

Smith River State Park and River Corridor Advisory Council Meeting

March 23, 2017

Meeting Notes

Participating Council Members: Joe Lamson, Ned Morgens, Mary Sexton, Colin Maas (FWP), Grant Grisak (FWP), Jane Kollmeyer, Kyle Andersen (FWP), Joe Sowerby, Mike Meloy, and Gary Wolf

Absent Council Members: Triel Culver, John Metrione

Observers: Mike Geary, Colin Cooney, Mike Lance

FWP Support Staff: John Taillie, Don Skaar, Melissa Baker, Tom Reilly

Facilitators: Charlie Sperry and Linnaea Schroeer, FWP

2017 Smith River Lottery Drawing Statistics

Smith River State Park Manager Colin Maas provided the Council with an update on the 2017 permit lottery.

- 10,077 total applicants—increased for the 6th year in a row
- 1,280 successful applicants. Essentially filled all float dates from April 1-August 10.
- Demand is pushing usage more into April and August.
- State parks usage across Montana is up over 45% overall. The continuing popularity of the Smith River reflects that trend.

Member Check-in

Council members were invited to share their observations, interests, concerns, etc. related to the Smith River. Highlights are as follows.

- Jane Kollmeyer suggested that the Council and the department consider the idea of increasing the Smith River permit fee. Other permitted rivers in the US have higher permit fees.
- Kyle Andersen informed the Council that Enforcement is looking to increase warden patrols on the river but they are stretched a little thin due to staff vacancies.
- Mike Meloy continues to be concerned about the use/abuse of the boat camps. Several camps have turned into near-concrete because of heavy use. We need to develop more camps to distribute use and related impacts. Colin Maas indicated that FWP was pursuing options with a landowner along the river.
- Joe Lamson stressed that the health of the fishery and the management of the campsites is paramount to the success of the Smith. The Kurz's property being for sale and that unknown has been stressful. Also wanted to know why there was an \$11 million-dollar surplus in the Parks budget but unmet needs.
- Ned Morgens agreed with previous speakers that more needs to be done to rest the campsites.
- Mary Sexton was curious as to how the bear storage rule went. Colin shared that FWP's Comm Ed Division spent considerable time and effort on education, which seems to be making a difference. Very few people arrived at Camp Baker unprepared. Kyle reported that wardens checked for non-

compliance in boat camps, feels they are still in a bit of an education phase but definitely improving. Portable electric fences are a good solution. Zero bear-human conflicts reported in 2016.

- Gary Wolf has heard comments from the public concerned over the difficulty of obtaining a permit. Some asked if we should have a limit on non-resident private parties. He also heard from a one group of floaters that floated in June last year and said they purchased an electric fence to use around their fence. But they said no one at Camp Baker even asked about the food storage order or asked to see their fence. Another party had a suspicion that permittees were hiring local residents to sign in for them at Camp Baker so they could get prime camping spots. That is unsubstantiated but he wanted to bring it up.
- Colin Maas shared that one of his major concerns is river ranger funding. He is good this year but is worried about upcoming years. Smith River biennial fee rule would be the vehicle to increase funding. Mary noted that camping fees are being raised in many parks.
- Grant Grisak shared that the fisheries staff has been working on settling a couple of water rights objections, those were settled favorably to FWP. Staff is also working on habitat and weed management projects.

Council Business

The Council discussed changes to the Council's Charter, new SRCEA Operating Procedures, balance of the account, and proposed project evaluation criteria.

Revised Charter

- Former Director Hagener renewed the Smith River Advisory Council's Charter in December, 2016.
- There were 3 substantive changes: 1) FWP's Responsive Management Unit (RMU) will help to coordinate and facilitate Council meetings and work; 2) the number of council members was increased with the addition of a FWP enforcement representative and a Fish and Wildlife Commission representative; and 3) clarification that FWP staff members on the Council have a non-voting role.
- Discussion followed on whether the representatives of the Parks Board and Fish and Wildlife Commission are considered voting members. Charlie's assumption is that they have voting rights, but that he would consult the Director's Office on this question.
- Mike Meloy observed that the Charter should be amended to reflect that there are two landowner representatives on the Council. As such, it's a 12-member group, not 11.
- There was general support of for RMU's role in helping to organize and facilitate Council meetings.
- It was noted that the revised Charter calls for the Director to appoint a chairperson for the Council.
- Discussion followed about whether a chairperson was even needed. Council members observed that RMU was performing much of the chairperson duties, and seemed comfortable with this arrangement.
- One suggestion was to have a council point person who would coordinate with staff on meeting agenda, follow-up, etc. but not necessarily act as chair. Charlie offered to carry these suggestions to Director Williams. He noted there could be a non-staff member of the Council who is willing to act as spokesperson, point person, etc. whether they are called a chairperson or something else.

SRCEA Operating Procedures and Evaluation Criteria

Much scrutiny has been paid to how the Council and FWP goes about evaluating project proposals and how CEA money is spent. In December of 2016, FWP adopted CEA Operating Procedures to spell out the process for allocating these funds. Since then, the department developed a set of clarifications to provide further detail on expenditure of CEA funds. The department also developed a series of evaluation questions that could be used to consider project proposals; the Council was asked to provide input on these questions.

- A suggestion was made to make a visual flow chart for the operating procedures.
- Members see these Operating Procedures as a positive step and recognize that there is a lot of differing opinions about what projects the CEA should be used to pay for and not.
- It was noted that the term “Recreational values” in the statute is open to a lot of interpretation and warrants more discussion related to how the account funds should be spent.
- A question was asked about what constitutes critical need (evaluation question #3). The department explained that the idea is to use CEA funds for projects that are important and that might not otherwise get funded without CEA money.
- It was suggested that a standardized format be developed so it was easier for members to compare and evaluate proposals. And then also perhaps an evaluation form to use.
- Some discussion followed about the history of the SRCEA and the process of having the council weigh in on proposals. Members seemed unanimous that even with some questions about details, the proposed evaluation questions are an improvement, and seem optimistic that the Director and SRCEA committee will pay attention to their recommendations. Additionally, the operating procedures provide transparency.

Update on CEA expenditures and balance

Tom Reilly, Assistant Administrator for the Parks Division, provided an update on past expenditures of CEA funds and the balance of the account.

2005 Legislative Session - \$250,000

1. Eden Bridge – replace latrine w/ (2) larger models; kiosk.	\$51,631
2. Camp Baker – consultant; streambank stabilization evaluation.	\$2,188
3. Camp Baker – grade/gravel road maintenance.	\$8,850
4. Camp Baker – ½ cost; maintenance building.	\$21,695
5. Smith River – Zehntner fencing project (via Fisheries Division).	\$10,000
6. Reverted Balance.	<u>\$155,636</u>
	\$250,000

2011 Legislative Session - \$150,000

1. Smith River – bank stabilization project (via Fisheries); Fall 2017.	\$16,830
2. Smith River - Sheep Creek fencing project (via Fisheries); complete.	\$10,530
3. Unallocated Balance	<u>\$122,640</u>
	\$150,000

Smith CEA Fund Balance (1/9/17) = \$506,815 – (\$16,830+\$122,640) = \$367,345

- Currently, the department has been authorized by the Legislature to spend \$122,640 from the CEA (this amount was authorized by the 2011 Legislature). At some point in the future, when the account balance is lower, FWP could request the Legislature authorized additional spending from the account.
- In the past, the Legislature has authorized use of CEA funds for capital projects, such as fencing, construction, etc. In the future, FWP may propose that the Legislature authorize use of CEA funds for operational expenses too, e.g., fisheries research projects and park operations.
- As to how much money the department should leave in the account (unspent), it's a balance between allocating money to good projects as they come in, and saving funds for a big outlay, like land acquisition.

Public Comments

- Mike Geary shared some of his observations over the past 20 years of being a Smith River outfitter. He recalled that years ago, there used to be an indicator to signify when there were too many people on the river, e.g., '350 people in the corridor' or something like that. He feels that FWP should think about reinstating that type of indicator. His feeling is that at certain times of the year there are simply too many people in the river corridor. He suggested that one way of addressing this concern would be to not refill cancelled permits during peak times. He also recommended that the department consider using a pre-registration system for selecting campsites, rather than the current system of choosing campsites based on the order of arrival at Camp Baker. He noted that the current system results in unnecessary impacts at Camp Baker, and adds an additional night for many people who want to secure their preferred campsites. Instead, he suggested that a preregistration system would be a better solution and address these concerns. He added that FWP could create a video on some of the information covered during registration. People could watch that ahead of time and this would reduce the workload for rangers and shorten the time it takes to get on the river. Council member and fellow Smith River outfitter Joe Sowerby commented that the lower water years have exacerbated the overcrowding issue. He also agreed with the suggestions of not reissuing cancelled permits during peak season, and instituting some type of preregistration system. Member Ned Morgens also echoed Mike's comments on how crowded the Smith has become at peak times.
- Colin Cooney addressed the Council. He currently works for Trout Unlimited, and has worked as a Smith river ranger for a season and a half. He said that TU supports the changes to how the Council operates, and the new operating procedures for the CEA. He shared that SB213 says that all funds collected from the Smith River would go into that account, which hasn't been happening before. He is hopeful that the SRCEA can be used for FTE etc. if that bill passes. He also observed that since license dollars aren't involved in the CEA, those funds could be diverted to other purposes. He advised the Council to be wary of that occurring. He is very supportive of the CEA being used for fisheries studies.

CEA Funding Proposals

Mike Lance, a Graduate Research Assistant at Montana State University's Cooperative Fishery Research Unit, presented two proposals for which FWP is requesting CEA funds. MSU would partner with FWP on these two research projects. A brief description of the two projects follows.

Smith River Fish Movement Study

FWP is requesting \$24,076 of CEA funds to conduct a Smith River Fish Movement Study. The project would investigate and describe the movement patterns of fish in the Smith River with special emphasis on studying the movements of Brown Trout, Rainbow Trout, and Mountain Whitefish. The study would help improve FWP's understanding of how inland cold water fish assemblages use connected watersheds such as the Smith River. FWP has already secured \$155,872 in matching funds for this project.

- The Council members reviewed the proposal using the Operating Procedures' Evaluation Criteria (questions) and by consensus recommended that the Director approve this project funding request.

Pelican Study

FWP is requesting \$4,392 of CEA funds to estimate predation rates of American White Pelicans on fisheries of the upper Smith River. This would be another project conducted in cooperation with MSU. The project would help managers understand pelican predation on the fisheries, and potential limitations to the recreational value of the Smith River fishery associated with pelican predation. Howard Johnson grant money has been requested for matching funds (update on 3-31-17: the Howard Johnson grant money was secured), which would bring the total project amount to \$7,392.

- The Council members reviewed the proposal using the Operating Procedures' Evaluation Criteria (questions). There was some discussion about whether the proposal meets the requirements of the statutory requirements for CEA expenditures. In the end, the Council concluded that the project would lead to information that could help FWP to protect, enhance and restore recreational values with the Smith River corridor. The Council through consensus recommended that the Director approve this funding request.

Next Steps

Charlie will provide the Council's recommendations to the CEA Review Committee and the Director.

- The Council's recommendation is to approve funding for both the Fish Movement and the Pelican Depredation Studies.

Staff Updates

- Dustin Temple, FWP Chief of Administration, updated the Council on Senate Bill 213. The proposed legislation would ensure that all Smith River revenue goes into the account. In the past, FWP placed some of the revenue from the Smith into the Parks earned revenue account.

- Colin Maas, Smith River State Park Manager, shared that funding for ranger positions continues to be a challenge. He expressed appreciation to Council member Mike Meloy for helping to secure Lee and Donna Metcalf Trust funds to help pay for a river ranger position in 2017. Colin also shared that use of the Automated License System for issuing permits seems to be working well. The ALS also provides additional statistical capabilities.
- Grant Grisak, Region 4 Fisheries Manager, gave an update on invasive mussels. Invasive mussels were confirmed in Tiber Reservoir, are considered as suspect in Canyon Ferry. A State of Emergency was declared in the fall of 2016. \$11 million in funding has been requested to help contain the spread through a significant expansion of the department's AIS Program. Some inspection stations are already open around the state. Invasive mussels can survive in flowing water systems like the Smith but larval mussels are fragile and it would likely take a sustained influx of mussels for them to become established in that river. Grant also shared that R-4 staff is assisting DEQ with its permitting process for the proposed Black Butte mine. FWP is responding to requests for information and providing feedback on aquatic monitoring proposals. Grant also shared that the region is using previously-approved CEA funds for a bank stabilization project on the Smith, and is doing more weed management, both with Meagher County and a weed consultant. They will be starting at Fort Logan and Newlan Creek Reservoir and moving downstream.
- Council member John Metrione, Natural Resource Specialist for the Helena-Lewis and Clark National Forest, was not able to attend the meeting but did provide an email update to the Council. He wrote that the Forest's proposed action for Forest Plan Revision is presently in the comment period. The plan identifies 17.3 miles of Federally Owned Land along the Smith River, which is eligible for Wild and Scenic Classification.
- Commission representative Gary Wolf shared that his term on the commission is coming to an end. He expressed his appreciation for the opportunity to work with the Council. He thinks that managing the popularity of the Smith River will continue to be a major issue. He also thinks the issue of human waste sanitation will continue to be a problem and that the Council should be prepared to deal with that issue.

Next Meeting

- Charlie will conduct a doodle poll of Council members to select a date for the next meeting.

Action Items for Follow-up

- Develop a flowchart that outlines the CEA Operating Procedures and project submission process.
- Circulate Council member contact information to the members.
- Amend the Evaluation Criteria to include the Parks Division (done).
- Add public comment opportunity to the project evaluation process at Council meetings.
- Develop a project proposal form (standard format).