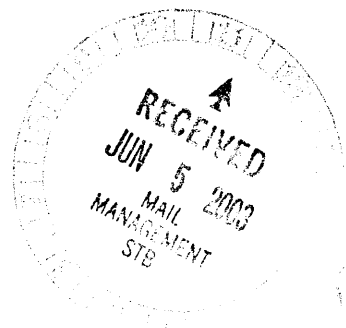




P.O. Box 201800 • 1515 East Sixth Avenue • Helena, MT 59620-1800 • fax 406.444.0581 • tel 406.444.3009 • <http://nris.state.mt.us>

May 22, 2003

Kenneth Blodgett
Surface Transportation Board
Section of Environmental Analysis
1925 K St. NW
Washington, DC 20423-0001

Re: STB Finance Docket No. 30186 (Sub-No. 3)

Dear Kenneth,

I am writing in response to your request for information on plant and animal species of concern in the vicinity of the Tongue River III Western Alignment. Enclosed is a map of the area showing general element occurrence locations, a table listing the species and features of special concern encompassed by this map and explanatory material.

Please keep in mind the following when using and interpreting the enclosed information and maps:

- (1) These materials are the result of a search of our database for species of concern that occur in an area defined by the requested county with an additional one-mile buffer surrounding the requested area. This is done to provide you with a more inclusive set of records and to capture records that may be immediately adjacent to the requested area.
- (2) On the map, polygons represent one or more source features as well as the locational uncertainty associated with the source features. A source feature is a point, line, or polygon that is the basic mapping unit of an EO Representation. The recorded location of the occurrence may vary from its true location due to many factors, including the level of expertise of the data collector, differences in survey techniques and equipment used, and the amount and type of information obtained. Therefore, this inaccuracy is characterized as locational uncertainty, and is now incorporated in the representation of an EO. If you have a question concerning a specific EO, please do not hesitate to contact us.
- (3) This report may include sensitive data, and is not intended for general distribution, publication or for use outside of your agency. In particular, public release of specific location information may jeopardize the welfare of threatened, endangered, or sensitive species or communities.
- (4) The accompanying map(s) display management status, which may differ from ownership. Also, this report may include data from privately owned lands, and approval by the landowner is advisable if specific location information is considered for distribution. Features shown on this map do not imply public access to any lands.
- (5) Additional biological data for the search area(s) may be available from other sources. We suggest you contact the U.S. Fish and Wildlife Service for any additional information on threatened and endangered species (406-449-5225). Also, significant gaps exist in the Heritage Program's fisheries data, and we suggest you contact the Montana Rivers Information System for information related to your area of interest (406-444-3345).
- (6) The results of a data search by the Montana Natural Heritage Program reflect the current status of our data collection efforts. These results are not intended as a final statement on sensitive species within a given area, or as a substitute for on-site surveys, which may be required for environmental assessments.

Electronic access to the Montana Natural Heritage Program is available at URL
<http://nris.state.mt.us/mtnhp/>

Attached is an explanation of the codes used in the table, as printed from our website. Also, high-quality photos of both species and habitat are available on the web for most of the plant species (www.nris.state.gov/mtnhp).

We have extensive information on file for all these sites and species. If there is a more specific area for which you would like additional data, give me a call and we'll provide you with further details.

I hope the enclosed information is helpful to you. Please feel free to contact me at (406)-444-3290 or via my e-mail address, below, should you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Martin P. Miller".

Martin P. Miller, Data Assistant
Montana Natural Heritage Program
(martinm@state.mt.us)

Montana Natural Heritage Program

<u>Map Label</u>	<u>EO #</u>	<u>Scientific Name</u>	<u>Common Name</u>	<u>Global Rank</u>	<u>State Rank</u>	<u>Species of Concern (Y) Potential Concern (W)</u>	<u>ESA Status</u>	<u>USFS Status</u>	<u>BLM Status</u>
1	38	Astragalus barrii	Barr's Milkvetch	G3	S3	Y: Track		SENSITIVE	WATCH
2	5	Physaria didymocarpa var. lanata	Woolly Twinpod	G5T2	S1	Y: Track			
3	9	Astragalus barrii	Barr's Milkvetch	G3	S3	Y: Track		SENSITIVE	WATCH
4	17	Astragalus barrii	Barr's Milkvetch	G3	S3	Y: Track		SENSITIVE	WATCH
5	1	Penstemon grandiflorus	Large Flowered Beardtongue	G5?	S1	Y: Track			
6	7	Astragalus barrii	Barr's Milkvetch	G3	S3	Y: Track		SENSITIVE	WATCH
7	28	Astragalus barrii	Barr's Milkvetch	G3	S3	Y: Track		SENSITIVE	WATCH
8	1	Hybopsis gelida	Sturgeon Chub	G3	S2	Y: Track	C		SPECIAL STATUS
9	1	Trionyx spiniferus	Spiny Softshell	G5	S3	Y: Track			SPECIAL STATUS
10	1	Cycleptus elongatus	Blue Sucker	G3G4	S2S3	Y: Track			SPECIAL STATUS
11	1	Polyodon spathula	Paddlefish	G4	S1S2	Y: Track			SPECIAL STATUS
12	4	Physaria didymocarpa var. lanata	Woolly Twinpod	G5T2	S1	Y: Track			
13	3	Physaria didymocarpa var. lanata	Woolly Twinpod	G5T2	S1	Y: Track			
14	31	Accipiter gentilis	Northern Goshawk	G5	S3S4	Y: Track		SENSITIVE	SPECIAL STATUS
15	8	Hybopsis gelida	Sturgeon Chub	G3	S2	Y: Track	C		SPECIAL STATUS
16	3	Cyperus schweinitzii	Schweinitz' Flatsedge	G5	S2	Y: Track			WATCH
17	1	Chelydra serpentina	Snapping Turtle	G5	S3	Y: Track			SPECIAL STATUS
18	4	Mentzelia nuda	Bractless Mentzelia	G5	S1	Y: Track			WATCH

Montana Natural Heritage Program

<u>Map Label</u>	<u>EO #</u>	<u>Scientific Name</u>	<u>Common Name</u>	<u>Global Rank</u>	<u>State Rank</u>	<u>Species of Concern (Y) Potential Concern (W)</u>	<u>ESA Status</u>	<u>USFS Status</u>	<u>BLM Status</u>
19	1	Lomatium nuttallii	Nuttall Desert-parsley	G3	S1	Y: Track			WATCH
20	9	Lampropeltis triangulum	Milk Snake	G5	S2	Y: Track			
21	1	Mentzelia montana	White-bract Stickleaf	G4	SH	Y: Track			
22	1	Sporobolus asper	Longleaf Dropseed	G5	SH	Y: Track			WATCH
23	6	Astragalus barrii	Barr's Milkvetch	G3	S3	Y: Track		SENSITIVE	WATCH
24	4	Lomatium nuttallii	Nuttall Desert-parsley	G3	S1	Y: Track			WATCH
25	8	Astragalus barrii	Barr's Milkvetch	G3	S3	Y: Track		SENSITIVE	WATCH
26	2	Lomatium nuttallii	Nuttall Desert-parsley	G3	S1	Y: Track			WATCH
27	836	Haliaeetus leucocephalus	Bald Eagle	G4	S3B,S3N	Y: Track	PS:LT,PDL	THREATENED	SPECIAL STATUS
28	838	Haliaeetus leucocephalus	Bald Eagle	G4	S3B,S3N	Y: Track	PS:LT,PDL	THREATENED	SPECIAL STATUS

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Explanation of Element Occurrence Reports

Since 1985, the Montana Natural Heritage Program (MTNHP) has been compiling and maintaining an inventory of the elements of biological diversity in Montana. This inventory includes plant species, animal species, plant communities, and other biological features that are rare, endemic, disjunct, threatened or endangered throughout their range in Montana, vulnerable to extirpation from Montana, or in need of further research.

Individual species, communities, or biological features are referred to as "elements." An "element occurrence" generally falls in one of the following categories:

Plants: A documented location of a plant population. In some instances, adjacent, spatially separated clusters are considered subpopulations and are grouped as one occurrence (e.g., the subpopulations occur in ecologically similar habitats, and are within approximately one air mile of one another).

Animals with limited mobility (most invertebrates, amphibians, reptiles, small mammals, most fish): The location of a specimen collection or of a verified sighting; assumed to represent a breeding population. Additional collections or sightings are often appended to the original record.

Mobile or migratory animals (most birds and larger mammals, some fish): Breeding areas (including nesting territories, dens and leks) and significant aggregation sites (winter feeding areas, staging grounds, or hibernacula).

Communities: All contiguous, high-quality habitat as defined by physical and biological features.

Other: Significant biological features not included in the above categories, such as bird rookeries, peatlands, or state champion trees.



The quantity and quality of data contained in MTNHP reports is dependent on the research and observations of the many individuals and organizations who contribute information to the program.

Please keep in mind that the absence of information for an area does not mean the absence of significant biological features. Reports produced by the Montana Natural Heritage Program summarize information known to the program at the time of a request. These reports are not intended as a final statement on the elements or areas being considered, nor are they a substitute for on-site surveys which may be required for environmental assessments.

As a user of MTNHP, your contributions of data are essential to maintaining the accuracy of our data bases. New or updated location information for all species of special concern is always welcome.

We encourage you to visit our website at <http://nris.state.mt.us/mtnhp/>. On-line tools include species lists, an electronic version of *Montana Bird Distribution*, and search capabilities by county, management unit, or USGS 7.5' quadrangle. Also available is the *Montana Rare Plant Field Guide*, which contains photos, high-quality diagnostic illustrations, and supporting information for over 300 rare plant species in Montana.

Certain codes and abbreviations are used in element occurrence reports. Although many of these are very straightforward, the following explanations should answer most questions.

Global Rank and State Rank

Taxa are evaluated and ranked by MTNHP on the basis of their global (range-wide) status, and their state-wide status according to a standardized procedure.

For each level of distribution, global and state, species are assigned a numeric rank ranging from 1 (critically imperiled) to 5 (demonstrably secure). For example, Clustered lady's-slipper (*Cypripedium fasciculatum*) is ranked G4 S2. That is, globally the species is apparently secure, while in Montana it is imperiled because of rarity, or because of other factors making it demonstrably vulnerable to extirpation.

Rank Definition

- 1 Critically imperiled because of extreme rarity, or because of some factor of its biology making it especially vulnerable to extirpation.
 - 2 Imperiled because of rarity, or because of other factors demonstrably making it very vulnerable to extinction throughout its range.
 - 3 Vulnerable because of rarity, or found in a restricted range even though it may be abundant at some of its locations.
 - 4 Apparently secure, though it may be quite rare in parts of its range, especially at the periphery.
 - 5 Demonstrably secure, though it may be quite rare in parts of its range, especially at the periphery.
- U Possibly in peril but status uncertain; more information needed.
- H Historical, known only from records over 50 years ago; may be rediscovered.
- X Believed to be extinct; historical records only.

Other Global and State Rank codes:

- T Rank for a subspecies or variety; appended to the global rank for the full species, e.g., G4T3.
- Q Taxonomic questions or problems involved; more information needed.
- ? Inexact or uncertain.
- Z Ranking not applicable.
- A Accidental in the state. Includes species (usually birds or butterflies) recorded very infrequently, hundreds or thousands of miles outside their usual range.
- B A state rank modifier indicating breeding status for a migratory species. Example: S1B, SZN = breeding occurrences for the species are ranked S1 (critically imperiled) in the state; non-breeding occurrences are not ranked in the state.
- # A modifier to SX or SH: the species has been reintroduced but the population is not yet established.

U. S. Fish And Wildlife Service Endangered Species Act Status

Abbreviations indicate the categories defined in the U.S. Fish and Wildlife Service Notice of Review and indicate the status of a taxon under the federal Endangered Species Act of 1973 (16 U.S.C.A. §1531-1543 (Supp. 1996)).

Note: the categories C2, 3B and 3C are no longer maintained by the U.S. Fish and Wildlife Service (61 FR 7596, Feb. 28, 1996).

Current categories are:

- LE listed endangered
- LT listed threatened
- PE proposed endangered
- PT proposed threatened
- C candidate: Substantial information exists in U.S. Fish and Wildlife files on biological vulnerability to support proposals to list as threatened or endangered.

- NL not listed or no designation (see below)
- XN non-essential experimental population
- (PS) Indicates "partial status" - status in only a portion of the species' range. Typically indicated in a "full" species record where an infraspecific taxon or population, that has a record in the database, has USESA status, but the entire species does not.

(PS:value) Indicates "partial status" - status in only a portion of the species' range. The value of that status appears in parentheses because the entity with status is not recognized as a valid taxon by Central Sciences (usually a population defined by geopolitical boundaries or defined administratively, such as experimental populations).

A species can have more than one federal designation if the species' status varies within its range. In these instances, the Montana designation is listed first. Example: LE LT = species is listed as endangered in Montana; elsewhere in its range it is listed as threatened.

U.S. Forest Service Status

The status of species on Forest Service lands as defined by the U.S. Forest Service manual (2670.22). These taxa are listed as such by the Regional Forester (Northern Region) on National Forests in Montana. Species are listed as:

T/E/P listed as Threatened (LT) or Endangered (LE) under the Endangered Species Act or proposed for listing (P), and known or suspected to occur on national forests.

- S sensitive species, subspecies or variety, for which the Regional Forester has determined there is a concern for population viability rangewide or in the region.

Bureau of Land Management Status

The status of species on Bureau of Land Management land is defined by the BLM 6840 manual and designated by the Montana State Office of the BLM in 1996:

- S Special Status animals and Sensitive plant species: proven to be imperiled in at least part of its range and documented to occur on BLM lands.

- W watch species: either known to be imperiled and suspected to occur on BLM lands, suspected to be imperiled and documented on BLM lands, or needing further study for other reasons.

Other terms that may be used in this report

USGS quadrangle - Name of the 7.5-minute USGS topographic map(s) where the population is located.

Township, range, section, TRS comments - legal description of the centroid of the population and, if known, additional townships or sections. TRS locators may be based on unsurveyed townships; in such cases, the locators are derived from U. S. Forest Service visitor maps or from BLM surface management status maps. This is done for convenience in describing species locations; the information does not necessarily indicate legal boundaries.

Representation Accuracy - represents the assigned level of how accurately the final EO Rep reflects the original observed area (estimated value).

Very High	(>95%)
High	(>80%, <=95%)
Medium	(>20%, <=80%)
Low	(>0%, <=20%)

Last observation: date the element was last observed extant at the site (not necessarily the date the site was last visited).

Land Owner/manager - the ownership or management of the land on which the element occurs. Areas are generally listed from smallest to largest. In most instances, this information is derived from U.S. Forest Service visitor maps or from BLM surface management status maps.

Please remember that this report is a summary of information. Additional data are available on most sites and species

If you have questions or need further assistance, please contact us either by phone at (406/444-0914), e-mail (mtnhp@state.mt.us) or at the mailing address shown on the first page.