

A UNIQUE SOLUTION?

ALL OURS Local anglers fish the Big Hole River's Divide-to-Melrose section, one of several stretches closed to nonresident and outfitted floating on certain days. The rules, imposed in 1999, grew out of concern that the Big Hole and nearby Beaverhead Rivers were being overrun by commercial operations and out-of-state anglers. The rules also benefitted existing outfitters by placing a moratorium on new operations.

The rules governing angler floats on the Beaverhead and Big Hole Rivers seem to be working well. But are they appropriate for the growing number of Montana rivers experiencing similar user conflicts? **BY TOM DICKSON**

IN 1999 THE BEAVERHEAD AND BIG HOLE became unlike any other trout rivers in Montana. New rules regulated float fishing by outfitters and nonresidents on some stretches on certain days, giving resident

anglers a section of river to fish on their own with less crowding. At the same time, the rules closed the door on any new fishing outfitters, reducing competition for existing outfitting businesses.

"[The rules] are the best thing that's happened to these rivers in my lifetime," says Steve Luebeck, a Butte resident and Trout Unlimited member who 16 years ago helped get the restrictions enacted. "The local guy can now fish without having to compete with commercial users."

Justin Hartmin, owner of Tight Line Adventures in Dillon, says that the closed stretches can inconvenience outfitters. "But we have so much water around there that if we can't fish one stretch one day because of the rules, there are still plenty of others to fish," he says. "They've allowed us to explore and learn other stretches of water and let our

clients see things they otherwise wouldn't." Though not all local outfitters take such a sunny approach to the restrictions, it appears that most have learned to live with the two rivers' unique access restrictions. "By now everyone has accepted the rules," says Robin Cunningham, executive director of the Fishing Outfitters Association of Montana. "We still question the need to single out nonresidents, but at this point no one sees the basic rules going away."

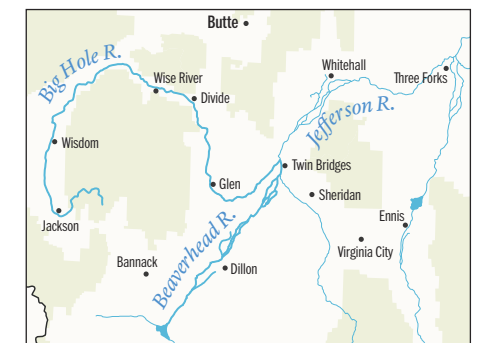
Born out of conflict

The Beaverhead and Big Hole rules were created in response to rapidly increasing

angling pressure on both rivers during the late 1990s. "Some days on the Big Hole during the salmonfly hatch you'd see a dozen boats in a single 300-yard stretch," says Luebeck.

Not everyone was convinced that a solution was necessary. Several outfitters stated publicly that the crowding problem was exaggerated.

Still, so many people thought that the number of commercial operators and out-of-state anglers needed to be curbed that in 1999 the Montana Fish, Wildlife & Parks Commission took action. The commission closed, on a rotating schedule, certain sections of the rivers to float fishing by nonresi-



dents and outfitters. The stretches were kept open for resident and nonresident waders and resident noncommercial floaters only.

In addition, the commission put a moratorium on new Beaverhead and Big Hole outfitters and capped the number of client days during the peak season for all existing outfitters to their “historical use.”

The new rules marked the first time Montana had singled out nonresident anglers. That hit a nerve. A *Los Angeles Times* columnist wrote that Montana had “thrown up roadblocks to outsiders.” Word that the state had supposedly turned its back on out-of-state anglers spread quickly. Some outfitters and motels said bookings declined during the early 2000s, though drought, recession, and the travel scare after 9/11 no doubt contributed.

Starting in 2005, the FWP Commission decided to review the rules every five years. Public support for the regulations during the review processes has been overwhelmingly positive. Based on public suggestions, the commission has modified the rules, notably to provide economic opportunities for new, smaller outfitters. All the rules will be reviewed again in fall 2015.

Most outfitters say they’ve learned to live

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with the rules, yet some are still unhappy with the restrictions. Frank Stanchfield and his wife Edith have owned Troutfitters in Wise River since 1983. “The rules were meant to reduce crowding, and that’s not happening,” he says. “When you close some sections to outfitters, that just makes other sections more crowded.”

If visitors to the Beaverhead or Big Hole still hear some grumbling over the rules, it won’t be from local anglers. Most are happy

to know that a section of both rivers is set aside for Montana residents. “My son and I plan our trips for the stretches where the outfitters don’t go, so we don’t run into the competitive pressure and can fish in peace,” says Luebeck. And most visiting out-of-state anglers have learned that only small portions of the rivers are closed to nonresident float fishing on certain days of the week, and that they can wade fish anywhere the rivers are open to residents. After a decline during the early 2000s, the percentage of nonresident angling days on both rivers has returned to late-1990s levels (roughly 60 percent for the Beaverhead and about 50 percent for the Big Hole).

Outfitters have integrated the rules into their businesses. Some even take pride in the unique solution to river crowding devised by local anglers and businesses. “I try to leave my clients with the understanding that this is a public resource where anglers and outfitters have learned to work together, to compromise, to each give a little for the greater good,” Hartmin says. “Maybe they can take that back to their own state as a model for how diverse river users can learn to get along.” 🐾



STANDING ROOM ONLY The rules on the Big Hole River and on the Beaverhead River, shown here, don’t restrict access for resident or out-of-state anglers who wade. Nonresidents have learned that the rules aren’t nearly as restrictive for them as was once widely rumored.

LEFT TO RIGHT: JEROME HOLLIMAN, LINDA THOMPSON



CLEANUP CREW Dean Vollman, an FWP groundskeeper on the Blackfoot River, rows a colleague and a volunteer diver who look for bottles and other trash in the water. A new statewide policy has guided management on the Blackfoot and several other rivers in recent years.

River advisory council that in 2013 drafted recommendations for a management plan, for which the department is preparing an environmental assessment.

In addition, FWP’s Regions 2 and 3, in western and southwestern Montana, now have regional river recreation managers to help write management plans, work with citizen committees, and manage permitting.

Any more work than that, however, will have to wait. “The big issue is funding,” says Bruce Rich, head of the FWP Fisheries Division. He explains that managing conflicts on additional rivers would require more staff and money than is available. “We can’t ask anglers alone to pay for that work, because it also benefits outfitters, kayakers, inner-tubers, and floaters,” says Rich. “So until there’s a new funding source that allows a broader array of people who use rivers—residents and nonresidents alike—to help pay for managing those resources, it will be hard for us to tackle additional rivers.”

In the foreseeable future, says Rich, river conflict management will likely continue at the local level. “What’s happening now is that the issues are bubbling up on individual rivers and being addressed and solved locally rather than by a top-down policy from Helena,” he says. “That’s not necessarily a bad thing.”

FWP officials regularly hear from disgruntled anglers asking the department to apply the Beaverhead and Big Hole rules to the Bitterroot, Bighorn, Madison, and other rivers. “I worry that local groups will be disappointed—either because there isn’t funding to make that happen or because those particular rules aren’t necessarily the best options elsewhere,” says Rich.

Rich notes that solutions to river conflicts don’t always require restrictions and permits. “Sometimes the issue is simply informing people about basic river etiquette and acceptable behavior,” he says. “That can be done with signs and brochures without having to get into the whole complex and costly process of limiting access or use by various groups. It might sound corny, but for a lot of these conflicts, it just gets down to common courtesy and respecting others.” ■

What about elsewhere?

The Beaverhead and Big Hole aren’t the only rivers where user values clash. Anglers, outfitters, floaters, and other users are trying to find solutions to crowding and other conflicts on the Bitterroot, Blackfoot, Madison, Bighorn, Missouri, and Rock Creek. On some waters, longtime anglers complain that growing numbers of kayakers and inner-tubers have squeezed them out of traditional fishing spots. On others, burgeoning use by guides, resident anglers, and nonresidents creates long waits at boat ramps. “There’s a huge public desire for these issues to be addressed,” says Charlie Sperry, who for ten years was the Montana Fish, Wildlife & Parks river recreation management specialist. “But it’s worth noting that residents also contribute to crowding. For the most part, people don’t want to restrict themselves, just someone else. And that usually means outfitters and nonresidents.”

In 2002 FWP hired Sperry to help the agency look at river conflicts from a statewide perspective. The following year, a River Recreation Advisory Council representing outfitters, landowners, anglers, boaters, and legislators began discussing river issues and made recommendations to the FWP Commission. In addition to crowding, the council looked at river littering, garbage cleanup, human waste disposal, camping, vandalism, trespassing, parking, public safety, and noxious weed control.

Two years later, the commission developed a policy for establishing river rules and

management plans. “The statewide policy is designed to be fair, collaborative, and consensus based,” says Sperry.

It’s rigorous, too. Before FWP can even consider rules or management plans on a river, the department must establish a citizen advisory council to review issues related to river use and make recommendations to the department. FWP must also collect data on river use (such as the number of launches per fishing access site and the total number of floats per day per stretch) and consider less restrictive options before placing limits on use.

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In recent years, the statewide policy has guided FWP management on several high-use rivers. Using recommendations from a citizen river advisory council, FWP developed a Blackfoot River recreation management plan in 2010 that identifies desired conditions for each section of the river and actions to achieve them. On the Madison, the department has surveyed outfitters, anglers, and landowners to gauge public opinion on river-related problems, set up a recreational-use permit system, and hired a ranger to manage river use. FWP also established a Madison