



# **Montana Fish, Wildlife & Parks**

## **Region 3 Citizens' Advisory Committee Montana Fish, Wildlife & Parks Regional Office February 18, 2009**

**CAC Attendees:** Robin Cunningham, Joe Cohenour, Tom Milesnick, Sam Samson, Tom Henderson, Gene Budeski, LeRoy Mehring, David Gibson, Ken Sinay, Ross Lingle, Cyndy Andrus, Rick Arnold, Dennis Grundman, Michael Leach, Rick Grady, Amy McNamara

**FWP Staff:** Pat Flowers, Mel Frost, Joan Buhl, Sam Sheppard, Bruce Rich, Jerry Walker, Kurt Alt, Molly Wainwright, Alan Charles, Charlie Sperry, Kari Janikula

**Guests:** Mike Haugh

**Greetings, introductions, review of agenda and updates**—Pat Flowers  
Pat welcomed the newly appointed members to the R3 CAC (David Gibson, Richard Grady, Ken Sinay, Ross Lingle, Robin Cunningham, Sam Samson reappointed)

### **Roundtable**

Tom Henderson - private bridge permits on Big Hole River  
Tom Milesnick - mineral exploration in Park, Gallatin and Sweetgrass Counties  
Joe Cohenour - consensus building – would like to adopt PLPW rules for CAC  
Dennis Grundman - marking/identification of public lands (future meeting)

**Updates**—Pat Flowers, Kurt Alt, Neil Anderson

- Royal Teton Ranch grazing acquisition is completed.
- One bison has been taken by a hunter this year – no bison out of YNP at this time
- Madison Valley elk management – a hunt coordinator was hired by the landowners. This worked well with more elk being harvested. Tom Henderson complimented those who handled the elk management hunt in the Madison.
- General elk hunting season extension – Kurt Alt: General elk season was extended in 18 hunting districts that were over population objective. Fifty percent fewer bulls were checked at checking stations during the general season this year than in the previous five years. A voluntary telephone call-in to report harvest was put in place during this season extension—based on a 25% reporting rate. Final harvest data will be available when FWP harvest surveys are completed.
- New appointments on FWP commission – Bob Ream and Ron Moody. Shane Colton was reappointed and is the chairman. Dan Vermillion is vice chair.
- Brucellosis testing in elk – The effort to look at blood samples from hunter-killed elk was expanded in 2008. Neil Anderson, FWP Lab Supervisor reported ~8,000 kits were distributed this past hunting season. The lab received 838 usable samples. So far, results of 467 samples show 27 suspect. Because of cross-reactions with other

diseases, these samples will be submitted for additional testing to confirm seropositives taking 2-3 months to get results. The lab continues to analyze the data (seropositive speaks to the antibodies present in the bloodstream indicating that the elk at some point was exposed to the Brucella bacteria).

#### **Elk Management in Five Western States—Alan Charles**

Alan presented information (PowerPoint) on elk management programs in Wyoming, Colorado, Utah, Idaho and Montana comparing land ownership, elk population numbers, season structures, licenses, fee hunting license structure and hunter access programs for each state. There are 675,000+ elk on public and private lands in these five states with hunter access being the biggest challenge/issue.

#### **Hunter Access Enhancement Program Update—Alan Charles**

Montana's hunter access program has completed 23 years. In 2008, 1256 landowners/8.5 million acres were enrolled in the program.

#### **Private bridges proposed on Big Hole River—Bruce Rich**

Two landowners have applied for permits to construct private bridges crossing the Big Hole River.

LaMarche Creek Bridge (cable stay bridge—cables are outside riverbed). Deer Lodge County Commission denied the permit. An appeal was filed on the denial and will be heard on February 24. FWP biologists submitted comments/concerns opposing the bridge addressing bridge design, ice jamming, erosion of riverbed and visual impacts on recreationists.

Kamperschroer Bridge (near Wise River)—steel truss bridge. FWP biologists submitted comments/concerns opposing this bridge addressing 310 permits, unstable condition, visual impact, riverbed erosion, lack of justification. Silver Bow County denied this bridge permit.

#### **Discussion:**

Tom Henderson: Do we want to take a position on this?

Pat Flowers: What would be the most effective way to do this?

Bruce Rich: Might be appropriate to reiterate FWP's position.

Sam Samson: Move to agree with Bruce. This is a serious precedent. It might be agricultural land now but may become a commercial subdivision.

Cyndy: Support information Bruce presented but concerned that we haven't had a lot of discussion—concern about open meeting laws.

Amy McNamara: Delay vote until after dinner, so we can review comments/information.

Bruce prepared resolutions for members to review. Vote taken after dinner.

Tom Milesnick: State we support the biologists' position on these bridges.

Tom: Call for vote. Seconded by Sam.

Committee voted to support FWP local biologists' position on these bridges. 14 in favor, 1 abstained, 1 absent. LeRoy is attending the commission meetings and will submit resolutions from CAC.

#### **Commercial Use Rules Overview – River Shuttle Services – Charlie Sperry, Robin Cunningham**

Charlie Sperry reviewed the commercial use rules adopted by the FWP Commission in 2006 that established consistency on the type of commercial use and fees on lands owned and administered by FWP.

Shuttle services – Commission decided shuttle services were not effected by these rules. It was not a revenue issue. Impacts of site traffic and safety were issues.

Gene Budeski: Most shuttle services are legitimate, but no accountability. It's not fair to other commercial users who have to follow regulations.

Charlie Sperry: Burden of responsibility. Liability was the hang-up. Once we put them on a permit, we do have some risk.

Robin Cunningham: BLM has required shuttle services to have commercial liability insurance. Commercial liability policies cover anyone driving the vehicle. This is different from private vehicle liability insurance. Cost and economics are a big factor.

Charlie Sperry: The more control/permits we put on users, the more liability exposure FWP has. No right or wrong answer—both have pros/cons.

Ken Sinay: Two considerations - being permitted under FAS permit and exposure.

Gene Budeski: Excluding insurance, couldn't they be licensed so we could get rid of the irresponsible ones?

Amy McNamara: Public has to make decision and make a choice.

Ken Sinay: Fees and commercial use on wildlife management areas?

Charlie Sperry: Commercial use on wildlife management areas is permitted on a limited basis with strict guidelines. Timing is a critical concern. Each is made on a case-by-case basis. We do issue a statewide permit for still photography or filming.

Ken Sinay: Growth potential of tourism industry has to be supported by management agencies and the public. Need for balance.

### **River Etiquette Sub-Committee Report** (see attachment)

Cyndy Andrus & Amy McNamara – Sub-committee was charged to develop a river education campaign to enhance the experience of river users in Montana with emphasis in Region 3.

Update: Cyndy met with David Thompson (who owns a private advertising firm) to discuss the challenges identified by the CAC and seek his help and ideas in designing a creative way to get our message out. He has offered his services pro bono. Looking for other groups to partner with us and provide financial support.

### **Discussion/Comments/Suggestions**

-Work with David Thompson

-Use FWP logo in partnership

-Include all users—all recreationists

*What are the five things/behaviors CAC members would like to see people doing?*

-We're talking just to anglers – we need to talk to the recreation floaters. Include addressing trash, environmental etiquette, overcrowding of recreation, chaos in one spot or the whole river

-Float it in – float it out

-Be discreet; be sensitive to the community, have fun

-Check into other states PR programs

-Use comic relief – cartoon

-Congestion is one of the behaviors we want to overcome

-Trash

-Resource and habitat protection

-Social conflicts – we don't want FWP to come in and tell us how we're going to use our rivers

-Sanitation, public drunkenness

-Promote message with hunter education – put on back of hunter access map

***Forward your ideas to subcommittee.***

Cyndy Andrus: How do we move forward on our timeline?

Joe Cohenour: We like the concept, move with it

-Use consensus rule

-Evaluation in fall

Charlie Sperry – comments/suggestions:

-Idea of collaborating over long-term with other CAC's is a terrific idea

-Like idea of river map or guide, include message on maps or guides

-Some message about rigging up boats outside ramp area—pull down to ramp area when you're ready to get out of there

-Dragging your anchor

Sam moved and Joe seconded to have committee establish deadline and move forward.

**Consensus building**—potential adoption of PLPW guidelines on June meeting agenda

**Oil and Gas Exploration** – FWP gets notifications from BLM and DNRC and provides comments on the key gas and oil proposals. FWP does not get an opportunity to comment on private land leases for oil and gas exploration. FWP doesn't have any regulatory role. FWP can provide biological/technical advice for landowners.

**August CAC meeting rescheduled to September 10.**

**2009 Legislative Update**—Pat Flowers. Pat presented status of senate and house bills being tracked by FWP. For more information, go to [fwp.mt.gov](http://fwp.mt.gov) click on legislative tracking summary.

#### **Public Comment**

Mike Haugh - Concerned about transportation of aquatic nuisance species.

SB 425 (funding and operation of Fort Peck Hatchery) – what is FWP's position on this?

**Next meeting**—June 3 in Butte. Specific location TBA.