



# Montana Fish & Wildlife Commission

## MINUTES

### Montana Fish and Wildlife Commission Meeting

FWP Region 5 Headquarters  
2300 Lake Elmo Drive ~ Billings, MT 59105

April 15, 2015

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Fish & Wildlife Commission  
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Montana Fish,  
Wildlife & Parks

Commission Members Present: Dan Vermillion, Chairman, Richard Stuker Vice-Chairman,  
Richard Kerstein, Matt Tourtlotte and Gary Wolfe

Fish, Wildlife & Parks Staff Present: M. Jeff Hagener, Director and FWP Staff.

Guests: April 15, 2015 - See Commission file folder for sign-in sheet.

#### Topics of Discussion:

1. Call to Order and Pledge of Allegiance
2. Approval of Minutes of March 12, 2015 Commission Meeting and March 23, 2015 Teleconference Meeting
3. Approval of Commission Expenses
4. Commission Reports
5. Director's Report
6. Boating Restrictions on Silver Lake – Final
7. Paddlefish Roe and Advisory Committee Authorizations – Final
8. Annual Rule Providing Criteria for Possible Closure near Supply Ditch on the Bitterroot River – Final
9. 2015 Mountain Goat Quotas Outside Biennial Quota Ranges – Proposed
10. 2015 Mountain Lion Quotas – Proposed
11. Bighorn Sheep Transplants – Endorsement
12. Threemile WMA Forest Treatment Project – Final
13. 2015 Grazing and Sharecrop Leases – Final  
R4 - Ear Mountain WMA Salmond Ranch Grazing lease  
R4 - Beckman WMA Grazing Lease  
R7 - Amelia Island Farming Lease  
R7 - Elk Island Farming Lease  
R7 - Isaac Homestead Farming Lease
14. Public Comment – For Issues Not On This Agenda

#### 1. Call to Order - Pledge of Allegiance

Chairman Vermillion called the meeting to order at 8:31 a.m. and led the Pledge of Allegiance.

#### 2. Approval of Minutes of March 12, 2015 Commission Meeting and March 23, 2015 Teleconference Meeting

*Action: Vice-Chairman Stuker moved and Commissioner Wolfe seconded the motion to approve the March 12, 2015 Commission Meeting and March 23, 2015 Teleconference Meeting with the agreed changes to the March 12, 2015 minutes. Motion passed.*

#### 3. Approval of Commission Expenses

*Action: Vice-Chairman Stuker moved and Commissioner Wolfe seconded the motion to approve the Commission expenses. Motion passed.*

#### 4. Commission Reports

Commissioner Wolfe reported his Commission confirmation hearing was held on March 19 and confirmed on April 13. Region 2 held a public meeting to discuss mountain lion quotas; well attended; good input; had several conversations since the meeting regarding both ends of the spectrum. Met with a group of warm water fisherman to discuss Noxon Reservoir and attended Hellgate Hunters and Anglers annual meeting in Missoula.

Commissioner Tourtlotte reported the fish consumption advisory from the oil spill near Glendive has been lifted; monitoring will still continue. The annual wolf report has been released by the Department;

wolf count is down; measures the Department is taking seems to be controlling the wolf population. Commission toured Big Lake and the potential conservation easement on Wallis property; beautiful piece of property; great opportunity for the landowner and the public. Ducks Unlimited (DU) auctioned the moose SuperTag for a record amount; commended the Commission and DU.

Commissioner Kerstein stated he is looking forward to working with the Commission; met with Region 5 staff; has worked in state government close to 30 years.

Vice-Chairman Stuker reported he lost two calves this year to predators; first time in 50 years; predators are a problem. Received phone calls on legislative issues; a landowner from hunting district (HD) 411 who is concerned about elk populations; and a reporter inquiring on the Marias River.

Chairman Vermillion reported he received calls concerning didymo algae near Otter Creek/Boulder River. Exceptional early season fishing on the Yellowstone River but there are concerns over water issues. Confirmation hearing is scheduled for April 16 with the Senate Fish and Game Committee; congratulated Commissioner Wolfe on his confirmation; welcomed Commissioner Kerstein to the Commission. Keeping Paul Sihler and his family in his thoughts and prayers; his dedication to his family and job during this difficult time has been exemplary.

#### **5. Director's Report**

Director Hagener gave a lengthy update on legislative issues. Attended several meetings with FWP Wildlife Administrator Ken McDonald, U.S. Fish and Wildlife Service (FWS), Wyoming and Idaho on the delisting of grizzly bears; close to an agreement for the Greater Yellowstone Ecosystem delisting rule. The Governor's office will be signing the "The Sage Grouse Stewardship Act" bill soon; program should start on July 1; all money for the program will be attached to Department of Natural Resources and Conservation (DNRC).

#### **6. Boating Restrictions on Silver Lake – Final**

Jim Kropp, Law Enforcement Chief, explained Butte-Silver Bow County filed a petition for Silver Lake, a storage reservoir owned and operated by Butte-Silver Bow, and is located in Deer Lodge County. The petition states: The storage reservoir and water level can change quickly; water stored is released into Warm Springs Creek for in-stream flow and industrial purposes. A number of intake and outlet structures are located on the east end of Silver Lake; facilities include intake for water diverted from Twin Lakes Creek, Storm Lake, and Storm Lake Creek, a gravity flow outlet into Warm Spring Creek, a bridge and pump station. The presence of inlet and outlet structures, the shallow east end of the reservoir, and the potential for rapidly changing water levels throughout the reservoir pose a safety hazard for watercraft; motorized watercraft use in the east end may also lead to trespass and damage to the reservoir structures; as a result of these conditions, motorized water craft speed should be limited to no wake on the entire lake. The proposed restrictions in the remaining area of the reservoir allow fishing use to continue while providing for public safety. Bull trout gather at the inlet structure on the east end of the reservoir during spawning. On December 11, 2014 the Commission initiated rule making; a proposed rule was published on January 29, 2015, public comment was taken until March 6 and a public hearing was conducted Anaconda on February 26, 2015; 18 groups or individuals commented; 12 opposed, 5 supported and 1 did not state an opinion. FWP recommends the Commission not adopt the rule as proposed; there is minimal boat activity, little use by personal watercraft or waterskiing; information indicates recreational boating has rarely occurred; no recorded instances of any unsafe boating, complaints of unsafe boating, or reported accidents. FWP recommends a 100-foot closure to boating, sailing, floating, and swimming; marking buoys around the equipment on the east end of the reservoir to mitigate concerns for potential fluctuating water levels, the security of the infrastructure and for boaters to accidentally strike the equipment exists; acquisition, placement, and maintenance of buoys or signs in the closed area would be the responsibility of Butte-Silver Bow County.

***Action: Commissioner Wolfe moved and Vice-Chairman Stuker seconded the motion that the Commission not adopt the original proposed administrative rule regarding the recreational use on Silver Lake and move instead the Commission propose a new rule establishing a 100-foot restriction surrounding the equipment on the east end of the reservoir.***

Chairman Vermillion asked what the response was from Butte-Silver Bow to the recommendation from the Department not to adopt the administrative rule.

Randy Arnold, Region 2 Supervisor, stated he spoke with Butte-Silver Bow Public Works Director David Schultz and it was his thought the 100-foot closure would maintain protection for the infrastructure.

***Action on Motion: Motion passed.***

#### **7. Paddlefish Roe and Advisory Committee Authorizations – Final**

Don Skaar, Special Projects Bureau Chief explained Montana statute MCA 87-4-601 allows anglers to donate paddlefish eggs to a Montana nonprofit corporation to process, market, and sell as caviar; eggs must be from paddlefish harvested legally from the Yellowstone River between Glendive and North Dakota. In 1990, the Commission designated the Glendive Chamber of Commerce and Agriculture Chamber the responsible nonprofit corporation, and FWP has asked this agreement be renewed each subsequent year. Thirty percent of the caviar profits go to FWP to benefit paddlefish management; the remainder of profit goes to the Chamber to cover administrative costs and to fund the paddlefish grant program, which finances historical, cultural, and recreational projects. The statute requires the Commission to appoint the Paddlefish Grant Committee (PGC), to solicit and review grant applications and to fund these

various projects; PGC must consist of one member of the nonprofit organization, two area local government representatives, and two representatives of area anglers; the committee is required to notify the Commission of its actions. The Commission could revoke the permit if the Chamber has violated the permit conditions or is unable to continue administering the program, and could ask for a new list of potential grant committee members; either of these decisions would delay implementation of the program in 2015. The Chamber recommends the Commission appoint the following individuals to the 2015 Paddlefish Grant Committee: Kevin Dorwart, Kevin McGovern, Tim Mort-West, Mike Roe, and James Thielman.

**Action: Vice-Chairman Stuker moved and Commissioner Tourtlotte seconded the motion that the Commission approve the advisory committee members recommended by the Glendive Chamber of Commerce.**

Chairman Vermillion asked how much revenue the project generates for the Glendive Chamber of Commerce.

Skaar stated revenue is typically \$100,000-\$200,000 per year; the Department receives 30% for paddlefish research.

Chairman Vermillion and Mike Backes, Region 7 Fisheries Manager, discussed current projections for paddlefish and the 2014 paddlefish spawn.

Chairman Vermillion asked for public comment.

**Action on Motion: Motion passed.**

#### **8. Annual Rule Providing Criteria for Possible Closure near Supply Ditch on the Bitterroot River – Final**

Pat Saffel, Region 2 Fisheries Manager gave a power point presentation (see copy of presentation in the April 2015 Commission file) and explained in 2011, the Bitterroot River shifted flow into a new stream channel and over the Supply Ditch Diversion and now has a deceptive hydraulic that is dangerous to floaters. After 2011, FWP placed signs at fishing access sites (FAS) on the river to advertise the danger. Despite educational efforts, several more accidents and one fatality occurred in 2013; additional notice followed using signs and newspaper articles. In spring 2014, two more accidents occurred and by April, FWP initiated an emergency rule closure for user safety on a five-mile section of the Bitterroot River, from Woodside Crossing FAS downstream to Tucker Crossing FAS; the closure ran from April 11-July 7. The closure allowed FWP to install signs at more locations along the river and larger signs at appropriate FAS; no other accidents occurred. FWP is taking steps to avoid a closure but the potential need remains. On February 12, the Commission proposed an annual rule to allow closing all or portions of the Bitterroot River for public safety. A public hearing was held in Hamilton and public comment ran February 13-March 9; 73 comments relevant to the issue were received; 27% in support and 73% opposed. The ability to close all or a portion of the river from Woodside FAS to Tucker FAS would enhance public awareness of this dangerous and potentially rapidly changing hazard. Any floating closure would be intended to meet public safety objectives, while minimizing the length of time and the length of river affected. Alternatives include: 1) Adopt the rule to allow closure to floating and boating if needed; closure may be needed if other channels are not available to get around the dam and high water washes away signs and/or alter conditions at the dam; FWP could close the river until more public information can be offered and other actions are taken to best ensure safety; 2) Do not adopt the rule.

Commissioner Tourtlotte asked who owns the diversion dam.

Saffel stated the diversion dam is owned by Supply Ditch Irrigation Association.

Commissioner Tourtlotte asked who is obligated to undertake the repairs.

Saffel stated it is a group effort.

Commissioner Tourtlotte commented this issue has had significant input on both sides; there is an obligation to protect the public from a known man-made hazard.

Commissioner Kerstein asked what was Trout Unlimited's motive for supporting the closure and what did the opposing comments suggest to help eliminate the problem.

Saffel stated Trout Unlimited supported the closure for safety reasons and recognizing this is a unique situation. The opposing comments suggested more information at the access points; The Department has put up numerous signs, has onsite presence and regularly communicates with guides.

Vice-Chairman Stuker commented generally he is opposed to any closures that limit the ability for individuals to use the resources, but this is a dangerous situation; this proposal is only for one year, hopefully the problem will be fixed next year.

Mike Volesky, Chief of Staff, asked if there is signage above Woodside FAS where boaters enter the river.

Christine Oschell, FWP River Recreational Manager stated there is signage; sign is the same as other sights, just smaller size.

Chairman Vermillion and Saffel had a lengthy discussion on this year's outlook and starting/completion work date expectations.

Commissioner Wolfe commented he normally would be opposed to a closure but this is a unique situation and has a history of accidents.

**Action: Commissioner Wolfe moved and Vice-Chairman Stuker seconded the motion that the Commission adopt the annual rule that provides criteria for possible closure of all or a portion of the Bitterroot River to floating for user safety between Woodside Bridge Fishing Access Site and Tucker Crossing West Fishing Access Site.**

Chairman Vermillion stated the meeting is running 15 minutes early; asked if there is any public comment.

Saffel stated there is no one in Missoula to comment; did have inquires and is surprised no one is in attendance.

Chairman Vermillion stated in order to give the public the opportunity to comment, the Commission would take a 15 minute break.

Chairman Vermillion brought the meeting back to order and asked for public comment at 9:50 a.m.

Chairman Vermillion commented this is an annual rule; the Commission nor the Department like to close any rivers but there are times when rivers become unreasonably dangerous and need to be closed.

**Action on Motion: Motion passed.**

**9. 2015 Mountain Goat Quotas Outside Biennial Quota Ranges – Proposed**

John Vore, Game Management Bureau Chief explained FWP proposes to decrease the mountain goat licenses in HD 326 from six to two for the 2015 season. An average of 31 mountain goats inhabit HD326; at a harvest rate of 4-8 percent; this would allow a take of 1.25 to 2.5 mountain goats and justify allowing two licenses. The Rocky Mountain Goat Alliance (RMGA) publicized this proposal via social media through 2014. The RMGA supports a reduction in licenses to allow this population a chance to increase; formal public comment will run through 5 p.m., May 15 with final adoption at the June Commission meeting.

**Action: Vice-Chairman Stuker moved and Commissioner Tourlotte seconded the motion that the Commission approve for public comment the proposal to reduce the mountain goat license quota for hunting district 326 from six to two either-sex licenses to be issued for the 2015 season as recommended by FWP.**

Chairman Vermillion asked if there was a mountain goat quota adjustment for the eastside of the Crazy Mountains.

Howard Burt, Region 3 Biologist stated at this time there are no recommended proposed changes; the last survey showed a stable and healthy heard.

Chairman Vermillion stated he spoke with a couple ranchers in Sweet Grass who expressed concerns with the population.

Burt stated his understanding is there was a congestion of hunters moving through those areas, not necessarily a population issue; the Department plans on meeting with the ranchers this summer.

Chairman Vermillion asked for public comment.

**Action on Motion: Motion passed.**

**10. 2015 Mountain Lion Quotas – Proposed**

John Vore, Game Management Bureau Chief explained the proposed 2015 mountain lion quota adjustments:

Hunting District	Region 2 Current Quotas			Proposed Quotas		
	Males	Females	Special Licenses	Males	Females	Special Licenses
200/201	12	8	20	13	7	20
202/203	18	12	30	20	10	30
204/260/261/262	4	2	6	4	1	5
213/214	2	1	3	2	0	2
270	5	4	9	6	5	11
283/285	7	8	15	7	4	11

Hunting District	Region 3 Current Quotas		Proposed Quotas	
	Total Quota	Female Subquota	Total Quota	Female Subquota
300/302/328/329	6	3	10	5
301	6	1	8	4
310/311/360/361/362	7	2	10	3

All other quotas/subquotas not listed are proposed to be unchanged from 2014 levels. Public comment will run through 5 p.m., May 15 with final adoption at June Commission meeting.

**Action: Commissioner Wolfe moved and Vice-Chairman Stuker seconded the motion to approve for public comment the proposed 2015 mountain lion quotas and subquotas as presented by FWP.**

Chairman Vermillion asked for public comment.

Steve Wilson, Victor, supports the upper Bitterroot studies; loss of elk hunter opportunities in HD215.

Chairman Vermillion asked what the Bitterroot spring cow/calf ratio is.

Vore stated the Department is still working on the survey.

Rod Bullis, incidental kills should not be included in quotas; questions the quota in HD270.

Bob Driggers, Ravalli County Fish and Wildlife Association (RCFWA), need to take away more mountain lions in HD250 and look at other HD's based on demographics.

Jason Maxwell, Montana Trappers Association (MTA), in conjunction with Toby Walrath, suggests having a mountain lion working group for this year to discuss a new solution for incidental take.

Cal Rourke, Bitterroot Houndsmen Association (BHA), human caused incidental kills should be counted against the quota; shouldn't raise the quota to compensate for incidental kills.

Wilson stated all animals that are accidentally killed by humans should be accounted for; needs to be an equal opportunity for everyone, not just special interest groups.

Toby Walrath, Corvallis, need a state management plan.

Chairman Vermillion stated public comment ends 5:00 pm, May 15; encourages groups and individuals to submit comment.

Chairman Vermillion stated the Department is in the process of creating a statewide mountain lion management plan.

Vore explained Jay Kolbe, FWP Biologist, started working on the mountain lion plan in February; has met with several sportsmen groups; currently working on the scoping process; will be at least 18 months before plan is finalized.

**Action on Motion: Motion passed.**

#### **11. Bighorn Sheep Transplants – Endorsement**

John Vore, Game Management Bureau Chief explained trap and transplant of bighorn sheep is an effective management tool and the removal of sheep assists population control; transplanted animals represent new populations or augment existing ones. Funds from auction licenses are available for transplants with all animals receiving a health assessment at capture. Any final Commission endorsement for the new transplant would come after additional formal public review which includes an environmental assessment (EA). Augmentations of existing populations and sheep captures from source populations may take place with the Commission's endorsement. FWP is seeking endorsement for a potential transplant from Wildhorse Island to Thompson Falls (HD121); this is a potential transplant for the winter of 2015-16 and would depend on a health assessment of the Thompson Falls herd, a count of the Wildhorse Island herd, and the stage of completion of highway work near Thompson Falls. The Thompson Falls herd has suffered substantial mortality from vehicles and FWP may or may not choose to augment this herd depending on the status of ongoing highway work, fencing and the necessity of moving sheep from Wildhorse Island because of overpopulation. Formal public comment would run through 5 p.m. May 15 with final adoption June Commission meeting.

**Action: Commissioner Tourtlotte moved and Commissioner Wolfe seconded the motion to move that the Commission endorse a potential transplant of bighorn sheep from Wildhorse Island to Thompson Falls as recommended by FWP.**

Chairman Vermillion asked for public comment.

Chairman Vermillion stated he appreciates this proposal and looking for opportunities to move bighorn sheep to places they can prosper.

**Action on Motion: Motion passed.**

Vore explained the Department is looking at a potential closure in HD122; Tendoy Mountain sheep project EA is done and going out for public comment.

Commissioner Wolfe asked what the timing is on closing HD122.

Vore stated he would like to have a conference call meeting the following week.

Chairman Vermillion stated Monday, April 20 would work for the Commission.

Ken McDonald, Wildlife Division Administrator explained the Habitat Montana ARM rule 12.9.510.

#### **12. Threemile WMA Forest Treatment Project – Final**

Ken McDonald, Wildlife Division Administrator explained FWP proposed to thin approximately 400 acres of forest on the Threemile Wildlife Management Area (WMA) in Ravalli County; the purpose is to conserve and improve wildlife habitat on the WMA. FWP anticipates important ungulate winter range condition would improve due to increased grass and woody browse understory recruitment, and aspen stands will benefit from the removal of encroaching conifers; treatment would reduce the risk of high-intensity, stand replacement fire events that would remove the remnant large trees, damage thin organic soils, slow grass and woody browse recruitment, and pose a significant risk to neighboring landowners. The work would begin as early as June 2015 and extend into the winter of 2015-16. The cost of the forest-habitat restoration treatments are expected to be covered by the sale of merchantable timber byproduct. Any revenue in excess of project costs will be deposited into the legislatively-established Forest Management Account to implement further forest management projects. FWP released a draft EA for public review February 9-March 10; three comments were received; two in support, none in opposition and one asking for information. No action would result in a continuing high risk of stand-replacing wildfire and would eventually contribute to a greater and longer loss of wildlife habitat following a fire event. Project would be administered by DNRC.

**Action: Commissioner Wolfe moved and Vice-Chairman Stuker seconded the motion that the Fish & Wildlife Commission approve FWP's proposal to conduct forest treatments on up to 400 acres of habitat on Threemile WMA.**

Chairman Vermillion asked for public comment.

Volesky asked if timber harvest would occur during archery season.

Mike Thompson, Region 2 Wildlife Manager stated there would not be any timber harvest during archery or general season.

**Action on Motion: Motion passed.**

#### **13. 2015 Grazing and Sharecrop Leases – Final**

Ken McDonald presented the following grazing and sharecrop leases:

##### **R4 - Ear Mountain WMA Salmond Ranch Grazing lease**

FWP proposes to renew a three-year lease (2015-2017) for the Salmond Ranch Company and is part of an existing single south pasture grazing system that has been in place since 1991; up to 2,120 acres would be grazed of the 3,080 deeded acres of the WMA. There is a separate pasture, the Gollehon Ranch who is also renewing a lease for the north pasture for the same period, and is valued less than \$5,000 so Commission approval is not necessary. Together these two pastures make up the Ear Mountain WMA grazing system and are managed for productive, diverse plant communities that will provide the quality forage and cover for native wildlife species, with emphasis on spring, fall and winter range habitat for mule deer and bighorn sheep. The primary goal of the grazing system is to remove residual vegetation to enhance the palatability and long term health of forage. Pastures are grazed during different time periods (June vs. August) during the summer season. The Salmond Ranch agrees to allow free public hunting access to approximately 7,780 acres of their property as a condition of the grazing lease; additional access is also allowed on other acreage they own several miles east of the property. The ranch would be authorized up to 391 AUM's @ \$23.00 per AUM rate and would be responsible for maintenance. FWP issued a draft EA on January 15, 2015 and solicited public comment for a 35-day period; no public comment was received.

**Action: Vice-Chairman Stuker moved and Chairman Vermillion seconded the motion that the Fish & Wildlife Commission approve renewal of the south pasture lease on Ear Mountain WMA with the Salmond Ranch Company for the 2015–2017 period.**

Chairman Vermillion stated the importance of this grazing lease is the Department's relationship with the landowner.

**Action on Motion: Motion passed.**

##### **R4 - Beckman WMA Grazing Lease**

FWP proposes to renew a cooperative grazing lease on 4,921 acres of the Beckman WMA and adjoining 2,695 acres of the Roe Ranch for three years (2015-2017). Beckman WMA comprises 6,568 acres; the proposed grazing lease involves approximately 75% of the WMA; the rest-rotation grazing system includes 2,695 acres of private land adjacent to the WMA. The lease would continue the use of prescriptive livestock grazing as a habitat management tool on the WMA while privately-managing wildlife habitat. This grazing system was originally established in 2006 with the intent of improving the health of native wildlife habitats on all affected lands; livestock were allowed to graze the WMA in a grazing rotation that incorporated yearlong rest and season long deferral on the WMA; only fall and winter and early spring grazing is allowed on the Roe Ranch's deeded land. The system provides long term health of native

vegetation over this larger project area. Scheduled deferment and rest provide cover and forage for a variety of wildlife; grazed areas tend to provide attractive spring grazing, particularly for mule and white-tailed deer. The Roe Ranch has committed to allowing unlimited walk-in public hunting access during the term of the lease, follow the rotation on their private land, include resting pastures, not cutting hay fields, maintain internal and boundary fences, routine maintenance of the water system, and removal of trespass livestock. The grazing lease would involve 1,229-1,644 AUMS, depending on the year's scheduled grazing treatments. The lease does not involve a cash payment, but an exchange of use. FWP released a draft EA on January 27 and accepted public comment until February 26; notice of the draft EA was available on FWP's website and published in the *Lewistown News Argus* and *Great Falls Tribune*; copies of the draft EA were distributed to neighboring landowners and interested individuals, groups, and agencies; one comment of opposition was received and is addressed in the decision notice.

**Action:** *Vice-Chairman Stuker moved and Commissioner Wolfe seconded the motion that the Fish & Wildlife Commission approve renewal of the Beckman WMA-Roe Ranch cooperative grazing lease for the years 2015 through 2017.*

Chairman Vermillion asked how long the rotational grazing system has been in place.

McDonald stated the lease began in 1997.

Gary Bertellotti, Region 4 Supervisor stated full implementation began in 2009.

Chairman Vermillion asked if the Department is comfortable with the condition of the range on the grazing system.

McDonald stated monitoring is in progress; anecdotal results show objectives are being achieved.

Chairman Vermillion asked what the mule deer survey indicated.

Bertellotti stated he does not have the survey information readily available; will send the information to the Commissioners after the meeting.

**Action on Motion:** *Motion passed.*

#### **R7 - Amelia Island Farming Lease**

The 86-acre Amelia Island WMA was purchased by FWP to maintain a riparian/cropland habitat complex for the benefit of a diversity of wildlife while enhancing public hunting opportunities. The primary benefit and purpose of the farming lease is to provide winter habitat and forage for wintering pheasants, deer, turkeys and migrating waterfowl. The use of the share-crop arrangement helps reduce WMA management costs. The five-year lease (April 1, 2015 to March 31, 2020) applies to 40 acres of irrigated cropland within the WMA. The lessee would cultivate, plant, irrigate, and harvest agricultural crops keeping 75% of crops for his/her own possession and use and would leave the remaining 25% standing in the field as payment to the FWP for the benefit of wildlife. The grain crop would be approved by the area wildlife biologist prior to cultivation who would also determine locations for the 25% share food/cover plots. The plowing of field stubble post-harvest would be postponed until the spring of each year and the lessee agrees to control weeds on all cultivated acres whether being harvested or left standing. Irrigation costs associated with the Rancher Ditch Company annual assessment would be paid by FWP. The EA was released on January 26; public comment ended March 2; no comments were received.

#### **R7 - Elk Island Farming Lease**

Elk Island WMA was purchased by FWP to maintain a woodland/cropland complex to benefit a diversity of wildlife while maximizing hunting opportunities, primarily for white-tailed deer and pheasants. The proposed action is to initiate a share-crop agreement on 36.5 acres of the WMA that was purchased and added to the 2014 Jorgenson Purchase. The two-year lease (April 1, 2015 to March 31, 2017) is in addition to other agricultural ground on the 152 acres WMA that is currently in the second year of a three-year lease. The lessee would cultivate and retain 75% of the hay/grain crop harvest, leaving the remaining 25% standing for wildlife use during winter months; the lessee agrees to control weeds on all cultivated acres whether being harvested or left standing. Irrigation costs associated with the Yellowstone Irrigation District annual assessment would be paid by the FWP. The benefit and purpose of the lease is to provide winter habitat and forage, primarily for wintering pheasants, deer, and turkeys. Standing crops also benefit migrating waterfowl and a variety of other wildlife. The WMA is open to public hunting during Commission approved seasons. The EA was released on January 21; public comment ended February 11; no comments were received.

#### **R7 - Isaac Homestead Farming Lease**

The 1,169-acre Isaac Homestead WMA was purchased by FWP to maintain a riparian/cropland habitat complex for wildlife while enhancing public hunting opportunities. The proposed action is to continue a share-crop arrangement on 345 acres of cropland; the fields in the proposed lease area have been used for agricultural production. The five-year lease (April 1, 2015 through 2019) would cultivate, plant, irrigate, and harvest agricultural crops, keeping 75% of crops for his/her own possession and use and leave the remaining 25% standing in the field as payment to FWP, for the benefit of wildlife. The specific type of grain crop the lessee intends to plant/harvest and the locations of the 25% share food/cover plots would be approved by the area wildlife biologist prior to any cultivation. The plowing of field stubble post-harvest would be postponed until the spring of each year. The lessee would agree to control weeds on all cultivated acres whether being harvested or left standing, using approved agricultural practices. Irrigation costs associated with the Rancher Ditch Company annual assessment would be paid by FWP. The benefit and purpose of the lease would be to provide winter habitat and forage,

primarily for wintering pheasants, deer, and turkeys. Standing crops and stubble also benefit migrating waterfowl and a variety of other wildlife. The use of the share-crop arrangement also helps reduce WMA management costs. The EA was released January 26; public comment ended March 2; no comments were received.

**Action: Commissioner Tourtlotte moved and Commissioner Wolfe seconded the motion that the Fish & Wildlife Commission approve the agricultural and farming leases proposed by Fish, Wildlife and Parks as to Amelia Island WMA, Elk Island WMA and Isaac Homestead WMA.**

Chairman Vermillion asked for public comment.

**Action on Motion: Motion passed.**

Becky Dockter, Chief Legal Counsel stated there is a hour variance on the agenda, the meeting cannot be adjourned until 11:35am at the earliest.

**14. Public Comment – For Issues Not On This Agenda**

Christopher Justice, Footloose Montana Executive Director, requested not to have the mountain lion quota raised; would like incidental take and trapped mountain lions counted towards the quota.

Anya Heister, Footloose Montana, concurs with Christopher Justice's statement; any trap related incident should be counted towards the quota; trappers should be held legally accountable.

Chairman Vermillion stated in order to comply with the one hour variance and allow public the opportunity to comment, the Commission would take a 40 minute break and reconvene at 11:35 a.m...

Chairman Vermillion brought the meeting back to order and asked for public comment at 11:38 a.m.

Chairman Vermillion asked for public comment.

**Action: Vice-Chairman Stuker moved and Commissioner Tourtlotte seconded the motion to adjourn the meeting. Motion Passed.**

**The meeting adjourned at 11:41a.m.**

  
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Dan Vermillion, Chairman

  
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M. Jeff Hagener, Director