

MINUTES
Montana Fish, Wildlife & Parks Commission Meeting
Teleconference
December 10, 2012

Commission Members Present: Helena: Bob Ream Chairman
Via Telephone: Dan Vermillion Vice-Chairman, Ron Moody,
Shane Colton, A.T. Stafne

Fish, Wildlife & Parks Staff Present: Mike Volesky, Acting Director

Guests: See December 10, 2012 Commission file folder for sign-in sheet.

Topics of Discussion:

1. Call to Order
2. Milk River Ranch Fee Purchase – Final (Region 6)
3. Seven Sisters WMA Addition – Final (Region 7)
4. Spring Coulee Fee Donation – Final (Region 6)
5. Wolf Harvest Update – Informational

1. Call to Order

Chairman Ream called the meeting to order at 9:11 a.m. and led the Pledge of Allegiance

2. Milk River Ranch Fee Purchase – Final (Region 6)

Ken McDonald, Wildlife Bureau Chief, explained at the May 2012 Commission meeting, the Commission endorsed the Milk River project for FWP to purchase about 2,992 acres, including nearly all of the privately owned river bottom and associated breaks and upland habitats. The 4,500-acre Milk River Ranch, located along the Canadian border, about 45 miles northwest of Havre, includes a combination of Milk River bottom, native grassland and prairie breaks. These habitats support upland game birds, deer, antelope, elk, raptors and other nongame species, while the Milk River offers more than 10 miles of warmwater fishing opportunity. The long-time ranch owners expressed an interest in selling the property to public agencies to maintain its open space, agricultural, historic and scientific values. Montana Department of Natural Resource and Conservation is proposing to purchase about 1,513 acres of grazing and dry cropland, along with an 80-acre irrigated hay meadow, which meshes well with 4,000 acres that DNRC currently administers in and around the ranch. Together with the DNRC holdings, an expanse of about 14 square miles would be available for habitat and public recreational access. The purchase price is \$4,708,500 or \$1,570 per acre. The draft environmental assessment public comment period ran from October 17 through November 9. The draft EA was available to the public on the FWP website and copies were mailed to surrounding landowners, Hill County Commissioners, and other interested agencies and individuals. There were two public notices of the acquisition in both the Havre Daily News and Great Falls Tribune. A public meeting was held in Havre on October 30; approximately 65 people attended the public meeting. Two verbal comments were made at the meeting regarding this proposal; both were against the acquisition by FWP. There have been an additional 60 comments received regarding the proposal, 33 in support and 27 in opposition or raised concerns regarding the proposal. Financial concerns was the main issue.

Action: Commissioner Colton moved and Chairman Ream seconded the Commission approve FWP's purchase of the Milk River Ranch property.

Havre

Richard Beatty, Aageson family attorney, explained FWP was first contacted about the property in 1998 about conservation easements; the Aageson brothers were concerned about trying to preserve the unique landscape. Since 2008, FWP has been looking into the property; it has not been a fast track decision. A certified appraiser conducted the appraisal and the property has to be bought based on that.

John Brenden, Scobey, Senate District 18, Chairman of Fish and Game Committee stated he and other Republican members oppose the acquisition. The acquisition was a rush of judgment and questions how an acquisition can go from #15 to #1. This is the first time he remembers the Land Board taking action before the FWP Commission. Has a legislative bill that references extreme prices that are being paid by FWP, will taxes will be based on the buying price when the property is bought?

Wendy Warburton, Chinook, House District 24, opposes

Bill Thackeray, Havre, supports

James Warburton, Chinook, opposes

Bruce Kapperud, Gildford, opposes

Kyle Peterson, Gildford, opposes

Donald Miller, Gildford, opposes

Vicki Hofeldt, Chinook, opposes

Robert Kaul, Havre, opposes

Dan Redding, Rudyard, opposes

Tom Jurenka, Hingham, opposes

John Brumley, Havre, supports

Roger Lincoln, Gildford, opposes

Chairman Ream reminded everyone to sign in.

Dennis Hanson, Chester, President Highland Sportsman Club, member of Region 4 Citizen Advisory Council, opposes

Pete Verploegen, Havre, opposes

Lorri Williams, Landusky, opposes

Rip Steckel, Havre, opposes

Region 1

No public comment

Region 2

Keith Kubista, Stevensville, President, Montana Sportsman for Fish and Wildlife Organization, opposes

Carey Schmidt, Missoula, supports

Region 3

Robert Aronsen, Gallatin Gateway, opposes

Mike Vance, Bozeman, opposes

Kathryn QannaYahu, Bozeman, supports

Kerry White, Bozeman, House District 70, member of Fish, Wildlife and Parks Committee, opposes. Stated FWP did not comply with state law regarding noxious weed management, urges Commission to reject proposal.

Vito Quatraro, Bozeman, Montana Sportsman Alliance, asked to extend the comment period; will oppose acquisition otherwise.

Martha Kauffman, Bozeman, World Wildlife Fund, supports

Glen Lehrer, Bozeman, opposes

Chairman Ream stated the paleontological and archeological rights are a separate sale. University of Montana, if the acquisition is approved, will acquire the rights.

Region 4

Dave McEwen, Galata, Montana Woolgrowers Association, opposes

Butch Gillespie, Ethridge, opposes

Region 5

Roy Noland, Billings, supports

John Gibson, Billings, President Public Land and Water Access Organization, supports

Clayton Fiscus, Billings, House District 46, strongly opposes

Region 6

Mark Manoukian, Malta, opposes

Gary Anderson, Malta, supports

Region 7

No public comment

Headquarters

Bob Kiesling, Helena, supports

Jim Brown, Montana Wool Growers Association, opposes

Stan Frasier, Helena, recommends grazing not be allowed on MFWP section

Budd Cobb, Rudyard, opposes

Kris Hansen, Havre, House District 33, stated at the October 30 meeting, in adequate information available to conduct the public hearing; asked to reopen public comment and reconsider the purchase of the property. Opposes
Mary Sexton, Montana DNRC Director, thanked FWP for the collaborative effort with DNRC; excellent opportunity for agricultural, fish, and wildlife.

Scott Hemer, FWP-Havre, stated more people would like to comment.

Chairman Ream explained he asked how many people intended to comment at the beginning of the meeting, and they have spoken, sign in and clarify your opinion on the sign in form.

Representative Hansen asked to allow the public to speak if this is the final decision.

Senator Brenden stated the public should be allowed to comment.

Chairman Ream explained he will allow the public to comment; name and stance on acquisition only.

Havre

Marilyn Hofeldt, Havre, opposes
Mark Velk, Havre, opposes
Marilyn Jurenka, Hingham, opposes
Chan Miller, Havre, opposes
Kody Peterson, opposes
Garrett Aguillard, Box Elder, opposes
Dustin Hofeldt, Chinook, opposes
Kyle Peterson, Gilford, opposes
Jeff Habets, opposes
Nathan Baltrosch, Havre, opposes
David Warhank, Rudyard, opposes
Gary Richardson, Havre, opposes
Chad, Havre, opposes
Greg Baltrusch, Havre, opposes
Don Verploegen, Havre opposes
Frank Verploegen, Havre, opposes
Unknown, Rudyard, opposes

Jeff Hockett, Havre, opposes
Arleen Rice, Havre, opposes
Mark VanVoust, Turner, opposes
Ron Fox, Turner, opposes
A. Ous, Gilford, opposes
Mark Vandekamp, opposes
Ron Kapperud, Gilford, opposes
Dave Jones, Hingham, opposes
Roger Lincoln, Hingham, opposes
Stu McIntosh, Havre, opposes
Kerry Patrick, Hingham, opposes
Glen Whaley, Havre, opposes
Diana Patrick, Hingham, opposes
Bruce Morse, Havre, opposes
Dave Mork, Havre, opposes
Russel Verploegen, Havre opposes
Unknown Greytak, Havre, opposes

Darlene Edge, FWP Land Conservation Specialist, explained the assignment FWP and DNRC requested a breakdown of land types from the appraiser. Twenty four comparable land sales, nine of which addressed the Milk River bottom. The bottom is the higher value of \$1,900 per acre; FWP land would acquire 2,241 recreational acres. Cultivated dry land with a value of \$775 per acre; FWP would acquire 921 acres. Range/pasture ground at \$600 per acre. The purchase price is \$4.7 million. DNRC will not pay for any grazing lease. The appraisal was done by a qualified appraiser and reviewed.

Chairman Ream asked if the appraiser was using the yellow book standards.

Edge explained initially FWP was hoping to use Pittman-Robertson funds, and it is required to have a yellow book appraisal, which have more requirements.

Commissioner Moody asked if the location appraisals assigned were comparable of other sales in regard to bottom land.

Edge explained the range of value for river bottom within the comparable sales ranged from \$1,140-\$3,500 per acre for recreational bottom land.

Chairman Ream stated he received a phone call from Bill Hearst, adjacent landowner, 5½ years ago purchased 4,417 acres (mostly range land) for \$3.4 million.

Chairman Ream asked if the adjacent lands where school trust lands and if they had access?

Sexton replied yes, they were school trust lands and with the acquisition they all would have access.

Ream asked if any Commissioners had further questions.

Commissioner Moody explained he greatly admires and respects the Ageson family for their objectives for this land and why they want to sell it. Feels Habitat Montana Fund money can be used at a greater advantage to the people that contribute to that money. Would like another appraisal done and urges fellow Commissioners to table the motion until that time.

Commissioner Colton asked Mr. Beatty if the Agesons have received any offer on the land lately.

Beatty responded he is not aware of any offers. Have been working hard with FWP and an offer may have been made by a real estate broker in Malta but unable to say for sure.

Gary Anderson, Malta Real Estate broker, stated oral interest and an offer in writing was given on this land. Ageson's stated they were moving forward with the present deal with FWP.

Commission Colton explained he has struggled with the project. The Commission has never held rankings; rankings are guidelines that the Commission and the Department have used to begin discussions. FWP was consistent in the process of the acquisition and valuing property.

Commission Vermillion stated he has struggled with the project; this is a good opportunity for the people of Montana. This project encompasses 14 square miles; 10 miles of riparian area; and appraised from someone who is respected, certified and relied upon from numerous individuals and business. The Milk River has significant warm water fishing, resources and values of Montana. Have heard concerns regarding the bison, those fears have been exaggerated; this project has nothing to do with bison going to the North Central part of Montana.

Commissioner Stafne stated he has listened to both sides. This acquisition is sacred, appreciates this land; strongly supports.

Chairman Ream, stated immediately north of the border, large numbers of provincial crown land, Twin River Heritage Range Land on the Milk River, has been set aside. The tough issue was not having Pittman-Robertson Funds to help with the acquisition. As a State, we are all in this together this is a opportunity we cannot pass up.

Commissioner Moody stated if we buy this today and lose the Teigan Ranch to public access or subdivisions, we will lose the credibility of central Montana Sportsmen.

Chairman Ream stated the Teigan Ranch needs to be kept a priority.

Action on Motion: Motion Carried. Four in favor – one opposed (Moody)

3. Seven Sisters WMA Addition – Final (Region 7)

Ken McDonald, Wildlife Bureau Chief, explained FWP proposes to purchase approximately 981 acres of riparian wildlife habitat along the lower Yellowstone River as a fee-title addition to the existing 560 acre Seven Sisters Wildlife Management Area. The property consists of an undeveloped 710 acre island parcel dominated by cottonwood and ash forest, along with a 271 acre mainland parcel comprised of riparian habitat and managed farm land. FWP will manage the property for dispersed public recreation, including high-quality hunting for pheasant, deer and waterfowl, as well as wildlife viewing, and managed crop lands to provide food and cover resources for game birds. FWP will purchase the land from long-time owner for the appraised value of approximately \$1,285,000 (approx. \$1,310/acre). Funding will come from the Habitat Montana account or a mix of Habitat Montana and federal sources (either Pittman-Robertson or State Wildlife Grants), pending U.S. Fish & Wildlife Service approval. The Environmental Assessment for the project was released on October 17, 2012 with comments accepted through November 8, 2012. A public hearing was held in Sidney on October 30, 2012. The project received overall support, with 16 comments in favor and 1 person opposed. There were many comments on management issues; need for safety zones near residences; concerns about motorized use; questions on property boundaries; and the need for strong enforcement presence on the WMA due to the influx of non-traditional users associated with the oil boom and related housing shortage. FWP issued its decision notice supporting the land acquisition on November 13, 2012.

Motion: Commissioner Colton moved and Commissioner Moody seconded the Commission approve the purchase of this approximately 981 acre addition to the Seven Sisters WMA and endorse the subsequent out-sale of up to 5 acres of this property if necessary for management or safety reasons.

Commissioner Colton stated the resource is getting strained in the area due to oil production and economic growth. Great project.

Action on Motion: Motion Carried

4. Spring Coulee Fee Donation – Final (Region 6)

Ken McDonald, Wildlife Bureau Chief, explained a landowner approached FWP about donating property for wildlife conservation and public use. The property consists of 1,050 acres of deeded land in breaks habitat along the north shore of the Missouri River, approximately 13 miles southwest of Big Sandy. Adjacent to the property, there are 460 acres of public DNRC and BLM lands. Nearly the entire property proposed for donation is native habitat, much of which is classified as Tier I habitat. The grassland habitat above the breaks is primarily mixed-grass prairie dominated by western wheatgrass with small patches of Wyoming big sagebrush. Several branches of Spring Coulee traverse the property, comprising a mix of silver sagebrush grasslands, badlands, and greasewood flats. The property appears to provide good mule deer habitat and supports antelope, sharp-tailed grouse, and a variety of nongame wildlife associated with mixed grass and shrub habitats. The property would provide recreational opportunity for hunters and recreationists floating the Missouri River. Road access is still in the process; only access at this time is via river. A draft Environmental Assessment (EA) was prepared and a public comment period ran October 17, 2013 through November 9, 2012. The draft EA was available to the public on the FWP website and copies were mailed to surrounding landowners and Choteau County Commissioners. There were two public notices of the acquisition in the Havre Daily News and Great Falls Tribune. A public meeting was held in Havre on October 30, 2012. There were approximately 65 people at the meeting and 7 of these people reported being in attendance for the Spring Coulee project, with one verbal comment expressing concerns regarding fencing of the property. There were nine written comments submitted on this project; seven of the comments were in support of this project, one was opposed, and one did not directly support or oppose the acquisition.

Commissioner Moody stated access by the way of the river is premium access on this section of the Missouri River; still need land access.

Commissioner Moody moved and Commissioner Colton seconded that the FWP Commission approve FWP's acceptance of the donation of the Spring Coulee property.

Commissioner Moody reminded FWP for interpretive signage at the site.

Chairman Ream requested staff to draft a letter to express the Commissions' appreciation of the donation.

McDonald explained the landowners requested they do not want any recognition for the donation.

Chairman Ream and Commissioner Moody stated to talk to the landowners in regarding recognition.

Action on Motion: Motion Approved

5. Wolf Harvest Update – Informational

Ken McDonald, Wildlife Bureau Chief, explained the FWP Commission finalized regulations for the Montana wolf hunting and trapping season in July 2012. By the 2012 wolf hunting season opened with the archery season on September 1, 2012 and will close on February 28, 2013. The first Montana trapping season opens on December 15, 2012 and closes on February 28, 2013. The 2012 season framework includes a number of changes from 2011, largely intended to increase wolf harvest and decrease wolf abundance in Montana. In July, the Commission directed FWP to provide a review of the wolf harvest after November 25, 2012 at the end of the regular deer and elk season and report back by December 3, 2012.

Commissioner Colton stated the Commission has reserved the right to close any geographic area at any time.

Bob Ream, Ken McDonald and Becky Jakes Dockter agreed.

George Pauley, Wildlife Management Section Chief, explained Harvest levels during 2012 are lower than during 2011. By the close of general rifle season in 2011, 99 wolves were harvested in Montana; close of general rifle season in 2012, 81

wolves were harvested (18% fewer). The geographic distribution of harvest varies somewhat among the two years. Harvests at WMU and HD levels are variously higher or lower between years. Those patterns could continue or diminish throughout the remainder of the season. Genetic connectivity could become a concern if wolves were largely eliminated from a sizeable portion of their range that precluded genetic interchange via dispersal. There are no indications from harvest levels or the associated distribution, of any potential for a large void. The data does not reveal any concerns for local, regional, or statewide over-harvest. There is no persuasive rationale or data supporting an explanation for the drop in harvest. License sales were similar during 2011 and 2012. Wolf license sales included 17,448 resident and 146 nonresident licenses sold in 2011 by the close of the general rifle season, and 17,407 resident and 209 nonresident licenses sold during the same period in 2012. Through November 26, 2012, 101 wolves were removed in Montana in response to depredations. This level is intermediate to the 2010 and 2011 removals. The model with high depredation removals and 60% harvest would represent the highest levels of anticipated mortality from both sources and predicted a year-end minimum population of 485 wolves in Montana, which would be a decline from the 2011 year-end minimum population of 653 wolves. With 485 wolves, Montana would be well above the state management plan minimum, the federal recovery goal, and relisting criteria. The overall harvest, and recovery area harvests are well below the simulated 60% rate and is likely that Montana will not reach 60% harvest. The harvest has averaged approximately 1 wolf/day and the total harvest through February 28, 2013 would be approximately 180 wolves, which is well below the model harvest of 364. We expect harvest to increase with trapping.

There has been a lot of interest of wolves being killed around Yellowstone National Park. Currently, there are 84 wolves in the Yellowstone area. To date, one un-collared and four collared wolves have been harvested.

Chairman Ream asked in 2011, area 316 the quota was 3, what is the current quota?

Pauley explained there is a mistake in the brochure, actually should have said two in 110 WMU and three in 316 WMU. Two wolves have been harvested in 316 WMU; quota has not been reached.

Chairman Ream stated a substantial number of wolves have been harvested north of YNP, but when an YNP pack leaves the park, it becomes a state pack and vice versa.

Chairman Ream motioned and Commissioner Moody seconded that FWP close the area from Mill Creek/Cinnabar Creek east to highway 89 and the area east of Bear Creek to WMU 316.

Commissioner Colton stated the Commission has followed the appropriate process. The loss of this many collared wolves is devastating and is in everybody's interest to make sure collared wolves are kept in appropriate abundance. Very modest adjustment, still allowing liberal harvest around the state.

Commissioner Vermillion asked the buffer that is being created, what would the closure be?

Chairman Ream stated no further taking in the two small areas.

Chairman Ream asked for public comment.

Ilona Popper, Bear Creek Council, asked the Commissioners to support Chairman Ream's proposal.

Kim Bean, Wolves of the Rockies, outraged by the YNP wolves being harvested, 50-70% of the collared wolves have been killed. Asked WMU 316 and 390a be closed to wolf harvest.

Jonathan Matthews, Montana Chapter Sierra Club, thankful for the suggested closures.

Keith Kubista, Montana Sportsman for Fish and Wildlife, stated there is great need for improvement to the specifics for setting a buffer or a reduce harvest quota within the borders of YNP. What is unknown is the outcome of the season structure that is setup in July and numerous objectives yet to be met with lowering wolf objectives. Urges not to adopt something of this nature.

Filip Panusz, Footlosse Montana, asked to reconsider wolf trapping in the areas adjacent to YNP.

Paul Rossingol, if you remove the harvest in these special areas, your sending the wolves on to other landowners to deal with them. Wolves can be removed from traps easily.

Chairman Ream explained the two very small areas identified, there are no known Montana resident wolf packs. Claudia Narcisco, opposed to trapping of wolves.

Chairman Ream explained the issue is closure not trapping.

Roland Deane, Montana Houndsman Association, opposed to closure.

Sian Jones, tourist from UK, appalled and disgusted by what is happening with the shooting of collared wolves.

Doug McLaughlin, supports the closures.

Ken Sinay, Region 3 Citizen Advisory Council, supports the closures.

Martha Collins, supports the closures.

Robert Aronsen, opposes closures.

Bob Fanning, commented on wolf issues.

Matt Skoglund, Natural Resources Defense Council, supports closure and a no take buffer zone around YNP.

Mark Dobrenski, does not support closure.

Rob Gregoire, supports closure.

Chairman Ream, stated wolves are going to come out of YNP regardless, wolves have become human adaptive and is part of that problem. No resident packs are in the two affected areas.

Commissioner Vermillion the population is in tack and the harvest does not show any indication of damaging the long term viability or sustainability of the wolf population. The problem is collared wolves not population.

Action on Motion: Motion Carried. Four in favor – one opposed (Vermillion)

6. Open Microphone – Public Opportunity to Address FWP Issues Not on Agenda

No public comment.

The meeting adjourned at 3:24 p.m.

Bob Ream, Chairman

Mike Volesky, Acting Director