

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

**U.S. Department of Agriculture
Voluntary Public Access and Habitat Incentive Program**



August 2011

(This page intentionally left blank)

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

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 Michigan. 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 the 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 Michigan, through the Michigan Department of Natural Resources (MDNR), proposes to use VPA-HIP grant funds to expand its existing hunting access program to provide more opportunities for hunting in southern Michigan.

PREFERRED ALTERNATIVE

The Preferred Alternative is the Proposed Action which consists of expanding the existing Hunting Access Program (HAP) in southern Michigan (hunting opportunities in southern Michigan are very limited, specially near urban areas); allow for more hunting opportunities for youth and apprentice hunters; encourage landowner participation by offering increased financial incentives and greater program flexibility; encourage high quality wildlife habitat by offering increased financial incentives for enrolling quality habitat into the HAP and through targeted efforts on CREP lands; and increase hunter and landowner awareness of the HAP through target outreach and program marketing.

REASONS FOR FINDING OF NO SIGNIFICANT IMPACT

In consideration of the analysis documented in the Programmatic Environmental Assessment (EA) and in accordance with the Council on Environmental Quality (CEQ) 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 laws 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.



08/23/2011

APPROVED: _____

Signature

Date

Cover Sheet

- Proposed Action:** The United States Department of Agriculture (USDA) Farm Service agency (FSA) and the State of Michigan have agreed to expand the Voluntary Public Access – Habitat Incentive Program (VPA-HIP) in Michigan. 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 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:** Michigan Department of Natural Resources
Michigan Department of Agriculture and Rural Development
- Cooperating Agency:** None
- Comments:** This Programmatic Environmental Assessment was prepared in accordance with USDA FSA National Environmental Policy Act (NEPA) implementation procedures found in 7 CFT 799, as well as the NEPA of 1969, Public Law 91-190, 42 United States Code 4321-4347, 1 January 1970, as amended.

(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 in Michigan. 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 the 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 Michigan, through the Michigan Department of Natural Resources (MDNR) proposes to use VPA-HIP grant funds to expand its existing hunting access program to provide more opportunities for hunting in southern Michigan. DNR will take a multi-faceted approach to expand the Hunting Access Program (HAP) with a goal of increasing the acres and number of sites enrolled in Michigan's HAP from 8,000 acres on 53 farms to over 15,000 acres on 100 farms by 2013, placing emphasis on lands that are part of Michigan's Conservation Reserve Enhancement Program (CREP) and allow for more opportunities for youth and apprentice hunters in Southern Michigan.

Proposed Action (Preferred Alternative)

The proposed action will: 1) Expand the existing Hunting Access Program (HAP) in southern Michigan (hunting opportunities in southern Michigan are very limited, especially near urban areas); 2) allow for more hunting opportunities for youth and apprentice hunters; 3) encourage landowner participation by offering increased financial incentives and greater program flexibility; 4) encourage high quality wildlife habitat by offering increased financial incentives for enrolling quality habitat into the HAP and through targeted efforts on CREP lands; and 5) increase hunter and landowner awareness of the HAP through targeted outreach and program marketing.

Purpose and Need

The purpose of the Proposed Action is to use VPA-HIP grant funds to increase public access and provide hunting opportunities for youth and apprentice hunters in southern Michigan. The need for the Proposed Action is to: encourage landowner participation by offering increased financial incentives and greater program flexibility; and, increase the value realized by private landowners for wildlife populations inhabiting their property.

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, MDNR would utilize VPA-HIP funds to expand the existing hunting program in southern Michigan to provide more opportunities for hunting, placing emphasis on CREP lands and youth and apprentice hunter opportunities. Under the No action Alternative, the public access program would not be expanded into southern Michigan which would minimize hunting opportunities for hunters including youth and apprentice hunters.

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. Given the absence of land or water resource manipulations many of the resources normally considered for analysis in an environmental review document have been eliminated from further consideration. Therefore, more detailed analysis focused on Biological, Recreation, Socioeconomics and Environmental Justice. A summary of the environmental consequences is provided in **Table ES-1**.

SUMMARY OF ENVIRONMENTAL CONSEQUENCES – TABLE ES-1

Resource	Proposed Action (Preferred Alternative)	No Action Alternative
Biological	The expansion of the HAP would provide opportunities to promote enrollment in CREP or other wildlife friendly Farm Bill programs in Southern Michigan. Impacts from expanding the HAP would be minimal disturbance to wildlife and vegetation during Hunting season as access will be limited to foot traffic only.	Expansion of the existing HAP and additional outreach to promote Farm Bill programs would not occur.
Recreation	Beneficial impacts to recreation are expected from expanding the HAP to provide public access to more private lands which will provide additional places for public hunting. This will help meet the public demand for more access in southern Michigan.	Expansion of the existing HAP would not occur and there would be no use of VPA-HIP funding to expand opportunities for hunters, especially for youths and apprentice hunters.
Socioeconomics And Environmental Justice	The expansion of the HAP would provide economic benefits to the local economy. With increased compensation to the private landowners, as well as from goods and services (lodging, meals, and goods) purchased from traveling sportsmen accessing the land would be beneficial to the local economy. There would be no disproportionately high and adverse impacts to minority or low income populations. The HAP is open to all private land owners who wish to participate in the program, and to all hunters who wish to access lands for hunting.	Expansion of the HAP would not occur and there would be no VPA-HIP funding. No direct negative impacts would occur to the local economy. However, any beneficial impacts from spending 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

1.1 BACKGROUND.....	13
1.2 THE PROPOSED ACTION.....	16
1.3 PURPOSE AND NEED FOR PROPOSED ACTION.....	16
1.4 REGULATORY COMPLIANCE.....	16
1.5 ORGANIZATION OF PEA.....	16

CHAPTER 2.0 DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES

2.1 ALTERNATIVES.....	18
2.2 PROPOSED ACTION.....	18
2.3 NO ACTION ALTERNATIVE.....	19
2.4 RESOURCES ELIMINATED FROM ANALYSIS.....	19

CHAPTER 3.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

3.1 BIOLOGICAL.....	21
3.1.1 Affected Environment.....	21
3.1.2 Environmental Consequences.....	22
3.1.2.1 Proposed Action (Preferred Alternative).....	22
3.1.2.2 No Action Alternative.....	22
3.2 RECREATION.....	22
3.2.1 Affected Environment.....	23
3.2.2 Environmental Consequences.....	23
3.2.2.1 Proposed Action (Preferred Alternative).....	23
3.2.2.2 No Action Alternative.....	24
3.3 SOCIOECONOMICS.....	24
3.3.1 Affected Environment.....	24
3.3.1.1 Population and Demographics.....	25
3.3.1.2 Potential Private Landowner Income from HAP.....	25
3.3.2 Environmental Consequences.....	25
3.3.2.1 Proposed Action (Preferred Alternative).....	25
3.3.2.2 No Action Alternative.....	25

CHAPTER 4.0 CUMULATIVE IMPACTS AND IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

4.1 CUMULATIVE IMPACTS.....	27
4.2 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT.....	27

CHAPTER 5.0 MITIGATION MEASURES.....28

CHAPTER 6.0 PERSONS AND AGENCIES CONTACTED.....29

CHAPTER 7.0 AGENCY COMMENTS.....29
CHAPTER 8.0 REFERENCES.....30
CHAPTER 9.0 LIST OF PREPARERS31
APPENDIX A: AGENCY CORRESPONDENCE.....33

ACRONYMS AND ABBREVIATIONS

CEQ	Council on Environmental quality
CFR	Code of Federal Regulations
CP	Conservation Practices
CREP	Conservation Reserve Enhancement Program
CRP	Conservation Reserve Program
EA	Environmental Assessment
EO	Executive Order
FSA	Farm Service Agency
HAP	Hunting Access Program
HIP	Habitat Incentive Program
LOA	Landowner Association
MDARD	Michigan Department of Agriculture and Rural Development
MDNR	Michigan Department of Natural Resources
NEPA	National Environmental Policy Act
PEA	Programmatic Environmental Assessment
SWCD	Soil and Water Conservation District
USDA	United States Department of Agriculture
VPA	Voluntary Public Access

(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 Michigan. 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 Michigan 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 Michigan Department of Natural Resources (MDNR), Wildlife Division, proposes to use VPA-HIP grant funds to expand its existing hunting access program in order to provide the public with more opportunities to hunt, and to improve wildlife habitat on private lands in southern Michigan.

The emphasis for expanding the hunting access program will be to increase the acres and number of sites enrolled in Michigan's HAP and to provide the public with new opportunities for hunting. This expansion of the existing hunting access program will help reduce a documented unmet demand for additional places to hunt in southern Michigan. The program will be expanded to 38 counties in southern Michigan (**Figure 1**).

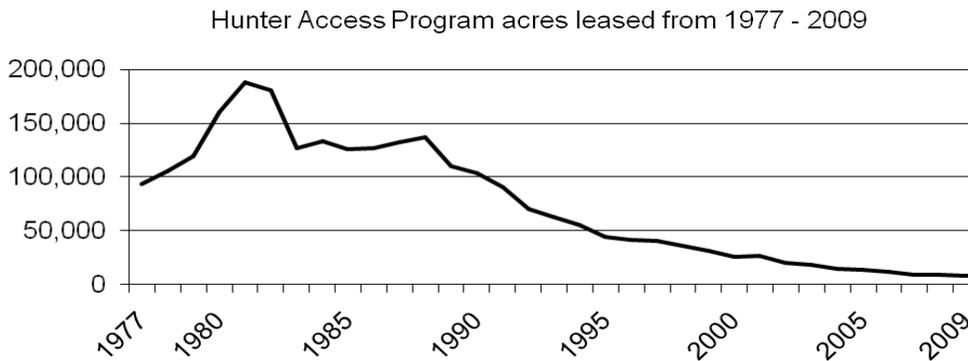
1.1 BACKGROUND

Michigan's DNR places a high priority on providing hunting access on public lands and private lands leased for public access. While the State of Michigan has over 4.5 million acres (21%) of public hunting lands, the majority of these lands are in northern Michigan. The majority of the state's residents live in southern Michigan. Southern Michigan contains the majority of the state's large urban centers, 89.7 % of Michigan's 9.9 million citizens and 72.1% of the 790,000 hunters (U.S. Census Bureau, 2000; Frawley, 2004), yet has only 3% public land. Southern Michigan has a documented unmet demand for additional places to hunt.

Michigan's Hunting Access Program (HAP) was created in 1977 as the Public Access Stamp Program by Public Act 373 of 1976, with the purpose of leasing private lands to provide public access for hunting. The original program was based upon findings from a 1974 pilot study initiated by the U.S. Agriculture and Soil Conservation service (ASCS) in five southern Michigan counties (Squibb and Hill, 1988), as well as an earlier access project called the Williamston Plan,

which was in place in the late 1930's and early 1940's. Michigan's access program is one of the oldest dedicated private lands public access programs in the nation.

Within five years of the program's initiation in 1977, the HAP had grown to over 790 farms leased covering 188,000 acres, but since 1982 the number of farms and acres has declined to the present day program of less than 50 farms with less than 8,000 acres enrolled in southern Michigan. Program decline has been a result of decreased funding availability and rental payments not keeping up with market conditions. Lease rates were raised in 1996, and resulted in increased landowner interest but rates have remained the same since that time and program enrollment has declined.



Although HAP enrollment has declined over the years, recent DNR projects have identified the importance of providing public access on private lands. The Hunter Recruitment and Retention Work Group was established in 2005 by the DNR to develop an action plan that identified 3 to 5 approaches to increase the number and proportion of Michigan residents hunting and to retain new as well as current hunters. The work group's number one recommendation called for the reinvigoration of the public access program through increasing landowner payments, providing options meeting landowner needs for land management and security, multi-year leases and quality maps (Michigan Department of Natural Resources, 2006).

The DNR accepts applications for lease agreements from southern Michigan landowners, appraises the value of the applicants' properties for hunting purposes, negotiates lease agreements based on habitat quality and number of acres, furnishes appropriate signs, furnishes hunter access tags, and makes landowner payments after March 1 of each year of the agreement. The lease is a three-year contract which allows public access for hunting during all hunting seasons. The landowner or the DNR, however, can terminate the lease at any time.

A minimum of 40 acres (35 acres after considering safety zones around buildings) must be included in the lease. The program does not pay for any property within a safety zone. Since the focus of the program is leasing lands with habitat suitable for game species, only parcels that have at least 20 percent of quality habitat types (i.e., grasslands, woodlands, and wetlands) will be leased. Rates of payment are based upon amounts of specific habitats identified. Landowners are issued one hunter access tag for every ten acres. The DNR can issue additional or fewer permits to the landowner, based on an assessment of conditions.

1.2 THE PROPOSED ACTION

The Proposed Action will expand the existing Hunting Access Program in order to provide the public with new opportunities for hunting in southern Michigan. Michigan DNR will take a multi-faceted approach to expanding the HAP with a goal of increasing the acres and number of sites enrolled in Michigan's HAP from 8,000 acres on 53 farms to over 15,000 acres on 100 farms by 2013, placing emphasis on CREP lands and youth and apprentice hunting opportunities. This approach will help reduce a documented unmet demand for additional places to hunt in southern Michigan.

The program will encourage landowner participation by offering increased financial incentives, greater program flexibility, offer increased financial incentives for enrolling quality habitat into the HAP and through targeted efforts on CREP lands, increased wildlife staff and law enforcement presence throughout the hunting season, increase hunter and landowner awareness through targeted outreach and program marketing, provide more program oversight by hiring a program coordinator and contract with MDARD and local conservation districts to provide local personnel for program implementation, provide information explaining the low level of liability to landowners that provide public access for hunting both within and outside the program, and evaluate and report performance and benefits associated with the activities of this grant through landowner satisfaction, hunter satisfaction, number of acres enrolled, number of hunter days provided. Major elements include program development, producer/landowner marketing and land enrollment.

1.3 PURPOSE AND NEED FOR PROPOSED ACTION

The purpose of the Proposed Action is to expand the existing Hunting Access Program in southern Michigan in order to provide the public with new opportunities for hunting, placing an emphasis on youth and apprentice hunters. The need for the Proposed Action is to increase the number of farms and acres of private lands for public hunting in southern Michigan; and provide incentives for landowners to participate in the HAP.

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 – Agency Coordination letters

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 MDNR proposes to use VPA-HIP grant funds, other federal funds and state funds totaling \$1.2 million dollars to expand the existing hunting access program in order to provide the public with more opportunities to hunt on private lands in southern Michigan. Specific objectives for this program include:

Objectives:

- Encourage landowner participation by offering increased financial incentives from \$1-\$10 to a maximum of \$25.
- Provide greater program flexibility by allowing land owners to enroll for specific hunting seasons. In the past landowners were required to enroll for the entire hunting season (Sept to May).
- Encourage high quality wildlife habitat by offering increased financial incentives for enrolling quality habitat into the HAP and through targeted efforts on CREP lands. The HAP will pay up to \$20 per acre for high quality habitat with an additional \$5 per acre for land enrolled in a USDA Farm Bill program such as the Conservation Reserve Program (CRP).
- Encourage landowner participation by offering increased financial incentives and law enforcement presence throughout the hunting season.
- Increase hunter and landowner awareness of the HAP through targeted outreach and program marketing and workshops.
- Provide outreach information explaining the low level of liability to landowners that provide public access for hunting both within and outside the program.
- Use existing staff to provide program oversight, hire a new employee to coordinate the expansion of the program and contract with Michigan Department of Agriculture and Rural Development (MDARD) and local conservation districts to provide local personnel for program implementation.
- Evaluate and report performance and benefits associated with activities of this grant based on landowner satisfaction, hunter satisfaction, number of acres enrolled, and number of hunter days provided.

The ultimate purpose of this grant is to expand the HAP in 38 counties in southern Michigan in order to allow hunting opportunities for youth and apprentice hunters, and encourage landowner participation by offering increased financial incentives and greater program flexibility.

2.3 NO ACTION ALTERNATIVE

Under the No Action Alternative, the expansion of Michigan's HAP would not be implemented on additional private lands utilizing the VPA-HIP funding. Current conservation programs would continue to be available, but the incentives offered through the HAP program would not be available to landowners in southern Michigan. Additional hunter access to private lands would not be provided. The current conservation programs would continue as they are currently administered. The No Action Alternative does not meet the purpose and need of the Proposed Action, but is being carried forward in accordance with CEQ regulations to serve as the baseline against which potential impacts of the Proposed Action are measured.

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 HAP to private lands and providing information to hunters and landowners about the program. The only field activity that will occur is signing HAP parcels using pound-in metal posts. There is no construction or habitat manipulation activities contained within the Proposed Action. Given the absence of land or water resource manipulations many of the resources normally considered for analysis in an environmental review document have been eliminated from further consideration. Therefore, more detailed analysis focused on: Biological, Recreation, and Socioeconomics and Environmental Justice.

The resources being eliminated from further analysis include:

Air quality - The proposed action which includes the expansion of the habitat access program in Southern Michigan does not include construction or habitat manipulation activities. Therefore, the proposed action would have no impact on air quality.

Soils - The expansion of the HAP in Southern Michigan does not include construction or habitat improvements activities. There will be no permanent impact to the soils within the expanded HAP. However, there may be minor disturbance to the soils due to an increase in foot traffic from hunters.

Noise - The expansion of the HAP would not create any additional permanent sources of noise to the surrounding environment. However, intermittent gunfire noise on lands where hunting was not previously allowed will occur. This noise would only occur during daylight hours and specific hunting seasons.

Land Use - The expansion of the HAP in Southern Michigan will not change land use patterns. The land use designation within the expanded area would not be changed. The proposed expansion would occur exclusively on private lands through a voluntary enrollment.

Transportation - The proposed expansion would not result in any changes to the existing transportation system in Southern Michigan. However, providing access to the expanded area may cause a slight increase in traffic, but intermittent increase would be restricted to the properties that are enrolled in the HAP and for a short duration during hunting season.

Human Health and Safety – The proposed expansion would not directly or indirectly impact human health or safety. All hunters are required to possess a hunting license, be able to meet the minimum age requirement and attend a safety class.

Tribal – The proposed expansion will not impact tribal lands. The expansion of the HAP will be only be implemented on private land.

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 HAP to private lands and providing information to hunters and landowners about the program. The only field activity that will occur is signing HAP 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 the PEA include:

- Biological
- Recreation
- Socioeconomics and Environmental Justice

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 expand the Michigan HAP into southern Michigan
- No Action Alternative: the HAP program would not be expanded; current conservation programs would continue to be available, but the incentives offered through the HAP program would not be available to private landowners in southern Michigan.

3.1 BIOLOGICAL

The proposed expansion of the HAP covers the southern half of Michigan; the information and discussion provided in this section focuses on this area.

Biological resources in Southern Michigan include a variety of different wildlife and plants that are protected species under federal and state regulations.

The MDNR is responsible for managing Michigan's wildlife and habitat, migratory birds, and plant species throughout the state.

3.1.1 Affected Environment

The affected environment will primarily be private farmland and adjacent woodlots. Ring-necked pheasants, waterfowl and white-tailed deer are the primary species hunted in Michigan's farmland region but numerous other species including, rabbit, squirrel, and wild turkey are pursued by hunters throughout the farmland regions.

The harvest of Migratory Birds is regulated under Federal law by the US Fish and Wildlife Service and under Michigan law administered and enforced by MDNR. The harvest of non-migratory resident game species is regulated by the State of Michigan. Licenses are required for

all hunting activities and wildlife populations are managed to ensure sustained harvest in perpetuity.

A variety of Federal and State threatened and endangered plants and animals can be found throughout Southern Michigan. The following listed or proposed species include: Indiana bat, piping plover, Karner blue butterfly, Mitchell's satyr, copperbelly water snake, eastern prairie fringed-orchid, small whorled pogonia, Pitcher's thistle, clubshell, northern riffleshell, rayed bean, snuffbox mussel, and the eastern massasauga rattlesnake, a Federal candidate species.

3.1.2 Environmental Consequences

The proposed expansion of the HAP is likely to affect individual animals, either indirectly through disturbance or when the animals are killed. However, the proposed expansion and improved access to hunting is not expected to have negative effects provided that all hunting activities and wildlife populations are managed to ensure sustained harvest in perpetuity.

The proposed expansion and improved access may have an affect on species that are not actively hunted, such as the species that are on the threatened and endangered list. The species and their habitat may be disturbed due to intermittent foot traffic during hunting season. However, these species may also benefit from habitat improvements that would result from these initiatives.

MDNR is responsible for managing game to ensure that hunting practices are followed, which may include restrictions on areas where hunting may impact species that are not actively hunted, and are on the state or federally listed threatened and endangered plants and animals. However, it is anticipated that the proposed HAP expansion will not impact state and federally listed threatened or endangered plants or animals (**Appendix A – MDNR Correspondence**).

3.1.2.1 Proposed Action (Preferred Alternative)

The proposed expansion and the initiatives to improve wildlife habitats will have a beneficial impact on wildlife in Southern Michigan. The proposed expansion of the HAP will encourage landowners through financial incentives to enroll quality habitat into the program.

3.1.2.2 No Action Alternative

Under the No Action Alternative, the expansion of Michigan's HAP program would not be implemented on additional private lands utilizing the VPA-HIP funding; and additional outreach to promote the Farm Bill programs and initiatives to improve wildlife habitat would not occur. Therefore, under the No Action Alternative, there would be no impacts to biological resources.

3.2 RECREATION

The Proposed Action covers the southern half of Michigan; the information and discussion provided in this section focuses on this area.

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

A specific goal of MDNR is to encourage participation in outdoor recreation and its many benefits such as improved health and an increased appreciation for natural resources. Michigan offers a wide variety of recreational opportunities to its residents. Recreational activities that are popular in Michigan include hunting, fishing, wildlife viewing, camping, boating, skiing, and hiking, to name a few. Michiganders take pride in the diversity of natural resources and their outdoor heritage. Outdoor recreation is an integral part of many Michiganders' lifestyles. For the purposes of this PEA, recreation focuses on hunting opportunities available to the public.

According to the 2010 Supplemental EIS on the Conservation Reserve Program (CRP), CRP 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.

3.2.1 Affected Environment

The affected environment will primarily be farmland and adjacent woodlots. Ring-necked pheasants, waterfowl and white-tailed deer are the primary species hunted in Michigan's farmland region but numerous other species including, rabbit, squirrel, and wild turkey are pursued by hunters throughout the farmland regions.

The harvest of Migratory Birds is regulated under Federal law by the US Fish and Wildlife Service and under Michigan law administered and enforced by MDNR. The harvest of non-migratory resident game species is regulated by the State of Michigan. Licenses are required for all hunting activities and wildlife populations are managed to ensure sustained harvest in perpetuity.

The number of small game hunters in Michigan has declined over 2% per year since the mid-1950s. During the last 3 years, an average of 267,000 people purchased a Michigan small game hunting license. Deer hunting is the most popular type of hunting in Michigan with an average of 719,000 people buying a license during the last three years. Small game and deer hunting remain popular and important for Michigan sportspersons 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 settings for multiple days. Eight percent of Michiganders participate in hunting. According to 2006, statistics more than \$916 million is spent annually on hunting related activities in Michigan. Almost 19,500 jobs are related to hunting activities creating another \$690 million in salaries, wages and business owners' income.

3.2.2 Environmental Consequences

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

3.2.2.1 Proposed Action (Preferred Alternative)

The Proposed Action will have beneficial impacts to recreational resources in Michigan. Creating additional places for the public to hunt has long been a desired outcome for Michigan sportspersons. Although Michigan has a large and active State Game Area program, 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 29,581 acres of general CRP scheduled to expire in the next two years. The Proposed Alternative will provide habitat, wildlife, water quality and a host of other environmental benefits which will positively affect all Michiganders.

3.2.2.2 No Action Alternative

Under the No Action Alternative, the expansion of Michigan's HAP program would not be implemented on additional private lands utilizing the VPA-HIP funding. Current conservation programs would continue to be available, but the incentives offered through the HAP program would not be available to landowners in southern Michigan. 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 Michigan; therefore, under the No Action Alternative, there would be no impacts to recreational resources.

3.3 SOCIOECONOMICS AND ENVIRONMENTAL JUSTICE

Socioeconomics for this PEA focuses on the 38 counties in which the program will be expanded and is 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 expanding the HAP program.

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (1994), requires a Federal agency to "make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations."

3.3.1 Affected Environment

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

3.3.1.1 Population and Demographics

The state of Michigan has a population of almost 9.9 million, while the total population for the 38 counties in southern Michigan is 8.8 million (2010). The state of Michigan's overall population from 2000 to 2010 has declined by 0.6 percent. However, the populations in several of the counties in southern Michigan have actually seen an increase in population. Livingston County saw a 15 percent increase in population, which was the largest increase in the state.

According to the U.S. Census 2009 Estimates, the State of Michigan's population is predominantly white with 80 percent. Black or African American population ranks second in the state at 14 percent followed by the Hispanic population at 4.4 percent.

In 2007, 14.0 percent of Michigan residents lived in poverty. According to the 2000 U.S. Census for the State of Michigan, 87.9 percent of residents in Michigan have attained a high school degree with 24.6 percent of persons over 25 having attained a bachelor's degree.

A review of the U.S. Census 2009 Estimates, indicate that there are minority and low-income populations in each of the 38 counties. In the urbanized areas of each county, there are a greater number of minorities and low-income populations.

3.3.1.2 Potential Private Landowner Income from HAP

The Proposed Action will have a direct positive economic benefit to enrolled landowners in the HAP by increasing the number of parcels available for hunting and increasing the lease amounts.

The goal of expanding the HAP is to enroll 15,000 acres on 100 farms by 2013. Based on the U.S. Fish and Wildlife Service data of expenditures per visitor per day, it is estimated that over \$1.3 million will be spent by HAP hunters using the expanded program which will help support rural local economies.

3.3.2 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.

3.3.2.1 Proposed Action (Preferred Alternative)

Under the Proposed Action, a total of \$1,240,050 VPA-HIP funds would be used to expand the existing HAP program for two years. Landowners will be paid annually for hunting rights to private lands. Enrollment is voluntary and annual. The VPA-HIP funds would also be used to hire a full time program coordinator to ensure grant objectives will be met and will work through the Michigan Department of Agriculture and Rural Development to fund local field positions in county Conservation District offices to provide field support for program delivery. VPA-HIP funds would also be used for public outreach efforts to encourage landowners to participate in the lease program, and to provide more hunting opportunities, especially for the youth and apprentice hunters.

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 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 MDNR 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 Michigan. 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.

3.3.2.2 No Action Alternative

Under the No Action Alternative, MDNR would not receive funding under the VPA-HIP. MDNR would not be able to hire additional 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 expanding HAP funding into the economy. Furthermore, it would not allow for the expansion of hunting opportunities on private lands in southern Michigan, 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 the PEA, the affected environment for cumulative impacts includes the farmland portion of Michigan. The proposed new HAP enrollments would be limited to the 38 county area covered by this proposal.

The Proposed Action will have beneficial impacts to recreational resources in Michigan. Creating additional places for the public to hunt has long been a desired outcome for Michigan sportspersons. Although Michigan has a large and active State Game Area program, 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 29,581 acres of general CRP scheduled to expire in the next two years. The Proposed Alternative will provide habitat, wildlife, water quality and a host of other environmental benefits which will positively affect all Michiganders.

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

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 Michigan. As detailed throughout the PEA, the Proposed Action consists primarily of purchasing annual rights for HAP to private lands and providing information to hunters and landowners about the program. The only field activity that will occur is signing HAP 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 MDNR Endangered Species Coordinator and the U.S. Fish and Wildlife Services, Field Office (**Appendix A**)

In addition, the MDNR has worked with local governments, sporting groups, agricultural groups, and other interested parties to develop this program. The EA document was also placed on the MDNR public website.

CHAPTER 7.0 AGENCY COMMENTS

The MDNR's Wildlife Division provided comments on the proposed expansion of the HAP in Southern Michigan. MDNR's Endangered Species Coordinator stated he did not anticipate any impacts to state or federally listed threatened or endangered plants or animals because the only physical activity will be movement associated with hunting by people engaged in a lawful licensed activity (**Appendix A**).

The U.S. Department of the Interior, Fish and Wildlife Service (USFWS) provided comments on the proposed expansion of the HAP in Southern Michigan. The USFWS recommended that the PEA document any potential impacts (positive or negative) of HAP expansion on migratory birds. The USFWS also recommend that the PEA should consider how the expanded use of lands may potentially affect those species that are federally listed threatened or endangered animals and plants including the eastern massasauga (**Appendix A**).

The habitat on private lands would not be permanently altered by the expansion of the HAP in Southern Michigan. Although, there will be minimal intermittent disturbance to the habitat and soils due to an increase in foot traffic during hunting season. Based on the review by MDNR's Endangered Species Coordinator it is anticipated that there will be no impacts to state or federally listed threatened or endangered plants or animals including the eastern massasauga.

CHAPTER 8.0 REFERENCES

- Council on Environmental Quality (CEQ). 1997. Council on Environmental Quality. Guidance under the National Environmental Policy Act.
- Frawley, B.J. 2004. Demographics, recruitment, and retention of Michigan hunters. Wildlife Division Report 3426. Michigan Department of Natural Resources. Lansing, Michigan.
- Holecek, D.F. 1982. Michigan's land leasing program for public hunting. Department of Parks and Recreational Resources, Michigan State University. East Lansing, Michigan. 8 pp.
- Michigan Department of Natural Resources. 1999. HAP resources manual. Unpublished document. Michigan Department of Natural Resources, Wildlife Division. Lansing, Michigan.
- Oliver, T.E. 2005. Program History and Evaluation of Landowner Incentives for Michigan's Hunting Access Program. Wildlife Division Report 3446. Michigan Department of Natural Resources. Lansing, Michigan.
- Responsive Management. 2009. Issues related to hunting access in the United States: Michigan Results. National Shooting Sports Foundation. Harrisonburg, Virginia.
- Squibb, H.W. and H.R. Hill. 1988. Evaluation and Recommendations for the Michigan Hunter Access Program. Wildlife Division Report 3166. Michigan Department of Natural Resources. Lansing, Michigan.
- U.S. Census Bureau. 2000 and 2010. Population 2000 and 2010.
- U.S. Census Bureau. 2007. American Community Survey Briefs.
- U.S. Department of the Interior. 2002a. 2001 National survey of fishing, hunting, and wildlife-associated recreation. U.S. Department of the Interior, Fish and Wildlife Service, and U.S. Department of Commerce, Bureau of the Census, Washington, D.C., USA.
- U.S. Department of the Interior. 2002b. 2001 National survey of fishing, hunting, and wildlife-associated recreation: Michigan. U.S. Department of the Interior, Fish and Wildlife Service, and U.S. Department of Commerce, Bureau of the Census, Washington, D.C., USA.
- Westfall, R.D. 1980. Hunting site selections: a preliminary investigation with application to Michigan's public access stamp program. Ph.D. Dissertation. Michigan State University. East Lansing, Michigan. 166 pp.
- Wright, B.A., R.A. Kaiser, and S. Nicholls. 2002. Rural landowner liability and recreational injuries: myths, perceptions, and realities. *Journal of Soil and Water Conservation* 57: 183-191.

CHAPTER 9.0 LIST OF PREPARERS

USDA Farm Service Agency

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

Michigan Department of Natural Resources

Mark Sargent, Private Lands Coordinator, Wildlife Division, Lansing, Michigan

Michael Parker, HAP Coordinator, Species and Habitat Section, Rose Lake Field Office.

Michigan Department of Agricultural and Development

Stephen P. Shine, Manager, Pollution Prevention Section, Environmental Stewardship Division

(This page intentionally left blank)

APPENDIX A

AGENCY COORDINATION

(This page intentionally left blank)



STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
LANSING

RICK SNYDER
GOVERNOR

KIRK T. STEUDLE
DIRECTOR

March 21, 2011

Christopher Hoving, Endangered Species Program Coordinator
Department of Natural Resources
530 West Allegan Street
Lansing, Michigan 48933-1521

Dear Mr. Hoving:

The Michigan Department of Transportation (MDOT), Project Planning Division, is preparing a Programmatic Environmental Assessment (PEA) on behalf of the Michigan Department of Natural Resources (DNR), Wildlife Division. MDOT is writing to request an endangered species assessment to determine potential impacts to protected species from the proposed expansion of the Michigan Hunting Access Program. A comprehensive explanation of the proposed activities is in the attached document, *New Opportunities: Expansion of the Michigan Hunting Access Program*.

The focus area is private land in southern lower Michigan, as shown on the attached map and including the counties of Allegan, Barry, Bay, Berrien, Branch, Calhoun, Cass, Clinton, Eaton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Ionia, Isabella, Jackson, Kalamazoo, Kent, Lapeer, Lenawee, Livingston, Macomb, Midland, Monroe, Montcalm, Muskegon, Oakland, Ottawa, Saginaw, Sanilac, Shiawassee, St. Clair, St. Joseph, Tuscola, Van Buren, Washtenaw, and Wayne.

More detailed location information is not available at this time; determining specific locations is a large part of the proposed program scope. Public outreach, coordination with private land owners, and lease agreements will be completed to secure access for public hunting. There is no actual construction activity planned; the only physical activity will be increased movement of men/women/youth on the properties participating in licensed hunting.

The result of the endangered species assessment will be included in the PEA and submitted to the United States Department of Agriculture, Farm Service Agency, for their review. Please contact Mark Sargent, DNR, with any questions, but provide the results of the assessment to me at the address below.

Thank you,

Ulrika Zay, Natural Features Coordinator
Project Planning Division, Environmental Section

BTP:PPD:ENV:UZ:ks
Enclosures
cc: Mark Sargent, DNR

MURRAY D. VAN WAGONER BUILDING • P.O. BOX 30050 • LANSING, MICHIGAN 48909
www.michigan.gov • (517) 373-2090

LH-LAN-0 (01/11)

From: Hoving, Christopher (DNRE)
Sent: Friday, April 01, 2011 3:52 PM
To: Zay, Ulrika
Cc: Sargent, Mark (DNRE)
Subject: PEA for the Michigan Hunting Access Program

Ms. Zay,

Thank you for your correspondence of March 21, 2011 regarding a Programmatic Environmental Assessment for the Expansion of the Michigan Hunting Access Program. I have reviewed the proposed activity in the highlighted counties, which includes public outreach, coordination with private landowners, and lease agreements. Because the only physical activity will be movement associated with hunting of people engaged in a lawful licensed activity, I do not anticipate any impacts to state or federally listed threatened or endangered plants or animals.

Chris Hoving

Endangered Species Coordinator
Wildlife Division
Michigan Department of Natural Resources
Office 517-373-3337

Cell 269-967-0428
hovingc@michigan.gov



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



RODNEY A. STOKES
DIRECTOR

April 4, 2011

Mr. Jack Dingleline, Field Supervisor
United States Department of the Interior
Fish and Wildlife Service, East Lansing Field Office
2651 Coolidge Road, Suite 101
East Lansing, Michigan 48823-6316

Dear Mr. Dingleline:

The Michigan Department of Natural Resources (DNR) – Wildlife Division is requesting early coordination to determine potential impacts to federally protected species from the proposed expansion of the Michigan Hunting Access Program. We are preparing a Programmatic Environmental Assessment (PEA) as required by USDA – Farm Services Agency. A comprehensive explanation of the proposed program activities is in the attached document, *New Opportunities: Expansion of the Michigan Hunting Access Program*. It is our opinion that there will be no adverse effect on federally protected species based on the absence of construction activity associated with the program.

The focus area is private land in southern-lower Michigan and includes the following counties: Allegan, Arenac, Barry, Bay, Berrien, Branch, Calhoun, Cass, Clinton, Eaton, Genesee, Gladwin, Gratiot, Hillsdale, Huron, Ingham, Ionia, Isabella, Jackson, Kalamazoo, Kent, Lapeer, Lenawee, Livingston, Macomb, Mecosta, Midland, Monroe, Montcalm, Muskegon, Oakland, Ottawa, Saginaw, Sanilac, Shiawassee, St. Clair, St. Joseph, Tuscola, Van Buren, Washtenaw, and Wayne.

More detailed location information is not available at this time. Determining the specific locations is a large part of the proposed program scope. Public outreach, coordination with private land owners and lease agreements will be completed to secure access for public hunting. There is no construction activity planned. The only physical activity will be increased movement of men/women/youth on the properties participating in licensed hunting activities.

The results of our early coordination will be included in the PEA and submitted to the Farm Service Agency for their review. The MDOT – Project Planning Division is preparing the PEA on our behalf. Please copy Ms. Ulrika Zay, MDOT – Natural Features Coordinator, at 425 West Ottawa, Van Wagoner Building, P.O. Box 30050, Lansing, Michigan 48909, with the response letter. Please let me know if you have any questions, 517-241-0666 or sargentm@michigan.gov.

Sincerely,

Mark S. Sargent
Private Lands Program Coordinator
517-241-0666



IN REPLY REFER TO:

United States Department of the Interior

FISH AND WILDLIFE SERVICE
East Lansing Field Office (ES)
2651 Coolidge Road, Suite 101
East Lansing, Michigan 48823-6316

June 7, 2011

Mr. Mark S. Sargent
Private Lands Program Coordinator
Michigan Department of Natural Resources
Wildlife Division
P.O. Box 30028
Lansing, Michigan 48909-7528

Re: Early Coordination for the Michigan Hunting Access Program

Dear Mr. Sargent:

We are responding to your letter of April 4, 2011, regarding the subject project. We submit these comments in accordance with section 7 of the Endangered Species Act of 1973, as amended (Act), and the National Environmental Policy Act (NEPA).

According to the information you provided, the Michigan Department of Natural Resources (MDNR) proposes to expand the Hunting Access Program (HAP) on private lands in 41 counties in the southern Lower Peninsula. The proposed project does not require any construction activity but would increase human movement and presence on properties participating in the HAP.

Migratory Birds

Your information indicates that expansion of HAP would increase habitat for grassland birds as well as amplify the recreational use of private lands from September 1 through March 31. We recommend the Programmatic Environmental Assessment (PEA) document any potential impacts (positive or negative) of HAP expansion on migratory birds.

Endangered Species

Our records indicate that the following listed or proposed species may occur within the 41 counties identified in your letter: Indiana bat, piping plover, Karner blue butterfly, Mitchell's satyr, copperbelly water snake, eastern prairie fringed-orchid, small whorled pogonia, Pitcher's thistle, clubshell, northern riffleshell, rayed bean, and snuffbox mussel.

We recommend you consider how expanded use of lands potentially supporting listed species may affect those species. You should analyze these potential effects to listed species and provide a rationale to support your effects determination.

Pursuant to section 7(a)(2) of the Act, the Federal action agency, or its designee, must determine whether its actions may affect federally listed species for all federally funded, constructed, permitted, or licensed projects. If you determine that the proposed project will not affect listed species, you should document your determination. "No effect" determinations do not require concurrence from our office. If you determine that authorization of the proposed work may affect but would not likely adversely affect listed species, you must seek written concurrence from us. An action warrants a "may affect, not likely to adversely affect" finding when its effects are wholly beneficial, insignificant, or discountable. For additional information about the section 7 consultation process, please refer to our endangered species and technical assistance website at <http://www.fws.gov/midwest/endangered/section7/index.html>.

Expanded recreational use of lands may also increase the likelihood of human encounters with the eastern massasauga rattlesnake, a Federal candidate species. Although the Act does not extend protection to candidate species, we encourage their consideration in environmental planning. We recommend the PEA consider potential effects to the eastern massasauga.

We appreciate the opportunity to provide comments at this early stage of project planning. Please refer any questions to Barbara Hosler of this office at 517/351-6326.

Sincerely,


Acting Scott Hicks
Field Supervisor

cc: Ulrika Zay, MDOT, Lansing, MI