



Montana Fish, Wildlife & Parks

Region 3 Citizens' Advisory Committee Lewis & Clark Caverns State Park September 22, 2010

CAC Attendees: LeRoy Mehring, Rick Grady, Tom Milesnick, David Gibson, Ross Lingle, Sam Samson, Tom Henderson, Robin Cunningham, Cyndy Andrus, Barb Cestero, Rick Arnold, Mike Myer

CAC Members Absent: Bill Mealer, Ken Sinay, Gene Budeski, Joe Cohenour

FWP Staff Present: Pat Flowers, Kari Janikula, Jerry Walker, Sam Sheppard, Lynette Kemp, Mike Vaughn, Kurt Alt, Joan Buhl, Arnie Dood, Stephanie Adams

Guests: Richard Lessner, Mark Pearson, Joe Moore, Pat Bond

Greetings, introductions, roundtable, public comment:

Pat Flowers: Pat reviewed the general purpose of CAC since its conception four years ago.

Roundtable:

Rick Grady – Wolves have been moving in and around his family ranch—some have been removed. Elk numbers on the ranch are low at this time.

Ross Lingle – Concern over grizzly bear encounters in Madison Valley.

Tom Henderson – Lawsuit filed by ranchers against developers on exempt wells and septic tanks. Ranchers concerned rainwater not going back into the ground.

Robin Cunningham – Proposed changes to invasive species act – FWP removed from the process—it's all under Dept. of Agriculture.

Mike Myer – Initiative 161 featured on FWP's web page. Think it's inappropriate. Number of things FWP could do to improve on technology. Communication with hunters could be better.

Rick Arnold – Aquatic nuisance species, instream flows, groundwater and surface water.

No public comments – Comments will be taken on Mike Vaughn's presentation after he is finished.

Tour of Lewis & Clark Visitors' Center

Jerry Walker – The Caverns was Montana's first state park. The visitors' center attracts people to stop here first for an orientation to the park. There are 10 miles of hiking trails, a full service campground, group use shelter, interpretive displays, new maintenance shop and a visitor's center conference room at the park. A reservation system will be put in place next year at all state parks.

Tom Henderson: Will this increase fees? Will an out-of-state company handle this?

Jerry Walker – We’re piggybacking with Idaho. There will be a reservation fee. The \$4 fee you pay when you buy your vehicle license plate allows residents to enter state parks. The reservation system is only for state parks, i.e. Caverns, Bannack, Hauser, etc.

LeRoy Mehring – Is hunting allowed at L&C Caverns?

Jerry Walker – Part of the park is open to hunting. Brochures are available in the Visitors’ Center lobby outlining the boundaries. No bear or mountain lion hunting is allowed in the park.

FWP Updates:

Pat Flowers –

- Change in agenda. Ken McDonald cannot be here. Wolf update will replace Ken McDonald’s presentation.
- Conflict on December 8, our next scheduled meeting. *Next meeting rescheduled for December 16 in Bozeman at R3 FWP Headquarters.*
- “2010-2012 Now You Know” book was handed out. This document contains handy facts and figures about FWP.
- This last quarter has been busy for FWP with bear and wolf activity. Starting in the spring, an unusual number of bear conflicts have occurred, maybe because of the cool, wet spring and food sources. Turn-over of residents and lack of awareness about attractants are issues particularly in Big Sky. In a very unfortunate incident, a sow grizzly with yearlings came through Soda Butte Campground near Cooke City and mauled two individuals and killed one man. This became a huge national event and the biggest story FWP has had. Bear management specialist Kevin Frey and Warden Captain Sam Sheppard did a great job. Andrea Jones (filling in for Mel Frost) also did a remarkable job handling the media and press. No truth to baiting the bears by a wildlife photographer at Soda Butte. The rumor was based on blogging and was kept alive after we confirmed it wasn’t true. A female grizzly bear was euthanized yesterday (9/21). She was killing livestock. This bear displayed aggressive and unusual behavior.
- Outbreak of mayfoil (a nuisance species invader). Department of Agriculture has different approach in responding. Not surprised there is a legislative bill to turn all management over to the Department of Agriculture.
- Cherry Creek fish poisoning – unsure how fish kill happened. Purpose is to maintain native westslope cutthroat trout.
- Ruling from USFWS on listing Arctic grayling was warranted but precluded.
- Initiative 161 – FWP does not advocate for or against it on the website. You can find information on history, overview, fiscal note (cost and benefits of proposal) on the website.

LeRoy Mehring – Is the grizzly bear no longer an endangered species biologically?

Pat – They are on the endangered species list as threatened in the Greater Yellowstone area. They have met the standards for recovery.

LeRoy Mehring – Would hunting help eliminate the problem we have with wolves and bears? The sportsmen and hunters of the state are being shut-out.

Sam Sheppard – No management action taken on bear conflicts with archery hunters in the Gravellys.

Barb Cestero – FWP did a great job on Soda Butte incident. Educational efforts that GYC does on bears can be ramped up.

Sam Sheppard – People are issued tickets for leaving garbage around, but FWP is required to give a warning first.

Dave Gibson – put a notice in the paper about putting garbage out the night before. Ask people to put garbage out on the morning of collection.

LeRoy Mehring – Stream was ruined. It was a good fishery.

Rick Arnold – Trout Unlimited backed this activity. Don't want westslope put on the endangered species list. Don't want watershed shutdown. Searched out streams throughout the state that westslope inhabited to better those populations. Cherry Creek just happened to be mostly on private property. Waterfall will eliminate rainbows, etc. from getting back up stream and will help to maintain westslope population. Major brood stock pond for westslope on Sun Ranch.

Fish Shocking on the Madison River – Mike Vaughn

Mike presented history of electrofishing program on the Madison River and highlighted results of electrofishing data on the Pine Butte and Varney sections of the river for both brown trout and rainbow trout for the years 1995-2009 (size and number of fish per mile). The Madison River remains one of the highest angler-use rivers in the state. Regulations, water flows, drought, etc. can be factors in decline of numbers of trout in various years. FWP does notify outfitters/guides of the spring and fall electrofishing schedule.

Comments/Questions

- There aren't any whitefish in the river
- We aren't seeing any large fish
- Mortality of fish due to shocking
- Waste of money
- Significance of data

Pat Flowers/Mike Vaughn: Collection of data from electrofishing is a management tool used by FWP for regulation changes, flow changes, monitoring of populations, impacts of disease, etc.

Wolf Management Update – Pat Flowers & Kurt Alt (handouts)

The wolf has been relisted since our last meeting.

What FWP is doing - Kurt Alt

- FWP has 60 days to appeal the judge's ruling—we will appeal.
- Proposed a 10A1A conservation hunt to the Fish & Wildlife Service. Would like our current regulations adopted by the Commission in July to be considered by November of this year.
- Congressional delisting (remove the wolf from the Endangered Species Act)
- Downlisting the northern portion of Montana, wolves were natural reoccurring there. Wolves were introduced in Idaho, Yellowstone National Park, and Wyoming. Experimental, non-essential designation.
- 10J removals – provision under the experimental management designation—considers authorizing on a state-by-state basis and area-by-area basis based on wolf densities.

Comments/Questions

- Are these all long shots?
- Would delisting be better pursued through Congress?
- Does Wyoming have to have a plan before this could be changed?
- Sportsmen blame FWP over rules

Pat Flowers/Kurt Alt

- Level of frustration is high with sportsmen. Endangered Species Act needs to be revisited.
- Strong conservation ethic in FWP's plan and all the documents we've put together.
- Something is broken when a lawsuit can be brought forward when scientific data supports management plan.
- U.S. Fish & Wildlife Service currently has authority to manage wolves. Delisting would put them in state management. Authority currently lies with FWS. FWP has day-to-day responsibility without management authority.

Montana's Bison Management Plan and Potential Restoration Efforts – Arnold Dood

Bison issue is very emotional right now—lots of misunderstanding and fear. Arnie's assignment is to do an evaluation to restore opportunities to hunt bison and put bison back on the landscape—focus on central Montana, but looking at the entire state. What are the opportunities in these areas? There is a petition circulating to have bison put on the endangered species list. We want to start the discussion with folks throughout Montana and look at the issues—disease, background from other places, impacts on fencing and infrastructure, bison and cattle, genetics, how do you share grass on landscape with cows, et al, impacts on other species, statutes and classification of animal, tribal treaty rights, and historic distribution of bison. Background document will be out in January 2011.

Comments/Questions

- People wondering what the department has in mind. Biggest concern of having bison on their land and how to control them; what they would do with them (how do you handle hunters)?
- How many wild bison are at Turner's that are disease free that can be turned loose?
- Arnie – After quarantine period, they get a health certificate, but we need to be extra careful—could be 150 more or less down the road (another five years).
- Is there documentation of bison transmitting brucellosis to a cow?
- Arnie – There's a risk of bison transmitting brucellosis to cows—it's a small risk. Question is what can we do to minimize that risk?
- What impacts will bison have on other species (elk and deer)?

CAC Caucus: Future exempt well and consensus building

Top Ten Topics (matrix handout)

Exempt Wells

Rick Arnold – Exempt wells/groundwater surface water – at next meeting, suggest asking a number of experts in this field to give presentations on the subject. Invite Laura Zimmer to be facilitator. Invite consultants in Bozeman area that could serve on the panel to have this discussion and get a full spectrum of views.

Pat Flowers – Does CAC want to develop a policy statement?

Rick Arnold – Want to discuss it and then decide whether to make a statement. Maybe Barb Campbell can come to talk.

Dave Gibson – We may want to include stream restoration folks.

Cyndy Andrus – Frame conversation on how it ties into CAC.

Rick Arnold – Put together a panel and decide who would be on the panel, how we'll use the information, and the focal point of discussion.

Tom Henderson – Subdivisions—concerned about sewage and treatment. Would like to be involved with Rick on coming up with panel members and developing focus.

Tom Milesnick – Familiar with Ag folks—could be an advisor to the committee.

Dave Gibson – Will get stream restoration individual's name to Rick.

Rick Arnold – Develop potential list of panel members. Will send list out via email to CAC members.

Rick will work with Tom and Joe to put together a panel that will balance interest to hear both sides of the issue.

LeRoy Mehring – Pollution of streams.

Tom Henderson – Looking at the 16 members of CAC in R-3, most of the members are from Bozeman. There are no representatives from Beaverhead and Broadwater counties. Pollution is a hot topic in Butte. I find things unbalanced in Region 3—meaning things to discuss. Issues are mostly regarding the Bozeman area.

Pat Flowers – We did look at different interests, qualifications and areas. We did take a good look at applications and chose folks who could bring relevant issues to the committee.

Issues to bring to the table

Exempt wells

Pat Flowers – 2011 Legislature is on the horizon. We usually invite legislators. We could have a forum and ask them to share with us what they're going to bring forward.

LeRoy Mehring – Debbie Barrett should be invited to talk about her bill.

Pat Flowers – I agree. We should invite Debbie Barrett to speak to our group. I will do the invites to the legislators. If we get a good response from the legislators, we will do both panels (including the exempt wells) and skip the caucus.

Cyndy Andrus – Good idea to have both panels that will give the legislators a chance to listen to the water well issue.

Things to discuss

- ◆ Set dates for 2011 meetings—**BRING YOUR CALENDARS**
- ◆ Legislative Update
- ◆ Respect Your Rivers – how we can increase the program
- ◆ Discussion of technical innovations
- ◆ Invite representatives from Communications and Education, IT, and Licensing

Mike Myer – Can we take a position on legislation?

Pat Flowers – Will bring “Citizen Participation” rules to the next meeting or email to you. Collectively as a group, you cannot lobby. It is clear in this document on what you can and cannot do.

Meeting adjourned.