

**MINUTES (FINAL)**  
**Montana Fish, Wildlife & Parks UGBEPAC Meeting**  
**Hampton Inn**  
**Helena, MT**

**January 11 – 12, 2011 (Meeting 9)**

**Advisory Council members present:** Mike Begley, Jay Gore, Mike Jensen, Gordon Haugen, Bill Howell, and Joe Perry (Acting Chair).

**Other staff present:** Ashley Beyer, Diane Boyd, Julie French, Drew Henry, Jeff Herbert, Debbie Hohler, Quentin Kujala, Bob Lane, Ken McDonald, Rick Northrup, and Clive Rooney.

Guests: Ron Marcoux, Pat Howe

**Tuesday, January 11.**

- 1. Opening.** Joe Perry called the meeting to order at 8:00 am. October 5 – 6, 2010 minutes were reviewed with the following changes to be incorporated into the final version:
  - The Advisory Council agreed to meet 2 times a year, remaining intact as a group, for at least another year. Council membership will begin staggered roles after the second year.
  - Page 5: Clarify that SD Game, Fish and Parks does not stock pheasants.
  - Page 7: Add an addendum that Ed refused to meet with FWP and that Ed did receive answers to his questions.
  - Quantifiable objectives: insert “annual” into the 6<sup>th</sup> bulleted paragraph to read, “annual work plans.”
  - Page 10: change “power land” to “power line.”

Bill Howell moved to approve the minutes as amended; Gordon Haugen seconded. *Motion carried.*

**2. Begin final review of the draft strategic plan:**

- The draft strategic plan was thoroughly reviewed point by point by the Council. Throughout the review, Joe referenced Dale Tribby’s copy that had his suggested edits and comments. Council held further discussions on several topics such as supplemental feeding, quantifiable objectives and

- annual work plans, MOUs, projects and the statutory cap, funding allocations, and work on State lands. These discussions added additional points to the plan that were captured by FWP staff and will be incorporated into the next version.
- Once the Council has endorsed the document containing their recommendations to FWP for the UGBEP strategic plan, the document will be submitted to the director and the Commission. The document could also go to the Legislature, but it's not necessary. The plan also needs to be reviewed by the public. There will be formal public meetings set up within the state. The final document will be available on the FWP web site for interested parties. News releases will also be issued to alert the public to the plan and where it may be obtained. Gordon recommends a statewide distribution. There will be a cover/transmittal letter that highlights the Council's philosophies and recommendations.
  - Joe Perry introduced Ron Marcoux to the Council. Ron is a former deputy director.
  - Council discussed adding further clarification regarding the work plans as they are mentioned in the plan. This addition will help identify quantifiable objectives.
  - In terms of Julie's vacant spot on the committee, the Council will send a letter to the director with their recommendations for the Chair. At this time, a recommendation was made for Representative Mike Phillips (D), Bozeman. Art Noonan is aware of this recommendation and Senator Shockley supported this recommendation.
  - The Council acknowledged that several members of the Council were absent (6 of 11 members are present). The Council determined that there is a quorum to effectively review this latest edition of the plan.
  - Discussion on food plot cost shares: Council recommended that the UGBHEP revisit cost-share contributions. Joe recommended \$200/acre, of which \$150 (75%) will be cost-shared by the UGBHEP.
  - Council recommended that a change be made to the supplemental feeding ARM to address focus on the northeast part of the state (e.g., Daniels, Sheridan, and Roosevelt counties). That area of the state can receive arctic-like weather, unique to other areas of the state.
  - Jay Gore motioned for Joe Perry to be interim Chair. Gordon seconded.  
*Motion carried.*
  - Mike Begley requested that a Representative be appointed as soon as possible.

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- 3. Public comment.** Pat Howe, Headwaters Chapter of Pheasants Forever (HCPF), expressed appreciation to the Council for the work that they have done. He pointed out that the Chapter has money that they are willing to spend on quality projects. Pat feels the Chapter and FWP have a great relationship and is glad that of the work done at Freezout. Pat would like to see more cooperative habitat efforts in the local area; at times, it seems like it's been difficult to accomplish habitat enhancement activities. With regards to the UGBH biologist positions, Pat recommends that FWP consider developing a similar position that can serve in Regions 1, 2, and 3.

**Wednesday, January 12, 2011.**

- 1. Joe Perry called the meeting to order at 8:00 am.**
- 2. Review of newly revised UGBHEP Contract.** The Council reviewed the latest draft version of the UGBHEP contract and held discussions with FWP staff. Bob Lane was also in attendance. The Council made the following recommendations:
  - There should be only 1 document that will be utilized for either annual agreements or agreements greater than 1 year. Only those contracts greater than 1 year will be recorded. Contract recording will occur in the county where the Project Area is located.
  - The section that restricts use of pesticides will be removed from the contract.
  - The section that refers to the cooperator keeping track of hunter use will be reworded and moved to the Contract Compliance section.
  - If the Project Area lands are reduced to acreage that is less than 100 acres, the contract will be considered breached. This newly added language will help ensure and account for access as required by the program.
  - The Damages section should be simplified. Sections with equations should be combined where appropriate. Liquidated damages will be 25% of FWP's total cost share in addition to the prorated sum.
  - Litigation will occur in Lewis and Clark County.
  - Council offered general suggestions to make the contract more clear. These suggestions will be incorporated into the next version.

The UGBH Biologists offered feedback to the Council on this latest version. They expressed concern that this latest draft contract may effectively turn people away. Council responded that this new contract will ensure better

accountability. Biologists should keep track of those potential cooperators who “walk away.”

**3. Review of FWP letter to pheasant raisers.** Council reviewed the draft letter that will be sent to the raisers to ensure the message captures Council’s recommendations. Council members were satisfied with the letter but offered the following suggestions:

- Report the % decrease of birds compared to last year
- Communicate that “in the past, funding allocation for pheasants has been more than 15%”
- Explain how number of birds were determined for 2011
- Send copy of statute as it pertains to UGB releases
- Add Council’s recommendation regarding health standards and pheasants
- Strike “Raiser” in the heading and put “Pheasant Provider”

**4. Continued review of draft plan.**

The Council spent considerable time on discussions regarding the \$200,000 cap and how this cap relates to public lands and conservation easements. Additional discussion included project definition, MOUs, and maintenance.

- Maintenance is the responsibility of the cooperator. Should a catastrophic event occur that affects UGBHEP projects, the Council recommended that UGBEP may assist with funding replacement costs.
- Council supports the necessity for ongoing enhancements on public lands and conservation easements. The UGBEP should emphasize partnerships with other agencies and non-governmental agencies to help expand program dollars.
- Jay Gore pointed out that until the cap is statutorily changed, FWP has to adhere to the cap on private and public land. Until the balance is spent down, FWP should consider revisiting with the Legislature/FWP Commission to seek an increase in the cap.
- Mike Begley stated that the cap needed to be reevaluated to address project money spent on public lands and conservation easements. When the statute was first created, it likely did not take into consideration these additional elements. Mike pointed out that the Coffee Creek conservation easement was endorsed by the Council. Currently, Council’s hands are tied.
- Julie pointed out that legislature is conscious of FWP’s roles with maintenance projects. There is a statute for maintenance.

- The Projects/cap section of the strategic plan will be revised to reflect Council's recommendations.
5. **Legislation and public meetings.** Jay Gore and Julie French will represent Council at the Legislature. The UGBEP will also pay per diem for Council members who attend public meetings. Joe advised that it would be better to hold public meetings before April 15 as it gets busy for most farmers and ranchers after that time.
  6. **Next meeting.** A teleconference will be scheduled for Tuesday, February 15 at 1 pm to 5 pm to review the final document. A transmittal letter will be written to accompany the final strategic plan.
  7. **Joe Perry adjourned the meeting at 3:00 pm.**