

FISH & WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: April 10, 2014

Agenda Item: Elk Management in Areas with Brucellosis 2014 Work Plan—Local Modification

Division: Wildlife

Action Needed: Final

Time Needed on Agenda for this Presentation: 30 minutes

Background

In January 2013, the Commission endorsed elk management recommendations from a citizen working group for application in areas with brucellosis (Designated Surveillance Area as described by the Montana Department of Livestock). The Commission also endorsed a procedural requirement for annual work plans with an annual review in August. The 2013 work plan included hazing, fencing and dispersal hunts as management actions available for implementation. Examples of all three were applied in 2013. While recommendations from the citizen working group identified local working groups, such participation has been most present in the Paradise Valley.

A proposed 2014 work plan was presented on Aug. 8, 2013. That plan was assembled by FWP with input from the statewide working group that met in Bozeman last July. The 2014 plan included several modifications based upon 2013 experiences and had a renewed emphasis on local working groups. It was presented in such a way that any work plan refinements developed using local working group could be proposed at a future time.

The wildlife subcommittee of the Upper Yellowstone Watershed group has been hosting local deliberations on proposed modifications to the 2014 annual work plan. FWP has been assisting these discussions with MSU Extension providing facilitation and other meeting logistics. The meetings have been open to any interested party. Proposed modifications presented and adopted in February include additional private land fencing and later dates for lethal removals on private land. If approved by the Commission, work plan modifications generated by these Paradise Valley discussions would be available for use in the Paradise Valley in the 2014.

Public Involvement Process & Results

Public review and comment on the initial adoption ran through March 21. Forty-nine comments were received from the electronic public-comment site with additional email and hard copy comments also submitted and reviewed. Public comments include clear opposition to the proposed modifications and are provided to the Commission for their use in final decision making.

Agency Recommendation & Rationale

In light of expressed concerns by the public, the recommendations have been adjusted in an effort to address concerns while still providing additional risk management tools in the Paradise Valley. An additional document is available with this cover sheet listing the specific proposed changes.

Alternatives and Analysis

Proposals may or may not be adopted as proposed or with adjustment per staff justifications, public comment and/or Commission discussion.

Proposed Motion

I move to adopt the proposed 2014 annual work plan modifications for brucellosis-related elk management tools in the Paradise Valley as presented by FWP.

PARADISE VALLEY BRUCELLOSIS WORK PLAN PROPOSED ADJUSTMENTS - FINAL

In response to public comment that included significant opposition to the original Paradise Valley brucellosis work plan proposal, please see adjusted final proposal below. Proposal adjustments reflect efforts by FWP to respond to public concern and opposition while also providing additional risk mitigation in the Paradise Valley where there is history of repeat livestock infections in specific areas. Given FWP's charge to manage Montana's wildlife in perpetuity, the department believes these proposed efforts represent a measured approach to risk management that will broadly maintain elk on the landscape and help insulate them against more deleterious management advocacies.

ADDITIONAL LETHAL REMOVAL OF ELK IN THE PARADISE VALLEY PORTION OF THE DESIGNATED SURVEILLANCE AREA

In addition to current authorization and conditions for lethal removal of elk for mitigation of brucellosis transmission risk in the Paradise Valley, the following is proposed:

Elk may be lethally removed from private land within the DSA from May 1 – May 15 only via kill permit. The kill permit shall address care and disposition of any elk carcass.

A landowner or landowner's agent, a hazer or other FWP staff may take an elk only on private land within the DSA pursuant to these kill permits.

The area Commissioner and Regional Supervisor must jointly authorize these specific kill permits.

Individual kill permits may not authorize more than three elk for lethal removal. Only one kill permit per landowner may be authorized within this time frame.

Risk of infection to humans, livestock and other elk will be minimized with careful handling instructions and appropriate gut pile management that depends upon site specific circumstances. To further reduce risk and public concern with the late stage of pregnancy, emphasis shall be given to lethal removal of yearling and bull elk.

Kill permits may be applied in this time period only if other risk management efforts are not effective at reducing commingling events.

These kill permits will be used to discourage elk presence to avoid commingling and elk calving on private land in areas with livestock during the risk period.

ADDITIONAL FENCING TO MINIMIZE COMMINGLING OF ELK AND LIVESTOCK IN THE PARADISE VALLEY PORTION OF THE DESIGNATED SURVEILLANCE AREA

In addition to authorization of small scale fencing of attractants (stackyards) to minimize commingling between elk and livestock in the Paradise Valley, the following is proposed:

Except for small scale fencing of attractants (stackyards), any proposed fencing project with FWP support shall require a written plan submitted to the Fish and Wildlife Commission for review and potential approval. This shall include a public review and comment period and potentially a checklist EA depending on project size. The written plan shall clearly enumerate size, type, season, cost and cost share opportunities, and location of proposed fencing, timing and size of any elk concentrations and their relationship to risk and mitigation, and a description of sufficient seasonal habitats available for elk and other wildlife species.

Any such fencing project must include cost sharing between the landowner(s), FWP and any other private entities or governmental agencies.

Any such fencing project may be proposed only if FWP has identified sufficient dollars for cost share participation. Note these types of brucellosis risk mitigation efforts are not within the traditional game damage program or budgets.

Any such fencing project may include only the minimum acreage necessary to contain and keep livestock out of consistent commingling situations with elk in areas with a history of repeat livestock infection.



Any such fencing project may be only with those landowners that have developed and followed a livestock risk management plan for brucellosis. This may include risk management plans developed by the Landowner with the Montana Department of Livestock.

Any such fencing project must minimize the potential to capture elk and other wildlife. Without prior FWP approval, no managed species of wildlife may be lethally removed from within an elk proof fenced pasture.

Any elk proof fence may only be applied on private lands and must be the minimum structure necessary to prevent cattle and elk passage.

Any such elk proof fence may be in place not more than two weeks before and after the risk period of Jan 15 – June 15. This does not include permanent stackyard fencing where FWP and the Landowner agree the fence should remain in place.

Any such fencing project may be proposed only in those specific areas with a history of applied livestock risk management plans, other elk management risk mitigation efforts (such as hazing), and repeat livestock infections.

Consistent with the concept of a “pilot project”, not more than two of these fencing projects may be implemented without at least one full year of evaluation after the fences have been put in place. Any evaluation shall assess effective wildlife passage around these fenced areas. In the event adequate wildlife passage is not maintained or there are consistent wildlife captures, the landowner and FWP must pursue appropriate modifications.

Individual fencing projects may include multiple landowners.