



May 11, 2006

Jason Rice
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Dear Jason:

I have reviewed the letter from John Cornely, Assistant Regional Director, MBSP concerning the proposed Legacy Ranch subdivision and have the following comments. Mr. Cornely emphasizes in his letter the value of the Lee Metcalf NWR for a diversity of wildlife species, especially migratory birds. The proposed development has been planned with recognition that the Refuge is a highly productive, important, and diverse resource in the Bitterroot Valley. Residents of the subdivision would receive a membership in the Friends of the Lee Metcalf NWR and also be required to obey covenants that protect wildlife and habitat both within the subdivision and on the Refuge.

Mr. Cornely mentions that open space areas within the proposed subdivision would be planted to one species of grass that would not support most native species. The intent of the developer is to establish diverse, natural vegetation cover in most open spaces consisting of native grasses, forbs, shrubs, and trees. Later in the letter, there is reference to groomed, short-grass areas being attractive to large concentrations of animals which could lead to human health and safety concerns. There seems to be a conflict in objectives. On one hand, the Mr. Cornely indicates that open space with short grass would not be suitable for most native (wildlife?) species and on the other he states that it would be attractive to large numbers of animals (wildlife or livestock?). It is difficult to determine if the intent of the comments is to encourage or discourage wildlife use of the proposed subdivision.

Mr. Cornely also mentions that habitat would be fragmented and not function as natural migration corridors. There have been no migration corridors identified within the proposed subdivision. There is no established seasonal use of the area by species that typically migrate seasonally or have traditional birthing areas (e.g. elk and mule deer). Currently, white-tailed deer and Canada geese move from the Refuge to the subdivision property to feed on agricultural crops (irrigated grain and hay). White-tailed deer numbers are becoming sufficiently high to present a management problem on the Refuge.

Because there is no hunting on the Refuge, it provides a safe haven for abnormally large numbers of deer. Typically, deer that seek cover and security on the Refuge forage out to adjacent agricultural and residential lands. With or without the proposed subdivision, the Refuge has a responsibility to manage white-tailed deer numbers so they do not pose a health and safety risk to residents of the Bitterroot Valley.

I have reviewed the Draft Bald Eagle Management Guidelines and find that the proposed project is consistent with the draft guidelines. Specifically, the proposed project does not affect the buffer of vegetation around the nest and does not alter aquatic and riparian habitat adjacent to the nest. The proposed project area does not support communal roosts or nest sites and has not been identified as an important foraging area for bald eagles. The proposed development falls under Category B of the guidelines consisting of buildings three or more stories and/or having a construction footprint larger than 0.5 acres. Guidelines for this category specify that if there is no similar activity within one mile of the nest that activities within 660 feet of the nest should be done outside of the nesting season. Because the proposed development is 2.5 miles from the existing bald eagle nest on the Refuge, and there is not similar activity within one mile of the nest, the proposed project satisfies the draft guidelines.

If you have questions concerning my comments, please contact me.

Sincerely,



Joe C. Elliott Ph.D.
Senior Biologist