

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 52nd LEGISLATURE - REGULAR SESSION

SUBCOMMITTEE ON NATURAL RESOURCES

Call to Order: By CHAIRMAN BERV KIMBERLEY, on February 11, 1991,
at 8:00 A.M.

ROLL CALL

Members Present:

Rep. Berv Kimberley, Chair (D)
Sen. Esther Bengtson, Vice Chair (D)
Sen. Gerry Devlin (R)
Rep. Ed Grady (R)
Rep. Jerry Nisbet (D)
Sen. Cecil Weeding (D)

Members Excused: None

Members Absent: None

Staff Present: Roger Lloyd, Associate Fiscal Analyst (LFA)
Carl Schweitzer, Budget Analysis (OBPP)
Theda Rossberg, Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Announcements/Discussion: EXHIBIT 1 - Roger Lloyd, LFA stated,
he received a letter from the Alfalfa Seed Committee,
Department of Agriculture asking for appropriation
authority. We reviewed this budget previously and we will
address this later.

EXHIBIT 2 - Mr. Lloyd said, he needed clarification on the
Executive Action taken on Friday 8, 1991 on the Sikes Act, budget
modification.

The committee agreed Mr. Lloyd's explanation was correct.

EXECUTIVE ACTION FISH, WILDLIFE AND PARKS ADMINISTRATION DIVISION CONTINUED

EXHIBIT 5, February 8, 1991 Minutes - Modifications.

Legal Services:

Motion/Vote: REP. GRADY moved to approve \$35,000 each year of
the biennium for a paralegal position. **Motion CARRIED 4 - 2**

(SEN. BENGTON, Proxy Vote & REP. NISBET voting "no").

Tribal Relations:

Motion/Vote: SEN. DEVLIN moved to approve \$40,000 each year of the biennium for tribal relations.

REP. GRADY asked, Mr. Cool how could we fund these programs without using license dollars?

K. Cool, FWP explained, that is the appropriate funding source because they deal with fish and wildlife issues. One of the concerns is, we don't have enough license dollars to fund this.

Motion CARRIED 5 - 1 (SEN. BENGTON voting "no").

Interagency Support:

Mr. Lloyd explained, this is a transfer of funding to the state library to help fund the Natural Resources Information System. A related issue is the general license account interest. The federal requirements are the interest on hunting and fishing licenses revert back to the license account. These dollars are currently deposited in the general fund. Legislation is being considered which would deposit the interest into the general license account.

SEN. DEVLIN moved to accept the Executive Budget for \$25,000 each year of the biennium for Interagency Support. Motion FAILED 3-3 (SEN. BENGTON, REP. NISBET, CHAIRMAN KIMBERLEY voting "no").

Motion/Vote: SEN. WEEDING moved to accept the Executive Budget for \$50,000 for FY92 and \$40,000 for FY93 for the Geographic Information System.

CHAIRMAN KIMBERLEY asked, isn't this a one-time-only project since it is a pilot program?

Pat Graham, Deputy Director of Fish, Wildlife and Parks stated, there are two things the committee could do; 1 - treat them as new budget items and 2 - have a report-back on the progress.

SEN. DEVLIN said, there hasn't been any accountability or report-back on parcels of land purchased.

SEN. WEEDING asked, will some of the start-up-cost reoccur in subsequent years?

Mr. Graham said, there is one \$15,000 work station purchased the first year which would be a one-time-item.

Amended Motion/Vote: SEN. WEEDING amended his motion to accept the Executive budget for the Geographic Information System to be a one-time-only item and include a report-back. Motion CARRIED 5 - 1 (SEN. BENGTON voting "no").

Regional Office Support:

Mr. Graham said, this is for the increased workload in our regional offices. We would contract for personnel on an as-needed-basis during the hunting and fishing season in Region 7. We would also contract for lawn care and snow removal. We need headquarters security in our Bozeman office to prevent vandalism especially with the bison control issue.

Motion/Vote: **REP. GRADY** moved to accept the Executive budget for \$75,000 each year of the biennium for Regional Office Support.

Motion CARRIED 4 - 2 (REP. NISBET, SENT. BENGTON voting "no").

CHAIRMAN KIMBERLEY said, we would revisit Item 6, dams - if reorganization occurs.

Mr. Graham said, he wanted to revisit the Cherry Creek Dam issue. The subcommittee appropriated \$300,000 of which \$150,000 is to be federal funds and \$50,000 from local contributions and \$100,000 from state license funds. The local community raised over \$50,000 for their share. The BLM conducted the feasibility study without using the state and local contribution. The second phase of that study is ready which will use the state funds and local contributions. \$100,000 is still in our budget and we are meeting with BLM to discuss this. We would review this with the committee when we hear back from them.

SEN. DEVLIN said, when you get into the BLM everything moves pretty slow. They thought they would be done with the preliminaries by April.

K. Cool, Director Fish, Wildlife and Parks said, I feel we have a commitment to the people involved which raised the \$50,000 and we support the allocation of the \$100,000 carried forward. We would report back to the committee this week.

Carl Schweitzer, OBPP said, on item 3 - Interagency Support which this committee rejected for \$25,000 each year of the biennium; I feel we should let the Institutions Subcommittee know that we took this out of the Library budget.

Mr. Lloyd said, if the committee would like, I would let the other committee know of the action this committee took. Their LFA staff would not have included it in their budget, it would have been funded with general fund.

SEN. WEEDING said, maybe we should get some feedback from the Institutions Committee to see what action they take.

SEN. DEVLIN asked, did we do anything with the one-time-only modifications?

Mr. Lloyd said, the Salinity Control was eliminated because we will be hearing this in the wildlife division. The Sikes Act was approved for \$170,000 for the biennium so it will be the budget in the next biennium. Also, Predator Control for \$20,000 each

biennium will also be in the next biennium budget unless language states it is to be a one-time-only appropriation.

Mr. Schweitzer said, the appropriation bill in the current biennium required that these items not be included in the current level by the Executive and the LFA in developing the budget. One of the considerations this subcommittee should make is, when this budget is presented to the full House Appropriations Committee and the full Senate Finance and Claims Committee, should these items again be presented as budget modifications or does the language state they should not be included in the current level for determination by the LFA and the Governor's budget office. These budget modifications are the only items which haven't been reviewed by the full legislature before. Instead of introducing 40 budget modifications to the Finance and Claims Committee, I recommend reducing it to 24 modifications which are the new items you are adding to this budget.

Mr. Lloyd state, it is the LFA's position that those one-time-only are indeed budget modifications and should be handled as such by this committee. Going into the Appropriations Committee, current level and modifications are separate. After full appropriations, there are no budget modifications which is the Appropriations Committee's recommendation.

Dave Mott, Administrator Management Services Division, FWP said, there are two distinct differences here; I believe that Roger is saying we keep these report-backs listed as budget modifications and Carl is suggesting we keep these report-backs as part of the base.

Motion/Vote: SEN. DEVLIN moved to make the one-time-only modifications as part of the base.

REP. NISBET said, these are modifications to the budget and if we don't identify them as such, we are not being honest. They are continuing programs but are not a part of the current level.

SEN. DEVLIN said, when they have reported back from one biennium to the next and approved again, they should be part of the base.

REP. NISBET said, if they are approved by the full appropriations committee they will become part of the base.

Mr. Lloyd said, full appropriations will decide upon budget modifications and current level. They will act on those and roll them into one and this will be presented to the House as the current level budget. They will not differentiate between the two.

REP. GRADY asked, when you present our decisions to the full appropriations committee isn't the action we took, go right into the base?

Mr. Lloyd said, what the issue here is, do we report 23 budget modifications to the full appropriations committee and roll the other 17 into current level or do we report 40 budget modifications. It is the LFA's opinion that the Executive budget contains 40 budget modifications?

Motion CARRIED 3 - 2 (CHAIRMAN KIMBERLEY, REP NISBET voting "no" SEN. BENGTON absent).

HEARING ON LAW ENFORCEMENT DIVISION

EXHIBIT 3.

Erwin Kent, Administrator Law Enforcement Division gave an overview of this division.

The courtesy citations have increased this last year and also the serious violator citations. We are spending more time with hunters and fishermen listening to their concerns.

Mr. Cool said, in the Senate Fish & Game, legislation is being introduced to direct our efforts toward those who are knowingly and purposely violating the hunting and fishing laws. This will greatly increase our enforcement activities. The words "knowingly" and "purposely" will be written into the statutes.

REP. GRADY said, landowner contacts have increased considerably and we are seeing more and more wardens in the field, which is a step in the right direction.

Mr. Kent said, that is very true and we will discuss this issue again as we get into the presentation.

In the Helena enforcement office we have three bureaus: Bureau of Regulations and Field Administration, Snowmobile and Boat Safety and Field Administration and Policy. The administrator handles the budget, license investigations and forensic research. The bureau of enforcement handles recruitment and training, special purpose licenses and the Covert investigation operation.

Within our 8 regions, we have 66 wardens and there is a warden training program at the universities. They are hired as wardens upon completion of their senior year. We have 3 temporary FTE which were authorized by the last legislature and are being used as safety officers or warden interns. They have all the requirements of being a game warden but we don't have the funding for them.

Field Law Enforcement includes license checks, game checks, investigating complaints, checking stations, saturation controls and the covert programs.

In wildlife management we respond to wildlife damage, collect biological information and provide input into seasonal recommendations.

Information and education is a major part of our program where we provide information on all agency programs working with sportsmen, landowner groups, etc.

If we can increase our enforcement operations we can significantly reduce violations. Forensic science is a new modern technique which we use more and more for criminal matters. There is a laboratory in Oregon which provide forensic services to this agency and provides testimony to be used in the courts.

The covert program is a new technique which is very successful where uniformed officers are unable to deal with the problem. Mr. Cool said, the covert operation is being adopted by nearly all the states as well as Canada. National Geographic Magazine came into Great Falls for our sting operation and filmed the entire procedure. They are going to do a National Geographic special on television this spring and follow-up with one or two articles in their magazine. This operation continually turns out illegal activities by a group of people in that area. We are trying to deal with those people who are stealing from Montanans an commercializing in wildlife resources.

Mr. Cool reviewed the uniform dress for the department with the committee. We are trying to have a more professional look for our people. The baseball hats and sneakers are not a professional look for our personnel in dealing with the public. Headgear on an enforcement officer is extremely important to gain the respect they need. These uniforms will require additional expenditures. We want our people to be professionally dressed to meet the public and also to address civic groups.

CHAIRMAN KIMBERLEY asked, what about the .357, are you going to get rid of that.

Mr. Cool said, we no longer have the .357. This has been replaced by a nine millimeter standardized weapon used by the Highway Patrol with a western style holster which is the same color as the boots. It is a non-military type of weapon. HB304 passed unanimously with some amendments the approval of auctioning off these old weapons for collector items, which will allow us to purchase the new weapons and holsters with no extra cost to the state. I feel we have the opportunity to have the best law enforcement operation in the Unites States.

SEN. WEEDING asked, will the park rangers have the new uniforms also?

Mr. Cool said, they are the same material but the uniform is grey, they have the same shirts but they wear baseball caps. The park enforcement officers wear a badge but they do not carry weapons.

CHAIRMAN KIMBERLEY asked, do you give the camp hosts their shirts or do they buy those?

Mr. Cool said, we give the old shirts to camp hosts and hunter safety instructors. With the money saved, we can buy new uniforms for the other employees. We will contract with a hat maker at Billings or Wisdom to make our new officer's hats.

Mr. Kent said, the Tip-Mont Program was authorized by the 1985 legislature with a toll free number to report any violations. The first year we had 79 calls, the second year 150 calls, the third year 400 calls and the sixth year 528 calls, which resulted in \$31,480 in fines. That number is (1-800-TIP-MONT).

Covert Investigation Program:

We started this programming 1987 and operated in only one region. In 1989 we made this a statewide program originating out of Helena. We presently have 19 cases under investigation and another 59 which are cataloged until we have time to work on them. One case involved over 35 people being cited. A lot of the crimes they are involved in are serious crimes which about 85% are drug-related. One of the serious crimes is the sale of illegal game.

Mr. Cool said, we have had good cooperation with the Department of Livestock and their investigators. One of things the covert operation has done especially in poaching, has turned up some important information on people who shoot beef, sheep or whatever they can. People who poach are usually not selective and if they can sell it, they don't care if there is a brand on it or if it is wild.

Mr. Kent said, the illegal trafficking in wildlife is increasing nation-wide. Currently we are investigating only about one-fourth of all complaints. The impact on sportsmen is the loss of trophy game species. Additional personnel would provide backup for our investigators and increase our capabilities to decrease trafficking in wildlife species. We have had coverage in the newspapers and work closely with the press and the attorney general and the results have been very satisfactory.

Mr. Cool said, there is a program called "Top Cop" and one of our undercover officers will be on that program based upon some of his work. They flew him to Toronto, Canada to do the filming. There is a request in our budget for only one additional person for this operation. If we allow covert operations to grow too fast it could get out of proportion. It is a very difficult operation to administer and requires a lot of flexibility and trust in the officers. It is hard to find technical and trained officers for the covert operation. We will need one more investigating officer and possible two, because of the size of the state of Montana.

REP. GRADY asked, do you get any help from the FBI?

Mr. Kent said, we certainly do, we work very close with all federal agencies.

Mr. Cool said, we have worked with drug agents and gotten into some drug rings where they had to use game officers because they couldn't get their undercover agents into this area.

Mr. Kent said, we have extremely supportive action from the attorney general's office.

Mr. Cool said, we are pleased with the cooperation we have with the court system and the county attorneys. The publicity of the violators has a real deterrent on those who would steal livestock, farm implements or wildlife. In the Great Falls operation we found stolen farm equipment, pickups and vehicles as far away as North Dakota with altered serial numbers.

CHAIRMAN KIMBERLEY said, you have a good operation in law enforcement.

Mr. Cool said, there are several bills introduced in this session dealing with techniques we have identified to move forward in the program. To make this successful you need the trust of the Governor, a good policy manual and hire people who have high moral and ethical standards.

REP. GRADY asked, what is the main thing they are after? The horns, the bull elk, or what?

Mr. Kent said, it is a combination of things, the trophy can bring a tremendous price. A big horn sheep can bring as much as \$10,000. A lot of it is to support other habits.

Mr. Cool said, probably the things that are of the most concern is the illegal market for animal parts which are going to the Pacific Rim. That is elk horns in the velvet for aphrodisiacs, bear gall bladders and things we can't identify with. A pound of elk antlers is worth about \$107. They shoot the elk, saw off the antlers and leave the carcass. The only way to catch these people is for one of our investigators to penetrate their operation and become one of them. There is a bill being introduced called a decoy bill, where we can provide a simulated situation, placing the officer the violator and the animals in the same place.

Law Enforcement Division - EXHIBIT 4 (Budget)

Mr. Lloyd reviewed the differences in the LFA and the Executive budget with the committee.

Current Level Issues:

Overtime - the LFA used FY90 for a base resulting in about a \$600 difference.

Fleetcharge - we have already discussed this and taken action.

Rent Adjustment - the LFA level is recommended on this item as it contains more rent than is needed.

Legislative Contract Authority - this has been approved by this subcommittee so no action is needed.

Budget Base Differences - this is due to the different bases we used.

Budget Modification for One-Time-Only Programs:

Enforcement Relocation - this is funded entirely with general license dollars. The agency has a policy of relocating wardens as positions open-up. In 1990 this department spent approximately \$39,000 for relocation expenses.

Special Investigations - Mr. Kent has already reviewed this operation. This has one FTE and \$80,000 each year of the biennium.

Budget Review:

Overtime - Mr. Kent asked the committee to approve this budget as they have increased costs in overtime. The last legislature gave the division an additional \$40,000 a year to be used for travel or overtime. In the first 6 months of FY91 we have spent \$44,858. Our covert operations have increased and our temporary seasonal help have to work weekends and holidays.

Mr. Schweitzer said, basically there is about \$8,500 in the budget for overtime. With the 3% to 4% wage increase the overtime costs will also go up.

Rent Adjustment - we agree that we do not need that much for rent.

Budget Base Differences - Mr. Schweitzer said, the primary costs was in travel and \$30,000 in late bills. They are fully staffed now which they weren't in FY90. In FY91 in negotiations with the warden's union, the agency anticipates even more travel.

SEN. WEEDING asked, in regard to late bills which occur all the time, shouldn't that be a wash eventually?

Mr. Mott said, it will not appear in the budget two years from now. We hope these will be taken care of and we won't have to bring this to the committee next time.

Modifications:

Enforcement Relocation - Mr. Kent said, when a person retires this triggers a series of events. In the FY92 and FY93 biennium we estimate about 8 - 10 retirements, which will cause relocation of some of our remaining staff.

REP. NISBET asked, when a person is relocated how much of the relocation cost does the agency pay for?

Mr. Kent said, the department is obligated to pay the moving costs and the cost depends upon how much household goods they

have and how far they have to travel.

Mr. Mott said, there is a limit of 10,000 pounds of household goods. We would reimburse mileage and lodging up to 5 trips for a person to find a place to live.

CHAIRMAN KIMBERLEY asked, are any of these relocations mandatory?

Mr. Kent replied, most of the moves are initiated at the request of the individual.

SEN. DEVLIN asked, what is your total relocation budget now or don't you have anything in the budget for that?

Mr. Kent said, that is under contracted services. Last year we had \$27,000 for the biennium in the budget.

Mr. Lloyd said, in their current level budget as of now, they have \$23,000 for relocation expenses and in FY90, they spent \$39,000.

SEN. DEVLIN asked, what happens if a guy just wants to move, do you pay him every time.

Mr. Cool said, we don't allow those moves unless they are in the best interest of the agency. If we had the flexibility to move officers more frequently they could do a better job but the agency cannot afford it.

REP. GRADY asked, how do you compare with other state agencies? Is there a state policy in regard to relocations?

Mr. Mott replied, our policy is nearly identical with the Department of Highways. About 75% of our staff is outside the Helena area. We have adopted the state general policy and have added a supplement to it.

REP. NISBET asked, do you have any kind of an average cost figure per move?

Mr. Mott said, our policy is, the move cannot exceed \$4,000.

Mr. Cool said, we have just moved **Dick Ellis** from Bozeman to the Miles City area. He bought too many boxes and had to pay about \$400 or \$500 out of his own pocket. He is one of the few who has gone over the designated amount. The average move is about \$2,300 to \$2,400.

REP. GRADY asked, why are we looking at such a big change here?

Mr. Cool replied, we don't have a lot of employee turnover. A new employee coming in pays his own moving expenses. We have had a lot of turnover with the young wardens in the east who want to move to the mountains in the west. Our new policy is, they must

stay in one location a minimum of two years before they can request a move.

Special Investigations - Mr. Cool reviewed this operation with the committee previously. We currently have two covert operations going and possibly four. The problem is, if we use an individual too many times and he ends up in court too often he becomes too well known. Therefore, that officer can no longer be used and we may have to put him back in uniform or trade him with another state or Canada. On a national average one individual cannot handle more than four covert operations per year and cannot work in an area longer than three years. One of our agents handled seventeen cases in one year and is probably the best in the United States. However, our ability to use him is becoming too well known. If these people don't have money for an attorney, we wind up paying for there costs in jail and if it is a federal case, they will pay the costs.

EXECUTIVE ACTION
LAW ENFORCEMENT DIVISION

Motion/Vote: REP. NISBET moved to accept the LFA Current Level.
Motion CARRIED unanimously.

Motion/Vote: REP. GRADY moved to accept the Executive Budget for overtime for \$613 for FY92 and \$615 for FY93. Motion CARRIED 4 - 1 (REP. NISBET voting "no").

Motion/Vote: REP. NISBET moved to accept the Executive Budget for Budget Base Differences for \$98,521 for FY92 and \$141,717 for FY93. Motion CARRIED unanimously.

Motion/Vote: SEN. WEEDING moved to accept the enforcement relocation one-time-only modification for \$27,000 each year of the biennium and report back to the committee on actual costs in the next biennium. Motion CARRIED unanimously.

Motion/Vote: REP. GRADY moved to accept the Executive Budget on special investigations modification for one FTE and \$80,000 each year of the biennium. Motion CARRIED unanimously.

HEARING ON FISHERIES DIVISION

EXHIBIT 5 - Larry Peterman, Administrator Fisheries Division gave an overview of this division.

We have a five-year management plan which manages fishing and impact in streams and lakes. These plans are developed through extensive public involvement. After the five-year period, we take another look at these waters and see if we need to modify

the plan.

In 1987 we developed a management plan with emphasis on warm water fisheries in the state. We developed a warm water fish hatchery in Miles City.

A major part of the fishery program is protecting aquatic habitat. If you have good fish habitat, management can be directed at the user. In early 1970 we developed wild trout management which emphasizes wild fish and wild fish habitat for cold and warm water species. In the past we used to heavily stock our trout waters in order to have good fishing. In studies we conducted we found that by stocking the waters with hatchery fish, we depressed the wild fish population. When we took the hatchery fish out of the system the wild fish quadrupled. We do not stock any of our streams with trout except for a few exceptions. We operate under two statutes; the Stream Protection Act and the Stream Bed and Land Preservation Act.

We work closely with private individuals, landowners and conservation districts to educate them on fish habitat. We have recently included the highway engineers as they are involved with crossing of streams. With water quality we work closely with the health department and loggers operating near streams. To keep track of stream flow, we work closely with reservoir operators and reservation operations. We are considering a new program called water leasing, which will maintain instream flow.

The warm water wild fish include paddle fish, sturgeons, catfish, walleye, etc. in the Yellowstone and Missouri Rivers which maintain the habitat naturally.

There are eight state hatcheries we operate and one federal hatchery. Eight are cold water hatcheries and the Miles City hatchery is warm water. We stock 98% of the streams and lakes where there is no natural habitat. In 1960 - 1980 our hatcheries were in poor condition, most of them are forty years old or better. We are now into a major reconstruction program to make the hatcheries more adequate, and are about half way finished.

The fishing access program has been in existence for a number of years and recently it has expanded. We currently have about 300 fishing access sites across the state on our major rivers, streams and reservoirs. Actually we have more sites than we can adequately maintain.

CHAIRMAN KIMBERLEY asked, is there any part of your program that allows us to cooperate with another state such as stocking lakes?

Mr. Peterman said, we work closely with several states because our hatcheries cannot supply all our state needs. We have a mutual exchange program with Colorado and Wyoming for different species of fish. We also exchange technical information with the other states.

CHAIRMAN KIMBERLEY said, in Beartooth Lake between Red Lodge and Cook City, I have caught 5 different species of fish. In the last 5 years I can't even catch a brook trout. Is Montana stocking that lake or Wyoming?

Mr. Peterman said, I am not sure what is happening on that lake but I will check and get back to you tomorrow.

SEN. WEEDING asked, what is your involvement with the Missouri River Compact at Fort Peck?

Mr. Peterman said, we have two programs we operate on the Missouri River, one through the Governor's office and the state of Montana. They are working with the Corps of Engineers with a master operations manual at this time. We participate on a policy and technical level with the other states. We are a member of the Missouri River Natural Resources Committee which is composed of the natural resources agencies, the fish and wildlife agencies and the 7 Missouri River Basin states.

Rep. Dave Wanzenried, House District 7, Kalispell said, I would like the committee to consider the budget proposal as we have a serious problem with the fishing in Flathead Lake. We are concerned because of the declining fish in the last 2 years. Some of the legislatures met with Fish, Wildlife and Parks Division and some other user groups to try to resolve the problem. We will be receiving some funds from the federal government for mitigation with the Kerr Dam and the Hungry Horse Dam because of their impact on fishing in the Flathead region. The problem is, by the time we receive that money fishing will have declined to the point where there won't be any fishing at all. The current level of planting proposed would be between one and two million fish for the biennium. I asked the agency what level of planting should be taking place in the next 2 years to have a significant impact. The answer was, between seven and nine million fish need to be planted in the Flathead area. There is a big difference in the level of funding in what can be done and what should be done. The earliest time the money would be available would be this fall. There was a major user group which met with the agency and they proposed to purchase between seven to nine million kokanee salmon eggs from available sources in other states. The problem is, the state doesn't have a place to hatch the eggs but the federal government does. The federal government was going to look into the leasing of their unused ridgeways at the Creston hatchery. There will be some renovation and management costs involved.

We would like to have the subcommittee and the full Appropriations Committee consider using some of the capital construction money of \$525,000 which was set aside to build a new hatchery at Rose Creek, to renovate the current hatchery. When we receive the federal funds we could replace the capital construction account.

SEN. WEEDING asked, where is this federal hatchery?

Rep. Wanzenried said, the federal hatchery is at Creston which is east of Kalispell.

FISHERIES DIVISION: EXHIBIT 6 (Budget).

Mr. Lloyd said, please notice the "salmon" colored paper I used for the budget preparation. He reviewed the budget differences between the LFA and the Executive.

Personal Services - the LFA eliminated the 1.70 FTE which had been vacant in FY90.

Water Leasing Study - in 1990 the legislature authorized \$60,000 biennial appropriation for a water leasing rights study. The LFA did not include this in the budget because there were no expenditures in 1990.

Fleet Charge - the committee has approved the Executive budget.

Technical Adjustment - the Executive budget contains \$1,509 each year of the biennium more than is needed for vehicles.

Equipment -

Equipment Technical Adjustment: this is to correct an error of \$1,000 in the LFA budget.

Fish Hatchery Truck: the LFA did not allow for the purchase of a fish hatchery truck to allow the legislature to review the purchase as they have in the last session.

Legislative Contract Authority - this has been debated and approved by the committee.

Budget Base Differences - (no explanation).

Executive Budget Modifications for One-Time-Only Programs:

Missouri Basin Reservations - this is a composite of 2 modifications which were approved by the 1989 legislature; the Missouri Basin Reservations and Little Missouri Reservations. The agency plans on using contracted services instead of the 1.5 FTE for the Little Missouri. The budget amount is approximately \$7,500 less than was approved last session.

Fishing and Motorboat Access - this is approximately \$5,800 less than was approved in the last session.

USFS Fisheries Data Project - this budget is over what was approved by the 1989 session by approximately \$21,000.

Evaluate Fish Population - this budget is over what was approved in the 1989 session by approximately \$12,400

Flathead Lake Fishery - we have heard testimony on the Flathead

Lake Fishery by Rep. Wanzenried. This budget is over what was approved by the 1989 session by approximately \$4,500.

Executive Budget Modifications for Program Expansion:

These three modifications have a total of 1.00 FTE and a budget of \$111,042 for FY92 and \$105,040 for FY93.

Biennial Appropriations - the committee requested the water leasing study and the Missouri Basin Reservation modification be biennial appropriations.

BUDGET REVIEW:

Personal Services - Mr. Peterman said, these positions were intentionally left vacant for cost-savings.

Water Leasing Study - this called for a 4 year study. We developed some guidelines which were brought before the Fish and Game Commission in July of 1990. The guidelines were then brought before the Board of Natural Resources. We began looking for streams which might be suitable for leasing but there was some reluctance to lease these streams. We found two streams which were suitable for leasing; Big Creek and Swamp Creek. The first year we didn't have any expenditures because we were developing background criteria and getting board approval.

Mr. Schweitzer said, these are federal funds, there are no license dollars in the budget.

REP. GRADY asked, you said you didn't spend any money that first year, how did you get the preliminaries done? Mr. Peterman said, the expenses were absorbed by the staff. We contracted out for on-the-ground surveys of different areas and used contracted services money.

REP. GRADY asked, what is the total budget amount?

Mr. Peterman said, \$60,000 for the next biennium, and was matched with \$20,000 of state funds.

Technical Adjustment - Mr. Schweitzer recommended to take the LFA budget due to an error in the Executive budget.

Equipment - Mr. Peterman said, we developed a replacement schedule for our hatchery trucks. EXHIBIT 7.

The vehicle which is up for replacement is a 1974 Diesel truck with \$180,000 miles on it. We get bids from different dealers and use those for estimating the cost. We had a bid from a dealer in Lewistown for \$90,000 but for a smaller vehicle we may be able to purchase it for approximately \$60,000. The vehicle is a flat bed and we have to fit it with tanks, oxygen, etc. for a cost of from \$3,000 to \$4,000.

CHAIRMAN KIMBERLEY asked, how long could a truck be broke down without killing all the fish?

Mr. Peterman said, on a hot summer day they would not last very long. That is why we have to depend upon reliability of a vehicle.

Mr. Schweitzer said, we agree to amend the amount for a vehicle for the fish hatchery from \$90,000 in FY92 to \$60,000.

REP. GRADY asked, did you say they want \$60,000 for one truck chassis without a bed?

Mr. Peterman said, the last two we purchased were \$42,000 and \$49,000 which were slightly smaller trucks.

SEN. DEVLIN asked, how big is the truck for \$60,000?

Mr. Peterman said, the truck would be 49,000 GVW tandem axle diesel. We probably won't use the equipment that is on the 1974 for the new truck as it is getting too old. However, we possibly can use the tank.

Budget Base Differences - this was reviewed previously. There were late bills for \$85,000, \$20,000 for hatchery food and \$8,000 which was initially charged to a LCA project which was misquoted and should have been charged to a different account. Also, we had some vacancy savings which we left open because of FTE turnover.

Mr. Cool said, we saved approximately \$400,000 by making administrative personnel shifts within the department.

Executive Budget Modifications for One-Time-Only Programs:

Missouri Basin Reservation - Mr. Peterman said, this is an ongoing process for several years. In 1985 there was legislation to do water reservations on the Missouri Basin Reservation. We have completed the upper and lower basin and the Little Missouri Reservation was added in. The next phase of the process will be hearings and the EIS phase to determine water reservations. The budget amount of \$83,413 will be for the hearing costs and the EIS.

Mr. Schweitzer said, we approved the DNRC modification for the Missouri Basin Reservations which was contingent upon part of the money coming from FWP. This \$83,413 is the amount that goes to DNRC.

Mr. Peterman said, all the report-back items are funded with federal funds of 75% and 25% general license account.

Fishing and Motorboat Access - this program was transferred a couple of years ago from the parks division to the fisheries division. We took over the administration of it and there were no FTE to go with the transfer. We are behind in trying to improve the 300 access sites we have. When we purchase an access site we do a minimal amount of work on the site. We used federal

aid D.J. dollars for improvements at 20 sites for approximately \$420,000.

Stan Bradshaw, Trout Unlimited said, we have been very interested in the fishing access sites for quite a few years. We think it is very important to have someone deal with the maintenance problems and provide information for the access sites. We support this program.

Streambank Projects - the workload on this project has grown substantially for our project manager and biologists. \$41,000 was added to the program to contract out to the private sector for looking at streambank and stream protection projects. We provided assistance to the conservation districts in a couple of areas; 1, provided money to the conservation districts to look at projects of their own and 2, provided money for conservation education efforts.

Mr. Bradshaw said, the 310 program is another program Trout Unlimited has approved because it provides habitat protection. It enhances education and cooperative management of the streambed project. I feel it works best as a cooperative rather than a club. The 310 law is the Streambed Preservation Act to improve the streambed quality which the conservation districts administer.

USFS Fisheries Data Project - this is a cooperative program between the Forest Service and Fish, Wildlife and Parks which was started in the Beaverhead Forest. There are two activities that impact stream fisheries; 1. land management activities related to agriculture and 2. timber management in the headwaters. Communications could be better between our field biologist and the Forest Service. The program was initiated jointly and we established a cooperative biologist position in the Beaverhead Forest. The Forest Service funds the biologist and we fund the operations of the temporary help for the field crew. This program was extremely successful and the last legislature expanded that program to the Bitterroot Forest and the Bitterroot River tributaries streambeds and the Gallatin River tributaries streambeds.

Evaluate Fish Population - this program was initiated last session because we were facing serious fishery issues in several areas. To implement the program we would have to increase field staff and operations. We took the biologist out of a lot of routine sampling and used him more as a management position for the field crews. This program adds 2.5 FTE to help with the seasonal work. Next year we will be looking at correcting some of the problems we identify.

Mr. Bradshaw said, in the Blackfoot River that study has now created a point where remedies can be made to deal with the fish decline. Some of the remedial work has already begun. The

HOUSE NATURAL RESOURCES SUBCOMMITTEE

February 11, 1991

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Blackfoot Chapter has been working with landowners on tributaries to improve spawning habitat.

Flathead Lake Fishery - Rep. Wanzenried reviewed the problems of declining fishing in Flathead Lake. Mr. Peterman reviewed the Flathead Lake Fishery Program previously with the committee.

SEN. WEEDING asked, is this money in the current level?

Mr. Mott said, the modifications are in the current level.

ADJOURNMENT

Adjournment: 12:10 P.M.



REP. BERV KIMBERLEY, Chair



THEDA ROSSBERG, Secretary

BK/tr

HOUSE OF REPRESENTATIVES
NATURAL RESOURCES SUBCOMMITTEE

ROLL CALL

DATE 2-16-91

NAME	PRESENT	ABSENT	EXCUSED
SEN. ESTHER BENGTON, VICE-CHAIR		✓	
REP. ED GRADY	✓		
REP. JERRY NISBET	✓		
SEN. GERRY DEVLIN	✓		
SEN. CECIL WEEDING	✓		
REP. "BERV" KIMBERLY, CHAIRMAN	✓		

2-11-91
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par. pos. Div.



February 5, 1991

A division of the Montana Department of Agriculture

MONTANA ALFALFA SEED COMMITTEE

P.O. Box 1873 • Bozeman, Montana 59715 • Telephone 406-587-9183

TO: Honorable Berv Kimberley, Chairman
Appropriations/Finance & Claims Subcommittee,
Natural Resources

Everett M. Snortland, Director
Montana Department of Agriculture

FR: Keith Reynolds, Chairman
Montana Alfalfa Seed Committee

Keith Reynolds

RE: Appropriation Authority

The Alfalfa Seed Committee respectfully requests that the Appropriations/Finance & Claims, Natural Resources Subcommittee approve an increase in contract services appropriation authority of \$6,500.00 in Fiscal Years 92 and 93. Upon consideration of several contract proposals at it's January meeting the Alfalfa Seed Committee has approved contracts for Fiscal Year 1992 totaling \$14,500.00. This level of contract service exceeds the appropriation level recently presented by the department and approved by the Natural Resources Sub Committee by \$5,917.00.

The Alfalfa Seed Committee made the decision to invest a larger amount in development and promotion of our industry based upon the fact that alfalfa seed production and resulting program revenues are significantly improved from recent years. We expect that with satisfactory weather conditions, these revenues and future committee activity will continue at this increased level.

Thank you for your consideration of the Alfalfa Seed Committee request.

KR/dm

cc: Roger Lloyd, LFA
Carl Schweitzer, OBPP

NATURAL RESOURCES SUBCOMMITTEE

FISH, WILDLIFE AND PARKS
February 11, 1991

EXECUTIVE ACTION CLARIFICATION ON BUDGET MODIFICATIONS

1. Sikes Act - Was it the intent of the committee, by moving the executive, to provide for a biennial appropriation of \$300,000 as in the Executive Budget or a \$170,000 biennial appropriation as presented by the agency? This budget modification was originally passed by the 1989 legislature to provide matching funds on a 50/50 basis for BLM and U. S. Forest Service for fish and wildlife enhancement projects. The agency now requests that the general license account portion remain the same at \$150,000 but that the federal portion be reduced from \$150,000 to \$20,000. The agency stated that the federal portion could use Legislative Contract Authority. Is it the committee's intent to approve this split of federal and general license account funding? If the committee chooses to approve LCA authority to fund the federal portion, it has already approved \$100,000 each year.

	Fiscal 1990 Actual	Fiscal 1991 Appropriated	----- Base	Fiscal 1992 Incr/Decr	----- Recommended	----- Base	Fiscal 1993 Incr/Decr	----- Recommended
Full Time Equivalent Employees	94.52	95.27	95.18	1.00	96.18	94.82	1.00	95.82
Personal Services	3,088,261.85	3,414,121	3,353,788	38,880	3,392,668	3,343,924	38,814	3,382,738
Operating Expenses	919,014.20	1,087,045	1,026,826	100,247	1,127,073	1,067,115	104,900	1,172,015
Equipment	196,028.26	100,890	100,890	3,000	103,890	100,890	3,000	103,890
Transfers	0.00	7,500	7,500	32,500	40,000	7,500	32,500	40,000
Total Agency Costs	\$4,203,304.31	\$4,609,556	\$4,489,004	\$174,627	\$4,663,631	\$4,519,429	\$179,214	\$4,698,643
State Special Revenue Fund	4,026,577.28	4,415,549	4,291,124	141,625	4,432,749	4,321,498	146,432	4,467,930
Federal Special Revenue Fund	176,727.03	194,007	197,880	33,002	230,882	197,931	32,782	230,713
Total Funding Costs	\$4,203,304.31	\$4,609,556	\$4,489,004	\$174,627	\$4,663,631	\$4,519,429	\$179,214	\$4,698,643

The Enforcement Division provides support to accomplish the fish, wildlife and parks objectives for the department. They ensure compliance with laws and regulations through enforcement actions and education and enhance relations with landowners, recreationists and the general public through performance of their duties. This is primarily accomplished by field wardens distributed across the state geographically and by population density.

The Enforcement Division's efforts are necessary to control illegal harvest of wildlife, particularly trophy class game animals; regulate commercial activities; insure purchase of licenses; maintain the quality of recreation experience in state parks; encourage safety in recreation recreational activities; and enhance relationships between recreationists and the landowners that often provide those opportunities. Other activities include collection of biological information needed to manage fish and wildlife populations, assisting in hunter education and boat safety programs, assisting in response to game damage complaints, etc.

Accomplishments of these activities can often be dangerous when encountering or pursuing those who knowingly and wantonly break the law. The department's wardens are

highly trained in law enforcement and educated in fish and wildlife management. The increased recognition of the need for more serious illegal activities demonstrates the amount for more covert operations to uncover and prosecute these individuals.

It is the philosophy of the department to pursue enforcement action against those who destroy resources or who knowingly violate any wildlife law or commission regulation. Conversely, education efforts will be used to reduce the number of violations which are committed unknowingly or unintentionally.

The division goal is to achieve an acceptable level of compliance to fish, wildlife and parks laws and regulations. This includes enforcing the laws of this state and the rules of the department with reference to the protection and preservation of game, furbearing animals, fish, game birds and other wildlife species and protection of department owned or administered lands or waters. Through enforcement and education, promote safety in the use of boats, snowmobiles, off-highway vehicles and hunting.

4-11-91

Inflation Adjustment - Due to the increase in the price of fuel, an inflationary adjustment was made in the amount of \$13,000 per year. The Executive Budget System did not allow for changes past a certain date so the adjustment was made in the increase/decrease to the base category.

5201 DEPT OF FISH, WILDLIFE & PARKS
04 LAW ENFORCEMENT DIVISION
00000

DATE : 01/08/91
TIME : 21/29/24
CURRENT LEVEL COMPARISONS

Budget Item	Actual Fiscal 1990	Executive Fiscal 1992	LFA Fiscal 1992	Difference Fiscal 1992	Executive Fiscal 1993	LFA Fiscal 1993	Difference Fiscal 1993
FTE	94.02	95.18	95.18	00	94.82	94.82	00
Personal Services	2,881,031	3,109,324	3,108,711	613	3,099,431	3,098,816	615
Operating Expenses	919,029	1,056,417	927,784	128,633	1,101,322	926,952	174,370
Equipment	196,029	100,890	100,890	0	100,890	100,890	0
Transfers	0	40,000	0	40,000	40,000	0	40,000
Total Expend.	\$3,996,089	\$4,306,631	\$4,137,385	\$169,246	\$4,341,643	\$4,126,658	\$214,985
Fund Sources							
State Revenue Fund	3,819,358	4,075,749	3,946,358	129,391	4,110,930	3,935,914	175,016
Federal Revenue Fund	176,731	230,882	191,027	39,855	230,713	190,744	39,969
Total Funds	\$3,996,089	\$4,306,631	\$4,137,385	\$169,246	\$4,341,643	\$4,126,658	\$214,985

7
2-11-91
Nat. Res. Sub.

Noted moved to - Union

RENT LEVEL ISSUES:	FNP- LE	--EXEC OVER (UNDER) LFA-- FY 92	FY93
PERSONAL SERVICES - OVERTIME		\$613	\$615
FLEET CHARGE - The Executive Budget contains additional amounts to pay for the <i>increase in</i> increased per mile rate charged by the Management Services Division. <i>Group B</i>		\$23,371	\$23,371
RENT ADJUSTMENT - The Executive Budget contains more rent than the program needs. <i>The total</i> The agency concurs with the LFA on this item. <i>of the level increase</i>		\$6,741	\$9,282
LEGISLATIVE CONTRACT AUTHORITY <i>has been approved</i>		\$40,000	\$40,000
BUDGET BASE DIFFERENCES - <i>Noted Ex-Union</i>		\$98,521	\$141,717
AL CURRENT LEVEL		\$169,246	\$214,985

FTE	1992	1993
CUTIVE BUDGET MODIFICATION FOR ONE-TIME-ONLY PROGRAMS <i>Not included in current level</i>		
ENFORCEMENT RELOCATION (100% general license account) <i>What is the report back on this?</i> <i>91.99,000 for relocation up.</i>	0.00	0.00

CUTIVE BUDGET MODIFICATIONS FOR PROGRAM EXPANSION:

SPECIAL INVESTIGATIONS (100% general license account) *1.00 (corrects error)*

Study Ex-Union

\$80,000	=====
\$27,000	=====
\$27,000	=====

1.00	=====
0.00	=====

\$80,000	=====
\$27,000	=====

EXHIBIT 5
DATE 2-11-91
HB Har Per App

Fisheries

Full Time Equivalent Employees	Fiscal 1990 Actual	Fiscal 1991 Appropriated	Fiscal 1992		Fiscal 1993	
			Base	Incr/Decr Recommended	Base	Incr/Decr Recommended
	103.34	110.00	103.00	109.00	103.00	109.00
Personal Services	2,799,216.64	3,167,905	3,014,908	3,149,438	3,015,708	3,150,110
Operating Expenses	1,502,024.90	1,664,344	1,649,646	1,834,644	1,441,682	1,700,122
Equipment	178,548.35	224,863	125,373	224,863	125,373	153,363
Transfers	38,500.00	55,570	18,500	101,913	18,500	101,913
	0.00	1,000,000	1,000,000	1,245,000	1,000,000	1,505,000
Total Agency Costs	\$4,518,289.89	\$6,112,682	\$5,808,427	\$6,555,858	\$5,601,263	\$6,610,508
State Special Revenue Fund	2,359,483.78	2,606,804	2,446,792	2,698,252	2,119,390	2,545,452
Federal Special Revenue Fund	2,158,806.11	3,505,878	3,361,635	3,857,606	3,481,873	4,065,056
Total Funding Costs	\$4,518,289.89	\$6,112,682	\$5,808,427	\$6,555,858	\$5,601,263	\$6,610,508

Overview

The general mission of the Fisheries program is to preserve and perpetuate all aquatic species and their ecosystems and to meet the public's demand for fishing opportunities. This mission is accomplished by following policies and programs that emphasize management for wild fish populations and protection of habitat necessary to maintain these populations; by operating an efficient hatchery program to primarily stock lakes and reservoirs where natural reproduction is limited or lacking; by regulating angler harvests and monitoring of fish populations to maintain balanced natural systems; by providing over 3 million angler-days to 325,000 licensed anglers at a total resource value exceeding \$200 million per year; and by providing and maintaining adequate public access.

Goals

To expand and improve the availability of fishing opportunities in lakes and streams.

To protect stream and lake shore habitat through education and administration of existing laws, rules and regulations.

- * To determine and meet public fishing access needs.
- * To represent fisheries interests in the allocation and development of water resources.
- * To actively involve the public in developing policies, regulations, programs and planning.
- * To manage the state's fishery resources for recreational, scientific and aesthetic purposes and for their inherent values.

Authorization

87-5-501, MCA The Stream Protection Act of 1965 assigns responsibility to the Department to protect fish habitat by reviewing and acting upon hydraulic projects proposed on streams and rivers by government agencies.

75-7-101 et.seq., MCA The Natural Streambed and Land Preservation Act of 1975, administered by county conservation districts, gives the Department responsibility for reviewing and making recommendations to preserve fish habitat on private projects that physically alter or modify a stream or streambed in the State of Montana.

7-1-255, MCA The River Restoration Act of 1989 authorizes the Department to develop administrative rules and also establishes a funding source for planning, design and construction of projects to restore streambeds, banks and associated lands to conserve and enhance fish and wildlife habitat.

5-101 et. seq., MCA The Montana Water Quality Act establishes the public policy of Montana to protect, maintain and improve water for fish, wildlife and aquatic life; coordination is accomplished through a cooperative agreement with the Department of Health and Environmental Sciences.

8-201, MCA, Subsection 8 The Montana Pesticides Act requires the Department of Agriculture; Fish, Wildlife and Parks; and Health and Environmental Sciences to review all applications for registration of pesticides including special use permits, special local needs, or other registration established under the Federal Insecticide, Fungicide and Rodenticide Act.

5-2-223, MCA Public Representation in Adjudication The Department of Fish, Wildlife and Parks shall exclusively represent the public for purposes of establishing any prior and existing public recreational use in existing right determination.

7-2-806, MCA Scientific Collector's Permits Scientific collector's permits are issued by the Department to unaffiliated representatives of accredited schools, colleges, universities, or other learning institutions as governmental agencies allowing the taking of fish or game for scientific purposes only under conditions specified by the Department.

7-3-201, MCA Department Control Over Fish Hatcheries provides for the Department of Fish, Wildlife and Parks to control over state fish hatcheries to construct, maintain and operate them for the purpose of stocking Montana's waters.

7-1-605, MCA Fees to Purchase Recreational Facilities authorizes the source of funds and assigns the

responsibility for providing recreational access to the Department of Fish, Wildlife and Parks.

7-1-701-703, MCA Assent to Dingle-Johnson Bill Also known as PL 681-81st Congress; Chapter 658, Second Session, which provides federal dollars to the Department for purposes of fish restoration and management projects. Authorizes the Department to conduct fish restoration and management projects and to enter into cooperative agreement with the federal government for the purpose of fish restoration projects.

7-4-602, MCA Seining Licenses Authorizes the Department to issue licenses for use of nets to take fish for commercial purposes.

7-4-609, MCA Regulation of Commercial Taking of Aquatic Fish Food Organisms This includes issuance of permits and rulemaking authority for sale of crayfish, mysis shrimp and other aquatic organisms.

7-1-210, MCA Research, Training and Other Projects Authorizes the Department to enter cooperative agreements with educational and other institutions for the purpose of training, research and management programs.

7-4-603, MCA Fish Pond License for Artificial Lake or Pond Authorizes the Department to issue and condition licenses for private fish ponds and the sale of fish or eggs. Requires annual reports submitted to the Department.

7-4-605, MCA Records and Report of Whitefish Sales Requires fishermen taking whitefish for commercial purposes to file annual reports to the Department.

7-5-101-103, MCA Nongame and Endangered Species Conservation Act This requires the state to assist in the protection of species or subspecies of wildlife which are deemed to be endangered.

7-3-204, MCA Restrictions on Fishing Methods Authorizes the Department to designate the types of fishing methods permitted on specific waters.

EXHIBIT
DATE 2-11-91
33 Nov. Rev. Nov

87-3-221, MCA Importation of Salmonid Fish or Eggs Authorizes the Department to regulate and issue permits for the importation of fish and fish eggs.

87-1-201, MCA Powers and Duties Authorizes the Department to make, promulgate and enforce rules and regulations for the protection, preservation and propagation of fish. This applies to the issuance of annual rules and permits for commercial harvest of fish and aquatic invertebrates.

85-2-101, et seq. MCA Montana Water Use Act The Montana Water Use Act provides for the reservation of water for instream purposes and the adjudication of existing rights held prior to 1973.

85-2-436, 437 MCA Water Leasing Study (HB 707) This bill authorized the DFWP (under specific conditions) to study the feasibility of water leasing and enter into water leasing agreements to improve instream flows for fisheries.

33 H.S.C. Section 404 of the Clean Water Act 1344 establishes a permitting process for projects where dredged or fill material is deposited in waters of the United States.

42 U.S.C. The Comprehensive Environmental Response, Compensation and Liability Act provides for claimants to recover damages for injury to natural resources including fish and wildlife, due to release of hazardous substances.

16 USC 791(a) et seq. Federal Power Act Federal Power Act requires any entity wishing to construct and operate a private hydropower facility to obtain a license from the Federal Energy Regulatory Commission (FERC) through compliance with a number of rules including those in Section 10 which address protection, mitigation and enhancement of fish and wildlife resources.

P.L. 96-501 Northwest Power Act Northwest Power Planning Council develops a program to protect, mitigate and enhance fish and wildlife, including related spawning grounds and habitat in the Columbia River and its tributaries to mitigate for losses caused by hydroelectric projects.

Base Program

I. SALMONIDS IN STREAMS - Montana's coldwater streams (approximately 14,200 miles) support important salmonid populations including trout, salmon, char, grayling and whitefish. Montana's consistently high national ranking in nonresident license sales is testimony to the demand for this resource. Since the early 1970s, nearly all of Montana's coldwater streams have been managed for wild trout. Principal components of the wild trout management program are maintaining and enhancing stream channel stability and riparian habitat, maintaining adequate flows and applying appropriate catch regulations. Habitat protection in its various forms is the most important component of the coldwater streams program. Six of the states top seven priorities in coldwater stream management are related to habitat protection.

Satisfying increased demand for wild trout fisheries is also a high priority. Since stream fishing opportunities can rarely be expanded, increasing demand must normally be accommodated through careful adjustments in angler use, harvest and adjustment of fishing regulations.

As the use of trout streams increases, conflicts arise between various recreational users causing impacts on certain groups. The development of management plans involving the public in setting management goals is an important part of our coldwater stream management program. Recreational fishing on some salmonid streams is limited due to landownership and legal constraints. Our management plans include provisions for the acquisition, development and maintenance of fishing access sites.

A. MANAGEMENT - The Fisheries management function includes both broad strategic and water-specific management planning and setting of sport and commercial fishing regulations. The management plans and fishing regulations are primarily based on angler preferences within the biological and economic limits for a given water. Comprehensive management plans are presently being developed for the most important waters.

Internally, the Division's management program is driven by a five-year plan which requires approval by the U.S. Fish

and Wildlife Service. The plan is an integration of regional fish management and habitat goals, objectives and strategies by elements. The elements are coldwater fish in streams, coldwater fish in lakes and warmwater fish in lakes and streams. Water specific management plans are developed through extensive public involvement. These plans focus on fisheries management, but may also integrate other water-based recreation, parks, enforcement, and habitat issues.

Revision of sport fishing regulations is a major effort involving regional and headquarter staff. Regulations are established through significant public involvement according to established guidelines. Major revisions in sport fishing regulations occur in odd-numbered years. Commercial fishing regulations and regulations for the harvest of aquatic invertebrates are established on an annual basis.

The regional staff conduct fish population monitoring, site-specific angler use, and angler preference and opinion surveys. Recommendations for management strategies and regulations are based on these data.

The Division is responsible for regulating fishing contests that are held on lakes and reservoirs throughout the state. Contest applications are reviewed in close coordination with regional fisheries managers according to established rules and, where possible, according to management plans.

The Division conducts environmental assessments and makes recommendations concerning the introduction of exotic fish species into state waters. These evaluations also apply where consideration is given to extending the range of native or introduced fish species.

B. HABITAT - Preservation of aquatic habitat in as natural a condition as possible is one of the highest priorities of the Fisheries Division. Three important elements of stream fishery habitat are physical features associated with the stream channel, water quality and water quantity.

The Department utilizes the Stream Protection Act of 1965 (SPA) and the Natural Streambed and Land Preservation Act

of 1975 (SB 310) to review projects that alter the bed or banks of streams.

Habitat enhancement efforts include numerous interagency projects and cooperative projects with sportsman's groups. The Division recently developed guidelines for administering the Stream Restoration Act (HB 754) which will fund projects aimed at restoring stream channels and fish habitat damaged by past activities.

The Department participates in water quality protection through a cooperative agreement with DHES in monitoring water quality, special projects, complaint of fish kill investigations and coordination with other agencies in review of activities that affect water quality. Department personnel serve on several councils and steering committees and work with other agencies and entities of government to accomplish the goal of protecting water quality.

Adequate streamflow is an important component of fishery habitat. The Department holds instream flow rights on 12 blue-ribbon trout streams and water reservations on the Yellowstone River and numerous tributaries in the Yellowstone River basin. Administration of the Department's instream flow rights, particularly during low flow years, is an important component of stream habitat protection. The Department is currently pursuing instream flow reservations on selected portions of the upper Clark Fork Basin and the Missouri River Basin. The Department participates in the statewide adjudication process to defend its rights and to represent the public regarding recreational filings.

The 1989 Legislature passed HB 707, the water leasing bill. This legislation authorized the Department to conduct a study and pursue water leasing on up to five stream reaches. This may become an important program to augment instream flows on streams which currently suffer from dewatering.

The Federal Power Act and the Electric Consumers Protection Act of 1986 gives authority to the fish and wildlife agencies to review new hydropower projects and existing hydropower projects due to be relicensed and recommend

conditions for the protection, mitigation and enhancement of fish and wildlife resources.

C. FISHING ACCESS PROGRAM - The Department, through the fishing access program, provides public access to state waters for fishing. The fishing access program involves acquisition, development and maintenance of fishing access sites and administration of the motorboat access program. This program provides additional recreational opportunity for the public and reduces the potential for conflict between the sportsmen and private landowners. It may also provide access and opportunities for the elderly and the disabled.

The Department currently operates 300 public access areas used for fishing. These sites provide access to cold and cool/warmwater fisheries on lakes and streams throughout the state. A recent Department survey revealed that development and maintenance has lagged far behind acquisition due to inadequate funding.

Administration of the fishing access program was transferred from Parks Division to the Fisheries Division in 1987. Responsibility for maintenance of the sites remained with the Parks Division. At the same time, the expansion of the Federal Sport Fish Restoration Program earmarked 10 percent of the federal dollars for development of motorboat access areas consistent with fisheries objectives.

D. FISH OF SPECIAL CONCERN - A "Species of Special Concern" is a native Montana fish with severely reduced population numbers of fish and/or habitat. These species require special management efforts to ensure their continued existence and to increase their numbers. Protection of habitat, restrictions on harvest and development of recovery plans are often necessary to maintain these populations.

The salmonid "Species of Special Concern" in streams include yellowstone cutthroat trout, westslope cutthroat trout, arctic grayling, bull trout and native rainbow trout. Restrictive angling regulations are in place for all of the above species. A special management plan has been developed for the westslope cutthroat trout. A recovery plan has been developed and is being implemented

for the river strain of arctic grayling. Maintenance and enhancement of these populations will ensure the continued existence of native Montana species and allow additional opportunities for anglers to fish for these species.

II. SALMONIDS IN LAKES - Salmonids (all trout species, char, salmon, grayling and whitefish) occur in coldwater lakes and reservoirs throughout the state. These waters are managed to provide self-sustaining wild trout or salmon populations where it is possible. However, many lakes and reservoirs lack suitable spawning habitat and, consequently, hatcheries play a major role in lake management compared to streams. Aquatic habitat in lakes is also adversely affected by a variety of land and water uses, including water level fluctuations due to irrigation; flood control and power production, pollution from point and nonpoint sources and development of shorelines by homeowners. Often these impacts result from inadequate consideration of fisheries resource needs in the plans of government agencies.

Demand for coldwater lake fishing opportunities is increasing statewide. In south central Montana, there are many alpine lakes but few lowland lakes that support coldwater fishing. Demand exceeds supply in this area. Evaluation of various strains of hatchery fish may lead to more productive fisheries and more efficiently used resources. Management plans involving the public in setting management goals is an important part of the management program, particularly for heavily fished lakes and reservoirs. Management of these waters includes programs to meet the increasing demands for more access and opportunities for the handicapped.

A. MANAGEMENT - See Management Narrative under Salmonids in Streams.

B. FISHING ACCESS PROGRAM - See Fishing Access Program Narrative under Salmonids in Streams.

C. HABITAT - The protection of fish habitat in lakes, both for salmonids and cool/warmwater species, is of primary importance in maintaining existing fisheries and providing the opportunity for enhancement in some cases. A primary component of habitat in lakes is water quality. Water

quality in lakes is maintained through monitoring water quality conditions and commenting on various activities which may affect lake water quality.

The level of water in lakes is also an important consideration in lake fishery habitat. Reservoir levels are monitored on important waters and operating agreements with reservoir operators are sought in order to maintain sufficient water in reservoirs to protect the fishery.

Lakeshore development activities are commented on through appropriate review procedures. The Department addresses the effect of existing hydropower operations on reservoir levels west of the Continental Divide through provisions of the Fish and Wildlife Program of the Northwest Power Planning Council. Reservoir levels are addressed east of the Continental Divide on the mainstem Missouri River reservoirs through the Missouri River Natural Resources Committee.

The Department participates in the state water plan process to ensure representation of fisheries, wildlife and recreational values in elements of the program that affect lakes and reservoirs in the state and their fisheries.

D. HATCHERIES - Many coldwater lakes and reservoirs have inadequate natural reproduction and require supplemental stocking to produce good fisheries. Annually, more than 450 lakes and reservoirs are stocked with over eight million salmonids.

The hatchery system utilizes five species and 10 strains of salmonids to produce quality fish for a variety of management needs. Three captive broodstocks are maintained at state hatcheries. Eggs are collected from the wild to maintain genetic diversity within the hatchery broodstock and to supply the hatchery system with fish not available from other sources. Collection of eggs from wild sources is an efficient means of adding species and strains to the hatchery capabilities. Fish health assessments and genetic monitoring are conducted regularly on these populations.

The hatchery system is currently undergoing renovation of its major facilities. This will continue, as funding

becomes available, until all the hatcheries have been renovated.

E. FISH OF SPECIAL CONCERN - See Coldwater Streams.

III. COOL AND WARMWATER FISH IN STREAMS - Cool and warmwater fish species such as sauger, walleye, northern pike, largemouth bass, smallmouth bass, channel catfish, sturgeon and burbot provide most of the fishing opportunities in eastern Montana. They make a significant contribution to the fisheries resources of central Montana and add some variety to specific areas in western Montana. These fish are generally not heavily fished and regulations are more liberal except for selected species on a few waters.

Less is known about the status of fish populations in warmwater streams than in coldwater habitats. Consequently, a greater emphasis is placed on the need for fish population monitoring and angler harvest and use. Populations in these streams are maintained by natural reproduction. Hatchery plants may be used to establish a species but maintenance plants are not necessary to support a recreational fishery.

Aquatic habitat in warmwater streams may be adversely affected by a variety of land and water uses, including irrigation, crop production, livestock grazing, road construction, coal mining, oil and gas production and pollution from point and nonpoint sources. Often these impacts result from inadequate consideration of fisheries resource needs in the plans of government agencies. Management efforts on these waters include surveys to better understand the use and harvest by anglers.

Most warmwater streams are bordered by private lands and waters on tribal lands have been increasingly subject to restrictions in recent years. There is a need to improve access through easements and purchases. More access areas will encourage more use of these largely untapped resources.

A. MANAGEMENT - See Management Narrative under Salmonids in Streams.

HABITAT 50
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3/10/94 P. 2. Dec.

B. HABITAT - See Habitat Narrative under Salmonids in Streams.

C. FISHING ACCESS PROGRAM - See Fishing Access Program Narrative under Salmonids in Streams.

D. FISH OF SPECIAL CONCERN - Cool and warmwater fish "Species of Special Concern" include the white sturgeon, pallid sturgeon, and the paddlefish. The white sturgeon is found only in the Kootenai River below Kootenai Falls in Montana and is rare. The pallid sturgeon is found in the lower Yellowstone and Missouri rivers in Montana. It has been eliminated from much of its range elsewhere and is listed as an endangered species. Populations of this species are extremely low. Paddlefish are common in the lower Yellowstone and Missouri rivers during their spring spawning run. They have been considerably reduced elsewhere in their range. Maintenance and enhancement of these populations will ensure the continued existence of these species and, in some cases, allow additional opportunities for anglers to fish for these species.

IV. COOL AND WARMWATER FISH -- LAKES AND RESERVOIRS - Lakes that support warmwater fishing are found throughout the state, but are concentrated in the eastern half. Largemouth bass, walleye and northern pike are the primary species of interest. A new warmwater fish culturing facility should help to alleviate some of the fish supply problems that have occurred in the past. However, developing reliable egg sources for the new hatchery is a continuing problem.

Problems associated with management of warmwater lakes are as varied as the habitat types. Access to small reservoirs near population centers is a major issue in southeast Montana. As the popularity of some species has increased, there has been greater interest in expanding the range of selected species and the introduction of forage fish. These demands require detailed evaluations and environmental assessments to avoid negative impacts on existing fisheries. Commercial fishing has been permitted for non-game fish on some selected warmwater reservoirs. The regulation of these fisheries is a necessary part of the overall program.

A. MANAGEMENT - See Management Narrative under Salmonids in Streams.

B. HABITAT - See Habitat Narrative under Salmonids in Streams.

C. FISHING ACCESS PROGRAM - See Fishing Access Program Narrative under Salmonids in Streams.

D. HATCHERIES - The Miles City Hatchery (MCH), recently received from the Fish and Wildlife Service (1983) and renovated, supplies most of the needs for cool and warmwater fish for stocking purposes. Annually, over 120 lakes ranging from the 245,000-acre Fort Peck Reservoir to small farm ponds are stocked with over 30 million fish that include largemouth and smallmouth bass, walleye, northern pike, crappie, tiger muskie and channel catfish. Northern pike and walleye populations are spawned in the wild. Eggs or fry for the other species are obtained from other states or from the Fish and Wildlife Service. MCH also has the capability of raising forage fish. Approximately 80 percent of the fish production from MCH are walleye.

E. FISH OF SPECIAL CONCERN

The Missouri River paddlefish above Fort Peck spends most of their life in Fort Peck Reservoir. In spring, they migrate up the Missouri River to spawn. Maintenance of this population will ensure that anglers will continue to have the opportunity to fish for this species.

V. NONGAME FISH AND OTHER AQUATIC ANIMALS - Nongame species include fish not classed as game or sport fish, amphibians and aquatic invertebrates. These organisms are important components of aquatic food chains and indicators of water quality. These species have inherent scientific value and some are used to a limited extent for human consumption.

Commercial fishing is allowed on selected waters for a few species (carp, goldeye, suckers, buffalo fish). These fish are sold in out-of-state markets and some are sold locally as bait. Most commercial fish harvest has come from three reservoirs in central and eastern Montana. A commercial

Nov. 2nd. Tue

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	FY91 Actual	FY91 Enacted	FY92 Base	FY93 Base
SPA-310 Stream Contracts Issued	0	0	0	0
Stream Mechanics Workshops	1	3	3	3
Alternative Irrigation Diversion Projects	8	6	6	6
Landowners Guide to Stream Management Brochure Published	1	2	2	2
Conservation District Stream Inventory and Survey Projects	0	0	0	0
Fish Kills, Oil Spills, and Complaint Investigations	10	10	10	10
Timber Sales Audited	12	12	12	12
Pesticide Registration Reviewed	23	23	25	25
Number of Waterbodies Planted	600	546	600	586
Hatchery Facilities Upgraded:				
Miles City	Completion			
Anaconda	Initiated	Continued	Completion	
Lewistown	Initiated	Completion		
Arlee	Initiated	Completion		
Somers	Initiated	Continuing	Continuing	Continuing
Bridger				Initiated
Fish Health Inspections Conducted	88	93	98	98
Fish Import Permits Issued	39	49	59	59
FAS Site Protection Projects Completed	3	5	2	5
FAS Major Maintenance Projects Completed	0	4	1	4

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	FY90 Actual	FY91 Enacted	FY92 Base	FY93 Base
FAS Motorboat Access Projects Completed	7	4	6	6
Management Plans Developed	5	5	5	5
Stream Sections Surveyed	204	213	213	213
Lakes, Reservoirs, Ponds Surveyed	260	265	265	265
Operation Plans, EA's EIS's Reviewed	85	87	90	93
Collector's Permit Applications Processed	25	25	30	30
Water Reservations Activities:				
Applications Pending	1	2	3	1
Number of Streams	18	268	283	15
Number of Stream Miles	400	5,753	6,653	900
New Education Publications Completed	2	3	3	3
Fishing Contest Applications (Processed)	23	25	30	30
Technical Training Sessions Conducted	4	12	4	12
Special Projects Ongoing - Water Permit Objections	15	15	15	15
Natural Resources Com. Representation	11	11	11	11
SB 76 Decree Review	3	8	10	12
Water Reservations Activities Applications Pending	2	2	3	2
FERC Licensing/Relicensing (facilities)	17	17	19	19
Private Pond Licenses Processed	28	28	30	30

	FY90 Actual	FY91 Enacted	FY92 Base	FY93 Base
LCA Contracts Administered	18	20	21	22
Commercial Fishing Permits Issued	4	4	6	6

Increase or Decrease from Base

Report Back Projects

Missouri River Reservations - The Department recommends continuation of the Missouri River Restoration expansion at a cost of \$83,413 per year. The 1989 Legislature approved funding which allowed the Department to pay its share of the Department of Natural Resources and Conservation's cost of preparing an environmental impact statement on the water reservations plus DNRC costs of holding contested case hearings and preparing hearing transcripts. In the 1991 biennium appropriations bill, the legislature required that the Missouri River Reservation program expansion be represented to the legislature for its reconsideration and reappropriation. The executive budget continues the program.

Streambank Projects - The Department recommends continuation of the streambank project expansion at a cost of \$41,000 per year. The 1989 Legislature approved funding which allowed the Department to construct, distribute and evaluate alternative irrigation structures which are compatible with fish production and habitat. In the 1991 biennium appropriations bill, the Legislature required that the streambank project program expansion be represented to the legislature for its reconsideration and reappropriation. The Department budget continues the

USDA-FS Fisheries Data Project - The Department recommends continuation of the USDA-FS Fisheries Data Project expansion at a cost of \$56,949 in FY92 and \$58,050 in FY93. The 1989 Legislature approved funding which allowed the

Department to finance cooperative collection of fisheries data on or adjacent to national forest lands for the purpose of improved planning and decision making in forest management activities. In the 1991 biennium appropriations bill, the legislature required that the USDA-FS Fisheries Data Project program expansion be represented to the legislature for its reconsideration and reappropriation. The Department budget continues the program.

Evaluate Fish Populations - The Department recommends continuation of the fish population evaluation expansion at a cost of \$110,196 in FY92 and \$110,158 in FY93. The 1989 Legislature approved funding which allowed the Department to evaluate and monitor fish populations, develop and assess management plans, set regulations and assess habitat conditions on priority waters.

In the 1991 biennium appropriations bill, the legislature required that the evaluate fish population program expansion be represented to the legislature for its reconsideration and reappropriation. The Department budget continues the program.

Fishing and Motorboat Access - The Department recommends continuation of the fishing and motorboat access expansion at a cost of \$32,871 in FY92 and \$33,200 in FY93. The 1989 Legislature approved funding which allowed the Department to provide assistance needed to administer the fishing access and motorboat access programs. In the 1991 biennium appropriations bill, the legislature required that the fishing and motorboat access program expansion be represented to the legislature for its reconsideration and

TE 2-11-94
4/28/94 P. 20/21

reappropriation. The Department budget continues the program.

Flathead Lake Fisheries - The Department recommends continuation of the Flathead Lake fisheries expansion at a cost of \$23,555 in FY92 and \$24,298 in FY93. The 1989 Legislature approved funding which enabled the Department to stock kokanee salmon on an experimental basis in response to the declines in survival of naturally spawned fish. In the 1991 biennium appropriations bill, the legislature required that the Flathead Lake fisheries program expansion be represented to the legislature for its reconsideration and reappropriation. The Department budget continues the program.

New/Expanded Programs

Clark Fork River Investigation - The Department recommends \$50,000 per year for technical assistance to Department personnel in conducting the Natural Resources Damage Assessment lawsuit. Elimination of fish kills from toxic metals, left in the Clark Fork River floodplain by nearly 100 years of mining and restoration of the trout populations in the Upper Clark Fork River are two of the goals of a massive cleanup effort by federal and state government entities. The laws which authorize this effort also authorize the state to claim payment for damages from the Anaconda Minerals Company, now Atlantic Richfield Company (ARCO), resulting from injury to natural resources. Montana filed a lawsuit claiming damages as a result of the hazardous mining wastes. One of the many tasks in this suit is for the Department to enumerate fish losses to the satisfaction of the court.

Fish Hatchery Operations - The Department recommends \$55,000 per year to address budget deficiencies in the hatchery program. Inflation increased the cost of fish food and utilities and the fish health program faces the loss of laboratory support. Routine maintenance has been deferred to fund these increases. As a result, some periodic maintenance on buildings and equipment has not been accomplished and threatens future integrity of the system.

Also, the Department has relied on the USFWS Fish Disease Center at Fort Morgan, Colorado to support disease diagnostics and certification. In the past, changes for these services have been minimal. Due to increased demand on the federal facility, these services will no longer be provided at minimal (materials only) cost. The program expansion addresses both the inflationary problems and the lab fees.

Handicapped Access Program - The Department recommends \$6,000 for a handicapped access program during the 1993 biennium. The federally-mandated 504 handicapped access program requires the Department to make both its facilities and its programs accessible to the disabled community. The program increase provides for fishing regulations to be produced for the visually-impaired in large print and for the blind on audio cassette. It also provides for a facility to be developed and constructed on the North Fork of Flint Creek, a tributary to Georgetown lake, for public viewing of spawning wild trout.

Other Increases/Decreases

Hatchery Trucks - Special language was included in HB100 from the 1989 Legislature that required hatchery trucks be removed from the base budget. Approximately \$93,500 in FY92 and \$22,000 in FY93 was removed from the base equipment request. The department is requesting that these budgets be carried forward into the future. The request is 25% state special revenue/75% federal funding.

LCA - The department is requesting an increase in LCA of \$245,000 in FY92 and \$505,000 in FY93. The increase is above the amount appropriated by the 1989 Legislature. The request is federal/private funded and is attributable to anticipated higher numbers of contracts and grants.

Technical Adjustments

Correction of an Error - An adjustment of \$68,693 was necessary to correct an overstatement in the base. The Executive Budget System did not allow for any changes past a certain date so the correction was made in the increase/decrease to the base category.

2-11-94

Mr. Pers. Div.

5201 DEPT OF FISH, WILDLIFE & PARKS
03 FISHERIES DIVISION
00000

DATE : 01/08/91
TIME : 21/29/24
CURRENT LEVEL COMPARISONS

Budget Item	Actual Fiscal 1990	Executive Fiscal 1992	LFA Fiscal 1992	Difference Fiscal 1992	Executive Fiscal 1993	LFA Fiscal 1993	Difference Fiscal 1993
FTE	108.59	103.00	101.30	(1.70)	103.00	101.30	(1.70)
Personal Services	2,799,220	3,021,712	2,989,397	32,315	3,022,488	2,990,203	32,285
Operating Expenses	1,502,029	1,592,747	1,432,311	160,436	1,461,988	1,271,854	190,134
Equipment	178,549	218,873	128,873	90,000	147,373	146,373	1,000
Grants	55,726	18,500	18,500	0	18,500	18,500	0
Transfers	0	1,245,000	0	1,245,000	1,505,000	0	1,505,000
Total Expend.	\$4,535,524	\$6,096,832	\$4,569,081	\$1,527,751	\$6,155,349	\$4,426,930	\$1,728,419
Fund Sources							
State Revenue Fund	2,363,794	2,579,245	2,188,060	391,185	2,431,911	1,921,450	510,461
Federal Revenue Fund	2,171,730	3,517,587	2,381,021	1,136,566	3,723,438	2,505,480	1,217,958
Total Funds	\$4,535,524	\$6,096,832	\$4,569,081	\$1,527,751	\$6,155,349	\$4,426,930	\$1,728,419

EXH - 6
2-11-91

--EXEC OVER (UNDER) LFA--	
FY 92	FY93
\$32,315	\$32,285
\$30,000	\$30,000
\$11,324	\$11,324
\$1,509	\$1,509
\$0	\$1,000
\$90,000	\$0
\$1,245,000	\$1,505,000
\$117,603	\$147,301
\$1,527,751	\$1,728,419
=====	=====

fwp - fish

PERSONAL SERVICES - The LFA eliminated 1.70 FTE which had been vacant much of fiscal 1990. *Personal Services*

WATER LEASING STUDY - The 1989 legislature authorized a \$60,000 biennial appropriation for a study *for water leasing* of the department leasing water rights. None was spent in fiscal 1990. *PA B 707*

FLEET CHARGE - The Executive Budget contains additional amounts to pay for the increased per mile rate charged by the Management Services Division. *approved 10/2/90*

TECHNICAL ADJUSTMENT - The Executive Budget contains more for personal vehicles than requested *take 1/2 of new revenue*

EQUIPMENT

A. Equipment Technical Adjustment *current revenue*

B. Fish Hatchery Truck - The 1989 legislature authorized the purchase of two fish hatchery trucks and stipulated that the expenditures were not to be included in the 1993 biennium base. *reduce to 60,000 the 1991 yr.*

LEGISLATIVE CONTRACT AUTHORITY *Approved by the Committee*

BUDGET BASE DIFFERENCES *Expenditure*

L CURRENT LEVEL

EX 11-66

2-11-91

Mar. Pers. Sub.

FTE

CUTIVE BUDGET MODIFICATION FOR ONE-TIME-ONLY PROGRAMS

MISSOURI BASIN RESERVATIONS (25% general license account)

Note: This mod is a composite of two modifications approved by the 1989 legislature:
 1) Missouri Basin Reservations, and 2) Little Missouri Reservations.
 The Little Missouri mod contained 1.5 FTE. The agency plans to use contracted services instead. 7500 less than last session

FISHING & MOTORBOAT ACCESS (25% general license account) 5800 less 89

STREAMBANK PROJECTS (25% general license account)

USFS FISHERIES DATA PROJECT (25% general license account) 21,000 over 89 B.C.

EVALUATE FISH POPULATION (25% general license account) 12,400 over last session

FLATHEAD LAKE FISHERY (25% general license account) 4500 less than last session

TOTAL MODIFICATIONS

CUTIVE BUDGET MODIFICATIONS FOR PROGRAM EXPANSION:

CLARK FORK RIVER INVESTIGATION (25% general license account) B.C. less

FISH HATCHERY OPERATIONS (25% general license account)

HANDICAPPED ANGLERS FISHING REGULATIONS (100% general license account)

TOTAL MODIFICATIONS

ANNUAL APPROPRIATIONS: The agency requests that the appropriation for the water leasing study be a biennial appropriation.

The agency requests that the appropriation for the Missouri Basin Reservation budget modification, if approved, be a biennial appropriation.

1992

1993

\$83,413

\$83,413

\$32,871

\$33,200

\$41,000

\$41,000

\$56,949

\$58,050

\$110,196

\$110,158

\$23,555

\$24,298

\$347,984

\$350,119

\$50,042

\$50,040

\$55,000

\$55,000

\$6,000

\$0

\$111,042

\$105,040

2-91

Exhibit 7
Nat. Per Sub

HATCHERY TRUCK REPLACEMENT SCHEDULE December 31, 1990

Vehicle Description	GVW	Location	Condition	Current Miles	Preferred Trade-in Date (FY)
1) 1974 Kenworth Tandem Axle Diesel	49,000	Big Springs Trout Hatchery Lewistown	Minimally Serviceable Very Poor	180,000	1992
2) 1980 Ford F-700 Gas engine COE Replacement	24,500	Murray Springs Trout Hatchery Eureka	Running gears Poor, Unreliable	37,500	1993
3) 1988 Ford 4x4 1 ton Gas Engine	11,000	Big Springs Trout Hatchery Lewistown	Good	34,500	1995
4) 1979 Ford Model 9000 Diesel	29,000	Big Springs Trout Hatchery Lewistown	Good	147,000	1996
5) 1985 GMC 1-1/2 ton Flatbed Gas Engine	24,500	Jocko River Trout Hatchery Arlee	Good	39,500	1997
6) 1980 Ford Model 9000 Diesel	29,000	Big Springs Trout Hatchery Lewistown	Good	144,000	1997
7) 1989 Ford 1 ton Gas Engine	11,000	Washoe Park Trout Hatchery Anaconda	Excellent	8,000	1998
8) 1985 Ford 1 ton Gas Engine	11,000	Yellowstone Riv. Trout Hatchery Big Timber	Good	15,000	1998

HATCHERY TRUCK REPLACEMENT SCHEDULE

Page 2

Vehicle Description	GVW	Location	Condition	Current Miles	Pref. Trade-in Date (FY)
9) 1986 GMC 1 ton Gas Engine	11,000	Giant Springs Trout Hatchery Great Falls	Good	19,500	1999
10) 1986 GMC Model 7000 Diesel	28,000	Bluewtr. Springs Trout Hatchery Bridger	Excellent	48,000	2006
11) 1991 Ford LNT 8000 Tandem Diesel	46,000	Bluewtr. Springs Trout Hatchery Bridger	New	100	2011
12) 1990 GMC Diesel	42,000	Giant Springs Trout Hatchery Great Falls	New	8,500	2015

dr

HOUSE OF REPRESENTATIVES

PLEASE PRINT.

VISITOR'S REGISTER

Natural Resources SUBCOMMITTEE DATE 2-11-91

DEPARTMENT _____ DIVISION _____

PLEASE PRINT

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NAME	REPRESENTING
Pat Graham	DFWP
Dave Mott	"
K Cool	"
Larry Peterman	"
ERV KENT	"
Valerie Horton	NW Wildlife Fed.
Tim Gallagher	DFWP
Stan Brackshaw	MTU
LARRY PETERMAN	DFWP