

**CITIZENS ADVISORY COUNCIL  
REGION 7 – MILES CITY  
MEETING NOTES  
December 6, 2011**

**CAC ATTENDANCE:** Bob Hagedorn, Chris Pileski, Greg Mohr, George Luther, Warren Broeder, Rob Reukauf, and Bill Kesinger.

**ABSENT CAC MEMBERS:** Julie Jordan, Dan R. Fox, Art Hayes III, and Brett Hoagland

**FWP STAFF ATTENDANCE:** Brad Schmitz, Dwayne Andrews, Cathy Stewart, Erin O'Connor, Mike Moore, and Mike Backes.

**PUBLIC PRESENT:** Marshall Johnson, Regional Director of Mule Deer Foundation, and Jeff Essman, local member of Mule Deer Foundation.

**2011 Fish Management Regulation Process**

Mike Backes explained that the Fisheries division has gone through the four-year fish regulation cycle for the 2012-2015 regulation process, which is now final. This is about a year-long process which began in October 2010. There was strong directive to simplify or reduce the regulations. Regional Fish Managers and staff pulled together all discussion, ideas and directives last winter and put together some proposals of what each region would like to see. From there, public meetings were held and comments solicited. Afterwards, proposals were re-evaluated. One of the proposals that Region 7 originally had that would affect eastern Montana included separating the currently combined limits for sauger and walleye. There is a combined limit of five daily and ten in possession currently. Other proposals included reducing the burbot limit statewide, reducing the sauger limit on Tongue River Reservoir and the Tongue River upstream of the reservoir, and reducing the statewide catfish limit.

After the initial round of conversations with other regions, managers and biologists, and the public, the walleye-sauger proposal was scrapped due to concern whether anglers could truly identify the different species. This may be revisited at a later time. The burbot reduction was intended to be statewide, but because of possible exceptions that would have to be made for reservoirs, that proposal was also tabled. The sauger and catfish proposals stayed on the table after the first round and were eventually drafted as such and went out for another round of public comment.

Literature made available for the proposals included a brochure available at license agents and FWP offices and an online survey that interested parties could participate in. Additionally, a postcard was sent to 6,000 random individuals who purchased fishing licenses. However, the overall response rate from the postcards was only 1.9%. The online response was quite a bit better.

After two rounds of comments, the tentative proposals were re-evaluated. The catfish proposal, which was to decrease the daily and possession limit to 10, was initially well-received.

However, after the second round of public comments, folks were not as pleased so the proposal was revised. The new revision was to allow 10 fish daily and 20 in possession. This was eventually adopted by the Commission. The Tongue River Reservoir and Tongue River walleye/sauger regulation was changed to five daily and ten in possession—only one daily and two in possession may be a sauger.

Additionally, the paddlefish regulations were consolidated into one section of the regulations. These went through five or six drafts. Information specific to the Yellowstone and Missouri Rivers paddlefish seasons was reorganized within each relative section of the regulations. After noting that hoop netting is still permitted in the eastern part of the state, one of the Commissioners requested that Mike pull together a history of hoop netting, specifically for catfish. It is being printed for distribution. Mike said it is quite interesting and explains a lot of the background on hoop netting and how it was originally wrote into regulation.

Rob commented that a lot of stock ponds that don't usually receive good runoff did this year. Was the department able to stock ponds that hadn't been previously stocked? Mike B. said considering the additional demand for fish, new pond permits, etc. they did well with stocking ponds this year. They were even able to stock some ponds that filled up unusually late in the summer thanks to fish being available from the hatchery in Lewistown. He said it seems most ponds are stocked but he doesn't have a summary from the Miles City Hatchery at this time.

Mike M. asked what the argument was for the sauger proposal below Tongue River Reservoir. Mike B. said there is really not much of a population there. The proposed change in the regulation probably wouldn't have affected much there. The issue of anglers being able to identify walleyes and saugers got complicated. This is an issue the Fisheries staff is going to continue to work on.

#### **Application Deadline Change for Antlered/Brow-tined/Either-sex Elk & Deer Permits**

Dwayne reported that the FWP Commission has approved changing the application deadline for antlered deer permits, brow-tined or either-sex elk from June 1 to March 15. This will have a major impact statewide. The Department is making a large effort to get the word out about this.

Greg stated that this has a large affect on spring Hunter Education classes; they will have to be done much earlier now. This change will make it much harder to get classes done before the new deadline. Dwayne agreed and said that getting field days completed in February and March is also an issue as it's not the ideal time of year for those.

Bill asked if this meant that the drawing results will be out earlier as well. Dwayne replied yes, that was part of the idea. It's possible that within two to three weeks after the deadline, results could be out. Chris asked if this affects nonresidents as well, to which Erin replied that it does. Nonresidents already have a deadline of March 15<sup>th</sup> for their Combination applications; they will now be applying at the same time for their special permits.

Greg asked what the thought process was on this change. Mike M. said this was more for the nonresidents so that they would have an idea of if they got their permits more early on. Brad

continued that this went through last year's regulation process, but didn't make it through at that time. Nonresidents and residents alike wanted a little more time to be able to plan for vacation time, etc. He would like to eventually see one solitary date for everything. However, this would be difficult to do, especially for antelope, because final population counts aren't in until later on.

### **Elk Working Group Update**

Due to Art's absence, a complete update wasn't available. Dwayne said that he did know that the group has had its final meeting and came up with proposals that affect the Missouri Breaks and 23 other hunting districts. He attended their meeting in Miles City.

Brad began by saying that elk archery and elk hunting has become contentious in the last few years in this state. There are a lot of issues that come with elk and interest from many different groups of people. The elk working group resulted from all this. The first group unfortunately did not have the autonomy they needed to make some decisions and be able to move things forward.

A few years ago, the department passed some elk archery regulations, which led to some continual strife. The Commission has chosen to reinstitute this elk working group and has giving them additional autonomy and some ability to craft some recommendations. The current group is folks that represent all factions and have met five different times.

The group did not want to change anything structure or quota-wise inside the Missouri Breaks. Outside the Breaks, including the Custer National Forest, the annual quota was set at 90% of previous year for first and second choice eligibility. By doing so, they are tightening that draw up a little.

Brad then read directly from the group's report. To summarize, the group recommends another set of either-sex archery permits in and out of the Breaks. These new permits will be available only as a first choice and valid only on private lands outside of Block Management areas within the specified districts. These permits will be on the Commission agenda for Dec. 8<sup>th</sup>, but Brad did not know if the Commission would necessarily make any decisions at that time. Continuing to summarize from the group's report, a person holding one of these new permits could not hunt an antlered bull elk in any other district during any other season that license year.

Mike M. asked how the restrictions with these new permits could be enforced. Brad replied that Enforcement personnel would need to have some meetings to discuss that.

Brad continued that the number of these new permits would ultimately be set to accommodate the number of outfitted nonresident archery elk hunters in each of these bundles in 2007.

For the 2012-2013 season these new permits would be initially available through the drawing in unlimited status. The unlimited status will be used for two seasons to help establish a target level and then formulate the number of permits to be offered. These new permits would remain in place in any one district if the elk population objective was met or maintained. Right now we have population objectives in each of these units. Many of them are over objective. If a population objective is met or maintained, these new permits would be available. If the

objective is not met, they wouldn't be available. FWP would use population trend surveys and harvest surveys to assist biennial assessments. If there was no clear or consistent reaching or maintaining a population objective or annual harvest prescription during a two-year interval, these new permits would be removed until a subsequent two-year evaluation revealed the population objective was met.

Dwayne explained that part of the idea behind what the group came up with is that some of the issue was only bulls being harvested on some private land. The idea is if the population threshold as determined by FWP is at or below what it should be, then we can continue with the normal process. If the threshold is above, then there would be no bull tags and cows would have to be harvested. The plan is to try to implement a system that allows for management of the elk population on private land and still provide an opportunity for bull hunting. Brad concluded by saying that the group will retain this committee for two years and see what works.

### **2012 Big Game Regulation Process**

A handout detailing public comment themes from season setting scoping was provided to members. Brad explained that the process for wildlife regulations is similar to the fish regulations process but a little quicker; it happens every two years. Season structure can be changed every two years and quotas are looked at during the in-between years. The department is in the middle of this process right now. One of the Commissioners felt we weren't getting enough input from the public and that we needed to have a few more public meetings of some type. Consequentially, during the last cycle the department held a 'synchronized meeting' where every region held public scoping meetings on the same night and time. Previous public scoping was done through random phone calls, emails, contacts on the street, etc. Public scoping is becoming more electronic now. Comments can be left via the FWP website at any time, and are then funneled into this regulation process as well. The synchronized public meetings were held again this cycle, but both years experienced very low turnout. We are receiving a lot more electronic comments though.

Quentin Kujala, Wildlife Management Section Chief in Helena, has grouped all the information received into topics. What the department tries to look for in all the comments is common themes. When the scoping period is finished, wildlife managers consider public comments, CAC comments, etc., and look for specifics to address.

There will be a meeting on the tentative regulation changes Thursday, Dec. 8<sup>th</sup> in Helena. If folks are interested, they can listen to the meeting online or come to the Regional Office and watch via video conference. Once this meeting is done, the Commission will ask us to make any changes if they deem necessary. From there, any proposed changes will be publicized and a public comment period opened until sometime in February. The final decision by the Commission will be made at their February 16, 2012, meeting.

Dwayne reminded the group that the region has scheduled two public meetings—one in Glendive on Jan. 11 and another in Miles City Jan. 10, both at 7:00 at the community college in each respective location.

Greg asked what the hot button items are at the upcoming Commission meeting. Brad replied that elk are always a hot topic and that the Elk Working Group's involvement has helped. Brad isn't hearing much specific about this region, but expects there to be some concern about our antelope and deer numbers. Obviously last winter wreaked havoc on our populations, and he feels our Wildlife staff did a good job with deciding how much to reduce tags. Feedback from the field seems that we're in the ballpark, and some folks even feel we could have been more conservative. Brad expects things to be similar to this year for the next two or three years until populations start to come back. All things considered, he is very happy with the current situation. We had a good production year for vegetation and consequently, antelope and deer are doing well. The weather currently is also in our favor. The one thing we do have challenges with right now is a lot of the antelope harvested this year were old. There is definitely an older brood stock out there. On average, we probably lost 60-70% of our antelope across the region, so if we have another severe winter, things will not be good. Folks in the field are concerned about antelope.

Rob stated that he saw very few antelope fawns this year. Brad agreed that unfortunately that is often a product of severe winters and many were aborted or perished. Mule deer didn't do much better. He expects that barring another major weather event, we should start to see good numbers again in two to three years. Our intention for now is to keep tag numbers the way they are. This does mean a decline in revenue, but we have to respond to biology first and look at other things second.

Brad then asked the group if they were hearing anything about regulations or other topics. Greg said people are concerned about numbers. The mule deer took a hit last winter and then EHD hit the whitetail pretty hard this fall. A lot of people intended to hunt whitetail instead of mule deer, but the EHD affected that. Brad replied that caused a minor issue this fall when North Dakota decided to refund tags and we didn't, and people wanted to know why. His response was that North Dakota has little "micro-units" that could be easily affected by something like EHD. In our region, hunters could use a region-wide whitetail tag. Even if one part of the region got hit really hard, there are still other places folks could go.

### **Mule Deer Survey**

Brad distributed a handout summarizing selected results from a 2011 Mule Deer Hunter Preference Survey conducted by FWP. This survey was administered by the Human Dimensions Unit. Results were broken down by region and statewide. Five thousand resident Deer A holders were sent the survey, and 41% response was received.

In regards to Region 7, respondents felt opportunities to hunt mule deer in the region were quite good for both bucks and does. When asked questions relating to opportunity to hunt different sizes of bucks, folks said they were happy with the opportunities to hunt smaller bucks in the region. Respondents were slightly less happy with the opportunities to hunt larger bucks. Brad said overall it seems that folks are happy to have opportunities no matter what the size.

In regards to access, respondents felt access to publicly-owned land in Region 7 was pretty good. For private land, results were more in the middle of the spectrum for does, more towards poor for bucks.

Chris stated that he still thinks results are surprisingly in the middle of the spectrum. Brad replied that this shows we're starting to move toward harder to get access, but it's still not terrible for bucks.

Regarding the number of other hunters seen during mule deer hunts in Region 7, Brad showed that results are about average. We are starting to see some crowding issues, which showed up in the results a little.

When asked about their satisfaction with the mule deer hunting regulations in Region 7, respondents were satisfied. Brad said we do hear comments from folks regarding the complexity of the regulations, but overall folks seem happy with them. Thirty percent of respondents thought the statewide regulations were easy to understand. Just over half of respondents thought the department should have more variety of regulations across the state. When asked if respondents would rather have the opportunity to hunt mule deer bucks every year somewhere in Montana with a lower probability of harvesting a mature buck, or not hunt every year and have a higher probability of harvesting a larger buck, respondents showed that they want opportunity. They would rather be able to hunt every year and have less chance of bigger bucks.

Respondents showed it was very important to be able to hunt mule deer in the same place in Montana every year.

When asked to what extent they supported or opposed hunting mule deer bucks in Montana during the rut, respondents strongly supported continuing to hunt during the rut. They also wanted to continue hunting Thanksgiving week. There was a lot of support for keeping the current five-week season the way it is date-wise.

Respondents were asked how important it was to them to have the timing of the general season for mule deer be the same as hunting for elk in Montana. Results were relatively split, only slightly more than not said it was important to be able to hunt both elk and deer at the same time.

Bill said he thinks most people that hunt both, hunt deer in the middle of season and hunt elk toward the beginning.

When asked how interested they were in harvesting a mule deer doe, results varied statewide. In this region, hunters seem fairly interested and are opportunistic about harvesting a doe.

The most important motives for hunting mule deer in Montana ranged from to enjoy nature and the outdoors, for food, family time, time with friends, and to experience solitude.

The most commonly listed barriers to hunting mule deer in Montana included access, which was at the top of list, time and money and too much outfitting.

On average, most respondents spend approximately 13 days/year in the field hunting. The mean age of respondents was 48, median age was 50. Respondents were 10.7% female, 89.3% male.

Mike B. stated that he would be interested to see what results were like in the last survey.

Greg said of some concern is that there seems to be some bias with young people; maybe not as many of them are answering the survey.

Brad state he would like to see if the number of female hunters has increased over the last 20 years as we have put a lot of effort into the Becoming an Outdoors Woman (BOW) program and similar events. Dwayne added that from what he sees with the BOW programs, ladies like to come to those events to get a taste of different activities. However, when it comes right down to it, a lot of them are not necessarily making room for those outdoors activities in their lives. Brad said he thinks it seems to depend on the activity.

Barriers to gaining the type of mule deer hunting experiences folks desired included access at the top of the list, and time and money again. Brad said he expects to see more of that. George said when you talk to nonresidents, for a lot of them it's their lifelong dream to come to coming hunting in Montana. When the recession hit, that has kept a lot of folks from being able to justify the expense. Brad agreed and said we have seen the same thing in resident hunters as well. People are definitely in the field less because of the economy. A lot of hunters are making less trips but coming for longer when they do come.

When asked what region of the state respondents spent most of their time in, Regions 3 and 4 had the highest visitation. Regions 6 and 7 seem to carry their share as well.

Brad then went over statewide results from the survey. Results varied across the state for most questions. Overall, what Brad took away from this survey was that 98% of respondents are happy to hunt mule deer in Montana and they don't go anywhere else.

### **Members Term Expirations**

Brad reported that Rob, Julie and Chris are all done with their time on the CAC. They have all served two terms and are not eligible for renewal. Brett, Bill, and George are all completing their first terms and are eligible to renew if they would like to serve another two-year term. The remainder of the Council is serving four-year terms and has two years left to go of those. Brad thanked the members who are leaving us for their input, time and knowledge.

Rob commented that it was important for him to see "how the other half lives." He said he didn't really have much insight into how the department works. In the last six years he's been on the Council, he's been able to see the struggles that the department goes through from manpower and funding standpoints, the legislature, and whatnot. It's given him a lot more sympathy for the problems the department has on a day-to-day basis.

### **Roundtable Discussion**

Chris stated he has been thinking about Hardings withdrawing from Block Management. Is that a trend; are we seeing more long-time participants pulling out of the program? Are there any modifications to the program that can be made? Brad replied he has visited with Steve Atwood about this. Steve says it's not that we're losing so many of our long-time properties, we're just seeing the size of ranches we have becoming smaller. Bigger places are doing other things.

Generally, we lose and gain about the same number of landowners each year. Steve believes the biggest loss of Block Management properties is due to changes in land ownership. A lot of landowners are getting older, retiring, or selling their place. The people who buy these places are often times not interested in Block Management it seems.

We did have a \$1 increase and saw an upturn from that. Participants liked the increase and we made note of it. Brad would like to see an incremental increase sometime in the future. Most folks that are in Block Management are not necessarily in it for the money; they like the flexibility of the program and the ability to share their resources.

Mike M. commented that the cap on hunter days led to the loss of some larger places. Rob added that that was legislatively determined. Mike M. agreed but thought the shrinking in acreage had a lot to do with that. He thinks this is something that could change for the better of the program and may prevent the loss of some larger properties. Chris said that he is more concerned with the loss of long term landowners.

George said in regards to Block Management, he has heard some comments from folks who would like to see more contact from FWP staff. You cannot discount one-on-one face time. The Colstrip mule deer management hunt opened up 800 more acres this year as part of the city's management plan. The hunt has been running pretty smoothly. Approximately 45-50 does/year are being harvested during this hunt. There will be a meeting in January or February on what needs to be done yet. Mike M. added that Glendive has implemented a similar hunt using a lot of the same criteria as Colstrip. George said what is interesting about the Colstrip hunt is that the hunt is ran out of the PPL security office.

Greg said he has heard two issues in the Sidney area. The first is will the new regulations be out soon enough so everyone will have them to study before they now have to put in for permits by March 15? The second and bigger issue is the oil impact. Poaching is becoming a big issue. People are living in tents, campers, etc. There is over 1,000 campers in Richland County. Randy (Sidney warden) could use some help. Brad replied that Mike M. has actually addressed this with Jim Kropp, chief of Enforcement. We've started discussions on this to find out what options we have. Last spring we also had discussions with some of the pipeline companies to hopefully curb some problems before they arise.

Greg added that his criminal case load is up 28%. The biggest problem is a lot of these people are making tons of money, living in campers, and have not much else to do. Brad added that there's also impact on habitat in general. There is the possibility of another energy position in Glasgow in the future.

Greg expressed concern over the availability of housing if more staff were to be hired. Housing in the Sidney area is at a premium. Many longtime residents are being displaced because their rent is being raised exponentially.

Bob said that in regards to the Otter Creek issue, we need to be in front of it instead of behind it. Also of concern to him is the lack of young people involved with hunting. He would like to encourage everyone to take kids out hunting, especially those who don't have anyone to take

them. He thinks the free licenses for first-year hunters is a great deal. We need to encourage parents and kids both to get out there. Greg added that he and his fellow Hunter Ed instructors encourage kids in their classes who may not have anyone else to take them, to call them if they want to go.

Rob would like to see his area in HD 701 be opened up for either-sex elk hunting. There is starting to be quite a population of elk out there. He has a proposal in front of the Commission. He has enjoyed his time on the CAC and has gotten to see many places he had never seen before. He has a lot of good memories from the CAC.

Bill stated that the youth deer hunting season is a great thing. He enjoyed being able to take his daughter out those two early days. He wondered if Montana has considered lowering the hunting age similar to what other states have done. Brad replied that at this last legislative cycle there was a bill proposed to allow 9 year-olds out in the field with a competent adult. The bill did not get very far. This issue has come and gone in the past and we will likely see it again in the future. Mike B. added that he was a Bowhunter Ed instructor for 15 years. The concept to lower the hunting age comes up all the time. His perspective is that the average 11 year-old or younger youth that comes through the Hunter Ed and Bow Ed program cannot mentally and physiologically handle a firearm. George asked if the department has looked into tying in with the 4-H shooting sports program. Dwayne replied that we have talked about it a lot. He thought Helena staff was supposed to be working on it, but it hasn't seemed to have gone anywhere. George added even if someone from the Department were to come and visit with the 4-H clubs, that would be beneficial. Brad would like to see this pursued and see how we can make it mesh.

Warren stated the Boy Scouts in Glendive have been doing a lot of shooting. He recently took a young man goose hunting and said the experience changed him; it was great. It has been suggested to him to return to having different smaller districts within the region. Would it be beneficial to break the districts down more? Brad replied that we hear this a lot when we have tough winters, die-off, etc. What we see is that people often look at their area and if it's bad there, they assume it must be that way everywhere, which is not necessarily the case. We like to leave opportunity open as much as possible. The problem with having limited opportunity licenses means that if a district is experiencing low populations and someone has a specific license for there, they cannot go anywhere else. What we find is that with open opportunities, folks can come and if they find out there's no deer, they are able to go somewhere else and thus still have an opportunity. Additionally, there is an expectation of accurate data when districts are broken down more. This requires more flights and on the ground contacts and that much more work. We are too limited on staff to be able to meet those expectations.

### **Public Comment**

Marshall Johnson with the Mule Deer Foundation shared some information about that organization with the group. He is the first regional director in the state. There are seven

active chapters in the state right now. The Foundation's goal is to have 12. Their mission is conservation of mule deer and their habitat. Their secondary mission is youth education. Bob asked if the Foundation shares comments with FWP. Marshall replied yes, they do, mainly with Helena staff. The oil industry has donated \$365,000 to the North Dakota Game & Fish for a mule deer study.

**Next meeting: tentatively March 14, 2012**