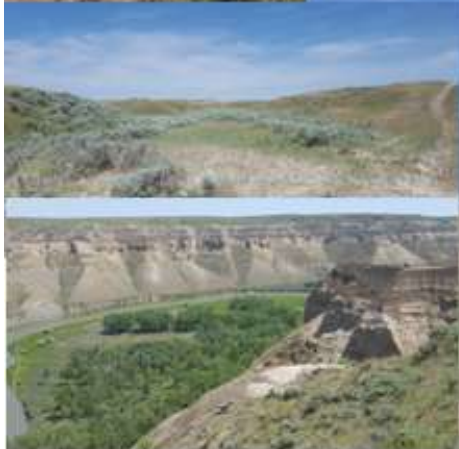


Chip Creek
Conservation Easement Project Proposal



WILDLIFE HABITAT LAND PROJECT PROPOSAL

(vers. 4/2020)

1. **Region:** 4 **Regional Supervisor:** Gary Bertellotti
Name of Applicant(s): Ryan Rauscher
2. **Date:** 5/27/2020
3. **Project Name:** Chip Creek Conservation Easement **Type of Project:** Conservation Easement
4. **Size:** The property is approximately 23,600 acres of mostly contiguous deeded land and includes approximately 5500 acres of DNRC leases and 1425 acres of BLM leases totaling approximately 30,000 acres (Figure 1). Roughly 9,500 acres of the deeded land was recently in agricultural crop production. Of these production acres, 6000 acres has been seeded back to permanent vegetation in the past 3 years. Another roughly 1500 acres will be seeded back to permanent vegetation within the next year. The remaining deeded land, 14,100 acres, is various native habitats making currently 85% of the property in either native or permanent vegetation. In total, this proposed easement would impact approximately 25,000 acres of native habitats (Figure 2). In addition, the proposed easement would provide permanent access to an adjacent 3,280 acres of DNRC and BLM lands some of which do not currently have legal access.
5. **Location:** The Chip Creek Conservation Easement Proposal is in Region 4 in Choteau County. The center of the property lies approximately 15 miles north-northwest of Fort Benton and 10 miles northwest of Loma.
6. **Map(s):**

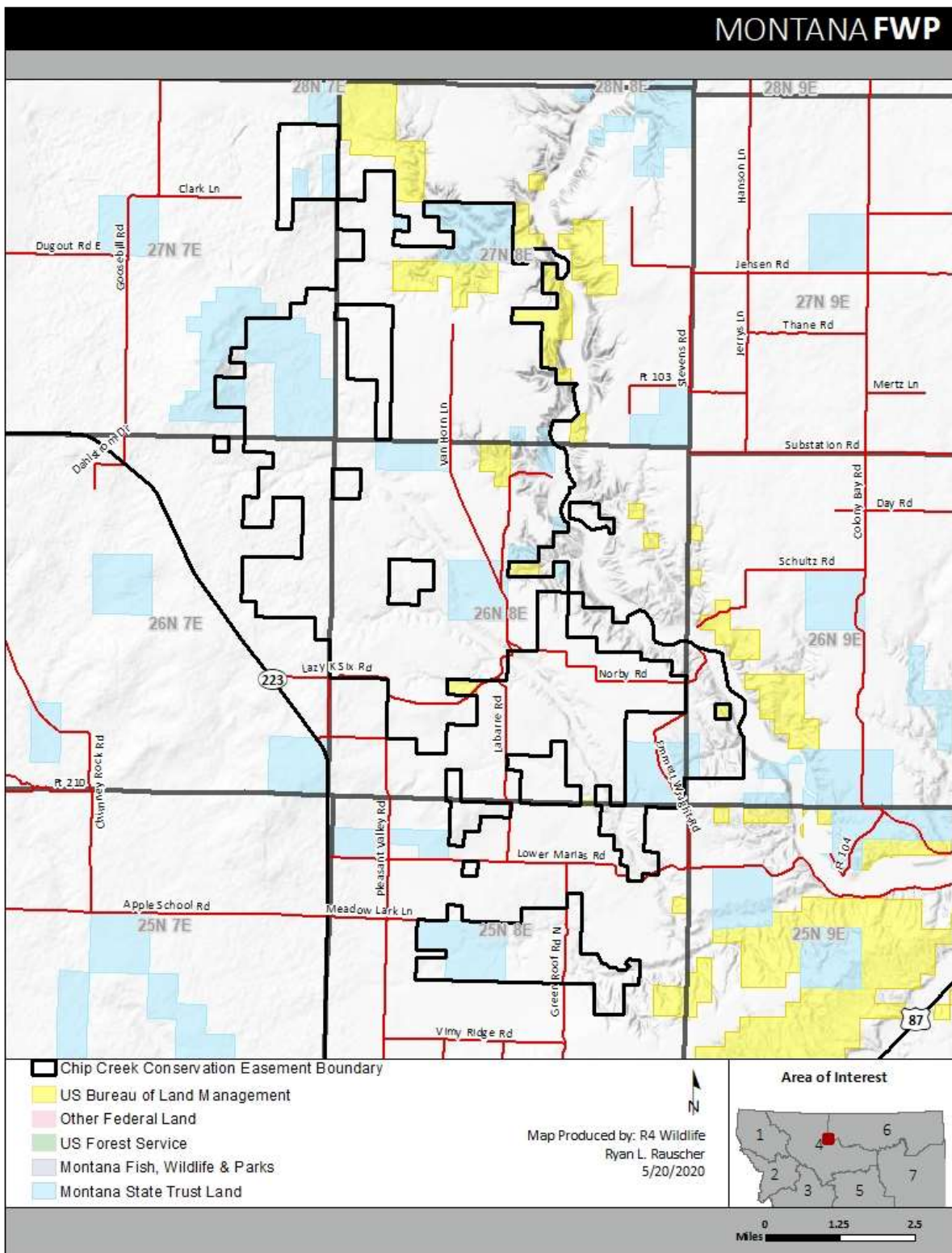


Figure 1. Proposed Chip Creek Conservation Easement Location.

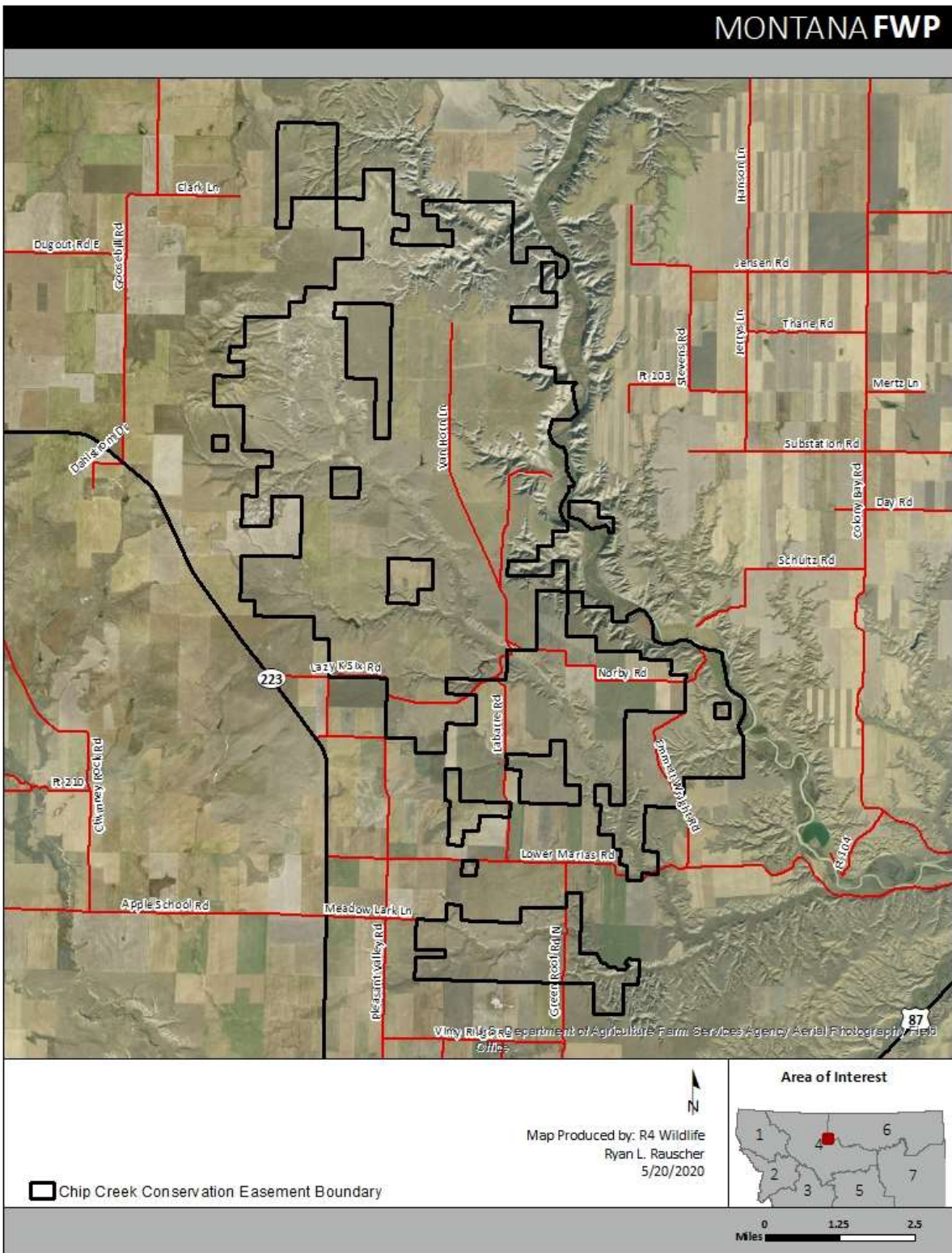


Figure 2. Proposed Chip Creek Conservation Easement NAIP Imagery.

7. Project Need

The proposed conservation easement is comprised of 43% of native prairie grasslands, shrub-grasslands, prairie breaks and riparian areas. This land proposal was previously submitted but concerns existed over the amount of cultivated lands. Since then, 63% (6000 acres) of the agricultural lands have been returned to permanent vegetation making approximately 85% of the property in native or permanent vegetation. In this area, it is widely known that the greatest risk to native prairie grassland systems and permanent vegetation, including CRP, is conversion to cropland and this property remains at risk because conversion has and is occurring in this area. This is one of the largest remaining blocks of native grasslands in the Golden Triangle. The proposed conservation easement would protect these grasslands from conversion in perpetuity.

The area is a stronghold for antelope, mule, and white-tailed deer. Two active sage grouse leks are located on and near the property. Other upland game birds, including sharp-tailed grouse, pheasant, and Hungarian partridge. The landowner recently worked with FWP and released turkeys on the property. The property contains 2 known black-tailed prairie dog colonies and associated species including burrowing owls. Long-billed curlews and other grassland and shrub-grassland species inhabit the property. The area provides habitat and supports numerous game and nongame species (Appendix A).

In addition, native grassland can be at risk of degradation through improper grazing or vegetation treatments that directly impact shrubs, riparian areas, and other habitats. The proposed easement would require the implementation of a grazing system that adheres to FWP standards. Under this grazing management, the long-term viability of native plant communities would be expected to be maintained and/or improved.

Landownership in this area is comprised of mostly private land and public recreation access is becoming increasingly difficult. A conservation easement on this property would secure and enhance public recreational access in perpetuity.

The proposed easement includes a mostly contiguous block of native grasslands and production land returned to permanent vegetation. It is of sufficient size to provide conservation benefits for a variety of wildlife species. The conservation footprint will have a greater impact because of adjoining BLM and DNRC lands. The public access provided by the proposed easement would benefit sportsmen, wildlife watchers and outdoor recreationists for generations to come.

8. Statewide Habitat Criteria

The following analysis includes BLM and DNRC leases and deeded lands for this proposed conservation easement to show the conservation footprint of this proposal.

<u>Tier I Habitats (State Priority, Figure 3)</u>	<u>Approx. Percentage</u>	<u>Approx. Acres</u>
○ Lowland Prairie Grassland	43%	12,850
○ Floodplain and Riparian	3.5%	1,060
○ Sagebrush Steppe	0.6%	200

○	Depressional Wetland	0.5%	170
○	Open Water	0.5%	115

The property includes approximately 9600 acres of agricultural production land. Much of these lands, 6000 acres, has been seeded back to permanent vegetation. Another 1500 acres of these lands will be seeded to permanent vegetation within the next year. The landowner intends to retain approximately 1500 acres (16%) in agricultural production.

The property is bordered by approximately 7.5 miles of the Marias River and associated riparian area.

Lowland Prairie Grassland (40%; Tier I)

Approximately 11,690 acres or 36% of property is classified as Great Plains Mixed Grass Prairie with a smaller portion of the property classified as Great Plains Sand Prairie (1,160 acres; 4%). These habitats fall under the broader category of Lowland Prairie Grassland, a SWAP Tier I Terrestrial Community Type. These native areas represent both the largest and arguably, most valuable habitat components on the property. A large proportion of these acres fall within the Middle Missouri Tier I Aquatic Focal Area, representing the value to the Marias River fishery below Tiber Dam.

Flood Plain and Riparian (3.4%; Tier I)

Approximately 490 acres or 1.5% of the property is classified as Great Plains Riparian and Flood Plain. These habitat types represent the floodplain immediately adjacent to approximately 7.5 miles of the Marias River, supporting scattered cottonwood galleries, willows, sagebrush and tall grass species. There are approximately 570 acres of native Greasewood Flats scattered across the property.

Sagebrush Steppe (0.6%; Tier I)

Sagebrush is common along the entire Marias River Corridor. Approximately 200 acres can be attributed to the Big Sagebrush Steppe classification on the property.

Open Water (0.5%; Tier I)

At any given time of the year there are approximately 115 acres of open water on the ranch – mostly attributed to the Marias River but also to numerous reservoirs.

Wetland (0.5%; Tier I)

Approximately 170 acres on the ranch are classified as wetland areas ranging from Depressional Wetlands to Emergent Marshes. Many of these areas are associated with the Marias River and Chip Creek.

Bluff, Badland, and Dune (17%; Tier II)

Due to location along the Marias River, approximately 5,400 acres are identified as Great Plains Badlands or Cliff Outcrop habitat types.

Introduced Upland Vegetation (6.5%; Tier III)

Approximately 2000 expired CRP acres have returned to rangeland as part of the larger grazing system. In addition, 6000 acres of agricultural production has been seeded to permanent cover of various species.

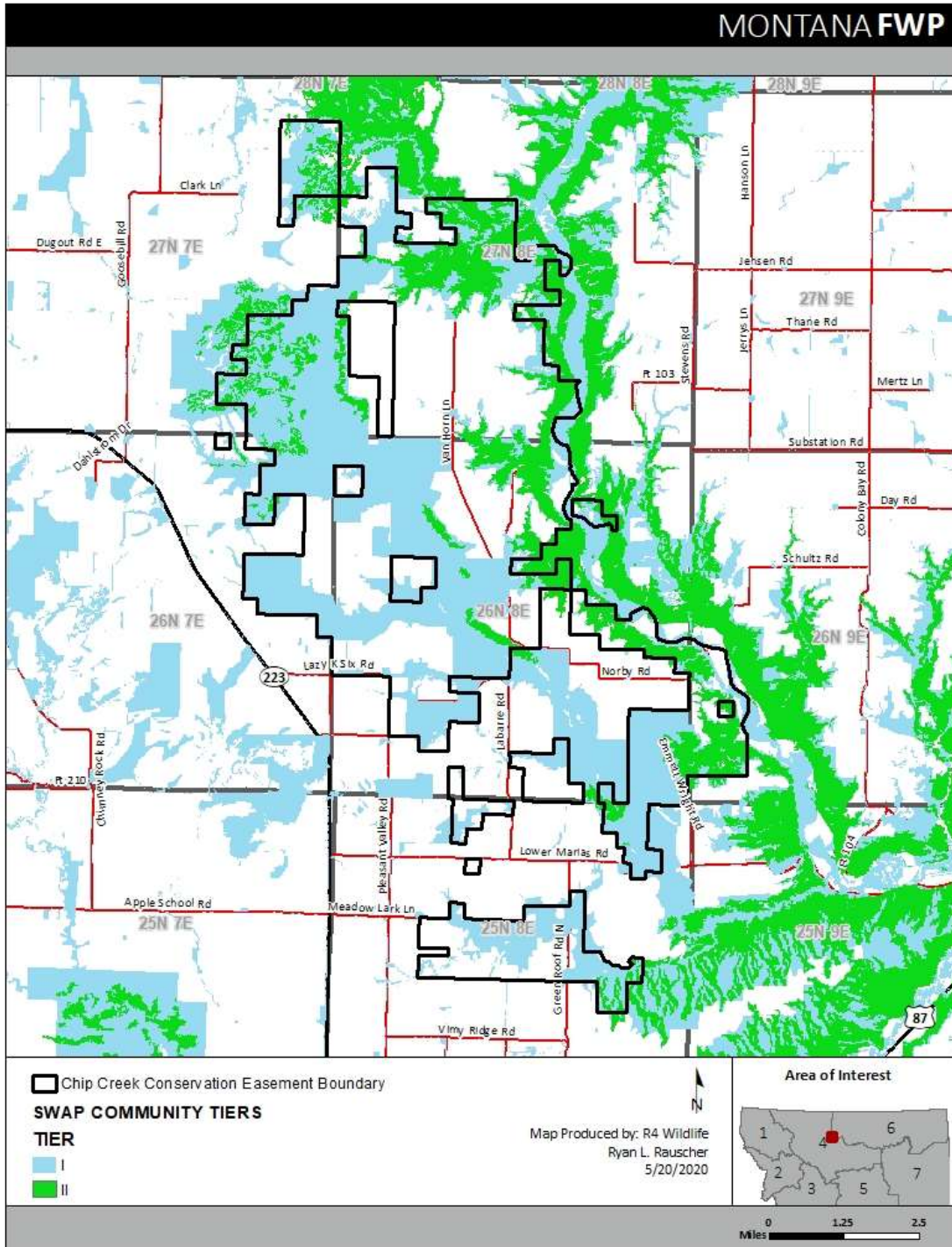


Figure 3. Chip Creek Conservation Easement SWAP Community Tiers 1 and 2.

9. Project-Level Strategic Criteria

a) Site-Specific Habitat Values

Native grassland, shrub-grassland communities, and riparian are present on the property and are considered priority habitats for conservation. The grassland systems include over 11,000 acres of Great Plains Mixed-grass prairie. These native areas represent both the largest and arguably, most valuable habitat components on the property. This is the largest block of native rangeland in the area as most of the surrounding is in agricultural production.

The property also includes important habitats to lesser degree including cliffs and outcrops, sagebrush steppe, limited emergent marshes, closed depression wetlands, and existing reservoirs.

There are two active sage grouse leks in the vicinity, one of which is located on the property, that have been monitored annually. These two leks are the western most leks in Region 4.

The diversity of habitats on the ranch sustains a diverse array of wildlife species including small and large mammals, birds, reptiles, and amphibians. Many of these species are listed as statewide Species of Concern.

A large proportion of these acres fall within the Middle Missouri Tier I Aquatic Focal Area, representing the value to the Marias River fishery below Tiber Dam. The Marias River near Loma is an important section of river for a variety of native species including but not limited to Sauger, Channel Catfish, Burbot, Blue Suckers, Shovelnose Sturgeon, and endangered Pallid Sturgeon. Some species are known residents while others are seasonal users that migrate into the system to spawn. Potential for endangered Pallid Sturgeon to utilize the Marias River for spawning has been recognized and subsequently has resulted in an ongoing investigation of modified water releases from Tiber Dam. The riparian health in this important section of river is mostly undeveloped. Unaltered, undeveloped, healthy riparian habitat and protection of this healthy habitat is beneficial to riverine species residing and seasonally utilizing this section of river.

b) Threat Status: Imminent

The property is surrounded by agricultural production ranging from large corporate farms to smaller family farms. Much of the remaining native habitats on the property are suitable for agricultural production. Large properties such as this are highly desirable to large farming operations such as the Hutterite Brethren. Two Hutterite colonies exist nearby, and both repeatedly have expressed interest in purchasing the entire property or portions of the property. While currently financial solvent, there is increasing pressure from creditors to sell a portion or all the property. Recently, 1,300 acres of agricultural land of the property was sold.

c) **Focal Priority.**

A portion of the property occurs within the Middle Missouri Aquatic Focal Area. The Marais River and Breaks Terrestrial Focal Area is immediately to the northwest and Teton River Terrestrial Focal Area is immediately to the south. The entire property lies within CAPS Connectivity Category 2 which includes the Marias River (Figure 5).

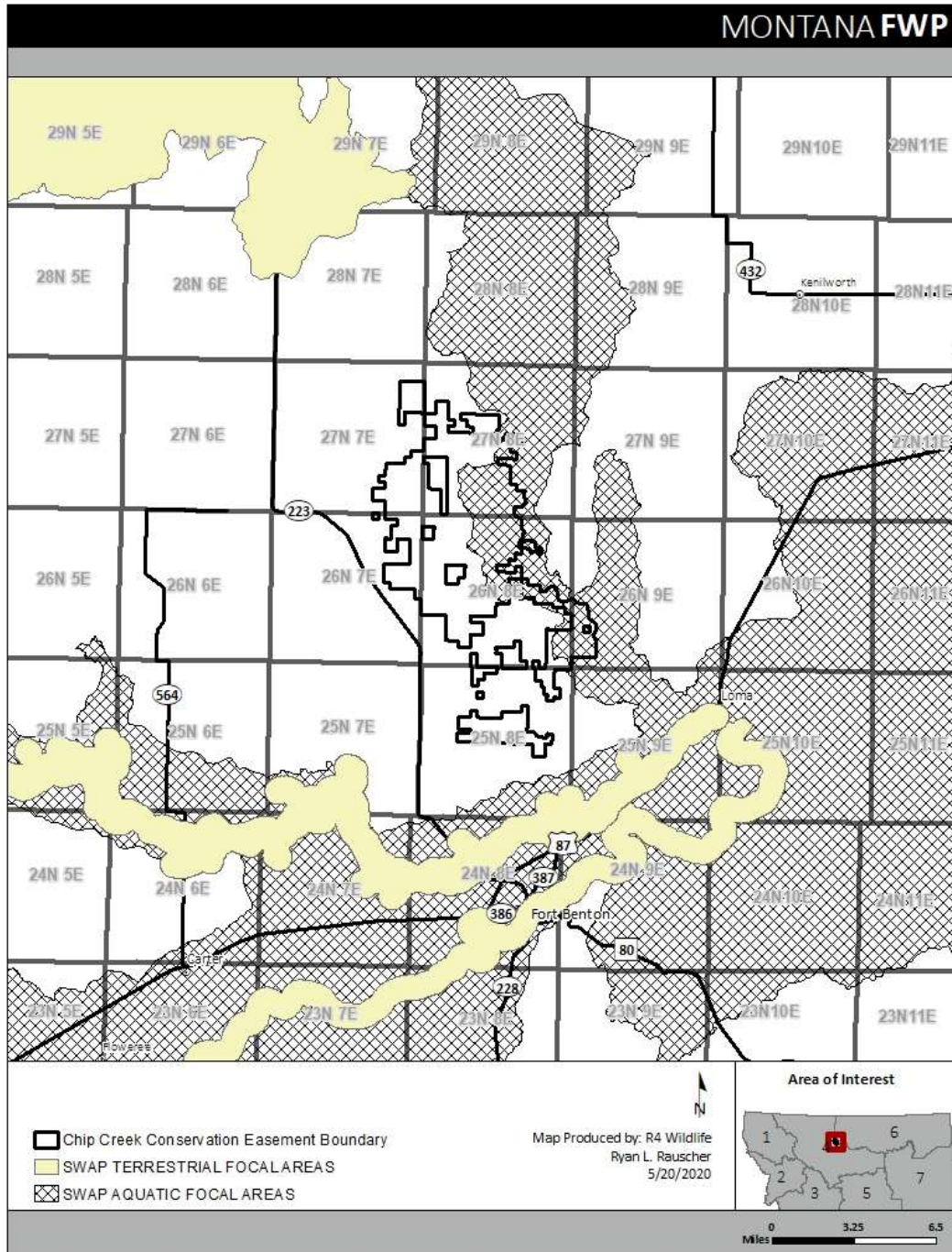


Figure 4. Chip Creek Conservation Easement SWAP Focal Areas.

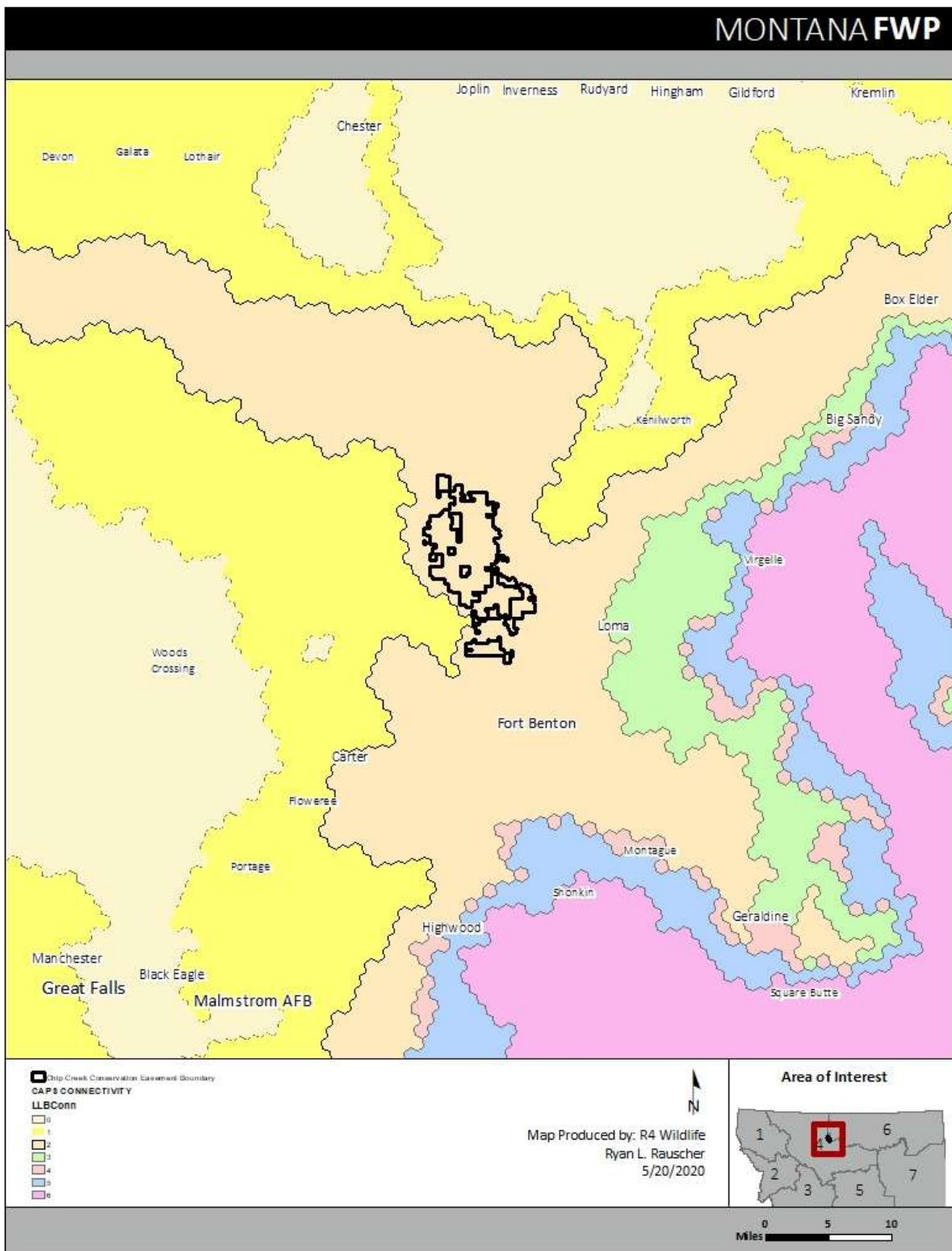


Figure 5. Chip Creek Conservation Easement CAPS Connectivity.

Much of the lands within the property qualify for the NRCS Agricultural Conservation Easement Program.

d) **Geographic Effectiveness**

The habitat values on the proposed easement are very important as the property is mostly a contiguous block of 30,000 acres of which approximately 20,000 acres are native habitats. Additional DNRC and BLM property borders the ranch including the Goose Bill Butte comprised of mostly DNRC lands thus enlarging the conservation footprint of this property. The northern portion is bordered by the 1500-acre BLM Sheep Coulee Allotment containing much of the last remaining sagebrush in the area. The nearby 6000 acre Vimy Ridge BLM allotment is just south of the property. Adjacent property owners have expressed an interest in conservation easements on their property should the Chip Creek Conservation Easement proposal succeed and would further expand the conservation footprint of this proposal.

Additionally, with the presence of the Marias River on the eastern boundary of this property, the habitat values associated with this riparian area extend beyond the Marias River parcel. The multiple coulees that drain into the Marias River from adjacent properties, and their upland vegetation, provide a latticework of habitats, thereby expanding the potential for more dispersed and wide-ranging wildlife in this area.

e) **Contribute to hunting and fishing opportunity and other recreation – up to 10 pts.** *(Provide a layout of hunting and fishing opportunities and anticipated access arrangement. Is there well-established legal access? Easier access and areas that accommodate more days of recreation support a higher score. What other forms of wildlife-related recreation would occur on the property? Given location, what is the likelihood of substantial public use? Lands with a history of providing public access should receive a higher score, particularly for conservation easements.)*

Historically, public access in this vicinity has been limited. Block Management Areas are near the property. The property was previously outfitted for hunting. Recently, the landowner has allowed some public hunting. The landowner allows fishing access with permission and some other recreational access such as floating the Marias River.

Adequate Public access to the Marias River is very limited in this area. Recreationists desiring to use the Marias River must put in at Highway 323 and take out at Loma. Acquisition of this easement would allow access to the Marias River for floating and fishing recreation. There are county-maintained roads through portions of the southern end of this property. A county Right of Way exists to access the northern portion of the property and DNRC parcels within the property. Access to the Marias River would be available via private internal roads.

The current landowner allows some public access to the property but is open to the increased public access requirement of MFWP conservation easements and open to enrolling in Block Management. The property, under a conservation easement, would provide ample hunting opportunity for upland gamebirds, including sharp-tailed grouse, sage grouse, Hungarian partridge, pheasant, and recently, turkey. The property would also provide big game hunting opportunity for mule and white-tailed deer and pronghorn. Given its proximity to Fort Benton, Chester and Great Falls, MT, the area will likely receive ample recreational use. If this proposed CE moves forward, it will require a Management Plan that would detail public recreation management to include recreational use of the Marias River.

Scenic vistas especially along the Marias River offer additional potential for hiking, horseback riding, photography, wildlife viewing, plant identification, and educational, nature, and cultural studies. The Lewis and Clark National Historic Trail, Marias Exploration, bisects the northern portion of the property

f) Management Considerations

The current property owner has implemented some conservation measures including cross fencing and weed management. However, the infrastructure is in fair to good condition.

FWP resources would be required during the implementation phase of the management plan, primarily implementation of a rest rotation grazing. Once the management plan is implemented, day-to-day management will be the landowner's responsibility. Additional fencing may be needed to facilitate a rotational grazing system. Current reservoirs or streams provide livestock water. Noxious weeds are present in some areas of the property and control will be described in the conservation easement's management plan—weed control will remain the responsibility of the landowner. Further, habitats on the property are also in generally good condition. However, there may be some need for additional riparian and wetland fencing.

Images of Chip Creek CE Proposal showing riparian Cottonwood stands along the Marias River and associated breaks.



Image of Chip Creek CE proposal showing silver sage coulee.



Image of Chip Creek CE proposal showing interspersed silver sage and yuca grasslands with the Goose Bill Butte on the left.



Images of Chip Creek CE proposal showing silver sage communities in coulees and breaks extending from the Marias River.



Images of Chip Creek CE proposal grassland communities.



Appendix A. Summary of species and habitats within a 5 mile buffer of the Chip Creek CE proposal from CAPS.

Property boundary analysis (5 mi buffer)
 Lease Parcel ID: LazyK6
 CAPS Hexagons in study area: 392
 FWP Biologist : Ryan Rauscher, Heather Harris, Kristina Smucker, Cory Loecker, Scott Hemmer
 02/14/18
 County(s): CHOUTEAU, LIBERTY

Leks 2 Mi: Goose Bill 2, SG24-050, Goose Bill 1
 Leks 1 Mi: Goose Bill 2, SG24-050, Goose Bill 1
 Leks .5 Mi: Goose Bill 2, SG24-050, Goose Bill 1
 Leks .25 Mi: Goose Bill 2, SG24-050, Goose Bill 1

Summary of CAPS Terrestrial Values within Project Area				
CAPS Category	Count of Hexagon Classes			
	1	2	3	4
Habitat for Species of Concern	20	40	10	45
Terrestrial Game Quality	0	1	264	127
Riparian Area	66	9	0	0
Wetland Area	66	9	0	0

Class Values: Highest = 1, Lowest = 4

Executive Order Sage-grouse Layers (Core, Connectivity and General Habitat)
EO-General Habitat

Species Intersect with Natural Heritage EO		
Species	State and Global Rank	ESA Status
Bald Eagle	G5 DM; BGEPA; MBTA; BCC10; BCC11; BCC17	
Black-tailed Prairie Dog	G4	
Ferruginous Hawk	G4	MBTA; BCC10; BCC17
Golden Eagle	G5	BGEPA; MBTA; BCC17
Great Blue Heron	G5	MBTA
Greater Sage-Grouse	G3G4	
Greater Short-horned Lizard	G5	
Hoary Bat	G3G4	
Spiny Softshell	G5	
Townsend's Big-eared Bat	G4	

Species Intersect with Natural Heritage POD		
Species	State and Global Rank	ESA Status
American White Pelican	G4	
Black-tailed Prairie Dog	G4	
Ferruginous Hawk	G4	
Franklin's Gull	G4G5	
Golden Eagle	G5	BGEPA; MBTA; BCC
Great Blue Heron	G5	
Great Plains Toad	G5	
Greater Sage-Grouse	G3G4	
Greater Short-horned Lizard	G5	
Grizzly Bear	G4	LT, XN
Hoary Bat	G3G4	

Data provided in this report is from Montana Fish, Wildlife & Parks' Crucial Areas Planning System (CAPS) at <http://fwp.mt.gov/fishAndWildlife/conservationInAction/crucialAreas.html>.

Species Intersect with Natural Heritage POD		
Species	State and Global Rank	ESA Status
Loggerhead Shrike	G4	
Long-billed Curlew	G5	
Northern Leopard Frog	G5	
Plains Spadefoot	G5	
Sharp-tailed Grouse	G5	
Spiny Softshell	G5	
Townsend's Big-eared Bat	G4	

Terrestrial Game Quality Contributing Data	Value	Score(actual/possible)
Big Game Winter Range Habitat		2/2
The actual score is the maximum of the individual scores.		
Mule Deer Winter Range	Moderate	1/2
Big Game Grassland Habitat	High	2/2
Prairie Grouse Habitat		4/5
The actual score is the maximum Sage-grouse score, plus the Sharp-tail Grouse score.		
Sage-grouse Lek Area Score	Lek area present	2/2
Sharp-tail Grouse Score	High	2/2