PROCEEDINGS

of

18TH ANNUAL MEETING

of

ASSOCIATION OF MIDWEST FISH AND GAME COMMISSIONERS

HELD AT BROADVIEW HOTEL,

WICHITA, CANSAS

August 18 & 19, 1951

EIGHTEENTH ANNUAL MEETING

OF

ASSOCIATION OF MIDWEST FISH AND GAME COMMISSIONERS

BROADVIEW HOTEL
August 18, 19, 1951

FRIDAY MORNING SESSION

AUGUST 17, 1951

The 18th annual meeting of the Association of Midwest Fish and Game Commissioners convened in the Broadview Hotel, Wichita, Kansas, at 9:30 o'clock a.m., Mr. Dave Leahy, President of the Association, presiding.

PRESIDENT LEAHY: Gentlemen, we are very happy to have you here in Kansas for our eighteenth annual meeting. On the behalf of my Commission, my colleagues, and myself, I want to bid you welcome and express the hope that something profitable will come out of this meeting and that you will come back to Kansas again. The Mayor is supposed to be here to perform the welcome but since he is unable to be here at this time we will have to wait until later for that honor. Now, before I proceed further I think it would be well to have the roll call of the states and I hope that some delegate will answer for it. The absence of Illinois and Indiana is the result of their having their state fairs at this time and they felt that the commission employees should be at the state fair exhibits. South Dakota is having a commission meeting at this time to set the seasons. Mr. Petersen didn't feel like he could get away or send his representatives. Manitoba is absent because of other commitments. The Chair has appointed the following committees: Auditing Committee Mr. W.J.K. Harkness, Ontario, chairman; Mr. Morgan of North Dakota. Nominating committee, Mr. Tucker of Michigan, Mr. Beckman of Iowa, Mr. Vance of Nebraska. Resolutions committee, Mr. Marion, Chairman, and Mr. Cramer and Mr. Willard.

I thought I would dispense with the usual practice in the program of procedure of introducing of guests as most of you will be on the program before the day is over. However, I do have two administrators I would like to introduce to you, Mr. Bob Aldrich of Oklahoma Game and Fish Commission and our good friend, Lester Bagley of Wyoming. I see in the paper this morning that Mr. Bagley has been with the Wyoming Fish and Game Commission for thirty-three years and has been its administrator for fifteen. Now, I think that anybody that has the faith, and the will, and the heart to endure so long should take a bow. (Applause) Our program for this year, gentlemen, is one that literally defies explanation. On consulting the records of the organization I found that the topics that I thought were good and worthy of discussion at this meeting had been thought of by three to five of my predecessors and discussed at their meetings. I contacted the states asking for suggestions and ideas but they were not forthcoming; so, we have developed the program as we have it now. Some of the states wanted to stay away from long haired papers; others asked to make the discussions informal; some asked that they be formal and that the

discussion periods be formal. I have tried to satisfy all of these ideas for you and to give you just what you want. I fear that the old truism "If you try to please everybody, you won't please anybody" applies in this case too. That is the basis for our program today. We haven't limited the discussions of the papers to any particular time. If we run short on time we can take some of the time from our noon hour or if you are willing, we can take some time off at cocktail hour, but, if you decide to do that, you are going to have to elect a new chairman. We will get the program underway, gentlemen, and I will give you now our good friend and my very fine neighbor, Mr. Bode, of Missouri. (Applause)

Mr. I.T. BODE: Mr. President, and members and friends of the Midwest Association, I didn't know how to interpret the assignment that was given and had its origin in exchange of correspondence with the Fish and Wildlife Service in connection with the Pittman-Robertson funds and my relation in the manual, and as we read that over and as we interpreted it, it seemed to have in it the potential misapplication or perhaps that is not a very good word, potential application it had implications that were so far reaching as the years rolled by that we felt it should not be decided on until the states have had time to consider fully and materially. That is the origin of it. Now, I want to make this clear that it was not our object just to start a fight. We are in thorough sympathy with the objectives that we know the Fish and Wildlife Service is trying to accomplish and that was to honestly safeguard those Pittman-Robertson funds but we do believe that the approach that was suggested in the one section of the manual was the wrong way to go at it and so we felt that the thing should be given further consideration. Now, some of you know something of the correspondence and many of you probably have not seen it at all and while I don't want to be boring, I want to promise you that what I have to present cannot be entertainment in any sense of the word. It has to be rather boring and with some reading correspondence in it in order to understand what I am trying to talk about. There are three items involved in this. One is the matter of the federal aid committee of the international association and its representation of the states. There was one of the letters which rather took exception to the fact that some of us expressed the thought that that committee did not officially speak for the states. Now, that comment was not intended to depreciate the work that that committee has done because if any committee has ever done service, that committee has, but I don't believe, at least as I understand it, that any of the statesinterpreted that committee or its functions as having authority to speak for the states in important matters that were of final decisions and would govern the actions of the state. It was a clearing house. So, I want to make that attitude clear.

Now, another thing in that same connection was a statement in a letter from Mr. Al Day in which he said that it was rather disturbing to have some of the various associations and the states take exception or protest to

some of these things that were finally decided upon after this federal aid committee had been contacted and they had coordinated their work with the committee. Now, I can see the viewpoint there and I think that is all right except that going back to the statement I made before, I don't believe it was the thought and the mind of any of the states that this committee spoke authoritatively in final matters for any of the states.

The other matter at issue or under discussion is that new Section 1464 of the manual which as you know, applies to the use or crediting of any money that is received from operations on any of the areas where Pittman-Robertson funds are being expended. Now, I stated above, my purpose in sending out the letter I did was not to particularly start a controversy but because I felt there were some pretty vital issues involved that ought to have more mature consideration and discussion. I think I know the objective that we are trying to accomplish but as I said before, I think the approach was wrong. I think in its application and justification it came to us in correspondence later that the term in the original law projects substantial in character is being a little bit overworked in its application. I have felt that for some time although that isn't too important. That was one of the justifications that came about in the intended applications of this section and I don't think that that applies in this case because the project being substantial or not substantial should be determined at the time the product is written and approved or not approved and I don't believe that after the product has been approved as substantial it has been determined that it is not substantial if something happens after the project has been completed. Now I want to review one other item because it is important to our understanding of the position we have taken on this. In the manual the amendment of July 24, 1946, Section 8, Maintenance of Wildlife Restoration Project established under the provisions this Act shall be the duty of the states in accordance with their respective laws provided that beginning July 1 of 1945, the term wildlife restoration project as defined in Section 2 shall include maintenance of completed projects but not more than twenty-five percent of the total amount apportioned to any state under the provisions of this Act may be expended for such maintenace. That is the law and that is all of the law. There isn't anything in that law whcih says that the Fish and Wildlife Service shall or may exercise jurisdiction for all time to come over that area in order to safeguard federal funds. Now, there isn't anybody in this world that would respect the Fish and Wildlife Service if they would not safeguard federal funds but again the method of approach is the wrong method for doing it. Back in May we received a letter from the Fish and Wildlife Service regional office referring to project document renewing certain projects we had in mind. The information was contained as follows: (excerpts read from various letters)

Now, another thing that I maintain in connection

with the whole thing and that is in connection with the Pennsylvania case cited before. There was a crop, the actual land cost, carrying charges, interests on investmen taxes, whatever may be for nobody knows how many years wen into that timber that was harvested. The Pittman-Robertso project put in the cost of harvesting and yet when the return came they claimed credit for the full amount of tha return and the agency, whatever it may have been, it may have been a private project at one time, the agency that actually produced that crop apparently got no credit whatever when it came to harvesting a crop. In my books, that isn't business. I don't think I could conduct a private business on that basis. So, my whole point in bringing that up and going into it in all the detail I hav men, is not that I want to fight the Fish and Wildlife Service not at all because they are just as interested as we are in having this thing workable. They have demonstra ed that before but I don't want to see the Fish and Wildli Service now with the men we have worked with and know we can work with go into that thing and establish a precdent that would react unfavorably, with an inclination that would become dictatorial and with that precedent establish ed and accepted by the states would come in and tell us what we could do with all our income. I think the solutio lies in the method similar to what the forestry service uses, that at the end of the year the forestry service audited our accounts and they audit our receipts, that is, as far as forestry is concerned, and wherever we have expended money that is reimbursible by federal money, then we are given credit and given reimbursement for it. The fact that on one area of land we sold timber and had income on the land, that doesn't enter into it at all except that they make sure that in our forestry program in the state of Missouri we have put in our fifty percent or whatever the percentage in the state program may be, and I think the procedure in this state is the same. The Fish and Wildlife Service has the obligation to see that my P.R project when it is finally completed is accounted for in the method provided by law and when that is done then I don't think it makes any difference to them where the state's money came from that went into the participation of that project if they put it in. Now, if the state has an area on which the P.R. project is developed, the state put in only five or ten percent, and the government eighty five or eighty percent, then the state should put in the other percent. Men, I hope you won't feel that this is any particular fight or my fight with the Fish and Wildlif Service. I hope you believe our motive to be one of trying to get ironed out before it is too late something that we believe down in our hearts has dynamite, you state and federal people both because that is my only intent. (Applause)

PRESIDENT LEAHY: Is there any discussion on this from the Fish and Wildlife Service?

MR. R.M. RUTHERFORD: I am awfully glad that Mr. Bode through remarks said that he wasn't here to start

an argument but to get light on this perplexing problem. I think it is desirable to go back to the beginning on the Pittman-Robertson program. After the law was enacted as some of you know, and I think the only ones here that were in their present jobs at that time were Mr. Bode and Mr. Bagley, in other words across the United States I made a count the other day and there are five left. When Al Day and _____ made their circuit around the country to find out what they wanted to do and discuss what they wanted to do and could be done, many questions were asked and their answers very frequently we don't know. We are going to have to go back and get an opinion from the solicitor of the department or the decision of the Controller General of the United States. Down through the years we have found the necessity for getting opinions from the solicitor on fundamental matters. When the program was quite young Al Day got what we thought was a swell idea, to set up a section of the branch, the function of which would be to go out to the states, get information on wildlife practices on the lands and to work with the extension service, the land grant colleges, the state game departments, the county agents, in getting these improved practices out on the land and those are darn good ideas. Well, the question was, was it approved or not so we went out to the solicitor. The solicitor thought it a fine idea. It has been demonstrated that the extension service does excellent work, really put over approved agriculture in this country but that was not in conformity with Section 2. It was clearly the intent of congress that this money should be spent on the land and not through extension work, therefore the money cannot be spent for that purpose. Some of you will recall that the congress in passing the material department appropriations bill in 1946-1947 has a provision in there that not more than twenty-five percent of the money could be spent for the construction of improvements. Well, that put a squeeze on some of the states, their putting up dikes. Now it seemed reasonable to us that material and short supplies would refer to lumber, hardware, that certainly wasn't shortening the supply so we went to the solicitor and said that in our opinion the congress didn't mean that this should apply to dikes and he gave us his opinion of the language to be interpreted as to what it said. Webster's Dictionary defines construction as thus and so and Webster's Dictionary defines improvement as thus and so. Now, the dike was put in place by construction and it was an improvement, therefore the twenty percent limitation. Why, so, Gentlemen? That's what we are up against on a good many of these things. We don't interpret the law. That is the responsibility of the solicitor or the Controller General or the United States and referring back to that equipment business I am personally of the opinion that if the question had been put to the Controller General he would have said that you could not spend P.R. money on the purchase of equipment, that the states would have to furnish the equipment on the basis of charging for cost of operations, maintenance, and normal depreciation. Such was the case in public roads. I presume it still was at that time. However, on the basis of getting clearance

out of the solicitor to approve a project for automobile an pick-up trucks and he said that we didn't have the money; heavy trucks, tractors, draglines, of course we didn't think of airplanes at that time. A good many have been purchased since but we were just confining this to that light equipment. We told them that the states would furnis that, either had the equipment, they had rented it and put down but our fiscal people in the organization maintained very stoutly and voiceferously that by gosh that wasn't a cost under any normal business application of the word of cost. That was an expenditure, and inasmuch as our earlier advice from the Controller General was that this program operated on a cost basis, that is, the estimated costs were set aside of 75%. The estimated costs were set aside and the project was audited to insure that no more than 75 percent of the estimated cost went into it. I am pretty sure in my own opinion that that is the position to take. You know, sometimes it doesn't pay to ask questions.

MR. BODE: I am a little confused about your statement. I am a little bit confused over the statement that an expenditure for certain types of equipment that are going on that project is not a cost.

MR. RUTHERFORD: I said it was a capital expenditure, not a cost. In other words, it would be like the Santa Fe Railroad buys a big diesel job for a million bucks That is a capital expenditure and depreciated over a number of years.

MR. BODE: Now, then, you don't mean to imply tha a certain amount of the use of that is not chargeable as a cost?

MR. RUTHERFORD: Now, no, you charge off operations, maintenance, and normal depreciation. Now, there always has been honestly now a serious question in my mind as to whether that would stand up under the light of top fiscal determination.

MR. FEAST: Mr. Chairman, I'd like to ask Mr. Rutherford the law as we could take ours, going over the history of federal aid and the analysis of approval and not approval of the project. Now, that has been clearly defined in the manual and I don't believe that there is a state that would take exception of the proposed amended law down by the Fish and Wildlife Service in cooperation with the federal aid committee. The issue in hand here is not one o approval as an expense item or a cost item of a project. The issue here is the matter of considering reimbursement after the project has been approved and with that in mind the only way I can look at it from a standpoint of law, not from a standpoint of interpretation, the law has been established that once the project has been approved, that it is up to the Fish and Wildlife Service and those that enter into the contract that once the contract is approved, and it is a contract that we have to sign in agreement with the federal government, it is in agreement between the state of Colorado and the United States Government in our case, and once that project is approved and that agreement

signed the terms of the federal aid acts have been complied with on all conditions except reimbursement. Now, in my opinion, if there are to be reimbursements on the basis of revenues of the project, the terms of those credits or reimbursements should be included as a part of the project agreement. Otherwise the law as written applies, 75 percent.

MR. RUTHERFORD: That is a darn good idea, Mr. Feast, but I don't know how you could initiate him on these projects, reach a determination that there is going to be cash or by product income which would throw out of balance the respective financial responsibilities of the Fish and Wildlife Service in the states in that project. In other words, federal government is limited to 75 percent of the cost of the project, not to exceed that and the state is required to put up not less than 25 percent so you come into this by-product income business and in all business with which I am familiar, by-product income is certainly counted in. I imagine this hotel, if they out the back door, sell their garbage to some hog raiser and get cash income from it, that is certainly counted in as a receipt by the corporation that runs this hotel.

MR. FEAST: Correct, but they are not operating under a contract. Our dealings with the federal government are on a contract basis. It is not a business. It is a contract.

MR. RUTHERFORD: But you are required to put up 25 percent of the cost of this project?

MR. FEAST: That is correct. It is based on a contract. If we sign with the federal government and it is an old committed fact of law that the contract must be executed in credit and is with the terms of the contract. It is not a matter of business accounting. It is a matter of the provisions of the contract. Now, we are not opposing the Fish and Wildlife Service construction of project revenue providing that those terms are written in the project agreement. For example, if we buy a piece of land for $100,000, it has $10,000 worth of timber on it estimated, and it is known at the time the project is being negotiated that there is a timber sale possibility, then the contract that is written should provide that if that timber sale is made the project revenue should be considered in such and such a manner and then the project agreement is signed on that basis. My governor signs it. The Attorney General signs it; the Secretary of Interior signs it, and when I sell the timber in accordance with our law it has to go into our unappropriated funds and projects if there is an adjustment in accordance with the terms of the contract that adjustment then must be made upon the voucher that we submit to the federal government for reimbursement in accordance with the terms of the contract which shows a credit item of $10,000 in accordance with the terms of that contract Now, when I submit that voucher to our auditor and comtroller before it goes to the Fish and Wildlife Service that voucher can be cleared if we submit a credit item of $10,000 on a project agreement that doesn't include the provisions in the contract; thevoucher cannot credit. It is a matter

of writing into the provisions of the contract and then it is perfectly legal.

MR. RUTHERFORD: Well, the basis of this of cours coming back to the proposition of the two parties to this contract.

MR. BODE: Well, Bob, may I ask another question? I don't want to monopolize that thing but I want to get it clear. Let's take an example. A project is estimated to cost, well let's say $100,000 completed total. Now, at the end of that project your auditors etc., audit that to make sure if it was that above and below. Let's say our estimate was accurate and we knew the total was $100,000 an then the federal government put in its 75 percent and $75,000.00, it automatically then says the state has put in its $25,000. Now to me, that is the project in its completion. Now what the dickens does it make any difference where the 25 percent came from if they put it into the project as estimated?

MR. RUTHERFORD: You mean to set up a project for $100,000, you certify that you have $25,000 for matching money?

MR. BODE: We certify we will match it for 25 percent.

MR. RUTHERFORD: You designate the source of thos funds.

MR. BODE: I don't think we have to designate the source of those funds.

MR. RUTHERFORD: But that is your 25 percent consideration. Now, don't misunderstand. You are buying that 25 percent.

MR. BODE: What makes any difference what makes up that 25 percent as long as the state puts it in?

MR. RUTHERFORD: All the law requires is that the state contribute 25 percent of the cost of any project. If you are using the project funds to produce by-product income then that project doesn't cost you $25,000.00.

MR. BODE: Yes, it did.

MR. RUTHERFORD: Now, if you want to go to that extent it is my argument that any time a man hunts on that area he is using some of the state's money to use it and therefore you have a right to claim some of the hunting and fishing licences because people hunt on that area by virtue of P.R. money put in.

MR. STEEN: You have stated repeatedly and we know full well that it says that the federal proposition shall not exceed 75 percent of the estimated cost thereof. Now, we knew it and as the law states the 75 percent of the

estimated cost is 75 percent of the estimated cost. In your interpretation or application here you get down to the point where you have realized the actual expenditures and you have the actual cost of the project and from that you deduct income that has accrued to the project and you say that is the net cost and that is what the law means how in the world, Bob, can you say after you know what the actual cost is that that is the estimated cost. It is no longer an estimate.

MR. RUTHERFORD: It is an estimate to start with.

MR. STEEN: When you find anything in the law that says, as an example, let's take this particular project, $100,000. The estimated cost of it was $100,000. According to the law the federal government can only put in $75,000 but in actual experience you found that the actual cost was $80,000. Now, in application you have completed $60,000 or 75 percent. No state has ever raised an argument on that. I don't think they will but in this application that however is not the estimated cost. That is the actual cost. It is no longer an estimate. You have arrived at the actual expense and you know what your cost is. That is what the project cost is. Income to the project has nothing to do with the cost here. We are talking about the cost of this project.

MR. RUTHERFORD: That is where we differ.

MR. STEEN: Now, you go beyond that point and you say because the state realizes an income here of well, say $20,000 that the estimated cost is, you go right back to the law and say the estimated cost is $60,000 because the actual cost was $60,000 or $60,000 from which you deduct an income of $20,000 and you still arrive at the same figure.

MR. RUTHERFORD: You start out with $60,000 and get $20,000. Therefore, the participation would account for the by-product income. You start out with $80,000, $60,000 federal, $20,000 state.

MR. STEEN: You get $20,000 cash income off that.

MR. RUTHERFORD: Well, you got the $60,000 you wouldn't be putting a dime in it. You are using project funds to produce that $20,000.

MR. STEEN: Yes, we would. That is the project, the state project, the income from the state income just all you have participated in. In the case of Pennsylvania or any of these states is the cost of marketing. You haven't participated in the cost of production at all.

MR. RUTHERFORD: What do you mean? The entire project costs I think was $160,000 of which $120,000 came of the federal treasury.

MR. STEEN: That is right.

MR. RUTHERFORD: That money when combined with the states quarter makes $160,000 finances the purchase of truck the hiring of teams, the hiring of labor, the purchase of power saws, the transporting of the materials that were to be picked up and taken to the mill. Why, if you ignored tha by-product income in the particular income the state wouldn' have put in a dime. Didn't they have $70,000 worth of timber?

MR. BODE: How much Pittman-Robertson money? You claim all of the reimbursements, the credit for the full sal of that crop. How much government money went into producing that crop? How much went into producing, and then I want to ask this question. I want to ask.....

MR. RUTHERFORD: Where are you going to stop? Is it going to be this year, or next year, two years, three years? If the principal is right then as long as I don't care how many years, as long as there is being any income produced off an area from Pittman-Robertson funds I have a right to keep claiming reimbursements and I maintain that that is the part that is wrong.

MR. BODE: I know it.

MR. RUTHERFORD: Let me answer these questions.

MR. STEEN: Why don't you clarify section 1464 and make it specific and clear as to what you intend?

MR. RUTHERFORD: I have rewritten Section 1464 and I plan to discuss it with the federal aid committee at the International. I can read it here if you wish, a little later on. The answer to your question, say that that taking credit for timber that has been grown at state expense, the point was that they couldn't attract a commercial operator and they couldn't sell it to a commercial operator so they had to go in there and use P.R. money to finance the harvest ing of that crop.

MR. BODE: In my opinion that has nothing to do with it.

MR. FEAST: This becomes clear if it can be made a part of the project agreement because the agreement itself is our contract with the federal government. The issues leading up to the agreement say as a matter of law for the interpretation of the law but once the agreement is signed, it in itself is the document upon which we transact all of our actions.

MR. RUTHERFORD: Subject to an audit and the audit brings out the fact that the by-product was produced at project expense.

MR. FEAST:, if it hadn't been anticipated, if

it hadn't been provided for subsequent provisions cannot be made to the contract without altering the contract.

MR. RUTHERFORD: Well, then, the original agreement, based on setting aside 75 percent of the estimated cost of the project you wind up that project and audit and you have to take into account the various factors that come into effect when you make that audit. You may purchase a tractor and sell it. That should be taken into account.

MR. BODE: Where is the end?

MR. RUTHERFORD: Well, I say this. You buy a piece of land that has a stand of timber on it but you have no intention of selling that timber or logging it immediately but five years later on on that land purchased with P.R. funds you sell that timber and that is your business if you want to use P.R. funds to log it and then there is going to be an accounting of that by-product income. Now, is that unreasonable?

MR: BODE: Yes, that is reasonable except you haven't got the fine point that I am trying to make yet. Here's a project. It is estimated. It is completed. It is audited. The reimbursements were made. We can use the Pennsylvania case. There was no sale for this but within six months after that period the market developed and that timber was sold. What are you going to do then?

MR. RUTHERFORD: Well, in the Pennsylvania case where there had been no promise of a market they certainly wouldn't have taken those logs out of the wood and they wouldn't have cut the woods with the chemical wood out for sale. In other words, coming back to your question. If there was no promise of a market they wouldn't spend all the money to process that so it would be available to those directly in the mill for use. If they went through all that process of spending this money to get the products ready for the mills and then decided to hold it, I think the by-product income would be the current value of the product produced on the project.

MR. BODE: That illustrates the one point that I am making and I don't want to see get into the Pittman, the precedent established whereby the federal government and that kind of a thing continued over a period of years and projected into the future is going to do that sort of thing.

MR. RUTHERFORD: No, we are not doing it. If you buy a tract of land and you get your 75 percent forthwith and if later on you want to sell that timber, that is your business, not ours; but if you want to use P.R. money to do the logging, we are interested in that. We are interested where direct expenditures are made of P.R. funds to produce cash profits which are by-products income and which we feel,

and our legal people feel, should be counted in as by-product income or credited against the cost of the operations.

MR. BODE: Well, as a matter of fact, in summing the things up, in my opinion, I don't believe that there is a need in the manual for Section 1464 at all because you have the perfect right to approve a project and approval or non-approval and as Feast said when that contract is written and carried out in accordance therewith, you don't need to jeopardize by injecting the Pittman and I want to ask what Al Day meant in the last letter of his in the paragraph that I read when he replied it was not unreasonable to claim Pittman-Robertson reimbursement even though the money was carried out over and above the Pittman-Robertson project.

MR. RUTHERFORD: What paragraph is that?

MR. BODE: Letter of August 8th. Now, if that doesn't mean that, it doesn't make any difference how much Pittman-Robertson money and how much the state spent over and above that and got a return over and above the Pittman-Robertson project they would still have a right and it would still be reasonable to claim credit for that desirable expenditure of money.

MR. RUTHERFORD: Now, that, Mr. Bode was the legal interpretation of this thing here and as you recall in talking to our lawyers they took the position that if an area was being maintained with Pittman-Robertson funds then there would be necessity for calling for an accounting for any income produced on that area.

MR. BODE: Well, the understanding being that the full maintenance was Pittman-Robertson, Al's statement refers an example in which the state is spending money over and above the Pittman-Robertson project and this additional money has nothing to do with P.R.

MR. RUTHERFORD: I know what you are driving at.

MR. BODE: Then if that is going to be the case .....

MR. RUTHERFORD: It is not going to be the case.

MR: BODE: Al says it is going to be reasonable. If that is what your solicitors maintain they are going to try to apply it. I say it should not be written into the manual if that kind of an interpretation can be put on it.

MR. RUTHERFORD: I don't think it is written into the manual in that way. I think I have a copy here. I re-wrote this 1464 subject to approval by the P.R. committe It reads like this: "Sale of Products: Occasionally, as the result of expenditures of Pittman-Robertson funds to finance costs of equipment, materials, supplies and labor on developmental or maintenance projects, salable crops such as hay, grain and wood products are produced. If such

products are sold for cash, or used in lieu thereof to support activities outside the scope of approvable Pittman-Robertson operations, appropriate adjustments will be made. The same accountability will apply where population control programs conducted with the help of Dingell-Johnson funds result in cash receipts through the sale of harvested fish. Otherwise, Federal participation in project costs will exceed the limit imposed by law.

"The crediting of accountable by-product income (which would be the total received or capable of being received, less any contributing outlays from non-project fund can be accomplished by: (1) Treating the appropriate sum of money as a minus item on the itemization sheet of a vouche of the income producing project, or (2) Taking like action on a subsequent project of similar nature.

MR. BODE: Well, of course I wouldn't be in a position to comment offhand. I would want to study that. My first reaction is we still left the door open for that continued coverage to come in and claim reimbursements for future income from an area.

MR. RUTHERFORD: Well, of course we can leave it out of the manual entirely. Here's the way the Fish and Wildlife Service felt that the matter should be handled, I talked to the Director just yesterday about it. If there is direct expenditure of P.R. funds, of Dingell Johnson funds, on a project to produce a cash proposition then that cash should be credited to the project. If it is an incidental expenditure, if for example, well say they get a pretty valuable muskrat off that $15,000 to $20.000,if that P.R. participation in that is only an indirect matter, incidentall let's say where the manager of that area and the areas under P.R. maintenance he lays out the trappings and assigns those down to trappers and sees to it that the state gets the share of that then we will ignore it; but if they use P.R. funds to hire trappers for that project, then they should if that is your.....

MR. BODE: If that is your application then certain ly you want to clarify your explanations you have so far made in the pended application of this section because Al Day's letters, etc., don't apply that and my point again is that the proper allocation or the proper place at which that control is exercised should be in the project approval and shouldn't be written into a section which jeopardizes the whole P.R. program in its future interpretation. Your muskrat case comes in and submits a project and maintains project, all right, then you should go into all of these things and that should be written into the maintenance projec

MR. RUTHERFORD: You can't tell that.

MR. BODE: You shouldn't write a general section like this to lay down a law for all of the states to jeopardize some of the states.

MR. RUTHERFORD: It is impossible, materially.

MR. BODE: Well, I don't agree with you on that

because I think it is clear with the state and the generalized regulations.

MR. FEAST: Mr. Rutherford, the contention in the manual -- now, if we are going to put that as a provision in the project, write it in the project. If I buy 100,000 acres of land that has timber on it and five years I am going to set up a project using P.R. funds to harvest that timber, provisions of that project should include a statement to the fact as to how the revenues are creditable. The contention that matters of project accounting should be in accordance with the contract of the project and not a manual policy.

MR. RUTHERFORD: You can't anticipate some of these things.

MR. RUHL: I have been listening very interestingly and I have had my feelings hurt. As the chairman of the federal aid committee we were instructed I believe to go over the provisions of the manual and we did just that, and in that is the controvential section. The question was raised in connection with the fish harvesting, and the committee as I remember, saw no objection to it. The committ doesn't think they can bind any state or to bind the international but we think that we should act on the manual because I am sure that the International or the executive committee would take time to read it page by page, read it all over thoroughly because it took about all the time I had in Milwaukee. So, I think that there is nothing that the committee could do or should do, nothing that the Internation could or should do that would legally bind the state or the federal government. That is a contract between the two agencies. I don't think whether we like what the solicitor or the Comtroller General of the United States decided will make too much difference. Perhaps if he decides that the Fish and Wildlife Service must figure on its net on a certain project, that is a matter of law, legal interpretatio which he may be able to include by pointing out all the ramifications. I do believe that there are cases where we should and will want to figure on reimbursement on the net. I am using that net for a wrong word. The case we brought up of 80,000 acres of land, there has to be an excellent stand of marketable timber on the farm. We probably couldn't have justified the investment from sound business unless we could sell the timber. We had to sell the timber and we wanted to liquidate that investment but we were perfectly willing to put that in the agreement. I take it from the discussion here that when a case comes up of that kind if the proviso and the arrangements for crediting is agreed to at the time of the project agreement, there is no objection. All right, if a portion of it is used I think that could be done. It is true you will not be able to estimate exactly what the cash will be from the sale of timber or the cost of a construction project but the estimate can be made and the actual reimbursement made. The fact that you can't anticipate as a material consideration, you estimate them as you do your costs and you agree to audit it and we reimburse on the basis of the audit on the contract I will be quite disturbed if

I thought the Fish and Wildlife Service was going to come back fifteen years from now and question the sale of a P.R. purchased land and we had to figure out what the state equity and what the P.R. equity was in it. I think it would be impossible to do this in many cases and it wouldn't be worth the trouble if we were able to do it. I don't think there is any intention or desire to follow out too strikingly as far as the future is concerned but if it is concerned and legally agreed to and followed that only current projects are being considered I see no difficulty in that because you must estimate both your costs and your returns at the time and are subject to audit and clearing at the time. Another thing involved I think that we should avoid as far as practicable putting into the P.R. work project which are controventional at this time or questionable. If Missouri can, I think she ought to put in her own funds on projects of that kind just as a matter of keeping the P.R. out of the limelight, out of controversy or limelight. It seems to me that the Fish and Wildlife Service is something like the railroad story. It is an old, old one. If a man went to work for a railroad company and waited in the waiting room, he saw a lot of people eating in there but a sign said that employees could not eat in the waiting room. He went to the superintendent and asked the reason and was told it was against regulations and when asked why the superintendent just told him he was damn fool enough to ask. Maybe Bob doesn't want to ask for more of what we are getting. It may be that these minor items which are for the bookkeeping and accounting department would probably be more cumbersome than they are worth and shouldn't ask about and should handle the larger issues that come as a part of the larger project and take care of them as they come.

MR. BAGLEY: I believe my question is passed by and I think that maybe we shouldn't take more time with this subject. I have been highly interested. I followed this P.R. program since the time it was started and I am sure that Mr. Bode or a number of the states that have had long experience with this program have any desire to hurt it. Suppose we were to buy a rather large tract of land in the state of Wyoming. After we had that tract two or three years or even at the time it was purchased we decided it was necessary to drill a deep water well on this project in order to secure water. Now, later we strike oil, which is not clear out of reason, what are we going to do with the oil?

MR. RUTHERFORD: If the area were ruined on account of that oil production I think the state in as much as it is required to maintain completed projects, ought to use part of that income to replace the area. If as is normally indicated the oil well did not impair the area for the use for which it was acquired we are not interested.

MR. BAGLEY: We got it through the use of P.R. funds.

MR. RUTHERFORD: It is your area to use and you didn't use P.R. funds to drill the well?

MR. BAGLEY: We did use P.R. funds to drill the well.

MR. RUTHERFORD: It wasn't substantial in character and value?

MR. BODE: Was the well or the project purchased by it?

MR. BAGLEY: Just the land.

MR. RUTHERFORD: You know, when you ask question: you sometimes get the wrong answers.

MR. BODE: I think we did in these letters. I think he should go over them and revise them. That last paragraph isn't in line with what you are telling us.

MR. RUTHERFORD: We don't have a decision from tl Comtroller General on that. That is your chief council's and our business people's opinion but we don't want to get into ---------- on this by-product income business. We want to hold it the basis of direct expenditure purchases on P.R. that accounts should be taken up. If incidental we will pay no attention to it. We wouldn't want to get into a case where there was a lot of compiling little stuf For instance, Lester Bagley traps and pelts beaver. We don't want to get messed up in that. We only want to take common sense of those direct expenditures which produce substantial income.

MR. JANZEN: I'd like to clarify one point here It is actually in the contract but I don't think you like the way it is worded in the contract at the prsent time. The contract that is signed by the state and by the federa government states the obligations of the United States on said project is the sum of so much provided the amount payable hereunder shall not exceed 75 percent of the actua cost of said project as determined by the secretary.

MR. FEAST: No, but if there is a provision for substantial credit items to be reimbursed that should be made a provision of the contract.

MR. JANZEN: The reason I bring up this point is that we are still going to be very much in this picture at the regional office. If we start detailing the contract, I am trying to figure out just how much it should be detaile How about a statement to the effect that any by-products arising from these expenditures shall be reconsidered to the product. It conforms with the idea that there shall b something in contract but maybe it doesn't conform with what you want.

MR. FEAST: It makes no difference to me. I set Michigan as an example. Where they recredit items that they could get from the sale of that timber made it possib

to credit as an economic product. Michigan wants to make it so that they acquire the project at the time and materials of the contract and wants to reimburse those items they should put it into the contract. You don't have to put in the cost items in there. Put it in the provisions of the contract.

PRESIDENT LEAHY: Let's get on with the program. I could recommend this one on the duck baiting questions. Now the next paper is the report of the committee consisting of Mr. Morgan of North Dakota, Mr. Steen of Missouri, Mr. Huhl of Michigan. The committee was formed originally in the 1950 conference.

MR. MORGAN: The committee which was continued from last year, comprised of Harry Ruhl, Mel Steen and myself, is charged with investigating ways by which better standards of practices and management may be set up for conservation departments.

Members of the Committee are too distant from one another to make meetings possible. Work which was done on this report is the result of correspondence and the co-operation of the several Department heads represented in this organization.

From questionnaries sent to chapter members, certain things became apparent. The following report is the result of my endeavors to summarize answers to questions included in the questionnaire.

Question Number 1. "Does your law provide for a Natural Resources committee comprised of representatives from state agencies interested in conservation; including agriculture, forestry, water, minerals, wildlife, education and others?"

The committee had in mind the setting up of such an organization in each state to the end that more co-ordination would result from the efforts of the various state agencies dealing with individual phases of conservation. It was their thinking that meetings to which representatives of these agencies would be called, would result in an understanding of the over-all goals in the field of conservation and that less duplication of effort and more co-operation between Departments would result in better long time programs for over-all conservation.

Some states have such an organization set up by statute. Some Directors may have signified that their state had such an organization without properly understanding the question. Only those agencies of conservation working on a state level should, in the committee's thinking, be included in such an organization.

The following reflects the results of this questionnaire on question Number 1. Seven of the thirteen states reporting, signified that no such organization existed in their state. Four reported having such an

organization. Two reported such an organization as a separate agency from their Department.

The committee wishes to point out that such an organization, if comprised of only departments actively dealing with conservation in one of its many phases on a state level, might do much to further the ends of conservation. Only state agencies, because of the danger of having the committee overloaded by federal agencies whose interests might not parallel those of the state, should be considered.

Question Number 2. "Does your posting law provide that only agricultural operators or owners may legally post their land? Do you favor such a law? Does your enforcement staff assist in the enforcement of "No Hunting" on private lands so posted? Do you favor this?"

The committee believes the supposition to be that posting laws embrace only the right of owners or operators to post. In some areas, however, these laws are loosely drawn and abused by others than owners or operators who would create private protection on state owned lands or, in sone cases, on lands privately owned that would not be poste by the owner or operator were it not for the hunter who asks the owner for the right to post so that he may enjoy all of the hunting privileges on land that might otherwise be open to free public hunting.

In North Dakota last year, legislation was enacted which provides that the owner or operator must place his name and address upon the sign, along with the date posted, in an effort to stop such practices which in the pas have occurred on public domain and state owned lands. Even better would be a law which would provide that it would be a misdemeanor for anyone other than the legal owner or agricultural operator to post. This would outlaw the lessee who leases only for the purpose of hunting.

The questionnaire, on Question Number 2 shows that the laws of eight states answering do not provide "that only agricultural owners or operators may legally post their land". Three of those answering answered in the affirmative the balance were vague.

The second portion of the question, "Do you favor such a law" was answered in the negative by seven of those answering. Four answered in the affirmative. What reasons do the seven have?

The third portion of the question "Does your Enforcement staff assist in the enforcement of "No Hunting" on private land so posted?" was answered in the affirmative by four of those answering. Three of those answering observed that a limited amount of such enforcement was carried or in their states. This answer tends to show that most states do not consider co-operation with the landowners important to game and fish departments. Why? Farmer-Hunter relations are important to us, are they not?

The fourth portion of the question "Do you favor this?" was answered in the affirmative by three. One state observed that they believed in it on occasion and five states signified that they did not believe in such procedure.

Question Number 3. "Does your law reserve free public hunting or fishing rights on lands sold or leased by any state department?" was answered in the negative by ten of those answering. When asked "Do you favor such a law?" six of those answering answered in the affirmative. The experience of some states has been that during periods of low economy much land has reverted to the state. Many states reserve mineral and other rights when re-selling or leasing to private owners.

The committee believes that much free public hunting would result in at least some of the states through the passage of a law which in the case of sale or lease reserve or except hunting or fishing rights. (Land use areas where leased by grazing associations are free public hunting areas).

Question Number 4. "Does your law provide that lands owned by your department must be marked as refuges? Can you mark and operate them as game management areas and regulate the harvest? Which idea do you favor?"

The first part of this question was answered in the affirmative by four of those answering; and in the negative by nine. The committee believes that in states where the law provides that department owned land must be marked as "refuge" such laws should be modified so that management practices may be varied to meet currently existing circumstances.

The second portion of this question dealing with whether or not the department can operate such lands to regulate the harvest upon them was answered in the affirmative by eleven of those answering. Only two of those answering answered in the negative. Four states signify that they must mark state conservation department owned land as refuges. Only two states signify that they cannot open such refuges to harvest. The laws of the two which can open refuges to harvest should be studied as they might provide the answer for modifying laws of state which cannot harvest on lands marked as refuges.

The last portion of the question dealing with which of the two types of laws discussed was most in favor was accepted unanimously in favor of the type of law which allowed harvest on state owned refuges.

Question Number 5 relative to rabbits and hares showed that of the 13 answering the question, ten had laws which gave protection to these species. Three did not. Eleven states answered in favor of protecting rabbits and hares. One state and one province oppose such a law.

(Continuing on question Number 5, it should be quite clear from the answer to this question that rabbits and hares are considered of sufficient importance to be protected or managed, and we are convinced that those states which do not presently have statutes giving their conservatic departments management of these species will be able to use this information for the purpose of influencing their respective legislators to grant them such additional authority.

The first question of Part 2 which deals with "Does your department pay bounties on any predaceous animals?" shows that six of the thirteen departments answered in the affirmative and seven in the negative. Animals upon which bounties were paid included the Mountain Lion in two states. Five states paid bounties on coyotes and five on the fox. Bounties were paid on bobcats in four states; the badger in one state, the bear in one province, wolves in four states and provinces, and the lynx in two states.

The last part of this question is important and the answers interesting. The question is "Do you favor the payment of bounties from the hunting and fish license fees?" and although there were some conditional answers, only one state came out flatly in favor of such bounty payments.

The committee suggests that where thinking along these lines is so nearly unanimous, questionnaires of this type might be used successfully in influencing legislation in those states which might presently be forced to pay bounties to the end that bounties might be either discontinue or bounty payments made from the funds accruing from general taxation.

Question Number 2 of part two is "Do you publish the names of conservation law violators? Where? Do you favor such publication?" The first part of this question was answered in the affirmative by six of the thirteen reporting; seven reporting it in the negative.

The second part of this question discloses that where names are published such mediums as newspapers, the department magazines and mimeographed releases are used.

Interesting to the Committee was the answer to the last part of the question which indicates that eight of the thirteen answering favor such publication. Certainly the answers to these questions are sufficiently equally divided to make this an interesting round table discussion which might bring out or result in a definite policy which might be adopted by all of us.

Question Number 3 of part 2 "Do you favor the use of controlled burning to improve wildlife habitat? Do you use this technique?" was answered as follows: The first part of the question was answered in the negative by eight; in the affirmative by three and conditionally by two. The practice is actually used, so the questionnaire reveals, by only two of the thirteen departments responding. Results of

this question also indicate that it might be a worthwhile topic for a roundtable discussion.

Question Number 4 of Part 2 reads as follows: "Do you provide special hunting and fishing privileges to landowners when hunting on own land?" Breaking this question down we find that ten of the thirteen states reporting, provide special hunting and fishing privileges to landowners on their own land during seasons. Only one state, of those answering, answered in the negative and one state limits the special privileges granted.

The second part of this question asks whether or not special privileges are granted to farmers hunting off of their own land. This question was answered unanimously in the negative. The next part of the question is "What is the nature of this privilege in regard to fees?" The question was answered in the affirmative by three and in the negative by two. The answers to this portion of the questionnaire should, we believe, be disregarded because of apparent confusion upon the part of those answering the question. The next portion of the question is to ascertain whether or not farmers are given reduced fees. The question was answered by only two and in both cases was answered in the negative. The last and possibly most important part of the question is designed to find out whether or not special license privileges to landowners are favored. This question was answered in the affirmative by five and in the negative by six and might serve as a topic of very interesting roundtable discussions.

Question Number 5 of part two is "Aside from higher license fees for non-residents, do you favor residents over non-residents in hunting and fishing privileges?" All states answered this in the negative with the exception of South Dakota who answers the second part of the question by stating that non-residents were prohibited from hunting waterfowl. Michigan qualifies their answer to this question by stating that non-residents may not fish through the ice or hunt raccoon or trap, and Minnesota qualifies their answers by stating that non-residents cannot trap in their state. Wisconsin, like Minnesota, does not allow non-residents to trap. North Dakota has a reciprocity law which allows only non-residents from states which allow North Dakotans to trap the privilege of purchasing a non-resident trapping license.

Question Number 1 of part three "Internal Coordination and Training". Question one of this division is A: "Do your commissioners spend time in the field in direct contact with the management work as a group?" Four answers were received in the affirmative, three in the negative and in three cases where a director or commissioner rather than commissioners are at the head of Departments, it was indicated that they individually gave as much time as possible

The next part of the question asking whether direct contact with management work was carried on individually was answered in the affirmative by six and in the negative by one.

Wisconsin answered by saying that the commissioners are non-paid, but that the director spends time in the field. Two was unanswered by most states and the question was, under "C", how often contact in the field with management work was made? Michigan answered this by saying that no regular schedule was followed. The next part of the question was do your commissioners spend time in the field intermittently? If so, how often, was left unanswered as was the last part of the question.

Summarizing the answer to question Number 1 of part three, it seems that both commissioners and members of commissions do endeavor in most cases to keep in direct contact with the field work.

Part one of question Number 2 of Part three is "Do you have inter-department conferences on mutual problems or objectives, at which all the departments in the wildlife agency are represented, A regularly? How often? B. Intermittently? How often? C. Rarely or Never? In answer to A of this question we have two answers in the affirmative, four stating that monthly conferences were held. One stating that two such conferences are held per year, one stating that weekly conferences are held, one stating that they held annual conferences, one stating that they held biennial conferences, one stating that such conferences were held when necessary and one the quarterly conferences were held.

Only two answers were given to B of this question. Missouri answered that conferences were held intermittently as needed and Nebraska answered that intermittent conferences were held. Nebraska answered "C" of this question by stating that such conferences were held every week.

Part 2 of question Number 2, part 3 is A: Conferences consist of major division heads. B. Minor or section heads. C. Separately. D. To the technical officers, E. or Field, F. Both G. Some meetings, H. All meetings. I. Do they include the Director? J. Do they include Commissioners? K. Both Directors and Commissioners?

A. This question, "Do conferences consist of major division heads?" was answered in the affirmative by all. Of minor or section heads was answered in the affirmative by six with no negavtive answers. C of this question was answered by four in the affirmative showing no negatives. Seven answered D in the affirmative. Five anawered E in the affirmative. Three answered F in the affirmative. Six answered G in the affirmative. Four answered H in the affirmative. Nine answered I in the affirmative. Two answered J in the affirmative and six answered K in the affirmative.

In summary, division heads were included in all conferences. About half of the states included minor or section heads. Most of the states answering included minor or section heads in the same conference which included division heads. Most states included their technicians. Less than half of the states included field personnel in

all meetings. The Directors in most cases were in attendance. In only two cases were commissioners in attendance.

Question Number three, Part three, is designed to find out whether or not office personnel, exclusive of clerks, stenos, etc., are required or encouraged to maintain contacts with field work through field trips. The first part of Question A, are such personnel required was answered in the affirmative by only two, with Minnesota qualifying their answer by stating that Bureau heads and the Director were required. The second part of the question, were they encouraged to maintain such contact was answered in the affirmative by six. The third part of the question which asked whether this contact was made regularly was answered by four in the affirmative, two in the negative and one by stating only when called in. The last part of this question, whether or not such contact was made only when necessary to the immediate job was answered in the affirmative by four. The answers lead the committee to believe that most states believe that such contact should be encouraged but that only such personnel as are directly or indirectly connected with the immediate project should be asked to maintain such field contact.

Question Number four of part three relative to contributions by technical personnel and others to the department publications asks A. Are your technical personnel required, B. encouraged to contribute to your state magazine, C. to your other department publications D. Do you provide for giving them help and training in preparing their articles in simple popular terms and E. If so, who does this? This question revealed that two states required their technical personnel to make contributions to their state magazine. Eight states encourage them to do so. Seven states encourage contributions to other department publications. Seven train in preparing such articles. Such training is carried on by the editor. In one state the work is done by supervisors. In four states it is done by the information director or public relations and educational director. In one state the work is carried on by the Division Head and in one state by the assistant director.

In summary, most states favor encouraging technical personnel making contributions to both their magazines and other department publications. In the majority of states they have provided some form of instruction in doing this work.

Question Number five of part three is designed to find out whether or not regular training sessions for personnel in each division are held and to further find out in which division such training sessions are held. Seven states answered by saying that training sessions for personnel are held in each division. Five states provide schools for enforcement officers. One state provides training in fish and game, entomology, forestry and parks. One state in the divisions of game and fish and forestry and one state in all divisions. In summary it appears that a bare majority of the states and provinces have adopted

regular training sessions for wardens and that much work is yet to be done along this line by most states and persons in the training of other personnel.

In conclusion the committee wishes to submit the following suggestions for your approval.

1. Provision for a natural resources committee comprised of representatives from state agencies interested in conservation at a state level for the purpose of co-ordinating the work of conservation and eliminating the over-lapping of expenditures and efforts of two or more such agencies, should be made.

2. Encourage legislation which will tighten up posting laws to a point where only actual owners or agricultural operators may legally post against hunting or fishing to the end that those leasing purely hunting or fishing rights may not legally post.

3. That legislation be sought in the several states which will reserve free public hunting or fishing rights on lands sold or leased by any state department.

4. Work towards legislation which will allow the conservation department to post land owned by them as "game management areas" rather than "refuges"; thus allowing harvests upon them when populations show a suitable surplus in adjacent areas.

5. Encourage those states and provinces which do not presently protect rabbits and hares to work for legislation which will put these species under the authority of the conservation department.

6. Work for legislation which will oppose a bounty system; particularly where bounties are to be paid out of funds contributed by sportsmen.

7. Come to a definite decision on a standard practice of whether or not it is advisable to publish the names of conservation law violators.

8. Definitely decide upon a policy for or against controlled burning.

9. Come to a definite decision as to the merits or demerits of extending special privileges to landowners in hunting and fishing and work for standardization and conformity with the divisions.

10. Work for legislation which will not favor residents over non-residents

11. Decide upon the degree of direct contact with management work which should be made by directors and commissioners.

12. Standardize a policy for inter-department

conferences on purposes or objectives.

13. Set up a policy which will determine what personnel should be included in such conferences.

14. Set up a policy on whether office personnel should maintain contact with field work through field trips.

15. Set up a policy on the degree to which technical personnel should be required to contribute toward department publications.

16. Set up a policy and standardize practices with reference to training sessions for personne in each division.

We have a big job for whoever undertakes it. I don't know that we are doing the job that former President Paul Gilbert had in mind when he originally suggested this committee in Nebraska. If one man were going to do the job and do it as it should be done, certainly it would take all of the time of a full time man working on it. I think that a lot could be done if we could provide for such an agency. However, it is over and above possibility at this time. I hope something has come out of this report that may be of value to somebody. In closing, I ask that your chairman discharge the committee and I do that very sincerely, Dave. I have put more time and work into this than I should have.

PRESIDENT LEAHY: Thank you, Mr. Morgan. I want to apologize for crowding you on time here this morning. Your committee has done a lot of work and I should think that the group here would want to discuss. I suggest that we reconvene here at 1:30 to discuss Mr. Morgan's committee's report for thirty minutes or so. I am sure that Mr. Gutermuth wouldn't mind putting his time up a little for us.

MR MORGAN: I just want to announce that although there are probably not enough copies for everyone there are copies for the administrators or their representatives from the various states in the Midwest and I will leave them here on the table and you can see to it that they are picked up and go where they should go.

PRESIDENT LEATY: The secretary has asked me to announce the fact that he would like to have you register so he can tell how many are going to be at the banquet tonight and with that we will adjourn until 1:30 o'clock p.m.

...The meeting was adjourned at 11:45 o'click a.m.

FRIDAY AFTERNOON SESSION

AUGUST 17, 1951

The meeting convened at 1:30, the time set to reconvene this meeting. When we adjourned at noon we were going to put Mr. Morgan back on the mike for a

discussion of his paper.

MR. MORGAN: Thanks, Dave. Gentlemen I don't think that we as a committee are going to accomplish very much unless we spend a little time analyzing or discussing some of the things that the questionnaire brought up. I think a lot of you have copies of the report and if you will refer to that part of the copy which was the committee's recommendations we will leave it up to you as to how long you want to discuss these various subjects. The first suggestion made by the committee was on this natural resourc committee. The various departments of any state government which deals with natural resources are rather numerous and I think you will agree with me when I say that there is an opportunity for over-lapping unless some thought is given to co-ordination and planning. I don't know how to start this thing but I'd like some discussion and comments from the floor on the committee's idea or recommendations. I should say regarding that, there are two or three states tha I happen to know of that have natural resources committees and the one instance that I think of particularly the natura resources committee has been set up Saskatchewan. However, believe that on that committee is included departments that would not ordinarily be included in conservation departments The state that I am thinking of that has such a committee includes in that committee members of the attorney general's department and so on down the line which I don't think necessarily should be included in a committee of that nature Are there any comments on that?

MR. CRAMER: Mr. Chairman, the State of Wisconsin, the legislature of the state of Wisconsin, at the last sessi authorized the formation of a natural resources committee. This committee is merely an advisory body that will discuss problems that will come up from various angles The chairma of the committee is the governor, the vice-chairman is Mr. Swift. Representatives of the committee in our departments are the Conservation Department, two representatives; the Public Service Commission with two representatives, the Publ Service Commission decides matters of natural ability of streams, etc., and the collecting of agriculture soil conservation service and think that is about it. Now, this committee has no authority to make decisions but in recommending this committee to the legislature we hoped that a discussion of these many controversial subjects by the committee would awaken the public to the fact that there are many contradictory things taking place in the land of conservation. We have, for instance, a bone to pick with the Department of Agriculture. We had hoped that by these variou representatives of these various state agencies meeting and discussing these projects we will get a little closer to a reasonable understanding a common meeting on all these proble on conservation. We do not like to see one department charge with the conservation of our streams and then on the other hand an agency that might do some destructive work on our streams. We have differences of opinion and we hope that they might be disposed of by frank and open discussion on which we do not agree.

MR. MORGAN: I want to thank the gentlemen

from Wisconsin for his remarks regarding that. I think the structure of each state government is so entirely different from the structure of the other state government that it has to be that this committee has to be pretty much left to the discretion of the state that it is applicable to. I am not too sure that this committee should have any legal authority. My thought in this particular regard was that as the gentleman just stated the fact that these representatives of various conservation agencies within the state can get together periodically and discuss their longtime program might result in a little less overlapping. I know that in certain areas we have had this happen. The P.R. would be paying for the drainage of an area and the S.A.S. would be building a dam within a mile, one defeating the other, cancelling the other and it is with the idea of trying to get away from that sort of thing that we have suggested it. Is there any more comment? If not, and if you do not care to show any other action on it, certainly I think a consideration on the part of the various conservation agencies of the various states is worthy of a little consideration, quite careful consideration in that respect.

The second recommendation that was made in this report is that this organization should encourage legislature which will take up posting laws to a point where only actual owners or agricultural operators may legally post against hunting or fishing to the end that those leasing purely hunting or fishing rights may not legally post. Now, you don't know how widespread a business of our posting laws are but in giving this some thought the past year or two it seems to me and I can name this a personal objection that if we could establish legislature in the various states which would confine posting to the legal agricultural owner or operator that you had the ideal law in respect to posting. In other words, a man that was interested in hunting or fishing rights would have to establish the fact that he was actually operating from the agricultural standpoint before he would have the legal right to post that land against free public hunting or fishing and I'd like to have the objections of some of you other gentlemen in that respect. Free public hunting and fishing is something of vital importance to all of us in the future, the things that we are working for and going to do and I think important enough to warrant a little discussion.

PRESIDENT LEAHY: Mr. Morgan, we had one experience here in Kansas during the fishing and hunting season. Some of these scoundrels here in Wichita known as the first law violators as they are in every city, those fellows that take no trespass signs and put them in their car and go out in the fields and areas before the season and just post anybody's land with no hunting and fishing or trespassing and enjoy all the hunting and after the season is over they take the signs down.

MR. MORGAN: That is a common experience that has occurred in many states. Any other comment on that?

MR. ROACH-OHIO: A lot of problems opposed on that point it seems to me might bring on what we call class discrimination but leading up to that thought anyway, and there is a lot of legal aspects in regard to it in Ohio that last session of legislature we had a bill passed legalizing fishing and hunting refuge. Now, those privileges don't have to be on owned land. They can be on leased land. Ther is a legal problem there that would almost make it so that we couldn't decide nor our legislature couldn't hardly decid unless they would remove that law which was just passed that lessees couldn't post land. How are you going to get away from the private personal right of individuals in cases like that?

MR. MORGAN: Would you care to define what a pheasant reserve, if that is the term that you used, applies

MR. ROACH: Well, it is a new bill. I really don' know it too thoroughly myself but a person or a group of persons can lease or purchase up to five hundred acres per county and under certain rules and regulations which will be prescribed by the state regarding the pheasant, inspection o birds for disease, etc,. This group can hunt that area in their own way, make their own rules, their own regulations, and regulate the number of people they want to hunt in there That is over and above the park and state regulations.

MR. MORGAN: Do you think that a law of that sort is in regulation to game management?

MR. ROACH: I don't think it is. It is something legislature saw fit to pass but I used that as an illustration. What can you do against the private individual who wants to lease an area? It is his right as a private citize as an owner or a user of that piece of land to restrict or regulate trespass on there, that is in almost any state. Do you think that under your suggestion here that we or the legislature could tell a landowner or a landlessee that he couldn't legally post his property?

MR. MORGAN: That poses a legal question that I am not prepared to answer.

MR. STEEN: The answer to that is this. I think that what you are driving at is that the state as such or the state game and fish department as such would not enforce posting or enforce trespass laws on land other than those posted in your recommendations. In other words, the problem that a state gets into in attempting to enforce trespass or prosecute treaspassers I should say would be more accurate on posted lands is that you run into the sort of thing that Dave mentioned. For example, you run into the sort of thing that the landowner refuses to testify or refuses to enforce a charge against the trespasser. The land is properly poste by the man who has the right to post it, then there might be some merit or some justification in the state enforcing or prosecuting trespassing on the property but our experience is that attempting to prosecute trespass on posted land is

rather an unhappy situation unless you have it tied down pretty tight. As a matter of fact, in the state of Missouri we do not prosecute trespass on posted lands unless we have a written complaint against the trespasser from the landlord.

MR. MORGAN: I think that is true that unless you can prove malicious trespass you are always likely to run into trouble on trespass cases. I think, however, that this thing goes a little deeper than that and it would probably hinge on whether or not the state legislature would have the right to passing legislation or statutes to limit the type of lease that can be issued by the landowner. In other words, if this recommendation were carried out the legislature would be limiting the type of lease that a landowner could issue. He could not issue a lease for the purpose of hunting or fishing. Now, that poses a legal question that I am not prepared to answer but certainly I think the idea has merit and should be investigated and if it is possible to do that then certainly we should be interested in it. Pinky, do you have something you wanted to say in regard to that?

MR. GUTERMUTH: I think the way around the thing that you have mentioned would be this, that no attempt would be made to actually limit the type of a lease that a owner might negotiate but rather that the legislature would prohibit the certain kinds of uses that a lessee could make of this land which he may have leased from an owner. In other words, I think you would find it exceedingly difficult in this country at the present time to impose restrictions on a landowner as to how he could lease his land but it seems to me that if this problem that you speak of is serious enough that the legislature could have rightfully and have easily passed a law that would say that a person who leases land for hunting purposes cannot do thus and so, that is not a restriction being imposed upon the landowner. It is restriction being imposed upon the individual. I do think and I want to make one general objection and that is not my shout. It is something that I have encouraged here the same as any other place. I think you have up for discussion here a very timely subject. There is quite a widespread feeling around that more consideration is going to have to be given and that is not my own idea now; I am merely repeating what I have heard and have discussed elsewhere that there is a very general feeling that state conservation departments if they are going to perpetuate the privileges of hunting in the good old American way in this country are going to have to pay more attention to assisting the landowner in upholding his rights against unwaranted trespass on the part of hunters and fishermen. It seems to me that if the state department could find some kind of a solution to that problem that they could go a long way toward heading to take down some of these places that say "No trespassing", "No hunting", "No fishing", but encourage the erecting of signs that would say "Hunting and fishing by permission only".

MR. MORGAN: Well, Pinky, we have made an attempt to do that in our state and the legislature seems to be ver sympathetic toward that attempt. I think that is proposed by the recent legislature which was enacted this past year which does put certain curves or tightening up rather the posting laws, it must be signed by the owner and operator a dated. I think you are very correct in the statement that you made that the conservation departments generally are going to have to give more consideration to the man on the land and his divine rights and that if we don't show a dispostion to do that we are going to encourage the justifiable hate of a good many of those fellows who in turn will just absolutely put their foot down and allow no free publi access to their property and that of course is the lifebloo of the conservation department. Unless they have a place t hunt and fish they are not going to buy licences. It seems to me somebody was asking for the floor a minute ago that I didn't recognize. Well, I think we have one other thing he that is rather important and a little discussion on it woul be rather interesting. Two years ago there was a law befor my legislature which accepted mineral rights where any stat department was selling land. In other words, it set aside the mineral rights kept within the state. Now, on the othe hand, these contracts of sale, you can accept anything that you want to providing that it is specified in the contract and it occurred to me at that time that if mineral rights could be accepted, could be reserved to the people of the state, then why should we consider this other natural resource, wildlife or free public hunting and accept that where a state department was transferring land to an individual without a contract and I tried to recommend the bill at that time without success but I am still playing around with that idea. Right now with the economy of the country where it is, it is not too important, but in my are of the United States hundreds of thousands, in fact, millio of acres of land reverted to the state during the hard time of the 30's and had a law of that nature been in effect at that time I don't think that North Dakota would have ever had to worry about a free public hunting problem. I think there would have been enough of that land that free public hunting rights would have been reserved, so, it is already a very definite problem in some states. Nevertheless, if we are to be practical and look these things in the face, w know that it is a problem that is going to have to be met i one way sooner or later. This is just one idea that I believe is worthy of consideration and development and I'd like to have some comments on it. The results of the questionnaire were rather confusing in that many of the states intimated that they were opposed to an idea of that sort an when I was trying to summarize the answers to that question naire it was a little baffling to me because of those answers. I didn't know whether the question had been properly understood or whether there actually was oppositio to an idea of that sort.

MR. MARION: This public hunting land of course in Ohio has been a primary problem for a number of years

because of the fact that we are primarily an industrial state and our hunting and fishing pressure on the areas available are thriving. However, when it comes to public hunting lands with the area of the new department resources combining all those agencies interested in conservation in one department, we are in Ohio using all of our state lands now as public hunting areas and managed by personnel of the wildlife division. It seems to me that you got some problems in this idea of sale of lands and conserving of hunting rights. In Ohio we run into that right in purchasing of marsh area. I am looking at it now from the standpoint of a farmer but I can visualize no man owning land with free hunting rights reserved on that land he has no control whatsoever as to who hunts on it or when it will be hunted on, trespassed upon, will be very happy. It seems to me that a much better solution would be to prevent the sale of that land and to manage those states as public hunting areas. In our state we cannot sell land until the present legislature has put in that in the hands of the commission and the director of natural resources any land without a specific act of the legislature to transfer that land from state ownership. In Ohio I imagine some of the eastern states represented here were more interested in acquiring state owned lands for public hunting purposes. It looks to us that if we are going to continue public hunting in Ohio we have two or three things to do. I didn't say anything about the trespass law that we were talking about here but it seems to me it needs a lot more consideration. There is certainly some danger there of taking the privilege of landowners that would defeat our purpose and do us more harm than the good that might come from it.

MR. MORGAN: I would like to ask the gentleman from Ohio how much land do you feel that the state conservation department in the state of Ohio could control through purchase? I believe that the thing that you are working on, what percentage of the area of the state of Ohio would you conceive that you might need as a department?

MR. MARION: I don't know as I can answer that, Mr. Morgan, but it is a relative small percentage naturally. We are not interested in opening large parts of land but with some excess of 200,000 acres of land in our forest division for example it does help to relieve some of the pressure on private hunting lands.

MR. MORGAN: I think the gentleman brought up one point that is worthy of consideration and that is the suggestion that a committee be appointed to work on this thing. I don't think any hasty action should be taken and naturally that will be left in the hands of the Chairman to handle as he sees fit.

MR. ROACH: Why wouldn't a suggestion of this type be in order? This has been brought up to us for discussion without probably adequate authority or preparation on our part. The programs for these meetings have been left pretty

much up to the local committee. I think there has been brought up in this report some good questions and although our convention is supposed to be of a compact group here in the middle of the United States there seems to be differenc of opinion in the administration and so on even among us. I think these questions aptly could be considered or at least groups of them subjects for similar action for future meeti of this organization. It would make a good objective to head for in future meetings for discussion.

MR. MORGAN: In the case of lands where fishing rights are involved or the right to have access to a stream or a lake, it would seem that this particular recommendatio is very good because the average acreage that is involved i limited but for the amount of regulations that is concentra ed on that region is great. It would undoubtedly be possib to reserve to the people in the transfer of title which the people own to a private ownership the right of the public t ingress and egress to water and to fish and I don't go alon with the assumption that private capital will refuse to buy that kind of land. I think they will even though they may have to accept some reservations that they do not particula ly appeal to them.

In respect to hunting of course the acreage that involved is so great as you pointed out it would be utterly impossible for the state to own enough land to provide public hunting of farm game. That is clearly out of the question. Whether or not you can reserve to the people the right to hunt game on enough acreage to make any difference is another question. In the case of forest lands where the state owns title to forest lands and when sold probably reserve these rights, the case of agricultural lands used for production of foods rather than harvest crops, it might seriously effect the sale price but this divine principal applies and is worth discussing that we are fast approachin the stage when the opportunity for the people to hunt on la of any kind public or private is going to be very definitel limited. I think it is incumbent upon the states to recognize that fact and that even in our own state of North Dakota where you don't have any of those problems yet the day is not too far distant when you are going to have a lot of them. Land is never going to get any cheaper. The Unite States Department of Agriculture says that within twenty-five years we are going to be producing no more than we consume. That simply means that agricultural values and land values are going to increase tremendously because they are based today on an export rather than import basis. The are not going to be producing any more agricultural product than our people consume and therefore land is going to become increasingly valuable and as we reach that saturation point of supply versus national demand for food supplies, land is going to reach values that we do not recognize and appreciate today and we are going to have to make provisions for that today. In other words, we are going to have to stop thinking about 1951 and start thinkin about 1982 and I think if we have the money and the opportunity or we have any other tests including the chance to reserve to the people the right to hunt or the opportunity to hunt, it would be by reservation or ownership, we had

better take advantage of it.

MR. GUTERMUTH: In Canada they have also in the disposition of land restricted certain rights to the Crown. I don't think that it has gone as far as hunting and fishing but I wonder if it would not be well at this point to ask Dr. Harkness to say what they are doing in Canada.

MR. MORGAN: Doctor, would you care to make some comments?

DR. HARKNESS: We have large areas of Crown lands of course which we are disposing of for private ownership in decreasing proportions. It is much more difficult for private owners to procure public land leases say now than twenty years ago. It is very difficult for private individuals to procure lands under any conditions now but the conditions which Mr. Gutermuth mentioned can be illustrated by one point. Where fairly large posting of forestry lands have been granted to the people as private property the white pine rights, particularly white pine timber rights have been definitely reserved by the government and those timber rights have persisted for many years and still persist where Crown lands with white pine and certain other kinds of timber have been granted to public holdings.

MR. GUTERMUTH: Haven't they also reserved in many instances mineral rights?

DR. HARKNESS: Yes, mineral rights for many, a good many years timber rights on private holdings have been reserved in the Crown so at least mineral rights and certain timber rights. That right of utilization of white pine I think is the outstanding case because it holds the right of access on to the land for removal of the white pine and in the case of minerals for prospecting is provided for in the patent rights to that the timber may be removed or prospecting take place without any question of trespass at all even though the property otherwise is held by deed of property.

Now, interestingly enough, and rather pertinent to this whole case in some of these large areas, in some of these large timber areas, there is a great amount of fur and there are no rights of the Crown of fur. In our management of the trapping which has progressed very rapidly during the last five or six years we do not then have the right to assign areas in privately owned lands to trappers excepting by the permission of the property owner which is a point that is giving us a good deal of concern because it doesn't give us the complete control over these trapping rights that we feel we should have for the best management. If we have the same rights for trapping these areas that we have in the use of white pine and minerals we could establish good management but since it requires the permission of the landowner for the trapper to procure these rights before we can assign a license to properly use these fur reasources, we are handicapped very definitely to

that extent and of course the fur rights could have been reserved just as the timber rights are and just as the mine: al rights are but there was not sufficient foresight shown when the original grant was made.

MR. MORGAN: Thanks, doctor. Gentlemen, I didn't know that this panel discussion was going to take place thi: afternoon. Three of the four gentlemen that are on the program for you this afternoon are sitting in the front row One of them is very interested. I know that he is very anxious to be heard. This thing could go on and we could spend the afternoon on discussion of it and I don't know th: it would be time invaluably spent. I'd like to make one suggestion and then I am going to leave it up to your Chairman as to what we do from here on out. I worked for two years on this committee which has been endeavoring to get an idea of what practices were being carried on in the various states. Generally speaking, I think the thing that we are trying to do is to find out the best methods that ar: being used and work toward standardization. That isn't possible in every respect but it probably is in many. Rath: than have this committee continued it seems rather an idle gesture to me to be constantly collecting this question? Those in favor of the motion say "aye"; opposed, "no". Carried unanimously.

Now, the next two papers, I think, gentlemen, wil: be of interest to all of us as they deal, I am told, with the Dingell Johnson funds. Frankly, we here in Kansas don't know where we are going to spend our money and we are looking for information for the best places to spend the money so I have asked Dr. Eschmeyer to give us a paper and some suggestions if he will on methods of using Dingell Johnson money. At this time, gentlemen, I'd like to present Dr. Eschmeyer, Executive Vice-president, Sport Fishing Institute, Washington, D.C.

DR. ESCHMEYER: If its all right with you, I'll stand up and beller. We didn't have many close neighbors. It is easier to yell. We are all interested of course in this federal aid to complete the program. I believe I can talk about it without infringing on whatever the next speaker has to say. I have his paper here.

The first question, of course, is do we need something done on fish conservation? All I have to do is recite some figures and you know whether we do or not. We have from a number of states the average catches and where they are taken. Impartially, the figure is pretty low. Missouri conservation gave their figures for four years. I think the average catch per hour was .39 of a fish; Maryland .49 of a fish. Fred, your warm water fish were better than one but the average is less than one fish per hour and that is a pretty small fish. I think I am safe in saying it is less than one per hour. The number of people who go fishing and find the trip uneventful is about fifty percent. In about half the instances in the United States they come back with nothing and people still go fishing to catch fish so we do have a problem there. Fishing has

gotten worse through the years and I don't think there is any doubt about it. There is a number of reasons for that. We simply have too much pressure. The sum of twenty million fishermen is big. We have had our pollution problem. We have another problem and that is selective harvesting in New England where they fish the longest.

There is another angle comes in that we can't say too much about. We are getting more and more fishermen and they are mostly beginners. Ten percent of our fishermen catch most of the fish, so there is a problem too. Going into these different fish conservation tools, briefly, the half dozen I keep reciting over and over, the first one is of course this idea of fishing for fun. If you have a little bit of water, using these fish a number of times, the fisherman gets thrills out of them. On pan fish you should keep them but the basic thing is that people still want to take the fish home. We can't do much on that angle on federal aid. There is about one thing on federal aid that may not have occurred to us. Our best single aid is educational need and for that you need ammunition so I hope these aid programs will give us this information on certain game species in certain cases.

The next item is stocking. I think that we probably are better informed on that than any other one of our management tools. I hate to keep referring to Missouri, but I think that their hatchery supervisor hit it on the head in the last issue where he finds the place for the warm water fish is in farm fish ponds, newly created lakes, and in certain lakes and beyond that he makes no claims, and the title, I think is, "We can do no more than assist nature", or something to that effect. There is one other instance where stocking is helpful. Some of the states are using it and that is to restore (ballo) trout. Nearly everything that comes over my desk tells me the same thing. If you plant them legal just before or during the season you can get a pretty good return. If you plant them small in streams or in the fall before, you can't get much back. I think that is about as cut and dried as anything we have in fish conservation but in many states your public isn't ready to accept it. I can see how studies on the value of stocking are extremely important. Of course, you could build hatcheries where you need to do so and you can usually get the money to build them. I hope that the federal aid money that when used is checked on to see how much good it does.

The third item is regulations, and we know that we have had quite a shift there. We were for a while following the game trend and are now going in the other direction and we will probably go too far but we still haven't solved a lot of things on the question of regulations at least. Most of the arguments were for undersized fish or where there was a violator, the law was arbitrarily made and public acceptance wasn't what it should have been and you don't get public acceptance where you sit down and make up some laws. What we need there is to find out what

laws are needed and convince the public that you need them. They think it is the question of the number of game wardens. We have had revenuers for several generations and there is still so much moonshining that you can't make a living out of it. Law enforcement doesn't mean too much. I imagine that knowing that there is a warden in the county makes it so much more interesting for the people to violate. In Tennessee we were dry for years. I always had liquor in my house and when our county went wet I didn't have it in my house after that. I believe that was typical for the county The important thing is not the number of game wardens. Be sure your laws are right and be sure you know why the public has them. Find out what regulations you need and once you do that, the educational end of it is to follow. I hope tha some states will find out what these different regulations mean and what regulations you should have. That is important so there is quite a bit to be done under that. On of the biggest is that question of unbalanced population is where either you have too many pan fish or too much rough fish. In the north it tends to be too many pan fish and in Mississippi too much rough fish. There you can do a lot in the way of study. It is being approached from different angles. In some states they are changing regulations. I don't believe that in itself is the answer because some states have had that for years. I believe in this that the lawyers are right. They are going a step farther in Massachusetts now, and it is an important thing. They are destroying blue gill nests. So far, 15,000 this year. A fisherman there tells me he can regulate his yellow perch there by taking eggs. If that sort of thing can be done he really has something worthwhile. We have the problem of overpopulation of panfish and I hope that some of these studies are directed toward it. One place where the white perch dominated they saved out two or three tons and the next year they averaged five tons and this year they average six and they were beginning to catch bass again and in less than three years that was done. The first year he had to pretend he was planting them. Now he has the public with hi He has better fishing results and you can do that sort of thing if you keep your public properly in line. I hope that some of you will worry about that too many panfish problem. In other areas they have too much rough fish. We had an interesting thing last week on that. There is a club in one of the states that has worried about the panfish. They don' try to catch them and they are taking over. A person who should know has done a lot of work with electric seines, has used a 150 foot one to get the fish. He thinks he can make one 300 foot line. Maybe that is a way to control them. I don't know, but there is a possibility there of doing something about the rough fish but that is one of our bigges problems. I hope we turn in some projects on it.

The question of environment, improvement is the next one. Some states feel they have gotten somewhere with stream improvement. They figure on a study made on economics, $1.04 to increase for trout. That increase is kind of high and it seems to be working out sometimes and other times not. We should try to not let the silt and sand

get into the river instead of letting it get in there and then trying to do something about it.

Getting back on this important problem of silt again. Too much silt in the stream. I am trying to preach soil conservation. I think what the soil conservation department does is more important than what all of us fish people together are doing to fish conservation. I am rather pround of our fish work but that is the way it looks. There is no ammunition. Silt has probably done more harm in the United States in our streams than any one other thing. That angle environment, improvement. They are grading more fishing water and in some areas no matter how much you try, there isn't much you can do about it. I notice a number of states are interested in creating public owned waters. Relative to the farm fish pond, they are still arguing about it. It is simply a problem of management and certainly some emphasis should go on that. A lot of emphasis with these several thousands of ponds around, if we learn to manage them they will do something. We haven't yet learned how to manage them so there is an important thing and I have been stressing research on that. Every state should do something to show early results. You can do it with a state fish lake and farm pond. It should not all be research. If you do fact finding along after five years if somebody says how much have you compiled about fishing in our state you can't answer it. The question of more water is very important. We do need fact finding and the other thing is education but you are getting the ammunition through these programs to educate the public so both of those, the fact finding and education, will be of help. It seems to me that there is a big future for this federal aid program in these states and in some we are running into one situation in some states we are thinking of federal aid simply as a chance to divert money used for something else and let federal aid take its place. The one think I don't like specifically is the overall type of survey made statewide. New York spent twelve years making one. When you have made it you have drawer after drawer of miscellaneous information and you don't know what to do with it. When I did that we spent a lot of money but I couldn't have pointed to a single thing that I did worthwhile except being in summer camp every day in the tent we learned about over-population; we learned a lot of things simply because we couldn't help it. I hope you don't cater to that sort of thing. Under the states that recommend that, they are doing it because they don't know what else to do. Counting the fence posts in your state would be a good example. When you are through with it you know how many posts, but it would be a lot better to know what kind are best, what kind are cheaper and how far apart to place them, etc. I hope the survey will find out what is being harvested. Statewide surveys tell us one thing -- they don't know what the score is and they don't know what to do.

We will go right on through with discussions, but I do want to say one thing. In my own organization we have

tried to keep in touch with the national picture to see what is needed and I think little by little we are finding out ou major needs but then comes the question of what is being done and one person can't keep up with that. I don't know what is being done around the country and I think we need to know that. I think the various states would like to know about the other states. Federal agencies would like to know about federal agencies and some outsiders would like to know about these problems. So, my main concern is stressing the need and also finding out what is being done. So, if I ask for information by annual reports, I hope you won't worry about the number of minutes that is taken to fill it out. We do want to know what the national picture is not only on the needs but also what is being done. I will probably pester you in the next six months.

PRESIDENT LEAHY: We will next have Dr. Gottschalk Assistant Chief, Branch of Federal Aid, U.S. Fish and Wildlife Service, Washington, D.C.

MR. GOTTSCHALK: I welcome the opportunity to discuss with you the prospects for this new activity, the Dingell-Johnson Federal Aid to Fish Restoration Program, toward which we have all looked with such enthusiasm and anticipation. The program has been delayed, as you well know, by the legislative log-jam in Congress. Only within the last few days have there been indications that the appropriations bills are beginning to move. One development of interest to all of us is that a tentative figure for collections under the Dingell-Johnson Act totalling nearly $3,000,000 has been agreed upon. This figure has yet to be concurred in by the Commissioner of Internal Revenue and approved by the Secretary of the Treasury. We are confident that fabourable action will be taken by these officials within the next few days, so that upon passage and approval of the Interior Department appropriations bill, we will be able to advise you definitely as to the amount of money available to each State. Once this is accomplished we can consider that the program has been given the green light.

In spite of the fact that we are not able to furnish you with the information in which you are primarily interested, namely the amount of money which your fisheries conservation program will receive, there are a number of other aspects of the Dingell-Johnson program which merit your consideration. I should like to review these with you here today.

First, we want to assure you that the Dingell-Johnson program will be operated in the same general philosophy which has guided Fish and Wildlife Service responsibilities under the Pittman-Robertson Act. The congress has stipulated that the restoration work shall be selected, planned, and carried to completion by the State under rules and regulations adopted by the Secretary of the Interior. As to those rules and regulations and related policy and procedure determinations of a consequential nature, we are guided by legal and fiscal decisions of the

Solicitor of the Department of the Interior and the Comtroller General of the United States respectively, within the limits of Service authority. Our actions are the minimum required for insuring substantial projects executed by competent personnel in a manner calculated to produce the maximum returns in fish and wildlife benefits. The continuing realization of these benefits demands a co-operative approach of a high order of integrity, else the program will fail in its essential purpose.

We have spared no effort to maintain the foundations of this highly successfull co-operative conservation venture in "tooling-up" for the Federal Aid in fish restoration program. Upon the approval of the Dingell-Johnson Act on August 9 of last year, the Service began planning immediately for its administrative responsibilities under the law. Recognizing the inherent advantages of combined administration, the Fish and Wildlife Service has incorporated both Pittman-Robertson and Dingell-Johnson activities in the Federal Aid Branch. During the past winter, for the information of those of you who may not be cognizant of these developments, a series of meetings was held in each of the five regions, with a sixth in Washington, at which the views of the States were solicited for incorporation in a revised Federal Aid Manual. This series of discussions proved to be of inestimable value in determining the attitude of you and your co-workers toward major questions of policy as well as toward problems of a purely procedural nature. The revised Manual was reviewed by the Federal Aid Committee of the International Associatio and issued early in June. Again, the fundamental goal was that of a realistic and co-operative approach. The existing coverage goes most of the way toward meeting the recognized needs of a majority of State administrators. As a result we will be in a position to maintain high standards coupled with general uniformity in project evaluation, country-wide. Standardized treatment of similar cases is basic to satisfactory administration of law, provided that there is sufficient flexibility to allow for peculiar and special cases.

While these general observations have a certain degree of timeliness, I am sure that most of you would rathe have discussed a few of the problems of project selection which you will shortly have to consider. Our FAS Memo No. 42, "Suggestions for Desirable Dingell-Johnson Projects" listed a few of the types of endeavors looked upon by many as being likely to produce long-lasting and tangible, "fish-in-the-creel" benefits. It goes without saying that this list was not all inclusive -- that you will submit other types of projects, many, if not all of which will be equally advantageous to the direct supporters of the program -- the tackle-purchasing sport fishermen. Most of the projects will fall in one of the three major categories; investigations, development, and land acquisition. For the remainder of these remarks I should like to dwell on certain aspects of Dingell-Johnson financed research and development activities.

Research, like many other words in the English language, means different things to different people. Basically, research may be defined as the act of obtaining knowledge through investigations or experiments. In fishery conservation, as in other fields, research should provide the "know-how" for all of our management activities.

Research enables us to remove from our conclusions the elements of uncertainty, opinion, and downright guesswork. It substitutes for these solid base of knowledge which provides us with a clear understanding of the shape and size of the problems confronting us, and clues, at least as to how we may best cope with them. When research is directed on this philosophy it will be productive; when it strays into aimless journeys which contribute mainly to the satisfaction of the imagination, the chances are excellent for inconclusive results. It is aimless research which is chiefly to blame for the ill repute of research in some quarters, and which must be guarded against. Research, or if you please, investigational activities, must have clear objectives. The responsible administrator must see to it that the mechanics, as well as those interesting sidelines which seem to plague research projects, must never be allowe to overshadow the planned objectives.

While we all acknowledge the broad limits within which investigational projects may fall, there are certain types of endeavor which have such obvious and immediate application that they may be considered to have priority in any fish restoration or management program. We need, first of all, a knowledge of the fish themselves -- what kinds and how many are present in a body of water, how rapidly they di or are caught, and how fast they are being replaced. Armed with this type of information, the fish manager has the basic essentials required to do an intelligent job of management. He knows there his problem areas are, and can adjust his regulations and management activities accordingly True, he may not know how he can correct an unsatisfactory situation, because he only knows it exists, not why it exists. But the knowledge of the existence of the conditior is the first thing to be obtained. Understanding the condition comes later.

Two examples of types of research activities subject to some difficulties are general surveys of lakes and streams, and creel censuses. All too frequently the state-wide survey of fishing waters results in the accumulation of a mass of chemical, physical and biological data, impossible of integration with fish management. The investigator knows the piff, the hardness, the oxygen picture, without knowing more than the barest essentials of the animal of primary significance -- the fish. When we call the doctor we expect him to classify our symptoms, make his diagnoses and prescribe a remedy. A physician who did not think to examine the patient, but who prescribed on the basis of the quality and quantity of air he breathes, the water he drinks, and the food he eats would soon find himself without a practice. Much of the criticism of

fishery reserch on the part of the administrators is due to the failure of fishery biologists to recognize this essentially simple principle. We will expect that justifications for survey-type projects will include a clear showing of the exact relationship of the proposed studies to fish management, as contracted to the more academic biological investigations.

There are two broad classes of creel censuses. One is designed to enlighten the fish manager concerning the population characteristics of a particular body of water. It includes more than an enuneration of fish caught, number of anglers, and the time they spend fishing. As a minimum it should be a means for collecting valuable growth information, and ideally can be designed to yield the statistical bases for population estimates. It must be a carefully planned experiment conducted on the site by personnel trained for the purpose. The other type is of value principally to the fishery administrator as a general index of fishing trends which in turn may be useful in the public relation's field. Censuses like this usually are made by a voluntary card return system or the warden checking system. Few returns are available from any one body of water, the original data are likely to be subject to question and cannot be subjected to the statistical analysis required to show the limits of reliability. As a consequence, these general creel censuses have little bearing on the every-day problems of fish management. Before a creel census can be considered an approvable Dingell-Johnson project we will expect the State to show again in the project documents, the relationship of the proposed creel census to fish management needs.

The mechanics of fish population estimations required for fish management are relatively simple. Similarly, techniques for making age and growth determinations suitable for managing a sport fishery are well known. If in the first years of the Dingell-Johnson program, a State were to do no more than obtain these essential vital statistics of fish populations in its principal fishing waters, and apply the knowledge gained in an intelligent and forthright revamping of its regulatory and restocking program, I dare say that you could look back on your work with a feeling of satisfaction over a job well done.

While the foregoing types of investigations are of great practical importance throughout the United States, it is recognized that many other worthwhile research activities will be carried on with Dingell-Johnson money. Some States have been conducting population studies for many years and are in a position to engage in investigations of specific problems, or in general problems not so directly related to fish management. Also, most development projects will be preceded and followed with evaluation studies to determine the effectiveness of developmental measures.

At this point we should like to stress the fact that information obtained and not put to use is useless information. There is no need to dwell on the difficulties, both real and imaginary, which stand between facts and their

application in fish and wildlife conservation. These are admittedly great, but that they have been, can be, and are being overcome is a matter of clear record that stands as a tribute to the courage and persistence of administrators, technical men, and thinking sportsmen, where these rewarding developments have come to pass. In the fishery field there is an increasing number of encouraging examples of greater returns to the angler stemming from careful research put to good purpose.

In fishery development, as in research, there are a variety of worthwhile activities needing little if any justification. They have been evaluated both by the technical man and the angler and stand as obvious lines of attack on the problem of providing more and better fishing. Farm ponds, fishing reservoirs located within relatevely easy reach of centers of fishing pressure, acquisition of public fishing waters and access to public fishing waters, all stand in this category. Some other activities may be o material value in certain localities and of doubtful or no value elsewhere. Prominent in this group are the hatchery and stocking programs sometimes developed as a result of the stimulus of sportsmen pressure groups in ignorance of t real needs of a particular fishery.

There has been so much doubt expressed as to our interpretation of the law on the question of hatcheries and stocking under the Dingell-Johnson program that a general discussion of the subject is in order. As a general theorem we support the philosophy that fish hatcheries can be effective if properly operated and incorporated into a comprehensive fish management program. At the same time, we are convinced that many hatcheries are not efficient or effective because the fish produced are stocked where they are not needed. The reasons may be summarized as follows:

1. The environment is unsuitable.

2. The existing population has adequate growth, reproduction, and catchability in relation to the physical environment, and thus needs no bolstering.

3. The stocked fish are not planted at the right time, and suffer excessive mortality.

4. Because of improper physical handling, faulty nutrition, or disease or parasitic inroads at the hatchery, the fish are unable to survive in the wild.

But these comments are an old story to all of us. Indeed they repeat almost verbatim a report which I presented almost 10 years ago at the St. Louis meeting of the American Fisheries Society in 1951. Quoting from that report, "A conservation program devoid of any fish propagation would be a strange one indeed and no such situation need develop. There are many fields in which hatcheries can play an important part; fields in which hatchery men will not find themselves foreigners. There will continue t

be a necessity for production of new species, which after adequate trial and experimentation, have been found to be both desirable and satisfactory for stocking. There will always be new water areas which will demand the output from hatcheries. Many hatchery ponds can be used profitably in the production of bait and forage minnows, both to distribution to fishermen, and to replenish those areas in streams and lakes in which the natural supply of these species has been depleted. As the march of a destructive civilization proceeds, there will be more and more locations in which natural spawning will be limited, and which therefore, will offer the greatest advantage to hatchery reared stock."

An appeal to fish culturists and fish biologists to team up for the prosecution of a common cause seemed a bit daring in those days. Today it seems somewhat old-fashioned. Yet the ideas of that report are as applicable to our present difficulties as they were then. It is only when we realize and accept the values and limitations of stocking along with the values and limitations of biological investigations that we can effectively harness our energies for a realistic, co-ordinated attack on modern fishing problems.

It is along this route that we plan to travel in matters concerning hatcheries. If a State can show facts which demonstrate the need for hatchery construction to solve a problem of fish management we will approve the project for funds. Likewise, a stocking project which competent investigations have shown to be necessary to restore fishing, or one to test a stocking plan, would be considered favorably. If on the other hand, there appear to be attempts to subvert Dingell-Johnson funds for hatchery or stocking projects for which there is little or no demonstrable need, we will consider that we are doing the fishermen a favor by refusing the project. We trust that few occasions will arise.

We are not so blindly optimistic about the Dingell-Johnson program that we think it will go forward without the usual growing pains. However, we all have the experience of the Pittman-Robertson program to profit from. By applying lessions learned there to our fishery problems we will be able to get our fishery work under way rapidly and effectively. We are confident that the rewards in terms of more fish per angler will equal the expectations of our sportsmen constituents. The prospects for a new era in fishery conservation through carefully planned and executed projects under the Dingell-Johnson Act have never been brighter.

PRESIDENT LEAHY: Thank you very much. Are there any discussions or questions on this paper? Do you boys have any questions to ask on these two papers?

MR. ROACH: This thing this afternoon ties in very good. First Mr. Morgan states the needs for standardization of programs and so on how we operate. At the Boston meeting of the various states concerned of which Ohio was a member of that region at that time I expressed the desire as least

for an evaluation clasue to be considered with each of the Dingell-Johnson products using this thought as the basis for that statement of question. We realize that there has been a lot of research going on and a lot of it not of useable nature in the development of a management program.

Now, this afternoon, Eschmeyer and John both mentioned stocking as one of those procedures used in fish management that in a number of cases seems to be of doubtful value in improving fishing, the use of regulations arbitrarily imposed more to regulate the fishing than to produce the fish crop was also mentioned. In Ohio construction of stream improvement, and those didn't work either. In my experience for a number of years I wondered if fishermen and biologists have known proper projects that are going to result in improved fishing. I think the answer to that is going to be very limited. For that reason I still think that it would be a very desirable thing if some arrangement be made on the Dingell-Johnson program for an exchange of information as to just what the results of each of the projects that have been put into effect and evaluation of their actual value in improving the bodies of water.

MR. GOTTSCHALK: We confidently expect that most states will want the value received from the money which they spent on the Dingell-Johnson activity. As a result of those evaluations projects an investigational phase will go right along with those development type of projects. We plan definitely as soon as the program generally gets underway to institute the publication of a Dingell-Johnson quarterly which will be similar to the P.R. quarterly in which the results of such studies will be summarized. That of course will have wide circulation. We think we have the best setup for assuring that there is going to be an interchain of information between the states in their Dingell Johnson program.

MR. ESCHMEYER: One thing that I didn't mention, I think is reservoir management problem that a lot of states have like Oklahoma. I know when I started on reservoir work nearly every idea was wrong. I hope some states will work on that. They are not all bad. I hope a few states with an open mind will learn how to manage that. There is reason to believe we can be successful on that. Reservoir management is not impossible. I think there is a big future in it. If you administrators don't know what to do, don't feel bad. This interchain of ideas is a life-saver. If you know what to do you are one step ahead of me. I don't believe it's a disgrace if you don't have it all in mind.

PRESIDENT LEAHY: Well, if there is no further discussion of that paper, gentlemen, we will move on to the next one. The next paper is that of Mr. C.R. Gutermuth, Vice-President, Wildlife Management Institute, Washington, D.C.

MR. GUTHERMUTH: When your program chairman suggested that I speak to you on the value of pre-service and in-service training of conservation personnel, my first reaction was that it would be absurd to address a group of distinguished and experienced administrators on such a fundamental topic. Later, however, after making a hurried check of the operations of the forty-eight states, it became apparent that there still are a number of conservation departments that do not realize the urgent need of providing comprehensive indoctrination training for new employees, nor of conducting worthwhile in-service training for game wardens, field representatives, and technical personnel.

On the other hand, most of the more progressive and enterprising fish and game agencies recognize both pre-service and within-service training as indispensable to efficient operation. With the staff scattered widely across the far reaches of a state, out of personal contact with the central office and with one another; as they are in most places, regular sessions for the discussion of changing policies, trends, and programs are not only important but vital to effective operation. Through periodic meetings, the administrator comes to know his men, and the individual employees benefit greatly from direct instruction, better understanding of the whole program, and the opportunity to compare notes with fellow workers.

Indoctrination training is as necessary with college trained technicians as it is with freshmen game wardens whose education, as in some states, may not extend beyond high school and who owe their jobs to a better physique or to a higher I.Q. than others who competed in the qualifying tests. College training provides the foundation and the "know-how," but even the most highly polished products of our universities, graduates with Ph.D's cannot be expected to know the intricate and varied policies and diversified programs of the states that hire them.

The best that any of the colleges can be expected to do is rough the corners from the square pegs; the administrators must do the final sanding and polishing themselves before the pegs will fit snugly into their holes. New employees, regardless of their backgrounds and no matter how well-informed, have much to learn in new positions. If newcomers are to avoid serious and perhaps irreparable mistakes, they need more than a short interview and a memeographed list of instructions before being turned loose in positions of responsibility.

Dr. Walter P. Taylor, one of the old-timers in the business of training wildlife professionals and who is now looking forward to a well-deserved retirement after 35 years of experience with the old Biological Survey and U.S. Fish and Wildlife Service, has defined college training about as accurately as anyone. He goes to the medical profession for his academic simile. Walter compares the wildlife undergraduate with a B.S. degree to the student who has just completed his pre-medical training; the wildlifer with a M.S. degree, he compares to the man in medical school, and the

Ph.D to the medical doctor who has completed his schooling but who must serve a long and rigorous internship before he is permitted to charge five bucks to look down your throat with a flashlight and say "Hum!"

Pre-service indoctrination is all important. No individual, regardless of how well coached or trained by others, should be permitted to go into the field as a representative of a state fish and game department without having a full under standing of the overall program and of exactly what is expected of him. Quite often, his assignments and those of his co-workers will be altered, and the members of the field staff should not be the last to learn that there has been an about-face or a change of emphasis in major operations or programs.

Regular refresher courses must be maintained to enable conservation officers and field technicians to keep abreast of the times. Some aspects of state fish and game programs always seem to be undergoing modifications or changes to meet new situations. Conditions never will be static in areas involving thousands of square miles, each flunctuations must be met by new approaches and tactics, and there is nothing more tragic than to watch a state program slide along year after year without a change of law, policy, or mind. Indoctrination programs and continuing in-service programs are vital if stagnation is to be avoided.

A decade and a half ago, in 1937, when I was in th Indiana Department of Conservation, we started on of the first game warden training schools in the country. While I took charge of the classes in the first school, others from the department and from Indiana and Purdue Universities helped incovering all aspects of the broad training program. We put the entire field staff through an intensive 60-day course that covered, not only enforecement and court procedure, but all phases of natural resource conservation. A training camp was established at McCormick's Creek State Parl where the men lived, studied, and attended a school conducte along college and semi-military lines. Reveille was sounded at 6:00 a.m. and the daily schedule was not completed until the lights in the dormitories were extinguished at 10:00 o'clock at night.

During the two months' training, the men studied everying from first aid to human behavior. They delved into the history of the state's natural resources beginning with the time the first white man laid eyes on Hoosierland. Because early game laws affected subsequent legislation, these and the following statutes were studied thoroughly. To give the men an understanding of fish and game requiremen and the habitat of the state, special classes were conducted on natural history, biology, ecology, fish and game managemer forestry, geology, botany, entomology, ornithology, mammalog herpetology, state parks, and so forth. In general, they ha to know their state thoroughly, inside and out, to qualigy for their jobs.

Law enforecement techniques were featured. The mer

received a full course on methods of obtaining conclusive evidence and the proper manner in which to present it effectively in court. All were coached by quailified instructors on making proper appearances in court. They were taught how to deal with all kinds of violators and were given a thorough schooling in hunting and trapping practices, including illegal ones, to train them to cope with poachers and game hogs.

Weekly examinations were held, and all trainees were required to attain passing grades. A number of the men, including one or two of the old-timers, failed and were obliged to withdraw. The selection of candidates was made on a strict nonpartisan basis; political affiliations were ignored both in choosing men for the school and in grading course work.

These schools resulted in the greatest efficiency ever achieved by the enforcement branch of the Indiana Department. The men were better able to handle everyday problems and were ready to meet unusual situations. Such a minor thing, for instance, as the teaching of artificial resuscitation in the first-aid course, while it had little bearing upon the increased ability of an officer to hail a man into court, saved at least one life. One warden worked over a swimmer for more than an hour and restored his breathing with the technique taught at the school.

The especially prepared textbook used by these men was larger than that of a full-semester college course. Of standard 8½ by 11 inch paper, it was four inches thick. Although this large book was adapted to Indiana conditions, I wish that copies were available for each of you.

It is not easy to conduct elaborate indoctrination programs for new employees who usually report for duty one by one. So, a handy working tool would be a manual prepared specifically for new personnel covering the broad aspects of departmental program and policies. If a full set of instructions were available in published form, the work of supervisors would be simplified in giving preliminary training to new men prior to their participation in within-service courses.

Game wardens are more than police officers. Their duties and obligations to the people of the state go far beyond the hauling of occasional violators before the bar of justice. The enforecement organizations are the front for the entire department, the main-street display windows by which the public judges. Department Directors are kept busy with important administrative duties and cannot get around to see many sportsmen. The same applies to most of the division chiefs. The public sees the officials only occasionally; it sees the wardens every day and measures the rest of the department by what they do and by the way they appear and act.

The wildlife technicians also must work with landowners and sportsmen almost as much and sometimes more

than the local wardens. These men are constantly being questioned about different activities, the laws, state policies, and state programs. The technician and warden who has no contact with the department other than by telephone, weekly or monthly report sheets, and occasional check-up visits by regional supervisors, must operate at a distinct handicap and cannot be expected to function at pea efficiency. Moreover , there is the constant hazard of having a green or poorly informed employee speak out of turn and create embarrassing situations for the department.

Practically every fish and game administrator holds regularly scheduled staff meetings but, in far too many states, these are confined to the supervisory and executive levels. Meetings of this kind are absolutely necessary; but, they are equally essential at the working level.

On of the most urgent and important reasons for having regular meetings of all conservation department personnel is to coordinate the efforts of the entire staff in helping to block those needless, biologically and economically unsound development projects that are being foisted on the public by the dam-building agencies.

Many of those so-called imporvement projects are destroying more fish and game habitat and natural recreational facilities than the local conservation departments can restore in a lifetime. Literally millions of pork-barrel dollars have gone for down-stream, flood-control structures, while apittance is allowed for practical up-stream watershed management. Other millions of tax revenue are being spent, year after year, for new dams to provide irrigation water for additional agricultural lands that will produce more of the same kind of crops for which the government already is paying price-supports and farm subsid ies. If a dam cannot be justified for either flood-control irrigation, or hydroelectric a lone, the questionable benefit are combined in a construction prospectus, and the innocent taxpayers are blessed with a multiple-purpose unit.

Few, if any, of those large dam projects will eve pay out, especially the irrigation ones. Look at the recor and you will see that it is your money and mine that covers those inevitable deficits. Construction costs have been grossly underestimated on many projects, few have been completed without large deficiency appropriations, even int the millions, and the little item of interest on such tremendous investments is conveniently overlooked in amortization schedules. Why worry about interest when the irrigation users are assessed with only a small share of th capital cost of a project? In forty, fifty, or sixty years the government will get part of the total cost back, if the dams have not been filled with silt, and the irrigation systems are still functioning.

Perhaps it should be reiterated, here and now, that the conservationists are not opposed to all dams, as such. There is a widespread belief, however, that full

consideration must be given to all aspects and to all natural resources values in any large-scale planning. There are many who would sacrifice states' rights for Valley Authorities, and it is time that vigorous efforts are made to get the general public to give more thought to the ultimate effects of such projects.

The Bureau of Reclamation and Army Engineers have the most efficient and highly developed propaganada and public relations forces that can be found anywhere. Their survey crews are working quietly, but effectively, in almost every direction, looking for jobs to keep those monstrous, preconceived organizations busy. They have been so succesful in "selling" their projects to local people, who stand to gain, that they have been able to get appropriation bills pushed through the Congress before any of the conservation agencies have had a chance to evaluate the programs from the standpoint of their effects on existing resources. The power of the construction agencies is so great that no Senator or Congressman can question their actions without being denounced himself.

The amazing thing is that the individual members of the survey parties in those two agencies are no better equipped to do public relations work than the field personnel of the state conservation departments. Most of the employees in the dam building agencies are engineers, not public relations experts, and they seldom have the advantage of staying in one place long enough to cultivate a host of friends. Nevertheless, they have good formulas, know their jobs, and are working together on well-coached teams.

By developing a close relationship between alert fieldmen and the central office, the state conservation administrators should be able to keep their fingers on these engineering crews.

In cases where there were indications of positive action, well-informed fieldmen working in co-ordination with the administrators, could stimulate enough local interest of the right kind to force a complete evaluation of each project. Minor changes in engineering plans may mean the difference between the preservation of important recreational and economic values and the complete elimination of those values from a large part of one or more states.

There really is no reason why such activities should not be a function of state conservation personnel. Although the Federal law requires an appraisal of the effects of impoundments on such values by the U.S. Fish and Wildlife Service, the niggardly appropriations by the Congress for this work and the lavish funds available for new construction projects, always keep the Fish and Wildlife Service biologists lagging far behind the engineers. A state with a well-trained and well-informed field staff is in a position to carry on such work and insist upon the preservation of all possible values.

After all, the most difficult job in this wildlife

management business today is not the managing of fish and game resources, but the people. There is no doubt about it, "man" constitutes the real problem. It is well known that organized minorities can make or wreck even the best laid plans and here is a way to organize the conservation strengt for the good of all the people.

PRESIDENT LEAHY: Is there any comment or discussio Mr. Gutermuth's paper? I think Mr. Gutermuth, that as much of this doctrine as possible should be in the schools themselves. Now, in the wildlife class of these various colleges they have turned out these youngsters and thev seem to deal with the idea that the places are going to land up at high salaried jobs with the Fish and Wildlife Service. Anyhow, I think that the schools should teach these youngsters something more than environment.

Now, I remember your paper at Milwaukee, Pinky, and I was very much impressed with it where I think you brought out the fact that the saturation point was about aeached for biologists and what not and that you suggested that they could go into law enforcement work. Well, I have had men from the wildlife schools with that thought in mind and the first thing I know I find them with no interest in law enforcement and their principal concern is making surveys and such work as that. Now, is that the administrator's fault or is it the fault of the boys or the fault of the schools?

MR. GUTERMUTH: Well, I don't know. I try to keep getting around to find this out. I think all of you know that the institute is co-operating in seventeen co-operative wildlife research units that have been in operation for fifteen years. They reach from Maine to Oregon, Montana to Alaska and on South to Arizona, Texas, and Alabama. We get around to them regularly. I just finished a trip of visiting all of them in the west and as we go along we keep talking about these various things, about how the training program can be better adapted, if that is possible, to the current needs in their future employment circle. I don't think you are ever going to get the idea out of a research man's head that he ought to be conducting research until you can show him that he can contribute to society a great deal more by performing some other kind of activity and it seems to me that all the way across the border with due respect to some of our better states, I still think that we have our standards less on the enforcement end. The standards and levels are too low. They are way down. That is not going to come about by somebody getting up and shouting and pounding the table. Those standards are going to have to be raised and elevated by picking them up by their bootstraps and getting them on a higher plane but I still contend that our greatest employment problem is through the officers of the staff. We have nearly five thousand of those positions in the United States. In other places with all due respect to some of the finest work I have seen done, I worked for many years with an enforcement staff and then indirectly for a period of twenty-nine years, and I have great respect and admiration for the work that has been done, but I think the time is coming for a change and it is a big and important

business. It is too essential to the future welfare of the people of this country. We have to get those standards up. We have to get our business people out there in those public activities of these departments interested. That is where your program is sold. You can do a good job. You fellows around can be the finest job on research. That is not going to solve your problem until you get those people to understand the reasons for these regulatory measures and why they should voluntarily and willingly abide by them and you are not going to get that standard in my opinion until you get the right kind of people selling this idea across the board to the general public.

Now, I just have to stop here because I get wrapped up in this thing. I'd like to back up for a minute if you will permit me, to talk about this big dam project business. To me it is the most damnable thing that is going on in this country. You have a flood like you have had here the other day in this area and I flew over it yesterday and come down here and see old man river coming back and trying to reclaim his rights. We are spending enough money in this country on these damn dams that we could go in there and buy the people out of these river bottoms that we are trying to protect. We have this whole thing here. We have these fellows out here and here's the bad part of it. If this thing were set up on a basis where we honestly and truthfully were looking about the future to ascertain the amount of electrical engineering we must have, the amount of crop production we must have to maintain this job, it would be different proposition but that isn't the way it is working. You have a gang out here who are a part of one of the biggest organizations in this country. The army engineers, the reclamation service with one thought in mind and that is to find a place to build a dam to maintain jobs for those men. You go down to most any of these places. You have a gang out there finding ways to create themselves that job and what are you doing about it? Here we have in the conservation department that I mentioned a year ago ignoring the technical staff, we have in our conservation officers staff about 5,000 very good men and nevertheless we are so damn busy worrying about our little problems that here are those engineering crowd working about here and there and the other place finding a place to build a dam, and they are building up so much local pressure for that dam it can't go but one way. The people are going to push that appropriation through and it makes no difference whether you need it or not. In Colorado they have the Water Board that says that those guys can't do a thing until those guys approve it. That is one place. Here you have all of this other stuff going on. You are digging deeper and deeper in your pockets every year. I am paying more income taxes today than I was making then and I am living worse. I can't get all of these things and why -- because I am paying for this damnable kind of a big monstrosity around this country destroying more than you in your conservation efforts can ever bring back and I say here is about the time to think about the problem of organizing these forces, finding out why it is these guys are here trying to bring up the local

pressure for a new job for themselves and building a backfire and stopping some of that stuff. I can't conceive how it can be done differently. Certainly there is a big place for you to go to work.

MR. FEAST: The fact of the case is that the reclamation service is selling their job. That is evident. You read the last issue or rather two or three issues ago in Time Magazine, five pages of that magazine which is probably as largely circulated as any other magazine of that character in the world, five pages devoted to the grand and glorious plans of the reclamation service. They sold it

Now, it is true the game and fish department to a degree have a responsibility of opposing that if it is to be opposed. How can the game and fish departments very much oppose such a program when the average life of a state administrator is three and a half years? You speak of river basin surveys and the men who work on those surveys to assemble data, and to present that data in such a way that they can sell that program to the people in opposition requires experience, it requires judgment; it requires training; more over, you might say it has purely technical biological aspects. When the people sitting in the boards of review, policies in review, when they sit in public hearing and speak against and for these things. You might say that where that water is used for instance, Hollywood, California, and collected in Colorado, a man who sits on those boards of policy and review and if he is representing those agents of conservation that must oppose those measures he must have the experience to protest his opposition in such a way that it will be put over and that requires experience. We in Colorado have trained men on one or two occasions to provide them with the training experience essential to do a good job and just the minute that we get them trained the Fish and Wildlife Service hired them and put them to work.

MR. GOTTSCHALK: To sell something you have to have something to sell and we wish you'd give us something worthwhile to sell.

MR. GUTERMUTH: I appreciate what Cleland says. I also appreciate we need more information but I do feel this. The first thing that we have to have is better co-ordination and a little closer working relations between these field people and the central office. If we only do so much as the fact that here's a gang off working in Durango we will say the least that we could do is raise our eyebrows and begin to find out what that gang is up to. Frequently and in about ninety-nine percent of the cases those guys are just out running over the country looking for new jobs to do and they are completely ignored by the conservation forces. If we happen to hear about them it is just happenstance. Now as to the fact that we need more information, I went on a packtrip with you out near San Juan a few years ago. We went back in looking into some game country and fished a little bit. We found on a stream (indicating) as I recall I never got into anything more than

water up to my knee. We had good trout fish. Today they are going in there with a transmount divulsion. Let me add one thing first. It goes on down a ways and empties into one of these manmade reservoirs down the valley a ways there, seventeen miles or so. They are utilizing that water now but they have a new idea. So now, they are going in and picking that little trickel of water there and taking it up over a transmountain divulsion and dumping it over into another valley to give another guy some water for another purpose. I don't know the purpose. I don't want to know the purpose. If we are so damned hard up that we have to pick up a little stream like that and lift it over the mountain to take care of that I say instead of spending the money that way, let's buy that guy out of the valley out there. I don't need facts for that. I don't want facts. I want some answers to common sense questions.

MR. FEAST: What are we going to do here in America when those dams are full of silt?

MR. GUTERMUTH: The other day I went with some of the boys, one from Iowa is here, he can check me on this, I think that in the whole state of Iowa they have about five of these big dams still in operation. We are acknowledging these big dams today and when the time comes for real need we are going to have about half of our dam sites in this country so there are only going to be about fifty percent efficient if there is any efficiency left in them at all.

MR. RUHL: I think one of the answers to one of the questions we have to learn about is inflation. The reason Feast lost his men was because he didn't pay them enough. The reason you can't get the kind of men is because you don't pay them enough. The reason we lost was because we didn't pay them enough. We must recognize that inflation is here and if we want to have the quality of men that have the qualifications we need to have to pay them enough.

MR. ROBERT.....: Mr. Leahy's criticism of the training incollege is probably in a large part true. Part of my job is to train men to go out and work for the conservation commission. One of the reasons where many of them are reluctant to do game protection work is because they have learned over a period of years that that is one of the poorest paying jobs in the conservation division. They are probably hoping that by sticking to survey and research work that maybe then they can demand a little more money. We have a difficult time training biologists. A man in engineering, graduating in engineering this year, many of them had the opportunity to go out at $350 to $400 a month some as high as $500 a month. At the same time, we have master students not only in the field of wildlife graduating with a masters degree this spring and summer and they are still looking for a job. It is not very attractive. Those that are getting jobs they are getting $200 or $250 for nine months. The president of Kansas State College in a recent meeting expressed much concerned about floods. We were hit very severely in Manhattan, Kansas, all over Kansas. One of the men at the faculty

meeting said that if you men have information, if you have facts to present to the people of Kansas, I want to see them We want to get that information out to the people of Kansas, for or against, it doesn't make any difference to him but he wants to present to the people a fair view of the problem: In our state, the Kansas City Star is the most powerful newspsper in the state. In Kansas City they have built many of their manufacturing plants on a flood plane. They have been destroyed. Now they want dams, they want big dams. The people of Kansas are entitled to information on benefits and the negative side of those big dams. We are ready for that information.

PRESIDENT LEAHY: Dan, are you ready for your talk' I think we had better continue on with our outline of the program. Mr. D.H. Jansen, Regional Director, U.S. Fish and Wildlife Service, Minneapolis, Minnesota.

MR. JANSEN: Dave gave me a blank check on my subject today that has all the dangers of a blank check if you try to write it for more than you have in the bank, why it isn't worth anything so I am going to try to keep my subj confined to a review of our regional setup in Minnesota and try to get you up to date as far as what has happened in the service program in the midwest region.

As you know, everything the Fish and Wildlife Service does now pretty much effects the program of the respective parties. You can't get away from it. We have very much the same objective and ideals. When Dave asked me to come down he asked me if I would be able to tell you what our program would be this year in view of the budget limitations that may be facing you. I thought we would know by the time we had this meeting where we stood but as you learned today, Congress has not as yet approved the bill for the next fiscal year. We know we will start the year with one million dollars less than we had last year plus the curtailment Congress will make. We know there are two amendments, one calls for ten percent cut in funds for personnel service. We have another amendment in the House which says we can only fill one job out of four vacancies. So, we will have less employees than last year. Now, how will that effect our staff here in the region which is in continual contact with your people? Right now we don't know I am very hopeful that we are not going to have to drop any of our men.

As you know, less than a month ago we thought we were going to lose our entire river basin staff. We served each of these men with a thirty days' notice, our entire river basin staff, and it looked like we were going to be high and dry with all the work that we had done outside of theMissouri River Basin looked like it was going to go for naught but the latest dope we have is that that work will be continued and in almost the same way.

There has been quite a bit of discussion here in past meetings about the lousy information setup of the Fish

and Wildlife Service. It is a subject which everybody likes to discuss with me. I'd like to have you know that Congress has also curtailed information on national service another twenty-five percent. I'd hoped this year we would have a regional director who would be turning out information of the type that the newspapers and public would demand. We can't do it. That is for your collective information. I'd like to announce the state of Ohio has been transferred from the jurisdiction of the regional office at Boston to the Minnesota Region and I am very happy to welcome them. We had a visit with him over at Columbus and the reason I think for that was primarily because they feel that they are concerned with the type of work being done by the Midwest Association and not the New England group so that makes our region consist of eleven midwestern states and that also will mean that some of us will get around a little less than we have in the past -- eleven states, seven field projects, with all the other demands, and now I am also representing the three regional directors from Portland, Albuquerque and Minneapolis. It requires ten trips a year to Billings, Denver, Omaha. I personally have to spend three weeks in Washington every year. I can't get around as much as I used to. It is getting to be an awful big territory to cover.

There has been no introduction of the few representatives we have here in the Fish and Wildlife Service. There are represented here states farther south who are ordinarily not considered a part of the Midwest Association but part of the Flyway Council which met yesterday. I'd like to introduce those men who supervise that work out of the Minneapolis office. We had quite a bit of discussion on the federal aid work so I am going to introduce Sam Jorgenson, and there is, I believe I'd like to introduce the Federal Aid Supervisor, Carey Bennett from Albuquerque. I am not going farther in the Federal Aid work. We covered that very thoroughly.

River basin studies. I'd like to explain one little point there. It is clear to some and apparently entirely clear to us. All of our river basin studies in the Missouri River Basin area is supervised out of the Billings office. We have Bob Dugal supervisor of that work. He is supposed to be here but I haven't seen him. He is going to be down. Everything in the region outside of the Missouri River Basin, that is the river basin work, is handled by Tom Shader from our Minneapolis office. He had been laboring under a considerable cloud during the last thirty days. He didn't know three days ago whether he had sufficient security to warrant coming down to this meeting but we were advised three days that it looked okay and to come on down. Some of you knew Jim Kimball from South Dakota. He is now Tom Shader's assistant in our organization.

Now, as far as our River Basin studies, I am not going into that except to say that for the benefit of the states further south, we have a small but intensive study of

the pothole and small drainage in the northern part of the region, that is eastern South Dakota, eastern North Dakota, and western North Dakota. As you know, the number of federal aid bureaus in the Department of Agriculture have been encouraged. Their production and marketing are building many farm ponds farther west. Their argument recently has been that we destroyed farther east is what we made farther west. Now, even if this were true in the total analysis it would not help those states in the Mississippi Flyway very much, possibly very little because the birds that you get as far as those raised in the United States are raised in the section from Wyoming; their habitat is disappearing very rapidly. We are all for the stock pond program which is producing more ducks. The Soil Conservatio is very anxious to find out what is good and what is bad. We'd like to give a foolproof formula. I don't know that we could come up with anything that easy but maybe something will come out of this study that will be of some value in saving habitat. Those small water areas, our national wildlife program is supervised by Francis Gilles who is not here.

For the benefit of those states that do not have wildlife refuges in your state or in the making, we are working on two stone construction projects at the present time. We are limited by congressional limitations and presidential policies to the extent that our construction program is practically at a standstill.

The game management branch is headed up in our office by Flick Davis. I think most of you know him. He is responsible for handling the enforcement work. Our migrator bird degredation work. He is responsible for organizing our winter count in our region. Sometimes Fred Lincoln prefers that best. He helps out with carrying on breeding count studies and compiling our kill records to go with our flyway biologist and that latter part of the job is the one which we discussed quite a bit yesterday as maybe should be handled by a flyway co-ordinator. I don't know, but that is a weak spot in our office. We do not have enough personnel to handle that. I might add that a number of new enforcemen officers this past year are not located in any one spot. They have a headquarters but maybe one or two to the state but they are used a great deal for the purpose of concentrating them on the hotspots, they carry on work in Alaska and other sports like that.

The game and fish and hatchery program. As you know, Cap retired as of last week. Those of you who are old friends of Cap and want to catch up on his condition, he had a cerebral hemmorhage, was in the hospital about six weeks. He is home now, can see visitors, but Cap is definitely out of the picture. His physical condition is pretty bad. His place was taken by Ernie Rogers. Ernie will be around to see you people in the various state departments and discuss your different problems, but he has had a tough time since he has been here. Since he has been on the job we have had four hatcheries completely lost, two lost twice everything and we have a construction program; we are trying to finish

up moneys appropriated last year so he has his nose right to the grindstone trying to keep things going. The two warm water hatcheries which are the biggest suppliers for the farm ponds in the southern part of the region were completely washed out by the Mississippi flood and then a flash flood which after we got these ponds into shape they were washed out again. Our Manchester trout station was completely washed out and on which we had worked for years. We worked on special kinds of trout and had them all separated but during the flood they got all mixed up and we lost about half of them. The water rose just entirely too fast. Our new hatcheries -- somebody asked me if I would mention what we are building in the line of hatcheries at the present time. We have the McNenny trout hatchery in western South Dakota in the Black Hills. It is largely trout. Half a million legal size trout is just about completed. It has a very fine water supply, was designed for legal sized trout. The New London Hatchery, Bold Hill Dam is complete in operation this year. We are adding too a warm water hatchery at Hebron, Ohio, which is adding about 37 one-acre ponds. The only other station is the one at Pendels Creek in northern Michigan for the purpose of rearing lake trout. I will say this that we probably won't be able to fill our lake pond applications this year because of the damage done to our fisheries. Our engineering section was entirely reorganized this year. Art Huey's place has been taken by Bob Dugal from North Dakota. Our engineer who has to do most of the contact work is Woody Thorensen but you may get other engineers from our service at times inspecting these projects.

I have only one other point I want to discuss here and that is the question of recruiting because we have taken a lot of state men and I believe well qualified state men to our organization in the past few years but keep in mind that we have to go to Civil Service Registers for our employees. There is about two ways that we can get employees in our organization. One is by employees who were formerly in the federal government and reinstating them, or new employees on the Civil Service Registers and if your men take the Civil Service examination and they are on the top of the list they will be offered the job and if they accept the job, we will probably hire them if they are suitable for the work. That is the only source we have. That is the formula. If you want to discuss that phase I will be glad to discuss it or anything else I had to say.

PRESIDENT LEAHY: We have run overtime about fifteen minutes. The secretary has asked me to again announce that we will have a cocktail hour at 5:30 and your banquet will be at 6:45.

MR. FEAST: I am talking for the benefit of you men that were in the Central Flyway Council meeting yesterday who voted on several issues. I talked to Al Day about an hour ago with Dr. Lincoln. We discussed the proposal and request of the Flyway Council yesterday requesting the 7 and 7 bag and possession limit on ducks instead of a 5 and 10 under the provisions that if it is less than 7 we will recommend a 5 and 10. Al Day said that they couldn't do that

this year on account of the complications with the Pacific Coast Flyway, that it could be 6 and 6 if you care for it bu this year not 7 and 7. Well, I said we will accept the 5 an 10 in accordance with the resolutions we adopted yesterday and I wanted to advise you of that in case you hadn't contacted your own commissioners or written any letters on that this year. The bag limit on ducks and the action of the Fish and Wildlife Service, the bag and possession limit will be 5 and 10. The legal action hasn't been taken care of as yet.

MR. MARION: I'd like to meet with Mr. Willard and Mr. Cramer. I hope if any of the states have any resolution they will give them to one of the three of us.

PRESIDENT LEAHY: We will stand adjourned until tomorrow morning.

.....The meeting adjourned at 4:45 o'clock p.m.

SATURDAY MORNING SESSION

AUGUST 18, 1951

The Saturday morning session of the Association of Midwest Fish and Game Commissioners convened at 9:30 o'clock a.m., Mr. Dave Leahy, President of the association, presiding.

PRESIDENT LEAHY: Gentlemen, let's get the meeting to order, please. I think this is the period where we will have the panel discussion. The leader of the discussion is Mr. Richard Eggen of Kansas and I will just turn the program over now to Mr. Eggen.

MR. EGGEN: Mr. President, and delegates: Six states of the Great Plains Region met as guests of the Colorado Game and Fish Commission in Fort Collins, Colorado, for what was called the Great Plains Wildlife Planning Congress. These six states included North Dakota, South Dakota, Colorado, Wyoming, Nebraska, and Kansas. This conference was held as a technical conference on the problem and problems concerned with cover restoration. It was conducted in conjunction with the wildlife management school and the Colorado Dam and Fish Commission and was a very successful conference as far as technical problems and cover restoration are concerned. We discussed a good many of the problems that cover restoration. We had some very fine speakers and knowing these problems that we discussed were such things as the possibilities of wildlife plans within the Great Plains Regions, locations, design, species that were adaptable and suited our purpose for wildlife planning and last but not least, probably one of the most important as far as cover restoration goes, planning and care of the shrubs and trees for the species of plants that we use. We found even though we covered technical aspects on the program pretty well that there were certain problems that came up that were not of a technical nature but rather of an administrative one.

It was with that in mind that we in Kansas began to think along the lines of cover restoration programs when we began planning a program for this meeting. We felt that there were some problems that could be very well discussed among the administrators of the various states so I got busy and wrote letters to each state and each province concerned with this midwest meeting and asked for suggestions on topics that possibly would fit into a panel discussion. I was gratified at the returns I got. Most of the states came back with more problems than could possibly be covered in one of these meetings. However, I decided that possibly the best way to handle it would be to divide states up into groups, groups whose problems possibly were the most similar. Therefore, I took upon myself to make that division among the states and I selected two states from each region and wrote those states asking that they appoint a member of their staff to serve on this panel. In some cases I received the information that they wouldn't be present. In other cases I received information that they would be tickeled to death

to have a place on the panel. At any rate. I wound up with a pretty good selection of states; I believe states who have had enough experience in cover restoration and problems of cover restoration to give you a pretty good program. Now, we have on the program this morning Mr. Ruhl of Michigan; Mr. Steen from Missouri; Mr. Feast from Colorado; Mr. Beckman from Iowa; Mr. Ager from Nebraska; Mr. Huston from Minnesota; and myself, Mr. Eggen, from Kansas. Being that I was the person who arranged the program I arranged it so I would be the leader and could sit down and all these people could talk.

So as to give you an idea as to how we are going t run this thing, it was decided possibly that we would have each state give you a very brief resume of their program, the progress of their program, and probably outline some of the problems that they are confronted with. After each stat on the panel has had their say we will have them one at a time get up and restate their major problems then the panel members and audience are free to discuss with them their problems and we hope that the audience will help us along on this thing and throw a lot of questions at these panel members. They are all experts. They can solve your problem for you. Now, we will start out, we have a lot to cover, so I will turn over the microphone to the man closest to it, Mr. Feast from Colorado.

MR. FEAST: As I interpret the program, the discussion is to be informal so consequently I didn't prepar any paper. Colorado is a combination plains and mountain state. The central part of the state of Colorado is compri ed of high mountains, of 14,000 mountains sloping to the wes so we consider that the central and western part of the stat is all mountains. To the east the mountains drop abruptly and the eastern third of our state is plains, similar to western Kansas, western Nebraska, and the other plains state

The particular kinds of trees and shrubs to be used on the Great Plains is still a comparatively unknown subject as regards their all-round utility for game bird cover and food, and for hardiness to the semi-arid climate. Certain species are being used, of course, which have proven their adaptability to the climate, but the search for and experimentation with better kinds may go on indefinitely.

Perhaps one of the most difficult problems encountered in this work was the securing of large numbers o seedlings of the species desired. As a general rule, the kinds which have been used were not grown in quantity by nurseries so this limited the kinds and numbers of plants which were planted the first two seasons. Attempts were mad to interest nurseries in growing quantities of certain species and in some cases seed was provided to them. Howeve for various reasons the seedlings did not grow well and beca use the remuneration was greater in ornamental stock, most o the nurseries declined to continue with this phase. Therefo in order to adequately carry on the programe, a 30 acre plot was rented this year in which prepared seeds and cuttings were planted which will provide part of the necessary seed-lings for the following year.

We grade our species according to qualifications. One is the food value of the plant its value as wildlife cover; the third, value for drout resistance; fourth, ease of transplant; fifth, availability.

In our state, most of our efforts have been limited to the low shrubs. Siberian Buckhorn is extremely drout resistant. It is fair on transplanting. It is only medium as far as food value is concerned but is free from disease. Caraganian (,) transplants fair; fair food value; drout resistent, but yet it requires some disease treatment. We are keeping an evaluation record on every plot so that we can determine as near as possible the value of the planting. Records are kept on every plot and posted in the field notes, that permanent book which gives the location, the species, and planting dates and replanting dates; dates of cultivation and other pertinent information. The method of evaluating the planting is done by one man staking off a 100 foot plot. Permanent stakes are placed so that the same plot can be evaluated each year.

Now medium shrubs, we have tameric, medium shrubs, tackberry is our best for food and it is excellent for cover. Wild plumb is only a medium plant as far as for wildlife. Russian Olive is fairly good for tall trees and windbreaks but it is shortlived. It is drout resistent. Macberry is slow growing but once it gets started it lives a long time and is an excellent tree and we use it. Chinese or Siberian Elm is a fast grower but short-lived but due to the fact that it is started quick, looks nice, we give them a few plants to encourage their interest but as far as our studies show, it can't stand too much moisture.

Our equipment that we use. When I first started we bought a cotton planter pulled with an Allis Chalmers B tractor. We found that planter was not too good and we find that we have developed our own type of planter and to meet the requirements and the job we have to do in Colorado especially we have one planter that works very well for single row planting and replanting and it will replant a tree within three feet of a three-foot tree or shrub. Up to date our tree and shrub planting activities have cost us about twenty-five cents a tree or shrub. Now, since we have worked up this program with the Soil Conservation Service and have cut out all non-cooperative farmers and since we have increased demand by farmers willing to do the work, if we can provide the equipment and the trees we believe we can cut that down to about seventeen or eighteen cents and if we can do that we may be convinced to continue our program. I don't know. I am not too entirely sold on it. What we have done is still a drop in the bucket compared to the vastness of those Plains over there audit is a drop in the bucket compared to what is being produced and burned as far as land and weeds are concerned. Perhaps maybe twenty or thirty years from now the result of this work can be shown but I have my fingers crossed because all of that work that we are doing has to be done on private land because there is no public land out in our Plains area.

Land is bought and sold and the man who plants the cover plc may be interested in it. He may see tremendous values in it Such a man who is farsighted may sell that property to a mar who is not farsighted. He is looking for his days of profit Maybe quick profit for resale. Those are risks that we have to run. The way I look at it, the planting techniques are yet not so important as the development of a program and a relationship that will have some permanence. Unless we can do that, unless we can get guarantees, I don't believe the game and fish departments are warranted in going much beyonc this supplying of equipment and planting stock because of th small scale, the small proportion of the areas in porportior to the millions of acres that you have that are under simila project development.

MR. EGGAN: Thanks, Mr. Feast. I think possibly t compare with Mr. Feast's question of the life of the cover restoration program, next we will ask Mr. Steen to give us a few of his comments.

MR. STEEN: I think perhaps it would be well to outline briefly the problem that exists in Missouri in attempting to maintain and improve wildlife in the state of Missouri and then to outline for your consideration certain basic principals on which we operate over there and which determine the sort of program that we have in effect and prosecute for the purpose of maintaining and restoring wildlife habitat. The state of Missouri may for the purpose of this discussion be divided into two areas. The northern half of the state and a portion of the western side of the state are primarily prairie lands. They are agricultural lands and lands of relatively high fertility. I say relatively high, I mean relatively high insofar as Missouri goes. Now, those lands are under rather intensive use and the intensity of the use is increasing the area. The primar problem in that section of the state is one of cover.

Down in the Ozarks, however, we have lands of relatively low fertility, primarily forest lands. The probl in that area is primarily that of food and our experimentations indicate that it is primarily not so much of quantity in the food supply as of quality in our food supply. We have considerable evidence to indicate that there is a deficiency in the property that produces food in that area and that anywhere which tends to develop more plant growth of high protien producing capabilities is most valuable. I think I will discuss that a little later. I just wanted to say here that in the light of recent development in our fiel I think it might be well for us folks to sort of follow this idea of that protien is perhaps more important than we have given it the benefit for heretofore. Now, those are the basic problems in our state but there are other problems als

There are practical as well as theoretical limitations in the conduct of any program that you attempt t apply on a statewide basis. One of the important plants tha we are using in the habitat restoration program is the multiflorarosa. Now, I don't want to be misunderstood in what I am about to say, so please follow closely but as a

game manager if I had my choice of plants I had to put on your place and Farmer Jones knowing that what I put there would be permanently installed that you would leave it alone that you wouldn't burn it, that you wouldn't graze it, that you wouldn't mow it, that you'd just leave it there for wildlife, if those were the conditions, I wouldn't choose multiflorarosa. It is my personal opinion that arboreous plants are much more valuable to farm grain than woody growths but regulating the practical limitations under which we operate, I think under which all of you must operate, we reached the conclusion in Missouri that rosamultiflora is much the most valuable plant we can use for the simple reason that it can be put in place and will probably stay in place for the use and benefit of wildlife. It will stay in place because it forms a fence and farmers need fences. They find the plant useful in agricultural economy in the planting and operations of their farm and therefore they are willing to use it.

Now, a good many states have embarked upon this program with the philosophy in mind that the state as such is going to conduct or should conduct the habitat restoration work with its own manpower and itsown financial, resources. That may be practical in some states, perhaps that have relatively low wildlife production and a very high intensity in values but it is completely impractical in the state of Missouri. Let me illustrate. As I said many times and I'd like to repeat here, that two of the most valuable management tools we have is the pencil and the tablet and a manager who conducts any program such as this can spend profitable time figuring out where he is going, what he has to go with. Let's assume that I set out to put a half mile of rosamultiflora fence on each farm in Missouri and that would be desirable because we need that much coverage on each farm in Missouri. Let's assume that for the purposes of this discussion that is going to cost $200.00 per farm. Now, we have roughly 240,000 farms in Missouri. In other words, that program would cost approximately $50,000.00. I am a manager and I have a pretty good budget. My budget as chief of the Fish and Game Division is roughly a million and a quarter to a million and a third each year. Out of that I can squeeze out a quarter of a million plus for wildlife habitat work. Well simple arithmetic tells me that by using a quarter of a million dollars plus each year, I can put a half a million of rosamultiflora fence in each farm in Missouri in two hundred years. We haven't time to wait two hundred years and anyway, at the end of the first fifty years I'd probably have to start all over again. We have to find a device that agriculture will use that the farmer will put in and place on his land because he finds it desirable to do so from his point of view. That is the only way as we see it that we can hope to put habitat restoration or improvement into place to such a degree that it would have any particular value upon the statewide picture. I will cite one other instance to illustrate the point here. We made a brief survey in the northwestern part of the state to determine how fast cover was being removed from the land. In other words, we checked on how fast environment was being reduced, what we were actually using and whether our efforts

as a commission might offset. We found as I recall it that cover in that area was being removed approximately twelve times as fast we we could put it back of our own efforts. In other words, we need to sell to the farmer who is taking that cover off a program or a device that will encourage him to put it back.

I have another idea I want to give you. I just figured I have a quarter of a million or a little better to do this job. Now, the cash income from agriculture in the state of Missouri has exceeded in recent years one billion dollars. Gentlemen, you just aren't going to get the job done unless you find something that will fit into that billion dollar incentive and then you have a device. Down in the Ozarks we find that the improvement of a small tract of land an acre or two, a plot in the wood that was once growing wild, the improvement of that little acreage for the addition of lime, fertilizer, and high quality plants such as clover and other legume plants and high quality grasses leads to immediate results in the wildlife populations of that particular area. In other words, you can take one-hundred and forty or any amount of acres and we can improve an acre or two within that particular acreage by intensive development of one or two acres, now this costs $25 to $50 an acre to purchase the materials needed to result in the improving and trapping of that wildlife carried by that hundred acres. As far as we can determine and I might add here it is not proven, it is pretty largely a theory of my own, as near as we can determine, the primary reason for tha increase in wildlife population is the high quality of the food that is grown in that acreage. Now, in that area that 100 acres of low fertility we have primarily arborious production. Such food of high quality as is found there is confined perhaps to a few berries or perhaps a few native legumes that might persist there but when we put the lime and the fertilizer into this area and we give them mustard grass and crimson clover and the rest, we get results. Apparently the land has adequate supplies of protien, calciu perhaps. I want to point out particularly protien and certain grass elements are keen factors in the nutrition picture in that particular area.

Well, getting back to where we started in, we use as our sole devices the sort of thing we can sell to agriculture because agriculture finds it profitable to use these devices. We started out with the farmer pond and Missouri has through the years and still has the most extensive farm pond program in the nation. We have more tha 100,000 farm ponds in the state. We can stock mor than 300,000 farm ponds with fish. Now, most of those ponds are built to certain specifications. Not all are good but a great many of them are good. The water sheds are fenced in, and some food is provided there. We use the rosamultiflora as one of the devices. We produce five to seventeen million plants in our own nurseries annually. Our objective is ten million if we can make it. Last year we went as far east as Massachusetts to get rosamultiflora stock and that wasn't suitable and didn't pan out too well but it simply shows the interest in the program.

Now, the interest has been generally in the use of our devices and our personnel, our equipment and whatnot in demonstrations on project work. We don't believe that by our own resources we will restore wildlife. We only promote it. We try to pyramid our efforts. If we can get five to twenty-five, one-hundred fifty thousand farmers working for us we are going to go to town but with two hundred thousand a year fighting a million dollar incentive, we are not going to go to town. We will continue to lose interest.

We use one other device, one other plant. We use the lespedeza. Last year 150,000 mixed with some red canary grass in lots of ten pounds each. We have about 125 counties in the state. That is roughly 125 -- 10 pound bags going to each county. Now, this seed is planted, is given to the farmers who desire it and will put it in place primarily as an erosion control measure. It and the red canary plants are very effective plants. Now, these are our arborious plants and you may wonder why they fit into the picture and why they are burned or grazed or destroyed. Well, the farmer in Missouri hasn't accepted sericea lespedeza as a legume, a long lifed legume, very valuable in erosion control and in rebuilding soil but it has a rather high tanic acidity content. Now, in the spring of the year it is not too high and in some cases livestock may graze it if they don't have other plants more palatable available but generally during that period of the year we have our greatest production of palatable plant. Livestock doesn't bother sericea lespedeza. As it gets higher it becomes more woody and it is just so bitter the cattle leave it alone. Well, the farmer hasn't discovered that he can make good hay out of it, the cattle don't like it, about the only thing that ever bothers it is fire and the only time it is bothered is in the wintertime because during the summer it is a pretty heavy green growth. Unless it is fertilized it takes three years to get going. The first year you scarcely see it. The second year it grows up. About the third year it really gets to growing, furnishes some food, wild turkeys are seen in a very limited degree, is an emergency food but he may learn to use it as he has learned to use other foods.

We have the farm program. We have the lespedeza program. With the latter we are putting out 125 -- 10 pound bags per county. That couldn't add up then if those things go into place to at least 125,000 wildlife plots in each county and that ten pound bag is underseeded into two or three different places so it is considerably more than 125 such plots per county. We sell five to seven million rosamultiflora to our farmers. I don't know how many they buy from the commercial operators. I know they buy them out annually. The farm program I have covered. These are the devices we have developed so far.

Now, they are not the only devices that theoretically are good in a wildlife habitat restoration endeavor. There are many other things that are valuable from the biological point of view. Perhaps there are more things

that are more valuable but from the practical point of view but these are the effective, the valuable devices. Our primary problem over there is to find some plants or device that will tend to improve wildlife environment and which at the same time is found acceptable useful and desirable by the man who owns and operates the land. We think you have to have that combination, otherwise you are wasting your time and your money and we haven't completely found the answers in the Association but we do believe these devices, this technique that we speak of of using the development of limited acreage for high quality plants salable to the operator, the land operator in that area also because of what it will do for wildlife it will do for his domestic stock, and one of these days he will discover that he can double and triple the carrying capacity of his little 140 acre farm in the hills and when he does, I think we will ge the job done. Briefly, that is the Missouri program. I wa to repeat here that I think personally it is most important that we recognize always the practical as well as the theoretical limitations of a program of this nature.

MR. FEAST: Could I add a few words to my discussion? That in my opinion demonstrates the two extrem of our planning program. Missouri, a rolling country, in some sections hills, and harbored forests in other sections and Colorado, a heavily wooded country and lots of cover. In western Colorado where we are confronted with the cover program we have available about 300 miles along a 350 mile wide spread where it doesn't have a tree on it. It is a short grass country, low on rainfall and high winds consistent winds, it covers up a lot of the cover and multiflora-rosa won't grow out there. The farmers don't want fences because they won't grow. What they want is tall trees as a wind protection which in our observation is yet rather questionable as far as spending that money on wildlife and we find low shrub and cover of that type it occupies space that they need at least for agricultural production. So yo see, I want to rediscuss this thing again between Missouri which is down at the low end of some of the waters that start in Missouri, Colorado in the upper altitudes you have all the wide streams, about as wide a stream as you could have in the restoration program.

MR. EGGAN: I think already in our discussion, on of the major points or one of the major reasons for which we selected this program has been brought out very well. It has been brought out that possibly we have in the Midwest Association some of the widest kind of differences in our planning programs. We have, as Mr. Feast pointed out, the high, dry, bare plains and we have the contract of rolling hills, wooded hills, and grass of Missouri, and the differe ces are very great and now I think it would be wise if we would move on farther north and hear a few of the problems of the northern section and I think we will ask Mr. Ruhl to start off for us.

MR. RUHL: I have been trying to take some notes so as not to repeat certain things. I think fundamentally the approach that Mel has indicated and the trends that Fea

has indicated towards pyramiding your efforts is a fundamental thing. I think we are all faced with the same situation. At the price for hunting licences you can't do the job yourself even though shells keep on going up and P.R. keeps coming in. You will have to find ways of integrating your problem and making it a part of the land uses where for the thing that the landowner is interested in.

Now, there are two or three things I though I'd like to mention. I am convinced that the habitat improvement program is one that is rapidly becoming more popular as far as hunters, fisherman, and the public is concerned. I think it is going to put pressure on us to do things bigger and better and faster than we know how to do them well. I am not pointing at anybody any worse than myself but I think we might just as well realize it. We are going to have to find out on sample plots, experimental tracts, areas and try a lot of things that we now are convinced that aren't practicable to keep from being forced to going on a bigger scale. In other words, if we have a specific experience to go back to we tried to devise then we can keep it either directly where we think they ought to go and where they would be the most profitable. We had American Elms. Fred Westerman when he urged his requests for steam improvement requested the legislatures, insisted on adding 150 to 200 thousand more. He was already stretching his head to find the men to mind the man to do the job on the stream to be reasonably proud of. We need to be looking forward and developing personnel who have the experience and the know-how and the stability. We should be starting now the trend for the job that might be necessary five years from now. In other words, I am coming back to know what the limitations are for each species. In most cases they found they believe in the protein availability as a limiting factor. Therefore, they are proposing to work on that limiting factor. Perhaps when that is taken care of that limitation on a higher level will need to be worked out. The second limitation may not be too important because he has corresponded now the more important factor.

Now, there are some other specific devices I would suggest. There is the illustrating of how to pyramid your efforts integrated with the interests of the landowner. We have rosamultiflora plant on much of our soil in Michigan. Well, it will grow, make a fence, not as fast in Missouri or Iowa, but it will grow and make a fence in some places. Some places it will not, so we have difficulty of finding the limitations of something which works fairly well in our own states, to our own improvement, to our own peculiar conditions because nothing could be worse than overselling something which kicks back and the farmers have no confidence in our judgment so that is one of our problems. The rosamultiflora will work some places we think, yes, some places we are convinced no, and quite a lot of them may. The same thing with lespedeza.

One of the things that we found that worked surprisingly well in our southern agricultural area is the Christmas tree. Now, that probably wouldn't work maybe in

other states but we have odd corners. Remember, our land ha been turned up and mixed around to completion and we have od corners that are not too productive and many of those have the erosion problems too, too steep, we are finding that a lot of people are making a profit of growing Christmas trees pines, spruce trees. There is a ready market, make a fair return, and if we can get them planted far enough apart so they make nice trees, there is also some grass in between. It will not be grazed or burned. We are getting a very excellent increased interest of farmers in Christmas trees. As a profitable by-product on which they are glad to make an account to their wife, etc. An interesting thing comes about the time that it is right to take them for Christmas trees, the wife persuades them to let them stay there because they are so nice. That has actually happened. Their neighbor goes by and he sees these things and says, why do I burn that area every year, I could cut off the weeds and things of that kind and do likewise. So one of the ways that we think we can get pyramiding is that the man who sees his neighbor friend do something constructive he ceases burning or draining a perfectly natural and useful unit on his own land. We know it is true.

Another way that we have tried and I am sure others have tried it too, pyramiding with the Soil Conservation and other various local units. We have a working arrangement or agreement with them in which we attempt to pool our interests. We coach their farm planners so that at least they understand our problems and they in making their regular farm plans are seeing and promoting opportunities and conditions which are beneficial to a wildlife standpoint. We are embarrassed because the thing is growing faster than we can handle it well and they are asking perfectly good questions that we haven't good answers for. Again, the need for research.

We started out with the idea that on farm land the owner of the land is the man who could do the management most effectively, most economically, and that we could only supplement advice with the agreement and the farmer does the work that if we goet into the agreement of nurseries and nursery stock as to how this thing goes. We had the hardwood nursery and a commercial timber nursery. They are in the northern part of our state because there is where most of the state owned land where those species would be located so we supplement those by purchasing from the commercial nurseries. When we get a perfectly good order from a place, why a commercial nursery over orders us. He didn't have enough for our orders. He gets if from another one and the Missouri farmer got them, so its too late and we didn't get it. It is a minor one. In order to get this farmer to do a good job we ought to bring the whole pack that he is going to plant at one time. If he gets a few today and a few tomorrow he is liable not to do a good job.

Another thing is to get them in early before his major planting program picks up. He is more interested then That is a problem that exists. In addition to our own, we have worked with the state college because they want some

nursery experience for their wildlife students. At least they won't stop with the multiflorarosa etc., so if they can have a contract from us they can assure the wildlife food and the wildlife students get some background to use in their learning. We should be able to tell them ahead how much we need and this is a good way to bring other people in the picture.

In our state college they are entertaining farmers at conventions year in and year out and we think it is more effective to have some county agent to say it is a good idea better than our own man. If he repeats it long enough he will not be mistaken.

It is important that we try to get sportsmen interested as another method of pyramiding our efforts so we say now this is a three way contract or obligation. Department and sportsmen, landowner, now we have furnished the material and took a plant as agreeable and on the contract the sportsmen go out and do the work, they certainly would take the curse off this tresspass problem but the answer is that the sportsmen is never interested in our problem except three days before or after our hunting season. It didn't work very well. It boiled down to a committee or a fraction of the committee doing a lot of work and getting some good experience but you know, unfortunately, the planting season came just about the same time as the opening of the trout season and having to wait all winter to catch some trout they just couldn't forgo that pleasure and do some work and that is understandable. A good many, however, will admit that it didn't work in their club. Therefore, they are convinced if we had to raise the license fees, they would do it. It didn't work very well. We had a few cases where leadership in the club was good. It was a flop as far as getting work done but a handy thing to point to them to get them to go faster.

I don't know that I have too many other things to say. I tried to hit the highspots Somebody mentioned a tree planter. We have been worried about deep furrows. Deep enough so fat men have trouble getting over them. We have been working with the Forest Service. In getting the Forest Service interested in our specific problem gives us a very excellent opportunity to discuss a lot of other problems which are mutual and in our state we don't do very much on public owned lands. We don't care whether the land produced timber or game on the land, we want to do the best for all our cutting, all our planting, is a continuous activity. These plans are approved by us. We can negotiate for game. That raises an awful lot of questions not only of what you get in game with this device in activity and what you lose and what is the balance and I think we are going to have to do a lot of things on the farm, get some experimentations set up. Primarily the job is to find out what we can recommend that does fit into the program. Not being pessimestic or discouraged too much you know the fine things that we do find that were acceptable and economically outlined are much shorter.

I am not discouraged. I think the old story illustrates something like this. The old story of Fireston and Edison were talking and Edison at that time was working on the dry battery to replace the wet battery. Firestone asked him how he was coming? Well, said Edison, I haven't found it yet but am getting along fine. What do you mean, you are getting along fine but you haven't found it yet? I have 3,267 now. They don't work. I am just that much nearer.

MR. EGGAN: Thank you, Mr. Ruhl. I think next we will ask Mr. Huston of Minnesota to give us some of his views.

MR. RUHL: Gentlemen, as a result of our correspondence with the Kansas Department we selected a top which was of particular interest to us in Minnesota and whi I trust will be of interest to you people. We in Minnesota have discovered numerous stumbling blocks in connection wit game cover planting work; hence, this topic, "Value of Selling the Idea of Multiple use of Plantings for Purposes Other Than Wildlife, are in Many Cases, Necessary to get the Plantings Established."

When our cover planting project was first started in 1948, some of the first farmer contracts made by our fieldmen happened to be in a locality where pheasant crop damage (mostly on sprouting corn) had occurred for a couple of consecutive years. This same area also was one in which game cover, especially winter cover, of a permanent nature was almost entirely lacking. Although most of the farmers contacted indicated their interest in securing planting stock for use in establishing windbreaks, shelterbelts, or living snow fences, their attitude changed abruptly when the comment or suggestion was made by our fieldmen that the plantings would also be beneficial to game birds. In fact the reaction of some farmers was almost violent and to the effect that they would not plant a single tree if they thought it would help the pheasants. As a result there were a number of "no sale" contracts made in such localities.

From this experience, our fieldmen quickly learned to sound out the sentiment or attitude of the individual farmer (or locality) and to follow the line of interest in planting which seemed to be the most attractive to the individual farmer (or locality). This course result in our being able to secure planting easements very easily.

We also encountered resistence to wildlife cover plantings, surprisingly enough, among our own Division personnel such as game wardens, area game managers, and in addition, County Agricultural Agents, Soil Conservation Service personnel, and local sportsmen. Because of their position and influence in their respective distrits, these individuals were often Key men in the reception given this program. Anti-wildlife cover planting sentiment among these individuals in most cases was overcome through stressing only the other values that accrued from permanent cover pla ting in areas where such cover is badly needed.

A study of reports and records covering the cover planting program during the past four years the project has been underway, made it apparent that most farmstead plantings have been started as a result of emphasizing the multiple-use principle rather than wildlife benefits.

The various types of farmstead plantings established under our permanent cover planting program have been classified as follows: Windbreak; shelterbelt; woodlot; fence line; living snow fence; erosion control; wildlife; fence corner; ditchback; bare or rock knolls; random.

In an attempt to evaluate the success or benefits of the permanent wildlife cover planting program to date, survival check data are currently being secured by fieldmen. Representative counties (selected on checkerborad basis because of limited personnel and comparatively short working season) are worked 100 percent. That is, every plantation established under the project is visited and checked in the assigned counties.

Briefly, that sets out the experience that we have had. As was mentioned by some of the previous speakers, in the beginning of 1946 we started out with the noble idea of not only furnishing the planting stock but we would also plant it as well. That lasted about a year and sparsely into the second year and we discovered that our generous efforts were more than we could carry out and if we were going to succeed in getting any large number of trees and shrubs and plants planted, we were going to have to rely on the individual landowner to do it. Since that time we devoted all our efforts on the desire of the people to participate in the program with the idea that if they are going to furnish the soil they are going to prepare, they are going to plant the trees and if necessary it is up to us to bring the planting stock during the proper season, to check the planting so as to see that it is put in properly and to follow up and see that it is sufficiently cultivated and protected against burning, grazing, and otherwise being destroyed. Our 1951 planting work was carried out in a total of 65 counties of the state which approximates about two-thirds of the total area. We had a total of 1,703 cooperators. These cooperators planted a total of 1,208,000 trees, shrubs, and vines which gave us an average of 726 pieces of planting stock for each and every cooperator. Our 1952 program is being boosted up and we have a goal of 3,000,000 we are going to try and hit. In order to do that we are going to have to purchase an ample amount of planting stock and like Mr. Ruhl, we have ran into difficulty of not being able to purchase it from private nurseries because of the fact that some other state or individuals from other states have beat us to it and embarrassingly enough, right in our own state by the time we got around to contacting our own nurseries to buy planting stock we found that South Dakota had already gotten there first. We went as far east as Ohio, which is rather embarrasing, but it is one of theose things that we have to contend with and where we find we have not been sufficiently

farsighted. This year I am going to try and do better. I was talking to one of the boys Thursday morning and checkin on his contact with the local nurseries and he said he contacted a few of them the first part of the week and foun that South Dakota and North Dakota have already contacted them and we may have a little trouble so that just shows to go you about that problem.

There is one point I want to emphasize. Individu farmers are purchasing planting stock constantly and in combination with our Forestry Division which is a part of t Soil Conservation Service. They distribute somewhere aroun 5,000,000 trees so a total planting for the state will probably approximate about 10,000,000 a year but we have been emphatically informed by our commissioner that it is his desire that we hit a peak of 50,000,000. I don't know whether I will live long enough to see that happen but it can be done.

Nothing has been said here about as I recall abou the arrangements made with the landowner. In Minnesota we received on this plan we required that the property owner give us a twenty-year easement and in this easement it is provided that he will prepare the soil, plant the stock, take care of it and if necessary, fence it. This is the only guarantee we have that the farmer will comply with our regulations and take care of his stock. Although I might add that for the most part the cooperation that we have had with the farmers has been excellent. There has been a few cases where the boys found that the man did not like the contract and it is still a mystery to me as to what actuall happened there. I don't know whether the easement was obtained by some local sportsman of the club or by one of our own field personnel but in any case the someone did a sloppy case of selling the individual in the first place and didn't size up the man they sold it to. Where we have community made up principally of landowners and not so much renters there we find that the cooperation is almost one hundred percent. They are not only planting the stock but they do a good job with it. They have the soil properly prepared, cultivated, and they are proud of it. A big percentage of it is being put in as you will note from the breakdown I gave you is windbreaks, but even windbreaks whi are put in primarily for the farm building and livestock, are highly beneficial to wildlife, especially to pheasants. Cover is our great problem in Minnesota on the pheasant ran Food is not so much a problem. I think Mr. Steen brought out a good point when he was talking about the protien evaluation of the various foods that are available for the game species and that is something that as time goes on we will probably have to give more consideration to but at the present time because of the farming habit that we have and the grains that are produced in Minnesota food is not a serious problem. Farmers we find, will be interested in this program principally because of erosion control. Now, that is more true in the southeastern part of the state tha other sections because erosion is the more serious factor. Regardless of what the trees, shrubs, or vines are put in for, if they are put in properly and properly taken care of we feel that we will get our money's worth in the end and

that as a result the sportsmen will profit by having better hunting.

As long as I have the microphone there is one other program we have underway I'd like to elaborate on rather briefly and that is our sweet clover planting program. This is now in its second year. Under this program we enter into contracts with farmers to put in small plots of white blossom sweet clover in acreages of three to ten. The object being of course to produce winter cover and do it quickly and the reason we specify white blossom sweet clover is because it makes a fast growth, has a heavy stock, and in the wintertime it reaches a tall range growth during the growing season it will be even larger and keep the snow off the grounds and provides considerable food for the birds. In the spring it provides nesting cover, something that we do not have too much of. This program is being evaluated by our area game managers. This past spring they have checked the plantings to determine the amount of nesting that took place and although we don't have a report completed as yet the indications are that birds did rely on these sweet clover plants to a great extent as nesting cover. The real test will come this coming winter when we have an opportunity to observe how much these plots are used for winter cover.

Now, as to the compensation to the farmer in this program. We pay him $15.00 an acre over a period of two years. Pay him $7.50 an acre the first year prior to June 30th and almost immediately after he has put in the planting. The second payment is made prior to June 20 of the second year and the contract runs until the following March 20th. We have found that a few farmers have reneged on us. They did not put in the clover seed in the manner provided in the contract or they did not use the white blossom we specified. In other instances because of dry weather or overwet conditions clover did not make a satisfactory growth. In those instances the contract provides that we cancel the contract. In that case it only cost us $7.50 an acre for the first year and we are not obligated to pay for the second year. This program is not intended as a permanent thing, but it is a sort of a filling in or stopgap to provide cover during the period it is going to take the permanent cover program to develop to the point that it provides adequate winter cover. We believe it is going to be well worth what it costs and we have every intention of going ahead with it if our evaluation check as being presently carried on indicates that it is bringing desired results.

Now, there is considerable more that could be said concerning permanent cover planting. Some of points have already been covered by other speakers and it is 11:00 o'clock and there are a number of other states to report on this problem, so, therefore, I do not propose to take up any more of your time at the present time and if there are any questions on the specific point later on, I will be glad to tell you what I can concerning our experience in Minnesota.

MR. EGGAN: I believe we will ask Mr. Beckman from

Iowa to give us a few remarks on Iowa's problems.

MR. BECKMAN: I have selected the topic of "Habit Improvement and its Relationship to Farmer Sportsman Relations". This was discussed yesterday and I think it is of such importance that a little further discussion would certainly be in order. I would like for the purpose of my remarks to read to you a part of the Missouri News Release of August 6, 1951. This is a reprint from the Perry County Republican newspaper and I am sure that many of us, all of will see similar newspaper reports such as this through eve one of our states within the next two or three months. It estitled: "No hunting or otherwise trespassing." "Every reader of this paper often has seen a heading such as this, followed by a more or less formal notice and the signature the landowner. Unless the reader knew the landowner person ally he probably inferred that the signer was some hard-boi ed, selfish person who had a lot of game or fish on his place, did not want to share it with his neighbors and othe friends, and would bring legal action against anyone who tried to share in the supply. In nine out of every ten cas the exact opposite is true. Most landowners who come to th office to "advertise their land" are embarrassed -- they ar afraid their friends will misunderstand their action, and have decided to post their land only as a last resort.

"The stories they tell are almost identical -- a calf or pig found dead with a rifle slug or shotgun bullet in it; a valuable horse, mule, or cow coming in from a wood pasture with a crippled leg or an eye missing; of shot dropping on the farmhouse roof of pelting against the windo making it a hazard to step out of the house; of gates left open, fence posts broken off, and fences smashed so low tha livestock can stray at will.

"Almost every one will end his story with somethi like this: 'I don't object to the hunting or fishing itsel but I do want to know who is on my land, to know that he isn't a careless shooter, that he will not set fire to my fields, or woods, destroy my fences, or harm my stock. If man wants to hunt or fish on my premises he should be gentleman enough to come to my house and ask permission to so.'

"The wonder is that there isn't more land posted, and we predict that unless some hunters and fishermen chang their tactics the day is not too far distant when the hunti and fishing rights to practically all private property here will be restricted. More and more men -- and women -- are taking to hunting and fishing each year and it is only loci to assume that the proportion of poor sports, irresponsible shooters, fence breakers, etc., will prevail, or increase, with the result that land-owners will be more harrassed tha before and more and more of them will be driven to posting their property.

"It is high time that every man or woman who enjo hunting and fishing on private property in this area -- and who wants this privilege extended to his or her children --

comes to a realization that land-owners are permitting them a great privilege, for which the true sportsman should be glad to exchange simple courtesy and gentlemanly or womanly conduct."

I merely wanted to read you that to point out the situation that seems to be becoming more important, especially throughout this middle west.

In taking a long range view of wildlife management and of our ability to provide hunting recreations for future generations, it seems to me two most important factors must be given prime consideration: Habitat Improvement and Farmer Sportsmen relationship and how these two factors can be tied together and made popular in the eyes of the sportsmen.

The importance of these two management factors must be thoroughly sold to the sportsmen of the State. It seems to me by solving one we can solve the other with the proper approach.

In what manner can a sportsman or sportsmen's group assist in providing better hunting than by actually improving habitat on private land? I am sure everyone will agree there is no better way if you can get them to do it.

First then, the sportsman must recognize the important part that environmental conditions play in determining the carrying capacity of game on any farm.

Second, he must also be made to understand that hunter relationship with the farmer could become so bad that private land would no longer hold the tremendous hunting recreational values it has in the past.

Much progress has been made toward educating sportsmen on the importance of habitat improvement. However, most of this progress has been with the understanding that the conservation agency do the job. No conservation agency can ever hope to more than scratch the surface in a program of this kind. It seems to me perhaps a unified educational program should be directed to encourage sportsmen to make their own arrangements for improving wildlife habitat on private farms. In other words, if we can get sportsmen's groups to feel that habitat improvement on private land and maintaining of good farmer-sportsmen relationship is their responsibility, I think we can get someplace.

Quite some years ago back in the thirties when the first co-operate game bird rearing program was established in Iowa, new clubs were started in nearly every county in the state actually for the purpose of rearing pheasants. This was a popular program and easily sold.

Hundreds of sportsmen worked hard and long hours in building suitable rearing pens. Much of this time and money was spent in releasing birds. I am merely bringing this in the picture to help point up the co-operation that may be expected if we can thoroughly popularize habitat improvement as a sportsmen participating program.

Our state like many others here in the Midwest is a highly agriculturized state, 95% of the land is privately owned. If we are going to be able to continue to provide hunting for the masses of people who want to enjoy this typ of recreation, most of it will have to be done on private land.

We inaugurated a Farmer-Sportsman Habitat Improvement program a iew years ago in Iowa. We have had some success; however, there still is a lot of room for improvement. I will tell you how this program is set up an also give you my thoughts on where its greatest weaknesses are.

The Farmer Sportsman Program is designed to impro wildlife habitat on privately owned land by including co-operation and active participation of local interested sportsmen which we hope will result in improved relations between the farmer and the sportsman and, at the same time, improve wildlife habitat on private land.

This plan entails the active co-operation of a sponsoring group. Up to the present time, conservation organizations have for the most part acted as the sponsorin agency. However, we have not limited this agency to a conservation organization. Any organized group may co-oper. It is only reasonable, however, that a better job can be expected from organizations whose membership is made up of persons who in turn may be expected to receive benefits or enjoyment from their efforts.

The first step of the co-operating agency is to set the plan or establish it within the county. In order t do this, it is necessary to secure the signatures of the (1 Iowa State Soil Conservation Committee; (2) The U.S. Soil Conservation Service; (3) Soil District Commissioners; and (4) The State conservation Commission.

After this step has been accomplished for the county, it need not be repeated, and the sponsoring agency any other agency or other organization within the county can then carry out as many individual projects on individua farms within the county as they desire.

The State Conservation Commission will agree to pay 50 percent of the cost of approved items on all project In addition, will furnish necessary forms and agreements as well as technical advice. We will also furnish at cost certain wildlife and erosion control plantings.

The Soil Conservation Committee agrees to actively promote the interests of this plan, provide advice and council, and disseminate information about the plan and its association with wise land use and farming.

The Soil District Commissioners with the U.S. Soil Conservation Service co-operating, agree to furnish technical advice and to write an amendment to each farm covered in this program, of such scope that wildlife will

have due consideration and weight in an overall land use program.

All projects must be confined to farms operating under an approved Soil Conservation Farm-District Co-operative Agreement.

Because of the funds available to the State Conservation Commission, the manner in which State money may be spent must of necessity be limited. It is recognized that the creation of a stable and ideal wildlife area in many places calls for grading, sloping, control structures, and many other things requiring the use of construction material and heavy machinery. If the Co-operating Group or the landholder wishes to carry out such work in connection with a project, the Conservation Commission fully approves but cannot participate financially. The financial participation of the Conservation Commission will provide it with an original stocking of fish if it meets requirements.

From a standpoint of benefits to wildlife, the most important part of any project is fencing. If nothing more is accomplished than fencing livestock away from an area, nature will soon restore nesting and escape cover for upland birds and animals on most areas. Planting, however, will speed up the comeback of suitable cover and should be included in the project. In some instances, particularly where there is severe erosion, it may be absolutely necessary to do some planting of woody plants in order to hold sufficient soil to allow for vegetation to take hold; and I do not want to minimize the importance of planting, I merely want to emphasize that planting alone will not accomplish the desired results. Fencing of the area should come first. It has been our experience that sportsmen are inclined to underestimate the importance of fencing.

Just a word on the progress that has been made in this program. This program was started in 1948. That year 25 counties were co-operating with a total of 46 projects. In 1949, 46 counties were co-operating with a total of 145 projects. Last year, 65 counties were co-operating with a total of 418 projects. This year we have 80 counties co-operating with an overall total of over 800 projects.

Plantings on these projects numbered 36,275 in 1948; 128,000 in 1949, and 594,320 in 1950 and about a million and a half this year.

In order to get some idea on the degree of success or failure of this program we are now making a thorough inspection of these areas. This inspection is being carried on by different personnel than the conservation officer in the territory. In fact, it is being made by supervisory personnel. It takes in all phases of what was hoped to accomplish with the plan and in another six months we will have a much better idea on the success of this plan in Iowa.

I might say this that in our investigations up t date many projects indicate it is good. In some instances where our purpose is not being accomplished, it would indi ate the program was not thoroughly understood in the first place by either the co-operating group or the farmer. In these cases, actually the fault of not accomplishing our purpose lies with our department in not thoroughly selling the club and the farmer on the plan.

In addition to the program I have explained we carry out a Farm Game Habitat Improvement program under ou federal aid section. This is also carried out on private land. We do all the work and pay the bill. It is designe to improve habitat on private land and is now serving another important purpose as model areas for sportsmen's groups and individual farmers. These areas are for the mo part two acres or more in size, are completely fenced, and improvements are made in accordance with the needs of the area. It should be mentioned that farmer interest and co-operation in this program has increased a great deal th year over last. Incidentally, every co-operator receives a copy of the pamphlet, Farmer and Wildlife, a publication put out by the wildlife Management Institute. We think th results from this are excellent. After these projects are completed we do not forget about them. A definite place of follow-up inspections are carried out. This is worthwh and tends to hold farmer interest. Incidentally, these ar are leased for a ten year period and the farmer agrees to allow hunting on the balance of his farm.

Just a few years ago in Iowa, maybe some other states did the same thing, we had considerable problem of hen shooting. We put out a leaflet and entitled it "Kill No Hens". We gave it a tremendous amount of publication. We apparently didn't even scratch the surface on the reaso for not killing hens. I am wondering if perhaps we might not be able to use the same method in getting over to the sportsmen the importance of habitat improvement and the importance of farmer-sportsmen relationship. In conclusio I want to repeat I think we must get over to the sportsman that it is his responsibility to maintain good farmer relationship. He must prove to the farmer that he is will to do something in return for the privilege of hunting on private land.

MR. EGGAN: The last speaker was purposely left last because he is possibly closest to Kansas and has problems more near the same as we have in Kansas and I thi possibly he can do the job of telling about his problems and my problems at the same time and in that way I won't h to get up and keep you any longer so I will give you now James Agar from Nebraska.

MR. AGAR: There is a big advantage to being the last one on the program because most everything has been said and it can be very brief and that is just about how it is going to be with me.

I'd like to make one comment on Mr. Steen's rema that the state could not possibly afford to do this themsel

one hundred percent as we in Nebraska are doing. In the winter of 1949 Nebraska would have given anything to have had a strain of our habitat areas across the northern part of the state at almost any expense. We lost I think practically every bird in the northern half of the state that winter. The only birds that did pull through were through some farming practice where some bush or cover had been left. We have now put two years of work into this area but still have a long way to go so from that angle I do not feel that we can waste money when we put one habitat area in.

In regard to our nursery stock, every meeting that I have attended I think that we have been the only state that has no problem there. We are not putting in as much as most of you other states but I believe that if we were putting in our 1,000,000 we still would be in no trouble. The first thing I do when I get home from this trip is to order my planting stock for 1952. We are contracting a year and a half in advance. The nursery is growing it for us. It will be planted a year in advance so that we know we have the stuff there, we know a year in advance if for some reason or other there is a crop failure we can go out and look for other sources. There are several other comments which I will interject on that later on.

Farmer-sportsmen relationship -- all our areas are posted with a sign of this kind. (indicating) That has done more to create good relationship between the farmer and sportsmen that it has gone to the extent that the Department is now printing a similar sign which reads "Game Management Area. See Farmer for Hunting -- Nebraska Game Commission." Mr. Vance can tell you how many we are putting out of such signs. They go free to the farmer. The hunters are taking hold pretty well and both sides are finding out the other is a pretty good Joe.

Briefly, I want to run over the history of the Nebraska Game Commission. It started in 1940. The game commission personnel were planting some of the stock, the farmer was planting some, and everybody's grew except the farmer's. He didn't either get it planted, he planted it wrong, or something happened and in any number of cases what the farmer planted did not survive. The same happened in 1941 and in 1942 the C.C.C. was brought into the program and it was very successful. In 1943 the program was expanded into south central Nebraska and into northeastern Nebraska as a pheasant project. This was a program of delivering fencing material, planting stock to the farmer, and accepting his promise over his signature that he would get the stuff in the ground and fences built. That was prior to my coming with the department.

Right after the war I came into the Department. On many of the farms I found the wire still piled behind the barn, the trees if any, were still laying rotting, had never been planted. Of the roughly 200 areas that had been contracted, I found eight or ten which were serving any purpose to wildlife. As a result we felt that the main thing we would have to do to have success was to provide our

own insurance policy, and that was plant these areas oursel es. The first year, 1947, we had two crews, one located ir south central, another in northeastern Nebraska. We plante a few trees, cultivated them, fenced them out and were very happly to find that most of them grew. We put in approxima ely sixty areas that year, all of which are now furnishing bird cover areas with one exception. That was flooded out and never replanted. The following year they expanded the program to include six crews and approximately thirty-five counties. These six crews each were equipped with a one-tc truck, two-ton truck, ford tractor, tree planter, plow, dis and pot hole digger. They earch put in approximately thir areas in their six counties each and fenced them and cultiv ted them the first year. This was done in cooperation with the Soil Conservation Service. We contracted the various districts. We located our areas. We checked them to see that they met our qualifications which is that it must be one-half mile from existing wood covery. It has to be with one-quarter mile or one-eighth mile from cropland; it had t be at least one-half mile from the farm homestead. That wa an attempt to get away from windbreak planting, and we had to put these areas at least two miles apart.

It is going to take a long time but we too are beginning in this pyramiding process. On the subject of pyramiding reminds me of a little story recently told on President Truman about President Truman and Mrs. Truman and Margaret were looking at a friend's farm down in Missouri. As he meandered around he said, "My gosh, Joe, you have a nice farm but you need more manure in this spot". He looke at another and the same thing happened. Margaret stood it just as long as she could and finally said, "Mother, can't you get dad to say fertilizer?" Mrs. Truman replied, "We can't rush things. We just got him to using manure last week."

We feel pretty much that way in regard to this pyramiding. As I will explain a little later on, we are pyramiding but slowly. First, we have to educate the farme We have to get these areas established so they will see tha they are getting what they want. We can talk ourselves blu in the face and turn ourselves over to him and the shrubs and fences will stay behind the barn if we don't sell him. He has to see one on his neighbor's farm.Through our progr with the Soil Conservation Service we started working through the state office. We have shown them these areas. They are sold on it and they are putting their pressure on the men in the field. We have meetings in the thirty count ies where we are doing the planting. We have an additional fifteen where they are planting the multiflorarosa as a result of a meeting three weeks ago. We will not do any of the work in any of those counties except furnish plantin stock. We are pyramiding but it is purely as a result of having sold the Soil Conservation Service one hundred perce on our program and they in turn are selling the farmers. I briefly want to go into our planting pattern and species.

The habitat program in Nebraska is lacking in trained personnel. There are only two of us who are traine

in wildlife and we act in a supervisory capacity and the remainder are ex-farmers, policemen, etc. As a result, it has been necessary to lay down definite patterns and proceedures for these men to follow and at the same time indoctrinate them in the principals we are trying to follow.

Because we are a plains state we have always been extremely tree conscious. We have many, many man-made plantings to observe, dating from old timber claims one hundred years old, up through shelterbelts of the shelterbelt service, to our present day belts and habitat plantings. We have made no studies of planting patterns from a research point of view. Our studies have consisted of casual observations by my assistant and myself of any and all types of plantings we could find. From the standpoint of habitat development the winter of 1949-50 was a benefit to us for it gave us a chance to study plantings of different types under the worst winter conditions Nebraska has known.

Now, what conclusions have we reached as a result of these observations?

It goes without saying that our old timber claims of cottonwood, elm and box-elder are of very little winter benefit to wildlife. The cover furnished by them is from five to fifty feet or more in the air. Since all the game species we are trying to help are found on the ground, it followed that we wanted tree species which furnished cover clear to the ground. This led to our use exclusively of conifers, shruby trees and shrubs. We feel that we have no place for any of the true trees (except Russian Oliver) in our planting.

Next upon observing our old shelterbelts after the winter of 1949-50, we found that unless there was a very tight shrub row followed by one or two tight conifer rows on the north and west sides, that the snow eventually drifted clear through the belt and piled up on the south and east sides trapping the birds which had sought the protection of that belt. The shrub row alone would stop the snow until the drift reached the height of the shrubs and then would walk right on through the belt. We also found that even if the shrub and conifer rows existed, it was necessary that the belt be at least ten rows or 130 feet wide to afford any protection on the lee side; and in the most severe cases, even this depth of planting was insufficient.

These old shelterbelt plantings have also given us an excellent opportunity to observe species. The shelterbelt service used almost every tree and shrub which has had any possible chance of survival. By checking blank rows with farmers and observations in the belts, we have arrived at a list of species we feel is suitable for the plains area. Our native red cedar has given us the best survival and growth for conifers. Wild plum has proven excellent from the standpoint of survival growth and its suckering habits. Caragana was eliminated because of excessive retarding by grasshoppers.

Honey suckle has proved to be our best all around shrub. is very hardy and makes fast growth. Russian Olive is included to add height to the planting and still furnish cov Rosamultiflora is very good over most of the state and is paying for itself in that it permits us to salvage fencing material. In addition, we are using Nanking Cherry experimentally as an inducement to the farmer to take care of th area.

These species are used exclusively as availabili permits. Alternates for substitutions as is occasionally necessary, the following species are good: Ponderosa Pine Chokecherry, Buffalo Berry, Common Lilac, Quail Bush and Buckthorne.

The foregoing information has all been translate into habitat restoration as follows. Because we know that the snow will drift through properly planted areas for a distance of 100 to 140 feet, we require all area to be at least 175 feet depth. Observations on livestock in shelterbelts has proven the need of a fence and this is ou first job on a given area. Construct a stock tight fence. Just inside of this completely around the area is a row of the Rose to replace the fence after a three or four year period. This also acts as the shrub row on the north and west. To pile the snow up as soon as it enters the area, two rows of cedar are planted just inside of the rose on t north and west. This is followed by a blank row and then row of Russian Olive. The black row acts as a snow trap a prevents over topping by the olives. Again observations c old belts have shown that when olives overtop cedars, they have a tendency to whip the tops out of the cedars. The olives add height to the planting so that drift levels nev reach the tops of the plantings. After the olive row, our planting are broken up in to clump plantings or row planti of shrubs which should be free of snow for the birds use. also intersperse open areas for nesting cover which, in pa of Nebraska, is very critical.

Lumping all of these items we have put together habitat area which we feel will serve king pheasant throug the extremes of weather he can expect in Nebraska.

MR. EGGAN: I believe that the gentlemen this mo ing have done a commendable job in presenting their variou views on the problems of cover restoration. I think now w have about fifteen minutes and I think it would be well if just open this now to a general question and answer sessio and I encourage you to ask these gentlemen questions becau it is very seldom that you get so many experts all in one group and at one time. If there are any questions, let's have them.

MR. FEAST: I'd like to ask Mr. Beckman a questi What is the population of your state?

MR. BECKMAN: I have to think just a moment to b correct. I believe the population is about two and half million.

MR. FEAST: How many bird hunters do you have?

MR. BECKMAN: Our license sales are about three hundred, would indicate about three hundred fifty licensed hunters.

MR. FEAST: Mel, I ask you that same question.

MR. STEEN: We have nearly four million people, 3,378,000 about three hundred seventy thousand hunters on the basis of permits.

MR. FEAST: Nebraska.

MR. AGER: Three million three hundred thousand population and about two hundred thousand hunters.

MR. STEEN: I want to modify my statement a little bit. I said three hundred seventy thousand and that is not quite three hundred seventy thousand people who hunt game but not necessarily bird hunting.

MR. FEAST: Iowa.

MR. BECKMAN: Three hundred thousand might be a rough estimate because several of them don't have to have licenses.

MR. FEAST: Colorado has one million two hundred thousand population and about one hundred fifty thousand small game hunters which is called farm game.

MR. RUHL: Five and a half million people, close to six hundred thousand licenses of which is about seventy percent hunt farm game primarily. Six hundred thousand with seventy percent small game primarily.

MR. FEAST: Minnesota.

MR. HUSTON: Two and a half million population.

MR. FEAST: How many small game hunters?

MR. HUSTON: Nearly three hundred fifty thousand.

MR. FEAST: Anyone here from Ohio? What are your figures?

OHIO: The population is something over eight million, over seven hundred thousand licensed hunters and our hunters don't all have to buy a license. Eight hundred thousand small game hunters.

MR. FEAST: The average down here is about ten percent. Now, we find in Colorado the same and we find of that ten percent only ten percent of them have a place to hunt without permission. I bring this out because Mr. Beckman brought out the most critical thing we have to deal with. The land itself will hold only so many people. The farmer is only going to let so many people on that land and

as the vandals increase, the resistence of the farmer increases. According to our trend in the last ten, fiftee years, you take the pyramiding population has increased th intensity, let's say ten years from now, we will have approached that peak where the pressure and the populatior increase in demand will be beyond the tolerance of the landowner under any circumstance so I just want to add thi What we are looking at, what we must take is the period te years from now because I feel confident that the landowner isn't going to take it.

OHIO: I don't believe our farmer problem is any more a problem now than ten years ago.

MR. FEAST: It isn't because you don't have your intensity, eight hundred thousand bird hunters.

OHIO: Eight hundred thousand game hunters.

MR. FEAST: You compare that with Colorado where we have one hundred fifty thousand out of a million two hundred thousand people.

OHIO: I figure for an area of the state rather than the total population.

MR. FEAST: I believe that Mr. Benton has the problem and I don't want to be a pessimist in this deal bu the population has increased and each year we are having a increased number of hunters and the land can only stand so much pressure. There can only be so many people hunt in an area in one day and I believe our cover restoration program should be geared to that basis.

MR. STEEN: I'd like to support what my friend from Colorado has to say. It seems evident that pressure has a very important bearing upon the reaction of the land owner in any state. Adjoining our major city, St. Louis, and Kansas City, we have a large percentage of the land posted. It adds to something like that they get a dozen, fifteeen, twenty, parties hunting on their land each day during the open seasons and eventually they get full and they post the land so the pressure of course gets pretty high.

I forgot to mention perhaps we developed another scheme in Missouri that may be of interest to you. It revolves around the problem that Beckman mentioned and we have a little different approach now of working through the organized club and which involves the formation of a small group of not less than two or more than four people who adopt a farm or a pair of farms as their project from now on out. It is their business, their responsibility to handle the wildlife and conservation program on that farm and where it has been applied it has been quite successful We have developed what we call in blueprint for better hunting and fishing and if any of you are interested we wi be glad to send you a copy of that. I should have brought some with me, perhaps, but where an individual group will take hold of this and handle it, it does work very well an

in general the groups consisting of hunting parties who go hunting go on a specific farm, they adopt that farm as their project. Then they have access to his place any time and work on the farm, they do planting, they help him lay out a farm pond, etc., the whole program is worked out and the details are developed on this blueprint and it works rather successfully but our experience is very similar to that of my friend, Harry Ruhl, who remarked that it is pretty difficult to get any of these hunters to do much more than buy hunters' licenses.

I forgot to mention too, we have other devices than the ones mentioned. We have the lespedeza bicolor. We have the same tree planting program that you have. Those are the things we think we can get out on the land in sufficient volume and extend to make an impression and have an effect upon the sum total state wildlife basis.

MR. ESCHMEYER: Does anybody other than those taking care of this land hunt on these premises?

MR. STEEN: It is primarily up to the landowner. Our law provides that you may not hunt on private property without the permission of the landowner. The program tends to open up lands and to establish better relationship between the hunter and the farmer. I think they get to know each other better and know each other's problems better and it tends to benefit the farmer-sportsmen relationship. It tends to improve or increase wildlife production. As a matter of fact, if a group of two to four hunters will adopt a farm or two they can produce on that farm sufficient game to satisfy most of their hunting needs and if the program is really taken hold of by our hunters, I think they can solve most of these problems.

MR. RUHL: I'd like to speak on this trespassing a little. I think you will admit that one hoodlum is one too many on any farm. I think your numbers is a factor but your unthinking or hoodlum element is the one who causes the most difficulty. If you can sway a few more over into the thinking ethical class, you will still be able to tolerate a higher density of hunters without undue reaction but I am also convinced that so far as hunting pressure and numbers are concerned, your reaction is what you are used to. I can take you in some parts of the state that if there are five hunters within sight it is too many and in another part of the state where if you couldn't see twenty-five hunters you'd be surprised. I believe there is a lot more talk about these problems, particularly among sportsmen in proportions to the problem then there was ten years ago. I doubt if the problem is any more prominent than it was then but I am sure the sportsmen organizations, the newspapers, the speakers are giving it more attention because they are trying to do something about it. I think the trend is in the other direction. The sportsmen in realizing that the other license buyers behave themselves take their own issue. The tide is changing a little bit in the other direction. Some people like lots of people and they are used to it. It depends on

what their background is and I think it isn't so much the people that come and ask as the people who don't ask or do something wrong or are otherwise unthinking rather than th people who do it in a proper manner.

MR. CRAMER: We heard some very interesting talk on the cover restoration program but there is one thing tha I missed. What are we doing to protect what we have? Probably those states up on the stage do not have the problem that we have to contend with. We are fighting a constant battle against the caching and scrapping out of trout streams, against the eliminating of fish streams by the building of dams, against the drainage of marsh shed areas what are we doing about it? We have two or three differen ways that we combat those things. We can go to court. We have trouble with potato growers that want to injure our trout streams. We have in several cases obtained injuncti from the courts. In most cases we insist that a permit be obtained from the public service commission and the public service commission circumscribe these permits in such a wa that the stream will stay clear from the standpoint of fis and wildlife. In one instance we had to go to court and fight a case on the fact that the disturbing factors are interferring with the navagability of the stream. What we are doing now is to contact these farmers and see if we ca buy this land that we want to preserve for farm and fish.

So, it goes on all the time. While we are proceeding forward to a great area of restoration, behind back a lot of destructive activities might be going on. I want to mention one more thing. Recently, several PMA meet ings were held in each of our counties and in the report t one of our men submitted to me on recommendations at this meeting, we found this. He says many of the recommendatio for practices to be considered eligible for payment were distinctly harmful. Who made these recommendations, I don' know. They wanted payments for removal of rock bottoms, payments to remove fence covering, payments to cover the c of straying pasture brush, and what not. I hope that the PMA is not going to go along with anything like that but I think it will pay us to keep up on it.

MR. RUHL: There is one other angle. The telephone and power companies in both rural county and stat alike. I think we all see that.

PRESIDENT LEAHY: Well, then, if there are no mo questions or remarks to be made, it is a minute or two past twelve; we will adjourn and reconvene here at 1:20.

.....The meeting then adjourned at 12:15 o'cloc p.m.

SATURDAY AFTERNOON SESSION

The meeting convened at 2:00 o'clock, President Leahy presiding.

Gentlemen, we are sorry to have delayed this meeting and in order to conserve time to get the delegates and officers to start home if they are in mind to, we are going to change the program arrangement a little, I think that since Kansas is the only state that seemingly is interested in the restoration program in regard to farm ponds, we will dispense with that and go into the discussion by Cleland Feast on the wildlife problems of Japan and then get into our business and then adjournment. At this time, gentlemen, Mr. C.N. Feast of Colorado.

MR. FEAST: Thank you, President Leahy. At the request of the Supreme Commander for the Allied Powers, I undertook a study of the Japanese laws and management for the Conservation of wildlife. During the course of the investigation many meetings were held with Japanese Government officials, hunting organizations, and enforcement authorities throughout Japan. Information obtained in this study, which was made during 12 March - 14 May 1951, served as the basis of the findings and recommendations of this report.

Wildlife in Japan was once abundant, but through over-harvest and bad management practices, it has declined to the point where today it can be considered at a very low ebb. This decline began in about 1860, shortly after the termination of the feudal governmental system in Japan. Before that time restrictions, both legal and religious, on the eating of meat maintained wildlife at abundant levels. With the change in government granting new liberties to the people combined with lifting the restrictions on the eating of meat, the harvest of wildlife became suddenly heavy. Many ingenious devices of nets and traps were adopted for the taking of game animals of all species. These animals were sold to supply the demand for meat. The natural result was the beginning of a rapid decline in wildlife numbers. This decline accelerated sharply during World War II to the point where today the conditions can be considered serious and in urgent need of immediate attention.

Despite the sharp declines a nucleus of wildlife remains which, if properly managed and controlled, may be developed to the point where once again it will maintain a position of importance in the natural resources assets of the nation. The mallard, the teal, the pintail, the shoveller, and the widgeon ducks are comparatively common. The bean and white-fronted geese are the most common species. Some Japanese deer remain, being most abundant in northern Honshu and Hokkaido. Throughout Honshu are scattered concentrations of green and copper pheasants, most abundant in the northern sectors. The island of Hokkaido is favour for its bear hunting. This bear is reported to be very vicious, and to all appearances looks and acts like an overgrown American grizzly. It is highly predatory and is vigorously pursued. In Hokkaido, the Mongolian ring-neck pheasant had been introduced and with the protection given is said to be increasing and spreading. The Japanese quail is relatively common throughout Honshu, Shikoka, and Kyshu. The bamboo partridge introduced from South China in 1919

is said to be thriving and perhaps increasing in all the islands except Hokkaido where it was not introduced. Mink, wild boar, black bear, rabbits, foxes, raccoon, and squirre are comparatively common, although far from abundant. Marten is one of the principal fur-bearing animals, but the numbers have been reduced to the point where strict protection is needed to preserve them.

The problem is aggravated by the fact that many Japanese depend on the taking of wildlife for a portion of their income requirements. With the exception of pheasants and copper pheasants, the sale of game under present law is legal in Japan. Also, in the agricultural areas and mountain villages a constant battle is being waged against wildlife for so-called protection against crop damage. Unde this system of operation farmers obtain permits to take birc and animals which are reported as eating their crops. On many occasions the game taken from this operation is sold tc supplement the farmer's income. In some of the inland fishing areas, special permits are issued to take unlimited numbers of waterfowl by undesirable practices such as "lime-sticking", for the purpose of "protecting" spawning fish from the depredations of these birds.

If such destructive practices are not limited and rigidly controlled, the day may well come when most of the desirable species of wildlife in Japan will be threatened with extinction.

The main difficulties and obstacles to proper solution of wildlife problems at present can be attributed to inadequate governmental organization and planning, lack of accurate information on population numbers and annual harvest, and unsatisfactory law enforcement. Furthermore, the amount of money spent on protection and development of wildlife is entirely too small in relation to the annual income taken from the so-called hunters tax -- and too small to finance an adequate wildlife program.

This report includes recommendations for organizational structures and legal procedures which, if placed in operation and rigidly adhered to, will tend to halt the serious decline in wildlife population and will develop corrective means for increasing wildlife on a sustained yield basis.

Under the basic hunting law of 1918 as amended, the Minister of Agriculture and Forestry is responsible for the establishment of wildlife regulations at the national level. The Minister has the following authority and responsibility:

Classification of animals into "game" or "non-game classes, game killed in this sense being those animals which legally may be taken or killed.

Decision on factors of license issue or game registration.

Establishment of wildlife protection areas and gam

protection on water surface areas, and issuance of permits for the cutting of standing trees and bamboo in protection areas.

Establishment of game preserves.

Issuance of scientific collection and breeding permits.

Issuance of special permits on the sale of pheasants or copper pheasants.

Establishment of hunting areas and approval of hunting areas as established by prefectural governors.

This summary of duties indicates that the Minister is vested with the responsibility of managing wildlife in Japan but does not have the authority to enforce the regulations he must promulgate for such management.

In accordance with the basic hunting law of 1918 as amended, the prefectural governor has, to a degree, joint responsibility over the administration of wildlife. The law appears to limit the governor to more restrictive regulation than that granted the Minister of Agriculture and Forestry, and with the latter's approval only. The law in this respect is somewhat vague and conflicting, however, as the governor may grant permission to capture and take so-called "harmful wildlife". Under the law the governor has the following authority and responsibility:

Eastablishment of limits on the taking of "game" wildlife under the approval of the Minister.

Issuance of game licenses, game registration, and the collection of the revenue therefrom.

Cancellation of game licenses and wildlife breeding permits.

Establishment of wildlife protection areas under the permission of the Minister.

Establishment of game preserve areas.

Establishment of areas where guns are not permitted.

Capture of wildlife for breeding purposes within the scope permitted by the Minister.

Extinction of "harmful wildlife".

Game administration.

This summary of responsibility indicates that the governor actually has more authority than the Minister of Agriculture and Forestry. He collects the revenue, he spends the funds collected, and he has authority to issue permits for protection against so-called "harmful" animals.

The branch of the government responsible for the administration of wildlife on a national level is the Wildlife Section of the Guidance Division, Forestry Agency, Ministry of Agriculture and Forestry. Under this organizational structure the Section holds a low and subordinate position. Too much of a spread exists between the Minister who is responsible for the promulgation of rules and regulations and the Wildlife Section chief who is directly charged with their execution. The Section has only 21 employees, only four or five of whom hold administrative rank.

The administration of wildlife in most of the prefectures is under the jurisdiction of the prefectual governor through the Economics Division. The only wildlife official in this organization is the game warden, who holds a subordinate position to a subsection chief of the Forestr Section of the Economics Division. The game warden has power of apprehension but does not have police power of prosecution, and records show that most of the offenders arrested are released with admonitions only. Such lax enforcement creates a situation contrary to the essential needs of good game management and law enforcement.

As mentioned previously the governor's office collects the license revenue. Under appropriations of the prefectural Assembly the governor establishes the policy as to how this revenue is to be spent. In most of the prefectures less than 10 percent of the hunting license revenue is being spent for wildlife protection and development.

Regulations as now being promulgated by the Minister of Agriculture and Forestry under authority of the basic hunting law as amended include species to be taken, season dates, methods of taking wildlife, bag limits, and open and closed areas. Extensive regulations have been established for reports of various types to be submitted by prefectural officials, hunters, and applicants. Elaborate provisions are made for the operation of preserves and of hunting and breeding areas, and many details of the procedure involved in obtaining licenses or permits for such area are set forth.

From the standpoint of effective wildlife management, for the most part the regulations can be considered as procedural only. They are complicated, containing many references and cross references, and hence are difficult to work with.

Types of hunting licenses now issued are: class A hunting license, issued to those engaged in hunting in any manner other than by the use of a shotgun (exclusive of air gun); class B hunting license, issued to those using a shot gun (exclusive of airgun). The fee for either class of license is ¥3,600per year. Each gun (except airgun) must b registered. A registration fee, not to exceed ¥500, is levied, the present fee being ¥200. This registration is

permanent. The airgun registration ~~if~~ ¥500 per year. On all licenses a special fee of ¥100 per year is levied.

By United States standards, the regulations received little or no enforcement. The mechanisms of the law and the limitations imposed on the authority of the game warden make it impossible for him to do an effective job. The fact that the regulations do not impose a possession limit on game reduces the effectiveness of the warden to practically nil. The recent increases in the license fee have increased the number of violations of the law requiring a license to hunt, yet the warden, without power of prosecution, is practically helpless to enforce the law as written. As a result of the subordinate status of the warden and the fact that he has no police power, he is not held in too much respect in the community, which further complicates the already ineffective situation.

Wildlife has played a rather important part in Japanese legend. Many stories are told which demonstrate that in the early days of Japanese history certain human attributes were ascribed to animals and birds. For example, the crane and the turtle have been symbolic of longevity. The fox has been a symbol of cleverness and even maintains a conspicuous position in Shinto ceremony. Many of the early paintings elaborately portrayed the beauty of wildlife, especially the crane and certain species of ducks.

Under the old feudal system of government and land ownership, the early emperors prized highly the abundant wildlife on their lands. Early historical stories show that on many occasions birds greatly assisted in saving agricultural crops from ravages by locusts. With the advent of falconry, sanctuaries were created for the purpose of perpetuating game species. Laws were passed forbidding commoners to eat the flesh of dogs, crows, horses, fowl, and monkey, and the taking or possession of wildlife by commoners was made illegal. The introduction of Buddhism to Japan enhanced the cause of conservation by means of the religious control of the masses.

As the years progressed conditions varied. Conservation measures waxed and waned with changes in rulers. Many early measures developed practices that eventually resulted in serious decline of wildlife. For example, the now undesirable practice of mist netting is said to have originated in the early days of falconry, when the keepers of the falcons set out mist nets to catch birds to be used as food for the falcon. In later years this practice came into general use to catch birds not only for sale as food, but under the guise of protecting crops.

This was the era of the war lord, who ruled the nation by military conquest. The emperor ruled in spirit only. The country was divided into 270 subordinate domains, each of which was the estate of one of the conquered lords who owed allegiance to the central shogunate. The allegiance was maintained by strong supervision and constant guard. A strong policy of isolation was adopted.

During this period the human population increased to about 175-200 persons per square mile, as compared to 50 persons per square mile in the United States today. Histor discloses, however, that wildlife did not decline too rapid Traditions in force at that time prohibiting the masses frc eating game in all probability contributed to the maintenan of satisfactory wildlife populations.

In this era hunting was a privilege of the nobility, and in each forest section special officials were to guard wildlife and mete out severe punishment to offende against laws and regulations. It was during this era that the taking of wildlife reached its highest statues as a spc confined as aforementioned to the privileged few. Falconry was the most popular sport at the time, even to the point c ceremony involving the use of certain costumes and adherenc to old and ritualistic procedures. Game animals too large for the falcon were taken by the use of the spear, and hunt by the military lords became very popular. Commoners were limited to the taking of bears and wolves, which were considered predatory, and in many instances commoner groups were established and given quotas of bear and wolves to kil in order to maintain position and "face".

Although the firearm was introudced into Japan in 1543, it had little effect on the reduction of wildlife. I was then a very inefficient mechanism, and its use was limited to the privileged few in the military.

During this period the main force behind the conservation measures adopted was for the preservation of game for the rulers' favorite sport of falconry. Many preserves were established, some embracing as high as 100 villages, and protective measures were rigidly enforced. Wildlife was generally abundant, and a happy balance with the people was steadily maintained.

The modern era in Japan began with the abolishmen of feudal controls and the return of government to the emperor. The era was marked by the relaxation of religious controls and the introduction and use of firearms by the people. Large game sanctuaries were abandoned. The subjugation of Buddhism by Shintoism permitted the people to eat meat. Hunting became profitable. The human population began to increase at a rapid rate.

All of these conditions contributed to a very rapid reduction in game populations. Some species disappea ed entirely. Control systems were slow in coming and were inadequate in many instances. After the change in government, the lands of the local war lords were split up and made available to the people, and in many instances the lords themselves were forced to net and trap wildlife for a living. Similar practices had been adopted by many of th people, and they caused wildlife to decline rapidly.

There were a few, however, who were concerned witl the wildlife situation. As a result of their efforts, the

first national game law was passed January 1873. This law controlled hunting only and did not provide any management or game development procedure. It did require a license or so-called tax for the purpose of hunting, and it set up a hunting season from 1 December to 31 March. The law allowed the prefectural governor to make any changes he saw fit. It was amended from time to time, primarily to change the season dates. In 1918, the basic hunting law, Game Law No. 32 was established. This law delegated the administration and regulation of wildlife to a "competent minister" who had authority to issue supplementary regulations defining the ways and means by which game was to be taken. Several amendments were made in subsequent years.

The regulations failed to prevent continuing decline of wildlife. The situation became much worse in World War II when it became a patriotic duty for every person to gain as much of his sustenance as possible from wildlife. The maximum possible production of agricultural crops was being emphasized, and all birds and animals were considered "predatory". Ducks were branded as "bad birds" because they ate rice, and their destruction was officially encouraged. Even small birds, especially sparrows, were placed high on the "bad bird" list and were taken by mist netting in large numbers. As the war progressed all the useful species were classified as harmful to agriculture.

To make matters worse, the Ministry encouraged the hunting and taking of wildlife for products for military use. Shortage of funds hampered any control or law enforcement.

By the time of the Surrender the status of wildlife was serious. Populations of most species were at a very low ebb. Through the efforts of the Natural Resources Section the laws were again amended for the purpose of establishing remedial action. Provisions were included in the law granting the minister of prefectural governor authority to establish supplemental regulations. Mist netting was abolished and the use of bird lime in the taking of migratory birds was prohibited by Ministerial order except by special permit. A bag limit was established for the first time in history.

The most recent amendment to the basic hunting law came in 1950, passed by the Diet 31 May as Law No. 217. The principal amendments to the old law were:

The Minister of Agriculture and Forestry is specified as the "competent minister" cited in the basic law.

The Minister or prefectural governor is required to hold basic hearings before adopting supplemental regulations.

The prefectural governor, as well as the Minister, is permitted to establish sanctuaries.

The sale of pheasants and copper pheasants is

prohibited.

Regulations for exportation and importation are established.

Heavier penal regulations are provided.

Other recent legislation changed the old hunting tax which ranged in three grades from ¥500 to ¥2,400 depending upon the amount of income tax paid by the license The present system charges a fee or so-called "tax" of ¥3,600 for all hunting licenses.

In general the administration of wildlife in Japa is improperly organized. The unit responsible for administ ration of wildlife bears only the rank of a section under the Guidance Division of the Forestry Agency in the Ministr of Agriculture and Forestry. Such an administrative setup subordinates wildlife needs to other needs to such an exten that they may be eventually swamped by the pressure of other demands and activities.

The Wildlife Section is presently manned by personnel with excellent training in ornithology and mammalogy. Worthy contributions have been made in this field of science. The organization, however, is in need of personnel trained and experienced in modern ways of wildlif administration. The need for a properly balanced governmen al wildlife organization composed of competent scientists and well-trained administrators is recognized by many group concerned with wildlife conservation in Japan.

There is some recognition of the fact that someth ing has to be done to save wildlife. A few realize that th must be done quickly. The situation is a challenge to the nation. Under the best of legal and administrative circumstances Japan must do in a few years what the United States did in three decades. If Japan is to enjoy wildlife as one of the great natural resources of a progressive nation, she must rise to the occasion and do it quickly.

I have made the following recommendations:

A new basic hunting law should be passed establis ing the responsibility of the management of wildlife and enforcement of laws and regulations under the jurisdiction the Minister of Agriculture and Forestry;

As a part of the change in laws, a wildlife fund should be created and the law should direct that all revenu from hunting licenses be deposited in this fund to be spent for the purposes of wildlife administration, management, an protection only;

Authority granted to prefectural governors should be established as restrictive only;

An advisory Commission to the Minister should be created, the purpose thereof to represent the public at

large and the various sections and interests in the establishment of supplemental regulations;

The department of the government holding jurisdiction over wildlife should be raised to the status of an agency in the Ministry of Agriculture and Forestry as soon as time and conditions permit.

This agency should be organized along the regular system of financial control and staff operations.

A strong law enforcement body should be made a part of the agency, the members thereof holding state police authority to arrest, search seize, and prosecute in accordance with the regular police code.

A program of intensive public education should be established to educate the people as to the status and value of wildlife, and ways and means to properly manage it.

Courses in wildlife management and administration should be established as part of the agricultural and forestry education in the universities.

When it becomes possible, key administrative and technical members of the agency should be sent to the United States to study proved laws, methods, and technique in wildlife management.

The Minister of Agriculture and Forestry should be given complete jurisdiction over the wildlife of Japan, this jurisdiction to include responsibility for its management and the enforcement of the laws. To a degree he now has this responsibility, but a close study of the law discloses evidence of vagueness, possibilities of overlapping authority, and opportunities for evasion. The law should be so written that the Minister's authority is definite and his responsibility mandatory. Permissive authority should be limited to the Minister's jurisdiction alone.

According to the writer's understanding the fundamental recommendation for government in Japan has been decentralization, but experience elsewhere has clearly demonstrated that such a decentralization will not obtain the desired results as far as proper wildlife management is concerned. Several reasons clearly support this contention:

(1) Most of the birds of Japan are migratory. Many of them leave Japan during certain portions of the year; those that do not leave Japan can and do move from prefecture to prefecture.

(2) The range of most of the other desirable species of wildlife is such that they can move from one prefecture to another within the limits of their environment.

(3) In the United States it became necessary to enact the Migratory Bird Treaty Act placing migratory birds under the jurisdiction of the federal government in order to obtain the essential and necessary administration and management.

(4) If administrative authority and order is established on the prefectural level, possibilities of conflict and inconsistency constantly exist. Differences : political viewpoints or obligations may cause a prefecture to issue certain orders in opposition to those of a neighb whereas proper handling of the wildlife problem may requir similar administrative procedures in both prefectures.

(5) Responsibility without authority is inconsis ent with good administration.

(6) It is absolutely essential to good game management that law enforcement be consistent, uniform, and positive through out all of Japan. To be effective, order for such a system must originate from the source.

(7) Only through concentration of responsibility in the Minister of Agriculture and Forestry can uniform administrative and enforcement procedures be established t ensure that all hunters throughout Japan are required to hold licenses for hunting.

(8) Likewise only through concentration of responsibility in the Minister can uniform and positive enforcement of wildlife laws on all lands and waters, wheth private or public, be ensured throughout Japan.

A wildlife cash fund should be established by lav All revenue collected from hunting licenses and other wild should be deposited in the national treasury and credited to this fund. It should be specified in the law that no money from this fund is to be spent other than for administration and management of wildlife. Annual budgets for the operation of the agency should be established by the Minist

During inspection trips the writer received complaints that in many prefectures most of revenue from wildlife sources was being spent for other purposes, such as road construction and similar activities entirely unrelated to wildlife. This is evident from a study of the report of the 1950 expenditures, when ¥380,804,4000 was collected from sale of hunting licenses by the various prefectures but only ¥24,211,056-- only 6½ percent of the revenue -- was spent for wildlife administration and management. This sum is entirely inadequate, and rehabilitation of wildlife would be impossible under such a program The highest proportion was spent on wildlife in the Nagano Prefecture with a figure of 17½ percent.

The recommended procedure is a proven one. Most states of the United States long ago established such laws, realizing that if such action is not taken wildlife development and management on a successful scale is impossible. In fact, laws concerning federal aid to wildli have specified that, to receive federal aid, states must pass laws guaranteeing that wildlife funds will not be diverted to other purposes.

The writer is aware that the established policy in Japan is to avoid special or so-called cash funds. This policy is not questioned as to the appropriation and expenditures of tax collections. Hunting licenses, however are not taxes. The person buying a hunting license does so voluntarily and thereby the fee he pays cannot be classifie

as a tax. Money collected from the hunter engaged in taking wildlife should be spent for the purpose of management and development of that resource. Such a policy tends to provide the funds necessary to maintain a continuing supply of wildlife not only for the benefit of the person who pays the bill but to the benefit of the people as a whole.

The recommendation limiting prefectural governors to restrictive authority requires little explanation. If the sole and mandatory responsibility of wildlife management and administration is vested in the Minister of Agriculture and Forestry, the only authority that would be granted the prefectural governor is to impose more restrictive regulation. The United States Migratory Bird Treaty Act operates in this manner.

In conjunction with changes in law establishing the sole responsibility of wildlife management and administration in the office of Minister of Agriculture and Forestry, and Advisory Commission should be established. The present law requires that the Minister hold public hearings before supplementary regulations are adopted, but this system has proved inadequate. Distances to the point of hearings undoubtedly prevent many interested persons from attending. On the other hand, if too many are in attendance at hearings, most people cannot take part. Some system of representation should be created to express the wishes of the various individuals and groups. The Commission thus set up should have no regulatory authority, but the law should require it to meet with the Minister each year before regulations are adopted. The position of commissioner should be unpaid, with reimbursement for actual expenses incurred in the line of duty and travel only. This body could then represent the people and groups as well as the different sections of Japan in expressing to the Minister their wishes and desires. The Commission would also serve to represent the Minister to their groups and sections. Such a system would obtain the results now desired by the provision of the public hearing, which is operating democratically in name only.

Membership on this Commission should include representatives of the Agriculture and Forestry Committees of the Diet, of groups having a general and public interest in wildlife conservation from each of the four main islands of Japan, and of agricultural interests at large. Representation is recommended as follows: Diet committees of Agriculture and Forestry 2; island representatives 5 (Hokkaido 1, Honshu 2, Shikoku 1, Kyushu 1); agricultural interests 1; total 8. Appointment to membership is recommended as follows: representative of agriculture at large and the island representatives to be appointed by the Prime Minister for a term of five years with staggered terms; Diet representatives to be the Chairman of the Upper and Lower House Agriculture and Forestry Committees.

The wildlife administration under the existing organization occupies too low and subordinate a position. Reorganization of this section by raising it to the status of an Agency in the Ministry of Agriculture and Forestry

should, if possible, be put in effect simultaneously with t establishment of wildlife management and administration in the Ministry.

The rehabilitation of wildlife in Japan will require time, intensive work, good organization, and an administration which must be independent and not subjugated to conflicting interests. The Agency must be in the positi to initiate its own program and upon approval carry it to conclusion. It must be in a position, upon approval of the Minister, to expend its funds according to its own dictates to meet problems and needs as they arise. This recommendat cannot be emphasized too strongly.

The agency should be organized along standard financial, staff, and operational lines of authority, with the duties and responsibilities of each position from the top to the bottom clearly defined. If this is done, each position will operate effectively and overlapping and conflicting authority will be eliminated. In my opinion, not many men in Japan have sufficient training and experien to do an effective job of wildlife administration. A competent, well-trained man should be placed at the head of the organization. If he has sufficient authority, he will be in a position to impart his knowledge and experience to those under his supervision; if the organizational structur is proper and complete, he can develop an effective unti of government.

Under the present system of operation the game warden is an employee of the office of the prefectural governor, Economics Division. He has the power of apprehen sion, but he must turn all alleged violators over to the prefectural police authorities for prosecution. The game warden does not hold police or sheriff power. Such a syste is not effective, and the records prove it. In 1949, 3,936 persons were apprehended; of this number 3,354 were admonished by the police authorities and released.

In any successful wildlife department, law enforecement is the keystone. On its success or failure will depend the success or failure of the department and it program. Here again is a place for application of that old rule of administration that authority must accompany responsibility. If the warden is responsible for the welfa and care of the wildlife in his district but has no authority to prosecute violators, he cannot do an effective job. If, however, he has this authority he then can fulfil his responsibilities.

To remedy the present situation, it is recommende that the game warden be made an effective part of the agenc organization and that by law he be granted the powers of police and sheriff with authority to prosecute in any prefectural police court. Implementation of this recommendation is absolutely essential to the success of the wildlife program.

A strong educational program should be made a part of the agency's organization. Someone should be deleg

the responsibility of developing films and lectures to be given to schools, hunter clubs, scientific groups, civil groups, and other associations. These presentations should outline the history and status of wildlife and point out the steps that are essential to protect and develop it. Above all they should show the benefits of wildlife to the public.

Courses in wildlife management and administration should be included as a part of the curriculum in the agricultural and forestry schools of the universities. If such training could be developed, employees of the Ministry of Agriculture and Forestry taken from the universities at least would know the relationship between soil and forest management and wildlife management. This common knowledge would help them in correcting evils and making adjustments where agriculture and wildlife are in conflict. Also, it is reasonable to assume that if the agency is created as an operating part of the Ministry as recommended in this report, many students will desire to seek wildlife management and protection as a career.

When such a step becomes possible, the agency should send its key personnel to the United States to study progressive wildlife education, management, and administration as it has been developed there. Obviously not all policies and procedures which have been successful in the United States are suitable for Japan, but wide knowledge of the various possibilities open to them will be essential for the men in charge if they are to succeed in developing Japan's wildlife resources to the fullest extent.

In this connection, exchange of various wildlife species is a significant possibility. Experimentation along this line eventually might develop favorable populations of wildlife that would be able to thrive under the conditions existing in Japan. The nation has large areas of relatively wild country that may be ideal for exotic species. These possibilities should be probed by study of species and conditions in other countries, trial-and-error experiments, and exchange of ideas with wildlife experts in other areas.

PRESIDENT LEAHY: I believe that Carey Bennett here has a question ask. Are there any questions that you want to direct to Mr. Feast?

MR. RUHL: I didn't hear him comment about the principal wildlife species he mentioned.

PRESIDENT LEAHY: I think that subject has been discussed in the hotel room these past few days. If he wants to make any further comment I will turn the mike over to him.

MR. FEAST: We will have a discussion at the International.

MR. LEAHY: Gentlemen, we will proceed then and go on with the business session. At the Milwaukee conference last year a resolution No. 2 was adopted. That resolution

says this: "Now, therefore be it resolved by the Associati of Midwest Fish and Game Commissioners in Convention assemb led this 26th day of July, 1950, that consideration be give at the next annual meeting to an amendment to the constitut ion permitting the increase of membership dues to $20.00 annually and that notice to this effect be mailed to all members, in accordance with the constitution."

Now, that provision was met. I notified the states a month ago, perhaps, that this resolution would be brought up and it is something that needs attention at this time and the Chair will recognize, I am the Chairman entertaining the motion respecting this resolution.

MR. FEAST: I move the adoption of that resolutio

MR. RUHL: I second the motion.

PRESIDENT LEAHY: It has been moved by Mr. Feast and seconded by Mr. Ruhl of Michigan that the resolution be adopted. Is there any comment? Are you ready for the question?

(Roll call was taken and it was determined a quorum was present.)

Those in favor say "aye"; opposed, "no". Motion carried unanimously.

The resolution carried, gentlemen, and I suppose that the next year's dues will be billed at $20.00. Now we have a report of the Secretary-Treasurer of the organizatio Mr. Lutz of Kansas.

MR. LUTZ: Mr. President and Delegates: Your secretary's job this past year was comparatively easy, thanl to the excellent work of the preceding secreatry-treasurer, Walter E. Scott of Wisconsin. Mr. Scott had the records up to date; had prepared a history of the Association and instituted and carried out other practices of great value t the organization. Everything was recorded clearly and perfectly when Mr. Scott turned over the records to me.

Your treasurer received the sum of $388.36 from Mr. Scott. To this has been added $140.00 for payment of 1951 dues from Missouri, Kansas, Minnesota, Illinois, North Dakota, Ontario, Indiana, Ohio, Colorado, and Nebraska. 1951 dues must still come in from the Province of Manitoba.

To date, no money has been expended, leaving a balance in the treasury of $528.36.

We have engaged a local stenographer to record the verbatum transcript of this meeting and at the present time we do not know what the total bill for this service will be. We expect to have the record of this meeting made up and distributed to all member states as quickly as possible.

It is the treasurer's recommendation that he be

permitted to close his books after the Province of Manitoba has paid their dues and after all anticipated outstanding bills have been paid. The remaining funds and records will then be sent on to the new Secretary-Treasurer.

It has been a pleasure and honor to have served the Association as Secretary-Treasurer this past year.

If there are no objections, I move the adoption of this report.

PRESIDENT LEAHY: Just a moment, gentlemen, some of the states think that we are getting in a little hurry here. I was concerned more with the visiting delegates than with my own state and for the time being we will postpone and interrupt this business meeting and return to the program. The program for this period called for a roll call and summation on restoration regarding the management of farm ponds. I am going to turn the Chair over to Mr. Schoonover from Kansas for this period of discussion.

MR. SCHOONOVER: Mr. President, delegates, the purpose of this discussion was to review and compare the regulations set up by the various states for determining your policies regarding stocking, managing, and harvesting of populations of farm ponds. Perhaps some of the regulations are not entirely satisfactory and some value can be obtained for finding out how the states are solving such problems. We sent out a letter on this and suggested topics and I thought we had gone through those. I don't think I have them in the order in which they were sent out in the letter. The first topic pertains to the season, the degree and the minimum length of the regulations and in Kansas on the farm ponds our seasons and regulations are the same as for any of the other waters of the state. The seasons, we have year round seasons except the bass during the period of April 25 through May 25th inclusive. Our creel, no limitations except on the bass and the channel catfish. The bass is ten per day. We will go through the states and any discussion or comments that you have will be welcome. Anyone from Iowa? Colorado? No one from Illinois or Indiana, nor Manitoba.

MR. WESTERMAN: This farm fish pond program in Michigan is one that we have not been well in any sense concerned with like our friends in many of the southern states so that actually, there is not much interest in this. Some people have built ponds of their own, but there are no special regulations that apply. In Michigan if a pond is private in character, as most of these would be, they are really exempt from state regulations. In other words, the owners can fish at any time and in any manner they care to. In conformity with our policy the state does not attempt to buy fish for stocking such ponds either and those people who have build on their own, and there are a few, have to resort to some other means of stocking. Take public parks for instance, in most instances they resort to the U.S. Fish and Wildlife Service who have different policies than they have in the state. You may wonder why Michigan perhaps hasn't more, but it seems to us that that type of pond

doesn't have a chance for success. It seems to have been achieved in some of the neighboring states to the south, particularly Iowa. I have been very much interested in listening to Dr. Lincoln in the discussion that he made at several conservation meetings the last eight to ten years about the fish pond idea. Mr. Ruhl pointed out that the regulations are a bit mixed up. For one thing, we don't have the type of soil to hold water as Iowa seems to have and our winter conditions are quite a different problem. The chance of winter survival is pretty removed. So, I don't think it can be viewed that Michigan has any important place in this farm pond program. I am glad to be able to participate briefly in this discussion and to be with you on this occasion.

MR. SHCOONOVER: Thank you, Mr. Westerman. Is there anyone from Minnesota, Missouri, Nebraska?

MR. HUSTON: Nebraska has a large number of farm ponds and they have two or three different types of farm ponds in the northern part of our state, some very good ones and we generally have a lot of success with fairly small sized ponds. In the southern part many of them were built originally for silt ponds and are not good fish ponds. We have set up minimum requirements before stocking of these ponds. Our department does not stock ponds that are not open to public fishing. If the private owner will agree to leave his pond open to the public by permission we can stock the pond. The regulation on farm ponds are the same as all other regulations in the state. The owner of a farm pond has to comply with all state laws and he has no privilege in seining his fish out to remove the oversupply. In fact in Nebraska it is illegal to have a seine other than a minnow net in possession. It makes it a little difficult for them to manage their ponds because most farm ponds in our states are not fished too heavily and in a very few years they become overstocked and there is no way for them to remove that surplus legally. Many of the ponds are built without drains and can't be drained, so most of them are overstocked ponds. Most of our southern ponds are not too successful.

MR. RUHL: It is possible to fish them out with a fish and line?

MR. HUSTON: I don't believe it is. Most of our small farm ponds were checked. They are overstocked with bluegill and bullhead and I have never known a pond to be fished out.

MR. RUHL: In other words, the year round season, it still would be impossible? How many fishermen per acre do you have at any time?

MR. HUSTON: Very few. Most of the farmers, many of them don't want too many in at one time. It is a very small number.

MR. SCHOONOVER: North Dakota.

MR. MORGAN: Mr. Chairman, and gentlemen, the

management of farm ponds in North Dakota has a history of about two or three years of actual management being implemented. Prior to that time, there was a good deal of stocking and in making a check of the survival we found out that practically none of the stocking was worthy of any effort or expense on the part of the department. As a consequence, the first thing that we had to do was to set up certain standards which these ponds would have to meet before we could even consider it. Like many of the northern states, but not all of them, we have very severe winters. Oxygen or the oxygen carrying capacity of the pond over a long period of time when there is a complete seal of ice on the pond is a very important factor and as a consequence, we had to do a little educational work. That was the origin of this little pamphlet -- "Fish Stocking in North Dakota. Where and Why?". In that phamplet we set up certain standards which have to be met with these ponds. Many requests come from the Soil Conservation Service personnel who are responsible to their finance planning and having these ponds established and they are all cleared through our office at the present time. Prior to this time they were not or prior to the two years ago they were not. However, we have them channeled from the Fish and Wildlife Service whereby they are all cleared through our office and not even any fish produced by the Fish and Wildlife Service hatchery go into them as we blackball them as they come through us. We also demand that any applicant for stocking in any of these ponds signs an easement whereby he grants public access for fishing in the ponds. The owners are all subject to the same laws that other fishermen are subject to in the state of North Dakota. I think, Mr. Chairman, that that is all I can contribute.

MR. SCHOONOVER: Do you have a written agreement with the farmer?

PRESIDENT LEAHY: I'd like to ask a question. I may have missed it in your presentation. Is there many federal fish planted in your state in those ponds under the jurisdication of that farm pond act over which you do not have any control?

MR. MORGAN: None. We have an understanding with the Service whereby all of these requests are routed through our office and are either okayed or rejected and if they do not meet the requirements that we have set up for the stocking of farm ponds they are rejected.

PRESIDENT LEAHY: I'd like to ask Mr. Bennett a question on that. What is the legal aspect, the legal jurisdication of that Act? I understand that it is mandatory upon the Fish and Wildlife Service to plant fish in farm ponds.

MR. BENNETT: I am sorry I can't answer that. I am satisfied that we are more than willing to clear those applications through you and do so.

MR. FEAST: I bring this issue up because it is my understanding that we do have a memorandum of understanding

with the Fish and Wildlife Service for the planting of all fish in Colorado except farm ponds and the Fish and Wildli Service at the time we signed that memorandum of understan ing specified the Act made it mandatory that they plant those farm ponds under that food productions act. Mr. Ben do you know what that Act is?

MR. BENNETT: Not without referring to the memorandum. That is our memorandum of understanding.

MR. MORGAN: In answer to that, Mr. Feast, I wou say that certainly that was the custom I know prior to two or three years ago in our state and there was just a lot o waste effort and a lot of waste money as a consequence. I conjunction with the Fish and Wildlife Service we made a survey of ponds that have been planted in the last eight o ten years in North Dakota. I can't give you exact figures but they were very discouraging -- something like three percent of the ponds that had been planted were still surviving and it was necessary and practical to find some method of clearing these applications if that sort of thin was going to be stopped but I do know this that on lakes where fishing rights were required then upon request the Fish and Wildlife Service does make that plain or would under oridinary circumstances would enable to circumnavigat that and we hope more or less control on those acts.

MR BENNETT: I am satisfied that we have discretionary power whether we plant or not under any Act. Certainly no one can see the necessity of planting where w knew subplanting was not necessary so I am sure it would b handled through agreement with the state.

MR: ROACH: We have, in all federal stocking in Ohio, comes through on a regular card that you fellows put out except the Soil Conservation Service ponds. Now, thos are all approved by us before stocked but they come throug on a different form.

MR. FEAST: That is the way it is in Colorado except that all of our planting is vested within the state of Colorado with the exception of these farm ponds on the Soil Conservation districts and I believe that if it isn't being done that way in all states that the Fish and Wildli Service should clarify that issue that if such is the case we can have it stricken from our memorandum of understandi The farm ponds in Colorado are our most effective program.

MR. BENNETT: If this Act has done nothing else, it requires of me to find out about these matters.

PRESIDENT LEAHY: He says he won't be caught without that information again.

MR. SCHOONOVER: Is there any other discussion of federal stocking?

MR. ROACH: Just for Mr. Feast's information, the approval of even the Soil Conservation program passes over our heads.

MR. FEAST: I am glad to hear that because that is the way we want it in our state and we understand it is that way in most all our states.

MR. RUHL: The same in our state. I am pretty sure that is true in region 3 also.

MR. SCHOONOVER: It is true in Kansas also.

MR. FEAST: I am glad to hear that because I am going to start proceedings to renegotiate our memorandum.

MR. HARKNESS: Mr. Chairman and gentlemen, we have three types of ponds in Ontario. The coldwater spring federal ponds which are by far the most common produce the speckled or brook trout and rainbow trout. The second type is the minnow pond which is just being developed for the present time. The third type of pond is the warm water fish pond which is in a first state of development at the moment and with which we are really beginning to work.

The practice of seining is not required in the management of any of the operated ponds at the present time excepting in the minnow ponds where the authority for seining is provided through an ordinary minnow seining license or where we will provide any special authority required by the operation of the pond to properly harvest the minnows. We are not bound by any particular or strict regulations in that respect because we consider the minnow pond to be in an experimental state and the department may work with the operation of the pond on an experimental basis providing him with any authority that seems necessary after an investigation of the situation so we are in close contact with these people who are developing minnow ponds at the present time on an experimental basis with the department.

With respect to the use of the rotenone for the control of undesirable species -- rotenone or other poisons, no poisons or other method of clearing up the fish may be employed by the owner or operator of the pond without the immediate direct supervision of a competent officer of the department. When an inspection of the pond has been made and the necessity or desirability of the use of the rotenone or any other method of modifying the population in the pond has been approved the owner may proceed at his own expense to undertake the poisoning or under the direction and supervision of an officer of the department until the operation is completed. The use of any fish in any waters in the Province of Ontario come directly under the regular laws and regulations of the Department which pertain to the use of all fish in private ponds with respect to reason, length, and every use made of those fish excepting where special provision has been granted again on an experimental basis.

The department will stock with small fish any ponds in the Province of Ontario that are open to public fishing and when I say open to public fishing that may be on the

basis of a reasonable fee which is charged. We consider $:
a red speckled trout to be reasonable. If the pond is rea
very good it will even go for $2.00 a rod a day but it has
be open to all members. It can't be in the form of a club
or selective group. As soon as the operation on a farm
becomes limited to a selective group then the Department w
not stock those waters excepting under certain exceptional
cases by purchase of fish from the Department. The Departm
will not provide fish for purchase unless the owner of the
water can show us clearly that he has failed to have been
able to obtain the fish from private sources and we will n
permit him to import fish from outside the Province for th
purpose. That of course as you understand, is for protecti
against disease which is so easily transmitted, particular
from one trout pond or hatchery to another. We have sever
private hatcheries in the Province and as long as they can
supply trout to these applicants then we will not sell them
any trout. If the private hatcheries cannot sell them tro
we may or may not, depending on the availability of our su
and the apparent need of the operator. I think that that
pretty well covers the situation.

Trout ponds in the Province have operated for
fifty to seventy-five years and are very successful.
Unfortunately, they are deteriorating with the erosion and
removal of cedar swamps and other timber areas, the
deterioration is rather slow although that is essential wit
what it had during the war years and it looks now as if the
case of maintaining these necessary covers for sources of
these streams is about holding its own now. I think our
reforestation projects are just about equal to the removal
of the timber stands and public opinion I think is swinging
over in that direction fast enough so that we may not lose
much more ground and may be able to preserve those cool wat
spring supply requisites for these ponds. The Department
is definitely encouraging the development of minnow ponds
and we have two or three projects now in spot areas of the
Province as demonstration areas being carried in co-operati
with the pond owners and the Department and we are doing
what we can to promote the idea of the development of minn
ponds for bait. The use of warm water fish ponds in operat
comes along quite slowly because by and large operating
excepting the very local farm boys look to such fish as
speckled trout, wall eye, northern pike, bass, as their
favorite game fish and they don't take too well to the warm
water fish such as the crappies which we have very many of
anyway and the catfish but there are so few ponds in which
local pople get a good deal of enjoyment of those things an
I think in the next few years we will do something to
encourage the type of development also and of course for
protection purposes of which the fish develop potentialitie
have not even been considered seriously as yet.

MR. SCHOONOVER: Thank you, Dr. Harkness.

MR. ROACH: We have no official farm pond program
A few years back under a farm game development plan one of
our P.R. transactions with some farm ponds built more for
backing up water for a game area than fishing purposes. Fo

the most part, farm ponds are private. If the waters of the pond have no direct connection by which the fish may move on to more property and hence become public, they may be taken in any that the owner sees fit. In a few cases operators have desired state participation in the managing of their ponds, in which case they have assigned public fishing easements or agreements with us but actually, we have done very little on investigation their possibility and investigating the management needs. I believe Mr. Morgan mentioned winter kill problems. We have made some observations and in a letter have been called into consultation into some farm problems which our men have been instructed to answer as long as it didn't interfere with their work on public waters.

To my knowledge, I had no winter kill problems but we have had some summer kill problems and those cases have been traceable to overdoses of fertilization. If you could call them overdoses. We are on the boundary there between some disputes that have come up between various state on the proper stocking ratios and the proper fertilization procedures and frankly, we never in Ohio have made enough experiments to determine just what should be done in regard to fertilization or in fish stocking in farm ponds. We do know that we are very susceptable to over-production of such things as bluegills and bullheads, particularly, and we do feel that in most cases farm ponds are greatly underfished. It seems peculiar that a farmer who knows that in planting his fields and in grazing his pastures that he has to limit his stock but he still can't seem to get it through his head that his same principals apply in stocking and fishing in a farm pond but that seems to be the case. We have done some experimental work in our warm water hatchery ponds. Most of that has been done in regard to fish combinations, none of which is available for discussion. It hasn't been completed. An experiment conducted over a three-year period starting about four or five years ago in an effort to try to determine some reasonable regulations if there was any for taking fish from ponds. This experiment was performed at one of our hatcheries in an acre pond. I am sorry I don't have the figures on what happened. They placed these one-pound fish in this acre pond and our fishery personnel in that particular area were permitted to fish that pond and without any regard to any kind of regulations whatsoever they caught they just transferred to another pond there, making a record of the hours they fished and what they used for bait, etc., at the end of the first year the large catch were down to about fifty percent. The fish catch rated pretty high. The fish were measured, all taken out of the pond, measured, and replaced in the pond that fall and the next year carried through under the same procedure. Well, at the end of the three years, we have about one hundred fish still in that pond and the poundage was slightly more than we started out with but the fishing was very erradic. There was no regulations. They fished when they felt like it, whenever they had time, and when fish fell off, they didn't fish. At the end of three years in spite of no stocking, no regulations of any kind, the fish in there amounted to about the same poundage as the original stocking.

MR. SCHOONOVER: Is there a delegate from South Dakota or Wisconsin?

MR. FEAST: The farm program in Colorado is not official as far as the Colorado Game and Fish Department is concerned and it is not too effective. What farm ponds are built in our state are in conjunction with the activit of the Soil Conservation Service. As I explained to you w I was giving my report on habitat, the eastern part of the state is dry plains and for the most part the water throug those plains areas are river bottoms that drain from the higher mountains and they are subject to extreme variation and run off and they themselves are not conducive to the construction of ponds. The land itself is wheatland or sho grass. When you get to the removed eastern part where you start to approach the limestone you find a few springs but in general that area is dry and what the Soil Conservatio Service found out was that the construction of dikes over the dry land to retain run off primarily for stocking purposes due to the fact that the country has low precipit ation, why those little ponds have been created where the water is either utilized by cattle or evaporates or it seeps away and the cattle begin working around in it, it i muddy and generally unsatisfactory. Now, there has been a lot of fish planted by the federal government through the Soil Service Farm Program but up to date the results o them have been so negligible that they aren't of concern. There has been a tremendous amount of pressure in eastern Colorado for the development of warm water fish and that w is being done in the reservoir. It is a dry state and the revert the water in the upper streams and around through t countryside and they will select a dry catch, they will b a dam and then they will run that water under priority rig into that impounded area and use it for storage. Now, tho bodies of water run from twenty-five to thirty acres up to several hundred and even up to a thousand in one instance. They fluctuate highly in accordance with the agricultural demand for storage and stored water but under the general conditions in Colorado at least most of those reservoirs have a substantial amount of water in them by year round seasons and by increasing the interests in warm water fish we have increased the production of some of those bodies o water. Our law is that no fish can be planted in waters that are not open to the public. So, consequently, we do permit the planting of any of our fish in farm ponds unles they are what we can fish in.

I brought up the question regarding the Fish an Wildlife Service applications and if we have any control o that we are going to disapprove the planting under that Ac where the public can't fish. We find that the landowner that does have a half-way decent farm land whether or not lets anybody fish on there, won't harvest the fish. They try to keep people from fishing; the first thing the farm is all out of balance, little fish, sunfish, or bluegills, if they can be obtained, are of no value whatsoever to th fisherman, most of them of the type that we might want to keep them out. We have made some investigations that prov to some farmers that program management pays dividends.

Colorado fish program has straggeled along without much success until we started it. Since then we have definite wildlife and pike fishing and the public is demanding more wildlife, more pike, and we are afraid we might get out of balance again if we don't have enough influence on sportsmen to control their enthusiasm. We have had some success in a few of the larger areas. We have seen in some bodies a steady increase not only in the production of the fish and pounds per acre but in the size of the fish.

MR. SCHOONOVER: Is there any other discussion on the use of fish?

MR. FOSTER: We have a state law that prohibits the use of any poisons in any of the waters of the state. The includes any one, even our department, so, we can't use that.

MR. MORGAN: We are carrying on three major poisoning projects this summer in North Dakota, on lakes that either are over-populated or have a carp problem in them and one is being carried on this week incidentally at which the factory representative or one of the factory representatives is applying poisoning I believe two or three of the fish personnel people from South Dakota are up there taking that in. I am sorry that it is a little too early to give you the results on that but last year, which was the first year that we used the rotenone, we did have some very good results getting practically one hundred percent kill on the areas where it was properly applied.

MR. SCHOONOVER: So far in Kansas we have used rotenone in Kansas for some cases for removing the population in the ponds. In most of those instances we have supervised the work and ordinarily the owner would stand the expense of the rotenone. We haven't gotten into it very much at the present time. Any other discussions on this?

PRESIDENT LEAHY: I'd like to ask Mr. Foster a question. Don't your technicians find it necessary to use rotenone in their work and if so how do they get around the law or do they?

MR. FOSTER: We have experimented with it a little bit even though the law says we shouldn't and we have had success in killing the over-population in small ponds. In one place we tried it in a larger lake of about sixty acres and we didn't get a complete kill but rather than use the posions we think we have better success with draining the ponds completely. In some ponds you can't do that. In Nebraska we have quite a large number of sand pit lakes and I can see where it would be of benefit if we could use the rotenone with success.

PRESIDENT LEAHY: It looks like we are in the same boat.

MR. MORGAN: I might add one other word and that is

we were successful in getting legislation passed at the la session of the legislature which gives us complete control of introduction of fish into any of the waters and we hope to be able to accomplish quite a bit in seeing that the management lives up to that there.

PRESIDENT LEAHY: Thank you, Mr. Schoonover. We will now proceed where we were interrupted with the busine session. Is the auditing committee ready to report?

MR. HARKNESS: Mr. Chairman, the auditing commit ee has examined the books and accounts of the Association and found them to be in perfect order and has so indicated in the secretary's record. If you require a motion I'd be very glad to move that the report of the auditing committee now given be accepted.

MR. MORGAN: I second it.

PRESIDENT LEAHY: It has been moved and seconded that the report of the auditing committee be accepted. Is there any discussion? Those in favor say "aye"; opposed, "no". Motion carried unanimously.

MR. HARKNESS: It was a very difficult job, Mr. President. It took us the total of five minutes, I would say, with the two of us working as fast as we could.

PRESIDENT LEAHY: Now the resolution committee. Is it ready to report?

MR. CRAMER: My two fellow members left me with work to be done and I am sorry to state that we did not receive more than one or two suggestions from the members. We have six resolutions to recommend for your adoption. T first is an expression of sympathy on the passing of P.J. Hoffmaster:

> "Whereas, P.J. Hoffmaster, late, Director of the Michigan Department of Conservation, has long been a faithful and valuable member of the Association of Midwest Fish and Game Commissione and Whereas, P. J. Hoffmaster had achieved natic stature as a leader in the field of Natural Resource Conservation and will be greatly missed in the councils of this Association, Now, theref be it resolved that the Association of Midwest Fish and Game Commissioners extends its sincere sympathy to the family of Mr. Hoffmaster and to Michigan Department of Conservation and Be it further resolved that the President convey this expression to the family and the Conservation Department in writing".

The Resolutions Committee recommends the adoption of this resolution.

MR. MORGAN: I second the motion.

PRESIDENT LEAHY: It has been moved and seconded that the committee adopt Resolution No. 1. Is there any discussion? Those in favor of the resolution signify by saying "aye"; opposed "no". Motion carried unanimously.

MR. CRAMER: Resoultion No. 2.

"Whereas, the Committee on Coordination, with Mr. H. R. Morgan as Chairman, has worked concientiously and diligently during the past two years on the problems of standardizing policies and practices in wildlife conservation among the several states of the Midwest and, Whereas, this Committee has submitted its report containing numerous suggestions for the standardization of conservation policies and procedures, Now, Therefore, Be It Resolved that the Association of Midwest Fish and Game Commissioners go on record as highly commending this committee for its thought provoking report and Be It Further Resolved that the President appoint such committee as may be necessary to examine the points brought up by the Coordination Committee in its report and submit their recommendations at the next meeting of the Association."

The Resolutions Committee recommends the adoption of this resoltion.

_____: I second the motion.

PRESIDENT LEAHY: It has been moved and seconded that the committee adopt resolution No. 2. Those in favor of the motion signify by saying "aye"; opposed "no". Motion carried unanimously.

I see the suggestion that I appoint the Committee at this time. All right. I will make the appointment at this time. I am going to appoint Mr. Morgan of North Dakota as Chairman of that committee, Mr. Ruhl of Michigan and Mr. Steen of Missouri to serve with him.

MR. CRAMER: Resolution No. 3.

"Whereas, the biological role of predatory animals in nature is rapidly becoming better understood and Whereas, the actual necessity of widespread and often promiscuous control of predators is now being seriously questioned, and Whereas, the payment of bounties on predators has not proven effective as a means of controlling predators even when such control may be locally justified and Whereas, such bounty payments, when required by law dissipate large sums of fish and game revenues that might well be used for more constructive projects, Now, Therefore, Be It Resolved, that the Association of Midwest Fish and Game Commissioners go on record as vigorously opposing all payments of bounties on predators from fish and game funds and Be It Further Resolved that this Association rapidly work

towards the goal eliminating all bounties on predatory animals."

The Resolution Committee recommends the adoption of the resolution.

PRESIDENT LEAHY: It has been moved and seconded that the convention adopt resolution No. 3. Is there any discussion? Those in favor of the motion signify by saying "aye"; opposed "no" Motion carried unanimously.

MR. CRAMER: Resoultion No. 4.

"Whereas, several states in the Midwest discriminate in several ways against the non-resident hunter and Whereas, such action tends to encourage retaliation and bitter feeling among the sportsmen of neighboring states, Now, Therefore, Be It Resolved that in the interest of better understanding between the Fish and Game Administration and the sportsmen of the midwest states, any restrictions against the non-resident hunter should be eliminated insofar as possible."

The Resolutions Committee recommends the adoption of this resolution.

PRESIDENT LEAHY: It has been moved and seconded that the committee adopt resolution No. 4. Those in favor of the motion signify by saying "aye"; opposed "no". Motio carried unanimously.

MR. CRAMER: Resolution No. 5.

"Whereas, several of the midwest states have established pre-employment and/or in-service training schools and Whereas, such training schools offer valuable opportunities for indoctrinating personnel with department policies and for supplementing previous training, Now, Be It Therefore Resolved that the Association of Midwest Fish and Game Commissioners endorse the principle of pre-employment and in-service training schools for fish and game personnel and urges its members to adopt these methods of raising their personnel standards, improving public relations opportunities and Be It Further Resolved that a committee be appointed by the president to make a study of existing training schools -- types, methods and curricula and preser a report at the next meeting."

The Resolutions Committee recommends the adoption of the resolution.

OHIO: I second the motion.

PRESIDENT LEAHY: It has been moved and seconded that the convention adopt resolution No. 5. Those in favor

of the motion signify by saying "aye"; opposed "no". Motion carried unanimously.

For that committee I appoint Mr. Feast of Colorado as Chairman, Mr. Roach of Ohio and Mr. Vance of Nebraska as members of that committee.

MR. CRAMER: Resolution No. 6.

"Whereas, the Eighteenth Annual Meeting of the Association of Midwest Fish and Game Commissioners has been one of the most constructive meetings which has ever been held, and Whereas, President Leahy, members of the Kansas Fish and Game Commission and the sportsmen of Kansas have gone to considerable time and expense to make this an outstanding meeting, Now, Therefore, Be It Resoulved that the Association of Midwest Fish and Game Commissioners go on record as unanimously commending the State of Kansas for a job well done and for their efforts towards arranging accommodation and entertainment for the delegates, members and their friends."

The Resolution Committee recommends the adoption of the resolution.

PRESIDENT LEAHY: It has been moved and seconded that the convention adopt resolution No. 6. Those in favor of the motion signify by saying "aye"; opposed "no". Motion carried unanimously.

I appreciate very much the comments in that resolution. I am not sure that we have done a good job or deserve all that praise. Thank you.

MR. CRAMER: We felt that you did deserve it.

PRESIDENT LEAHY: As President of the organization the most important thing in his life is the election of a new president, so at this time, we will hear from the nominating committee.

MR. VANCE: In the absence of the Chairman of the Nominating Committee and Mr. Beckman also of the committee I will give you the recommendations.

For President, Mr. Bruce Stiles, Iowa; for the Vice-President, Mr. W.J.K. Harkness, Ontario; and for Secretary-Treasurer, Leo Faber of Iowa.

For the Directors: Colorado, C.N. Feast; Illinois, Leonard Schwartz; Indiana, H.P. Cottingham; Iowa, Bruce Stiles; Kansas, Dave Leahy; Manitoba, G.W. Malaher; Michigan H.D. Ruhl; Minnesota, Chester S. Wilson; Missouri, I.T. Bode; Nebraska, Paul Gilbert; North Dakota, H.R. Morgan; Ohio, Charles Dambach; Ontario W.J.K. Harkness; South Dakota, N.E. McEachron; Wisconsin, Ernest Swift.

MR. FEAST: Mr. President, I move that the nominations cease and that the Secretary be instructed to cast an unanimous ballot as cast by the nominating committe

MR. MORGAN: I second the motion.

PRESIDENT LEAHY: It has been moved and seconded that the nominations cease. Those in favor of the election of these officers in the motion please signify by saying "aye"; opposed, "no". Motion carried unanimously.

Gentlemen, before turning the gavel over to Iowa, I want to say that it has been a very distinct pleasure to have served as your Chairman for this year. I am very greatful that so many of you came so far to attend this conference. I know too that the program wasn't arranged as well as it should be and that the discussions presented were not as prolonged or intensive as I thought they would be and with that I want to say, thanks to you for coming and I hope you come again and I hope you have a safe and pleasant trip home and I will ask Mr. Morgan to escort Mr. Harkness up here and I will turn this over to the Vice-President in the absence of the new President.

(Mr. Harkness was then escorted to the Chair by Mr. Morgan.)

Congratulations, sir, and I will turn the meeting over to you.

VICE-PRESIDENT HARKNESS: Thank you very much, gentlemen, for the honor conveyed upon the President and myself and I trust that his condition of absence will not extend unduly long and that there will be on question about next year's meeting. If as may or may not occur, the Presidency of the Association falls to my lot next year, and if in the considered opinion of the Association it would be better to appoint some state member as President, I would be very happy to abide by that decision. I realize that Ontario is an extreme distance from some of the states and difficult to get at. If, however, I am incumbent of the honor next year, it might be well to consider the possibilit of a meeting in northwestern Ontario. We generally like to have our meetings in Toronto as they are close to our office and all that, whereas northwestern Ontario is thousands of miles away, but it occurs to me Port Arthur or Fort William or Montreal might be more convenient for a meeting of this nature so there are two points to consider, gentlemen. First, as to whether or not Ontario will be nominated as President next year, or whether you would like to reconsider that and the second is if Ontario is indicated as being responsible for the Presidencyship, we would be very glad to consider suggestions as to the desirability of meeting in Toronto or in Port Arthur or Fort William. I suggest that now to the members of the Association that you might be giving it some thought for the next year so that you will be a little better fortified to deal with that situation. I believe that there is no further business.

MR. MORGAN: One other matter I'd like to bring up at this time before leaving, Mr. Beckman informed me that if it was the desire of the members of the Central Flyway to hold the Central Flyway meeting next year as it was this year at approximately the same time that the Midwest was held that we would be very welcome to the state of Iowa. I believe that the meeting place of the Central Flyway Council was left up to me. I think this is desirable to most of the member states belonging to the Central Flyway Council and I want to get an expression from those of you who might be members of the Central Flyway council that might be here to-day regarding this.

MR. LEAHY: I would like the meeting to be held at the same time. I think that may increase the attendance.

MR. STEEN: I am not concerned about the Central Flyway except to find out how you get five more days and one more duck.

MR. VANCE: That is all right with me.

MR. LEAHY; I think it is a very splendid idea and we hope there is no conflict at all.

VICE-PRESIDENT HARKNESS: The Chair receives a motion for adjournment made by Missouri, seconded by Mr. Leahy. We stand adjourned, gentlemen.

.....The meeting adjourned at 3:45 o'clock p.m.