

**AGENDA**  
**Montana Sage Grouse Oversight Team (MSGOT)**  
**May 24, 2016: 9:00 a.m. to 5:00 p.m.**  
**Montana State Capitol, Helena: Room 172**

**9:00: Call to Order:** Tim Baker

**9:05: Administrative Matters**

- Approve minutes of April 19, 2016 meeting
- Set Future Meetings
  - Suggested: August 24, 2016; December 6, 2016

**9:15: Update on Implementation of Executive Order No. 12-2015**

- Sage Grouse Habitat Conservation Program Update: Carolyn Sime
- Reports from Individual MSGOT Members
- Clarify Application of the Cities/Towns Exception for Butte-Silver Bow and Anaconda-Deer Lodge Incorporated Counties
  - Program Introduction, MSGOT Discussion, Public Comment, MSGOT Action
- Montana Department of Environmental Quality, Air Quality Bureau Exceptions
  - MSGOT Discussion, Public Comment, MSGOT Action

**10:00-10:15: Break**

**10:15-12:15: Grant Application Presentations, MSGOT Discussion, Public Comment (30 min. each)**

- Introduction: Carolyn Sime
- Julie Burke Conservation Easement: Brian Martin, The Nature Conservancy
- Watson Conservation Easement: Kendall Van Dyk, The Montana Land Reliance
- Kelly and Tami Burke Conservation Easement: Brian Martin, The Nature Conservancy
- Weaver Cattle Company: Kendall Van Dyk, The Montana Land Reliance

**12:15-12:45: Lunch Break** (snacks provided for MSGOT members)

**12:45-3:15: Grant Application Presentations, MSGOT Discussion, Public Comment (30 min. each)**

- Raths Livestock Conservation Easement: Kendall Van Dyke, The Montana Land Reliance
- 44 Ranch Conservation Easement: Kendall Van Dyke, The Montana Land Reliance
- Hansen Conservation Easement and Conifer Removal: Jim Berkey, The Nature Conservancy
- Smith Conservation Easement: Kendall Van Dyke, The Montana Land Reliance
- Reducing Conflict through Fence Marking: Haley Newman-Connolly, National Wildlife Federation

**3:15-3:30: Break**

**3:30-4:45: MSGOT Deliberations on Grant Proposals and Action**

- MSGOT Discussion, Public Comment, MSGOT Action

**4:45-5:00: Public Comment on Other Matters**

**NOTE:** Agenda item times are approximate. Actual times may vary by up to one hour. Attendees who may need services or special accommodations should contact Carolyn Sime (406-444-0554 or [csime2@mt.gov](mailto:csime2@mt.gov)) at least 5 working days before the meeting.



**AGENDA ITEM: CLARIFICATION OF EXCEPTION FROM THE CONSULTATION REQUIREMENT FOR THE INCORPORATED AREAS OF BUTTE-SILVER BOW COUNTY AND ANACONDA-DEER LODGE COUNTY, RESPECTIVELY**

**ACTION NEEDED: REVIEW AND APPROVAL**

**SUMMARY:**

Exceptions to the requirements for Sage Grouse Program consultation for state permitted activities, state authorizations, state grants, or state technical assistance are approved by the Montana Sage Grouse Oversight Team (MSGOT), not granted by the Sage Grouse Habitat Conservation Program (Program). Executive Order 12-2015 Attachment D sets forth the review process for consultation when a proponent seeks a permit, grant or technical assistance from the State of Montana. Executive Order 21-2015 designates the sage grouse habitats to which Executive Order 12-2015 applies.

During its meeting on April 19, 2016, MSGOT approved a programmatic exception from the consultation requirement of Executive Order 12-2015 for state permitted activities, state authorizations, state grants, or state technical assistance that would wholly occur within existing incorporated boundaries of cities and towns. The approval applied to boundaries, as mapped by the Montana State Digital Library, and in effect as of March 28, 2016.

After more thorough research and a more in-depth review of the actual mapped boundaries, the Program recommends MSGOT clarify the exception from the consultation requirement as it applies to the incorporated areas of Butte-Silver Bow County and Anaconda-Deer Lodge County. The exception should apply to the entire county, respectively, with the exception of the area designated as general habitat for sage grouse as reflected in the map in Executive Order 21-2015. Consultation would still be required for the general habitat areas in Butte-Silver Bow County and Anaconda-Deer Lodge County, respectively.

***Butte-Silver Bow County:*** The city and county governments consolidated to form a single entity of local government, effective in 1977. The consolidated local government is a municipal corporation and political subdivision of the State of Montana, and has the status of a county and an incorporated municipality. It is about 718 square miles. Walkerville is a separate municipality from Butte and is located within the county.

***Anaconda-Deer Lodge County:*** The city and county governments consolidated into a single entity of local government, effective in 1977. The local government, called Anaconda-Deer Lodge County, has the status of an incorporated municipality and a county where the boundaries of Anaconda-Deer Lodge County are the same as Deer Lodge County. It is about 741 square miles.

General Habitat for sage grouse has been designated within each of these counties by Executive Order 21-2015. In approving the Program's ill-formed recommendation to grant the incorporated municipalities an exception to the consultation requirement, MSGOT also inadvertently approved the entire area of Butte-Silver Bow and Anaconda-Deer Lodge counties, including areas designated as general habitat, because of the consolidation into a single local municipal government. However, the consultation requirements and stipulations of Executive Order 12-2015 should still apply to the lands specifically designated as general habitat within boundary of the incorporated city-county line for each, respectively.

**PROGRAM RECOMMENDATION:**

The Program Manager recommends MSGOT clarify that the previous exception from the consultation requirements for state permitted activities, state authorizations, state grants, or state technical assistance for incorporated cities, as applied to Butte-Silver Bow and Anaconda-Deer Lodge counties means that the exception applies throughout the incorporated county-wide area as mapped by the Montana State Digital Library as of March 31, 2016, except for the areas within the respective counties designated as General Habitat by Executive Order 21-2015 which would still be subject to Executive Orders 12-2015 and 21-2015.

## Sage Grouse Habitat Conservation Program Narrative

### Clarification of the Programmatic Exception from Executive Order 12-2015 Consultation Requirements for the Incorporated Areas of Butte-Silver Bow City-County and Anaconda-Deer Lodge County, Respectively

***Introduction:*** Taken together, Executive Order 12-2015 and the Sage Grouse Stewardship Act (Act) establish Montana's Conservation Strategy. The Strategy is based on a "Core Areas" approach similar to the State of Wyoming. The Act and Executive Order 12-2015 are key to addressing threats identified by the U.S. Fish and Wildlife Service to sage grouse in Montana by establishing the necessary regulatory mechanisms and addressing threats to the sagebrush habitats relied upon by most of sage grouse populations. Exceptions to Executive Order 12-2015 requirements for consultation are approved by MSGOT, not the granted by the Program.

Executive Order 12-2015 only applies to specially designated sage grouse habitats, primarily in central and eastern Montana, as reflected by the map contained in Executive Order 21-2015. Habitats for conserving sagebrush and sage grouse have been designated as core areas, general habitat, or connectivity areas.

During its meeting on April 19, 2016, the Montana Sage Grouse Oversight Team (MSGOT) approved a recommendation to grant a programmatic exception from the consultation requirements and stipulations required by Executive Order 12-2015 for projects within the boundaries of incorporated cities and towns when a project proponent needs a state permit or authorization, obtains a state-funded grant, or receives technical assistance from the state. This exception was limited in geographic scope to that area within the boundaries, not exurban areas beyond the geographic limits of incorporation. The background information and rationale were documented in the meeting materials provided to MSGOT and made available to the public. Please refer to those documents for a thorough discussion.

As approved by MSGOT at the April 19 meeting, projects which ordinarily would require consultation and applicable stipulations and which occur wholly within the boundaries of incorporated state permitted activities are exempt. The boundaries of incorporated areas were determined using a geographic information layer published by the Montana State Library, Digital Library and in effect, as of March 28, 2016.<sup>1</sup> As of that date, Montana had 129 incorporated municipalities. See Tables 1, 2, and 3. See Figure 1.

Upon more thorough research and a more in-depth review of the actual mapped boundaries, the Program learned that the entire geographic extent of the counties of Butte-Silver Bow and Anaconda-Deer Lodge, respectively, are considered incorporated and thus proposed activities anywhere within the county boundaries would be exempt from the consultation requirement, including the areas designated as general sage grouse habitat in Executive Order 21. 2015. See Figures 1 and 2. MSGOT must address this improper result. The Program regrets the confusion and making an incompletely-researched recommendation to MSGOT in the first instance.

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<sup>1</sup> See Montana State Library Digital Library for metadata and available boundary geospatial mapping data at: [http://mslapps.mt.gov/Geographic\\_Information/Data/DataList/datalist\\_Details?did={530355CF-C819-4784-877F-C995C4815D41}](http://mslapps.mt.gov/Geographic_Information/Data/DataList/datalist_Details?did={530355CF-C819-4784-877F-C995C4815D41}).

This agenda item seeks to clarify that the previously-approved exception still applies throughout the two respective counties, with the exception of the area mapped and designated as general sage grouse habitat. The proper result is that Executive Orders 12-2015 and 21-2015 should still apply to the designated general habitat mapped *within* the boundaries of the incorporated areas of Butte-Silver Bow City-County and Anaconda-Deer Lodge County, respectively.

General habitat has been designated in the southern reaches of each county, respectively. See Figure 2. If MSGOT approves the Program's recommendation, the projects proposed within the areas of designated general habitat requiring a state permit, using state grant funds, or utilizing state technical assistance would still need to fulfill the consultation requirements of Executive Order 12-2015 and be subject to its stipulations.

***Background, Silver Bow City-County:*** The City of Butte and Silver Bow County respective local governments consolidated to form a single entity and adopted a common charter, called the Charter of the City and County of Butte-Silver Bow, State of Montana.<sup>2</sup> The consolidation became effective in 1977.<sup>3</sup> The consolidated local government entity replaced the City of Butte and Silver Bow County.

The consolidated local government is called "the City and County of Butte-Silver Bow, Montana, a municipal corporation and political subdivision of the State of Montana" and may be referred to Butte-Silver Bow City-County.<sup>4</sup> This political subdivision of the state has the status of a county and an incorporated municipality for all purposes. The consolidated local government has and may exercise all the powers of both a county and a municipality under Montana law, with the exception of exercising powers over the Town of Walkerville (its own incorporated municipality) without consent.

***Background Anaconda-Deer Lodge County:*** The City of Anaconda and Deer Lodge County similarly consolidated and adopted a new Charter, which took effect in 1977.<sup>5</sup> The local government unit is called Anaconda-Deer Lodge County. The entity has the status of both an incorporated municipality and a county under Montana law. The boundaries are the same as the original Deer Lodge County.

***Proposed Clarification:*** The Program recommends MSGOT take action to clarify that the exception it approved on April 19, 2016 applies throughout Butte-Silver Bow City-County and Anaconda-Deer Lodge County, respectively, except for the area designated as general sage grouse habitat on the map in Executive Order 21-2015.

Butte-Silver Bow City-County is approximately 717 total square miles. Of the total incorporated area making up the county, about 42, 659 acres (66.6 square miles) is designated as general sage

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<sup>2</sup> See Butte-Silver Bow City-County Charter at [https://www2.municode.com/library/mt/butte-silver\\_bow\\_county/codes/code\\_of\\_ordinances?nodeId=CH](https://www2.municode.com/library/mt/butte-silver_bow_county/codes/code_of_ordinances?nodeId=CH).

<sup>3</sup> See <http://www.co.silverbow.mt.us/481/History-Culture>.

<sup>4</sup> See [https://www2.municode.com/library/mt/butte-silver\\_bow\\_county/codes/code\\_of\\_ordinances?nodeId=CH](https://www2.municode.com/library/mt/butte-silver_bow_county/codes/code_of_ordinances?nodeId=CH).

<sup>5</sup> See [https://www2.municode.com/library/mt/anaconda-deer\\_lodge\\_county/codes/code\\_of\\_ordinances?nodeId=PTICHANERLOCO](https://www2.municode.com/library/mt/anaconda-deer_lodge_county/codes/code_of_ordinances?nodeId=PTICHANERLOCO).

grouse habitat. See Figure 2. The general habitat shown in green in Figure 2 should still be subject to the consultation requirement and stipulations of Executive Orders 12-2015 and 21-2015.

Walkerville and the rest of the geographic extent of the incorporated area in the county are not subject to Executive Orders 12-2015 and 21-2015 because there is no mapped sage grouse habitat in the first instance.

Anaconda-Deer Lodge County is approximately 737 total square miles. Of the total incorporated area making up the county, about 34,672 acres (54.2 square miles) is designated as general sage grouse habitat. See Figure 2. The general habitat shown in green in Figure 2 should still be subject to the consultation requirement and stipulations of Executive Orders 12-2015 and 21-2015. The rest of the geographic extent of the incorporated area in the county is not subject to Executive Orders 12-2015 and 21-2015 because there is no mapped sage grouse habitat in the first instance.

Table 1. Number of incorporated municipalities by habitat classification, including Anaconda-Deer Lodge County and Butte-Silver Bow City-County.

<b>Executive Order 21-2015 Mapped Habitat Classification</b>	<b>Number of Incorporated Municipalities</b>
Core Habitat	4
General Habitat	35
Connectivity Area	0
Total Number Incorporated Municipalities with Mapped Habitat	39
Number of Incorporated Municipalities Outside Executive Order 21-2015 Mapped Designated Habitat Areas	90

Table 2. Names of 39 incorporated municipalities, sage grouse habitat classification, and number of acres previously granted an exception to the consultation requirement and stipulations of Executive Orders 12-2015 and 21-2015. Portions of two incorporated areas (Anaconda-Deer Lodge County and Butte-Silver Bow City-County) shown in the gray shaded rows at the bottom of Table 2 should not be exempted from the consultation requirement and stipulations of Executive Orders 12-2015 and 21-2015 (continued on the next page).

<b>Name of Incorporated Municipality</b>	<b>Executive Order 21-2015 Mapped Habitat Classification</b>	<b>Number of Acres within the Incorporated Municipality by Executive Order 21-2015 Mapped Habitat Classification</b>
Bear Creek	Core	72.25
Bridger	Core	486.65
Melstone	Core General Habitat	267.87 125.16
Winnett	Core General Habitat	84.18 565.61
Baker	General Habitat	688.13
Big Timber	General Habitat	35.00
Billings	General Habitat	1,324.84
Broadus	General Habitat	223.49
Broadview	General Habitat	156.47
Chinook	General Habitat	333.35
Clyde Park	General Habitat	232.53
Colstrip	General Habitat	2,602.34
Dodson	General Habitat	106.78
Forsyth	General Habitat	133.63
Fromberg	General Habitat	286.56
Grass Range	General Habitat	89.24
Hardin	General Habitat	1,049.83
Harlem	General Habitat	265.49
Havre	General Habitat	52.80
Ismay	General Habitat	267.53
Jordan	General Habitat	223.54
Laurel	General Habitat	56.79
Lavina	General Habitat	646.25
Lima	General Habitat	269.40
Malta	General Habitat	657.98
Miles City	General Habitat	11.89
Plevna	General Habitat	283.25
Red Lodge	General Habitat	1,058.53
Roundup	General Habitat	93.46
Ryegate	General Habitat	482.70
Saco	General Habitat	194.40

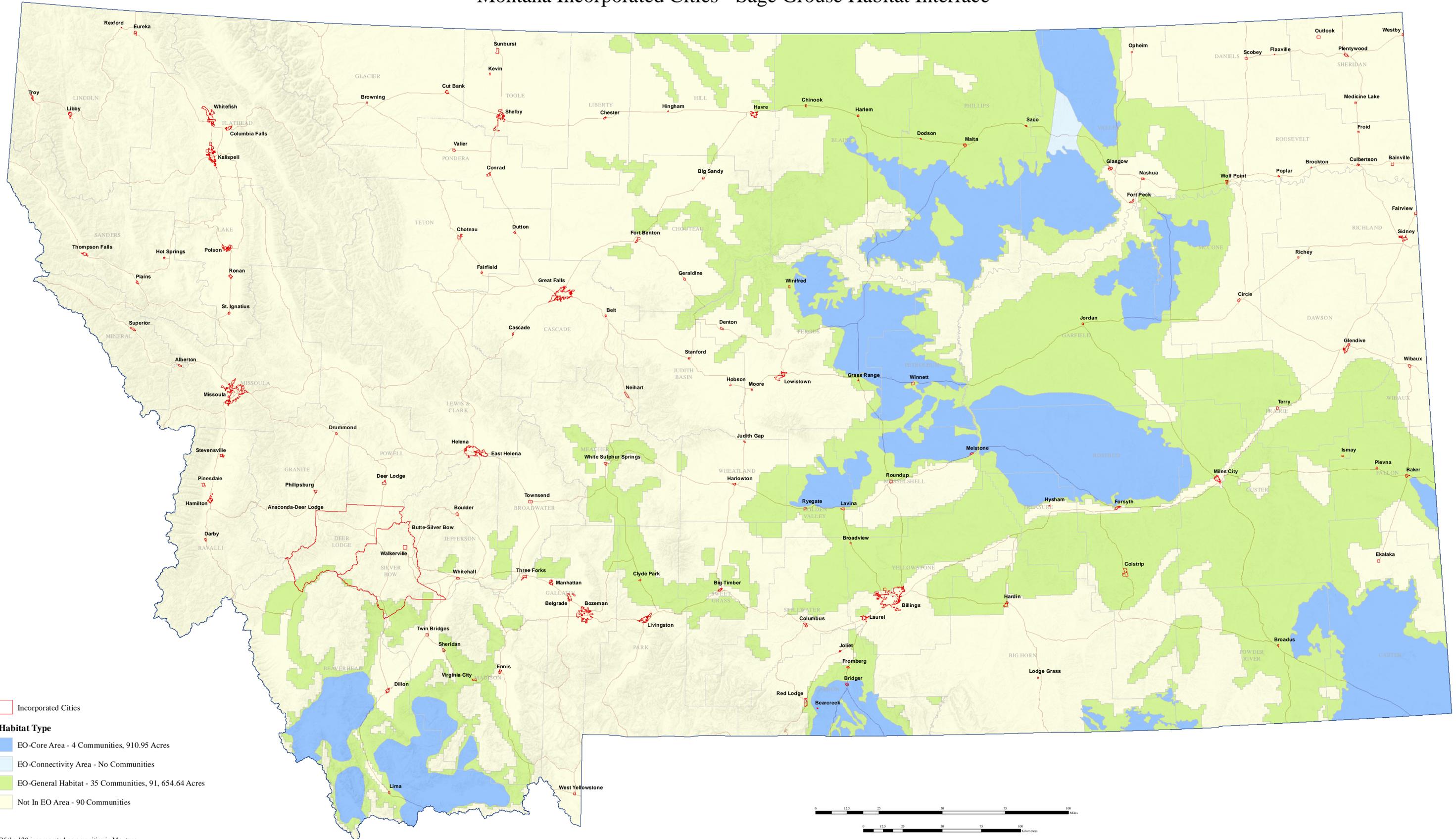
<b>Name of Incorporated Municipality</b>	<b>Executive Order 21-2015 Mapped Habitat Classification</b>	<b>Number of Acres within the Incorporated Municipality by Executive Order 21-2015 Mapped Habitat Classification</b>
Sheridan	General Habitat	322.67
Virginia City	General Habitat	607.44
Winifred	General Habitat	335.40
Wolf Point	General Habitat	541.46
<b>TOTAL ACRES GRANTED EXCEPTION</b>		<b>15,234.89 acres</b>
<b>Anaconda-Deer Lodge County</b>	<b>General Habitat</b>	<b>34,671.82</b>
<b>Butte-Silver Bow City-County</b>	<b>General Habitat</b>	<b>42,658.88</b>
<b>TOTAL ACRES THAT SHOULD NOT BE EXEMPTED</b>		<b>77,330.70</b>

Table 3. Name of incorporated municipalities that do not contain any Executive Order 21-2015 mapped habitat classifications (continued on the next page).

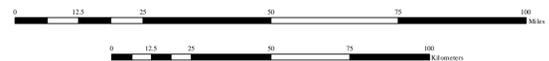
<b>Incorporated Municipalities that Do Not Contain Any Executive Order 21-2015 Mapped Habitat Classifications (90 total)</b>	
Alberton	Judith Gap
Bainville	Kalispell
Belgrade	Kevin
Belt	Lewistown
Big Sandy	Libby
Boulder	Livingston
Bozeman	Lodge Grass
Brockton	Manhattan
Browning	Medicine Lake
Cascade	Missoula
Chester	Moore
Choteau	Nashua
Circle	Neihart
Columbia Falls	Opheim
Columbus	Outlook
Conrad	Philipsburg
Culbertson	Pinedale
Cut Bank	Plains

<b>Incorporated Municipalities that Do Not Contain Any Executive Order 21-2015 Mapped Habitat Classifications (90 total)</b>	
Darby	Plentywood
Deer Lodge	Polson
Denton	Poplar
Dillon	Rexford
Drummond	Richey
Dutton	Ronan
East Helena	Scobey
Ekalaka	Shelby
Ennis	Sidney
Eureka	St. Ignatius
Fairfield	Stanford
Flaxville	Stevensville
Fort Benton	Sunburst
Fort Peck	Superior
Froid	Terry
Geraldine	Thompson Falls
Glasgow	Three Forks
Glendive	Townsend
Great Falls	Troy
Hamilton	Twin Bridges
Harlowton	Valier
Helena	Walkerville
Hingham	West Yellowstone
Hobson	White Sulphur Springs
Hot Springs	Whitefish
Hysham	Whitehall
Joliet	Wibaux

# Montana Incorporated Cities - Sage Grouse Habitat Interface



- Incorporated Cities
- Habitat Type**
- EO-Core Area - 4 Communities, 910.95 Acres
- EO-Connectivity Area - No Communities
- EO-General Habitat - 35 Communities, 91, 654.64 Acres
- Not In EO Area - 90 Communities

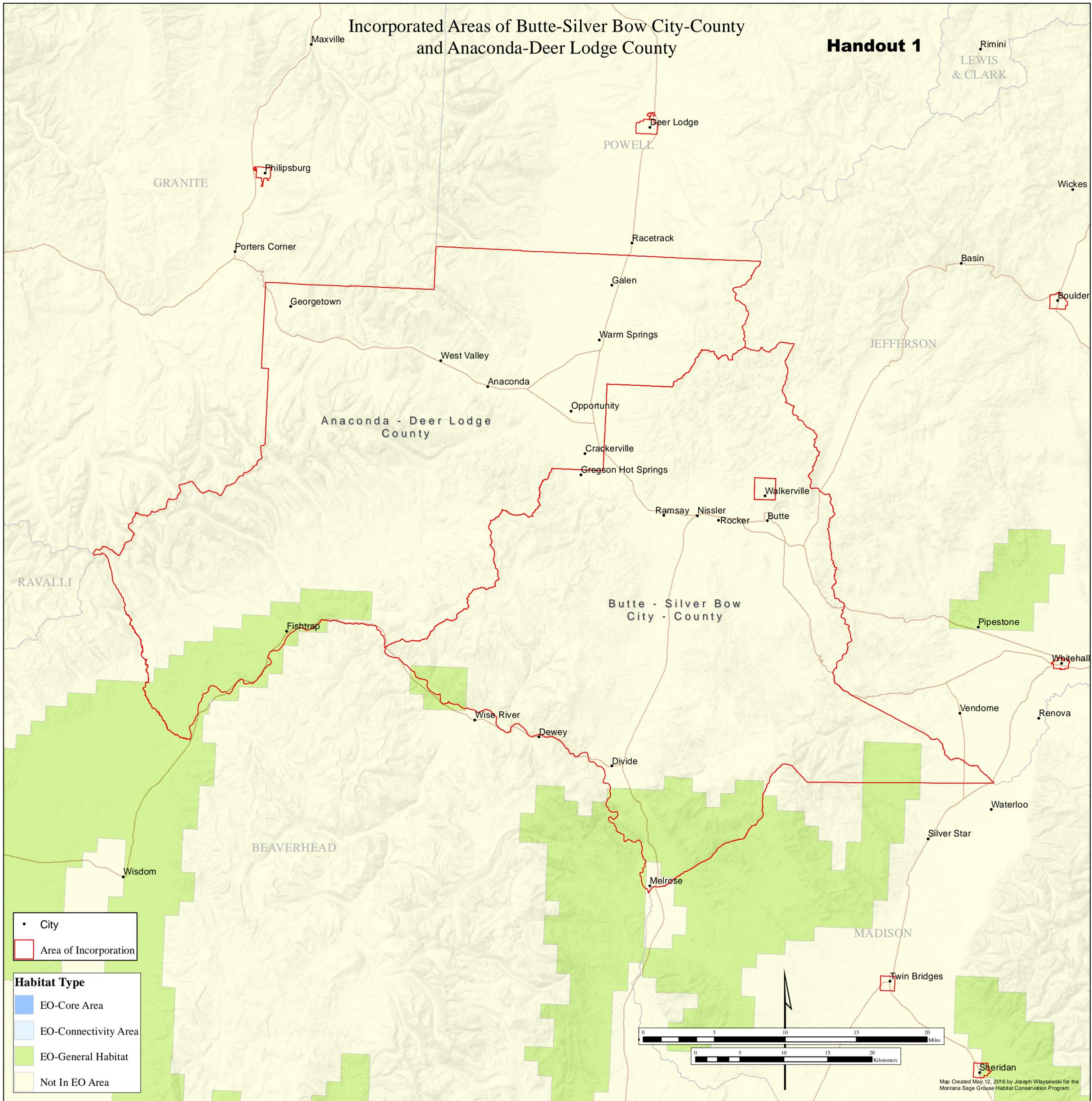


Of the 129 incorporated communities in Montana, 39 of those communities fall into either Core or General Habitat areas, or a combination of both. The total area within the Core and General Habitat areas is equal to 92,565.59 acres. 90 communities have no overlap into the Core or General Habitat areas. The total area for these 90 communities is 135,073.09 acres. There is a total of 1,117,997.37 acres for the 129 communities. 1,025,431.78 of those acres are not part of the consultation process. There are no communities that fall into Connectivity Areas.

Coordinate System: NAD 1983 State Plane Montana FIPS 2500  
 Projection: Lambert Conformal Conic  
 Datum: North American 1983  
 Map Created May 6, 2016 by Joseph Wilkyski for the Montana Sage Grouse Habitat Conservation Program

# Incorporated Areas of Butte-Silver Bow City-County and Anaconda-Deer Lodge County

**Handout 1**



**MONTANA SAGE GROUSE OVERSIGHT TEAM AGENDA ITEM BRIEF SHEET  
MAY 24, 2016**

**AGENDA ITEM: PROGRAMMATIC EXCEPTION FROM CONSULTATION REQUIREMENT FOR CERTAIN AIR QUALITY PERMITS ISSUED BY THE MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY, AIR QUALITY BUREAU, AIR PERMITTING SERVICES SECTION**

**ACTION NEEDED: REVIEW AND APPROVAL**

**SUMMARY:**

Exceptions to the requirements for Sage Grouse Program consultation for state permitted activities, authorizations, grants, or state technical assistance are approved by the Montana Sage Grouse Oversight Team (MSGOT), not granted by the Sage Grouse Habitat Conservation Program (Program). Executive Order 12-2015 Attachment D sets forth the review process for consultation when a proponent seeks a permit, grant or technical assistance from the State of Montana. Executive Order 21-2015 designates the sage grouse habitats to which Executive Order 12-2015 applies.

Montana Department of Environmental Quality, Air Quality Bureau, Permitting Services Section (Section) permits emissions under the Montana Clean Air Act and the federal Clean Air Act. In some circumstances, air quality permits are not required by administrative rule. In consultation with the Program, the Section identified four situations in which either clarification would be beneficial or an exception from the consultation requirement is appropriate.

First, the Section sought clarification whether normal routine maintenance and repair activities at currently permitted facilities required consultation. The Program recommends MSGOT should clarify that consultation for routine maintenance and repair of the emissions equipment at facilities currently holding a valid air quality permit is not required. This would provide certainty on the record to both facility operators and individuals engaged in the actual maintenance and repair work.

The Program additionally recommends MSGOT approve an exception to the consultation requirement in the following three circumstances: (1) modifications of state air quality permits for existing facilities when the modifications occur within the confines of the existing infrastructure and facility boundaries and no new surface disturbance would occur; (2) administrative changes or amendments which are clerical in nature, such updating a permit holder's contact information or correcting administrative errors; (3) issuance and renewal of Title V Operating Permits required by the federal Clean Air Act because Title V permits are issued only after a Montana Air Quality Permit has already been issued (if one is required) or when a facility that does not require a state air permit must obtain other state permits for which consultation would have already occurred.

Existing facilities are already considered non-habitat due to land conversion and are associated with existing human development. If substantive changes to facility operation or expansion of the footprint are proposed, the permit modification process would still require consultation and application of stipulations. Likewise, new permit applications would still require consultation and be subject to the stipulations. Intent to transfer notifications are not included in this exception.

If approved by MSGOT, the above four circumstances would be granted a programmatic exception. Accordingly, consultation would not be required prior to repairing and maintaining existing air emissions equipment at permitted facilities as a clarification, modifying existing permits within the existing infrastructure, and administrative amendments for clerical purposes, and issuance and renewal of federal Title V permits. These are specific and narrow circumstances. See narrative.

**PROGRAM RECOMMENDATION:**

The Program recommends MSGOT clarify that routine and maintenance of emissions equipment at existing facilities with an air quality permit are not required to consult with the Program. The Program also recommends MSGOT approve a narrow programmatic exception from Executive Order 12-2015 for: permit modifications within the confines of existing facilities, administrative changes to existing permits, and issuance and renewal of federal Title V Operating Permits.



**Sage Grouse Habitat Conservation Program Narrative**  
**Montana Department of Environmental Quality**  
**Air Quality Bureau, Permitting Services Section**

**Programmatic Exception from Executive Order 12-2015 Consultation Requirements for Routine Maintenance, Modification of Certain State Air Quality Permits, Administrative Changes, and Federal Clean Air Act Title V Permit Issuance and Renewal**

Taken together, Executive Order 12-2015 and the Sage Grouse Stewardship Act (Act) establish Montana's Conservation Strategy. The Strategy is based on a "Core Areas" approach similar to the State of Wyoming. The Act and Executive Order 12-2015 are key to addressing threats identified by the U.S. Fish and Wildlife Service to sage grouse in Montana by establishing the necessary regulatory mechanisms and addressing threats to the sagebrush habitats relied upon by most of sage grouse populations.

Executive Order 12-2015 only applies to specially designated sage grouse habitats, primarily in central and eastern Montana, as reflected by the map contained in Executive Order 21-2015. Habitats for conserving sage brush and sage grouse have been designated as core areas, general habitat, or connectivity areas.

Executive Order 12-2015 applies to all state agencies and took effect January 1, 2016. It pertains to all programs and activities of state government such as: permitting, licenses, authorizations, grants, technical assistance, and the state's own agency programs like highway planning or management of state trust lands.

The Montana Sage Grouse Oversight Team (MSGOT or Team) guides implementation of Executive Orders 12-2015 and 21-2015. MSGOT was formally created in statute by the 2015 Montana Legislature. The Team is chaired by the Governor's Natural Resource Policy Advisor. Other members are the directors of the Departments of Fish, Wildlife & Parks, Natural Resources and Conservation, Transportation, Environmental Quality, the Administrator of the Montana Board of Oil and Gas, a member of the Montana Rangelands Resources Committee, a member of the Montana Senate, and a member of the Montana House of Representatives.

The role of the Sage Grouse Habitat Conservation Program (Program) is to facilitate implementation of Executive Orders 12-2015 and 21-2015 across state government and with federal agency partners. As outlined in Attachment D, the Program consults with permit applicants and project proponents *before* permit applications are submitted to state agencies to help applicants avoid negative impacts of development in designated sage grouse habitats, minimize impacts, and address compensatory mitigation for impacts that can't be avoided or minimized. The Program's role is one of consultation, not regulation. The Program will make recommendations to the applicant and the permitting agency. The Program is administratively attached to the Department of Natural Resources and Conservation, but reports to MSGOT and the Governor's Office.

Montana Department of Environmental Quality has numerous permitting and licensing responsibilities. The Department's ultimate goal is protect public health and to maintain Montana's high quality of life for current and future generations. To that end, it oversees a variety of activities

related to air quality. The Permitting Services Section of the Air Quality Bureau implements the Montana Clean Air Act and Title V of the Federal Clean Air Act. The Bureau only has authority to regulate emitting units at the actual source of the emissions.

The Air Quality Bureau issues two permits: (1) a Montana Air Quality Permit (previously known as “preconstruction” permits) which authorizes construction of a facility that emits more than 25 tons per year or that emits certain regulated pollutants; and (2) a Title V Operating Permit (an umbrella document) which centralizes all regulatory requirements into a single enforceable document and allows both the air pollution emitter and other stakeholders to see all compliance requirements which the facility must meet. Depending on the facility type and emissions triggering a Montana Air Quality Permit, a Title V Operating Permit may or may not be required (see Narrative 4 below).

Montana Air Quality Permits are required to construct, install, or operate facilities like asphalt concrete plants, mineral crushers, incinerators, compressor stations, mills, mines, petroleum tank storage sites, and many other types of industrial or commercial manufacturing when certain ‘potential to emit’ thresholds are exceeded.

Thresholds requiring permits are as follows (quoting ARM 17.8.743):

- (a) a new facility or emitting unit with the potential to emit airborne lead in an amount greater than five tons per year or a modification to an existing facility or emitting unit that results in an increase in the facility or emitting unit's potential to emit airborne lead by an amount greater than 0.6 tons per year;
- (b) asphalt concrete plants, mineral crushers, and mineral screens that have the potential to emit more than 15 tons per year of any airborne pollutant, other than lead, that is regulated under this chapter;
- (c) any incinerator, as defined in [75-2-103](#)(11), MCA, and that is subject to the requirements of [75-2-215](#), MCA;
- (d) any facility or emitting unit upon which construction commenced, or that was installed, before November 23, 1968, when that facility or emitting unit is modified after that date and the modification increases the potential to emit by more than 25 tons per year of any airborne pollutant, other than lead, or
- (e) any other facility or emitting unit upon which construction was commenced, or that was installed, after November 23, 1968, that is not specifically excluded under ARM [17.8.744](#), and that has the potential to emit more than 25 tons per year of any airborne pollutant, other than lead.

See Administrative Rules of Montana (ARM)17.8.743 for additional specific details. Permits are not required for a variety of activities listed in ARM 17.8.744.

Additionally, some specific air pollutants are regulated and require Montana Air Quality Permits for compliance with the Montana Air Quality Act. They are: particulate matter, carbon monoxide, sulfur dioxide, oxides of nitrogen, volatile organic compounds, lead, mercury, and miscellaneous hazardous air pollutants.

If the triggering requirements are met, a Montana Air Quality Permit would be required either for a brand new facility, when a new emitting unit is added to an existing facility, or when an existing emitting unit at an existing facility is modified. Once issued, the Montana Air Quality Permit remains in place until revoked or modified.

In the case of brand new facilities, the facility operator must first receive a Montana Air Quality Permit if the threshold requirement is met. This permit allows construction to proceed. Within 12 months after the construction and operation has begun, the operator must obtain a Title V Operating Permit if their emissions rise to the level triggering the Title V Operating Permit.

In cases when a new emitting unit is added to an existing facility or when an existing emitting unit at an existing facility is modified, the Montana Air Quality Permit must be modified.

In consultation with the Program, the Air Quality Bureau, Air Permitting Services Section (Section) identified four situations in which either a clarification or an exception from the consultation requirement of Executive Order 12-2015 should be considered by MSGOT. This is because: (1) the proponent is either engaging in routine operations and maintenance, repair, or replacement and is generally exempt from review by the Section by administrative rule (ARM 17.8.744 and 17.8.745); (2) the stationary facility already exists but is modifying a Montana Air Quality Permit within the confines of existing infrastructure and no new surface disturbance occurs; (3) changes to a Montana Air Quality Permit are administrative or clerical in nature; or (4) issuance or renewal of Title V Operating Permits under the federal Clean Air Act.

At the present time, the Air Permitting Section estimates there are about 35 total permitted sources of emissions in designated general habitat as existing disturbances. Examples include the following:

- compressor stations: in association with existing oil and gas production, usually in a building;
- mines: anything that emits regulated pollution within the existing mine permit boundaries and linked with the mining operations plan;
- petroleum tank storage areas: emissions associated with an area where tanks are congregated for storage, handling, and/or transferring petroleum products (usually oil); and
- crusher/screens: emissions associated with heavy equipment used to process gravel or other aggregate material.

About ten permitted sources of emissions occur in designated core habitat as existing disturbances. These are compressor stations, petroleum storage facilities, and one mill.

For the following DEQ Air Quality Bureau authorizations, the Program recommends MSGOT approve an exception to the consultation requirement. This would clarify the consultation requirements for both Montana Air Quality Permits and Title V Operating Permits and streamline the process for current permit holders.

Consultation and application of Executive Order 12-2015 stipulations would still be required when applicants seek a Montana Air Quality Permit for a stationary or portable source for the first time and when applicants seek to modify their existing permits in ways that expand the footprint or that would otherwise change terms and conditions of their activity.

**(1) Normal Operations and Maintenance Activities within Existing Facilities:** Air quality permits are not required for a variety of activities listed in ARM 17.8.744. Examples include residential fireplaces, agricultural activities, and emergency equipment. Additionally, a permit is not required for “routine maintenance, repair, or replacement of equipment and equipment used to perform routine maintenance, repair, or replacement” (ARM 17.8.744(l)). Maintenance activities could occur on stationary or portable emitting devices, and this would be is considered a normal activity to make sure the emitting device functions properly.

The Section sought clarification from the Program as to whether this activity was required to complete the consultation process. In conjunction with the Section, the Program concluded that consultation should not be required. The work occurs in conjunction with an existing air quality permit and the actual repair or maintenance of permitted air emitting facilities itself does not trigger consultation. Further, when the maintenance work does occur, the Section is not involved. Authorization by the Section is not required in the first instance because it is considered a part of normal operations.

The Program recommends that MSGOT clarify that routine maintenance, repair, or replacement of emissions equipment that has already has been granted an air quality permit and the equipment used to perform that routine maintenance, repair or replacement of already-permitted does not require consultation. This is because the Section explicitly lacks administrative authority and the maintenance work will not exacerbate threats to sage grouse.<sup>1</sup> The work is done within the facility or on the outside of the existing infrastructure. No new surface disturbance would occur and no change in terms and conditions to the facility operation would increase activity in a way that would disturb sage grouse or cause direct mortality.

While the U.S. Fish and Wildlife Service identified exurban development, infrastructure, and other anthropogenic disturbances as important threats alongside sagebrush conversion, repair and maintenance of equipment in existing permitted facilities does not lead to sagebrush habitat loss or fragmentation. Here, the facility location is already considered non-suitable habitat for sage grouse and occurs within existing patterns of urban and exurban development. The key focus with respect to threats to sage grouse habitat is where new facilities are built which require an air quality permit, which itself would still require consultation and falls outside the scope of this exception. Should a new facility be proposed which does require a new air quality permit, consultation would still be required and trigger stipulations under Executive Order 12-2015 if proposed in designated sage grouse habitats reflected on the map in Executive Order 21-2015.

If clarified by MSGOT in this way, certainty would be provided to permitted facilities and to the individuals who are engaged in the actual work of repairing and maintaining the emissions

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<sup>1</sup> See 80 Fed. Reg. 59858 (Oct. 2, 2015) (U.S. Fish and Wildlife Service 12-month finding that listing of the greater sage grouse rangewide is not warranted). See also U.S. Fish and Wildlife Service, 2013. Greater Sage-grouse (*Centrocercus urophasianus*) Conservation Objectives: Final Report. U.S. Fish and Wildlife Service, Denver, CO. February 2013 (pp 16, 17, 18, 23).

equipment at currently permitted facilities. Accordingly, proponents would not be required to consult with the Program prior to conducting the repair and maintenance work.

**(2) Modifications of Montana Air Quality Permits for Existing Facilities when No New Surface Disturbance Occurs:**

Prior to authorizing a new facility when a Montana Air Quality Permit is required, the Section accepts an application and conducts an environmental review under the Montana Environmental Policy Act (MEPA). Consultation with the Program also occurs in conjunction with issuance of a brand new Montana Air Quality Permit. The emitting equipment that is permitted at the facility is clearly defined within the permit and the outer boundaries of the facility are known. State permits are valid until revoked or modified.

Once a facility obtains a state permit, the proponent may seek to change the conditions of operation at a facility or seek to add a new emissions unit to an existing facility. Either of these circumstances triggers the permit modification process. Modifications may or may not result in new surface disturbance.

A Montana air quality permit may be transferred from one location to another by submitting an Intent to Transfer form to the Department (ARM 17.8.765). Intent to transfer notifications are not included in this exception.

In conjunction with the Section, the Program reviewed the stationary air quality permit modification process to determine the appropriateness of a narrow programmatic exception from the consultation requirements of Executive Order 12-2015 when the permit must be modified but when no new surface disturbance is proposed. The Program has determined that the modification of an existing Montana Air Quality Permit when no new surface disturbance is proposed and the nature of the modification strictly relates to the existing infrastructure, the proponent should be granted a narrow exception from the consultation requirement. This is so because the permitted activity, even after the modification process, will not exacerbate threats to sage grouse.<sup>2</sup>

The proposed exception to the consultation requirement is limited to the circumstances in which the modifications do not result in new surface disturbance. Examples where this would be the case are:

- the permit holder is working within the existing buildings or on top of existing buildings, such as when making a physical change to the air filters, changing something about what is actually emitted, adding a second stack, etc.;
- the permit holder is seeking a change in operating conditions such as emission rates but the changes do not significantly change the nature of the existing operation.

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<sup>2</sup> See 80 Fed. Reg. 59858 (Oct. 2, 2015) (U.S. Fish and Wildlife Service 12-month finding that listing of the greater sage grouse range wide is not warranted). See also U.S. Fish and Wildlife Service, 2013. Greater Sage-grouse (*Centrocercus urophasianus*) Conservation Objectives: Final Report. U.S. Fish and Wildlife Service, Denver, CO. February 2013 (pp 16, 17, 18, 23). For a more thorough discussion of threats, see the Narrative for the proposed exception to consultation for all activities occurring within incorporated cities and towns.

Falling outside the scope of the proposed exception to the consultation requirement would be circumstances where expansion of a facility would require new construction of new buildings which results in an expanded footprint beyond the original facility boundaries (e.g. expansion of a petroleum tank storage area). In these circumstances, new ground disturbance would occur and consultation would still be required.

While the U.S. Fish and Wildlife Service identified exurban development, infrastructure, and other anthropogenic disturbances as important threats alongside sagebrush conversion, modifying an air quality permit to continue operating under the exact same terms of operation and within the same industrial footprint will not exacerbate threats due to development. Here, the facility location is already considered non-suitable habitat for sage grouse because the land use has already been converted to human industrial uses and occurs within existing patterns of urban and exurban development or conversion.

The key focus with respect to threats to sage grouse habitat continues to be where new facilities are proposed that require an air quality permit, which itself would still require consultation, review under MEPA, as well as and trigger stipulations under Executive Order 12-2015 when proposed designated sage grouse habitats. Similarly, expansion of the footprint would still require consultation, review under MEPA, and be subject to stipulations of Executive Order 12-2015. The Air Permitting Section will refer proponents to the Program for consultation.

Not applying the Executive Order 12-2015 regulatory mechanism to the modification of Montana Air Quality Permits under circumstances where the modifications strictly relate to existing facilities and infrastructure will not lead to increased habitat loss and fragmentation or direct mortality. No new surface disturbance would occur beyond that which already exists in association with the existing facility.

If approved by MSGOT, modification of air quality permits would be granted a programmatic exception when no changes to the surface footprint. This is a specific and narrow exception, applying only to the permit modification process, not facilities seeking air quality permits for the first time or facilities seeking permit modifications that would expand the surface footprint. Both the consultation requirement and stipulations would still apply, as those circumstances would be outside the scope of this exception. The scope of the proposed exception is limited to those modifications where no new surface disturbance occurs and the modifications would not result in an expanded footprint.

***(3) Administrative Amendments to Any Current Air Quality Permit:*** Holders of air quality permits occasionally need to make clerical changes to a permit. Examples include: changing the name of the permit holder as a business changes hands or updating a permit holder's contact information. Alternatively, the Section may amend an air quality permit to correct administrative errors that do not change terms and conditions of the permit, to reflect changes in operations that do not result in increased emissions, or to reflect changes in administrative rules. See ARM 17.8.764.

As above, in consultation with the Section, the Program reviewed administrative amendments to existing air quality permits to determine the appropriateness of the state exempting itself from the consultation requirements and stipulation of Executive Order 12-2015. The Program has determined that administrative amendments to existing air quality permits undertaken by the Section should be granted a programmatic exception because the administrative change will not

exacerbate threats to sage grouse.<sup>3</sup> Administrative amendments are clerical in nature and do not affect the operation of the facility or its footprint on the landscape. These also would include the permit transfer to new owners/operators where no other permit conditions are being modified but the Air Permitting Section is just issuing the permit to the new owner/operator.

Not applying the Executive Order 12-2015 regulatory mechanism to administrative amendments to currently valid air quality permits will not lead to increased habitat loss and fragmentation or direct mortality. No new surface disturbance would occur and the terms and conditions of the permit remain the same.

**(4) Issuance and Renewal of Title V of the Federal Clean Air Act Permits:**

The Air Quality Bureau, Permitting Services Section implements the federal Clean Air Act through Title V (also known as State Operating Permit Programs under the federal Clean Air Act). As described above, these are typically facilities with major source emissions. Title V Operating Permits themselves do not authorize any new construction of new facilities, and state and federal law preclude imposition of new substantive requirements on top of Title V requirements by the Montana Air Quality Bureau.

Most facilities that trigger the threshold requirement to obtain a Montana Air Quality Permit also trigger the requirement for a Title V Air Quality Permit, but not all. Only in rare instances would that be the case. Title V Air Quality Permits are required for any stationary source that exceeds the potential to emit regulated pollutants above the threshold. These major sources typically may either: (1) emit greater than or equal to 100 tons per year; or (2) emit certain hazardous air pollutants above allowable levels. Some facilities are required to obtain a Title V Operating Permit, regardless of size.

If a Title V Operating Permit is required, it must be obtained within 12 months after the facility has already begun operating—and usually after having already obtained a Montana Air Quality Permit. Title V permits must be renewed every five years, and renewals must include new federal requirements, if any. Title V Operating Permits will also contain any Montana Air Quality Permit conditions, along with compliance plans for each condition, and reporting and recordkeeping requirements. The state permit is considered a separate document from the federal permit, and it must be obtained prior to the Title V Operating Permit. In that sense, obtaining a state permit is a threshold step prior to obtaining the federal permit.

In contrast, some facility types fall below the Montana Air Quality Permit requirement yet may still require a Title V Operating Permit. This circumstance is rare. An example is a landfill. Landfills do not meet the threshold requirements to trigger a Montana Air Quality Permit. However, a Title V Operating Permit is still required. Federal regulations require the proponent to seek a Title V permit from the Air Quality Bureau within 12 months after construction and operation has already begun. In these cases, the Title V Operating Permit will require the operator to implement and abide by all applicable federal regulations. The Air Permitting Section incorporates all federal regulations into the initial Title V Operating Permit, and each time it is renewed (5-year intervals).

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<sup>3</sup> See 80 Fed. Reg. 59858 (Oct. 2, 2015) (U.S. Fish and Wildlife Service 12-month finding that listing of the greater sage grouse range wide is not warranted). See also U.S. Fish and Wildlife Service, 2013. Greater Sage-grouse (*Centrocercus urophasianus*) Conservation Objectives: Final Report. U.S. Fish and Wildlife Service, Denver, CO. February 2013 (pp 16, 17, 18, 23).

In conjunction with the Section, the Program reviewed the Title V Operating Permit issuance and renewal processes to determine the appropriateness of a narrow programmatic exception from the consultation requirements of Executive Order 12-2015. The Program has determined that the issuance and renewal of Title V Operating Permits should be granted a narrow exception from the consultation requirement. This is because one of three scenarios is presented.

Scenario 1: The permitted activity would have previously been reviewed by the Program in conjunction with the Montana Air Quality Permit process. Proponents of new Title V Operating Permits would have previously obtained a Montana Air Quality Permit because obtaining a state permit is a threshold step to obtaining a federal permit for most facilities. Accordingly, proponents of new Title V Operating Permit applicants would have already completed the consultation process with the Montana Sage Grouse Habitat Conservation Program. Consultation for the new Title V Operating Permit up to 12 months after completing a consultation process triggered by the requirement to obtain a new Montana Air Quality Permit would be duplicative.

Scenario 2: Only the Title V Operating Permit is required for air quality purposes but other state permits are still required and consultation would have already occurred. Proponents of new Title V Operating Permits for facilities that do not also rise to the threshold requirement of obtaining a Montana Air Quality Permit will still need to obtain other state permits or authorizations. Consultation would already be required as a consequence of and in conjunction with obtaining other these other state permits. In the landfill example, new landfills need to obtain a license from the Waste and Underground Management Bureau. Permit applicants would have already completed the consultation process with the Montana Sage Grouse Habitat Conservation Program in conjunction with the other state permit. Consultation for a new Title V Operating Permit up to 12 months after completing a consultation process triggered by a different state permit would be duplicative.

Scenario 3: The Title V Operating Permit is being renewed. Renewal is a clerical process, whether or not a Montana Air Quality Permit is concurrently required. Renewal of Title V Operating Permits requires the Air Permitting Section to review applicable federal regulations for any newly-promulgated regulations and add the new information to the federal permit. Renewal of a Title V Operating Permit does not authorize any new ground disturbance or construction activity.

While the U.S. Fish and Wildlife Service identified exurban development, infrastructure, and other anthropogenic disturbances as important threats alongside sagebrush conversion, issuing or renewing a Title V Operating Permit to continue operating under the exact same terms of operation and within the same industrial footprint will not exacerbate threats to sage grouse due to development.<sup>4</sup> Here, the facility location is already considered non-suitable habitat for sage grouse and occurs within existing patterns of urban and exurban development or conversion.

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<sup>4</sup> See 80 Fed. Reg. 59858 (Oct. 2, 2015) (U.S. Fish and Wildlife Service 12-month finding that listing of the greater sage grouse range wide is not warranted). See also U.S. Fish and Wildlife Service, 2013. Greater Sage-grouse (*Centrocercus urophasianus*) Conservation Objectives: Final Report. U.S. Fish and Wildlife Service, Denver, CO. February 2013 (pp 16, 17, 18, 23).

The key focus with respect to threats to sage grouse habitat is where *new* facilities are proposed that require an air quality permit, which itself would still require consultation, review under MEPA and the possibly the National Environmental Policy Act. New facilities would also trigger applicable stipulations under Executive Order 12-2015 when proposed in designated sage grouse habitats reflected on the map in Executive Order 21-2015. Similarly, changes in terms and conditions to the facility operation or expansion of the footprint would still require consultation, review under MEPA, and be subject to stipulations of Executive Order 12-2015.

Not applying the Executive Order 12-2015 regulatory mechanism to the issuance and renewal of Title V Air Quality Permits will not lead to increased habitat loss and fragmentation or direct mortality. No new surface disturbance would occur and no changes in terms and conditions to the facility operation would increase activity in a way that would disturb sage grouse during the breeding and nesting seasons. Title V Operating Permits themselves do not authorize any new ground disturbing activities. For projects that trigger the threshold to obtain a Montana Air Quality Permit, the project would already have been evaluated under the state permitting process, including MEPA and would be reviewed subject to Executive Order 12-2015.

If approved by MSGOT, issuance and renewal of Title V Air Quality Permits would be granted a programmatic exception when no changes to the footprint or terms of operation are sought when compared to the original Montana Air Quality Permit. Accordingly, proponents would not be required to consult with the Program prior to seeking or renewing a Title V Air Quality Permit from the Bureau.

This is a specific and narrow exception, applying only to the Title V issuance and renewal processes, not facilities seeking Montana Air Quality Permits for the first time or facilities seeking changes to terms and conditions of any state or federal permits that would expand the footprint or change how the facility is operated. Both the consultation requirement and stipulations would still apply in those circumstances, and would thus be outside the scope of this exception.

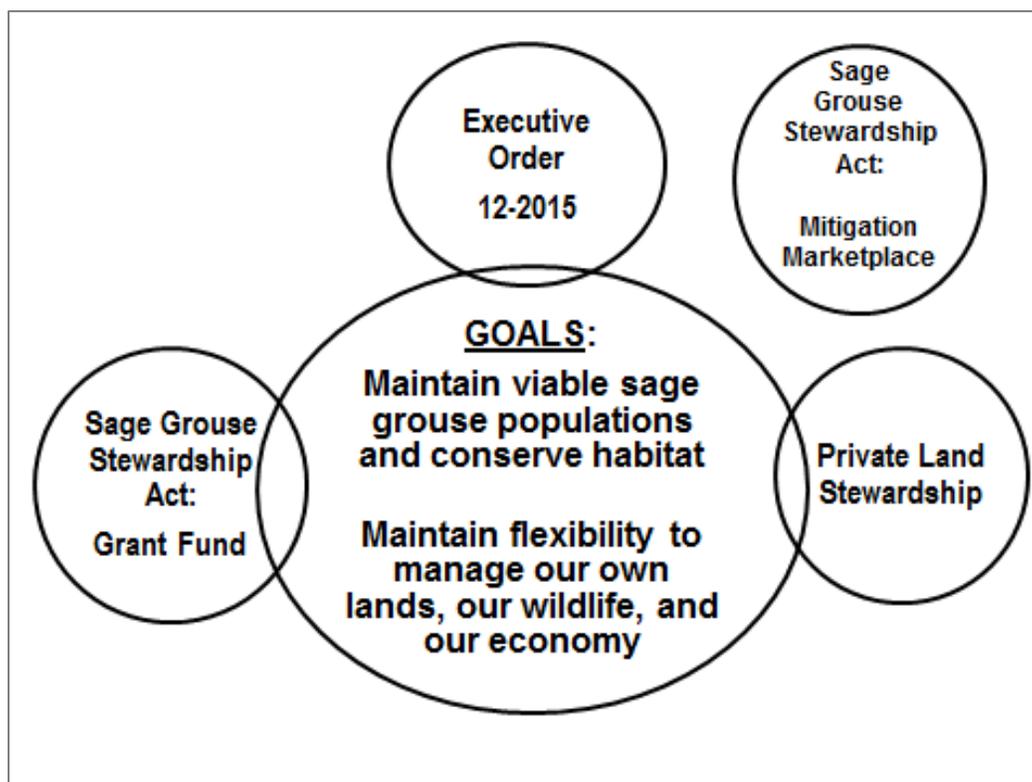


**MONTANA SAGE GROUSE CONSERVATION STRATEGY GOALS:**

- Maintain viable sage grouse populations and conserve habitat.
- Maintain flexibility to manage our own lands, our wildlife, and our economy.

**MONTANA CONSERVATION STRATEGY HAS THREE PILLARS:**

1. Private Land Stewardship
2. Executive Order 12-2015
3. Montana Greater Sage Grouse Stewardship Act
  - Stewardship Fund Grants
  - Mitigation Marketplace



**Figure 1. Components of Montana's Greater Sage Grouse Conservation Strategy.**

## **1. PRIVATE LAND STEWARDSHIP**

- Private land stewardship was important to U.S. Fish and Wildlife Service decision that listing under the federal Endangered Species Act was not warranted in Fall, 2015.
- Montana habitats in good shape; grazing not a significant threat.
- Provide incentives for continuing good stewardship.
- Emphasize voluntary measures, for example: NRCS Sage Grouse Initiative.
- Private landowners can participate in mitigation marketplace directly by selling conservation credits. Generates revenue and keeps working landscapes working.

## **2. EXECUTIVE ORDER 12-2015**

- Sage Grouse Habitat Conservation Program.
- Mirrors Wyoming.
- “Core areas” strategy.
- “All hands, all lands, all threats.”
- Respect private property and existing uses.
- Consult on activities proposed in designated sage grouse habitats that require a state permit, state funding or state technical assistance.
- Dovetails with Greater Sage Grouse Stewardship Act.
  - creates Montana Sage Grouse Oversight Team; and
  - establishes mitigation marketplace.
- See: <https://sagegrouse.mt.gov>.

## **3. MONTANA GREATER SAGE GROUSE STEWARDSHIP ACT**

*“The Legislature finds that it is in the best interests of Montana’s economy, the economic stability of school trust lands, and sage grouse conservation and management to enact the Montana Greater Sage-Grouse Stewardship Act.”*

*MCA § 76-22-101 et seq.*

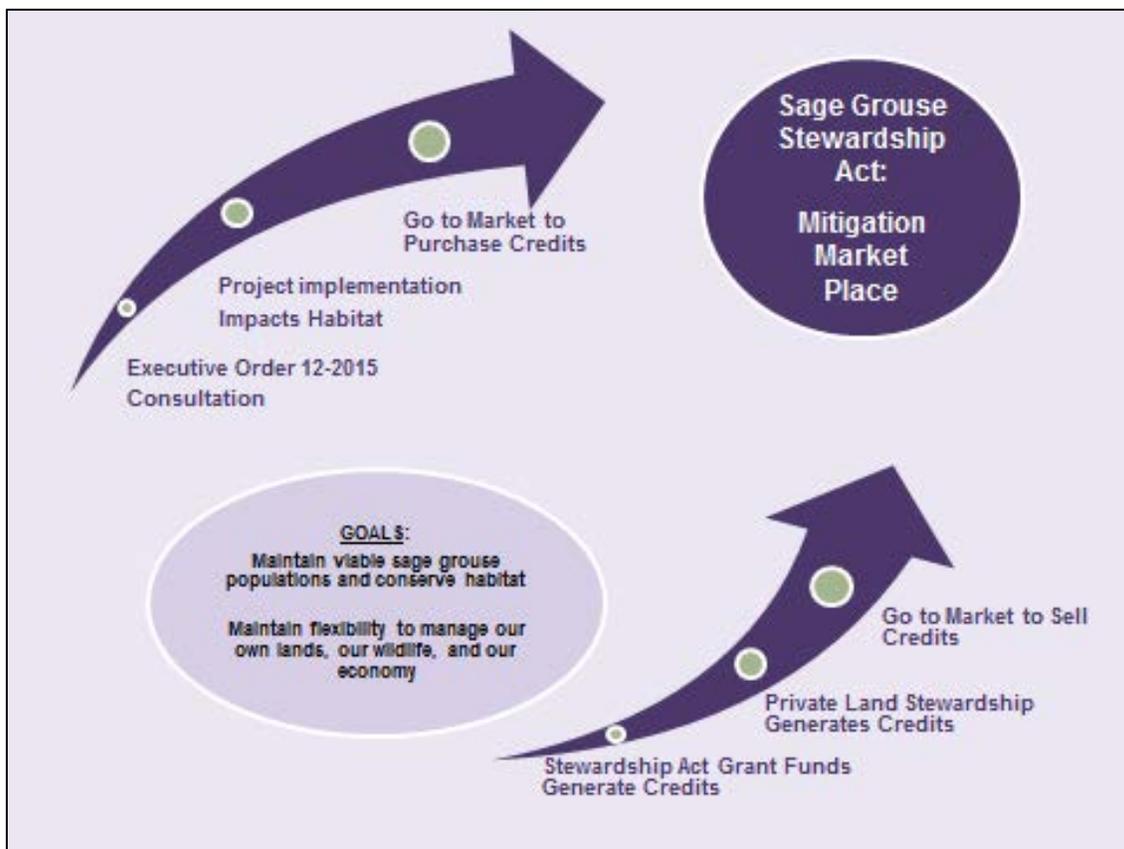
### **A. Stewardship Fund Grants**

- Provide competitive grant funding and establish free market mechanisms for voluntary, incentive-based conservation.
- Maintain, enhance, restore, expand, and benefit sage grouse habitat and populations on private lands [and public lands as needed].

- “Kick-starter” fund for a mitigation marketplace.
  - Fund conservation projects to create pool of credits.
- Conservation credits sold to developers to offset impacts of their activities.
- 2015 Legislature appropriated \$10 million for the biennium.

## B. Mitigation Framework

- Hierarchy - how to approach development and impacts:
  - avoid, minimize, restore / reclaim, compensate (i.e. replace).
- Mitigation allows activities to move forward even if there are impacts.
- Developers whose activities impact habitat create debits.
- Offset debits with conservation credits.
- Transactional.



**Figure 2. Relationship between Stewardship Fund Grants and Mitigation.**

### C. Mitigation Marketplace

- Conservation credits sold into the marketplace.
- Developers buy credits in the marketplace to offset debits.
- Habitat Quantification Tool: method of defining a credit or debit.
- Ratio of credits needed to offset debits is a policy decision.

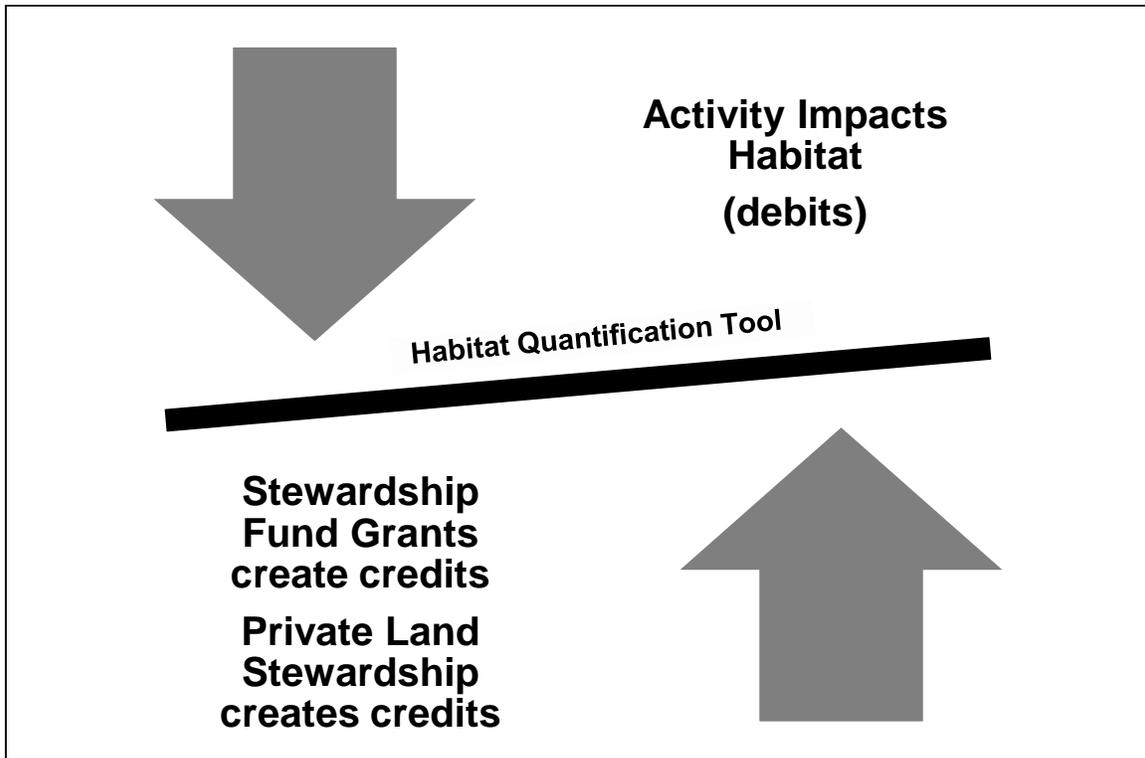


Figure 3. Mitigation marketplace.

**TO:** Carolyn Sime, Sage Grouse Habitat Conservation Program Manager  
Department of Natural Resources and Conservation

**FROM:** Ed Thamke, Waste & Underground Tank Management Bureau Chief

**DATE:** May 20, 2016

**SUBJECT:** Waste Management Facility Numbers in Sage Grouse Country

During the April 19, 2016 Montana Sage Grouse Oversight Team (MSGOT) meeting, a question was asked regarding the number of licenses/permits for each of the three waste management exceptions MSGOT considered by habitat designation: core, general, connectivity. The following table represents the result of that data base query.

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	<b>Core</b>	<b>General</b>	<b>Connectivity</b>	<b>Remainder</b>
<b>Solid Waste Systems</b>	1	10	93	465
<b>Motor Vehicle Graveyards</b>	0	0	11	40
<b>Septic Pumper Land Application</b>	0	33	0	104

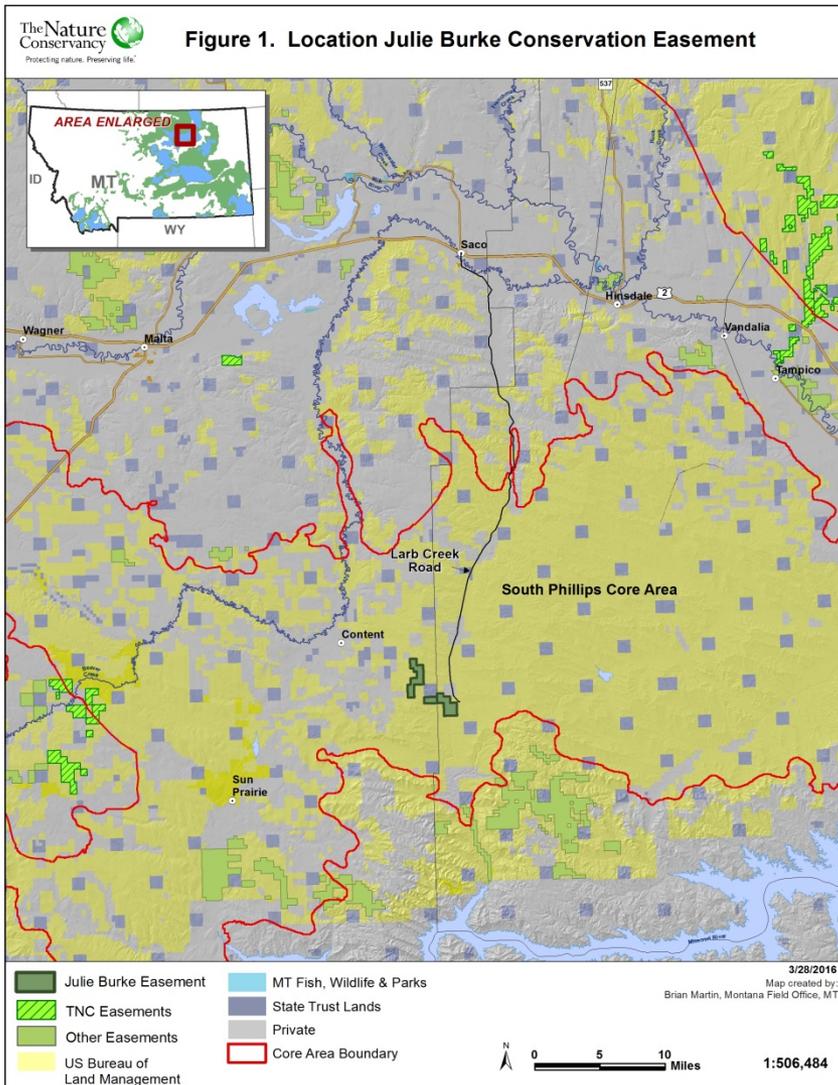
We appreciate the work being done by MSGOT as-well-as the categorical exclusions provided for the above types of waste management facility renewals. Please let me know if we can assist as your efforts continue.

# Julie Burke Conservation Easement Project

Brian Martin, The Nature Conservancy

May 24, 2016

# Summary of Proposed Easement



Property is owned by Julie Burke, son Keith runs cow/calf pairs

2,596 acres of deeded land

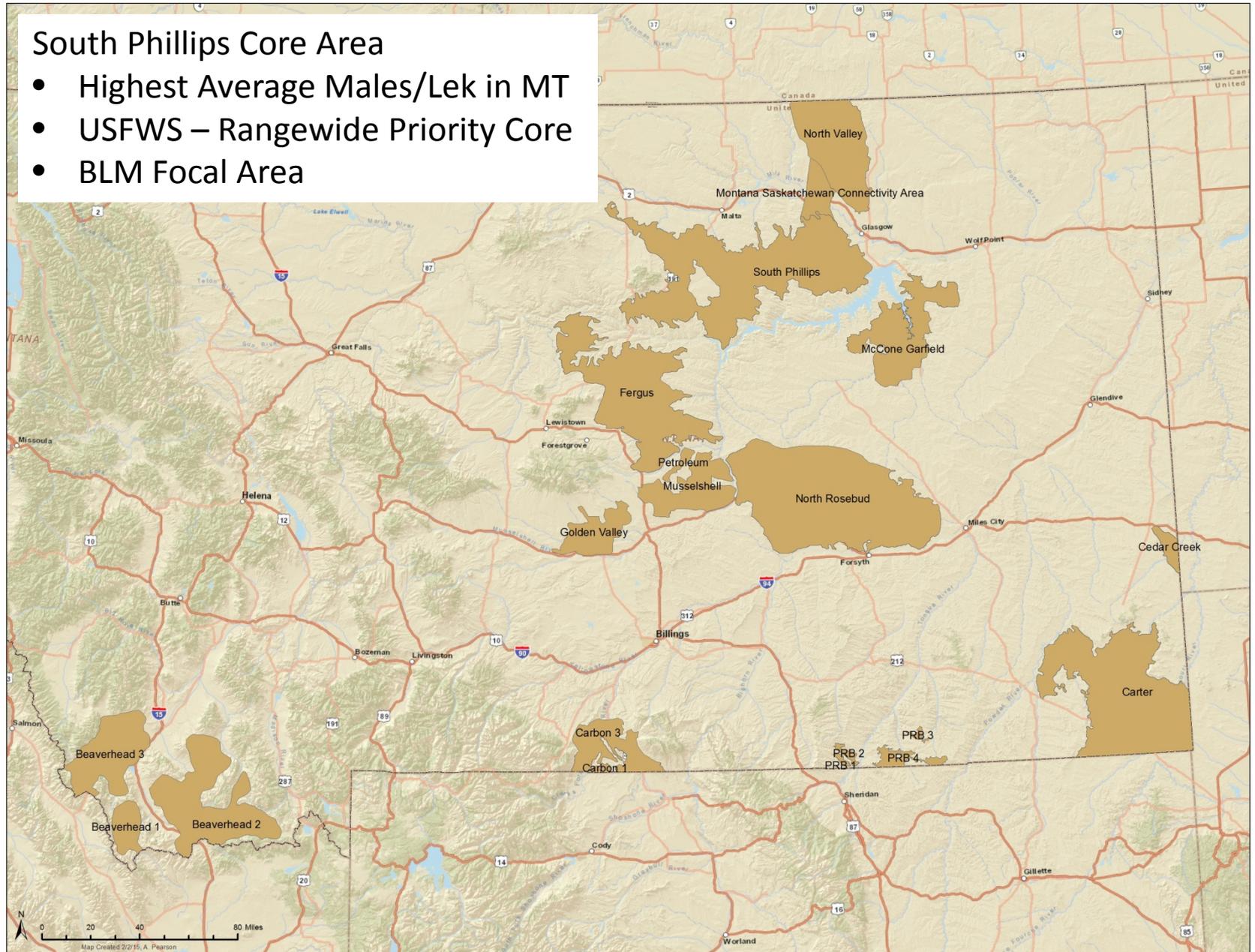
Appraised Easement Value - \$597,000

Funding Requested - \$422,000

# Montana's Sage-grouse Core Areas

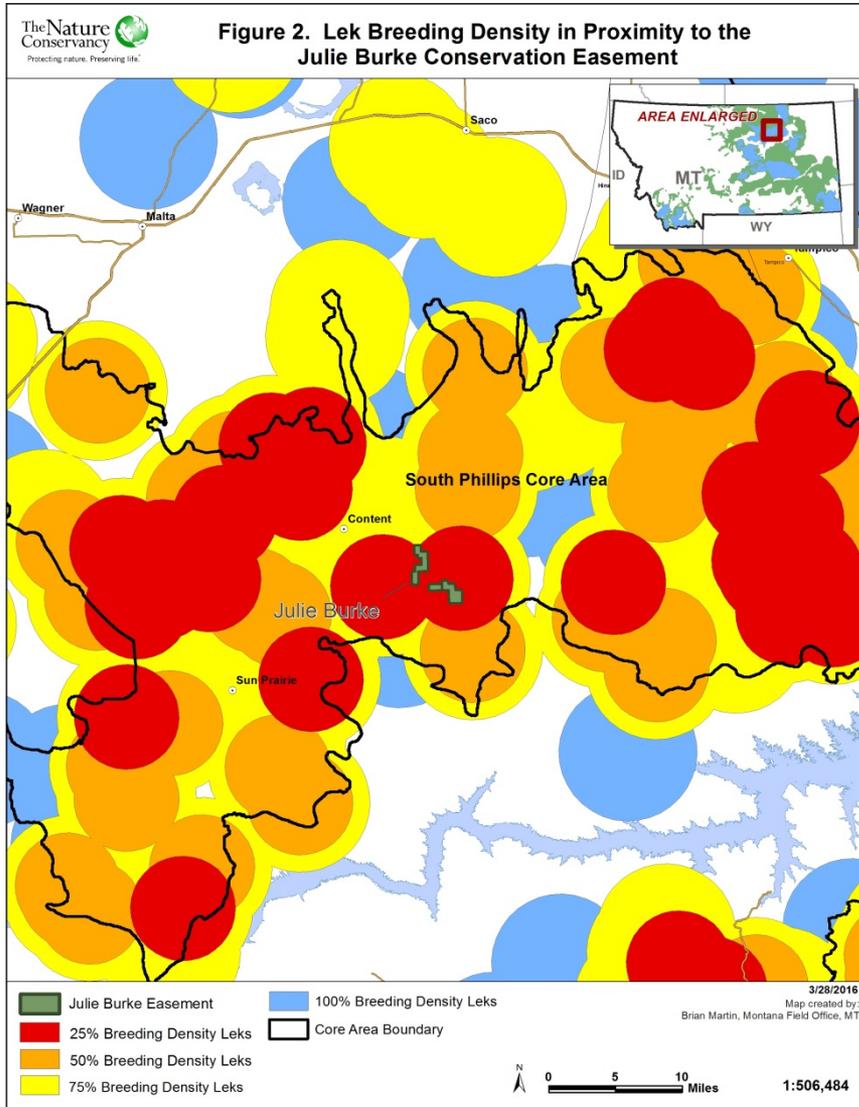
## South Phillips Core Area

- Highest Average Males/Lek in MT
- USFWS – Rangewide Priority Core
- BLM Focal Area



# Importance to Sage-grouse

Figure 2. Lek Breeding Density in Proximity to the Julie Burke Conservation Easement



Property is surrounded by leks. Long-term average of adjoining leks are among the top 25% in MT.

High quality habitat due to intact vegetation and lack of disturbance features.

High quality winter habitat. Smith (2013) recorded birds migrating to the area from North Valley Core Area.



Habitat conserved: Sagebrush - grassland



Very high habitat quality due to mix of sagebrush canopy cover, grass species, and abundance of broadleaf plants (forbs)



Habitat conserved: Hay land seeded to native and introduced forage



Structures are limited to abandoned buildings, which may not be rebuilt. No building envelope or other building construction permitted.



Stockwater reservoirs and temporary streams offer foraging habitat for sage-grouse broods



Example of minimally improved county road that bisects the property

# USFWS Identified Top Threats to Sagegrouse in Management Zone 1

- Conversion of sagebrush grassland to cropland
- Energy development
  - Oil and gas
  - Wind
- Energy infrastructure
- Surface mining

# Conservation Easement Terms

## Permitted

- Livestock grazing
- Livestock fences
- Developing stock water
- Build/maintain corrals
- Haying (on hay land)
- Control noxious weeds

## Prohibited

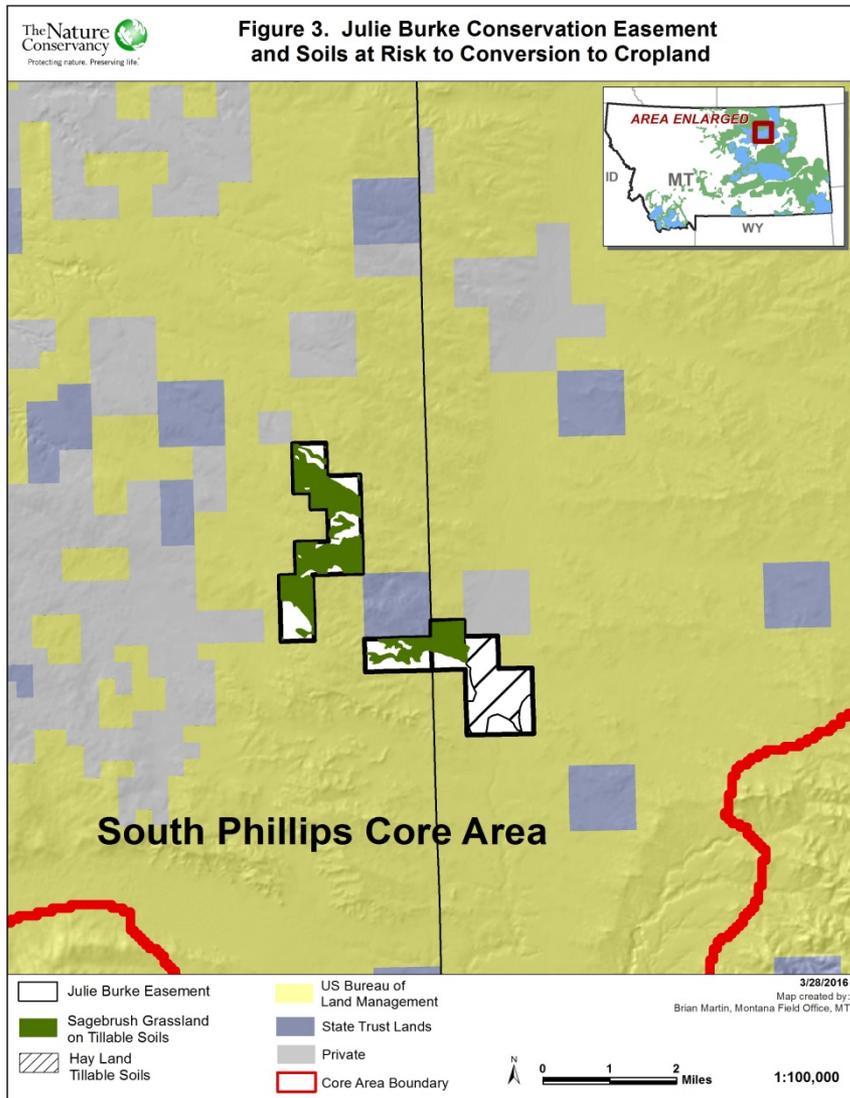
- Conversion to cropland
- Construct buildings
- Subdivision
- Oil and gas or mining
- Industrial/commercial uses (e.g. wind farm)
- Dumping
- Remove sagebrush (except incidental)

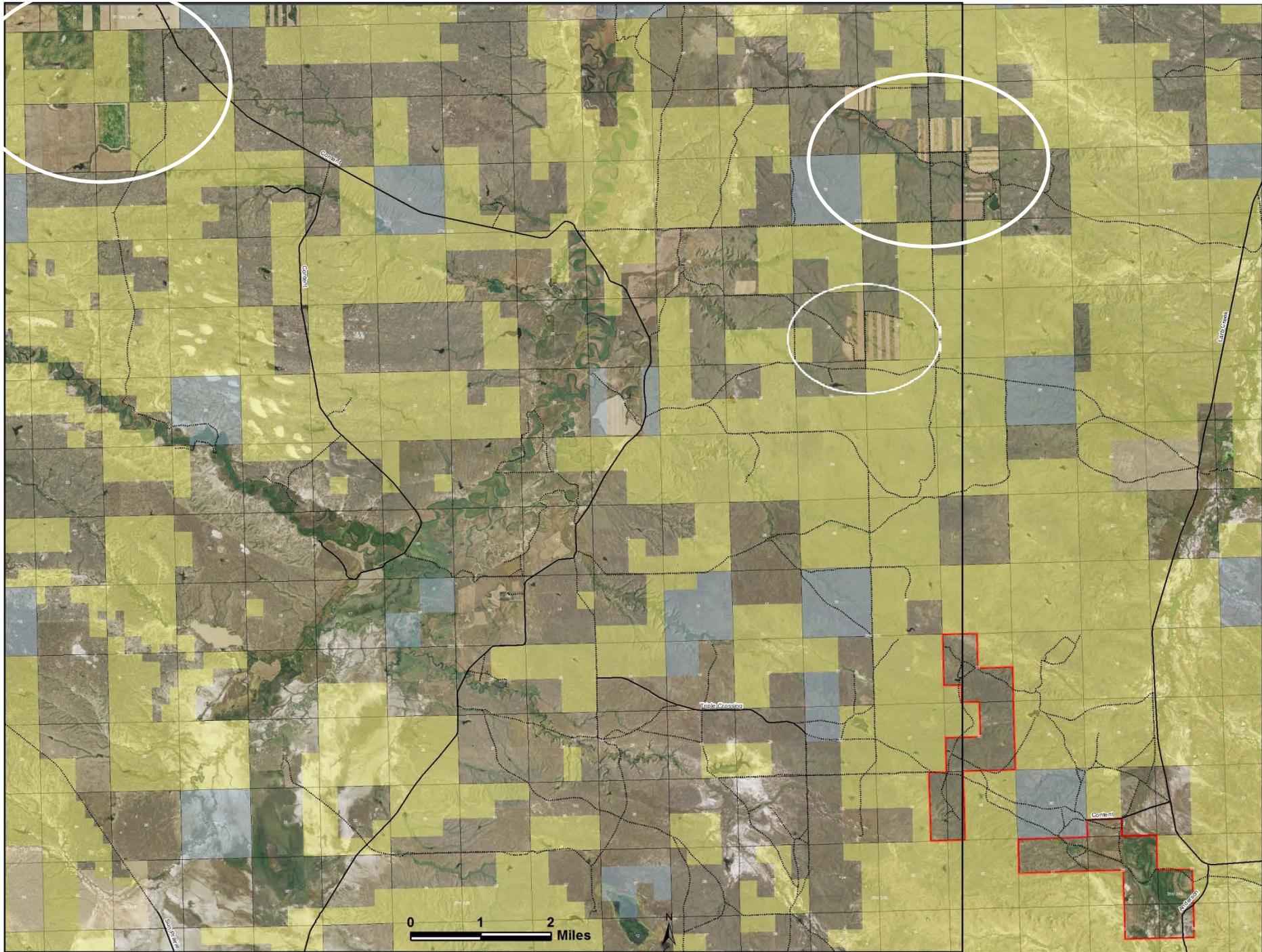
# Threat of Conversion

Property = 2,596 acres total

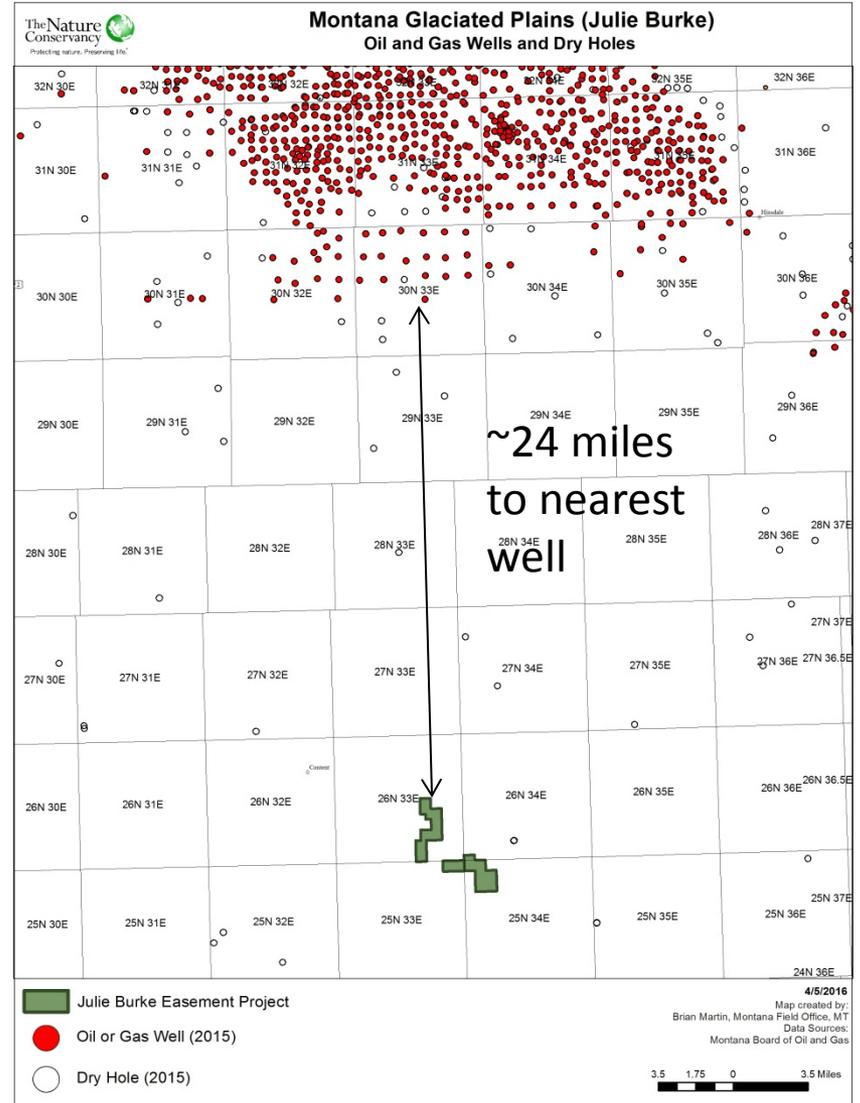
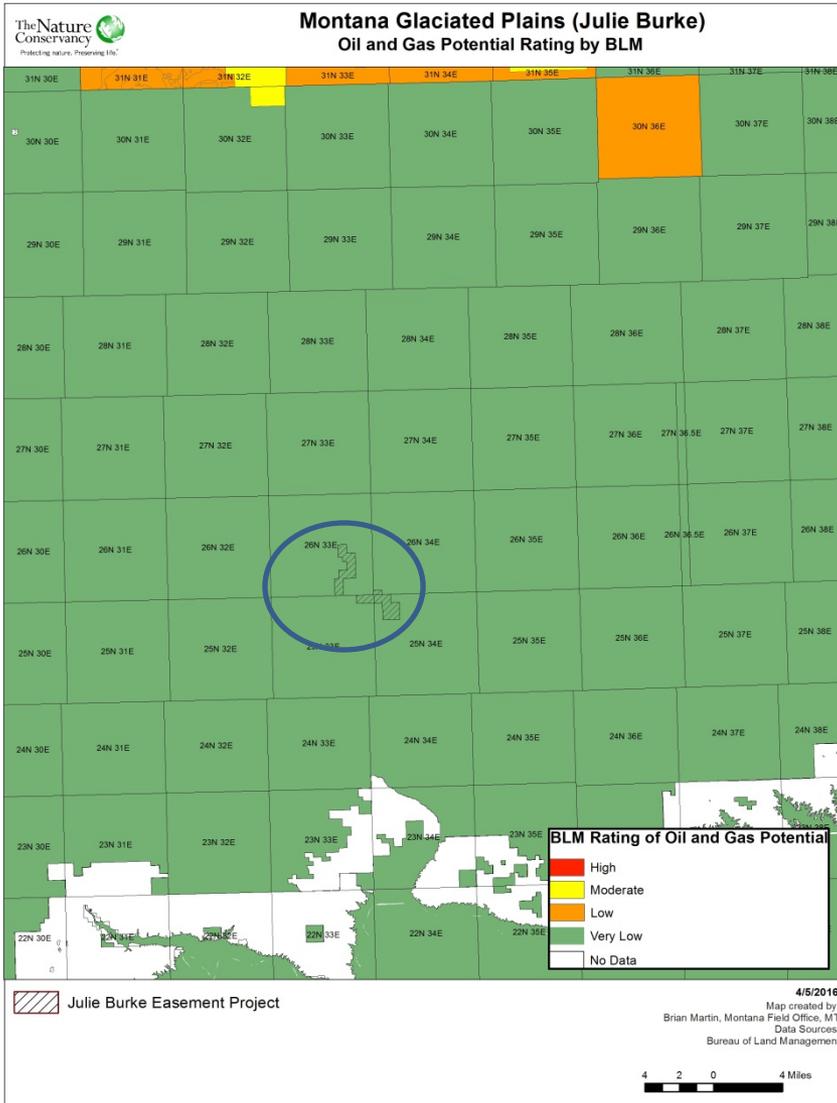
~1,896 acres sagebrush grassland. Of those, 1,184 acres are on soil classes most often farmed in eastern MT (NRCS cropping capability 3 and 4)

~700 acres former hay easily converted.

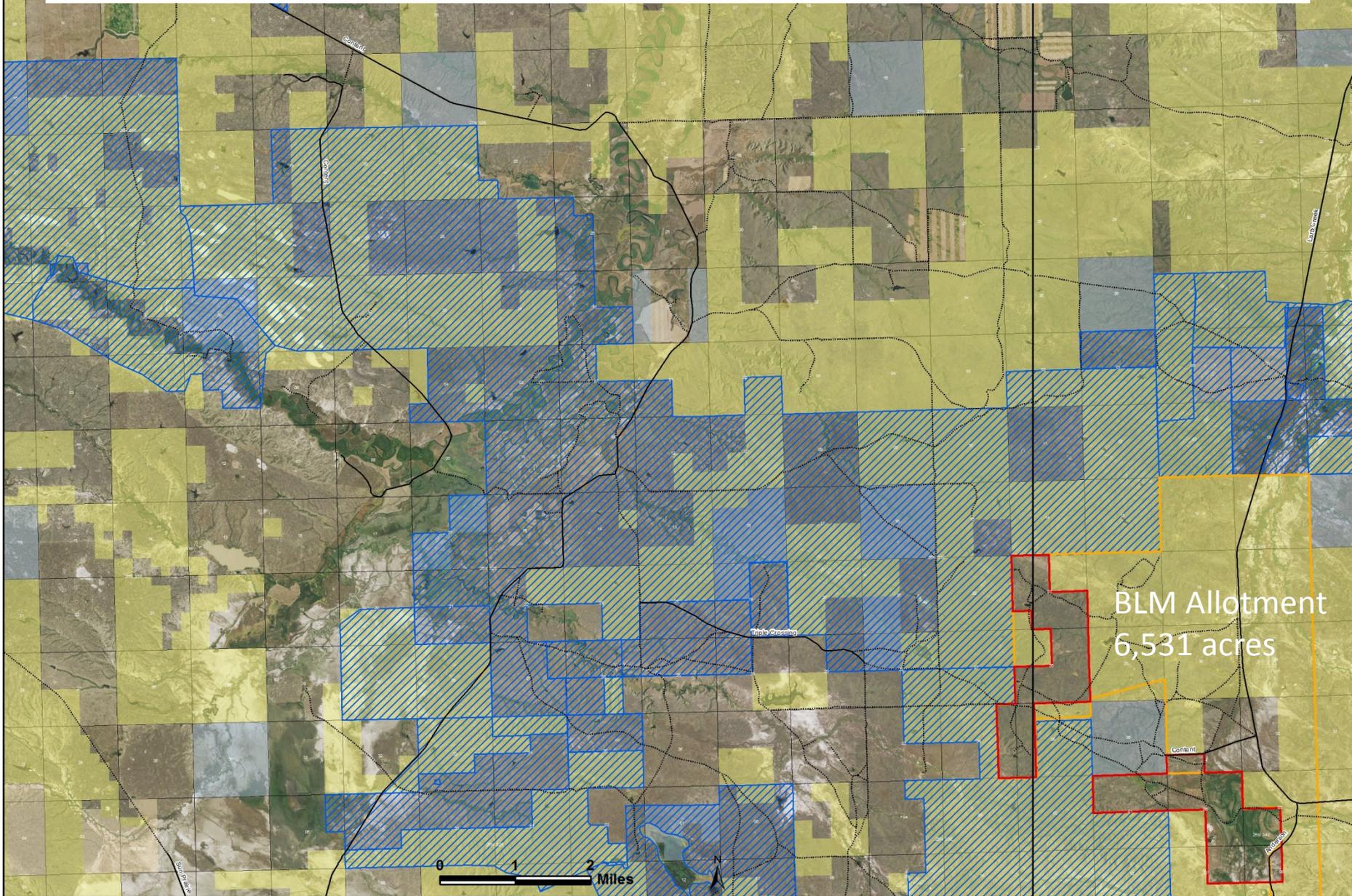




# Threat of Energy Development – Oil and Gas



# Larger-scale Conservation View: Proximity to The Nature Conservancy's Matador Ranch Grassbank Member Ranches



# US Fish and Wildlife Service Identified Threats Addressed by this Project

- Conversion of sagebrush grassland to cropland
  - ✓ Prevents conversion on 2,596 acres permanently
- Energy development
  - Oil and gas
    - ✓ Prevents oil and gas
  - Wind
    - ✓ Prohibits wind and other commercial uses other than ranching
- Energy infrastructure, including transmission lines
  - ✓ Prohibits major energy transmission lines.
- Surface mining
  - ✓ Prohibits surface mining

# Julie Burke Project Benefits

- Property is located in highest priority Sage-grouse core in MT for USFWS and BLM.
- Very intact location in a ranching neighborhood.
- Matching funds are all private.
- 70%+ of property has conversion potential.
- Maintains historic grazing use.
- Facilitates generational transfer within a Montana family ranch



## Handout 5



*"It is far less costly to protect a healthy environment than to heal a sickly one." –Jan Konigsberg*

**The Montana Land Reliance was founded in 1978 with a mission to partner with private landowners to permanently protect agricultural lands, fish and wildlife habitat, and open space.**

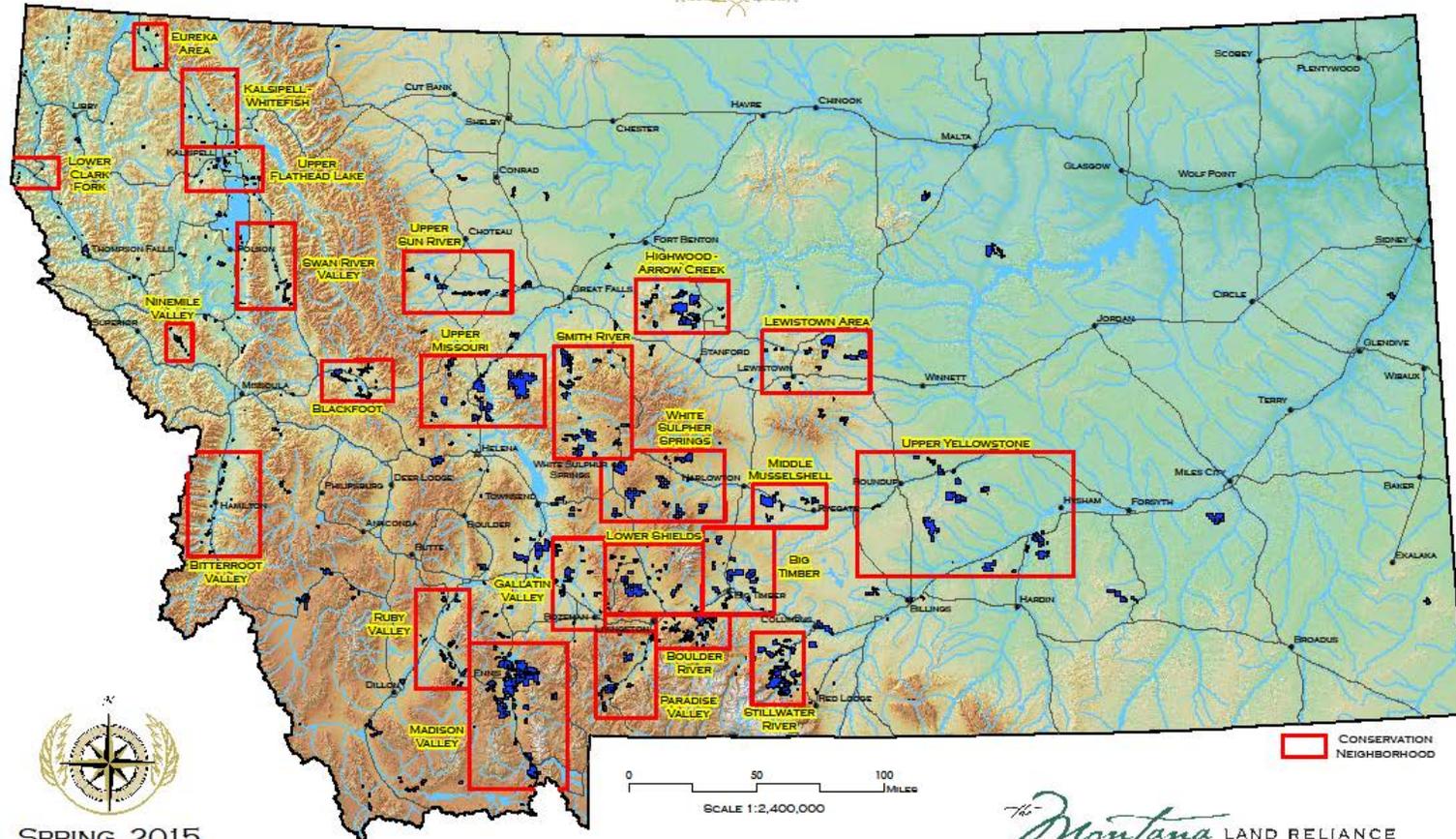


## Our Work

- MLR has completed 825 projects in Montana totaling 958,104 acres since 1978
- MLR has 44 active projects totaling over 262,000 acres as of May 2016
  - 13,148 acres of elk habitat
  - 799,410 acres of range and forest lands
  - 1,632 miles of stream frontage
  - 158,694 acres of crop, hay, and pasture
  - 10,069 acres of wetlands
  - 100,023 acres of agricultural lands
  - 18,763 acres of Northern Continental Divide Ecosystem
  - 289,724 acres of Greater Yellowstone Ecosystem

MLR specializes in donated conservation easements and does not own fee title property

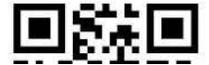
# THE MONTANA LAND RELIANCE CONSERVATION ATLAS



**COWS**

**not Condos.**

**MONTANA LAND RELIANCE**



## E.O. 12-2015 #30

“Montana’s private landowners are currently managing their lands in a responsible manner, and it is not coincidence that such a high percentage of productive sage grouse habitat is found on private land. It is critical that existing land uses and landowner activities continue to occur in Core Areas and General Habitat, particularly agricultural activities on private lands . Many uses or activities on private lands are not subject to state agency review, approval, or authorization. Only those projects occurring after the date the Program becomes effective which state agencies are vested with discretion by state or federal statute to review, approve, or authorize are subject to consistency review. This Conservation Strategy in no way creates, adds to, or expands the regulatory authority of any state agency.”



# Watson Project

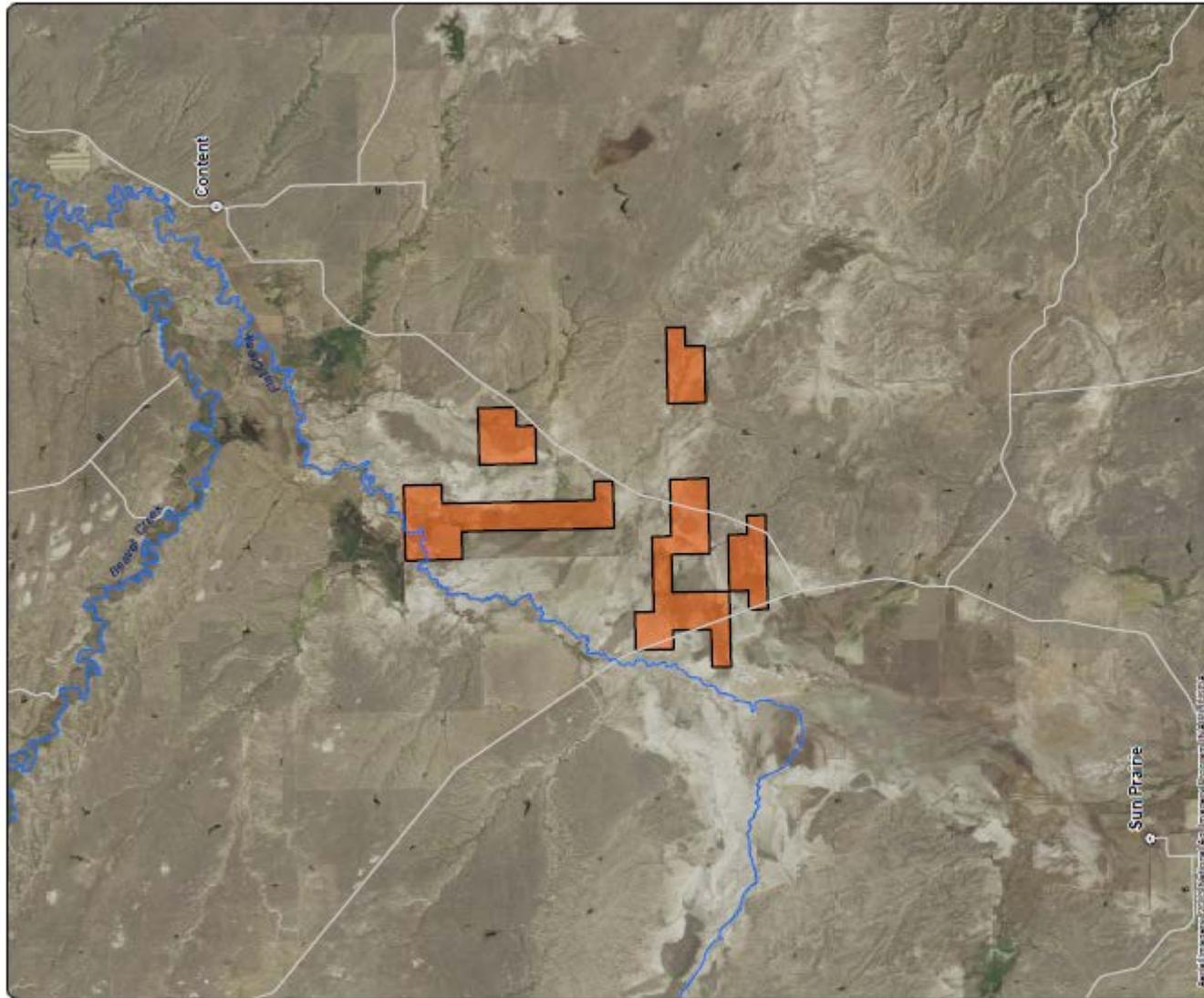


# The Watsons

- Tom and Loraine Watson live and work in agriculture in Malta, MT
- Tom was raised on the property and he and Lorraine have owned it outright-purchasing from family since the 1960's. Tom is 80 years old.
- The property is used for grazing as well some years harvested for grass seed in the meadow.



# Watson Property Location Map



## EXHIBIT C

### WATSON PROPERTY LOCATION MAP

Date: April 28, 2015

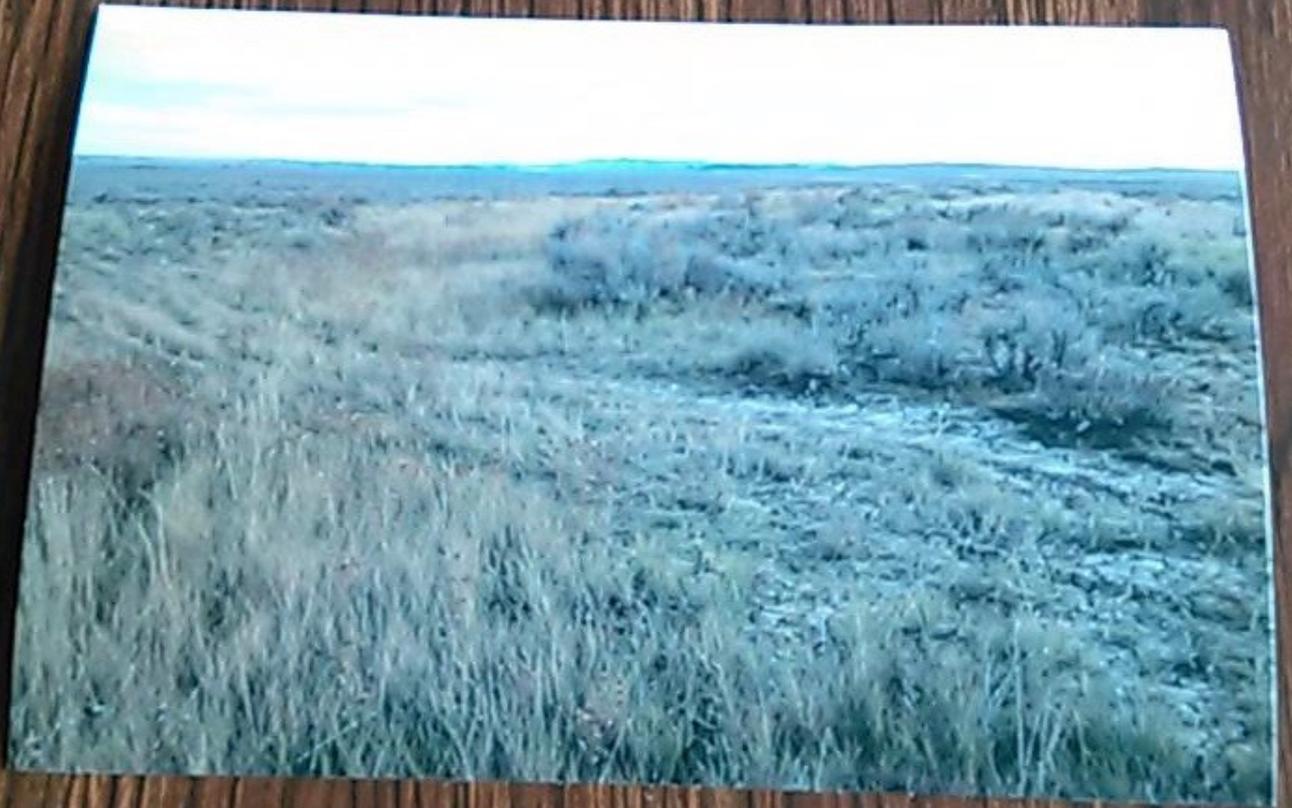
 Subjed Property  
Property Acreage: 2,833

 Town / Locality

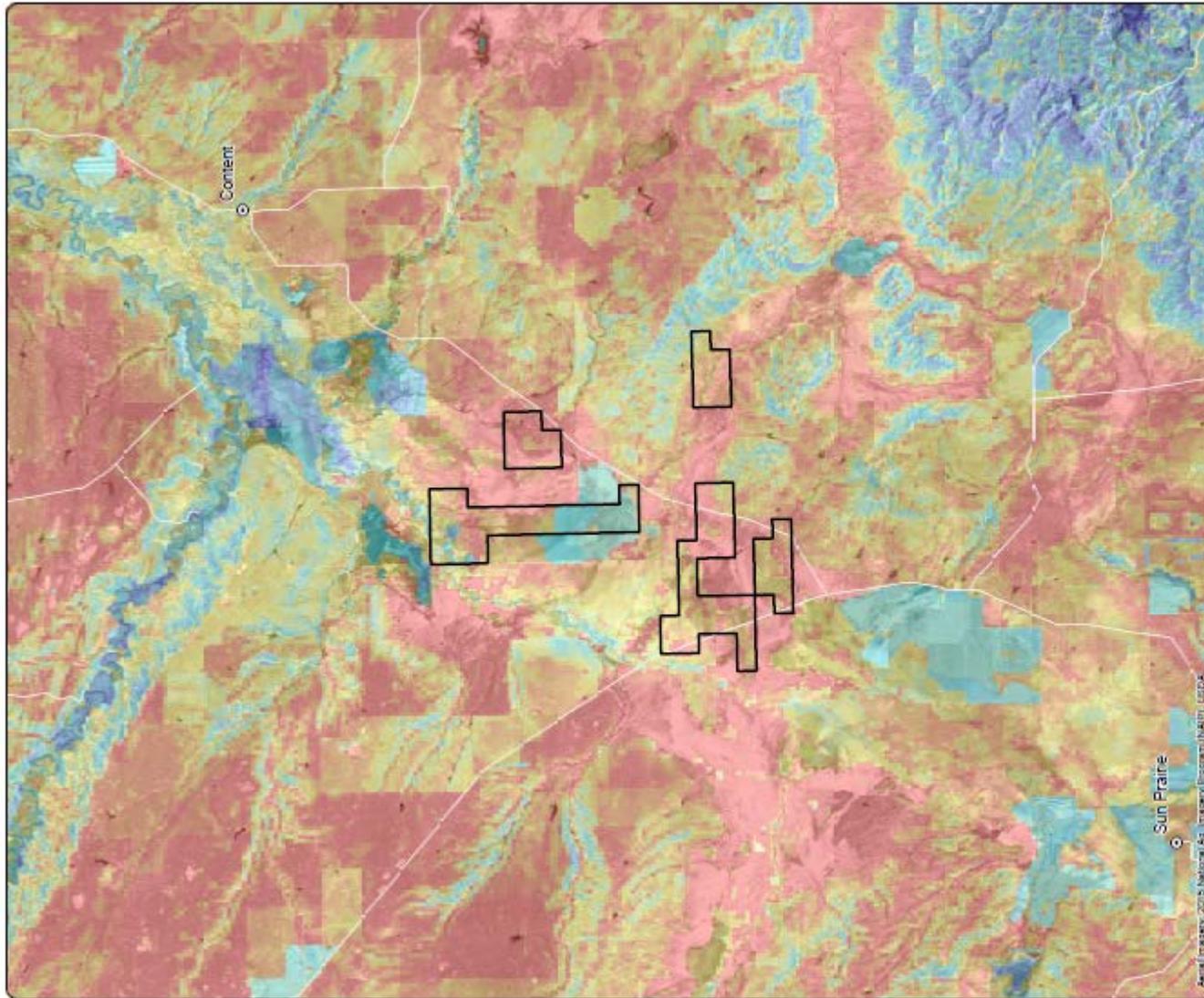


# The Ranch and its Habitat

- 100% Core Sage Grouse Habitat
- 4 sage grouse leks identified in the immediate vicinity
- 2833 of largely acres of rangeland and grassland
- Watsons lease approximately 3100 acres of BLM-controlled surface and 213 acres of state land
- Conservation Objectives Team Zone I



# Watson Sage Grouse Breeding Habitat Distribution Model



## EXHIBIT G

### WATSON PROPERTY SAGE-GROUSE BREEDING HABITAT DISTRIBUTION MODEL

Date - March 15, 2016

 Subject Property  
Property Acreage: 2,833

**Value**  
 High : 0.97758  
Low : 0

Maxent inductive habitat model created on 12/11/2012 and evaluated by the Montana Natural Heritage Program. Model reflects the distribution and relative suitability of breeding habitat at larger spatial scales across the species' own breeding range in Montana.



# Problem and Threat Analysis

- Habitat fragmentation is widely recognized as a major culprit in decline of the greater sage grouse



# Easement Terms and Conservation Benefit

- Allowed Development: One additional residential dwelling unit and associated outbuildings located within 3-acre building envelope inside 40-acre development area.
- “No build” will be designated as that portion within a two-mile buffer of existing sage grouse lek with exception of 40-acre development area.
- May be divided as two parcels only--any division must be one of the severed parcels
- Will prohibit surface mining and commercial gravel operations
- Will prohibit cropland conversion.
- New road construction for residential access only
- Will prohibit oil and gas development
- Will prohibit turbine style wind energy development and commercial wind and solar development

- Landowners agree to NSO stipulations of .6 miles pursuant to EO 12-2015 of any existing and active sage grouse. New fencing is included in “surface facilities.”
- Will require power lines and communications to be buried where feasible and follow guidelines of EO 12-2015
- Will require Grasslands Management Plans as required through NRCS-Agricultural Land Easement (ALE) Grasslands of Special Significance
- Will comply with Sagebrush Eradication and Treatment recommendations in EO-2015
- Will comply with vegetation removal requirements outside building envelopes/development areas, and so long as the activity is not critical to the ag operation

# Financials

- Estimated Easement Value: \$650,000
- MGSGSFA Grant Request: \$162,500
- NRCS Commitment: \$487,500
- Landowner Donation: \$50,600 (in kind, project costs)





# Weaver Project

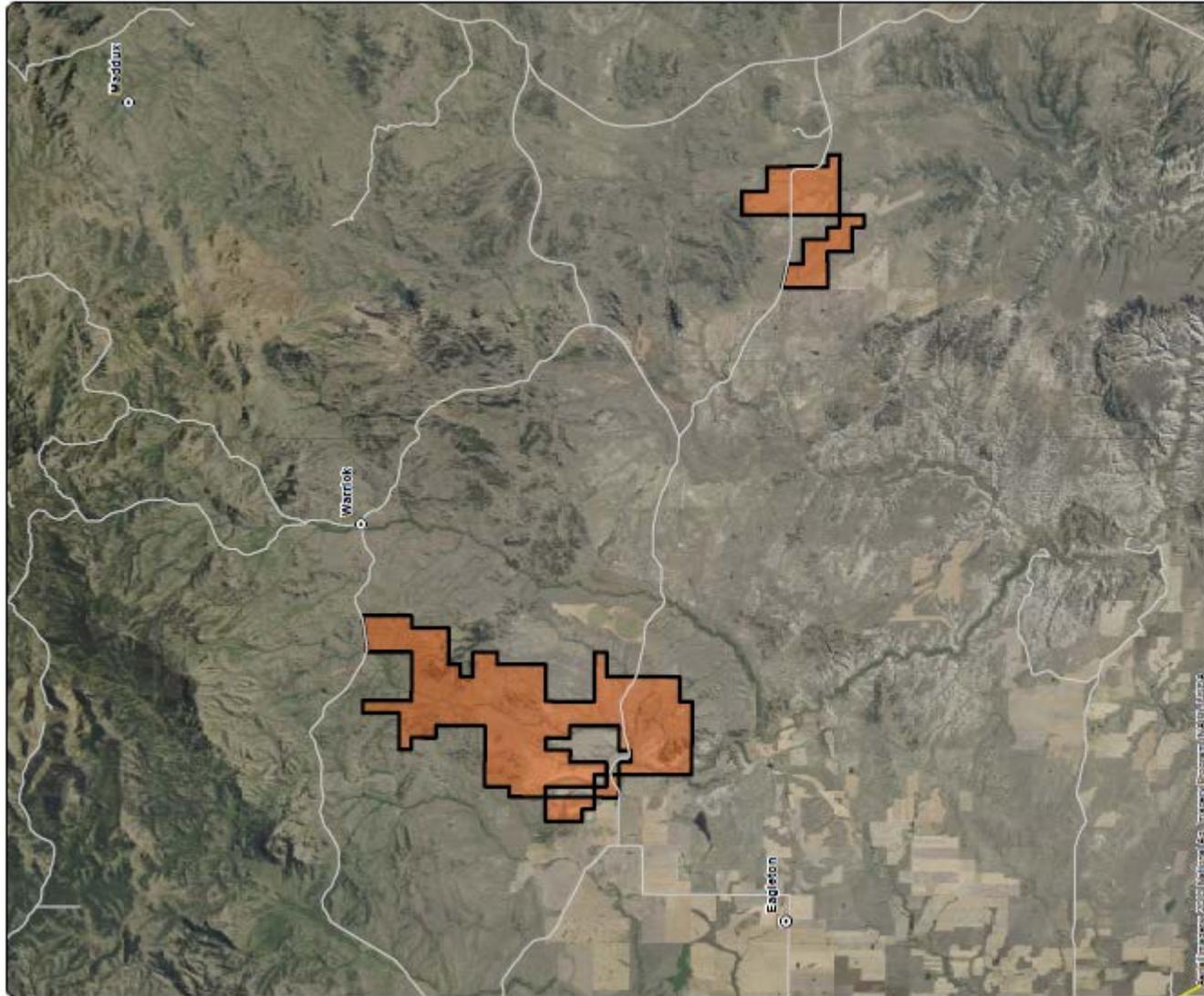
*Montana*  
LAND RELIANCE  


# The Weavers

- Stan Weaver's Great Grandfather came to Montana from Oregon in 1888
- Was a cowboy in the Judith Basin, broke horses and tended bar.
- Eventually bought the original part of the ranch in 1925.
- Stan and Nancy, and their son Daniel run the ranch today.
- The "A standing X" (don't know how to type a brand) brand was registered the year of statehood, 1889.
- Weaver's have sold quarter horses to all 50 states, 7 provinces, Australia, South Africa, Germany, and Mexico.



# Weaver Property Location Map



**EXHIBIT C**  
**WEAVER CATTLE CO.**  
**LOCATION MAP**  
Date: March 15, 2016

 Subject Property  
Property Acreage: 9,871

 Town / Locality

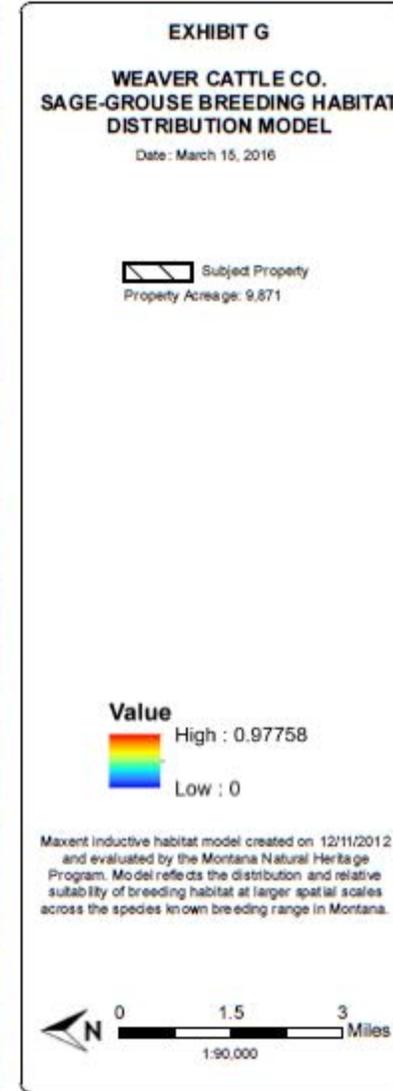
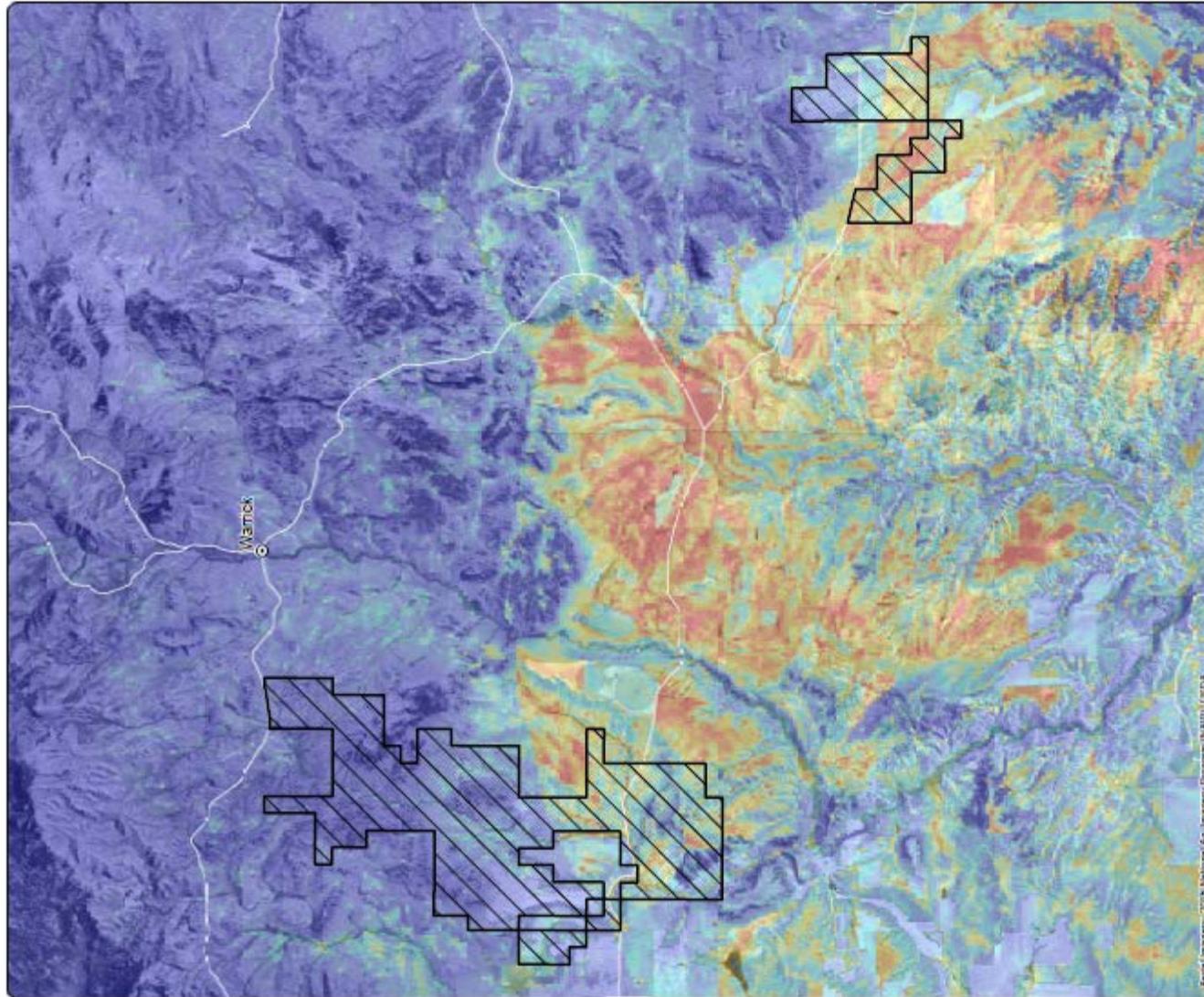
 0 2 4 Miles  
1:125,000

# Ranch and its Habitat



- 100% General Sage Grouse Habitat
- 16 sage grouse leks identified, all located generally between the two parcels
- 9,871 of largely acres of rangeland and grassland
- Weavers lease surrounding 440 acres of BLM-controlled surface and 640 of State Land
- Broad support including Havre Field Office Biologist
- Conservation Objectives Team Zone I

# Weaver Livestock Sage Grouse Breeding Habitat Distribution Model



## Problem and Threat Analysis

- Habitat fragmentation is widely recognized as a major culprit in decline of the greater sage grouse





## Easement Terms/Benefit

- “No build” will be designated as that portion within a two-mile buffer of existing sage grouse lek
- will prohibit surface mining and commercial gravel operations
- Prohibition of grazing and grass land to cropland.
- New road construction for residential access only
- Landowners agree to NSO stipulations of .6 miles pursuant to EO 12-2015 of any existing and active sage grouse . New fencing is included in “surface facilities.”
- where possible and economically feasible, will require landowners to bury new power and communication infrastructure and comply with overhead power and communications recommendations in EO 12-2015
- Weavers are reseeding 1500 acres of cropland into native grassland
- Property can transfer as two parcels, along county lines

- Will prohibit turbine style wind energy development and commercial wind and solar development
- Will require Grasslands Management Plans as required through NRCS-Agricultural Land Easement (ALE) plans
- Will comply with vegetation removal requirements outside building envelopes/development areas
- Will comply with sage brush eradication and treatment recommendations in EO-2015
- Will preclude traditional oil development

# Financials

- Estimated Easement Value: \$3,150,720
- MGSGSFA Grant Request: \$787,680
- NRCS Commitment: \$2,363,040
- Landowner Donation: \$59,500 (in kind, project costs)





# Raths Livestock



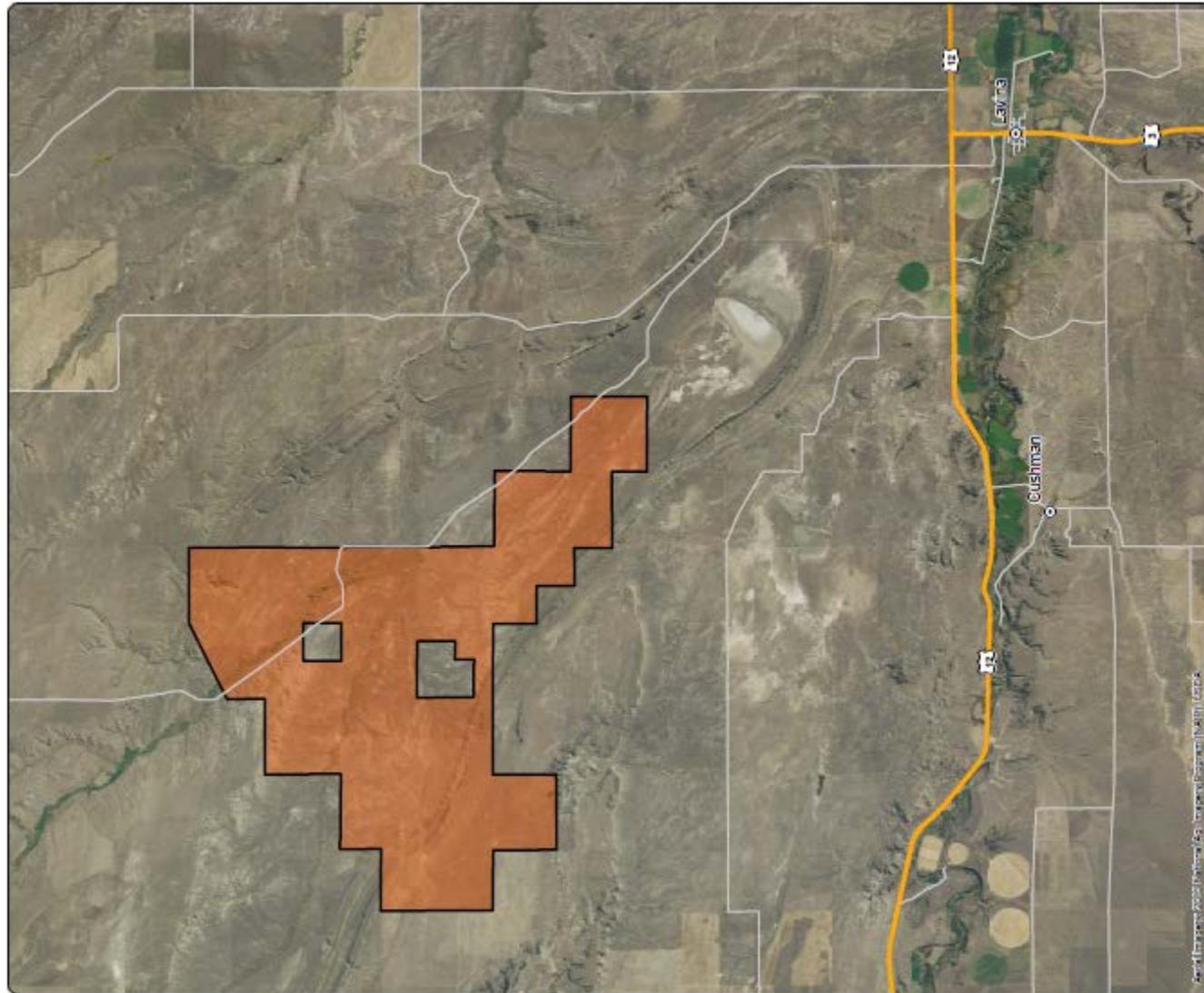
# The Raths

- Rath family has been ranching in the Roundup/Lavina area since 1878.
- Jeff Rath, his wife, Bea, son-in law, Robin, and daughter, Abby, actively manage the ranch.
- Participants in FWP sage grouse research project in Lavina/Roundup area for six years
- Rent out four bedroom house to nine FWP “chicken chasers.”
- Rath family have attended weddings, baptisms, etc for current and past staff. FWP staff help brand, build fence, and have become part of the family and the community.
- FWP staff are, with exception of one who stays through hunting season to run block management for the ranch.



*Card game on the Roundup*

# Raths Livestock Corp Property Location Map



**EXHIBIT C**  
**RATHS LIVESTOCK CORP**  
**LOCATION MAP**  
Date: March 15, 2016

 Subject Property  
Property Acreage: 11,230

 Town / Locality

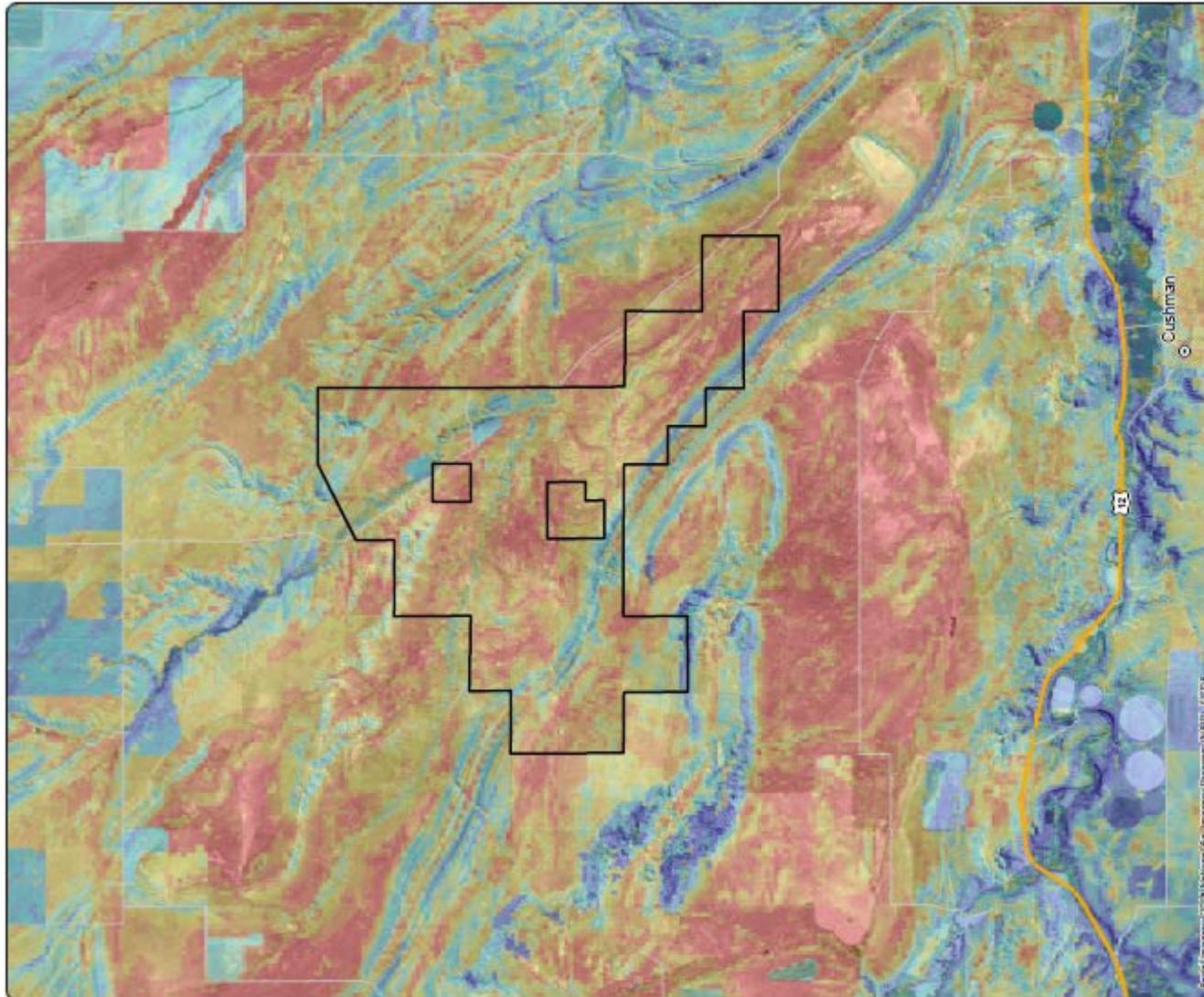
 0 1 2 Miles  
1:80,000

# Ranch and its Habitat

- 100% core sage grouse habitat
- 12 Active sage grouse leks in/around immediate vicinity
- 11,230 total acres
  - 30 acres cropland
  - 8,557 acres rangeland
  - 1,986 acres grassland
- Rath's lease 640 acres of State Trust
- Conservation Objectives Team Zone 1



# Raths Livestock Corp Sage Grouse Breeding Habitat Distribution Model



**EXHIBIT G**

**RATHS LIVESTOCK CORP  
SAGE-GROUSE BREEDING HABITAT  
DISTRIBUTION MODEL**

Date: March 15, 2016

 Subjed Property  
Property Acreage: 11,230

**Value**

 High : 0.97758  
Low : 0

Maxent inductive habitat model created on 12/11/2012 and evaluated by the Montana Natural Heritage Program. Model reflects the distribution and relative suitability of breeding habitat at larger spatial scales across the species known breeding range in Montana.

 0 1 2 Miles  
1:80,000

# Problem and Threat Analysis

- Habitat fragmentation is widely recognized as a major culprit contributing to the decline of the greater sage grouse
- Proposal protects 11,230 deeded acres of critical core sage grouse habitat, and project is ½ mile from a 3,797-acre USDA conservation easement



## Easement Terms and Conservation Benefit

- Allowed Development: Two additional residential dwelling units and associated outbuildings located within 3-acre building envelopes outside “no build areas” designed to maximize protection of existing active lek locations. One development area is clustered with existing homesite and the other on north end of property.
- Can transfer as two parcels only, subject to ALE minimum parcel size
- Will prohibit surface mining and commercial gravel operations
- Will prohibit conversion of grazing/grass land to crop land
- Will limit new road construction to residential access only



- Will prohibit turbine style wind energy development and commercial wind and solar development
- Landowners agree to NSO stipulations of .6 mile pursuant to EO 12-2015 of any active sage grouse lek
- Will comply with EO recommendations on Sagebrush Eradication and Treatment
- Where feasible, landowners will require new power and communications infrastructure to be buried

# Financials

- Estimated Easement Value: \$3,250,000
- MGSGSFA Grant Request: \$812,500
- NRCS Commitment: \$2,437,500
- Landowner Donation: \$58,794 (in kind, project costs)





Every year, the Raths rent a four-bedroom house on their property to nine young “chicken chasers,” or FWP researchers.

# Raths Property Sage Grouse



2016/04/21 06:05

# Hybrid Sage-Sharp-tail Grouse

Documented Sunday, April 10, 2016 on Raths Property





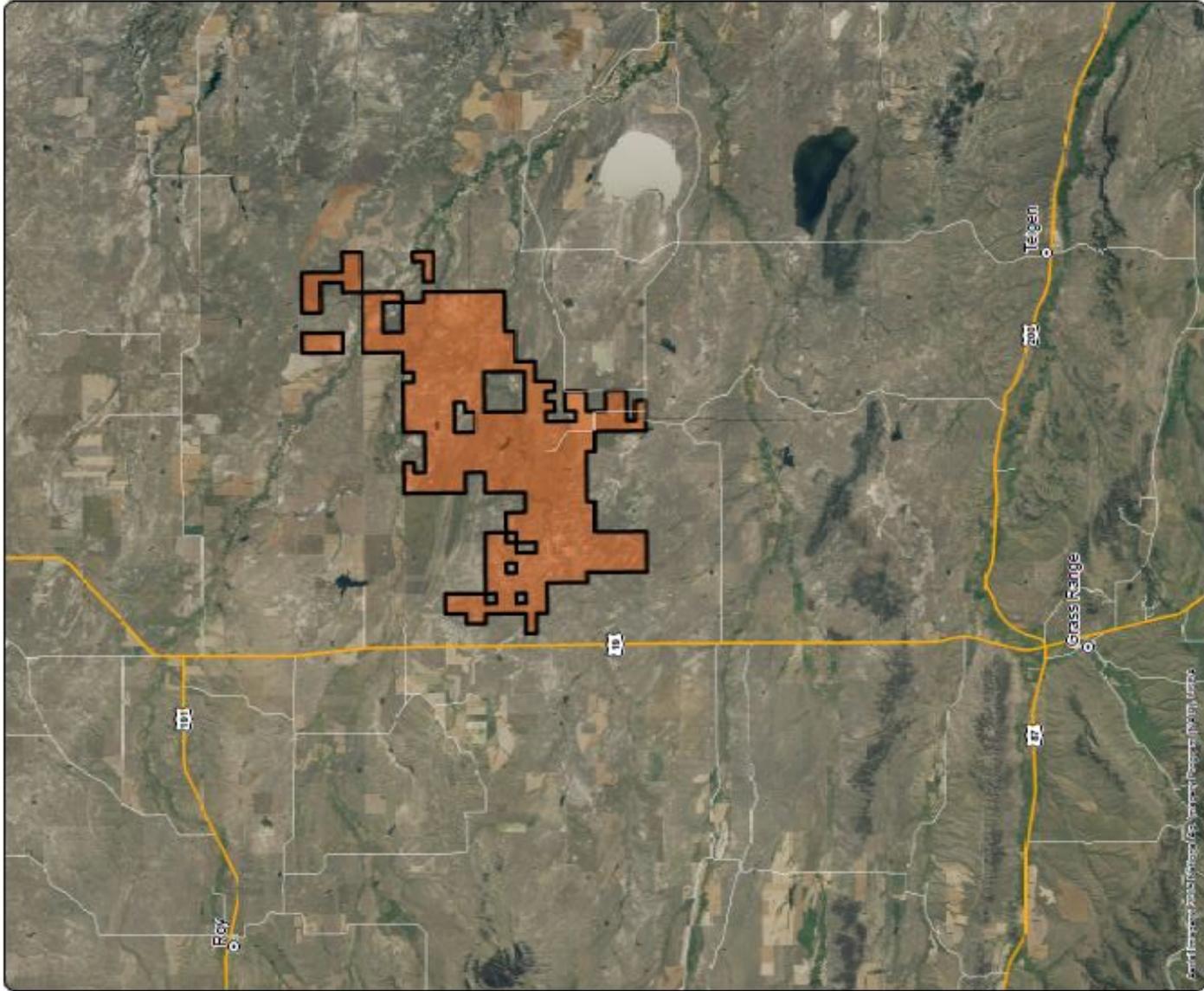
44 Ranch

*Montana*  
LAND RELIANCE  


# The Delaneys

- Started by Mike's grandparents, Mike and Gunilda Delaney, who moved to MT in 1925 to work for the Norwegian Lutheran Church.
- Purchased original portion of the ranch in early 1940's.
- Mike and Deb's son Michael and daughter-in-law Katie live and work on the ranch. Daughter Anne, who does the ranch books, and husband Duane Bergum, along with their two sons live in Winnifred.





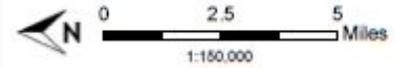
**EXHIBIT C**

**44 RANCH PROPERTY  
LOCATION MAP**

Date: April 1, 2016

 Subject Property  
Property Acreage: 18,033

 Town / Locality

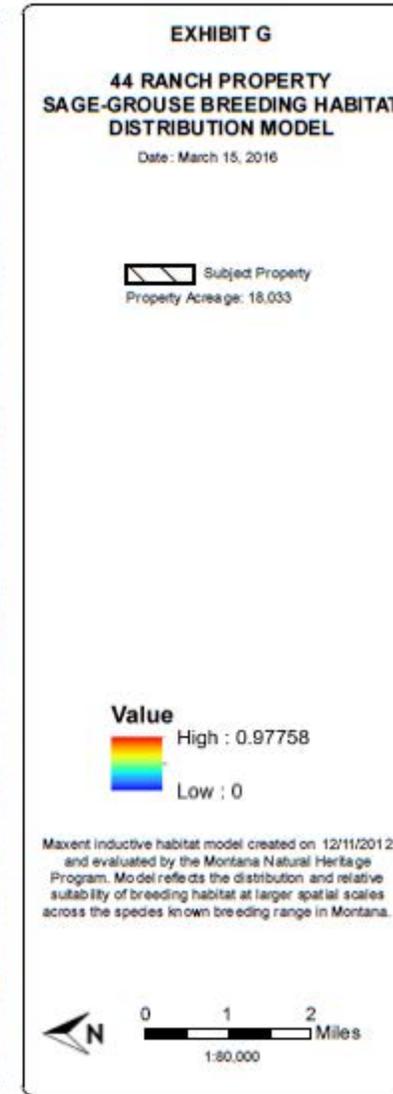
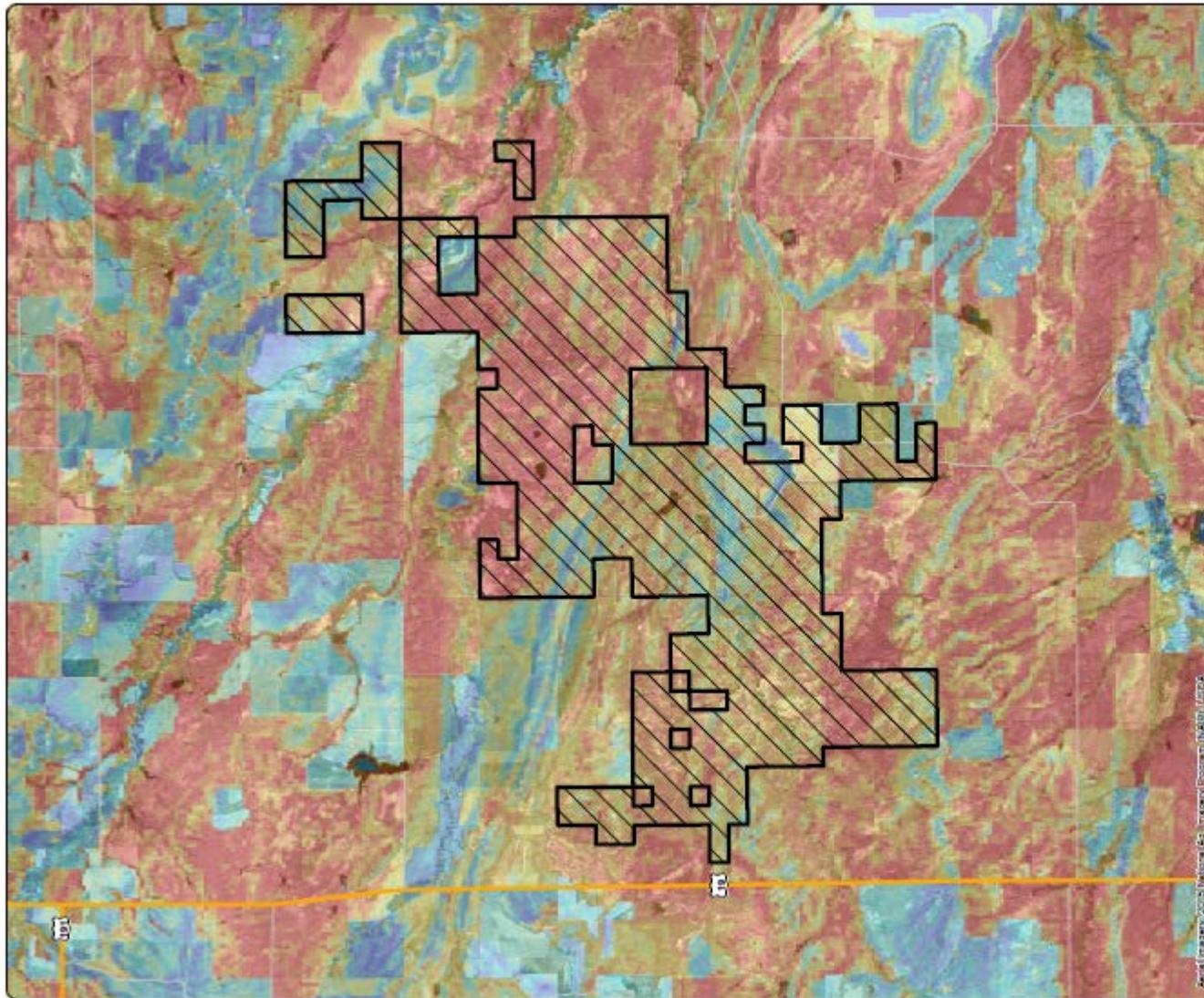


# The Ranch and its Habitat

- 100% core sage grouse habitat
- 12 active sage grouse leks in and around immediate vicinity
- 18,033 total acres
  - 37 acres cropland
  - 10,662 acres rangeland
  - 667 acres grassland
- The family leases 1,011 acres of BLM-controlled surface in the immediate vicinity and 2,954 acres of State Trust
- All existing ranch infrastructure is outside a 2-mile buffer of active sage grouse leks
- Conservation Objectives Team Zone 1
- 44 Ranch currently implements grazing plan in coordination with local NRCS office as recommended in Governor's EO



# 44 Ranch Sage Grouse Breeding Habitat Distribution Model



# Problem and Threat Analysis

- Largest threats to sage grouse habitat are cropland conversion and fragmented habitat
- In five years, from 2007-2012, the size of Petroleum County's land mass in farms grew by 8%



# Easement Terms & Quantifying Conservation Benefit

- Allowed development: three additional residential dwelling units and associated outbuildings located within 3-acre building envelopes in development areas
- No residential dwelling units will be constructed within two mile radius of active leks
- Will prohibit surface mining and commercial gravel operations.
- Will prohibit conversion of grazing/grass land to crop land.
- Will limit new road construction for residential access only.
- Will prohibit turbine style wind energy development and commercial wind and solar development.
- Will comply with EO sage brush eradication and treatment recommendations



- Landowners agree to NSO stipulations of .6 miles pursuant to EO 12-2015 of any existing and active sage grouse leks
- Where possible and economically feasible, will require landowners to bury new power and communication infrastructure.
- Will have grazing management plan on file
- Will comply with vegetation removal requirements outside building envelopes/development areas
- Will allow three divisions of property but none with residential dwelling units, leaving it as protected ag open space.

# Financials

- Estimated Easement Value: \$2,366,831
- MGSGSFA Grant Request: One time, \$1,500,000
- Private Match: \$375,000
- Landowner Donation: \$527,971





Troy & Joy Smith

*Montana*

LAND RELIANCE

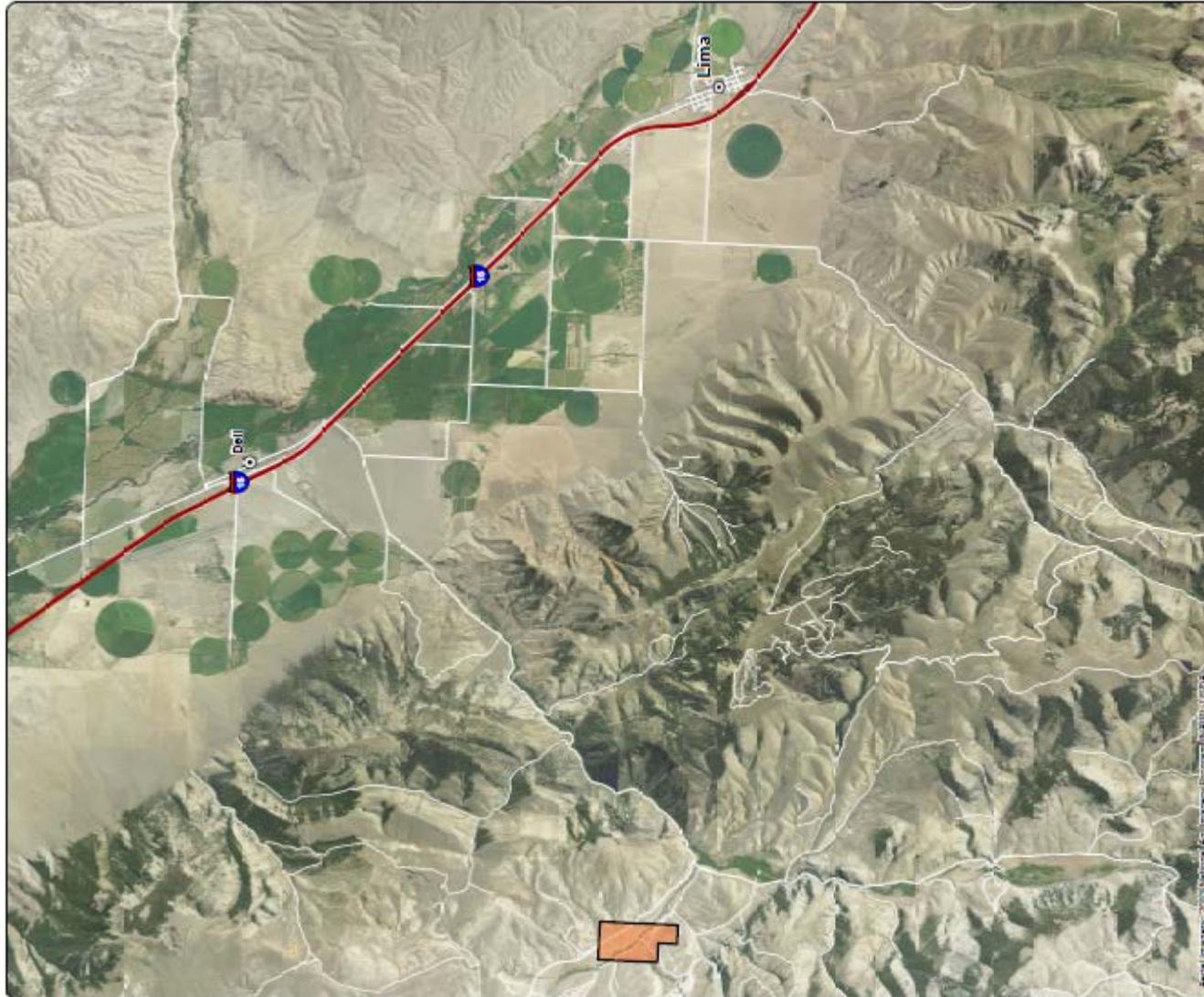


# The Smiths

- Troy and Joy Smith live on their property (Arrowhead Ranch) near Cardwell with their five children.
- Placed a conservation easement on that property in 2011.
- Proposal property will be used for grazing and was purchased in 2015.



# Smith Property Location Map

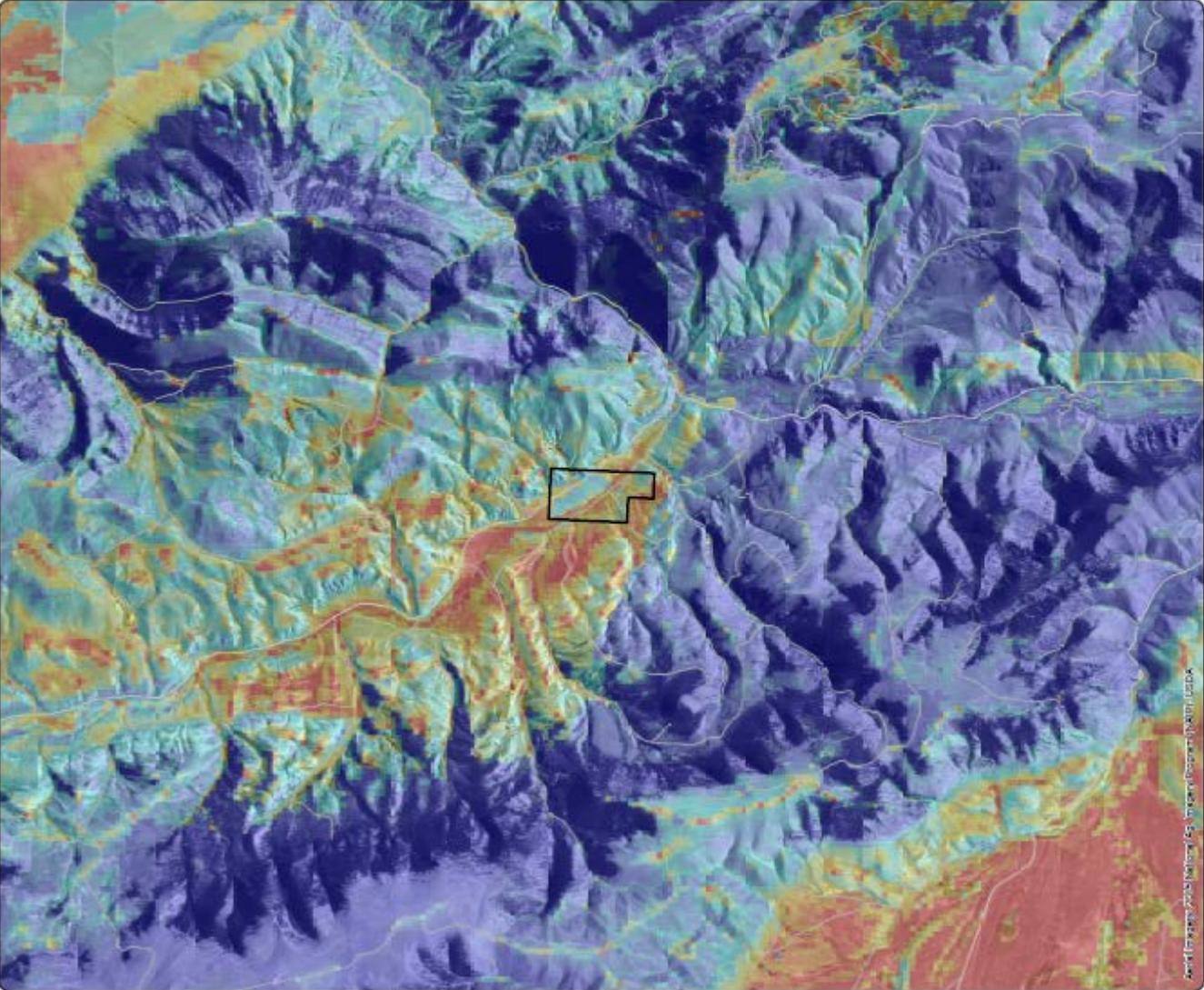


## Ranch and its Habitat



- 100% Core Sage Grouse Habitat
- Active grouse lek north of property
- 289 acres of rangeland and grassland
- Smiths lease surrounding 5567 acres of BLM-controlled surface.
- Conservation Objectives Team Zone IV

# Smith Livestock Sage Grouse Breeding Habitat Distribution Model



**EXHIBIT G**

**SMITH (TROY) PROPERTY  
SAGE-GROUSE BREEDING HABITAT  
DISTRIBUTION MODEL**

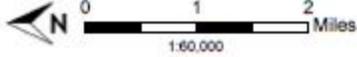
Date: March 15, 2016

 Subjed Property  
Property Acreage: 289

**Value**

 High : 0.97758  
Low : 0

Maxent inductive habitat model created on 12/11/2012 and evaluated by the Montana Natural Heritage Program. Model reflects the distribution and relative suitability of breeding habitat at larger spatial scales across the species known breeding range in Montana.

 0 1 2 Miles  
1:60,000

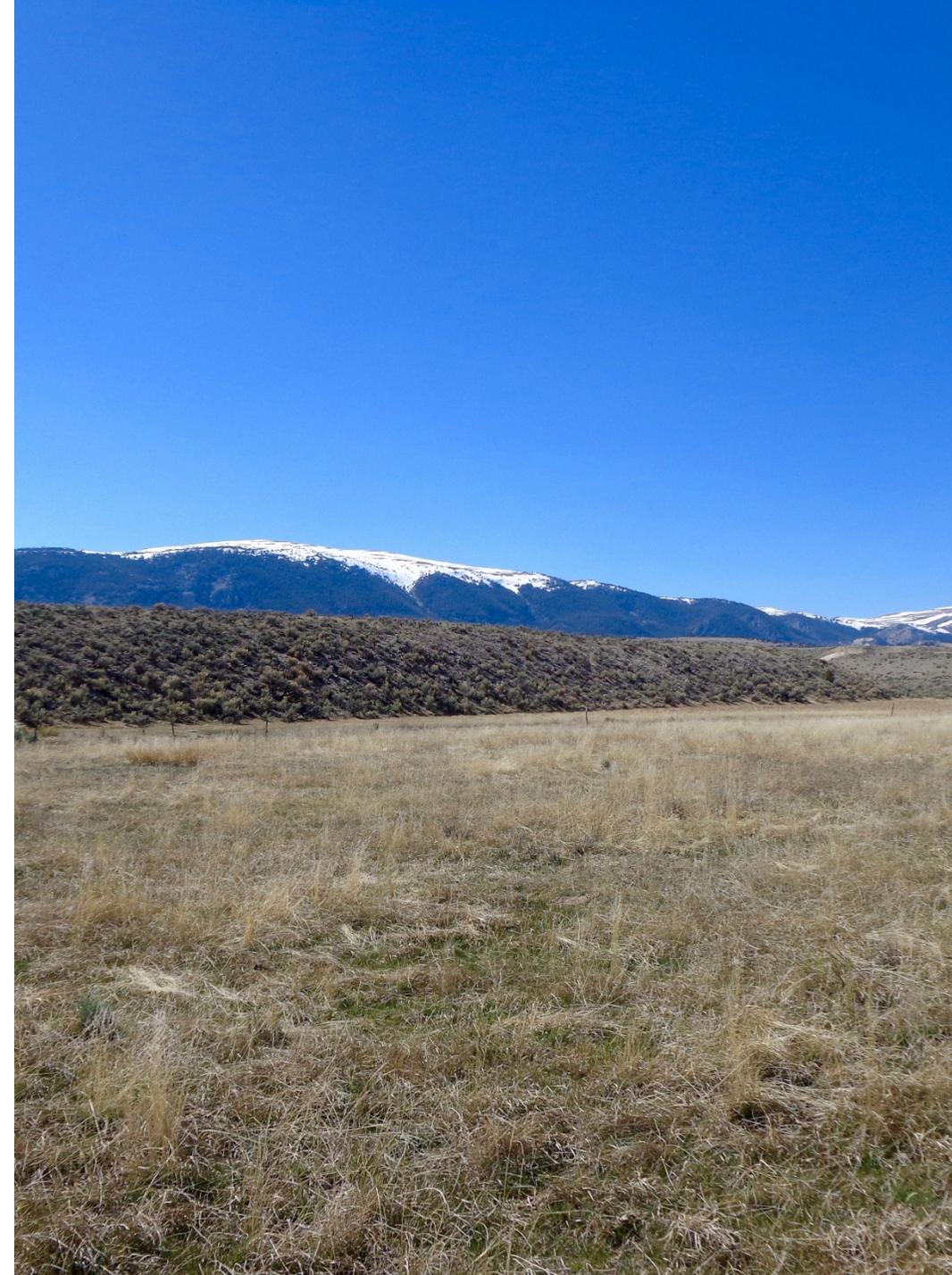
# Problem and Threat Analysis

- Habitat fragmentation is widely recognized as a major culprit in decline of the greater sage grouse
- Part of over 109,000 acres of contiguous protected public land. The proposal helps keep that habitat intact.



## Easement Terms and Conservation Benefit

- Allowed Development: one additional residential dwelling units and associated outbuildings located in identified development area
- Will prohibit surface mining and commercial gravel operations.
- Will prohibit conversion of grazing/grass land to crop land.
- Will limit new road construction to residential access only.
- Will prohibit turbine style wind energy development and commercial wind and solar development.
- Landowners agree to NSO stipulations of .6 miles pursuant to EO 12-2015 of any existing and active sage grouse. New fencing is included in “surface facilities.”
- Where possible and economically feasible, will require landowners to bury new power and communication infrastructure.
- Will require Grasslands Management Plans as required through NRCS-Agricultural Land Easement (ALE) plans.
- Will comply with vegetation removal requirements outside building envelopes/development areas, and so long as the activity is not critical to the ag operation.
- Will preclude conifer encroachment.
- Will comply with sage brush treatment and eradication recommendations in EO



# Financials

- Estimated Easement Value: \$144,000
- MGSGSFA Grant Request: \$36,000
- NRCS Match: \$108,000
- Landowner Donation: \$47,150 (in kind, project costs)

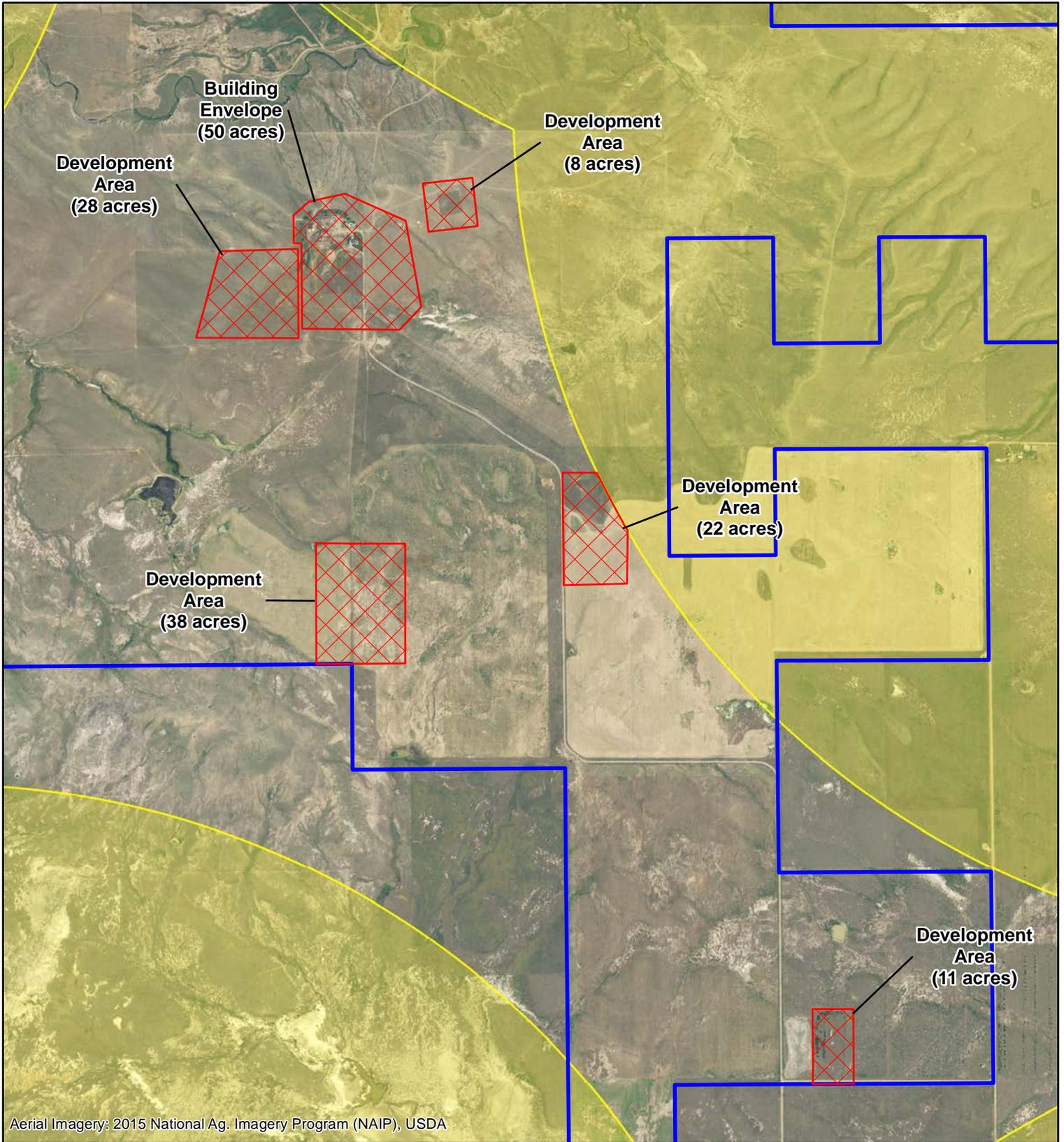


# MLR Monitoring Policy

In an effort to discharge MLR's obligation to the public, staff shall monitor each conservation easement annually conducting appropriate discussions with the owner and/or manager about terms of the easement, condition of the land, and its management, and prepare suitable file documentation. Stewardship staff shall be given maximum discretion to tailor monitoring needs, including site visits and stewardship opportunities, to the particular characteristics of the property, the easement, and the property owner. Adopted 2/10/98



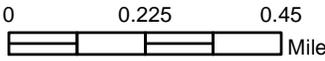
# 44 RANCH PROPERTY - EXHIBIT



 Subject Property

Property Acreage: 18,033

 Development Area / Building Envelope

1:20,000  Miles

Date: May 23, 2016

 Sage Grouse Lek Location

 2 mile Lek Buffer  0.6 mile Lek Buffer



Disclaimer: information provided on this map is for illustrative purposes only and should not be relied upon to identify legal boundaries

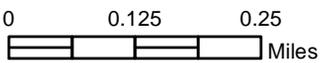
# SMITH (TROY) PROPERTY II - EXHIBIT



 Subject Property

Property Acreage: 289

 No-Build Area (169 acres)

1:12,000  Miles

Date: May 23, 2016

 Sage Grouse Lek Location

 2 mile Lek Buffer

 0.6 mile Lek Buffer



Disclaimer: information provided on this map is for illustrative purposes only and should not be relied upon to identify legal boundaries

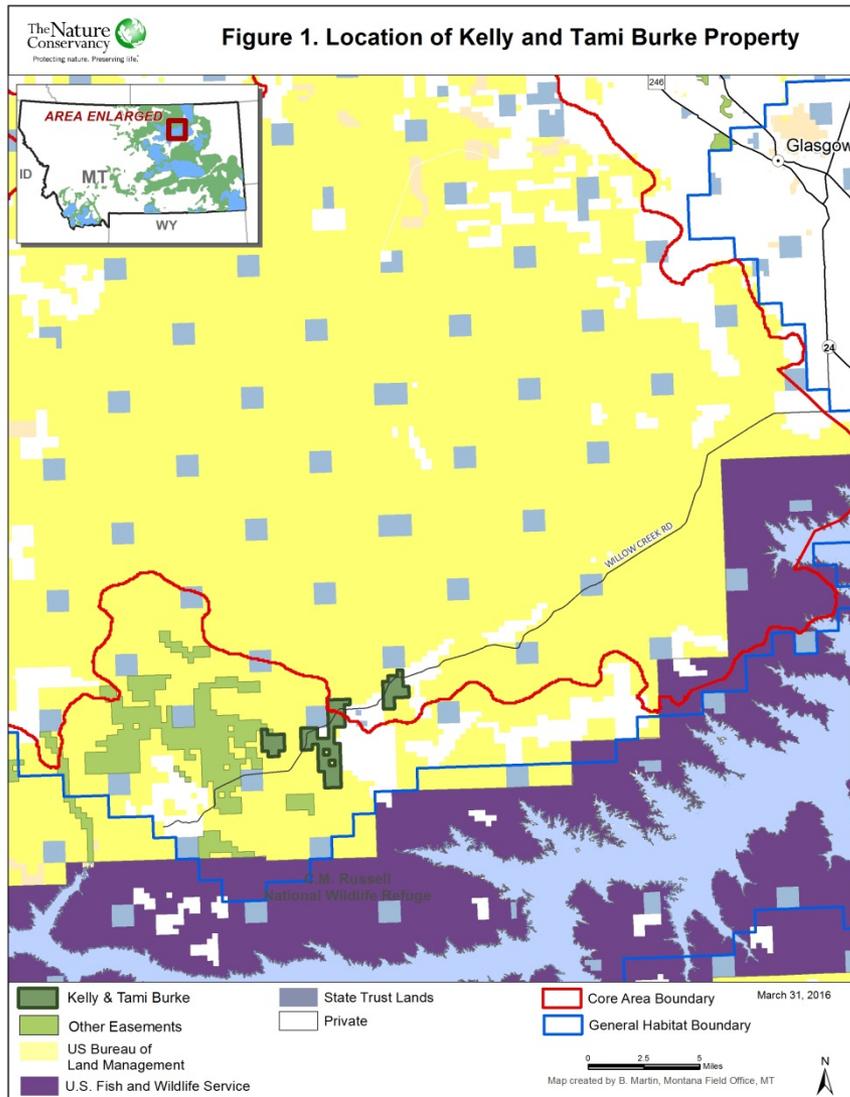


# Kelly and Tami Burke Conservation Easement Project

Brian Martin, The Nature Conservancy

May 24, 2016

# Summary of Proposed Project



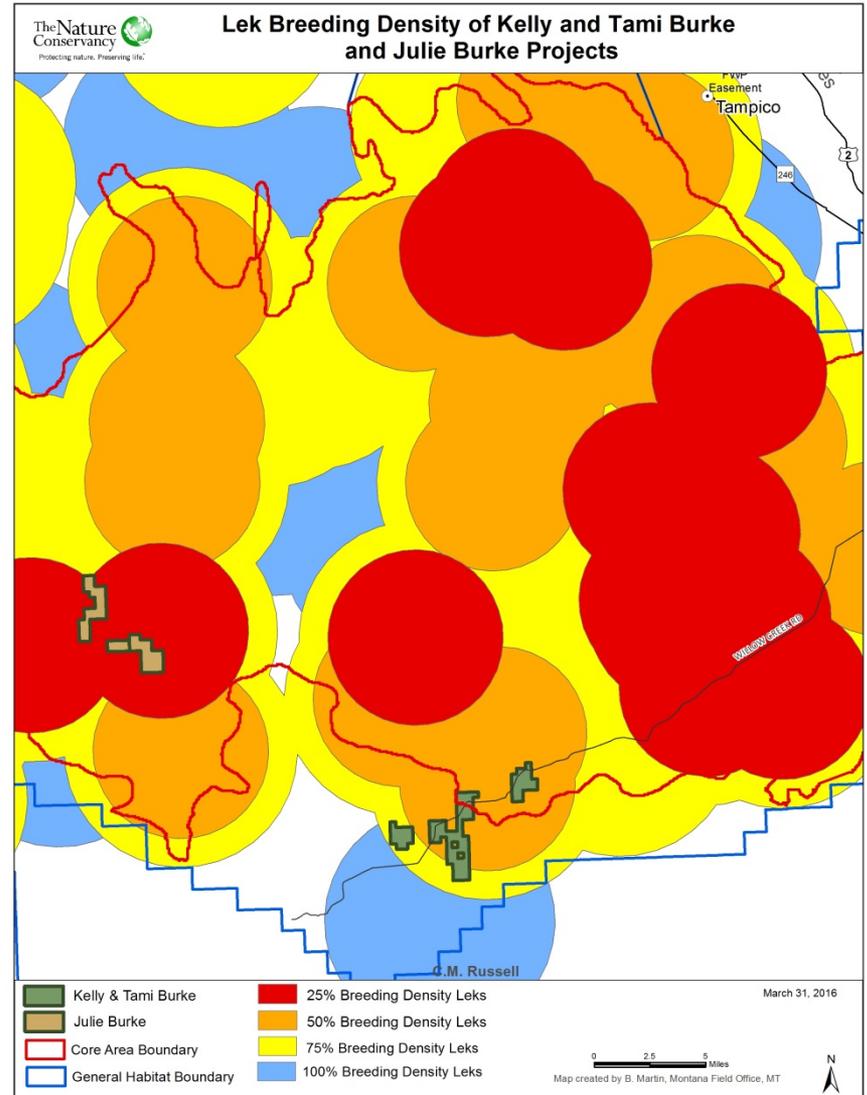
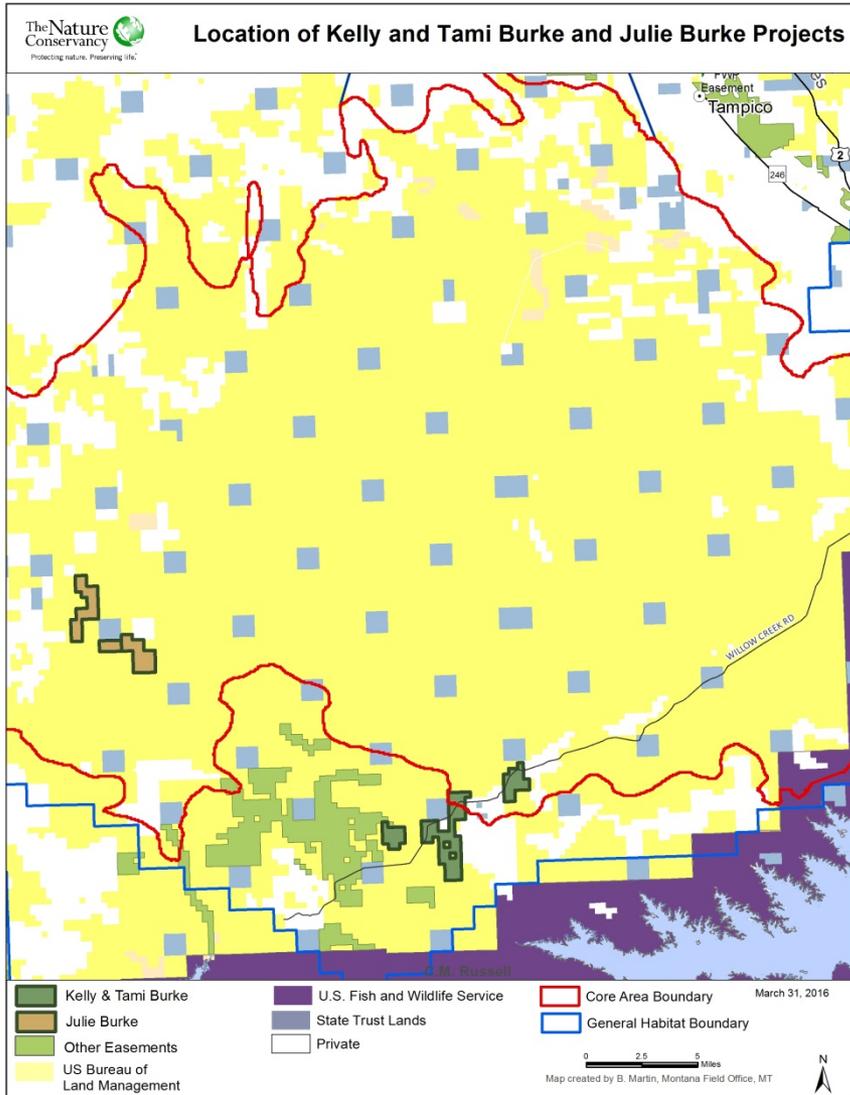
Property is owned by Kelly and Tami Burke. Property is a mixed ranch and farm operation.

## Project Elements:

- Easement on 3,792 acres of deeded land;
- Restore 547 acres of cropland to native habitat;
- Federal agencies will enhance habitat by funding best grazing management practices

Funding Requested - \$293,820 for easement and restoration

# Synergy of Proposed Burke Projects





Intact Habitat: Sagebrush - grassland



Intact Habitat: Greasewood/Sagebrush grassland and riparian adjoining Desert Coulee

# US Fish and Wildlife Service Top Identified Threats to Sage-grouse in Management Zone 1\*

- Conversion of sagebrush grassland to cropland
- Energy development
  - Oil and gas
  - Wind
- Energy infrastructure, including transmission lines
- Surface mining

\* U.S. Fish and Wildlife Service 2013. Greater Sage-grouse (*Centrocercus urophasianus*) Conservation Objectives: Final Report. Denver, Colorado. Internet website: <http://www.fws.gov/greatersagegrouse/documents/COT-Report-with-Dear-Interested-Reader-Letter.pdf>. February 2013.

# Conservation Easement Terms

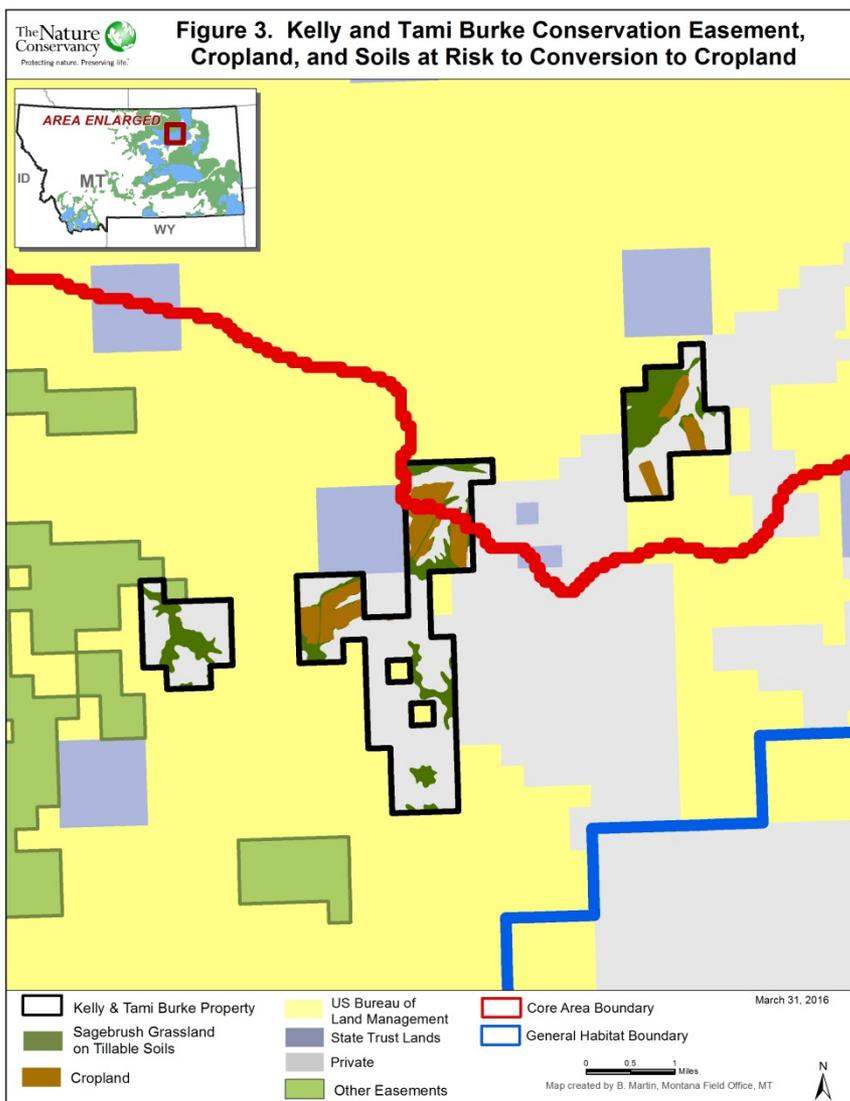
## Permitted

- Livestock grazing
- Livestock fences
- Build/maintain corrals
- Haying (on hay land)
- Control noxious weeds

## Prohibited

- Conversion to cropland
- Construct buildings
- Subdivision
- Oil and gas or mining
- Industrial/commercial uses (e.g. wind farm)
- Dumping
- Remove sagebrush (except incidental)

# Project Habitat Protection and Restoration



840 acres of intact habitat are on soil classes most often farmed in eastern MT (NRCS cropping capability 3 and 4).

547 acres farmed will be restored to sagebrush – grassland, which will also greatly reduce habitat fragmentation.

Easement will permanently protect the entire 3,792 acres

cropland

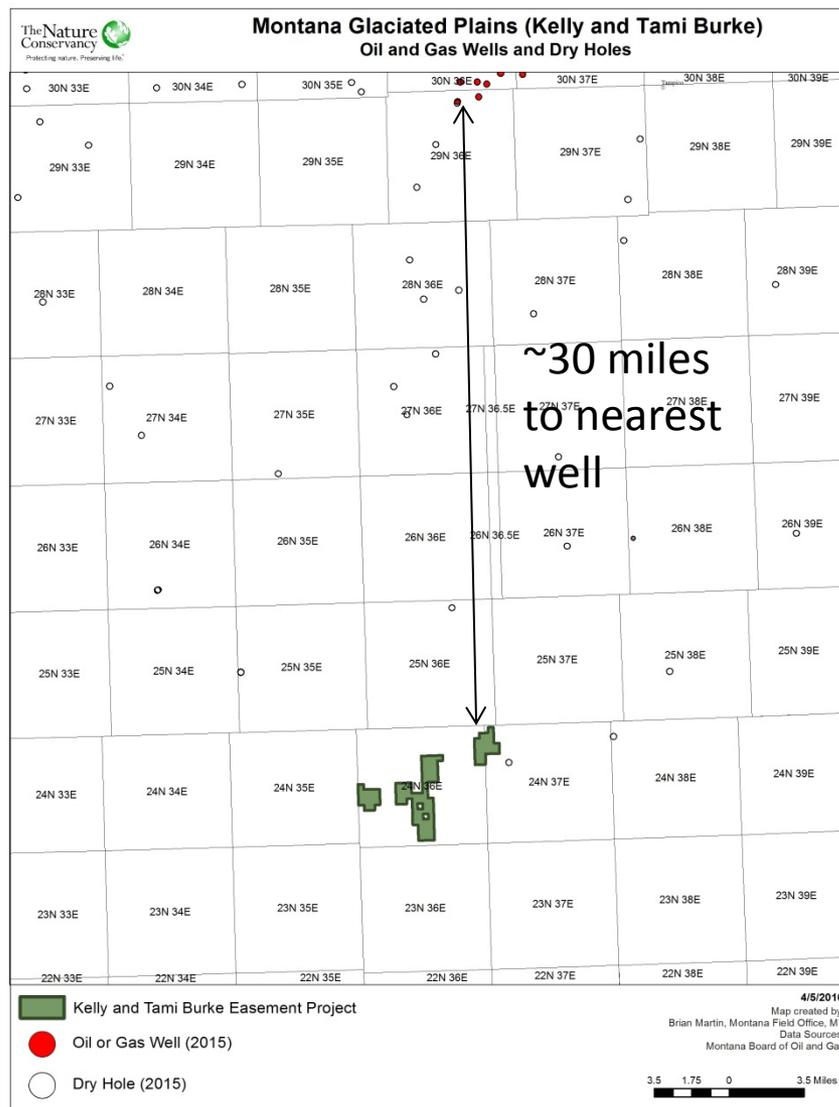
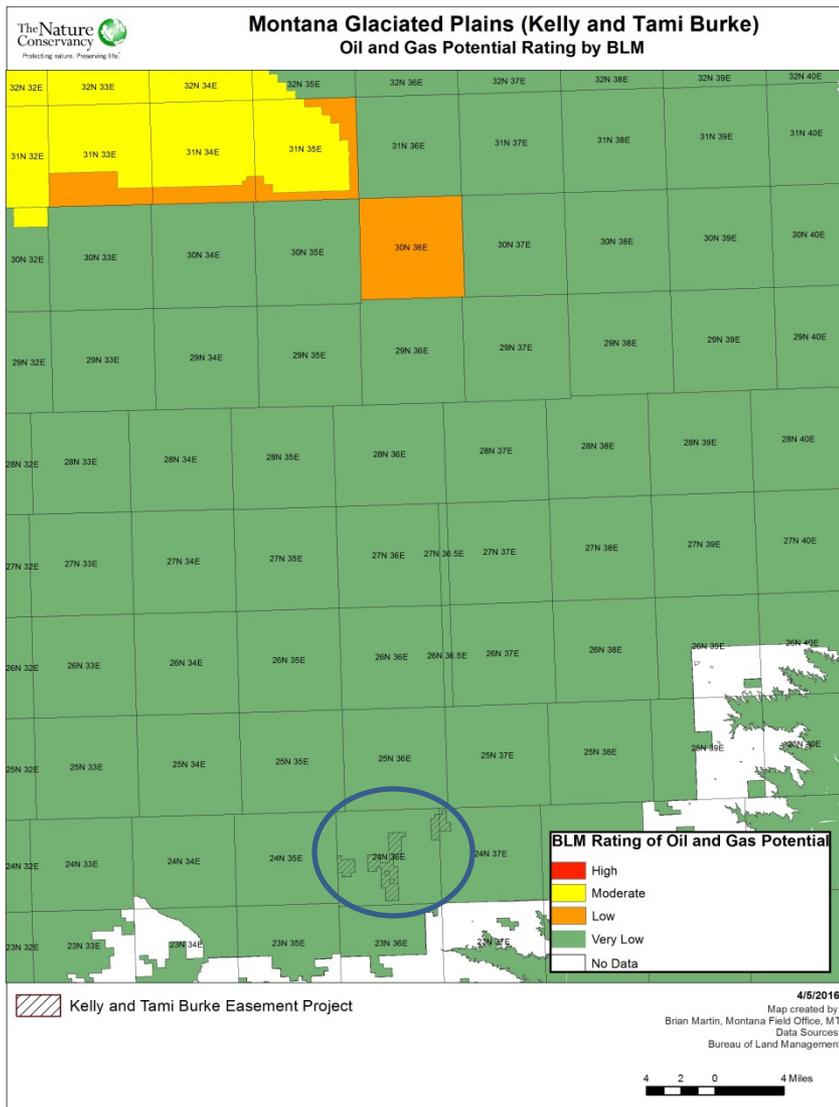


Intact habitat with soils suitable for cultivation adjoining cropland



Cropland on both sides of the Willow Creek Road that will be restored to sagebrush - grassland

# Threat of Energy Development – Oil and Gas



# Enhancing Habitat Quality

NRCS, USFWS, BLM and Burkes will be implementing a whole ranch plan focused on improving habitat quality and ranch operations. Agency contribution: \$155,000

Resource Issue: Loss of three reservoirs results in uneven cattle use, with heavy grazing near remaining water.

Management Action: Install 6.5 miles of stockwater pipelines and 9 stock tanks

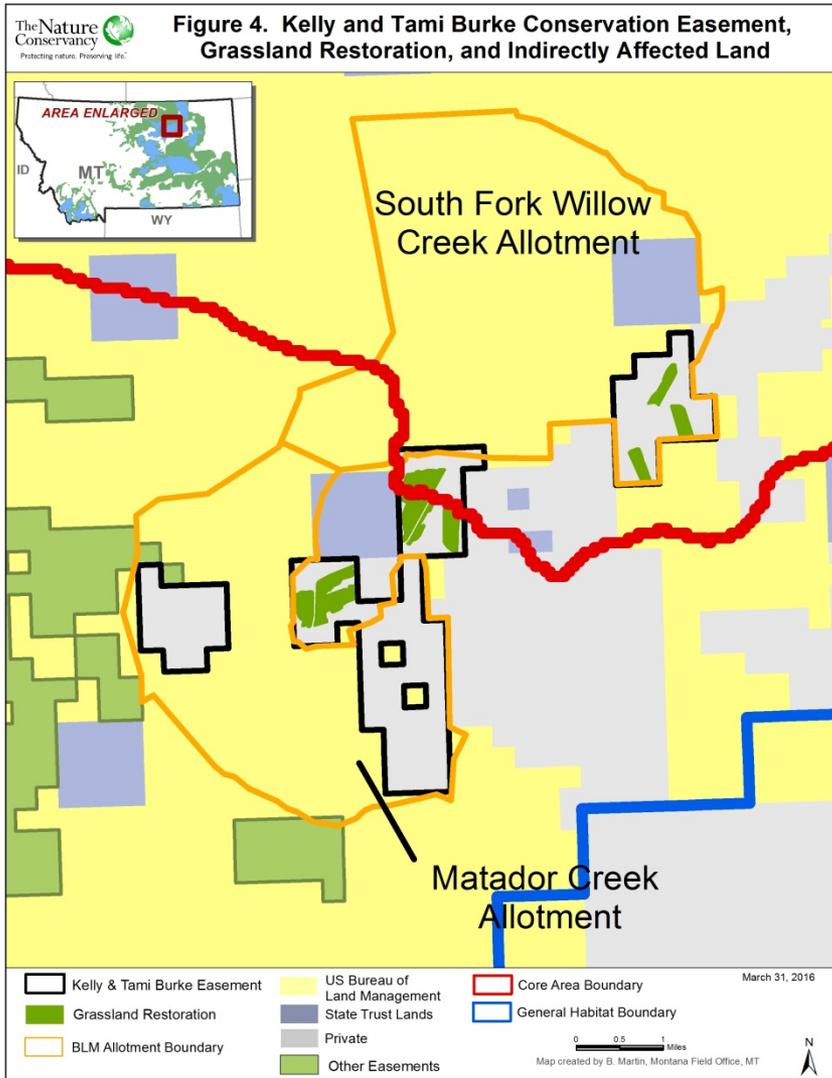
Resource Issue: Difficult to manage grazing on most of deeded land and portion of state and BLM leases (due to cropland and lack of water).

Management Action: Implement a deferred rotation grazing system in combination with BLM allotments. Add stock tanks on BLM to use water to rotate use within allotments.

Resource Issue: Sage-grouse mortality from fence collisions

Management Action: Mark fences where high risk of collisions exist.

# Restoration and Improved Grazing Management



Total acres of improved grazing management = 18,319

- Deeded land = 3,792
- BLM = 13,247
- State of MT = 1,280



# US Fish and Wildlife Service Identified Threats Addressed by this Project

- Conversion of sagebrush grassland to cropland
  - ✓ Restores 547 acres of cropland to sagebrush - grassland
  - ✓ Prevents conversion on 3,792 acres permanently
- Energy development
  - Oil and gas
    - ✓ Prevents oil and gas
  - Wind
    - ✓ Prohibits wind and other commercial uses other than ranching
- Energy infrastructure, including transmission lines
  - ✓ Prohibits major energy transmission lines.
- Surface mining
  - ✓ Prohibits surface mining

# Kelly and Tami Burke Project Benefits

- Property is located in or adjoins the highest priority Sage-grouse core in MT for USFWS and BLM.
- Very intact location in a ranching neighborhood.
- Match ~3:1 for easement, plus agencies are spending another \$155,000 on ranch infrastructure that will enhance habitat and grazing management.
- Restore cropland. Net increase in sage-grouse habitat.
- Maintains grazing use and strengthens a multi-generational, Montana ranching family

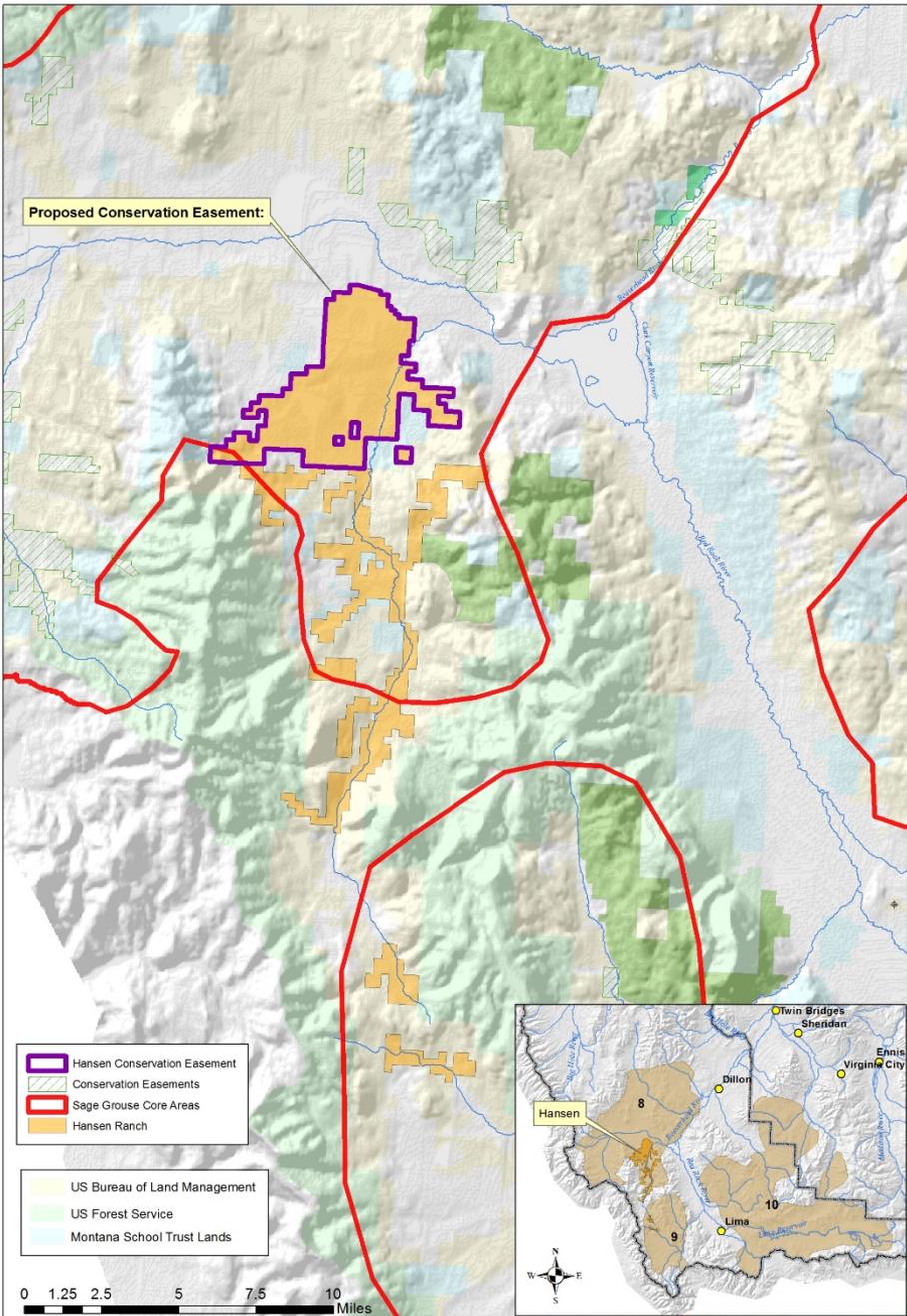
# Hansen Ranch Conservation Easement and Conifer Removal Project

Handout 7

May 24, 2016

Jim Berkey, The Nature Conservancy





## Hansen Project Summary:

Property is owned by Hansen Livestock Co.- a multi-generation traditional ranching family business founded in 1927.

Hansen Family run a year-round cow/calf operation on their ~30,000 acre property in the Medicine Lodge Valley, supported by additional feedlot acreage near Dillon, MT.

### Conservation Easement:

- ~13,890 acres Proposed for Conservation Easement
- Estimated Appraised Easement Value: \$5,000,000
- Funding Requested: \$750,000

### Conifer Removal:

~1,100 ac encroachment treated  
Funding Requested: \$202,500



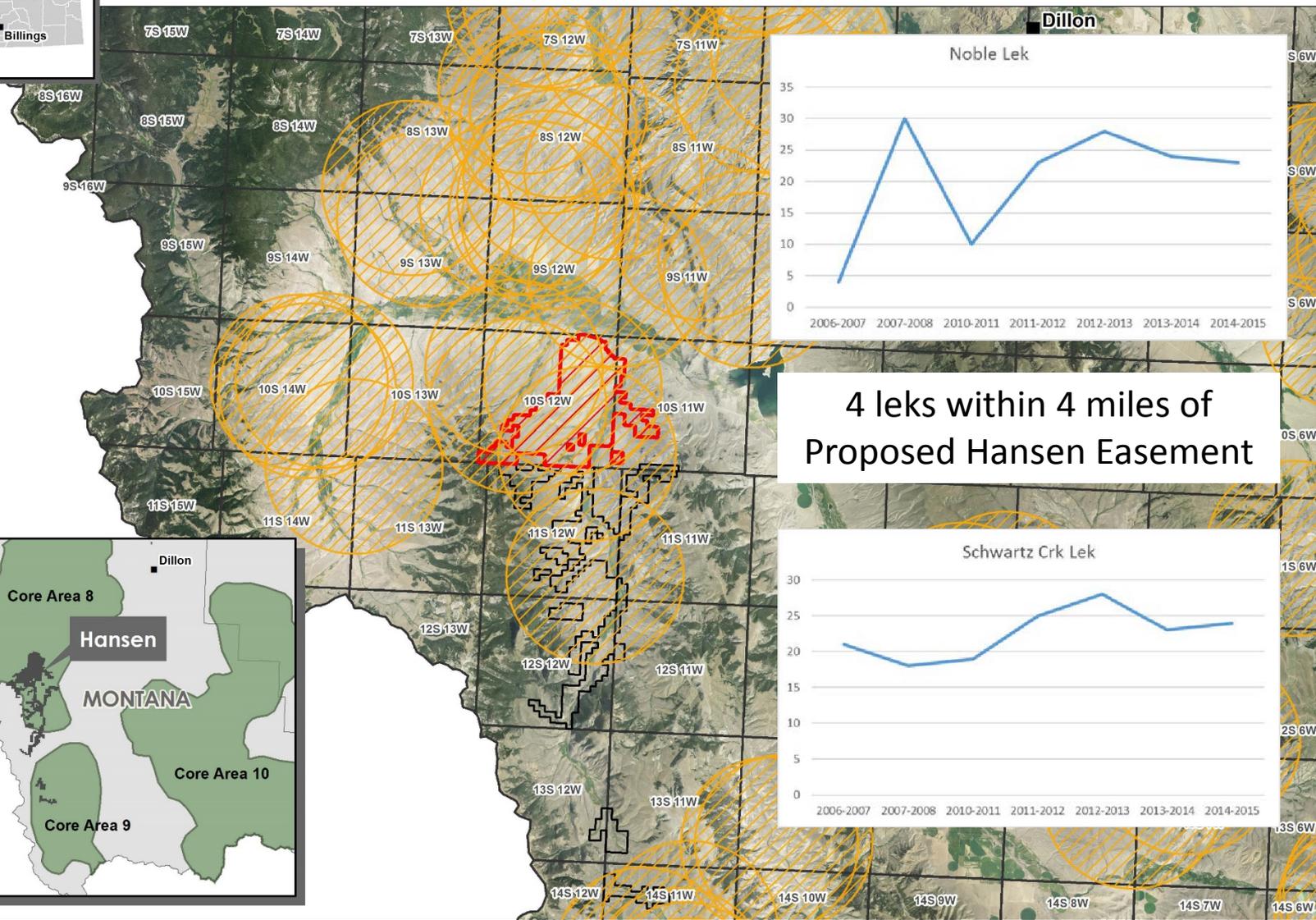
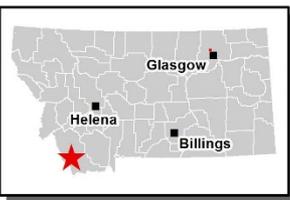








Figure 2. Hansen Ranch Overview

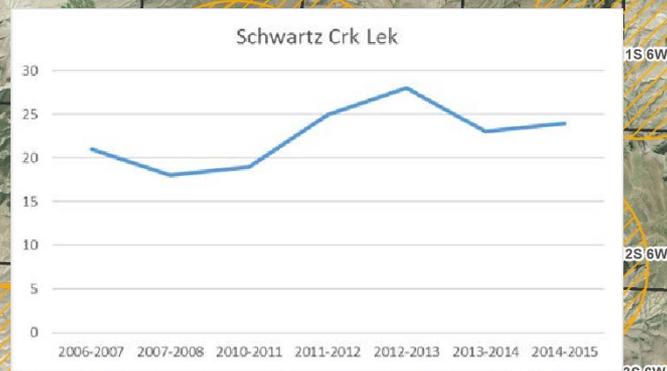
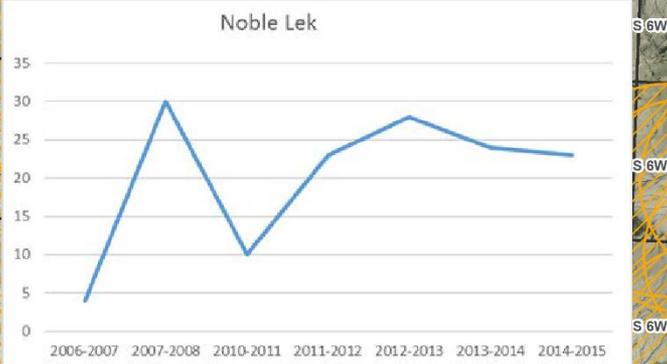


4 leks within 4 miles of Proposed Hansen Easement

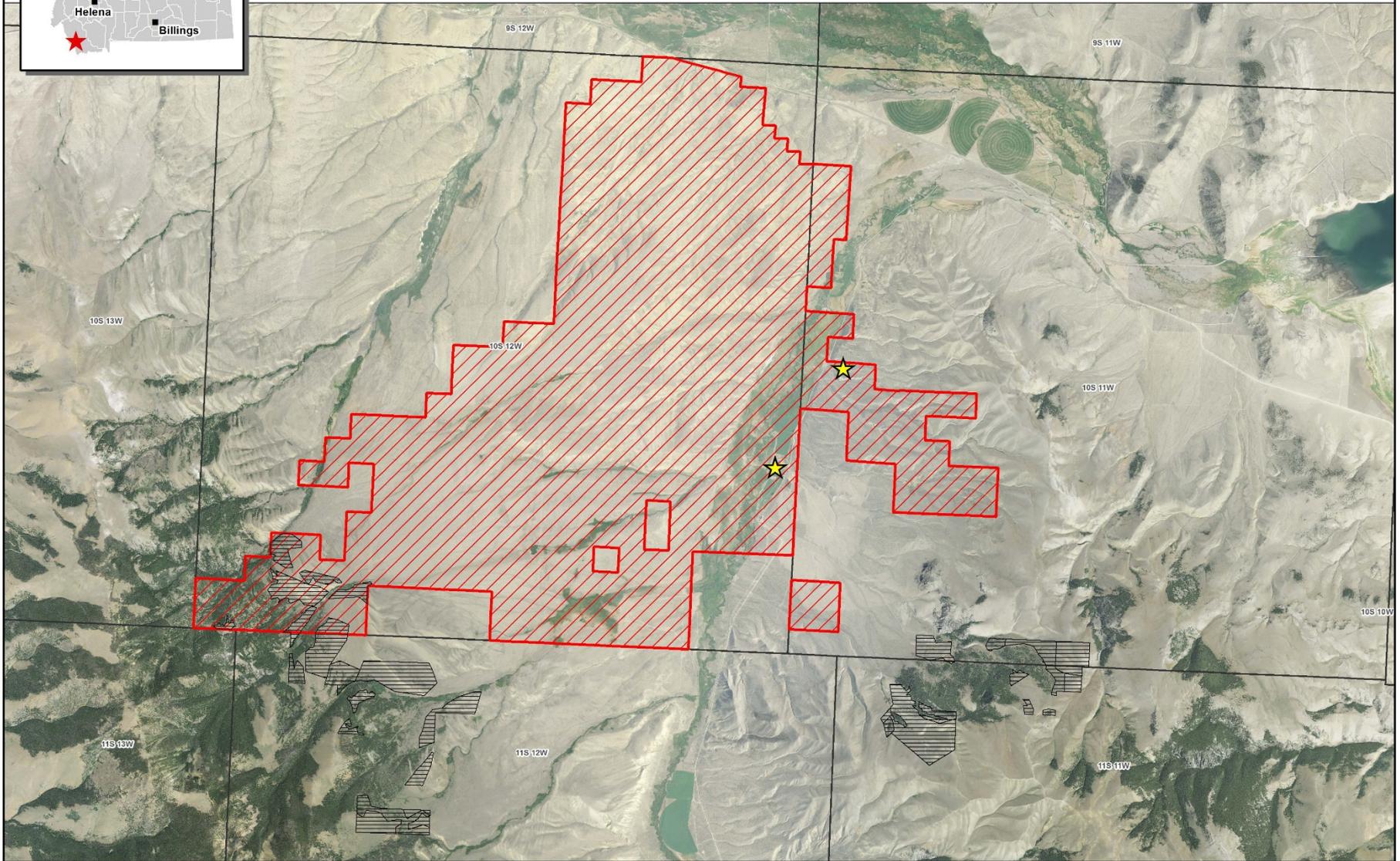


 Hansen Livestock Co. Proposed Easement  
 Hansen Livestock Co. Fee Land

 Sage Grouse 4-Mile Buffered Leks (Source: FWP)



# Figure 3. Proposed Conservation Easement and Restoration Project Area



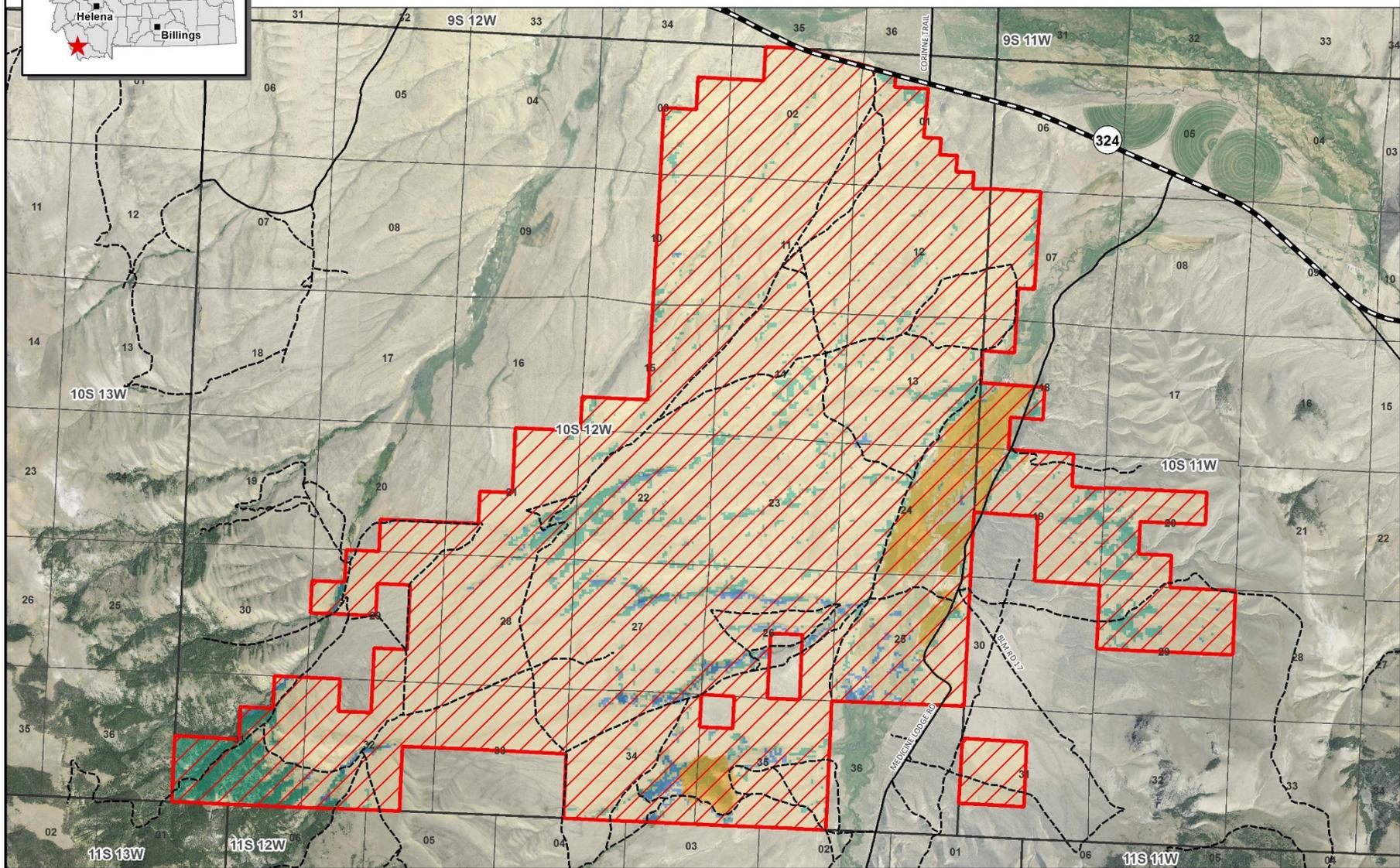
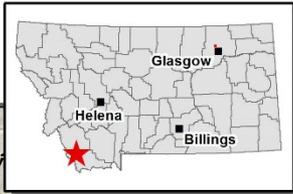
 Hansen Livestock Co. Proposed Easement

 Restoration Areas (Conifer Removal)

 Residence Locations



# Map 2d. Hansen Livestock Co. - Land Use Types



 Hansen Livestock Co. (Offered Easement)	 Grassland/Shrubland (12,029 acres)	 Riparian / Wetland (199 acres)	 State Highway
 Forest (1,091 acres)	 Agriculture / Disturbed (571 acres)	 City-County Road	 USFS Roads




# Threats

## USFWS Identified Primary Threats to Sage Grouse in SWMT:

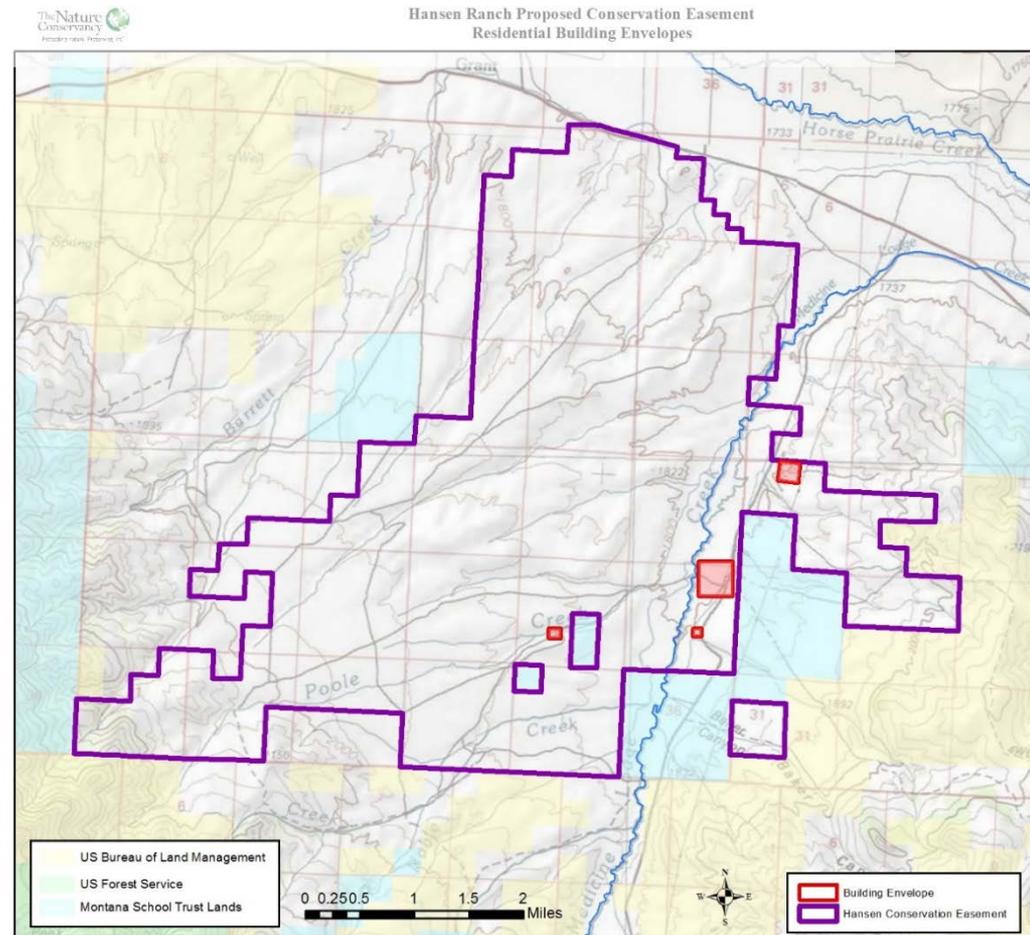
- Habitat Fragmentation/ Loss
  - Exurban Development
  - Sagebrush Control
- Conifer Encroachment
- Improper Grazing



# Conservation Easement Terms

## Permitted Uses:

- 4 Building Envelopes Delineated Around Existing Residences and Structures on the Property; New Buildings Must be Located within these Building Envelopes
- Livestock Grazing according to a Plan
- Livestock Fences
- Haying (on previously cultivated)
- Noxious Weed Control w/ Herbicide
- Division of Property into No More Than 3 Units (“Ag Splits”)
- Timber Harvest (with Plan)
- New Stock Water Developments

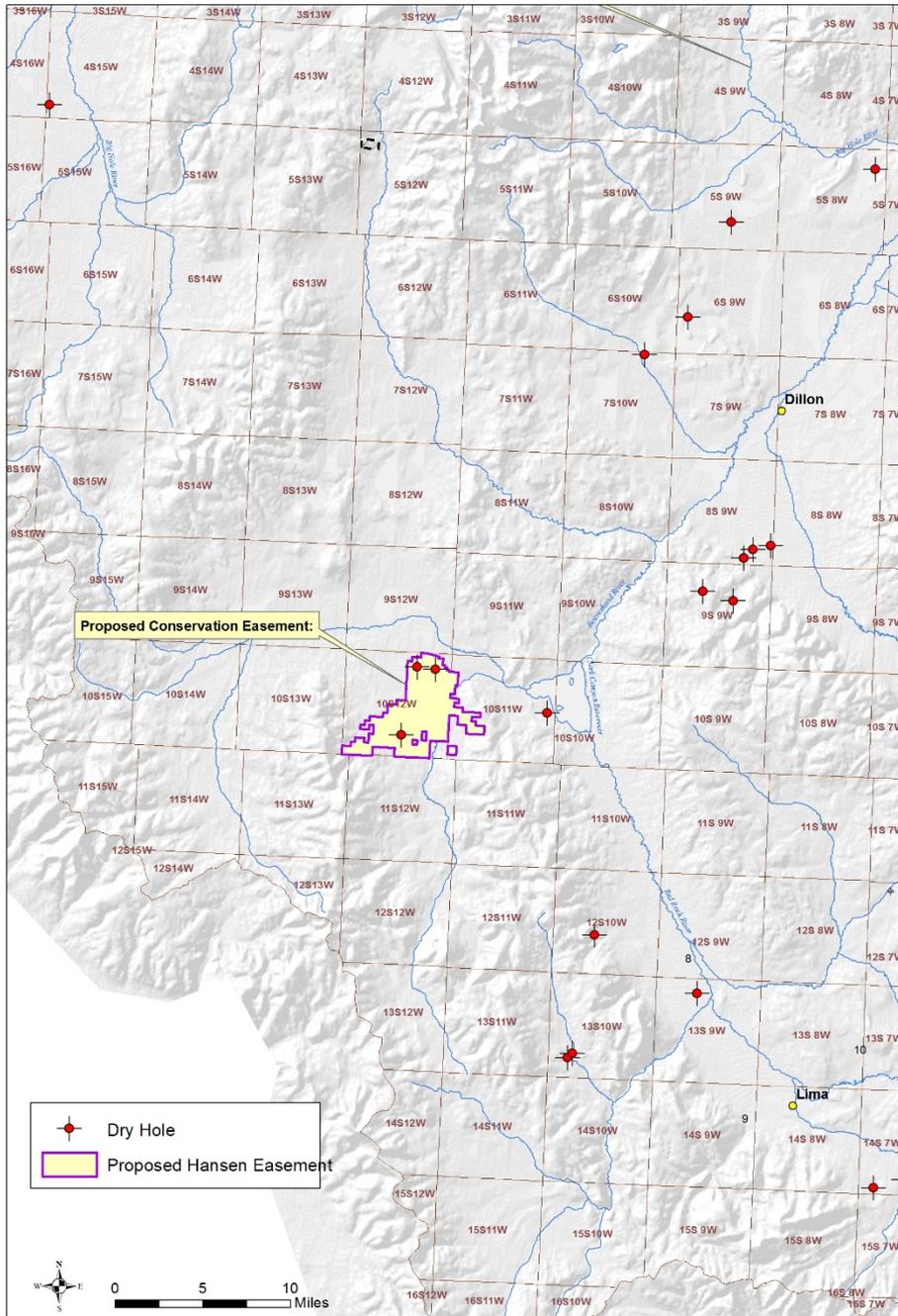


# Conservation Easement Terms

## Prohibited Uses:

- Construction of Buildings Outside of Building Envelopes
- Subdivision (apart from 2 “Ag Splits”)
- Industrial/ Commercial uses (e.g. powerlines, wind farm)
- Conversion of Native Vegetation to Cropland
- Dumping
- Draining, Manipulating, or Altering Natural Water Courses & Wetlands
- New Roads
- Oil and Gas or other Mineral Exploration/ Extraction



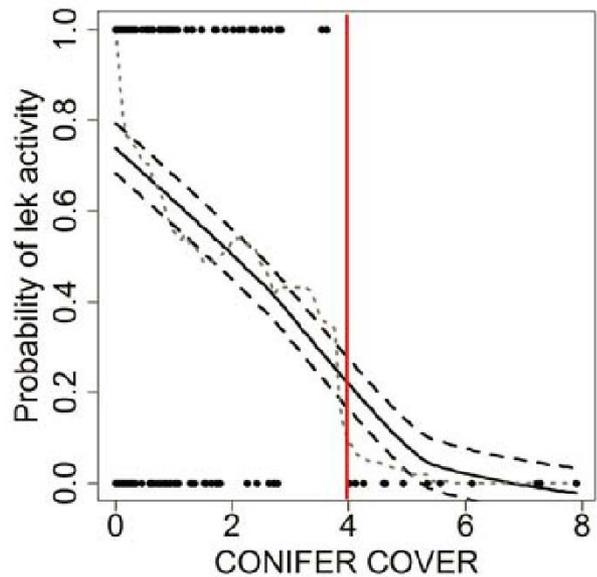


# Status of Minerals & Oil & Gas Rights and Development Potential

- Subsurface Ownership:
  - Partial BLM
  - Partial Hansen Livestock
  - Partial Other Hansen Family
  
- Northern 1/3 of Hansen Easement Ranked @ "Moderate Potential" for Oil and Gas by BLM
  
- No Successful Wells within 100 miles of Hansen – 3 Dry Holes on Hansen
  
- Remoteness Report Completed May 2016: "Mineral (including Oil & Gas) Development Potential is Considered "So Remote as to be Negligible"

# Conifer Encroachment

Causes of encroachment include a combination of human-induced interruptions to natural wildfire cycles and favorable climatic periods.

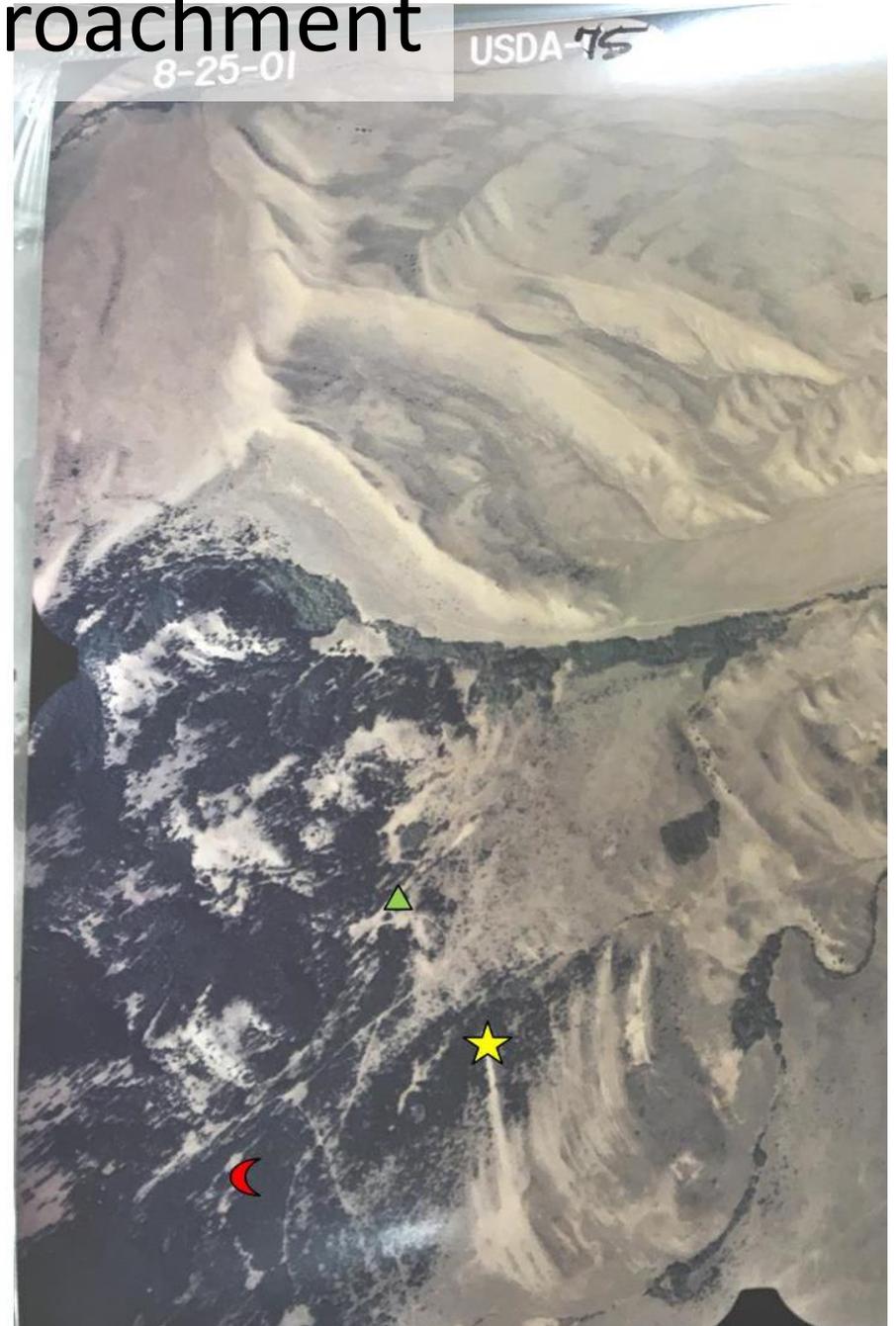
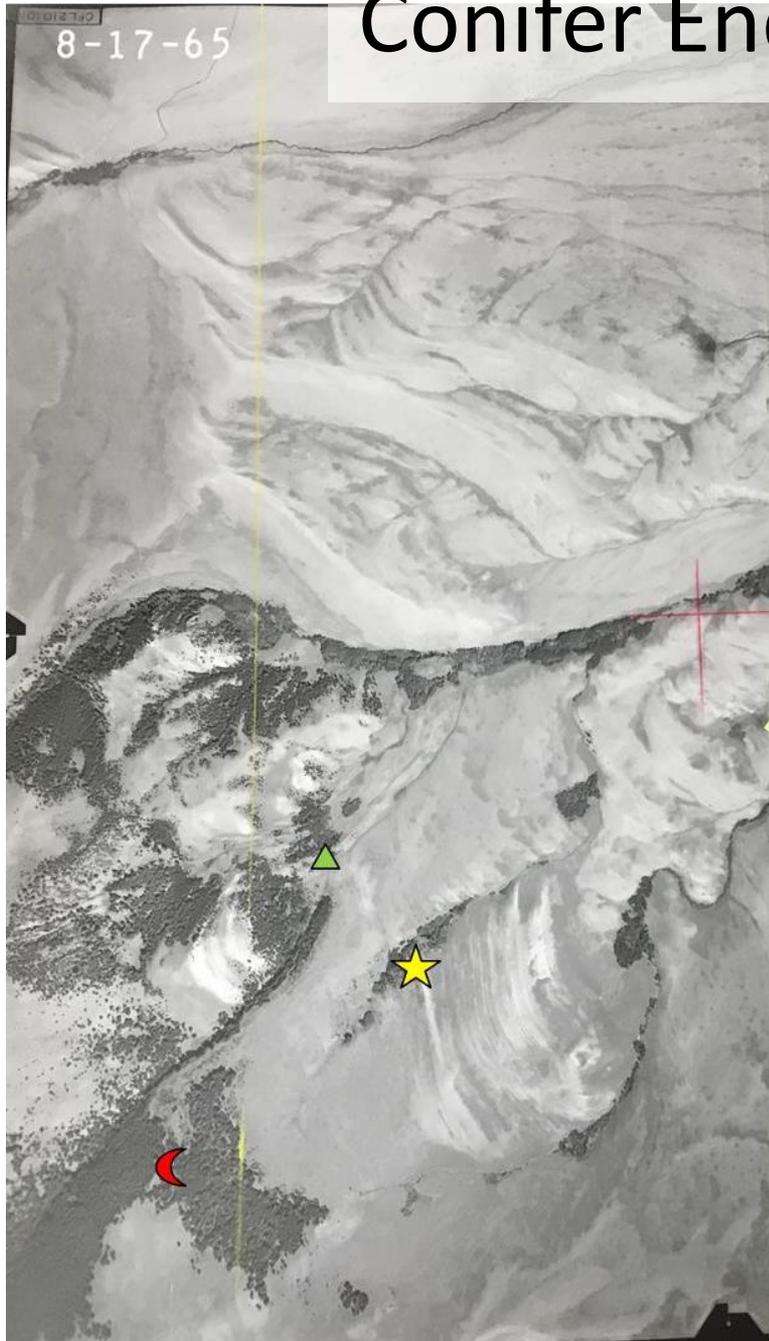


## **Problem:**

Active sage grouse leks disappear where small trees are scattered throughout the sagebrush

Conifer Densities  $>4\%$  are Negatively Correlated with Sage Grouse Use

# Conifer Encroachment



# Conifer Encroachment



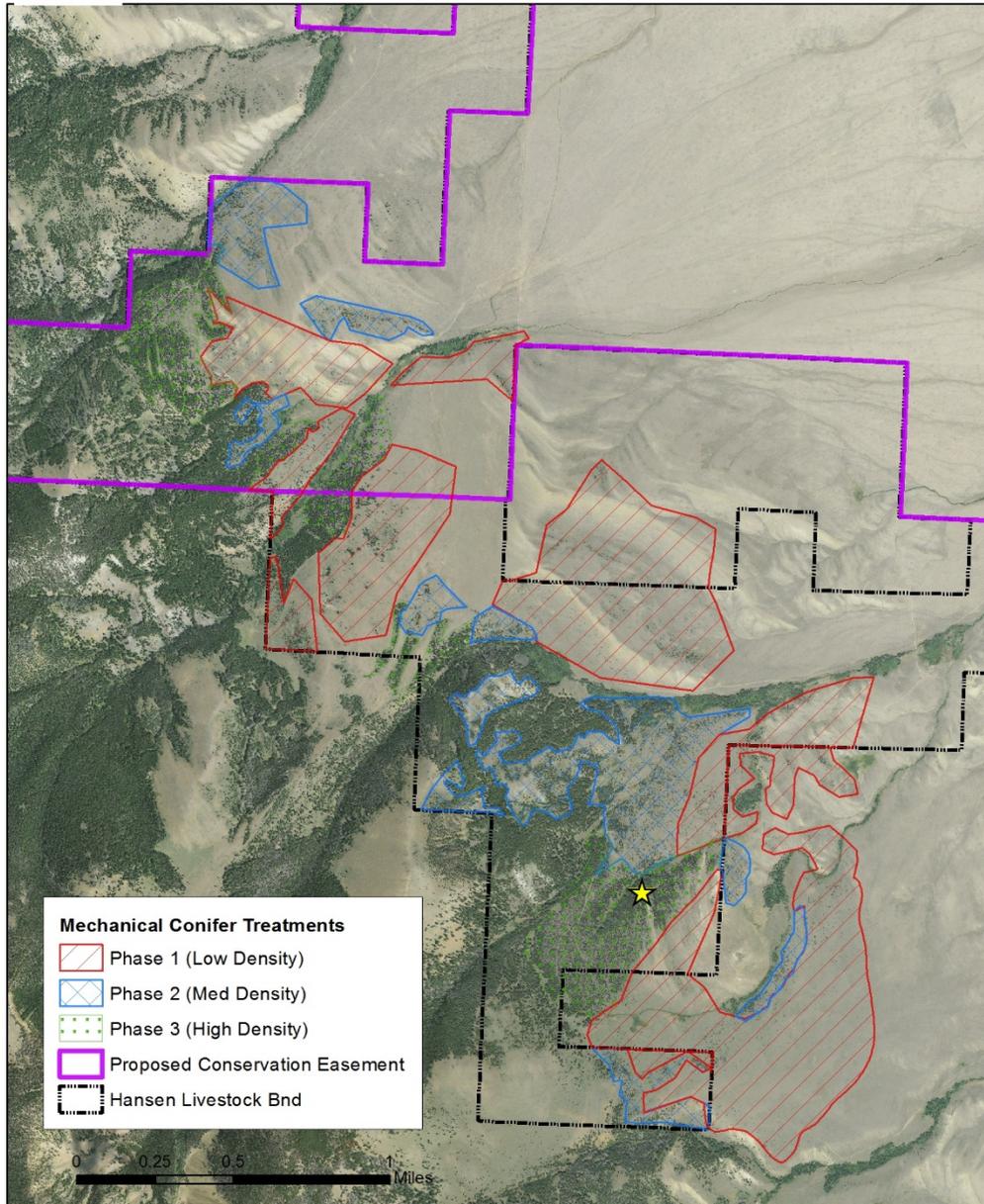
# Conifer Encroachment



# Conifer Encroachment



Hansen Ranch Proposed Conifer Encroachment Treatments 2016-2017



## Treatment Plan:

Mechanical Removal (chain saw) of all Conifers within Phase 1 & 2 Areas - ~1,100 acres (2016-17)

Mechanical Removal of 50% of Conifers within Phase 3 Areas - ~220 acres (2016-17)

Controlled Burn 1 year after Mechanical Removal with BLM (2017-18)

Noxious Weed Control (pre and post)



# Summary of Project Benefits

- ✓ **98% of Hansen Easement is within core habitat**
- ✓ **Active Leks on Easement Property**
- ✓ **High quality lek, nesting, and brood rearing habitat**
- ✓ **Very intact location in a ranching neighborhood**
- ✓ **Easement + Conifer Removal address all threats to grouse**
- ✓ **Maintains historic grazing use**
- ✓ **Facilitates generational transfer and sustainability of a Montana family ranch**

**MONTANA SAGE GROUSE OVERSIGHT TEAM**

**MAY 24, 2016 MEETING**

**LETTER UPDATES PROVIDED BY JIM BERKEY, THE NATURAL CONSERVANCY REGARDING  
THE HANSEN RANCH CONSERVATION EASEMENT APPLICATION**

Jim Berkey, The Nature Conservancy, submitted a letter to the Program, dated May 5, 2016. The letter provided an update on the status of matching funds.

May 5, 2016

Carolyn Sime  
Sage Grouse Habitat Conservation Program Manager  
Department of Natural Resources and Conservation  
PO Box 201601  
1625 11<sup>th</sup> Ave  
Helena, MT 59620

Dear Ms. Sime,

I am writing to inform you of a slight change in the status of the Hansen Ranch Conservation Easement and Conifer Removal Project proposal submitted by The Nature Conservancy (TNC) for MGSFSFA's consideration in this spring's funding cycle.

As you know, when TNC submitted its funding request on behalf of the Hansen Ranch to MGSFSFA in early April, we had already submitted our conservation easement funding request to the Natural Resources Conservation Service (NRCS) and had just received news back from Montana NRCS that they had secured enough Agricultural Land Easement (ALE) dollars this year to fund the proposed Hansen conservation easement. Accordingly, we reported to the State in our application to MGSFSF that NRCS – ALE funds for the Hansen conservation easement were “pledged” by NRCS and would be obligated via a formal cooperative agreement with NRCS by mid-summer 2016.

Recently, a technical issue has been brought to our attention that will postpone NRCS – ALE funding to the Hansen Ranch conservation easement until fiscal year 2017. This issue is related to information that the Hansen Ranch delivered directly to NRCS via the Farm Service Agency (FSA). We have been assured by the Hansen Ranch that this issue will not exist in federal fiscal year 2017.

Although NRCS cannot give The Conservancy ultimate assurance that ALE funding will be available next year for the Hansen Project, we have every reason to believe that this will be the case. Our optimism is based, in part, on NRCS's national pledge to accelerate conservation funding to greater sage grouse projects through their Sage Grouse Initiative (SGI) during the life of the current Farm Bill, which runs through fiscal year 2018. NRCS Montana has projected rising levels of ALE – SGI funding to the state during this period. In other words, NRCS Montana expects more funding in the following two years than in 2016, the year they were ready to fund the Hansen Project. Additionally, NRCS's preliminary review of the Hansen Project Proposal received very positive feedback and, based on the project's merits, had this issue not arisen, ALE funds would have been secured for the project this year.

Given this change, The Conservancy and the Hansen Family respectfully request that MSGOT consider taking the following approach:

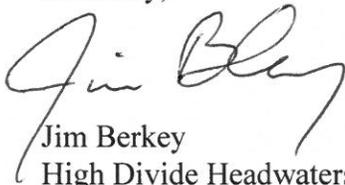
We ask that MSGOT evaluate both conservation easement and habitat restoration aspects of the project as initially proposed. Additionally, we ask that during this funding cycle MSGOT commit MGSFSFA funds towards the Hansen conservation easement yet make delivery of these funds contingent upon NRCS – ALE dollars being secured in their 2017 funding cycle. Combined with TNC’s private funding already in hand for the Hansen easement, MSGOT’s financial commitment to this easement project will serve as the State’s endorsement of this biologically valuable sage grouse habitat protection project brought forth by a traditional working family ranch in southwest Montana and ultimately lead to a more efficient and timely completion of this project.

We also request that MSGOT fund the conifer encroachment treatment portion of the project this spring without delay so that restoration project partners can continue to meet the restoration plan timeframe, much of which is already established by BLM’s controlled burn schedule. All project partners, including the Hansen Ranch, FWP, NRCS, BLM and FWS agree that conifer encroachment into otherwise quality Core habitat on the Hansen Ranch poses a serious threat to sage grouse populations in this region. By staying on schedule with our restoration, we can leverage the State’s support with BLM’s restoration actions to the benefits of sage grouse habitat and populations.

The Conservancy and Hansen Ranch will continue to engage in conservation easement project planning and due diligence (final appraisal, resource inventories, and conservation easement term drafting, etc) this year so that we make significant progress towards project completion and are prepared to finalize the easement as early as possible in 2017.

Thank you for your consideration and for your hard work that we hope will support voluntary locally-driven approaches to greater sage grouse conservation that also supports working family ranches and rural communities in Montana.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Berkey". The signature is fluid and cursive, with the first name "Jim" being larger and more prominent than the last name "Berkey".

Jim Berkey  
High Divide Headwaters Program Director

# REDUCING CONFLICT BETWEEN GREATER SAGE GROUSE AND FENCING INFRASTRUCTURE









**1 BIRD = 1 MILE OF FENCE**

# SAGE GROUSE AND FENCE

- Marking fence can reduce strikes by 83% (Stevens et al. 2013)
- Higher risk near leks, wintering habitat, brood rearing areas
- Recognized as a conservation tool in Governor Bullock's Executive Order and USFWS listing decision



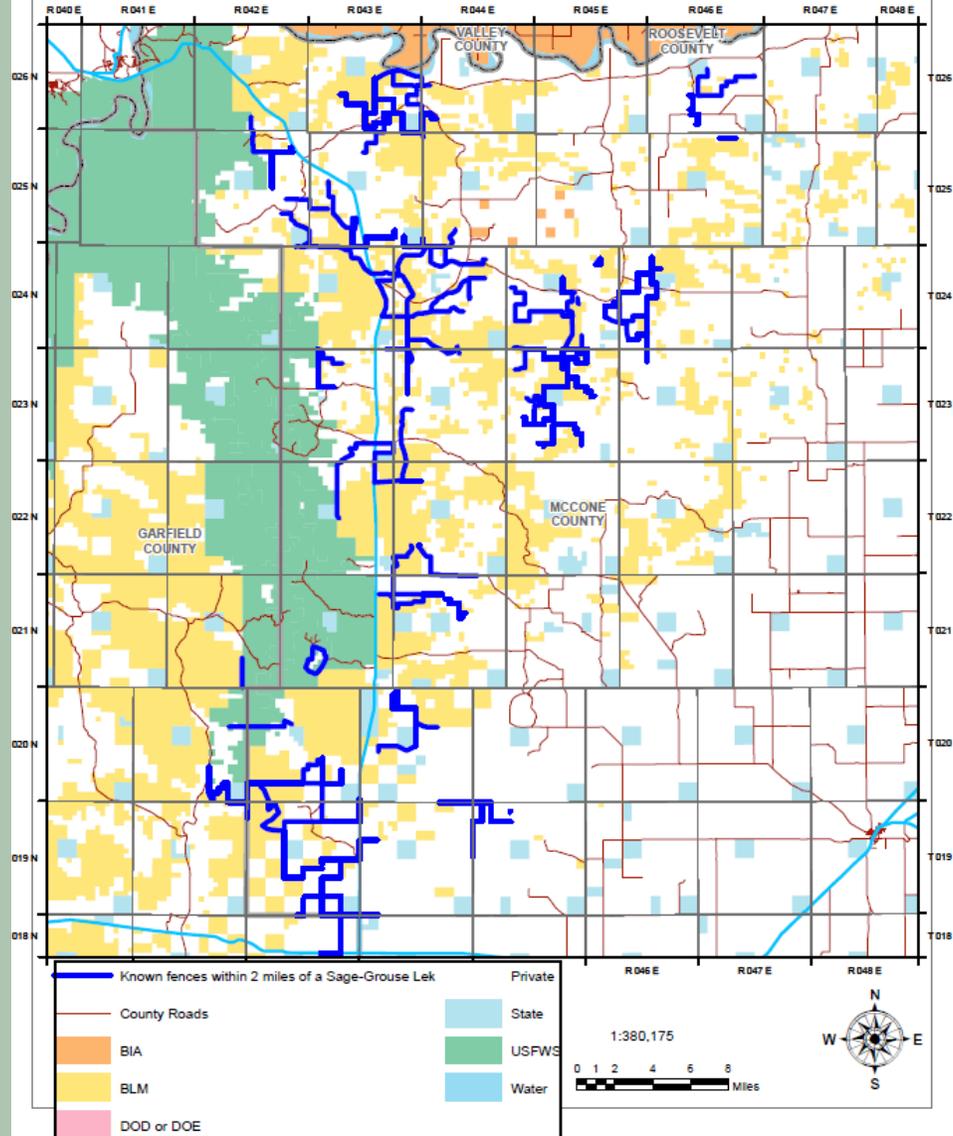
# EXECUTIVE ORDER

“Mark fences that are in high risk areas for collision with permanent flagging of other suitable device to reduce sage grouse collisions” (EO 12-2015 Attachment G(d))



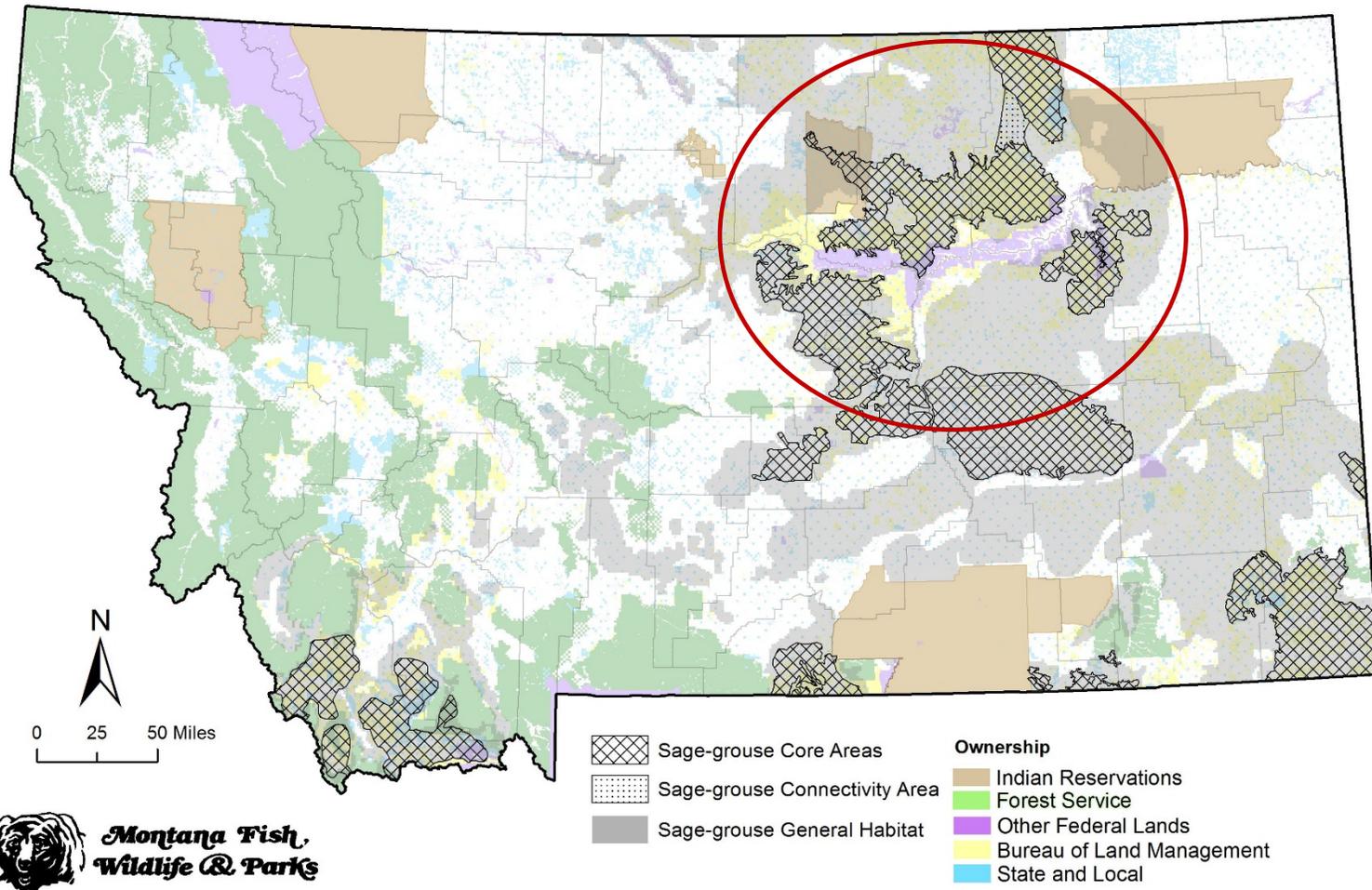


### Possible Fence Marking Locations in northeast McCone County



McCONE COUNTY

## Sage-grouse Core Areas and General Habitat in Montana



\\Wildlife\GameSpp\Birds\SageGrouse\Projects\EO\_CoreHabitat\CoreHabWOwner.mxd MAM 9/4/2015

PROJECT AREA

Montana State sage grouse grant funds will go directly towards:

1. Markers
2. Crews and staff time
3. Travel

Matched 100% by existing NFWF funds





# WORK CREWS

*“One thing I liked was the tangible aspect of the project- how it’s clear through research that one mile of fence flagged is one saved bird. Not all projects are like that.”*

2015 MCC youth crew leader



## THIS PROJECT PROVIDES:

- Immediate conservation benefits
- Saves hundreds of birds per year
- Achieves priority conservation goals



*For more information contact*  
**Hayley Newman, NWF Sage Grouse Project Coordinator**  
**406-541-6736 NewmanH@nwf.org**



A. Krakauer

## REFERENCES

Manier, D.J., Bowen, Z.H., Brooks, M.L., Casazza, M.L., Coates, P.S., Deibert, P.A., Hanser, S.E., and Johnson, D.H., 2014, Conservation buffer distance estimates for Greater Sage-Grouse—A review: U.S. Geological Survey Open-File Report 2014–1239, 14 p., <http://dx.doi.org/10.3133/ofr20141239>

NRCS. 2012. Applying the sage grouse fence collision risk tool to reduce bird strikes. CEAP Conservation Insight. Natural Resources Conservation Service, Washington, D.C. Nov. 2012; 5 pp.[http://www.nrcs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb1049415.pdf](http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1049415.pdf).

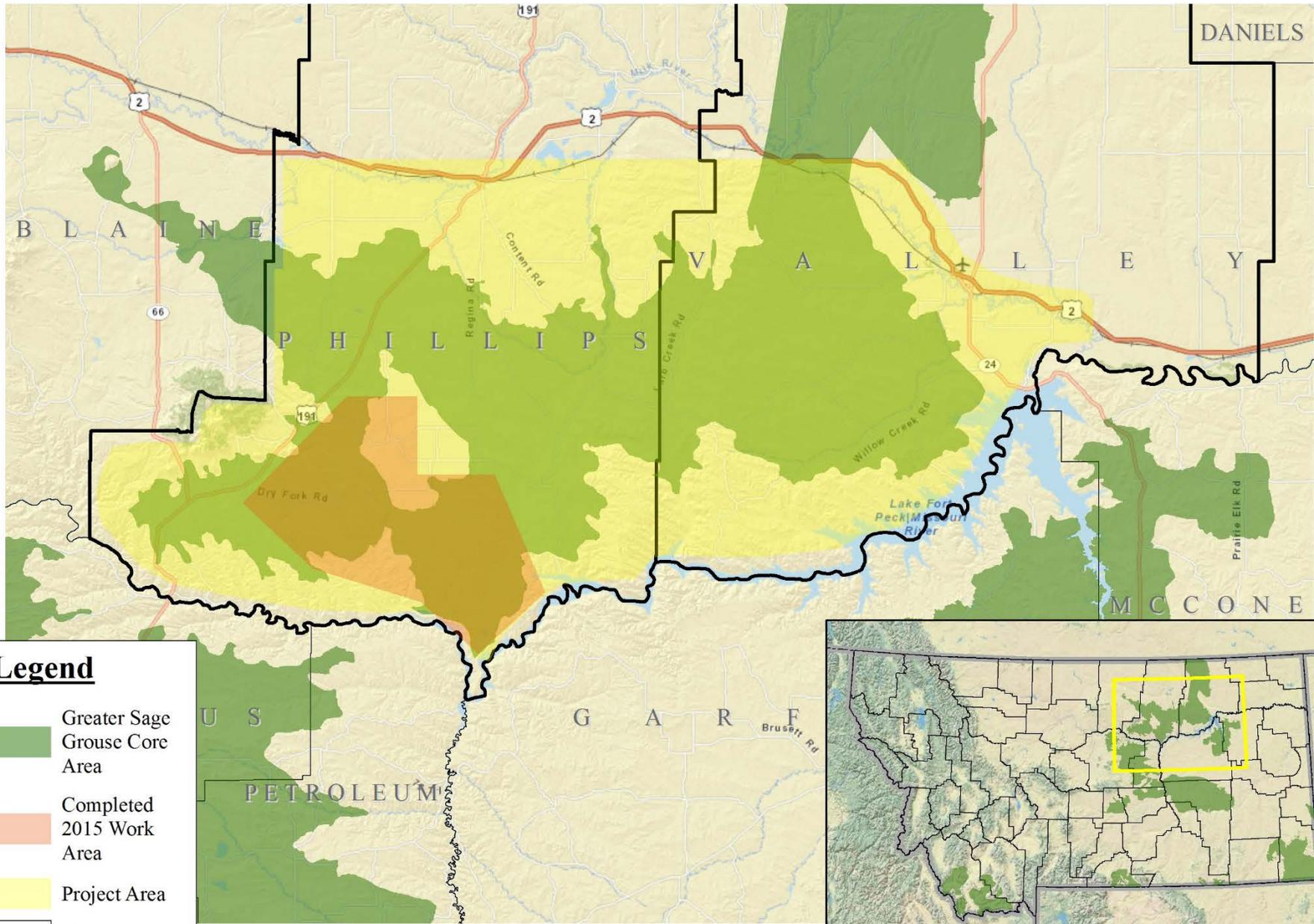
Stevens, B. S., K. P. Reese, and J. W. Connelly. 2011. Survival and detectability bias of avian fence collision surveys in sagebrush steppe. *Journal of Wildlife Management* 75:437–449

Stevens, B.S., J.W. Connelly, and K.P. Reese. 2012a. Multi-scale assessment of greater sage-grouse fence collision as a function of site and broad scale factors. *Journal of Wildlife Management*. 76:1370-1380.

Stevens, B.S., K.P. Reese, J.W. Connelly, and D.D. Musil. 2012b. Greater sage-grouse and fences: Does marking reduce collisions? *Wildlife Society Bulletin*. 36:297-303.

Stevens, B. S., D. E. Naugle, B. Dennis, J. W. Connelly, T. Griffiths, and K. P. Reese. 2013. Mapping sage-grouse fence-collision risk: Spatially-explicit models to target conservation implementation. *Wildlife Society Bulletin*. 37:409-415.





**Legend**

- Greater Sage Grouse Core Area
- Completed 2015 Work Area
- Project Area
- County

## **MONTANA SAGE GROUSE OVERSIGHT TEAM**

**MAY 24, 2016 MEETING**

### **TWO LETTER UPDATES PROVIDED BY NATIONAL WILDLIFE FEDERATION**

The National Wildlife Federation sent a letter to the Program on April 29, 2016 to provide additional information regarding matching funds for the project.

After reading it, Carolyn Sime requested a follow up letter to clarify the April 29<sup>th</sup> letter. This letter is dated May 4, 2016.



Protecting Wildlife for our children's future



April 29, 2016

Carolyn Sime  
Montana Sage Grouse Habitat Conservation Program  
Montana Department of Natural Resources and Conservation  
Conservation and Resource Development Division (CARDD)  
1625 11<sup>th</sup> Ave  
P.O. Box 201601  
Helena, MT 59620

Dear Ms. Sime,

The National Wildlife Federation is pleased to inform the Montana Sage Grouse Oversight Team that we are the recipients of a National Fish and Wildlife Foundation Next Generation of Conservationists grant that offers the opportunity to leverage state sage grouse habitat conservation grant funds with a full match. The NFWF approval notice was made on April 13, 2016, and will be publicly announced by the Secretary of the Interior in early May. The newly funded project, titled "Engaging Youth to Reduce Sage Grouse Mortality through Livestock Fence-Flagging in Montana," allows us to continue our fence marking projects (for which we currently have a grant application to MSGOT pending) through 2017. Additionally, this particular project will employ young Montanans and continue to strengthen ties with existing federal partners to accomplish a large scale marking initiative across Montana. We will keep MSGOT informed of any additional grant developments.

Sincerely,

A handwritten signature in black ink that reads "Hayley Newman".

Hayley Newman  
Sage Grouse Project Coordinator

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Northern Rockies, Prairies & Pacific Region  
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SEATTLE, WA OFFICE  
2100 Westlake Avenue North, Suite 104  
Seattle, WA 98109 - 206-285-8707



Protecting Wildlife for our children's future



May 4, 2016

Carolyn Sime  
Montana Sage Grouse Habitat Conservation Program  
Montana Department of Natural Resources and Conservation  
Conservation and Resource Development Division (CARDD)  
1625 11<sup>th</sup> Ave  
P.O. Box 201601  
Helena, MT 59620

Dear Ms. Sime,

This letter updates the National Wildlife Federation's Montana Sage Grouse Stewardship Fund grant application with information NWF received after the application deadline. This updated information does not change NWF's request for funding, but reinforces our position as a ready partner to implement a high-priority strategy to reduce sage grouse mortality for both this year and in the future.

On April 13, we received notice that the Board of Directors of the National Fish and Wildlife Foundation (NFWF) approved \$55,005.73 for work to be completed in 2017 to engaging youth crews to reduce sage grouse mortality through livestock fence flagging in Montana. This is part of NFWF's Next Generation Conservation program (referred to in shorthand as NextGen), and is funded by an appropriation from the U.S. Bureau of Land Management for work conducted on BLM lands or adjacent private lands. This grant was part of a larger package of youth/public land conservation funding announced by Secretary of Interior Sally Jewell at Hauser Lake yesterday. It is in addition to our existing NFWF sage grouse grant for 2016 that we described in our application.

We mentioned the NextGen grant as "pending" in our application to the Montana Sage Grouse Stewardship Fund. Now that it is confirmed, we have a reliable source of federal grant funds available to leverage state grant funds in both 2016 and 2017. (NFWF grant funds must be matched on a 1:1 basis by non-federal funds.) Thus, every dollar that MSGOT directs to support our fence-flagging project will be effectively doubled by NFWF grant funds.

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Please do not hesitate to contact me with any questions about our application.

Sincerely,

A handwritten signature in black ink, appearing to read "Hayley Newman". The signature is fluid and cursive, with the first name "Hayley" and the last name "Newman" clearly distinguishable.

Hayley Newman  
Sage Grouse Project Coordinator

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NWF - 2

**MONTANA SAGE GROUSE OVERSIGHT TEAM AGENDA ITEM BRIEF SHEET  
MAY 24, 2016**

**AGENDA ITEM: SAGE GROUSE STEWARDSHIP FUND GRANT APPLICATIONS**

**ACTION NEEDED: CONSIDERATION OF EACH APPLICATION RECEIVED AND DECISION WHETHER OR NOT TO FUND IT**

**SUMMARY:**

The Sage Grouse Stewardship Fund was established as a source of funding for competitive grants to establish ongoing free-market mechanisms for voluntary, incentive based conservation measures that maintain, enhance, restore, expand and benefit sage grouse habitat and populations on private lands, and public lands as needed. Nine applications were received: eight proposals for permanent conservation easements and one proposal for marking high risk fence. Applicants graciously honored requests for supplemental information to assure uniformity of information across all applications to the extent possible.

The Program created Workbooks using GIS to generate statistics about each project and to make maps. The proposed easements were buffered by 4 and 12 miles, respectively to place the proposal into a landscape context. Four miles relates to the nesting radius from leks and 12 miles relates to the distance at which birds respond to breaking of native range.

A peer review committee was formed, consisting of U.S. Fish and Wildlife Service, Montana Fish, Wildlife & Parks, U.S. Bureau of Land Management, a retired wildlife biologist, a consultant from the private sector with experience in mitigation, and a private person on contract with the Program. Peer reviewers were provided with all application materials, supplemental information provided by applicants, and the Workbooks. They ranked the proposals, and responded to open-ended questions. Not every reviewer provided comments on every project. The Program reviewed the rankings and comments. The comments were compiled in a single document for each proposal, respectively.

**PROGRAM RECOMMENDATIONS:**

Any funds committed at this time count towards the [no more than] \$5 million which can be allocated before the mitigation framework and habitat quantification tool is finalized.

- ***Commit to funding at this time, subject to conditions and contingencies:*** Julie Burke Easement, Hansen Ranch Conifer Removal, Kelly Burke Easement, and Hansen Ranch Easement [special contingency is the applicant has until June 1, 2017 to secure matching funds or the award is revoked and that final building envelopes remain near existing residential compounds as represented].
  - Conditions and contingences should require, for example: final easement terms as represented by the applicant and are adequate to protect habitat values for sage grouse and offer future mitigation opportunities, matching funds remain committed, credits will be available for compensatory mitigation in the future, the state will become a third party beneficiary to the easement with a contingent right to enforce terms, the state consents before the easement is transferred for value, sold or extinguished, applicants enter in a grant agreement approved by MSGOT, applicants provide monitoring reports.
- ***Reconsider for funding at a later time, determined by MSGOT:*** 44 Ranch Easement, Raths Easement, Watson Easement, Smith Easement, and NWF Fence Marking.
  - This recommendation is based on the lack of important details critical to the determination of consistency with the purposes of the Stewardship Fund. Easement terms are not settled and specific fence segments have not been identified. In all cases, resource benefits to sage grouse, sage grouse habitats, and mitigation potential cannot be determined.

[continued next page]



- If sufficient details and assurances are provided to MSGOT's satisfaction during this meeting, the proposals having the strongest habitat values for sage grouse are: 44 Ranch Easement and Raths Easement.
  - MSGOT could decide to tentatively approve these applications during this meeting, conditional on details being provided in writing in the near future.
  - MSGOT could reconsider all of these proposals during a meeting in August, 2016.
  - Alternatively, MSGOT could initiate a second grant cycle and consider them all anew, with an estimated decision timeline for December 2016. A December decision timeline would likely jeopardize the availability of matching funding.
  - Should MSGOT commit to funding of any of the easement proposals at this time, conditions and contingences should require, for example: final easement terms as represented verbally during the MSGOT meeting on May 24 which are adequate to protect habitat values for sage grouse and offer future mitigation opportunities, matching funds remain committed, credits will be available for compensatory mitigation in the future, the state will become a third party beneficiary to the easement with a contingent right to enforce terms, the state consents before the easement is transferred for value, sold, or extinguished, applicants enter a grant agreement approved by MSGOT, and applicants provide monitoring reports.
  - Should MSGOT commit to funding the fence marking proposal at this time, conditions and contingencies should require, for example: individual high risk fence segments are identified and reviewed with the Program, the applicant and the respective state or federal agency, the applicant enters a grant agreement, matching funds remain committed, credits will be available for compensatory mitigation in the future, and the applicant provides monitoring reports.
- **Do Not Fund:** Weaver Easement.
    - This parcel occurs entirely within general habitat and is on the edge of sage grouse habitat. While the parcel has high resource values for other wildlife species, it does not align well with the purposes of the Stewardship Fund, which specifically targets sage grouse habitats.

## STEWARDSHIP FUND GRANT RECOMMENDATION REPORT

### FIRST GRANT CYCLE, HAVING AN APPLICATION DEADLINE OF APRIL 19, 2016

#### INTRODUCTION

The purpose of the Montana Greater Sage Grouse Stewardship Act is to provide competitive grant funding and establish ongoing free-market mechanisms for voluntary, incentive-based conservation measures that emphasize maintaining, enhancing, restoring, and expanding and benefitting sage grouse habitat and populations on private lands, and public lands as needed. A project is eligible if it will maintain, enhance, restore, expand, or benefit sage grouse and populations for the heritage of Montana and its people through voluntary, incentive based efforts.

The Montana Sage Grouse Oversight Team (MSGOT) decided on February to offer the first grant cycle from the Stewardship Fund (Fund) on February 19, 2016, contingent on the Fund's administrative rules taking effect.

Thereafter, the timeline leading up to MSGOT's meeting on May 24 is as follows:

- March 5: administrative rules took effect.
- March 17: the Program issued a media release announcing the first grant cycle and the application deadline of April 8, 2016 at 5:00 p.m.
- April 8: nine total applications were received (eight proposals for permanent conservation easements and one proposal to mark high risk fences).
- April 14: all grant applications were published to the Programs website and made available for public review, as required by the Stewardship Act.
- April 17: the Program issued a media release announcing public comment opportunity.
- April 24: the Program emailed a Request for Supplemental Information to all applicants to solicit more specific, uniform responses to specific questions that the applicants had only partially addressed in the application. The same questions were sent to the eight applicants with easement proposals. A different set of questions was sent to the applicant with the fence marking proposal, tailored to solicit additional specific information related to that application.
- April 29, 5:00 p.m.: public comment opportunity closed. A total of two comment letters were received, both in support of the fence marking proposal.
- April 29 – May 10: application review by the Program and a peer review committee.
- May 10-May 18: the Program compiled information from peer reviewers; finalized recommendations.

The total amount requested from the Stewardship Fund is \$5,007,216. Matching funds would contribute \$11,138,135 (overall ratio of 1:2.2 state:match). Applications for funding for permanent



easement sum 62,519 acres. All applicants were found to be eligible to receive funds as an agency or organization. All applications were determined to be complete and advanced to the peer review process for further consideration.

By statute, MSGOT may only award up to \$5,000,000 (and no more) at this time because the Habitat Quantification Tool is not available. See Table 1 below for a summary and comparison of key metrics across all applications.

### **APPLICATION PROCESSING AND PEER REVIEW<sup>1</sup>**

**Peer Review Process:** A peer review committee was formed to evaluate and rank applications. Members included representatives from the U.S. Fish and Wildlife Service, the U.S. Bureau of Land Management (BLM), Montana Fish Wildlife & Parks, a retired wildlife biologist with 20+ years of experience working in eastern Montana sage grouse country, a consultant from the private sector with experience in mitigation, and a land conservation stewardship expert under contract with the Program. In the case of the agencies, more than one individual was involved in reviewing proposals. The multiple evaluations were rolled up into a single set of comments and rankings and submitted to the Program.

Peer reviewers were provided with the application, the applicants' responses to supplemental questions, and the Program's Project Workbook (consisting of project statistics and objective metrics standardized across all applications; discussed more fully below). Peer reviewers were also given NRCS Sage Grouse Initiative Science to Solutions publications on the value of riparian areas on private lands, cultivation risk, fence marking, and conifer removal. As needed and depending on the degree of specific familiarity with the best available science, reviewers may have also been provided with the sage grouse literature summary from the Governor's Advisory Council Recommendations Report.

Peer reviewers were asked to complete an excel spreadsheet base and score specific attributes of a proposal based on personal knowledge of the project area. Reviewers lacking personal knowledge did not complete the spreadsheet. Responses were sought within the following broad categories: direct and indirect habitat conservation benefits by season, direct and indirect population conservation benefits, landscape attributes, other. More specifically, responses were sought for: existing quality of habitat, potential to improve or restore habitat, presence of seasonal habitats, effectiveness in addressing direct and indirect threats to habitat and local populations, proximity to public lands or other lands with conservation protection, potential to expand conservation efforts to address threats in the future, socio-economic impact on local economies, partnerships, and cost effectiveness. A similar set of attributes was tailored for the fence marking proposal. Peer reviewers were also asked to complete questions in a narrative format, again as personal knowledge of the specific project area allowed. Overall, the reviewing criteria were developed and guided based on the statutory requirements.

Reviewers were also asked to rank the proposals overall, from highest to lowest. Those rankings were then assimilated into a single ranking across all reviewers. See Table 2 below.

**Statutory Considerations:** By statute, projects are to be evaluated by the following criteria:

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<sup>1</sup> See the Stewardship Act and the Eligibility and Evaluation Criteria Guidance document previously endorsed by MSGOT.

- The extent to which the proposed project will maintain, enhance, restore, expand, or benefit sage grouse habitat and populations.
- Compliance with eligibility requirements.
- The extent to which the proposal generates credits that are available under compensatory mitigation.
- The socio-economic impacts on the local community, including views of interested and affected persons and entities, including local, state, tribal, and federal government agencies, and boards, commissions, and other political subdivisions of the state.

By statute, projects are also be evaluated by the following criteria. Where such criteria are met, projects will be given greater priority.

- Maximizing the number of credits generated per dollars of grant funds awarded, and which are actually available for compensatory mitigation.
- Partnerships between public and private entities.
- Whether the project will be provided matching funds and the extent to which such matching funds can be used consistent with the Act.
- Use of the Habitat Quantification Tool to quantify the project when that tool is operational.

By statute, MSGOT is prohibited from funding projects under the following circumstances:

- MSGOT cannot disburse a majority of the funds in the Stewardship Fund account before the Habitat Quantification Tool has been adopted.
- MSGOT cannot disburse the majority of the funds in the Stewardship Fund account to projects which to not generate credits that are available for compensatory mitigation.

***Project Statistics and Map Workbooks:*** Each applicant who submitted an easement proposal was asked to also provide GIS spatial files for their proposed project area. The Program created a GIS project for each application. A Workbook was created for each application which summarized information taken directly from the application, statistics, and maps. This afforded standardized information across all applications, enabling peer reviewers to compare and contrast applications. In taking this analytic approach, peer reviewers considered many of the same variables that are likely to be incorporated into a habitat quantification tool in the future.

Using GIS analytic tools, the Program and DNRC GIS Team calculated basic statistics using information provided in the application and responses to supplemental questions. Statistics were calculated based on the actual project area boundary. The project area was also buffered by 4 miles (which is an average hen nesting radius from leks) and 12 miles (which is a distance at which birds negatively respond to breaking of native range into cultivation). The buffer distances are based on published scientific literature. The buffers were intended to place proposed easements into a greater landscape setting for context.

Metrics were calculated for the proposed easement and for the lands within the 4 and 12 mile buffered areas. These included: number of acres in core, general, or connectivity habitat; number of active leks; total male counts on active leks; and average male counts on active leks.

Additionally, several maps were created and summary statistics calculated using GIS software as follows:

- Grant Application Base Map: location of the proposed easement relative to sage grouse habitat designations within Executive Orders 12-2015 and 21-2015.
- Breeding Habitat Suitability: probability of occupied breeding habitat, based on 20 different variables; USFWS Model and Publication.<sup>2</sup>
- Conservation Status: proposed easement relative to lands at 4 and 12 mile buffered distances that are in public ownership or support a conservation status designation such as an easement.
- Cultivation Risk and Lek Vulnerability: probability of cultivation and vulnerability of leks on the proposed easement and at 4 and 12 mile buffers, expressed as a percent; NRCS, Sage Grouse Initiative Model.<sup>3</sup>
- BLM Subsurface Ownership: BLM subsurface ownership for coal or oil & gas and BLM surface habitat classification as either priority habitat management area or general habitat management area in the land use plans; data obtained from BLM.
- Linear Disturbance: Roads and powerlines are shown based on their distance to other features on the landscape; proposed easement having closer proximity to roads and powerlines reflect greater linear surface disturbance and habitat fragmentation in contrast to proposed easements with fewer roads and powerlines; map allows comparison across proposed easements for degree of fragmentation due to roads and powerlines. Buffered distances shown at 4 and 12 miles.
- Stream and Riparian Distance: Surface water is shown based on distance to other features on the landscape; proposed easements with shorter distances offer greater, closer, and easier access to riparian habitat; the map allows comparison of potential brood rearing habitat. Buffered distances shown at 4 and 12 miles.

The proposed easements were also analyzed for existing disturbance and fragmentation using the same methodology as the density disturbance tool used to estimate new surface disturbance in core areas (i.e. the DDCT tool). The results appear in Table 1. This allows comparison of the degree of relative fragmentation from proposal to proposal using the same metric as applied to projects proposing new surface disturbance, even though the DDCT result here is being used to consider the potential creation of conservation credits.

In the case of the fence marking proposal, only a limited number of statistics could be calculated, in part because of the nature of the proposal. No maps could be created because specific fence segments proposed for marking were not identified in the application.

<sup>2</sup> Doherty et al., 2015; variables are: low sagebrush, tall sagebrush, all sagebrush, canopy cover, grassland herbaceous, perennial water, intermittent water, springs and seeps, topographic wetness index, gross primary production, degree days, mean annual precipitation, annual drought, roughness, elevation, steep, human disturbance index, oil and gas wells, burned landscapes, agriculture lands

<sup>3</sup> Smith et al., 2016; NRCS Sage Grouse Initiative Science to Solutions: Reducing Cultivation of Grazing Lands Conserves Sage Grouse.

## RESULTS AND DISCUSSION

For ease of comparison of key metrics across all proposals, see Table 1 near the bottom of this document. Information in Table 1 derives from the applications themselves and the Program's Project Statistics and Workbooks.

The peer reviewers' rankings of individual projects and the overall priority ranking is shown in Table 2 below.

Table 2. Peer reviewers' priority rankings and the total score across all reviewers (high number is higher priority). The overall rank reflects peer reviewers' collective final ranking (low number is higher rank and priority for funding).

Proposal	Peer Reviewers' Priority (9 is Highest Priority)					Total Score	Overall Rank (1 is Highest Ranking Proposal)
Julie Burke Easement	7	9	7	6	4	33	2
Hansen Easement	8	7	3	8	7	33	2
Kelly Burke Easement	4	3	5	7	3	22	6
Weaver Easement	2	5	4	3	2	16	8
Raths Easement	5	4	8	5	8	30	4
Watson Easement	3	6	6	4	5	24	5
Smith Easement	6	2	2	2	6	18	7
44 Ranch Easement	9	8	9	9	9	44	1
NWF Fence Marking	1	1	1	1	1	5	9

**Habitat and Population Values:** Table 1 provides information about the relative values for sagebrush habitat and sage grouse populations afforded by each proposed easement, as well as the 4 and 12 mile buffers. Peer reviewers noted whether projects were primarily in core areas. Peer reviewers also noted the relative differences in the habitat-related metrics depicted on the maps provided in the Project Statistics and Workbooks, respectively. Map metrics were then assigned to general categories of high, moderate, or low for comparison across projects.

**Adequacy of Easement Terms and Degree to Which They are Known:** Peer reviewers and the Program reviewed terms of the respective proposed easements for consistency with the purposes of the Stewardship Act, given information provided by the applicants through the application and responses to supplemental questions.

Several comments noted the apparent adequacy and disclosure for some proposed easements. For example, draft easement documents were submitted in conjunction with responses to supplemental questions. Alternatively, some proposed easement applications and supplemental responses did not offer many details. Negotiations are either apparently ongoing or the applicant chose not to disclose terms.

The Program suggests at a minimum, easements proposed for funding through the Sage Grouse Stewardship Fund specifically address the following terms, many of which are identified by the U.S. Fish and Wildlife Service:

- vegetation removal;
- use of agricultural chemicals;
- sagebrush treatments by any means;
- wetlands and riparian areas;
- land cultivation, grazing management;
- subdivision;
- roads, utilities, powerlines, buildings and other structures;
- renewable energy generation for use on the land;
- renewable energy generation for commercial use;
- mineral exploration and development; and
- oil and gas exploration, extraction, and development.

The manner in which these terms are addressed in an easement has direct bearing on the degree to which sage grouse habitats are conserved and would offer opportunities for mitigation in the future, in keeping with the Act's purpose.

Easement rights and restrictions are specifically negotiated between a willing seller (landowner) and a willing buyer (land trust organization). A dollar value is placed upon each. A final "price" or cost of the easement reflects the value of the specific restrictions placed on the property, as agreed to by the parties. In other words, the buyer is only paying for specific restrictions on certain activities a landowner would otherwise be able to do but voluntarily agrees to not do, in exchange for the easement payment. Accordingly, cost per acre or total price is a function of the specific terms and the outcomes of the negotiation and would not necessarily be comparable across all projects in an absolute sense.

***Existing Disturbance:*** Consistent with the Program's review of proposed surface disturbance in core areas, the density disturbance calculation tool was applied to each of the proposed easements as if it was a "disturbance." The purpose was to assess the existing disturbance on each property using the exact same methodology as for proposed new disturbances.

All proposed easement properties are well below the 5% threshold for new disturbance established by Executive Order 12-2015. Some properties have less existing surface disturbance than others. Terms of the proposed easement illuminate the potential for additional surface disturbance in the future, based on the rights retained by the private landowner.

***Potential for Subsurface Mineral Development:*** Peer reviewers were provided a map of the proposed easement parcels and surrounding area relative to BLM subsurface ownership. To the extent of BLM owns the subsurface minerals, BLM would control whether or not and to what extent

those minerals could be developed, regardless of surface ownership. To the extent of BLM ownership of the surface, BLM would also influence where and how subsurface minerals could be developed in the future by controlling the means and manner of surface access. BLM resource management plans and implementation policies will guide future development for that which lies within BLM authorities.

Montana Executive Orders 12-2015 and 21-2015, in conjunction with the respective BLM Resource Management Plans are intended to guide mineral development in designated sage grouse habitats. In providing for both stipulations and mitigation, these documents establish important sideboards and will protect sagebrush habitats and sage grouse populations, even as subsurface minerals could be developed in the future. Development of subsurface minerals associated with State Trust Lands is also subject to Montana's Executive Orders 12-2015 and 21-2015.

Executive Order 12-2015 establishes stipulations on future development. They are most restrictive in core areas. BLM Resources Management plans are similarly most restrictive in areas called priority habitat management areas (same lands as Montana's core areas). Stipulations for BLM are included at the end of this document.

Additionally, "sagebrush focal areas" were established in Valley, Phillips, Fergus and Petroleum counties. The Department of Interior proposed to withdraw the federal minerals in sagebrush focal areas from future development subject, to valid existing rights. The U.S. Geological Survey is preparing a report on the potential or mineral development in the reasonably foreseeable future. An environmental impact statement is being prepared which will include several likely alternatives, including no withdrawal, partial withdrawal, and complete withdrawal. The Secretary of the Interior will decide the matter, likely in 2017.

A remoteness review is considered "due diligence" and indicates the potential or probability that subsurface minerals would be developed. Applicants were specifically asked about whether a "remoteness review" test had been completed as a supplemental question. Their responses are noted in Table 2 and varied. Additionally, some applicants provided maps indicating the potential for development using data acquired from BLM. These maps were provided in the supplemental responses for the Julie Burke Easement Proposal and the Kelly Burke Easement Proposal.

Between the terms of negotiated easements, stipulations outlined in Executive Order 12-2105, stipulations outlined in BLM Resource Management Plans, and mitigation strategies, surface habitat values should be protected.

## RECOMMENDATIONS

The following recommendations are based on the statutory requirements of the Stewardship Act, applications and supplemental responses, the Project Statistics and Workbook, and peer review. Proposals were assigned to one of three categories: (1) commit funding at this time, subject to applicable conditions and contingencies; (2) reconsider for funding at a later time; or (3) do not fund. See Table 3.

If MSGOT decided to award funds in alignment with these recommendations, it will have committed \$1,668,320.



Table 3. Summary list of recommendations.

Commit Funding at this Time Subject to Contingencies	Reconsider for Funding at a Later Time	Do Not Fund
Julie Burke Easement	44 Ranch Easement	Weaver Easement
Hansen Ranch Conifer Removal	Raths Easement	
Kelly Burke Easement	Watson Easement	
Hansen Ranch Easement	Smith Easement	
	NWF Fence Marking	

### ***Commit Funding at This Time, Subject to Applicable Conditions and Contingencies***

The Program recommends MSGOT commit funding from the Sage Grouse Stewardship Fund at this time, subject to contingencies as explained for each proposal below. The proposals are listed in order of priority.

Key to garnering this recommendation is the fact that easement terms are stated and all but settled, clearly articulating the rights and restrictions of the parties. Further, the easement terms restricting certain activities are adequate to protect habitat values for sage grouse and offer mitigation opportunities in the future.

Also key to garnering this recommendation is that the proposal is located in core habitat and offers strong value to sage grouse and sagebrush habitat, not only on the parcel itself, but also within the broader landscape at four and 12 miles from the proposed easement parcel in all directions.

The basis of each recommendation is briefly explained below, along with any recommended conditions and contingencies.

#### Julie Burke Easement

The Program recommends MSGOT commit to funding this proposal for the full amount requested (\$422,000) and enter into a grant agreement with the applicant, The Nature Conservancy. The easement terms are well settled and offer adequate protections, consistent with the purposes of the Stewardship Fund. The parcel occurs entirely within core habitat. The parcel itself and in the context of the surrounding landscape offers high values for birds and habitat. All peer reviewers ranked this project high.

MSGOT should condition the final award of funds. The following conditions and contingencies arise primarily from the Stewardship Act:

- The Nature Conservancy will fulfill its commitment of matching funds and in-kind contributions.
- The final terms of the easement are consistent with the representations made by the applicant in the application and draft easement submitted for review, including no new buildings and building envelopes, powerlines, and sagebrush control, etc.

- The Nature Conservancy will enter a grant agreement with MSGOT, DNRC, and the Program that addresses necessary terms and conditions to insure that grant funds are disbursed and utilized consistent with the purpose and language of the Stewardship Act.
- Credits generated by the proposal will be available for compensatory mitigation; credits will be estimated retroactively, upon finalization of a habitat quantification tool, and made available for sale in a mitigation market place when the market becomes available.
- The State of Montana will be established as a third-party beneficiary to the easement with a contingent right to enforce the terms of the easement if The Nature Conservancy fails to do so. The terms establishing third party beneficiary status for the state must be agreeable to all parties involved.
- The easement may not be transferred for value, sold, or extinguished without the notice and consent of the State of Montana or its agents.
- The Nature Conservancy files periodic monitoring reports with MSGOT and the Program; reporting interval and subject matter to be determined by the parties.

#### Hansen Ranch Conifer Removal

The Program recommends MSGOT commit to funding the conifer removal portion of the Hansen Ranch application for the full amount requested (\$202,500) and enter into a grant agreement so that implementation can begin in 2016.

The applicant advised MSGOT and the Program by letter dated May 5, 2016, of a technical issue associated with the NRCS portion of funding for the easement portion of this proposal. This letter was provided to peer reviewers and included in the MSGOT mailing. The NRCS match for the easement portion of this proposal is not available for 2016. The Nature Conservancy will submit an application to NRCS for funding in 2017. Therefore, the Program is recommending MSGOT move forward and commit funds towards the conifer removal portion of this application.

The applicant proposed mechanical treatment to remove invading conifers on private lands owned by the Hansen family. The area proposed for treatment is in a core area, but also extends into general habitat. Removal of encroaching conifer will restore and enhance habitat values in this area.

Conifer removal is an identified threat in this part of Montana. The treatments would be planned and implemented in a coordinated fashion with conifer removal efforts on nearby state land and federal public lands. The positive effect of treating the Hansen's private land will be higher because the work is concurrent with treatments across a bigger area. Accordingly, the impact of the Stewardship Fund investment will be greater.

MSGOT should condition the final award of funds. The following conditions and contingencies arise primarily from the Stewardship Act:

- The Nature Conservancy will fulfill its commitment of matching funds and in-kind contributions.

- The Nature Conservancy completes a comprehensive restoration treatment plan in the summer of 2016, as represented in the application.
- The Nature Conservancy will enter a grant agreement with MSGOT, DNRC, and the Program that addresses necessary terms and conditions to insure that grant funds are disbursed and utilized consistent with the purpose and language of the Stewardship Act.
- Credits generated by the proposal will be available for compensatory mitigation; credits will be estimated retroactively, upon finalization of a habitat quantification tool, and made available for sale in a mitigation market place when the market becomes available.
- The Nature Conservancy files periodic monitoring reports with MSGOT and the Program; reporting interval and subject matter to be determined by the parties.

### Kelly Burke Easement

The Program recommends MSGOT commit to funding this proposal for the full amount requested (\$293,820) and enter into a grant agreement. The easement terms are well settled and offer adequate protections, consistent with the purposes of the Stewardship Fund. The cropland restoration will restore habitat in this area.

Some peer reviewers stated this area is on the fringe of good sage grouse habitat. The parcels consist of 30% core habitat, with the remaining designated as general habitat according to the state habitat designations. The BLM classifies the entire proposed easement as being with a priority habitat management area, which carries with it the most stringent stipulations in the resource management plans. The parcel also lies within the sagebrush focal area.

The private landowner holds leases on nearby BLM allotments. The U.S. Fish and Wildlife Partners for Fish and Wildlife Program, NRCS, and the BLM are working cooperatively to enhance habitat through grazing management plans and water development on the Kelly Burke ranch and adjoining BLM allotments associated with the ranch. The proposed easement, in conjunction with the interagency effort, totals 18,319 acres of private and public land. This collaborative effort increases the impact of the Stewardship Fund investment. The parcel itself and in the context of the surrounding landscape offers moderately high to high values for birds and habitat. Placing an easement on this private parcel would secure the conservation status within a larger landscape of public land.

The proposal also includes restoration of about 547 acres of cropland to sagebrush-grassland.

MSGOT should condition the final award of funds. The following conditions and contingencies arise primarily from the Stewardship Act:

- The Nature Conservancy will fulfill its commitment of matching funds and in-kind contributions.
- NRCS commitment for matching funds is also fulfilled.
- Cropland restoration efforts will be implemented as represented.

- The final terms of the easement are consistent with the representations made by the applicant in the application and draft easement provided for review, including no new buildings or envelopes.
- The Nature Conservancy will continue collaborative work with the landowner and agencies on grazing management planning and water developments as represented in the application.
- The Nature Conservancy will enter a grant agreement with MSGOT, DNRC, and the Program that addresses necessary terms and conditions to insure that grant funds are disbursed and utilized consistent with the purpose and language of the Stewardship Act.
- Credits generated by the proposal will be available for compensatory mitigation; credits will be estimated retroactively, upon finalization of a habitat quantification tool, and made available for sale in a mitigation market place when the market becomes available.
- The State of Montana will be established as a third-party beneficiary to the easement with a contingent right to enforce the terms of the easement if The Nature Conservancy fails to do so. The terms establishing third party beneficiary status for the state must be agreeable to all parties involved.
- The easement may not be transferred for value, sold, or extinguished without the notice and consent of the State of Montana or its agents.
- The Nature Conservancy files periodic monitoring reports with MSGOT and the Program; reporting interval and subject matter to be determined by the parties.

#### Hansen Ranch Easement

The Program recommends MSGOT commit to funding the easement portion of the Hansen Ranch application for the full amount requested (\$750,000), with a clearly stated condition that The Nature Conservancy successfully obtain matching funds from NRCS or other sources prior to disbursing Stewardship Fund monies for the easement portion of the application.

The applicant advised MSGOT and the Program by letter dated May 5, 2016, of a technical issue associated with the NRCS portion of funding for the easement portion of this proposal. The NRCS match for the easement portion of this proposal is not available in 2016. The Nature Conservancy will submit an application to NRCS for funding in 2017. While NRCS cannot predict how the Hansen Ranch Easement proposal will fare in the 2017 applicant pool, the proposal had sufficient merit to be selected for funding in 2016 (and in fact would have been funded but for a technical issue unrelated to the merits of the proposed easement).

If MSGOT chose to commit funding to the easement portion of this application at this time, the grant agreement would reflect this contingency and should also contain an expiration date after which the award from the Stewardship Fund is revoked. Under this approach, funds would be committed and encumbered until such time as: (1) the applicant secured matching funds through NRCS or elsewhere and was ready to go to closing; or (2) the expiration date contained in the grant agreement, which ever came first. A plausible expiration date is June 1, 2017, given what is known about potential 2017 NRCS grant timelines.

The recommendation to commit funds at this time for the easement portion of the proposal is based on the high ranks it received from all peer reviewers and the high resource values associated with the parcel. The private parcel's size would be a significant contribution to conserved lands for sage grouse in southwest Montana, particularly considering the value of the surrounding landscape offers for birds and habitat. There is known connectivity with sage grouse populations in Idaho.

Additionally, the easement terms are well settled now and offer adequate protections, consistent with the purposes of the Stewardship Fund. However, the parties have yet to settle terms related to an additional three building envelopes around existing residential and agricultural compounds.

MSGOT should condition the final award of funds. The following conditions and contingencies arise primarily from the Stewardship Act:

- Matching funds from NRCS or other sources will be secured by June 1, 2017, or the grant agreement expires and the Stewardship Fund grant award is revoked.
- The Nature Conservancy will fulfill its commitment of matching funds and in-kind contributions.
- Commitments for matching funds from NRCS or other partners are also fulfilled.
- The final terms of the easement are consistent with the representations made by the applicant in the application.
- The final negotiated building envelopes and new structures remain near existing residential compounds consistent with the representation made by the applicant in the application and the new development is consistent with the intent and guidance of Executive Order 12-2015 and the purpose of the Stewardship Act.
- The Nature Conservancy will enter a grant agreement with MSGOT, DNRC, and the Program that addresses necessary terms and conditions to insure that grant funds are disbursed and utilized consistent with the purpose and language of the Stewardship Act.
- Credits generated by the proposal will be available for compensatory mitigation; credits will be estimated retroactively, upon finalization of a habitat quantification tool, and made available for sale in a mitigation market place when the market becomes available.
- The State of Montana will be established as a third-party beneficiary to the easement with a contingent right to enforce the terms of the easement if The Nature Conservancy fails to do so. The terms establishing third party beneficiary status for the state must be agreeable to all parties involved.
- The easement may not be transferred for value, sold, or extinguished without the notice and consent of the State of Montana or its agents.
- The Nature Conservancy files periodic monitoring reports with MSGOT and the Program; reporting interval and subject matter to be determined by the parties.

### ***Reconsider for Funding at a Later Time***

The Program recommends MSGOT reconsider the following projects for funding at a later time. The proposals have merit, but lack important details critical to the present determination of consistency with the purposes of the Stewardship Fund and the Stewardship Act. Applicants would be given additional time to gather information and finalize details, then invited to resubmit an updated application.

MSGOT could reconsider these proposals again during a meeting in August, 2016. Alternatively, MSGOT could initiate a second grant application cycle late summer / early fall and these proposals would compete on equal standing as any new applications submitted in the second grant cycle. Decisions on a second grant cycle could plausibly occur during the last meeting of 2016 (e.g. December).

The basis of the recommendation is briefly explained below.

#### 44 Ranch Easement, Raths Easement, Watson Easement, and Smith Easement

These four proposals are recommended for reconsideration at a later time because of the lack of details surrounding the proposed easement. The easement terms are not settled and it remains unclear whether they will be adequate to secure habitat from threats and adverse development consistent with the purposes of the Sage Grouse Stewardship Fund and the Stewardship Act or the proposal's potential to address threats identified by the U.S. Fish and Wildlife Service. Similarly, the lack of detail makes it very difficult to assess the parcel for its potential to contribute credits towards mitigation.

Where applicable, the applications referenced the NRCS minimum deed terms, but the template form offers several options under the Agricultural Lease Easement program. It is unclear at this time which options are under consideration. Further, the degree to which the NRCS minimum deed terms would be supplemented with terms related to human development, commercial uses, energy development, or agricultural practices, like those enumerated above as suggested terms to be addressed, is unknown.

For example, the applications state that additional home sites and building envelopes up to 5 acres in size are still being negotiated and that the final site would be determined at the time of construction—and that a 2-mile buffer from active leks would be observed contingent on disclosure of lek locations along with observance a no surface occupancy zone. Habitat loss and fragmentation are key threats. Until such time as the locations of the new buildings and building envelopes are finalized, the degree to which the easement terms adequately preserve habitat values cannot be determined. Compliance with the stipulations of the Executive Order is required, but would not be sufficient standing alone given the purpose of the Fund. Likewise, there is no information regarding the potential for new surface disturbance related to energy development, power lines, or similar.

The applicant did state the easement terms would comply with Montana Land Reliance's open space requirements. However, those open space requirements were not disclosed, and the applicant concluded that these requirements are "not germane to MSGOT's requirements." The basis for this statement is unclear. MSGOT's requirements are stated in the Stewardship Act and in the Eligibility and Criteria Guidance Document. Without understanding Montana Land Reliance open space requirements, it is not possible to determine whether they are in fact consistent with the purpose for which the 2015 Montana Legislature appropriated the funds. While MSGOT and the Program have the utmost respect for the Montana Land Reliance, its well established track record

of preserving the Montana landscape, and the confidentiality of negotiations, MSGOT and the Program must act consistent with the Stewardship Act when allocating funds from the Stewardship account.

Given the potential that the final terms could in fact be consistent with the purposes of Stewardship Fund and the Act, the applicant would be given more time to complete negotiations and finalize terms. This would alleviate ambiguities and uncertainties about potential easement terms and enable review for consistency with the purposes of the Stewardship Fund.

These four easement proposals would occur in core habitat and offer a range of values for birds and habitat conservation. Matching funds are presently secured and committed for all four proposals, but availability in the future is unknown. All but the 44 Ranch Easement proposal involves NRCS matching funds.

Should MSGOT decide to commit funds towards any of these proposals at this time, it should consider including the following conditions and contingencies in the grant agreement as assurances prior to final award of funds:

- Montana Land Reliance will fulfill its commitment of matching funds and in-kind contributions.
- NRCS commitments or the commitment from The Conservation Fund for matching funds is also fulfilled, respectively.
- The final terms of the easement are consistent with the purposes of the Stewardship Fund and the Stewardship Act and will adequately protect habitats from surface disturbance and adverse development which exacerbate threats identified by the U.S. Fish and Wildlife Service. Suggested terms that should be addressed are enumerated above.
- Montana Land Reliance will enter a grant agreement with MSGOT, DNRC, and the Program that addresses necessary terms and conditions to insure that grant funds are disbursed and utilized consistent with the purpose and language of the Stewardship Act.
- Credits generated by the proposal will be available for compensatory mitigation; credits will be estimated retroactively, upon finalization of a habitat quantification tool, and made available for sale in a mitigation market place when the market becomes available.
- The State of Montana will be established as a third-party beneficiary to the easement with a contingent right to enforce the terms of the easement if the Montana Land Reliance fails to do so. The terms establishing third party beneficiary status for the state must be agreeable to all parties involved.
- The easement may not be transferred for value, sold, or extinguished without the notice and consent of the State of Montana or its agents.
- Montana Land Reliance files periodic monitoring reports with MSGOT and the Program; reporting interval and subject matter to be determined by the parties.

### National Wildlife Federation Fence Marking

This proposal is the only non-easement proposal. The Stewardship Act provided a list of eligible projects, which address known threats to sage grouse and sagebrush habitats. The Stewardship Act also directed that projects which generate mitigation credits be given greater priority. The degree to which fence marking would generate mitigation credits is unknown, but expected to be low. Nonetheless, the proposed activity is one specifically enumerated in the Stewardship Act as eligible for funding. Fence marking would address an identified threat. Two public comments were received in support of the proposal.

Striking fences is a source of direct mortality for sage grouse, usually near leks. Fence marking has been shown to reduce the number of fence strikes. The population level response, if any, is unknown. The peer reviewers were consistent in ranking this as the lowest priority for funding. The low rankings do not appear to take into consideration the creative partnerships and sources of matching funds and in-kind contributions.

The primary concern with committing funds at this time is that applicant has not yet identified which fence segments are high risk and would be marked. The applicant states a total of 90 miles of high risk fence would be marked within six or seven counties. The fence segments would primarily be associated with public lands. The applicant is apparently relying on state or federal agency personnel (particularly BLM) to identify the segments. The strength of the present commitment cannot be determined. The BLM letter of support is undated. The NRCS letter is dated December 10, 2015 and was written in support of a grant application to the National Fish and Wildlife Foundation, not to the Stewardship Fund.

When the high risk segments will actually be identified is unknown, but mid- to late summer 2016 is possible. In response to supplemental questions, the applicant confirmed that NWF staff is currently working with public land partners to identify segments for the upcoming summer-fall work season. Once general project areas are identified by the land manager, NWF will work with wildlife biologists and use the NRCS fence collision risk mapping tool to fine tune specific fence segments to mark. Completion of spring 2016 lek surveys was noted and segments could be identified in July so field work could begin in August 2016. Segments would be prioritized based on lek location and other factors such as crew availability and site accessibility.

Until such time as the actual segments are identified, the resource benefit in core areas cannot be determined.

#### ***Do Not Fund***

The Program recommends MSGOT not fund the proposed Weaver Easement. The peer reviewers were consistent in their comments that the proposed easement lies entirely within general habitat (no acreage in core area) and on the edge of sage grouse habitat. Two peer reviewers noted the proposed parcel had a high percentage of land that would not be suitable for sage grouse (forest, crop land or grasslands).

While the lands being considered have high resource values for an easement for other wildlife, this proposal does not align with the purposes of the Sage Grouse Stewardship Fund grant opportunity, which specifically targets sage grouse and sagebrush habitat.

Table 4. Stipulations within BLM Resource Management Plans, by development type, in Priority Habitat Management Areas (same as Montana core areas) and General Habitat Management areas (same as Montana general habitat areas). Information provided by John Carlson, BLM, Management Zone 1 Greater Sage-Grouse Lead.

	Fluid Minerals		Wind ROW		Solar ROW		ROW	
	Past	New	Past	New	Past	New	Past	New
<b>Priority (PHMA)</b>	1/4 mile NSO around leks	NSO	Open	Exclusion	Open	Exclusion	Open	Avoidance
<b>General (GHMA)</b>	1/4 mile NSO around leks	0.6 Mile NSO and 4 mile CSU	Open	Avoidance	Open	Avoidance	Open	Open
	Mineral Materials		Grazing		Non-Energy Leaseables			
	Past	New	Past	New	Past	New		
<b>Priority (PHMA)</b>	Open	Closed (except free use permits)	Open	Open (with specific sage-grouse habitat objectives)	Open	Closed		
<b>General (GHMA)</b>	Open	Open	Open	Open (with specific sage-grouse habitat monitoring/management)	Open	Closed		

Table 1. Summary and comparison of key metrics across all applications. See also the individual Project Statistics and Workbooks.

See separate file, legal sized paper.





Table 1. Summary and comparison of key metrics across all applications. See also the individual Project Statistics and Workbooks.

	<b>Julie Burke Easement</b>	<b>Hansen Easement, conifer removal</b>	<b>Kelly Burke Easement, cropland restoration</b>	<b>Weaver Easement</b>	<b>Raths Easement</b>	<b>Watson Easement</b>	<b>Smith Easement</b>	<b>44 Ranch Easement</b>	<b>NWF Fence</b>
<b>County</b>	Phillips / Valley	Beaverhead	Valley	Choteau, Blaine	Golden Valley	Phillips	Beaverhead	Petroleum / Fergus	Blaine, Phillips, Valley, McCone, Garfield, Petroleum, Fergus
<b>Amount Requested</b>	\$422,000.00	\$952,000.00	\$293,820.00	\$787,680.00	\$812,500.00	\$162,500.00	\$36,000.00	\$1,500,000.00	\$40,716.00
<b>Payment Method</b>	1 time	1 time for easement; reimbursable for conifer encroachment (\$202,500)	1 time for easement; reimbursable for cropland restoration (\$39,820)	1 time	1 time	1 time	1 time	1 time	reimbursable; (materials \$7000; remaining is travel, staff, indirect)
<b>Cost per Acre or Mile</b>	\$162.73	\$68.59	\$77.60	\$79.80	\$72.35	\$57.35	\$124.62	\$83.18	\$452.00/mile
<b>Acres Proposed</b>	2,593	13,886	3,786	9,870	11,229	2,833	288	18,033	90 miles
<b>Core Habitat</b>	100% core	98% core	30% core	0% core	100% core	100% core	100% core	100% core	unknown
<b>Conservation Status Nearby Lands</b>	high	high	high	low	low	high	high	moderate	unknown
<b>Birds on Proposal Area</b>	low	moderate	low	low	moderate	low	low	high	unknown
<b>Birds in Landscape Context</b>	high	high	high	high	high	high	moderate	high	unknown
<b>Breeding Habitat Potential</b>	high	high	high	moderate	moderate	high	high	high	unknown
<b>Conversion Risk</b>	low	low	low	low	moderate	moderate	low	high	unknown
<b>Leks at Risk of Conversion</b>	low	unknown	low	low	high	low	unknown	high	unknown
<b>DDCT - % disturbance</b>	0.60%	1.80%	0.60%	0.80%	1.20%	0.60%	1.60%	0.90%	unknown

	<b>Julie Burke Easement</b>	<b>Hansen Easement, conifer removal</b>	<b>Kelly Burke Easement, cropland restoration</b>	<b>Weaver Easement</b>	<b>Raths Easement</b>	<b>Watson Easement</b>	<b>Smith Easement</b>	<b>44 Ranch Easement</b>	<b>NWF Fence</b>
<b>BLM Subsurface Ownership</b>	partial; SFA; DOI considering complete withdrawal	partial	partial; SFA; DOI considering complete withdrawal	partial	partial; coal, oil & gas	none	BLM owns 100%	low	unknown
<b>BLM RMP STATUS: (PHMA? NSO?)</b>	Priority Habitat Management Area; NSO, other major stipulations	Priority Habitat Management Area; NSO, other major stipulations	Priority Habitat Management Area; NSO, other major stipulations	General Habitat Management Area	Priority Habitat Management Area; NSO, other major stipulations	Priority Habitat Management Area; NSO, other major stipulations	Priority Habitat Management Area; NSO, other major stipulations	Priority Habitat Management Area; NSO, other major stipulations	unknown
<b>Remoteness Review Report in Hand?</b>	yes; very low potential for fluid mineral development	no; has been ordered	yes; very low potential for fluid mineral development	no; landowner would complete if funding secured	no; landowner would complete if funding secured	no; landowner would complete if funding secured	no; landowner would complete if funding secured	no; landowner would complete if funding secured	N/A
<b>Restoration Opportunities?</b>		yes, also seeking funds to remove conifers on 1100 ranch acres, concurrent with public land treatments	yes, also seeking funds to restore 547 acres of cropland to sagebrush-grassland	yes, but not seeking funding; propose to reseed 1500 farmland acres to rangeland; add a NRCS grazing plan					N/A
<b>Adequacy of Terms to Protect Habitat and Birds, if settled</b>	very strong	strong; final terms potentially stronger depending on final building envelopes	very strong	unknown - terms not fully settled; application materials silent about sagebrush control, commercial development, oil & gas, surface mining, power lines etc.	unknown - terms not fully settled; application materials silent about sagebrush control, commercial development, oil & gas, surface mining, power lines etc.	unknown, terms not fully settled; application materials silent about sagebrush control, commercial development, oil & gas, surface mining, power lines etc.	unknown, terms not fully settled; application materials silent about sagebrush control, commercial development, oil & gas, surface mining, power lines etc.	not fully settled; unknown; application materials silent about sagebrush control, commercial development, oil & gas, surface mining, power lines etc.	N/A

	<b>Julie Burke Easement</b>	<b>Hansen Easement, conifer removal</b>	<b>Kelly Burke Easement, cropland restoration</b>	<b>Weaver Easement</b>	<b>Raths Easement</b>	<b>Watson Easement</b>	<b>Smith Easement</b>	<b>44 Ranch Easement</b>	<b>NWF Fence</b>
<b>Easement Terms Settled in Writing? Verbal Agreement?</b>	Yes; draft in writing	verbal agreement; terms mostly settled	Yes; draft in writing	verbal agreement likely, but apparently still negotiating	verbal agreement likely, but apparently still negotiating	verbal agreement likely, but apparently still negotiating	verbal agreement likely, but apparently still negotiating	No, still in negotiations with landowners on final terms	N/A
<b>Key Terms</b>	no current buildings on property and no new no buildings/ envelopes allowed; prohibits commercial or industrial activity or infrastructure, tillage, destruction of native vegetation (e.g. sagebrush), surface mining, oil and gas drilling, construction of wind turbines, high voltage transmission lines; continue current ranch management practices and infrastructure with sideboards	NRCS minimum terms and template form; also prohibits subdivision, development, sage brush control, surface mining, oil and gas drilling, wind turbines and powerlines; maintain ranch management practices and infrastructure with sideboards; 3 building envelopes around existing residential / ag compounds but final boundaries not settled; improve / replace structures at small cow camp	no conversion; no herbicide treatment of sagebrush; no present buildings and no new additional buildings or envelopes; no utility towers; no oil and gas drilling, surface mining, no construction of wind turbines; no power lines; continue current ranch management practices and infrastructure with sideboards	NRCS minimum deed terms and template form; no more than 1 additional residential dwelling unit and associated outbuildings with a 5-acre building envelope determined at the time of construction; building envelopes sited outside 2 mile buffer from active leks, contingent on identification of lek locations; 0.6 mile NSO for active leks, no new predator subsidies, contingent on identified lek locations being disclosed to landowners; no wind turbine development; prohibit cropland conversion	NRCS minimum deed terms and template form; no more than 3 additional residential dwelling units and associated outbuildings on 5 acre building envelopes determined at time of construction > 2 miles from active leks; will require 0.6 NSO from active leks, no new predator subsidies contingent on disclosure of lek locations; no wind turbine development; prohibit cropland conversion, including anti-cultivation provision	NRCS minimum deed terms and template form; no more than 1 additional residential dwelling unit and associated outbuilding within a 3-acre building envelop determined at time of construction, > 2 miles from active leks contingent on lek locations; will require 0.6 mile NSO, no new predator subsidies contingent on disclosure of identified leks; no wind turbine development; no cropland conversion	NRCS minimum deed terms and template form; no more than 1 additional residential dwelling units and associated outbuildings, determined at time of construction with > 2 mile buffer from active leks, contingent on disclosure of lek location; given the relatively small acreage, a 2 mile buffer from active leks may not be possible	still negotiating; no more than 3 additional residential dwelling units and associated outbuildings on 5 acre envelopes, determined at time of construction, likely > 2 miles from active leks; unknown number of divisions allowed; no wind turbines; no cropland conversion; will require 0.6 mi NSO from leks; no predator subsidies contingent on lek locations	specific fence segments for marking have not been identified in the application or supplemental information provided by applicant

	<b>Julie Burke Easement</b>	<b>Hansen Easement, conifer removal</b>	<b>Kelly Burke Easement, cropland restoration</b>	<b>Weaver Easement</b>	<b>Raths Easement</b>	<b>Watson Easement</b>	<b>Smith Easement</b>	<b>44 Ranch Easement</b>	<b>NWF Fence</b>
<b>Mitigation Potential (total acres and pro rata share)</b>	high	moderate	moderate	moderate	moderate	moderate	moderate	high	low
<b>Partnerships and Match from Other Sources</b>	TNC; in hand	TNC for conifer removal; maybe NRCS for easement in 2017	TNC, NRCS committed	NRCS pledged; landowner	NRCS pledged; landowner	NRCS pledged; landowner	NRCS pledged; landowner	The Conservation Fund; landowner donation; both in hand	National Fish and Wildlife Foundation; NWF; Montana Conservation Corps; both in hand
<b>NRCS Agricultural Land Easement Program Match</b>	no	yes	yes	yes	yes	yes	yes	no	no
<b>Anticipated Closing / Implementation</b>	close Sept-16	conifer 2016-17; easement unknown	easement Nov-2016; seeding 2016, 2017	close Nov-17	close Nov-17	close Nov-17	close Nov-17	close Nov-16	2016 and 2017 field seasons

	Hansen	KBurke	JBurke	Weaver	Watson	Smith	Raths	44
Disturbed Project Area Acres (project leks within 4 miles, buffered by 4 miles)	2200	702	774	1508	503	728	1987	2056
Total Project Area Acres (project leks within 4 miles, buffered by 4 miles)	121520	113113	122770	182204	82146	46230	161328	225580
DDCT	1.8%	0.6%	0.6%	0.8%	0.6%	1.6%	1.2%	0.9%
Reverse	98.2%	99.4%	99.4%	99.2%	99.4%	98.4%	98.8%	99.1%

**Potential to Generate Credits****NOTE: corrected data in yellow highlight**

<b>Project Name</b>	<b>Permanent Credit</b>	<b>Term Credit</b>	<b>Are Credits Pro Rata?</b>	<b>% NON-NRCS</b>	<b>Project Total Acres</b>	<b>Acres Potentially Eligible to Generate Credits</b>
Julie Burke Easement	yes		no	100%	2593	2593
Hansen Easement	yes		yes	23%	13887	3194
Kelly Burke Easement	yes		yes	36.80%	3786	1394
Weaver Easement	yes		yes	26.30%	9871	2605
Raths Easement	yes		yes	26.30%	11230	2957
Watson	yes		yes	30%	2833	861
Smith Easement	yes		yes	44%	289	127
44 Ranch Easement	yes		no	100%	18033	18,033
NWF Fence Marking	no	10-20 years	no	100%	unknown	expectation is low

**Julie Burke Ranch  
Conservation Easement  
Project Statistics**

**Project Information**

<b>Project Name</b>	JulieBurke
<b>Acres</b>	2593.230029
<b>COUNTY1</b>	PHILLIPS
<b>COUNTY2</b>	VALLEY
<b>GrantID</b>	APRL_2016_1
<b>ApplicantNameFirst</b>	Brian
<b>ApplicantNameLast</b>	Martin
<b>Agency_Org</b>	The Nature Conservancy
<b>ApplicantPhone</b>	406-443-6733
<b>ApplicantEmail</b>	bmartin@tnc.org
<b>ApplicantAddress</b>	32 South Ewing, Helena, MT 59601
<b>LandOwnerInfo</b>	J Burke, PO Box 488, Glasgow MT 59230
<b>ProjectType</b>	Easement
<b>RequestAmnt</b>	\$422,000
<b>Total MatchAmnt (TNC, cash in hand)</b>	\$175,000
<b>Match Ratio (Stewardship Fund:Total Match)</b>	71% state to 29% match (2.4:1)
<b>Prjct_Duration</b>	In perpetuity
<b>Grant_Cycle</b>	Cycle 1 - Spring 2016
<b>Prjct_Status</b>	<Null>
<b>WAFWA_ZN</b>	MZ I
<b>FWP_Rgn</b>	6

Handout 9

**Julie Burke Ranch  
Conservation Easement  
Project Statistics**

**Project Analysis**

	<b>Project Area</b>	<b>Project + 4 Mile Buffer</b>	<b>Project + 12 Mile Buffer</b>
<b>Total Acres</b>	2593.23	122770.01	396839.28
<b>Core Acres</b>	2593.23	113921.43	294792.18
<b>General Acres</b>	0	8791.90	71398.77
<b>Connectivity Acres</b>	0	0	0
<b>Outside Habitat</b>	0	56.69	30648.33
<b>Percent Core</b>	100	92.79	74.29
<b>FWP Lek Count (may be other leks present)</b>	0	5	21
<b>FWP Total Male Count (Most Recent)</b>	0	148	724
<b>FWP Avg. Male Count</b>	0	30	34
<b>Project Cost/acre</b>	162.73	No data	No data
<b>Reverse DDCT</b>	No data	<Null>	No data
<b>Miles of linear riparian habitat/ mile<sup>2</sup></b>	2.24	3.47	3.91

<b>Conservation Status</b>	<b>Project Area</b>	<b>4 Mile Buffer (%)</b>	<b>12 Mile Buffer (%)</b>
<b>Percent Public</b>	No data	71.94	70.13
<b>Percent Private Conservation</b>	No data	0.83	3.46
<b>Percent Managed Areas</b>	No data	0.00	6.87
<b>Percent Conservation Easement</b>	No data	0.83	3.55
<b>Total in Conservation (some consv. areas overlap)</b>	No data	72.77	76.50
<b>Not in Conservation</b>	No data	27.23	23.50

<b>Lek Vulnerability</b>	<b>Project Area</b>	<b>4 Mile Buffer</b>	<b>12 Mile Buffer</b>
<b>0-10%</b>	0	4	17
<b>10.1-25%</b>	0	0	0
<b>25.1-50%</b>	0	0	0
<b>50.1-75%</b>	0	0	0
<b>75.1-100%</b>	0	0	0

**Other Notes:**

See grant application Figure 2: Lek Breeding Density.

Proposed easement has adjoining BLM lease. See Figure 3.

Proposed easement adjoins Matador Grass Bank. See Figure 4.

Proposed easement about 13 miles away from Kelly and Tami Burke proposed easement. Intervening lands are protected by FWP easements or public lands.

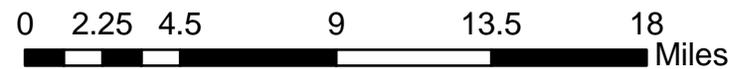
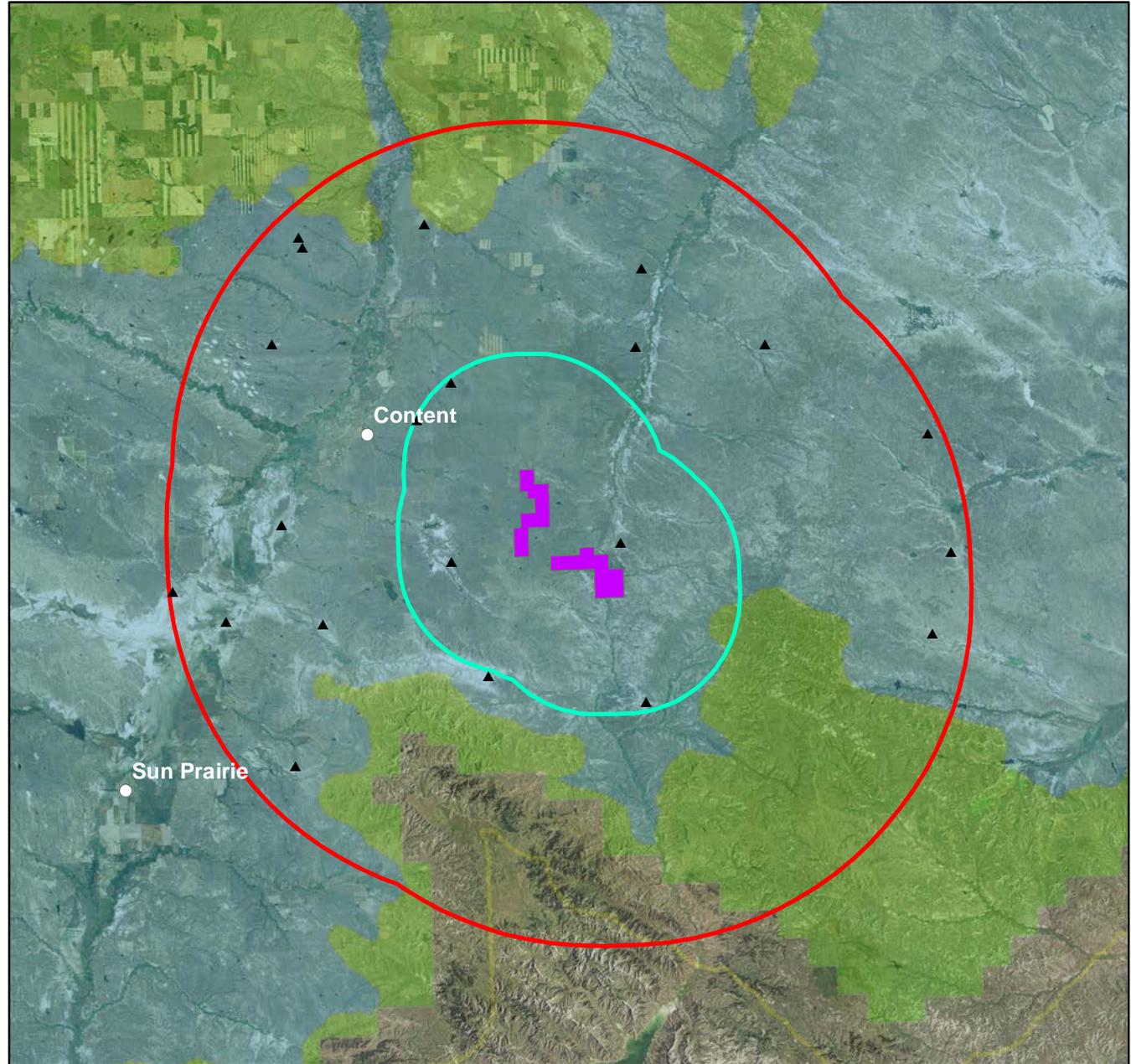
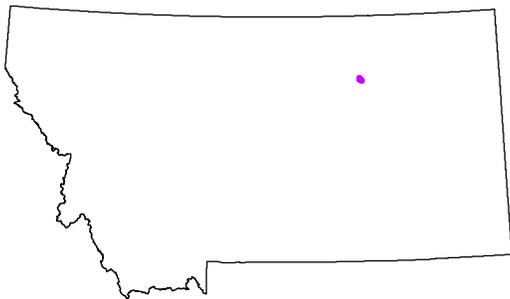
Anticipate closing September 2016.

# Sage Grouse Habitat Conservation Program

## Julie Burke Grant Application

### Legend

- ▲ Leks
  - Julie Burke Property
  - 4 Mile Buffer
  - 12 Mile Buffer
- ### Sage Grouse Habitat
- #### Habitat Type
- EO-Connectivity Area
  - EO-Core Area
  - EO-General Habitat
  - Not In EO Area

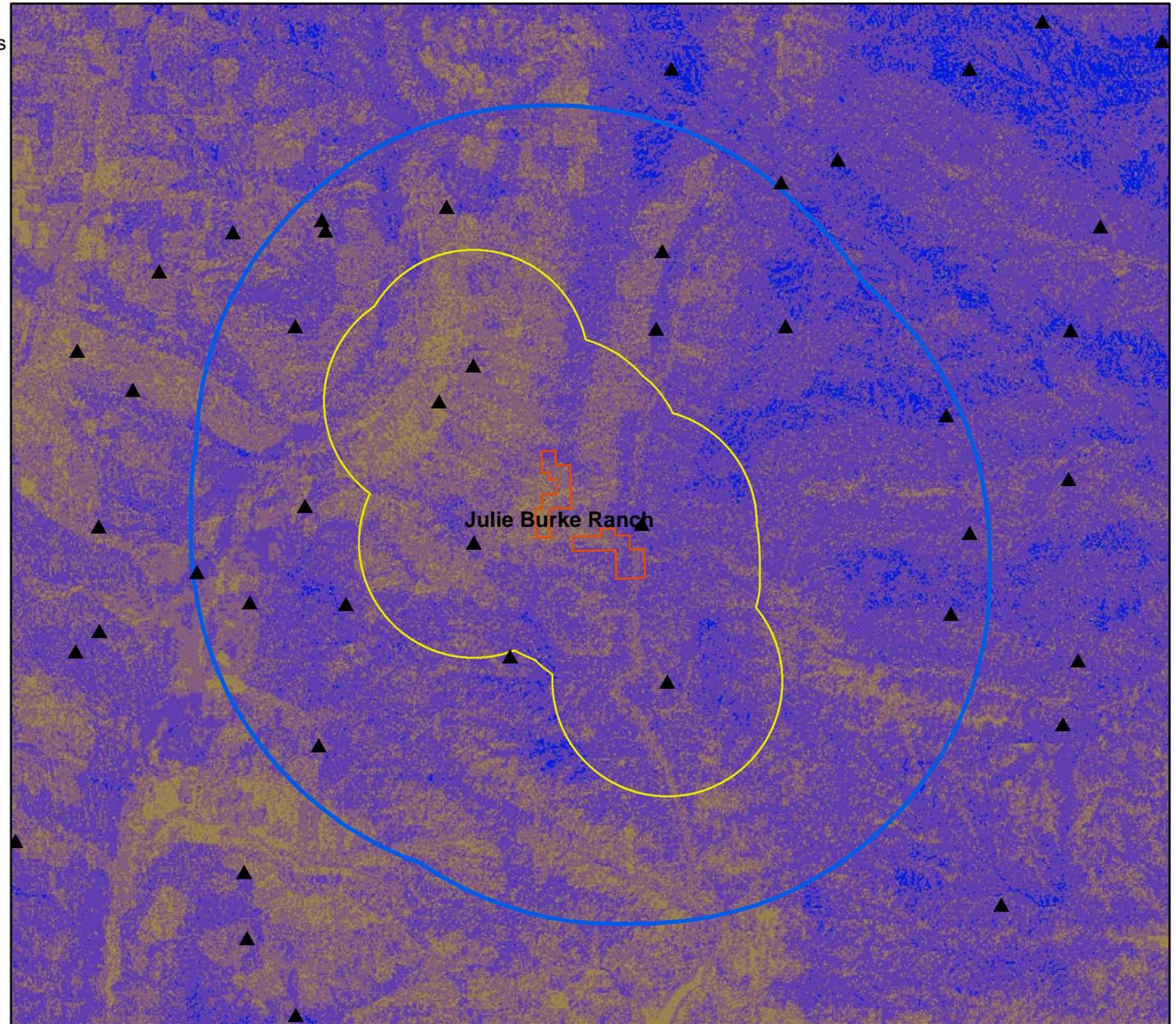
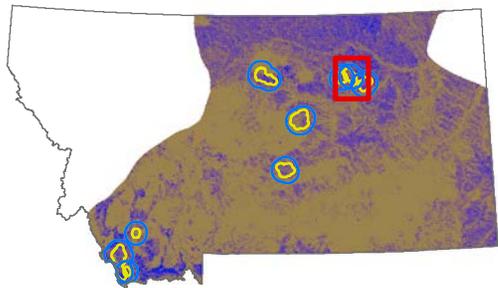
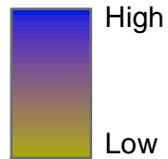


# Breeding Habitat Suitability Surrounding Julie Burke Ranch Project Area

-  Project Area
-  Leks within 4 miles - buffered by 4 miles
-  12 Mile Buffer

 Leks

## Sage Grouse Breeding Habitat Suitability\*



0 2.25 4.5 9 13.5 18 Miles

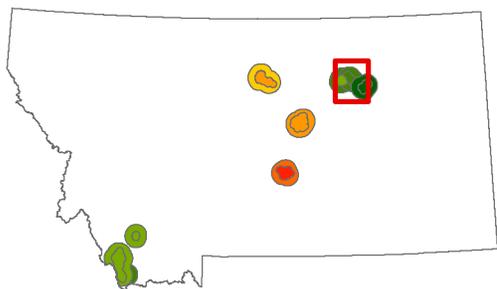
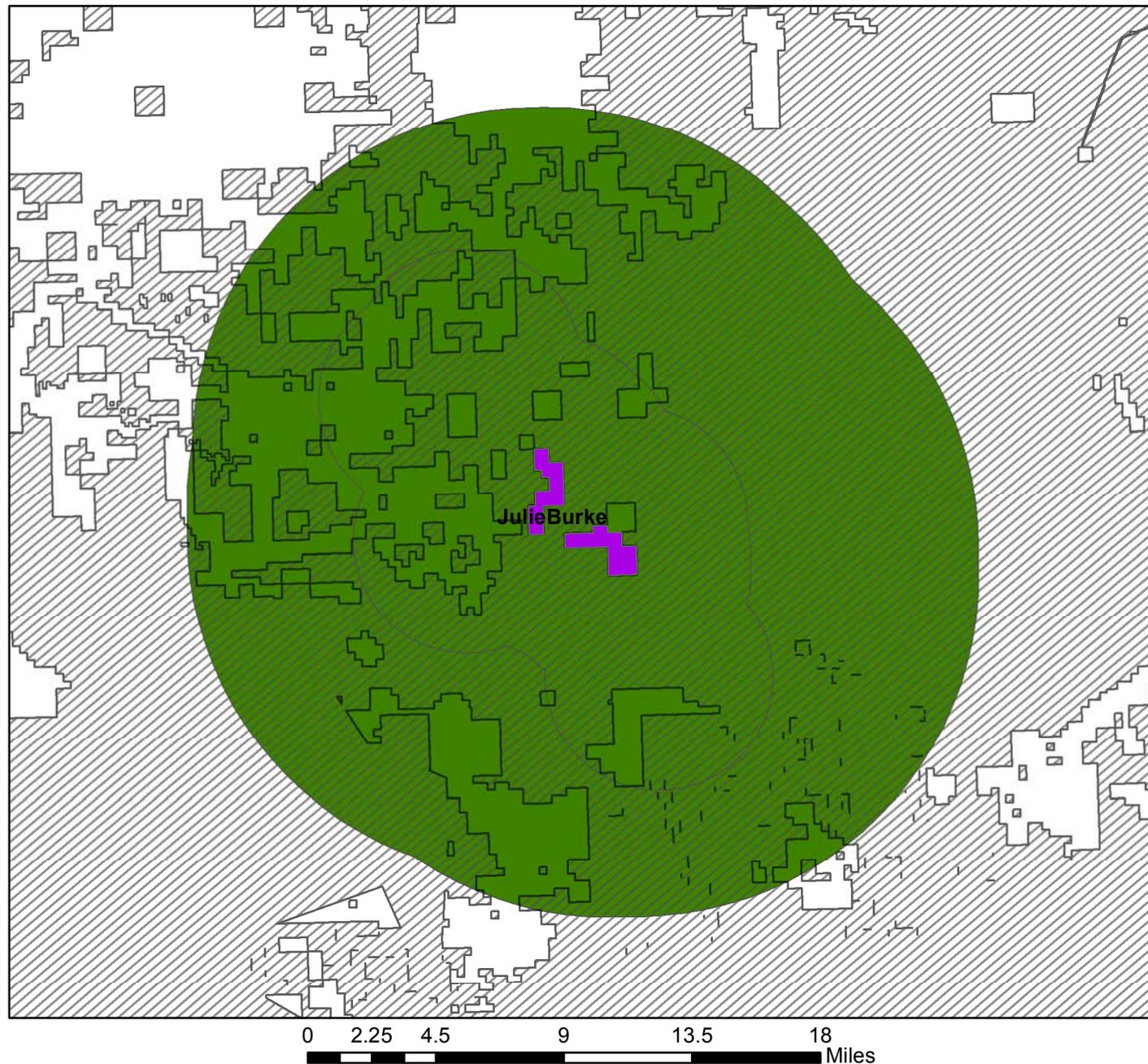
\*Doherty, Kevin E., Evans, Jeffrey S., Coates, Peter S., Juliusson, Lara M., Fedy, Brad, 2015, Importance of Regional Variation in Conservation Planning and Defining Thresholds for a Declining Species: A Range-wide Example of the Greater Sage-grouse, USFWS/USGS Technical Report 51 pp. Report available at: [https://www.researchgate.net/publication/292970319\\_Importance\\_of\\_Regional\\_Variation\\_in\\_Conservation\\_Planning\\_and\\_Defining\\_Thresholds\\_for\\_a\\_Declining\\_Species\\_A\\_Range-wide\\_Example\\_of\\_the\\_Greater\\_Sage-grouse](https://www.researchgate.net/publication/292970319_Importance_of_Regional_Variation_in_Conservation_Planning_and_Defining_Thresholds_for_a_Declining_Species_A_Range-wide_Example_of_the_Greater_Sage-grouse). Model available at <https://www.sciencebase.gov/catalog/item/56fd2296e4b0a6037df2feb6>.

# Percentage of Julie Burke Project Area Buffers in Conserved Lands: Leks within 4 Miles of Project Area - Buffered by 4 Miles and 12 Mile Buffer Shown

-  Grant Projects
-  Conservation Lands

## Percent of Project Area in Conservation

-  0 - 10%
-  10.1 - 20 %
-  20.1 - 30%
-  30.1 - 40%
-  40.1 - 50%
-  50.1 - 60%
-  60.1 - 70%
-  70.1 - 80%
-  80.1 - 100 %



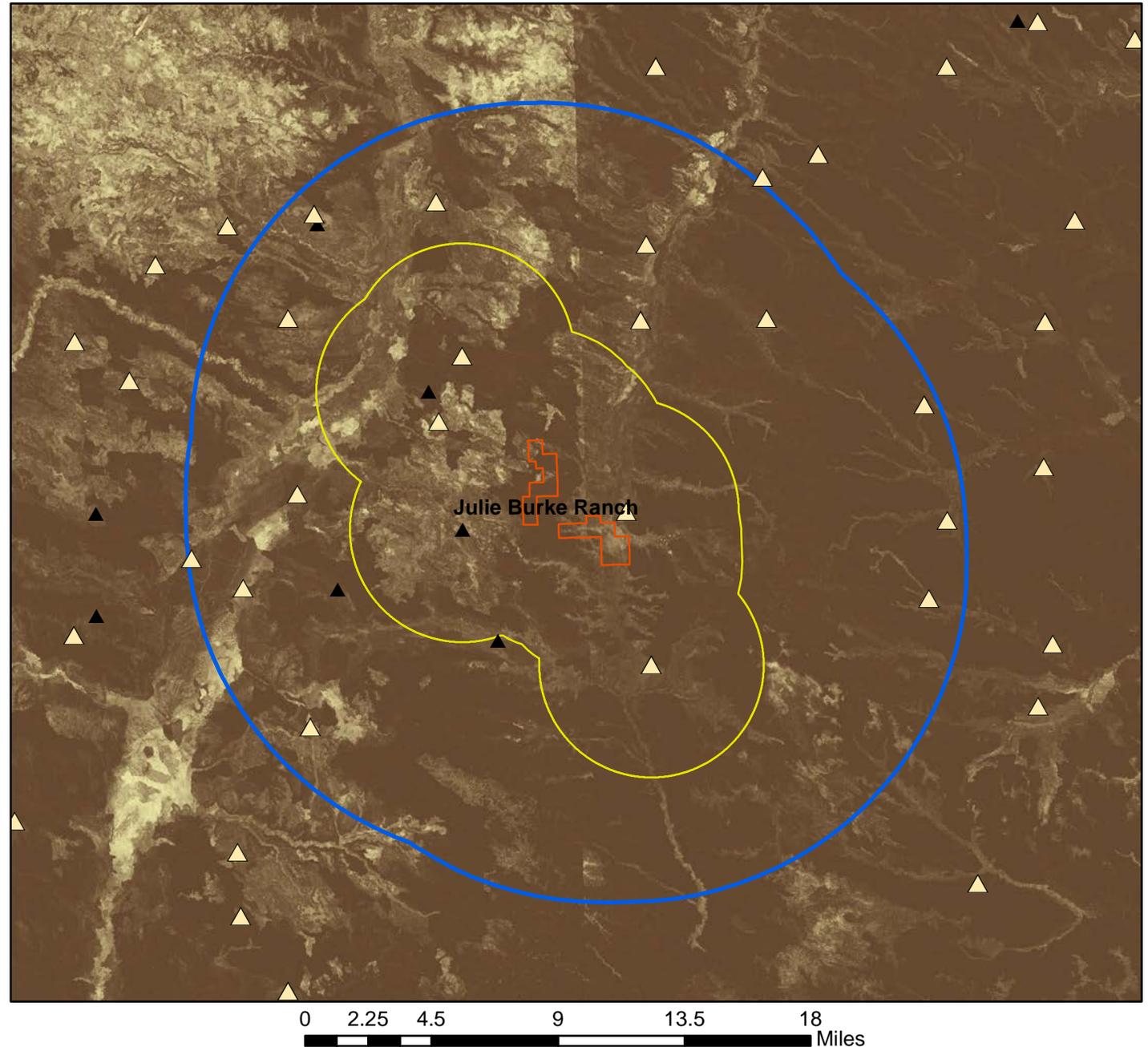
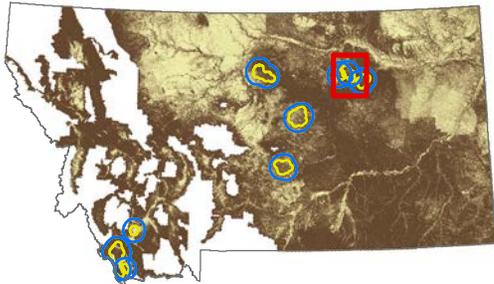
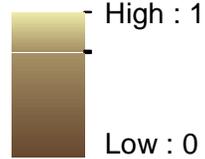
# Cultivation Risk and Lek Vulnerability Surrounding Julie Burke Ranch Project Area

-  Project Area
-  Leks within 4 miles - buffered by 4 miles
-  12 Mile Buffer

## Lek Vulnerability\*

-  0% - 10%
-  10.1% - 25%
-  25.1% - 50%
-  50.1% - 75%
-  75.1% - 100%
-  No data available

## Cultivation Risk\*\*

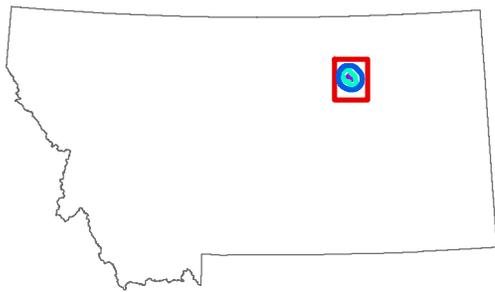
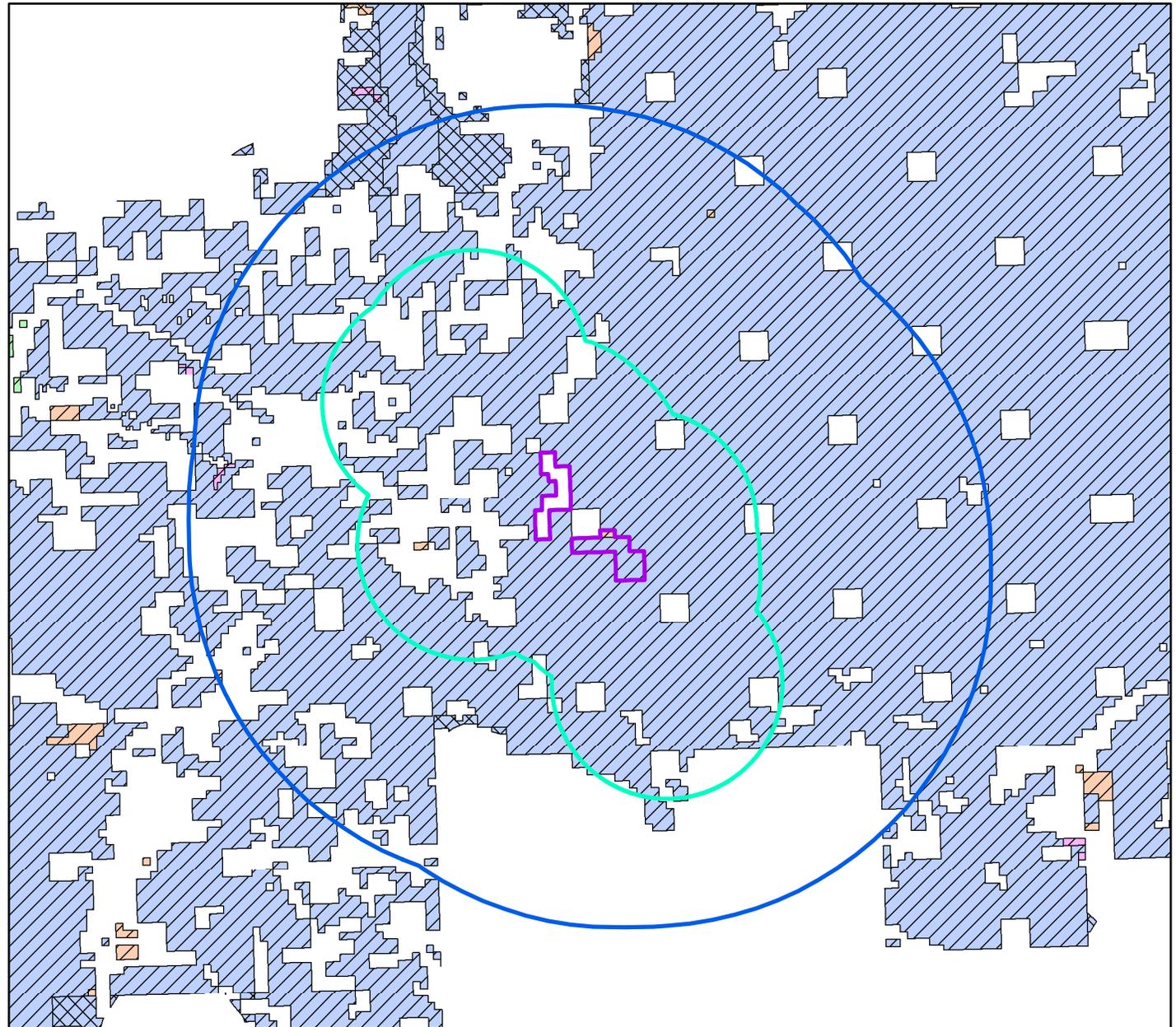


\*Lek vulnerability from Smith, J. T., Martin, B. H., Baruch-Mordo, S., Naugle, D. E., Evans, J. S., & Kiesecker, J. M. (2016). In review. Reducing cultivation risk for at-risk species: Predicting outcomes of conservation easements for sage-grouse.

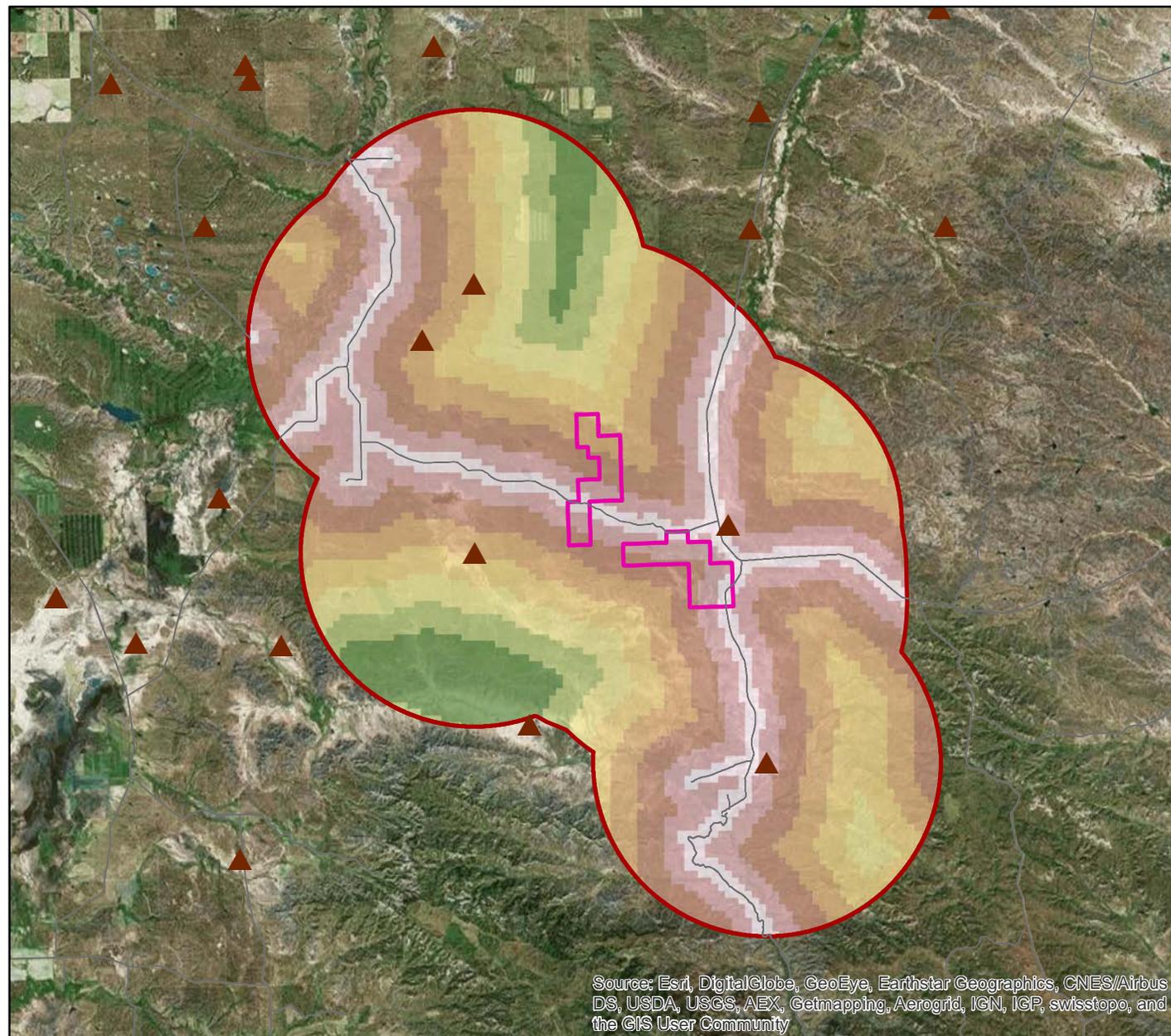
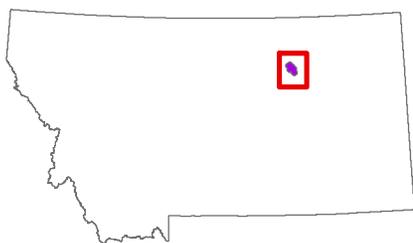
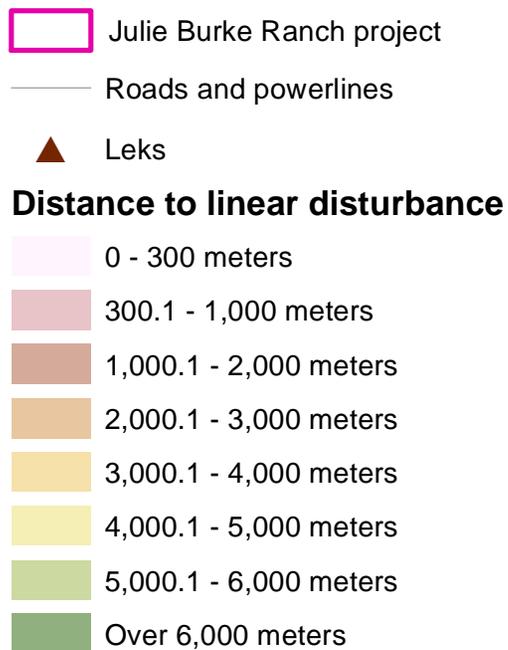
\*\* Natural Resource Conservation Service, Sage Grouse Initiative. Cultivation Risk Model: Suitability for cropping based on climate, soils, and topography to assess potential risk of cultivation to sage-grouse habitat. Available at: <http://map.sagegrouseinitiative.com/>

# BLM Subsurface Ownership Surrounding Julie Burke Ranch

- Project Area
  - Leks within 4 miles, buffered by 4 miles
  - 12 Mile Buffer
- BLM Habitat Management Areas**
- General Habitat Management Area
  - Priority Habitat Management Area
  - Restoration Habitat Management Area
- Subsurface Ownership**
- ALL: all subsurface combined
  - COG: coal, oil & gas ownership combined
  - O&G: oil & gas
  - RST: Restricted; federal gov't owns a %



# Linear disturbance analysis for Julie Burke Ranch Project Area : Leks within 4 miles, buffered by 4 miles

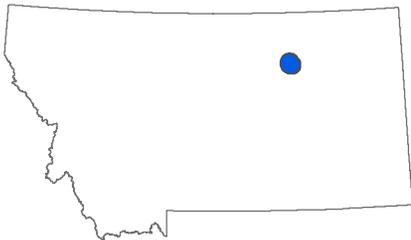


# Stream and Riparian Analyses for Julie Burke Ranch Project Area

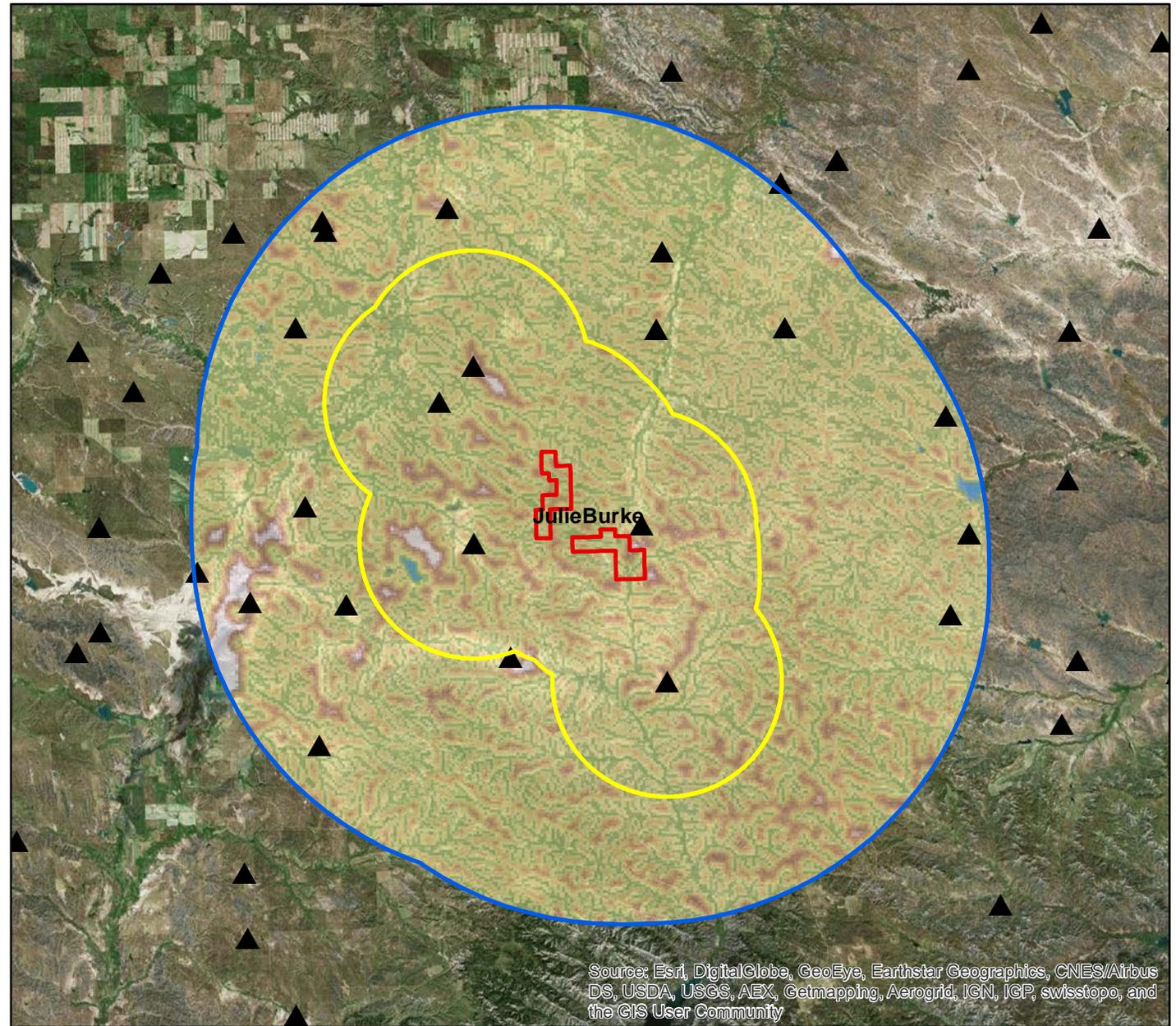
-  12 mile buffer
-  Leks within 4 miles buffered by 4 miles
-  Grant project area
-  Leks

## Distance to riparian area

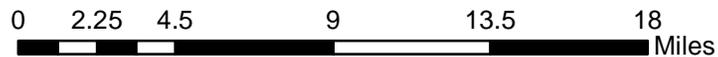
-  Open Water
-  Under 75 m
-  75 - 165 m
-  165.1 - 250 m
-  250.1 - 350 m
-  350.1 - 500 m
-  500.1 - 650 m
-  650.1 - 750 m
-  Over 750 m



Stream density: 3.909002  
(Linear miles of stream square mile)



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



**Watson Property  
Conservation Easement  
Project Statistics**

**Project Information**

<b>Project Name</b>	WATSON_PROPERTY
<b>Acres</b>	2833.30
<b>COUNTY1</b>	PHILLIPS
<b>COUNTY2</b>	
<b>GrantID</b>	APRL_2016_6
<b>ApplicantNameFirst</b>	Kendall
<b>ApplicantNameLast</b>	Van Dyk
<b>Agency_Org</b>	The Montana Land Reliance
<b>ApplicantPhone</b>	406-443-7027
<b>ApplicantEmail</b>	kendall@mtlandreliance.org
<b>ApplicantAddress</b>	324 Fuller Ave/PO Box 355, Helena MT 59624
<b>LandOwnerInfo</b>	T & L Watson, PO Box 532, Malta, MT 59538
<b>ProjectType</b>	Easement
<b>RequestAmnt</b>	\$162,500
<b>MatchAmnt (NRCS ALE)</b>	\$487,500
<b>Landowner Donation Match</b>	\$50,600
<b>Match Ratio (Stewardship Fund:Total Match)</b>	25% state to 75% match (1:3)
<b>Prjct_Duration</b>	In perpetuity
<b>Grant_Cycle</b>	Cycle 1 - Spring 2016
<b>Prjct_Status</b>	<Null>
<b>WAFWA_ZN</b>	MZ I
<b>FWP_Rgn</b>	6.00

Handout 9

**Watson Property  
Conservation Easement  
Project Statistics**

**Project Analysis**

	Project Area	Project + 4 Mile Buffer	Project + 12 Mile Buffer
Total Acres	2833.30	82146.49	411780.73
Core Acres	2833.30	79941.79	350924.52
General Acres	0	2204.70	42017.21
Connectivity Acres	0	0	0
Outside Habitat	0	0	18838.99
Percent Core	100	97.32	85.22
FWP Lek Count (may be other leks present)	0	6	29
FWP Total Male Count (Most Recent)	0	107	899
FWP Avg. Male Count	0	18	31
Project Cost/acre	57.35	No Data	No Data
Reverse DDCT	No Data	<Null>	No Data
Miles of linear riparian habitat/ mile <sup>2</sup>	1.88	3.15	3.33

Conservation Status	Project Area	4 Mile Buffer (%)	12 Mile Buffer (%)
Percent Public	No data	53.72	57.22
Percent Private Conservation	No data	4.65	4.48
Percent Managed Areas	No data	21.12	21.92
Percent Conservation Easement	No data	0.00	1.92
Total in Conservation (some consv. areas overlap)	No data	66.99	70.39
Not in Conservation	No data	33.01	29.61

Lek Vulnerability	Project Area	4 Mile Buffer	12 Mile Buffer
0-10%	0	3	21
10.1-25%			
25.1-50%			
50.1-75%			
75.1-100%			

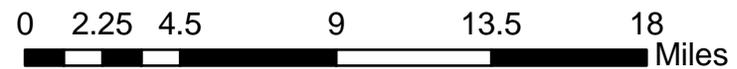
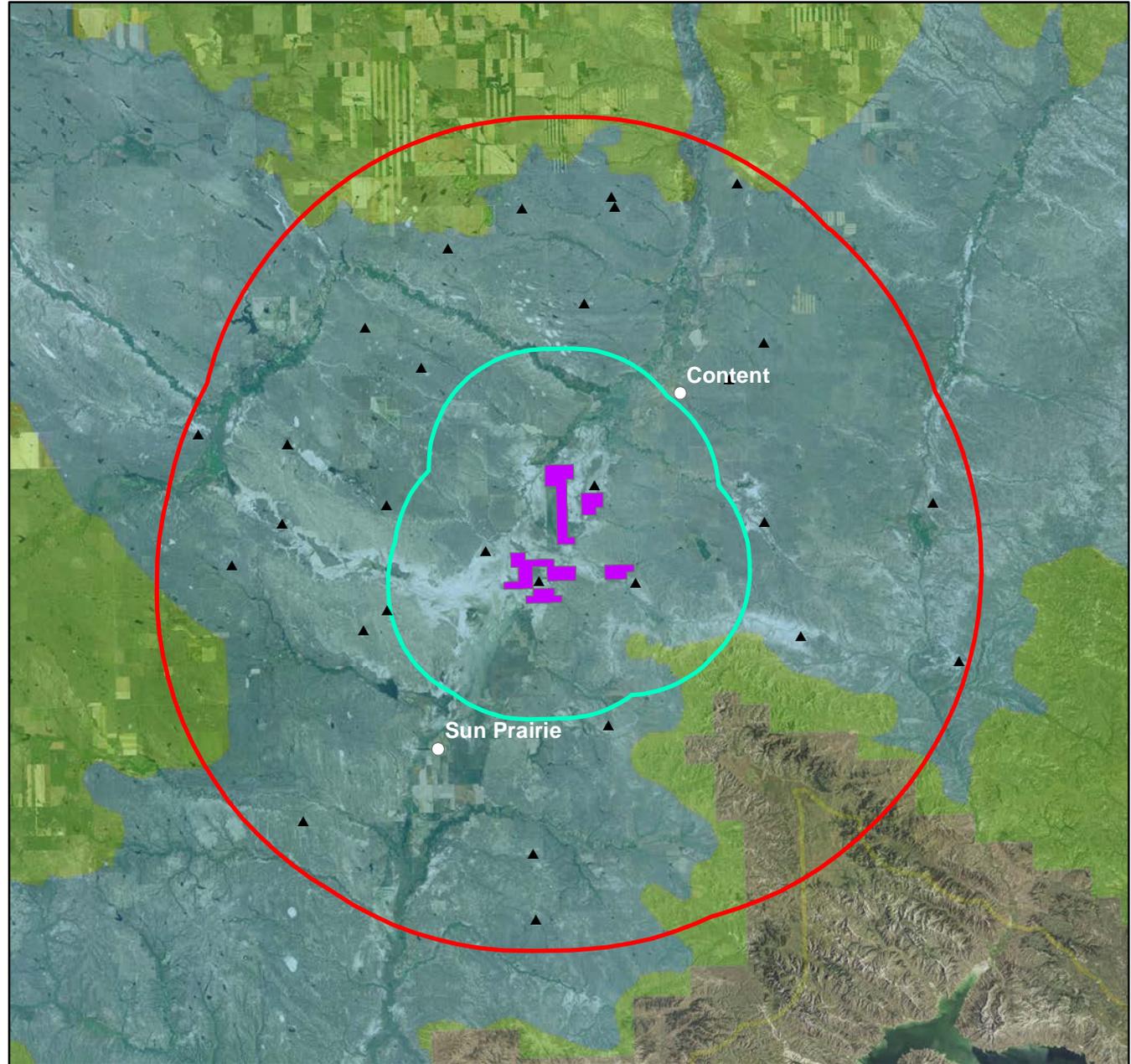
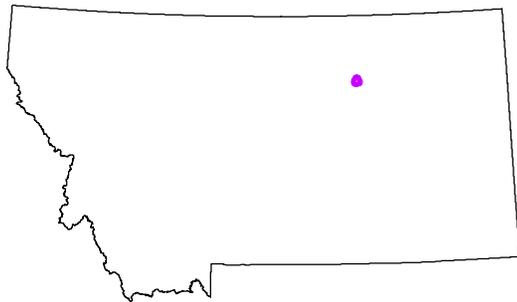
**Other Notes:**

Two main parcels proposed for easement connect with two large BLM parcels.  
 All other smaller parcels completely or nearly surrounded by federal or state-owned land.  
 See figures in application.  
 Anticipate closing by December, 2017.

# Sage Grouse Habitat Conservation Program Watson Grant Application

## Legend

- ▲ Leks
  - Watson Property
  - 12 Mile Buffer
  - 4 Mile Buffer
- ### Sage Grouse Habitat
- #### Habitat Type
- EO-Connectivity Area
  - EO-Core Area
  - EO-General Habitat
  - Not In EO Area

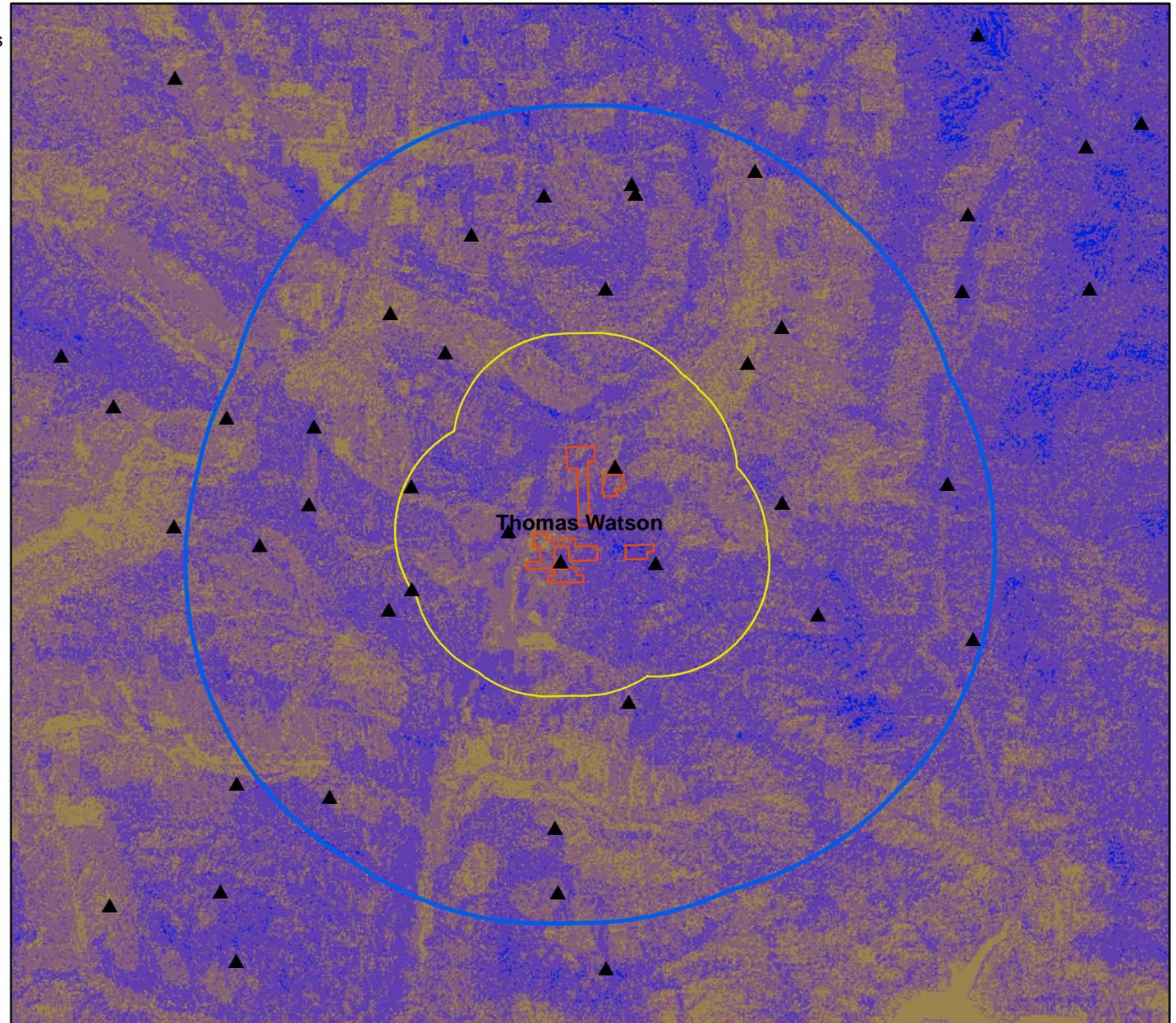
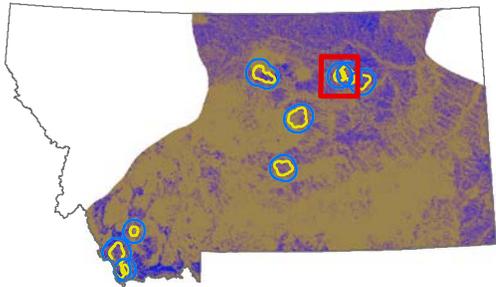
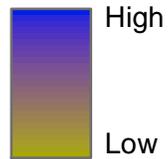


# Breeding Habitat Suitability Surrounding Thomas Watson Project Area

-  Project Area
-  Lek within 4 miles - buffered by 4 miles
-  12 Mile Buffer

 Leks

## Sage Grouse Breeding Habitat Suitability\*



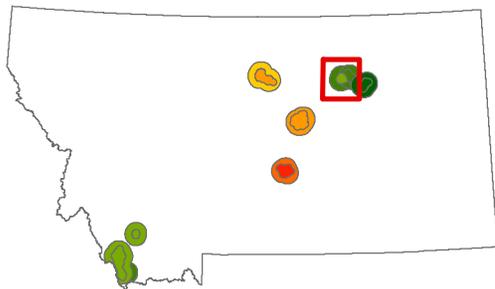
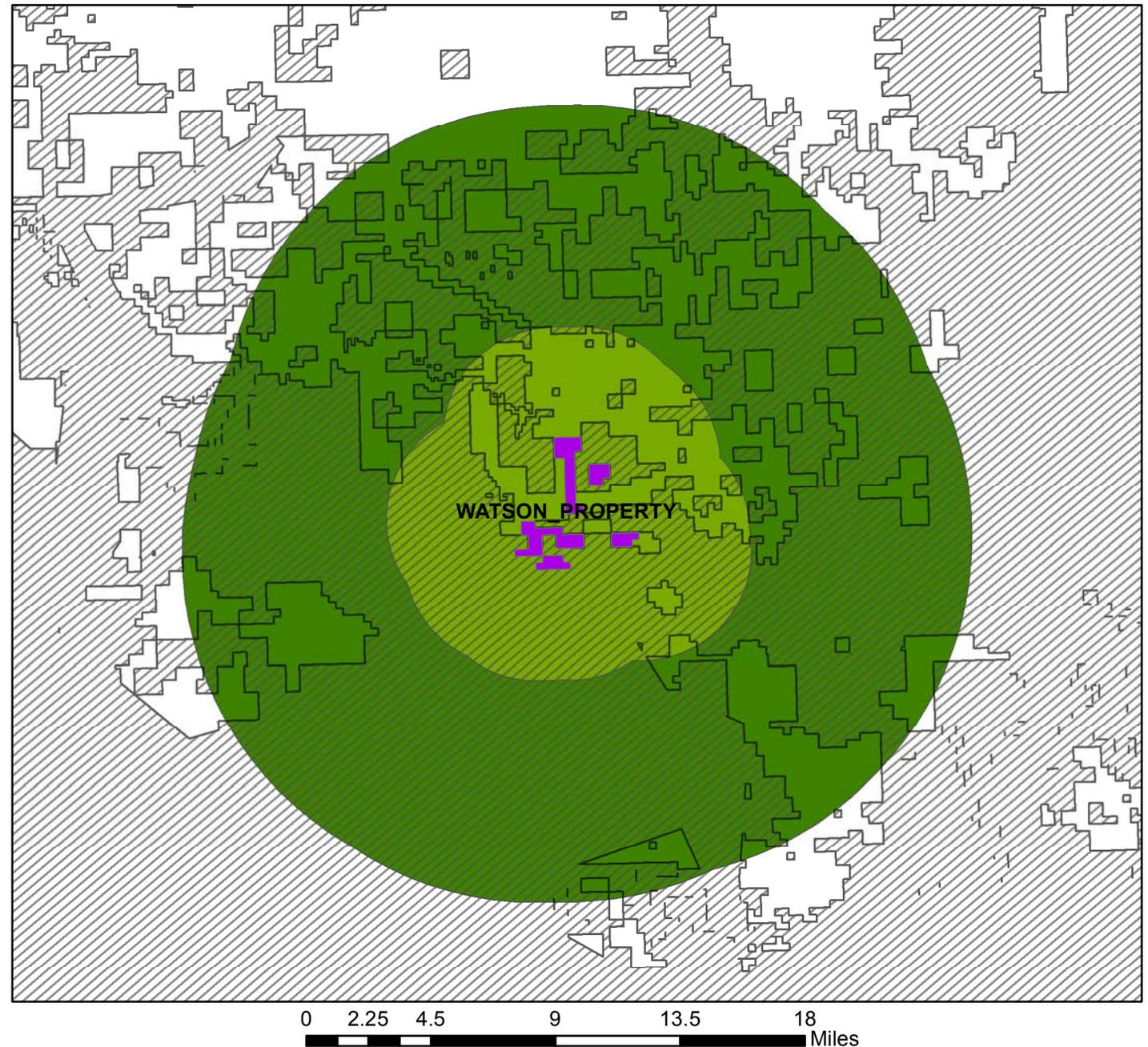
\*Doherty, Kevin E., Evans, Jeffrey S., Coates, Peter S., Juliusson, Lara M., Fedy, Brad, 2015, Importance of Regional Variation in Conservation Planning and Defining Thresholds for a Declining Species: A Range-wide Example of the Greater Sage-grouse, USFWS/USGS Technical Report 51 pp. Report available at: [https://www.researchgate.net/publication/292970319\\_Importance\\_of\\_Regional\\_Variation\\_in\\_Conservation\\_Planning\\_and\\_Defining\\_Thresholds\\_for\\_a\\_Declining\\_Species\\_A\\_Range-wide\\_Example\\_of\\_the\\_Greater\\_Sage-grouse](https://www.researchgate.net/publication/292970319_Importance_of_Regional_Variation_in_Conservation_Planning_and_Defining_Thresholds_for_a_Declining_Species_A_Range-wide_Example_of_the_Greater_Sage-grouse). Model available at <https://www.sciencebase.gov/catalog/item/56fd2296e4b0a6037df2feb6>.

# Percentage of Watson Project Area Buffers in Conserved Lands: Leks within 4 Miles of Project Area - Buffered by 4 Miles and 12 Mile Buffer Shown

-  Grant Projects
-  Conservation Lands

## Percent of Project Area in Conservation

-  0 - 10%
-  10.1 - 20 %
-  20.1 - 30%
-  30.1 - 40%
-  40.1 - 50%
-  50.1 - 60%
-  60.1 - 70%
-  70.1 - 80%
-  80.1 - 100 %



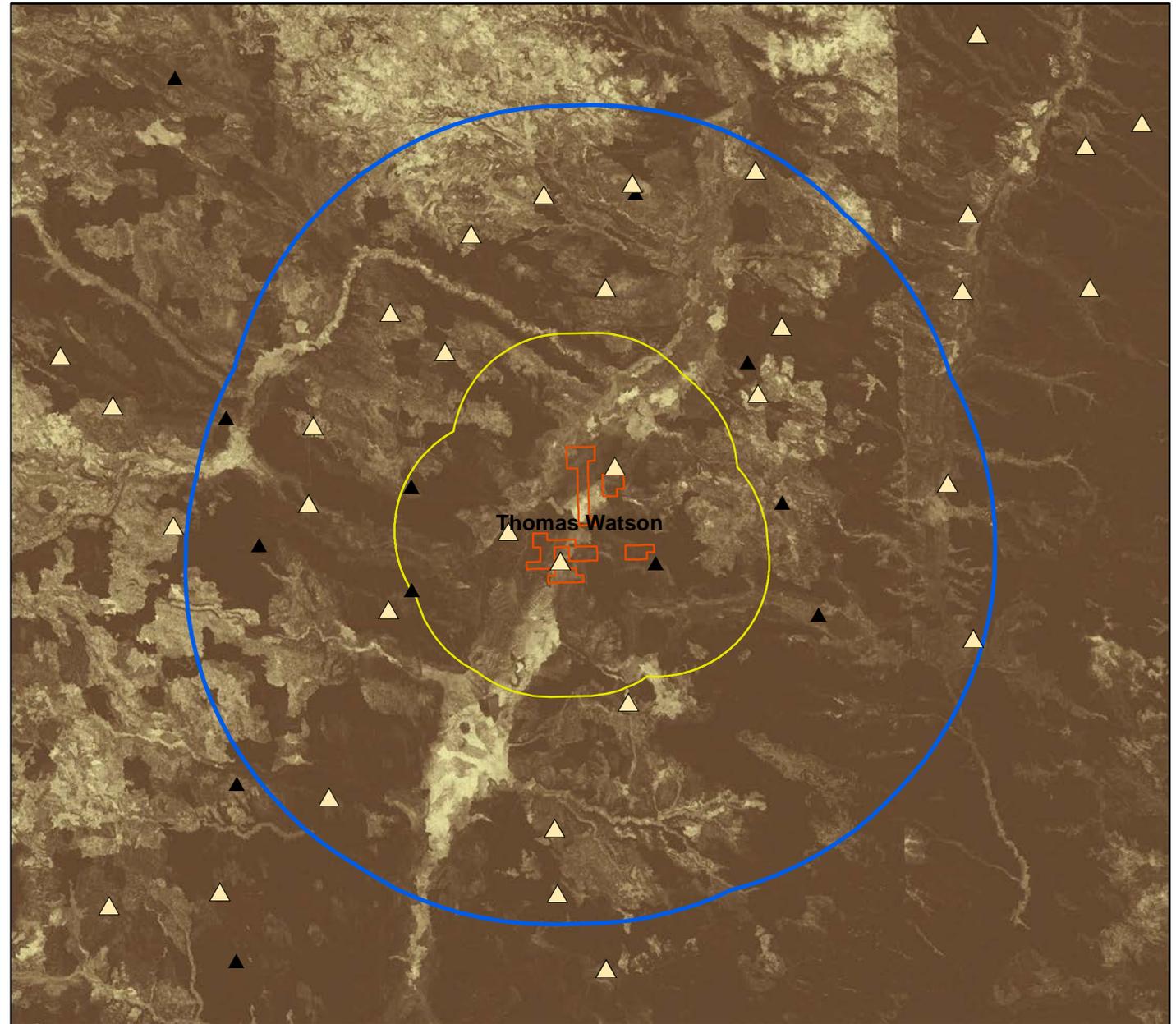
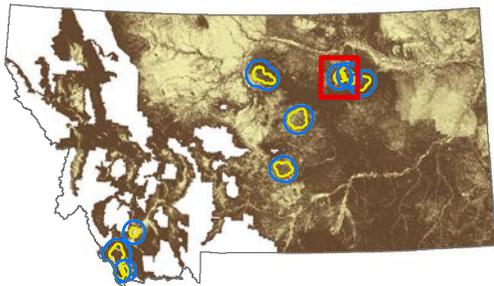
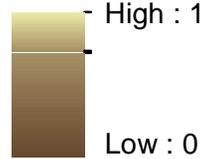
# Cultivation Risk and Lek Vulnerability Surrounding Thomas Watson Project Area

-  Project Area
-  Leks within 4 miles - buffered by 4 miles
-  12 Mile Buffer

## Lek Vulnerability\*

-  0% - 10%
-  10.1% - 25%
-  25.1% - 50%
-  50.1% - 75%
-  75.1% - 100%
-  No data available

## Cultivation Risk\*\*

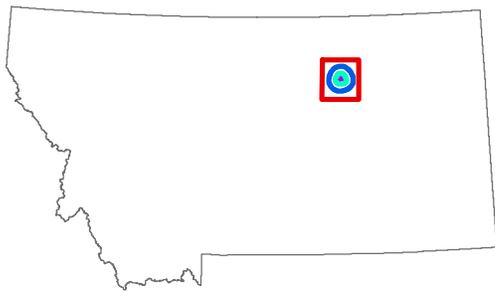
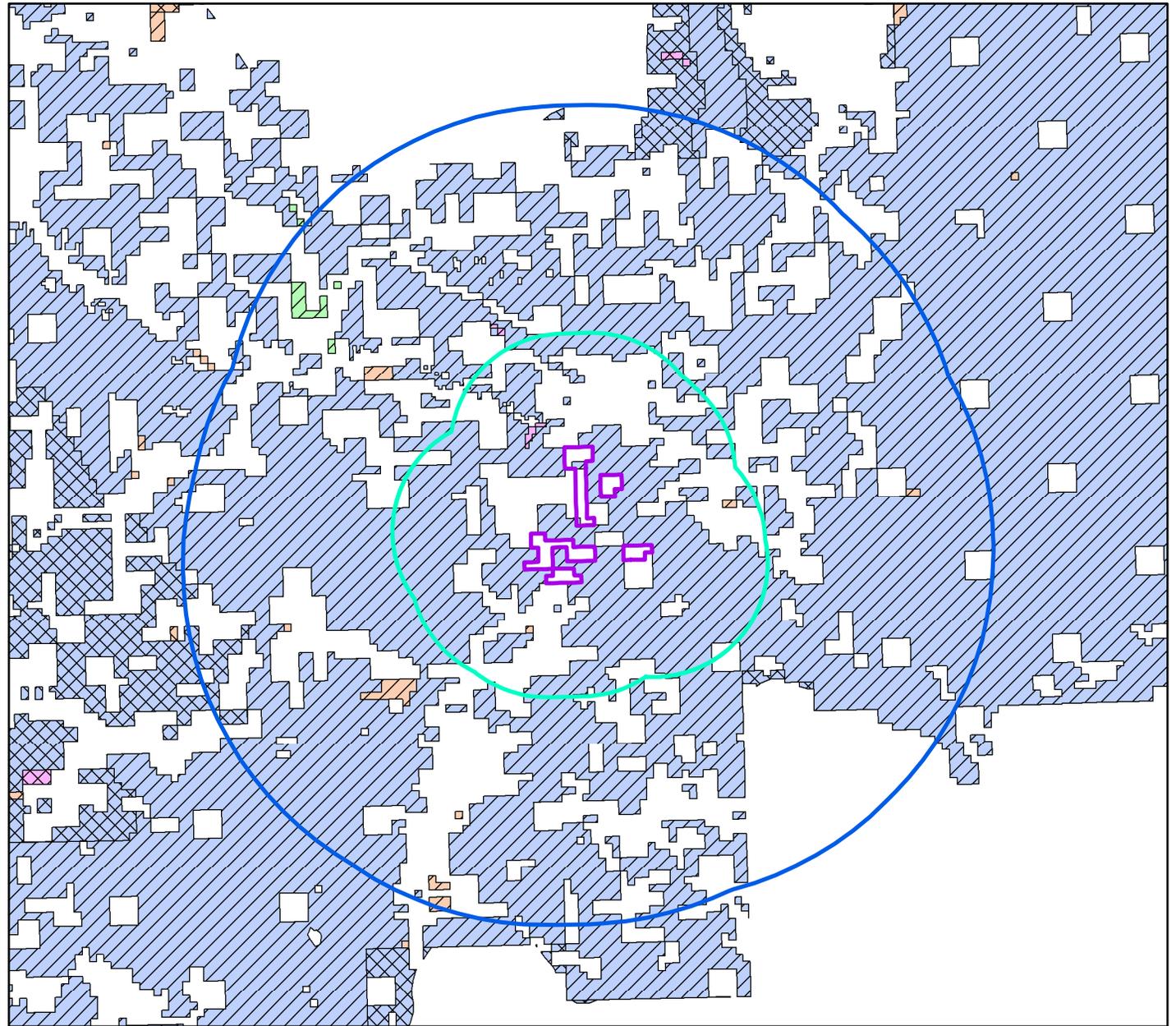


\*Lek vulnerability from Smith, J. T., Martin, B. H., Baruch-Mordo, S., Naugle, D. E., Evans, J. S., & Kiesecker, J. M. (2016). In review. Reducing cultivation risk for at-risk species: Predicting outcomes of conservation easements for sage-grouse.

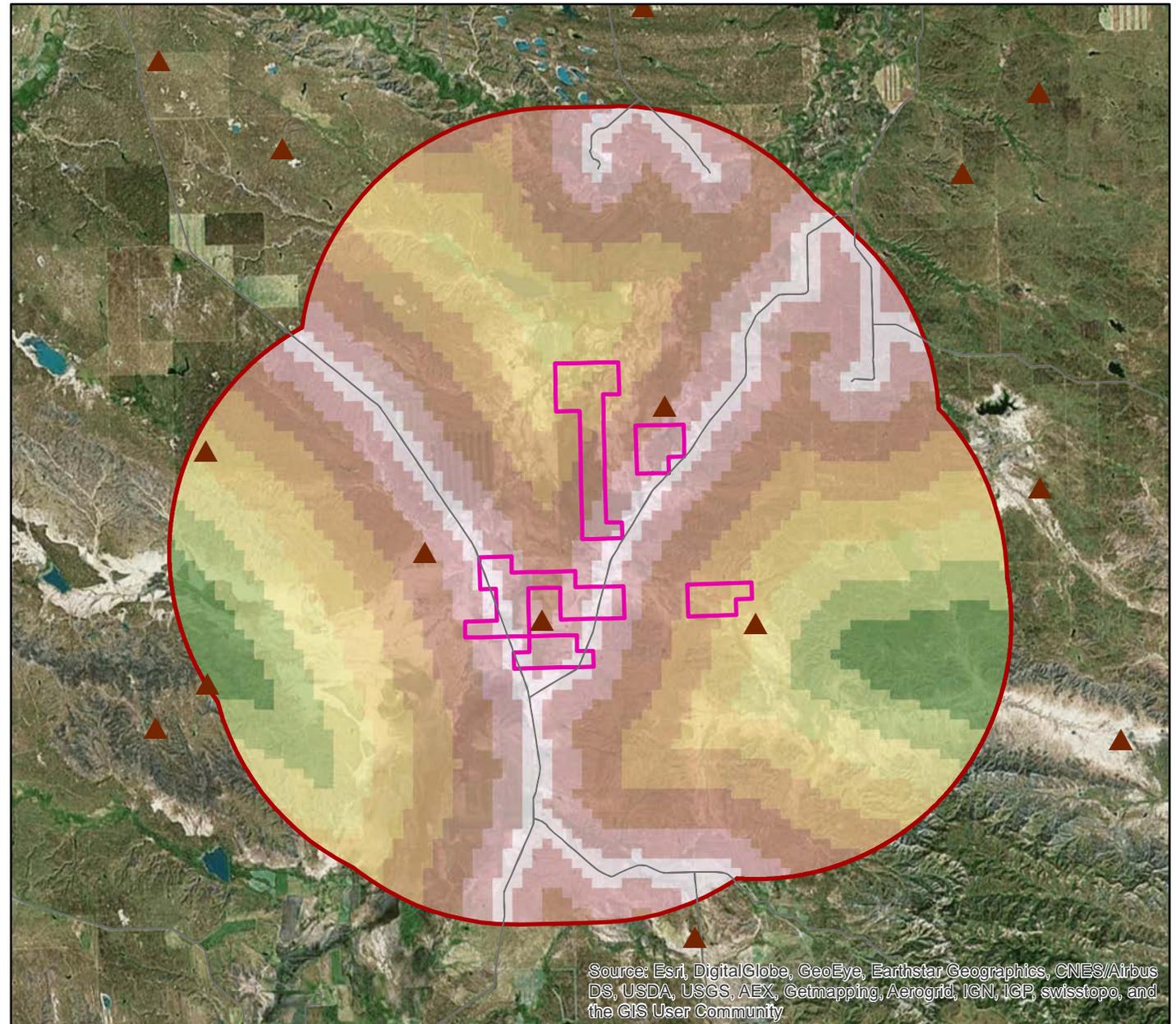
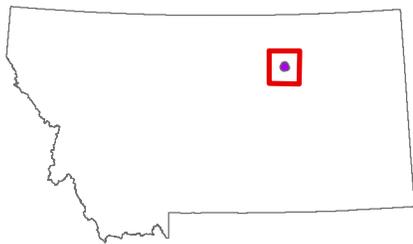
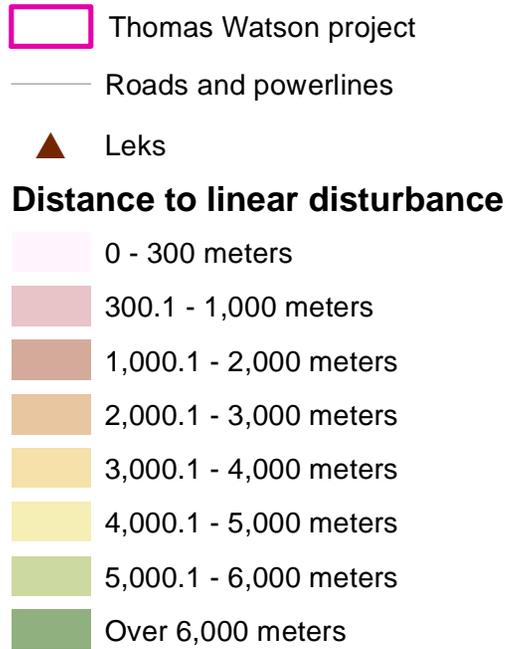
\*\* Natural Resource Conservation Service, Sage Grouse Initiative. Cultivation Risk Model: Suitability for cropping based on climate, soils, and topography to assess potential risk of cultivation to sage-grouse habitat. Available at: <http://map.sagegrouseinitiative.com/>

# BLM Subsurface Ownership Surrounding Thomas Watson

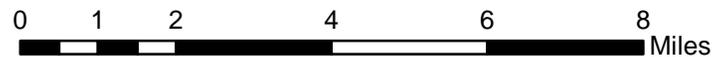
-  Project Area
  -  Leaks within 4 miles, buffered by 4 miles
  -  12 Mile Buffer
- BLM Habitat Management Areas**
-  General Habitat Management Area
  -  Priority Habitat Management Area
  -  Restoration Habitat Management Area
- Subsurface Ownership**
-  ALL: all subsurface combined
  -  COG: coal, oil & gas ownership combined
  -  O&G: oil & gas
  -  RST: Restricted; federal gov't owns a %



# Linear disturbance analysis for Thomas Watson Project Area : Leks within 4 miles, buffered by 4 miles



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

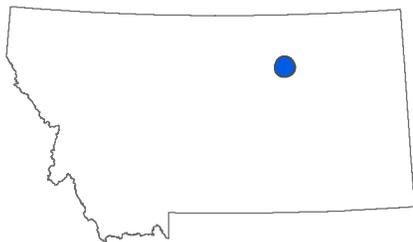


# Stream and Riparian Analyses for Thomas Watson Project Area

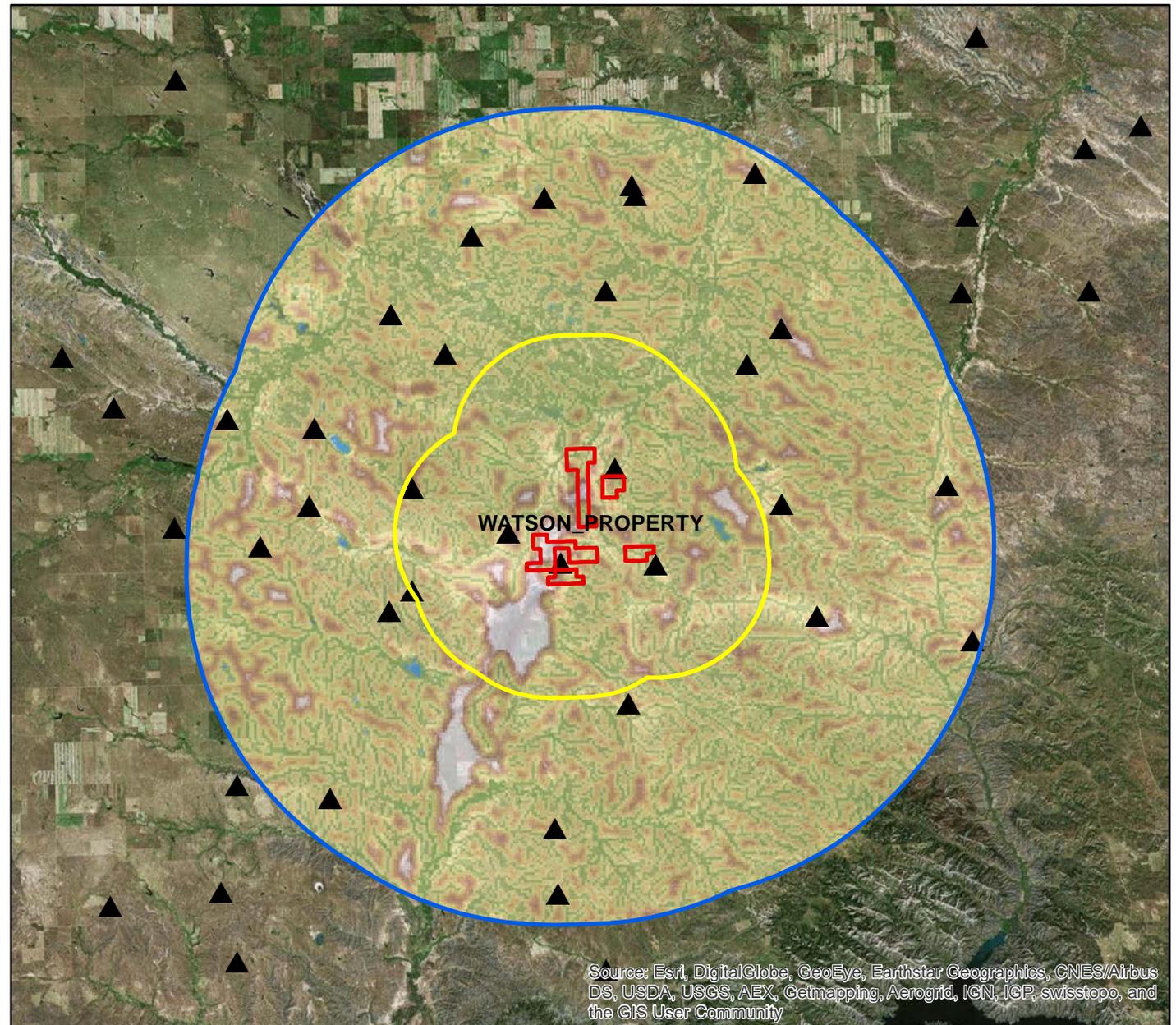
-  12 mile buffer
-  Leks within 4 miles buffered by 4 miles
-  Grant project area
-  Leks

## Distance to riparian area

-  Open Water
-  Under 75 m
-  75 - 165 m
-  165.1 - 250 m
-  250.1 - 350 m
-  350.1 - 500 m
-  500.1 - 650 m
-  650.1 - 750 m
-  Over 750 m



Stream density: 3.329378  
(Linear miles of stream square mile)



0 2.25 4.5 9 13.5 18 Miles

**Kelly and Tami Burke Ranch  
Conservation Easement  
Project Statistics**

Handout 9

**Project Information**

Project Name	KellyBurke
Acres	3786.345331
COUNTY1	VALLEY
COUNTY2	
GrantID	APRL_2016_3
ApplicantNameFirst	Brian
ApplicantNameLast	Martin
Agency_Org	The Nature Conservancy
ApplicantPhone	406-443-6733
ApplicantEmail	bmartin@tnc.org
ApplicantAddress	32 South Ewing, Helena, MT 59601
LandOwnerInfo	K & T Burke, PO Box 728, Glasgow, MT 59230
ProjectType	Easement
RequestAmnt	\$293,820
<b>Total MatchAmnt (NRCS cash in hand)</b>	<b>\$504,000</b>
Match Ratio (Stewardship Fund:Total Match)	37% state to 63% match (1:1.7)
Prjct_Duration	In perpetuity
Grant_Cycle	Cycle 1 - Spring 2016
Prjct_Status	<Null>
WAFWA_ZN	MZ I
FWP_Rgn	6

**NOTE: Yellow highlight corrects prior data.**

**Kelly and Tami Burke Ranch  
Conservation Easement  
Project Statistics**

**Project Analysis**

	Project Area	Project + 4 Mile Buffer	Project + 12 Mile Buffer	Project + 12 Mile Buffer
Total Acres	3786.35	113112.53	441517.77	441517.77
Core Acres	1138.55	44172.67	9612977.33	179087.06
General Acres	2647.79	55820.74	22979555.45	109456.19
Connectivity Acres	0	0	0	0
Outside Habitat	0	13119.11	61302900.68	152973.84
Percent Core	30.07	39.05	2177.26	40.56
FWP Lek Count (may be other leks present)	0	5	16	
FWP Total Male Count (Most Recent)	0	70	277	
FWP Avg. Male Count	0	14	17	
Project Cost/acre	77.60	No data	No data	
Reverse DDCT	No data	<Null>	No data	
Miles of linear riparian habitat/ mile <sup>2</sup>	2.46	3.25	3.25	

Conservation Status	Project Area	4 Mile Buffer (%)	12 Mile Buffer (%)
Percent Public	No data	78.90	79.70
Percent Private Conservation	No data	7.60	4.05
Percent Managed Areas	No data	11.57	32.19
Percent Conservation Easement	No data	7.60	4.11
Total in Conservation (some consv. areas overlap)	No data	86.75	93.24
Not in Conservation	No data	13.25	6.76

Lek Vulnerability	Project Area	4 Mile Buffer	12 Mile Buffer
0-10%	0	5	16
10.1-25%	0	0	0
25.1-50%	0	0	0
50.1-75%	0	0	0
75.1-100%	0	0	0

**Other Notes:**

Application includes request for funds to restore 547 acres of cropland to native sagebrush-grassland within proposed easement. Restoration work done 2016-2017. Landowner also working with NRCS & BLM to improve grazing management on the ranch and adjoining BLM allotments held by the Burke's (~ 14,500 additional acres). See Figure 2: Lek Breeding Density. Proposed easement about 13 miles away from Kelly and Tami Burke proposed easement. Intervening lands are protected by FWP easements or public lands. Closing anticipated min-November 2016.

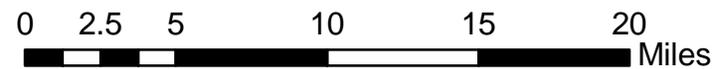
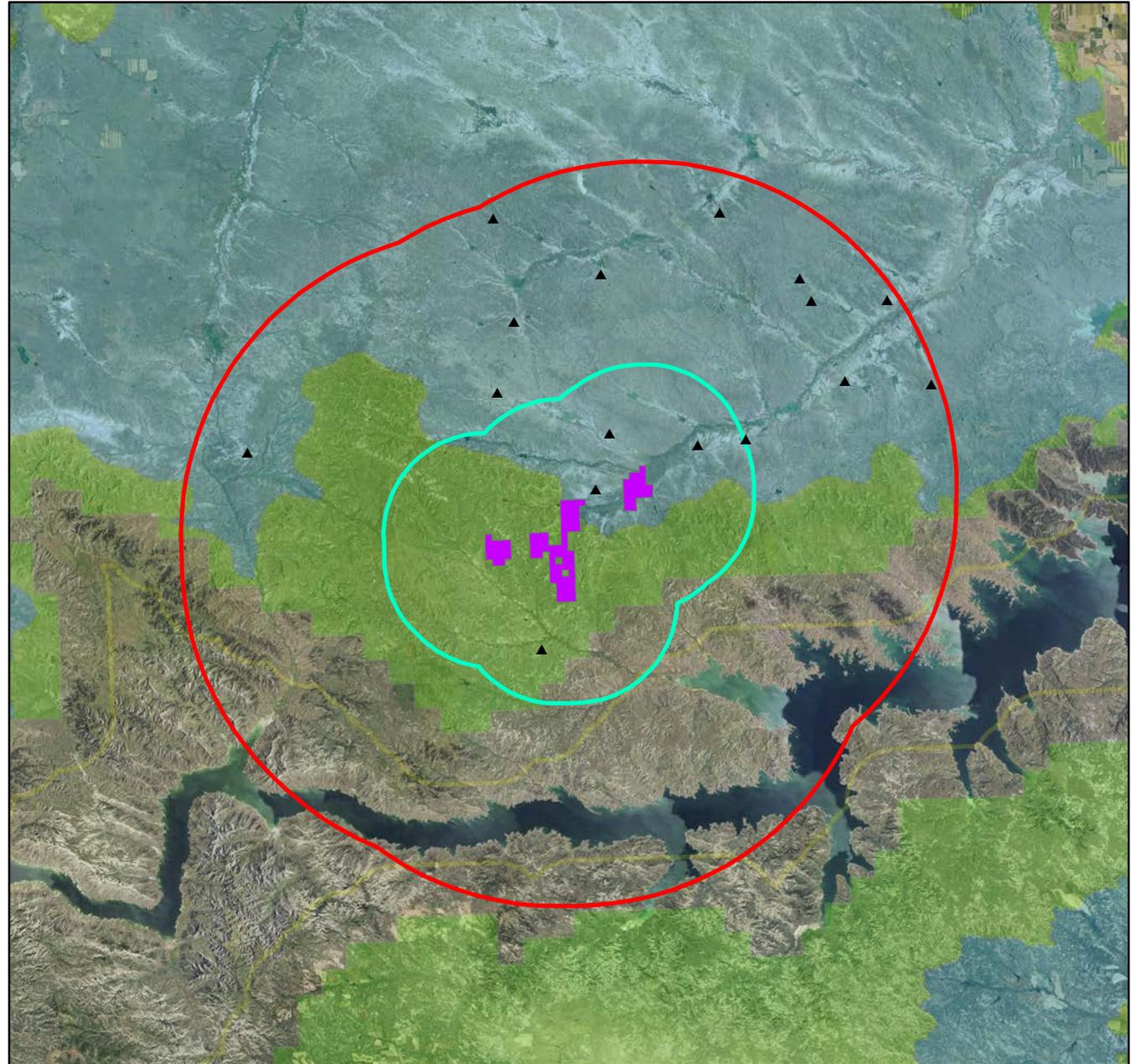
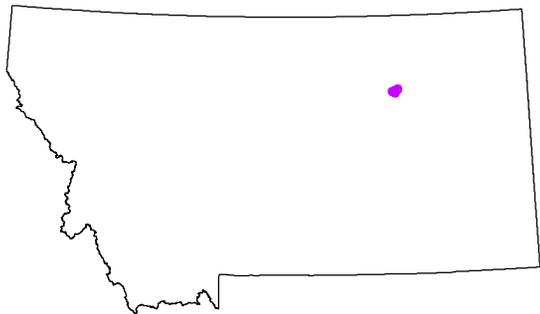
# Sage Grouse Habitat Conservation Program Kelly Burke Grant Application

## Legend

- ▲ Leks
- Kelly Burke Property
- 4 Mile Buffer
- 12 Mile Buffer

## Sage Grouse Habitat Habitat Type

- EO-Connectivity Area
- EO-Core Area
- EO-General Habitat
- Not In EO Area

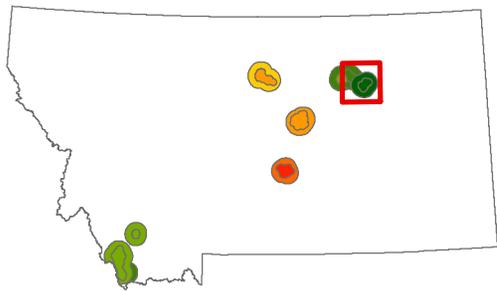
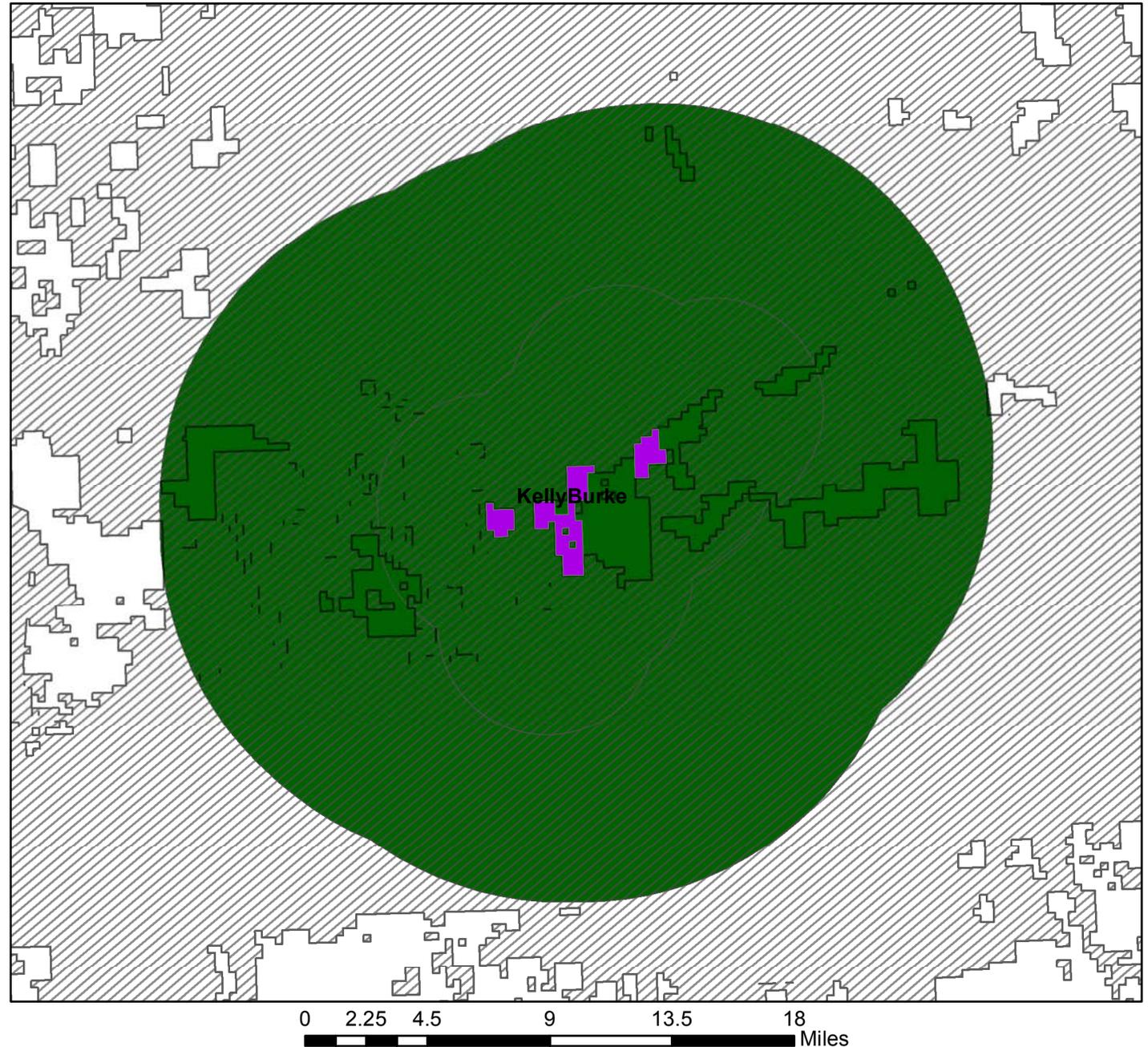


# Percentage of Kelly Burke Project Area Buffers in Conserved Lands: Leks within 4 Miles of Project Area - Buffered by 4 Miles and 12 Mile Buffer Shown

-  Grant Projects
-  Conservation Lands

## Percent of Project Area in Conservation

-  0 - 10%
-  10.1 - 20 %
-  20.1 - 30%
-  30.1 - 40%
-  40.1 - 50%
-  50.1 - 60%
-  60.1 - 70%
-  70.1 - 80%
-  80.1 - 100 %

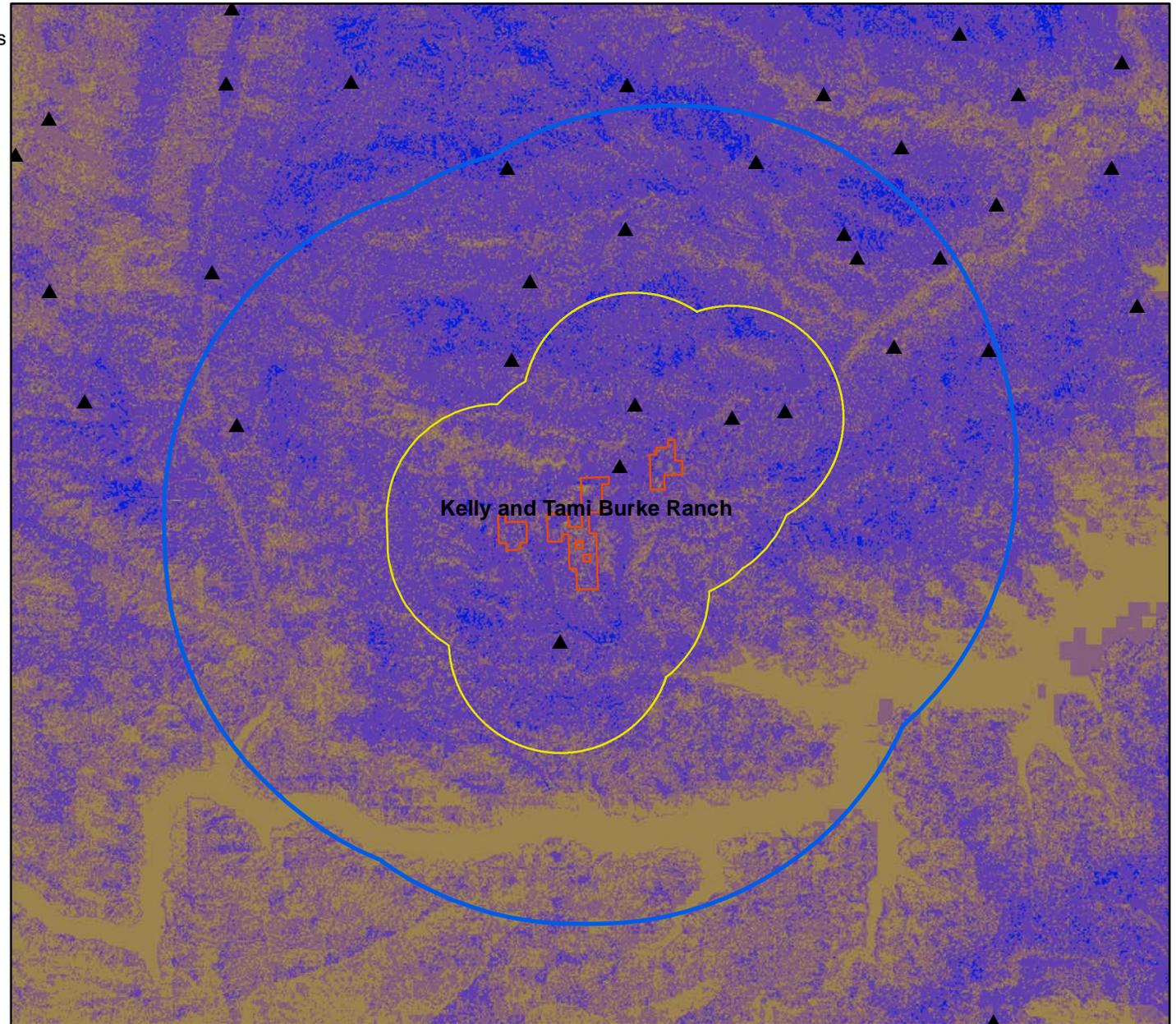
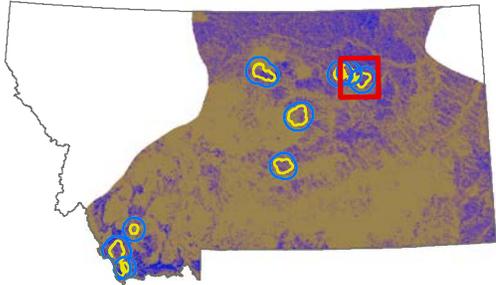
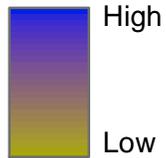


# Breeding Habitat Suitability Surrounding Kelly and Tami Burke Ranch Project Area

-  Project Area
-  Leks within 4 miles - buffered by 4 miles
-  12 Mile Buffer

 Leks

## Sage Grouse Breeding Habitat Suitability\*



\*Doherty, Kevin E., Evans, Jeffrey S., Coates, Peter S., Juliusson, Lara M., Fedy, Brad, 2015, Importance of Regional Variation in Conservation Planning and Defining Thresholds for a Declining Species: A Range-wide Example of the Greater Sage-grouse, USFWS/USGS Technical Report 51 pp. Report available at: [https://www.researchgate.net/publication/292970319\\_Importance\\_of\\_Regional\\_Variation\\_in\\_Conservation\\_Planning\\_and\\_Defining\\_Thresholds\\_for\\_a\\_Declining\\_Species\\_A\\_Range-wide\\_Example\\_of\\_the\\_Greater\\_Sage-grouse](https://www.researchgate.net/publication/292970319_Importance_of_Regional_Variation_in_Conservation_Planning_and_Defining_Thresholds_for_a_Declining_Species_A_Range-wide_Example_of_the_Greater_Sage-grouse). Model available at <https://www.sciencebase.gov/catalog/item/56fd2296e4b0a6037df2feb6>.

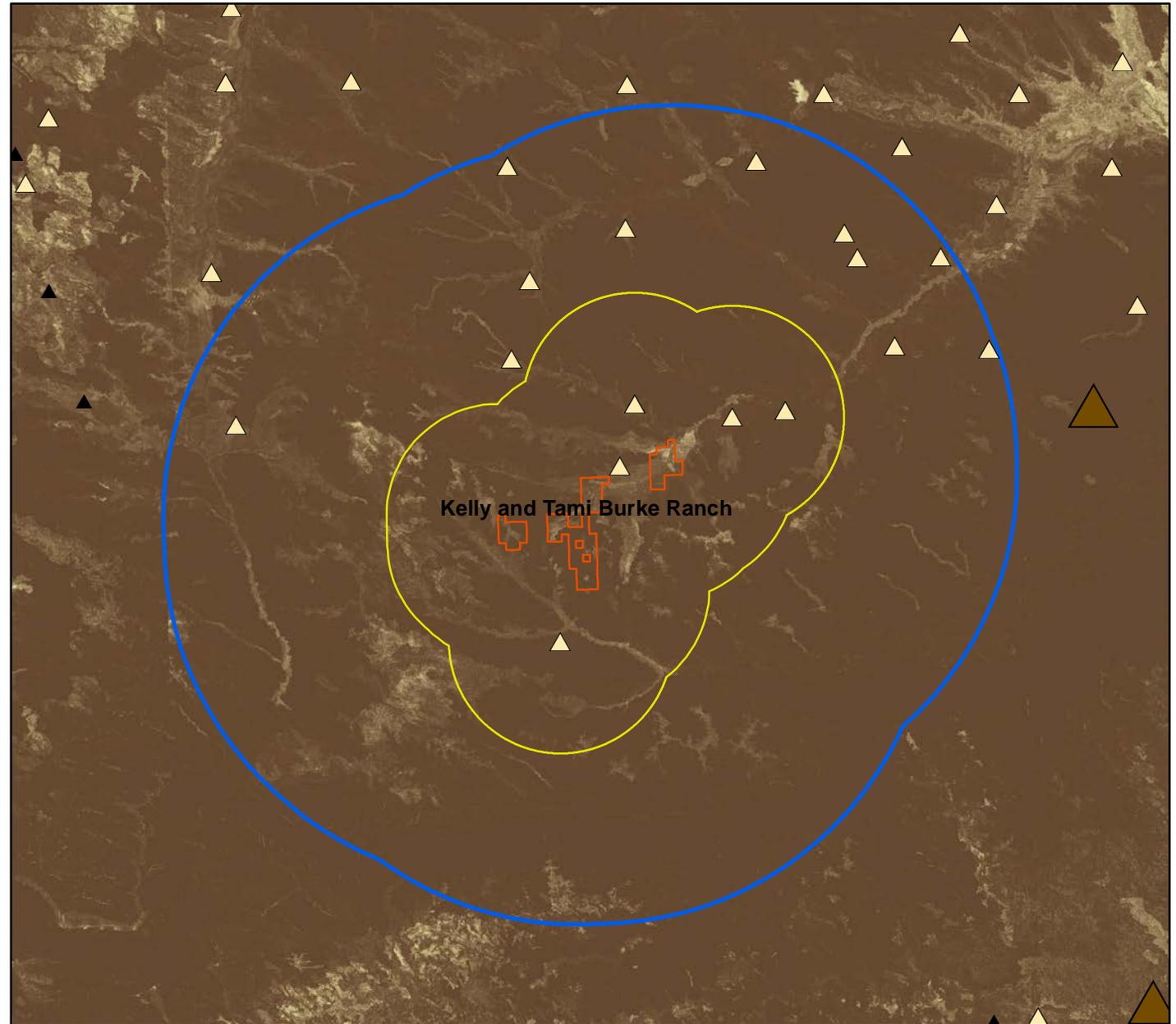
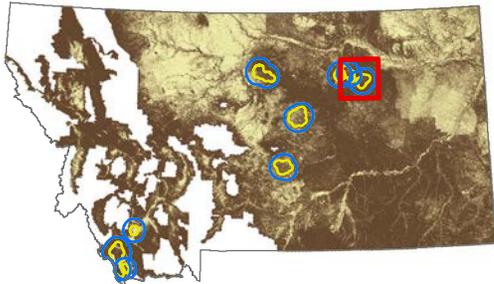
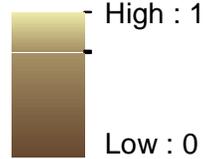
# Cultivation Risk and Lek Vulnerability Surrounding Kelli and Tami Burke Ranch Project Area

-  Project Area
-  Leks within 4 miles - buffered by 4 miles
-  12 Mile Buffer

## Lek Vulnerability\*

-  0% - 10%
-  10.1% - 25%
-  25.1% - 50%
-  50.1% - 75%
-  75.1% - 100%
-  No data available

## Cultivation Risk\*\*

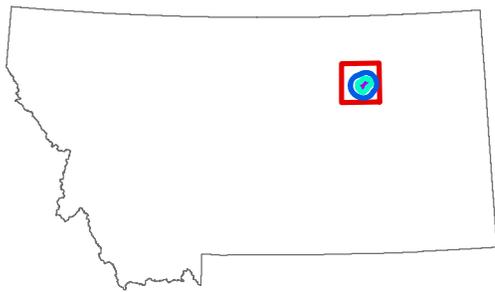
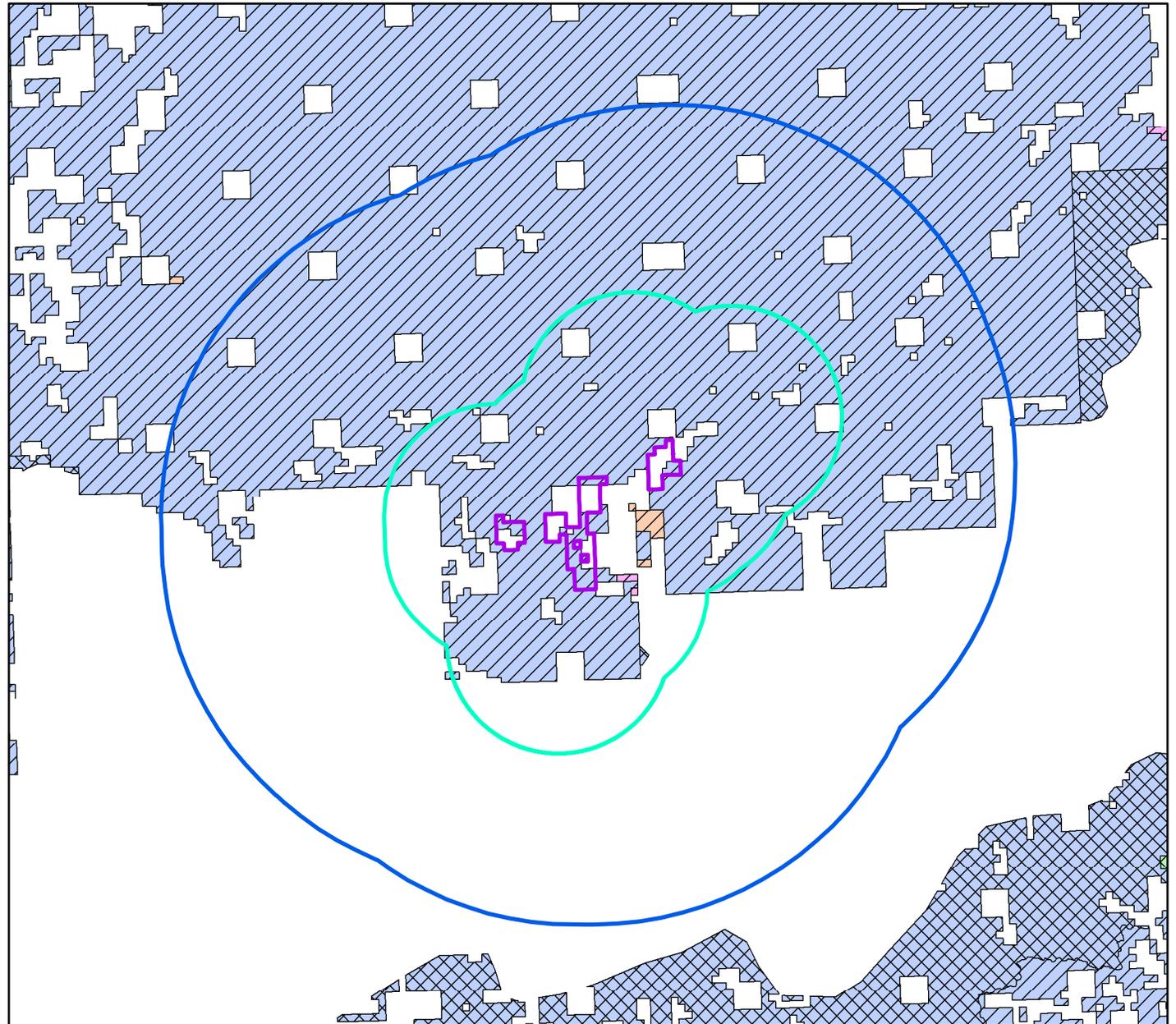


\*Lek vulnerability from Smith, J. T., Martin, B. H., Baruch-Mordo, S., Naugle, D. E., Evans, J. S., & Kiesecker, J. M. (2016). In review. Reducing cultivation risk for at-risk species: Predicting outcomes of conservation easements for sage-grouse.

\*\* Natural Resource Conservation Service, Sage Grouse Initiative. Cultivation Risk Model: Suitability for cropping based on climate, soils, and topography to assess potential risk of cultivation to sage-grouse habitat. Available at: <http://map.sagegrouseinitiative.com/>

# BLM Subsurface Ownership Surrounding Kelly and Tami Burke Ranch

-  Project Area
  -  Leaks within 4 miles, buffered by 4 miles
  -  12 Mile Buffer
- BLM Habitat Management Areas**
-  General Habitat Management Area
  -  Priority Habitat Management Area
  -  Restoration Habitat Management Area
- Subsurface Ownership**
-  ALL: all subsurface combined
  -  COG: coal, oil & gas ownership combined
  -  O&G: oil & gas
  -  RST: Restricted; federal gov't owns a %



# Linear disturbance analysis for Kelly and Tami Burke Ranch Project Area : Leks within 4 miles, buffered by 4 miles

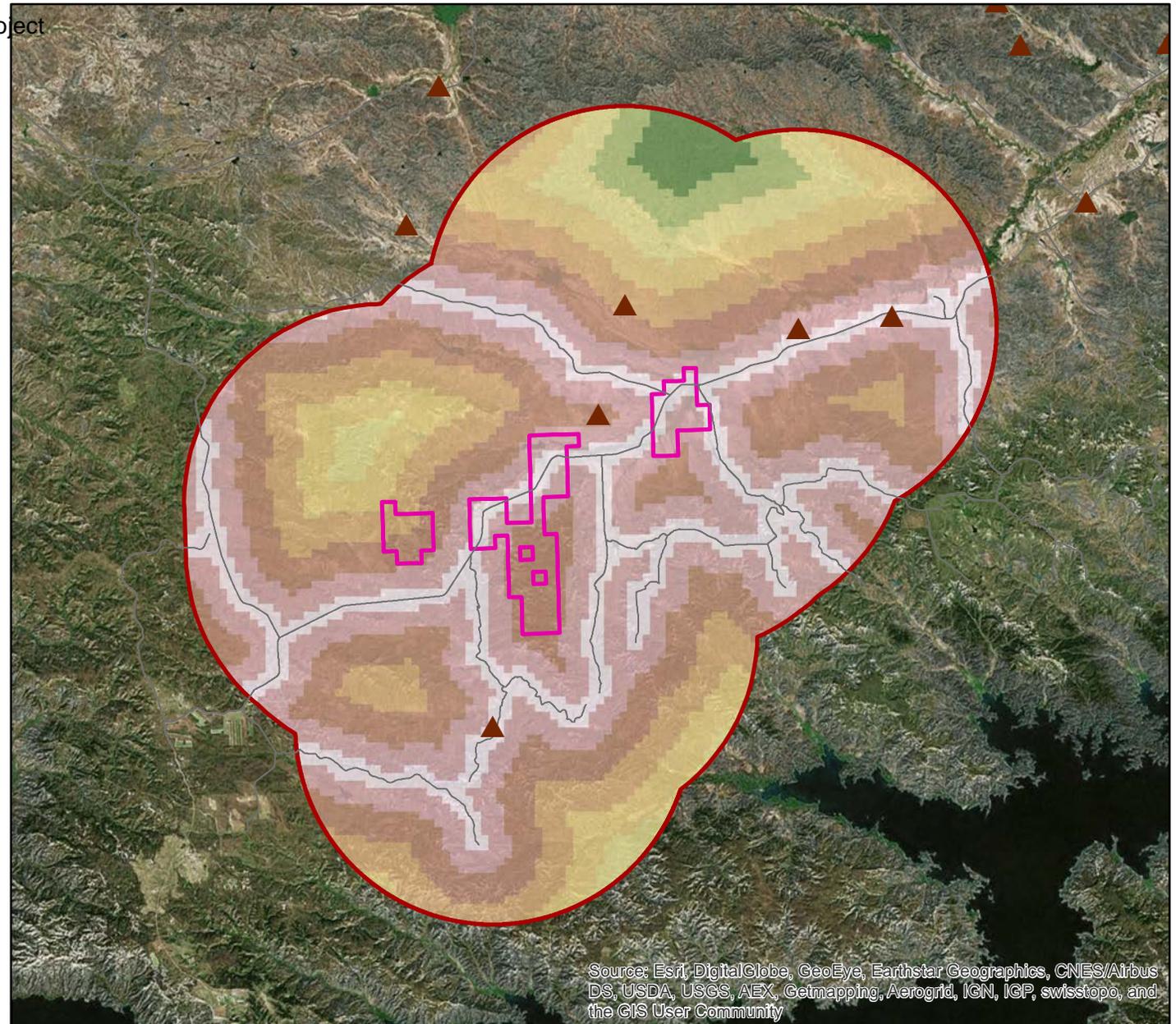
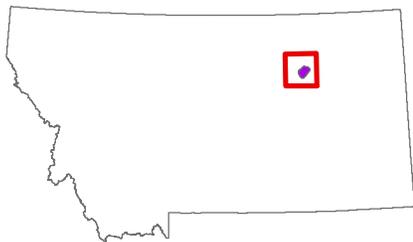
 Kelly and Tami Burke Ranch project

 Roads and powerlines

 Leks

## Distance to linear disturbance

-  0 - 300 meters
-  300.1 - 1,000 meters
-  1,000.1 - 2,000 meters
-  2,000.1 - 3,000 meters
-  3,000.1 - 4,000 meters
-  4,000.1 - 5,000 meters
-  5,000.1 - 6,000 meters
-  Over 6,000 meters



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

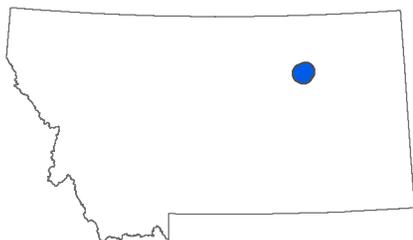
0 1.25 2.5 5 7.5 10 Miles

# Stream and Riparian Analyses for Kelly and Tami Burke Ranch Project Area

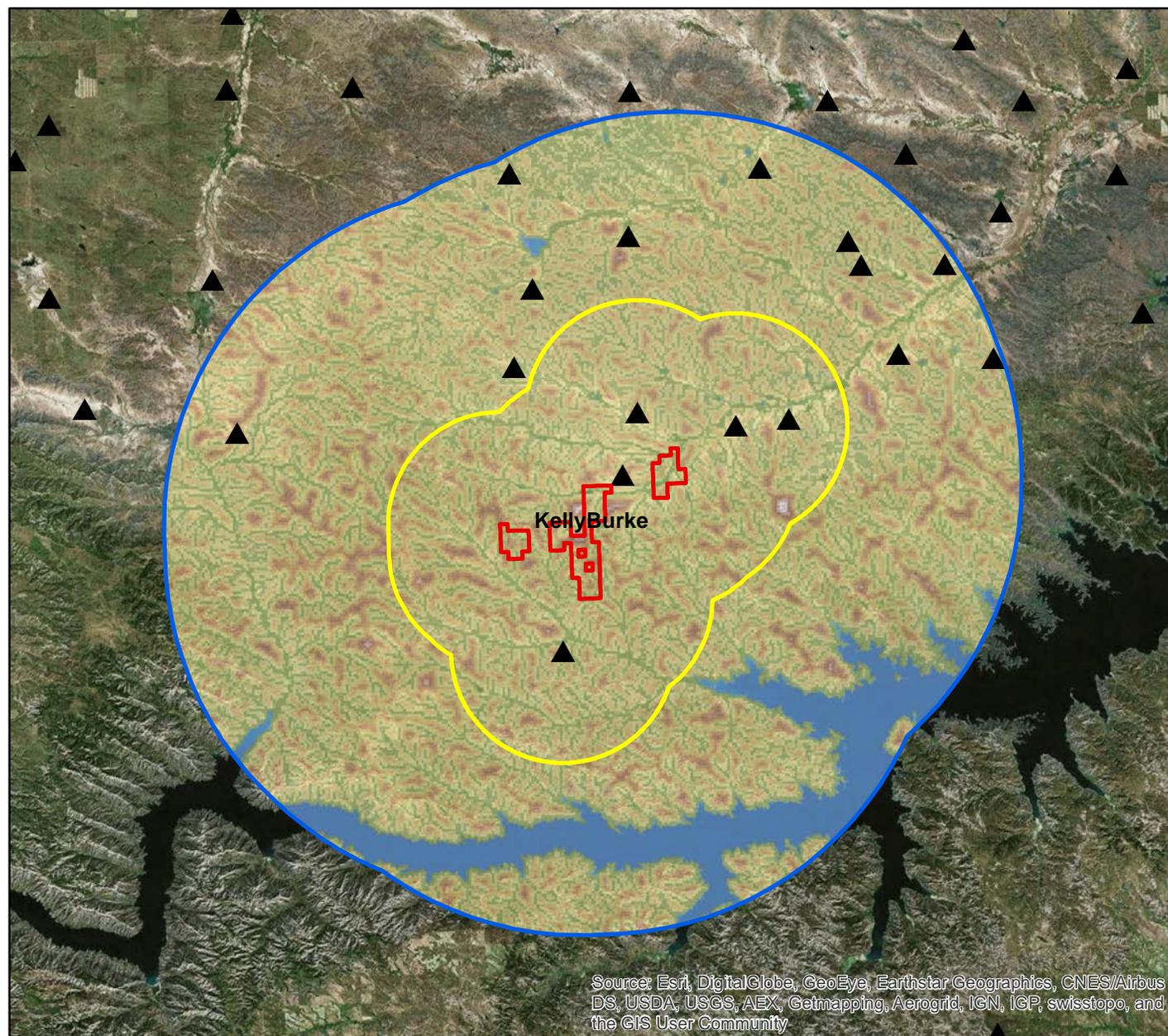
-  12 mile buffer
-  Leks within 4 miles buffered by 4 miles
-  Grant project area
-  Leks

## Distance to riparian area

-  Open Water
-  Under 75 m
-  75 - 165 m
-  165.1 - 250 m
-  250.1 - 350 m
-  350.1 - 500 m
-  500.1 - 650 m
-  650.1 - 750 m
-  Over 750 m



Stream density: 3.246079  
(Linear miles of stream square mile)



0 2.25 4.5 9 13.5 18 Miles

**Weaver Cattle Company  
Conservation Easements  
Project Statistics**

Handout 9

**Project Information**

<b>Project Name</b>	WEAVER_CATTLE_CO
<b>Acres</b>	9870.909089
<b>COUNTY1</b>	CHOUTEAU
<b>COUNTY2</b>	BLAINE
<b>GrantID</b>	APRL_2016_4
<b>ApplicantNameFirst</b>	Kendall
<b>ApplicantNameLast</b>	Van Dyk
<b>Agency_Org</b>	The Montana Land Reliance
<b>ApplicantPhone</b>	406-443-7027
<b>ApplicantEmail</b>	kendall@mtlandreliance.org
<b>ApplicantAddress</b>	324 Fuller Ave/PO Box 355, Helena MT 59624
<b>LandOwnerInfo</b>	S & N Weaver, PO Box 589, BigSandy, MT 59520
<b>ProjectType</b>	Easement
<b>RequestAmnt</b>	\$787,680
<b>MatchAmnt (NRCS ALE committed)</b>	\$2,363,040
<b>Landowner Donation Match</b>	\$59,600
<b>Match Ratio (Stewardship Fund:Total Match)</b>	25% state to 75% match (1:3)
<b>Prjct_Duration</b>	In perpetuity
<b>Grant_Cycle</b>	Cycle 1 - Spring 2016
<b>Prjct_Status</b>	<Null>
<b>WAFWA_ZN</b>	MZ I
<b>FWP_Rgn</b>	6

**Weaver Cattle Company  
Conservation Easements  
Project Statistics**

**Project Analysis**

	Project Area	Project + 4 Mile Buffer	Project + 12 Mile Buffer
Total Acres	9870.91	182203.85	613030.65
Core Acres	0	0	0
General Acres	9870.91	174497.06	423807.55
Connectivity Acres	0	0	0
Outside Habitat	0	7706.79	189223.10
Percent Core	0	0	0
FWP Lek Count (may be other leks present)	0	15	21
FWP Total Male Count (Most Recent)	0	125	185
FWP Avg. Male Count	0	8	9
Project Cost/acre	79.80	No data	No data
Reverse DDCT	No data	<Null>	No data
Miles of linear riparian habitat/ mile <sup>2</sup>	5.76	4.57	3.85

Conservation Status	Project Area	4 Mile Buffer (%)	12 Mile Buffer (%)
Percent Public	No data	21.21	24.55
Percent Private Conservation	No data	0.00	0.00
Percent Managed Areas	No data	0.23	11.83
Percent Conservation Easement	No data	0.00	0.00
Total in Conservation (some consv. areas overlap)	No data	21.21	30.57
Not in Conservation	No data	78.79	69.43

Lek Vulnerability	Project Area	4 Mile Buffer	12 Mile Buffer
0-10%	0	11	15
10.1-25%	0	0	0
25.1-50%	0	0	0
50.1-75%	0	0	0
75.1-100%	0	1	2

**Other Notes:**

Two larger proposed easement parcels connect large BLM parcels. Smaller proposed parcels surrounded or nearly surrounded by BLM or DNRC lands. Landowner intends to restore 1,500 acres of cropland into native grassland. See Figures in application. Anticipate closing by December, 2017.

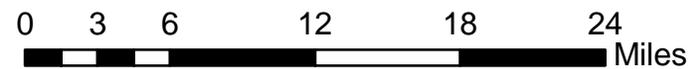
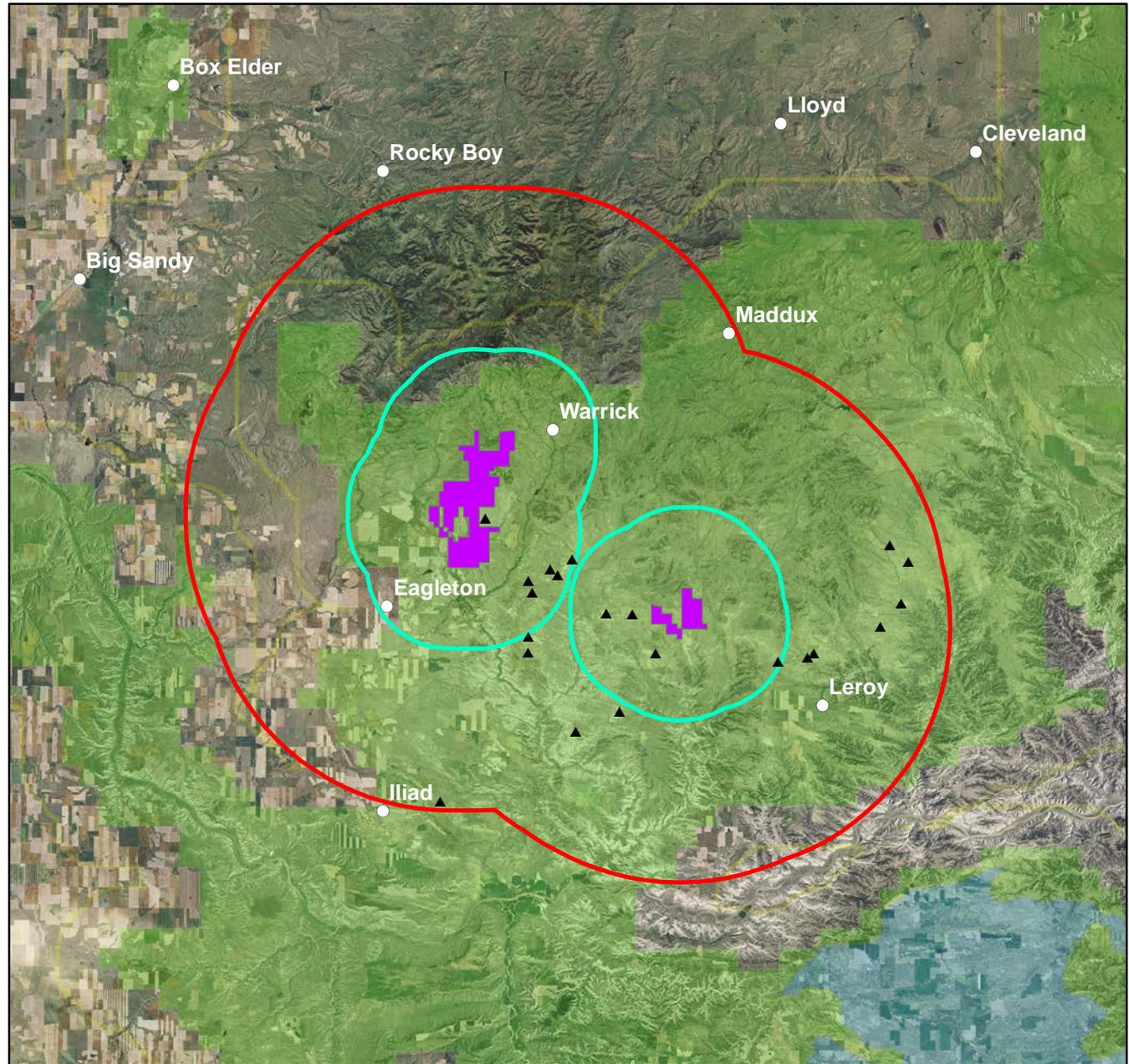
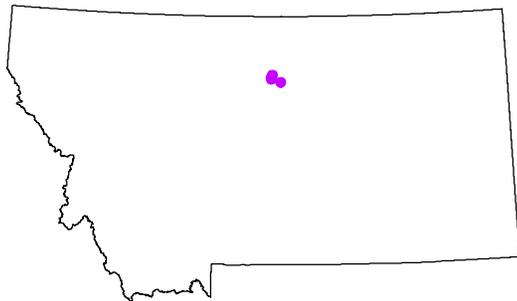
# Sage Grouse Habitat Conservation Program Weaver Cattle Company Grant Application

## Legend

- ▲ Leks
- Weaver Property
- 4 Mile Buffer
- 12 Mile Buffer

## Sage Grouse Habitat Habitat Type

- EO-Connectivity Area
- EO-Core Area
- EO-General Habitat
- Not In EO Area

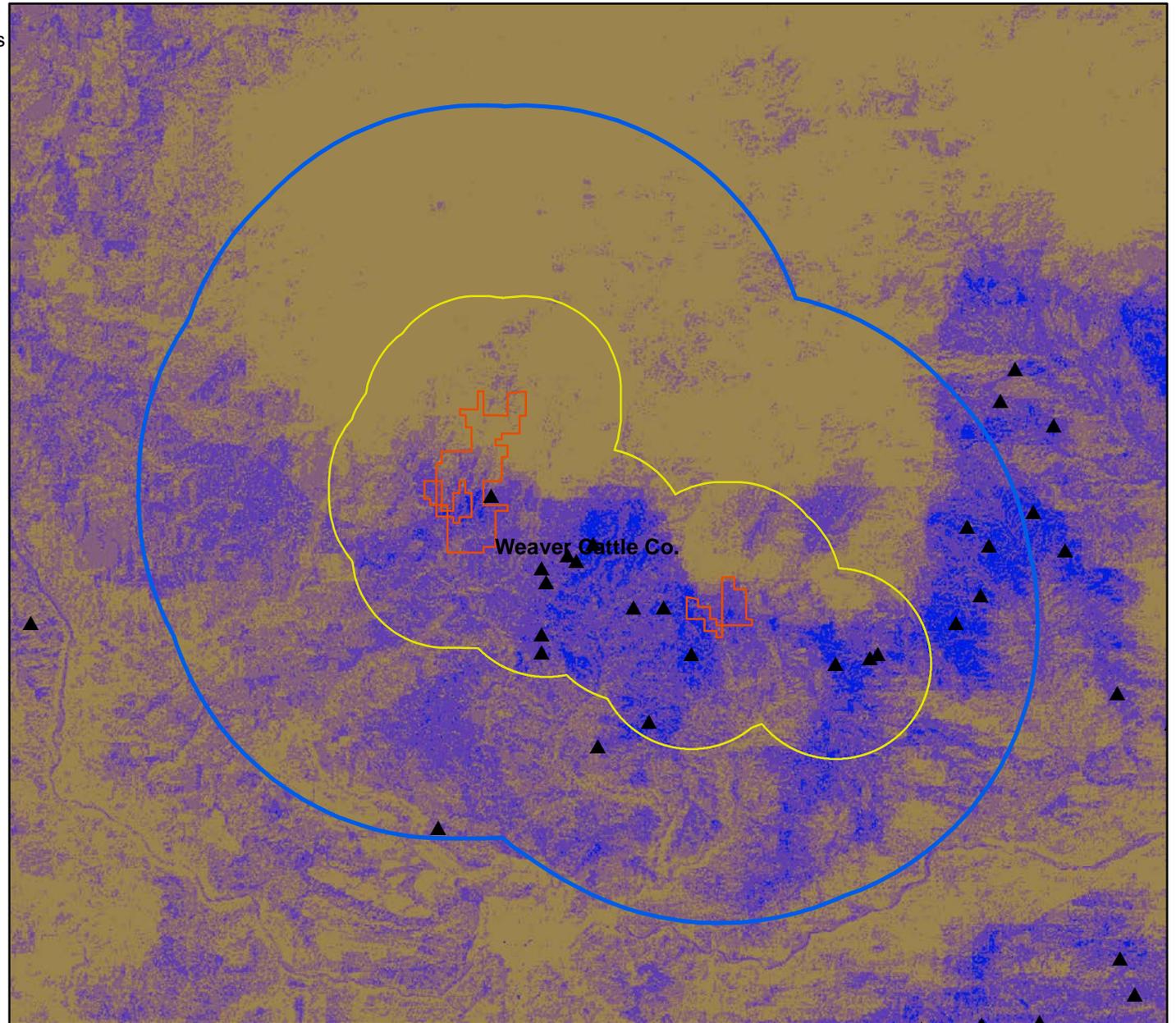
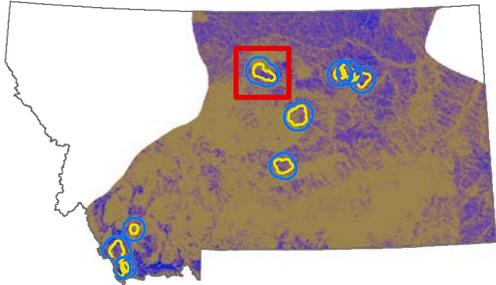
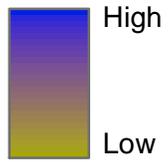


# Breeding Habitat Suitability Surrounding Weaver Cattle Co. Project Area

-  Project Area
-  Leks within 4 miles - buffered by 4 miles
-  12 Mile Buffer

 Leks

## Sage Grouse Breeding Habitat Suitability\*



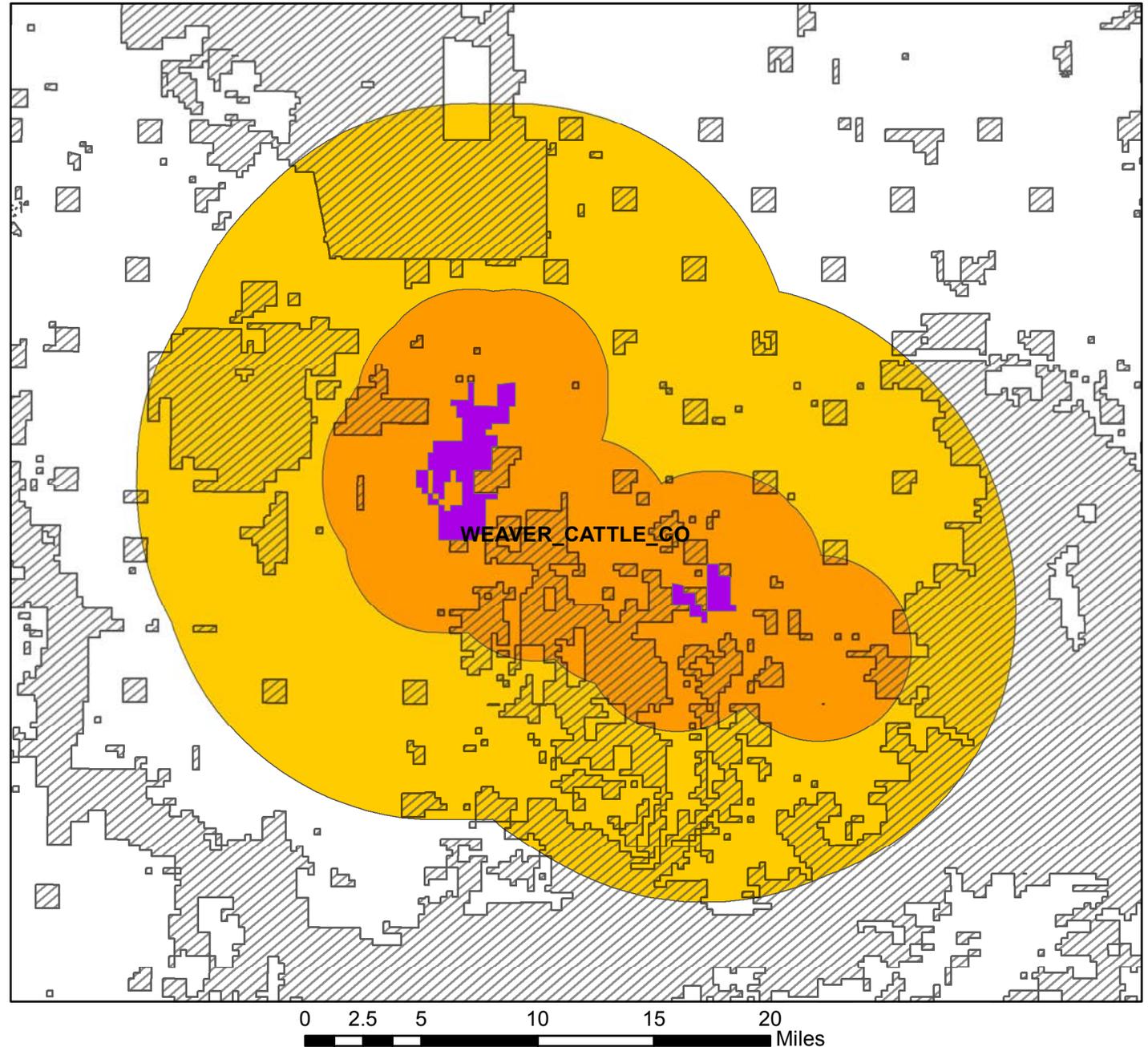
\*Doherty, Kevin E., Evans, Jeffrey S., Coates, Peter S., Juliusson, Lara M., Fedy, Brad, 2015, Importance of Regional Variation in Conservation Planning and Defining Thresholds for a Declining Species: A Range-wide Example of the Greater Sage-grouse, USFWS/USGS Technical Report 51 pp. Report available at: [https://www.researchgate.net/publication/292970319\\_Importance\\_of\\_Regional\\_Variation\\_in\\_Conservation\\_Planning\\_and\\_Defining\\_Thresholds\\_for\\_a\\_Declining\\_Species\\_A\\_Range-wide\\_Example\\_of\\_the\\_Greater\\_Sage-grouse](https://www.researchgate.net/publication/292970319_Importance_of_Regional_Variation_in_Conservation_Planning_and_Defining_Thresholds_for_a_Declining_Species_A_Range-wide_Example_of_the_Greater_Sage-grouse). Model available at <https://www.sciencebase.gov/catalog/item/56fd2296e4b0a6037df2feb6>.

# Percentage of Weaver Cattle Project Area Buffers in Conserved Lands: Leks within 4 Miles of Project Area - Buffered by 4 Miles and 12 Mile Buffer Show

-  Grant Projects
-  Conservation Lands

## Percent of Project Area in Conservation

-  0 - 10%
-  10.1 - 20 %
-  20.1 - 30%
-  30.1 - 40%
-  40.1 - 50%
-  50.1 - 60%
-  60.1 - 70%
-  70.1 - 80%
-  80.1 - 100 %



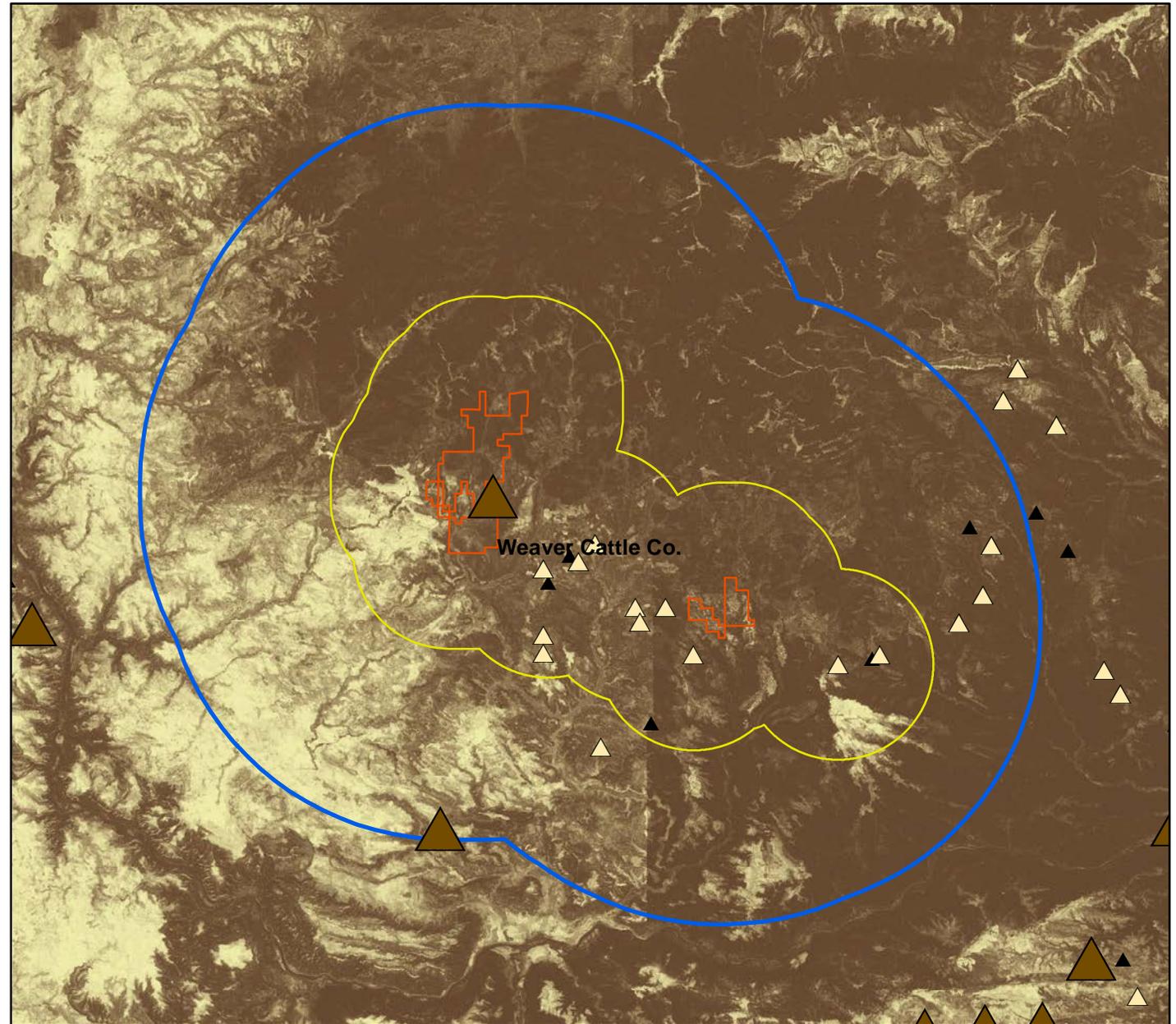
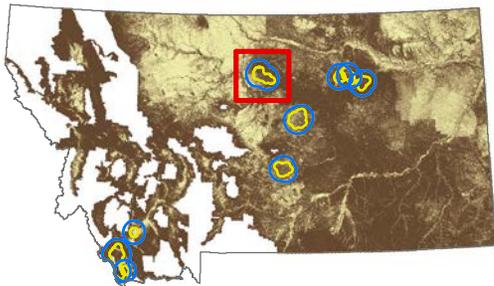
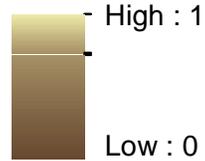
# Cultivation Risk and Lek Vulnerability in Surrounding Weaver Cattle Co. Project Area

-  Project Area
-  Leks within 4 miles - buffered by 4 miles
-  12 Mile Buffer

## Lek Vulnerability\*

-  0% - 10%
-  10.1% - 25%
-  25.1% - 50%
-  50.1% - 75%
-  75.1% - 100%
-  No data available

## Cultivation Risk\*\*



\*Lek vulnerability from Smith, J. T., Martin, B. H., Baruch-Mordo, S., Naugle, D. E., Evans, J. S., & Kiesecker, J. M. (2016). In review. Reducing cultivation risk for at-risk species: Predicting outcomes of conservation easements for sage-grouse.

\*\* Natural Resource Conservation Service, Sage Grouse Initiative. Cultivation Risk Model: Suitability for cropping based on climate, soils, and topography to assess potential risk of cultivation to sage-grouse habitat. Available at: <http://map.sagegrouseinitiative.com/>

# BLM Subsurface Ownership Surrounding Weaver Cattle Co.

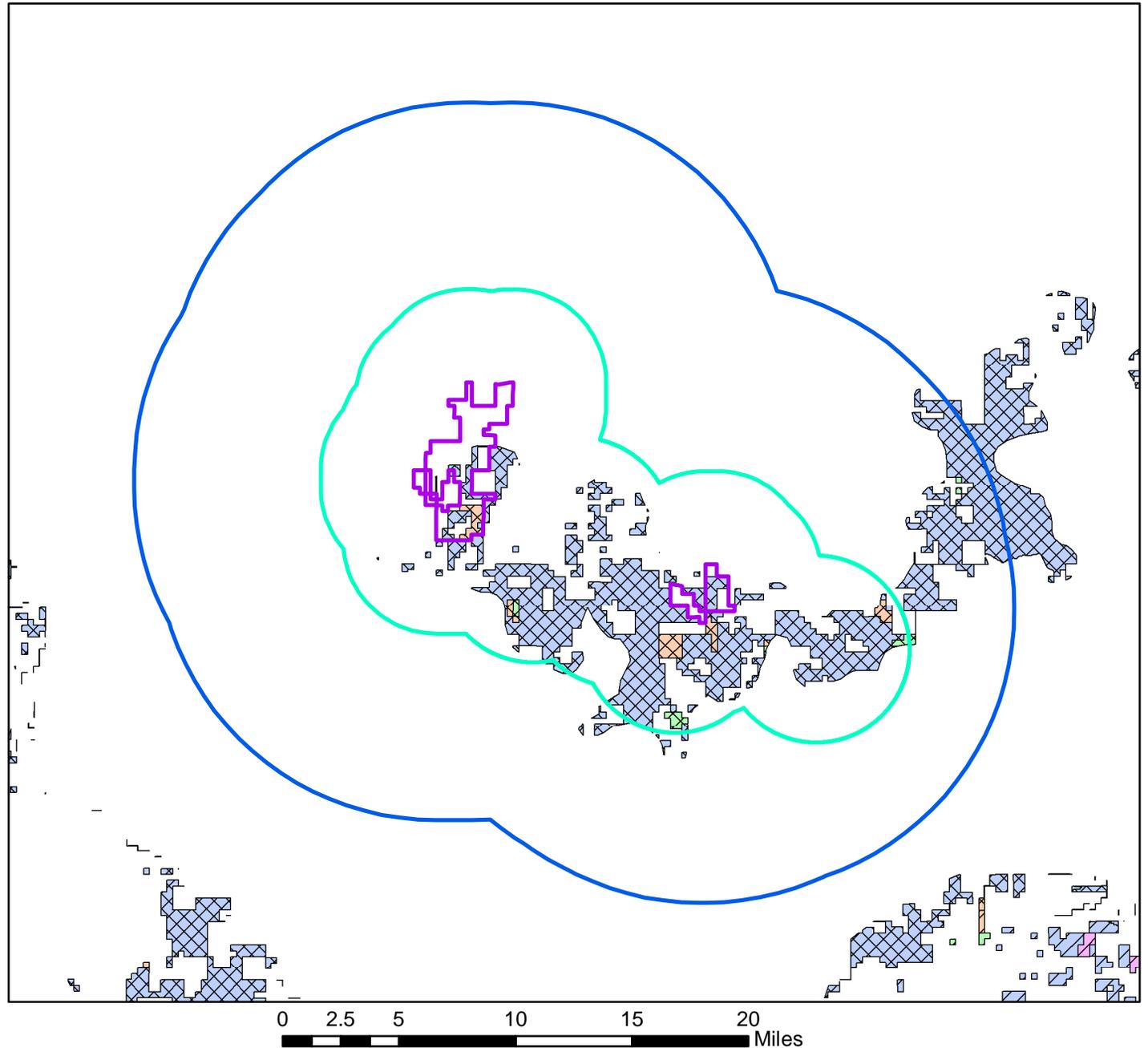
- Project Area
- Leks within 4 miles, buffered by 4 miles
- 12 Mile Buffer

## BLM Habitat Management Areas

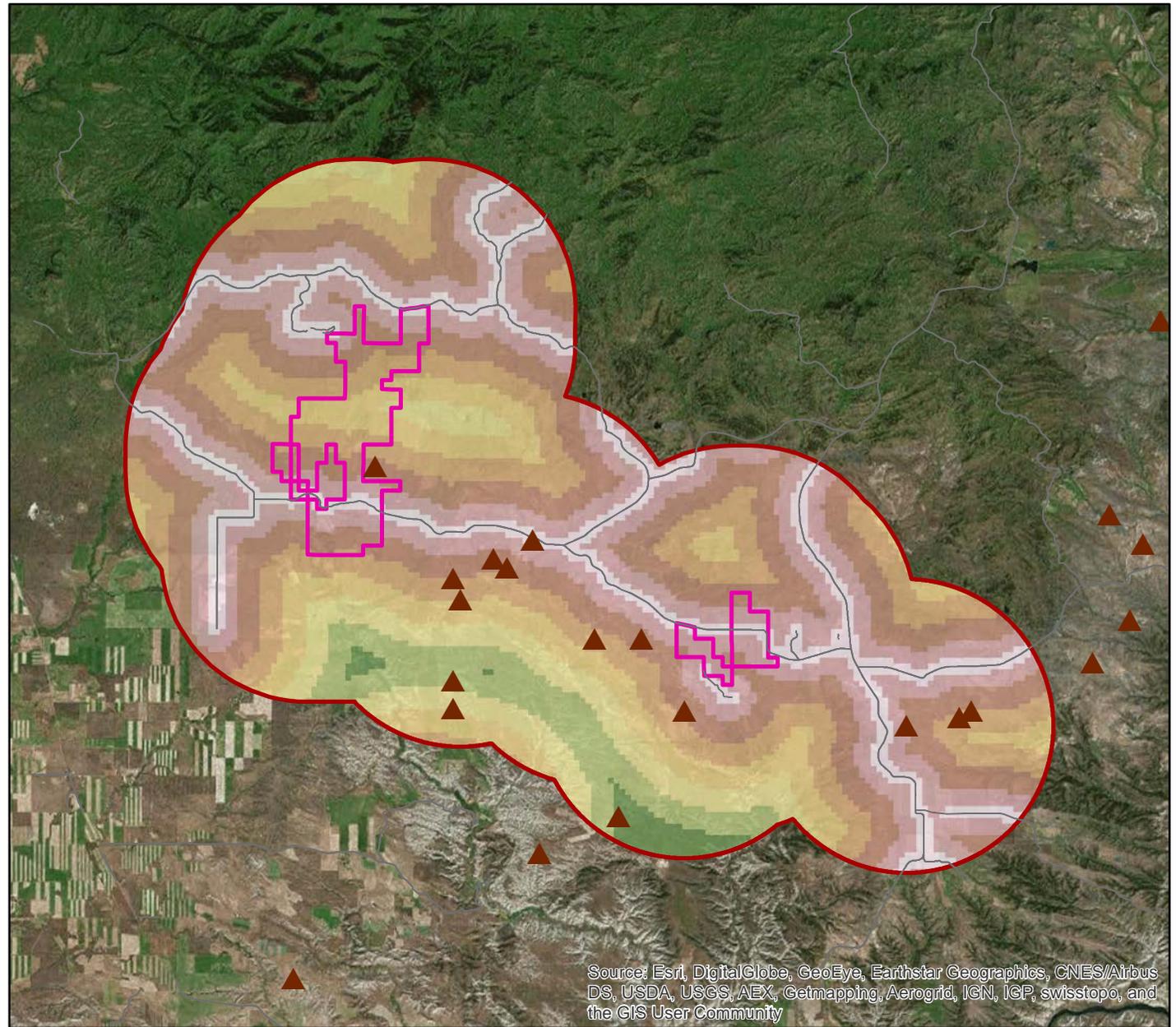
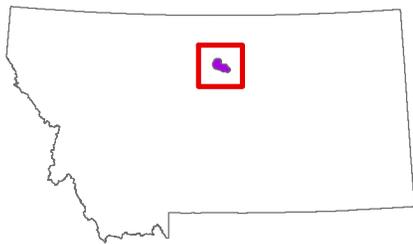
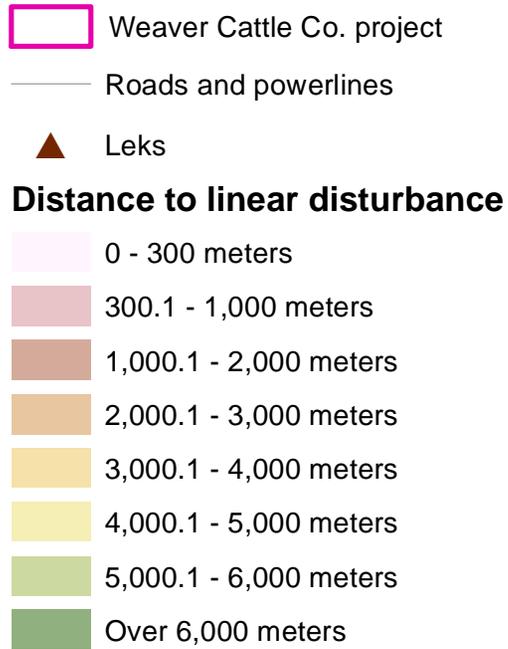
- General Habitat Management Area
- Priority Habitat Management Area
- Restoration Habitat Management Area

## Subsurface Ownership

- ALL
- COG
- O&G
- RST



# Linear disturbance analysis for Weaver Cattle Co. Project Area : Leks within 4 miles, buffered by 4 miles



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

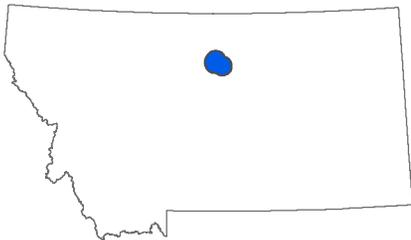


# Stream and Riparian Analyses for Weaver Cattle Co. Project Area

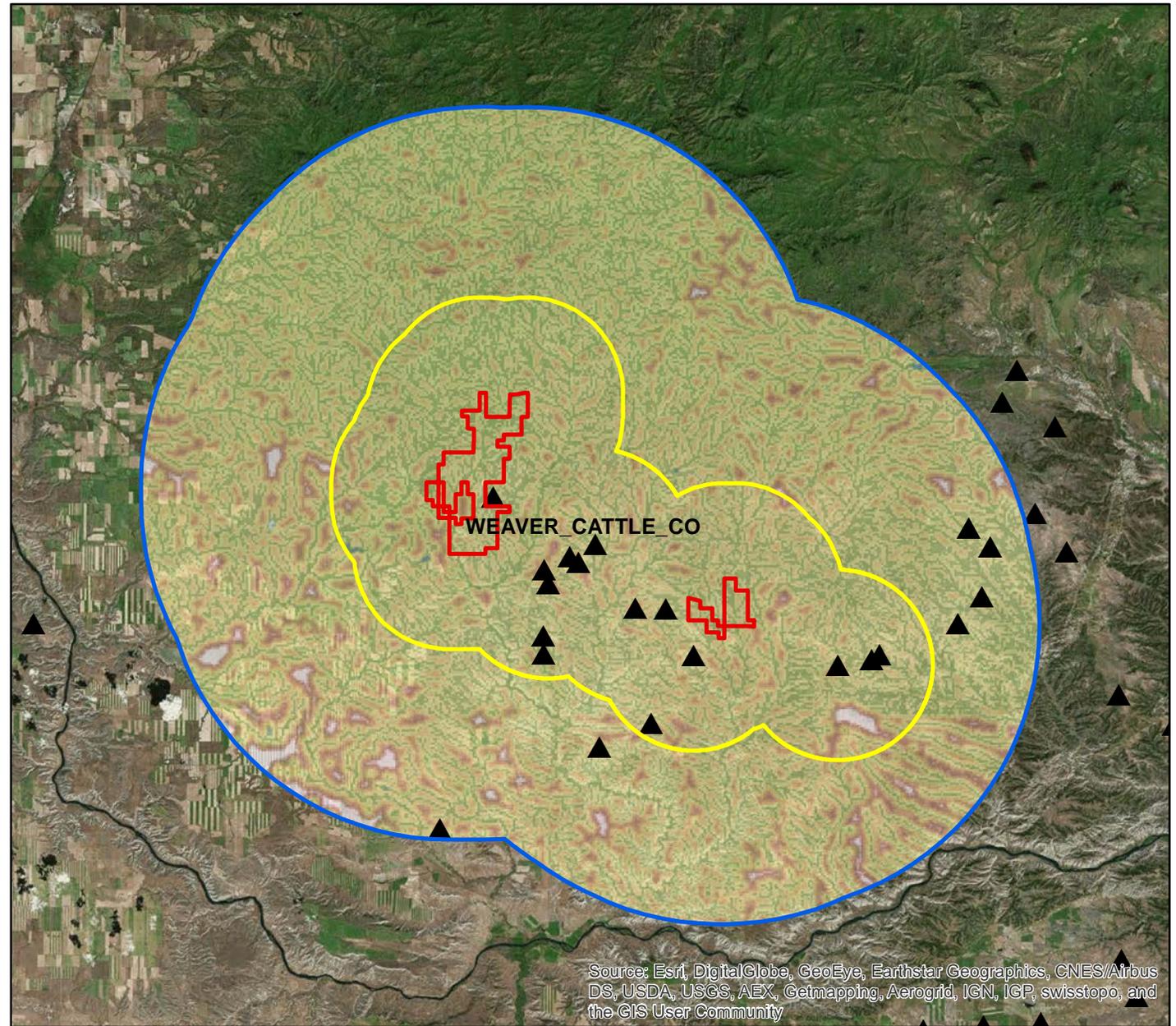
-  12 mile buffer
-  Leks within 4 miles buffered by 4 miles
-  Grant project area
-  Leks

## Distance to riparian area

-  Open Water
-  Under 75 m
-  75 - 165 m
-  165.1 - 250 m
-  250.1 - 350 m
-  350.1 - 500 m
-  500.1 - 650 m
-  650.1 - 750 m
-  Over 750 m



Stream density: 3.84554  
(Linear miles of stream square mile)



0 2.5 5 10 15 20 Miles

**Project Information**

Project Name	RATHS_LIVESTOCK	
Acres	11229.9805	
COUNTY1	GOLDEN VALLEY	
COUNTY2		
GrantID	APRL_2016_5	
ApplicantNameFirst	Kendall	
ApplicantNameLast	Van Dyk	
Agency_Org	The Montana Land Reliance	
ApplicantPhone	406-443-7027	
ApplicantEmail	kendall@mtlandreliance.org	
ApplicantAddress	324 Fuller Ave/PO Box 355, Helena MT 59624	
LandOwnerInfo	J Raths, PO Box 479, Roundup, MT 59072	
ProjectType	Easement	
RequestAmnt	\$812,500	
	MatchAmnt (NRCS ALE committed)	\$2,437,500
	Landowner Donation Match	\$58,794
Match Ratio (Stewardship Fund:Total Match)	25% state to 75% match (1:3)	
Prjct_Duration	In perpetuity	
Grant_Cycle	Cycle 1 - Spring 2016	
Prjct_Status	<Null>	
WAFWA_ZN	MZ I	
FWP_Rgn	5	

**Raths Livestock  
Conservation Easement  
Project Statistics**

**Project Analysis**

	Project Area	Project + 4 Mile Buffer	Project + 12 Mile Buffer
<b>Total Acres</b>	11229.98	161327.75	466417.85
<b>Core Acres</b>	11229.98	137203.22	206078.72
<b>General Acres</b>	0	23658.09	219500.24
<b>Connectivity Acres</b>	0	0	0
<b>Outside Habitat</b>	0	466.44	40838.89
<b>Percent Core</b>	100	85.05	44.18
<b>FWP Lek Count (may be other leks present)</b>	3	13	22
<b>FWP Total Male Count (Most Recent)</b>	1	284	359
<b>FWP Avg. Male Count</b>	0	22	16
<b>Project Cost/acre</b>	72.35	No data	No data
<b>Reverse DDCT</b>	No data	<Null>	No data
<b>Miles of linear riparian habitat/ mile2</b>	3.35	2.66	2.76

Conservation Status	Project Area	4 Mile Buffer (%)	12 Mile Buffer (%)
<b>Percent Public</b>	No data	6.35	8.83
<b>Percent Private Conservation</b>	No data	0.00	0.00
<b>Percent Managed Areas</b>	No data	0.00	0.00
<b>Percent Conservation Easement</b>	No data	2.54	2.44
<b>Total in Conservation (some consv. areas overlap)</b>	No data	8.89	11.27
<b>Not in Conservation</b>	No data	91.11	88.73

Lek Vulnerability	Project Area	4 Mile Buffer	12 Mile Buffer
<b>0-10%</b>	0	5	8
<b>10.1-25%</b>	0	2	2
<b>25.1-50%</b>	0	0	1
<b>50.1-75%</b>	1	3	3
<b>75.1-100%</b>	1	4	8

**Other Notes:**

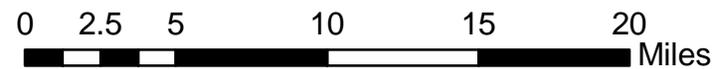
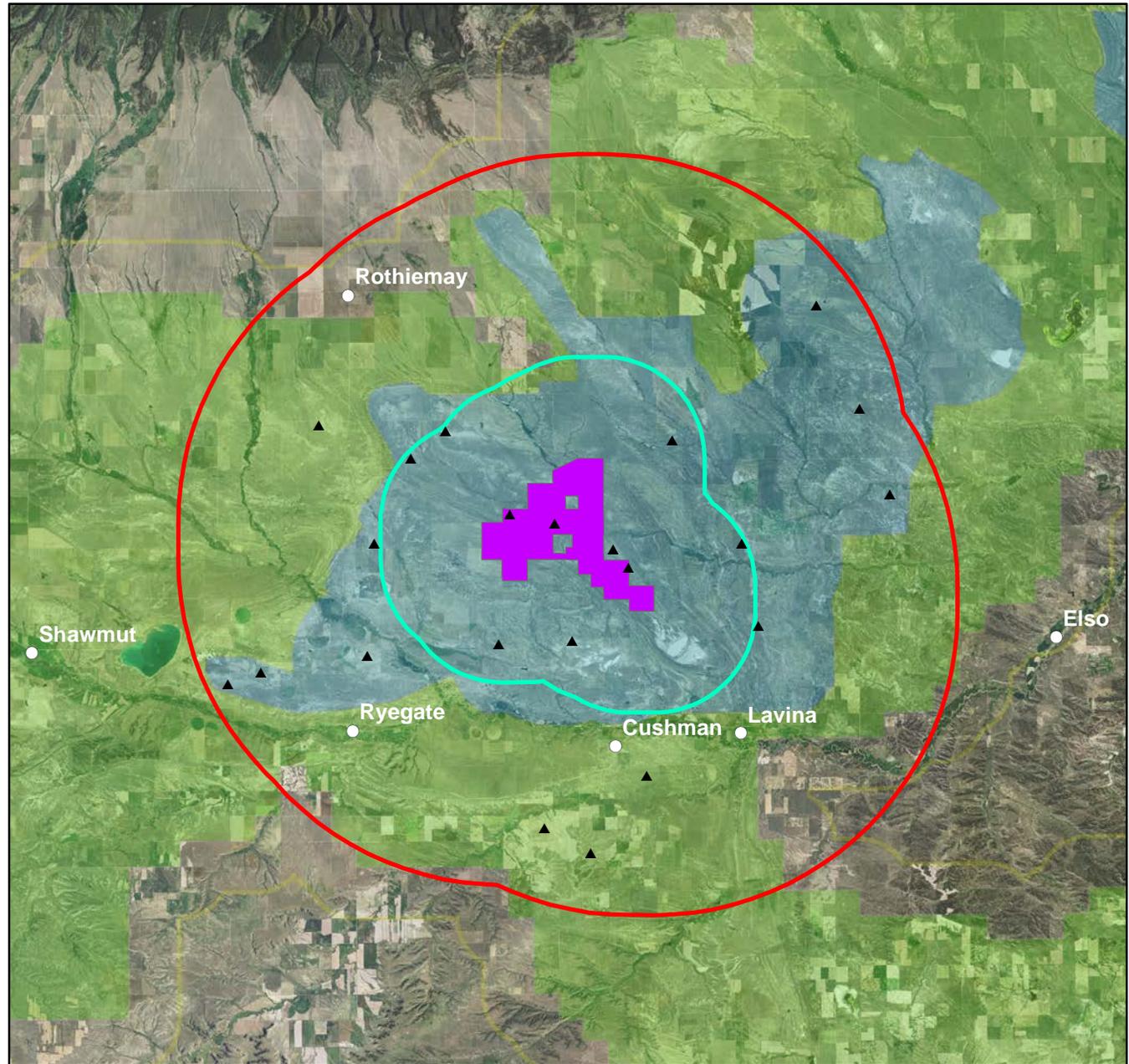
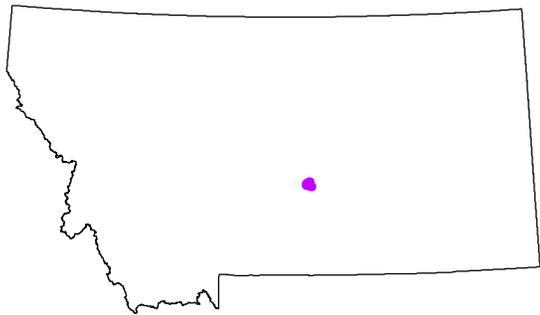
Other easements nearby. Proposed easement also had several adjoining BLM sections.  
See Figures in application.  
Anticipate closing by December, 2017.

# Sage Grouse Habitat Conservation Program

## Raths Grant Application

### Legend

- ▲ Leks
  - Raths Property
  - 12 Mile Buffer
  - 4 Mile Buffer
- ### Sage Grouse Habitat
- #### Habitat Type
- EO-Connectivity Area
  - EO-Core Area
  - EO-General Habitat
  - Not In EO Area

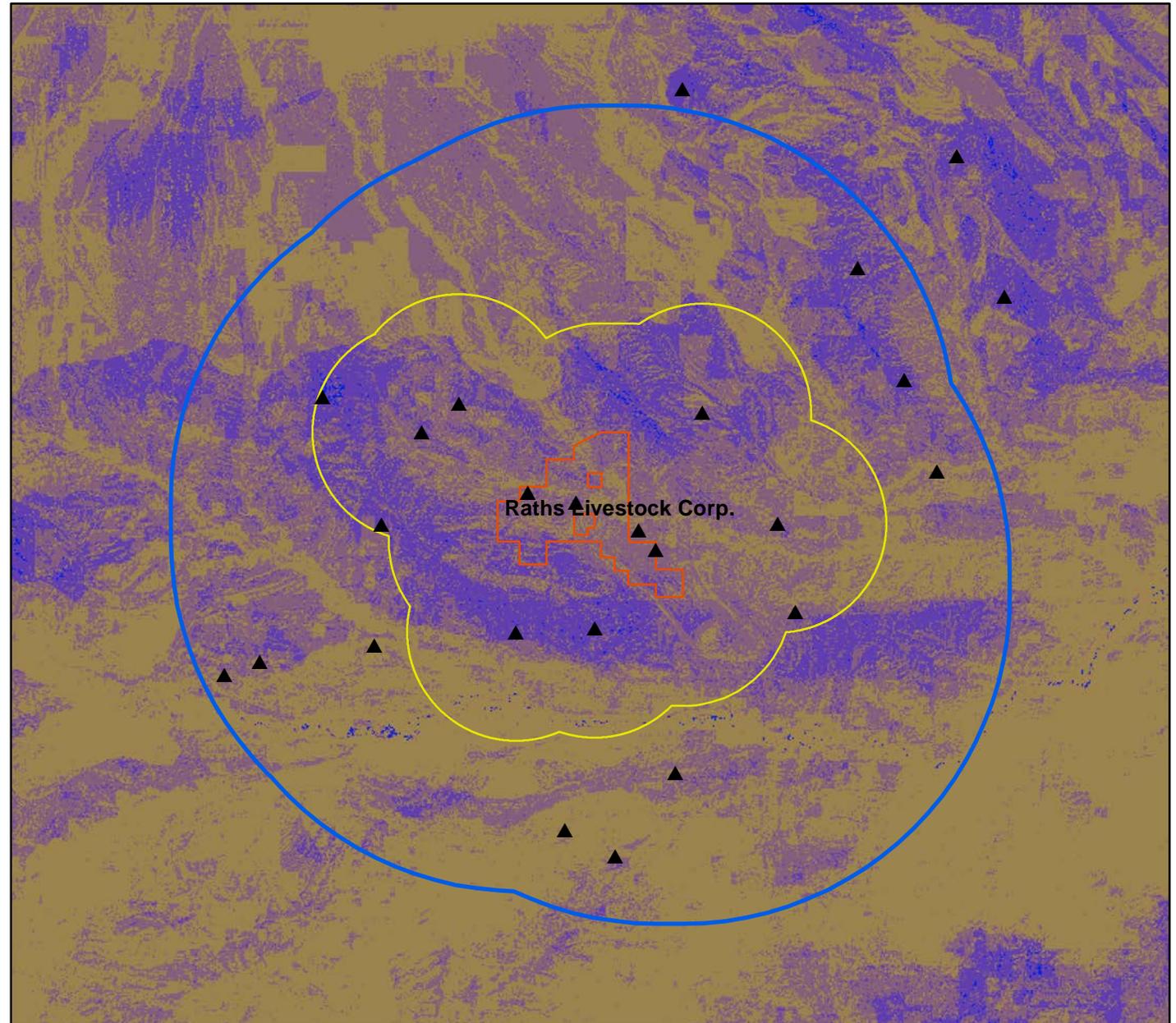
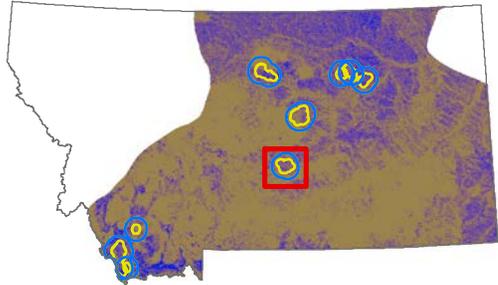
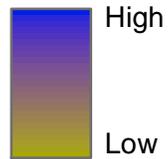


# Breeding Habitat Suitability Surrounding Raths Livestock Corp. Project Area

-  Project Area
-  Leks w/in 4 miles - buffered by 4 miles
-  12 Mile Buffer

 Leks

## Sage Grouse Breeding Habitat Suitability\*



0 2.25 4.5 9 13.5 18 Miles

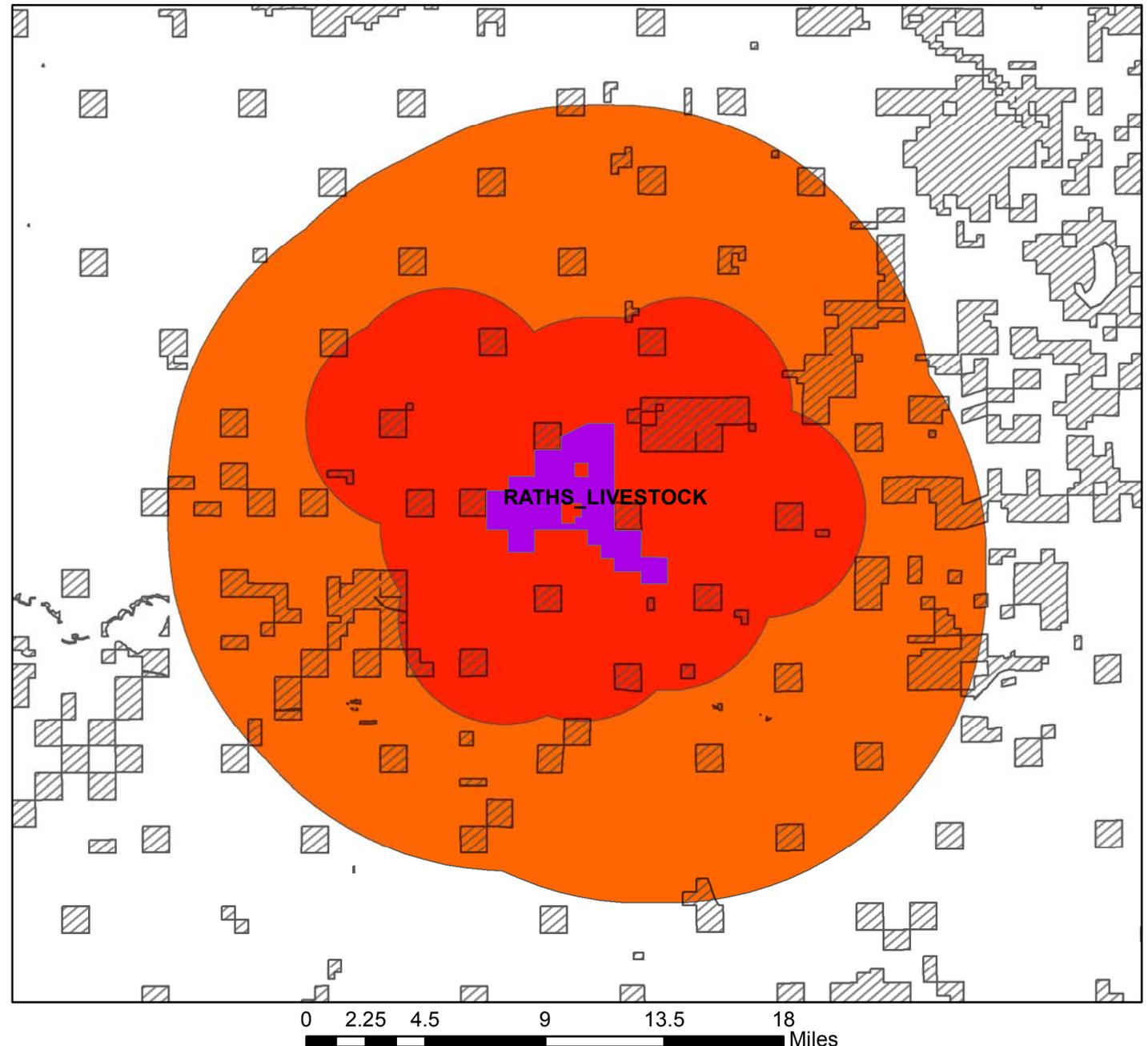
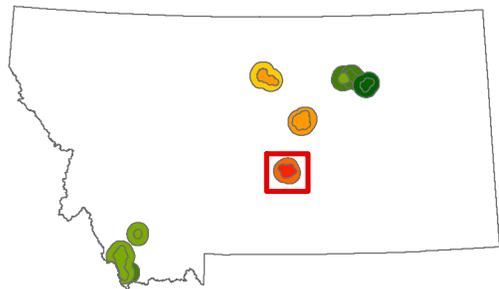
\*Doherty, Kevin E., Evans, Jeffrey S., Coates, Peter S., Juliusson, Lara M., Fedy, Brad, 2015. Importance of Regional Variation in Conservation Planning and Defining Thresholds for a Declining Species: A Range-wide Example of the Greater Sage-grouse, USFWS/USGS Technical Report 51 pp. Report available at: [https://www.researchgate.net/publication/292970319\\_Importance\\_of\\_Regional\\_Variation\\_in\\_Conservation\\_Planning\\_and\\_Defining\\_Thresholds\\_for\\_a\\_Declining\\_Species\\_A\\_Range-wide\\_Example\\_of\\_the\\_Greater\\_Sage-grouse](https://www.researchgate.net/publication/292970319_Importance_of_Regional_Variation_in_Conservation_Planning_and_Defining_Thresholds_for_a_Declining_Species_A_Range-wide_Example_of_the_Greater_Sage-grouse). Model available at <https://www.sciencebase.gov/catalog/item/56fd2296e4b0a6037df2feb6>.

# Percentage of Raths Livestock Project Area Buffers in Conserved Lands: Leks within 4 Miles of Project Area - Buffered by 4 Miles and 12 Mile Buffer Show

- Grant Projects
- Conservation Lands

## Percent of Project Area in Conservation

- 0 - 10%
- 10.1 - 20 %
- 20.1 - 30%
- 30.1 - 40%
- 40.1 - 50%
- 50.1 - 60%
- 60.1 - 70%
- 70.1 - 80%
- 80.1 - 100 %



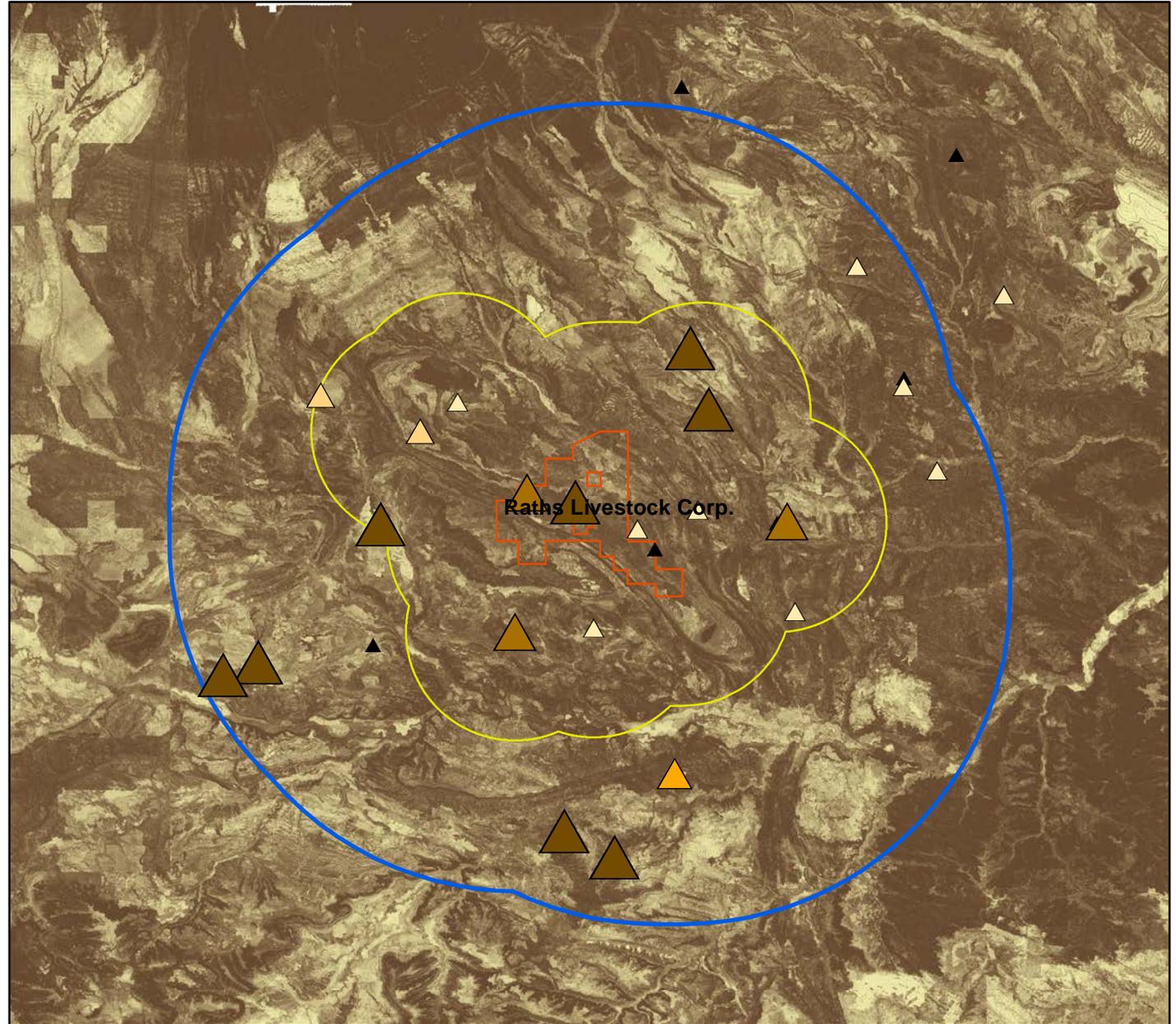
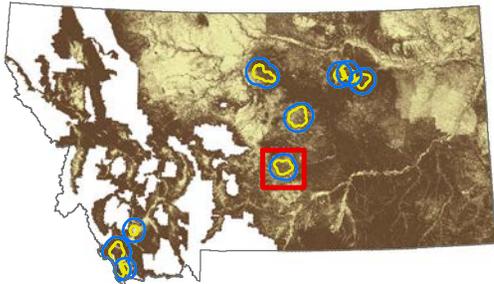
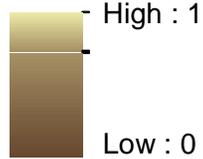
# Cultivation Risk and Lek Vulnerability Surrounding Raths Livestock Corp. Project Area

-  Project Area
-  Leks within 4 miles - buffered by 4 miles
-  12 Mile Buffer

## Lek Vulnerability\*

-  0% - 10%
-  10.1% - 25%
-  25.1% - 50%
-  50.1% - 75%
-  75.1% - 100%
-  No data available

## Cultivation Risk\*\*

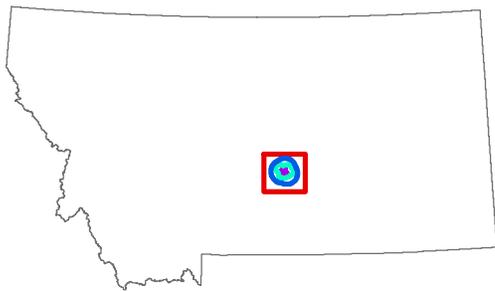
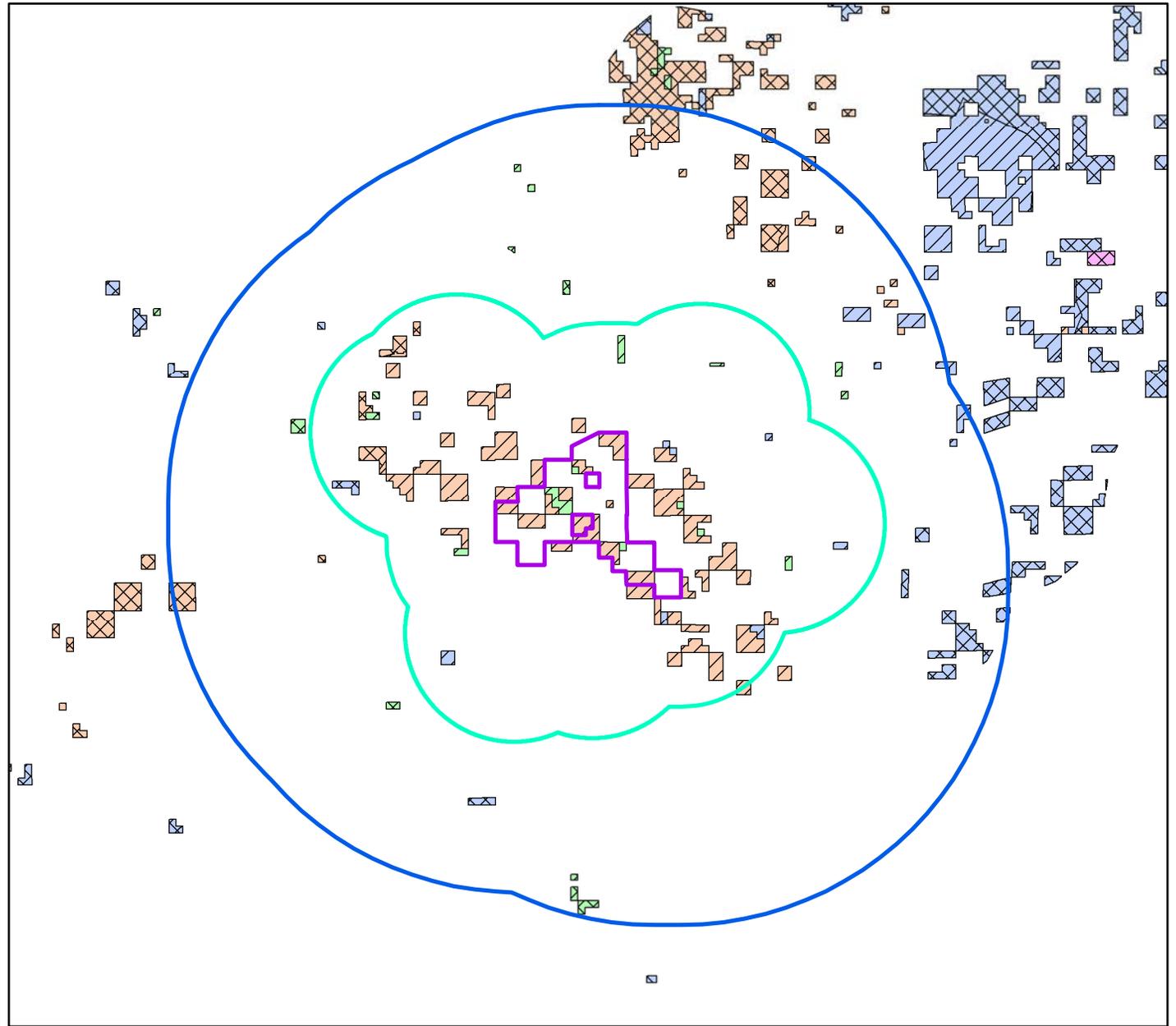


\*Lek vulnerability from Smith, J. T., Martin, B. H., Baruch-Mordo, S., Naugle, D. E., Evans, J. S., & Kiesecker, J. M. (2016). In review. Reducing cultivation risk for at-risk species: Predicting outcomes of conservation easements for sage-grouse.

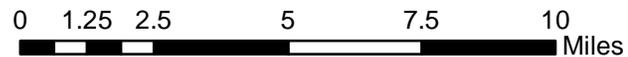
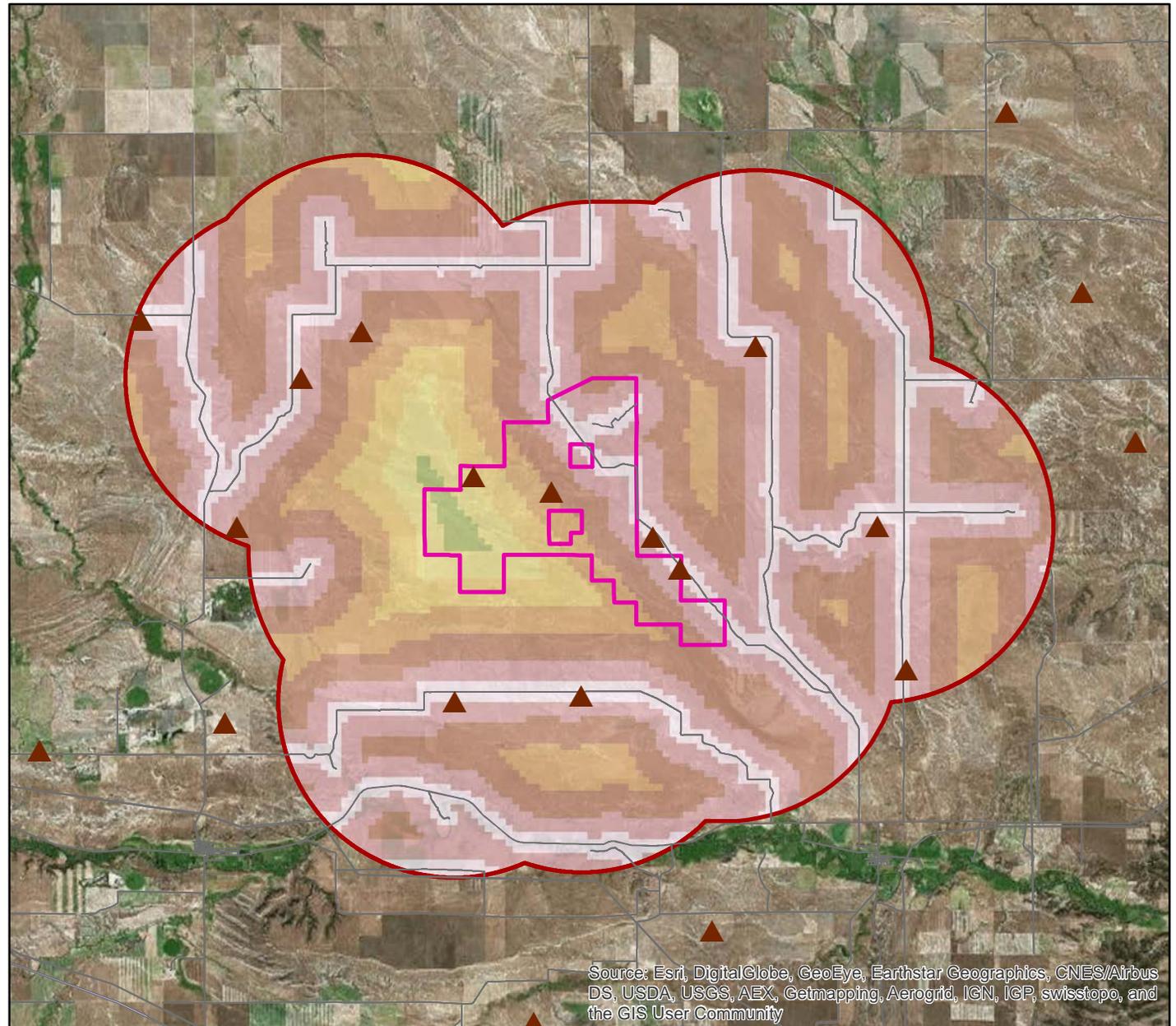
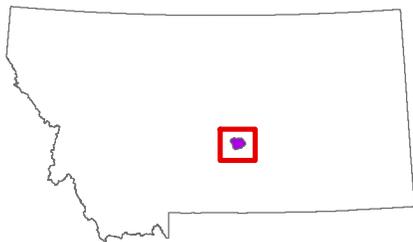
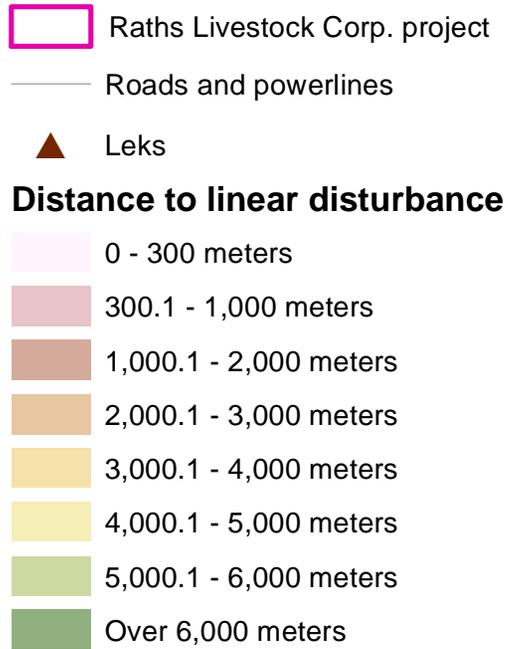
\*\* Natural Resource Conservation Service, Sage Grouse Initiative. Cultivation Risk Model: Suitability for cropping based on climate, soils, and topography to assess potential risk of cultivation to sage-grouse habitat. Available at: <http://map.sagegrouseinitiative.com/>

# BLM Subsurface Ownership Surrounding Rath's Livestock Corp.

-  Project Area
  -  Leaks within 4 miles, buffered by 4 miles
  -  12 Mile Buffer
- BLM Habitat Management Areas**
-  General Habitat Management Area
  -  Priority Habitat Management Area
  -  Restoration Habitat Management Area
- Subsurface Ownership**
-  ALL: all subsurface combined
  -  COG: coal, oil, & gas ownership combined
  -  O&G: oil & gas
  -  RST: Restricted; federal gov't owns a %



# Linear disturbance analysis for Raths Livestock Corp. Project Area : Leks within 4 miles, buffered by 4 miles

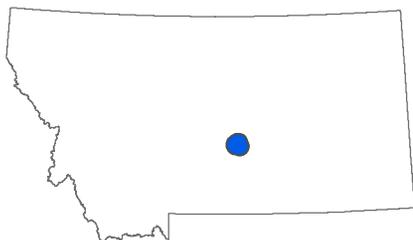


# Stream and Riparian Analyses for Raths Livestock Corp. Project Area

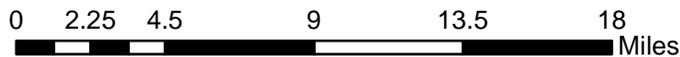
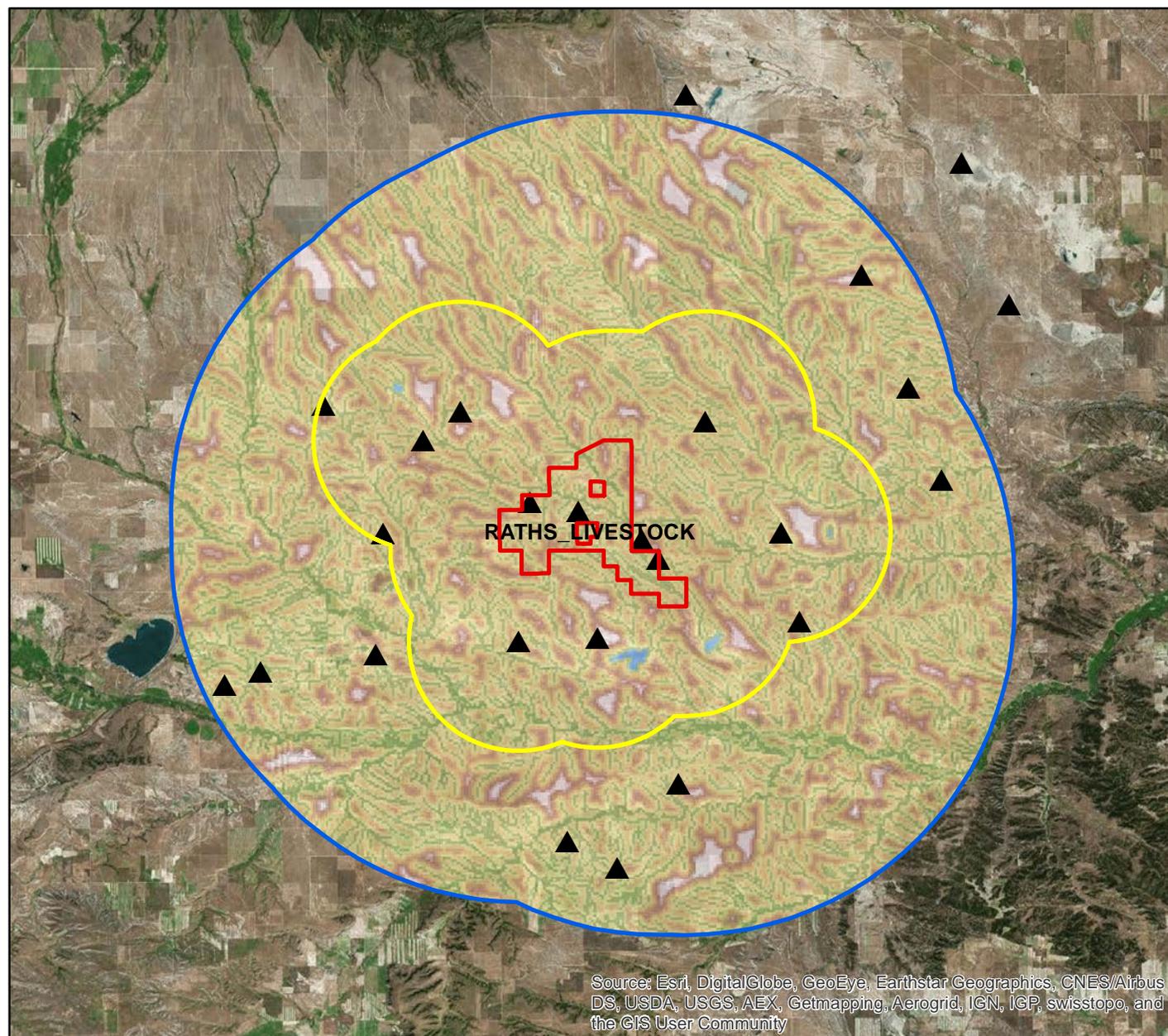
-  12 mile buffer
-  Leks within 4 miles buffered by 4 miles
-  Grant project area
-  Leks

## Distance to riparian area

-  Open Water
-  Under 75 m
-  75 - 165 m
-  165.1 - 250 m
-  250.1 - 350 m
-  350.1 - 500 m
-  500.1 - 650 m
-  650.1 - 750 m
-  Over 750 m



Stream density: 2.755607  
(Linear miles of stream square mile)



**44 Ranch  
Conservation Easement  
Project Statistics**

**Project Information**

<b>Project Name</b>	44_RANCH_INC
<b>Acres</b>	18033.03826
<b>COUNTY1</b>	PETROLEUM
<b>COUNTY2</b>	FERGUS
<b>GrantID</b>	APRL_2016_8
<b>ApplicantNameFirst</b>	Kendall
<b>ApplicantNameLast</b>	Van Dyk
<b>Agency_Org</b>	The Montana Land Reliance
<b>ApplicantPhone</b>	406-443-7027
<b>ApplicantEmail</b>	kendall@mtlandreliance.org
<b>ApplicantAddress</b>	324 Fuller Ave/PO Box 355, Helena MT 59624
<b>LandOwnerInfo</b>	M & D Delaney, PO Box 116, Grass Range, MT 59032
<b>ProjectType</b>	Easement
<b>RequestAmnt</b>	\$1,500,000
<b>MatchAmnt (The Conservation Fund)</b>	\$375,000
<b>Landowner Donation Match</b>	\$527,971
<b>Match Ratio (Stewardship Fund:Total Match)</b>	75% state to 25% match (4:1)
<b>Prjct_Duration</b>	In perpetuity
<b>Grant_Cycle</b>	Cycle 1 - Spring 2016
<b>Prjct_Status</b>	<Null>
<b>WAFWA_ZN</b>	MZ I
<b>FWP_Rgn</b>	4

**NOTE: See yellow highlight for updated Data**

**44 Ranch  
Conservation Easement  
Project Statistics**

**Project Analysis**

	Project Area	Project + 4 Mile Buffer	Project + 12 Mile Buffer
Total Acres	18033.04	225580.41	546775.88
Core Acres	18033.04	224811.79	484232.89
General Acres	0	768.63	54348.25
Connectivity Acres	0	0	0
Outside Habitat	0	0	8194.74
Percent Core	100.00	99.66	88.56
FWP Lek Count (may be other leks present)	5	30	53
FWP Total Male Count (Most Recent)	66	186	328
FWP Avg. Male Count	13	6	6
Project Cost/acre	83.18	No data	No data
Reverse DDCT	No data	<Null>	No data
Miles of linear riparian habitat/ mile2	3.30	3.71	3.79

Conservation Status	Project Area	4 Mile Buffer (%)	12 Mile Buffer (%)
Percent Public	No data	21.60	23.54
Percent Private Conservation	No data	0.00	0.00
Percent Managed Areas	No data	0.67	0.87
Percent Conservation Easement	No data	3.22	1.99
Total in Conservation (some consv. areas overlap)	No data	24.82	25.54
Not in Conservation	No data	75.18	74.46

Lek Vulnerability	Project Area	4 Mile Buffer	12 Mile Buffer
0-10%	2	9	17
10.1-25%	2	3	4
25.1-50%	1	1	4
50.1-75%	0	0	1
75.1-100%	0	7	8

**Other Notes:**

Only 37 acres within the proposed easement boundary is classified as cropland (located on one of the property).

Proposed easement boundary contains inholdings: 640 acres of DNRC State Trust Land and 240 acres BLM.

See Figures in Application.

Other easements nearby.

No NRCS matching funds; all matching funds from The Conservation Fund and the Landowner.

Anticipated closing date November 30, 2016.

# Sage Grouse Habitat Conservation Program

## 44 Ranch Grant Application

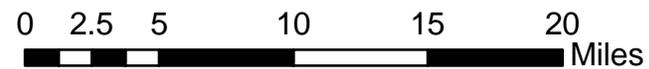
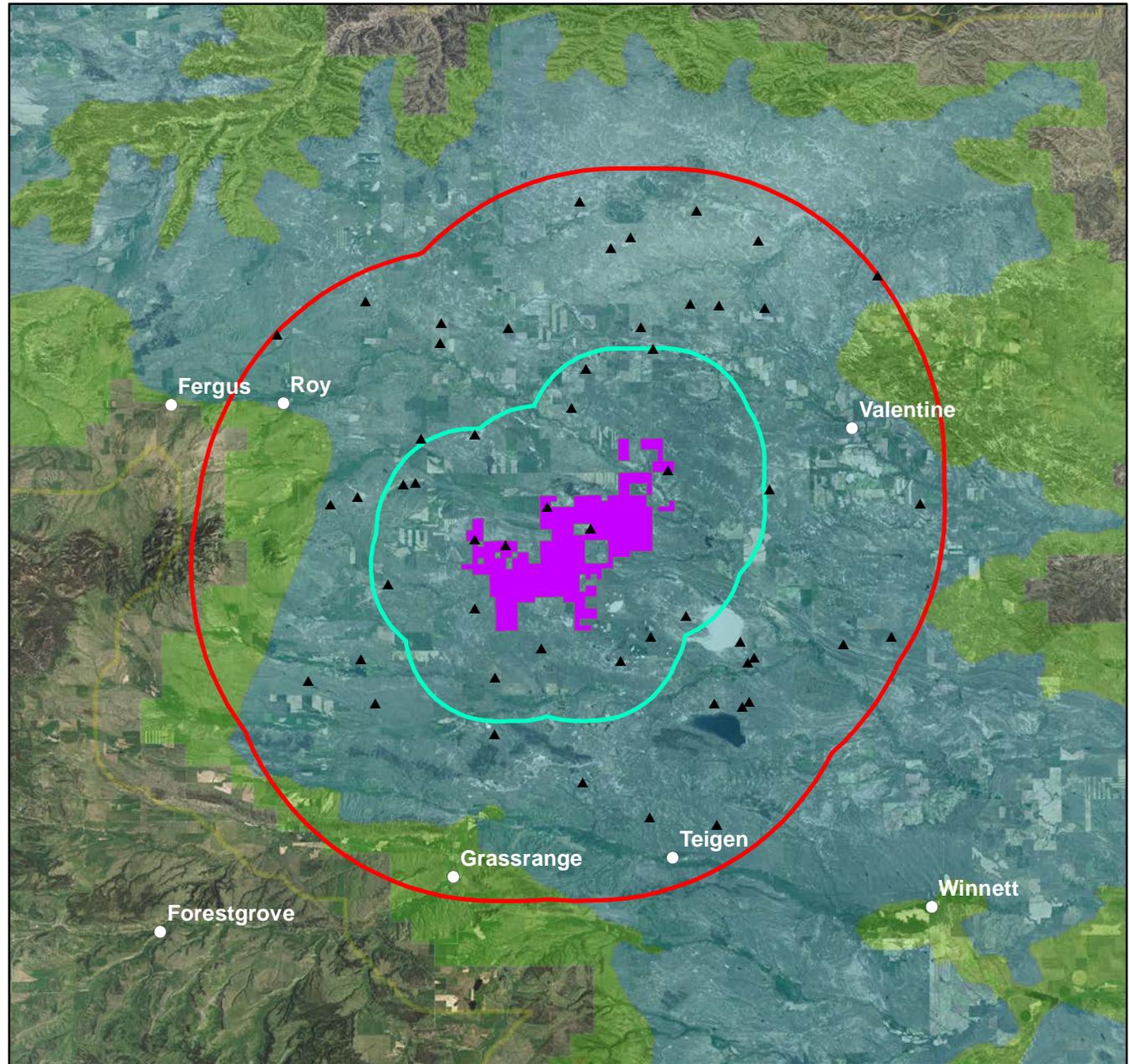
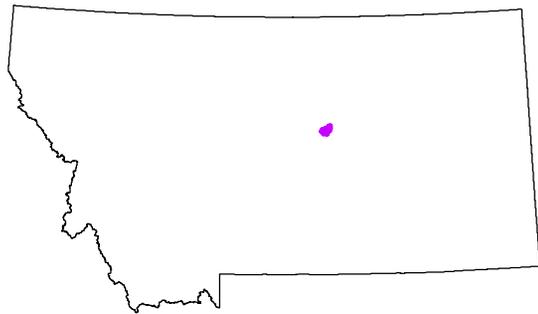
### Legend

- ▲ Leks
- Forty Four Ranch Property
- 12 Mile Buffer
- 4 Mile Buffer

### Sage Grouse Habitat

#### Habitat Type

- EO-Connectivity Area
- EO-Core Area
- EO-General Habitat
- Not In EO Area

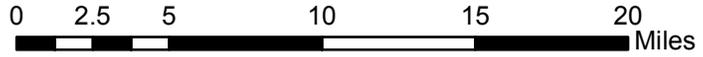
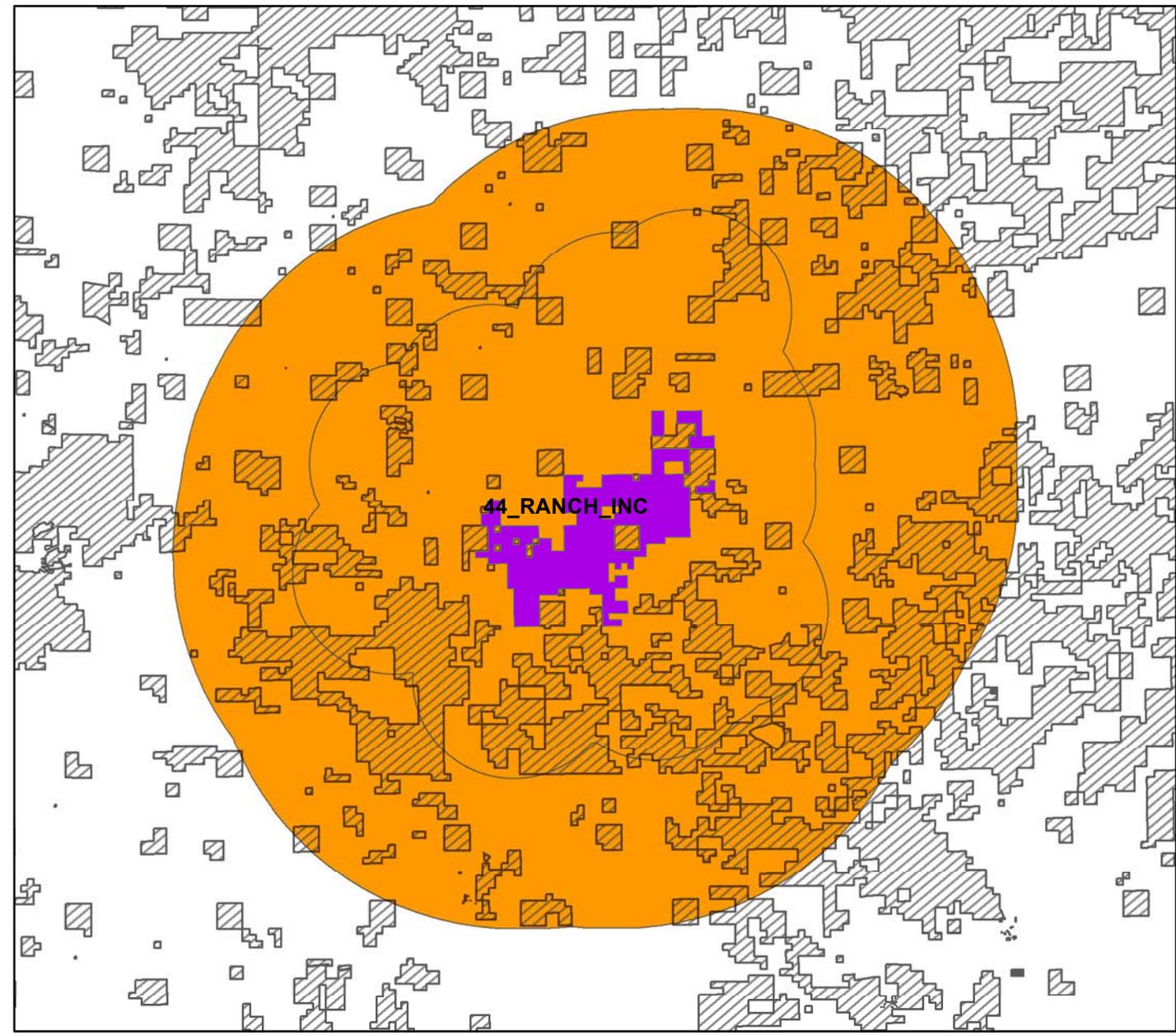
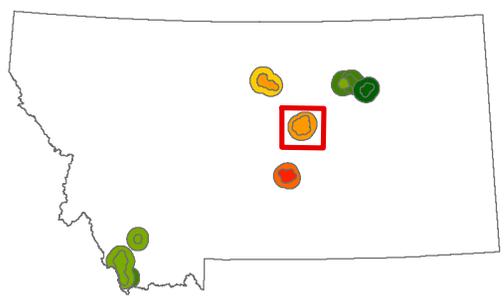


# Percentage of 44 Ranch Project Area Buffers in Conserved Lands: Leks within 4 Miles of Project Area - Buffered by 4 Miles and 12 Mile Buffer Shown

-  Grant Projects
-  Conservation Lands

## Percent of Project Area in Conservation

-  0 - 10%
-  10.1 - 20 %
-  20.1 - 30%
-  30.1 - 40%
-  40.1 - 50%
-  50.1 - 60%
-  60.1 - 70%
-  70.1 - 80%
-  80.1 - 100 %

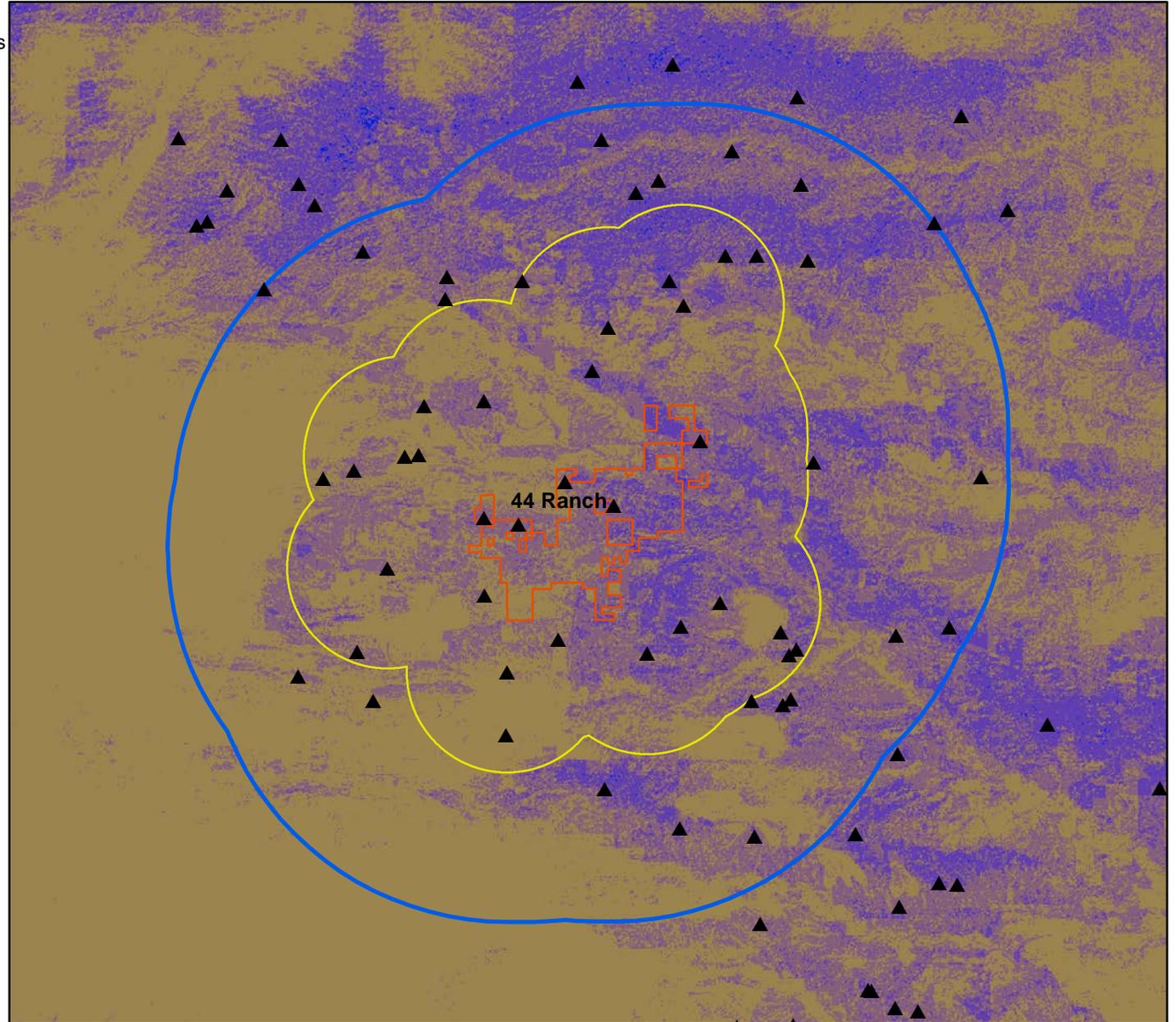
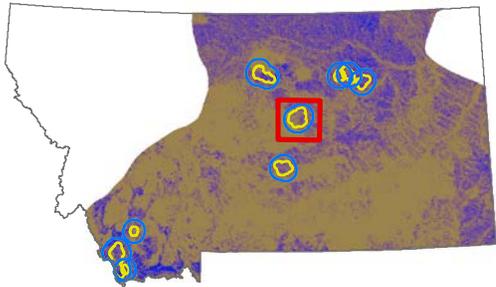
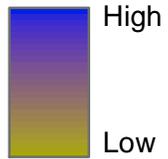


# Breeding Habitat Suitability Surrounding 44 Ranch Project Area

-  Project Area
-  Leks within 4 miles - buffered by 4 miles
-  12 Mile Buffer

▲ Leks

## Sage Grouse Breeding Habitat Suitability\*



\*Doherty, Kevin E., Evans, Jeffrey S., Coates, Peter S., Juliusson, Lara M., Fedy, Brad, 2015, Importance of Regional Variation in Conservation Planning and Defining Thresholds for a Declining Species: A Range-wide Example of the Greater Sage-grouse, USFWS/USGS Technical Report 51 pp. Report available at: [https://www.researchgate.net/publication/292970319\\_Importance\\_of\\_Regional\\_Variation\\_in\\_Conservation\\_Planning\\_and\\_Defining\\_Thresholds\\_for\\_a\\_Declining\\_Species\\_A\\_Range-wide\\_Example\\_of\\_the\\_Greater\\_Sage-grouse](https://www.researchgate.net/publication/292970319_Importance_of_Regional_Variation_in_Conservation_Planning_and_Defining_Thresholds_for_a_Declining_Species_A_Range-wide_Example_of_the_Greater_Sage-grouse). Model available at <https://www.sciencebase.gov/catalog/item/56fd2296e4b0a6037df2feb6>.

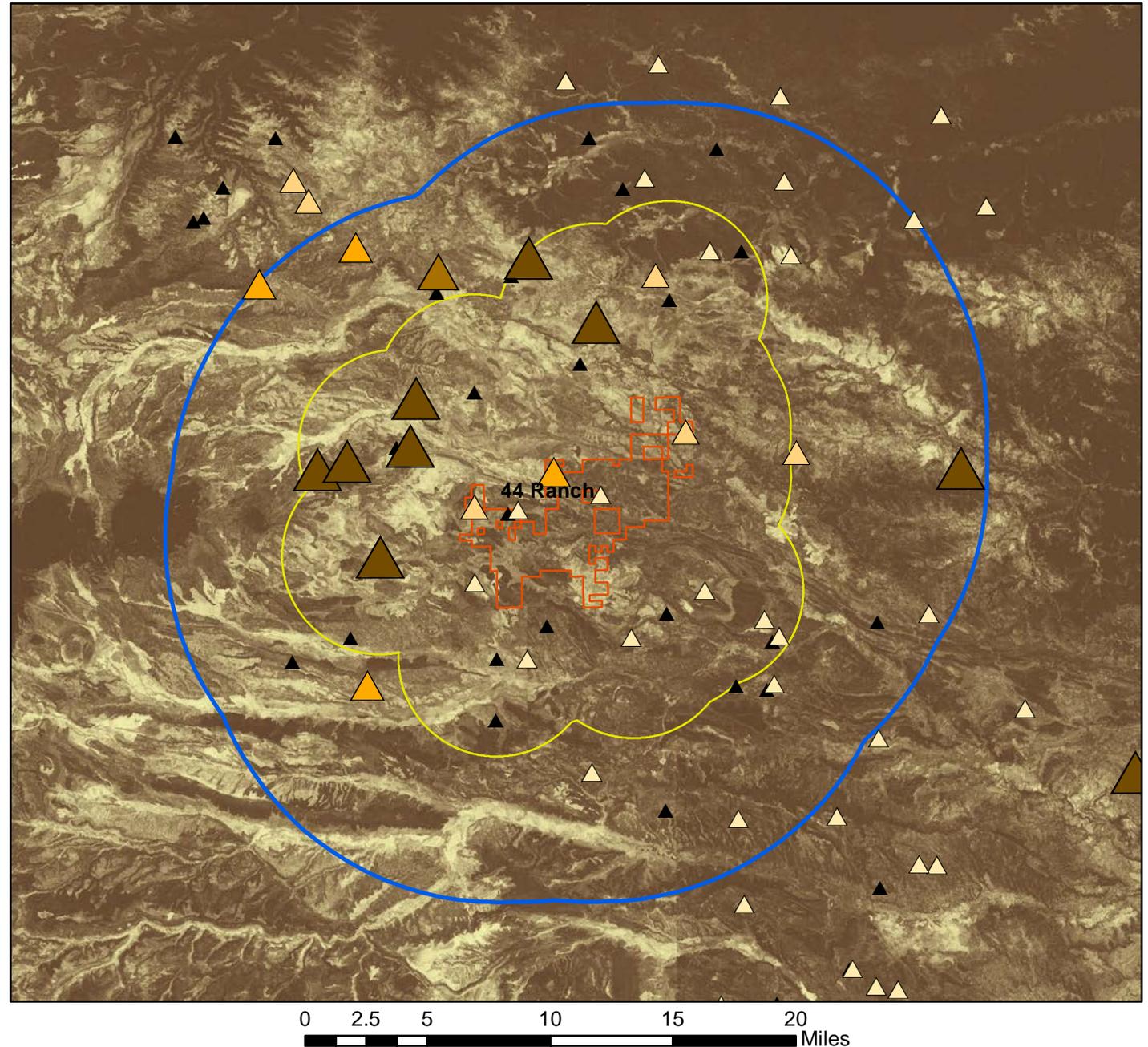
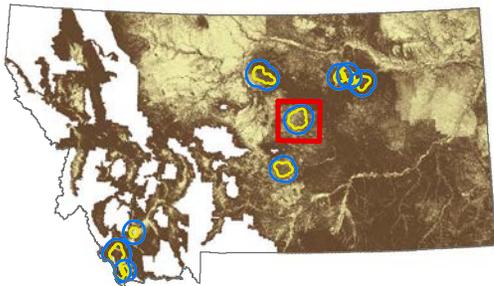
# Cultivation Risk and Lek Vulnerability Surrounding 44 Ranch Project Area

-  Project Area
-  Leks within 4 miles - buffered by 4 miles
-  12 Mile Buffer

## Lek Vulnerability\*

-  0% - 10%
-  10.1% - 25%
-  25.1% - 50%
-  50.1% - 75%
-  75.1% - 100%
-  No data available

## Cultivation Risk\*\*

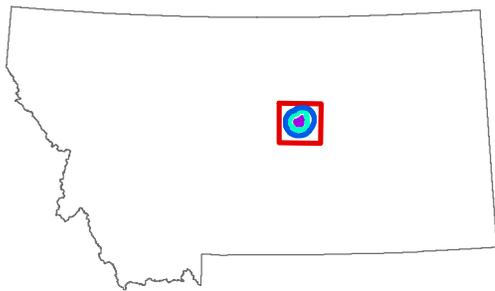
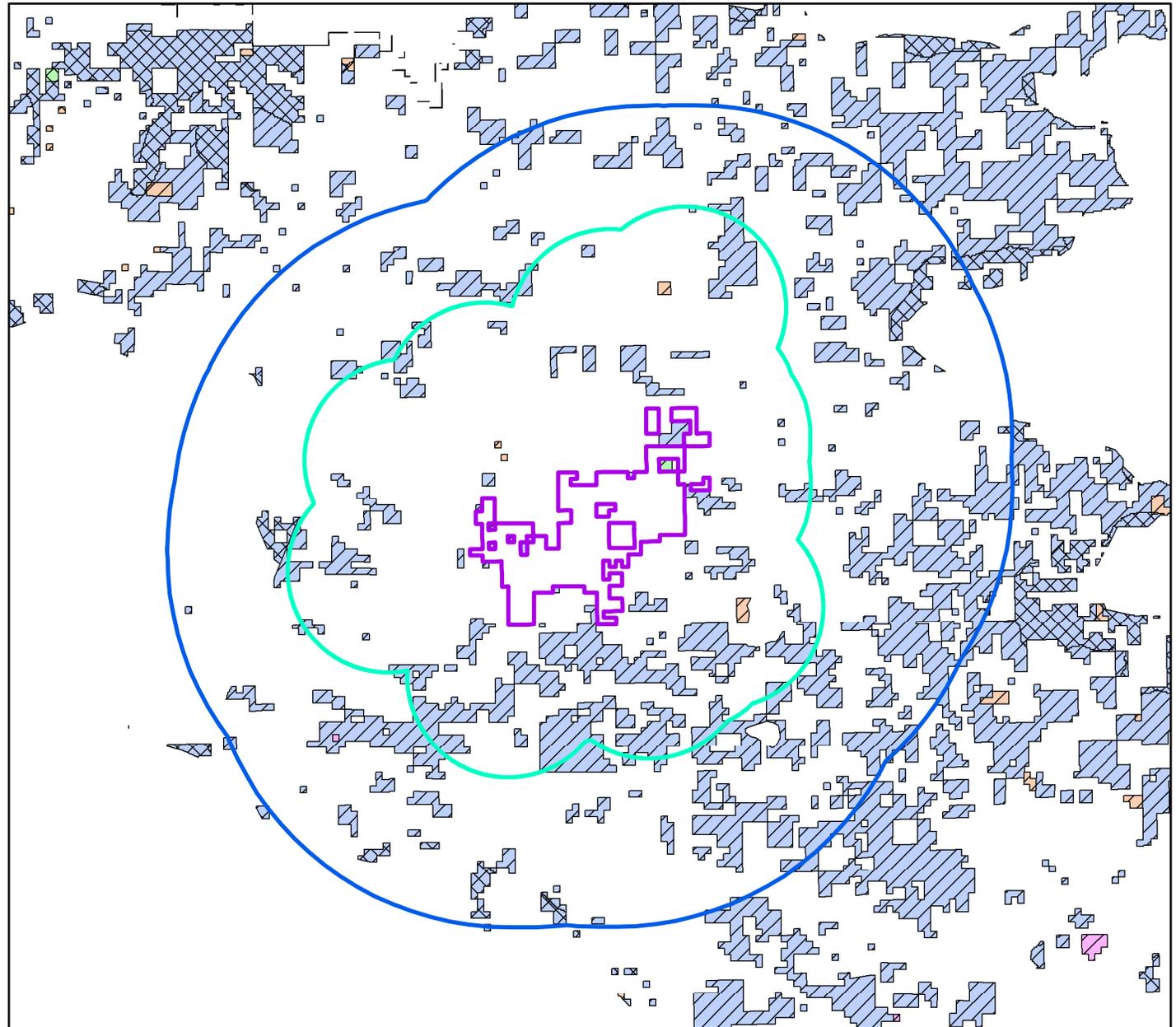


\*Lek vulnerability from Smith, J. T., Martin, B. H., Baruch-Mordo, S., Naugle, D. E., Evans, J. S., & Kiesecker, J. M. (2016). In review. Reducing cultivation risk for at-risk species: Predicting outcomes of conservation easements for sage-grouse.

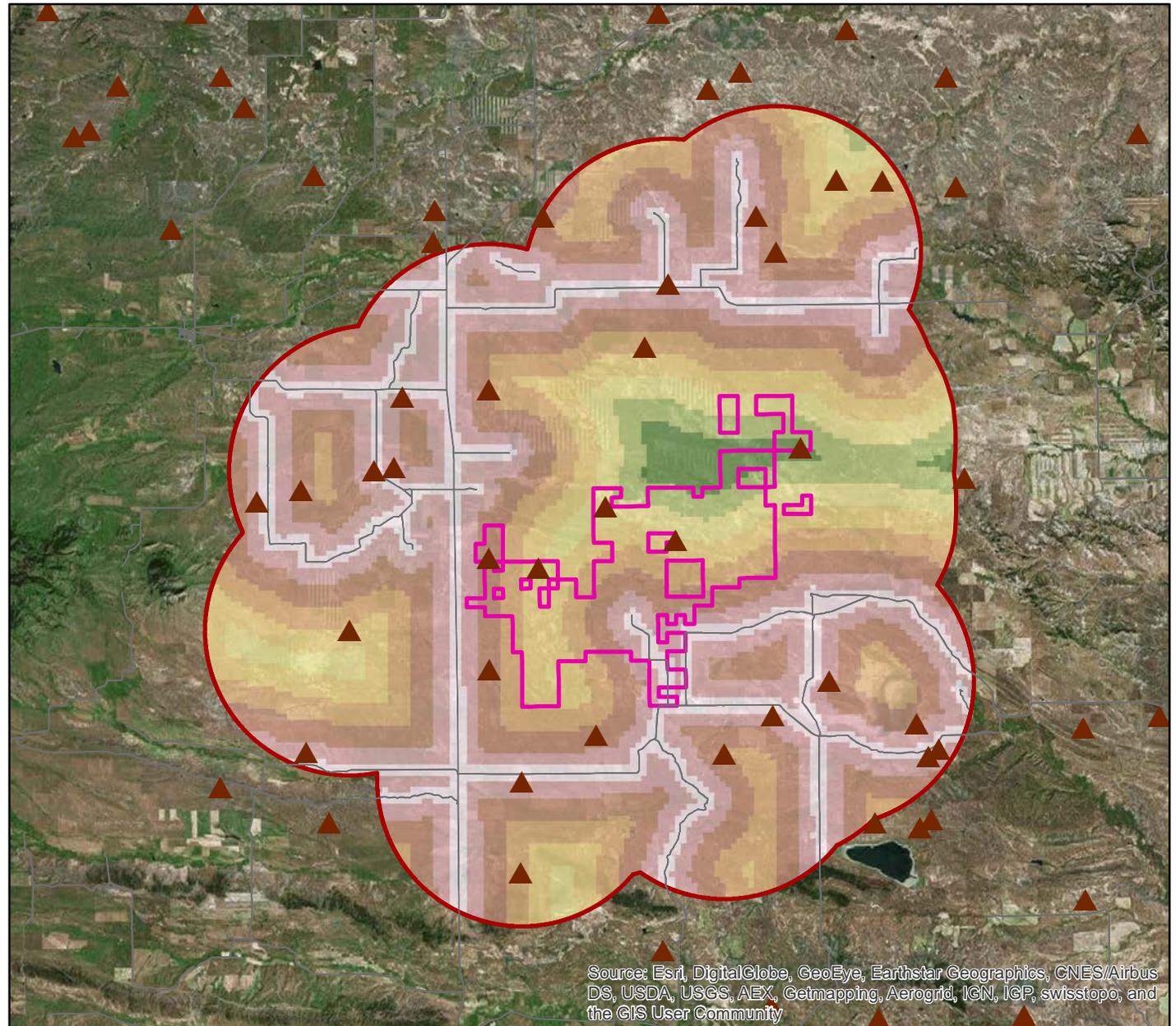
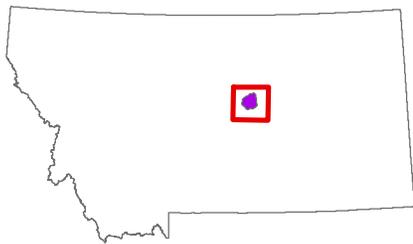
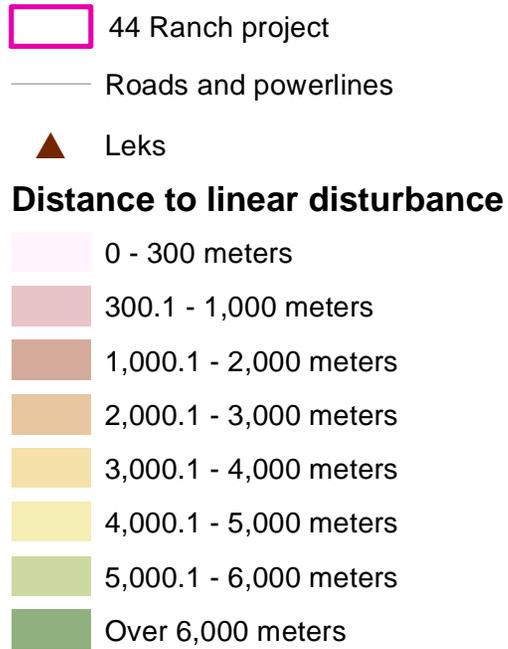
\*\* Natural Resource Conservation Service, Sage Grouse Initiative. Cultivation Risk Model: Suitability for cropping based on climate, soils, and topography to assess potential risk of cultivation to sage-grouse habitat. Available at: <http://map.sagegrouseinitiative.com/>

# BLM Subsurface Ownership Surrounding 44 Ranch

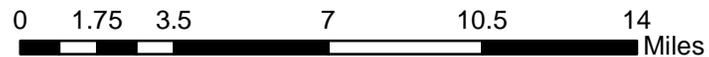
-  Project Area
  -  Leaks within 4 miles, buffered by 4 miles
  -  12 Mile Buffer
- BLM Habitat Management Areas**
-  General Habitat Management Area
  -  Priority Habitat Management Area
  -  Restoration Habitat Management Area
- Subsurface Ownership**
-  ALL: all subsurface combined
  -  COG : coal, oil & gas ownership combined
  -  O&G: oil & gas
  -  RST: Restricted; federal gov't owns a %



# Linear disturbance analysis for 44 Ranch Project Area : Leks within 4 miles, buffered by 4 miles



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

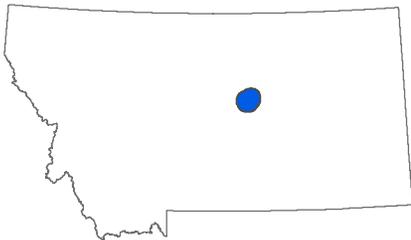


# Stream and Riparian Analyses for 44 Ranch Project Area

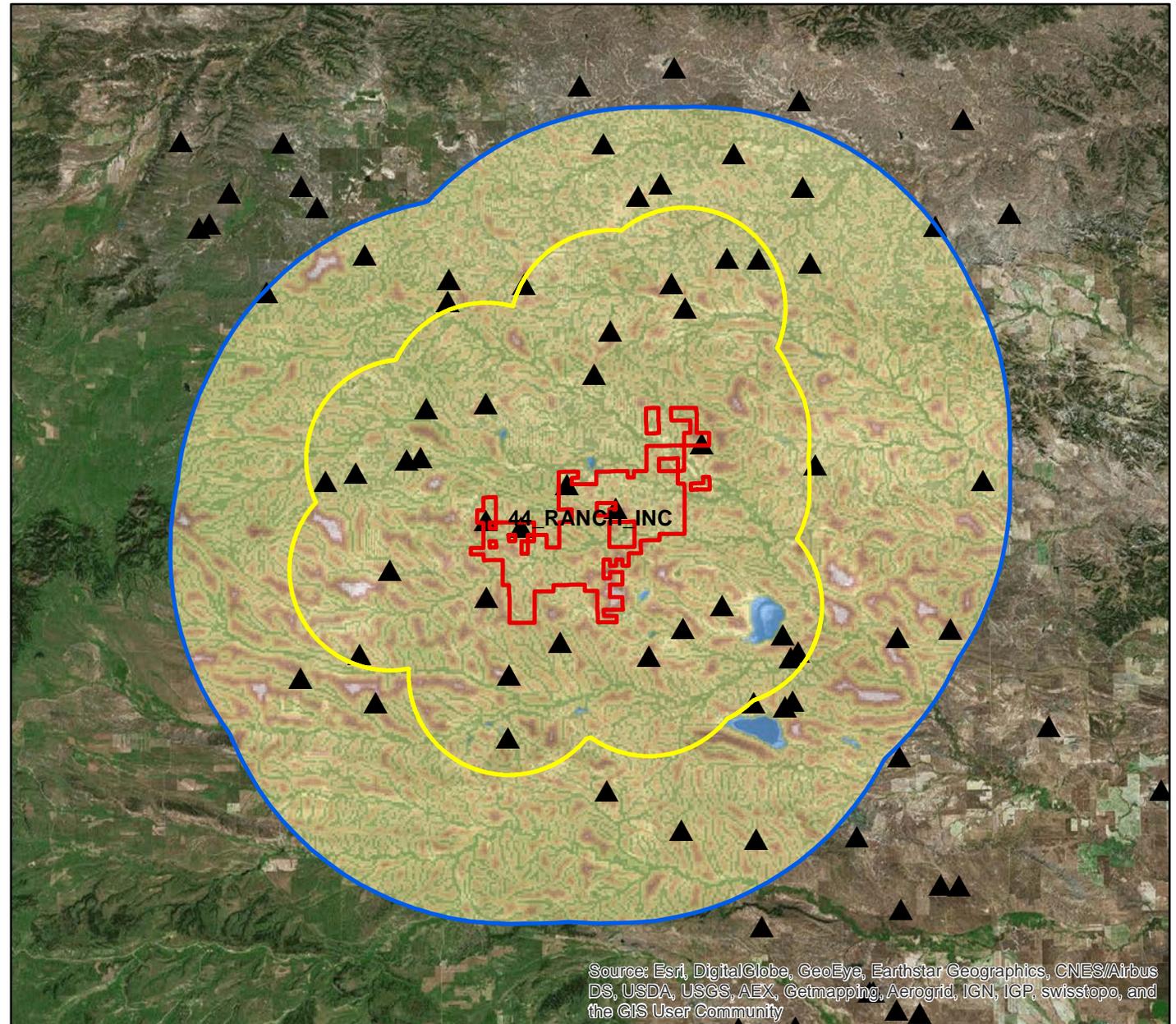
-  12 mile buffer
-  Leks within 4 miles buffered by 4 miles
-  Grant project area
-  Leks

## Distance to riparian area

-  Open Water
-  Under 75 m
-  75 - 165 m
-  165.1 - 250 m
-  250.1 - 350 m
-  350.1 - 500 m
-  500.1 - 650 m
-  650.1 - 750 m
-  Over 750 m



Stream density: 3.792732  
(Linear miles of stream square mile)



0 2.5 5 10 15 20 Miles

## Hansen Ranch Conservation Easement and Conifer Removal Project Summary Statistics

### Project Information

Handout 9

<b>Project Name</b>	Hansen
<b>Acres</b>	13887
<b>COUNTY1</b>	BEAVERHEAD
<b>COUNTY2</b>	
<b>GrantID</b>	APRL_2016_2
<b>ApplicantNameFirst</b>	Jim
<b>ApplicantNameLast</b>	Berkey
<b>Agency_Org</b>	The Nature Conservancy
<b>ApplicantPhone</b>	406-370-6905
<b>ApplicantEmail</b>	jberkey@tnc.org
<b>ApplicantAddress</b>	32 South Ewing, Helena, MT 59601
<b>LandOwnerInfo</b>	E Hansen, 4100 Medicine Lodge Rd, Dillon, MT 59725
<b>ProjectType</b>	Easement
<b>RequestAmnt</b>	\$952,500
<b>Total MatchAmnt (TNC, NRCS ALE)</b>	\$3,907,500
<b>TNC Match (cash in-hand)</b>	\$157,500
<b>NRCS ALE Match (Pledged)</b>	\$3,750,000
<b>Match Ratio (Stewardship Fund:Total Match)</b>	24% state to 76% match (1:3)
<b>Prjct_Duration</b>	In perpetuity
<b>Grant_Cycle</b>	Cycle 1 - Spring 2016
<b>Prjct_Status</b>	<Null>
<b>WAFWA_ZN</b>	MZ IV
<b>FWP_Rgn</b>	3

**Hansen Ranch Conservation Easement and Conifer Removal  
Project Summary Statistics**

**Project Analysis**

**NOTE: See Yellow Highlights for Corrected Data page 5**

	<b>Project Area</b>	<b>Project + 4 Mile Buffer</b>	<b>Project + 12 Mile Buffer</b>
Total Acres	30589.15	340064.05	1174534.09
Core Acres	25020.35	192732.25	488311.64
General Acres	4732.63	66768.89	271152.25
Connectivity Acres	0	0	0
Outside Habitat	836.17	71738.12	281363.53
Percent Core	81.79	56.68	41.57
FWP Lek Count (may be other leks present)	2	11	32
FWP Total Male Count (Most Recent)	23	183	469
FWP Avg. Male Count	12	17	15
Project Cost/acre	31.14	No data	No data
Reverse DDCT	No data	<Null>	No data
Miles of linear riparian habitat/ mile <sup>2</sup>	4.08	2.91	2.94

Conservation Status	Project Area	4 Mile Buffer (%)	12 Mile Buffer (%)
Percent Public	No data	61.95	59.37
Percent Private Conservation	No data	0.00	0.00
Percent Managed Areas	No data	28.13	25.01
Percent Conservation Easement	No data	1.51	2.40
Total in Conservation (some consv. areas overlap)	No data	63.87	62.52
Not in Conservation	No data	36.13	37.48

Lek Vulnerability (no data)	Project Area (no data)	4 Mile Buffer	12 Mile Buffer
0-10%			
10.1-25%			
25.1-50%			
50.1-75%			
75.1-100%			

## Hansen Ranch Conservation Easement and Conifer Removal Project Summary Statistics

### **Other Notes:**

Proposed easement and habitat restoration through conifer removal (1,100 private acres) proposed in the same grant application.

TNC has \$12,000 to contribute towards conifer encroachment treatments.

Conifer removal would occur in conjunction with BLM treatments on BLM lands.

Hansen's have adjacent grazing leases on federal and DNRC State Trust Lands.

Sage Grouse connectivity documented with Idaho Populations.

Easement closing anticipated 2017 or early 2018, pending NRCS ALE funding in 2017.

**Hansen Ranch Conservation Easement and Conifer Removal  
Project Summary Statistics**

## Hansen Ranch Conservation Easement and Conifer Removal Project Summary Statistics

### Project Analysis

Total Acres	Project Area	Project + 4 Mile Buffer	Project + 12 Mile Buffer
Core Acres	13887.36	121519.70	464746.92
General Acres	13634.54	100502.53	316941.23
Connectivity Acres	251.41	17315.63	123996.65
Outside Habitat	0	0	0
Percent Core	1.40	3701.53	23809.04
FWP Lek Count (may be other leks present)	98.18	82.70	68.20
FWP Total Male Count (Most Recent)	2	3	20
FWP Avg. Male Count	23	23	254
Project Cost/acre	12	8	13
Reverse DDCT	68.59	No data	No data
Miles of linear riparian habitat/ mile <sup>2</sup>	No data	<Null>	No data
	4.10	2.97	2.77

Conservation Status	Project Area	4 Mile Buffer (%)	12 Mile Buffer (%)
Percent Public	No data	61.95	59.37
Percent Private Conservation	No data	0.00	0.00
Percent Managed Areas	No data	28.13	25.01
Percent Conservation Easement	No data	1.51	2.40
Total in Conservation (some consv. areas overlap)	No data	63.87	62.52
Not in Conservation	No data	36.13	37.48

Lek Vulnerability (no data)
0-10%
10.1-25%
25.1-50%
50.1-75%
75.1-100%

NO DATA

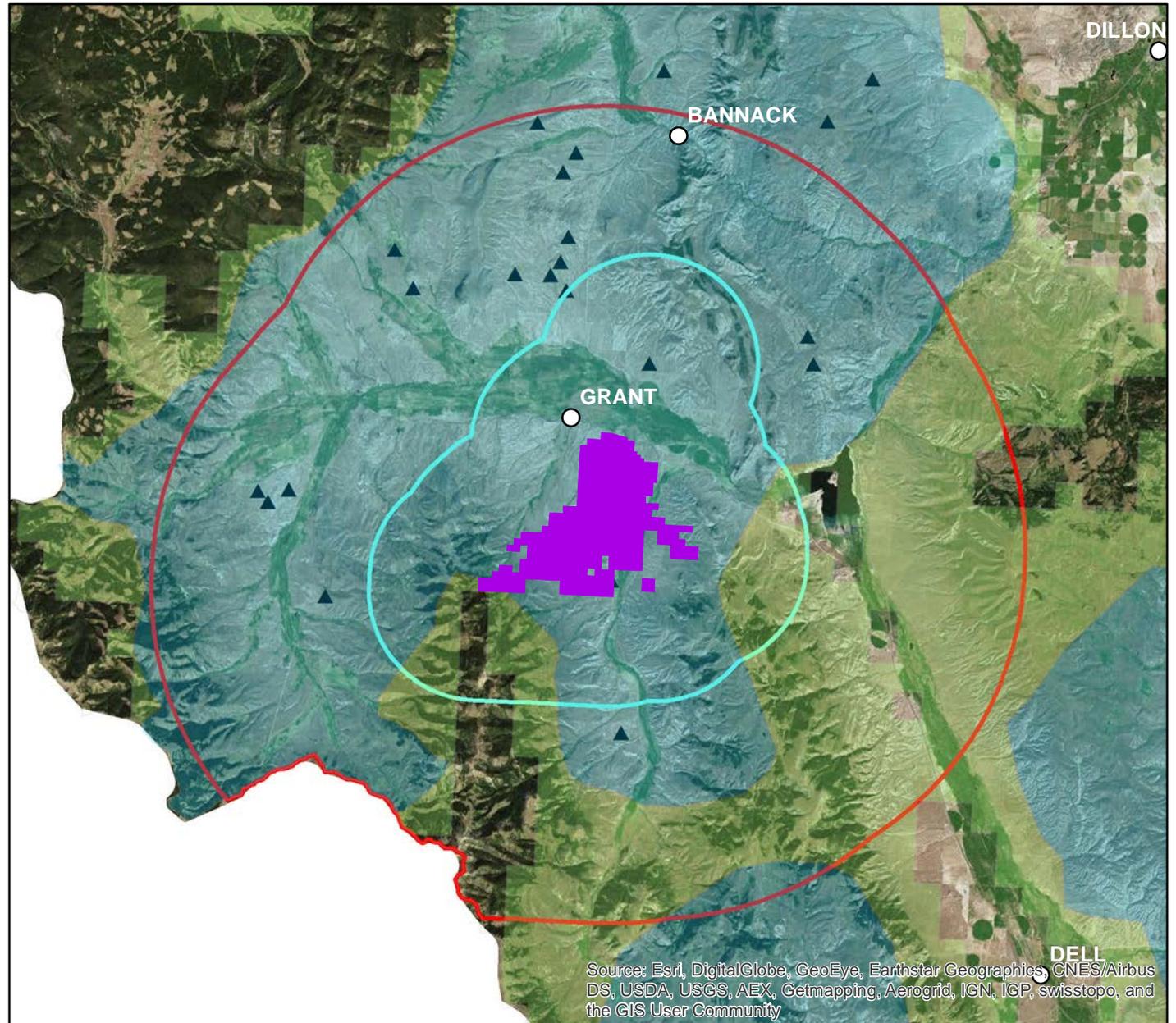
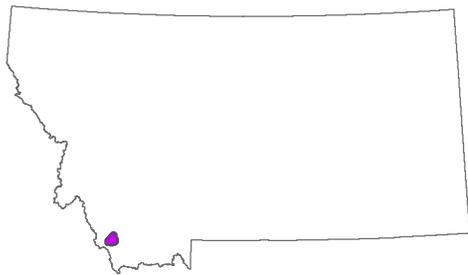
# Sage Grouse Habitat Conservation Program Hansen Ranch Grant Application

## Legend

- ▲ Leks
- Leks within 4 miles, buffered by 4 miles
- 12 Mile Buffer
- Hansen Ranch Property

## Sage Grouse Habitat Habitat Type

- EO-Connectivity Area
- EO-Core Area
- EO-General Habitat
- Not In EO Area



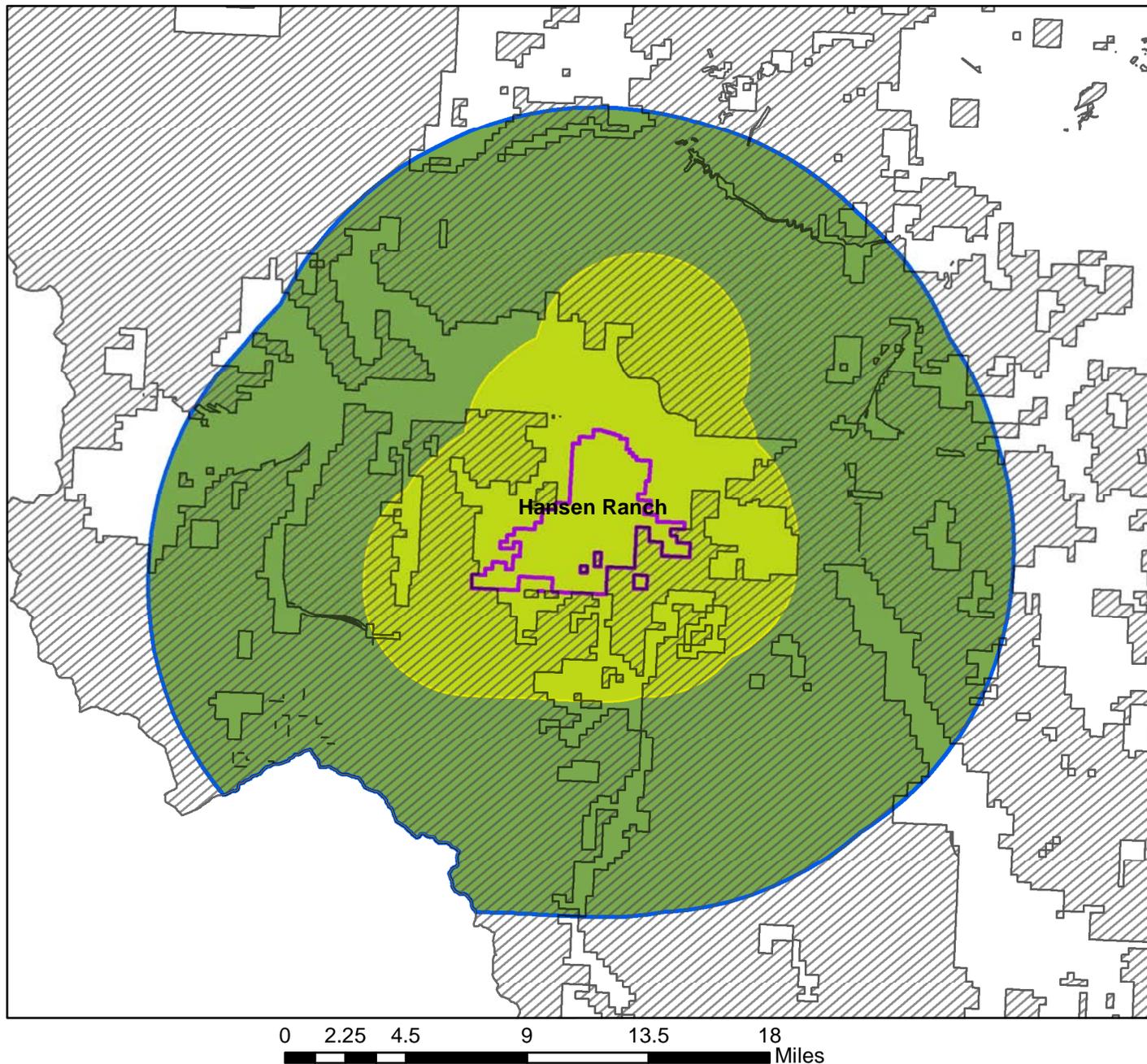
0 2.25 4.5 9 13.5 18 Miles

# Lands in Conservation Surrounding Hansen Ranch

-  Project Area
-  Conservation Lands
-  Leks within 4 miles, buffered by 4 miles
-  12 Mile Buffer

## Percent of Project Area in Conservation

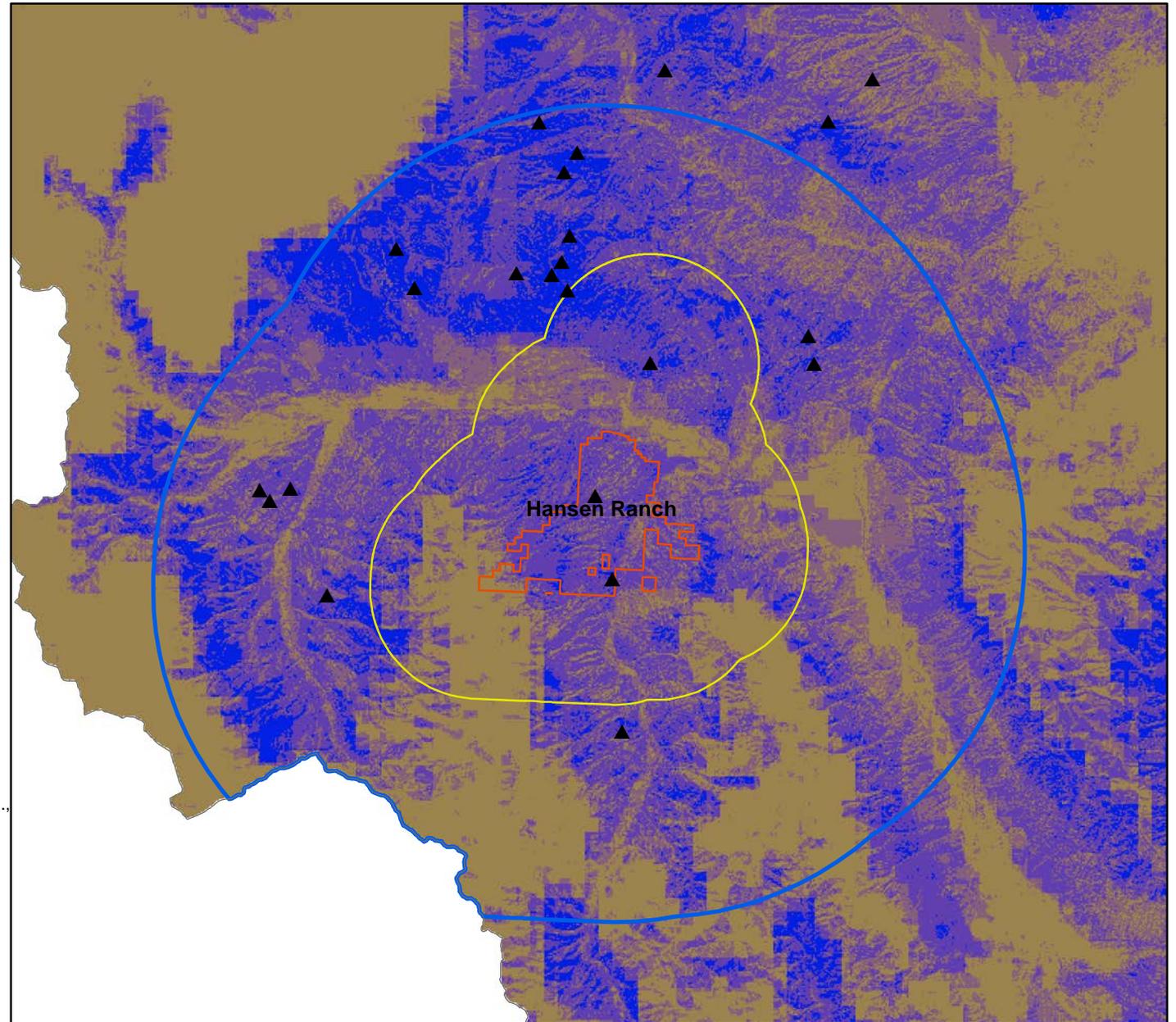
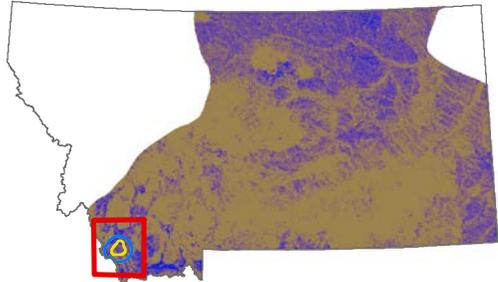
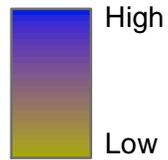
-  0 - 10%
-  10.1 - 20 %
-  20.1 - 30%
-  30.1 - 40%
-  40.1 - 50%
-  50.1 - 60%
-  60.1 - 70%
-  70.1 - 80%
-  80.1 - 100 %



# Breeding Habitat Suitability Surrounding Hansen Ranch

-  Project Area
-  Leks within 4 miles, buffered by 4 miles
-  12 Mile Buffer
-  Leks

## Sage Grouse Breeding Habitat Suitability\*



\*Doherty, Kevin E., Evans, Jeffrey S., Coates, Peter S., Juliusson, Lara M., Fedy, Brad, 2015, Importance of Regional Variation in Conservation Planning and Defining Thresholds for a Declining Species: A Range-wide Example of the Greater Sage-grouse, USFWS/USGS Technical Report



# Cultivation Risk and Lek Vulnerability Surrounding Hansen Ranch

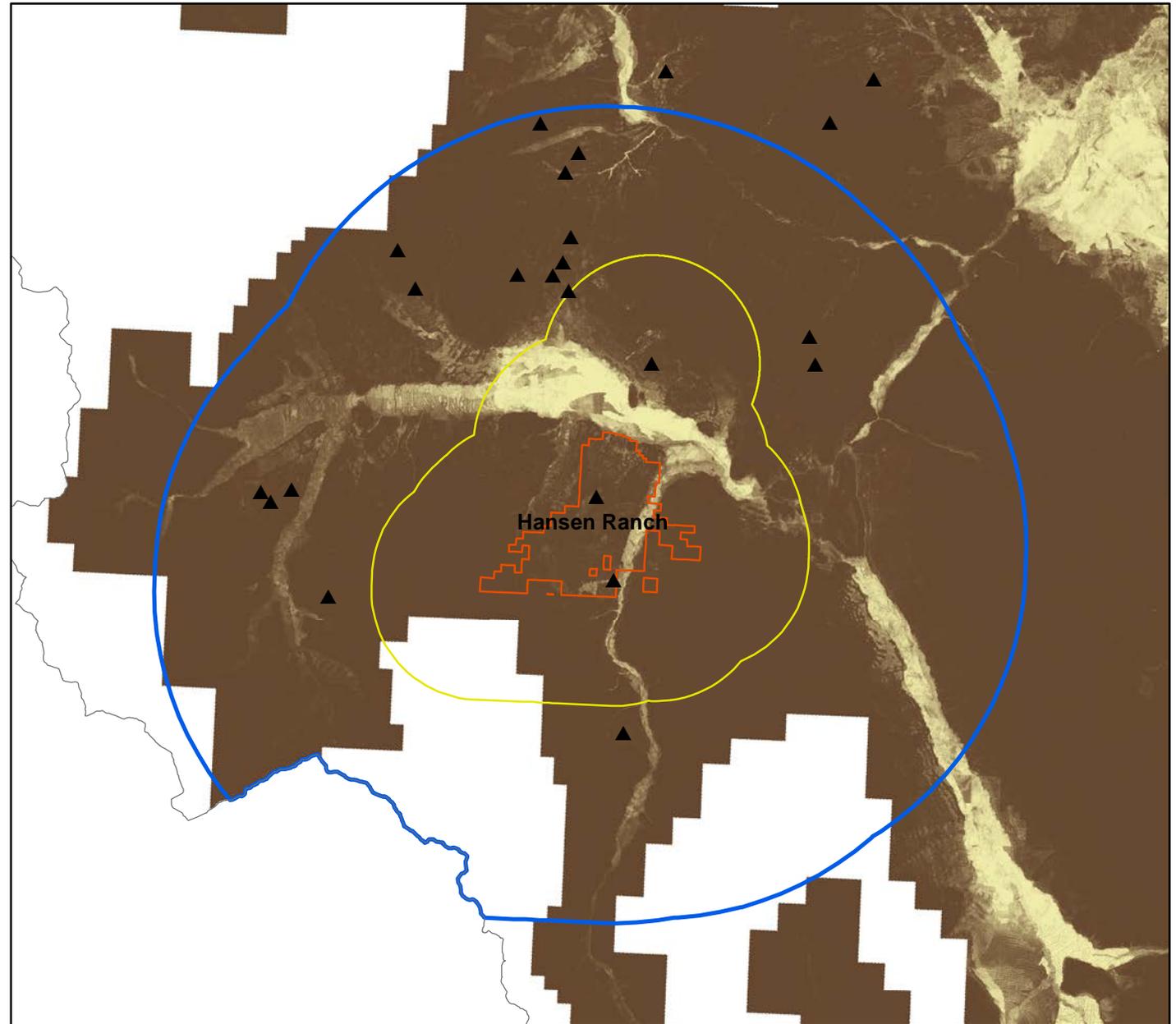
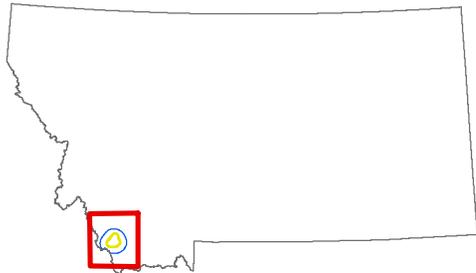
-  Project Area
-  Leks within 4 miles - buffered by 4 miles
-  12 Mile Buffer

## Lek Vulnerability\*

-  0% - 10%
-  10.1% - 25%
-  25.1% - 50%
-  50.1% - 75%
-  75.1% - 100%
-  No data available

## Cultivation Risk\*\*

-  High : 1
  -  Low : 0
- White area within 12 mile buffer was not included in Cultivation Risk Model



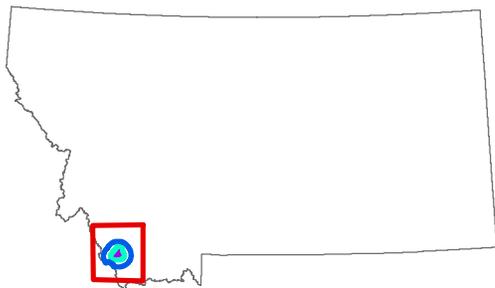
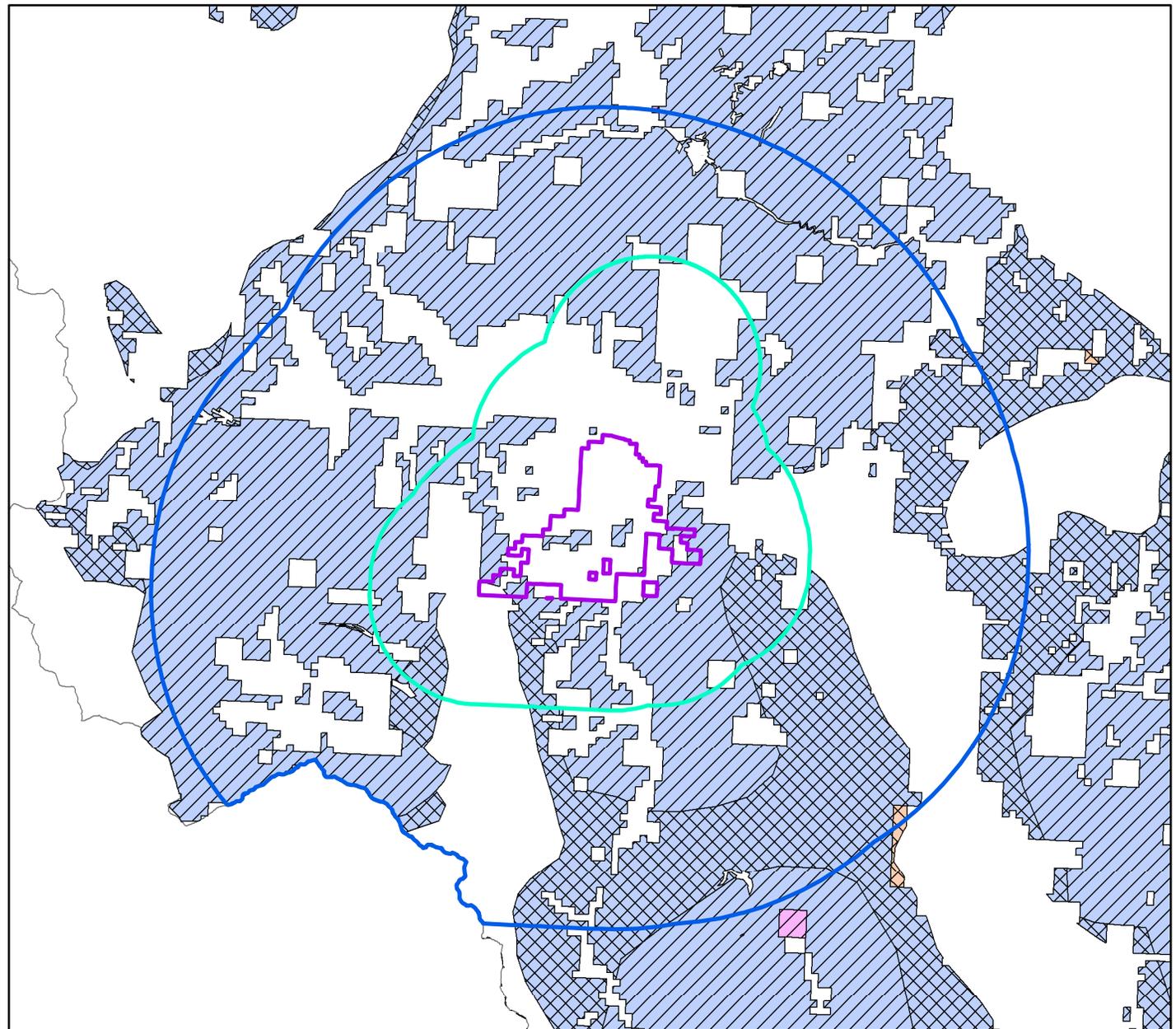
\*Lek vulnerability from Smith, J. T., Martin, B. H., Baruch-Mordo, S., Naugle, D. E., Evans, J. S., & Kiesecker, J. M. (2016). In review. Reducing cultivation risk for at-risk species: Predicting outcomes of conservation easements for sage-grouse.

\*\* Natural Resource Conservation Service, Sage Grouse Initiative. Cultivation Risk Model: Suitability for cropping based on climate, soils, and topography to assess potential risk of cultivation to sage-grouse habitat.

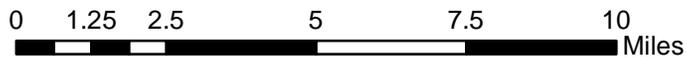
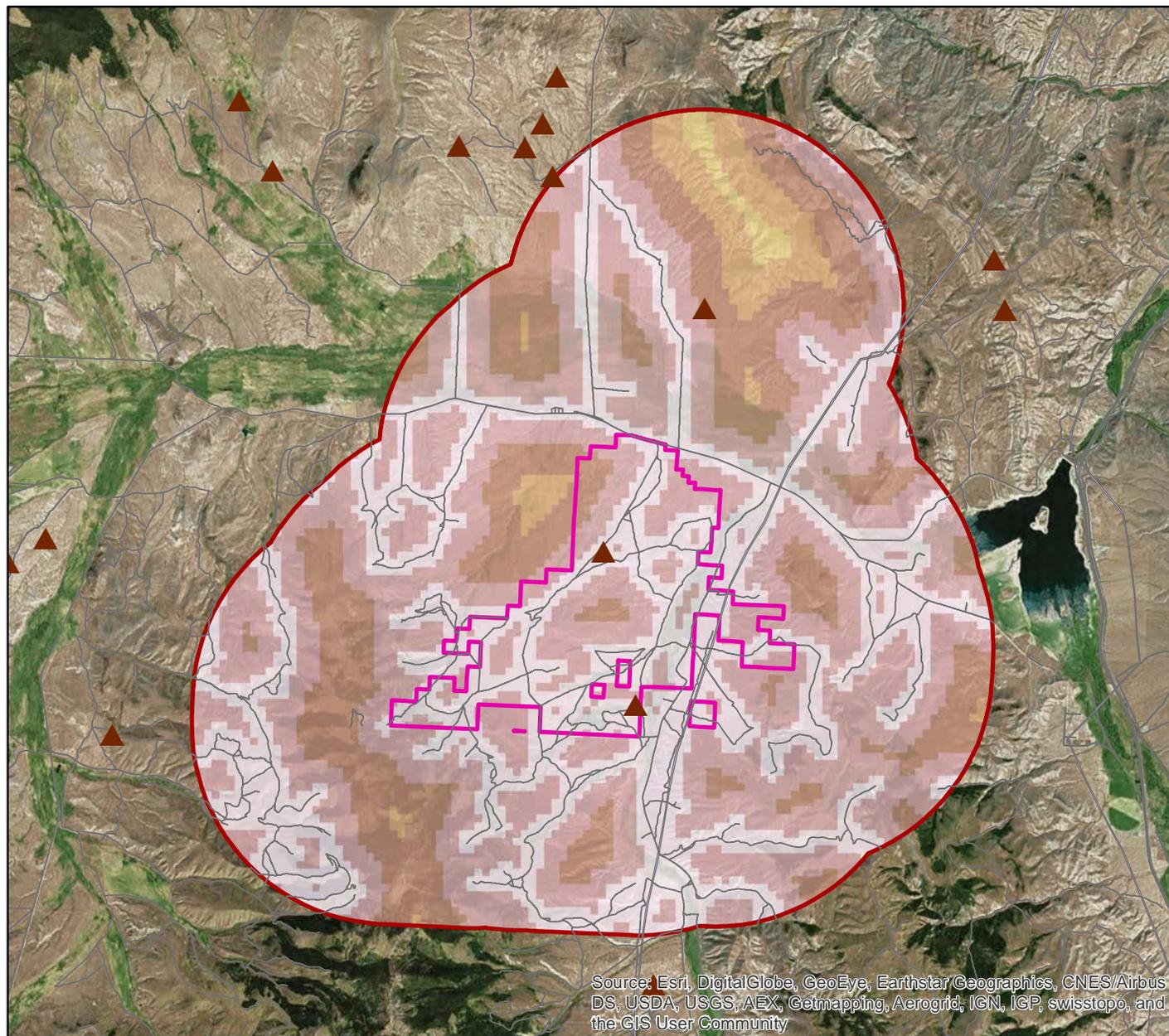
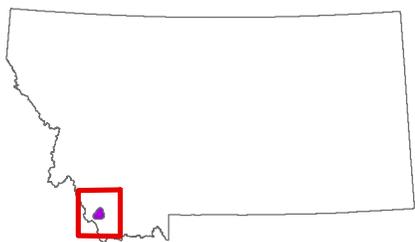
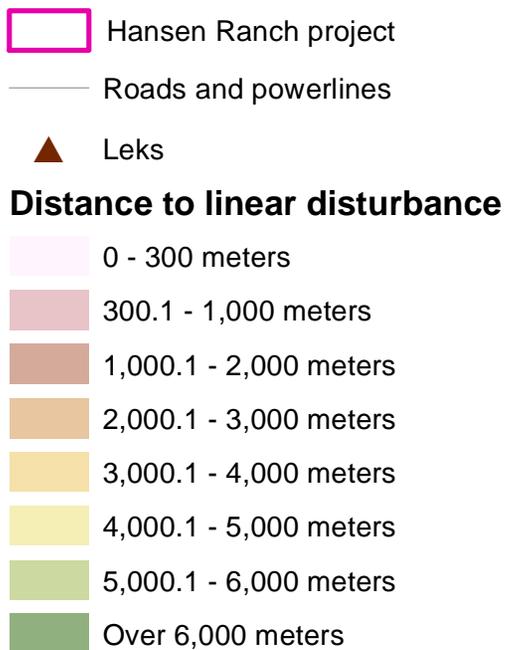
Available at: <http://map.sagegrouseinitiative.com/>

# BLM Subsurface Ownership Surrounding Hansen Ranch

-  Project Area
  -  Leaks within 4 miles, buffered by 4 miles
  -  12 Mile Buffer
- BLM Habitat Management Areas**
-  General Habitat Management Area
  -  Priority Habitat Management Area
  -  Restoration Habitat Management Area
- Subsurface Ownership**
-  ALL: all subsurface combined
  -  COG: coal, oil & gas ownership combined
  -  O&G: oil & gas
  -  RST: Restricted; federal gov't owns a %



# Linear disturbance analysis for Hansen Ranch Project Area : Leks within 4 miles, buffered by 4 miles

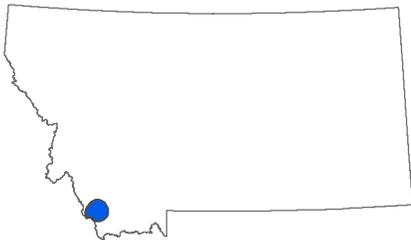


# Stream and Riparian Analyses for Hansen Ranch Project Area

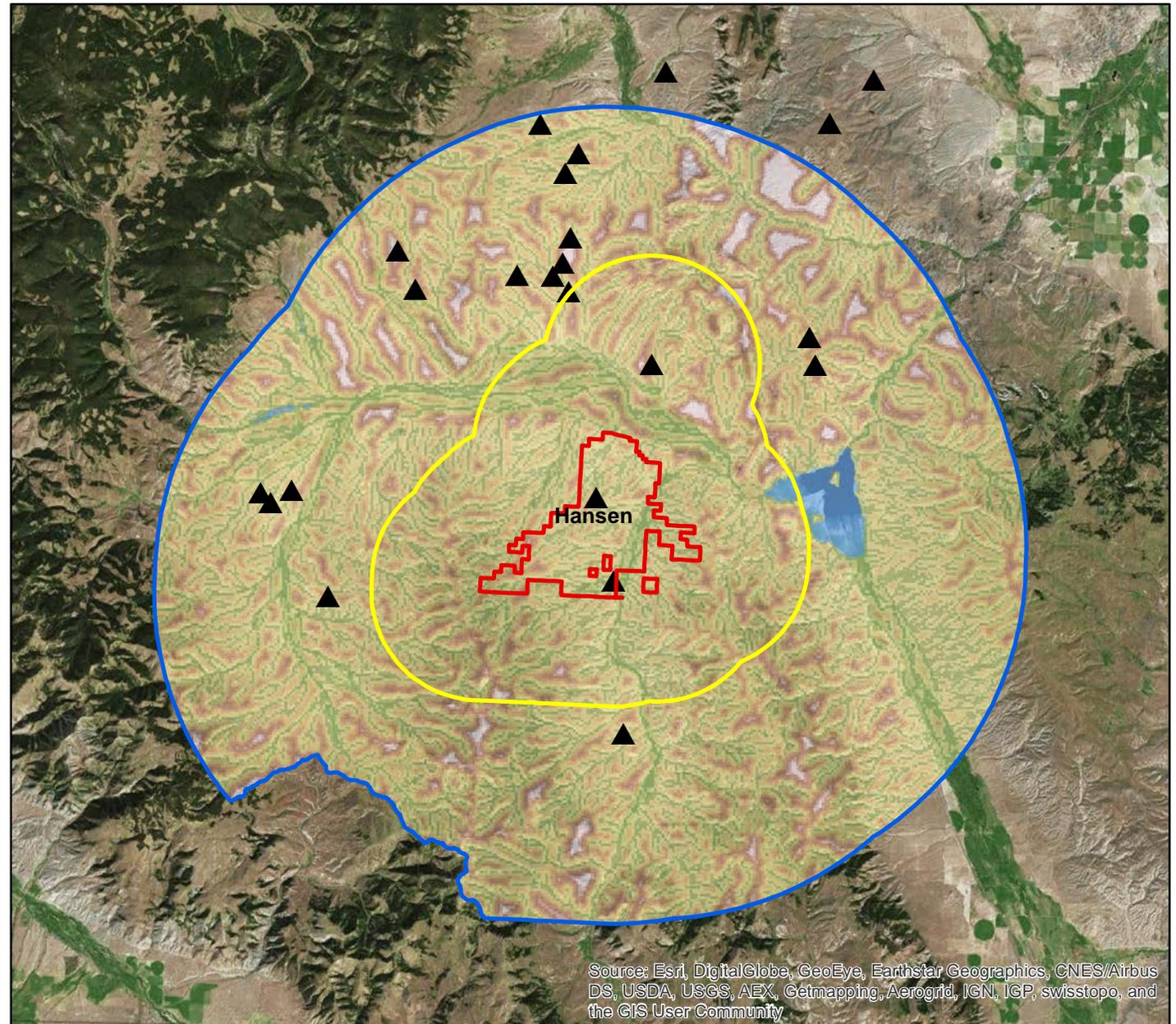
-  12 mile buffer
-  Leks within 4 miles buffered by 4 miles
-  Grant project area
-  Leks

## Distance to riparian area

-  Open Water
-  Under 75 m
-  75 - 165 m
-  165.1 - 250 m
-  250.1 - 350 m
-  350.1 - 500 m
-  500.1 - 650 m
-  650.1 - 750 m
-  Over 750 m



Stream density: 2.770238  
(Linear miles of stream square mile)



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

0 2.25 4.5 9 13.5 18 Miles

**Troy and Joy Smith  
Conservation Easement  
Project Statistics**

**Project Information**

<b>Project Name</b>	SMITH_TROY_PROPERTY
<b>Acres</b>	288.881768
<b>COUNTY1</b>	BEAVERHEAD
<b>COUNTY2</b>	
<b>GrantID</b>	APRL_2016_7
<b>ApplicantNameFirst</b>	Kendall
<b>ApplicantNameLast</b>	Van Dyk
<b>Agency_Org</b>	The Montana Land Reliance
<b>ApplicantPhone</b>	406-443-7027
<b>ApplicantEmail</b>	kendall@mtlandreliance.org
<b>ApplicantAddress</b>	324 Fuller Ave/PO Box 355, Helena MT 59624
<b>LandOwnerInfo</b>	T & J Smith, 550 Cedar Hills, Whitehall, MT 59759
<b>ProjectType</b>	Easement
<b>RequestAmnt</b>	\$36,000
<b>MatchAmnt (NRCS ALE) [+ landowner]</b>	\$108,000
<b>Landowner Donation Match</b>	\$47,150
<b>Match Ratio (Stewardship Fund:Total Match)</b>	25% state to 75% match (1:3)
<b>Prjct_Duration</b>	In perpetuity
<b>Grant_Cycle</b>	Cycle 1 - Spring 2016
<b>Prjct_Status</b>	<Null>
<b>WAFWA_ZN</b>	MZ IV
<b>FWP_Rgn</b>	3

**Troy and Joy Smith  
Conservation Easement  
Project Statistics**

**Project Analysis**

	Project Area	Project + 4 Mile Buffer	Project + 12 Mile Buffer
Total Acres	288.88	46230.25	311966.99
Core Acres	288.88	33556.19	138563.61
General Acres	0	9588.84	112620.25
Connectivity Acres	0	0	0
Outside Habitat	0	3085.23	55439.68
Percent Core	100	72.58	44.42
FWP Lek Count (may be other leks present)	0	1	8
FWP Total Male Count (Most Recent)	0	1	137
FWP Avg. Male Count	0	1	17
Project Cost/acre	124.62	No Data	No Data
Reverse DDCT	No Data	<Null>	No Data
Miles of linear riparian habitat/ mile <sup>2</sup>	7.09	2.80	2.77

Conservation Status	Project Area	4 Mile Buffer (%)	12 Mile Buffer (%)
Percent Public	No data	95.32	73.67
Percent Private Conservation	No data	0.00	0.00
Percent Managed Areas	No data	67.73	47.37
Percent Conservation Easement	No data	1.52	0.62
Total in Conservation (some consv. areas overlap)	No data	96.84	74.90
Not in Conservation	No data	3.16	25.10

Lek Vulnerability (no data available)	Project Area	4 Mile Buffer	12 Mile Buffer
0-10%			
10.1-25%			
25.1-50%			
50.1-75%			
75.1-100%			

**Other Notes:**

Proposed easement nearly surrounded by BLM leased land; Smiths currently have this lease (5,567 acres).  
The Smith property incorporated within about 109,189 contiguous acres of federal land designated as sage grouse habitat.  
Landowner has reseeded 80-acre area into rangeland within the boundaries of the proposed easement.

See Figures in application.  
Anticipate closing by December, 2017.

# Sage Grouse Habitat Conservation Program Smith Troy Grant Application

## Legend

▲ Leks

■ Smith Troy Property

□ 12 Mile Buffer

□ 4 Mile Buffer

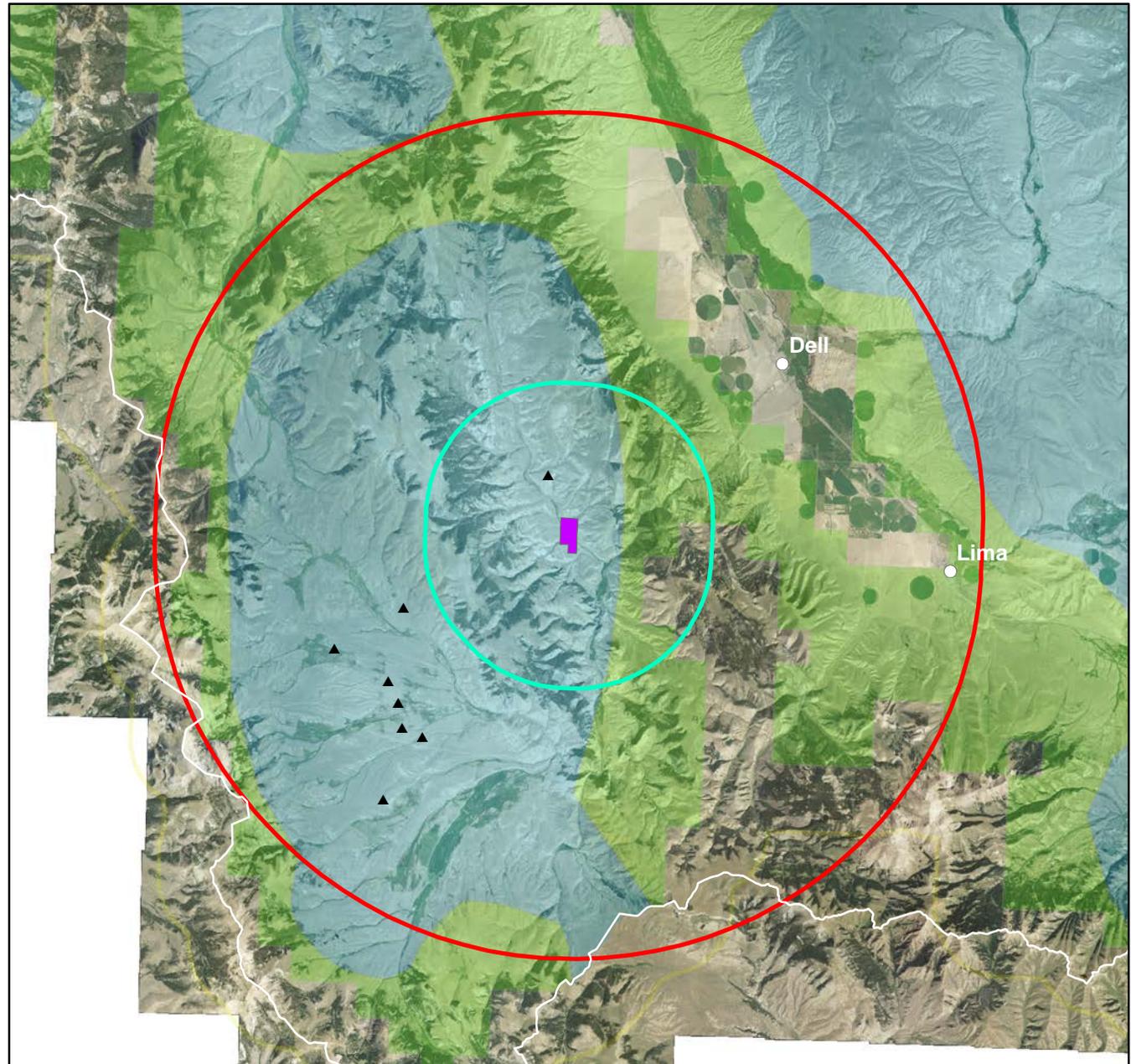
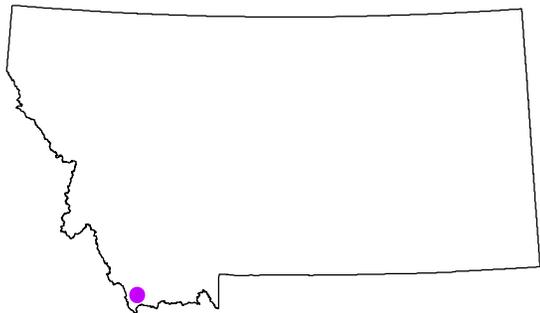
## Sage Grouse Habitat Habitat Type

■ EO-Connectivity Area

■ EO-Core Area

■ EO-General Habitat

□ Not In EO Area



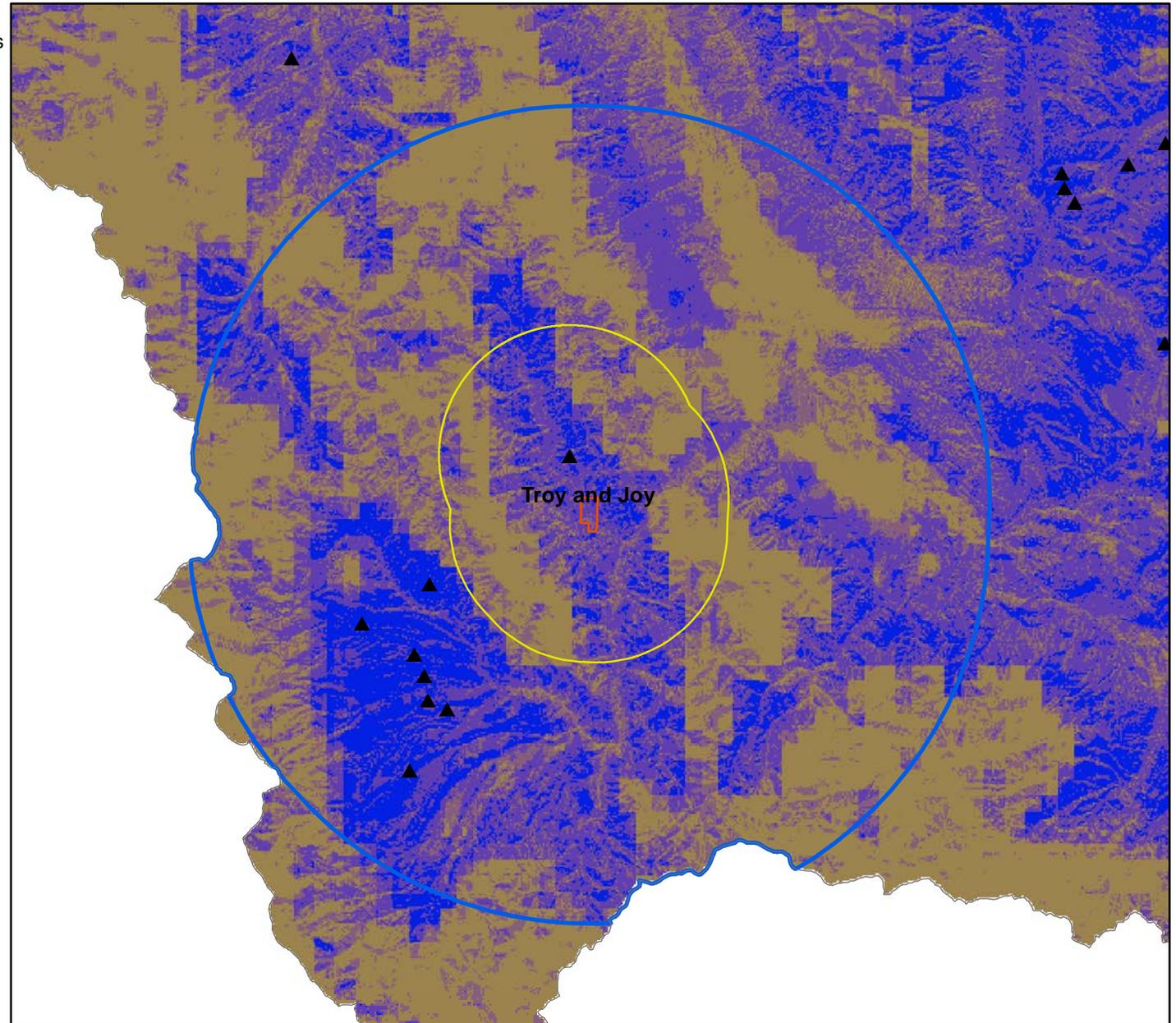
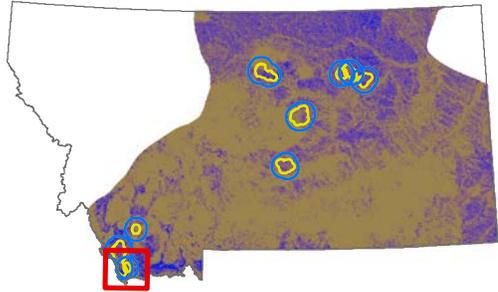
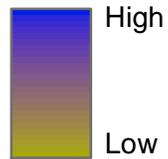
0 1.75 3.5 7 10.5 14 Miles

# Breeding Habitat Suitability Surrounding Troy and Joy Smith Project Area

-  Project Area
-  Leks within 4 miles - buffered by 4 miles
-  12 Mile Buffer

 Leks

## Sage Grouse Breeding Habitat Suitability\*



0 1.75 3.5 7 10.5 14 Miles

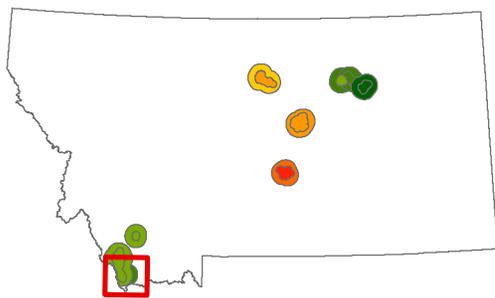
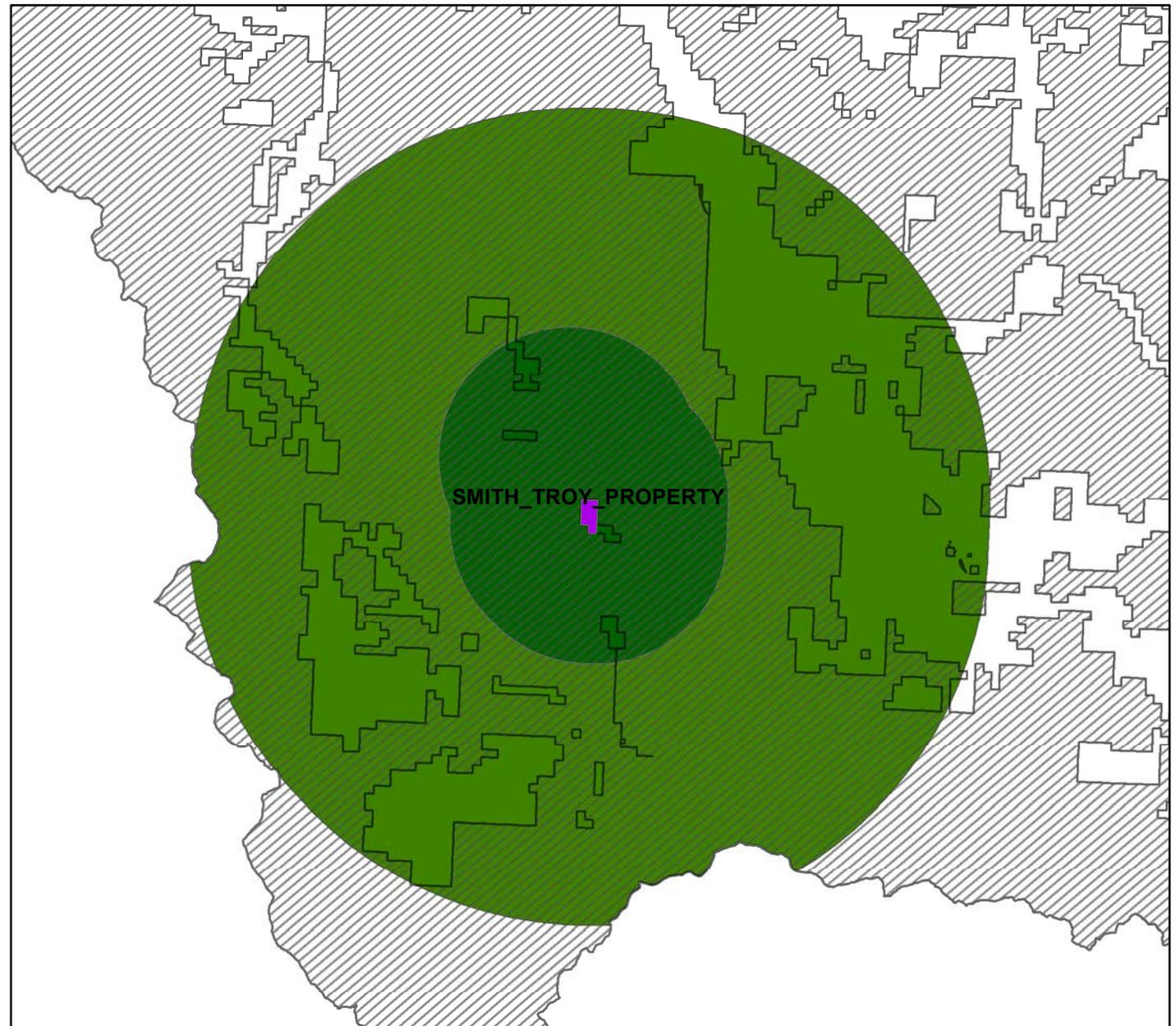
\*Doherty, Kevin E., Evans, Jeffrey S., Coates, Peter S., Juliusson, Lara M., Fedy, Brad, 2015, Importance of Regional Variation in Conservation Planning and Defining Thresholds for a Declining Species: A Range-wide Example of the Greater Sage-grouse, USFWS/USGS Technical Report 51 pp. Report available at: [https://www.researchgate.net/publication/292970319\\_Importance\\_of\\_Regional\\_Variation\\_in\\_Conservation\\_Planning\\_and\\_Defining\\_Thresholds\\_for\\_a\\_Declining\\_Species\\_A\\_Range-wide\\_Example\\_of\\_the\\_Greater\\_Sage-grouse](https://www.researchgate.net/publication/292970319_Importance_of_Regional_Variation_in_Conservation_Planning_and_Defining_Thresholds_for_a_Declining_Species_A_Range-wide_Example_of_the_Greater_Sage-grouse). Model available at <https://www.sciencebase.gov/catalog/item/56fd2296e4b0a6037df2feb6>.

# Percentage of Smith Project Area Buffers in Conserved Lands: Leks within 4 Miles of Project Area - Buffered by 4 Miles and 12 Mile Buffer Shown

-  Grant Projects
-  Conservation Lands

## Percent of Project Area in Conservation

-  0 - 10%
-  10.1 - 20 %
-  20.1 - 30%
-  30.1 - 40%
-  40.1 - 50%
-  50.1 - 60%
-  60.1 - 70%
-  70.1 - 80%
-  80.1 - 100 %



0 1.75 3.5 7 10.5 14 Miles

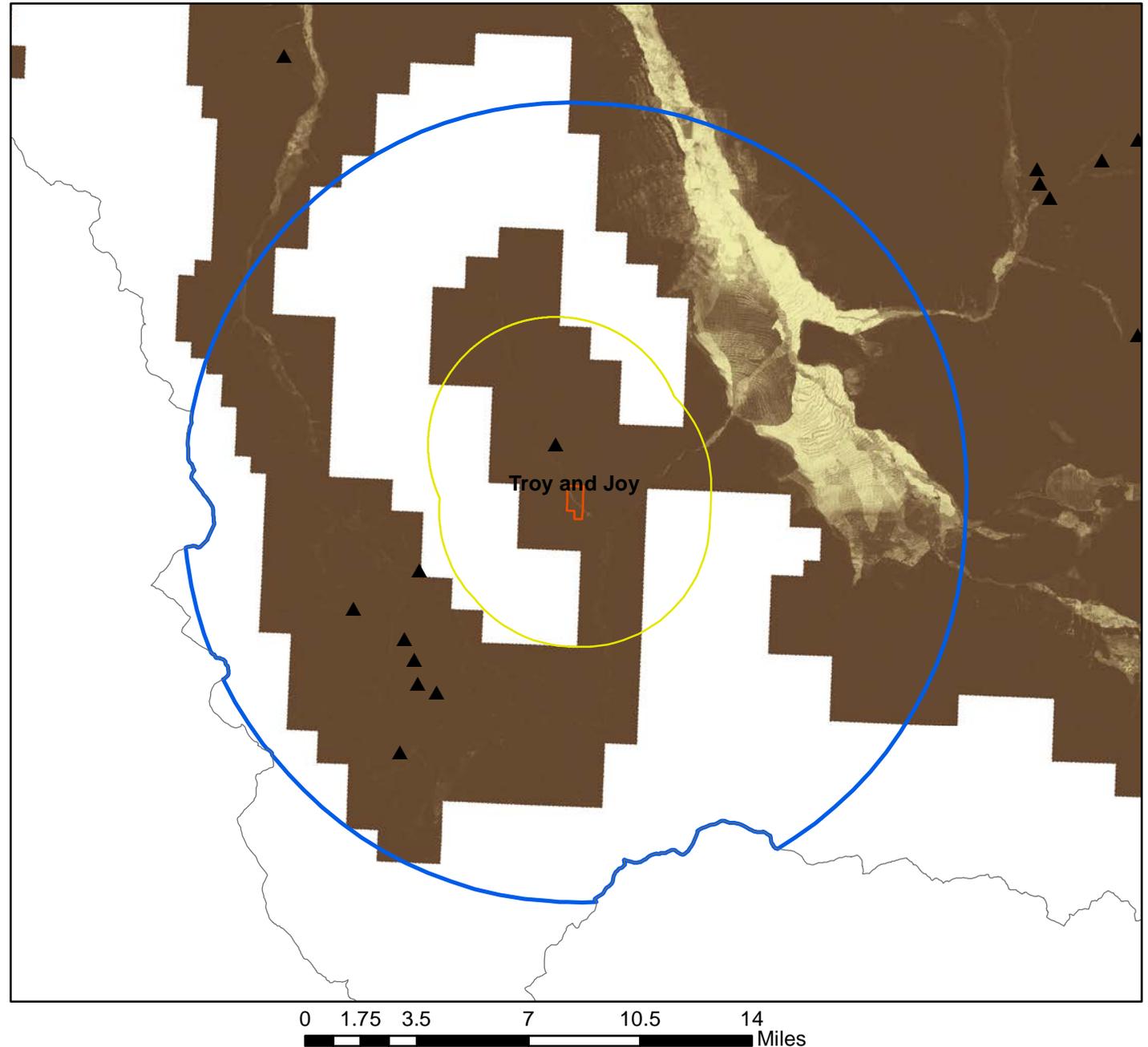
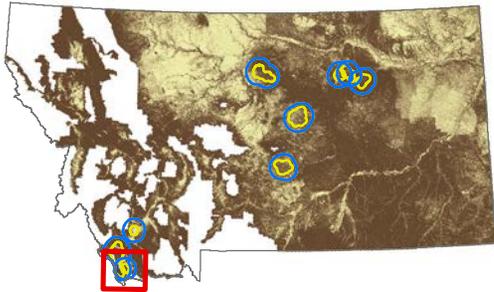
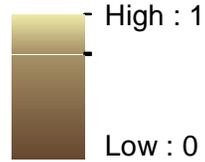
# Cultivation Risk and Lek Vulnerability Surrounding Troy and Joy Smith Project Area

-  Project Area
-  Leks within 4 miles - buffered by 4 miles
-  12 Mile Buffer

## Lek Vulnerability\*

-  0% - 10%
-  10.1% - 25%
-  25.1% - 50%
-  50.1% - 75%
-  75.1% - 100%
-  No data available

## Cultivation Risk\*\*



\*Lek vulnerability from Smith, J. T., Martin, B. H., Baruch-Mordo, S., Naugle, D. E., Evans, J. S., & Kiesecker, J. M. (2016). In review. Reducing cultivation risk for at-risk species: Predicting outcomes of conservation easements for sage-grouse.

\*\* Natural Resource Conservation Service, Sage Grouse Initiative. Cultivation Risk Model: Suitability for cropping based on climate, soils, and topography to assess potential risk of cultivation to sage-grouse habitat. Available at: <http://map.sagegrouseinitiative.com/>

# BLM Subsurface Ownership Surrounding Troy and Joy Smith

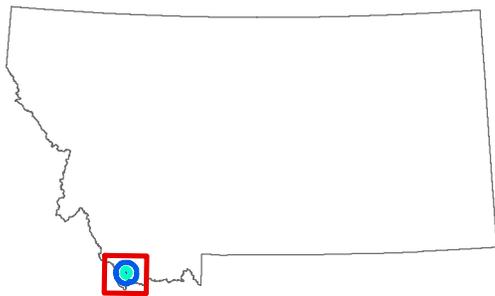
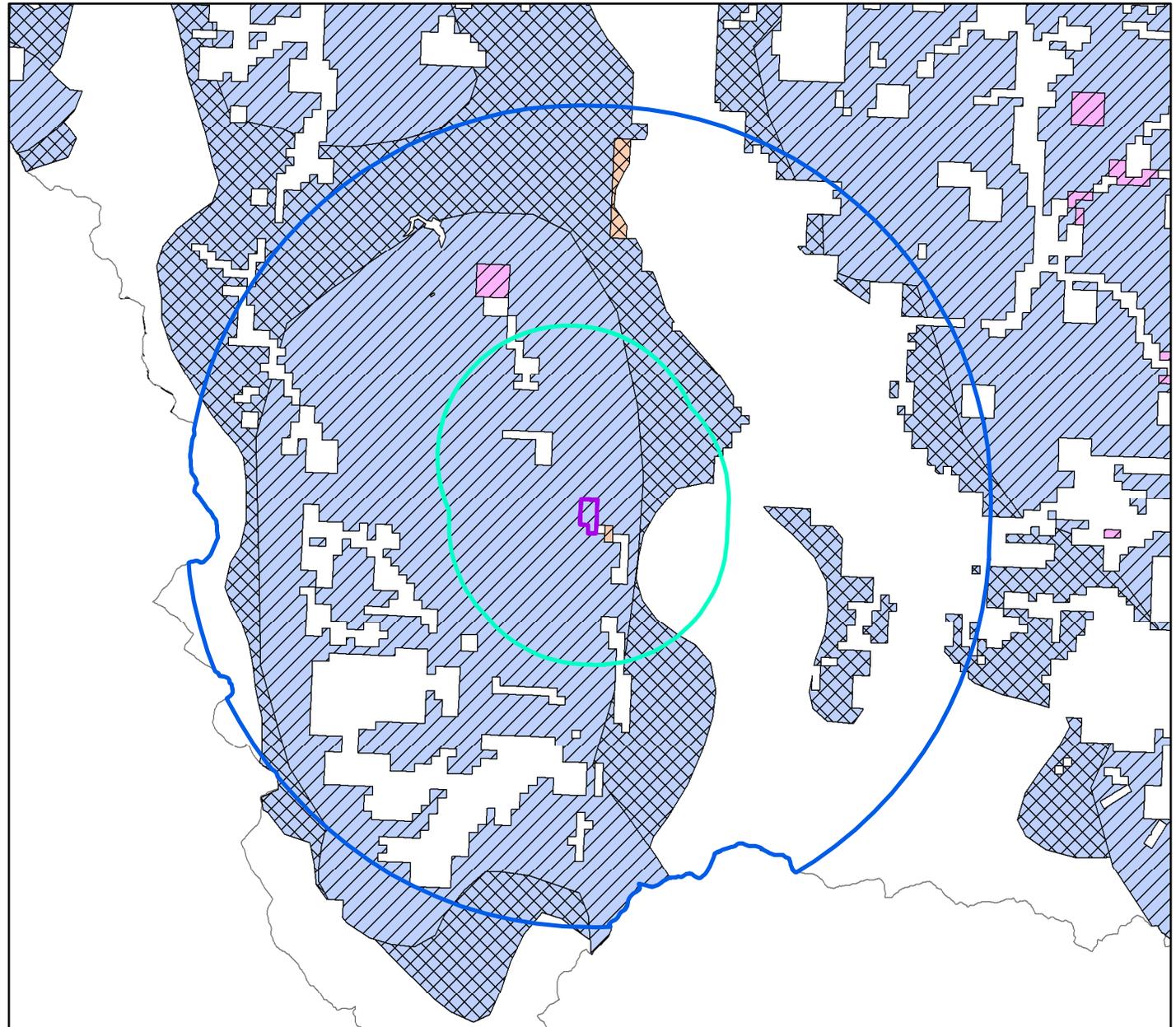
-  Project Area
-  Leaks within 4 miles, buffered by 4 miles
-  12 Mile Buffer

## BLM Habitat Management Areas

-  General Habitat Management Area
-  Priority Habitat Management Area
-  Restoration Habitat Management Area

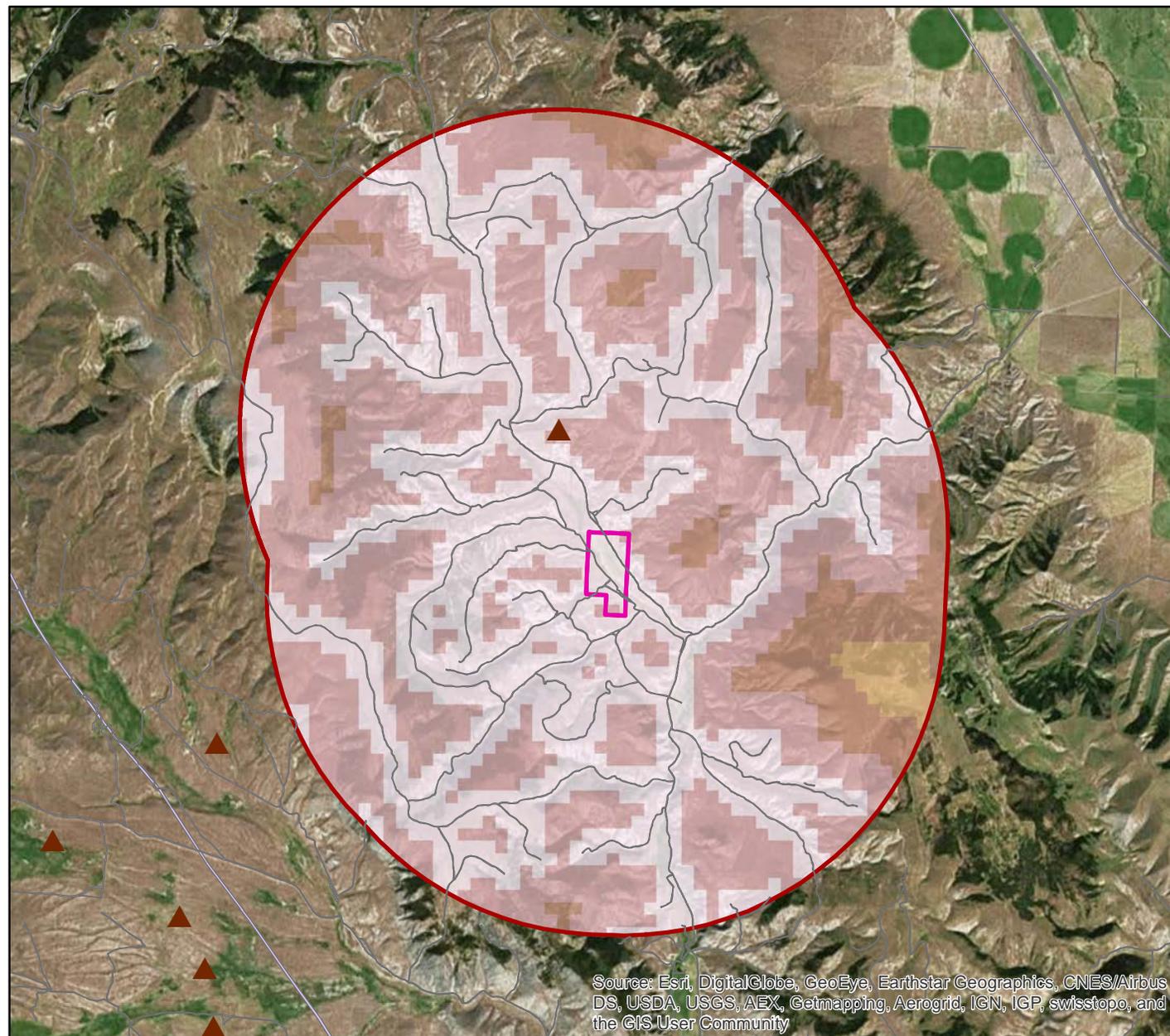
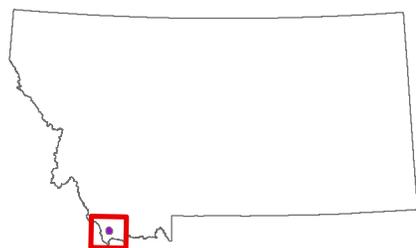
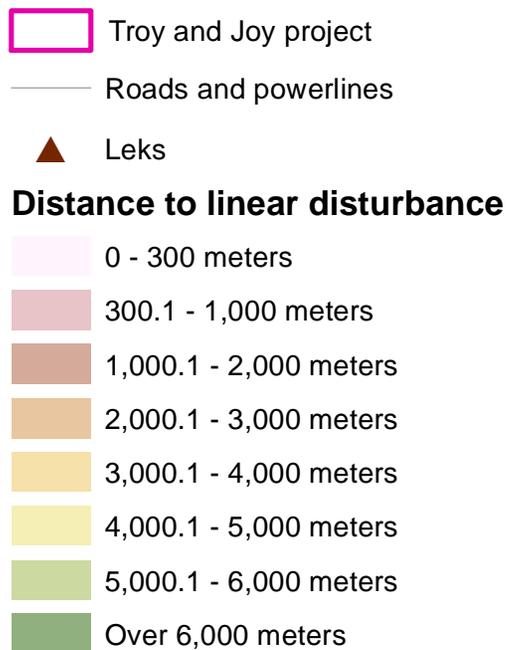
## Subsurface Ownership

-  ALL
-  COG
-  O&G
-  RST

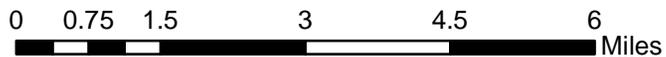


# Linear disturbance analysis for Troy and Joy Smith Project

## Area : Leks within 4 miles, buffered by 4 miles



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

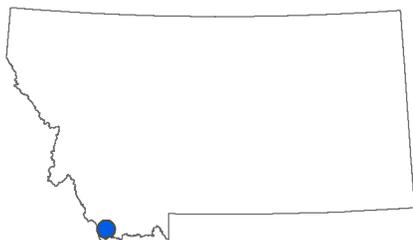


# Stream and Riparian Analyses for Troy and Joy Smith Project Area

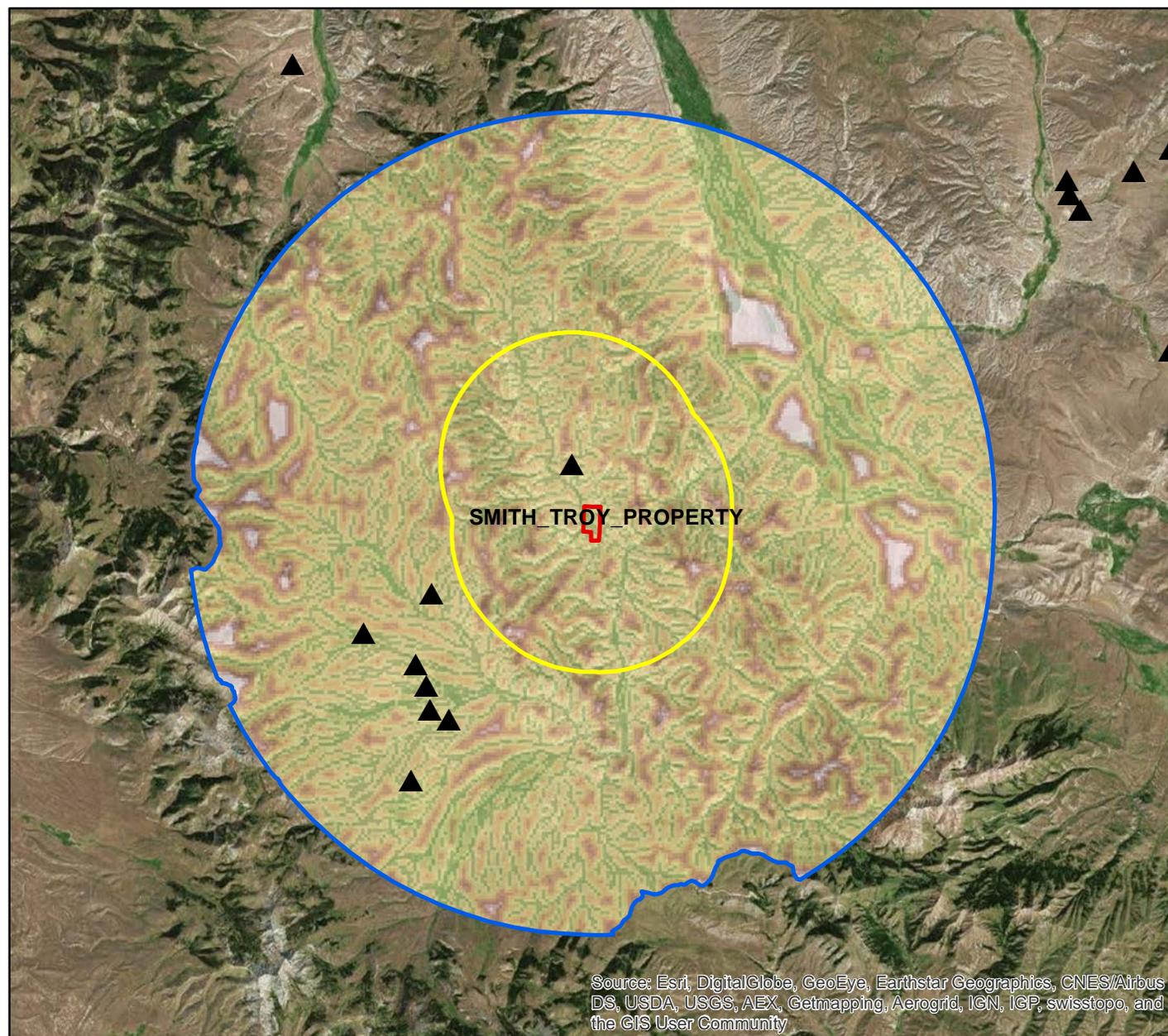
-  12 mile buffer
-  Leks within 4 miles buffered by 4 miles
-  Grant project area
-  Leks

## Distance to riparian area

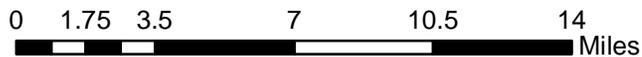
-  Open Water
-  Under 75 m
-  75 - 165 m
-  165.1 - 250 m
-  250.1 - 350 m
-  350.1 - 500 m
-  500.1 - 650 m
-  650.1 - 750 m
-  Over 750 m



Stream density: 2.767498  
(Linear miles of stream square mile)



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



**National Wildlife Federation  
Fence Marking  
Project Statistics**

Handout 9

**Project Information**

<b>Project Name</b>	NWF Fence Marking	
<b>Acres</b>	90 miles of high-risk fence near leks	
<b>COUNTY1</b>	6 county area	
<b>COUNTY2</b>	Blaine, Phillips, Valley, McCone, Garfield, Petroleum, Fergus	
<b>GrantID</b>	APRL_2016_9	
<b>ApplicantNameFirst</b>	Sarah	
<b>ApplicantNameLast</b>	Bates	
<b>Agency_Org</b>	National Wildlife Federation	
<b>ApplicantPhone</b>	406-541-6736	
<b>ApplicantEmail</b>	<a href="mailto:BatesS@nwf.org">BatesS@nwf.org</a>	
<b>ApplicantAddress</b>	240 N. Higgins Ave. Suite #2	
<b>LandOwnerInfo</b>		
<b>ProjectType</b>	Fence Marking	
<b>RequestAmt</b>	\$40,716	
<b>MatchAmt (All Sources)</b>	\$139,295	
	National Fish and Wildlife Foundation (cash)	\$88,095
	Americal Prairie Reserve (in kind)	\$6,500
	Montana Wildlife Federation (in kind)	\$7,000
	Montana Conservation Corps (in kind)	\$6,000
	National Wildlife Federation (cash)	\$31,700
<b>Match Ratio (Stewardship Fund:Total Match)</b>	29% state to 69% match (1:3.4)	
<b>Prjct_Duration</b>	10-20 years	
<b>Grant_Cycle</b>	Cycle 1 - Spring 2016	
<b>Prjct_Status</b>	<Null>	
<b>WAFWA_ZN</b>	MZ I	
<b>FWP_Rgn</b>	6, 7	

**Project Analysis**

	<b>Project Area</b>
<b>Total Acres</b>	
<b>Core Acres</b>	
<b>General Acres</b>	
<b>Connectivity Acres</b>	
<b>Outside Habitat</b>	
<b>Percent Core</b>	100%
<b>FWP Lek Count (may be other leks present)</b>	unknown at this time
<b>FWP Total Male Count (Most Recent)</b>	unknown at this time
<b>FWP Avg. Male Count</b>	unknown at this time
<b>Project Cost/mile</b>	\$ 452.40 per mile
<b>Reverse DDCT</b>	
<b>Miles of linear riparian habitat/ mile<sup>2</sup></b>	unknown at this time

<b>Proposed High Risk Segments for Marking</b>	<b>Number of Miles (%)</b>
<b>Core Areas Public Land (BLM)</b>	65 (72%)
<b>DNRC State Trust Lands</b>	5 (6%)
<b>Private Land</b>	20 (22%)

**Other Notes:**

Project addresses threat of direct mortality due to collisions with fences near leks.

Other project partners are diverse and include Montana Conservation Corps and the Trapper Creek Job Corps.

Applicant anticipates continuing efforts in 2017 through a National Fish and Wildlife Foundation Developing the Next Generation of Conservation Leaders grant.

**GREATER SAGE GROUSE HABITAT CONSERVATION STEWARDSHIP FUND  
SPRING 2016**

**PEER REVIEW COMMENTS**

**44 RANCH EASEMENT**

- 1. Will the proposed project maintain, enhance, restore, expand, or benefit greater sage grouse habitat and populations? Why or why not? [Score 1-10; 10 is maximum high score for projects that provide greatest benefits.]**

Score: 7

Comments: The CE will maintain existing habitat. However, it will not enhance, restore, expand or benefit SG habitat.

Score:8

Comments: Good quality sage-grouse habitat in the center of an important Core Area. Conversion to cropland agriculture risk is high in the area so protection is important.

Score: 9

Comments: The proposed project would maintain, in perpetuity, sage grouse habitat on 18,033 acres of core habitat. The property includes 5 leks and 3.3 miles of riparian habitat/sq mile which is important for brood rearing. There is a significant amount of land within a 4 mile radius of project with high cultivation risk which makes the project lands even more important for sage grouse habitat and local populations. Only 37 acres of cropland,

- 2. Are you aware of additional protected lands not shown either on the grant application or the map provided by the Sage Grouse Habitat Conservation Program, such as FWP long term leases? If so, please describe.**

YES/**NO**:

Comments:

YES/NO:

Comments:

YES/NO: No

Comments:

- 3. Is this proposal consistent with the purposes of the Stewardship Fund and should it receive funding? If yes, should it receive 100% of the requested amount? [Score 1-10, 10 is an excellent fit for this grant opportunity.]**

Consistency: **YES**/NO

100% of requested amount: YES/NO



## Comments:

Strengths:- One parcel (small acreage outside main parcel but connected to project by public land), almost no roads, strong landowner charitable donation of nearly \$500,000, The Conservation Fund contribution of \$375,000

Weaknesses: Private inholding of 200 acres, >75 % of adjoining lands and lands out to 12 miles from project are private lands with no conservation protection.

**6. Here, we ask you to consider the potential to generate mitigation credits. Refer to the summary table provided.**

**Does the project have the potential to generate mitigation credits based on the habitat values of the project? YES/NO [Score 1-10, 10 being high potential; score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

**YES/NO:** Score Potential Overall: **10**  
 Additional Points (circle one): permanent = **10** or term = 5  
 Comments: 100% of the acres are available eligible to generate credits

**YES:** Score Potential Overall:10  
 Additional Points (circle one): permanent = 10 or term = 5  
 Comments:

**YES/NO:** Yes Score Potential Overall: **10**  
 Additional Points (circle one): permanent = **10** or term =  
 Comments: The project has high habitat values and the 18,033 acres represents 57% of the acres potentially eligible to generate credits from all of the applications.

**7. Does the project have the potential to generate mitigation credits based on the number of leks and breeding males? YES/NO [Score 1-10, 10 being high potential; score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

**YES/NO:** Score Potential Overall:  
 Additional Points (circle one): permanent credit = 10 term credit = 5  
 Comments:

**YES** Score Potential Overall: 8  
 Additional Points (circle one): permanent credit = 10 term credit = 5  
 Comments:

**YES/NO:** Yes Score Potential Overall: 9  
 Additional Points (circle one): permanent credit = 10

Comments: The project has 5 active leks that had a total of 66 males observed in 2016. This is the greatest number of leks and displaying males of all of the applications.

**8. Does the project have the potential to generate mitigation credits based on the contribution to breeding habitat? YES/NO [Score 1-10, 10 being high potential; score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

YES/NO:            Score:  
Additional Points (circle one): permanent credit = 10    term credit = 5  
Comments:

YES                    Score:            8  
Additional Points (circle one): permanent credit = 10    term credit = 5  
Comments:

YES/NO: Yes    Score: 8  
Additional Points (circle one): permanent credit = 10  
Comments: The project lands have good breeding habitat suitability, particularly in the northern portion of the property. There is over 3 miles of riparian habitat/sq mile for brood rearing as well as nesting habitat.

**9. Are the terms of the proposed easements settled enough for the Montana Sage Grouse Oversight Team to fund this project at this time? YES/NO [Score 1-10, with 10 as the maximum high score for projects where terms are settled well enough to commit funding at this time and project has a high probability to be implemented.]**

Terms Settled Enough: YES/NO                    Score: **10**  
Comments: Appears terms of the proposed easement are settled and the proposal is "turn-key" subject to funding availability.

Terms Settled Enough: NO                    Score: 2  
Comments: Terms appear to allow for some subdivision development. This is problematic from the perspective of protecting sage-grouse habitat. Even large parcels will fragment the habitat with roads and building envelopes and bring in disturbance in the form of human activity, roaming dogs, etc. See comments from easement specialists on this project.

Terms Settled Enough: YES/NO **No**                    Score: **8**  
Comments: The proposed easement is still in negotiation. The SGOT will have to review the draft easement to make sure it provides sufficient protection for sage grouse habitat.

**10. Is the fence marking project settled enough for the Montana Sage Grouse Oversight Team to fund this project at this time? YES/NO [Score 1-10, with 10 as**



44 Ranch – 5 leks on the property, relatively large parcel, relatively higher risk of cultivation. This seems like a pretty beneficial preservation project to me. I'd like to see some additionality as a result of the DNRC grant such as: fence marking if they haven't done I already; escape ramps to water tanks for chicks; any cultivated ground that could be restored to habitat; old power poles that could be removed?

=====

44 Ranch - #1 project for resource value, high conversion risk, and high mitigation offset potential. However, we are not comfortable with the easement terms as described. Specifically, allowances for subdivisions are not expected to protect sage-grouse habitat in to the future. Recommendation is to ask proponent to submit in next cycle with more defined easement language that clearly protects sage-grouse resources in to the future. Alternatively, you could allocate funding contingent upon acceptable easement language

=====

I believe this is the strongest project given the high ratio of potential credits vs the overall project size and the current value of the landscape for GRS. In addition, it is in an area noted for high risk of conversion, thus the potential gain is even greater. It is not in an area that currently has high conservation values, but I believe it could serve as a good example for future efforts in this area. Overall cost may be an issue though. Final rank – 1

## GREATER SAGE GROUSE HABITAT CONSERVATION STEWARDSHIP FUND

SPRING 2016

### PEER REVIEWER COMMENTS

#### HANSEN RANCH EASEMENT

- 1. Will the proposed project maintain, enhance, restore, expand, or benefit greater sage grouse habitat and populations? Why or why not? [Score 1-10; 10 is maximum high score for projects that provide greatest benefits.]**

Score: 5

Comments: Less than 25% of the acres are potentially eligible to generate credits. In addition, approximately 1100 acres to be treated for conifer encroachment. Majority of the project is focused at maintaining habitat.

Score: 8

Comments: The easement proposal provides legitimate opportunity to maintain and enhance sage grouse habitat in a meaningful way. Conifer expansion is a legitimate threat to sage grouse habitat in both the Beaverhead and Tendoy Mountains, and the Hansen ranch touches both ranges and is impacted by conifer expansion. The habitat on the ranch would also benefit from a systematic livestock grazing system.

Score: **8**

Comments: Project will maintain habitat on nearly 14,000 acres of core sage grouse habitat in perpetuity and 1100 acres of habitat will be restored by the removal of conifers on and within 4 miles of the project lands..

- 2. Are you aware of additional protected lands not shown either on the grant application or the map provided by the Sage Grouse Habitat Conservation Program, such as FWP long term leases? If so, please describe.**

YES/**NO**:

Comments: Nothing in the narrative indicates such.

YES/NO: Yes

Comments: The Hans Peterson Flats unit of the Dragging Y Conservation Easement is immediately north of the project area.

**No**

Comments:

**3. Is this proposal consistent with the purposes of the Stewardship Fund and should it receive funding? If yes, should it receive 100% of the requested amount? [Score 1-10, 10 is an excellent fit for this grant opportunity.]**

Consistency: **YES/NO**                      100% of requested amount: YES/NO

Comments: \$952,500 is a lot of money to protect two leks via a CE and treat 1100 acres (of which 200 are within the CE area) of conifer encroachment. Not only are there limited leks on the project area, the number of adjacent leks is not large.

Consistency: **YES**                      100% of requested amount: YES???

Comments: Proposal is consistent with the purposes of the Stewardship act. There was an eligibility issue with the matching funds from NRCS for the conservation easement. Proponent feels sure this eligibility issue will be taken care of for the 2017 ALE application period. Conifer restoration treatments should be funded in full. Easement funding could be awarded now, contingent upon receipt of NRCS funding next cycle or the proponent could be asked to reapply after the NRCS award.

Consistency: **Yes**                      100% of requested amount: **Yes**

Comments: The project should receive full funding contingent on receipt of the NRCS funding request of \$3,750,000(85% of the easement cost). The restoration work funding request could be separated from the easement funding since the date for NRCS funding decisions is some time in June, 2016. There is only a small applicant match of \$7500(4%) for the requested \$202,500 for restoration.

**4. Does the applicant have the capacity to complete the project and achieve project goals? [Yes = 5 points; No = 0 points]**

Capacity **YES/NO**:                      Score: **5**

Comments: Applicant suggests terms of CE have been agreed to with proponent. If this in fact true, capacity to complete this project is high.

Capacity **YES**                      Score: **5**

Comments: TNC has a long history of successfully managing conservation easements and assisting landowners with restoration work.

Capacity **Yes**                      Score: **5**

Comments: The Nature Conservancy has extensive experience in Montana which includes cooperative grazing systems with private landowners. They have the capacity and expertise to complete the project and achieve project goals.

**5. Please address any particular strengths or weaknesses of the project based on your area of expertise and knowledge of the project area.**

Comments: Limited familiarity with the project area. However, applicant suggest such items as habitat destruction and fragmentation, surface mining, oil and gas drilling and

construction of wind turbines and power lines would be prohibited. This resonates with me, as I want to know how these CEs address such disturbances.

The actual numbers of leks protected is limited. However, it is easy to become lek centric. Although leks are important and vital to the survival of sage grouse populations, other habitats, such as brood or winter habitat are also vital. The habitat map provided suggests the project area contains relatively high quality breeding habitat. I have a bit of a hard time supporting that an additional 43,908 acres are indirectly benefitted by the CE and conifer removal project. This may be overly simplistic and does not take into account habitat quality or uses of those acres.

Comments: The lower Medicine Lodge and Poole Creek area are generally a stronghold for sage grouse. FWP and BLM have a fairly low understanding of how birds operate in this area because it is a block of limited access private land. Two new leks were uncovered in the Medicine Lodge as part of the MISTI powerline investigations in 2006-2007. BLM radio collar work also provided some insight into birds using the upper elevations of the Tendoy Mountains for summer habitat and brood rearing. This information informed the designated Core Areas, which are far from perfect, but very much illustrate the landscape level habitat use exhibited by sage grouse in the area. The easement proposal would have a significant positive impact on sage grouse habitat in southwest Montana.

Comments: Strengths: No private inholdings, One unified parcel except for a 40 acre piece connected by adjacent DNRC land, significant landowner charitable donation(\$350,000), 65% of land within 12 mile radius of project in conservation(public and private).

Weaknesses: There are a lot of developed roads on the property,

**6. Here, we ask you to consider the potential to generate mitigation credits. Refer to the summary table provided.**

**Does the project have the potential to generate mitigation credits based on the habitat values of the project? YES/NO [Score 1-10, 10 being high potential; score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

**YES/NO: Score Potential Overall: 5**

Additional Points (circle one): permanent = **10** or term = 5

Comments: Less than 25% of the acres are eligible to generate credits. A small number are term (conifer removal). However, the credits available appear to be value added.

**YES: Score Potential Overall: 8**

Additional Points (circle one): permanent = 10 or term = 5

Comments: Restoration activities would generate term credits for the full acres treated. The conservation easement would generate permanent credits but it is expected those credits would be prorated based on NRCS investment. It is unclear how credits would

be calculated for areas restored (term restoration credit) if they are also put under easement (prorated permanent protection credit).

YES/NO: **Yes** Score Potential Overall: **8**

Additional Points (circle one): permanent = **10**

Comments: The project has the potential of generating credits on over 4100 acres (including the restoration lands). Term of conifer removal benefits would be less.

- 7. Does the project have the potential to generate mitigation credits based on the number of leks and breeding males? YES/NO [Score 1-10, 10 being high potential; score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

**YES/NO:** Score Potential Overall: **3**

Additional Points (circle one): permanent credit = **10** term credit = 5

Comments: The maps included with "Project Summary Statistics" include all leks within 4 miles of the Hansen properties. However, most of the southern portions of these properties are not part of the proposed CE and many of the leks referenced as being within 4 miles of the CE are well outside of the proposed CE.

YES Score Potential Overall: 7

Additional Points (circle one): permanent credit = 10 term credit = 5

Comments: See note above regarding term restoration credits and permanent protection credits.

YES/NO: **Yes** Score Potential Overall: **8**

Additional Points (circle one): permanent credit = **10**

Comments: There are two active leks on the property with a total of 23 displaying males in 2016. There is only one additional active lek within 4 miles of the project area.

- 8. Does the project have the potential to generate mitigation credits based on the contribution to breeding habitat? YES/NO [Score 1-10, 10 being high potential; score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

**YES/NO:** Score: **5**

Additional Points (circle one): permanent credit = **10** term credit = 5

Comments: See previous comment. However, most of the properties within the proposed CE are considered higher quality breeding habitat.

YES: Score: 7

Additional Points (circle one): permanent credit = 10 term credit = 5

Comments: see above

YES/NO: **Yes** Score: **8**

Additional Points (circle one): permanent credit = **10**

Comments: The project currently has two leks and the the bulk of the property has high breeding habitat suitability. There is over 4 miles of riparian habitat/ sq mile.

- 9. Are the terms of the proposed easements settled enough for the Montana Sage Grouse Oversight Team to fund this project at this time? YES/NO [Score 1-10, with 10 as the maximum high score for projects where terms are settled well enough to commit funding at this time and project has a high probability to be implemented.]**

Terms Settled Enough: **YES**/NO Score: **8**

Comments: Additional information on the specifics of the CE would be helpful. However, the applicant clearly states some types of development would not be allowed. This information is helpful for the reviewers to have a better idea what protections are actually being acquired, other than simply no destruction of sagebrush and limited subdivisions.

Terms Settled Enough: YES/NO Score:5

Comments: Easement terms appear to be settled but funding terms are not yet settled.

Terms Settled Enough: **No** Score: **7**

Comments: Easement is still being negotiated and will have to be reviewed by NRCS if they provide requested funding.

- 10. Is the fence marking project settled enough for the Montana Sage Grouse Oversight Team to fund this project at this time? YES/NO [Score 1-10, with 10 as the maximum high score for projects where details are settled well enough to commit funding at this time and project has a high probability to be implemented.]**

Details Settled Enough: YES/NO Score:

Comments: **N/A**

Details Settled Enough: YES/NO Score:

Comments:

Details Settled Enough: YES/NO Score:

Comments:

- 11. Please rank all projects submitted for funding from the Stewardship Fund in order of highest priority to lowest priority. Rank 9 as the highest priority for funding and 1 as the lowest priority.**

*[C. Sime Note: Please refer to the table in the final recommendations report which compiles ranks of all peer reviewers into a single table.]*

**12. Using the table in Question 9, list any projects you believe the Montana Sage Grouse Oversight Team should not fund and why. Should MSGOT defer decisions on any of the projects listed in the Table in Question 9 and reconsider them for funding in the future?**

Do not fund these proposals:

Comments:

Defer Decisions on These Projects until a later time:

Comments:

Do not fund these proposals:

Comments:

Defer Decisions on These Projects until a later time:

Comments:

**General Comments:**

Hansen – low risk of cultivation, 1 to 2 leks. I don't buy the conifer encroachment effort on this particular ranch for sage-grouse. It appears the treatment would be at the base of the mountain which typically have natural conifer stands. I doubt that this area of conifer removal is actually used by sage-grouse much anyway, particularly for nesting habitat which is apparently the primary benefit for conifer removal.

=====

High quality project for resource value. Conversion risk low. There are issues with NRCS funding currently and, if sorted out for next year, mitigation offset potential is prorated for the easement. Mitigation credits for restoration work could be calculated in full. Restoration component is direct and achievable. Recommendation is to support the restoration component (conifer removal) this funding cycle. The Program might recommend TNC resubmit for the easement component or allocate funding now, contingent upon NRCS ALE funding in federal FY17.

=====

This one came out in the middle of my scoring and after further review the rank dropped a bit. The need for additional restoration subtracted from the current value for this exercise. Conversion risk is low and it is surrounded by conservation lands. The ratio of project size to potential credit gain is low, which dropped the overall relative rank of this project. Final rank - 7

**GREATER SAGE GROUSE HABITAT CONSERVATION STEWARDSHIP FUND**

**SPRING 2016**

**PEER REVIEWER COMMENTS**

**JULIE BURKE EASEMENT**

- 1. Will the proposed project maintain, enhance, restore, expand, or benefit greater sage grouse habitat and populations? Why or why not? [Score 1-10; 10 is maximum high score for projects that provide greatest benefits.]**

Score: **8**

Comments: This CE is well written, clearly outlining what restrictions are being applied to the CE. Project does little more than maintains core habitat.

Score: 5

Comments: The proposed project will maintain sage grouse habitat as it is. Without any enhanced or prescribed grazing or haying plan, the quality of the habitat into the future would be unknown.

Score: **9**

Comments: Project will maintain nearly 2600 acres of high quality core sage grouse habitat in perpetuity.

- 2. Are you aware of additional protected lands not shown either on the grant application or the map provided by the Sage Grouse Habitat Conservation Program, such as FWP long term leases? If so, please describe.**

YES/**NO**:

Comments: Not apparent.

YES/NO: NO

Comments: No FWP leases but they are enrolled in the Block Management Program

YES/NO:**No**

Comments:

- 3. Is this proposal consistent with the purposes of the Stewardship Fund and should it receive funding? If yes, should it receive 100% of the requested amount? [Score 1-10, 10 is an excellent fit for this grant opportunity.]**

Consistency: **YES**/NO

100% of requested amount: **YES**/NO



landowner charitable donation, 2 separate parcels however they are connected by public land.

6. **Here, we ask you to consider the potential to generate mitigation credits. Refer to the summary table provided.**

**Does the project have the potential to generate mitigation credits based on the habitat values of the project? YES/NO [Score 1-10, 10 being high potential; score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

YES/NO:            Score Potential Overall:    **10**  
 Additional Points (circle one): permanent = **10** or term = 5  
 Comments: High quality habitat, fully funded through the Montana Stewardship Program.

YES:                Score Potential Overall:    6  
 Additional Points (circle one): permanent = 10 or term = 5  
 Comments: Good sagebrush habitat in a strategic location

YES/NO: **Yes**    Score Potential Overall:    **8**  
 Additional Points (circle one): permanent = **10**  
 Comments: Project can generate mitigation credits on 2593 acres of core sage grouse habitat.

7. **Does the project have the potential to generate mitigation credits based on the number of leks and breeding males? YES/NO [Score 1-10, 10 being high potential; score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

YES/NO:            Score Potential Overall:  
 Additional Points (circle one): permanent credit = 10    term credit = 5  
 Comments:

NO??                Score Potential Overall:  
 Additional Points (circle one): permanent credit = 10    term credit = 5  
 Comments: There are no leks on property

YES/NO: **No**    Score Potential Overall:    **0**  
 Additional Points (circle one): permanent credit = 10    term credit = 5  
 Comments:

8. **Does the project have the potential to generate mitigation credits based on the contribution to breeding habitat? YES/NO [Score 1-10, 10 being high potential; score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

**YES/NO:** Score: **8**

Additional Points (circle one): permanent credit = **10** term credit = 5

Comments: Maps suggest breeding habitat is of high quality.

**YES:** Score: 5

Additional Points (circle one): permanent credit = 10 term credit = 5

Comments: property is in Core area habitat and likely provides nesting and brood-rearing habitat.

**YES/NO: Yes** Score: **8**

Additional Points (circle one): permanent credit = **10**

Comments: The project will provide protected nesting and brood rearing habitat for the 5 heavily

- 9. Are the terms of the proposed easements settled enough for the Montana Sage Grouse Oversight Team to fund this project at this time? YES/NO [Score 1-10, with 10 as the maximum high score for projects where terms are settled well enough to commit funding at this time and project has a high probability to be implemented.]**

Terms Settled Enough: **YES/NO** Score: **10**

Comments: Probably the best set of terms identified in any of the proposals. This appears to be complete and close to ready to implement.

Terms Settled Enough: YES Score: 8

Comments:

Terms Settled Enough: YES/NO **Yes** Score: **10**

Comments: The applicant and the landowner have agreed to terms of the conservation easement, The SGOT/DNRC need to review the easement and determine if the provisions are sufficient to protect the sage grouse habitat on the project land.

- 10. Is the fence marking project settled enough for the Montana Sage Grouse Oversight Team to fund this project at this time? YES/NO [Score 1-10, with 10 as the maximum high score for projects where details are settled well enough to commit funding at this time and project has a high probability to be implemented.]**

Details Settled Enough: YES/NO Score:

Comments: **N/A**

Details Settled Enough: YES/NO Score:

Comments:

Details Settled Enough: YES/NO Score:

Comments:

- 11. Please rank all projects submitted for funding from the Stewardship Fund in order of highest priority to lowest priority. Rank 9 as the highest priority for funding and 1 as the lowest priority.**

*[C. Sime Note: Please refer to the table in the final recommendations report which compiles ranks of all peer reviewers into a single table.]*

- 12. Using the table in Question 9, list any projects you believe the Montana Sage Grouse Oversight Team should not fund and why. Should MSGOT defer decisions on any of the projects listed in the Table in Question 9 and reconsider them for funding in the future?**

Do not fund these proposals:

Comments:

Defer Decisions on These Projects until a later time:

Comments:

Do not fund these proposals:

Comments:

Defer Decisions on These Projects until a later time:

Comments:

Do not fund these proposals:

Comments:

Defer Decisions on These Projects until a later time:

Comments:

## **GENERAL COMMENTS**

Julie Burke – low risk, moderately suitable habitat, no leks. I don't see how an easement on this property will demonstrably help sage-grouse, although I think an easement for other conservation purposes and ranch preservation is great.

=====

Good quality project for resource value. Conversion risk is relatively low. Mitigation credits not prorated. Scored this one just slightly lower than Watson for resource values but still thinks it would be a good value project and 100% of acres available for mitigation credit.

=====

Given the ownership of much of the surrounding landscape, this parcel adds to the overall conservation status of this important landscape for GRSG. It also had a high proportion of potential credits to overall acreage of the project, giving it a higher credit/cost ratio than other projects. It is located in priority habitat (and SFA) and helps keep that landscape intact. Final rank - 3

## GREATER SAGE GROUSE HABITAT CONSERVATION STEWARDSHIP FUND

**SPRING 2016**

### PEER REVIEWER COMMENTS

#### KELLY BURKE EASEMENT

*[C. SIME NOTE: ONLY 2 PEER REVIEWERS COMPLETED THIS FORM.]*

- 1. Will the proposed project maintain, enhance, restore, expand, or benefit greater sage grouse habitat and populations? Why or why not? [Score 1-10; 10 is maximum high score for projects that provide greatest benefits.]**

Score: **5**

Comments: Over 2/3 of the acres proposed are within General habitat. It does not appear the General habitat supports a large number of leks, as one lek (with no data) is located in the General habitat. Cropland straddles both the Core and General Habitats.

Score: **10**

Comments: Project will maintain nearly 3200 acres of sage grouse habitat in perpetuity. There is 1138 acres within the South Phillips core area and the remainder is very close to the core area. The project will also restore 547 acres of cropland to sagebrush/grassland habitat.

- 2. Are you aware of additional protected lands not shown either on the grant application or the map provided by the Sage Grouse Habitat Conservation Program, such as FWP long term leases? If so, please describe.**

YES/NO:

Comments: Other than what was identified in the application, which is quite extensive.

YES/NO:**No**

Comments:

- 3. Is this proposal consistent with the purposes of the Stewardship Fund and should it receive funding? If yes, should it receive 100% of the requested amount? [Score 1-10, 10 is an excellent fit for this grant opportunity.]**

Consistency: **YES/NO**                      100% of requested amount: **YES/NO**

Comments: With over 2/3 of the property located in General habitat, I am not sure this should be a priority for funding. Some funding (most northeast parcel) which is entirely located in Core habitat.

Consistency: **YES/NO**                      100% of requested amount: **YES/NO**

Comments: The project is within the South Phillips core area which is the only priority core area delineated by the USFWS for sage grouse in Montana. The project has already secured \$504,000 from NRCS which represents about 65% of the easement price

**4. Does the applicant have the capacity to complete the project and achieve project goals? [Yes = 5 points; No = 0 points]**

Capacity YES/NO: Score: 5

Comments: Appears applicant has negotiated with the landowners and is in a position to finalize approval of the CE.

Capacity YES/NO: **Yes** Score: 5

Comments: The Nature Conservancy has extensive experience in Montana which includes cooperative grazing systems with private landowners. They have the capacity and expertise to complete the project and achieve project goals

**5. Please address any particular strengths or weaknesses of the project based on your area of expertise and knowledge of the project area.**

Comments: Again, the General habitat does not indicate a large number of leks. That is not to suggest this is not good habitat. Habitat models submitted indicate area does provide high quality habitat.

I would like more information as to what the crop will be reseeded to. Will sagebrush be a part of the seed mix and will measure be taken to insure it is successfully reestablished?

The terms of the CE appear to be well written. They are appropriately restrictive, but yet well defined. It appears the CE could be purchased and implemented very quickly once funding is secured.

I am just not sure with the large amount of General habitat involved, coupled with about 25% of the total acres eligible to generate credits if this is a higher priority for funding.

Comments: Strengths: Matching funds secured, no buildings, connects to very large block of conservation lands, restoration of crop land to sagebrush/grassland..

Weaknesses: Three separate parcels, large block of private land with no conservation protection between two of the parcels. No landowner charitable donation.

**6. Here, we ask you to consider the potential to generate mitigation credits. Refer to the summary table provided.**

**Does the project have the potential to generate mitigation credits based on the habitat values of the project? YES/NO [Score 1-10, 10 being high potential; score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

**YES/NO:** Score Potential Overall: **3**

Additional Points (circle one): permanent = **10** or term = 5

Comments: About 25% of the acres are eligible for credits. Not significant considering the amount of Stewardship funding being provided.

YES/NO: **Yes** Score Potential Overall: **9**

Additional Points (circle one): permanent = **10**

Comments: Project has the potential to generate habitat mitigation credits on 1394 acres.

- 7. Does the project have the potential to generate mitigation credits based on the number of leks and breeding males? YES/NO [Score 1-10, 10 being high potential; score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

**YES/NO:** Score Potential Overall: **2**

Additional Points (circle one): permanent credit = **10** term credit = 5

Comments: Appears to be relatively minimal

YES/NO: **NO** Score Potential Overall: **0**

Additional Points (circle one): permanent credit = 10 term credit = 5

Comments:

- 8. Does the project have the potential to generate mitigation credits based on the contribution to breeding habitat? YES/NO [Score 1-10, 10 being high potential; score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

**YES/NO:** Score: **8**

Additional Points (circle one): permanent credit = **10** term credit = 5

Comments: Looking at the breeding suitability habitat suitability map, the majority of the proposed area is within high potential for breeding habitat.

YES/NO: Yes Score: 8

Additional Points (circle one): permanent credit = 10

Comments: The project has nesting and brood rearing habitat for the 5 leks that are within 4 miles of the project. There is 2.24 miles of riparian habitat/sq mile of project land.

- 9. Are the terms of the proposed easements settled enough for the Montana Sage Grouse Oversight Team to fund this project at this time? YES/NO [Score 1-10, with 10 as the maximum high score for projects where terms are settled well enough to commit funding at this time and project has a high probability to be implemented.]**

Terms Settled Enough: YES/NO                      Score: **10**  
 Comments: Easement has well defined restrictions and it appears the conditions have been discussed and agreed to by the sellers.

Terms Settled Enough: YES/NO                      **Yes**    Score: **10**  
 Comments: The landowner and the applicant have agreed to easement terms and the NRCS is reviewing the document. The matching funds have been secured. The MSGOT/DNRC need to review the easement to ensure that sage grouse habitat is being protected on the project land.

**10. Is the fence marking project settled enough for the Montana Sage Grouse Oversight Team to fund this project at this time? YES/NO [Score 1-10, with 10 as the maximum high score for projects where details are settled well enough to commit funding at this time and project has a high probability to be implemented.]**

Details Settled Enough: YES/NO                      Score:  
 Comments:

Details Settled Enough: YES/NO                      Score:  
 Comments:

**11. Please rank all projects submitted for funding from the Stewardship Fund in order of highest priority to lowest priority. Rank 9 as the highest priority for funding and 1 as the lowest priority.**

*[C. Sime Note: Please refer to the table in the final recommendations report which compiles ranks of all peer reviewers into a single table.]*

**12. Using the table in Question 9, list any projects you believe the Montana Sage Grouse Oversight Team should not fund and why. Should MSGOT defer decisions on any of the projects listed in the Table in Question 9 and reconsider them for funding in the future?**

Do not fund these proposals:  
 Comments:  
 Defer Decisions on These Projects until a later time:  
 Comments:

Do not fund these proposals:  
 Comments:  
 Defer Decisions on These Projects until a later time:  
 Comments:

**GENERAL COMMENTS**

Kelly and Tami Burke – some cropland restoration which would generate ecological lift, however, on a fairly small area and that effort may not be in core habitat. Basically this property is on the edge of the better sage-grouse habitat and it's not clear to me that it will generate a lot of benefit to sage-grouse.

=====

This project is on the fringe of sage-grouse habitat. It is not considered high value for sage-grouse conservation.

=====

Given the ownership of much of the surrounding landscape, this parcel adds to the overall conservation status of this important landscape for GRS, however, most of the project is on the edge of the priority habitat areas. The proportion of potential credits to overall acreage of the project is low. It is located in priority habitat (and SFA) and helps keep that landscape intact. This project is probably ranked higher in my calculations than I would give it after further consideration. Final rank - 5

## GREATER SAGE GROUSE HABITAT CONSERVATION STEWARDSHIP FUND

SPRING 2016

### PEER REVIEWER COMMENTS

#### NWF FENCE MARKING

*[C. SIME NOTE: ONLY 2 PEER REVIEWERS COMPLETED THIS FORM.]*

1. **Will the proposed project maintain, enhance, restore, expand, or benefit greater sage grouse habitat and populations? Why or why not? [Score 1-10; 10 is maximum high score for projects that provide greatest benefits.]**

Score: 2

Comments: benefits unclear

Score: 8

Comments: This project accomplished more than just protecting habitat. It take habitat and makes it better, while protecting the use (livestock grazing) which currently exist on the properties.

2. **Are you aware of additional protected lands not shown either on the grant application or the map provided by the Sage Grouse Habitat Conservation Program, such as FWP long term leases? If so, please describe.**

YES/NO:

Comments:

YES/NO:

Comments: Since defined fence locations have not been specifically designated, it is virtually impossible to identify additional protected lands.

3. **Is this proposal consistent with the purposes of the Stewardship Fund and should it receive funding? If yes, should it receive 100% of the requested amount? [Score 1-10, 10 is an excellent fit for this grant opportunity.]**

Consistency: YES                      100% of requested amount NO

Comments:

Consistency: YES/NO                      100% of requested amount: YES/NO

Comments: The cost of this proposal is hugely expensive ~\$2000/mile of fence.

4. **Does the applicant have the capacity to complete the project and achieve project goals? [Yes = 5 points; No = 0 points]**

Capacity YES/NO:                      ??                      Score: 3

Comments: Applicant is relying on BLM assistance with identifying fence locations and FWP for providing lek locations on public lands.

Capacity **YES**/NO: Score: **3**

Comments: other than identifying counties where the work would take place, no other site specific information is provided. It will take time to identify fence parcels, contact landowners, etc.

**5. Please address any particular strengths or weaknesses of the project based on your area of expertise and knowledge of the project area.**

Comments: Fence marking reduces the number of fence strikes by sage-grouse. However, the population level response, if any, to fence strikes and fence marking is unknown.

Comments: A concern is that 70% of the sage-grouse habitat is located on private land, however, 72% of the proposed fence marking will take place on federal lands. I would of like to have seen more emphasis placed on marking fences on privately owned lands.

**6. Here, we ask you to consider the potential to generate mitigation credits. Refer to the summary table provided.**

**Does the project have the potential to generate mitigation credits based on the habitat values of the project? YES/NO [Score 1-10, 10 being high potential; score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

YES/NO: ??? Score Potential Overall: 2  
Additional Points (circle one): permanent = 10 or term = 5  
Comments: credit potential unclear at this time, but unlikely

YES/**NO**: Score Potential Overall: 0  
Additional Points (circle one): permanent = 10 or term = 5  
Comments: Per the worksheet, credits are not available.

**7. Does the project have the potential to generate mitigation credits based on the number of leks and breeding males? YES/NO [Score 1-10, 10 being high potential; score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

YES/NO: Score Potential Overall:  
Additional Points (circle one): permanent credit = 10 term credit = 5  
Comments: credit potential unclear at this time; however this is the most relevant option for generating credits.

YES/**NO**: Score Potential Overall:0  
Additional Points (circle one): permanent credit = 10 term credit = 5



*[C. Sime Note: Please refer to the table in the final recommendations report which compiles ranks of all peer reviewers into a single table.]*

**12. Using the table in Question 9, list any projects you believe the Montana Sage Grouse Oversight Team should not fund and why. Should MSGOT defer decisions on any of the projects listed in the Table in Question 9 and reconsider them for funding in the future?**

Do not fund these proposals:

Comments:

Defer Decisions on These Projects until a later time:

Comments:

Do not fund these proposals:

Comments:

Defer Decisions on These Projects until a later time:

Comments:

### **GENERAL COMMENTS**

Fence project – there are demonstrable benefits to marking fence plus this is a relatively cheap grant distribution. I'd accept this grant as a means of spreading the message regarding fence marking and creating a new partner in NWF.

=====

Research has documented that marking fences reduces mortality of sage grouse. However, there is no research that demonstrates if there is a population level response of fence strikes or fence marking. This proposal does not outline enough detail on where fence marking might occur to help reviewers understand if there is likely to be a measurable response locally. Recommends the project proponents be asked to resubmit in the next funding cycle with a much more detailed proposal of specific locations where activities will occur and specific expected benefits.

=====

Not a priority for me for funding through this mechanism. Final rank - 9

## GREATER SAGE GROUSE HABITAT CONSERVATION STEWARDSHIP FUND

SPRING 2016

### PEER REVIEWER COMMENTS

#### RATHS EASEMENT

- 1. Will the proposed project maintain, enhance, restore, expand, or benefit greater sage grouse habitat and populations? Why or why not? [Score 1-10; 10 is maximum high score for projects that provide greatest benefits.]**

Score: 4

Comments: Most of the project area has low to medium potential as SG breeding habitat. In addition, the majority of the project area is classified as having low potential for cultivation. Three historic leks are located on the property, with the most recent male count, indicating one bird was present. This tells me the habitat relatively poor, either as a result of current management, habitat present or a combination.

Score: 8

Comments: Good quality sage-grouse habitat in Core Area.

Score: 7

Comments: The project would maintain in perpetuity, 11,230 acres of core sage grouse habitat. The habitat includes 3 leks(only one male was observed on the three leks in 2016) and over 3 miles of riparian habitat/ sq mile.. There is a significant amount of land within a 4 mile radius of project with high cultivation risk which makes the project lands even more important for sage grouse habitat and local populations. Only 30 acres of cropland.

- 2. Are you aware of additional protected lands not shown either on the grant application or the map provided by the Sage Grouse Habitat Conservation Program, such as FWP long term leases? If so, please describe.**

YES/NO:

Comments: The maps provided indicate several other CE's in the vicinity of this property.

YES/NO:

Comments:

YES/NO:**No**

Comments:

**3. Is this proposal consistent with the purposes of the Stewardship Fund and should it receive funding? If yes, should it receive 100% of the requested amount? [Score 1-10, 10 is an excellent fit for this grant opportunity.]**

Consistency: YES/NO                      100% of requested amount: YES/NO

Comments: Just doesn't see this is a great property for SG, despite the fact it is located within Core habitat.

Consistency: YES                      100% of requested amount: YES

Comments:

Consistency: **YES**                      100% of requested amount: **NO**

Comments: The presence of nearly 500 acres of private inholdings which appear to have high risk for cultivation is a concern.

**4. Does the applicant have the capacity to complete the project and achieve project goals? [Yes = 5 points; No = 0 points]**

Capacity YES/NO:                      Score: 5

Comments: The applicant has negotiated with the landowners and is capable of completing the project.

Capacity YES                      Score: 5

Comments:

Capacity **YES** :                      Score:4

Comments: MLR has an extensive track record as the holder of conservation easements in Montana. Their conservation easement model is focused on open space and they have been very successful with this approach. This program presents different challenges because year-round sage grouse habitat needs to be conserved and protected

**5. Please address any particular strengths or weaknesses of the project based on your area of expertise and knowledge of the project area.**

Comments: Again, only three leks within the project area and their viability appears to be limited. Habitat may be a factor. Would have been helpful to gain better understanding as to how the property is being or will be managed. Also, no letters of support provided, so difficult to know level of support.

Comments: FWP has a research project in the area and has documented consistent sage-grouse seasonal use of the Rath property.

Comments: Strengths: SGOT program only being asked to fund 25% of easement cost. Weaknesses- Nearly 500 acres of private inholdings within the heart of the project lands which are not mentioned in the application. No landowner charitable donation for

easement, only 10% conservation lands(public and private) within 4 and 12 mile radi of project .

6. **Here, we ask you to consider the potential to generate mitigation credits. Refer to the summary table provided.**

**Does the project have the potential to generate mitigation credits based on the habitat values of the project? YES/NO [Score 1-10, 10 being high potential; score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

**YES/NO:** Score Potential Overall: **2**

Additional Points (circle one): permanent = **10** or term = 5

Comments: Less than 25% of the acres offered have the potential to generate credits.

**YES:** Score Potential Overall: **8**

Additional Points (circle one): permanent = 10 or term = 5

Comments:

**YES/NO:** Score Potential Overall: **5**

Additional Points (circle one): permanent = **10**

Comments The project has the potential of generating mitigation credits on 2957 acres.

7. **Does the project have the potential to generate mitigation credits based on the number of leks and breeding males? YES/NO [Score 1-10, 10 being high potential; score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

**YES/NO:** Score Potential Overall: **2**

Additional Points (circle one): permanent credit = **10** term credit = 5

Comments: Three leks present with a total male count of one bird at the last count (time frame unknown). Suggests viability of the leks may be limited.

**YES** Score Potential Overall: **8**

Additional Points (circle one): permanent credit = 10 term credit = 5

Comments:

**YES/NO:** Score Potential Overall: **3**

Additional Points (circle one): permanent credit = **10**

Comments: There are three leks on the property but only one displaying male was observed in 2016 suggesting that the local population may be in decline.

8. **Does the project have the potential to generate mitigation credits based on the contribution to breeding habitat? YES/NO [Score 1-10, 10 being high potential; score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

**YES/NO:** Score: **5**

Additional Points (circle one): permanent credit = **10** term credit = 5

Comments: The mapping included with the applications suggests the project area has limited value as breeding. Although somewhat difficult at determine, I suggest the project area is somewhere between good and poor breeding habitat.

YES Score: 8

Additional Points (circle one): permanent credit = 10 term credit = 5

Comments: FWP telemetry data has documented consistent seasonal use of the property.

YES/NO: Score: 4

Additional Points (circle one): permanent credit = **10**

Comments: Most of the project lands have relatively low to medium breeding habitat suitability.

- 9. Are the terms of the proposed easements settled enough for the Montana Sage Grouse Oversight Team to fund this project at this time? YES/NO [Score 1-10, with 10 as the maximum high score for projects where terms are settled well enough to commit funding at this time and project has a high probability to be implemented.]**

Terms Settled Enough: **YES/NO** Score: **6**

Comments: Terms are probably well enough settled, but the applicant states they need to negotiate easement terms with the landowner.

Terms Settled Enough: YES/NO Score:

Comments: See easement specialist comments

Terms Settled Enough **NO** Score: **5**

Comments: Decision on the NRCS funding for the remainder(75%) of the easement cost will not be made until June. The easement is still in negotiation and will be reviewed by the NRCS since they are being asked to provide 75% of the funding.

- 10. Is the fence marking project settled enough for the Montana Sage Grouse Oversight Team to fund this project at this time? YES/NO [Score 1-10, with 10 as the maximum high score for projects where details are settled well enough to commit funding at this time and project has a high probability to be implemented.]**

Details Settled Enough: YES/NO Score:

Comments: N/A

Details Settled Enough: YES/NO Score:

Comments:

Details Settled Enough: YES/NO

Score:

Comments:

- 11. Please rank all projects submitted for funding from the Stewardship Fund in order of highest priority to lowest priority. Rank 9 as the highest priority for funding and 1 as the lowest priority.**

***[C. Sime Note: Please refer to the table in the final recommendations report which compiles ranks of all peer reviewers into a single table.]***

- 12. Using the table in Question 9, list any projects you believe the Montana Sage Grouse Oversight Team should not fund and why. Should MSGOT defer decisions on any of the projects listed in the Table in Question 9 and reconsider them for funding in the future?**

Do not fund these proposals:

Comments:

Defer Decisions on These Projects until a later time:

Comments:

Do not fund these proposals:

Comments:

Defer Decisions on These Projects until a later time:

Comments:

Do not fund these proposals:

Comments:

Defer Decisions on These Projects until a later time:

Comments:

### **GENERAL COMMENTS**

Raths – Fairly good habitat, 3 leks on site, some risk. Reasonable project but not as beneficial for preservation as the 44 Ranch in my opinion.

=====

High quality project for resource value and high conversion risk. Mitigation offset potential is prorated. Easement terms appear to allow for building envelopes but not subdivisions. Recommendation is to support the project pending easement term review.

=====

This property is in the middle of a rather small pocket of priority habitat and has leks on the property in question. This is one I should bump my score up on considerably after further review. The proportion

of project area to potential credit acres tends to bring the value of this project down, but it does cover leks that appear to be vulnerable to tillage risk and it is a good portion of the priority area and could be very valuable in keeping this habitat intact. It may be that the assessment of credit potential is skewed downward based on the breeding habitat model, but given the presence of the leks on the project there may be more overall value when scored with more local data. It may also serve as a good starter project in this area and the overall cost appears to be more manageable. Final rank - 2

## GREATER SAGE GROUSE HABITAT CONSERVATION STEWARDSHIP FUND

SPRING 2016

### PEER REVIEWER COMMENTS

#### SMITH EASEMENT

- 1. Will the proposed project maintain, enhance, restore, expand, or benefit greater sage grouse habitat and populations? Why or why not? [Score 1-10; 10 is maximum high score for projects that provide greatest benefits.]**

Score: 4

Comments: Project consists of only 288 acres. Condition of CE allows for the construction of a dwelling. Little information as to what will be involved in the dwelling.

Score: 6

Comments: The property is admittedly small but has sage grouse habitat including a riparian area and sage brush on approximately 50% of the acreage. The property has restoration potential and the Smith family has extensive interest and history in this field. The easement would curb local subdivision threats in perpetuity, which is a growing threat from amenity buyers in the area. Three small properties have seen residential development in the last 5 years.

Score: 3

Comments: Project would maintain sage grouse habitat on 288 acres of core sage brush habitat in perpetuity. The parcel is very small but strategically located.

- 2. Are you aware of additional protected lands not shown either on the grant application or the map provided by the Sage Grouse Habitat Conservation Program, such as FWP long term leases? If so, please describe.**

YES/**NO**:

Comments: Well defined on maps

YES/NO: No

Comments: The map appears to be accurate

YES/NO:**No**

Comments:

- 3. Is this proposal consistent with the purposes of the Stewardship Fund and should it receive funding? If yes, should it receive 100% of the requested amount? [Score 1-10, 10 is an excellent fit for this grant opportunity.]**

Consistency: YES/NO                      100% of requested amount: YES/NO  
 Comments:

Consistency: YES                      100% of requested amount: YES  
 Comments: IT is a relatively small amount of funding requested, i.e., good value for investment.

Consistency: **Yes**                      100% of requested amount: No  
 Comments: The amount of habitat is not sufficient to compete with the other applications.

**4. Does the applicant have the capacity to complete the project and achieve project goals? [Yes = 5 points; No = 0 points]**

Capacity **YES**/NO:                      Score: 5  
 Comments: Smiths seem committed to the CE.

Capacity YES:                              Score: 5  
 Comments:

Capacity YES/NO:                      **Yes**                      Score: **4**  
 Comments: MLR has an extensive track record as the holder of conservation easements in Montana. Their conservation easement model is focused on open space and they have been very successful with this approach. This program presents different challenges because year-round sage grouse habitat needs to be conserved and protected.

**5. Please address any particular strengths or weaknesses of the project based on your area of expertise and knowledge of the project area.**

Comments: The parcel of land is surrounded by BLM administered lands. A road/trail transects the property. As stated in the application, a home site will be authorized on the parcel. Without any information related to the size, location, or specifics of this dwelling it is hard to state there would be no impact to sage grouse. At the same time, if the parcel were fully subdivided, the negative impacts could be greater. No management plan has been included. As a result it is impossible to understand how the property is to be managed in the future.

Although, relatively inexpensive and utilizing funding from NRCS this CE has benefits, overall I see minimal benefits to sage grouse, especially on a landscape level.

Comments: Muddy Creek is an important area for wildlife in Beaverhead County. The area is big game winter for resident and interstate herds of big game and provides year round habitat for sage grouse. Maintaining the highly compatible agricultural operations in the area will also maintain the ability of the habitat to support diverse and abundant populations of wildlife. The easement is highly compatible with these goals.

Comments: Strengths: Project is compelling because it fits in with a large block of BLM land as well as some other private conservation lands.

Weaknesses: The project land also adjoins an 80 acre private land parcel with no conservation protection.

**6. Here, we ask you to consider the potential to generate mitigation credits. Refer to the summary table provided.**

**Does the project have the potential to generate mitigation credits based on the habitat values of the project? YES/NO [Score 1-10, 10 being high potential; score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

**YES/NO:** Score Potential Overall: **3**

Additional Points (circle one): permanent = **10** or term = 5

Comments: Credits would be generated and would be permanent. Just not significant number of credits generated.

YES: Score Potential Overall: **6**

Additional Points (circle one): permanent = 10 or term = 5

Comments:

YES/NO: **Yes** Score Potential Overall: **3**

Additional Points (circle one): permanent = 10

Comments: The project could generate habitat mitigation credits on 288 acres of Core sage grouse habitat.

**7. Does the project have the potential to generate mitigation credits based on the number of leks and breeding males? YES/NO [Score 1-10, 10 being high potential; score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

**YES/NO:** Score Potential Overall: **0**

Additional Points (circle one): permanent credit = 10 term credit = 5

Comments: One lek with one male is within 4 miles of property

**NO??** Score Potential Overall: **2**

Additional Points (circle one): permanent credit = 10 term credit = 5

Comments: There are no documented leks on the property.

**YES/NO: No** Score Potential Overall: **0**

Additional Points (circle one): permanent credit = 10 term credit = 5

Comments:

- 8. Does the project have the potential to generate mitigation credits based on the contribution to breeding habitat? YES/NO [Score 1-10, 10 being high potential; score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

**YES/NO:** Score: **3**

Additional Points (circle one): permanent credit = **10** term credit = 5

Comments: Breeding habitat appears to be present. However, a good portion of the project area has been converted to grass.

**YES:** Score: **6**

Additional Points (circle one): permanent credit = 10 term credit = 5

Comments: this property is located in sage-grouse core habitat and is likely used as nesting and brood-rearing habitat.

**YES/NO:** Yes Score: **2**

Additional Points (circle one): permanent credit = 10

Comments: The project lands could generate credits based on contribution to breeding habitat. There was only one active lek with one displaying male within 4 miles of the project land so the contribution to nesting or brood rearing habitat would be minimal for the current population.

- 9. Are the terms of the proposed easements settled enough for the Montana Sage Grouse Oversight Team to fund this project at this time? YES/NO [Score 1-10, with 10 as the maximum high score for projects where terms are settled well enough to commit funding at this time and project has a high probability to be implemented.]**

Terms Settled Enough: YES/**NO** Score: **3**

Comments: More information needs to be provided as to the development that would be allowed on the property; including the scope of the development, animals allowed on the property. In addition, information as to how the property would be grazed should be included.

Terms Settled Enough: YES Score: **8**

Comments:

Terms Settled Enough: YES/NO No Score: **5**

Comments: The easement is still in negotiation and if the NRCS approves the funding request they will need to review the easement as will the MSGOC.

- 10. Is the fence marking project settled enough for the Montana Sage Grouse Oversight Team to fund this project at this time? YES/NO [Score 1-10, with 10 as the maximum high score for projects where details are settled well enough to commit funding at this time and project has a high probability to be implemented.]**

Details Settled Enough: YES/NO                      Score:  
 Comments: N/A

Details Settled Enough: YES/NO                      Score:  
 Comments:

Details Settled Enough: YES/NO                      Score:  
 Comments:

- 11. Please rank all projects submitted for funding from the Stewardship Fund in order of highest priority to lowest priority. Rank 9 as the highest priority for funding and 1 as the lowest priority.**

*[C. Sime Note: Please refer to the table in the final recommendations report which compiles ranks of all peer reviewers into a single table.]*

- 12. Using the table in Question 9, list any projects you believe the Montana Sage Grouse Oversight Team should not fund and why. Should MSGOT defer decisions on any of the projects listed in the Table in Question 9 and reconsider them for funding in the future?**

Do not fund these proposals:  
 Comments:  
 Defer Decisions on These Projects until a later time:  
 Comments:

Do not fund these proposals:  
 Comments:  
 Defer Decisions on These Projects until a later time:  
 Comments:

Do not fund these proposals:  
 Comments:  
 Defer Decisions on These Projects until a later time:  
 Comments:

**GENERAL COMMENTS:**

Smith – too small and without enough demonstrable benefit to warrant a grant.

=====

Good quality project for resource value. Conversion risk is low but subdivision risk is high. Potential credits for mitigation prorated but relatively good investment for the \$\$ amount.

=====

Although this project lies entirely in priority habitat and appears to have high breeding habitat suitability, it is rather far away from any known leks and only one is very close at all. That lek also appears to not have been active recently. Given the small size, the landscape of conservation around the project, the potential for limited gains because of the distance from current sage-grouse distribution, and the lower ratio of project size to credit gain, this one came out the lowest in my scoring which I continue to believe is appropriate after further consideration. Final rank - 8

## GREATER SAGE GROUSE HABITAT CONSERVATION STEWARDSHIP FUND

SPRING 2016

### PEER REVIEWER COMMENTS

#### WATSON EASEMENT

- 1. Will the proposed project maintain, enhance, restore, expand, or benefit greater sage grouse habitat and populations? Why or why not? [Score 1-10; 10 is maximum high score for projects that provide greatest benefits.]**

Score: 7

Comments: The project area is within a large Core Habitat area. The lands are scattered, but largely surrounded by BLM and State of Montana administered lands. The project should maintain SG habitat, but there is nothing to suggest croplands will be restored or enhanced.

Score: 5

Comments: The proposed project will maintain sage grouse habitat as it is. Without any enhanced or prescribed grazing plan, the quality of the habitat into the future would be unknown.

Score: 7

Comments: Project will maintain 2833 acres of core sage grouse habitat in perpetuity. Much of the project lands adjoin large blocks of BLM land which will increase the benefits of the easement.

- 2. Are you aware of additional protected lands not shown either on the grant application or the map provided by the Sage Grouse Habitat Conservation Program, such as FWP long term leases? If so, please describe.**

YES/**NO**:

Comments:

YES/NO: NO

Comments: No FWP leases or other involvement.

YES/NO:**No**

Comments:

- 3. Is this proposal consistent with the purposes of the Stewardship Fund and should it receive funding? If yes, should it receive 100% of the requested amount? [Score 1-10, 10 is an excellent fit for this grant opportunity.]**

Consistency: YES/NO                      100% of requested amount: YES/NO

Comments: Because of the large amount of cropland (275 ac) and grassland (180 ac), the project may not warrant total funding. However, the cost of the CE is relatively inexpensive.

Consistency: YES                      100% of requested amount: YES

Comments:

Consistency: **Yes**                      100% of requested amount: YES/NO

Comments: The project request for funding represents 25% of the purchase price of the easement with the NRCS being asked to fund the remainder. The NRCS funding decision will be made sometime in June. The price of the easement is \$57/acre which is the cheapest of all the applicants.

**4. Does the applicant have the capacity to complete the project and achieve project goals? [Yes = 5 points; No = 0 points]**

Capacity YES/NO:                      Score: 5

Comments:

Capacity YES:                      Score: 5

Comments:

Capacity YES/NO:                      **Yes**                      Score: 4

Comments: MLR has an extensive track record as the holder of conservation easements in Montana. Their conservation easement model is focused on open space and they have been very successful with this approach. This program presents different challenges because year-round sage grouse habitat needs to be conserved and protected.

**5. Please address any particular strengths or weaknesses of the project based on your area of expertise and knowledge of the project area.**

Comments: Concerns include; lack of a management plan. How will the properties be managed? What are the plans for the cropland and grasslands? With no letters of support included, it is hard to know whether the CE is supported by adjacent parties, such as BLM. Restricting development (buildings) to no closer than 2 miles of leks may not be sufficient. Other hugely important habitats (nesting, brood rearing) may be present, but further than two miles of leks.

Comments: Currently the sagebrush habitat in the Flat Cr. drainage is generally low growth Wyoming big sagebrush with little understory, likely due to poorer soils. This soils limitation likely limits the potential to improve habitat quality, but also limits conversion to cropping potential. There is likely some variation in habitat quality as indicated in Exhibit G of the application that may present some limited opportunity to improve habitat quality. However, this area does fit within a complex of active sage grouse leks. Any habitat conservation in this area will benefit sage grouse populations.

Comments: Strengths: There are some large blocks of BLM that are adjacent to portions of the parcels. Weaknesses: There are five separate parcels, 10% of the project lands are cropland, there are large areas of private lands with no conservation protection that adjoin the project lands. No landowner charitable donation

6. **Here, we ask you to consider the potential to generate mitigation credits. Refer to the summary table provided.**

**Does the project have the potential to generate mitigation credits based on the habitat values of the project? YES/NO [Score 1-10, 10 being high potential; score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

**YES/NO:** Score Potential Overall: 3  
 Additional Points (circle one): permanent = **10** or term = 5  
 Comments: About 30% of the acres are eligible to generate credits.

YES: Score Potential Overall: 5  
 Additional Points (circle one): permanent = 10 or term = 5  
 Comments:

YES/NO: **Yes** Score Potential Overall: 5  
 Additional Points (circle one): permanent = 10  
 Comments:

7. **Does the project have the potential to generate mitigation credits based on the number of leks and breeding males? YES/NO [Score 1-10, 10 being high potential; score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

**YES/NO:** Score Potential Overall:  
 Additional Points (circle one): permanent credit = **10** term credit = 5  
 Comments: No leks on project area, 6 leks within 4 miles.

NO??? Score Potential Overall:  
 Additional Points (circle one): permanent credit = 10 term credit = 5  
 Comments: there are no known leks on the property

YES/NO: **No** Score Potential Overall: 0  
 Additional Points (circle one): permanent credit = 10 term credit = 5  
 Comments:

8. **Does the project have the potential to generate mitigation credits based on the contribution to breeding habitat? YES/NO [Score 1-10, 10 being high potential;**

**score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

**YES/NO:** Score: 3

Additional Points (circle one): permanent credit = **10** term credit = 5  
Comments: 30% of the habitat appears to be potential breeding habitat.

YES: Score: 5

Additional Points (circle one): permanent credit = 10 term credit = 5  
Comments: Property is in Core sage-grouse habitat and likely provides nesting and brood-rearing habitat.

YES/NO: **Yes** Score: 6

Additional Points (circle one): permanent credit = **10**  
Comments: The project has the potential to generate credits based on nesting and brood rearing habitat for the 6 leks that are within 4 miles of the project.

- 9. Are the terms of the proposed easements settled enough for the Montana Sage Grouse Oversight Team to fund this project at this time? YES/NO [Score 1-10, with 10 as the maximum high score for projects where terms are settled well enough to commit funding at this time and project has a high probability to be implemented.]**

Terms Settled Enough: YES/**NO** Score: 4

Comments: Need some information on the current and planned management of the lands within the CE.

Terms Settled Enough: YES/NO Score:

Comments: Defer to easement specialist comments.

Terms Settled Enough: **No** Score: 5

Comments: Easement terms are still being negotiated. Easement will have to be reviewed by NRCS if NRCS chooses to fund the project. Draft easement will also have to be reviewed by MSGOT.

- 10. Is the fence marking project settled enough for the Montana Sage Grouse Oversight Team to fund this project at this time? YES/NO [Score 1-10, with 10 as the maximum high score for projects where details are settled well enough to commit funding at this time and project has a high probability to be implemented.]**

Details Settled Enough: YES/NO Score:

Comments: N/A

Details Settled Enough: YES/NO Score:

Comments:

Details Settled Enough: YES/NO

Score:

Comments:

- 11. Please rank all projects submitted for funding from the Stewardship Fund in order of highest priority to lowest priority. Rank 9 as the highest priority for funding and 1 as the lowest priority.**

*[C. Sime Note: Please refer to the table in the final recommendations report which compiles ranks of all peer reviewers into a single table.]*

- 12. Using the table in Question 9, list any projects you believe the Montana Sage Grouse Oversight Team should not fund and why. Should MSGOT defer decisions on any of the projects listed in the Table in Question 9 and reconsider them for funding in the future?**

Do not fund these proposals:

Comments:

Defer Decisions on These Projects until a later time:

Comments:

Do not fund these proposals:

Comments:

Defer Decisions on These Projects until a later time:

Comments:

Do not fund these proposals:

Comments:

Defer Decisions on These Projects until a later time:

Comments:

### **GENERAL COMMENTS:**

Watson – 1-2 leks, some cultivation risk but not a clear benefit to sage-grouse.

=====

Good quality project for resource value. Conversion is risk is relatively low. Potential for mitigation credits prorated. Scored this one slightly higher than J. Burke for resource values for sage-grouse but lacks full mitigation credit potential.

=====

This project lies entirely within priority habitat, however the portion of the project that appears to be breeding habitat appears to be relatively low. The tillage risk appears high in a portion of the property, but overall risk appears to be low. This may be a project that would score better for winter habitat given the location. The ratio of project area to credit gain is also low, but it is in the middle of a landscape that supports a number of leks and individuals. Final rank - 4

## GREATER SAGE GROUSE HABITAT CONSERVATION STEWARDSHIP FUND

SPRING 2016

### PEER REVIEWER COMMENTS

#### WEAVER EASEMENT

- 1. Will the proposed project maintain, enhance, restore, expand, or benefit greater sage grouse habitat and populations? Why or why not? [Score 1-10; 10 is maximum high score for projects that provide greatest benefits.]**

Score: 2

Comments: The entire project area is within general SG habitat. In addition, according to the submittal most of the project area provides low potential breeding habitat, and is dominated by grasslands. Croplands will be reseeded to grass, not necessarily favoring sage grouse.

Score: 4

Comments: The main ranch property is on the edge of sage grouse habitat. There is one lek (average 11 males) on State ground immediately adjacent to their property and a second within 3 miles (average 13 males). There are several other sage grouse leks within 4 miles of this property, however many of these leks have not had birds present in recent years. The property does likely receive some year-round use by sage grouse although at lower densities than in areas of better sagebrush habitat. A significant proportion of the main ranch parcel would not be optimal sage grouse habitat because it is either non-native habitat or prairie forest habitat. The smaller parcel of the property to the east is located in better sage grouse habitat near some of the larger leks in the local area. This parcel would have better sage grouse value except a large percentage of this parcel has been converted to agricultural use and is no longer native vegetation. The project application mentions 1500 acres that are planned to be restored/reseeded to native grasses. I could not find where these costs were listed in the project budget or if they are a requirement of the easement terms. If these 1500 acres are successfully reseeded to native vegetation (could be challenging with the presence of crested wheatgrass in some areas) it could significantly increase the benefit of an easement on this property. Overall a perpetual easement on these parcels would help maintain sage grouse habitat and populations, but the overall benefit would be lower due to the location of these parcels and the lower percentage of sage grouse. If reseeded occurs there would be potential for enhancement of existing habitat.

Score: 5

Comments: The entire project is outside of core sage grouse habitat. It will maintain 9871 acres of habitat in perpetuity.

**2. Are you aware of additional protected lands not shown either on the grant application or the map provided by the Sage Grouse Habitat Conservation Program, such as FWP long term leases? If so, please describe.**

YES/**NO**:

Comments: Not apparent

YES/NO: Yes

Comments: There are approximately 90 acres of land owned by the Rocky Mountain Elk Foundation immediately adjacent to the eastern portion of the Weaver Ranch.

YES/NO: **No**

Comments:

**3. Is this proposal consistent with the purposes of the Stewardship Fund and should it receive funding? If yes, should it receive 100% of the requested amount? [Score 1-10, 10 is an excellent fit for this grant opportunity.]**

Consistency: YES/**NO**                      100% of requested amount: YES/**NO**

Comments: Although defined as General habitat, the habitat maps do not justify expenditures of funds to protect what appears to be marginal habitat.

Consistency: ????                              100% of requested amount: NO

Comments:

Score: 3

Consistency: YES/NO                      100% of requested amount: YES/NO

Comments: The project has 1148 acres of cropland or 12% of the project lands. The price of \$80/acre is in the middle of the applications and the NRCS match that is being requested represents 75% of the cost of the easement

**4. Does the applicant have the capacity to complete the project and achieve project goals? [Yes = 5 points; No = 0 points]**

Capacity **YES**/NO:                              Score: 5

Comments: Agreeing to a CE is all what is being asked of.

Capacity **YES**:                                      Score: 5

Comments:

Capacity YES/NO:                      **Yes**                      Score: 4

Comments: MLR has an extensive track record as the holder of conservation easements in Montana. Their conservation easement model is focused on open space and they have been very successful with this approach. This program presents different challenges because year-round sage grouse habitat needs to be conserved and protected.

**5. Please address any particular strengths or weaknesses of the project based on your area of expertise and knowledge of the project area.**

Comments: The project area is all within General SG habitat. This in itself somewhat limits the value of property for SG. Habitat models do not indicate the majority of the project area contains high values SH habitat (especially breeding habitat). Much of the project area is comprised of grasslands, which if lacking sagebrush would also not be considered high quality SG habitat. Croplands are proposed to be planted to grasslands. Although move value than croplands for SG, without some specifics as what is being planted it is hard to estimate the importance to SG. Finally, no management of these lands is identified by MLR. This needs to be better defined.

An easement of this property would likely have benefits to a variety of species outside just sage grouse. The mixture of prairie forest, grassland, sagebrush steppe, and riparian habitats make this area valuable for deer, elk, antelope, upland birds, grassland songbirds, and nongame species. The fact that this is a perpetual easement means it could potentially have longer-term benefits for wildlife than other restoration or habitat improvement projects. The location of this property on the edge of sage grouse habitat and the high percentage of unsuitable (forested/agricultural) habitats would limit some of the benefits of an easement on this property. This could change depending on the success of reseeding cropland to native vegetation.

Comments:

Weaknesses: One large(>600 acres) private inholding and two smaller ones, > 79% of lands within 4 mile radius of project are private with no conservation protection. No landowner charitable donation.

**6. Here, we ask you to consider the potential to generate mitigation credits. Refer to the summary table provided.**

**Does the project have the potential to generate mitigation credits based on the habitat values of the project? YES/NO [Score 1-10, 10 being high potential; score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

**YES/NO:** Score Potential Overall: 3

Additional Points (circle one): permanent = **10** or term = 5

Comments: Not overwhelming, when compared to the entire CE project area

**YES/NO:** Score Potential Overall: 4

Additional Points (circle one): permanent = **10** or term = 5

Comments: This would be a perpetual easement so it would have long-term benefits for conservation.

I am not familiar with how mitigation credits will be determined/evaluated. I would assume this project would generate fewer credits than projects in core sage grouse

habitat due to the fact that this project is located on the edge of sage grouse habitat in lower sage grouse density. The project also has a high percentage of habitats that would not be considered suitable sage grouse habitat (forest/crop land). There was mention of reseeded some cropland to native vegetation (1500 acres) which could increase the value of the easement depending on the success of this restoration.

YES/NO:                    Score Potential Overall:     7  
 Additional Points (circle one): permanent = 10  
 Comments: Project has the potential to generate habitat mitigation credits on 2605 acres of non-core sage grouse habitat.

- 7. Does the project have the potential to generate mitigation credits based on the number of leks and breeding males? YES/NO [Score 1-10, 10 being high potential; score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

**YES/NO:**                    Score Potential Overall: **6**  
 Additional Points (circle one): permanent credit = 10    term credit = 5  
 Comments: None of the leks are located within the CE project area.

NO:                            Score Potential Overall:  
 Additional Points (circle one): permanent credit = 10    term credit = 5  
 Comments: there are no active leks on or in near vicinity of property.

YES/NO: **No**                Score Potential Overall:     **0**  
 Additional Points (circle one): permanent credit = 10    term credit = 5  
 Comments:

- 8. Does the project have the potential to generate mitigation credits based on the contribution to breeding habitat? YES/NO [Score 1-10, 10 being high potential; score 0 if project would not generate any credits; score additional 10 points if credits would be permanent; 5 points for term credit]**

**YES/NO:**                    Score: 5  
 Additional Points (circle one): permanent credit = **10**    term credit = 5  
 Comments: Maps included in the two documents are conflicting. One shows significant portions of the CE area being breeding habitat, while the other map is just the opposite.

YES:                            Score:                    3  
 Additional Points (circle one): permanent credit = 10    term credit = 5  
 Comments:

YES/NO: Yes                Score: 5  
 Additional Points (circle one): permanent credit = 10

Comments: The smaller parcel has high sage grouse breeding habitat suitability and can generate credits based on nesting and brood rearing habitat. The larger parcel has low breeding habitat suitability in its northern part and higher suitability in its southern part. The parcels taken together provide over 5 miles of riparian habitat/sq mile which is good for brood raising.

- 9. Are the terms of the proposed easements settled enough for the Montana Sage Grouse Oversight Team to fund this project at this time? YES/NO [Score 1-10, with 10 as the maximum high score for projects where terms are settled well enough to commit funding at this time and project has a high probability to be implemented.]**

Terms Settled Enough: **YES/NO** Score: **6**

Comments: Need more information on management of lands, including details related to reseeding croplands.

Terms Settled Enough: ??? Score:

Comments:

Terms Settled Enough: YES/NO **No** Score: **5**

Comments: The easement is still being negotiated and if the NRCS funds the project, they will have to review the easement. The MSGOT will also have to review the easement.

- 10. Is the fence marking project settled enough for the Montana Sage Grouse Oversight Team to fund this project at this time? YES/NO [Score 1-10, with 10 as the maximum high score for projects where details are settled well enough to commit funding at this time and project has a high probability to be implemented.]**

Details Settled Enough: YES/NO Score:

Comments: N/A

Details Settled Enough: YES/NO Score:

Comments: N/A

Details Settled Enough: YES/NO Score:

Comments:

- 11. Please rank all projects submitted for funding from the Stewardship Fund in order of highest priority to lowest priority. Rank 9 as the highest priority for funding and 1 as the lowest priority.**

**[C. Sime Note: Please refer to the table in the final recommendations report which compiles ranks of all peer reviewers into a single table.]**

**12. Using the table in Question 9, list any projects you believe the Montana Sage Grouse Oversight Team should not fund and why. Should MSGOT defer decisions on any of the projects listed in the Table in Question 9 and reconsider them for funding in the future?**

Do not fund these proposals:

Comments:

Defer Decisions on These Projects until a later time:

Comments:

Do not fund these proposals:

Comments:

Defer Decisions on These Projects until a later time:

Comments:

Do not fund these proposals:

Comments:

Defer Decisions on These Projects until a later time:

Comments:

**GENERAL COMMENTS**

Weaver – leks nearby but not on property, reasonably good habitat, some risk of cultivation. 1500 acres of cropland restoration which would create a measureable benefit that would improve habitat and demonstrate a means of generating credits. I wish this property had more demonstrable sage-grouse use now, however, impacts to sage-grouse have occurred because of past cultivation. I think sending a message that actually restoring habitat rather than just preserving it is important. So, the 44 Ranch seems to be the best preservation option while the Weaver Ranch seems to be the best restoration option and this would provide one grant each to TNC and MLR.

=====

This project is also on the fringe of sage-grouse habitat and is technically not in core habitat. It is not considered high value for sage-grouse conservation (although it is considered of high value for other wildlife species).

=====

I believe that a portion of this property is in good GRS habitat and probably very important for maintaining distribution of birds in this part of the state. Conversion risk appears low but I suspect it may be susceptible. However, the ratio of overall acres to potential credit acres is low and a good portion of the project appears to have little value for breeding birds. I do not know if there is habitat for wintering birds though. Another concern is the mineral estate. I know there has been a lot of interest in the past for development of natural gas resources in the general area and it would be good to know how this property sits in relation to that potential. Final rank - 6

**MONTANA SAGE GROUSE OVERSIGHT TEAM**

**MAY 24, 2016 MEETING**

**PUBLIC COMMENT: STEWARDSHIP FUND GRANT APPLICATIONS**

The application deadline for receipt of applications for funding from the Sage Grouse Stewardship Fund account was April 9, 2016.

On April 14, 2016, the Sage Grouse Habitat Conservation Program published nine applications submitted for funding to the Program's website.

On April 17, 2016, a media release was issued stating that applications were available for public review and comment through 5:00 p.m. on April 29, 2016. Comments were accepted through the online public comment tool link and hard copy by delivery or postal mail (no emails).

Two comments were received by the comment deadline. See attached.

An additional written comment was received by email after the deadline. Carolyn Sime contacted that person and encouraged delivery to MSGOT during its meeting on May 24 either as oral comment or as originally transmitted to the Program.



The Montana Department of  
**Natural Resources  
 & Conservation**

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Key:FRqdok5mt6 Comment Period  
 Period:4/13/2016 11:59 PM To 4/29/2016 05:00 PM

Title:Sage Grouse Program Seeking Public Comment on Grant Proposals  
 Program:Sage Grouse Habitat Conservation Program Contact:Carolyn Sime

Identifier:223 Comment Record  
 Name:Bailey, Dan Time:4/27/2016 04:10 PM Attachments:0  
 Email:dbailey@pheasantsforever.org Phone:406-586-8137  
 Address:2021 Middle Bear Creek Rd, Victor, MT 59875

Topic:Pheasants Forever Support of National Wildlife Federation's Sage Grouse Fence Marking Proposal

Comment:Dear Ms. Sime, Pheasants Forever writes in support of the National Wildlife Federation's (NWF) fence marking application to the Montana Sage Grouse Stewardship Grant Fund Program. The use of fence marking is a proven method to prevent unnecessary deaths that occur as sage grouse habitat is fragmented by fencing. NWF's proposal offers a practical, on-the-ground, and immediate solution to sage grouse mortality. Over the last year, NWF has established itself as a constructive partner in sage grouse conservation, and possesses the capacity to complete an extensive fence marking effort across the state. NWF has actively reached out to Pheasants Forever Chapters across the state and shown they can lead the charge in this important on the ground project. NWF has taken this opportunity to get Montana's youth outside and involved in on the ground conservation work. NWF has shown their commitment to fence marking by successfully implementing a National Fish and Wildlife Foundation grant. Funding from the Montana Sage Grouse Conservation Program will allow NWF to leverage funds and keep their successful fence marking campaign in operation. Pheasants Forever encourages the Montana Sage Grouse Oversight Team to support NWF's fence marking effort. Pheasants Forever supports this work because of the on the ground practice and NWF's proven ability to get youth outside and involved. Kind Regards, Dan Bailey  
 MT Regional Representative Pheasants Forever

Close Window



Handout 10

Carolyn Sime  
Sage Grouse Habitat Conservation Program  
Montana Department of Natural Resources and Conservation  
1625 Eleventh Ave.  
Helena, MT 59620-1601

Dear Ms. Sime,

I am writing this letter to support a sage grouse stewardship fund grant proposal submitted by the National Wildlife Federation. The Montana Conservation Corps has had the privilege to work with NWF on several projects to support sage grouse habitat enhancement over the last few years. These projects have provided Montana youth and young adults with first-hand knowledge of the issues connected to sage grouse habitat in their home state. They have also provided high quality hands-on experience for our members working on high-priority conservation projects that support the Montana sage grouse recovery plan. Members learn about the sagebrush ecosystem, threats to sage grouse habitat and the mitigation strategies being used by land managers to help reduce those threats. NWF staff has been instrumental in providing both the education and the guidance to complete these vital natural resources projects.

NWF has been an excellent partner over the years, committed to the education of our members while providing on-the-ground solution that have a tangible conservation impact on sage grouse habitat and species mortality. These projects have engaged multiple diverse partners for the mutual benefit of everyone involved. The nature of fence marking projects over a large landscape require the engagement of multiple agencies and organizations which leads to project success and increased exposure for our members. These projects are particularly appropriate for our school age participants who then have direct experience of the natural resource issues they hear about in the media.

This proposal will match existing National Fish and Wildlife Federation grant funds to implement high priority sage grouse conservation efforts. Funding this project will effectively double the investment and double the amount of project work that gets completed in prime sage grouse habitat areas.

The Montana Conservation Corps fully supports funding this National Wildlife Federation proposal and looks forward to working with NWF to implement this essential ongoing work to support the enhancement of sage grouse habitat.

Sincerely,

Lee Gault  
Director of Partnerships  
Montana Conservation Corps

