MADISON RIVER NEGOTIATED RULEMAKING COMMITTEE

February 19 & 20, 2019

MADISON RIVER NEGOTIATED RULE MAKING COMMITTEE MEETING
MINUTES FROM FEBRUARY 19, 2019

Mark Deleray: All right. Believe it or not, we're going to have a meeting so after all the trials and tribulations of the last month or so. I wasn't sure at times if we were going too actually all be here or not but fortunately it's all worked out and it looks good. I'm sure it's going to be smooth sailing from here out. I'm Mark Deleray. I'm the Regional Supervisor here for Fish, Wildlife, and Parks for Region 3, this office. I think most of you have been here before. I recognize about everyone but if not welcome, welcome to the Region, welcome to our Headquarters Office. Some quick information for you, right outside these two doors are the restrooms so feel free to access those. We've got coffee over here and water so help yourselves. I think that's all the basics. You've got an agenda in front of you and I think the first thing I think we'll need to do is do some introductions again. I think that's a good place to start. And I'll be handing this off to Mike Mitchell here in a couple minutes. We'll do lunch as we did last time. We'll have lunch in the little library room so you're all welcome to convene there for lunch, at the break. Let's see, with that I think the first thing to do is introduce Mike Mitchell. This is the person that we discussed repeatedly over the last month plus and he fortunately is available and with us now. And it looks like we'll have him, I don't see anything on the horizon that looks like a shutdown of any sorts.

Mike Mitchell: I'm funded to the first of April so, I mean October.

Mark Deleray: So we're good to go, just a little background on Mike. He's an expert in Structured Decision Making so we are extremely fortunate to have his services and expertise to do this process. He's with the U.S. Geological Survey, he has a Ph.D., Master's Degree, and Undergraduate Degree, he's well informed and I think the perfect person to help us with this process. He's also very committed to the structured decision making and has recently published a number of different papers on the topic. So we truly have an expert with us to work us through this and as, you know, I've talked with others in the Department who've worked with Mike, I have very high expectations that we can be successful in this process. So Mike welcome and thank you for dedicating this time to this effort. Appreciate it.

Mike Mitchell: Thanks for inviting me.

Mark Deleray: On other person I'd like to quickly introduce that we haven't met last time and then we can go around the table is Chris McGrath. He's with the BLM, he's and Outdoor Recreation Planner. As most of you are aware on the Madison River there's fishing access sites and fishing access that's either managed by BLM or by Fish, Wildlife, and Parks. BLM has a huge role in providing access on the Madison River and so BLM and Chris's participation in this process is key so welcome Chris and again the shutdown I'm sure precluded you from last time participating but now you're here.

Mike Mitchell: You were non-essential too?

Mark Deleray: Essential to this process so I guess it just depends on what you're looking for. I guess with that I think we can quickly go around the table here and do introductions and then I'll hand it off to Mike and we can get down to work.

Dawn Rennie: I'm Dawn Rennie I'll be doing the transcription and I did the last transcription that you had.

Mark Deleray: Thanks Dawn and all of you've seen the e-mails where that information is available. Okay…

Michael Bias: I'm Mike Bias, I'm the Executive Director of Fishing Outfitters Association of Montana.

Julie Eaton: I'm Julie Eaton, I'm a fly fisher and a fishing outfitter.

Charlotte Cleveland: I'm Charlotte Cleveland. I'm an avid angler.

Jim Slattery: Jim Slattery, Campfire Lodge

Melissa Glaser: Melissa Glaser and I give scenic tours on the Madison River.

Tim Aldrich: Tim Aldrich, I'm a Fish, Wildlife Commissioner in District One, Western Montana.

Lauren Wittorp: Lauren Wittorp Executive Director of the Madison River Foundation.

Mark Odegard: Mark Odegard, I'm a consultant for the Oil and Mining and Environmental Industries and fisherman on the Madison longer than probably any bodies been alive other than the fish.

Scott Vollmer: Scott Vollmer, fisherman as well, and fishing outfitter.

Don Skaar: Don Skaar with the Fisheries Division, FWP in Helena. I'm the Department representative.

Sarah Sells: I'm Sarah Sells and I'm working on my Ph.D. with Mike at the University of Montana.

Mark Deleray: Okay so the way we done it at the last meetings and the way we'll do it into the future here is that we have an audience and the public is welcome to all these meetings. These are open meetings. Again the ground rules for the public are there will be a public comment period at the end of the meeting today as with every meeting but until that point you're here to observe. So that's where we'll leave it and let this group work on these problem solving. So I think that's, is there anything else we need to cover for ground rules or basics?

Don Skaar: Mark, this is very basic but Dawn did have a question on the transcriptions. Those of you who read them last time, I guess it was all verbatim with um's, and uh's and do people want that or do you want to give her some, a little bit of license to tighten it up and make it more concise. I guess that would be my suggestion but if someone would prefer the other way we can keep doing it that way. Maybe that's our plan unless I hear anyone suggest otherwise.

Julie Eaton: What's typically done?

Dawn Rennie: Typically it's the um's are taken out and the pauses and the stutters. Those are all taken out and it's just clear and concise.

Julie Eaton: I'm fine with that.

Scott Vollmer: Me as well.

Mark Deleray: Yeah, I recommend it because it, in my case it makes you look a little better on paper than you were when you were in person.

Don Skaar: About half as long.

Mark Deleray: Yeah, so with that is there anything else we need to discuss prior to kicking it off here? All right with that I will hand the meeting over to Mike.

Mike Mitchell: It's good to finally be here. Thanks for coming, thanks for waiting for me. I appreciate that. It's a real privilege for me to be a part of things like this. It just, in terms of what's in it for me as you might have heard, I'm a Fed. I don't get paid more for doing this. What really matters to me is this is the way I can make really tangible contributions to conservation in Montana. It's humbling and it is rewarding to be part of a group like this. So I'm looking forward to it. That phone call where you guys interviewed was just for me one of the most awful experiences I've ever had. I hate not being able to read a room okay. And so I feel lucky you guys elected me in spite of that. But little bit about me. Okay Mark mentioned that I'm over educated. This actually is not my day job. I'm with Montana Cooperative Wildlife Research Unit at the University of Montana and so, co-op units a pretty good gig because I'm a Federal Research Scientist that gets to pretend to be a professor. Most of what I do is wildlife research. A lot of it is in cooperation with State and Federal agencies that manage wildlife. Most of the research I do has to do with large fuzzy things that management interest. So some of them have points in their mouth, some of them have them on their heads. For the record I can correctly identify a fish 7 out of 10 times. I'll have to be honest that rivers and river recreation are not, I don't have a lot of experience on them. So why am I doing this when it isn't my day job? Other than the warm fuzzy feelings that it gives me about being able to contribute to real world conservation on the ground, Structured Decision Making was a strategic push in the co-op units so there's 40 co-op units out there dispersed among states and our purpose in life is to do research in collaboration with agencies that have relevance to management, conservation and wildlife resources. It's always a challenge in the research world to, particularly if what you want to do is inform management, to make sure that your research is doing just that and so it's all too

easy for this to happen between researchers and managers. Structured Decision Making is a really interesting way that if researchers and managers participate in it together as a researcher I get to learn so much more about what a manager needs. And it's much easier for me to tailor my research to it. This is how I got involved in doing this. Done a bunch of these with Wildlife Division primarily but a lot of them are difficult decisions, politically, publicly contentious. Things like setting elk seasons, archery seasons, managing brucellosis in elk, post delisting grizzly management. Things like this. Tim has actually this is your third one with us so this is amazing. Somebody shows up for another round of this kind of pain, but it's a process that has been successful in finding some common ground, and a common way forward on a difficult problem. That's what I'm here to try and help make happen. Before I go any further, any questions for me? Nope, okay that's smart. Never give an academic time to talk about himself, okay, because it takes too long. Alright, let's go to the next one. This is what we're going to be doing. You guys saw a presentation from Justin Goodie. I'm sure everybody was able to read and fully absorb Smart Choices? I recommend that book by the way. It's not just good for public decision making. My sister was like, I need to buy a new car, I don't know what to do. I sent her the book and she's like oh, okay, I got it figured out. It's actually not bad reference for making all kinds of decisions. I'm not going to go over all of this again. Every time we go through a step I'll talk about that particular step. If for any reason you want to go back and talk about anything just to make sure we're all on the same page totally fine. Just say so. Before we get started some rules of the road that I'll ask everybody to observe in this. First one is mutual respect. Honestly this is never a problem when we do these things but I know particularly if it's been a contentious public issue sometimes it can be difficult, all right, to step back a little bit and be opened minded and listen to other people if folks have been arguing about it for a long time, but one thing I recommend is doing at least as much listening as talking. Trust the process, none of you except for Tim have been through this before and it's hard work. It really is and the reason its hard work particularly in a situation like this is because we all have things that are going on in here that we need to put on the table. And that is something hard for individuals to do. It's something hard for groups to do. It makes for difficult and challenging discussions to try to put all this out. But the whole point of this is to take what's in here for each of us, put it on the table, make it explicit and talk about it and that's a difficult process. But go ahead and just trust the process. Somethings are going to take longer than you will like, I promise. Somethings might not take very long at all but we'll get there. This again, this is not typically a problem when we do these things but in a public debate people will assert their beliefs and assert their positions a lot and so it's either in an attempt to try and influence a decision or to try and win over other people. And this is not the forum for that. Nobody is here to change anybody else's mind. You don't want to argue, you don't want to try to win converts. This is not a process where the strongest argument carries the day. The whole point of this is to capture what everybody at this table is thinking. Now one thing that's important about that is, I'm going to do my best, to make sure that everybody gets heard as part of this process. And if you tend to be a wall flower, it's okay but I might draw you out. If you tend to be somebody that is happy to express your opinions I may say okay we got it, let's move on. This is one thing that is kind of funny. I think it's just human nature. When we get together we want to tell stories all right, and sometimes those stories are really important where it's helping to illustrate this is why we are where we are or this is why I feel the way I do. Okay, but those stories can really drag on. What I'd like you to do is limit the stories, particularly if we break out into small groups. That's when story telling tends to run rampant. Try to limit them if it takes more than 5 sentences to tell a

story probably not worth telling. Going to be setting some time limits on here and mostly those time limits will have to do with if we do break out into small groups and I say okay this time we're coming back, or if we do a break and it's a 15 minute break please be back in 15 minutes. We're going to have half hour lunches, please be back here half hour after we start to the best of your ability. I know all of you have other things going on but please do your best to observe the time limits. I will do my best to make sure that we stay on schedule. One thing I'm really bad about is breaks, get a head of steam up and I just blow right by them so please just bring it to my attention. Also as I mentioned in that e-mail this agenda as far as the SDM process goes we're going to have to be flexible. Some things take longer than expected. Some things don't and it's okay, so this is just a guide line for the process. The last one is bear with me. To get this done on time we're going to have to be ruthlessly efficient. That means that I'm going to be doing my best to keep the group on track with the process so that we get through these steps as quickly as we can. Now we aren't going to go any faster than what produces the best product this group can but it's going to take a lot of focus. Please don't take it personally if I say okay thanks, we've heard you, let's move on. Okay?

Melissa Glaser: Mike

Mike Mitchell: Yeah

Melissa Glaser: On Structured Decision Making done in the past is the, we have six days basically?

Mike Mitchell: Yep

Melissa Glaser: Is that been a time frame that's worked?

Mike Mitchell: Oh yea

Melissa Glaser: Within that efficiency?

Mike Mitchell: Oh yea. Actually I'd say we do that all the time particularly with a citizens group like this. You guys don't have a lot of time to devote to this and so I try to be very cognizant of the fact that, you know, each minute we have here is precious and so most of the time we'll get done in four or five days, however much time we have allotted. If we get this done sooner that would be great but the one thing I also want to make clear is, it's going to be up to the group when it's time to say all right we've accomplished our job here. It's going to take as long as you guys think it will take. I'll walk you through the process but there's no way I can guarantee we'll be done in five or six days or something like that but that's definitely within the realm of doable. Any questions about rules of the road or anything else? Yea…

Tim Aldrich: Mike I just, I'm sure you know this but I'll remind all of us I guess and that is that by law this is a consensus based decision making group and without consensus we don't have a decision so it's really important that we do come together on each of the points I guess and not leave something unsaid and untouched and unresolved before we move from

problem statement to objectives or whatever it might be. We don't want to get through step 19 and say I'm
sorry I don't buy it and as a group we need to realize that and I guess structure our conversations and our listening and so forth so we agree to do that.

Mike Mitchell: Yeah, I think that's a really good point in fact Sarah go to the next one. There's nothing about SDM that guarantees a consensus product at the end. Sometimes that won't happen but at each step we're going to do our best to come to a common understanding of what the problem is, how to solve the problem, different means of doing that and it's not difficult to build consensus at each of the steps along the way because no one is going to have a particular perspective on the problem crammed down their throats, every bodies going to be able to contribute to the problem. The problem that you're here to solve is something that each of you has a piece of and each of those pieces will be in there. We get to the end of the problem statement everybody should feel comfortable owning it if you don't then we need to know. We're going to try and build consensus every step of the way. That's not to say that by the time we get here every bodies singing kumbaya. What it does say is that we've all gotten to this point together based on a common understanding and the solutions that the group could recommend might be compromised so maybe nobody gets everything they want but can live with the compromises because it's something that the groups has come up with together. That was a long winded way of agreeing with Tim. Please speak up. Please own this stuff. Be willing to put what you really think out on the table for people to talk about and I know that can be difficult. Anything else? Okay are we ready to do this? Past ready? Okay so what we're going to start with today is the problem statement. Oh, I'm sorry…..

Michael Bias: Yeah, before we get to that I think I don't know where to approach this. I think it's best in the beginning but under rules of the road, there's some items that came up over the last couple meetings and in between those and this meeting, like, I don't know ground rules that were brought to my attention that I think we need to cover and some of them are like even as important as the makeup of this committee. That's not in your process but I think it should have been addressed in the first meeting or the second meeting and it wasn't and it was brought up but these issues need to be addressed before we even start on here I think. For example I got letters from Fishing Outfitters Association of Montana, there's been letters from Montana Outfitters and Guides Association, there's been letters from West Yellowstone Chamber of Commerce and the Ennis Chamber of Commerce, talking about the makeup of this committee as it exists now and inherent bias and how to make it more available to other interests. For example the interests of local business owners in Ennis and West Yellowstone were never brought into this committee and these organizations in the State wrote letters to the commission that as far as I know were never brought to this committee and I think that needs to be address right off the bat. Some others, we were asked in the first meeting if there's any additional information we need right as a committee to make it through this process and I sent e-mails to Fish, Wildlife, and Parks requesting some sort of annual report, financials on the whole SRP process, you know how much is the SRP in the Madison River bringing in, what are those expenses being used for, and that e-mail went unanswered like flat out ignored. I asked for Travis Horton, Dave Moser and Cheryl Morris I asked for, they updated data through 2017 on the 207,000 user days in the upper Madison and the associated variance with those numbers and never got it. I had couple e-mails and several phone calls from members of the public that were kind of offended by the committee

members using their computers to answer and respond to e-mails while the public was up here giving commentary and I thought that was just unfortunate that you know we're all adults, let's keep the electronics I don't know to a minimum or at least respectful and then the other point was that the meetings that were canceled last time were, the public was never informed of that and I got a call the day of the meeting, I was coming back from Livingston by a reporter from Bozeman saying, hey what happened at the meetings. I was like I don't know they were canceled because of the Government shut down but Fish, Wildlife, and Parks or whoever never let the public know that and along with that informing the public I think it's important because I deal with outfitters all over the state and in other states wanting to come and give commentary at this meeting and they say when should I be there and I'm like well sometime between 9 in the morning and 5 in the afternoon and I think it's a disservice and unfair to the public to be constantly switching the times around for them to come present to us and if we can have a consistent public notification period or comment period where the public knows that at 4 o'clock on whatever day we're going to allow them to talk and whatever the time lines are there but I think all these need to be addressed in some fashion before we as a committee get to the problem in my opinion.

Mike Mitchell: Okay I hear what you're saying. I'm not sure there's a whole lot we can do about some of them but as far as taking a step back and asking the fundamental question about is this the right committee going forward starting this presumes that decisions been made. Is this something that the group wants to do or do we get going? Yeah, Tim…

Tim Aldrich: Mike the statue actually enables this committee once its brought together, as it starts out at least to try to add members if they feel there's interests that are unrepresented. I think that's what Mike's relating to primarily and that is, that's in the statute I second that so at any time I guess, it doesn't say it has to be at the beginning but it says that the committee can bring up a potential need for to be discussed within the committee and the committee makes the decision and again it's a consensus decision to decide to get or not to add a member or members.

Don Skaar: And the details on that are that we have to receive a petition. It doesn't come from

Tim Aldrich: Two methods. One is a petition and the other is coming from a petition.

Don Skaar: When we receive the petition then at the next meeting we vote on them.

Michael Bias: I got

Mike Mitchell: Hold on a second Mike, Julie you had something?

Julie Eaton: Yeah, we weren't told that, that time period was over and that we were just going move forward just that addition of members was done and forgone conclusion that we would just start without that addressed. I can look it up. What was the code?

Mike Mitchell: So

Don Skaar: 25-107 the statute that was handed out.

Mike Mitchell: I got it. There are two things that we can do today. One is if there are more, if there are still just fundamental logistical issues to deal with on the committee, I can step aside because that is not part of this. The other is the committee is formed and let's get on with this. One thing I will say is there are always going to be more people that want to be a part of this than there are seats at the table and that's just a fact. Hold on Mike. And what's important is not that we have a representative from everybody that's invested. What's important is we have people here that can represent their perspectives. Again this is not a political process. This is a process where you are here to bring your perspective and not necessarily represent any of the group but your perspective reflects your experience in your associations. Because otherwise there's just no way we could fit everybody around the table that feels like they have a dog in the fight. Now my question to you is do you feel there is a perspective out there that is not represented by people at this table.

Michael Bias: Yes

Mike Mitchell: Okay, Mike,

Scott Vollmer: To answer your question two fold number one yes and I believe that the Ennis Chamber and the West Yellowstone Chamber do not have a seat at the table, at this table. That's the answer directly. Second part of this and this is a little bit more to Don and Tim is what I have been told is these letters, Mike mentioned the one from Fishing Outfitters Association of Montana which he has copies of. I have two letters from Montana Outfitters and Guides MOGA Association and one from the Ennis Chamber. I have copies for everyone here. What I was told is that the Agency or the Department I'm not sure which one was going to give copies of those to all the committee members. I have not received any of those copies. I have them because they were given to me by other organizations. I do not have those copies from either the Agency or the Department. I assume everyone else on this committee doesn't either. My question is at the very least is it my job to give all of you these letters? I'm not sure is it? I mean I think it's, if the Agency or the Department told the interested parties that these letters would be distributed I think it's their responsibility but if you want to put it on my shoulders I have the copies right here. I can hand them out among the room so that's at a minimum I'd like to get those out there to everyone.

Mike Mitchell: My question to you is, are you able to represent the content of those letters to the group.

Scott Vollmer: Me personally?

Mike Mitchell: Yeah

Scott Vollmer: Outside of reading them and understanding them yes, yes I am willing to

Mike Mitchell: Okay

Scott Vollmer: expound on them a little further.

Mike Mitchell: Okay, well good so you bring that perspective and I think that's important. Similarly you mentioned Chamber of Commerce

Scott Vollmer: The Ennis Chamber

Mike Mitchell: of Ennis. Are you capable of representing their perspective on this?

Scott Vollmer: I think there would be better people to do that than me because I'm not a member of the Ennis Chamber of Commerce however as a person who uses the resource in question I think that I bring some expertise to the table that I can expound on some of them.

Mike Mitchell: Okay, all right, good. Mike. I'm sorry do you go by Michael or Mike?

Michael Bias: Mike's fine.

Mike Mitchell: Okay

Michael Bias: There's a process here that we're blowing by and that's, we received these petitions, a letter from an organization representing nearly 900 outfitters across the state is a petition and we're obligated to address these and I want to know why we don't have these letters if, I know they were sent.

Mike Mitchell: So are you capable of representing these interests?

Michael Bias: No, I'm not a local business owner out of Ennis. They have different issues than I have. I don't deal with the ins and outs of managing a small business in Ennis or West Yellowstone.

Mike Mitchell: Okay. Yep…

Jim Slattery: Yeah, I'm a member of the West Yellowstone Chamber of Commerce and also a small business person.

Mike Mitchell: Okay, do you feel capable of representing the perspective of small business owners or Chamber of Commerce?

Jim Slattery: Yeah, I probably need some input from the Chamber of Commerce.

Mike Mitchell: Sure

Jim Slattery: Pretty loose, they haven't made any, I get their e-mails all of the time, they haven't made a statement

Mike Mitchell: Yeah

Jim Slattery: put out a letter that I've received

Mike Mitchell: There's nothing wrong with, once you leave here going out we call it checking your trap lines. Going and talking to people, making sure that you're representing their perspectives adequately, but again nobody is here to be a specific representative for an organization. You are here to represent your expertise, your perspective, your experience each of you that will include your associations and people that you talk to and things that, organizations that you're a part of. I personally would discourage sharing letters from folks at this point because this is about what you as a committee think not about what other folks think. You will represent perspectives but the point of this is to come up independently with solutions that as a group you feel are best. Again there's nothing wrong with sharing perspectives but sending out what are essentially advocacy letters, this is our position as a group, is not going to be helpful to this process right now because in some ways we're starting over from scratch. Now that's not to say if there are solutions to the problem that groups advocate out there these are things that we think should be done, nothing wrong with that. It's perfectly cool to pull these in, pull those into the process but that happens here. So we don't want to get ahead of the process where we're starting to figure out solutions or consider solutions without knowing what the problem is that we're trying to solve, without knowing what solving that problem looks like. Yeah…

Julie Eaton: I'm sorry we can't come up with a problem without and I'm not, so let's just take away the term Chamber of Commerce, let's just say as it says in the code interested parties or

Tim Aldrich: Parties of interest

Julie Eaton: Parties of interest

Tim Aldrich: Affected by

Julie Eaton: Thank you, parties of interest affected by, let's use that term, if you look at all of our applications there are clearly in my mind and people that, I was at a memorial on Saturday and you know, there was a bank person that came up and said why aren't we represented again, I run my business, I've learned a lot from people that have a smaller or a bigger business so I can't represent all outfitters. I can't represent business owners, all business owners in both of those communities either so that phrase I think we are missing a contingent that has to be involved in putting the problem out there and not wait until we get down to alternatives. I'm not looking for answers I'm looking for perspective in our group, proper perspective.

Mike Mitchell: And there are people, these are honest question because I don't know you guys, granted I mean there's no way you're gonna ever have a group that fully represents every perspective out there.

Julie Eaton: Clearly

Mike Mitchell: The question I have for you is among the people at the table and the perspectives that each of you brings are there perspectives that it would just be, I can't think of a better word than crippling, to not include and you know, if we come up with a final product that people, whether they agreed with it or not would say totally missed the boat from my point of view.

Julie Eaton: That's what I was just saying.

Mike Mitchell: That's an FWP question about group makeup and I'm not sure what to do with that.

Don Skaar: Well and again the code, I mean everyone got a copy of this last time, Julie's got a copy right there in front of her fortunately, per the statute on the committee if we get a petition and petition basically just says in that letter or whatever you want to call it they identify the interest that they're representing that they feel is not represented on the committee already, written commitment that they'll actively participate in good faith in development of the rule, explanation of why the persons on the committee, already on the committee do not adequately represent their interest. Per the rule if we get that kind of letter that's the job of the committee to consider that but the rule also states that it's got to be the next meeting when we vote on whether or not we include them in the committee.

Michael Bias: We got these letters and they haven't been distributed to the committee plus if Jim Slattery or Don Skaar says oh I feel comfortable representing whatever interest that doesn't matter to me if I feel he's not adequate at representing that interest then it effects the committee and we got to follow the law. I mean we got these letters, I don't know where they are, I got 2 of them but you know before we even get to this, cause if we come out of this and you know you said it's not a political process but it is. We're developing policy for the Madison River and someone says oh where was the local business interest in the small communities' along the Madison, oh well we felt that we could represent them, that's man, that doesn't fly, that's not valid.

Mike Mitchell: So do you feel like we shouldn't proceed?

Michael Bias: I feel like we need to, if we receive these petitions where are they, if we ask for data where is it, and to shoot the gun on the afternoon of first meeting or the morning of the second meeting and we haven't done it so we're, technically we're on our second meeting. We got to follow these procedures and processes.

Mike Mitchell: Let me go back to my question. Do you feel like we should not proceed?

Michael Bias: We're not ready to proceed.

Mike Mitchell: So that would be a no

Michael Bias: That's a no

Mike Mitchell: Okay, rest of the group. I'd like to hear what other folks have to say. Yeah..

Tim Aldrich: Having been through this before we had fights when we got in to define our problem, started talking about the objectives and looking at the alternatives. A lot of us sought and got input from other people that was more focused on the problem statement. What was really said the group was here to do and I think we've not already established that yet. I think that's the real starting point to even ask the question do we really not have the right interests represented, appropriately represented at this point (unintelligible) for me the, I know we have three outfitters, I know we have two other business people at least on this committee that live in this area, their very cognizant, and I'm sure their connected, we have a Chamber of Commerce member sitting behind us that I know well from the area, I think it's premature to say we don't have that represented in a form that will be essential to deal with what we might come up with particularly without having deciding what we're going to deal with. I think we'll do very well. I've got a couple of articles here that I've taken out of newspapers and one thing or another that talk about the tremendous contribution of outfitters and guides to the economics of tourism in the State of Montana and part of that is represented in hotels, motels, bars, restaurants, grocery stores, hotels, whatever. I think we have the resources here that can bring that together.

Michael Bias: I don't see anybody in this committee who's a bartender or a restaurant owner or a motel owner.

Jim Slattery: Right here.

Michael Bias: In Ennis or West

Jim Slattery: I'm in West is my address.

Michael Bias: It's your address

Jim Slattery: On the Madison

Melissa Glaser: I'd like to say I worked for a large business in my full time job besides doing scenic tours on the Madison River. I worked for a large business in Ennis who are part of the Chamber of Commerce. I feel like I could represent the Ennis businesses and adequately and I'd be welcome to any and to the Chamber coming to talk to me. I do think if we are able to develop a problem and get to alternatives those little arrows go back. We can always adjust the problem if we're missing something there. So I feel like we possibly could do this.

Mike Mitchell: What do other folks think? Yeah, Jim…

Jim Slattery: I kind of think that we should move forward. You guys have the petitions, submit them and let's vote on them tomorrow. We could add people tomorrow. Let's just move forward.

Michael Bias: No I think that's absolutely wrong. It doesn't matter if you think you can represent that interest. What does that interest think? What does the bar tender in Ennis think or the motel owner in Ennis think? Maybe they don't feel that you represent their interest. We have letters from organizations in the State that petitioned us to add members. We can't just blow them off.

Jim Slattery: Well I not saying to do that, I'm saying submit the petitions and tomorrow we'll vote on them. And let's bring them on board if that's what we need to do let's bring them on board but let's not just, not do anything today. We can move forward. It's not like we're in the, you understand what I'm saying?

Michael Bias: I hear what you're saying, yeah.

Jim Slattery: Let's move forward

Michael Bias: Yeah

Jim Slattery: and let, I'm not opposed to voting for people on the, on anything. I'm not opposed to it if we need them here, let's bring them here. That's what I'm saying.

Mike Mitchell: I think Tim has a really good point in that until the group has a common understanding of what the problem is that the group is trying to solve. It can be difficult to say oh, well this perspective is not represented. If we get to that point like Melissa said we can always backtrack and say well, we're missing a key part of the puzzle here. Absolutely nothing wrong with that. Yeah…

Melissa Glaser: I would like to suggest maybe we have a meeting in Ennis and a meeting in West Yellowstone instead of just Bozeman to allow business owners who are working to come to the public comment.

Mike Mitchell: Okay, yeah..

Don Skaar: If this is the right time it just says part of the process I think if anyone on the committee has received the petition then today would be the time to make a point of sharing that with the rest of the committee and per the rule it's got to not just be an organization it's got to be a name of an individual is the way it reads. And I don't know if anyone's received that kind of petition but we should make a point of getting that information shared. I would advocate us continuing along the lines you've suggested that having someone added even once we have the problem statement selected is certainly not too late to influence going forward but I mean, I do have an obligation to represent this statute and I don't remember seeing petitions from individuals and if I did then I guess that's my fault not distributing anything but the committee certainly has the, my reading of the statute, has that responsibility to distribute that information to the rest of the people.

Julie Eaton: Don sorry it says or petition. So the committee can seek membership that they think is compelling to their process or upon receiving a petition submitted pursuant to subsection 2.

Don Skaar: Yeah sorry everyone doesn't have that in front of you. Which, where you reading

Julie Eaton: That's 25-107 and that is the expansion of committee membership, number one.

Mike Mitchell: So what does the committee want to do? Yep…

Don Skaar: Okay

Mark Odegard: I might mention that I've worked in a motel, restaurants and I know most of the owners and bartenders in Ennis, the restaurants and motels and McCallister as well.

Julie Eaton: Do you have a letter of

Michael Bias: their endorsement? That's my point.

Jim Slattery: I don't think anybody here has a letter of endorsement by anybody.

Mike Mitchell: So

PEOPLE TALKING AT SAME TIME

Mike Mitchell: question for FWP is there anything by statute that means we cannot proceed with this today that we are required to do something else besides proceeding?

Don Skaar: Doesn't look that way. I'm not sure I quite understood what you're,

Mike Mitchell: Well I'm just, I'm trying to decide if we're going to do this or not and so I'm hearing some people say no we can't. I'm hearing some people say yes we can and I just, I'm wondering if statute has already made the decision for us and if it hasn't I'm going to ask the group what it wants to do.

Tim Aldrich: I think the committee was formed, went through a very formal process to announce the opportunities to be on this committee and had a number of applicants (unintelligible) and the people that were 8 of the people here were selected based on their applications and assessment that the Department and the Commission had relative to the parties of interest that might be affected by actions that would be (unintelligible). So that's the reason we have 10 members here, Don to represent FWP and I to represent the interests of the Commission and the other 8 are basically interests in the community and the varying factions of one thing or another so the feeling was that we as representatives of the Commission that we did have those representatives and that the, certainly the economics associated with fishing on the

Madison River are immense. Not just fishing, other factions of the area that people can put into a business format. So I think the people here have the knowledge and association and one thing or another that they may not be a bartender or restaurant owner or whatever although Jim has a lot of those things but I think we can. The purpose of the committee was to move forward with dealing with a rule or the recreation management of the Madison River and we as a group that the Commission and the Department felt that we really needed to go with Structured Decision Making process which is basically what Mike has (unintelligible). So I think there's going to be a time some of the information we already have fits together to builds a picture and I think that helps us build a process and I think some of the details that we may want to have can be brought in at another time by asking people to come, we had a science group who worked with us on the mountain lion setting and they did a hellaciously good job of getting us information we needed at a critical point sometimes so we didn't get hung up on something that was a non-issue or we didn't miss an issue (unintelligible). I think this is (unintelligible) it also has the opportunity to bring in other knowledge, information, perspective as we go along. Let us take this a step at a time and not try to jump in too far ahead and decide that we're done before we've started. I think it would be a travesty right now to have this group and not use the options we have continue to gather additional information, ask for things. I think we're here I think we're enthused to get after it, all of you indicated on your applications you were anxious to be here and see this to an end. So I think we need to move ahead (unintelligible) and not create something we may not need to create and if we do need to create it we'll need to a way to do that. This process is not that (unintelligible) this is it (unintelligible). I think you'll be surprised how well we do with it (unintelligible).

Mike Mitchell: Melissa

Melissa Glaser: I was just, does Scott have petitions? You said you have petitions?

Scott Vollmer: Yeah, I was going to get to that here eventually so what I have I will kind of as brief as I can describe what I have. I have two letters in particular from the Ennis Chamber. One letter was dated after the committee was formed stating that basically we don't feel our interests are represented on the committee. The other letter we were talking about the specifics in the statute, the other letter from the Ennis Chamber again, I thought this was sent to your Agency or Department I'm not sure which on one, the other letter specifically names an individual that represents the interests of the Ennis Chamber. That letter however, was dated in October, prior to the committee being formed. I can only operate under the assumption because I have not talked to the Ennis Chamber that that person still represents the interest of the Ennis Chamber. I have both letters, if that answers your question?

Melissa Glaser: Yeah well I'm just reading the rule if you have one today then we can vote on it tomorrow.

Scott Vollmer: Certainly, certainly can hand it out. Again what I was getting at in the beginning is, is whether it's my responsibility or whether it's the Agency or the Department's responsibility.

Don Skaar: Yeah I guess

Scott Vollmer: And whether that's appropriate

Don Skaar: I think the statutes silent on that.

Scott Vollmer: Right

Don Skaar: I would certainly I guess just say from my standpoint I would make a point of distributing that if I got it and I may have overlooked something I don't know. But back to your question about whether we can proceed I would also mention, I mean, Tim talked about how we followed the statute in setting up the committee and that was the decision of the Commission to decide that they thought that what they had selected represented significant interests and so that's part of the statute. The other part of the statute is the committee may by consensus expand it. There's no requirement to expand it and there's no definition of what significant interest is so it's, this isn't anything we can just go down the checklist and decide whether we represented people successfully or not, I mean you just got to use the best decision making we can so I don't think there's anything to stop us from moving forward but there's certainly room to add people if we discuss it here.

Mike Mitchell: So you have somebody specific?

Scott Vollmer: I don't

Mike Mitchell: That you would like the group to consider.

Scott Vollmer: Based on the input I've been given by the Ennis Chamber, yes.

Mike Mitchell: Okay

Scott Vollmer: This is

Mike Mitchell: that's fine

Scott Vollmer: This is not my recommendation.

Mike Mitchell: Yes, gotcha.

Scott Vollmer: This is the Ennis Chamber's recommendation

Mike Mitchell: But it's something that you'd like to put forward to the group. How about that?

Scott Vollmer: I'd like to, the group to have the letters if it's appropriate for me to hand the letters out, send them down the line.

Mike Mitchell: Well let's, right now I'm interested in a group membership. Do you have somebody specific you'd like to

Michael Bias: Yeah

Mike Mitchell: the group to consider?

Michael Bias: It says upon receiving a petition pursuant to subsection 2 which is the one above a negotiated rulemaking committee shall decide by consensus at its next meeting whether or not to expand the membership. My point is that we have at least 4 petitions that this one names people, that we received and by law we have to acknowledge that we received them and make a decision. We can vote on whoever tomorrow that's not the point, the point is that we have to acknowledge the receipt of these petitions either from and then we can move on to this.

Tim Aldrich: I agree with that.

Don Skaar: Yep.

Mike Mitchell: Okay, so how about this, first thing on the agenda tomorrow morning is to consider petitions where the group decides whether to add some body or not based on specific petitions put forward? Is that reasonable?

Michael Bias: I don't know if we get them today and then make the decision tomorrow. I mean certainly by tomorrow is a, I guess they'll be at the 3rd meeting. I think it's reasonable but we need to acknowledge the receipt of these petitions.

Mike Mitchell: But that's, we can do that tomorrow. Is that okay?

Michael Bias: I don't know I think it has to be done now at least get the petitions to the members of the committee.

Melissa Glaser: Who has the petitions?

Charlotte Cleveland: Yes I have one

Mike Mitchell: How many, I don't know which ones you have

Scott Vollmer: I have three,

Michael Bias: Well here's the fourth one

Scott Vollmer: two letters from Ennis Chamber, one letter from Montana Outfitters and Guides

Charlotte Cleveland: So let's get them copied, let's get them

Scott Vollmer: I've got them right here.

Charlotte Cleveland: Well let's get them distributed, let's put them on the agenda for tomorrow just as Mike said, we're all set.

Don Skaar: At the break we could make copies for everyone, how about that?

Mike Mitchell: That would be fine, the important thing is as far as petitions go I don't know what a petition looks like legally but the letters that are shared I'd rather they not be advocacy letters. This is as simple as this is somebody who should be at the table and here's why.

Michael Bias: Right

Mike Mitchell: Does that seem reasonable? Okay so I'd like to get a show of hands from the group how many are ready to proceed with this today and how many think we should not so first who thinks we should proceed?

UNANIMOUS TO PROCEED

Mike Mitchell: Okay great so we'll proceed then. I've got to get my brain back on track. What are we here to do? Let's start with the problem statement and I'm not going to spend a lot of time rehashing what Justin said, I'm just going to spend a little time on it. This can't be emphasized enough. This is time well spent. This is probably the most important time that this group will spend on this. And a lot of people will come into deliberations like this going well this is simple, this is easy, everybody knows all right, and that is just never ever ever true and I'll pick on the Wildlife Division folks from FWP. One of the first workshops I did was training with area biologists and they were told the problem they were to come up with was how to set lion quotas for their hunting districts and so went through the whole schmear about here's the process and I said okay folks lets come up with a problem statement and they were like, no. We know what the problem is. No, well, okay fine let's write it down, what's the problem. We know what the problem is. We went round and round and round almost got to a sage brush rebellion and finally one of the biologists said fine, fine, fine, fine. Here's the problem and immediately one of the others said no it's not. Okay and so that's what most people coming into a group, that's what we're dealing with. We have a lot of different perspectives on the problem. We have to capture them because everything follows after this builds on how good of a job we did here. Like Melissa pointed out, we're going to be learning about the problem as we go along so there's always and opportunity to say oh, we missed something. Go back and add it or subtract it or what have you okay? So this is a learning process. Okay next. Okay so I want everybody to start thinking about how to define this problem. So it's important to understand who the decision maker is. It's happened before that people will go through a similar decision making process and they will make a recommendation to the decision maker that would basically be asking that person to break the law or politically fall on his or her sword and so those are the non-starters. We have to be thinking about who the decision maker is and will they own whatever the group might recommend. I'm sure everybody in the room here has a pretty good idea about why we're here but something has triggered this process, something has triggered the

problem and it's significant. Give some thought to if you were to explain to somebody what that trigger is. Action, what is the decision. What action needs to be taken. Now I want to be really clear on this. We're not talking about specific management recommendations. We're just saying what is the decision that needs to be made and again I'm not familiar with this issue but just winging it a little bit you might say a decision needs to be made to reduce crowding on the Madison River and that's about it. Next. Okay constraints, obviously there are laws involved here, economical considerations, livelihoods at stake. Politics, okay we all tend to think politics is a dirty word but it's part of life. That's what living in a democracy is all about. We have to take those things into consideration but are they perceived or real cause sometimes they could be very different. Okay and then frequency and timing of the decision you know is this a one off where the group will make a recommendation to for a particular decision, the decision will be made and we're done or is this a decision that's going to need to be made annually or every five years or something like that. But the important thing is, is this a one off or is this something that you're going to recommend that a decision needs to be made based on what, what, what, what, several times over. Does that make sense? So how broad or complicated is the decision? You guys are going to know this better than I do but you can think of geographic scope, you can think of how, over what period of time does this apply to just a section of the river, does this apply to the entire river, does this apply to tons of different rivers in Montana, are we only worried about the next five years or do we want to do this in perpetuity. So think about the scope. Okay next, so one of the things that Justin showed you is a the problem statement that came out of the Region 2 mountain lion hunting season process we went through and just a quick reminder there've been some considerable vociferous argument in a public forum about how to set lion quotas in Region 2 in Western Montana and the arguments were ferocious and so it took a fair bit of effort for a group of very different perspectives to come up with this. Go ahead and take a quick look at it. So do you see elements of what I was just talking about in there? Okay, who has to make the decision, what is the decision that needs to be made, why is it difficult, without arguing anyone particular perspective. All the perspectives that were at the table were represented in this. So all the perspectives were able to own this so when doing this, let's go to the next one, the decision maker, Montana Fish, Wildlife, and Parks Commission is explicit, the action they need to establish mountain lion harvest quotas and permit numbers. Next, how long does this last, how long has it been a problem, there's basically nothing to guide into the future this decision. Spatial extent, this was just about Region 2, wasn't about all of Montana, wasn't about any particular hunting district in Region 2. Okay the conflict, this ones really important so everything up to this point kind of gives you context for understanding the problem. This is why the problem is difficult, this is why it's not, well let's just sit down and do it, this is why people are arguing and disagreeing. Does that make sense? Uncertainty is a part of this, none of us knows the future, none of us knows everything that we'd like to know right now to make the perfect decision. Part of what makes the decision difficult are the things that we don't know. Now there's rarely enough time for all the information needed to make a really good decision to be made available. Some information is instantly available, there are a lot of things that's like wow, holy cow we've got to go out and do public surveys for the next five years or we need to do population estimates on the trout population whatever, but we don't have that information but a decision still needs to be made. The uncertainty involved is an important part of this. So what I'd like each of us to do is let's take about ten minutes and jot down basically using this templet a first draft of a problem statement that you would like the rest of the group to consider. So go.

Does everybody have paper and pens or pencils or crayons or poster board or anything like that? If you have any questions by all means.

Charlotte Cleveland: Can you put two slides together, can you put the lion thing next to this one?

Mike Mitchell: Sarah can do anything. I can tell you that much. Did that get the job done?

Charlotte Cleveland: Yes, thank you very much.

COMMITTEE WRITING INDIVIDUAL PROBLEM STATEMENTS

Charlotte Cleveland: Hey Mike

Mike Mitchell: Yes ma'am

Charlotte Cleveland: Under W says the spatial extent of a decision problem. Can you just

Mike Mitchell: Yeah, that's kind of jargony isn't it?

Charlotte Cleveland: Yeah it is

Mike Mitchell: How big of an area is affected by your decision?

Charlotte Cleveland: Oh, okay, that's what I thought.

Mike Mitchell: See that's science (unintelligible) talking so if you ever need somebody to translate that's what Sarah's here for.

Mike Mitchell: Couple more minutes.

Mike Mitchell: Okay let's start winding it up. Anybody need a significant amount of more time?

Mike Mitchell: Okay, well I'd suggest right now is let's take our 15 minute break 5 minutes early so we're ahead of schedule so, let's go ahead and break and have everybody back in here in their seats ready to rock at 20 till please.

Don Skaar: If anyone has any petitions they want me to make copies of I'll do that now.

BREAK

Mike Mitchell: Let's go ahead and saddle up again. Yeah so there I was harping about let's stay on time and I'm three minutes late which is just wildly unacceptable to me so sorry about that. Yeah…

Don Skaar: Can I distribute what we made copies of here over the

Mike Mitchell: Can we do that at the next break

Don Skaar: Okay
Mike Mitchell: or at lunch time?

Don Skaar: Sure

Mike Mitchell: Hopefully every bodies had a chance to jot down a first draft of a problem statement and so what I'd like to do is go around the room and have everybody read off what they had. By all means other members of the group feel free to ask question but let's not debate what other people had to say, let's let everybody have their say about what the problem actually is. So let's start over here. Don do you mind kicking it off?

Don Skaar: Okay, do you want me to just go, just read them off for every one of those categories? Is that…

Mike Mitchell: Whatever works for you.

Don Skaar: Well I identified the decision maker as the Fish and Wildlife Commission with the idea that we're an advisory body to that. And my type of action that I jotted down was to allocate, restrict, or partition river use. Ultimate goal I had was sustained or enhance satisfaction for river users. Temporal extent I put, I guess I wasn't quite sure what to do there but I put five years just cause that's what our river rec rules state for a period before we review something and decide whether to change it or not. Spatial extent I put the entire Madison River not just a particular section and the constraints, I mean one of the uncertainties I put down was just there was some acknowledged uncertainty about people who haven't participated in this process that is people who no longer use the resource, there's uncertainties about how they feel about the process that is people who got upset with it. Locals mainly, residents upset with it being crowded and go fish somewhere else now, that's one of those uncertainties about their feelings on this and from the agency perspective big constraint for us that we'll be looking at closely is the financial constraints of administering or implement anything that we come up with. That's going to be a big issue for us. It's got to be something we can afford to do and we have the man power to do.

Mike Mitchell: Okay, thanks, any questions for Don? Hearing none, Scott.

Scott Vollmer: So I kind of worked on this before so I have a little bit here and a little bit here so bear with me here. I don't have a kinda item agenda like Don does but I'll just kind of read through a paragraph that I have. Montana FWP Fish, Wildlife, and Parks Commission is in the process of establishing new river recreation rules, I believe that's X the types of actions that need to be taken. So D and X so, is in the process of establishing new river recreation rules for the Madison River using a Negotiated Rule Making Committee and administrative rules procedures. Currently there's no demonstrated biological concerns on the Madison River. And

then as a finite public resource the Madison River has limited area for various user groups. Some of these users most notably those who have used the river extensively in the past feel that increased use by all on the river has lessened their user experience. Can we, and I just added this to address what you said with the, which one, the temporal extent Z, can we feasibly create river recreational rules, actually not temporally, I'm sorry, let me just read it. Can we feasibly create river recreational rules that enhance the experience of recreating in all its forms on the Madison for all users? And again I didn't get the time to go through and do D, X, Y, Z

Mike Mitchell: That's all right, that's just a guide.

Scott Vollmer: Yeah

Mike Mitchell: Don't worry about it.

Scott Vollmer: So if anybody has any questions on that and I'll reread it back too if anyone wants to hear it. I know I went through that fast.

Mike Mitchell: Questions for Scott? Mark what you got?

Mark Odegard: Well the decision maker is the Fish and Wildlife Commission but on top of them is the Legislature and on top of them is the people. So we have those in decision makers. What the action is, is to adopt rules to implement a plan and we need to develop a plan to preserve and expand recreational opportunities for residents, part-time residents, and tourists on the Madison River, in the Madison Valley and in other areas that would be affected by the adopted rules. That includes most of Southwestern Montana. Well that was the ultimate goal was to preserve and expand recreational opportunities. The time period that I'm looking at is the time period of 80 years. I'm having trouble going beyond that. I sent out a power point to Don and Mark on climate change and how it's affecting, going to affect the valley and the effects are being felt now. You probably aren't (unintelligible). Interestingly it's sort of a dire prediction, predicting maybe 100,000 living in the valley by 2065 and interestingly as I was driving over a book has just been published that basically I could have taken my power point out of that book. The constraints that we have on doing all of this are people that fish from boats, people that wade, recreational boaters, we have constraints from businesses, outfitters, tackle shops, restaurants, motels, clothing stores, food stores, everything. We have constraints on infrastructure. How are we going to, infrastructure is going to have to be developed as the population expands so that's Ennis, West Yellowstone, MacAllister and some of the smaller areas and there's constraints from Fish, Wildlife, and Parks and then again climate change, we're going to have problems with water, you'll see the temperature is going to rise so the river is going to get hotter and then we're going to have immigration, climate immigration is going to horrendous. The book was saying that at a minimum there will be 100 million people immigrating out of the hot areas into this. So we should think about triggers over the next 5, 10, 20 years that would implement changes to these rules and think about those triggers as the time and what would trigger lack of water, temperature rise, too many people, (unintelligible).

Mike Mitchell: Okay, questions for Mark? Lauren you're next on the chopping block.

Lauren Wittorp: All right. (unintelligible) Montana Fish and Game is trying to develop a recreation management plan to address increasing pressure on the natural resources due to increasing recreational use that protects the natural resource (unintelligible) use of the Madison River and it improves the quality of the recreation experience for all users for, I did the same thing I just used the what the Department does, of 20, 20 to 25 from the outlet of Quake lake downstream to its confluence with the Jefferson River. For constraints, the differing views of users of all types and the financial pressures on the agencies because they are constantly facing cuts both financially and personal which I guess (unintelligible).

Mike Mitchell: Great, questions for Lauren? You guys are a real question group. Tim

Tim Aldrich: Silence in an indication of something.

Mike Mitchell: consent

Tim Aldrich: I kind of went by the outline I guess. Decision making is the Fish and Wildlife Commission with support from the Fish, Wildlife, and Parks Agency. For me the triggers were the health and sustainability of the Madison River fishery that could affected adversely by different levels and types of public uses on the river in the future. Quality and the experience available for the river users is a measure appropriately meeting the public trust responsibility to all Montanans. The action develop and implement rules addressing continuing health and fisheries habitat and the conjunction with appropriately providing public benefits to all Montanans. Constraints health and sustainability of the Madison River and public opportunities to enjoy their benefit there from as mandated by the Public Trust Doctrine, Montana Constitution Statutes, and the Administrative Rules (unintelligible) great attention to the economics of Montana. Frequency I said like Don did every five years, which is typical for these type of rules. The scope is the Madison River from Quake Lake outlet to Three Forks. One of my public benefits I wanted to talk about this briefly is I feel that the economic wellbeing of Montana is public benefit is being improved from in many case outfitters, non-residents, and residents from other places that come into our State so I look at, part of the responsibility of the Public Trust Doctrine is to make sure that we keep the non-resident community very well happy with what we have to provide here and they continue contribute greatly to our economy including paying a great part of our Fish and Wildlife Management expenses.

Mike Mitchell: Okay thanks. Questions for Tim. Melissa go.

Melissa Glaser: All right I have paragraph form here. The Fish and Wildlife Commission is in the process of establishing a River Recreation Management Plan starting in 2020 that would promote a positive experience for users while maintaining the fishery and water quality on the Madison River. There is no management plan to guide the decision. The differing expectations between commercial and non-commercial anglers has cause conflict regarding crowd in the Lions to Varney Bridge section. Although the fishery remains strong there is uncertainty as to the health of the fishery if total angler numbers continue to rise. There is concern as to the impact on the stability and growth of the local economy if strict regulations prevent river usage. And then I just have notes on other constraints and legalities that I didn't, stream access laws, financial restraints and other things that I didn't put in paragraph form.

Mike Mitchell: Great, thanks, questions for Melissa? I'm just going to stop asking. Jim.

Jim Slattery: Yeah, mines pretty bad I'll let you know right now. Kind of I lost a little continuity with the break that we had and lots of things going on but so here's what I got. FWP Commission is trying to reduce the number of conflicts of recreation users on the Madison River. To address the perceived overcrowding on the Madison River by limiting the number of users allowed to fish the resource or use the resource. There are many different factions commercial and public that use the resource determining the number of users and how these user days are divided is contentious. Within this are the health of the resource in particular the fish and how this pressure is affecting the population numbers. At the end of the day if we don't have any fish we're not having this discussion. It's kind of the way I see it.

Mike Mitchell: Okay do I need to ask? Questions for Jim? Okay bring it Charlotte.

Charlotte Cleveland: Under D I put Fish, Wildlife Commission. Under X I put development of regulations that guide recreation activity on the Upper Madison, only on the Upper Madison since most of what we've gotten has everything to do with the Upper Madison not the Lower Madison. Ultimate goal would be to improve every ones recreational experience on the river perhaps through decreasing the crowding that people are reporting. I would come back in two years and look at what we've done to adjust it sooner than five because I think five is to long if we've made a mistake. Spatial extent, that's the Upper Madison and I see, I see financial, I'm not sure if it's a constraint, but I see financial consequences of decreasing the crowding and improving the recreation experience. And on the scientific part I think we have to keep the river healthy and I think we have to be proactive not retroactive. I think we can't react to the kind of situation that occurred on the Yellowstone. We have to be, we cannot just be, we can't consider the river healthy and say well forget that. It's got to be in the forefront of every bodies mind.

Mike Mitchell: Great, you know what I want to know. Okay no questions for Charlotte. Julie you're on deck.

Julie Eaton: D Fish, Wildlife, and Parks Commission explores, establish rules to alleviate perceived crowding on the Madison River in the form of a River Recreation Plan. I did a little bit of following kind of how the lion hunter info is set out. There currently is a system to track guide use and location on the Madison. No process that tracks non-guided use as particular as the guided use. Fishery data does not show a biological issue or decline and, so for that's Z, the no, okay I'll get there.

Mike Mitchell: That's all right

Julie Eaton: Oh, yeah here we are and then I also look at the entire Madison for the Dam to the confluence. I think that we should look at our rules over an entire year not piece meal. We have input of widely varied solutions from the public, whether they're commercial or non-commercial and, but we need to come to some sort of agreement that works for the continued health of the system which will insure the health of as many of the concerned party as possible. Financial it's great to come up with lots of solutions but if we cannot pay for the

enforcement or management of those solutions, they won't work obviously but we can't ignore making a solution simply based on it's the cheapest model. There are significant economic impacts on not only the Madison Valley but well beyond that need to be taken into account and that's my rambling approach to all of that.

Mike Mitchell: That's a good rambling approach. Questions for Julie? As far as paying for things FWP has plenty of money all right so sky's the limit.

Julie Eaton: After 2013

PEOPLE TALKING AT ONCE

Mike Mitchell: Yeah, Mike.

Michael Bias: Oh, so it's the decision maker is Fish, Wildlife, and Parks directed by Fish and Wildlife Commission. The type of action needed or taken is a more even dispersion or distribution of angler numbers across the river or something put in place to reduce angler conflict between the groups. The ultimate goal would be some sort of even dispersion of anglers throughout the river system or reduction in the areas of high numbers. I said mostly Lions to Macatee. The time frame, Z, the temporal extent, so I was looking at it as temporal extent applied to the conflict and I was thinking July and if you open that up it's June, July, August. As far as a adapted strategy to revise it certainly within the first year, look at it, see how it's doing and then three years. I think five years is too far based on data from Beaverhead Big Hole. Spatial extent immediately I think is Lions to Macatee. And then potential constraints any type of reduction or limiting or it's going to limit the growth of the outfitter businesses or outfitters in particular which can effect visitation or tourism to Ennis West and the Madison in general. The other constraint, kind of the inverse is has potential to push it over into the Yellowstone. Transfer your conflict from the Madison to the Yellowstone and Beaverhead and Big Hole.

Mike Mitchell: Okay, thanks. Questions for Mike? Okay I'm not kissing up much but that was easily the best first round of problem statements I have seen anyone come up with. Frankly I don't know what all the argument is about. I'm hearing a lot of the same things. Hopefully you saw it too. There was a fair bit of commonality in what people perceive as the problem on the Madison. People really care about the river. People really care about the resource. People really care about livelihoods of people that depend on the resource. So I think this is all pretty cool and I'd like you to think about it going forward. When there's a lot of debate about something we tend to focus on our differences when in fact everybody here in the room cares a hell of a lot about the Madison. Going forward, recognizing that and then the peripheral stuff that have been the source of discussion or argument, it's good to keep that balance in mind. So having heard every bodies initial thoughts anybody have any ideas or lights come on or anything like that about the problem statement that we're working on? Yeah…

Michael Bias: I was kind of happy to hear a couple of the committee people said perceived problem. In fact more than a couple, 3 or 4 said perceived problem, perceived conflicts and the other thing that came to me is as you commented on that the or complimented

that the problem statements we generated were wow that was good, I was like, I still, I'm hearing the problem. I still don't know what the problem is.

Mike Mitchell: You'll get to help us figure that out. Now I just said it was the first round. Don't let it go to your heads. Other thoughts. Yeah Jim.
Jim Slattery: I kind feel that the main problem is like Mike says between Lions and Varney, June, July, August, mainly July but I also think that we need to take the whole river into context too, I mean that's kind of part of why we're here. And the whole river starts at the Park. Not just below Quake Lake or below Hebgen Dam. All the way up to the Park. That's where it starts. I think we need to maybe think about the whole river as that.

Mike Mitchell: Okay, hold on Mike. Who else? Any other thoughts? Scott?

Michael Bias: **CAN'T UNDERSTAND**

Scott Vollmer: This maybe a question for Don is, is are we able to consider anything in this process from the Park down to Hebgen or actually I should say down to Quake because of the inability to create regulations by the fact that it's mostly Forest Service

Don Skaar: Yeah, I mean there's that added issue we'd have to work through with the Forest Service if we wanted to consider any kind of regulations there but they certainly would control the access.

Jim Slattery: Yeah, they control the access but FWP sets the policy on the river. Forest Service does whatever FWP says except for access as far as how it's regulated.

Don Skaar: Yeah, I mean we kind of acted in partnership on the Bitterroot with the Forest Service there in terms of agreeing to a plan so we'd need to, I guess, probably the ideal thing would be to engage them in that if we wanted to pursue that but yeah, we certainly have the authority to but it's their access.

Mark Odegard: BLM's also has a stake.

Don Skaar: Right. That's why Chris is here.

Mike Mitchell: Mike

Michael Bias: I think it's, what Jim had said I think it's important. I'm not sure about the outfitted numbers in the section from the Park to Quake but certainly there's conflict up there is there not?

Jim Slattery: There's lots of it.

Michael Bias: I always thought well why are we just considering from the outlet of Quake down and certainly I don't want to advocate well let's have another permit through the Forest Service but there's issues up there that aren't being addressed.

Jim Slattery: Yeah, there was a fist fight this year.

Tim Aldrich: The SRP on the portion of river we're talking about certainly gives us a lot of data that we don't have from some other places. My reading of the initial E.A. and the efforts of the CAC that function 12 and 13 and along with the proposed items they had a rule. They really were, and the information that they were relying on really was talked about, of course on the Madison we pretty well identify here in large part even more finitely from Lions Bridge on down to the Ennis Bridge basically was the, were a lot of stories and a lot of perceptions when the fishery people came so I think it was a pretty good first round personally as we do this, some good thoughts that I didn't think about that other people brought up.

Jim Slattery: Yep me too

Mike Mitchell: Yeah Don…

Don Skaar: I think this has got to be a living document

Jim Slattery: Yes

Don Skaar: for a lot of reasons people have articulated here I think the (unintelligible) here the problems are going to be different in 10 years than they are today and 20 and whatever so that being said the section above quake, even though we don't have all the information we might need that could be part of our recommendation as well is to come up with something concrete for the areas we do have good information and suggest to the Commission that we do some more data gathering for that other section and develop something later there. So that's why I say living document we can make this work for us as we go forward however we want I think.

Tim Aldrich: I think the five year thing is, it's in the Bitterroot plan and it's elsewhere but the big thing is in the Bitterroot after the first year is we got 11 of the 16 members back together and came up with some ideas their, now their proposal is out to the public to look at and I think Mike and other outfitters would agree on basically the changes that have been made are definitely going to help the outfitters in their ability to function on that river because it's very specific river limitations and so forth. I agree with the peoples comments that five years is to long but if we're willing to pay attention on an annual basis and make changes of course then if we need. Still the five year thing might be more in depth (unintelligible).

Mike Mitchell: Jim..

Jim Slattery: I want to piggyback on Tim, I think we really, I mean at the end of the day I keep going back to fish when I think about this. We need to have surveys every year because I think it's every two years we have a survey or every year or maybe a little bit more extensive so that we know, if we know where the fish are as far as population numbers, then we know the health of the river. It's more, we have our finger on that pulse of that river. Right now just from the last meeting they said there's like 212,000 fish in the river, these are just general numbers that were given then they said that fish mortality over natural fish mortality is like 30,000 fish

and then there extrapolating that catch and release is another 30,000. These are just general numbers. That's 60,000 fish, that's 30% of the population is dying every year.

Mike Mitchell: So let me interrupt you here a little bit Jim.

Jim Slattery: I'm going off the reservation a little bit.

Mike Mitchell: A little bit, a little bit okay

Jim Slattery: Sorry

Mike Mitchell: The healthy fish population and there are question about that, there's important

Jim Slattery: right

Mike Mitchell: uncertainty about that everybody would agree that

Jim Slattery: yes

Mike Mitchell: we'd all like a healthy

Jim Slattery: sorry about that…

Mike Mitchell: fish population but the question of how do we evaluate the health of the fish population. What ways would we go about doing that as part of a solution to this problem? That will definitely fold into it. That will be later on in the process

Jim Slattery: right

Mike Mitchell: where we get to considering alternatives and actions that might be taken so please hold on to that thought.

Jim Slattery: Well it could be, it's a problem that we don't know. That's the problem.

Mike Mitchell: The uncertainty about, yeah I totally agree on that, uncertainty about the fish population.

Jim Slattery: yes

Mike Mitchell: Okay, anything else? Yeah…

Michael Bias: Just to reiterate Tim's point the West Fork plan was put in place at the beginning of the last fishing season and they evaluated it over the winter through January, changed it can be a substantial portion of that plan to fix what was happening on the river with high flows you cover more river and what they did was great. I think it was great that they knew

the problem kind of going in see what happened when it was in effect and then adjusted it and it was immediate

Jim Slattery: yeah, should put that in.

Tim Aldrich: It was unintended consequences that they caught up rather quickly did really good.

Mike Mitchell: Okay any other thoughts based on what folks have said. I really want to hear from people that have been quiet. Don't make me point you out. Lauren. Nope, nothing?

Lauren Wittorp: Nothing

Mike Mitchell: Okay, Melissa

Melissa Glaser: I guess one thought is what the scope that the Commission, like what we can bring into this problem statement that can actually be solved by the management plan by the Commission. Like do we, I don't know I was just thinking about Mark's climate change comments like how much scope can you put into what we're trying to accomplish here.

Mike Mitchell: Yeah that's a really good question. That's kind of why we have the scope question up there because a decision needs to be made within a certain time frame to produce an expected result within a certain time frame. That could involve all kinds of scales like this. Something's got to be done this year versus holy cow, 20 years down the road where going to be facing this problem. I tend to go back and look at the decision that needs to be made by the Commission in this case. What rules would they put in place. I totally hear what you're saying Mark but looking down the road that far and making a decision now based on what might happen 60 years down the road I personally see that as a difficult thing to do. I do think though, and what I've heard is a lot of these, you know well let's double check on things here, let's double check on things in two years, in five years and adapt, okay, to me that kind of makes sense in terms of an uncertain future. That's just my thought. I'm not trying to tell you guys what to think but in terms of the decision that needs to be make now and then if that decision is going to be recurring how often is it going to recur, and then how do you set it up so that the next time the decision is made there'll be information available to prove or modify the decision as needed. Does that make sense? Okay. Yeah

Mark Odegard: Yeah, the short term effect on climate change will probably, most of it will be on the lower Madison. As the temperature rises a little bit more and we're going to fluctuation, bigger fluctuations in temperature, we may have all the trout kill in that lower Madison at some point and replaced by some other type of fish.

Mike Mitchell: So hold onto that thought and when we work on sort of what is the best time frame for multiple decisions on that what might be the best way to assess

Mark Odegard: Yeah

Mike Mitchell: whether or when that's happening. Charlotte, let me pick on you. What you got? Any questions?

Charlotte Cleveland: Well, no I'm just, I like the expanse of the, what everyone is saying and I think that we're all pretty much going in the same direction. We have to protect the resource otherwise it wouldn't be here. There are problems that we've been given data about that we have to assess. We may not come to the same conclusions that Fish, Wildlife, and Parks did but we can't, some of this is good data we can't ignore, I'm thinking it's really good.

Mike Mitchell: That makes me feel better, that's a good thing. It's about me all right, let's remember that. Julie anything?

Julie Eaton: There will be plenty.

Mike Mitchell: No thoughts to share right now?

Julie Eaton: Yeah I think we're, where we're at, I would like to actually take some more time to work on this and as that's based on, because I want to have my own narrative, but I also want to include things as I learn them.

Mike Mitchell: Okay, well guess what we're about to do?

Julie Eaton: Include things things…

Mike Mitchell: That is an awesome segway. So what I would like to do now is break out into small groups and the group is tasked with taking the ideas that they've heard around the table, ideas that you've had, ideas that you heard from other people and work out a draft problem statement and just based on the perspectives of the people in the group and perspectives outside the group that you see. It would be great if you could draft your problem statement on a computer because what we're going to ask you to do is save it to a thumb drive, give the thumb drive to Sarah and then we're going to put them up on the screen for the group to talk about. Does that make sense? We'll have two groups of three and one group of four. One, two, three; one, two, three; one, two, three, four, one, okay so group 1 gets four people. Let's have group 1 meet over on this side of the table. Group two back there, group three over here and let's take 20 minutes and what I'd like to do is let's focus on getting a problem statement written. It is more important to get stuff down at this point than to be critical about it and to word smith it. As a group get together and start banging it out. Again this is not a place where we're looking to debate what we're trying to do has a common understanding and you all heard a lot of commonality in the problem statements that folks have read so far. Yeah

Charlotte Cleveland: Can you just tell me what committee I'm one.

Mike Mitchell: You're three

Charlotte Cleveland: Okay so one, two, three

Mike Mitchell: One, two, three

Charlotte Cleveland: Okay so this isn't one committee. I'm on three,

Mike Mitchell: Yeah

Charlotte Cleveland: okay now I got it.

Mike Mitchell: Okay so let's go ahead and break up, one, two, three, 20 minutes go. Please if you have any questions at all just say so. Does everybody got a laptop? Every group?

COMMITTEE BROKE INTO GROUPS

Mike Mitchell: Remember ruthless efficiency. Yeah that's a great question Scott I should have mentioned this was sort of a guideline for beginning to frame your the thoughts. Let's shoot for a format like the lion hunting problem statement in what you're working on now, so more of a narrative explanation. They used to call this a problem statement in elevator speech, you guys know what an elevator speech is, you know where it's like you have a few minutes with somebody to convince them there's a problem and something needs to be done. I don't describe it that way anymore because I found out that people in Montana don't think of long elevator rides so not an elevator speech but the same idea that you're trying in a very short communication convince somebody, here's a problem, decision needs to be made, here's why the decision is difficult. Okay? Go for it.

BREAK OUT SESSION COMPLETED

Mike Mitchell: Sarah you got everything? All right, so, in the time we have before lunch what I'd like is to look at each groups problem statement so let's have somebody from group 1 talk about theirs so go ahead and take a second to read over what they came up with and then somebody from group 1 go ahead and present your thinking and where you're going with it.

Sarah Sells: If you guys needs the text larger just let me know.

Mike Mitchell: Okay somebody from group 1?

Jim Slattery: Lauren

Mike Mitchell: They threw you under the bus totally.

Lauren Wittorp: How do you in general what do you want me to

Mike Mitchell: Just talk through the discussion process you had, what you've captured here. You say to be continued what's coming next?

Lauren Wittorp: Well we didn't finish so that's why on the constraints section, we left it there, in terms of when we were coming up with the other ideas rather than saying I think the

thing we discussed is rather than saying crowding since it's a perceived thing, using something that we know saying increased pressure since that's something we can see with the data and of that what we want to see is to protect the natural resources values of the Madison River and we extended it back to the Park boundary based on some of the comments we heard for the group earlier and how we are missing a section of the (unintelligible) covering in this process, down to the confluence with the Jefferson. And then the biggest constraint here that we can think of are the differing expectations of commercial and non-commercial users.

Mike Mitchell: Okay, questions for group 1. All right, good start, group 2, let everyone take a look at what they got. Anybody from group 2 wanna talk about it?

Julie Eaton: It was pretty straight forward for us to, I mean, do you have any questions? I mean seriously.

Melissa Glaser: We choose not to do, not to put in the specifics of the Madison River and just put the Madison River on there

Julie Eaton: Yeah

Melissa Glaser: So we left that open.

Michael Bias: So you say you're identity is on certain sections on the river that are used by residents, non-residents, commercial, what's the distinction between residents and non-residents, is that thinking specific spot or

Mark Odegard: I actually think you need to put in part time residents too. Madison Valley has huge number of part timers that are there for two three months a year sometimes six

Michael Bias: and

Mark Odegard: And we don't know, we don't have any numbers on those at all

Michael Bias: So my point on that is, you that this, does it matter to the fish if it's a non-resident angler or a resident angler, it's kind of a

Mark Odegard: No it's (unintelligible)

Michael Bias: (unintelligible) way to do it but

Mark Odegard: The economy has

Julie Eaton: Yeah that has everything to do with it

Melissa Glaser: I think the restriction, if we were to come up with restrictions on certain users there's uncertainty in areas of what those users, who's using that section so I think that's

where that sentence came from. We have like the Lions area, we have the SRP data showing the commercial verses non-commercial activity but at other areas we don't have that.

Michael Bias: Right, I was specific to resident and non-resident because in my mind, you know if the fish get caught it doesn't matter if it's a dude from Utah who's holding the hook or a guy from Ennis.

Julie Eaton: That's not what it's addressing. It's addressing if there were to be regulations how do we pick someone to regulate if we don't even have the information from all the users groups

Michael Bias: Yeah and that's my point

Julie Eaton: to enhance

Michael Bias: so why

Lauren Wittorp: Is that like what other rivers have done with resident and non-resident days

Julie Eaton: Exactly

Lauren Wittorp: Okay

Michael Bias: Yeah boy

Julie Eaton: Which we don't want to do

Michael Bias: Oh, okay

Julie Eaton: that's the point

Michael Bias: Well why is it there

Julie Eaton: Because you can't

Mike Mitchell: Well let's not

Julie Eaton: pick someone if you don't have all the information.

Mike Mitchell: argue about this. It makes sense to say there are different users groups that might be regulated differently who are having different impacts on the river. It makes sense to talk about them because anything, if you look forward to what a management alternative, if you come up with it they all have to trace back to the problem that is stated. If you can envision an alternative where, this is what we're going to do with commercial interests, this is what we're going to do with non-commercial interests things like that then the different users groups should be mentioned here.

Julie Eaton: precisely

Mike Mitchell: Okay, anything else on number 2? Okay, gold star, this one so far. Group 3 pressures on. Okay somebody from group 3? Scott

Scott Vollmer: We didn't totally get finished. We didn't get to talk a little bit more about more of the concerns like you guys had a little bit more of the concerns, we didn't get quite get time for that.

Mark Odegard: That looks like constraints isn't really in there.

Scott Vollmer: Constraints thank you Mark, yes, constraints, we didn't quite get to that.

Mike Mitchell: Questions for group 3?

Tim Aldrich: Would it help to clarify right now what part of the Madison River we're wrestling with. I know that the EA that was, the draft EA that the Department came up with a rule dealt with, I think the way we described it as up to Quake to Ennis Lake and from Warm Springs on down to the confluence of the Jefferson is my understanding. Seems to me like maybe that's something we may want to hang to, not redefine the geography.

Mike Mitchell: What do folks think? I mean that's really a good point that we should talk about exactly the thing that the group can manage for a decision maker to manage. Where's the problem. Yep

Mark Odegard: One of the things that there isn't a lot either any of these temporal problems. I really like what Mike said because, I mean probably has to do, you have to look at it by month and over a longer period of years but by month during the year so you may have to develop different rules through different months.

Mike Mitchell: Okay, what about Tim's thought on the spatial list thing?

Michael Bias: We talked about this in the first two days and Cheryl came in because we were struggling with that the first day, you know do we have to be within, and Cheryl talked about the boundaries of the SRP and that's how she defined it which is Quake Lake, well you defined it right there Quake Lake to Ennis and then Warm Springs to Three Forks so, I think we're limited to that. One of my concerns was that you narrowed you're scope on the, they did it on the West Fork where they went down to a certain section. My concern is that you're gonna (unintelligible) onto that non considered section that all that used is gonna be forced onto the section that isn't under the management plan. So that's why we, our group discussed well if we discuss the geographic scope of the issue from boundary of the Park to the confluence we can address the issue and then narrow, more narrowly define the management (unintelligible) or whatever reaches but I don't know. That's

Mark Odegard: I had a question on that too. Do we know whether there's migration between the river in the Park into the Hebgen Lake area?

Michael Bias: Oh heck ya,

Don Skaar: Yeah

Jim Slattery: Oh yeah

Mark Odegard: So we really should go probably to Madison Junction

Michael Bias: Well I have, you know we don't have any, we don't have authority at the Park there right

Mark Odegard: No but

Michael Bias: we're staying

Mark Odegard: but

Don Skaar: right

Mark Odegard: but the statistics, the fish population is affected somehow

Michael Bias: Fish don't recognize that boundary

Mark Odegard: I know, so probably the Yellowstone Park management has statistics on numbers of fish in the river maybe and where

Michael Bias: they do

Mark Odegard: where they go.

Michael Bias: That's a can of worms

Mike Mitchell: So is there anything constraining the spatial extent in terms of the decision that the Commission can or needs to make.

Tim Aldrich: I've had experience one other time with, where we had absolutely no data basically except for the SRP and the Blackfoot River. I, we have good data, I think, on the SRP here on the Madison. That data is required and is, we have it and it's available and it should help us. We're still, the type of data that we have relative to the public feelings about the quality of the experience their having and (unintelligible) be less than pleasant or whatever, that pretty much is also I think talk more about the SRP area not about fishing for big trout above Hebgen Lake to Quake Lake and the Park. So anyway just seem to me that the Commission was looking at probably would like to have that be use the same area that the Department and the

Commission did which is (unintelligible) Quake down to Three Forks (unintelligible). It would be, better information, better ability to apply to look at information, we can't statistically analyze some of that but with better information in the large sense that will enable us to ascertain, and if we have problems (unintelligible). I'd like to not change it now.

Don Skaar: I think just adding on to what Tim said within that we did stick with that certainly be within the Committees prevue to make recommendations on not having information we need to develop, before we decide to take action in some of those other areas or, kind of relationship we need to build with the Forest Service or whatever. So that would be kind of a highbred approach. Stick to those areas that the Commission asked and make recommendations on them because the concern over displacement is real or just increasing usage in those areas too.

Jim Slattery: It is.

Mike Mitchell: I think that's a very reasonable approach, so there's decision space Commission (unintelligible) in its own right but the problem isn't just necessarily restricted to the places that the Commission has authority and so on one hand the group has to make recommendations that the Commission can't enact but it can also recommend well you know this isn't an independent problem. Coordination with the Forest Service, coordination with the Park, things like that would be something the group would recommend. Does that make sense? Mark

Mark Odegard: As an example if we're only going to consider below Quake Lake in our rules and we implement some sort of rules that displace and everybody says well I don't like those rules I'm going to go fish between Hebgen Dam and Quake Lake and there's 1,000 people fishing there during the day and they say there's to many people here I don't want to stay in Jim's cabins. Why do I want to stay where there's 1,000 people so there's an economic impact that could happen.

Mike Mitchell: I think those are all valid points.

Jim Slattery: If I may add, I think some of the problems that are arising above Lions Bridge to Quake are happening in the section between the lakes where people are drifting and stuff like that so it's a real problem there as well.

Mike Mitchell: Okay, I'm three minutes late consistently which for OCD me it's just driving me crazy. So let's go ahead and break for lunch, we'll get together at 12:33. Oh, Don do folks where to go (unintelligible) stashed away.

Don Skaar: Yeah the library is just around the corner to the right down the hallway there, it's about 20 feet down, door on the left.

LUNCH BREAK

Mike Mitchell: Okay, let's go ahead and get at it again. We're still missing a couple of folks I'll go round them up.

Don Skaar: Pass that down if you would.

Lauren Wittorp: And this is to be considered as a petition?

Don Skaar: Yeah, this is petition material for consideration tomorrow.

Mark Deleray: You didn't eat all the cookies so I'm putting them here by the coffee pot. Anyone want one right now?

Don Skaar: Yeah, I got a bunch of them here.

Melissa Glaser: I'll get one later.

Lauren Wittorp: Was it determined that there's no particular format that has to be as a petition?

Don Skaar: Just has to have a name which I believe these do.

Lauren Wittorp: Okay

Mike Mitchell: Okay who are we missing? Scott, Mike and Tim. There's Tim, just missing Scott and Mike.

Don Skaar: I think Tim left the building so hopefully he's back or I mean Mike.

Mike Mitchell: Well you snooze you loose. What's going around, did you hand them out already Don?

Don Skaar: Yeah

Mike Mitchell: Okay, what's going around are the petitions for folks to be added to the committee that folks will be considering tomorrow. As much as curiosity might be driving you I urge you to set that aside for now so we can focus on the task at hand. Take a look at them tonight and come in tomorrow morning prepared to vote. Is that reasonable? Again not sucking up but you guys are way ahead of the curve on your problem statements. I think that's fantastic. We're moving along at a nice clip. A couple of thoughts so can we print those out?

Sarah Sells: Um hmm

Mike Mitchell: We'll print the three drafts out and hand them to you so as we go into the next step you can see some of the stuff that other people thought up and included in the problem statement and what we're going to do is break up in to small groups again. We're going to change the membership of the small groups so one thing that I'd like you to think about going into this next small group, again I set a time limit on there because every job will take as much time as you budget for it. If we want to be ruthlessly efficient we need to get done in 20 minutes as far as we can. Everyone's still getting to know each other to one degree or another but one of

the things I saw happening was there was some lobbying, there was some telling stories and things like that and again I'd urge you to keep that to a minimum, the important thing is to get stuff on the screen. Okay? Let's see if I can do this right, probably going to

Don Skaar: Don't forget Mike

Mike Mitchell: Yeah, Mike will be group 1 and Charlotte group 1, Melissa group 1. Julie group 2, Lauren group 2, and Scott group 2. Everybody else is group 3. How's that sound?

Scott Vollmer: Okay

Charlotte Cleveland: Fine

Mike Mitchell: I'm not good at math I just got to say that right up front. Counting is a challenge for me. So let's do the same thing group 1 over here, group 2 over there, group 3 over here. Let's give 20 minutes to this again try your best to grab information from the other problem statements, work on, you know start from scratch or whatever that you want to do as a new group but let's see if we can make progress based on the old ones.

Don Skaar: But each groups totally writing a new one?

Mike Mitchell: You're more than welcome to grab what other people have said and build on it,

Don Skaar: Okay

Mike Mitchell: but again that's totally fine but again we're just looking for progress. Okay? Let's do it.

Tim Aldrich: Mike why didn't you just start numbering in a different place?

Mike Mitchell: Did anybody end up on the same group as the people in the last one?

Don Skaar: We did but you can't avoid that entirely.

Mike Mitchell: That's going to happen I guess. Since Mike's not here who's the fourth person on group 3, have you guys worked together before?

Jim Slattery: Yeah

Mike Mitchell: Okay, Jim or Don would you go over here

Jim Slattery: I'll go

Mike Mitchell: and work with group one?

COMMITTEE BREAK OUT SESSION

Mike Mitchell: Okay, let's go ahead and save it to the thumb drive. Somebody already has one? Who has one already? I'm on my way. Group 2, group 3 let's do this. If you haven't noticed already Sarah is unbelievable at doing this. Way back in the day I didn't have her helping me out and oh my God.

Tim Aldrich: Mike I think she

Mike Mitchell: What's that?

Tim Aldrich: She's the reason most people think you do a good job.

Mike Mitchell: Believe me I'm happy to take credit for that.

Sarah Sells: I'll right this is group 1.

Mike Mitchell: Okay, we got all three of them?

Sarah Sells: Um hmm

Mike Mitchell: Group 1 a little longer than the last one, that's pretty good. Let's read over it. Okay, thoughts? Think about it in comparison to the Lion one on the other side. I'm not saying the Lion people got it right but in terms of describing the problem is this one capturing from your perspectives as somebody that are really familiar with the problem is this capturing everything that we need to know for somebody on that short elevator ride in Montana, needs to know to understand what the problem is and be impressed, boy something really needs to be done.

Melissa Glaser: I think we missed putting something in there about the areas outside between Hebgen and Quake basically. I think there could have been a statement in there maybe that says that, that section's not covered and maybe should be looked into.

Mike Mitchell: So maybe something along the lines that Fish, Wildlife, and Parks has authority over a limited stretch of the river although the problem encompasses more than just that stretch. Something like that?

Melissa Glaser: Yeah

Mike Mitchell: and that sets up later a recommendation about working with other folks to deal with the whole river. Does that make sense?

Melissa Glaser: Yeah

Mike Mitchell: What's that?

Jim Slattery: Just as someone that's there I think we need to make recommendations, make a recommendation now of what might need to be done, just a recommendation.

Mike Mitchell: Oh yeah well that'll be later on in the process

Jim Slattery: Okay

Mike Mitchell: If that's what the group wants to do

JIM AND MIKE MITCHELL TALKING AT THE SAME TIME. CAN'T UNDERSTAND

Mark Odegard: I take exception to the statement that there isn't an opinion by some user groups. It's not an opinion. I don't fish sections of the river because there's too many boats. I go to a different section of the river. I mean I don't, and I think there's a lot of people that think that, but I haven't done a survey.

Mike Mitchell: Well, yeah, so I kind of saw that too so mention there's concern, there's concern, there's opinion,

Don Skaar: Yeah

Mike Mitchell: so would it be safe to say safe to say all these folks are concerned?

MANY PEOPLE ANSWER YES AT SAME TIME

Julie Eaton: User groups, period

Mike Mitchell: Um hmm, okay, other thoughs?

Lauren Wittorp: I have a question in general, so for instance like in the sentence that says like there is concern that future growth could increase crowding to an extent that would degrade user experience, others have, or is this eliminating something saying that already is, is that what you're trying to say Mark that like, it's already occurring so it's not future growth it's where we're in that already.

Mark Odegard: Yep

Lauren Wittorp: So are things like that held as an opinion in a problem statement or like that this is viewed that way already or if that's an opinion that's included in a problem statement

Mike Mitchell: What I would say is, is that part of the problem. There are folks out there that are really concerned that the river is already, I don't know what, overused or over tapped, fisheries already at risk or something like that. Is that part of the problem because there are a group of people out there that believe that?

Jim Slattery: Yes

Mike Mitchell: And are concerned, all right so that should be in the problem statement. Anything, any perspective out there that is contributing to the disagreement, or difficulty of making a decision should be captured.

Lauren Wittorp: So it should include both sides of that perspective, like
Mike Mitchell: Yeah

Lauren Wittorp: that currently does, saying some people already have, and some people think that the future will be

Mike Mitchell: You could say something like there's disagreement about, and then state both sides.

Lauren Wittorp: Okay

Mike Mitchell: And again you're just trying to capture the problem.

Lauren Wittorp: So is that the same in, or an instance where it says like there's uncertainty as to the health of the fishery and total number, angler numbers continue to rise where I'm not sure if uncertainty is the word or that makes it to mean an opinion where some believe that it absolutely like, I mean the presentations we have that we will, the fishery, the resource will be impacted. So is it showing both sides of that? Is there language that show both sides of that?

Mike Mitchell: I think another way of phrasing that again if there's disagreement, okay, that's what needs to be captured here, all sides of the disagreement. That might be just differences in concerns and we don't need data.

Lauren Wittorp: So it's better to say like there's disagreements between whether there would or wouldn't be an impact to the fishery based on use.

Mike Mitchell: Yeah

Lauren Wittorp: That shows both sides of the arguments, okay

Mike Mitchell: Right you know you could say there's disagreement there or you can say there's uncertainty there because nobody really knows

Lauren Wittorp: Okay

Mike Mitchell: what's going on here and people have different perspectives on it.

Don Skaar: I guess my suggestion would be I think fishery science would say there is going to be an impact at some point and I think probably everyone agrees with that. I think the

uncertainty is knowing when that's going to be. So I think it's more uncertainty over what level of pressure would cause an impact on the resource. I think that's the uncertainty.

Mike Mitchell: Does that make sense to you Lauren?

Lauren Wittorp: Yeah that (unintelligible) thank you.

Mike Mitchell: Okay(unintelligible)
Tim Aldrich: I think for the immediate though we have to address I think things that we might have, be able to talk about tools, that would deal with that. I think when climate change, when we begin to throw some of those things in there, they're going to, they're really outside of our control even though what Don says is probably very true that it's a matter of time if we don't change course perhaps if you happen to be in that camp. The water is going to be as such that the flows and the temperatures going to be such that there won't be fish in the Madison

Mike Mitchell: Yeah

Tim Aldrich: the first of April or some darn thing but anyway I think we need to be a factual as we can with regard to what we can do and what we're seeing and the type of information we're relying on to use the words concern or opinion or whatever but I mean clearly the information that was first presented to the Commission indicated to me at the first meeting was a lot of people concerned about the number of people trying to use the same river at the same time, same place, doing the same thing. And then you go to some of these questions there like those people that talk to the outfitters clients and one thing or another, a lot of satisfaction there. And you talk to people that don't use outfitters and on thing or another, and what they at one point in time perceived as an acceptable experience that become an experience that they're not going to do anymore. So I mean how you say that it needs to respect all groups and not over reach with terminology or word smithing.

Mike Mitchell: Yeah that's another alternative in talking about where there's disagreement or uncertainty. Particularly where's there's disagreement. If you wanted to be explicit sort of like you were saying where this user group feels this, this user group feels that. And be explicit about where the disagreement is. You're certainly welcome to do that. It can also be fine just to say there is disagreement. There, this is a perspective that's out there, this is a perspective that's out there. It's totally your call. Anything else on this? Next group. What do you guys think?

Mark Odegard: I don't see action

Mike Mitchell: Okay. So you're saying the, what decision needs to be made or

Mark Odegard: What action needs to be taken.

Mike Mitchell: Action needs to be taken. Okay

Melissa Glaser: The river recreation plan that includes the things below that to be implemented in 2020 or when the process finishes that's your action.

Mike Mitchell: Okay, other thoughts

Melissa Glaser: The concerns of the user groups overcrowding. (unintelligible)

Mike Mitchell: So part of the, the words just jumped out of my head, the, what's that? Somebody have that word for me?
(unintelligible)

Mike Mitchell: Okay but in terms of describing what the challenges are, what the difficulty is you think more information on the user groups or the things that are problematic for these groups is that what you're saying might need to be in there? Okay. Next group. Thoughts

Melissa Glaser: I like that statement functionally adapted to respond to future conditions.

Jim Slattery: yes

Julie Eaton: And then Mike for getting information from our first two meetings where it says there's biological degradation, was that the thought that after everything that was presented that if things continue then probably we're going to see a response? Not the fact that its' actually happening right now? Is that what that refers to?

Don Skaar: That is, I think you make a good point that I think we weren't trying to imply that

Julie Eaton: Gotcha

Don Skaar: degradation

Tim Aldrich: the words out of there

Don Skaar: yeah

Julie Eaton: important words

Jim Slattery: We don't have 2018's numbers of anything so we

Mark Odegard: For example there's solution down river

Julie Eaton: No I understand, I get it, been there done that

Mike Mitchell: But does that go back to the thing well there's uncertainty about the current state of

Jim Slattery: Yes

Mike Mitchell: the ecology of the river or fish population and how might it be effected in the future?

Don Skaar: Yeah, you could say something like but with biological degradation would come the erosion of the quality of the experience, something like that. We weren't trying to say it had already occurred

Mark Odegard: Unchecked biological degradation (unintelligible)

Mike Mitchell: Okay, so you guys are intimately familiar with at least your perspective on the problem. Are any of these getting pretty close to capturing your perspective and then the broad range of other perspectives that come into it? Or do you feel like wow we've still got some missing gaps that need to be filled. And again we're trying to understand a short elevator ride, what's the problem, why is it difficult, here's why something needs to be done.

Julie Eaton: I think there's significant overlap in a positive way of that first part of our problem statement.

Mike Mitchell: All right

Julie Eaton: There's a little bit of work that I think needs to be done on the middle, the users thing, the biological degradation, I think that's really super important that the wording, I don't feel like we're exactly in compliance there with each other.

Mike Mitchell: Yeah, okay

Julie Eaton: But I really think we're all really starting in a very common area.

Mike Mitchell: Okay, yeah, I agree there's more work to be done and I'm trying to get a feel for, are we back at step 2 or are we at step 4 in getting that work done. How close are we getting?

We're at step 2,

Mike Mitchell: Okay

Julie Eaton: seriously

Mike Mitchell: I believe you

Tim Aldrich: Mike I personally believe that the group 1 has gathered up more stuff and got better start for me to edit, if I were going to try to do that I would make sure that other people's views were incorporated the terminology we're using is (unintelligible)

Jim Slattery: I think there's stuff in the other two that could be added to the first one

Don Skaar: Yeah

Mike Mitchell: Okay

Jim Slattery: it's a little bit more complete

Mike Mitchell: You're way ahead of me, thanks for the Segway. What do folks think about, let's work with group 1's problem statement and we can pull up information your ideas from groups 2 or 3 and we can be thinking about how well this actually captures the problem that ever body in the room is familiar with and again what is the problem, why is it difficult, why does something need to be done. Starting with that let's go to group 2's

Sarah Sells: (unintelligible) over here?

Mike Mitchell: Full screen. Where you at? Where ever you say. Every now and then she does make people sea sick.

Sarah Sells: Yeah don't want this

Mike Mitchell: This is group 1

Sarah Sells: Yes

Mike Mitchell: What from group 2 would you like to see incorporated in group 1

Lauren Wittorp: I think you guys have discussed this group 1 adding in the difference in the areas adding in at least a statement to include that's the section above Quake Lake, where group 2 is saying the park boundary to the confluence, they start theirs in Quake Lake

Mike Mitchell: Okay

Lauren Wittorp: So including somehow adding in language to include that section

Jim Slattery: Yeah

Lauren Wittorp: that FWP doesn't manage

Jim Slattery: Yeah, maybe just say may include and also including the Park boundary to the Jefferson River

Mike Mitchell: Would you describe part of the problem though is FWP only has partial jurisdiction over the river resource and there is the stretch that they can do something about, and a stretch they can't?

Jim Slattery: Living, or having a business there and talking to the Forest Service, they acquiesce to FWP on whatever FWP wants to do with rules and regulations they abide by that. Now the access might be a separate issue but as far as regulations and stuff like that it's FWP's call. I don't know how that translates into all this.

Mike Mitchell: That's what I'm trying to get at. What is the extent of the authority FWP has to make a decision, and does it encompass the full problem of recreation on the Madison River.

Tim Aldrich: No

Mike Mitchell: Okay

Tim Aldrich: US Forrest Service certainly has the management of the national forests but I think the State of Montana

Jim Slattery: manages the river

Tim Aldrich: manages the waters and Fish, Wildlife, and Parks and the Commission, Commission have the authority to regulate the opportunities to fish and whatever else on that river I believe. I don't

Jim Slattery: That's 100% accurate.

Tim Aldrich: Mike am I saying something wrong?

Jim Slattery: No

Michael Bias: No I think the issue is, is that between the lakes doesn't fall under the jurisdiction of the SRP so that's where we're restricting and I think Jim's issue is that whatever we do on the SRP section could have, will have an effect

Jim Slattery: Absolutely

Michael Bias: between the lakes especially a long weekend.

Mark Odegard: Could you define SRP for me, I

Michael Bias: It's Special Recreation Permit that the operators get and that's the boundaries from Quake Lake to Ennis and then Warm Springs to the confluence are under the SRP so whatever you do with that is going to displace or effect or somehow effect between the lakes area so Jim's concern earlier was hey if there's a way Fish, Wildlife, and Parks could address between the lakes at the same time and then how I don't know or maybe just an acknowledgment thing. What we do in the upper walkway section may effect between the lakes.

Jim Slattery: It will

Michael Bias: The issue is (unintelligible)

Don Skaar: I guess where I was coming from on this is that we don't have the authority to regulate how the water is used but if we come up with some prescription for certain outfitters or certain numbers of launches at Forest Service sites we have to have their, we've got to have an agreement with them that they're going to operate in that way and that's part of their permits as well.

Jim Slattery: If I'm not mistaken part of the river right below Quake Lake is Forest Service land.

Julie Eaton: Exactly

Jim Slattery: There's about a mile

Tim Aldrich: There's Forest Service land all along the river

Jim Slattery: Yeah I think it's about a mile or so stretch that's Forest Service land so it's already ruling or proposals on that land anyway, that type of land

Tim Aldrich: One of things that sticks with me is that if we were, one of the proposed rules, previous to right now was to limit the number of outfitters that could operate in this area and we get outside the permit, the SRP numbers, something about a tooled work force so if we

Jim Slattery: that's true

Tim Aldrich: were to talk about days off or whatever we're going to get messed up with jurisdictional authority, not being able to have a rule, (unintelligible).

Lauren Wittorp: So is all that you're saying are in a problem statement is could state that that is the problem, that FWP doesn't have jurisdiction and that would give us

Mike Mitchell: yep

Lauren Wittorp: Okay

Mike Mitchell: Yeah if that is part of the problem that FWP has limited jurisdiction to be making some of these management decisions and doing stuff that was broader than the scope that would require collaborating with people outside of FWP decision space. That's part of the problem. I don't mean to put words in your mouth because I'm not saying that's

Lauren Wittorp: So we say that and leave these separate boundaries and that would encompass that?

Mike Mitchell: I'm trying to process what you're saying so if I get this wrong just say so but you have the entire stretch of the Madison River and FWP has authority over this okay but

impacts on the Madison aren't just limited to this, they go all the way up in here. To the extent that the overall use or the health or whatever on the Madison River is involved then it's not a problem just right here. It's a problem here, but the decision maker can only do this.

Jim Slattery: And that's only in regard to one aspect of, well I guess it's part of the problem though

Mike Mitchell: Yeah, that's what I'm, I could be totally misrepresenting it, don't take it to the bank

Jim Slattery: And that's mainly just for floating really, the float section if I'm not mistaken.

Mike Mitchell: Julie, oh I'm sorry Melissa

Julie Eaton: Julie, Melissa whatever, this conversation has gone directly to FWP only regulates this much. That means you've already decided you're talking about commercial only. FWP sets fishing regulations and limits based on water so are we, have we already jumped to say oh well they don't have authority on these other parts because we're only talking about commercial right now. Have we already narrowed to that? I have not narrowed to that. I'm talking use. I have not drilled down to looking at one user group at this point. Does that make sense?

Don Skaar: um hmm

Mark Odegard: That makes sense.

Lauren Wittorp: So, and I've heard you say it a couple of times back to the decision maker so is that what you're saying, we're saying the decision maker is Montana Fish and Wildlife commission

Mike Mitchell: um hmm

Lauren Wittorp: Then our statement after that should only apple to what that decision maker can do?

Mike Mitchell: Well I think if you put your shoes in the, put yourselves in the shoes of the decision maker, good thing we've got one sitting here, in terms of their decision about regulations they can enact what affects from their point of view the decisions they can make. Or what is a broader context that you think the decision rests within. There's nothing wrong with, the recommendation the group is going to make has to be something that the Commission can choose to do or choose not to do. We can't as a group recommend they go out and do something impossible. I don't know what the recommendation looks like, I don't have any problem with saying okay from the decision makers point of view this is the decision that needs to be made but part of the problem in making that decision is all these other things. I don't have a problem with that.

Don Skaar: I might be able to hopefully not to confuse it worse but we have the SRP in conjunction with BLM, FWP can put restrictions on other rivers outside of the SRP. It doesn't have to be within the current SRP. The Commission could extend the restrictions to that area up there, it's just that we got more work to do with the Forest Service on access and actually implementing something. We know the universe we're working within the current SRP now but so, any recommendations could be outside of the current one, we aren't going to know exactly how those are going to go right now.

Julie Eaton: I'm sorry again we're going to SRP and that is only one small group of users.

Michael Bias: Right

Julie Eaton: FWP can regulate water for all users. We can drill it down later on if we get to that but I don't understand the constraint at this moment.

Tim Aldrich: I think

Julie Eaton: Just because it's history, doesn't make it

Tim Aldrich: In the immediate future starting this year we're going to be looking at the fishing regulations for the next four years

Julie Eaton: Yep

Tim Aldrich: And Fish, Wildlife, and Parks and the Commission will work with the public and we'll come up with rules that apply to that, those reaches we're talking about and those ponds if you will. It's outside of the rule making that we're talking about here in terms of a recreation plan. I mean the limits and all those things are going to be established through a different method I believe. Am I wrong with that?

Mark Odegard: I don't understand

Julie Eaton: I completely understand what you're saying but

Tim Aldrich: Well the reach that

Julie Eaton: I think it ignores

Tim Aldrich: The reach between Hebgen Lake and the outlet to Quake is a water that the Fish, Wildlife, and Parks establishes the fishing regulations for

Julie Eaton: Yes

Tim Aldrich: And it will be established well outside of this thing, I'm wondering what we might want to do in a rule at this point not having a lot of other jurisdiction perhaps involved in that, that would be helpful

Julie Eaton: I think it would be

Tim Aldrich: The SRP doesn't fit

Julie Eaton: Yes for example let's say it's inner tubes, it's not commercial or not it's just an inner tube or it's a motor or it's a raft made of logs, those are all possibilities in all the different stretches. That is something that we in our overall recreation plan can have an opinion on based on getting this use spread out, you could say yea or nay. I'm not saying you can't catch, you can't fish out there anymore or flies only or any of that I'm just saying the actual use. And I can't put myself up in the Forest part if I don't have a permit. I'm not saying that at all. I'm talking about all users how can we look at this entire animal called the Madison that FWP has some on the water authority too.

Tim Aldrich: I just, I want to know what handle we have to do something in that reach between the puddles.

Mark Odegard: I think the commit, this group can recommend that you figure out something.

Julie Eaton: If we're constrained now we won't go there if we want to constrain it later great.

Tim Aldrich: We could, yeah, we could propose a rule but what data do we have, what information do we really have that we would be able to us to do something, I would much rather myself say that we choose this reach of the Madison because of lack of jurisdiction and other measures that might be necessary to propose a rule which would add to the value or the, on this what we're doing here. I just think we're playing with, from the Park to Hebgen Lake and from Hebgen Lake on down to Quake Lake I'm not sure that that is worthy of our effort right now in terms of what the value of what we've come up with other than a recommendation to Fish, Wildlife, and Parks (unintelligible) how it's all related.

Don Skaar: How about if we stuck within what you're saying and then any other recommendations per what Julie's talking about would be separate and severable from that? Then that way we could probably still proceed with our original approach and then these other recommendations would go forward but they wouldn't, if they weren't enacted they wouldn't compromise the rest of the plan I guess is all I'm just

Mark Odegard: Yeah I'm thinking of somebody that lives on the river. I think about the whole river not just, I'm worried about the whole river, not just a section

Jim Slattery: I think whatever we're going to do because we have to address and that's well its part of the problem from Lions Bridge up to Quake whatever we're going to address there how we're going to address that because there's problems there. That could probably be

recommended for the stretch between the lakes and from Hebgen to the Park. Because it's kind of the same, it's the same fishery more or less.

Tim Aldrich: (unintelligible) lack of data

Jim Slattery: Yeah

Mark Odegard: One of the recommendations is probably going to be we need data.

Tim Aldrich: Okay, that's want Don just talked about

Mark Odegard: Yeah

Tim Aldrich: in terms of saying we would like to have dealt with this but essentially we were unable to have an agreement and one thing or another gather some information so we have a basis to do something

Lauren Wittorp: But they could be submitted as you said as two separate things so that could be a way to make recommendations on the areas that aren't regulated by FWP so then two sets, so the Commission could go forward with one part without the other part holding them back. We could do something like that is what you're saying?

Don Skaar: Well what I was envisioning would be a problem is if just for example we came up with some allocation saying we want 10% of the pressure in this stretch, 10% here, 10% here, we can't, we shouldn't be making recommendations for something we can't deliver on right now so I'm just saying

Julie Eaton: No, you can't do that in any section, make a recommendation if we can't deliver.

Don Skaar: In the SRP

Mike Mitchell: Mike did you have your hand up

Michael Bias: Yeah think, I think we like to find a study here, whatever we do in the Quake to Lions section might affect between the Lake sections, I don't know Mike, do you include between the Lakes for from the Park to the Jefferson and say this is our study area and then these are sub reaches that we're going to implement regulations on? I don't know but I know for the SRP if we're drill down that far its Quake to Ennis and Warm Springs to the Jefferson. Right

Charlotte Cleveland: Could this be one of those things where you have that arrow going back you know where you could come back to this later on in the process and we don't have to decide today but we're all thinking about exactly about how it should be but that arrow does go both ways

Mike Mitchell: Um hmm

Charlotte Cleveland: as somebody else pointed out.

Mike Mitchell: Yeah definitely I think this is a really valuable discussion right now so like you said Charlotte it's in the back of our heads because chances are we may want to come back and consider the scope of the decision. From, I guess in my point of view I, it says the Commission is in the process of establishing a river recreation management plan. I'm going to confess complete ignorance there. I have no idea what goes into a river recreation management plan. I'm guessing that a plan is applied to a certain scope on the river or certain stretch or, when you talk about a river recreation management plan from an FWP point of view what does that encompass in the case of the Madison. Is there a limited stretch or is it the whole river?

Don Skaar: It can be whatever we want it

Mike Mitchell: There you go it can be whatever you want

Charlotte Cleveland: But right now we're describing it as that so that is the area we're talking about

Mike Mitchell: Right and is

Charlotte Cleveland: Okay

Mike Mitchell: what folks want to consider or do you want to come back and think about that more, come back later? Sorry Chris I can't bring you in right now.

Melissa Glaser: What if we leave it open for the Madison River period and just know as we're developing our plan whatever is in these areas we have it in mind the jurisdiction that Fish, Wildlife, and Parks actually has and that might help us define our recommendation that we know what we have jurisdiction over to start with and then everything outside of this would be nice to think about but we may not actually get this implemented.

Mike Mitchell: I think that's fine if every bodies comfortable with it we get to think we're talking about alternatives and we can always look as Tim and Don say, if we recommend this is that even possible, is that doable or does that become a, well you guys really should think about this verses you guys should do this. Is that okay? Is that okay with ever body else? Okay, yep

Mark Odegard: I'm saying you might put after Jefferson River and considering it to, additional rules or possibilities for the upper river above Quake Lake so we can consider that but not set rules for it.

Mike Mitchell: Well your intent is with just say Madison River and it would encompass

Jim Slattery: We're not even addressing the Bear Trap too which is another section of that river

Julie Eaton: Just say the Madison River period

Mark Odegard: And that doesn't say Bear Trap

Julie Eaton: there you go
Mike Mitchell: So now it's gone

Julie Eaton: Yep

Scott Vollmer: think about the comparison to the Mountain Lion on that was put up there. That was setting quotas for Region 2 mountain lions. This is the exact same thing, painting a broad stroke. Now what you said just now is, is when we get to the stage of alternatives we're going to be able to look at these kind of piece by piece

Jim Slattery: and compartmentalize

Scott Vollmer: and we can possibly make recommendations, we can take the next step but right now I think the broad stroke is the way to go.

Mike Mitchell: Everybody comfortable with that?

Don Skaar: Yep

Julie Eaton: Yep

Mike Mitchell: The specifics went away we're just talking about the Madison. Anything else over in the statement on the right that we want to pull over into the one on the left.

Lauren Wittorp: There's no time in the group 1's statement

Mike Mitchell: No time

Lauren Wittorp: Like group 2, I don't think there is at least

Mike Mitchell: Is that what, is that the time you're talking about or you talking about

Lauren Wittorp: Yeah, or some form of something, like when this is for.

Mike Mitchell: Okay, I don't honestly know when this is for does anybody know?

Tim Aldrich: When implemented by the Commission basically

Mike Mitchell: Okay for implement, for the Madison River to be implemented in 2020 something like that, that was awful English but for implementation

Tim Aldrich: I think, stuff happens you know and this has to go back to, out to the public after we turn it over to the Department and Commission after the first go around so I just shy away from using a definitive date, just say when ultimately approved by Fish, Wildlife Commission.

Julie Eaton: When the process finishes

Jim Slattery: Yeah or when the process can we add or when the process is finished put that in there, we probably want to set some sort of date. We would like to try to get this done by this date but, or when the process is finished?

Mike Mitchell: So if you're going to make a recommendation about when you would like this done as a Committee and that is certainly within the scope of your charge that can be part of an alternative or you can say this applies to all alternatives. We want the Commission to consider having this done by 2020.

Jim Slattery: Okay

Julie Eaton: I like what Tim said

Mike Mitchell: I don't know if that works for you guys or not but I think saying timing is fine, I'm not sure it belongs in the problem statement unless part of the problem is the Commission saying we've got to make a decision by 2020.

Tim Aldrich: Believe me, the Commission wants to get it done too. Let there be no doubt that we have other rivers that probably are going need to some similar kind of a process to deal with it because

Lauren Wittorp: I mean I guess that's where my time frame came from is thinking that this is a problem now and that we need something done immediately rather than having, there's no time frame. That's when we could say we don't need this until the fisheries impacted or something along those lines and that's where my thoughts that there needed to be some sort of time frame on it because that is part of the problem to me.

Mike Mitchell: How about this, instead of specifying a date, part of the problem is a sense of urgency

Lauren Wittorp: Yes

Mike Mitchell: Action needs to be taken soon. I'm not trying to put words in your mouth but if you feel the need to say let's get it done soon, let's see if we can communicate a sense of urgency in here without specifying you need to get it done by this time.

Don Skaar: As early as achievable?

Mark Odegard: Well we're probably going to have to specify urgency for different sections of the river. Some sections we

Jim Slattery: I think it says when we, it says here the Madison River Negotiated Rule Making Committee is tasked to do something that will be implemented by 2020, I mean that was part of what was written here. Right? So I don't want to put, handcuff you but I think we need to have some sort of urgency and that's kind of what we were tasked to do.

Tim Aldrich: A lot of what we do in fact it takes us to get it done will depend on when this can go through the more formal process once it gets back to the

Jim Slattery: Right

Tim Aldrich: We need to do our damnedest to expedite it and I think this, in my own mind is it will not be a problem between the Department and the Commission to get it scheduled as soon as they reasonably can although there are time frames that have to be honored as we move forward with that. And there's some other logistical thing for business people perhaps because you have (unintelligible) so of this just has to be implemental

Jim Slattery: So we can leave 2020 in there and in we, after we get through this we can decide well wait a minute, we can adjust it there. This gives us some urgency on the task that was, as it was defined to us.

Mike Mitchell: I'm going to leave that one to the FWP folks I, this is getting into stuff for which I never went to law school, I wasn't (unintelligible)

Mark Odegard: Put a time constraint on it if you're going to consider the whole river. Put a constraint on just one section

Jim Slattery: But again some of this stuff is urgent, whatever we're going to have to do for the most part on the upper section above Lions is pertinent in timing to the stretch at least between the lakes and maybe not so much from Hebgen to the Park. That has its own issues.

Don Skaar: Question for you Mike is putting a date in there or not does that effect how we put it together, our objectives, alternatives?

Mike Mitchell: Yeah, definitely does

Don Skaar: Okay so you're saying

Mike Mitchell: Because you talk about what's achievable between now and 2020.

Don Skaar: Okay

Mike Mitchell: Just throwing it out there what about there's concern that future growth will increase crowding something like comma after that action is urgently needed or some other way of saying okay we've got a concern right, something needs to be done sooner than later. I'm not saying that's the right wording but what do you think about that idea?

Lauren Wittorp: I would be fine with language saying that's it urgently needed. I'm not sure that's the place that I would put it.

Mike Mitchell: Where would you put it?

Lauren Wittorp: Only because that's a part of the concern, this is the concern is that future growth could increase crowding and I think that's an opinion where other people would say it's already a problem, (unintelligible) that future growth would

Mike Mitchell: Where do you want to go?

Lauren Wittorp: Good question I don't have an answer for that yet.

Julie Eaton: Yeah way up at the top

Mike Mitchell: What, right after the first sentence?

Charlotte Cleveland: Yes

Mike Mitchell: Let's move it up after the first sentence. So action is urgently needed and subsequent sentences explain what, why action is urgently needed. Julie you ain't buying. Alright you got an alternative you'd like us to think about?

Julie Eaton: I like what Tim said, I mean yeah we all want to get in here and knock this thing out but this is really a detailed important heavy issue that I want to make sure that whatever process is out to happen, however this works out, that this is completed when we are done, all the notifications that need to go out and if that's 2020 great. But I think we have to be very I don't know. I think we've heard from groups saying action is urgent.

Don Skaar: How about as soon as achievable? Does that work?

Julie Eaton: I just think a

Mike Mitchell: So is part of the problem is something people think something needs to be done now and other people are like whoa hold on slow down?

Jim Slattery: Yeah, you kick the can down the river

Julie Eaton: No

Mark Odegard: Well on the statistics we saw were that people that came in from states where there's standing shoulder to shoulder and fishing thought the fishing was great on the Madison where as local residents think it's degraded already.

Mike Mitchell: Well Julie you're saying are you uncomfortable with action is urgently needed?

Julie Eaton: I think that's a, I think not everyone agrees with that.

Scott Vollmer: I'm uncomfortable with that too.

Mark Odegard: Certain sections of the river

Julie Eaton: Regardless we'll get to that. I think we can get to all of this.

Scott Vollmer: This might be proof Mike that I actually read through the book but I think that actually and I forget which one but that may hit one of these inherent biases. Biasees, however you'd said that. I'm not sure which one where

Mike Mitchell: That one

Scott Vollmer: The Mike one, where we're trying to push something through just for the fact of getting something through and I don't think that's what this Committee is tasked to do, by putting that on there.

Mike Mitchell: Charlotte

Charlotte Cleveland: I'm just confused. I thought we were talking about the fact that we as a group would like something to happen in the 2020 time frame whether, and so I don't think action is urgently needed is, that necessarily says that we're going to sit here and push something through really quick, us, we're going to push something through really quickly, I thought that meant that the Commission has been tasked with making the changes as quickly as they possibly can, if they agree to those changes. Not that we're going to be pushing this through without careful thought or consideration.

Mike Mitchell: Well I think if you try to and forecast forward to alternatives that you come up with you can imagine some alternatives you suggested like do this now, we can't wait, verses alternatives that are like well okay, we can take more time. Having something in the problem statement that would justify we need to do things now if that's something that the group can foresee makes sense. So if there's some sense of urgency, some sense of time frame that you feel like is making this decision a challenge. We don't have the luxury of waiting or we've got a deadline or something like that. If that's part of the problem in making the decision there's nothing wrong with putting it in there. If it's really not part of the problem, like the time it's going to take is the time it's going take, then maybe it doesn't need to be in there.

Charlotte Cleveland: Well our charter says that we're going to be revising this as presented to the Commission on April 19th. I mean that's our charter. I mean that is what we're supposed to be doing here

Jim Slattery: right

Charlotte Cleveland: and that's what we've been tasked with so I think that kind of sets it up for the Commission to decide, if you decide it's April 19th there must be a reason why and if you had a idea for when April 19th fit into your schedule for putting whatever we may have suggested into implementation then, somebody said April 19th here.

Mark Odegard: No, no that's when the previous one was submitted.
Charlotte Cleveland: No,

Mike Mitchell: Okay old on a second

Charlotte Cleveland: No it's not. It's this is our charter

Mark Odegard: Yeah

Charlotte Cleveland: It just says that to revise a recreation plan

Scott Vollmer: Charlotte you get up, you bring a great point up and however that's our charter for negotiated rule making that is not the charter for the Fish and Wildlife Commission. That's our charter for us to give a recommendation to the Fish and Wildlife Commission so my point is, is could we do something around what you're talking about by that in that sentence that says the action that needs to be taken, it's about four sentences down, the action that needs to be taken for the Negotiated Rule Making Committee by

Julie Eaton: That's a different thing, yeah

Lauren Wittorp: I do think we're talking about separate things because when you said I think there's disagreement in what urgency means I think that's where the disagreement is. Where I think a part of the problem is urgency and we've heard from FWP Fisheries saying that we are going to reach a tipping point soon to me that's an urgency part of the problem not necessarily part of the process. That's where I think the difference lies.

Mike Mitchell: Is that capturing what you're thinking?

Lauren Wittorp: To me yes that line, where you placed it is what I would want yes.

Mike Mitchell: Should it say actions urgently needed because, or what else, I mean I want to make sure the entire group is on the same page as far as how soon the decision needs to be made.

Mark Odegard: I don't understand the urgency.

Mike Mitchell: Okay, not a time constraint

Mark Odegard: This is not the deadline April 19th

Charlotte Cleveland: I thought that was the deadline

Mark Odegard: No, that's when it was presented in 2018 to the Commission, the previous recreation plan

Charlotte Cleveland: I gotcha I misread that.

Don Skaar: If this helps anyone at all part of the reason we came up with this April for us to get our work done and 2020 is that eight months in between is the time we need and part of what we worried about is if we don't get done until May then we're waiting almost two years to implement something and that's not very responsive government. There is a little urgency in that sense if we want this thing to be responsive to what we see the needs are now let's not wait two years before we actually have something go into action so that's part of the issue.

Michael Bias: Don that's entirely right however you kind of passed the buck to us and then the government shut down and all this stuff happened, we started on this road, the first one in 2011 so you look at that you know and you look at the chart that Travis put up there in 1950 they implemented the first whatever, it's like there doesn't seem, there might be a sense of urgency golly we've got to get something done cause we've been working on this since 2011 think we ought to finish something. But the, I'm not sure that we need a time element in that upper portion. It'd be great if we get something to you by April to implement by 2020 but I'd rather have something done well and done correctly than something done rushed and half whatever works. And then if we get it to you in May or we get it to you in June then so you get this how long it took to do something. That's my feeling about it.

Tim Aldrich: Well there's a very realistic time period right not for a lot of people in the outfitting and guiding business.

Michael Bias: Yeah

Tim Aldrich: They're starting to want to be someplace else damn soon.

Michael Bias: Yes

Tim Aldrich: So that's a sense of urgency for me. Another piece of this is that on the patient side is that rules can only be implemented when it's logical but the people can deal with it in the time frame it provides. I think the right terminology there is there's a sense of urgency and we're working on it, this committee is working on it. To try to say to a Commissioner or the Department that they will have it done by a certain date I think is, I think it's a waste of our energy and create a lot of frustration and not much result.

Jim Slattery: I think the wording was something like, would like to get it implemented by 2020 at first something to that effect.

Mike Mitchell: Preferably

Lauren Wittorp: My need in there isn't so much to have a date so much as to enhance the urgency of what could impact the natural resource if this part of the problem, now action is urgently need because if not the impacts could happen to the natural resource and again I think that I'm not so much saying that I need a date the Commission has this done by, the urgency to me is because of the impacts.

Mike Mitchell: What do you think about, so there's a sentence up there, there's uncertainty as to the health of the fishery if total angler numbers continue to rise, and what I'm trying to capture here is some feel there is a sense of urgency or action needs to be taken soon. I'm trying to tie this into the fisheries thing because that's what I hear you saying. Is that correct?

Lauren Wittorp: That is correct.

Mike Mitchell: So some folks feel that the fishery is currently threatened and it's not going to get better if use goes up. Am I saying that right? I mean I'm not saying that this is fact, I'm asking is that part of, is that part of the contention, is that part of the problem.

Mark Odegard: I don't think it's

Lauren Wittorp: Yes I would say, sorry go ahead

Mark Odegard: I think it's the recreational experience than more concerned about fisheries seems to be fairly stable

Lauren Wittorp: That's not, my concern is the fishery and that increase in use will impact the fishery.

Scott Vollmer: Does that concern, Lauren, come directly from what Travis and Dave presented.

Lauren Wittorp: Yes, Dave and Travis both constantly talk about reaching a tipping point if use continues to rise.

Scott Vollmer: right

Lauren Wittorp: So yes that's where that comes from

Scott Vollmer: And there are other opinions on that, that are out there and one opinion in particular has been given to me by Dick Vincent that totally refutes what Travis and Dave were

saying which hopefully down the road here he personally can come and present that to us as a committee. And I know he's well thought of.

Mike Mitchell: Well hopefully that's captured in there is uncertainty

Julie Eaton: There you go

Mike Mitchell: We just don't know

Julie Eaton: Yep

Mike Mitchell: but part of that uncertainty ranges from everything's hunky doorey to oh my god and so hunky doorey means we have time to worry about this, oh my god means we should do something fast. As long as there's that range of concern so that there is a constituency out there that is concerned, we may be reaching that tipping point now. So something needs to be done quickly. I don't think there's anything wrong with capturing that as long as we aren't stating it as a fact that applies to everybody so we say there's uncertainty, that means there's disagreement but if there's a sense of urgency because there's a constituency that believes we're at that tipping point or we're approaching that tipping point then I think that affects the time line of the decision. Does that make sense?

Mark Odegard: Mike

Mike Mitchell: Yeah

Mark Odegard: But I think it depends on which section of the river you're going to be looking at.

Mike Mitchell: Well

Mark Odegard: The lower Madison to me is probably the biggest concern right now. We're already doing regulations there.

Mike Mitchell: Hold on to that thought. Let's word smith that a little bit. If we move action is urgently needed down to uncertainty about the health of the fishery okay, and if we were going to word smith that so it's kind of a part of the uncertainty. Some people feel like we're in a crisis, some people don't. So how can we capture that there. Mike

Michael Bias: Prompting a sense of urgency, numbers continue to rise, prompting a sense of urgency.

Mike Mitchell: Perfect. What do you think Lauren?

Lauren Wittorp: Yeah that's right.

Mike Mitchell: You sure?

Lauren Wittorp: That makes sense.

Mike Mitchell: Okay you changed your mind.

Lauren Wittorp: (unintelligible)

Mike Mitchell: What do other folks think?

Charlotte Cleveland: It's good.

Mike Mitchell: It's good, groovy. It's going once, going twice, Julie you are not buying.

Julie Eaton: No I just need to sit with it. I can't just say yeah or nay

Scott Vollmer: Yeah read it a couple of times through

Mike Mitchell: Okay

Julie Eaton: that's all I'm saying

Mike Mitchell: That's fine, nothing wrong with that.

Julie Eaton: Just reading through it.

Mike Mitchell: Okay

Don Skaar: I'll confess I'm, the first part of that sentence I'm a little uncomfortable with as well. Because not withstanding what Dick Vincent might have to say I think it defies common sense to think that the fishery is resilient beyond any increase in pressure. I think fishery science and common sense says there's, there will be an impact so that's, the uncertainty is when that's going to happen not whether it's just some fanciful notion.

Lauren Wittorp: That was my problem with that sentence earlier when I asked about the word uncertainty because I think that it is fact. Fishery science proves that and that's why I don't, didn't quite agree with the word here. Because I agree with what you're saying. I don't know how to put that into words in this because I do believe that it's factually a problem.

Don Skaar: I guess I'm not sitting here saying that I think that's tomorrow or even the next year but

Lauren Wittorp: Eventually

Don Skaar: Eventually yeah

Mike Mitchell: Okay how about this, there is uncertainty as to when the health of the fishery

Michael Bias: No

Mike Mitchell: will be effected if total angler numbers continue to rise.

Lauren Wittorp: I feel better about that.

Michael Bias: I disagree with Don and Lauren completely. Science is not set out to prove anything that happens in the futer and in fact it doesn't prove anything, it's set up to look at hypothesis and test hypothesis, now if you said we think this increase pressure, that's the hypothesis might have an impact on the fisheries I'm okay with that but I'm not good with that.

Mark Odegard: I know other rivers in the country in the world have been impacted by to many fisherman.

Michael Bias: Really where

Mark Odegard: East coast

Michael Bias: Oh, yeah

Mike Mitchell: But again part of the problem, I don't what us to argue about data. If there is a perspective out there that there's uncertainty about when the fishery is going to be effected leading some to feel there is a sense of urgency that's part of the problem. Whether they're right or wrong is immaterial at this point. What matters is there are people that believe this and they want to be heard as part of the management plan. So that's just part of the problem. We're not saying any bodies right or wrong. So is there anything, again I'm not, I don't think everybody has to agree with everything in here but we want to make sure every bodies perspective that is influencing the problem is included.

Michael Bias: Don what are, and Lauren what if you said a sense of uncertainty of the fishery could be affected if angler numbers continue to rise.

Lauren Wittorp: You want it to say could

Michael Bias: Could be, not will be

Lauren Wittorp: I wouldn't, I would stay with will be, I don't think that it's, I think that it will happen at some point.

Michael Bias: Well I don't think so.

Mark Odegard: Another example is the salmon fishery on the West Coast.

Michael Bias: That's (unintelligible) you're basically comparing apples and oranges.

Mark Odegard: Well it's affected by over fishing.

Michael Bias: Dams and stocking, you can't compare the Atlantic salmon with rainbow trout

Mark Odegard: No I'm just considering over fishing

Michael Bias: Plus there was harvest, kill nets and impacts from the ocean

Mike Mitchell: I'm not a fish head ecologist, I think from a strict population ecology point view there is at some point out there that use of a resource can cause it to decline. I'm certainly not smart enough to know whether that's the case for trout on the Madison but is it the belief of the group that no matter how many people use the river the fish population is going to continue to be the same or does, if use goes up does the fish population goes down. I know we don't have gobs of data on this we're just talking about what folks believe.

Jim Slattery: Could we use could be or would be affected?

Michael Bias: Mike in your little explanation you said increased use could cause the fishery to go down.

Mike Mitchell: Um hmm

Michael Bias: It could, it could not too.

Mike Mitchell: um hmm

Michael Bias: It could be disease, it could be three years of drought, it could be all kinds of stuff, it could be a meteor.

Tim Aldrich: Could be or would be affected, it gives us the chance to continue doing what we're doing in terms of testing the various parameters of the fish populations and

MIKE MITCHELL AND TIM TALKING AT SAME TIME. CAN'T UNDERSTAND.

Mike Mitchell: Lauren's not buying whether

Lauren Wittorp: I think to me it has to say will be, your saying if we're representing perspectives that people have out there I think that's a widely, a perspective that myself and others have. Is that it will be. Not whether it will be but that it will.

Mike Mitchell: Okay, how about prompting a sense of urgency among groups, finish that for me.

Sarah Sells: (unintelligible)

Julie Eaton: Certain groups

Mike Mitchell: Concerned about current levels of

Lauren Wittorp: Do you want to add in specifics to who

MIKE MITCHELL AND LAUREN TALKING AT SAME TIME. CAN'T UNDERSTAND

Mike Mitchell: Who's feeling the sense of urgency given this uncertainty about the fisheries? Who's feeling it?

Julie Eaton: Certain groups

Mike Mitchell: I'm trying to get

Lauren Wittorp: I guess certain groups isn't very specific, you want specific groups?

Mike Mitchell: No I don't think, well that's up to the group but I want to say there are groups out there that feel like the river is already over fished. I'm not trying to put words in your mouth and again I'm a river dummy. Is it, I'm trying to take it somewhere, I mean why do some people feel like there's a sense of urgency given the uncertainty about how the fisheries is responding to increased angling? Is it because there are folks out there that feel the river is already over fished? Not putting words in your mouth, honest question.

Lauren Wittorp: I would say yes there are groups of people out there that think that. That's your question there.

Mike Mitchell: They're the ones that have the sense of urgency. Maybe? Maybe not?

Melissa Glaser: Can I just say

Mike Mitchell: No

Melissa Glaser: I don't want to limit this sentence to just one, just what Lauren's trying to, like her point in the will, like I believe in that first part of the sentence if we put could in there it would be great. I don't want to, comma prompting a sense of urgency that maybe I don't feel but I do feel that I have an uncertainty as to the health of the fishery. So I don't want to be limited in that sentence, me personally. If we're developing a sentence I would like it to say could be affected and then everything else prompting a sense of urgency would be fine to include.

Mike Mitchell: Okay so let's just try that on for size, how about change will to could. Hold on just a sec Lauren, what would you like to do with the rest of the sentence?

Melissa Glaser: I'm fine with the rest of that. I just think could is open to what could happen.

Mike Mitchell: Okay,

Mark Odegard: How about

Melissa Glaser: It doesn't restrict anything

Mark Odegard: One possibility might be will probably be
Michael Bias: No

Mark Odegard: Well

Lauren Wittorp: I just don't think that sentence represents my perspective

Mike Mitchell: Does it?

Lauren Wittorp: It doesn't

Mike Mitchell: Okay. How would you change it?

Michael Bias: Does it include it though?

LAUREN AND MELISSA TALKING AT ONCE. CAN'T UNDERSTAND

Lauren Wittorp: I don't think there's a point that over use isn't going to impact the fishery and could means that over use possibly wouldn't and I don't believe that to be true.

Don Skaar: Well Lauren how about, I don't know how some people would like this to go but how about there is concern

Charlotte Cleveland: There is concern.

Don Skaar: that the health of the fishery could be effected. I mean uncertainty sounds, concerns put it a little more on par with some of the other statements farther down too.

Julie Eaton: That works

Melissa Glaser: That works.

Tim Aldrich: I think that's exactly where the Department is already and has been

Julie Eaton: Yep

Tim Aldrich: due diligence they've been doing to see what the populations are doing

Lauren Wittorp: You're saying change uncertainty to concern

Don Skaar: Yeah

Charlotte Cleveland: concern

Don Skaar: Concern that the health of the fishery, like that

Melissa Glaser: Yeah, I would take out among certain groups too.

Don Skaar: Yeah

Mike Mitchell: What do you think Lauren?

Lauren Wittorp: Can I think on it?

Mike Mitchell: You can think on it.

Lauren Wittorp: come back to it

Mike Mitchell: Yeah (unintelligible)

Lauren Wittorp: I still don't think it fully represents my perspective.

Jim Slattery: I have a hard time with that too I think just by looking at the numbers, just do numbers, the more fishing days equals more fish caught, equals more fish die and there's only a limited amount of fish in the river so it's going to get us closer and closer to the tipping point. It will.

Lauren Wittorp: I mean to me it's when

Jim Slattery: It's not it could it will

Lauren Wittorp: I mean the fishery scientist here Dave Moser, he's an expert on this, he's telling us were going to reach a tipping point if use continues so to me it's not it could.

Jim Slattery: It's just

Michael Bias: He's an expert, he's not the expert.

Scott Vollmer: right, thank you Mike

Lauren Wittorp: An expert on the Madison River

Scott Vollmer: Because there are other experts out there that do not agree with that contention what so ever.

Michael Bias: That's the beauty of science right. It's not only

Jim Slattery: Right

Lauren Wittorp: I understand

Jim Slattery: But there is a the fish mortality rate with catch and release, that is

Michael Bias: Every year fish are reproducing like crazy, there's a million eggs to each fish.

Jim Slattery: That's true.

Mike Mitchell: Okay so there's uncertainty.

Charlotte Cleveland: Both, make it both

Mike Mitchell: I'd suggest there's uncertainty, how the health of the fishery could be affected if total angler numbers continue to rise prompting concerns.

Jim Slattery: Well if can go there we could say will, because how will it be affected, it might not be affected. Could is ambiguous. How will it, at the end of the day we will know how it will be affected.

Michael Bias: You don't know if it's

Jim Slattery: Right it will be affected

Michael Bias: from fishing or if it's from temperature or disease or

Jim Slattery: right, exactly, but it will be affected.

Michael Bias: Well it might not be affected, it hasn't been yet.

Melissa Glaser: Would be affected?

Mike Mitchell: We're just trying to say there are some people that are concerned, not that it is a concern. There are people that are concerned

MANY PEOPLE TALKING AT ONCE. CAN'T UNDERSTAND

Jim Slattery: What will the affect be of more fishing pressure on the river? What will it be? It might not be anything but it will be something.

Mark Odegard: As an extreme you're telling me that you don't need limits on the number of fish caught.

Michael Bias: I didn't say that, we're not talking harvest here, we're talking fishing, catch and release

Scott Vollmer: Catch and release mortality

Jim Slattery: That's the way I see I don't know, it will be (unintelligible)

Michael Bias: (unintelligible) maybe harvesting fish might be a good thing. It certainly, absolutely harvesting fish on the Beaver Head is a good thing right now?

Mike Mitchell: Okay let's not debate the science of harvest. We're just trying to capture concerns. I'm just playing around with the sentence trying to capture what I'm hearing from you so don't take this to the bank. What do you think about that sentence of everything prior to the comma, not counting what comes after the prompt. Is that reasonable? There's uncertainty.

Jim Slattery: I think that's accurate

Scott Vollmer: I like it better with could in there, that changes it completely to me.

Jim Slattery: I can see that but it, the rise of fishing pressure will affect, how will it affect it, that's how I see it. I guess you could say how could it, I guess it's a matter of semantics, I guess at that point either one works. At that point if you look at it that way either one is saying the same thing.

Mark Odegard: We're already saying its uncertainty

Jim Slattery: Yeah it's saying the same thing

Mike Mitchell: So we all good?

Michael Bias: Good

Lauren Wittorp: I'm good with this.

Melissa Glaser: I can live with it as well even if others can't I can live with it.

Don Skaar: I think could makes it sound as if the proposition is even potentially absurd and I don't think the proposition is absurd

Jim Slattery: Yeah I would agree with that

Melissa Glaser: Yeah I agree with Don

Mike Mitchell: Okay, let's leave it, I'm going to fall on my butt before this whole things over

TIM TALKING AT SAME TIME AS MIKE MITCHELL. CAN'T UNDERSTAND.

Mike Mitchell: Let's leave it at will, folks will have a chance to cogitate on this, come back tomorrow and revisit it. The second part of that sentence, prompting concern, I don't like it, again I'm trying to capture some of what you're saying Lauren about this uncertainty is problematic for some groups, who are concerned we may already be at the tipping point and that's creating a sense of urgency which is a really wordy way to put it. What's a better way to put it cause I'm failing at word smithing right here.

Jim Slattery: She's pretty good.

Julie Eaton: There you go. Done

Mike Mitchell: What do you think about that? This is why I have her here. I'm just a puppet by the way. What do you guys think of that?

Lauren Wittorp: It's good

Mark Odegard: Why not move that sentence down below all the uncertainty things and just say there are uncertainties.

Jim Slattery: Good point.

Mark Odegard: Because you've got uncertainties in the next few sentences too.

Mike Mitchell: Okay I'm being dense, where you talking about?

Mark Odegard: There are uncertainties because of limited data. There are uncertainties because we don't know users identities.

Lauren Wittorp: But I think we're trying to assign the urgency to the previous sentence and that's why you put it there, I assume. Because that's where I want the urgency placed on that part of it.

Mark Odegard: I don't think there's urgency right now. There will be.

Mike Mitchell: Well we're not here to say whether there's urgency or not.

Lauren Wittorp: Well I'm just saying, yeah,

Mike Mitchell: We are here to say that some people feel a sense of urgency. That's the important thing. Does that capture the way it is right now?

Lauren Wittorp: Yes

Mike Mitchell: Yup. Can people live with this? You don't have to agree with it we just want to make sure every bodies perspective is represented here. Everybody okay? Thumbs up. Moving on again not set in stone. We can come back rethink, revisit. Let's talk about anything else in group 2 we might want to move over?

Julie Eaton: Well there's an absent of use because we were still talking about it when we turned it in and so in group 1 where they have the long sentence there's limited data as to total users, there's limited data on total use period.

Melissa Glaser: Total user data?

Julie Eaton: Yeah, total

Don Skaar: Demographics

Julie Eaton: Not even demographics, on total user data, is that what you suggested?

Mike Mitchell: Limited data on total use.

Julie Eaton: total use

Mike Mitchell: So what happens after that Julie?

Julie Eaton: Hard to make a recommendation plan based on a sliver. So there is concern, let's go with that, there is uncertainty on how to craft a management plan without this data. That's just came out of my, fix it you guys.

Jim Slattery: Looks pretty good

Charlotte Cleveland: I really don't agree with that. I don't think there's, I think the word uncertainty is wrong.

Julie Eaton: Assignment of

Lauren Wittorp: But uncertainty is as you said before that then covers people who think there at either end of the spectrum correct, by saying uncertainty?

Mike Mitchell: um hmm

Lauren Wittorp: Is that why you choose to use

Mike Mitchell: Yeah

Lauren Wittorp: okay, so that would make sense then

Mike Mitchell: Or disagreement, either one would work to my little head. Disagreement means we aren't talking about data. We're just, I don't agree with you. I see things differently. Uncertainty means there are things we just don't know. So that's the way I think about it.

Lauren Wittorp: Okay, got it, that makes sense.

Jim Slattery: Is there a way for us to know what these numbers are? This might be something as a group we don't have the information, I don't know, I guess people (unintelligible) I worked it out, sorry.

Mike Mitchell: The group can always ask for more information if it exists, that's total up to you.

Jim Slattery: I mean, so I guess back to that question then is there a way to know these numbers that we're uncertain about? Do you have the data by fishing licenses and stuff like that?

Don Skaar: I don't think we really have accurate numbers for each reach for all those catagories, yeah, it is

Jim Slattery: Well we could have resident and non-resident but how do we know you fished the Madison, okay

Don Skaar: We don't know by section either

Charlotte Cleveland: that sentence by itself, there is uncertainty on how to craft a management plan without these data. That's means we can't

Julie Eaton: Use

Charlotte Cleveland: We can't craft a management plan?

Melissa Glaser: There's disagreement

Charlotte Cleveland: Isn't that what we're supposed to do?

Mike Mitchell: Yep, there are two possibilities here

Charlotte Cleveland: I'm a little confused

Mike Mitchell: Possibility 1 is we don't have enough data to make decisions stop. Possibility 2 is we have to make a decision even if we don't have the data we would like, we just need to make the best decision that we can.

Julie Eaton: There you go, we're just making a statement.

Mike Mitchell: What's that?

Julie Eaton: We're just making the statement and you're right, we may not have the data. We may say oh, you've got a freckle that needs to come off but that's not you're problem medically, but we're just doing to deal with the freckle.

Mike Mitchell: I don't have any problem saying that. One of the reasons this is a difficult decision is there are things we just don't know and it's good to say we need to make a decision without fulling understanding, okay on certain sections of the river who's using what. What are the user groups. There's nothing wrong with saying that's part of the problem.

Jim Slattery: That would be part of the problem, figuring out who's going to use the river when, that's something that we go to down the road.

Melissa Glaser: So there's disagreement on how to delegate use between all (unintelligible).

Jim Slattery: yeah

Melissa Glaser: Does that make sense?

Julie Eaton: Does that kind of say what you're saying? Say that again.

Melissa Glaser: There's disagreement on how to delegate use without enough data.

Julie Eaton: No, the point is so far we've talked about a sliver of use on the Madison, to craft an entire recreation plan so there's concern, how do you craft a management plan based on a sliver of data.

Charlotte Cleveland: Okay I get what you're saying now

Julie Eaton: I just blurted it out

Charlotte Cleveland: No I got it

Mike Mitchell: Let me try something and again I'm just feeding back what I think I'm hearing if I screw it up we can change it so Sarah let's get rid of limited data on total use.

Julie Eaton: Users, use, use of users

Mike Mitchell: There's uncertainty on how to craft a management plan without knowing user identities on certain sections of the river and the amount of use by residents and non-residents, commercial and non-commercial. Non-commercial like stake holders, groups, without knowing exact user proportions

Charlotte Cleveland: Just use

Julie Eaton: Overall use, we don't know the whole use

Mike Mitchell: Without knowing overall use on certain sections of the river and the amount of use by residents, non-residents, commercial and non-commercial stakeholders.

Michael Bias: But we do know commercial use.

Julie Eaton: Yeah, take that out

Mike Mitchell: Relative amount of use?

Julie Eaton: Just use.

Scott Vollmer: So correct me if I'm wrong Julie what you're saying is, is where it says river, and there's a common, you put a period and you strike the rest of the sentence.

Julie Eaton: Correct, well wait a minute, (unintelligible), overall use on, on the river, well we don't even need sections

Scott Vollmer: Correct

Charlotte Cleveland: On the river

Julie Eaton: On the river, yeah

Scott Vollmer: On the

Julie Eaton: Take out sections on the river period

Scott Vollmer: Period strike the rest of the sentence

Julie Eaton: Strike the rest.

Mike Mitchell: Before you strike the rest

Jim Slattery: I think we need a little definition here

Mike Mitchell: Is part of the problem use by different groups, debate about use by different groups?

Charlotte Cleveland: Of course

Julie Eaton: Yep

Mike Mitchell: Okay so I think it's a good idea to be explicit about that

Jim Slattery: Yeah

Mike Mitchell: Because you're going to want to come up with some alternatives that are explicit about how they do or do not meet the needs of these different groups.

Charlotte Cleveland: Yep

Mike Mitchell: I'm just saying if there is contention among groups using the river that should be captured there.

Charlotte Cleveland: Absolutely

Tim Aldrich: Mike I think where I get hung up here on what we're trying to do is try to say that the only kind of information that we can use if it's in the form of data that it's gathered like the SRP data is. That's not the game we're in. We're in the game of managing sociology type questions. Everything we're about if it's recreation or ideas on how we ought to manage our wildlife and fishery resources. Biology is absolutely essential but a lot of times you can't show the exact relationship between the biological and sociological. You still have to manage for some of the sociological or you're going

Julie Eaton: So that's why you put period

Tim Aldrich: to (unintelligible)

Julie Eaton: Yep just put a period there and we'll get to it when we get to it.

Mike Mitchell: I'm going to disagree with you.

Charlotte Cleveland: I am too you got to say it

Mike Mitchell: Because if there are groups

Charlotte Cleveland: Yep

Mike Mitchell: that are arguing again alternatives you could have come up with, you're going to evaluate them by how well they meet the needs of the different groups that have skin in the game. If we aren't talking about who those groups are we have no way of saying well here's how

Charlotte Cleveland: Can get fixed

Mike Mitchell: this will affect guides.

Charlotte Cleveland: Yep

Mike Mitchell: how this will affect whomever else. So being explicit about groups that have these different perspectives will give us the ability later on to say how well an alternative action satisfies each group. It's important to be explicit about that because if we're vague now we'll be vague later.

Charlotte Cleveland: I think this is a really important issue because I think everybody has an opinion about this who's sitting at this table and those four categories residents, non-residents, commercial and non-commercial stake holders are a major issue that we have to resolve. We have to decide what we want to do about those four groups. Speaking as a resident fish angler, I can tell you I have problems with some of those other categories just being on the river. So I think it is an issue that a lot of people feel and the data that we have also supports the fact that there are differing opinions as to peoples experience on the river based on whether they're a resident, non-residents, commercial or non-commercial.

Jim Slattery: I can live with it being in there.

Mark Odegard: There's also two other groups, angler and non-angler.

Charlotte Cleveland: Um hmm

Mark Odegard: They should be there because we have people that just float the river. We have people that camp next to the river that don't fish it.

Jim Slattery: and non-angling

Mike Mitchell: Does that get it Mark

Mark Odegard: um hmm

Mike Mitchell: what we just added right here, does that get at what we're saying?

Mark Odegard: Yep that's fine.

Mike Mitchell: Okay

Mark Odegard: Most of the calls I've got are from those people.

Mike Mitchell: Okay. I'm still running four minutes late folks I'm sorry. It's break time. Let's take a breather, think about this stuff. Believe it or not you guys are screaming along not to pat each other but rapid momentum is what I meant. We're making really good progress. We'll take up again at about 10 till.

BREAK

Mike Mitchell: Okay, let's get going again.

Scott Vollmer: Mike do we go back to our assigned seats.

Mike Mitchell: You can sit where ever you want. That way the name tags won't confuse me quite as much. So again not sucking up but I've never seen a group move this fast through the process. All that, that tells me is that this really isn't that big of a deal at all. But seriously
PEOPLE TALKING AT ONCE. CAN'T UNDERSTAND

Mike Mitchell: Thanks for the hard work because you guys really are making fast progress. Where we are right now, we're word smithing, problem statement, and it usually takes much longer to get to this point. What I'd like to do now is, is there any

Mark Odegard: Mark

Mike Mitchell: One thing on those groups I was reminded which I've heard from several people about there's also no statistics by age. Older anglers sometimes have problems accessing sections of the river.

Mike Mitchell: So what would you like to add on there?

Charlotte Cleveland: Accessibility challenged.

Mark Odegard: Could put comma knowing, non-angling comma, and statistics by age or something. I don't know.

Mike Mitchell: Relative amount of use by

Charlotte Cleveland: I don't think that fits there

Mike Mitchell: What's that?

Charlotte Cleveland: I don't think that fits there

Mike Mitchell: Okay

Charlotte Cleveland: And I think it's covered under all the categories.

Jim Slattery: Yeah

Charlotte Cleveland: Pretty much

Lauren Wittorp: I agree they're covered

Charlotte Cleveland: They're covered

Tim Aldrich: Type of use

Mark Odegard: Age related

PEOPLE TALKING AT ONCE. CAN'T UNDERSTAND

Jim Slattery: Well then you get a handicapped too.
Julie Eaton: Yeah, handicapped.

Mike Mitchell: Just to say each group is concerned.

Mark Odegard: I mean there in there we just don't know what age they are.

Lauren Wittorp: I think we have just about every other demographic as well.

Mike Mitchell: well kill that.

Mark Odegard: One of the big problems

Mike Mitchell: Capitalize each instead of to be, just is. Does that follow from the discussion about the previous sentence?

Charlotte Cleveland: Yep, that's pretty good.

Mike Mitchell: Is that fair?

Julie Eaton: I'm still gonna have to read it

Mark Odegard: Well I, age needs to be in there. I've had three inquiries about that already.

Jim Slattery: I could see that.

Mark Odegard: The reason is if you're trying to use the wade section if you restrict it to all boats period an older person cannot wade there.

Jim Slattery: Yeah, I understand that.

Charlotte Cleveland: Should that say each group is concerned about how their use would be limited?

Mike Mitchell: Sure, why not. I mean is that a fair idea to capture in there? Every bodies got skin in the game right?

Charlotte Cleveland: um hmm

Mike Mitchell: Mark

Mark Odegard: I think age needs to be in

Mike Mitchell: That's what I was going to ask, how can we put accessibility in there because it may not just be older anglers right?

Mark Odegard: Well kids too

Jim Slattery: Handicapped or (unintelligible)

Julie Eaton: Accessibility restricted population

Mike Mitchell: Its like vertically challenged, that's what I call my wife.

Julie Eaton: Precisely

Mark Odegard: There are already regulations on (unintelligible) people have disabilities and problems getting to and from the Lions area.

Jim Slattery: Yeah, accessibility challenged.

Mike Mitchell: Needs some ideas folks.

Michael Bias: How about after stake holders there?

Jim Slattery: Well they would be stake holders wouldn't they?

Charlotte Cleveland: Yes, I think they're already in there.

Mike Mitchell: there you go, comma along with those with special access needs, I don't like that.

Mark Odegard: those with special needs?

Charlotte Cleveland: hmmm hmmm

Mike Mitchell: Lauren you're glaring at me.

Lauren Wittorp: Not intentionally

Mike Mitchell: So you guys got to meet Justin Goodie here last time. I never like to give presentations in front of him because his facial expression the whole time is just… and what am I doing, what am I screwing up. (unintelligible) Anyway finish that, get rid of that?

Charlotte Cleveland: Yep, it's covered, it really is covered.

Mark Odegard: No, it's not.

Charlotte Cleveland: Well it actually is if you're a resident and you're a non-resident and you have mobility issues.

Jim Slattery: I think he's saying that if you have mobility issues these decisions will affect you that, someone who's a resident that doesn't have it might not.

Charlotte Cleveland: But that's true, you can't keep breaking it down into that plus then, the non-resident then plus the..

Mark Odegard: Why not?

Mike Mitchell: So here's a question and I'm going to (unintelligible), can you imagine as a group coming up with alternatives you'd recommend that would uniquely affect people with accessibility issues.

Charlotte Cleveland: Yes

Scott Vollmer: Absolutely

Charlotte Cleveland: Yep

Mike Mitchell: Okay then that should be in there.

Melissa Glaser: What about a new sentence after each group is concerned about how their use could be limited, or just a new sentence right where we're at not

Mike Mitchell: Okay (unintelligible)

Melissa Glaser: the same sentence

Mike Mitchell: So what are you thinking?

Jim Slattery: Can't we just put it in there

Charlotte Cleveland: Right including those with accessibility issues just what you said.

Mike Mitchell: Okay after stake holders comma

Charlotte Cleveland: Yeah, including those with accessibility issues

Mike Mitchell: Warm fuzzies?

Mark Odegard: Sounds good to me

Jim Slattery: I vote yes

Mike Mitchell: Okay, cool

Mark Odegard: not just age related, could be

Charlotte Cleveland: Right

Jim Slattery: yes

Charlotte Cleveland: absolutely

Mark Odegard: accessibility related

Charlotte Cleveland: Yep

Mike Mitchell: Okay

Don Skaar: I've still got an issue with that sentence if I guess to explain myself if there is uncertainty of how to craft a management plan I guess, uncertainty is the name of the game when we craft management plans so to me that makes it sound a little like a four letter word. I'd rather say something crafting a management plan without knowing all use on the river makes devising a plan difficult.

Jim Slattery: Challenging, difficult challenging

Don Skaar: Or crafting a management plan will be difficult without knowing overall use on the river. How's that?

Jim Slattery: That sounds good.

Mike Mitchell: Happy with that?

Charlotte Cleveland: yes

Jim Slattery: Yeah that's good. Covers us

Mike Mitchell: Okay let's go back over here any ideas that need to be cross walked over on the left? What do you guys think? Have we harvested everything we need from this statement? Okay Sarah let's go to the final one. Same question.

Michael Bias: I think the idea that the plan needs to be adapted is the main point that's not in the one on the left.

Jim Slattery: Functionally adapted

Mike Mitchell: Sarah highlight functionally adapted and let's put that up there after the Madison River that is functioning?

Jim Slattery: Yeah

Charlotte Cleveland: Umm hmm

Mike Mitchell: Is that what you were thinking Mike

Michael Bias: Yeah, the idea of being able to do what they did on the West Fork, (unintelligible) modify this.

Lauren Wittorp: In group 3 they use the language erosion of the quality of the recreational experience the public seeks might be better language than saying there's concern that future growth could increase crowding to an extent that would degrade user experience. When we've already seen data that shows that there is, it's already happening.

Mike Mitchell: So copy that and place what with it?

Lauren Wittorp: The bottom there's a sentence that says there is concern that future growth could increase crowding to an extent that would degrade user experience, that currently implies that it's not happening and that already is happening.

Mike Mitchell: Okay, replace that

Julie Eaton: I think both

Melissa Glaser: There's a sentence before it that covers that though.

Julie Eaton: Yeah and then that's the antithesis of that

Melissa Glaser: Right

Julie Eaton: above sentence.

Melissa Glaser: So if you want the wording it should be in the sentence prior.

Mike Mitchell: I didn't hear that (unintelligible)

Melissa Glaser: The sentence prior to the one that we're changing right now

Jim Slattery: (unintelligible)

Melissa Glaser: is saying the current situation that people are feeling that their user experience has been degraded. And then the next one is there's concern some people have if it goes, if use rises their experience will be degraded.

Julie Eaton: Yes

Melissa Glaser: Maybe move that to the next sentence, yeah or to the previous sentence.

Mark Odegard: The sentences are (unintelligible)

Lauren Wittorp: But if you leave the sentence there that says there is concern that future growth could increase that saying it's not currently happening.

Julie Eaton: No that's another opinion. There's an opinion up above that it's already right, increased beyond another opinion is that future growth is going to

Mark Odegard: The opinion is actually upheld by the statistics we saw.

Julie Eaton: Right so we're representing

Mark Odegard: that are people that

Julie Eaton: right both opinions

Mark Odegard: so it's not an opinion.

Julie Eaton: Okay we're representing both

Melissa Glaser: So let's change opinion to concern

Julie Eaton: change opinions. We're representing both thoughts, just take out opinion.

Lauren Wittorp: You can't have both sentences

Melissa Glaser: You can't?

Lauren Wittorp: They essentially say that some people think it already has and some think that future growth could. We already have data that shows it has. I think that's what you're trying to say Mark.

Mark Odegard: Yeah, we already have the data (unintelligible)

Lauren Wittorp: So it's not an opinion that more growth would make that occur, it already has.

Julie Eaton: But there's the groups that are concerned that, that is not their feeling and their feeling is the future growth.

Mark Odegard: You're saying there are people who don't believe the data.

Michael Bias: No she's saying that some people believe that oh my experience is effected now and there's some that haven't got there yet but it will be in the future if growth increases.

Mark Odegard: Yeah

Mike Mitchell: How about this, some opinion by some users groups that current and future use will lead to lessening of user experience or increase crowding to an extent that it will degrade user experience.

Michael Bias: One is now, one is future.

Mike Mitchell: So saying current and future doesn't capture that?

Charlotte Cleveland: (unintelligible)

Mike Mitchell: (unintelligible) I'm really comfortable with being told I'm wrong (unintelligible).

Lauren Wittorp: I think some form of what you were saying in a combination of that would work. That it currently is and future increase could greaten that group of people not their experience is being degraded but I think right now both the sentences are, they can't both be there.

Julie Eaton: Mark are you referring to the data that's like 80% of 40 people said their experience is degraded? Is that the body of

Mark Odegard: Yeah (unintelligible)

Julie Eaton: Yeah, so

Mark Odegard: I think it was like 30

Julie Eaton: It was, yeah

Mark Odegard: 40 was undecided

Julie Eaton: Right but only of 40 people was like some of them or 30 people

Mark Odegard: (unintelligible)

Michael Bias: (unintelligible)

Mike Mitchell: Let's not talk about data

Julie Eaton: I just wanted to know where that's coming from

Mike Mitchell: Let's go ahead and edit this so you say those two sentences can't be together than can you suggest some wording

Lauren Wittorp: I mean I liked along the lines of what you were saying that currently and somehow saying that if continues it would, more people would join that group of people that their experience was being lessened somehow combining that. That's saying some people current aren't but more growth would put them into there. That would make more sense.

Jim Slattery: Is that necessarily other groups, I mean I don't know.

Julie Eaton: Others are concerned.

Jim Slattery: It seems like the same group would have that opinion.

Mark Odegard: I want to take out that whole section right there and just say you have that future growth, take that out and just put an and

Melissa Glaser: Could further increase crowding.

Charlotte Cleveland: Would further degrade

Jim Slattery: Well that's kind of limiting it though, that would mean that there's, some people that say their experience hasn't lessened but future growth might do that so I think you're just kind of smooshed two different groups together. Smooshed that's a technical word, smoosh.

DON AND JIM TALKING AT ONCE. CAN'T UNDERSTAND

Don Skaar: as their experience has degraded

Mike Mitchell: How about let's change is an opinion to there is a concern that current use has led to a lessening of the user experience.

Charlotte Cleveland: Yep, that's good

Mike Mitchell: There is a concern among other groups that future crowding could degrade user experience.

Jim Slattery: Do we have to have groups in there?

Mark Odegard: Others

Mike Mitchell: Stakeholders

Mark Odegard: others

Mike Mitchell: Let's change user groups to stakeholders Sarah

Tim Aldrich: (unintelligible)

Jim Slattery: Why don't you say stakeholders instead of others. I think that's better because you're kind of saying that, that one group is not part of this group or others, that others is not part of the other group that we just talked about, stakeholder incorporates that previous group into that stakeholder group.

Mike Mitchell: How are folks feeling about this?

Jim Slattery: I can live with it.

Tim Aldrich: I want to read it again and think about it and scratch it up while I read it, but I do like that the Commission, not only the Commission has responsibility to (unintelligible) fulfill the public trust doctrine. That's the State of Montana is the way that's stated and it involves any and all people that have worked for, with, by, as far as I'm concerned. All the three entities of our State government and all their appointments and commissions and whatever else all have similar responsibility to do just that, to maintain a sustainable and healthy resources for the enjoyment of all Montanans, benefit all Montanans.

Mike Mitchell: So did I hear you right that you want to cogitate on that a little bit or am I understanding you right.

Tim Aldrich: I don't know that it's just well right there, I almost put that there in the first heading, something like this because that is really what we're about.

Michael Bias: (unintelligible)

Mike Mitchell: What's that?

Michael Bias: it's like a known, right

Tim Aldrich: It provides guidance at most level one with the constitution and Montana Code Annotated and rules.

Melissa Glaser: So it can be taken out your saying?

Michael Bias: (unintelligible)

Melissa Glaser: You're saying it's not necessary to put in there?

Tim Aldrich: It's almost like Mike said an assumption that we better agree that that's one of the things we have to abide by.

Michael Bias: That's like (unintelligible) self-defined right?

Mike Mitchell: What does the group think?

Melissa Glaser: It seems about right.

Mike Mitchell: Add a sentence

Melissa Glaser: To get rid of, put a period after rules and get rid of the rest.

Mike Mitchell: Okay, and tell me what you want to do there?

Michael Bias: Delete it

Tim Aldrich: Delete it

Mike Mitchell: is that what you're talking about Tim? Deleting that? Or are you talking about, not that's

Tim Aldrich: There's no doubt about it that Fish, Wildlife, and Parks and those people that pay for the operation of Fish, Wildlife, and Parks, or pay the bills or whatever we put in place, usually people that buy licenses or permits for the most part. I'm not sure.

Melissa Glaser: Just keep that first part?

Charlotte Cleveland: Umm hmmm

Tim Aldrich: To be degraded?

Mike Mitchell: Leave that? (unintelligible)

Tim Aldrich: It's real that we know. HB 2 is real.

Mike Mitchell: Okay, what's missing, in terms of what makes this a difficult problem, or fully understanding the problem. What's missing? Sarah let's get rid of this and make that full screen. Any glaring omissions? Perspective from a stakeholder group that is not represented?

Charlotte Cleveland: One question and that is what is meant by the word strict? If strict regulations restrict river usage?

Mike Mitchell: Where you seeing that? Up here?

Charlotte Cleveland: Okay, yep, what was, that was group number 1 who put that in there what did they mean by strict.

Mark Odegard: I wanted to put in overly strict or overly restrictive and then there was a word we used rather than restrict.

Jim Slattery: Do we need the word strict?

Charlotte Cleveland: I don't think we do.
Lauren Wittorp: I agree with that.

Don Skaar: Easy to just get rid of it.

Charlotte Cleveland: Yep

Lauren Wittorp: Yeah

Mark Odegard: Regulations are going to restrict river usage, they will I mean we come up with regulations they will, problem is come up with regulations that are to ominous.

Jim Slattery: Yeah and we don't want to be the ones that put strict regulations.

Mike Mitchell: Other thoughts, or are people just numb by this point?

Mark Odegard: There's a few cookies left.

Mike Mitchell: Okay, can everybody own this at this point given that it's not a final draft but it's where the group has gotten to as a group. Is there anybody that feels like I can't own this?

Jim Slattery: It's not the way I would have voted but I can live with it.

Mike Mitchell: I think there will opportunities to word smith if that's what the group wants to do. The big thing right now is it capturing the main points.

Mark Odegard: The first thing tomorrow we can revisit this (unintelligible)

Mike Mitchell: Yeah after folks have had a chance to think on it we'll come back to it. Right?

Michael Bias: Yeah, Tim and I were talking on the break about, we're really discussing the issue with will and could and might or maybe, and I think, I was trying to explain, what we came up with was the idea of like accumulative affects, if you have any type of (unintelligible) then we get hit with a three year drought or there's disease or some fantastic affect that we have no control over, man it could really affect all these things and might drive the fishery down but

without even our input should be taking into account somewhere in a good adaptive plan as we go forward that kind of the what if's, (unintelligible) system.

Jim Slattery: But maybe one as functionally adaptive to respond to future conditions that gets it.

Michael Bias: Definitely (unintelligible). I had a question as we think about this, this is something that Lauren and I talked about earlier when she, okay what's the problem, oh, it's the crowding and well crowding you know and the example I used is that if you're on the Provo River and you come to the Madison boy there's all kinds of room but if you're a resident from Ennis and you got all these dudes from Provo it's like dude. So what we talked about was some crowding is sort of, well what is crowding how many is to many and the idea was well the idea of increased pressure or increased angling pressure so concern among stakeholders that this increased angler pressure is (unintelligible) and the temporal aspect of crowding too but I'm out there quite a bit and it's crowded on July 10th but not as crowded on October 10th. Just thoughts I had.

Lauren Wittorp: And I would agree that when we were talking about that we were saying because of crowding is a big word saying increased pressure takes away from saying that.

Michael Bias: Yeah

Lauren Wittorp: And that's why when we were in a group together we said increased pressure rather than crowding because of what is crowding.

Mike Mitchell: That's an interesting point is there something up there worth capturing about how use varies?

Michael Bias: Temporal

Mike Mitchell: Yeah over time. That sometimes heavy usage might be an issue other times maybe not? Is that worth putting on there or do you want to just leave it general?

Julie Eaton: I think that's something that we can get at. You know what's up there.

Jim Slattery: These, we're supposed to be presenting the problems right?

Mike Mitchell: Yep

Jim Slattery: And that's more of like a section of it still

Mike Mitchell: Anybody have any problems with

Tim Aldrich: Let me throw one thing up here, I throw it up, throw it out, when we were looking at user, persons of interests we specifically dealt with non-commercial floaters and waders basically. From what I've heard from different individuals basically is that they have

been traditionally walkers and waders. They have, they feel, they as a group of individuals I guess feel impacted by the sheer numbers of people in boats. The other people were standing next to them. Get below the Hauser Dam watch what's going on down there, you got to park your boat because it's all wading but anyway those were groups that we felt really had issues that were represented in the various surveys that the Fish, Wildlife, and Parks did of users. We have them included in there in a sense but not as waders, I don't think.

Mike Mitchell: Should they be split out. Are you talking about the different stakeholder groups do you think waders are..

Tim Aldrich: Yeah there are both commercial and non-commercial waders.

Jim Slattery: Well that'd wader and boat anglers. That might be something that we might have to put in there.

Tim Aldrich: I know a lot of the data.

Michael Bias: Wasn't that how this group was split up too by wade anglers and resident angling?

Tim Aldrich: The three people that come from that non-commercial angling group were divided (unintelligible).

Mike Mitchell: So do you think we should…

Michael Bias: Correct me if I'm wrong, that's part of the conflict right? Wade anglers against (unintelligible)

Tim Aldrich: Floaters versus anglers I agree, it is. Of course the competition that's perceived above the Lions Bridge there people floating in to wade and also again those are old proposals at this point in time. There's conflict.

Jim Slattery: That's a valid problem. I hear that often.

Mike Mitchell: Could we put wading and float anglers and non-angling (unintelligible), does that get what you're talking about?

Tim Aldrich: Um hmmm.

Jim Slattery: Yeah

Mike Mitchell: Everybody feel good about that? Julie?

Julie Eaton: Oh, I'm just hoping we don't go down the path of if you're wading only then you get to do this, if you're a float angler that's going to wade only, but I guess we need to

know all the groups. I just don't want to get to far down the narrowing of users to, that we can't get back out.

Mike Mitchell: We can always get back out.

Julie Eaton: Okay.

Mike Mitchell: That'll be a group decision.

Julie Eaton: At what time you said 3:18

Mike Mitchell: That's going to be a group decision. There's no problem at all thinking comprehensively now and later on it's like that didn't matter just go, (unintelligible)

Tim Aldrich: Obviously most often included in etiquette, those waders and floaters but it isn't always the way it should be. (unintelligible)

Jim Slattery: We know that

Mike Mitchell: Is that why I get yelled at by waders when I ramp by?

Michael Bias: (unintelligible)

Mike Mitchell: No it's definitely not. I just randomly careen down a river. I can't control where it goes. Okay anything else? Going once, going twice, three times. For today, for right now let's put this to bed. Late in the afternoon, folks energy levels are getting tanked what I'd like to do, we have basically another hour worth of work that we can get done today. Yeah

Charlotte Cleveland: Can we get copy of that to take home?

Mike Mitchell: Oh, absolutely

Charlotte Cleveland: Okay

Mike Mitchell: No sweat. What I suggest is approximately a 10 minutes break refresh energy levels, grab some coffee, grab some soda and then we'll dive in to what we need to do for the rest of the day, don't want to grind you into dust. Reconvene here at 3:30.

BREAK

Mike Mitchell: Let's get rolling. How's everybody holding up? Bet you're going to sleep well tonight. I know I will. Okay, congratulations, this is a first. I have never once transitioned away from the problem statement to fundamental objectives on the first day. Yeah

Julie Eaton: So we're not going to start tomorrow morning looking over our problem statement and making sure we're all good?

Mike Mitchell: Yes we will.

Julie Eaton: Okay, thank you

Mike Mitchell: Thanks for the clarification. But no, just for today we're going to start thinking about fundamental objectives after people have had a chance to sleep on the problem statement we'll come back and talk about that for a little while in the morning and then we'll pick up where we left off with the fundamental objectives. Is that okay? Okay. Next. Where we're going on this and again this is step 2 of structured decision making is what we have to do before we start devising and considering alternatives. We have to find the problem. Now we need to define what success looks like. The objectives that we're going to come up with are the things that we really care about. Again it goes back to what does success look like. If we solved this problem perfectly what we would accomplish. Everybody knows there's no such thing as a silver bullet. We're not going to come up with a solution that solves each problem, results the problem perfectly. What this is going to do is to give us a measure of how close we're coming to solving the problem left. It's really important that we define these objectives carefully. We put a lot of work into the problem statement, we're going to put a lot of work into understanding what success looks like. Because, this is the next layer of the pyramid, what we do next is to create alternatives that address these objectives. It's going to be how we evaluate those alternatives. It's going to be how we say looking at tradeoffs. This alternative does a good job for these objectives not so good on these. This alternative does a good job over here, not so good here. If we don't have the objectives defined right (unintelligible). This choosing pertinent information, if you think about, every alternative we're going to come up with needs to address every fundamental objective, so what should those objectives be. What informs how good a job we did on the problem statement? One thing that's really important here, this whole process is designed to be utterly transparent. If you could think about a lot of times decision making organizations or people have gotten themselves into trouble because they can't explain their decision. Why did you do that? It sounds arbitrary and capricious. The important thing here is with fundamental objectives you are defining what you are striving to accomplish by solving the problem. This unambiguous part is really important. The more explicit we are when we define things the more clear the decision analysis will be. If we're vague in what we're trying to accomplish in solving the problem, okay, we're going to get vague support for evidence that is a good way to do it. One way to go about this is to think about coming into this and having listened to everybody, what are your concerns, what are your wishes and what you want to do is convert those concerns or wishes to objectives. I'm concerned about fill in the blank, therefore I think we should be able to fill in the blank. There are all kinds of different objectives that we could come up with and we'll talk about different kinds but how we choose the objectives we're going to evaluate determines how well we're going to be able to address the decision. We're going to class, we're going to come up with objectives, classify them, we're going to distinguish what's called fundamental means objectives and then we're going to look at these and review them for completeness. This is very much a brain storming exercise because there are things that we might accomplish, you might accomplish in solving this problem that nobody has imagined up to this point. Next. Here's an example of stating, turning concerns into objectives. You basically want to state your objectives as verb and object. If you're thinking here's my concern, livestock brucellosis cases are a logistical and financial burden to livestock producers, so now

your objective is minimize brucellosis transmission risk from elk to livestock. See how we went from concern to an objective. Hunters are adamantly opposed to test the slaughter of elk and other heavy handed approaches to brucellosis risk management, all right well you convert that to maximize the acceptability of brucellosis risk management actions to sports (unintelligible). I'm not saying that's the only objective here but the point is this is your concern and here how you state it as an objective. One thing to think about is money is always an issue. FWP won't have enough money to come to do what we're suggesting. Well okay so let's minimize cost. Again no one solution is going to nail all three of these and that's okay. We are trying to define what the solution needs to look like. We're trying to come up with a way for evaluating how well a solution works. Next. The, there are three kinds of objectives and what you do is you come up with some ideas and then you evaluate them. First one is a strategic objective in my little jar head of a mind is simplest to me to think about if you're a grunt officer and you're told you need to take that hill. It doesn't help that grunt officer at all to say yeah and you need to win the war. Taking the hill is part of winning the war but, that's really not an objective to taking the hill. So that's a strategic objective. If you can think of something you would want every one of your alternatives to accomplish that's a strategic objective. That's really not part of the decision making process because you're not going to consider, in this case how to take the hill in a way that we could still lose the war. Does that make sense? Okay. Fundamental objective is where we want to go. To the top of that hill. What is the bottom line? What's really important? What do we care about? That's different from a means objective because, a means objective is this is how we get there. You're not talking about, we want to get to the top of the hill, you're talking about well we'll attack from this direction and go up this side. That is a means, that's how we're going to get to the top of the hill. What methods are we going to use? Next on. The reason to go through this classification thing is good decisions are based on fundamental objectives. We don't want strategic objectives to be part of the decision, we don't want means objectives, we want to deal with what do we want to accomplish, where do we want to end up. What's that hill we want to be standing on when we're done. Does that make sense? Okay, next. One thing to think about and I think it's just human nature, we want to have our decisions informed by data, by facts. As we've talked about decisions can't always wait until you have all the facts. Getting bogged down in, we can only consider the objectives where we have the data to support them or evaluate them, that's a trap. None of us have the luxury of waiting until we have all the information that we like so this analogy that, is what Justin came up with so if you don't like it blame him. But if you lost your wallet in the dark would you only look under the nearest street light? No, and that's the same sort of thing, the street light illuminates all kinds of information but it may have nothing to do with what you're trying to accomplish. Coming up with something that's easily measurable may not be what is actually going to help you solve the problem. That's it. Okay. Questions about fundamental objectives? What I'd like to do is the same way we started with the problem statement. Everybody jot down fundamental objectives that again if we solve the problem perfectly, perfectly means across the entire problem statement. It may not be, it could be, this would solve it perfectly from my point of view but what objective would we accomplish perfectly from other points of view. You guys remember that house example that Justin put up there where he talked about we'd like maximize the living space, maximize the back yard, maximize quality of the school, family friendliness of the neighborhood. Those are all great reasons to choose a house. We all know there's no one house that's going to do all of those things but let's list all the great things we've accomplished (unintelligible). Based on that problem statement. Let's go ahead and take 15 minutes to brain storm, some, I take that back

let's do 10. Jot down some fundamental objectives, things that if we solve this problem perfectly, the problem as defined in the problem statement, if we solved it perfectly what would we accomplish.

COMMITTEE MEMBERS WRITING THEIR FUNDAMENTAL OBJECTIVES INDIVIDUALLY

Mike Mitchell: Okay. What I'd like to do is the same thing we did for initial look at the problem statements, go around the room have people read off their ideas we started it over here this time so Mike would you like to go first?

Michael Bias: If we solved the problem perfectly what would we accomplish. The one I have is all user groups would have a positive or favorable experience, is that?

Mike Mitchell: Sure

Michael Bias: These are all, they seem like yeah good luck, but, then I was like oh outfitters would be happy with the plan, and then I'm like oh, it's not just outfitters it would be all the stakeholders would be happy with the plan right? And that's, minimize costs but the implementation of the plan would be within Fish, Wildlife, and Parks or however it's funded. The plan is easily apportionable. There's nothing overly complicated that you have to read four books to figure out if you can fish there. No one group would be adversely limited or affected under the plan, this gets out the idea in Big Hole where there's this idea of equal sacrifice. Every bodies putting something in the pot. Equal sacrifice among all users or stakeholders. Working on some sort of even distribution among users such that no one has the sense of crowding or increase in pressure. (unintelligible) If we gave everybody edibles (unintelligible)

Mike Mitchell: I think that should be part of the alternatives.

Michael Bias: On the Madison, well we could fund it that way.

Mike Mitchell: Questions for Mike?

Mike Mitchell: I think it was actually pretty good. Julie what do you got?

Julie Eaton: Well I got into the weeds really quick and then I scratched all that out so then with the whole river and use all over the place and everyone gets to expand and then I went to something that, I don't know how you do this, minimized perceived conflict of user groups and then I finally go to shared regulatory restrictions by all user groups in the least restrictive plan. That's all I could do. I wandered around.

Mike Mitchell: No that's okay. I think you're getting at some important things here and one of the things that you, we'll get to the point of doing is you might have these really compound sort of, we need to do this, we need to do this, we need to, and we'll end up breaking those apart tomorrow and say, we'll treat each of those individually.

Julie Eaton: Yep

Mike Mitchell: So what you did was great.

Charlotte Cleveland: First I went really personal. I thought why not.

Mike Mitchell: It's about me though Charlotte, it's not about you.

Charlotte Cleveland: It's all about me. I would like to arrive at the Madison and no one would be fishing in my super-secret spot. That would be perfect. I would like no fish dying because it was caught with a trebble hook. I would like there to always be a ranger present to enforce the rules. I would like anglers to respect the land owners rights and I would like every one recreating on the Madison to have the understanding of what an incredible resource it is and not to trash it. I'd like the river not to look like bumper cars on some days on the summer. I think there's a lot of people who would like to arrive at a launch site that wasn't so crowded you couldn't find a parking space. I'd like there to be no New Zealand Mud Snails, Whirling Disease or PKX parasites. I think everyone who uses the river in any capacity should contribute to its maintenance.

Mike Mitchell: Okay, those were good. One thing I'd think about is you had a little bit of a mixture of fundamental objectives and means objectives, I'm not saying this is one or the other but it struck me is if you say okay no injuries due to treble hooks why. What are you trying to accomplish by not having injuries due to treble hooks.

Charlotte Cleveland: Fewer fish dying.

Mike Mitchell: What's that?

Charlotte Cleveland: Fewer fish dying.

Mike Mitchell: You might say lower use of fish mortality

Charlotte Cleveland: through banning treble hooks.

Mike Mitchell: Yeah, okay, so treble hooks, not using treble hooks would be a means to accomplishing that objective as well. Does that make sense folks? Okay, Jim

Jim Slattery: Fishery is strong and protected. User satisfaction is up, social conflicts are down. Critical data to gauge health of the fishery is taken and funded, LEO presence is larger, law enforcement, changes in regulations use can be made as warranted, as needed. That's what I got. Simple

Mike Mitchell: Nothing wrong with simple.

Jim Slattery: Right to the heart of it.

Mike Mitchell: That's how I get through life. Melissa

Melissa Glaser: Mine were pretty vague as well. I went with minimize costs, maintain a health fishery, maintain water quality, limit river use to minimize crowding, allow for growth of the local economy, allow for changes to the recreation management plan.

Mike Mitchell: Okay, nothing wrong with those.

Tim Aldrich: Have healthy and sustainable fisheries in the Madison. Sustains or improves current State, local economy. Stakeholders support recreation management on the Madison. Agency able to affectively administer the rule. Provides framework for evaluation and adjustment. Quality experience is for all stake holders.

Mike Mitchell: Okay, good thanks, you're go Lauren.

Lauren Wittorp: The resource will be protected from the impacts of over use. Use on the Madison River would decrease. All types of users would have access to their desired type of use and ingress satisfactions would increase.

Mike Mitchell: Thanks, yep

Charlotte Cleveland: What was the second one?

Lauren Wittorp: the second one? Use on the Madison River would decrease.

Mike Mitchell: Okay, Mark

Mark Odegard: First point was make everybody happy.

Mike Mitchell: That's the first one on FWP's charter right?

Mark Odegard: Limit regulations, reduce uncertainty by collecting more and better data, distribute users more evenly, and then these are sort of means, lower use by certain parts of the river by certain times, certain days, limit waders, limit number of anglers possibly.

Mike Mitchell: ummm hmmm

Mark Odegard: Maximize cash flow in businesses on the Madison and in Ennis, reduce pollution in the river and along the banks.

Mike Mitchell: Okay, so when it comes to means objectives and you're right some of those were, a good way to think about them is to ask yourself write this down and then you ask yourself why, and if it's to accomplish a broader goal like a value placed on the health of the population or a value placed on the health of the economy then if it's a way to get to that then it's a means objective, and really what you're trying to accomplish is to improve or maintain the

health of the fish population or improve or maintain the health of the economy. That's a fundamental objective. Does that make sense? Scott

Scott Vollmer: Maintain quality biological health. Second one is to encourage wide distribution of use and under that, three sub headings I have maintain equality opportunity for users, encourage users to spread out, and discourage privatization because of limited access. The next one is minimize user restrictions. Keep the restrictions simple under that and also keep restrictions financially feasible and enforceable. Four, the next one is share the burden of restrictions among user groups, mitigate negative economic impacts to local businesses, and the last two are utopia but promote ownership and pride in the river. I guess that's not really utopia, the last one really is but we can talk about it, promote river etiquette with promote respect for all users and promote river safety.

Mike Mitchell: Okay, those are good. Had a couple means salted in there amongst the fundamentals but that's okay. Hold on to the means objectives because those are going to be, you're going to pull those in when it comes to developing alternatives, so don't write them off. Don

Don Skaar: Ensure inclusiveness of all users. Devise a plan that is simple to implement. Change is, (unintelligible) changes that are made are reflected in triggers, easy to measure and understand and last is impacts from implementation of the plan should be barely proportion to caring users.

Mike Mitchell: Okay, every bodies heard everybody else. We still don't know problem statement.

Tim Aldrich: I think like you we covered a hell a lot more ground than did with (unintelligible) for a couple of days.

MIKE BIAS AND TIM TALKING AT ONCE. CAN'T UNDERSTAND

Tim Aldrich: Not amazing to me I thought it was here where we'd find a lot more like thinking.

Don Skaar: I heard a lot of desire to minimize impacts, interest in users and interest in equal sharing or some version of that (unintelligible).

Mike Mitchell: Okay, anything else? (unintelligible) I heard a lot of things that trace directly back to the problem statement so going back to where you talk about the user groups, considering they're satisfaction in trying to make a rule, and so there's these different user groups and you can probably envision that you could come up with some ideas that some groups will (unintelligible) and that's okay, we need to think about all of these possibilities but so maybe if you could have a fundamental objective of maximize satisfaction of non-residents and another one, maximize satisfaction of commercial interests and so now you'll be able to weigh for any alternative you come up against how well does it make these people happy, how well does it make these people happy, how well does it make these people happy, so each of them

could be worth a fundamental objective. Just looking at the problem statement and what folks were talking about did we miss anything? If we're going to solve this problem perfectly?

Michael Bias: Did we, talked about time element on it (unintelligible) you guys?

Mike Mitchell: What do you guys think? So how do we state that? Minimize time to implementation? Or implementation by?

Julie Eaton: What are the means.

Michael Bias: That would be our fundamental objectives, (unintelligible), so it's implemented in 2020.

Scott Vollmer: Yea

Mike Mitchell: Well so you know you could have a means objective of in 30 years we'll do this, it's a way of getting at something but that's not going to happen soon right so if you're talking about things that can be done soon and you set a time limit or you say as soon as possible, that's going to end up limiting some of your alternatives. Means of accomplishing things and how quickly you accomplish them will be weighed against whatever date or even minimize the time to implementation or whatever objectives.

Don Skaar: One other thing I think is implicit in what a lot of people were saying here I think was mentioned explicitly is whatever we come up has eventually got to go out to the public, I think the public's got to see this in a reasonable plan, as reasonable restrictions and so I think that's the long view of this. I think we're all thinking that and that's important to keep in mind, they're going to be one of the important judges on this at the end of the day.

Mike Mitchell: Other thoughts? Okay, what I'd like to do is break out into the original small groups we had one, two, three and I'd like to start brain storming based on what we heard about on fundamental objectives from the group. Come up with a set between the three or four of you that you'd like the group to consider. We need to have public comment at 4:30 so let's work on that until just a little before 4:30 so we can all be in place for the public comment. Does that make sense?

Melissa Glaser: Yes

Jim Slattery: Use our first groups or our second?

Mike Mitchell: First groups, Yup. Okay folks real quick, I hate to interrupt deliberations there was one thing I was going to suggest when it comes to being very specific about a fundamental objective it can really help if you're talking about well I want to maximize user satisfaction or I want to minimize costs so if, or you can also say maintain. I want to maintain what is currently there but see if you can start your objectives with one of those three words. Sorry about that.

COMMITTEE WRITING FUNDAMENTAL OBJECTIVES IN GROUPS

Mike Mitchell: Okay, if you haven't done so already, has everybody given you those? Awesome. Let's get a little bit of an early start, folks from the public, glad you're here, thanks for coming, some of you have suffered through an entire day of this with us and my hats off to you and what I'd like to do before we get started is how many of folks would like to address the committee, five six, you sir?

Unidentified Speaker: Yeah

Mike Mitchell: Seven, we've got a half hour, I'm doing higher math so 30 divided by 7, I'd like each of you that would like to speak to the group take about 4 minutes, so that everybody has a has a chance to speak. Does that seem reasonable? Okay let's go ahead and start over here. Go ahead, I think they need to introduce themselves, say where they are from,

Mark Deleray: This isn't a formal testimony but I think it would be good to introduce yourself if you'd like, if you're comfortable with that.

Dawn Rennie: Could you spell your name?

Mark Deleray: Okay.

Jessy Alberi: My name is Jessy Alberi, A-l-b-e-r-i, this is my business partner Steve Miller and we run an organization, a foundation here out of South West Montana called Access Unlimited and basically we take sportsmen that have suffered a disability and we get them back out hunting and fishing and out doing the things that they loved prior to their injury. And the reason that I felt that I wanted to address you guys today was I have a few things, concerns with this and I wanted to bring some awareness to, not just somebody that's like me that's in a wheel chair but to anybody who has mobility issues, whether it's from being elderly, or I have two young children, to having young kids out there. And my concerns basically off this newsletter that the Madison River Foundation sent out and there's three things on there I'd like to address and the first one was the walk in wade only section of Quake Lake, obviously for me to be able to access the river there's two ways I can do it. I can get in a drift boat and float or I can hire a guide to take me down. And these three things target those deals and how I can get through it. The other one is personal watercraft only from Ennis town site to Ennis Lake and the last one is no commercial use from Grey Cliff to Jefferson River from June 15th to September 15th. Like I said I want to give a voice to not just somebody who has a disability you can see but anybody that has mobility issues. The only way we can access this river is on drift boats and I would hate to lose something that means so much to me being able to float the Madison. I know that, one last thing is, I know in the Montana Fishing Regs it says that under the Montana resident with disabilities it says Montana Fish, Wildlife, and Parks seeks to ensure that its programs, services, and activities are accessible to persons with disabilities and I see those three things that I mentioned conflicting that. So I just wanted to bring that to your guys attention.

Steve Miller: In addition I just wanted to add to Jess's point, being able to fish with him as many hears as we have and being able to do the things and make things accessible for people

it's something that, in the last statement that he made as far as accessibility really ask you guys to think about this clearly and it's not just about Jess being in a wheel chair and everybody else but the youth, children learning how to fish yes you can wade, yes you can do certain things but you're not going to take a child wading in certain stretches due to the water. Secondly is elderly depending upon that plus multiple types of disabilities that can't be seen. These are all things to think about so I feel like everything that we've seen so far up to this point really hasn't said anything until what we say today that speaks about accessibility for people. And I think it's something that I would like you guys to really think about and take seriously.

Dawn Rennie: Can I have your name please?

Steve Miller: Steve Miller. Thank you guys for your time.

COMMITTEE SAYING THANK YOU AT ONCE.

Mike Mitchell: Okay going left to right who's next?

Josh Duchateau: My name is Josh Duchateau, D-u-c-h-a-t-e-a-u. I apologize I don't have anything really prepared I just jotted down a few things, I'll try to look through, I'm looking through this through the lens of an outfitter, guide, and angler, mostly on the upper Madison from the Park boundary down to Ennis Lake. I'm strongly supporting half of the outfitters of, I support it just because we can, we can always allow more in, we can't take a license away from somebody. As far as allocations go, I know that's probably right around the corner if you start taping the outfitters, I'm a little uneasy about that because I don't want to restrict business growth to much but I know that we're dealing with a crowding issue, pretty unanimous. I'm not supportive of the rest and rotation implications or the closing it to boats to the wade access of, it just, if you start closing that off it's just going to create congestion in other areas. Congestion creates conflict, etiquette problems, and catch rates and just overall satisfaction of the river users. Definitely in support of the two year re-evaluation. There's a lot of unpredictable outcomes if we implement regulations so I'd rather see a two year than a five year. Since I have your ear I would always hope you consider about the historic spawning areas, mainly between the Lakes from Hebgen to Quake Lake and then Varney down to Ennis Lake, either to catch and release or even just closing those during high spawning times. I think I've touched on everything. Thanks guys.

Jim Slattery: Thank you.

Joe Dilschneider: I'm Joe D-i-l-s-c-h-n-e-i-d-e-r and by the end of this process you're all going to how to spell that because I'm going to keep showing up and speaking up because this is extremely important to me as an angler, longtime resident of the valley, guide and outfitter, and business owner in Ennis. This is everything to me so thank you all again for doing this I know it's a big job so all of us really appreciate you taking it on. And thank you Mike great job today. It was really interesting to see how this all works, the structured decision making process. I just wanted to make a couple quick comments, on the problem statement one of the, I didn't write down exactly but it's difficult to craft a management plan without knowing the extent or amount of use by resident, non-resident, commercial and non-commercial users, I think you put in there

wade and floating at the end. I'm concerned about that in a couple of ways. Would it be easier to craft a management statement if you had perfect data. I don't see how it would. I don't know if there's some sort of unknown objectives on each of those user groups that you're aiming for, it really worries me the resident, non-resident part of that. I would suggest that you strike that from the problem statement. It suggests that you are going to look at some sort of allocation between those two user groups. I understand the commercial non-commercial and the Roe vs Wade things, those are long running discussions but to bring in the resident vs non-resident I think is a bad idea. I think it give the impression that there might be some restriction based on your residency. I think that would be horrible for the town of Ennis, it would be horrible for just the direction of our industry. I'm not a supporter of the resident day on the Big Hole Beaverhead so I would suggest removing that. To Jim one of the points you made a couple of times Jim was about the data, the fishery data and knowing the health of the resource over time. I'm pretty sure the Madison is the most studied river probably in the world. There are animal population surveys in a couple different locations on the Madison that have been going for at least 40 years maybe longer. Travis and Dave aren't going to remember but they can speak to that. I feel like the data out there, is as good as you could ever ask for on the health of the fishery and it by all indication is a normal cyclical wild trout population that's healthy so, this particular issue my understanding really had more to do with social situation on the Madison rather than the biological and I know we're concerned and I do agree that at some point unabated use will negatively impact the resource. I firmly believe that but I don't know that we are there so to frame the problem and the objectives and the alternatives around biological concerns I think is maybe a little off base and I heard some of you today talking about social concerns and some of you talking about biological concerns now I don't think there, I mean there connected but got to get on the same page as to what you're doing and not that I opposed thinking about biological, it's the golden goose we need that river to be in great health forever for every bodies sake in generations beyond. So there may be some things there on idea I'll put in your ear, and then I'll shut up is perhaps along the lines of what you suggested Charlotte about treble hooks maybe just a barbless regulation. That would not harm in any the long term health of individual fish and the overall fishery. Anyway thank you again for your time and for allowing us to comment.

COMMITTEE SAYING THANK YOU AT ONCE.

Nancy Delekta: Hi, I'm Nancy Delekta, D-e-l-e-k-t-a, we own a fly shop and lodge and we have an outfitter business, we are also a manufacturer and a Chamber member on the middle section of the upper river on the Madison River. It's been a very interesting process and I'd have to say I started with a list of thoughts of which after today I feel better about some of my thoughts, thank you, and thank you everybody for your efforts, because some of it is about discriminating different users. We have customers coming into our shop that really don't understand this process and what happened just the other day was two guys came in and they didn't know what it meant to shut out those in a section, they thought it was only some people not all. They thought it would be isolated not affect them. What is concerned in this process is discriminating different users and you addressed some of that today. We have people who have had historic use. There will be people now who are grandfathers who want to take their grandchildren in those wade only sections and are not physically capable to do those sections and the only way they can take those kids is by boat. And if those sections are shut down to boats they will be eliminated by having historic use. The other challenge is people who are disabled

like we've already talked again today, they would not be able to approach those sections but our big concern too is if both were shut out it would encourage privatization of those sections and if privatization started then landowners might think they really have private land ownership and this goes back in time and we could end up readdressing stream access laws and we could end up with private landowners thinking that they might be allowed to build a fence across the river. I go back many years and I fished the Red Rock during a time when landowners put electric fencing across the river and I was fishing and wading up to the point of that electric fence and I could be electrocuted because I was going to approach the private landowners part of the river. That's a scary thought but reopening stream access concerns, could reopen court cases, could reopen the Ruby River process, could be a big challenge for all of us. And I just want that all to be considered in this process and to remember if you go too far and you make it to extreme and you eliminate something completely then you could risk that again. The other thing I notice that we need to remember the different conditions and timing of the river that was discussed today like right now you have an ice damming at Ennis Bridge and that ice damming is now flooding across the other sections to Adel Creek and again this year, didn't happen last year but Burtree and Eight Mile will be shut down for a time and so will Valley Garden because of the overflow. I am grateful that the regulations changed the rules and opened up the upper stretches of the river because there was a crowding during that time of the section between Varney and Eight Mile where fish are now spawning in the spring and the spawning has fishermen on top of them crowding them because they thought that was the only place they could go. Now the river is open and they can go there. If we look at time of run off, I want everybody to think about runoff during runoff if you close a section of the river if it was a wade only section that might be the only section of the river that is actually fishable in the spring. We have a Project Healing Waters Group, we treat the fish with us in the early part of the season and part of them are disabled with prosthetics and that may be the only part we can take them to fish and if it became wade only we'd have nowhere to take them on the Madison River but because of run off we may have no other river to take them to. So please consider the impacts of the times of year and Jim's in between the lakes gets more crowded during that time. And Don could consider maybe we should say less fish killing in between the lakes because that might bring fewer of the killing fishermen in between the lakes during the rush. I really appreciate this process and good luck.

COMMITTEE SAYING THANK YOU AT ONCE.

Brian McGeehan: My name is Brian McGeehan, Brian with an i, my last name is M-c-G-e-e-h-a-n. I'm a fishing outfitter and I've been thinking a lot about your primary task today which is crafting a problem statement. I'll start with saying that I do have very large concerns as to the future experience of the Madison River as interest and recreation around the world on rivers increases. Not just the Madison, we see it all over Montana, we see it in other countries as well. Where there's a river the people like to float boats or fish, more people are on those waters. So there's a lot of great discussions on potential problems that need to be addressed and one of them was discussed was fish counts. I do have concern that as we, at some point if angling pressure continues that we may have a decrease in fish counts but that is a maybe, it's kind of question mark on if or when that will happen. We do know that there's been 90% increase in angling pressure in the last five years on the river. In that time fish counts have actually increased. We also know that the upper Madison River is not the most heavily fished river in our own State. In

many other States there's rivers like the San Juan, the Green, here in Montana the Beaver Head where the fish, the density of fishermen is much greater and those fisheries are stable. I also have that same concern my concern if we make that the problem statement it's hard to measure that. It's hard to know when and if there will be a tipping point. There's also a lot of discussion of degrading user experience and we're extremely concerned about that and that's a little more of that social use and that's a tricky one too. There's always going to be someone, I think Charlotte kind of mentioned, I really don't want to see anybody in my hole. From the dawn of time the only happy fisherman was the first guy that figured out to forge a hook. He had it all to himself for a little while until someone said that's a good idea, snuck in, saw what he was doing and then the next day there was second person out there and he was kind of frustrated, like you're in my spot. So as fishermen we our user experience by definition will be degraded every time one more person comes up to fish. But the only way to achieve that I heard Lauren's request that we go backwards and decrease the amount of use, certainly the people who have been privileged to use, if we decrease it will be a little happier because there's a few less people out there on the water. But there's also a lot of people that are enjoying that fishery. There's some that are frustrated, there's some that are not frustrated. Over time by definition as the rivers increase in use, that's because people are having fun, and so it's a delicate balance and I don't know the great answer. I am concerned because our livelihood depends on people having fun in the river. I'm concerned as popularity increases and we do have some clients that express wow it's a busy river, what other rivers are there. We also have a lot of guests that are thrilled and it's the best river they've ever fished in their life. It's this really complicated issue of opportunity versus quality and where do you strike that balance. It's a tough one. And so what I was thinking about with that problem statement was that's a difficult problem to hang your hat on. The more I thought about it the problem that it just seemed like the no brainer was basically the graph that's in all the reports which is, kind of goes like this and that's like the last five years again we've see use go from like 50,000 user days or, it's not quite, I think it's right around 190,000 angling days on the upper Madison. Winston Churchill once said unsustainable trends tend not to sustain themselves and if the popularity and desire to recreate on our aquatic recourses continues then maybe the economy will flatten and maybe it will temporarily go backwards but it's likely to assume that more people that move to Montana, that more people will want to recreate. We know that tourism is this massive economy in our State. People come here to do things not just to look at the pretty mountains but they want to be active and people move to our State for the same reasons, they move here because they want to be active, they want to hike, they want to be able to fish, they want to float. But this, the steepness of this growth curve has me personally concerned and I would say that's the problem is that, the slope of that curve. If that continues all these concerns we expressed with just continue to be exacerbated, will continue to worry more and more about are we getting closer to the tipping point. We're going to worry more and more about the satisfaction of, for the recreational angler on his day off, for the out of state person that still wants to come to Montana, maybe they won't come, for guides and outfitters that make a living on it. So I would say that's what, that's the 800 pound gorilla, that's what we have to, that's what you have to somehow figure out how do we soften the slope of that growth and interest of recreating on the Madison River. A couple of other little things I heard today..

Mike Mitchell: I hate to cut it off but if you would wrap it up.

Brian McGeehan: Yep wrap it up super quick. Kind of like Joe said, a lot of talk about user groups so I just caution you to, let's not stereo type people that hire guides versus people that don't hire guides, residents versus non-residents. Every, some users are happy some users are frustrated with this crowding. We need to kind of keep an open mind and again sort of be fair to all users and not put people in boxes. Thank you very much. Appreciate your time.

COMMITTEE SAYING THANK YOU AT ONCE.

Mike Mitchell: Who would like to go next or did I just cut off Brian for no good reason? Any one left? Yes sir.

Gordan Haugen: Well I'm kind of the old dinosaur. I'm one of the old guys that can't walk right anymore. Tim I want you to know this wasn't from basketball this was from an ophthalmologist in Butte that did this. Tim used to play for the Grizzlies and I played for the Bobcats back in was it the early 60's?

Tim Aldrich: Let's not talk years.

Gordan Haugen: Anyway just briefly I'm not an outfitter, I don't own a drift boat. I grew up in Montana, started fishing the Madison in the mid 50's. We had a basically 10 fish take home, eat them, go back and get 10 fish. Drift boats weren't even around that I'm aware of. There were a few metal jon boats. There were no outfitters or guides. The only fly shops were, Lily had one down in West Yellowstone and Dan Bailey was over in Livingston. Billings there was a bug shop where I grew up and most people fished with worms and that kind of thing and grasshoppers in the fall. Fishing was good. Since then we've gone from, the chart will show here, the number of fishermen have really jumped, the number of non-resident fishermen have jumped, most of you folks are outfitters it sounds like based on you make a living here and frankly a lot of the folks that I fish with just basically quit fishing period or they quit fishing the Madison just, we're not going back over there, there's just too darn many people. It's getting the same way in the Yellowstone, it's getting the same way in the Missouri. Versus the number of commercial trips, I think there were well over two thirds commercial trips on the river based on data I saw from the Fish and Game are outfitted trips. July, June July and August. It's basically run a lot of the locals off and I'm one of them. Of course I'm 80 years old so I don't have many years left but I hope that when you guys make your decisions that you find someplace where you can work in some of the locals, that they can get out there and enjoy it as well as maintain you're outfitting business. I don't know, you might want to take a look at the, well if you get up to British Columbia on the Washell and the Elk river as far as trying to limit the number of users or a surcharge and kind of spread out the use for both non-resident Canadians and non-resident people that have left Alberta, they pay a surcharge. Maybe something to look at I don't know. My thinking would be if there's any way that you could have Dick Vincent come over here for a Q and A you guys could ask him question. You could have all kinds of written reports but it's no better than having him sit down and query him as to what he knows about the Madison and all the data you've got. Another person is Ron (unintelligible) he spent many years as the fisheries manager on the river, Jerry Wells may have some input I think would help resolve the issues you've got. In the mean time I look at the outfitting business as nothing more than the commercialization of a public resource. You probably don't like to hear that but that's what a lot

of folks in town, throughout Montana look at the outfitting business particularly in the fisheries area where the water belongs to the State, the fish belong to the State. It's not like big game hunting where the land is probably private land but the animals belong to the public. Good luck, I think you'd be well served if you could get Dick maybe answer a lot of questions because he's got tons of data. Thank you.

Dawn Rennie: Could I have your name please.

Gordan Haugen: Yeah my name is Gordon Haugen. H-a-u-g-e-n.

Dawn Rennie: Thank you.
Mike Mitchell: Thank you Gordon and go Griz. Who else did we have?

(unintelligible)

Mike Mitchell: I realized that I was stepping in there as soon as I said it and I couldn't help myself. Other public comments? Thank you very much folks, so where are we now, where are we going to go next? Tomorrow morning we're going to kick off first thing talking about the petitions for people to join the group. Please take a look at the petitions that we have tonight and be prepared to come in briefly discuss and then vote. This is important but on the other hand I don't want it to side track what the group is here to do in the time we have. So I hope to be efficient in that process. After that we'll go ahead and have a chance to revisit the problem statement after everybody's had a chance to sleep on it. This is the problem statement where it ended up by the end of the day. Now one thing I would like the group to understand is that this is yours. This is your document. It is a draft preliminary, what we're going to have at the end may not look like this. There has been confusion in the past if preliminary information or preliminary steps have been shared with people who do not know what you have been through today, particularly since it's an interim draft product. I would urge you to be judicious in how you share it and help people to understand that this is just an intermediate step, it's not a final product and that the process it took to get to this point is a little different than what most folks have probably seen. Also this is going to go as I understand it through the full Commission process, there's going to be gobs of opportunity for public comment so folks will have a chance to see everything the group comes up with and weigh in. For the intermediate stuff, belongs to the group, what we decide to do with it is up to you but I think it would probably be in everybody's interest if you could help people understand what has produce these intermediate products. Any other housekeeping type, what time do we start tomorrow? Four in the morning? Does that sound okay? Nine? Did that work alright today? Starting at nine? So kick off at nine, yeah Mark.

Mark Odegard: I've been through these, there's only two names on here, Scott Kelley who I know quite well and John Way who is president of the Ennis Chamber of Commerce, there's no statement saying that they really want to serve. I'll try and call Scott Kelley to see what he has to say but I don't know John Way. I don't know if anybody does.

Don Skaar: (unintelligible) talked about those because those three pieces of paper were from Scott so he might have.

Scott Vollmer: They're not from me, they were giving to me, there from the Ennis Chamber.

Don Skaar: Okay

Scott Vollmer: I talked to John he is definitely interested. I have talked to Scott a long time ago.

Mark Odegard: Yeah

Scott Vollmer: He expressed interest at the beginning, I think, feel free to call him. I think his interest is a little

Mark Odegard: There may be a problem they're adding a new addition to

Scott Vollmer: Brewery yeah, so he has some extraneous things going on in his personal life that may prohibit his time to do something like this. John definitely is interested if that answers.

Julie Eaton: So there were three?

Michael Bias: Is there (unintelligible) too?

Scott Vollmer: Yes did you not get it?

Michael Bias: I only have Ennis Chamber and then (unintelligible). I don't have anything from (unintelligible).

Scott Vollmer: I know you got an e-mail or two. I've got a hard copy here that you can have.

PEOPLE TALKING AT ONCE, CAN'T UNDERSTAND

Don Skaar: Did this go around?

Julie Eaton: Just to some people.

Jim Slattery: She does good

Scott Vollmer: I need ten copies

Don Skaar: I'll go make copies right now.

Mike Mitchell: Okay, you guys worked really hard today. I appreciate that I know this is a heck of an investment of your time and energy. I'm not kidding this is better progress that I've

seen from any other groups and hats off. Go get a well-deserved nights sleep and we'll kick off tomorrow morning unless anybody has questions for now?

MEMBERS SAID THANK YOU MIKE

Meeting adjorned.

MADISON RIVER NEGOTIATED RULE MAKING COMMITTEE MEETING
MINUTES FROM FEBRUARY 20, 2019

Mike Mitchell: Mark what do you think?

Mark Odegard: Well I have an issue with the Chamber of Commerce in Ennis. I don't know if you have looked at the South West Brochure from the State of Montana. There are no outfitters in Ennis in Ennis Montana, I don't know the people that do that in the State of Montana. I talked to Haley who is the Executive Director and she said that apparently a matter of money but it seems to me that the Chamber is not representing the outfitters.

Michael Bias: (unintelligible) was our past president of the Chamber is an outfitter.

Mark Odegard: Well according the brochure from the State of Montana that it doesn't exist.

Julie Eaton: So they are paid ads though basically?

Mark Odegard: Yeah they cost 150 dollars to put your name in there and no outfitter from Ennis has done that or the Chamber hasn't come up with the money but I went to the Governor's Tourism meeting last year and talked to a bunch of people there about it but it's interesting how little Ennis was represented at the tourism conference.

(unintelligible)

Mark Odegard: That's my perspective, what I've seen.

Mike Mitchell: Thanks

Michael Bias: I'm not following it Mark, I don't understand.

Mark Odegard: You know there's brochure

Michael Bias: Yeah

Mark Odegard: South West Montana, if you look at that there are no outfitters in Ennis Montana. There's outfitters in other places in South West Montana but no body from Ennis.

Michael Bias: I'm not sure how that (unintelligible) that relates to not getting into being on this Committee.

Mark Odegard: I felt that the, I'm not on the Chamber because I don't really own a business in Ennis. I have a business in Ennis but seems to me the Chamber should, if they're really concerned with building up the tourist thing, something should be in there about outfitters in Ennis.

Michael Bias: I see where you're getting at.

Mark Odegard: And I talked to Haley about it, she's aware of my concerns but

Scott Vollmer: They do, it says right here in the letter they do represent 182 businesses in

Mark Odegard: Yep

Scott Vollmer: the Madison Valley and those businesses are tied into the tourism industry.

Mark Odegard: I realize that for example Virginia City had five people there representing the businesses in Virginia City. Don't remember if West Yellowstone, what they had there at the conference. This is a big conference, it'll occur in April this year too.

Mike Mitchell: Okay.

Mark Odegard: I didn't see anybody from Ennis so I happened to be over in Big Sky where they had the meeting and was, you guys should go there because it's like working the town of Ennis. I'm on the zoning commission there.

Michael Bias: Just so I'm clear because of their bias against outfitters you don't want them on this committee?

Mark Odegard: No I just, that's just my perspective.

Melissa Glaser: You're almost saying because (unintelligible)

Mark Odegard: I didn't say they shouldn't be on the committee but I have an issue with the Chamber.

Mike Mitchell: Okay well so that's a separate issue, the Chamber over here and then whether a representative of the Chamber should be on the committee. Everybody's had a chance, well you haven't talked Don.

Don Skaar: Yeah

Mike Mitchell: Do you want to say anything?

Don Skaar: I guess my, I guess general feeling is to keep the committee at the size it is regardless of who we want to add, a smaller committee I think is going to be more effective, keep in mind this is consensus based anyway, it isn't a vote. You're not doing a majority vote to make decisions here, so I think that's a big important consideration. I don't know where we'd stop in adding people. I think even though I heard some decent arguments for including John on, Melissa's business is on the Chamber, Jim's a Chamber member himself so I guess I see business owners fairly represented so I think given the Commission gave us this slate of people I think we should have a pretty high bar to get over to add new people.

Mike Mitchell: Okay, thanks. Any other discussion?

Jim Slattery: I want to ask a question. What business does John have? I don't know, what business do you have?

John Way: I own a tackle shop on Main Street.

Jim Slattery: You own a tackle shop on Main Street. Do you have outfitting and stuff like that out of there?

John Way: Yes

Mike Mitchell: Anything else?

Scott Vollmer: And Don I think to what you were getting at I think the statute is pretty clear is to what the requirements are to add people and I think unfortunately we don't have the stuff for less so I don't think we can even consider that right now because we don't have that information as far as them to have to do a petition with a name, I don't want to get the statute out and read it so I think what we're, I agree with you is you get to vague and it gets impossible to manage. I agree 100% with that so I think what we're talking about right now is just the one person and not a whole group of people and expanding, expanding, expanding because the statute has spoken to that.

Mike Mitchell: We have three petitions is that correct?

Scott Vollmer: I thought I heard

Mark Odegard: Maybe we should hear what John has to say?

Scott Vollmer: We do have three but in the case of the MOGA one and the FOAM one is, is according to the statutes is, is there's not a person named in there

Mike Mitchell: Oh, okay I was wondering about that

Scott Vollmer: The FOAM one there is but

Don Skaar: The MOGA one there's not

Scott Vollmer: The FOAM one there is the MOGA one there is not so in the FOAM one that is also a business interest, Scott Kelley who owns the Gravel Bar from Ennis and Scott, I had a conversation with him a while ago, I don't know if you talked to him at all Mark last night.

Mark Odegard: He didn't call back.

Scott Vollmer: Originally he was interested, that interest has waned because of personal things that have come about and besides it would be a conflicting, kind of a conflicting interest in my opinion with John both being Ennis Chamber members.

Mike Mitchell: Okay, so are we ready to vote? Questions? Yeah

Mark Odegard: I suggested we might want to hear what John has to say.

Mike Mitchell: Is that fine by the rest of the Committee?

COMMITTEE SAYS YEAH, YES, I THINK SO, ABSOLUTLY AT SAME TIME.

Mike Mitchell: All right, John?

John Way: I'm not sure what you guys want to hear, I live in Ennis, I'm also a Chairmen of the Montana Board of Outfitters, I do a lot of work with the Legislature, four time president of the Ennis Chamber of Commerce, still an active board member, have a business there, and make my life there. I'm not sure what else you want to know I try to live my life by a few pretty simple standards, wisdom, courage, integrity, compassion are all things I try to make decisions on. I'm not sure what else you'd like.

Melissa Glaser: In our guidelines it says an explanation of reasons that the persons already on the Negotiated Rule Making Committee do not adequately represent the interests, can you expand on that maybe?

John Way: Yeah, obviously Ennis is kind of the hub of the Madison River and Ennis lives and dies by the tourism business created by said river and it technically scares the heck out of most business owners if there's any restrictions or limitations ever put on tourism, even if it's capped at a certain level, that means our best days are where we're at right now. So I know it really scares the heck out of business owners on Main Street and it's been a hot pocket conversation in Chamber meetings and such. Ennis is a really (unintelligible) turns on is the tourist season and so if it wasn't for that river Ennis would look like Virginia City most of the time. It would just dry up and we all recognize that and we all recognize the fact that we don't want to love the river to death but we have to, it's a extremely tough place to make a living and to own a business because the window is really short to making your money for the whole year and that, that short window revolves around the tourist industry and people coming specifically to fish the Madison. I don't know of any other place, Yellowstone National Park, West Yellowstone has the Park to rely on, Ennis really has one thing to rely on and it's the Madison River for business and all the business owners recognize that and they're really concerned that any, anything negative that comes out of this Committee would adversely affect in our area being difficult business environment.

Michael Bias: John do you feel that the current makeup of this Committee represents business interests in Ennis?

John Way: You know I don't, I know there's some business members on the Committee but unless you have a store downtown that totally relies on people walking through that door every single day to make your living you don't understand the mentality and the true business interests of Main Street.

Michael Bias: Do you think if we were to come up with a set of rules for the Madison and Ennis and West were, with the current makeup of the Committee now to come up with a set of rules would you think businesses in Ennis or even by extension West would criticize the Committee that they were not on here to input?

John Way: I know there's already been those discussions about that very thing and possible what legal actions can be take down the road because of a lot of these business interests aren't represented or recognized.

Tim Aldrich: John do you, as I wrestled with this last night in my efforts to sleep and sleep didn't come but the wrestling continued

John Way: Well I'm sorry to hear about that

Tim Aldrich: I thought about Whitehall what would they think if they closed the mine? (unintelligible) Whitehall is built around a mine and all the activity with it. Ennis, the response, has responded to the opportunities that are created by a marvelous river and a lot of people that come here as tourists are not outfitting but a lot are and some of the most obvious parts of the economy, the contribution to the economy in terms of bringing the people to spend money in a whole variety of ways in places in the Ennis area and it's pretty big. So with that said, knowing we have at least three outfitters do you think they would not put up a hellacious argument and even a no vote if we did something that was really going to (unintelligible)

John Way: No I think the outfitters are looking out for their best interests but again none of them have a retail business on Main Street.

Tim Aldrich: But their business contributes, if that business is to, they don't have a business so I think they're an integral piece of that economy and they've bring a lot of them here.

John Way: Sure and yes and no and Julie for example Julies' business is completely different than mine. She's tied in with a lodge and brings people to that lodge. I rely on people walking up and down that street every single day for my living to come out of it and that's where, and the restaurants sitting on one side of me and the pharmacy across the street all rely on those people walking Main Street. And you know unfortunately Julie's best interest is, is her underlying interest is the lodge and that business where it should be. Um, Mike is Twin Bridges

and Scott is you know an independent outfitter out of this area here so I don't think they have that centralized focus.

Mike Mitchell: Other questions for John?

Michael Bias: So the Madison River Foundation is based in Ennis and they're watching out for Ennis and the river do you think they're watching out for Ennis and the river do you think they're representing the business owners?

John Way: Absolutely not.

Lauren Wittorp: I will say we have business owners that are members in every area from West Yellowstone to Three Forks

Michael Bias: Right

Lauren Wittorp: Along the Madison River that are members as well as companies of all sizes that are on the Madison River that are also members, and we are members of the Chamber of Commerce as well.

Mike Mitchell: Other questions for John? Further discussion. Are we ready to vote?

Tim Aldrich: Let me say that as a Commissioner I'd want to recuse myself from this vote for the reason that I, the Commission has voted to the one (unintelligible).

Mike Mitchell: Makes sense to me, that okay with everybody else? Okay, so two questions, one is do you want this to be a secret ballet where everybody has a piece of paper and votes or are you comfortable voting.

Melissa Glaser: I don't know that that's the way that,

Scott Vollmer: Yeah

Melissa Glaser: This is supposed to go, consensus is not a vote.

Scott Vollmer: Yeah, consensus is different than majority vote or unanimous vote or.

Melissa Glaser: So by consensus what we learned on the first day from the legal department is that we all have our opinions and I don't know how you come to what the overriding view is but it's something that I can live with.

Mike Mitchell: Sure, we were talking earlier about what the definition of consensus is and way outside of my pay grade. We can ask legal counsel at FWP to weigh in on this. Just from my point of view and it's just my point of view, I'm not sure how to illicit whether the group has consensus or not without a vote. And so if we took a vote, everybody was in agreement then

consensus is clear, if we took a vote and there were dissenting votes then we don't have a consensus and I'm way open to another way of seeing this.

Michael Bias: My understanding when we talked to legal that it's different that it wasn't a you want him on, maybe or not, it was can you live with him being on the Committee.

Mike Mitchell: So how do we get that established

Michael Bias: I don't know

Mike Mitchell: where everybody can live with it or not

Michael Bias: start asking

Don Skaar: Does that mean that I abstain would qualify as I can live with it?

Julie Eaton: You have to define it, I mean we should probably answer this question right now because this Committee

Michael Bias: It's going to come up

Julie Eaton: We better figure out how we're supposed to do this.

Tim Aldrich: Well let's read the definition on the law.

Julie Eaton: Please

Tim Aldrich: Consensus means unanimous concurrence on the interests represented on the Negotiated Rule Making Committee established under 2-4-106 Montana Code Annotated unless the Committee agrees upon another specified definition. That's what the law says.

Mike Mitchell: So I guess we need to discuss whether it's going to be a unanimous vote that establishes consensus or there's another definition the Committee is comfortable with. Let's open the floor to alternative definitions of consensus.

Charlotte Cleveland: Isn't this really more of a legal issue more than just what we think consensus might me so is this something that maybe we should be talking to legal about?

Mike Mitchell: We can, it's up to you guys

Lauren Wittorp: You're saying as it reads right now? It means unanimous unless

Mike Mitchell: Unless you decide otherwise

Lauren Wittorp: unless everyone decides otherwise

Mike Mitchell: umm hmmm

Scott Vollmer: I agree with Charlotte because in their presentation on the first day the Becky Docter told us that if it's not unanimous her exact words were, if I remember correctly is if you can live with it and that to me is totally different than unanimous.

Melissa Glaser: I agree

Scott Vollmer: And there are so many boards across this country that do not operate under unanimous votes.

Mike Mitchell: Okay well so help me understand how to establish you can live with it.

Scott Vollmer: I don't know

Charlotte Cleveland: There would still be

Scott Vollmer: I don't know the answer to that

Mike Mitchell: Well if you define the vote as can you live with it or not and yes is I can live with it not is I cannot live with it. Would that be acceptable?

Michael Bias: I think, this is really important because this is going to

Mike Mitchell: Yep

Michael Bias: come down the line.

Don Skaar: Um hmm

Mike Mitchell: Yeah

Michael Bias: all the management options we're going to have to deal with and when we talked to legal the first day I was like what, so I would prefer to get clarification from them.

Tim Aldrich: I'd like to talk to the counsel part of this, but for me you know I've been on a lot of groups like most of you have been and (unintelligible) is more about, I'm not going to say hell no, I'm not going to say that, this not what I dreamed about last night but I guess I can live with it. The issue is I may not be happy but this is a good place to be. Negotiated Rule Making Committee kind has another kind of understanding (unintelligible) I think that negotiation comes from the ability to have give and take and to not have the idea that this (unintelligible), greatest thing I ever say to say I have listened, I've heard different perspectives, this is not going to kill (unintelligible). Becky Dockter hopefully.

Mike Mitchell: So what is the Committee

Don Skaar: I guess for your point Mike I don't know, we could establish one way of defining consensus just for this committee stuff and do another for when it comes to our final plan

Michael Bias: We can't change the definition of how we come to consensus based on the question.

Don Skaar: Well I think we can. Certainly sounded like we could.

Michael Bias: So we're going to go from one set of standards of bringing someone on the committee and change the standards when we have the management decision?

Don Skaar: I just threw that out, that's all.

Scott Vollmer: I think that opens up a lot of repercussions down the road.

Michael Bias: (unintelligible)

Scott Vollmer: going that direction.

Lauren Wittorp: But in order to change it from being a unanimous vote everybody would have to have a unanimous vote to change that definition.

Mike Mitchell: There would have to be consensus on defining consensus, consensus on consensus.

Lauren Wittorp: (unintelligible)

Mike Mitchell: What's that?

Lauren Wittorp: We would us the current definition which is unanimous according to the Montana Code.

Mike Mitchell: That's my understanding of what Tim said, if there is a question about that maybe you want to bounce that off a lawyer we can do that.

Don Skaar: Okay, so, if I may Mike

Mike Mitchell: Please

Don Skaar: we anticipated we'd be at this point and I've talked to Becky unfortunately she's got, she's doing Legislative stuff right now and probably at about 10:30 she's more than likely to be available so I, if every ones okay, maybe if we could just move on with the problem statement stuff for a little bit and then I'll try her at 10:30 and we can take this up then? I mean she's willing to talk to us but she's just got other

Scott Vollmer: I don't like this but I can live with it.

Michael Bias: (unintelligible)

LAUREN AND DON TALKING AT SAME TIME CAN'T UNDERSTAND

Mike Mitchell: I'm sorry?

Scott Vollmer: No, no

Lauren Wittorp: I mean the concept you're voting on something doesn't that mean the same?

Scott Vollmer: No

PEOPLE TALKING AT SAME TIME CAN'T UNDERSTAND

Scott Vollmer: It's exactly what I just said to Don is, is I would prefer to get this taken care now and being done, that's my yes I want to get it done now but I can live with the fact of tabling it till 10:30.

Mike Mitchell: Did that address what you were asking?

Lauren Wittorp: No I guess I'm just, based on what the code said I just thought concurrence meant

Mark Odegard: To me consensus means there's not a no vote.

Scott Vollmer: Right

Lauren Wittorp: Okay

Mike Mitchell: So just throwing it out there it's up to you guys, do you want to vote based on the notions that consensus is not a no vote or do we need to establish more clarity of what the law says about consensus and that's, it's totally up to you. It's not a question of whether anybody at the table can correctly interpret the law. None of us are lawyers but you have the statute in front of you if you have questions about it there's nothing wrong with asking those questions.

Charlotte Cleveland: I suggest we table it and talk to the lawyer and get a, one description on what consensus is so that we're all on the same page.

Lauren Wittorp: But wouldn't that affect everything going forward? If people are uncomfortable with that (unintelligible) we can't do anything.

Mike Mitchell: We can plow forward from where we left off yesterday and after we talk to the lawyer decide where to go from there. Does that sound reasonable?

Lauren Wittorp: Sure

Mike Mitchell: All right so we're tabling this until we can get Becky on the horn.

Tim Aldrich: Let me just say one thing that is the Commission is basically the one that is responsible for the selection and identification of interests potentially being affected by the rules made here and even though they might have said I will tell you that concurrence for me means I will not let this die for no vote on this. There's a much bigger thing than this vote here and that is the willingness for this group to work together to come up with, all of us have a willingness to learn, to listen and to say yeah it may not be exactly the way I would want it myself but I can live with it so regardless with what an attorney might try to tell me means concurrence to me I can determine it myself what concurrence means. Is this going to do something untoward that I just absolutely abhor? This is not that. This is not that.

Mike Mitchell: So table it until we can get ahold of Becky? Is that what the group wants to do?

MANY PEOPLE SAYING YES

Mike Mitchell: Lauren

Lauren Wittorp: Sure

Mike Mitchell: Okay, everybody else, Jim that good by you?

Jim Slattery: Yep

Mike Mitchell: Okay, Don?

Don Skaar: Yep

Mike Mitchell: I think I heard from everybody

Jim Slattery: I got a couple of issues, I think I'd feel more comfortable about the Chamber of Commerce person if one of two things were, if that person was other than an outfitter, than I'd feel more comfortable with it and or and for maybe the makeup of the group was a little bit different where that person is an outfitter and a member of the Chamber of Commerce together. I think that we have a lot of outfitters here expressing their views and I think their views are incredibly important but this isn't, we could use someone else that has a restaurant and hotel accommodations just as much as we need another outfitter. That's kind of where I'm torn. That's how I feel about it. I have no, there's nothing personal about any of this it's just the way I feel that we have a lot of outfitters being represented and maybe that lack of accommodations and hospitality is not here industry that will be affected by this so that's where I stand.

Michael Bias: Jim to be clear, John you're a current board member of the Chamber of Commerce in Ennis?

John Way: I am

Jim Slattery: I understand that

Michael Bias: Huh?

Jim Slattery: that's my view that's how I feel.

Mike Mitchell: So we ready to go ahead and table this for now? Okay, which button do I push there?

Sarah Sells: It's on

Mike Mitchell: I'm sure everybody like Tim lost sleep last night thinking about problem statement but you have had a chance to stew on it, sleep on it, what we did yesterday was a draft. There's nothing to say at all that we got it right the first try and if there are thoughts that people have about things we might do to improve it then that's what we're here to talk about, as soon as you can see the screen. Now one thing I'd suggest is wordsmithing shouldn't be our priority at this point. Wordsmithing can happen later but what should be our priority is making sure that major aspects of the problem, okay, what is the problem, what makes it difficult, what needs to be done. What's the decision that needs to be made. If anything's missing up there regard that, that's what we should be focusing on. Charlotte.

Charlotte Cleveland: I just have one question, I don't understand what the Public Trust Doctrine is. Is there another way of saying that that's a little clearer. I have no idea what that means.

Mike Mitchell: Yeah okay, Tim I think you're the one that had that in there so can you reword that?

Tim Aldrich: Well our wildlife resource has been called the public trust, we're to say it belongs to everybody in the State of Montana and the doctrine is basically the responsibility of the State to manage for the sustainability and health of these types of resources and (unintelligible) wildlife and fisheries specifically. They have the responsibility the State as a whole and the responsibility is portioned out and for the sustainability but also for the benefit for all Montanans, we're all stock holders in it as well.

Charlotte Cleveland: Could we change the Public Trust Doctrine can we just sort of describe it as a responsibility toward all, if I take this out on the street and say the Commission has a responsibility toward the public trust doctrine, I'm not sure the average person is going to understand what that means and I, when I was reading it last night I had no idea what that meant, so if there's a sentence that says that the Fish, Wildlife, and Parks has a responsibility to protect the resources is that what you're saying to protect the resources, a more descriptive phrase of what it's, what the public doctrine is, what the public trust is.

PEOPLE TALKING AT ONCE

Tim Aldrich: Certain assets belong to all of us, considered a trust, the State in this case has been given the responsibility for wildlife resource to manage it for health and sustainability and for the benefit of all Montanans.

Charlotte Cleveland: So can we just say that?

Mike Mitchell: What do you think about that?

Michael Bias: I don't know I thought everybody knew what the Public Trust Doctrine was

Charlotte Cleveland: Absolutely not.

Michael Bias: (unintelligible)

Charlotte Cleveland: My husband read this, he's going what the heck is that?

Tim Aldrich: Well I went to, at the law school at the University of Montana, I went to a afternoon meeting they had there and Chris Smith he was the former Deputy Director at Fish, Wildlife, and Parks at one time, he's been working in the Wildlife management for a long time, he and a whole group of attorneys and other interested people talks about the Public Trust Doctrine, it's much easier to not go beyond what we said I think.

Charlotte Cleveland: Well is that because

PEOPLE TALKING AT ONCE

Charlotte Cleveland: that is much more descriptive and it's much clearer.

PEOPLE TALKING AT ONCE

Lauren Wittorp: encompasses what

Michael Bias: yeah

Lauren Wittorp: I think saying Public Trust Doctrine encompasses a lot more.

Michael Bias: It's like reverend or (unintelligible), it's a big responsibility when you're in charge of the Public Trust Doctrine, way beyond just managing wildlife.

Charlotte Cleveland: Okay, so

Michael Bias: It's like a nurturing, help, it's your responsibility, this is up to you to take care of this. It's like parenting right?

Charlotte Cleveland: Okay

Michael Bias: I don't know, some people (unintelligible), it's like an all-encompassing, it's big. I liked having the Public Trust Doctrine in here because it brought some magnitude and responsibility to this problem statement.

Charlotte Cleveland: Then can we leave it and say including to manage wildlife for the benefit of Montanans, it's already (unintelligible), so can we say that, the descriptive phrase after that? Because that gives, I mean really, my husband's not stupid and he read this

Michael Bias: I'm sure he's not

PEOPLE TALKING AT ONCE

Charlotte Cleveland: When he said Public Trust Doctrine, I have absolutely no idea what that is

Michael Bias: It might be that, if you have

Charlotte Cleveland: It's kind of wonky.

Michael Bias: It's kind of like saying the North American Wildlife Model where biologists and ecologist kind of, know what that means but most people don't what the hell is that?

Melissa Glaser: we're adding towards the Public Trust Doctrine and Montana Stream Access Laws

Charlotte Cleveland: What was the phrase that was there before.

Julie Eaton: Including

Charlotte Cleveland: No

Julie Eaton: Which includes

Charlotte Cleveland: which includes

Mike Mitchell: as a wildlife biologist I was like yeah, Public Trust Doctrine, everybody knows, but everybody doesn't know.

Michael Bias: Right

Mike Mitchell: Everybody should be able to read this and understand what the Committee means, if there are folks out there that will not understand what Public Trust Doctrine means I think it's a good idea to try, given that it is a big thing

Michael Bias: explain it

Mike Mitchell: to try and encapsulate that so somebody unfamiliar with it understands what you're talking about.

Michael Bias: It's like we hear management health, responsibility so including management care health and responsibility and fish and wildlife. Wildlife includes fish sometimes people don't realize that it's just elk and deer.

PEOPLE TALKING AT ONCE

Tim Aldrich: gets discussed more and there's agreements and disagreements when you get down to okay the State's responsibility, what does the Governor, what does the Legislature do, what does the Judiciary have, it's and in reality most people would say that Fish, Wildlife, and Parks is an agency, it's part of the Executive Branch, they all have the same responsibility for the State of Montana to make sure that they, it's a healthy and sustainable trust wildlife and then everybody has an opportunity to enjoy it. The Commission goes on down the string and each one of us that function out of CAC or board or whatever that deals with this is covered under that responsibility of the State. There's lots of moving parts and pieces and we as a group have the responsibility (unintelligible)

Mark Odegard: Is it a defined in the Montana Code Annotated (unintelligible)?

Tim Aldrich: I don't know that it is, it certainly, dial it up on your google and read and that and Mike when you get into the North American Wildlife Conservation, a lot of people say it's a great thing but you it was built by hunters and anglers don't go there.

Mike Mitchell: So it's a Trust. I do believe that we should be explicit so that anybody could understand so does adding this parenthetical clarification

Michael Bias: Care, care and management

PEOPLE TALKING AT ONCE

Michael Bias: there are whole classes taught on this (unintelligible)

Melissa Glaser: Do you need a period after implementing rules and make a new sentence? Does that make it more clear?

Michael Bias: I don't see it as to implementing, one is (unintelligible) implementing the rules and financial constraints and Commission has the responsibility of the Trust.

Julie Eaton: (unintelligible)

Tim Aldrich: And when the Commission (unintelligible)

Mike Mitchell: So let's, if you don't agree with the way it is right now propose a specific change. That's what I'm going to be doing with the group throughout the remainder of the

process when we have something on the screen let's talk about what's on the screen so if you want to change something what do you want to change.

Michael Bias: (unintelligible)

Mike Mitchell: Okay go ahead

Michael Bias: and the Commission

Tim Aldrich: I would like to say (unintelligible) responsibility for it (unintelligible) addressing

Mike Mitchell: Melissa that's a change from what you suggested is that?

Melissa Glaser: (unintelligible) to and?

Mike Mitchell: Yeah

Melissa Glaser: Oh, I'm fine with that I just thought it would separate the financial from the (unintelligible)

Mike Mitchell: Anything else on this?

Tim Aldrich: I don't like the word toward responsibility for

Mike Mitchell: like that?

Melissa Glaser: Can we actually, I feel like it's the Committee maybe not just the Commission.

Mike Mitchell: I agree

Tim Aldrich: Commission I think deals with the this topic often in terms of health and trust but in reality has responsibilities have step down to different groups and individuals to do pieces of it, (unintelligible) back up the pyramid to trust (unintelligible)

Mike Mitchell: So is there wording that you would like to change Melissa?

Melissa Glaser: Yeah to be Committee instead of Commission.

Mike Mitchell: What do you guys think?

Melissa Glaser: I would just put Committee.

Mike Mitchell: Well I think it's meaningful to have the Commission in there because that's part of their decision is that it's a constraint that they are not going to do anything that is outside of the Public Trust Doctrine

Michael Bias: They're the decision makers right?

Mike Mitchell: yes

Scott Vollmer: We just recommend to the Commission, the're the ones that are allowed to open it and say

Julie Eaton: So is that our problem is that then our problem statement, I just kind of (unintelligible) what our problem statement what we are going to do, the way I initially took that sentence was that we have to be mindful of those constraints. So is that what we're saying, we're being mindful of those constraints with the recognition that there's some responsibility with the, I'm just going to say Public Trust Doctrine because it's shorter.

Melissa Glaser: That's the way I read it too because I feel if they put a rule in that then that completely takes away the opportunities for the public to use the Madison River is what my, we're not upholding the Public Trust doctrine.

Tim Aldrich: The decision maker, yeah that would be the Commission. I think we just need to understand as we try to move forward something that the Commission will approve and implement and (unintelligible) implemented. There's no sense giving things that don't fit.

Mike Mitchell: So is it safe to say that the Commission will not consider anything the group recommends that falls outside of the Public Trust Doctrine?

Julie Eaton: Is that the lens that you start looking at everything through basically? Is that where you start? I mean that's what we're saying?

Mike Mitchell: I'm just trying to establish how much of this is a constraint, that if the Commission says that we will not consider anything that falls outside of our understanding of the Public Trust Doctrine then that's a constraint on what the Committee can recommend and if you're operating within that constraint you may not necessarily have to say and we think so too, but it's up to you.

Tim Aldrich: The first part of that is pretty definitive in terms of resource and management. Managing a trust for the benefit of all Montanans, there're going to be some give and take to make thing fit. It's not like it's an absolute. That's why I think being mindful of this and knowing that the Commission in their evaluation of the proposal that might come from this meeting, (unintelligible), to try to over interpret that I don't think is necessary but it's I don't know how much, how many paragraphs do I add here. It's tasked to be mindful of the Public Trust, whatever.

Mike Mitchell: So do you want to leave Committee in there or not.

PEOPLE TALKING AT ONCE

Mike Mitchell: Is that good?

Charlotte Cleveland: Yep

Michael Bias: I think as long as we're wordsmithing, Fish and Wildlife resources, where it talks about Madison River resources, it just implies and includes more than just the fish and the wildlife, it includes everything that you exists. So you don't have to get all well, (unintelligible)

Mike Mitchell: So add resources right here? Everyone want to do that?

Charlotte Cleveland: That's great

PEOPLE TALKING AT ONCE

Michael Bias: That helps you?

Charlotte Cleveland: Oh yeah

Michael Bias: And your husband?

Charlotte Cleveland: Yes

Mark Odegard: Just, I guess read the definition on line it's

Michael Bias: Were we right?

Mark Odegard: Public Trust Document is an ancient legal mandate establishing a solvent public obligation in states to hold critical natural recourses in trust for benefit of the citizens.

Charlotte Cleveland: that's really good

Michael Bias: Magna Carta

Mark Odegard: From the Magna Carta and Golden Law

PEOPLE TALKING AT ONCE

Mike Mitchell: Do you want to have some language like that in there?

Charlotte Cleveland: That sounds fantastic.

Mike Mitchell: That's an improvement over this?

Charlotte Cleveland: Oh yeah

Michael Bias: Oh come on

Charlotte Cleveland: It is, that's great especially the end part

Michael Bias: the critical part was good

Don Skaar: Dump the Magna Carta and call it good

Mike Mitchell: Yeah

Charlotte Cleveland: This is fine

Mike Mitchell: Okay, if this is fine let's move on

PEOPLE TALKING AT ONCE

Mike Mitchell: So I could go all kinds of directions

PEOPLE TALKING AT ONCE

Mike Mitchell: Let's stay focused people. What else needs to be tweaked, changed, and again not so much wordsmithing but capturing the important stuff, Lauren

Lauren Wittorp: So you want exact changes when I say something

Mike Mitchell: I really would like to talk about changes up there

Lauren Wittorp: yeah, so the sentence crafting a management plan will be difficult without knowing overall use on the river, beginning, I guess this is two parts, beginning of that to me a policy doesn't require data so crafting a management plan will be difficult for those things but I don't think it's because we don't know that data. I think that it's difficult to craft a management plan because of stakeholder interests not because we don't know overall use. You don't have to have good data to make a policy.

Mike Mitchell: Yeah it goes back to looking for your wallet only under the street light. What do other folks think though? Is this part of the problem?

Michael Bias: That is the problem.

Melissa Glaser: I think the sentence is kind of wonky to use your words Charlotte. I have actually taken out, last night, I took out from crafting to relative use by and made a new sentence starting users including residents, non-residents, commercial, non-commercial, wade anglers, float angler, non-angling stakeholders and those with accessibility issues are concerned about how their access would be limited by a recreational plan. There is concern about establishing rules governing user groups without knowing overall use data. So I encompassed the concern with that but I think there's actually two different situations there because those user groups are concerned about how their use could be limited but others are concerned that maybe we have not enough data. Just my two cents.

Mike Mitchell: No actually you make me think and I don't appreciate that, but this whole paragraph is about crafting a management plan is difficult and we're just trying to say why. It makes sense to me that you don't have to say it again and this is about, we know it's difficult, what about this, you know these different groups of users and their concerns contribute to that difficulty. And let's go ahead and do you mind if we just, and according to what you said and then we can talk about changing that or tweaking that. This is following up on what you said Lauren so

Lauren Wittorp: Yeah it's perfectly fine, yes

Mike Mitchell: Okay so could you help us edit?

Melissa Glaser: Said users including and then I went and those with accessibility issues, got rid of each group is and put are concerned about how their access not use and then added there is concern about establishing rules governing user groups without knowing overall use data.

Mike Mitchell: Mike

Michael Bias: I like concern about over all use data, the sentence part of that, that you came up with but concern about their access will be limited, I like use.

Julie Eaton: I agree

PEOPLE TALKING AT ONCE

Mike Mitchell: It's not just hey I got to get to the river at this point or that point it's how you're going to use it.

Tim Aldrich: Recreational opportunities (unintelligible)

Melissa Glaser: Yeah, I thought was used was like passed and I access was future but

PEOPLE TALKING AT ONCE

Tim Aldrich: The access, the stream access law (unintelligible)

PEOPLE TALKING AT ONCE

Michael Bias: It's like hey you can go there you just can't fish. Well dude.

Melissa Glaser: I see that

Mike Mitchell: Okay do you want to stick with use on that one?

Charlotte Cleveland: Yes

Lauren Wittorp: Yeah

Mike Mitchell: Put in parentheses dude.

Scott Vollmer: with an exclamation point

Mike Mitchell: Is the tape recorder on Don?

Don Skaar: Yes

Mike Mitchell: All right, Lauren

Lauren Wittorp: My second part question to this and this is prompted I think by what Julie was saying yesterday of adding to many different groups in a list and at what point, I might not be representing what you said correctly but, is there a way to encompass everyone in fewer words like just saying commercial and non-commercial that encompasses those other people without saying residents and non-residents because I think then those people are all included within those other groups so if you say commercial and non-commercial it encompasses

Michael Bias: I'm not sure it's commercial and non-commercial, I agree with what you're saying that was brought up several times in the public comment yesterday as well and that was, I was going to bring that up today, if we start picking out groups in the problem statement as we go through I was concerned about that.

(unintelligible)

Lauren Wittorp: Because then yeah are we going to make different regulations for each of those separate groups.

Michael Bias: and what if we miss somebody

Lauren Wittorp: Right, that's what I, I think we need something that's more encompassing than

Michael Bias: It's not just commercial and non-commercial it's (unintelligible)

Jim Slattery: (unintelligible) resident, non-resident that's what was in the draft of the recreation plan last time, that residents was (unintelligible) out from non- residents. We need to have some clarification with positive protection one set group or another, that's the way I see it.

Julie Eaton: I think we used the word stakeholders and users. I mean that's really what I started with yesterday.

Lauren Wittorp: That'll be great to put,

PEOPLE TALKING AT ONCE

Lauren Wittorp: Because I think then that encompasses

PEOPLE TALKING AT ONCE

Julie Eaton: I think that enables us to fix a top over (unintelligible)

Jim Slattery: Don't pick sides

Julie Eaton: Not yet

Scott Vollmer: Well we also set ourselves up down the road for being in conflict with the Administrative Rules of Montana which I looked at last night that says that, if you want me to read it to you is anyone interested? I have copies for everyone.

Jim Slattery: yes

Tim Aldrich: Go ahead and read it to us

Scott Vollmer: Just pass it around so ARM 12-11-410 states section seven states Management plans and rules, I highlighted a couple of things, management plans and rules may not differentiate based solely on the residency of the river user unless the Commission determines the best available data indicate that the amount of use by the residents or non-residents is a primary contributor to the identified problem. I put in parenthesis on below is, is we have a second part of the sentence which I agree with Mike, I like that there is concern about establishing rules governing user groups without knowing over all use data. In my opinion that means we don't have the best available data. So we would then be in conflict towards ARM 12-11-410.

Mike Mitchell: Let me throw this out, these are three different ideas that I've heard the group talk about and if you go forward thinking about how you're going to evaluate alternatives and let's say satisfaction of users however you define them is important. If you did something like maximize satisfaction of stakeholders. Are all stakeholders going to be satisfied by the same thing. Or are there some that will be satisfied by one thing versus satisfied by another so if you really want to lump all stakeholders in to one group and you decide whether an alternative satisfies all of them. Is that what the group wants to do?

Michael Bias: But if we say maximize satisfaction to stake holders I think it's implied that each one's going to have a different satisfaction levels (unintelligible)

Mike Mitchell: Okay so if it's implied I think it will benefit you to make it explicit. Because as an objective maximizing stakeholders means what and you're going to have some of the stakeholders are going to be unhappy with a particular alternative some that might be deliriously happy. You might try to find a balance between them or what have you but unless you're saying I'm asking about whether this stakeholder is satisfied or not or this stake holder. So then comes down to how do you want to define these groups. You can do something I heard

somebody say well let's just look at commercial users versus non-commercial users. Now you're saying the two important stakeholder groups out there that are satisfied are these. Alternatively if you look at that you have other stakeholders out there that have skin in the game and you want to ask the question about whether a particular alternative makes them happy, makes them happy, makes them happy, makes them happy. It really comes down to what do you mean by stakeholders and then let's be explicit if we're going to talk about their satisfaction. Who's satisfaction are we worried about and that's your call so if you don't like any of those I (unintelligible) that's fine I'm just trying to illustrate a point. But that's why it's good to define them here, because later on you're going to be asking the question when you come up with these different management alternatives, will these like them? Will these folks like them? Will these folks like them? And there going, they might feel, think about things differently and you want to capture that in your evaluation of the alternatives.

Jim Slattery: I think we should, if we're going to keep that what we've done here and oh yeah by the way those with accessibility issues they should be included in the whole thing instead of like oh yeah and this group of people

Charlotte Cleveland: Oh you just get rid of those (unintelligible)

Jim Slattery: Yeah, it's more

Charlotte Cleveland: (unintelligible)

Jim Slattery: Yeah

Mike Mitchell: So what where are you talking about Jim you lost me?

Michael Bias: That's a good point Jim because certainly a float angler won't have accessible issues.

Jim Slattery: Yeah I just think that I don't know seems like there at the bottom of the rung,

Tim Aldrich: Don't make it stand out. Part of the stakeholders.

Lauren Wittorp: Oh I think you're just saying like if you put people there would that make that sound better if you say people with accessibility issues?

Jim Slattery: People with accessibility issues and then and non-angling stakeholders under things like as an afterthought it shouldn't be.

JIM AND CHARLOTTE TALKING AT SAME TIME. CAN'T UNDERSTAND

Mike Mitchell: Like that?

Charlotte Cleveland: yeah

Jim Slattery: Yeah

Michael Bias: Mike I have a question.

Mike Mitchell: Is it about this particular thing or before we move on?

Michael Bias: Well yeah it relates to that because here and this was a question I had from yesterday too is now we're defining all these different stakeholder groups but in the second sentence we just say promote positive experience for everyone and over here you said oh I can maximize that. Is the first sentence just kind of general as to what we want to do and then now we're being more definitive on these groups?

Mike Mitchell: I'm not sure I'm following you.

Michael Bias: So in the second sentence we said we're gonna promote a positive experience for a group of users

Mike Mitchell: Yeah, so

MIKE MITCHELL AND MIKE BIAS TALKING AT SAME TIME. CAN'T UNDERSTAND.

Mike Mitchell: Will a positive experience, will all of these folks feel the same way about what a positive experience is?

Michael Bias: No

Mike Mitchell: Okay so that's part of the problem right?

Michael Bias: right, so that's kind of what we want to do and now we're just saying how each one is going to be different?

Mike Mitchell: Well yeah so and part of the challenge in providing a positive experience is we're going to have a lot of different viewpoints out there on what a positive experience means. Yeah

Julie Eaton: So there's uncertainty on how the health of the fishery will be affected if total angler numbers continue to rise. This uncertainty is prompting concern in a sense of urgency among some stakeholders. It appears that now we're continuing on this fishery thing which I really appreciated whoever said yesterday this Committee and the Committee's before was not prompted by biological concerns. It was social so now we have over a third talking about these stakeholders and their concern over how the fish are going to be affected which is important but again that's, so, is that what we want that whole big stakeholder thing to be related to fishery or are we talking about equal satisfaction socially, which again that was the tipping point for this Committee to be formed.

Melissa Glaser: Maybe moving that down to another paragraph make it less

Julie Eaton: I mean is that what we're trying to say, it's that's the main concern and that's what were

Charlotte Cleveland: It's a user

Julie Eaton: here to do?

Charlotte Cleveland: It's a user

Julie Eaton: But the way it's written

Charlotte Cleveland: Gotcha

Melissa Glaser: We can see what it looks like if you move that before Fish, Wildlife, and Parks.

Mike Mitchell: I'm not advocating for or against this but again it comes back to is there a group of people that are stakeholders in this that have this concern and is that part of the problem. Does this process need to acknowledge that concern exists in developing solutions?

Charlotte Cleveland: Yes

Don Skaar: Yes

Jim Slattery: Yes

Tim Aldrich: My feeling is that I doubt we're going to have consider a rule or form a rule draft rules that somebody, that addresses the biology of the river. I think that there are things in place right now that are being done every day and every year that measure what's going on with that river. I think the primary concern of, yes it's a concern for all of us not any particular group I think that let's take care of this place, enables us to have this experience and so forth. Don't mess with that and I think Fish, Wildlife, and Parks has told us in their drafts that we're okay, we're okay biologically but there are user groups that have been talking to us for over 10 years about stuff like that but there opportunity to have the type of experience that they would like to have when they come to the Madison to fish, observe wildlife or just float the river or visitation on other resources. I think that we're more apt to spend more time there than we are on telling them how to count fish and which fish to count (unintelligible) deal with it.

Mike Mitchell: One thing I'd point out on that this is not stating anything biological. This is not saying there's a biological problem. This is just saying some people are concerned that this could be a problem. That's very much about the sociology of it, not the ecology.

Jim Slattery: Yeah and in the original draft it's, they can state that there are concerns of the tipping point, of the draft that was in the packet. So it was part of it.

Michael Bias: Where

Jim Slattery: (unintelligible)

Michael Bias: Because my recollection is it's always been oh we're concerned about use (unintelligible) not until the second day of the meetings when Dave Moser presented this tall, (unintelligible) and miraculously based on hook scaring and general mortality rates of rainbow trout and it was oh and we're going to hit some magical tipping point somewhere (unintelligible) any of this come into view at least in my mind. We were all concerned about the health of the fishery and man we got to watch out for this but this was always, this whole problem was always driven by conflicts among anglers and waders and never, it was always never, in fact the first sentences in many discussions were it's not a biologic problem it's a social conflict issue.

Lauren Wittorp: I would say for myself and the perspectives that I represent that's not true for me, I've been here all along and I don't think social and biological issues are separate, I think that social use and use of the river impacts the river biologically and that's why I'm here and that's the position that many of our members have and the concerns I've heard.

Michael Bias: But it hasn't been demonstrated yet we have 50% of

Mike Mitchell: Let's not get into a debate about

MIKE MITCHELL AND LAUREN TALKING AT THE SAME TIME. CAN'T UNDERSTAND

Lauren Wittorp: problem of there are people that think that not the data but that is why.

Mike Mitchell: this isn't about who's right. This is about people feel this way. People that feel invested in the Madison some of them out there think this is a problem. And if that's true it should be in there and this is not saying anything about truth, about what the ecology of the river is. This is capturing that social perspective that there are people concerned. Now Jim did you find that?

Jim Slattery: No but I read it this morning.

Scott Vollmer: My recollection is, is exactly the same as yours.

Julie Eaton: I've got it right here.

Scott Vollmer: Yeah, to the point where I wrote it down.

Julie Eaton: This is page 3 on your purpose of need for actions, Purpose of and Need for Action, Montana Fish, Wildlife, and Parks is proposing a recreation management plan and administrative rules for the Madison River from the outlet of Quake Lake downstream to its confluence with the Jefferson River, near the town of Three Forks Montana. Here we go, a

recreation management plan and administrative rules are warranted to provide guidance for managing river recreation and FWP manage access sites on the Madison and to help preserve the quality of recreation experience for all users. Okay that's the recreation management plan tasks that are identified here. Now, p.s. we all know that we need to have the fish and so while not a resource management plan this plan does recognize the vital role that resources play in the recreation experience and the potential impacts that recreation can have on those resources. That's (unintelligible)

Jim Slattery: Yeah

Julie Eaton: They didn't have to say it

Jim Slattery: Right, specifically it says that they are concerned about the increased use of the river and the impact to the river.

Julie Eaton: I mean that's

Michael Bias: I still would say find it, keep looking

Charlotte Cleveland: It's okay because this still does what

Melissa Glaser: Yeah

Charlotte Cleveland: Exactly what it says. That some people

Jim Slattery: Exactly

Don Skaar: I don't think anyone's advocating taking it off of there are they?

Julie Eaton: No but to be clear on what (unintelligible) a social response to

Mike Mitchell: yeah I don't that says anything about the biology of the river. That just means people are concerned.

Don Skaar: In my perspective I think it's important to keep it in there again for sure what we're doing it mainly recreation planning here but it's I think it's an important back stop, I think it's

Michael Bias: Just like that (unintelligible)

Don Skaar: important for a Committee like us to acknowledge that something we care about, we got to have the fish, got to have the healthy fishery.

Mike Mitchell: Moving on? What else would you like to play with?

Tim Aldrich: I'd like to play with the statement up there that talks about no plan.

Mike Mitchell: Okay

Tim Aldrich: And I guess it would be true to say there is no recreation management plan of the Madison River, that's a truism as far as I'm concerned.

Julie Eaton: yeah we know

Tim Aldrich: but as Scott pointed out there's a whole section of Administrative Rules in here starting at 12-11-401 (unintelligible) and that part in there really does provide I think excellent guidance for any CAC that comes to deal with recreation management plan. That's what that's about.

MIKE BIAS TALKING AT THE SAME TIME AS TIM. CAN'T UNDERSTAND

Michael Bias: SRP, just an SRP is a recreation management plan

Tim Aldrich: that this one says the purpose of these rules is to provide guidance to the commission, the department, and department-appointed citizen advisory committees in the management of recreation on rivers. These rules seek to promote management of river recreation that provides a full variety of quality recreation for a diverse public and protects natural resources in rivers and on adjacent uplands. These rules also provide guidance for addressing social conflict on rivers. That's point blank.

Mike Mitchell: So can I ask you Tim what changes would you propose? Let's put some changes on the screen and talk about them.

Tim Aldrich: I want to make that a true statement to say there is no current recreation management plan on the Madison River.

Mike Mitchell: Okay so let's make that change.

PEOPLE TALKING AT ONCE

Mike Mitchell: Now let's talk about that one.

Tim Aldrich: What's that Mike?

Michael Bias: The SRP as it is right now is a plan, some kind of plan.

Tim Aldrich: But in terms of recreational experiences and that sort of thing that it talks about in here there's

Jim Slattery: It's not a recreation plan per se.

Michael Bias: If I got to pay for a permit to get on the river it's a plan. It's a plan to manage migration on that river.

Jim Slattery: Yeah

Michael Bias: I'm not saying it's all encompassing

Jim Slattery: I see what you're saying

Michael Bias: It's still a plan

Scott Vollmer: And it's also a plan that follows detail rules in ARM which is actually thicker than the statewide river recreation rules because these are the commercial use one right here.

Don Skaar: This may be a semantic thing too because we do have river recreation planning guidance and so and that contemplates a lot of other things in there, in the SRP

Michael Bias: (unintelligible) and West Fork and all these other ones that have plans.

Don Skaar: Yeah

Mike Mitchell: Mark

Mark Odegard: How about putting in there, there is no comprehensive recreation plan (unintelligible)

Jim Slattery: That deals with social conflict?

Michael Bias: Something, somewhere I just know the SRP is not

Mark Odegard: is partial

Jim Slattery: sociological

Mike Mitchell: Here's a naïve question, why are you here? You're here to address a need, something that's missing so what should that be? Honest question? Charlotte

Charlotte Cleveland: Can we say that the last Madison River draft recreation management plan and environmental assessment was not approved by the Commission and put a date on there, whatever date that was.

Mike Mitchell: Without erasing Tim's

Charlotte Cleveland: I'm sorry I was just reading off of this, the April 19th 2018 Madison River draft recreation management plan and environmental assessment was not accepted by the Commission right?

Michael Bias: Right

Charlotte Cleveland: So that's why we're here. We were here originally to revise this plan, that was our charter. That's what we're here to do.

Melissa Glaser: April 19th, 2018

Mike Mitchell: Charlotte I'm sorry she's a fast typer but not that fast

Charlotte Cleveland: I'm terribly sorry. The Madison River draft recreation management plan and environmental assessment was not passed by the Commission.

Mike Mitchell: You got draft in there twice so, does that capture what you're saying Charlotte?

Charlotte Cleveland: I don't know whether the word passed or not is the correct phrase but it wasn't accepted, adopted or whatever (unintelligible)

Don Skaar: Charlotte would you think that would be, yeah I was going to bring this up I think that might be better incorporated into the first sentence because that

Charlotte Cleveland: yeah

Don Skaar: The first sentence addresses what the Commission is wanting us to do and it really is to revise,

Charlotte Cleveland: yep

Don Skaar: remember our charge

Charlotte Cleveland: Right

Julie Eaton: If we so choose

Charlotte Cleveland: right

Don Skaar: Well revise is,

Julie Eaton: Yeah

Don Skaar: can mean

Julie Eaton: Broad

Don Skaar: Lots of things

Charlotte Cleveland: Our charter

Don Skaar: but that is what the exact wording was

Charlotte Cleveland: yeah, so that's why we're here

Mike Mitchell: That's a good point, I mean that's the problem right?

Charlotte Cleveland: That is the problem. This was rejected.

Mike Mitchell: I blame the Commission

Charlotte Cleveland: Me to

Julie Eaton: No (unintelligible)

Mike Mitchell: Sorry is that tape recorder on? All right everybody feel pretty comfortable with that? Tim you do not look comfortable.

Tim Aldrich: I didn't sleep last night.

Michael Bias: I didn't either

Tim Aldrich: I want to go back through a little bit

Mike Mitchell: When you say go back through do you want to read over it again?

Tim Aldrich: yeah

Mike Mitchell: Okay

Michael Bias: It was not adopted for several reasons, I think having some kind of like deemed in adequate and therefore we're charged with formulating a new one but I don't think ours is going to do like a comprehensive management plan, Mark's words but it's gonna all-encompassing something.

Mike Mitchell: What about after Commission let's put because and then state why the Commission rejected it.

Charlotte Cleveland: I don't think you need that

Scott Vollmer: Yeah

Charlotte Cleveland: It doesn't really matter why they said no

Mike Mitchell: Okay

Charlotte Cleveland: all they did was say okay fine now here's your charter and maybe the word charter should, and that's why we're here. We've been tasked with for a Madison River negotiated rule making committee with a charter that says do this. That's why we're here.

Mike Mitchell: Okay so the only reason I propose that and if you don't want to do it, don't do it, okay is part of the problem is why.

Michael Bias: Yeah we

Charlotte Cleveland: They don't say

Michael Bias: need to know why

Charlotte Cleveland: They don't say, they don't say in the minutes why.

Mike Mitchell: Oh, they don't?

Charlotte Cleveland: They mention two things

Mike Mitchell: Okay

Charlotte Cleveland: But it's not a descriptive assessment of every single section that was rejected or what had to be reworked

Mike Mitchell: Okay

Charlotte Cleveland: There was nothing there that was, at least in my opinion that was,

Mike Mitchell: Okay

Charlotte Cleveland: guided us to what we were supposed to do.

Mike Mitchell: Okay, all right so

Tim Aldrich: Let me make an addition here so we've been talking about the EA, let's talk about the draft rule. In there, there's an overall statement of the (unintelligible) assessed as well. The proposed rules are not producing current Madison River use. Only proposing to maintain use at the current level to address increasing pressure on the natural resources due to increasing recreational use. There's the statement. That's

Michael Bias: That was it

Tim Aldrich: the reason, the rules as followed here,

Charlotte Cleveland: right

Tim Aldrich: That's the statement to me

Charlotte Cleveland: that was there opinion for (unintelligible)

Tim Aldrich: That boiled this down a little bit to something that (unintelligible) we got to put some parameters on it, that was what the Commission was looking at. We revised, that's not a bad starting point

PEOPLE TALKING AT ONCE

Mike Mitchell: I'm sorry go ahead Don

Don Skaar: yeah Tim I don't know if this is a friendly suggestion to what you just said but I think we shouldn't make too many I guess subjective interpretations about what you guys may or may not have said during the Commission meeting. I'd rather just state it

Charlotte Cleveland: Yeah

Don Skaar: they directed us to revise the plan and not suggest specific

Charlotte Cleveland: absolutely

Don Skaar: things that we address and others that we not address because certainly your conversation during the Commission wasn't intended to be all inclusive of everything that should be looked at.

Tim Aldrich: There was an assumption, again they were calling the rule. The CAC followed the rule didn't result in something that went forward, the Department took it over basically and finished the rule, proposed rule that came to the Commissioners. The Department boiled it down and that's not necessarily, my own feeling is that most people that live got to be pretty damn well (unintelligible) allow this group to look at. But this is, this was instrumental in terms of what the Commission did or did not do.

Mike Mitchell: So let's put something up on the screen, so after, in the previous sentence after Commission you read something off Tim about something that influenced the Commission. Was it the EA or

Tim Aldrich: What I'm speaking from was the draft rule that I quoted here.

Jim Slattery: Page 4

PEOPLE TALKING AT ONCE

Tim Aldrich: It's on page

Michael Bias: It's on page 1 under overall statement of reasonable necessity.

Mike Mitchell: So is there language in there Tim that you'd think would benefit this?

Tim Aldrich: I think it's language that needs to be considered by this group as a starting point. It isn't the end all necessarily but I think when we looked at, okay why did the Commission do this, what were they doing that caused, for me it's important to not bypass but talk about it.

Mike Mitchell: If it's important not to bypass, this is the starting point we need to include it, let's put some words on the screen that we can address specifically.

Don Skaar: How about Montana Fish, Wildlife Commission is in the process, has directed the Committee to revise the plan presented to them at the April 2018 meeting.

Mike Mitchell: I think that's definitely part of what you're doing, your charter but I'm thinking back what I'm hearing from people, I'm not advocating

Don Skaar: Okay

Mike Mitchell: for anything, but I have heard a need to explain why you are here doing it again.

Charlotte Cleveland: Yeah the charter

Mike Mitchell: Okay, so it didn't work the first time for some reason therefore you were convened to give it another shot and I'd kind of like to know why.

Don Skaar: So why we're revising the plan.

Mike Mitchell: Yeah, so the plan was rejected for some reason, I don't know what it was, this group was convened to revise it for some reason that I don't know. Is it important to capture that, this is why you're here.

Julie Eaton: We can't know the reasons because they're not stated (unintelligible)

Mike Mitchell: Tim did I hear you say there was something behind the discussions in the Commission or did I

Tim Aldrich: Well I think for me the each of us at the first opportunity a year ago to look at it April I guess, there was some things that the Commission members individually choked on, there was never any discussion really that warrant magnitude at that meeting but things like the lowest reach, down to no commercial use, (unintelligible) above Three Forks, that was a sticking point a little bit, some people were concerned that it would (unintelligible) the outfitting community, the commercial community was the only people that had to pay for (unintelligible) make the adjustments to or whatever. For me there was concern I had personally about the lack of access to the reach there below the dam private property (unintelligible), can't float in the terrain and vegetation is such that nobody could walk down there.

PEOPLE TALKING AND WHISPERING

Tim Aldrich: the one thing that the number of outfitters stood up and said you know you put in place a couple of measures here, three measures I'll say, one you're going to cap the number of outfitters, SRP permits to fish the Madison River, that was a big thing, we're going to stop it where it is, we're not going to let it grow anymore right now so we're going to (unintelligible), that was one, the second measure was days off on certain reaches, no commercial use on certain reaches scheduled for over a week period, another one was a number of trips or floats that a outfitter could initiate on any given day during June through September period, ten folks per day and for the rest of the year it was like five folks per day. I'm confused by some of the terminology because we have a plan we were just working on, on the Bitterroot.

Michael Bias: Yeah

Tim Aldrich: uses terminology we may want to adapt before we're all done but I'd sure like to have some similarities because it might be easy but anyway those were the things, and I think the Department used some numbers to calculate what that might mean relative to that steep incline on the chart on increasing activity fine days, and so that was there aim and we need to level off some, we can't just let that think keep going on that course it's on. The outfitters came and said you're not doing it folks, do the math you've got 200 plus or minus a few outfitters and you allow them this many folks per day you're expanding the possibility of use on the Madison many fold. Thousand times, ridiculously large numbers we talked about. Some of you were there and testified to that. So that said hey this has got to be reworked, there's not much sense sending this out to the public for their comments at this point in time, this is no, it's got holes in it

PEOPLE TALKING AND WHISPERING

Tim Aldrich: back to the drawing board the next meeting came back to the Commission with three alternatives for moving forward, one was to appoint another CAC using standard procedures under the rule 12 point whatever and address some of the issues that have been discussed about, a second was to use the negotiated rule making process, statutory process, and the third was kind of a do nothing (unintelligible) and I think after discussion and the magnitude of (unintelligible) I think that was a good ending, there are conflicts here that are going to need a special type of process to bring a forum together and create a draft plan and go forward for consideration to the public after the Commission approves it going forward. That's kind of a history so when you look at the pieces in the proposed rule in EA that basically, it was pretty important for me, it was we decided are there things we can accept and somethings we need to modify.

Julie Eaton: Okay going back to the sentence, yes I was there and that's an accurate representation but now by saying this and talking about revising specifically all of us at this point

agreeing to revise this what segment are we talking about? We've just gone from all the users that we floated to one set of users. That's what a revisal of this, is that a word revisal whatever.

Mike Mitchell: I like it

Julie Eaton: It sounded kind of weird to me

PEOPLE TALKING AT ONCE

Julie Eaton: So I think that actually constrains us by putting that specifically right now in our problem statement. It's not that we would ignore but this does not address use on the Madison, it addresses less than 10% of the use on the Madison, upper.

Tim Aldrich: What it does address in terms of, the people that are on that river every day that work here in Bozeman and go over and, or Ennis and Bozeman one thing or another the experts on the ground the River Rangers, they are out there observing and talking to people and there's over more than 10 years this discussion about the quality of the experience of why I'm not fishing here anymore or what I have to do in order to find a place to fish, there were a number of instruments set out by Region 3 asking the public some specific questions about their experiences, so it's not like there isn't a lot of information that in my mind it doesn't, it's very difficult to quantify it percentage wise and all those kind of things but it's something that that part of the Public Trust that says for the benefit of all, it says maybe it's time to take a look at that.

Julie Eaton: So we're the all yep

Tim Aldrich: I can understand why this is where they said we want this to stop. We're not going to dive into huge economic adjustment or impacts and so forth but we need to stand back, take a deep breath and say how do we address user concerns for the quality of the experience that the wanted to obtain, the lack of quality that made it go away.

Julie Eaton: Period and then we as a group will discuss that so to call out this document specifically at this point I think is premature for our group.

Mike Mitchell: I'll tell you what my thoughts are on that it's up to you guys what revision means. It could be a tweak, it could be a wow, we need to really rethink this and we'll consider that full range of options from, you know let's just stick with what we've got versus let's completely rewrite the thing. So you'll have an opportunity to define what different ways of looking at that management plan will look like when it comes to revising. The important think about revising, back to the screen is we need to set the stage for what those revisions might be by saying and here's the problem caused by it. Here's the problem that's caused by the lack of a management plan. Here's the problem that's caused by, or the reason that the previous management plan wasn't approved and it sets the stage for how you're going to revise it how to improve it.

Julie Eaton: It says that crowding period.

Mike Mitchell: Yeah we just, I just added that

Julie Eaton: Good

Mike Mitchell: Just based on what I heard

Julie Eaton: You can take the next sentence off

Mike Mitchell: Okay, first off that's stuff that was added.

Jim Slattery: Yeah, increased users. I think it's a user issue, you know increasing the amount of users exponentially

Melissa Glaser: fishing, (unintelligible) social conflict

Jim Slattery: that social conflict from increased user

Mike Mitchell: So get rid of crowding, issue of increased social conflict due to

Charlotte Cleveland: increased use

Jim Slattery: increased use, yeah

Mike Mitchell: Increased social conflict due to increased use. What do you guys think?

Jim Slattery: Can we sayw crowding in particular (unintelligible) I'm just throwing it out.

Michael Bias: I think

Jim Slattery: There's other social problems

Michael Bias: they tried to address the issue of social problems they just didn't do it

Jim Slattery: right

Michael Bias: and so it was like, it did not resolve the issue of social conflict

Jim Slattery: no

(unintelligible)

Michael Bias: Because in the end yeah social conflict all over the place.

Mark Odegard: In my reading of this I thought it was pretty heavy handed, the recommendations and there were very little why in making some of the recommendations and I think that was written up in the Madisonian too. What other people thought.

Mike Mitchell: Did not resolve the issue of increased social conflict, do you want due to increased use in there or?

Michael Bias: (unintelligible) social conflict due to increased use.

Charlotte Cleveland: Yep we can get rid of that first increased if you want because the issue social conflict and like Tim says

PEOPLE TALKING AT ONCE

Tim Aldrich: the Department

Charlotte Cleveland: Yep, it's existed for a long time

Jim Slattery: there you go

Mike Mitchell: Look good? Julie you do not have your looks good face on.

Julie Eaton: We're kind of rushing through so I will try and to sit with it again, I like those arrows that go back around.

Mike Mitchell: Okay

Julie Eaton: We're just in the moment to something that's crucial.

Mike Mitchell: Yep perfectly fine.

Jim Slattery: (unintelligible)

Mike Mitchell: What's that?

Jim Slattery: We'll get more definition as we go along.

Mike Mitchell: That's perfectly fine. You can think of this as a draft. We can always come back tweak. The important thing that I want to get to today is there just a massive gap that's missing in here, something that we've failed to capture.

Jim Slattery: Yeah when I read it last night I was thinking what's the problem. That's what I saw, I read this and then I was like, reread this and I was like well it's not much different than what we have so I don't know.

Mike Mitchell: Yeah Lauren

Lauren Wittorp: Maybe this is a question for you Tim I don't know, but in saying that the Commission didn't adopt it because of that one reason are you trying to get it down to one reason because it wasn't just that.

Melissa Glaser: That's true

Lauren Wittorp: It wasn't just social conflict. I mean there was at times Commissioners were saying they weren't adopting because commercial use didn't use didn't have enough input. That there were all lot of different comments made not just one.

Charlotte Cleveland: So do we have to have,

Don Skaar: No

Mike Mitchell: I think it's up to you, it depends on whether that's part of the problem. Why you're here. Okay if part of the problem is why the original plan was deemed inadequate and you're here to improve on that it might be good to specify why it was inadequate. Because it'll help set up, well these are the solutions that we think that would make it more adequate or that might make it more adequate. Without knowing what the pitfalls were on the first one it's kind of hard to say well how did this one improve on the past.

Michael Bias: right

Lauren Wittorp: So wouldn't that require like a statement from the entire Commission when they, I mean if there was never one released that had exactly why, and that's why I have an issue with just writing in part because of one thing, we never heard, I mean each Commissioner made their own comments.

Mike Mitchell: Okay, I'm not, I'm totally not familiar with

Lauren Wittorp: No that's

PEOPLE TALKING AT ONCE

Lauren Wittorp: I understand that, I just have an issue with it not being all encompassing with everything if we're going to evaluate it as a problem of the reason specifically why it wasn't chosen if that's then the only thing we're going to look at when we're creating objectives I would have to a problem with that.

Julie Eaton: Yeah, just put

Charlotte Cleveland: I've read the minutes and it really was not clear to me, I was used to a much more legal kind of description of why it was rejected, specifically why it was rejected or things that should be tweaked or whatever, but there wasn't, there was not a comprehensive list of why it was not adopted at least in the minutes.

Lauren Wittorp: And like I said you're not comfortable just putting a period there after it was not adopted by the Commission?

Michael Bias: No I am

Lauren Wittorp: Oh okay. I thought you'd said earlier you wanted a description.

Michael Bias: No I think try and

Jim Slattery: It does say in part, it doesn't say

Julie Eaton: That raises that to the number you (unintelligible) identify just that.

PEOPLE TALKING AT ONCE

Jim Slattery: In part to me it leaves it open, it wasn't the only issue but this was one of the many issues.

Mike Mitchell: Kill it?

Jim Slattery: and it was

Tim Aldrich: it was there were other issues that might have been resolvable after getting public input

Michael Bias: We're the minutes I'm sorry, because I have kind of a clear recollection on each Commissioner, boom, boom, boom, boom even before, we're like wow

Charlotte Cleveland: You know I couldn't get a list, there wasn't a list that told me

Michael Bias: Yeah so I'm not

Charlotte Cleveland: exactly

Michael Bias: how the minutes

Lauren Wittorp: But I think when the decision was made to go alternative C at that meeting when it was chosen to create

PEOPLE TALKING AT ONCE

Michael Bias: the alternative C was a meeting after

Tim Aldrich: second meeting

Lauren Wittorp: right but that second meeting when this idea of making negotiated rule making committee it wasn't specific why they

Michael Bias: No, no

Lauren Wittorp: That's where, I'm like, they weren't like, it was because of this. I don't think that decision came about because of a specific directives.

Michael Bias: It was the first meeting, it was the April meeting to where, even before no, (unintelligible) the Commissioners just started firing (unintelligible) kind of cool.

Tim Aldrich: (unintelligible)

Michael Bias: They were very specific reason (unintelligible)

Tim Aldrich: There was some back and forth between Shane Colten that identified what I talked about earlier in terms of reaches that were inaccessible and the wade only and the absence of commercial use of the lower reach and Shane and others talked we need to share the pain as well as the joy on this thing and it wasn't provided in there. I don't think at that point we got into the discussion about the public and the social (unintelligible), we felt, where we all spent a lot of time before that first meeting looking at a lot of the data that was used by this first CAC and by the Department in coming up with some of the things that they proposed in that deal and a lot of that had to do with in over 10 years of gathering information and I call it information because it, they not be able to analyze and percentalize it and all sorts of stuff and you know there was a lot of conversation with through instruments the Department sent out, also through River Rangers that were out there and people that were administering what's going on saying there's people going away and their going away because the recreational experience they were looking to have, when they came to the Madison River is no longer available and it's due to the multitude of adversity (unintelligible). So that then caused the Commission, the first motion was to send this out for public comment at the meeting in April, there's to many things to fix her to send it out, let's not do that and have a two month period kind of regroup and like how we move forward with alternatives. Meeting two was the three alternatives I talked about and I think at some point when the public (unintelligible) and old friend of my dad's and mine I guess came all the way from Butte to talk about his experiences on the Madison (unintelligible) his experiences on the Beaver Head, Big Hole and all those kind of things and again another like Mr. Haugen was here last night using the Madison for years and years don't do it anymore, just don't do it but then what capped it for me was the fact that huge void relative to not being able to approach what their overall statement of reasonable accessibility was in the rule was which was let's take a break stop where it is let's not let that things continue without us paying attention to the other stuff that's out there that people are addressing is all about public wanting to be, having the ability to enjoy and use that public trust, that's how it got to where it is as far as I'm concerned.

PEOPLE TALKING AT ONCE

Lauren Wittorp: I think because of what you're saying you can't call it the April 19th, because it wasn't not adopted, it wasn't sent to public comment, there was never a vote by the Commission to adopt this. It never made it that far into the process.

Tim Aldrich: There was a motion that yeah caused it to not move forward.

Lauren Wittorp: Right

Don Skaar: Well it does say presented it doesn't say adopted

Lauren Wittorp: It just says was not adopted

PEOPLE TALKING AT ONCE

Michael Bias: That was good recollection

(unintelligible)

Mike Mitchell: Well I'm feeding back what I'm hearing, if I'm not hearing right then if we can get rid of it but

PEOPLE TALKING AT ONCE

Tim Aldrich: The Commission sent out for public comment

Mike Mitchell: I can kill it if you don't like it

Tim Aldrich: What's that?

Mike Mitchell: I can kill what we just typed in if you don't like it

Michael Bias: One thing I took away from that April meeting was that it you never even made it to like what's present was, all the Commissioners were like whoa are you kidding, we can't even let this go so, and that the April 19th the A was a like a culmination of 50 years of trying to do a plan on this river and everyone has not been successful or implemented

Tim Aldrich: But I don't, I think it's inaccurate to say, the second part of that sentence you type faster than I can read, adopted, sent for public comment, I don't think that was the reason

Mike Mitchell: Okay kill it

Tim Aldrich: social reasons, it was a number of reasons

Mike Mitchell: Okay

Tim Aldrich: So I wouldn't at this point encourage

Mark Odegard: we just say for many reasons

Mike Mitchell: Well so anyway we can come back to this but I think at some point the group is going to want to be able to explicit about how what you come up with is an improvement on what was originally come up with and it's hard to know what that is without knowing the short comings.

Michael Bias: Can we do something like, just have a general statement here and have a section in the beginning of the plan like have a background or section and define it there or do we have to define why it failed.

Mike Mitchell: Is it part of the problem that you're here to address

Michael Bias: Yes

Mike Mitchell: Okay then it should be in the problem statement

(unintelligible)

Mike Mitchell: Okay but why and why are you going to come up with something that's an improvement?

Julie Eaton: Yeah we didn't get, I mean I was there so I heard it but as a Committee person we didn't get here's the reasons why this didn't work and if you look at the minutes it's not, if you sat here and listened again, the things that Tim was saying there were numerous things that we were not going to go forward at all. I mean literally this, they wanted to make sure we're going to do well here, we made some mistakes in the past we have other rivers to consider. We want to make sure that this document is whatever the word was so at that document it was talking about the whole document. The person that brought this document back in my mind to use and revise was the Director and then she's like wait, wait, wait, let's keep what's good and throw, because before that everyone was like yeah we need to start from scratch on this thing and like I said the Director said well wait let's use, and I had, I took all the notes because all of a sudden it was gone and then it was back.

Don Skaar: No yeah right I mean so how about this idea so at the subsequent meeting when it was negotiated rule making that was chosen it was based on what Martha wanted and then, well I mean that was her, that was her, no at the Commission it wasn't, she advocated that to the staff is what I meant to say but as I recall our presentation to the Commission did mention a value of that in that it's a way of ensuring that all important stakeholders are considered so I mean that's, maybe that's part of our charge is we're revising that plan because of that need to ensure those, all interest have been included.

Julie Eaton: Is that general enough for everyone to say why it didn't pass or how does that, what Don just said it didn't address

Don Skaar: Well not why it didn't pass but why we chose the process we're in now and that

PEOPLE TALKING AT ONCE

Don Skaar: that talked about need

Tim Aldrich: My perspective on it a year before that we'd been dealing with the Quiet Waters drivin petition effort and it got so huge with so many different problems in it that the Commission I think was wow this is something you just can't cure in a period of two months or whatever before draft and final at this point is undoable and I don't think they wanted to have something here that can be the same.

Julie Eaton: right

Tim Aldrich: And that obviously

MIKE MITCHELL TALKING AT SAME TIME AS TIM. CAN'T UNDERSTAND

Tim Aldrich: there's a lot of stake here for some people monetarily, but there's a lot at stake been documented over time for the people we expect something (unintelligible)

MIKE MITCHELL TALKING AT SAME TIME AS TIM. CAN'T UNDERSTAND

Tim Aldrich: Negotiated rule making process when he talks about when you make that choice I'm saying there's going to be some need to meld some good thoughts and get rid of some bad thoughts and then come up with something that works for the whole part of the resource and public opportunity. That's how we got there as far as I'm concerned. But again that just begs the question at some point why did the Department, Region 3 people come up with a draft rule based on some of what they heard from the CAC because they did bring some things forward from that CAC Committee they just didn't accept the whole thing, that lower reach was, a recommendation that came out of that, that CAC but it really said, let's slow this train down, let's not just proceed knowing that there are a number of things that we can perhaps consider before we decide what to fix in a week and they went forward and said there's a whole bunch of things in here that they're not necessarily related to social conflict.

Mike Mitchell: So we're auguring in and really what I'm trying to understand as somebody outside looking in is what's the problem and the problem can be simply stated. It doesn't need to be paragraphs and so I'm trying to understand why you're here. You're here to address something, to revise the previous plan because the previous plan did not do what. That should be a relatively, I mean if that's part of the problem. Does anybody disagree that, that's part of the problem of why you're here? Okay so let's capture that and it can be simple. I know we're talking about something that's nuanced and complex but let's summarize that nuance and that complexity up there so that it's clear to somebody on the outside looking in why you're doing this.

Jim Slattery: What I hear from Tim is it did not adequately address the social conflict on increased use.

Mike Mitchell: Okay, so look at what we have up there, what's highlighted right now. I just tacked that on the end again, don't feel obligated, I want to be talking about concrete things

on the screen so does that capture what you're talking about or do we need to change that around.

Lauren Wittorp: Why wouldn't the Commission directive be our charter not, I mean, just to revise river recreation plan not to address social issues?

Mike Mitchell: Well again and I'm going to stop pushing a round peg into a square hole, I do not agree, but I want to know why you're here. What are you here to revise? Okay there's a reason that the original one was deemed inadequate and you guys were convened to come up with something else. That's part of the problem in my opinion. If you don't share that opinion again I'm not going to keep pounding a round peg. But I do think you should be able to explain to John Q Public why the need to revise, why are you here?

Julie Eaton: Well as Tim said it was closure of part of the river, it was a wade only section of the river, it didn't, it actually added days, boats whatever terminology you want, wade above that (unintelligible)

Mark Odegard: (unintelligible)

Julie Eaton: regardless of above what people thought so I mean none of those is above the other and again we're only talking commercial right now.

Mike Mitchell: What was the effect okay and I think that could be important all right because the previous one only addressed commercial issues, maybe that's part of the need for revisions but also so what is the upshot about these things that were problematic. Is it like I heard somebody say because it did not reduce the growth of use on the river?

Michael Bias: That's one

Jim Slattery: That's one

Mike Mitchell: Is that the upshot of those details that you mentioned?

Julie Eaton: That's your, their independent. If you close part of the river that's not, that doesn't relate to anything.

Michael Bias: river closures was, restrict numbers

Julie Eaton: It didn't address other users

PEOPLE TALKING AT ONCE

Michael Bias: It didn't address other users. So there's three really.Jim Slattery: What is that

Mike Mitchell: All those all social issues associated with use of the river? People didn't like them?

Michael Bias: Well I don't,

Jim Slattery: It was because of social issues right? Residents felt they needed their own section yada, yada, yada that's a social issue.

Michael Bias: I don't know why the closures were proposed.

Jim Slattery: Well that's a different can of worms.

PEOPLE TALKING AT ONCE

Tim Aldrich: I, you know that, under all question is Region 3 people basically and it probably was the people in Helena put together that proposed rule and it, to me I never was told or saw anything of value that said these are the exact reasons why we said we're taking a break but I do know there's a history of over 20 years basically of public input and comments on experiences and quality and whether we can still fish there and whatever else, told us some things that, told them some things that said with that steep climb the user activity year after year after year we got to take a closer look than what we have at addressing the rest of the public that's not enjoying all the (unintelligible)

Michael Bias: right

Mike Mitchell: So let's pull it back to the screen. What do we want to change.

Lauren Wittorp: I would say for me in part of that one needs to be added to that and written in the Madison River draft recreation management plan and EA we mention the potential impacts that recreation can have on those resources? I that's part of the problem and what needs to remain in there.

Mike Mitchell: So proposed some verbage

Lauren Wittorp: Associated with use of the river, I mean even just adding in the potential impacts that recreation can have on those resources.

Michael Bias: No that wasn't in there, that wasn't the reason for the proposed plan, it was social conflict and (unintelligible)

Lauren Wittorp: It's in here FWP, that's what FWP wrote.

PEOPLE TALKING AT ONCE

Lauren Wittorp: not a resource management plan, this plan does recognize the vital role that resources plan in the recreational experience

Michael Bias: right

Lauren Wittorp: the potential impacts that recreation can have on those resources

Michael Bias: right

Julie Eaton: That's not what triggered this

PEOPLE TALKING AT ONCE

Michael Bias: vital role that recognized that that's not why they said hey we need a plan, it was man, increased use, conflicts between wade anglers and non-wade anglers, every presentation started out with it's not a biological issues

Lauren Wittorp: But I would say that FWP staff including Travis Horton and Dave Moser said in those meetings to the Commission that there was a tipping point

Michael Bias: they didn't

Lauren Wittorp: where the resource would be impacted, they did

Michael Bias: they didn't every meeting Travis was at started with this is not a biological issue and Cheryl as well

Lauren Wittorp: I mean Travis and Dave said, have said that to the Commission

Jim Slattery: It says right here, however FWP has concerns that increased use may reach a level that negatively impacts fish populations especially during the warm summer months. It says it right here. Page 5 last sentence.

Michael Bias: And where does it say and this is why we're generating this plan.

Jim Slattery: Well it doesn't

Lauren Wittorp: It's part of the verbiage

PEOPLE TALKING AT ONCE

Mike Mitchell: Hold on its time out. I don't' want to argue

Michael Bias: (unintelligible)**PEOPLE TALKING AT ONCE**

Mike Mitchell: Let's put some words on the screen so I've heard some people say that impacts on the river are part of the problem. Again, not everybody's going to agree with that but if there are folks out there that believe impacts on the river are part of the problem

Julie Eaton: You've already got it in there.

Mike Mitchell: Where

Julie Eaton: That's something we worked out

PEOPLE TALKING AT ONCE

Mike Mitchell: Oh yeah that's the one we moved down and so because it's down there got ahead MelissaMelissa Glaser: So the Commission has directed the Madison River Negotiated Rule Making Committee to develop a plan that would incorporate the interests of stake holders and would address the social issues associated with these (unintelligible)

Mike Mitchell: What do you guys think?

Lauren Wittorp: Well wasn't, isn't the Negotiated Rule Making Committee to make a river recreation plan not address social issues?

Melissa Glaser: That's what the plan is going to address though.

Scott Vollmer: That's the crux of what this is all about

Mike Mitchell: I'm sorry I didn't hear you.

Scott Vollmer: That's the crux of what this is all about is developing a recreational plan to address social issues.

Don Skaar: I would, if you would consider this amendment to what you just had develop a plan that would incorporate the interests of all stake holders period. I thought that was really fundamentally a lot of what this was about was the Commission again wanting to make sure everyone was heard and it's kind of why we're made up the way we are this Committee.

Mike Mitchell: And kill that part Don?

Don Skaar: That's my suggestion.

Mike Mitchell: What do you guys think?

Jim Slattery: I think that's a tall order. I don't know if that's possible.

Mike Mitchell: Well and that goes back to this. It's not going to be possible.

Jim Slattery: right

Mike Mitchell: To make everybody happy.

Jim Slattery: So should it be to try to incorporate?

PEOPLE TALKING AT ONCE

Mike Mitchell: Up to you but you are going to evaluate the extent to which alternatives actually accomplish that.

Jim Slattery: Right it'll be like buying that house well this has got this, this

Mike Mitchell: Yep

Charlotte Cleveland: Yep

Jim Slattery: The most things that we can get

Charlotte Cleveland: Yep

Jim Slattery: that's what we're going to have to go with

Mike Mitchell: So we're going to try and do that. It's up to you guys you want try in there?

PEOPLE TALKING AT ONCE

Mike Mitchell: Jim they don't like that idea?

PEOPLE TALKING AT ONCE

Mike Mitchell: Positive thinking. Okay, we blew right through the break guys and

Tim Aldrich: what break?

Mike Mitchell: We blew through an imaginary break but the conversation was really important and I didn't want to slow things down so you want to take a short break now or press on towards lunch? Oh, talking with Becky is that still?

Don Skaar: She's still disposed

Mike Mitchell: Okay

Don Skaar: otherwise

Mike Mitchell: disposed otherwise so that remains tabled unless people want to untable it? I hear no interest in untabling. Is that a word?

PEOPLE TALKING AT ONCE

Mike Mitchell: Disentabling. Let's take a break, let's get back together at 11:25, 35 I'm sorry.

COMMITTEE IS ON BREAK

Mike Mitchell: Okay let's get rolling again. Has everybody noticed that the challenge of the conversation kind of be ramping up a little bit? That's because this is a difficult conversation to have and it's difficult for everybody to wrap their heads around the problem and see it the same way so this is just part of it. I don't want you to worry that oh, we're not making progress or this pain is not worth it. The pain is because it's a difficult conversation to have. It's difficult for everybody to put their cards on the table and talk about them. But hang in there. I talked with Don, Becky is still in a meeting, we'll keep trying to reach her when she's available so thanks for being patient on that. What I'd like to do for the next 25 minutes is okay, we got down into the weeds talking about the problem statement and that's fine. I think we made real progress on an important aspect of it. Not claiming anything is perfect or polished at this point. Is there anything else in there that doesn't belong or anything else in there or anything not in there that does belong. And again all we're trying to do is capture the problem. We're not trying to say who's perspective is right. It's just all these perspectives need be up there.

Lauren Wittorp: I mean, my only thing before that the plan even came out, I don't know if it's worth having in there why FWP created the plan in the first place. If that is considered part of the problem or how we got here is more to be concerned with.

Mike Mitchell: You mean the original plan or when you say plan which one you talking about?

Lauren Wittorp: Why FWP wrote the plan in 2018.

Mike Mitchell: Oh, okay, and that's not captured up there?

Lauren Wittorp: I guess in so many words I guess that it is if you consider the Commission.

Tim Aldrich: The purpose statement on the draft EA that came at the same time (unintelligible) I think we already read that. Montana Fish, Wildlife, and Parks is proposing a recreation management plan that with Administrative Rules for the Madison River from the outlet to Quake Lake downstream to the confluence to the Jefferson River and downstream to Three Forks Montana. A recreation management plan and Administrative Rules are warranted to provide guidance for managing river recreation and (unintelligible) manage access sites on the Madison and can help preserve the quality of recreational experiences for all users. While not a resource management plan, this plan does recognize the vital role that resources plays in recreation experience and the potential impacts that recreation (unintelligible) resources. That was the goal point.

Mike Mitchell: Okay, does that require modification and what we have up there?

Lauren Wittorp: I guess since it does say environmental assessment in support of that same thing I guess it's mentioned but that's a part of that so.

Mike Mitchell: Other thoughts?

Melissa Glaser: We talked about yesterday the, that Fish, Wildlife, and Parks their jurisdiction so I don't know if we wanted to put a section there. I wrote Fish, Wildlife, and Parks is limited by the sections of river over which they have jurisdiction but some stake holders are concerned over crowding areas not under Fish, Wildlife, and Parks jurisdiction.

Mike Mitchell: I can how that would be important. That's a constraint. If we say Fish, Wildlife, and Parks authority is not unrestrictive. Is that something that we'll see as yeah that's something we need to consider as a group? That was something we talked about.

Jim Slattery: In here it says (unintelligible) to verify, (unintelligible)

PEOPLE TALKING AT ONCE

Tim Aldrich: Just to simplify that we talked about it (unintelligible).

(unintelligible)

Mike Mitchell: Okay so let's throw some words up there.

Melissa Glaser: Fish, Wildlife, and Parks is limited (unintelligible)

PEOPLE TALKING AT ONCE

Mike Mitchell: Go ahead sorry

Scott Vollmer: We could put it at the bottom with the other constraint Fish, Wildlife, and Parks last sentence.

Mike Mitchell: right there?

Scott Vollmer: yeah

Mike Mitchell: Okay so

Scott Vollmer: Just a suggestion. Sorry Melissa

Melissa Glaser: Is limited by the sections of river over which they have jurisdiction but some stakeholders are concerned over crowding in areas not under Fish, Wildlife, and Parks jurisdiction.

Jim Slattery: (unintelligible)

Melissa Glaser: (unintelligible)

Jim Slattery: That's under jurisdiction of FWP. Montana (unintelligible) the officer can give you a ticket, it's his jurisdiction.

Melissa Glaser: It says maybe jurisdiction isn't the right word

Don Skaar: Yeah, we would have to adopt rec rules to have that authority. Jurisdiction may not be the right word there. It is within our jurisdiction we just don't have an established authority to restricting use there right now.

PEOPLE TALKING AT ONCE

Scott Vollmer: Established authority

Don Skaar: There you go yeah

Mike Mitchell: Does that catch your thinking Melissa?

Melissa Glaser: I was just kind of thinking about what we talked about yesterday.

Mike Mitchell: Yeah, I know, we're throwing spaghetti at the stream so that's why I want to keep talking about what spaghetti is up there and we can change it, get rid of it, do whatever you want to do.

Michael Bias: Over which they have established authority sounds like (unintelligible)

Julie Eaton: Plus the man on the street wouldn't know what that means, I know that that means they have water authority but on the outside of the water that's Forest they don't so what does that, I know where the hairs are split on that but I'm not sure that that

Jim Slattery: (unintelligible) it's wide open

Julie Eaton: I can't go (unintelligible) so

Jim Slattery: Is that a Forest Service problem so you have to have a Forest Service permit

Michael Bias: (unintelligible)

Julie Eaton: In that area so that's where

Jim Slattery: (unintelligible)

Julie Eaton: FWP there and

Jim Slattery: How does that, I know how that affects you but how does that affect the social conflict

Julie Eaton: Well

Jim Slattery: You know what I'm saying I mean

Julie Eaton: Okay let's say I do have one if I'm there I have public (unintelligible) in my boat or in my care

Jim Slattery: right

Julie Eaton: That's how it affects, but if I'm there or not is not FWP's choice as a commercial person. It's Forest Services choice

Jim Slattery: That as a commercial person but if you're there as a public person that's what I'm getting at, I mean, you know what I'm saying

Julie Eaton: I do but that's (unintelligible)

Jim Slattery: Well conversely (unintelligible)

Julie Eaton: Right so together they make a whole (unintelligible)

Mike Mitchell: It says some stakeholders it's not saying all and so I definitely heard a lot of discussion yesterday about this is a problem much bigger than the limited aspects we're talking about and so there are concerns about impacts and crowding on the river beyond sections that FWP has authority over access so did I say that right?

Jim Slattery: It's limited to commercial use where they do not have established authority. I guess that's where I'm portioning this out so they have authority but just not in regards to who being an outfitter on that section of river. So we're excluding, I guess my point is we're excluding everybody else but outfitters.

PEOPLE TALKING AT ONCE

Jim Slattery: In the definition, I'm sorry.

Julie Eaton: I'm not saying that has to be there but

Jim Slattery: Right I'm just saying (unintelligible)

Mike Mitchell: Well okay so let's go back to the basics. Is the fact some stakeholders have concerns broader than there is, which FWP has access for part of the problem, or permitting authority is that part of the problem? I see Don shaking his head yes other folks what do you think?

Jim Slattery: Yeah I like that

Mike Mitchell: We're not saying all stake holders feel this way, some stake holders do, that's part of the problem?

Jim Slattery: Yeah it should be permitting, established permitting (unintelligible)

Mike Mitchell: So let's get

Don Skaar: Established authority for recreational restrictions.

Scott Vollmer: Recreation management

Mike Mitchell: Okay, what do you guys think about that?

Tim Aldrich: The Committee, not the Commission the Department and the Commission have relative authority in 87-1-301 the Commission may adopt and enforce rules governing recreational uses on all public fishing reservoirs, public lakes, rivers, and streams that are legally accessible to the public or on reservoirs and lakes that operate under agreement with or in conjunction with federal and state agency (unintelligible). These rules must be adopted in the interest of public health, public safety and public well fare and protection of property of public resources.

Mike Mitchell: So you're saying there is no jurisdiction over

Tim Aldrich: I think for certain things the Commission and Department have authority over, if it's seasons a lot of those kind of things.

Jim Slattery: That's what I was thinking

Tim Aldrich: That you know

Don Skaar: Maybe if we just changed authority to rules we haven't established rules for those sections. We do have the authority.

Tim Aldrich: That's probably

Don Skaar: The issue is we haven't established the rules.

Tim Aldrich: And the only exception is we can't do anything about firearms and things like that, conditions and so forth.

Mike Mitchell: What do folks think?

Melissa Glaser: I think it's kind of confusing there,

Jim Slattery: Yeah

Melissa Glaser: Montana Fish, Wildlife, and Parks is limited by the sections of river over which they have established rules for recreational management.

Mike Mitchell: Were you an English Major by any chance? I mean that's a compliment all right.

PEOPLE TALKING AT ONCE

Jim Slattery: I don't know it's like Julie and I were discussing it's more about they have they're not limited there. The only think that they're limited in doing is allowing outfitters that's under the jurisdiction of the federal so everything else is the same. If that makes any sense. Do you understand what I'm saying? Everything else is the same except that who can be an outfitter there and you have to be an outfitter and you have to have a permit in the Forest Service.

Tim Aldrich: No, well to use Forest Service land (unintelligible)

Jim Slattery: yes

Tim Aldrich: If there's a fishing access site on National Forest (unintelligible) the Bitterroot, and I expect, we out to ask an outfitter that does that (unintelligible), the outfitter licensing (unintelligible) industry, as far as I know

Jim Slattery: Right

Tim Aldrich: so that's (unintelligible)

Jim Slattery: You have to have a permit to use that as an outfitter.

PEOPLE TALKING AT ONCE

Tim Aldrich: You have commercial activity or fishing you have an outfitters license or work for an outfitter that does then you'd have guide status.

Michael Bias: Right and in this section you got Forest Service permit as well.

PEOPLE TALKING AT ONCE

Scott Vollmer: Jim you're exactly right and it's the access because a perfect example

PEOPLE TALKING AT ONCE

Scott Vollmer: would be this, I do not have a Forest Service permit in order to put my boat on the water of what we call the airport, McConnell landing up near Gardner on the Yellowstone and float down to Yankee Jim both of those access sites are Forest Service access sites therefore I cannot commercially operate there. I can float a boat fine by myself but I cannot commercially operate there.

Jim Slattery: I know on Hebgen if a outfitter goes or a guide goes to Yellowstone holiday to their private launch there then they can guide out on the lake so it is an access problem.

Mike Mitchell: Okay so back to the spaghetti on the stream. How does that change what we have up there? Let's have some proposed changes. Jim, if you want to just get rid of it

Mike Mitchell: Say again

Jim Slattery: A commercial access problem without a Forest Service permit. That's probably called something else but I would call it that.

Mike Mitchell: Okay where you talking about inserting that?

Melissa Glaser: The way I understood yesterday that it had nothing to do with commercial that it was non-commercial activity up there that's causing the crowding and

Jim Slattery: Right

Don Skaar: Even though it's Forest Service access FWP could pass recreation rules restricting all the uses of the water.

Jim Slattery: Right

Don Skaar: I mean obviously we have a coordination job to do with the Forest Service there but that's just similarly on the Yellowstone we could shut it down to all users even though you got a permit at the Forest Service site.

Jim Slattery: You're saying you're limited to establishing rules in that area and that's not true.

Melissa Glaser: So maybe we just get rid of it.

Jim Slattery: Yeah

Mike Mitchell: Kill it?

Jim Slattery: The only thing you're limited to is

Mark Odegard: I think the second half is right, it's the first part that's

PEOPLE TALKING AT ONCE

Jim Slattery: Yes, Mark yes

Mike Mitchell: So I'm sorry Mark what was the suggestion?

Mark Odegard: If you just did what I

Mike Mitchell: All right how does that look?

Mark Odegard: Ah

Mike Mitchell: That was a no, pretty sure I heard a no.

Jim Slattery: Yeah, all right

PEOPLE TALKING AT ONCE

Michael Bias: That's not it, they have rules up there, you have rules up there you don't have any authority, you don't have any rules regarding commercial use up there.

Jim Slattery: Between the lakes and even about Hebgen is kind of the red headed step child of all these regulations that (unintelligible)

PEOPLE TALKING AT ONCE

Mike Mitchell: He didn't mean you.

Jim Slattery: So I don't know, they included when you did this and when that was under Forest Service, they included the Bear Trap, and other places, I don't know what we should do with that.

Don Skaar: Jim how about if we say where FWP has not established rules.

Jim Slattery: Well you have rules up there.

Scott Vollmer: They haven't established commercial use rules.

PEOPLE TALKING AT ONCE

Michael Bias: Can I ask the audience?

Mike Mitchell: Sure

Michael Bias: Can I use my 50 50?

Mike Mitchell: Phone a friend now.

Michael Bias: The first two days of meetings we covered this and I kind of forgot. Why doesn't the SRP cover between the lakes or Bear Trap is it because it's Forest Service?

Unidentified Speaker: Because all of the access, there's no FWP access, we do have, we regulate the waters in those areas but we cannot regulate the access.

Michael Bias: So that's why between the lakes

Unidentified Speaker: Because it's only Forest Service access so BLM and FWP do not have access there. But we can regulate the waters in that section.

Michael Bias: So I'm kind of afraid to ask this, don't ask, why is the SRP in coordination with BLM and not the Forest Service as well?

Unidentified Speaker: The Forest Service is under the Department of Agriculture they do not have the same

Michael Bias: Oh, that's right

Unidentified Speaker: permitting requirements that the rule does

Unidentified Speaker: And they had existing permits in place.

Michael Bias: right

Unidentified Speaker: and existing restrictions on how many permits could be in place. Same as with the Bear Trap we have two permits allowed established in 78 not in 2007.

Michael Bias: that there's do?

Unidentified Speaker: Yeah

Jim Slattery: So the question then, now hearing that, the question is then access, does FWP have the right to restrict access there?

Unidentified Speaker: Through the Federal land?

Jim Slattery: yes

Unidentified Speaker: No

Unidentified Speaker: No, we can restrict the water though so basically if we said you cannot be on this water the access isn't going to serve you.

Jim Slattery: Okay so you can affect that.

Unidentified Speaker: Yes

Tim Aldrich: Is it going way from whatever there are certain authorities, I just said

Unidentified Speaker: Yep

Don Skaar: But we haven't done that.

Tim Aldrich: broad you know.

Don Skaar: So that's why it says there aren't established rules

Unidentified Speaker: right

Mike Mitchell: So what do you want to change?

Tim Aldrich: As I recall yesterday's conversation is people wanted to have that in there, it's kind of a reminder that piece that

Michael Bias: I think it's important to be in there because if you started adjusting rules in the walk wade section there or whatever it's going to

Jim Slattery: It's already, it's already

Michael Bias: And apparently

Jim Slattery: there's (unintelligible) right there.

Mike Mitchell: So what do you want to change?

Jim Slattery: After, from what I heard I'm comfortable with that, I'm more comfortable with it. It might need some tweaking I don't know.

Mike Mitchell: Other folks

Michael Bias: They do have rules up there, they do have rules it's not commercial use rules or it's not

Mike Mitchell: It does not have control over access. I hear a lot of talk about access. Is that where the concern is?

Michael Bias: Yeah especially where FWP doesn't have access.

Jim Slattery: Well maybe it's better the opposite way where you initially had it. Some stakeholders are concerned over crowding in sections, that doesn't

Don Skaar: How about we just name the sections?

Jim Slattery: Yeah we could

Don Skaar: Concerned over crowding in the

Jim Slattery: Bear Trap

Don Skaar: sections above Quake Lake

(unintelligible) That's two words.

Jim Slattery: Okay

Melissa Glaser: Is that and sections

Don Skaar: Just call it what it is, can't we identify those or is there agreement on that?

Mike Mitchell: That's up to you I don't know that the details are necessary because we're just talking about places where FWP has limited authority to whatever extent they do. The one thing I've heard is limited authority over access in terms of managing the river who can be on it, FWP has authority is that correct? No, close, okay, authority over access is that part of the problem from the groups point of view?

Jim Slattery: I don't know if that plays into it.

Mike Mitchell: Is that part of the problem?

Jim Slattery: I don't know if that's a problem, the access.

Julie Eaton: It describes it though, describes those areas. The areas where they don't

Jim Slattery: Oh commercial access

Don Skaar: It identifies those areas though even though.

Jim Slattery: Yeah I think yeah, and that would identify that area yeah.

Don Skaar: Yeah

Jim Slattery: It's not just access it's specifically commercial access.

Mike Mitchell: Is that correct? Addition? Tim that didn't look like agreement.

Tim Aldrich: You know the stream access law says if you can get there legally then you can enjoy it under certain parameters. If we're just talking commercial use. Some of that's not was in the authority of our agency having (unintelligible) to do. If it's BLM land they do their stuff, if it's Forest Service they do their stuff, we can still put rules in place to protect user safety, protection of property, resources that are within the water, we can legally get people to

Mike Mitchell: so what about, I hear what you're saying but in terms of access is it general access or is it commercial access

Tim Aldrich: The public has again if United States Forest Service has restricted it has in places for the most part, if it's US Forest Service you can walk on it unless there's something in place that they set keeps you from going on it.

Lauren Wittorp: Right so it wouldn't just be commercial access that FWP doesn't have control over or authority over it would be all access. They have control over all the access.

Julie Eaton: Isn't your concern just over crowding for whatever reason?

Jim Slattery: I'm thinking that because, now that we know for sure that FWP has authority there, they can make the rules and regulations then some stakeholders are concerned of overcrowding in sections will affect other sections of the river due to a regulation, I mean that's what's coming down to it right, we're afraid if we change some laws downstream that everybody's going to go up there and fish but that can happen vice a versa anyway. So maybe that's what we're really looking at. You know what I'm trying to say? Does that make sense? And what we do this (unintelligible), maybe we just do it from the Park down to the where ever instead of partialing out stuff and that's something that we discussed yesterday so I don't know. The whole river's going to get affected by whatever we do in one section of the river.

Mike Mitchell: So what about something like some stakeholders are concerned that limited regulations would just shift the problem to different parts of the river.

Jim Slattery: Yeah, yes something to that affect yes.

Mike Mitchell: What do you guys think? And again I'm trying to feedback what I'm hearing.

Scott Vollmer: Will shift use instead of addressing overcrowding? Some stakeholders are concerned that regulations will shift use instead of addressing overcrowding?

Jim Slattery: The shifting use would create overcrowding (unintelligible). You know what I mean?

Julie Eaton: We just got to say it.

Jim Slattery: yeah

Mike Mitchell: Will shift crowding to other parts of the river.

Don Skaar: I hate to, I mean we're concerned about crowding in those locations as well

Jim Slattery: Right, exactly, so it's

Don Skaar: so the crowding already exists.

Jim Slattery: It's going to inflate the problem.

Don Skaar: Yeah

Tim Aldrich: I think that very often that's one of the consideration with people documenting are we doing something here that's going to move the problem and I guess there's a recognition that that is going to occur. (unintelligible)

PEOPLE TALKING AT ONCE

Tim Aldrich: If you want to (unintelligible) something in some section you better say it.

Scott Vollmer: How do we put in to words that we're not trying to people in a smaller box? Unless it's, I don't know how to

Mike Mitchell: What do you guys think?

Jim Slattery: Limited regulations is vague.

Mike Mitchell: Okay what would you like to see?

Julie Eaton: Regulations in one area will shift overcrowding.

PEOPLE TALKING AT ONCE

Julie Eaton: Regulations in one area of use will shift overcrowding.

PEOPLE TALKING AT ONCE

Mike Mitchell: Good?

Sarah Sells: Are we killing this part?

Julie Eaton: Yeah

Charlotte Cleveland: yes

Mike Mitchell: I feel really good about killing that. Okay.

Scott Vollmer: Then should we move it for continuity to up where the other concerns are? There is concern, there is concern, there is concern,

Jim Slattery: Yeah

PEOPLE TALKING AT ONCE

Mike Mitchell: Okay we good? Don you don't look like we're good.

Don Skaar: No, no, I'm

Mike Mitchell: Or is that your I'm done with this face?

Don Skaar: Yeah done with it

Tim Aldrich: I'm doubting this will be our last look back

Melissa Glaser: Right for now

Mike Mitchell: Okay so I began six minutes late this morning we're running six minutes late according to the agenda but it's lunch time I'll leave it up to you, do you want to get some down time for lunch or do you want to work through it, go grab lunch and come back in here and keep rolling?

Michael Bias: I need down time

Melissa Glaser: Down time

Mike Mitchell: Down time it is okay, so let's get back together at 12:35.

COMMITTEE AT LUNCH

Mike Mitchell: So let's go ahead and get rolling again.

Mark Deleray: Now don't forget coffee's over here.

Mike Mitchell: One of the things was said in the Marine Corp during challenging times is well that they can't stop time so you only have to endure for another 4 hours and 15 minutes

PEOPLE TALKING AT ONCE

Mike Mitchell: but thanks for hanging in. What's that?

Scott Vollmer: today

Don Skaar: today

Mike Mitchell: Yeah today, let's just get through the day. Update on talking with legal counsel it looks like she's not going to be available until 3:15 and so Don

Michael Bias: Is that real or are you just kind of messing with us?

Mike Mitchell: I'm totally messing with you. So we're working on locking that in about that time. Okay, so do we want to put a stake in the heart of this thing and move on or are there any other thoughts about what we might add or subtract.

Michael Bias: Well I had a question for you yesterday towards the end you said okay what are we missing and then you said that a couple of times today is that just to get us thinking about if we missed anything or did we actually miss something?

Mike Mitchell: Oh, I have no idea. This is, all the stuff I'm doing is based on complete and fully embraced ignorance on my part so I keep myself out of this. I'm trying to capture what you're thinking so I'll push you if I'm hearing something that we're not getting on the screen but I'll never try and influence what goes up there.

Melissa Glaser: I think there's a sentence that's kind of (unintelligible) to the problem.

Mike Mitchell: Which one?

Melissa Glaser: In the second paragraph the second sentence actually needs to be taken, I think we're kind of saying that in the one the last sentence in the first paragraph.

Mike Mitchell: Folks agree? You're either an English Major or you pay close attention it's one or the other. What's that?

Michael Bias: A valuable member of the Committee.

Mike Mitchell: Yeah. Did we make that go away?

Melissa Glaser: Yep

Mike Mitchell: Okay everybody all right with that? Anything else?

Julie Eaton: If we're going forward with our objectives it would really be nice to have that.

Mike Mitchell: Printed out?

Julie Eaton: Yes please.

Mike Mitchell: Okay, we can do that

Julie Eaton: read the screen

Mike Mitchell: Nope we can do that. Any other changes? Going once, twice, three times. Okay for now, we can always come back to it later, so let's printout their problem statements.

Sarah Sells: Yep

Mike Mitchell: and what I'd like to do is go back to where we left off yesterday. So looking at fundamental objectives that the three groups came up with and so our brains are down a different track this morning but pulling things back in what we're doing with the fundamental objectives is if we solve that problem perfectly what are the different things that we would accomplish? So we're not evaluating the likelihood of actually accomplishing that we're saying wouldn't it be great if we came up with a solution that did this and this and this and this. And again we're thinking broadly, certainly think about it from your point of view and your perspective but also think about it from other perspectives too. It doesn't cost anybody anything to say that well I don't particularly like that objective but I can see how other people would. So the big thing right now is to think broadly. What's that?

Sarah Sells: First group (unintelligible)?

Mike Mitchell: Yes, okay this is what group 1 came up with so basically maximize resource health, user satisfaction, social conflict, and maximize user data and it's issues. Whoever that was over there.

Michael Bias: That's a really good one.

Mike Mitchell: We don't need to do anything else do we?

Michael Bias: We don't.

Mike Mitchell: What do folks think, again thinking about all the things we might achieve if we solve the problem perfectly.

Tim Aldrich: I might argue with the maximize the user data, I'm not sure if maximize is the right term there.

Michael Bias: Probably not.

Jim Slattery: We were told to use maximize the data and so

Tim Aldrich: I know that but I also know

PEOPLE TALKING AT ONCE

Michael Bias: I kind a look at when to data gaps, sort of monitoring user data maybe even expand it to public use, not only for use but if

LOUD BANGING AND SNEEZING IN BACKGROUND, CAN'T CLEARLY HEAR

Michael Bias: there's something in the fishery data that (unintelligible) at this time (unintelligible)

Tim Aldrich: So any way, have data on biological and social concerns to enable able

Michael Bias: (unintelligible)

Tim Aldrich: have and not try to oh we got better develop tools that maximize

Michael Bias: Right and part what I was thinking on the user data is to acquire information that's going to help us adapt the plan or a new term some idea of triggers is there, are we hitting triggers (unintelligible) adjust the plans.

PEOPLE TALKING AT ONCE

Mike Mitchell: So one thing on the whole use of maximize or minimize if more is always better then maximizing makes sense, if less is always better than minimizing makes sense. If maintaining status quo where we are without going down or going up maintain makes sense.

PEOPLE TALKING AT ONCE

Mike Mitchell: It's not like you're setting a goal of we're going to collect every single data point imaginable every chance we get as far in the future as we can get. What you're saying is you make your maximizing the data better available to do what, more data are always better.

Don Skaar: optimizing data to make good management decisions?

Mike Mitchell: Okay so then the question becomes what is optimize? How do you know when something is optimal?

PEOPLE TALKING AT ONCE

Don Skaar: It's good enough to make a management decision?

Mike Mitchell: What's that?

Julie Eaton: A skosh above maintains?

Mike Mitchell: A skosh, I like using Japanese derivations in the fundamental objectives. Something to think about. I'm not saying that's what you should do here but the question you should ask yourself is more always better? Then it's a maximize. If less is always better, it's a minimize but you want to try and use very specific language because what you're going to do later on is actually compare numbers to these objectives so if they're very precisely written you won't go oh what does that mean, what does this number mean for this particular objective. I'm sorry yeah Mark?

Mark Odegard: I was just going to say something about maximizing data, in the oil industry we will look at cost effectiveness not we know that, collect all kinds of data some data's not that useful and if you're collecting that data you're probably not collecting important data. Maximizing data is not a good goal to be your objective.

Mike Mitchell: Okay so that gets to you're going to have some objectives that are incompatible with each other, so you could have maximize data and minimize cost. So now you're getting in cost effectiveness, you might say well let's shoot for the moon on data but we can't afford that, so now you are thinking about efficiency. It's important to have these competing objectives in there like wouldn't it be great if we could do this but we also have to do something else that limits that. That's a good point. A couple of other thoughts remember when we talked about the difference between means and fundamental objections. You can ask yourself about, is this a fundamental objective or a means objective by saying why. When you get to the point it's like well just because now it's fundamental but if you look at these and say why to each of these do any of them suggest themselves as a means instead of a fundamental?

Don Skaar: I think the last one is a means, I think it's fundamentally we're trying to make sure we got the information we need to make the best decisions, I would argue.

Michael Bias: Which group are you in?

Mike Mitchell: I would agree because you're maximizing data to do what. To do something and that is to, as you said better inform decisions. And that makes sense because people are talking about we're going to revisit this in two years, three years, five years, and when it's revisited it sure would be good to have more data. Does that make sense? Another thought on here is whenever you see and in there usually that means you've got two fundamental objectives. You want to maximize user data and then another fundamental objective maximize fisheries data. Because you might come up with an alternative that the only thing that can work is if you go after the social data and not the fishery and I'm not saying that's what you should or will do but you could see how those would be competing interests you only have so much money which one are you going to do? So that would suggest when you have and in there you got two objectives. Next group. Okay let's look at these. What do you guys think?

Julie Eaton: We tried to touch everything that was in the problem. There was 17.

Charlotte Cleveland: There's only one and, I'm proud of that.

Mike Mitchell: Yeah I know, this is from my perspective a pretty good list of objectives, you gained a lot of good data. Thoughts? So the top 8 give this idea and we can end up spinning a little bit more concisely where it's maximize satisfaction and then just have the bullets for the different groups going down there but these are the stakeholders that are concerned. There the ones that have skin in the game. It really makes sense to have each of them listed so that we can look at tradeoffs. You could come up with different alternatives so might make other user groups happier than, some user groups happier than others and that's good to capture because all of these folks are listed in the problem statement. Part of the reason that this a challenging decision to make. Does that make sense? Okay going back to this idea create a plan that is clear and concise you see this a lot when it comes to setting rules and regulations and it makes total sense, but when you say create you can think if it as either we created one or we didn't. Or you could say develop a plan that maximizes clarity, maximizes conciseness, for public consumption. So that would actually be two. You could write a plan that is super-duper clear and 400 pages long, or you could write a plan that's a paragraph long but not entirely clear. Everybody see you could have a tradeoff there? Minimize cost, minimize adverse impacts of regulations, I think that's a really good one then the question might be you could imagine a whole bunch of adverse impacts. Do you want to break those out the same way you broke the stakeholders out? Because just saying adverse impacts generally there are going to be adverse impacts, does it matter to you what those impacts are? And then the thing is to think about to what extent is satisfaction of the user groups dependent upon adverse impacts? And so then are you basically hitting the same objective twice. If there's and adverse impact to a particular user group they're not going to be satisfied right? So I'm not saying that they're redundant but something to think about going forward, are your objectives capturing the same thing. So allow for growth of the local communities that are dependent on the Madison River. This is one where I run into problems

with the whole maximize, minimize thing cause if you say something like maximize growth of the local economies people tend to jump to, it's like oh well we're shooting to go through the roof, and that's not what we're saying in terms of an objective. If we say something like is more growth always better than its maximizing. If that's not what you mean what is it? Are you saying maintain growth current rate of growth? Prevent decline in local economies things like that. Again you're being a little bit more specific than allow for.

Tim Aldrich: Seems like all the time in the, we're going in tradeoffs.

Mike Mitchell: Yep

Tim Aldrich: in these things

Mike Mitchell: Yeah and the tradeoff is always going to be most clear when you're comparing maximizing something and minimizing something. That's just really clear if you're comparing maximizing something to allowing for, you see how that's a little bit more vague.

Tim Aldrich: When you can't have all worlds you have to

Mike Mitchell: Right, right

Tim Aldrich: find a way to say what's more important to others.

Mike Mitchell: Different alternatives are going to affect groups, different, have different impacts and that's the whole point is to be able to evaluate those tradeoffs. This one's interesting, develop trigger points that would revise the recreation management plan so what's the, what was the thinking behind that?

Tim Aldrich: I'll tell you what's behind that to me is if you look at that book we have and the rule and 12 and it talked about that. Developing rules to define where you are, where you are right now, not a rule but to define where you are what's desired and then talk about different levels of tools you might employ which tools at what point do you what's the trigger point what causes to move from A to B and C and so forth. I've been there once and it's a very time consuming thing to do that but what it does is as you maybe prepare for the next generation you know.

Mike Mitchell: Okay so and then honest question as you think about the difference between a strategic objective and a fundamental objectives, a strategic objective is like we aren't going to consider an alternative that doesn't accomplish this. It will apply to all alternatives and it's not going to help us distinguish between them so can you imagine alternatives that have different levels of identifying trigger points or do you want to say it's a strategic objective where anything we come up with should define trigger points. Can you imagine alternatives that wouldn't have trigger points? That the group should consider?

Tim Aldrich: What 14 talks about I think in our process that we would define this you know

Mike Mitchell: Sure

Tim Aldrich: I think a lot of times it's not defined, look at the Bitterroot it wasn't necessarily defined but they found each trigger points.

Mike Mitchell: Okay

Tim Aldrich: And they dealt with it.

Mike Mitchell: So are you saying that identifying trigger points is kind of part of the charter? This would be an expectation the group would identify trigger points for making decisions?

Tim Aldrich: If you followed what's in I don't know chapter 12 or whatever the Administrative Rules it would affect our recreation planning, it's kind of a recipe. It talks about first of all the standard is least impacted first but that works probably at the current the situation, your gonna define a circumstance probably different than where you are so in defining where you want to be, we've already set priorities and trigger points. But the next step we ended up with a lot of paperwork and I think 32 meetings with that group and never really accomplished a whole lot.

Mike Mitchell: That's a lot of meetings, okay so well that will be something to think about going forward. Fundamental objectives need to let you help distinguish between alternatives you come up with, if they don't help you to distinguish between them then we don't need them. That's not to say they aren't important, they could be critically important but if they don't help you distinguish between two alternatives or multiple alternatives than they're not part of the decision. So just curious with the reduce uncertainty was that

Mark Odegard: That's when you cut us off.

Mike Mitchell: So that's my bad. You'll have to get them a new facilitator. I'm just kidding. So reduce uncertainty in just a couple ideas?

Mark Odegard: I'm trying to remember I think we were looking at, might be a more strategic objective reducing uncertainty in pretty much everything was

Mike Mitchell: Yeah but you know this takes me back to the previous discussion about data, in some ways this is the fundamental objective that increasing amounts of data is a means objective, what you're trying to do is reduce uncertainty in future reiterations of the decision when you come back and revisit it. Reducing uncertainty you can see how that might vary among alternatives. You might have an alternative that says we're not going to monitor water quality versus one that includes monitoring water quality or anything else that you want to

modify, you could have a pie in the sky alternatives like we're going to monitor everything. And then you could have one that's like we can't do that. One reduces uncertainty more than the other and it helps you evaluate those tradeoffs. Does that make sense? Okay. Group 3 seeing some overlap? Number 5's an interesting one so what was the thinking behind enforceability?

Scott Vollmer: Well we generally talked about if I remember right, jump in if I'm misremembering from yesterday, we talked about sometimes what can happen with management plans is, is the rules can become so vast and lengthy that the understanding and more importantly the enforceability becomes difficult for those who have boots on the ground. For those who work for FWP, the River Rangers and so forth.

Mike Mitchell: Okay

Michael Bias: Or even the users right?

Scott Vollmer: Or the users

Michael Bias: (unintelligible)

Scott Vollmer: And I remember bringing that up when we were talking about how you know to take an example, not a perfect example but to take an example would be VH2 is, is there are constant violations of VH2 even though they're not that long and that vast there just vast enough that there's a lot of misunderstanding with folks going where they're actually technically allowed to go based on the rules.

Mike Mitchell: Yeah

Charlotte Cleveland: We were also talking about the fact that the only people that were contributing to the Madison River were the special permit were the commercial users, commercial people. We were also talking about spreading that

Mike Mitchell: Is that this group?

Scott Vollmer: Yeah

Charlotte Cleveland: Spreading that out so that everybody shared in the cost of maintaining the Madison River and paying for the things that the special river permit gets you for.

Scott Vollmer: We didn't quite get it down to having the right language. Remember that?

Charlotte Cleveland: Yeah

Scott Vollmer: Because I said share the burden amongst user groups and then we kind of bantered back and forth a little while and finally it was kind of close to the end. I think we had one more that we put down but after we gave the thumb drive, handed the thumb drive over can't

remember that one but we just said ah screw it we'll just put everyone that has skin in the game down.

Mike Mitchell: Yeah that's fine. If four happens will five happen?

Melissa Glaser: I don't think necessarily.

Mike Mitchell: Okay

Melissa Glaser: We have it pretty simple but still not allowed to be enforceable.

Mike Mitchell: Okay

Tim Aldrich: Resources not available.

Scott Vollmer: That's a good point one

Tim Aldrich: I think the key to enforcement if you can't enforce it there's no sense having it.

Charlotte Cleveland: That's right

Scott Vollmer: And a little of subject but I would edit ourselves and get rid of and easy to understand in number four. Just keep your recreational plan simple.

Charlotte Cleveland: We talked about the fact that we did not want a 30 page manual on how, okay when can I fish on the Madison River, on Tuesday behind this rock, in the company of my husband, we wanted it to be something where you weren't reading 30 pages trying to figure out when our how you could fish at the Madison. That was another thing that we talked about.

Mike Mitchell: Okay

Tim Aldrich: I think the Bitterroot plan had some things that were unclear and they did some modifications that made them a whole lot more understandable.

Mike Mitchell: Okay, well that's good so when you think about something like recreational plan being enforceable that's tied to something. I heard some discussion about it's tied to clarity so everybody understands the rules but there's more to it than that. There are resources available for law enforcement. When you say something like enforceable give some thought to what it is you're actually saying and I'm not saying that it should be ensure resources are available for enforcement. Or maximize resources available for enforcement but you're getting more to the actual saying that you're trying to affect and it's a little less vague than no enforceability.

Tim Aldrich: It really gets to the rule level, description of specifically, if it's specific enough then people know that it's rule.

Mike Mitchell: Yeah so just give some thought to what you mean by enforceability. Because the more specific you can be about that the easier things will be. So that way with everyone that has skin in the game and I know that you guys were at the end of your ropes as well as the end of the time yesterday but give some thought to what that means. Again be specific because are you asking every, are you saying every stakeholder group should contribute resources equally to management of the Madison River or something like that. So just give some thought to what exactly constitutes skin in the game and there may be different ways of doing it, It could be this guys' skin, this kind of skin but you could imagine there'll be alternatives that are going to vary a lot, could vary a lot in how much the burden of conservation on the Madison was shared among stakeholders. Do you see how that might be able to help you distinguish alternatives? We've seen what all three groups thought, this is what success looked like. Is there an aspect of success that we didn't capture on this first round? Yeah

Julie Eaton: Coming from we don't know what we don't know stand point we're hearing some different actions being referred to at what point do we go oh, I'd like to see what the objectives were, that were, I know I could search it for the Bitterroot and what were the updates based on a year out because to me I feel like we could prevent we could possibly inform ourselves a little better. So when do we go oh, I'd like to see that?

Mike Mitchell: That's a good question so one of the things that I hope to do by the end of the day today is leave everybody with the charge of okay, we understand the problem, we understand what success looks like, now start thinking about different ways of achieving that success and going and finding out information that helps you think through different alternatives that you might come up with is great. And you can ask for whatever you want and if it exists we'll figure out a way to get it to you.

Julie Eaton: Okay so end of today (unintelligible)

Mike Mitchell: What's that? Hey at least I'm honest.

Michael Bias: Can I talk about number 1 for a minute I think that was our number 1 as well and this gets to the discussion we had and things are dealt with in the past with regard to ideas of preservation and conservation where people go we need to preserve this, if you maintain current biological health what if you're in a section that's currently degraded and so your objective is or whatever so you want to maintain it in the degraded state right but that's not what we're trying to get at. We want to improve it or maximize it.

Scott Vollmer: My original one that I had written down that I think I typed into the computer said maintain quality biological health not current.

Michael Bias: Right

Scott Vollmer: I can't remember exactly why it got changed to current and I agree with you 100% that current is bad word.

Michael Bias: Right yeah.

Mike Mitchell: Okay

Scott Vollmer: I like it better maintain quality biological health.

Michael Bias: I think that

Scott Vollmer: Which I think is in lock step with your number 1

Michael Bias: Yep, yep

Don Skaar: Would it be kind of similar to ensure actions of the management plan don't degrade biological health would that be also what you're trying to say to make sure that whatever we do doesn't make anything worse.

Michael Bias: Yeah

Scott Vollmer: Yeah

Michael Bias: Wouldn't that be the opposite?

Julie Eaton: Does that mean to step on something?

Michael Bias: Right so for example if and this is covered in the EA saying oh we're not going to access this area by boats which adversely makes more people walk down the bank which degrades the riparian sections right?

Don Skaar: Yeah

Michael Bias: So that's, that's the example that jumped in my head we got to keep boats so off this section so great then the consequence (unintelligible) the banks.

Mike Mitchell: Julie you look like you're thinking about something.

Julie Eaton: Do we state that, or do we not split hairs at the time, but yeah that was in there that

Michael Bias: That was just an example.

Julie Eaton: Yeah that's a good one, it was in there, a good example, one thing created elsewhere but might be an anti-biological health in one way and then create it in another so I don't know do we reword that objective?

Mike Mitchell: Yeah again I

Julie Eaton: not the exception

Mike Mitchell: there are couple of ways you can go about this one is you're not going to consider any alternative that doesn't maintain quality biological health, or you can say there are some alternatives that might affect bio quality biological health differently and so what we want to do then is to be able to say look at tradeoffs between just as example you could say maximize biological health going this way and that would tradeoff against maximize use of the river. I'm not saying those are actual objectives but you see how you got to trade off there? You can't have one and have the other so you have to find balance and so that's what we're looking to achieve in setting these objectives up like that.

Tim Aldrich: But you could say something like maintain healthy and sustainable wildlife

Mike Mitchell: You could say maintain

Tim Aldrich: I said sustain not maintain.

Mike Mitchell: Okay well sustain and that just means keep things the way they are and don't do any damage beyond the way things are right now. Keep them where they are and that's fine if that's what you guys want to do is just say going forward we don't want to make things worse biologically or you could say well if we can improve the biology great.

Tim Aldrich: But we could also find ourselves having to have some sort of objective dealing with the inability or failure to maintain that. Recognizing and addressing changes in the biological health (unintelligible)

Mike Mitchell: Yeah we'll get to a point where we're talking about how do you decide to extend that, your maximizing or improving biological health and that will be part of our evaluation of each alternative and yeah that's where we'll identify, quantify those tradeoffs. Other thoughts? Is this what success looks like? Not just this but the ones that you've seen. Did you solve that problem statement perfectly? Is this everything that you would or there's one more that, I was going to

Scott Vollmer: There's one more that I was going to put down, I think just more for clarification for everyone is that I think this might probably might be a means objective but I had written down encourage wide distribution of use and just kind of, let's put that to the test.

Tim Aldrich: (unintelligible)

Scott Vollmer: Yeah

Mike Mitchell: When you say wide distribution

Scott Vollmer: Spread out users

Mike Mitchell: Okay, all right,

Michael Bias: Disperse

Scott Vollmer: Yeah and we can reword it for how you see fit but my question is, is does that fit the test of why do you do it. What's the answer to why?

Tim Aldrich: I think objective is more

Scott Vollmer: And what we're asking for you know.

Tim Aldrich: address overlapping of, getting temporal and spatial types of things to reduce

Don Skaar: conflict and crowding yeah

Tim Aldrich: creates the social problem

Mike Mitchell: Yeah so maybe I think what you're talking about makes sense based on the problem statement as I understand it but getting at why do you do that. Is it to reduce usage or over usage or overcrowding in certain portions of the river by, okay is that what you're trying to achieve is eliminating the crowding problem on some parts of the river, on heavily used parts of the river by spreading use out?

Scott Vollmer: I think what we should try to achieve is, is not have the negative side of it not to have a plan that forces more crowding in certain sections.

Mike Mitchell: Yeah, okay that just simplistically is like alright one of the fundamental objective is to minimize crowding and you can say up river, or on certain sections or what have you so increased use over here decrease use over here so my read of what you're saying is the reason to spread people out is to actually address the crowding issue at least in some places and some times.

Tim Aldrich: Which is to enhance the quality of the recreational opportunity.

Mike Mitchell: Yep

Tim Aldrich: means going to be the objective lined up to

Mike Mitchell: Well unfortunately if we think too hard about this, which I avoid as much as I can the lines do get a little bit blurry but so like if you want, if you're going to say increasing the quality of experience that's, you can almost think of that as a strategic objective, that's the whole point is you want to increase the quality of experience so what does that mean? Well let's address overcrowding, let's address this, those are the objectives that will lead to a change in the

quality of experience. Does that make sense? Okay I can't tell if it's just like after lunch or if I'm being unintelligible because I'm getting a lot of poker faces out there.

Don Skaar: I'm a little unclear on the strategic objective how that really fits in with the fundamental objective.

Mike Mitchell: Yeah fundamental objective, okay going back to my military analogy

Tim Aldrich: win the war

Mike Mitchell: What's that?

Tim Aldrich: Win the war

Mike Mitchell: Well if you're asking the company commander to make a decision and you said I want you to make a decision on how to reach the top of that hill, you don't say, I want you to make a decision that will win the war and taking the hill is part of it because obviously you don't want that person to make a decision that doesn't contribute towards winning the war so when that persons making a decision about how do I take the hill, his objective is to take the hill not win the war. So if you have a situation that everything you do needs to accomplish something then you're not really going to evaluate alternatives that don't do that. That's a strategic objective. A fundamental objective is well okay there could be tradeoffs, it would be really great if we could do this but there might be solutions to the problem that don't exactly do this. We want to be able to understand how each alternative affects this. That a fundamental objective.

Don Skaar: So isn't a strategic objective kind of a means objective?

Mike Mitchell: No means objective is how do you accomplish a fundamental objective and a fundamental objective is sort of the strategy that you're (unintelligible) a strategic objective is sort of the big picture that your fundamental objective fits into. So if there's a hierarchy it goes strategic, fundamental, means so each of them are a way to get to the other.

Melissa Glaser: So in this process we're concentrating on fundamental objectives to write down though we're never going to write down our strategic objective because we're all going to know it basically because that's the highest?

Mike Mitchell: Well I think at one point it would be really good for the group to be specific about these are the strategic objectives we're considering, we're not considering any alternatives that like deplete the river of all life forms so being specific about we're only going to consider options that will accomplish this. I think that's reasonable so definitely keep track of them because I'll, they'll go into the final.

Julie Eaton: Okay so you said the war was fundamental objective the hill was strategic?

Mike Mitchell: Other way. You're asking somebody to make a decision about taking that hill so you don't want to say and one of your objectives is to win the war well no. You're objective is to take that hill.

Julie Eaton: Gotcha

Mike Mitchell: How you take that hill is a means objective.

Julie Eaton: So how does a fundamental objective help to distinguish between alternative and strategic objectives?

Mike Mitchell: That's something you distinguish as you think through them. As you look at an objective would you call it, describe it as a strategic objective, fundamental objective, or a means.

Julie Eaton: But you told us to do fundamental objective.

Mike Mitchell: Well yeah but as you coming up with them

Julie Eaton: Right

Mike Mitchell: You look at the one you come up with and then you decide is that a means objective, fundamental objective, or a strategic objective.

Julie Eaton: Okay

Mike Mitchell: I'm confusing you. I'm sorry.

Julie Eaton: It's okay.

Mike Mitchell: If I'm not being clear folks just say so.

Tim Aldrich: It's kind of a feeling that you stack these you know you're going to win the war. The first increment is to take the hill but there's lots more, here's the way to take the hill.

Mike Mitchell: Yeah

Tim Aldrich: But I mean when you're looking at this the objective right now is probably going to be more able to find that when we get through looking at how we plan problem statement and objections, alternatives and evaluation (unintelligible), you use different you talk about fundamental objectives being distinguishing factors in alternatives. The statements you made yesterday, what do we really care about, what would we accomplish, do we need a verb and a subject in there or just a noun or some modifiers.

Mike Mitchell: Would you guys like to see a preview of the future with lots of pretty colors? How this is all going to work?

PEOPLE TALKING AT ONCE

Mike Mitchell: Let's pull up the lion consequence table.

PEOPLE TALKING AT ONCE

Mike Mitchell: Okay, this is how what we're doing is going to get used. This is an example of what that working group did to set lion quotas for Region 2. These are the fundamental objectives they came up with and so these aren't ways to get things done, these are what you hope to accomplish by getting things done but also they allow you to distinguish between different alternatives. So the different alternatives are right along the top and each of them represent different approaches to setting lion quotas. What these numbers are and we'll get to how we generate those numbers later is how well does a particular alternative satisfy a fundamental objective and when you go through that process you're able to look at the different alternatives and see tradeoffs. Some clearly do better at improving public support for lion hunting than others. Again all of those will be like this is what complete success looks like but we know there's no silver bullet out there, this is helping us to understand that issue. How these are not silver bullets but how some of them might get closer than others okay so this allows you to see for each fundamental objective how well does an alternative perform. (unintelligible) Also to sum these numbers up and what it's going to tell you is across those fundamental objectives which one best meets them all. And so you can see summing those numbers up alternative 3 across all of the objectives did the best but alternative 3 has tradeoffs associated with it, can you live with those tradeoffs. If not how can you fix it? So that's where we're going to go. These fundamental objectives that you're coming up with are going to be the means by which we measure each alternative, solution to the problem.

Don Skaar: Can you tell us which one they picked?

Mike Mitchell: Tim do you remember?

Tim Aldrich: What's that?

Mike Mitchell: Oh, wait no what they picked, so again this process doesn't make the decision for you it clarifies it. Sometimes it tells you where there's room for improvement and so the group decided to come up with another alternative that fixed some number 3 was one that ranked the top but you can see there's significant tradeoffs in there so the group designed another new alternative that was designed to sort of ease the pain on those tradeoffs. And that's perfectly cool too.

Jim Slattery: (unintelligible)

Mike Mitchell: I'm sorry?

Jim Slattery: To identify the tradeoffs we need to figure out how to (unintelligible)

Mike Mitchell: What do you want to do about them so all this is doing is making things clear. Which of these best address as your fundamental objectives and what are its strengths and weaknesses. And then you decide what to do based on that. There's nothing to say that you have to go with alternatives 3, this is just telling you among the fundamental objectives you identified what's still the best. But then you can tweak this way and change to make it better if you want.

Tim Aldrich: The book went steps beyond what we, what's the real difference between a .62 and .72 in tradeoffs. We got that property are we buying the right house.

Mike Mitchell: Yeah and that's purely subjective, these numbers

Tim Aldrich: those numbers are hard to come up with, they really are.

Mike Mitchell: Yeah and again those numbers are just relative, they're just telling you which of these has more support than the others and that's it.

Tim Aldrich: (unintelligible)

Mike Mitchell: What's that?

Tim Aldrich: It informs the decision

Mike Mitchell: It informs the decision it doesn't make it. That's the future and so when we're working on the fundamental objectives we're coming up with the measuring sticks for deciding how well each of the alternatives actually succeeds in solving the problem. Does that clarify things at all or did I just make it murkier?

Julie Eaton: It was good

Mike Mitchell: Good? Julie's seal of approval, everybody else?

Tim Aldrich: Here's a good example of where we maintains acceptable densities for the different parties of interest if you will, stakeholders.

Mike Mitchell: And yeah that brings up a really good point wouldn't it have been great to have data on how non-resident hunters felt about appropriate densities of lions. That would be great. Not available. Do you wait until those data are available or do you give it your best shot because a decision needs to be made now. So that's going to be all part of this. There could be information in here about it is accessible, we can get to this data and then there's going to be stuff where it's like well you know we go to take a shot, best guess.

Tim Aldrich: And I think again the membership of that group there were some voluntary guide type people that could give us very good reading on how important that was. It wasn't as though we had perfect set of data to put that number in the box, (unintelligible) the alternative, it was that we had probably as good information as there was based on without having a whole bunch of non-residents (unintelligible). I had the same experience in funding a licensing workshop that I've been part of for a year and a half, we have a couple of outfitters in there that really kept the straight to non-resident indications like that so not that they (unintelligible) but it's the best that's probably available.

Mike Mitchell: Okay, that's where we're going to end up heading, we'll walk through the details of how we get there a little bit later. So let's go back to fundamental objectives the groups been working on. I'll leave it up to you. Do you want to get together again in small groups to hash around some of the ideas that we've been talking about or do you feel like anyone of these would form, would be good to build on so we can edit those? It's totally your call. Would you rather get together and discuss this more in small groups before we do it in the large group?

Melissa Glaser: I'm okay with what we have on the screen.

Scott Vollmer: I think there's a lot of overlap between the groups because there's a lot of overlap it probably would be easier to just do it as one whole big group here.

Mike Mitchell: Mark I saw you shaking your head.

Scott Vollmer: Combining

Mark Odegard: I think we've got quite a bit up there already. Maybe a few that aren't there but you could probably make a comprehensive list right there.

Mike Mitchell: Okay so everybody comfortable working on this as a group? Large group?

Julie Eaton: The only thing is we did some significant change of our problem statements so I guess we'll just have to, we've got them in front of us we just have to keep that in mind that related to our initial problem statement directive.

Mike Mitchell: And that's a really good point because all these need to flow directly from the problem statement so problem statements been change therefore the fundamental objective is going to change too. So you got a hard copy of the problem statement any one of these three sets that you want to start working off of? We could do the same thing we did yesterday say this will be the basis and we can copy things over and what have you

Jim Slattery: (unintelligible)

Julie Eaton: Yep

Mike Mitchell: More's always better.

Julie Eaton: So we changed that to as stakeholders right?

Mike Mitchell: That's one thing I will say is, I did one of these about managing water levels in waterfowl hunting on (unintelligible) Lake National Wildlife Refuge and I kept telling people try and keep the number of objectives down, try to keep the alternatives down otherwise you will regret it later so do you still have the consequence table?

Sarah Sells: Which one?

Mike Mitchell: The one we just looked at, all right, they had something like 17 fundamental objectives and 10 alternatives so imagine how big that table was, going in and filling out those numbers was extraordinary painful for everybody. So you need to have as many fundamental objectives as you need but no more. All right so what would you like to do, these are groups 1, 3, that's group 2 over there that we'll use as the foundation. What should we play with? Sorry Mark

Mark Odegard: 14 I think is really a strategic objective that we're going to apply to everything.

Mike Mitchell: Okay what do other folks think, would there be some alternatives that just have the trigger points or not enough trigger points or are we looking at making sure every alternative has the right trigger points.

Tim Aldrich: this kind of deals with one of the first statements here functionally adaptive.

Mike Mitchell: Okay so that would mean that different alternatives might have different trigger points. So you might have an alternative that doesn't have monitoring fish populations versus one that does well knowing something about fish population would provide a trigger point that the other one doesn't. Does that make sense? Let's leave that one for now, I'm having a little bit of trouble figuring out in my head how we'll decide whether something has succeeded or how well an alternative actually meets that objective but I understand the need for it so we can think about that. What else do we want to play with?

Melissa Glaser: We can separate out number 9, separate the clarity and the conciseness. Develop a plan that maximizes clarity.

Mike Mitchell: So maybe in a situation like that maximize clarity, maximize conciseness.

Sarah Sells: Do you want the commentary to stay on there?

Melissa Glaser: I think so. That makes sense.

Mike Mitchell: Is it for public commentary or is it just good to do that anyway?

Charlotte Cleveland: It's good to do anyway. Yeah

Mike Mitchell: Okay do you want to keep those separate or do you want to keep both of them?

Melissa Glaser: I would keep clarity over conciseness but I don't know.

Jim Slattery: (unintelligible)

Mark Odegard: If you were in that table then you would rate clarity higher than conciseness.

Melissa Glaser: (unintelligible)

Mike Mitchell: You can ask Sarah, I think conciseness is clarity but maybe not everybody does. Do you want to get rid of conciseness and just leave clarity?

Melissa Glaser: Does that make more sense, I think (unintelligible)

Mike Mitchell: What do other folks think?

Don Skaar: Do you mean conciseness to allow for public commentary or public commentary I'm not sure exactly what that is getting at.

Tim Aldrich: Make sure they understand specifically what their commenting on (unintelligible)

Jim Slattery: That's clarity, the point was brought up before that we can be clear but 18,000 pages so that's where conciseness (unintelligible)

Mike Mitchell: Okay everybody agree?

Charlotte Cleveland: Yep

Mike Mitchell: So there's no problem at all if we get into this and realize well one of these just really isn't computing let's get rid of it or we can say oh we need something else we can (unintelligible), nothing wrong with being exhaustive at this point.

Don Skaar: I notice that all three of them have some reference to resource or biological health and maybe those can be combined. On the left here it's kind of broken into fishery and water quality and the others I think probably contemplate it under their broader category so I'm not sure which way to go I'm just pointing out that we've got some redundancy there maybe.

Jim Slattery: So do the bullet point on the right or would that be too much for what we're going to do?

Mike Mitchell: No, let's think first, let's grade first and tear things apart later. My question about healthy fishery and water quality can you imagine alternatives that you would come up with that would have different effects on water quality and healthy fishery or do those kind of go hand in hand.

(unintelligible)

Mike Mitchell: Okay so you wouldn't really see any difference between how the two tell you much about alternatives but they're both going to tell you the same thing basically? I know they're not the same thing but as far as telling you the difference between alternatives water quality healthy fishery basically going to give you the same information.

Mark Odegard: Couldn't you just say a healthy river environment?

Mike Mitchell: You could

Jim Slattery: On the flip side though what you said if the fish can't live in the water of certain quality but and the quality's degrading how are you going to go into the fishery then so maybe that's water quality is important so we know what the base line is. See what I'm saying?

Mike Mitchell: Yeah, I'm trying to figure out whether you need both. Can you have a situation where an alternative produces high water quality but crashes

Charlotte Cleveland: Yeah hot water, hot water

Julie Eaton: Right so water that's so hot, (unintelligible)

Mike Mitchell: All right can you have a situation where an alternative is great for the trout population but crappy for water fowl?

Jim Slattery: Well

Don Skaar: Nutrients

Jim Slattery: If you think about Michigan and that one river where they released some of the waste in the river the fish were healthy actually so that can have

Mike Mitchell: Is that a possibility in the Madison though?

Don Skaar: Doesn't seem like it's something we're going to have any control over.

Jim Slattery: Maybe below Ennis.

Michael Bias: Big Sky tried it on the Gallatin

Scott Vollmer: Well that's actually technically the Yellowstone club.

Mike Mitchell: So how did the fish population in the Gallatin do?

Charlotte Cleveland: There was a lot of green guck in the water I can tell you that.

PEOPLE TALKING AT ONCE

Michael Bias: Are we going to have anything in this plan that has anything to do with water quality? I'm not even sure why water quality is in there.

PEOPLE TALKING AT ONCE

Lauren Wittorp: Are you saying in that case you could just say resource since then it wouldn't (unintelligible) solvent?

PEOPLE TALKING AT ONCE

Michael Bias: I'm trying to think kind of like to say that is there anything we're doing is going to affect water quality.

Mark Odegard: Would you're clients like it if the river smell like sewer?

Michael Bias: But we're not doing anything that's

Tim Aldrich: What can we affect with a rule?

Don Skaar: Seems like sediment input would be about the only thing I can think of from bank erosion, I don't know how significant that is but from foot traffic.

Michael Bias: Right, right, okay

Mike Mitchell: Want to keep both in there?

Michael Bias: I thought like the resource health one kind of incorporates all that.

Scott Vollmer: Wouldn't the added sediment affect the fishery as well?

Don Skaar: Yeah

Scott Vollmer: So it would kind of be combined.

Jim Slattery: We could separate it out, the kind that we have maximize non-residents and all that we can say that is satisfaction of stakeholders and use bullet points and we can do the same thing with a plan to maximize resource health and have bullet points below that would be maintain the fishery, water quality, riparian, damage from wading and stuff like that.

Mike Mitchell: So yeah that's, it's this whole thing about are you lumping or spitting it out and so what does your problem statement suggest that you should do so like in the problem statement we have all of these different user groups and we're worried about their satisfaction so it makes sense to split them out. Health of the river system okay, there are lots of, there are a bazillion ways you can define that but which ones in particular does the problem statement suggest that we need to evaluate.

Michael Bias: Health of the fishery.

Mike Mitchell: I'm sorry

Michael Bias: It says the health of the fishery.

Mike Mitchell: Okay so do you want to split that out more? Do you need to split that out more? Because splitting that out for the stakeholders is listed explicitly, are there multiple concerns for the health of the fishery well that there are concerns about fish population, there are concerns about water quality, there are concerns about.

Tim Aldrich: Spawning habitat, microorganisms there's all kinds of things that we could

Mike Mitchell: there are a billion was to say that.

Tim Aldrich: And you get to that health fishery you're gonna say we got to go to the top here.

Melissa Glaser: Would it matter that there's different groups outside of here that as Fish, Wildlife and Parks kind of they're in control of the healthy fisheries in a way and then there's other groups, conservation groups that are trying to maintain water quality in that sense, is it better to separate them out in case there's alternatives affect water quality and don't affect the healthy fishery?

Mike Mitchell: I can tell you what my hunch is, my hunch is that the thinner you slice the pie the less anyone part of it is going to tell you much. So if you split out like health of the ecosystem and to, we can think of at least 10 ways of defining that then you're really splitting hairs and anyone thing there in that list is not going to have much of an effect on your decision so like you could just totally fail on one of those 10 things but that's not really going to register, it's not going to make much of a difference. If you cram it together, if you're comfortable cramming it together in something like I'm just worried about the health of the river system we're going to make a call on what that means, have one objective in there and that is going to have a lot of an effect on your decision. It's going to weigh a lot more than splitting it out into 10 and so then the question becomes do you need to split it out and that's a question for you guys.

Melissa Glaser: In that sense I would say lump it together.

Jim Slattery: I guess I'm going back to an old saying is there a way to lump it together but still have identifiers, you know what I'm saying?

Mike Mitchell: Yeah I understand what you're saying, tell me if I got this, so if we did something like what we did with maximizing satisfaction and we just said maximize satisfaction of and then list, each of those is a fundamental objective, we're going to evaluate each of those. So do you want to do the same thing with health of the river system, maximize, health of, **(can't reproduce the sound Mike made)** and we're going to evaluate each of those.

Jim Slattery: Well the way I see it is like you say it's a weight so I'm looking at it as a weight and if we had like five identifiers under there and one of them comes up then it's still that lump still is (unintelligible)

Mike Mitchell: yeah so let me show you, let's go back to the lion example, you see how, you have this overarching maintain acceptable densities of mountain lions and then we broke it out into different groups.

Jim Slattery: right

Mike Mitchell: then we scored it out for each group, if you look up there where it says maintain acceptable densities there are no scores and that's because we broke it up. So if you were going to have multiple ways of evaluating health of the river it would stack out pretty much the same way, is that what you want to do? Do you want to have a different fundamental objective for each aspect of health that you're considering.

Mark Odegard: In our problem statement there was no problem in water quality. The only problem was healthy fishery.

Melissa Glaser: Which also doesn't mean there's not a problem it's just not in our statement.

Don Skaar: Of course a healthy fishery is habitat

Melissa Glaser: yeah

Don Skaar: temperature, things like sediment

Jim Slattery: There's a group, Madison River Foundation and one of the main goals is to repair the riparian places that have been degraded and are we going to have to go back in there and fix it?

PEOPLE TALKING AT ONCE

Jim Slattery: I'm just saying yeah

Mike Mitchell: Any problem is infinitely complex

Jim Slattery: Right

Mike Mitchell: And we never, none of us can make a decision considering every single aspect with any problem so what we're trying to do is get it down to what are the really important aspects that are really part of the problem. Why is this a difficult decision to make? Is the difficulty in because people are worried about this aspect or this aspect and these are the big important things, not all the different way like so you can take the stakeholder representation down to everybody named Ted who has one arm and lives in Ennis, is there anyone armed guy in Ennis named Ted, I'm not talking about anyone specific but anyway you can split hairs

PEOPLE TALKING AT ONCE

Mike Mitchell: So the question is when you're splitting what is the minimum amount of splitting you do and still capture the big issues. So going to back to the health of the river, yeah a million different ways of defining that, all of them are important in one way or another but in terms of the problem that you guys have defined how do we understand that problem when making a decision about which alternative to peruse. What's the minimum amount of information that we need to capture and then we need to capture what's important.

Jim Slattery: I agree with you but so if we have, I'll just put this out there if we have a plan that would maximize and then we decide well oh wow the riparian's just going to get trampled the springs that are in there are going to get compacted well we can't use that but so I don't know, where do we force it out.

Mike Mitchell: So how about this

Jim Slattery: That's an extreme but do you know what I'm saying?

Mike Mitchell: No I totally understand what you're saying so that might be a situation like wouldn't it be great to have data, but we don't so if I came to you and said okay you have one situation that increases siltation and one that doesn't can you tell me on a scale of one to five which one does a worse job on river health? And so it would be up to your judgment and you could say will that siltation really bugs me so the one that produces a lot of it, I'm going to give it a two or it's like no siltation that's five.

Jim Slattery: I'm good with that

Don Skaar: I we give that kind of thing scores

Jim Slattery: (unintelligible)

Mike Mitchell: We'll get to the scoring thing

Jim Slattery: It's more important that we have the users broke down then, okay.

Mike Mitchell: It depends on the problem statement but yeah I think most of the emphasis on the problem statement is on the users although there is, it's in there that some users are concerned about the health of the river so it makes sense to have an objective in there about the health of the river, however you want to define. Yeah.

Julie Eaton: Again these are based on yesterday's draft but it appeared in todays as well, didn't we have a discussion about resident, non-resident, they're just anglers. Are we still

PEOPLE TALKING AT ONCE

Jim Slattery: I think, personally I think if we keep it like this it's going to protect each and every one of those equal (unintelligible) than there's a chance that you can say well who cares about this group, this group even thought their both anglers but not all these anglers are going to be happy but..

PEOPLE TALKING AT ONCE

Scott Vollmer: Justification for ignoring groups or the converse of that is justification for coming down hard on groups

Michael Bias: Right

Scott Vollmer: if that makes sense.

Jim Slattery: I mean in the last, the last plan that they had here 75% of the users that are using the river are non-residents so you got to, are we going to make rules here that affect 75% of the people? I'm just putting that out. Why just say you can fish here on this day and that's 75% of the fishermen.

Julie Eaton: So just call them anglers.

PEOPLE TALKING AT ONCE

Mike Mitchell: Here's a good rule of thumb.

Jim Slattery: I think you'd have a better chance of protecting those people if it's like that.

Julie Eaton: I do to.

Mike Mitchell: It's really not so much about protecting or doing harm or anything it's trying to capture, these folks have an important perspective and that perspective is different from other people so a good rule of thumb in trying to think about collapsing and I'm not saying this is the case but those first two maximize satisfaction non-residents, maximize satisfaction residents for any alternative you come up with are they going to respond the same? Non-residents and

residents are going to be satisfied in the exact same way for any alternative, there all going to like this one, there all going to hate this one, no, okay

Julie Eaton: No

Michael Bias: No

Mike Mitchell: Now it makes sense to split them out because you want to capture how these different groups these different perspectives feel about your alternatives. I wouldn't think about it any harder than that. Now if there's somebody out there that's not captured without going all the way down to one armed guy in Ennis and nothing against one armed people from Ennis but without going down to that level of detail for the big picture have we got everybody up there?

Michael Bias: I think our fear Mike is just that splitting out like this we're going to go through it and we're going to say oh does it adversely affect commercial users yeah but everybody else is happy okay well screw commercial users.

PEOPLE TALKING AT ONCE

Mike Mitchell: That's our fear.

Jim Slattery: Well the economy is driven by

Mike Mitchell: let's go back to, so

PEOPLE TALKING AT ONCE

Mike Mitchell: If we're doing or job right there will be some alternatives that look like that and that's the important thing, we want to consider all the alternatives, as you can see on here not everybody was equally happy with all these alternatives. Some people clearly liked some better and that's reality there are lots of different ways to skin this cat not all of them are going to make everybody happy. It's good to know who we're making happy and who were not. But also so here's why it's really beneficial to consider all alternatives even the ones that you're not crazy about because if you're right and it's a crappy alternative this will show you, and now you'll have ammunition to argue against it. This reveals crappy alternatives given your fundamental objectives and so you want to consider all of the alternatives, the ones you like the ones you don't because this will show you if they're good or not. It's going to be a difficult decision to make because there gonna be tradeoffs. It's really possible that not all users groups are going to be equally happy so how do you make that decision and that's what this is designed to do.

Tim Aldrich: (unintelligible)

Mike Mitchell: What's that?

Tim Aldrich: That explains our decision

Mike Mitchell: There you go. Okay? So I promise you Mike there are going to be some alternatives that make you uncomfortable.

Michael Bias: Oh I know

Mike Mitchell: But just role with it all right? If you're right and they're bad alternatives if we've done our job right up till now by the time we get there it'll show it.

Don Skaar: Speaking of that break out could you go back to the previous, yeah don't we need to be talking about the non-angler as well?

Melissa Glaser: They're there.

Don Skaar: Oh they're there I'm sorry.

Mike Mitchell: So can you change maximize clarity rather than maximize conciseness, I'm not changing the meaning there am I?

Melissa Glaser: That's fine.

Mike Mitchell: Well I think that's, yeah the second line. Looking at allow for growth, what's another way to put that so we can actually, allow is kind of vague. We talked about before if you say maximize growth that makes it sound like on one had that you want to go through the ceiling but again on the other hand if growth is good other things are not good you'll be able to evaluate that tradeoff but you also want to say what you mean.

Melissa Glaser: Maintain current rate of growth of the local economy?

Jim Slattery: That might not be good.

PEOPLE TALKING AT ONCE

Mike Mitchell: Yeah so what do we mean by that? We aren't talking about getting as much growth as we possibly can so what are we actually saying there?

Charlotte Cleveland: That we want as much negative affect on the local economy as possible. That's what we want.

PEOPLE TALKING AT ONCE

Charlotte Cleveland: No as less, we want to

Julie Eaton: I know what you're saying

PEOPLE TALKING AT ONCE

Mike Mitchell: Okay so is that kind of the same thing as 12, it's just we're talking specifically about the economy?

PEOPLE TALKING AT ONCE

Don Skaar: Yeah 12's more all-inclusive of

Mike Mitchell: Okay, so that goes back to the thought I had earlier and it's sort of the same thing about river health. You talk about economic health can you imagine alternatives that will affect economic health for different people differently. So there could be a tradeoffs, you might do great for economic health of I have no idea, economic health of a lodge owner versus economic health of a guide, are they always going to be the same thing or are there going to be times where hey this is great for a guide but this is lousy for a lodge owner.

Jim Slattery: (unintelligible)

Charlotte Cleveland: (unintelligible)

Mike Mitchell: What's that?

Jim Slattery: That'll never happen.

Mike Mitchell: All right I'm not being specific okay again probably don't know what I'm talking about when it comes to this but what I'm trying to get across is can you lump economic health for everybody that has an economic interest into a single objective

Jim Slattery: I think they are intertwined.

Mike Mitchell: What's that?

Jim Slattery: I think they are intertwined, I think either one could be better.

Mike Mitchell: Okay, other folks?

(unintelligible)

Mike Mitchell: Okay, are there adverse impacts other than economic health that you want to minimize?

Jim Slattery: Well yeah socially and resource (unintelligible)

PEOPLE TALKING AT ONCE

Mike Mitchell: Okay so this goes back to the is minimizing negative impacts the same thing as maximizing satisfaction so if you minimize negative adverse impacts to commercial users are they going to be more satisfied.

Jim Slattery: Yes

Mike Mitchell: So is that the same thing or is there an adverse impact that's not covered by satisfying different stakeholders?

Jim Slattery: I think if you're asking if we can get rid of that I think we can.

Mike Mitchell: Other folks? The only place I can think of is we say maintain a healthy fishery or maintain water quality if you want to call that ecosystem health you could say minimize the adverse impact on ecosystem health and that would sort of capture these guys.

Jim Slattery: Yeah it's kind of like number one (unintelligible) adverse minimizing or maximizing (unintelligible)

Mike Mitchell: What do you guys think about that?

Melissa Glaser: Can you say it again?

Mike Mitchell: So when I'm thinking about adverse impact these are both about adverse impact so can you combine that minimize adverse impact on ecosystem health, now we don't need those any more.

Lauren Wittorp: To Jim's question what's the difference between saying, what's the advantage in saying minimize adverse impact rather than saying maximize resource health, there the same either way.

Mike Mitchell: Yeah different way to put that.

Lauren Wittorp: Yeah that's fine I just didn't know if there's (unintelligible)

Mike Mitchell: Yeah I guess there's sort of a philosophical thing you know so here's the main thing if you say maximize resource health then it's like anything about maintenance is great, if you say minimize adverse impacts you're saying anything below maintenance is bad .

Jim Slattery: Yeah

Mike Mitchell: And you're not saying anything about this up here.

Jim Slattery: That's what Mike was saying so maybe we want to say maximize but in a different way not minimize.

Michael Bias: I think you want to maximize resource health

Mike Mitchell: Maximize resource health?

Michael Bias: Right

Jim Slattery: Yeah that way we'd be proactive instead of just (unintelligible)

Michael Bias: Or if you're in an area where it's degraded the more that proves it.

Mike Mitchell: You guys want to go with that?

Charlotte Cleveland: Yep

Michael Bias: If we said area that's already good there's nothing else to do (unintelligible)

Mike Mitchell: That means it's already maximized.

Jim Slattery: So we have to maintain that maximized.

Mike Mitchell: Okay

Don Skaar: If we do that are we still going to have subcategories or are we doing away with that?

Mike Mitchell: Well do you want to have subcategories under there?

Julie Eaton: No

Jim Slattery: I don't think so but

(unintelligible)

Jim Slattery: maybe we might discover that we might have to, we could always change it right?

Mike Mitchell: Sure, yep

Jim Slattery: I kind of agree that lumping them together (unintelligible)

Mike Mitchell: Yep, okay. What else you want to play with?

Julie Eaton: Did we say we were reducing uncertainty with the taking care of and the trigger point?

COMMITTEE SAYING YES AT SAME TIME

Mike Mitchell: Say that again.

Julie Eaton: That reduce uncertainty one is handled in developing trigger points.

Don Skaar: Oh, yeah.

Michael Bias: We're going to get to a point where say once you pay you're going to be placed in some kind of matrix in the weight column and I'm looking at this and I'm going well, so 1 - 8 doesn't have to be mutually exclusive right? It could be we're going to have float anglers and wade anglers but the ones that are mutually exclusive are going to be commercial or non-commercial and it's setting up to be like 7 against 1 there's 7 boxes and 1 commercial user and when you build that into this matrix you're going to have 7 green boxes and 1 red box. Regardless of the weight then it's going to be like oh, well it's saying what it just said before but it's starting to become more clear. It's going to look like all number 4 and we're going to be .12 you know. We're going to be all zero's.

Mike Mitchell: I promise you there will be an alternative like that.

Jim Slattery: Yep

Mike Mitchell: But there will be others that aren't.

Michael Bias: But there's going to be areas in the objectives that are overlapping.

Mike Mitchell: Yep.

Michael Bias: For example but there's not going to be areas where commercial users are going to overlap with others.

Jim Slattery: Well yeah because

Don Skaar: Yes there are

Jim Slattery: 75% of, from what I read here

Don Skaar: Right

Jim Slattery: 75% of all commercials users are non-residents.

Michael Bias: We have non-residents in our boat.

Jim Slattery: Right exactly so they would actually fit in two categories at once.

Don Skaar: And the float angler category too.

Jim Slattery: Yeah.

Michael Bias: I don't trust it man.

Jim Slattery: Well so

Mike Mitchell: One thing on here I'll point out, these folks disagreed with each other, had contrary interests.

Michael Bias: Oh you could see that.

Mike Mitchell: That are every bit as real as what the ones you guys are dealing with but you can see some places where they had similar responses, okay, where they weren't always mutually exclusive. Maintain the live population, hunters and landowners didn't like it. Increase all lions they really didn't like it, but if you look at reduce population, reduce lions or ungulates are of concern they start to split out and so that's the thing you want to do and just trying to capture how different people will respond to this, if any two of these always had same responses all the way across the board you don't need them. If you have differences, some groups sometimes

Michael Bias: (unintelligible) it's like a (unintelligible)

Mike Mitchell: What's that?

Michael Bias: It's a g-test, it's good, it's a g-test.

Jim Slattery: Non-residents are not going to like that they can't go on a float trip. They're not going to like that.

Michael Bias: All right.

Mike Mitchell: And again I'm not

Michael Bias: So this is real important to make sure our fundamental objectives are comprehensive with regard to analyze all the objectives.

Mike Mitchell: Yeah and you want to make sure that again it goes back to the problem statement where why is the problem difficult and currently you have a list of user groups that are in conflict or potentially in conflict over the decision that could be made. You want to capture those. If there are other user groups that are part of the difficulty in making the decision we can go back and add those to the problem statement so they're in the problem statement.

Michael Bias: Okay

Mike Mitchell: That was a good call.

Michael Bias: Can I add something?

Mike Mitchell: You can do whatever you want. This is your committee.

Michael Bias: I'm glad that we're looking at this because we talked about acceptable densities not (unintelligible) we got to look at our problem statement, we want to maintain some kind of acceptable density of users right that's really what the idea of dispersion and crowding, Crowding implies some high density of users per reach or users per area. That might be a way to look at it.

Mike Mitchell: So would you say so like right now we've got maximize satisfaction should it be something like maximize acceptable density of users to non-residents to

Michael Bias: Well I don't know, that's the metric but for example like Scott's discussion on dispersion right, crowding and dispersion is different levels of user densities in an area so might be user densities per reach or something acceptable

Jim Slattery: I don't really like it.

Michael Bias: That's all right.

Mike Mitchell: We can let it play and if we need to tweak it we can. Did I see a hand go up over here? No, okay. What else?

Don Skaar: Do 14 and 15 kind of, seems like, I don't know if they're redundant but they do seem to kind of overlap a little bit, I'm assuming trigger points would be part of adapting to changing conditions.

Jim Slattery: Yeah

Michael Bias: Aren't they the tool, they're like the tool

Don Skaar: Yeah

Jim Slattery: We can combine some of them.

Julie Eaton: Change your condition using trigger points.

Jim Slattery: Right, develop trigger points.

Mike Mitchell: Okay.

Jim Slattery: Develop trigger points, I don't know.

Michael Bias: I guess it's just a matter of semantics, doesn't matter.

Melissa Glaser: We talked about the enforceability that's not represented.

Mike Mitchell: Okay, so what do you want?

Sarah Sells: (unintelligible) 15

Mike Mitchell: what's that?

Sarah Sells: Am I deleting 15.

Mike Mitchell: You going to go to 15 though.

Melissa Glaser: Yep

Jim Slattery: Yep

Mike Mitchell: So how do you want to put enforceability and we talked about what exactly does that mean? What makes this plan enforceable? So how can we maximize it?

Jim Slattery: Clarity and conciseness of the plan is enforceable.

Lauren Wittorp: And also costs (unintelligible)

Mike Mitchell: Maximize resources available for enforcement of the plan? Then again that's going to trading off there's going to be minimize costs in there so you're not going to be able to have both but capturing that tradeoff is important. The more resources for enforcement is always better.

Jim Slattery: That's going to be sticky issue now you have to come up with funding right?

Michael Bias: I wasn't thinking that I was thinking like simplicity of the law

Don Skaar: right

Michael Bias: hey that guide is a guide boat because it has a green sticker and I can see it.

Don Skaar: But there's no way we can count them here or

Michael Bias: Right.

Don Skaar: so it's not just resources available but feasibility.

PEOPLE TALKING AT ONCE

Michael Bias: As an example of enforceability there's

Don Skaar: enforceability yeah

Michael Bias: the VH2, non-residents can't float certain sections. The only way to determine that a non-resident can float is by pulling them over and checking right so

Don Skaar: Yeah

Michael Bias: law enforcement has always got road blocks which the law set up on the Big Hole to look at stuff like that.

Don Skaar: Yeah

Michael Bias: It's a challenge

Scott Vollmer: Another example Mike is, is maximum of two on the Big Hole in particularly a maximum of two launches per site per day.

Michael Bias: Oh, which applies to everybody

Scott Vollmer: Everybody

Michael Bias: And it's not enforced on non-commercial people.

Scott Vollmer: First of all most people don't even know that exists.

PEOPLE TALKING AT ONCE

Scott Vollmer: Second of all is to check at each access site going from, I mean it's one road but hidden from Divide to Dewey to Jerry Creek and so forth all the way up you're checking 15 access sites. Same as you have to do on the Madison.

Jim Slattery: It'd be like a parking lot, you guys would put your money in

PEOPLE TALKING AT ONCE

Michael Bias: There's an enforceability issue too, I don't know Cheryl (unintelligible) when she was up there on the Beaver Head you can't have more, it's a launch boats per reach issue and I was gonna launch lower down but it would have been more than three launches in that day, even though we had three boats in the section I was, I was breaking the law enforceability wise, the only reason we figured it out is because the Warden was right there and we were talking about it as I was launching. It's way confusing in that so that's enforceability.

Scott Vollmer: I did it myself one year just personal fishing and I talked to, I actually saw Andrew the next day on the river and talked to him about it because I saw it in the rule book. Myself and a friend put on Jerry Creek three times in one day, we broke the law. Oh oh, did I just admit that.

Michael Bias: That's being recorded so.

Scott Vollmer: Oh oh.

Michael Bias: Salmon flies

Tim Aldrich: (unintelligible)

Scott Vollmer: No we were streamer fishing it was early in the year.

Jim Slattery: You know what I

Scott Vollmer: I've never done it again.

Jim Slattery: I just thought of a group that's not being represented here, in this, I had discussions with the LEO's that come into our place and they would love it if there was someone that was on the river that could be their eyes because a lot of times they're 100 miles away, 50 miles away and they can't be on the river. They would love it if they had a full time guy on the river. I'm just throwing that out.

Mike Mitchell: You said IDO?

Jim Slattery: LEO Law Enforcement Officer.

Mike Mitchell: LEO sorry

Jim Slattery: LEO

Mike Mitchell: Sorry old man ears.

Michael Bias: Which group are we missing?

Jim Slattery: That would be Law Enforcement.

PEOPLE TALKING AT ONCE

Jim Slattery: Yeah a Game Warden they would love it if there was someone on the river to help enforcement. I can just say what I've heard that they, that's what they told me more than one.

Michael Bias: I think a lot of (unintelligible) self-enforced. In fact it developed over time where guys would block outfitters and block other outfitters. It's pretty self-enforced. On the Madison as well, hey man where your tags (unintelligible).

Jim Slattery: And now we have a lot more people on there and not all of them are commercial groups and that can be part of the problem. I thought I'd throw out here I was driving down the road and I saw this car pull over, case in point so this RV pulled over and I was like what's going on here, I drove by, there was six guys fishing right above Slide-In with worms catching fish and bringing them into their rig and then go back out again. I called the LEO and all that but it's kind of what I'm saying that stuff kind of happens a lot on the river. We need to protect our resource. That's our banks. Those fish are our money.

Mike Mitchell: So you could imagine then under maximizing enforceability you could say hire 10 new Wardens or something like that.

PEOPLE TALKING AT ONCE

Jim Slattery: Or a Warden.

PEOPLE TALKING AT ONCE

Mike Mitchell: Anyway that would certainly contribute to enforceability but there might be other things as well but the important thing there is that's one approach to increasing enforceability.

Mark Odegard: (unintelligible) watch?

Scott Vollmer: Put up fake cameras all along there.

Michael Bias: Put up real cameras.

Jim Slattery: I called the LEO there was nothing he could do about it. All he had was our pictures that we took and he was, I couldn't even reach him. If we had someone on the river I could have called. It would have been more money for the State.

Mike Mitchell: So how you feeling about those fundamental objectives, is that a complete picture of success? If we accomplished all of those perfectly is that success?

(unintelligible)

Mike Mitchell: What's that?

Julie Eaton: Not sure yet

Michael Bias: On the lion one was that all of their fundamental objectives.

Mike Mitchell: Yep.

Michael Bias: Was all of them?

Mark Odegard: I think we've gto a more complex problem.

Julie Eaton: Yeah

Jim Slattery: Do we have the data on there the collecting of the data?

PEOPLE TALKING AT ONCE

Michael Bias: That's on our list but it wasn't brought into

Jim Slattery: I was just looking through this (unintelligible).

Mike Mitchell: We got away with minimize uncertainty. Yeah I think it was because I was thinking that it was folded in here to be able to adapt.

Jim Slattery: Right we can't do that, we fold it into there? Fold data into that?

Mike Mitchell: Yeah I'm just saying that was the thinking as I recall it.

Jim Slattery: Okay

Mike Mitchell: But are you saying you want to pull that back out and say we need to have an objective for minimizing uncertainty?

Melissa Glaser: No I think he's talking about number four in group 1 where it's

Don Skaar: Yeah

Melissa Glaser: user data, maximizing user data.

Mike Mitchell: Yep

Melissa Glaser: fishery's data.

Mike Mitchell: Yeah I'm just, I'm thinking of that in science, if you get more data you would reduce uncertainty. So do you want to have reduce uncertainty as a fundamental objective?

Michael Bias: I think it was missing, we have, on the user data we have no, we have uncertainty on non-commercial users so fundamental objective would be maximize or obtain, non-commercial user data, that's it. Non-commercial users, obtain non-commercial user data on the Madison.

Mike Mitchell: So would that be a means of reducing uncertainty?

Michael Bias: Yes

Mike Mitchell: Okay, again that goes to the fundamental objective

Michael Bias: It's not.

Mike Mitchell: is producing uncertainty.

Jim Slattery: (unintelligible)

Mike Mitchell: I'm sorry?

Jim Slattery: That's the third (unintelligible) the plan of action so yeah number 15

PEOPLE TALKING AT ONCE

Mark Odegard: Yes, number 15 and 4 are similar.

Mike Mitchell: yep

Jim Slattery: I didn't see that okay, perfect.

Mike Mitchell: So one of the things that need to be when you design an alternative is you can say all right we need to do this, I don't know what the mechanism would be to identify all the users but that would be part of coming up with a way of reducing uncertainty.

Michael Bias: Right

Mike Mitchell: Anyway I'm not, I'm agreeing with you Mike I'm just saying it's not really a fundamental objective.

Michael Bias: I'm not seeing it.

Melissa Glaser: It was deleted

Mark Odegard: 15

Michael Bias: Well that's why I'm not seeing it. So I think we need to reduce uncertainty and user use right?

Mike Mitchell: Well there probably not some different forms of uncertainty right? I think some people might want to say let's reduce uncertainty about the health of the fishery or whatever, I don't know so there're lots of different ways that we can reduce uncertainty so you could come up with alternatives that look at different ways of reducing important uncertainties.

Mark Odegard: I think uncertainty is in the next one down.

Jim Slattery: Yeah and it's also in the conciseness and clarity. (unintelligible) that aspect of it to.

Don Skaar: I guess

Michael Bias: I think it's kind of vague for them.

Don Skaar: Yeah, and I can kind of understand what Mike's saying

Jim Slattery: Yes

Michael Bias: For example when we play on (unintelligible) non-commercial users there are and you know, (unintelligible) he's also misrepresenting the non-commercial use well we don't know the non-commercial use so this plan should probably seek to obtain accurate non-commercial use numbers.

Mike Mitchell: Okay so is that the only uncertainty that the group feels like needs to be resolved to improve the plan over time or is it just one of the uncertainties?

Mark Odegard: Do we know how many commercial users there are?

Michael Bias: Oh yeah, to well (unintelligible).

Mark Odegard: Do we know how many users there are total so the non-commercial are the difference.

Michael Bias: No because 207,000 is somehow misrepresenting numbers on the Madison.

Melissa Glaser: (unintelligible)

PEOPLE TALKING AT ONCE

Michael Bias: With standard deviation that's some type you can't even see past the edge but

Mark Odegard: So actually it's number of users that you're interested in counting not non-commercial users.

Michael Bias: We need a more, less accurate method of determining non-commercial users on the Madison.

Mike Mitchell: Let's go back over it because I think this is a discussion that can be had when you're talking about different ways in solving the problem.

Mark Odegard: Yeah.

Mike Mitchell: In terms of uncertainty is there only one form of uncertainty that is making this problem difficult or are there other forms of uncertainty? So is it just non-commercial users or is it non-commercial users and river health something like that, I don't know, or is it just one form of uncertainty that's making this problem difficult?

Michael Bias: For users I think it's users but you know we talk about uncertainty in river health and things like that.

Jim Slattery: there is uncertainty in that, you hear that a lot.

Mark Odegard: Every table that we were shown on surveys and stuff has uncertainty. Any piece of data we have is uncertain to some extent.

Michael Bias: No, the number of commercial users on the Madison.

PEOPLE TALKING AT ONCE

Mark Odegard: probably one of the best known.

PEOPLE TALKING AT ONCE

Michael Bias: best one and I'm saying that because I've been accused more than once of misrepresenting that 207,000 chart when I put the little red line under ours is that we need, if we're going to do this having non-commercial use to the level of accuracy that we have of commercial use would be awesome.

Mike Mitchell: Okay so let's just agree that that is an important uncertainty that it would be great to resolve.

Michael Bias: Yes

Mike Mitchell: And I'm just trying to get at are there other uncertainty's or do we want to split them out or do we, do we say anything that reduces uncertainty is good, whatever that might be.

Michael Bias: Be like (unintelligible)

Mike Mitchell: Yeah and so that's just a question for the group do you want to split out important uncertainties, can you imagine alternatives that might address one but not the other? But it goes back to how critical is uncertainty in the problem statement. Right now I don't think we break out uncertainty do this or uncertainty do that, or particular aspect of the problem. We can go back and do that or do you just want to leave it as, there's a lot of uncertainty we'd sure like to resolve that. There are different ways of resolving that.

Mark Odegard: (unintelligible)

Mike Mitchell: I'm sorry Mike?

Mark Odegard: Almost all of this data has uncertainties.

Mike Mitchell: The thing is the way to think about uncertainty is what is the uncertainty that is making a good decision difficul?. There's uncertainty associated with everything in life but there's some uncertainties that, it's just like well that's what makes the decision hard because I don't know something. Those are the uncertainties I'd like folks to think about.

Michael Bias: I was just going through trying to think of the fundamental objectives that we (unintelligible) what's the thing to address if the plan was perfect statement would address, it's not in our problem statement but (unintelligible) the uncertainty of non-commercial users. For example, especially like when we try to figure out Cheryl the non-commercial use from Blacksford to Grey Cliff, it's like well you know we got 130,000 cars multiple it by 3 people and there it is well so that's not very certain.

Mike Mitchell: I think we all agree that that would be great to resolve that uncertainty so my question is do you want to lump that together with all uncertainties or do you want to split out the uncertainties and say this uncertainty in this case non-commercial users makes it difficult

to make a good decision. Is there another uncertainty that we should list well this makes it difficult to make a good decision, we just don't know.

Michael Bias: Should it be in our problem statement right (unintelligible)

Mike Mitchell: We could go back to that but let's close the loop on this conversation if we need to go back and revise the problem statement we can.

Don Skaar: Isn't that kind of a means objective though?

Mike Mitchell: What's that?

Don Skaar: Reducing uncertainty?

Mike Mitchell: Yeah well I think that's the reason that was moved into well what is now 16, if you were going to have an effect, adapt a management plan that means you got information and you're improving that information.

Don Skaar: But just as it stand alone it seem to be a fundamental objective.

Mike Mitchell: Yeah I think that's one way of looking at it.

Jim Slattery: We don't even know how many non-commercial users are from Ennis up to

Mike Mitchell: Oh yeah.

Jim Slattery: Hebgen, which is probably more pertinent to what we're doing.

Mike Mitchell: Yeah so that, we're all in agreement that's an uncertainty that would be great to resolve. Is there anything else? Do you want to split them out or do you want to say that's just part of maximizing the ability to adapt, you're going to have to resolve uncertainty that's part of that. So resolving uncertainty would be a means objective.

Don Skaar: Can we write it in there?

Mike Mitchell: Under 16

Michael Bias: I think it's a fundamental objective .

Mike Mitchell: Okay.

Michael Bias: It's like we should incorporate obtaining this in our plan.

Mike Mitchell: Okay if we're going to keep it as a fundamental objective we establish reducing or getting information on the number of non-commercial users is an uncertainty that

would be good to resolve, is there anything else or is that the only uncertainty that's making the decision difficult?

PEOPLE TALKING AT ONCE

Mike Mitchell: Is that what folks what to do?

Mark Odegard: We can always get rid of it.

Mike Mitchell: Yeah we can always get rid of it we can always add to it.

Mark Odegard: Yeah.

Mike Mitchell: I'm just trying to figure out whether it's the only uncertainty, if we should have other ones up there, that's all.

Don Skaar: Is there disagreement over the satisfaction data?

Mark Odegard: Yep.

Don Skaar: Is that an uncertainty?

Julie Eaton: Yes.

Jim Slattery: That's kind of why that what we wrote is probably not a bad thing, I think maximize user data and fishery's data. It kind of incorporates.

Michael Bias: That's what we're getting at.

Jim Slattery: Yeah, I think when we had this discussion earlier that's kind of

PEOPLE TALKING AT ONCE

Lauren Wittorp: so number 15 turns into a fundamental?

Jim Slattery: Yeah

Mike Mitchell: I'm sorry say that again.

Jim Slattery: Yeah

Michael Bias: How does 15 reduce uncertainty in user numbers?

Mark Odegard: One of the things you do in that is reduce, is find out that number in 15, maximizing

Don Skaar: To maximize you have to reduce uncertainty.

Mike Mitchell: Yeah (unintelligible) adapt it means you learned something new.

Jim Slattery: I vote we just leave that in there for now and if we, as we go through the process we could, if we feel comfortable with 15 encapsulating that then we can (unintelligible).

Mike Mitchell: I'm sorry Jim so you're saying just leave 15 get rid of 16 and 17 or

Jim Slattery: No leave it as it is right there and as we go along through the process if we feel that 16 and 17 are encapsulated in 15 then we can remove it but I think it's, I think some of us feel that it's important.

Michael Bias: Would it be, can you just bullet 16 and 17 under 15 for example like over here, like this number C the maximize ability

Jim Slattery: Either way

Michael Bias: yeah

Lauren Wittorp: Yeah

Jim Slattery: Either way we do that Mike it's gonna create a hole.

Michael Bias: Right

Don Skaar: So how about the conflict satisfaction data as well (unintelligible) a line, uncertainty in that

Michael Bias: Oh I see

PEOPLE TALKING AT ONCE

Mike Mitchell: I can see three different ways that an alternative would address that, if you could have, we're going to have a check in system for non-commercial users or we're going to do public opinion surveys to learn about customers, public satisfactions or we're going to do more fish surveys to understand population dynamics. You could have alternative that include those, that don't include those, have some combination of those. So I could see how all three of those would reduce uncertainties that would make the decision difficult. I'm sorry?

Tim Aldrich: I got a question I guess about reduce the uncertainty in fisheries data, I think the data was gathered regularly the same day that, they have (unintelligible) lines and specifics along the line and so forth, but now are we talking about correlating that with use? (unintelligible) use? I mean I'm trying to figure out why, we already have that.

PEOPLE TALKING AT ONCE

Michael Bias: Which aspects of fisheries data don't we have?

Tim Aldrich: Not in the recreation line it's biological

Mike Mitchell: Are you saying basically those data already exist?

Tim Aldrich: They do exist.

Michael Bias: (unintelligible)

Jim Slattery: But there is a perceived high segment of the stakeholders that there's uncertainty in that.

Tim Aldrich: I think the uncertainty we talked about yesterday dealing with the problem statement saying that they're not sure how, the number of users and what those users doing affects the fishery health. I felt, maybe not said it quite right but I (unintelligible). I think the data that we been using it for long time in most cases proving it unnecessary as we go along to

Mike Mitchell: I guess my question on that is I've heard folks use the term tipping point several times. Are they currently collecting data that would allow them to go oh, oh.

Michael Bias: Yes.

PEOPLE TALKING AT ONCE

Mike Mitchell: That's not an uncertainty about, we're already keeping track on the health of the fishery so we don't need to include that here because it's already being done. Is that what I'm hearing?

PEOPLE TALKING AT ONCE

Michael Bias: I think (unintelligible) what we do, I don't know what more we can ask.

Mike Mitchell: Okay so anybody object to getting rid of that? What's that?

Mark Odegard: I don't, seems like I heard some comments from the audience yesterday that disputed some of the numbers.

Julie Eaton: Oh yeah.

PEOPLE TALKING AT ONCE

Jim Slattery: Maybe if it's in there like we could just definitively say what (unintelligible), maybe it's not so much the data that we've collected maybe it's the presentation of the data this time (unintelligible).

Michael Bias: My interpretation was the comments along with my feeling was that the interpretation of using hook scars and mortality rates and population numbers to generate overall river mortality to even think about getting to a tipping point was inappropriate, that was the uncertainty issues.

Mike Mitchell: Unless the group wants to make specific monitoring recommendations about how to come up with, estimates that everybody agrees are appropriate does that fall within the scope of the group or is that different matter?

Michael Bias: I think it's different.

Mike Mitchell: Okay, it seems to me that right there. So anytime you have estimates they're disputable and how to come up with estimates that people all agree on is a problem probably well outside the scope of this group.

Julie Eaton: But that could be said for things that we have up there.

Mike Mitchell: Where

Julie Eaton: The satisfaction surveys, the number of users, those are all extrapolations.

Jim Slattery: Yeah.

Mike Mitchell: Yep the are all .

PEOPLE TALKING AT ONCE

Jim Slattery: It's coming from the same data source.

Mike Mitchell: But the question is we're trying to resolve some of that uncertainty. Do you also want to resolve uncertainty about how the biologists are assessing the health of the fish population?

Jim Slattery: I think it's important for the trigger point. That's going to be one of the things that we're looking at is once the population with the river compared to level of users we kind of need that maybe we need, right now they have two points that looks like they do Pine Butte and Varney, do we need another one? I don't know.

Michael Bias: Well Jim what's the uncertainty in that correlation? It's not the fish numbers it's the number of users is where the uncertainty in that comes from. If you're gonna

Jim Slattery: That's true

Michael Bias: X Y graph, we know the fish numbers they're plotted on an XY graph, we have user numbers too but we're told that

PEOPLE TALKING AT ONCE

Jim Slattery: so extrapolate from the users and (unintelligible) do we need another test then I've heard many people you're only checking in two spots, I'm just throwing out what people are telling me.

Michael Bias: Yeah cause it's Pine Butte and Varney

Jim Slattery: Do we need another one? Is that something that we need? Is the lower river more susceptible to increase usage and hurting the fish population I don't know? You know what I mean.

Don Skaar: Is that the kind of thing we might recommend once we have an alternative? It seems like it's kind of hard to know whether we need it now given, we really don't know what we're going to recommend.

Jim Slattery: Well that's true too.

Mike Mitchell: It could be part of a recommendation. There's uncertainty about the health of the fishery at this location.

PEOPLE TALKING AT ONCE

Mike Mitchell: Let's resolve that uncertainty by having another sampling site.

PEOPLE TALKING AT ONCE

Michael Bias: They have numbers from somewhere below Warm Springs

Julie Eaton: Yeah they do.

Michael Bias: So it's Varney, Pine Butte, somewhere below Warm Springs.

Jim Slattery: That's the lower one right?

Michael Bias: Right

Jim Slattery: Yeah I'm talking about the middle section from Varney (unintelligible)

PEOPLE TALKING AT ONCE

Jim Slattery: I guess that's the middle point there isn't (unintelligible) okay.

Michael Bias: What they're not doing, there not doing nothing between the lake, they're doing samples they haven't even sent, are they doing much on Quake?

PEOPLE TALKING AT ONCE

Mike Mitchell: Am I hearing that there isn't enough uncertainty about the health of the fishery that, that needs to be part of the what the group is considering, (unintelligible)?

Jim Slattery: Maybe we're phrasing it the wrong way

Michael Bias: (unintelligible) commercial use.

Jim Slattery: Maybe we need to make sure that the accuracy the numbers that we have are accurate, I think that's going to be, I think that they are.

Michael Bias: I think it's in there too because they have variance estimates on all these numbers that are pretty tight.

Melissa Glaser: I think at some point we have to trust what Fish, Wildlife and Parks is doing as far as biological data.

Lauren Wittorp: There's uncertainty and distrust I think are two different things, what you're saying we should trust the data or we're uncertain of what we have.

Mike Mitchell: Let me just try to feedback what I'm hearing the data are in hand to understand the health of the fishery and so the information needed to know how use is affecting the fish population is there and so we don't need, there's not enough uncertainty that we need to go looking for more information. Is that what I'm hearing?

Charlotte Cleveland: Yes.

Tim Aldrich: When you deal with some of these things you're dealing with environmental you know that come from bottom up, things that affect fish populations, the habitat and so forth is the top down which is the fishermen's operate, the critters, catch them and eat them. I think that measuring methods that are being used right now are about as good as they can possibly be, hell we could spend a whole lot more money and do a lot more I'm sure but they tell us about the health of the fisheries and they give us warning signals if somethings going wrong. I think we have other tools outside of the recreation management plan to deal with those incidents where things start coming unwound. Again I think that why uncertainty everybody uses fairly certainty and why more information really was trying to correlate the uses on the river and numbers basically with health of the fishery. That was never the problem at one point in time. I think that's a doctoral study, take that kind of information and really test it in such a way we have a liability issue is what we'd have. I think operationally Fish, Wildlife, and Parks uses a lot methodology for measuring the health (unintelligible) and populations without counting every critter and I think it works.

Jim Slattery: If I may say one last thing I think part of the uncertainties and it might be some misinformation out there I think there is a perception that PP&L and now NorthWestern Energy are the ones that fund the fish count.

Michael Bias: Yes.

Jim Slattery: So I think that's part of the problem. I don't know how we adress, I think there might be a conflict of interest there because, I'm just saying what I'm hearing if there's good numbers then PP&L is doing the job and NorthWestern Energy is doing the job so there's

room for uncertainty there. I don't know how that relates to anything but that's part of what I'm hearing.

Don Skaar: Jim I've dealt with NorthWestern on our contracts all over the State for years and they don't try to influence us at that level. I think you should rest assured they're very good at letting us do the scientific work and sticking to the funding issues.

Jim Slattery: So to clear up the uncertainty then there's got to be some way that we can communicate that to the community especially in the Madison Valley because it's a real concern of the residents there.

Mike Mitchell: Sounds like you probably want to do that no matter what though right?

Jim Slattery: Well I think it's something that should be address because it would give FWP a more, I think the people would have more confidence in FWP.

Mike Mitchell: So is that

Jim Slattery: It's an image problem.

Mike Mitchell: Is that getting at a strategic objective where the group would say Commission we would like you to clarify this for the public no matter what.

Jim Slattery: I think it would have to do with the satisfaction of some of the people.

Mike Mitchell: Sure.

Jim Slattery: I don't know if that's something that we should address or then FWP's aware of it maybe that's something they can address on their own.

Mike Mitchell: Yeah so I'm thinking about in terms of what the group is doing can you imagine alternative you come up with where you're like don't bother clarifying that for the public?

Jim Slattery: No I can't see it.

Mike Mitchell: Okay so that would then become a general recommendation, Commission the group feels like it would be really good to make this clarification to establish credibility of. Is that reasonable?

Jim Slattery: Yes and that might be cured by transparency of some sort, here's what we collected this is how we put it into the machine that gives us the numbers, ya, da, da, da, da, I don't know I'm just trying to help clear that up because I think that's something that would go a long way in the Madison Valley.

Don Skaar: But that' a strategic objective.

PEOPLE TALKING AT ONCE

Mike Mitchell: That's part of the problem that you want solved no matter what the group decides, that would be a good strategic objective. We're overdue for a, yeah Mark?

Mark Odegard: The health of the fishery is one of the, two statements in here on that problem, we could go by what we've been saying and that could be a fundamental objective.

Jim Slattery: Is that covered up there?

Lauren Wittorp: I think maximize resource health address that.

Mike Mitchell: I think that's the intention.

Mark Odegard: Maybe we should change this to resource health rather than fisheries health?

Mike Mitchell: We could do that but let's not do it right now. We're long overdue for a break, Don do we have a shot at Becky at 3:15?

Don Skaar: I'm assuming she'll come through. I'll check in with her to make sure.

Mike Mitchell: Okay let's go ahead and take a break to 3:15. What I want to do with the rest of the day is let's wrap up our discussion of the petitions that we have and then I want to talk about what I'd like folks to think about over the break between now and then next set of meetings. Does that sound reasonable? Ready break.

COMMITTEE ON BREAK

END OF TAPE