

## **FISH and WILDLIFE COMMISSION AGENDA ITEM COVER SHEET**

**Meeting Date:** January 15, 2015

**Agenda Item:** Proposed seasonal closure of White Bear Fishing Access Site

**Division:** Fisheries

**Action Needed:** Proposed

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

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**Background:** White Bear Fishing Access Site (FAS) is located on the edge of Great Falls. The site has become an attraction for non-sporting type use during summer months. The site has many secluded areas which promotes unsavory activities during summer months (June-September) such as under-age use of alcohol, illegal drug use, violent behavior, public disturbance, vandalism and litter. This activity has caused numerous disturbances with neighbors and other site users and requires a high law enforcement presence and high demand on maintenance resources. Given the nature of the violations occurring at the site, FWP law enforcement has little to no authority to enforce many of the violations without assistance from the Cascade County Sheriff. In 2014, the Cascade County Sheriff was unable to respond to some requests for assistance due to the high number of calls and other priorities within the County. At least two vehicle- related accidents have occurred from people leaving the site. One involved a fatality and the other caused serious injury to a neighbor. Neighbors have expressed concerns about their safety and security by users of the FAS.

**Public Involvement Process & Results** The public expects the Department to control the problems at this site. The limited ability for FWP to control the type of violations at this site is impacting our relationship with neighbors. The neighbors approached the Commission in September 2014 during the open-microphone session and raised concerns about their safety. FWP staff met with the Homeowners Association in December to explain the preferred approach with a seasonal closure.

**Alternatives and Analysis:** FWP attempted (unsuccessfully) to control use patterns by eliminating access to secluded areas, implementing a night-time closure, closing gates and the parking area, providing high law enforcement presence, and posting signage indicating rules. A seasonal closure has the potential to break the pattern of undesirable activity, because it would allow FWP law enforcement staff to issue citations for trespass or violation of the closure rule at anytime during the summer months, thereby removing any incentive for these individuals to visit the site. The seasonal closure would end in September and the site would then allow duck and big-game hunters to access the river in the fall and early-winter months.

**Agency Recommendation & Rationale:** FWP is asking the Commission to institute a seasonal closure from June 1 through September 1 for 2015 and 2016 in an attempt to control use at the site. The site may be opened year-round after 2016 if information indicates the use pattern has been controlled. If a closure is in place, FWP can enforce the Commission rule.

**Proposed Motion:** I move that the Commission propose the seasonal closure of the White Bear FAS recommended by FWP and initiate the public involvement process.