

April 28, 2011

Mr. David Murphy Conservation Federation of Missouri 728 West Main Street Jefferson City, MO 65101

Dear Dave:

Thank you for sending me the Conservation Federation of Missouri (CFM) resolution titled "Improving Timber Management by Supporting the Education and Certification of Missouri Loggers" that was adopted during the CFM 2011 Annual Meeting.

With assistance from the Missouri Department of Conservation (MDC), the Missouri Forest Products Association (MFPA) administers "hands-on" training for loggers known as the Professional Timber Harvester (PTH) program. PTH graduates are taught by our excellent instructor Joe Glenn on how to use the safest methods to harvest trees and by MDC instructors on forest management "basics" and how to implement forestry best management practices (BMPs) during timber harvests.

As mentioned in the resolution, MFPA now offers a certification program for professional loggers who want to be known as "the best of the best" in their chosen profession. Currently, eight loggers have passed the rigorous review of their business and harvesting practices to become certified Master Loggers:

Gregory Brinkley, Brinkley Wood Products, LLC, Piedmont, MO Shannon Jarvis, Jarvis Timber Company, LLC, Potosi, MO Matt Layman, Layman Wood Products LLC, Mountain View, MO Dustin Lindgren, D. Lindgren Logging, Patton, MO Kurt Rehagen, Rustic Wood Products, Inc., Perryville, MO Jeff Skaggs, Jeff Skaggs Logging, Silva, MO Travis Yake, Yake Enterprises, Ozark, MO James Zwyers, Jim's Tree Service, O Fallon, MO

<u>QUESTION</u>: How do we get more logging professionals to participate in PTH training and Master Logger (ML) certification programs?

<u>ANSWER</u>: The CFM resolution summary says it all, by "developing incentives for loggers in Missouri who receive training and certification; and recognition for those using outstanding harvest techniques."

Regarding incentives, only loggers who have completed PTH training and continuing education requirements may bid on MDC timber. MFPA-endorsed Secura Insurance offers a 10% discount for PTH-trained loggers and a 20% discount on certified Master Loggers on workers compensation and general liability insurance.

We welcome new incentives that will encourage loggers to voluntarily participate in PTH training and ML certification programs. It will take the entire forestry community to develop and offer these incentives, from MDC to MFPA; consulting foresters to forest landowners; and elected officials to propel Missouri's loggers into these valuable and necessary "timber management improvement" programs.

Thank you for your resolution on providing incentives for Missouri's loggers to voluntarily increase their level of professionalism.

Sincerely,

Steve Jarvis

Executive Director

Steventervis

Missouri Forest Products Association

CC: Tony Parks, MFPA President

Shannon Jarvis, Missouri Logging Council Chair



April 18, 2011

Mr. Dave Murphy, Exec. Director Conservation Federation of Missouri 728 West Main Street Jefferson City, MO 65101-1559

Dear Mr. Murphy:

Thank your for sending a copy of the recent resolution "Improving Timber Management by Supporting the Education and Certification of Missouri Loggers." The Missouri Consulting Foresters Association supports the spirit of this resolution and commends the Conservation Federation for its role in fostering improved timber harvesting techniques and practices throughout the state.

Members of our association depend upon the expertise of loggers to assure successful timber harvests for our clients. The credibility of a professional consulting forester with forest landowners is impacted by the perceptions of how well the logger respects the land, natural resources, and the terms of his contract. It is certainly in our best interest to promote a logging sector which possesses the greatest amount of technical expertise possible. Components of the Professional Timber Harvester program and the Master Logger program contribute immensely to increased professionalism exhibited by Missouri loggers every day.

Sustainable timber harvesting is a three way partnership between the landowner, forester, and logger. Certification programs are available for all three, but it is, perhaps, the logger who has, potentially, the greatest amount to gain by qualifying for a credential which indicates his willingness to produce results of the highest quality possible.

We congratulate the 308 loggers and 8 Master Loggers who are leading the way and urge them to extend their influence to convince their colleagues to participate in both existing and newly developing logger training programs.

Sincerely,

Shelby G. Jones, CF

President

Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

April 25, 2011

Mr. David Murphy Conservation Federation of Missouri 728 West Main Street Jefferson City, MO 65101-1559

Dear Mr. Murphy:

I would like to thank the Conservation Federation of Missouri for approving the resolution that supports Missouri State Parks and efforts to increase funding. The support of the Federation in general and its individual members has been and will continue to be crucial to the success of the Missouri state park system.

We appreciate your continued support as we move forward together.

Sincerely,

MISSOURI STATE PARKS

Bill

William J. Bryan Director

WJB:she



DEPARTMENT of AGRICULTURE STATE OF MISSOURI

JEREMIAH W. (JAY) NIXON GOVERNOR

JEFFERSON CITY

Serving, promoting and protecting the agricultural producers, processors and consumers of Missouri's food, fuel and fiber products.

DR. JON HAGLER DIRECTOR

April 27, 2011

Mr. David Murphy, Executive Director Conservation Federation of Missouri 728 West Main Jefferson City, MO 65102

Dear Mr. Murphy,

Thank you for taking a few minutes to reach out to the Missouri Department of Agriculture. We appreciate this opportunity to address recent resolutions by the Conservation Federation of Missouri regarding non-native invasive species.

Non-native invasive species, specifically kudzu, as they apply to the resources of our state are of great interest to the agricultural community. The Missouri Department of Agriculture has become very proactive in monitoring and managing invasive species, and continues to augment efforts to educate Missourians on the risks posed by species such as the emerald ash borer, gypsy moth and the emerging threat posed by Thousand Cankers disease of black walnut.

The Missouri Department of Agriculture works with multi-agency partnerships in an effort to reduce and eliminate threats from invasive species, including maintaining lists of pest of concern with the Cooperative Agriculture Pest Survey and developing action plans for invasive forest pests with the Missouri Invasive Forest Pest Council. We support the continued efforts of the Missouri Department of Conservation and their partners in identifying species of concern and developing action plans to address the threats posed to natural habitats and native wildlife.

While there exists a statutory mandate for landowners to control the spread of kudzu (RsMo 263.232), additional efforts to educate the public on the risks of this noxious weed and to augment enforcement resources against those knowingly transporting the plant into or throughout Missouri are of value. We support the efforts of the Conservation Federation of Missouri and partnering groups in raising awareness of those needs.

Again, thank you for taking the time to contact the Department. The threats posed by invasive species are very real to all of us at the Missouri Department of Agriculture, and we take our role in the protection of Missouri's plant and animal welfare very seriously. If you find that we may be of service, now or in the future, please do not hesitate to let us know.

Best regards,

Dr. Jon Hagler

Director of Agriculture

JH/ct



United States Department of Agriculture

Office of the Secretary Washington, D.C. 20250

MAY 1 6 2011

Mr. David W. Murphy Executive Director Conservation Federation of Missouri 728 West Main Street Jefferson City, Missouri 65101-1559

Dear Mr. Murphy:

Thank you for your letter of April 11, 2011, relaying two resolutions that resulted from your Conservation Federation of Missouri annual meeting. I apologize for the delayed response.

I am responding to resolution number 12, recommending that a plan of action be put into place for the invasive weed, kudzu, before it invades Missouri's natural habitats and threatens their diversity and native wildlife; and resolution number 13, calling for the creation of a list of highly-detrimental invasive species, and prohibiting their transportation into and/or out of State.

Although kudzu is one of the 12 plants included on the Missouri noxious weed list, which can be viewed at the Web site http://epg.modot.mo.gov/index.php?title=821.18_Noxious_Weeds, the Missouri policy on noxious weeds requires only that they "be controlled" and does not call for a plan of action or prohibit transportation into and/or out of State.

I understand that several members of the Conservation Federation of Missouri belong to organizations that are members of the Missouri State Technical Committee and that they actively participate in committee meetings. I encourage your members, who are also members of the Missouri State Technical Committee, to request placing both of your resolutions on the agenda for a future meeting, which is tentatively scheduled for July 12, 2011.

J.R. Flores, the Missouri State Conservationist and Chair of the Missouri State Technical Committee, is aware of your letter to me, and he is willing to provide appropriate assistance for your resolutions. Please contact Mr. Flores at NRCS, Parkade Center, Suite 250, 601 Business Loop 70 West, Columbia, Missouri 65203-2546; telephone: (573) 876-0900; email: jr.flores@mo.usda.gov, if you are interested in engaging the State NRCS office in these issues.

Again, thank you for writing.

Sincerely,

Thomas J. Vilsack

Secretary

401 Fairgrounds Road Rolla, Missouri 65401 (573) 364-4621 FAX (573) 364-6844

File Code: 1500/2300/2400

Date: May 5, 2011

Mr. David Murphy Executive Director Conservation Federation of Missouri 728 West Main Jefferson City, MO 65101

MAY 0 9 2011

Dear Mr. Murphy:

Thank you for your letter dated April 11, 2011, outlining some of the resolutions passed at the February 2011 Conservation Federation of Missouri's meeting. I appreciate the opportunity to comment on these resolutions. Mark Twain National Forest continues to stay engaged with the Federation to address important conservation issues. Regarding the specific resolutions enclosed in your letter:

Support for Adoption of the Missouri Woody Biomass Harvesting and Best Management Practices Manual (Resolution 7)

The Forest supports the use of the Best Management Practices outlined in this manual and follows BMPs on national forest land.

Support of the Pathways Committee Guidelines (Resolution 8)

The Forest was involved with the Team who developed these guidelines. We support the use of these guidelines to stop or slow the spread of invasive species that are transmitted with the movement of firewood. In Wayne County, the Forest continues to provide firewood cutters with quarantine information.

Implementing Off-Road Vehicle Usage in the Mark Twain National Forest (Resolution 14)

CFM resolution #F4 recognizes that Mark Twain National Forest manages two ATV and motorcycle riding areas, Chadwick and Sutton Bluff. These two areas total 105 miles of trail. There is a \$7 daily fee or \$45 annual pass required for use of these riding areas.

There are also 2,350 miles of Forest Service system roads open to ATVs (all but 46 miles is natural surface or gravel). Mark Twain National Forest's Forest Plan states that, "Off-road vehicles that comply with State and local laws are allowed on all National Forest System roads that are open and have a National Forest System road number." An additional 3,000 miles of county roads lay within the Forest boundaries in 29 counties in Southern Missouri. The majority of the 3,000 miles of road falls within 23 counties that issue permits to ATV owners for riding on county roads. Mark Twain National Forest honors these county permits for ATVs to use Forest Service system roads as well. "Motor Vehicle Use Maps" of the Forest Service system roads are free to the public by contacting any of our Forest Service offices.





Maintaining 105 miles of ATV/motorcycle trails is labor intensive and expensive. Most of the maintenance that motorized trails require is usually handled by a small trail bulldozer, which few volunteers have the experience to operate. In addition, the Forest has about 600 miles of hiking and horse trails to maintain. Because we have many miles of trails, much of our trail system is maintained by volunteers, such as the Ozark Trail Association. We could not manage the trails we currently have without partnerships and volunteers.

I welcome the participation of stakeholders in the management of off-road vehicle recreation areas. And, specifically, support working with stakeholders on partnerships for trail maintenance, visitor contacts, and education.

Felt Sole Ban (Resolution 22)

We are very concerned about the spread of aquatic invasive species to the pristine waters of Missouri. For many years, we have posted information about Didymo and Zebra mussels at boat launches and river access points on National Forest System land.

Mark Twain National Forest employees who use waders and boots as part of their work apparel are replacing felt sole waders and boots with other types of non-felt equipment.

Although the Forest Service would not create a specific ban on felt soles on National Forest System land, we support statewide efforts to limit the spread of non-native invasive species.

I appreciate your interest in our National Forest. If you have questions, or need additional information, please don't hesitate to contact me.

Sincerely.

DAVID C. WHITTEKIEND

Forest Supervisor



Natural Resources Conservation Service Parkade Center, Suite 250, 601 Business Loop 70 West Columbia, Missouri 65203

May 3, 2011

David W. Murphy President Conservation Federation of Missouri 728 West Main Jefferson City, Missouri 65101

Dear Mr. Murphy:

Thank you for your letter dated April 15, 2011. Natural Resources Conservation Service (NRCS) appreciates the Conservation Federation of Missouri's (CFM) support of the Quail Habitat programs and Wetland Reserve Program (WRP) and their continued funding. Your efforts in educating and increasing landowner awareness about the many conservation services that are available to them are to be commended. Per your request, Natural Resources Conservation Service (NRCS) offers the following responses to the Publicizing of Quail Habitat Opportunities and Missouri Wetlands Reserve Program (WRP) Allocation.

Natural Resources Conservation Service works closely with partner agencies and organizations in Missouri to promote quail habitat opportunities. We recently partnered with the Missouri Department of Conservation (MDC) and the University of Missouri at Columbia (MU) in preparing a DVD promoting quail habitat. Natural Resources Conservation Service is also a co-sponsor, with the CFM, of the Bobwhite Quail and Native Plant Field Day and Missouri Quail Summit for the public and agency professionals that will be held on Thursday, June 16, 2011, at the MU Bradford Research and Extension Center. In the past, there have been many efforts in partnership with MU, MDC, and others to provide brochures, written and web materials, and presentations. Natural Resources Conservation Service has also worked with the media to publish success stories about farmers who utilized our programs to improve quail habitat on their private land and we hope to do more of these stories. Our agency will continue to work with our partners to develop practices, specifications, and program policies that provide landowners options to optimize available program funding to provide quality habitat for quail and other grassland birds while reducing costs to the landowner. Natural Resources Conservation looks forward to partnering with the CFM in these efforts.

Since 1992, Missouri has enrolled 951 WRP easements encompassing 136,821 acres. As your resolution specifies, Missouri provides wetland habitat for migrating water birds within the Central and Mississippi flyways. The WRP has had significant impact on providing seasonal and sometimes critical habitat for migrating water birds and recreational opportunities for the private landowners of Missouri. Wetlands

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David W. Murphy Page 2

Reserve Program restorations have assisted in offsetting the loss of 87% of the states historical wetland base.

Approximately 21% of Missouri's WRP easements are located in the Lower Mississippi Alluvial Valley (141 easements covering 29, 258 acres) located in the bootheel portion of the state. This has had a significant impact on water bird presence during migration periods. During Fiscal Year (FY) 2010, Missouri NRCS allocated almost \$23 million and is in the process of enrolling 7800 acres of new easements within the state. To date, Missouri has received approximately \$224.1 million in allocations for WRP since 1992. The WRP is funded through FY 2011 as provide by the 2008 Farm Bill.

Again, our agency thanks you for your continued support. If we can be of further assistance or provide more information, please feel free to contact Dwaine Gelnar, State Resource Conservationist, (573) 876-9392, for information on Quail Habitats, or Kevin Dacey, Natural Resources Specialist, (573) 876-9356, for information on the WRP.

Sincerely,

J.R. Flores

State Conservationist

JUN 0 2 2011



MISSOURI DEPARTMENT OF CONSERVATION

Headquarters

2901 West Truman Boulevard, P.O. Box 180, Jefferson City, Missouri 65102-0180

Telephone: (573) 751-4115 www.MissouriConservation.org

ROBERT L. ZIEHMER, Director

June 1, 2011

Mr. Dave Murphy, Executive Director Conservation Federation of Missouri 728 W. Main Street Jefferson City, MO 65101

Dear Dave:

The resolutions that pertain to the Department of Conservation, adopted at the 2011 annual meeting of the Conservation Federation of Missouri (CFM), have been considered by staff. In response, we submit the following comments:

RESOLUTION NO. 1 – PUBLICIZING OF QUAIL HABITAT OPPORTUNITIESCFM encourages MDC to publicize Quail Habitat Opportunities to encourage greater participation by landowners.

RESPONSE: The Department of Conservation agrees that publicizing quail habitat opportunities and other quail-related information is necessary to encourage greater participation in quail restoration in the state. To that end, we will assist with sponsorship of the CFM Quail and Small Game Summit on June 16, 2011. We also provide quail-related information through the following venues:

- Quarterly Conservationist magazine articles, featuring landowner habitat success stories.
- Regular feature articles in national Quail Forever and Quail Unlimited magazines.
- Quarterly Covey Headquarters Newsletter reaches 10,000 by mail and thousands more on websites, such as NBCI, Quair Forever, Quair Unlimited, by email, etc.
- 12,000 Quail calendars distributed.
- MOre Quail blog has 2,000 followers, is posted to the MDC Facebook site (29,000 viewers) and MDC Tweets (1,000 followers), many of these are picked up by other blogs (Quail Forever and NBCI reaching thousands more).
- How-to videos distributed each year to several thousand landowners plus thousands more view the videos on YouTube or websites.
- Bradford Farm research, demonstrations, and Field Days reach 5,000 landowners per year.
- Quail Landowner Cooperatives are being encouraged to recruit adjoining landowners to join the
 effort.

Encouraging more landowners to help in the restoration of quail cannot be accomplished by the Department alone. We look forward to working with the CFM Quail Committee to identify additional means of spreading the word about quail habitat opportunities in Missouri.

COMMISSION

RESOLUTION NO. 5 – CFM SUPPORT OF HELLBENDER PROTECTION THROUGH THE PUBLIC AND PRIVATE RIVERS AND STREAMS

CFM urges MDC, the MO Department of Natural Resources, the US Fish and Wildlife Service, and Missouri Stream Teams to encourage public and private landowners to implement best management practices in conserving the riparian zones along stretches of important stream habitats thereby benefitting Hellbenders.

RESPONSE: There has been a focused, coordinated recovery effort implemented in Missouri by the Ozark Hellbender Working Group and the Department of Conservation has played a major role in these recovery actions. There are many efforts by the Department to protect and conserve state endangered hellbenders in Missouri; those efforts pertaining to private and public landowners in managing water quality include:

- Production and distribution of outreach materials;
- Investigation of hellbender abnormalities and diseases;
- Assessing health conditions and levels of reproductive hormones, stress hormones, and heavy metals in adult and juvenile hellbenders;
- Development of a conservation strategy which includes watershed protection and improvement;
 and
- Promotion of best management forestry practices on private land with assistance from the Department's Private Land Services and Forestry divisions.

The Department, along with other members of the Ozark Hellbender Working Group, will continue our comprehensive efforts to recover hellbenders in Missouri. Future research efforts will continue to address appropriate projects for hellbender conservation and work to increase private and public landowners' understanding, support, and appreciation of hellbenders.

RESOLUTION NO. 6 – INCREASING AWARENESS AND EDUCATION OF DIDYMOCFM supports furthering education in order to prevent the expansion of *Didymosphena geminate* (Didymo) into Missouri's cold water streams.

RESPONSE: Didymosphenia geminata, commonly referred to as "Didymo" or "rock snot", is an ongoing focus of the Department of Conservation. Didymo is established in the White River system just south of Missouri's border. With the threat of contamination so close, the Department is enhancing its comprehensive public outreach effort targeting anglers who would be the most likely vectors for introducing Didymo into Missouri's cold water streams.

Only one Didymo cell is needed to establish a colony. Waders, kayaks, canoes, and other watercraft are considered pathways for spread. Felt soled waders and wading boots, worn by many trout anglers, appear to be the primary pathway for the spread of Didymo. Felt soles are porous, hold moisture for days, and can allow a single cell of Didymo to survive and potentially be introduced to the next trout stream the angler fishes.

The Department hosted a series of five (5) Open House Public Forums to educate Missouri trout anglers about Didymo and to display examples of eco-friendly, alternative soled waders as well as instilling in them the message: **Check and Clean or Dry**. Personal invitations were sent to vendors associated with

the trout parks, trout angling organizations, cold water fishing guides, and other interested individuals. Schedules and/or articles for the five Open House Forums were distributed to the media statewide and published in the *Missouri Conservationist* magazine. A number of articles were generated by reporters from various media outlets. Schedules and announcements were also distributed 2-3 days before each meeting via the Department's Twitter and Facebook sites. In addition, staff took the opportunity to provide information to the attendees about the newly installed wader/boot wash stations at the four trout parks and at Lake Taneycomo. The final Open House Public Forum was held on April 11, 2011.

Further marketing and education ideas are being discussed, including taking the message to the anglers at the point of sale of the daily trout tags at the parks and increased signage at access to all of Missouri's cold water streams. A possible change to the *Code of State Regulations* is also being considered by the Department to address Didymo transportation vectors.

RESOLUTION NO. 7 – SUPPORT FOR ADOPTION OF MISSOURI WOODY BIOMASS HARVESTING BEST MANAGEMENT PRACTICES

CFM supports Missouri Woody Biomass Harvesting Best Management Practices Manual and the Woody Biomass Harvesting recommendations from MOFRAC.

RESPONSE: The Department of Conservation greatly appreciates the support for adoption of the Missouri Woody Biomass Harvesting Best Management Practices Manual. Woody biomass continues to be a focal point for a variety of new businesses that could potentially utilize woody biomass as a primary feedstock. The Department believes in the wise use of our natural resources, including its forest products. All forest product markets, including woody biomass markets, should ensure that their products are being harvested sustainably. Following the guidelines in the Missouri Woody Biomass Harvesting Best Management Practices Manual will ensure the sustainability of Missouri's forests.

The Missouri Woody Biomass Harvesting Best Management Practices Manual has received the endorsement of the Conservation Federation of Missouri (CFM), Missouri Forest Resources Advisory Committee (MoFRAC), the Missouri Society of American Foresters (MOSAF), and the many stakeholder groups and agencies that contributed to the development of the document. The Department is currently working cooperatively with Missouri Forest Products Association (MFPA), University of Missouri-Columbia, and the U.S. Forest Service North Central Experiment Station to ensure the adequacy of the recommendations found in the manual through applied research. The Department is also proactively encouraging any potential new businesses focusing on utilization of woody biomass to adopt woody biomass best management practices as part of their standard operating procedures.

RESOLUTION NO. 8 – CFM SUPPORT OF PATHWAYS COMMITTEE GUIDELINESCFM encourages the adoption of guidelines set forth by the EAB Pathway Committee in Missouri.

RESPONSE: The transport of firewood is one of the leading pathways by which many serious invasive forest pests, such as the emerald ash borer (EAB) and thousand cankers disease of walnut, can be easily and unknowingly introduced into new areas. Multi-agency discussions on potential state and federal policies to reduce the threat from firewood-borne pests began in 2008 within the Emerald Ash Borer Pathways Committee. Those efforts led to the formation of the Missouri Firewood Task Force in March 2010 composed of state, federal, and industry representatives. The primary goal of the Task

Force has been to develop consistent risk-reducing firewood policies among state and federal agencies, with the additional goal of encouraging private campground managers to adopt similar policies.

The Task Force compiled a series of outreach, resource management, and regulatory recommendations in a document titled: "Firewood Policy Recommendations to Slow the Introduction of Invasive Forest Pests" (January 2011). Concerns were raised by some members that two of the recommended firewood management tactics (prohibiting import of firewood into public campgrounds and providing free local firewood to campground visitors) may not be viable options for their organizations. However, these tactics are presented in policy recommendations only as options among several that agencies can select. Many agencies in other states prohibit all or non-local untreated firewood from public lands. Most Missouri Firewood Task Force members believe there are viable approaches to providing free firewood in at least some situations, and that it is important to retain both of these activities in our repertoire of optional tactics as potential pest threats increase. The Department greatly appreciates CFM's support for adoption of similar firewood policies by all state and federal land management agencies in Missouri.

RESOLUTION NO. 9 – IMPROVING TIMBER MANAGEMENT BY SUPPORTING THE EDUCATION AND CERTIFICATION OF LOGGERS

CFM supports developing incentives for loggers in Missouri who receive training and certification; and recognition for those using outstanding harvest techniques.

RESPONSE: Missouri loggers are a key component to ensure that Missouri's forests are sustainably managed. For that reason, the Department of Conservation is supportive of the Professional Timber Harvester program conducted through MFPA. The Department provides an annual grant to MFPA to conduct logger education programs and works closely with MFPA to ensure that training is dynamic and continuing education is relevant and conveniently offered.

The Department requires loggers to have Professional Timber Harvester (PTH) training to bid and work on Department timber sales. This is an incentive in areas with large amounts of forested, Department-owned property. The Department is also investigating ways to encourage loggers to attend the PTH classes in areas with lesser amounts of Department-owned forest land.

The Master Logger program is a voluntary certification program and is verified by third party auditors. The Department supports and has promoted the Master Logger program since its inception. In the two years since the program has been established, eight loggers have received this certification. The Department is currently identifying strategies to further encourage and incentivize loggers to become certified.

Each year, the Department recognizes loggers that go above and beyond expectations. Each of the Department's eight regions is given the opportunity to nominate a Logger of the Year and the winners compete for the State Logger of the Year award. Recognition of these outstanding loggers has proven to be very effective in promoting their business and services and the Department continues to look for ways recognize those that have achieved this elite status.

RESOLUTION NO. 10 - CFM ESTABLISHMENT OF AN URBAN FAMILY ENVIRONMENT EDUCATION OUTREACH TASK FORCE

CFM calls for the creation of an Urban Family Outreach Task Force.

RESPONSE: The Department of Conservation, along with the departments of Natural Resources, Health, Mental Health, Elementary and Secondary Education, Higher Education have worked together for the last two years to create, promote, and implement the Children in Nature initiative in Missouri. Last month, the Missouri's First Lady awarded the first Children in Nature Community award to Springfield-Greene County. Several other communities around the state will soon achieve the same distinction.

The vision of the Children in Nature initiative was to have state agencies combine their individual efforts to bring children and families outdoors and into nature. Each agency listed above already provides many diverse programs to engage Missourians in healthier, outdoor lifestyles. Under the Children in Nature umbrella, each would strengthen existing programs and reinforce efforts by creating additional programs in a concerted effort to reach even more communities.

As part of the Children in Nature Community Challenge, communities must show that at least one or more of the schools in their community engages in the Discover Nature Schools K-2, elementary, middle school, and/or high school outdoor-related educational units or in other outdoor-related educational approaches to teaching their children. The Department maintains detailed records of the numbers of students, the number of schools, and the average classroom pre- and post-test scores for students involved in the Discover Nature Schools program. As the Discover Nature Schools program continues, annual MAP test scores will provide data to support an increase in science scores for students engaged in these educational units. Currently, there are over 13,500 students in nearly 400 schools in both rural and urban locations throughout Missouri using the Discover Nature Schools units. Several of these include entire school districts in (but not limited to) Columbia, Springfield, and one in St. Louis.

Another part of the application process to become a Children in Nature Community requires communities to provide information about their outdoor-related events including the number of children and adults in attendance. As more and more communities achieve the award, information will be compiled to assess the initiative as well as to provide data and results equivalent to the following stated in CFM Resolution 10:

- 1. Increase the number of urban citizens who participate in outdoor-related state agency programs;
- 2. Monitor involvement and recommend strategies to increase involvement:
- 3. Measure how the Children in Nature Community Challenge increases participation in nature education for both parents and children simultaneously;
- 4. Identify areas with little or no involvement; and
- 5. Make recommendations on how to encourage involvement of those communities with little or no involvement.

Therefore, the Department and other state agencies involved in the Children in Nature initiative will continue to:

- 1. Provide and enhance efforts as staff time and resources allow;
- 2. Gather information and data to identify and address the needs of urban areas; and
- 3. Provide the Governor, CFM, and any and all other state agencies or organizations (upon request) all information, data, test scores, etc. relating to and garnered from all aspects of the Children in Nature initiative.

RESOLUTION NO. 11 – REQUEST ACTION TO BETTER CONTROL DEER POPULATION

CFM asks MDC to take steps to limit the chance for deer populations to decline as a result of regulations.

RESPONSE: Deer season regulations are reviewed annually and reflect continued efforts to manage deer populations in the best interest of most Missourians affected by deer while providing the maximum amount of hunting opportunity.

The 2010 harvest of 275,199 was a 7% decrease from that in 2009, continuing a slow downward trend in harvest numbers over the last several years. Most of the harvest decrease in 2010 occurred in southern Missouri and can be attributed to an abundance of acorns. Decreasing deer harvest in many northern Missouri counties is the result of lower deer populations. Efforts to stabilize or reduce deer numbers in northern and western Missouri have been effective.

With the lower deer populations in some locations, the unlimited antlerless permits and antlerless portion for the firearms deer season have become an increasing point of contention among some hunters. When unlimited antlerless permits and the antlerless portion were instituted, the goal was to reduce deer numbers in many parts of the state. Population indicators such as hunter and landowner attitudes toward deer numbers, hunter success rates, harvest trends, simulated population size, and deer-vehicle collisions show that deer numbers have been reduced in a number of areas, partially as a result of increased liberalization of deer regulations. There are still counties that have stable or increasing deer numbers where unlimited antlerless permits can be used. Therefore, removal of unlimited availability of antlerless permits is not biologically justified for all parts of the state. While continued liberal antlerless harvest opportunities in northern Missouri are intended to maintain deer numbers at current levels, we annually review the need for adjustments to the availability of antlerless permits to allow deer populations in some counties to recover from high harvest rates and natural mortality events (hemorrhagic disease).

Private Land Services and Resource Science divisions are working collaboratively with landowners on private land deer management, focusing on developing deer management education and outreach "How To" guides and materials for landowner workshops, providing technical guidance to Department personnel and Missouri landowners/managers, and promoting the creation of wildlife management cooperatives. This effort is gaining support and momentum throughout the state.

RESOLUTION NO. 12 – THE POTENTIAL HAZARD OF KUDZU DESTROYING MISSOURI HABITATS

CFM recommends that a plan of action be put in place before kudzu invades Missouri's natural habitats and threatens their diversity and native wildlife.

RESPONSE: The Department of Conservation recognizes the huge threat of invasive, exotic plant species to the natural habitats and flora and fauna of the state and has a full-time invasive species coordinator to work on these issues. After outright habitat destruction, exotic species are the second leading threat to native biological diversity in the United States. The Department is committed to working in partnership with the Missouri departments of Natural Resources and Agriculture to prevent the spread of invasive, exotic species and control them in a practical and strategic manner and would like to work with the Department of Agriculture to improve the current Missouri noxious weed law.

Kudzu is certainly an invasive, exotic species that is causing harm to native plants and animals in Missouri and the Department takes active steps to control exotics on public trust lands. Kudzu is ranked by the Missouri Botanical Garden's ranking of Missouri Exotic Pest Plants as a Category B species (plant species that are occasional invaders with low levels of impact on native Missouri plant communities, or species which are invading and disrupting the native plant communities of other states, in habitats similar to those found in Missouri). By contrast, the following invasive, exotic species are ranked by the Missouri Botanical Garden as Category A species (plant species that are invading and disrupting native plant communities in Missouri): garlic mustard, spotted knapweed, sericea lespedeza, bush honeysuckle, reed canary grass, and purple loosestrife. All of these species are currently considered to be much greater threats to the native biological diversity of Missouri than kudzu. The Department will continue to use the latest science to work towards controlling the top priority invasive, exotic species and will work with partner agencies to prevent new infestations of invasive, exotic species. Kudzu will be controlled as needed in relation to the relative degree of its threat to natural habitats as contrasted to other invasive, exotic plant species.

RESOLUTION NO. 13 – CFM SUPPORTS STOPPING THE SPREAD OF INVASIVE SPECIES

CFM supports creation of a highly detrimental invasive species list and prohibition of their transportation to help stop the spread of invasive species.

RESPONSE: The Department of Conservation agrees with CFM's Resolution No. 13 and maintains a list of prohibited species that includes highly invasive species that the Department has authority to regulate (see page 6 of the following link: http://www.sos.mo.gov/adrules/csr/current/3csr/3c10-4.pdf). Species can be added to the Department's prohibited list through the rulemaking process beginning with a proposal to the Regulations Committee.

Department staff are working with other state agencies that have the authority to regulate noxious/invasive plants in Missouri with an objective to make meaningful changes to the existing noxious weed statute. Currently, there is a bill in the Missouri General Assembly that revises the noxious weed law; however, with the exception of banning the sale of noxious weeds, the current bill does little to improve invasive plant regulation. The Department recommends a more practical and effective approach similar to that of other states that have recently revised their noxious/invasive weed laws. It is not plausible to regulate all invasive plants with a "one size fits all approach". A more effective approach could be to focus on invasive plants that are not yet well established or are not yet present in the state, while well-established invasive plants would be regulated with a different approach.

The Department is concerned about the introduction of new invasive plant species with no recourse to restrict or regulate importation of these known invasive plants. A recent example is the promotion and planting of the invasive common reed (*Phragmites australis*) in at least four municipal wastewater treatment plants in Missouri. Wastewater treatment facilities are frequently associated with natural waterways and wetlands and establishing Phragmites in one treatment plant in Missouri threatens thousands of acres of restored wetlands downstream from the facility.

Minnesota and Wisconsin have recently adopted an approach that uses more than one invasive plant list with different levels of control for each. Using this approach, Missouri would have two lists of invasive plants; 1) a **PROHIBITED invasive plant** species list would include plants that are known to be problematic, are aggressive and are either not widely distributed in Missouri or are not yet currently

present in the state, but pose real economical and biological threats if they should become established. Prohibited invasive species would be illegal to possess and require control or eradication depending on the individual Best Management Practices that would be developed for each species; and 2) a RESTRICTED invasive plant species list would include plants that are known to be invasive, but are already well established and widely distributed in Missouri. Plants on the Restricted invasive species list would be banned from sale, importation, and transportation in Missouri, except by permit from the Director of the Department of Agriculture. Landowners would be encouraged to control restricted species, but because eradication may be either impractical or impossible, they would not be required to eradicate restricted plant species or prevent them from producing seed.

The process to develop this model "list" approach would be done systematically and cooperatively by an advisory committee composed of professional botanists, agency staff, non-governmental organizations, and appropriate private citizen stakeholders that would advise the Department of Agriculture director or noxious weed commissioner.

Hopefully, with support from CFM, other non-governmental organizations, and Missouri's citizens, highly invasive species can be more effectively regulated.

RESOLUTION NO. 16 - STUDY THE POPULATION OF THE GRAY FOX

CFM believes that conducting a study of gray fox is in the best interest of Missouri's furbearer resource.

RESPONSE: We acknowledge that statewide fox populations have declined over the past decade, and that grays have declined slightly more than reds. The reason for this decline is not known but could be related to habitat changes and small animal abundance. The Department would expect a more precipitous decline if disease or other immediately fatal factors were responsible. The Department has an ongoing study using harvested animals to determine population characteristics of bobcat and otter and will investigate the feasibility of adding gray fox to this study. Because the study is based on data collected from trappers it will be essential that we have good cooperation from trappers that catch grey fox.

RESOLUTION NO. 18 - MOUNTAIN LION EDUCATION

CFM encourages MDC to educate the public on mountain lions.

RESPONSE: Although common at the time of European settlement, the last known mountain lion in Missouri was killed in the Bootheel area in 1927. Currently, mountain lions are a protected species in Missouri with an official status of extirpated. By removing the mountain lion from the list of "endangered species", the Conservation Commission clarified the Department's policy on mountain lions and sent a message that we understand and sympathize with the public's concern over safety issues. Yet they did not condone indiscriminate killing of mountain lions just because they may occasionally wander into the state. Public education and media relations are goals of our Mountain Lion Response Team (MLRT). Recent mountain lion sightings have refueled public interest in this topic and, as a result, the MLRT is working with the Department's Outreach & Education Division to update and create new handouts and web features. They plan to include features explaining why mountain lions may be dispersing into Missouri and how to interpret mountain lion behavior – what constitutes a threat versus normal cat behavior. Our new message to the public will recognize the fact that mountain lions are in the early

stages of recolonizing the Midwest and do not pose the human safety risk portrayed in many popular media productions.

RESOLUTION NO. 19 - CONSERVATION EASEMENTS

CFM believes that new easements with more incentives would give sportsmen more opportunities to enjoy the Missouri outdoors, and would bring in more revenue to MDC and conserve land for use by future generations.

RESPONSE: There are currently federal tax incentives available to encourage willing landowners to permanently conserve their private land with conservation easements. Public access onto private conservation easements is a choice made by landowners, and we recognize that additional state incentives may encourage some landowners to allow public access on their property for recreational opportunities. However, the Department does not have the authority to provide private land liability waivers, nor does the Department have the funds to pay for private land liability insurance. We continue to work with our land conservation partners to help private landowners conserve their lands through the use of permanent conservation easements.

RESOLUTION NO. 20 - CONSERVATION SALES TAX

CFM strongly opposes and constitutional amendment that would sunset the one-eighth of one percent conservation sales tax.

RESPONSE: The Department of Conservation appreciates the stance taken by CFM related to sunsetting the one-eighth of one percent conservation sales tax. The Department will continue to be open and transparent in the use of the conservation sales tax funds used for the control, management, restoration, conservation, and regulation of the bird, fish, game, forestry, and wildlife resources of the state.

RESOLUTION NO. 21 – NORTH AMERICAN WILDLIFE CONSERVATION MODEL CFM believes that ownership and liability for wildlife damages is not the responsibility of any agency or individual.

RESPONSE: In *Martin v Waddell*, 41 U.S. 367 (1842), the Supreme Court established the legal precedent that it is the government's responsibility to hold wildlife in trust for all citizens. The court further ruled that since the American Revolution the **people** held public trust responsibilities for fish and wildlife except for rights specified in the U.S. Constitution. Since that time, legislation drafted around issues of wildlife ownership has reflected the "public trust doctrine", whether it is administered by federal or state governments.

The North American Model of Wildlife Conservation is an extension of the Public Trust Doctrine (PTD), and this model is viewed as an important conservation construct of law, policy, and scientific investigation that has led to the protection, conservation, and restoration of wildlife populations in the United States. Moreover, the constitutional amendment creating the Missouri Conservation Commission and its substantial mandate was a clear expression of the will of the people that underscored the principles of the PTD.

Efforts to assign ownership of wildlife (i.e., elk) to the Department fly in the face of the principles of PTD and the North American Model of Conservation (NAM), and could cause an unprecedented erosion of all

that they represent. The question of assigning financial liability for elk damage to the Department further denies the principles of the PTD and NAM, and if legally accepted, would immediately extend to any wildlife species. The consequences of these actions would result in a series of troubling ramifications including wildlife resources being viewed as: 1) irrelevant to the general public, and not warranting public

support for conservation, 2) an artifact of the past separated from modern life, and 3) a liability to be minimized to the extent possible rather than an asset to be conserved and managed to sustain benefits for the current and future generations.

RESOLUTION NO. 22 - FELT SOLE BAN

CFM supports restricting the use and sale of felt sole waders and boots.

RESPONSE: The Department of Conservation shares CFM's concern regarding the spread of invasive aquatic species to the waters of Missouri. Department staff have already conducted a series of Open House Public Forums (see our response to your Resolution No. 6) to educate stakeholders who use our cold water resources and obtain their input on options to prevent establishment of invasive aquatic species in Missouri waters. Our primary focus was on the prevention of the spread of the invasive alga, *Didymosphenia geminata* (Didymo), though as noted in your resolution, there are other invasive species which may be transported within the felt of waders and boots. The Department is considering a ban on the use of felt soled boots and waders within trout management areas to further limit the potential transfer of invasive species between water bodies. A formal proposal will be provided to the Department's Regulations Committee for their consideration in the future.

RESOLUTION NO. 23 – CONTINUATION AND EXPANSION OF THE NATIONAL FISH HABITAT ACTION PLAN

CFM supports the National Fish Habitat Action Plan.

RESPONSE: The Department of Conservation shares CFM's interest in and supports full funding and implementation of the National Fish Habitat Action Plan (NFHAP).

Working closely with Bass Pro Shops, the National Fish and Wildlife Foundation, the U.S. Army Corps of Engineers, and other partners, the Department initiated a forerunner of the current NFHAP effort in Table Rock Lake, Lake Taneycomo and their watersheds in the mid-2000s. This effort is being implemented to achieve five major objectives: 1) improve fish habitat; 2) improve water quality within Table Rock Lake and its tributaries; 3) improve water quality and habitat within Lake Taneycomo; 4) monitor effectiveness and longevity of structures and projects employed; and 5) develop a framework for a broader national program focused on habitat protection and restoration in reservoirs and their watersheds. Excellent progress is being made on each of these objectives and additional work and related monitoring will continue through 2012. The Department's efforts in southwest Missouri are being watched closely by other fish and wildlife agencies across the United States and serves as a model for expanded efforts in various reservoir systems.

Department staff are actively involved in the NFHAP effort and provide leadership at the national level. This includes involvement in four recognized NFHAP partnerships in Missouri: 1) Great Plains Fish Habitat Partnership; 2) Reservoir Fisheries Habitat Partnership; 3) Southeastern Aquatic Resources Partnership (SARP); and 4) Fishers & Farmers Partnership (FFP).

The FFP is a project organized and recognized under NFHAP and supports landowners as they work to run profitable operations while caring for land and streams. The FFP brings science and technical expertise to locally-directed projects throughout the Upper Mississippi River Basin. The goal is prosperous farms and thriving fish populations. The Department is an active partner in this effort, along with four other states, agricultural non-governmental organizations, landowners, and various conservation non-governmental organizations. Many of the early successes of the FFP have been realized in the Meramec River Basin in Missouri, and grant funding from both FFP and SARP have been used to fund on-the-ground projects in partnership with local landowners. Local landowners and Department staff have worked together to build these successes and were recently recognized with an award from NFHAP for their efforts. Efforts to expand the program throughout the Upper Mississippi River Basin are ongoing. As more funds become available, Department staff will implement additional projects that benefit a variety of aquatic habitats and their associated aquatic life across Missouri.

RESOLUTION NO. 24 - REMOVE LIVESTOCK FROM MISSOURI'S LAST REMAINING HIGH QUALITY PRAIRIES

CFM expressed support that domestic livestock grazing not occur on Natural Areas and other high quality prairies in Missouri.

RESPONSE: The Department of Conservation manages native prairie to benefit dependent flora and fauna, and to serve the interests of a wide variety of public users. Patch-Burn Grazing (PBG) approximates the natural processes that helped shape the tallgrass prairie ecosystem and holds the potential to benefit a wider array of species than more traditional prairie management techiniques. PBG is applied in a very conservative manner with respect to both grazing animal stocking density and grazing duration. Domestic livestock are a practical means to accomplish grazing objectives, while native grazers such as bison are more difficult to obtain and handle, and pose significantly greater safety risks to the public who visit our prairies.

It is recognized that significant disagreement exists among individuals and some partner groups regarding the continued use of PBG as a management practice. The Department recently hosted a facilitated meeting of stakeholders to clarify areas of disagreement and discover shared research and monitoring objectives.

PBG using domestic livestock will continue on a number of native prairies owned by the Department, but will not be continued on partner-owned prairies or Natural Areas without written approval/request from those partners. No additional PBG sites will be established on designated Natural Areas or other native prairie areas managed by the Department until the outcomes from additional research and monitoring become available. Any expansion of PBG at a future date will be approved by the Department's Deputy Director for resource divisions, and will further depend on research outcomes, budget considerations, and management objectives.

RESOLUTION NO. 25 – USE PITTMAN-ROBERTSON FUNDS TO CONSTRUCT ARCHERY RANGES IN MISSOURI

CFM believes the overwhelming success of MoNASP along with its predicted exponential growth, coupled with a constant predictable growth in archery tag sales, creates an immediate need for "state of the art" archer facilities to be available to accommodate existing archers and to retain these youngsters in the sport. Nearly 50% of these students indicate they desire to take up outdoor sports and each is a precious resource that can contribute to the future of hunting and

fishing in Missouri. By using Pittman-Robertson excise tax funds that archers/bowhunters have been paying 11% on equipment for decades, the MDC can make Missouri a leader in archery as they have in other shooting sports, with all encompassing ranges in the four population centers of the state.

RESPONSE: Missouri already receives and uses the maximum amount of Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Robertson Act) dollars that can be received for Section 4c and Section 10. Sections 4c and 10 are the only Federal Aid/Grant dollars that can be used for ranges.

These dollars are provided to states in the form of a grant with the following guidelines:

- Reimbursements to states (not upfront dollars) are provided to use for next year's programs.
 - Received the year after states spend the total amount from their funds.
- Monies are reimbursed on a 75%/25% split.
- Missouri uses an expenditure deduction method for the state's 25% match.
- Income from any activities using areas that receive funds:
 - o Public charges at ranges, for programs, area usage fees, etc.
 - o This total amount is added to the 25% as an additional amount we must find in deductions for full apportionment.

There are many incorrect assumptions about these grants. The maximum amount of funds available for Section 4c:

- Comes from 50% of FET total collected on pistols, ammunition, and both archery categories only.
- States must apply annually for this grant.
- Apportionment is based on state's population (US Censes), not permit sales or land area.
- States are apportioned between 1% min. and 3% max. of Section 4c available funds.
- Requested uses may include:
 - o Hunter education activities.
 - Shooting range development or maintenance.
 - Wildlife restoration activities.
- States that do not use any of their section 4c appropriations on wildlife restoration activities may be eligible for additional PR wildlife restoration Section 10 funds.

The maximum amount of funds available for Section 10 comes from:

- \$8 Million total set aside from all funds collected.
- States must apply annually.
- Apportionment of the \$8 million is based on each state's population (US Censes).
- Activities application may request for funding to enhance:
 - Hunter education programs, hunter and sporting firearms programs, and hunter development programs.
 - Interstate coordination and development of hunter education programs.
 - o Bowhunter & archery education, safety, and development programs.
 - Or develop shooting or archery ranges.
 - Wildlife restoration activities.

Traditionally and for efficiency and expediency, the Department has chosen to fund range development from Department general funds rather than utilize available federal funds; however, the criteria and

procedures outlined under the federal assistance manual applicable to range facility development have always been employed as the guidelines for the Department's range facility program. Federal funds are then used to operate and maintain its ranges.

The Department's range facility development program was officially initiated in 1972, the result of an amendment to the Pittman-Robertson Act making federal funding assistance available for hunter education and range facility development. However, the Department's first venture in range development was not in 1972. For several years prior to the PR Amendment, both Wildlife and Forestry divisions recognized the need for shooting facilities on Department-owned areas to accommodate a growing public interest. Places to shoot were set aside on state forests and upland game areas and development of an archery range facility on the August A. Busch Memorial Wildlife Area was completed as early as 1952.

The Department currently has 33 conservation areas with single or multiple archery ranges available for the public use free of charge. Our five staffed ranges have multiple archery ranges and we have one cooperative archery range. The Department also has a grant program available to those in need of help with appropriate public or educational ranges.

The current situation to add more archery ranges would require an increased expenditure on ranges that would not be reimbursed by the federal aid grant or would require a decrease in allocations for Hunter/Bowhunter Education, MoNASP, hunting and shooting education programs, or maintenance and operations at existing ranges. Interest for establishing archery ranges on suitable CAP agreements are being explored with local communities.

RESOLUTION NO. 26 - CREATE A LESS EXPENSIVE MENTOR PERMIT TO SATISFY LICENSE REQUIREMENTS FOR ADULT CHAPERONES OF YOUNG HUNTERS

CFM recommends that MDC create a new permit for nonresident chaperones of youth hunters that is less expensive than current nonresident permits.

RESPONSE: The Wildlife Code requires anyone actively involved in hunting or fishing to carry the appropriate permit. Adults who mentor youth hunters are actively participating in the hunt by selecting a hunting location, calling, providing advice, and guiding the youth as to whether or when to shoot. The definition of a mentor implies that any person accompanying a youth hunter should actively train and teach them and not simply be present to meet the permit requirements.

We frequently hear from Missourians that our prices are too low for non-resident permits. The Department strives to balance this concern with the need to provide additional opportunity. However, to create a Mentor Permit for nonresidents would likely create additional conflicts with resident hunters unless the permit applied to resident mentors, mentors of Apprentice Hunters, and landowners who take their youth hunting off their property. The Department receives complaints that youth privileges are exploited by adult hunters; unfortunately, offering a Mentor Permit could cause such violations to increase. Mentor Permits have been discussed at length and Department staff have concluded that because mentors are actively participating in the pursuit and taking of game, they should be required to purchase a hunting permit.

The Department recognizes the challenges associated with recruiting new anglers and hunters. We have enacted a variety of measures to increase recruitment by establishing youth hunting seasons, allowing youth (resident and nonresident) to purchase half-price deer and turkey hunting permits, and creating an Apprentice Hunter Permit to encourage adult recruitment. We do not believe Mentor Permits will increase hunter recruitment enough to justify the enforcement problems they could cause.

The Conservation Commission endorsed these Department responses at its May 27, 2011, meeting. Again, we appreciate the opportunity to comment.

Sincerely,

ROBERT L. ZIÉHMER

DIRECTOR

c: Conservation Commission Deputy Director Draper

Deputy Director Ripperger

Commission Secretary