

Region 5 Citizen Advisory Council Meeting

August 6, 2013 5:30 PM to 9:30 PM Fish, Wildlife & Parks 2300 Lake Elmo Drive Billings, MT 59105

Meeting called by: Bob Gibson

Type of meeting: CAC Council Meeting

Location: Region 5 Headquarters

Facilitator: Bob Gibson

Attendees: Mike Whittington, Doug Dreeszen, Daniel Aadland, Doug Haacke, Daniel Dutton, Dale Vermillion, Gregory Keller, Bob Gibson, Harold Guse, Ken Frazer, Ray Mule', Dianne Stiff, Doug Habermann, Gary Hammond, Director Jeff Hagener, Paul Sihler, Commissioner Matt Tourtlotte

Topics

5:30-6:30 p.m.	Welcome, Dinner & Conversation	Bob Gibson
6:30-7:00 p.m.	Issues of Concern	CAC Members
7:00-8:00 p.m.	FWP: Our Present & Future	Director Hagener
8:15-9:00 p.m.	Legislative Update	Paul Sihler
9:00-9:15 p.m.	Administrative Housekeeping and	Bob Gibson
	Adjourn	

Welcome, Dinner & Conversation Bob Gibson

Issues of Concern CAC Members

Discussion:

Gregory Keller: In my area, Fishtail, I worry about too many elk. The ranch land is being bought up by millionaire out of state landowners for the purpose of seeing elk on the land. Most of the time you just look across the fence and there are the elk. In the past all the hunters went into the mountains to get their elk. Now with the 4-wheelers running in the back country during the summer, I don't think the elk stay up there. The elk also get so used to our farm machinery, you can drive by them with the swather and they just look at you. The elk are hanging down on the hayfields on the property of the people who want to see the elk. I'd like to find some way to get them off that property so hunters can have access to them.

Daniel Aadland: 1. Warm weather fishing closures. Should we be closing streams to traditional fishermen who do not catch and release, who instead wish to catch a couple of trout for supper? Should they be denied because others wish to catch many fish, exhaust them in warm water conditions, and then turn them loose to uncertain survival? Shouldn't we instead be closing these streams to catch and release fishing? As a footnote, we should be aware that there's a growing tide of criticism toward catch-and-release fishing, and I don't mean that coming from animal rights quarters. Writer/personalities such as Steve Rinella, who hosts the "Meateater" series on the Sportsman's channel, a lifelong hunter, trapper, and fisherman with Montana ties, is one example of an influential sportsman who believes that you should eat what you catch.

- 2. *Bugle* magazine recently reported on the ratio of resident to nonresident hunting license costs. Montana's discrepancy between the two was several times greater than that of any other state. I do support a modest increase in resident fees, but also a decrease in nonresident fees. The fact that surplus licenses are now the norm proves that we've finally butted up against the law of supply and demand plus competition from other states. I do support the "native born" category of discounted licenses. This law has been a fine gift to my own family.
- 3. Regarding wolf management, I continue to oppose buffer zones next to national parks. To those who point to the economic benefit of wolves via those drawn to Yellowstone to see them, I'd point out that Yellowstone had tremendous visitor numbers throughout its history. Theodore Roosevelt himself approved of controlling wolves and lions within the park to protect other species. The problem is that people are being "educated" to the idea that Yellowstone exists as a place to see wolves. Older people remember that before wolves the diversity of wildlife seen in the park was much greater. Now one primarily sees bison and wolves.

Doug Dreeszen: Tribal hunting rights supposedly are going to take place in the future. Using the Crow Reservation for example, they have a vast amount of land and now they are talking about extending the Laramie Treaty so Native Americans can hunt in areas that traditionally have been hunted by us, sportsmen. This is not setting very well with people I have contact with. I don't understand how, Gardiner for example; all of a sudden the Native Americans can hunt big game, when sportsmen cannot draw a tag to hunt up there anymore. It seems there are more issues with landowner corporations coming in the state buying up and locking up their land, not allowing access to hunt big game that they are hoarding for themselves. This is occurring in the Little Snowies with the Wilk's Brothers, and in the Red Lodge area with the Leuschen, Switchback Ranch. Regarding salvage permits (road kill), I've been talking to several people about it. I think it is a vast waste of Fish, Wildlife and Park's time to even get involved in this. I know that has been passed by the legislature. Even with a lot of negative comments, it's still going to be a state law I'm assuming. Harold Guse – the law committed FWP to come up and formulate rules for the Commission to adopt. Ultimately by October 1, 2013, we are tasked with coming up with a process to permit that activity.

Mike Whittington: He has had a number of friends and people asking about changes the Department may be making and what can the sportsmen anticipate in the way of changes? One issue that got a lot of attention especially in the Rod and Gun Club is the moving of bison around the state. Not all members are that enthusiastic about it, because of competition with other game species and some members have ranch backgrounds and families that are still on the ranch.

Dale Vermillion: Issues in his area is mostly dealing with water. We still have plenty of water in Sweet Grass Creek that goes through his property. The Yellowstone is going down. For the first time he floated from Reed Point down to the new fishing access site which is Holmgren. That is a great access and pretty well positioned on the Yellowstone River. Now you just need to get one between Columbus and Laurel. The access at Pelican is high and dry. You have to drive way out into the river to put your boat into the water. We've been seeing a few birds, pheasants and turkeys. We have plenty of whitetail.

Doug Haake: He would like to entertain Dan Aadland's comments on fishing looking at revisiting the whole mortality issue, with regards to single, barbless, and treble hooks. Our access sites are great and applaud Gary and the crew for the sites. Holmgren is really sweet. Aquatic nuisance guys have been out quite a bit. I've been checked at least half of about the last eight times that I've been to Fort Smith. A great crew and have done a wonderful job. Even more so I guess they are finding some things here and there. What a great way to get people to stop and think about aquatic nuisance species. They've did it with good humor and efficiency and I applaud everybody who was involved with that. When I get a chance to talk with my friends or clients about the fee increases, I've found that no one would be opposed to that. Most of them thought it was kind of a sale when they didn't have to have the warmwater stamp, so they were pretty happy about that. I don't think a fee increase with the fishing part is going to be a problem. Lastly, we were briefed on the fishing management plan last year. Part of the point of that was if certain issues came up you'd have a plan you'd be able to look at and readily make decisions on. The first test of that came when walleye were found in Noxin Reservoir. We were hoping the folks over there would follow that plan, but for some reason they have chosen not to. That is a concern for us that they are not following this plan that we worked so hard to get developed. We hope if it were tested in our area with our native species that we'd have some pretty quick action.

Daniel Dutton: It was his own feeling in the previous legislative session and more so in this one that the nonsportsmen groups as well as the legislature has become a frustration to FWP more so than it has in past. People were looking for opportunities to come in to take bits and pieces away from FWP. We had a speaker come in from the Department about a year and a half ago to talk to our CAC about the finances of the Department and how they are living off of the rainy day fund. I would be interested to know, where FWP is financially, and how will the new governor respond to the necessary option of a fee increase?

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Topics for future meetings: Elk Harboring/Land Locking; Warm Weather Fishing Closures; Licensing/Fee Increase; Wolf Management; Aquatic Invasive Species Program	Person r Bob Gib	responsible: oson	Deadline: Future CAC Meetings
FWP: Our Present and Future		Director Ie	eff Hagener

Discussion:

- 1. FWP has the responsibility for managing all the fish and wildlife in the state. This is for not only those who hunt and fish, but also the evolving nonconsumptive user. A good example of that is the wolf setting season we just went through recently. We received around 25,000 comments and probably better than 22,000 of those were wolf watchers, not the people living on the landscape or livestock producers. The majority of the comments were nonconsumptive or nonresidents. If you look at the resident side of that, it is a total flip. Probably 90% of the comments we received from residents were favorable with the proposals that we made to expand the limits, to extend the season, to do several things that we did as far as the management. The Commission approved those. Of the 10% of Montanans that didn't support the season wolf proposal, nearly 5% said we didn't go far enough and should be taking a lot more wolves. There was a statute that passed this last legislature that clearly states that we cannot put buffer zones in place anymore. What the legislature did recognize is there may be some areas that we need to control, so we can do hunting districts with quotas. That is what we've done around the Yellowstone Park area now. There are two hunting districts established with quotas. The quotas between the two districts are a total of seven wolves. We have the ability to close those districts and will be watching those areas to see what happens. This is the first year since wolves were reintroduced that we've seen a decline in the wolf population numbers. This last year the minimum counts were around 650 wolves and that dropped to around 625 with this year's counts. We feel we can bring those numbers down further while not jeopardizing anything with the Fish and Wildlife Service as far as the delisting status. We believe bringing those down helps with livestock depredation and depredation issues that we have with big game herds.
- 2. FWP remains to be one of the most visible. We tracked over 200 bills during the legislative session, and we actually testified and looked at over 150 bills that would have had some impact on our fish and wildlife management and the public's opportunities. What we seen in this last session is the increased support of the sportsmen. We really appreciated this, and with as much support as we had from sportsmen, we thought we did very well with the 2013 legislative session.
- 3. The Governor has discussed the subject of fees with Directory Hagener and the Commission. The Department needs to show transparently what our budget is, where we spend the money and where the money comes from. We need to be able to show that we can sustain our budget in the long run. The system that FWP has been

using is on a ten year cycle. Once in about every ten years we raise the rates of our fees fully expecting that raising the rates higher will allow us to operate our functions at the current time. At the beginning of the ten year cycle we basically are building a fund balance for about the first three or four years. We are bringing in more money than we spend. For about two to three years into that ten years, we're what the legislature likes to call, structurally balanced; that is spending about as much as we bring in. So for the last three or four years, we're then spending more than what we are bringing in, but we can do that because of our bank balance. We are now currently at the end of that ten year cycle. If we get a fee increase in the 2015 legislature, that doesn't go into effect until the 2016 license year, and we don't actually see the full revenues until our fiscal year of 2017 because we are gathering revenues during that year. In order for us to make it until 2017, we essentially need a fee increase in 2015. Our two primary sources of funding are one from our license fees and secondly from the Pittman-Robertson, excise tax on sporting arms and ammunition, and Dingell-Johnson, the excise tax on fishing tackle and fishing gear. The recent federal sequestration has ended up taking a portion out of each of those. This year will be 5.6%. We have been getting about 20 million dollars between those two sources in the last couple of years. In addition, they are making this accumulative, so next year you add another 5 or 6% and so on. Those funds are set up so they are obligated to fish and wildlife agencies for fish and wildlife management. Then there is issue of resident versus nonresident fees. At the current time Montana is about in the middle compared to similar licenses in western states as far as our fees for nonresident's individual species licenses. The biggest difference that occurs with Montana is the nonresident combination license that is around \$1,000. We realize that we are about to the maximum end of just tapping into nonresident fees. Just looking at our sales over the last several years out of the 17,000 nonresident licenses going back to around 2005 and 2006 we were averaging about 22,000 applications for the 17,000. The last three years we have not gone over 15,000, so we are still selling nonresident licenses throughout the season because we don't have enough applicants for them. You can see how our revenue is slipping that way. The other element that is occurring is the age factor. The major buying segment is somewhere in the neighborhood of 55-60 years old. In Montana when you get to 62, you get a big discount for licenses. In the near future our major buying segment that is purchasing full price right now will be falling into the discount segment soon. We give up five million dollars in discounts to free licenses every year. The legislature passed and the Governor endorsed an advisory committee that will look specifically at the fees and look at our strategy as we go forward. We will be working with both the public and the advisory committee to try to work something through the legislature. We'd like to look at a different system structure that is on an incremental approach rather than once every ten years. In addition, we'd like the authority to approve fee increases to be either by the commission or the governor. Of course there will need to be sideboards established. This way you'd have a one or two dollar increase every couple of years rather than a ten dollar increase every ten years.

- 4. Secondly, the Governor has pointed out that we need to look at the process for conservation easements and owning land in fee title. There will be an in-depth review with our commission to decide what the best way is and how to prioritize those properties. We have already begun this process and will be assessing all the lands we have today looking at how we are doing within operations and maintenance of those properties. Another part of this is there are some cases where we do have excess lands. For example, with fishing access sites where we only really need five acres, we had to purchase a forty acre parcel. The remainder of that acreage that isn't utilized still requires us to pay taxes on it. We are looking at divesting in these properties and putting them into something more valuable.
- 5. The third item the Governor identified is that right now we seem to be at a low point with landowner and sportsmen relations. The Private Land/Public Wildlife Council will be taking a strong look at block management and other landowner programs that are not being used. With the changing demographics in Montana, nonresident landowners purchasing large tracts of land, we need to try to find ways to work with these folks so they understand what we do with land management and wildlife management.
- 6. There was a huge amount of interest in the aquatic invasive species issue. In the last couple of years that was largely a shared program with the Department of Agriculture. Now this program is entirely managed by FWP. We are currently maintaining either 21 or 22 crews around the state that are checking boats for aquatic invasive species. With extra funding from the legislature we have more crews out on the ground, and we are planning to expand the season for boat inspections in the future.
- 7. As of July 1, 2013, we have a Fish and Wildlife Commission, but the Parks now has its own Parks and Recreation Board. The Parks and Recreation Board is comprised of five people with the same districting as the Fish and Wildlife Commission, and they will deal strictly with parks and recreation issues. The Fish and Wildlife Commission will deal strictly with fish and wildlife issues. On the Fish and Wildlife Commission itself, this is the largest transition we've had on the Commission for a long time with four new appointments. We are trying to get the Commission up to speed, but it takes a long time to get an understanding and feel for

- all the issues. The Commissioners job isn't just one day a month. We send them enough material that it takes several days to read that before their meeting, plus they are open to phone calls from the public. They hear a lot of things from a lot of people.
- 8. The Department conducted bison scoping meetings throughout Montana, to look at areas in Montana to place bison taking in consideration both habitat and the impacts to local economies. The next step was if there were any areas specifically identified, we could focus a working group in that area to look at if it would even be feasible. Senate Bill 212 that was passed in the 2011 legislative session outlines very clearly all the aspects that we would have to do and address before placing bison on the landscape. After we saw the twelve bills that came out of this legislature, we decided to convene a group sometime in September who are considered to be major stakeholders (landowners, legislators, conservation groups) to sit down and talk about whether there is any middle ground to identifying a place in Montana where we could have a herd of bison or not.
- 9. We are facing several endangered species issues. Wolves are an issue with recovery of a species of reintroduction. With sage grouse the Fish and Wildlife Service has asked all states including the Bureau of Land Management to put conservation strategies in place to show what we are doing to make sure we maintain a population of sage grouse from now and into the future. We have begun work with the Governor's Sage Grouse Advisory Council that came out of the legislature and the Governor's office to put together a conservation strategy that we think addresses a lot of the issues. Wolverines are proposed for listing as a threatened species. With our data we can say that wolverines are expanding with a good population in Montana right now. The threat that is identified for wolverines is high elevation snow pack lasting later into the spring which is critical to wolverine denning and for the birthing and raising of their pups. Based upon the Fish and Wildlife Service's climate change model, 30 to 40 years from now we will not have that high elevation snow pack, which is the basis for listing this species. A lot of the wolverine habitat overlaps with the wolf habitat. If they become listed it may become very restrictive for what we can allow for trapping in wolverine habitat. That is a major concern to other furbearing trapping too. The last species is the pallid sturgeon which is an endangered species. The last remaining population of viable adult pallid sturgeon is in between Lake Sakakawea in North Dakota up to Fort Peck Dam, and then to Intake Diversion between Sidney and Glendive. There are about 100 adults left. They live to around 60 years old, and a lot of those fish we've identified are close to that age. The decision was made several years ago that the best place to try to recover pallid sturgeon was with the Intake Irrigation Diversion on the Yellowstone River. Pallid sturgeon are bottom dwellers and follow the major flow of the river. If the Corp of Engineers go forward with their proposal of a hard wall concrete dam, our biologists indicated that you are saying goodbye to the pallid sturgeon as they are not going to get over that structure. There is a major concern going on with the federal government over how we deal with that situation. If they are placing the responsibility on us to manage that fishery and keep those fish alive and allow them to pass further up river, we are not agreeing with the proposed concrete dam as proposed right now.

Action items: Informational	Person responsible: Gary Hammond	
Legislative Update	Paul Sihler	

Discussion:

The 2013 Legislative Session:

- Reinvigorated hunting and fishing lobby.
- Coordinated effort between the sporting groups and FWP.
- A proactive House Fish, Wildlife and Parks Committee.
- FWP's improved credibility with Director Hagener.
- FWP's team of 10 or 12 issues knowledgeable employees conducting the testifying.
- Out of 1,201 bills introduced, we testified on 113.

The Department's five bills:

- The wolf bill to liberalize the hunting season giving the commission authority to allow people to harvest more than one wolf in a year, eliminate hunter orange requirements outside the big game season, allow electronic calls and to reduce the nonresident license price. This bill was passed and was amongst the first couple of bills that the Governor signed into law.
- The DJ assent bill is the excise tax for fisheries (Dingell-Johnson program). In order to have the state receive that money the legislature has to pass a law assenting to the provisions of that statute which they

did in the 1950's. Accidentally several sessions ago a bill that was cleaned up coming from the code commissioner, made some changes to the assent bill and if we didn't get this corrected we wouldn't be eligible for the DJ funding. It passed overwhelmingly.

- We had a clean up bill on nonresident youth licenses that passed overwhelmingly.
- Our good neighbor bill to remove the sunset on the good neighbor act which creates a funding source for operations and maintenance was killed by the Committee.
- Our final bill was never introduced.

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Action items: Informational	Person res	Person responsible:	
	Paul Sihl	ler	
Administrative Housekeeping &Adjourn	Bob Gibson		
Next Meeting: Sometime before Thanksgiving.	Person res	Person responsible: Bob Gibson	
	Bob Gibs		