



MONTANA FISH AND WILDLIFE COMMISSION FWP PROPOSAL & INFORMATION SHEET

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Meeting Date: June 20, 2024

Agenda Item: Prairie Habitat Conservation Leases

Action Needed: Final

Time Needed on Agenda for this Presentation: 15 minutes

Background: FWP launched the Prairie Habitat Conservation Lease Program with a programmatic environmental assessment (EA) (fall 2022), supplemental EA (spring 2023), and a subsequent invitation for applications during summer 2023. A habitat conservation lease is a voluntary, incentive-based standard agreement with private landowners that helps ensure high-priority prairie habitats are conserved while continuing to support traditional agricultural activities, primarily livestock grazing. Owners of enrolled lands commit to retaining wildlife habitats for 30- or 40-year durations. Standard lease terms are specified in the lease template, provided with this cover sheet.

Prairie species expected to benefit from these agreements include sage-grouse, a number of migratory grassland birds that have experienced long term population declines, pronghorn, mule deer, elk, waterfowl, shorebirds, small mammals, amphibians, and reptiles. Prairie habitats across the state support 130 or more state species of conservation concern. In addition to direct habitat benefits, these agreements would support ongoing agricultural operations, public hunting, and other forms of wildlife-related recreation. The habitat conservation lease tool may also help with avoiding potential federal listings of imperiled native species.

FWP set a goal of enrolling 500,000 acres over an approximate five-year timeframe. FWP has promoted 10 habitat conservation lease proposals for public review, totaling approximately 53,000 acres. These serve as examples of how the Prairie Habitat Conservation Lease Program is intended to function. FWP seeks approval from the commission to enroll up to 500,000 acres in Prairie Habitat Conservation Leases as funding and interest allow. The lease agreements would be funded from a combination of Habitat Montana, Pittman Robertson, Migratory Bird Wetland Program, and other state, federal, or private sources as available.

Public Involvement Process & Results: The Habitat Montana statute (87-1-241, MCA) requires FWP to: 1) consider potential impacts of adjacent private lands, 2) notify adjacent private landowners of the proposed enrollments and provide them with the associated analyses, and 3) conduct a public meeting within the affected area, all within a 30-day public comment period. In addition to commission approval, habitat conservation leases involving more than 500 acres or more than \$1 million of value also require approval by the Board of Land Commissioners (87-1-209, MCA). Thirty-day public comment periods and associated outreach steps are underway for the initial 10 habitat conservation leases, occurring both in Regions 6 and 7. Results of the public outreach will be provided as a supplement to this cover sheet after the 30-day comment periods close.

Alternatives & Analysis: The commission may choose to: 1) approve FWP's proposal as presented, allowing the department to enroll up to 500,000 acres, consistent with statutory outreach and approval steps, described above or 2) approve the package of 10 habitat conservation lease applications, in anticipation of similar future project packages. FWP's vision for the Prairie Habitat Conservation Lease Program was to make the processes for enrollment as streamlined as possible, within the statutory requirements. Thus, FWP's recommendation for a programmatic acreage authorization from the commission.



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Agency Recommendation & Rationale: FWP recommends the commission approve the 500,000-acre enrollment allowance, which would include the 10 initial conservation lease applications. The leases provide a win-win habitat conservation solution for landowners who are not interested in perpetual conservation easements. The acreage allowance from the commission would partially streamline FWP's enrollment process, making the program more appealing to landowners and more likely to achieve the overall acreage objective.

Proposed Motion:

Alternative A: I move the Fish and Wildlife Commission approve FWP's proposal to enroll up to 500,000 acres of private land into the Prairie Habitat Conservation Lease Program as proposed by the department.

Alternative B: I move the Fish and Wildlife Commission approve enrollment of the 10 Prairie Habitat Conservation Leases as proposed by the department.