ground-nesting birds at WPAs in cropland-dominated areas of North Dakota.

C. Monitoring and Research Goal:

1. Use science, monitoring, and applied research to advance the understanding of the Prairie Pothole Region and management within the North Dakota wetland management districts.

D. Monitoring and Research Objectives:

1. Monitoring and Research – Objective 1 – Within 2 years of CCP approval, establish permanent vegetation monitoring transects to collect baseline floristic composition data for all major plant communities in all districts.
2. Monitoring and Research – Objective 2 – Within 2 years of gathering baseline floristic composition data, each district will complete a habitat management plan.
3. Monitoring and Research – Objective 3 – Within 1 year of CCP approval, identify and prioritize research needs required to meet the goals and objectives.
4. Monitoring and Research – Objective 4 – Over the 15-year life of the CCP, begin at least one monitoring or research project every 2 years that integrates needs identified in Monitoring and Research Objective 3, to increase knowledge about effectiveness of techniques to achieve habitat and wildlife goals and objectives.

E. Cultural Resources Goal:

1. Identify and evaluate cultural resources in the North Dakota wetland management districts that are on Service-owned lands or are affected by Service undertakings. Protect resources determined to be significant and, when appropriate, interpret resources to connect staff, visitors, and communities to the area's past.

F. Cultural Resources Objectives:

1. Cultural Resources – Objective 1 – Avoid, or when necessary mitigate, adverse effects to significant cultural resources in compliance with section 106 of the NHPA, at all times.
2. Cultural Resources – Objective 2 – Always successfully integrate the process for section 106 of the NHPA into all applicable district projects by notifying the Service's cultural resources staff early in the planning process and, whenever possible, completing the review without delay to the project.

G. Visitor Services Goal:

1. Provide visitors with quality opportunities to enjoy hunting, fishing, trapping, and other compatible wildlife-dependent recreation on Service-owned lands and expand their knowledge and appreciation of the prairie landscape and the National Wildlife Refuge System.

H. Visitor Services Objectives:

1. Hunting – Objective 1 – At WPAs and WDAs, throughout the life of the plan, maintain a good-quality experience for hunters of waterfowl and other resident species. Continue to provide information about public opportunities for hunting, in accordance with state and federal regulations.
2. Fishing – Objective 1 – Throughout the life of this plan, provide access to open-water and ice-fishing opportunities at the districts.
3. Wildlife Observation and Photography – Objective 1 – Throughout the life of the CCP, provide opportunities for wildlife observation and photography and increase awareness of observation and photography opportunities.
4. Environmental Education and Interpretation – Objective 1 – Throughout the life of the CCP, develop exhibits, pamphlets, and expanded programming where appropriate to promote public awareness of and advocacy for the Refuge System, district resources, and management activities that conserve habitat and wildlife.
5. Visitor Services Facilities – Objective 1 – Identify locations for other visitor contact stations at the districts within 3 years of CCP approval.

6. Trapping – Objective 1 – Throughout the life of this plan, provide trapping opportunities at the districts at the current level.

I. Partnerships Goal:

1. A diverse network of partners joins with the North Dakota wetland management districts to support research; protect, restore, and enhance habitat; and foster awareness and appreciation of the prairie landscape.

J. Partnerships Objective:

1. Partnerships – Objective 1 – Join a wide range of partners to support and promote awareness of the Refuge System and foster an appreciation of the grassland, prairie pothole ecosystem.

K. Operations Goal:

1. Effectively employ staff, partnerships, and volunteers and secure adequate funding in support of the National Wildlife Refuge System’s mission.

L. Operations Objective:

1. Staff and Volunteers – Objective 1 – Within 3 years of CCP approval, identify strategic locations to station outdoor recreation planners to coordinate programming among North Dakota’s wetland management districts and national wildlife refuges. Throughout the life of the plan, as needed, increase law enforcement staff to oversee the expanded programs and to work with NDGF. Throughout the life of the plan, recruit volunteers to support annual events, visitor services, and biological, maintenance, and administrative programs.

APPENDIX E

2012 Landscape Classification Index for Waterfowl Production Areas

Kulm Wetland Management District – Habitat Management Plan
Dickey, LaMoure, Logan, and McIntosh counties, North Dakota

2012 Landscape classification index for waterfowl production areas.

<i>Waterfowl production Area</i>	<i>County</i>	<i>Acres</i>	<i>Duck pairs</i>	<i>Grassland category</i>	<i>2012 landscape class</i>
Opp	Logan	80.8	145	>60	1A
Werth	Logan/McIntosh	786.7	139	>60	1A
Lazy M	Dickey	1756.7	139	>60	1A
Hoffman	McIntosh	159.6	138	>60	1A
Karius	Logan	76.3	135	>60	1A
Bollinger	McIntosh	120.7	130	>60	1A
Zigenhagel	McIntosh	591.1	129	>60	1A
North Muonio	Logan	64.5	128	>60	1A
Grabau Estate	Logan	40.0	127	>60	1A
Buchholz	Logan	100.4	126	>60	1A
Lehr	Logan	67.2	122	>60	1A
Baltzer	Logan	781.4	118	>60	1A
Ulmer	McIntosh	49.6	117	>60	1A
LSB	Dickey	272.0	115	>60	1A
Wic	McIntosh	222.9	114	>60	1A
Jones	McIntosh	79.9	113	>60	1A
North Brinkman	Logan	309.9	113	>60	1A
Mundt Lake	Logan	673.0	113	>60	1A
Knecht	Logan	484.4	111	>60	1A
Knopp	Dickey	119.6	111	>60	1A
Moldenhauer	Logan	599.7	111	>60	1A
Zahn	Dickey	64.9	109	>60	1A

2012 Landscape classification index for waterfowl production areas.

<i>Waterfowl production Area</i>	<i>County</i>	<i>Acres</i>	<i>Duck pairs</i>	<i>Grassland category</i>	<i>2012 landscape class</i>
Rutschke	Dickey	202.9	109	>60	1A
Brunner	Logan	154.5	109	>60	1A
Kautz	Logan	802.2	108	>60	1A
Kauk	Logan	145.4	108	>60	1A
Kappes	McIntosh	212.3	107	>60	1A
Rienke	Dickey	286.6	107	>60	1A
Erlenbusch	Dickey	386.8	107	>60	1A
Kempf	McIntosh	648.3	106	>60	1A
Sperling	Logan	81.2	106	>60	1A
Larson	Logan	1380.3	105	>60	1A
Dalke	McIntosh	247.8	103	>60	1A
Schopp	McIntosh	158.8	103	>60	1A
Heinrich	McIntosh	89.3	102	>60	1A
Geiszler	McIntosh	581.5	101	>60	1A
Jenner	McIntosh	310.6	99	>60	1A
Sukut	Logan	200.4	97	>60	1A
Coldwater	McIntosh	107.6	96	>60	1A
Wigeon	McIntosh	239.7	95	>60	1A
Camp Lake	McIntosh	40.3	95	>60	1A
Roesler Lake	Logan	1214.3	91	>60	1A
Lux	McIntosh	123.2	90	>60	1A
Ernst	Dickey	642.0	88	>60	1A
Ehley	McIntosh	139.3	86	>60	1A
North Rutschke	Dickey	20.1	86	>60	1A
Betsch	McIntosh	56.8	86	>60	1A
McIntosh PDL 1b	McIntosh	14.5	85	>60	1A
Brinkman	McIntosh	1243.9	80	>60	1A
West Schneider	McIntosh	159.5	79	>60	1A
Fandrich	Logan	39.3	77	>60	1A
Marzolf	McIntosh	160.1	76	>60	1A
Krueger	Logan	480.8	75	>60	1A
Eszlinger	McIntosh	514.9	74	>60	1A
McIntosh PDL 1c	McIntosh	0.0	72	>60	1A
Boschee	Logan	473.6	72	>60	1A
Barr	Logan	313.3	71	>60	1A
Todd	Lamoure	160.0	71	>60	1A
Kisselberry	McIntosh	649.1	65	>60	1A

2012 Landscape classification index for waterfowl production areas.

<i>Waterfowl production Area</i>	<i>County</i>	<i>Acres</i>	<i>Duck pairs</i>	<i>Grassland category</i>	<i>2012 landscape class</i>
McIntosh PDL 1	McIntosh	0.2	60	>60	1A
McIntosh PDL 1a	McIntosh	0.3	60	>60	1A
Pintail	McIntosh	79.2	156	>40	1B
Ruff	McIntosh	160.8	151	>40	1B
Kosanke	Logan	143.3	146	>40	1B
George	McIntosh	130.4	141	>40	1B
Kroll	Logan	337.7	140	>40	1B
Miller	Logan	160.6	136	>40	1B
Hehn	Logan	152.6	135	>40	1B
Mayer	Logan	316.8	133	>40	1B
Logan PDL 1b	Logan	40.1	130	>40	1B
Hochhalter	Logan	88.8	125	>40	1B
West Kusler	Logan	40.0	124	>40	1B
Dewald	McIntosh	160.6	123	>40	1B
Klein	McIntosh	299.7	119	>40	1B
Mund	McIntosh	591.6	117	>40	1B
Maiss	McIntosh	50.0	117	>40	1B
Sarkinen	Logan	86.6	117	>40	1B
North Nitschke	Logan	80.4	115	>40	1B
North Wentz	Logan	19.9	115	>40	1B
Grabau	Logan	8.0	111	>40	1B
Graham	Dickey	304.8	110	>40	1B
West Wishek	McIntosh/Dickey	269.0	109	>40	1B
Wishek	Dickey	246.8	109	>40	1B
Muonio	Logan	280.2	108	>40	1B
McIntosh PDL 1g	McIntosh	39.3	107	>40	1B
West Dewald	McIntosh	103.7	106	>40	1B
Ketterling	Logan	82.5	106	>40	1B
Hille	Dickey	620.7	105	>40	1B
McIntosh PDL 1f	McIntosh	120.4	102	>40	1B
Kvigne	Dickey	81.9	101	>40	1B
Schmidt	Logan	146.3	99	>40	1B
Klettke	Dickey	226.6	99	>40	1B
Schneider	Dickey	157.6	96	>40	1B
Lepp	Logan	31.3	93	>40	1B
Quashnick	Dickey	40.0	93	>40	1B
Bertsch	McIntosh	320.1	93	>40	1B

2012 Landscape classification index for waterfowl production areas.

<i>Waterfowl production Area</i>	<i>County</i>	<i>Acres</i>	<i>Duck pairs</i>	<i>Grassland category</i>	<i>2012 landscape class</i>
Young	Dickey	322.3	93	>40	1B
Logan PDL 1g	Logan	79.8	91	>40	1B
Haberman	Lamoure	81.3	91	>40	1B
Stone	McIntosh	49.3	90	>40	1B
Hildebrand	McIntosh	161.3	90	>40	1B
Logan PDL 1e	Logan	80.2	90	>40	1B
Clay	Dickey	39.6	89	>40	1B
Schumacher	McIntosh	55.2	89	>40	1B
Enger	Dickey	327.8	88	>40	1B
Brummond	Dickey	64.7	88	>40	1B
Weisz	McIntosh	277.9	88	>40	1B
Logan PDL 1f	Logan	162.9	88	>40	1B
Bender	McIntosh	424.2	88	>40	1B
Logan PDL 1d	Logan	79.0	87	>40	1B
Sackmann	McIntosh	249.0	87	>40	1B
Goehring	McIntosh	19.6	86	>40	1B
Dallman	Logan	48.3	85	>40	1B
Edna	McIntosh	26.7	84	>40	1B
Klipfel	McIntosh	180.7	83	>40	1B
Logan PDL 1a	Logan	119.2	82	>40	1B
Neu	McIntosh	127.5	79	>40	1B
Fey	McIntosh	180.6	78	>40	1B
Pfeifle	McIntosh	344.5	78	>40	1B
Iszler	Logan	10.7	78	>40	1B
Salzer	McIntosh	201.2	77	>40	1B
Spitzer	Logan	182.8	77	>40	1B
Koepplin	McIntosh	294.0	77	>40	1B
Green Lake	McIntosh	32.8	76	>40	1B
Ham	McIntosh	61.0	75	>40	1B
Nitschke	McIntosh	237.7	74	>40	1B
Henne	Lamoure	39.7	71	>40	1B
Malm	Lamoure	322.5	71	>40	1B
Lippert	McIntosh	19.5	70	>40	1B
McIntosh PDL 1e	McIntosh	39.6	70	>40	1B
North Henne	Lamoure	23.2	69	>40	1B
Kessel	McIntosh	162.1	69	>40	1B
Denning	McIntosh	808.6	68	>40	1B

2012 Landscape classification index for waterfowl production areas.

<i>Waterfowl production Area</i>	<i>County</i>	<i>Acres</i>	<i>Duck pairs</i>	<i>Grassland category</i>	<i>2012 landscape class</i>
Thurn	McIntosh	321.9	50	>60	2A
Rothfusz	McIntosh	79.8	51	>40	2B
Meidinger	McIntosh	329.8	44	>40	2B
Wentz	Logan	681.5	146	<40	4A
Provost	Dickey	36.0	131	<40	4A
Kusler	Logan	55.3	126	<40	4A
Liechty	Lamoure	81.0	120	<40	4A
Vasvick	Dickey	33.5	115	<40	4A
Koskiniemi	Logan	221.2	112	<40	4A
West Holmes	Dickey	24.0	111	<40	4A
Burkhardt	Dickey	39.8	107	<40	4A
Shock	Lamoure	80.0	107	<40	4A
Holmes	Dickey	32.0	106	<40	4A
Hamann	Dickey	106.2	105	<40	4A
Kramlich	McIntosh	159.5	102	<40	4A
White	Dickey	155.5	102	<40	4A
Redlin	Dickey	356.0	101	<40	4A
Bjornstad	Dickey	38.3	101	<40	4A
Lundgren	Lamoure	161.7	100	<40	4A
Olson	Lamoure	241.2	100	<40	4A
Patzer	Lamoure	123.2	99	<40	4A
Grunneich	Dickey	560.4	98	<40	4A
Herman	Dickey	171.3	96	<40	4A
Lee	Dickey	796.1	95	<40	4A
Gackle	Lamoure	320.6	94	<40	4A
Logan County	Logan	39.6	92	<40	4A
Bovey	McIntosh	359.7	89	<40	4A
Dittus	Lamoure	39.9	88	<40	4A
Carlson	Lamoure	242.4	87	<40	4A
Scaup	Dickey	98.6	86	<40	4A
Heine	Dickey	159.6	86	<40	4A
Borth	Lamoure	162.2	86	<40	4A
Raatz	Lamoure	20.0	85	<40	4A
Marek	Dickey	228.8	84	<40	4A
Schmidt	Lamoure	220.5	81	<40	4A
Kannowski	Lamoure	212.6	81	<40	4A
German	Dickey	210.8	80	<40	4A

2012 Landscape classification index for waterfowl production areas.

<i>Waterfowl production Area</i>	<i>County</i>	<i>Acres</i>	<i>Duck pairs</i>	<i>Grassland category</i>	<i>2012 landscape class</i>
Nelson	Lamoure	82.5	78	<40	4A
Enzinger	Lamoure	165.0	78	<40	4A
Wetzel	Lamoure	37.2	77	<40	4A
Laney	Lamoure	244.1	77	<40	4A
Cornell	Lamoure	319.6	72	<40	4A
Retzlaff	Dickey	79.1	72	<40	4A
Grady	Dickey	68.2	71	<40	4A
Hauser	Dickey	32.3	70	<40	4A
Domine	Lamoure	32.0	69	<40	4A
Lahlum	Lamoure	87.6	69	<40	4A
Knutson	Lamoure	214.1	68	<40	4A
Pilgrims Rest	Lamoure	643.0	68	<40	4A
Barton	Dickey	75.4	67	<40	4A
Allison	Lamoure	319.2	66	<40	4A
Wolf	McIntosh	1365.6	65	<40	4A
Maple River	Dickey	413.7	64	<40	4A
Leisikow	Lamoure	80.8	61	<40	4A
Schnabel	McIntosh	39.8	59	<40	4B
Kaseman	McIntosh	40.2	59	<40	4B
Kessel	Lamoure	40.1	58	<40	4B
Jackson	Lamoure	72.1	57	<40	4B
Berlin Church	McIntosh	1110.6	55	<40	4B
Wendt	Lamoure	49.9	54	<40	4B
Lake	McIntosh	79.4	51	<40	4B
Roth	McIntosh	152.7	49	<40	4B
Hickey	Lamoure	30.8	48	<40	4B
Moch	Lamoure	20.8	44	<40	4B
Linnard	Lamoure	60.0	35	<40	4C
Musland	Lamoure	27.6	32	<40	4C
Straham	Lamoure	90.6	29	<40	4C

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