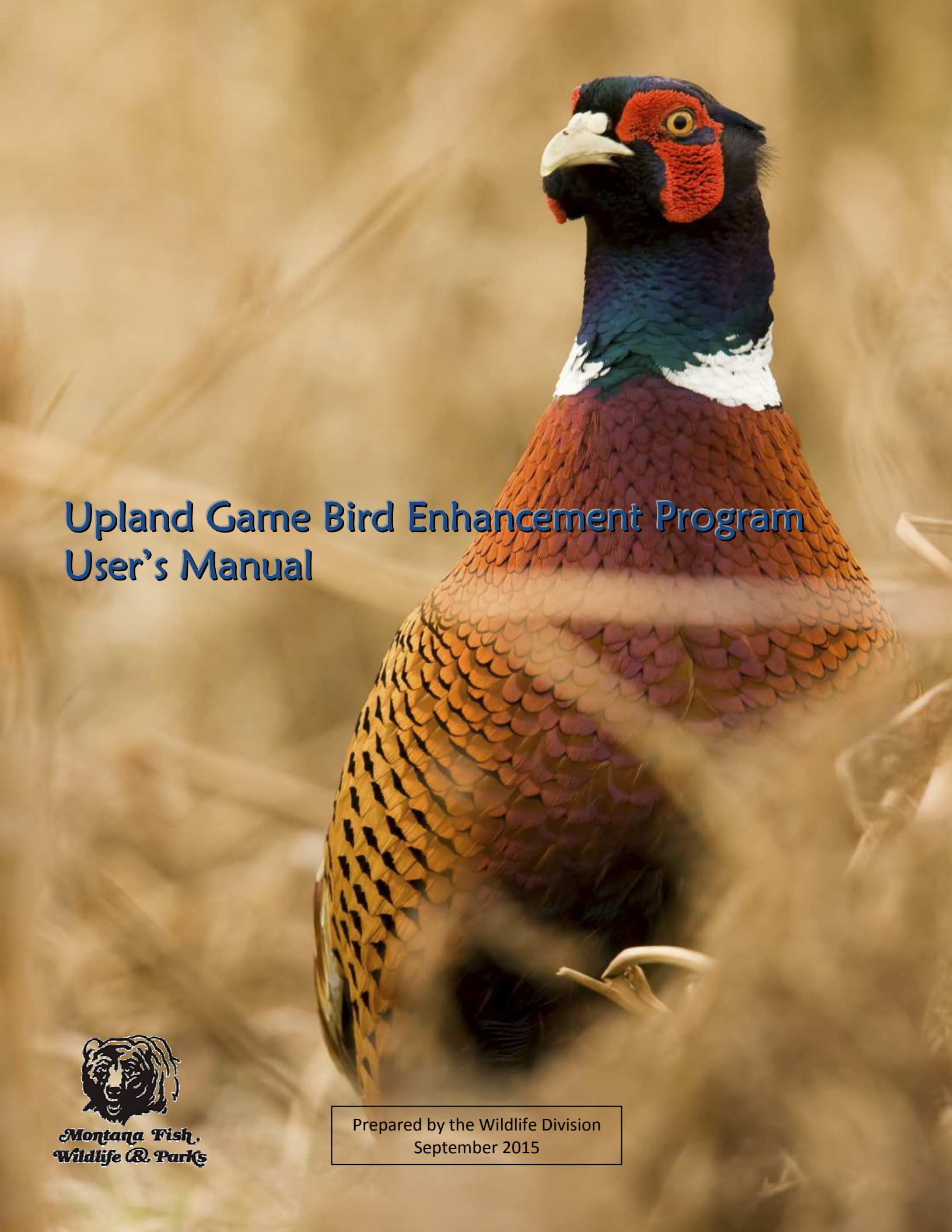

Upland Game Bird Enhancement Program
User's Manual

Montana Fish, Wildlife & Parks

Prepared by the Wildlife Division
September 2015

Staff will find it useful to familiarize themselves with commonly used program terms, many of which have been defined in rule (see Page 19).

The UGBEP Form Matrix is found in Appendix 6. Forms are available in the repository and in the Wildlife Information System (at a future date).

Montana
Upland Game Bird
Enhancement Program

MESSAGE FROM THE CHIEF

Montana is fortunate to have a program dedicated to upland game bird habitats and hunting access. The Upland Game Bird Enhancement Program (UGBEP) advances game bird conservation, providing the means for FWP and its partners to work directly with interested landowners to achieve abundant game bird populations. As land uses intensify and hunting access becomes more difficult to acquire, the value of the Upland Game Bird Enhancement Program (UGBEP) appreciates.

This User's Manual is a necessity for anyone intending to assemble a game bird project. Information in this manual will also help landowners and others who are interested in learning more about how the program operates. The purpose of this Manual is to provide a framework that guides program implementation in a consistent, efficient, and successful fashion, in compliance with state statutes, rules, and department guidelines.

In recent years, the UGBEP has undergone changes, including adoption of a long-term Strategic Plan and updated rules. One of the challenges of this program is keeping in step with landowner interests and Farm Bill opportunities, providing products that effectively advance the program's dual habitat and hunting mission. We anticipate this manual will receive regular updates. In anticipation of future challenges and opportunities, I encourage FWP staff, volunteers, and other interested parties to help keep this program state-of-the-art.

The effective date of the Upland Game Bird Enhancement Program Policy Manual, version 2.0 is September 30, 2015.

Signed: _____
Ken McDonald, Wildlife Administrator

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INTRODUCTION

Program History

Funded by upland game bird hunting license dollars, the Upland Game Bird Enhancement Program (UGBEP) serves Montana's residents and visitors by enhancing and conserving upland game bird populations. The UGBEP is primarily directed to areas where upland game birds are most abundant and where the public is provided hunting access, as distributed across the state.

First established in 1987 as a pheasant release program, the UGBEP was modified in 1989 to authorize funding for habitat enhancement and conservation of upland game bird habitats. The program remained relatively unchanged until 2001 when program Administrative Rules of Montana (ARM) were updated and the original "policy manual" was developed.

In 2009, the UGBEP underwent a legislative program audit. Two primary recommendations of the audit were the development of a long-term strategic plan and the creation of a 12-member citizens' council to advise the department on the plan and ongoing program implementation. These recommendations were formally enacted during the 61st Legislature through a bill sponsored by Representative Julie French (87-1-251, MCA).

The statewide strategic plan identifies program goals, objectives, and performance measures. In addition, regional summaries identify program priorities that include biological, recreational, and economic benefits. The plan was finalized and implemented in June 2011, and the administrative rules were updated in September 2012 to align with the strategic plan. The strategic plan can be downloaded from FWP's web site.

Program Overview

Montana Fish, Wildlife & Parks (FWP) administers the statewide Upland Game Bird Enhancement Program (87-1-246 through 251, MCA), which is organized into two parts:

1. Upland Game Bird Habitat Enhancement Program (Montana ARM 12.9.7)
2. Upland Game Bird Release Program (Montana ARM 12.9.6)

Funded by resident and nonresident state upland game bird hunting license dollars, the overarching goal of the UGBEP is to "Efficiently and responsibly conserve and enhance upland game bird habitats and populations—providing quality public hunting opportunities for present and future generations."

Principle outcomes of the UGBEP are:

- Establishment or enhancement of upland game bird habitats
- Enhanced public upland game bird hunting opportunities
- Conservation and maintenance of high quality and “at risk” upland game bird habitats
- Seasonal pheasant release and limited wild upland game bird transplanting

Program Oversight

The program coordinator is responsible for program oversight to ensure consistency with program rules, policies and guidelines. The program is implemented at the regional level under the direction of the Regional Wildlife Manager. Project proposals are also approved by regional supervisors to keep them apprised of program activities that may influence other regional activities. Regional staff are encouraged to communicate with managers, field biologists, and habitat bureau staff during the development phase of a proposal. **For all grazing systems, staff will consult with the Wildlife Habitat Management Biologist, who must approve all grazing management plans.**

The Wildlife Division Administrator is responsible for final approval of all UGBEP projects. Proposals may be re-submitted with modifications if they are not approved during an initial review.

Statutes

Funding, administration, and some aspects of implementation of the UGBEP are defined in the Montana Code Annotated (MCA). All statutes associated with UGBEP– in their entirety – are listed in this section. These statutes are up to date through the 2015 legislative session. This section will be replaced as new legislation is adopted.

Statutes copied from http://leg.mt.gov/bills/mca/87/1/87-1-246.htm

87-1-246. *(Temporary)* Funding of upland game bird enhancement program.
The amount of money specified in this section from the sale of each hunting license listed must be used exclusively by the department to preserve and enhance upland game bird populations in Montana in accordance with 87-1-246 through 87-1-249, subject to appropriation by the legislature:
(1) Class A-1, resident upland game bird, $2;
(2) Class B-1, nonresident upland game bird, $23;
(3) Class B-2, 3-day nonresident upland game bird, $10;
(4) Class AAA, combination sports, $2; and
(5) Class B-10, nonresident big game combination, $23. *(Effective July 1, 2019)*

87-1-246. *(Effective July 1, 2019)*. Funding of upland game bird enhancement program.
The amount of money specified in this section from the sale of each hunting license listed must be used exclusively by the department to preserve and enhance upland game bird populations in Montana in accordance with 87-1-246 through 87-1-249, subject to appropriation by the legislature:
(1) Class A-1, resident upland game bird, $2;
(2) Class B-1, nonresident upland game bird, $23;
(3) Class AAA, combination sports, $2; and
(4) Class B-10, nonresident big game combination, $23.

87-1-247. Upland game bird enhancement program -- authorized use of funds.
(1) Subject to subsections (2) and (3), revenue dedicated to the upland game bird enhancement program pursuant to 87-1-246 must be used by the department to:
(a) prepare and disseminate information to landowners and organizations concerning the upland game bird enhancement program;
(b) review potential upland game bird release sites;
(c) assist applicants in preparing management plans for project areas;
(d) evaluate the upland game bird enhancement program;
(e) develop a strategic plan pursuant to 87-1-251(2)(a);
(f) pursuant to subsection (2), release upland game birds in suitable habitat;
(g) develop, enhance, and conserve upland game bird habitat in Montana; and
(h) establish and assist an upland game bird citizens' advisory council pursuant to 87-1-251.

(2) (a) At least 15% of the funds collected under 87-1-246 must be set aside each fiscal year for expenditures related to upland game bird releases.

(b) At least 25% of the funds set aside for upland game bird releases must be spent each year.

(3) As far as practicable, expenditures made pursuant to subsection (1) must be prioritized by administrative region based on need, taking into consideration any biological, recreational, or economic benefit and the objectives established in a strategic plan developed pursuant to 87-1-251(2)(a).

87-1-248. Qualification of upland game bird enhancement projects.

(1) A project eligible for funding under the upland game bird release program must contain the proper combination of winter cover, food, nesting cover and other upland game bird habitat components determined necessary to provide for establishment of a viable upland game bird population.

(2) A project eligible for funding under the habitat enhancement program must include assistance to applicants in the establishment of suitable nesting cover, winter cover, or feeding areas through cost sharing, leases, or conservation easements.

(3) A project containing hunting preserves or any commercial hunting enterprise or in which hunting rights are leased or paid for is not eligible for funding.

(4) Preference must be given for project applications submitted by youth organizations, 4-H clubs, sports groups, and other associations of sufficient size to guarantee completion of all project requirements. However, individual landowners may also apply, as long as the land in the project area remains open to public hunting in accordance with reasonable use limitations imposed by the landowner.

(5) (a) Except when a greater amount, up to $200,000, is authorized by the commission, a project may not receive more than $100,000 in funds collected under 87-1-246.

(b) Total purchases of equipment, land, and buildings under the habitat enhancement program may not exceed $25,000 for each project.

(c) The construction of wells, pipelines, or roads using funds collected under 87-1-246 is only allowed on a cost-share basis, when the applicant pays at least 50% of the funded costs.

(d) Any equipment purchased with funds collected under 87-1-246 remains the property of the department.

(e) A shelterbelt may not be constructed within 400 feet of any residential building or building occupied by livestock.

(f) Funds collected under 87-1-246 may be expended for supplemental feeding programs that are authorized by the department.

87-1-249. Rules.

(1) The department shall adopt rules for the administration of the upland game bird enhancement program created in 87-1-246 through 87-1-249.

(2) The rules must:

(a) provide for eligibility criteria for project applications, including project evaluation criteria that incorporate the following factors:

(i) proposed project acreage of suitable size;
(ii) proposed project acreage and adjoining lands that are suitable for upland game bird habitat;
(iii) evidence that existing and potential species will benefit from the project;
(iv) the number of acres that will be open to and suitable for public bird hunting under the proposal; and
(v) in addition to the criteria in subsections (2)(a)(i) through (2)(a)(iv), preference to proposed projects with:
(A) longer contract length and larger landowner cost share;
(B) lands with special or unique components, such as wetlands; and
(C) a landowner history of providing hunter access and habitat enhancement;

(b) be consistent with general requirements of the federal conservation reserve program, the agricultural conservation program, the state hunter management program, and the state hunting access enhancement program so that landowners who participate in those programs may also be eligible for participation in the upland game bird enhancement program;
(c) specifically indicate specifications under which upland game birds will be released in project areas, including but not limited to:
(i) habitat requirements;
(ii) number of upland game birds to be released;
(iii) health requirements;
(iv) banding requirements;
(v) time for release;
(vi) age of birds to be released; and
(vii) reimbursement amount for each bird released;

(d) establish application procedures for project funding and review and for approval or denial of applications; and
(e) establish project monitoring and reporting procedures, including a requirement that payments for projects authorized pursuant to 87-1-247 be supported by contracts, invoices, receipts, or other supporting documentation.

87-1-250. Upland game bird enhancement program -- report.
The department shall report to the fish and game committee of each house of the legislature concerning upland game bird enhancement activities undertaken pursuant to 87-1-246 through 87-1-249 and 87-1-251 during the preceding biennium, including providing:
(1) copies of reports made to the upland game bird citizens' advisory council pursuant to 87-1-251(2)(b); and
(2) any recommendations concerning the operation of the program.

87-1-251. Upland game bird enhancement program -- advisory council.

(1) There is an upland game bird citizens' advisory council consisting of 12 members appointed by the director and serving staggered 4-year terms. The 12 members must include a public member representing each of the department's administrative regions. Council membership must include:

(a) an upland game bird hunter;

(b) a local chamber of commerce representative;

(c) a conservationist;

(d) an upland game bird biologist;

(e) at least two landowners, one of whom must be enrolled in the block management program; and

(f) a senator and a representative from different political parties.

(2) The council shall meet at least once each year but not more than once each month as necessary to:

(a) advise the department on the development and maintenance of a 10-year strategic plan that at a minimum:

(i) defines quantifiable goals, objectives, and performance measurements for the upland game bird enhancement program based on need by administrative region, taking into consideration any biological, recreational, or economic benefit, including the prioritization of at-risk upland game bird species and their associated habitats;

(ii) establishes regional and statewide priorities for the development of upland game bird habitat based on land management needs, sustaining upland game bird populations, and landowner input;

(iii) prioritizes resource allocation, including funding and personnel, in accordance with objectives and goals established pursuant to this subsection (2)(a);

(iv) promotes landowner outreach and relations with both private and public landowners;

(v) provides for the ongoing monitoring of, access to, and signage for upland game bird enhancement projects, as well as the renewal or replacement of expiring projects; and

(vi) develops strategies to ensure the effective release of upland game birds and use of funding for upland game bird releases; and

(b) provide ongoing monitoring of upland game bird enhancement program activities, including but not limited to receipt from the department of an annual:

(i) activity report to evaluate whether objectives, goals, and performance measurements established pursuant to subsection (2)(a) are being met or are expected to be met;

(ii) financial report, providing a summary of revenue and expenditures for the upland game bird enhancement program and any unreserved balance remaining at the end of the fiscal year from fees collected pursuant to 87-1-246; and

(iii) report reviewing whether upland game bird enhancement project contracts are in compliance with 87-1-248 and rules adopted pursuant to 87-1-249.

(3) The council may recommend rules for adoption by the department.

(4) Each member of the council is entitled to receive $50 in compensation and travel expenses, as provided for in 2-18-501 through 2-18-503, for each day spent on official council business. Council members who conduct official council business in their city of residence are entitled to receive a midday meal allowance as provided for in 2-18-502.

(5) The department shall provide administrative support as necessary to assist the advisory council in its duties pursuant to this section.

87-1-252 through 87-1-254 Reserved.

Administrative Rules

The program's Administrative Rules are laws that were developed by FWP through an administrative rule making (ARM) process, providing additional details that are not covered in MCA (87-1-249). The complete rules (as of the 2012 revision) are included in this section for the Upland Game Bird Release Program (12.9.6) and the Upland Game Bird Habitat Enhancement Program (12.9.7). This section will be replaced as new legislation is adopted.

Rules copied from http://sos.mt.gov/ARM/

Bird Release Program (12.9.6)

12.9.601 Department Authorization of Projects

(1) The department may authorize organizations or individuals to participate in the upland game bird release program following the submission of a written application describing the proposed project on forms provided by the department and a review of that application. All applications must include the following information:

(a) name of the organization or individual applying;
(b) name of the person in charge of the organization's proposed upland game bird release project;
(c) the applicant's current mailing address;
(d) the applicant's current telephone number;
(e) the legal description of the release site;
(f) clear evidence of either ownership of the release site or landowner permission if the release site is not owned by the applicant;
(g) specific cover types and their percentages shall be provided with a habitat map or be delineated on a habitat map, Natural Resource Conservation Service (NRCS) conservation plan, or aerial photo covering the land on which the birds are to be released;
(h) the number of acres at the release site; and
(i) any other information deemed relevant by the department which is included on the project application form.

12.9.602 Requirements of Projects Involving Pheasant Releases

(1) The department will not authorize participation in the upland game bird release program for pheasants unless the proposed project meets the following requirements:

(a) all birds must be at least ten weeks of age at the time of release;
(b) no more than 40% of the birds released may be cocks;
(c) all birds must be fully feathered, appear healthy, uninjured, and have the ability for flight at the time of the release;
(d) applications for releases must be postmarked by January 15, and all releases must be made between August 1 and September 15;
(e) groups or individuals releasing birds on property they do not own must provide the department with written documentation from the landowner giving permission

for the release, acknowledging the requirements of allowing free public hunting, and notifying the department whom payment should be made;
(f) releases may not be made in Fergus, Richland, or Roosevelt counties in order to provide a potential basis for evaluating the success of the program;
(g) all releases must be on land open to public hunting without the imposition of any monetary charge for such hunting privilege during the year of release. Release sites may be subject to use limitations but no fee may be charged in connection with the privilege to hunt on any release site;
(h) all release sites should contain a minimum of 160 contiguous acres under the ownership of the applicant or the person authorizing release. Release sites as small as 80 contiguous acres will be considered on a case-by-case basis and may be authorized if the acreage involved would provide a viable habitat base for the number of birds authorized to be released;
(i) within one mile of each release site, habitat must be available that consists of:

(i) at least 10% effective winter cover;

(ii) 25% idle cover such as undisturbed residual vegetation 10 or more inches high; and

(iii) 10% food sources, such as cultivated grain;

(j) certification of the genetic strain must be available from the commercial source of the eggs or chicks and must be provided, upon request, to the department by the applicant;
(k) all source stock must be purchased from an authorized National Poultry Improvement Plan (NPIP) hatchery;
(l) the department reserves the right to inspect the pheasant raising facilities and sample birds;
(m) the department reserves the right to refuse to stock or pay for any pen-reared pheasants that are observed to be in poor condition or health prior to or during release activities;
(n) habitat sites will be inspected by department personnel to determine the authorized number of birds that may be released. This number will be determined by:

(i) the availability of required habitat components within one mile of the release site; and

(ii) the number of birds that the area will support assuming one bird will require approximately three acres of habitat within a one-mile radius of the release site;

(o) banding of birds may be required in specified study areas;
(p) pen-reared pheasants may be assessed for overall health and general condition prior to and during release activities and the department maintains the right to refuse authorization of any pheasant release or payment for released pheasants if pheasants appear unhealthy prior to or during the release activity;
(q) all releases must be verified at the time of release by a department representative who will submit the verification form to the program coordinator for payment to the landowner or their designee;

(r) pheasant releases may occur annually within a five-year period starting from the first release. The department may fund additional releases for one additional five-year period if habitat improvements are established that address factors limiting pheasant numbers.

(2) The department may authorize the release of up to 200 pheasants per application.

(3) If the department is unable to fund all eligible applications, the department may:

(a) fund one eligible application per applicant;

(b) fund an equitable number of eligible applications for each applicant; and

(c) conduct a random drawing.

12.9.603 Reporting Requirements (Repealed)

12.9.604 Payment By Department

(1) The department will pay authorized pheasant release projects for live pheasants that are ten weeks of age or older and released in compliance with all the provisions of this subchapter at a rate established by the department surveying NPIP-certified hatcheries or game bird growers in Montana and surrounding states or through the solicitation of bids from interested parties.

12.9.605 Effect of Rule Violations

(1) Any person found guilty, pleading guilty or forfeiting bond for a violation of any of the upland game bird release program rules is disqualified from any further participation in the program.

12.9.606 Definitions

(1) "Upland game bird release program" means the programs established by 87-1-246 through 87-1-248, MCA, for both the compensation to eligible participants for the rearing and release of ring-necked pheasants, or the trapping and release of wild upland game birds, authorized by the department in order to establish viable upland game bird populations.

12.9.607 Reserved

12.9.608 Pheasant Releases By Department

(1) In order to meet the spending requirements set forth in 87-1-247, MCA, the department may enter into agreements with private pheasant rearing facilities to provide pheasants for release on areas throughout Montana that meet the habitat requirements as described for releases by private individuals.

Habitat Enhancement Program (12.9.7)

12.9.701 Project Applications

(1) The department may authorize organizations or individuals to participate in the upland game bird habitat enhancement program following submission of a written application describing the proposed project on forms provided by the department and a review of that application. All applications must include and/or be accompanied by the following information:

(a) name of the organization or individual applying;

(b) name of the person in charge of the organization's proposed upland game bird habitat enhancement project;

(c) the applicant's current mailing address;

(d) the applicant's current telephone number;

(e) the legal description of the project area, including the habitat site and project access area;

(f) clear evidence of landowner's permission if the project area is not owned by the applicant;

(g) the number of acres included in the proposed project area, including the habitat site and the project access area;

(h) description of the proposed enhancement project including:

(i) agricultural activities;

(ii) grazing management;

(iii) tree and shrub plantings;

(iv) cover plantings;

(v) fencing; and

(i) any other information deemed relevant by the department and requested on the project application form.

12.9.702 Project Requirements

(1) Projects must meet the following requirements before the department may authorize participation in the program:

(a) projects must be designed to establish, improve, or protect necessary habitat components such as nesting cover, effective winter cover, brood habitat, and food sources;

(b) projects should be located on a minimum of 100 acres but may be considered on lands less than 100 acres if land with guaranteed public access is within the project area of influence. All habitat components need not be under the ownership of the applicant if other of the necessary habitat components are present at suitable distances on adjacent ownerships;

(c) all projects must be implemented through lease, conservation easement, or contract using upland game bird habitat enhancement program cost-sharing with the private landowner, public land management agency, or other conservation partner;

(d) all projects must be open to public hunting for upland game birds for the duration of the project as defined in the contract or work plan. Reasonable use limitations on numbers of hunters and areas to be hunted may be allowed; however, user fees may not be charged. Projects located within a leased or commercial hunting operation will not be considered.

12.9.703 Project Review And Approval

(1) Enhancement activities on public and private lands will be reviewed and prioritized for funding based on:

(a) current species distribution and the potential to increase numbers of upland game birds;

(b) species present on the project and species that would benefit from the project;

(c) the proximity and number of acres of similar or essential habitat components to the project;

(d) the current habitat characteristics and public access opportunities that comprise the project area of influence;

(e) the number of acres open to hunting;

(f) expected benefits for upland game birds and hunters from the proposed project;

(g) additional consideration may be given to projects that offer:

(i) longer initial contract terms, renewed terms of expired contracts, or a higher amount of landowner cost-share; or

(ii) land with special or unique components for enhancement.

(2) Projects may not interfere with or duplicate other state or federal assistance programs. However, projects specific to the matching portion of other state or federal assistance programs will be considered.

(3) Participation in federal farm programs, state agricultural programs, hunter management programs, the hunting access enhancement program, or other programs that provide for habitat or access enhancement does not preclude eligibility for applicants to also enroll property in the upland game bird enhancement program.

12.9.704 Reporting Requirements

(1) Upon notification by the cooperator of project completion as outlined in the contract, department personnel or designee will inspect the project and submit written confirmation of project completion within 60 days to department headquarters.

12.9.705 Payment by Department

(1) The department will cost share upland game bird habitat enhancement projects as set forth in a contract or work plan. Project expenses derived from applicable cost lists, such as an NRCS standard cost list, may be used to determine project costs and reimbursement payments. In-kind contributions, such as labor, equipment use, land taken out of production, or the management of public lands for improved upland game bird habitat and upland game bird hunting opportunity, may be recognized as an applicant's contribution of the cost-share.

(2) The department may compensate individuals, agencies, or organizations for upland game bird habitat protection or enhancement accomplished through a lease, up to the fair market value of the lease.
(3) The department may compensate individuals, agencies, or organizations for upland game bird habitat protection or enhancement accomplished through a conservation easement, up to the fair market value of the easement. The organization, agency, or individual will be compensated only if the organization or individual holds title to the specified property.
(4) The following are costs limitations under the upland game bird habitat enhancement program:

(a) department costs for any project may not exceed $100,000 without commission authorization, and no project will be funded for more than $200,000;

(b) department expenses on any project for purchase of buildings or equipment will not exceed $25,000 and all equipment purchased by the department will remain property of the department;

(c) the department will cover no more than 50% of the cost of wells, pipelines, and roads; and

(d) expenditures related to maintenance activities are separate from project costs and are not administered or capped under statute.

(5) All requests for payment must be accompanied by invoices, receipts, or proof of expenses and include verification by department personnel that the work for which payment has been requested has been satisfactorily completed.

12.9.706 Effect Of Rule Violations

(1) Any person, agency, or organization found in violation of any of the upland game bird enhancement rules may be disqualified from further participation in the program.

12.9.707 Definitions

(1) "Effective winter cover" means dense woody or herbaceous vegetative component on the landscape that provides upland game birds with thermal and protective cover in proximity to a nearby food source.
(2) "Habitat site" means the area where actual enhancement work will be accomplished, conserved, and maintained.
(3) "Maintenance" means a temporary activity necessary for the upkeep, repair, or enhancement of an existing or intended long-term habitat component as identified in the Upland Game Bird Habitat Enhancement Program contract or work plan.
(4) "Project" means the specific activity on a particular area over a specified period of time that intends to enhance or conserve upland game bird habitats or populations. Expenditures are administered and capped in statute.
(5) "Project area" means those specific acres identified in the contract that includes both the habitat site and project access area. Several projects may occur on a single project area.
(6) "Project access area" means the legally defined property open to some level of public hunting as defined in a contract.

(7) "Project area of influence" means the land and associated game birds that may affect or may be affected by the habitat enhancement improvement or activity.
(8) "Project types" means the actual activities conducted to enhance upland game bird populations and include, but are not limited to shelterbelts, grazing systems, food plots, nesting cover, upland game bird releases, and supplemental feeding activities.

PROGRAM FUNDING AND EXPENDITURE LIMITS

The Upland Game Bird Enhancement Program is funded through state upland game bird hunting license revenue. Over recent years, total annual program revenue has approximated $600,000.

Habitat Enhancement Program

Approximately 85 percent of the program's annual revenue is dedicated to habitat enhancement and program administration.

Each project funded through the UGBEP is capped at $100,000. The definition of a project is "the specific activity(s) on a particular area over a specified period of time that intends to enhance or conserve upland game bird habitats or populations." In other words, the cumulative costs of all active or expired contracts and related project costs cannot exceed $100,000 per (1) property owner or (2) project area on public lands (e.g., Canyon Ferry WMA is a "project").

However, maintenance activity costs associated with a project are not capped and do not count toward the $100,000 project cap. An expired contract on a project that has reached the $100,000 cap may be renewed and further funds expended, but only for maintenance activities. Examples of maintenance activities can be found in the Project Maintenance section (see Page 31).

Bird Release Program

Statute requires that 15% of the annual program revenue is set aside each year to fund pen-reared pheasant releases; emergency supplemental feeding in Daniels, Roosevelt, and Sheridan counties; and upland game bird transplants (i.e., wild turkey, with options for other species). Statute also requires that at least 25% of this 15% set aside is spent annually on pen-reared pheasants. For example, if the annual program revenue is $600,000, then $90,000 is set aside for the Upland Game Bird Release Program categories. Per statute, FWP must spend at least $22,500 (25% of the funds set aside) on pen-reared pheasant releases.

This 15% set aside is further partitioned as follows:

Upland Game Bird Release Program Categories	15 percent cap
Pen-reared pheasant releases	87%
Emergency supplemental feeding	10%
Wild turkey transplants	3%

If funds are unspent in any of the 3 categories, they are rolled forward to the next fiscal year and may be spent in any category within the Upland Game Bird Release Program. More specific information on each of these categories is covered in the Bird Release Program section (see Page 32).

PROJECT DEVELOPMENT

This section outlines the steps necessary for (1) developing habitat projects (Sub-section: Habitat Enhancement Program) or (2) assessing habitats for pheasant releases, emergency supplemental feeding criteria, and transplanting wild turkeys (Sub-section: Bird Release Program). These steps are laid out to help staff be consistent with state statute, rules, and the program strategic plan. It is imperative that staff responsible for developing UGBEP projects become very familiar with program statutes, rules, and details covered in this section.

For specific project types and descriptions, see the section "Habitat Project Types and Specifications."

Participation in the program is voluntary and open to private individuals, local/state/federal government agencies, conservation organizations, or a partnership formed by a combination of these entities. The UGBEP is not implemented on hunting preserves, private or public lands that host a commercial hunting enterprise and lands where hunting rights are leased or paid for. Lands within reservation boundaries or tribal lands situated outside reservation boundaries do not qualify for enrollment, unless FWP has a management agreement with the affected tribe(s) that specifically includes allowance for habitat enhancement work and public hunting access for upland game birds.

Generally, UGBEP operates under a continuous sign up schedule. For some specific project types, such as Open Fields and Sagebrush Leases, program implementation may require application deadlines in anticipation of competitive enrollment or other deadlines that are outside of the UGBEP (e.g., a CRP sign up deadline). Pheasant release applications also have a specific deadline, as further described in the Bird Release section below.

The cutoff date for including new contracts into the access guide is July 7.

Contracts that miss the deadline will not be included in the current year's Access Guide but will be included in the following year's Access Guide. The UGBEP contract will need to be adjusted accordingly to provide for the minimum number of years of public access, described later in this manual. The above does not apply if the project is enrolled in Block Management.

Habitat Enhancement Program

There are three basic categories of UGBEP Habitat Projects: cost-sharing, leases, or conservation easements.

The UGBEP is intended to be implemented primarily within priority areas, as identified in regional strategic plans. In general, these areas offer a higher potential for supporting enhancement work and a greater opportunity for public hunting recreation.

Habitat enhancement projects should be developed in a manner that is efficient, effective, and consistent with program rules and statutes. Ideally, UGBEP projects should focus on:

1. landscape scale accomplishments that strategically build on existing enhancement efforts;
2. working within aggregate blocks of accessible public hunting opportunities (e.g., lands enrolled in Block Management, public lands, etc.);
3. developing longer term contracts; and
4. negotiating public access provisions that minimize the burden for landowners to administer and allows straightforward accessibility for hunters.

Project Application and Initial Development Considerations

Interested parties are encouraged to submit applications for habitat projects, which can be downloaded from the UGBEP web page. If applications are received first in Helena, the program coordinator distributes them to the appropriate regional staff. For projects proposed on FWP lands, no application is required, only a Proposal form. Special sign-ups such as Open Fields and Sagebrush Leases may require specific applications and submission deadlines.

In most cases, FWP staff and cooperators meet to review habitat and develop potential projects prior to any submission of an application. In these situations, FWP staff only need to submit a proposal form to the coordinator.

During an initial site visit with the landowner, there are 5 fundamental items to cover. For more complex projects, fulfilling these may require more than one visit:

1. Identify the cooperator's near and long-term goals as they relate to their interest in participating in the UGBEP.
2. Determine the limiting habitat factor(s) that can be enhanced successfully and cost-effectively. A limiting factor is a habitat component (e.g., food, nesting, security, and/or thermal cover) that appears to be lacking and limits the abundance or distribution of upland game bird populations (see UGBEP Strategic Plan).
3. Offer technical recommendations and design scenarios to the cooperator.

4. Assess the landowner's willingness to provide public upland game bird hunting (See Page 39, Public Access on Private Land Projects for more information).
5. Assess the project's overall potential outcome.
    a. What is the cooperator's level of commitment for project establishment and maintenance over the life of the project?
    b. Does the cooperator's farming/ranching operation have capacity and capability for completing and caring for a project? Does their operation suggest they are generally successful in their endeavors?
    c. Will the UGBEP project complement the cooperator's existing land use? Conversely, will the existing land use complement the proposed project?
    d. Plant/soil/water relationships – are plant materials well suited to soils and precipitation zones?
    e. Is the project(s) addressing the limiting habitat factor? Is it cost-effective (based on similar projects completed in other areas)?
    f. What are the prevailing risks for project failure? Assess each risk individually.
    g. Is the level of risk tolerable? How do the risks balance with anticipated benefits and costs?

Note: Under no circumstances will the program pay for projects that involve breaking native sod.

If the landowner and staff agree on certain project features, it may be necessary to develop a more thorough design and/or look into costs or other aspects that may affect project feasibility. These findings should be incorporated into a more thorough design and presented to the landowner, either by mail or in person. It is important to 1) make certain the landowner is aware of their obligations associated with a project and 2) not make any commitments until a project contract is signed by both the cooperator and the Wildlife Division Administrator.

During the initial phases of developing a project, regional staff must assess and predict the likelihood of project success. This can be accomplished by examining several influencing factors (this is not a complete list):

After the initial project review is conducted and details of the project idea are explored, FWP staff determine feasibility. Determining feasibility of a project can be difficult; regional staff are encouraged to seek advice of other staff, including the program coordinator to help in making an initial determination. If a project idea is found to be unfeasible, regional staff are encouraged to make modifications or adjustments to improve feasibility. If the proposed project is deemed unsuitable for program funding, regional staff will contact the applicant. Staff may choose to keep record of the contact for future reference. Project ideas that appear feasible will be submitted as a Project Proposal for further consideration.

Keys to successful project outcomes are largely shaped by favorable weather, adhering to recommended planting specifications, and the cooperator's efforts to follow through with all project obligations, including effectively preparing and maintaining project components.

Project Size

Field staff must also take into account the amount of acreage necessary for an effective project. At times, enhancements on "smaller" acreages may have a greater impact on bird populations than larger-scaled projects. Generally, habitat site(s) and public access area(s) must be located within a suitably sized area, normally a minimum of 100 contiguous acres. However, opportunities for substantial habitat improvements and access may be considered on areas less than 100 acres if the project is adjacent to accessible public land, the project is a habitat conservation lease of high value wildlife habitat, or other unique circumstances (to be determined on a case by case bases, but consistent with ARM 12.9.702).

Project Proposal/Endorsement

All habitat projects undergo a standard proposal review and assessment process as follows:

Project Proposal Form

The Proposal Form details what the cooperator and regional staff have tentatively agreed to. Completed by regional staff, the proposal: identifies limiting factor(s); describes how the proposed project design addresses these habitat limitations; contains an overview of existing habitat and its management; describes the expected benefit to upland game birds and upland game bird hunters; and includes estimated costs and the breakdown of these costs by responsible party (e.g., landowner, FWP, FSA, etc.). The proposal should detail all important aspects of a project idea that helps the department make an informed decision, including project strengths, weaknesses, and potential issues.

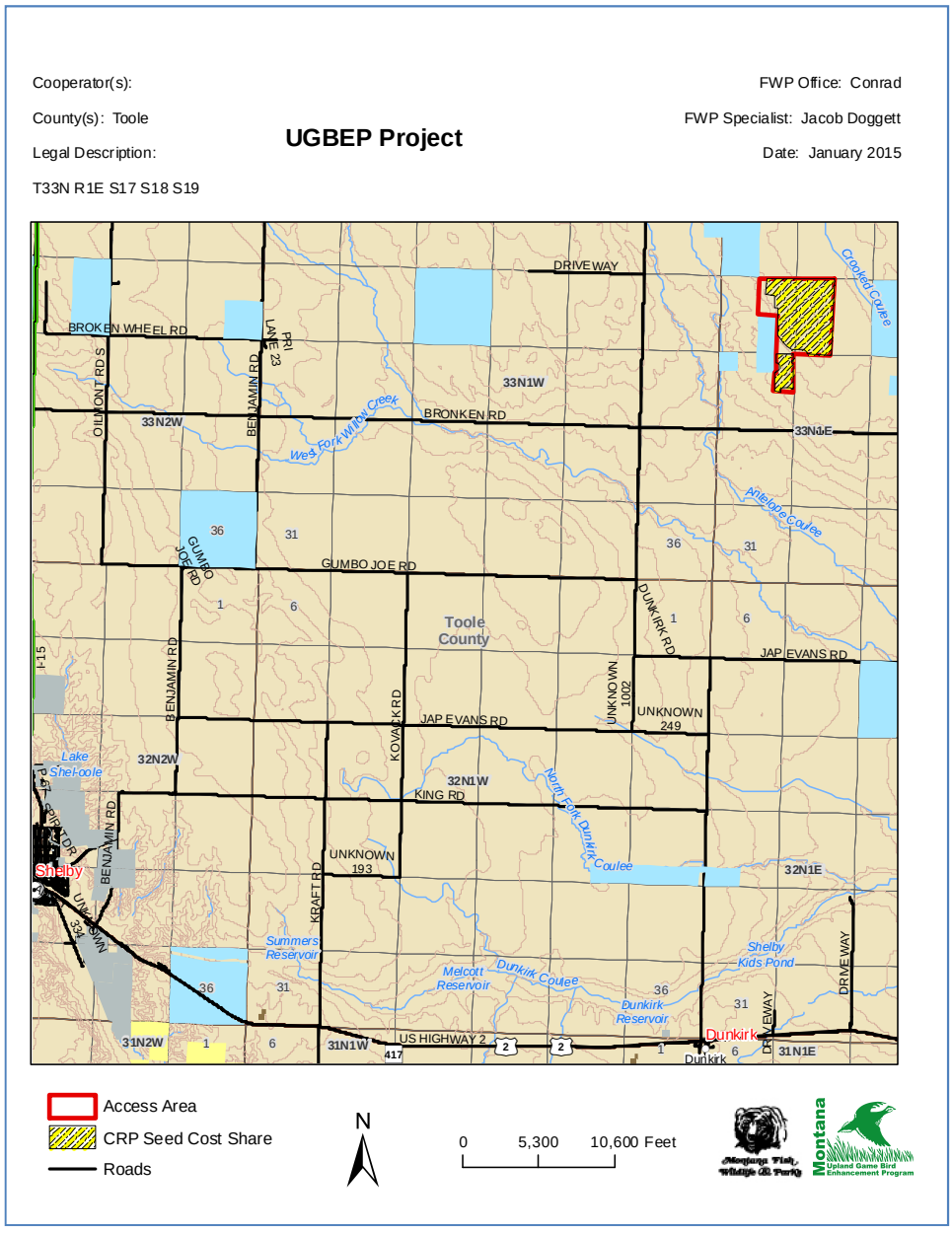
The regional manager and supervisor provide written approval before forms are submitted to the program coordinator. The coordinator will review the proposal to ensure compliance with program statute and rules, department policies, other state laws, and to assess the estimated costs. Within 2 weeks, the coordinator should review the project and provide feedback to regional staff, and work with staff to make any adjustments based on the review. Within 1 to 2 weeks thereafter, the coordinator will seek approval from the Habitat Bureau Chief and Division Administrator.

Maps

Standard maps are created by regional staff using GIS and the program geodatabase. At a minimum, maps must show:

1. Project location(s) relative to a nearby town, access boundaries, and project delineation.
2. Aerial overview of the habitat project
3. Township, Range, and Section information

More than one map may be needed to capture project details. After final project approval, maps are included as exhibits in the contract. Examples of program maps are provided.



Cooperator(s)

County(s): Toole

Legal Description:

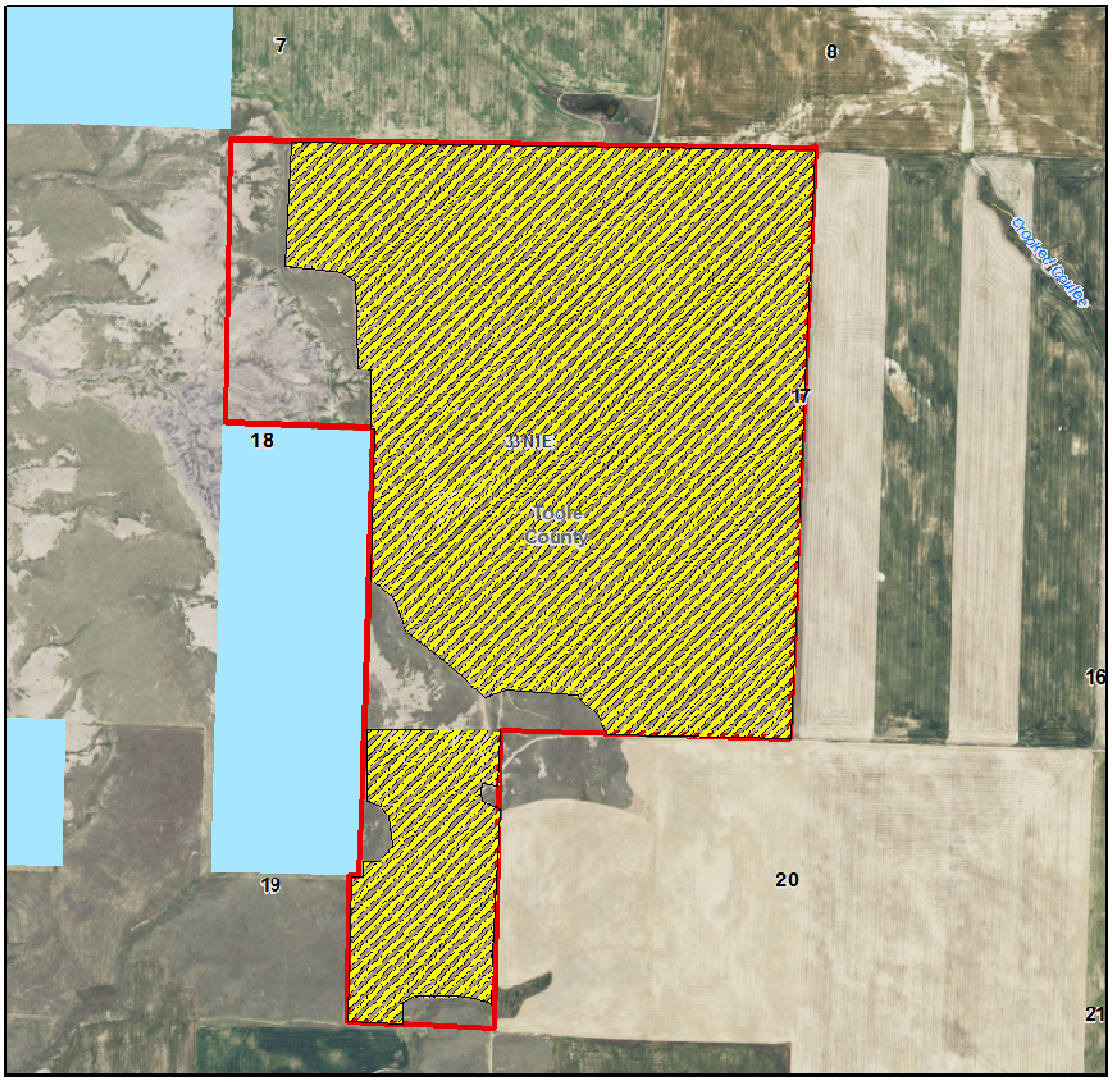
T33N R1E S17 S18 S19

UGBEP Project -

FWP Office: Conrad

FWP Specialist: Jacob Doggett

Date: January 2015



See GIS & UGBEP section for more information (see Page 42).

Cost Share

UGBEP projects must be cost-effective and leverage value through cost-share, in-kind services, donations, or other mechanisms. For most habitat projects, cost-share ratios are 75% (UGBEP) and 25% (cooperator's share through cash, in-kind contribution, and/or lost agricultural production).

Generally, UGBEP reimburses the cooperator for the total cost of materials, which may amount to 50 to 75 percent of overall costs. The cooperator's labor to install the project typically amounts to 25 to 50 percent of project cost. **However, UGBEP cannot pay more than 50% on water pipelines, wells, and roads (87-1-248, MCA).**

In-kind contributions are the costs associated with the cooperator's donated labor, equipment time, and land taken out of production. When UGBEP work is conducted on public land, the management of public lands for improved game bird habitat and upland game bird hunting opportunities may also be recognized as an applicant's contribution.

Determining Project Costs and Cost-share

A standardized cost-list is available for the UGBEP to help deliver projects in an efficient, consistent, and accountable manner. The annual project cost list, which includes practice descriptions (see Appendix 1), provides estimates on the costs to install a conservation practice. Depending on project inputs, staff may need to refer to different sections of the cost list to determine the total project cost. The cost list also includes the standard per acre UGBEP cost share for establishing shelterbelts and food plots that meet program specifications. The UGBEP cost-list is updated annually by the program coordinator and distributed early in the calendar year.

Once all costs associated with the project are determined, the UGBEP contract reflects these estimated or standardized costs as well as cash or in-kind contributions borne by the cooperator and other funding partners.

The program's proportion of cost-share can be flexible, depending on the number of partnerships involved and the project quality. Factors to consider when determining cost effectiveness and the percent cost share include:

- Contract length
- Level of public accessibility
- Project quality
- Landowner benefit
- Additional funding sources such as the USDA Farm Bill programs

The UGBEP provides two options for making payments for completed work – Actual Cost Reimbursement and Standard Cost Reimbursement.

1. Actual Cost Reimbursement
Under this option, FWP uses cost estimates in the contract, but the Program reimburses actual costs, per terms in the contract, based on receipts supplied by the cooperator. Receipts would be required for items such as fence material, seed for cover plantings, water delivery systems, professionally contracted work, and any labor costs that are not considered in-kind cost share, etc.

2. Standard Cost Reimbursement
This option is only available for shelterbelts and food plots. A Standard Cost Reimbursement is used to reimburse cooperators at a specified rate (e.g., standard cost/acre) upon completion of a project. No receipts are needed for payment. The standard payment rate is updated on an annual basis and included as part of the program cost list.

The UGBEP cost-list is primarily derived from the NRCS Payment Schedule –updated every federal fiscal year—and the North Dakota Custom Farm Work Rates, which is updated every 3 years.

Contract

Contract preparation is completed by FWP regional staff and should involve a detailed approach that accurately identifies the specific components of the project so that the cooperator and FWP have a clear understanding of roles, work and cost share responsibilities, and estimated expenses for both the project installation and maintenance activities. A review of each contract by the program coordinator is required prior to acquiring signatures from the wildlife division administrator and the cooperator(s).

Important considerations of the UGBEP contract are:

- **Number of hunting seasons**: Once the project is established, there is a minimum number of hunting seasons required for public access. The length varies according to project type. For example, grazing management agreements require a minimum of 15 hunting seasons. If the infrastructure takes 2 years to install, the contract term is for 17 years to ensure a full 15 years of hunting is provided once the project is in place.
- **Standard contract termination dates:** Contracts should generally terminate on **January 1**, which coincides with the conclusion of the upland game bird hunting season. However, for winter food plot projects, the contract should extend to **April 1** to assure plots are retained for wildlife throughout the winter period.

- **Contract recording:** All contracts lasting greater than one year that involve upfront payments by FWP require an abstract of contract that is recorded at the county courthouse in the respective county where the project is located. Recording an abstract of contract alerts potential property buyers that an active UGBEP project occurs on the property. In the past, this has resulted in the buyer contacting FWP to find out more information, which may lead to an opportunity to work out a new arrangement. Contracts involving annual payments are typically not recorded as payments can be withheld due to compliance issues (including the sale of property where the project occurs). Cooperators will be notified of the recording needs at the time of project planning. The program pays for all costs associated with recording the abstract.
- **Cooperator in-kind contributions:** Any materials purchased prior to the date of the contract's execution cannot count towards the cooperator's cost-share contribution (i.e., seed, nursery stock, etc.). However, site prep work completed prior to habitat establishment that contributes to the success of the project may be included as a cooperator's in-kind contribution.

For efficiency and clarity of intent, one contract should capture all project types and all of the steps needed to complete the project. For example, one contract might consist of:

1. Food plots, shelterbelts, and nesting cover, recognizing that there will be different initiation or expiration dates.
2. Sequential projects or enhancement activities—such as planting food plots for 2 years in preparation for establishing permanent cover.

Reimbursements and Payments

Once the project has been installed, FWP regional staff arrange for a site visit to confirm the project has been satisfactorily completed according to the terms outlined in the contract. Staff collect necessary invoices and payment receipts and submit a verification report to the program coordinator, which results in a reimbursement payment to the landowner. Larger, more complicated projects may require multiple verification visits and corresponding reimbursement payments. The program coordinator enters all payments into the program database and prepares a voucher that is submitted to the claims department. The cooperator receives their reimbursement generally within 30 days of receipt in Helena.

At times, project costs are estimated 1 to 2 years prior to project establishment. If actual costs exceed the estimated contract costs, the program will pay the overage if the costs are within 15 percent of the contract estimates. If the costs are greater than 15 percent of contract estimates, then the contract will be amended to explain the higher costs.

In order to receive a payment from the State, the cooperator must have a current W-9 form filed with the Department of Administration. The program coordinator sends the form to a cooperator during the time of the contract process and forwards the signed W-9 to the FWP Claims Unit. To facilitate reimbursement, the cooperator's full legal name or full legal business name listed on the contract should match the name listed on the W-9 form that contains the cooperator's social security number or tax identification number.

Procurement

Invoices and other payment requests are sent directly to the program coordinator, who then enters payment information into the program database. The database tracks all expenditures, payment details, and generates forms needed to issue payments.

Payments must meet State procurement and labor laws. When labor and materials exceed $5,000, the State must use a bid process if the program is to pay a vendor directly. Alternatively, the cooperator may pay directly for the labor/material and then receive reimbursement from the program. However, the cooperator is also subject to State procurement laws, as described in 18-4-133, MCA. UGBEP does not require procurement documentation from the cooperator.

All equipment (defined as durable items of $5,000 or more) purchased using UGBEP funds remain the property of the State. For example, ATV, tractor, trailers, and similar equipment are considered durable items. An agency or organization may contribute funds towards the purchase of equipment; however the State retains full ownership of the equipment. Volunteers from conservation organizations (e.g., Pheasants Forever) may use the State-owned equipment for UGBEP projects on State-managed lands but need to fill out the appropriate FWP volunteer form. Equipment use by volunteers on private land requires use of a liability release and will be considered on a case by case basis.

Periodically, FWP will develop an agreement with suppliers, to facilitate purchases. Pertinent procurement agreements are listed with annual updates to the cost list. For questions involving purchasing needs and procurement laws, FWP staff should contact the program coordinator.

Project Maintenance

Once habitat enhancement projects are completed – usually within the first year of the contract term – habitat maintenance is essential for a project to reach its full potential. Generally, the cooperator is responsible to maintain the project although other organizations (e.g., local Pheasants Forever chapters) may assist with maintenance

activities. Maintenance activity costs, which are commonly a part of the cooperator's in-kind service, are located in the annual cost-list (see Appendix 1).

Maintenance schedules, responsibilities, and costs (see Appendix 1) should be identified in the program contract.

The following activities are considered habitat maintenance activities:

- Weed control – conducted after project is installed, includes mechanical or chemical treatments;
- Tree and shrub replacement – conducted after shelterbelt is installed;
- Brood strip maintenance – after initial construction with water delivery, etc., this maintenance would involve annual site preparation and water management;
- Enhancement treatments of cover plots that are established through the program, including mowing, haying, and weed control (chemical or mechanical);
- Ongoing food plot re-seeding, including site preparations; and
- Infrastructure maintenance (e.g., annual maintenance of irrigation ditches, watering systems, fences).

Bird Release Program

This section discusses the 3 types of activities funded under the Bird Release Program: (1) pen-reared pheasant release, (2) emergency supplemental feeding, and (3) wild turkey transplants.

Project Funding

The Bird Release Program is funded with 15% of the annual program revenue (87-1-247(2)(a),MCA). Of those set aside funds, at least 25% must be spent annually on upland game bird releases (87-1-247(2)(b), MCA). Overall, the bird release program funds are distributed among the 3 project types as follows:

Pheasant Releases	87%
Emergency Supplemental Feeding	10%
Wild Turkey Transplants	3%

If the department is unable to fund all eligible pheasant release applications, the department is guided by rule on program disbursements (12.9.602(3), ARM). The department may use the following options:

(a) restrict funding to one eligible application per applicant;
(b) fund an equitable number of eligible applications for each applicant; or
(c) conduct a random drawing.

Pheasant Releases

The pheasant release program is not a stocking program; rather, the intent of the program is to enhance or establish pheasant populations in suitable habitats (87-1-246, MCA). Projects eligible for funding under the Upland Game Bird Release program must contain the proper combination of winter cover, food, nesting cover, and other habitat components that support year-round survival.

Program Eligibility and Requirements

Enrollment is open to both private individuals and organizations. Participants may either raise pen-reared pheasants or contact a local raiser to obtain pheasants. A list of current pheasant raisers is available through the program coordinator.

Administrative rules do not allow for program-funded pheasant releases in Fergus, Richland, and Roosevelt counties. The intent of this rule is to provide a potential basis for evaluating the success of the release program.

Pen-reared pheasants are only released on lands that (1) provide the appropriate levels of interspersed habitat components that support year-round survival and (2) allow free public access to hunt upland game birds with landowner permission. Applicants submit aerial maps (preferably NRCS farm maps) with their application that delineates the type and amount (acres or percentage) of habitat available at the time of pheasant release and maps showing public access boundaries.

The cooperator must provide free public access, measured in hunting-days. Lands that contain hunting preserves or any commercial hunting enterprise or in which hunting rights are leased or paid for are not eligible for enrollment.

The number of pheasant releases that can occur on a particular landowner's property are limited by program rules (12.9.602, ARM). Pheasant releases may occur annually within a five-year period starting from the first release. The department may fund releases for one additional five-year period if habitat improvements are long-term and significant in scope to address factors limiting pheasant numbers.

Enrollment

Application deadline: January 15

Applications are solicited annually through news releases issued by Helena staff. All applications are received in Helena.

If applicants are not raising their own pheasants, they have the responsibility to contact pheasant raisers to inquire about availability of pheasants to be purchased through the UGBEP.

Immediately after the deadline, the program coordinator conducts a coarse review of the applications to ensure eligibility and all information is contained in the packet. Copies of applications and maps are sent to regional staff, who conduct a field evaluation to determine the appropriate numbers of pheasants for release. Up to 200 pheasants per application may be authorized.

Original application packets are filed and stored in Helena.

Release Site Assessment

Dates: Release sites are generally evaluated mid-January through early February.
Release sites should contain a minimum of 160 contiguous acres under the ownership of the applicant but release sites as small as 80 contiguous acres will be considered on a case-by-case basis if the acreage involved would provide a viable habitat base for the number of birds authorized for release.

Proposed pheasant release sites are assessed by regional staff to determine the numbers of birds authorized for release and to ensure projects will provide quality hunting opportunities. Using maps provided with the application, staff quantify available winter habitat, nesting habitat, and food sources available to calculate the numbers of pheasants eligible for release.

Habitats that provide winter cover and food may also involve adjacent lands. Nesting cover must occur on lands owned by the applicant. Within one mile of each release site, habitat must be available that consists of a minimum:

- 10% effective winter cover – effective winter cover means any dense woody or herbaceous plant component that provides upland game birds with thermal and protective cover in proximity to a nearby food source.
- 25% idle cover such as undisturbed residual vegetation 10 or more inches high
- 10% food sources, such as cultivated grain

The pheasant release site assessment form provides additional guidance on how pheasant numbers are determined for authorization.

Release site assessment forms are filed and stored by regional staff.

Regional Spreadsheet

Regional staff annually fill out a pheasant release spreadsheet that contains information used to generate the contract. The spreadsheet is submitted by the regions to the program coordinator on the second Monday of February.

Spreadsheet information includes:

- Cooperator contact information.
- Location of release site: county(s), TRS
- Hunter contact information or Block Management information, number of access acres, and number of hunter-days
- Authorized number of pheasants for release
- Name of pheasant raiser

Setting Annual Pheasant Price

The Wildlife Division Administrator sets the annual price for healthy 10-week old (or older) pheasants based on pheasant prices obtained by the program coordinator through an annual survey of National Poultry Improvement Plan (NPIP)-certified hatcheries and game bird growers in Montana and surrounding states. The average annual cost is used to determine appropriate annual cost adjustments.

Contracts

Using the spreadsheets provided by regional staff, pheasant release contracts are generated by the program coordinator in June of each year and mailed to cooperators. Original signed contracts and maps are filed and stored in Helena and copies are sent to the cooperators. Payments for released birds can be redirected by the cooperator to a designated pheasant raiser. FWP does not contract directly with pheasant raisers.

Releases

Dates: Pheasant releases begin August 1 and end September 15.

The following documentation is obtained annually by the program coordinator before releases take place. When the documentation is received, the coordinator notifies regional staff and the pheasant raisers by email that releases may take place:

1. All pheasant raisers must provide the coordinator with certification that the source stock was purchased from an authorized National Poultry Improvement Plan (NPIP) hatchery.
2. Contracts signed by the cooperator and received in Helena.

Regional staff are encouraged to informally inspect the raiser's facilities to ensure birds do not appear sick or diseased prior to release. Birds do not typically exhibit obvious signs of sickness or disease; if a "handful" of birds in the flight pens appear symptomatic of disease, this may be enough to warrant postponing a release. Symptoms of disease may include discharge from nares, fluffed up feathers, or exhibiting behavior not typical during a stressful event. If these signs are observed, FWP staff will immediately postpone the release and notify the coordinator.

FWP staff or a contracted representative of the department must be present at all releases to verify the following. Birds not meeting these specifications will not be considered for payment:

1. All birds are at least ten weeks of age at the time of release. The following characteristics are used to estimate a 10-week old cock:
    a. Cocks are 12 inches in height with at least 4-inch tail feathers (indicates post-juvenile molt)
    b. Greenish-black spots start to show on the head and neck.
    c. Dark red feathers on the sides of the breasts are visible and join the markings of the lower breast to form a U-shape of color
    d. Bluish-green color is conspicuous on the rump and coppery feathers are prominent on the back.
2. No more than 40% of the birds released are cocks
3. All birds are fully feathered, appear healthy, uninjured, and have the ability for flight.

FWP staff must ensure the number of pheasants authorized for release matches the actual number released.

It is recommended that releases do not take place on days of extreme heat or other extreme weather events in order to minimize stress on the birds.

Payment to Pheasant Raisers

When all pheasants have been released, regional staff submit pheasant release verification forms to the program coordinator, who will then voucher a payment to the pheasant raisers. Electronic copies of the verification forms are preferred.

FWP also pays pheasant raisers for delivery of birds using the mileage from the hatchery to the release site(s). The payment per mile equals two times the current fiscal year's federal business mileage rate, as obtained on the IRS website. FWP staff are responsible for keeping track of the mileage and reporting it on the verification form.

Verification forms are filed in Helena and document the following:

1. Number of healthy pheasants released
2. Number of loaded miles to the release site(s). Loaded mileage is the distance traveled while hauling pheasants from pens to release site(s).

Emergency Supplemental Feeding (R6 only)

The UGBEP is allowed by statute to enter into agreements to provide supplemental feed for pheasants during extreme winter conditions. Supplemental feeding is restricted to pheasant habitats within the tri-county area: Daniels, Sheridan, and Roosevelt counties. This geographic area frequently experiences severe winter conditions with continuous deep snow that remains for long periods of time due to standing arctic air masses. Planted food plots are preferred over supplemental feeding because of they provide cover and disperse pheasants over a larger area.

Monitoring Criteria – Supplemental Feeding

Region 6's strategic plan contains specific route locations for monitoring winter habitat conditions in Daniels, Roosevelt, and Sheridan counties. If winter weather extremes are present, monitoring and subsequent feeding activities may only occur between January 2 and March 31.

The first major winter event (severe storm) accumulating at least 6 inches of snow with a consistent crusting layer will trigger active monitoring.

For additional detail, see pages 68 – 74 of the UGBEP Strategic Plan for maps, routes, and monitoring protocols.

Authorization

When 90% or more of the naturally occurring food sources are covered with snow and ice, such that pheasants are unable to obtain food for a period of five or more days, criteria to supplemental feed pheasants may be warranted. The region will notify the program coordinator who will in turn notify the wildlife administrator. Supplemental feeding, logistics, and budgets are authorized by the wildlife administrator.

Implementation

Supplemental feeding sites can only be established and maintained between January 2 and March 31, but should be removed as conditions moderate. Lands leased or closed for hunting or shooting preserves do not qualify for UGBEP supplemental feeding (87-1-248, MCA).

Upon authorization to proceed, Region 6 will prepare a news release soliciting volunteers to erect and maintain feeding sites along an identified route. All volunteers are required to fill out an FWP volunteer form and to maintain a per diem log that tracks daily mileage for the feeding route.

Feeding sites consist of enclosures made of panels or other materials to exclude deer. Food is in the form of grain hay bales or grain screenings from local elevators. Supplemental feeding sites are placed adjacent to effective winter cover.

UGBEP reimburses volunteers for mileage and pays for feed and materials needed to establish the feeding sites. Regional staff will provide the coordinator with estimated costs of feed and materials and will seek approval from the wildlife division administrator prior to the purchase of feed and materials.

The program does not reimburse organizations for food or cash donations. The mileage rate is based on the current State high mileage rate. Regional staff will verify accuracy of each volunteer's per diem form and forward them to the program coordinator with a request for payment.

The UGBEP may also pay the elevator directly but must also ensure state procurement rules are followed. Regional staff must notify the program coordinator if screening costs are anticipated to be $5,000 or greater before a purchase is arranged.

Wild Turkey Transplants

The department may authorize turkey releases through the upland game bird release program if the proposed project meets the following requirements, consistent with UGBEP requirements and turkey release administrative rules (ARM 12.9.611):

- all releases made will be of wild/free ranging stock that have been trapped in Montana or have been moved into Montana under the direction of the department
- a legal description of the area that will be closed to public hunting until the population has become established (two-year minimum))
- all releases outside of Flathead County will be Merriam's turkey only; eastern turkeys may be moved only within Flathead County
- Release areas support year round habitat needs of wild turkeys.
- Once established, the introduction will provide public hunting opportunities for recreation and for effective management of the newly established population.
- No new releases will take place until:
    - an environmental assessment evaluating the release and the release area has been completed and the project approved by the Fish and Wildlife Commission and

    - the department has secured agreements from adjacent landowners that would be affected by expanded populations indicating consent for the transplant and for free public hunting of the species.
- Supplemental releases will require an evaluation by the department that will include but not be limited to:
    - a history of previous releases
    - justification for supplementing the existing population
    - a legal description of the release site
    - a legal description of the area that will be closed to public hunting until the population has become established (two-year minimum)
    - agreements from adjacent landowners that would be affected by expanded populations indicating consent for the transplant and free public hunting for the species.

Public Access on Private Land Projects

Each UGBEP project requires a "reasonable" level of public upland game bird hunting access during the fall upland game bird season as well as spring turkey season, as appropriate, which is further defined by the number of annual hunter-days and specified in the UGBEP contract. The number of seasons open to public upland game bird hunting varies depending on the project type. To avoid public access issues within a hunting season, contract terms should never end during the upland game bird season.

The private landowner is under no obligation to grant permission to hunt big game when entering into an UGBEP contract.

When a project is being developed on private land, the regional staff and landowner negotiate three components related to upland game bird hunting access. All three of the access components are entered in the project contract and delineated on the contract map where appropriate:

1. ***Access area must encompass or be adjacent to the project site***. Combined, the project site and access area are generally a minimum of 100 contiguous acres. Access that includes a large area of quality habitat is preferred. Projects that offer less than 100 acres of public access may be considered if more than 100 contiguous acres of guaranteed public access is adjacent to the project site. Larger access areas of high quality habitat are generally more competitive for receiving funding.

2. ***Decide the amount of annual hunting, which is measured in hunter-days*** **(i.e.,** a hunter spending any amount of time hunting on the property within 1 day equals 1 hunter-day). The appropriate number of hunter-days is based on quality and extent of habitat, capacity to hold game birds, cost of project, contract length, landowner concerns, and other factors unique to each project. Projects that accommodate higher levels of hunting pressure are generally more competitive for receiving funding.

3. ***Determine the landowner's preferences for granting hunting access.*** That is, how the landowner wishes to convey permission to hunters (e.g., phone, email, in person, etc.). An UGBEP project proposal with more liberal public hunting access is generally more competitive for receiving funding.

Program Requirement: All contracts must include the method by which landowner wishes to convey permission, and that method will be published in the annual access guide.

Establishing quality UGBEP projects on private lands that are enrolled in the Block Management Program is strongly encouraged because the access requirement is already established. This integration of programs is further supported by rule (12.4.206(3)(c)). Finally, some project types require walk in game bird hunting without additional permission required (e.g., Open Fields). Under this requirement, delineation of the access area is required although other stipulations such as establishment of parking areas and access routes may be included.

FWP & DNRC MOU

A Memorandum of Understanding (2011) has been developed with the Montana Department of Natural Resources (DNRC) and FWP that provides a framework to establish habitat projects on State Trust Lands (see Appendix 4). Lessees of DNRC lands may voluntarily enter into project agreements or supplemental lease agreements through the UGBEP.

UGBEP projects may be developed and implemented directly by FWP or by a Project Cooperator. The Project Cooperator is a separate entity responsible for securing funding, implementing, and maintaining a project. Past examples of Project Cooperators have included State Land lessees and Pheasants Forever chapter volunteers. The Project Cooperator is a signatory to the Project Agreement, along with FWP, the State Land Lessee, and DNRC. Staff should refer to this MOU (expiration Nov. 3, 2021) for additional details of project implementation.

VOLUNTEER CONSERVATION GROUPS

The program has benefitted from a considerable history of partnering with local Pheasants Forever (PF) chapters and other volunteer organizations. This section describes how state and local volunteer chapters or groups can help establish UGBEP habitat projects. FWP has also established contracted services with conservation organizations to support farming or other work, which is outside the scope of this section. For further information on those arrangements, please contact the program coordinator.

Volunteer groups may initiate project proposals for submission through regional staff. Typically, regional staff help provide technical assistance, identify project goals, assess project fit within the regional strategy, assist with calculating estimated costs, oversee the project proposal through the review and signature process, and help establish a project agreement.

With one exception, the program does not reimburse volunteer groups for project expenses, but instead the program pays for items directly or reimburses the respective landowner. For more detail, the following bullets describe options for structuring contracts, work responsibilities, and purchasing procedures based on three likely scenarios involving volunteer groups. All scenarios require working closely with regional FWP staff.

- **Private lands:** Project initiation and development follow the procedures outlined in the Project Development section (see Page 22). The volunteer organization can initiate a project on behalf of a landowner. Under this scenario a standard project agreement is signed by an authorized representative of the volunteer group, as well as the landowner and FWP. The landowner bears primary responsibility to ensure terms of the contract are fulfilled (i.e., project establishment and maintenance; free public access as identified in the contract). As a signatory to the contract, the volunteer group may contribute volunteer labor, equipment, materials, or contracted services to establish and maintain the project, which also serves as a cost share for the project. Expenses covered by the UGBEP are either through reimbursement to the landowner or are purchased directly through state procurement processes.
- **FWP-managed lands**: Projects completed on FWP-administered lands in cooperation with volunteer groups require signature by all parties, using the Project Agreement on FWP-Managed Lands form. Individual volunteers must also sign a state volunteer form for any volunteer work on state-administered (including DNRC) lands. As a signatory to the agreement, the volunteer group may commit volunteer labor, equipment, or materials to establish and maintain the project, which also serves as a cost share for the project. All expenditures by the UGBEP are made directly through state procurement processes (i.e., reimbursement to the volunteer group is not allowed).
- **Public lands (not managed by FWP):** Generally speaking, federal land management agencies are unable to sign a standard UGBEP contract. Under this scenario, the land management agency, FWP and the volunteer group will need to develop and sign a cooperative agreement (e.g., a memorandum of understanding) that provides an overview of each partner's responsibilities, their relationship to the project, authorizations, and other general commitments. Please contact the Program Coordinator for assistance. Under the cooperative agreement, FWP and the volunteer group will sign a standard UGBEP contract that details specific project details responsibilities and funding contributions by each party. Under this scenario, the UGBEP may reimburse the volunteer group for expenses or make expenditures through the state procurement process, as described in the program contract.

DATABASE

The UGBEP database is used to store project data, track expenditures and project status, and provide summary information for the annual access guide and other reports.

The program coordinator is responsible for data entry and general oversight of the program's database. Regional staff have the ability to read summary data contained in the database on the Wildlife Information System application, located on FWP's internal website. Regional staff are also able to review contract data and are responsible to upload project monitoring reports into the system.

The database undergoes periodic revision to address current program needs and increase functionality.

GIS & UGBEP

From map-making to identifying priority areas, Geographic Information Systems (GIS) play an integral role in program planning and implementation. GIS is used to create maps for individual contracts and to help identify lands eligible for enrollment. GIS is also used to produce the annual UGBEP and Open Fields Access Guides for the hunting public.

Project maps constructed using GIS provide cooperators and the department with a shared, visual layout of the expected outcomes of a project. All habitat enhancement contracts should include maps displaying the juxtaposition of project site locations to nearby towns; habitat enhancement types, layout, and acreage; and boundaries of the area open to public hunting access.

A geodatabase, containing multiple layers delineating UGBEP point, line, and polygon features (e.g., project boundaries, fences, fields, pastures, stock tanks, pipelines, etc.), as well as map templates are available to regional staff to create maps for enhancement projects (see the UGBEP data workflow documentation). The UGBEP geodatabase is structured to store and manage data and to roll-up information from around the state into one central geodatabase. The central geodatabase is housed in Helena and overall data oversight is handled by Data Services staff. The centralized approach requires that all habitat project data are consistent throughout the regions. If geodatabase or mapping template changes are needed, the UGBEP program coordinator will work with Data Services staff to make adjustments and relay updates to staff.

As data are edited regional users can and should "check in" their geodatabases and retrieve a new version of the geodatabase including edits from other users (see UGBEP data workflow documentation). Each year, during the first week of July, there will be a deadline for regional staff to "check in" their geodatabase edits for compilation and production of yearly publications, including the annual UGBEP Access Guide.

In mid-July, regional staff will have an opportunity for final review of UGBEP map and guide before it is published.

HABITAT PROJECT TYPES AND SPECIFICATIONS

This section provides program guidelines specific to the types of habitat projects established through the UGBEP. The primary intent of this section is to clarify program procedures and project specifications to ensure project effectiveness and consistency in program delivery.

To assist staff with species selection, a reference document for selecting plant species adapted by soil type and region can be found in Appendix 2. NRCS maintains a field office technical guide which can be useful to determine procedures and practices for many of the farming activities undertaken through the UGBEP. Search for "Field Office Technical Guide and NRCS." The guide supports information specific to Montana, and also includes some information specific to the county level.

Note: Under no circumstances will the program pay for projects that involve breaking native sod.

Food and Cover Plots

This section describes the more common approaches to address habitats that have limited winter food and cover.

Habitat project types described in this section are:

I. Winter Food and Cover Plots
II. Standing Grain

Purpose
When food/cover sources are limited, the purpose is to: provide (1) dependable food and winter cover sources for upland game birds, (2) help increase breeding condition of hens, (3) minimize exposure and predation risks, and (4) enhance hunting opportunities.

Contract/Project Life
1 to 5 full hunting seasons

Winter Food and Cover Plots

There are 2 types of winter food and cover plots that cooperators can enroll in the program.

- A diverse species mix (e.g., sorghum, millet, sunflowers, etc.) that provides food and effective cover (preferred)
- Standing grain in agricultural fields.

Both annual and perennial food plots may be planted, but only annually planted food plots are paid for on an annual basis.

Specifications and Design

Composition of plot stands should comprise a mix of food and cover species, where cover can stand up against snow lodging.

- Where appropriate, sorghum and corn are excellent food plot species because they produce nutritious, abundant seed and stand up well under snow cover. Wheat, barley, millet, etc. are also used if they are protected from lodging.
- Solid-stem winter wheat is preferred over spring wheat, where applicable.
- Depending on local conditions, fences and irrigation may significantly help establish or maintain the project.

Generally, plot size should range from 3 to 10 acres, depending on local circumstances and anticipated wildlife use. Five acre plots are considered standard size.

- Block design is preferable to a linear design.
- Up to 5 acres of CRP per CRP tract may be planted to a food and cover plot, but only with prior consultation with the respective county FSA office.
- The location of plots should be within ¼ mile of winter cover, preferably adjacent to winter cover.
- Ideally, plots should be established in the snow-drift free zone.

> Contracts must be finalized by July 7 in order to be included in the annual access guide. If the cooperator is enrolled in Block Management the same year the contract is current, or if they are signing a multi-year agreement, the contract may be finalized at a later date.

Estimating Project Cost

There are 2 methods for reimbursing costs to a cooperator, depending on the type of winter food and cover enrolled in the program:

1. The UGBEP will reimburse producers who leave up to 10 acres per plot of small grains unharvested for upland game birds. Crops on private and State lands are eligible. The reimbursement price is based on the annual estimated average of

market replacement value, as presented in the standard cost list (Appendix 1). Receipts are not required.

2. The program will reimburse the cooperator up to 75% of the estimated costs to establish food plots. Costs are derived from the cost list using the following components where applicable: site prep, herbicide, seed, seeding, and labor. Receipts are required for the seed. This method may be more applicable for dedicated food plots, such as on land enrolled in CRP.

Brood and Nesting Cover

Habitat project types described in this section are:

I. CRP and non-CRP nesting cover plantings
II. Brood Plots
III. Conversion of exotic grass species to more productive cover

Purpose:
To establish, maintain, or improve nesting, brood, and security cover for upland game birds. Nesting cover may be (1) new CRP or (2) permanent herbaceous cover (non-CRP enrollments).

Contract/Project Life:
A minimum of 10 full hunting seasons following planting.

Payment/Reimbursement
Up to 75% of all receipts (required) or standard cost list

CRP/non-CRP Nesting Cover

Nesting and general hiding cover are commonly limiting factors, particularly in areas dominated by farming and haying operations.

Reminder: The breaking of native sod is not allowed.

Specification and Design

- Beneficial nesting cover should consist mostly of native grass species such as green needlegrass, western wheatgrass, and other suitable wheatgrasses with less emphasis on exotic seed mixes (e.g., traditional dense nesting cover (DNC)). If tall wheatgrass is used, no more than 2 pounds of pure live seed per acre and no more than 15% of the seed mix. The intent is to provide effective hiding/nesting cover without being overly dense, which can inhibit year round use by upland game birds.

Forbs, including non-native legumes, are important for providing nest structure and insect production.

- Basin wild rye (BWR) provides excellent nesting structure for upland game birds and other wildlife and can also be used as an alternative to shelterbelt plantings. BWR has special seeding and maintenance needs (see Appendix 3).
- Minimum nesting cover is 30 acres and a block planting is preferred. Productive idle cover adjacent to the proposed planting may be calculated into the 30-acre minimum if it is available for the term of the contract.
- Ideally, seeded areas will be within ¼ mile of food sources and one mile of suitable winter cover.
- It usually takes 2 to 3 years for native grasses to establish, even when conditions are optimal.

Maintenance: Idle cover in Montana is productive for about 5-7 years before it is in need of some kind of maintenance treatment, such as grazing, haying, or burning. Maintenance treatments reduce residual grasses and help reinvigorate grasses and forbs.

- CRP plantings will follow FSA maintenance schedule requirements. UGBEP contracts will not allow for any emergency haying or grazing practices outside of required maintenance treatments.
- For non-CRP plantings, well defined maintenance schedules should be developed consistent with the following prescriptions:
    - For newly seeded non-CRP acres, the seeding may be mowed for weed control during the first year, after July 15.
    - For plantings of 60 acres or more, up to 1/3 of non-CRP plantings may be hayed or grazed annually after July 15.
    - For smaller plantings, up to ½ of non-CRP plantings may be hayed or grazed after July 15 every 3 years (i.e., 3 times during a 10 year contract).
- If part of an FWP grazing system, the established seeding will follow the grazing system rotation schedule.

Standard program cap:

- 640 CRP acres per landowner per year

Site Prep

A successful permanent cover establishment largely depends on soil moisture conditions and the preparation of a weed-free seedbed. Depending on equipment available and site characteristics, establishing new cover may entail mowing or burning to reduce residue. Tillage or chemical treatment are options for establishing a seedbed, depending on available equipment (e.g., conventional or no-till seed drills). Seeding may take place in early spring or during late fall, as a dormant seeding (soil temperatures in the fall should be below 54 degrees). If desired, the local NRCS staff can be consulted for specific circumstances and subsequent maintenance needs.

CRP Seed Cost-share

A landowner can receive a seed cost-share for a wildlife friendly seeding, up to 640 acres per year/per landowner. Compensation is based on the annual Farm Service Agency payment schedule and is generally 35% of the total seed cost. The landowner furnishes receipts to receive reimbursement.

Private or public lands are eligible for CRP seed cost-share. Seed cost-share can also occur on lands adjacent to Open Fields. Lands enrolled in Open Fields are not eligible for a CRP seed cost-share. Instead, Open Fields enrollments are eligible for a bonus payment (see Open Fields, Page 49).

Access requirements:

1. If the seed cost-share is on land adjacent to Open Fields, access needs to be walk-in with no further permission needed to complement the adjacent Open Fields access area.
2. If the seed cost-share is not on lands adjacent to Open Fields, access may be negotiated.

In return for compensation, the landowner agrees to conduct the required standard maintenance activities outlined in the conservation plan developed by the USDA. Any additional use is not allowed when enrolled in Open Fields.

Brood Strips

Insects are a critical food item for newly hatched pheasant chicks. Montana's arid summers cause soils and vegetation to dry out early in the growing season, which reduces insect availability, affecting chick health and survival. There are 2 options available to establish brood strips.

Specifications and Design:

Option 1:
Brood strips are typically established by tilling strips in the spring to expose bare soil and irrigating the strips through the summer to maintain moist soils. These treatments result in a flush of green annual vegetation and a diversity of insects.

Option 2:
A more permanent cover option is to establish permanent strips of broadleaf plants within or adjacent to nesting cover. This can be completed through light tillage or complete renovation of grass cover.

Estimating Project Costs

UGBEP funds can be used to share the cost of tillage and establishing an irrigation setup for Option 1. Cost estimates (Appendix 1) used are light tillage per acre, irrigation setup costs, and labor—typically the cooperator's in kind cost share. For Option 2, estimates for permanent herbaceous cover are used (e.g., seed, tillage, etc.).

Conversion of exotic grass species

Sites that are currently a monoculture of crested wheatgrass and smooth brome may be converted to a more productive cover, however the cost for such conversion can be relatively high. Even under good conditions, risks for weed invasion or a relatively quick return of the monoculture species is possible.

Specifications and Design:

A project may be eligible for UGBEP funding when a strategy is laid out that identifies the plan for conversion. Farming smaller acreages (10-30 acres) annually, for 3 consecutive years has had some success, with the grain crop left standing during the winter to serve as food plots for upland game birds and other wildlife. Three years of chemical fallow is another option, particularly where there is concern for soil erosion. Large scale conversion of monocultures should include considerable partner funding and may best be completed over a series of phases, rather than attempting the entire block in one effort.

Upland Game Bird Habitat Leases

The UGBEP may enter into short-term or long-term leases on private and, in some circumstances, DNRC lands (see FWP and DNRC MOU section, Page 40). The fundamental intent of UGBEP leases is to conserve high quality, high priority upland game bird habitats through specific management prescriptions and/or restrictions. The UGBEP has three unique lease options:

I. Open Fields for Game Bird Hunters (private lands only, involving CRP lands)
II. Habitat Management Lease
III. Sagebrush Lease/Habitat Conservation Lease

Purpose
FWP may enter into leases to preserve, or enhance through special management, high quality upland game bird habitats and to provide hunting access (87-1-246, 87-1-248(2), MCA).

Contract/Project Life
Minimum of 2 years and up to 30 years.

Payment/Reimbursement
Generally, landowners receive an annual payment for the term of the lease after the end of each fall upland game bird season. If outside funding is involved, payment options may be affected by partner program rules.

Open Fields for Game Bird Hunters

"Open Fields" projects are a type of lease intended specifically for high quality CRP lands, primarily within priority enrollment areas, for the purpose of providing incentives for landowners to enroll in CRP and manage these acres for wildlife. Open Fields lease terms also require walk-in game bird hunting without further permission needed from the landowner.

Enrollment in Open Fields is a voluntary and competitive process. All applications undergo a review and scoring process that is designed specifically for Open Field enrollments. Contracts may be renewed if funding is available and the landowner re-enrolls their land in the USDA Conservation Reserve Program.

Specifications and Design

A landowner may enroll up to 160 acres of CRP, including continuous CRP, into Open Fields. Existing or newly enrolled CRP is eligible. Applicants can submit more than one application if the CRP is located on spatially discrete units of landownerships. For example, a landowner may be awarded 2 contracts if he or she owns units of land in Teton County and Toole County.

In return, the landowner must adhere to FSA's standard maintenance schedule but emergency haying or grazing treatments that are in addition to scheduled maintenance are not allowed. Lease terms also include public walk-in game bird hunting without further permission needed from the landowner.

Landowners may offer additional acres (CRP or non-CRP) for walk-in access to help square up access boundaries or to increase application competitiveness.

Game bird hunting in Open Fields includes waterfowl and upland game birds. Landowners are not required to open lands for big game hunting. Once enrolled, landowners will mark boundaries with program signs but field staff may assist if landowners live off site or are unable to put up the signs. FWP staff may also assist landowners with signing parking area locations.

All Open Fields contracts begin September 1. Contracts expire on January 1 of the year the CRP contract expires. All contracts that involve a lease payment in advance of the lease period (as an alternative to annual payments) will be recorded in the county of ownership. The program coordinator files the appropriate paper work to record the contract. See Page 30 for more details on recording.

Program Eligibility

As Open Fields sign-ups are developed, priority areas will be identified for focusing enrollments. Limited funding may also be available outside of priority areas to allow for additional sign up of high quality parcels. Lands not actively enrolled in the UGBEP or the Block Management Program are eligible to apply. Upon enrollment in Open Fields, lands may also be eligible to receive cost-share for additional habitat enhancements, such as seed for CRP plantings and food plots.

Additional eligibility requirements:

- Private lands only. DNRC lands do not qualify for Open Fields enrollment;
- New and re-enrolled CRP on private lands that also contain or have adjacent winter cover and food sources;
- An FSA-CRP contract with sufficient remaining time that allows for at least 2 full upland game bird hunting seasons prior to CRP contract expiration; and
- Private lands must be legally accessible and adjacent to public roadways; corner-crossings are not considered legally accessible.

Lands not eligible:

- CRP stands dominated by crested wheatgrass or smooth brome.
- Lands that are part of an active Upland Game Bird Enhancement Program project, unless the contract terminates on or before the year the Open Fields application is submitted.
- Lands enrolled in the Block Management Program or that were enrolled in Block Management the previous year. There may be enrollment flexibility for eligible lands that were dropped from Block Management by the department.
- Land that is adjacent to an area enrolled in Block Management under the same landownership.

Application Process

The enrollment period for Open Fields may be concurrent with the USDA Farm Service Agency's general CRP sign-up or may be initiated anytime by the department.

Applications are solicited from Helena via mailings but regional staff are encouraged to also approach landowners who might be a good fit for Open Fields. Applications are received in Helena by a specific deadline and distributed to regional staff to conduct field evaluations.

Evaluation Process

All applications undergo a review and scoring process by FWP staff. Contracts are awarded based on evaluation scores and available funding.

Using a standard program evaluation form, staff visit each site to evaluate the following characteristics of the property:

- **Accessibility:** If the property is not legally accessible, the application is not eligible for enrollment.
- **CRP Quality:** CRP stands with a greater diversity of forbs and grasses generally receive a higher score. For new CRP enrollments, staff should review the proposed seed mix to determine if the mix is well-suited to upland game birds.
- **Habitat quality**: In addition to CRP, staff assess adjacent habitats to determine if appropriate amounts of winter cover and food sources are available. Reviewing an aerial map can also be beneficial.
- **Hunting Quality:** Staff should also consider other aspects of the habitat in terms of quality hunting opportunity within the access area. For instance, is the area a place that one would want to hunt? If marginal, it should not be enrolled.

Program Compensation

- The UGBEP payment will be based on CRP acres multiplied by a set price $/acre times the number of years in the CRP contract. For example, a newly enrolled tract of CRP that would support 10 full hunting seasons would be calculated as:

(160 CRP acres X $5.00/acre) X 10 years = $8,000.00

- A landowner who is establishing a new stand of CRP may be eligible to receive a bonus payment of $5.00 per CRP acre (160 acre maximum per Open Fields contract) to help defray the cost of "wildlife-friendly" seeds. "Wildlife-friendly" seedings include CP 2, CP 25, CP 42, and SAFE acres.

- A landowner can also apply for CRP seed cost-share on private or public lands adjacent to Open Fields (see CRP Seed Cost-Share, Page 47). Public access will be walk-in game bird hunting with no further permission from the landowner to complement the Open Fields enrollment.

In most situations, payments are made in January.

Contract Process

All contracts are generated in Helena and distributed for signatures. The program coordinator also prepares paperwork to record the abstract of contract at the appropriate county courthouse.

Habitat Management Lease Option

Habitat Management Leases are intended for high quality upland game bird habitat that is not actively enrolled in CRP and that also provides hunting opportunities. Management Leases are not intended to be expansive projects, but instead focus on smaller, high value sites. Habitats might include riparian, old farmsteads, established shelterbelts, a mix of idle cover, or other productive habitat features.

The other two lease options --Habitat Conservation Lease option and Open Fields -- should be applied respectively to conserve expansive native grasslands or lands enrolled in CRP.

Eligibility

- Private or, in some cases, DNRC lands.
- Maximum lease area of 160 acres (lease area is that defined area involving a lease payment). Exceptions for larger leases may be considered on a case by case basis.
- Lease area must include at least 25 acres of a combination of hiding and/or winter cover. The remaining acres may be a proportion of (1) light, (2) hiding/security, or (3) winter covers. See page 54 for cover descriptions.
- Leases shall not be part of an existing active UGBEP enhancement obligation (e.g., grazing system, shelterbelt, nesting cover, conservation easement).
- Lands enrolled in Block Management may be eligible for an UGBEP Lease.
- Lease period of 3-10 years; leases may be renewed by submitting a new application.
- Payments occur annually if the terms of the lease are satisfactorily met; however in some cases when outside funding is used, another payment schedule may be required.
- Landowners are encouraged to offer additional acres for walk-in access to help square up access boundaries or to increase application competitiveness.

- Materials may be cost shared to establish a lease option. Capital improvements, such as perimeter fencing, may require a longer contract term appropriate to the cost-share amount. Similar to enhancement projects, material costs are subject to payback terms if a contract is terminated prematurely.
- Habitat Management Leases use the standard habitat enhancement contract with maps that layout lease and access areas.

Maintenance Lease Requirements

1. Management:
   - Idling ground from farming, haying, or grazing, and maintaining habitat features during the lease period. Managed grazing is not a prescription option. However, a periodic grazing treatment may be used to rejuvenate idle cover, depending on site specific vegetation conditions.

2. Access:
   - Hunting access - requires walk in game bird hunting without further permission or, if enrolled in Block Management, access will be subject to BMA rules. These are the only two public hunting access options under a Habitat Management Lease, however a mandatory sign-in box to track use is acceptable. Enrollments that are in Block Management should also be structured (via the contract) to provide walk in hunting as a contingency if land is no longer enrolled in Block Management.
   - Defined access area in the contract must include a publicly-accessible route.
   - Minimum access area of 100 acres. Consistent with ARM, projects of less than 100 acres are eligible if the area of influence includes lands with guaranteed public access.

Habitat Cover Assessments and Rental Rates

Field assessments are used to determine eligibility and to establish a basis for setting rental rates. Assessments should be conducted during the growing season to aid with identifying herbaceous species and estimating the potential cover type in the absence of livestock grazing. Grain stubble fields and grass stands dominated by crested wheatgrass are not desirable and should not be included for payment purposes. Parcels with significant noxious weed distribution should be dropped from further consideration.

Lease payments are based on 3 types of wildlife cover: (1) Light, (2) Hiding/Security, and (3) Winter cover.

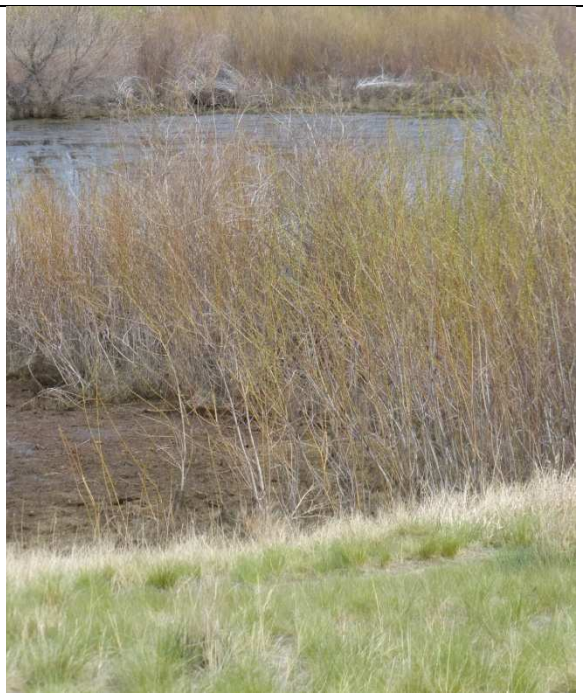
Cover Description	Description	Rental Rates (Payment per acre per year)
Light	Short or sparse cover, open water, mud flats, mixed grass prairie	$10
Hiding/Security	Effective hiding cover where a football is completely concealed from an observer at 15 yards distance	$20
Winter	Tall dense herbaceous or woody cover that provides winter protection (avg. 4' or taller rigid cover), including riparian, emergent vegetation, and brush patches.	$25
Optional weed maintenance payment	An annual weed maintenance payment based on herbicide or treatment receipts.	$2.10* (maximum 160 acres)

*$2.10/acre/year assumes weeds make up 3% or less of the leased property. Therefore 3% of $70/acre chemical treatment = $2.10/acre. This additional payment clarifies who is responsible for weed control and demonstrates the department's commitment to weed management. *If a property is overtaken with weeds, the department should reconsider enrolling that land under a lease.*

The following photos provide examples of cover types.

Stands of basin wildrye 4 feet high and greater provide excellent winter cover for upland game birds.

Cattails are another great example of excellent winter cover.



Willows and other woody vegetation provide winter/thermal cover. In this example, the lease payment would be based on the proportion of winter cover (willow) and light cover (water/mud flats)

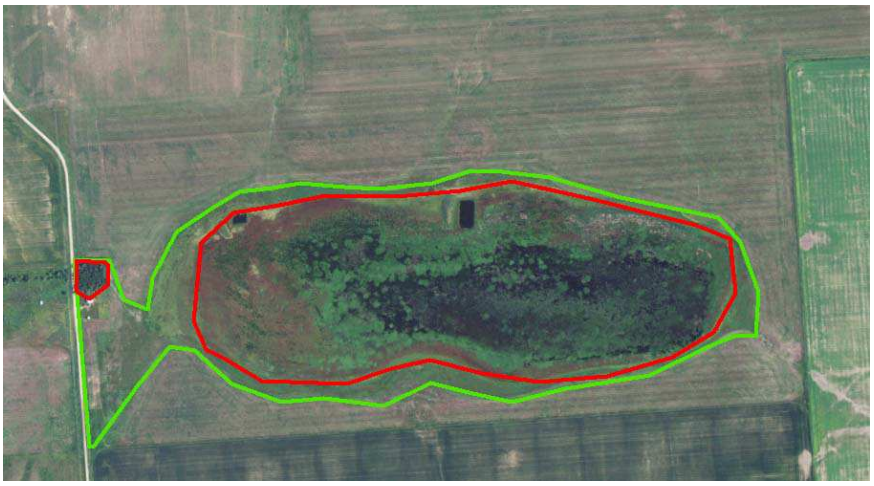
From 15 yards away, the football is hidden to the observer. This photo represents hiding/security cover.

A football is clearly visible to the observer from 15 yards away, indicating light cover. The photo on the left is ungrazed native mixed grass dominated by blue grama. The photo on the right taken in early spring also indicates light cover; however in the absence of grazing, the football will be invisible to the eye within a couple of months, representing hiding cover. In this case, the rental rate would be based on hiding cover.

Defining Management Lease Parcels

Proportions of each cover type are determined by (1) ocular estimate and (2) delineated polygons on aerial image maps using GIS. Examples are provided to show the methods to determine lease payments.

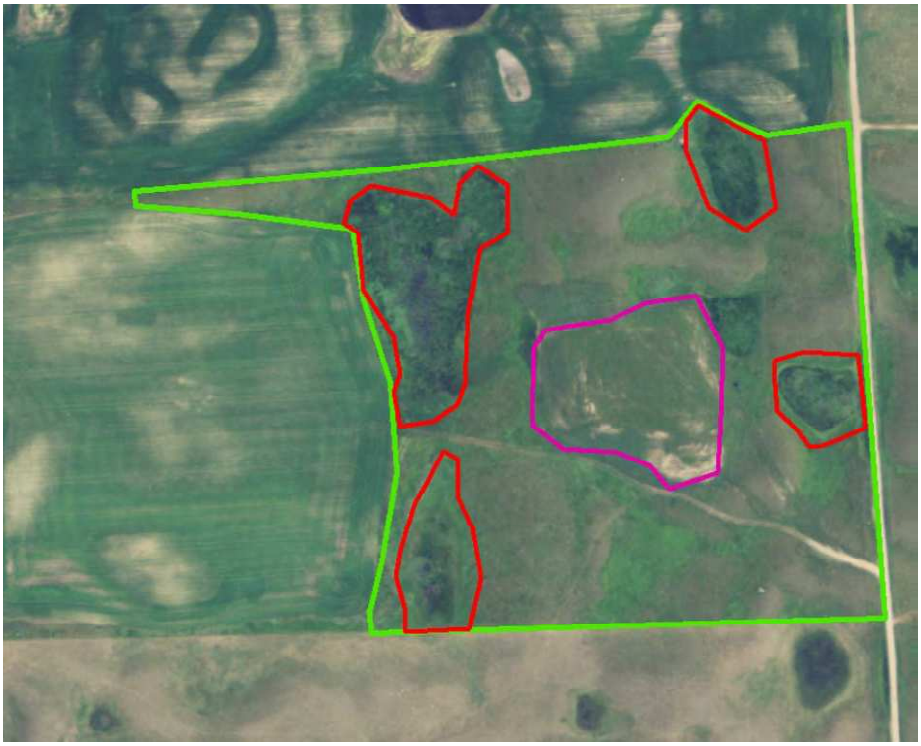
EXAMPLE 1



Lease parcel (green) comprises 150 acres.
120 acres (red) is 60% winter, 27% hiding, and 13% open water/mud flats and 30 acres outside of the red polygon is light cover.

Winter cover: 60% of 120 acres @ $25/acre = **$1,800 per year**
Hiding cover: 27% of 120 acres @ $20/acre = **$648 per year**
Open water/mud flats: 13% of 120 acres @ $10/acre = **$156 per year**
Light cover: 30 acres @ $10/acre = **$300 per year**
Sum of $2,904/year for 150 acres plus up to $315.00 per year for weed control, with receipts

EXAMPLE 2



Lease parcel (green) comprises 37 acres (does not include 5 acres of cropland -- pink)
Winter cover (red): 8 acres @ $25/acre = $200 per year
Hiding cover (outside of red): 29 acres @ $20/acre = $580 per year
Sum of $780/year for 37 acres plus up to $77.70 per year for weed control

Payments and Contract Recordings

Payments generally occur annually; however in some cases when outside funding is used, a onetime payment may be required.

1. Annual Payments
    - Payments are generally issued annually (in January) for the preceding year's enrollment. Field staff submit a verification form to the program coordinator in December that documents whether the terms of the lease have been satisfied or not. If terms have been met, the program coordinator will prepare paperwork to issue an annual payment. If terms have not been met, the program coordinator will be notified and the annual payment may not be issued for that specific year.
    - Lease contracts are not recorded at the county office.

2. Onetime Payments

- Each year, the field staff will monitor the project area and submit a monitoring form to the program coordinator that documents the status of the management lease.
- Contracts are recorded at the county office. If the land is subsequently sold or transferred to a new owner, the department is generally alerted by the county clerk and recorder's office. See Page 30 for more information on contract recording. In this case, the original signatory is required to either buy out of the contract or to work with the new owner to accept the terms under a revised agreement.

Additional Considerations

1) Leases need to avoid directly competing with the current grazing system.
2) Annual monitoring is required to confirm signs, habitat idling, and weed status.

Habitat Conservation Lease Option

Habitat Conservation leases are intended to provide long term basic protection for maintaining priority habitats, protecting against cover conversion that would negatively impact upland game birds (e.g., plowing, herbicide treatments targeting shrubs, prescribed fire, etc.). These leases are typically larger than 160 acres and are mostly restricted to pre-defined priority areas with a focus on native habitats (e.g., sage-grouse core areas). Habitat Conservation leases are generally secured through special sign-ups using a combination of UGBEP funds leveraged with outside funding.

Eligibility and Terms

Habitat Conservation Leases are subject to the following requirements and terms:

- Priority lands will be identified prior to sign-up.
- Enrolled lands are protected for a 30-year term from large scale habitat conversions including herbicide treatments, plowing, burning or other treatments that negatively impact sagebrush, native perennial plants, or other important habitat attributes.
- Landowners retain control of hunting access.
- Habitat Conservation Lease sign-ups may require public access terms to fit the unique conditions of a particular initiative.
- Conservation leases require a standard lease agreement developed specifically for long-term conservation. Each lease agreement is recorded at the respective county courthouse.

Program Compensation

A standard payment rate, based on acres of enrolled habitat, will be identified at the time enrollments are offered.

Grazing Systems

Livestock grazing occurs over most grassland and shrubland habitats of Montana. Consumption, hoof action, and cycling of plant forage by livestock are functions that grassland habitats are adapted to and can benefit from. However, some forms of grazing are more conducive for supporting important habitat components of game birds and other wildlife. The Wildlife Division of FWP has adopted standards for grazing that are detailed in a separate document (Appendix 5). The form of rest rotation grazing described in that document involves growing season grazing, growing season deferment, and a full year of rest in a 3-year treatment rotation. Winter pastures follow an alternating graze and rest treatment pattern. For native plant communities, the rest and deferred rest treatments allow perennial grasses and forbs and woody vegetation to reproduce, establish root mass, and build up carbohydrate stores, providing for plant vigor and reproduction, which in turn supports rangeland diversity, productivity and ecosystem integrity.

For upland nesting game birds, highly productive and intact grassland communities provide a host of habitat benefits that are otherwise marginalized under poor rangeland conditions. In addition to the longer term benefits of plant community health, the annual application of deferred and rest treatments generally provide areas where plants grow to their full potential during the growing season, making these areas more attractive to game birds by enhancing nesting and hiding cover and food availability in the form of insects, leaves, fruits, seeds, and buds.

Purpose
Support livestock grazing that provides for grassland ecosystem productivity and integrity through grazed, deferred and rest treatments, providing effective habitat for game birds and other wildlife.

Contract/Project Life
Minimum of 15 years

Payment/Reimbursement
The UGBEP reimburses landowners for costs associated with establishing the grazing system, such as fences, pipelines, wells, and other infrastructure. The program will pay up to 50% of costs for wells and water lines (MCA 87-1-248-5c) and 75% on all other necessary infrastructure.

Because of the substantial cost of grazing systems, the program's financial contributions can be further leveraged by partnering with Farm Bill programs, such as the Environmental Quality Incentives Program (EQIP), and/or to increase contract length based on a sliding scale.

- Farm Bill: Programs such as the Environmental Quality Incentives Program (EQIP) can generally pay 75% on many improvements, which allows for cost share of *remaining expenses* between the cooperator and UGBEP. Reimbursements for materials and contracted services can only be made after the department receives copies of receipts and an FWP employee confirms proper installation.
- Sliding Scale: The term of the contract is dependent on the amount of program dollars obligated to the grazing system.

UGBEP Funds	Agreement Term
Up to $20,000	15 years
$20,001 - $40,000	18 years
$40,001 and greater	21 years

Specifications and Design

It is the intent of the department to assist landowners with developing grazing systems that account for year round needs of the livestock operation, including growing season and winter systems. FWP's habitat management biologist assists with designing grazing systems to help resolve issues and assure consistency for following department standards. All grazing systems intended for funding through the UGBEP must be signed off by the habitat management biologist.

Habitat Focus
Grazing systems are targeted to areas that provide or have the potential to provide high quality habitat, particularly for grouse species (i.e., sharp-tails, sage-grouse, and dusky grouse).

Terms
A grazing system agreement is used for establishing grazing management systems through the UGBEP. The agreement includes a schedule for cooperators to install improvements and initiate the grazing rotation. Start up time to get infrastructure into place is in addition to the 15 years intended for operating the grazing rotation (which amounts to 5 complete cycles of the 3 year rotation).

Winter Cover

This section describes the more common approaches to improving habitats where winter cover is lacking. Habitat project types described in this section are:

I. Shelterbelts
II. Wetlands

Purpose
To create or enhance winter cover for upland game birds by establishing or enhancing tree, shrub, and other herbaceous components where cover is limited.

Tall, rigid grasses may be alternatives for winter cover (e.g., basin wild rye, tall wheatgrass) – See Nesting Cover section (Page 45)

Contract/Project Life
A minimum of 15 full hunting seasons after stock is planted.

Payment/Reimbursement
Up to 75% cost-share of total project costs (receipts required) or standard cost list

Shelterbelts

Shelterbelts involve planting shrubs to provide effective winter cover. Whereas shrub cover can provide important winter shelter and even food in the form of buds and berries, tall shrubs and trees can also provide habitat for avian predators. In some areas, particularly in expansive prairie settings, tall shrub and tree plantings have the potential to negatively impact neotropic grassland bird production or act as a form of habitat fragmentation. In assessing the anticipated value of establishing a shelterbelt, staff should consider these potentially negative factors.

Shelterbelts tend to have a high risk of failure due primarily to moisture and soil limitations. There are several factors that should be considered by staff when contemplating a shelterbelt project:

- Level of cooperator interest/commitment to shelterbelt establishment and maintenance – If a cooperator is less than enthusiastic about completing the weeding and maintenance requirements, the project should not be undertaken.
- Location of proposed shelterbelt – Projects within a short distance of where operators store their equipment are more likely to be maintained on a regular basis.
- Shrub species selection. Eastern Montana endures droughts that last multiple years and can cause substantial shrub mortality, particularly of species that are not commonly grown in areas affected by drought. Drought tolerance, vulnerability to browsing by deer, and vulnerability to insects are primary considerations when determining appropriate shrub species. Further in this section, "tried and true" species are identified, but even within that list are species that should be selected for or avoided depending on local conditions.
- Deer-proof fences and irrigation can significantly help establish the project, but also add significantly to the cost of a project, and should be considered on a case by case basis. Abundant deer and the likelihood for browsing issues may be a reason for not proceeding with a shelterbelt project idea.
- Ensure the cooperator has time to plant the trees. Nursery stock should be planted within 72 hours of receipt, if at all possible. In all situations, stock should be stored in cool, damp, and dark locations to retain dormancy. Generally, nursery stock from the Montana State Nursery is delivered the 3rd week of April.

Specifications and Design

1. Site Prep (Standard)
   - Site must be free of substantial plant residue and relatively weed free, including sod clumps, stalks, and weeds, to allow planting and fabric equipment to work properly. Soil must be worked sufficiently to allow it to flow freely around trencher, discs, and other soil moving and packing components.
   - Site preparation work requires at least one growing season of multiple tillage passes prior to planting. Former cropped sites that are in stubble will require less work and sod bound sites may require more than one year of tillage before they are ready for planting.
2. Design
   - A minimum of 5 rows, minimum length is 300 feet
   - Block design is preferable to a linear design, recognizing limitations of farm operations and existing landscapes.
   - Planting done in early spring – within 3 days of delivery of shrub stock (prior to planting, materials should be kept moist and stored in a cool (above freezing), dark location to minimize sprouting).

- Shelterbelt must be protected from livestock and when necessary, browsing wildlife.
- Orientation will be in accordance to predominate wind direction.
- Snow capture rows on the windward side of a shelterbelt, intended for capturing drifting snow, may be part of the shelterbelt design.
- When possible, consider the number of bundles needed when designing a shelterbelt and tabulating needs (usually 50 shrubs per bundle).
- The minimum between row spacing is 12 feet; however consideration should be made to accommodate the cooperator's equipment.
- Conifers: only containerized seedlings will be purchased through the program

Plant Types	Mature Height (ft)	In-row Spacing (ft)	Between Row Spacing (ft)
Shrubs	< 10	3 - 6	12-15
Taller Shrubs	10 - 15	6 - 10	15 – 24*

*wide spacing may be necessary if including snow capture rows and for cultivation with larger equipment.

3. Species Selection

Species must be adapted to soils, climate, site conditions, purpose, and landowner's ability. Consider a design where each row contains 2 different shrub species of similar heights and growth to add diversity to the planting and provides additional likelihood of surviving plants in all rows (if a particular species dies out).

Recommended Species

Shrubs (<10 feet)	Taller Shrubs (10 – 15 feet)
[1, 3]Buffaloberry, silver	[1, 5]Chokecherry, Common
Caragana	[4]Hawthorn, Black
Cherry, Nanking	[2]Juniper, Rocky Mountain
Common Lilac	[2]Eastern Red Cedar
Cotoneaster	
[3]Dogwood, Red Osier	
[4]Honeysuckle, Blue-leaf	
[3]Plum, American	
Sumac, Skunkbush	
[4]Seaberry	
[3]Willow spp.	

Key:

[1]Plant in rows mixed with other spp.

[2] Must be containerized to enhance survival

[3]Reserved only for low areas with substantial available moisture in "thicket-type" plantings

[4]Experimental

[5]Particularly vulnerable to browsing by deer

Maintenance

A primary objective when growing a shelterbelt is to conserve available moisture for shrubs, which includes controlling weeds throughout the life of the project. There are several methods used to manage weeds. Because the cooperator is usually responsible for shelterbelt maintenance, discuss these options to determine the best approach to use. One of two basic approaches are required:

- Mulch fabric and tillage (preferred): After shrubs have been planted, begin within-row tillage but only when weeds are present (2 to 3 inches high). Tillage should be shallow (1 – 3") in depth and occur 3 times during the year the shrubs are planted and a minimum of 2 times the following years, during early weed sprouting period and after resprouting occurs. Tillage should not occur late in the growing season when weeds are senescent.
- Mulch fabric and cover crop: Planting a low cover herbaceous plant between shelterbelt rows can protect young shrubs from weeds, reduce soil erosion, harvest snow moisture, and allow better rainwater penetration. Hard fescue is the recommended species due to its short growing season period and low moisture requirement.

Ongoing weed control and other maintenance activities that protect shrubs and enhance their growth is essential for establishing a functional shelterbelt. Shelterbelt growth rates, stature, and longevity are directly affected by maintenance activities. The following table includes additional maintenance specifications.

Mandatory

• Fabric mulch, minimum 6' wide
 	
• Weed Management: includes chemical (Roundup) and/or hand pulling around shrubs, essential during the first two years of growth
 	
• Cultivation between rows – minimum 4 years, preferably ongoing
  • First year of establishment – minimum 3 times a year
  • Years 2 through 4 – minimum of 2x per year
  • Year 5 or later –plant hard fescue or other low-competition species in-between rows. Avoid aggressive herbaceous species that might provide good cover, but ultimately steal moisture from shrubs.
• Chemical fallow between rows is an optional alternative to cultivation.

Optional (as needed)
• Irrigation: If irrigation is used: irrigate 3 to 4 times annually for at least the first 4 years during the growing season. When program funds are used to purchase drip irrigation systems, irrigation will be required for the life of the contract • Livestock exclosure – permanent/temporary • For a temporary wildlife exclosure, install a 3-dimensional electric fence around the perimeter of the shelterbelt. This fence is basically 2 parallel fences only 36" to 38" apart, with the outside fence slightly shorter than the inside fence. For specifications, refer to *A Landowners Guide to Wildlife Friendly Fences, 2nd edition (2012)* p. 50, available on the FWP website. • The addition of a 6 – 12' cultivated strip on all sides of the shelterbelt can serve as a fire guard, aid in the control of weeds, and reduce the amount of competition for available moisture. • Using a snow fence to trap snow into young shelterbelts (first 5 years) can help increase available moisture and enhance growth.

Initial Survival Assessment

At a minimum, successful establishment is indicated when 75 percent of all planted species survive after "leaf out" during spring or summer of Year 2 and no three adjacent shrubs are missing. For maintenance purposes, replant shrubs in Year 3 when the survival is less than 75 percent. When assessing survival, it is important to recognize deciduous shrubs may sprout from the base, even when tops appear dead. Base sprouting is considered alive.

Additional References for Shelterbelt Establishment

- FWP A Landowner's Guide to Wildlife Friendly Fences
- MT NRCS Windbreak/Shelterbelt Establishment Job and Spec Sheets (380)
- MSU Extension: Weed Management in Shelterbelts (**MT201104AG)**
- Montana State Nursery Seedling Handling, Planting, and Care Guide

Wetlands

Shallow wetlands with emergent vegetation can provide excellent brood rearing and winter cover for upland game birds. Depending on the project, funding may come from either the UGBEP or from the Migratory Bird Wetland Program—or a combination of both funding sources. For specifications and design information, refer to the Migratory Bird Wetland Program manual. If the intent of the wetland is to establish dense emergent cover, a survey

of other wetlands in the area can reveal whether a particular site is capable of producing that kind of habitat.

Conservation Easements

Uniquely productive upland game bird habitats that also provide substantial bird hunting opportunities are the focus of conservation easements partially funded with UGBEP dollars. The program is limited to $100,000 towards the purchase of the easement and any habitat enhancement work that may occur on the easement.

Conservation easements funded with UGBEP are handled through the Habitat Montana land acquisition process. Easement information is entered into the program database.

MONITORING

This section focuses on monitoring active habitat projects. If the project is located on private land, regional staff will make arrangements with the landowner to go onsite to monitor the project.

Purpose

Once the habitat project is completed, monitoring serves two primary purposes:

1. Ensuring contract compliance: FWP monitors projects to determine if projects were installed and continue to be maintained, as specified in the contract. Compliance with access terms is primarily done during the hunting season.

2. Evaluating project outcome: FWP gains considerable information by looking at installed components and anticipated versus actual responses in vegetation or other components.

Monitoring Schedule

January of each year, the program coordinator sends each region an updated 5-year monitoring schedule that includes the contract number, cooperator's name and contact information, general project information, and the year the monitoring is to be completed.

Generally, monitoring begins mid-summer and concludes before the fall season. Grazing systems are monitored closer to fall to confirm the rested pastures are not used.

Staff also check to make sure program signs are clearly visible and replace any that are missing or damaged.

The table below provides a general overview of project monitoring frequency for each project type.

Project Type	Frequency of Monitoring	Monitoring Considerations
Nesting Cover	1st Fall and every 3 years thereafter	Check project completion and subsequent checks for haying or grazing outside of contract compliance
Food Plot	Annually, prior to payment (January)	Determine plot is established, provides a food source, and remains unharvested
Shelterbelt	First year of planting and years 2,3, 5, 10, and 15	Verify completion, maintenance activities and survival (in year 3).
Grazing System	During construction and every year thereafter	Check project completion, compliance with scheduled rotation. Generally monitored late summer/early fall.
Sagebrush Leases	Annually or up to every 5 years, depending on project details	Sagebrush leases are monitored every 5 years to determine compliance with sagebrush protection. If annual payments, compliance checks precede payment (January).
Wetland Restoration	During construction and years 4, 7, 11, and 15	Check project completion, compliance with management prescription
Conservation Easements	Annually, Lands Section is the lead	Check compliance of easements
Open Fields and Habitat Lease Options	Annually	Check management compliance and signs.

Documentation

During monitoring visits, contracts and contract amendments are brought along to ensure the specific terms are assessed and monitored. To promote a consistent monitoring assessment, the program monitoring report form includes an instruction page to guide the monitoring process. The monitoring form is filled out electronically with digital pictures inserted. Regional staff must upload monitoring forms (PDF or Word) to the program database located on the internal website.

Program Compliance

All compliance issues must be reported to the coordinator. The table below presents 3 different scenarios and approaches to address contract compliance.

Determination	Action
Compliant	• If the project is deemed compliant with the terms of the contract, the program coordinator will send the cooperator a letter on behalf of the region that recognizes the project is in compliance. • If the project is found to be in need of improvement despite the cooperator maintaining the project as outlined in the contract, the region should work with the cooperator to identify additional steps that might result in project success. An amendment may be required to add practices or additional costs—cash or in-kind—to the original contract.
Non-compliant (extenuating circumstances)	• If scheduled work has not been completed under the term(s) agreed upon in the contract because of unanticipated circumstances (e.g., bad weather), regional staff will notify their wildlife manager and the program coordinator. Staff will work with the cooperator to modify the contract through an amendment if an extension is deemed appropriate.
Non-compliant (negligence)	• If scheduled work was not completed in a reasonable timeframe and no UGBEP funds were spent on the project, the contract will be cancelled by FWP. • If the cooperator of a signed contract has been negligent in fulfilling the terms, and they do not work to rectify the situation, the program coordinator will work with Wildlife Division and regional staff to seek repayment.

APPENDIX 1: 2015 COST LIST

NOTE: Cost-lists will be updated annually, generally coinciding with NRCS updates.

To determine the Program's cost share, multiply the total cost by the appropriate cost-share percentage.

Nesting Cover			
Component	***Unit***	***100% Cost per Unit***	***Notes***
CRP CP2/CP25 Seed Mix	Acre	NA	UGBEP contributes up to 35% seed costs, but not more than $30/acre
Perennials - Introduced	Acre	$60.33	Includes seedbed prep, materials and labor, tractor fuel
Perennials - Native	Acre	$53.57	Includes seedbed prep, materials and labor, tractor fuel

Winter Cover			
Component	***Unit***	***100% Cost per Unit***	***Notes***
Shelterbelt Establishment: site prep, herbicide, stock, fabric, labor	Shrub	$5.45	Subtract total cost of mulch fabric from final figure (because FWP purchases fabric directly); fabric layer rental not included in unit cost.
Supplemental plantings: replacing areas where shrubs/trees have died	Shrub	$4.68	
Mulch Fabric: 6' x 300'	Roll	$123.00	Freight included
Shelterbelt Irrigation	Sq.-Ft	$0.10	Includes all appurtenances
Fence: Electric	Ln-Ft	$1.77	includes posts, wire, fasteners, gates, fence charger, two to three strand wire

To determine the Program's cost share, multiply the total cost by the appropriate cost-share percentage.

Winter Food, Brood, and Cover Plots			
Component	***Unit***	***100% Cost per Unit***	***Notes***
Perennials - Introduced	Acre	$60.33	
Perennials - Native	Acre	$53.57	
Winter Food and Cover Plot	Acre	$200.00	For existing stands or planned planting; generally used for private lands

Grazing Management			
Component	***Unit***	***100% Cost per Unit***	***Notes***
Drinking Tank w/ storage: less than 500 gallons	Gallon	$3.51	Installation includes tank, earthwork, sub-grade prep, hydrant, overflow, apron, all valving, and all other appurtances from inlet to outlet.
Drinking Tank w/ storage: 500 - 1,000 gallons	Gallon	$2.79	
Drinking Tank w/ storage: 1,000 - 5,000 gallons	Gallon	$2.48	
Fence: 3-5 barbed or smooth wire	Ln-Ft	$2.50	Includes labor
Fence: Electric	Ln-Ft	$1.80	includes posts, wire, fasteners, gates, fence charger, two to three strand wire
Fence Removal and Disposal	Ln-Ft	$0.34	
Pipeline	Varies	Varies	**Limited to 50% Cost-share.** A written cost estimate provided by cooperator that includes costs for trenching, installation, and material. Reseeding may be necessary.
Pumping Plant	Varies	Varies	**Limited to 50% Cost-share.** A written cost estimate provided by cooperator that includes installation and all materials.
Well: 100 - 600 foot depth with 4-inch casing	Lin.-Ft	Varies	**Limited to 50% Cost-share.** A written cost estimate is provided by cooperator that includes costs for materials and installation.
Well: 100 - 600 foot depth with 6-inch casing	Lin.-Ft	Varies	**Limited to 50% Cost-share.** A written cost estimate is provided by cooperator that includes costs for materials and installation.

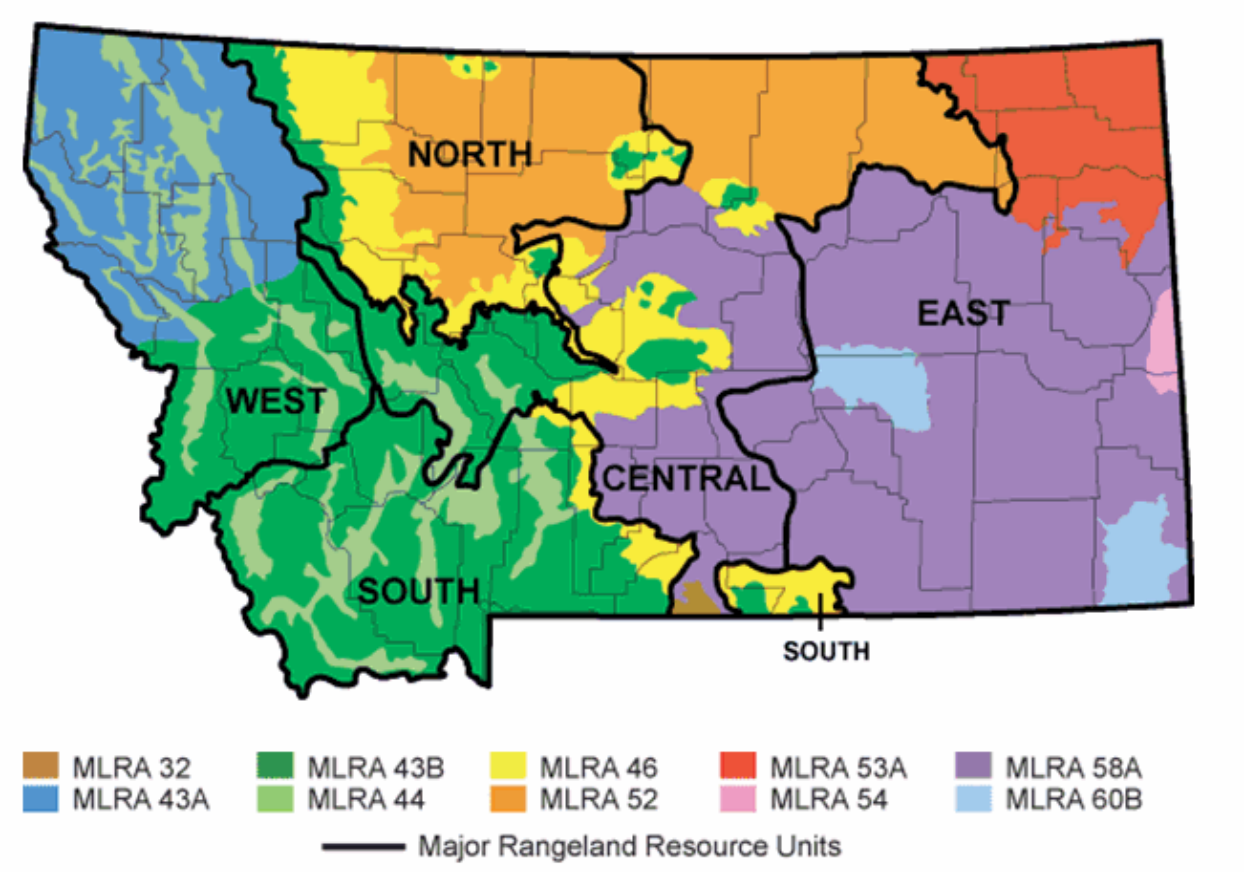
To determine the Program's cost share, multiply the total cost by the appropriate cost-share percentage.

Maintenance Activities			
Component	**Unit**	***100% Cost per Unit***	**Notes**
General labor	Hour	14.99	General labor, used to estimate volunteer labor (in-kind)contributions
Herbaceous Weed Control Mechanical	Acre	$59.39	Hand pulling using hand tools
Herbaceous Weed Control Chemical - spot spraying	Acre	$107.34	Hand-carried equipment used to apply chemicals
Herbaceous Weed Control Chemical - ground	Acre	$70.00	Ground equipment used to apply chemicals
Field Cultivation (shallow)*	1-pass per acre	$55.00	
Mowing*	Acre	$8.85	
Plowing (moldboard)*	Acre	$12.17	
Seeding – regular drill*	Acre	$13.69	Small grain, no fertilizer
Seeding – air drill*	Acre	$15.62	
Seeding – no till*	Acre	$16.27	
Tillage – Deep*	1-pass per acre	$10.93	

*includes labor, fuel, and tractor time – 2013 North Dakota Custom Farm Rates

APPENDIX 2. PLANT SPECIES BY SOIL TYPE AND REGION

This section may be used as a guide to help staff plan for establishing herbaceous vegetation. The map is color-coded to match tables found on the following pages for specific FWP regions. The tables provide examples of recommended herbaceous plantings adapted from NRCS Ecological Site Descriptions. Currently, recommended species for Region 3 are not available.



Region 3 recommended species not available online.

*Soil Type: c= clayey soils, sa = sandy soils, si = silty soils

** C = Cool Season, W = Warm Season, I = Irrigated, D = Dryland, S = Spring Preferred Seeding, F = Fall Preferred Seeding, NP = No Seasonal Seeding Preference.

Saline Soils	Variety	Origin	*Cool/Warm Irr/Dry Spring/Fall*
GRASSES			
Alkali sacaton	Common	N	W/D/NP
Basin wildrye	Trailhead	N	C/D/NP
Intermediate WG	Oahe, Rush, Reliant	I	C/I or D/NP
Orchard grass (R7 only)	Chinook	I	C/I/NP
Pubescent WG	Luna Topar	I	C/I or D/NP
Reed Canarygrass	Common	I/N	C/I/NP
Streambank WG	Sodar	N	C/D/NP
Western WG	Rosana Rodan	N	C/D/NP
Tall WG		I	
FORBS & LEGUMES			
Alfalfa	Ladak 65	I	N/A /I or D/NP
Aster spp			
Ruby Valley Point Vetch			

R4 (N) R6 (W) *(Soil Type)	Variety	Origin	**Cool/Warm Irr/Dry Spring/Fall
GRASSES (80-85%)			
Basin Wildrye	Trailhead	N	C/D/NP
Bluebunch WG (sa, si)	Goldar	N	C/D/NP
Green needlegrass (c, sa, si)	Lodorm	N	C/D/F
Indian ricegrass (sa)	Rimrock	N	C/D/F
Little bluestem (sa, si)	Badlands	N	W/D/S
Needleandthread (sa, si)	Common	N	C/D/NP
Prairie sandreed (sa)	Goshen	N	W/D/S
Slender WG (short-lived)	Pryor, Copperhead	N	C/D/NP
Streambank	Sodar	N	C/D/NP
Tall WG		I	C/D/NP
Thickspike WG (c, sa, si)	Critana	N	C/D/NP
Western WG (c, sa, si)	Rosana	N	C/D/NP
FORBS & LEGUMES (10-15%)			
American vetch (c, sa, si)		N	N/A/D/F
Prairie coneflower (c, sa, si)	Stillwater	N	N/A/D/NP
Purple prairie clover (c, sa, si)	Bismarck	N	N/A/D/NP
White prairie clover (c, sa, si)	Antelope	N	N/A/D/NP
Shrubs/Half Shrubs (5%)			
Nuttall saltbush (c, sa, si)			
Rose (R6W) (sa, si)			
Silver sagebrush (sa, si)			
Snowberry (sa, si)			
Winterfat (c, sa, si)			

Soil Type: c= clayey soils, sa = sandy soils, si = silty soils

* C = Cool Season, W = Warm Season, I = Irrigated, D = Dryland, S = Spring Preferred Seeding, F = Fall Preferred Seeding, NP = No Seasonal Seeding Preference.

Region 5 *(Soil Type)	Variety	Origin	**Cool/Warm Irr/Dry Spring/Fall
GRASSES (85-90%)			
Basin Wildrye	Trailhead	N	C/D/NP
Bluebunch WG (sa, si)	Goldar	N	C/D/NP
Green needlegrass (c, sa, si)	Lodorm	N	C/D/F
Needleandthread (sa)	Common	N	C/D/NP
Prairie sandreed (sa)	Goshen	N	W/D/S
Thickspike WG (c, sa, si)	Critana	N	C/D/NP
Western WG (c, sa, si)	Rosana	N	C/D/NP
FORBS & LEGUMES (10-15%)			
Purple prairie clover (c, sa, si)	Bismarck	N	N/A/D/NP
Prairie coneflower (sa)			
White prairie clover (c, sa, si)			
SHRUBS/HALF SHRUBS (1-5%)			
Fourwing saltbush (c)			
Nuttall saltbush (c, sa, si)			
Skunkbush sumac (s)			
Winterfat (c, sa, si)			

Region 6E *(Soil Type)	Variety	Origin	**Cool/Warm Irr/Dry Spring/Fall
GRASSES (80%)			
Basin Wildrye	Trailhead	N	C/D/NP
Green needlegrass (c, sa, si)	Lodorm	N	C/D/F
Indian ricegrass (sa)	Rimrock	N	C/D/F
Little bluestem (sa, si)	Badlands	N	W/D/S
Needleandthread (sa, si)	Common	N	C/D/NP
Prairie sandreed (sa)	Goshen	N	W/D/S
Sideoats grama (si)			
Thickspike WG (c, sa, si)	Critana	N	C/D/NP
Western WG (c, sa, si)	Rosana	N	C/D/NP
FORBS & LEGUMES (15%)			
American vetch (c, sa, si)		N	N/A/D/F
Missouri goldenrod (sa)			
Purple prairie clover (c, sa, si)	Bismarck	N	N/A/D/NP
White prairie clover (c, sa, si)			
SHRUBS/HALF SHRUBS (1-5%)			
Nuttall Saltbush (c, sa, si)			
Rose, Woods' (s, si)			
Silver sagebrush (sa, si)			
Winterfat (c, sa, si)			

Soil Type: c= clayey soils, sa = sandy soils, si = silty soils

* C = Cool Season, W = Warm Season, I = Irrigated, D = Dryland, S = Spring Preferred Seeding, F = Fall Preferred Seeding, NP = No Seasonal Seeding Preference.

Region 7 *(Soil Type)	Variety	Origin	**Cool/Warm Irr/Dry Spring/Fall
GRASSES (75-80%)			
Basin Wildrye	Trailhead	N	C/D/NP
Bluebunch WG (sa, si)	Goldar	N	C/D/NP
Green needlegrass (c, sa, si)	Lodorm	N	C/D/F
Little bluestem (sa)	Badlands	N	W/D/S
Montana WG (c)			
Needleandthread (sa)	Common	N	C/D/NP
Prairie sandreed (sa	Goshen	N	W/D/S
Thickspike WG (c, sa, si)	Critana	N	C/D/NP
Western WG (c, sa, si)	Rosana	N	C/D/NP
FORBS & LEGUMES (5-15%)			
Aster spp (sa)			
Black Samson (sa)			
Prairie coneflower (sa)			
Purple prairie clover (c, sa, si)	Bismarck	N	N/A/D/NP
Scurfpea spp (si)			
White prairie clover (c, sa, si)			
SHRUBS/HALF SHRUBS (1-5%)			
Silver sagebrush (sa)			
Winterfat (sa)			
Wyoming big SB (sa)			

Introduced	Variety		**Cool/Warm Irr/Dry Spring/Fall
GRASSES			
Intermediate WG	Rush, Reliant		C/I or D/NP
Meadow Bromegrass	Fleet, MacBeth, Montana, Regar, Paddock		C/I or D/NP
Pubescent WG	Manska		C/I or D/NP
Orchard Grass	Chinool, Lata, {ptpmac, Paiute		C/I/NP
Reed Canarygrass	Common		C/I/NP
FORBS & LEGUMES			
Alfalfa	Ladak 65	I	N/A /I or D/NP
Milkvetch, Cicer	Lutana, Monarch, Windsor	I	N/A /I or D/NP
Sanfoin	Eski, Melrose, Remont, Shoshone, Delaney	I	N/A /I or D/NP
Small Burnet	Delar	I	N/A D/NP
Strawberry Clover	Common	I	N/A I or D/NP
Yellow or White Sweetclover	Common	I	N/A I or D/NP
SHRUBS/HALF SHRUBS			

References

NRCS Seeding Rates and Recommended Cultivar Guide

APPENDIX 3: BASIN WILD RYE SEEDING AND MAINTENANCE

BWR does not compete well with aggressive, introduced grasses during the establishment period, but it is very compatible with slower developing natives such as bluebunch wheatgrass, thickspike wheatgrass, streambank wheatgrass, western wheatgrass, and green needlegrass.

Cultivar: Trailhead
Soils: Optimal on silty and clayey soils.

1. Site Prep: See standard for shelterbelt site prep. If early weeds show up, use Roundup on the site prior to seeding to slow down competition, especially if cheatgrass is present.

2. Seeding: Disc or deep furrow drill at a depth of 1/4 to 3/4 inch on medium to fine textured soils and 1 inch or less on coarse textured soils.

Single species seeding rate recommended for basin wildrye is 8 pounds Pure Live Seed (PLS) per acre or 24 PLS per square foot or 24 PLS seeds per linear row foot at 12 inch row spacing. If used as a component of a mix, adjust to percent of mix desired. For rangeland mixtures, approximately 10 to 20 percent of mix or 1 to 2 pounds PLS per acre should be considered.

The best seeding results are obtained from seeding in very early spring on heavy to medium textured soils and in late fall on medium to light textured soils.

3. Weed Control: For winter plantings where broad leaf weeds are not desired and are overly competitive with BWR establishment, Bromoxynil has shown to be effective when applied at the 3-4-leaf stage of grass for early suppression of young broadleaf weeds. Application of 2,4-D should not be made until plants have reached the 4-6-leaf stage. Mowing is not allowed for winter habitat plantings.

Appendix 4: FWP/DNRC MOU

Memorandum of Understanding

Between

The Montana Department of Natural Resources and Conservation (DNRC)

And

Montana Fish, Wildlife and Parks (MFWP)

Concerning Upland Game Bird Enhancement Program Projects Located on School Trust Lands

Whereas, Department of Natural Resources and Conservation (DNRC) and Montana Fish, Wildlife and Parks (MFWP) recognize the economic and social benefits to Montana of upland game bird hunting, particularly for many small communities in eastern Montana; and

Whereas, farming practices in general have changed over time, resulting in larger fields and less habitat diversity; and

Whereas, upland game bird hunting access for the public continues to dwindle, making remaining publicly accessible habitats very important to hunters; and

Whereas, a partnership of individuals and conservation organizations are available to support conservation and enhancement of habitats that are accessible to the public; and

Whereas, many State School Trust lands provide or have the potential to provide substantial habitat for upland game birds and public upland game bird hunting.

Now, therefore, DNRC and MFWP agree to the following:

1) **Purpose** – This agreement provides a framework for establishing Upland Game Bird Enhancement Program (UGBEP) projects on School Trust Lands. These projects are recognized by both parties as providing improved wildlife habitat, improved productivity and diversity, improved and expanded recreational opportunity, and, in many, cases conservation and enhanced sustainability of agricultural resources on School Trust Lands.

   This MOU shall not supersede existing laws, rules or regulations of either party, nor require commitment of personnel or funds beyond legal authorities or appropriations.

2) **Authorities** – The Department of Natural Resources and Conservation (DNRC), on behalf of the Board of Land Commissioners (Board), is charged with the duty of managing state trust lands to provide income, which is applied to the budgets of the beneficiary institutions. The authority for the management of the state trust lands is set out in Title 77 of the Montana Codes Annotated (MCA), and Article X, Section 4 of the 1972 Constitution. The Board is empowered through Sections 77-1-202 and 203, MCA, to manage state lands under a multiple-use management concept. The State shall utilize the various resources of the state lands in a combination that meets the needs of the people and beneficiaries of the trusts. Management of the resources is to be harmonious and must not result in impairment of the productivity of the land.

   "General recreational use" of state lands is defined in Section 77-1-101(5), MCA. Sections 77-1-202(2), MCA, and 77-1-804, MCA authorize the Board to adopt rules for recreational use of state lands.

   Montana Fish, Wildlife and Parks (MFWP) has jurisdiction over the administration of the Upland Game Bird Enhancement Program. This jurisdictional authority is defined in Sections 87-1-246 through 87-1-250, MCA. Landowners qualifying for Upland Game Bird Enhancement Program projects must allow public hunting in accordance with reasonable use limitations 87-1-248(4), MCA.

3) **Department Liaisons** – Each party shall appoint a specific individual who shall be the contact person to facilitate communication and coordination in the implementation of this MOU. The MFWP contact person is Ken McDonald, Chief of Wildlife. The DNRC contact person is Dan Dobler, Recreational Use Program Coordinator.

4) **Actions Contemplated** - UGBEP projects on School Trust lands may include food plots, nesting cover seedings, shelterbelts, wetland developments, grazing systems, and other treatments or management practices that serve to enhance cover or food values for upland game birds.

5) **Compensation to the School Trust Fund**

   a) Both parties maintain a separate agreement, whereby MFWP provides contribution to the School Trust Fund, based on the sale of Montana conservation licenses for the allowance of public hunting and fishing on School Trust Lands.

   b) Many UGBEP projects are complementary or even beneficial to existing agricultural land uses.

c) All tangible improvements funded by the UGBEP on School Trust Lands become property of DNRC upon installation, subject to terms in the Project Agreement.

d) Some UGBEP projects may result in a loss of agricultural income that will require compensation. Compensation would be set at a level reflective of lost revenue because of diminished agricultural income. MFWP and partners would be responsible for funding compensation.

6) **Project Cooperator** – UGBEP projects may be developed and implemented directly by MFWP or by a Project Cooperator. The Project Cooperator is a separate entity responsible for securing funding and implementing and maintaining a project. Past examples of Project Cooperators have included Pheasants Forever volunteers and State Land lessees. The Project Cooperator is a signatory to the Project Agreement, along with MFWP. DNRC will attest to the Project Agreement through signature.

7) **Project Funding** – Projects completed under this MOU may be funded from a variety of MFWP program and partner sources.

8) **Project Requirements**

a) Projects shall be open to public upland game bird hunting.

b) Installed projects shall remain in place at least as long as the term of the Project Agreement.

c) Agreement length for projects on School Trust Lands may be negotiated beyond standard agreement length, based on cost, life of project, public benefits and other factors.

d) Shelterbelts shall be retained during the life of the shelterbelt, regardless of contract length. MFWP shall be consulted by DNRC before a shelterbelt is removed.

e) Grazing system rotations shall be adhered to by the lessee who originally cooperated on the project and subsequent lessees for the term of the agreement.

f) Outfitting shall be prohibited within the defined project access area, as defined in the Project Agreement.

g) Lessee who originally consents to a project and subsequent lessees shall be required to adhere to terms identified within the Project Agreement for the term of said Agreement.

9) **Project Development** – the following process shall be followed when developing, implementing, and maintaining an UGBEP project on School Trust Land.

   a) MFWP and DNRC local staffs, along with project cooperator—as appropriate, meet to discuss project concept and extent.

   b) MFWP / Cooperator and/or DNRC meet with affected lessees to discuss project ideas and seek lessee's consent. Affected parties will negotiate agreement length.

   c) Project proposal is routed through normal MFWP review process.

   d) MFWP and/or the Project Cooperator shall present a Project Agreement for signature to DNRC that includes project description and map, project components, funding and labor obligations, dates of implementation and completion, funding source(s) and amount, maintenance plan with obligations and schedule, and project length.

10) **DNRC Project Review**

   a) The project shall have negligible adverse effect on revenue, unless the practices are considered part of normal agricultural operations for the area whereby it may be determined that the project may maintain or increase revenue. A plan to compensate the School Trust Fund shall be established when it is determined the project may negatively affect revenue.

   b) The State Land lessee must consent to the project at the time of its development and may be a signatory to the Project Agreement.

11) **DNRC Project Approval** – Projects are approved upon signature in the Project Agreement of the Regional and Area DNRC Managers.

12) **Project Failure** – If a project fails, both DNRC and MFWP shall agree in writing as to the failed condition and the corresponding actions or allowances necessary to restore the project or restore the project site to an appropriate condition. MFWP shall work with the project cooperator, as appropriate, to rectify project failures.

13) **Term** – This MOU shall continue in effect for a period of ten (10) years from the date of final execution, unless formally terminated by either party prior to that date. This MOU may also be extended for up to another 10 years through a formal signed amendment.

14) **Amendment** – This MOU may be amended by either party at any time prior to expiration. Said amendment shall be proposed in writing, and shall not be officially adopted until agreed to in writing by both parties and duly executed.

15) **Cancellation** – Either party to this MOU may unilaterally terminate the agreement prior to the expiration date by providing sixty (60) days notice in writing to the other party. All completed Project Agreements, Supplemental Lease Agreements, and Easements shall remain in effect for the life of the project should this MOU be terminated.

Signatories

Date: 11/3/11

Mary Sexton, Director
Department of Natural Resources and Conservation

Date: 10/26/11

Joe Maurier, Director
Montana Fish, Wildlife and Parks

Finalized December 10, 2010

FWP MINIMUM STANDARDS FOR GRAZING LIVESTOCK

Introduction

The following grazing standards represent the minimum required by FWP of a landowner who reserves the right to pasture and graze livestock (private and public land). These standards apply to all FWP funded projects; at times it may be necessary to provide more rest from grazing than described as minimum to meet specific wildlife or fisheries habitat objectives. The minimum is most frequently applied (without additional adjustment for wildlife and fisheries needs) on projects like conservation easements and Upland Game Bird Habitat Enhancement Projects where the property remains in private ownership and agricultural use remains the primary objective. On FWP WMAs, wildlife production and habitat conservation are the primary objective and when livestock grazing occurs it is not unusual for the amount of rest from livestock grazing to exceed that required by the minimum standard. Also, on some areas where wildlife production is the primary objective, grazing intensity may be reduced to a level significantly lower than allowable by the minimum standard. These standards are designed to address management of both upland and riparian landforms.

Why a minimum standard?

Livestock grazing is the predominant land use in Montana. As the state's primary fish and wildlife management agency, FWP is actively involved with livestock grazing as it influences fish and wildlife habitats throughout Montana. About 2.4 million cattle are maintained in Montana. Livestock grazing occurs on about 69% of the state's land surface. Potential impacts to fish, wildlife and their habitats caused by grazing are well documented in the literature. Also well documented are potential benefits for conservation that can be derived for some wildlife species through carefully planned livestock grazing strategies. Conserving wildlife habitat while continuing livestock grazing typically requires management strategies that differ from those employed for the sole purpose of maintaining a sustainable livestock forage base that maximizes livestock production. One reason for the difference in management strategies is because vegetation is much more than a forage base for wildlife. Vegetation species composition, structure, and diversity are important aspects of cover essential to the survival and production of wildlife. Healthy riparian communities are critical not only for aquatic species but for proper channel and flood plain function. Seventy-five percent of all Montana wildlife species rely on riparian areas for all or a portion of their lives. This includes many species covered in the FWP’s Comprehensive Fish and Wildlife Strategy. When livestock grazing occurs, it is not unusual for cover to be the population limiting factor for many species. Aldo Leopold referred to this concept of habitat quality as 'Quality of Landscape'. Addressing cover is especially important in implementation of FWPs Comprehensive Fish and Wildlife Strategy. It is therefore possible that a livestock operator may be employing a grazing strategy that maintains a sustainable forage base on most of the property, but may not be providing adequate forage, cover, or floral diversity for important fish and wildlife species.

Sustainable livestock production often employs grazing strategies emphasizing production and maintenance of grass species while placing less emphasis on the maintenance of forbs and woody plants. Many wildlife species require grazing strategies that emphasize healthy woody plants and availability of forbs and grass seed heads on at least portions of the landscape every year. The maintenance of robust woody vegetation and cover is also a very important component of healthy riparian systems. Healthy ecological systems are essential for a variety of aquatic and terrestrial riparian obligates.

The purpose of FWPs minimum grazing standards to achieve a balance between maintaining sustainable agriculture and quality fish and wildlife habitat on working ranches yet provide flexibility to conserve and protect habitat needs where they are the primary objective and agriculture is secondary. FWP has applied the standard successfully over the past 30 years on a variety of projects ranging from working cattle ranches to FWP WMAs. There are examples in Montana and other states where a grazing standard similar to FWPs is being applied by livestock operators independent of FWP.

Grazing Plan

Prior to grazing livestock the Landowner and FWP must agree upon and implement a grazing plan. A grazing plan includes a map of the pastures, a grazing formula specific to those pastures, the class of livestock, and other information pertinent to the management of livestock. Format for the grazing plan is included as part of the management plan template for conservation easements. The grazing plan will be included as part of the Management Plan for easement projects, and will define the limits and extent to which grazing may occur. The Management Plan may be amended by mutual consent, as more particularly described in Paragraph II.E. of the Conservation Easement. For other projects the management plan will be included as an attachment to the grazing lease or contract. On conservation easements the grazing plan will be enforceable only on lands covered by the easement.

Upland Minimum Grazing Standard for Summer/Fall Systems

This standard applies to upland pastures in native plant communities (i.e. generally on soils that have never been plowed) and for all riparian pastures. The grazing plan must meet or exceed minimum levels of periodic rest from livestock grazing to allow native plants adequate opportunity to reproduce and replenish root reserves. The minimum amount of rest required for any pasture grazed in one year during the plant growing season is defined as rest throughout the following year's growing season (i.e. grazing deferred until seed-ripe), followed by one year of yearlong rest, as shown in Table 1. Each pasture receives only one grazing treatment per year, and the treatments are rotated annually as shown in Table 1. The growing season is defined as beginning with the period of rapid plant growth (generally early to mid-May) until seed-ripe for the latest maturing native grasses, such as bluebunch wheatgrass or western wheatgrass (generally early August). Because the exact dates can vary as much as a few weeks depending on the location in Montana, specific dates for livestock movement are developed for each project. Occasionally it may be necessary for the grazing system to

allow for some livestock to be in the pasture scheduled for the A treatment (Table 1) beyond the growing season.

A three-pasture grazing system is used as an example (Table 1) to show how the landowner might typically rotate livestock through pastures to meet the minimum levels and required sequence of rest from livestock grazing. In practice, the landowner is not limited to any particular number of pastures; many projects include more than three pastures. In some instances, sub-pastures are employed to meet riparian or other objectives on the land. If livestock are grazed, they must be moved through the pastures in compliance with these standards and the grazing plan. Where grazing occurs during the growing season, the three-treatments outlined in Table 1 are essential and the total number of pastures and/or sub-pastures will vary between projects.

Table 1. Livestock Grazing Formula using a three pasture approach as an example.

Grazing Seasons	Pasture 1	Pasture 2	Pasture 3
Year One	A	B	C
Year Two	B	C	A
Year Three	C	A	B
When all treatments have been applied to all pastures, the grazing rotation begins again at year one.			
A = livestock grazing allowed during the growing season; B = livestock grazing begins after seed-ripe time; C = rest from livestock grazing yearlong.			

Winter and/or Early Spring Grazing

In some situations, an early grazing treatment (prior to mid- May) may be considered. However, it must be kept in mind that grazing capacity and forage production in the year a pasture is grazed from winter to beyond mid-May, will be temporarily reduced. On projects where early spring grazing (prior to rapid plant growth) is combined with summer (active growing season) grazing the three grazing treatments described in Table 1 must be employed.

It is usually more efficient to manage winter grazing separately from spring-summer grazing. If livestock are to be grazed in a native range or riparian pasture in winter or early spring (generally December through early May), and a separate grazing formula is required, it must be coordinated with the summer-fall grazing system as follows: Minimum required rest in pastures where livestock are grazed and/or fed hay during winter is one winter of rest in every two (2) years. Hay, grain, salt, protein or other supplements will not be placed in riparian areas during winter or any other season. Minimum required rest in pastures where livestock are grazed in spring, prior to early May, is one spring of rest in every two years. Any pastures grazed later in spring than early-mid May require the greater amount of rest shown in the table 1. As a minimum, when grazing is limited to winter or the non-growing season period, a two-pasture alternate use approach is frequently used. The area designated for winter grazing is divided into two pastures and each year one pasture is grazed during winter months and the other rested and use is alternated from year to year.

During winter months cattle tend to concentrate in wooded areas (shrub or tree-dominated areas) for shelter. This must be kept in perspective when assessing the impacts to woody vegetation. It is often the case that with careful placement of hay, cattle impacts to woody vegetation can be kept to a small portion of the area. If this is not the case, it might be necessary to fence a portion of the woody vegetation to protect it from damage, but should only be done once efforts to control livestock distribution by other means have proven ineffective. An acceptable level of impact will vary depending on the objectives (i.e. a level of woody vegetation impact acceptable for a working cattle ranch may be much different than for a WMA).

Scope

The goal is to include as much of the lands under easement as possible within the grazing system, but one must be realistic in recognizing the animal husbandry needs of a livestock operation. It may be necessary to set aside small areas as animal husbandry units to be used at the landowner's discretion. Such areas might include calving pastures, branding pastures, sorting pens, bull pastures, or holding corrals. As long as the majority of the lands involved are within a grazing system, meeting the minimum standards, this is acceptable.

Non-native Pasture

It is common for livestock operators to have pastures on their land that are non-native range. The landowner's goal is usually to keep these pastures productive as non-native pasture. The pastures typically are seeded with an exotic pasture grass or grass mix. On occasion forbs like dry-land alfalfa are included in the planting. The FWP minimum grazing standard does not apply to these pastures. In cases of non-native pasture a grazing strategy that is coordinated with the grazing system and meets the needs of the ranch should be worked out. In the case of crested wheatgrass pasture it may be necessary to allow grazing early (late-winter or early spring) each year to maintain palatability. In the case of other pasture grasses, such as smooth brome, a deferred approach works well; a pasture is grazed during the growing season in year one then deferred from grazing until near seed-ripe in year 2 (about the time such grasses would normally be harvested as hay). This will maintain the productivity of the non-native species until replanting is necessary and in some cases maintain them as attractive feeding sites for large wild ungulates. It is important to keep in mind that these areas, unlike native range, are essentially cropland and whether grazed or left idle will eventually need some sort of agricultural practice to maintain their productivity.

It is usually best to leave irrigated pasture management to the landowner's discretion. If important riparian is included in the field it might be necessary to fence the riparian zone from the irrigated pasture to protect it from livestock grazing. Usually grazing strategies employed on irrigated pasture are not consistent with proper management of key native riparian plants. In such situations it may be necessary to apply the guideline *Series entitled: The Need for Stream Vegetated Buffers Parts 1 through 3,* Montana Department of Environmental Quality 2008.

Livestock operators often place cows in hayfields during winter months. In such cases the field should be managed at the landowner's discretion and in some instances it might be necessary to fence out riparian from the hayfield to protect it from grazing.

Stocking Rate

Usually FWP does not require a maximum stocking rate as part of the grazing strategy on easements or Upland Game Bird Habitat Enhancement Projects. In such cases it is clearly stated in the grazing plan, that the maximum stocking rate will be ultimately determined by the operators ability to conform to the grazing system. In other words the livestock numbers may increase as long as the plan can be followed and livestock movement dates are not compromised. Such an approach is consistent with the reality that, for most easement projects, the primary use of the land is agricultural.

Occasionally a landowner has requested that an upper limit stocking rate be established as a stipulation in the easement. As long as the number of livestock is realistic this is not a problem.

On lands owned by FWP any grazing that occurs will be at stocking levels determined by the agency and approved by the FWP Commission.

Mineral and Other Supplements

On privately owned grazing lands the landowner is given more discretion on locations for placement of mineral block than on FWP lands. However, regardless of land ownership the placing of mineral block within riparian areas will be strongly discouraged. On FWP lands the placement of mineral block will be described as part of the grazing plan. Supplements will be placed away from riparian areas, ponds, and roads. Rocky (stable soil) areas on ridge tops or in the trees are preferred sites.

On FWP lands livestock within pasture grazing systems are not to be fed hay.

Flexibility

Rarely, a severe environmental influence (i.e. fire, drought, grasshoppers) may require a onetime deviation from the prescribed grazing plan. In such cases the landowner is to notify the local FWP representative of the problem. In a timely manner the local FWP representative, Habitat Section representative, and landowner will meet to discuss the issue and work out a solution. It is important to keep in mind that short term adjustments to the grazing plan must be the exception rather than the rule. Allowing grazing to occur in a pasture scheduled for rest is always a last resort. FWP has managed grazing systems across Montana through a variety of severe environmental events. This experience has shown that when a legitimate problem exists an alternative can usually be found that avoids grazing the pastures scheduled for rest.

APPENDIX 6: FORM SUMMARY MATRIX

This section provides a summary of the forms used for project development and includes information on who prepares the form and where the original form is filed. Forms are available on FWP's repository and will be available on the Wildlife Information System.

Habitat Projects		
Form	**Prepared by**	**File Location**
Application	Applicant or Region	Helena HQ
Contract	Region	Helena HQ & Wildlife Information System
Contract – Abstract	Helena HQ	Helena HQ
Contract--Amendment	Region	Helena HQ
Monitoring Form	Region	UGBEP Wildlife Information System
Project Agreement	Region	Helena HQ
Project Proposal	Region	Helena HQ
Verification Report	Region	Helena HQ
Volunteer Forms	Volunteer	Helena HQ
Grazing Agreements		
Form	**Prepared by**	**File Location**
Application	Applicant	Helena HQ
Contract – Abstract	Helena HQ	Helena HQ
Grazing Agreement – Construction Outline	Region	Helena HQ
Grazing Management Agreement	Region	Helena HQ & Wildlife Information System
Grazing Management Checklist	Region	Helena HQ
Grazing Management Plan	Region	Helena HQ
MEPA Check-list	Region	Helena HQ
Monitoring Form	Region	UGBEP Wildlife Information System
Project Proposal	Region	Helena HQ
Verification Report	Region	Helena HQ
Open Fields (distributed to regions during sign-up period)		
Application	Applicant	Helena HQ
Site Evaluation	Region	Region
Summary Spreadsheet	Region	Helena HQ
Contract	Helena HQ	Helena HQ & Wildlife Information System
Contract – Abstract	Helena HQ	Helena HQ
Pheasant Releases *forms distributed to field staff during evaluation period.		
Form	**Prepared by**	**File Location**
Application	Applicant	Helena HQ
Contract	Helena HQ	Helena HQ
Site Evaluation	Region	Region
Summary Spreadsheet	Region	Helena HQ
Verification Form	Region	Helena HQ