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# PROGRAMMATIC ENVIRONMENTAL ASSESSMENT

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## ***USE OF VOLUNTARY PUBLIC ACCESS AND HABITAT INCENTIVE PROGRAM FUNDS FOR EXPANDING THE MONTANA BLOCK MANAGEMENT PROGRAM***



United States Department of Agriculture

Farm Service Agency

Draft

April 2012



**United States Department of Agriculture  
Farm Service Agency**

**FINDING OF NO SIGNIFICANT IMPACT**

**Use of Voluntary Public Access and Habitat Incentive Program Funds  
For Expanding the Montana Block Management Program**

**April 2012**

The United States Department of Agriculture Farm Service Agency (FSA) on behalf of the Commodity Credit Corporation (CCC) has prepared a Programmatic Environmental Assessment (PEA) to evaluate the environmental consequences associated with providing the State of Montana Voluntary Public Access and Habitat Incentive Program (VPA-HIP) grant funds. The VPA-HIP is a program authorized by the Food, Conservation, and Energy Act of 2008 (2008 Farm Bill) that provides grants to States and tribal governments to encourage owners and operators of privately held farm, ranch, and forest land to voluntarily open land for public access for outdoor recreation activities such as hunting, fishing, hiking, wildlife watching, and other outdoor activities. Distribution of VPA-HIP funds is administered by the State or tribal government that receives the grant.

The State of Montana proposes to use VPA-HIP grant funds to expand the Block Management Program, a public access hunting program on private lands. The purpose of the Proposed Action is to allow the State of Montana to use VPA-HIP grant funds to expand public hunting opportunities through two new components of the Block Management Program. The current Block Management Program has traditionally targeted larger land parcels or whole ranches that have a diversity of habitats and a variety of hunting activities. Smaller parcels of Conservation Reserve Program (CRP), Conservation Reserve Enhancement Program (CREP) or other idle lands that have excellent upland game bird habitat are not a good fit for the standard Block Management Program contracts because of the relatively small size of the latter. In addition, these larger Block Management Program land parcels are rural, with some fairly distant from city and urban centers, and it has become increasingly more difficult for the public in these settings to access outdoor areas for wildlife-based recreational activities. The Proposed Action is needed to address the growing demand for more upland game bird hunting opportunities, particularly in areas where CRP or CREP enrollments overlap with high densities of pheasants, sharp-tailed grouse, and gray partridge, and to meet the need for additional wildlife-dependent recreational opportunities near higher population centers.

**Proposed Action**

The State proposes to use \$1,038,363 in VPA-HIP grant funds over a three-year period (\$373,811 in the first year, and \$332,276 in the second and third years) to supplement \$1,134,000 in State funds to expand the Block Management Program. The Block Management Program is an existing public access program that would be expanded by the State to meet the need to increase the amount of land accessible to the public for outdoor-related recreational activities, and is administered by the Montana Fish, Wildlife and Parks (MFWP). The expanded Block Management Program would include the following two components:

- The Open Fields for Game Bird Hunters program (formerly referred to in grant application as the *Upland Game Bird Walk-in Access* component) would expand opportunities for upland game bird

hunting. About 75 private landowners and 12,000 acres would be enrolled. An average rental payment of \$5.00 per acre per year would be made to landowners for 5 to 15 year contracts. An estimated \$420,000 of VPA-HIP funds would be used for these rental payments. Enrollment efforts would primarily focus on parcels of CRP or CREP lands that have high quality habitat for upland game birds such as pheasant, sharp-tailed grouse, and gray partridge, but not so large that they would support general hunting and could be enrolled in the existing Block Management Program.

- The *Reconnecting Town and Country* component would pay landowners access fees for allowing public access on their property primarily for hunting, but also potentially for fishing and wildlife watching activities, if such activities are a high priority for that area. This component would add approximately 180,000 acres of land to the Block Management Program. Approximately 90 landowners owning an average 2,500 acres would be enrolled. Payment amounts would be individually negotiated and based on such criteria as habitat type and quality, access opportunities, and the number of days the public would have access to the land. An estimated \$405,000 of VPA-HIP funds would be used to fund this component. Contracts are expected to be from one to five years in length. This component would target landowners within 20 miles of cities and towns having an average of 2,500 acres of land suitable primarily for hunting, but also fishing and wildlife watching in high priority areas. Priority would be given to lands near cities or towns with populations of 7,500 or more, followed by those with populations from 3,000 to 7,499, and finally those cities and towns with populations less than 3,000.

### **Reasons for Finding of No Significant Impact**

In consideration of the analysis documented in the PEA and the reasons outlined in this Finding of No Significant Impact (FONSI), the Proposed Action would not constitute a major Federal action that would significantly affect the human environment. Therefore, an environmental impact statement will not be prepared. The determination is based on the following:

1. The Proposed Action as outlined in the PEA would provide beneficial impacts to both recreation and economic resources as a result of the increased amount of land available for public use and monies from these activities injected into local economies. Moreover, expanding lands available for wildlife-associated recreation would benefit vegetation and wildlife by maintaining and enhancing suitable habitat rather than converting the land to another incompatible use.
2. Potential beneficial and adverse impacts of implementing the Proposed Action have been fully considered within the PEA. No significant adverse direct or indirect effects were identified, based on the resource analyses provided in the PEA.
3. The Proposed Action would not involve effects to the quality of the human environment that are likely to be highly controversial.
4. The Proposed Action would not establish a precedent for future actions with significant effects and does not represent a decision in principle about a future consideration.
5. The Proposed Action does not result in cumulative significant impacts when considered with other actions that also individually have insignificant impacts. Cumulative impacts of implementing the Proposed Action were determined to be not significant.

6. The Proposed Action would not have adverse effects on threatened or endangered species or designated critical habitat. In accordance with Section 7 of the Endangered Species Act, the effects of implementing the Proposed Action on threatened and endangered species and designated critical habitat were addressed in the PEA.
7. The Proposed Action does not threaten a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

#### **Determination**

In accordance with the National Environmental Policy Act and FSA's environmental regulations at 7 Code of Federal Regulations (CFR) Part 799 and implementing the regulations of the Council on Environmental Quality at 40 CFR Parts 1500-1508, I find the Proposed Action is not a major Federal action significantly affecting the quality of the human environment. Barring any new data identified during public and agency review of the PEA that would dramatically change the analysis presented in the PEA or identification of a significant controversial issue, the PEA and FONSI are considered final 30 days after their approval and release to the public. Therefore, no environmental impact statement will be prepared.

**Approved:**



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**Juan Garcia**  
**Deputy Administrator for Farm Programs**  
**Farm Service Agency**  
**U.S. Department of Agriculture**

04/12/2012

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**Date**

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## COVER PAGE

<b>Proposed Action:</b>	<p>The United States Department of Agriculture (USDA), Commodity Credit Corporation (CCC) and the State of Montana proposes to use Voluntary Public Access and Habitat Incentive Program (VPA-HIP) grant funds of \$1,038,276 over the three-year grant period to leverage State funds to expand the Montana Block Management Program. Using VPA-HIP grant funds, the Block Management Program would provide annual incentive payments to eligible private landowners for negotiated agreements to expand public recreational access to private lands. Under the expansion, two additional components would be added to the existing Block Management Program, the <i>Open Fields for Game Bird Hunters</i> program to increase access for upland game bird hunting and the <i>Reconnecting Town and Country</i> program to increase access near certain cities and towns for outdoor recreation activities. The Farm Service Agency (FSA) administers the VPA-HIP on behalf of the CCC. The VPA-HIP is a program authorized by the Food, Conservation, and Energy Act of 2008 that provides grants to States and tribal governments to encourage owners and operators of privately held farm, ranch, and forestland to voluntarily open land for public access for outdoor recreation activities such as hunting, fishing, hiking, wildlife watching, and other outdoor activities.</p>
<b>Type of Document:</b>	Programmatic Environmental Assessment
<b>Lead Agency:</b>	Farm Service Agency (on behalf of CCC)
<b>Sponsoring Agency:</b>	Montana Fish, Wildlife, and Parks
<b>Further Information:</b>	<p>Alan Charles Montana Fish, Wildlife, and Parks Coordinator, Landowner/Sportsman Relations 1420 East Sixth Helena, MT 59601 Phone: 406-444-3798 E-mail: acharles@mt.gov</p>
<b>Comments:</b>	<p>This Programmatic Environmental Assessment was prepared in accordance with the Farm Service Agency National Environmental Policy Act implementation procedures found in 7 Code of Federal Regulations 799, as well as the National Environmental Policy Act of 1969, Public Law 91-190, 42 USC 4321-4347, 1 January 1970, as amended.</p> <p>The FSA will provide a public review and comment period prior to any final decision. An electronic copy of this Programmatic Environmental Assessment will be available for review at: <a href="http://public.geo-marine.com">http://public.geo-marine.com</a> or at</p>

[http://www.fsa.usda.gov/FSA/webapp?area=home&subject=ecrc  
&topic=nep-cd.](http://www.fsa.usda.gov/FSA/webapp?area=home&subject=ecrc&topic=nep-cd)

Written comments regarding this assessment may be submitted to:

Montana VPA-HIP PEA Comments

c/o Geo-Marine, Inc.

2713 Magruder Blvd, Suite D

Hampton, VA 23666

Or emailed to E-mail: [MontanaPEA@geo-marine.com](mailto:MontanaPEA@geo-marine.com)



## **EXECUTIVE SUMMARY**

### **BACKGROUND**

The United States Department of Agriculture (USDA) Commodity Credit Corporation (CCC) proposes to provide Voluntary Public Access and Habitat Incentive Program (VPA-HIP) grant funds to the State of Montana for expansion of the Block Management Program. The VPA-HIP is a program authorized by the Food, Conservation, and Energy Act of 2008 (2008 Farm Bill) that provides grants to States and tribal governments to either expand existing or create new public recreation access programs. Funds may also be requested to provide incentives for eligible private landowners to improve habitat on enrolled lands. Incentives encourage owners and operators of privately held farm, ranch, and forestland to voluntarily open land for public access for outdoor recreation activities such as hunting, fishing, hiking, wildlife watching, and other outdoor activities. The VPA-HIP grant award process is administered by the USDA Farm Service Agency on behalf of the CCC. The VPA-HIP programs are administered by the State or tribal government that receives the grant.

### **PURPOSE AND NEED FOR THE PROPOSED ACTION**

The purpose of the Proposed Action is to allow the State of Montana to use VPA-HIP grant funds to expand public hunting opportunities through two new components of the Block Management Program. The current Block Management Program has traditionally targeted larger land parcels or whole ranches that have a diversity of habitats and a variety of hunting activities. Smaller parcels of CRP, CREP or other idle lands that have excellent upland game bird habitat are not a good fit for the standard Block Management contracts because of their relatively small size. In addition, these larger Block Management land parcels are rural, with some fairly distant from city and urban centers, and it has become increasingly more difficult for the public in these settings to access outdoor areas for recreational activities. The Proposed Action is needed to address the growing demand for more upland game bird hunting opportunities, particularly in areas where CRP or CREP enrollments overlap with high densities of pheasants, sharp-tailed grouse, and gray partridge, and to meet the need for additional wildlife-dependent recreational opportunities near higher population centers.

### **PROPOSED ACTION**

In 2010, there were nearly 1,300 landowners and about 8.5 million acres enrolled in the Block Management Program (MFWP 2011). The State proposes to use \$1,038,363 in VPA-HIP grant funds over a three-year period (\$373,811 in the first year, and \$332,276 in the second and third years) to supplement \$1,134,000 in State funds to expand the Block Management Program. The Block Management Program is an existing public access program that would be expanded by the State to meet the need to increase the amount of land accessible to the public for outdoor-related recreational activities, and is administered by the MFWP. The expanded Block Management Program would include the following two components:

- The *Open Fields for Game Bird Hunters* (previously referred to as the *Upland Game Bird Walk-in Access* in grant application materials) component would expand opportunities for game bird hunting. About 75 private landowners and 12,000 acres would be enrolled. An average rental payment of \$5.00 per acre per year would be made to landowners for 5 to 15 year contracts. An estimated \$420,000 of VPA-HIP funds would be used for these rental payments. Enrollment efforts would primarily focus on parcels of CRP or CREP lands that have high quality habitat for upland game birds such as pheasant, sharp-tailed grouse, and gray partridge, but not so large that they would support general hunting and could be enrolled in the existing Block Management Program.
- The *Reconnecting Town and Country* component would pay landowners access fees for allowing public access on their property primarily for hunting, but also potentially for fishing and wildlife watching activities if such activities are a high priority for the area. This component would add approximately 180,000 acres of land to the Block Management Program. Approximately 90 landowners owning an average 2,500 acres would be enrolled. Payment amounts would be individually negotiated and based on such criteria as habitat type and quality, access opportunities, and the number of days the public would have access to the land. An estimated \$405,000 of VPA-HIP funds would be used to fund this component. Contracts are expected to be from one to five years in length. This component would target landowners within 20 miles of cities and towns having an average of 2,500 acres of land suitable for hunting and outdoor recreational activities such as fishing and wildlife watching, if these activities meet a priority need for a given area and the land is suitable. Priority would be given to lands near cities or towns with populations of 7,500 or more, followed by those with populations from 3,000 to 7,499, and finally those cities and towns with populations less than 3,000.

## **NO ACTION ALTERNATIVE**

Although it would not serve the purpose and need for the Proposed Action, a No Action Alternative has been carried forward as the baseline against which the potential impacts arising from the Proposed Action can be measured. Under the No Action Alternative, the Montana Block Management Program would not be expanded utilizing the VPA-HIP Federal funding. The absence of Federal funding would limit the expansion of the Block Management Program, restricting the amount of land accessible for outdoor recreation opportunities.

## **ENVIRONMENTAL CONSEQUENCES**

The environmental consequences of the Proposed Action and No Action Alternative are addressed in this PEA and summarized in Table ES-1.

**Table ES-1. Summary of Environmental Consequences**

Resource	Proposed Action Alternative	No Action Alternative
Biological Resources	<p>Expanding lands available for outdoor recreation under the Proposed Action Alternative would benefit vegetation and wildlife by maintaining suitable habitat rather than converting land to another incompatible use. Providing additional lands for hunting and in some cases fishing in priority areas could potentially decrease game and fish populations, although this potential would be minimized by MFWP hunting and fishing licensing and permitting regulations. Further, agency specialists would conduct site visits to ensure that lands enrolled have the appropriate wildlife habitat to support the proposed hunting, fishing, or wildlife viewing. Lands enrolled in CRP or CREP proposed for enrollment in the Block Management Program would be assessed for potential environmental impacts under FSA guidelines and the existing Conservation Management Plan modified accordingly by USDA. Site-specific evaluation of lands proposed for enrollment by MFWP qualified personnel would determine the potential for the presence of protected species. If protected species or critical habitat would likely be present, MFWP would consult with the U.S. Fish and Wildlife Service. If an authorized recreational activity on the land proposed for enrollment would potentially impact a protected species, it would not likely be approved. No adverse effects to protected species would likely occur.</p>	<p>Under the No Action Alternative, the Block Management Program would not be expanded using VPA-HIP funds. The additional benefits to vegetation, wildlife, and protected species from implementation of the Proposed Action Alternative expanding acreage maintained as suitable wildlife habitat in the State would not be realized.</p>

**Table ES-1. Summary of Environmental Consequences (cont'd)**

<b>Resource</b>	<b>Proposed Action Alternative</b>	<b>No Action Alternative</b>
Recreation	Under the Proposed Action, modest beneficial impacts to outdoor recreational activities are possible from expanding the Block Management Program, increasing opportunities for primarily hunting, and fishing and wildlife viewing activities in high priority areas. The majority of land in Montana is privately held, and under the expanded Block Management Program, an additional 12,000 acres would be available for primarily upland game bird hunting and 180,000 acres located near cities and towns made available for hunting, and in some cases, fishing and wildlife viewing. The recreational values of the land enrolled in the expanded program would be preserved by qualified MFWP personnel conducting site visits and implementing standard procedures for evaluating the habitat quality of land proposed for enrollment and its ability to sustain the proposed activities.	Under the No Action Alternative, VPA-HIP funds would not be used to expand the Block Management Program. No change to existing recreational resources would occur and the goal of increasing land accessible for upland game bird hunting and primarily hunting opportunities near cities and towns would not be fulfilled.
Socioeconomics	The use of USDA VPA-HIP funds for the expansion of the Block Management Program would create a modest economic benefit to both local economies and the statewide wildlife-associated recreation economy of over \$1.3 billion. A return on investment of the proposed \$2.2 million from VPA-HIP funds and additional State funds could garner over \$32 million in additional expenditures for outdoor recreational activities. Providing additional recreational access to private lands would also attract more out of state recreationists, benefiting local and statewide economies. Implementation of the Proposed Action Alternative would	Under the No Action Alternative, the existing Block Management Program would continue as currently administered. VPA-HIP grant funds would not be used to expand the program to include upland game bird hunting or wildlife-based recreation near cities and towns, or to leverage additional funds. No additional local or statewide economic benefits associated with an expanded Block Management Program such as increased sales of outdoor recreation-related equipment, use of lodging and restaurants, and purchase of hunting and fishing permits would occur.

**Table ES-1. Summary of Environmental Consequences (cont'd)**

<b>Resource</b>	<b>Proposed Action Alternative</b>	<b>No Action Alternative</b>
Socioeconomics (Continued)	have long-term socioeconomic benefits for employment and income with no associated negative effects such as large population movements.	
Environmental Justice	The Proposed Action Alternative would not have highly adverse disproportionate impacts to environmental justice populations. Under Federal law, the USDA prohibits discrimination on the basis of race, color, religion, national origin, age, sex, or disability. Minority and low-income populations would have equal access to participate in the expanded Block Management Program if their land meets the eligibility criteria of suitable habitat and recreational value. Further, enrolled participants in the Block Management Program must grant equal access to all sportspersons with a valid hunting and/or fishing license, or wildlife watchers, based on their agreement to wave liability and conform to posted use conditions.	Under the No Action Alternative, VPA-HIP grant funds would not be used to expand the Block Management Program statewide. The Block Management Program would continue to provide access to currently enrolled private lands for wildlife-associated recreation. No highly adverse disproportionate impacts to environmental justice populations would occur.

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**ACRONYMS AND ABBREVIATIONS**

1-EQ	Environmental Quality Programs for State and County Offices Rev. 2
2008 Farm Bill	Food, Conservation, and Energy Act of 2008
BMA	Block Management Area
CAA	Clean Air Act
CCC	Commodity Credit Corporation
CEC	Commission for Environmental Cooperation
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CP	Conservation Practice
CREP	Conservation Reserve Enhancement Program
CRP	Conservation Reserve Program
CSP	Conservation Stewardship Program
CSREES	Cooperative State Research, Education, and Extension Service
CWA	Clean Water Act
EBI	Environmental Benefits Index
EO	Executive Order
EQIP	Environmental Quality Incentives Program
ERS	Economic Research Service
ESA	Endangered Species Act
FONSI	Finding of No Significant Impact
FR	Federal Register
FSA	Farm Service Agency
GRP	Grassland Reserve Program
MBTA	Migratory Bird Treaty Act
MCA	Montana Code Annotated
MFWP	Montana Fish, Wildlife, and Parks
MHI	Median Household Income
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NOA	Notice of Availability
NRCS	Natural Resources Conservation Service
PEA	Programmatic Environmental Assessment
PL	Public Law
RFA	Request for Applications
ROI	Region of Influence

**ACRONYMS AND ABBREVIATIONS (cont'd)**

SGCN	Species of Greatest Conservation Need
TES	Threatened and Endangered Species
USC	U.S. Code
USCB	U.S. Census Bureau
USDA	U.S. Department of Agriculture
USFS	U. S. Forest Service
VPA-HIP	Voluntary Public Access and Habitat Incentive Program
WHIP	Wildlife Habitat Incentive Program
WREP	Wetland Reserve Enhancement Program
WRP	Wetlands Reserve Program

## **1.0 PURPOSE AND NEED FOR THE PROPOSED ACTION**

### **1.1 Background**

The United States Department of Agriculture (USDA) Commodity Credit Corporation (CCC) proposes to provide Voluntary Public Access and Habitat Incentive Program (VPA-HIP) grant funds to the State of Montana for expansion of Montana's Block Management Program. The VPA-HIP is authorized by the Food, Conservation, and Energy Act of 2008 (2008 Farm Bill) that provides grants to States and tribal governments to encourage owners and operators of privately held farm, ranch, and forest land to voluntarily open land for public access for outdoor recreation activities such as hunting, fishing, hiking, wildlife watching, and other outdoor activities. The VPA-HIP programs are administered by the State or tribal government receiving the grant.

#### **1.1.1 The Voluntary Public Access and Habitat Incentive Program**

The CCC regulations for VPA-HIP have been established in an interim rule (Federal Register [FR] 39135-39143). The VPA-HIP grant funds are awarded through a competitive Request for Applications (RFA) process in which States and tribal governments may request VPA-HIP funds to either expand existing or create new public access programs. Funds may also be requested to provide incentives for eligible private landowners to improve habitat on enrolled lands. The Farm Service Agency (FSA), on behalf of the CCC, evaluates applications to determine eligibility of the applicant and whether the application is complete and sufficiently meets the requirements of the RFA (FSA 2011a). In accordance with the 2008 Farm Bill, funding priority would be given to applications that address the program objectives:

- Maximize participation by landowners;
- Ensure the land enrolled in the program has appropriate wildlife habitat;
- Provide incentives to strengthen wildlife habitat improvement on lands enrolled in the Conservation Reserve Enhancement Program (CREP);
- Supplement other funding and services provided by other Federal, State, tribal government, or private resources that is provided in the form of cash or in-kind services; and
- Provide information to the public on the location of public access land.

A State's grant amount would be reduced by 25 percent if migratory bird hunting opening dates are not consistent for both residents and non-residents. The VPA-HIP does not preempt liability laws that may apply to activities on any property related to VPA-HIP grants (FSA 2011a).

#### **1.1.2 The Block Management Program**

The State of Montana proposes to use VPA-HIP grant funds to expand its current Block Management Program by increasing upland game bird hunting opportunities and enrolling private lands within a 20-mile radius of certain towns or cities. The Montana Block Management Program is a cooperative statewide hunting access program administered by the

Montana Fish, Wildlife, and Parks (MFWP) to open private lands to the public for hunting opportunities. Montana consists of about 94.1 million acres of which approximately 35 percent (33 million acres) is public land (Federal and State land), approximately 58.7 percent (55 million acres) is privately held and about 5.3 percent (5 million acres) are tribal lands (NRIS 2011). Much of the Federal and State land is accessible for hunting. MFWP manages hunting access to Block Management Program lands. Landowner enrollment in Block Management is voluntary, with contracts negotiated annually each spring and summer. Block Management assists landowners in managing outdoor activities on their property, provides free access to private lands, and in some cases, access to isolated public lands for recreation. Landowners are given incentive payments for the acreage enrolled in Block Management, which are funded from the sale of resident and nonresident hunting access enhancement fees, nonresident upland game bird licenses, nonresident combination deer/elk licenses, and chances sold in the Supertag license lottery. Currently, there are about 8.5 million acres of private land enrolled in the Block Management Program (MFWP 2011).

### **1.1.3 The Conservation Reserve Program**

The Conservation Reserve Program (CRP) was established by the Food Security Act of 1985 and farmland enrollment began in 1986. The program is governed by regulations published in Title 7, Code of Federal Regulations (CFR) Part 1410. CRP is a voluntary program that supports the implementation of long-term conservation measures designed to improve the quality of ground and surface waters, control soil erosion, and enhance wildlife habitat on environmentally sensitive agricultural land. In return, CCC provides participants with rental payments and cost-share assistance under contracts that extend from 10 to 15 years. Technical support functions are provided by:

- USDA's Natural Resources Conservation Service (NRCS);
- USDA's Cooperative State Research, Education, and Extension Service (CSREES);
- United States Forest Service (USFS);
- State forestry agencies;
- Local soil and water conservation districts; and
- Other non-Federal providers of technical assistance.

Producers can enroll in the CRP using one of two procedures: (1) offer lands for general CRP sign-up enrollment only during specific sign-up periods and compete with other offers based upon the environmental benefits index (EBI); or (2) enroll environmentally desirable land to be devoted to certain conservation practices under CRP continuous sign-up provisions, if certain eligibility requirements are met or if a State and county are involved in a CREP, and the land qualifies.

#### **1.1.4 The Conservation Reserve Enhancement Program**

CREP was established in 1997 under the authority of the CRP to address agriculture-related environmental issues by establishing conservation practices (CPs) on privately owned agricultural lands using funding from Federal, State, and tribal governments, as well as non-government sources. CREP addresses State designated high-priority conservation issues in defined geographic areas such as watersheds. Producers who voluntarily enroll their eligible lands in CREP receive financial and technical assistance for establishing CPs on their land. In addition, property owners receive annual rental payments based upon the enrolled acreage. Once eligible lands are identified, site-specific environmental reviews and consultation with and permitting from other Federal agencies are completed as appropriate in accordance with FSA's *Handbook: Environmental Quality Programs for State and County Offices Revision 2* (1-EQ) (FSA 2009). Conservation plans developed by qualified personnel are required for all enrolled CREP lands, and any changes to the plans must be documented in writing and submitted for approval prior to implementing a proposed activity. The potential environmental impacts of the Montana CREP have been evaluated under the National Environmental Policy Act (NEPA) in the Programmatic Environmental Assessment (PEA) for Montana's Upper Clark Fork River Basin CREP Amendment (FSA 2006) and the Missouri – Madison River Corridor CREP (FSA 2008).

#### **1.1.5 Regulatory Compliance**

This PEA is prepared to satisfy the requirements of NEPA (Public Law [PL] 91-190, 42 U.S. Code [USC] 4321 et seq.); implementing regulations adopted by the Council on Environmental Quality (CEQ; 40 CFR §§1500-1508); and FSA implementing regulations, Environmental Quality and Related Environmental Concerns – Compliance with NEPA (7 CFR §799). A variety of laws, regulations, and Executive Orders (EO) apply to actions undertaken by Federal agencies and form the basis of the analysis prepared in this PEA. These include but are not limited to:

- National Historic Preservation Act (NHPA)
- Endangered Species Act (ESA)
- Clean Water Act (CWA)
- EO 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations
- EO 11988, Floodplain Management
- EO 11990, Protection of Wetlands
- Clean Air Act (CAA)

### **1.2 Purpose and Need**

The purpose of the Proposed Action is to allow the State of Montana to use VPA-HIP grant funds to expand public hunting opportunities through two new components of the Block

Management Program. The current Block Management Program has traditionally targeted larger land parcels or whole ranches that have a diversity of habitats and a variety of hunting activities. Smaller parcels of CRP, CREP or other idle lands that have excellent upland game bird habitat are not a good fit for the standard Block Management contracts because of their relatively small size. In addition, these larger Block Management land parcels are rural, with some fairly distant from city and urban centers, and it has become increasingly more difficult for the public in these settings to access outdoor areas for recreational activities. The Proposed Action is needed to address the growing demand for more upland game bird hunting opportunities, particularly in areas where CRP or CREP enrollments overlap with high densities of pheasants, sharp-tailed grouse, and gray partridge, and to meet the need for additional wildlife-dependent recreational opportunities near higher population centers.

### **1.3 VPA-HIP and the Montana Block Management Program Objectives**

The objectives of expanding the Montana Block Management Program using VPA-HIP grant funds include the following:

- *Open Fields Game Bird Hunters.* Expand the opportunities for upland game bird hunting by focusing on those lands enrolled in CRP and CREP, and other small parcels of land that have high quality habitat. Enroll about 75 private landowners and 12,000 acres in 5 to 15 year contracts. This objective would be achieved by using VPA-HIP funds to provide a single rental payment of \$5.00 per acre per year to landowners.
- *Reconnecting Town and Country.* Enroll 90 landowners owning an average 2,500 acres of land in 1 to 5 year agreements in order to expand public hunting, as well as fishing, and wildlife watching opportunities in high priority areas, within 20 miles of cities and towns of a certain population. This objective would be achieved by using VPA-HIP funds for an access payment based on the negotiated length of the agreement, number of public user access days, and the types of recreational opportunities allowed on enrolled lands.

### **1.4 Organization of the PEA**

This PEA assesses the potential impacts of the Proposed Action and the No Action Alternatives on potentially affected environmental and socioeconomic resources. Chapter 1 provides background information relevant to the Proposed Action, and discusses its purpose and need. Chapter 2 describes the Proposed Action and alternatives. Chapter 3 describes the baseline conditions (i.e., the conditions against which potential impacts of the Proposed Action and alternatives are measured) for each of the potentially affected resources, and describes potential environmental consequences to these resources. Chapter 4 includes analysis of cumulative impacts and irreversible and irretrievable resource commitments. Chapter 5 discusses mitigation measures. Chapter 6 presents a list of the preparers of this document and Chapter 7 contains a list of persons and agencies contacted during the preparation of this document. Chapter 8

contains references. Appendix A contains the MFWP Enrollment Evaluation Form, Appendix B contains copies of the agency coordination letters, and Appendix C presents Montana's protected species list.

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## 2.0 ALTERNATIVES INCLUDING THE PROPOSED ACTION

### 2.1 Proposed Action

In 2010, there were nearly 1,300 landowners and about 8.5 million acres enrolled in the Montana Block Management Program (MFWP 2011). The State proposes to use \$1,038,363 in VPA-HIP grant funds over a three-year period (\$373,811 in the first year, and \$332,276 in the second and third years) to supplement \$1,134,000 in State funds to expand the Block Management Program. The Block Management Program is an existing public access program that would be expanded by the State to meet the need to increase the amount of land accessible to the public for outdoor-related recreational activities and is administered by the MFWP. VPA-HIP funds would be used to pay private landowners access fees for enrollment in either the *Open Fields for Game Bird Hunters* or the *Reconnecting Town and Country* components of the program.

The *Open Fields for Game Bird Hunters* component would expand opportunities for upland game bird hunting. About 75 private landowners and 12,000 acres would be enrolled. An average rental payment of \$5.00 per acre per year would be made to landowners for 5 to 15 year contracts. An estimated \$420,000 of VPA-HIP funds would be used for these rental payments. MFWP Wildlife Biologists would evaluate lands offered for enrollment to ensure they have appropriate habitat and can sustain hunting activities. MFWP personnel would rank each prospective enrollment based on habitat evaluation criteria (Appendix A). Priority would be given to those lands with high intrinsic habitat values and that are enrolled in conservation programs such as CRP and CREP. Access to lands enrolled in the component would be walk-in only.

*Reconnecting Town and Country* would pay landowners access fees for allowing public access on their property for hunting, and in some high priority areas, fishing and wildlife watching activities. This component would add approximately 180,000 acres of land to the Block Management Program. Approximately 90 landowners owning an average 2,500 acres would be enrolled. Payment amounts would be individually negotiated and based on such criteria as habitat type and quality, access opportunities, and the number of days the public would have access to the land. An estimated \$405,000 of VPA-HIP funds would be used. Contracts are expected to be from one to five years in length. Access to this land would be by existing roads and trails. MFWP hunting access specialists, wildlife biologists, and game wardens would review applications for enrollment for recreational opportunities offered, habitat type and condition, and rank each prospective enrollment based on habitat evaluation criteria (Appendix A).

VPA-HIP funds would also be used to promote new access opportunities. Information regarding new access opportunities would be published in the *Block Management Hunting Access Guides and Upland Game Bird Enhancement Program Projects Access Guide*, presented by MFWP's web-based Block Management Mapping System and web-based Hunt Planner, and advertised in public notices using radio, newspaper, and magazine outreach. About \$15,000 of VPA-HIP funding would also be used to provide signage at each newly enrolled *Open Fields for Game*

*Bird Hunters* site and *Reconnecting Town and Country* location. VPA-HIP funds would not be used for habitat improvement projects.

Prior to enrollment, representatives from MFWP would visit each site to ensure that lands enrolled have the appropriate wildlife habitat to support proposed hunting, fishing, or wildlife viewing. Block Management Program staff would work with regional wildlife managers and biologists to ensure enrollment of lands would meet regional wildlife management needs. For lands enrolled in CRP or CREP that would also be enrolled in the Block Management Program, USDA would consult the previously completed site-specific environmental evaluation, and proposed new activities would be evaluated for potential environmental impacts in accordance with 1-EQ. USDA would modify existing CRP or CREP Conservation Plans to include approved Block Management Program activities as determined necessary. For those lands without a CRP or CREP environmental evaluation, MFWP would determine if recreational activities on the land would have the potential to negatively impact threatened and endangered species (TES) or cultural resources in accordance with the ESA and NHPA.

### **2.1.1 Eligible Lands**

The Block Management Program *Open Fields for Game Bird Hunters* component would target owners and operators of privately held farm and ranch land that is enrolled in the Montana CRP or CREP (Table 2-1). Enrollment efforts would primarily focus on parcels of CRP or CREP lands that have high quality habitat for upland game birds such as pheasant, sharp-tailed grouse, and gray partridge, but not so large that they would support general hunting and could be enrolled in the existing Block Management Program. The *Reconnecting Town and Country* component would target landowners within 20 miles of cities and towns having an average of 2,500 acres of land suitable for hunting, and in high priority areas, fishing, and wildlife watching. Priority would be given to lands near cities or towns with populations of 7,500 or more, followed by those with populations from 3,000 to 7,499, and finally those cities and towns with populations less than 3,000 (Figure 2-1).

### **2.1.2 Public Involvement and Agency Coordination**

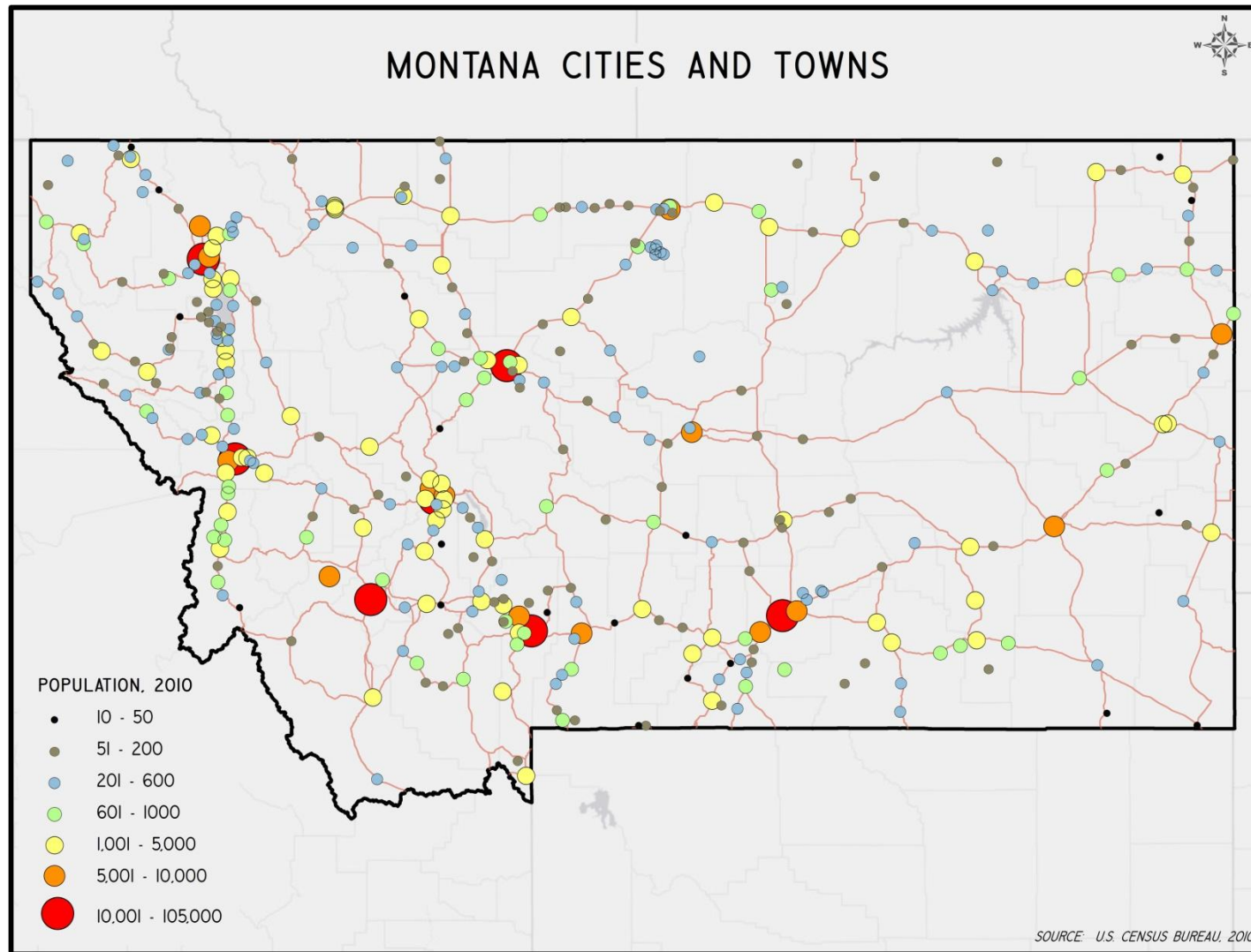
Agencies and organizations contacted concerning this PEA and the notification letter for the availability of the Final PEA are provided in Appendix B. A Notice of Availability (NOA) for the Final PEA was advertised in State newspapers to announce a 30-day public comment period beginning on April 14, 2012. A public website was created that provides program information, copies of the Final PEA and signed Finding of No Significant Impact (FONSI), and an electronic form for submitting comments via the internet. Barring any new data identified during public and agency review of the PEA that would dramatically change the analysis presented in the PEA or identification of a significant controversial issue, the PEA and FONSI are considered final 30 days after their approval and release to the public.

**Table 2-1. Counties with CRP and CREP Acreage in Proposed Expanded Block Management Program Focus Areas**

County	CRP	CREP <sup>1</sup>
Broadwater	15,437	3,781
Cascade	62,767	4,297
Chouteau	214,211	6,089
Daniels	136,075	733
Dawson	61,543	3,905
Fallon	16,535.2	675
Fergus	38,083	3,047
Gallatin	4,315	-
Glacier	67,528	1,647
Lewis and Clark	2,634	558
Madison	4,298	672
McCone	88,865	630
Pondera	67,661	15,783
Richland	98,440	101
Roosevelt	151,268	4,906
Sheridan	114,853	1,091
Teton	100,787	28,042
Toole	152,030	5,763
Wibaux	13,560	24

Source: FSA 2012a; 2012b

Note <sup>1</sup>: CREP acreage is included in the CRP acreage



Source: USCB 2010

**Figure 2-1. Montana City and Town Populations**

## **2.2 Resources Eliminated from Analysis**

CEQ regulations (40 CFR §1501.7) state that the lead agency shall identify and eliminate from detailed study the issues which are not important or which have been covered by prior environmental review. In accordance with 40 CFR §1501.7, issues eliminated from detailed analysis in this PEA include the following:

### **Water Resources**

Under the Proposed Action, no activities would occur with the potential to impact water resources (surface, ground, wetlands or floodplains). Since there are no activities that would disturb soil or vegetation associated with the Proposed Action, there would be no increase in sedimentation of water bodies. Similarly, the Proposed Action does not include any activities related to vegetation establishment or control; as such, there would be no potential for increased runoff of sediments or pollutants. Therefore, water resources have been eliminated from study in this PEA.

### **Sole Source Aquifers**

Sole source aquifers are underground water sources that provide at least 50 percent of the drinking water consumed within the overlying area. Montana has one sole source aquifer, the Missoula Valley Aquifer located in the western portion of the State (EPA 2009). However, since there are no activities associated with the Proposed Action that could negatively impact sole source aquifers, this resource has been eliminated from study in this PEA.

### **Soil Resources**

There would be no ground disturbing activities under the Proposed Action; therefore, the potential for erosion would not increase. While access to public and private lands would increase under the Proposed Action, no additional roads, trails or paths would be constructed. Consequently, soil resources have been eliminated from analysis.

### **Noise**

Implementing the Proposed Action would not permanently increase ambient noise levels at or adjacent to the access areas. While expanding the Block Management Program may increase traffic in some locations, the associated noise from these activities would be intermittent and dispersed. Therefore, noise has been eliminated from detailed analysis.

### **Air Quality**

The Proposed Action is not expected to impact either local or regional air quality. Since expansion of the Block Management Program with VPA-HIP grant funds would not result in impacts to the attainment, non-attainment, or maintenance status of any of the State's airsheds, this issue has been eliminated from further study in this PEA.

## **Transportation**

The Proposed Action has little potential to impact transportation on a local, regional, or State level. While traffic may increase slightly in areas in which new lands are enrolled in the Block Management Program, the lands that would be enrolled are predominately rural and/or widely dispersed. Therefore, transportation has been eliminated from further analysis.

## **Human Health and Safety**

There would be no adverse impacts to human health and safety under the Proposed Action. The Proposed Action would expand the Block Management Program and make additional private lands available for primarily hunting and other outdoor related activities. Some of these activities such as hunting have some inherent safety risks, yet the expansion of the Block Management Program would not increase potential risks to human health and safety. Montana requires all individuals born after January 1, 1985 to attend an approved hunter safety and education course before a license can be purchased. Hunters must be 12 before January 16 of the license year and are limited to hunting after August 15 of the license year.

## **Coastal Zones**

Montana has no coastal zones subject to the Federal Coastal Zone Management Act; therefore, coastal zones would not be affected and are not analyzed in this PEA.

## **Prime and Unique Farmland**

The Proposed Action would not remove any land from agricultural production; therefore the Farmland Protection Policy Act of 1981 is not applicable. Consequently, Prime and Unique Farmland has been eliminated for analysis in this PEA.

## **Cultural Resources**

Prior to enrollment of private land in the *Open Fields for Game Bird Hunters* and *Reconnecting Town and Country* Block Management programs, a site-specific environmental evaluation would be conducted to determine the potential for the proposed recreational activities to affect historic properties, the need for an inventory, and if an inventory is required, the need for consultation with the State Historic Preservation Office to determine potential effects of the undertaking, and measures to take effects into account. Every effort would be made to avoid any adverse effects; however, if such effects were anticipated to occur, the proposed activities would not likely be approved. Lands enrolled in CRP and CREP have already been evaluated for potential effects to historic properties in accordance with 1-EQ, and in many instances, earth disturbing conservation practices have been installed. The Proposed Action does not allow for the purposeful destruction of any cultural resources. Therefore, cultural resources have been eliminated from detailed study in this PEA.

## **2.3 Alternatives**

In accordance with 40 CFR §1502.14, CEQ regulations require the lead agency to identify all reasonable alternatives for implementing a Proposed Action. The purpose of VPA-HIP is to provide grants to State and tribal governments to encourage owners and operators of privately held farm, ranch, and forest land to voluntarily open land for public access for outdoor recreation activities such as hunting, fishing, hiking, wildlife watching, and other outdoor activities and to improve fish and wildlife habitat on that land. Each VPA-HIP application received by FSA undergoes a selection screening process to identify those proposals that met the program objectives (see Section 1.1, Background).

Expanding the Block Management Program would increase the opportunity for landowners with smaller parcels of CRP or CREP having excellent upland game bird habitat, which would not have otherwise previously qualified, to offer their lands for enrollment. Consequently, upland game bird hunting opportunities would also increase. In addition, the Block Management expansion would make additional lands near eligible cities and towns accessible to the public primarily for hunting, as well as fishing and wildlife viewing in high priority areas. All lands enrolled in the expanded Block Management Program would have suitable wildlife habitat maintained for the duration of the contract and as such would protect natural resources. Given the benefits and goals of the VPA-HIP, the only reasonable action alternative is the Proposed Action.

## **2.4 No Action Alternative**

Under the No Action Alternative, the Block Management Program would not be expanded using VPA-HIP funding. The absence of Federal funding would hinder the ability of Montana to expand the Block Management Program and the amount of land accessible for upland game bird hunting and wildlife-dependent recreation near cities and towns would remain limited. The No Action Alternative does not meet the purpose and need of the Proposed Action, but is being carried forward for analysis in accordance with CEQ regulations in order to provide a baseline against which the impacts of the Proposed Action can be assessed.

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### **3.0 AFFECTED ENVIRONMENT**

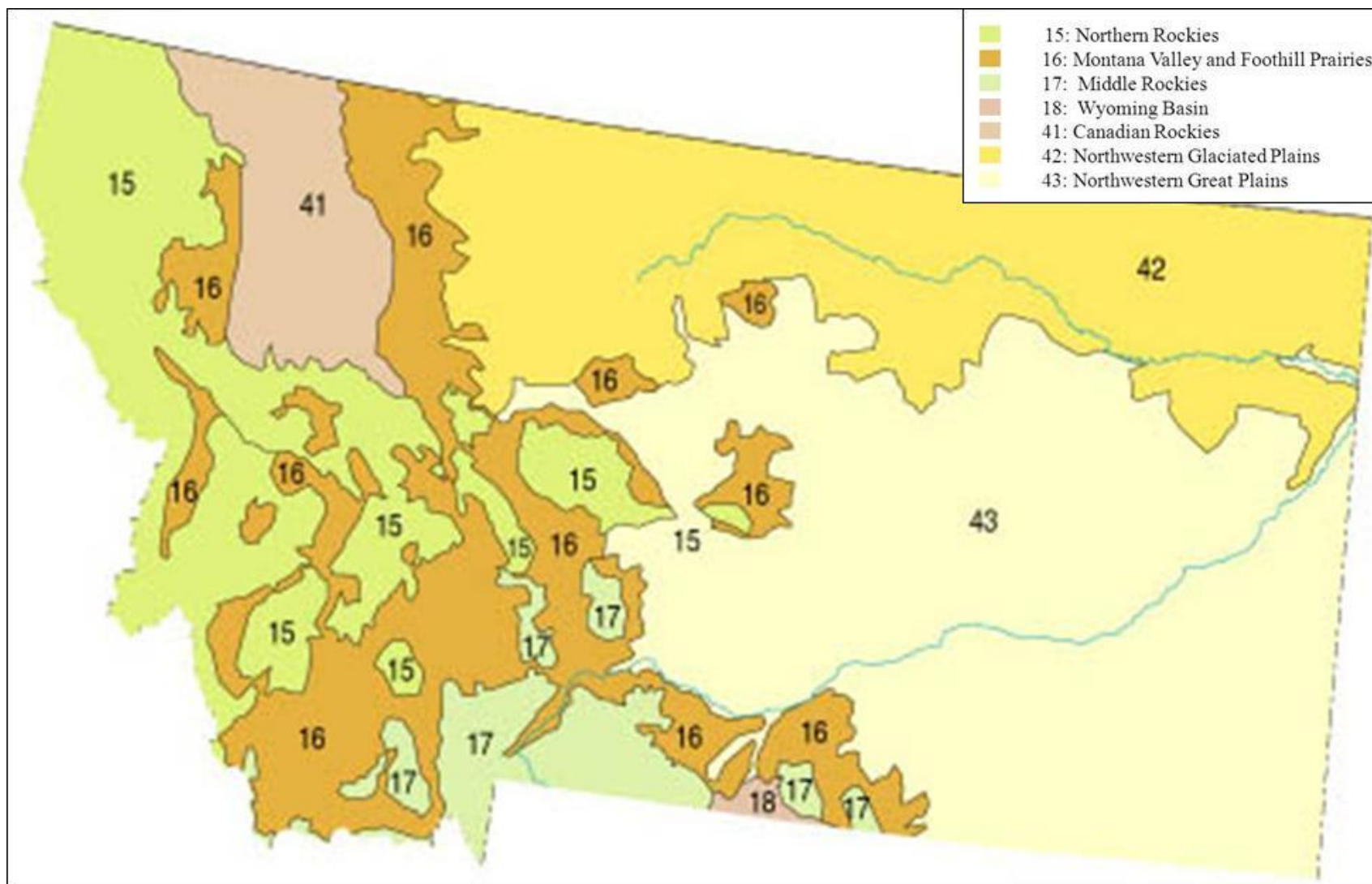
#### **3.1 Biological Resources**

Biological resources include plant and animal species and the habitats in which they occur. For this analysis, biological resources are divided into the following categories: vegetation; wildlife; protected species and their critical habitat. Vegetation and wildlife refer to the plant and animal species, both native and introduced, which characterize a region. Although the Proposed Action would not result in any land use changes or disturbances to the ground or existing vegetation, expanding the Block Management Program and increasing hunting and fishing opportunities may increase the potential for impacting game populations. Therefore, wildlife species discussed are only those game species that may be potentially impacted through increased hunting and fishing. Protected species are those federally designated as threatened or endangered and protected by the ESA (16 USC §§1531-1544) and those designated by the State of Montana as threatened or endangered under Montana Statute 87-5-101-132. Critical habitat is designated by the USFWS as essential for the recovery of TES, and like those species, is protected under ESA. Although the bald eagle (*Haliaeetus leucocephalus*) has been delisted from the ESA, it continues to be protected by the Bald and Golden Eagle Protection Act (16 USC §§668-668c). Further, protection to the vast majority of bird species is provided by the Migratory Bird Treaty Act (MBTA) (16 USC §§703-711).

##### **3.1.1 Affected Environment**

As previously discussed, Montana consists of about 94.1 million acres of which approximately 35 percent (33 million acres) is public land (Federal and State land), approximately 58.7 percent (55 million acres) is privately held, and about 5.3 percent (5 million acres) are tribal lands (NRIS 2011). In 2010, 60.8 million acres of land in Montana were used for agricultural production (NASS 2011).

The organizing principle of this analysis of biological resources is based upon ecoregions defined by the Commission for Environmental Cooperation (CEC). Ecoregions are areas of relatively homogenous soils, vegetation, climate, and geology, each with associated wildlife adapted to that region. Montana is located within two CEC Level I Ecoregions, the Great Plains and the Northwestern Forested Mountains ecoregions (Woods et al. 2002). These ecoregions may be further subdivided in Montana to Level III classes defined as: the Northern Rockies (15), Montana Valley and Foothill prairies (16), Middle Rockies (17), Wyoming Basin (18), Canadian Rockies (41), Northwestern Glaciated Plains (42), and the Northwestern Great plains (43) (Woods et al. 2002). Figure 3-1 displays these ecoregions and Table 3-1 presents a brief description of their major characteristics.



Source: Purdue 2002

**Figure 3-1. Montana Level III Ecoregions**

**Table 3-1. Level III Ecoregions within Montana**

Ecoregion	Description
Northern Rockies (15)	The Northern Rockies are mountainous and rugged. The landscape is dominated by species of fir, spruce, pine and hemlock. The northwestern section is strongly influenced by the Pacific and has more tree species and more diverse forests. Rainfall and snowmelt are plentiful, especially at the higher elevations, yet due to the large areas of metamorphic rock, there is little groundwater storage capacity and overland runoff is common. Logging and mining are common practices in this ecoregion.
Montana Valley and Foothill Prairies (Idaho Batholith) (16)	This ecoregion is mountainous, deeply dissected, and partially glaciated. The dominate vegetation here consists of Douglas fir and ponderosa pine, and subalpine fir at higher elevations. Streams in this ecoregion are subject to increased sediment loads after ground disturbance. Typical land use includes logging and grazing.
Middle Rockies (17)	The Middle Rockies lack a strong maritime influence; forests are dominated by Douglas fir, subalpine fir, and Engelmann spruce and often have open canopies. The foothills are either wooded or shrub- and grass-covered. Valleys here are grass and/or shrub covered, and contain a wide variety of terrestrial and aquatic fauna. Common land uses in this ecoregion include logging, mining, and summer livestock grazing.
Wyoming Basin (18)	The Wyoming Basin is a broad, dry intermontane region that is dominated by grasslands and shrublands. The natural community here is mainly sagebrush steppe and is distinctly different than surrounding ecoregions. Livestock grazing does occur in this ecoregion, although there are few areas that have adequate vegetation to support this activity.
Canadian Rockies (41)	This ecoregion is generally higher and has greater snow and ice cover than the Northern Rockies, and some regions are strongly influenced by maritime air masses. The highest elevations are treeless, glaciated alpine areas. The dominate vegetation at the lower elevations consists mostly of fir and spruce forests. Forestry and mining are common land uses.
Northwestern Glaciated Plains (42)	This ecoregion is the transition between the wetter, more agricultural Northern Glaciated Plains ecoregion to the east and drier, more irregular Northwestern Great Plains ecoregion to the south. This ecoregion has scattered seasonal and semi-permanent ponds and wetlands. The majority of land use here is devoted to ranching and farming.

**Table 3-1. Level III Ecoregions within Montana (cont'd)**

Ecoregion	Description
Northwestern Great Plains (43)	The Northwestern Great Plains ecoregion is a semiarid rolling plain, with occasional buttes and badlands. This ecoregion typically has low precipitation and high summer evapotranspiration rates that reduce recharging of groundwater. A few ephemeral-intermittent streams and perennial rivers are present. Once dominated by native grasslands, this ecoregion is now predominately rangeland, as well as in production of wheat and alfalfa. Some areas of native grassland persist in areas of steep or broken topography.

Source: Woods et al. 2002

### 3.1.1.1 Vegetation

Climate greatly affects vegetation type and the health and vigor of plants. Climatic variations in Montana are large, as indicated by the great range in elevation and topography – from high mountains in the west (generally, the Northwestern Forested Mountain ecoregion) to relatively flat plains in the east (the Great Plains ecoregion) (WRCC No Date). The Continental Divide traverses the State from north to south in the western half. West of the divide, winters are milder, precipitation is more evenly distributed throughout the year, summers are cooler and winds are lighter than on the eastern side. There is more cloudiness west of the divide, humidity is higher and the growing season is shorter. On the eastern side of the State, in the agricultural area, the climate is continental and the growing season is typically four months or more in length. Much of the State has freeze-free periods longer than 130 days, but some of the higher valleys in the western mountains have no freeze-free periods. Average annual precipitation varies widely and depends largely on topographical influences, ranging from less than 15 inches per year over much of the central and eastern plains (about half of the precipitation comes in the warm months) to over 60 inches in the high mountain peaks (most of which is snowfall). Rainfall is concentrated in the warm months, from May to July. Thunderstorms are common, particularly during July and August.

Vegetation types in Montana range from the montane forests and intermountain grasslands in the west to the plains grasslands of the east, with the shrub grassland dispersed in the south and central regions (MFWP No Date [a]). The montane forests are characterized by primarily coniferous species such as fir (*Abies* and *Psuedotsuga* spp.), Western hemlock (*Tsuga heterophylla*), pine (*Pinus* spp.), and spruce (*Picea* spp.), while the intermountain grasslands are dominated by grasses such as rough fescue (*Festuca scabrella*), bluebunch wheatgrass (*Agropyron spicatum*), and prairie junegrass (*Koeleria macrantha*). The vegetation of the plains grassland is adapted to dry climate and regular fires and is composed mainly of prairie grasses such as cool season brome (*Bromus* spp.), bluebunch wheatgrass, and wildrye (*Elymus* spp.) and warm season blue grama (*Bouteloua gracilis*), little bluestem (*Schizachyrium scoparium*), and switchgrass (*Panicum virgatum*). Agriculture is common in this region and is comprised mainly

of rangeland and pastureland for grazing, as well as cropland for wheat, alfalfa, sugar beets, corn and other forage crops (NRCS 2006). The vegetation of the shrub grasslands is adapted to dry climates and extreme temperatures and includes species such as sagebrush (*Artemisia* spp), milkvetch (*Astragalus* spp.), golden aster (*Heterotheca villos*), prairie junegrass (*Koeleria macranth*) and Sandberg bluegrass (*Poa secunda*).

### 3.1.1.2 Wildlife

Montana encompasses a wide array of plant communities and associated topography that support a diverse wildlife population. The State is home to breeding populations of over 110 species of mammals (MFWP No Date [b]). The preferred habitat for many Montana mammals is either grassland or includes a grassland component (e.g., feeds in grasslands). It is estimated that Montana has over 250 species of birds that breed in the State (MFWP No Date [b]). Additionally, over 170 bird species migrate through Montana during the spring and fall. Amphibians and reptiles in Montana include salamanders, toads, frogs, turtles, lizards, and snakes (MFWP No Date [c]).

Of particular relevance to the Proposed Action are the many game species found in Montana. Big game includes species such as deer (*Odocoileus* spp.), elk (*Cervus elephus*), black bears (*Ursus americanas*), pronghorn antelope (*Antilocapra americana*), bighorn sheep (*Ovis canadensis*), mountain goat (*Oreamnos americanus*), moose (*Alces alces*), American bison (*Bos bison*) and mountain lion (*Felis concolor*) (MFWP No Date [d]). Small game species include furbearers such as otter (*Lontra canadensis*), mink (*Mustela vison*), bobcat (*Lynx rufus*), muskrat (*Ondatra zibethicus*), and beaver (*Castor canadensis*). Other important game species include waterfowl such as ducks (*Anas*, *Clangula*, *Bucephala*, *Histrionicus*, *Aythya*, and *Aix* spp.), geese (*Branta*, *Chen*, and *Anser* spp.), swans (*Cygnus* spp.), American coot (*Fulica americana*), and sandhill crane (*Grus canadensis*) and upland game birds such as chucker (*Alectoris chukar*), grouse (*Bonasa*, *Centrocercus*, and *Falci pennis* spp.), gray partridge (*Perdix perdix*), ring-necked pheasant (*Phasianus colchicus*), and wild turkey (*Meleagris gallopavo*).

Fifty-six native fish still inhabit Montana waterways, 17 of which are game fish. Three species of game fish are Federally listed and one is a candidate species (Appendix C). The remaining game fish include the burbot (*Lota lota*), channel catfish (*Ictalurus punctatus*), interior redband trout (*Oncorhynchus mykiss gairdneri*), lake trout (*Salvelinus namaycush*), lake whitefish (*Coregonus clupeaformis*), mountain whitefish (*Prosopium williamsoni*), northern pike (*Esox lucius*), paddlefish (*Polyodon spathula*), pygmy whitefish (*Prosopium coulterii*), sauger (*Sander canadensis*), shovelnose sturgeon (*Scaphirhynchus platyrhynchus*), Westslope cutthroat trout (*Oncorhynchus clarkii lewisi*), and Yellowstone cutthroat trout (*Oncorhynchus clarkii bouvieri*) (MFWP No Date [e]).

Hunting, trapping and fishing in Montana is regulated by MFWP to assure conservation and enhancement of the resources, while providing for maximum enjoyment. Montana Code Annotated (MCA), Title 87 contains the laws governing the organization and operation of the Department and MFWP Commission, and provides the laws governing hunting, trapping and



fishing opportunities administration. Detailed regulations are set forth in the Administrative Rules of Montana; these are enacted and enforced by State departments and commissions under processes outlined in State law (MFWP No Date [f]).

### **3.1.1.3 Protected Species**

Federal and State listed species are protected at the Federal level by the ESA and at the State level by Montana Statue 87-5-101-132. In Montana, nine wildlife species and three plant species are considered endangered or threatened by the USFWS in accordance with the ESA (USFWS 2011a) (Appendix C). Montana also has six candidate species for Federal protection and three species with designated critical habitat within the State. Montana Statue 87-5-101-132 only considers wildlife species and closely follows the federally listed species.

MFWP has identified additional species of greatest conservation need (SGCN) in the Montana Comprehensive Fish and Wildlife Conservation Strategy. Those species identified with the greatest conservation need (Tier I) are in habitats that must be enhanced or prevented from further decline (MFWP 2006). The MFWP has identified 15 species as Tier I SGCN (Appendix C).

### **3.1.2 Environmental Consequences**

Impacts to biological resources would be considered significant if implementation of an action or program resulted in reducing plant or wildlife populations to a level of concern, removing land with unique vegetation characteristics, or “take” of a protected species or critical habitat as defined by the ESA.

#### **3.1.2.1 Vegetation**

##### Proposed Action Alternative

Under the Proposed Action Alternative, MFWP would use VPA-HIP funds to enroll an additional 12,000 acres in the *Open Fields for Game Bird Hunters* component, primarily focusing on parcels of CRP or CREP lands having high quality upland game bird habitat. Additionally, about 180,000 acres of private land that is within 20 miles of cities and towns would also be enrolled in the *Reconnecting Town and Country* component for hunting, and in some cases, fishing and wildlife viewing in high priority areas.

Allowing access to private lands for outdoor recreational activities such as hunting or fishing under the Proposed Action is not likely to have long-term, negative impact on vegetation. All land would be evaluated for its sustainability for recreational activities and habitat management plans developed that would minimize potential adverse impacts from increased visitation. Enrolling land in the Block Management Program under the Proposed Action would benefit vegetative communities by maintaining suitable hunting habitat and precluding their conversion into another incompatible use. For lands enrolled in CRP or CREP that would also be enrolled in the Block Management Program, FSA would consult the previously completed site-specific environmental evaluation and proposed new activities evaluated for potential impacts in

accordance with 1-EQ. Existing CRP or CREP Conservation Plans would be modified by USDA to include approved Block Management Program activities as detailed in the recreational access plan. There would be no significant negative impacts to vegetation under the Proposed Action.

#### No Action Alternative

Under the No Action Alternative, VPA-HIP grant funds would not be used to increase the acreage enrolled in the Block Management Program for hunting, fishing and other outdoor recreational activities. As such, the long-term positive impacts to vegetation associated with maintaining wildlife habitat would not be realized.

### **3.1.2.2 Wildlife**

#### Proposed Action Alternative

Under the Proposed Action Alternative, the *Open Fields for Game Bird Hunters* component would expand opportunities for upland game bird hunting. Wildlife biologists would evaluate lands offered for enrollment to ensure they have appropriate habitat and can sustain hunting activities. Priority would be given to those lands with high intrinsic habitat values and that are enrolled in conservation programs such as CRP and CREP. Access to lands enrolled in this component would be walk-in only. The *Reconnecting Town and Country* component would pay landowners access fees for allowing public access to their property for hunting, fishing, and wildlife watching activities. Access to this land would be by existing roads and trails. MFWP hunting specialists, wildlife biologists, and game wardens would review applications for enrollment for recreational opportunities offered, habitat type and condition, and rank each prospective enrollment based on habitat evaluation criteria (Appendix B). Under the Proposed Action Alternative, land would be enrolled in either 5 to 15 year contracts for *Open Fields for Game Bird Hunters* or 1 to 5 year contracts for *Reconnecting Town and Country*. Enrolling private land in the Block Management Program would benefit wildlife communities by maintaining suitable habitat and precluding habitat conversion into another incompatible use.

Prior to enrollment, representatives from MFWP would visit each site to ensure that lands enrolled have the appropriate wildlife habitat to support proposed hunting, fishing, or wildlife viewing. Block Management Program staff would work with regional wildlife managers and biologists to ensure enrollment of lands would meet regional wildlife management needs. For lands enrolled in CRP or CREP that would also be enrolled in the Block Management Program, USDA would consult the previously completed site-specific environmental evaluation and evaluate proposed new activities for potential impacts in accordance with 1-EQ. Existing CRP or CREP Conservation Plans would be modified to include approved Block Management Program activities as detailed in the recreational access plan. For those lands without a CRP or CREP environmental evaluation, MFWP would evaluate the land for its sustainability for recreational activities to minimize the potential for adverse impacts from increased visitation. Allowing access to private lands for outdoor recreational activities such as hunting or walk-in fishing under the Proposed Action may increase the potential for impacting game species.

However it would not likely have long-term, negative impact on wildlife or game species populations because lands proposed for enrollment would be evaluated for their ability to support the anticipated uses under the Block Management Program, and these activities would be conducted in accordance with Montana State fish and game laws. Further, bag and creel limits, which are established through analysis of wildlife population trend data and harvest numbers, would continue to be managed through the sales of State licenses. There would be no significant negative impacts to wildlife under the Proposed Action.

#### No Action Alternative

Under the No Action Alternative, VPA-HIP grant funds would not be used for expanding the Block Management Program to increase access to private lands for hunting, fishing and other outdoor recreational activities in the State. As a result, the long-term positive benefits to wildlife gained from maintaining wildlife habitat would not be realized.

### **3.1.2.3 Protected Species**

#### Proposed Action Alternative

Under the Proposed Action Alternative, Montana would use VPA-HIP funds to expand the Block Management Program. Funds would be used to increase public access for upland game bird hunting and to expand the amount of land accessible to the public near cities and towns for hunting, and in some priority cases, fishing and wildlife-viewing opportunities. This would open more private land in Montana to outdoor recreational activities, which in turn ensures that land is maintained as natural habitat. Federal and State laws prohibit many activities that would disturb or kill protected species. Since those wildlife species that are State listed are also federally listed, the hunting of these species is not authorized (Appendix C). Fishing for the threatened bull trout is allowed, but locations and limits are strictly controlled by State licensing requirements. Both the endangered pallid sturgeon and white sturgeon cannot be fished.

A site-specific evaluation prior to enrollment of land into the Block Management Program would identify the potential for Federal or State protected species, candidate species, or critical habitat. For lands enrolled in CRP or CREP, USDA would consult the previously completed site-specific environmental evaluation prior to enrollment in the Block Management Program. If TES would likely be present, MFWP personnel would consult with the USFWS. If any negative impacts are identified from the proposed recreational activity that cannot be alleviated, it is not likely that the proposed activity would be approved. Enrolling land in the Block Management Program under the Proposed Action would benefit protected species by maintaining suitable habitat and preclude conversion into another incompatible use. There would be no significant negative impacts to protected species and their associated habitats under the Proposed Action.

#### No Action Alternative

Under the No Action Alternative, VPA-HIP grant funds would not be used for the expansion of the Block Management Program to increase the amount of private land that is accessible to the



public for outdoor recreation. As a result, protected species would not benefit from the long-term positive impacts associated with maintaining wildlife habitat.

## **3.2 Recreation**

Outdoor recreation generally includes leisure pursuits engaged in outside, especially in natural or semi-natural settings out of town. Popular outdoor activities in Montana include pleasure walking, fishing, hunting, golf, camping and horseback riding (MFWP 2008). This PEA is limited to recreation activities that would be affected by implementation of the Proposed Action. The primary activities included would be hunting, fishing and wildlife observation.

### **3.2.1 Affected Environment**

National and state-by-state demand for outdoor recreation activities is assessed every five years by the USFWS and U.S. Census Bureau (USCB). The survey collects information on the number of anglers, hunters, and wildlife watchers and how often they participate in these activities in the United States (USFWS/USCB 2008a). The 2006 Survey found that approximately a million Montana residents and nonresidents older than 16 participated in fishing, hunting, or wildlife watching activities. It was estimated that 0.5 million persons either fished, hunted, or both, and that 0.8 million persons took part in wildlife watching activities. More than 40% of Montanans responding to the survey engaged in bird watching, the highest rate in the nation (USFWS/USCB 2008a,b). Surveys conducted by MFWP indicate the recreation issues of greatest concern to Montana residents are inadequate access and poor recreational facility conditions (MFWP 2008). Nearly 35 million acres in Montana are public land, of which most are National Forest lands, followed in acreage held by the Bureau of Land Management, and State Trust lands (MFWP No Date[g]). Hunting access is also provided by certain tribal lands, Federal wildlife refuges and waterfowl production areas, State wildlife refuges, and State game bird habitat areas (MFWP No Date[g]).

More recently, the MFWP (2010a) reported on hunter days afield by game class and angler days per rivers and lakes (Tables 3-2 and 3-3), finding residents and nonresidents spent a total of 2,653,707 days afield hunting and 2,374,738 days fishing in Montana in 2010. MFWP estimates 85,000 people hunted Block Management Area (BMA) lands in 2009, totaling 460,000 hunter days (MFWP 2010b). They found the average hunter spent 10 field days a year on four to five BMAs. Respondents to their survey indicated 92 percent of landowners and 85 percent of hunters were “satisfied or very satisfied” with the program, and that private landowner and hunter relations were noticeably improved by it (MFWP 2010b). Big game species in Montana include moose, bison, bighorn sheep, mountain goat, elk, mule deer, white-tailed deer, and antelope while upland game bird species found are pheasant, sharp-tailed grouse, sage grouse, gray partridge, and mountain grouse. Migratory waterfowl include a wide list of species, including ground nesting species such as gadwall, American wigeon, mallard, blue-winged teal, northern shoveler, northern pintail, green-winged teal, canvasback, redhead, lesser scaup, Canada

**Table 3-2. Hunter Days Afield - 2009**

	<b>Elk</b>	<b>Deer</b>	<b>Antelope</b>	<b>Upland Bird</b>
<b>Residents</b>	852,952	1,031,493	85,944	307,565
<b>Nonresidents</b>	117,960	166,377	24,676	66,740
<b>Total</b>	970,912	1,197,870	110,620	374,305

Source: MFWP 2010a

**Table 3-3. Angler Days - 2009**

	<b>Rivers</b>	<b>Lakes</b>
<b>Residents</b>	838,780	824,072
<b>Nonresidents</b>	556,130	155,756
<b>Total</b>	1,394,910	979,828

Source: MFWP 2010a

geese, tundra swan, and others. In Montana, migratory bird hunting season opens for both resident and nonresident hunters at the same time. Small game species include rabbits and squirrels.

Consumptive outdoor recreation (hunting and fishing) is regulated by the MFWP and State licenses are required to fish or hunt within Montana. Before a hunting or fishing license can be purchased, the State requires resident and nonresident applicants to acquire a Conservation License and a Hunting Access Enhancement for the first annual hunt (MFWP 2012). The Conservation License includes the State lands license (for hunting, fishing and trapping) and allows a resident or nonresident who is a Legion of Valor member, regardless of age, to fish. Residents 12-14 years of age and 62 or older need only a Conservation License to fish and to hunt migratory birds and upland game birds, excluding turkey. A Federal waterfowl stamp is also required for individuals (both resident and nonresident) 16 and older.

### **3.2.2 Environmental Consequences**

Impacts to recreation would be considered significant if they severely reduced, increased, or removed the amount of land available for public recreation or significantly degraded the quality of the recreational experience in Montana. Impacts to environmental conditions such as air, water, or biological resources within or near public recreational land in such a way to affect its use would also be considered significant.

### **3.2.2.1 Proposed Action Alternative**

The Proposed Action Alternative has the potential to provide substantial beneficial impacts to recreational resources in Montana. Although the grant funds would be dispensed over a 3-year period, the proposed contract periods would extend between 5 to 15 years. This alternative is expected to ensure availability of approximately 12,000 acres of additional private land each year for upland game bird hunting and 180,000 acres for primarily hunting, as well as angling and wildlife viewing in high priority areas, on lands within 20 miles of select population centers statewide. Some of the private lands enrolled would also provide access to previously inaccessible public lands valuable for recreation. Additionally, the Proposed Action Alternative would make information about these new recreational opportunities easily available to the public by publishing the *Block Management Hunting Access Guides and Upland Game Bird Enhancement Program Projects Access Guide*, presented by MFWP's web-based Block Management Mapping System and web-based Hunt Planner, and advertised in public notices using radio, newspaper, and magazine outreach. Recreational values of the enrolled lands in the *Open Fields Game Bird Hunters* and *Reconnecting Town and Country* ventures would be preserved by qualified MFWP personnel conducting site visits and implementing standard procedures for evaluating the habitat quality of land proposed for enrollment, and its ability to sustain the proposed activities. Each landowner contract would be monitored annually for compliance.

### **3.2.2.2 No Action Alternative**

Under the No Action Alternative, the Block Management Program would continue as currently administered. Additional USDA VPA-HIP grant funds would not be used to expand upland game bird hunting opportunities or wildlife dependent recreational access to private lands near population centers. No change to existing recreational resources would occur under this alternative, and the benefits gained from ensuring access to nearly 200,000 additional acres of private land for recreation would not be realized.

## **3.3 Socioeconomics**

Socioeconomic analyses generally include detailed investigations of the prevailing population, income, employment, and housing conditions of a community or Region of Influence (ROI). The socioeconomic conditions of a ROI could be affected by changes in the rate of population growth, changes in the demographic characteristics of a ROI, or changes in employment within the ROI caused by the implementation of the Proposed Action.

Socioeconomic resources examined in this document include statewide population, demographics, and income characteristics of Montana, and recreation economics of the State.

### **3.3.1 Affected Environment**

#### **3.3.1.1 Population and Demographics**

The 2010 Census data indicates Montana increased in population from about 902,200 in 2000 to over 989,400 in 2010, a growth of 8.8 percent (USCB 2012a). According to the U.S. Census Bureau, 50.2 percent of the persons living in Montana in 2010 were male and 49.8 percent female, and the median age was 39.8 years (USCB 2012a). In 2010, the USDA Economic Research Service (ERS) estimated 640,739 lived in rural Montana and 348,676 lived in urban areas of the State (ERS 2012).

#### **3.3.1.2 Employment and Income**

The median household income (MHI) of Montanans in 2010 was \$42,666, below the U.S. MHI of \$50,046 (USCB 2012a). In 2010, per capita income of Montanans was \$35,068, an increase of 3.9 percent over 2009 (BEA 2012). The average net farm income for the State was \$697,657 in 2010 (ERS 2012). Montana's 2010 gross domestic product was approximately \$36.1 billion, which ranked 48th in the nation (BEA 2012).

In 2009, approximately 391,034 jobs were rural and 234,482 jobs were urban in the State (ERS 2012). In 2010, there were about 29,400 farms in Montana, employing approximately 60,000 farmers (ERS 2012). Out of 623,631 persons employed in the State in 2010, 23,900 were non-corporate farm operators and 28,752 employees were involved in direct agricultural production (BEA 2011).

#### **3.3.1.3 Recreation Economy**

In 2010, fishing and hunting contributed approximately \$528 million to Montana's economy from trip-related expenses (e.g., food, lodging, transportation) (MFWP 2011). The *2006 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation* found that about \$205 million was spent on fishing and hunting equipment in Montana in 2006 (USFWS and USCB 2008a). The addendum to the 2006 national survey, *Wildlife Watching in the U.S.: The Economic Impacts on National and State Economies in 2006*, found that trip-related and equipment expenses for wildlife watching in Montana contributed over \$628 million to the State economy (USFWS and USCB 2008b). Outdoor recreation totaled 7.5 percent of Montana's gross domestic product in 2006 (Outdoor Industry 2012). Travel expenditures are greatest around Yellowstone and Glacier National Parks, but throughout the west and central front regions of the State, non-resident expenditures are significant (MFWP 2004).

For every dollar MFWP invests in fish and wildlife programs activities, an average of \$14.75 is spent by those taking advantage of these programs (MFWP No Date [h]).

### **3.3.2 Environmental Consequences**

A significant impact to socioeconomic conditions can be defined as a change that is outside the normal or anticipated range of those conditions that would flow through the remainder of the economy and community, creating substantial adverse effects in housing, employment,

demographic trends, and business sectors. Generally, small percentage changes in individual attributes would not likely result in significant impacts at the county-level of analysis. Changes to the statewide or national economy of greater than agriculture's normal contribution could be considered significant, as this could affect the general economic climate of other industries on a much greater scale.

Additional changes in demographic trends such as population movements would be considered significant if a substantial percentage of the population were to enter or leave a particular area based on the changing economic conditions associated with the alternatives analyzed, rather than unrelated projected changes or changes generated by economic activities as a whole.

### **3.3.2.1 Proposed Action Alternative**

Under the Proposed Action, a total of \$1,038,363 in VPA-HIP grant funds would be expended over the three-year grant period (\$373,811 in the first year and \$332,276 in both the second and third year). Grant funds would be supplemented by an additional \$1,134,000 from State sources for a total of \$2,172,363 in projected expenditures. The program would negotiate Block management agreements with access payments expected to average \$5.00 per acre per year for the *Open Fields for Game Bird Hunters* component and \$11.00 per user day for the *Reconnecting town and Country* component. Approximately \$420,000 of VPA-HIP funds would be used to provide access payments to landowners who enroll in the *Open Fields for Game Bird Hunters* component and about \$405,000 would be used for *Reconnecting Town and Country* enrollment. An additional \$15,000 would be used to provide signage for land enrolled in both programs.

There would be modest economic benefit to both the State and local economies as a result of increased access to private lands from an expanded Block Management Program under the Proposed Action Alternative. Additional access to lands for outdoor recreational activities would potentially increase sales of hunting, fishing and other outdoor equipment, as well as trip expenditures from traveling outdoor recreationists such as lodging, restaurants and the purchase of fuel. Based on this calculus, a combined investment of VPA-HIP and State funds of nearly \$2.2 million may see a return on investment of approximately \$32.4 million. There would also be increased revenue for the State from the increased purchase of hunting and fishing permits, and from the taxes collected on the retail sales of outdoor gear, lodging and restaurants. Providing new access to privately-held lands would also attract more out of state recreationists, benefiting the local and statewide economies. Implementation of the Proposed Action Alternative is expected to have long-term socioeconomic benefits for employment and income, with no associated negative effects such as large population movements.

### **3.3.2.2 No Action Alternative**

If VPA-HIP funding was not utilized, the Block Management Program would continue to be funded from the sale of resident and nonresident hunting access enhancement fees, nonresident upland game bird licenses, nonresident combination deer/elk licenses, and chances sold in the

Supertag license lottery. The Block Management Program may not be expanded to include additional acreage for upland game bird hunting or access near cities and towns for hunting, fishing and wildlife viewing. No additional local or statewide economic benefits associated with the Block Management Program and increased outdoor recreation would occur.

### **3.4 Environmental Justice**

Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations requires Federal agencies to consider as a part of their action, any disproportionately highly adverse human health or environmental effects to minority and low-income populations. Agencies are required to ensure these potential effects are identified and addressed.

The FSA defines environmental justice as “the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies” (FSA 2011b). In this context, fair treatment means that no group of people should bear a disproportionate share of negative environmental consequences resulting from a Federal action.

Consideration of the potential consequences of the Proposed Action for environmental justice requires three main components:

- A demographic assessment of the affected community to identify the presence of minority or low-income populations that may be potentially affected;
- An integrated assessment of all potential impacts identified to determine if any result in a disproportionately highly adverse impact to these groups; and
- Involvement of the affected communities in the decision-making process and the formation of any mitigation strategies.

The FSA’s guidance issued in 1-EQ [Rev. 2] defines a minority population by race, ethnicity, or a combination of these two classifications such that a minority population can be described as being composed of the following population groups, singly or in combination, exceeding 50 percent of the population in an area:

- American Indian or Alaskan Native
- Asian or Pacific Islander
- Black
- Hispanic

Each year the USCB defines the national poverty thresholds, which are measured in terms of household income dependent upon the number of persons within a household (USCB 2011a). If a family’s total income is below the threshold, individual family members are considered in poverty. Family income, before taxes, not including capital gains or non-cash benefits (e.g., public housing, Medicaid, food stamps) is used to define poverty.

### 3.4.1 Affected Environment

The 2010 Census population data indicates approximately 11.8 percent of the population in Montana were minorities (Table 3-4). The populations of all races increased from 2000 to 2010 (USCB 2012a).

The poverty threshold established in 2010 by the USCB was \$22,113 for a family of four with two children under the age of 18 years (USCB 2012b). Nationally, the 2010 poverty rate was 15.1 percent, an increase from the 2009 rate of 14.3 percent (USCB 2011b). In 2010, the poverty rate in Montana was 14.6 percent, decreasing from the 2009 rate of 15.5 percent (USCB 2012a). Of the population living in urban and rural areas of Montana, 15.8 and 13.4 percent lived below the poverty level, respectively (USCB 2012a).

**Table 3-4. 2010 Montana Demographics**

<b>Race</b>	<b>Total</b>	<b>Population (Percent)</b>	<b>Change 2000 – 2010 (Percent)</b>
Total Population	989,415	100	8.8
White Alone	884,961	89.4	7.7
Black or African American Alone	4,027	0.4	33.2
American Indian and Alaskan Native Alone	62,555	6.3	10.4
Asian Alone	6,253	0.6	25.0
Native Hawaiian and other Pacific Islander Alone	668	0.1	29.6
Some Other Race Alone	5,975	0.6	11.0
Two or More Races	24,976	2.5	37.0
Hispanic or Latino (of any race)	28,565	2.9	36.7

Source: USCB 2012a

### 3.4.2 Environmental Consequences

Environmental justice is achieved when everyone, regardless of race, culture, or income, enjoys the same degree of protection from environmental and health hazards and has equal access to the decision-making process. Significant environmental justice impacts would result if access to decision-making documents were denied or if any adverse environmental effects occurred from an action that would disproportionately and highly adversely affect minority or low-income populations.



**3.4.2.1 Proposed Action Alternative**

Under the Proposed Action Alternative, no highly adverse disproportionate impacts to environmental justice populations would occur. Under Title VI of the 1964 Civil Rights Act, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and Title IX of the Education Amendments of 1972, the USDA prohibits discrimination on the basis of race, color, religion, national origin, age, sex, or disability.

Entry into the expanded Block Management Program would be voluntary and its scale would be statewide. Minority and low income populations would have equal access to participate in the program if their land meets the eligibility criteria of suitable habitat and recreational value. Enrolled participants in the Block Management Program must grant equal access to all sportspersons with a valid hunting and/or fishing license, or wildlife watchers, based on their agreement to wave liability and conform to posted use conditions.

**3.4.2.2 No Action Alternative**

Under the No Action Alternative, VPA-HIP funding would not be used for expanding the Block Management Program. Other programs offering recreational opportunities administered by MFWP, including the current Block Management Program, would continue as currently implemented, with no changed conditions that may affect environmental justice populations.



## **4.0 CUMULATIVE EFFECTS**

### **4.1 Introduction**

The CEQ regulations stipulate that the cumulative effects analysis within a PEA should consider the potential environmental impacts resulting from the incremental impacts of the action when added to other past, present and reasonably foreseeable actions, regardless of what agency or person undertakes such other actions. The CEQ guidance in Considering Cumulative Effects affirms this requirement, stating that the first steps in assessing cumulative effects involve defining the scope of the other actions and their interrelationship with the Proposed Action. The scope must consider geographic and temporal overlaps affected by the Proposed Action and other programs or projects. It must also evaluate the nature of interactions among these actions.

Cumulative effects most likely arise when a relationship exists between a Proposed Action and other actions expected to occur in a similar location or during a similar time period. Actions overlapping with or in proximity to the Proposed Action would be expected to have more potential for a relationship than those more geographically separated. Similarly, actions that coincide, even partially, in time tend to have potential for cumulative effects.

### **4.2 Past, Present, and Reasonably Foreseeable Actions**

In this PEA, the affected environment for consideration of direct and indirect impacts includes the entire State of Montana where landowners of private lands are eligible to enter into Block Management Program agreements with the State. For the purposes of this analysis, the goals and plans of Federal and State of Montana programs designed to provide incentives for public recreation access to private lands and those that mitigate the risks of degradation of natural resources on private lands are the primary sources of information used in identifying past, present, and reasonably foreseeable actions. In addition to VPA-HIP grant funds, the State of Montana maintains and implements numerous Federal programs authorized under the Farm Bill to conserve and enhance the natural resources of the State. These programs include, but are not limited to Wildlife Habitat Incentive Program (WHIP), Environmental Quality Incentives Program (EQIP), Wetlands Reserve Program (WRP), Grassland Reserve Program (GRP) and the Conservation Stewardship Program (CSP). Other Federal programs are sponsored by the USFWS and NRCS such as Partners for Fish and Wildlife and Wetlands Reserve Enhancement Program (WREP) (Table 4-1).

#### **4.2.1 Cumulative Effects Matrix**

The incremental contribution of impacts of the Proposed Action, when considered in combination with other past, present, and reasonably foreseeable actions, are expected to add positively to the long-term cumulative impacts to biological, recreation, and socioeconomic resources, and environmental justice populations from the proposed use of VPA-HIP grant funds for the expansion of the Block Management Program. Past, present, and reasonably foreseeable actions are considered generally for each resource included within Section 3.0 of this PEA and are presented in Table 4-2.

**Table 4-1. Federal and State Conservation Assistance Programs**

<b>Program</b>	<b>Summary</b>
Partners for Fish and Wildlife (USFWS)	The primary purpose of this program in Montana is working with others to restore wetland and riparian habitat, restore native prairie habitat, and other threatened ecosystems and imperiled watersheds. The program targets landscapes that will maximize benefits and create large blocks of habitat to offset the pressure from development. The Partners Program works with landowners to develop trust and credibility to achieve program goals. Available data are used to determine habitat degradation and species use to prioritize restoration efforts.
Wetlands Reserve Enhancement Program (NRCS)	The Wetlands Reserve Enhancement Program (WREP) is a pilot project to conserve wetlands in order to preserve habitat for fish and wildlife, improve water quality, reduce flooding, recharge groundwater, and protect biodiversity, while the landowner maintains grazing rights. Montana's program focuses on restoration and enhancement of wetlands, riparian and upland habitat and improved habitat for migratory birds and TES.
Future Fisheries Improvement Program (MFWP)	This program is a cooperative effort between MFWP, landowners and other partners for projects such as the restoration of stream banks and natural stream channels, improvement of stream flow, the prevention of fish losses into diversions, improvement of fish passages, and enhancement of fish spawning. Landowners and project partners share project costs.
Habitat Montana (MFWP)	Under this program, MFWP offers incentives to landowners to conserve habitat on private land, including through the purchase of a conservation easement. Funding is provided for protecting seriously threatened habitat and providing recreational opportunities. In addition to incentive payments, landowners may also be eligible for tax benefits.
Montana Fishing Access Site Program (MFWP)	Landowners with land that is suitably located may receive incentive payments for providing public fishing access. Lands may be purchased or leased. The goal of the program is to acquire sites that are within a four-hour float to another access point on Montana's larger rivers and to increase fishing access to smaller streams.
Montana Wetlands Legacy Program (MFWP)	Under this program, landowners develop projects to protect, conserve and develop wetlands on their property. Landowners may be eligible for direct funding for project, materials or construction work and/or may receive technical assistance in locating funding sources.
Upland Game Bird Habitat Enhancement Program (MFWP)	Landowners can apply to enroll in a cost-share program to develop, enhance, and conserve upland game bird habitat provided the land remains accessible for reasonable public hunting. Up to 75 percent of projects costs may be reimbursed under the program.

Sources: MFWP No Date[i]; MFWP 2009; USFWS 2011b

**Table 4-2. Cumulative Effects Matrix**

<b>Resource</b>	<b>Past and Present Actions</b>	<b>Proposed Action</b>	<b>Future Actions</b>	<b>Cumulative Effects</b>
Biological Resources	Positive impacts to vegetation, wildlife and protected species would result from past and present actions as an outcome of maintaining suitable wildlife habitat under other State and Federal programs for conservation of private lands. However, the added benefits of expanding the Block Management Program statewide would not occur.	Under the Proposed Action, positive impacts to vegetation, wildlife and protected species would occur as a result of an increased amount of private lands being maintained as suitable wildlife habitat. While the amount of accessible public and private land, and the number of persons using it would increase, bag and creel limits would continue to be managed through MFWP hunting and fishing licensing and permitting requirements.	Continued enrollment of private lands in the Block Management Program is likely to have positive impacts on vegetation, wildlife and protected species from maintaining suitable wildlife habitat.	Long-term positive impacts to biological resources would occur from the Proposed Action and other known and reasonably foreseeable actions.
Recreation	Positive impacts to recreation would result from past and present actions. The lands made available under the current Block Management Program would positively impact recreational activities such as hunting, fishing, and wildlife-viewing activities.	Under the Proposed Action, long-term positive impacts to outdoor recreational activities are expected from expansion of the Block Management Program by increasing opportunities for hunting, and fishing and wildlife viewing activities in high priority areas. The majority of land in Montana is	Continued enrollment of private lands in the Block Management Program is likely to have positive impacts on recreational activities similar to those described for the Proposed Action.	Long-term positive impacts to recreation would occur from the Proposed Action and other known and reasonably foreseeable actions.

**Table 4 2. Cumulative Effects Matrix (cont'd)**

<b>Resource</b>	<b>Past and Present Actions</b>	<b>Proposed Action</b>	<b>Future Actions</b>	<b>Cumulative Effects</b>
Recreation (cont'd)	However, the goals of expanding the Block Management Program to add additional access for upland game bird hunting and increased hunting, fishing and wildlife-viewing opportunities near cities and towns would not be realized.	privately held, and public recreation lands, especially near major urban centers, cannot support the demand for outdoor recreation in the State.		
Socioeconomics	Past and present programs that offer monetary compensation to private landowners for allowing recreational access to public and private lands would continue. However, the modest economic benefit to local and statewide outdoor recreational-related retail economies from expansion of the Block Management Program would not occur.	A modest economic benefit to both local and statewide economies would occur under the Proposed Action from the expansion of the Block Management Program. The availability of additional private lands for public outdoor recreational use would potentially increase expenditures for such things as equipment, lodging and food, providing economic benefit to local and State economies. Access to additional lands may also attract out of state recreationists, further benefitting local and	Continued enrollment of private lands in the Block Management Program would likely have positive impacts to socioeconomics as described for the Proposed Action.	Positive, long-term direct and indirect cumulative impacts to local economics are expected to result from the Proposed Action, along with past, present, and future actions.

**Table 4 2. Cumulative Effects Matrix (cont'd)**

<b>Resource</b>	<b>Past and Present Actions</b>	<b>Proposed Action</b>	<b>Future Actions</b>	<b>Cumulative Effects</b>
		statewide economies.		
Environmental Justice	No highly adverse disproportionate impacts to environmental justice populations would occur under past and present actions. The Block Management Program would continue to provide equal public access to private lands for outdoor recreation and equal opportunity for landowners with eligible lands to participate.	As with past and present actions, no highly adverse disproportionate impacts to environmental justice populations would occur under the Proposed Action. Providing public recreation opportunities on private lands would benefit environmental justice populations as well as the public at large. Low income or minority landowners with lands eligible for the program would have equal opportunity to participate in the expanded Block Management Program.	Continued enrollment of private lands in the Block Management Program would likely have positive impacts to environmental justice similar to those described in past and present actions.	Positive, long-term direct and indirect cumulative impacts to environmental justice populations would result from the Proposed Action, along with past, present, and future actions.

### **4.3 Irreversible and Irretrievable Commitment of Resources**

NEPA requires that environmental analysis include identification of any irreversible and irretrievable commitments of resources which would be involved in the Proposed Action should it be implemented. Irreversible and irretrievable resource commitments are related to the use of nonrenewable resources and the effects that the use of these resources has on future generations. Irreversible effects primarily result from the use or destruction of a specific resource that cannot be replaced within a reasonable time frame. Irretrievable resource commitments involve the loss in value of an affected resource that cannot be restored as a result of the action. For the Proposed Action, no irreversible or irretrievable resource commitments would result.

## **5.0 MITIGATION**

### **5.1 Introduction**

The purpose of mitigation is to avoid, minimize, or eliminate negative impacts on affected resources. CEQ regulations (40 CFR §1508.20) state that mitigation includes:

- Avoiding the impact altogether by not taking a certain action or parts of an action;
- Minimizing impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
- Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action; and
- Compensating for the impact by replacing or providing substitute resources or environments.

### **5.2 Roles and Responsibility**

CEQ regulations state that all relevant reasonable mitigation measures that could improve a project should be identified, even if they are outside the jurisdiction of the lead agency or cooperating agencies. This serves to alert agencies or officials who can implement these extra measures, and will encourage them to do so. The lead agency for this Proposed Action Alternative is FSA.

### **5.3 Mitigation**

There are no expected major negative impacts associated with utilizing VPA-HIP grant funds for the expansion of the Block Management Program. Under the Proposed Action, no ground disturbing activities would occur. Lands enrolled in CRP and CREP have already been evaluated for potential effects to TES, wetlands, and historic properties in accordance with 1-EQ, and in many instances CPs have already been installed. In these instances, the Conservation Plan would be re-evaluated by USDA prior to enrollment of CRP or CREP lands in the Block Management Program and would be modified to include approved Block Management Program activities accordingly. In those site-specific instances where a wetland, threatened or endangered species, or a cultural resource may be present, consultation with the appropriate lead regulatory agency would identify the potential severity of the impact and devise measures required to eliminate or reduce the negative impacts to those sensitive resources.

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Name and Title	Address
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**APPENDIX A**

**Enrollment Evaluation Form**

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**2012 VPA-HIP ASSESSMENT FORM**

Landowner Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

Tract #(s): \_\_\_\_\_ Total number of Acres: \_\_\_\_\_

Legal description: T: \_\_\_\_\_, R: \_\_\_\_\_, Section: \_\_\_\_\_, Q-Sec: \_\_\_\_\_

Tract #(s): \_\_\_\_\_ Total number of Acres: \_\_\_\_\_

Legal description: T: \_\_\_\_\_, R: \_\_\_\_\_, Section: \_\_\_\_\_, Q-Sec: \_\_\_\_\_

Tract #(s): \_\_\_\_\_ Total number of Acres: \_\_\_\_\_

Legal description: T: \_\_\_\_\_, R: \_\_\_\_\_, Section: \_\_\_\_\_, Q-Sec: \_\_\_\_\_

- 1. Roads/Accessibility: Can hunters access this property? If no, assess no further and drop the project.  
If property is accessible, rank access quality (1.0 = excellent; 0.75 = good; 0.5 = fair).**

**Score:** \_\_\_\_\_

Comment: \_\_\_\_\_

- 2. Percent of Assessment Area that is in Winter Cover (trees, brush, shelterbelts, cattails/bulrushes). Select 1 score.**

**Possible Score**

10 to 20% (excellent)	1.0
5 to <10% (good/fair)	0.5
<5% (poor)	0.0

**Score:** \_\_\_\_\_

Comment: \_\_\_\_\_

- 3. Percent of Assessment Area that provides a food source. Select 1 score. Add 1 point if landowner has annual food plots. (Total possible points = 2).**

**Possible Score**

10 to 25%	1.0
5 to <10% or >25 to 80%	0.5
<5% or >80% (to avoid "postage stamp" projects)	0.0

**Score:** \_\_\_\_\_

Comment: \_\_\_\_\_

4. Does the proposed project area also contain other valuable habitat components, such as cattail sloughs, brushy draws, riparian habitats, or wetlands? ☐ No ☐ Yes Score (Yes = 1, No = 0)

Score: \_\_\_\_\_

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5. Give a general assessment of the proposed project area. From a hunter's perspective, what is the potential for a quality hunting experience? Please indicate if the proposed project area is in close proximity to lands already open to public hunting, thus expanding hunting opportunities. Do you endorse this project for VPA-HIP funding? Score up to 5 possible points (5 = excellent candidate for the program).

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Score: \_\_\_\_\_

Are threatened and endangered species or cultural resources found onsite?

☐ YES ☐ No

Comment: \_\_\_\_\_

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Scores: 1: \_\_\_\_\_; 2: \_\_\_\_\_; 3: \_\_\_\_\_; 4: \_\_\_\_\_  
5: \_\_\_\_\_

TOTAL: \_\_\_\_\_ (Best Score = 10)

Estimated Hunter-Days: \_\_\_\_\_

Assessment completed by: \_\_\_\_\_

Date: \_\_\_\_\_

## **APPENDIX B**

### **Agency Coordination Letter**

**(See Section 7 for Agencies Contacted List)**

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2713 Magruder Blvd., Suite D • Hampton, VA 23666

Phone: 757-873-3702 • Fax: 757-873-3703

[www.geo-marine.com](http://www.geo-marine.com)

April 12, 2012

To: [See List of Agencies Contacted]

**Re: Final Programmatic Environmental Assessment for the Use of Voluntary Public Access and Habitat Incentive Program Funds for Expanding the Montana Block Management Program**

Dear [See List of Agencies Contacted]:

The United States Department of Agriculture, Farm Service Agency (FSA) on behalf of the Commodity Credit Corporation has prepared a Programmatic Environmental Assessment (PEA) to assess the impacts of using Voluntary Public Access and Habitat Incentive Program (VPA-HIP) grant funds for the expansion of the Montana Block Management Program. The VPA-HIP is a program authorized by the Food, Conservation, and Energy Act of 2008 that provides grants to States and tribal governments to encourage owners and operators of privately held farm, ranch, and forest land to voluntarily open land for public access for outdoor recreation activities such as hunting, fishing, hiking, wildlife watching, and other outdoor activities. Projects receiving VPA-HIP funds are administered by the State or tribal government that receives the grant.

Montana Fish, Wildlife and Parks (MFWP) proposes to use VPA-HIP grant funds together with other leveraged funds over a three-year period to expand the existing Block Management Program to increase hunting and other wildlife-dependent recreational opportunities throughout the State. The program would include two new ventures: the *Open Fields For Game Bird Hunters* component would expand opportunities for upland game bird hunting by providing per acre incentives to participating landowners, and the *Reconnecting Town and Country* component would pay landowners within 20 miles of certain towns and cities access fees for allowing public access on their property primarily for hunting, but also potentially fishing and wildlife watching activities, if such activities are a high priority in such areas. The VPA-HIP funds would be used to provide incentive payments to eligible private landowners for negotiated agreements, and pay for signage.

An electronic version of the Final PEA for the proposed use of VPA-HIP grant funds for the expansion of the Block Management Program is now located at <http://public.geo-marine.com>. Electronic comments may be posted at this site as well. An electronic copy of the Final PEA can also be reviewed at <http://www.fsa.usda.gov/FSA/webapp?area=home&subject=ecrc&topic=nep-cd>. Written comments regarding this assessment can also be submitted to:

Montana VPA-HIP PEA Comments  
c/o Geo-Marine Incorporated  
2713 Magruder Boulevard, Suite D  
Hampton, Virginia 23666

Or emailed to [MontanaPEA@geo-marine.com](mailto:MontanaPEA@geo-marine.com)

Or faxed to (757) 873-3703

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Montana VPA-HIP PEA  
April 12, 2012  
Page 2

Please submit all comments by May 13, 2012. Thank you in advance for your input; it will greatly assist FSA and the MFWP in their planning.

Respectfully,

Brian E. Bishop, NEPA Project Manager

Cc: Amy Braun, FSA  
Alan Charles, MFWP

**Engineering and Environmental Services**

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## **APPENDIX C**

### **Protected Species and Species of Greatest Conservation Need in Montana**

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**Federal and State Listed Threatened and Endangered, and Candidate Species in Montana**

<b>Common Name</b>	<b>Scientific Name</b>	<b>State Status<sup>1</sup><sub>2</sub></b>	<b>Federal Status<sup>2</sup></b>	<b>Range - Montana</b>
Black-footed Ferret	<i>Mustela nigripes</i>	E	E/XN	Prairie dog complexes; Eastern Montana
Whooping Crane	<i>Grus americana</i>	E	E	Wetlands; migrant eastern Montana
Least Tern	<i>Sterna antillarum</i>	E	E	Yellowstone, Missouri River sandbars, beaches; Eastern Montana
Pallid Sturgeon	<i>Scaphirhynchus albus</i>	E	E	Bottom dwelling; Missouri, Yellowstone Rivers
White Sturgeon (Kootenai River population)	<i>Acipenser transmontanus</i>	E	E	Bottom dwelling; Kootenai River
Grizzly Bear	<i>Ursus arctos horribilis</i>	T	T	Alpine/subalpine coniferous forest; Western Montana.
Piping Plover	<i>Charadrius melodus</i>	T	T CH	Missouri River sandbars, alkali beaches; northeastern Montana Alkali lakes in Sheridan County; riverine and reservoir shoreline in Garfield, McCone, Phillips, Richland, Roosevelt and Valley counties
Water Howellia	<i>Howellia aquatilis</i>	--	T	Wetlands; Swan Valley, Lake and Missoula Counties
Ute Ladies'-tresses	<i>Spiranthes diluvialis</i>	--	T	River meander wetlands; Jefferson, Madison, Beaverhead, Gallatin, Broadwater counties
Bull trout (Columbia River basin and St. Mary - Belly River populations)	<i>Salvelinus confluentus</i>	T	T  CH	Clark Fork, Flathead, Kootenai, St. Mary and Belly river basins; cold water rivers & lakes Portions of rivers, streams, lakes and reservoirs within Deer Lodge, Flathead, Glacier, Granite, Lake, Lewis and Clark, Lincoln, Mineral, Missoula, Powell, Ravalli, Sanders counties

Common Name	Scientific Name	State Status <sup>1</sup> <sub>2</sub>	Federal Status <sup>2</sup>	Range - Montana
Canada lynx (contiguous U.S. population)	<i>Lynx canadensis</i>	T	T CH	Western Montana - montane spruce/fir forest Western Montana - montane spruce/fir forest
Spalding's Campion (or "catchfly")	<i>Silene spaldingii</i>	--	T	Upper Flathead River and Fisher River drainages; Tobacco Valley - open grasslands with rough fescue or bluebunch wheatgrass
Yellow-billed cuckoo (western population)	<i>Coccyzus americanus</i>	--	C	Population west of the Continental Divide; riparian areas with cottonwoods and willows
Greater sage-grouse	<i>Centrocercus urophasianus</i>	--	C	Eastern, central, and southwestern Montana in sagebrush, sagebrush-grasslands, and associated agricultural lands.
Sprague's Pipit	<i>Anthus spragueii</i>	--	C	Grassland habitats with little or no shrub cover east of the Continental Divide
Arctic Grayling (Upper Missouri River DPS <sup>3</sup> )	<i>Thymallus arcticus</i>	--	C	Southwestern Montana; Big Hole River, Mussigbrod Lake, Miner Lake, Madison River/Ennis Reservoir, Red Rock Lakes
Wolverine	<i>Gulo gulo luscus</i>	--	C	High elevation alpine and boreal forests in areas that are cold and receive enough winter precipitation to reliably maintain deep persistent snow late into the warm season
Meltwater Lednian Stonefly	<i>Lednia tumana</i>	--	C	High elevation meltwater streams; Glacier National Park

Source: MFWP No Date; USFWS 2011

1. Montana only considers threatened and endangered wildlife species.

2. E – Endangered; T – Threatened; C – Candidate; XN – Non-essential Experimental Population; CH – Critical Habitat

3. Distinct Population Segment

### Species of Greatest Conservation Need

Common Name	Scientific Name
Pallid Sturgeon	<i>Scaphirhynchus albus</i>
Yellowstone Cutthroat Trout	<i>Oncorhynchus clarkii bouvieri</i>
Westslope Cutthroat Trout	<i>Oncorhynchus clarkii lewisi</i>
Arctic Grayling	<i>Thymallus arcticus</i>
Blue Sucker	<i>Cycleptus elongatus</i>
Burbot	<i>Lota lota</i>
Northern Leopard Frog	<i>Rana pipiens</i>
Spiny Softshell	<i>Apalone spinifera</i>
Trumpeter Swan	<i>Cygnus buccinator</i>
Greater Sage-grouse	<i>Centrocercus urophasianus</i>
Mountain Plover	<i>Charadrius montanus</i>
Burrowing Owl	<i>Athene cunicularia</i>
Black-tailed Prairie Dog	<i>Cynomys ludovicianus</i>
White-tailed Prairie Dog	<i>Cynomys leucurus</i>
Grizzly Bear	<i>Ursus arctos</i>

Source: MFWP 2006

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