



Public Land/Water Access Association  
PO Box 80987  
Billings, MT 59108  
[www.plwa.org](http://www.plwa.org)

# PLWA

Mr. Dale Hall  
Chief Executive Officer  
Ducks Unlimited  
One Waterfowl Way  
Memphis, TN  
38120

November 20, 2015

Dear Mr. Hall:

I am president of the Montana Public Land and Water Access Association, PLWA. We are a volunteer based, grassroots organization of dedicated hunters, anglers, conservationists, outdoor enthusiasts, and supporters and defenders of the Nation's public lands. The mission of PLWA is to maintain, restore, and perpetuate public access to the boundaries of all Montana public land and waters. We take the mission very seriously.

PLWA and our many supporters, including many who are, or at least were DU members, are surprised and baffled by DU's discharge of Dr. Don Thomas for an article he wrote in the magazine, Outside Bozeman taking James Cox Kennedy to task for his actions and opposition to stream access in Montana and in turn public access to the streams and lands of our cherished state.

While Dr. Thomas' discharge by DU is the proximate reason for writing to you, the issues that concern PLWA vis-a-vis Dr. Thomas' discharge are much bigger. I see the events involving and leading up to his discharge as emblematic of the corrosive and compromising effect of big money in conservation, politics and too many other aspects of American life. I have been advised that Dr. Thomas' discharge was not requested by or influenced by Mr. Kennedy. I am not sure I believe that but I am sure that many people don't believe it.

In Montana, Mr. Kennedy is the face of wealth fueled arrogance and a symbol of the privatization of fish, wildlife and outdoor recreation. Montana has a well-crafted stream access law, which PLWA was instrumental in enacting and subsequently defending multiple times in courts at various levels often with Mr. Kennedy on the other side

Montana's stream access law arguably is the best in the country and certainly the best in the West. The law has been challenged repeatedly in the courts including trips to the Montana Supreme Court and an attempt to get the issue into the U.S. Supreme Court with Mr. Kennedy as a major, maybe the key antagonist. The law has been upheld repeatedly but Mr. Kennedy is unaccepting of the law, and apparently the democratic process that produced it or the judicial process that upheld it.



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In discharging Dr. Thomas, DU criticized him for not seeking comment from Mr. Kennedy for the Outside Bozeman article. Dr. Thomas nor anyone else that can read the public record needs to seek comment from Mr. Kennedy. His actions speak.

PLWA is a nonprofit like DU albeit with a tiny budget and no paid staff. We have great empathy for generous supporters as Mr. Kennedy is apparently to DU. However, DU, through its dismissal of Dr. Thomas, in effect, chose a wealthy patron over the legions of outdoors people and users of the public lands and waters in Montana and indeed all the users of the public lands from across the Nation.

I am not sure what message DU is intending to send by its actions but the message that is being received is that DU is increasingly elitist, valuing the hyper wealthy over the broad base of hunters, anglers and outdoor users that truly are the backbone of political support for fish, wildlife, habitat and the North American Model of Conservation.

One of the DU public statements coming out of this issue is, "DU has no position on the stream access issue in Montana." From my perspective and I believe many other hunters, anglers, and DU members, this translates to not supporting public access. In Montana, stream access has become code for public access. If an organization is not for it, then it is against it. I don't believe there is neutral ground for a preeminent conservation organization such as DU on this issue, especially when the issue involves established law and multiple affirming judicial decisions. The electorate, legislature, and judiciary have spoken on this issue to the great benefit of the people in Montana and visitors from across the Nation and indeed around the world. How can DU not have a position supporting public access to public lands and waters?

Reduced access to places to hunt and fish has long been identified by numerous studies as one of the primary reasons that participation in these outdoor activities is declining. Mr. Kennedy is merely one of the most visible of an increasing number of wealthy land owners who are illegally blocking public access to public lands and waters that too often goes unchecked. That discourages, indeed thwarts, participation in these activities by the broad public. Privatization of fish, wildlife, angling and hunting are increasing and devolving into the European model for these resources and activities. The North American Model of Conservation is steadily eroding.

DU purports to be a grassroots organization. Anyone can leaf through the DU Magazine and see that the advertising is aimed at the typical hunter who buys and values his pump or automatic shotgun and related gear. The average DU member makes up the bulk of the membership that DU points to in its multifaceted efforts to demonstrate the breadth of its mission support and



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political muscle; but DU's actions in this instance fly in the face of the grassroots members, especially in Montana.

I encourage DU to join PLWA in publicly and substantively supporting public access to the public lands and waters in Montana and throughout the United States. We all have a heritage of broad citizen participation in conservation, hunting, fishing and outdoor recreation to defend and perpetuate or it will disappear.

Very truly yours,

A handwritten signature in black ink that reads "John R. Gibson". The script is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

John Gibson  
President