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Montana Fish & Wildlife Commission

MINUTES

DNRC Dillon Unit Office – 840 North Montana; Dillon, MT

June 9, 2016

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

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

Guests: June 9, 2016 - 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 May 12, 2016 Commission Meeting
3. Approval of Commission Expenses
4. Commission Reports
5. Director's Report
6. 2016 Mountain Goat Quotas Outside Biennial Quota Ranges - Final
7. 2016 Mountain Lion Quotas - Final
8. 2016 Mule Deer Quotas Outside the Biennial Quota Ranges - Proposed
9. Joiner Coulee Right of Way Easement (R6) - Final
10. Pintail Flat Conservation Easement (R6) - Final
11. Veebaray Upland Game Bird Enhancement Program Grazing System (R7) – Proposed
12. FWP Vision and Guide 2016-2026 - Informational
13. Public Comment – For Issues Not On This Agenda

1. Call to Order - Pledge of Allegiance

Chairman Vermillion called the meeting to order at 8:30 a.m. and led the Pledge of Allegiance.

2. Approval of Minutes of the May 12, 2016 Commission Meeting

Chairman Vermillion stated the approval of the minutes from the May 12, 2016 Commission meeting will be postponed until the July meeting.

3. Approval of Commission Expenses

Action: Vice-Chairman Stuker moved and Commissioner Wolfe seconded the motion to approve the May 2016 Commission expenses. Motion passed.

4. Commission Reports

Commissioner Wolfe reported he received several emails and interactions regarding May's agenda items; attended Region 1's year-end Citizen Advisory Committee (CAC) meeting, good discussion on grizzly bears. Attended a tour of the Blackfoot-Clearwater Wildlife Management Area (WMA); looked at proposed timber harvest; will ultimately come before the Commission; very informational. Attended the Tribal Agency Bison meeting; reviewed last year's bison harvest near Yellowstone.

Vice-Chairman Stuker reported he received several emails regarding items on last month's agenda; received a call from someone in hunting district (HD) 477 asking the Commission to look at removing it from the 900 rifle and archery block, recommend they call Region 4 Supervisor Gary Bertellotti. Attended the Public Land Public Wildlife PL/PW meeting; several issues were discussed; Rocky Mountain Elk Foundation (RMEF) is looking at establishing a volunteer program to work with landowners during hunting season. Attended grizzly bear meeting in Valier; several discussions; several issues regarding this matter; something needs to be done.

Chairman Vermillion reported he has also received several emails and phone calls regarding last month's agenda. Attended the wolf management meeting in Gardiner; interesting meeting and good conversations; recommend interested parties make public comment. Received calls regarding the Backcountry Hunter and Anglers petition. Worried about water situation in Region 3. Thanked Mike

Backes on his communication with the Commission regarding paddlefish and paddlefish season. Thanked Region 3 staff for the previous day's tour and for hosting the Commission meeting.

Commissioner Tourtlotte reported he received a lot of communication regarding last month's agenda; paddlefishing is set to close on Friday.

5. Director's Report

Director Hagener reported Commissioner Kerstein has resigned his position from the Commission. Woolgrowers have submitted a Freedom of Information request which includes the Commission; will send information to Commissioners. RMEF and Sportsmen for Fish and Wildlife (SFW) have committed to donate money to help with establishing hunting coordinators during shoulder season. In process of setting a date for the Quiet Waters Petition meeting. Attended Tribal Agency meeting; good discussion; making progress.

6. 2016 Mountain Goat Quotas Outside Biennial Quota Ranges – Final

John Vore, Game Management Bureau Chief, explained FWP proposes to reduce either-sex mountain goat licenses in hunting district (HD) 460, Highwood Mountains, from 4 to 2, and change the quota range from 3 - 7 to 1 - 7 for the 2016 season. The reduction is necessary because of poor kid production in recent years. There is support from local wardens, area sportspeople and local landowners on the current goat management objectives in the Highwood Mountains. Public comment was open until Friday, May 20; 4 comments were received; 1 supporting the proposal, 1 advocated more licenses in HDs 222 and 223, 1 wanting more information be made available, and 1 advocating wise goat management.

Action: Vice-Chairman Stuker moved and Commissioner Wolfe seconded the motion that the Commission approve the proposed change to reduce either-sex mountain goat licenses in hunting district 460, the Highwood Mountains, from 4 to 2 for the 2016 season, and change the quota range from 3 – 7 to 1 – 7 as recommended by FWP.

Director Hagener asked if Square Butte and Round Butte were a separate hunting district (HD) from the Highwoods and what has happened with the overall population.

Vore stated he doesn't know the answer, but he will find out and will respond back.

Chairman Vermillion asked if active population monitoring is happening in HD 222 and 223.

Vore stated mountain goat monitoring has happened; cannot remember when the last flight was done; has been determined population is low enough to not have a season.

Chairman Vermillion asked for public comment.

Action on Motion: Motion passed.

7. 2016 Mountain Lion Quotas – Final

John Vore, Game Management Bureau Chief, explained HD's listed below have proposed changes from 2015 mountain lion quotas and subquotas; all other quotas/subquotas not listed are proposed to be unchanged from 2015 levels. Quotas apply to any legal lion unless otherwise noted. Quota changes in HDs 350/370 are to increase opportunity, HD 380 is to address low mule deer numbers, and HDs 390/391 and 392 are needed because of recent boundary changes. There is general agreement and/or comfort with the proposals although some individuals are opposed. Six comments were received; 1 wanted a lot more licenses in HDs 391 and 392, 1 wanted more lion harvest in the Anaconda area, 3 liked the hybrid season in Region 2, and 1 opposed the increase in HD 380.

Hunting District	Current Quotas		Proposed Quotas	
	Total Quota	Female Subquota	Total Quota	Female Subquota
350/370	3	1	4	1
380	6	2	10	4
390/391	8	4	10	5
392	5	2	3	1

Action: Commissioner Wolfe moved and Vice-Chairman Stuker seconded the motion that the Commission approve the proposed 2016 lion quotas/subquotas as presented by FWP.

Commissioner Wolfe asked what the is status of the mountain lion management plan.

Vore stated the Department is planning on presenting the draft mountain lion plan to the Commission at the August Commission meeting.

Chairman Vermillion asked for public comment.

Action on Motion: Motion passed.

8. 2016 Mule Deer Quotas Outside the Biennial Quota Ranges – Proposed

John Vore, Game Management Bureau Chief, explained the Commission previously adopted the quota range for deer licenses for each HD where FWP can make changes that do not need Commission approval; changes outside the adopted ranges do need Commission approval. FWP proposes a to increase mule deer B-license (007-03) quota from 4,500 to 7,500 and restore the pre-2010 Region 7 antlerless mule deer B license quota range, changing the current upper quota range from 5,500 to 11,000. Antlerless harvest is a very important component of mule deer management. Region 7's prairie-breaks environment proactive prescriptive management, adopted in 1982, has significantly dampened the wide population fluctuations, seen when management was reactive and variable prior to 1982; landowner complaints about mule deer game damage have been declining steadily and significantly, and buck:doe ratios have increased. Mule deer populations have recovered since a recent low in 2012. Deer seen on the Region's 14 trend areas in 2016 are 47% above long-term average and fawn recruitment has been strong the last 3 years. Deer numbers are now higher than they were during years when nearly 11,000 B licenses were sold. Adaptive Harvest Management (AHM) has not been followed since 2014 when B licenses were eliminated, and this proposal would return the flexibility needed to manage to AHM guidelines. FWP biologists have proposed this change in a continuing effort to manage deer populations to objective, dampen wide population fluctuations, offer opportunity where biologically sustainable, and minimize conflicts on private land. Sportsmen and landowners have expressed they are satisfied with the return to region-wide antlerless tags because of the flexibility they offer, and conversations across the region indicate awareness of increasing mule deer numbers. Landowners generally prefer the flexibility to adjust doe harvest on their land as they see fit. Public comment will run through 5 p.m., Friday, June 24, with final adoption at the July 14 Commission meeting.

Vore presented a power point (see June 9 Commission file for copy).

Commissioners, Director Hagener and Brad Schmitz, Region 7 Supervisor had a lengthy discussion regarding the proposal.

Action: Vice-Chairman Stuker moved and Commissioner Wolfe seconded the motion that the Commission approve for public comment the Region 7 007-03 mule deer B-license increase from 4,500 to 7,500 and increase the upper quota range from 5,500 to 11,000 as recommended by FWP.

Chairman Vermillion asked for public comment.

Michael Kuiper, Mule Deer Foundation (MDF), science should be the determining factor for the long-term average.

Chairman Vermillion and Schmitz discussed the upper quota range proposal.

Commissioner Wolfe stated he appreciated the data presentation; very insightful and helpful.

Chairman Vermillion concurred with Commissioner Wolfe's statement and congratulated the Department for bringing the population back; something to be proud of.

Action on Motion: Motion passed.

9. Joiner Coulee Right of Way Easement (R6) – Final

Ken McDonald, Wildlife Administrator, explained FWP has been negotiating a road easement with Wetlands America Trust (WAT), a division of Ducks Unlimited (DU), on approximately one-mile of private road leading to a large block of Bureau of Land Management (BLM) and Department of Natural Resources and Conservation (DNRC) land in Phillips County; the Joiner Coulee Access Public Lands (APL) project received Commission endorsement in July 2013. This is a moderate public use area known for mule deer, antelope and upland game bird hunting opportunities, and there is an immense distribution of non-game wildlife, including grassland birds, available for watching. The cost of the road easement is \$30,000; WAT will donate \$10,000 and the cost to FWP is \$20,000 for the road easement; the funding source will come from FWP's APL Program. FWP would purchase the right of way easement with the intent to transfer to BLM, who would conduct the road maintenance. FWP released a Draft Environmental Assessment (EA) for public comment from January 6 to February 5, 2016, made available to neighboring landowners and interested parties, and posted on the FWP webpage; two supporting written public comments were received.

Action: Vice-Chairman Stuker moved and Commissioner Wolfe seconded the motion that the Commission approve the purchase of the Joiner Coulee road easement and the possible transfer to BLM, from Wetlands America Trust.

Chairman Vermillion asked for public comment.

Action on Motion: Motion passed.

10. Pintail Flat Conservation Easement (R6) – Final

Ken McDonald, Wildlife Administrator, explained FWP has been negotiating a conservation easement (CE) with WAT, on approximately 1,760 acres in Phillips County; the Pintail Flat project received Commission endorsement in August 2013. The primary purpose of this CE is to enhance and conserve a productive complex of grassland and wetland habitats as well as their traditional agricultural uses, to include livestock grazing. This interspersed of grasslands and wetlands is valuable for waterfowl production breeding and migrating shorebird and grassland birds, and support sage-grouse, sharp-tailed grouse, mule deer, antelope, black-tailed

prairie dogs, and a wide variety of other native species habitat. This property is located adjacent to BLM and U.S. Fish and Wildlife Service (FWS) Waterfowl Production Area lands which support similar habitats, providing a sizeable block of conserved habitat. The CE would assure free public access for hunting and wildlife viewing in perpetuity. FWP would ensure public hunting access and will be provided for a minimum of 100 hunter days each fall, and a minimum of 25 recreation days non-related to hunting annually. The appraised value of the easement is \$505,000; WAT is donating \$100,000 of value through a bargain sale, making the final cost of the CE to the Department of \$405,000; additional \$50,285 would be provided by FWP for cost-share of grazing improvements; the funding source is the Migratory Bird Wetland Program and Habitat Montana. Wetlands America Trust intends on selling the property as ranchland after a CE is completed. FWP released a Draft EA for public comment from January 22 to February 26, 2016 which included a public hearing in Malta on February 16th, made available to neighboring landowners and interested parties, and was posted on the FWP webpage; 25 comments were received; 19 comments supported, 1 was neutral and 5 opposed; the 5 opposing comments identified questions, issues or concerns in 5 different categories that are addressed in the Decision Notice (DN) and in the Final EA.

Action: Commissioner Wolfe moved and Vice-Chairman Stuker seconded the motion that the Commission give final approval for the purchase of the Pintail Flat conservation easement from Wetlands America Trust.

Vice-Chairman Stuker and Robert Sanders (Ducks Unlimited) had a lengthy discussion on the proposed easement.

Chairman Vermillion asked for public comment.

Action on Motion: Motion passed.

Director Hagener explained conservation easements and the importance of public access.

11. Veebaray Upland Game Bird Enhancement Program Grazing System (R7) – Proposed

Ken McDonald, Wildlife Administrator, explained Montana statute sets a spending cap for project expenditures through the Upland Game Bird Habitat Enhancement Program (UGBHEP), which requires Commission approval for projects exceeding \$100,000. FWP proposes to enter into a 21-year UGBHEP agreement with Veebaray Company Ranches (VCR). The ranch consists of 15,996.62 total acres; the project would develop stock water sources and other improvements to implement 3, 3-pasture summer rest rotation grazing systems on 12,145 acres of the Veebaray Ranch; VCR have agreed to have the remaining 3,850 acres open for public access. Total estimated project cost would be \$369,130 with costs being split between the UGBHEP (\$179,565), VCR (\$179,565), and American Bird Conservancy (\$10,000). The intent of this agreement is to develop a partnership between FWP and a private landowner to improve native habitats for the benefit of wildlife, primarily upland game birds, and to simultaneously provide public upland game bird hunting opportunities. Veebaray Company would like to implement to better distribute cattle and enhance rangeland health. This property supports extensive woody draws and associated shrub-grassland habitats, but historic grazing management limited the productivity of these habitats for wildlife. Establishment of this system would provide rest and deferred grazing treatments, directly enhancing nesting, brood, and wintering habitat for upland game birds while improving the productivity and extent of perennial grasses, forbs, and brushy cover; wildlife and livestock would both benefit from improvement in the overall health and carrying capacity of the range. This proposed project aligns with priorities identified in Region 7's UGBEP Strategic Plan. Sharp-tailed grouse, pheasants, partridge, and wild turkeys are expected to benefit from this proposal. The Veebaray Ranch has been closed to the public for hunting and was outfitted for the last seven years; recently, the ranch terminated their outfitting lease. Both the new manager and the landowner are interested in block management (BM) and currently working with the Region 7 BM Coordinator on enrollment. This proposal has been provided to the UGBHEP Council for their review and recommendations; if endorsed, FWP intends to bring this proposal back to the Commission for final approval in July which will require a shorter public comment period; the reason for shorter review, the landowner intends to start on all aspects of work during the summer to facilitate project completion and subsequent rest-rotation of cattle in a timely manner.

Action: Vice-Chairman Stuker moved and Commissioner Wolfe seconded the motion that the Commission endorse for public comment the Veebaray Upland Game Bird Habitat Enhancement Program grazing system proposal.

Chairman Vermillion and McDonald discussed UGBHEP monies and future projects.

Vice-Chairman Stuker stated he is happy to see projects like this; benefit both sides when the Department and landowners work together.

Chairman Vermillion asked for public comment.

Joseph Russell, Veebaray Company, thanked the Commission for their endorsement; has been a pleasure working with the Department.

Action on Motion: Motion passed.

12. FWP Vision and Guide 2016-2026 – Informational

Paul Sihler, Chief of Staff, introduced and explained the FWP Vision and Guide statement (see copy in June 9 Commission file).

Commissioner Wolfe stated this document has been a huge effort by the Department.

Chairman Vermillion, Vice-Chairman Stuker, Director Hagener and Sihler discussed on how the Department will better communicate with the public in the future.

13. Public Comment – For Issues Not On This Agenda

Zach Strong, Natural Resource Defense Counsel, Montana law requires the denial of any rule making petition must be put in writing and include the reasons for the denial; requests the Department let the public know when the written decision completed. Meeting with the Department of Livestock to discuss neck snare and M-44 issues has not been set; been a couple weeks since he reached out to the Department and has received no response; feels strongly about these issues. Time has come for Montana to adopt a statewide trap check requirement; one of the last states who do not have one; urges the Commission to adopt a 24-hour or daily trap check requirement in the furbearer regulations.

Director Hagener stated the official May minutes will be the written decision for the denial of the petition; spoke with Mike Honeycutt, Executive Director of Department of Livestock about having a meeting; receptive to meeting; he is going to visit with his Board of Livestock; meeting will be coordinated in near future.

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

The meeting adjourned at 10:46 a.m.



Dan Vermillion, Chairman



M. Jeff Hagener, Director

