



ENVIRONMENTAL QUALITY COUNCIL

PO BOX 201704
HELENA, MONTANA 59620-1704
(406) 444-3742

**GOVERNOR BRIAN SCHWEITZER
DESIGNATED REPRESENTATIVE**

HOUSE MEMBERS

DUANE ANKNEY--Vice
JERRY BENNETT
BILL MCCHESENEY
MICHELE REINHART
CARY SMITH
KATHLEEN WILLIAMS

SENATE MEMBERS

JIM KEANE--Chair
JOHN BRENDEN
BRADLEY MAXON HAMLETT
RICK RIPLEY
CHAS VINCENT
GENE VUCKOVICH

PUBLIC MEMBERS

DEXTER BUSBY
DIANE CONRADI
MARY FITZPATRICK
JOHN YOUNGBERG

COUNCIL STAFF

JASON MOHR, Research Analyst
SONJA NOWAKOWSKI, Research Analyst
HOPE STOCKWELL, Research Analyst
HELEN THIGPEN, Staff Attorney
KEVIN MCCUE, Secretary
JOE KOLMAN, Legislative Environmental Analyst

August 29, 2012

To: EQC Members
Fr: Hope Stockwell, Research Analyst
Re: HJR 32 -- public comment

In July, the EQC approved a draft report "HJR 32: A study of state parks, outdoor recreation, and heritage resource programs" and two related bill drafts, LC 9000 (creation of a state parks and recreation board) and LC 9010 (continued study of the Montana Heritage Preservation and Development Commission) for formal public comment.

The documents were posted for a 30-day public comment period that ended on August 22. A request for comment was posted on the EQC Listserv, included in the *Interim* newsletter, and sent out on Newslinks.

Eleven comments were received by the deadline and are attached. Please review them prior to our September meeting.

If additional comments are received in the meantime, copies will be provided in your meeting folder on September 12.

From: [Theresa](#)
To: [Stockwell, Hope](#)
Subject: HJR 32 comments
Date: Tuesday, July 24, 2012 12:18:31 PM

Hope,

We have been traveling the state and visiting state, federal and private campgrounds and recreational areas. One thing we noticed is that private sites are much better at controlling dogs at large, garbage, and uncontrolled burning. The public sites had many, many problems with uncontrolled dogs, garbage laying around, loud people and generators running late at night, and huge bonfires of garbage and unattended burning. I definitely support more funding for campgrounds and parks so all can enjoy them without the problems listed above.

Theresa Blazicevich

From: [Windows Live Team](#)
To: [Stockwell, Hope](#)
Subject: HJR 32
Date: Tuesday, August 14, 2012 6:15:34 AM

The Missoula Snowgoers would like to support LC 9000 for the smooth operation of the state snowmobile program. Please recognize our snowmobile groups support of this change in the Parks and Recreation board. Don Phillips Missoula MT 59803



August 15, 2012

Senator Keane, Chair
Environmental Quality Council

Dear Mr. Chairman and Members of the Committee,

The Clark Fork Coalition appreciates the chance to provide comments on LC 9000, and the proposal to separate the Montana Fish Wildlife and Parks Commission. We appreciate the Council's thorough review of ways to improve the management, recognition and coordination of state parks, recreation, and heritage resources in Montana, per HJR 32. The report featured wonderful information in an easily understandable format. The Coalition agrees with many of the recommendations in the report. However, we question to need to create a new state board to administer state parks and recreation separately, and wish to made specific suggestions on LC 9000 if the Council decides to bring the bill to the 63rd Legislature.

The Clark Fork Coalition, founded in 1985, is a non-profit organization dedicated to protecting and restoring the 14 million-acre Clark Fork watershed. We are comprised of 2,700 members who are invested in the importance of clean water, thriving communities, and healthy landscapes in western Montana. Our members like to recreate, too, often at state parks and usually in state-owned waters. The Coalition works regularly with staff at Montana Fish Wildlife and Parks (DFWP) and occasionally with the Commission on a variety of issues, including: habitat monitoring and assessment, stream and flow restoration projects, and rules or policies that impact fish, wildlife, and waterways in our basin.

The Coalition has some concerns about creating a separate State Parks and Recreation Board. As you know, the main draw for most of Montana's state parks are the natural resources, which include our spectacular lakes, rivers, fish, birds, wildlife, and forests. It's critical to make sure any decisions affecting our state parks are also accounting for impacts to these natural assets, which are the drivers for generating tourism and economic health in Montana. We believe that both DFWP and the Commission have worked hard to balance the recreation needs of people and communities with the biological and ecological needs of fish and wildlife populations—and have generally succeeded in making fair management decisions on complex issues.

We question the need for creating a new board, when the existing Commission has done the job admirably and cost-effectively. As the HJR 32 Report states, only 8 parks-related issues came before the Commission last year out of almost 200 total topics. This small number of decisions doesn't seem to warrant the expense and hassle of creating a brand new separate state board, especially when its jurisdiction is so closely aligned with—and will likely overlap with—the existing Commission.

The Coalition requests that, if the Council decides to bring LC 9000 to the 63rd Legislature, it consider incorporating the amendments laid out below. We believe these additions to the bill will strengthen the Board's ability to improve the management and marketing of Montana's state parks, while also protecting the

PO Box 7593
Missoula, MT 59807
406/542-0539 Phone
406/542-5632 Fax

integrity of our natural assets:

- 1) Clarify the Board's jurisdiction in the definition outlined in 23-2-502(1) by striking the second sentence. Several state agencies already have jurisdiction over the state's waters, including the Dept of Natural Resources and Conservation (Title 85 and Title 76, Chapter 5) and the Dept of Environmental Quality (Title 75, Chapter 5 and 7), as well as local and federal entities that regulate activities in streambeds, floodplains, and floodways. The existing language only serves to confuse the role of the Board with these entities, and may cause problems down the road if the Board enacts conflicting boating, access, or management rules related to the "waters immediately adjacent" to state park lands.
- 2) Make certain that the Board coordinates with the Commission on potential impacts to fish and wildlife resources when making management decisions for new or existing state parks. This can be addressed by amending NEW SECTION 2 (2)(b) to read: "Work with the commission to maintain hunting and angling opportunities, and to avoid or mitigate potential impacts to fish and wildlife resources."
- 3) Ensure that both the Board and the Commission have at least one member from west of the Continental Divide. For instance, the current Commission makeup has no members from the Clark Fork basin, which is home to over one-third of Montana's total population, the state's second largest city, and many state parks and recreation assets. This oversight can be addressed by moving Lewis and Clark County to either (b) or (c) from both NEW SECTION 1 (2)(a) and 2-15-3402 (2)(a).
- 4) Explain how potential conflicts or overlap between the Board and the Commission will be resolved. This can be accomplished by laying out a process for joint votes when necessary, or another mechanism that clearly elucidates a decision-making structure in the event of two contradictory decisions by these two entities.

Thank you for your time and consideration. Please feel free to contact me with any questions.

Sincerely,



Brianna Randall
Water Policy Director
406-542-0539 ext 201
Brianna@clarkfork.org

From: [Steve GILBERT](#)
To: [Stockwell, Hope](#)
Subject: HJR 32
Date: Thursday, August 16, 2012 12:35:02 PM

The proposals by lame ducks Maurier and VanGenderen are ridiculous and are made from the daydreams of Maurier (fired from a parks position in Colorado before his pal Schweitzer appointed him to one here) and his sycophant VanGenderen, both of whom will be jobless shortly.

Nowhere in this proposal is there any documentation of need other than "I told you so, so you better believe me." Where do they propose to find the money for these commissions, not to mention their new uniforms?

Send this proposal to the waste basket and please don't waste any more time or money on cockamamie schemes proposed by these two self-serving arrogant snake-oil salesmen. Together, they have done more to destroy a state agency than imaginable. Sending them both packing would be the greatest possible benefit to the Parks Division and FWP.

Thank you for the opportunity to comment.

Steve Gilbert
604 2nd Street
Helena, MT 59601

From: [GINNY SULLIVAN](#)
To: [Stockwell, Hope](#)
Subject: HJR 32
Date: Thursday, August 16, 2012 2:17:38 PM

To: Hope Stockwell, Environmental Quality Council

I strongly encourage the creation of a of a Parks and Recreation Board within the Montana Fish Wildlife and Parks department. A parks board is desperately needed for the continued improvement and creation of parks and recreational activities for the state of Montana. The health and well-being of Montana families depend on public spaces and our tourism industry relies on these beautiful places to attract out-of-state dollars.

I support LC 9000 and ask that the Environmental Quality Council to support HJ 32 in order to create a future Parks and Recreation Board.

Sincerely,
Virginia Sullivan
727 Jackson Street
Missoula, MT 59802

From: [Bruce Mihelish](#)
To: [Stockwell, Hope](#)
Subject: State Parks Commission
Date: Thursday, August 16, 2012 5:31:49 PM

As a volunteer and Director for the friends group at Travelers Rest State Park, our board and volunteers strongly support the formation of a new and separate state parks commission. Parks are a valuable and growing resource to Montana. We believe Parks need their own identity, leadership, and funding sources. Equally important resources, fish and wildlife, both operate in different arenas and demand separate attention. It makes a lot of sense to have a new governing body to oversee Parks. Please help support LC9000!

Bruce Mihelish
PO Box 1775
Lolo, MT 59847

From: [DON](#)
To: [Stockwell, Hope](#)
Subject: HJR32
Date: Thursday, August 16, 2012 8:20:38 PM

Some years back the State Land Board transferred some minerals from State Parks into FW&P as part of a mining environmental fine settlement. Make sure those mineral interests stay with the parks management responsibilities . Horizontal drilling may allow prudent development of resources that could fund the parks for many years. Say hello to EQC members for me. Sincerely, Don Hedges (an old has been member and former Rep. from NE Montana)

From: [Nancy Wilson](#)
To: [Stockwell, Hope](#)
Subject: Parks and rec committee is a great idea
Date: Friday, August 17, 2012 8:06:27 AM

The parks in this state are so important to us all. They truly do require their own committee so consideration can be focused on the needs and policy changes for these facilities.

Nancy Wilson
Candidate HD97

Sent from my iPad

From: [Bob D Walker](#)
To: [Stockwell, Hope](#)
Subject: HJR 32, Support for LC 9000
Date: Monday, August 20, 2012 2:05:57 PM

My name is Bob Walker, I am a volunteer and represent the Montana Recreation and Parks Association. MRPA's membership includes city, county, state and federal parks and recreation staff members, board members, industry and volunteers. We are asking you to make a basic change in state government that will better serve Montanans and visitors by supporting LC 9000 and creating a separate State Parks and Recreation Board.

In our view, the current FWP Commission does a great job but, given time constraints, their backgrounds and statewide controversy on wolves, bison, brucellosis, grizzly bears, large land purchases, fish and wildlife season settings and bag limits, the Commission has little time to invest in parks and recreation programs and issues.

State Parks have slowly improved over the past but more improvements are needed to serve our aging population. Today the vast majority of campers at state parks use camping trailers or RVs. This isn't simply age related but in part because there are so many more primitive opportunities available on US Forest Service and BLM lands. We trust that the legislature and the State Parks Division will continue to enhance opportunities at state parks.

We also support statewide outdoor recreation programs within the new State Parks and Recreation Board. The State Parks Division has been the administrator of outdoor recreation programs for more than 30 years. We have been very pleased with State Parks cooperation and coordination. They have voluntarily involved community staff and leaders and private citizens in developing these programs through advisory groups. These include the following advisory committees: Land and Water Conservation Committee (1969), State Snowmobile Advisory Committee (1988), State OHV Advisory Committee (1991), State Trails Advisory Committee (1992) and the Boating Advisory Council (1993) (Legislatively mandated).

State Parks has helped in developing statewide training programs in parks and recreation management for cities, counties, state and federal agencies, and private organizations. We hope to see these programs and services enhanced with a separate Parks and Recreation Board.

Finally, we are in opposition to the amendments proposed by the Montana Game Wardens Association. The purpose of the Law Enforcement Division of FWP is to enforce certain laws of the state, not to administer recreation programs. That has always been the responsibility of the Parks Division and should stay that way!

Thank you for your consideration of these comments!

Bob Walker for
Montana Recreation and Parks Association

From: [NORM](#)
To: [Stockwell, Hope](#)
Subject: Creating a State Park, Recreation and Heritage Board
Date: Tuesday, August 21, 2012 12:06:37 PM

To: Hope Stockwell, Enviromental Quality Council
From: Norman Jacobson
Date: August 21, 2012
Re: Creating a State Park, Recreation and Heritage Board

I strongly support the idea of creating a State Park, Recreation and Heritage Board for the following reasons:

1. The primary purpose of the Montana State FWP is to maintain wildlife and fish populations in Montana and to regulate and enforce the policies established to accomplish this goal. If any unforeseen problem or crisis should occur the money needed to handle the situation would most likely come from the park budget which is understandable. This always leaves the parks and recreation section in an unsettling position.
2. The clientele that the fish and wildlife department service is quite different from the clientele serviced by the parks and recreation department. Also, the number of hunters and fishermen compared to the number of tourists that visits our parks is very different. I feel the number of tourists far out number the hunters and fishermen each year. Therefore the amount of money that is spent in Montana is very different.
3. This also means that FWP has to divide their resources when advertizing to attract clientele. Our Travelers' Rest State Park is a very unique position in that it is the only archeological verified site where Lewis and Clark spent seven days here in the 800 plus days of the Expedition. We need the national advertising to get this publicized. I believe we have the mechanism already in operation that would help us while FWP may have to spend more of their resource in developing an effective plan.
4. We also need a concerted effort made to encourage young children to visit our parks because they will most likely return with their parents and their families if they receive a positive introduction to the parks. We have schools bringing between two and three thousand children a year to our park and many of them bring their parents back. What a great way to increase attendance and at the same time help Montana's economy.
5. This is not to say that the FWP has not supported us, Lee

Bastian has been a tremendous supporter for us, but I feel FWP has very limited resources and that a Parks, Recreation and Heritage Department would provide a great boost to our state's economy, education of our clientele and a greater appreciation for the history and progress of our state.

JOSEPH WILLIAM DOYLE

COMMENT ON HJR 32 AND LC 9010

TO HOPE STOCKWELL
MEMBERS, EQC

FROM: JOSEPH DOYLE

DATE: August 22, 2012

As a 35 year resident of Virginia City and twice elected to the Virginia City Town Council, I write in strong support of LC 9010.

We are now 15 years into the life of the Montana Heritage Commission with far too little progress on many fronts, particularly the marketing of this extraordinary heritage tourism site. Continued legislative oversight of the effectiveness of the MHC as manager of the State-owned historic properties in Virginia City and Nevada City is essential to bring the MHC's performance up to standards of professionalism commensurate with the quality of the historic resources here.

Thank you for the time you have devoted to the study and for the recommendations in LC 9010.

Joseph Doyle