



**Migratory Bird Wetland Protection Advisory Council (WPAC) Meeting
Minutes and Meeting Summary -Draft**

February 22nd 3:00-5:00 pm

Meeting Location: Virtual:

The Migratory Bird Wetland Program in Montana was established by the Montana Legislature in 1985 “for the protection, conservation, and development of wetlands in Montana” (MCA 87-2-411(2)).

Meeting Objectives:

- 1) Review of Charter
- 2) Review Information WPAC requested at December Meeting (Agreements, Current Project List)
- 3) Policy guidance – Streamlined/enhanced Process.
- 4) Migratory Bird Wetland Program 1.5 year plan

Council members: Larry Peltz, Bridger Pierce, Justin Julian, Bev Wormon, Ken Jansa, Steve Christian, Chris Evenson

FWP Employees and Conservation Partners: Rick Northrup, Heather Harris, Ken McDonald, Adam McDaniel, Cody Pugh

3:00 pm

Steve Christian called the meeting to order at 3:00.

Executive Action to Approve Minutes from December 4th- 5th, 2023. A member requested an edit on page two, third sentence “Montana artist won federal duck stamp this year” needed to be struck. This was determined to be accurate so kept as is.

Chris Evenson moved to approve minutes as is, Larry Peltz seconded. Motion carried.

Comments or thoughts on State Duck Stamp Process

Discussion and comments on how the first State Duck Stamp artist selection process went. General consensus that overall, it went well and everyone was impressed by the number of applicants and the quality of work. Bridger commented that it would have been nice to have the criteria in front of him when ranking. It was difficult to remember the criteria through all 75 entries. It would have also been nice to have all 75 images at once to allow for cross referencing, or sorting into folders, or physically moving them around. This would also allow for reassessment after getting to see all of them, it was hard to get context when looking at number 1 comparing to number 75. Others agreed.

FWP will try to accommodate this request for next year.

Charter

Council reviewed the reasons for developing a charter, that it would outline the council's role in relation to FWP. Ken Jansa suggested that for the flow of the document, it should start with membership representation and responsibility, and then go to the goals, then project outcomes, etc. There was agreement with this suggestion and that the draft charter was a great starting point.

Larry Peltz and others highlighted a few typos. Document needs some minor wordsmithing/proofing. Steve Christian said he will get the changes made and seek approval at next meeting.

In the decision-making section there was discussion on how the council would like to be set up. Would they like to reach consensus on items or a vote? The general thought was that consensus could be a hard line to draw and would be more effective if it was a vote. The language will be adjusted to something like "strive towards consensus but a majority vote, if consensus is not reached".

Review of Information provided by the Department.

- Active Agreements
- Current Projects

The list of current and potential projects does not include Thompson Marsh, which is a potential fee title project. Thompson Marsh is a possible fee title project that is currently under consideration by the department.

Steve asked what the difference was between the \$2.4 million mentioned as actually in the account vs the number Heather provided. Ken McDonald explained that it is dollars in the account versus the legislative authority to spend the dollars. The amount mentioned, \$2.4M, is the amount of revenue raised from the sale of migratory bird hunting licenses, and what Heather provided is what we have authority to spend. FWP requests authority based on need and what is in line with funding available and anticipated revenue. The program generally generates about \$500,000/year.

Some questions around why Migratory Bird Wetland Program is paying 85% of the Pheasant Forever positions. This was a miscommunication. The MBWP is paying 85% of the FWP portion of the partner share for those positions (the Upland Game Bird Enhancement Program is paying the remaining 15%). Other partners, including NRCS, are providing substantial contributions toward these positions. There is mandatory reporting as a part of this agreement as well as terms and deliverables specific to the funding provided by the MBWP, particularly focusing on wetland habitats.

Flow Chart of the project approval process

There was discussion around setting up a grant type approval process to use MBWP funds. The general idea is FWP could receive applications from multiple entities (e.g., conservation districts and others), then have a committee or subcommittees sit down with FWP and review, like Future fisheries or the Trails programs. This puts more onus on the person doing the work and takes some of the work off FWP. Instead, the grant recipient would supply FWP invoices. A discussion followed about the idea of moving the program toward a grant system, which could reduce the workload for FWP. The group concluded it is better to keep operating using the current review and approval processes for smaller and larger projects. General agreement that we should stay with the current process for the next year or two and could then revisit topic. Steve thinks that we should expect to see \$750k/year with increase in nonresident license fee. But will wait until looking further down the road to make such a change.

Some council members felt the lack of performance has been more about lack of exposure than how we get the money on the ground. Ken Jansa felt we have a good process in place. Thinks that more boots on the ground and dedicated staff time would be beneficial. He thought having one individual, maybe in Region 6, that is solely dedicated to the MBWP, making connections, and establishing relationships would make a lot of progress.

There were some general questions about project match – are we getting matching funds for MBWP to make dollars go farther? Heather answered that almost all projects have some form of match, including the streamlined projects. Most projects require a minimum of 25% match, from landowner or partner contributions. Lands projects, generally due to the high cost, often have to have other funding. *Steve suggested it would be beneficial to show the different match on the current projects list.*

Project Process

Chris expressed interest in looking for ways to make the project completion process more streamlined. It looks like it's currently a 10-step process, or 10 phases. By coming up with this project flow chart it could be a reference for WPAC for the future. It would outline what are the phases and steps. It would be a touchstone when we speak about projects and give a reference point of where it is in the flow. It could be used more as a communication tool using stoplights (green, yellow, red) as reference on how a project is progressing and what phase it is in for scope, schedule, and budget. FWP could then report out to the council "mallard flat is in phase 3, on schedule, on budget yellow because stuck on someone's desk".

The WPAC supported to keep moving through this process. Rick suggested we could use the flow chart as a sort of check list and could then summarize in an excel spread sheet. The first document is a good reference point.

We will continue to work on the flow chart. Heather will try it with a few different existing projects to see how it works.

There are a handful of lands projects that FWP is currently working on, figuring out the details. There could be potentially \$1.6 million in requests for land projects in the next year or so.

Policy Topics (Topics for WPAC to review, discuss, provide guidance/insight in anticipation of the next meeting)

- Streamlined Process Improvements
 - Increase cap? Other changes?
 - Increasing dollar amounts? Price has gone up on a lot of costs. \$250k/annual ceiling.

The Council discussed the idea of increasing the streamlined cap from \$30,000 to \$50,000; the streamlined process was initiated in 2020 and prices have increased drastically since then. Through the discussion, the group concluded that the current cap hasn't been too much of a hinderance at this time. The Council expressed a willingness to loop back and reopen discussions if it becomes an issue.

- Public hunting access requirements

The Council discussed potential changes to access requirements. Upland Game Bird Projects have a hunting access requirement, which is in statute. The program is set up as 49% access and 51% habitat.

That is, access is important to that program but is weighed slightly less than habitat enhancement. The MBWP is different, the requirement for access is not in statute, and it is 100% a habitat program. Currently for the MBWP, as an informal policy, public access is a requirement for almost all projects, with a few exceptions. WPAC discussed that wetlands often dry up by late summer and therefore may not provide any wetland-based hunting opportunity, so maybe hunting access doesn't need to be a requirement. They discussed the idea of larger projects requiring access and smaller projects not having that requirement, but no formal recommendation was made.

Currently, there is not a lot of public awareness or advertising for access through the MBWP. This however may change since FWP is working on an update to web information involving a host of access agreements. The website could encompass the suite of hunting, recreation, bird watching, etc.

The WPAC discussed if requiring access has been a hurdle or prevented projects from getting completed. Partners thought that it likely wasn't much of a hurdle for bird hunting. If it was big-game hunting it might be more of an issue. Most landowners are aware that when working with FWP it is generally a requirement. Landowners often seem receptive once they understand that it is not wide-open access, and they have control over it, and it is negotiated. Since it is negotiated, Cody P suggested that it might be helpful when in conversations with landowners to have concrete numbers, something to reference or set in stone. *FWP said they would try to put something on paper related to access on different types of projects to assist these conversations.*

If there was a situation where there are more projects than funding, access could be used as a component of the ranking criteria.

4:30

- Department's 3–18-month plan

Steve requested that a report like is done for UGBEP be developed by FWP for the MBWP, however keep it a short two pages for the legislature. This UGBEP report is a statutory requirement. *Heather will send out the last Mig Bird Report to the Council, that was completed Jan 2023.*

Ken M expressed his appreciated in advance for the time and effort of reviewing projects and support for the projects. He is hoping by the next legislative session to have a lot more projects on the list.

4:45

- Next meeting, optional, virtual component for meeting. Second day field trip. Set date for May 15-16 in Havre

- Conclusion. Finished at 5:02.