

MINUTES
Montana Fish, Wildlife & Parks
Commission Conference Call Meeting
1420 East 6th Avenue – Helena Headquarters - Helena, MT 59620
NOVEMBER 9, 2010

Commission Members Present: Bob Ream, Chairman; Dan Vermillion, Vice-Chairman; Shane Colton; Ron Moody; Willie Doll.

Guests Present: Mary Sexton, DNRC Director; Eve Byron, Independent Record (via telephone); Matt Volz, Associated Press (via telephone); Michael Collins, DNRC (via AVI); Dave Skinner (via AVI); Fred Hodgeboom (via AVI).

Fish, Wildlife & Parks Staff Present: Director Maurier; Art Noonan; Dave Risley; Ken McDonald, Regena Peterson; Bob Lane; Gary Bertellotti; Chas VanGenderen; Paul Sihler; Darlene Edge, Candace Durran; Tom Palmer; Mike Korn; Hugh Zackheim; Cory Leocker; Jim Satterfield; Alan Wood; Gael Bissell; John Fraley; Joel Tohz.

Topics of Discussion:

- 1. Opening – Call to Order**
- 2. Riverdale Conservation Easement – Final**
- 3. West Swan Valley Conservation Project – Final**
- 4. Logan Fishing Access Site Acquisition – Final**
- 5. Pine Grove Pond Fishing Access Site Acquisition – Final**

- 1. Call to Order.** Chairman Ream called the Commission conference call to order at 9:00 a.m.
- 2. Riverdale Conservation Easement – Final.** Ken McDonald, FWP Wildlife Division Bureau Chief, explained that this proposal is for the purchase of an 850-acre conservation easement in Cascade County near Ulm. The property contains five miles of Missouri River frontage, and provides crucial habitat important to deer, antelope, upland game birds, waterfowl and nongame wildlife. The Riverdale Ranch manages the ground as a working farm for wheat and cattle production. The easement is appraised at \$1,757,000, but the cost is \$1,400,000. FWP is partnering with USDA Farm and Ranchlands Protection Program (\$525,000), PPL Montana (\$50,000), Montana Fish and Wildlife Conservation Trust (\$100,000), NWTF (\$7,500), Safari Club International (\$10,000), Pheasants Forever (\$10,000), Upland Game Bird funds (\$100,000), Habitat Montana (\$597,000) and the landowner donation (\$357,000) to purchase the conservation easement. The FWP Commission endorsed this proposal in April of 2008. A management plan has been developed for access and habitat management. The comment period generated thirty comments – twenty-seven in favor and three opposed.

Action: Vermillion moved and Moody seconded the motion to approve the Department's recommendation to purchase a conservation easement on the Riverdale Ranch.

Moody questioned the management plan regarding no hunting when cattle are present.

Cory Loecker, FWP Region 4 Wildlife Biologist, explained that the proposal splits the easement into two parcels, and typically after grain is harvested, the cattle go on to the stubble fields.

Moody said that it must be noted that the property is only open Monday through Friday.

Action on Motion: Motion carried.

3. West Swan Valley Conservation Project – Final. Paul Sihler, FWP Lands Outreach Supervisor, explained that the acquisition of a conservation easement totaling 9,350 acres in the Swan was approved at the October meeting, however the Department now asks that that decision be rescinded and reconsidered.

Following the October Commission meeting, it was determined that there was inadequate time for the public to comment on the property appraisal since it was not finalized until after the close of the public comment period, so FWP extended the comment period for an additional two weeks. The environmental assessment provided the alternatives of either acquiring the conservation easements, purchasing fee-title, or a combination of an easement and fee-title purchase. Twenty-nine comments were received, of which seventeen supported the conservation easement alternative, three supported a fee-title acquisition, and eight opposed the entire project.

FWP proposes to acquire the land as two conservation easements rather than one because the two funding sources each require a conservation easement as part of their donation. The land lies in a checkerboard pattern within the Swan River State Forest, and includes portions of the Swan River, Woodward Creek, South Woodward Creek, and Whitetail Creek. FWP will purchase the conservation easements from The Nature Conservancy who is buying the property from Plum Creek as part of the Montana Legacy Project. The Nature Conservancy will sell the conservation easements for a total of \$14.8 million, which is \$3.4 million less than the \$18.2 million appraised value. FWP will use funds from the Bonneville Power Administration Fisheries Mitigation Program to purchase one of the easements, and funds from the US Fish & Wildlife Service's Habitat Conservation Plan Program to purchase the other easement. Montana DNRC hopes to purchase these lands for addition to the Swan River State Forest once the FWP conservation easements are in place.

Action: Doll moved and Vermillion seconded the motion that the Commission reconsider and rescind its October 7, 2010 approval of the West Swan Valley project. Motion carried.

Action: Vermillion moved and Ream seconded the motion that the Commission authorize FWP to use BPA and HCP funds to purchase two conservation easements to conserve approximately 9,350 acres in Lake County, as proposed in the Department's Amended Decision Notice of November 3, 2010, for the West Swan Valley Conservation Project.

Mary Sexton, DNRC Director, stated that the timber harvest program has specific statutory forest guidelines, and DNRC has worked with FWP on easements before. This easement is very workable. Concerns have been addressed as the project has progressed.

Chairman Ream asked for public comment.

Fred Hodgeboom, President of Montanans for Multiple Use, stated that they oppose this proposal. These lands have been managed for years by private enterprises who have protected fish and wildlife values. They do not feel the mineral rights are fully disclosed. Seismic exploration was conducted there in the 1980s - energy resources are most likely located there. He is concerned about timber management, and who will be responsible for picking up the tax costs when this land is taken off the tax role. This project will take more land out of private ownership and into government ownership. It is not in the public's best interest.

Ream said the County Commissioners did indeed support these easements.

Action on Motion: Motion carried.

4. Logan Fishing Access Site Acquisition – Final. Chas VanGenderen, FWP Parks Division Administrator, explained that FWP proposes to accept the donation of 1.5 acres from Mr. Tim Crawford for the establishment of a new fishing access site on the Gallatin River at Logan. The property is located on a river reach where there is no established public boat launching site. The closest fishing access sites are eight river miles upstream and five miles downstream. Of the thirteen comments received in response to the environmental assessment, ten were in support, two were opposed, and one was neutral. Opponents expressed concerns about parties, traffic, and vandalism, and about a boat ramp affecting the flood-control berm that borders the river bank along the property boundary. FWP will work closely with Gallatin County on engineering plans to ensure that boat access to the river will not impair the berm's role in protecting adjoining land from high river flows.

Action: Vermillion moved and Colton seconded the motion to authorize the Department to accept the donation of approximately 1.5 acres on the Gallatin River at the Logan townsite in Gallatin County to be managed as the Logan Fishing Access Site. Motion carried.

5. Pine Grove Pond Fishing Access Site Acquisition – Final. Chas VanGenderen, FWP Parks Division Administrator, explained that FWP proposes to accept the donation of a 12.9-acre land parcel that contains a 5-acre pond within its boundaries. Robin Street wishes to donate this parcel, located two miles north of Kalispell along the Whitefish River, for use as a Family Fishing Pond. The parcel is valued at \$180,000 with all of the site developments. The landowner completed most of the site developments, which include an access road, parking lot, vault latrine, re-vegetation, perimeter fencing, and excavation of the pond to FWP slope and depth specifications. The Montana Fish and Wildlife Conservation Trust is providing \$20,000 towards the acquisition of the pond, and the balance of the value will be donated by the landowner.

Action: Moody moved and Vermillion seconded the motion to accept the donation of the Pine Grove Pond parcel from Robin Street. Motion carried.

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*Action: Vermillion moved and Moody seconded the motion to adjourn. Motion carried.*

Meeting adjourned at 9:50 a.m.

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Bob Ream, Chairman

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Joe Maurier, Director