

MINUTES
Montana Fish, Wildlife & Parks Commission Meeting
FWP Headquarters - Helena, MT
December 20, 2012

Commission Members Present: Bob Ream Chairman, Dan Vermillion Vice-Chairman, Ron Moody, Shane Colton

A.T. Rusty Stafne joined the meeting at 10:00 a.m.

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

Guests: See December 20, 2012 Commission file folder for sign-in sheet.

Topics of Discussion:

1. Call to Order - Pledge of Allegiance
2. Approval of Minutes of November 8, 2012 Commission Meeting
3. Approval of Commission Expense
4. Commission Reports
5. Director's Report
6. Legislative Update
7. Park Fee Rule - Final
8. Smith Rule – Final
9. Madison Buffalo Jump - Relinquish Managerial Control – Tentative
10. Statewide Fisheries Management Plan – Final
11. Nevada Spring Creek Water Rights – Final
12. 2013 Fishing Regulations for Red Rock Lakes NWR - Final
13. Fishing Access Site Annual Rule - Proposed
14. Spotted Dog WMA Grazing Lease – Final
15. WMA Commission Rules – Final
16. Helena Urban Deer – Final
17. Black Bear Quotas – Proposed
18. Spring Turkey – Proposed
19. HD 455 Bighorn Sheep Closure – Proposed
20. Bridger Bighorn Sheep Transplant – Final
21. North Dakota Sage Grouse Transplant - Endorsement
22. Bitterroot Elk Project – Update
23. Open Microphone – Public Opportunity to Address FWP Issues Not on Agenda

1. Call to Order - Pledge of Allegiance.

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

2. Approval of Minutes of November 8, 2012 Commission Meeting

Motion: Commissioner Moody and Commissioner Vermillion seconded the motion to approve the November 8, 2012 minutes. Motion carried.

3. Approval of Commission Expenses

Motion: Commissioner Moody moved and Commissioner Vermillion seconded the motion to approve the Commission expenses. Motion carried

4. Commission Reports

Commissioner Moody stated he received DVDs of the Idaho Fish and Game Summit that was held in August. Might look into doing something similar in Montana to bring everyone together.

Commissioner Colton had no report.

Commissioner Vermillion reported he was busy with a lot of calls on the wolf closure and Milk River Ranch. Everyone was happy with the elk season. Pleased with the Tongue River Railroad's decision to relocate their route.

Chairman Ream explained at the last meeting he stated the wolf is a political animal, which it is, but, it was translated as saying the wolf is a political decision and that is far from the truth. There is a big difference between political animals and political decisions.

5. Director's Report

Mike Volesky, Acting Director stated nothing new to comment on.

6. Legislative Update

Paul Sihler, FWP External Liaison and Special Projects Manager, updated wolf bill would give the Commission the authority to determine how many wolves a hunter can harvest in a year, decrease the non-resident wolf license from \$350 to \$50, allow for electronic calls and eliminate requirement of hunter orange; Representative Flynn will carry the bill. The bill to restore language that was accidentally deleted out of a state statute that enables FWP to receive Dingle Johnson funds, will be carried by Representative Connell. The good neighbor bill changed to extending the sunset to 2019, due to statutory appropriations in the bill; Senator Hamlett will carry the bill. The youth combination bill will be carried by Representative McClafferty. There is a new bill related to Department funding that is part of the executive budget, worked with the Governor's office to draft the bill to eliminate the real property trust; no sponsor at this time.

Chairman Ream stated that Bob Lane will be helping FWP with the Legislature.

7. Park Fee Rule - Final

Chas Van Genderen, Parks Administrator, explained the Montana State Parks Biennial Fee Rule establishes fees and associated rules for the state park system. The Rule identifies fees for entrance to state parks (nonresidents), camping, facility rental, guided tours and special uses at state parks. The Commission last increased resident camping fees in 2002 and nonresident camping fees in 2010 and authorized camping reservation fees in 2010. The Rule provides direction to staff for managing visitor use. Montana State Parks conducted a 30-day public comment period on the tentative fee rule approved by the Commission on November 8, 2012. A total of 17 comments were received, all of which referenced the proposed food storage rules; 2 of the comments provided detailed reasons supporting food storage rules and 15 comments opposed food storage rules; 1 comment supported the proposed rules regarding livestock use in state parks. Based on public comments, the proposed food storage rules have been amended to include food storage rules may be established in state parks that have a history of or high probability for human/bear conflicts and/or are located adjacent to or nearby other public lands where food storage rules are already in place and to add livestock feed to the list of items subject to storage.

Motion: Commissioner Vermillion moved and Commissioner Moody seconded the Commission approve the final state parks Biennial Fee Rule.

Chairman Ream asked if food could be hung in developed camp grounds?

Van Genderen, stated yes, but the challenge is in the front country sites, is making sure everything viable and safe for everyone involved.

Chairman Ream asked if this applies to Fishing Access Sites?

Van Genderen stated no, just for State Parks.

Chairman Ream asked for public comment.

Mike Geary, Smith River outfitter, asked if there is scientific data to support the need for food storage on the Smith River? What defines a history of bear /human conflicts? Opposed to Section 11 of the rule.

Action on Motion: Motion passed

8. Smith Rule – Final

Chas Van Genderen, Parks Administrator, explained the Smith River State Park and River Corridor Biennial Rule establishes fees, permit requirements and associated rules for private, commercial and landowner float trips on the Smith River from Camp Baker to Eden Bridge. The Smith River Rule also enables the Department to implement the management direction provided in the Smith River State Park and River Corridor Recreation Management Plan (updated in 2009). The Parks Division conducted a 30-day comment period to solicit public input on the proposed biennial rule, which would be in effect for 2 calendar years following adoption. One comment was received that expressed concerns regarding expanding RV Parks and competition with the private sector. This comment is noted by the Parks Division but the proposed Smith River Rule does not change camping rules in any way.

Action: Chairman Moody moved and Chairman Vermillion seconded to approve the final Smith River State Park and River Corridor Biennial Rule.

Chairman Ream asked for public comment.

Chairman Ream states before any food implements take place, report back to the Commission.

Van Genderen stated duly noted

Action on Motion: Motion passed

9. Madison Buffalo Jump - Relinquish Managerial Control – Tentative

Chas Van Genderen, FWP, reported Madison Buffalo Jump State Park includes 638.4 acres of land, with 617.5 of those acres designated as School Trust lands owned by the Montana Department of Natural Resource Conservation (DNRC) and 20.9 acres owned by FWP. The state park is open year around for day use activities and has averaged 3,786 visitors and \$1,839 in earned revenue annually from 2008 through 2012. The Parks Division is responsible for a full scope of park operations and maintenance, including visitor use management and resource protection. Annual operating costs have averaged \$15,192 from fiscal year 2008 through 2012. It has been proposed that Montana State Parks pay a \$4,272 annual fee (plus 2% annual increase) to DNRC for use of the School Trust property. Since executing the lease in 1966, the Parks Division has not provided this annual compensation; this was an issue identified in a financial-compliance audit conducted on DNRC by the Legislative Audit Division for two fiscal years ending June 30, 2012 that also affected Lewis and Clark Caverns. Montana State Parks is challenged to sustain the parks system. In the last three years the Department has decommissioned Parker Homestead, and turned back other lands under easement or lease Fort MacGinnis, and Citadel Rock to DNRC as part of reducing the size of the park system holdings. Given the fiscal challenges and fundamental concerns, Montana State Parks is proposing to relinquish management control of this property. While Madison Buffalo Jump State Park contains highly significant cultural resources, the state park system also includes First Peoples Buffalo Jump State Park which is considered one of the largest buffalo jump sites in the country and is proposed for National Historic Landmark status. The Parks Division proposes to conduct a 30-day comment period to solicit public input on the proposed relinquishment of management control Madison Buffalo Jump State Park due to its significance, level of development and higher profile designation as a park unit.

Motion: Commissioner Vermillion moved and Commissioner Moody seconded the Commission endorse the Parks Division proposal to relinquish management control of Madison Buffalo Jump State Park due to a significance level of development higher profile designation as a park unit.

Chairman Ream asked if the \$4,272 was just for Madison Buffalo Jump State Park?

Van Genderen answered yes.

Commissioner Moody asked if any data is available on historical visitor rates and is it possible to offer alternative funding in the public comment?

Van Genderen stated it is possible; did notify the Montana Historical Society before this, but there were no offers given. This is an important site to numerous Indian tribes.

Commissioner Vermillion asked if the \$4,272 is consistent with a grazing lease.

Shawn Thomas, DNRC Trust Lands Administrator, values grazing leases differently than recreational property.

Commissioner Vermillion asked if the commercial revenue was limited?

Thomas explained DNRC would continue to manage the property as a state park.

Chairman Ream asked if the park was relinquished, it wouldn't be managed as a visitor center?

Thomas explained no, but it would be opened to the public.

Acting Director Volesky explained Madison Buffalo State Jump is trust land and by Montana constitution, DNRC is not allowed to accept full market value for trust land.

Commissioner Vermillion explained putting this out for public comment is a smart thing to do. Tricky spot to be in for all parties involved.

Commissioner Colton suggested don't make tentative with a final proposal or make take modifications after public comment.

Becky Jakes Dockter, stated to address the confusion, the best option is to withdraw the motion all together.

Chairman Ream asked for public comment.

Bob Haseman, ranch in Broadwater County, on his property has a major buffalo jump 16 miles from Three Forks, Recommends changing the name of all the parks in the area. Very significant with Indian history.

Professor Les Davis, MSU Bozeman, is concerned about management changes and protection of the land.

Chere Jiusto, Director, Montana Reservation Alliance, states it is premature to take public comments, suggest more agency development to answer questions.

Substitute Motion: Commissioner Moody moved and Commissioner Vermillion seconded the Commission direct the Department to solicit public comment regarding the future management of Madison Buffalo Jump State Park and return to the Commission at a future date with a tentative proposal.

Action on Motion: Motion approved

10. Statewide Fisheries Management Plan – Final

Bruce Rich, Fisheries Bureau Chief, explained that FWP is proposing a Final Statewide Fisheries Management Plan. The plan identifies overarching goals and direction for core fisheries programs, including fisheries management, fisheries habitat, fishing access and recreation management. The plan establishes the management direction for each waterbody under FWP authority, the management objectives for the fish found in the waterbody, and any special considerations or management issues that apply; an overview on laws, rules and policies that affect fisheries management; provides guidance to FWP and the Commission for development of future policies, regulations, and project/program priorities. Public involvement included a web page devoted to the plan; statewide and regional press releases; post cards to 1500-member mailing list; Montana Outdoors magazine article; communication with angling groups; radio coverage; questions about the public involvement process, concern over length of comment period 10 public meetings; 47-day comment period. FWP received comments from 77 individuals, organizations, and agencies.

Commissioner Moody motioned and Commissioner Colton that the FWP Commission approve the Final Statewide Fisheries Management Plan as amended.

Chairman Ream thanked Rich and the Regions for putting it all together in a consistent format. Valuable document, set the regulations to meet the objectives.

Commissioner Colton also thanked Rich and his staff.

Chairman Ream asked for public comment.

Mark Aagones, Montana Trout Unlimited, the organization is still dramatically confused. Good document, but there is lack of public interest because of confusion.

Jim Manning, Clancy, concerned about illegal introduction of walleyes west of the divide, would like more aggressive introduction to the bull trout population.

Ream asked for public comment from the Regions.

Action on Motion: Motion approved

11. Nevada Spring Creek Water Rights – Final

Bruce Rich, Fisheries Bureau Chief, explained FWP is asking the Commission to approve the transfer of six water right claims on Nevada Spring Creek from the Nevada Spring Creek Partners to FWP. Nevada Spring Creek, located in Powell County, is a Blackfoot River Basin stream that originates from an artesian spring and flows for approximately 3.2 miles to Nevada Creek prior to its confluence with the main stem of the Blackfoot River. Nevada Spring Creek Partners wish to permanently transfer these water rights to instream flow through a third party purchase by Trout Unlimited and a donation to FWP. Upon Commission approval of the transfer, FWP would seek the DNRC administrative approval to convert the water rights to an instream flow purpose. The 2005 Blackfoot Basin Restoration Action Plan identified Nevada Spring Creek as a moderate priority stream. Enhanced stream flow will improve spawning and reproduction habitat for westslope cutthroat trout and other species. There are no other consumptive-use rights that divert water from Nevada Spring Creek. In April 2012, the Commission endorsed FWP's proposal to evaluate the transfer of these water rights to FWP, negotiate the terms of the gift, and report back to the Commission with a recommendation for final action. FWP prepared a draft Environmental Assessment (EA) for this project and conducted a 30-day comment period between November 3 and December 3, 2012. FWP received a total of eight comments; seven were supportive of the acquisition. I move that FWP acquire through donation of six irrigation water rights on Nevada Spring Creek, and pursue the permanent conversion of these irrigation water rights to an instream flow fishery purpose.

Motion: Commissioner Moody motioned and Commissioner Colton seconded that FWP acquire through donation, six irrigation water rights on Nevada Spring Creek, and pursue the permanent conversion of these irrigation water rights to an instream flow fishery purpose.

Chairman Ream asked for public comment.

Action on Motion: Motion approved

12. 2013 Fishing Regulations for Red Rock Lakes NWR – Final

Bruce Rich, Fisheries Bureau Chief, explained on October 11, 2012, the Commission delayed making a final decision on proposed fishing regulation changes for Red Rock Creek, Upper Red Rock Lake, and Widgeon Pond. These waters are located in the FWP Central Fishing District; Upper Red Rock Lake, Widgeon Pond and the lower reaches of Red Rock Creek are located within the United States Fish and Wildlife Service (USFWS) Red Rock Lakes National Wildlife Refuge. The changes are part of a five year long research effort intended to determine effects of predation and competition from non-native Yellowstone cutthroat trout hybrids on the native Arctic grayling population in the Red Rock Creek system. The Department requested that the Commission delay its decision on these proposed changes in order for the Department to communicate further with the United States Fish and Wildlife Service about potential impacts on trumpeter swans in the Refuge. After conferring with the USFWS, the Department is proposing that the Commission adopt as final the changes for Red Rock Creek but not adopt the changes for Red Rock Lake and Widgeon Pond. The Red Rock Creek regulations would be open the entire year except May 15 through June 14 and cutthroat trout to a 20 daily and in possession. FWP did not receive any comments on the proposed changes for Red Rock Creek, Upper Red Rock Lake, and Widgeon Pond during the official comment period.

Motion: Commissioner Moody motioned and Commissioner Colton seconded to adopt FWP's proposed final regulation changes for Red Rock Creek for the 2013 fishing season.

Ream asked for public comment.

Action on Motion: Motion approved

13. Fishing Access Site Annual Rule – Proposed

Charlie Sperry, Recreation Management Specialist, explained FWP is proposing a Fishing Access Site (FAS) Annual Rule for FWP fishing access sites. The rule is necessary now that fishing access sites are the responsibility of the FWP Fish and Wildlife Division and are no longer under the purview of Montana State Parks and its Parks Biennial Fee Rule. The proposed new FAS Rule primarily consists of rule language that used to reside in the Parks Biennial Fee Rule and has been transferred to the new rule verbatim. The new rule does not propose any increase in fees at FASs, with the exception of the minimum Special Recreation Permit fee has been increased from \$95 to \$100 to be consistent with the Bureau of Land Management, which is the co-managing agency for the permit system on the Blackfoot and Madison rivers. The Department may designate fishing access sites where bear resistant food storage is required. Upon approval of the proposed rule by the Commission, FWP will announce and conduct a public comment period. This will be advertised through a statewide and regional press release. The Parks Biennial Fee Rule no longer pertains to fishing access sites and therefore it is necessary for the Commission to adopt a new rule for fishing access sites. The Commission could choose to make amendment to the proposed rule before seeking public comment.

Motion: Commissioner Moody motioned and Commissioner Colton seconded that the FWP Commission approve the Department's request to begin soliciting public comments on the proposed Fishing Access Site Annual Rule and report back with its findings and a final recommendation in February.

Chairman Ream asked for public comment.

Robin Cunningham, Fishing Outfitters Association of Montana, talked about nonprofit organizations and fees.

Action on Motion: Motion approved

14. Spotted Dog WMA Grazing Lease – Final

Ken McDonald, Bureau Chief of Wildlife, explained FWP proposes to extend the grazing lease with Rock Creek Cattle Company on FWP's 27,616-acre Spotted Dog Wildlife Management Area until December 31, 2013. Under the July 28, 2010 purchase agreement, by which FWP purchased the WMA from RCCC, a grazing lease was established with RCCC that is set to expire on December 31, 2012. At the time of purchase FWP was unaware that much of the property boundary was in need of repair or relocation and that grazing allotments on intermingled Helena National Forest lands on the eastern side of the WMA were resulting in significant trespass cattle grazing on the WMA. The poor condition of boundary fences and complete lack of them adjoining the Forest allotments allow trespass cattle to graze on the WMA and prevent FWP from implementing the Management Plan and Decision Notice that the Commission adopted in August 2010. The proposed one-year lease extension recognizes that a well fenced WMA boundary is a prerequisite for implementing rest from grazing. The proposal would give RCCCs the right to graze 9,675 AUM for the standard WMA grazing rate and to give FWP a year to implement actions, fencing and potential land exchanges that would allow for more effective range management while continuing collecting income from grazing cattle. At the end of this one-year grazing extension, FWP intends to implement the management plan for the WMA, providing a period of grazing rest. The draft Environmental Assessment to extend cattle grazing by RCCC on Spotted Dog WMA was posted on FWP's website and mailed to interested public parties on November 2, 2012. Formal public involvement under MEPA is ongoing. To date only six comments have been received with the majority of them in favor of the action. Public comment on this proposal will conclude on December 3, 2012 with a decision notice issued soon thereafter, which will be provided prior to Commission action.

Motion: Commissioner Moody motioned and Commissioner Colton that FWP Commission approve extending Rock Creek Cattle Company's grazing lease on Spotted Dog Wildlife Management Area to December 31, 2013 with on date of June 15, 2013 and off date of October 15, 2013 specific.

Chairman Ream asked if there are plans of completing the fencing this year?

McDonald stated yes, 18 miles is completed, 14 miles under contract; the majority exterior boundary will be fenced.

Chairman Ream asked if the grazing lease total is \$140,000 and will help pay with the fencing?

McDonald stated the lease will generated between \$140,000 - \$180,000 and will help pay with fencing. The property was purchased through the Natural Resource Damage program which provided an estimate of \$1 million for the start up costs of this WMA.

Ream asked for public comment

Rod Bullis, concerned about extending lease and letting land rest.

Action on Motion: Motion approved

15. WMA Commission Rules – Final

Ken McDonald, Wildlife Bureau Chief, explained FWP developed a draft set of FWP Commission rules intended to direct public use on all FWP Wildlife Management Areas (WMA). There has been variability and a lack of clarity related to public use rules among the state's 77 WMAs. Based on comments from public and internal FWP review, the proposed rules submitted August 30, 2012 have been edited via Track Changes. FWP will review and adjust these rules as needed on a biennial schedule. A public comment period began August 31, 2012 and closed October 15, 2012, a press release calling for public comment, an interested person's letter with accompanying proposed rules was posted on the website and mailed to an established list of interested parties. FWP received comments to the proposed WMA Commission Rules via the FWP website, email, and hard copy mailings. A total of seven public comments were received; raised questions and suggested edits on specific rules, including the restricted use of weapons outside of hunting, food storage requirements, firewood collecting, the winter closure to public access, and removal of natural resources. The proposed rules have undergone considerable review and refinement, both by the public and by FWP.

Motion: Commissioner Moody motioned and Commissioner Colton seconded to adopt the Wildlife Management Areas Commission rules with the latest changes as presented.

Chairman Ream asked for public comment.

Action on Motion: Motion approved

16. Helena Urban Deer – Final

George Pauley, Wildlife Management Section Chief, explained in 2003, the Montana Legislature authorized cities to create plans to control wildlife to address public health and safety within city limits. Such plans must be approved by the FWP Commission. The City of Helena subsequently developed an Urban Deer Management Plan seeking to initially remove 350 deer to achieve an objective of 25 deer/sp mile. FWP completed a third, programmatic EA in 2009 that confirmed objectives and methods relative to urban deer management in Helena. Within the plan, any take/removal of deer requires approval by the FWP Commission on an annual basis. To date, a total of 530 deer have been removed, including 105 removed during the latest removal effort in 2012. FWP does not contribute staff or resources to actual removal efforts. Any quotas do not apply to individual deer removed under urgent public-safety situations. Survey data are collected and analyzed annually in October. Subsequently, the City, in cooperation with the local FWP biologist, establishes a level of take, which is presented to the Commission as a proposal in November and finalized in December, when take efforts are authorized to begin. Last year, largely due to mild winter conditions, deer were reluctant to enter traps and the take was well below the objective (200). Under those circumstances, it would be helpful to extend the take period into the following fall, to allow additional time to take deer to meet the objective. FWP proposes that this take authorization be valid through December 31, 2013, with a no-take period extending from April 1 through November 14, 2013. Survey data were collected during October and the analysis was recently completed. The data revealed an estimate of approximately 34 deer/sq mile within the City of Helena. This is comparable to the 32 deer/sq mile estimated in 2011, and above the identified density objective of 25. Given projected growth, the City and local FWP biologist are looking for a take up to 200 deer to reduce the population once again to below the target of 25deer/sq mile. Proposed methods will be identical to those employed previously. The City of Helena conducted extensive public involvement in developing its plan and the previous urban deer environmental assessments. FWP provided separate 30 day public comment periods. Public support has been split throughout these earlier processes. Public comment on this proposal will extend through 5 PM Monday,

December 17, 2012. FWP received 30 comments through December 3, 2013. Public support appears split and other alternatives including transplants and archery hunting were suggested.

Motion: Commissioner Moody moved and Commissioner Colton seconded the Commission adopt the final 2012 - 2013 take of urban deer by the City of Helena as presented by City staff and FWP

Chairman Ream thanked the City of Helena, very difficult task.

Chairman Ream asked for public comment.

Ron Alles, Manager, City of Helena, appreciates the support of FWP.

Chairman Ream recommends looking at a quota of 25 deer/sq mile.

Commissioner Colton thanked the City of Helena and former City Manager Tim Burton who started this program.

Volesky asked about statistics.

Pauley explained mainly an even split.

Volesky asked Alles about statistics.

Allis stated he will get the statistics to the Department.

Pauley explained this plan is about human safety.

Action on Motion: Motion approved

17. Black Bear Quotas – Proposed

George Pauley, Wildlife Management Section Chief, explained black bear season dates and season structure for 2013 were finalized in February 2012. Quotas may be changed annually. Field surveys have identified a proposed quota change in one black bear license type that is outside the biennial quota range adopted in February 2012. The bear hunting district 700 will increase the fall license quota from four to eight. All other changes and/or maintenance of 2012 black bear quotas for 2013 are within the adopted biennial quota ranges and do not require the additional commission approval. Public comment on this proposal will run through 5 PM, Monday, January 28, 2013. Any final adoption will be at the February 14, 2013 meeting.

FWP recommends adopting the proposed change which is consistent with known biology, management history and survey efforts to date.

Motion: Commissioner Moody moved and Commissioner Colton seconded to adopt the proposed spring 2013 black bear quotas as presented by FWP.

Chairman Ream asked for public comment.

Action on Motion: Motion approved

18. Spring Turkey – Proposed

George Pauley, Wildlife Management Section Chief, explained upland game bird season dates for 2013 were finalized in February 2012. Other season elements including bag and possession limits may be changed annually. There are no established quota ranges for spring turkey permits and consequently, all changes require Commission approval. Two changes are proposed for 2013 Spring Turkey quotas and limits; 282-20: Increase spring turkey special permits from 100 to 150 and 445-20: Decrease spring turkey special permits from 10 to 5. All other elements are proposed to remain unchanged from 2012. Public comment on this proposal will run through 5 PM, Monday, January 28, 2013. Any final adoption will be at the February 14, 2013 meeting.

Motion: Commissioner Moody moved and Commissioner Colton seconded to adopt the proposed spring 2013 turkey quotas and limits as presented by FWP.

Chairman Ream asked for public comment.

Action on Motion: Motion approved.

19. HD 455 Bighorn Sheep Closure – Final

George Pauley, Wildlife Management Section Chief, explained bighorn sheep hunting was re-opened in HD 455 in 2005. The old hunt area encompassed the Beartooth Wildlife Management area and the Gates of the Mountains wilderness area. In 2005, the hunt area boundary was expanded to include the bighorn sheep herd south of the Cascade. Hunters from 2005 to 2010 had excellent opportunities to harvest an older age class ram, with numerous rams in the population. A die-off during the winter of 2010 caused a 50-75% loss in the herd. The sheep license holder in 2011 hunted 30 days, harvesting a large full curl ram, but mentioned observing only a handful of one-half curl and older rams. The 2012 sheep licensed holder had a tough time finding rams this past fall. Area landowner and personal observations are similar. FWP proposes to close the HD 455 bighorn sheep hunt until sheep numbers rebound and older age class rams become available. Given the observed population size, measured decline, poor hunting conditions, disease history, and guidance in the Bighorn Sheep Conservation Strategy, it is appropriate to close the hunt. FWP proposes and supports the closure.

Motion: Commissioner Moody and Commissioner Colton seconded FWP Commission to adopt the proposed closure of the Hunting District 455 bighorn season as presented by FWP.

Chairman Ream asked for public comment.

Action on Motion: Motion approved

20. Bridger Bighorn Sheep Transplant – Final

George Pauley, Wildlife Management Section Chief, explained FWP proposes to reintroduce bighorn sheep into the Bridger Mountains. The purpose of the reintroduction is to establish a long-term viable bighorn sheep population that will provide new and valuable recreational opportunities including wildlife viewing and sport hunting. Biologically, a new bighorn population in the Bridgers would increase biodiversity and restore a native species after a 100-year absence. From a conservation perspective, increasing the number and distribution of viable bighorn populations in Montana has long-term survival benefits for the species. The greatest challenge facing a successful reintroduction in the Bridger Mountains is the presence of at least 10 domestic sheep herds within 1.5 to 12 miles of the bighorn sheep release site. The comingling of domestic sheep and bighorns has resulted in disease-related bighorn sheep die-offs in Montana and throughout the west. Based on FWP's Bighorn Sheep Conservation Strategy (2010) and other management sources, the Bridgers are a high-risk area for disease transmission. The disease issue has led to the development of alternative C proposal action, would release bighorns contingent upon entering into voluntary domestic sheep management agreements with sheep producers to achieve separation between domestic and wild sheep; it should be noted that some local livestock producers and at least one sheep producer is opposed to reintroducing bighorns due to the potential negative impacts on their ranching operations. A draft EA was released in November followed by a 22-day comment period that included a public meeting held at the FWP Region 3 Headquarters in Bozeman on November 15, 2012. Forty-seven individuals or groups submitted comments; 34 comments supported the proposal, 10 opposed the proposal, 2 did not express an opinion, and 1 suggested another alternative.

Commissioner Vermillion stated December 2013 seems to be late; report back time should be early fall, especially with helicopter contracts.

Pauley stated FWP signed a contract with a helicopter company for next year's transplant.

Pat Flowers, Region 3 Supervisor, recommends coming back to the Commissioners as a tentative in October or November.

Commissioner Vermillion stated to keep other options open and give a report in October for tentative ruling.

Flowers stated yes, that would be possible.

Motion: Commissioner Vermillion motioned and Commissioner Colton seconded the Commission approve alternative C, which is modified proposed action that authorizes the release of bighorns into the Bridgers, in February 2014 contingent upon entering into a voluntary domestic sheep management agreements with sheep producers to achieve separation between domestic and wild sheep with a tentative proposal being set forth to the Commission in October 2013, put out for public comment for 30 days with a final decision made in November 2013.

Jim Weatherly, Director, Montana Wildsheep Foundation, thanked Julie Cunningham and staff for looking at the Bridgers and all their hard work. Recommends project, willing and able to help with this project.

Commissioner Vermillion will vote by phone, echoed Mr. Weatherly and the FWP staff, especially Julie Cunningham, Quentin Kujala and Pat Flowers for getting this project started. Glen Hockett and Gallatin Wildlife Association deserves a ton of credit and there activity in this effort. Landowners west of the Bridgers very involved. A lot of people behind the project. Great project and very supported by the people of Bozeman.

Tim Aldridge, Missoula, echoed Weatherly's comments. Spirit of cooperation is a great thing.

Chairman Ream asked for public comment.

Action on Motion: Motion approved

21. North Dakota Sage Grouse Transplant – Endorsement

George Pauley, Wildlife Management Section Chief, explained North Dakota Department of Game and Fish (NDGF) submitted a proposal to FWP requesting translocation of 60 female greater sage grouse over a 2 year period (30 per year) from Montana to North Dakota. The stated purpose behind this relocation is to augment existing populations to further long-term conservation of sage-grouse in North Dakota by maintaining a self-sustaining population that is resilient to future disturbances such as West Nile Virus or other periodic events such as drought. North Dakota sage grouse populations occur on the eastern periphery of sage grouse range and are interconnected to Montana populations occurring to the south and east of Baker Montana. NDGF states that populations have declined by 60% since 2007 and expressed concern that the population has declined to the point that reproduction may not be able to maintain mortality caused by natural events. Potential source populations are located: immediately west of the North Dakota population in Fallon County; to the southwest in Carter County; in Rosebud County to the north of Forsyth. All three source areas are showing similar trends to the North Dakota population. As a result of extreme winter weather, drought conditions and West Nile Virus outbreaks, Montana source populations reached a low point in 2011, dropping to 50-60% below peak populations observed in 2007. Populations began to rebound during 2012. Montana populations are more robust, present over a vastly larger landscapes, and are inter-connected to other populations of sage grouse. The public comment period on this proposal will extend through 5 PM, Monday, January 28, 2013.

Motion: Commissioner Moody moved and Commissioner Colton seconded to endorse the proposed transplant of sage grouse to North Dakota, as presented by FWP.

Chairman Ream asked if the transplant wouldn't happen until 2014.

Pauley stated yes, public comment would take place in fall 2013 followed by final approval.

Chairman Ream asked for public comment.

Action on Motion: Motion approved

22. Bitterroot Elk Project – Update

George Pauley, Wildlife Management Section Chief, explained the Bitterroot elk project is in its second year. The Commission has previously received updates and preliminary results of this project covering activities through the spring of 2012. The project subsequently has continued with marking of neonate elk, monitoring the fates of these elk, as well as monitoring of adult survival, movements, body condition, and elk habitat. Project results from the spring, summer, and fall of 2012 will be presented to the Commission, and staff will be available to answer questions.

Kelly Proffitt, Region 3 Wildlife Biologist, gave a lengthy discussion on the bitterroot elk project (see power point in file).

Chairman Ream asked for public comment.

Chairman Ream thanked Proffitt and stated it is a great study.

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

No public comments given.

The meeting adjourned at 2:02 p.m.

Bob Ream, Chairman

Mike Volesky, Acting Director