# The Noren Years

There were a number of applicants for the director s post following the announcement of Towell's resignation. All but two were from within the Department.

The Commission conducted interviews on December 20-21, 1966, and at its regular meeting December 21 announced that it had selected Biologist Carl R. Noren to be the new director, effective January 1, 1967.[1]

Noren was fifty-two years old when he assumed the reins. Born in Providence, Rhode Island in 1914, Noren had lived for a time in Michigan, where he first gained his love for the outdoors playing along the St. Joseph River and Lake Michigan. His father was an ardent hunter and fisherman and Noren was introduced to those sports early. The family moved to Missouri when he was thirteen and he hunted waterfowl along the upper Mississippi in what he viewed as the golden years of wild fowling.

While still in high school, Noren decided he wanted a career in wildlife work. He visited the manager of the Forest Park Hatchery, E. M. Kopplin, to ask him how he could pursue a career in wildlife. Kopplin, voicing the conditions of that day, told him to get to know the right politicians. He was introduced to professor Rudolf Bennitt in 1931 and entered the University of Missouri in 1932.

But things had changed when Noren took his degree in 1937. There was a new Conservation Commission about to take over from the old political Fish and Game Department. He re-entered the university as a graduate student in 1938, studying bobwhite quail. In 1939, Bennitt helped him secure the first Edward K. Love Fellowship in wildlife conservation and assigned him to study raccoons,

*Carl Noren joined the Department in 1940 as a* biologist *assigned* to *study raccoons. His* **duties** *changed to deer restoration and river basin studies before he* rose to *the* position of director **in** *1967.*

which were at an extremely low population level. As a result of his research, the Commission adopted a tagging system that Noren feels may have played a role in their eventual comeback. At any rate, in Missouri wildlife annals the raccoon population rise ranks with the comeback of the deer and wild turkey.

In July, 1940, Noren was hired as a federal aid project leader (biologist) assigned to the northeast part of the state, and also to serve as furbearer biologist and continue his

[1] Those interviewed December 20 were Assistant Game Division Chief Allen Brohn, Assistant Director Paul G. Barnickol, Fisheries Division Chief Charles A. Purkett Jr., Game Division Chief Ted Shanks, Assistant Game Chief Dunbar Robb, Planning Officer Edwin H. Glaser and Biologist Carl R. Noren. Those interviewed on December 21 were Assistant Director Larry R. Gale, Field Division Chief J. Vernon Bennett, Metropolitan Services Coordinator Richard H. Rotsch, Supervisor of Wildlife Research Bill T. Crawford, Federation Executive Director Ed Stegner and Floyd Stewart. Gale, Bennett and Noren were recalled for futher interviews before announcement was made that Noren had been selected.

raccoon research. He eventually took his master s degree in 1941.

Later he was assigned to deer trapping and relocation, which he felt was the most enjoyable assignment he ever had with the Department. In December, 1941, Noren entered military service where he rose to the rank of captain, returning to the Department in January, 1946.

Bode needed someone to keep tabs on the many river basin projects then under way and assigned the job of liaison with the U. S. Corps of Engineers to Noren. In that capacity he had to work with many other state officials involved in such work, including various politicians and political appointees. It was a chore Bode never relished and one that Noren says was never really to his liking either, although he became very skillful at it.

Almost forgotten now are the struggles with the Corps of Engineers during the late 1940s and subsequent years. Those were the years of the Pick-Sloan Plan for the Missouri River Basin, and the Arkansas-White-Red River Basin Interagency Committee, all vital to the future of Missouri s rivers. Noren feels his work helping the state devise policies on Corps proposals for river basin work was the most important of his career. He had a hand in drafting the Commission s stand against dams on the Ozark streams. Missouri at that time was almost the only state that stood in opposition to many of the Corps plans.

Noren occupied an unusual position, assigned as a biologist in the Game Section, but actually working on the director s staff. He was transferred to the Fisheries Section in 1948, still serving as liaison man, but in September, 1958, he resigned to take a post with the National Park Service.

After only a month at that job he returned to the Department, this time assigned

*As part of the deer trapping and relocation efforts, deer were live-trapped in wooden crates, then transferred by truck to areas with acceptable habitat.*

to the Fish and Game Division but essentially continuing liaison with various other agencies. When the new Planning Section was created in 1964, he was assigned to it and given the additional duties of stream access acquisition. He was serving in this capacity when the Commission tapped him for director.

The biggest problem facing Noren was one of finance. Shortly after he took over as director, Fiscal Officer Vernon Sievert told him that the Department was almost broke. Funds in the reserve were at a dangerously low level and the outlook was grim.

Up to this time, the primary source of funding came from hunting and fishing licenses, plus various federal aid programs in wildlife, fisheries and forestry. This was the traditional funding source for most fish and game departments. But even though the population was rising, the sale of licenses was not rising at the same rate. At some time in the not-too-distant future the rising curve of expenditures would cross the line of income-with disastrous results. There were increased demands on the Department for programs and services, without additional means to fund them. On top of this, steadily rising inflation was reducing what the dollar would buy and because of the salary situation employee turnover had reached twelve and one-half percent. Noren resolved at once to seek some means of additional stable funding for the Department.

It was out of this resolve that the Design for Conservation came about, which became the most important accomplishment of Noren's career.

The exact sequence of events that eventually led to the conservation sales tax is obscure. Carl Noren believed it began in 1967, when he discussed non-game programs in the U. S. with Starker Leopold at a wildlife conference. It might have gained impetus at a later wildlife conference the same year, when sources of funds for non-game programs were discussed. Or when Larry Jahn, of the Wildlife Management Institute, told Noren about a soft drink tax he had heard of.

Any of these could have been a starting source. The only thing sure is that Mr. and Mrs. Warren Lammert met with Noren that same year—1967—to ask the Department for help in hosting the National Audubon Society meeting to be held in St. Louis in 1969, offering their own services to the Department in return. Noren thought Lammert might lead the way toward the additional funding so desperately needed.

Lammert did serve as a catalyst to get something under way to provide more funds for expanded Department programs. In meetings with officials of the Conservation Federation of Missouri, Lammert suggested that a citizens committee be created to get additional strength from both within and without the Federation.

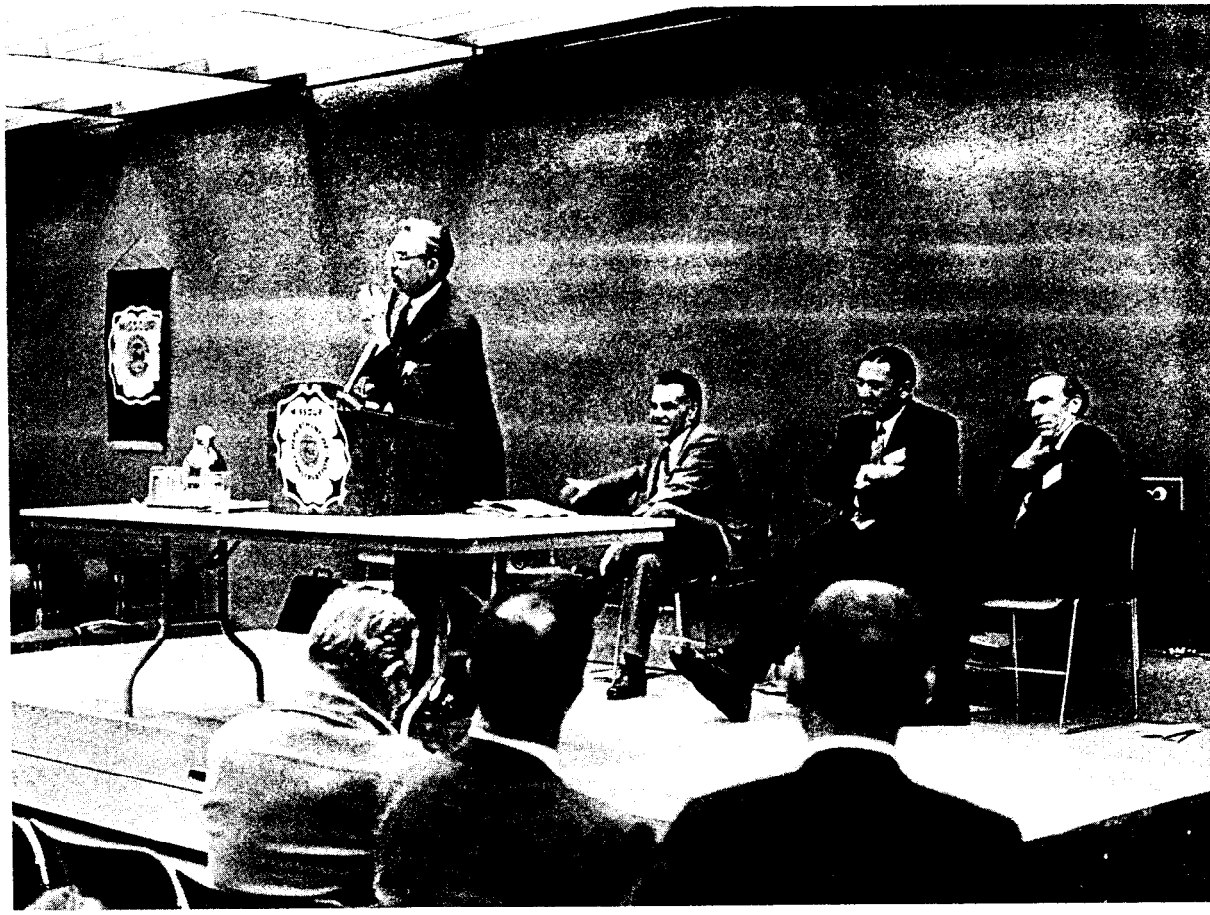
In April, 1968, Lammert met with the Conservation Commission to urge an expanded outlook, and the Commission directed the staff to develop a program for those who simply enjoy wildlife for its own sake, as well as hunters and fishermen.

Eventually a three-man team, headed by A. Starker Leopold with Charles H. Callison and Irving K. Fox, was commissioned by the Edward K. Love Foundation to make a study of the Department and its programs and make recommendations as to its future course of action. The study got under way in January, 1969.

Noren had asked Leopold to make the study, but Leopold felt that a three-man team might have more credibility. Noren suggested Charles Callison, and Commissioner Robert DeLaney suggested Irving Fox. Noren had known Fox during his river basin days and knew he had special talents to bring to such a study team.

Leopold, formerly a Department biologist, was a professor with the forestry and conservation school of the University of California at Berkeley. Callison, too, had been Information chief with the Department but presently was executive vice president of the National Audubon Society. Fox was professor of regional planning at the University of Wisconsin.

They completed their study and released their findings as ***The Missouri Conservation Program Report.*** It was presented to about two hundred concerned citizen-conservationists assembled at Department headquarters on May 23, 1970. The ***Report*** said that organization and staffing were generally excellent, but the Department should broaden its



*Noren addresses an audience at a public meeting in 1970 to introduce the Missouri Conservation Program Report, an assessment of Department direction conducted by noted conservationists Charles Callison, Starker Leopold and Irving Fox, on stage left to right.*

programs to more fully include management of all wildlife, including non-game species, to provide for outdoor recreation outside the traditional realm of hunting and fishing, and to provide for a full range of natural values on Department lands. The ***Report*** did not deal with funding such an endeavor.

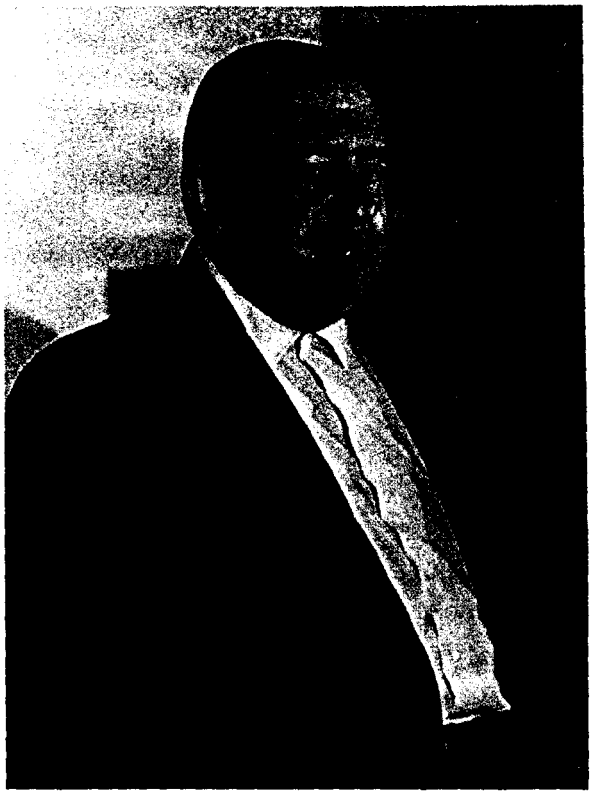
The Department, anticipating citizen reaction, had prepared a bulletin entitled ***Challenge and Response*** that was a proposal to accomplish those things and estimated they might cost an additional $21 million per year.

A Citizens Committee for Conservation (CCC) was formed that same day with Ted Scott, a Buffalo, Missouri, attorney, as chairman. It called on the Department to study ways of funding the proposed program. Scott had long been active in the Conservation Federation of Missouri.*

A fiscal consultant, Arthur Betts, was employed and he described several potential sources of revenue for funding. The Business School at Missouri University did a detailed study of the three most promising sources and a soft drink tax was believed to be the best source. Within the CCC a legal committee was formed and an initiative petition drawn up.

Meanwhile, the CCC asked the Department to amplify the ***Challenge and Response.***

2 In recognition of his years of service to conservation, and especially for heading the fund drive, the Commission voted Scott a Master Conservationist Award in 1972, which was presented in 1973.



*Attorney Ted Scott, a long-time supporter of conservation in Missouri, became chairman of the Citizens Committee for Conservation formed in 1970.*

The Department did this and in September, 1971, released the Design *for* Conservation.

***Design*** is the basic blueprint for Missouri s outdoor future-a plan to help mitigate the adverse impacts of modern development. It was, and is, a long-range plan to expand the state s wildlife conservation program and provide more recreational opportunities for all Missourians.

Under Design the Department pledged to buy land for recreation, forestry, and to protect critical habitats for rare or endangered species of plants and animals.

The Department pledged to increase its services to the public in the areas of wildlife and forestry conservation. And it promised increased research into forestry and all species of wildlife-whether considered game or not-and broadened management programs for wildlife and forestry. It called for an expansion of most existing programs, and provision of more outdoor recreational opportunities for the future.

Design was printed as a booklet, but later was printed as a special edition of the ***Con***servationist magazine, in order to reach many more people.

With the ***Design for Conservation*** as a concrete proposal, the CCC launched its petition drive in October, 1971, to secure funding to put it into effect. The petition, in the form of a constitutional amendment, asked the people of Missouri to impose on themselves a one cent tax on each sixteen ounces of carbonated soft drink they bought; it was expected to yield about $20 million annually to support the ***Design*** proposal.

Conservation Federation Executive Ed Stegner took on the job as day-to-day executive in conducting the petition drive. The Federation made available to the CCC not only Ed s services, but its entire staff and offices. With volunteer help Ed organized the campaign, conducted the meetings, and in nine months-on July 5, 1972—filed 164,000 signatures with the secretary of state.

Throughout the petition campaign, opposition came from the bottling industry. The soft drink manufacturers said that adding a penny to the price of their drinks would result in many of them going broke. (In light of what we subsequently paid for soft drinks, that statement is rather humorous. The price of sugar took a big jump just about that time and soft drinks went up from ten cents or fifteen cents to fifty cents or more.) The brewers sided with the soft drink people, and both tried to enlist the grocers to oppose the petition. It was said that the opposition had a $3 million war chest to beat the amendment.

As it turned out, they didn t need it. A Jefferson City attorney employed by the bottling industry met with the secretary of state at the same time the petitions were turned in and told him that the petitions were flawed because they lacked an eleven-word enacting clause, be it enacted by the people of the State of Missouri 3 The attorney general ruled that the secretary of state should not certify the petitions. The CCC carried the matter all the way to the state Supreme Court, which ruled against the petition.

Jefferson City Post-Tribune

Serving Mid-Missouri for 106 Years

JEFFERSON CITY, MISSOURI, WEDNESDAY AFTERNOON, JULY 5, 1972

# Drink tax petitions filed, criticized

***A lawyer for an unnamed group opposing the soft drink tax petition said that it was contrary to the constitution. The opponents turned out to be bottling industry representatives who feared a tax would reduce sales. The*** initiative ***petition gathered sufficient signatures, but was dismissed on a legal technicality.***

It was a staggering blow.

The steering committee of the CCC met immediately and re-endorsed the effort. On December 2, 1972, it appointed a six-person executive committee to streamline the decision process. This committee met frequently over the next two years and learned from a public opinion poll that a sales tax might be a better way to fund the program. It was calculated that a one-eighth of one percent sales tax would provide the $20 million to fund the program outlined in ***Design.***

During the winter of 1974-75, the CCC held a series of meetings with citizens who had helped in the initial petition drive-nearly all wanted to try again. A lawyer was hired and a new constitutional amendment petition drawn up, this time providing for a one-eighth of one percent sales tax earmarked for conservation. The new petition drive was kicked off in July, 1975.

The CCC, working with volunteers across the state, gathered 208,000 signatures, and turned them over to the secretary of state. This time there was no challenge to the legality of the petitions. The proposed amendment was certified for the ballot, and the issue was voted on as Amendment 1 on November 2, 1976. It carried by approximately 30,000 votes.

This summary of events doesn t begin to tell of the blood, sweat and tears that went into the two initiative campaigns. The effort spanned several years-perhaps as far back as 1967—and involved the hard work of thousands of volunteers.

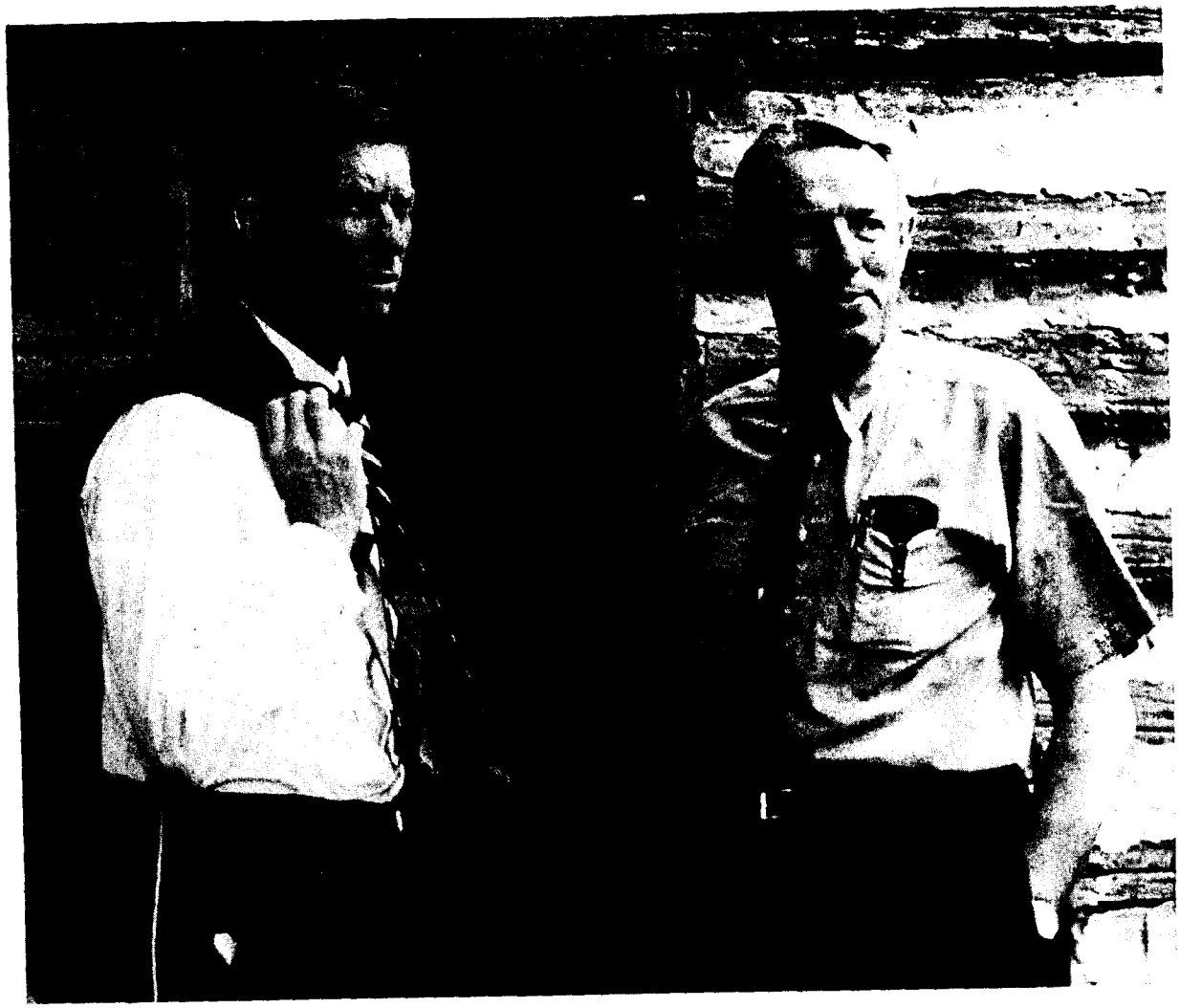
The backbone of the drive, as Carl Noren told the North American Wildlife Conference in 1978, was the Conservation Federation. Ed Stegner devoted himself full-time to the project in the final two years, with the full backing of his board.[4] They provided him with a full-time assistant, Charles Davidson, and an additional assistant, David Beffa, the last few months. To further help the effort, it made available the CFM office and its stenographic staff, and they were aided in turn by volunteers led by Doris "Dink" Keefe, who worked nearly every day in the final year.

The Citizens Committee for Conservation wanted at least 150,000 signatures. They needed a minimum of 100,000, which had to be from seven of the state s ten congressional districts. They eventually gathered 208,000 signatures. Following the earlier campaign a law had been passed requiring signers to be registered voters, which vastly complicated the signature-gathering process.

Collecting 208,000 signatures was a great deal of work. A statewide organization had to be set up, with a chairman in every county. The chairman s job was to get the minimum number of signatures, which meant organizing volunteers to work shopping cen-

[3] It is interesting to note that the petition which created the Conservation Commission in 1936 did not have an enacting clause either.

[4] Stegner was voted a Master Conservationist Award in 1976 for his efforts in helping pass the conservation sales tax.



*H. Nat Reed, Assistant Secretary of the Interior, joined Ed Stegner in 1975 to publicly endorse the campaign for a one-eighth cent sales tax for conservation.*

*Mrs. Doris J. Keefe led the the volunteers in the conservation sales tax campaign.*

ters, fairs, sporting events—anywhere people gathered. Hunting and fishing club folks Were good workers, but often the best signature gatherers were college students, birders and hikers.

After the signatures were gathered and

approved, the CCC needed funds to conduct a publicity campaign to get out a favorable vote. They hired a public relations firm but later dismissed it after it claimed it could not raise enough funds or pass the issue. The CCC would raise its own funds and conduct its own campaign.

Again, volunteers came forward. Some were associated with advertising or public relations firms and helped with publicity and advertising. Others raised money by conducting white elephant sales, auctions and chili suppers. Charles Schwartz donated a painting and several wildlife sketches that were made into prints to be sold as fund raisers. Many others dug down into their jeans and donated cash to help the cause. In all, about $170,000 was raised for advertising and other campaign expenses.

The CCC kept a steady stream of publicity going to the public. The ***Conservationist*** magazine reached hundreds of thousands of people with its articles on ***Design.*** Workers were kept posted with newsletters.

Newspapers, radio and television stations were approached-a majority of them backed the campaign editorially or in other ways. Endorsements were sought and the first to endorse the proposal was the American Association of University Women. Among many other organizations endorsing the proposal, both state and national, were the National Wildlife Federation, National Audubon Society, Sierra Club and National Rifle Association.

*Charles W. Schwartz, artist, and Canada* goose, *model,* inspect *the painting Schwartz executed in a fund-raising drive for the sales tax* **campaign.** *Sales of prints of the painting raised over $80,000 for the* Design *effort.*

Even the Secretary of the Interior endorsed the proposal and came to Missouri to speak for it.

Opposition was low key. A business-financed lobbying group opposed earmarked funds (though not the Design), and the few newspapers that opposed the amendment did so largely on the basis of a news release from this group. There was some opposition from farm groups, who feared a land grab even though the Department had pledged not to use its power of eminent domain, or as a hangover from the scenic river disputes. In almost every case the CCC countered its opposition well.

So the amendment carried, though it was the following day before election results were certain. Its strongest support came from metropolitan areas, where people most appreciated the need for more places to recreate. They also recognized the need to protect and preserve wild things of field and forest for future generations. The proposal fared well wherever there was a college. It failed in rural areas where folks already had ample outdoor opportunities, though even here the vote often was close. Beginning in 1977, when the amendment became effective, the Department would have adequate funding for its broadened programs now well-known as the ***Design for Conservation.***

Life for a director is never entirely smooth, and Noren had his share of rough spots. Always uppermost in his mind was his determination to find a stable source of funding for the future. Every event that might affect the course of the ***Design*** *for Conservation* was of concern.

The same month Noren became director it was learned that employees of the printing firm that had printed the 1967 permits had been selling seconds on the black market. The conservation agents soon put a stop to this, but it was a little event that a new director could have done without, faced as he was with a fiscal crisis. On top of that, the legislature was considering bills to fix permit prices itself and to repeal the penalty provisions of the Wildlife and Forestry Act. The Commission immediately appealed to the people and the legislature dropped further consideration.

In August, 1967, the purple martin affair created a touchy situation with the governor s office.

Biologist Mike Milonski was the first one notified when a lady who lived across the street from the mansion phoned him the evening of August 21, complaining that people were shooting birds on the governor s lawn. When Milonski arrived at the scene about 9:15 p.m. he saw five men there, and the ground littered with what he saw were purple martins. He identified himself to the

# Purple martins slaughtered at mansion

"Wholesale slaughter!"

That's how Ben Krider, conservation agent for Cole County, described the killing of between 1,800 and 2,000 purple martins near the Governor's Mansion Monday night.

Krider said he believes five or SIX local men did the shooting. He declined to name the men until the Department of Conservation completes its investigation.

Lt. Col. K. K. Johnson, of the Missouri Highway Patrol, said Gov. Warren E. Hearnes mentioned to a trooper stationed at the mansion that the birds-flock was estimated at about 10,OOO-were a menace and something should be done to disperse them.

The "Governor didn't say how it should be done," Col. Johnson said, "just that something should be done."

The trooper then passed the word to Stanley Diemler. who works for the State Division of Planning and Construction.

Johnson stated that the patrol had nothing at all to do with the shooting.

Police Chief Claude Short quickly took city authorities out of the picture.

See Martins, page 8

***The purple*** martin ***affair enraged birdlovers and thoroughly embarassed the Hearnes administration. This account was printed*** in the Jefferson City Post-Tribune, but ***the*** story gained ***national notoriety.***

men and was told that John Paulus, who headed the Division of Design and Construction, had ordered the shooting.

Subsequent investigation revealed that Governor Warren Hearnes had made an off-hand remark to one of his Highway Patrol bodyguards that something should be done about the blackbirds roosting near the mansion. The trooper had relayed this information to his superior, who had relayed it to the office of Design and Construction. A member of that staff had organized a group to shoot what they assumed were unprotected blackbirds that summer evening of August 21. Unfortunately, their zeal had outstripped their knowledge: the blackbirds were purple martins which had gathered prior to their annual migration.

Since the martins are migratory birds, protected under international treaty, the U. S. Fish and Wildlife Service was brought into the case, though it eventually was prosecuted in state court.

The news media had a field day with the affair, and it got national attention. Governor Hearnes, whose innocent off-hand remark had precipitated the whole incident, got letters and denunciations from all over the country.

The five shooters subsequently pleaded guilty to charges of shooting protected wildlife and were fined. It was another incident a new director could have done without, but another problem was waiting in the wings.

Some time in June, 1967, Bill Scott of Ellington shot a black bear that attacked his pigs. Black bears were so rare as to be almost non-existent in Missouri, so interest in the incident was high. When word reached the Department, Assistant Game Chief Allen Brohn, who was working in the vicinity, was asked to pick up the skull and skin of the bear for use by the Cooperative Wildlife Research Unit in Columbia. Brohn, accompanied by Conservation Agent Tom May, picked up the skull and skin on June 22, 1967, and turned it over to the Research Unit s supervisor, Dr. Thomas Baskett.

In August, Reynolds County Prosecuting Attorney William H. Bruce Jr., sent a letter to Baskett indicating that an oppression in office might have been committed or that the bear skin might have been stolen from Scott. He hinted at possible prosecution of those persons who had deprived Scott of the bear skin. On September 13, Bruce had Conservation Agent Tom May arrested and issued warrants for Brohn and Baskett.

The case drew some media attention, to the considerable embarrassment of all concerned. May posted bond and was released, and Brohn and Baskett carried $500 in cash as bond money anytime their travels might take them close to Reynolds County, just in case.

The Commission ordered its legal counsel, Julian O'Malley, to secure local counsel on behalf of its employees, May and Brohn. Working through the local attorney, O Malley agreed that if the prosecutor would dismiss his case, ***nolle prosequi*** at no cost to the defendants, Scott would be loaned the skin from time to time for inspection and display, but ownership would remain in the Department.

This seemed to satisfy all parties, but it

Julian ***O Malley*** was legal counsel ***when*** Agent Tom ***May was arrested and warrants were issued for Allen Brohn and Thomas Baskett in the "bearly" believable case of the confiscated bear skin.***

was a cause of some concern during the months that it took place. The Commission was insistent on rights to the skin and skull of a protected animal, and wanted to back its employees against what was considered eccentric and capricious behavior on the part of the prosecutor.

As a postscript to the affair, Bill Scott eventually became sheriff of Reynolds County. Some years later the bear skin was stolen in a break-in at the University s Wildlife Research Unit.

Commissioner Ben Cash s second term expired in June, 1967, and William A. Stark of Bethany was named as replacement. Stark was a farmer and businessman who had been a conservation agent for twenty-one years, from 1946 until he resigned in 1967 to pursue private interests.

In August, 1967, Commissioner William R. Tweedie Sr., submitted his resignation to Governor Hearnes. A Jefferson City footwear manufacturer, Tweedie had been appointed in 1963 by Governor John Dalton and was universally respected. Tweedie s health had been failing for some time and he died a few months later of a brain tumor. His unexpired term was filled by the appointment of Lewis D. Linville of Kansas City in September, 1967.

Linville was president of a machinery company in Kansas City and active in Ducks Unlimited. He served until February, 1970, when Harry Mills of Clinton, farmer, insurance man and bank president, replaced him. Mills also was president of Mo-Kan Basin Flood Control and Conservation Association, a group promoting Corps of Engineers projects in the region. That alliance was to cause more concerns for Noren when a lawsuit brought to halt construction of Truman Dam became an issue.

In July, 1971, Governor Hearnes reappointed Jim Tom Blair and Robert G. DeLaney to second terms as commissioners.

In the 1970s, state government reorganization occupied the Commission, as it sought to retain its powers and to cope with demands for a new state department of natural resources. The staff prepared three amendments to proposals under consideration in the legislature, which the Commission endorsed.

These were: (1) To retain the present constitutional authority of the Conservation Commission with regard to employment of personnel, setting of job standards and administering a personnel system; (2) To retain the dedication of monies presently earmarked for the Conservation Commission and to establish a state park fund by using the present language of the constitution, but increasing the amount of earmarked funds from one mill to three mills to operate parks, boating and outdoor recreation programs; and (3) To establish a Department of Conservation which would include parks, boating and outdoor recreation, and to establish a separate department of environmental affairs to which could be assigned the agencies for regulatory interests in natural resources such as water pollution, water resources and air conservation.

At one time during legislative debate, proposals would have placed all these items under the four-man Conservation Commission. The Commission had an interest in parks, boating safety and outdoor recreation, but did not want to get involved in regulating the other resources. State Representative Harold Volkmer was working closely with the Department during reorganization proceedings. Volkmer incorporated the suggested amendments into pending legislation.

In November, 1972, the citizens approved reorganization, but actual placement of various agencies into state departments was not accomplished until the following year. One item affecting the Commission was a provision that called for appointment to the Commission by the governor, by and with the advice and consent of the Senate. This was the only change that affected the Conservation Commission.

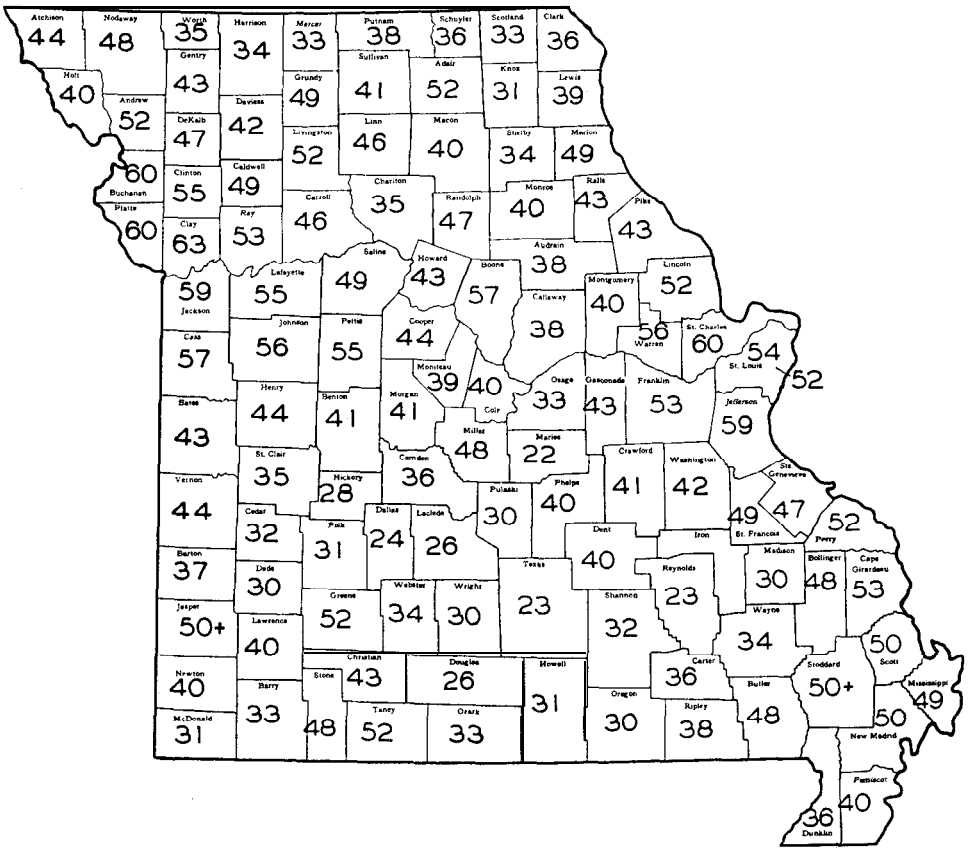
Volkmer planned to place into the new Department of Conservation (which would be headed by the Conservation Commission) the State Parks, Interagency Council for Outdoor Recreation, the Lewis and Clark Trail Commission, and the Boat Commission. But this plan was not adopted, and most of the other agencies went into the new Department of Natural Resources. The Conservation Commission and its Department stayed as it had been since 1937.

Reorganization became effective in 1974, and Governor Kit Bond declared his intention of appointing a new Conservation Commission. He believed that reorganization gave him this power, while Representative Volkmer insisted that it did not. An attorney general s opinion indicated Bond could make all new appointments.

In June, Bond appointed a new Commission consisting of Jim Tom Blair (reappointed for a term to expire in June, 1977), G. Andy Runge of Mexico (reappointed for a term to expire in June, 1979)[5], Gene Dement of Sikeston (term to expire June 28, 1975), and Robert E. Talbot of Neosho (term to expire June 28, 1977). Dement was a southeast Missouri farmer and Talbot was a Neosho businessman. Harry Mills and Robert DeLaney were ousted.

The new Conservation Commission met June 28, 1974, at a special meeting in the Senate hearing room at the State Capitol; Dement and Talbot presented their credentials and were sworn in. The new officers were: Runge chairman, Blair vice-chairman, Talbot secretary and Dement member. They renewed the appointment of Carl Noren as director and approved the continued employment of the present personnel.

Almost at once Bond s commission appointments-not only in the Conservation Commission, but all such appointments—came under fire. Blair and Runge's appointments did not need to be confirmed by the Senate under the new constitutional provision, but Dement and Talbot both needed to




*A map showing the percentage of yes votes for the conservation sales tax illustrates strong voter approval in the metropolitan and urban areas, decreasing support in rural regions.*

[5] Runge had originally been appointed to the Commission in July, 1973, replacing William A. Stark. He had been active in Gov. Bond's campaign for governor, and was a Mexico attorney. He was active in the Conservation Federation and had a keen interest in conservation matters.

be confirmed. By December this was being debated in the senate, but a member of another state commission brought suit against his ouster and the matter went to the courts.

At the December Commission meeting, Gene Dement and Robert Talbot, not expecting to be confirmed by the Senate, expressed their pleasure at having had the opportunity to serve. They did not attend the January, 1975, meeting because of legal uncertainties surrounding the appointment and confirmation of [the] two Commissioners under the 1974 reorganization of the Executive Branch of state government, the minutes stated.

A ***St. Louis Globe-Democrat*** reporter raised the question of a quorum-since only two Commissioners were present, could they transact business? Andy Runge said that they must proceed with business and that actions could be confirmed when a third Commissioner was present.

The two continued to transact business until June when, As a result of a decision by the Missouri Supreme Court on June 9, 1975, and the subsequent withdrawal of an opinion by the attorney general relating to the appointments of Commissioners as head of the Department under the Reorganization Act of 1974, the governor notified Mr. Robert G. DeLaney and Mr. Harry Mills they will continue as current members of the Conservation Commission, according to the minutes.

Bond had withdrawn Robert Talbot s name from consideration by the senate, and the senate had refused to confirm Gene Dement s appointment.

The old Conservation Commission confirmed all actions taken between July 22, 1974 and May 22, 1975, thus legalizing the actions of the two-man Commission.

The 1960s brought turmoil to Missouri in disputes over protection of wild and scenic rivers. These were of special concern to Noren because of their possible effect on the ***Design for Conservation*** program.

In the early 1960s, with scenic river protection in the air, a governor s committee was appointed, headed by Ed Stegner of the Conservation Federation. Work of this committee culminated in the designation of the Eleven Point River as a wild and scenic river

***George N. Elder was the fisherman*** in ***the test case*** Elder ***vs.*** Delcour ***that settled anglers access rights on Missouri*** streams.

in national legislation signed by President Lyndon B. Johnson on October 2, 1968. Scenic rivers designation was opposed by many in rural Missouri who felt they might lose control of lands adjacent to rivers. Canoeists occasionally were threatened and there were confrontations between floaters and local landowners.

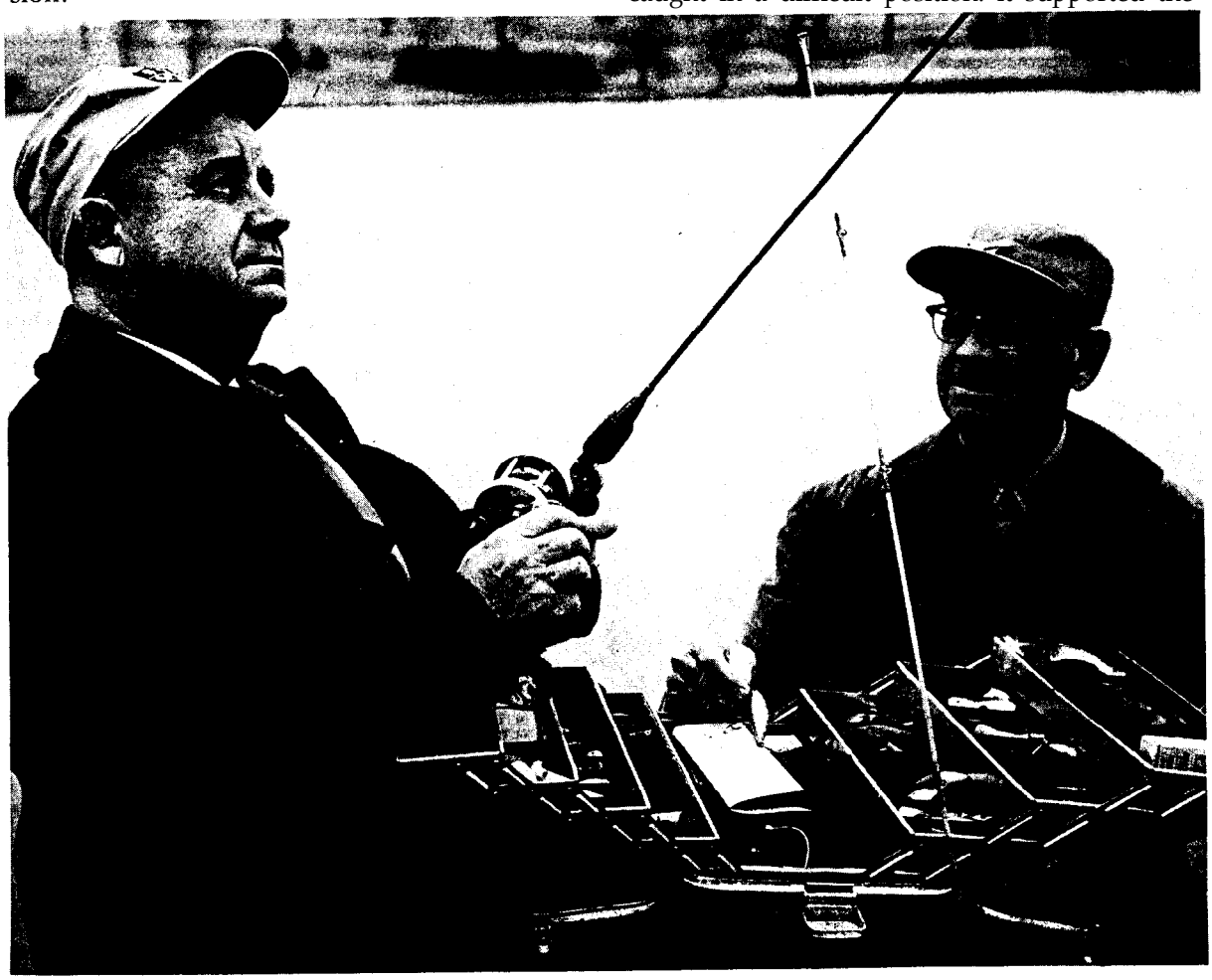
The issue had been faced in 1954, when the Supreme Court had ruled on a test case involving fishermen s rights in Elder vs. Delcour. Fisherman George N. Elder of Jefferson City had been canoeing on Meramec River and was charged with trespass when crossing lands owned by James M. Delcour. Both men were friends and had agreed to the test case. Judge Gordon Dorris ruled that the Meramec River was public water and Elder had a right to be there. The appellate court in Springfield reversed that ruling, holding for the landowner. On June 14, 1954, the Supreme Court issued a sixteen-page opinion, written by Justice S. P. Dalton, that unanimously upheld the fisherman s rights. The opinion declared that the Meramec River was a public stream and citizens had a right to be there. It held that Delcour was not absolute owner, and that his ownership was subject to burdens in posed by the river," which included passage by floating and wading by the public. This should have settled the matter, but canoeists

in the 1960s were pushing for preservation of the streams banks while landowners were fighting for their rights to exploit those banks if they chose to do so.

The governor appointed an interim committee on recreation and water use that included Noren and Stegner to conduct hearings and come up with suggested legislation to meet the need for a scenic rivers system. But in December, 1969, a group calling itself the Missouri Scenic Rivers Affiliation, headed by St. Charles school teacher Roger Taylor, launched an initiative petition drive to create a scenic rivers system in the state that would be administered by the Conservation Commission.

The most controversial aspect of the proposal was the creation of 300-foot scenic zones on 850 miles of nineteen streams. Within the zones, landowners would be forbidden to erect new structures or clearcut timber. There could be no dumping, littering, refuse burning, salvage or disposal operations.

All over the Ozarks landowners arose to combat the petition, ultimately forming the Show-me Heritage Association as the principal spokesman. Its avowed purpose was to fight the scenic rivers petition and to oppose the ***Design for Conservation,*** in the belief that the Commission was behind or at least supporting the petition. The Commission was caught in a difficult position: it supported the



***Gov. John** M. Dalton, left, and his brother, Supreme Court Justice S. P. Dalton, right, were both ardent conservationists. S. P. Dalton wrote the opinion in the landmark* Elder *vs.* Delcour case *that declared Missouri streams public waters.*

idea of scenic rivers preservation, but was opposed to the zoning provisions of the petition, which it felt deprived the landowners of rights without compensation. It issued a statement to that effect, which failed to register with the opponents.

Noren and others met with Roger Taylor and urged the petition be modified to drop the zoning feature and provide for acquisition in fee or easements from willing sellers. Taylor felt matters had gone too far for modification, but the petitions were withdrawn in May, 1970, when unknown persons bombed his car as it sat next to his home.

By this time most landowner leaders, farm organizations and the legislature recognized that some sort of protection system was needed. Noren reported in June that landowner leaders were moving toward some accommodation. Their more rabid followers, however, disavowed them.

There were two scenic rivers bills in the 1971 session of the legislature, but the Commission continued to take heat from those opposed to any scenic rivers bill. Noren pointed out to the Commission that if it supported some other agency administering a bill it might help the situation, but Commissioner Blair insisted that the Commission should stand fast.

In April, 1971, when members of the Show-me Heritage Association asked the Commission to disavow any intention of administering a scenic rivers system, the Commission was indignant. It issued a statement declaring that it was best qualified to administer a system, but that it was a matter for the legislature and the citizens of the state to decide which agency should oversee it.

The bills died and the entire matter gradually simmered down. Other than for portions of the Eleven Point, Current and Jacks Fork rivers, the state still has no system of scenic rivers preservation. Feelings still linger in certain quarters against the Department as a result of the controversy, and undoubtedly contributed to the opposition to the conservation sales tax in 1976 in certain rural counties. It was another matter that gave Noren problems during his term as director.

The issue of dams for the Meramec Basin was another matter that confronted Noren and the Conservation Commission. In 1966, Congress re-authorized a revised version of the Corps of Engineers dam proposals for the Basin. In the 1970s the Corps acquired 28,000 acres and began construction of a dam on the Meramec River.

But times had changed and new federal laws had been enacted that were to have a bearing on this dam. Creation of the Environmental Protection Agency was one. Another was new emphasis under the Carter administration on the Fish and Wildlife Coordination Act that required input from other agencies relative to fish and wildlife. The Endangered Species Act was a third. Opponents of the dams began to cite these various acts in arguments against continued construction.

In August, 1975, Commissioner Talbot told the Commission about a float trip on the Meramec River he shared with Governor Kit Bond, and Bond had asked for the Commission s views on the dam. Its views were ambivalent. It basically stood for stream preservation, but recognized that a sizeable number of citizens favored flat water recreation close to the St. Louis metropolitan area. It felt that the decision rested with the citizens, and chose not to oppose Meramec Dam, though it insisted that mitigation of lost wildlife and forestry values should be a part of any plan.

At the same meeting a trio from the St. Louis area appeared before the Commission and asked that it oppose Union Dam to be built on the Bourbeuse River. The Commission ordered its staff to survey the wildlife values of the Bourbeuse and sound out sentiment in the area. The staff reported that the Bourbeuse River was a valuable wildlife asset and that sentiment of local citizens appeared to oppose the dam. On September 24, 1975, the Commission voted its opposition to Union Dam and reiterated its stand favoring stream preservation, with a system to be administered by the state and with adequate funding. This influenced the governor s opposition and the Corps subsequent decision to drop plans for a dam on Bourbeuse River.

That left the Meramec Dam unsettled. Concerned that the Commission might waver on the Meramec Dam after its stand against

the Bourbeuse River Dam, James Gamble of the Meramec Basin Association came to the Commission in October, 1975, to ask it to reconsider its position on the Bourbeuse and to support the Meramec Dam. However, the Commission reaffirmed its opposition to the Bourbeuse Dam, and did not change its position on the Meramec Dam.

Meanwhile, public opposition to the dam continued to rise, based in part on its effects on rare and endangered species.

In September, 1976, Rep. Richard Ichord withdrew his support of the proposed Meramec Dam. Governor Bond proposed a public referendum on the question, asking if the Commission concurred. It did.

In the interim before the referendum was held, both opponents and proponents of Meramec Dam appeared often before the Commission attempting to influence its avowed neutrality. At last, in May, 1978, Commissioner J. Ernest Dunn asked the Commission to take a definite stand. Both sides were invited to argue their positions in July. After hearing the arguments, Commissioner Andy Runge moved that the Commission go on record opposing the Meramec Dam. The vote was unanimous and probably had an effect on the outcome of the referendum, which was held in ten basin counties in 1978. Some sixty percent of the voters were opposed to the dam. That effectively killed the project, though proponents continued to lobby for some sort of dams in the basin.

Noren was faced with yet another problem when, in 1972, suit was brought in federal court by the Environmental Defense Fund to halt construction of Truman Dam on the Osage River. Among others party to the suit was the Missouri Chapter of the Wildlife Society, many of whose members were Department employees.

This nettled Commissioner Harry Mills, who was president of the Mo-Kan Basin Flood Control and Conservation Association, a group active in promoting Truman Dam. Mills felt such action by employees was contrary to the policy expressed by the Commission regarding Truman Reservoir. Commissioner Blair felt that perhaps the Commission had not been as positive in its position statement on Truman Dam as it might have been. Mills called on Noren to investigate the matter, adding that he wanted it made clear that in no manner would he want to silence an employee of the Department [in providing] anything that is legitimate information. But the Commission ordered that employees would not provide affidavits in the case, but would respond if subpoenaed.

At the meeting in April, 1972, Assistant Attorney General Walter Nowotny, assigned by the Governor to represent the Water Resources Board, State Park Board and Inter-Agency Council for Outdoor Recreation, reported that Federal Judge John Oliver said plaintiffs had difficulty getting information from Department employees and he understood there was a policy inhibiting employees from providing information. The judge would look on any type of restrictions placed on employees as a violation of civil rights. The Commission rescinded its policy that employees might not furnish affidavits, and the matter ended there.

Other events during Noren's tenure were the construction of a Wildlife Research Center in Columbia, merging the Wildlife and Fisheries research staffs in 1970. In response to a growing number of muzzle loader hunting

*The Wildlife Research Center in Columbia merged the Fisheries and Wildlife research units under one roof in 1970.*

enthusiasts, the first historic weapons deer hunt was held October 21-29, 1967, on Caney Mountain Refuge. The first statewide archery deer hunt was conducted in 1968.

On March 16, 1968, Game Division Chief Charles A. Ted Shanks died of a heart attack. He had been with the Department since 1947, and Game chief since 1964. He was replaced by Allen Brohn.

Long-time Chief of Hatcheries A. G. Morris retired that year, after having begun his career in that post in 1933 with the old Fish and Game Department. He was replaced by Charles E. Hicks.

In April, 1968, Robert A. Brown of St. Joseph, long-time Federation board chairman and former Commissioner, was given the Master Conservationist Award.

The Protection Division was reorganized to provide more advancement positions, with creation of three districts within each of the nine Protection Regions of the state, and creation of District Supervisors. The title Superintendent of Protection was changed to Chief of Protection.

Controversy over gun control flared in the 60s and the Commission issued a statement supporting the legitimate use of firearms in June, 1968. Stix, Baer and Fuller of St. Louis stopped handling firearms sales and donated seventy-four guns to the Department s Hunter Safety program. The ten-shell limit first imposed at Fountain Grove was extended to include the Swan Lake Zone in 1971.

In November, 1968, the Commission took a step to modernize Department fiscal activities by authorizing the lease of a computer and hired its first computer specialist, James Bryant.

In 1969 the first trout stamps went on sale in an attempt to make trout stocking programs more self-supporting. In May of that year, the state s and nation s first Urban Fishing Program got under way in St. Louis city parks. This was expanded to Kansas City in 1978 and to St. Joseph (1981), Sedalia and St Louis County communities (1983), and Springfield (1984).

In July, 1969, Larry Gale was named associate director and Allen Brohn became assistant director for line functions. Dunbar Dixie Robb replaced-him as Game chief.

*Larry Gale, left, rose to the rank of associate director in July,* **1969, assisting** *Carl Noren* **with** *everyday administrative tasks.*

*The triangle insignia* **designed** *by Charles Schwartz represents the conservation of wildlife, fish and forest resources in the state.*

Citizens in Atchison County took matters into their own hands and constructed a dam for a twenty-eight-acre lake on Brickyard Hill Wildlife Area. A consulting firm determined that so large a lake presented a hazard and

it was later reduced to only thirteen acres.

In June, 1970, the Commission adopted a new emblem designed by Charles W. Schwartz-the now-familiar triangle with the oak leaf, bass and raccoon representing the forestry, fisheries and wildlife programs of the Department. November of that year an oxygen deficiency in the water at Lake Taneycomo seriously affected the trout fishery. The Environmental Protection Agency insisted on enforcing water quality standards, and the Southwest Power Administration insisted on receiving its quota of electric power. The Corps of Engineers was in the middle.

On November 5, 1970, Irwin T. Bode, the Department s first director, died in Whittier, California.

The state s Natural Areas System was created by the Commission in December, 1970. The Department administered this system until April, 1977, when it invited the Department of Natural Resources to jointly run it. Also in 1970, the Department received an award from the National Rifle Association for graduating its 100,000th Hunter Safety trainee. In February of that year. J. Vernon

*Allen Brohn, above, became assistant director for line functions in 1969. James Schroder rose from conservation agent to metro services coordinator for the Springfield area. He is shown with assistants Candy Flint and Kay Thomas, below. A new Springfield Metro Office opened in 1987.*

Bennett retired as chief of the Field Division. He had been one of the original twelve wardens of the old Fish and Game Department who successfully made the transfer into the new Conservation Department. He was replaced by Paul G. Brooks Sr. In December, 1975, James L. Red Bailey retired after thirty-four years of service, to be replaced by Earl P. Coleman as Protection superintendent.

In July, 1971, Dunbar Robb died of cancer. He joined the Department as a biologist in 1941, and was associated with the dramatic deer restoration program much of his career before becoming Game Division chief in 1969. He was succeeded by Mike Milonski.

A public service office, similar to those already existing in St. Louis and Kansas City, was established at Springfield in 1971. A bill passed the legislature that gave the Department rights to unclaimed islands and sandbars in the Missouri and Mississippi rivers, which later resulted in adding several thousand acres of public recreation lands.

In 1972, a Shell Knob man began a campaign to outlaw the use of steel leghold traps in the state. He initiated a letter-writing campaign and ran advertisements in several newspapers. The Commission was flooded with letters, pro and con, and in 1973 it reaffirmed that trapping was the only practical way to control certain animal species and that its practice would continue.

In June of that year, the Commission adopted an equal employment policy: The Conservation Commission believes in the principle and practice of equal employment opportunity. Furthermore, it intends to continue to comply with the letter and spirit of federal, state and local laws prohibiting discrimination on the basis of race, creed, color, religion, national origin, ancestry or sex. Therefore, the Department of Conservation will continue full implementation of a program of affirmative action designed to translate the Commission s beliefs into results.

The Commission employed two Missouri University professors to study hiring practices, salaries and classification structure to ascertain if any inadvertent discrimination was being practiced. The pair reported they could find no obvious bias.

However, in May, 1973, the Division of Employment Security kicked back an announcement for conservation agents on the grounds the height, weight and age requirements were biased. These were revised, but when two women applied they were told the job was limited to males. It wasn t until June 30, 1975 that Jill Cooper, the first woman conservation agent, was hired.

The biggest flap in employee relations came in 1974, when an outside expert devised a new classification and salary structure which was vigorously opposed by many employees. In October Noren noted that the proposed system might cause a break in the fine cooperative spirit that has existed among all employees in the past. Eventually it was modified and adopted, but not without a good deal of rancor. It has remained the system used by the Department and is now accepted practice.

In 1974, the Game Division was renamed the Wildlife Division to reflect the increased emphasis on non-game species management.

On June 22, 1974, Werner Otto Nagel died. Nagel was the first student to graduate in wildlife conservation from the University of Missouri and was one of the early biologists hired by the Department. He co-authored the monumental work, ***A Survey of the Resident Game and Furbearers of Missouri,*** that served as the basis for early Department programs. In 1970 the Department published his Conservation Contrasts, which described thirty years of non-political management of Missouri s wildlife and forests.

Also in that year, the conservation agents of the Department formed an association to improve the agent s lot. Working through the administration, the association secured some measures to make the agents jobs more efficient and effective.

In 1975, the legislature enacted a Missouri Register law that required the Commission to publish certain regulations proposals before final adoption. It fell to Associate Director Larry Gale, chairman of the Department s regulations committee, to put all rules into the new format. To involve field personnel more closely with regulations-making, the Commission authorized one person from each line division to attend regulations meetings.

*1975, Jill Cooper became the* **first** *female conservation agent. She is congratulated here by Director Carl Noren.*

*Werner Otto Nagel, author, conservation philosopher and wildlife chef died on June 22, 1974.*

In November, 1975, the Commission named Osal B. Capps assistant director for legislative affairs, in addition to his duties as state forester. It was the first time the Commission had authorized a lobbyist for Department matters. The following year it promoted him to assistant director. His forestry duties went to Jerry J. Presley, the state s third state forester.

The moves were part of a reorganization planned by Noren to implement the ***Design for Conservation.*** Larry R. Gale was designated deputy director.

Assistant Director Paul G. Barnickol died of a heart attack June 7, 1976, after a career

spanning thirty-seven years with the Department. He started work as a fisheries biologist in 1939, rose to become superintendent of fisheries research, chief of Fisheries and assistant director. He was replaced by Mike C. Milonski. Allen Brohn continued as assistant director, with new responsibilities for much of the expanded program: land acquisition, organizing the new Natural History Section, and a greatly expanded planning effort. Later Charles A. Purkett Jr. was promoted from chief of Fisheries to one of the four assistant director positions. James P. Fry became Fisheries Division chief.

On June 4, a few days before Barnickol s death, Harold V. Terrill, the first biologist hired by the Department, died of an apparent heart attack. He had retired only one month before, after thirty-nine years of service.

Dean A. Murphy replaced Milonski as chief of the Wildlife Division, and the Field Service Section was transferred from Field Division to Wildlife. Education Section also was transferred from Field Division as a separate entity, and the Protection Section

*Paul G. Barnicko1 was* **hired as** *a* **fisheries biologist** *in 1939. He went on to head the Fisheries Research program, served as chief* **of** *Fisheries from* **1959-1964, and** *filled the* **postion** *of assistant director until his death* **in** *1976.*

*Jerry J. Presley became the third state forester in* **1976, filling** *the* **position** *vacated when Osal B. Capps was named assistant director.*

became the Protection Division. An internal auditor, responsible only to the director and Commission, was established and Vernon E. Sievert was promoted to that post. Aaron R. Chapman was appointed to replace Sievert as fiscal officer, and Ronald E. Thoma was named head of a new Land Acquisition Unit.

A new Natural History Section was established and Assistant State Forester John E. Wylie was promoted to head it. Helene R. Miller became the Department s first woman professional forester.

Winter fishing for trout in the state parks was suggested by Mike Crocker and William Butts of the Trout Fishermen s Association and was approved by the Commission for 1977.

Also in 1977 there arose what came to be called the Lucian Smith Case, involving a farmer s rights to hunt land that he did not reside on. Regulations at the time permitted

*Mike C. Milonski had a twenty-two year career with the Department. Hired as a biologist to manage the Busch Area, he rose to become Wildlife Division chief and assistant director.*

*Vernon E. Sievert went from Fiscal officer to fill the newly created internal auditor position in 1977.*

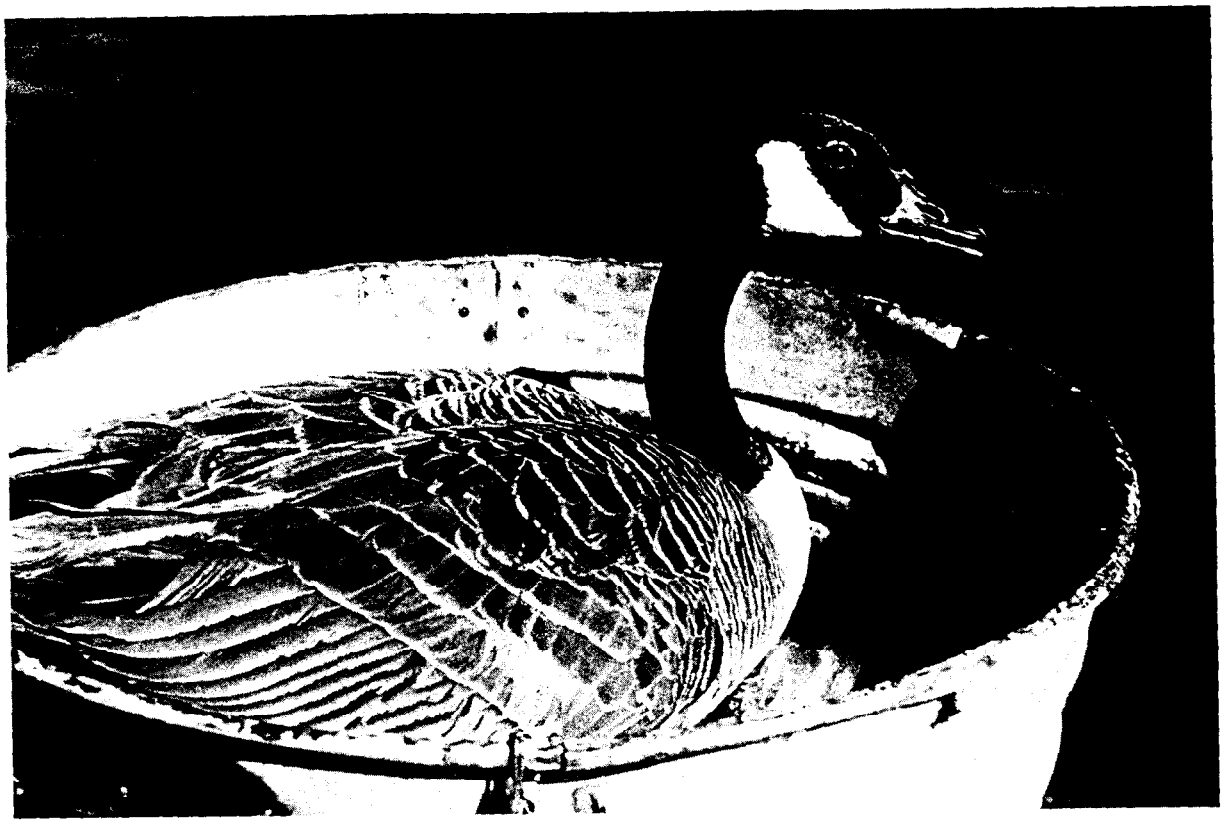
hunting without a permit only on lands where a farmer resided. Smith bulldozed out trees and wildlife cover on his farm to protest that rule. This regulation was later modified to be much more liberal, but *for* a year or *two* Lucian Smith and his protest grabbed a lot of headlines.

Immediately following passage of the conservation sales tax amendment a series of fourteen town hall meetings was conducted over the state to seek input from citizens about priorities for the ***Design for Conservation.*** These meetings showed that conservation education was uppermost in the minds of citizens, followed by a desire for the Department to vigorously pursue its program to acquire land for wildlife and forest recreation. As a follow-up to the meetings, the Commission formed a Citizens Advisory Committee, with each Commissioner appointing six advisors to serve as sounding boards for proposals under ***Design.*** Later, the director was authorized to name three at-large members.

There were problems with the new amendment that had to be ironed out. The tax brackets used by merchants to collect the sales tax established by the legislature had to be revised when citizens protested the amounts being charged. The Department of Revenue at first refused to collect the tax on vehicles and trailers, believing that the amendment did not apply to those items. A court ruling had to be sought to correct this. There also was a dispute over how much the Department of Revenue should be paid for processing the tax collection. In 1978, the Commission and Federation, with legislative and citizen help, had to turn back an attempt to repeal the amendment.

The use of steel shot for waterfowl hunting was ordered by the U. S. Fish and Wildlife Service in St. Charles County in 1977. This started a controversy that occupied the Department until 1987. A chief opponent was James E. Robertson of St. Joseph, who appeared before the Commission a number of times to argue against the use of steel shot for waterfowl.

The state s first fall turkey hunt was authorized for October 18-29, 1978, and formal approval was given to the Giant Canada Goose restoration project that year. In 1978,



**The idea of introducing** *Canada geese to washtubs for* **nesting purposes** *led* **to** *the eventual restoration of the great bird to Missouri skies.*

the Commission stipulated that all conservation agent applicants were required to possess a college degree in law enforcement, fish and game management, forestry or related biological science, thus bringing them to professional status within the Department.

Noren won the American Motors Conservation Award in April, 1978, for distinguished services to conservation. The previous year a Department fisheries biologist, Dr. William L. Pflieger, won it for his publication, ***The Fishes of Missouri.*** Also in 1978, the legislature passed a bill mandating that payments to counties in lieu of taxes for lands bought under the Design would be set by the legislature. The Commission decided not to oppose this bill, which had to be voted on by the people, but the Conservation Federation campaigned actively against it and it failed at the polls on November 7. A later bill enacted by the legislature, permitting the Conservation Commission to fix the payment rates, was passed by the citizens. By the end of December, 1978, lands purchased by the Commission under the ***Design for Conservation*** totaled 107 purchases of 51,724 acres in 55 counties, costing $27,039,848.

In July, 1975, Governor Bond appointed Robert E. Talbot to the Commission with the expiration of Harry Mills term. He had originally been appointed the previous July, but his name had been withdrawn when it was apparent that his appointment would be contested when it went to the Senate for approval. Talbot did not serve a complete term, dying of a heart attack July 14, 1979.

Two years later, Governor Joseph Teasdale appointed two Kansas City businessmen to replace Blair and Delaney, whose second terms expired in June, 1977. They were W. Robert Aylward, vice-president of Aylward Products, a construction materials firm, and

J. Ernest Dunn Jr., president of J. E. Dunn Jr. and Associates, a construction firm. Aylward was from a prominent Kansas City family active in politics. Dunn was active in Ducks Unlimited.

Aylward, Dunn, Runge and Talbot composed the Conservation Commission when, in March, 1978, Noren notified them that he planned to retire in January, 1979. Recalling the difficulties surrounding his own appointment, he thought the Commission might want time to select a successor. Early action by the Commission would permit a smooth transition in the office. The Commission agreed and named Larry R. Gale as director-designate.

The Noren years were eventful ones for the Department. They were the years of an awakening conservation conscience among Missouri citizens-the years that embraced Earth Day, that saw a turn-around from high dam construction to stream preservation, that saw Missourians again show the rest of the nation that it intended to protect and fund its wildlife and forest resources with passage of the conservation sales tax. They were the years that saw the beginnings of the ***Design*** for Conservation, still in progress, that promises a better future for Missouri citizens in the outdoors. I. T. Bode had initiated and built a conservation program. William E. Towell had better organized and brought the staff together in its own headquarters. Carl R. Noren had stabilized its funding and put it on a path for the future.

*As director, Carl R. Noren set out to the make the best conservation agency in the nation even better.* **Design** *for* **Conservation** *was the result.*