

**FINAL PROGRAMMATIC ENVIRONMENTAL ASSESSMENT FOR
VOLUNTARY PUBLIC ACCESS HABITAT INCENTIVE PROGRAM
STATE OF MINNESOTA**

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



February 2011

(This page intentionally left blank)

**FINDING OF NO SIGNIFICANT IMPACT
VOLUNTARY PUBLIC ACCESS PROGRAM
AND
HABITAT INCENTIVE PROGRAM
STATE OF MINNESOTA**

INTRODUCTION

The United States Department of Agriculture Farm Service Agency proposes to implement a new program authorized by the Food, Conservation, and Energy Act of 2008 (the 2008 Farm Bill) in the State of Minnesota. The Voluntary Public Access and Habitat Incentive Program (VPA-HIP) provides grants to State and tribal governments to encourage owners and operators of privately-held farm, ranch, and forest land to voluntarily make that land available for access by the public for wildlife-dependent recreation, including hunting, fishing, and other compatible recreation and to improve fish and wildlife habitat on their land. The VPA-HIP is administered by the State or tribal government that receives the grant funds.

The State of Minnesota, through the Minnesota Department of Natural Resources (MNDNR) Division of Fish and Wildlife, proposes to use VPA-HIP grant funds to initiate a new public access program to provide the public with more opportunities to hunt on private lands.

PREFERRED ALTERNATIVE

The Preferred Alternative is the Proposed Action which consists of the initiation of a new public Walk-In Access (WIA) program. The first phase of the program will be in approximately 21 counties located in the Southwest corner of the state. Eventually it is hoped to expand the program throughout the farmland region of Minnesota. This proposal consists of annual voluntary agreements with landowners to provide WIA only. There is no construction of facilities or habitat manipulations associated with this program. After the initial three year pilot program, surveys will be conducted of both landowners and hunters participating in the program to identify issues and develop strategies for improvement of the program in future years.

REASONS FOR FINDING OF NO SIGNIFICANT IMPACT

In consideration of the analysis documented in the Programmatic Environmental Assessment (EA) and in accordance with Council on Environmental Quality regulations 1508.27, the preferred alternative would not constitute a major State or Federal action affecting the human and natural environment. Therefore, this Finding of No Significant Impact (FONSI) has been prepared and an Environmental Impact Statement will not be prepared. This determination is based on the following:

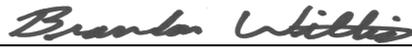
1. Long-term beneficial impacts and short-term localized beneficial impacts would occur with the preferred alternative. Neither of these impacts would be considered significant.
2. The preferred alternative would not affect public health or safety.
3. Unique characteristics of the geographic area (cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, and ecologically critical areas) would be preserved with implementation of the preferred alternative.
4. The potential impacts on the quality of the human environment are not considered highly controversial.

5. The potential impacts on the human environment as described in the Programmatic EA are not uncertain nor do they involve unique or unknown risks.
6. The preferred alternative would not establish a precedent for future actions with significant effects or represent a decision in principle about a future consideration.
7. Cumulative impacts of the preferred alternative in combination with other recent, ongoing, or foreseeable future actions are not expected to be significant.
8. The preferred alternative would not adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places.
9. The preferred alternative would have short-term beneficial impacts to wildlife and their habitats, including endangered and threatened species under the Endangered Species Act of 1973.
10. The preferred alternative does not threaten a violation of Federal, State, or local law imposed for the protection of the environment.

DETERMINATION

On the basis of the analysis and information contained in the Programmatic EA and FONSI, it is my determination that adoption of the preferred alternative does not constitute a major Federal action affecting the quality of the human and natural environment. Barring any new data identified during the public and agency review of the Final Programmatic EA that would dramatically change the analysis presented in the Programmatic EA or identification of a significant controversial issue, the Programmatic EA and this FONSI are considered Final 30 days after date of initial publication of the Notice of Availability.

APPROVED:



Signature

February 2, 2011

Date

Cover Sheet

Proposed Action: The United States Department of Agriculture (USDA) Farm Service Agency (FSA) and the State of Minnesota have agreed to implement a new Voluntary Public Access – Habitat Incentive Program (VPA-HIP). USDA is provided the statutory authority by the provisions of the Food Security Act of 2008, and the Regulations at 7 Code of Federal Regulations (CFR) 1410. VPA-HIP provides grants to State and tribal governments to encourage owners and operators of privately-held farm, ranch, and forest land to voluntarily make that land available for access by the public for wildlife-dependent recreation, including hunting, fishing, and other compatible recreation and to improve fish and wildlife habitat on their land. The VPA-HIP is administered by the State or tribal government that receives the grant funds.

Type of Document: Programmatic Environmental Assessment

Lead Agency: USDA, FSA

Sponsoring Agency: Minnesota Department of Natural Resources

Cooperating Agency: Minnesota Board of Water and Soil Resources

Comments: This Programmatic Environmental Assessment was prepared in accordance with USDA FSA National Environmental Policy Act (NEPA) implementation procedures found in 7 CFR 799, as well as the NEPA of 1969, Public Law 91-190, 42 United States Code 4321-4347, 1 January 1970, as amended. A Notice of Availability was released on February 14, 2011 announcing a 30-day comment period. A copy of the document can be found on the USDA FSA website: www.fsa.usda.gov.

Comments will be accepted until March 18, 2011 and may be submitted via e-mail to: Bill.Penning@state.mn.us or via mail to the following address: Bill Penning, Farmland Wildlife Program Leader, Minnesota Department of Natural Resources, 500 Lafayette Road, St. Paul, MN 55155-4020

(This page intentionally left blank)

EXECUTIVE SUMMARY

The United States Department of Agriculture Farm Service Agency proposes to implement a new program authorized by the Food, Conservation, and Energy Act of 2008 (the 2008 Farm Bill) in the State of Minnesota. The Voluntary Public Access and Habitat Incentive Program (VPA-HIP) provides grants to State and tribal governments to encourage owners and operators of privately-held farm, ranch, and forest land to voluntarily make that land available for access by the public for wildlife-dependent recreation, including hunting, fishing, and other compatible recreation and to improve fish and wildlife habitat on their land. The VPA-HIP is administered by the State or tribal government that receives the grant funds.

The State of Minnesota, through the Minnesota Department of Natural Resources (MNDNR) proposes to use VPA-HIP grant funds to develop a public access program to provide the public with more opportunities to hunt on private lands. Implementation of the Walk-In Access (WIA) program will help to meet the unmet demand for additional public hunting lands.

Proposed Action (Preferred Alternative)

The proposed action will provide 2008 Federal Farm Bill–VPA federal funding for development of a pilot WIA program in Minnesota. Implementation of this alternative will facilitate a three year pilot that will demonstrate the benefits of the program, solidify political support, and give the state time to develop an alternate funding mechanism (Walk-in stamp, dedicated funding, general fund appropriation, surcharge on hunting license, etc). At the end of the pilot period, both landowners and hunters will be surveyed to determine what worked and what can be done to improve the program. This information will be incorporated as the program becomes permanently operational. The VPA provides a unique opportunity for Minnesota to establish a pilot public access program in an exploratory way that will derive multiple present and future benefits for both landowners and users. The proposed action will help meet the hunting public's need for additional hunting land as well as provide landowners an opportunity to derive additional income from their conservation lands.

Activities within this alternative consist of:

- 1) Purchasing annual, voluntary, agreements with private landowners that allow public access for hunting and other recreational purposes on lands that already provide sufficient wildlife habitat to support these activities. During the pilot program, enrollments will specifically be targeted to lands already enrolled in existing conservation programs such as CREP, CRP, WRP, RIM, etc.
- 2) Enrolled parcels will be signed at corners, primary access points and other appropriate boundary locations such that hunters and landowners can easily delineate WIA parcel boundaries. No other infrastructure or construction will occur. All existing conservation program requirements will remain in effect.
- 3) Locational information will be provided to sportspersons through the annual publication of a map book, posting of electronic maps and GPS points on the MNDNR web site.

Purpose and Need

The purpose of the Proposed Action is to launch a public access program to provide the public with new opportunities for hunting. This will help reduce a documented unmet demand for additional places to hunt. The program will be implemented in phases with the first phase (this grant) in approximately 21 counties located in southwestern Minnesota with post grant plans to expand throughout the agricultural portion of the state. Evaluations of enrollment success (number of acres, number of landowners) as well as landowner and hunter feedback will be sought upon completion of the pilot and will be incorporated into the program when fully implemented. The overall goal is to create and implement a new WIA program with 50,000 acres enrolled by the end of the grant period.

Major elements include program development, producer/landowner marketing and enrollment, signing enrolled lands, producing various user information (map book, downloadable GPS points, etc) to increase hunter awareness and utilization, producer/landowner payment and program evaluation. Results from this first phase will be assessed and used to make improvements to a permanent program which provides both satisfied landowners and hunters.

The need for the Proposed Action is to: 1) provide incentives for landowners to maintain wildlife habitat on their lands, 2) help meet the unmet demand for additional places for public hunting in the agricultural zone of Minnesota, and 3) jump start a permanent WIA program in the state.

Environmental Consequences

This Programmatic Environmental Assessment has been prepared to analyze the potential environmental consequences associated with implementing the Proposed Action (Preferred Alternative) or the No Action Alternative. Under the Proposed Action, MNDNR would utilize VPA-HIP funds to develop a public access programs on private lands previously enrolled into a conservation program. Under the No Action Alternative, the pre-existing conservation programs would continue as they have but no access program would be developed. This would result in the loss of state sponsored public access to private lands throughout the agricultural portions of the state and potential loss of conservation lands as conservation contracts expire and marginal land is returned to production. Given that the Proposed Action is for WIA only and there are no habitat manipulations or construction projects associated with the Proposed Action, many of the resources of concern that are typically examined in an environmental assessment have been eliminated from further analysis. The potential environmental consequences of implementing the Proposed Action would be beneficial overall to the natural environment and increase wildlife-related recreational opportunities in the state. A summary of environmental consequences is provided in Table ES-1.

Table ES-1 Summary of Environmental Consequences

Resource	Proposed Action (Preferred Alternative)	No Action Alternative
Recreation	Beneficial impacts to recreation are expected from providing public access to private lands which will provide additional places for public hunting. This will help to meet the public demand for more access in Minnesota.	Initiation of the WIA program would not occur and there would be no use of VPA-HIP funding to expand or improve wildlife-related recreational opportunities in Minnesota. Current conservation programs would continue, potentially with decreasing acres over time.
Socioeconomics and Environmental Justice	Slight beneficial impacts to the local economy from WIA expansion and increased compensation, as well as from goods and services purchased for habitat improvement projects. Utilization of the land for wildlife-related recreation would also be slightly beneficial due to purchases (lodging, meals, and goods) from traveling sportsmen accessing the land. There would be no impacts to minority or low income populations and, therefore, there are no environmental justice concerns.	Expansion of the WIA program would not occur and there would be no VPAHIP grant funding. No direct negative impacts would occur to local economies. Any beneficial impacts from the spending of VPA-HIP funds locally would not be realized. No Environmental Justice impacts are currently occurring or are anticipated to occur.

Table of Contents

CHAPTER 1.0 INTRODUCTION	13
1.1 BACKGROUND	13
1.2 THE PROPOSED ACTION	14
1.3 PURPOSE AND NEED FOR PROPOSED ACTION	14
1.4 REGULATORY COMPLIANCE	15
1.5 ORGANIZATION OF PEA	15
CHAPTER 2.0 DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES	16
2.1 ALTERNATIVES	16
2.2 PROPOSED ACTION	16
2.3 NO ACTION ALTERNATIVE	18
2.4 RESOURCES ELIMINATED FROM ANALYSIS	18
2.5 CONSULTATION	21
CHAPTER 3.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES ...	22
3.1 RECREATION	22
3.1.1 Affected Environment	23
3.1.2 Environmental Consequences	23
3.1.2.1 Proposed Action (Preferred Alternative)	23
3.1.2.2 No Action Alternative	24
3.2 SOCIOECONOMICS	24
3.3.1 Affected Environment	24
3.2.1.1 Population and Demographics	24
3.2.1.2 Potential Private Landowner Income from WIA	24
3.2.2 Environmental Consequences	25
3.2.2.1 Proposed Action (Preferred Alternative)	25
3.2.2.2 No Action Alternative	25
CHAPTER 4.0 CUMULATIVE IMPACTS AND IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES	26
4.1 CUMULATIVE IMPACTS	26
4.2 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES	26
CHAPTER 5.0 MITIGATION MEASURES	27
CHAPTER 6.0 PERSONS AND AGENCIES CONTACTED	28
CHAPTER 7.0 REFERENCES	29
CHAPTER 8.0 LIST OF PREPARERS	30
APPENDIX A: SECTION 7 CONSULTATION	31

ACRONYMS AND ABBREVIATIONS

BWSR	Board of Water and Soil Resources
CEQ	Council On Environmental Quality
CFR	Code of Federal Regulations
CREP	Conservation Reserve Enhancement Program
CRP	Conservation Reserve Program
EA	Environmental Assessment
EO	Executive Order
FBAP	Farm Bill Assistance Partnership
FSA	Farm Service Agency
HIP	Habitat Incentive Program
LOA	Landowner Association
MNDNR	Minnesota Department of Natural Resources
NEPA	National Environmental Policy Act
PEA	Programmatic Environmental Assessment
RIM	Reinvest In Minnesota
SWCD	Soil and Water Conservation District
USDA	United States Department of Agriculture
VPA	Voluntary Public Access
WIA	Walk-In Access
WRP	Wetlands Reserve Program

(This page intentionally left blank)

CHAPTER 1.0 INTRODUCTION

The United States Department of Agriculture (USDA) Farm Service Agency (FSA) proposes to implement a new program authorized by the Food, Conservation, and Energy Act of 2008 (the 2008 Farm Bill) in the State of Minnesota. The Voluntary Public Access and Habitat Incentive Program (VPA-HIP) provides grants to State and tribal governments to encourage owners and operators of privately-held farm, ranch, and forest land to voluntarily make that land available for access by the public for wildlife-dependent recreation, including hunting, fishing, and other compatible recreation and to improve fish and wildlife habitat on their land. The VPA-HIP is administered by the State or tribal government that receives the grant funds.

The VPA-HIP is a competitive grants program that is only available for state and tribal governments. The grant funding may be used to expand existing public access programs or create new public access programs, or provide incentives to improve wildlife habitat on enrolled lands. Applicable program objectives in the State of Minnesota are to:

- Maximize participation by landowners and hunters;
- Ensure that land enrolled in the program has appropriate wildlife habitat;
- Inform the public about the location of public access land.

The purpose of the Proposed Action is to launch a public access program to provide the public with new opportunities for hunting. This will help reduce a documented unmet demand for additional places to hunt. The program will be implemented in phases with the first phase (this grant) in approximately 21 counties located in southwestern Minnesota with post grant plans to expand throughout the agricultural portion of the state. Evaluations of enrollment success (number of acres, number of landowners) as well as landowner and hunter feedback will be sought upon completion of the pilot and will be incorporated into the program when fully implemented. The overall goal is to create and implement a new WIA program with 50,000 acres enrolled by the end of the grant period.

Major elements include program development, producer/landowner marketing and enrollment, signing enrolled lands, producing various user information (map book, downloadable GPS points, etc) to increase hunter awareness and utilization, producer/landowner payment and program evaluation. Results from this first phase will be assessed and used to make improvements to a permanent program which provides both satisfied landowners and hunters.

1.1 BACKGROUND

Minnesotans have long debated WIA but the debate has not centered on whether a program is needed, but on how to pay for it. Conducting a three year pilot will demonstrate the benefits of the program, solidify political support, and give the state time to develop an alternate funding mechanism (Walk-in stamp, dedicated funding, general fund appropriation, surcharge on hunting license, etc). At the end of the pilot period, both landowners and hunters will be surveyed to determine what worked and what can be done to improve the program. This information will be incorporated as the program becomes operational. The VPA provides a unique opportunity for Minnesota to establish a pilot public access program in an exploratory way that will derive multiple present and future benefits for both landowners and users.

The Minnesota Legislature passed a Game and Fish Bill in 2010 that included 1.7M for a two year WIA pilot program. Unfortunately the bill was vetoed for reasons unrelated to WIA thus there is currently no dedicated state WIA funding. However, the MNDNR, Minnesota Board of Water and Soil Resources (BWSR), local Soil and Water Conservation Districts (SWCD) and Pheasants Forever, contribute over \$1.0 million/year to the Farm Bill Assistance Partnership (FBAP). It is the mission of the FBAP to work with landowners to help get them into Farm Bill conservation programs. The FBAP will be used for implementation of Minnesota's WIA program. The new Minnesota WIA Program opportunity will create additional landowner interest in conservation and hunting opportunities on private lands for hunters.

In addition, the BWSR has up to \$1.0M in enhancement funds which we may use on lands with existing conservation easements for enhancement and restoration purposes. These funds can be directed to lands and private landowners who want to further their conservation and habitat opportunities on their privately held conservation easements and chose to participate in Minnesota's WIA Program.

Lastly, the BWSR partners with local SWCDs to carry-out oversight monitoring and inspection of its conservation easement. Easements are inspected for the first five consecutive years beginning in the year after the easement is recorded. Thereafter, on-site inspections are performed every three years and compliance checks are performed in the other two years. SWCDs report to BWSR on each site inspection conducted and staff document findings. A non-compliance procedure is implemented when potential violations or problems are identified. MNDNR and BWSR will work together to administer the WIA program in Minnesota.

1.2 THE PROPOSED ACTION

The Proposed Action will launch a public access program to provide the public with new opportunities for hunting. This will help reduce a documented unmet demand for additional places to hunt. The program will be implemented in phases with the first phase (this grant) in approximately 21 counties in located in southwestern Minnesota with post grant plans to expand throughout the agricultural portion of the state. Evaluations of enrollment success (number of acres, number of landowners) as well as landowner and hunter feedback will be sought upon completion of the pilot and will be incorporated into the program when fully implemented. The overall goal is to create and implement a new WIA program with 50,000 acres enrolled by the end of the grant period.

Major elements include program development, producer/landowner marketing and enrollment, signing enrolled lands, producing various user information (map book, downloadable GPS points, etc) to increase hunter awareness and utilization, producer/landowner payment and program evaluation. Results from this first phase will be assessed and used to make improvements to a permanent program which provides both satisfied landowners and hunters.

1.3 PURPOSE AND NEED FOR PROPOSED ACTION

The purpose of the Proposed Action is to launch a public access program to provide the public with new opportunities for hunting. This will help reduce a documented unmet demand for additional places to hunt. The overall goal is to create and implement a new WIA program with 50,000 acres enrolled by the end of the grant period.

Major elements include program development, producer/landowner marketing and enrollment, signing enrolled lands, producing various user information (map book, downloadable GPS polygons, etc) to increase hunter awareness and utilization, producer/landowner payment and program evaluation. Results

from this first phase will be assessed and used to make improvements to a permanent program which provides both satisfied landowners and hunters.

The Proposed Action will address the following needs: 1) provide incentives for landowners to maintain wildlife habitat on their lands, 2) help meet the unmet demand for additional places for public hunting in the agricultural zone of Minnesota, and 3) jump start a permanent WIA program in the state.

1.4 REGULATORY COMPLIANCE

This Programmatic Environmental Assessment (PEA) has been prepared to satisfy the requirements of the National Environmental Policy Act (NEPA) (Public Law 91-190, 42 United States Code 4321 et seq.); implementing regulations adopted by the Council on Environmental Quality (CEQ) (40 Code of Federal Regulations [CFR] 1500-1508); and FSA implementing regulations, Environmental Quality and Related Environmental Concerns – Compliance with NEPA (7 CFR 799). The intent of NEPA is to protect, restore, and enhance the natural and human environment through well-informed Federal decisions. A variety of laws, regulations, and Executive Orders (EOs) apply to actions undertaken by Federal agencies and form the basis of the analysis presented in this PEA.

1.5 ORGANIZATION OF PEA

This PEA assesses the potential impacts of the Proposed Action and the No Action Alternative on potentially affected environmental and economic resources.

- Chapter 1.0 provides background information relevant to the Proposed Action, and discusses its purpose and need.
- Chapter 2.0 describes the Proposed Action and alternatives.
- Chapter 3.0 describes the baseline conditions (i.e., the conditions against which potential impacts of the Proposed Action and alternatives are measured) for each of the potentially affected resources and the potential environmental impacts to those resources.
- Chapter 4.0 describes potential cumulative impacts and irreversible and irretrievable resource commitments.
- Chapter 5.0 discusses mitigation measures utilized to reduce or eliminate impacts to protected resources.
- Chapter 6.0 contains a list of the persons and agencies contacted during the preparation of this document.
- Chapter 7.0 lists the preparers of this document.
- Chapter 8.0 contains references.
- Appendix A: Section 7 Consultation document.

CHAPTER 2.0 DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

2.1 ALTERNATIVES

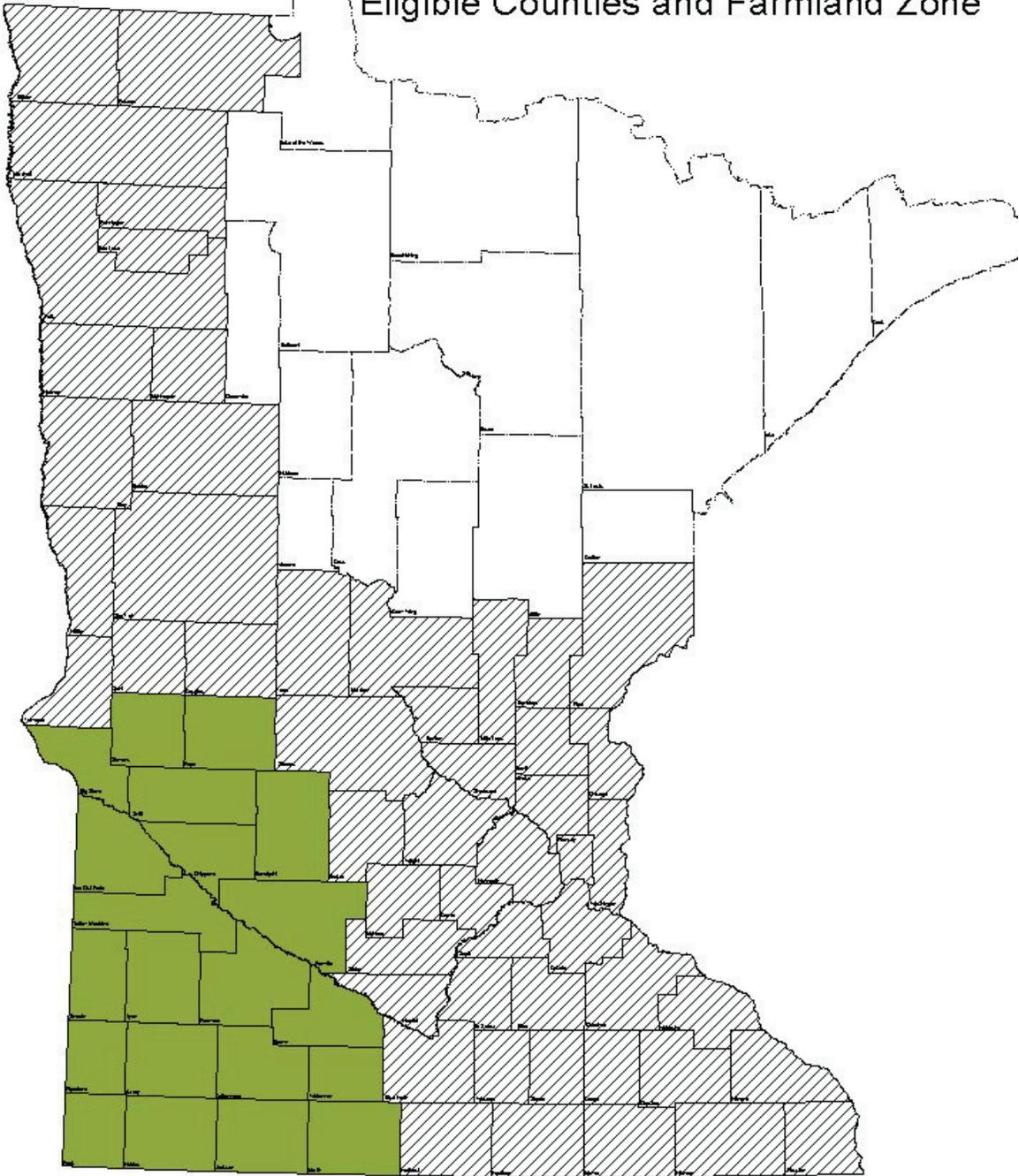
CEQ regulations (40 CFR §1502.14) require the lead agency to identify all reasonable alternatives for implementing a Proposed Action. The Federal Register notice announcing the rule for VPA-HIP (Vol. 75(130), page 39135) explicitly states the purpose of VPA-HIP is to provide grants to State and tribal governments to encourage owners and operators of privately-held farm, ranch, and forest land to voluntarily make that land available for access by the public for wildlife-dependent recreation and to improve fish and wildlife habitat on their land. Each VPA-HIP application received by USDA FSA underwent a selection screening process to identify those proposals that met the program objectives (listed in Introduction Section 1.0).

2.2 PROPOSED ACTION

The MNDNR proposes to use VPA-HIP grant funds of \$2,684,876 to initiate a 3-year pilot WIA program, the first phase of which will be rolled out in approximately 21 counties in the Southwestern corner of the state. The ultimate purpose is to provide the public with more opportunities to hunt on private lands and encourage the retention of existing conservation lands by providing landowners with financial incentives. The proposed action will provide \$2,684,876 in VPA-HIP funding for the development of a WIA program in Minnesota. Implementation of this alternative will facilitate a three year pilot that will demonstrate the benefits of the program, solidify political support, and give the state time to develop an alternate funding mechanism (Walk-in stamp, dedicated funding, general fund appropriation, surcharge on hunting license, etc). At the end of the pilot period, both landowners and hunters will be surveyed to determine what worked and what can be done to improve the program. This information will be incorporated as the program becomes permanently operational. The VPA provides a unique opportunity for Minnesota to establish a pilot public access program in an exploratory way that will derive multiple present and future benefits for both landowners and users. The proposed action will help meet the hunting public's need for additional hunting land as well as provide landowners an opportunity to derive additional income from their conservation lands.

Activities within this alternative consist of: 1) Purchasing annual, voluntary, agreements with private landowners that allow public access for hunting and other recreational purposes on lands that already provide sufficient wildlife habitat to support these activities. During the pilot program enrollments will specifically be targeted to lands already enrolled in existing conservation programs such as CREP, CRP, WRP, RIM, etc. 2) Enrolled parcels will be signed at corners, primary access points and other appropriate boundary locations such that hunters and landowners can easily delineate WIA parcel boundaries. No other infrastructure or construction will occur. All existing conservation program requirements will remain in effect. 3) Locational information will be provided to sportspersons through the annual publication of a map book, posting of downloadable GPS points and other maps on the MNDNR web site.

Figure 1 . Minnesota VPA
Eligible Counties and Farmland Zone



-  Farmland Zone By County
-  VPA Eligible Counties

The MNDNR considered other alternative strategies for the VPA-HIP in which a public access program could be developed. One such alternative involved full or partial state funding for implementation. Unfortunately, a funding bill was vetoed by Governor Pawlenty (for reasons unrelated to WIA). Given the current budget deficit climate it is extremely unlikely that state funding will be forthcoming in the foreseeable future. Thus, the absence of federal funding would for all practical purposes eliminate any possibility of a WIA program, at any level of implementation, for the foreseeable future. The state would be unable to meet increasing need for additional hunting opportunities demanded by constituents. Therefore, these alternatives were eliminated from further analysis since they clearly did not meet the overall purpose and need of the program to increase public access for wildlife-dependent recreation.

2.3 NO ACTION ALTERNATIVE

This alternative would involve the non-implementation of the 2008 Federal Farm Bill – VPA federal funding for development of a pilot WIA program in Minnesota. The absence of federal funding would for all practical purposes eliminate the possibility of a WIA program for the foreseeable future. The state would be unable to meet increasing need for additional hunting opportunities demanded by constituents. Furthermore, and perhaps most importantly, the ability to offer additional payments to landowners for access would be eliminated, we believe that this will lead to direct habitat loss as landowners let marginal lands enrolled into conservation programs expire and return them to production.

2.4 RESOURCES ELIMINATED FROM ANALYSIS

CEQ regulations (40 CFR §1501.7) state that the lead agency shall identify and eliminate from detailed study the issues which are not important or which have been covered by prior environmental review, narrowing the discussion of these issues in the document to a brief presentation of why they would not have a dramatic effect on the human or natural environment.

As detailed above, the Proposed Action consists primarily of purchasing annual rights for WIA to private lands and providing information to hunters and landowners about the program. The only field activity that will occur is signing WIA parcels using pound-in metal posts. There is no construction or habitat manipulation activities contained within the Proposed Action. Given the absence of any land or water resource manipulations many of the resources normally considered for analysis in an environmental review document can be eliminated from further consideration. The following resources have been eliminated from further consideration for the reasons detailed below:

Threatened and Endangered Species: A Section 7 Evaluation Form completed by the state on the Proposed Action has determined that there will be no impact to both federally and state listed, proposed, and candidate species as well as designated and proposed critical habitat. See Appendix A. Therefore, this resource will be eliminated from further consideration.

Terrestrial Wildlife: There are four major biomes in Minnesota and this convergence creates an abundance of both game and nongame wildlife throughout the state. Safeguards are in place to protect listed as well as non-listed animal species. For instance, all birds are protected under Minnesota Statute 97A.015 unless specifically listed in Statute as unprotected birds. Game species are protected under a wide variety of laws, the bulk of which lie in Minnesota Statutes 97A and 97B. These laws regulate the harvest of game species by providing a number of controls set by MNDNR such as season dates and length, bag limits, and methods of take. Game populations are regulated to ensure a sustainable harvest in perpetuity. Statewide regulated hunting has been practiced in Minnesota for nearly 100 years and no population level impacts to either game or nongame species have been documented during this time. The

lone exception to this is the use of lead in waterfowl hunting which has been banned under both state and federal law.

Invasive Species: Executive Order 13112 is to prevent the introduction of invasive species and provide for their control and to minimize the economic, ecological, and human health impacts invasive species cause. The MN DNR has taken an educational approach in addition to other removal or abatement measures to prevent the spread of invasive species. An invasive species awareness program is used to educate the public. Only foot traffic will be allowed on WIA parcels thus the introduction of invasive species from the Proposed Action is unlikely and this issue has been eliminated from further consideration.

Surface Water Quality and Quantity: The Clean Water Act, the Safe Drinking Water Act, and the Water Quality Act are the primary Federal laws that protect the nation's waters including lakes, rivers, aquifers, and wetlands. Surface water is also regulated under state laws including shoreland rules, the Wetlands Conservation Act and the water appropriations permitting system. There will be no construction or infrastructure development within wetlands under the Proposed Action thus this resource has been eliminated from further consideration.

Wetlands: Executive Order 11990 requires, to the extent possible, the avoidance of adverse impacts associated with the destruction or modification of wetlands and to avoid direct or indirect support of new construction in wetlands whenever there is a practical alternative. Wetland impacts are avoided where possible when planning public water access sites. The MN DNR projects are also subject to the Minnesota Wetlands Conservation Act (WCA) of 1991. WCA is a comprehensive wetland protection program designed to fill the gaps in existing state and federal laws. WCA requires that development projects must avoid and minimize impacts to wetlands as much as possible. Replacement wetlands must be provided for wetland losses that are unavoidable. The Minnesota Board of Water and Soil Resources (BWSR) compiles an annual wetland report that among many other things, reports wetland gains or losses by state, federal, private and nonprofit organizations.

There will be no construction or infrastructure development within wetlands under the Proposed Action thus this resource has been eliminated from further consideration.

Floodplain Management: Executive Order 11988 requires, to the extent possible, the avoidance of adverse impacts associated with occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative. It is intended to minimize the threat to life and property resulting from flooding.

There will be no construction or infrastructure development within floodplains under the Proposed Action thus this resource has been eliminated from further consideration.

Sole Source Aquifers: There will be no surface or subsurface construction, infrastructure development or water appropriations under the Proposed Action thus this resource has been eliminated from further consideration.

Wild and Scenic Rivers: Minnesota has six rivers that have a portion designated as state Wild and Scenic Rivers, these are the Kettle, Rum, Mississippi, Cannon, Minnesota and North Fork Crow River. Additionally there are two segments of the St Croix River designated as National Wild and Scenic Rivers. Only the Minnesota River lies within the geographic scope of the initial implementation phase encompassed by the Proposed Action. However, as there will be no construction or infrastructure

development and thus no impacts to wetlands, floodplains, surface water quantity and quality, or sole source aquifers therefore there will be no impacts to Wild and Scenic Rivers in Minnesota thus this resource has been eliminated from further consideration.

Aquatic Wildlife: The Proposed Action does not include fishing opportunities nor will there be impacts to wetlands, floodplains, surface water quantity and quality, wild and scenic rivers or sole source aquifers therefore there will be no impacts to aquatic wildlife and this resource has been eliminated from further consideration.

Noise: The Proposed Action would not create any new permanent sources of noise to the environment. Expanding the WIA program may introduce gunfire noise on lands where public hunting may not currently occur. However, hunting is a common activity in the project area and gunfire is likely to go unnoticed. This noise would be intermittent and occur during daylight hours during specified hunting seasons. Minnesota Statute 97B.001 prohibits discharge of a firearm within 500 feet of any building or any domestic animal facility, when animals are present, without the permission of the owner or person in control of the property.

Human Health and Safety: No components of the Proposed Action would directly impact human health or safety. The goal of the Proposed Action is to increase public access to privately-held land that supports an abundance of wildlife, thereby allowing hunting. While hunting does pose a slight safety risk, Minnesota hunting regulations require hunters to receive the appropriate firearms safety education and meet minimum age requirements before a license can be issued.

Land Use: The Proposed Action would not result in any changes to land use designations. The Proposed Action would occur on private lands on a voluntary basis and would not require the alteration of land use.

Transportation: No aspect of the Proposed Action entails any alteration of the current transportation system. Increasing acreage available for enrollment in the WIA program could cause an increase in the number of vehicles traveling to a new WIA area. This traffic would occur in a dispersed pattern in rural areas on low traffic volume roads. It is unlikely that any impact could be detected.

Cultural Resources: Field activities associated with this grant would be limited to the installation of signage along the boundaries of enrolled parcels. The Minnesota State Historic Preservation Office has determined that the installation of signs on wooden or metal posts does not constitute an "undertaking with the potential to affect historic properties" for purposes of Section 106 of the National Historic Preservation Act (NHPA). The Minnesota DNR-Division of Fish and Wildlife therefore excludes simple sign placement from the requirements of Section 106. No impacts to Cultural Resources will occur; hence this resource has been eliminated from further consideration.

Tribal Resources: The Proposed Action can only be implemented on privately owned lands. Furthermore, there is an extremely limited amount of tribal land within the geographic scope of the initial phase. The Proposed Action would not impact tribal lands and has been eliminated from further consideration.

Environmental Justice: Purchase of annual WIA rights in Minnesota is not likely to have an adverse effect on minorities and low income populations and communities. WIA sites are available for free use by all people regardless of economic status or ethnicity. Impacts will be positive if any. Therefore, this resource has been eliminated from further consideration.

Coastal Zones: There are no coastal zones within the farmland area of Minnesota thus no impacts will occur.

Other Formally Classified Lands: The Proposed Action can only be implemented on privately owned lands. The only formal classification applicable on private land would be Prime and Unique Farmland or Farmland of Statewide Importance. The Proposed Action would not include removing these lands from agricultural production. Therefore, there would be no impacts to any other formally classified lands.

2.5 CONSULTATION

The MNDNR Endangered Species Coordinator completed Phase One Section 7 Consultation on January 12, 2011 and found no potential for impacts. (Appendix A). There is an agreement between MNDNR and USFWS for this purpose. Likewise, Minnesota DNR has an agreement with the State Historic Preservation Office that allows MNDNR to determine whether a given project is an undertaking. According to Mike Magner, MNDNR Archaeologist in an e-mail dated January 10, 2011: "Field activities associated with this grant would be limited to the installation of signage along the boundaries of enrolled parcels. The Minnesota State Historic Preservation Office has determined that the installation of signs on wooden or metal posts does not constitute an "undertaking with the potential to affect historic properties" for purposes of Section 106 of the National Historic Preservation Act (NHPA). The Minnesota DNR-Division of Fish and Wildlife therefore categorically excludes simple sign placement from the requirements of Section 106."

CHAPTER 3.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

This chapter provides a description of the existing environmental conditions that have the potential to be affected from implementation of the Proposed Action and the potential environmental impacts that may occur to those resources. As detailed above, the Proposed Action consists primarily of purchasing annual rights for WIA to private lands and providing information to hunters and landowners about the program. The only field activity that will occur is signing WIA parcels using pound-in metal posts. There is no construction or habitat manipulation activities contained within the Proposed Action. Given the absence of any land or water resource manipulations many of the resources normally considered for analysis in an environmental review document have been eliminated from further consideration.

Resource areas potentially impacted by the Proposed Action and covered in this PEA include:

- Recreation
- Socioeconomics

Environmental consequences to each resource area are described for the Proposed Action (Preferred Alternative) and the No Action Alternative:

- Proposed Action (Preferred Alternative): utilize VPA-HIP funds to develop a statewide WIA program that will be implemented in southwestern Minnesota on a three year pilot basis.
- No Action Alternative: in this alternative, the WIA program would not be implemented on private lands utilizing the VPA-HIP funding. Current conservation programs would continue to be available, but the incentives offered through the WIA program would not be available.

3.1 RECREATION

The Proposed Action covers the entire state, however information and discussion provided in this section focuses on southwest Minnesota, the area where the program will initially be rolled out and the subject of this proposal.

Outdoor recreation or outdoor activities are leisure pursuits engaged in outside, especially in (but not limited to) natural or semi-natural settings out of town. Examples include hunting, fishing and birding.

Many people in modern civilizations believe that the value of nature is found only in its "utilitarian value" (beneficial use). They would discount the inner perceptual and/or spiritual benefits of the "intrinsic value of nature" that may be experienced during pleasurable appreciation. A specific goal of MNDNR is to encourage participation in outdoor recreation and its many benefits such as improved health and developing an appreciation for natural resources. Minnesota offers a wide variety of recreational opportunities to its residents. Recreational activities that are popular in Minnesota include hunting, fishing, wildlife viewing, camping, boating, skiing, and hiking, to name a few. Minnesotans take pride in the diversity of natural resources and their outdoor heritage. Outdoor recreation is an integral part of many Minnesotans' lifestyles. For this PEA, recreation focuses on hunting opportunities available to the public.

According to the 2010 Supplemental EIS on the CRP program Conservation Reserve Program, “Conservation Reserve Program participants may allow public recreational use of lands enrolled in the program, as long as such use does not defeat the purpose of the conservation practice established.” The same document defines hunting, among other activities, as a recreational use. This is reaffirmed in the 2009 PEA on WRP and 2005 FPEA on the Minnesota CREP. This last document also points out the positive economic benefits of maintaining conservation lands and a healthy environment.

3.1.1 Affected Environment

The harvest of Migratory Birds is regulated under Federal law by the US Fish and Wildlife Service and under Minnesota law administered and enforced by MNDNR. The harvest of non-migratory resident game species is regulated by the State of Minnesota. Licenses are required for all hunting activities and wildlife populations are managed to ensure sustained harvest in perpetuity. Ring-necked pheasants, waterfowl and white-tailed deer are the primary species hunted in Minnesota’s farmland region but numerous other species including, rabbit, squirrel, wild turkey, prairie chicken, sharp-tailed grouse, mourning dove and sandhill cranes are pursued by hunters throughout the farmland regions.

Unlike most other states small game license sales have held steady at around 300,000 licenses sold per year. Deer hunting is the most popular type of hunting in Minnesota with a ten year average exceeding 400,000 hunters annually. Small game and deer hunting remain popular and important for Minnesotan sportspeople and the rural economy. Pheasant and deer hunting in particular are popular hunting activities in the agricultural regions of the state. Many hunters travel from urbanized areas and stay in small towns in rural setting for multiple days in the pursuit of pheasants, waterfowl and deer. In 2007 Minnesota had 118,000 pheasant hunters, 87,000 duck hunters and nearly 500,000 deer hunters. Thirteen percent of Minnesotans participate in hunting. Minnesota is tied for fifth place nationwide with Missouri and Wyoming in hunter participation. According to 2006 statistics more than \$635,000,000 is spent annually on hunting related activities in Minnesota. Almost 12,000 jobs are related to hunting activities creating another \$350,000,000 in salaries, wages and business owners income.

3.1.2 Environmental Consequences

Impacts to recreation would be considered significant if they drastically reduced, increased, or removed available private lands available for public hunting or diminished the recreational experience in a significant way.

3.1.2.1 Proposed Action (Preferred Alternative)

The Proposed Action will likely induce beneficial impacts to recreational resources in Minnesota. Creating additional places for the public to hunt has long been a desired outcome for Minnesota sportsmen. Although Minnesota has one of the largest and most active State Wildlife Management Area programs the ability for the State to buy lands is far outpaced by the demand for public recreation. An additional benefit is that providing landowners with a financial incentive, through the Proposed Action, to retain conservation lands, will likely reduce the expected loss associated with the expiration of more than 500,000 acres of CRP during the life of this proposal. This will provide habitat, wildlife, water quality and a host of other environmental benefits which will positively affect all Minnesotans.

3.1.2.2 No Action Alternative

Under the No Action Alternative, the WIA program would not be implemented on private lands utilizing the VPA-HIP funding. Current conservation programs would continue to be available, but the incentives offered through the WIA program would not be available. Additional hunter access to private lands would not be provided. The current conservation programs would continue as they are currently administered. There would be no use of VPA-HIP funds for expansion of recreational opportunities in Minnesota; therefore, under the No Action Alternative there would be no impacts to recreational resources.

3.2 SOCIOECONOMICS

The Proposed Action covers the entire state, however information and discussion provided in this section focuses on southwest Minnesota, the area where the program will initially be rolled out and the subject of this proposal. Socioeconomics for this PEA includes an investigation of population and demographic statistics as well as a discussion on the potential income from selling annual WIA rights.

3.3.1 Affected Environment

Impacts to socioeconomics would be considered significant if they drastically reduced or increased economic or ethnic impacts in a significant way.

3.2.1.1 Population and Demographics

Minnesota had an estimated population of 5.3 million as of 2009, however only 116,000 people were estimated for southwest Minnesota. Overall, the growth for the state from 2000-2009 was estimated at 7.5%, yet growth in southwest Minnesota was estimated at -4.8%.

The State of Minnesota's population is predominantly white with 91.4% of the 2000 Census respondents claiming this ethnicity. Black or African American ranked second (of non-Hispanics) in the state at 3.5 %, followed by Asian (2.9%), American Indian or Alaskan Native (0.9%), and Native Hawaiian or Pacific Islander (0.0%). Other Race accounted for 3.0% percent of respondents in the 2000 Census (State of Minnesota 2000).

Hispanics are the fastest growing population in Minnesota with a projected increase of 181% from 2005 to 2035. This projected growth rate is almost twice as fast as projected Hispanic growth nationwide. Hispanics currently make up 4% of the State's population.

In 2009, 11.0% of Minnesotans lived in poverty. Of the 2000 population in Minnesota, 87.9% have attained a high school degree with 27.4 percent of persons over 25 having attained a bachelor's degree (Fedstats).

3.2.1.2 Potential Private Landowner Income from WIA

In 2010 Minnesota had 1,817,059.61 acres in conservation programs (CREP, Continuous CRP, CRP, WRP RIM-WRP and RIM), 440,000 of these acres are contained within the 21 county implementation area. All of these acres are available for WIA enrollment. The Proposed Action will have a direct positive economic benefit to enrolled landowners and the rural economy in the implementation area. The

WIA program will enroll 10,000 acres in year one, 25,000 acres in year two and 50,000 acres in year three for a total of 85,000 acres that will receive one year payments. Assuming a \$12/ acre average annual payment, an additional \$1,020,000 in direct payments to landowners will be made in the 21 county implementation area. Many of these dollars will be infused into the local economy. Using an economic multiplier of 1.58 (Southwick, 2007) the total economic effect will be over \$1,600,000.

3.2.2 Environmental Consequences

Significance of an impact to socioeconomics varies depending on the setting of the Proposed Action, but 40 CFR 1508.8 states that effects may include those that induce changes in the pattern of land use, population density, or growth rate.

3.2.2.1 Proposed Action (Preferred Alternative)

Under the Proposed Action, a total of \$2,684,876 VPA-HIP funds would be used to initiate the WIA program, the first phase of which will occur in southwestern Minnesota. Landowners will be paid annually for WIA rights to private lands. Enrollment is voluntary and annual. The VPA-HIP funds would also be used to hire two additional program staff for administration. Additionally, up to 21 SWCDs will receive payment for services rendered in enrolling landowners and for local marketing. VPA-HIP funds would also employ a part-time web designer to assist in public outreach efforts by maintaining a website with updated land information, thereby allowing the public to find and access these lands.

Ultimately, some of the increased money paid out to private landowners and the above described personnel would have a slight beneficial impact on local economies. Money would be infused directly into local economies through payments to SWCDs and direct payments to landowners. This would also have a slight beneficial impact to local economies. Increasing hunting opportunities or allowing access to previously inaccessible hunting lands could also bring indirect economic benefits through traveling hunters purchasing lodging, meals, and other goods. Additionally, if more quality wildlife habitat became available, there would be some chance that the number of hunters may increase, thereby increasing the total revenue to MNDNR which could be used for additional private land technical services.

Under the Proposed Action, there would be no disproportionate impact to minorities or low income populations in Minnesota. All of the public access programs are voluntary and would only target landowners with eligible lands. There is no charge to use these lands and they are open to everyone regardless of race or economic status.

3.2.2.2 No Action Alternative

Under the No Action Alternative, MNDNR would not receive funding under the VPA-HIP. MNDNR would not be able to hire personnel to support this program nor would landowner payments for access be made available. The No Action Alternative would not allow for any of the positive economic impacts from the introduction of the VPA-HIP funding into the economy. Furthermore, it would not allow for the expansion of hunting opportunities on private lands in the southwestern portion of the state, which also brings economic benefit via lodging and purchase of goods and supplies.

CHAPTER 4.0 CUMULATIVE IMPACTS AND IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

4.1 CUMULATIVE IMPACTS

CEQ regulations stipulate that the cumulative impacts analysis within an EA should consider the potential environmental impacts resulting from “the incremental impacts of the action when added to past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions” (40 CFR 1508.7). Recent CEQ guidance in considering cumulative impacts involves defining the scope of the other actions and their interrelationship with the Proposed Action. The scope must consider geographical and temporal overlaps among the Proposed Action and other actions. It must also evaluate the nature of interactions among these actions.

Cumulative impacts are most likely to arise when a relationship or synergism exists between the Proposed Action and other actions expected to occur in a similar location or during a similar time period. Actions overlapping with or in proximity to the Proposed Action would be expected to have more potential for a relationship than those more geographically separated.

In this PEA, the affected environment for cumulative impacts includes the farmland portion of Minnesota; however, the proposed WIA enrollments would be limited to the 21 county phase one area covered by this proposal.

The Proposed Action will likely induce beneficial impacts to environmental resources in Minnesota. Creating additional places for the public to hunt has long been a desired outcome for Minnesota sportsmen. Although Minnesota has one of the largest and most active state Wildlife Management Area programs the ability for the State to buy lands is far outpaced by the demand for public recreation. Socioeconomic conditions will benefit as providing landowners with a financial incentive, through the Proposed Action, to retain conservation lands will likely reduce the expected loss associated with the expiration of more than 500,000 acres of CRP during the life of this proposal. This will preserve habitat, wildlife, water quality and a host of other environmental benefits which will positively affect all Minnesotans.

4.2 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

Irreversible and irretrievable commitments are related to the use of nonrenewable resources and the effect that the use of these resources has on future generations. Irreversible effects primarily result from the use or destruction of a specific resource that cannot be replaced within a reasonable time frame. Irretrievable resource commitments involve the loss in value of an affected resource that cannot be restored as a result of the action. Under the Proposed Action, beneficial impacts are expected to recreation and socioeconomic conditions, wildlife populations and their habitats. There would be no irreversible or irretrievable commitment of resources under either the Proposed Alternative or the No Action alternative.

CHAPTER 5.0 MITIGATION MEASURES

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

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

Minnesota Rule 4410, Environmental Review, has similar sequencing requirements.

CEQ regulations state that all relevant reasonable mitigation measures that could avoid or minimize significant impacts should be identified, even if they are outside the jurisdiction of the lead agency or the cooperating agencies. This serves to alert agencies or officials who can implement these extra measures, and will encourage them to do so.

There are no expected short or long-term, significant negative impacts associated with implementation of the VPA-HIP in Minnesota. As detailed throughout the PEA, the Proposed Action consists primarily of purchasing annual rights for WIA to private lands and providing information to hunters and landowners about the program. The only field activity that will occur is signing WIA parcels using pound-in metal posts. There is no construction or habitat manipulation activities contained within the Proposed Action. Given the absence of any land or water resource manipulations many of the resources normally considered for analysis in an environmental review document can be eliminated from further consideration.

CHAPTER 6.0 PERSONS AND AGENCIES CONTACTED

This EA was prepared in consultation and coordination with the Minnesota Board of Water and Soil Resources, SHPO, and the MNDNR Endangered Species Coordinator. Each of the affected Soil and Water Conservation Districts within the project area were consulted. The Minnesota Walk In Access Work Group developed the initial concept and parameters used to generate this grant application.

In addition, the MN DNR has worked with local governments, sporting groups, agricultural groups, the state Legislature and other interested parties to develop this program.

Presentations have been made to the MN State Legislature, individual legislators, Pheasants Forever State Convention, MN DNR Wildlife Roundtable (an annual coordination meeting with virtually all formally organized wildlife groups). Additionally, information has been presented through statewide media such as the *St Paul Pioneer Press*, *Minneapolis Star Tribune*, sporting related talk radio, and the MNDNR web site. Additional local media campaigns will be implemented as the project progresses.

CHAPTER 7.0 REFERENCES

Board of Water and Soil Resources, State of Minnesota, Conservation Lands Summary, 2010

<http://www.bwsr.state.mn.us/easements/COENROL.XLSm>

Council on Environmental Quality (CEQ). 1997. Council on Environmental Quality. Guidance under the National Environmental Policy Act.

Minnesota Department of Administration, Office of Geographic and Demographic Analysis, Datanet 2000 Census SF1 and SF3, 2000, <http://www.lmic.state.mn.us/datanetweb/php/census2000/c2000.html>

Minnesota Department of Natural Resources, Division of Fish and Wildlife, Hunting Harvest Statistics, 2008

Minnesota Department of Natural Resources, Division of Fish and Wildlife. 2010. Hunting and Trapping Regulations Handbook.

Minnesota Department of Natural Resources, Division of Fish and Wildlife – License Center. 2009. Minnesota Department of Natural Resources License Center Statistics.

Minnesota State Legislature, Statutes, Laws and Rules, 2010, <http://www.leg.state.mn.us/>

Southwick and Associates. 2007. Hunting in America: An Economic Engine and Conservation Powerhouse. Association of Fish and Wildlife Agencies.

United States Census Bureau. 2001. Overview of Race and Hispanic Origin. Census 2000 Brief.

United States Census Bureau. 2010. Poverty 2008 and 2009. American Community Survey Briefs.

United States Department of Agriculture. 2005. Minnesota Conservation Reserve Enhancement Program Final Programmatic Environmental Assessment.

United States Department of Agriculture. 2009. Wetland Reserve Program Final Programmatic Environmental Assessment.

United States Department of Agriculture. 2010. Conservation Reserve Program Supplemental Environmental Impact Statement.

United States Department of Agriculture, Farm Service Agency. 2010. CRP Enrollment By Year Of Contract Expiration (Acres As of February 2010).

U.S. Department of Interior, Fish and Wildlife Service, U.S. Department of Commerce, U.S. Census Bureau. 2006. National survey of Fishing, Hunting, and Wildlife-Associated Recreation.

United States Government, Fedstats, 2007, www.fedstats.gov/qf/states/27000.html

CHAPTER 8.0 LIST OF PREPARERS

USDA Farm Service Agency

Matthew Ponish, National Environmental Compliance Manager, United States Department of Agriculture, Farm Service Agency, Washington, DC

Minnesota Department of Natural Resources Division of Fish and Wildlife

Bill Penning Farmland, Wildlife Program Leader; and Jeanne Daniels, Federal Assistance Coordinator

APPENDIX A: SECTION 7 CONSULTATION

SECTION 7 EVALUATION FORM

PHASE I: COMPLETED BY STATE

State: *Minnesota*

Grantee: *Natural Resources*

Grant Programs: *Voluntary Public Access Program sponsored by the USDA, Farm Service Agency*

Grant Title and Number: *Access to Minnesota Outdoors*

I. Location:

A. List counties where grant activities will occur:

This grant covers the SW portion of the state including the following counties:

<i>Big Stone</i>	<i>Kandiyohi</i>	<i>Murray</i>	<i>Steele</i>
<i>Blue Earth</i>	<i>Lac qui Parle</i>	<i>Nicollet</i>	<i>Swift</i>
<i>Brown</i>	<i>LeSueur</i>	<i>Nobles</i>	<i>Waseca</i>
<i>Chippewa</i>	<i>Lincoln</i>	<i>Pipestone</i>	<i>Watowan</i>
<i>Cottonwood</i>	<i>Lyon</i>	<i>Redwood</i>	<i>Yellow</i>
<i>Dodge</i>	<i>Martin</i>	<i>Renville</i>	<i>Medicine</i>
<i>Faribault</i>	<i>McLeod</i>	<i>Rice</i>	
<i>Freeborn</i>	<i>Meeker</i>	<i>Rock</i>	
<i>Jackson</i>	<i>Mower</i>	<i>Sibley</i>	

B. Describe the action area:

Private lands currently enrolled in conservation programs.

II. Species/Critical Habitat: List species or critical habitat (or attach list) that are and/or may be present within the action area.

Topeka shiner (Notropis Topeka) – Endangered and Critical Habitat
Dakota skipper (Erythronium propullans) – Endangered
Prairie bush-clover (Lespedeza leptostachya) – Threatened
Western Prairie fringed orchid (Platanthera praeclara) - Threatened

III. Description of Proposed Action: Describe the action(s) in sufficient detail so that the potential effects of the action can be identified and fully evaluated.

- The primary objective of this proposal is to provide new hunting opportunities on private lands currently enrolled in conservation programs for big/small game and upland/wetland birds on 50,000 acres of quality wildlife habitat in southwestern Minnesota over 3 years.
- Enrollment targets: Year 1 – 10,000 ac, year 2: 25,000 cumulative ac, Year 3 – 50,000 cumulative acres. All of this will be target to a roughly 21 county area in southwest Minnesota.
- Landowners will be encouraged to participate in the public access program by offering additional payments for public access to quality wildlife habitat. This approach has proven to be successful in neighboring states (North and South Dakota) and is expected to meet with widespread acceptance among landowners in Minnesota.

- Ensure lands enrolled for public access have appropriate wildlife habitat by enrolling lands in an existing conservation program such as CREP, CRP, RIM and WRP or similar state and federally funded programs.
- Publicize location of lands enrolled in the program through printed maps, MN/DNR web site (downloadable maps and GPS polygons), advertisements in regulations, press releases, broadcast interviews and feature articles in the *MN Volunteer* and other appropriate methods.
- Project Managers (1.5 FTE in year 1 and 2.0 in years 2 and 3) will be hired for the length of the grant. Local Soil and Water Conservation Districts that are participating in the Farm Bill Assistance Program will be used to locally market and assist landowners with enrollment. Existing state staff will be used for contract administration, processing and paying landowner agreements. GIS work will be done by Department of Natural Resources GIS experts for map preparation. The Conservation Corps Minnesota (CCM) (a youth program) will be contracted to install signs identifying each enrolled parcel.

IV. Description of Effects: Describe the effects, including beneficial, of the project actions on Species/Critical Habitat.

Expected impacts would generally be limited to walking and hunting on private conservation lands.

V. Recommended Determination(s) of Effect(s): For all species and critical habitat identified in Section I, mark (X) the appropriate determinations

A. Listed, Proposed and Candidate Species

a) "No Effect"

List species for which this recommendation is applicable (or attach list):
See Attachment _____

b) "May Affect, but is Not Likely to Adversely Affect"

List species for which this recommendation is applicable (or attach list):
See Attachment _____

c) "May Affect, and is Likely to Adversely Affect"

List species for which this recommendation is applicable (or attach list):

B. Designated and Proposed Critical Habitat

a) "No Effect" to Critical Habitat

List critical habitat(s) for which the recommendation is applicable. _____
See Attachment _____

b) "May Affect, but is not likely to Adversely Affect"

See Attachment _____

c) "May Affect, and is Likely to Adversely Affect"

List critical habitat(s) for which the recommendation is applied. _____

State Signatures:

Prepared by:

Name/Title Jeanne Daniels, Federal Assistance Coordinator

Signature: Jeanne M. Daniels Date: 1/12/11
Telephone No. 651.259.5214 email: Jeanne.daniels@dnr.state.mn.us

Reviewed by:

Name/Title: Richard Baker, Minnesota Endangered Species Coordinator

Signature: Richard J. Baker Date: 1/12/11
Telephone No. 651.259-5073 mail: Richard.Baker@dnr.state.mn.us

Summary of Minnesota’s recommendations for *Access to Minnesota Outdoors*

The action area is: *Southwestern Minnesota*.

<u>Species</u>	<u>Status *</u>	<u>Minnesota’s Section 7 recommendation **</u>
Minnesota dwarf trout lily (<i>Erythronium propullans</i>)	E	No Effect
Prairie bush clover (<i>Lespedeza leptostachya</i>)	T	No Effect
Western prairie fringed orchid (<i>Platanthera praeclara</i>)	T	No Effect
Leedy’s roseroot (<i>Rhodiola integrifolium leedyi</i>)	T	No Effect
Dakota skipper (<i>Hesperis Dacotae</i>)	C	No Effect
Karner blue butterfly (<i>Lycaeides melissa samuelis</i>)	E	No Effect
Higgins eye pearl mussel (<i>Lampsilis higginsii</i>)	E	No Effect
Winged mapleleaf mussel (<i>Quadrula fragosa</i>)	E	No Effect
Sheepnose mussel (<i>Plethobasus cyphus</i>)	C	No Effect
Spectaclecase mussel (<i>Cumberlandia monodonta</i>)	C	No Effect
Topeka shiner (<i>Notropis topeka</i>)	E, CH**	No Effect
Eastern massasauga (<i>Sistrurus catenatus</i>)	C	No Effect
Piping plover (<i>Charadrius melodus</i>)	T, E, CH ***	No Effect
Canada lynx (<i>Lynx caanadensis</i>)	T, CH****	No Effect
Gray Wolf (<i>Canis lupus</i>)	T, CH	No effect
Sprague’s Pipit (<i>Anthus spragueii</i>)	C	No Effect
Epioblasma triquetra – <i>Snuffbox</i>	P	No Effect

E: Endangered C: Candidate CH: Critical habitat designated
T: Threatened

* Federally listed endangered, threatened and candidate species and critical habitat in Minnesota as of January 7, 2011. This includes ten federally listed species, four candidate species, and critical habitat designations for the piping plover Topeka shiner, and Canada lynx.

** US Fish & Wildlife Service has designated five counties in southwestern Minnesota as critical habitat for the Topeka Shiner. These counties include; Lincoln, Murray, Nobles, Pipestone and Rock. This area includes the Big Sioux River and the Rock River Watersheds. Specific location are identified in 50 CFR Part 17, page 44769, Map4.

*** The piping plover is listed as endangered in the Great Lakes watershed and threatened elsewhere. Critical habitats have been designated for the Northern Great Plains population of piping plovers (including area in Lake of the Woods County, MN) and for the Great Lakes population of piping plovers (including area in St. Louis County, MN).

**** On 2/25/09, the U.S. Fish and Wildlife Service published their Final Rule regarding Revised Designation of Critical Habitat for the Canada Lynx. Designated critical habitat for Canada Lynx in Minnesota now includes 8,065 square miles east of Highway 53 in Cook, Koochiching, Lake, and St. Louis Counties, but excludes the Iron Range and the Grand Portage and Vermillion Lake Indian Reservations.

***Erythronium propullans* - dwarf trout lily (E)**

The Minnesota dwarf trout lily is a Minnesota endemic wildflower. Preferred habitat is rich north-northwest or northeast-facing slopes dominated by maple and basswood and adjoining floodplains dominated by elm and cottonwood. As of May, 2002, the Rare Features Database included 46 known extant occurrences of *Erythronium propullans* in Rice, Goodhue, and Steele Counties. Within these counties, the species appears to be confined to the watersheds of the Straight, Cannon, Little Cannon, and Zumbro Rivers, and Prairie Creek. Although the conjunction of soil types and pre-settlement forest types in which the lily is now known to occur suggests that unknown populations are unlikely, not all areas of potential habitat, as defined by forest type, have been searched within the watersheds of these rivers.

Recommendation: *No Effect*

Strategy:

***Lespedeza leptostachya* – prairie bush clover (T)**

Prairie Bush Clover (PBC) is a long-lived perennial prairie legume endemic to four Midwestern states. Extant occurrences have been documented in 12 Minnesota counties: Brown, Cottonwood, Dakota, Dodge, Goodhue, Houston, Jackson, Mower, Olmsted, Redwood, Renville, and Rice. An 1890 record from Crow Wing County appears to be spurious. Populations often occur in complexes that straddle ownership boundaries. In southeastern Minnesota, Prairie Bush Clover occurs most frequently on the slopes of bluff prairies and its habitat can grade into oak savanna. In southwestern Minnesota, the species most commonly occurs on slopes of hill prairies developed on glacial till, but it is also found on hill prairies that occur over bedrock in the Minnesota River Valley and northeastern Cottonwood County. As of December 2008, only one of the state's known sites occurs on a state wildlife management area, at Pheasants Forever WMA in Dodge County. However, the species is fairly cryptic, despite its large size, and it can occur in native prairie that is less than pristine. There is a good chance that additional populations will be discovered, especially in the Des Moines River Valley and scattered ravine prairies in northern Cottonwood County. At the present time, this species has not been documented west of the Des Moines River, except in prairies immediately adjoining the river.

Recommendation: *No Effect*

Strategy:

***Platanthera praeclara* – western prairie fringed orchid (T)**

Western prairie fringed orchid (WPFO) is a declining tallgrass prairie species that is currently known from six states and Manitoba. Three large meta-populations of thousands of plants occur in Manitoba, Minnesota, and North Dakota. The remainder of populations throughout the range, are small and often isolated. Minnesota is important for the species not only because of the large populations in central Polk County, but because of scattered populations that span the latitudinal and longitudinal range of prairie in the state. Populations have been documented in Clay, Kittson, Mower, Norman, Pennington, Pipestone, Polk, and Rock Counties.

This species is only conspicuous during its July flowering period, and plants are capable of remaining dormant for a period of several years. Although most areas of potential habitat in the interbeach areas have been searched at least once, new groups of plants continue to be found regularly. The species also occurred historically in Douglas, Dodge, Freeborn, Hennepin, Kandiyohi, and Nicollet counties. It is unlikely that the species still occurs in these counties and all areas of potential habitat have been searched at least once in Douglas, Kandiyohi and Nicollet counties. It is possible that unknown orchid populations are present in prairie areas on bedrock-dominated landscapes in Pipestone and Rock Counties.

Western prairie fringed orchid is a wet prairie species, but it may occur in unexpected settings, such as the bedrock underlain areas of the Prairie Coteau, where local hydrology is appropriate. In the Agassiz interbeach area, it appears that orchids may be related to soil inclusions that follow the interface of wet prairie and sedge meadows. This species is apparently responsive to subtle hydrologic changes. For this reason, off site activities with the potential of altering hydrology at occupied sites should be scrutinized.

Orchids may not appear in newly acquired lands that were formerly grazed until several years after cessation of grazing. They may persist, or even potentially be favored, in shrubby portions of brush prairie. Orchids have been documented in swales in formerly cultivated ground.

Pollination rates appear to be fairly low, and activities that interfere with flower production or with the maturation of pods could impact long term population viability, especially in small populations. Random climatic events such as standing water, late frost, hailstorms, and mid-summer drought are all known to have interfered with flowering in orchid populations within the past decade. Spring burns after orchids have emerged to a height of approximately two centimeters appear to interfere with flowering in the year of the burn, and in cases where damage is severe, to result in reduced flowering in the subsequent season. As of December, 2007, this orchid is known to occur in the following Wildlife Management Areas and other lands administered or managed by DNR Division of Fish and Wildlife:

Burnham WMA, Polk County
Dugdale WMA, Polk County
Dalby WMA, Norman County
Dugdale WMA, Polk County
Godfrey WMA, Polk County
Godfrey State Trust Land, Section W ½ SE Section 4, T148N, R44W, Polk County
Goose Lake Trust and Tax Forfeit, Sections 8, 16, and 17, T153N, R 45 W, Pennington County
Mentor Prairie WMA, Polk County
Tymanuchus WMA, Polk County
Dalby WMA, Norman County
Pembina WMA, Pennington County
Ulen WMA, Clay County

The following units in Pipestone and Rock Counties have the potential of supporting the orchid:

Jasper WMA, Pipestone County
Eden WMA, Pipestone Co
Little Beaver Creek WMA, Rock County

Recommendation: *No Effect*

Strategy:

***Sedum integrifolium ssp. leedyi* – Leedy’s roseroot (T)**

This rare cliff plant occurs on shallow ledges on north-facing limestone cliffs in the Root River drainage. The plants are restricted to specific strata where groundwater seeps through the rock resulting in a constantly wet, dripping habitat. There are four geographically separated Minnesota populations in Fillmore and Olmsted Counties. We have reasonable assurance that all populations are known. Only one of these populations (within Whitewater WMA) is in public ownership, but the cliff faces are largely safe from human alteration and the populations appear to remain stable by rapidly replacing lost individuals.

Leedy’s roseroot is treated at the present time by the USFWS as a single subspecies of a more widely distributed species. This recognized subspecies occurs in New York and Minnesota. However, genetic data from Joel Olfelt at St. Olaf College strongly indicate that Minnesota populations are sufficiently distinct from the New York population to be treated as a separate taxon, and furthermore the 4 Minnesota populations may be distinct from one another.

Recommendation: *No Effect*

Strategy:

***Hesperia dacotae* – Dakota skipper (C)**

The Dakota skipper butterfly is found in high quality remnants of tallgrass and mixed grass prairie in Minnesota, North Dakota, South Dakota and two Canadian provinces. Dakota skippers have been documented in the following counties in Minnesota: Big Stone, Chippewa, Clay, Cottonwood, Kittson, Lac Qui Parle, Lincoln, Murray, Norman, Pipestone, Polk, Pope, Swift, Traverse and Yellow Medicine. Experts believe that the likelihood of significant unrecorded populations in Minnesota is low. Dakota skippers are sensitive to several types of artificial and natural disturbances and are almost always absent from prairie remnants that are overgrazed or otherwise degraded. The isolation of remaining populations and threats to their habitat makes them highly vulnerable to disturbance. Without the availability of immigrants from nearby undisturbed prairie, Dakota skippers are likely to disappear permanently when isolated prairie remnants are subjected to untimely and intensive disturbance. Wildlife management areas with documented occurrences of Dakota skipper include:

Big Stone WMA, Big Stone Co.
Lac Qui Parle WMA, Main Unit, Chippewa Co.
Pelan WMA, Kittson Co.
Salt Lake WMA, Main Unit, Lac Qui Parle County
Hole in the Mountain WMA, Lincoln Co.
Altona WMA, Lincoln/Pipestone Co
Terrace WMA, Pipestone Co.
Sioux Nation WMA, Yellow Medicine Co.
Tympanuchus WMA, Polk Co.

Recommendation: *No Effect*

Strategy:

***Lycaides Melissa samuelis* – Karner blue butterfly (E)**

The Karner blue always occurs in close association with its only known larval host plant, wild blue lupine. Typical habitats, sandy barrens and oak savannas, are dependent on periodic fire to maintain the open character that both the host plant and butterfly need. There is only one extant metapopulation known in Minnesota. This metapopulation is located on the Whitewater WMA in Winona Co. in southeast Minnesota. Colonies within the Whitewater WMA are well documented because of the limited range of the host plant.

Recommendation: *No Effect*

Strategy:

***Lampsilis higginsii* - Higgins eye pearlymussel (E)**

This species occurs in large river habitats. Details about its preferred microhabitat within river systems are unclear, but it has been found on sand-gravel bottoms in deep water and in moderate to swift currents and associated with sauger and fresh water drum fish populations. Its distribution in Minnesota was restricted to the lower reaches of the St Croix, the Minnesota and Mississippi rivers. Its range in the Mississippi contracted historically, but habitat areas in the upper pools are now improving, and propagation and restoration efforts are underway to restore the species to Pool 2.

Recommendation: *No Effect*

Strategy:

Winged mapleleaf mussel (*Quadrula fragosa*) (E)

This species occurs in large rivers with clean swift flows and sandy bottoms. Reproduction requires a stable, undisturbed habitat and a sufficient population of fish hosts to complete the mussel's larval development. When the male discharges sperm into the current, females downstream siphon in the sperm in order to fertilize their eggs, which they store in their gill pouches until the larvae hatch. The females then expel the larvae. Those that manage to find a fish host to clamp onto by means of clasping valves, grow into juveniles with shells of their own. At that point they detach from the host fish and settle into the streambed, ready for a long (possibly up to 50 years) life as an adult mussel. In Minnesota, the only known occurrence is in the upper reaches of the St. Croix River.

Recommendation: *No Effect*

Strategy:

Sheepnose mussel (*Plethobasus cyphus*) (C)

This species occurs in large rivers, in areas with sand and gravel substrates. Reproduction is believed to be similar to other unionid mussels, except that it is believed to be a short-term breeder, and is believed to be gravid primarily in early summer. The male discharges sperm into the current, and females downstream siphon in the sperm in order to fertilize their eggs, which they store in their gill pouches until the larvae hatch. The females then expel the larvae. Those that manage to find a host to clamp onto by means of clasping valves, grow into juveniles with shells of their own. At that point they detach from the host fish and settle into the streambed. Therefore, reproduction requires a stable, undisturbed habitat and a sufficient population of hosts to complete the mussel's larval development. The sauger has been shown to be a host organism for the sheepnose, but its host fish preferences have not been thoroughly surveyed. It has been suggested that the walleye may also be a possible host. Although there are historical records from the Minnesota River in Dakota and Scott counties and at least one from every county along the Mississippi, the only recent (1979-present) live specimens were from the Mississippi in Washington, Wabasha and Winona counties. Threats to this species include: exotic species (especially zebra mussels), impoundments, fluctuating flow releases from dams, sedimentation, small population size, isolated populations, and nutrient enrichment.

Recommendation: *No Effect*

Strategy:

Spectaclecase mussel (*Cumberlandia monodonta*) (C)

This species occurs in large rivers in areas with fast current velocity. It is most often found among patches of boulders, and under large rocks, intermixed with sand and gravel substrates. Perhaps because this specific habitat is limited, the species often occurs in colonies. Reproduction is believed to be similar to other unionid mussels, except that it has been speculated that in some parts of the range this species may produce two broods of young per season. The male discharges sperm into the current, and females downstream siphon in the sperm in order to fertilize their eggs, which they store in their gill pouches until the larvae hatch. The females then expel the larvae. Those that manage to find a host to clamp onto by means of clasping valves, grow into juveniles with shells of their own. At that point they detach from the host fish and settle into the streambed. Therefore, reproduction requires a stable, undisturbed habitat and a sufficient population of hosts to complete the mussel's larval development. Unfortunately, the host organism for the spectaclecase is currently unknown. In Minnesota, the spectaclecase historically inhabited the Mississippi River, but recent observations have come only from the mainstem of the St. Croix River and in Rush Creek, in 3 counties (Pine, Chisago and Washington). Threats to this species include: exotic species (especially zebra mussels), delivery and deposition of fine sediments, small populations sizes, isolation of populations), livestock grazing, wastewater effluents, unstable and coldwater flows downstream of dams, gravel mining, and channel dredging.

Recommendation: *No Effect*

Strategy:

***Notropis topeka* - Topeka shiner (E) (CH**)**

The Topeka shiner occurs primarily in channels and off-channel pools of small prairie (or former prairie) streams. Most Topeka shiner streams are perennial (flow year-round), but some are small enough to stop flowing during dry summer months. In these circumstances, water levels must be maintained by groundwater seepage for the fish to survive. In Minnesota, the Topeka shiner is restricted in its distribution to the streams that are tributary to the Missouri River in Lincoln, Murray, Nobles, Pipestone, and Rock counties in southwest Minnesota. It reproduces in quiet, off-channel pools of these creeks and rivers.

In August 2004, the USFWS designated critical habitat for Topeka shiners on 83 stream segments in 5 southwestern Minnesota counties (Lincoln, Pipestone, Murray, Rock and Nobles). This includes all of the Missouri River Watershed.

As of December, 2008, Wildlife Management Areas containing Topeka shiner critical habitat include Altona, Big John's Bluebird Prairie, Burke, Champepedan, Dewald, Little Beaver Creek, P.F. Mulder, Pipestone, Poplar Creek, Rock River, Russ Blanford, Salt & Pepper, Sherwood, and Terrace.

Recommendation: *No Effect*

Strategy:

***Sistrurus catenatus catenatus* – Eastern Massasauga (C)**

The eastern massasauga, one of three subspecies of massasauga, is found from New York west to eastern Missouri, Iowa, and into southeastern Minnesota. Massasaugas prefer wet habitats such as marshes, bogs and swamp but also uses old fields, woods and pastures. Two necessary habitat components are sunny areas mixed with shaded areas for thermoregulation, and suitable areas for hibernation. Massasaugas overwinter individually in mammal burrows, tree stumps, rock crevices and crawfish burrows, often in low wet areas. Seasonal shifts between upland and lowland habitat have been reported from some parts of its range.

The massasauga's occurrence in Minnesota is based on two records before 1940 and two records from the Zumbro River drainage in 1969 (Stark unpublished observations). The last sighting reported in Minnesota was from 1986. At present, there is no evidence of established breeding populations on the Minnesota side of the Mississippi River. The Nongame Wildlife Program and the U.S. Fish and Wildlife Service funded a survey for massasaugas in Houston, Wabasha and Winona counties in 1993. Twenty-three search areas were identified as having suitable habitat, however, no massasaugas were found. Additional surveys in 2001-2002 discovered no massasaugas. This species may well be extirpated from Minnesota as no documented locations have resulted from intensive survey work in recent years.

Recommendation: No Effect

Strategy:

Charadrius melodus* - piping plover (T) (E) (CH)**

In Minnesota, the piping plover prefers sandy beaches or sparsely vegetated shorelines that have a gravel or pebbly mud substrate. The only known nesting colonies with long-term occupancy are located in Lake of the Woods with less than 25 pairs in total. Critical habitat sites have been designated in St. Louis and Lake of the Woods counties.

Recommendation: No Effect

Strategy:

Lynx Canadensis* – Canada Lynx (T) (CH*)**

The Canada lynx inhabits northern forests with downed timber that provides den sites, escape cover, and protection from severe weather. Lynx feed primarily on snowshoe hares that inhabit dense thickets of younger trees and shrubs. Lynx are

currently documented as reproducing and resident in Minnesota, but in some years, sightings of lynx in Minnesota may be the result of migrant animals moving down from Canada as their prey base, the snowshoe hare, nears its cyclic lows. More than one recent lynx sighting has come from each of the following 19 counties: Aitkin, Becker, Beltrami, Carlton, Cass, Chisago, Clearwater, Cook, Hubbard, Isanti, Itasca, Koochiching, Lake, Lake of the Woods, Marshall, Pine, Roseau, St. Louis, Stearns, and Wadena. On 2/25/09, the U.S. Fish and Wildlife Service published their Final Rule regarding Revised Designation of Critical Habitat for the Canada Lynx. Designated critical habitat for Canada Lynx in Minnesota now includes 8,065 square miles east of Highway 53 in Cook, Koochiching, Lake, and St. Louis Counties, but excludes the Iron Range and the Grand Portage and Vermillion Lake Indian Reservations.

Recommendation: No Effect

Strategy:

***Canis lupus* – gray wolf (T) (CH)**

Gray wolves presently occupy the northern third of Minnesota, and directly connect to populations in northern and central Wisconsin, and the upper peninsula of Michigan. Current estimates of 2,500+ make this the largest state population in the lower 48 states. Gray wolves are habitat generalists; distribution and abundance of large prey (deer, moose, elk and caribou) are primary determinants of wolf distribution and density. Secondarily, gray wolf abundance and distribution are affected by human-caused mortality. The gray wolf was classified as endangered in the continental 48 states in 1974 under the federal Endangered Species Act of 1973; however, gray wolf status in Minnesota was downgraded to threatened in 1978. Population goals established in the wolf recovery plan, last updated in 1992, were fully achieved in 1999. De-listing of the Great Lakes population occurred in 2009 but reversed later this year.

Recommendation: *Species and Critical Habitat - No effect*

Strategy:

***Anthus spragueii* – Sprague's Pipit (C)**

Sprague's pipits prefer native mixed or tall-grass upland prairies, particularly tracts that have light to moderate levels of grazing. Occasional mowing or burning may also provide the short-grass habitat required by this species. Areas with taller, dense grassy vegetation are sought for nest sites. Sprague's pipits prefer native prairie, although non-native grasslands are sometimes used (Robbins and Dale 1999).

They are thought to be solitary migrants and usually arrive on the breeding grounds in late April to mid-May. The size of this species' territories seem to vary widely, and birds may be closely packed in prime habitat. The species feeds almost entirely on arthropods, which are gleaned from the ground surface and grasses as the bird runs by. Habitat requirements for Sprague's pipit, particularly native short-grasses, should be considered in management plans for prairies in areas where this species may occur. This species was classified as a state endangered species in 1984 and was proposed as a federally threatened species in Sept., 2010. In Minnesota, this species has been known to occur in Roseau, Polk and Clay counties.

Recommendation: *No Effect*

Strategy:

***Epioblasma triquetra* – Snuffbox (P)**

The Snuffbox is a small freshwater mussel found in swift-flowing streams with sand and gravel substrates. In Minnesota, it is known from only the St. Croix River in Chisago and Washington Counties. The only documented host for snuffbox glochidia is the logperch (*Percina caprodes*). Threats to the snuffbox include dams, water pollution, and zebra mussel infestation.

Recommendation: *No Effect*