Montana Fish, Wildlife & Parks
1 Airport Road
Glasgow, MT 59230

January 22, 2016

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Phillips County NRCS
Phillips County Grazing District
DNRC-NE Land Office
John and Patricia Wilke
Little Big Warm LLC
Milk River Land and Cattle
Lyle and Joann Davis

Ladies and Gentlemen:

Montana Fish, Wildlife & Parks (FWP) has developed a Draft Environmental Assessment (EA) prepared for the proposed action of purchasing a conservation easement on 1,760 acres from Wetlands America Trust Inc., a division of Ducks Unlimited (DU). This property called Pintail Flat is located in a single parcel approximately 14 miles south of Dodson in south Phillips County.

The proposed easement would conserve and enhance wetland and grassland habitats, perpetuate agriculture as the principle use, and maintain public access to this land. This property is located in a state, regional, and national priority area for conservation of migratory and upland game birds and their habitats. This particular area of Phillips County provides habitat to a number of waterfowl species to include northern pintails and several grassland birds considered species of concern to include Sprague's pipit. A portion of the property is in sage grouse core area.

FWP would like to purchase the easement and implement the easement terms while maintaining the present use of the property as livestock grazing. A rest-rotation grazing system would be implemented to maintain and improve range and wildlife habitat on the property.

The EA is available at: *http://fwp.mt.gov* under public notices. You may request a hardcopy by calling 228-3700. The public comment period on the draft EA will extend through 5:00 pm, February 26, 2016. A public meeting will be held in Malta in the basement of the Phillips Co. library on February 16 at 3:00 PM. Written comments can be mailed to Pintail Flat EA Comments, MT Fish, Wildlife & Parks, 1 Airport Rd, Glasgow, MT 59230 or emailed to *katsmith@mt.gov*. If you have any further questions

regarding this proposal, please call the Region 6 FWP office at 228-3700. Thank you very much for your interest in this project.

Sincerely,

Mark Sullivan
Region 6 Supervisor

Montana Fish, Wildlife and Parks
Wildlife Division
DRAFT ENVIRONMENTAL ASSESSMENT (EA)
PINTAIL FLAT CONSERVATION EASEMENT PROPOSAL

I. INTRODUCTION

Montana Fish, Wildlife & Parks (MFWP) proposes to purchase a conservation easement on property owned by Wetlands America Trust, Inc. named the Pintail Flat property, consisting of approximately 1,760 acres of private land in Phillips County west of Malta and south of Dodson. This property comprises native and tame grassland interspersed with wetlands which is valuable waterfowl and migratory bird nesting and brood rearing habitat (Figure 1). The property borders the U.S. Fish and Wildlife Service Korsbeck Waterfowl Production Area which comprises similarly valuable wetland and grassland habitat resulting in an expanded footprint of conserved habitat in the immediate area.

Figure 1. Wetland, associated grasslands, and waterfowl on Pintail Flat

This property is located in a state, regional, and national priority area for conservation of migratory and upland game birds and their habitats. The Hi-Line of Montana provides some of the largest expanses of intact wetland-grassland complexes in the nation; however, the integrity of this landscape continues to be threatened by conversion to cropland agriculture and energy development. Acquisition of this conservation easement would be an important strategic step toward conserving high priority habitats and landscapes for species of conservation interest.

This particular area of Phillips county provides habitat to a number of waterfowl species to include northern pintails as well as a number of grassland birds considered species of concern to include Baird's sparrow, bobolink, Brewer's sparrow, burrowing owl, chestnut collared longspur, grasshopper sparrow, loggerhead shrike, long-billed curlew, McCown's longspur, mountain plover, sage thrasher, and Sprague's pipit. Three amphibian species of concern found in the area include Great Plains toad, northern leopard frog and plains spadefoot. A portion of the property is occupied by prairie dog town as well as sage grouse core area. Four sage grouse leks are located within three miles of the property.

This conservation project reflects the desire of all parties to continue the landowner's agricultural operation, while maintaining and enhancing wildlife habitats. This easement will keep the property in private ownership and operation, preserve important wildlife habitats, and guarantee managed public access for hunting and other recreational pursuits.

II. AUTHORITY AND DIRECTION

Montana FWP has the authority under State law (87-1-201, 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. FWP also has the authority to acquire land or interests in land for these purposes (87-1-209, MCA). 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. This Environmental Assessment (EA) is part of that decision making process.

Sections VII and VIII of this EA include comprehensive analysis of the factors required by MCA 87-1-241:

1. Wildlife populations and use currently associated with the property (Section I, Introduction; Section IV, Purpose and Need, Section VII, #5)
2. Potential value of the land for protection, preservation, and propagation of wildlife; (Section I, Introduction; Section IV, Purpose and Need, Section VII, #1, #4, #5)
3. Management goals proposed for the land and wildlife populations, and where feasible, any additional uses of the land such as livestock grazing or timber harvest (Section I, Introduction; Section IV, Purpose and Need; Section VII #1, #4, #5)
4. Any potential impacts to adjacent private land resulting from proposed management goals, and plans to address such impacts (Section VII, #6)
5. Any significant potential social and economic impacts to affected local governments and the state (Section VIII)
6. Land maintenance program to control weeds and maintain roads and fences (Section VII, #4, #6)

This analysis will be made available for review by each owner of land adjacent to this property, and to any member of the public. A public hearing will be held in the affected area. See Section XI for more information on public outreach and distribution.

III. LOCATION OF PROJECT

The Pintail Flat Project is located approximately 14 miles south of Dodson. It consists of 1,760 acres of private land. All of the land involved is within deer/elk hunting district 620. A map of the property is included as Appendix I in this document.

IV. PURPOSE AND NEED FOR THE PROPOSED ACTION

The primary purpose of this action is to preserve the integrity of the native habitats and their traditional agricultural use and ownership. The primary habitats represented on the Pintail Flat Project property include native grasslands and tame grasslands intermixed with wetland communities. This interspersion of grasslands and wetlands is valuable for waterfowl production, and also supports breeding and migrating shorebird and grassland bird species (Figure 1). Under the proposed action, these habitats will be perpetuated by maintaining and improving existing habitat. In addition, habitats that support sage grouse, sharp-tailed grouse, mule deer, antelope, black-tailed prairie dogs, and a wide variety of native species of migratory birds, songbirds, and small mammals, will be perpetuated.

Wetland-grassland complexes are a declining resource nationally, yet they support a diverse wildlife community and help maintain water quality, flood control, and water table recharge. This property is located within a priority area for conservation, as mapped by the Prairie Pothole Joint Venture and Montana's State Wildlife Action Plan, because it provides high quality habitat for Montana's wetland-grassland associated Species of Concern. The Hi-Line of Montana, especially Phillips and Valley counties, provides the largest expanses of habitat for declining grassland birds such as Sprague's pipit *in the Nation*. It also provides nesting habitat for declining northern pintails along with other breeding waterfowl species. This property is located within three miles from 4 active sage-grouse lek and may provide critical brood-rearing habitat for this species of conservation concern, especially in drier years. This property is also adjacent to Korsbeck Waterfowl Production Area, which is managed by the U.S. Fish and Wildlife Service as waterfowl nesting habitat. Acquisition of the Pintail Flat conservation easement will expand the ecological footprint of the existing wildlife habitat management and protection on Korsbeck and will have landscape level influences on wildlife populations and wetland quality.

Currently, free public access is allowed on the Pintail Flat property. A secondary result of this project is guaranteed public access to this ranch land for hunting and other recreational pursuits in perpetuity.

V. DESCRIPTION OF PROPOSED ACTION

The proposed action is for FWP to purchase, hold and monitor a conservation easement on the Pintail Flat Project property. This easement would include 1,760 acres, which is all of the deeded property. The total purchase price for the proposed easement will be based on appraisal, and is estimated to be $505,000. FWP would also provide approximately $50,285 of cost-share towards fencing and water development materials required to implement the grazing system, and would pursue partnerships with other agencies and entities to help defray such costs. FWP's Migratory Bird Wetland Program is the primary funding source for this project.

Specific terms of the easement in their entirety are contained in a separate legal document, which is the proposed "Deed of Conservation Easement". This document lists FWP and landowner rights under the 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 to by FWP and the landowner.

To summarize the terms of the easement, FWP's rights include the right to:

(1) identify, preserve and enhance specific habitats, particularly native and tame grasslands and associated wetland communities;
(2) monitor and enforce restrictions;
(3) prevent activities inconsistent with the easement;
(4) ensure public access for the purpose of recreational hunting. Hunting access for all sex and age classes of game animals and game birds during all established seasons will be provided for a minimum of 100 hunter days each fall, and a minimum of 25 recreation days non-related to hunting annually.

The landowner will retain all of the rights in the property that are not specifically restricted and that are not inconsistent with the conservation purposes of the proposed easement, including the right to:

(1) pasture and graze this land in accordance with the grazing system described in the Management Plan (See Appendix II);
(2) maintain water resources;
(3) maintain or establish up to two residences and associated sheds, corrals, and other improvements on one development area not to exceed ten acres;
(4) construct, remove, maintain, renovate, repair, or replace fences, roads and other nonresidential improvements necessary for accepted land management practices; and
(5) control noxious weeds.

The proposed easement will restrict uses that are inconsistent with the conservation purposes of the easement, including the following uses of the property:

(1) control or destruction of existing vegetation, including untilled native grasslands; except as part of or incidental to land uses specifically allowed by this Easement or as specifically provided for in the Management Plan.
(2) draining, filling, or removal of wetland or riparian areas;
(3) subdivision;
(4) cultivation or farming beyond existing boundaries; except for habitat restoration or enhancement activities authorized pursuant to the terms of this Easement and Management Plan.
(5) commercial outfitting or fee hunting;
(6) mineral exploration, development, and extraction by surface mining techniques;
(7) construction of permanent structures except as described above;
(8) commercial feed lots;
(9) establishment or operation of a game farm, game bird farm, shooting preserve, fur farm, menagerie or zoo;

(10) commercial or industrial use, except traditional agricultural use;
(11) waste disposal to include hazardous materials

The conservation easement would conserve from breaking approximately 958 acres of native mixed grass prairie and 142 acres of wetlands and would allow those acres to be grazed by livestock under a prescribed grazing system described in the management plan. Previously farmed areas totaling 802 acres that were seeded back to grassland would also be conserved from breaking and enter into the grazing system with the potential to be managed through periodic haying.

VI. DESCRIPTION OF REASONABLE ALTERNATIVES TO THE PROPOSED ACTION

The intent of this action on the Pintail Flat Project is to maintain this land as a traditional Montana working ranch, consistent with the landowner's intent to continue to own, operate and maintain the property. The landowner does not desire to sell the property to FWP. Since conservation easements also represent FWP's preferred option for conservation efforts with private landowners, the only other alternative reviewed in this EA is the "No Action Alternative".

1. No Action Alternative

If the Department does not purchase a conservation easement to protect the Pintail Flat Project, the land can be expected to remain under current management practices. Currently, recreational access is allowed to the property through the Block Management Program but in the future, the land could be sold to subsequent owners who wouldn't provide public access for hunting. Additionally the ranch would remain vulnerable to tilling native grasslands, cropping tilled areas that are currently reseeded to grass, filling or draining wetlands, potentially compromising the habitat and recreational values of the land.

VII. EVALUATION OF IMPACTS ON THE PHYSICAL ENVIRONMENT

1. Land Resources

Impact of Proposed Action: No negative environmental impacts would occur to the land resources as a result of this proposal. The terms of the proposed easement are structured to prevent adverse impacts on soils and vegetation. A grazing plan would be implemented that to enhance hiding cover and soil and plant health (Management Plan, Appendix II). Subdivision and development of the land would be restricted, as would cultivation of native grasslands. The proposed easement would ensure that the land resources are maintained.

No Action Alternative: In the absence of terms of the proposed easement, there would likely be no change in the short-term. Livestock grazing would likely occur on the majority of the property under an unknown grazing system. However, if the land was developed or sold, disturbance of soils from cultivation or other developments could occur.

2. Air Resources
Impact of Proposed Action: There would be no impact.

No Action Alternative: There would be no immediate impact.

3. Water Resources
Impact of Proposed Action: Current agricultural uses on the property have proven to be compatible with maintenance of water quality. However, positive impacts should be realized in surface and ground water as a result of implementing a rest-rotation grazing system, benefitting soils and plant cover. As part of the system, additional water improvements would be developed to improve livestock distribution, range conditions, and riparian vigor throughout the ranch. There would be no negative impact over what is currently associated with a working ranch operation.

No Action Alternative: There would likely be no impact in the short-term. However, if the land was developed or sold without conservation protection, there would be no assurances that over time the use of this property wouldn't change from ranching to some other use.

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 grazing program would enhance and maintain the vigor and productivity of vegetation on the Pintail Flat Project. The proposed action would also ensure the land's primary use in the future would be livestock grazing, which depend on maintaining a productive vegetative resource. Noxious weed management is included in the management plan and emphasizes the importance it has on conserving native habitats.

No Action Alternative: Without protections of the quantity, quality, and character of the native plant communities found on the property, there would likely be no change in the short-term. However, if the land was developed or sold, there would be no conservation measures in place to maintain the productivity of the land. Future impacts to native vegetation and overall productivity of the land could be significant. In addition, there would be no long-term protection of existing native plant communities.

5. Fish/Wildlife Resources
Impact of Proposed Action: This action would benefit a variety of wildlife. The terms of the easement would conserve the land as agricultural and open space, intended to provide year-round habitat for many of Montana's native wildlife species. Wildlife and agriculture can effectively coexist as demonstrated in Montana today. Conserving native plant communities is important for most of Montana's indigenous wildlife species. Implementation of a rest-rotation grazing system would ensure adequate quantity and quality of forage and cover for a variety of wildlife species. No adverse effects are expected on the diversity or abundance of game species, non-game species or unique, rare, threatened or endangered species. There would be no barriers erected which would limit wildlife migration or daily movements. There would be no introduction of non-native wildlife species into the area.

No Action Alternative: Without terms to conserve the land as agricultural and open space to provide year-round habitat for many of Montana's native wildlife species, there would likely be no change in the short-term. However, there would be no provisions preventing conversion of important habitats back to tillage cropping, which would directly affect nesting cover and water quality, and wetland productivity. There would be no provisions preventing activities such as the construction of fences or other barriers that could inhibit wildlife movement.

6. Adjacent Land
Impact of Proposed Action: No negative impact is expected. Existing fences would be maintained along the perimeter of the Pintail Flat Project. Public hunting access will help in managing wildlife populations to reduce the likelihood of agricultural damage to this and adjacent ranches. FWP and the landowner will work with any adjacent landowners that perceive possible impacts.

No Action Alternative: There will not be a change in the short-term, but if the land was developed or sold, it could result in wildlife caused agricultural damage to adjacent private lands.

VIII. EVALUATION OF IMPACTS ON THE HUMAN ENVIRONMENT

1. Noise/Electrical Effects
Impact of Proposed Action: No impact would occur over existing conditions.

No Action Alternative: There would be no immediate impact unless the land use significantly changed in the future.

2. Land Use
Impact of Proposed Action: There would be no impact with the productivity or profitability of the ranch, or conflicts with existing land uses in the area. The traditional uses of the land (grazing) would be maintained under the Proposed Action.

No Action Alternative: The property would likely remain as grazing land in the short-term but if the land was developed or tilled, it would change the land use to cropping or other use that would not be as favorable for wildlife. Public recreational opportunity would very likely be diminished.

3. Risk/Health Hazards
Impact of Proposed Action: No impact would occur over existing conditions.

No Action Alternative: There would be no immediate impact unless the land use significantly changed in the future.

4. **Community Impacts**
Impact of Proposed Action: There would be no anticipated negative impacts to the local community. The scenic values and open character of this property would be maintained and enjoyed by the community in perpetuity. The property would remain in agricultural production, continuing to benefit local businesses and the local economy. Employment opportunities would

be maintained through agricultural operation of 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 100 annual hunter days specified in the conservation easement, the hunters utilizing the Pintail Flat property will contribute about $11,000 annually to businesses in the local economy. This estimate is based on about 70% of the hunting use being resident hunters and 30% nonresident.

No Action Alternative: The property would likely remain in agricultural production, continuing to benefit the local community and economy. Without protection of the scenic values and open character of this property being maintained for enjoyment by the public in perpetuity, hunting access and public access on this ranch could be restricted in the future, negatively affecting traditional recreational opportunities in the area and contributions to the local economy.

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 or tax bases of revenues, nor increased uses of energy sources or impacts to local schools. As an agricultural property, the land would continue to be taxed as it has before. Need for local government services would not change.

No Action Alternative: No immediate impact would occur and changes to the current tax revenues are not anticipated. Need for local government services would not change unless the property was subdivided which would require additional local government services, utilities, energy sources and local schools.

6. Aesthetics/Recreation

Impact of Proposed Action: There would be no 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.

No Action Alternative: There would be no guarantee of continued public access to the land or across the land for recreational purposes. If rural subdivision and/or other developments occur it would reduce the aesthetic and recreational quality of the area.

7. Cultural/Historic Resources

Impact of Proposed Action: No impacts are anticipated. However, any surface disturbance associated with grazing improvements to be placed on state and federal land will be subject to any legally required cultural review.

No Action Alternative: Any future developments, such as additional building construction or expanded tillage on this land could have an adverse impact on the cultural and historic values of the property.

IX. SUMMARY EVALUATION OF SIGNIFICANCE

When considered on a larger scale, this action poses a substantial positive cumulative effect on wildlife, range management, riparian habitats and open space. The ranch will remain in private ownership, continue to contribute to agricultural production and thus contribute to the local economy. The proposed action should have no negative cumulative effect on the physical or human environments.

The "No Action Alternative" would not preserve the diversity of wildlife habitats in perpetuity. Without the income from the proposed conservation easement, the current landowner or any successor owners might consider other income options, potentially including either selling the property or subdividing parts of it, or breaking native prairie for farming. Such land uses could directly replace wildlife habitat and negatively impact important public access to the ranch.

X. EVALUATION OF NEED FOR AN EIS

Based on the above assessment, which has not identified any significant negative impacts from the proposed action, an EIS is not required and an EA is the appropriate level of review. The overall impact from the successful completion of the proposed action would provide substantial long-term benefits to both the physical and human environment.

XI. PUBLIC INVOLVEMENT

The public comment period will begin on January 22, 2016 and run through February 26, 2016.

Written comments may be submitted to:
Montana Fish, Wildlife and Parks
Attn: Pintail Flat Conservation Easement
1 Airport Rd
Glasgow, MT 59230

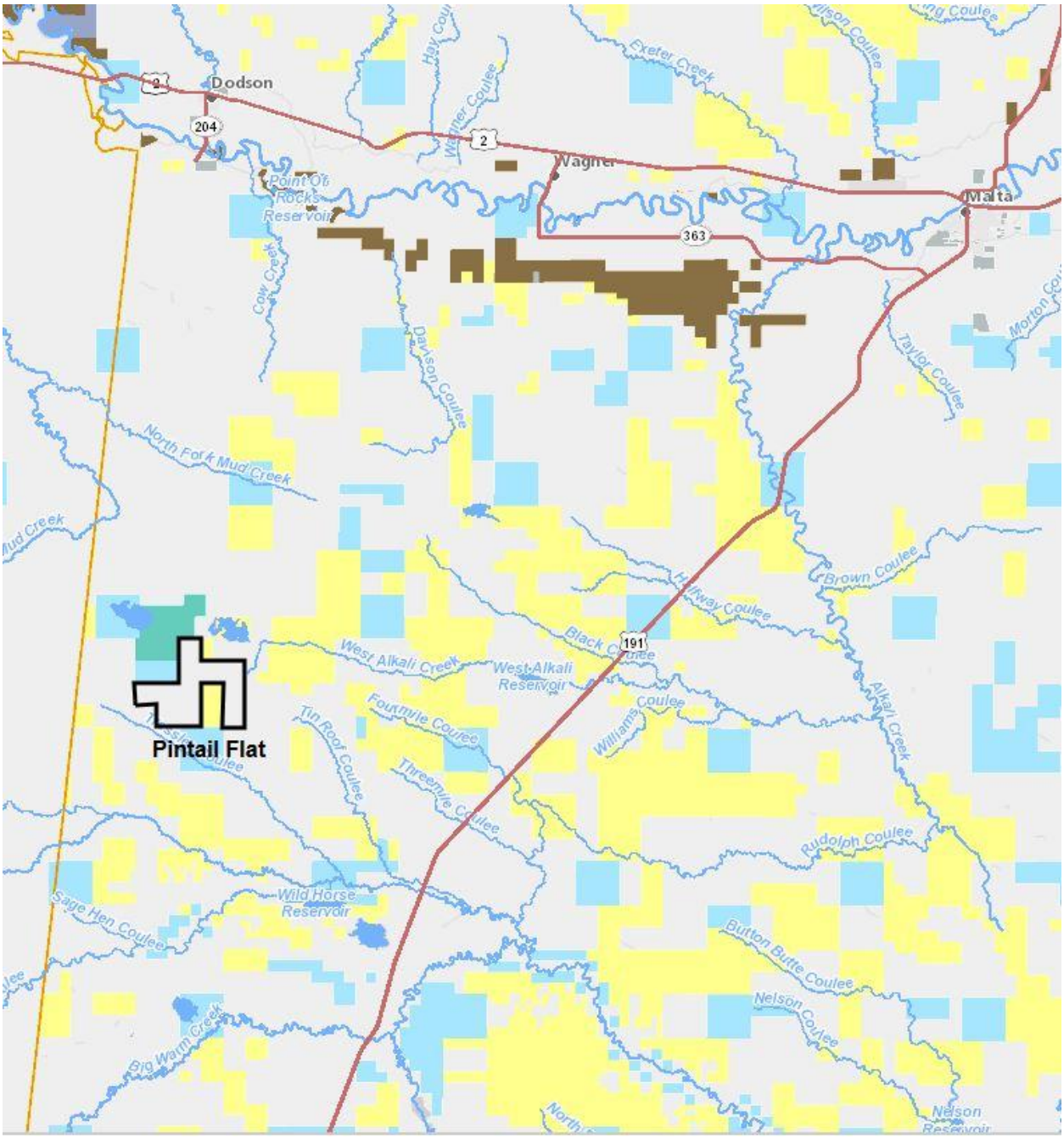
Or comments can be emailed to katsmith@mt.gov.

In addition, there will be a public hearing in Malta on Tuesday, February 16, 2016 at 3:00 pm in the basement of the Phillips County Library.

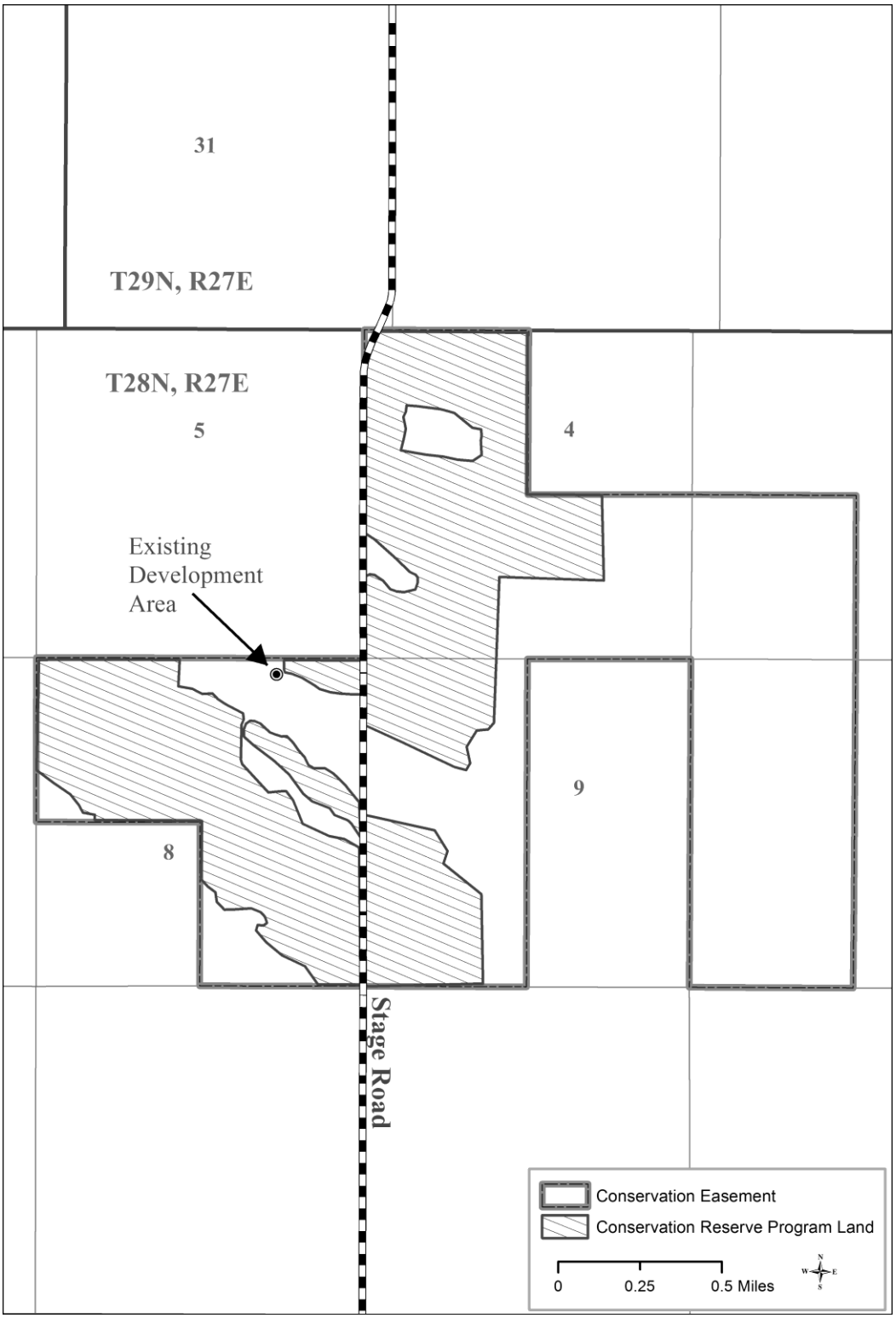
XII. NAME, TITLE AND PHONE NUMBER OF PERSON RESPONSIBLE FOR PREPARING THIS EA

Scott Thompson, Wildlife Manager, Montana Fish, Wildlife, and Parks, 1 Airport Rd, Glasgow, MT 59230, 406-228-3710.

APPENDIX I



LOCATION OF PINTAIL FLAT PROPERTY, PHILLIPS CO. MT



PROPOSED PINTAIL FLAT CONSERVATION EASEMENT

Appendix II
Pintail Flat Conservation Easement Management Plan Draft

A. INTRODUCTION

This Management Plan, dated as of _____, 2016, is entered into by the legal landowners as identified in the Deed of Conservation Easement; whom shall hereafter be referred to as the "Landowner". This management plan provides terms of agreement between the Landowner and Montana Fish, Wildlife and Parks, hereafter referred to as "FWP" for implementing the Pintail Flat Conservation Easement. The conservation easement (CE) is a legal framework established to conserve approximately 1,760 acres of deeded lands. The ranch boundary also includes 320 acres of BLM. Approximately 958 acres (55% of the deeded land) is native prairie grasslands and 802 acres (45% of the deeded land) is formerly tilled lands seeded back to grassland and enrolled in the Conservation Reserve Program (CRP) until 2017. Numerous ephemeral and seasonal wetlands exist on the property totaling 142 acres (8% of total acres). The resource values of this property are considerable, including grassland complexes interspersed with wetland communities providing productive waterfowl and other grassland bird nesting and brood rearing habitat. This habitat is recognized as a priority for conservation in "*Montana's Comprehensive Fish and Wildlife Conservation Strategy, Executive Summary, 2005*." The "Strategy" is available from Montana Fish, Wildlife and Parks, 1420 East Sixth Avenue, Helena, MT 59620, or by internet at: http://fwp.mt.gov/specieshabitat/strategy/summaryplan.html.

Primary objectives of the CE include: conserve the native grasslands, conservation and enhancement of the reseeded grasslands, conservation of the wetland basins; continue to provide public access, to include the use of a defined travel plan; and maintain desired wildlife populations.

Because hunters are primarily funding this CE, land management and conservation will emphasize habitat for game species, based on habitat availability and potential. In the wetland communities primary game species include waterfowl. In the grassland complexes game species include: mule deer, antelope, and sharp-tailed grouse.

This Management Plan details how CE terms will be applied on the ranch under current circumstances. Whereas CE terms endure in perpetuity, the annual operation details of the Management Plan can be adjusted through revision as conditions or situations on the land change. Therefore, the Management Plan is a living document, to be reviewed periodically by FWP and the Landowner, and to be revised as needed, upon written agreement of both parties. Its function is to detail strategies for land management, primarily conducted by the Landowner, to ensure consistency with the terms and intent of the CE. A principal strategy is annual or more frequent meetings between both parties and field monitoring by FWP to check on compliance with both the CE terms and the operation details of this Management Plan. Finally, if details in this or future management plans are found to be in conflict with the CE, the CE terms prevail.

The current ownership of the Pintail Flat property by Wetlands America Trust, Inc (WAT) is expected to be short-term, with the eventual sale of the property to a new landowner. Therefore, this management plan is intended to serve the near term, during the period of ownership by WAT. Upon resale of the property, MFWP and the new landowner will review and adjust this management plan to meet the needs of the new landowner, continue to meet the terms of the CE, and incorporate expiring CRP into the grazing plan.

B. GOAL, OBJECTIVES, PROBLEMS, AND STRATEGIES

GOAL: The goal of this management plan is to define and implement specific management actions that support the Pintail Flat CE. The CE is intended to conserve and enhance native and introduced grasslands interspersed with wetland communities, conserving the overall integrity of these lands in perpetuity. Through implementation of CE terms, the quality and amounts of native habitats, important agricultural habitats, and wildlife potential will be maintained while allowing compatible agricultural land uses. Further, the CE provides for defined hunter and angler recreation.

Objective 1. Maintain and improve grassland habitats for the benefit of wildlife and livestock, while positively impacting the traditional land uses.

> Strategy 1a. The Landowner will implement the rest rotation-grazing plan for native grasslands, as described in Exhibit A.
>
> Strategy 1b. The Landowner will maintain previously tilled areas in perennial grassland.
>
> Strategy 1c. The Landowner will maintain all natural wetland basins and maintain improvements to enhanced wetlands.
>
> Strategy 1d. The Landowner will control noxious weeds by chemical, mechanical, or biological methods, in the amounts and frequency of application constituting the minimum necessary to accomplish reasonable control in a manner that will minimize damage to native plants.
>
> Strategy 1e. The Landowner will implement the range improvements as described in Exhibit A.
>
> Strategy 1f. In addition to the previous habitat enhancement strategies as set forth within Objective 1, habitat enhancement opportunities through participation in Federal, State, and other habitat programs may be completed on the property provided they comply with CE terms.

Objective 2. When demand exists, provide a minimum of 100 hunter days for a combination of big game, upland birds and waterfowl/migratory birds.

Strategy 2. As per CE terms, the Landowner will allow reasonable non-motorized public access for hunting, trapping, wildlife viewing, and other forms of non-motorized recreation. The Landowner may not charge fees, lease, or commercially outfit fishing, hunting, trapping, or charge trespass fees on deeded land or to adjoining public lands.

The Landowner may apply for enrollment in, and the Department may make available to the Landowner, certain services and compensation offered through various (present or future) access and land management Programs as may exist at any time. A current example at the time of this CE's establishment is the Block Management Program. Services and/or compensation for public use impacts through the Block Management or any other access or land management Program is contingent upon Program continuation, sufficient Program funding and a prioritized ranking and selection of the Ranch and its access and hunting opportunities as compared to other land enrollment applications. At the time of this CE's establishment, the CE lands are enrolled in the Block Management Program. However, as stated, there is no long term commitment for extended enrollment beyond the current Block Management contract.

Should the Landowner or FWP decide not to continue to enroll CE lands in Block Management or similar program, the Landowner and FWP must develop an equally-effective and transparent system for handling public hunting access within the FWP CE terms.

Public access will be by walk-in from existing public roads with no parking areas identified (Exhibit B, Travel Plan). No internal roads of the Pintail Flat CE are designated for public travel but usage of these roads is at the discretion of the landowner for game retrieval and special circumstances. By minimizing vehicular traffic, more security for game species is provided during the hunting season.

Objective 3. When demand exists, provide a minimum of 25 recreation days consisting of non-hunting recreational and educational opportunities to the public through the viewing of wildlife, trapping and various educational uses. This CE will demonstrate how traditional land uses can be implemented in a manner that benefits wildlife while maintaining a successful agricultural operation.

Strategy 3a. Public opportunity for wildlife viewing will be enhanced through the Strategies found in Objective 1.

EXHIBIT A – GRAZING AND HABITAT

Pintail Flat Grazing Management and Habitat Improvement Plan

1) Land Unit Description

The Pintail Conservation Easement (CE) comprises a total of 1,760 acres of deeded land. The ranch also includes 320 acres of BLM, totaling 2,080 acres. Approximately 1,136 acres (55%) of the ranch is native grasslands. Formerly tilled parcels seeded back to mixed grasslands (CRP) total 802 acres (39%). Wetland basins total 142 acres, which is 7% of the total ranch.

Native grasslands are mostly contained in one pasture totaling approximately 1,070 acres comprised of 750 acres of deeded land and 320 acres of BLM. The remainder of the property in CRP is within 2 larger pastures of approximately 480 acres and 400 acres, and one small pasture of 95 acres. Small amounts of native grassland exists along the edges of these CRP fields and within wetlands basins.

2) Current Management Narrative

The property is currently managed as leased seasonal grazing on the native pasture with a maximum of 230 Animal Units Months (AUMs) annually and a stocking rate of no more than one animal unit per 5 acres. Season of use on the native pasture typically occurs later during the growing season (past July 15) through fall. Some managed grazing of the CRP fields has occurred in recent years, but is not allowed for the remainder of the CRP contract.

3) Planned Management Narrative with tables and maps

Native Pasture

Livestock will be managed using a rest-rotation grazing system between the dates of May 15 and October 31. The livestock grazing plan at this time addresses only grazing on those native acres consisting of one pasture not currently enrolled in CRP. This native pasture will be managed as one rest-rotation grazing pasture which may be grazing early or late the first year, late the second year, and rested on the third year as outlined in Table 2. This grazing strategy is consistent with FWP's grazing standards for summer grazing.

Grazing rotation dates are determined according to grass phenology. Early grazing occurs during rapid growth prior to seed ripe (May 15 to August 1), late grazing occurs after seed ripe of dominate grasses (August 1-October 31). Rest is defined as year-long rest of the pasture. When livestock grazing is complete during one of these periods, cattle leave the system and the CE property for the remainder of the year. Ungrazed grass cover is intended for use by wildlife for hiding cover and forage. Grasslands that are deferred and rested from grazing are not available for other agricultural uses, such as haying or harvest of seed.

CRP/seeded pastures

CRP acres (set to expire from CRP in September 2017) are not, at this time, scheduled to follow any specific grazing plan. Upon the future transfer of the property to a new landowner, MFWP will work with the new landowner to revise this management plan and the grazing plan to incorporate the expired CRP acres. If the future landowner is willing to graze the expired CRP pastures under a rest-rotation regime, MFWP would provide additional cost-share for infrastructure to make grazing those acres possible. If winter grazing/feeding is to occur, one or more of the CRP pastures will need to be designated for winter use.

Refer to Table 2 for summer grazing rotation details during a 9-year period from 2016 to 2024. The rotation continues in the same fashion into future years. Pasture designations CRP1, CRP2 and N are illustrated in the grazing plan map (Figures 1). Again, MFWP anticipates revising this rotation upon transfer to a new landowner, subject to their needs and MFWP grazing standards.

Table 1: Pintail Flat pasture numbers, names and grazing seasons

Pasture Number	Pasture Name	Pasture Use
CRP1	Tame Pasture 1	To be determined
CRP2	Tame Pasture 2	To be determined
N	Native Pasture	Summer Grazing System

Table 2: Pintail Flat summer grazing system rotation

Year	Native Pasture
2016	A or B
2017	B
2018	Rest
2019	A or B
2020	B
2021	Rest
2022	A or B
2023	B
2024	Rest

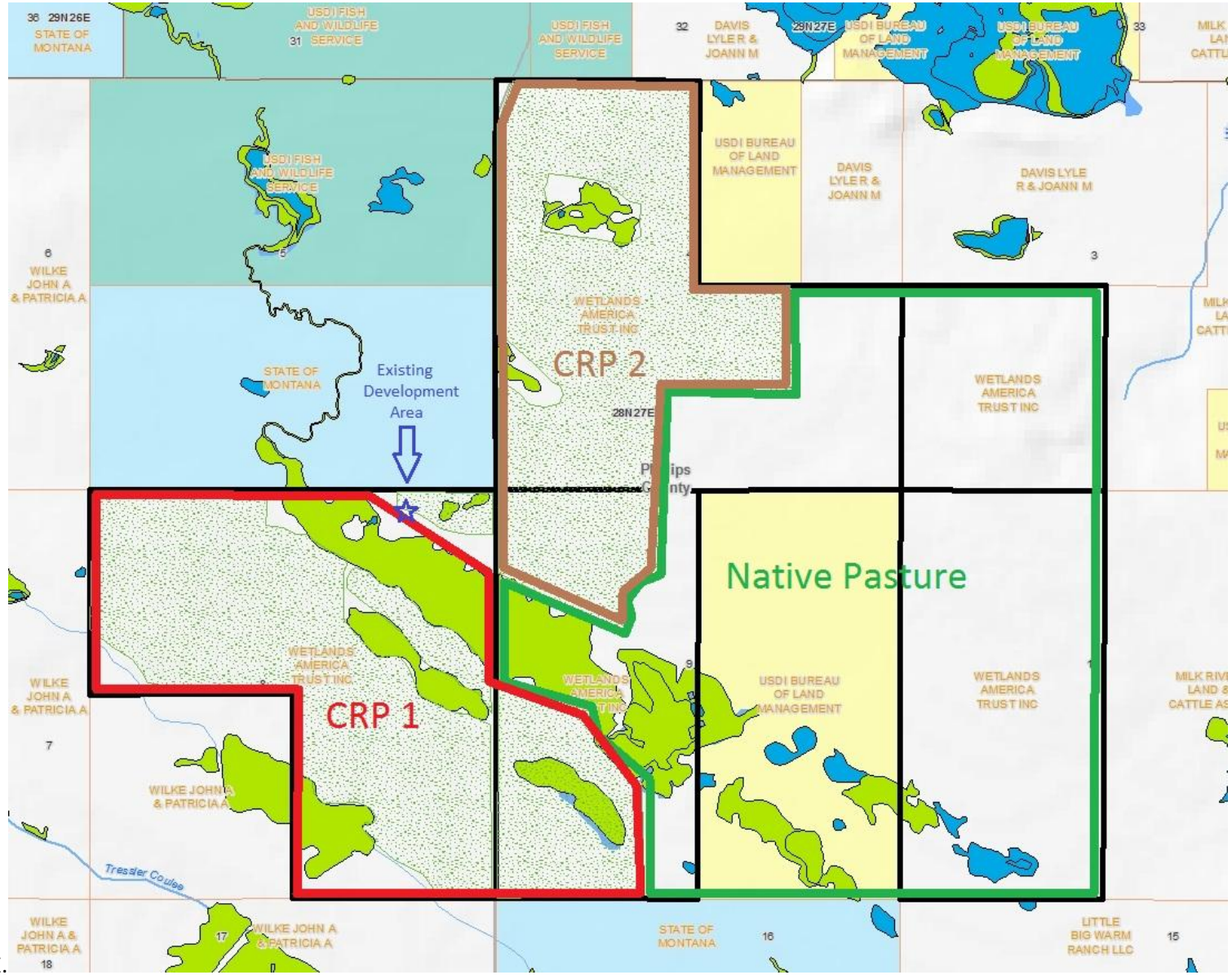
A = Livestock grazing from May 15 – August 1 (period of rapid growth).

A or B= Livestock grazing during either early (May 15 – August 1) OR late (August 1 – October 31) <u>but not both</u>

B = Livestock grazing from August 1 – October 31 (after seed ripe).

Rest = Rest from all livestock grazing for the year.

Figure 1: Map of the summer grazing system pasture for the Pintail Flat



CE.

4) Stocking Rate

This grazing plan does not set a specific stocking rate. On deeded lands covered by the CE, the maximum stocking rate will be based on compliance with the grazing system. As long as the Landowner can graze livestock and remain in compliance with the grazing system, FWP will not be concerned about the stocking rate. The CE restrictions do not apply to BLM or DNRC lands and stocking rate on these lands will ultimately be determined by the responsible agency.

5) Salt and Mineral Management

When salt and mineral supplements are used, they will be located away from riparian and wetland zones in a manner that will minimize impacts to these areas. Sites will also be located away from any known prairie grouse breeding leks.

6) Range Improvements

In order for the grazing system to operate into the future, the range improvements described below are needed and summarized in Table 5. FWP's total cost share for below outlined improvements will not exceed $50,285.

Table 3. Improvements needed for grazing system development on the Pintail Flat Project. Landowner/FWP cost share will involve two options:

- Option 1, FWP pays for materials through reimbursement to the Landowner and the Landowner completes the installation as in-kind cost share.
- Option 2, the Landowner hires contracted services and all work and materials are split 50/50 through reimbursement to the Landowner.

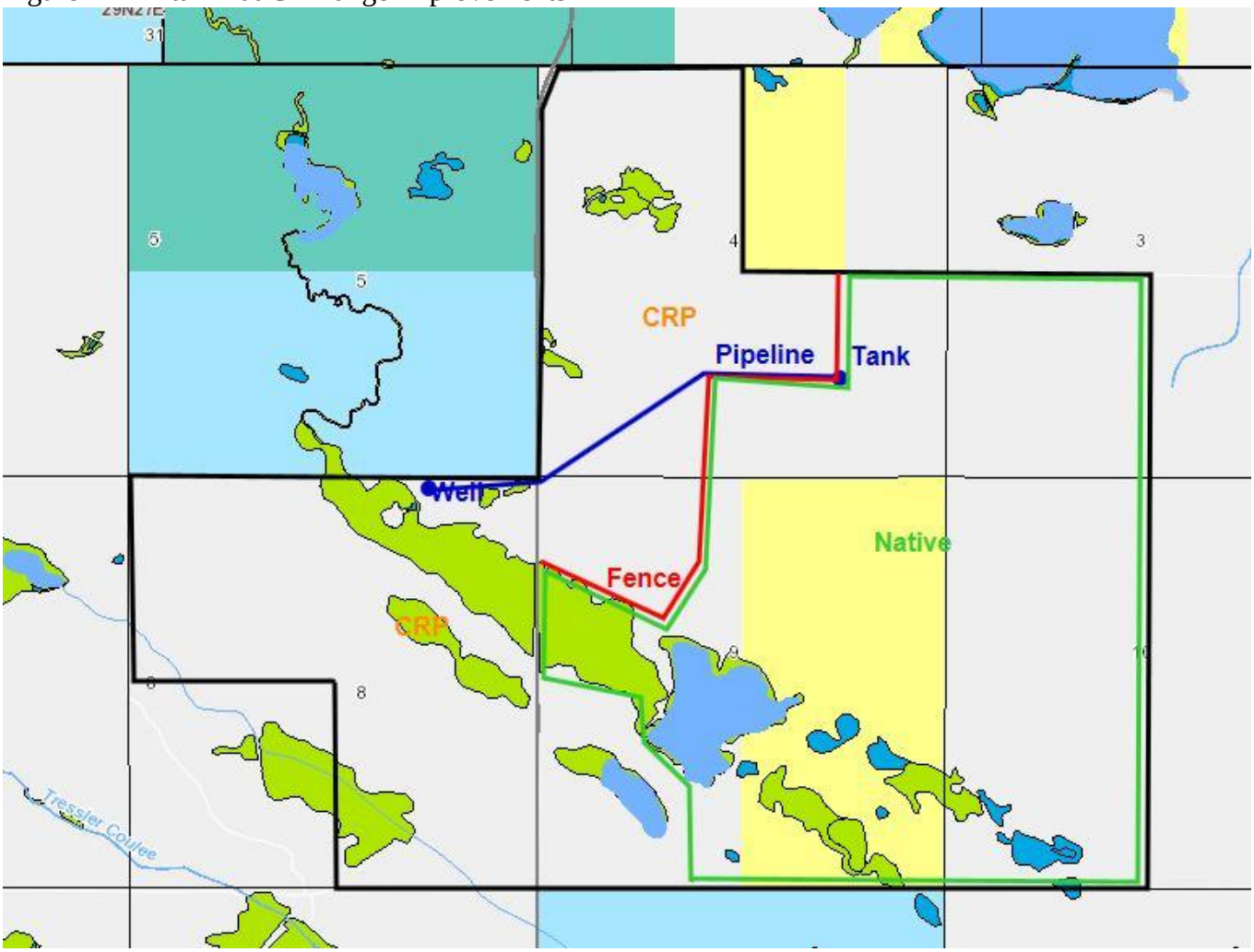
Improvement	Location	Quantity	Cost of Materials ($)	Cost of Improvement ($)	Cost Share Option	Timeline to completion
Pasture Fence	CRP-2 /Native	7,920 feet	11,880		Option 1	2018
Well	Existing homesite	1 wells @ 600 feet		48,000	Option 2	2018
Pipeline	Through CRP 1&2	5,810 feet		24,810	Option 2	2018
Water Tanks	Native	1	2,000		Option 1	2018
		FWP Costs	**$13,880**	**$36,405 (50%)**		
		FWP total not to exceed	**$50,285**			

The Landowner and FWP will incorporate a cost-share agreement as part of the CE Purchase Agreement for the improvements identified in Table 3.The arrangements for cost share will involve two options, as specified (Table 3). As improvements are completed, FWP will reimburse the Landowner based on original or copies of original receipts for materials and services upon FWP inspection of completed work. Improvements are shown in the composite maps of each unit, found in Figure 2.

The native pasture grazing rotation will require 7,920 feet of fencing to be rebuilt between CRP 2 and the native pasture at an estimated total cost for materials of $11,880.

The installation of a water well located near the original homestead and existing power, pipeline through CRP 1 and CRP 2 pastures, and one stock tank will provide reliable stock water to the native pasture. This will also have the potential to serve additional tanks in expired CRP pastures. MFWP cost-share for those improvements to install stock tanks in expired CRP pastures is contingent on the new landowner and corresponding management plan establishing rest-rotation grazing for the CRP pastures.

Figure 2 – Pintail Flat CE Range Improvements



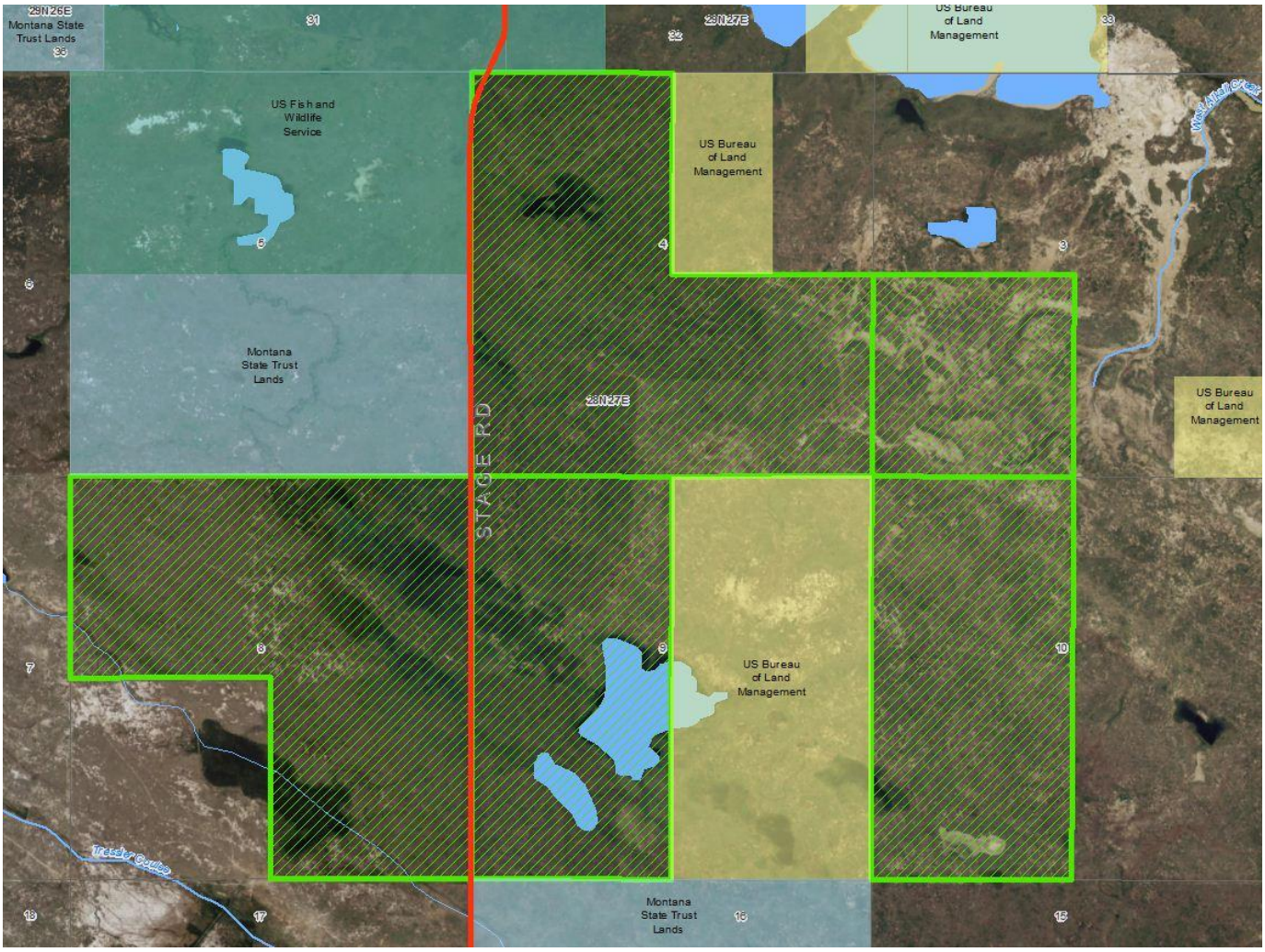
7) How the grazing plan addresses Fish and Wildlife Objectives

The overall objective of this grazing plan is to enhance and maintain the vigor, productivity, and ecological integrity of soils and vegetation of the lands incorporated into the Pintail Flat CE. The scheduled grazed and rest treatments will improve forage quality and palatability for wildlife and cattle, and will provide other important habitat components, such as cover, for numerous wildlife species. The grazing system also ensures that the primary land use, livestock grazing, will be sustainable, operating on productive vegetation and soils. The grazing plan will also maintain aesthetic and recreation values for the public.

Specific to vegetation, providing season-long and year-long rest from grazing for two consecutive growing years via "B" and "Rest" treatments, respectively, allows plants to replenish energy reserves and restore vigor lost through grazing during the growing season. When livestock are permitted into the "B" treatment following seed-ripe, hoof action tramples mature seeds into the soil, thereby facilitating seed planting. The following year's "C" treatment of complete rest allows these seedlings to establish root systems and grow before growing season livestock grazing commences again the following spring. This rest-rotation approach enables plants to achieve potential vigor and thus recover more rapidly following grazing disturbance.

Specific to wildlife, this system provides an annual array of plant cover and forage conditions, corresponding to grazing treatment, which benefits a variety of wildlife species that use the upland and riparian habitats. For instance, high quality, early spring forage will be available for wild ungulates the spring following the "A" and "B" treatments. These pastures generally green up earlier and support deer and antelope coming out of a negative energy balance from winter, as they get ready to fawn. Standing herbaceous cover in deferred and rested pastures ("B" and "C" treatments) provide valuable cover for ground nesting and ground brooding birds, including waterfowl, sage and sharp-tailed grouse, other grassland birds, as well as cover for small mammals and other wildlife. Critical food items such as seeds and insects also tend to be more abundant in these rested pastures. Scheduled rest in upland pastures also helps to maintain shrub (sagebrush) cover, important for browse, hiding and thermal cover for fawns, as well as a critical food source and nesting cover for sage-grouse. Increased plant residue will improve soil fertility, quality, stability, and moisture content which in turn will improve overall vegetation and habitat quality.

Exhibit B – Pintail Flat CE Public Access Travel Plan



Green cross-hatch denotes walk-in public access