



**Region 5 Citizen Advisory Committee
Montana FWP Office
2300 Lake Elmo Dr., Billings, MT
Thursday, Dec. 5, 2024
6:00 p.m. to 9:00 p.m.**

All CAC meetings are open to the public. Area state legislators will be invited to attend this meeting.

Light refreshments will be provided.

Attendees

Region 5 CAC members present: Doug Dreeszen, Chris Fleck, Josh McQuillan, Bruce Hoiland, Lee Deming, Pat Riley, Susan Gilbertz

Region 5 FWP staff: Mike Ruggles (Region 5 supervisor), Chrissy Webb (Region 5 CommEd), Rob Seykora (Region 5 office manager), Bryan Giordano (Region 5 fisheries biologist), Ian Davidson (Region 5 access manager), Ryder Paggen (Region 5 parks & outdoor rec manager), Randy Hutzenbiler (Region 5 warden captain), Ben Gleason (Region 5 warden sergeant), Shannon Blackburn (Region 5 fisheries manager), Demi Blythe (Region 5 fisheries biologist), Matt Ladd (Region 5 wildlife manager), Megan O'Reilly (Region 5 wildlife biologist), Marc Kloker (Region 6 CommEd)

Director's Office FWP staff: Lena Havron (FWP Chief Financial Officer), Quentin Kujala (FWP Chief of Conservation Policy), Jeff Hindoien (FWP Chief Legal Counsel), Mike Johnson (FWP attorney), Marina Yoshioka (FWP Chief of Operations and Acting Director), Melissa Watson (FWP Chief of Staff)

State legislators: Larry Brewster (HD 43), Lee Deming (HD 54), Vince Ricci (SD 27)

Public: No members of the public were in attendance.

Agenda:

6:00 p.m. – Welcome and introductions

- *Mike Ruggles, Region 5 Supervisor*

6:15 p.m. – Staff recognition for the 2023 FWP Director's Awards

- *Montana FWP Directors Office staff*

6:30 p.m. – Montana FWP proposed legislation

- *Montana FWP Director's Office staff*

7:00 p.m. – CAC member roundtable discussion

8:00 p.m. – Question and answer session

- *CAC members and local state legislators*

8:30 p.m. – Montana FWP proposed budget, FY 2026/27

- *Lena Havron, FWP Chief Financial Officer*

8:50 p.m. – Public comment, items not on agenda.

9:00 p.m. – Adjourn

Welcome and introductions

- **Mike Ruggles, Region 5 Supervisor**

Staff recognition for the 2023 FWP Director's Awards

- **Presented by Melissa Watson, FWP Chief of Staff**
- **Rob Seykora, Region 5 office manager: Positive Energy**
- **Team Award: Customer First**
 - **Shannon Blackburn, Region 5 fisheries manager**
 - **Bryan Giordano, Region 5 fisheries biologist**
 - **Ben Bailey, Region 5 fisheries technician**

Montana FWP proposed legislation, as presented to EQC

- **Marina Yoshioka, FWP Chief of Operations and Acting Director**

FWP reported to Environmental Quality Council at Sept. 24, 2024, with proposed agency legislation for the upcoming session. These bills were pre-introduced. Addition information on each of these is available online here:

https://archive.legmt.gov/content/Committees/Interim/2023-2024/Environmental-Quality-Council/EQC_Meetings/2024-Sept-24/FWP-LegProposals.pdf.

LC 506: Motion Tracking Devices: Amends current statute to prohibit the use of motion-tracking devices within the same calendar day of hunting. The current statute refers only to use “while hunting.”

LC 507: Petition-Initiated Rulemaking: Amends current statute to clarify that citizen or Legislator petitions to initiate rulemaking must relate to an issue that the agency has jurisdiction to regulate.

LC 508: Bird Dog Training License: Amends current statute to require license applicants to report the number of bird dogs to be trained on wild birds under the existing Class D-5 license and authorizes the Commission to limit Class D-5 licenses if deemed necessary.

LC 509: Authority to Regulate Public Use of Private Property Under Access Agreement: Amends current statute to recognize Commission authority to establish rules for public use of private property managed by the Department under active public access agreements with private landowners.

LC 511: Authorize Second Mountain Lion License / Remove Reporting Requirements for Tendoy Mountain Sheep: Amends current statute to allow issuance of second mountain lion license in same license year and remove special reporting requirements for Tendoy mountain sheep harvest.

LC 512: Beaver Damage: Amends current statute to authorize damage-based muskrat or beaver harvest for damage to structures other than just irrigation infrastructure or stock water ponds.

LC 513: E-Tag Possession: Amends current statute to clarify that a person can have their spouse's or minor child's e-tag in their possession or control.

LC 514: Trapper Apprentice Program: Proposes creation of new trapper apprentice program analogous to existing hunter apprentice program.

LC 515: Game Bird Farm Requirements: Amends current law to remove reporting requirements for game bird farm operators, remove timeline for processing application, and extend the duration of game bird farm licenses.

LC 516: Shooting Preserve Requirements: Amends current law to require that shooting preserves be located on private property without contiguous acreage limitation, extend duration of license period, remove minimum release numbers, and simply harvest reporting requirements.

LC 517: Reclassification of Wolves as Furbearers: Proposes classification of the gray wolf as a furbearer and alignment of existing wolf tagging and furbearer hunting restrictions.

LC 518: Commercial Licensing Standardization: Amends current law to standardize licensing requirements (e.g, expiration dates, duration, record keeping) for a range of commercial activities regulated by the Department (e.g., taxidermy, fur dealers, shooting preserves, menageries, alternative livestock ranches, etc.).

LC 519: Repeal of Predatory Bird Statute: Proposes repeal of statute authorizing the killing of predatory hawks and owls, which is prohibited by Federal Migratory Bird Treaty Act.

LC 520: Paddlefish Caviar: Proposes repeal of current structure allowing for donation of paddlefish roe for commercial caviar sale.

Montana FWP proposed legislation, not pre-introduced to EQC

- **Quentin Kujala, FWP Chief of Conservation Policy**

The following are four additional agency bills that FWP is currently considering advancing in the 2025 Sessions that are NOT part of the EQC agency bill group.

027: Boating regulations clean-up: Removes requirement for annual validation certificate for registered motorboats from FWP and leaves registration with DOJ under Title 61. Also aligns PFD, right-of-way and accident reporting standards with federal law and removes reference to boating advisory council that has not been in existence.

CAC member Josh McQuillan asked if this would change availability of funding for water safety in county and local government entities. FWP will follow-up with on Josh for this discussion.

028: Revision to park ranger and ex officio warden authorities: Removes general law enforcement authorities from park ranger positions (which are not POST-certified) and aligns ex officio designation of game wardens to reflect current practices.

040: Landowner access partner compact: Creates a statutory mechanism to impose access-restriction consequences on hunters who violate the access rules established by landowners and the department for various private land access programs. The restriction consequences would consist of progressively longer restrictions on hunting on access program lands for hunters who engage in second and subsequent violations of access rules.

042: Statutory appropriation for aquatic & wildlife research: Authorizes the department to establish a state special revenue account to receive transfers from the general license account for purposes of aquatic and wildlife research, with those transfers being a statutory appropriation. The appropriation must be used for research and response to changing circumstances in aquatic and wildlife ecology and management.

CAC member roundtable discussion

Pat Riley, Roundup area:

- Concerns with low mule deer numbers, and many locals in his area are concerned as well. Observed some white-tailed deer on property, but lost many to EHD a few years ago.
- Elk and turkey have healthy populations in the area.
- Concern that small bucks are being harvested. Does a point requirement on bucks help the population?
 - *FWP response:* many states have tried point-requirement systems for buck harvests. Consensus from these states and a mule deer summit is that this strategy is ineffective. These requirements focused harvest on mature bucks and there was a subsequent decline in age classes. Across our region, there has been a long-term decline in mule deer populations. Some of it could be habitat, but there are still many unknowns as to what is driving this decline. Some hypothesize that increases in elk could be causing the mule deer decline, especially in areas where winter habitat overlaps.
- Concerns over CWD in the area.
 - *FWP response:* In HDs with CWD, our management goal is to reduce the buck to doe ratio. Mule deer bucks are known for CWD transmission. However, we cannot blame mule deer declines just on CWD. In the region, CWD prevalence is around 1%, which would not cause such significant population declines. Hunter harvest is also not thought to be causing the low numbers. Biologists have observed low fawn to doe ratios in recent surveys. White-tailed deer, especially bucks, can also spread CWD. Near Huntley, there is a “Hot spot” for CWD in whitetails.
- Supportive of legislation on new technologies (i.e. motion tracking bill described above). Concerns with fair chase/sporting aspect of hunting with continually advanced technologies and firearms.

Lee Deming, Laurel:

- Shared concerns about low deer numbers, especially mule deer, in multiple areas, including the Missouri Breaks. Historically observed much higher numbers of deer.
- Heard that some legislators may attempt to stop hunting during the deer rut.

- Some public are upset about the [recent commission rule](#) that changed the trout possession limit from 5 to 3.
- Observed more upland birds this year than in many recent years. Mostly sharptail grouse around the CMR. Pheasant numbers seemed to be near average.
- Supports the idea of E-tags; interested to learn about how frequently it is used by hunters. Notes that there have been some technical hiccups with the app.
- Asked about corner crossing and where FWP stands on the issue.
 - *FWP response:* Montana case law says that there are vertical property lines for private property. AS it stands now, there is vertical extension to property, meaning that corner crossing would be considered trespassing.
- Appreciates the Block Management Program but is concerned with lower cooperator numbers. Are landowners more interested in making larger amounts of money through outfitting?
 - *FWP response:* We've already seen interest from existing cooperators and from some new landowners in joining the program. Contracts open in the spring, so there is no official update on cooperator numbers currently. Some past cooperators have transitioned to outfitting for various reasons.
 - Other CAC members expressed appreciation for the program and for the Thank a Landowner portal.
- Curious if FWP could implement an online fishing or hunting log for people to self-report harvests and other data.
 - *FWP response:* We currently do not have an online fishing log; potentially we could work on this in the future, but capacity is currently very limited. We currently rely on the angler mailed surveys for angling harvests.

Bruce Hoiland, Musselshell County

- Also expressed concerns for populations of both white-tailed and mule deer. Some neighbors who usually allow hunting closed hunting for bucks because there were so few. Would like to see this issue more thoroughly discussed.
- Also saw more upland birds this year compared to recent years.
- Observed more antelope in the area than in recent years.
- Concerns for the [Elk Hunting Access Agreements](#). In his personal experience, Bruce has not yet been called to hunt on an EHA and is concerned the numerical system to call hunters is flawed.
 - *FWP response:* Can plan on having a more thorough presentation and discussion on EHAs at a future meeting with staff that can speak in more detail the mechanics of the program.
- Noticed fewer hunters in around Roundup and Winnett this year, concerned for local businesses that rely on those customers. Local hotels had vacancies this year when they are normally full of hunters.

Josh McQuillan, Carbon County:

- Does FWP get data on vehicle-animal collisions? Carbon County Sheriff's office gets lots of calls about these. Josh has seen as many as 3 collisions in 20 minutes between Billings and Red Lodge. Notices these can increase during the rut.
 - *FWP response:* MDT typically handles these. We would like to get more data on these to better understand frequency. Would be good for us and other entities to work with MDT as they plan for road updates. MDT when working on rehabilitation highway projects frequently works to slopes ditches back further for better visibility and passage. They consider specific locations where there are highest number of collisions. FWP does not have capacity to respond to and handle all of the reports of vehicle-struck and killed wildlife. We also do not have funding to pick up and dispose of vehicle-killed animals. Carcass management can be a challenge for many agencies, cities and counties.
- Asked about off-road vehicle use at Weatherman's Draw, a BLM site, and if FWP was involved.
 - *FWP response:* FWP did not provide comment on this. The new plans did not have any significant impact on wildlife.
- Asked about bear management and conflict in Carbon County, would like to see more discussion on the WHART incident this summer in Red Lodge, particularly the outcomes.
 - *FWP response:* Black bear population has generally been declining, but conflicts are increasing. Conflicts with black bears are driven by food availability more so than population. FWP hopes to work with the Red Lodge community to develop a bear conflict working group, rather than have all of this information and guidance coming from a government agency.

Chris Fleck, Columbus

- In regards to vehicle-wildlife collisions, can the public dispatch an animal that has been fatally wounded in an accident?
 - *FWP response:* High safety concerns in these instances, i.e. discharging a firearm near a roadway. Some people may purposefully hit animals to harvest the meat and antlers with a roadkill salvage permit. FWP gets many calls about vehicle collision.
- Any additional information available on the [June 24, 2023, bridge collapse](#)? Especially regarding clean-up operations on the river.
 - *FWP response:* EPA and Unified Command for the incident developed specific clean-up criteria. The clean-up phase has concluded and it is currently in restoration phase. [NRDP](#) is assessing the value of lost recreation on the river and diminishment of user experience on the river due to the incident.
 - Asphalt cleanup will be conducted by MRL as they receive notifications of observed asphalt. If you observe actionable asphalt, continue to avoid touching the material with bare skin and report it to: rpderailment@mtrail.com.

- Health of Stillwater River: concerned about the amount of unnatural, human debris in the river still, after to 2022 floods, but lots of it was removed this fall. Looking for landowners along the river that may want to participate in restoration projects.
 - *FWP response*: FWP reminded CAC members that county conservation districts have oversight for some stream work and permitting, and the public can attend these board meetings.

Susan Gilbertz, Billings

- [YRPA](#) is going to open a side channel on the Yellowstone River that has been closed for a long time, near Dover Park. Perhaps FWP wants to monitor what happens after it is opened.
 - *FWP response*: FWP has been working with YRPA and the engineers as they scoped this project and prepare for implementation.
- Received concerns from river floaters and boaters about river etiquette. Also concerned about the state of some boat ramps in the regions.
 - *FWP response*: FWP has some great online resources for river etiquette, including videos: <https://fwp.mt.gov/activities/boating/river-ethics#:~:text=Show%20courtesy%20and%20respect%20to,may%20disturb%20the%20peaceful%20surroundings>
The River Recreation Advisory Council also focused on increased education and outreach. Find their recommendations online here: <https://fwp.mt.gov/aboutfwp/commission-councils-committees/river-recreation-advisory-council#:~:text=The%20River%20Recreation%20Advisory%20Council's,under%20the%20authority%20of%20FWP>.
FWP is working on improving a few boat ramps in the area with several in the process of permitting.
- Concerns about user days on rivers, and how those may be allocated between the public and businesses, like guides.
 - *FWP response*: Regino 5 does not have any permitted rivers. The [River Rec Advisory Council](#) did address this topic. The public can comment on these recommendations until **Dec. 23, 2024**.
- Urban deer and turkeys can easily be found in Billings. Some people like to see them and others frustrated with the damage they can cause.
- Discussed the Dayton fire in the Bighorns and was interested to what happens to wildlife after the fires and how they disperse or not.

Doug Dreeszen, Yellowstone County

- Frustrated with the new reduced trout limit and has heard many members of the public express similar feelings.
- Harvested a white-tailed buck on his property in HD 590 that tested positive for CWD. Impressed with the professionalism of FWP employees working on the CWD crew. Also

appreciated working with the wildlife health lab. Surprised that, despite extensive communication and outreach from FWP on CWD, many members of the public still don't realize it is a problem. Curious about mandatory testing, especially if prevalence increases.

- *FWP response:* There are some areas that do have mandatory CWD testing, usually connected to special hunt opportunities. Management strategies may change if prevalence increases.
- Friend had confrontation with a wild horse activist in the Pryor Mountains while hunting over conflict of interest.
 - *FWP response:* can cite people under certain circumstances for [hunter harassment](#).

Anne Marie Emery, Bighorn County (not present at meeting but sent in notes):

- Interested in hearing more about FWP's [River Recreation Advisory Council](#)
 - *FWP response:* The RRAC proposed recommendations, which are open for public comment until Dec. 23, 2025. Depending on public comments, a recommendation will be finalized by the RRAC. If the recommendations require legislative action, then it's possible the department may propose something but based on the current list of recommendations, it seems there is not much action needing legislature approval. The department is underway already with some of the recommendations.
- Interested in seeing the access road into Bighorn Fishing Access Site paved.
 - *FWP response:* There is the potential for this as a capital project. It would require a proposal, then getting ranked as priority for the department and if so, then appropriation as a capital project in the next legislative session. At this time, the resources required to maintain asphalt and paved surfaces is much higher than traditional gravel. We are years behind if not decades behind on other paved surface sites making it a hard proposal for me to carry.

Legislator updates/questions:

Vince Ricci, SD 27:

- Curious why CWD sampling is not mandatory, especially when there are already the sampling stations set up.
 - *FWP response:* Mandatory CWD sampling would require a change in legislation. Some hunters don't want to know whether their deer is positive or negative. Hard for some hunters to think of disposing of their meat if it did test positive. The CDC recommends humans do not consume meat that tests positive for CWD, but it is not required to dispose of CWD-positive animals.

Larry Brewster, HD 43:

- Curious if FWP ever runs our bills through the Fish and Wildlife committee? There are local legislators that would be happy to listen and take those bills to a committee.

- *FWP response:* FWP does not have committee pre-approval for any of the bills going to session.

Montana FWP proposed budget, FY 2026/2027

- Lena Havron, FWP Chief Financial Officer
- **Budget is available online:**
https://budget.mt.gov/docs/execbudgets/2027_Budget/Section-C.pdf
- Nonresident license sales are 95% of our revenue.
- FWP is asking for 30 base FTE across different divisions and 15 priority FTE.
- Increase in flights for aerial wildlife surveys.
- [Pittman-Robertson](#) funding has been decreasing, so will need to ask for state funds to cover the difference. FWP may need to cut programming if we don't get that funding and the tax money continues to decline.
- Considering potential license fee increases (not this session)
- [Dingell Johnson](#) funding has been increasing.

Public comment, items not on agenda.

None.

Adjourn