Montana Fish, Wildlife & Parks

July 30, 2010

To Whom It May Concern:

Montana Fish, Wildlife & Parks (FWP) invites the public to comment on a proposal to purchase a perpetual conservation easement on the 4,900 acre Moline Ranch currently owned by Chris Moline. The Moline Ranch is located approximately 20 miles east of Geraldine in Chouteau County. The purpose of the proposed easement is to protect significant conservation values that exist on the Ranch, which include farm and ranch lands, native sagebrush grassland plant communities, wildlife habitats, scenic open space, historic sites and recreational opportunities.

A Socio-Economic Report and Management Plan have also been provided for your review. Enclosed are the Moline Ranch Draft Environmental Assessment, Draft Management Plan, and Socio-Economic Assessment. Public comment is welcome and will be received through September 2, 2010. If you have questions, need additional copies of the draft EA or choose to provide written comments, please contact us at the following address:

Montana Fish, Wildlife and Parks
Attn: Moline Ranch Conservation Easement
4600 Giant Springs Rd.
Great Falls, MT 59404

Or electronic comments to: fwprg42@mt.gov
Attn: Moline Ranch Conservation Easement Proposal

A public hearing on this proposed easement will be held at the Geraldine Town Hall meeting room on Monday, August 23, 2010 at 7:00 p.m.

Thank you for your interest,

Gary Bertellotti

Gary Bertellotti
FWP Region 4 Supervisor
Montana Fish, Wildlife & Parks
4600 Giant Spring Rd.
Great Falls, MT 59404

DRAFT ENVIRONMENTAL ASSESSMENT
DRAFT MANAGEMENT PLAN
DRAFT SOCIOECONOMIC ASSESSMENT
(July 2010)

MOLINE RANCH
CONSERVATION EASEMENT
(CHOUTEAU COUNTY)

PREPARED AND PROPOSED BY:

Montana Fish, Wildlife & Parks
Wildlife Division
4600 Giant Springs Road
Great Falls, MT 59405
(406) 454-5840

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DRAFT ENVIRONMENTAL ASSESSMENT

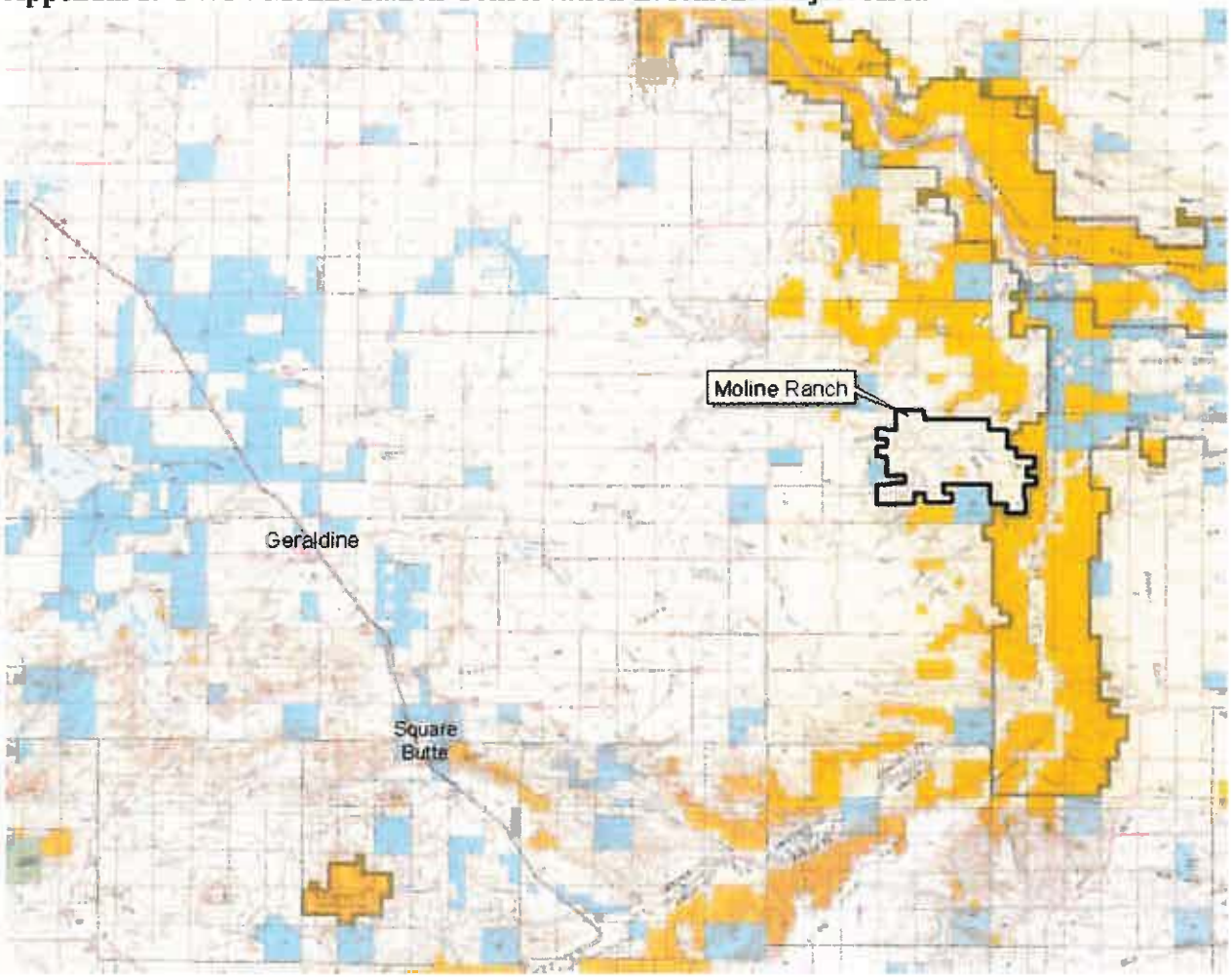
I. INTRODUCTION

Montana Fish, Wildlife & Parks (FWP) invites the public to comment on a proposal to purchase a perpetual conservation easement on the 4,900 acre Moline Ranch currently owned by Chris Moline. The purpose of the Moline Ranch Conservation Easement is to preserve and protect the conservation values of the Land, particularly the habitat the Land provides for its agricultural, wildlife and historic resources into perpetuity. The 4,900 acre Moline Ranch is located approximately 20 miles east of Geraldine in Chouteau County (Appendix 1). The Ranch is primarily comprised of native sagebrush grassland communities, which are critically important to many area wildlife species including mule deer, antelope, sage grouse, sharp-tailed grouse, Hungarian partridge and numerous non-game wildlife species. The property borders and provides access to ~14,200 acres of DNRC school trust and BLM lands (including the Upper Missouri River Breaks National Monument), which also contain the mouth and lowest reaches of Arrow Creek as it enters the Missouri River. These public lands, including Moline Ranch deeded acres have no guaranteed public recreational access without this perpetual easement. The Moline Ranch is managed as a working cattle Ranch, while maintaining and/or enhancing wildlife habitats throughout. Primary game species inhabiting the Ranch include mule deer, antelope, white-tailed deer, sage grouse, Hungarian partridge and sharp-tailed grouse. Numerous species of waterfowl and water dependant wildlife species utilize the seasonal wetlands on the Ranch. Non-game wildlife species such as black-tailed prairie dogs and burrowing owls also inhabit the Ranch.

FWP proposes to fund the Conservation Easement (~$750,000) from the FWP Habitat Montana Program. Upon completion, FWP will hold and monitor the Conservation Easement.

This draft Environmental Assessment further explains how FWP's proposed expenditure for this Conservation Easement would help facilitate protection of Moline Ranch's critical conservation values. A draft Management Plan and draft Socio-Economic analysis are also included for public review at this time.

Appendix 1. FWP / Moline Ranch Conservation Easement Project Area



II. AUTHORITIES AND DIRECTION

FWP has the authority under law (MCA 87-1-201) to protect, enhance and regulate the use of Montana's fish and wildlife resources for public benefit now and in the future. In 1987, the Montana Legislature passed House Bill (HB) 526, which earmarked hunting license revenues to secure wildlife habitat through lease, conservation easement or fee title acquisition (MCA 87-1-241 and 242). This is now referred to as the Habitat Montana Program. Habitat Montana recognizes that certain native plant communities constituting wildlife habitat are worthy of perpetual conservation. Those communities include intermountain grasslands, sagebrush grasslands and riparian corridors. The Moline Ranch includes such habitats and warrants conservation considerations. Chris Moline, owner of Moline Ranch, offered the sale of a conservation easement to FWP. This offer reflects the Landowner's desire to maintain and protect the family's agricultural and Ranching lifestyle, while maintaining and/or enhancing wildlife habitats. It is proposed that a conservation easement, to be held by FWP, be purchased from the Moline Ranch. This Easement would ensure the property remains in private ownership and operation, while preserving important agricultural lands, wildlife habitats, open space and historic sites. The Easement would also guarantee reasonable public access for hunting and

wildlife viewing on the project area and to the neighboring public lands. As with other FWP property interest proposals, the Montana Fish, Wildlife & Parks Commission must approve any easement acquisition proposed by the agency. In addition, the Montana Board of Land Commissioners is also required to review and approve the Department's proposal for this conservation easement acquisition as this action has a value greater than $100,000 and is larger than 100 acres. This Environmental Assessment (EA) is part of that decision making process.

III. PROJECT LOCATION

The 4,900 acre Moline Ranch is located approximately 25 miles east of Geraldine, in Chouteau County. The property lies within T22N, R14E and 15 E. The Moline Ranch is comprised of 3,200 acres of sagebrush grasslands, 1,670 acres of uplands, and 30 acres of seasonal wetlands. The entire property is within FWP's deer/elk Hunting District (HD) 471 and antelope HD 473. A map of the property is included with this document.

IV. PURPOSE AND NEED FOR THE PROPOSED ACTION

The primary purpose of this action is to preserve the integrity of the associated native habitats while maintaining agricultural land uses and ownership. The primary habitats represented on Moline Ranch include native sagebrush grassland communities. By maintaining existing habitat acreage and quality, wildlife use by game species such as mule deer, white-tailed deer, antelope, sharp-tailed grouse, Hungarian partridge, and waterfowl, along with numerous species of non-game wildlife will be perpetuated.

Moline Ranch supports approximately 25 white-tailed deer, 100 mule deer and 75-100 antelope at different times of the year. Sage grouse, sharp-tailed grouse and Hungarian partridge occupy the property year-round. Sagebrush habitats on the property and along Arrow Creek provide critical breeding and wintering habitat for numerous wildlife species. Other game and non-game species affiliated with native sagebrush grasslands also inhabit the property year-round.

A secondary result of this project is guaranteed public hunting and wildlife viewing access. The public will <u>also</u> be provided hunting and recreational access to approximately 14,200 acres of adjoining BLM and DNRC lands (Exhibit B) into perpetuity through this Easement. These neighboring public lands currently have no legal public access, and may never, without this conservation easement. This proposed conservation easement would also ultimately require a Management Plan, including a detailed hunting and recreational access plan for both Moline Ranch and adjoining public lands. Since HD 471 is mostly private land, guaranteed public hunting and wildlife viewing on Moline Ranch and adjacent public lands through this conservation easement will offer opportunities in an area of Arrow Creek and the Missouri River where public access is limited.

The need for this project is not established merely by habitats or wildlife use. Rather, the need is linked to threats directed towards native habitats. These threats manifest as residential subdivision, excessive livestock use, sodbusting of native range, along with associated detriments such as noxious weed encroachment and increased wildlife disturbance and removal. This threat level is evident both locally and on a statewide basis. FWP has determined that intermountain grasslands and riparian habitats have and continue to receive the brunt of residential subdivision

development across the state. Residential, commercial and/or recreational development could result in direct replacement of native plants, prime soils and wetlands with roads, houses, outbuildings, lawns, or excessive numbers of domestic animals. Livestock use, including adequate considerations for ground nesting game and non-game birds, is compatible with agricultural production but is not always firmly established in farm and Ranch operations. This Easement would intend that the fundamental elements of wildlife habitat be protected into perpetuity, regardless of possible changes in property ownership.

V. DESCRIPTION OF PROPOSED ACTION

The proposed action is for FWP to purchase from, hold and monitor a conservation easement on, the Moline Ranch. This Easement would include 4,900 deeded acres of Moline Ranch.

To perpetually define and ensure sound grazing practices across time and Landowners, this conservation easement requires a rest-rotation grazing system on approximately 2,940 Moline Ranch deeded acres of native rangeland receiving growing season use, divided into 5 pastures (3 summer, 2 winter). An additional 640 acres of DNRC native rangeland currently under Moline Ranch grazing lease(s) will be included in this grazing system. Another 648 acres of BLM grazing lease is coordinated with, but not specifically part of the rest rotation system. BLM and DNRC grazing lease lands are not part of the conservation easement, but only included in grazing management. Moline Ranch leases with BLM and/or DNRC will still follow those agency's lease stipulations/guidelines. Only deeded Moline Ranch acres are subject to Easement terms. Total native rangeland grazing system (summer/winter) encompasses 4,312 acres. Winter pastures 1 and 2 equal 955 deeded acres plus 80 acres DNRC will have alternating use (Appendix B). The 3-pasture summer range (Summer 1-3) rest-rotation grazing system encompasses approximately 3,273 acres of native sagebrush grassland and associated breaks habitats (Appendix B). Fall pastures 1 and 2 total about 1,020 deeded acres, which are utilized as farm/hay ground and are grazed during fall/winter months (Appendix B). These acres, when grazed during fall/winter months are grazed simultaneously with 525 acres of adjoining BLM lands. These acres will continue to be managed accordingly as detailed in Appendix A. BLM lands will continue to be grazed according to BLM use restrictions. For pasture number delineations and seasons of use, see attached grazing plan schematics (Appendix A and B).

The proposed FWP conservation easement would also enhance the benefits to the public by guaranteeing access for public hunting and wildlife viewing. The easement terms specify that the Moline Ranch will provide reasonable free public access for hunting and wildlife viewing at appropriate times of the year, via a method mutually agreed upon in the draft FWP / Moline Ranch Management Plan. Whereas the easement language is intended to endure into perpetuity, the Management Plan may be amended at any time by mutual consent between the Landowner and FWP, to address changing conditions and emerging issues. Moline Ranch proposes to allow foot travel upon the easement area during daylight hours for wildlife viewing throughout the year, with landowner permission. Moline Ranch has agreed to allow a minimum of **800** hunter days annually on the Ranch and to adjoining public lands. Hunting will be allowed each Wednesday through Sunday period of the upland game bird, waterfowl and big game hunting seasons (August 15 – December 31). Moline Ranch hunting rules are defined in the Management Plan that may be altered upon mutual agreement between FWP and the Landowner.

Annual hunter use will be documented by the Landowner and FWP. The Landowner may deny access to, or expel from the Land, any person for cause, including (but not exclusively) the following: intoxication or use of illegal substances; reckless behavior that jeopardizes human life, wildlife habitat, or Landowner's property, or is in violation of law or regulation applicable to public use of the Land; or misconduct under or violation of the terms of public access provided in this Easement, including any plan of access adopted and implemented under this Easement.

Specific terms of the Easement are contained in a separate legal document, which is the "Deed of Conservation Easement". This document lists FWP and Landowner rights under terms of the easement as well as restrictions on landowner activities. The rights of both parties and restrictions on Landowner activities were negotiated with and agreed upon by FWP and the Landowner.

To summarize terms of this easement, FWP's rights include the right to: (1) identify, preserve and enhance specific habitats; (2) monitor and enforce restrictions; (3) prevent activities inconsistent with purpose of the easement; and (4) provide public access for hunting and wildlife viewing.

Landowner's retained rights include the right to: (1) graze livestock within the described rotational grazing system; (2) cultivate and farm hay land and grain fields as described; (3) continue to regulate public use of the Land at all times; (4) develop and maintain water resources, including springs, on the Land necessary for farming, grazing and wildlife purposes that are allowed by this easement; (5) repair, renovate, improve or remove existing buildings; (6) repair, renovate or improve existing roads; (7) construct, remove, repair and/or replace fences for grazing livestock and to exclude deer from headquarter equipment area; (8) construct facilities for the development and utilization of energy resources such as wind and solar; (9) use agrichemicals for the control of noxious weeds; (10) install utility structures as long as they are consistent with the purposes of the conservation easement and will not significantly impact the conservation values of the Land; (11) continue to reside on the Ranch in one of the existing residences and build up to one new residence within the 20 acre defined building area (located in the SE¼ of T22N, R14E Section 23, Chouteau County) and the right to renovate or replace one existing residence. The significance of an impact will be evaluated by the severity, duration, geographic extent and frequency of the occurrence of the potential impact.

Restrictions placed upon Landowner activities include: (1) no removal, control or manipulation by any means of shrub species browsed by wildlife (including but not limited to: snowberry, rose, hawthorn, chokecherry, buffalo berry, silver sage, big sage and willow) except in routine clearing for roads, trails, structures and fencelines; (2) no subdivision; (3) no cultivation or farming beyond what's described; (4) adherence to a described grazing plan (5) no outfitting or fee hunting; (6) no surface mining except that gravel and rock may be extracted for use on the property; (7) no commercial feed lots; (8) no game farms; (9) no refuse dumping; (10) no commercial or industrial use except traditional agricultural use.

VI. DESCRIPTION OF ALTERNATIVES TO THE PROPOSED ACTION

Alternative A—No Action

FWP considered the alternative of taking no action. Under the "No Action Alternative" Moline Ranch would continue to be managed as in the past but there would be no guarantee of the preservation of agricultural values, wildlife habitat, open space, historic sites, recreational values and other resources as they are found on the Ranch. Specifically, without the proposed easement, these resources are vulnerable to future residential subdivision, sodbusting, improper livestock grazing, commercial feedlots and surface mining. These activities would likely result in decreased habitat quantity, quality and wildlife use. The magnitude of these and other potential impacts to this and adjacent physical and human environments are difficult to measure due to the uncertainty of future events. There is no guaranteed public access to the Ranch or to adjoining public lands without this Easement. Without FWP's involvement it is highly unlikely that a conservation easement would be purchased on the Ranch.

Alternatives Considered but Dropped from Further Consideration

The Landowner initiated the conservation easement process with FWP and at no point expressed interest in fee title sale or a long-term lease, therefore the alternative of purchasing Moline Ranch fee title or having a long-term lease is not an option. Since conservation easements are also FWP's preferred option, the only other reasonable alternative considered in this EA is the "No Action Alternative" as described above.

VII. EVALUATION OF IMPACTS ON THE PHYSICAL ENVIRONMENT

Through prevention of certain identified activities, this conservation easement will legally maintain or improve existing habitats into perpetuity. Impacts associated with this proposed action shall be determined only as they apply to current resource ownership, uses and conditions. Under the no action alternative, resource ownership, uses and conditions may or may not change. Consequently, impacts associated with the No action alternative are unknown.

1. Land Resources

Impact of proposed action: No negative impact would occur as a result of this proposal. The terms of the proposed easement are structured to prevent adverse impacts to soils and vegetation. Subdivision and development of the Land is restricted under easement terms, as is cultivation of native plant communities (sod-busting). The proposed easement will ensure that land resources are maintained and/or enhanced into perpetuity.

No Action alternative: This alternative would allow for potential disturbance of soils and vegetation from intense agricultural practices and possible residential development.

2. Air Resources

Impact of proposed action: The proposed action would likely result in a net reduction in potential future risks to air and water quality on the subject Land, compared to no action. Possibilities for residential, commercial, and industrial developments would be restricted across

the subject Land through this easement.

No action alternative: There would be no immediate impact. However, if the Land were to be subdivided, increased human activity could potentially degrade the current air quality.

3. Water Resources

Impact of proposed action: There would be no impact into perpetuity over what is currently associated with a working livestock and farming operation. Current agricultural practices on the property have proven to be generally compatible with maintenance of water quality.

No action alternative: There would be no immediate impact. However, there would be no assurances that over time that the property wouldn't change from primarily an agricultural operation to another use, with no conservation protection of water resources.

4. Vegetation Resources

Impact of proposed action: This action would result in a positive impact. The terms of the easement protect the quantity, quality and character of the native plant communities found on the property. The prescribed rest rotation grazing system (see Draft Management Plan) will allow and foster native vegetation establishment, recovery and maintenance on all sites within the grazing system.

No action alternative: There would be no immediate impact. If the Land's primary use were to change from agriculture to subdivision or some other use there would be no conservation measures in place to maintain productivity of the Land. In addition, there would be no long-term protection of existing native plant communities. Livestock grazing, sodbusting and potential subdivision would be unrestricted across all subject lands under this alternative.

5. Fish/Wildlife Resources

Threatened and Endangered Species

Impact of the Proposed Action: There are no federally listed species within the proposed conservation easement project area, however, there are many species that are currently under consideration for listing or that have been petitioned for listing in the past: Greater sage grouse (including two leks), ferruginous hawk, black-tailed prairie dog, and northern leopard frog.

There are at least 10 wildlife species that are considered a Tier I Species of Greatest Conservation Need under Fish, Wildlife & Parks Comprehensive Fish and Wildlife Conservation Strategy (FWP 2005): Black-tailed prairie dog, Townsend's big-eared bat, common sagebrush lizard, Northern leopard frog, Brewer's sparrow, burrowing owl, ferruginous hawk, Greater sage grouse, loggerhead shrike and long-billed curlew.

There are over 300 terrestrial vertebrate species that are found within the grasslands community type. The CFWCS (FWP 2005) lists the following Tier I Species of Greatest Conservation Need

that may be found in mixed shrub and grassland communities: northern leopard frog, greater sage-grouse, long-billed curlew, burrowing owl, Townsend's big-eared bat, and black-tailed prairie dog (FWP 2005).

Riparian and wetland communities support the highest concentration of plants and animals in Montana. Riparian and wetland habitats provide breeding and nesting areas for at least 134 (55%) of Montana's 245 species of breeding birds, as well as much-needed food and resting areas for migrating birds (J. Ellis, Montana Audubon, 2008). There are 17 Tier I Species of Greatest Conservation Need that rely on riparian and wetland habitat for breeding and/or survival (FWP 2005).

Within the boundary of the proposed conservation easement, there are two black-tailed prairie dog colonies (100 ac). Black-tailed prairie dogs have been identified as Tier 1 in the CFWCS (FWP 2005). Prairie dogs provide additional habitat for burrowing owl, and prey for ferruginous hawks. In fact, more than 30 vertebrate species are considered dependent on the prairie dog ecosystem for food or shelter. This important ecosystem role combined with declines in their habitat over the last century has prompted the heightened status of prairie dogs.This Easement would be expected to have beneficial effects on species of concern into perpetuity.

No-action alternative: This alternative would allow for potential disturbance of soils and vegetation from intense agricultural practices and possible residential development, thus potentially destroying/altering habitats available for sage grouse and black tailed prairie dogs.

Wildlife (General)

Impact of the proposed action: The proposed action would protect into perpetuity an important and strategically located sagebrush and seasonal wetland habitat complex for game and non-game upland birds (especially sage grouse), big game, waterfowl, shorebirds, small mammals and raptors species.

No-action alternative: There would be no immediate impact. However, this alternative would preserve the possibility of future habitat loss and the adverse impacts to wildlife populations described in the Project Need segment of this document.

6. Adjacent Land

Impact of proposed action: No negative impact is expected. The property will be maintained as has historically occurred. Continued public hunting access may relieve some hunting pressure on adjacent landowners. The Landowner also holds grazing leases on approximately 640 acres of adjoining DRNC state school trust lands and 648 acres of BLM lands. The rest-rotation grazing system will directly benefit these properties as they are incorporated into the grazing system. Dedicated yearlong rest periods within the system will directly benefit the quality and quantity of vegetation on these lands (see draft Management Plan grazing system).

No action alternative: There would be no immediate impact. However, this alternative would preserve the possibility of future subdivision and habitat loss potentially causing impacts to neighboring lands as wildlife populations are displaced.

VII. EVALUATION OF IMPACTS ON THE HUMAN ENVIRONMENT

Through prevention of certain identified activities, this conservation easement would legally maintain and/or improve existing habitats into perpetuity. Impacts associated with this proposed action shall be determined only as they apply to current resource ownership, uses and conditions. Under the No action alternative, resource ownership, uses and conditions may or may not change. Consequently, impacts associated with the No action alternative are unknown.

1. Noise/Electrical Effects

Impact of proposed action: No impact would occur over existing conditions. Preservation of open space into perpetuity will ensure noise and electrical effects remain as in existing conditions of the Ranch.

No action alternative: Noise and electrical impacts could negatively impact the area through potential future housing and road developments. Utilities would be required to develop the area, negatively impacting the project area and neighboring lands compared to the proposed action alternative.

2. Land Use

Impact of proposed action: The Land would continue to operate as a working Ranch. There would be no impact on the productivity or profitability of the Ranch, nor be conflicts with existing land uses in the area. The maintenance of a rotational grazing program influences the method of use but does not impact the type of land use.

No action alternative: No immediate impact would occur. However, with potential future changes in land ownership and land use, habitat quality, wildlife use and recreational opportunities could be diminished.

3. Risk/Health Hazards

Impact of proposed action: No impact would occur.

No action alternative: No impact would occur.

4. Neighboring Landowners and Local Community Impacts

Impact of the Proposed Action: The proposed action would generally maintain existing conditions in the local community. There would be no anticipated negative impacts to the community. The scenic values and open character of this property would be maintained and enjoyed by the community into perpetuity. Refer to the attached Socio-Economic Assessment for additional analysis of impacts on the human environment.

No action alternative: Future residential development if unchecked would change the nature of the existing community to a varying degree. This alternative would allow the possibility for

substantial changes in future land uses of Moline Ranch, which may affect neighboring property values to varying degrees. Neighboring Ranchers might be concerned about a change in ownership and possible changes in land use under the No action alternative, as these could affect the amount of effort and expense a Rancher must devote to maintaining fences and protecting his or her adjacent property.

5. Public Services/Taxes/Utilities

Impact of proposed action: There would be no effect on local or state tax bases or revenues, no alterations of existing utility systems, nor tax bases of revenues, nor increased uses of energy sources. As agricultural property, the Land would continue to be taxed as it has before. Refer to the attached Socio-Economic Assessment for additional analysis of impacts on the human environment.

No action alternative: With possible residential subdivision, police and fire protection, road improvements, utilities and services would be demanded.

Economies

Impact of the Proposed Action: The proposed action would restrict future residential and commercial developments on the subject Land, which would allow wildlife to continue to flourish. The scenic view-shed would be preserved by the proposed action, which may translate into a minor, long-term economic benefit to land values of surrounding properties.

No Action Alternative: Over the long run, the No action alternative would allow greater potential for residential and commercial growth in the local community. Therefore, future development under this alternative on the subject Land and possibly neighboring lands would be accompanied by relatively high costs for roads, utilities and other services which would be required partially or wholly by state and local governments.

6. Aesthetics/Recreation

Impact of proposed action: There would be a positive impact. The easement would maintain in perpetuity the quality and quantity of recreational opportunities and scenic vistas, and would not affect the character of the neighborhood. The proposed action would increase public access for hunting and wildlife viewing on the property.

No action alternative: Eventual subdivision and development would reduce the aesthetic and recreational opportunities on the project area. If residential development occurs on the property in the future, which would be possible under the No action alternative, hunting and wildlife viewing opportunities would almost certainly be removed.

7. Cultural/Historic Resources

Impact of proposed action: There would be a positive impact. The existing historic sites on the Ranch would be conserved through terms of the conservation easement.

No action alternative: Potential residential and/or commercial developments allowable under this alternative would leave cultural and historical resources at risk.

8. Cumulative Impacts

Impact of the proposed action: The proposed action would not be expected to contribute to a cumulative impact in a measurable way.

No Action Alternative: The No action alternative could ultimately contribute to the cumulative regional and local losses of wildlife habitat in general, and natural wetland and riparian complexes in particular, if the subject Land is managed in a manner incompatible with wildlife requirements. No action could ultimately contribute slightly to the cumulative regional and local loss of grazing land for the livestock industry.

9. Socio-Economic Assessment

Refer to the attached Draft Socio-Economic Assessment for additional analysis of impacts on the human environment.

IX. SUMMARY EVALUATION OF SIGNIFICANCE

The proposed action has no significant effects on current conditions. It cannot be definitively determined what, if any, effects may result from the No action alternative.

X. EVALUATION OF NEED FOR AN ENVIRONMENTAL IMPACT STATEMENT

Based on the above assessment, an Environmental Impact Statement is not required and an Environmental Assessment is the appropriate level of review.

XI. PUBLIC INVOLVEMENT

Formal public participation specific to FWP's proposed purchase of this conservation easement will begin with the availability of this draft Environmental Assessment (EA) for public review for a one month comment period. The availability of this EA for public review will be advertised in the Great Falls and Geraldine areas, and through statewide media via FWP's website at www.fwp.mt.gov. A copy of the draft EA will be mailed to all parties who indicate an interest in this proposal. The public review and comment period will be August 2 through September 2, 2010. A public hearing will be held at the Geraldine Town Hall, August 23rd at 7:00 P.M. After reviewing public input received on or before September 2, FWP will decide upon a preferred alternative. The Fish, Wildlife & Parks Commission and State Board of Land Commissioners will be asked to render final decisions on this proposal at their regularly scheduled meetings in October 2010.

Comments should be addressed to:
Montana Fish, Wildlife & Parks
4600 Giant Springs Road
Great Falls, MT 59405
Attn: Moline Ranch Conservation Easement Proposal

Or

fwprg42@mt.gov
Attn: Moline Ranch Conservation Easement Proposal

Comments must be postmarked no later than September 2, 2010 to ensure consideration in the decision-making process.

XII. NAME OF PERSON RESPONSIBLE FOR PREPARING EA

Cory Loecker
Wildlife Biologist
Montana Fish, Wildlife & Parks
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Great Falls, MT 59405
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Montana Fish, Wildlife & Parks
Region 4 Wildlife Division
Draft Management Plan

MOLINE RANCH / FWP CONSERVATION EASEMENT

I. Introduction

The purpose of the FWP / Moline Ranch Conservation Easement is to preserve and protect the conservation values of the Land, particularly the habitat the Land provides for its agricultural, wildlife and historic resources into perpetuity. The 4,900-acre Moline Ranch is located approximately 20 miles east of Geraldine in eastern Chouteau County. The Ranch is primarily comprised of native sagebrush grassland communities, which are critically important to many area wildlife species including mule deer, antelope, sage grouse, sharp-tailed grouse, Hungarian partridge and numerous non-game wildlife species. The property borders and provides access to approximately 14,200 acres of DNRC school trust and BLM lands (including the Upper Missouri River Breaks National Monument), which also contain the mouth and lowest reaches of Arrow Creek as it enters the Missouri River (Appendix D). These public lands, including Moline Ranch deeded acres have no guaranteed public hunting and/or recreational access without this perpetual easement. The Moline Ranch is managed as a working cattle ranch, while maintaining and/or enhancing wildlife habitats throughout. Primary game species inhabiting the ranch include mule deer, antelope, some white-tailed deer, sage grouse, Hungarian partridge and sharp-tailed grouse. Numerous species of waterfowl and water dependant wildlife species utilize the seasonal wetlands on the ranch. Non-game wildlife species such as black-tailed prairie dogs, ferruginous hawks and burrowing owls are also abundant on the Ranch.

FWP proposes to fund the purchase of the Easement from the FWP Habitat Montana Program (~$750,000). Upon completion, FWP will hold and monitor the Conservation Easement.

II. Goals, Objectives, Concerns and Strategies

Goal 1: *By implementation of FWP Easement terms, the quality and amounts of native habitats, important agricultural habitats and wildlife potential currently found on the Moline Ranch shall be maintained without displacing private land use. Under the same Easement terms, a secondary goal is to provide guaranteed public hunting and viewing opportunities. This shall be accomplished with minimal impact to this and adjacent physical and human environments. A third goal is to apply a rest-rotation grazing system on native habitats to maintain and/or enhance existing vegetative communities. This shall be accomplished by implementation of a grazing management plan.*

Objective 1: *Manage native grassland, shrubland, wetland vegetation, riparian vegetation and agricultural habitats to maintain and improve these plant communities for the benefit of livestock and wildlife alike.*

While this property is certainly capable of sustaining livestock use under sound management practices, unregulated or excessive grazing has the potential to reduce habitat quality for both agricultural practices and wildlife. Reduced habitat quality often results in reductions and/or displacement of wildlife.

To perpetually define and ensure sound grazing practices across time and Landowners, this Conservation Easement requires a rest-rotation grazing system on approximately 2,940 Moline Ranch deeded acres of native rangeland receiving growing season use, divided into 5 pastures (3 summer, 2 winter). An additional 640 acres of DNRC native rangeland currently under Moline Ranch grazing lease(s) will be included in this grazing system. Another 648 acres of BLM grazing lease is coordinated with, but not specifically part of the rest rotation system. BLM and DNRC grazing lease lands are not part of the

Conservation Easement, but only included in grazing management. Moline Ranch leases with BLM and/or DNRC will still follow those agency's lease stipulations/guidelines. Only deeded Moline Ranch acres are subject to Easement terms.

Total native rangeland grazing system (summer/winter) encompasses 4,312 acres. Winter pastures 1 and 2 equal 955 deeded acres plus 80 acres DNRC will have alternating use (Appendix B). The 3-pasture summer range (Summer 1-3) rest-rotation grazing system encompasses approximately 3,273 acres of native sagebrush grassland and associated breaks habitats (Appendix B). Fall pastures 1 and 2 total about 1,020 deeded acres, which are utilized as farm/hay ground and are grazed during fall/winter months (Appendix B). These acres, when grazed during fall/winter months are grazed simultaneously with 525 acres of adjoining BLM lands. These acres will continue to be managed accordingly as detailed in Appendix A. BLM lands will continue to be grazed according to BLM use restrictions. For pasture number delineations and seasons of use, see attached grazing plan schematics (Appendix A and B).

To implement the grazing plan, the FWP (Habitat MT Program or Upland Game Bird Habitat Enhancement Program) will cost share (50/50) with the Landowner. Approximately 3.25 miles pipeline, 5 storage tanks and 4.5 miles of new fence construction will be installed to implement the grazing system. One (1) mile of fence will be removed. Cost for water developments, fence construction and removal will be approximately $50,000. After fencing and water developments are completed to implement the grazing system, Land maintenance including but not limited to fence and water development construction and repair, noxious weed control and necessary road construction and repair, shall be the responsibility of the Landowner as defined in the terms of the Conservation Easement. FWP will monitor grazing plan adherence to assess effectiveness, functionality and Landowner compliance. Livestock use and distribution will also be assessed annually. FWP, in conjunction with the Landowner, may recommend future fence and water improvements/adjustments, if deemed necessary. FWP and/or the Landowner may partner with other agency(s) such as NRCS for funding and development of fence/water projects.

Many shrub and tree species are important to wildlife. The removal, control or manipulation of shrub species important to wildlife by any means is prohibited within terms of the Easement document, including, but not limited to: burning, plowing, chemical treatment or removal of such tree and shrub species. These species include without limitation: sagebrush, rose, hawthorn, snowberry, chokecherry, skunkbush sumac, Rocky Mountain juniper, horizontal juniper, willow, box elder and cottonwood. These prohibitions do not apply to the routine clearing or control of brush in connection with the construction and maintenance of trails, roads, fences and structures permitted under this Easement. As per Conservation Easement terms, the Landowner has the right to "construct, remove, maintain, repair, or replace fences, corrals, and other livestock handling structures" provided the structures do not significantly impact wildlife habitat or wildlife migration on and through the Land. Farming activity will be permitted on existing and/or historic cultivated ground only. Sod busting and/or tilling of previously undisturbed (native) vegetation is not permitted under this Easement.

Currently, 320 acres of Moline Ranch is enrolled in the Federal CRP program. This enrollment expires in 2010. The Landowner may choose to re-enroll these acres in CRP if the program allows. If so, the acres will remain under CRP program use restrictions during the contract period. If the Landowner chooses not to re-enroll in the CRP program, those acres may be utilized as hay/grazing/farm ground as described in Appendix A of this Management Plan (Utility Pasture 1). This area also qualifies for the Federal Wetland Reserve Program (WRP). The Landowner may choose to enroll those acres in the upland component of a WRP project. Should a WRP easement exist on this or any other Moline Ranch acres, those acres follow WRP guidelines. This Easement would cover the WRP easement providing hunting access to those acres and prohibits outfitting/fee hunting in that area. NRCS and FWP would cooperatively work on habitat management in those acres (grazing/haying system).

There may be habitat enhancement opportunities not addressed in the Easement or Management Plan. FWP will review the ranch's potential for wildlife habitat enhancements and pursue projects to fit both FWP and the Landowner's goals and objectives. This may be, but is not limited to, participation in a Federal habitat program, such as the Conservation Reserve Program (CRP) or the Wetland Reserve Program (WRP), or a FWP habitat program, such as the FWP Upland Game Bird Habitat Enhancement Program (UGBHEP). Should the Landowner enroll in a Federal habitat/easement program, the acreage enrolled will follow program management guidelines (e.g. CRP, EQIP, WRP, WHIP, etc.). Currently, Fall Pasture #2 is utilized as farm/hay ground and fall/winter grazing. The current Landowner would at some time in the future like to convert approximately ½ (and possibly all) of these farm/hay ground acres to native sagebrush grassland (historic use). The Landowner may choose to apply for the FWP Upland Game Bird Enhancement Program or a Federal Habitat program to do so. Should these acres be returned to native sagebrush grassland, it shall then be rested until proper grass stand establishment and then be included in a rest-rotation/rotational grazing system to be detailed in this Management Plan. If the Landowner desires, FWP may provide technical assistance in choosing vegetative mixes that may be beneficial for both wildlife and agricultural uses.

In order to document existing wildlife habitat, vegetative communities and distribution will be photographed and mapped for the FWP "Easement Baseline Inventory Report". This is necessary so that vegetation changes can be monitored over time. Photo points will be established and maintained in appropriate areas to examine long and short-term vegetation condition and changes.

Objective 2: *Maintain wildlife use of the property.*

Current big game population estimates on Moline Ranch include approximately 50-100 mule deer, 25 white-tailed deer and 75-100 antelope, depending on the time of year. The Ranch and adjacent Arrow Creek Breaks provide critical year round mule deer and sage grouse habitat (especially during winter months). Though bighorn sheep are not permanent inhabitants of the Moline Ranch, they do occasionally utilize the Arrow Creek Breaks habitats. Bighorns do permanently inhabit the neighboring Missouri River Breaks to the east. The Moline Ranch has agreed to ensure bighorn sheep management in the area by perpetually prohibiting domestic sheep and goats on the Ranch's farm and rangeland as per Easement terms. Domestic sheep and/or goats will only be allowed in the fenced compounds of the building complex as described in Exhibit B of the Easement document.

Landowners and FWP recognize the ecological value of prairie dog colonies and the habitat they provide for other species. FWP recognizes the Landowners' concerns about the potential for continued expansion of the prairie dog colonies. Landowners will maintain viable prairie dog colonies on at least 100 acres of the Land, which is the current number of acres occupied. A viable colony is defined as the observation of prairie dogs with young during the summer throughout the acres occupied by the colony. The Landowners may control prairie dog populations when the size of the cumulative colonies exceeds 100 acres. Natural causes of mortality, such as plague or predation, or other naturally occurring environmental factors, and the shifting of prairie dog colonies due to implementation of the planned grazing system, will not be considered a cause of reduction of prairie dog populations for which the Landowners are responsible.

Game damage problems on the Moline Ranch and/or adjacent properties will be managed through public hunting whenever possible during general hunting season frameworks. Game damage materials will be provided on an as needed basis to the Ranch and adjacent Landowners who allow reasonable free public hunting through FWP game damage policy and procedures. Game damage and/or management hunts to address damage will follow FWP game damage policy and procedures.

Objective 3: *Provide guaranteed public hunting access and opportunity.*

As per FWP Easement terms, the Landowner may not charge fees, lease or commercially outfit for public access, fishing, hunting or trespass on deeded land or to adjoining public lands. Terms of the Easement state that the Landowner must allow reasonable public access for hunting and wildlife viewing. The public will also be provided hunting and recreational access to adjoining 14,200 acres of BLM and DNRC lands (Exhibit B) into perpetuity through this Easement. These neighboring public lands currently have no legal public access, and may never, without this conservation easement. This proposed conservation easement requires a Management Plan, to include a detailed hunting and recreational access plan for both the Moline Ranch and adjoining public lands. This Management Plan further defines that public access.

To provide a mechanism for the general public to place a reservation to hunt the Moline Ranch, FWP shall offer the Landowner, but not limit him/her to apply for FWP's Block Management Program. If the Landowner would like to apply for the Block Management Program, he/she would have to submit an application to FWP. The block management coordinator, area biologist and warden annually rank new applicants by factors such as: available funding, habitat components, public access and hunter opportunities. Other options may include a telephone reservation system, sign-in box, and map/sign production. Should the Landowner decide not to participate in Block Management, the Landowner must develop an equally effective system for handling hunter requests within the FWP Easement terms.

At this time the Landowner has chosen to allow walk-in hunting access originating from three identified parking areas (see Moline Ranch hunting map - Appendix D). Moline Ranch has agreed to allow a minimum of **800** hunter days annually on the ranch defined in Appendix C (Hunting Rules). Three parking areas will be accessible via Ranch service roads. Funding for development of the parking areas ($7,500) will be provided by FWP's Habitat Montana Program. Additionally, the Moline Ranch proposes to allow access for wildlife viewing upon the Easement area throughout the year during daylight hours (with Landowner permission). Hunting will be allowed each Wednesday through Sunday period of the upland game bird, waterfowl and big game hunting seasons (as established by FWP Commission). Moline Ranch hunting rules as defined in this Management Plan may be altered upon mutual agreement between FWP and the Landowner. Annual hunter use will be documented by the Landowner and FWP. The Landowner may deny access to, or expel from the Land, any person for cause, including (but not exclusively) the following: intoxication or use of illegal substances, reckless behavior that jeopardizes human life, wildlife habitat, or Landowner's property, or is in violation of law or regulation applicable to public use of the Land; or misconduct under or violation of the terms of public access provided in this Easement, including any plan of access adopted and implemented under this Easement.

III. Overall FWP / Moline Ranch Conservation Easement Compliance

Annual monitoring will be conducted to determine compliance with the FWP Easement terms on the entire property. This assessment shall be conducted by FWP with the Landowner, to assess Management Plan effectiveness and to review Landowner compliance with Easement terms. FWP will annually visit the property to monitor compliance with Easement terms and the Management Plan. The Landowner is encouraged to thoroughly familiarize themselves with Easement terms, Management Plan, grazing system and refer to the Deed of Conservation Easement and Management Plan documents or contact FWP with any questions or concerns in order to avoid non-compliance.

Management Plan Attachments

*Grazing System Formula (Appendix A)

*Grazing System Formula Map (Appendix B)

* Hunting Rules (Appendix C)

* Hunting Access Map (Appendix D)

Appendix A. Moline Ranch Grazing Formula – 5,848 acres (includes 1,888 acres DNRC/BLM grazing leases)*

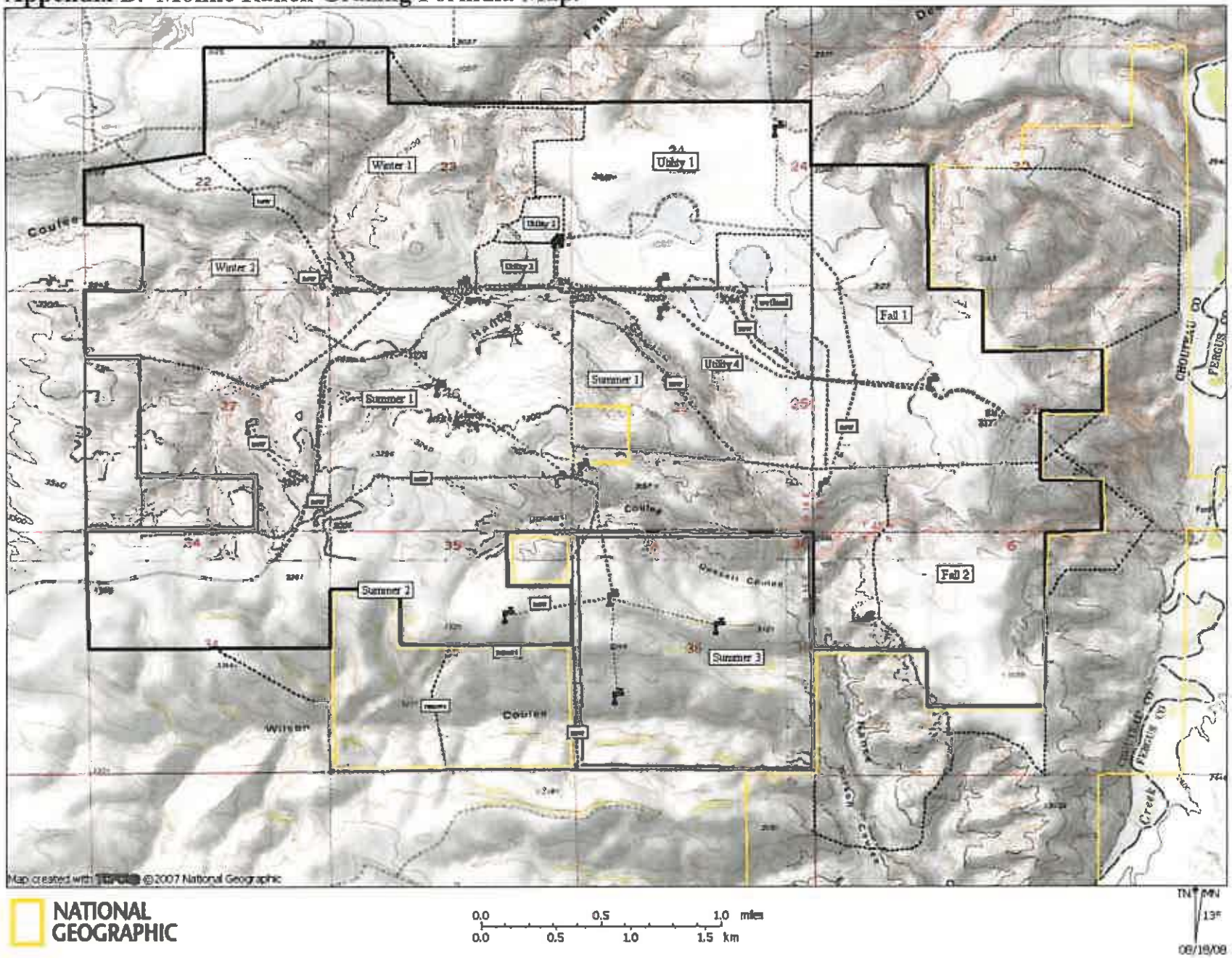
REMARKS	2011	2012	2013**
Native Rangeland Grazing System			
Winter Pasture 1 (595 acres)	Graze 1/1 – 5/5	Rest growing Season, may use 7/15/-10/1[@]	Graze 1/1 – 5/5
Winter Pasture 2 (440 acres)	Rest growing Season, may use 7/15/-10/1[@]	Graze 1/1 – 5/5	Rest growing Season, may use 7/15/-10/1
Summer Pasture 1 (990 acres)	Graze growing season (5/5-7/15)	Graze after seed ripe (7/15-10/1)	Rest all year
Summer Pasture 2 (1,129 acres)	Graze after seed ripe (7/15-10/1)	Rest all year	Graze growing season (5/5-7/15)
Summer Pasture 3 (1,186 acres)	Rest all year	Graze growing season (5/5-7/15)	Graze after seed ripe (7/15-10/1)
Total Deeded Native Rotation: 2,940 acres			
Utility/Fall Pastures			
Fall Pasture 1 (520 acres deeded)	Hay/Farm/ Fall Graze (4/15-12/31)	Hay/Farm/ Fall Graze (4/15-12/31)	Hay/Farm// Fall Graze (4/15-12/31)
Fall Pasture 1 (417 acres BLM lease)	Fall Graze (10/1-12/31)	Fall Graze (10/1-12/31)	Fall Graze (10/1-12/31)
Fall Pasture 2 (500 acres deeded)	Hay/Farm/ Fall Graze (4/15-12/31)	Hay/Farm/ Fall Graze (4/15-12/31)	Hay/Farm/ Fall Graze (4/15-12/31)
Fall Pasture 2 (110 acres BLM lease)	Fall Graze (10/1-12/31)	Fall Graze (10/1-12/31)	Fall Graze (10/1-12/31)
Utility Pasture 1 (460 acres)	Use at Landowners discretion/ calving	Use at Landowners discretion/ calving	Use at Landowners discretion/ calving
Utility Pasture 2 (60 acres)	Use at Landowners discretion/ calving	Use at Landowners discretion/ calving	Use at Landowners discretion/ calving
Utility Pasture 3 (40 acres)	Use at Landowners discretion/ calving	Use at Landowners discretion/ calving	Use at Landowners discretion/ calving
Utility Pasture 4 (267 acres)	Use at Landowners discretion/ calving	Use at Landowners discretion/ calving	Use at Landowners discretion/ calving
Homestead (30 acres)	Use at Landowners discretion	Use at Landowners discretion	Use at Landowners discretion
Total Deeded Fall / Utility: 1,877 acres			
Misc. Acres			
Seasonal Wetland Area (90 acres)	Rest all year	Rest all year	Graze/Hay after July 15

[@] Winter 1 &2 Pastures may be utilized when essential after seed ripe as indicated, but priority is to defer from grazing until winter for winter livestock forage.

*** Refer to Appendix B for pasture numbers and locations.**

**** In year four (2014), the rotation is repeated.**

Appendix B. Moline Ranch Grazing Formula Map.



Appendix C. Moline Ranch Conservation Easement Hunting Area Rules

1) Moline Ranch Conservation Easement is open to public hunting each Wednesday through Sunday of the upland game bird, waterfowl and big game hunting seasons (dates as established by FWP Commission). The Ranch will be closed Mondays and Tuesdays. As per easement terms, the Ranch will be open to a minimum of 800 hunter days available annually.

2) The Ranch is located within FWP Deer/Elk Hunting District 471 and Antelope Hunting District 473. East side of Arrow Creek is Deer/Elk HD 426 and Antelope HD 471.

3) A hunting reservation must be made with Answering Service at **(406)** on Monday (beginning at 9:00 a.m.) prior to the Wednesday - Sunday period that you are interested in hunting. All hunters must have an area map with rules in his/her possession at all times.

4) Hunters may reserve only **2** days per Wednesday – Sunday hunt period. A total of **10** hunters will be allowed per day allocated by the following parking areas: Parking area **A** = 4 hunters/day, Parking area **B** = 2 hunters/day, Parking area **C** = 4 hunters/day.

5) After a reservation is made with Answering Service, on the morning of the hunt hunters must fill out a permission slip at the sign-in box located in your assigned parking area (see parking areas on map). Please do not disturb the residence. At the end of the hunt, please drop off the stub portion of the permission slip with the completed hunter survey, in the sign-in box.

6) All hunting access is by **park-and-walk only** from parking areas (see map for parking areas). Come prepared to retrieve harvested game (i.e. drag rope, game cart, backpack, etc). A detailed topographic map of the area is recommended as not all boundaries may be properly marked. You are responsible for knowing where you are.

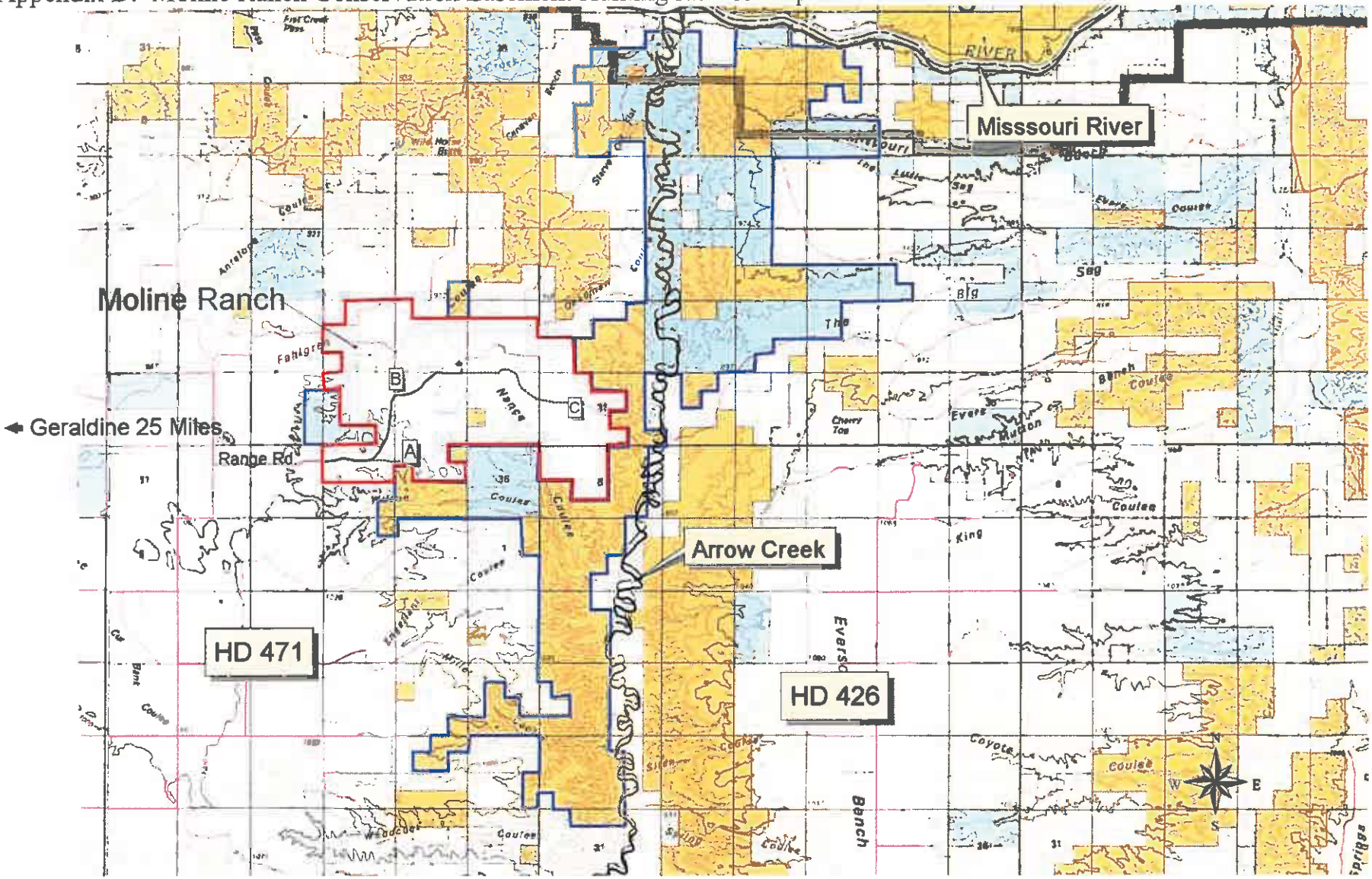
7) No hunting in the immediate vicinity of any ranch buildings or residences.

8) Overnight camping is allowed in Parking Areas only or on adjacent BLM/DNRC lands if hunting for two consecutive days. If camping on BLM/DNRC lands, hunters must follow those agency camping regulations.

9) No open fires are permitted on the ranch.

Report violations to 1-800-TIP-MONT

Appendix D. Moline Ranch Conservation Easement Hunting Access Map.



Final Management Plan Approved By:

Chris Moline, Moline Ranch	Date
Graham Taylor, FWP Region 4 Wildlife Manager	Date
Gary Bertellotti, FWP Region 4 Supervisor	Date
Ken McDonald, FWP Wildlife Division Administrator	Date

MOLINE RANCH
CONSERVATION EASEMENT

DRAFT SOCIO-ECONOMIC ASSESSMENT

MONTANA FISH, WILDLIFE & PARKS

Prepared by:
Rob Brooks & Darlene Edge
July 29, 2010

I. INTRODUCTION

Montana FWP has the authority under State Law (87-201, Montana Code Annotated) to protect, enhance, and regulate the use of Montana's fish and wildlife resources for public benefit now and in the future. As with other FWP property acquisition proposals, the Fish, Wildlife and Parks Commission and the State Land Board (for easements greater than 100 acres or $100,000) must approve any easement proposal by the agency. Socioeconomic assessments are a part of the Environmental Assessment (EA) process, and evaluate the significant social and economic impacts of the purchase on local governments, employment, schools, and impacts on local businesses.

This socioeconomic evaluation addresses the purchase of a conservation easement on property currently owned by Christian Hans Moline, etal. The report addresses the physical and institutional setting as well as the social and economic impacts associated with the proposed conservation easement.

II. PHYSICAL AND INSTITUTIONAL SETTING

A. Property Description

The 4,900.82 acre Moline Ranch property is located in Chouteau County about 20 miles east of Geraldine, Montana. The property lies south of the Missouri River and west of Arrow Creek. The property consists of sagebrush grassland habitats, dryland cropland, and about 50 acres of seasonal wetlands. The ranch borders approximately 14,200 acres of publicly inaccessible BLM and DNRC lands that would become accessible through acquisition of the conservation easement. The management plan for the property has a detailed description of the habitat types and acreage.

B. Habitat and Wildlife Populations

The Moline Ranch property supports sharp-tailed and sage grouse, Hungarian partridge, mule deer, pronghorn antelope, prairie dogs, burrowing owls, long-billed curlews, and Ferruginous hawks and a host of other species that call these habitats home.

C. Current Use

The Moline Ranch property is a working ranch that raises livestock, hay, and cereal crops.

D. Management Alternatives

1) Purchase a conservation easement on the property by MFWP
2) No purchase

MFWP Purchase of Conservation Easement

The intent of the Moline Ranch Conservation Easement is to protect and enhance the wildlife habitat currently found on the property while maintaining the agricultural character of the property. Please refer to the Deed of Conservation Easement for a thorough explanation of the terms for this easement between MFWP and the Moline Ranch property.

No Purchase Alternative

The second alternative, the no purchase option, does not guarantee the protection the native habitats nor protect this land from future subdivision development, changes in land uses, or secure access for the public into the future.

This alternative requires some assumptions since use and management of the property will vary depending on what the current owners decide to do with the property if MFWP does not purchase a conservation easement.

The economic impacts associated with this alternative have not been estimated.

III. SOCIAL AND ECONOMIC IMPACTS

Section II identified the management alternatives this report addresses. The purchase of a conservation easement will provide long-term protection of important wildlife habitat, keep the land in private ownership and provide for public access for hunting. Section III quantifies the social and economic impacts of this management option following two basic accounting stances: financial and local area impacts.

Financial impacts address the cost of the conservation easement to MFWP and discuss the impacts on tax revenues to local government agencies including school districts.

Expenditure data associated with the use of the property provides information for analyzing the impacts these expenditures may have on local businesses (i.e. income and employment).

A. Financial Impacts

The conservation easement proposed on the Moline Ranch property will be secured by dollars from the Habitat Montana Program, which is funded by sportsmen dollars. MFWP's financial obligation is estimated to be approximately $700,000 to $750,000.

Maintenance/management costs related to the easement are associated with monitoring the property to insure the easement terms are being followed.

The financial impacts to local governments are the potential changes in tax revenues resulting from the purchase of the conservation easement. The conservation easement will not change the ownership of the property nor will it change the type or level of use on the property Therefore, the purchase of a conservation easement on this land will have no impact on the current level of taxes paid to Chouteau County.

B. Economic Impacts

The purchase of a conservation easement will not affect the agricultural activities on the Moline Ranch property. The number of livestock run on the property will not change. However a rest rotation grazing system will be implemented under the terms of the conservation easement. The financial impacts to local businesses will be neutral given there is no significant changes to the agricultural practices on the property.

The easement will provide access for hunting and wildlife viewing. The number of hunters and number of hunter days are defined in the conservation easement agreement. Based on the minimum number of annual hunter days specified in the conservation easement, the hunters utilizing the Moline Ranch property will contribute about $100,000 annually to businesses in the local economy.

IV. FINDINGS AND CONCLUSIONS

The conservation easement will provide long-term protection for wildlife habitat, maintain the agricultural integrity of the land, and ensure public hunting opportunities.
The purchase of a conservation easement by MFWP will not cause a reduction in tax revenues on this property from their current levels to Chouteau County.

The agricultural/ranching operations will continue at their current levels. The financial impacts of the easement on local businesses will be neutral to slightly positive in both the short and long run.