

**CITIZENS ADVISORY COUNCIL**  
**Region 7 - Miles City**  
**Meeting Notes**  
**August 12, 2009**

**CAC ATTENDANCE:** Scott Studiner, Warren Broeder, Julie Jordan, Jim Schaefer, Art Hayes III, Rob Reukauf, Greg Mohr, Fulton Castleberry, and Chris Pileski.

**ABSENT CAC MEMBERS:** Todd Steadman, Bob Hagedorn, Mary Zeiss-Stange

**FWP STAFF ATTENDANCE:** Brad Schmitz, Dwayne Andrews, Mike Moore, Ryan Sokoloski, Matt Jaeger, Ginger Omland, and Vic Riggs

The August 12, 2009 CAC meeting commenced at Intake Fishing Access Site on the Yellowstone River 16 miles northeast of Glendive. **Brad Schmitz, Region 7 Supervisor**, welcomed everyone and summarized the agenda. Citizen Advisory Council members and FWP staff viewed the headgate structure of the diversion dam above Intake.

**Matt Jaeger**, Fisheries Biologist in Glendive, gave a presentation on the efforts to improve fish passage and reduce entrainment or fish getting pulled into the diversion ditch. The diversion at Intake is the largest on the Yellowstone. It diverts somewhere between 1000 and 1500 cfs throughout the course of the summer and serves agriculture from Intake into North Dakota. The structure diverts about one-half million fish a year into the ditch. Thirty-five different species of fish are actually pulled into the ditch per year. So, in perspective, this ditch pulls in about 60 or 70 thousand sauger every year. Therefore, screening this ditch has been a big concern of the department and others for quite some time. For fish like pallid sturgeon, the diversion dam is a complete barrier to fish passage. We need some type of modification that will allow fish passage and some kind of screening that will protect fish from being lost in this irrigation ditch.

**Brad** added that there are quite a few negotiations and discussion for solutions to this problem in the process and along the same lines, the pallid sturgeon is a big part of that. Also because the bureau who is in charge of this project here has to be in compliance with federal law for threatened and endangered species, they have some authority and from there it has built to the point where we actually have a plan.

**Matt** said what prompted all of the work related to the endangered species act was pallid sturgeon. The Yellowstone River and the Upper Missouri Basin is kind of the last stronghold for this species. There is only about 150 wild adults left and that is actually one of the more robust populations that are still in existence. The threat that this particular structure deals with is that it prevents the pallid sturgeon from moving

upstream. When these sturgeon move into the Yellowstone in the spring, they are spawning but these fish haven't successfully reproduced in about 50 years so the fish that are left are 50 to 60 year old fish. The reason that they can't spawn successfully has to do with what happens after the eggs hatch. The little larvae that come from the eggs drift downstream for about 7 to 10 days before they gain the ability to survive. These fish can drift anywhere from 150 up to 800 miles that were spawned at a single site. Right now, there basically isn't enough drift runway between Intake dam and the next reservoir down on the Missouri which is Lake Sakajawea inside North Dakota. So all the fish that are being spawned in the Yellowstone for the last 50 years are just drifting into this reservoir and dying. They need a riverine habitat to survive and they are basically not getting it. Several different agencies have worked together over the past few years on a way to be able to provide fish passage and screen the ditch while still allowing farmers to get their irrigation water. Over the last couple of years, it has gone from about 114 suggested ways to provide passage down to a single concept. The one alternative they are looking at to provide passage is what they call a "rock ramp." They take out the existing dam and put a new one in with a shallow, gradient riffle behind it. They would make a long, low gradient ramp and in that ramp, they would cut a deep channel through it that would allow sturgeon to pass at just about all river flows. As part of this project, they would also put in a series of rotating drum screens that are on conveyer belts that would lower and raise from the water intake at the face of the diversion dam headgate. Then during the irrigation season, the irrigation district can lower these screens down to prevent fish from being entrained in the ditch and when they are done irrigating, they can pull them out so as to eliminate ice damage. Currently, it is going through the Federal MEPA process. The draft should be out for public comment in November. A finalized EA is planned in early January and construction complete by late 2013.

**Brad** said one the key points on this project is that it is one of the biggest irrigation projects in Montana which actually goes into North Dakota. He also said there are some real concerns, as resource managers, with this fishery and the ecosystem here and of course, our neighbors have real concerns over their livelihood and what is going to happen in maintaining their water source which they have had for 100 years. This has become a nationally focused project. This project will have an impact on the Paddlefish migration up the Yellowstone River.

**Vic Riggs, Fish Manager**, reiterated information about the 2009 paddlefish season. Currently, 1000 fish can be harvested. We have been working on the paddlefish production that occurred when that reservoir first closed. We are still harvesting some of those paddlefish today and we don't have a lot of young paddlefish filling in behind them. About 80% of the paddlefish spring harvest are caught at Intake.

**Ryan Sokoloski, Makoshika Park Manager**, spoke of some of the issues at Intake. Ryan said their job includes managing the recreational sites as best they can for most people's enjoyment. One of the issues they face is caviar harvested from the paddlefish. A lot of money is brought into the area through the Glendive Chamber of Commerce Caviar Committee. Other issues include general public wanting electrified sites at the Intake campground and wanting the grass mowed at the entire site. Not mowing the

center loop there allows the FWP staff to identify noxious weeds and to take aggressive control action. They also deal with people burning wood pallets which leave nails scattered on the ground and can result in punctured tires and public injury. Another issue is under-aged youth driving four wheelers over the site setting the scene for possible accidents. Ryan has dealt with a lot of public comment regarding the rifle range (old and new) and also the Black Bridge FAS. Ryan feels that the Parks Department has to find solutions in the so-called "middle ground" that somehow satisfies as many people as possible.

**Dwayne Andrews, Com-Ed**, discussed noxious weeds at Intake FAS. County weed control efforts occur annually and cost for those efforts can be expensive. Leafy spurge is the main noxious weed under treatment at Intake FAS. We decided to wait until the fall of 2009 to control the weeds this year. The county agreed to this plan and will treat the site in September.

Met with the new county weed supervisor and we toured Intake, Stipek and Black Bridge so he would understand FWP's weed control expectations.

## **BLACK BRIDGE TOUR**

Everyone gathered at the Black Bridge FAS. Brad said the site consists of approximately 75 acres.

**Ryan Sokoloski** gave a summary of the acquisition and challenges of Black Bridge and the outcome that FWP would like to see at this site.

Ryan pointed out the boundaries of the site. He said two years ago, Glendive Chapter Walleyes Unlimited was approached to purchase this land. They could not afford the site and the long-term maintenance and management of this site. However, they recognized the benefit to the Glendive community. They received a grant (Canyon Ferry Trust) to purchase this property under the condition that they sell to FWP for a nominal fee. They are concerned that, after two years, it is in the same condition as when we acquired it. Our intent has been to develop good river access, a boat ramp and a graveled access road.

Several agencies and Glendive residents have an interest in this site. Burlington Northern Railroad has an investment of 75 feet right-of-way property on the north side of the RXR tracks. The Army Corps of Engineers has the flood control dike along the west side of the property. Currently, the Corp does not feel the dike meets today's flood control specifications. The gate to Black Bridge is actually located on Dawson County property. The City of Glendive owns 10 acres of land in the northwest corner of the site. WBI has two underground fuel lines that cross the site. So, these are some of the issues FWP is dealing with at Black Bridge FAS.

Ryan said at this point, we finally have a plan that everyone can deal with. Brad thought that construction would begin this fall, hopefully. Ryan said again that the ideal situation is to provide all the access that everyone wants but yet protect the site and it is important

to understand all the different players that are having an impact here and to get it done right.

Mike Moore asked about the hours of operation to which Ryan said it would be open 24 hours a day. The gate is intended to be used only during times of natural disasters or resource protection. At this point, there will not be any overnight camping allowed because there is overnight camping allowed in close proximity, both privately owned and government owned. However, night-time fishing will be allowed.

Art Hayes asked if the river changed that much to make that gravel bar?

**Vic Riggs** explained that this bridge has been in place since the late 1800's. When it was put in, it was probably perpendicular to the flow of the river. The air photos, in the 1950's, show that there was quite a transition to the river and by that time, it was already no longer square with the bridge and it has become progressively worse. It is Vic's feeling that this bridge was not an adequate span and created a bit of a plug and probably caused a restriction in the river channel creating energy dissipation which moved the gravel back and forth. The end result is that every one of the bridge piers have suffered scars. The bulk of the flow is on the two end piers which have never been stabilized. The other problem is that as long as the river is this far out of alignment, there will continue to be problems. The bridge cannot function with water slamming into the piers 90 degrees from what it should be. The railroad has come forward with a plan that is not adequately addressing the issue at hand.

**Dwayne Andrews** gave a brief overview of the weed situation at Black Bridge. He said the site is loaded with leafy spurge and spotted knapweed. We have the spotted knapweed under control by pulling it but the spurge is dense and wide spread. There is a pretty good stand of alfalfa which is competing with the spurge. Dwayne's weed management plan with the county was to come in on ATV's and spot spray it so that it didn't kill all the alfalfa and he released 18,000 insects on it the first summer. So far, in the third summer, there has been a very minor result from the insect release. Our weed control efforts are extensive but they are also expensive.

**Brad** talked about the Bridge Access Program that just passed this year. This last legislative cycle, it was decided that they would like access at these bridges. They are county and state bridges. The law allows that if there is a county or state road and there is a bridge that crosses the waterway and you can stay within that road easement, you can provide fencing so that the adjacent landowner can keep his livestock in his pastures and provide access to the river. Since that has passed, there has not been a lot of controversy on it. The bottom line on this program is that FWP has started to implement this in other regions and as they sit down with landowners and explain the new law, they are not getting a lot of negative feedback. Landowners don't mind but are concerned about things like public littering or parking. As an agency, we have been tasked to work these details out with the landowners and we are starting to have some success. Brad stated that although fishing access sites were the subject of focus today, these two sites capture

a lot of the challenges and opportunities that we face as an agency as we go into this part of our mission.

### **Makoshika State Park**

The group moved to Makoshika State Park for dinner and a short discussion.

Rob R. asked about the date for the season setting meetings.

**SEASON SETTING MEETINGS will be held at various locations around the state scheduled for the same date and time, Thursday, August 27<sup>th</sup> from 6:00 to 9:00 p.m. Miles City's meeting will be held at the Region 7 Fish, Wildlife & Parks Headquarters located at 352 I-94 Business Loop.**

Rob also asked if there was any decrease in the number of nonresidents applying for licenses this year to which Brad and Mike responded that they may have slightly declined.

Rob thought the lack of 12-year-old hunters in the field would eventually have an effect on hunter population.

Brad said when he visits with hunters and the reason why they come to Montana is always because of access. Jim S. agreed and says he gets the same comments.

Brad also handed out the reorganizational charts which FWP Director, Joe Maurier, has constructed.

**Next Meeting – November 4<sup>th</sup> at 4:00 P.M.**