

**Montana Fish & Wildlife Conservation Trust**  
**Minutes from Joint State Federal Board**  
**Meeting – September 26, 2017**

**Attendees:**

David Allen, Chair (USFWS) [david\\_allen@fws.gov](mailto:david_allen@fws.gov)  
Roxanne Peterson, Co-Chair (Bureau of Reclamation) ([repeterson@usbr.gov](mailto:repeterson@usbr.gov)) (call-in)  
Rick Hotaling, (BLM) [rhotaling@blm.gov](mailto:rhotaling@blm.gov)  
John Hagenruber, (USFS) ([jhagenruber@fs.fed.us](mailto:jhagenruber@fs.fed.us)) (call-in)  
Sam Shepherd (MFWP) [sshepherd@mt.gov](mailto:sshepherd@mt.gov) (call-in)  
Bill Orsello, Chair, CAB ([williamorsello@gmail.com](mailto:williamorsello@gmail.com))  
Jane Ratzlaff, Montana's Outdoor Legacy Foundation ([jratzlaff@gmail.com](mailto:jratzlaff@gmail.com)) conferenced in  
Deb Lane, Recorder ([deb@mtoutdoorlegacy.org](mailto:deb@mtoutdoorlegacy.org)) (call-in)

Dave convened the meeting at 9:00 am.

There was a tour of the 2016/2017 Grosswiler CE and bird viewing project on Monday evening hosted by Five Valleys Land Trust. This area is a staging area for Sand Hill cranes during their migration. Laura Katzman (FVLT) hosted the tour.

**The 6/26/2017 minutes were presented. The date needed to be change from the 29<sup>th</sup> to the 26<sup>th</sup>. Motion by Sam to approve as amended; Second by Roxanne; Vote to approve 5 – 0.**

**Financial:**

Mid-quarter review reflects a balance of \$24,239,562. DA Davidson will have a representative at the January 2018 meeting which will include a review of 2017 performance and set the 2018 funding allocation.

**Old Business:**

**Prickly Pear Land Trust:**

David met with Leroy Schramm (PPLT). The Trust decision to not fund previously purchased projects was reinforced with Leroy. PPLT has now requested every Joint Board and CAB meeting minutes from inception. The last two years will be provided at this time on a read-only disc. Deb will send to Leroy after this meeting.

**Interim Board Decisions:**

The Trust Manager ratified the JB's decision to consult with Sally Johnson, attorney, for review of the Trusts new Conservation Servitude and Grant Agreement. The estimated costs were \$2500 and \$1000.

The YT Timber project from the Wild Sheep Foundation requested a 1 year extension for their project. They clarified that this will be a fee title purchase with a transfer to FWP. **Vote was approved via email on July 24, 2017. Vote 4 – 0 to approve, Sam abstained.**

JB reaffirmed their decision to allow the JB chair to approve invoices up to \$5000 without full board approval.

**Website Updates:**

A clarification will be added to the website: All project applicants awarded Trust funding are allowed up to two years to complete their projects. Not all projects awarded funding are completed. The project funds are retained by the Trust until a project is complete; if unused they are then available for other project funding. Also, to be added to each project page is whether the project was inside or outside of the area.

Discussion continued as to how we can promote the use of the website such as adding pages reflecting projects to visit if you want to fish, recreate/hike, hunt, etc. Key is to have a website that has a design that is user friendly, easy to maintain preferably in-house, and informational as to the Trust and its work.

### **Attorney Fees & templates:**

Sally Johnson's invoice for the Grant Agreement, Conservation Servitude, and template work totaled \$4000 which is \$500 more than the board had approved. **Motion by Rick to pay the additional amount; Second by Sam; Vote 5 – 0 to approve.**

The templates (Grant Agreement and Conservation Servitude) provided by Ms Johnson will ensure that the Trust Manager has the tools to protect the Trust's investments in projects funded to NGO's in perpetuity. Fee title purchases by agencies are protected thru statutes and the public process, however, they will use the Grant Agreement template to help secure those projects also. **Motion by Dave to approve the Conservation Servitude; Second by Rick; Vote 5 – 0 to approve.**

Discussion continued on the Conservation Servitude whether it should be used not just with NGOs but also with FWP (state agency). Sam will contact Darlene Edge, Martha Williams, Paul Sihler and FWP attorneys as to how they would perceive a Conservation Servitude on their projects. Prior FWP representatives on the board were supportive of having the restrictions in place.

The Joint Board agreed to review the Grant Agreement one more time before voting by email on the new template. Two items in particular (reference to an environmental assessment & the Joint Board Chair signature) are to be reviewed for removal. Dave will send out for vote.

With the settlement and new templates in place, Deb will summarize the full project funding cycle for the next board meeting.

### **Interim Project Requests:**

Bill summarized two interim project requests from outside the target area: one with a small access component from Mt Land Reliance and one from Land & Water Conservation Fund on the CMR. Currently there is no funding available for outside the area projects. They can both resubmit during the 2018 funding cycle. Both applicants have been notified.

Several interim projects for inside the target area have come before the CAB. First is a fishing access site project on Prickly Pear Creek near Clancy. It is an old railroad right-of-way. It has two small ponds and ¾ mile of creek front with it. FWP is the project applicant and would be requesting about \$250,000. Next is a project near Toston. It is 240 acres and will connect BLM land to the river. Continuity with a BLM purchase would guarantee public access and access to the river. Realtor Mark Sweeney has informed the CAB of the availability of this property but BLM would probably be the final project applicant. They have contacted Turner since his land is adjacent to this property to see if they are interested but if not, we will move forward with an appraisal. Another project is adjacent to the Trust project "Tarhead". The owner passed away and the heirs are looking at divesting of the property. FWP is involved as they would be looking to add this property (60 acres) to the Canyon Creek Wildlife Management Area. In addition, Jenny Sika will be submitting two projects also in the

area of the Canyon Creek WMA in the near future. If these interim projects go thru all the inside the area carryover funds (\$877,000) would be utilized.

Bill noted that the interest from agencies has started to get active again since the elections. As an adjunct to the Iron Mask projects there may be a project coming forward for CE on the Hahn Ranch.

Next meeting will be on Thursday January 18<sup>th</sup> at USFWS conference in Helena. It will begin at 9 AM.