



Montana Fish & Wildlife Commission

MINUTES

Montana Fish and Wildlife Commission Meeting

FWP Region 4 Headquarters – Great Falls, MT

July 9, 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 and Gary Wolfe

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

Guests: July 9, 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 the June 11, 2015 Commission Meeting
3. Approval of Commission Expenses
4. Commission Reports
5. Director's Report
6. ARM Amendments Regarding Recreational Use on Silver Lake - Final
7. Nongame Check-Off Tax Workplan – Final
8. Biennial Rule Regulating Use In Nature Conservancy Land Recreation Management Area - Proposed
9. 2015 Early Season Migratory Bird Regulations – Proposed
10. 2015 Fall Upland Game Bird Quotas and Limits – Final
11. 2015 Furbearer Regulations – Final
12. 2015-2016 Wolf Regulations and Landowner Take – Final
13. 2015 Deer and Elk Quotas Outside Biennial Quota Ranges – Final
14. 2015 Antelope Quotas Outside Biennial Quota Ranges – Final
15. Tendoy's Bighorn Sheep Licenses – Final
16. Public Comment – For Issues Not On This Agenda

1. Call to Order - Pledge of Allegiance

Chairman Vermillion called the meeting to order at 8:38 a.m. and led the Pledge of Allegiance.

2. Approval of Minutes of the June 11, 2015 Commission Meeting

Action: Vice-Chairman Stuker moved and Commissioner Wolfe seconded the motion to approve the June 11, 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 the weather has been seasonally warm and water flows are low; implemented hoot-owl closures on the Blackfoot, Bitterroot and Clark Fork Rivers in late June. Met with groups to discuss the proposed furbearer regulations and proposed Bison Environmental Impact Statement (EIS). Met with the North Sapphire Elk Working Group; looking at better ways to manage elk; discussed the Department's proposed elk shoulder seasons; general support for proposal. Attended the Swan Valley Bear Fair; great information and presentations; FWP was well represented. Several calls regarding proposed lynx settlement and proposed shoulder seasons.

Commissioner Kerstein reported he attended the Region 6 staff meeting; discussions on weather events; 35% below normal rainfall at the end of June; will have a big effect on the bird population; concerned about fishing and fires; Aquatic Invasive Species (AIS) check station checked 300 boats, 5 failed. Governor's Cup Walleye Tournament is July 9-10; concerns with the warm water and keeping the fish safe until they are weighed and released. Archery Paddlefish season started; concerns about carp being

taken by bow hunters and disposed back in the water. Having issues with deer jumping over the barrier onto the spillway; the Department and the Corps of Engineers are working together on this issue.

Vice-Chairman Stuker reported he had a call on the antelope permits and cost; he will no longer apply for a permit. Received letters in opposition to the proposed trail on Antelope Butte Lake trail for horseback riders and campers; feel it will be detrimental to walkers and to meet elk quotas. Received several letters on the proposed wolf quotas. Received comments from hunters, landowners and outfitters regarding the elk season proposal; generally in favor; something has to be done. Spoke at the Association of State Grazing Districts; several questions on the bison and elk season proposals; not sure what will work, but need to try something. Received a call on the proposed radio tower (north of Great Falls).

Gary Bertellotti, Region 4 Supervisor explained the details and process for the proposed radio tower.

Chairman Vermillion reported with the exception of the Yellowstone, Stillwater, Upper Madison and Boulder Rivers, hoot-owl restrictions are in place; the Department has done a great job building acceptance for the restrictions with fishermen. Having landowner issues at two access sites on the Boulder River; one landowner is stating the fishermen are not respecting his property and blocked river access; other landowner has been interfering with access rights for two years; Department has worked unsuccessfully with the landowner to resolve the issues. Commissioners and staff met with the Devils Kitchen individuals; impressive and interesting conversations. Thanked Region 5 staff for tour and open house; good discussions. Congratulated the Department on the Marias River legal decision

5. Director's Report

Director Hagener reported he met with the county sheriff and attorney in Boulder Forks to discuss the ongoing issues at the Boulder Forks Fishing Access Site (FAS); they may consider legal actions against the individual; the Department is looking at working with the county to make some changes at the FAS. Attended the North American Wetland Conservation Council Meeting in Canada; major concern is for migratory birds in the severe drought areas within the state of Montana; issues with funding from the BP oil spill; Department will hold the Council meeting in Montana next year. Hoping to have a delisting proposal for grizzly bears in the Yellowstone ecosystem by the end of the summer; several issues with grizzly bears in the Red Lodge area, 12-20 bears have been involved in livestock depredation; issues with sheep depredation in north central Montana. Continuing discussions on sage grouse; concerns with consistency with the plans. Game damage audit is official; 11 recommendations, Department concurred with 10½; issues with inconsistency and rules being outdated. Jim Kropp, Chief of Law Enforcement and Gary Hammond, Region 5 Supervisor retired the end of June. License sales are up, particularly nonresident sales. Testing is being conducted on the Fort Belknap Quarantine Feasibility Study (QFS) bison that were found deceased on the reservation.

Bruce Rich, Chief of Fisheries gave a brief water closure and drought update.

6. ARM Amendments Regarding Recreational Use on Silver Lake – Final

Joe Jaquith, Region 2 Enforcement Captain explained the Commission received a petition from Butte-Silver Bow County in September 2014 requesting a rule restricting all watercraft on Silver Lake to a no wake speed due to safety hazards surrounding the inlet and outlet structures. At the December 11, 2014 the Commission initiated rule making on the petition; comments received during a public hearing and public comment period indicated little support for the rule, citing a lack of necessity. On May 14, 2015, the Commission published a compromise rule that stated the water within 100 feet of the intake structure on the east end is closed to all boating, sailing, floating, and swimming, and will be identified and delineated by buoys or signs; additional public comment was taken; one comment in support was received. There is minimal boat activity and little use by personal watercraft or waterskiing on Silver Lake. There is concern for potential fluctuating water levels, the security of the infrastructure, and the potential for boaters to accidentally strike the equipment on the east end. The installation and maintenance of the buoys will be the responsibility of the Butte-Silver Bow.

Action: *Commissioner Wolfe moved and Commissioner Kerstein seconded the motion to adopt the administrative rule regarding the recreational use on Silver Lake as proposed, establishing a closure of the water within 100 feet of the intake structure to all boating, sailing, floating, and swimming as identified and delineated by buoys or signs.*

Chairman Vermillion asked for public comment.

Commissioner Wolfe asked when the rule will go into effect.

Becky Dockter, Chief Legal Counsel, stated the rule would go into effect within the month.

Chairman Vermillion thanked the Department for working with the sportsmen and Silver-Bow County.

Action on Motion: *Motion passed.*

7. Nongame Check-Off Tax Workplan – Final

Quentin Kujala, Wildlife Management Section Chief, stated the final Nongame Check-Off Tax Workplan proposal is unchanged from the tentative proposal (see minutes from the May 14, 2015 Commission meeting). Public comment ran through June 29; one comment in support was received. The recommended work addresses several components of FWP's overall nongame management program, as

identified in the Comprehensive Fish and Wildlife Conservation Strategy. Tax check-off funding is used in conjunction with State Wildlife Grants to address high priority habitat, survey and inventory, and species conservation needs.

Action: Commissioner Kerstein moved and Vice-Chairman Stuker seconded the motion that the Fish & Wildlife Commission approve the Nongame Tax Check-Off work for Fiscal Year 2016 as presented.

Commissioner Kerstein commented the Department of Revenue should have a workplan checklist for taxpayers to sign-off on when doing their yearly taxes; majority of taxpayers don't get asked if they would like to donate.

Kujala defined the Species of Concern bullet-point.

Commissioner Wolfe asked if the proposed \$35,000 is from tax year 2013 or 2014.

Director Hagener explained it is an account set-up specifically for this money; it could be carried over from one fiscal year to another.

Action on Motion: Motion passed.

8. Biennial Rule Regulating Use In Nature Conservancy Land Recreation Management Area - Proposed

Alan Charles, Landowner Sportsmen Coordinator explained in January 2015, The Nature Conservancy (TNC) acquired 117,152 acres of Plum Creek Timberland in the Clearwater and Blackfoot watersheds. In February, FWP met with TNC to discuss ideas for a possible land recreation management plan for the 163,883 acres in Missoula and Powell counties within Region 2. The land is enrolled in FWP's Block Management program, which provides free public access during the fall big game hunting seasons. The proposed biennial rule will provide year-round recreational access for public use. Public comment will be sought after endorsement. Managed public access will reduce the resource damage, prevent vehicular damage to soils and vegetation, and will avoid excess disturbance to native wildlife, including threatened and endangered species. Without these rules, TNC may close these lands to public access.

Action: Commissioner Wolfe moved and Vice-Chairman Stuker seconded the motion that the Fish & Wildlife Commission propose biennial rules regarding public use within The Nature Conservancy Land Recreation Management Area.

Commissioner Wolfe asked if the Department has had similar agreements with TNC in the past.

Charles stated no, but it is becoming apparent this is a process we need to follow.

Chairman Vermillion stated this is a response for land use that is not being governed by Block Management; proactive approach.

Chairman Vermillion asked for public comment.

Action on Motion: Motion passed.

9. 2015 Early Season Migratory Bird Regulations – Proposed

Quentin Kujala, Wildlife Management Section Chief explained migratory bird seasons must be set within federal frameworks. Mourning dove and common snipe have fixed bag/possession limits from year to year and fixed season dates: September 1 - October 30 for doves; September 1 - December 16 for snipe. No changes are proposed for the 2015 mourning dove and common snipe seasons. The Rocky Mountain Population (RMP) of sandhill cranes is annually monitored, with allowable harvest quotas based on observed numbers and coordinated with the U.S. Fish and Wildlife Service (FWS). In Montana, crane numbers and hunter access have been used to set permit numbers for Dillon/Twin Bridges/Cardwell/Bozeman, Warm Springs area, Ovando/Helmville, Broadwater county, and Wheatland/Meagher/Golden Valley and portion of Sweetgrass counties. The 3-year average of RMP crane numbers increased after the multi-state, coordinated survey in September 2014, so the allowable harvest for each state will be increased. Montana's RMP harvest allocation will be increased from 127 in 2014 to 176 in 2015. FWP proposes maintaining permit numbers for the 2015 season, with the exception of an increase in hunter numbers from 100 to 120 (2 permits per hunter) in the Dillon/Twin Bridges/Cardwell/Bozeman unit; the increase is expected to be compatible with the allocation, crane numbers, and hunter access. The remainder of the Central Flyway is under frameworks for mid-continent sandhill cranes and remains unchanged for the 2015 federal framework. RMP and mid-continent crane season dates would change due to calendar progression, but with no change in season length: September 12 - October 4: RMP sandhill cranes (special drawn permits); October 3 - November 29: mid-continent sandhill cranes. The public comment will run through 5 p.m. August 3, with final adoption at the August 6 Commission meeting. This proposal is consistent with known wildlife biology, management history, survey efforts and within the frameworks established by the FWS.

Action: Vice-Chairman Stuker moved and Chairman Vermillion seconded the motion that the Fish & Wildlife Commission adopt for public comment the 2015 early season migratory bird seasons as presented by FWP.

Chairman Vermillion asked for public comment.

Action on Motion: Motion passed.

10. 2015 Fall Upland Game Bird Quotas and Limits – Final

Quentin Kujala, Wildlife Management Section Chief explained upland game bird season dates for 2015 were approved in February. The following are changes proposed to bag and possession limits, and permit quotas for turkeys for 2015:

- **Region 1:** In December 2013, it was proposed that the fall bag limit be increased to two either-sex turkeys with the intent that the yearly bag limit would likewise be increased to three. However, this wasn't properly reflected in the regulations. FWP seeks the following fall regulations clarification:
 - **Bag Limit:** 2 wild turkeys, either-sex in the fall. A separate license is required for each turkey. However, the total bag limit of the spring and fall seasons combined cannot exceed three turkeys per hunter. For example, if you kill two turkeys in the spring, you can only take one in the fall. You cannot kill three turkeys in the spring, nor can you kill three turkeys in the fall season. The combination of up to three turkeys per year may come from the spring and fall seasons as described below. However, for any combination of three turkeys taken during the spring and fall seasons combined, at least one must be taken in Region 1.
 - **Spring Season** - A hunter may harvest up to 2 male turkeys in the spring as long as at least one of them is harvested in Region 7.
 - **Fall Season** – A hunter may harvest up to 2 either-sex turkeys in the fall as long as at least one of them is harvested in Regions 1 or 7. Any hunter taking a second turkey in the fall and hunting in Region 1 must take a hen turkey.
- **Region 3:** Increase the HD 395 fall permit quota from 20 general and two youth-only permits to 50 general and 10 youth-only.
- Describe a common highway boundary between Zone 1 and Zone 3; there was formerly an unintentional small gap between zones.

No other changes are proposed for other upland game bird bag, possession limits and permit quotas. Sage grouse spring lek survey numbers have improved; three consecutive years are necessary for any proposal to re-open closed areas. Public comment on this proposal ended June 29. The proposal is based upon field observations and is consistent with statewide upland game bird management.

Action: *Vice-Chairman Stuker moved and Chairman Vermillion seconded the motion that the Commission approve the proposed 2015 upland game bird bag and possession limits and permit quotas which also includes the boundary change.*

Commissioners, Director Hagener and Kujala had a lengthy discussion on regulation language clarifications.

Vice-Chairman Stuker asked if there are game damage hunts for turkeys; abundance of turkeys in Region 1 near Kalispell.

Kujala stated the Department does have authority for game damage hunts, if needed.

Chairman Vermillion, Vice Chairman and Kujala discussed sage grouse lek counts and closures.

Chairman Vermillion asked if the Department has any indication of the health on the sharp-tailed grouse population and would dropping the limit by one be significant.

Kujala stated at this time there is no need to change the sharp-tailed limit; the Department is in the process of taking a long term look at sharp-tailed in Region 7.

Commissioner Stuker stated Region 6 should be included in the sharp-tailed study.

Chairman Vermillion asked for public comment.

Action on Motion: *Motion passed.*

11. 2015 Furbearer Regulations – Final

Quentin Kujala, Wildlife Management Section Chief, explained the 2015 proposed furbearer regulation changes (see below); all other season elements and quotas are proposed unchanged from 2014.

- Reduce Region 4 bobcat quota from 200 to 100
- Reduce Region 5 bobcat quota from 250 to 200.
- Reduce Region 6 bobcat quota from 90 to 50.
- FWP is proposing that people harvesting bobcats, otters and swift fox be required to turn in the lower jaw for ageing. The jaw would not be returned but sent directly to the independent tooth-ageing lab for tooth extraction and ageing. This differs from the current system of requiring that the entire skull be turned in and the skulls are sent to the FWP lab in Bozeman at the end of the season. The lab then boils the skulls, extracts the teeth, sends them to the tooth-ageing lab, and then returns the skulls to the individual harvesters if they want them back. FWP lab no longer has the capacity to process skulls and analysis indicates it will be cheaper.

The Department advocates no changes to the fisher season and recognizes public comments for more visible evidence that the current trapping definition is not over excessive; good statewide female subquota; FWP recently hired Dr. Bob Inman as the Carnivore Coordinator's who has expertise and understands priorities for fishers on the landscape.

FWP is proposing the Commission adopt the regulation changes outlined in the lynx lawsuit settlement agreement. FWP staff attended annual district meetings of the Montana Trappers Association (MTA). The public comment period ended June 29; many comments spoke to deficiencies in the proposed lynx lawsuit settlement agreement and offered specific adjustments for consideration. FWP has worked to address public input, there are no proposed adjustments to the settlement language pending review by plaintiffs. Bobcat quotas include current information assembled by regional FWP staff and all proposals provide sound furbearer management to include trapping with consideration of comments and concerns from other user groups. Recommend maintaining 2014 structure and quotas except for the proposed changes noted here. This is consistent with existing information and represents reasonable and appropriate consideration of user groups and the continued presence of contemporary data in furbearer management that included trapping.

Chairman Vermillion recommended separating the motion for the season structure/quota change and the bobcat/lynx settlement.

Action: Vice-Chairman Stuker moved and Commissioner Wolfe seconded the motion to approve the 2015 furbearer season structure and quota changes as proposed by FWP, which excludes bobcats.

Action on Motion: Motion passed.

Action: Commissioner Wolfe moved and Chairman Vermillion seconded the motion to have an inside jaw spread, measured perpendicular to the base plate, of less than or equal to 5 7/8 inches; and have a minimum jaw thickness, which is the inside surface of the closed jaw, of at least 7/16 of an inch; and have at least one swivel affixed to the base plate mid-way between the hinge posts; and have jaws that offset at least 3/16 of an inch when closed.

Becky Dockter, Chief Legal Counsel, asked for clarification on the motion; is the intent to include safety measures for all traps 5 7/8" and less?

Commissioner Wolfe stated yes, that is the intent of the motion; if a lynx is incidentally trapped, this modification would potentially minimize the injury to the bobcat's limb.

Vice-Chairman asked if the motion is approved, what happens to the settlement and if the motion is not approved, could more discussion be held.

Dockter stated if the motion is not approved as proposed, the lawsuit would go back to Federal District Court; if regulations are passed as is for this year, the settlement will be finalized and conversations can continue for next year's regulations.

Chairman Vermillion asked for public comments.

Toby Walrath, Montana Trappers Association (MTA), appreciates Commissioner Wolfe considering MTA's consideration; best available science should always be taken into account; the motion comes from decades of research that address several issues; personal and MTA intervenor to the lawsuit; does not agree with proposed settlement; will pursue litigation to ensure the best case scenario is played out to ensure the longevity of trapping, effectiveness of trappers in the field, and perpetuating the myth that a smaller trap is better than a trap that has been modified; important for MTA to be involved; requests to have a once in two calendar day trap check requirement zone in the lynx protect zone, to allow for flexibility.

Matthew Bishop, Plaintiff's Attorney stated over 100 hours of discussion between the parties and U.S. Magistrate Judge in Missoula were put into the settlement; trap size was a big part of the discussion; 5 3/8" size was adopted from a similar case in Maine and Minnesota.

Chairman Vermillion stated it was his understanding Minnesota stayed with the 5 7/8" trap size.

Bishop stated he doesn't think Minnesota incorporated a trap size change; still having problems with accidental lynx getting caught in traps; the stipulated agreement was presented to the MTA in February 2015; heard about proposed changes from MTA a week ago, very last minute; haven't had a chance to evaluate the best available science; willing to do so but discussions cannot be done due to the majority of clients being on vacation at this time; recommends to adopt the proposal; Commission can adopt greater or additional protections but cannot adjust trap size, the agreement would dissolve and will be back in court; if summary judgment is met, will likely move for injunction relief this fall; if settlement is approved today, the case must be dismissed in 30 days and the Department has a shield from liability; the conservation community can work with the Department to implement the settlement and make it better; there is a provision in the settlement to modify or change in the future; delicate situation; clients want 24 hour trap check; if lynx are eventually delisted, the settlement will be dissolved; all parties want lynx to recover.

Chairman Vermillion asked, with the exception of the trap size (5 3/8" to 5 7/8"), if the modifications to the settlement that were proposed by Mr. Walrath and MTA are acceptable.

Bishop stated yes, best available science suggests smaller sizes are best to keep animals out of traps; suggests Commission approve other modifications.

Commissioner Kerstein asked if the settlement is approved as is, will the discussion about trap size happen anytime in the near future; trap size is not off the table for discussion

Bishop stated if the settlement is adopted, he would recommend continuing to explore how to change the size and make it better with the best available science; possibly by this fall.

Chairman Vermillion stated in earlier conversations, he understood the U.S. Fish and Wildlife Service (FWS) had a set of recommendations of what sort of traps to use in lynx country to minimize incidental take and the recommendation was 5 7/8".

Bishop stated he thought there was confusion in the brochures, can vary in size depending on the brand and the company; 5 3/8" came from a similar settlement in Maine; FWS recommendations comes from numbers (#2);

Sara McMillan, Wild Earth Guardians, first goal is to keep lynx out of traps; plaintiff's expert, who has 50+ years trapping experience recommends to use an actual inch measurement and best way to keep lynx out of traps is to have a smaller size trap, most lynx that are trapped are likely to die; want 24 hour trap check.

Walrath stated the "Best Management Practices for Bobcats" states specifically, the maximum inner-width is 5 7/8", does not refer to trap sizes which are arbitrary; these regulations give very specific increments which is where MTA got their numbers; not every trapper uses the maximum size trap; without modifications trap size is irrelevant.

Commissioner Wolfe asked who published the Best Management Practices document.

Walrath stated it is published by The Association of Fish and Wildlife Agencies; there are others publications but they are all consistent.

Commissioner Kerstein asked if the half-inch make a difference.

Jay Kolbe, FWP Wildlife Biologist stated he was the State's and Commission's expert witness in the lynx lawsuit, and has worked to research lynx for almost 10 years where he personally captured lynx and released them unharmed hundreds of times using a variety of equipment, including lynx that were captured incidentally in very small traps, before the Commission moved to modify the sets that those traps would normally be placed in, since then it has been less of a problem; lynx have been caught in Montana, and held in traps in what are call "oughts" or "#1's", very small traps; It is his firm opinion that an 1/8th inch, 1/4 inch, 1/2 inch adjustment in maximum trap size will not affect the rate of incidental capture or the severity of the injury to a lynx captured in the set; it is immaterial.

Commissioner Wolfe asked Kolbe what his opinion is regarding the modifications that are being discussed.

Kolbe stated the peer-reviewed literature is very clear; Walrath references 20 years of research and he did a similar literature search over the last several months that shows traps with design features including wider jaws, offset jaws, and center swiveling can reduce both the incidence of injury and the severity of those injuries between two and seven fold compared to unmodified stamp-jawed traps.

Commissioner Wolfe stated he respects the process the Department and the plaintiffs have gone through, but he is looking at what is best for the lynx population.

Vice-Chairman Stuker stated he agrees with Commissioner Wolfe for the reasons he stated; very difficult to make amendments and have both parties agree, easier to get an agreement in the beginning; will not vote to pass a law, to keep from going back to court.

Commissioner Kerstein stated he assumes the humane aspects the MTA proposed could be included into a smaller trap.

Dockter explained apart from the jaw spread, the center swivel, laminate jaw, and offset jaw can be implemented on any trap size without affecting the settlement; more protective measures can be done, but if the changes go lower than the floor it will dissolve the settlement.

Commissioner Kerstein stated he will not support the motion.

Chairman Vermillion stated he has grown to respect trappers and their traditions; the Department and Commission has consistently been a strong friend in the Montana landscape as far as policy direction and managing furbearers; will not vote for motion; Department needs to work with MTA more actively while moving forward; important voices were missed at the settlement discussion; Commission is stuck in the middle of litigation.

Action on Motion: Motion Failed 2-2.

Aye: Stuker, Wolfe

Nay: Vermillion, Kerstein

Action: Vice-Chairman Stuker moved and Commissioner Kerstein seconded the motion to approve the bobcat section of the furbearer season structure and quotas proposed by FWP.

Action on Motion: Motion Passed 3-1.
Aye: Vermillion, Stuker, Kerstein
Nay: Wolfe

Chairman Vermillion stated the Commission may take a different approach next year if the Department does not figure out a way to move forward on this issue; strongly directs the Department, plaintiffs and trappers to work together, sooner rather than later; a lot more to agree on than to disagree on; commends both parties for reaching an agreement when it was difficult for both parties, but it is equally difficult for the Commission to put into effect an agreement they are not comfortable with.

Dockter stated the Department has heard the Commission loud and clear.

Vice-Chairman Stuker concurred with Chairman Vermillion's comments.

Commissioner Wolfe stated he appreciates the opportunity to discuss this situation; good for everyone to discuss this subject in more depth.

Kujala reported the Senate Bill (SB) 200, which allows a landowner to take wolves on private land without a license that represents potential threat to livestock, domestic dogs or humans, take for the first year (Commission meetings July-July) is 12, and the defensive take is at 4 (calendar year).

Commissioners and Kujala had a short discussion on the first year of the SB 200 wolf take.

Commissioner Stuker stated he would like a copy of the defensive property report when the report is finalized at the end of the year.

12. 2015-2016 Wolf Regulations and Landowner Take – Final

Quentin Kujala, Wildlife Management Section Chief stated the final proposal is unchanged from the tentative proposal (see minutes from the May 14, 2015 Commission meeting). Public comment ended June 29. Status-quo proposal is aligned with known biology, management history and experience, livestock depredation trends, survey efforts, and public comment. It is consistent with wolf season objectives, considers the management of other species, and continues to value wolves as an integral part of functioning ecosystems. The proposal is consistent with the state's wolf plan.

Action: Commissioner Wolfe moved and Vice-Chairman Stuker seconded the motion to approve the proposed 2015-16 wolf regulations and landowner take quota as presented by FWP and to reduce harvest quotas in WMU 313 and 316 two each.

Vice-Chairman Stuker stated he will support only because of SB 200.

Commissioner Wolfe explained the reasoning for reducing WMU's 313 and 316; biologically insignificant.

Chairman Vermillion asked Abby Nelson, Region 2 Wolf Management Specialist, to describe the population dynamics in the southern Paradise Valley and northern Yellowstone Park.

Nelson explained the approximation of population dynamics IN WMU 313 and 316 is represented in a published paper that the Department is using that shows the take above 30% of the existing population should result in decline and below should represent population stability; this past year more packs have used this area, doubling the numbers from the previous year or 19 wolves.

Vice-Chairman Stuker and Nelson discussed wolf numbers and different wolf packs in WMU 313/316.

Chairman Vermillion asked for public comment.

Marc Cooke, Wolves of the Rockies (WOR), strongly encouraged the Commission to support motion; helps tourist industry and helps local economy; listening to nonconsumptive users if motion is passed.

Rhonda Lanier, WOR, concurs with Cooke's statement.

Chairman Vermillion stated the Department should be proud of how they have managed this resource, has reached out to all communities.

Action on Motion: Motion Passed 3-1.
Aye: Stuker, Kerstein, Wolfe
Nay: Vermillion

13. 2015 Deer and Elk Quotas Outside Biennial Quota Ranges – Final

14. 2015 Antelope Quotas Outside Biennial Quota Ranges – Final

Quentin Kujala, Wildlife Management Section Chief explained the final proposal for antelope, deer and elk B-licenses outside the adopted range is unchanged for the tentative proposal (see minutes from the July 11 minutes). Formal public comment ended July 2; no comments were received for antelope or elk; six comments were received for deer, two disagreed, one undecided, one agreed and two unrelated to proposal.

Commissioner Wolfe stated he received an email for Jim Williams and Neil Anderson proposing an adjustment for whitetail in Region 1.

Kujala stated he is unaware of the proposal.

Director Hagener asked if the deer numbers in certain areas, especially the Conrad/Brady/Valier area have increased since the Epizootic Hemorrhagic Disease (EHD); people are stating the numbers are not recovering.

Gary Bertellotti, Region 4 Supervisor stated the deer recovery in areas that were drastically hit by the disease are not recovering as well as other areas.

Jim Williams, Region 1 Supervisor stated the whitetail deer adjustments are within the range; want to keep Commissioner Wolfe engaged with what is happening; third year for a population increase; increase opportunity.

Chairman Vermillion stated hunters are asking to increase tags in some areas; how do they request to adjust quotas that are within the range.

Kujala stated have the hunters contact the Department with the request.

Action: Commissioner Wolfe moved and Vice-Chairman Stuker seconded the motion that the Fish & Wildlife Commission approve the changes to the elk B-license, deer and antelope quotas as recommended by FWP.

Action on Motion: Motion passed.

15. Tendoy Bighorn Sheep Licenses – Final

Quentin Kujala, Wildlife Management Section Chief explained FWP is asking the Commission to approve the issuing of over-the-counter either-sex bighorn sheep licenses for the Tendoy Mountains, hunting district (HD) 315, to begin the depopulation phase of the depopulation/restocking project in the fall of 2015. Unlimited licenses will be available for a two week period at standard prices of \$125 for residents and \$750 for non-residents. FWP proposes a hunt format similar to the unlimited bighorn areas except no harvest quota would control the length of hunt and licenses would be valid for either-sex bighorn. Season dates would follow the general season format with an archery-only season from the first Saturday in September through September 14 and a general season opening September 15 through the Sunday following Thanksgiving. Mandatory reporting of all harvest through established FWP reporting numbers will be necessary to track harvest. Biological samples may be collected from harvested sheep. Successful hunters harvesting any ram or lamb would be subject to a seven-year wait before applying for a bighorn license; hunters who have harvested a ram in previous six years could not take a ram or lamb in this hunt. All harvested rams of ½- curl or greater would have to be plugged with an identifying aluminum plug in one of the horns. An aggressive harvest strategy is needed. It may take at least two years to remove the estimated 30-40 bighorns in the area; any sheep remaining after hunting will be lethally removed or captured to be used for an identified and confirmed research project by FWP, by whatever means necessary, and the meat donated to a local food bank. Following confirmation the bighorns are gone from the project area, the area will be restocked with approximately 50 healthy bighorns from one or more of Montana's source populations. Formal public comment ended July 2. A thorough analysis of the depopulation/restocking project was completed in the EA and Decision Notice.

Commissioner Kerstein and Kujala discussed issues with having unlimited licenses.

Commissioners, Director Hagener, Kujala and Becky Dockter, had a lengthy discussion on the general/archery season, allowing residents to have the first hunt opportunity, seven-year waiting period for harvesting a lamb and FWP sheep removal after the general hunt.

Action: Vice-Chairman Stuker moved and Commissioner Kerstein seconded the motion that the Commission approve the proposed issuing of over-the-counter either-sex bighorn sheep licenses for HD 315, the Tendoy Mountains.

Chairman Vermillion asked for public comment.

Vice-Chairman Stuker and Kujala discussed capturing and/or transplanting of sheep in the near future.

Action on Motion: Motion passed.

16. Public Comment – For Issues Not On This Agenda

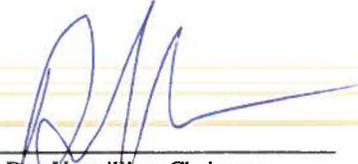
Senator Doug Kary, Senate District (SD) 22, need to get more active promoting the elk shoulder comments.

Marc Cooke, WOR, thanked the Commission for the wolf reduction in WMU 313/316; encourages the agency to ensure there is a wolf specialist maintained in the Yellowstone area.

Chairman Vermillion, Commissioner Wolfe, Director Hagener and Gary Bertellotti, Region 4 Supervisor discussed the upcoming '15 and Forward listening sessions.

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

The meeting adjourned at 12:12 p.m.



Dan Vermillion, Chairman



M. Jeff Hagener, Director