

**Montana Fish, Wildlife & Parks UGBEP CAC Meeting
Minutes & Meeting Summary -- Draft
Sep 18-19, 2023**

Meeting Location: Baker, MT, with Zoom participation.

Council Members: Doug Bonsell, Tom Condon, Jeff Cornell, Rep. Tom France, Jay Hanson, Sen. Steve Hinebauch, Scott Kanning, Tom Keegan, Trent Kleppen, Brenden Moss, Rick Sojda, and Art Soukkala.

FWP Employees, Conservation Partners, and members of the public: Cory Allred (Zoom), Stephanie Berry (Zoom), Clark Davis, Brett Dorak, Melissa Foster, Debbie Hohler, Justin Hughes, Tana Kradolfer (Zoom), Ken McDonald, Dave Nikonow, Charlie Noland, Rick Northrup, Ken Plourde, Brad Schmitz, Matt Strauch, Scott Thompson, Dale Tribby, Hunter VanDonsel.

Monday, Sep 18

Trent Kleppen called the meeting to order at 8:30 am with 30 people in attendance. Introductions were made, and people shared their backgrounds and interests.

Rick Northrup provided an overview of UGBEP and its history. The program began in 1987. In 2007-2008, the program underwent an audit, resulting in legislation. Statute required that FWP assemble a council (first council meeting—2009) that would advise the department on the development of a long-term strategic plan (completed in 2011). One of the first actions by the council was the recommendation that FWP hire 3 dedicated program staff. The program is successful, thanks to the passion and cohesiveness of the council. The UGBEP council has been so successful, Rep. France and Rep. Perry changed statutory authority to revise the Wetland Council with the expectation that program will also benefit from a revised council. On behalf of the department, Rick expressed thanks to the council.

Trent went over the meeting highlights and minutes from the last meeting on March 27 – 28, 2023.

- HB 74 (Removed the requirement for UGBEP to release pheasants)
- UGBEP Strategic Plan
- SB 280 (Commercial Dog Training)

Motion to accept the minutes as presented. Tom Keegan moved; Rick Sojda seconded to approve. Motion carried.

Department Updates (Ken McDonald)

- FWP has a new director. Hank Worsech retired, and Gov. Gianforte appointed Dustin Temple.
- We have 2 new Fish & Wildlife commissioners in Regions 2 and 3, Jeff Burrows (Hamilton) and Susan Kirby Brooke (Bozeman), respectively.

Legislative updates

- UGBEP will receive \$650,000 per year (license revenue).
- FY 2024 began July 1, 2023.
- HB 74 passed, freeing up about \$300,000 set-aside for bird planting that is now available for habitat.
- The prison stocking program began 2 years ago.
- Legislature had concerns over unspent money in HB 5 (habitat capital) and passed HB 868 that will require an interim budget reporting status (% completion). There is much scrutiny and may have implications on future “asks.” Programs affected are:
 - MWA maintenance
 - UGBEP – there is a pot of funding but quite a bit of it is obligated on projects that will spend out in time.
 - Migratory Bird Wetland Program – About \$2 million available. There is a lot of attention on this program.
- Migratory Bird Wetland Program Council – a 7-person committee, one from each region. Legislators want MBWP council to function successfully like the UGBEP council. We still need to fill a Region 1 spot.
- Dog training on public land passed and went to the Commission for rule making. The statute only applies to public lands but issues may still occur on private lands.
- Biennial season setting, including UGB and migratory game birds, will have a final decision in December.
- EQC (Sept. 27) – FWP is required to report on sage-grouse populations. Sage-grouse numbers are down because of drought. This spring was wet and muddy; difficult to get out to survey.
- SB 442 (marijuana money): Towards the end of the session, a bill proposed putting money into a habitat enhancement account with 75% going into Habitat Montana and 25% into WHIP. Another piece of tax money would make funding available for county roads. There was tremendous bipartisan support but was vetoed by the governor. One House had concluded session but the other had not. The legislature lacked the opportunity for an override. Rep. France stated it is now in the courts.
- Strategic Plan—we got behind but plan to have the plan go out for public review before the end of the year. One last review by Ken and Rick, followed by any edits by Debbie, and then out for public review.

Program updates and statuses: Strategic Plan (Hohler)

Debbie gave a report on the program’s performance, including:

- UGBEP enrollment summaries for this field season, including VPA-HIP (e.g., Open Fields and habitat management leases)
- Fiscal reporting, including:
 - Balances and obligations (Habitat and bird planting)
 - VPA-HIP Grant Status
 - Partner contracts updates

The presentation/summary report will be available on the council web page [HERE](#).

Habitat Tour, Region 7

Justin Hughes provided an overview of today's tour, including where we're stopping, cooperators we'll meet on the way, and some of the projects he will showcase.

Council meeting adjourned at 10:15 am. The tour began at 10:30 am.

Tuesday, Sep 19

Trent called the meeting to order at 9:05 am.

Summary and council input of tour. Everyone remarked how green and lush it was this time of year.

- Visited Sandstone FAS to look at a 10 year-old shelterbelt projects, a successful collaboration between the local Pheasants Forever Chapter and FWP. Council and staff had lunch at this site.
- Next stop was at Ry O'Connor's place to look at an earlier seeding and an upcoming haying management project. Ry gave everyone great input on his working relationship with Justin, and his ability to continue working the land while enhancing wildlife habitat.
- We visited with Dennis Rath, who has been a cooperator with UGBEP and Block Management for a long time. He has worked together with his neighbor, Mr. Ware, to enhance wildlife habitat and provide access opportunities to hunters through these 2 programs.
- The last stop was at Doug and Ronda Bonsell's place in Ekalaka. Doug gave an overview of his grazing management system, an overview of the history of the ranch management, and his experiences with beavers on the landscape. Doug clearly has a love of the land and an enormous conservation ethos. Afterwards, the Bonsells prepared a wonderful feast, sharing their delicious veggies from the garden and making all of us feel at home on their ranch. Our thanks to the Bonsell Family for their warm hospitality!
 - Art: Tour was a valuable trip. Great evening meal at the Bonsells.
 - Rep. France: Impressed with on the ground relationships with farmers and ranchers. Sometimes FWP is viewed antagonistically, but Justin demonstrated there are good working relationships. It's great to see native rangeland.
 - Tom K: State and Block Management are huntable but different system and makeup.
 - Jeff: Impressed with relationships between landowners and Justin. People are making living on the land and also enjoy wildlife. Noted that sometimes we can see increases in production with wildlife. As an example, beaver increase water table, in turn Doug showed how it increased production.

- Jay: The importance of relationships is clear and is a potential that other regions may lack. There is great bird cover out here.
- Doug: Nice to have FWP relationships. Working with all agencies can make a difference.
- Rick S: Recognized the time and effort necessary to develop relationships and projects.
- Scott: “Jealous!” Projects are impressive, especially the commitment and tenure of landowners over time. Commitment can span generations over time.
- Sen. Hinebaugh: Freedom is a big deal to him. Government may not always be the answer. He is very impressed with Justin’s relationships with landowners.
- Trent: Today’s tour demonstrates the importance of having the Habitat Specialists promoting relationships between landowners and FWP. Ken and Justin have been with the program since 2014 and 2015, respectively.

Public Comment

- Dale Tribby: Thanked Justin and Region 7 staff for the tour. Earlier council expended a lot of effort to minimize possibility of landowners pulling out of program. It means a lot to see the efforts put forth that the council had a hand in the past. Regarding HMLs, he wished that previous council could see how much leases are a part of the program.

Regional updates from Matt, Ken, and Justin. PowerPoint presentations will be uploaded to Council web page.

Matt Strauch, Region 4. Matt provided a season-outlook for upland game bird hunting and summarized total active contracts, including Open Fields, and acres for the region. Matt reviewed the program strategy for the region, going over focus areas with active projects both on private and public land. There are 18 UGBEP projects on Block Management, with 5 new UGBEP projects in 2023. There are 4 TIPS in R4 that Matt is focusing on for project implementation: Native Grouse Habitat Conservation, Marias River Livestock Access, Pondera County Soil Health, and Little Belt Mountains Ecosystem Restoration.

Ken Plourde, Region 6. Ken provided an overview of the region’s strategic plan, including focus areas and goals for each area. Habitat projects focus on pheasant winter cover (NE Montana), long-term conservation and restoration focused on the Milk River Valley, and silver sagebrush conservation/enhancement within geographic-specific corridors. Ken highlighted projects conducted this field season, summarizing food plots, nesting cover, CRP leases, Open Fields, and HMLs projects. Ken also provided a hunting outlook.

Justin Hughes, Region 7. Justin began his presentation with an overview of the region's strategic plan, highlighting focus areas and enhancement types such as winter and nesting cover, grass stand rejuvenation, food plots, grazing management systems, wetland enhancement and restoration, and conservation of native sagebrush habitats. Priority counties are Richland, Dawson, Wibaux, Fallon, and Prairie. Justin summarized active projects, current cooperators, and habitat/access acres. Justin summarized the different projects that were initiated this field season. Current habitat conditions were summarized with photos, and this year has been exceptional. For future habitat projects, Justin is focused on food plot renewals, tapping into continues HML interests, expired CRP renovation, and re-enrollment of expired CRP.

Pheasants Forever Partner Update, Hunter VanDonsel

Currently have 14 positions + Hunter VanDonsel (PF State Coordinator) + Chad Harvey (PF Regional Rep) = 16 PF partners across the state. Hunter hopes to have the PF Team at the Helena meeting.

- 6 positions are Farm Bill Bios and stationed in NRCS offices.
- 3 Habitat Specialists
- 2 coordinating wildlife biologists – RSA (Rancher Stewardship Alliance) and Winnett ACES (Agricultural Community Enhancement and Sustainability)

Hunter gave an overview of the PF Montana Team's accomplishments this field season.

Focus and priorities are on CRP, including Open Fields, Wildlife focused TIPs (Targeted Implementation Plans), and conserving intact sagebrush-grasslands. Hunter gave overviews of Montana Focused Conservation, Long Range Plans, and TIPs.

New positions include a senior position in Bozeman and a Glasgow coordinating wildlife biologist.

- Bozeman position is a replacement of Aaron Clausen's position and will provide area-wide expertise in southwest Montana. Position will manage an area from Townsend to Forsyth. It has been a difficult position to fill.
- Glasgow position will be stationed at the BLM office and will focus on sagebrush conservation, wildlife corridors, mesic and woody draw restorations, and crested wheatgrass renovation.
- Update on Wildcat Bend, a 328-acre acquisition along the Lower Yellowstone.

Hunter reminded everyone that the Council can be very effective with NRCS Local Working Groups. Here is the web page with meeting dates and additional information. Click [here](#).

National Wild Turkey Federation partner update, Dave Nikonow

Dave described his duties and area of responsibility, highlighting the various National Forests where he conducts his work. He provided details on the Region 2 strategic plan, which focuses on program delivery through forest management on public lands. Dave gave updates on the projects that he's been working on, including photos capturing the outcomes of the work done by the Forest Service.

Comment by Rick N: The Bitterroot NF was the primary focus but conservation has expanded to other National Forests. Dave has helped expand habitat efforts due to longevity and relationships with federal employees. Dave added that it has taken time to build the relationships. It's not prudent to tell federal agency staff how to manage the forests, there is ownership, and building trust over time has had positive results.

Updates on Block Management and PALA, Travis Muscha, Region 7

Travis reviewed the Block Management Program in Region 7, including enrollment priorities, landowner compensations, a comparison of state-wide and R7 stats, and an overview of cooperator enrollments over the years.

Review and discussion of the FWP/DNRC MOU as it relates to UGBEP

Rep. France: Hunters are concerned with habitat on State Lands. They've been paying into the trust fund but lands are often marginally managed and aggressively used. DNRC doesn't have the capacity to review and many state land leases are monitored by the lessee. He is very pleased with the MOU, and it occurred to him that it could give higher priority to this land resource.

Land is productive for lessee but also provides wildlife habitat. Access is already paid for; it's open and available to Montana's hunters.

A little fencing project could do a lot for a creek bottom. He has heard of projects that are taking place through UGBEP. Should the council be asking FWP to put more efforts and time into working on those properties?

The 3 Habitat Specialists work directly with excellent lessees and are successful. They provided a summary of UGBEP projects on State Lands.

Brad: There are larger blocks of State Lands in R7 and working with lessees is relationship building. He also pointed out that DNRC's mission is different than FWP's. DNRC focuses on maximizing profits. The best success is found with the larger pieces, such as Tongue River Ranch and Angela Farm.

Rick N. recalled something Clive has stated in the past: Clive Rooney, DNRC Manager in central Montana, emphasized that a willing lessee is a large part of project success. Clive's concern has been that a project starts with a lessee, who may leave "mid-project" and end up leaving a mess.

DNRC may take a cut of our lease payment, depending on how the lease is set up.

Council responses:

Art: Working on State Lands hinges on working with individual lessee. He does not want to “dictate” but allow for opportunity. The tools for working with lessees are there as needed.

Tom K: Feels torn. He fully understands the thoughts and expectations voiced by Rep. France. He also recognizes that unless there are changes to statutes, there’s not much that can be done unless there’s a willing lessee.

Jay H: He has hunted a lot of DNRC in Region 6. Society is demanding more access to public lands. He suggested inviting a DNRC representative at the spring council meeting.

Doug: We don’t want to alienate the landowner. Results will be negative and will snowball. From the top of his hill looking south there is State Land, and it is in good condition. Not all of them are bad.

Tom C: If no animosity and specialists are willing to work with anyone, good results will follow. He recognized that there is a fragmented environment but some really good opportunities. He agrees with Doug and doesn’t want to alienate landowners. He gave the example of bison in Region 6 and the resulting decrease in BMA enrollment.

Rick S: He agreed with Tom C. and doesn’t want to force anybody off from potential enrollment. There is a lot of degraded land and there are opportunities to improve. He suggested increased funding to emphasize work on state lands. If done right, the work will help lessees and wildlife habitat. He suggested an extra cooperative biologist to help with efforts.

Scott Kanning: He lives in Billings now but is from Daniels County where there are extensive tracts of State land. Projects will be limited to willing lessees. We don’t need to approach with a stick but rather with a “carrot.” What makes an impartial lessee a willing cooperator? It’s not always clear what would qualify as the incentive.

Sen. Hinebauch: He comes from the landowner point of view. He recognized that landowners have to take care of weeds and deal with the public. In terms of State land lessees, he appreciates working with the person leasing the land but gave examples of challenges on State Lands regarding water rights and land cover health. Additionally, State land leases are among the highest priced in the state. He stated that this topic is touchy. Even the perception of taking State land and putting it into public access is not well supported. There is little benefit but lots of concern.

Brandon Moss: His first meeting has been a learning experience. He will speak up if he has anything to add.

Trent: He agrees with everything that has been stated, although noted that may seem like a contradiction. We will see State land pieces in good and bad years, but it's tough to know the situation. Seems like legislation needs to change, but that's not the purview of the Council to initiate policy. He likes the idea of Habitat Specialists identifying State pieces and recognize if the lessee is willing or not.

Rep. France: State is trustee for the school system. Its mission is to maximize revenue and preserve the corpus. Rarely is there conflict between well-managed property that produces wildlife, beef, or cropland. State should be aspiring to have all of its land in a sustainable and good condition. The lands should look great and the children will benefit. Should we ask the Specialists that if the land is accessible, maybe that warrants a closer look and a knock on the door? The public access has already been paid for. As for the State lands around Great Falls, with a bit of work, we could get isolated sections into better condition. Perhaps the legislature could pass legislation to rehab lands and incentivize lessees to enroll into the program. It would be a DNRC line item, not FWP. He suggested FWP and DNRC sit down to prioritize sections that meet certain criteria – not land-locked and with potential for habitat enhancement activities.

Rick S: Should the Council request FWP to produce a list of ways to incentivize lessees on State lands?

Rep. France to Ken: What would be the next step? Ken replied that there has been change and turnover within the agencies. Step 1 is to re-establish relationships at a higher level recognizing that next steps have to fit under the umbrella of missions. The next step is to renew engagement with the relationships connected with the MOU.

Rick S: Recommended that 2 demonstration areas be considered per region.

Council recommended for FWP to meet with DNRC to rekindle agency relationships and build on the agencies' MOU.

Council requested a DNRC staff at the meeting in spring.

Update on Council's recommendation for Region 3 Projects

This field season, Debbie went to Region 3 to meet with biologists to view 2 potential projects in the Dillon area and also a site visit to Mount Haggin WMA. Not much opportunity for pheasant or sharp-tailed grouse at either site, but more opportunities for mountain grouse. The Dillon landowner has not seen sharp-tailed grouse or pheasants over many years.

Rick N: Rick did meet with Warren Hansen, Region 3's Wildlife Manager. There may be possible opportunity for work on DNRC and some Block Management areas.

There's a reason for putting the 3 habitat specialists where we did (Regions 4, 6, and 7). Primarily, those areas offered the best opportunities to enhance habitat, there is generally great support by landowners

for public access, and the extent of the remaining CRP is located in those regions. These focus areas are the “bang for the buck” for upland game bird habitat work. In R3, there is not as much willingness to provide access in R3, especially along the riparian habitats where pheasants can be found. It’s a different culture in R3 versus the eastern regions. For the range of upland game birds, there is a smaller opportunity. Is there opportunity for a return of investment?

Outside of the USFS for forest grouse, much more difficult to get substantial work completed. FWP summarized:

- Sharp-tailed grouse: small distribution spots but generally marginal habitat.
- Pheasants: predominately associated with valley bottom and riparian/cropland habitats.
- Gray partridge: some renowned areas but populations are driven more by weather.
- Wild turkeys: work can be done in valley bottoms, but they’re not very accessible. Opportunity is not much different than Region 2.

Multiple mailings state-wide that target Open Fields, HMLs, and Conservation Leases resulted in zero responses from Region 3. Lack of response is indicative of challenges for getting work done on private lands that includes a public access requirement.

Mechanisms to facilitate projects where there is landowner interest:

- A proven model: PF partners in Region 3 and 5 to work with landowners to generate interest.
- Debbie will be meeting again with R3 staff to make them more familiar with UGBEP.
- Debbie to facilitate work in coordination with R3 staff.
- Ken addressed council’s discussion to “dedicate staff to R3.” In order to do so, he would need to redirect existing FTE because new FTE is impossible to come by. For all considerations and for all the reasons Rick has stated, the program would get more bang for the buck if additional FTE were available and situated in Region 6. FTE on behalf of UGBEP is a “no,” but there are possibilities being explored through the PF partnership.

For the biologists in R3 that manage Mount Haggin and Poindexter Slough, UGBEP dollars wouldn’t have impact or the bang for the buck that we want. Canyon Ferry WMA is managed by R3 biologists with financial assistance and participation by the local PF chapters.

There is nothing that precludes using UGBEP in the state. We have a high priority to make the program known to new biologists.

Trent summarized:

- FTE is a no.
- Possibilities will be explored through partnerships.
- Continue to reach out to R3 staff to facilitate UGBEP projects.
- Canyon Ferry WMA is handled by FWP bios and PF chapter.

Trent: Council’s intent for discussing R3 FTE was to ultimately give somewhere for R3 residents to hunt.

Rick S: He is disappointed that FWP hasn't put an FTE in R3. Regarding CRP in R3, if there is no biologist, we can't promote interest in CRP. He feels there are lots of good opportunity in R3, much of which is rural and not like Bozeman. He agrees to put an emphasis in the right spot, perhaps Hunter's new PF biologist. Regarding forest work, Rick feels there is a lot of room for improvement on forests. He does not think FWP should say "no" to a new FTE.

Trent requested Council input.

Art: He knows there are some opportunities, he's hunted around Dillon. There are rural areas down there but not sure of the opportunities. Whatever the procedure, there needs to be synergy to get things started.

Rep. France: The discussions are good. He does wonder where the department's priorities are regarding new FTE. He feels there's been a great case for enhanced program activities in that region. There is already great work for antelope and elk. Maybe more attention for game birds and the Bozeman hunters might stay.

Tom K: He pointed out that Dave Nikonow is doing good work right now in R3, focusing on grouse and turkey. Otherwise, he is listening respectfully to the dialogue.

Jay: Region 5 is likely in greater need for a position than R3. He's seen it firsthand. If the department were to add an FTE, R5 would be a higher priority.

Doug: Rick has been a great spokesman for R3.

Tom C: Considered the pheasant release recruitment program in larger communities yet no investment in places to hunt. Maybe there needs to be an emphasis on forest grouse in Region 3.

Rick S: Over the 30 years he's lived in the Bozeman area, he's seeing less opportunity because of habitat changes. There is likely more opportunity in Meagher, Beaverhead counties for sage-grouse and sharp-tailed grouse. These areas are not as bad as the Bozeman area.

Scott: no comment

Sen. Hinebauch: FTEs are tough to come by but there may be opportunity in the future.

Brandon Moss: He agrees with Jay, there is need for an FTE in Region 5.

Rick S: Maybe what we need to suggest to FWP is to increase priority on upland game birds in both regions 3 and 5.

Trent: Whether through UGBEP, FWP, or partner organizations, eventually the demand will become unbearable in Region 3. One way to be proactive is to continue to move forward with recommendations. There is opportunity to cultivate more priority with R3 biologists and cultivate relationships with PF staff. Dave Nikonow's work with USFS to enhance habitat for forest grouse and turkeys is appreciated and important. He recommended rejuvenating work on Canyon Ferry WMA. Regarding FWP's focus on put and take in urban areas, perhaps youngsters can learn more about forest grouse as an alternative with regard to R³.

Trent asked Hunter about the possibilities for Region 3 with the new PF position. Hunter pointed out there are 3 incredible PF chapters doing a lot of good. There are opportunities to leverage volunteers and fund-raising efforts that will help strengthen partnerships. The added capacity will function mostly in an NRCS role and access is a priority. He expects there will be a huge opportunity to look at forest and sage-grouse. Region 3 should be in the mix and chapters can be resources to the table. There are opportunities but top priority remains in regions 4, 6, and 7. PF wants to be a good partner, and he is willing to help.

Public Comment

Tana Kradolfer: *(Tana provided comments at the meeting and also provided an email to Trent on 9/19/2023, summarizing her comments and Pat Howe's comments, which she also read during public comment period.)*

My ability to hear all the public comments became increasingly difficult as the day progressed and I was unable to hear several of the comments of the council regarding Region 3 due to a poor zoom connection. However I did hear some of the FWP comments regarding region 3.

The comments regarding potential habitat projects and a Region 3 biologist were extremely discouraging. You (FWP) seem to have a variety of reasons why you can't, won't and don't support any habitat work in region 3. The comment about Region 3 being unfavorable for habitat projects from the inception of the program is historically not true. I have lived and hunted in region 3 my entire adult life and there has always been a variety of upland bird hunting opportunities here. If nothing else at least do some habitat work at Canyon Ferry for the benefit of the youth.

Here are a few comments that were written by Pat Howe who lives in the Helena area that I will read. Pat makes some really great points. 1. Over the years there have been attempts to do larger projects on CFWMA. The problem always comes down to the way the area is managed through dual agencies. A large DU project was planned and even started in part on Meyer Rd only to have the plug pulled. 2. There was a master plan being made for the area but it was never finished that has been going on for nearly a decade. 3. Though there have been many small projects done at CFWMA the area will never reach its potential until all agencies (the bureau of reclamation, fwp, conservation groups) sit in the same room and meet to come up with a plan to do habitat work on a much larger and meaningful scale. This has been done at Nine Pipes area putting habitat people on the ground. They all got in the same room and made it happen. It has been done in region 5 on the WMA outside Billings. 4. It is not that the staff on the WMA are not doing a good job, they do not have the time or funds to do what is needed to truly bring the area up to its full potential. 5. Funds are available using non profits like PF and

DU among others. 6. Water rights need to be looked at for a short period of time to get a planting started and maybe need to use native seed that can grow with the normal precipitation of the area.

Tana Kradolfer

Debbie thanked Tana for her comments and—in case earlier comments were difficult to hear—reiterated that there are new biologists in R3 who are not fully aware of the program. She has been working with a few biologists when opportunities arise. R3 biologists have a full plate but recognize the value when there are opportunities and do reach out to Debbie, who has gone down for site visits.

Council discussion on Statewide FAS opportunities and UGBEP

FAS are now managed by Parks and Outdoor Recreation (POR). Hunting is possible unless there are posted restrictions. There may be opportunities to enhance FAS. FWP is inventorying FAS state-wide to determine possibilities to do enhancements. Staff will report back by the spring meeting involving Travis and his counterparts via POR.

UGBEP contract language review and discussion in regard to dog training (SB 280)

Trent provided a brief overview of the issue. Hunters have come forward with photos of areas where they are bird hunting but see large-scale outfits dog training (commercial).

Council asked if there is language in the contract to prohibit commercial dog training. Ken said this issue was not anticipated when contract templates were developed. Challenges similar as with rule making. When are you dog training versus taking a walk? Commercial or noncommercial? How best to make these distinctions enforceable?

Justin pointed out that it is hard to verify if this type of training is going on. His recommendation is to proceed with caution. Once private property rights are challenged on any level (“thou shalt not”), it will make it difficult to encourage enrollment in the program.

Ken P added that making this a big deal will make it worse, just like what happened after legislation.

Trent asked a broader question. During the hunting season, if breeders are showing puppies or training other people’s dogs. Is this commercial?

Sen. Hinebauch: Let SB 280 work and see what happens. He reported that Sen. Lang suggested a commissioner up along the Hi-Line should determine if it’s an issue.

Rep. France: He hoped FWP would do a white paper as to whether this is a problem. He encouraged Daniels County Commissioners to report if there is a problem. Regarding “commercial operation,” let FWP decide if this is a commercial operation or not.

Tom K: Regarding a commercial operation, he agreed. Let FWP decide if this is a commercial operation or not.

Art: He feels this issue will increase over time. They fought over it on tribal land and had to put a stop to it. This happened over 20 years ago, and it's been growing since then. If there is a way to collect data, the factual information will be useful to know if this is a real issue.

Jay: Can they train on Open Fields?

Response: It hasn't been fleshed out by legal. It's up to the department to interpret and determine if this is a conflict as currently written in the contract "commercial hunting enterprise."

Scott: Prior to the bird season, they are trainers.

Doug: We don't need to make a policy.

Tom C: Until there is a real issue, let it sit.

Rick S: Landowners will control a lot of it themselves.

Scott: We need to keep an eye on it. An Open Fields contract turned from 1 to 2 to a dozen "trainers" and could be detrimental.

Brandon: He lives in a place there he sees people headed north of Billings mid to late July driving dog trucks. We're being counter-productive if we're building a resource then letting it be disturbed. On the other hand, how to ask a landowner to regulate it?

Trent: Trent has been in contact by more than 10 individuals (some hunters, trainers, and people associated with media companies) and gets questions because someone sees something. Some of these individuals heard trainers were on Open Fields. Trent wants council to keep this issue in the back of council's minds, and he recommended anything anecdotal be directed to FWP staff.

2024 meeting schedule:

Spring meeting will be in Helena, March 11 – 12.

Fall meeting location and dates TBD by end of the year.

Trent thanked everyone for their work on the council.

Rick Sojda is moving and rotating off the council. He said it's been a great experience and thanked everybody.

Motion to adjourn the meeting. Rick S. moved; Jay Hanson seconded. Motion carried. Meeting adjourned at 2:45 pm.

Action items:

- FWP to meet with DNRC staff to reconnect and build on current MOU.
- Invite DNRC rep to the spring meeting.

- Report on FAS inventory to determine potential opportunities state-wide.
- Updates on Region 3 program and partnership efforts.