FISH, AQUATIC AND WILDLIFE HABITAT INCLUDING SPECIAL STATUS SPECIES APPENDIX

FISH, AQUATIC, AND WILDLIFE HABITAT, INCLUDING SPECIAL STATUS SPECIES APPENDIX

INTRODUCTION

This appendix contains in-depth information and specific conservation plans, actions, and guidelines to guide wildlife management in the resource management plan (RMP) planning area, including:

- A complete list of aquatic species occurring in the planning area is included in this appendix.
- A list of Bureau of Land Management (BLM) designated Special Status Species (SSS) potentially occurring in the planning area.
- Guidance for terrestrial wildlife in this appendix includes the following.
    - Bighorn sheep management, which includes information for specialized design features to minimize or prevent contact between bighorn sheep and domestic sheep or goats.
    - Sage-grouse management, which includes the Western Association of Fish and Wildlife Agencies (WAFWA) sage-grouse guidelines and guidance for monitoring of sage-grouse and sagebrush habitat.
    - Migratory bird conservation guidelines, which include guidance and conservation strategies under applicable plans.
    - BLM SSS list for the planning area.
    - Special status wildlife species information, which includes a list of relevant plans and detailed information regarding consultation with the United States Fish and Wildlife Service (USFWS).
    - Survey and monitoring protocols for entities seeking to conduct surface disturbing or disruptive activities on BLM lands and those lands underlain with federal mineral estate.

AQUATIC WILDLIFE

AMPHIBIANS

The planning area supports six species of amphibians in the planning area (and possibly the nonnative American bullfrog) (Table 1).

TABLE 1.
NATIVE AND NONNATIVE AMPHIBIAN SPECIES OCCURRING IN THE PLANNING AREA

Native		Nonnative	
Boreal chorus frog	*Pseudacris maculata*	American bullfrog[1]	*Rana catesbeiana*
Great plains toad	*Bufo cognatus*		
Northern leopard frog	*Rana pipiens*		
Plains spadefoot	*Spea bombifrons*		
Tiger salamander	*Ambystomia tigrinum*		
Woodhouse's toad	*Bufo woodhousii*		

[1]Although the American bullfrog has not been officially documented in the planning area, it is likely present in low abundance.

REPTILES

The planning area supports 14 species of reptiles in the planning area (Table 2).

TABLE 2.
NATIVE AND NONNATIVE REPTILE SPECIES OCCURRING IN THE PLANNING AREA

Native		Nonnative
Common gartersnake	*Thamnophis radix*	There are no known introduced reptiles in the planning area.
Common sagebrush lizard	*Sceloporus gracious*	
Eastern racer	*Coluber constrictor*	
Greater short-horned lizard	*Phrynosoma hernandesi*	
Gophersnake	*Pituophis catenifer*	
Milksnake	*Lampropeltis triangulum*	
Painted turtle	*Chrysemys picta*	
Plains gartersnake	*Thamnophis radix*	
Western rattlesnake	*Crotalus viridis*	
Smooth greensnake	*Opheodrys vernalis*	
Snapping turtle	*Chelydra serpentine*	
Spiny softshell turtle	*Apalone spinifera*	
Terrestrial gartersnake	*Thamnophis elegans*	
Western hog-nosed snake	*Heterdon nasicus*	

FISH

The planning area supports 63 species of fish, including 35 native and 28 nonnative (introduced) species (Holton and Johnson 2003; MFWP 2010b) (Table 3).

TABLE 3.
NATIVE AND NONNATIVE FISH SPECIES OCCURRING IN THE PLANNING AREA

Native	**Nonnative**
Bigmouth buffalo *(Ictiobus cyprinellus)*	Black bullhead *(Ameiurus melas)*
Blue sucker *(Cycleptus elongatus)*[3]	Black crappie *(Pomoxis nigromaculatus)*
Brassy minnow *(Hybognathus hankinsoni)*	Bluegill *(Lepomis macrochirus)*
Brook stickleback *(Culaea inconstans)*	Brook trout *(Salvelinus fontinalis)*
Burbot *(Lota lota)*	Brown trout *(Salmo trutta)*
Channel catfish *(Ictalurus punctatus)*	Chinook salmon *(Oncorhynchus tshawytscha)*
Creek chub *(Semotilus atromaculatus)*	Cisco *(Coregonus artedi)*
Emerald shiner *(Notropis atherinoides)*	Common carp *(Cyprinus carpio)*
Fathead minnow *(Pimephales promelas)*	Golden shiner *(Notemigonus crysoleucas)*
Flathead chub *(Hybopsis gracilis)*	Green sunfish *(Lepomis cyanellus)*
Freshwater drum *(Aplodinotus grunniens)*	Goldfish *(Carassius auratus)*
Goldeye *(Hiodon alosoides)*	Kokanee salmon *(Oncorhynchus nerka)*
Iowa darter *(Etheostoma exile)*	Lake trout *(Salvelinus namaycush)*
Lake chub *(Couesius plumbeus)*	Largemouth bass *(Micropterus salmoides)*
Longnose dace *(Rhinichthys cataractae)*	Northern pike *(Esox lucius)*
Longnose sucker *(Catostomus catostomus)*	Plains killifish *(Fundulus kansae)*
Northern redbelly dace (*Phoxinus eos)*	Pumpkinseed *(Lepomis gibbosus)*
Northern red-belly x finescale dace hybrid *(Phoxinus eos x phoxinus eogaeus)*[3]	Rainbow smelt *(Osmerus mordax)*
Paddlefish *(Polyodon spathula)*[3]	Rainbow trout *(Oncorhynchus mykiss)*

Native	**Nonnative**
Pallid sturgeon *(Scaphirhynchus albus)*[1]	Rock bass *(Ambloplites rupestris)*
Pearl dace *(Margariscus margarita)*[3]	Smallmouth bass *(Micropterus dolomieu)*
Plains minnow *(Hybognathus placitus)*	Spottail shiner *(Notropis hudsonius)*
River carpsucker *(Carpiodes carpio)*	Walleye (*Sander vitreus)*
Sand shiner (*Notropis stramineus)*	Western mosquitofish *(Gambusia affinis)*
Sauger *(Stizostedion canadense)*[3]	White bass *(Morone chrysops)*
Shorthead redhorse *(Moxostoma macrolepidotum)*	White crappie *(Pomoxis annularis)*
Shortnose gar *(Lepisosteus platostomus)*[1]	Yellow bullhead *(Ameiurus natalis)*
Shovelnose sturgeon *(Scaphirhynchus platorynchus)*	Yellow perch *(Perca flavescens)*
Sicklefin chub *(Macrohybopsis meeki)*[1]	
Smallmouth buffalo *(Ictiobus bubalus)*	
Stonecat *(Noturus flavus)*	
Sturgeon chub *(Macrohybopsis gelida)*[3]	
Western silvery minnow *(Hybognathus argyritis)*	
White sucker *(Catostomus commersoni)*	

[1]Montana Fish, Wildlife, and Parks (MFWP) species of special concern
[2E]ndangered species and BLM SSS
[3] MFWP species of special concern and BLM sensitive species

TERRESTRIAL WILDLIFE

SPECIAL STATUS SPECIES

Special status species (SSS), collectively, are USFWS federally listed or proposed species, and the BLM sensitive species from the 2009 Montana/Dakota's sensitive species list. The Montana/Dakotas sensitive species list is revised periodically. BLM sensitive species also include both federal candidate species and delisted species within 5 years of delisting. Table 4 includes a list of species, BLM and USFWS status and whether the planning area is within the current range of the species.

TABLE 4.
SPECIAL STATUS SPECIES

Species	USFWS Status	BLM Status	Known to occur in Planning Area
Mammals			
Gray Wolf*	None	Sensitive	Yes
Grizzly Bear**	Threatened	SSS	No
Black-footed ferret (BFF)	Endangered	SSS	No
Black-tailed prairie dog	None	Sensitive	Yes
Swift fox	None	Sensitive	Yes
Fisher	None	Sensitive	No
Great Basin Pocket Mouse	None	Sensitive	No
North American Wolverine	None	Sensitive	No
Pygmy rabbit	None	Sensitive	No
Fringed Myotis	None	Sensitive	Yes
Pallid bat	None	Sensitive	Yes
Northern Myotis	None	Sensitive	Yes
Townsend's big-eared bat	None	Sensitive	Yes
White-tailed prairie dog	None	Sensitive	No
Birds			

Species	USFWS Status	BLM Status	Known to occur in Planning Area
Franklin's gull	None	Sensitive	Yes
Interior least tern	Endangered	SSS	Yes
Black tern	None	Sensitive	Yes
White-faced ibis	None	Sensitive	Yes
Whooping crane	Endangered	SSS	Yes
Yellow rail	None	Sensitive	Yes
Piping plover	Threatened, with critical habitat	SSS	Yes
Mountain plover	None	Sensitive	Yes
Long-billed curlew	BCC	Sensitive	Yes
Greater sage-grouse	Candidate	Sensitive	Yes
Burrowing owl	BCC	Sensitive	Yes
Great gray owl	None	Sensitive	No
Trumpeter swan	None	Sensitive	No
Flammulated owl	None	Sensitive	No
Bald eagle	BCC	Sensitive	Yes
Golden eagle	None	Sensitive	Yes
Ferruginous hawk	None	Sensitive	Yes
Peregrine falcon	None	Sensitive	Yes
Sage thrasher	BCC	Sensitive	Yes
Sprague's pipit	Candidate	Sensitive	Yes
Loggerhead shrike	BCC	Sensitive	Yes
Chestnut-collared longspur	BCC	Sensitive	Yes
McCown's longspur	BCC	Sensitive	Yes
Baird's sparrow	BCC	Sensitive	Yes
Brewer's sparrow	BCC	Sensitive	Yes
American bittern	BCC	None	Yes
Yellow-billed Cuckoo	BCC	Sensitive	Yes
Lewis's woodpecker	BCC	None	No
Red-headed woodpecker	BCC	Sensitive	Yes
Black-backed woodpecker	None	Sensitive	Yes
Sage sparrow	BCC	Sensitive	Yes
Blue-gray natcatcher	None	Sensitive	No
Amphibians			
Great Plains toad	None	Sensitive	Yes
Northern leopard frog	None	Sensitive	Yes
Plains spadefoot toad	None	Sensitive	Yes
Boreal/Western Toad	None	Sensitive	No
Fish			
Pallid Sturgeon	Endangered	SSS	Yes
Northern Redbelly Dace***	None	None	Yes
Northern Redbelly X Finescale Dace	None	Sensitive	Yes
Paddlefish	None	Sensitive	Yes
Pearl Dace	None	Sensitive	Yes
Sauger	None	Sensitive	Yes
Iowa Darter***	None	None	Yes
Sicklefin Chub***	None	None	Yes
Sturgeon Chub	None	Sensitive	Yes

Species	USFWS Status	BLM Status	Known to occur in Planning Area
Reptiles			
Snapping turtle	None	Sensitive	Yes
Spiny softshell	None	Sensitive	Yes
Greater short-horned lizard	None	Sensitive	Yes
Milk snake	None	Sensitive	Yes
Western hog-nosed snake	None	Sensitive	Yes

Sources: Montana Bird Distribution Committee 2012; Werner, Maxell, Hendricks, and Flath. 2004; Foresman 2001; MTNHP, 2010; BLM, 2009; USDA – NRCS Plants Database, 2010
***Gray wolf has been delisted so has been moved to the sensitive list**
****Grizzly bear has been delisted for the Greater Yellowstone ecosystem. In that area it is a Bureau sensitive species.**
***** Iowa darter, northern redbelly dace, and sicklefin chub are listed as species of concern by MFWP.**

BIGHORN SHEEP

The following guidelines are design features to reduce contact between bighorn sheep and domestic sheep and goats:

- Provide instructions addressing management, retrieval, and disposition of any stray domestic sheep and goats used for invasive weed control left on public lands;
- use of herders, dogs, or other guarding animals trained to repel animals foreign to domestic sheep bands or goat flocks;
- confinement of domestic sheep and goats at night to minimize strays and the use of adequate fencing configurations designed to achieve the most effective separation possible; and
- evaluation of timing of permitted domestic sheep and goat trailing or grazing activities to reduce disease transmission risk.

MIGRATORY BIRD CONSERVATION

The Miles City Field Office (MCFO) will use the following to implement migratory bird conservation in the planning area. Management actions should focus on providing a variety of habitat characteristics that support successful breeding by migratory birds. This generally requires providing properly functioning habitats with the appropriate vegetation diversity, density, and structure based on site potential to support nesting, security and foraging. Vegetation modification actions that reduce the capability of habitats to support these needs, such as prescribed fire, timber harvest, and livestock grazing, need to be evaluated for potential adverse impacts, particularly if they occur during the spring or early summer. The timing and intensity of these actions, as well as the type of habitat and bird species present, may substantially influence the level of impact to migratory birds. Such impacts have been considered to represent “take” per USFWS regulations and have management implications.

BLM MIGRATORY BIRD CONSERVATION STRATEGY

Non-game migratory birds are the primary concern under migratory bird conservation. Whereas waterfowl and migratory game birds are cooperatively managed by individual states and the USFWS, there has been less emphasis on developing and implementing management strategies to protect populations and habitat for other migratory birds, particularly neotropical migrants. Neotropical migrants are species of songbirds, shorebirds, and raptors that typically breed in North America but winter in Latin or South America. Because of these long-range migrations, it is important that quality habitats are present in their breeding habitat and adequately distributed along their migration routes to successfully reach their breeding, nesting and wintering grounds. It is also essential to provide sufficient quantities of suitable breeding habitat to maintain viable populations.

The BLM's *Nongame Migratory Bird Habitat Conservation Plan* (McClure et al. 1992) provides the foundation for proactive habitat management on behalf of non-game birds that migrate to the tropics or use neotropical habitats. The overall intent is to reverse the decline in some bird populations and to implement this proactive program for other migratory species. The plan addresses goals for inventory and monitoring, habitat management, research and studies, training, education, outreach and communication, domestic partnerships, and international partnerships. Habitat management goals, management opportunities, and recommended strategies from the plan include those described below.

MILES CITY FIELD OFFICE MIGRATORY BIRD TREATY ACT GUIDELINES

The following guidance is for those entities intending to conduct surface disturbing or disruptive activities on BLM administered lands.

The Operator is responsible for compliance with provisions of the Act by implementing one of the following measures;

a) **avoidance by timing**; ground disturbing activities will not occur from April 15 to July 15,
b) **habitat manipulation**; render proposed project footprints unsuitable for nesting prior to the arrival of migratory birds (blading or pre-clearing of vegetation must occur prior to April 15 within the area scheduled for activities between April 15 and July 15 of that year to deter nesting,) or

c) **survey-buffer-monitor**; surveys will be conducted by an operator funded, BLM approved biologist within the area of the proposed action and a 300 foot buffer from the proposed project footprint between April 15 to July 15 if activities are proposed within this timeframe. If nesting birds are found, activities would not be allowed within 0.1 miles of nests until after the birds have fledged. If active nests are not found, construction activities must occur within 7 days of the survey. If this does not occur, new surveys must be conducted. Survey reports will be submitted to the BLM-MCFO.

OTHER CONSERVATION PLAN OBJECTIVES

The North American Wetland Conservation Act (16 United States Code [U.S.C.] 4401 et seq.) provides the primary funding source for joint venture projects that can now be implemented for all bird species and their habitats, based on national priorities. The objectives for all of these plans are similar:

1. determine population status and trends and identify their habitats on the public lands,
2. restore, maintain, and enhance populations through habitat management,
3. conduct research and studies to obtain knowledge needed for informed decision making for on-the-ground management of the importance of birds and their value to our natural heritage,
4. develop a broad awareness and understanding of the importance of birds and their value to our natural heritage,
5. build on existing relationships and create new partnerships to foster conservation programs, and
6. establish international relationships to enhance hemispheric conservation programs for migratory species.

<u>PRIORITY SPECIES OF CONCERN</u>

Many of the high priority bird species identified in bird conservation plans are not currently included on BLM SSS lists. It is the intent of the BLM to work with the bird conservation initiatives and the Partners in Flight prioritization process to identify where SSS recognition is warranted (see BLM Manual Supplement 6840, *Special Status Species Management*). BLM sensitive species lists are reviewed periodically at the state level and should ensure coordination with USFWS and Partners in Flight priority bird lists (USFWS 2008).

The USFWS provides a list of Birds of Conservation Concern for specific geographic areas (USFWS 2008). The MCFO is included in the Northern Rockies Bird Conservation Region (also known as BCR10), which recognizes the following priority species (USFWS 2008):

- Swainson's hawk,
- golden eagle,
- peregrine falcon,
- American golden-plover,
- mountain plover,
- upland sandpiper,
- yellow-billed cuckoo,
- black swift,
- Lewis' woodpecker,
- red-naped sapsucker,
- loggerhead shrike,
- Virginia's warbler,
- McCown's longspur,
- ferruginous hawk,
- prairie falcon,
- Brewer's sparrow,
- snowy plover,
- solitary sandpiper,
- whimbrel,
- long-billed curlew,
- sanderling,
- Wilson's phalarope,
- marbled godwit,
- flammulated owl,
- Williamson's sapsucker,
- white-headed woodpecker,
- pygmy nuthatch, and
- yellow rail.

Partners in Flight lists are developed nationally, regionally, and by individual states through specific plans. The *Montana Bird Conservation Plan* identifies numerous priority species for grassland, shrubland, forest, riparian and wetland habitats with reasons for concern, management issues and recommendations, and population and habitat objectives (Montana Partners in Flight 2000). The following are considered Priority 1 species in the plan:

- common loon,
- trumpeter swan,
- piping plover,
- mountain plover,
- flammulated owl,
- black-backed woodpecker,
- brown creeper,
- Sprague's pipit,
- Baird's sparrow,
- olive-sided flycatcher,
- burrowing owl,
- harlequin duck
- sage-grouse, and
- interior least tern.

SPECIAL STATUS WILDLIFE SPECIES

Table 5 lists plans and regulations for SSS management in the planning area.

TABLE 5.
RELEVANT PLANS AND REGULATIONS FOR SPECIAL STATUS SPECIES IN THE PLANNING AREA

Document Title	Year	Relevance
BLM Documents		
BLM National Greater Sage-grouse Land Use Planning Strategy, IM No. 2012-044	2011	Provides land-use plan direction for sage-grouse conservation and consideration of measures identified in the BLM's 2011 *A Report on National Greater Sage-grouse Conservation Measures* in accordance with the 2011 *National Greater Sage-grouse Land Use Planning Strategy*.
WAFWA Conservation Assessment of Greater Sage-grouse and Sagebrush Habitats (Connelly et al. 2004)	2004	Establishes a comprehensive approach to management of sage-grouse habitat on public lands.
Miles City District Black-tailed Prairie Dog Management Plan	1986	Provides guidelines on prairie dog control or management activities.
BLM Manual 6840	2008	Provides guidelines for the management of SSS.
BLM Use Planning Handbook H-1601	2005	This manual provides guidance for the BLM to manage species of special concern in a manner that will not cause these species to become threatened or endangered.
*Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Montana, North Dakota, and South Dakot*a	1997	Guideline 13 states that grazing management practices should maintain or improve habitat for federal listed threatened, endangered, and special status plants and animals.
Other Federal and Tribal Regulations and Plans		
Endangered Species Act	1973	Provides guidelines in the protection of federally listed species (16 U.S.C. 1531 et seq.).
Bald and Golden Eagle Protection Act	1940/1962	Provides guidelines for the protection of bald eagles (16 U.S.C. 668–668d).
Migratory Bird Treaty Act	1918/1972	Prohibits the take, capture, or kill any migratory bird, any part, nest, or eggs of any such bird (16 U.S.C. 703(a)), this includes all special status avian species (16 U.S.C. 703–712).
Multi-State Conservation Plan for the Black-tailed Prairie Dog in the United States	2002	Guidelines to develop management plans for individual states and their respective working groups. The plan for state of Montana has been developed.
Black-footed Ferret Recovery Plan	1988	Outlines steps for recovery of the BFF throughout its historic range, including Montana. Includes captive rearing with establishment of at least ten populations in the wild.
Conservation Assessment and Conservation Strategy for Swift Fox in the United States	1997	Provides objectives, strategies, and activities designed to achieve the goal of maintaining and restoring swift fox populations in ten states, including Montana.

Document Title	Year	Relevance
Recovery Plan for the Interior Population of the Least Tern	1990	Provides recovery objectives, and the actions needed to achieve those objectives, for the interior least tern population.
Draft International Recovery Plan for the Whooping Crane	2005	Plan provides a recovery strategy to achieve the goal of establishing multiple self-sustaining whooping crane populations in North America.
Revised Recovery Plan for Piping Plovers	1994	Provides piping plover recovery objectives, and the actions needed to achieve those objectives, in the Northern Great Plains and Great Lakes.
State Plans		
Conservation Plan for Black-Tailed and White-Tailed Prairie Dogs in Montana	2002	Plan establishes workgroups to identify opportunities to manage prairie dogs so that the distribution and abundance objectives from the state plan are met. Workgroups are to identify specific prairie dog complexes and priority areas for maintaining and enhancing their numbers.
Montana Bald Eagle Management Plan and the Montana Bald Eagle Management Guidelines: An Addendum to Montana Bald Eagle Management Plan	1994/2010	Provides specific direction to use nest site management zones to eliminate potential threats to nesting bald eagles.
Management Plan and Conservation Strategies for Sage-grouse in Montana-Final	2004	Plan establishes a process to achieve sage-grouse management objectives and provide framework to guide local management efforts. Overall goal of the plan is to provide for the long-term conservation and enhancement of the sagebrush steppe/mixed-grass prairie complex within Montana in a manner that supports sage-grouse, other wildlife, and human uses.
Montana's Comprehensive Fish and Wildlife Conservation Strategy-Draft	2005	Provides priorities for management to preserve wildlife and habitat for those species in greatest need.
Montana Interior Least Tern Management Plan	2006	Recommends specific management and research activities believed necessary to sustain the population and aid long-term recovery efforts.
Montana Piping Plover Management Plan	2006	Provides recommendations as a multifaceted approach to managing piping plover breeding habitat and increasing levels of productivity.

The following Wildlife Survey Protocols were developed for entities wishing or directed to conduct wildlife surveys in advance of BLM authorized surface disturbing or disruptive activities. These protocols shall be adhered to in order for BLM to address current resources and accurately assess impacts of these proposed activities through the appropriate NEPA document.

TABLE 6.
MILES CITY FIELD OFFICE WILDLIFE SURVEY PROTOCOL

SPECIES	PROTECTED ACTIVITY	HABITAT	SURVEY DISTANCE FROM ACTIVITY*	SURVEY DATES
Bald Eagle	Winter Roosts	Stands of mature trees within or adjacent to riverine or perennial riparian systems	1.0 mile	Dec. 1 – Feb. 28
All raptor and owl species, excluding burrowing owls	Nesting	Nesting Substrates: mature trees, outcrops, cliffs, stream banks, ridges, knolls, trees, etc.	1.0 mile	April 15 – June 15
Black-tailed prairie dog	Prairie dog colonies	Prairie habitats	0.5 miles	Year-round
Mountain Plover	Nesting	Flat, shortgrass prairie, low/sparse veg., alkali flats, prairie dog towns	0.25 miles	May 1 – June 15
Burrowing owl	Nesting	Prairie dog/other burrows (active or inactive)	Prairie dog towns and burrows within 0.5 miles	June - August
BFF	To be Determined (TBD) in coordination w/United States Fish and Wildlife Service (USFWS)	Prairie dog colonies/complexes	Colonies ≥80 acres within project area; or all complexes (2 or more colonies within 1.5 km of each other, with at least a portion of 1 colony within project area) totaling ≥80 acres	See USFWS BFF Surveys guidelines (1989)
Greater Sage Grouse	Strutting Grounds (leks)	Openings within sagebrush	2.0 miles	April 1 – May 7
Greater Sage Grouse	Winter habitat	Sagebrush Grasslands	2.0 miles	Dec. 1 – Feb. 28
Plains Sharp-tailed Grouse	Dancing Grounds (leks)	Ridges, high points, knobs, or other flat areas within grasslands habitat	2.0 miles	April 1 – May 7
Wading Birds	Rookeries	Mature trees within riparian corridors, or ground nesting on islands	1.0 mile	April 15 – Aug. 31
All Other Migratory Birds**	Nesting	All	Project area plus 300 foot buffer.	April 15 – July 15 (if project activities occur within this timeframe)
Other Threatened, Endangered, Sensitive Species; and /or other general wildlife species inventory/monitoring	TBD, as necessary in coordination with USFWS and MFWP			

***For linear projects such as pipelines and other major Rights-Of-Ways (ROWs), each side is to be surveyed out to the identified distance in the column.**
****Actions affecting all other migratory birds (ex. ground nesting songbirds) may defer to any agreement in place between project proponent and USFWS.**

See "Wildlife Survey Protocol for Coal Bed Natural Gas Development, Powder River Basin Wildlife Taskforce" (BLM 2005h) for survey specifics, forms, and reporting requirements. For any discrepancies in survey dates and distances, use the table above.

<The following was sent to the USFWS Field Supervisor, Helena, MT, on March 17, 2011.>

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Miles City Field Office
111 Garryowen Road
Miles City, Montana 59301-0940
http://www.mt.blm.gov/mcfo/

Memorandum

To: Field Supervisor, U.S. Fish and Wildlife Service, Montana Ecological Services Field Office, Helena, Montana

From: Deborah K. Johnson, Field Manager

Subject: Preparation of Resource Management Plan for the Miles City Field Office Planning Area

The Bureau of Land Management (BLM) Miles City Field Office (MCFO) is preparing a new resource management plan (RMP) for the MCFO planning area. The new RMP would replace the existing Big Dry RMP and the Powder River RMP. The new Miles City Field Office RMP would guide management actions for the BLM on federal surface and federal mineral estate within the MCFO planning area.

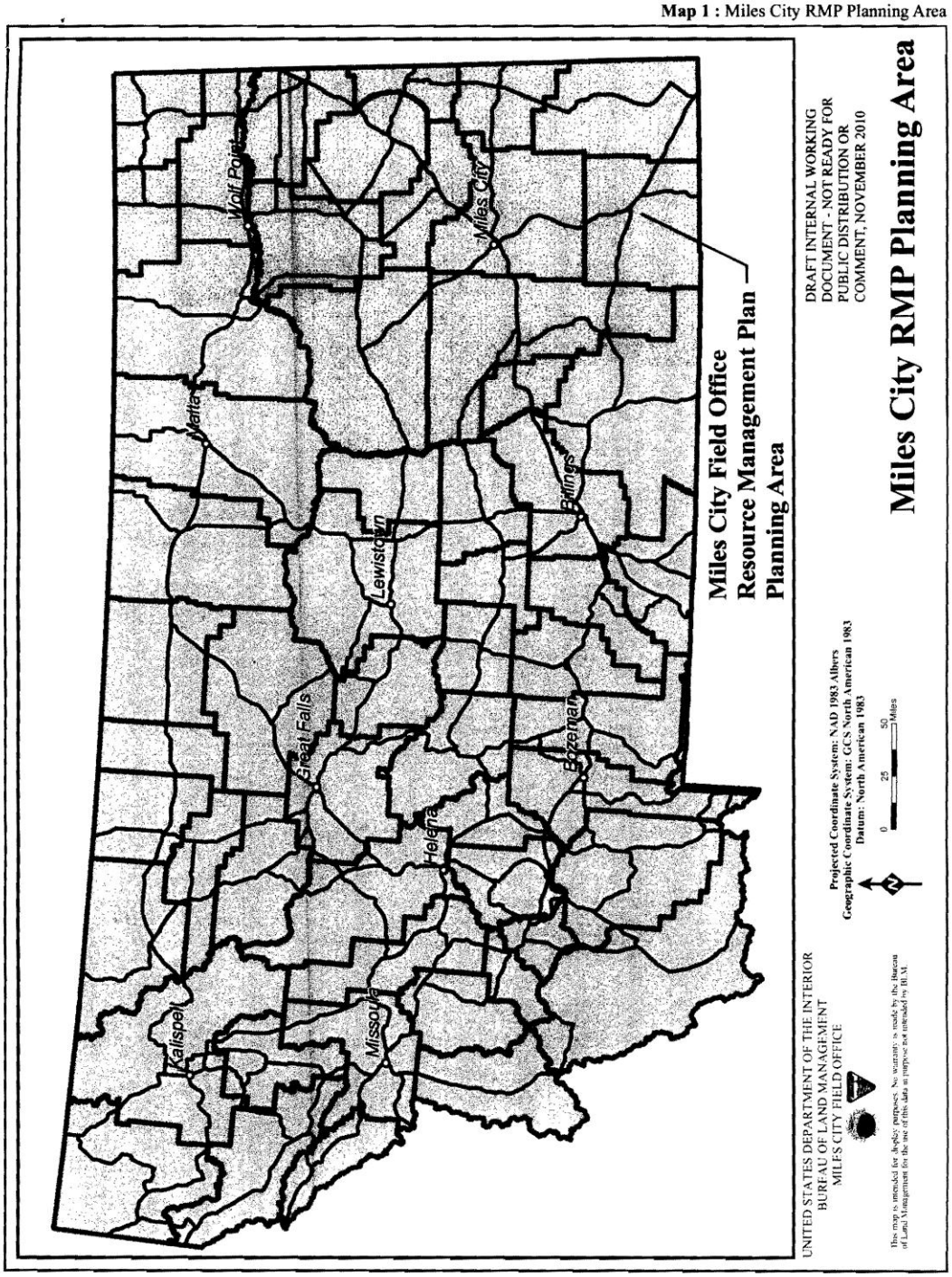
The MCFO staff is preparing a draft environmental impact statement (EIS) in compliance with the National Environmental Policy Act of 1969 and the Federal Land Policy and Management Act of 1976. The EIS will address effects of the new RMP on public lands and mineral estate within the MCFO planning area. The EIS will also evaluate potential effects of management actions approved through the new RMP on federally listed species listed and critical habitat.

Therefore, we request that the U.S. Fish and Wildlife Service specify what federally listed, proposed, or candidate species, as well as **c**ritical habitat or proposed critical habitat, may be in or immediately adjacent to the MCFO planning area (see attached map). The planning area includes the following counties: Carter, Powder River, Fallon, Custer, Rosebud, Wibaux, Prairie, Garfield, McCone, Dawson Richland, Roosevelt, Sheridan, Daniels, Treasure, and the eastern one-third of Valley County, and the southeast corner of Bighorn County.

If you have any questions on this request or require additional information, please contact Kent Undlin, Wildlife Biologist, at 406-233-2845.

Attachment: MCFO planning area map

Map 1 : Miles City RMP Planning Area



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<Letter from the United States Fish and Wildlife Service>

United States Department of the Interior

FISH AND WILDLIFE SERVICE

ECOLOGICAL SERVICES
MONTANA FIELD OFFICE
585 SHEPARD WAY
HELENA, MONTANA 59601
PHONE (406) 449-5225, FAX (406) 449-5339

M.02 BLM (MCFO) June 27, 2011

Memorandum

To: Deborah K. Johnson, Field Manager, Bureau of Land Management, Miles City Field Office

From: R. Mark Wilson, Field Supervisor, Montana Ecological Services Field Office, Helena, Montana

Subject: Preparation of Resource Management Plan for the Miles City Field Office Planning Area

This is in response to your request for information from the U.S. Fish and Wildlife Service (Service) regarding federally listed and proposed threatened and endangered species, candidate species, and critical habitat that may occur in the vicinity of the Miles City Field Office (MCFO) planning area. The planning area includes Carter, Powder River, Fallon, Custer, Rosebud, Wibaux, Prairie, Garfield, McCone, Dawson, Richland, Roosevelt, Sheridan, Daniels, and Treasure counties, as well as the eastern one third of Valley County and the southeast corner of Big Horn County.

In accordance with section 7(c) of the Endangered Species Act, the Service has determined that the following listed species may be present in the MCFO planning area counties:

County/Scientific Name	Common Name	Status
CARTER		
Mustela nigripes	Black-footed Ferret	LE
Centrocercus urophasianus	Greater Sage-Grouse	C
Anthus spragueii	Sprague's Pipit	C
POWDER RIVER		
Mustela nigripes	Black-footed Ferret	LE
Centrocercus urophasianus	Greater Sage-Grouse	C
Anthus spragueii	Sprague's Pipit	C
FALLON		
Grus americana	Whooping Crane	LE
Centrocercus urophasianus	Greater Sage-Grouse	C
Anthus spragueii	Sprague's Pipit	C

County/Scientific Name	Common Name	Status
CUSTER		
Scaphirhynchus albus	Pallid Sturgeon	LE
Sterna antillarum athalassos	Interior Least Tern	LE
Mustela nigripes	Black-footed Ferret	LE
Grus americana	Whooping Crane	LE
Centrocercus urophasianus	Greater Sage-Grouse	C
Anthus spragueii	Sprague's Pipit	C
ROSEBUD		
Mustela nigripes	Black-footed Ferret	LE
Sterna antillarum athalassos	Interior Least Tern	LE
Centrocercus urophasianus	Greater Sage-Grouse	C
Anthus spragueii	Sprague's Pipit	C
WIBAUX		
Scaphirhynchus albus	Pallid Sturgeon	LE
Sterna antillarum athalassos	Interior Least Tern	LE
Grus americana	Whooping Crane	LE
Centrocercus urophasianus	Greater Sage-Grouse	C
Anthus spragueii	Sprague's Pipit	C
PRAIRIE		
Scaphirhynchus albus	Pallid Sturgeon	LE
Sterna antillarum athalassos	Interior Least Tern	LE
Grus americana	Whooping Crane	LE
Mustela nigripes	Black-footed Ferret	LE
Centrocercus urophasianus	Greater Sage-Grouse	C
Anthus spragueii	Sprague's Pipit	C
GARFIELD		
Scaphirhynchus albus	Pallid Sturgeon	LE
Charadrius melodus	Piping Plover	LT, CH
Sterna antillarum athalassos	Interior Least Tern	LE
Mustela nigripes	Black-footed Ferret	LE
Centrocercus urophasianus	Greater Sage-Grouse	C
Anthus spragueii	Sprague's Pipit	C
McCONE		
Scaphirhynchus albus	Pallid Sturgeon	LE
Charadrius melodus	Piping Plover	LT, CH
Sterna antillarum athalassos	Interior Least Tern	LE
Mustela nigripes	Black-footed Ferret	LE
Grus americana	Whooping Crane	LE
Centrocercus urophasianus	Greater Sage-Grouse	C
Anthus spragueii	Sprague's Pipit	C
DAWSON		
Scaphirhynchus albus	Pallid Sturgeon	LE
Sterna antillarum athalassos	Interior Least Tern	LE
Grus americana	Whooping Crane	LE
Centrocercus urophasianus	Greater Sage-Grouse	C

County/Scientific Name	Common Name	Status
Anthus spragueii	Sprague's Pipit	C
RICHLAND		
Scaphirhynchus albus	Pallid Sturgeon	LE
Charadrius melodus	Piping Plover	LT, CH
Sterna antillarum athalassos	Interior Least Tern	LE
Grus americana	Whooping Crane	LE
Centrocercus urophasianus	Greater Sage-Grouse	C
Anthus spragueii	Sprague's Pipit	C
ROOSEVELT		
Scaphirhynchus albus	Pallid Sturgeon	LE
Charadrius melodus	Piping Plover	LT, CH
Sterna antillarum athalassos	Interior Least Tern	LE
Grus americana	Whooping Crane	LE
Anthus spragueii	Sprague's Pipit	C
SHERIDAN		
Charadrius melodus	Piping Plover	LT, CH
Grus americana	Whooping Crane	LE
Anthus spragueii	Sprague's Pipit	C
DANIELS		
Grus americana	Whooping Crane	LE
Anthus spragueii	Sprague's Pipit	C
TREASURE		
Centrocercus urophasianus	Greater Sage-Grouse	C
Anthus spragueii	Sprague's Pipit	C
VALLEY		
Scaphirhynchus albus	Pallid Sturgeon	LE
Charadrius melodus	Piping Plover	LT, CH
Mustela nigripes	Black-footed Ferret	LE
Sterna antillarum athalassos	Interior Least Tern	LE
Grus americana	Whooping Crane	LE
Centrocercus urophasianus	Greater Sage-Grouse	C
Anthus spragueii	Sprague's Pipit	C
BIG HORN		
Mustela nigripes	Black-footed Ferret	LE
Centrocercus urophasianus	Greater Sage-Grouse	C
Anthus spragueii	Sprague's Pipit	C

* LT = Listed Threatened; LE = Listed Endangered; CH = Critical Habitat; C = Candidate

Section 7(c) of the Act requires federal agencies that authorize, fund or carry out major construction activities complete a biological assessment to determine the effects of the proposed actions on listed and proposed species. A major construction activity is defined as "a construction project (or other undertaking having similar physical impacts) which is a major federal action significantly affecting the quality of the human environment as referred to in the National Environmental Policy Act" (50 CFR Part 402). If a biological assessment is not required (i.e., all other actions), the federal agency is still required to review their proposed

activities to determine whether listed species may be affected. If such a determination is made, formal consultation with the Service is required.
For those actions wherein a biological assessment is required, the assessment should be completed within 180 days of initiation. This time frame can be extended by mutual agreement between the federal agency or its designated non-federal representative and the Service. If an assessment is not initiated within 90 days, this list of threatened and endangered species should be verified with the Service prior to initiation of the assessment. The biological assessment may be undertaken as part of the federal agency's compliance of section 102 of the NEPA and incorporated into the NEPA documents. We recommend that biological assessments include the following:

1. A description of the project.
2. A description of the specific area that may be affected by the action.
3. The current status, habitat use, and behavior of T/E species in the project area.
4. Discussion of the methods used to determine the information in Item 3.
5. An affects analysis of the action for listed species and proposed species and their habitats, including an analysis of any cumulative effects.
6. Coordination/mitigation measures that will reduce/eliminate adverse impacts to T/E species.
7. The expected status of T/E species in the future (short and long term) during and after project completion.
8. A determination of "May affect, likely to adversely affect" or "May affect, not likely to adversely affect" for listed species.
9. A determination of "is likely to jeopardize" or "is not likely to jeopardize" for proposed species.
10. Citation of literature and personal contacts used in developing the assessment.

If it is determined a proposed program or project "is likely to adversely affect" any listed species, formal consultation should be initiated with this office. If it is concluded the project "is not likely to adversely affect" listed species, the Service should be asked to review the assessment and concur with the determination of no adverse effect.

A federal agency may designate a non-federal representative to conduct informal consultation or prepare biological assessments. However, the ultimate responsibility for section 7 compliance remains with the federal agency and written notice should be provided to the Service upon such a designation. We recommend federal agencies provide their non-federal representatives with proper guidance and oversight during preparation of biological assessments and evaluation of potential impacts to listed species.

Section 7(d) of the Act requires that the federal agency and permit/license applicant shall not make any irreversible or irretrievable commitment of resources which would preclude the formulation of reasonable and prudent alternatives until consultation on listed species is completed.

The Service appreciates your efforts to incorporate fish and wildlife resource concerns, including threatened and endangered species, into your project planning. If you have questions or comments related to this issue, please contact Jeff Berglund at 406-449-5225 extension 206.

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File: M02 BLM March 30, 2015

Memorandum

To: Jamie Connell, State Director, Bureau of Land Management, Montana/Dakotas State Office, Billings, Montana

From: *for* Jodi L. Bush, Field Supervisor, U.S. Fish and Wildlife Service, Montana Field Office, Helena, Montana

Subject: Updated List of Endangered, Threatened, Proposed, and Candidate Species

This is in response to your office's March 19, 2015 email request for updated information from the U.S. Fish and Wildlife Service (Service) regarding federally listed and proposed threatened and endangered species, candidate species, and critical habitat that may occur in the vicinity of the Lewistown, Billings and Pompey's Pillar National Monument, HiLine, and Miles City Field Office Resource Management Plan (RMP) Amendment / Revision and Environmental Impact Statement (EIS) planning areas in central and eastern Montana.

We understand the planning areas to include portions of the following counties:

- Lewistown RMP - Chouteau, Fergus, Judith Basin, Meagher, and Petroleum;
- Billings and Pompey's Pillar National Monument RMP - Big Horn, Carbon, Golden Valley, Musselshell, Stillwater, Sweet Grass, Wheatland, and Yellowstone;
- HiLine RMP - Glacier, Toole, Liberty, Hill, Blaine, Phillips, Valley, and Choteau;
- Miles City RMP - Carter, Powder River, Fallon, Custer, Rosebud, Wibaux, Prairie, Garfield, McCone, Dawson, Richland, Roosevelt, Sheridan, Daniels, Treasure, Valley, and Big Horn.

Our comments are provided as a cooperating agency pursuant to the National Environmental Policy Act (NEPA) and 40 Code of Federal Regulations Part 1500-1508, 43 C.F.R. 46.230, and as requested per the March 2012 Memorandum of Understanding (MOU) between BLM, the U.S. Fish and Wildlife Service (Service) and the U.S. Forest Service (USFS). These comments are authorized under the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 et. seq.), and the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.). In accordance with section 7(c) of the ESA, the Service has determined that the following listed species may be present in the subject planning area vicinities:

Species	Status[1]	Resource Management Plan Planning Areas			
		Billings and Pompey's Pillar National Monument	HiLine	Lewistown	Miles City
Black-footed Ferret (*Mustela nigripes*)	LE/XN	x	x	x	x
Whooping Crane (*Grus americana*)	LE		x		x
Least Tern (*Sterna antillarum*)	LE		x		x
Pallid Sturgeon (*Scaphirhynchus albus*)	LE		x	x	x
Grizzly Bear (*Ursus arctos horribilis*)	LT	x	x		
Piping Plover (*Charadrius melodus*)	LT CH		x		x
Canada Lynx (*Lynx Canadensis*)	LT CH	x		x	
Red Knot (*Calidris canutus rufa*)	LT	x	x		x
Northern Long-eared Bat (*Myotis septentrionalis*)	P				x
Greater sage-grouse (*Centrocercus urophasianus*)	C	x	x	x	x
Sprague's Pipit (*Anthus spragueii*)	C	x	x	x	x
Whitebark Pine (*Pinus albicaulis*)	C	x	x	x	

[1] LT = Listed Threatened; LE = Listed Endangered; P = Proposed Threatened or Endangered; CH = Critical Habitat; C = Candidate; XN = Experimental Non-Essential Population

The Service appreciates your efforts to incorporate fish and wildlife resource concerns, including threatened and endangered species, into your project planning. If you have questions or comments related to this issue, please contact Jeff Berglund at (406) 449-5225, extension 206.

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