



# MONTANA FISH AND WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

THE **OUTSIDE** IS IN US ALL.

**Meeting Date:** February 22, 2023

**Agenda Item:** Otter Creek LLS Islands -- expansion of Indian Fort Fishing Access Site on the Yellowstone River

**Action Needed:** Final

**Time Needed on Agenda for this Presentation:** 5 minutes

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**Background:** FWP proposes to acquire two land parcels totaling 107 acres that are part of an island complex in the Yellowstone River upstream of Reed Point. FWP plans to preserve them in a natural state and to provide recreational access using \$140,150 in Natural Resource Damage Program (NRDP) mitigation funds resulting from the 2011 Silvertip Oil Spill. This site is adjacent to the Indian Fort Fishing Access Site and four river miles below Bratten Fishing Access Site (FAS). The islands are in a reach of the Yellowstone that FWP considers high priority for additional public access. The NRDP funding may be used to secure unprotected cottonwood riparian areas to allow for natural function of river processes and recruitment of large woody debris – typically cottonwoods – to the river during floods. This natural function builds islands and provides habitat for terrestrial and aquatic species. The landowner approached the NRDP with a desire for the parcels to be sold to an entity that would preserve the sites to support natural river function and provide public access.

**Public Involvement Process & Results:** FWP completed an environmental assessment (EA) for this project with a public comment period between Sept. 28 and Oct. 28. The decision notice was issued Nov. 10.

**Analysis & Alternatives:** Under FWP management, the islands would remain as a primitive area for angling, potential hunting, and camping. Being adjacent to an existing FAS, the islands would be readily incorporated into existing maintenance and staffing, including FWP's weed management program. There are no plans to develop the islands.

Alternative A: Preferred alternative. FWP would use NRDP funds to acquire the two parcels and expand the Indian Fort FAS. This meets the objectives of NRDP, FWP's commitment to enhancing public access and preserving a more natural functioning Yellowstone River, and the Beartooth Group's desire to sell and provide opportunity for NRDP funds to be used and allow for public access at the two parcels.

Alternative B: No action. The islands would be sold to other entities or private individuals with potential loss of natural river processes, if developed, and public access. NRDP and FWP would continue to search for suitable parcels that meet each other's needs together and independently.

**Agency Recommendation & Rationale:** FWP recommends that the commission approve Alternative B enabling the department to acquire the property and thus protect habitat and add public access opportunity.

**Proposed Motion:** I move the Fish and Wildlife Commission authorize FWP to acquire the two parcels known as the Otter Creek LLC Island parcels and expand Indian Fort Fishing Access Site using funds from the Natural Resource Damage Program.