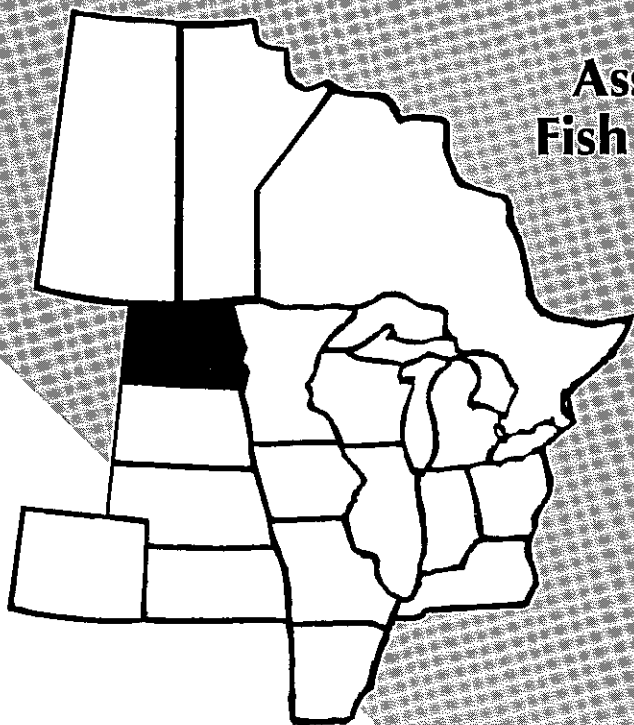


**BISMARCK  
NORTH DAKOTA  
JULY 11-14, 1988**

**Association of Midwest  
Fish and Wildlife Agencies**



**BISMARCK  
NORTH DAKOTA  
JULY 11-14, 1988**

**ASSOCIATION OF MIDWEST  
FISH AND WILDLIFE AGENCIES**

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Proceedings of the 55th Annual Meeting

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**PROCEEDINGS OF THE  
55TH ANNUAL MEETING**

**ASSOCIATION OF MIDWEST  
FISH AND WILDLIFE AGENCIES**

**JULY 11 - 14, 1988**

**SHERATON-BISMARCK GALLERIA  
BISMARCK, NORTH DAKOTA**



THE UNITED STATES OF AMERICA  
DEPARTMENT OF JUSTICE

IN SENATE  
JANUARY 10, 1954

REPORT OF THE

COMMISSION ON THE ORGANIZATION  
OF THE FEDERAL JUDICIAL SYSTEM

ATTENDEES

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55th Annual Meeting, July 11-14, 1988  
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# ASSOCIATION MEETING PLACES AND DATES

1.	Des Moines, Iowa.....	1934
2.	St. Paul, Minnesota.....	1935
3.	Madison, Wisconsin.....	1936
4.	Sioux Falls, South Dakota.....	1937
5.	Omaha, Nebraska.....	1938
6.	Madison, Wisconsin.....	1939
7.	Mason City, Iowa.....	1940
8.	St. Louis, Missouri.....	1941
9.	Duluth, Minnesota.....	1942
10.	Fox Lake, Illinois.....	1943
11.	Bismarck, North Dakota.....	1944
12.	Indianapolis, Indiana.....	1945
13.	Rapid City, South Dakota.....	1946
14.	Roscommon, Michigan.....	1947
15.	Put-in-Bay, Ohio.....	1948
16.	Lincoln, Nebraska.....	1949
17.	Milwaukee, Wisconsin.....	1950
18.	Wichita, Kansas.....	1951
19.	Des Moines, Iowa.....	1952
20.	Dorset, Ontario.....	1953
21.	St. Louis, Missouri.....	1954
22.	Estes Park, Colorado.....	1955
23.	Springfield, Illinois.....	1956
24.	Park Rapids, Minnesota.....	1957
25.	Bismarck, North Dakota.....	1958
26.	West Lafayette, Indiana.....	1959
27.	Rapid City, South Dakota.....	1960
28.	Higgins Lake, Michigan.....	1961
29.	Omaha, Nebraska.....	1962
30.	Columbus, Ohio.....	1963
31.	Milwaukee, Wisconsin.....	1964
32.	Toronto, Ontario.....	1965
33.	Wichita, Kansas.....	1966
34.	Des Moines, Iowa.....	1967
35.	Chicago, Illinois.....	1968
36.	St. Louis, Missouri.....	1969
37.	Winnipeg, Manitoba.....	1970
38.	Aspen, Colorado.....	1971
39.	Wichita, Kansas.....	1972
40.	Bismarck, North Dakota.....	1973
41.	Duluth, Minnesota.....	1974
42.	Traverse City, Michigan.....	1975
43.	Rapid City, South Dakota.....	1976
44.	Lincoln, Nebraska.....	1977
45.	Madison, Wisconsin.....	1978
46.	Nashville, Indiana.....	1979

# ASSOCIATION MEETING PLACES AND DATES

47.	Columbus, Ohio.....	1980
48.	Des Moines, Iowa.....	1981
49.	Springfield, Illinois.....	1982
50.	Lexington, Kentucky.....	1983
51.	Hannibal, Missouri.....	1984
52.	Wichita, Kansas.....	1985
53.	Vail, Colorado.....	1986
54.	Winnipeg, Manitoba.....	1987
55.	Bismarck, North Dakota.....	1988

## 1987 - 1988 OFFICERS

President.....Dale Henegar, North Dakota  
First Vice President.....Larry Shannon, Minnesota  
Secretary/Treasurer.....John Urbain, Michigan

## 1987 - 1988 COMMITTEE CHAIRMEN

Audit.....Larry Shannon, Minnesota  
Awards.....Bill Bailey, Nebraska  
Legislative.....Larry Wilson, Iowa  
Nominations.....Steve Miller, Wisconsin  
Resolutions.....Al Farris, Iowa

## MEMBER STATES AND PROVINCES

Arkansas  
Colorado  
Illinois  
Indiana  
Iowa  
Kansas  
Kentucky  
Manitoba  
Michigan  
Minnesota  
Missouri  
Nebraska  
North Dakota  
Ohio  
Ontario  
Saskatchewan  
South Dakota  
Wisconsin

1. The first part of the document is a list of names and addresses of the members of the committee.

### MEMBERS OF THE COMMITTEE

The members of the committee are as follows: Mr. John Doe, Mr. James Smith, Mr. Robert Brown, Mr. William Jones, Mr. Charles White, Mr. Thomas Black, Mr. David Green, Mr. Richard Hill, Mr. Benjamin Franklin, Mr. Samuel Adams, Mr. Benjamin Franklin, Mr. Samuel Adams, Mr. Benjamin Franklin, Mr. Samuel Adams.

### REPORT OF THE COMMITTEE

The committee has the honor to report to the assembly that it has completed its duties and has submitted its report to the assembly. The report contains a full and complete statement of the facts and circumstances of the case, and a recommendation of the committee's findings and conclusions. The committee believes that the facts and circumstances of the case are such that the assembly should take the following action: to pass a resolution of condolence to the family of the deceased, and to request the government to take steps to prevent such a tragedy from occurring again.



NORTH DAKOTA GAME AND FISH DEPARTMENT EMPLOYEES

Bihrlle, Craig  
Crooke, Patsy  
Goetz, Ray  
Grondahl, C.R.

Johnson, Mike  
Morgan, Robert  
Umber, Harold  
Upgren, Ted



TUESDAY, JULY 12, 1988

TED UPGREN: Introduction of Dale Henegar, president, Association of Midwest Wildlife Agencies, 1987-88, and other personnel, ND Game and Fish Department.

DALE HENEGAR: Thank you Ted, very much. Before we call the meeting to order, I want to mention that one of the major problems that we had with this meeting was the fact that early on when I took over as commissioner, we had to set up a division of responsibilities within the Department. I had assigned the deputy commissioner, Chuck Schroeder, to be our representative to this group. Chuck was working very diligently with getting the meeting set up and then, of course, he came down with cancer and passed away, which was a real tragedy for our small group. His loss is felt every day. So then after we got through the trial period, after Chuck left us, we had to kind of reorganize and get set up again, so I hope that the meeting goes off very well. I am sure it will. Anything we can do to make your visit out here more enjoyable, we will do it; all you have to do is ask. If people do not want to go on the bus tour, there may be some other options that we can work out for you. We will certainly try to do that. I think another thing I would like to point out is we have recently had some discussions, rather heated at times with various individuals, concerning the upcoming waterfowl season. We are going to try to set some time aside during the program, possibly 15 minutes or half an hour, to have an information discussion from the various states concerning some of their feelings on the possible waterfowl season for the year. I think with the advent of the North American Plan and the really depressed level of waterfowl, we may want to do something as a group. We may not be able to come to a consensus at this particular meeting, but at least I think we need the chance to talk it out. We will try to work that in. So with that, I will call the 55th annual meeting of the Midwest Association to order.

I think we are pretty much on schedule. We had originally asked Governor Sinner to be here to address the group, but the governor is attending the Western Governors' Conference. Lt. Governor Omdahl, a very capable individual, has consented to be here and I am sure that he will have a few interesting remarks for us. Lt. Governor, welcome.

LT. GOVERNOR LLOYD OMDAHL: Now that you smashed up the equipment here, I am looking over to see what the damage really is. You know there is a saying that if the only thing that you have is a hammer, you treat everything like a nail. Well, I am supposed to say welcome to North Dakota. So, welcome to North Dakota. I am sorry about the mountains. We don't have any. We have a geographic inferiority complex because of it, and it is mostly vested in the office of our tourist director, who happens to be here this morning also. You know it has gotten to a point where they have even put up billboards to try to cover the fact that we never, never did have mountains. It says mountains removal project complete. The whole thing is they wanted to see what the state would look like flat so we took them off and now we can't get them back because Idaho is keeping them. But if you want to see something unique, we do have a river that runs in the wrong direction over in the eastern part of the state, it goes north. It was really designed for Brazil, but Brazil

wanted more forest, and they didn't want that river. So, we thought that the river would be better than none, but it turns out it hasn't been because it freezes on the wrong end. It also causes all kinds of conflicts with Minnesota and also Canada. We are going to show you a film, though, so I don't have to give you a geographic tour mentally through North Dakota. And so, this film shows all the good things about North Dakota. We made the film, see, so we kind of control that. There's one scene in there, though, that I think the travel director ought to explain where the skiers are coming down the mountain. You know after we put the billboards up saying that the mountains are gone, then we put a scene in there about skiing. And we like to thank Idaho for that footage. But you guys don't care about the mountains anyway, really. You are more interested in potholes and stuff like that. And we have potholes, you see. I used to work in the government before and escaped 20 years ago, but then they recaptured me so I am back again. But when I worked in the government before, we had a governor who always proudly said, "North Dakota raises three-fourths of the domestic wild ducks," which sounds like an incongruity to me. But apparently, that once they were domestic, they are also wild. But anyway, we do have a lot of space here that we are contributing to the well-being of wildlife and so a pothole with six ducks is better than a mountain any day--I suppose. Now, you realize that running that many ducks or trying to run that many ducks in this state and, at the same time keeping number one on wheat, number one on barley, number one on flax, is going to cause a little trouble. Those people raising wheat, barley, and flax, etc., etc., are looking at those ducks over in the pothole and are thinking, "Gee, if I didn't have to furnish a homing area for those ducks, I could raise even more crops and we would be a bigger number one." So, we do have this conflict going on and it's probably more aggravated in North Dakota. But, I think that what we are demonstrating here is that it is possible to take a couple of competing values, environment and production, and live together, and that is really what we are going to have to do. It's been a long time in coming. We all know about the long standing fight between the Bureau of Reclamation, the Corps of Engineers, and the Fish and Wildlife Service, and this same war is going on in each of the states between the agencies that represent those various interests. I think that in recent years we have come to realize that we have to deal with our environmental interests and concerns at the same time as we are trying to deal with our economic production. And so, I think we are learning. It takes awhile and there are setbacks from time to time but we just have to learn to get along together. I think the synthesis that comes out of continual dialogue is resulting in a much better world than if each of us had our own way and controlled it the way we wanted it. And so, it is possible for us to do that and we are trying to do that in North Dakota. Dale has contributed immensely to working on developing a common understanding among all the competing groups that are trying to control the use of property and land. So, welcome to North Dakota. We hope you didn't bring your skis anyway so you will not be too greatly disappointed because we do have a lot of other things. And you are going to see a great film and most of it is true. Thank you for coming.

DALE HENEGAR: Thank you very much Lloyd--we really appreciate your remarks. At this time, I would like to introduce Jim Fuglie. Jim is the director of tourism in North Dakota and he's the individual who came up

with the ideas on the billboards and, if you haven't seen them, I am sure Jim has some pictures in his pocket that he can pull out and show to you. Very interesting concept. It caused a lot of discussion and added a little hype to the whole program. So, at this time I will introduce Jim Fuglie and I am sure that Jim has a few preface remarks that he would like to make prior to showing the film that he is very proud of, and rightfully so. So Jim, it's all yours.

JIM FUGLIE: Thank you commissioner, and welcome all of you, to North Dakota. Lloyd, everything in that movie is true. Everything in there. The skiing is on the Canadian border. And when we leveled the mountains, we had to stop right at the border and, so, when we stopped cutting, of course, it left this huge slope right at the Canadian border so they stated in Canada, Lloyd, and they ski right into North Dakota. And that's where it comes from.

Are there folks here from Minnesota today? Yes, we have some from Minnesota. You know, I was in Minnesota last Tuesday. I have a dog over at a hunting club being trained and I stopped to visit with the guy, a fellow named Steve Grossman. He told me that just the day before he had a minister over who wanted to go out and see some bears and some other wildlife. So, they were out in the woods hiking down a trail, looking for wildlife, particularly for bears, and they did spot a couple. But the bears weren't friendly, and they started chasing them down the trail, and Steve said, "Reverend, we are in big trouble here. The only thing we can do now is stop and say a prayer." So they stopped and got down on their knees and prayed that the bears were Christians and would spare their lives. They turned around and, sure enough, there were the bears down on their knees with their paws folded, and the reverend said, "Praise be to the Lord, we have been saved." And Steve said, "Shhh, quiet, listen, listen very carefully." And the bears were saying, "Father for this food we are to receive." That was my experience in Minnesota last week.

The movie you are going to see is called "Discover the Spirit." It was filmed over a year's time in the four seasons of North Dakota. You will notice that we have very short winters in North Dakota, about a minute and a half. That's about what they are. It is a movie full of adventure, what we call adventure. We didn't set out to make a scenery movie, although it has a lot of beautiful scenery in it. People that come to North Dakota to visit are looking for some kind of soft adventure. It may be hunting, fishing, boating, camping, backpacking, hiking, and that's the kind of thing you are going to see in the movie. It runs about 24 minutes and, if you have any questions about North Dakota, I will be glad to answer them afterwards. So, sit back and we are going to turn off the lights, and Craig is going to start the movie, and we are going to Discover the Spirit of North Dakota.

MOVIE--DISCOVER THE SPIRIT OF NORTH DAKOTA

COFFEE BREAK

TED UPGREN: At this time, we will turn it back over to Dale, who will introduce the following program.

DALE HENEGAR: I sometimes think that in these kinds of meetings we would be better off to have about a two-hour presentation period and about a six-hour just drink coffee and talk situation. We would probably get a little more done that way, actually. We have a number of what we think of as fairly innovative-type programs dealing with waterfowl problems in North Dakota. We thought you may find some of the ideas that Ron Stromstad will present to you as being a little bit different, not necessarily new, but different applications possibly of other techniques, and we certainly are very happy with a lot of the results. I will ask that Ron comes up at this time and will give us a good 20-30 minute discussion of those various programs. Ron Stromstad.

RON STROMSTAD: There was a Russian, and a Cuban, and an American, and a lawyer all riding in a freight train together. The Russian pulls out a bottle of vodka and some glasses, and he pours four drinks, and they all toast, and he's got about half a bottle left, and he tosses it out of the car. The American says, "What did you do that for," and he says, "Ah, vodka is a national drink. We have got all kinds of vodka, more where that comes from." The Cuban gentleman pulls out some Havana cigars, real nice long ones, and passes them around. Everyone light up, he takes about two puffs and throws his cigar out the window. The American says, "What did you do that for? Those are expensive cigars." He says, "Not in Cuba. In Cuba, those cigars are a dime a dozen." The American sat there for a while, and the Russian and the Cuban were looking at him, so he got up and threw the lawyer out.

You know, out in Montana they tell North Dakota jokes, and in South Dakota they tell North Dakota jokes, and in Minnesota they tell North Dakota jokes. Probably Saskatchewan and Manitoba do too, so, in North Dakota, we tell jokes on ourselves. This is probably because of our scandahoovian background, which I am, happily, one.

There was a gentleman by the name of Ole. Olie to some. Ole had been to the doctor, and he found out that he didn't have very much time left on this earth. He was very sick and his days were numbered. He immediately ran out and joined the Catholic church. Lars went over to him and he says, "Ole, I don't understand it, why would a good Norwegian Lutheran like you go join the Catholic church?" He says, "Well, I am going to die pretty soon, Lars, and I would rather lose one of them rather than one of us."

In a nursing home, Lars leans over to Ole and he says, "Ole, do you remember the stuff that they put in our food in World War I to keep us from getting so amorous with the ladies?" He says, "Yeah, Lars, I remember." Lars says, "Well, Ole, I think it's starting to work."

North Dakota, of course, as you all know, lies in the heart of the prairie pothole region. About half of the duck production in the lower 48 states in an average water year comes out of North Dakota and we contribute about 10 percent of the continental production. North Dakota also has a long history of conflicts between water development interests, agriculture, and wildlife interests. And many of these conflicts directly involve the Service. There's been a lot of progress over time, however, and we are seeing a lot of positive things in the forefront. Most of North Dakota is in agriculture; about 5 percent of the state is

in public ownership, 95 percent is privately owned, and of the 5 percent that is public, only about 1 percent belongs to Fish and Wildlife Service. On that land, we produce about 4 percent of North Dakota's ducks. Well, the Service responded to this dilemma by changing the focus a little bit. We needed to do something out there with private lands. We formed a new program a year and a half ago which we titled, "The North Dakota Wildlife Extension Program." This program is designed to go out and deal with landowners on a one-to-one basis to try to improve their property for waterfowl production. We actually have three goals in the program: 1) To improve waterfowl production on privately owned lands; 2) To improve the Service's image and working relationship with landowners here in the state; and 3) To educate the public on wildlife and wildlife values and their habitats.

A year ago March, we put out a news release announcing the new program and that we had some small incentives available for landowners wanting to do something positive for waterfowl production and, in general, for wildlife. I think that hit the papers on a Thursday or Friday, and the next Monday I had 80 letters on my desk and the phone rang for a week. The response was just overwhelming. We have a relatively small budget with three parts to the program.

The first part of the program is the piggyback lease program. Other states have this as well up here in the prairie pothole region. This is where we have gone and paid an additional \$5 per acre on top of the landowner's conservation reserve program payment, when he has a Fish and Wildlife Service wetland easement. In exchange for that \$5, of course--it is a little bit of a bonus for him for having the easement on his property--but, in addition, we get some wildlife management capabilities on the property. We get access for predator management, nesting structures on some of the wetlands on the property, and wetland restoration. That program ended up within North Dakota with \$165,000 and that gave us enough money for agreements on about 34,000 acres of land. That is obligated for the remainder of the CRP program. The response there was also overwhelming when that program was announced. We still have a waiting list of 200-300 landowners that would like to get into the program, but we ran short of money. Now our focus is going to have to be trying to get out there on the land without field folks and get some of that management done on the ground.

The second part of the program is what I referred to as direct extension. That, to me, is the most fun part of the program. I sometimes refer to myself as the new Monte Hall of the Fish and Wildlife Service, and we go out and play let's make a deal. This part of the program is where we provide technical expertise and financial incentives directly to the landowners for a variety of different programs. I will go through some of those in a minute. We have a \$200,000 per year budget and that also includes money for the third phase of our program, which is the educational part. Of our extension effort, the direct extension, we have several incentive programs that we have tried. Informal agreements are used thus cutting out a lot of the red tape. I didn't want to have these landowners deal with a typical government contract that has 60 pages of boilerplate on the back. The agreements are three pages long with a map attached showing the location. The farmers like this for they are very informal and either party can get out of the agreement with a



written notice. If there is any real capital cost involved, the landowner would have to pay those back if he got out of the program in a real early part of the long-term agreement. The landowners that we have dealt with have felt very good about this. There is some problem in North Dakota with some of the people that have a real distaste for the perpetual time period of the easements. This has been a bit of an alternative for landowners to sit down and talk with us. Hopefully, it will help us be able to conduct business with some of our other programs as well, by opening up the door a little bit.

Some of the extension things that we have done include a lease which sounds funny when you think about us going out and leasing. That's because there's a Conservation Reserve Program setting aside land, a Waterbank Program setting aside land, and the Game and Fish Department has programs too, to idle land. But there was a little niche in there that we felt like we could fill. We worked with the folks at Game and Fish. Landowners have a lot of idle tracts of land that are probably being grazed or hayed right now, but they would just as soon not if they could get just a little bit of money out of that so that they wouldn't feel like that land was costing them to sit there. In the last year and a half, we have leased a little over 4,000 acres with lease rates ranging from \$3 to \$10 per acre. We could spend literally millions of dollars a year on this part of the program, but we have had to cut it back just because of the costs. We don't want to tie up all of our funding too soon and restrict our abilities to do other things. The agreements that we write with the landowners on the leases are very flexible ranging from 2-10 years, depending on what the landowner feels comfortable with.

One of the most successful parts of the lease business has been with waterbank lands that are expiring. I am sure it is a problem in other states, as well, where the Waterbank Program funds are not high enough to meet the demand of the landowner. I think in North Dakota there was something like 7-8 million dollars of Waterbank money available, and 13 million dollars worth of requests. Some of those landowners that have expiring contracts have come to us and said, "If you will lease it from us for a year or two, we will try to get it back into the Waterbank Program." So, we have been able to keep about 1,200 acres from the plow. Those farmers in the next year or the year after were able to get back into the Waterbank Program. We are real pleased with the way that worked out.

Probably one of the more exciting things that has been going on up here in the last six months is the wetland restoration effort. We got a small fund of money from the regional office so we are paying landowners or hiring small contractors to plug drainage ditches on conservation reserve lands. At times, we do this with our own Service equipment. Ten year agreements would provide a small one-time cash bonus of, I believe, a minimum of \$50 per wetland or \$10 per wetland acre, whichever is the larger payment of the two. In a lot of instances, that bonus is not enough for the landowner to decide to restore his wetlands because he knows in ten years, if the programs are dropped, he's going to have to pull those plugs again or, at least, he may want that option. But, as it's turning out, we are paying them for the dirt work, and the landowners think that is more than satisfactory. We are getting those wetlands basins, those ditch plugs put in for about \$200 apiece. We have

restored, I believe, somewhere over 300 basins so far. And we have quite a few more coming on the horizon. Right now, we are dealing on some discussions with Ducks Unlimited to see if they would be in a position to work with us in sharing costs or something like that to help our meager budget go further. If that's the case, we could open up a wide scale program of restoration here in the state.

I was raised on a farm up in northwestern North Dakota and I never have liked cows very much. But I used to have to milk them, and feed them, and haul hay, and the whole business. And I just don't like cows. A part of our program has got me a little more excited about those slobbering bovines again. Out there on private land we have probably two and a half million acres of grassland in the Coteau. This is not just in North Dakota, but down into South Dakota also. Most of that land is in a season-long grazing program and we know that it is not raising much wildlife. Neither is it doing as good for beef production as it could be. Out at the Central Grasslands Grazing Research Station at Streeter, North Dakota, they did some grazing studies where they found that the twice-over deferred rotation grazing system can increase beef production and duck production at the same time. So, we are working with landowners that have pastures in areas of good wetlands. We will go out and make a deal with them where we will buy the cross fence materials if they will put up the materials and agree to implement their grazing system for a period of ten years. We have about 15 systems on the ground, to date, covering some over 6,000 acres and the amortized costs over the ten year period of these systems is about \$0.37 an acre. We think that we can dramatically increase waterfowl production on these privately owned pastures. Spread a pasture into four cells and two of those cells don't even get touched until after the hatch. We have people from both the Northern Prairie Wildlife Research Center and SCS helping us out and, by working with the landowners, we are getting the system set up so that they will work properly.

Another project that we are working on that can allow city people to get involved with the landowners is putting waterfowl nesting structures out on rural property. We have the fiberglass mallard tubs and also wood duck duplexes, as designed by Frank Belrose, that are given to landowners or interested citizens if they will sign an agreement saying that they are willing to maintain them for a period of ten years. We have also provided several hundred of these large 800-1,000 pound flax bales to wildlife clubs across the state. They set those out on the ice and, as the ice melts, they sink down, looking like a muskrat lodge, and are used by Canada geese primarily for nesting. This has been a very popular project with the wildlife clubs because it is something that they have the equipment to handle in most of those rural clubs. It has been extremely popular.

We are also working right now with the Dakota Wildlife Trust, the ND Game and Fish Department, and several other private groups and agencies, including a major beer distributor that is looking to provide some funding for a major nest structure program to try to bolster mallard production in particular. We have embarked upon a pretty aggressive goal. We want to have 30,000 mallard nesting structures and 2,500 wood duck duplexes in place by the end of the term of the North American Waterfowl Management Plan, that is, by the year 2000. We have identified

some potential funding sources and now it's time to go out and put the arm on them and see if we can pull it off.

We have done some direct payments to landowners to delay their haying until after the hatch. Usually the magic date is July 15th. We try to use alfalfa fields, which are high quality nesting cover close to food wetland complexes. There is a little bit of controversy as to whether or not this is a wise way to spend our money, so this year all of our agreements included a clause that allowed the refuge managers to nest search the areas prior to haying procedures to get an idea for what we are getting for the dollar. Our delayed haying payments are running from \$3 to \$7 per acre, depending on what the landowner feels he is losing as far as quality of hay.

Unlike a lot of states, North Dakota still has fairly wide open opportunities to conduct predator management for increasing and enhancing waterfowl production. The place that we started to focus on this year was on privately owned islands, and also on areas where there are peninsulas that we can cut off with predator-barrier fences. These are almost totally noncontroversial from the anti predator-management people. The landowners don't have, in most instances, an economic loss by allowing us to trap islands. So, we have entered into a cooperative agreement with Animal Damage Control of APHIS, and they go out and trap. I believe this year we are trapping nine sites and we either have constructed or have approval for six predator-barrier fences on private land right now, with more in the wings. I think these are an opportunity for us to get out and greatly increase waterfowl production on a small area, at a relatively inexpensive cost.

We have done a little bit of work with minimum-tillage and no-tillage but, so far, we have not gotten that off the ground very well. I would like to do some more. Harold Duebbert at the Northern Prairie Wildlife Research Center did a study on no-till winter wheat and found pretty encouraging results as far as no-till winter wheat producing ducks. Somehow or other we would like to provide some incentives to get that no-till, minimum-tillage off the ground. Of course, when you use no till, you have the increased use of chemicals and we still have to deal with that internally. We're working with the NDSU Cooperative Extension Service to try to put together a package for the landowners on tillage and stubble management techniques.

Well, those are just some of the things we are doing out on the ground with landowners. We also have the educational items which are kind of fun. Some of the leaflets and brochures that we have put together are out back on the table, right next to the North Dakota Chapter of The Wildlife Society's belt buckles. We have some leaflets, some brochures that we have put together. We have a cooperative agreement with the NDSU Cooperative Extension Service and we have been able to get some videos that are being worked on right now on wetland values, grazing systems, nesting structures, and on the minimum tillage techniques that I discussed a little earlier.

You will notice that we have a set of four place mats out there on the table which are kind of fun. We had a quarter of a million of them printed up last year and distributed for about \$5,000. In a lot of

states, a quarter of a million place mats wouldn't seem like much of an impact, but you have to realize that in North Dakota that is enough for one-third of the population. This year we got greedy. We figured out how to get the cost reduced to a penny apiece and we are shooting for a million of them to get out to restaurants across the state. They have been very well received. I have had restaurant owners report to me that people are picking them up and taking them home with them. We are very pleased with that.

I have got some caps as props here which we will have Ted give away later. The only criteria is that they have to go to somebody out of state. We had caps made that say Take Pride in America--Protect North Dakota Wetlands. We had, I believe, about 2,500 of them made and we distributed a supply to each one of our field stations as well as keeping some in our office. We also give them to cooperators out there in the field who are supporters of the program and maybe donate a couple to a wildlife club when you go give a talk, as a door prize or something. You know we are in competition with the seed companies when you can go out and give a guy a \$1.74 cap after he has signed an agreement.

We have also put together some wetland stickers that say Take Pride in America--Protect North Dakota Wetlands. One of our refuge managers over at Valley City did the design. There are some of these out there so you can each take some home. These are starting to show up all across the state now. I was up in the northwestern part of the state and passed a vehicle last weekend that had one of these in his rear window. They have been very well received, and we are handing them out like candy, and we hope to plaster the state with them.

Working in concert with the NDSU Cooperative Extension Service is a real nice outlet for us because they can publish things so much cheaper. We give them an idea of something that we like, they go ahead and put it together, and we can buy the product from them. Then we can get things done a lot cheaper and more rapidly. We put together leaflets in which we have compiled all of the conservation and wildlife type programs available for all landowners in the state. It's almost like a menu that a landowner can go to. He can obtain information on tree plantings, grazing systems, or any number of wildlife development practices and find out exactly who to go to. I think it is a pretty good piece of work.

We embarked on a program with the Dakota Wildlife Trust, which is a private nonprofit group out of Valley City, last year. The program is called Operation Canvasback. This is something that was started in Minnesota with the Waterfowl Restoration Foundation, I believe they are called. They hold the trademark Operation Canvasback. With the trust, we acquired several hundred of these signs and we distributed them to the refuges across the state and to Game and Fish personnel to place on known canvasback staging areas in high visibility locations. They really show up. The Game and Fish Department also has some blaze orange "Attention Hunter" signs that these work very well in concert with, warning hunters that they are in a canvasback hunting staging area. We also have the Operation Canvasback window stickers that seem to be showing up more and more around the state.

Well, it kind of goes on and on. We attend farm group meetings. Sometimes we take a bit of abuse at those, but I think it is important that we are there. We have the Red River Valley Fair starting, and I will be over there setting up tonight. Following that, we go to the North Dakota State Fair in Minot. I think it is important that we get out and become a positive mouthpiece for the Service in an agricultural climate. In the last year and a half, we have had personal contacts with an estimated 300-500 landowners--most of them positive. Most the Service functions in the state revolve around enforcement of easements, game law violations, and things like that. Otherwise, we are out working, managing a refuge. This type of program allows you an opportunity to go out and meet with the landowners on a positive basis rather than on the negative.

I think that efforts such as this program can go a long way towards helping meet the long-term goals--the nonacquisition goals of the North American Waterfowl Management Plan. I think we expect this program to become an integral part of the Prairie Pothole Joint Venture.

Finally, one thing that is needed to make a program like this a success is to have support from your agency. If any of your departments are thinking of embarking on this program or any new program that you want to get off the ground, support from the top on down really does a number for you. It really helps you get your enthusiasm built up. We enjoy support from the director right on down through Galen, through my own supervisor, and all the way through my division. It has really helped us get things going.

The Service is not abandoning its fee title lands in North Dakota. Instead, we are adding another layer of work out there, that of working with private land and private landowners. I think we need to take an active part in influencing the land use decisions out there because 96 percent of the waterfowl are not produced on our land. I think that it is critical that the Service takes on ventures like this in areas that have such critical habitats for species such as waterfowl, like North Dakota. I would be happy to answer any questions you have on what our program is all about.

ART TALSMA: Do you work out any agreements with landowners for habitat practices right on the WPAs in North Dakota at all?

RON STROMSTAD: We usually have the refuge people deal with farm cooperators when they are doing refuge farming. You know, a landowner will get a hay crop or grain crop a couple years in a row for, say, working up and replanting it. Sometimes we directly hire landowners. I know that they are doing that on the refuges. But, in our program, we deal specifically with private land. We made the ruling that our money doesn't go on WPAs out of my budget. So, I hardly deal with our fee title lands at all.

ALLEN FARRIS: I think you said it, but how many acres of wetlands have you been able to restore and have they all been on CRP lands?

RON STROMSTAD: I don't even know the acreage. It seems to me that we have got some over 300 basins and they range from one-tenth of an acre up

to, I think we have one that is 76 acres that is in the central part of the state. We must be close to 1,000 acres of wetlands. We are doing most of it on the CRP, however, we have had some interest from a couple of landowners north of town that wanted to restore their drained wetlands and then put them under the easement program. That's really a sweet day when we can get those guys.

BILL BAILY: Do they have a fish and wildlife or a wildlife extension program at North Dakota State University and, if so, what is the relationship with that group?

RON STROMSTAD: We got in a little bit of trouble because of our name. I am glad you brought that up. We decided to name our program the ND Wildlife Extension Program from the standpoint that we figured that extension was a nice name that landowners think positively about because they are always getting help from the extension people at NDSU. There has been some confusion about whether or not we are FWS or we are Extension. There may, in fact, be a name change coming down the road. Terry Messmer is the NDSU Cooperative Extension Service wildlife specialist, and he is a real ball of fire that does an outstanding job. We work with him on a constant basis. We have a very nice relationship with them.

LARRY SHANNON: In addition to the basin itself, the basin proper, do you acquire any lands or lease any uplands around that basin?

RON STROMSTAD: Those kind of vary. With the CRP it is not a problem, of course, because we are going to have the grass cover there along with the wetlands when they are restored. In some instances, the landowner says they will restore the wetlands but they want to farm them if they go dry. We try to be flexible enough to meet the needs of them and get the wetland benefits when we can. We are working on one right now where the guy is restoring a wetland and then we are going to do a small lease on the wetland and a 60 acre plot of grassland cover around that for nesting cover. So, we have got all different types of scenarios that we work with. We try to maintain flexibility.

ART TALSMAN: We have a similar plan in South Dakota but one of the problems we are running into is the wetlands greater than 25 acres where we are advised to apply for water rights with the landowner. Do you do a similar thing in North Dakota?

RON STROMSTAD: Your water loss down there is a bit different. We have had some discussions with Lonnie Schroeder on that. In North Dakota, you are suppose to apply for a water permit if the wetland is 12½ acre feet or more. The State Water Commission has told us that any wetlands that were illegally drained, in other words, did not have a permit for them, you can go ahead and restore them without getting that permit. In North Dakota, there are very few wetlands that have been drained legally. So, we have a free wheel. Considering larger ones, we make sure that we go to the county water board and to the state engineer's office and go through a form process. But, we do not have to pay a filing fee like you do; they waive that for us. They have been real good to work with.

UNIDENTIFIED: How is wildlife trust working in North Dakota?

RON STROMSTAD: The Dakota Wildlife Trust and the Institute for Ecological Studies at UND in Grand Forks have joined together with us and we have provided a small funding to go out and deal with landowners on a personal basis. I think a lot of landowners feel guilty that they are running tillage and haying operations and are destroying a lot of nests, but they don't know what to do about it. This is an experimental program where we go out and provide small portable incubators to landowners and then, I believe it is about twice a week, an individual makes a route from Bismarck to Valley City, picks up the eggs, and drops them off there where they are artificially incubated and hatched. The waterfowl will then be released and Dale gets the upland game birds. I don't know if we will have those for a feed this fall or what. I believe Lyle Schoonover is the individual who has been hired to run the operation and he contacted 59 landowners to come up with the 30 that they wanted as part of the program. We agreed with the law enforcement people that we would have 30 permittees. He contacted 59 and only 1 turned him down. In talking with some wetland managers, we found that he had been a past easement violator that had been convicted. Otherwise, the response from the landowners was overwhelming. We hear about all these conflicts with agriculture in North Dakota but, if you go and sit at the kitchen table, a lot of times it changes things a bit. Any other questions?

If it sounds like we have been having fun, you are right. I have had the most fun year and a half in my life, and I expect that it will continue. It just seems like things are getting better and better. If you have any questions that come up over time, we are located here in the Bismarck office. Please feel free to give us a call or write and we will answer your questions. Thank you.

DALE HENEGAR: I have been asked that you please use the microphones when you ask questions because they are recording the proceedings and would like to identify individuals with comments. So, if you would please do that, I would appreciate it.

I want to mention a couple of things in addition to what Ron talked about. A number of years ago, we did have a wildlife extension biologist at NDSU in Fargo. There were some conflicts between the Game and Fish Department and the Extension Service, so the position was mutually terminated. I guess that's the term to use. We felt very strongly that we should have that position in place. We talked to Extension and made a deal with them whereby we would give them a \$60,000 grant to fund the program. Terry Messmer is the wildlife extension biologist who was chosen to fill the position. He uses all their facilities and it is working out really well. They have set up excellent rapport with the Fish and Wildlife Service, and Terry, and our Department. The whole program is working much better than we had thought it might. Extension has things available such as capabilities to make tapes, videos, movies, and whatever. They can put out publications much quicker than biologists in a department. It is a dynamic program that the Service is running. They have the capability of changing it without a lot of bureaucratic discussion about it. It is an excellent program which is really doing a lot of good. What it is going to be is a many faceted program that is going to be highly effective. We are extremely excited about it.



There were some interesting questions asked about how many acres of wetlands have been restored and so forth. This is very important to us in North Dakota because we are working very hard on the no-net-loss concept for wetlands. Mike McKenna will go through that particular program with you later on. I think you will find some aspects of that very interesting. We put that particular program in place prior to the implementation of Swampbuster and, in some ways, it is a bit more lenient than Swampbuster, but it may be a bit more workable. We wanted you to hear about it and pass your own judgment for the program.

We will change speed a bit now and give you Emil Berard, our reservoir management biologist. Emil has been a very key person, very instrumental in the development of the official management program for Lake Sakakawea. As was mentioned in the movie, it is a reservoir about 200 miles long, right up the middle of the lake, with 1,600 to 1,700 miles of shoreline and, depending on the water level, 35,000 to 38,000 surface acres. It is a big lake with a maximum depth of 150 feet. It has an excellent chinook fishery, as well as good walleye numbers, and really provides good fishing. I thought a lot of you, who are used to dealing with natural lake systems, might find some of the things a bit different. Also, give you a historical run down of the reservoir because it has only been in existence roughly 30-35 years. Emil.

EMIL BERARD: This has got to be short because Dale didn't leave me anything to talk about. I don't think I can summarize the fishery at Lake Sakakawea any better than Dan Nelson did in the movie you saw just before the coffee break. I know it is one place that I don't intend to break in my newly acquired Zebco ultra light. I would like to pass on a little information. In recent years, North Dakota has ranked in the upper three states in the nation for the number of fishermen per capita. I pass that along only as a point of information because when you travel through North Dakota you are going to very likely see a very high percentage of our over-the-road vehicles being pushed by boats. It has nothing to do with the quality of the vehicles that we are getting in North Dakota, it's just the fact that we have an awful lot of fishermen taking to the water with boats.

In the most recent survey conducted by the US Fish and Wildlife Service, North Dakota ranks third in the nation for surface acres of water stored in impoundments larger than 500 acres. Lake Sakakawea is the largest of the impoundments in North Dakota and the one that I will describe our endeavors in which to develop a sport fishery. Lake Sakakawea isn't unique by any stretch of the imagination. I think that it represents very well our historical experiences on the Missouri River system since the advent of Pick-Slone water development project. If I could have the lights, please.

Just a brief description of the Missouri River. The Missouri is the western-most tributary on the Mississippi drainage. It is the longest river system in the lower 48 states. The area that is shaded in green represents some 200,000 square miles of drainage above the Garrison Dam. Garrison Dam impounds Lake Sakakawea, which is the second of six mainstem reservoirs going downstream from the headwaters of the Missouri from western Montana. I don't have to describe the reservoir. I think that has been covered very well. The Garrison Dam National Fish Hatchery lies

directly below the dam itself. The hatchery is one of two hatcheries in the state of North Dakota, both of which are federal facilities. At the present time, the Garrison Hatchery produces roughly 65 percent of our average annual production of two million northern pike and two and a half million walleye fingerlings. It is also the only facility in the state that is geared for cold water production.

When the hatchery first went on line in the early 1960s, the idea and concept behind its construction was based, more or less, on providing the state of North Dakota with rainbow trout for a statewide trout stocking program. When we got into the salmonid introductions into the Missouri mainstem, it was a "rob Peter to pay Paul" situation to accommodate both the Missouri as well as our statewide stocking.

We have experienced some major changes in the fishery on the Missouri River system since impoundment. Shortly after impoundment, we realized that roughly 20 percent of the overall fishery consisted of game and pan fish, and 80 percent of the fishery consisted of commercial species. The opposite holds true today in that 80 percent of the fishery now consists of game and panfish species whereas 20 percent are commercial species. Our primary game species are walleye, sauger, and northern pike. Each of these species has experienced some major fluctuations, as much to the detriment as to the salvation of the fishery. During the early years following impoundment, we never had two of these species coming together at the same time. Generally, when conditions were right for one species they weren't right for another species. It hasn't been until recent years that we are seeing conditions suitable for more than one species at a given time.

I would like to go through these species briefly and try to describe what happened to them in Sakakawea as well as other mainstem impoundments.

I will begin with northern pike. Catch frequencies for northern pike were never high. Throughout the 1960s and early 1970s, they were our primary sport fish in the creel primarily because our sport fishermen were at that time bank fishermen and not boat fishermen. When the reservoirs were filling, waters inundated optimum spawning substrate for northern pike, as well as forage species, which made it very conducive to survival and growth of northern pike. The reservoir filled in 1967 and shortly thereafter high water erosion eliminated northern pike spawning areas, producing large outcrops of gravel throughout the 1,600 to 1,700 miles of reservoir shoreline. Along with the loss of northern pike spawning areas, we also lost our forage production. The most recent peaks that you see in the graph represent some rather drastic changes that occurred during the mid to late 1970s. During the 1970s, the majority of the water was being stored above the Garrison Dam in contrast with what we have seen in the 1980s where a major portion of the water was being stored below the Garrison Dam. Recently, we haven't realized the frequency of high peaks in the reservoir as we did in the 1970s. An example of a high peak was in 1975 when Lake Sakakawea exceeded full pool by 4.9 feet and we flooded additional new areas. Also in 1978, through the promotion of shoreline revegetation, we again flooded vegetation, which was very conducive to natural reproduction in the western extremities in the reservoir. It also provided excellent cover areas for

stocking northern pike in the eastern extremities of the reservoir where natural reproduction does not occur.

Our bread and butter fish since the mid-1970s is, of course, the walleye. The walleye were the primary benefactors of the reservoir filling and the erosion that took place. Excellent walleye spawning areas were created. During the high water years in the 1970s, numerous year classes were produced, which resulted in an excellent fishery that lasted up to 1982. Because of the water storage occurring primarily in the system being below the Garrison Dam in the 1980s, we have only experienced good reproduction on walleye one year since 1979, and that was in 1982. In 1986, we did have water levels that did come in time to help produce a low average year class in the mid-portion of the reservoir. Some of the parameters that we feel are most responsible for major fluctuations in the walleye populations, which is the one fishery that we catch the most heat over is, first of all, water level fluctuations. During the 1970s, water levels were coming up in the spring of the year when walleye were spawning. In contrast, in the 1980s, water levels came up after spawning. The mild winters that we have had and early ice-out periods that we have had in the 1980s have also resulted in the walleye spawning earlier in the year, which makes weather a very important factor. On numerous occasions, our walleye were caught while spawning by late snow storms. So, adverse weather conditions, we feel, have had a major impact on some of our year classes.

Condition of the brood stock is something that is more recent. In light of the fact that we have had very limited recruitment in the reservoir, we are now facing a very unbalanced population. Life expectancy of male fish is roughly three years less than that of the females, which has resulted in a population that is running five females per male--very unbalanced for spawning purposes.

Let's look at the strength of the forage base. With the forage base that we have established at the present time, major fluctuations have also resulted in changes in the feeding habitats of the predator species. Keep in mind that we have a lot more predators out there now than we had in the late 1960s and early 1970s. When the forage is gone, we realize very heavy predation on both walleye and sauger. I will discuss the forage shortly.

Sauger was actually the first game species to peak in the Missouri system shortly after impoundment. It was a fishery that was very under-utilized because most of our fishermen were bank fishermen. The fishery declined as reservoir conditions changed from riverine habitat to more of a reservoir environment but something very interesting has happened since the mid-1970s. In the mid-1970s, we located an isolated population of sauger midway up reservoir. These fish had adapted very well to the colder water regions of the lake. They were occupying habitat that would normally be considered cold water or salmonid habitat. That population, over the years, has expanded to where it now reaches both ends of the reservoir. It has been self-maintained and doing extremely well. We have done some culture work with sauger. Our findings are that sauger are so well adapted to the colder water that they are spawning very much later in the year than what walleye are. They are also spawning much deeper in the lake profile than the walleye

normally would. This makes them a lot less susceptible to water level fluctuations and extreme changes in weather patterns during spawning. Another major factor that is partially responsible for the success of the sauger is that they are spawning over a very long period of time. Walleye spawning, for the most part in the reservoir, peaks and lasts for roughly five days. The sauger are spawning over a period that lasts from mid-May through mid-July.

From a management standpoint, we have found that by addressing factors which influence walleye, we have had an indirect positive effect on our other game species. First of all, water level management. Within the course of the last 20 years, all of the Missouri River states have been working very closely with the Corps of Engineers in developing an understanding of what it takes to promote fisheries in these large impoundments. More recently, in 1985, a general understanding was reached whereby the Corps would purposely unbalance their operational mode on the Missouri River system to try and enhance the fishery of at least one of the impoundments in every given year. We have no control over the weather but knowing what its effects can be on spawning fish enables us to predict the success or failure of spawning in a given spring. This lends itself very well then to what we might try and accomplish utilizing hatchery stock. Brood stock and forage are very closely associated with our ability to stock.

As I mentioned in discussing the downfall of the northern pike, the 1960s were also the downfall of our primary forage. Both the yellow perch and the goldeye were the primary forage through the 1960s. The goldeye, I might add, just experienced the same decline that we see here for yellow perch. During the early 1970s, we had a fairly intensive northern pike stocking program going on in the reservoir trying to maintain that pike fishery. By the mid-1970s, we had all but discontinued our pike stocking program in light of the fact that we were experiencing very poor survival. Basically, the northern fingerlings were being consumed about as fast as they were being put in. This led to the introduction of rainbow smelt in 1971. By 1975, rainbow smelt occupied all niches in the reservoir, not to mention a few other places in the Missouri River system, and had become a primary forage. In light of the fact that smelt came on so strongly and were used so heavily by all of our predator species, we did a lot of walleye fry stocking, which I can say without fear of contradiction, was unsuccessful in almost every case.

In 1979, we began very limited introductions or stocking with walleye fingerlings. All of our stocking took place in the lower 1/3 of Lake Sakakawea where, again, natural reproduction is not known to occur. The lower third of the reservoir has seven permanent netting sites. The stocking of the walleye rotated from sight to sight depending on the year. The numbers in parentheses are the numbers for the station and whether they were stocked or not stocked in a given year. In every case, unstocked stations failed to produce a single young-of-the-year during recruitment studies in late fall, whereas, in every case all of the stations stocked with fingerlings produced young-of-the-year fish. The number outside of the parentheses is the average young-of-the-year taken in those areas that were stocked. Two factors we feel most responsible for the success of the experimental stocking in 1986 and 1987 where we

were looking at an average of 49 and 30 young-of-the-year fish per station, respectively, were: first in 1986, we had a high water year that inundated a lot of shoreline revegetation that promoted excellent survival because these fish had some place to hide as well as begin their growth. Secondly, in 1987, the major factor that influenced survival on walleye fingerling stock was the size of the fish that were stocked. In 1979, we were looking at putting fingerlings out at 2,800 to 2,900 to the pound. In 1986, we were looking at 1,200 to the pound and, in 1987, we were looking at 700 to 800 to the pound. So, cover and the quality of the fingerlings going in definitely had a positive impact on the success of stocking.

Along with forage introductions, we have added other species to the system in an attempt to diversify the fishery and even out some of the peaks and valleys that anglers had experienced in the past. We have found, from experience, that our anglers only like to learn how to catch one type of fish at a time. When that fish is on the downhill swing, it is a very long, drawn out process for them to change their ways.

We introduced small mouth bass in 1971. At the present time, small mouth bass are well established throughout the lower 2/3 of the reservoir and are producing an excellent cool water fishery in the lower 1/3 of the reservoir. It is a very under-utilized species at the present time but is gaining popularity very rapidly.

Our introduction, as I touched on earlier, also included salmonids, but at a cost to our statewide stocking program. Beginning in 1971, we introduced coho salmon. We experimented with coho between 1971 and 1981 with varied degrees of success. For the most part, we were not satisfied with the performance of coho in Lake Sakakawea. Chinook salmon, on the other hand, were introduced in 1976 in very limited numbers. I believe right around 86,000 fish were stocked. In the fall of 1979, we experienced our first chinook salmon spawning run. That created a lot of local excitement and, for the first time, it enabled us to gather a quantity of information on one of the cold water species. Up to this point in time, we had relied very heavily on angler returns and honorable rumors. The fish that you see on your left is a two-year-old chinook salmon that weighed five pounds. The fish on your right is a four-year-old coho which also weighed five pounds. That was the largest coho that we had ever recovered out of the reservoir proper. We did experience better growth with coho that went downstream and were reared in Lake Oahe and returned. But in the reservoir itself, the fishery was very limited and very sporadic.

Following our experiences in 1979, we elected to allocate some time in 1980 to take a good, hard look at salmonids for the first time. We set time aside and, for the most part, that is all we did in the fall of the year. Our first attempts at working with chinook salmon were very archaic. The reason we were spurred on in working with the salmon was more or less to make an attempt to collect some eggs and determine whether or not it would be feasible to run these eggs through the Garrison Hatchery and start to develop our own egg source. Our first methodologies were crude to say the least. We went in and developed bay block nets in hopes of concentrating salmon. In areas that snag, fishermen had located salmon the previous year. Our thoughts at that

time were that we may be able to recover fish from behind those bay block nets with a trap net but that didn't work. At that time, we employed the use of the electro shocker, which not only proved extremely valuable in collecting salmon from behind the block nets, but has since proved extremely valuable in locating concentrations of chinook spawning in the fall throughout the lower 1/3 of the reservoir. From an egg-taking standpoint, this is important because with the low numbers of fish that were coming in during the early 1980s, we had to find as many fish as possible to collect the eggs needed for experiments at the hatchery.

The fall of 1980 saw the delivery of the Gar II. This is the down-east lobster boat that we immediately converted to a hydraulic gill netting boat. This unit gave us the opportunity and the ability to sample cold water species throughout the reservoir throughout the open water season. This is something that we were not used to and didn't have through the 1970s.

By the mid-1980s, we had to sit down and take a good hard look at where we were at with the salmonid program and where we hoped to go. By this time, we realized that there was little or no predictability in what might show up in the fall of the year. Throughout the course of experimental stocking on the Missouri, one of the primary problems that we ran into was limited hatchery space to stock the numbers of fish that we wanted to see go in. What the fishermen felt they wanted to see go in was near impossible. What it generally necessitated was moving the fish out of hatchery buildings in late January or early February and putting them out in concrete race ways with no heated water. This resulted in very poor growth in the chinook salmon, which ultimately resulted in stocking small fish very late in the summer season. Late in the summer, we knew predation on these young fish being stocked was going to be at its peak.

Another problem that surfaced in the early 1980s was a source of eggs. Following our success and excitement in the first two years with chinook salmon, we started to seek out sources of eggs and found out that because of disease problems on the west coast, they were no longer available out there. We have relied on a number of egg sources over the years. As a result of disease problems cropping up throughout the country, we have put more and more emphasis on our own program to collect enough eggs to have chinook salmon as a self-supporting fishery.

In the mid-1980s, we designed two projects that we felt would not only help add some degree of predictability to the chinook fishery, but also help us with a means of capture for egg-taking purposes. The first project we designed was cage culture. Our primary objective there was to reduce crowding at the hatchery so that both the hatchery, as well as our cage, could produce larger fish faster, thereby giving us an opportunity to stock them early and avoid predation. The second goal was to try and imprint fish to a collection site that we had found through electro-shocking efforts earlier.

The cage culture project was very basic. We fashioned a flotation device out of discarded irrigation tube and purchased a relatively inexpensive cage equipped flotation unit with two demand feeders, a solar powered automatic feeder, and, of course, our morphaline drip station.

Since 1976, our success with the cage culture has been very good. Overall, our estimates in the three years has never exceeded 3 percent mortality in the cage. Our numbers show greater losses than that because over the years we have had a lot of trouble with just plain fish escapement, mesh size problems, tears because of beaver, wind problems, etc. The number on your left for each year represents the size of the fish as they were put into the cages. The target size for stocking was roughly 70 to the pound. The percent of North Dakota-supplied eggs didn't reach 100 percent until last fall. We were trying to develop a "Sakakawea strain salmon" but, in the first couple of years of the project, we had to mix with Lake Michigan fish simply because of space limitations at the hatchery. When we first started this project, we were in very close contact with different project groups on the west coast. At that time, they had not reached an ending density of 0.2 of a pound per cubic foot. In our first year of the project, we exceeded that density. In 1987, we had hoped to push the project even further but had to stock the fish prematurely because of a smelt die-off and a culminarious outbreak. Gulls were dropping the smelt into the cage. We didn't want to risk losing the fish so we elected to stock them. This year we exceeded 0.3 of a pound per cubic foot and we are looking at a conversion factor on our feeding of nearly one.

The second part of our planning in the mid-1980s was a method of capture for the chinook when they did return to the spawning area. This is a North Dakota version of Alaskan floating salmon traps. The placement of the trap is back in the same area where our fish are cage cultured. The trap worked exceptionally well when we took into consideration the man-power efforts required to take the same number of fish with electro-shocking. It still didn't solve our problems completely because we still needed a crew to run the trap while we had a second crew on shore taking the eggs.

Over the years, we have gained some experience with salmon spawning channels and salmon ladders. Thanks to the cooperation of the Corps of Engineers in 1984, we used controlled releases out of one of the dam's emergency spillway gates to literally turn the emergency spillway channel into an artificial channel. Some two dozen beaver dams in that channel acted as a very natural fish ladder. The number of fish coming up from Lake Oahe and then up this channel indicated that our efforts would be a lot better served if we spent them on the reservoir proper. At any rate, our experiences with that channel and the salmon ladders led us to develop a portable salmon ladder last fall. The ladder is very basic. It consists of two thirty-foot sections of corrugated culvert with the bands left on the end so that sections of culvert could be added or taken off as needed. We designed it to be semi-portable so that if, in fact, it did work, we could set these up wherever we had major concentrations of salmon. The water supply for the salmon ladder was supplied by a 12 inch crissafuli pump.

This slide simply shows the placement of the tractor, the salmon ladder, and salmon cage. This ladder is set up with the salmon trap adjacent to it. We ran the two side by side with the hopes that not only could we evaluate catch efficiency of the ladder but we could also evaluate and compare the catch efficiency of the trap and electro-shocking.



The pump powered by the tractor that we had was producing about 2,800 gallons per minute. Two thousand gallons went down the ladder itself with the remaining 800 gallons per minute going down the sluice to a holding crib. Shortly, after some very limited experimentation with day as opposed to night operation, we went into 24 hour operation and, at that point, we discovered, much to our delight, that the salmon trap no longer produced fish. At the peak of the spawning run, the make-shift salmon ladder was producing 5-6 fish per minute. For the first time rather than looking all over the lower third of the reservoir for chinook salmon concentrations, we had the fish coming to us. This cut our man-power efforts in half. The cost of collection for these eggs was \$5.12 per 1,000, and half of that cost was recovered through the sale of fish.

Last fall culminated an 18-year effort to develop a cold water fishery. It also culminated an 8-year effort to make that cold water fishery self-supporting. Over the years, we had the deck stacked against us. Percent of the females in the run was on a steady decline and the average size of the fish had been on a steady decline. That required more and more man-hours to produce more females to collect roughly the same number of eggs.

In the fall of 1987 a lot of things fell together for us. The percentage of the females in the run started to come back up and average size increased slightly. For the first time, we were able to exceed the two million eggs we feel are needed for our program.

The most recent addition to our cold water fishery is the steelhead. Following our initial work with the cage culture and release of the first batch of chinook salmon, we double-cropped the cage with steelhead. Much to our delight this spring, that group of fish produced an excellent run of steelhead back in Rodeo Bay where we do our spawning. These fish, with the number of eggs that we have collected, puts us at about the same point now with steelhead that we were eight years ago with the chinook salmon.

I would like to mention very quickly that things have turned around considerably in our management of Lake Sakakawea and the Missouri River system. First and foremost is the work accomplished with Wallop-Breaux funds, specifically, the addition of our new cold water facility, the Garrison Dam National Fish Hatchery. This facility was built and designed to produce one million chinook salmon smolt. It houses ten 5 x 35 foot fiberglass raceways and six 8 x 80 concrete raceways. In light of the success with the cage culture project, we will very likely continue gate culture. This then opens the door to utilize that space for expansion of our cold water program into additional steelhead, browns, and lake trout.

As it was the day they put the plug in the Garrison Dam, we have a lot of things to look forward to. We have a cold water fishery that has adapted very well to a reservoir environment. We have got expanded hatchery facilities that will enable us to utilize our knowledge of the fishery to use hatchery stock effectively. This, as of last week, was the beginning of what will be the home of 40 additional rearing ponds for cold water species. That will give the Garrison Hatchery a total of 64

ponds. Our cold water fishery is well developed throughout the lower 2/3 of the reservoir. The new cold water facilities expand our abilities to address the potential of the reservoir as we never could before. Our ability to collect eggs has now been confined to roughly 50 acres of water as opposed to the lower 1/3 of the reservoir. We do have a self-supporting, disease-free, chinook fishery at present time. Are there any questions?

STANLEY MICHAELSON: I was wondering if you could briefly describe what you did to help vegetation in the water fluctuations or did that come on naturally just as a result of the water fluctuations, as this related to northern pike especially.

EMIL BERARD: As it stands today, I think a lot of it had to do with the 20 years of discussions by various states with the Corps of Engineers and developing an understanding of what is actually needed by fish in the reservoirs. At the present time, recommendations are made annually to the Corps to address the fishery in at least one mainstem impoundment in any given year. A part of those recommendations would be an alternate cycle of draw down and filling years so that we can revegetate the shoreline. Forage fish can utilize that shoreline and it also makes it very conducive for stocking.

DALE HENEGAR: Thank you very much, Emil. I am sure that you know everything you want to know now about Lake Sakakawea. We are feeling pretty good about the whole program for it is working out quite well. I see that we don't have to worry about our extra time now for a while. So, with that, I will ask that Bob Meeks comes up and gives us a good discussion on Ducks Unlimited. I think that you all know that they run one of their major offices here in Bismarck, and we are certainly happy to have them in the environmental community with us. Bob.

BOB MEEKS: Thank you, Dale. Gentlemen, I am pleased and honored to be here. Quite frankly, I feel very much at home with this group, having been born in Ohio with my first job being with the Ohio Division in 1957. I worked a little bit in the late 1950s in Michigan, many years in Ohio, several years in Wisconsin, and the last four here, so I do feel like you are a group that I know quite well. I must admit when I look at the whole group that is in here, I see Arkansas down there on the bottom and it reminds me of the tech session meeting that we had back in Little Rock back in 1973. I still have my little rock from Little Rock that my daughter runs around with most of the time. But at that time, I was looking for a work boat and I knew that down in Monticello, Arkansas, that both Duracraft and Monark made nice work boats. I was talking to one of the biologists and wanted to know how far Monticello was and he asked why. In the discussion that ensued he said, "Well gee, I have to go down there and pick up a conservation officer tomorrow and I would be glad to take you down." So, I jumped in with him and rode down. We had an interesting discussion on our way--game, in general. On the way back with the conservation officer, we had the same type of discussion. We talked about hunting wild pigs, which we weren't used to, that a lot of hunting was private, and what not. We got into hunting deer and the use of dogs, which is something that we had not been involved with at all, which was quite interesting. The discussion indicated it is a big thing and the hunters end up with fancy tree dwellings that they hunt out of,

some of which are heated, and on and on. As this conversation continued, the conservation officer finally spoke and said, "What you ought to do someday is come down here just about two days just before season, go out to the forest and swamp, find yourself a tree house that really looks good with a lot of deer runs, and haul your butt right up here really early opening morning. You will probably have some excitement that you will not forget." The district biologist spoke up and said, "Damn you, Levi, you are trying to get yourself another Yankee shot." That sort of is where Arkansas fits. I am not quite sure whether I am at home there or not.

I was asked to speak on DU in America, which fits in quite well with our entire conservation program because we call it our Wetlands America Program. I am going to rapidly go through it and then spend most of my time on some slides, showing you what is going on. Also, a few remarks on the North American Plan. Our Wetlands America Program has three different facets to it.

The first one is our habitat evaluation and inventory program. That's the one with which most of you are familiar. We are working with the Nasa Land/Sat 5 satellite remote sensing vehicle which travels better than 400 miles overhead. It will make a pass every 16 days and we can take wetland basins down to 2/10 of an acre in size, get acreage on deep marsh, shallow marsh, open lakes, and other various areas. We hope to have the entire prairie pothole area mapped by the end of 1990, and we are on schedule with that. Approximately 60 percent of the 300,000 acre area is currently mapped. Once we get it mapped, we don't want any of our data sets to get more than five years old. You can do it every 16 days if there isn't cloud cover but, as far as just for the whole program, we do want to stay current for five years.

Our second program under the Wetlands American Umbrella is the MARSH, the Matching Aids to Enhance State Habitat. I would say that all of you are involved with that one way or another. That's where 7.5 percent of our grass roots money goes back through the state agency to either purchase, enhance, or maintain wetland habitat within the state. We have approximately \$5½ million budgeted for that program this year. Some 63 projects are completed to date, another 85 are under construction, and 24 have been approved for further action, so a lot has been happening in that program within the last several years. Some 15 million dollars have been reserved to date for that program.

The last one, and the one that I am involved with directly, is our Habitat USA. This is the last of the three under our Wetlands America Conservation effort. In Habitat USA, we have two regional offices at this time, the Great Plains Regional Office, which was opened in Bismarck when we started in 1984, and last year the Western Regional Office, which was opened in Sacramento. That one is primarily working in the central valley of California; but is starting to do some work in the waterfowl habitat areas of Oregon, and Washington, and also some work in Alaska, which we did out of our office when it first started. Our office actually works in the states of Montana, North and South Dakota, and Minnesota. This year, we have some 7 million dollars committed to our Great Plains and Western Regional Office programs. Out of the Great Plains Regional Office, we have completed some 125 projects to date and

we have an equal number in various stages of permitting and design survey. Just a run down of where these are located. We have seven completed with the Minnesota DNR, 20 with the Forest Service in all four of the states that we are in, 8 with the South Dakota Game and Fish Department, about 68 with the US Fish and Wildlife Service in the four states, 5 with Montana Fish, Wildlife, and Parks, 4 with the North Dakota Game and Fish Department, 1 with BLM, and 1 with the National Park Service down in South Dakota. Those are the ones that are completed. To date, we have committed some \$17½ million total since we started in 1984 and we really got moving in 1985 in that program. For 1988, we have a 26 million dollar commitment to DU Canada and about a 1 million dollar commitment to Mexico. So, our entire wetland conservation program of DU is some 40 million dollars.

With that, I would like the slides. I would like to run through some of the types of projects that we have done. I am going to start in Montana and make a swing up to North Dakota, down into South Dakota, and back up into Minnesota.

This one right here is on Red Rocks Lake National Wildlife Refuge. This is a picture of little Red Rock Lake. You will have to bear with me on some of my dates but you will get the general picture. Back about 30, 40, 50 years ago, the lower Red Rock Lake did have a dam put on it and a spillway. They were inadequate to really do the job for this 1,500 acre wetland could not be drawn down or drained, so it became permanent as far as for its water holding capabilities. The second problem was that the primary spillway was not big enough to handle the large quantities of water that came into it when the snow melt occurred and the runoff hit it in June. So, there is what we call quite a bounce. When you get quite a bounce, you have a lot of destruction of trumpeter swan nests and other over-water nesters. So, they asked us about three years ago to help. This was the old spillway, a fixed double, six-bay, primary spillway.

This is the one that we put in to give drawdown capability, giving it six drawdown bays.

This is the old emergency spillway that was only about 100 feet across. We put in a 600 foot spillway, what I believe they call a concrete, revetment, mattress spillway, to handle the flows and not get bounce. I think we want no more than an eight inch bounce in there over a two to four day period.

This shows it looking right down along the whole structure. It now has drawdown capabilities. Naturally, as soon as we got it finished, they went into drawdown because after that many years without being dewatered, they wanted to oxidize the bottom sediments and deposits and get some new germination going on.

This is another one. This is with the Montana Fish, Wildlife, and Parks, and US Fish and Wildlife Service, and it is known as the Schoonover Dike. It used to be a drainage that just came out and went on down. We put a 1,700 foot earthen dike there and took the dirt out in such a way as to create a few islands. We have had excellent waterfowl use of that area on Ninepipe National Wildlife Refuge, known as the Schoonover Project.

I am going to run through a series of about 16-18 small ones on the National Grasslands, primarily with the Forest Service. We just take a dry draw like that, put in a small, low-head dam, and flood back a basin, the average basin being about 16 to 19 acres.

This is another one which is about half full. You can see the emergency spillway. The dike is there and when this is full, an island is there. There is a lot of shoreline edge on these impoundments.

This is one up in, well, we call it Horse Pasture but it is up in western North Dakota. We do get excellent utilization of these areas by waterfowl. Most of them average the first year about one brood per acre during the first year and, by the second year, we are pushing two broods per acre. Once you put the water out there, they really use it. They are not large but they are very productive areas.

This is on the north side of Lake Sakakawea. This is known as the deTrobriand Game Management Area, managed by the North Dakota Game and Fish Department. This area is like Mallard Island and some other areas around that have some good nesting, good nest success, but have rather poor brood rearing habitat. The shores of Lake Sakakawea are not really good rearing habitat. Typically, the water is being released and being let out of the lake, therefore, you end up with just a muddy shoreline. So, working with the Game and Fish Department, we went in on a number of those little back bay areas and put in an earthen structure. This is a slide of the one that you saw before. Once you have the structure in, the lake can go down but still maintain the water in the back area. Some excellent brood rearing habitat can result. Radio telemetry studies have shown that hens may go from 6 to 8 miles inland to find brood rearing habitat. We thought there was no sense in that if it could be created nearer and you could cut down on the brood loss.

This is another one. You can, again, see in the background Lake Sakakawea. Lake Audubon is across from the road. This is Custer Mine, where a dam right in there created an excellent brood rearing area. This is what it looks like in the back area. It is a very pretty area and has had a lot of use. We got that one in two years ago.

Moving on to our first project that we ever had, which was on Arena Game Management Area, in cooperation with the North Dakota Game and Fish Department. We cut off a peninsula to create secure nesting habitat. The first year, before the peninsula was cut, there was one nest that was located on the cut off area. It didn't surprise us that the 1985 nesting effort was poor because the area had been grazed right out to the tip prior to being cut off the previous fall. There just wasn't much vegetation left. By 1986, the nesting started to pick up and the habitat was starting to get a little better. In 1987, they tallied 184 nests. The search has just been completed this year and I understand that out of the four counts they had 175 nests, which we felt good about. I am not positive on some of these, but it seemed like pintail, in particular, didn't show up in the early counts. As we got farther into the nesting cycle, more mallards and gadwall nests did show up and we even had more than last year on the later counts. So, we felt good that this year we did have 175 nests on the area which is about 100 acres. There are about

30 acres of what you call a really good nesting habitat out on there. We are getting right around 78-82 percent nesting success.

We have worked establishing a number of islands in water areas. This is one on the Big Meadows Waterfowl Production Area. In working with the Fish and Wildlife Service, we built 18, or was it 25, islands. Anyway, they were approximately 3/4 of an acre each; after we got the project done, a study showed 625 nests or an average of 33 nests per acre--and they knew they missed a bunch of them. That was the first year after it was put in. This year, of course, it is dry so you will not see that kind of results. As far as success goes, it was basically 100 percent.

This is one with Fish and Wildlife Service, Long Lake National Wildlife Refuge. Long Lake has quite a bit of fair habitat around but there is not the best of brood habitat, so working with the Fish and Wildlife Service, we separated off the incoming stream area and created a 6-8 acre island. There were 18 nests on it this year. We put in a dike with a control structure and you can see all of the brood habitat now that has been created--some 400 acres.

Moving on into South Dakota--this is known as Black Slough Game Production Area. It was an area where water moved straight through the area. Right there was a very dense cattail basin and this shows it the first spring after it was completed. Before our work, you would see no water around the edge, just an overgrown monotypic cattail basin. Our entire project in there now has been completed. We have a structure here, here, and here, and the main one right there. So, there is about 200 acres now on that area of good habitat. This is what the three main structures look like--a concrete drop with a water control capability building.

This is what two of the smaller upstream ones look like. They are primarily for pair habitat, with the larger basins on down.

This is what that Black Slough looked like a year ago. This year, the South Dakota Game and Fish Department is working it in a semi-drawdown condition because they are able to do exactly what we wanted; that is, get the water level up and open up some of that cattail that had been there. There was almost no standing water at all for years. Now, this year in a semi-drawdown, they will be able to get some real good germination and quite a variety of plants.

I have a number of electric fences out there. Here's one, Lake Albert Hogsback, SD Game, Fish, and Parks. These are energized with solar power with a battery back up. Next, please. This is another view of one.

This is the area that we showed in the first picture--Lake Albert Hogsback. Last year it had 75 nests. This year they found something like 73 nests. This is a little deceptive. This was a single search, early in the season. Based on other projects where we have done the multiple searches, we come up with about three times the number of nests that we find with a single search. So, this is basically an index of the use that it is getting. It is very well used.

Moving on into Minnesota. This was in cooperation with the Minnesota Department of Natural Resources, and it actually had very many people involved before it was totally accomplished. Back in the early part of the century, a drainage ditch went through this area. It was farmed off and on for a number of years, as you can tell, and had a number of different ownerships. The Department of Natural Resources actually picked up one of the pie shaped pieces back in the early 1950s. Then, about six years ago, the drainage board decided that they wanted to clean this out to provide drainage. Of course, this would enhance the Department of Natural Resources land and the drainage board would assess them for draining their lands, which they didn't take too well to. The DNR decided that they should hit them with an injunction, and sit, and discuss the whole situation. So, in the end, working with about 20 different groups including Nature Conservancy, Ducks Unlimited, and many other local groups, they were able to pick up the entire block of land. Then, last year, we went in and put in a sheet steel weir so that they could regulate the water in there. In order to minimize bounce because we know there are some over-water nesters that do use it, we have a rather large structure with an emergency overflow that goes around it.

This is a look across the basin, just about a month ago. It is a very beautiful 300 acre marsh now, a nice project. You like to see this kind.

This is one that we have done with the Fish and Wildlife Service, known as their mid-continent program. They went out and negotiated with local landowners who would receive an annual fee for recreating drain basins, plant uplands into dense nesting cover, or to put various crop practices on uplands that would enhance waterfowl production. Ducks Unlimited did the actual construction of the ditch plugs, blocks, and so forth. Typically, this is what they would look like, just a riser over a tile or just a straight plug.

This shows one of the typical sites. The tile riser is here, plug a tile off here, a little dam right in here to provide seasonal habitat, and another dam up here.

This is what it looked like after it was completed. This one, with the riser here and then the plug. This one, with the dam across it, is not quite full.

On that last one, there were about 50 landowners that were involved. In the total program, some 2,000 acres of wetlands were to put back in and two to three times that amount of uplands.

This is another type that we have done four to five times in Minnesota. This is an area that has had drainage water run in to it but doesn't have the capability to draw down and it was becoming a rather nonproductive wetland. We would go in on the far side over there and put in a drawdown-structure capability with a small dam, dike, emergency overflow, and allow the water to be taken off; so for the first time in decades, we are able to get some germination going on in the basin and some oxidation occurring. Next, please.



This is a shot of that first picture when it was just an open basin, but here it is drawn down. Next shot. Same one a year later when water was put back on it. There you have a very productive marsh that was well used, when for years, without any management capabilities, it had just stood as an open body with very few emergents. Next, please.

This one is with the Minnesota Department of Natural Resources and is known as Pelican Creek. The Department had picked up easement on about 100 acres of basin that was literally monotypic cattail coming out of Lake Kristina and Lake Pelican and then right on down through. I asked Ducks Unlimited if they would be willing to put in a control structure. The project was rather unique because of very soft soils to work in and it had to have a bridge capability to run farm vehicles across the top and still have a very large watershed, so it had to have a large inflow capability. You see the drawdown bay cut into the front face.

Here is what it looks like from the top when it is full. Emergency spillway on the back. Water pouring in right there backed up, coming on out, bridge across the top. Next slide, please. Looking straight down on it--water pouring in it and going across it. Next, please. This is what the basin looked like about two years after it was completed. It is starting to open up, starting to look like a very nice marsh. It has some real capability now.

Going farther north in Minnesota and working with the Forest Service on the Pigeon River in the Chippewa National Forest.

This is an area of some 66 acres that beaver had maintained off and on. But usually it was just a wet shrub meadow. Right here we put in a dam control structure--a double drop inlet. This is what it looked like the first year on a rainy day. It always rains when you go that far away from home and want to shoot pictures. The project gives it some real management capability and some wetland habitat that now can be counted on.

This is the last one with the Minnesota DNR and is known as Little Pine Game Management Area. It had been impounded years ago. You see part of the old control structure right here, which was no longer functional, and beaver were the sole managers of the area for some time. We went and put in a dike along with a control structure and a special inlet to keep beaver from plugging it. This slide is looking out across the basin as it had been. This final shot will give you an idea of what it looked like. The control structure is right down in there and it is about a 150-acre basin.

Okay, thank you. I would like to close with just a few remarks on the North American Waterfowl Management Plan. Ducks Unlimited does feel that this is one of the most important things to come down the pike since the migratory bird treaties earlier in the century. We do know that in order to fulfill all of the various things that are in the plan, it is going to take a lot of effort by everyone. We take our commitment very seriously. We plan that between now and the year 2000, some 500 million dollars will be raised through our traditional programs. We definitely desire and plan to utilize the majority of these funds in a manner that



fulfills the various goals of the joint ventures and in line directly with the plan. On top of that, we have an ongoing 150 million-plus dollar challenge program, which will raise another 300 thousand dollars. So, the total that we see now and between the end of the century is some 800 million dollars. Roughly, 70 percent of that will be going up into Canada, to DU Canada. Much of what takes place has to happen in Canada if the North American Plan is going to get fulfilled. We sure look forward to the various joint ventures getting worked out as rapidly as possible. Also, that the activities in my office are aligned with fulfilling the goals of that plan and working with everybody else. We do see DU playing a large role with all the various public agencies out there, especially from the enhancement aspects. With that, thank you.

NELSON COVERNO: The Dakota Wildlife Trust has a wild strain, hand-reared, mallard propagation program for the purpose of raising birds to release into areas or habitat that is not fully occupied. What is DU's position in regard to programs of this nature?

BOB MEEKS: Right at this point in time, we don't have any official standing on it. Our basic philosophy has been for all of our years that you have to develop habitat and work on habitat. That is what is going to maintain the species, the waterfowl, as far as for a huntable resource. I don't think we are worried right now about whether it is or is not going to be maintained as just an observable resource. But from a huntable resource standpoint, we feel that habitat really is the answer. So, probably when it comes to release simply from that standpoint, now I am just Bob Meeks talking and not DU talking, of something for the gun, I would say that it is not the best. If there are areas of habitat out there that actually do not have wild reproducing birds, and you can get a very good strain of birds to release, then it probably would have a role to play. But, as far as for just releasing for the gun, that's not the end that I would be looking for as a way to get birds.

I do thank you.

TED UPGREN: You will have a chance to visit with DU momentarily as we go next door to a luncheon hosted by Ducks Unlimited. A brief announcement here. If you have a spouse that wants to attend tomorrow night's pitchfork fondue, this is the last call. We have to know that figure as I have to call those people after lunch. We have 62 people indicating that they are going to that. But, we are not too sure if there may be a spouse or two out there that hasn't registered. Mike Johnson has a request about the tour for tomorrow afternoon.

MIKE JOHNSON: Tomorrow afternoon there is a field trip scheduled to Falkirk Mine to look at some of their mining operations and restoration work and also a tour of the power plant. Lunch is included with the tour. We have a bus ordered but we need to know how many people are going. We are assuming that most of you are going.

DELEGATES' LUNCHEON (Hosted by Ducks Unlimited.)

DALE HENEGAR: I think that in the number of discussions that we have had internally, and with other people in North Dakota, we tend to get a wide variety of reactions to the duck situation, to the drought, and the

potential duck season, and so forth. We are starting to get more phone calls into the Bismarck office and more contacts from sportsmen throughout the state. I must say that I am somewhat surprised at the amount of negative reaction that we have gotten concerning the possibility of a duck season. People are saying that maybe this is the time, with the situation being the way it is, to consider not having a duck season as such. I know that this is a major move. I have made the statement at a couple of Departmental meetings that if we personally felt that not having a season would be beneficial to the waterfowl, we would strongly consider doing just exactly that. But, obviously, if you are going to do anything as far as season closure, it would have to be done on a Flyway basis because it would not set well to have individual state actions. Another one of the main feedbacks I get to that proposition is that if a closure did take place, it would have to be done with an extreme amount of finesse. A lot of public relations work would have to be done so that we would not pass out the impression that the hunting of waterfowl is why they are in the condition they are in now. It would have to be very carefully done to emphasize the drought, the loss of habitat, the conflicts with all types of land uses, and so forth. But, there is another factor that we have talked about internally quite a bit. Also, something for you to think about, talk about, and discuss. For a number of years with the proliferation of more detailed duck regulations, point systems, closures, openings, and all of these things, it appears to us, at least particularly from our enforcement staff, we are almost regulating ourselves out of the good core of new waterfowl hunters. I don't think very many of you people who do hunt waterfowl would say that every time you pull down on a bird that you know every time exactly what it is. Anybody that hunts waterfowl a lot knows that it is very easy to make mistakes. And certainly, with the regulations that are in place, there are a lot of mistakes to be made. So, let's say that we did consider not having a waterfowl season for a period of one year. One way to look at it is that it may give us time as a group to sit down and look at existing regulations, discuss them very thoroughly, get a lot of input from a lot of people, and find out whether or not a more simplistic approach might be better. Things like a common bag limit of just three, four, or five birds a day, whatever would fit into the abundance in a given year, and stop worrying about redheads and Cans, and all these things. I know, for instance, that in North Dakota if we have to reduce the harvest of bluebill in a given year, we could do that easily by closing the Devils Lake basin to bluebill hunting and reducing bluebill harvest by 80-85 percent. We could close 10-12 major diver passes in the state and reduce the canvasback harvest by a similar figure. There may be other ways to do different things. I think that it may be the time, in view of the trouble ducks are in, to sit down as a group, and at least talk about some new thinking along with the possibility of closed seasons if it could be done without making hunting look as a major factor in the decline in duck populations. We have even thought that an appropriate bumper sticker may be "Shoot geese, save the ducks," or something like that. I don't know what the decline in duck stamps sales may be but I know that the thought of losing a cadre of duck hunters because of a closed season may be real. Some states certainly have some data on declines in number of duck stamp sales for various reasons. So, I don't know. I am not going to make any conclusions about that. But I think it is worthwhile for this group, with the duck numbers really down, to talk

about some things. Maybe, if all we do is talk, it will be something worthwhile. Maybe we want to work on a resolution or whatever.

I just wanted to slip the duck discussion into the program. We certainly can't spend too much time on it now, but maybe we can pick up later after you guys get a chance to talk to each other. Maybe it's important enough to hold a special hour discussion. If so, we can do that. Let's take about five minutes and get some very brief reactions. Does anybody have anything they want to say right now or should we just drop it?

LARRY SHANNON: I talked briefly with Al Farris right after lunch and we are thinking that a resolution should come forth from this body.

DALE HENEGAR: A resolution stating anything specific?

LARRY SHANNON: Basically giving support to the North American Waterfowl Management Plan but, also, it could be more inclusive. I don't know whether Al might want to say something that he might have.

ALLEN FARRIS: We talked about the resolution for support of the North American Waterfowl Management Plan, which I don't think this organization has ever done. We didn't talk about closing the duck season--that is a different subject.

LARRY SHANNON: I would just like to say that in Minnesota we have talked about joining the entire Flyway Council in doing something. If the entire Flyway Council desires to close the seasons, then Minnesota, of course, will be a leader.

KEN BABCOCK: First of all, you brought up several topics in your remarks in this regard. I am not sure that any single one of those topics could be given justice in even an hour on each topic. There are several topics to be considered. I would point out that while the Midwest Association certainly should take a stand with regard to the plight of waterfowl, there are other mechanisms involving Flyway Councils, involving technical sections, whereby regulation process can be influenced. Populations of waterfowl on the breeding grounds this year were not that much different than what we saw last year. We don't even, yet, have the production figures, although we can all anticipate that some of the major areas are going to basically be devoid of production this year. I think it might be premature to take any strong action. I was on the Mississippi Flyway Council Technical section in 1969 and, at a time when some preliminary information was available to us, that prompted us to take action to recommend closing seasons, only to find out that in 1969 things had changed. The populations turned back up and, by 1970, we were hunting 50-55 days in the two central flyways in this country. So, I think we need to be very cautious about making any strong statements at a time when much of the data is, in fact, fairly preliminary.

DALE HENEGAR: Okay, I think that is the kind of responses that we need.

STEVE MILLER: I just want to give you Wisconsin's view point. I kind of agree with Ken, I guess. It is just a little premature, not having a status meeting in Denver yet, to make some hard and fast decisions.

although all the information thus far is grim. That is the word that I have been using for the last month and I heard you on the TV the other night using the same word, Dale. I think everyone else is using it. Things are a lot different now than they were even 20 years ago. We don't have the habitat base that we had and there is a lot of concern. I know that our hunters are very concerned. We still have about 85,000 waterfowl hunters in Wisconsin, but this is down from our peak of 140,000 of years ago. We have seen a lot of changes in our state, habitat-wise, and population-wise, with flights coming through. Our hunters are very concerned, but they don't want to be singled out. They told me just don't close Wisconsin and let everyone else hunt. I told them we are not going to do that. Our people and the sportsmen leaders that we work pretty closely with have talked about the ramifications of a closure, what it would mean, pros and cons, economics, who is going to buy the duck stamp, are we going to still hunt geese, and all this stuff. They are supportive of a very strong conservative stand on waterfowl. That can include serious consideration to actually keep the season closed. Certainly, if the data indicates we should not have a waterfowl season, Wisconsin will support that. There were a lot of things in the last environmental impact update on waterfowl that were not brought out as bluntly as they could have been about the effect of splits and other regulations that have served to increase harvest, not keep harvest controlled. I think it is time the Fish and Wildlife Service and the Flyway Council take a hard look at changing things and going back to a system that not only is simpler but perhaps is more in favor of protecting and enhancing that resource. That is kind of the Wisconsin view.

DALE HENEGAR: Anybody else?

ART TALSMAN: I think, Dale, some of the things that you mentioned early on in your introduction need to be looked at pretty seriously by the Central Flyway in particular. We are much like you in that we have some special areas that could be protected, especially our canvasbacks and some of our other diver species as well. I think it is also an opportunity to look at things such as a volunteer no hen bag or something similar to that. That ties in to shooting hours. I think shooting hours need a careful, close look if we are going to start to protect those hens and still allow a little recreation out there. We have 40,000 waterfowl hunters and they are already switching over to geese. We have seen a decline in waterfowl hunting as far as puddle ducks are concerned. It may be that the time is right to start talking about protecting those hens.

DALE HENEGAR: Okay, anybody else? I am sure that there will be some extremely indepth discussions at some of the Flyway meetings. I know that our particular delegate will be pretty well briefed when he goes down. We will see what happens. But, again, I would like to repeat one of the things that disturbs us very much, and that is the almost obvious decline in young hunters. When you talk to a lot of them out in the field, which we try very hard to do, they are almost not about to go duck hunting. They feel that there is no way that they can not make a mistake. They feel that they are being watched constantly. This is just not a really good atmosphere for proliferation of the wonderful sport of waterfowl shooting. But, anyway, I am glad that we have had the

discussion. We have started some thought process working and that was the intention. You don't settle anything here, but I wanted you to know that we in North Dakota are very, very concerned about the whole picture of waterfowl hunting.

Okay, let's go ahead with the program. I think that before we do, that we will have Mark Reeff make a few remarks. Mark is from Washington and with the International Association.

MARK REEFF: I really appreciate the opportunity, Dale, to come here and see Bismarck and talk a little bit with you about what is going on in Washington. I have to admit it is a particular pleasure to be here while Washington is sweltering under its typical summer conditions. The Association has been really busy with a number of really pressing issues as of late; some of them I would like to discuss with you here this morning. First of all, I would like to bring you up to date on what the Association Washington office has been changing a little bit. You are all probably aware that Jack Berryman, the executive vice-president of International, is retiring and a search committee is presently trying to fill that position. As well, Mitch King of the US Fish and Wildlife Service on loan to the Association from the Fish and Wildlife Service, is going to be there and he is going to be coordinating the activities of the Association on the North American Waterfowl Management Plan. If you have any questions on the plan, be sure to call Mitch.

I would like to take the opportunity to invite you all to the annual meeting that is going to be held in September in Toronto. The reason I bring it up in particular, the August 1st pre-registration date is rapidly approaching and there is a little bit of a problem this year since it is in Canada. If you plan on attending and you want to send up your registration fees or your accommodation fees, that is all going to have to be paid in Canadian funds. So, think about that early, use a credit card or a bank draft.

Now, I would like to switch a little bit to some of the issues that are of concern right now. There are primarily three issues that have been taking up a lot of the Association's Washington office time. Those have been the reauthorization of the Endangered Species Act, the reauthorization of the Wallop-Breaux legislation, and the issue which has been receiving probably most attention nationally and is of particular interest to those here, and that is the drought and any ensuing legislation.

First, I would like to start off with the reauthorization of the Endangered Species Act. It is still ongoing and, as all of you are probably aware, the Association has been seeking a congressional overturn in Sierra vs. Clark Decision, which is regarding management. Larry Shannon, from Minnesota, was one of the people that came in and helped lobby Congress on that. At this point, the legislation has passed the House but has a number of Senate holds on it, which means it can't be brought to the floor for debate. At this point, there is some sort of a compromise beginning to stir and it's not necessarily over the concerns of the Association, but what has really gathered a lot of attention as of late is the Turtle Excluder Device situation in the Gulf of Mexico where the turtles are having a problem and, at some point, a compromise is

going to have to be worked out. The Association's position, of course, has caused a lot of problems, and has a lot of support in Congress, but what has garnered the most attention, at this point, is the turtle. So, we will keep everyone apprised of that as it rolls along.

The reauthorization of Wallop-Breaux Amendment is proceeding, of course. It is now under HR3918, and it is currently in conference between the House and Senate, and it is being considered by the House Ways and Means, as well as the Senate Finance Committee. And, once we clear that final hurdle, we will probably get it passed. It currently is attached to the Coast Guard Authorization which is HR2342, and we don't anticipate any other major problems at this point before the President signs it. The Association's position and consensus of the American League of Anglers and Voters, which is a constituency group and conservation organization, is reflected in that current legislation. So, at this point, we don't see any major problem with reauthorization of Wallop-Breaux. I would like to make a couple of comments about that though. Wallop-Breaux is continuing to grow at an enormous rate, and it is growing at a rate that could, quite frankly, top \$250 million next year. This is beginning to gain a lot of attention that we don't necessarily want. In fact, a new study that is called for in the present legislation, 3918, would call for a major study of the Wallop-Breaux Act and it would also look at how the taxes would accrue to the account. At this time, it has been estimated that 1.08 percent of all fuel use is motor boat fuel. The problem with that is that many people, particularly in the boating and fishing tackle industries, feel that that is not enough. There is a good chance that when this study is complete, we will find a good deal more money should be contributed to the Aquatic Resources Trust Fund or Wallop-Breaux. If that is indeed the case, we are going to have more money than we ever thought possible. This will probably not only attract the attention of congressional budget cutters, but may create problems for states, such as trying to meet the access requirements or trying to match the funds and have to begin to revert. We must remain real prudent on these funds because it wouldn't take much of a problem with federal deficits and shortfalls to make these really attractive targets. So, I just ask you to remain vigilant to attempts to try to divert these funds and to keep your congressional delegation well aware of what is proceeding in Wallop-Breaux and the benefits it brings to your agencies.

The issue which has received most attention, as I said earlier and Mike alluded to it at lunch, has been that of the drought. You are all no doubt aware of the Secretary of Agriculture's decision to allow haying of CRP lands for strapped farmers. There was little opposition to this in Washington as drought relief has become something of a congressional speeding train and you either get on and try to make it palatable as possible or risk getting completely run over and not getting your needs met. The drought continues to gain attention as well. There was an extensive article in the New York Times yesterday on the impact of the drought and, of particular interest, was on the impact of the drought on the wildlife, not on the farmers. I see this as a very good sign. I believe it indicates that the public is beginning to be aware of the severity of the problem, particularly of its effects on fish and wildlife. This will then make all of our jobs a little bit easier as we begin to manage under this crisis situation. The trouble with the



drought is it has all been looked at in an incredible sense of urgency, particularly by Congress, and there is nothing worse than a herd of panicked congressional delegations. This, of course, has continued. At lunch, I called the Washington office and two hours ago--and Mike made us aware of this earlier--the legislation was indeed introduced on the floor of the Senate by Senator Layee along with a number of high ranking senators. It is called the Drought Emergency Bill. At this point, we do not have a number because it is being printed. It is currently not able to be assessed because we don't have a final printed version. I don't want to steal a lot of the thunder from Allen's talk tomorrow, like Mike has, so I won't go into all the provisions. I would like to thank Allen for the help that he provided us. The Senate staff has told us, as of this morning, that almost all of the concerns that we have expressed to them in our recommendation that we sent over, have been addressed in legislation. This could be a very beneficial fact for all of us. To what extent we do not know exactly, but we will probably know by this afternoon or tomorrow and I can report that at that time. We did receive the committee language on Friday and we worked through the weekend. We went down and made some recommendations back to the Senate ag committees, and there are numerous suggestions that we gave. We just do not know at this time how many have been accommodated. But, they assure us that they were met. Of course, that could be so that we just keep the heat off of them. We will also keep the states apprised of this. I am going to ask Allen tomorrow to try to go through the different positions that have been recommended in that Association position paper. Suffice to say that the Association has been very active in developing a response to the drought emergency legislation. We have voiced our concern originally about the use of CRP lands for haying, knowing full well that it still would occur, but we want to be on record as being opposed to that. We do feel, though, that in the new legislation our concerns will be met.

What I would like to ask this group, though, is that when they are doing their resolution process, to very strongly urge you to consider a resolution. The Western Association meeting in Albuquerque has passed a resolution to Congress saying that they are in support of the International's position. A similar resolution coming from this group would carry a good deal of weight because this is the area that is most affected by the drought. Going up to Congress, that would carry a lot of ammo for us. Frankly, I am pretty optimistic about the chances of having wildlife needs met. The Hill is very much aware of the damage that is being done to wildlife on the CRP lands and they are really concerned about doing something about it. The position the Association has developed was done in conjunction with the Wildlife Management Institute. Ducks Unlimited was also involved, as well as some other conservation organizations. So, I think we are really satisfied with the soundness of it. I think our job in Washington is to do our best to see that these recommendations are incorporated into the final legislation that comes out. There is no doubt that a good deal of back and forth bantering will go on once it is introduced. I would like to thank all those that did help draft the position because it was very difficult and done under an urgent time frame, which didn't give us a lot of time to send it out to all members of the Association. But I would urge all of you to be prepared to have to go to your congressional delegation in case something comes up in the final legislation, which is a problem, or that we want to have fixed.

I would like to mention briefly one more piece of legislation that is pending which, at this point, we are still assessing. I think the damage it could inflict is important enough to bring it up to you at this point. It has potential for very serious consequences for state management authority. House Joint Resolution HJR559 was introduced by Congressman Gunderson of Wisconsin. It calls for the US Fish and Wildlife Service to halt the illegal harvesting of waterfowl. This in itself, of course, is something that we find admirable. The bill, if passed, however, would result in states not fully meeting federal regulations for enforcement to lose their eligibility for federal aid, which would be a Pittman-Robertson Program, as well as the Wallop-Breaux Program. We are taking this very, very seriously. We are very concerned about the possible preemption of state authority and even more concerned about the possible loss of all federal funds, which we all know is the mainstay of our management program. As details become clearer, we will keep the states apprised. At this point, all we can say is just to be very, very cautious if you hear anything more about this.

I would like to conclude with that because I want to keep this brief. I can answer other questions about other positions or, if you care to, I can just come up to the individual and review special pieces of legislation, but I would be happy to try to field anything that you might have.

TED UPGREN: Thank you, Mark, for bringing that information to the group. Are you going to be around throughout the day? I am sure you will have some chances to visit with him then. Dale had to bug back to the office to cover some other bases and he asked me to continue on with the introductions. Next on our program, we are privileged to have Art Talsma from our sister state to the south. He is going to bring us some information on South Dakota pheasant management. Art.

ART TALSMAS: Thank you very much. It's too bad that Dale had to leave because I wanted to say a personal work of thanks to Dale. A lot of the fisheries things that are happening right now in South Dakota are a direct benefit from introductions that North Dakota made--both the chinook salmon and the smelt that Emil Berard told you about today. That just brings attention to the Midwest Association here and how important it is from a sharing standpoint. Not only do we share different programs that we have and, hopefully, I can give you some insights into the new Pheasants For Everyone Program but, also, we have been very fortunate in sharing a lot of different wildlife from state to state. I can think of states that are here today--Ohio, Indiana, Michigan, Wisconsin--who we would really kind of be dead in the water without sharing when it came to either introductions to wildlife or fish. So, I just want to say thanks to all those states. I know a lot of times those sportsmen don't recognize the fact that it is an international business, the Fish and Wildlife, and I am saying thank you for them at least.

I would like to mention a couple of things. With me and my staff is Lavern Roth. He is a regional supervisor for the river region. Basically, the Pheasants For Everyone Program in South Dakota is kind of a grassroots thing where the conservation officers have to go out and sell the program and actually sign it up with the landowner. I want you to be aware of that. Lavern supervises those conservation officers so he



would have a firsthand impression on how it is going in the field. Lavern, you might want to raise your hand. He is the gentleman in the red shirt. So, if you have some questions, you might want to ask him, regarding the conservation officers.

In the back of the room, there is a material package which you are welcome to look at after the presentation. There is a pamphlet lying on your desk, or in front of your desk, entitled Pheasants For Everyone. That is, basically, a pamphlet that we are handing out to the public. In addition, I brought along some copies of the full plan. I think the states that are closest to us and wanted to do something similar may want to take a copy of the plan home with them. There is also a contract back there which is in triplicate. So, if you want a copy for reference, just tear one off. It is a sample one page form that we sign up with the landowner. I think that is a point that came out this morning with the Extension Service. Keep your forms with landowners very straight forward, very simple and, hopefully, in not too terribly many years down the road, the sign up will go that much better. In addition, there is a set of guidelines in the back of the plan which outlines all the practices we have in the program. So, all those materials are at the back of the room, plus a little information on hunting and fishing.

I was just reading through the brochure. When is the drawing this afternoon? Usually North Dakota keeps this drawing thing going and I am still waiting to get drawn. But, anyway, they do a really good job, give away a lot of stuff. Whenever you come to North Dakota you usually get something coming back. We got down to the bottom here, and we were reading about going out on the fondue. Then we flipped to the back page and we realized that it was put out by Alpo pet food, so I want to call your attention to that. You guys all know that when General Custer sent out his scout to check the Little Bighorn Battlefield, the scout came back and said, "I have some good news and some bad news. The bad news is that there are a whole lot more Indians out there than we originally planned for. The good news is that we not going to have to go back to North Dakota again." Sister states can do that; we can pick on each other a little bit. Luckily, we are not telling any Minnesota jokes today, Jack, so we will take it easy on you.

One other comment. We had a major fire in Custer State Park so if you have any questions on this, I will entertain them afterwards. The plan that I am going to present today, basically, was sold from an economic standpoint. I can't over-emphasize that. The people put it together as a resource plan, but when it actually got sold to the legislature and the governor, it got sold as an economics plan. So, pick up on that guys, that's the only way you are going to get it for our cost. It piggybacks on top of the farm program. It is economics to the farmer, to tourism, to the governor, and to state government. It will actually feed, we think, about 12 million dollars back into the general coffers of state government, as well. Could I have the first slide, please?

As you all know, pheasants are extremely important to the state of South Dakota. I grew up in the state of Michigan where about 90 percent of the Upper Peninsula is federally owned or state owned through state forest. I moved to South Dakota and have lived there about 12 years. It

is just about exactly the opposite--at least as far as farm wildlife is concerned. So, 90 percent of the wildlife, whether it be waterfowl or pheasant, is produced on the farm and ranch in South Dakota. It is extremely important to our entire state economy and to the agricultural economy. We are a lot of times referred to as the pheasant capitol of the world. We don't feel that we are deserving of that title right now. In fact, there are four states in the top--the top ranking--at least in pheasant harvest. South Dakota happens to be about fourth, with Iowa, Kansas, and Nebraska leading us in numbers harvested. Some years this flip flops around a little bit. They are leading in the way of harvest. On the other hand, we feel still that South Dakota is one of the best places to come and hunt pheasants from the standpoint of quality, low numbers of people, and a good quality hunt. Realizing that pheasants are extremely important to South Dakota and seeing some quite substantial declines in numbers, we asked ourselves what we could do to turn this around. We had a pheasant restoration program that was ten years old and needed a little face lift, and several things were changing on the agricultural front. So, we really took hold of the pheasant thing and said this is going to be our number one thing in the legislature and that is what we targeted. By comparison, the walleye is worth about 44 million dollars to the state of South Dakota. It is worth more than the pheasant is right now. But pheasants are what needed help; the walleyes were doing fine.

Pheasants were introduced in 1907 in the state of South Dakota, and the slogan we use there is everyone loves them. This is very true. We have very few depredation complaints, etc., on pheasants. So, when it gets time to sell this kind of program, it is a very positive program across all fronts. It doesn't affect the farm communities negatively. We had about 20 million birds during the war years, which was an extremely high population. We had good habitat, and good weather, and this is related directly to agriculture. We had a lot of good hunting in those days, with very liberal bags, including some years when we had hens in the bag or when we had as many as 8-10 roosters. Maybe some of you fellows can think back to those days as well. The population dropped to about six million birds from 1947 through 1953. These were poor habitat years from the standpoint of weather; and, most importantly, agriculture was intensified. We had some drastic declines in the pheasant population. Then population rebuilt again to 12 million birds in 1958 to 1963, and we feel that this was strictly tied in with the habitat and the Soil Bank years. Basically, it's not that much of a new concept but it is going back working with landowners on the land and patterning some of the things with what was done back in the Soil Bank years. The population then took a major decline from 1975 to 1978, when we had several tough blizzards and drought. I do want to say a little bit about the drought situation we are in right now. We don't think it has had that terribly much negative effect on pheasants at this point in time. It certainly is affecting waterfowl right now but, depending on what kind of winter follows, our drought will make or break us. So, we encourage everybody to come out hunting this fall for we will probably have a pretty good hunt. However, if we have a tough winter following it, that is really when we are likely to take it in the shorts. Intensive agriculture was going on at the same time period.

This is a photo from the Soil Bank years. This is what it looked like. You had cropland right up close to the Soil Bank which was set aside. There was a lot of native vegetation, wild sunflowers, and just plain good weeds and grasses. There are about 2.6 million birds in the state of South Dakota right now. That is substantially down from a long-term trend, but it is up on the short-term trend. We think that we have a good base population to work with and hope we can turn it around.

The economic impact of the pheasants in state right now is about 40 million dollars, and we think that we could perhaps as much as double that. Back in the years when pheasants were fairly abundant, when we had around 8 million birds, we had 70,000 nonresidents coming to the state and 125,000 residents. If we could just have those folks come back like they did before, or part of them come back, it could build to an 80 million dollar thing. This was the economics picture that we relayed to the legislature and the governor. Basically, that is what sold the program, the part that we got. Pheasants For Everyone, we feel, will benefit a lot of the people, not only the sportsmen, but especially the landowners, small businesses, and communities throughout the state. So, that was the whole premise. Tourism is directly related to hunting and fishing in the state, and it is extremely important.

The wildlife division in South Dakota is fully supported by hunting and fishing licenses. It is a little bit different than some other states. We do receive a little bit of general revenue for our administrative arm, but none in the wildlife division. We operate on about a 12 million dollar a year budget. The economic impact of hunting, fishing, and camping was calculated to be about 234 million dollars in the state. We couldn't break it down in more detail than that. Pheasant hunting is extremely important. This represents about every other tourism dollar in the state which totals about 500 million dollars. Every other dollar is a direct result of outdoor sports like hunting and fishing. So, if we could get back to that reasonable goal of maybe 9 or 10 million birds, which would be tripling our population, we felt that we could double that economic impact and have an awful lot of good quality hunting. That is kind of the goal that we have set for ourselves in the plan.

We had a program for a number of years that created nesting cover. It was called the Pheasant Restoration Program, and I think that during those times it was appropriate. When CRP came along, basically, that whole segment of the scenario was being picked up. We feel that we are going to have some good, quality cover out there for nesting from this program. So, consequently, we have redirected the program in South Dakota to piggybacking on top of the farm programs to establish winter habitat. This is the bottleneck that we see in the winter time in South Dakota. As you know, the CRP programs were designed to help stop soil erosion and there is about one million acres signed up in South Dakota. That is starting to get pretty significant, even when you compare it to Soil Bank years. Then, when you tie in another 2½ to 3 million acres of set aside in our state, it is significant; especially, if we could get those set aside acres for more than one year. Multi-year set-aside is the real answer to the long range bird population for the state. It does look good once it gets established out there. The nesting cover is extremely good and we thought that this part of the program was going

quite well. So, we piggybacked it and said, "Let's take a look at the other weak link," that being the winter time population. Anybody that has been in the Dakotas in the winter time and has experienced a couple of Dakota blizzards, especially after drought, can get a feel for the problems.

So, one of the first components was tree planting. I am going to talk first about the private land incentives, and then quickly about our state program. We go in and we, basically, cost share with the farmer so that he has almost 100 percent of his costs of tree planting paid. What we are looking for is wide tree belts; we won't even sign up a tree belt unless it is at least a minimum of eight rows and, usually, we are looking for a planting 14-16 rows wide. By the way, they are called tree belts and shelterbelts in South Dakota. It is a little different than the forest lands in Michigan or Ohio. Everything grows in a row out here and you have to cultivate it in order to keep it going. So, they are cost shared 75 percent to ASCS already, and we piggyback on top of that and make sure that their costs were being covered. The one thing that was missing, however, was their costs of keeping it cultivated. In the prairie states, you need to cultivate the trees at least a minimum of three years. So, we came in and paid them \$50-\$100 per acre depending on the width of the belt to cultivate the trees. This was the little extra that they were looking for to put it over the hump. Now, our tree sign up is just going excellent. We are hoping that this would pick up nationally, as well, and that maybe ASCS, SCS would start to promote this and we would have the additional cost sharing on a federal level so that the state wouldn't have to do that. You have to cultivate those trees. A good cultivation plan for the first 3-5 years makes or breaks those tree belts. Once you get a good belt going, of course, we have excellent winter cover.

We also expanded our program and it has a lot of flexibility. I just want to emphasize that, too. When you are dealing with farm programs, try to keep it as flexible but simple for the landowners. So, we thought of just about everything we would like to have in the way of habitat programs with landowners.

We wanted to fence out woody draws so we gave them a 50 percent cost share on these. On the western prairie, only 1 percent of our habitat is in the woody draw component, but it is extremely important for mule deer, grouse, pheasants, etc. So, we wanted to work on that 1 percent component. Basically, we have a program that will cost share fencing out, or a grazing system much like North Dakota's on those woody draws, so that we can protect them especially during that winter time when it is so important to carry birds through the winter.

The biggest and the best program that went the quickest for us this year was the Food Plot Program. We cost share--just straight out payment of \$20 per acre--for a food plot up to 10 acres, and this sign up just went like fire for us. It was really a good program. In addition to this, most of the landowners got free seed provided by seed companies and, if you could tie in with some of the groups like Pheasants Forever, you will get all kinds of feed provided as well. We look for a multi-crop type in our food plots or one, at least, that can provide both cover and feed. Obviously, this is a pretty well-maintained one. They

don't always look this way, and they will not look this way in a drought year but, if you can get that multi-stand canopy in there, it is extremely important because then your birds can escape aerial predators. These are held through the winter and they really stand up well, especially on the lee side of the tree belt.

We have 7,000 acres just in the first year sign-up on food plots on private farms. We will probably have over 600 farmers signing up on food plots and we have one county in particular that is kind of an example for us. This is Brookings County, where there is one food plot in every four sections. It is our goal that about every other landowner in that county is signed up in our program. So, it went very well.

Another component of the program is wetland restoration where we pay 100 percent of the cost. Usually they are small wetlands like 8 acres, 10 acres, etc. But we have gone into even some bigger ones like 25 acres or larger where we have to get water rights. The little ones are pretty easy to deal with. We pay 100 percent for the plug or to plug the drain, the culvert, or whatever is needed, plus \$10 an acre incentive on top of that. There are just all kinds of ways to restore wetlands now. There is really not a problem there from an economic standpoint. The farmer does have to take it out of production, put it into wetland, and hold it that way. We just, basically, used a lot of little wetlands that had been drained, like this one had been to a road ditch--went in and plugged it. It is going to benefit not only our waterfowl but the pheasants as well, especially on that winter habitat of cattails and reed canary grass along the shoreline.

We also have a program that ties in with our Pheasants For Everyone called Conservation Partners. It is a little bit like the Rise to the Future Program or the Grants Program in the Forest Service. Some of the states have a similar program. It is, basically, a 50/50 cost share with any sportsmen's group that, in turn, wants to tie in with our program. It made the program grow. Their conservation projects can vary considerably all the way from nest structures to cities, towns donating land. We turn the whole 1,000 acres--or whatever it is they donate--into a game production area. It can be pretty substantial at times. These are not only for wildlife projects but also fisheries projects as well.

When we got out and talked to the sportsmen, the changes they wanted to see between the Pheasant Restoration Program, the old program, and the new program called Pheasants For Everyone, was access to the land. They said, "Okay, you are investing our dollars, we would like to be able to get on and hunt those lands." They didn't have that guarantee in the past. So, we are now actually going out and leasing some lands. We would like to eventually get at least an additional 100,000 acres of land in our public lands program by leasing it. We would see a lot of this in South Dakota just like other states. In the first year, we set ourselves a goal of talking to about 25-30 ranchers, to get a feel for it, and see how they like it. We have about 20 ranchers already signed up and, next year, we are hoping to get even more. Maybe it will be as successful as the Montana Block Management Program. I believe they have signed up about one million acres where the landowner agrees to allow public hunting on his land. This is also patterned a little bit after Michigan's access program. It is a walk-in situation only. We give them

free signs and free Conservation Digests. We haven't got the caps made yet, but I like that idea. The liability protection is extremely important to them and is probably the one component that sells it more so than anything else. This is under the state general liability clause, which says that if you receive compensation from the state government, you are not liable for any hunting accidents out there on that land unless you are negligent, etc.

The WHIP Contract is a Wildlife Habitat Improvement contract that we have signed in addition to the access. But the whole idea is to get the cover on the land and get the hunter where the cover is for some hunting. Access agreements are just starting to be signed. We looked at this and asked ourselves, "What is the proper fee for South Dakota?" Fee hunting is becoming more and more popular in our state. We studied a few other states and saw that fees varied all the way from \$1 to \$4 or \$5 per acre. What we did was establish a simple format again, a simple base fee. If it is over 1,000 acres, we pay the guy a thousand bucks; this has to be good hunting habitat, while 500-999 acres gets \$500 and 80-499 acres gets \$250. We have established that base rate. We pay taxes on our GPAs in our state. A lot of states don't do that, but we do pay taxes on all game productions areas in our state to the tune of about \$2-\$3 per acre, sometimes as much as \$4 in the southern part of the state. So, we are getting private land into a lease for public hunting for as little as \$1 per acre or less, which is less than we are paying for taxes. We really need to take a serious look at leasing. We have about 15,000 acres signed up--that is, 15,000 acres of new hunting spots for hunters and we have just started to kind of break the ice.

The other part of our program is right in our own land management. The blocks of land we own are smaller in our state so we have a pretty good sized farm program requiring a lot of tractors and so forth. We deal with sites totalling 135,000 acres by comparison. We wanted to optimize the production on our own lands so we are putting some of the money back into Game, Fish, and Parks' budget for things like tree plantings. We have an accelerated tree program for which we put on a whole new crew with all new equipment. By the way, it takes about \$250,000 a year just to keep one crew going full time cultivating and planting trees. This is the way we like some of our areas to look, a combination of food plots and tree belts that protect the birds, especially during the winter time.

One of our programs that is under scrutiny by the legislature is the acquisition program. The sportsmen love it but the legislature is cool. The Fish and Wildlife Service and the state of South Dakota are both buying land in South Dakota, but we have a pretty low budget, much lower than the Fish and Wildlife Service. Most of our land was bought in the 1960-1965 period when those pheasant hunters were here and pouring money into the state. This has tapered off to just about nothing, so we would like to turn that pattern around. So, part of it is to acquire prime access. We have a land management and a land acquisition budget now to buy prime farm land for pheasant production. We also have an ongoing research program to evaluate the whole thing and see how it is going. We do have a stocking program which is still pretty minimal. In fact, we put a lid of \$30,000 on it so as not to expand any more than that in one year. We pay for release of seven-week-old birds at \$1 per bird or

release of spring hens at a rate of \$4 per bird. We put these birds in what we consider the nontraditional pheasant belt, so it is up in the northern tier of the state and the far western part of the state.

We would like to emphasize trap and transplant for we feel that this is a better approach than the pen-reared birds. In fact, we would like to get to the point where we don't use pen-reared birds at all.

Predator control is also a portion of the program. We have purchased live traps and we are tying in with ADC. It was mentioned that they are tied in with APHIS in North Dakota. We have our own ADC program in South Dakota. We have put some extra people on board and have purchased some new equipment and make traps available to landowners. As an example, we just went and bought \$10,000 worth of live traps. We are using these primarily on the nest predators during the spring of the year. Our rules for taking these critters are fairly liberal in South Dakota. There is a year around season on skunks so there is no problem there. So, we need to cut down on these furbearers a bit. It is an important resource though, so we have to play that side of the equation too. We are dealing with a 12 million dollar annual fur harvest. No matter where you give this type of talk, in state or out of state, the question of predator management comes up. We believe the answer to that is a lot of good nesting cover.

We had to do some things in the legislature. We wanted to change the name of the Pheasant Restoration Stamp to the Habitat Stamp but it got changed to Wildlife Habitat Stamp because all hunters have to buy it to hunt small game. We also wanted to get some of the lottery money which was new in South Dakota. Also, we were hoping to get back a portion of 10 percent of the license monies which goes back to the counties. This is supposed to go to the road and bridge fund, but it looks to me like it is a diversion of funds. I think we are the only state that does this and I wish someone would fight this for us. John, you should come back to the state and do this. But anyway, we are trying to get rid of this.

We were very successful in the first part. There was no problem with the legislature in explaining the change in the stamp. The Wildlife Habitat Stamp will go to \$8 and will generate a little over a million dollars.

The state lottery was a new concept for South Dakota--its first year. It generated around 12 million dollars and we were asking for the October and November proceeds or some kind of a special game on pheasants. You fellows who have lotteries in your states may want to chase this idea. Colorado has a very active program whereby they put their lottery money back into their park system, their fish and wildlife lands, and their green belt in the cities, etc. I think Ohio gives some to their teachers, so there are all kinds of things going on.

We were trying to get a piece of the action on this. We were asking for, basically, one-tenth of it or about a million dollars. We wanted to convert that 10 percent of the rebate to a Game, Fish, and Parks access fund--right in the county. Let it stay right in the county but convince the county that they should spend it on hunting and fishing type things.



We were successful on this last thing. It is a big hunk of money amounting to \$600,000 that is going back to the county which we have no control over. It is basically out the window as far as any benefit to wildlife. They use it on roads and bridges.

So the Pheasants for Everyone annual goal from a fund raising standpoint added up to about 3½ million dollars, which we felt could generate the economic return of \$10 on the \$1 spent, or get to our additional 40 million dollars. We asked for a million dollars from the lottery, the habitat stamp will produce about \$1.5 million depending on how many hunters come to the state, and a 10 percent rebate will produce \$600,000. We felt that cooperators could pitch in as well and the cooperator thing is probably one of those that surprised us the most. These are realistic numbers. They could be helpful in any state, especially in those states that have a lot of people and good sportsmen's clubs, such as Minnesota, Wisconsin, and Iowa. What we got was Pheasants For Everyone in 1989 and a \$250,000 appropriation which basically came from the state lottery. We also got the stamp through, which was a million bucks plus, so those two together got us started on the program. That's the kind of money we are spending right now. We think on the long haul, at least going into the legislature this fall, we have 1,000 new friends because we have 1,000 cooperating farmers out there that are directly benefiting. They have signed up for food plots, tree belts, access, wetlands programs--at least one of those programs or maybe more. We have them on our side. This is a direct benefit to the farmers. That is the key. Hunters will have some more birds and it could double the economic impact of hunting in South Dakota. So, that was the way we sold the program and we feel it worked well for us. It kind of left it up to the hunters and legislature--it was their choice, more or less--and this was the approach we took. We are about half way there and I hope we go a bit further next year.

Any questions?

One thing I might mention. The guideline for the food plots can go on any land. They can go on set-aside, CRP, or nonprogram land. Tree belts are generally piggybacked on CRP or set-aside lands.

RAY EVANS: Will you tell us about the mechanism of piggybacking the tree plantings and food plots. What program did you piggyback and what was the mechanism in terms of paperwork, who pays who, and that sort of thing.

ART TALSMA: In case of the tree belts, the landowners were in the farm program and were getting 75 percent cost share back. So we thought what added incentive would it take for them to get into the tree planting program even more. We zeroed in on cultivation so that was the extra we paid in case of trees. If we do have a farmer who is not in the farm program and wants trees, we will pay the cost of planting the trees as well as the cultivation. But, generally, it's on top of set aside or CRP land--some kind of ACP practice.

In dealing with food plots, the same was true in that we could put them on any land. So, in the case of CRP, he's getting CRP payment. Statewide this was about 33 million dollars for the million acres, so



this averaged out about \$33 per acre. On top of that, he will get \$20 per acre for his food plot or a \$200 bill just to leave 10 acres as a food plot. Now, we work right with the SCS office on picking the plot. They have to be on non-erodible soil, etc., in the plot. So, that is how we work closely with the SCS and ASCS. We ran the plan by both of those offices and we've got good support in our state. Both heads of those agencies are very important to us as they are just plain interested in wildlife. Dale Anderson, who's head of ASCS, has sat on our pheasant congress for 10 years and he's gung ho on pheasants. So that really helps a lot.

If a landowner wants to restore wetlands, we'll pay that additional money so, in some sense, they can double dip. However, we didn't care about that. We just wanted to make it straight forward and encourage as much of it as we could.

RAY EVANS: What is the mechanism for getting money to a landowner?

ART TALSMAN: Okay. He signs a simple contract. Ken Solomon is our pheasant coordinator. The payments are a little different for each thing as far as the rate and time of year payment is made, but by the end of the year he gets a check for \$200 from the Game and Fish Department in the case of one food plot, \$400 for two or \$600 for three. We have put a limit of \$1,000 per cooperator. The check comes straight from us. The same with the cultivation. The check would come from us. Wetlands restoration--the check would come from us or if he wants to hire a contractor to plug a drain, we would reimburse the contractor. We just handle it in our own house. We have a computer system all set up so we just tagged it in along with that. We do have the local conservation offices verify that the work has been done. This also may be done by the state forester for tree plantings or representatives of SCS or ASCS.

TOM LYTTLE: Do you pay them \$20 per acre per year to cultivate their tree plantings? Or is \$20 per acre one time.

ART TALSMAN: It's \$50 to \$100 per year for tree belt cultivation. We pay that every year for three years, so essentially for his tree belt he is getting four payments; once when he establishes it he gets a payment from ASCS, and in the second, third, and fourth years from us. With food plots he can sign up for one to three years. If he's willing to keep it three years, he will get three payments from it.

TOM LYTTLE: I might suggest you try this plastic mulch technique. You pay for the plastic up front and it's over. It's a good moisture retainer and weed preventer. We water them when we put them in, then cover with plastic, and mulch with corn cobs or wood chips, and it's over.

ART TALSMAN: That's a very good point and we would again keep the flexibility there. The conservation officer can write what he wants in the contract with that landowner. It could include some kind of cover that was mentioned, we could pay for the chemical treatment instead of straight cultivation, or we could pay for some irrigation, as some examples. But, basically, you should set down with the farmer and determine what needs to be done to get those trees in the ground.

BOB MORGAN: Thanks, Art. I know there are more questions out there, so you may want to talk with Art later, when you have the chance.

We have a gentleman who has a plane to catch so we are going to do a little switching of the agenda at this point. We will have Don Hastings, who is the executive secretary of the Midwest Fish and Game Law Enforcement Officer's Association, to talk about enforcement.

DON HASTINGS: First, I would like to thank the State of North Dakota for being a good host. I've been here for four or five days and have had a chance to go around the state to see a lot of their projects and things. It's been very nice to have had the opportunity to do that. The Association of Midwest Fish and Game Law Enforcement Officers has been in business since 1944. We are kind of sister associations so we thought it was time that we come and visit with you. You are always welcome to visit our convention.

The organization was started back in February of 1944 when 11 midwestern states met in Omaha, Nebraska, and decided they needed some sort of professional law enforcement organization. We meet annually. We just had our annual meeting in Quebec and we change meeting places in the various states or provinces every year. The Association is made up of personnel from 14 state organizations, four Canadian provinces, the Canadian Wildlife Service, a portion of the Canadian Parks, Canadian Fisheries, and the U.S. Fish and Wildlife Service. So, you can see we have a variety of people and represent about 3,000 conservation officers.

We had a little bit of additional activity. For years we met at an annual meeting, similar to what you are having here. We had educational programs at that meeting and the fraternalism. However, back in 1982 we decided we needed to do more than that. There were not many places around the country where an officer could go to a workshop or a seminar. So, we started a seminar in Dubuque, Illinois, right across the river from Dubuque, Iowa. The first one was dealing with covert investigation. We had about 25 people there representing about 10 states or provinces. We continue to hold them and a few years ago we moved to Kansas City. Our most recent meeting was last April in Kansas City when we had about 110 conservation officers from all over the United States and Canada. We now have a two to three day seminar with training in forensics, research, and investigation. These are run simultaneously. Those in attendance can go to those which may be of interest. I think it has done a great deal for the professionalism and training of conservation officers, not only in the midwest, but throughout all of North America.

We attempt to draw people from all over North America so that we do not limit ourselves to what the midwest problems are or what the midwest does. We hear from people on the Atlantic and Pacific Coasts, Florida, and so on. So, we have a real well-rounded program.

Up until 1984, we elected a president and a secretary from whatever state or province that was going to host it the following year. We moved the treasury around from one bank to another every year and nobody really knew how to get ahold of us. So in 1984, they decided they would appoint an executive secretary and I ended up with the position, which I have held to the present time. We maintain an office in Illinois with a bank

account in the same place. It unifies the Association and gives us a much better organization.

In 1988, Gerry Horline of Iowa agreed to assist me in the executive secretary duties, and I will probably drop out of it at the end of next year.

I will outline a couple of the things that we have done. We have an awards program every year where we try to honor officers from every state and province who have done outstanding work during the past year. We also have a midwest award that goes to anyone who we feel has done an exemplary job in the law enforcement business. A few years ago, we also started to honor deceased officers. We also have a program for the families of any officer in the United States or Canada that has been killed in the line of duty. Since 1981, we have had nine officers killed by an assailant, with the most recent one being in Florida this last November when a man was shot by a deer hunter. We spend a lot of time in training to ward off those types of things. Most of them, I suppose, with the exception of one or two, could not be helped. I guess the first that really brought some attention nationwide to the plight of game wardens being in a difficult position was the two in Idaho that were killed by a man named Dallas. He wounded them first and then shot them behind the ear with a rifle to finish them off, much like you would an animal in a trap. In fact, when he came up for parole recently that was one of the things he mentioned. He said he still wasn't ashamed of doing it and that he did put them out of their misery after he had shot them with a pistol and put them down.

The Midwest Association fought his parole very strongly, he was sent back to prison, and parole was denied. He only received 30 years for killing the two officers and we have been very active in following his escape, which you are probably well aware of. It took about ten months to catch him. After he was caught and brought to trial for escape, they decided he had a legitimate reason for escaping because he was in danger in prison. They found him not guilty of escape which was a little difficult for us to understand. We do all we can for a widow and her family of an officer who was killed by an assailant.

Then about three years ago we decided that we needed to spend some of our money in forms of endowment of people who do research. The law enforcement profession is probably just coming out of the woods in the last ten years and we are doing things quite rapidly now that the other professions have done for a long time. In this regard, we have offered to assist in financing different projects. The first one we undertook was in Wyoming where we helped finance a project to identify wild meat found in cooked sausage.

There is another one we did just recently, which Gerry will talk to you about in a few minutes. We sent David Oates of Nebraska to the Smithsonian where he studied waterfowl skeletons and we now have a new system of identifying dressed birds by their skeletons.

We have a couple more projects that we are considering and will continue to endow those things. We think research in our business is highly important.

There are a couple things going on as far as law enforcement is concerned around the nation that you should be aware of. One is that we are into a health plan in all states and provinces. The day will come when all conservation officers will have to meet a medical standard. It is a little difficult right now to go in and do that right now in one fell swoop. Most of the states are starting with an easy program talking about proper diet, proper exercise, and an annual check-up. There are quite a few states now that are offering various tests such as blood tests, heart checks, and that type of thing to see if they do have any problems that could be corrected. It also helps to monitor the progress that is being made in diet programs, weight programs, and the like.

I think another thing that is moving forward is the physical training program, especially hand to hand. We have always been trained with weapons but if you asked the average conservation officer when he retires how many times he ever had to draw his gun, fortunately it's very few times. By the same token, it is often many times that he has had to scuffle with someone. So, we are into more training of handling people without having to draw a gun, using a baton, or something like that.

A third item that I am very, very strong in is to teach conservation officers to talk to people and to use a little psychology training and things like that which will allow us to stop the thing before it starts--before you get into a scuffle. There are ways to stop a man or divert attention before you have to draw a gun or something like that.

In the selection of officers, we have better testing programs. We are using psychology tests now and I think we are turning away some warden prospects who should not have warden authority. I think those are some very good things that are going on.

Lastly, we are working very hard throughout the nation on the retirement program. No one should be in this business when they are 60 years old or past 60, in my estimation. I come from Illinois and I know for a fact that we have some men that are working at 69 and 70 years old. In fact, we have one warden that is working at 74 years old. The man is probably in good shape, maybe better than I am, but that's not the general rule. So, in order to get an officer to retire, in order to let him retire at a decent age and at a decent salary, we need to upgrade our retirement program. We are working on that. I can think of five or six states that are in the process right now of coming up with a better retirement program.

So, we are moving forward and we want to let you know that we are willing to cooperate with you in any way. If there is anything you think should be done in law enforcement for the good of the resource, let us know. We always think of ourselves as a triangle and I think this is still a valid method of describing what game management is. We are very concerned about the ducks just as you are. We are out there where we can see things just as you do, and we talk to a tremendous number of people, so we'll be interested in finding out what is going to be done about the ducks this year. We certainly hope that some wise decision will be made.

That's about all I have to say to you. I just hope I have passed the word to you that we are becoming more professional and we are

becoming more cognizant of the need to talk to you people. You know for years we talked to each other and if you think that's a good way to talk to intelligent people, that's fine. But that doesn't get the word out, you know. We need to work with you and you need to work with us. If there is any feeling that we are separate organizations or two separate professions or something like that, it should be dispelled. We have done our best to do that. One of the things that we are most proud of in all the 24 years of history of the organization is these three blue things that are standing up here in front of you, and the man who originated those is Jerry Hardling from Iowa. This is the first time that any law enforcement organization in the United States or Canada has ever come out with anything in the way of professional papers that the field people could use. So, we owe a debt of gratitude to Jerry Hardling of Iowa and the Iowa Conservation Department, themselves, who have allowed him the latitude to do these things over the years. So, Jerry, if you will come up I will let you handle it from here.

JERRY HARDLING: I told Don that I wasn't going to tell any stories because time is short. But every time I get a group in front of me I can't resist to relate a story about communications that were mentioned earlier and how terribly important it is. It reminds me of a story about the fellow who called his wife at home and got the maid. He said, "Let me talk to my wife please." And the maid said, "I'm sorry, she's busy." He said, "Hey, I want to talk to my wife, get her on the phone." The maid said, "I'm sorry, she's indisposed." And he said, "Hey, do you work for me?" She said, "Yes sir." He said, "Then you do what I tell you--get my wife to the phone." "Well," the maid said, "I didn't want to tell you this but she's entertaining." He said, "What do you mean she's entertaining?" "Well," the maid said, "I didn't want to tell you this but the neighbor has been over here and they've been upstairs in the bedroom for the last two hours." He said, "You're kidding." She said, "No, I just didn't want to tell you." He said, "Well, I tell you what to do. You go to the study, you get my shotgun (it's loaded), you go upstairs, kick the door in and then shoot them both." She said, "I can't do that." He said, "Do you work for me?" She said, "Yes sir." "Then do what I say," he replied. He sat down and then he heard a "crash" over the phone, then a "Kaboom--kaboom"--two shots rang out. Pretty soon she came back to the phone and said, "Well, I did it." "Good," he replied. "What did you do with the gun?" She said, "I threw it in the pool." He said, "The pool?!! Is this 281-5188?"

That's the business of communications--sometimes it works and sometimes it doesn't.

Don gives me a lot of credit for the blue books you see up here. Actually, I stole most of the material that is in there. It is a gathering of material from any place we could get it. It is a combination of work done by many states and many agencies. It started out with one book, as you can tell from your pamphlet there, and ended up in three. It got so thick and heavy we just had to divide it into three. One is for the field conservation officer and in there are the tools that he needs to do his job. The second one was divided into the lab, the crime lab, or your own lab, or whatever you may have. This contains some of the work, the research work that has been done by various states. We put it in a loose-leaf note book so that when we get new material it can

be added. The third book, and that's management, because we are coming out with good information from the management standpoint. There is a lot of valuable information on the psychological techniques that are being used. Some of the states like Missouri, Ohio, Michigan, and others have been into this for quite some time.

I brought along a few things to show you. Some of the things we have come up with are relatively simple but very useful. This, to my knowledge, is the only guide to the time of death of various species, which was put together by four individuals from Nebraska. It is for the field officer and gives him the techniques of determining when an animal was killed. We've gone into such things as sexing a deer by the pelvis. It takes about 30 seconds to learn how to do this. Not a tough thing once you learn it and once you look at them. We've done the same thing with pheasants. Nebraska came and picked up the tab for the research and developing the rulers, which we now use. We had a road check in southern Iowa the first year we used these and we made 40-some cases. It is a simple and easy method but it does work.

I'm very proud of our latest one. In a number of instances we were running into breasted out ducks. Sure, we could take the guy into court for unlawful transportation of waterfowl without a fully feathered wing attached. Sometimes they would give us a bad time and leave one feather attached or would tell us they were going to cook the duck. Often they would end up with a \$10 fine and we're the ones that weren't doing so well. On the Upper Missouri that particular year, we ran into one block of 50 birds and another of 80 birds that were all frozen. Frankly, we thought they were wood ducks. We did a little research on it and today we are in the process of producing molds for our conservation officers so that they can identify dressed birds that they find in transportation or in the freezer. One of the beauties of this whole thing is that canvasbacks are one of the easiest to identify. It's not a real simple system but it certainly can be done.

The Midwest this year voted to publish a condensed version of the field manual. It will be a small manual, like this, condensed and put on waterproof paper that the officer can get in his pocket or in his glove compartment. It will have a lot of the information that is contained in the blue book, not in such detail, but handy for reference in the field. We hope to produce this and provide it to the various agencies at our cost.

Our main objective from our Association is to aid the conservation officer; to make him more professional so that we can create what we call a deterrent. I think this is the only way we are going to win this battle. We all know that our officers are getting more and more jobs every day. In North and South Dakota, they are out checking food plots, habitat areas, which is fine, but that is a lot of time taken out of the day. In my estimation, the only way we can fight this battle is to make that officer more and more efficient. Then we will have a deterrent. When we can put a fear in the heart of the dyed-in-the-wool violator and he sees that the game warden is getting so damn good, he is going to stop. At that point we have created a deterrent.

Don's looking at his watch so I think I have run out of time. Are there any questions Don and I can field for you?

DON HASTINGS: I have to leave but Jerry will stay and we'll leave this stuff here. If you are interested in the breastbones in plastic or any of that feel free to ask him and talk to him.

One thing I did forget. Our annual seminar will be in St. Louis around April 2, 3, and 4. One of the big features will be a workshop on the use of decoys. Decoys are really coming into their own throughout the nation. The technique is not new, in fact, it is as old as the hills. Policemen have been using decoys for years. Game wardens have been using decoys but very quietly without saying anything. We are now taking cases to court and they will go through. They are very effective. I saw a deer decoy at a meeting the other day that came out of the state of Maine and a man had collected \$10,000 in fines on this one deer decoy. They are very, very effective so we are going to have a whole workshop on how to make decoys, how to use them, and that sort of thing. So, when you go back home I would appreciate your taking a brochure back with you, with the information about the seminar April 2-3 in St. Louis. Thank you.

KEN BABCOCK: Do you feel that law enforcement professionals should have different retirement benefits from other resource management professionals, and why?

DON HASTINGS: Okay. Yes, Ken, to some extent I think that. As I mentioned before, people in management and people like myself could go a lot longer because they don't have to go out there and handle the people and do that type of thing. What we have been doing is following the state police example almost everywhere. In every state we go to we find they have a retirement program that puts them out at 55. I don't necessarily think it needs to be better but I do think that it should be where they can leave at 55 with a decent enough pension that they can either get by with just a little more extra work or whatever. I think we have to make it so they can get out of the field at age 60. There have been two cases, one in Wyoming and one in Tennessee, where they have fought mandatory retirement at 55. In both cases where they had medical people come in and do serious study, they found out that they should not be in the field after 55. They lost the case both times. So, if the law forces them out at 55 or 60, I think they should have a decent retirement. I don't think it should necessarily be better than anyone else but it should be as good as the state police. Thank you.

BOB MORGAN: Ted, I think they are ready for a coffee break, so let's take about a ten minute break. When we come back in we will have one more speaker, Mike McKenna. Then we will go back into the committee meetings.

#### COFFEE BREAK

BOB MORGAN: The president's reception tonight is in the Rembrandt Room where we were last night. So don't forget that at 6:30. Spouses are welcome, so bring your wives.



Our final speaker for today is Mike McKenna. Mike has been in North Dakota for quite a while but he is really an Iowa farm boy from the northwestern part of the state. He loves to go back home and smell the sweet smell of success, feeling that humidity and the whole bit. Mike has been instrumental in working on this Garrison Diversion Project. Mike's topic is North Dakota's No-Net-Loss Wetlands Program. Mike.

MIKE McKENNA: I got an idea on selling this wetlands business. We could have a slogan up here that says, "Wetlands--almost everybody loves them except in Ramsey County."

In order to understand and view in perspective the significance of "no net loss of wetlands" legislation, one must understand the extremely polarized situation which existed with regard to wetlands and water development projects in North Dakota. Drainage, primarily for agricultural purposes, had destroyed approximately 50 percent of the state's original prairie wetlands. In spite of dwindling waterfowl populations, over-burdened rivers, and glutted grain markets, drainage sponsored by local resource districts and partially funded by tax revenues was still occurring at an estimated rate of 20,000 acres of wetlands per year. In the backlash over the Garrison Diversion Unit Project, the U.S. Fish and Wildlife Service (FWS) was only cautiously purchasing a few wetland easements and could not purchase land in fee title (Waterfowl Production Areas) because of a certainty of a gubernatorial veto. The North Dakota Chapter of The Wildlife Society (NDCTWS) was in court opposing two large drainage projects in Wells and Bottineau Counties. The controversial Garrison Diversion Project was left undecided by a 1984 congressional commission report. Most, if not all, conservation groups had for many years opposed the Garrison Project and continued their opposition in rejecting the aforementioned commission report. Conflicts and emotions over the Garrison Diversion Project were running very high between the state and environmental groups and as a continuing exasperation to controversy and extremely polarized situation, the state legislature was considering a bill to make the red fox the state mammal for the singular reason that it "eats ducks." The two sides, needless to say, were at loggerheads. Hostages were held by both sides and traditional leaderships on both sides appeared to be willing to continue the impasse indefinitely.

Governor Sinner met with representatives of state wildlife organizations because in his words, "The state needed the help of local wildlife groups in discussions with the national conservation organizations, primarily the National Audubon Society (NAS) and the National Wildlife Federation (NWF), concerning the Garrison Diversion Project." Concurrently, the Wells County Water Resource District, wishing to avoid yet another court battle over yet another drainage project, initiated discussions with the NDCTWS, Fish and Wildlife Service (FWS), and the North Dakota Game and Fish Department (NDGFD). The Crystal Lake Project, which is a project under consideration, made it apparent to the water people that to avoid court, wildlife agencies must be able to acquire and lease land. The Crystal Lake Project initiated discussion on what the state and water user groups needed in order to allow renewed acquisition. It should be noted that the NDCTWS was, at that time, the lead conservation group in North Dakota and because it is a professional organization, as you are all aware, its members wore several hats. Some



members worked for the FWS, some worked for NDGFD. At any rate, the NDCTWS representatives realized that although the Small Wetlands Acquisition Program, the Garrison Diversion Project, the NDGFD land acquisition programs were all separate programs of different agencies and dissimilar funding sources, they were all related in the eyes of North Dakota officials, agricultural groups, and water user groups, and that all must be resolved together or remain at impasse together. Thus began an ongoing dialogue that in 1986 led to the Reformulated Garrison Diversion project. This new version of an old nemesis was environmentally acceptable to the NDCTWS, NAS, and the NWF.

Shortly after the Reformulated Garrison project was negotiated, an acceptable Wells County project was agreed to and authorized which provided for some drainage, but with FWS acquisition and NDGFD habitat leases and state waterbank contracts included as a part of the settlement, the project resulted in a near "zero" loss of wetlands and, in fact, a net gain in overall habitat. What that accomplished was, it opened the eyes of many as to the possibility to resolve problems short of litigation.

The Garrison Compromise was ratified by a Statement of Principles signed by the governor of North Dakota, the Garrison Diversion Conservancy District, the ND Water Users Association, the NDCTWS, the ND Wildlife Federation, NWF, and NAS. All seven groups pledged to support the Reformulated Garrison Project, resumption of the FWS Small Wetland Acquisition Program, improvement in the state drainage laws, and to work toward development of a "no net loss of wetlands" concept.

In the fall of 1986, with the prospect of restrictive Swampbuster rules and regulations and, seeing the need for conservationist support for some modifications in the Sykeston Canal portion of the Garrison project, state officials of water groups and agriculture offered to try to pass a "no net loss of wetlands" bill through the ND state legislature. If passed in a form agreeable to wildlife organizations, the NDCTWS and NDWF agreed to seek ways for the "no net loss" concept to work within the framework of Swampbuster in North Dakota. The conservation groups also agreed to support studies of a reservoir to replace the Garrison Project's Sykeston Canal.

Now, I would like to discuss the basic features of Senate Bill 2035 and how we envision it evolving to implement a stoppage of wetland losses in the State of North Dakota.

It is important to note that Senate Bill 2035 was a joint effort of water and wildlife interests. It was not written just by wildlife people and, thus, it is not necessarily all wildlife wanted. It is, however, about all that could have conceivably been passed and enacted in the State of North Dakota. The concept is new, it is untested, and improvements are probably going to be necessary. We could have written a better bill wildlife-wise and we could have sat back and probably never seen it introduced or we could have chosen as we did to write a possible compromise bill and work toward improvement. We chose the latter and the result is unquestionably the most significant wetland legislation passed in North Dakota's history.

North Dakota has been in the business of drainage for over 100 years with little concern for environmental impact and no apparent attempt to change. Comparing that history to the progress possible with 2035, the risk, challenges, and potential are great and well worth the effort.

Senate Bill 2035 establishes legislative policy and intent for wetlands in North Dakota. The key feature of this section is that the state water resource policy has been re-enacted. Legislation passed in the 1985 session had removed this important section of water law. The state water resource policy is essential because it requires the consideration of water quality, fish and wildlife values, and other environmental consequences of drainage. In recognizing the value of wetlands for agriculture, wildlife, and environment the policy intent concludes "that wetlands should be protected and preserved." In a state where the legislative assembly has consistently opposed wetland protection efforts, legislative recognition that wetlands should be protected and preserved is most important and significant. This action provides the direction and a commitment by the state to continue to work on important wetlands legislation. The bill does not call for an absolute halt to drainage. Instead, the bill calls for the replacing of all wetlands which are drained with restored wetlands. This is the concept of "no net loss of wetlands." Section 4 of the bill states that any landowner must obtain a permit for draining any wetland or any series thereof with a watershed of 80 acres. Before a drainage permit is granted, consideration must be given to the state water resource policy; whether the drainage will flood or will adversely affect downstream lands; and, if so, flowage easements must be obtained and the state engineer and the state game and fish commissioner must jointly find that wetland acres proposed to be drained will be replaced by an equal acreage of replacement wetlands. This portion of the bill directly involves the game and fish commissioner and the administration of the wetland drainage issue. Prior to this the Game and Fish Department had no greater involvement or input than any other interested party. This section of Senate Bill 2035 is a tremendous gain in having greater consideration for wildlife implanted in water issues. Importantly, this section establishes a process for replacing drained wetlands and puts in writing the concept of "no net loss of wetlands."

Section 5 of the bill has seven guidelines for the state engineer and the game and fish commissioner to use in developing the rules and regulations for implementation.

1. Sheet water does not apply to the replacement criteria. Sheet water is defined in the bill as shallow water from any source that floods land not normally subject to standing water. Biologically, land not subject to standing water will not meet any existing wetland classification system. Although sheet water is a historic area of controversy with the exclusion of these areas from any classification system and with further direction provided in the rules, we do not anticipate this area to be a problem.
2. Acquisition is limited to willing sellers and payments to replace taxes must be made. This has consistently been the position of water and farm groups and is not in conflict with how resource

agencies have been proceeding on wetlands acquisition in the past or currently.

3. Wetland acreages are based on normal water level and it is not necessary to replace wetlands proposed to be drained with restored wetlands of the same type or classification. This means the acreage drained are replaced with an equal acreage of restored wetlands but with no guarantee that it will be the same wetland type. It is anticipated that those areas which are restored will be similar, however, in type to what is drained in most situations. It was agreed that ongoing evaluation of this issue will be necessary and if it is found that wetland type that is replaced significantly different from those being drained, changes in the legislation will occur.
4. Landowners must pay a minimum of 10 percent of the cost of replacement of wetlands drained. The remaining 90 percent will be paid by federal, state, or private interests, or a combination thereof. Wildlife interests had hopes for a higher percentage to be paid by the private landowner; but the concept of landowners being required to pay for draining his own wetland is significant, even at the 10 percent figure. Since statehood, the landowner in North Dakota has been subsidized for drainage and has been urged to drain so 10 percent presents a dramatic change in principle at least. The remaining 90 percent of the cost for replacing wetlands will need to be made by a combination of state, federal, and private interests. The concept means programs which restore wetlands such as state or federal acquisition programs would be paying for 90 percent of the credit for restored wetlands in the wetlands drainage bank. The concept is superficially somewhat distasteful, if not inequitable; nonetheless it means that wildlife land acquisition programs can actively proceed and, in fact, are a necessity for the system to work. Once the ceiling, however, or debit limit is reached no drainage may continue. I will touch on that a little later.
5. Replacement of wetlands or restored natural wetlands or man-made wetlands with material wildlife values. This section ensures that material wildlife values of restored wetlands must be similar to those lost during drainage. There will be a need to monitor the type and distribution of what is drained and what is restored. It has been mutually agreed that if a significant disparity in value results, changes will be made.
6. Fifty percent of the replacement wetlands must be in the county or contiguous counties where drainage occurred and the remaining 50 percent may be from anywhere in the State of North Dakota. If the state engineer and the game and fish commissioner find that replacement wetlands are not available within the contiguous counties, at least 50 percent must be acquired in the same biotic area such as southeastern drift plain, etc. This criteria will help to ensure that replacement occurs where the drainage has been done, hopefully, maintaining the similarity in wildlife value.
7. Acquisition cannot obstruct the natural or existing flow to the detriment of any upstream or downstream landowner. This is

basically the way existing law reads and was intended to alleviate paranoia on the part of the state, the service, or the department by its strategic little pieces of wetlands and, thereby, inhibit future drainage projects.

Section 6 of the bill creates a wetland bank to monitor and balance debits and credits of acreages drained or restored. The acreages of wetlands drained, regardless of the size of watershed, will go into the debit side of the bank. All wetlands restored will go into the credit total. There are no permit requirements for draining wetlands for the watershed of less than 80 acres, and no permit requirements for restoring wetlands with a volume of less than 12½ acre feet; thus, there is no legal requirement for reporting either draining or restoring in those types of situations. What is reported, irrespective of the size, does go into the bank. We believe and anticipate that the concern for smaller wetlands, not covered by the permit requirement, can be addressed by an active effort to observe and watch what drainage of such areas occur. Of significance is that when less than an 80 acre watershed area is drained and reported to the bank, they will be replaced acre for acre with restored wetlands. Currently, there is no protection for these wetlands at all.

Another important aspect of the wetlands bank is that the total debit for wetlands with greater than an 80 acre watershed, or any wetlands for that matter, as mentioned cannot exceed 2,500 acres. What this means is that if the debit of the bank reaches 2,500 acres, no additional permits for drainage can be granted until restoration occurs and the debit is reduced below 2,500 acres. Most of the larger drainage projects in North Dakota will singly meet the maximum level and stop any additional drainage statewide until restoration is sufficient to lower the debit below 2,500 acres. In addition, wetlands restoration which occurs as part of mitigation for federal projects such as Garrison Diversion, or restoration which occurs as a result of an enforcement action such as with illegal drains being closed, will not count as credit in the bank.

Sections 8 and 9 of the bill deal with the enforcement of illegal drainage and represents a dramatic change from past regulations. Under old law, anyone filing a complaint on an illegal drainage had the burden to continually pursue any inaction or unjustified action of a water board. In the past, if the water board ignored a complaint or used the common excuse of less than 80 acres in watershed, the complainant had the burden of proving the complaint and taking legal action if not satisfied administratively. Most landowners or others filing complaints on drainage are either unwilling or cannot afford to pursue the lack of action of a water board, legally. Senate Bill 2035 allows anyone to file a complaint against drainage that has occurred after January 1, 1985. And, if the complainant is not satisfied with the action or the findings of the local water board, they can appeal directly to the state engineer for administrative relief. The state engineer must then investigate and make determination concerning the complaint. The state engineer must take one of three possible actions: (1) He can notify the landowner of the findings and the necessary corrective action. (2) Return the matter to the board along with findings and corrective action which the local board must complete, or (3) Refer findings to the state's attorney for

prosecution. Drainage matters can still be appealed to district court and there is a provision to order the closing of non-complying drains.

The new enforcement provisions are very important. They represent a major change which clearly improves the drainage laws. Much of the expense of expertise previously required by the complainant will now be handled by the state engineer. Although that office has historically not taken an active role in enforcement, there is now a law which mandates the involvement of that office. Previous law placed enforcement responsibility primarily at the county water board level. The new law mandates the direct involvement and oversight of the state engineer. The effective date for all portions of the bill except the actual replacement requirements is July 1, 1987. The state wetlands policy, the new enforcement provision, and the wetlands bank went into effect July 1, 1987. Only the replacement provisions are delayed until July 1, 1989. In addition, any drainage application submitted after January 1, 1987, will apply to the new provisions including the moratorium on drainage of Type IV and V wetlands as defined in Circular 39. The delayed effective date on the replacement provisions was the major change that canceled the formal memorandum of understanding between water and wildlife interests. However, with restrictions imposed by Swampbuster and the moratorium on Type IV and V drainage, significant drainage has not occurred in the interim. What few wetlands that have been drained go into the debit column of the bank and will be replaced acre for acre with restored wetlands. Progress was also made with having a biological classification system legislatively recognized for use on drainage situations. We used to use a system called "This is a big one and that is just a mud hole so you can drain that one."

Well, at any rate, that's the bill and a brief description of what it does and doesn't do. There are more detailed rules and regulations that provide specifics and a clearer direction of what is needed and will be made at other sessions. The writing of rules and regulations has allowed ample opportunity for all to have input.

In summary, the bill was a joint effort of water and wildlife interests. It is recognized that there well needs to be improvement made in upcoming legislative sessions. It is unrealistic, we believe, to expect the ultimate wetland legislation to be passed on the first attempt, but considering the history of the anti-wetland legislation that North Dakota has gone through, the improvements and progress that Senate Bill 2035 has made are significant. We believe it will certainly accomplish the goal of "no net wetland loss" for the state of North Dakota. That, gentlemen, is 2½ million acres of ducks that, for most of you, come your way.

With that I thank you and will entertain any questions that you may have.

RAY EVANS: On those wetlands we heard about this morning that are being restored on CRP by the U.S. Fish and Wildlife Service--would those go into the bank as restored wetlands?

MIKE McKENNA: That is correct.

RAY EVANS: They are covered by easement for 10 years--but they still go into the bank?

MIKE McKENNA: Anything that is restored, that was previously drained, counts as a credit to the bank.

RAY EVANS: So these could be in the bank for 10 years counting as credit, but then go out later and be drained again?

MIKE McKENNA: That is correct.

RAY EVANS: So they would not, in fact, provide any long-term protection.

MIKE McKENNA: That is also correct. The point we were trying to accomplish is that following any one particular wetland and preserving it for perpetuity is a nice thing. The bloody facts of life, however, are that we are losing 20,000 acres per year. Our intent then was to stabilize the wetland base at its present level--somewhere between 2 and 2½ million acres and not get hung up on the distasteful aspect of, you know, a little old lady in tennis shoes gives her hard earned money to restore a wetland and that allows some greedo somewhere else to drain one. That kind of messes with your mind a little bit. Nonetheless, in the bigger picture it preserves a wetland base and is part of the deal.

RAY EVANS: Then at the end of 10 years, if it is dry, then it goes on the debit side?

MIKE McKENNA: That is also correct. It's just an accounting system, hopefully one that will account well.

I gave this paper in Colorado and this is complicated crap, quite frankly. I wrote it, I still don't know if I totally understand it, and I don't know if it's applicable to anybody else, except possibly South Dakota and Minnesota, but you get down where there aren't any wetlands and "no wetland loss" doesn't have the same meaning as it has to us. Thank you again.

BOB MORGAN: Thank you, Mike. Mike will be around and you can discuss this in more detail if you wish.

I would like to take this opportunity to thank the speakers we had today and thank you people for being a real good audience. We appreciate that.

COFFEE BREAK AND ADJOURNMENT OF GENERAL SESSION FOR COMMITTEE MEETINGS

WEDNESDAY, JULY 13, 1988

TED UPGREN: Good morning. This morning we have a panel discussion dealing with the Food Security Act. Dave Dewald of the local Soil Conservation Service will have some introductory remarks and serve as panel moderator. Dave.

DAVE DEWALD: Good morning. Kind of tough to say "good morning" this morning. You guys are looking pretty good and I'm glad to be here today. It looks like a group that is ready to get started. After Ted gave all those door prizes away, I was glad to hear my number called for a change.

There are a couple of advantages this morning. One of them is being short--I can hide behind these mikes; however, I'm not thin enough so you can see me a little bit. The bald spot on my head will produce some glare so you'll have trouble looking at me. That way you'll spend more time watching the panel members and ask them some good questions.

We have a good panel put together this morning to talk about the Food Security Act. The 1985 Food Security Act (FSA) was passed by Congress on December 23, 1985, and it created a new era for the Soil Conservation Service and the USDA. The FSA has some very important conservation provisions. These provisions are what we want to talk about today.

Before, all the farm bills that were passed did not really have any conservation provisions that required landowners to do anything to reserve the benefits. The 1985 FSA did have some conservation provisions that removed certain incentives for persons to produce agricultural commodities on highly erodible land or converted wetlands and thereby would have five basic objectives:

1. To reduce soil loss to wind and water erosion.
2. To protect the nation's long-term capability to produce food and fiber.
3. To reduce sediment and improve water quality.
4. To assist in preserving the nation's wetlands.
5. To curb production of surplus commodities.

In order for a person to receive the benefits as in the past, he had to comply with the FSA. In a lot of cases we think about these benefits as a loan from ASCS or FHMA. There were really 16 different benefits that could be lost due to violations of the FSA. I'm going to run through them quickly.

Commodity loans and purchases from ASCS.  
Crop production stabilization from ASCS.  
Emergency conservation program from ASCS.  
Emergency loans from FHMA.  
Farm operating loans from FHMA.  
Farm ownership loans from FHMA.  
Feed grain production and stabilization from ASCS.  
Storage facility and equipment loans from ASCS.  
Wheat production stabilization from ASCS.  
National Wool Act payment from ASCS.  
Beekeeper indemnity payments from ASCS.  
Rice production stabilization from ASCS.  
Federal crop insurance, FCIC.



Soil and water conservation loans from FHMA.  
Loans to Indian tribes and tribal corporations, FHMA.  
Conservation reserve program benefits that they receive  
from having the CRP contract with ASCS.

Farmers are now required to practice soil conservation techniques and wetland protection in order to reserve these benefits. The requirements of the conservation provisions brought farmers to the USDA offices that have never darkened our doors before. We've seen landowners in counties that may have known who we were but we never had a chance to work with them. Now, they are coming to us for conservation plans for compliance, or to find out where the wetlands were on their farms, or signing up for CRP contracts on their farms.

To say the least, it's been challenging for USDA employees to get up to date and stay current on the changes in the FSA. First, we had to learn the act and then stay current on the changes coming out. But our challenge was the farmer's frustration. The unknown of the FSA loomed over the farmers for the past two years. This seemed especially true in the wetlands conservation provision of FSA. What was a wetland? What is a hydric soil? What's hydrophytic vegetation? There were a lot of terms the landowner had never dealt with. Even some terms our people had never dealt with. Those questions had answers that weren't coming fast enough or clear enough for the first year or year and a half of the FSA. What we are finding, as we are giving answers to farmers, and as they are receiving more information, a lot of the anxieties and frustrations of the FSA, as far as the farmers are concerned, are being alienated. Probably half of the battle has been won just by knowing what the FSA is requiring of them. One of the biggest frustrations for farmers has been the 180 degree turn that the farm policy really brought about. For years, farmers were provided incentives for bringing more land into production--drain and clear wetlands, break out more native prairie, or clear more woodlands. That was the direction they were asked to go over the years and the government provided incentives. In one bill passed by Congress, farmers were told there would be no more incentives for draining, clearing, and breaking up new lands to bring it into production. On top of that, highly erodible cropland that had been farmed in the past needed a conservation plan by 1990 and applied by 1995. These were abrupt changes and not readily acceptable by farmers. These challenges and changes, however, will create some benefits to soil, water, and wildlife resources of our nation. Some of the benefits are becoming evident. Granted, there are loopholes, some of which you may hear about as we talk about the FSA today, but the 1985 FSA is having and will continue to have some positive impacts on the nation's soil and water resources. Already in North Dakota we have about 1.7 million acres of cropland committed to CRP. This has been enrolled and over the next year it will be planted. There is another sign-up coming this summer and indications would indicate a good one. CRP will provide soil protection, water quality improvements, wildlife cover, and many other benefits. Conservation compliance, another provision of the FSA, will reduce soil erosion significantly statewide and nationwide. Major efforts are now under way to develop conservation compliance plans with farmers in the nation. Our goal, statewide and nationwide, is to have 65 percent of these conservation compliance plans written by the end of the 1988 calendar year. The objective is to get as much done in 1988 so that in



1989 we get those last minute landowners that have dragged their feet but still need a conservation plan. As farmers begin to realize what the wetlands conservation provisions and the Swampbuster provisions of the FSA are all about, many of their frustrations and anxieties will be eliminated. They are not necessarily happy with what we are calling wetlands or with how many wetlands they have on their farms but at least they know where they are at and they know what they can do to stay eligible for USDA benefits. And that has helped considerably to handle some of the problems that we had early on with the wetland conservation provision in North Dakota.

I think Swampbuster is having a positive impact on the wetlands in the state; hopefully, we will be able to have the time now to finish working through it without any major changes. If we have some major changes now in Swampbuster, I think we would see a lot of problems being created. Our goal in wetlands determination is to have them completed by September 23, 1991. I guess that goal was just given to us in the last couple of weeks. We received a bulletin from Washington saying they wanted it done in 1991. So, on top of conservation compliance and the continuing Conservation Reserve Program sign-ups, wetlands determinations on all farms that have signed on 80-10-26 that have indicated they want need to be done by September 31, 1991.

There are four basic considerations of the Food Security Act: (1) Conservation Reserve, which you are all familiar with; (2) Sodbuster and Conservation Compliance, which we will be talking about today; (3) the Wetland Conservation provisions of the FSA, and (4) Conservation Easements as working with FHMA and their borrowers and their inventory lands.

We are going to discuss the first three provisions of the FSA--CRP, Conservation Compliance, and Wetland Conservation--in more detail. If there are any questions on Conservation Easements, we will try to answer them. Lloyd Jones will be here a bit later and he has worked with Conservation Easements in North Dakota as much as anybody else.

We have three speakers who are going to tackle the subject on these provisions and update us on current FSA activities. Each one is going to have a half hour to talk about their topic and after the three speakers are done we will break for coffee and then we will go into a panel discussion. We will bring the speakers up front and give you a chance to ask some questions about what is happening with FSA and the Conservation Compliance provisions.

This morning our first speaker is Al Farris of the Iowa Department of Natural Resources. He will give us a legislative update and talk about the wildlife evaluation and suggestions for improvement of conservation provisions of the FSA. Al.

AL FARRIS: Thank you. I'm sort of going to talk about that. You know the speaker always has a lot of license to take whatever subject he wants despite the title that is assigned. I do want to talk a lot about the Conservation Reserve Program and the evaluation that is currently going on. I want to give you a little background on that. You may feel that it is a little unnecessary but I want you to understand it anyway because

there has been a lot of confusion about the CRP evaluation and who's on first. It is somewhat confusing because it is an evaluation unlike any I have ever been involved with before. It is attuned only to the Conservation Reserve Program. It does not deal with Swampbuster, it does not deal with Sodbuster, it does not deal with Conservation Compliance. It deals with CRP. The evaluation project was originally proposed by the folks out at the National Ecology Center in Ft. Collins, Colorado. That is part of the Fish and Wildlife Service, in case you didn't know that. I didn't know that until I got involved in this. They had proposed a project to evaluate the Conservation Reserve Program and the affect on wildlife utilizing federal aid funds that are available to the Fish and Wildlife Service. I don't know if they are administrative funds or reverted funds--I don't care; but that is basically what they were proposing. Now, if you are unaware of it, there is a relationship between the International Association and the Fish and Wildlife Service that has been established over the years that provides for a process for the International to have some input into how some of those funds are used. Basically, the FWS has their own folks generate these research proposals. They screen them and then they submit some of them to the Grants and Aids Committee of the International Association and ask them to make a recommendation on which ones should be funded. When this proposal was received, the Grants and Aids Committee came to the Wildlife Habitat Protection Committee, of which I am the chairman, and wanted some comments and recommendations from us about that project. Basically, what we said is, "Yes, there should be an evaluation of the Conservation Reserve Program. We're not sure if this proposal is exactly the right one to do it, but there should be very strong input from the states and from the International Association on what that project does and how it goes about the evaluation." That kind of a recommendation went back from the International to the FWS and they took that very much to heart. Basically, they asked, "What should we be doing, what do we need to evaluate, and how are we going to go about it?" Now, you have to understand who the folks at the National Ecology Center are and what their role in the world is. They are basically modelers. They produce habitat suitability models and crunch out numbers. That is their orientation in life. They were thinking of constructing a model that comes out with a number that's 0 to 1. We said, "That's probably not going to be what we need. We need something a little different than that." So, I asked some individuals to go to Colorado and meet with them, talk to them about what the states felt they needed to be able to come out with a product with a goal of going back to Congress and saying, "Here is what this program has done." Now, we didn't feel that many congressmen would understand the number that was between 0 and 1. We thought that there would have to be a lot of translation in that. After discussions, the folks at the National Ecology Center began to understand what we were talking about and how they could still do some modeling but come out with the information we thought we needed. So, Olie Jorgerson, Blair Joselyn, and some other folks went out there in March 1987, had a two-day meeting in Colorado, and began the process of developing the evaluation for the Conservation Reserve Program.

In the meantime, through the International, I sent out a request for states to volunteer to participate in the Conservation Reserve Program evaluation. To date, we have 32 states on board that are participating in the evaluation. We started out using the midwest as the pilot region

and we figured that if we could develop the process, the procedure, and the questions we wanted answers to, then we could use that and apply it to the other regions. So, last summer--at this time last year--we had another get together in St. Paul and, quite frankly, I didn't--there was not time to go through all the niceties of making sure everybody was represented and everybody had their input. What I did was put together a group of midwestern folks that were experienced and said, "Will government come and meet with us in St. Paul, and we're going to design this baby and get it rolling." I need to thank some people for sending folks to do that with very short notice. Wisconsin DNR contributed two folks, Minnesota hosted it and had two people there, the FWS provided a representative, as well as the folks from the National Ecology Center, the Illinois Natural History Survey, the Illinois Department of Conservation, the Missouri Department of Conservation, and the Nebraska Game, Fish and Parks were all represented, as well as the Iowa DNR. I must be honest with you, I put together what I thought was the most knowledgeable group of experienced pheasant biologists out of the midwest and said, "Come help us do this thing." And those are the folks we used.

As the result of another tough two-day meeting there, we finally came to an understanding of what we are going to do and what we were all about. And what we were going to do was an extensive survey of CRP lands to document the effects of the CRP programs on wildlife habitat and wildlife. We decided that in each region we would ask the groups that were going to work in that region to pick three indicator species. Not surprisingly, in the midwest we picked the ringneck pheasant, the cottontail, and the meadowlark as the indicator species. We also decided that the regions would float. That they wouldn't be hard and fast regional lines. For example, in the midwest we based that region on what we call the corn pheasant as opposed to the wheat pheasant. Pheasant biologists see two different kinds of pheasants, there is the wheat pheasant and the corn pheasant. We said, "This is the range of the corn pheasant, therefore, that's the region in the midwest that we are going to deal with on CRP lands." It cut out some areas. It cut out the sandhills in Nebraska, it cut out northern Minnesota, it cut out northern Wisconsin, and northern Michigan. We asked the other regions to do basically the same thing. Other regions have responded. The northern great plains and inter-mountain region has chosen the pheasants, the meadowlark, and the Hungarian partridge as their indicator species. The southern great plains region has chosen the eastern cottontail, the meadowlark, and the bobwhite quail, and the southeastern region the cottontail, meadowlark, and the bobwhite. The northeast region has not yet chosen their indicator species and they are not up and running yet but will be before long.

Out of the 32 states, the five regions that have agreed to participate have approximate coverage on 80 percent of the land enrolled in the Conservation Reserve Program through the first four sign-ups. There hasn't been all that much land added and what has been added is pretty well in those areas anyway. So, we are talking about taking a look at and having an evaluation on approximately 80 percent of the CRP land. We are not going to look at every acre, obviously. Just to let you know a little bit about who is involved and who isn't involved--the northeastern states are not involved because, basically, they don't have any CRP land. Maine, Vermont, New Hampshire, Massachusetts, Rhode

Island, New Jersey, and Delaware are not participating. There probably isn't 10,000 acres of CRP in all of them put together. So, it's no big deal. However, New York and Pennsylvania are. There will be a small, two state northeast region that will begin their evaluation in 1989.

The southeastern region is a big region that runs, basically, from Maryland into east Texas and from the gulf coast up into southeast Kansas and central Missouri. So, it's a very large region. All states in that region are participating except Alabama and Florida.

The midwest region runs, basically, from Ohio to the central Dakotas and from northern Missouri to central Minnesota and Wisconsin. All states in that region are participating except North Dakota.

The southern great plains region is basically southern wheat country. It is Texas, New Mexico, Oklahoma, Kansas, Nebraska, Colorado, and a little bit of Wyoming. And all those states are participating except Wyoming.

The northern great plains is basically the western Dakotas, Montana, Idaho, Washington, Oregon, and a little bit of Utah. All the states there are participating except North Dakota, Wyoming, and Oregon. That's kind of the shiest region. As an example, I got a letter from Nevada that said, "We would participate if there was anything to do," but they only had one bid in the first four sign-ups in the whole state of Nevada, so we didn't feel it was critical to get them on board. Arizona is pretty much the same way. California is kind of like a different world and we just let them go. There are some more geographic areas in the west that are not covered but probably don't have a lot of CRP acres like Arizona, parts of Utah, Nevada, and California. Oregon probably could be important in some of the wheat country and may still choose to join us as it isn't too late for people to jump on board if they want to.

Well, basically, what we did in the midwest was try to get them up and running first, and used that as a model for the other regions. After meeting in St. Paul, the folks from the NEC went back and started doing all the things they needed to do. As an example, they have a computerized list of everybody in the United States that is enrolled in the CRP Program, along with what field is in there. They also started modifying their models so they would work with the field information that we were going to be able to collect. Then in the early spring of this year, we set up two meetings to train a person from each state on the evaluation procedures to be used in the midwest. We had one meeting in Sioux City, Iowa, which involved the western states of the midwest region and we had one in South Bend, Indiana, which involved the eastern states of the midwest region. We asked each state to send at least one person. We went through the data forms as well as through the field procedures that were to be applied so that they could then go back to their home states and train the folks there that were going to be collecting the information.

I want to thank Indiana DNR for helping us out and setting up the meeting in South Bend, Indiana. These types of training sessions have also been completed or will be completed in the other regions. So, they are off and running also.

Well, where are we? Okay. The midwest region has already completed the first collection time, which is pre-greenup and is at the tail end of the second data collection time, which is mid-June to mid-July. So, the first year's information should essentially be in the bag for the midwest region. The inter-mountain and the northern great plains region data collection is approximately the same time and they should be essentially through with their first periods of data collection. They are also collecting data in the second quarter and the third quarter of the calendar year.

I'm not familiar with what they are doing in these other regions because once we got the midwest going I bowed out and said NEC, it's your detail.

The northeast region, as I said, will come on board in the spring of 1989. They are in the process of selecting the species, developing models, and getting set to go. Southern great plains--they are also through with their first two periods of data collection. The southeast will be starting this fall or winter with their first data collection. So, we are off and running. We have information in the can, essentially, in three of the five regions, the fourth one will start this fall or early winter and the other one next spring.

What we decided to do in the midwest was to look at two time periods to collect field information. We decided initially to do that every other year. This means there would be two field visits every other year. We did it that way because we didn't think things would change that rapidly and also to minimize the commitments the state wildlife agencies would have to make in manpower. However, because of the drought this year and the cutting of the CRP lands, I think we are going to want to evaluate that and probably go back in the field and collect some information in 1989. I think there should be an opportunity there that we don't want to pass by to get information for 1989. Nobody expected this to happen but it did and I think we have to be flexible enough to go back. The midwest collects data two times, as I said. One is pre-greenup and from that we felt we were going to get a value of winter cover from CRP and residual cover or early nesting cover value for the CRP and that we could make that one measurement at the same time. Field evaluators are asked to go to the field, select two random spots in that field, plunk down a Robel pole, make some density measurements, some height measurements, note disturbance factors, and eyeball distances to winter cover and winter food. We had some indepth discussions on what is winter cover and what it takes to make winter cover. We finally decided that there was such a great difference between winter cover, let's say, in northeast South Dakota and east central Illinois, that you could not come up with a real tight definition. So, we are going to let the professional biologist in those states make that judgment for themselves. So, we'll try to measure winter cover and early nesting cover with that pre-greenup measurement. The one in mid-summer is obviously designed to measure value of that area as nesting cover but it is also to monitor any disturbances that go on there. One of the things that the field investigators are to note is if there is disturbance and, if so, what kind of disturbance and how much of the area has been disturbed. Is it spot mowing for weeds, is it 100 percent for hay, is it 50 percent for recreational mowing, or just what is it. Also, the sampling is designed

so that we can have valid information on a regional basis, not on a state basis. That means it is largely proportional to the amount of CRP acreage enrolled in that area. For example, Iowa may do 50 field checks where Wisconsin may do only 10 field checks. Also, the folks at the National Ecology Center, because of the data they had from ASCS, were able to cross tab previous land use with what was planted on that field now. For example, if you are interested in evaluating land that was in corn but has been seeded to native grass, they can tell you how much of that there is and where you need to go to sample it. And so, when the sampling information was sent to the states, they were told what farmer to sample, what field to sample, and a set of instructions and forms to fill out to get back to their state coordinator and get back to the NEC.

If you want more details, Adrian Farmer and Bob Hayes are going to be giving a paper at the North American Wildlife Conference in March in Washington, D.C., on the first year's data collection and what we found out in the first year. Our goal is to have information available over the ten years of the program and also information available for the immediate future when the farm bill comes up for reauthorization in 1990. That's the reason we were hurrying to get it implemented and get it going in calendar year 1988.

I want to stop there on CRP evaluation because that's about all I think I can say about it. I want to switch subjects now to current legislative activities. It really doesn't relate to the Food Security Act for Mark tells me that right now there is nothing in the wind that's going to change the Food Security Act of 1985. The provisions are basically as they have been. What is going on, though, is the result of the drought and it actually started a couple of weeks ago. I started getting calls from Mark, Jack Berryman, and Gordon saying you had better start thinking about what can be done on CRP land now that it has been cut. Are there other provisions or programs that need to be promoted because there is probably going to be congressional action related to some kind of an agricultural bill because of the drought. I guess along with that, Dale Henegar had written a letter giving some ideas of what North Dakota thought should be done. Also, Ray Evans of Missouri had been working with Senator Christopher Boud and had given him some suggestions, and I drew heavily on those two letters and two states for some ideas. As I said, it started right about the end of June and, at that time they said, it's going to happen sometime in the future, maybe 3 to 4 weeks from now. After the 4th of July I got a call and they said you have to have it in tomorrow because we have to get it to the Senate Committee the day after tomorrow. So, all of a sudden in about a five day period it went from a three week time frame to a 24-hour time frame. I tried to contact some of the wildlife habitat committee and did talk to Ray and Keith Harmon and picked their brains for some ideas. Basically, what we suggested to the International was to capitalize on the opportunity--to try to get some multi-year contracts on annual set-aside. What we suggested, basically, came from Dave Bergman of Ohio. His idea was to call it a "strategic forage reserve" because what is going on is that people are going out and cutting or grazing this annual set-aside and essentially there is nothing there or very little because of current regulations allowing them to summer fallow or put a bushel of oats out there and call it good. Let's capitalize on that opportunity and look at it as a way to get some multi-year cover on that and call it a forage



reserve. So, what we suggested was that the International adopt a position of supporting multi-year contracts on traditional annual set-aside land, that it be in the 5 to 10 million acre range, nationally, that it be available for forage production in case of drought emergency, but that there be some tight controls on what constitutes a drought. Basically, we recommended using the regulations that ASCS has that apply to existing CRP land and that there be cost sharing made available for that. Also, we made some suggestions about what could be done on current CRP lands or lands near CRP lands to help dampen the negative affects on wildlife that occurred with the mowing of CRP and the haying and grazing of annual set-aside lands.

Those suggestions went through a couple of rapid generations that were ultimately approved by the International and culminated in comments by the International to the Senate Agricultural Committee staff member. The members recommended two provisions be put in any such bill. One entitled Conservation Reserve Program. Here is the suggestion--it basically says the Secretary shall use the equivalent of payments foregone to encourage practices on and in the vicinity of CRP lands that enhance that soil and water conservation value and wildlife habitat values of these lands. The Secretary is encouraged to seek the guidance of state fish and wildlife agencies and the USFWS in carrying out these practices. Such practices shall include but not be limited to establishment of permanent shelterbelts and windbreaks, wetland restoration activities such as permanent drainage plugs, peninsula cut-offs, and island construction to create secure nesting and wildlife food plots.

The other part is Title 6--Annual Set Aside Program. Strategic Forage Reserve. The Secretary shall create a strategic forage reserve to provide forage for cattle producers during emergency drought situations. The strategic forage reserve shall be created from existing acreages enrolled in annual set aside program utilizing funds for that program and place a portion of the annual set aside program in multi-year contracts. The strategic forage reserve shall include, but not be limited to, a minimum of 10 million acres of lands that are eligible for annual set aside that has recently averaged 43 million acres; provisions for multi-year contracts; a co-crop of self-perpetuating grasses or grasses and legumes; specific provisions for the Secretary of Agriculture to allow haying only in times of natural disaster. The natural disaster shall have occurred in the calendar year, be of such nature that feed stocks are not available over a widespread area or cannot be made available to such producers without causing a severe financial hardship or large scale liquidation of livestock herds. The county shall be located in a NASS crop reporting area with a drought severity index of minus 3.0 or less. And participants shall be eligible for 50 percent cost sharing for seeding establishment. That's what the International recommended and forwarded to the committee.

Mark told me about 15 minutes ago that a bill has been introduced (SB 2631) and the provisions that we are interested in are in subtitle C. He was supposed to receive a fax copy of that bill this morning but he doesn't have it yet so I can't tell you what it is. So, right now we are not sure what is and what isn't in there but that's what the International has been recommending. I think the strategic forage

reserve could, in a lot of states, if implemented, be as important if not more important than the CRP lands, basically because of the distribution. You wouldn't be tied to specific areas. You think of areas such as east-central Illinois or Ohio where they have very few CRP lands in their primary range because they can't meet the erosion standards, but yet, there are set aside lands available there. That's where we are as of right now. I assume if Mark gets some more information later on, he will be able to share that during the meeting. Thank you.

DAVE DEWALD: Thank you, Al. We'll have a chance to ask Al questions at the panel discussion session after coffee. Some new terminology that I hadn't heard before was recreational mowing. Within the SCS we are used to the terminology recreational tillage and the last couple of years it's been recreational wetland drainage--but recreational mowing is a new one to me.

Our next speaker is Norm Kempf who is going to talk on the conservation compliance provisions of FSA. Norm is the assistant state conservationist for programs in North Dakota. Norm began his career in SCS in South Dakota as district conservationist in a number of different counties and then he was an area conservationist in Pierre so he kind of worked his way up the ladder. Then he came to North Dakota as an assistant state conservationist for programs.

That reminds me of a story I heard about a year ago about a pheasant hunter that came to North Dakota looking for a place to hunt. He thought the best thing he could do is go to an SCS field office in the county and ask the district conservationist where the best pheasant hunting was. So, he stopped in the office and the district conservationist started telling him where some of the better spots were and the pheasant hunter said, "Boy, it sure would be nice to have a dog, being I'm in new country and everything." The district conservationist said, "I've got a dog here. He comes to the office with me every day and we call him Field Office--he's trained and does a good job." The guy said, "Well, could I use him?" The district conservationist replied, "Yeah, you can use him, just give me \$25 and you can use the dog." The guy thought that was a pretty good deal so he took the dog hunting with him and when he got back that evening he was really elated. He had picked up his limit of birds and the dog had worked great. The guy said, "I'll probably be back next year because this was really fantastic." So, the next year the guy came back and stopped in the field office. The district conservationist was still there and the guy said, "I sure would like to use that dog again." The district conservationist said, "Well, sure you can use him again. He's got a little more training though. He's actually been promoted and we changed his name to Area Office. He's just got that much better and it's going to cost you \$100 this year to use that dog." The hunter scratched his head and said, "Gee, a hundred dollars to use that dog?" Then he remembered how good it was last year so he gave him the \$100 and went on his way. When he came back he indicated he had a fantastic hunt. The dog did a good job and he had a good hunt. He made the comment that he would probably be back next year. So, the next year he came back and asked for the dog again and the district conservationist said, "You bet, he's available and you're welcome to him." The hunter asked what it was going to cost him this year. The district conservationist said, "Well, this year he's free." The hunter said, "How come, he worked so well last



year?" The district conservationist replied, "Well, we did give him some extra training and changed his name to State Office. All he wants to do now is sit on his butt and bark."

Okay. With that I would like to have Norm take the mike. That wasn't a very nice introduction, but Norm and I work together, and he knows I like to give him grief. He'll get back at me. So Norm, the mike is yours.

NORM KEMPF: I do appreciate the opportunity to be here but I'm not sure I appreciated that introduction. Dave's story reminded me of a couple of news articles that I've been reading in the newspapers in the last several months. I keep reading about these pet lions that turn on their owners. I think there may be some similarity that you can work with them, and you can play with them, but you never know when they are going to take a hunk out of you.

Could I have the slide projector, please? We don't want to put everybody to sleep here. I do occasionally have some problems along that line.

The topic I've been assigned this morning is the Food Security Act and I have spent quite a bit of time talking about this particular item over the past several years. This is especially since 1985 when we've really gotten into this thing. People keep asking me if I'm having fun yet and I do, in fact, have a little bit of fun but I must admit that at times it's more fun than at others. One of the highlights of my career in speaking on this subject took place in November of last year in Devils Lake, North Dakota. I was invited or, you may say, requested by Congressman Dorgan to be present for a Swampbuster meeting. For some of you who may have been there, there were something over 500 people in attendance and there were only three people that I can think of that were not mad. They were Congressman Dorgan, Lloyd Jones, USFWS, and myself, and I'm not so sure about the other two.

The Food Security Act has those four provisions that were mentioned. The two that I'm going to talk about are the Swampbuster and Conservation Compliance.

Anything in Conservation Compliance, Swampbuster, and CRP revolves around the term "highly erodible land" and, a lot of times, you just see the alphabet soup "highly erodible land." In order to make a determination for highly erodible land we need to have an up-to-date soil survey. That's the key to the whole thing. Then we hear a lot of talk about EI or erosion indexes of eight. That's sort of a shorthand way of getting at trying to determine which soils are highly erodible and which are not.

We've seen a lot of information in the news media that talks about a 40 ton potential soil loss makes a particular parcel of land or a soils mapping unit within a field highly erodible. What they are really talking about here is that we have two different methods of calculating erosion--one for water and one for wind. In each of these cases we look at the climate, terrain, soil texture, and the potential for wind or water in terms of rain intensity and amount of rainfall. These all have

an impact. We then look at the particular soils and their ability to stand erosion. The reason the 40 shows up most often as the most common soil tolerance level or the amount of erosion that a soil will stand without degrading is five tons per acre per year. So, if we have a rate of eight times that figure, that is where we get into talking about EIs of eight. If the rate is greater than that eight times and, that could be if the soil happened to have a soil tolerance level of two, would only be 16 tons per acre, so it does vary. It isn't always 40. That is the key item and it has created some problems because as we move into areas where they have more wind or more rainfall there is, in fact, more soils that do show up as highly erodible. In areas of low rainfall, we run into a similar problem because on steep slopes it actually runs us up onto steeper slopes where, if we do have a certain amount of rainfall, the potential for erosion on a particular rainfall event or wind event is probably greater.

Just because an individual has highly erodible land on his farm does not necessarily mean that he is going to have to contend with the Food Security Act. In order for an individual to have to deal with the Food Security Act under the compliance provision, at least one-third of a field or 50 acres of a field have to be highly erodible. The one-third is intended to keep out those small areas that are difficult to manage. Of course, the 50 acres was written in to catch those large fields. As you move into the northern great plains, we have some very large fields--160s are very common and we even see 320s and 640s. In those large fields we would lose a lot of those highly erodible lands that we really want to address if we didn't have the 50 acre catch in there. Once you meet these criteria, then the entire field would be considered as highly erodible. Then the operator is given the opportunity to redefine that field and cut out the highly erodible land if, in fact, that's possible. Sometimes the highly erodible is scattered in little pieces all over and it's not practical to cut it out. In other cases it may be concentrated in one part of the field and can be practically cut out.

If, in fact, you do have a highly erodible field or a group of these fields on your farm, then you need to work with the SCS to develop an acceptable conservation plan by January 1, 1990. That plan must be applied by January 1, 1995. During that period between 1990 and 1995, the individual will be asked to certify that he is on schedule with his plan and is, in fact, applying that plan.

Dave gave you a list of benefits this morning which I will go through. A concern that a lot of people have with the loss of benefits is that there is no graduated scale. You are either in or you are out. We hear some talk and the congressional delegations are making a lot of comments that the penalties should fit the crime. It doesn't matter whether an individual breaks up one acre of land or if he breaks up 1,000 acres, the penalty is the same. That is a loss of all of his benefits.

Conservation compliance is a term that refers to land that was under a cropping system at least one year during the period 1981 to 1985. The time stopped, as far as an evaluation of being subject to provisions of FSA, when they passed the law and it was signed by the President on December 23, 1985. They had to pick a window and this was the one that

was chosen. There is no evaluation for eligibility after this period of time. There are some reasons for this. Already in 1984, there were people out breaking up land, trying to get ready for this Food Security Act, and there was some legislation and wordage put into the act to try to nail individuals who did, in fact, change their operation in 1984 to try to take advantage. So, they have, in fact, set up this type of program.

Sodbusting occurs when an ag commodity is planted on land that was not used to produce a crop at least in one year from 1981 to 1985. There is a little confusion out in the field because the criteria for sodbusting and compliance planning is one year, 1981 to 1985. Eligibility for CRP requires the planting of a commodity crop two years, 1981 to 1985. And there again, that was written in there to take care of some of those folks that summer fallowed in 1984 but did not get a commodity crop planted. Sodbusting is handled in two different ways. We have different criteria for native sod and for alfalfa, legumes, and tame grasses that were planted on land that had previous cropping history.

On native range land, you have to have a conservation plan. That plan needs to be developed with treatment in it that will treat the land to the level I mentioned earlier, that soil tolerance or acceptable level which will maintain that resource base for sustained agricultural production. When we look at the tame grasses on land that had a previous history, we have a somewhat more liberal approach. In those areas this conservation plan also needed to be developed and individuals who did, in fact, break this land, not understanding what was going on, were in 1985 given until June 1 to have a plan in place. Anything after June 1 would, of course, have to have a conservation plan in place before that first commodity crop is planted. But that plan would not necessarily need to be developed to that level that totally maintains the resource base. That plan would need to show that there has been a significant reduction in the potential erosion losses.

If some of you have been wondering what a commodity crop is--the selection of the term "agricultural commodity" was probably an unfortunate selection of terms because it immediately brings out a concept that we are talking about those crops that are supported with subsidies. That is not the case. Any planting that is an annual crop and required tilling and planting each year falls under the umbrella of an agricultural commodity. One that a lot of farmers can relate to are forages such as your sudan grass and sorghums that are planted for hay. Those also meet the criteria for an ag commodity. And, of course, then they wrote in one for our friends who are in the sugar business. Sugar cane is a biennial crop but was defined in the law as an ag commodity also.

This conservation plan that we keep talking about is just a recording of the decisions of the operator. It shows the locations of the fields, the land use, the type of tillage that he plans and, most importantly, it shows the schedule as to when that work is to be completed. That schedule becomes very important and there needs to be a lot of thought given to that schedule. It certainly isn't going to be practical for every farmer in North Dakota or in the nation to plan to do all the application work in 1994. There just can't be enough time and

technical help to get that job done or the individual himself may not have the finances and resources to get that work done either. So, we are encouraging people to take a good hard look at the schedule they set up and schedule some work each year during the period 1990 through 1995 so that they don't get caught in a whip-saw at the end. This is because at this time there is no provision in the law for an individual to come back in and get any of the agricultural benefits if they, in fact, do not have this plan in place.

Within the Soil Conservation Service, we are attempting to encourage everybody to take a look at a total resource management system for their farm. That system would either be planned or applied to each field or to a group of fields that provides for practical erosion control and this plan must be based on our SCS technical guide which sets up the guidelines for these systems. That may, in some cases, be only a single practice, it may be a practice the individual already had in place, or it may call for a combination of practices. The more serious the erosion problems are, the more likely it will be that they require more practices. Any system that the individual selects--that is documented in our SCS technical guide, or is equivalent to the systems that we have in the technical guide--will be acceptable. We don't need to develop a new plan if an individual has already applied a system that is acceptable and meets the needs of the land. The resource management system that I mentioned takes into consideration a combination of many different resource areas. We are concerned here with primary uses and proper use of the land and also the protection of the water resources. Our goal here is to maintain that resource base, control soil losses, and control or help water quality.

And then we have acceptable ecological management levels. Here we get into pesticides, fertility levels, and I'm sure you are aware of the fact that water quality is on the horizon and it is fast becoming a major issue. We know that we are going to have to be dealing with that water quality thing in the future. It may not be under the umbrella of the Food Security Act but it's coming nevertheless.

The basic conservation system is what is required under the FSA. Here we're only concerned with that erosion control section of the resource management system. Our basic conservation system is the one that we are going to encourage people to use if they don't want to get into a total resource management system. We are really going to work to get into a basic conservation system, and that is to reduce the fall-out to an acceptable level that will maintain the resource base. Then we get into a more politically charged atmosphere and there are environmental groups, wildlife interests, conservation groups, and state government that are all getting involved in the discussion over alternative conservation systems. We also have developed documented alternate conservation systems and these are the ones, although they don't get down to that resource base level, that achieve substantial reduction in existing soil rates. Within the SCS we have developed some positions that we have taken on the subject of alternate conservation systems.

The conservation provisions of the FSA have moved the SCS from a voluntary to a compliance aspect. This is a new avenue for the SCS. We have just not dealt with compliance and even probably what you would call

almost a pseudo regulatory faction, because, while the FSA is billed as a voluntary program you have all the dollars that are involved in benefits from USDA and in North Dakota. In many cases, they show as high as 40 to 50 percent of the total cash flow from a farm may come through USDA benefits. Even though it's voluntary, there are some pretty severe sanctions if you do not comply with those provisions. Since we recognize that many farmers are dependent upon income from existing highly erodible lands and they also depend on those program payments, there may be some serious economic hardships that they will experience. We have been in the conservation business since the mid-1930s and here the FSA is calling for a period between the end of 1985 until January 1, 1995, that all this land will be properly treated. There is some question whether that is a realistic time schedule. So, this is especially true for those difficult soils where there may be some very expensive practices that may be necessary to totally treat that to the basic conservation system.

So, we are going to try to work with the farmers to maintain their eligibility to apply conservation systems that will substantially reduce that soil loss. And, if they do this, then they are still going to maintain their eligibility.

We have a policy to have ASCS available at all field offices, and in North Dakota we have an alternate conservation system available for each mapping unit that has been identified as highly erodible.

So, here is where we are at. The field office technical guide sets that level of erosion that is considered as acceptable. It should offer the operator several options that he can choose from. Now, in some cases they have many, many options because some soils are just barely over into the highly erodible. We also have some soils that just never should have been farmed so the options are going to be very limited. I have received quite a number of calls from some folks in the northern part of the state in some of the very sandy areas that we classify as Class 7. They are both steep and are very sandy--sugar sandy that just runs through your fingers and they are very hazardous to farm. We are finding that the best system that we can come up with is one that may be one or two years out of eight in cropping and the rest of the time in grass. Now, those individuals, even with an alternative cropping system, are probably not going to be totally happy with our position. So, when we worked up these conservation systems, we have attempted to not operate in a vacuum. We have discussed this with some of the ag groups, North Dakota Association of Conservation Districts, State Conservation Committee with our conservation district organization that are set up in each county throughout the state, and other interested people.

This same general program has been carried out in all of the states in the country to the best of my knowledge, so that, hopefully, when we come out of this, we at least have some level of acceptance. However, there are some concerns that even here in North Dakota the alternate conservation system may have been carried too far.

Our long-range viewpoint here is that because this is such a politically charged atmosphere and there is a potential to do harm to individuals who have been farming this land in the past, we do feel that if we don't try and push these folks too hard, we will try to sell them

on a resource management system. We'll try and sell them on basic conservation system--and if they feel they can't get this then we'll offer the alternate system with the idea that once they become comfortable with that over a period of years they will voluntarily move up to a more intensive conservation system. With that, could I have the lights, please? That concludes my presentation and I will be available for questions after the break. Thank you.

DAVE DEWALD: Thank you, Norm. You were pretty nice to me after that introduction, so I appreciate that. Biologists in SCS are few and far between and I have to admit that Norm treats me pretty nice so I won't tell stories on him like that until the next time. Our next speaker on the program is Lloyd Jones. Lloyd is the supervisor habitat biologist for the Fish and Wildlife Service at the wetland habitat office here in Bismarck. He is also the farm bill coordinator for the FWS in North Dakota. He is my main contact when it comes to working with the Food Security Act and especially the wetland conservation provisions. Lloyd and I have worked together the last couple of years pretty closely on wetland issues as they deal with the FSA. Lloyd is going to talk to us about Swampbuster and some of the activities that have been going on in the past couple of years in North Dakota and probably nationwide. Lloyd.

LLOYD JONES: Thanks, Dave. Things have been pretty hectic up here in North Dakota, not only when it comes to Swampbuster but the drought as well. I had several reporters in my office this morning and some of them are still there, by the way. One of them said, "Really, how is it going up here in North Dakota, with you guys who work for the FWS. You've got Swampbuster, you've got CRP and all this--how is it really going?" I told them it's a dog eat dog world out there and those of us that work for the FWS wear dog bone underwear. So it has been pretty touchy.

I have a few comments to make on Swampbuster and then I want to go into a couple other issues that are a little bit related and just touch on them briefly. I've given a couple of papers across the country on Swampbuster and I've always thought of a way to try and put it in proper perspective of what's happened in as short a period of time as I can. In doing so, I'll make a couple of quotes here. The first from a wildlife biologist--quote, "Swampbuster will eliminate the loss of our precious wetland resource."--unquote. The next is from a U.S. congressman and I won't tell which state he is from but before I'm through you will figure it out. Quote--"Swampbuster was never intended to apply to the wetlands that we have in our state." Now, both statements are at the far extreme of what actually did occur with Swampbuster. Both are totally inaccurate, but they indicated the provincialism that developed when Swampbuster was being written, and final rules were being drafted, and everything else.

It demonstrates the controversy that existed. What I want to do now is go through a series of events that happened in North Dakota--just to try to give you a mental picture of what the controversy has been. Although these issues are specific in North Dakota, I know for example that they were relative to any state that had wetlands--Minnesota, South Dakota--wherever it might be. Iowa, I'm not that familiar with the wetlands there and how they dealt with Swampbuster.

On December 17, 1985, actually before the bill was signed by the President, the Devils Lake Journal ran an article and they quoted an individual who is chairman of the Water Resource District--an individual by the name of Bob Garske. And I quote, "Our farmers are very concerned about this thing (being Swampbuster). They have compared it to the kind of thing that went on in Hitler's Germany. We see this as a serious interference with our rights as property owners and our right to make a living from the land." Unquote. The Ramsey County Water Management Board, and for those of you who have maybe heard a little bit about the geography of North Dakota, that's up in the north central part of the state near Devils Lake and there has obviously been a lot of drainage controversy there. At that period of time the water board was processing 100 drainage applications per day from farmers trying to get in and get a permit filed before the Swampbuster regulations actually went into effect.

The next thing that happened, that I'm using as a demonstration of how things developed in North Dakota, was from then Senator Mark Andrews. He made an announcement in September 1986 that he was going to offer an amendment to an appropriation bill that would prohibit federal money from being expended to implement the Swampbuster provision of the Food Security Act. Fortunately for us and unfortunately for him, he was defeated in November and the amendment died and was never actually introduced. But it demonstrated the attitude that the congressional folks had about Swampbuster in North Dakota. Another area of real hot controversy, and those from other states may have heard some of this, was in relation to the Red River Valley. A lot of the agricultural interests in the state used that issue there, the issue being that the whole Red River Valley was a wetland. This flat, productive land they claimed was all going to be delineated by SCS as a wetland and, therefore, we couldn't plow it anymore, we couldn't maintain our ditches, we couldn't plant sugar beets, and therefore, Swampbuster needs to be defeated. That was a very, very controversial issue in North Dakota. The SCS process that finally was developed for wetland delineation allowed for that and considered it prior converted which resolved that issue, but for many weeks it was a hot issue in North Dakota and Washington as well. It basically was an attempt to use that to defeat Swampbuster.

The FWS, in the fall of 1987, noticed that there was a high amount of drainage going on. The Service, through its normal activities, documented 150 cases of potential Swampbuster or drainage activities. We provided that information to the ASCS office in late 1986 and 1987 with the hope that they could contact these producers and let them know if they planted a crop in those wetlands in the spring it would be a non-compliance. Unfortunately, the ASCS and specifically the state director for North Dakota took the position that we were doing something that we shouldn't be doing and went to the press and accused us of being spies in the sky. That was in papers in North Dakota for many weeks and elevated all the way up to Washington. To this date, and maybe Dave or Norm might be able to correct me, we are not aware of one producer in the state of North Dakota that has been denied benefits because of a Swampbuster violation. There have been numerous ones reported, obviously numerous violations of Swampbuster, but to our knowledge, as of today, no producer has been denied benefits.



The next thing that occurred was a series of public forums that were held across the state. Norm Kempf and I had the opportunity to travel around the state and, with Congressman Dorgan, hold public forums. Those were not pretty things. They held one in Devils Lake and, if you will remember back, this was the place of the quote I gave you from the guy who was comparing it to Hitler's Germany. Little did Norm and I know that Congressman Dorgan was in town early in the afternoon and held a luncheon at the Elks Club. Our meeting wasn't to begin until 7 p.m. but all the farmers came in for the two to three o'clock luncheon. Although you would normally think they would go back to their wives and families back on the farm, apparently most of them decided to stay in the bar and wait for the eight o'clock meeting to start. Come eight o'clock or seven o'clock, whatever it was, (I was afraid to look at my watch) there were 500 very interested farmers there to discuss Swampbuster. There were a series of these meetings held across the state but the point I want to make with this is that the congressional delegation took the approach that Swampbuster was never intended for the prairies; that it was intended for the swamps and bogs of Louisiana. They went around the state saying that it was unfortunate and that Congress really screwed up on this one. I have a quote from Congressman Dorgan. "My own feeling is that this is going beyond what was anticipated. I don't want it and I don't think farmers want it." That was basically his whole approach while going across the state, that it was never intended for North Dakota. If I had to come with one reason why Swampbuster has had such a difficult implementation it would be the stand that the congressional delegation had taken--that it was never intended for North Dakota and we are going to make changes. That has been very difficult for the administering agencies to deal with and it has obviously been very difficult for the county ASCS committees or farmers themselves to think that this is a very serious program when you have your entire congressional delegation saying that we weren't supposed to have this; I'll get it straightened out and don't worry about it. That single factor, although there are many others, has probably led to most difficulties with Swampbuster.

The next thing that happened was a series of hearings in Washington, D.C. There was one Senate and two House hearings that dealt with Swampbuster. Again, these were initiated primarily from the concerns in the North Dakota delegation. The issues they dealt with at that level were primarily an exemption for temporary wetlands. And the way they referred to it was they wanted all wetlands that had ever been cropped before to be exempt from Swampbuster. The FWS testimony provided at one of the latest hearings was that between 20 and 70 percent of the wetlands in the prairie pothole region would be exempt if they would agree to that type of exemption and, obviously, result in serious impacts to the wetland resource. So, that was and still is a very difficult issue to deal with. Welson Sealing, the chief of SCS, still feels that normal circumstances, which is a phrase in the bill, should include cropping. In other words, if hydrophilic vegetation needed to exist under normal circumstances and if it doesn't exist under cropping, the wetlands should be exempt. Due to the drought, that has been put on hold temporarily but I'm sure the issue hasn't been resolved.

Another issue that was brought up at the congressional hearing was the need for a graduated penalty. Right now if a producer is found in



non-compliance, he loses all his government price support payments which would be \$50,000 for himself and, if he's in a partnership, \$50,000 there and, if he's in a cooperative, it's \$50,000 there. The feeling at the congressional hearings was that this "drop dead" penalty, which was how they referred to it, was too severe. This would mean that if a farmer drained a one-half acre wetland and lost \$150,000 that would be inappropriate. Therefore, there was a tremendous push to have that "drop dead" penalty changed. Again, the attitude was that these committees were going to look at what the legislative intent was, not only including North Dakota in Swampbuster coverage, but these other issues as well. And again, I don't think that issue has been totally resolved.

I'll mention one other thing that has come up since I put together this last paper I gave and it may be of interest to some of you folks from other states. We have an individual legislator--state legislator--from the Devils Lake area again. It's funny how most of these things come from that area. Someone thought it was in the water up there or something. This individual happens to be chairman of an interim legislative committee and I had to testify at one of his hearings awhile back in Devils Lake. We went through Swampbuster, FWS revenue sharing, Farmers Home Administrative conservation easement, and a whole variety of things. At the end of my two hour cross-examination and everything else up there, the chairman indicted he had a package which he held up. Then he said that we are going to start playing this game a little different. Unless you and your people (whoever he meant by that) don't start giving us farmers some flexibility in Swampbuster, and FMHA, and all these wetland things that we keep hearing about, we are going to have every farmer in North Dakota plant their wetland to this seed. He was holding a package of purple loosestrife seed. He went on to explain that unless there were concessions immediately he was going to distribute seeds to the farmers of North Dakota and that they were going to plant their wetlands to purple loosestrife. It will be interesting to see how far he carries that issue when the session begins here in January. I just use these as examples and there are hundreds of others, but these are probably the most dramatic to demonstrate to you the situation. I do want to sum up that part of this discussion on Swampbuster with a quote from the North Dakota Agricultural Commissioner, Kent Jones. Believe me, and I will swear to it on a Bible, he is no relation. He stated in a Bismarck Tribune article that, "I want regulations changed," and he was referring to Swampbuster. "I want regulations changed to allow activities such as draining, dredging, filling, leveling, or other manipulations within wetland boundaries," unquote. You may recognize there is some conflict there between what he's asking for and what Swampbuster was intended to do. But that is the State Commissioner of Agriculture responding to Swampbuster. And, again, I think it's a good way to summarize what the prevailing agricultural attitude has been toward Swampbuster in North Dakota.

So, that's the situation--what happens now? Obviously, we have a lot at stake in North Dakota. We've got at least a million acres of unprotected wetlands out there and I'm sure that everyone in this room recognizes that we know now those wetlands are more important than ever for a variety of reasons. I think, most importantly, we need to deal with this exemption of cropped wetlands. That, singly, probably has the potential to be most devastating. If, in some way, shape, or form they

do get that through Congress or through some change administratively, would obviously be devastating. We need to make sure that does not occur. As I mentioned, in the prairies that would mean 70 percent of the wetlands would be exempt.

The issue of the "drop dead" penalty--I personally feel that if ASCS, the administrative agency, and compliance would take a more active role and, if varying degrees of penalty could be devised, that are still a strong deterrent, I'm not so sure that something other than a "drop dead" penalty wouldn't be beneficial. I mean that simply because the county ASCS committees, and we've discussed the potential of getting that part of the administration of Swampbuster changed, and we've been told that this will absolutely not occur. That ASCS committees are ingrained in granite for eternity. Those are farmers elected on those committees and for them to sit down and deny their neighbor \$150,000 worth of penalties for draining a two acre wetland, in reality, is probably not going to occur. So, if there was some way to go to some form of graduated penalty, but again, contingent upon ASCS taking an active compliance role and those penalties still being a deterrent, we may come out of that deal okay.

Obviously, there is a very negative attitude toward Swampbuster and you folks would know better how strong that is in other states. It is obviously very strong in North Dakota. One thing that we feel may take the edge off that and allow for a program to go forward is a program that would deal with existing or prior converted wetlands. And what I mean by that is, if we could come up with a way to allow a farmer to bid into the CRP program, either prior converted wetlands which would be restored, or if he could bid in crop wetland. In other words, if he could verify through the ASCS office that he had ten acres of wetlands with a cropping history he could bid those into the CRP program with an adjacent buffer strip or cover area with a 4 to 1 or 2 to 1 ratio. If we could do that, I feel strongly that it wouldn't involve a lot of money and it would take a lot of edge off the Swampbuster controversy. Like I said, it's not something that's just in North Dakota, it's been elevated all the way up to three congressional hearings in Washington, so I'm very concerned about that. That may be a way to address that issue. I believe there is a big loophole in that it requires planning before there is a violation. That's a problem. Many of our farmers out here are realizing that. We had one in the other day and he simply said if that's the case, I'm going to drain every damn wetland on my property if for no other reason than spite. He simply will not plant them and he will continue to receive his \$150,000 worth of money from the American taxpayer. That is the problem. I don't know how we deal with that but it would obviously take a change in legislation. I do believe that is a problem that's going to get worse as time goes on and people realize that loophole does exist.

The biggest problem for us here in North Dakota is, again, the rhetoric that they are going to change the legislation. That has been the most difficult. I don't know how that can be resolved. I don't know how we can convince our congressional people, our farm groups, or whatever that it's here to stay, hopefully, and let's get on with it. I don't know how we do that but I see that as something that needs to change if we are ever to get the wetland protection or the benefits out of that program that we need. I will end that part of it by saying that

we've obviously had serious problems with Swampbuster. Implementation has not been very good and compliance has not been very good. People always ask me, "Well, what's it doing--are we stopping drainage, are we slowing down drainage?" I'll answer that with a quote from a water engineer that works for most of the water resource districts in the state of North Dakota--he happens to be here in Bismarck. In November of 1987, and I quote, "There has been more drainage activity across the state this year than any year in the past twenty." Unquote. That was from a drainage engineer that works for the water board. So, obviously, we have a long ways to go. I do want to end this part of the Swampbuster discussion on a positive note. I would have to say that there has been unbelievable, in my eyes, progress by the two agencies that are primarily involved with Swampbuster, and those being SCS and ASCS. The wetland determination process that the SCS has developed and implemented in North Dakota is, I believe, excellent. The results of the work that we've done with SCS have shown that it is a very efficient system. It's one that they can sit down and explain to a farmer. It's fared well from identifying the wetlands that are out there, and I think SCS reacting to the problems and the situation of Swampbuster has resolved a lot of the controversy. The issue of the Red River Valley is one example, and SCS is doing that in other parts of the state, so they have done just an unbelievable job in reacting to that wetland determination process. I look back at the FWS and its attempts to do a wetland survey in North Dakota. We've obviously got the National Wetlands Inventory now and things, but for the SCS to come up with a system that fast and that has proven to be that effective is very noteworthy.

A couple of words about ASCS. They've had extreme difficulty, I believe, in coming to grips with their responsibilities under Swampbuster. As I mentioned, their initial reaction was that we were "spies in the sky" and they didn't want to see or hear of that information on violations; there's been no producer denied benefits; there are county committees out there that are making decisions and it's a problem. On the other hand, we work very closely with the ASCS county committees on commencement, on determinations, hearings, and I would have to say in their defense, they have come a long ways. We're seeing now counties where they are taking a very strict interpretation of the rule. They are denying applications for commencement applications so, although it has got a long ways to go, they've come a long ways. I wanted to end the Swampbuster discussion with the observation that we've had problems and there has been a negative reaction but, on the other hand, the SCS and the ASCS, especially the SCS, have come a long ways in addressing problems and concerns. If we continue to make that kind of progress and can hold off some of these pushes for exemptions, we are going to have a piece of legislation that is going to protect some wetlands in the future.

Unless the moderator shuts me off, I do want to make some comments on a couple other things. They are related to wetlands in a round about way. One of the things we've had to deal with up here recently is the CRP and the benefits that it has created for wildlife and now it was released for hay on June 17 right during the peak of nesting season. I don't know that it has been on the agenda or that you have had the opportunity to talk about it. There was an effort developed to try to get some consideration for wildlife through that program. There was

promotion of a concept that the money that was going to be withheld from the producer, if he hayed his land, could be put back into the states for wildlife management on that CRP land. I submitted the language that made it yesterday afternoon into the drought relief bill; and, believe it or not, it did make it. We do have language in the drought relief bill that addresses that and requires the Secretary of Agriculture, through guidance with the appropriate state and federal agencies, to develop conservation practices on CRP lands that have been hayed and, if the producer does so, the 25 percent payment will not be withheld. Those practices that have been identified so far include the establishment of permanent shelterbelts and windbreaks, restoration of wetlands, establishment of wildlife food plots, and the planting of trees. That's what's been identified so far. When I called this morning, I asked the difference between the establishment of permanent shelterbelts and windbreaks, and number four, the planting of trees. They said there are two lobbyists that are working for--I'll offend somebody now, I know, the Association of Trees or something--some organization in there. These two gals are working on this and they're doing some excellent lobbying and work, but they apparently had to go back to their supervisors and say they got something, so they went back and got this planting of trees in. I don't know if they read that shelterbelts and windbreaks were in there. So anyway, that's in the drought relief bill and it's got a long ways to go before it's passed, but as long as I had the podium I did want to mention that.

I am going to revert back now to the wetland issue in North Dakota. I want to very briefly lay out a scenario as I see what has occurred in North Dakota and the prairies. If we look back over the last century, there have been two times where we've made significant progress in resource protection. Once was in the 1930s--as a result of the drought, I assume--I wasn't around. Congress made tremendous progress and the Fish and Wildlife Service was able to establish numerous national wildlife refuges in the upper midwest as a result of the crisis of concern with the drought and waterfowl or whatever. The second time that occurred was in the early 1960s. At that time, in 1958, Congress had passed a small wetlands acquisition program but there was limited funding. In 1962, as a result of concern again for drought and declining waterfowl populations, and with severe cutbacks and regulations, Congress passed the Accelerated Wetlands Loan Act. This provided the Fish and Wildlife Service with \$200 million to use in the small wetlands acquisition program. From the standpoint of North Dakota, since that time, since that act was passed, it has meant that approximately one million acres of wetlands have been permanently protected in the state. So, those two occurrences have occurred in the last century that have made a significant difference in resource protection, especially for wetlands. When we look at Swampbuster and, again I'd like to say in front of their peers, that the North Dakota Game and Fish Department has done a phenomenal job working with various wetland programs in the state. You heard a program yesterday on no-net-loss of wetlands. That is a unique piece of legislation that I don't believe has been developed in any other state and the state Game and Fish Department has played a very active role in that. There've been agreements on water projects and the Game and Fish Department played an active role in the Garrison Diversion compromise. The progress that they've made in wetland issues has been great, but I want to point out that we're in a situation now where what

the Fish and Wildlife Service can do and what the Game and Fish Department can do in the state is going to be somewhat limited without a more national, or united, or concerted effort, or concern for what is happening to our wetlands and what is happening to our waterfowl resource. We can work constantly on Swampbuster legislation but I'm not so sure if we make it the best we want, that we're going to save all the wetlands we want or we're going to have habitat for all the ducks we want. It seems like we're in that same situation that we were in the 1930s and the 1960s, but I don't see the concerted effort or the organized direction to get something done like we had during those times. Harvey is going to discuss very shortly the North American Waterfowl Management Plan and maybe that's the vehicle we all need to get behind. But I'm not so sure that the people, the country, the sportsmen, the duck hunter, the environmentalists, and everybody else recognizes how serious the situation is. We've lost 60 percent of our wetlands in North Dakota and we can't afford to lose any more. The waterfowl populations are as low as they've ever been and we are concerned now that they are not high enough to be able to rebound even under a wet condition. So, if there is something that the states can do to generate increased interest and concern over what is happening with the wetlands in the upper midwest and the waterfowl resource, I think we need to do that. We need to do it very quickly because the opportunities that we have right now, I believe, are similar to those in the 1930s and 1960s. I believe if we don't capitalize on it we're not going to take advantage of a situation and we're not going to have the protection for wetlands and subsequent benefits to waterfowl. The kind moderator let me go off on that little harangue, so I guess questions are later.

DAVE DEWALD: We are going to have a question and answer session at 10:30. I know a lot of you guys are going to have coffee and you are going to pin these guys in a corner when you ask them a bunch of questions. Other people are going to be interested in the same questions, so if you would ask them again when they are up front so that everyone gets a chance to benefit by the answers, I would appreciate it. So, we'll see you back here at 10:30 when the panel will convene up front.

#### COFFEE BREAK

DAVE DEWALD: We'll have a question and answer session for the next half hour. I would like to remind you to come up to the mike and state your name and your question so everyone can hear and so we can get it recorded. So, with that we have the three presenters of the topics on the Food Security Act.

OLIE TORGERSON: This is for Al and it deals with the portion of your presentation on the CRP evaluation. I don't think I heard you talk about correlating the habitat data with wildlife population data that are being collected every year by the states. That is still part of the evaluation, correct?

AL FARRIS: Yes, Olie, that is going to be a part of it, but it is not a part of the study that the National Ecology Center is doing and it's not a part of their responsibility. They'll play a role in that but I guess I was trying to stick with the actual evaluation that they are involved

in. What we're going to try to do is use, again, extensive state population survey information and try to relate that to the habitat information we come up with from the CRP evaluation.

OLIE TORGESON: Who is going to do that--the individual state then?

AL FARRIS: Well, we'll probably ask the National Ecology Center to have a role in putting all that together.

UNIDENTIFIED: Al, can you provide any information to the group on more intensive evaluation or the impact of CRP that perhaps individual states have underway or are planning to undertake?

AL FARRIS: I don't know about all of them that are going on. I know, for example, Dr. Loren Smith from Texas Tech has a student involved. This is a graduate student that the Texas Department is partially financing and he is going to be doing an intensive evaluation of CRP lands and wildlife use in the Texas Panhandle. I know that Minnesota DNR Al Berner, specifically, is going to be doing some more intensive work relating CRP acreages by counties with pheasant count results from routes in those counties that will break them into various categories. I know that there is also some work being done, research being done, to refine the models. I talked to Kevin Church from Kansas and they were talking about a research project on meadowlarks that would provide better information for the folks at the National Ecology Center to use to apply their models. Kansas is kind of a unique situation. They ended up in three of the regions. I think they are the only state that ended up in three regions; southeast, the southern plains, and the midwest. So, I know those things are going on. Other states are free to do and piggyback on to this information if they want to but, again, it's not a part of that evaluation.

One thing I forgot to do in my presentation was to talk about three people that were very important in this process and I would hate to leave them out. Those are the people I asked to handle regional coordination in other regions or states. Steve Cole from Arkansas did that for the southeastern part of the United States, Mark Finka from Montana did it for the northern great plains intermountain region, and Ronny George from Texas did it for the southern great plains. Without their activity on the local level it wouldn't have been possible to get those up and rolling.

MARK REEFF: I would like to put a question to the panel. We're hearing a lot of rumors from Washington that there is some mischief being played with the universal soil loss equation, sort of going at a back door way of emasculating conservation compliance. I was wondering if any of you may have some indications or feelings for that.

NORM KEMPF: I suspect what you're hearing is the move into the alternate conservation system concept that I mentioned. We haven't changed the soil loss equations. There have been some changes in some of the factors and one of the factors was the climatic. The rainfall factor we refined and then there was the change in the seed factor for wind and, of course, that was an update that happens on a ten-year basis but it just so happens that it happened right in the middle of this thing but in North

Dakota that did not decrease the impact, it actually increased. We started out with 2.3 million acres of land classified as highly erodible in North Dakota and that change increased to the point where we're now looking at 6.2 million. But the biggest impact, by far, is this move from the basic conservation system to an alternative system. That was a fairly political decision because there was a concern on part of the congressmen and a lot of people in the USDA and, in particular, the chief of our soil conservation service, who strongly advocated giving people a transition period through the alternative system. That had been highlighted in many cases as almost a dereliction of duty to take everybody down to the basic conservation system.

MARK REEFF: Would this be related to the use of economic hardship as the criterion?

NORMAN KEMPF: That's the basic reason.

MARK REEFF: Have you ever heard of a farmer not being an economic hardship?

NORMAN KEMPF: Quite frankly, no. There's different levels of economic hardship.

BILL BAILY: Lloyd, I would like to address my question to you. If I heard correctly, I believe you indicated that the "drop dead" penalty may have to be amended to something less severe if the Swampbuster is to be effective. If I heard correctly, what type of sanctions or penalties do you have in mind that would still be effective in arresting drainage and hopeful of being implemented?

LLOYD JONES: I didn't mean to imply that that needs to occur for Swampbuster to work. That is one of several issues that the agricultural interests have worked very strongly to get changed in the current Swampbuster legislation. I meant to indicate that it is one of the many changes that they are promoting that we may not get hurt too bad on. As far as the specifics as to what that could go to, I think our only concern is that ASCS get actively involved in monitoring compliance which they have not done to this point because it doesn't make any difference what you do if you're not going to actively monitor compliance. So, that has to occur and the second requirement would simply be that it has to be enough to be a deterrent. If they are just going to do a \$50 type thing, or whatever, then we could never agree to that or would want to be part of that. But, if there would be something of a deterrent, \$5,000 for example, it would maybe do the job. We have not made specific recommendations, but I think if they would be successful in getting that changed, it would not hurt Swampbuster and it may actually help, to some extent, the way some of these county committees are dealing with it. Right now they get a complaint in and they just simply say there is no way that I'm going to withhold \$50,000 from my neighbor with whom my kids go to school and everything else. If it were \$5,000, maybe they would more realistically look at what they are supposed to be doing. But we haven't come up with specifics as to what that would be.

MIKE BURGER: Just as a follow-up on that. One of the things I had heard beat around was that the farmer who violated Swampbuster would suffer the



loss of some factor of the value of the crop grown on those lands--say ten times the value of the crops grown on those lands for one year. He then would have to restore that wetland and, if he destroyed the restoration, he would be in violation again and he would lose all of his benefits. Would that be a deterrent?

LLOYD JONES: Yes, it sounds like it would, anyway, on face value.

MIKE BURGER: That's what I've heard discussed. Let me ask Dave a question. You jokingly mentioned earlier about minimal impact. Is the Soil Conservation Service working with the Fish and Wildlife Service to examine land where minimal impact determination has been asked for and is that alleviating any of the problems that may be arising with Swampbuster.

DAVE DEWALD: Yes and maybe. Yes, we are working with the Fish and Wildlife Service on minimal effects determinations. Lloyd and I have gone out together on them and now our office people are working with their field people and they are making recommendations to us. The only person in the state that can grant the minimal effects determination is still the state conservationist. So, the final decision comes to the state office. We have been working with them on a regular basis. Whether or not it's alleviated some of the problems, I think it has in some cases and in other cases it hasn't. In North Dakota, we have taken a pretty active role in trying to give minimal effects determinations when the landowner was willing to restore the wetland basin so we get the basin back. So, we've done that on about 10 or 12 basins already in North Dakota for minimal effects determinations. We have not given any minimal effects determinations for the total destruction for any size basin thus far. We have given, or are in the process of giving, one where the guy's going to put in a half acre into 40 acre basin for a center pivot system to make sure it can go through. That's basically what minimal effects have been about in North Dakota. The biggest one is the minimal effects with restoration. The landowners drain the wetland after December 23, 1985, now he can't crop it, he's finding out that he doesn't go around it anymore, he says I'm willing to restore it so he can farm it under natural conditions. And we're going through the minimal effects procedure to allow him to restore it and then farm it.

MIKE BURGER: Lloyd, you and I talked about this during the break but I think everyone would be interested in knowing about how many acres of CRP land have been hayed in North Dakota.

LLOYD JONES: We don't have an accurate accounting. There are 1.72 million acres that have been signed up in the CRP in North Dakota. Our best estimation is that 500,000 or a half million of that will be hayed. That may be a conservative figure with the price of hay. We are getting a lot of reports that they are shipping hay off of CRP into Canada and other parts of the country. Out of that 1.72 million, a lot was signed up in the most recent sign-ups, and probably doesn't have a plant cover on it that would sustain haying, number one. So that, we figured, dropped it down approximately half, which got us down to 850,000. Then we hoped that half of what could be hayed would not be hayed because the producer wasn't interested or it was an out of state landowner or something like that. So, we rounded it off at half million acres, but



again, we're seeing more indications now and reports coming in from our field people that they're getting a lot of it so we may have been a little conservative on that.

MIKE BURGER: So, it may have been more than that?

LLOYD JONES: The end results may be a little bit more than 500,000 acres but we're comfortable with that estimation right now. And that would have been a half million of the best stuff. They are haying some CRP land that is producing three ton an acre of hay. So, there was substantial growth on that this year even with the so called dry conditions.

MIKE BURGER: A final question. I guess Lloyd may be best able to address it. You mentioned the water engineer who indicated that there was an awful lot of drainage going on and that no cases had yet been made by ASCS for a Swampbuster violation. If landowners are able to avoid the Swampbuster violation, how are they avoiding the no net loss law in North Dakota, or how did these two interact with each other?

LLOYD JONES: Chances are that if that drainage he was referring to and the Service was reporting with the 150 violations they reported, that they were also violations of state law or violations of 2035. What occurred with 2035 is the ability to get a handle on that, either through a landowner filing a complaint on that drainage, or you, or I, or anyone, which was something that didn't exist under the old drainage regulations within the state. We do have a better ability to get a handle on that through state regulations than we ever had in the past. So, how are they combined? They are actually separate. ASCS isn't doing anything about Swampbuster problems. The State Water Commission never has had much activity in water law enforcement. They have always relied on someone complaining which, under the old system, had to be a downstream affected landowner. The new legislation allows anyone to file a complaint and anyone to file an appeal without an attorney. So, hopefully, the new no-net-loss legislation will provide more opportunities for us to get a handle on violations of state law.

UNIDENTIFIED: In the case of those violations that have occurred, has the landowner been required to pay ten percent up to this point?

LLOYD JONES: If he has not filed and has just gone out as farmers in North Dakota have done under any existing law and drained--if anyone complains, he deals with it then. No, he has not had to do ten percent or anything.

NORMAN KEMPF: I might make an additional comment. There are a couple of different aspects that need to be brought out. The Swampbuster provisions allow for the maintenance of existing drains. We have, as a result of some of the reported violations, tracked; and I would not want to lead anybody to believe that there is not drainage going on out there, but there are a significant number of those areas that were identified as potential violators that were, in fact, maintaining existing drains. It becomes a question of did they maintain them at the level before or did they deepen them? The no-net-loss program also let some wetlands drop

out through the bottom where there is less than 80 acres of drainage. So, some of those would not be impacted by the no-net-loss.

DAVE DEWALD: Any more questions?

LYLE ADAMS: With the widespread condition of the drought, there is no doubt that we are going to experience a lot of failure on some of these plantings on CRP this year. Has there been any discussion as to how the reestablishment of these plantings, whether they be native grass or cool season grass and legumes, trees and shrubs--any discussion at all about the reestablishment of some of these failed plantings this year.

NORMAN KEMPF: There has been a lot of discussion about it. Our stand has been that it is too soon to make a determination. There are several things that happen. I personally inspected quite a number of seedings this spring and where those were planted in standing stubble, that grass was up two to three inches in early May. It has been my experience that if a grass plant makes it through the advanced three or four leaf stage, it may go dormant and, at that time, we couldn't find it but the root system may still exist to the point of where it will show up next year. When we are in a season as dry as this there is a lot of that grass seed that will never germinate. So, we do feel that it is too early to say we have failures. There is a provision in the CRP program for reestablishment at government cost share. The individual, again, would have to put in his 50 percent of the cost. There is going to be cost share available to reestablish his planting if, in fact, we do have to declare some of those seedings a failure. I've looked at some where that was the case.

LYLE ADAMS: There is a provision in the CRP contract that provides for that?

NORMAN KEMPF: Yes. Lloyd just reminded me of a point. There is an item on this hay that the operator signs--that is, if the loss is due to the haying, he would be totally responsible. I think that's going to be a can of worms--that is going to be hard to sort out. The question will be--was it the drought, was it the haying, or what happened? The reason I'm a little concerned about that is from the technical standpoint we recommend clipping as a removal of competition aspect at this time to enable the grass plants to utilize the moisture available and cut down shading. So, it isn't a clear cut call as to whether it's going to be a problem or not.

LYLE ADAMS: Okay. The second question. We are getting some early indications in Illinois that some of the county committees are taking a position that there will not be food plots allowed on CRP during the first year. I don't know if this is a problem in any of the other states, but could you discuss the latitude of county committees in regard to the implementation of CRP?

NORMAN KEMPF: That's been one of those interesting situations. ASCS county committees are locally elected officials and, as such, have a limited amount of accountability even to the state organization. We find that when a local county committee takes a stand like that, which may not even be within national policy guidelines, sometimes it takes quite a bit

of doing to turn them around. Now, I'm not aware of any problem along that line in North Dakota. Are you Lloyd?

LLOYD JONES: Not specifically to food plots, but we've had several identical situations on other CR practices such as wetland restoration and other things where the county committee just said we don't care, we are not going to do it, and we are not going to approve cost sharing. I'm not familiar with any of those that deal with food plots, but the same situation has existed in other areas.

LYLE ADAMS: Well, the potential is there for a lot of other areas. There's no doubt about it.

LLOYD JONES: It's my understanding that a producer can establish, with cost sharing, semi-permanent or self-perpetuating cover on set aside or ACR acres. That is allowable. There is a national policy to that effect. We have several counties where producers have gone in and have asked to sign up for that and they have been refused. So, that problem does exist.

LYLE ADAMS: So, would you suggest that is the sort of thing that should be taken up with the state committee and negotiated at that point or beyond? Al, what are you saying?

AL FARRIS: The ASCS county committee has always been and, as long as it is structured the way it is, always will be a stumbling block for implementation of any of these programs. Because of the broad latitude that they have and the fact that they are really not controlled by the state committee, the only way that is practical to change that is a change at the national level so that they don't have that flexibility and authority. I think that would be one horrendously difficult thing to get done. There are a lot of examples of ASCS county committee flexibility in saying we are going to do it, we aren't going to do it, or we are not going to follow the guidelines, or, if we do, we will choose to follow them our own way. This ranges from food plots to payment of CRP to the kinds of grasses and legumes that are allowed to go on CRP land. We had a horrendous fight in Iowa about fescue. We hate fescue. We would just as soon see it banned from the face of the earth, but we had a terrible time convincing them that fescue was not a desirable plant on those acres. The only way that I can see it be resolved is more specific direction coming out of the national level to those county committees and, in this way, take away some of their flexibility.

LYLE ADAMS: What would be your advice to the states then in identifying some of these problems? Who should that be directed to so that these would be collectively identified?

AL FARRIS: We've done that through the International. The Wildlife Habitat Protection Committee has done that through the International. We've provided them to Jack Berryman, we've provided them to the Wildlife Management Institute, and they have tried to make some efforts in Washington to get some things changed. That has not been done. Maybe it's been done to a limited extent, but not to a great extent. You know there is a strong, strong ethic that you are fighting against local control versus national control. That's the battle you are down to.

DAVE DEWALD: Norm, do you have a comment on that?

NORM KEMPF: There is another avenue that, perhaps, should also be considered and that is the appeals process. If you have a specific incident or operator out there that has been told no, he has a process that he can appeal to the county committee for reconsideration and, if they say no, then he has the right to go straight to the state committee. And then that, of course, can go up to the national office. The county committee, through that process, can be reversed. It will not have an impact nationwide, but it may serve to temper hot spots if that process is used.

AL FARRIS: There is one other alternative. We have a lot of Pheasants Forever chapters in Iowa, probably 60 now, and we've been telling them if you want to make an impact get your members elected to those county committees. There are Pheasants Forever members that are farmers and active farmers. Go to the Pheasant Forever meetings and let them know that you are there. You cannot let your sportsmen lay back on you and expect you to carry the ball. You have to give some of the burden to them and tell them to get in there. That's what we've been trying to do.

LYLE ADAMS: Norman, on your response on the appeals, now that's a deal where the individual cooperator has to start that process, right?

NORMAN KEMPF: That is correct.

DAVE DEWALD: We will take time for one more question and then we will get on with our next speaker.

AL FARRIS: I would just like to add to the question you had Lyle, the one about the use of food plots. We had some questions on that and the best thing I could give you for advice is, at least it worked best for us, have the farmer go in and ask that of the local committee. So, once you offer the incentive as a state, as a tack-on incentive, you get the farmer going into the committee and that seemed to work the best--along with local Pheasants Forever chapter people. We had the question asked, not on food plots, but on the range they could pay on tree belts. This was 50 to 75 percent, depending on which county. We just picked up the tab, basically, on the difference and that seemed to help a lot.

UNIDENTIFIED: Was that on CRP? I thought the limit for trees was 50 percent--for any practice was 50 percent.

AL FARRIS: What we offered to the landowner then was to make sure the landowner had 75 percent of his cost covered. So, if he got 50 percent on his CRP, we will put in the other 25 percent to bring it up to the full 75 percent.

UNIDENTIFIED: Lloyd mentioned a couple of things of things regarding attitudes toward wetlands protection. It seems to me one of the most popular programs in the nation, at least with our farm community, and it has been kind of low key because it has been around a lot of years, has been protecting our wetlands and the farmers like it. This has been the Waterbank Program. It seems to me that there may be some opportunities to take that negative attitude and just switch it into an existing

program and get people to accept the Waterbank Program. I have farmers coming to me and saying they've been paid, whatever it is, \$18 an acre for their waterbank plans and they are just plumb tickled with that program. They would rather have that program than the CRP program at \$33 an acre, depending on what lands qualify or don't qualify. All they want is for Congress to re-approve the appropriations for Waterbank, and I would just like to have your feelings of that and maybe Al's feelings about where the habitat committee is chasing Waterbank.

LLOYD JONES: From the standpoint of the farm community in North Dakota, they support the federal Waterbank Program 110 percent. Then it gets great for exactly the same reasons that landowner interest is phenomenal. They go through the money that they have up here very quickly. They could go through ten times the money that they have. Mike Burger of DU mentioned to me this morning that the House just cut funding back to where we can even pay existing contracts this year. Somehow we are missing the message there. We apparently have a situation with the federal Waterbank Program where both the farmer and wildlife community agree on and would both support, promote, and everything else but we can't seem to get that message to convince enough staff and congressmen that it needs to be funded. We are trying to work on that up here in North Dakota. We have a wetlands management committee that has all the farm, water, and wildlife groups on it and that is one of the things we have tried to elevate--that funding for the federal Waterbank Program. The interest is there. I think we have to change the name of it, myself, and call it the wetland reserve or something else because Waterbank was after Soil Bank and that was the catchy term then. Now we are dealing with the Conservation Reserve and things like that. I have to believe if we would change the name and repackage it or something that we could get the attention of some people that we can't right now. We could call it the wetland reserve or something and still keep it the same program. I think in this way we could generate a lot more interest for it.

AL FARRIS: Mark, help me out if I get into deep water here on Waterbank. I believe the International Association has a position in support of the Waterbank Program; has never been anything but supportive of that program. The Habitat Committee has not dealt with it because it has not been an issue in recent years. We have dealt with brush fires and issues, so we don't have a problem with it, but we just haven't done anything with it. If there is a need for that I'm sure we will.

UNIDENTIFIED: Unintelligible comment.

AL FARRIS: My personal opinion now, and there will be folks in here that disagree with me. I think targeting in on that specific source of money for specific wildlife-looking programs is going to get the shit kicked out of us, quite frankly. I think that is the wrong approach to take, and if you listened to what I said this morning, it did not say money from the cutting of the CRP, it said in equivalent to that. I think it is absolutely wrong to target in that source of money and want to appear to divert it to something else. I think it's much better to promote a program and stay silent on the funding source. Other people are free to disagree with that and Mark may want to comment on that, but I think that it would be very difficult to do because, if there is going to be a re-orientation of that, they are going to be looking at some way to put

it back into CRP, not over into Waterbank, which could be looked at as a different program.

UNIDENTIFIED: Unintelligible comment.

AL FARRIS: We are aware of the situation and that was one of the reasons for my comments that I think Waterbank, right now, needs to be repackaged with the concept staying the same, and being called wetland reserve. I think Jamie Whitman would take a whole different attitude towards it.

DAVE DEWALD: We have time for one quick question and one quick answer, then we have to cut this off.

RAY EVANS: A couple of notes on CRP. I called my state ASCS director yesterday to see what new regulations might be in line or relaxation might be taking place regarding the haying of CRP. He gave me two of them which had been released by the national office. One of these is that it is no longer necessary to strip mow the CRP land. You must leave 10 percent but you don't have to leave it in strips. Secondly, there will be no 25 percent payback on haying of CRP if that hay is donated through some kind of hay bank program. I thought you would all be interested in that "good news." The other one, if you will permit me, Mr. Chairman, is regarding the alternative conservation systems which seem to be of general concern to a number of people. I want to assure you that is not a national problem. It is a problem on a state by state basis. In Missouri, under the alternative conservation system--which in this case is 70 percent--with continuous no-till corn with 70 percent cover, we find that in 87 percent of the cases will take our highly erodible lands down to five ton or less. So, we don't have any problem in Missouri with the alternative conservation systems as we see it applied. For example, on some soils which would normally have a 60 ton per acre rate of continuous soybeans, the alternative system will take it down to eight tons. And from our perspective, from 60 tons to 8 tons is a significant reduction and we, as a fish and wildlife agency in Missouri, find that acceptable. So, I would encourage all of you before you get too upset about the alternative conservation system to go look, specifically at situations on the ground and don't get stampeded into raising Cain, just yet. Thank you, Mr. Chairman.

DAVE DEWALD: Thank you for your comments and questions and with that the panel members can go back to their chairs and we'll introduce the next speaker. That was an excellent panel discussion and we thank you for your participation.

With that, our next speaker this morning is Harvey Nelson of the U.S. Fish and Wildlife Service, Fort Snelling, Minnesota. Harvey will give us an update on the status of the North American Waterfowl Management Plan. Harvey.

HARVEY NELSON: Thanks, Dave. I was asked to do a couple of things today. First of all, to give the audience a general background on the North American Waterfowl Management Plan (NAWMP) and then to talk more specifically about problems and status of current activities. In looking around this audience, you all look very familiar and it's good to be back and see a lot of you. I know that many of you have been in other

audiences and have heard some of this before. As a matter of fact, Mike Burger of DU and I have sort of a standing arrangement. He and I have been on this circuit for several months and, if I don't make the meeting, he knows the speech well enough to give it, so we just take turns. I think Jim Gritman could do the same thing.

Anyway, what I would like to do is use a slide series to give a little background to those of you who may not have been exposed to some of this before and then come back and talk about specific problems and the status of events today. Also, at your table this morning you were provided with a brochure of the plan, which many of you have seen before. If you don't have a copy of the North American Plan itself, there are some on the back table. If you have any other request for information or copies of these items, just see me afterwards. And the same goes for any other questions or discussion you may want to pursue later. I will be around this afternoon and evening so feel free to grab me and we'll talk about things at that time.

So, with that I'm going to start and very quickly go through the slide series. This is a series that has been developed over the last several months and has been used extensively already by our folks in the region. I think most every state has a copy, so some of you have seen it before and it might be somewhat repetitious for you but bear with me. I'll use it as a background introduction for you that haven't seen it.

I personally view the North American Waterfowl Plan as a new beginning for waterfowl--a new approach to deal with this host of problems that we are confronted with. I don't need to tell you folks in this audience that waterfowl on the North American continent are an important part of our overall wildlife heritage. They mean a lot. They also mean different things to different people as they move across the country, as they move from north to south and back each year. As they stop at their staging areas or major concentration areas. Different people use this resource differently, not just hunters. They adorn many habitats from the northern breeding ranges to urban parks. They stir the blood of the hunter and provide a lot of enjoyment for folks that don't hunt.

The sportsmen of this country, over the years, have been very influential in organizing local cooperative supporting efforts to work in behalf of the waterfowl resource. It happens in almost every state and this provides us a new opportunity to do some new things.

The basis for international cooperation in working with and protecting and managing the nation's waterfowl--the waterfowl of the North American continent--goes back to the Migratory Bird Treaty Act of 1916. That is the basis for the international programs that we operate under today. Back in 1934, the signing of the Duck Stamp Act provided a new source of revenue. Most of this money has been accumulated into a special fund which is used by the Fish and Wildlife Service for land acquisition purposes. Some 330 million dollars have accumulated over the years from duck stamp sales. Much of this has gone into an addition of some 4 million acres to the national wildlife refuge program.



The national wildlife refuge system today, of course, is made up of some 440 units with some 90 million acres, a lot of that added through other support and funding sources and a big addition in Alaska under the Native Settlement Act in recent years. Also involved in this was, of course, the Small Waterfowl Production Area Program of the midwest that most of you here are familiar with. Another important element of the wetland protection program we've all been involved with.

The idea of intensive development in water level management surfaced, basically, on the Canadian prairies about 1937 with the establishment of Ducks Unlimited. And even in those days, whether people fully realized the consequences of their actions, it laid the ground work for important management strategies for the future. Over the years, Ducks Unlimited has increased its activity in both Canada and the United States to the extent that their annual fund raising program now approaches 60 million dollars a year. And most of you are familiar with the new thrust in their program in recent years. I stress that the work that they have done, and the work that was done in the early years of the national wildlife refuge systems, led to the intensive management measures that we apply in many of our programs today. Again, I want to say that DU Inc. and DU Canada have been strong partners and players in the organization and implementation of the North American Plan and will continue to be very active partners. Most of you folks are well aware that the waterfowl of the North American continent are managed, primarily, under the Flyway concept, at least in the U.S., but it also applies in part to the Canadian prairies.

Most species of geese and swans, and some species of ducks have fared relatively well under intensive management programs in recent years. But in spite of all this, some species of ducks are in trouble and will continue to be even more so this year. You will recall, back in 1985, we hit an all time low in the fall flight forecast, the lowest on record since the 1930s. We are facing that situation again today. As we project this graph in the next couple of weeks for 1988, we are likely to see a further decline; whether it reaches the level of the 1985 point remains to be seen.

Basic problems, of course, are loss of wetland habitat--you've already heard a lot about that at your meeting today--and the continual deterioration of other adjacent upland areas that are so important to many species of ducks. It is perfectly obvious that this pothole in North Dakota will produce no more ducks, nor will these wetlands in western Minnesota. The same concerns exist in the wintering habitat of the country.

Over the years, we have not paid as much attention to the quality and quantity of wintering habitat in important parts of the country, like the lower Mississippi Valley, like the Atlantic Coast, or the central valley of California, as well as other areas that you can name. This is a new attempt now to give full credit in recognition to the problems that exist in these areas as well. So, we are not only looking at the waterfowl production picture of the North American Plan but also the required migration staging areas and, particularly, wintering areas.

Most of you are well aware, I think, by that the mid-1970s we had lost about 54 percent of the original wetlands in the United States and we continue to lose wetlands at about 460,000 acres a year. These data give you some indication as to where that is occurring--mostly in the inland wetland areas. This is the basis for the 460,000 figure, the loss rate that many of you here have used.

One of the most direct impacts, of course, is the effect of intensive agriculture, the continuing encroachment on the remaining borders of existing wetland areas of existing grassland areas. What this does, of course, is force the remaining birds and the critters that are out there into the remaining strips of habitat. The nesting ducks, the other upland nesting game birds, the predators that exist in those areas are all confined into the habitat that remains--the "islands of habitat" concept that we developed years ago. The problem is just as prevalent today as it was 20 years ago, and even more so.

Many species of upland nesting ducks are, of course, in serious trouble as you have heard before and will hear more about in the next few weeks. Particularly mallards, pintails, and blue-winged teal--those species of ducks that are associated with small wetland communities of the prairies and the adjacent uplands that they require to nest successfully.

Let's talk just a minute about certain populations. The projected mallard breeding populations from 1955 through 1985, when we hit our low point in recent years, recovered a bit in 1986 and 1987; and strangely enough even this spring the continental mallard breeding population index is at about 6.3 million birds, down a bit from 6.7 a year ago. Of course, the same problem exists here as it does with pintails. Pintails took a further decline. They dropped to about 2.3 million breeding pintails this year--somewhere between a half million to three-quarters of a million pintails below what they were a year ago. That's in the breeding population. Pintails are, perhaps, being affected more directly by current conditions than some of the other critical species. So, we have serious problems to deal with there.

The North American Waterfowl Plan, as most of you know, was conceived a number of years prior to its initiation. Back in the mid-1950s to early 1970s, when we were in the throes of developing the national plan for the United States and for Canada, those of us who sat around those tables in smoke filled rooms used to say to ourselves, "What we really need is some kind of umbrella document, some kind of an international plan,"--or a North American Waterfowl Plan, if you will. If we had that we would have better guidance, we would have better agreement. There were several attempts to do that but none of them were successful until in 1984 when two countries did agree to proceed in that fashion and a drafting committee was established between the United States and Canada to put together a North American Waterfowl Plan. That plan was signed in 1986 by the Secretary of the Interior, the Minister of the Environment of Canada, and the plan was put into operation.

The plan did many things. It is a strategy for cooperation. I like to think of it as an agreement in principle between the United States and

Canada that recognizes the importance of the waterfowl resources of North America. The importance to the people in various walks of life who use them and the importance of the habitat that is required to sustain those populations. The plan is also quite specific in that its intent is to restore waterfowl populations to the level cited in the plan--to the objective level cited. It also is important to recognize that the habitat component is also a part of those objectives. The habitat that is required to support that population level or those populations. So, the plan is many things. It is basically an agreement in principle between the two countries. It says that it is important for us to do this. The plan does a number of things. It recognizes the importance of waterfowl; establishes population and habitat goals; it has a 15-year planning horizon; provides for public and private input; emphasizes many basic management and utilization principles; and it also recognizes the value of other wetland wildlife. It is also important to recognize that the plan does not do some things. It does not replace the Flyway Council system or the related federal-provincial cooperative management mechanism now in place. It doesn't change the fiscal or regulatory processes used in these countries to establish budgets for funding. It does not change the regulations-setting process governing the harvest of waterfowl. The North American Plan specifically does not get into the regulatory process. It is also important to realize that it does not provide definitive implementation guidance. It is more of a planning document. The implementation comes at the joint venture level.

The plan is administered by the North American Plan Committee composed of 12 members--six from the United States and six from Canada--and much of the action is designed to occur at the joint venture level to deal with the habitat components, to deal with the species population component; and to deal with other support services required, be it research, operations, or other management requirements.

The plan identifies 34 high priority areas in the United States and Canada, including Alaska. These are identified in the plan. The plan is also specific in identifying the priority areas where the countries were to start. The prairie pothole region of Canada is, of course, probably the biggest piece of action in the entire plan. In the United States, we have started on six major habitat joint ventures. Six out of the 34. Seven if you include the prairies of Canada and, eight as they add the black duck habitat areas in eastern Canada. That's only eight out of the 34 priority areas identified in the plan, so we have a long way to go. You have to start somewhere. You have only so many dollars, so many people and it takes a concerted effort to start the action somewhere. So, we started with these six habitat joint ventures and most of you are familiar with them. The Lower Mississippi, the Gulf Coast, the Central Valley of California, Prairie Pothole Region here, and action is now getting underway for the Great Lakes--St. Lawrence Basin and for the Atlantic Coast.

Part of the game plan here is that within the Fish and Wildlife Service we have the lead responsibility for the implementation of this program. That is because in both countries the Minister of the Environment and Secretary of the Interior assigned or delegated that responsibility to the federal wildlife agency directors. So, as the result of that, we have been in the process the past several months of

developing an organizational approach to the implementations of this plan. The regional directors of the Service in the areas where these joint ventures exist have the prime responsibility for implementation. They have the lead responsibility for providing the staffing required within the Service and for the support services required as we go ahead.

Just to use one example--within each of these six joint ventures, and they are at various stages of evolution at the moment, each one of them will have identified six or more priority project areas within the broad geographic boundaries of the given joint venture. This happens to be the designated areas where the first work is being started on the Lower Mississippi. I should also say that in the United States, for all of these areas, joint venture coordinators have been appointed and are in place. These are Service employees. In most every case they have organized steering committees which are composed of the participating, cooperating agencies--federal and state, as well as private organizations. Again, these organizational efforts are in various stages of evolution as they are progressing month by month. Canada started a wee bit before we did, particularly on the Canadian Prairie Habitat joint venture, which I indicated earlier as perhaps the most important and the biggest single piece of action in the entire plan. They have been in operation for about a year and a half and they are progressing well. The only species joint ventures that are up and running at the moment are for Arctic geese and for the black ducks in northeastern Canada and eastern United States. They are in various stages of development at the moment. Most of the population approach by species becomes more technical in nature and a little bit easier to deal with. It doesn't require the same amount of manpower and funding effort that it does to protect and improve habitat. However, as we move along, there will be new species problems. Perhaps the next one we'll tackle may well be the canvasback.

The Canadian Prairie Habitat Joint Venture, again, they also have designated their priority projects where they have started their action in each province. I want to use as an example how the Quill Lakes area in Saskatchewan has been used as a first step project to show good faith in terms of United States and Canadian cooperation and implementation of this program. The Quill Lakes area has a well organized steering committee and broad membership in terms of federal, provincial, and other private organizations in Canada. This was used as an example because they had progressed to the point that by March 1987 they were ready to start thinking about how to organize their field program. On that basis, Gary Meyers the director of Tennessee's wildlife resources agency, who is also chairman of the Ad Hoc committee for the North American Plan for the International put forth a proposal which said something like this, "We think it will be important for the United States to pool some money, some matching grant money, to move some money to Canada to help implement the first step project in the Quill Lakes area of Saskatchewan." Quill Lakes is an important area. It is an important breeding area for ducks and some geese but it is also an important staging area for a lot of waterfowl. We have banded mallards there for more than 30 years and we know a lot about the populations associated with that and where they go. This gives you some indication of the significance of that. If you look at the band recoveries over that 30 year period from all ducks associated with that part of Saskatchewan, again, you can see the importance of given areas. It's an indication of what good background information

helps you do. Quill Lakes are important production areas, they are important staging areas for geese, sandhill cranes, and a lot of ducks. Quill Lakes project has pulled together a variety of options to deal with the habitat protection needs or land improvement needs in that part of Saskatchewan. It involves direct fee title purchase, it involves leasing, other kinds of land enhancement measures, specific emphasis on improved soil and water conservation practices, and other ways and means of communicating and dealing with the individual landowners and organizations--the same kind of approach that we are using and adopting in the implementation of our own joint ventures and projects in this country. These efforts require the combined support and cooperation of a variety of groups. That's all part of the joint venture approach. Joint ventures are really nothing new--they have been used in industry for many years. For example, a company tries to launch a new program or develop a new product and finds they can't do that alone; they go out and seek help, to find a partner, someone who is willing to risk the money to help them develop something they couldn't do alone but with two or three other groups or individuals, perhaps they can swing it. That's what this is all about. We are trying to do things here that no one agency has been able to do alone before. But collectively, we've got a good chance of making it happen. The Quill Lakes project was in that stage. They needed money, they needed a start--how to do it. The proposal was, back in March 1987, that if ten states could contribute \$100,000 a piece you would have a million dollars. If someone could match that it would be 2 million; if it was matched again it would be 4 million; and when it went to Canada it would be matched and there would be 8 million. That was the game plan. That's essentially been done. Twelve states contributed the first million dollars. That was matched by DU, Inc. That money stood on the table for several months. The National Fish and Wildlife Foundation came into picture when they got new authority to go to Congress to request appropriated funds on a matching grant basis. Last December they got that authority and got the money to do that. They now have that in hand. So, there is 4 million dollars waiting at the border to go to Canada. I don't think it's gone there yet, Mike, but it's about to. Part of the problem is that the other 4 million dollars to be provided by Canadian agencies has hit a couple of snags, but I understand that as of the last couple of days that has been cleared, so very shortly the 8 million dollars should be available, at least to Canada. Part of it, may be the majority of it, will go to the Quill Lakes project. The other has some strings attached to it. But that's an example. That's one matching grant attempt that has, basically, proved successful to date. There will be many others of different sizes and scope. That's what this is all about. Pooling the resources, the funding, the people, the ideas, the capabilities and developing that kind of support to make things happen. The National Fish and Wildlife Foundation will be our primary fund raising organization on behalf of the Fish and Wildlife Service. They will also do a lot of other things. They had three major objectives in their program platform. One of them is the North American Plan.

We have a lot of their cooperators out there and the partners are increasing as we move along. It started out with the Fish and Wildlife Service, the Canadian Wildlife Service, Ducks Unlimited, International Association, the Fish and Wildlife Foundation, and it's counterpart, Wildlife Habitat, in Canada; and the Wildlife Management Institute played a strong role from the very beginning. In recent months, other

organizations have come to the table at our meetings like the National Wildlife Federation, Izaak Walton League, DU Canada, National Audubon Society, Nature Conservancy, and other private foundations. I'll talk more about that at the end.

It is important for all of us to realize--all of us--that, like wildlife and waterfowl and wetlands, there is more out there than we normally talk about. The benefits are out there for many other people and many other interests. We are not doing this just for hunters, we are doing it for habitat--the other critters that are associated with wetlands. Obviously, there will be benefits to upland game birds and surrounding habitat--the white-tailed deer and other such species such as shore birds. However, much of our attention has been directed at this critter. Much of what we do in waterfowl management, as most of you know, is built around the mallard duck--the most universal bird, the most sought-after species, one of the highest birds in the bag across the country in most states, and we theoretically know as much about this bird as anything. But at times like this we ask ourselves, "Do we really know enough about him?" And at times we don't. So, there are some voids to fill but, basically, the intent of the plan--the basic objective--is to restore waterfowl populations to the objective level cited in the Plan. That means you have to produce them and you have to let them survive. You also have to determine what portion of that survival each year following hunting seasons you need to return to the habitat that is going to be there for them, another consideration in our total management scheme. That's truly what the North American Plan is all about.

I want to move now into just a couple of other related activities that we are involved with. And these things change by the week and by the month. I don't want to belabor you with this, but in the upper right hand corner of this chart, you will see the United States Implementation Committee. I want to talk about that a bit--this has been changed recently to the United States Implementation Board for a number of reasons. It became evident early on that to make the implementation of this program successful, we needed help from a lot of organizations, from a lot of people, and not just within the federal government. In fact, it became readily identifiable early on that we needed outside support, that we needed the interest and cooperation from those organizations that can function outside the bureaucracy as I've said at other meetings. And that is happening. This implementation board became a reality on June 2 of last month. They have now organized themselves into the U.S. Implementation Board. They are developing their own guidelines and their role objective of how they see they will function to support the implementation of this plan. You can see the players and the list has already increased to about 15 at the moment--15 organizations. How many will be at the table when they meet again on August 16 remains to be seen. I'm real glad that this has happened because we need this type support and understanding. I think herein lies our opportunity and our capability to more fully address funding requirements, legislative support, communications issues, and a whole lot of other supporting implementation processes that will have to occur. Most of these organizations also have representation at the regional or local level, so some of their field representatives are already actively involved in the activities at the joint venture project level.

Again, within each of these major joint ventures, they have identified these projects and you can see quickly that this is happening in each of them. You can see the names may change between the time they submitted their proposals compared to what they are doing today. Here in the prairie region you are confronted with a little bit different situation. In the Dakotas, Montana, Minnesota, and Iowa there has been in place, in one degree or another, a long-term small wetlands protection program on behalf of the Fish and Wildlife Service, the individual states in some cases--and that is an ongoing program. What we are talking about here, is it doing something in addition to that insofar as possible. So, that program will be expected to continue and, hopefully, expand. Also, within these states there is new emphasis being given to identifying initial specific projects to focus new attention on--to bring together the partnership arrangement in the joint venture concept. That's happening right here in North Dakota where we have a very strong North Dakota action group. I think, as we proceed, we are going to see most every state move in the direction of establishing some kind of a state action group as a partner and member of the overall joint venture steering committee.

So, that's part of the picture at the moment. I would like to summarize a few points. There is obviously growing interest in the whole cooperative venture across the country. It's growing also within the federal establishment on behalf of the other land management agencies. We have hesitated to move forward and establish what we would call an interagency working group among the federal land management agencies until such time we had this implementation board established. We have that now so that one of the next steps we will take will be to develop this interagency working group, which already has, at the joint venture level, involved some of these organizations. We'll expand our relationships with the agricultural agencies, with the Forest Service, the Bureau of Land Management, the Corps of Engineers, and others. We expect to do that within the next 60 days.

From the communications standpoint, this has been one of the stumbling blocks since we started. This is kind of typical in the wildlife and fisheries field. We do a lot of talking to ourselves and sometimes we have a lot of trouble communicating internally. We are struggling with that. We have done a few things in the past month. We have developed a brochure--you have the plan; we have press kits, and you have seen major exhibits that have been used around the country; we have developed some videos, the slide set has been sent to most every state and others that wanted it; but by the time those things are done, some are already outdated. It's difficult to keep up with the momentum and progress that is occurring. So, that's a challenge we have. We are also in the throes of trying to finalize a more formal, internal communications system within the Fish and Wildlife Service and within my office. That will be expanded to the joint venture and to all of you. Within the next three to six months, we will be at a new stage of development. We will begin to show some progress at the joint venture and project level. Once we do that then we move into the external communications arena where you have to start telling the public what's happening out there. The professionals that we consult with tell us that there is danger in moving in that direction until you have a product to identify with--something that you can sell. We are reaching that point



and we need a lot of help and guidance to help us move properly in that direction.

There are some other things that have happened. At almost every meeting someone says, "What about Mexico?" Quickly I should tell you that back when the plan was being drafted, Mexico was invited to participate. At that stage, for economic and political reasons, they chose not to. They said, "We'll wait and see." In March 1987, we had a meeting in Quebec City, at the North American, with two of the principal representatives from Mexico. They said, "We are now ready to participate. Let's see what role we can play." The other question, of course, was "What's in it for us," and that's a little harder to answer. But we had that discussion and they set up a meeting in Mexico City in June 1987. About three weeks before the meeting date, we hadn't heard any more so we made a few inquiries and we learned, to our dismay, that both of the gentlemen that were in Quebec City were no longer in office. So, we started all over again. In November 1987, we had a meeting in Albuquerque, New Mexico, with some of the key Mexican officials. We have another United States-Mexico joint agreement where we deal on other issues with Mexico in addition to migratory birds. So, that gave us another medium to work through. They said, "We are now ready to pursue this program." So, we had a couple of meetings in Mexico City--one in February and the second one in March--and on March 15 we, in fact, got a memorandum of agreement signed by the three federal wildlife directors of the Canadian Wildlife Service, Fish and Wildlife Service, and the federal wildlife people from Mexico. That agreement says that we will proceed to develop strategies for cooperative management with Mexico. This is going to be complementary to the plan and not as a signator to the existing plan. What we would have done was open this plan up to an amendment some way. Maybe when the plan is updated, at five year intervals, it will be an opportunity to reassess that. Meanwhile, we do have a working agreement with Mexico. As a matter of fact, some of the people from the Canadian Wildlife Service and Fish and Wildlife Service were down there a week ago pursuing the continuing development of management strategies for habitats in Mexico. And we are vitally concerned about protection needed for vital habitats, wintering habitats, in Mexico. We are also concerned about needing to know more about what is happening to waterfowl in Mexico--from a hunting standpoint, from a mortality standpoint, and also their distribution and how that relates to the habitat losses that are occurring there.

Obviously, the biggest single problem we have confronting us is the funding requirements. One and one-half billion dollars is the price tag on that plan and that is just for the habitat components. That's a lot of money--more interesting, when you consider that about one billion dollars of that is directed for Canada. It also says that 75 percent of that amount should come from United States sources. That's another challenge. That is why we need all of these other folks to help us work in that arena--people that know how to pave the proper congressional support and how to do things on a business-like basis. That is why corporate executives are vital to help us determine the proper course of direction and implementation of this program. But it is also important to recognize that we in the Fish and Wildlife Service and within the states and, hopefully, later in the other federal organizations that will be involved, that we have to begin to get better identity of the plan in

our own budget process. We got a little bit of that in fiscal 1988 when a Senate committee made some additions. They started with a 30 million dollar add-on for land acquisition. It is back in our fiscal 1990 program now where there is better identity in the North American Plan. We need all the help we can get to keep that identity in the foreground because that's what will help to make this happen. Beyond that, we obviously have to start thinking about bigger sources of funding--what is the potential for larger dollar amounts? There are places to look. We got our last money from Congress this year out of the Land and Water Conservation Fund. Certainly that has potential. There are many other kinds of government trust arrangements, other sources of revenue that could be directed into this program. And, again, we need help from the outside sources to make that happen.

So, I would like to encourage all of you fellows from the states that are present here to carry that message home. Even if your state is not involved, at present, in one of these joint ventures, I would hope that you will continue to support this effort and lend your shoulder to the wheel to make this happen. As we develop more joint ventures, we will be doing more things in your back yard, hopefully.

In closing, I would just like to say a couple of things. Many of you know that Frank Dunkle, our director, has made a strong commitment to strengthening the Service's waterfowl management capabilities. And he has also indicated a strong support for the North American Plan being one of his priorities. It is important to realize, and I see this every day because I'm close to it, that the enthusiasm out there, in my opinion, is real high. This is very encouraging. I think this has created a whole new spirit of cooperation between the federal and state agencies involved and the private sector that is now involved. We have a long way to go but I think it is going to happen and we need that kind of interest and support to achieve that. The joint venture concept, the partnership concept, I think, is the mechanism that we all have to join together in, collectively, to make this happen. Again, I think it is one of the most innovative approaches to cooperative management that has been developed in many years in the wildlife profession, certainly on an international basis. I personally consider it one of the major conservation challenges for the remainder of this century and into the twenty-first century, but we need your continued support, understanding, and encouragement across the board to make all this happen. We look to a lot of you to help do that. So, I'm going to stop there.

I do want to add one other thing. I brought with me a new video tape on current status of waterfowl and the habitat situation in the prairies of the United States and Canada. The North Dakota folks are going to show that at the beginning of the business meeting tomorrow morning. So, we will see you all then. I'll be around and be glad to visit with you any time you wish.

ADJOURNED FOR THE DAY

THURSDAY, JULY 14, 1988

LARRY SHANNON: Before we have a roll call, let me ask Ted to give you an update on Dale.

TED UPGREN: Paul has a more current update.

PAUL SCHADEWALD: Dale came down with a flu bug yesterday and he is currently across the street at the clinic. He is not doing so well, so he will not be here this morning. He wants to apologize for that. It's going to mess up his fishing tournament plans too, so you can see it's a serious matter.

LARRY SHANNON: Okay. Thank you, Paul. We all wish Dale a speedy recovery. Hopefully, he will be able to make it to his tournament after all.

In Dale's absence, I've been asked to conduct the business meeting this morning. Before we get into the business meeting, Harvey Nelson is going to make a short presentation.

HARVEY NELSON: I am going to show you a 15 minute video that has been put together over the past couple of weeks dealing with duck production on the prairies of the United States and Canada. It deals primarily with the habitat issue and will give you as good an update as anyone has at the moment. I'll make a few remarks at the end.

Viewing of "STATUS OF DUCKS, 1988." (A presentation of the U.S. Fish and Wildlife Service, narrated by Frank Dunkel and Rollin Sparrowe.)

FRANK DUNKEL: Hello, I'm Frank Dunkel, director of the U.S. Fish and Wildlife Service. This year's severe drought is the worst yet in a series of bad years for waterfowl. This video tape summarizes the information now available on the status of waterfowl populations and the habitat. I wanted to share this information with you as early as possible because I believe we face hard decisions in setting this fall's waterfowl hunting regulations. Dr. Rollin Sparrowe, chief of the Service's Migratory Bird Management Office has the firsthand information from the breeding grounds.

ROLLIN SPARROWE: This is an example of a permanent wetland that has been affected by a series of years of drought. In the history of running this air-ground transect, this pond has never been dry before this year. The decade of the 1980s has not been good for ducks and their habitat across large areas of North America. In 1985, record low breeding populations, continued widespread drought, a high rate of agricultural impacts on wetlands in Canada and the United States, and the lowest fall flight forecast on record led to more restrictive hunting regulations. These restrictions and the continued depressed status of many duck species contributed to achieving a 25 percent reduction in total duck harvest adopted as a strategy in 1985 and employed through 1987. All four Flyways contributed comparable reductions in harvest in 1985 to 1987 as compared to 1980 to 1984. In the spring and summer of 1988, ducks are finding few places to nest because millions of marshes are dry. Ducks

returning to traditional prairie breeding grounds found even large permanent marshes, like this one, almost empty. Most of the shallow, more temporary marshes were completely dry by early May.

Repeated drought during the 1980s in prairie Canada and the United States has led to intensification of agriculture. Farming has occurred right to the margins of wetlands, such as the one in the foreground. Clearing, and burning, and filling of wetland basins, and eventual incorporation into grain fields has occurred widely. In the early 1980s, work conducted in Canada on segments of survey transects recorded for the first time the serious rate of modification of wetland habitats. Eighty percent of the margins of wetlands and 59 percent of wetland basins had been modified for agriculture by 1985. Clearing and burning continued at a high rate through 1988. Surveys are flown in May in the United States and Canadian prairies to estimate numbers of breeding ducks, and in July to estimate production. Pond basins with water are also counted. Many of the surveys are conducted within the colored areas on this map. These are the primary prairie breeding habitats in the United States and Canada that, in good years, produce more than one-half of North America's ducks.

In 1988, this area of some of the best production habitat in central Saskatchewan is almost completely dry. For the second consecutive year, a warm, dry fall and winter combined with a dry spring, warm temperatures, and strong winds produced drought that persisted through the May surveys. Very few natural water areas were encountered on many transects. On this section of land, almost all the wetland basins have been cleared, filled, burned, or plowed and incorporated into the field. Such changes can permanently remove the wetlands from producing waterfowl. Better habitat exists in much of the area but without water, production of ducks will be very poor. Since 1971, three of the lowest five pond counts in southern Canada occurred in the decade of the 1980s. Areas of Alberta and Saskatchewan have had little relief from drought since 1979. Some of the only water found this year is in artificial ponds used to water stock.

Field biologists run a ground check to verify what is seen from the air. Canadian Wildlife Service biologist, Stan Nymen, summarizes conditions this year. "Okay, the summary for this transect indicates that we had 10 ducks on the survey today. Last year we had 145. Last year, of those 145 ducks, 42 were mallards. This year, we have only 6 mallards and ponds with water totaling 7 this year compared to 66 last year. I have personally been involved with these air-ground comparison waterfowl surveys for 17 years. This is, no question, the worst I've seen it in terms of wetland basins containing water. It looks like the potential for waterfowl production is very poor indeed. We have a total of 330 potential basins on this transect that could contribute to waterfowl production this year and 7 have water during the current season."

In prairie Canada, May pond numbers dropped 19 percent from 1987 and some areas recorded the lowest number of wetlands ever. Since 1987, biologists recorded one million fewer wetlands in southern Canada and the north central United States combined. The prairie Coteau seen here, a large area of rolling prairie in the United States and Canada, may have ponds as dense as 100 per square mile. An important part of this habitat

is mainly grazed and has provided better cover and, therefore, better production when wet. There is virtually no water this year in much of the prairie Coteau. Where we found water, agricultural activity has removed much of the nesting cover.

Managed marshes on private, state and provincial, and federal wildlife areas are among the few areas that offer water and cover this year. Such areas are among the only places ducks could breed and nest successfully. Here a biologist checks a blue-winged teal nest in secure nesting cover on a managed area.

Results of the 1988 breeding pair surveys indicate that many duck populations remain depressed below management objectives. The total duck breeding population decreased 4 percent from 1987, and remained 16 percent below the long-term average. With about 33 million breeding birds in 1988, recovery from the all time low of 29 million in 1985 has been minimal. Canvasbacks declined 9 percent from 1987 and remained 22 percent below the long-term average. Seasons were closed on canvasbacks in the Atlantic, Mississippi, and Central Flyways in 1986 and 1987, and numbers in the western population have fallen below management objectives. Blue-winged teal remain 25 percent below the long-term average. Since 1955, fewer numbers were only counted twice--in 1983 and 1987. The smallest proportion on record were located in prairie Canada where most usually breed. Northern survey units recorded the highest proportion, 34 percent, of blue-winged teal ever recorded. Mallard numbers remain 20 percent below the long-term average and have shown only slight recovery since their all time low in 1985. Like blue-winged teal, more were recorded on northern transects than ever before. Numbers in prairie Canada were the lowest on record. For the third time in the 1980s, the pintail population reached a record low, falling more than one-half a million between 1987 and 1988. Numbers remained 54 percent below the long-term average. Alaska and northern Canada account for 73 percent of the remaining recorded pintails, up from last year's level of 55 percent.

In summary, breeding populations of total ducks remain 16 percent below the long-term average. Of the ten commonly surveyed duck species, five have breeding populations at or above average but breeding populations of five others remain well below average. The pintail breeding population remains seriously reduced. At this time of year, ducks should be paired and off in somewhat isolation to breed successfully, like this pair of blue-winged teal. Where ducks were found in May surveys they were concentrated on limited water areas in large groups, which indicated that they may not successfully breed this year. Many ducks that would normally nest on the prairies have moved farther north into less productive areas. To recap the situation we see for ducks this year: the story is not one of a single year of severe drought in 1988 but, rather, a severe situation further intensified by several years of repeated poor conditions. The severe drought is also affecting migration and wintering areas. Grain crop failures and water shortages will tend to concentrate waterfowl, especially at critical migration stop-over and wintering sites like the Gulf Coast and the Central Valley of California. Such concentration can lead to disease outbreaks, greater vulnerability to hunting, and birds in poor condition the following spring. Agricultural impacts on ponds and surrounding habitats in

prairie Canada has accelerated because of the drought and has seriously reduced the capability of traditional habitats to produce ducks. We now believe that several years of good climatic conditions will be required before many drought areas may recover, revegetate, and produce ducks again. Since breeding populations of key duck species reached new lows in 1985, there has only been slight recovery, and populations of some species have declined again. Ducks have been displaced from their traditional prairie habitats more during 1988 than in any year of record. Displaced ducks in these northern habitats generally don't produce well. Overall, these factors indicate a very poor outlook for ducks in 1988.

FRANK DUNKEL: As you can see, our waterfowl resource has been dealt a severe blow. Some important breeding areas in Canada have been dry since 1980. The series of droughts have resulted in more and more ponds drying up and being cultivated. The agricultural impact has been significant. Through the years, waterfowlers, conservationists, and others have lent their valuable support to waterfowl management and wetlands protection. This fall, waterfowl hunters may be called upon to forego some of the hunting opportunities in order to maintain breeding populations already stressed by the drought. The outlook for this fall's season only underscores the vital importance of habitat. Habitat restoration projects are being undertaken as a part of the North American Waterfowl Management Plan. As we all know, the plan recognizes that waterfowl populations are linked to preserving our remaining wetlands. By working together through the North American Plan, we can provide enough quality habitat to rebuild our waterfowl populations and sustain them for years to come. Waterfowling is a cherished part of our American heritage. Now, more than ever, waterfowl needs your help. I'm counting on you in the days ahead to understand and support the short-term sacrifices we have to make in order to assure the future of waterfowl.

HARVEY NELSON: They are doing their production surveys right now and some early information tells that in the Dakotas, as an example, production is down over 50 percent from last year; southern Saskatchewan is down about 60 percent; there is no data from Manitoba yet, but it's likely similar to southern Saskatchewan; Montana down slightly; southern Alberta shows the lowest brood index on record. They started the northern tier surveys yesterday, and within five to seven days we should have the final information. Then, beginning on July 25, with start of the status meeting in Denver, that is when all the facts are laid on the table. Then we will all know exactly where we stand. Then, we will go to the Council and Technical meetings, then to the August 2 and 3 meetings, and to Washington for the final regulation session, so we have a tough road ahead of us. There are a number of you gentlemen in this room that will be involved with that so we'll be seeing more of each other. This video is scheduled to be distributed to the states, like tomorrow or early next week. I would suggest if you have any questions to call your respective regional director. The video can be reproduced at your own free will.

LARRY SHANNON: I want to thank Harvey for that information. I had a chance to talk a little with Harvey yesterday and we all realize that some of the most critical sections of the states, as well as Canada, is our own section of the country--the upper midwest and the lower portion of Canada. I think there are some things that we might be able to do as

an association . . . (interruption in recording due to a bad tape) . . . The outlook is dim and grim, but with the good Lord's help and sufficient water, our habitats can improve and bring back the population of waterfowl that we desire to have. With that, I will declare the business meeting open. We'll now have roll call. (Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Manitoba, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin--present; Ontario and Saskatchewan--absent.) Thank you, we do have a quorum.

We do have to apologize for you not having a copy of the agenda this morning. Dale did have the agenda--I did look at it on Tuesday, but because of the circumstances, he did not have a chance to get that to Ted or Paul and copies were not made available. We will try our best to reconstruct what was on the agenda.

First of all, we'll have the Treasurer's report, John.

JOHN URBAIN: Thank you, Mr. President. The Treasurer's report covers the calendar year 1987. Total assets beginning January 1, 1987 = \$10,453.29. The receipts for 1987 are as follows: \$1,800 for dues; interest on the cash management account - \$450.02 for a total of \$2,250.02. Total assets are again \$12,703.31. Disbursements for 1987: The Association advanced to Manitoba \$500; Quick Stop Print Shop - \$94.17; Mid-Michigan stamp and sign - \$4.91; Melville Emblem - \$16.27 for a total of \$615.35. Total assets December 31, 1987 - \$12,087.96. Those assets are in the following: Cash in the checking account - \$4,334.43; cash management account - \$7,753.53.

LARRY SHANNON: Thank you, John. Are there any questions regarding the Treasurer's report? Do I hear a motion to approve the report?

UNIDENTIFIED: So moved and seconded.

LARRY SHANNON: It has been moved and seconded that we do approve the report as received. Ready for the question? Those in favor signify by aye. Those opposed, nay. The ayes have it. Thank you. We will now ask for the Auditor's report--the report of the audit committee. George Seketa.

GEORGE SEKETA: Mr. President, your audit committee, or your reconstructed audit committee, consisting of myself and Paul Rimsrud from Minnesota, met at 4 p.m. in Room 423 of the Sheraton Galleria Hotel, Bismarck, North Dakota, on July 12, 1988. All financial records for the period January 1, 1987, to December 31, 1988, were provided to the committee by John Urbain from Michigan, your Treasurer. An intense examination of the records show that deposits and expenditures were properly recorded and were in agreement with the bank statement. The financial report submitted by the Treasurer for the period January 1, 1987, to December 31, 1988, appears to be a true and factual report of the finances of the association. I move that the fiscal report be accepted as read.

LARRY SHANNON: Thank you, George. Is there a second on that? Let's get a motion from the floor to approve the report of the Audit Committee.



UNIDENTIFIED: So moved and seconded.

LARRY SHANNON: It has been moved and seconded that we approve the report of the audit committee. Are you ready for the question? Those approved it, aye. Those opposed, nay. The ayes have it. Let me thank John and the Audit Committee for the good work that they have done. We know that the dollars are in safe hands with John and there is basically nothing to fear. It seems like the fiscal affairs of the organization are in good hands and we aren't at this point going into the red.

Let's have a report from the Legislative Committee--Larry Wilson, Iowa.

LARRY WILSON: I was afraid we would be the first ones called upon to give a committee report. We really don't have much to give--to report to you. As a matter of fact, we have no specific recommendations in legislation to bring before the group this morning. We did meet, however, as scheduled on July 12. Don McCormick is the vice-chairman and I am the chairman appointed on the committee. We had Mark Reeff sit in with us, as well as a couple of fellows from North Dakota. As I say, we do not have any specific recommendations in the way of legislation for the group to consider or approve. During the course of the meeting, however, we did talk about several current issues and we appreciate Mark sitting in and giving us an up-to-the-minute report on what was happening on the Washington scene. Although there are no specific recommendations to the group for approval, I think it is fair to say from the legislative committee and the people who were in that room today, that we feel that it would certainly behoove all of us to keep a very close watch on the Washington scene and pay very close attention to the mailings that come out of the International Association office. Be particularly tuned in to those requests from Mr. Berryman or his associates that ask for state input or state comment on particular items that are before Congress. So, while the last two or three days we've heard considerable discussion on the Food Security Act, Swampbuster, Sodbuster, and what the current drought is doing to the annual set aside as well as the long-term CRP program, I think there will be resolutions coming forward to be considered yet this morning. In the days ahead, it certainly behooves all of us to pay very close attention to those mailings that come out of Washington and especially those that request input from the states to give assistance to the International on those programs that are of interest to all of us. So, that concludes the report and, again, there is no specific request or recommendation for any legislation for the body. That is, the report from the Legislative Committee.

LARRY SHANNON: Thank you, Larry. Are there questions of Larry on the Legislative Committee report--comments, suggestions? Hearing none, do I hear a motion to approve the report? (Indiana moved and seconded by Nebraska that the report be approved.) Ready for the question? Those in favor of the report signify by saying aye, opposed is nay. The ayes have it. Thank you, Larry and the members of the Legislative Committee.

We have a request from the chairman of the Resolutions Committee, Al Farris, to have that report last. With that, we will ask for the Awards Committee report. Bill Bailly, Nebraska.

BILL BAILY: The Awards Committee was made up of me and John Urbain of Michigan. Frankly, we got started rather late and our meetings were largely by telephone. We had to make our decisions before we got here. Normally, the Midwest will award two types of awards, the Merit Award and the Presidential Plaques. We got started late this year and we did not, frankly, have time to poll the states. We did not want to overlook some individuals who might be deserving so we are foregoing a Merit Award this year. We do have a Presidential Plaque to present to Arthur Hooile of Manitoba. It is my understanding that Art is down in the Carribean on some kind of foreign assignment or lend-lease program and is not here. But, Lorne, if you would agree to accept this and convey it back to Art, we would surely appreciate it.

I think most of you here did attend the meeting in Winnipeg last year and will agree that they did host a fine conference and showed us an excellent time. Lorne, we would appreciate it if you would convey that to Art. Thank you.

In the past, we have always presented the Presidential Plaque to the past president. Last year when we met in Manitoba, we changed that procedure so that we could stay current. The only thing is our current president now is under the weather so it will require that we have someone else convey his Presidential Plaque to him. So, if you will come up and accept this plaque for Dale and express our appreciation to him, as well as to all the other staff, for the fine meeting, conference, and hospitality extended. That concludes our report, Mr. President.

LARRY SHANNON: Thank you, Bill. With that being done, there will be no need for approval. I would like to say that we certainly did enjoy last year at Winnipeg. We have enjoyed and are still enjoying the hospitality of North Dakota. Of particular note is last night's pitchfork fondue. This was my first and from my discussion with a great many others it was their first experience with a pitchfork fondue also, which was followed by some good entertainment. So, thanks again for that new experience from me and the others.

The next committee report will come from the Nominations Committee. Steve Miller of Wisconsin will give that report.

STEVE MILLER: Good morning. Art Talsma from South Dakota and I are on the Nominations Committee and we also talked by phone. We also met last Tuesday, July 12, here in Bismarck at the Sheraton to conclude our business. Being relatively new to this committee, I received the instructions from Jim to select the host state for the year 1991. Next year, in 1989, we will be in Duluth, Minnesota, and in 1990 we will be in Michigan. I don't think the city has been selected, has it John? Okay, it has not. And for 1991, we are nominating South Dakota with location most probably in Rapid City. So, as I understand it, the president and vice president then and the executive committee will be made up of those host states in that respective order. So, Mr. President that concludes my report unless there are some questions.

UNIDENTIFIED: We need to discuss a little bit about the one state and the one province for 1992 that should be asked and if they want to bring that message back, especially Arkansas.

STEVE MILLER: That's a good point. Thanks Art. I did talk briefly with Arkansas--with Scott--and asked him if they might be interested in 1992 or 1993 and he said yes. We'll stay in touch with them. We don't have a representative here from Saskatchewan, but we will contact them and see if they would like to host the meeting sometime in the future. Otherwise, the other states that are coming in line are Nebraska and Wisconsin for possibly looking ahead to 1992 and 1993. We can finalize those details next year in Duluth.

LARRY SHANNON: You have heard the report of the Nominations Committee. Are there any questions for Steve or the committee members? If not, then you are saying Minnesota, followed by Michigan, South Dakota, and then Nebraska.

STEVE MILLER: 1989 Duluth, Minnesota; 1990 Michigan; and 1991 South Dakota. That's as far as we have gone.

LARRY SHANNON: Okay, thank you. Could we have a motion to approve the report of the Nominations Committee? (Moved by Kansas and seconded by Colorado.) Are you ready for the question? Those in favor of the Nominations Committee report let it be known by saying aye. Opposed is nay. The ayes have it. Thank you.

In my discussions with Tom Lytle from Colorado, I was asking about Jim and he asked for a moment or two to give a little update on what occurred in Colorado.

TOM LYTLE: I'll just stay here--it's a long way up there and I'll speak loudly enough so everyone can hear. Just for the record and for the information of all the member states and Canadian provinces, Jim Ruch is no longer director of the Colorado Division of Wildlife. For the record--I don't want to give a lot of details, but would be glad to discuss it with anyone--he is not out of work. He took a lateral position within the Department of Natural Resources. Currently Terry Olson, which I'm sure many of you have met, our regional manager from the northwest in Grand Junction, was appointed as director until solicitations and examinations can occur. It will probably be sometime in October or November before we have a director.

UNIDENTIFIED: Tom, a real quick question. Will Jim continue to be the representative to the International or will that be the new director? We have some confusion on that point.

TOM LYTLE: I suspect the new director will probably be the representative. Thank you, Larry.

LARRY SHANNON: We have now come to the Resolution Committee and Al Farris is chairman of that.

UNIDENTIFIED: Do you want to cover the new business and old business?

LARRY SHANNON: Okay, I'm glad you mentioned that. That was a part of that agenda that we didn't remember.

Okay, we'll hold off on that and we will ask for any old business that should be brought before the organization. No old business? John, can you remember anything that we have not done? We are current? That's good. Dale really moved the Association forward. Next, any new business that we should look into?

UNIDENTIFIED: When we were doing the audit report, we were discussing the situation where we are getting quite a bit of money built up in our treasury. In fact, probably more than we should have. I think there is about \$12,500 and we use about \$200 to \$300 per year. Where are we going with this money and do we have anybody in need of money. We give \$500 seed money to the host state to get established at their meetings, which is about the only major expenditure that we have. I'm a little bit concerned about the amount of money building up in that account. Why do we need that much money and what do you think we should do with what we've got?

LARRY SHANNON: Well, that's quite a problem to have. Do we have any suggestions?

UNIDENTIFIED: Just a question rather than a comment. This Association has on several occasions supported various symposia and I wonder if anyone is aware of any impending symposia that might be coming before this Association to request dollars.

UNIDENTIFIED: There are tentative plans for a symposium in Kansas City in July of next year. This is a quail symposium. That looks like a possibility for publishing the proceedings. One other thought that I had, Ken, was the fact that maybe we should work toward giving the host state more money so that they might cut down some of their registration fees. A \$100 registration fee is fine but that may cut another member state from sending two people instead of one. Maybe by donating an extra \$500 to the host state, we might cut down the registration fee, and then when the people apply in their own state to go, they may be able to send more people to this meeting. That's just one thought that I had.

LARRY SHANNON: Okay. Any other suggestions or ideas?

BILL BAILY: I fully agree with George, that if we have that balance, I have no problem at all with subsidizing the host state with meeting and the transcription of the proceedings. I don't have the slightest idea of how much North Dakota might spend but I think the transcription will be a fairly expensive process. I think it would be an expensive process for any of us if we go outside the agency and hire it done, which is probably what we should do. I have no problem at all with making more available to the host state to host the meetings. One question. John, did we make \$5,000 available last year--we had the same problem come up and we made \$5,000 available to the Western Association for some of the studies they have going. Is that correct?

JOHN URBAIN: Not entirely. The Association voted to extend up to \$2,500 to help the resource inventory system development that they were involved in. That didn't materialize so we didn't issue the voucher for the \$2,500. The by laws of the Association limits the amount that the Association can give to the host state to \$500. However, the by laws do

permit the Association to pay for the publication of the proceedings. But none of the states have taken advantage of that and that is one reason why the fund has built up. Years ago, the Association got into financial trouble when states did take advantage of that. Then one state set the precedent by paying for the publication and other states have followed this lead. So, that's why the revenue is where it is.

UNIDENTIFIED: John, is there a cost estimated for printing the proceedings?

JOHN URBAIN: You would have to check with Lorne.

LORNE COLPITTS: The cost to us last year was \$900 Canadian. I think we printed 150 copies.

LARRY SHANNON: Were these costs covered by registration?

LORNE COLPITTS: No. I think the Manitoba Wildlife Branch picked up somewhere around \$2,500 above and beyond the registration fee. That is what we had anticipated. In talking to Colorado from the year before, I think they spent \$2,000 to \$3,000. We didn't feel that was inordinate for hosting the meeting once every 15 years.

KEN BABCOCK: I don't have any problems with some of the things you are talking about, but I'm wondering if somebody could tell me what's wrong with saving some money in the bank.

LARRY SHANNON: It's better to have it and not need it and not have it.

UNIDENTIFIED: I think that's an important point that Ken made. I agree that the host state could maybe receive a little bit more. But there were some other previous needs and more could surface, such as printing of the history of the International Association, their building fund, and others that we may want to contribute to someday. So, I don't think it's all that wrong to carry somewhat of a balance. I would not like to see it grow anymore, however.

BILL BAILY: I might make one comment. I didn't realize that Manitoba and Colorado had spent that much over and above the registration fee. We in Nebraska have no way of covering this with state funds--a conference or other type of activity such as this. Therefore, it has to be covered by registration fees, which we have always done with any meeting we have ever hosted. We could not put up \$3,000 of state money to host this Association or any association. It has to be covered by registration fees or money made available from some other source.

LARRY SHANNON: I think we still have, at least from what John was saying, the possibility of requesting funding to help print the proceedings. Of course, it would not come to that \$2,000 to \$3,000. We do have two suggestions and we didn't expound on one of them too much, and that is what Ken suggested on the possibility of a symposium of some sort. Bill made the suggestion of a possible quail symposium. The other was the possibility of more money to the host state. Our Treasurer

indicated that we are limited to the \$500, plus the amount that might be requested by the state to help print the proceedings.

UNIDENTIFIED: What is the status of North Dakota--will they need additional funds at this time? What is the financial status of this meeting and what are you going to do as far as printing the proceedings?

TED UPGREN: Well, the proceedings I felt would be handled as in the case of previous provinces and states--at the expense of the state, so there were not any plans to take that amount out of the registration fee.

UNIDENTIFIED: Why would the state want to do that when they can get the bill picked up by the Association?

TED UPGREN: I wasn't aware that it was handled that way.

AL FARRIS: That's been done by the host state in order to keep the membership dues down.

UNIDENTIFIED: One other opportunity that we might want to consider as an Association is to contribute to the joint venture process.

UNIDENTIFIED: Which one? We'll take some along.

LARRY SHANNON: Any other suggestions, motions, ideas?

UNIDENTIFIED: Larry, just one observation. If the annual dues are \$100 per member state or province, that's \$1,800 per year, I believe, so if you are giving \$500 a year to the host state and printing the proceedings--did I hear \$900--that's \$1,400 right there. Then, if you have some incidental expenses, you are pretty soon going to be up to what your annual income is from dues. So, if we are just looking at the \$12,000 balance to spend, that's one thing, but there are annual expenses if we go to having the Association pick up the printing of the proceedings.

UNIDENTIFIED: Didn't you say you already can pick up the printing?

UNIDENTIFIED: We can pick up the printing under the current bylaws, but so far we have not.

UNIDENTIFIED: That's in addition to the \$500.

LARRY SHANNON: He said that no state, at least recently, has requested any assistance.

PAUL SCHADEWALD: Would you like North Dakota to break the ice on that issue?

LARRY SHANNON: Certainly that request can be entertained.

UNIDENTIFIED: It is their option now. If they want to do it, they can.

PAUL SCHADEWALD: If some of the states are having problems covering the cost of these meetings, maybe that's a good route to go and it would have a gradual impact on the balance.

LARRY SHANNON: Perhaps that will take care of any worry about the increase of a larger balance, that it will help slow down the build up.

Is there any action that we might wish to take on Ken's suggestion of a symposium?

KEN BABCOCK: I just brought that up because we had done that in the past, and I don't think there should be any action until we have had a specific request from somebody in terms of supporting such a thing. It wouldn't take very many of those at \$2,000 to \$5,000 to put that balance down closer to zero. I just brought that up as a point.

LARRY SHANNON: Okay, thank you. Another suggestion was to make a donation toward the North American Waterfowl Management Plan. I mentioned a little earlier that this is a venture that we will all be involved in, particularly as individual states. I don't know if there is something that we wish to do beyond that as an Association. Again, we know the grimness of the situation regarding waterfowl, and I'm not sure that we are in a position right now to have any concrete suggestions about anything. If you have some ideas of some things we might do as an Association, we would like to hear from you within the next few months. I do intend to try to keep you posted about things, but I don't want to duplicate what is being done by the International. There are some new things that might affect us in the Upper Midwest and some things that we might be able to do as an Association. That information will be coming to you and, hopefully, if it calls for a response, you will see fit to respond. I've asked Harvey for some suggestions that he might have regarding what we as an Association might do. So, with that in mind, I suppose we at least got one part of the monetary build-up taken care of with the money that North Dakota will use for printing the proceedings. John had something that he wanted to bring up.

JOHN URBAIN: Mr. President. I wanted to make a motion that we transfer \$2,500 from the checking account to the cash management account.

UNIDENTIFIED: What is the balance in this account?

JOHN URBAIN: The current balance in the checking account is \$5,419.57, and I expect two more dues payments which are normally deposited in the checking account. The current balance in the cash management account is \$7,992.06 and we can write vouchers on either account.

LARRY SHANNON: Was that a motion, John? Okay, it has been moved by John and seconded by Art that we transfer \$2,500 to the cash management account from the checking account. Any discussion? Hearing none, all those in favor of the transfer let it be known by saying aye. Opposed, nay. The ayes have it. Thank you, that will at least lower the amount in the checking account.

It's 10 o'clock. Al, do you have your resolutions yet?



AL FARRIS: No.

UNIDENTIFIED: Mr. Chairman. I would like to make a brief comment regarding the Aquatic Resource Council, if I may. The Aquatic Resource Council, as most of you are aware, is a broad coalition of conservation organizations, state, federal agencies, interested in pursuing national aquatic education. The International Association has chaired the organization since its inception. A national congress on aquatic education is scheduled to be held in February and the main thrust of that conference will be for state fish and wildlife agency personnel. I would like to ask you to seriously consider coming yourselves as representatives or, if you cannot come, at least try to get your state information and education people there. We think it's going to be a good opportunity. We have applied for a federal grant through administrative funds to sponsor it, and we are also seeking private sponsorship. Izaak Walton League, through Jack Lorenz, is currently heading up the efforts to locate funds for private sector funding for the council. So, just keep it in the back of your mind, and the International will be sending information as more details become available. Thank you, Mr. Chairman.

UNIDENTIFIED: Where will this be held?

UNIDENTIFIED: Right now it is tentatively scheduled for San Antonio but we are also looking at Bismarck, North Dakota.

UNIDENTIFIED: It's easier to sell out of state trips to Bismarck than it is San Antonio.

LARRY SHANNON: Did you say when that is planned?

UNIDENTIFIED: Somewhere around the 9th of February, but I will have to check back at the office. More details will be forthcoming.

LARRY SHANNON: I'm sure it would be easier to sell Bismarck over San Antonio, but you would get more participants in San Antonio. That is, if it's held in February.

Al is waiting on the resolutions for final typing and with that let's take a 20 minute break and meet back at 10:25. Thank you.

I have asked Jim Gritman if he would give us an update on what is happening in Region 3. It is my understanding that Galen has gone so we can't get an update from Region 6. Jim?

JIM GRITMAN: The big thing in Region 3 is the Farm Bill. For the first time ever some things happened that I never thought I would see in my lifetime, one of which is restoring wetlands on private lands. Last year, in 1987, we restored 401 wetlands on private lands. These are CRP lands under the ten year contract and also on FmHA ponds, either on easement or what we hope to acquire fee title. This year, in 1988, right now the plans on the book are to restore 2,000 in our eight state region. Every state will see some wetland restoration. We have nine crews made up of biologists and equipment operators that are doing the work. We were not given any special funds to do this work. It came off the top, out of refuges and enhancement. We took five percent of the funds off

the top and said we will do this--restore these wetlands. I think it is a chance we can't pass up.

The other thing in Region 3 is involvement with three joint ventures and we have been heavily involved in those. We are fortunate in one prairie joint venture so far in that the states of Iowa and Minnesota have come forward with funds. We are trying to use our federal funds to bolster the operation, on a 50-50 basis, and that is going ahead very well. We hope to continue that if funding is available to us and, hopefully, the states will continue their funding.

The Lower Mississippi Joint Venture--the new Madrid area--we've got two areas in Missouri that were looked at and inventoried. They have been forwarded to Washington for approval of purchase. Then we have the other one which is actually the Black Duck one. We have looked at some areas but that one is hiding behind the other two.

The other thing is, we have on the Mississippi River a project called the Environmental Management Program which is with the Corps of Engineers and which involves five states. This is restoring and enhancing some areas for wildlife and fish. Last year we were funded at 2.5 million, while this year the budget is 7.5 million. Also, our long-term resource monitoring that goes with that has an office in LaCrosse. They broke ground for the new buildings and we will be in that new facility by October 1. So, that is moving along very well. Those are the highlights of Region 3. If there are any questions, I would be happy to answer them.

LARRY SHANNON: Are there any questions? Thanks for that update, Jim. We would also like to extend a helping hand in Region 3 whenever we can do that as an Association. The same holds for Region 6. We have several states that belong to our organization from that region.

Now, the long-awaited Resolutions Committee report.

AL FARRIS: Thank you, Mr. Vice President. This is one of those situations where I think the wait was longer than what was really going to happen. I do want to thank North Dakota for making an effort here and turning these things around so fast because we gave them to them yesterday as drafts.

I will read the resolution, and if someone has a question or wants to lay that resolution over, just raise your hand. I assume we will continue to use that Resolution No. 1.

#### RESOLUTION NO. 1

Whereas, severe drought conditions have prevailed in key duck production areas of Canadian and north central United States prairies for several years in succession, and;

Whereas, these conditions have adversely impacted habitat quality and quantity causing low recruitment rates and critically low duck numbers, and;

Whereas, current populations of many duck species are at or near record low levels, and;

Whereas, prospects for production are extremely poor this year leading to speculation that fall duck flights will be severely depressed,

NOW, THEREFORE BE IT RESOLVED, that the Association of Midwest Fish and Wildlife Agencies at its 55th annual meeting in Bismarck, North Dakota, on July 14, 1988, urges the Flyway Councils, the U.S. Fish and Wildlife Service Regulations Committee, and the director of the U.S. Fish and Wildlife Service to give full and serious consideration to the current status of North American ducks and habitat conditions in prairie nesting areas as recommendations for 1988 waterfowl hunting regulations are formulated, and;

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the four Flyway Council chairmen, members of the Service Regulations Committee, and the director of the U.S. Fish and Wildlife Service in time for consideration during upcoming deliberations regarding 1988 waterfowl regulations.

AL FARRIS: Okay, that one will not be laid aside then. That means that we are going to vote on those that are not laid aside as a group, and those that are laid aside we will come back and take them individually. Is that okay?

Do you want to say something, Steve?

UNIDENTIFIED: Al, what is the procedure if, say, I wanted to recommend additional wording.

AL FARRIS: You ask for it to be laid aside and then we will come back and consider it individually.

UNIDENTIFIED: I would ask that it be laid aside.

AL FARRIS: Okay. Resolution No. 2.

## RESOLUTION NO. 2

WHEREAS, the North American Waterfowl Management Plan (NAWMP) was signed in May 1986, between the federal governments of the United States and Canada, and;

Whereas, the NAWMP Committee has been working with multi-jurisdictional federal, provincial, state, and non-government agencies to produce implementation plans for all facets of the NAWMP, and;

Whereas, plans for several joint ventures in both the United States and Canada are nearing completion and require funding, and;

Whereas, numerous state, provincial, and non-government agencies have pledged funds to initiate the NAWMP, and;

Whereas, this international plan is of even greater significance at this time of historically low waterfowl populations, and;

Whereas, the Association of Midwest Fish and Wildlife Agencies fully supports the goals and principles of the NAWMP,

NOW, THEREFORE, BE IT RESOLVED, that the Association of Midwest Fish and Wildlife Agencies at its 55th annual meeting in Bismarck, North Dakota, on July 14, 1988, urges the governments of Canada and the United States to take a lead role in expeditiously providing the funding required to implement the NAWMP.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the appropriate committee chairmen in Parliament and Congress, the director of the Canadian Wildlife Service, and the director of the U.S. Fish and Wildlife Service.

AL FARRIS: Unless there are objections that will be put in the other pile with those not laid over. Resolution No. 3.

LARRY SHANNON: One question. In the update there was mention of Mexico being, at least involved to some extent. Is there a need, do you think, to mention Mexico?

AL FARRIS: Help me out someone, Jim.

UNIDENTIFIED: No, I don't believe so because all Mexico agreed to do was to assist. They are not a full partner. They are not a signatory to that 1986 agreement.

AL FARRIS: Okay. Resolution No. 3.

### RESOLUTION NO. 3

Whereas, the Secretary of Agriculture authorized the haying and grazing of annual set-aside or Acreage Conservation Reserve (ACR) Program lands in response to the severe drought and resulting forage shortage, and;

Whereas, the ACR lands provided very little relief to producers due to the lack of or the poor quality of the vegetative cover on these lands, and;

Whereas, the ACR program currently retires 40-50 million acres nationally each year, and;

Whereas, the Secretary of Agriculture has the discretionary authority to enter into multi-year ACR contracts with producers, and;

Whereas, multi-year ACR contract lands with appropriate vegetative cover would provide commodity production control, increased soil erosion control, improved water quality, improved wildlife habitat, and a forage reserve in years of severe drought;

NOW, THEREFORE, BE IT RESOLVED, that the Association of Midwest Fish and Wildlife Agencies at its 55th annual meeting in Bismarck, North Dakota, on July 14, 1988, requests that the Congress of the United States of America direct the Secretary of Agriculture to create a Strategic Forage Reserve to provide forage during drought emergency situations by placing a portion of the lands traditionally enrolled in the ACR program in multi-year contracts, and;

BE IT FURTHER RESOLVED, that the Strategic Forage Reserve shall include a minimum of ten million acres of land eligible for the ACR program; shall require a cover crop of self-perpetuating grasses or grasses and legumes; shall provide provisions for the Secretary of Agriculture to allow haying and grazing only in times of natural disaster when the natural disaster has occurred in the calendar year, be of such a nature that feedstocks are not available in a widespread area, or cannot be made available to such producers without causing a severe financial hardship or large-scale liquidation of livestock herds, an eligible county shall be located in a NASS crop reporting area with a drought severity index of -3.0 or less; U.S.D.A. shall provide 50 percent cost-sharing to participants for seeding establishment, and;

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Chairmen of the House and Senate Agriculture committees, the Secretary of Agriculture, and Congressional delegations from member states.

UNIDENTIFIED: In the second paragraph should that be "the poor quality of the vegetative cover" or "the poor quality of the hay?"

AL FARRIS: I don't know. I guess the poor quality of the hay resulted from the poor quality of the vegetative cover. What we are trying to point out is that a lot of those ACR acres either had no or little vegetative cover on them that is going to produce any quality forage and one way to correct that is to put it into multi-year set-aside. And so, we are trying to point out that there is poor quality cover out there now for them to harvest. I don't care whichever way we say it. So you want to change it to--instead of vegetative cover substitute the word "forage?" Then we will take out the word "vegetative cover" and substitute the word "forage." Mr. Reeffer.

MARK REEFF: The only problem with using "forage" is that you can sometimes use that as forage for cattle, that is why "vegetative cover" doesn't carry that connotation. I know it is a technical thing but we try to stay away from "forage" in that context.

UNIDENTIFIED: You're saying you are willing to turn around and release this for haying but not grazing?

AL FARRIS: No, we did not say that at all. All we are trying to point out in that "Whereas" is that what is currently on ACR by and large is not very good quality cover if there is any at all.

UNIDENTIFIED: I think the important thing here is the cover because there is just nothing there, basically.

UNIDENTIFIED: Then why do you want it?

AL FARRIS: We have laid it over. We are going to move on. Resolution No. 4.

#### RESOLUTION NO. 4

Whereas, the Secretary of Agriculture authorized the haying of Conservation Reserve Program (CRP) lands in response to the severe drought and resulting forage shortage, and;

Whereas, the haying of these CRP lands has negatively impacted wildlife dependent upon these lands by destroying nesting and winter cover,

NOW, THEREFORE, BE IT RESOLVED, that the Association of Midwest Fish and Wildlife Agencies at its 55th annual meeting in Bismarck, North Dakota, on July 14, 1988, requests that the Congress of the United States of America direct the Secretary of Agriculture to use the equivalent of payments foregone to encourage practices on and in the vicinity of impacted CRP lands to enhance wildlife habitat values of these lands by funding special practices that establish permanent shelterbelts and windbreaks, replant shelterbelts, windbreaks, and seedings that were planted on CRP lands but which died because of the drought, restore wetlands, create new wetlands, construct islands, and peninsula cutoffs in wetlands as secure nesting areas, and establish wildlife food plots, and;

BE IT FURTHER RESOLVED, that the Secretary shall seek guidance from the U.S. Fish and Wildlife Service and state fish and wildlife agencies in carrying out these practices.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Chairmen of the House and Senate Agriculture Committees and the Secretary of Agriculture.

AL FARRIS: Mr. Reeff.

MARK REEFF: Something you may want to consider. Based on the new language we received yesterday, instead of saying "use the equivalent of payments foregone" to say "encourage practices outlined in S-2631 and HR-5015."

AL FARRIS: Does anyone have a problem with making that substitution? Yes.

UNIDENTIFIED: The present CRP funding provides dollars to replant CRP land that has died because of drought. So, I would hate to see you request that these funds you talk about be used for that purpose when there is already cost sharing funds available to that.

MARK REEFF: Well, the reason I bring it up is that there will be no funds now. Originally we were seeing that there would be some funds that would have to be returned but as legislation now reads, that would not occur. They are saying that they will not have to repay it if they do

these things. Is that the way you read it, Al? There isn't any amount of money really. They are just saying if Farmer X does this he doesn't have to repay. See what I mean, Ray?

AL FARRIS: Now, back to your original suggestion, Mark. After the "Secretary of Agriculture" instead of saying "to use the equivalent of payments foregone" you want to substitute "to encourage practices outlined in S-2631 and HR-5015." Okay. Does anyone want me to read that language? Do you want to hear that language or not? Okay.

"Subtitle C. Conservation and Water Assistance. Section 321. Conservation and Wildlife Enhancement. In general, in the case of an owner or operator who has entered into a contract under subtitle D of Title XII of the Food Security Act of 1985 and harvests hay during the 1988 crop year on acreage subject to such contracts as authorized by the Secretary of Agriculture". . . What that all means is if you are enrolled in the CRP and you cut hay during the emergency--"the Secretary shall not reduce the amount of rental payments made to such owner or operator as a result of such harvesting to the extent that the owner or operator--(1) carries out conservation practices to enhance soil, water, and wildlife conservation practices on and in the vicinity of lands subject to the said contracts in accordance with a conservation plan approved by the Soil Conservation Service in consultation with appropriate federal and state agencies and (2) shares the cost of carrying out such practices. B. Conservation Practices. For purposes of subsection A the term conservation practices includes establishment of permanent shelterbelts and windbreaks, restoration of wetlands, establishment of wildlife food plots, or planting of trees."

It doesn't say includes but isn't limited to--does that mean that's all it includes?

UNIDENTIFIED: I think it's broader, the way I understood it.

AL FARRIS: That's it.

UNIDENTIFIED: One point, Al, that is important. Where it says "on those lands and in the vicinity of lands," that is an important inclusion because what that says is a farmer can do those practices beyond the CRP, so if he has a wetland that wasn't in CRP he still enhances those resources. That is a pretty important inclusion.

BILL BAILY: Will you read how you revised that resolution?

AL FARRIS: Okay. Beginning "NOW, THEREFORE, BE IT RESOLVED, that the Association . . . requests that Congress of the United States of America direct the Secretary of Agriculture to encourage practices outlined in S-2631 and HR-5015." And then it would go ahead and read as is.

(Prolonged discussion from floor on how to amend the resolution to make it compatible with S-2631 and HR-5015.)

UNIDENTIFIED: Where is this legislation now and how quick do you think it will be acted on?



UNIDENTIFIED: It may be on the President's desk tomorrow.

AL FARRIS: This morning on the Today Show they said it was going to be passed and done by the end of this week. I don't know whether that is gospel or not but it was introduced yesterday and it was supposed to be done by tomorrow.

(Additional discussion on Resolution No. 4.)

AL FARRIS: Are there any big problems with this thing other than with some real minor word changes?

LARRY SHANNON: Take care of the minor details by getting the language cleaned up.

AL FARRIS: Then we have Resolutions 1, 3, and 4, which we can then vote on as a body for approval recognizing there might be a minor word change. I move approval of 1, 3, and 4.

UNIDENTIFIED: I asked for No. 1 to be laid over.

AL FARRIS: Excuse me. It should be 2, 3, and 4.

UNIDENTIFIED: Mr. Chairman, I recommend my objection be withdrawn on No. 3.

LARRY SHANNON: It's been moved and seconded that Resolutions 2, 3, and 4 be approved with the revisions as noted.

UNIDENTIFIED: Do you want to add No. 5 to that?

LARRY SHANNON: The chairman wishes to save No. 5.

Is there any further discussion on any of the three resolutions--Nos. 2, 3, and 4? Hearing none, those favoring approval of Resolutions 2, 3, and 4 let it be known by saying aye. Opposed is nay. The ayes have it. Thank you.

AL FARRIS: Resolution No. 1, Mr. Miller.

STEVE MILLER: This may not take as much discussion as the resolution before did. I think it is a good resolution. I would just like to see a little stronger wording but that may not be possible. We are encouraging those respective groups to give full and serious consideration to the current status. I feel we should also encourage them to give more consideration to adoption of restrictive regulations and add wording to that effect in the resolution. I think there will be full and serious consideration given to waterfowl, but I guess I was just looking here how I would suggest revising the wording. In the second to last line there after "prairie nesting areas" add "and encourage the adoption of restrictive regulations during the development of the 1988 waterfowl hunting regulations." That's not very good wording, but something to that effect.

AL FARRIS: Do you want to put in it the "Whereas?" That's very unusual to do that.

STEVE MILLER: No, it would be in the bottom paragraph.

AL FARRIS: Okay. I picked up the wrong "prairie" there.

BILL BAILY: I would like to make a comment before we make too many changes. I have no problem in expressing serious concern for the present and future of the waterfowl population. I do have a problem, though, in addressing the regulations, especially at this meeting outside the framework which we normally use, and that being the Flyway Councils. Each of us will be involved in those council meetings within two weeks. I think that is the framework we should use. I would prefer to express strong concern on the part of the Association and the regulatory process will proceed from there, through the Councils and the Fish and Wildlife Service.

AL FARRIS: So, you are saying that you don't have any problems with the resolution as it is.

BILL BAILY: Not unless you just want to make it stronger in terms of serious concerns for the present and future of the waterfowl resource. But I would prefer not to make a recommendation on regulations within a resolution.

AL FARRIS: Perhaps on this one we might be just a little more formal. Is there a motion, or is there a motion to amend this resolution? Is there a motion to adopt?

BILL BAILY: I move the adoption of the resolution as written.

LARRY SHANNON: It's been moved and seconded that we adopt Resolution No. 1 as written. Are there comments or discussion? Now is the time if you want to offer an amendment.

UNIDENTIFIED: Mr. Chairman, I guess I would like to express some concern. There are a number of organizations that are calling for closure--complete closure--of the hunting season this year and until the full information is in for the Flyway councils to consider and the regulatory community to consider, I think it would really be premature to give any indication that we were interested in doing that at this time. I think a complete closure would result in serious loss of people in the waterfowl hunting community who may not come back to that fraternity at some point in the future. That, of course, would result in a significant loss of the ability to fund the different ways we use to manage waterfowl and waterfowl habitat, etc. This resolution doesn't address anything of that nature at all or recognize the contribution of sportsmen or organizations. We want that excluded from even a "whereas" here. I guess I have concerns about the way this is worded for it does seem to imply that we are potentially, at least, endorsing a closure if it would come to that. I don't think from the information we've seen so far that that's going to be the final recommendation of the Fish and Wildlife Service. Perhaps it will be but I guess I have some real strong concerns about the lack of that kind of statement in this resolution.

LARRY SHANNON: We did hear this morning that there will be a meeting within the next couple of weeks, where most of the information that perhaps is not available to us right now, will be available at that meeting. Steve.

STEVE MILLER: I'm not trying to push this into a regulatory mode here in the Association. That is not our role. However, Reeffer, I think you did ask Larry what we could do in the upper midwest states. The production pictures I've been getting aren't any better than what we saw in the film this morning. I think that's obvious. I don't think there is going to be a miracle anymore. There is no question but what the Flyway councils are going to really look closely at regulations, and the Service is going to take a very strong leadership posture, possibly over the objections of us individually or collectively in the states. I think just recognizing that--what I'm suggesting here is that the Association may want to recognize that fact with a little stronger wording in this resolution. I think we all agree with that but maybe there is a good wording to put that in a resolution to say full and serious consideration. I think we've been doing that for years in waterfowl but we need a little more than that this year.

LARRY SHANNON: Any suggestions for wording?

STEVE MILLER: Maybe the word "regulations" is too much of a red flag.

BILL BAILY: May I ask a question of Al on how he reads this to include a "full closure" because if that's what it implies then I want . . .

UNIDENTIFIED: I guess I don't read this resolution to say a "full closure" but I read it to say "to give full and serious consideration." It doesn't say one way or the other. In the absence of any mention of the need to have a continued support of the waterfowl hunting fraternity, I think that this could be used as support for that at some point in the future. I think the information we've seen is certainly serious. Some populations are dangerously low, others do not appear to be in such serious condition. We are not saying one way or the other here. There are organizations that are asking for complete closure this year.

LARRY SHANNON: Are there other comments? Okay, hearing none, it's been moved and seconded that we approve Resolution No. 1. Ready for the question? Those who approve of Resolution No. 1 let it be known by saying aye. Opposed, nay. The ayes have it. Thank you.

AL FARRIS: Thank you. Resolution No. 5. It better not have any controversy.

#### RESOLUTION NO. 5

Whereas, Commissioner Dale Henegar and his associates of the North Dakota Game and Fish Department have provided members of the Association an outstanding program and display of North Dakota hospitality;

NOW, THEREFORE, BE IT RESOLVED, that the Association of Midwest Fish and Wildlife Agencies assembled at its annual meeting in Bismarck, North

Dakota, on July 11-14, 1988, commends the North Dakota Game and Fish Department for organizing and conducting a most successful 55th annual meeting.

AL FARRIS: I move a unanimous ballot.

LARRY SHANNON: Thank you, Mr. Chairman. It has been moved and seconded that the Association approve Resolution No. 5 commending Commissioner Dale Henegar and his associates for such a tremendous meeting. Is there further discussion? Any discussion? All those in favor let it be known by saying aye. Opposed is nay. I want to thank Al for the report.

I would like to take my hat off to North Dakota for such wonderful northern hospitality. It has been a good meeting and we have had good services. Again, the field trip yesterday, the nice fondue steak last night, and the receptions that we have had on Monday and Tuesday evenings were exceptional. I noticed no shrimp went back. The food was very good and the hospitality was good. And thanks to all of you for your participation by coming here to our 55th annual meeting.

There is one other thing that we are going to do, just briefly. Ted has asked that we assemble up here to get the annual picture. While things are being taken care of there, I would just like to take, since I am now, I guess, the official President, to take the Presidential privilege here to say be prepared to come to Duluth next year for the 56th annual meeting. It is scheduled for July 10-13. You might want to come a few days early and stay a few days late. Jack Wingate is our general chairman and he has been working on this since last fall. The Raddison Hotel is real nice and it is right in the city at Lake Superior. There are charter boats available for those who might have a desire to go fishing and, upon request, we will issue you a complimentary fishing license. Plan now to attend and be sure to bring the spouse and kids. Come and have a good time. Jack, the committee and I are planning a variety of activities for you and we look forward to seeing you. Thanks, again, for your attendance and making this a very fruitful meeting and we wish Dale a speedy recovery. Thank you.

ASSOCIATION OF MIDWEST FISH AND WILDLIFE AGENCIES

RESOLUTION NO. 1

Whereas, severe drought conditions have prevailed in key duck production areas of Canadian and north central United States prairies for several years in succession, and;

Whereas, these conditions have adversely impacted habitat quality and quantity causing low recruitment rates and critically low duck numbers, and;

Whereas, current populations of many duck species are at or near record low levels, and;

Whereas, prospects for production are extremely poor this year leading to speculation that fall duck flights will be severely depressed,

NOW, THEREFORE, BE IT RESOLVED, that the Association of Midwest Fish and Wildlife Agencies at its 55th annual meeting in Bismarck, North Dakota, on July 14, 1988, urges the Flyway Councils, the U.S. Fish and Wildlife Service Regulations Committee, and the director of the U.S. Fish and Wildlife Service to give full and serious consideration to the current status of North American ducks and habitat conditions in prairie nesting areas as recommendations for 1988 waterfowl hunting regulations are formulated, and;

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the four Flyway Council chairmen, members of the Service Regulations Committee, and the director of the U.S. Fish and Wildlife Service in time for consideration during upcoming deliberations regarding 1988 waterfowl regulations.

ASSOCIATION OF MIDWEST FISH AND WILDLIFE AGENCIES

RESOLUTION NO. 2

Whereas, the North American Waterfowl Management Plan (NAWMP) was signed in May 1986, between the federal governments of the United States and Canada, and;

Whereas, the NAWMP Committee has been working with multi-jurisdictional federal, provincial, state, and non-government agencies to produce implementation plans for all facets of the NAWMP, and;

Whereas, plans for several joint ventures in both the United States and Canada are nearing completion and require funding, and;

Whereas, numerous state, provincial, and non-government agencies have pledged funds to initiate the NAWMP, and;

Whereas, this international plan is of even greater significance at this time of historically low waterfowl populations, and;

Whereas, the Association of Midwest Fish and Wildlife Agencies fully supports the goals and principles of the NAWMP,

NOW, THEREFORE, BE IT RESOLVED, that the Association of Midwest Fish and Wildlife Agencies at its 55th annual meeting in Bismarck, North Dakota, on July 14, 1988, urges the governments of Canada and the United States to take a lead role in expeditiously providing the funding required to implement the NAWMP.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the appropriate committee chairmen in Parliament and Congress, the director of the Canadian Wildlife Service, and the director of the U.S. Fish and Wildlife Service.

ASSOCIATION OF MIDWEST FISH AND WILDLIFE AGENCIES

RESOLUTION NO. 3

Whereas, the Secretary of Agriculture authorized the haying and grazing of annual set-aside or Acreage Conservation Reserve (ACR) Program lands in response to the severe drought and resulting forage shortage, and;

Whereas, the ACR lands provided very little relief to producers due to the lack of or the poor quality of the vegetative cover on these lands, and;

Whereas, the ACR program currently retires 40-50 million acres nationally each year, and;

Whereas, the Secretary of Agriculture has the discretionary authority to enter into multi-year ACR contracts with producers, and;

Whereas, multi-year ACR contract lands with appropriate vegetative cover would provide commodity production control, increased soil erosion control, improved water quality, improved wildlife habitat, and a forage reserve in years of severe drought,

NOW, THEREFORE, BE IT RESOLVED, that the Association of Midwest Fish and Wildlife Agencies at its 55th annual meeting in Bismarck, North Dakota, on July 14, 1988, requests that the Congress of the United States of America direct the Secretary of Agriculture to create a Strategic Forage Reserve to provide forage during drought emergency situations by placing a portion of the lands traditionally enrolled in the ACR program in multi-year contracts, and;

BE IT FURTHER RESOLVED, that the Strategic Forage Reserve shall include a minimum of 10 million acres of land eligible for the ACR program; shall require a cover crop of self-perpetuating grasses or grasses and legumes; shall provide provisions for the Secretary of Agriculture to allow haying and grazing only in times of natural disaster when the natural disaster has occurred in the calendar year, be of such a nature that feedstocks are not available in a widespread area or cannot be made available to such producers without causing a severe financial hardship or large-scale liquidation of livestock herds, an eligible county shall be located in a NASS crop reporting area with a drought severity index of -3.0 or less; U.S.D.A. shall provide 50 percent cost-sharing to participants for seeding establishment, and;

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the chairmen of the House and Senate Agriculture Committees, the Secretary of Agriculture, and congressional delegations from member states.



ASSOCIATION OF MIDWEST FISH AND WILDLIFE AGENCIES

RESOLUTION NO. 4

Whereas, the Secretary of Agriculture authorized the haying of Conservation Reserve Program (CRP) lands in response to the severe drought and resulting forage shortage, and;

Whereas, the haying of these CRP lands has negatively impacted wildlife dependent upon these lands by destroying nesting and winter cover,

NOW, THEREFORE, BE IT RESOLVED, that the Association of Midwest Fish and Wildlife Agencies at its 55th annual meeting in Bismarck, North Dakota, on July 14, 1988, requests that the Congress of the United States of America direct the Secretary of Agriculture to encourage practices outlined in S-2631 and HR-5015 on and in the vicinity of impacted CRP lands to enhance wildlife habitat values, and;

BE IT FURTHER RESOLVED, that the Secretary shall seek guidance from the U.S. Fish and Wildlife Service and state fish and wildlife agencies in carrying out these practices, and;

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the chairmen of the House and Senate Agriculture Committees and the Secretary of Agriculture, and;

BE IT FURTHER RESOLVED, that creation of new wetlands, construction of islands, and development of peninsula cutoffs to provide secure waterfowl nesting habitat be added to the list of approved practices included in this legislation.

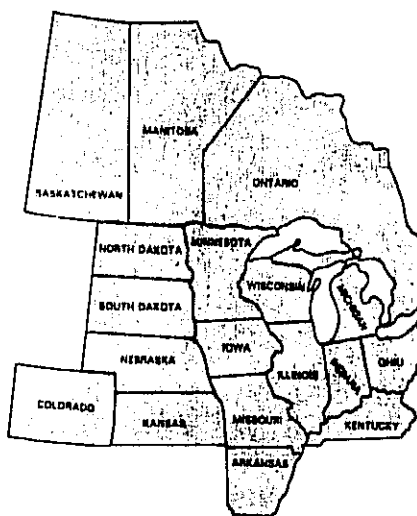
ASSOCIATION OF MIDWEST FISH AND WILDLIFE AGENCIES

RESOLUTION NO. 5

Whereas, Commissioner Dale Henegar and his associates of the North Dakota Game and Fish Department have provided members of the Association an outstanding program and display of North Dakota hospitality;

NOW, THEREFORE, BE IT RESOLVED, that the Association of Midwest Fish and Wildlife Agencies assembled at its annual meeting in Bismarck, North Dakota, on July 11-14, 1988, commends the North Dakota Game and Fish Department for organizing and conducting a most successful 55th annual meeting.





## Association of Midwest Fish and Wildlife Agencies



### REPORT OF THE TREASURER

Bismark, North Dakota  
July, 1988

Balance of assets brought forward from 1986--\$10,453.29

Total receipts for the business year 1987, including dues  
from 18 members and interest on cash management account--\$2,250.02

Total expenditures for the Winnipeg, Manitoba, conference--\$500.00

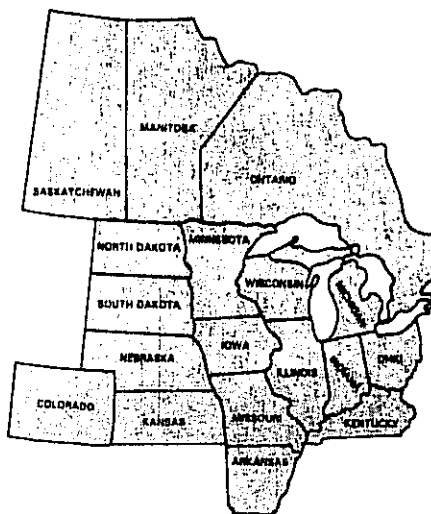
The status of the Association's funds at the close of business for  
the year 1987 relates total assets of \$12,087.96

Balance of the 1987 checking account forwarded to the 1988 account--\$4,334.43

The official Association financial ledger showing receipts and expenditures  
has been made available to the audit committee.

John W. Urbain, Treasurer (1987)





# Association of Midwest Fish and Wildlife Agencies



## TREASURER'S REPORT

### 1987 Transactions

Total Assets beginning January 1, 1987 . . . . . \$ 10,453.29

#### Receipts 1987:

Annual dues . . . . .	\$ 1,800.00	
Interest on cash management account . . . . .	<u>450.02</u>	2,250.02

Total Available Assets . . . . . \$ 12,703.31

#### Disbursements 1987:

Association's advance to Manitoba . . . . .	\$ 500.00	
Quick Stop Print Shop . . . . .	94.17	
Mid-Michigan Stamp and Sign . . . . .	4.91	
Melville Emblem . . . . .	<u>16.27</u>	615.35

Total Assets, December 31, 1987 . . . . . \$ 12,087.96

#### Accounting of Assets, December 31, 1987:

Cash in checking account . . . . .	4,334.43
Cash Management Account No. 1212990-4750 . . . . .	<u>7,753.53</u>

Total Assets December 31, 1987 . . . . . \$ 12,087.96





## *Executive Committee*

Dale Henegar, North Dakota (President)  
Larry Shannon, Minnesota (First Vice President)  
John Urbain, Michigan (Secretary/Treasurer)  
Bill Baily, Nebraska (Member-at-Large)  
Clayton Lakes, Ohio (Member-at-Large)

## *Legislative Committee*

Larry Wilson, Iowa (Chairman)  
Don McCormick, Kentucky

## *Resolutions Committee*

Allen Farris, Iowa (Chairman)  
Tom Lytle, Colorado  
Lorne Colpitts, Manitoba  
Kenneth Babcock, Missouri

## *Audit Committee*

Larry Shannon, Minnesota (Chairman)  
Ed Hanson, Indiana  
Dennis Sherratt, Saskatchewan

## *Awards Committee*

Bill Baily, Nebraska (Chairman)  
John Urbain, Michigan

## *Nomination Committee*

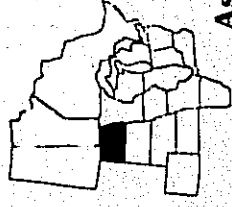
Steve Miller, Wisconsin (Chairman)  
Art Talsma, South Dakota

## *Organizational Committee*

Ted Upgren, General Chairman  
(Arrangements/Finance)  
Robert Morgan, Dave DeWald, Program  
Patsy Crooke, Registration  
C.R. Grondahl, Jim Ragan, Proceedings  
Harold Umber, Ray Goetz, Door Prizes  
Mike Johnson, Gail James, Field Tour/Picnic  
Craig Bihlre, Audio-Visual

## *Special Thanks to These Contributors*

Alpo Petfoods  
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Bear Archery  
Bob Allen Companies, Inc.  
Buck Knives, Inc.  
Bausch and Lomb  
Coleman-Western Cutlery  
Columbia Sportswear Company  
Delorme Mapping Company  
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Lowrance Electronic, Inc.  
Quaker Boy Game Calls, Inc.  
Redding Reloading Equipment  
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Sav-A-Life, Inc.  
Johnny Stewart Game Calls, Inc.  
Walls Industries, Inc.  
Vortex Division, Utex Industries, Inc.  
Woolrich Woolen Mills, Inc.  
W.R. Case and Sons Cutlery  
Yakima Bait Company  
Zebco, Div. of Brunswick Corp.



Association of

**Midwest Fish and  
Wildlife Agencies**

**55th Annual Meeting**



**July 11-14, 1988  
Sheraton-Bismarck  
Galleria  
Bismarck, ND**

## Monday, July 11

- 1:00 - Registration - Ballroom Lobby  
5:00 p.m.
- 6:00 - 8:00 North Dakota Reception - Rembrandt Room (spouses welcome)

## Tuesday, July 12

- 7:30 a.m. Delegates Breakfast - Rembrandt Room
- 8:00 - 12:00 Registration - Ballroom Lobby
- 9:00 Call to order, Dale Henegar.  
President, Association of Midwest Fish and Wildlife Agencies - Picasso DaVinci Rooms
- 9:15 Welcome - Lt. Governor, Lloyd Omdahl
- 9:30 Share the Spirit - North Dakota
- 10:00 Coffee Break
- 10:30 Fish and Wildlife Extension Program. Ron Stromstad, U.S. Fish and Wildlife Service, Bismarck
- 11:00 Lake Sakakawea Fisheries. Emil Berard, ND Game and Fish Department, Riverdale
- 11:30 Ducks Unlimited in America. Bob Meeks, Ducks Unlimited, Bismarck
- 12:00 Delegates Luncheon. Ducks Unlimited Host
- 1:30 South Dakota's Pheasant Program. Art Talsma, SD Dept. of Game, Fish and Parks, Pierre
- 2:00 North Dakota's No-Net-Loss Wetlands Program. Mike McKenna, ND Game and Fish Dept., Bismarck
- 2:30 What's Happening in Midwest Law Enforcement Since the 1940s. Don Hastings, Exec. Sec. Midwest Fish & Game Law Enforcement Officers (Illinois)
- 3:00 Coffee Break

- 3:30 Committee Meetings  
Executive Committee - Executive Conference Room
- Legislative Committee - Wyeth Room
- Resolutions Committee - Rockwell Room
- Audit Committee - Van Gogh Room
- Awards Committee - Renoir Room
- Nomination Committee - Russell Room
- 6:30 - 8:30 p.m. President's Reception - Rembrandt Room (spouses welcome)

## Wednesday, July 13

- 8:15 - 8:30 Introductory Comments Regarding the Food Security Act. Dave Dewald, Soil Conservation Service, Bismarck; Moderator - Picasso - DaVinci Rooms
- 8:30 - 9:00 Discussion of the Conservation Provisions of the 1985 Food Security Act
- 8:30 - 9:00 Latest Legislative Update. Wildlife Evaluation and Suggestions for Improvement of Conservation Provisions of 1985 Food Security Act. Al Farris, Iowa DNR
- 9:00 - 9:30 Sodbuster Provisions and HEL Compliance Planning. Norman Kempf, Soil Conservation Service, Bismarck
- 9:30 - 10:00 Swampbuster Provisions from the Wildlife Viewpoint. Lloyd Jones, U.S. Fish and Wildlife Service, Bismarck
- 10:00 Coffee Break
- 10:30 - 11:00 Panel Question and Answer Session Regarding the 1985 Food Security Act
- 11:00 - 11:30 Status Report of the North American Waterfowl Management Plan. Harvey Nelson, U.S. Fish and Wildlife Service, Fort Snelling, MN

- 12:15 Board bus for tour of reclamation work at Falkirk Mine and an inside view of the Coal Creek Power Plant. Box lunch on bus.
- 5:15 Return to Sheraton Bismarck Galleria
- 6:00 Board bus for Ft. Lincoln State Park on beautiful Missouri River for genuine Pitch Fork Fondue and live entertainment.
- 9:00 - 9:30 Return to Sheraton Bismarck Galleria

## Thursday, July 14

- 9:00 a.m. Business Meeting - Picasso - DaVinci Rooms
- 10:00 Coffee Break
- 12:00 Adjournment

