



# Montana Fish, Wildlife & Parks

## Region 3 Citizens' Advisory Committee Montana Fish, Wildlife & Parks June 3, 2009

**CAC Attendees:** Gene Budeski, Joe Cohenour, Tom Milesnick, Sam Samson, Tom Henderson, LeRoy Mehring, David Gibson, Ross Lingle, Cyndy Andrus, Rick Arnold, Michael Leach

**FWP Staff:** Pat Flowers, Mel Frost, Joan Buhl, Kari Janikula, Jerry Walker, Kurt Alt, Bruce Rich, Sam Sheppard, Coy Cline, Carolyn Sime

**Guests:** Kerry Fee, Jack Jones, Jack Atcheson, Larry Thomas, Nick Nardacci, John W. Reinhardt

**Greetings, Introductions, Roundtable, Public Comment**—Pat Flowers

### **Roundtable**

Tom Milesnick – Flooding occurring, but we still have the potential for drought, i.e., Whitehall.  
Tom Henderson – Concerned about pike in the Jefferson River and regulations for stocking private ponds.

Ross Lingle – Madison Valley Elk Working Group will meet this Friday to review and evaluate this past year's operation and look at elk objective numbers for this coming season.

**Public Comments:** None

### **Updates:**

#### **FWP Reorganization**—Pat Flowers

Director Joe Maurier is reorganizing FWP (handout). Chris Smith has been reassigned to work on special projects (funding for the agency and a new wildlife center). Regions are now under the fish and wildlife division. FWP is presently recruiting for the deputy director and fish & wildlife positions. Regional parks will now report directly to the Parks Administrator.

#### **Concerns/Comments:**

- Jerry and Pat will continue to work together.
- Enforcement division will continue to provide enforcement for all activities in the region.
- Funding for parks will remain the same. Money for enforcement will not be shifted to parks.
- Fishing access sites where motorboat use is allowed are partially funded by Wallop Breaux funds and are managed by the Parks Division.
- Federal Aid Bureau will be responsible for meeting federal aid requirements (Pittman-Robinson dollars, game surveys).
- No interest at this time in moving Board of Outfitters to FWP.
- Weed control will remain the same at fishing access sites.

- Block management will be under Wildlife Section.
- Field Services functions have been split out to other divisions.

Tom Henderson: BLM/Forest Service asking FWP for funds to patrol off-road travel. Vehicle sticker fees go to road repairs or enforcement. Why do they go through FWP? Confused about funding. Don't want fees intended for repair of trails to be used for enforcement.

Jerry Walker: FWP and federal agencies work together through a Memorandum of Understanding. Grant programs provide funding for snowmobile, ATV, and recreational trails program. Snowmobiling and ATV programs are supported by fuel tax and registration dollars. Some dollars do go to enforcement. No license dollars go into these programs.

-Personnel changes? Doesn't appear there are new jobs and no one is losing a job under reorganization.

### **Legislative Recap—Pat Flowers**

Legislative summary is not yet available. We will review at September meeting.

**Bridge access legislation (HB 190)** passed in 2009 session. State law requires reasonable access to streams/rivers on county right-of-ways and bridges. Funding of \$25,000 was provided by the legislature. FWP will work with landowners and sportsmen. Will keep County Commissioners informed about projects.

Kerry Fee: TU chapters would be willing to help with financing.

Tom Henderson: Is there a real problem with horses being turned loose on state/federal property? Could we include a summary at the fall meeting?

LeRoy Mehring: Legislation passed that gives out-of-state family members preference for hunting licenses, "Come Home to Hunt" heritage license.

Pat Flowers: This is a proposal that people born in Montana can get a family member to sponsor them—they would be guaranteed a license. There is a cap of 500 licenses and individuals would pay non-resident hunting fees.

Pat Flowers: Legislature now requires a 7% vacancy savings for agencies. This is having a significant effect on what we do. There is also a 9% reduction in the R3 headquarters budget. Services that FWP provides may be reduced.

CAC is under-funded. We need to look at possible ways to cut our costs (for discussion during caucus).

### **Wolf Delisting—Pat Flowers, Kurt Alt, Carolyn Sime: (hand-out on Montana Gray Wolf Program)**

Wolves were delisted in early May. Wolf is classified as a species in need of management. FWP has the primary responsibility to conserve and manage the wolf population in Montana.

Comments/questions:

- Bring hand-out to Madison Valley ranchlands meeting.
- Hunting season for wolf?

Pat/Kurt: It will depend on lawsuits that are filed. The Commission has adopted a tentative fall hunting season. Quotas for each of the three management districts have not been set. If the

season goes forward, wolf licenses will be sold over-the-counter. There will be a 24-hour harvest-reporting requirement.

- Jack Atcheson: Are there any year-round documented studies on the impact wolves, lions, and bears are having on deer, elk, moose, and sheep populations? What's happening to wildlife with depredation—actual numbers that wolves, mountain lions, and bears are having on wildlife populations.

Kurt Alt: With regard to wolves and grizzly bears and elk densities/populations, studies have been done in the Greater Yellowstone area. The Gallatin has high wolf density. We're trying to figure out how we're going to do further study/research, where we're going to do it and how it will be funded. R1 and R3 will be focus areas.

- Jack Jones: Wolves are displacing elk off winter ranges.

Carolyn Sime: USFWS has received five different letters of intent to sue over delisting of wolf. Wyoming is suing the federal government for rejection of their state plan. Season will move forward unless an injunction stops it. Quota is specific to hunter kills.

### **Wildlife season setting process—Kurt Alt**

Biennial season setting process was outlined for the 2010/2011 big game seasons. FWP can change season structure/types every two years. Quotas can be adjusted annually.

Process is different this year in response to requests from people to be more involved earlier in the process before tentative proposals go to the Commission.

Timeframe for season setting:

July/August - public scoping period

August 27 - regional open houses (one per region)

October - regional recommendations sent to Helena

December - changes presented to Commission. Tentatives out for public review

January - go to communities and solicit comments on tentatives adopted by Commission

February - final adoption of tentatives by Commission

Comment: Organize comments on issues received by FWP, outlining both pros and cons.

Moose quotas are being reduced by 58 permits in Region 3 for 2009 season.

### **Fishing regulation setting/change process—Bruce Rich**

Fishing regulations on a four-year cycle. In off years, we deal with requests from public from previous year (i.e., clarification, enforcement, regulation changes needed, conservation).

This is an off year. We have received one change request—change closing of Deep Creek from the end of September to end of November.

### **Oil and gas leasing and potential impacts on Montana's rivers—Kerry Fee, Joe Brooks**

Chapter of Trout Unlimited (PowerPoint presentation)

Kerry discussed major concerns/issues with oil and gas leasing that impacts Montana's rivers—lack of notification of lease sales, lack of uniform requirements for drilling in proximity to rivers and streams, mineral rights trump property rights in court

-2009 Legislature passed a law that requires DNRC to notify landowners via mail in split estate situations when leases are up for sale that affect property, provide lease notifications in the newspaper, require a setback of 1/8 mile, and have FWP representation on the Oil and Gas Board

-Gas and oil leases on the Shields River are private leases—we're concerned with chemical and sediment pollution in water and wells

Problems we're dealing with:

- In 2005 fractal drilling was exempted from Clean Water & Safe Drinking Water Acts. Trout Unlimited hopes to get Congress to repeal these exemptions
- Many leases are near native trout streams and blue-ribbon rivers. Are we prepared if an accident happens and chemicals/gases get into our water system?
- TU is recommending a 1/2 mile setback from native trout streams and blue ribbon streams as defined by BLM.
- Educating landowners
- Presence of endangered species can shut down exploration.

### **Pike in Jefferson River—Bruce Rich**

Minimal numbers of pike have been found below Toston Reservoir and Canyon Ferry the last three decades. Pike were found in private ponds in the Manhattan area. All fish were killed in these ponds. FWP found pike in Toston Reservoir this spring. One hundred pike have been tagged. Signs have been put up in the Headwaters instructing anglers to kill the tagged fish and that transporting or moving live fish is illegal. FWP will develop a long-term plan for eradication, manipulating bag limits, etc. One pike was electrofished in the Jefferson River near Waterloo last spring. The likelihood of them expanding to upper reaches of the Jefferson is minimal. Pike are not permitted in Region 3 through private pond license.

### **Wolverine status and management--Kurt Alt**

- Montana is the only state in the lower 48 that allows wolverine trapping
- Montana has four wolverine management units with a quota of five statewide
- Managing species on what we know and work we've done on the species. We're the only state that has any meaningful data—distribution and reproductive rates, age structure—biological relevance
- Conservation management of wolverines is a three-legged stool – need all three for long-term institutionalized conservation ethic
  - economics
  - social/people involved in management and conservation
  - political/political will

The seat = culturalized conservation/ecological integrity

Global warming - no information at this time that would allow us to make definitive statement affecting wolverines

### **Caucus**

#### **PLPW Consensus Process – decision-making process (PowerPoint presentation, handout)—Joe Cohenour**

Joe presented the consensus model that the Private Lands/Public Wildlife group uses for decision-making. Consensus approach allows for common ground and allows for everyone to have an opinion. Instead of having a majority rule, CAC members would use consensus building for decision-making

Pat would serve in the role of facilitator. Facilitator's job will be to move process along toward solutions

All in favor of accepting process: 10 yes, 1 no

Tom Henderson: This process forces person to go along with group—coercion, pressure. It does not allow a person who disagrees to have an opinion. Don't like the idea of being bound to come to an agreement.

Joe Cohenour: Consensus gives power to the minority. Process recognizes not everyone is going to agree. You have to look at all the issues.

Pat Flowers: Group agreed to use this model; if after working towards applying this model and not being able to achieve consensus, acknowledge minority opinion is acceptable as determined by facilitator.

Model will be included on all future agendas.

**Update on private bridges on Big Hole River—LeRoy Mehring**

Kamperschroer Bridge near Wise River – denied (no appeal has been filed)

LaMarche Creek Bridge – landowner has filed an appeal. DNRC has not issued a permit.

**River Education/Etiquette Subcommittee Campaign Update –Cyndy Andrus (handout)**

David Thompson with Brickhouse Creative has agreed to help develop a creative way (30-second videos) to deliver our message on river etiquette. Spots will be presented as television PSA's in the Region 3 area

Budget (handout): FOAM has committed \$1500, PPL grant \$5000, TU match of \$1500. Cyndy will contact Simms

Questions/Comments:

- Where do we house the money collected?
- Make sure project is going to continue
- Give template to other FWP regions
- Preview of videos will be sent out to CAC members before it goes out to the public
- Need to raise more money so we can continue to do projects like this. If you have organizations you work with and would be willing to go out and solicit funds
- Movie theaters – previews before movie. Need volunteer to check into how this could be done (Dave Gibson volunteered)
- Solicit funds from the general public
- Future funding from foundations; funding from Cabela's, Clack-a-Craft boats, other outdoor stores
- Sponsorship credit. Where do we acknowledge sponsors? (Put sponsors on back of t-shirts?)
- Where do we send checks? Cyndy will get back to LeRoy.
- Stay with broad organization so money goes in the direction that CAC wants it to go to
- Revolving fund. Worthy cause - how much is it going to cost?
- Vehicle license plate "Respect Our Rivers"?
- River education etiquette page in fishing regulations. *Mel will check on this.*

Tom Henderson: Propose group to meet in Bozeman at FWP facility every time from 10:00 a.m. to 4:00 p.m. Serve lunch instead of dinner, which will be cheaper.

Discussion:

- Have meeting from 12 p.m. to 6 p.m. – with no dinner
  - 1:00 p.m. is better time for working people
  - Can we waive funds for people to travel here? Can we devote savings toward Etiquette project?
- Pat Flowers: We'll come back with some ideas on we think we can cut costs. We'll leave the meeting time (1-7 p.m.) as it is now. **Our next meeting will be in Bozeman on September 10.**

CyndyAndrus: A new map covering the “Greater Yellowstone Region” is available. Take a look at it—it’s a good map.

“Travelers for Open Land”, a Montana conservation fund, helps preserve Montana open lands through public donations.

Public Comment:

John Rhinehart, rancher in the Big Hole: Use state gas card to fill up CAC members’ gas tanks instead of paying mileage

River etiquette—people don’t ask for permission—they just go. They leave gates open. Need to respect landowners.

Rick Arnold: Trespassing is identified as an issue for “Respect our Rivers” campaign.

Meeting adjourned.