



## Minutes

### Montana State Parks & Recreation Board

Pictograph Cave State Park, 3401 Coburn Road, Billings, MT 59101

Parks Board Members Present: Tom Towe, Chair; Diane Conradi; Jeff Welch; Mary Sexton, Vice Chair; Doug Smith

Fish, Wildlife & Parks Staff Present: Jeff Hagener, Director FWP; Chas Van Genderen, Parks Administrator; Roger Semler, Assistant Administrator Parks; Tom Reilly, Assistant Administrator Parks, Parks Staff

Guests: October 15, 2014- See Parks file folder for sign-in sheet

#### Topics of Discussion:

1. **Call to Order - Pledge of Allegiance**
2. **Approval of Minutes of June Board Meeting**
3. **Approval of Board Expenses**
4. **Approval of 2015 Board Meeting Calendar**
5. **Board Members Report**
6. **Director's Report/Staff Report**
7. **Award Recognition**
8. **Public Comment Not on Agenda**
9. **Budgets HB2 & HB5 and Legislation**
10. **Commercial Use Rule**
11. **Capital: Makoshika Waterline and Facility Condition Inventory (FCI)**
12. **State Parks User Fees**
13. **Snowmobile Grants**

**The audio recording for this meeting was not clear due to microphone static. All efforts were taken to record accurate information.**

#### **1. Call to Order - Pledge of Allegiance**

Chairman Towe called meeting to order at 10:45.m. and led the Pledge of Allegiance.

#### **2. Approval of the Park Boards Meeting Minutes of August 20, 2014**

*Action: Chairman Towe moved the motion to approve the August 20, 2014 minutes as corrected. Motion carried.*

#### **3. Approval of Parks Board Expenses from August 20, 2014**

*Action: Vice Chair Sexton moved the motion to approve the August 20, 2014 Parks Board expenses. Motion Carried.*

#### **4. Board Member Reports – tours, conversations, questions, etc**

Chairman Towe reported he spent three weeks in South Africa and spent one week in Pilansberg National Park, one week in a Private Game Reserve and one week near Cape Town. One of the local chiefs gave the land in the Pilansberg National Park to the government for a game reserve of indigenous animals and the government purchased the remaining farms so today there is about 200,000 acres dedicated to African wildlife. He visited with park manager and a veterinarian; they track all animals and know how many animals are in the Park. They control the number of lions and elephants. They have similar problems to Montana with surrounding landowners who are afraid the African buffalo will carry disease to the cattle. Consequently, if anyone or any preserve has African buffalo, they have to have a fence around the reserve. It is generally an electric fence with over 1000 volts. He also spent a week on a private reserve North of Durbin and visited a World Heritage site called iSimangaliso Wetland Park. It has five separate eco systems in the same park.

Vice Chair Sexton participated in a panel discussion at the Montana Trails Park and Recreation Association (MTRPA) conference in Butte, discussed funding and long term outlook for parks and recreation opportunities across Montana. There is funding challenges, infrastructure challenges and increase usage, at all levels federal, local, and state. Chas Van Genderen and Vice Chair Sexton met with Director Hagener to introduce Strategic Plan. Attend the Smith River Advisory Council meeting.

Member Conradi reported she continued to connect park enthusiasts who take parks for granted with park managers in region 1. Trying to schedule visits to the few parks in region 1 that she has not seen, coordinating with FWP Commissioner Gary Wolf.

Member Welch reported he took the family on a backpacking trip, traveled to China with Governor Bullock on the trade mission; and attended the Outdoor Industry Association Rendezvous in Ashville North Carolina, to connect with group that manufacture outdoor products.

Member Smith reported that he guided a hike for Montana Wilderness Association, to the Sand Arroyo badlands, 29 people attended from Western Montana. Met Senator John Brenden and discussed issues about Hell Creek State Park.

#### **5. Director's/Staff Report**

Jeff Hagener, Director FWP reported he attended the Association of Fish and Wildlife Agencies meeting, major discussion about non-consumption use, assembling a Blue Ribbon Panel to look at other methods or considerations; others can contribute to those resources. In September went in front of EQC with proposed legislation; approved preliminary draft of Wild Horse dock. Department of Administration took forward the extension of concessionaires also approved for preliminary draft. Smith River Advisory Council met; issues of concern bear management, food storage, and human waste.

Chas Van Genderen, Administrator Parks Division reported Parks are ending 75th Anniversary celebration this year, 3% increase in visitation and an increase in revenue. Staff busy shutting down water systems and getting parks ready for winter. In process to fill vacant positions: Park Managers at 1<sup>st</sup> Peoples Buffalo Jump, Flathead Lake managers retired, and marketing position. Attended National Association of State Park Directors (NAPSD) conference; large discussion from National Park System (NPS) 2016 celebrating 100<sup>th</sup> year, "finding your park". September 2017 Montana will host NAPSDC conference, plan to combine event with Parks Canada due to our close proximity. Major issue, Makoshika Road project, problems with stabilizing and securing the road.

#### **6. Public Comment Not On Agenda**

Jennifer Flat Lip, Friends of Chief Plenty Coups; discussed the history of the friends group and the success they had on many projects they have worked on with Native American groups.

Jamie Connell, Bureau of Land Management (BLM) State Director for Montana and the Dakotas; thanked Parks Board members for their involvement and participations on Montana State Parks and Recreation Board. BLM wants to continue the current partnerships and also do better in other areas, to work closely together to become more efficient financially and provide good service.

Terry Zee Lee, President of Skyworld Inc; a non-profit presented to familiarize Parks Board with what they do; an education non-profit that teaches kite building.

#### **7. Follow up to Budget Discussion: Budgets and Legislature**

Sue Daly, Chief of Administration FWP, explained at August Board meeting, members requested a follow-up presentation of the FY16/FY17 Executive budget submission. The FY16/FY17 Executive budget was submitted by FWP Director Hagener to the Governor's Office on September 1, 2014. The budget is being reviewed by the Governor's staff; approved budget will be submitted to Legislative Fiscal Division by November 15.

Daly discussed each budget presented to Governor's office.

#### **8. Biennial State Park User Fee Rule**

Roger Semler, Assistant Administrator explained at August 20, 2014 Board meeting Parks Division proposed an updated Biennial Fee Rule to included the following highlights: a 20% increase in fees for camping, electrical service at campsites, non-resident daily entry, non-resident annual entrance pass, Lewis & Clark Caverns tours, rental of cabins, yurts and tipis and use of showers; holders of a non-resident annual entrance pass would be subject to the same camping fees as residents; establish new categories and fees for rustic campsites, wild cave tours and sewage dump stations; establish a sliding fee schedule based on group size for use of meeting rooms, shelters, pavilions, and other facilities, etc; establish the authority to implement

“premium” campsites fees. Parks Board authorized Parks Division to seek public comment on these proposed fees. The Parks Division solicited public comment for a 30 day period ending on September 26, 2014; a total of 15 comments were received and are summarized as follows: supportive of the proposed fees: four comments; conditional support of the proposed fees: five comments; supportive, except for Lewis & Clark Caverns candlelight tour fees; supportive except for boat camping, cabin and yurt fees; fee more complicated than they need to be; opposed to shower use fee; suggested more flat rate fees; opposed to the proposed fees: four comments; concerned with DNRC cabin site lease fees at Painted Rocks Reservoir: 2 irrelevant comments. The Parks Division conducted internal staff dialogue regarding potential changes to user fees; conducted comparability research of recreational user fees in neighboring state park systems, federal public lands and private entities; and solicited and reviewed public comments related to the proposed user fees. The following alternatives have been identified regarding updated user fees: adopt an updated Biennial Fee Rule with no significant fee changes; adopt an updated Biennial Fee Rule with modest fee increases. User fees provide a critical source of revenue to support the state park system; last increase in park user fees occurred in 2010 and was applicable to non-resident camping fees and new camping reservation fees only. The last user fee increase for residents occurred in 2003; Parks Division proposes a Biennial Fee Rule with modest fee increases as presented at the August 2014 Parks Board meeting, with exception of Lewis & Clark Caverns candlelight tours fees, which the Parks Division views as too expensive for families.

Member Welch asked if this document will give authority to increase prices of “premium” sites once designated. Necessary to keep working on determining “premium” sites.

Semler explains document gives authority; estimated projected income will be \$368,000 annually. Fees will start being collected January 1, 2015 well start process of changing signs.

*Action: Vice Chair Sexton move Member Welch second that the Board adopt the State Park User Fees as proposed in the 2014 Biennial Fee Rule.*

Chairman Towe asked for public comment.

No public comment.

*Action on Motion: Motion Carried*

### **9. Smith River State Park & River Corridor Biennial Fee Rule**

Roger Semler, Parks Assistant Administrator explained the Smith River Management Act, 23-2-401 through 23-2-410, MCA, authorizes the Board to provide for the administration of the Smith River waterway and adopt rules for this purpose. The Smith River State Park and River Corridor Biennial Rule establishes fees and rules for private, commercial and landowner float trips in Smith River State Park. The current rule was last adopted by the Fish, Wildlife and Parks Commission in December 2012 and is scheduled to expire in December 2014. The last increase in user fees occurred in 2010 as follows: \$5 increase in nonrefundable permit

application fee (to \$10); \$10 increase for private nonresident floats (age 13 and above); \$5 Super Permit lottery fee. During the 2013 and 2014 float seasons, a series of human/black bear conflicts were documented that resulted in numerous boat camp closures and removal of no less than eight black bears; in response to significant public safety concerns, the department chartered an inter-divisional committee that has recommended establishment of food storage regulations on the Smith River. This recommendation is consistent with the following desired condition stated in the 2009 Smith River State Park and River Corridor Management Plan: "*River recreation on the Smith River will not adversely impact wildlife or result in human injury or property damage resulting from conflicts between humans and wildlife.*" Upon authorization by the Board, Parks Division will solicit public comment for a 30 day period and report on those comments at the December 2014 Board meeting. Parks Division identified the following alternatives regarding the Smith River Biennial Rule: adopt an updated Smith River State Park and River Corridor Biennial Rule with no changes to current user fees and adopts the following new public use regulations: eliminate human waste pack out requirement at the Deep Creek (Park staff will install a pit toilet at the site), establish food storage rules to minimize human/black bear conflicts. Or adopt a Smith River State Park and River Corridor Biennial Rule with no changes. Parks Division would like the new Smith River Advisory Council to become better established before proposing Smith River user fee increases; proposed food storage rules reflect recommendations by department's inter-divisional committee and are intended to address significant concerns for public safety, liability and wildlife protection.

**Action:** *Member Conradi move that the Board authorize the Parks Division to seek public comment on the proposed 2014 Smith River Biennial Rule as described in Alternative 1.*

Chairman Towe asked for public comment.

Rand Herzberg, via Vice Chair Sexton, unable to attend meeting; but very supportive of rule.

**Action on Motion:** *Motion Carried.*

#### **10. Commercial Use Rule-Amendment**

Roger Semler, Parks Assistant Administrator explained in August the Parks and Recreation Board in conjunction with the F&W Commission adopted amendments to the Commercial Use Administrative Rules for all FWP land, including state parks, fishing access sites and wildlife management areas. The department is recommending an additional rule amendment to allow a guide to collect fees from clients when conducted permitted use on behalf of a permitted outfitter. This practice is currently prohibited under the commercial use rules. If the Board and Commission propose amendments to the commercial use administrative rules, FWP would solicit comments. The commission and the board will make a final decision after the public comment process. If the Board and Commission do not propose this amendment guides will not be able to collect fees. FWP recommends that the Board and Commission propose the amendment to the commercial use rules that would allow a guide to collect fees from clients while conducting authorized services on behalf of a permitted outfitter as long as the form of payment names the permitted outfitter as the recipient of the fees. The original rule language prohibiting this practice is intended to help prevent a guide from conducting illegal outfitting.

FWP recognizes that allowing guides to collect fees from clients is a convenience to the outfitter who may not physically be in contact with the clients.

Member Welch explained he spoke with FWP Chair Vermillion prior, about collection of cash.

*Action: Vice Chair Sexton move the Board propose the amendment to the commercial use administrative rules as presented by the department.*

Chairman Towe asked for public comment.

No public comment.

*Action on Motion: Motion Carried as amended.*

### **11. Off Highway Vehicle (OHV) Grants**

Chas Van Genderen, Parks Administrator explained Montana's annual grant application period for proposed OHV grants closed July 1<sup>st</sup>; total of 12 applications were received, total funding request of approximately \$172,000. OHV grant applications down from 18 applications received for 2013 grant cycle. Approximately \$102,000 available for current year grant cycle; applications scored by staff and discussed at the citizen's Off-Highway Advisory Committee (OHVAC) meeting September 9<sup>th</sup>; result in final recommendation for funding 9 grant applications. Proposed OHV grant projects were solicited via the standard 30 public comment period; closed September 10, 2014, no public comments received. Alternative one to not award the 9 proposed OHV grant as recommended; alternative two proceed with the award of 9 OHV grants as scored and recommended by the citizen's OHVAC group for current year grant cycle.

*Action: Members Conradi move and Parks Board concur with the Parks Division's proposal to award the 9 proposed OHV grants for the current year's cycle.*

Chairman Towe asked for public comment.

No public comment.

*Action on Motion: Motion Carried.*

### **12. Capital Projects**

Chas Van Genderen, Parks Administrator explained each Legislative Session funding is provided via HB 5 process for capital improvements at State Parks sites throughout Montana; anticipated Parks funding from the 2015 Legislative Session is expected to be; \$70,800 Boat-In-Lieu, \$2,000,000 Highway Fuel, \$696,000 Parks 'Big Four', \$1,300,000 Federal MBDJ. Parks capital projects planned for upcoming biennium include: Logan State Park dock replacement/upgrade, electrification of campground at \$400,000; Hell Creek State Park campsite reconfiguration, site upgrades \$1,500,000; Madison Buffalo Jump State Park install access road to upper viewing area \$75,000; Finley Point State Park campsite reconfiguration, replace latrines, road improvements \$1,000,000; Cooney State Park access road upgrades \$500,000; Park Major Maintenance Projects two year's cycle \$500,000; a total of \$3,975,000. Projects planned

will utilize the available Highway Fuel and Federal MBDJ funds; funding source expected to be \$3.3 million. It is anticipated that the balance of the unallocated capital appropriation will be utilized on miscellaneous project needs that occur, construction contingency, and similar uses. With exception of future pending Parks Major Maintenance projects, each proposed capital projects will go through separate Environmental Assessment (EA) and public involvement process, majority of the annual Parks Major Maintenance projects selected are typically excluded from the public comment process due to the routine nature of the work.

A discussion between Van Genderen and Parks Board about funding sources.

### 13. Strategic Plan Draft

Chas Van Genderen explained, in December 2013, Parks Board approved a timeline for Parks Division to prepare an updated strategic plan for the park system through a series of public involvement processes, employee input, and board consideration. Two surveys were completed for information gathering: a staff survey and a Legislative survey; a Board retreat was conducted to set priorities for park system, followed by a series of eight community listening sessions held around the state with key stakeholders. Summaries of the input received were provided at the Board retreat and the Board meeting. Feedback collected throughout process and following the guidance of the Board, Parks Division prepared a draft strategic plan for consideration. The draft plan sets priorities and provides recommendations to guide the park system over the next five years. Upon tentative approval of the proposed user fees, Parks Division will solicit public comment for 30 days, beginning October 16; public meeting will be held. Following public comment analysis a final strategic plan will be presented at the December Board meeting. No alternatives beyond no action alternative were considered. A strategic plan was chosen as the best course of action based on ongoing challenges in the Division and direction from the Board. Parks Division proposed a draft strategic plan for the Board and public consideration; an updated strategy is needed to address the ongoing challenges facing the park system and provide strategic direction for the next five years. The last strategic plan was completed in 1998.

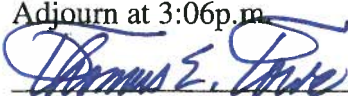
Van Genderen had a lengthy discussion with Parks Board about the strategy, direction, brand and implementation of the strategic plan. Board discussed significance, relevance, accessibility within the parks structure, being able to differentiate between sites.

*Action: Vice Chair Sexton move that the Board authorize the Parks Division to seek public comment on the draft strategic plan as proposed.*

The next meeting will be held December 17, 2014 at Fish Wildlife & Parks Headquarters, Helena, Montana.

Motion for adjournment.

Adjourn at 3:06p.m.



Tom Towe, Parks Board Chairman



Jeff Hagener, Director FWP

