

Does the future of MT have any non-commercial residents left? Or will the future of MT be a bunch of businesses that make their living off of the limited natural resource. No need to worry about the non-commercial residents, because they will have all been run out of town already.

Here are my opinions on the rules put forth in the latest proposed rules:

NEW RULE I MADISON RIVER COMMERCIAL USE CAP

I do NOT agree with going back to 2019/2020 levels. The public said they wanted to go back to at least 2018 levels, so why did you not do that? Why do we take surveys and tell you what we think and then you don't listen to the public, but are rather influenced by the guides, outfitters, and others that make a living off of the Madison River? If it were up to me, I would BAN all guiding on the Madison River and I think the 2018 and 2019 Commercial numbers are WAY TOO HIGH!!! I would go back to 1970 commercial trips and give the river back to whom it belongs...the MT residents!

This isn't really covered in this rule, but there should be a rule to limit the number of Non Residents who fish on the Madison River. There are many ways to do that, but until that is done, the crowding will continue to be a problem and rightfully so! We should NOT have to accept the fact that residents are only 20-25% of the people fishing on certain parts of the Madison. And that's not counting all of the resident anglers that no longer fish the Madison because of the crowding.

NEW RULE II REST/ROTATION OF MADISON RIVER COMMERCIAL USE

Rest and Rotation is the best solution put forth in this entire document. However, why is it only June 15th - Sept 15th? And why does it only contain 2 sections? And why is it only on the weekends? Why is it NOT EVERY DAY (like it was originally proposed)? And most of all....why does it only exclude Guides and Outfitters? What about Non Residents? Why does this only include sections on the upper Madison river? What about the Lower Madison River? What about May on the lower Madison River....like during the famous Mothers Day Caddis hatch?? The lower river can be just as crowded as the upper river and especially with the growth of Bozeman.

There should be 7 sections of river and 1 section should be reserved every day of the week for RESIDENTS ONLY fishing, not including Guides, Outfitters, or non Residents. That should be in the upper and lower madison river and rotate on a daily basis. That's what was originally proposed and it's the fair thing to do for the MT residents. It works on the Beaverhead and the Big Hole rivers and will work on the Madison.

I realize this will crowd the guides and outfitters even more...but that's NOT the problem we're trying to solve. The problem were trying to solve is why the LOCAL MT RESIDENTS HAVE BEEN DISPLACED FROM THE MADISON RIVER DUE TO CROWDING. And this is a

solution...but it can't just be the 2 sections you defined and it must be on weekdays too!!! The 2 sections you defined are mostly boat traffic. How does this rest and rotation help the wade angler that fishes at \$3 bridge? It doesn't at all!!!!

If this does not get expanded to 7 days a week across the whole river, I can guarantee you this problem will NOT be solved. So, do the right thing and set aside a piece of the Madison River for the locals, who ultimately own the river and the trout that live there....NOT THE GUIDES AND OUTFITTERS!!!!!!

This exclusion on these sections of the Madison River should also include Non Residents, like on the Beaverhead and Big Hole rivers. That's why it's called a 'Citizens Day' as it does NOT include the Non Residents....which are the problem with overcrowding.

NEW RULE III WALK/WADE SECTIONS OF MADISON RIVER

I support this ruling, but even more than that. We need a citizens day for the stretch between Hebgen Dam to Lyons on either Saturday or Sunday. Why not? This seems like you're discriminating against the local MT wade anglers.

I'd be willing to give up the elimination of boats in this section for 1 citizen day a week that included this section from Hebgen Dam to Lyons...especially if it was a Saturday or Sunday.

NEW RULE IV LIMIT DEVELOPMENT ON MADISON RIVER

I support this.

NEW RULE V MADISON RIVER WALK/WADE SECTIONS

I do NOT support this. I support the current regulations that prevent fishing from a boat from Quake to Lyons.

NEW RULE VI MANAGEMENT OF LIMITED COMMERCIAL USERS

I do NOT support this. Going back to 2019-2020 levels is WAY TOO HIGH and the public said this and you guys decided to not listen? Why not?

I support limiting the number of Non Residents, which will organically lower the number or trips the guides and outfitters take.

Trying to solve the problem of overcrowding without limiting the non residents will NOT solve the problem. So doing something like this only monetize the Madison River even more. Not a good idea.

NEW RULE VII TRANSFERRED PERMITS

I support limiting the number of Non Residents, which will organically lower the number or trips the guides and outfitters take.

Trying to solve the problem of overcrowding without limiting the non residents will NOT solve the problem. So doing something like this only monetize the Madison River even more. Not a good idea.

NEW RULE VIII FLEX TRIPS

I support limiting the number of Non Residents, which will organically lower the number or trips the guides and outfitters take.

Trying to solve the problem of overcrowding without limiting the non residents will NOT solve the problem. So doing something like this only monetize the Madison River even more. Not a good idea.

NEW RULE IX TRANSFER OF GUIDED TRIPS

I support limiting the number of Non Residents, which will organically lower the number or trips the guides and outfitters take.

Trying to solve the problem of overcrowding without limiting the non residents will NOT solve the problem. So doing something like this only monetize the Madison River even more. Not a good idea.

NEW RULE X MANDATORY GUIDED TRIP REDUCTIONS

I support limiting the number of Non Residents, which will organically lower the number or trips the guides and outfitters take.

Trying to solve the problem of overcrowding without limiting the non residents will NOT solve the problem. So doing something like this only monetize the Madison River even more.

Not a good idea.

NEW RULE XI PERMIT APPLICATION AND FEES

Outfitters should report weekly and pay 10x the amount.

NEW RULE XII REPORTING AND USE FEES

Outfitters should report weekly and pay 10x the amount and they should have to pay 10% to FWP.

NEW RULE XIII PLAN EVALUATION

The evaluation should look at if the problem as solved....not just about outfitters.

NEW RULE XIV COMMERCIAL USE WORKING GROUP

I do NOT support this. I support having a group of MT residents that ACCURATELY reflect the population and I do NOT support any working group comprised of people that make their living off the Madison River.

NEW RULE XV MADISON RIVER SPECIAL RECREATIONAL USE PERMIT TRIP DISTRIBUTION POOL

I support limiting the number of Non Residents, which will organically lower the number or trips the guides and outfitters take.

Trying to solve the problem of overcrowding without limiting the non residents will NOT solve the problem. So doing something like this only monetize the Madison River even more. Not a good idea.

NEW RULE XVI MADISON RIVER USE STAMP

I support this.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: bevbulow@gmail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Friday, October 30, 2020 3:19:34 PM

Name:

City:

comments on Madison river rule proposal

Rule #1 rest and rotation will not work on the Madison as it has been tried before and created problems with more people and less space to work with. The Madison and the Big Hole/ Beaverhead rivers are totally different in the reaches and how the water flows . This will not work on the Madison.

I am opposed to the change on the section up at Quake Lake to Lyons Bridge as is It gives the walk angler a place to get out of the boat traffic.

the section from town to the lake should be opened to float fishing ,there isn't a good reason to close it as the waters there are generally pocket in type and not conducive to boats and would give more breathing room to the boat crowd.

allocation rule This rule only benefits the larger outfitters and appears to be designed to squeeze out the small outfitters .this is a free market society

The SRP program allowed a permit holder to use the permit as long as they were in compliance ,if the holder ceased operations ,the days gathered in that permit were not theirs to sell and went back to fwp Now outfitters are wanting to take them as their own just like the BH2 rules , which made those who sold them profitable . Looks as if we are going down the same road again ----- This is just plainly WRONG.

Rule #8 This redundant paper work bureaucratic pork.

Rule #9 Also bureaucratic pork. Bullet point # 3 in commercial work group. This defeats the whole point of having 10 flex days. (you cannot have your cake and eat it too)

Rule #10 2nd paragraph data is already available from fish and game statistics and a well made graph by Mike Bias from F&G data has been made public. This clearly shows that the public is by far exceeding what the guides are doing ----- micromanagement is not necessary. Putting rules in place to manage All USERS EQUALLY ----nothing less will work

If new rules are implemented IT IS IMPAIRATIVE THAT ALL USERS BE EQUALLY PART OF THE PLAN. Anything less is a sham.

I am not in support of the plans that have been submitted by FOAM or The Big hole / ggtu ,ssa, or asa These plans seem to favor the larger outfitters.

This historical use should be all use not just one year even if it is the largest to date otherwise it is an injustice to the guide that has many years on the river.

New idea -- take an outfitters average (best 3 years) and let them have that instead of micromanaging them with 2019 and 2020.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: atreloar75@gmail.com
To: FWP.MadisonRiver.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Friday, October 30, 2020 3:05:12 PM

Name: Allison
City: Treloar
Dear Commissioners:

Again, thank you for working towards a solution to manage recreation on the Madison River. This has continued to be exhausting for all involved.

I have written other letters with much more detail, I am going to keep this one short and simple this time.

This current draft is too complicated and does not solve the problems of overcrowding, angler dissatisfaction, or preserving the long-term biological health of the river. Political pressure, personal agendas, emotions, and perceived conflicts have overshadowed common sense and utilization of accurate and current data to make policy changes.

This is what I propose:

Do not accept the Madison River Recreation Management Draft EA as it is presented today. Without outlining a clear way of defining the carrying capacity for the Madison River in order to facilitate future management decisions, we are wasting time. We need this "benchmark" to be identified. The unchecked growth of Gallatin and Madison county is the main contributing factor to the social dissatisfaction which it has been identified as a potential threat to the health of the river and has changed the recreational experience. The increasing population is compounded by the significant increase in tourists to SW Montana. Without accurate data collected on all users, it would be unjust to move forward without this information. A fair, effective allocation plan that manages both non-commercial and commercial use simultaneously is the diligent way to proceed. Not one before the other.

I would recommend the following:

Cap the current number of SRP holders without limitations of use or allocation - this would allow us to limit commercial growth, continue collecting data on commercial users, and receive the 3% user fee to maintain access sites and possibly fund the data collection of non-commercial users

Do not change the current wade/walk/float sections or regulations, keep as is - we need to have increased access to spread the number of anglers out

Sets limits for commercial non fishing tours on the river (such as tubing and livery services, river tours, etc). Require a non-fishing tour SRP program - the commercial shuttle driver businesses already participate in the current SRP program.

No rest and rotation - The Upper Madison float fishing zone is only 37.6 miles long. Rest and rotation exacerbates concerns of future crowding on the river by not allowing river users to organically spread out. On the Upper Float zone any form of rest and rotation either forces or

encourages users to synchronize their use; essentially launching and taking out in clusters. This will dramatically exacerbate issues at boat ramps. - THE EXACT OPPOSITE OF THE GOAL OF MANAGING OVERCROWDING BOTH ON AND OFF THE RIVER
Collect data on the non-commercial users that is as accurate as the commercial users - use FWP funding or the SRP user fee to facilitate collection of this data, more important than FAS ambassadors

Define a carrying capacity for the Madison River

I want to make this clear - I am not in support of NO PLAN, I AM IN SUPPORT of the RIGHT PLAN, one that starts with the least restrictive in order for accurate data collection to be completed, NOT A PLAN DRIVEN BY EMOTION, POLITICAL PRESSURES, or PERSONAL AGENDAS.

Allison Treloar
Community Member of Ennis
River Borne Outfitters, Ennis

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [BARANEK, DOUG M](#)
To: [Wedde, Kim](#)
Subject: [EXTERNAL] Madison river regulations comments/powerpoint.
Date: Friday, October 30, 2020 2:18:47 PM
Attachments: [image001.png](#)
[Madison RiverRegulationsComments.pptx](#)

Kim,

Please accept this powerpoint as my comments on the proposed Madison River Regulations.

Thank you,

Doug Baranek
Helena
406-208-4612



From: [Doug Broadie](#)
To: [FWP Madison River COM](#); [FWP Commission](#)
Subject: [EXTERNAL] Madison River
Date: Friday, October 30, 2020 1:37:42 PM

In addressing your two petitions that you propose (which are very hard to find on your web site for such an important issue) neither one is based upon science. If you wish to do social science work, I suggest that you move over to the social welfare side of things and help over there.

Let's look at first the upper wade section. There are very few boats that actually float this section and if you look at the crowding on this section, it is from wade fishermen only. Since the State of Montana refuses to do their job and allow the fishermen to walk the banks through the area known as the Bend, it is virtually impossible to get to this area without using a boat or flotation device. It has been noted to me from several persons, that people walking along the bank here have been threatened with physical attack. (Namely walking down to the river with a rifle.) This is against the Constitutional rights of Montana citizens. It is amazing what rich people will do to privatize the river for their own use. (Rivergate anyone?)

The Upper Madison from Lyons Bridge to the Ennis take out is a very short section of water when comparing it to a river such as the Big Hole. If you rest sections of the river or restrict the use of the river, such as from Lyons to Pallsades, it would mean that the other sections of the river would become more crowded. That is just what it appears you are trying to stop.

The ribbons section of the river from Ennis to the lake only has one real access site at Valley Garden should be controlled such as that wade section noted above. Boats should be allowed to float the river, but cannot fish from boats. Must wade this section.

Let's look at the commercial floating on the river. Any restriction that you put on commercial use of the river could have a devastating effect on the economy in the towns of West Yellowstone and especially Ennis. I live just outside of Ennis and depend on the economic health of the town. We've had too many store fronts go out this year because tourist could not get here. Most people come to Ennis to fish the Madison and you could ruin that and my town. As commercial use is only 10% to 15% of the total use of the river, we need to have a more balanced look at the river than either of these proposals.

As noted in the Madison-Gallatin e-mail to membership, "it is important that any decisions be based on the results of SCIENCE-BASED process that accounts for the health of the resource and not on the whims of competing user groups." Neither one of these proposals is based upon science. As of today, we do not know the sustainability of the river.

The idea of a Madison River Stamp program is a very good idea as it will give us an idea on the actual use on both the upper and lower river. As you mentioned that the area from Grey

Cliff on down to Blackbird not have any boat launches and should remain light craft and wade fishing, it might be time to find out how many users such as the “bikini hatch” and kayakers that do not purchase fishing licenses use the river, so they could pay for the use of the facilities that we fishermen are paying for now..

It is my fervent hope that you reject both of these proposals and go back and do your homework to come up with a science based proposal and please give the public more time to respond to your your proposal.

Douglas Broadie

Mc Allister, MT

From: gkimberly62@gmail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Friday, October 30, 2020 1:37:35 PM

Name: George Kimberly

City: Charleston, SC

I have traveled to Montana and fished the Madison River nearly every year since 1989. For several years I lived in Montana and managed a commercial operation that offered guide service on the river. I am concerned about the long-term impacts to the fishery from the exponential growth in river use that I have witnessed since 1989. My personal angling experiences has been negatively impacted, but more importantly, I am concerned about the overall health and sustainability of the resource. I appreciate the difficult position that FWP is in as it attempts to manage the river as recreational resources while balancing economic and conservation concerns. I advocate for more comprehensive scientific analysis to determine how much angling pressure, commercial and non-commercial, the river can withstand to remain a world class fishery. In terms of the two proposals, I question whether capping commercial traffic at 2019 or 2020 levels is sufficient. Is there science that supports the caps or should commercial use be restricted even more? I believe non-commercial use must be addressed too. As a recreational angler, I am part of the problem and I would support science-based limits on non-commercial use aimed at long-term health and sustainability of the resource. The rest and rotation proposals are aimed only at commercial use. If there is science that supports the idea that rest and rotation as proposed will enhance the fishery, not just overcrowding, then I would support it. I support the usage stamp or any other mechanisms that will collect data that would be used to inform FWP's decision making. I do not support boat use, or fishing from boats, in the two walk wade sections. Having those sections available for wading anglers is a tremendous recreational amenity. I would support FWP increasing its efforts to secure additional access in the walk-wade sections, by conservation easement or other tools, to allow remote portions of the walk-wade sections to be accessed on foot. That would disperse angling traffic in those sections and eliminate the need for boats to access the more remote portions.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [Brian McGeehan](#)
To: [FWP Madison River COM](#); [Pat Byorth](#); [Tim Aldrich](#); [FWP Commission](#); [lbrower@yahoo.com](#); [rstuker@itstriangle.com](#); [scolton@yellowstonelaw.com](#)
Cc: [Skaar, Donald](#); [Ryce, Eileen](#); [Holmes, Patrick](#)
Subject: [EXTERNAL] A visualization of Rest and Rotation and statistics and maps of access loss if boats removed from wade areas for public comment
Date: Friday, October 30, 2020 1:22:21 PM
Attachments: [Rest.Rotation.Visual.Model.Public.Comment.pdf](#)
[Boat.Ban.public.comment.pdf](#)

Dear commissioners,

Please see two attached pdfs of articles that analyze the impacts of the proposals for Rest and Rotation as well as banning boats in the wade zones. I would like to provide these as additional public comments to help your efforts to evaluate some of the proposed rules in the Madison River recreation rule petitions.

A Visual Model of the Impacts of Rest and Rotation and Boat Bans on the Upper Madison River:

<https://www.montanaangler.com/montana-fly-fishing-blog/visual-model-impacts-rest-and-rotation-and-boat-bans-upper-madison-river> [montanaangler.com]

The Negative Effects of Banning Boats for Public Fishing Access on the Madison River:

<https://www.montanaangler.com/montana-fly-fishing-blog/201911/negative-effects-banning-boats-public-fishing-access-madison-river> [montanaangler.com]

As always, thank you for your time and efforts,

Brian McGeehan

--

Brian McGeehan
Owner and Outfitter
Montana Angler Fly Fishing
435 East Main Street
Bozeman, MT 59715
www.montanaangler.com [montanaangler.com]

cell 406.570.0453
office 406.522.9854

From: [Hill, Robert J.](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] Comments to Montana FWP - Robert Hill
Date: Friday, October 30, 2020 1:16:20 PM
Attachments: [Comments to Montana FWP - Robert Hill - 10-30-2020.pdf](#)

Dear FWP – please find my comments to the Amendment of ARM 12.11.501 and the adoption of NEW RULES attached. Let me know if you have any questions or need any additional info.

Respectfully,

Robert Hill

Robert Hill
Vice Chairman
Capital Markets

NEWMARK
2515 McKinney Avenue
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Dallas, TX 75201
O 469.467.2008
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From: [Rob Lane](#)
To: [FWP Madison River COM](#)
Subject: [EXTERNAL] Regarding - Amendment of ARM 12.11.501 and the adoption of NEW RULES
Date: Friday, October 30, 2020 11:47:17 AM
Attachments: [Montana FWP Comments \(1\).docx](#)

Dear MFW,

Please see the attached document regarding my stand for the Madison River.

Sincerely,

Rob Lane

--

Rob Lane
512-785-7698
roblane.atx@gmail.com

From: [Ryce, Eileen](#)
To: [Allison Treloar](#); [Williams, Martha](#)
Cc: [Skaar, Donald](#); [Wedde, Kim](#)
Subject: RE: [EXTERNAL] Madison River Recreation EA Draft
Date: Friday, October 30, 2020 11:41:04 AM

Allison,
Thank you for sharing your comments with us.

From: Allison Treloar <atreloar75@gmail.com>
Sent: Friday, October 30, 2020 11:18 AM
To: Williams, Martha <Martha.Williams@mt.gov>; Ryce, Eileen <ERyce@mt.gov>
Subject: [EXTERNAL] Madison River Recreation EA Draft

Martha and Eileen:

Again, thank you for working towards a solution to manage recreation on the Madison River. This has continued to be exhausting for all involved.

I have written other letters with much more detail, I am going to keep this one short and simple this time.

This current draft is too complicated and does not solve the problems of overcrowding, angler dissatisfaction, or preserving the long-term biological health of the river. Political pressure, personal agendas, emotions, and perceived conflicts have overshadowed common sense and utilization of accurate and current data to make policy changes.

This is what I propose:

Do not accept the Madison River Recreation Management Draft EA as it is presented today. Without outlining a clear way of defining the carrying capacity for the Madison River in order to facilitate future management decisions, we are wasting time. We need this "benchmark" to be identified. The unchecked growth of Gallatin and Madison county is the main contributing factor to the social dissatisfaction which it has been identified as a potential threat to the health of the river and has changed the recreational experience. The increasing population is compounded by the significant increase in tourists to SW Montana. Without accurate data collected on all users, it would be unjust to move forward without this information. A fair, effective allocation plan that manages both non-commercial and commercial use simultaneously is the diligent way to proceed. Not one before the other.

I would recommend the following:

- Cap the current number of SRP holders without limitations of use or allocation - this would allow us to limit commercial growth, continue collecting data on commercial users, and receive the 3% user fee to maintain access sites and possibly fund the data collection of non-commercial users

- Do not change the current wade/walk/float sections or regulations, keep as is - we need to have increased access to spread the number of anglers out
- Sets limits for commercial non fishing tours on the river (such as tubing and livery services, river tours, etc). Require a non-fishing tour SRP program - the commercial shuttle driver businesses already participate in the current SRP program.
- **No rest and rotation** - The Upper Madison float fishing zone is only 37.6 miles long. Rest and rotation exacerbates concerns of future crowding on the river by not allowing river users to organically spread out. On the Upper Float zone any form of rest and rotation either forces or encourages users to synchronize their use; essentially launching and taking out in clusters. This will dramatically exacerbate issues at boat ramps. - THE EXACT OPPOSITE OF THE GOAL OF MANAGING OVERCROWDING BOTH ON AND OFF THE RIVER
- Collect data on the non-commercial users that is as accurate as the commercial users - use FWP funding or the SRP user fee to facilitate collection of this data, more important than FAS ambassadors
- Define a carrying capacity for the Madison River

I want to make this clear - I am not in support of NO PLAN, I AM IN SUPPORT of the RIGHT PLAN, one that starts with the least restrictive in order for accurate data collection to be completed, NOT A PLAN DRIVEN BY EMOTION, POLITICAL PRESSURES, or PERSONAL AGENDAS.

As department leaders of Montana FWP, it would be in your best interest to only support a plan based on accurate data, I do not think either of you would want to be remembered as leaders that did not make decisions based on objective information.

Allison Treloar
 Community Member of Ennis
 River Borne Outfitters, Ennis

From: [Maura Davenport](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] Madison River EA Comments
Date: Friday, October 30, 2020 11:00:59 AM

I do not support the proposed regulations on the Madison River for the fish guiding industry. There is no proof that the fishery is in trouble or that crowding on the river is an issue. As long as the Madison River remains healthy, this guide fishing industry should continue as it supports the economy of the communities along the river and provides the public the opportunity to enjoy this unique part of the country.
Maura Healey Davenport

Sent from my iPad

From: [John Way](#)
To: [FWP Madison River COM](#)
Cc: [Williams, Martha](#); Jeff.Welborn@mtleg.gov; jeff.welborn@mtleg.gov; [Tom Welch](#); ray.shaw@mtleg.gov; fwpdistrict2@gmail.com; [Tim Aldrich](mailto:Tim.Aldrich@itsTriangle.com); rstuker@itsTriangle.com; scolton@yellowstonelaw.com; [FWP Commission](#)
Subject: [EXTERNAL] Madison River Rules Proposal public comment
Date: Friday, October 30, 2020 10:57:12 AM
Attachments: [PastedGraphic-2.tiff](#)
[ATT00001.htm](#)
[Madison River Rules 10.31.20 Letter to CommisionersPDF .pdf](#)
[ATT00002.htm](#)

Commissioners, Attached are my public comments for the proposed Madison River Rules. Please contact me directly if you have any questions.

Thank you for your time and effort.

Good Fishing and God Bless,

John Way
The Tackle Shop
Phone 406-682-4263
Cell 406-370-5206
www.thetackleshop.com [thetackleshop.com]

From: leo.corrigan
To: FWP.MadisonRiver.COM
Subject: [EXTERNAL] Department of Fish, Wildlife & Parks
Date: Friday, October 30, 2020 10:33:05 AM

October 29, 2020

Via Email: Madisonrivercom@MT.gov

Department of Fish, Wildlife & Parks
Madison River Rules
Attention: Fisheries
P.O. Box 200701
Helena, MT 59620

Re: Amendment of ARM 12.11.501 and the adoption of NEW RULES

FWP,

With respect to the above proposed changes I feel:

1. The status quo on the wade-fishing areas is acceptable. Any plan to allow fishing from a boat in these areas is not acceptable.
2. Non-resident anglers should not be restricted in their fishing rights or access. They are often unaware of rule changes, and less flexible in their plans when coming to Montana.
3. I oppose New RULE II REST/ROTATION OF MADISON RIVER COMMERCIAL USE and NEW RULE III WALK/WADE SECTIONS OF MADISON RIVER which will lead to overcrowding on the Madison River.
4. Limiting commercial use may have extensive impacts to the town of Ennis. I advocate for minimal restrictions to the outfitting businesses.

Thanks,
Leo Corrigan

From: meo@grizgeo.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Friday, October 30, 2020 10:26:04 AM

Name: Mark E Odegard

City: Ennis

This package contained printed comments and a jump drive containing digital versions as well as a Power Point on the effects of Climate Change on the Madison River, and some extra content.

"Your item was picked up at a postal facility at 8:25 am on October 29, 2020 in HELENA, MT 59620.

Status

Delivered

October 29, 2020 at 8:25 am

Delivered, Individual Picked Up at Postal Facility

HELENA, MT 59620

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: Jimdkramer@sbcglobal.net
To: FWP.MadisonRiver.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Friday, October 30, 2020 10:14:26 AM

Name: Jim Kramer

City: Ennis, MT

The long term health and sustainability of the fishery is the highest priority goal for a recreation plan (Table 6, page18 of draft EA). Yet, in Table 9 on page 41 of the draft EA, none of the alternatives or proposed rules received a green ++ rating for protecting the rivers health. So, no proposed rules should be adopted to meet this goal. Please recognize how important this goal is relative to others and the need for solid, credible science to be developed to accomplish this goal.

From Table 5, page 16 of the draft EA, crowding...at FASs and on the river by wade anglers and boats...is the most noted issue during the summer. In the proposed rules only Rule I and VI directly addresses controlling the number of people using the river?capping commercial guide days. Please implement a rule in some form. Rules II, III, and V simply simply redistribute people between shore and boats or from one section of the river to another without addressing the total number. They should not be considered at this time.

Rule XVI, a Madison River Use Stamp, should be implemented to assess non commercial users (anglers and reactionists), by far the largest contributors to crowding. Please implement this rule in some form.

On page 42 of the draft EA, FWP staff concludes: ?The cumulative impact of all the alternatives would have an aggregate result of increasing recreational levels, declining fish populations...?. This is good reason to move slowly and deliberately on current draft rules addressing only those that effectively reduce crowding. And to move rapidly to identify next steps to protect the river?s health.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [bob.bennett](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] Madison River
Date: Friday, October 30, 2020 9:50:08 AM

To Whom it May Concern,

Thank you for allowing the public to comment on this important proposal for the Madison River, I agree with proposed rules 1, 4, and 6-16. I would like to issue the following comments on Rules 2, 3, and 5:

Rule 2. The language currently being used to define rest and rotation is flawed and I believe will have the reverse effect from that which is intended. Specifically, by closing Lyons Bridge to Palisades on Sundays to commercial use, this rule as written will ban commercial float trips on AT LEAST 8 popular float sections of the river:

1. Lyons Bridge to Windy Point
2. Lyons Bridge to Palisades
3. Lyons Bridge to Ruby Creek
4. Lyons Bridge to Mcatee Bridge
5. Windy Point to Palisades
6. Windy Point to Ruby Creek
7. Windy Point to Mcatee Bridge
8. Windy Point to Storey Ditch
9. Raynold's Pass to Windy Point
10. Pine Butte to Windy Point
11. Pine Butte to Palisades

The incidental closure of all of these sections will force ALL guided float trips into Palisades and downstream, into sections that have much lower fish counts per mile than the upper reaches and cannot handle the inevitable increase of fishing pressure. The concentration of guide boats caused by the proposed rule will also result in circumstances that we believe will be perceived as overcrowding of the river downstream of Palisades on Sundays – the exact opposite of the intended result of the rule.

I encourage the Commissioners to explore other options for Rest and Rotation rather than closing an entire section to all commercial traffic. One alternative would be to close a particular access on a given day, rather than the entire section. Another could be to allow floats to occur that pass through this section but do not start at Lyons Bridge and terminate at Palisades. Allowing boats the ability to spread out on the Madison is the key to helping prevent perceived crowding.

Rules 3 and 5. I disagree with removing boats from the walk/wade sections of the Madison. This will only benefit the few landowners in these areas at the expense of the many public anglers. It will also increase crowding at wade fishing access points. I believe that there is significant value to the angling public in retaining the existing rules banning

angling from a floating craft upstream of Lyons Bridge. I also believe that actively limiting stream access to public water does not represent Montana values, and establishes a dangerous precedent that flies in the face of Montana's beloved Stream Access Law. Limiting access in this instance may also result in future litigation, wasting both taxpayer money and State resources. When combined with Proposed Rule #2, this rule has the potential to cause even greater crowding of boat based anglers and recreational floaters into the sections of river downstream of Palisades.

From: [Molly Moore](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] Comment on Madison River Recreation Plan
Date: Friday, October 30, 2020 9:43:02 AM

To Whom it May Concern,

Thank you for allowing the public to comment on this important proposal for the Madison River, I agree with proposed rules 1, 4, and 6-16. I would like to issue the following comments on Rules 2, 3, and 5:

Rule 2. The language currently being used to define rest and rotation is flawed and I believe will have the reverse effect from that which is intended. Specifically, by closing Lyons Bridge to Palisades on Sundays to commercial use, this rule as written will ban commercial float trips on AT LEAST 8 popular float sections of the river:

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The incidental closure of all of these sections will force ALL guided float trips into Palisades and downstream, into sections that have much lower fish counts per mile than the upper reaches and cannot handle the inevitable increase of fishing pressure. The concentration of guide boats caused by the proposed rule will also result in circumstances that we believe will be perceived as overcrowding of the river downstream of Palisades on Sundays – the exact opposite of the intended result of the rule.

I encourage the Commissioners to explore other options for Rest and Rotation rather than closing an entire section to all commercial traffic. One alternative would be to close a particular access on a given day, rather than the entire section. Another could be to allow floats to occur that pass through this section but do not start at Lyons Bridge and terminate at Palisades. Allowing boats the ability to spread out on the Madison is the key to helping prevent perceived crowding.

Rules 3 and 5. I disagree with removing boats from the walk/wade sections of the Madison. This will only benefit the few landowners in these areas at the expense of the many public anglers. It will also increase crowding at wade fishing access points. I believe that there is significant value to the angling public in retaining the existing rules banning angling from a floating craft upstream of Lyons Bridge. I also believe that actively limiting stream access to public water does not represent Montana values, and establishes a dangerous precedent that flies in the face of Montana's beloved Stream Access Law. Limiting access in this instance may also result in future litigation, wasting both taxpayer money and State resources. When combined with Proposed Rule #2, this rule has the potential to cause even greater crowding of boat based anglers and recreational floaters into the sections of river downstream of Palisades.

Thank you for allowing the opportunity to comment.

Molly Moore
PO Box 800
West Yellowstone, MT 59758
mollypar@msn.com
406 570.9278

From: [Andrew Mentzer](#)
To: [FWP Madison River COM](#)
Subject: [EXTERNAL] Madison River
Date: Friday, October 30, 2020 9:38:57 AM

To Whom it May Concern

Thank you for allowing the public to comment on this important proposal for the Madison River, I agree with proposed rules 1, 4, and 6-16.

I would like to issue the following comments on Rules 2, 3, and 5:

Rule 2. The language currently being used to define rest and rotation is flawed and I believe will have the reverse effect from that which is intended. Specifically, by closing Lyons Bridge to Palisades on Sundays to commercial use, this rule as written will ban commercial float trips on AT LEAST 8 popular float sections of the river:

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The incidental closure of all of these sections will force ALL guided float trips into Palisades and downstream, into sections that have much lower fish counts per mile than the upper reaches and cannot handle the inevitable increase of fishing pressure. The concentration of guide boats caused by the proposed rule will also result in circumstances that we believe will be perceived as overcrowding of the river downstream of Palisades on Sundays – the exact opposite of the intended result of the rule.

I encourage the Commissioners to explore other options for Rest and Rotation rather than closing an entire section to all commercial traffic. One alternative would be to close a particular access on a given day, rather than the entire section. Another could be to allow floats to occur that pass through this section but do not start at Lyons Bridge and terminate at Palisades. Allowing boats the ability to spread out on the Madison is the key to helping prevent perceived crowding.

Rules 3 and 5. I disagree with removing boats from the walk/wade sections of the Madison. This will only benefit the few landowners in these areas at the expense of the many public anglers. It will also increase crowding at wade fishing access points.

I believe that there is significant value to the angling public in retaining the existing rules banning angling from a floating craft upstream of Lyons Bridge. I also believe that actively limiting stream access to public water does not

represent Montana values, and establishes a dangerous precedent that flies in the face of Montana's beloved Stream Access Law. Limiting access in this instance may also result in future litigation, wasting both taxpayer money and State resources.

When combined with Proposed Rule #2, this rule has the potential to cause even greater crowding of boat based anglers and recreational floaters into the sections of river downstream of Palisades.

Drew Mentzer
Andrew Mentzer Outfitting, LLC.
Licensed Montana Outfitter #9971
PO Box 2055
West Yellowstone, MT 59758
406.640.1797
andrewmentzer@gmail.com
www.blueribbonflies.com [blueribbonflies.com]

From: [James Cagle](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] Amendment of ARM 12.11.501 and the adoption of NEW RULES
Date: Friday, October 30, 2020 9:05:40 AM
Attachments: [Comments to Montana FWP James A. Cagle.pdf](#)
[ATT00001.htm](#)

Please find the attached letter concerning the Amendment of ARM 12.11.501 and the adoption of NEW RULES.

James A. Cagle
Inroads Realty
O | [972.764.5402](tel:972.764.5402) C | [214.763.3085](tel:214.763.3085)
jcagle@inroadsrealty.com

From: Jimdkramer@sbcglobal.net
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Friday, October 30, 2020 8:50:33 AM

Name: Jim Kramer

City: Ennis, MT

The long term health and sustainability of the fishery is the highest priority goal for a recreation plan (Table 6, page18 of draft EA). Yet, in Table 9 on page 41 of the draft EA, none of the alternatives or proposed rules received a green ++ rating for protecting the rivers health. So, no proposed rules should be adopted to meet this goal. Please recognize how important this goal is relative to others and the need for solid, credible science to be developed to accomplish this goal.

From Table 5, page 16 of the draft EA, crowding...at FASs and on the river by wade anglers and boats...is the most noted issue during the summer. In the proposed rules only Rule I and VI directly addresses controlling the number of people using the river?capping commercial guide days. Please implement a rule in some form. Rules II, III, and V simply simply redistribute people between shore and boats or from one section of the river to another without addressing the total number. They should not be considered at this time.

Rule XVI, a Madison River Use Stamp, should be implemented to assess non commercial users (anglers and reactionists), by far the largest contributors to crowding. Please implement this rule in some form.

On page 42 of the draft EA, FWP staff concludes: ?The cumulative impact of all the alternatives would have an aggregate result of increasing recreational levels, declining fish populations...?. This is good reason to move slowly and deliberately on current draft rules addressing only those that effectively reduce crowding. And to move rapidly to identify next steps to protect the river?s health.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [Josh Almond](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] Public Comment
Date: Thursday, October 29, 2020 10:01:53 PM

To Whom it May Concern,

Thank you for allowing the public to comment on this important proposal for the Madison River, I agree with proposed rules 1, 4, and 6-16. I would like to issue the following comments on Rules 2, 3, and 5:

Rule 2. The language currently being used to define rest and rotation is flawed and I believe will have the reverse effect from that which is intended. Specifically, by closing Lyons Bridge to Palisades on Sundays to commercial use, this rule as written will ban commercial float trips on AT LEAST 8 popular float sections of the river:

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The incidental closure of all of these sections will force ALL guided float trips into Palisades and downstream, into sections that have much lower fish counts per mile than the upper reaches and cannot handle the inevitable increase of fishing pressure. The concentration of guide boats caused by the proposed rule will also result in circumstances that we believe will be perceived as overcrowding of the river downstream of Palisades on Sundays – the exact opposite of the intended result of the rule.

I encourage the Commissioners to explore other options for Rest and Rotation rather than closing an entire section to all commercial traffic. One alternative would be to close a particular access on a given day, rather than the entire

section. Another could be to allow floats to occur that pass through this section but do not start at Lyons Bridge and terminate at Palisades. Allowing boats the ability to spread out on the Madison is the key to helping prevent perceived crowding.

Rules 3 and 5. I disagree with removing boats from the walk/wade sections of the Madison. This will only benefit the few landowners in these areas at the expense of the many public anglers. It will also increase crowding at wade fishing access points. I believe that there is significant value to the angling public in retaining the existing rules banning angling from a floating craft upstream of Lyons Bridge. I also believe that actively limiting stream access to public water does not represent Montana values, and establishes a dangerous precedent that flies in the face of Montana's beloved Stream Access Law. Limiting access in this instance may also result in future litigation, wasting both taxpayer money and State resources. When combined with Proposed Rule #2, this rule has the potential to cause even greater crowding of boat based anglers and recreational floaters into the sections of river downstream of Palisades.

Sent from my iPhone

From: j.almond86@gmail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Thursday, October 29, 2020 10:01:07 PM

Name: Josh Almond

City: West Yellowstone, MT

To Whom it May Concern,

Thank you for allowing the public to comment on this important proposal for the Madison River, I agree with proposed rules 1, 4, and 6-16. I would like to issue the following comments on Rules 2, 3, and 5:

Rule 2. The language currently being used to define rest and rotation is flawed and I believe will have the reverse effect from that which is intended. Specifically, by closing Lyons Bridge to Palisades on Sundays to commercial use, this rule as written will ban commercial float trips on AT LEAST 8 popular float sections of the river:

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This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [Raitt, John S - \(SoCal\)](#)
To: [FWP Madison River COM](#)
Subject: [EXTERNAL] Adoption of NEW RULES I through XVI (Recreational use on the Madison River)
Date: Thursday, October 29, 2020 9:37:44 PM

> To Whom it may concern:

>

> Next year will be my 17th consecutive year fly fishing the Madison River. Our group concentrates our wade fishing from the West Fork to Lyons Bridge. We find that it is an area where we can safely enter the water due to the lower speed of the river in that stretch. Other areas of the river from 3 Dollar Bridge to the West Fork have waters that are often too difficult for us to enter safely. We also occasionally make use of guided drift boats and we appreciate the faster water downstream from Lyons Bridge.

>

> For this reason, I would hope that NEW RULE III would be adopted which would limit the days boats would be allowed as well as limiting the boats to wade fishing and not allow fishing from boats.

>

> I would oppose NEW RULE V that would allow fishing from boats in the described stretch of river. Allowing NEW RULE V would certainly be attractive to guided boats which would increase the fishing pressure, and likely interfere with those that are wade fishing on the few good holes on that accessible stretch. NEW RULE V would seem to be in opposition to the stated goal of addressing the crowding on the Madison River.

>

> I appreciate the Fish and Wildlife Commission's commitment to preserving and protecting one of the best fly fishing rivers in the country.

>

> Thanks for soliciting input from the fly fishing public on this important issue.

>

> John Raitt
Johnraitt@yahoo.com
(310) 678-5620

Sent from my iPhone

From: Fontfam@comcast.net
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Thursday, October 29, 2020 8:59:50 PM

Name: Dave Fontaine
City: Dublin California

Hello. I'm a recreational fly fisher from Northern Calif. I appreciate the opportunity to visit the west Yellowstone area and fish waters in the area and park including the Madison below Hebgen to Lyons bridge. I'm a strictly walk n wade and would support no float traffic on that section or possibly float access for disabled anglers. I believe you are proposing a use stamp which I support. I contribute to the parking areas along that stretch. If useful a seasonal card could be used like for steelhead here in calif where you report dates fished, numbers fish caught and kept or released. I have never fished the stretches below Lyons and can't comment on crowds or guide traffic. Thank you for the opportunity to comment.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [four rivers](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] Fwd: Complaints for Madison regs
Date: Thursday, October 29, 2020 8:38:12 PM

To whom it may concern,

As an outfitter and mainly as an avid fisherman, I strongly oppose the current plan being reviewed. Here are the ideas that we believe will actually help the river with crowding and be a plan for the future that is maintainable and sustainable.

1) rest and rotate is never going to eliminate crowding on such a short river. It's is more conceivable if the river was open to float fishing from Reynolds pass all the way to ennis lake. If that happened, you would have enough river mileage for a Sunday-saturday(every day of the week) rest and rotation plan.

- Reynolds to pine butte
- pine butte to windy,
- windy to ruby
- ruby to story
- Story to varney
- Varney to ennis
- Ennis to ennis lake.

IF FWP did the logical thing and open up public water to float fishing(just as every other large body of water in the state is open), then I think you could actually pull off rest and rotate. As an outfitter on the big hole, I love it. It works well, the crowds disperse except peak salmonfly season, and it gives locals a day alone without guides

2)Open the entire river to float fishing

3) limit the amount of launches per section for each outfitter to 2

4) cap the number of commercial use days based off the average of 2016-2020

5) implement a stamp program to help track angler use and locations of floats for future regulations.

6)Cap the number of outfitters at 2020 level

Chris Knott
Seth McLean

From: dwfedore@aol.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Thursday, October 29, 2020 6:50:09 PM

Name: Dan Fedore

City:

I am a 70 year old man who has been fishing the rivers of western Montana for over five decades. Much of my fishing in the past several years has been in the Bozeman area and specially the Madison. I am concerned about the proposed rules changes. It seems that limiting certain portions of the river to the general public may actually create over-use, over-crowding on that part of the river. By the same token, limiting guides to portions of the river may also cause the same effect in those runs. My main concern about this proposal is the banning of drift boats from certain portions of the river. I am too old to safely walk the river for any long distance. This ban would essentially close off portions of the river to me and others my age as well as persons with disabilities. I don't really see a valid reason for this part of the proposal and truly hope there is no hidden agenda here. The Madison is one of the true gems of the Bozeman area. Please think long and hard about these issues before any changes are made that would affect so many. Thank you.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [Spencer Diebel](#)
To: [FWP Madison River COM](#)
Subject: [EXTERNAL] Amendment of ARM 12.11.501 and the adoption of NEW RULES
Date: Thursday, October 29, 2020 4:22:23 PM
Attachments: [Comments to Montana FWP .pdf](#)

Please find the attached letter concerning Amendment of ARM 12.11.501 and the adoption of NEW RULES.

--

Spencer C. Diebel

From: josh13fly@hotmail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Thursday, October 29, 2020 4:05:04 PM

Name: Josh Wheal

City: Missoula

I support a plan that:

- 1) Sets limits on commercially guided trips by setting a cap at current levels of use.
- 2) Begins to lay the groundwork to set a carrying capacity for non-commercial recreation in the future.
- 3) Protects all forms of access to the river (wading and floating).
- 4) Preserves flexibility on where anglers may fish while encouraging organic spreading throughout the river system.

I do NOT support the petition to incorporate "Rest and Rotation" which will ban anyone that hires the services of a guide from important reaches of the river.

I do NOT support the petition to banning boats as a tool for angling access on 19 miles of the river.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: A.arledge@sbcglobal.net
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Thursday, October 29, 2020 3:51:01 PM

Name: Aaron arledge

City:

I have been fishing the Madison for 17 yrs and consider it my favorite place ever to fish. That being said I'm a wade fisherman who also enjoys float trips. That being said i enjoy wade fishing and the solstice that goes along with it. I would not mind the use of boats from quake lake to Lyons as long as fishing from the boat is not permitted. I would hate to see the best river in the country ruined by boats floating by all day as i fish. The majority of fishing pressure is not from guides so i do not think expanding their area will alleviate any pressure. Thank you for your time....

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [Doug Harbison](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] Comments to Montana FWP
Date: Thursday, October 29, 2020 3:50:22 PM
Attachments: [Comments to Montana FWP .docx](#)

Attn: FWP
Please see attached.

Thanks,
Doug

Doug Harbison, Jr. TIIA
Director of Property & Casualty
Benefit Resource Group
6211 W. Northwest Hwy. Suite 151
Dallas, Texas 75225
(O) 214-750-7557
(F) 214-750-6101
dharbison@brg-tx.com
[HOME AUTO BUSINESS INSURANCE \[brg-tx.com\]](#)

From: A.arledge@sbcglobal.net
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Thursday, October 29, 2020 3:44:01 PM

Name: Aaron arledge

City:

I have been fishing the Madison for 17 yrs and consider it my favorite place ever to fish. That being said I'm a wade fisherman who also enjoys float trips. That being said i enjoy wade fishing and the solstice that goes along with it. I would not mind the use of boats from quake lake to Lyons as long as fishing from the boat is not permitted. I would hate to see the best river in the country ruined by boats floating by all day as i fish. The majority of fishing pressure is not from guides so i do not think expanding their area will alleviate any pressure. Thank you for your time....

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: joe@bigskyanglers.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Thursday, October 29, 2020 3:22:29 PM

Name: Joe Moore

City: West Yellowstone

Rest and Rotation will not work the way FWP has it spelled out. Closing down L to P on Sundays and not allowing any boats to float other stretches which originate from Lyons Bridge closes down too much river, therefore forcing all the commercial boats to fish from Palisades to Ennis. That reduces the amount of river and stuffs too many boats into these sections. This plan for Rest and Rotation will cause huge problems with over crowding. And, to boot, it sounds like (after watching the streaming session on Oct20), FWP will not allow commercial shuttle drivers to operate either. So how is the public supposed to get a shuttle? Did anyone think about that?

One solution to this is think about rest and rotation in a different way. Why not consider closing Lyons to Pal as a section, but still allow guide boats to float L to Ruby, Lyons to Mac, Windy to either Mac or Story and then Pine Butte to Windy?

Safety concerns - there is huge wind and rain storms on the Madison river all summer long and it can happen for days on end. Commercial users take the public down the river and provide them a service. A service that includes taking care of their safety. Guides watch the weather all day long and make decisions on where to go based on wind and summer time thunder/lightning storms. From Palisades to Varney Bridge the wind is the worst and one is right out in the open with regards to lightning. There is no where to get away from these two elements when guides are forced into these sections because of a regulation. FWP is not taking into consideration the safety of the public who has decided to hire a commercial user.

Boat closure from Quake to Lyons - this a terrible idea and a slippery slope with regards to the stream access law. Taking boats out of the wade stretch privatizes the wade stretch of the Madison river and gives the landowners their own piece of river. This benefits the few and hurts many. Taking access away from the public and the commercial user should not be the MO of Montana FWP. When combined with the closure of L to P, this pushes a large amount of users into a very small section of river.

I urge FWP to dig deep on this and consider my comments.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [Marshall Payne](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] Amendment of ARM 12.11.501
Date: Thursday, October 29, 2020 3:06:02 PM
Attachments: [2020-10-28 Madison River Rules letter.pdf](#)

Dear Fisheries Department,

Please see the attached correspondence regarding the Amendment of ARM 12.11.501 and the adoption of new rules.

Best,

Marshall

From: [Jeff Hackmeyer](#)
To: [FWP Madison River COM](#)
Subject: [EXTERNAL] Amendment of ARM 12.11.501 and adoption of NEW RULES
Date: Thursday, October 29, 2020 2:36:41 PM
Attachments: [image001.png](#)
[Letter Re. Amendment of ARM 12.11.501 and adoption of NEW RULES..pdf](#)
Importance: High

To whom it may concern,

Please see attached letter regarding the Amendment of ARM 12.11.501 and adoption of NEW RULES.

Sincerely,
Jeff

Jeff Hackmeyer
3300 Oak Lawn Ave, STE 412
Dallas, TX 75219
C 901.484.5575
jeff.hackmeyer@gmail.com

 *Please consider the environment before printing this email.*

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From: guyletendre@comcast.net
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Thursday, October 29, 2020 2:10:01 PM

Name: Guy Letendre
City: West Yellowstone, MT
Thank you for your efforts to protect this great river.

Ideas I would like to support:

1. Reasonable caps on commercial fishing. I think the guides should be heavily involved in establishing these. They are incentivized for a good system that allows them a good business in both the near term and long term.
2. Parking fees for recreational fishers. These fees should be used to continue the study of the river and ensure it continually improves. While there may be caps on outfitters, my impression is that the recreational fisher has contributed to the largest growth of use on the river and should contribute to its management as well.
3. The idea of an annual 'Floating Stamp' that could part of the parking fee mechanism for the recreational floater. This 'Floating Stamp' would also require floaters to learn how to best interact with the river, fishing and ramp etiquette, conservation, and how to mitigate crowds. An online video and 'quiz' would be an easy way to implement.
4. An annual report/review of fishing on the river, paid for by the recreational user stamp/parking fee.

Points that I do NOT support:

1. The idea of changing the rules on the wade section of the river. This does not seem to benefit the river, it only seems to benefit a few home owners. This aspect seems to create a nefarious aspect to the whole subject. Why is the part of the river so much more special than any other aspect of the river.
2. I agree with other comments that suggest closing certain sections of the river on one day a week will only force crowds on the other parts of the river. I do however think an idea like this has merit, but I would suggest letting the outfitters determine a rest plan that makes sense to them.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [Tom Gresham](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] Madison River Rules
Date: Thursday, October 29, 2020 2:06:16 PM
Attachments: [202010291503.pdf](#)

Please see the attached comments Re: Amendment of ARM 12.11.501 and the adoption of NEW RULES

*** Please note my new email address ***

Tom Gresham
tgresham@greshampetroleum.com
(662)887-2160

-----Original Message-----

From: HRscanner@doublequick.com <HRscanner@doublequick.com>
Sent: Thursday, October 29, 2020 3:03 PM
To: Tom Gresham <tgresham@greshampetroleum.com>
Subject: [EXTERNAL] Scanned Document(s)

This E-mail was sent from "PRNT-HR-A" (Aficio MP 6002).

Scan Date: 10.29.2020 15:03:00 (-0500)
Queries to: HRscanner@doublequick.com

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From: earljames@att.net
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Thursday, October 29, 2020 1:38:54 PM

Name: Earl James
City: West Yellowstone
To Whom it May Concern

Thank you for allowing the public to comment on this important proposal for the Madison River, I agree with proposed rules 1, 4, and 6-16.

I would like to issue the following comments on Rules 2, 3, and 5:

Rule 2. The language currently being used to define rest and rotation is flawed and I believe will have the reverse effect from that which is intended. Specifically, by closing Lyons Bridge to Palisades on Sundays to commercial use, this rule as written will ban commercial float trips on AT LEAST 8 popular float sections of the river:

1. Lyons Bridge to Windy Point
2. Lyons Bridge to Palisades
3. Lyons Bridge to Ruby Creek
4. Lyons Bridge to Mcatee Bridge
5. Windy Point to Palisades
6. Windy Point to Ruby Creek
7. Windy Point to Mcatee Bridge
8. Windy Point to Storey Ditch
9. Raynold?s Pass to Windy Point
10. Pine Butte to Windy Point
11. Pine Butte to Palisades

The incidental closure of all of these sections will force ALL guided float trips into Palisades and downstream, into sections that have much lower fish counts per mile than the upper reaches and cannot handle the inevitable increase of fishing pressure. The concentration of guide boats caused by the proposed rule will also result in circumstances that we believe will be perceived as overcrowding of the river downstream of Palisades on Sundays ? the exact opposite of the intended result of the rule.

I encourage the Commissioners to explore other options for Rest and Rotation rather than closing an entire section to all commercial traffic. One alternative would be to close a particular access on a given day, rather than the entire section. Another could be to allow floats to occur that pass through this section but do not start at Lyons Bridge and terminate at Palisades. Allowing boats the ability to spread out on the Madison is the key to helping prevent perceived crowding.

Rules 3 and 5. I disagree with removing boats from the walk/wade sections of the Madison. This will only benefit the few landowners in these areas at the expense of the many public anglers. It will also increase crowding at wade fishing access points.

I believe that there is significant value to the angling public in retaining the existing rules

banning angling from a floating craft upstream of Lyons Bridge. I also believe that actively limiting stream access to public water does not represent Montana values, and establishes a dangerous precedent that flies in the face of Montana's beloved Stream Access Law. Limiting access in this instance may also result in future litigation, wasting both taxpayer money and State resources.

When combined with Proposed Rule #2, this rule has the potential to cause even greater crowding of boat based anglers and recreational floaters into the sections of river downstream of Palisades.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: moga@mt.net
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Thursday, October 29, 2020 1:11:32 PM

Name: MOGA
City: Montana City

MOGA Comments on Proposed Madison River Rule Package

I. Background

On Tuesday, September 29, 2020 the Fish and Wildlife Commission released a proposed rule package for new recreation rules for the Madison River to be adopted in 2021. These new rules are posted online and can be found here and the Draft EA for this new rule package can be found here. Public comment on this new rule package can be submitted online through October 30, 2020. In addition, public comments can be mailed to the Commission at:

Madison River Comments
PO Box 200701
Helena MT 59620-0701

The Commission also held a Zoom hearing on October 20, 2020 at 6:00 pm to take comment on the proposed administrative rules and environmental assessment regarding the recreation management on the Madison River. Public comment will be taken at this meeting as well and you can participate at:

Dial by telephone, 1-646-558-8656
Meeting ID: 966 3461 5176
Password: 373576

The Commission has scheduled a full Commission Meeting November 18, 2020 in Helena to take final action on a proposed rule package for the Madison River. The following constitute MOGA's formal written comments.

II. Facts and Purpose have been lost in a blizzard of proposals that seek to benefit special interests or impose restrictions rather than address problems

Facts

- ? There is no biological crisis documented on the Madison River
- ? Surveys of Angler Satisfaction clearly show that the issue is crowding at FAS sites and not on the river
- ? Commercial Use is 15% of the annual use and is targeted for 100% of the regulation
- ? Outfitted tourism is the backbone of the Ennis community and the single largest economic driver for Madison County tourism

Below you will find a synopsis of the proposed rules and the position MOGA has taken on these proposed rules.

Proposed Madison River Rules

III. MOGA Analysis of Proposed Rules and Position

During the last 2 years, MOGA has been active in the discussions centering around Madison River recreational rules. We have provided constructive alternatives to solve issues on the Madison and have supported a conservative agreement among varying interest groups to attempt to resolve the issue of crowding on the Madison. Unfortunately, leadership in Helena has consistently chosen to ignore what MOGA has brought to the table and our call for incremental changes.

“It is beyond frustrating that the future of communities like Ennis, who are directly impacted by the recreational use of the Madison, are being dictated to by folks from Butte”, said Mac Minard, MOGA Executive Director.

Related Attachments

- ? Madison River Rule Proposal MAR 12-531 148.13 kb
- ? Draft Madison River Rulemaking Environmental Assessment 8.73 mb
- ? FOAM Madison River Rulemaking Petition 245.9 kb
- ? George Grant Chapter of Trout Unlimited, Skyline Sportsmen Association, and the Anaconda Sportsmen Association Madison River Petition 2.62 mb

New Rule I ? Commercial Cap

This rule is a cap on commercial use at 2019 use levels, with an assumption that this is based on historic use of permittees during 2019. This would amount to 13,909 trips. This rule was supported by the George Grant Trout Unlimited (GGTU et. al.) petition. This rule conflicts with the NEW RULE VI, which is the commercial cap from the FOAM petition.

MOGA strongly opposes the adoption of this rule as it will essentially create a commercial cap that will mirror that found in the Big Hole/Beaverhead (BH2) plan. Since the beginning, MOGA and many others have sought to create something superior to what exists for BH2 and adopting this rule would simply be repeating the same mistakes of the past.

New Rule II ? Rest and Rotation

This rule is a 2-day rest and rotation schedule from June 15-September 30. Commercial use would be prohibited from Varney-Ennis on Saturdays and Lyons-Palisades on Sunday. This rule was also taken from the GGTU et. al. petition.

MOGA strongly opposes any rest and rotation on the Madison River. The Madison River is simply too short of a river for rest and rotation to work; and will only create more crowding by putting commercial users into a smaller box. Rest and rotation will not solve any problems, it only creates bigger ones and MOGA has worked tirelessly to demonstrate this to FWP by providing direct evidence using FWP sourced data. Yet, rest and rotation is still being considered, mostly because of the viewpoint of sportsmen’s groups from Butte who recognize it as more opportunities for them (non-commercial users) at the expense of others (commercial users). “FWP leadership has plainly stated that no one knows what rest and rotation will look like on the Madison, yet their own numbers can be used as a crystal ball to tell us exactly what it will look like”, said Scott Vollmer, MOGA Director at Large. For an

analysis of what rest and rotation will look like on the Madison, [click here](#).

New Rule III ? GGTU Walk/Wade Sections

Yet again from the GGTU et. al. petition, this rule is a 3-day closure to gaining access to wade fishing via watercraft on the existing walk/wade sections from June 15-September 30.

? On Friday-Sunday, no watercraft can be used to gain access from Quake-Lyon and from Ennis-Ennis Lake

? On Monday-Thursday, the status quo remains, and watercraft can be used to gain access to these sections

This rule is in conflict with NEW RULE V, which is the walk/wade plan from the FOAM petition.

MOGA strongly opposes any reduction in access in the existing walk/wade sections, and not allowing the use of boats to gain access to fishing is, by definition, a reduction of public access to public lands and waters. Furthermore, last January, MOGA leadership entered into an agreement with GGTU, FOAM, the Department, and the Commission to provide a common-sense alternative for the walk/wade sections, allowing wade access and access by fishing from boats. This would allow users to spread out to the furthest extent and not close off access to portions of the river that are virtually impossible to get to by wading. This agreement can be found nowhere in the rule package and the above new rule is a complete reversal of the stance of GGTU, the Department, and the Commission from the January consensus. Read a complete analysis of the Walk and Wade proposal [HERE](#).

New Rule IV ? Greycliff-Headwaters

This rule limits new site development below Greycliff to access via carry-in only, allowing a more primitive experience. This rule is also from the GGTU et. al. petition.

MOGA supports this rule change as it still allows commercial use and maintains the unique experience of this section of river.

New Rule V ? FOAM Walk/Wade Sections

From the FOAM petition, this rule allows fishing from a boat from Reynolds-Lyon on 4 days of the week. This rule varies from NEW RULE III, from the GGTU et. al. petition.

? Sunday-Wednesday fishing from a boat and gaining access to fishing with a boat is permitted from Reynolds-Lyons

? Thursday-Saturday is status quo from Reynolds-Lyons; boats can be used to gain access to fishing

? Status quo for Ennis-Lake; boats can be used to gain access to fishing

MOGA supports this rule as it will serve to spread out float users on 4 days of the week, while still allowing the ability to get out of the boat and wade fish. It provides more access, not less like what is found in NEW RULE III. In addition, it is the position of MOGA that allowing people to fish from a boat will cause them to stop and wade fish less in the upper wade section, helping to eliminate ?conflicts? between wade and float users (i.e stopping to fish too close to someone who is already wade fishing).

New Rule VI ? New Rule XV FOAM Commercial Use Plan

This series of 10 new rules encompassing 6 of the 11 pages of the rule package is the FOAM tiered commercial use plan. FOAM developed this plan only for the Madison River, without

concerns for its applicability for future commercial use plans on other rivers. MOGA believes whatever is adopted by the Commission regarding the monetization of permits will have broad statewide application and must therefore be crafted with that in mind. These proposed rules differ from NEW RULE I, from the GGTU et. al. petition.

MOGA can support a mechanism that manages commercial use on the Madison and other rivers across the state. Unfortunately, the FOAM plan is far too complicated, convoluted, and costly to support. MOGA has repeatedly offered an alternative that incorporates the main elements of a Commercial Use plan that is simpler and far more cost effective to implement. If the Commission desires a plan we highly recommend the MOGA Commercial Use plan. At the core is the need to address transferability BEFORE a Commercial Use plan is adopted, FOAM plan is fatally flawed due to the complexity of tiers, flex days and added bureaucracy without any assessment of Administrative cost. Finally, it places the Department in the position of picking winners and losers. We Do not support the FOAM Plan

New Rule VI ? Commercial Cap

This rule allows those with a valid Madison SRP permit before June 15, 2020 to choose either 2019 or 2020 as their basis of historic use for the number of trips they receive under the cap. This rule also does not allow any form of rest and rotation until after the 3rd year evaluation.

MOGA supports this approach if the Commission insists on a cap. We recommend 2019 or 2020

New Rule VII ? Transfer of Permits

This rule, as written, only states that each outfitter can only hold a maximum of 2 permits at one time and that no one outfitter can hold more than 10% of the aggregate commercial cap. It does not speak directly to transferring river use days, and there is an admission that transferring river use days for pay conflicts with MCA 47-37-310(4). This statute would need change through legislative action in order for this rule to apply. Additionally, this rule allows new permit holders to operate up to 10 trips if they did not buy an existing permit.

MOGA strongly opposes this approach. This is a BIG Deal and needs to be done correctly. Without simple transferability of days between businesses the FOAM plan is fatally flawed. We urge the Commission to resist this half measure and seek a long-term solution as MOGA has been advocating for since January. If we need legislative changes, then we need to seek them and move through this process deliberately. It is true that many in the industry support monetization of use days BUT they also want and need a system that allows them to freely transfer days beyond the limits currently allowed by law. To move forward with this approach now, before addressing requisite transfer statutes, will create a tangled administrative and legislative mess.

New Rule VII ? Flex Trips

This rule provides outfitters with a Madison permit to run an additional 10 flex trips above their historic trip allocation in 2 out of 3 consecutive years. These trips are non-transferable.

MOGA Opposes the notion of flex trips. If the MOGA plan were adopted, you would see there is no need for these days. Flex days lead to allocation creep and in effect undermine the concept of a cap or limit. If done properly, flex days are an unnecessary complexity that should be avoided. This is a perfect example of the unnecessary complexity of the FOAM

plan.

New Rule IX ? Transfer of Trips

This rule allows transfer of trips between permit holders at the discretion of the permit holders on forms prescribed by the Department. Like NEW RULE VII above, there is an admission that this rule conflicts with MCA 47-37-310(4), requiring a change legislatively.

MOGA supports the free transferability of use days among qualified Outfitters. Transferability is cornerstone to a solid and sustainable commercial use plan. If statutory change is needed, then we must address that BEFORE we adopt a plan. To do otherwise is to force fit a profoundly serious plan into a model that will fail to serve the industry. What exactly is the urgency to adopt a plan that fails to meet the needs of the industry?

New Rule X ? Tiers and Use it or Lose it

This rule establishes a tiered system based on historic use and the reduction of trips within the tiers if permit holders do not continue to use their historic allocation

? Tier 1 ? less than 25 trips ? exempt from trip reduction

? Tier 2 ? 26-50 trips ? drop to 25 trips if they show 3 consecutive seasons of less than 26 total trips

? Tier 3 ? 51-100 trips ? drop to 50 trips if they show 3 consecutive seasons of less than 51 total trips

? Tier 4 ? over 100 trips ? drop to 80% of their historic allocation if they show 3 consecutive seasons of less than 80% use of their historic allocation

? In addition, if a permit holder shows zero use for 3 consecutive years, their permit is forfeited

MOGA opposes this element as an unnecessary and complex measure. Simply put, if transferability were addressed as we proposed, there is no need for all this complexity which will create expensive and confusing administrative issues going forward. Please do this right and address the transferability issue completely before forcing a poorly developed plan on to the industry.

New Rule XI ? Permit Application and Fees

This rule sets the annual application fee for Madison permit holders at \$110.

MOGA supports this element.

New Rule XII ? Reporting and Use Fees

This rule simply requires the reporting of annual logs with no differentiation between historic trips and flex trips and a fee structure of 3% of gross revenue.

MOGA supports this element.

New Rule XIII ? Evaluation

This rule provides for the evaluation of the Madison commercial use plan in year 1 and every 3 years thereafter. Annual reports of river use and satisfaction will be produced by the Department.

MOGA supports evaluation of plans and rules. We must be prepared to repeal and amend plans as necessary.

New Rule XIV ? Commercial Use Working Group

This rule establishes a group under the authority of the Region 3 River Recreation Manager, consisting of the manager, a Commissioner, and at least 3 Madison outfitters holding a permit. This group takes over authority granted to the Commission and can establish an appeal and complaint process, award trips or a fixed number of new permits via lottery, and reviews total use. The review of total use includes adjusting trip allocations if use declines, reviewing trip additions if transferred, and adjusting the amount of flex trips available to permit holders if needed.

MOGA Opposes this element as unnecessary. It only exists because the transferability issue is not being dealt with properly in the FOAM plan. Address the transferability and all of this complex process is unnecessary. Unaddressed in the FOAM plan are the costs of administration, the burden of which will fall directly on the industry and commercial users. It is irresponsible to push such a plan forward without a detailed cost assessment.

New Rule XV ? Trip Distribution Pool

This rule establishes a means to distribute forfeited trips to other permit holders. If a permit holder shows zero use for 3 consecutive years, their trips populate this pool. Existing permit holders who have shown at least 95% of their historic use in the previous season can apply via lottery to receive these trips.

MOGA Opposes this element. Once again, because the FOAM plan fails to address transferability properly, we are faced with layer after layer of administrative complexity. Get transferability right and all this complexity is unnecessary. Get transferability wrong, as in the FOAM plan, and you are mired in administrative band aids that are complex and expensive.

MOGA opposes the FOAM Commercial Use Plan found in NEW RULES VI-XV due to the unnecessary complexity of this plan and the concerns over ease of transferability of this plan to other river systems in the future. It is important to note that MOGA has provided and explained a much more simplified version of this plan to the Department, the Commission, and FOAM that attains the goal of trip transferability and trip flexibility. This plan can be found nowhere in the rule package or draft EA.

New Rule XVI ? Madison River Use Stamp

This new rule found in both the FOAM and GGTU et. al. petition establishes a no cost, no limit Madison Stamp required of all users. The purpose of this stamp is to report annual river use.

MOGA opposes this rule as constructed. We support the gathering of data on river use and recognize the urgent need for exact (not estimated) data for non-commercial use. However, the requirement of commercial users to obtain this stamp for data collection is redundant and unnecessary. All river use data for commercial users will already be collected under NEW RULE XII. MOGA strongly supports the requirement of this stamp for non-commercial users while commercial users should be exempt.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [Michael Terry](#)
To: [FWP Madison River COM](#)
Subject: [EXTERNAL] Amendment of ARM 12.11.501 and the adoption of NEW RULES
Date: Thursday, October 29, 2020 12:41:13 PM

October 29, 2020

Department of Fish, Wildlife & Parks
Madison River Rules
Attention: Fisheries
P.O. Box 200701
Helena, MT 59620

Re: Amendment of ARM 12.11.501 and the adoption of NEW RULES

Good Afternoon FWP,

With respect to the above proposed changes I feel:

1. The status quo on the wade-fishing areas is acceptable. Any plan to allow fishing from a boat in these areas is not acceptable.
2. Non-resident anglers should not be restricted in their fishing rights or access. They are often unaware of rule changes, and less flexible in their plans when coming to Montana.
3. New RULE II REST/ROTATION OF MADISON RIVER COMMERCIAL USE and NEW RULE III WALK/WADE SECTIONS OF MADISON RIVER will lead to overcrowding on the Madison River.
4. Limiting commercial use may have extensive impacts to the town of Ennis. I advocate for minimal restrictions to the outfitting businesses.

Thanks for your consideration and help,
Michael

Michael Terry

M. Terry Enterprises, Inc.
12240 Inwood Road, Suite 300
Dallas, TX 75244

Office: 214-368-1550
Direct: 214-891-3096
Mobile: 214-728-0933

michael@mterryent.com

<http://mterryenterprises.com/> [mterryenterprises.com]

From: bill.corriston@gmail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Thursday, October 29, 2020 12:33:46 PM

Name: William Corrison

City: Seattle

I'm a walk/wade fisherman who fishes the Madison perhaps 10 days a year. My comments:

Cap commercial trips at 14,000

If limiting commercial trips to certain days of week, on certain sections, to decrease overall fishing pressure, you should cap commercial trips at a lower level.

Maintain the current walk/wade only sections

Allow boats to access walk/wade section fishing spots, but continue no fishing from the boats.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [Kortney Paul](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] montana fwp
Date: Thursday, October 29, 2020 9:35:49 AM
Attachments: [Scanned from a Xerox Multifunction Printer.pdf](#)

Thank you

Kortney Paul
Ideal Partners
6913 Camp Bowie Blvd, Ste. 181
Fort Worth, TX 76116
O: 817.877.4624 | C: 817.235.8310
[https://urldefense.com/v3/http://www.idealpartners.com_!!GaaboA!9ggIfjYvhHpzdx_XhM6CiFq8vPOAJVL-nAi19yCdUcKT8xF-Z9rynb2_fAE5Yh3NiDAG\\$](https://urldefense.com/v3/http://www.idealpartners.com_!!GaaboA!9ggIfjYvhHpzdx_XhM6CiFq8vPOAJVL-nAi19yCdUcKT8xF-Z9rynb2_fAE5Yh3NiDAG$)

From: [Nettles, Eugene M.](#)
To: [FWP Madison River COM](#)
Subject: [EXTERNAL] Amendment of ARM 12.11.501 and the adoption of NEW RULES
Date: Thursday, October 29, 2020 9:22:57 AM

October 29, 2020

Via Email: Madisonrivercom@MT.gov

Department of Fish, Wildlife & Parks
Madison River Rules
Attention: Fisheries
P.O. Box 200701
Helena, MT 59620

Re: Amendment of ARM 12.11.501 and the adoption of NEW RULES

FWP,

With respect to the above proposed changes I feel:

1. The status quo on the wade-fishing areas is acceptable. Any plan to allow fishing from a boat in these areas is **not** acceptable.
2. Non-resident anglers should not be restricted in their fishing rights or access. They are often unaware of rule changes, and less flexible in their plans when coming to Montana.
3. New RULE II REST/ROTATION OF MADISON RIVER COMMERCIAL USE and NEW RULE III WALK/WADE SECTIONS OF MADISON RIVER will lead to overcrowding on the Madison River.
4. Limiting commercial use may have extensive impacts to the town of Ennis. I advocate for minimal restrictions to the outfitting businesses.

Thank you for your consideration.

Gene Nettles

Eugene M. Nettles | Partner

Porter Hedges LLP

Board Certified Civil Trial Law Texas Board of Legal Specialization

1000 Main St, 36th Floor | Houston, TX 77002

t 713.226.6609 e ENettles@porterhedges.com

From: [King Offutt](#)
To: [FWP Madison River COM](#)
Subject: [EXTERNAL] Amendment of ARM 12.11.501 and the adoption of NEW RULES
Date: Thursday, October 29, 2020 9:16:38 AM

Department of Fish, Wildlife & Parks
Madison River Rules
Attention: Fisheries
P.O. Box 200701
Helena, MT 59620

Re: Amendment of ARM 12.11.501 and the adoption of NEW RULES

FWP,

With respect to the above-proposed changes, I feel:

1. The **status quo** on the wade-fishing areas is acceptable. Any plan to allow fishing from a boat in these areas is not acceptable.
2. Non-resident anglers should not be restricted in their fishing rights or access. They are often unaware of rule changes, and less flexible in their plans when coming to Montana to spend outdoor sports dollars.
3. New RULE II REST/ROTATION OF MADISON RIVER COMMERCIAL USE and NEW RULE III WALK/WADE SECTIONS OF MADISON RIVER will lead to overcrowding on the balance of the Madison River.
4. Limiting commercial use may have extensive impacts to the town of Ennis. I advocate for minimal restrictions to the outfitting businesses. Additionally, this proposed rule as drafted will also be unfairly applied to bias for established outfitters against newer outfitters, potentially driving newer outfitters out of business, which will lead to unknowable consequential damages to the area.

Thank you.

William N. Offutt, Esq.
President and COO
BC Wood Properties

From: [Mike Cagle](#)
To: [FWP Madison River.COM](#)
Cc: [Mike Cagle](#)
Subject: [EXTERNAL] Madison River Proposed Rule Changes
Date: Thursday, October 29, 2020 7:15:09 AM
Attachments: [Channels Letter FWP 10.28.20.docx](#)

Montana Department of Fish, Wildlife and Parks,

Please see our attached comments for the proposed rule changes on the Madison River. Thank you.

Mike Cagle
Inroads Realty
8401 N. Central Expressway
Suite 605
Dallas, TX 75225
mcagle@inroadsrealty.com
T 972.764.6001
C 214.502.6313

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From: [Charlie Burford](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] Madison River Comments
Date: Thursday, October 29, 2020 6:16:26 AM
Attachments: [image003.png](#)
[Madison River Comments.pdf](#)

Please find attached my comments on the Madison River situation. Thanks for your assistance in this matter!

Charlie Burford

O: 214-447-7511

Charlie@burfordbrothers.com

www.BurfordBrothers.com [burfordbrothers.com]

7001 Preston, Rd. Suite 405

Dallas, TX 75205



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From: [Ken Westman](#)
To: [brandon lawhead](#)
Cc: [FWP Madison River COM](#); [Jonathan Heames](#); [bigsky076@msn.com](#)
Subject: [EXTERNAL] Re: Public Commentary on Regulations
Date: Wednesday, October 28, 2020 10:32:03 PM

Very well written, my friend! I couldn't agree more.

Ken

> On Oct 28, 2020, at 9:11 PM, brandon lawhead <branlawhead@yahoo.com> wrote:

>

>

> For the past twenty years, I have visited Montana at least once, and sometimes twice, per year to enjoy your wonderful trout fishing on a fly rod. Your waters are a National Treasure - a truly legendary part of America, including the Madison River. During my trips, I have always used the guide services of Jonathan Heames and Big Sky Anglers.

>

> To be sure, every fisherman wants the solitude of "their spot", that's human greed associated with wanting to "take" nature and claim it as our own. Since President Teddy Roosevelt, the great outdoors have been preserved for everyone to enjoy, regardless of socio-economic status, race, religion or creed.

>

> In a time where we are seemingly divided over everything, at least we all have our love of fishing and the outdoors to bind us together. Why limit access and promote more division?

>

> The proposed rules imply, and indeed assume, that commercial fishermen (fishing guides) are "the problem." Contrary to this assumption, however, my experiences with Jonathan and his team are educational on stream etiquette and how we can all enjoy the stream in a friendly manner. That is, the fishing guides remind us that the magnificent wonders of the Montana trout streams are a gift from which all can enjoy simultaneously.

>

> Greater fishing popularity means we all need to practice better conservation methods and stream etiquette. In fact, hunters and fishermen are always the most avid supporters of conservation and stream improvements. So, fishing popularity yields a net "good" to everyone, including your hotels, and restaurants with whom I spend money during each visit. The fishing guides are Montana's concierge ambassadors, and their work brings economic development, and better education for everyone.

>

> So, I would respectfully submit that it is in everyone's best interests to encourage and support the fishing guides. In so doing, you will achieve the harmonious outdoors experience everyone enjoys.

>

> Thanks,

> Brandon V. Lawhead, Musky PhD

> Lawhead Law Offices

> 506 W. Oakland Ave

> Austin, MN 55912

> (507) 271-9179 c

>

> Sent from my iPhone

From: [brandon lawhead](#)
To: [FWP Madison River.COM](#)
Cc: [Jonathan Heames](#); [bigsky076@msn.com](#); [Ken Westman](#)
Subject: [EXTERNAL] Public Commentary on Regulations
Date: Wednesday, October 28, 2020 9:11:12 PM

For the past twenty years, I have visited Montana at least once, and sometimes twice, per year to enjoy your wonderful trout fishing on a fly rod. Your waters are a National Treasure - a truly legendary part of America, including the Madison River. During my trips, I have always used the guide services of Jonathan Heames and Big Sky Anglers.

To be sure, every fisherman wants the solitude of “their spot”, that’s human greed associated with wanting to “take” nature and claim it as our own. Since President Teddy Roosevelt, the great outdoors have been preserved for everyone to enjoy, regardless of socio-economic status, race, religion or creed.

In a time where we are seemingly divided over everything, at least we all have our love of fishing and the outdoors to bind us together. Why limit access and promote more division?

The proposed rules imply, and indeed assume, that commercial fishermen (fishing guides) are “the problem.” Contrary to this assumption, however, my experiences with Jonathan and his team are educational on stream etiquette and how we can all enjoy the stream in a friendly manner. That is, the fishing guides remind us that the magnificent wonders of the Montana trout streams are a gift from which all can enjoy simultaneously.

Greater fishing popularity means we all need to practice better conservation methods and stream etiquette. In fact, hunters and fishermen are always the most avid supporters of conservation and stream improvements. So, fishing popularity yields a net “good” to everyone, including your hotels, and restaurants with whom I spend money during each visit. The fishing guides are Montana’s concierge ambassadors, and their work brings economic development, and better education for everyone.

So, I would respectfully submit that it is in everyone’s best interests to encourage and support the fishing guides. In so doing, you will achieve the harmonious outdoors experience everyone enjoys.

Thanks,
Brandon V. Lawhead, Musky PhD
Lawhead Law Offices
506 W. Oakland Ave
Austin, MN 55912
(507) 271-9179 c

Sent from my iPhone

From: Teleskier187@yahoo.com
To: FWP.MadisonRiver.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Wednesday, October 28, 2020 8:46:55 PM

Name:

City: Cameron

Reading through these proposed changes there are some good ideas, and some pretty awful ones as well. Limiting the number of guides will do nothing but let the etiquette of the river to go down hill. They are the ones who care after the river more than any other group, truly the stewards of the river. The only social conflicts you see are pissed off land owners seeing people in ?their? front yard fishing, and guide on guide which is resolved fairly easily compared to the latter. The beauty of Montana is that all people have the right to enjoy its waters. Living in the upper wade section those are the conflicts I get to see almost every day in the summer, and again it?s not the guides causing those problems. It?s the uneducated public. The first proposed change talks about shutting down water to guides to create space for the public. Anyone with common sense would realize that this would make every other section busier forcing people into a smaller bit of water. This idea works on the Big Hole because there are 120 miles of floatable river... we have around 40. A good compromise on that end would be to leave all sections open to guides, but to limit the number of guides per outfitter per section say 3-5 boats per section. This seems to work pretty well down in Idaho on the South Fork of the Snake. It also talks about ?to ensure long health, ecological and economic benefits.? One way to do that would

Be to finally make this river barbless. The number of fish with missing maxillary?s or just plain beat up is getting to the point of being extremely noticeable. I had multiple clients in the shop and in the boat comment on that.

Moving to closing the river down in the wade section to boats is also absolutely ridiculous. This cuts off public water that is unreachable by any other means. The public land stretch on the big bend would be land locked making it impossible for people who could not walk that far abiding by the high water mark to get to it. Once again the ?social conflict? here is made my the general public and not the guides. You can make it all the way down that section without ever running over anyone?s water or even getting close to them. Down further they purposed opening Reynolds to Lyons to being able to fish from the boat... if you want to see wayyyy more conflict and boat accidents then open that up. You will see true carnage if that section opens up the fishing, it would be down right unsafe to fish from the boat in that section. However if you did open up from Ennis bridge to the lake for fishing out of the boat that would be a safe section to float and fish, and create more water for people to access.

I know that there does have to be a limit in guides and outfitters as this state and area are growing. The main thing I would like to see is for the ability of businesses to keep growing. If these caps go through what will

Happen to small business that did have the ability to grow and now you can only grow by X amount of days? Stifling business is not the right answer. In you?re own study it said that we account for less than 12% of the usage on the river. That is a very small number over all. Let people and businesses grow where they can. It would be one thing if guides/outfitters were 50% of the usage but they aren?t.

Further more, I am not sure how it makes sense for a TU chapter and other ?sportsman clubs? that are not from this county or even affiliated with this river can have a say in this, seems like

once again some rich land owner got into someone's pockets that has some
Sort of say. I am tired of seeing people or organizations trying to privatize this river. It is a
resource that everyone should be able to
Enjoy. If you think this river is too busy, put a boat on at 4pm... you won't see a soul, that's
how I run my guide trips or fun floats. You get to show people what the river is and how it
should be . I hope everyone who is charged with these decisions takes this very seriously and
that you take your time making the new laws for this river. She is truly a gem and you have
the chance to do something great or to absolutely ruin an industry, some towns, and a lot of
people's jobs. So again please take your time with this and think it through.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules
and EA' Public Notice Web Page.

From: loventlife@gmail.com
To: FWP.MadisonRiver.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Wednesday, October 28, 2020 8:07:36 PM

Name: Melissa Glaser

City: Ennis

Hi,

Thank you for taking public comment on these two proposals.

COMMERCIAL ACTIVITY: If the FOAM petition was adjusted to remove their proposed change to the walk/wade sections and leave those areas status quo (walk/wade year-round with fishing access using a vessel), it would eliminate the potential loss of diversity in angling opportunities. The remainder of the petition is flawless in regards to management of commercial activity in that it is something agreed upon by a majority of the outfitters themselves. FOAM has created a way to manage commercial activity successfully and this should be taken into serious regard. The GGTU petition's rest/rotation is full of flaws and increased potential for social conflict. Why should a group like GGTU who is not in the business of commercial angling on the Madison River define the management of commercial angling on the Madison River? The GGTU rest/rotation proposal will only lead to increased crowding and mis-use of the Madison River. The GGTU proposal would force a large amount of guides into limited sections of the river. A typical full guided day is a 10-15 mile stretch depending on the guide. On the rest/rotation proposal those length sections become very limited. Further, to force guides into small stretches of river would force them into potentially dangerous situations depending on wind or water levels. The Madison River is actually a very technical river to float/row and allowing different float sections gives the guide an opportunity to choose safely and accordingly. If you could interview some of the guides that go out every day of the summer, you'll find that they manage themselves. It is a network of people that understand the river and choose where to go to give their clients the best opportunities. Simply limiting the use via allocation will limit the commercial activity without implementing difficult regulations on how and where to use the river.

Regarding commercial activity as a whole, when the rule goes into final writing, please keep in consideration the wording used to limit commercial activity. The proposals, the conflict, the surveys, etc are specific to commercial ANGLING activity. Please specify this in the final document so that those running shuttles and doing scenic tours are not affected by the shutdowns and limits to activity. Scenic tours are not even considered a problem when people think of crowding on the river. When I float past a boat of anglers, they are always delighted to see a group in a boat not fishing.

I agree with FOAM's allocation cap using historical data for either 2019 or 2020, users preference, complete with a committee and a review process.

I highly disagree with the rest/rotation proposal from GGTU.

I agree with the FAS Rangers and Access Site/River Education efforts as proposed in the NRC and re-proposed in the GGTU proposal.

I agree with moving towards a Madison River stamp for monitoring river use by non-commercial users.

Taking the above actions would solve the problem of people looking negatively towards guides and outfitters because they would now be regulated yet they would be able to still use the river in a way that is reasonable and not constraining.

Thank you again.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: Dryflymom@yahoo.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Wednesday, October 28, 2020 7:07:48 PM

Name:

City:

Dry fly fishing only from Slide to Varney from May 15- September 15. Separate the men from the boys. Worm dunkers get winter...

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [JOHN DODSON](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] Amendment of ARM 12.11.501 and the adoption of NEW RULES
Date: Wednesday, October 28, 2020 6:34:04 PM

FWP,

With respect to the above proposed changes I feel:

1. The status quo on the wade-fishing areas is acceptable. Any plan to allow fishing from a boat in these areas is not accepted.
2. Non-resident anglers should not be restricted in their fishing rights or access. They are often unaware of rule changes, and less flexible in their plans when coming to Montana.
3. New RULE II REST/ROTATION OF MADISON RIVER COMMERCIAL USE and NEW RULE III WALK/WADE SECTIONS OF MADISON RIVER will lead to overcrowding on the Madison River.
4. Limiting commercial use may have extensive impacts to the town of Ennis. I advocate for minimal restrictions to the outfitting businesses.

Pam Dodson
ps.dodson@verizon.net

Sent from my iPhone

From: [Paul Gulbas](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] Madison River
Date: Wednesday, October 28, 2020 2:28:45 PM
Attachments: [Doc Oct 28, 2020, 1425.pdf](#)
[ATT00001.txt](#)

From: [Logan Owens](#)
To: [FWP Madison River.COM](#)
Cc: [Logan Owens](#)
Subject: [EXTERNAL] Montana FWP Comments
Date: Wednesday, October 28, 2020 1:02:08 PM
Attachments: [MT FWP Comments.pdf](#)

October 28, 2020

Via Email: Madisonrivercom@MT.gov

Department of Fish, Wildlife & Parks
Madison River Rules
Attention: Fisheries
P.O. Box 200701
Helena, MT 59620

Re: Amendment of ARM 12.11.501 and the adoption of NEW RULES

FWP,

With respect to the above proposed changes:

1. The status quo on the wade-fishing areas is acceptable. Any plan to allow fishing from a boat in these areas is not acceptable.
2. Non-resident anglers should not be restricted in their fishing rights or access. A required stamp is restricting access. They are often unaware of rule changes, less flexible in their plans while here, and as property owners contribute greatly to local economies.
3. Limiting commercial use may have extensive impacts to the town of Ennis. We value the few amenities and businesses of Ennis and don't want to see them diminish. We advocate for minimal restrictions to the outfitting businesses.

Thank you,

Logan Owens
Tex-Mix Land, Ltd
512-968-5820
logan@texmix.com

From: flyfishpat@gmail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Wednesday, October 28, 2020 12:13:03 PM

Name: Patrick Straub
City: Bozeman
Hello Montana FWP,

As a commercial user (SRP holder) I am deeply concerned that 2019 and 2020 commercial use will show a definite "gold rush mentality" on use patterns AND with 2020 being a COVID year it will also be very skewed. Please consider an alternate way to determine historical use--perhaps averages of a few years, etc, etc.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: brandy_moses@msn.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Wednesday, October 28, 2020 12:10:53 PM

Name: Brandy Moses
City: Bozeman
Hello Montana FWP,

Please do not use 2019 or 2020 commercial use. Since news of this management plan began in 2018, please use 2017 or 2018 as I bet there was a "gold-rush" mentality to show as much use as possible for 2019 or 2020.

Thanks!

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: steeringwinds@gmail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Wednesday, October 28, 2020 10:22:06 AM

Name: Paul Scott

City: Williamsburg, VA

I write as an out-of-state fisherman who travels to the Madison usually once every few years with my two brothers. I respect that I don't know everything about what those who are on the river daily and only offer this comment as a potential solution or way forward on Rule 3. This is a thorny issue and I don't envy the group's task, results of which will not make everyone happy.

When the US Govt took over the occupied lands to form the Shenandoah National Park, and the Great Smokey Mountains National Park, they put purchases in place for some lands, and for others, put sunset clauses on properties where the current owner could remain their until their death, and when they passed the deed reverted to the US govt with compensation for the former heirs. Would the same work here, wherein the concerns about individual property owners getting a windfall benefit at the expense of others, which seems to be the rub here. So, yes, I'm proposing the Commission consider whatever legislative tools are needed - including invoking Eminent Domain - to secure the properties in question for the public good.

My brothers and I also support a substantial increase in the cost of an out-of-state license for the 'peak season', which will serve to raise revenue for adequate enforcement and facilities maintenance, but also to potentially soften the demand on these rivers at peak times.

Also, no rule or plan will make any difference if there is no enforcement, so the Commission and the State must be prepared to support adequate enforcement of whatever plan is decided upon or all this will be a waste of time.

Good luck to you all, and I hope to be back on the Madison soon.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [Scott Burford](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] ARM 12.11.501 proposed new rules
Date: Wednesday, October 28, 2020 10:10:58 AM
Attachments: [image002.png](#)

October 28, 2020

Department of Fish, Wildlife & Parks
Madison River Rules
Attention: Fisheries
P.O. Box 200701
Helena, MT 59620

Re: Amendment of ARM 12.11.501 and the adoption of NEW RULES

To whom it may concern:

My family and I have enjoyed wade fishing the Madison most summers since 1985. Although in the early days we would catch and eat fish, that quickly changed to catch and release with artificial flies and later barbless only. Over the years, we have seen the fishery evolve through different cycles but nature always seems to correct itself. We applaud and appreciate all that the FWP has done to help manage this pristine resource for all to enjoy responsibly.

With regard to the above proposed rule changes for fishing the river, please allow me to submit the following comments:

- The status quo on the wade-fishing areas is acceptable. Any plan to allow fishing from a boat in these areas is not acceptable.
- Non-resident anglers should not be restricted in their fishing rights or access. A required stamp is restricting access. They are often unaware of rule changes, less flexible in their plans while here, and as property owners contribute greatly to local economies.
- Limiting commercial use may have extensive impacts to the town of Ennis. We value the few amenities and businesses of Ennis and don't want to see them diminish. We advocate for minimal restrictions to the outfitting businesses.

Some of the specific language used in the proposed rules was a bit difficult for me to understand. Hence the generality of the above comments.

Thank you for your consideration.



Scott Burford, CFA

O: 214-523-2333

C: 214-675-1984

Scott@burfordbrothers.com

www.burfordbrothers.com [burfordbrothers.com]

7001 Preston Road, Suite 405

Dallas, TX 75205

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From: [Travis Terry](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] Madison River Rule Changes
Date: Wednesday, October 28, 2020 9:25:23 AM

Department of Fish, Wildlife & Parks

Madison River Rules

Attention: Fisheries

P.O. Box 200701

Helena, MT 59620

Re: Amendment of ARM 12.11.501 and the adoption of NEW RULES

FWP,

With respect to the above proposed changes:

The status quo on the wade-fishing areas is acceptable. Any plan to allow fishing from a boat in these areas is not acceptable.

Non-resident anglers should not be restricted in their fishing rights or access. A required stamp is restricting access. They are often unaware of rule changes, less flexible in their plans while here, and as property owners contribute greatly to local economies.

Limiting commercial use may have extensive impacts to the town of Ennis. We value the few amenities and businesses of Ennis and don't want to see them diminish. We advocate for minimal restrictions to the outfitting businesses.

Travis Terry

From: sallen3@myfairpoint.net
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Wednesday, October 28, 2020 8:17:10 AM

Name:

City:

With 30+ years of wade fishing & floating the Madison between Quake & Ennis I think I have an appropriate overview.

1) FOAM's ideas/recommendations for walk/wade are a deflection to solving the use/crowding issues from Lyons Bridge down stream. Some guides have stated the wade fishermen have access to all the river while they are restricted (fishing from a boat) to below Lyons. During my float trips & from general observations once passed the boat access points very few if any wade fishermen are seen/encountered. Solve their overuse/crowding issue. It's all about their \$\$\$\$. Keep all guided boats out of the wade section. Nothing prevents them from guiding clients on foot in the walk/wade section. Many have....

2) As for the crowding issues in walk/wade section those complaining need to walk further or fish earlier/later to get their "favorite" spots. Some fishermen will always whine & complain. Who doesn't want the river to themselves! Maybe Fly Fishing Etiquette (FFE) classes should be required to obtain a MT fishing license or how about having Fly Fishing Referee patrolling the banks giving poorly behaving fishermen an on-the-bank timeout...

thanks

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [John Dodson](#)
To: [FWP Madison River COM](#)
Subject: [EXTERNAL] Amendment of ARM 12.11.501 and the adoption of NEW RULES
Date: Tuesday, October 27, 2020 9:07:27 PM

FWP,

Regarding the above Subject changes, I'm convinced:

- The status quo on the wade-fishing areas is acceptable. Any plan to allow fishing from a boat in these areas is not acceptable.
- Non-resident anglers should not have their fishing rights or access restricted. These visitors are often unaware of rule changes and less flexible in their plans when coming to Montana.
- New Rule II Rest/Rotation of Madison River Commercial Use and New Rule III Walk/Wade Sections of Madison River will lead to overcrowding on the Madison River.
- Limiting commercial use of the Madison River will have extensive impacts to the town of Ennis. I advocate for minimal restrictions to outfitting businesses.

John Dodson
Mobile 972 822 0842

From: Bradasmus@cacentral.com
To: [FWP Madison River COM](#)
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Tuesday, October 27, 2020 7:49:38 PM

Name:

City:

Commercial use should be banned. No commercial guiding should be allowed. Commercial guides, by their very expertise, exert an outsized pressure on the resource.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [Mike Terry](#)
To: [FWP Madison River COM](#)
Subject: [EXTERNAL] Montana FWP Proposed Changes
Date: Tuesday, October 27, 2020 3:44:33 PM

October 27, 2020

Department of Fish, Wildlife & Parks
Madison River Rules
Attention: Fisheries
P.O. Box 200701
Helena, MT 59620

Re: Amendment of ARM 12.11.501 and the adoption of NEW RULES

FWP,

With respect to the above proposed changes:

1. The status quo on the wade-fishing areas is acceptable. Any plan to allow fishing from a boat in these areas is not acceptable.
2. Non-resident anglers should not be restricted in their fishing rights or access. A required stamp is restricting access. They are often unaware of rule changes, less flexible in their plans while here, and as property owners contribute greatly to local economies.
3. Limiting commercial use may have extensive impacts to the town of Ennis. We value the few amenities and businesses of Ennis and don't want to see them diminish. We advocate for minimal restrictions to the outfitting businesses.

Regards,

Mike Terry
President

M. Terry Enterprises, Inc
12240 Inwood Road
Suite 300
Dallas, TX 75244
<http://mterryenterprises.com/> [mterryenterprises.com]

214.368.1550 ph
214.361.4835 fx
mike@mterryent.com

From: [Alan Friedman](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] FW: Letter regarding Madison River Rules
Date: Tuesday, October 27, 2020 2:06:30 PM
Attachments: [MadisonRiverRules.FWP.10.27.20.pdf](#)

Department of Fish, Wildlife and Parks,

Attached please find my letter pertaining to potential rules for the Madison River.

Regards,

Alan Friedman

From: dfarrar@tuesdaymorning.com on behalf of [Steve Becker](#)
To: FWP.MadisonRiver.COM
Subject: [EXTERNAL] Re: Amendment of ARM 12.11.501 and the adoption of NEW RULES
Date: Tuesday, October 27, 2020 2:03:36 PM

October 27, 2020

Via Email: Madisonrivercom@MT.gov

Department of Fish, Wildlife & Parks
Madison River Rules
Attention: Fisheries
P.O. Box 200701
Helena, MT 59620

Re: Amendment of ARM 12.11.501 and the adoption of NEW RULES

FWP,

With respect to the above proposed changes:

1. The status quo on the wade-fishing areas is acceptable. Any plan to allow fishing from a boat in these areas is not acceptable.
2. Non-resident anglers should not be restricted in their fishing rights or access. A required stamp is restricting access. They are often unaware of rule changes, less flexible in their plans while here, and as property owners contribute greatly to local economies.
3. Limiting commercial use may have extensive impacts to the town of Ennis. We value the few amenities and businesses of Ennis and don't want to see them diminish. We advocate for minimal restrictions to the outfitting businesses.

Regards,
Steve Becker

Steven Becker

Chief Executive Officer



(O) 972.387.3562 x7117

sbecker@TuesdayMorning.com

Tuesday Morning, Inc. | 6250 LBJ Freeway, Dallas, TX 75240

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From: [Bill Sachs](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] Amendment of ARM 12.11.501 Letter
Date: Tuesday, October 27, 2020 1:33:26 PM
Attachments: [2020-10-27-Letter to Dept of Fish,Wildlife & Parks.pdf](#)

Please see attached letter regarding New Rules.

Thank you.

William R. Sachs
St. James Investment Company
3838 Oak Lawn Avenue, Suite 1414
Dallas, Texas 75219
Direct Dial 214.484.7250 x203
Facsimile: 214.889.5057
Email: bill@stjic.com
Website: <http://www.stjic.com> [stjic.com]

From: [Mike Cagle](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] Comments to ARM 12.11.501 Proposed New Rules
Date: Tuesday, October 27, 2020 1:17:40 PM
Attachments: [Montana FWP Comments Letter.docx](#)

Fisheries, please see my attached comments for the proposed rule changes for the Madison River. Thank you.

Mike Cagle
Inroads Realty
8401 N. Central Expressway
Suite 605
Dallas, TX 75225
mcagle@inroadsrealty.com
T 972.764.6001
C 214.502.6313

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From: qgrover@gmail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Monday, October 26, 2020 6:11:19 PM

Name: Quinn Grover

City: Idaho Falls, Idaho

I began fishing the Madison regularly around 2005 and I have purchased a nonresident season license to fish Southwestern Montana almost every year since. During these 15 years, crowding has basically doubled on the river (according to the FWP Environmental Assessment). It seems clear that something needs to be done to protect the resource. The crowding of the last several years in the sections that have the best access for walk and wade angling has led me to reduce the number of days I spend on the river each year (and by extension, the money I spend at local businesses in southwestern Montana).

I don't think any of the three options are acceptable because none of them get at the issues of non-commercial use. FWP should consider a Madison River stamp that requires an additional cost beyond the standard cost for a fishing license and is required for anyone fishing the river. If the extra cost of the stamp doesn't reduce or halt the growth of anglers on the river, then I would suggest limiting the number of stamps sold each year to a number that keeps the trout healthy and the anglers from tripping over each other. People would be angry about this, but in order to reduce the strain on the river, you will have to reduce non-commercial and commercial use. The pay-for-play stamp would be required for both types of users and would generate money that could be used to purchase additional access or perform river conservation.

In addition, I am against allowing fishing from a boat in the sections where it is currently not allowed. Leave the section from Reynolds Pass to Lyons Bridge for the wade anglers. The FOAM's plan to open it up to boat fishing is a problem for me, just like the Sportsmen's association plan to corral all the boats in a smaller section of river is problem for me. We should be trying to reduce overall use rather than simply moving the use around.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [Pieske, Shawna](#) on behalf of [FWP Commission](#)
To: [Wedde, Kim](#); [Ryce, Eileen](#); [Skaar, Donald](#); [Pat Byorth \(fwpdistrict2@gmail.com\)](#); [Rich Stuker](#); [Shane Colton](#); [Tim Aldrich \(Cartim8@gmail.com\)](#)
Subject: FW: [EXTERNAL] Madison River Recreational Plan
Date: Monday, October 26, 2020 4:25:11 PM

From: orville bach <orvillebach@yahoo.com>
Sent: Monday, October 26, 2020 4:03 PM
To: FWP Commission <FWComm@mt.gov>
Subject: [EXTERNAL] Madison River Recreational Plan

Thank you for the opportunity to comment on a Madison River plan.

I frequently enjoy using the Madison River for recreational use, primarily to fish and to simply enjoy paddling the river for its relaxing recreational quality.

I urge you to use science and biology to make your decisions and not the whims of special interest groups, ESPECIALLY outfitters who may be more interested in their pocketbook than the resource itself.

I would consider the Smith River as a good example of good quality management. During the several times I have been fortunate enough to paddle this river I have been impressed by the intense management to preserve the resource as well as the experience.

This is what you need to focus on for the Madison

Best wishes,

Orville Bach
Bozeman

From: puckster260@yahoo.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Thursday, October 22, 2020 9:59:15 PM

Name: A.Keller

City:

The explosive population growth in the Bozeman area will certainly impact the Madison fishery in negative way and should be considered in your discussions. The Madison has been loved to death. Fish quality and fishing experience has suffered . Will probably look at other rivers or states.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: mandotrout@gmail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Wednesday, October 21, 2020 11:28:50 PM

Name: Jeff May

City: Helena

Dear FWP. i am a long time resident of Montana who has been largely displaced from fishing the Madison River during the summer months due to overcrowding. Please accept my comments on the Madison River Rule Proposal.

Let me start by saying that there is very little in the FOAM petition that I find addresses the social issues on the Madison River. The contention that guides and outfitters are only a small percentage of the annual use on the river is ludicrous for a couple of reasons. First, the issues in question do not occur on an "annual" basis, but instead only during the peak use months. During these times FWP has more than adequately documented that boat traffic on the river downstream of Lyon's Bridge is something like 60 - 65% guides. Second, and more importantly, the use of "angler days" as a measure of pressure inflates the prevalence of the noncommercial users. A wading or bank angler who steps into the river for a couple of hours and has limited contact with any other angler (other than passing boats) is counted the same as a fishing guide who is on the river for half the day or more and is constantly navigating among other boats and wading anglers. It is simple common sense that the commercial use of the river is the crux of the crowding/conflict problem.

The suggestion that guides and outfitters will self regulate themselves and cap use at current levels is laughable. Their plan is nothing more than a shell game that allows them to continue using the river, and the fish, as their more or less private and unregulated money pit. It is truly offensive.

I believe that commercial use should be reduced to levels that were seen before every outfitter and guide in the state started over using the Madison in an effort to "document" their usage and get themselves grandfathered into the regulatory process. Reduce levels to use that was seen around 2011 or so. If that is too far back then at least reduce commercial use to 2017 levels, before this latest round of madness started.

I do support the requirement for all users to obtain a free use permit, as a means of documenting usage patterns on the river and perhaps enabling future restrictions on non-resident anglers. Since they represent the bulk of use on the river during summer, it would be fair for them to be regulated first, if noncommercial use ever needs to be restricted. I do not support any restrictions, now or in the future, on private, full-time Montana residents using the river.

Of the sportsman's groups petitions, I support the rest and rotation proposal.

I find little in either petition to support with respect to changing the regulations on the walk/wade stretches of the river. I believe they should be left as is. If one must select between the two proposals, I would reluctantly support the sportsman's groups proposals. I would however like to stress that I think the restrictions on float fishing should be maintained in the off season on these walk wade stretches. About the only time I can fish the Reynolds/Three Dollar Bridge stretch is during the off season. I have seen an increase in use on the river in the

early spring (since the closure period was eliminated), and removing the floating fishing restrictions during this time would only make an already crowded experience even worse.

I have always supported FWP's original 2018 proposal for new regulations on the Madison. I still think it represented the most balanced approach to the entire issue. I find it extremely alarming that the commissioners are so willing to bow to the wishes of the guides and outfitters on this issue. It reeks of the old "he who has the gold makes the rules" corruption that has played way too large a part in the history of Montana.

Thank you for considering my comments.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: expeditionsonthefly@gmail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Wednesday, October 21, 2020 2:03:33 PM

Name:

City:

Has there been a discussion to use a similar boater pass system as used on the Deschutes River? This may help track and manage a number of boaters on each section of the river - why collecting fees to support conversation and restoration.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: casey.kendell@salomon.com
To: FWP.MadisonRiver.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Wednesday, October 21, 2020 11:15:39 AM

Name: Casey Kendell

City:

My family has been fishing the Madison since the slide happened in the 50's. My Grandfather would take our family. Our family now goes and takes an RV and leaves it there from Memorial day until Labor Day. We spend most of the summer there. We consider it our "family river". In the winter time we enjoy skiing as a family. One day while skiing they had to close a couple of the lifts due to avalanche danger. Everyone was then forced to go to the lifts that were operating causing crowding. Once the other lifts were up and ready to go people spread out and it didn't seem crowded at all. The same thing can apply to the Madison River. If we shut down portions of it, people will go to where they can access it causing more crowding and then more conflict. Is there really conflict? As mentioned previously my family has been fishing for years. We never took any survey. I see trucks driving all the time that say how is my driving call this number? Do you think anyone is calling the number to say hey wait to go your driving is excellent. I doubt it. they are only going to get the bad calls. Same thing with the survey. If you say is the Madison crowded. The answer will always be yes. Everyone would like to have the Madison to themselves. The question we should ask is do you like fishing the Madison. Everyone will say they do that is why they/we keep coming despite the so called crowds. I think we need better data. I think by having this you are getting the real survey results. With regards to the walk wade section. If you limit boats to access you are going to have more conflicts. Land owners already think they own the river. The conflict arises on where the high water mark is. Limiting boat access will cause more people to walk on high water mark causing conflicts with landowners saying they own the high water mark. As with the skiing scenerio we should in fact open up the walk wade section to allow fishing from a boat it will spread people out and give them access. Having the designation of walk wade causes more issues. Open it up if you are really concerned about crowding or conflict. It is those landowners that are causing the conflict. I have floated many a times down there. One of my favorite spots is what we refer to as the log jams. I have seen numerous times where a land over keeps a fish and takes it up to their car/cabin. That can help explain a decrease in the numbers of bigger fish we are seeing. These landowners think it is there river and can do whatever they want. If we open it up they will be less likely to keep keeping fish because they will continue to get caught. I like that we are trying to come up with some sort of solution, but lets get good data. My grandfather who taught me to fish also taught me to "measure twice and cut once". Let's not rush into it. Get accurate data, accurate "problems" and address them. It is a nice thought to do something but lets not just rush to check a box and say madison done. The path to hell is paved with good intentions. No good deed goes unpunished. We could do some rules that make it worse. The law of unintended consequences. Thanks for your time. Casey

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [Snyder, Jessica](#)
To: [FWP Madison River COM](#)
Subject: FW: [EXTERNAL] Public hearing regarding rule changes on the Madison River
Date: Tuesday, October 20, 2020 8:35:31 PM

-----Original Message-----

From: ferenc <ferenc.horvath@gmail.com>
Sent: Tuesday, October 20, 2020 7:42 PM
To: Snyder, Jessica <JessSnyder@mt.gov>
Subject: [EXTERNAL] Public hearing regarding rule changes on the Madison River

Hello

This is just my written comment, which I also made on the call. Not sure where I can submit them.

Desktop file: Madison River Proposed Rules.pdf (check rule number V)

- I've wade fished the Madison River for 28 years now. I come up from Colorado to fish the river for weeks. This Summer for 6 weeks. As a visitor I spend thousands of dollars on cabin rental, merchandise, and supplies.
- As a wade fisherman I'm completely against fishing from boats from Quake Lake to Lyons Bridge.
Boats carrying fisherman already disturb the fish for the rest of us.
- They can still get out of the boat and wade fish
- They have access to far more of the river than wade fishermen do, so why rob the rest of us from fishing in peace?

If you want to reduce crowding on the river, please clarify the rules about river access for wade fishermen. I believe the spirit of the current law is that one should be able to walk along river in peace in order to fish **WITHOUT** trespassing on the land. The law is confusing and some landowners put up signs claiming that I need to be standing in the river. If that was the case, the law would have stated it differently, I believe. If the language was unambiguous, then more of the river would be open to wade fishermen and reduce crowding.

Regards

Ferenc "Frank" Horvath
3661 Starflower Road
Castle Rock, CO 80109

Tel: 303-518-2299

From: Rnrbentrod ranch@mail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Tuesday, October 20, 2020 8:00:32 PM

Name: Griffin

City: Seattle

I am writing on behalf of the common person, man or woman, who can not afford the high dollar fee to hire an outfitter and need access to the Madison River and a section of the river to fish without the interruption of boats and rafts coming through the river while you are wading .

The section of the Three Dollar Bridge area provides those who cannot afford a guide to fish a premier blue ribbon river during the caddis, hopper and salmon fly hatches. It is imperative to remember that from a commercial standpoint the "common fly fisherman" still spends hundreds of thousands of dollars on meals, groceries, hotel rooms and at the fly shops in the area to follow their dream of fishing the Madison without being able to hire a guide. On any given day from May until September there are 20-25 cars parked at the Three Dollar Bridge wade fishing and enjoying the opportunity to catch a world class trout without the constant conflicts that arise when there are fishermen that are allowed to fish from boats .

Please do not change the rules of the Three Dollar Bridge section unless it is to ban completely all boats from this section entirely.

In this case take care of the little people and allow them to continue to have a place to fish the majestic Madison River and meet the dream of being able to wade unencumbered and catch a beautiful Rainbow or Brown trout .

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: Rnrbentrod ranch@mail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Tuesday, October 20, 2020 8:00:17 PM

Name: Griffin

City: Seattle

I am writing on behalf of the common person, man or woman, who can not afford the high dollar fee to hire an outfitter and need access to the Madison River and a section of the river to fish without the interruption of boats and rafts coming through the river while you are wading .

The section of the Three Dollar Bridge area provides those who cannot afford a guide to fish a premier blue ribbon river during the caddis, hopper and salmon fly hatches. It is imperative to remember that from a commercial standpoint the "common fly fisherman" still spends hundreds of thousands of dollars on meals, groceries, hotel rooms and at the fly shops in the area to follow their dream of fishing the Madison without being able to hire a guide. On any given day from May until September there are 20-25 cars parked at the Three Dollar Bridge wade fishing and enjoying the opportunity to catch a world class trout without the constant conflicts that arise when there are fisherman that are allowed to fish from boats .

Please do not change the rules of the Three Dollar Bridge section unless it is to ban completely all boats from this section entirely.

In this case take care of the little people and allow them to continue to have a place to fish the majestic Madison River and meet the dream of being able to wade unencumbered and catch a beautiful Rainbow or Brown trout .

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: Rnrbentrod ranch@mail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Tuesday, October 20, 2020 7:57:53 PM

Name: Griffin

City: Seattle

I am writing on behalf of the common person, man or woman, who can not afford the high dollar fee to hire an outfitter and need access to the Madison River and a section of the river to fish without the interruption of boats and rafts coming through the river while you are wading .

The section of the Three Dollar Bridge area provides those who cannot afford a guide to fish a premier blue ribbon river during the caddis, hopper and salmon fly hatches. It is imperative to remember that from a commercial standpoint the "common fly fisherman" still spends hundreds of thousands of dollars on meals, groceries, hotel rooms and at the fly shops in the area to follow their dream of fishing the Madison without being able to hire a guide. On any given day from May until September there are 20-25 cars parked at the Three Dollar Bridge wade fishing and enjoying the opportunity to catch a world class trout without the constant conflicts that arise when there are fishermen that are allowed to fish from boats .

Please do not change the rules of the Three Dollar Bridge section unless it is to ban completely all boats from this section entirely.

In this case take care of the little people and allow them to continue to have a place to fish the majestic Madison River and meet the dream of being able to wade unencumbered and catch a beautiful Rainbow or Brown trout .

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [Bill Denruyter](#)
To: [Steve Skidmore](#)
Cc: [FWP Madison River COM](#)
Subject: [EXTERNAL] Re: Oppose Regulations Shutting Down Sections Of Madison River
Date: Tuesday, October 20, 2020 2:46:32 PM
Attachments: [image001.png](#)
[image001.png](#)

Well said! Thanks

On Tue, Oct 20, 2020, 10:15 AM Steve Skidmore <SCSKidmore@buckinstitute.org> wrote:

Hi,

My son and I had the opportunity to fish with Bill Denruyter this fall, a small outfitter (Camp Creek Outfitters). Having run a small business in the past, I'm disappointed to hear that you are going to change rules and regulations on The Madison River in order to benefit the large outfitters at the expense of the small outfitters. People like Bill work incredibly hard, please don't disadvantage their effort by rigging the game.

Steve

Steve Skidmore
Facilities Maintenance



The Buck Institute
8001 Redwood Blvd
Novato, CA 94945
415-209-2000 x6025
buckinstitute.org [buckinstitute.org]

From: [Brian McGeehan](#)
To: [Pat Byorth](#); [Tim Aldrich](#); [rstuker@itstriangle.com](#); [scolton@yellowstonelaw.com](#); [FWP Commission](#); [lbrower@yahoo.com](#); [FWP Madison River COM](#)
Cc: [Ryce, Eileen](#); [Skaar, Donald](#); [Holmes, Patrick](#); [Williams, Martha](#)
Subject: [EXTERNAL] Recommendations for the Madison River Recreation Plan
Date: Tuesday, October 20, 2020 2:20:59 PM
Attachments: [Madison Pass System Overview.pdf](#)

Dear Commissioners,

I would like to provide some recommendations regarding the Madison River recreation planning process. I am familiar with both petitions that have been sent to public comment. As a fishing outfitter and lodge owner we have a very close connection to the river. Our livelihood depends on the quality experience that the river currently offers anglers. I am in favor of placing use limits on both commercial and non-commercial use. I do have great concerns that some of the management mechanisms that have been proposed in the GGTU petition such as Rest and Rotation and banning boats as a tool for gaining access do not meet management objectives and would reduce angler access while increasing a sense of crowding. I also have significant concerns that if Rest and Rotation is adopted as a solution for non-commercial use management that we will be making a grave mistake.

Rest and rotation avoids setting limits on non-commercial use and thus puts the future of the river at risk. It is highly likely that Bozeman and the Gallatin Valley will follow a similar growth pattern as Boise and Ada County Idaho has over the last 50 years. If our current growth patterns continue (even at a reduced rate), we can expect a 350% increase in the population of the Gallatin County by 2070 when we will likely have over 500,000 residents. Bozeman is already the fastest growing city in the United States.

The GGTU petition would unfairly penalize any angler that chooses to hire the services of a guide. Currently an individual that chooses to hire a guide has access to 56 miles of water from Quake Lake to Ennis Lake. Under the GGTU Petition that level of access for floatable water would drop to only 20 miles of floatable access on weekends. Compressing anglers that currently have access to 56 miles of water into 20 miles of water is not a solution for crowding. Rest and Rotation would NOT place any limits on non-commercial use, rather it would simply invite the fastest growing user segment (resident anglers) into a small 8-10 mile "non-commercial" zone of the river. It will temporarily produce an artificial sense of "solving the problem" and will only let the problem continue to get worse as non-commercial use continues to expand at rapidly rising levels.

We need to adopt trip limits for commercial use now. Rather than adopt mechanisms like boat bans or rest and rotation you should pass a motion to request alternatives for setting a carrying capacity for non-commercial levels of use from FWP. Solutions for non-commercial management on day use rivers already exist in Oregon, Michigan and British Columbia where boater passes or angler passes are used. The Madison needs a system like this for non-commercial use which could be used to protect and enhance the Montana residents' level of access while setting an upper capacity for use. A summary of a plan for non-commercial use with Montana resident protections is attached.

Recommendations:

- 1) Vote to set industry trip totals at 2019 levels but use the FOAM plan for individual outfitter limits (outfitters may choose 2019 OR 2020 season to define their limit) while adding a 3 year window for the industry to decline to 2019 or lower use levels.**
 - a. Once upper limits for each outfitter are defined, individual outfitters will not grow their trip use levels while other outfitters will decline. We see that on the Beaverhead actual use is 60% lower than permit capacity during peak use while on the Bighole actual commercial use during peak is 30% lower than capacity. If total commercial use exceeds 2019 industry levels after the 2023 season the commercial working group will modify individual outfitter limits (possibilities include eliminating flex trips, proportionally adjust individual caps, etc.).
- 2) Modify individual outfitter max trips to be no more than 15% of industry total (FOAM**

currently suggests 10%)

- a. 10% is an arbitrary number and far below a percentage of the market that would form a monopoly on the commercial use of the river.

3) Do not accept Rest and Rotation as a management tool for addressing non-commercial use

- a. Rest and Rotation is the only mechanism that is proposed in either petition that addresses specific changes now for non-commercial use. This is too important of an issue to adopt in isolation of other alternatives.
- b. Rest and Rotation does not set limits on non-commercial use and would allow continued rapid increases in non-commercial use levels.
- c. Rest and Rotation penalizes any individual that hires a guide by limiting their access significantly. Current floating access would decrease from 56 miles to only 20 miles on weekends and cause dramatic crowding in this zone

4) Do not adopt a boat ban on the reaches from Quake to Lyons or Ennis to Ennis Lake

- a. The Madison is a large river. Wading inside the high water mark for long distances is not practical
- b. Most of the land in both the upper and lower wade zones is private land. Without float in access it is very difficult to legally spread out and publicly access most of this water.
- c. The Madison is a considered to be a navigable waterway (on both a national and state level). Boats cannot be banned and fishing cannot be banned by current laws. It does not seem logical to attempt to ban boats IF you plan to use the boat for wade fishing access.
- d. There are better ways to manage limits in the current wade zones. Commercial guide boats average less than 2 boats per day in the wade zones for the season and less than 4 boats per day in the month of June. Commercial limits are already being proposed that would freeze the level of commercial use. Non-commercial boat in access can be managed using a boater pass system.

5) Make a motion that would require FWP develop a plan, timeline and method for setting a carrying capacity for non-commercial use as well as alternatives for managing non-commercial use below this capacity.

- a. A boater or angler pass system is likely the best method for addressing this (see attached outline).

Thank you,
Brian McGeehan

--
Brian McGeehan
Owner and Outfitter
Montana Angler Fly Fishing
435 East Main Street
Bozeman, MT 59715
www.montanaangler.com [montanaangler.com]

cell 406.570.0453
office 406.522.9854

From: Andy7knight@gmail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Tuesday, October 20, 2020 12:55:08 PM

Name:

City:

I would like the number of commercial guided trips to be reduced from their highs of 13,000 to a lower quantity in the range of 10,000-11,000 as the boating pressure is too high to be accommodated at the boat ramps and contributes to high boating traffic.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [Steve Skidmore](#)
To: [FWP Madison River.COM](#)
Cc: ["Bill Denruyter"](#)
Subject: [EXTERNAL] Oppose Regulations Shutting Down Sections Of Madison River
Date: Tuesday, October 20, 2020 10:15:31 AM
Attachments: [image001.png](#)

Hi,

My son and I had the opportunity to fish with Bill Denruyter this fall, a small outfitter (Camp Creek Outfitters). Having run a small business in the past, I'm disappointed to hear that you are going to change rules and regulations on The Madison River in order to benefit the large outfitters at the expense of the small outfitters. People like Bill work incredibly hard, please don't disadvantage their effort by rigging the game.

Steve

Steve Skidmore
Facilities Maintenance



The Buck Institute
8001 Redwood Blvd
Novato, CA 94945
415-209-2000 x6025
buckinstitute.org [buckinstitute.org]

From: meo@grizgeo.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Tuesday, October 20, 2020 10:11:51 AM

Name: Mark E Odegard

City: Ennis

TO: Montana Fish and Wildlife Commission

FROM: Mark E. Odegard; GrizGeo, LLC; Ennis, MT meo@grizgeo.com

Commissioners:

In my previous comments 'FWP_Cmt1_201018', submitted Sunday, my third concern was with the application of the 'Rules' only to commercial users of the River. During my work on the 'Negotiated Rule Making Committee' (NRMC) the opinion expressed by almost everyone was that the 'Rules' should apply equally and that we should all 'share the pain'.

Restricting, in particularly 'capping', the commercial use of the river will restrict economic growth in the Madison River area. Rather than 'capping' commercial river use at some fixed level such as last years, current or some future level a much more equitable and reasonable approach would be to 'cap' commercial usage at a percentage of overall usage. This would insure economic growth of this sector and the overall economy of the Madison area. Any artificial 'capping' of process can also have an adverse effect on innovation.

Estimating overall usage is difficult. In the industry I work in (Oil) every project we do, some in the billion-dollar range, goes through a statistical prediction process. We call it 'risking'.

With a properly designed sampling program this 'risking' process is very robust and accurate. This has saved my industry hundreds of billions of dollars since its adoption. This can be applied to the usage and economic analysis of the Madison River.

Yours Sincerely,

Mark E. Odegard

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [Kevin Hohe](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] Madison regulation
Date: Monday, October 19, 2020 8:57:46 PM

Please don't damage small business and freedom with California type regulation.

Keep Montana, Montana: free.

A neighboring resident concerned for the precedent you guys may set for the rest of our beautiful state.

Kevin hohe

From: Mrtlldk@gmail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Monday, October 19, 2020 8:44:10 PM

Name:

City:

Please consider the feedback of those who are truly affected by anything you decide!!!

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [JOHN BRUNS](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] Madison river restrictions
Date: Monday, October 19, 2020 4:10:19 PM

As a disabled person I find the current and proposed restrictions a violation of my ADA Rights . I love fishing and I want to access to all the waters available to non-ADA persons. Managing head count seems to be a more fair system than the proposed program. Please rethink your proposal and listen to people who love the sport and enjoy the waters of Montana . John

Sent from my iPhone

From: meo@grizgeo.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Monday, October 19, 2020 1:56:56 PM

Name: Mark E Odegard

City: Ennis

TO: Montana Fish and Wildlife Commission

FROM: Mark E. Odegard; GrizGeo, LLC; Ennis, MT meo@grizgeo.com

Commissioners:

In my previous comments ?FWP_Cmt1_201018?, submitted Sunday, my first concern was with the absence of any mention of Global Warming/Climate Change. During my work on the ?Negotiated Rule Making Committee? (NRMC) I prepared a power-point describing some coming changes in the Madison Valley and the effect on the fishery because of warming. I offered to give a 15-30-minute presentation using it, but was rebuffed. I subsequently submitted the PPT to both FWP and the Commission.

Subsequently, about a month ago, I tried to find information on the change with time of water temperature in the Madison River. I found that there is one USGS station which has been recording for about 6 years, which is not long enough to evaluate long term warming of the River. From studies of the Greater Yellowstone Ecosystem air temperatures have been made over a period of many decades. These measurements and results of climate modeling indicate a 2 degree rise in temperature from about 1948. I also found a paper (see discussion after my signature) on water temperatures in the lower Madison. The final conclusion was:

?In any event, all results here suggest that predicted climate change will have a warming impact on water temperatures in the Lower Madison River, and more importantly, the changes are likely to result in a negative impact on fish population health and mortality.?

After thinking about this for several days I suddenly realized that Fish, Wildlife and Parks and the Fish and Wildlife Commission (FWP&FWC) had already tacitly accepted the effect of Global Warming on Montana rivers. FWP&FWC for several years has been imposing ?Hoot Owl Restrictions? on Montana rivers including the Big Hole, Gallatin, Sun, Blackfoot, Bitterroot, Upper Clark Fork, Ruby, Beaverhead, Jefferson and the Madison. In fact, on 14 July 2020 a permanent hoot owl restriction was placed on the lower Madison apparently due to ever increasing temperatures in the River and its effect on the fishery as above.

During our NRMC meetings one presenter from FWP said that temperatures on the upper Madison below Ennis bridge were already periodically exceeding the hoot owl threshold. With increased warming of the river we can expect HO restrictions on the lower part of the upper Madison. My estimate is that within 12 to 30 years we will see these restrictions on the Madison from below Quake lake to the confluence with the Jefferson. The shorter estimate is possible if there is an acceleration in warming due to burning of the Amazon forests, a primary source of carbon dioxide sequestration. Note that a La Niña is developing which should lower temperatures and add precipitation in the northern US which would mitigate temperature effects in the section below Ennis bridge for a year or two. Hoot owl restrictions will also concentrate use of the river into a much more limited time frame exacerbating crowding.

Since FWP&FWC has already accepted the increased warming in the Madison river, and its effect on degrading the fishery, this indicates that increased fishing pressure may not be having much of an effect on any perceived decline in the fishery. According the MCA and FWC's own enacted rules this negates any reason for enacting restrictive rules on use of the river.

In my PPT I discuss some possible mitigation of the effects of warming on the River.

However, the results of Climate Migration of adversely effected populations in the southern US and Latin America into the Madison Valley will have a major negative effect on any mitigation because of the associated draw down of water flow in the Madison aquifer. This Migration has already started and will probably accelerate.

I am modifying my PPT and will submit it shortly.

Yours Sincerely,
Mark E. Odegard

The paper mentioned above is:

Gooseff, M. N., K. Strzepek and S. C. Chapra (2005) Modeling the potential effects of climate change on water temperature downstream of a shallow reservoir, lower Madison River, MT; Climatic Change 68: 331-353.

This research was done in the late 90's.

I contacted Professor Gooseff, but he has not done any further research on this subject. He suggested contacting Geoff Poole or Rob Payn at MSU, his former students. I have not done this as yet.

The FWP apparently are taking temperature measurements on Montana rivers to monitor hoot owl conditions. It would be useful if these measurements were available publicly.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [Brian McCurdy](#)
To: [FWP Madison River.COM](#)
Cc: brian@greycliffadvisorsmt.com
Subject: [EXTERNAL] Citizen feedback on Madison River plan
Date: Monday, October 19, 2020 11:38:09 AM

Hello,

I know this process has been long and challenging. Thank you for continuing to work for solutions. I am sending my feedback on the current plans and suggesting additional steps. Thank you for including this in your feedback.

I support:

1. NEW RULE I - MADISON RIVER COMMERCIAL USE CAP. Setting limits on commercial / outfitter guided trips based on current levels of use. If you do this, though, please do not exclude future outfitters from participating like happened on the Big Hole. That ended up being a money grab by outfitters who now effectively control the public resource via an oligopoly without new guides/outfitters being allowed to take clients on the river without paying a toll to the outfitters.
2. NEW RULE VI - MANAGEMENT OF LIMITED COMMERCIAL USERS. Provided that this still allows for new guides and outfitters in the future instead of creating scarcity value for existing guides/outfitters.
3. NEW RULE IX - TRANSFER OF GUIDED TRIPS. Provided that the transfer is not for value. Otherwise, the permit days should go back to the pool to be distributed randomly.
4. NEW RULE XIII - PLAN EVALUATION. The only way to know if these new rules are working is to quantitatively evaluate results, both in river traffic and the fishery.
5. NEW RULE XVI - MADISON RIVER USE STAMP. Again, this will be necessary to understand if these changes are leading to results. People should be able to report their individual use.

I do not support:

1. NEW RULE II - REST/ROTATION OF MADISON RIVER COMMERCIAL USE. This is just going to make the crowding problem worse by concentrating ~80% of the river traffic (non-guided) into fewer miles. FWP has never shown that this will do anything to alleviate the crowding issues on the river.
2. NEW RULE III - WALK/WADE SECTIONS OF MADISON RIVER. *This is the worst proposal of all the possible rules.* This will destroy public access to parts of the river, concentrating use in other places. It has the most negative impacts on residents of MT, who are largely limited to fishing Saturday and Sunday (someone has to work around here). In addition, this creates an extremely dangerous precedent that other landowners will use to try to exclude public access to rivers in other parts of the state.
3. NEW RULE IV - LIMIT DEVELOPMENT ON MADISON RIVER. I understand the desire to retain the primitive nature of the lower river, but FWP has never shown that this would alleviate crowding on the river. If anything, allowing some boat ramp development to the lower river could reduce crowding elsewhere on the Madison.
4. NEW RULE V - MADISON RIVER WALK/WADE SECTIONS. I do not think we need to create new water for people to fish from watercraft/boats/inflatables. There is plenty of water for float fishing.

From: Richard Gockel <richgockel@gmail.com>
Sent: Monday, October 19, 2020 11:39 AM
To: FWP Madison River COM <madisonrivercom@mt.gov>
Subject: [EXTERNAL] Wade section option

Commissioners,

Please consider this option for a wade section regulation that provides additional river miles of no boat access fishing without the public access issues of Rule III. It gives additional no boat fishing distance without losing public access.

- Quake lake to the end of the public land access down stream of \$3: No fishing from a boat or using a boat for access to fish. Floating through with fishing equipment is acceptable but it can't be used. There is no boat launch at \$3.
- End of public land access down stream of \$3 to Ennis bridge: Open to float fishing. The big no trespassing sign on river left makes it easy to tell when you can start float fishing. FWP could also add a sign. (See picture below)
- Ennis bridge to Ennis lake: No fishing from a boat, a boat can be used for access, status quo.

For the 2% of anglers that consider boats in the wade section the major problem on the river, they get several additional miles of no boat fishing on the Madison. This is in addition to the 15 miles in Yellowstone Park they already have. The additional miles are primarily from the public land section above Reynolds Pass to the \$3 access site. From Reynolds Pass to \$3 there is good public access on both sides of the river, so public access is still maintained. In addition, the section from Hebgen Lake to Quake Lake rarely sees a boat. This would make well over 20 miles of the Madison River without boat anglers. This is addition to the Ruby River, Jack Creek, Indian Creek, the West Fork of the Madison and other streams in the area that rarely or ever see a boat. There is no need to eliminate public access on the Madison to have plenty of river miles with no boat fishing.

Increasing the float fishing length should help spread out usage. FWP could monitor usage to see if some use transitions from the Lyons to Ennis section to the new float fishing section. The more fishing pressure is spread out the less chance there is of an individual fish being caught. This should reduce hooking mortality. This should help until fishing pressure is controlled to an acceptable level. The FWP could also monitor to see if there is an effect on fish populations between the new float fishing section and the boat for access wade fishing section.

The picture below shows the end of public land access below the \$3 access site. This is where anglers could start float fishing.



5. NEW RULE VII - TRANSFERRED PERMITS. This creates private value for a public good. Permits should be transferable, but not for pay. Please do not recreate the disaster on the Big Hole.

I have no opinion:

1. NEW RULE VIII
2. NEW RULE X
3. NEW RULE XI
4. NEW RULE XII
5. NEW RULE XIV

I also suggest you consider:

The overall issue here is about the quality of the fishery and the concentration of anglers in the water. We should pursue opportunities to expand access or improve more miles of the fishery. Removing the Ennis Lake Dam seems like a way to expand opportunity by improving more miles of the fishery. The dam is outdated, draws warm water from the top of the lake that negatively impacts the fishery downstream and it has minimal power value to Northwestern Energy. Removing that dam has the potential to improve dozens of miles of fishery, which would allow for more use to be spread out over more miles of higher quality water.

Thank you,

Brian S. McCurdy
brian.s.mccurdy@gmail.com
(406) 219-1169

From: [joanneoc10](#)
To: [FWP Madison River COM](#)
Subject: [EXTERNAL] proposed amendment and adoption of new rules for Madison River
Date: Monday, October 19, 2020 10:54:36 AM
Attachments: [I have been fishing in Montana for over 50 years.docx](#)

I have attached a letter addressing my concerns regarding the proposed new rules for the Madison river. Please reply to this email and acknowledge it has been received and the attachment has been opened. Thank you Joanne O'Callaghan

From: henrywelles@gmail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Monday, October 19, 2020 9:48:32 AM

Name: Hank Welles

City:

DO NOT CLOSE ANY SECTION OF THE MADISON RIVER TO ACCESS FROM
FLOATING/BOAT USE! YOU CAN NOT TAKE AWAY ACCESS FROM THE PEOPLE
OF MONTANA! CONTINUE TO ALLOW FLOAT ACCESS TO ALL OF THE MADISON
RIVER.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules
and EA' Public Notice Web Page.

From: flyrod270@gmail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Monday, October 19, 2020 6:55:39 AM

Name:

City:

The answer to the Madison overcrowding problem is, restrict the guiding to current Montana outfitters ONLY!

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: flyrod270@gmail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Monday, October 19, 2020 6:52:58 AM

Name:

City:

The answer to the Madison overcrowding problem is the restrict the guiding to current Montana outfitters ONLY!

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: parker.redmond@gmail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Monday, October 19, 2020 6:42:36 AM

Name: Parker Redmond

City: ENNIS

In this upcoming meeting, I ask that you all strongly consider the positions of those guides and outfitters that reside year-round in Ennis, Montana. With children and mortgages, it is imperative that you listen to us so that we can continue to live here.

Along those lines, we are the unofficial experts on the upper Madison River. We monitor the riparian ecosystem, the water quality, fish health, fish size, fish numbers, boat traffic, crowding, commercial use and social conflicts (of which there are very few instances).

Using the George Grant Chapter of Trout Unlimited as a framework for your impending regulations is completely negligent. They aren't the experts on this river. We are.

Rest and Rotation is foolish. Bozeman, Montana is growing to the point where every house sold practically comes with a trained black lab waiting to greet you alongside a new Toyota Tundra and drift boat. In regards to crowding, think of the upper Madison River as a freeway. If you close sections or lanes on a freeway, you end up with MORE traffic. If you expand or add lanes to a freeway, you REDUCE traffic.

We as outfitters and guides in Ennis, Montana have accepted the fact that our usage of the Madison River will be reduced. We consider it a compromise. If we are regarded as an important asset to the state's outdoor recreation industry, then what are you going to do to help us?

Make yourselves look good here, because you are all good people with good intentions. Don't be afraid to make your own decisions and not rely on outside organizations to call the shots. A way to help yourselves stand out here is to also throw the world a completely legitimate curveball in this entire process:

1. Barbless Hooks and Artificial Flies and Lures ONLY on the ENTIRE Madison River. (It's 2020!)
2. Single Hook Limit per Fishing Rod. (Means one fly, or one hook)
3. Open the entire upper Madison River to float fishing, 7 Days a week, year-round. (You won't do this, but you should)
4. Give special consideration to guides and outfitters that reside year-round in McAllister, Ennis & Cameron, Montana. (Again, you won't do this, but you should)

Thank you for all the time and energy you've put into this whole process. It has gone on for a while and we're all a bit exhausted!

Parker

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: graff924@gmail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Sunday, October 18, 2020 9:50:58 PM

Name:
City: Bozeman
George Grant Chapter of Trout Unlimited has ABSOLUTELY NO BUSINESS in the
MADISON RIVER.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules
and EA' Public Notice Web Page.

From: meo@grizgeo.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Sunday, October 18, 2020 2:54:19 PM

Name: Mark E Odegard

City: Ennis

TO: Montana Fish and Wildlife Commission

FROM: Mark E. Odegard; GrizGeo, LLC; Ennis, MT meo@grizgeo.com

Commissioners:

I have contributed significantly to three major environmental assessments in China, Mexico and at the Hanford Site in central Washington State, and on numerous smaller projects. I have read the EA for the Madison River several times. There are several major and many minor omissions in the EA. I will comment on each of the separately in the future. The major ones that I see are:

- 1) There is absolutely no assessment of the effects of Climate Change/Global Warming.
- 2) There is no real economic analysis of the effects of any of the "Rules" on the local economies in the Madison River area.
- 3) The "Rules" would apply only to commercial use of the River. This means that the use of the river will grow as it has. "Rules" should apply equally to all parties using the River.
- 4) There is no economic analysis of the benefit of these "Rules" to those proposing the rules as opposed to other affected parties.
- 5) There is no "checkoff list" of factors that should be analyzed such as that from HUD:
<https://www.hudexchange.info/resource/3140/part-58-environmental-assessment-form/>
- 6) An EA is not a final document but as pointed out by FEMA:
<https://www.fema.gov/emergency-managers/practitioners/environmental-historic/assessments>
"An EA must address and document those areas where there is a potential to significantly affect the environment and provide the public an opportunity for involvement and input in the decision process in accordance with the law. The EA concludes with a one of two decision documents, either a Finding of No Significant Impact (FONSI) or the Notice of Intent to Prepare an Environmental Impact Statement (EIS)."

Yours Sincerely,
Mark E. Odegard

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: jflak@mtech.edu
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Sunday, October 18, 2020 2:17:53 PM

Name: Joseph

City: Butte

To alleviate crowding open up the entire river to floating. Closing sections increases crowding since guides will have to cram into the open sections.

Add a daily fee to fish the Madison. Say, \$10 for nonresidents a day and \$25 for a resident season pass. You can also have resident daily fees.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [Ross Basch](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] boat access to the Madison
Date: Friday, October 16, 2020 3:05:30 PM

I am a New Yorker who has fallen in love with the Madison River. Unfortunately, due to an injury to my left leg I am unable to wade {I've tried and ended floating down the river}. If boat access is restricted it appears that one of the currently considered proposals will eliminate any chance that I might have to fish the upper Madison. I am sure that I am not the only fly fish advocate who is unable to wade. Please consider the handicapped when you choose a solution to the excess traffic on the river.

Ross Basch, MD
205 West End Avenue
New York, NY, 10023



Virus-free. www.avg.com [[avg.com](#)]

[\[avg.com\]](#)

From: [Cynthia Howell](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] Public comments for Madison River proposed regulations
Date: Friday, October 16, 2020 2:54:28 PM

Dear Sirs:

Part of the recreational opportunities in Bozeman and Ennis include access to a variety of fly fishing options. The Madison River is clearly an important ecosystem, and I appreciate that our citizens are aware that this ecosystem should be protected. While I applaud the efforts to create functional, reasonable rules for use of the river, there are portions of the proposed rules that I feel miss the mark.

Please thoughtfully consider my comments regarding managing recreational use of the Madison River.

Ensuring long-term health and sustainability of the fisheries:

I disagree that limiting the number of only guided fishing trips is the most effective method of protecting the native fish from being over-stressed by fishing. Instead, it would seem more effective to me to limit the fishing methods used to ease the negative impacts on the fish.

For example:

- Limiting anglers to a single fly per line
- Mandating barbless hooks
- Prohibiting or limiting streamer and/or nymph fishing at least at certain times of the year

These fishing method limits could certainly accomplish less stress on the fish population without further restricting access. Montana seems to have little if any restrictions on HOW the fish are caught compared to other areas I have fished. Successful fishing management should certainly include consideration of not just the number of anglers, but also using fishing methods and fish handling techniques that encourage the long-term health of the fish population.

Diversifying angling opportunity while reducing conflict:

I don't believe that guided fishing trips are the sole challenge in managing the recreational use of the Madison River, yet the proposed regulations seem to heavily target guided trips. I support a limit that would include restricting both guided and non-guided fishing trips to the current levels, but I cannot support rules that are unfairly aimed at guided trips and don't acknowledge that local, unguided anglers make up the vast majority of the users (and thus the vast majority of the problem). Restricting only commercial use on sections of the river seems unfair and misguided since one of the stated goals is to "diversify angling opportunity".

I think it would be detrimental to Bozeman as a fishing destination to set arbitrary and confusing restrictions on days and types of access on varying portions of the river. The "rest and rotation" plan seems ill-advised as it does not treat all anglers equally. Visitors and summer residents like me who want to fish both guided and unguided will be unfairly caught up in a dizzying array of restrictions and permit rules if the proposed rules are passed. In addition, banning boats for float-in access on 19 miles of the river doesn't allow anglers to spread out along the river, which unfairly benefits the private land owners and is in direct contradiction to the stated goal of "reducing crowding across all sections of the Madison River". It may reduce land owner unhappiness with anglers floating through the river bordering their property, but I believe that land owner and angler education about what is appropriate and not acceptable would be a better goal. In addition, restricting sections of the river will crowd the available sections more, directly in opposition to easing crowding.

In summary, I encourage the commission to consider these alternative strategies to the proposed rules:

- Limit fishing methods to those with least impact on fish health to provide the greatest sustainability
- Angler and guide education requirements on proper hook removal and release techniques to minimize fish injury and stress
- Trip limits that are not less than 2019 levels (since 2020 is not a typical year) and that apply to all anglers equally
- Land owner and angler education requirement that clearly lays out land owner and angler responsibilities and

limitations, with fines and license suspensions as available enforcement

Thank you for your consideration.

Cindy Howell
1495 W Cameron Bridge Rd
Bozeman

From: jackrivr1@gmail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Thursday, October 15, 2020 5:18:28 PM

Name:

City:

ARE YOU GOING TO USE ALLOCATED DAYS ON THE MADISON, AS YOU DID ON THE BIG HOLE? IT WORKED OVER THERE.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: info@ennischamber.com
To: FWP.MadisonRiver.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Thursday, October 15, 2020 3:30:40 PM

Name: Marshall Bettendorf

City: Ennis, MT

While management of our natural resources is in everyone's best long-term interest, However, the current plans both lack significant answers as to why there needs to be a change and both lack a comprehensive knowledge of the long-term effect to the local economy. For now, I would vote No for both plans, Yes to not make changes now and a resounding YES to working together for a better plans for our public resources.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [Stevan Brodie](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] Madison River EA
Date: Thursday, October 15, 2020 11:04:02 AM

I have traveled to MT to fish the Madison River 3 times in 2 years and have another trip planned in 2021. I come there because I know the existing access laws keep me from being locked out of areas to fish due to limited access.

Hall Brodie
Atlanta Georgia
7708431895

From: [Alex Jacoy](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] Fish
Date: Wednesday, October 14, 2020 6:26:11 PM

One of the things I have not seen much about, is the Hoot owl. July and August being prime time. When a river has to shut down at 2:00 in the afternoon it's hard for the guides to get full price. I think a lot of this prime time on the Madison is guides coming from other countries using the river because of the Hoot owl. Hard to regulate but it's just more traffic on the Madison. Keep up the good work. Thanks Alex Jacoy

From: [Vinnie Meyer](#)
To: [FWP Madison River COM](#)
Subject: [EXTERNAL] Madison River Rec Plan Proposal
Date: Wednesday, October 14, 2020 11:32:37 AM

Dear Commissioners:

The Madison River is in decline as a fishing resource. The fish count survey numbers confirm what long-time fishermen experience.

To my recollection, this decline started when year-round fishing was permitted. Prior to year-round fishing, the stretch from Hebgen Lake to McAtee Bridge was closed to all fishing March 1 through May 15. This regulation served us well for 25 years, from when it was instituted in 1992. The fishing decline accelerated when a boat launch was installed at Reynolds Bridge.

Clearly the current regulations are not working to the benefit of the trout, the Madison River, or the public.

Reverting to the old regulations would be a good first step, and adding regulations based on science and common sense would be a good second step.

Best regards,

Vincent Meyer
2001 N. Lamar St. Suite 160
Dallas, TX 75202
214.616.8029
Fishing the Madison since 1987

From: VOLLMERSSCOTT@YAHOO.COM
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Tuesday, October 13, 2020 11:38:40 PM

Name: Scott Vollmer
City: Gallatin Gateway
Dear Commissioners,

If the Commission insists on a commercial cap for the Madison River, then I would support a cap based on historic use from 2019, or 2020 for individual outfitters if they so choose. However, and we have talked about this on many occasions, bear in mind that any commercial cap that is installed will not have any impact whatsoever on reducing crowding on the Madison River. Any reduction in growth from the commercial sector will simply be filled in almost immediately by the growth from the non-commercial sector, leaving us exactly where we are at now. In fact, the Department themselves reveal this fact in the draft EA when they analyze the projected growth of returning anglers who have stopped fishing the Madison when regulations are implemented. If we are trying to limit crowding, how can more anglers returning to fish be the solution?

While I would support a commercial cap as described above, I cannot support NEW RULE I for the GGTU et. al. petition. The commercial cap in this rule would recreate the commercial cap for the Big Hole/Beaverhead (BH2), a plan that we have been working to better for the last 2 years. If you vote to install NEW RULE I, history has shown us what you will be installing - a plan where the cost of entry for new outfitters will increase exponentially and beyond the reach for most outfitters. This plan is not good for our industry because of the statutory limitations of MCA 47-37-310(4). I urge you to not repeat the mistakes of the past.

Likewise, I cannot support the commercial cap found in NEW RULES VI-XV, which is the FOAM commercial use plan for the Madison. This plan is simply too complex and convoluted to support. While I could provide a detailed analysis of aspects of the FOAM plan that will not work without statutory change, I will spare you the details and try to summarize my concerns. Again, it comes back to the inability to transfer trips between outfitters because of the limitations of MCA 47-37-310(4). We need to get this right first before we agree to a plan that is the equivalent of a square peg in a round hole. This will require statutory change legislatively. If this change can be enacted, then there will be fluidity in the transfer of trips, making many portions of the FOAM plan unnecessarily complex and costly. I urge you to adopt a commercial cap that will not force needless complexity on an industry until this statutory change can be pursued.

There are other options that you can pursue, and MOGA has repeatedly offered a much simpler and far more cost effective plan to implement. While we have provided this plan in the past, we are more than willing to reexamine the applicability of the MOGA commercial use plan for the Madison. This plan has been developed to serve as a bridge until statutory change can be implemented with MCA 47-37-310(4). Also, we developed this plan so that it can be simply and easily used as a template for future commercial caps on other river systems, unlike the FOAM plan, which has been developed specifically for the Madison and Madison alone (by FOAM's own admission). I urge you to give this plan some consideration.

Sincerely,

Scott Vollmer, MOGA Director at Large, Madison Negotiated Rulemaking Committee

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: tom.johnson@yahoo.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Tuesday, October 13, 2020 7:17:11 AM

Name: Tom

City: Ennis

Just as some are experiencing COVID fatigue, many around here are experiencing Madison River Rules fatigue. It's an exhausting debate. One where hyperbole has made the upper Madison River to be perceived as a war zone like atmosphere where 'packs' of anglers now cruise the banks as described in the Bozeman Paper recently. Where 'conflict' is now synonymous with the 'interaction' of boating anglers and wading anglers, according to FWP in this EA. Where professional guides are now considered bullies, who must be evicted from 18 miles of river two days a week to provide a 'sanctuary' for non-guided anglers. And where conjecture is afforded more value than data and facts.

Do we now establish fish and game regulations by petition? What sort of precedent is that? If you enjoy public access, use a boat, are a professional guide/outfitter, a local business owner, or appreciate logic and reason, these rule proposals are bad news. FWP clearly prioritize wading anglers over all other users and their use of the phrase "diversity of angling opportunity" is already being violated by existing restrictions on boats, and yet somehow FWP attempt to justify additional restrictions on boats under the umbrella of "diversity of angling opportunity." Furthermore, if guides make up only 15% of annual use, what good are restrictions on them when non-commercial use far exceeds them with no regulations? What's the point here besides business killing? As someone who likes to float fish the existing float fish water, I'm very opposed to the rest and rotation proposal. No way in hell I want all the commercial users pushed into a smaller box 2 days a week. How does that help alleged crowding? And by the way, what crowding? What conflict? The river is certainly not crowded. Want to see crowding? Go to the Kenai in Alaska. The Madison is not crowded. Parking lots occasionally, but not the river. Let's be clear on that. And what conflict? I still haven't seen any proof that it actually exists. Even FWP say in this EA that they define conflict as interaction among boats and anglers. We've all gotten to a spot we wanted to fish and seen other people. That's called disappointment, not conflict. You'd do yourself a favor by denying these petitions first. Second, open the river entirely to all users for a true diversity of opportunity. Second, institute a barbless rule. Do the stamp thing. Start with those, and see how dispersal works on the Madison. Then adapt. But don't do all this crazy stuff right out of the gate. This is ridiculous.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: landcruzer@frontier.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Friday, October 9, 2020 12:15:46 PM

Name: Jay Martin

City: Athol

The strange new ruling on the wade only section that allows floating on certain days needs to be very clearly defined as no commercial floating use whatsoever regardless of type of flotation in the wade only areas.

Also if the same number of commercial floats that we had this year is still allowed based on the numbers then it will not help. Must be reduced.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: Callanrock@yahoo.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Thursday, October 8, 2020 1:14:11 PM

Name: Robert Callan

City: East Amherst, New York

I live in New York State, but visit my brother annually who lives in Dillon. The Madison is a favorite spot, we do not fish from a boat. However, the commercial fishing industry brings important funds into Montana and should not be affected, with the exception of weekends when more residents fish. I strongly urge you to place a Catch and Release feature, plus a No Live Bait rule to assist in protecting a healthy trout population.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: Callanrock@yahoo.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Thursday, October 8, 2020 1:13:39 PM

Name: Robert Callan

City: East Amherst, New York

I live in New York State, but visit my brother annually who lives in Dillon. The Madison is a favorite spot, we do not fish from a boat. However, the commercial fishing industry brings important funds into Montana and should not be affected, with the exception of weekends when more residents fish. I strongly urge you to place a Catch and Release feature, plus a No Live Bait rule to assist in protecting a healthy trout population.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: spark-gap@bresnan.net
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Wednesday, October 7, 2020 10:29:13 AM

Name: Tom Williams

City: Billings

The real problem is too many people using the river.

People with means will use those means (\$\$\$) to get what they want.

Eventually, the Stream Access Law will be overturned by those with means.

I have fished the Madison since I was around ten years old, both from the shore and by boat, it seem very crowded to me now.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: Callanrock@yahoo.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Wednesday, October 7, 2020 9:26:21 AM

Name: Robert Callan

City: East Amherst, New York

I live in New York State, but visit my brother annually who lives in Dillon. The Madison is a favorite spot, we do not fish from a boat. However, the commercial fishing industry brings important funds into Montana and should not be affected, with the exception of weekends when more residents fish. I strongly urge you to place a Catch and Release feature, plus a No Live Bait rule to assist in protecting a healthy trout population.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [Jim Smith](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] Fwd: Madison River Over Crowding
Date: Wednesday, October 7, 2020 9:00:29 AM

Subject: Madison River Over Crowding

Dear Commissioners,

I wish to comment on the concerns I have about the health and crowding of the MadisonRiver. The crowding is ridiculous. I've seen days where there have been 5-6 boats within 200 feet of each other. You call this a quality relaxing experience?

The number of guided trips must be reduced to a manageable number. The fish need a rest. Why can't we close parts of the river from mid-November to mid-May like we have done in the past?

Quake Lake outlet to Lyon bridge should be wade fishing only. Can't we have one section of the river for wade fishermen only?

There's concern about Ennis business being hurt if the pressure on the river is reduced. If we don't do something soon Ennis will be a ghost town.

I haven't had my drift boat on the river for three years due to the crowding. Please do something !!

Thanks for listening,
Jan & Jim Smith



Jim Smith
20 Osprey Lane
Cameron Mt 59720

406-599-2740

--



*Jim Smith
20 Osprey Lane
Cameron Mt 59720*

406-599-2740

From: [larry best](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] comment
Date: Tuesday, October 6, 2020 4:19:25 PM

I think rotation similar to the Big Hole
would work well.

For 17 years I have spent 6 months in Twin Bridges. For the first time ever I did not fish the Maddy. Too many
boats!

Give the River a break!

Thanks for all your hard work.

Regards
Larry Beat
Sent from my iPhone

From: Fleecermtn@gmail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Monday, October 5, 2020 11:48:52 AM

Name: RR

City: Silverbow

By closing a section to guiding you will force other areas to be more crowded. This has caused serious crowding issues on the Big Hole during peak use on the weekends. The more open area, the more the crowd spreads out. Common sense 101.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: hansdersch@gmail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Sunday, October 4, 2020 9:48:28 PM

Name: HD
City: Bozeman
Dear MS. Doktor and review Panel,

For the following petitions to be implemented one would have to completely disregard the needs of all other users. Particularly, petition three is an abomination. Fisherman already occupy every square inch of the banks of every flowing stream in the state. The Madison river is far more than a fishing hole, it is a center of outdoor aquatic recreation for the whole of southwestern Montana. Please don't let fisherman get their hooks into ownership of the Madison. Rivers are for everyone. Banning floating access appears to fly in the face of public Access laws, and should be rejected outright as a selfish grab for public waterways by a handful of spoiled fishermen.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: Wremo2@aol.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Sunday, October 4, 2020 8:32:16 PM

Name: Paul Waller

City: Billings

50 non-residents per day April-October. 25 Must be guided all times.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [Scott Kennard](#)
To: [FWP Madison River.COM](#)
Cc: [Scotty Hall](#)
Subject: [EXTERNAL] Madison River Comment
Date: Friday, October 2, 2020 6:50:51 AM

All-

As an avid Fly fisherman for over 30 years, I am writing to voice my opinion. Please don't close a section of the Madison. I believe a better solution is to control the amount of daily commercial and private boat traffic, and limit the amount of boats per any one outfitter. Thank you for your consideration and attention in representing this national jewel.

Scott Kennard
Wentworth Builders, Inc
231.526.6377 off.
231.838.2401 cell
sk@wentworthbuilders.com
www.wentworthbuilders.com [wentworthbuilders.com]



From: rblackburnmt@aol.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Thursday, October 1, 2020 9:24:34 AM

Name: Rick Blackburn

City: Gallatin Gateway, MT

I first fished the Madison River in the summer of 1967. I have fished there many times since then. I am a wade fisherman and have walked most of the water from Ennis Lake to Hebgan Dam over the years. My biggest concerns are that nature seems to be hurting the river as much as overfishing. Areas that I once fished are gone because of erosion. Insect hatches seem much more sparse. I hope with any new regulations that FWP will finally employ enough Wardens to make sure that the rules are followed. In over 50 years fishing this river I have only been checked by wardens TWO times!

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [Max Yzaquirre](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] Madison River Public Comment
Date: Wednesday, September 30, 2020 9:18:59 PM

To whom it may concern,

I am writing today to share my thoughts on the current Madison River rulemaking process. I am extremely concerned by several parts of all of the current petitions on the table.

The petition put forward by the GGTU is a clear infringement on public access for anglers on the Madison River. Simply put several stretches that they propose to close to floating, is only accessible by floating, and this will have negative consequences for all users, both guided and un-guided. **If crowding is the issue, limiting access is not the solution and will only exacerbate any perceived problem.**

Also included in their petition is “rest and rotation”. Similarly, **if crowding is the issue, limiting access is not the solution and will only exacerbate any perceived problem.** Instead the whole river should be open for all user groups, every day. It is a public resource that should be equally available for all of the public to enjoy.

As a licensed outfitter that holds a Madison River SRP, I would also caution the commission against certain aspects of the FOAM proposal. Capping commercial use and allocating days based on historical use will have lasting consequences. The value of these days will grow over time. Every time these days sell outfitters will be rewarded while Montana FWP and the public lose out on funds that should be going back to the resource, not to fund an outfitter’s retirement. Consumers and the public will also lose out as permits will eventually be concentrated and services will become non-competitive.

I would propose instead that the commission would consider limiting all outfitters with an SRP to **2 or 3 launches, per boat ramp, per day from 6/15-9/30.**

This would effectively eliminate any perceived crowding, created by the largest outfitters on the river, while not penalizing smaller outfitters. This would still allow for the largest of outfitters to have 10+ launches per day, in total, but prevent acute crowding at individual ramps. Wade fishing trips should not be limited.

This system would not monetize permits, effectively manage crowding, and keep the outfitting market competitive. Everyone wins.

The Madison River is dear to my heart and I would hate to see the future river experience for all users decided hastily or by just the loudest voices in a room. Public access in Montana should be for the whole public. Permits for commercial use of rivers should not be turned into an asset that solely benefits outfitters.

If crowding is the problem, open access is the solution.

Thank you.

Respectfully,

Max Yzaguirre

Max Yzaguirre

max.yzaguirre@gmail.com

(406)579-9553

www.montanaanglingco.com [montanaanglingco.com]

From: nativesun69@outlook.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Wednesday, September 30, 2020 3:32:54 AM

Name: Mira P.

City: Missoula

The proposed Commercial Outfitter use, combined with Public fishing is simply too risky and would cause too much depredation for an already stressed environment.

Outfitting -in the interest of wealthy individuals accessing Montana Rivers that are in jeopardy of species reduction and /or any recovery of diverse species. Recreationists arguing that "Economic" benefits would increase a community's overall stability is short sighted as the environmental impact would quickly leave residents with an unhealthy river in no time at all.

We need to value the Madison for the long term environmental blessing to the landowners, surrounding biome impacted around the Madison and waters health downstream that join the Missouri and Mississippi. If we do not wake up and become good stewards of our rivers, the long term impact could be catastrophic.

With warming temperatures, climate change impacts growing exponentially day by day. There are simply too many unknown risks. To add additional human caused stressors to this river would be foolish to say the least. It is beyond time that our public land officials stand up against the flood of recreationists wanting to extract the "Wild" out of every last corner of Montana for a thrill or economic reason. Our children & children's children deserve to live in a Montana that isn't on a boil order for some weird brain attacking amoeba, or exposed to a fungus that can infect ones lungs causing death. We are playing with fire in America somehow thinking we are immune from rapid environmental impacts.

If we don't respect the Wild the Wild is sure to retaliate in ways one could never imagine.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [Al Anderson](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] Outfitter 173
Date: Tuesday, September 29, 2020 11:33:45 PM

Hello,

As one of the oldest outfitters, I occasionally guide the Madison. I have fought the crowds, but seasonal use "access" is important a few times a year. Any outfitter with 20 years experience should be allowed 10 clients days, whether used or not. I feel a priority should be given to outfitters local Madison County residents.

As for the LOWER Madison from Greycliffs to the Headwaters, I feel it should NOT be restricted in any way. It hurts the economy of Gallatin Valley and Three Forks in particular. The current rule is harmful to the summer economic growth of Three Forks. I am planning a NEW Fight with my Chamber and City to challenge the "Current restrictions."

The public dominates the Madison from Warm Springs to Greycliff. This water needs restricted hours...before 12 noon and after 4pm.

I really want Three Forks restrictions LIFTED to the Headwaters from GreyCiffs.

Al Anderson Outfitter 173

Sent from [Mail \[go.microsoft.com\]](mailto:Mail[go.microsoft.com]) for Windows 10

From: [Shawn McNeely](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] Madison river management
Date: Tuesday, September 29, 2020 10:02:57 PM

The river is more crowded with lots of floaters . The recreation management plan will cause lots of [https://urldefense.com/v3/_http://crowding.to_!!GaaboA!-UaxUiTTIp6Krw_4_6mbaDCtB43LNq1qQUo4is7VL8kFjJthc3sYm3gnF-gNvPR2TRP\\$](https://urldefense.com/v3/_http://crowding.to_!!GaaboA!-UaxUiTTIp6Krw_4_6mbaDCtB43LNq1qQUo4is7VL8kFjJthc3sYm3gnF-gNvPR2TRP$) think a river can survive that is shameful. The proposal to regulate in 2011 was a wake up plan for new outfitters. They have over populated the river since then . Certain organizations have done better with lots of tax payers. The taxes never go down only up so do fees for operation.

It's too bad to be so loved , makes me think we should explore more options. The one I think Montana should explore is limitations on out state fisherman or out of state . Once states hit their limit no more licenses beyond this number.Or a river hits this Some of number out of state fishers and we are done , get ready for the future . Some

control on both sides is possible why do in state people suffer . Both local people and residents are or will have to be regulated. The population is bigger, the greater area is growing , Covid made this worse get ready to be overwhelmed. So thinking about this is complicated. The river traffic is dependent on season and weather . Anyone whose rowed or fished the river is ready for wind , what do you do under Varney when some is closed . The river is crowded and all rivers around Bozeman , it's a reality. The control is a problem what to do . The best a way is to limit Outfitters back a few years like normal to control numbers. The system has been started for reasons. The greater population will only grow control it some how or lose all together. Have to start somewhere could be nonresident also control outfitters be number counts . Can't believe how much money state would have in hand from out of state. Some other regulations are possible. If not much control happens, The outcome has been played out on rivers close by . I hate to see that very uncontrolled and crowded, Bighole, Madison , salmon flies season . Outstate money means lots to FWP 50\$ For a license , a two day lots more than 16\$ when I started . Money, follow along state does not want limits so see what comes. Outstate money or in state fun to watch . Election results to be seen but lots of mont involved .

Sent from my iPhone

From: Todd.Wester.Home@gmail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Tuesday, September 29, 2020 1:44:51 PM

Name: Todd A Wester

City: Livingston

With great respect for the work that has gone into this, I suggest that to cut use in half immediately and efficiently on the most crowded stretches of the Madison, institute instead a rationing system for all recreational users, resident, non-resident, fishing, floating, wading, or otherwise. Users would choose, "even-day," or, "odd-day," schedule at the time of licensure. "Even-day" users would have access on even-numbered days, "odd-day" users would have access on odd-numbered days. Require fishing/rafting outfitters and guides to go through training in established rules for stream etiquette and conservation, then, allow outfitters and guides to serve users on their licensed use days, but, not to participate in recreational activity (fishing, floating without clients) if it's not also the outfitter's / guide's licensed day. This system would preserve outfitters' ability to make a living but would avoid the windfall property right that some outfitters would have when they are granted a permit that they can sell, and, would still allow for young persons and newcomers to become established as outfitters as has long been possible in Montana. Everyone participating would be a contributor to the solution to the perceived crowding problem (which crowding issue is subjective, unless based on measurable visitor impact on fish populations, erosion, etc.). If even / odd does not sufficiently reduce use, then, licenses could similarly be divided up seven ways, with users choosing at the time of licensure the day of the week that they would access the Madison. This is a solution that treats all users equally, still permits free enterprise, and, distributes use to other less-impacted areas that are not under rationing. It is also flexible -- rationing could be turned on and off on stretches of rivers around the state, depending on actual use and likely impact, without perception of a, "takings." It would function very similarly to the way the night-owl restrictions do, restricting use when biologically indicated, affecting all users. Thanks for hearing my comment, good luck with the process.

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: justin.tintzman@gmail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Wednesday, October 28, 2020 11:26:23 AM

Name: Justin Tintzman

City: Bozeman

I was wondering if the commission had any plans to regulate the biggest user of the upper madison, the non-resident angler? I have seen all of the petitions and heard the comments but not sure there is any plan to regulate the anglers who put the most pressure on this resource?

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: [Sydney Rick](#)
To: [FWP Commission](#); [FWP Madison River COM](#)
Subject: [EXTERNAL] Madison River Rec Plan, 10/26/20 comment
Date: Monday, October 26, 2020 9:58:31 PM

Hello there,

My name is Sydney Rick, I am respectfully writing to ask that you reconsider the plan(s) proposed for the Madison River recreation management plan. I have lived in MT for 18 years. I have seen the increase in usage on this and other rivers across the state. I agree that management can be a good thing for the river and the communities near them. However, I do not agree with the proposed plan, as it favors outfitters and private land owners - it appears to rob us public land owners/users of our ability to enjoy and recreate in the river at all. Change is hard for all. A management plan will most certainly not win over all users. If there were better scientific reasons behind the plan proposed, I could at least understand (or learn) why such management is being enforced.

My specific questions that could be answered with science are:

-How will commercial use restriction of two days per week (Sat and Sun, depending on the stretch of river) help the fish thrive and repopulate in the river? Or will it help the outfitters plan their guide days better? Data please?

-Over and over I read that the proposals made are to "help manage recreation use in a manner that ensures long-term health and sustainability of the fisheries, diversifies angling opportunity while reducing conflicts, and sustains the ecological and economic benefits of the river." This sounds amazing, we all want this. But prove to me HOW this can be accomplished please with the restrictions being suggested? Have there been scientific surveys, research and mapping completed that can fulfill these suggestions - Please share?

-And how have the stretches being managed been identified as the most critical in over-usage?

I can keep going. But I think you get where I am going with this, *please use statistics and scientific data to prove the reasons for THEE management plan?!*

Again, I am not against river management. But I don't agree that the current proposed plan is the answer. Lets try again?

Respectfully,
Sydney Rick
406-579-8683
Bozeman, MT

From: jackriv1@gmail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Thursday, October 15, 2020 1:45:17 PM

Name:

City:

Are you going to allow allocated days on the Madison, that can be sold at retirement, like the Big Hole?

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: bonnerid@comcast.net
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Wednesday, October 14, 2020 4:52:56 PM

Name: JOHN YOUNG

City:

related attachments cannot be opened

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

From: ken@yellowstonesafari.com
To: FWP.Madison.River.COM
Subject: [EXTERNAL] Madison River September 2020 EA
Date: Monday, October 12, 2020 3:41:38 PM

I would like to obtain a hard copy of the Madison river EA published September 25, 2020.

Please help.

Thanks!

Ken

Ken Sinay

Director

Yellowstone Safari Company

POB 42, Bozeman, MT 59771

Phone: 406-586-1155

www.yellowstonesafari.com [yellowstonesafari.com]

Where *Yellowstone* Comes First!



From: [Becky Barnes](#)
To: [FWP Madison River.COM](#)
Subject: [EXTERNAL] The future of Fishing the Madison
Date: Monday, October 5, 2020 6:12:32 AM

Rest and rotation makes absolutely no sense if the issue on the river is over crowding. Also, limiting the amount of days that certain Outfitters would be allowed to operate could severely limit the potential business of local, small outfitters. This plays into the greedy hands of the large resort outfitters.

Where is your data? How much research has been conducted? Have you done a market study of anglers, fishing clients, scientists? Do you have all parties involved seated around the table? Have you formed an advisory committee of Outfitters and Anglers?

Please send me this information. If you don't have the staff versed in these types of issues I would be happy to help you get organized and coordinate the solution.

Thank you for your consideration,
Rebecca Barnes-Webel
Jack Creek Ranch
24 Jack Creek Road
Ennis, MT
beckybarnes5050@gmail.com

From: dbheamm13@gmail.com
To: FWP.Madison.River.COM
Subject: Public Comment: Madison River Recreational Management Proposed Rules and EA
Date: Tuesday, September 29, 2020 1:36:26 PM

Name: Darrin Ackerman

City: Manhattan

1. How does FWP monitor and control the number of trips an outfitter actually takes? What is the precautions in place to prevent excess trips? Electronic monitoring? A lot of these boats don't even identify the guide service by name.
2. How is the health of the trout being determined? IE: sore mouths, etc...
3. How do we control the overwhelming amount of floaters (non fishing) that are impacting the fish and the waterways?
4. Based on the charts provided the two big winners are Bars/Restaurants, and Outfitters in financial terms, is that what Montana is really about??
5. How do you plan to enforce annual reporting of river usage by anyone? Accuracy?

This e-mail was generated from the 'Madison River Recreational Management Proposed Rules and EA' Public Notice Web Page.

Comments from the October 20, 2020 Hearing:

Frank Horvath: My name is Frank Horvath. I fished the Madison River. Now for 20 years. I come from Colorado and spend several weeks there this year I spent six weeks fishing Madison. For a moment. Certainly, H. O. R. V as in Victor a theism Thomas. So I've fished the Madison River for 20 years and wade fishermen strictly a wade fisherman and I've fish from Quake Quake Lake down to Lions Bridge and I'm really unhappy about rule number five, which would allow People for to fish from boats, because a they disturb The fish. The other thing is that we only have a short section really to wait fish only and they have people from boats can fish 40 some miles from Lions Bridge down toward in us. So we only have a short section which is suitable Really for for wade fishing. And people coming down in boats can fish can still fish, the river. All they have to do is pull over, so I'm not sure why they would, they would need to fish in the boat and potentially disturb our experience fishing the river and that that's one comment the other the other comment. Less sure about which is the Landowners put up signs about fishing the river and and how we can access the river. So, as I understand there the rule was meant the existing rule is meant to allow fishing as long as we walk along the river and not walk on to the landowners land and trespass. So they argue with us as we Try to access the river strictly walking along the bank and apparently the language is not clear enough as to where we can walk the land. So there are signs now that basically say stay off my land and you have to get in the water. If you want to access the river and it's not clear to me and and I talked a number of people. It's not clear to us exactly how we can access the river. I think the spirit of the law or the regulation says that you should be able to just walk along the river without walking too far inland just just walk along right along the bank and you should be able to fish and but the language. I think there's something about high watermark and that's that's in dispute as to what the high watermark is and at least it's confusing so again, my but the main part of my comment has to do with rule number five, which I completely disagree with, I don't think that people should be fishing from both in that section of the river. That's it.

Andrew Gorder: Thank you have to be up members of the commission. My name is Andrew, a Gorder last name is G. O. R. D. Er. I'm here on behalf of Hell Gate hunters and anglers on which I serve on the board. We're a local all volunteer Rod and Gun club based in Missoula we represent over 300 local hunters and anglers throughout southwest and western Montana and thanks again for the opportunity to comment here. Our members routinely Wade float and fish, the Madison River and that's we have a keen interest in preserving this world class fishery and the recreational experience that it provides. We've sent in a comment letter back in January. And our perspectives were were essentially laid out there and they haven't changed much from from HHS Hellgate hunters and anglers perspective regulations on the Madison are long overdue. And we appreciate that the Commission has an issue this rulemaking process on the petitions that it's received. I'll keep our comments short, we support the adoption of new rules, one through four as well as new rule 16. I know there's probably a lot of people who are waiting to comment here. So thanks again for the opportunity to comment and for your overall efforts to protect the Madison River. I'll just add that, you know, part of our interest here is whether we realize it or not, or it's intentional or not. This process is really probably going to serve as a precedent for similar regulation

processes to play out on a number of rivers as Montana continues to grow and interest in our recreational opportunities continues to increase. So appreciate the Commission taking these efforts seriously in the efforts to be guided by science and protect the resource. Again, we're in support of new rules, one through four as well as new rule 16. Thank you.

Steve Luebeck: Hello, this is Steve Luebeck with Georgia and chapter Trout Unlimited L U E B E C K. We're going to be submitting written comments on every point in the proposed rules. I'm not going to reiterate those here, I would like to clarify, though that are a rest and rotation proposal. There was a question earlier about the effects on shuttle services and it is not our intent to preclude shuttle services in those rest and rotation zones. I know that might freak. Some people out there think that shows couldn't operate at those launch access points, but that was not our intent to preclude shuttle services at the rest and rotation zone start and stop locations and we asked FTP to clarify, the language and the final rule. So, that that is not precluded. Thank you.

Nancy Delekta: Okay, I'm Nancy delekta de de El ek TA. Thank you for this opportunity and for sharing with us over these years. I would hope to see in the ultimate final proposal, a more balanced approach with more mutual goals and objectives of the at least two petitioners plus and that would be different than the current recommendation which is now not very different from what we've seen now multiple times, except for adding the Madison River Stamp process, which I appreciate, but also see that will require quite a bit of oversight and possibly team effort to make the results work. Other comments are the length of time proposed on the restrictions is far too long at three and a half months that is too extreme where this was suggested to be an example for other rivers as well. July and August might be a consideration the river is not long enough for rest and rotation of these very long sections. Because the length of the sections, such as what Jonathan mentioned causes a huge overcrowding of a bigger section. The river is not long enough. The ending the use of boats in the wade sections will not be as effective as intended. These sections are not busy enough to warrant this extreme position and will challenge those who cannot physically walk those sections, especially as proposed now over a three day period, Friday, Saturday, and Sunday, meaning that individuals may not have time on their days off to actually access those sections. If they can't walk them. A balanced approach would include less restriction and more opening of the river to boats fishing from boats will help protect redds better than walking on the pea gravel where the redds are. Thank you so much for your time.

Doug Baranek: Hello this is Doug Baranek from Helena. My last name is spelled b a r a n e k. And thank you for this opportunity to comment. First comment that I'd like to make is currently the stretch from the south Madison to Varney based on I forget which slide it is here. It's table for based on table for 54% of the usage occurs within that stretch and it, it doesn't seem to make sense to me to close to other sections and force that traffic to all go down that most heavily used section, which will make it even more heavily used. So I think that if you're going to have a rest in rotation regime, then that should there should be a rest and rotation period for every section on the Madison so that that any way to anglers or non commercial anglers within those sections can also have the proposed potential in improved experience.

Secondly, I would, I would like to refer to some of your charts and based on my reading of the charts, notably table five. If you look for the number one complaint, the number one complaint is the number of people using boats to access through over to bank wade fish is is too high. And the second part of table five shows that the number one complaint is the number of people float fishing the river. And what I think is important to, in my opinion, this complaint is not the number of trips. It's not just the number of boats. The complaint is how many boats come by for various points on the river and really it's how far those boats go. If a boat only floats two miles and another boat floats four miles that four mile trip is twice as impactful on this number one complaint as the two mile float. So I think that this is important to recognize because it points to a potential solution where the outfitters would still be able to have the same number of trips. However, it would reduce the conflicts and it would reduce the number one complaint, which is too much boat traffic on the river. And in addition there be other benefits to this if we and you could restrict that by saying defining a stretch. That would be fished from a certain put into a certain takeout obviously this would have some coordination that would need to be done and the outfitters would have to and boat fisherman would have to have to coordinate in that way so that be some some burden on them. But I think that this is a good potential solution for a number of reasons. One, the guided fisherman would learn. One final thing I just think that the boats coming too close to the weight fishermen before they pull into the river, as expressed in a previous comment is my number one complaint. Thank you.

John Malovich: Hi, good evening. This is John Malovich with Madison River Foundation. My last name is ma L. O. V as in Victor I CH. So I wanted to address my my earlier question about stamp the river use stamp, but at the same time, establish the background of why that question comes up. Madison Foundation has as spent a lot of time and effort to go through the, the proposed rec plan that petitions and the EA and rest in rotation and other proposed rules that are currently they're designed to eliminate or reduce the conflict on the river. Madison River Foundation feels that there's, you know, this isn't really a complete view of the issues of overcrowding or conflict that are on the Madison. What we would like to see is a more complete view of this issue, along with the overall protection of the resource and we feel that the, the idea of the river stamp is a good beginning of a more complete holistic plan that Madison River Foundation. Madison Galton to you and other groups would like to propose to help implement and to establish and what we'd like to establish would be a recreational carrying capacity for the Madison River. That would include science and data to help to preserve, protect and enhance the experience in the resource for all users. Along with that, it's also going to help to conserve it and protect it. For the communities and the recreational users for years to come. So that's the basis of the idea behind the Madison River use stamp and developing or more from that into more of a user permit that would encompass not only from Reynolds, or Lions down to Ennis but starting at the border of Yellowstone National Park and carrying all the way down to the confluence and the headwaters of the Missouri. Appreciate the committee and the Commission for all the work and effort and extra time you put it on this for those that DDT you and phone for your petitions and your efforts to protect and enhance this resource that we all love so dearly. Thank you.

Brian McGeehan: Hi this is Brian McGeehan M C G E E H A N from Bozeman, and I'm also a fishing outfitter, I would like to specifically talk about my concerns for rest and rotation, which has been proposed as a solution to reduce the sense of crowding on the river and myself, my concerns are that will not actually happen. Currently floating access is allowed on 66 miles of the upper river and additional mileage in the lower River. The, the GGTU petition proposes to reduce anybody that chooses to hire a guide on weekends. That they will be limited now to only 20 miles of the upper river that's greater than a 65% reduction and their level of legal access if they're choosing to float simply because they've chosen to hire a guide. Furthermore, on rest rotation days when all the majority of commercial trips are in boats are now compressed into only 20 miles. Keep in mind that we need about 10 to 12 miles to operate a full day trip, which means that in that 20 Miles zone the lower section becomes somewhat unusable because it's too short to operate a trip. So all of the boats will be launching within about a 10 mile zone, a river where we currently now spread those launches out over those 66 miles. So anybody choosing the hire a guide is now penalized and will be extremely compressed and concentrated on a very small stretch of water. Furthermore, the fastest growing section of us on the river is not commercial it's, you know, the dominant source of us and it's growing extremely fast and the rest and rotation does not actually set any limits on non commercial use. It allows that segment of us to continue to grow at alarming rates and we expect Bozeman, the probably increased by 350% population over the next 50 years. And you know, we need to address that representation does not address that we need a plan that is more holistic that allows a carrying capacity for the river, not just for commercial trips, but for non commercial as well. That can be done by preserving resident access by protecting a level and enhancing a level of the Montana resident in the process. Thank you very much.

Nick Efta: Hi this is Nick Efta last name is spelled E. F. Ta. I am Ennis resident and was calling to comment on the standpoint of we had someone mentioned earlier that this is going to set the precedence precedence for a lot of other rivers around Montana. And I'm confused as to why we don't just look to our neighbors over with the Beaver and the Big Hole with how they go about limiting guide and outfitter access by closing a stretch Berber crabs, not as significant as those mentioned in the in the petitions that are mentioned here. But they limit that access while still allowing locals Montana residents to be able to still use and partake in those stretches of river also growing up and floating the stretch river from Ennis to Ennis Lake. In my opinion, it is completely inappropriate to take away access for people of the town locals Montana residence and not be able to flow those stretches of river for four days of the week. Once again, I completely inappropriate to to consider limiting that public access. Thank you for your time, appreciate what you're doing.

Nick Gevock: Okay, thanks. This is Nick Gevock. I'm the conservation director for the Montana Wildlife Federation and we will also be submitting written comments. But in general, we're supporting a lot of the measures in here that the two of our affiliates Anaconda Sportsman and and people who have submitted, or actually and kind of sports from just one of our affiliates, as well as the George Grant chapter of Trout Unlimited and and the Skyline Sportsman Association submitted. So, but we would even suggest the Commission consider

looking at uses levels of outfitting. We certainly do support some type of rest rotation proposal revisions to the current walk and Wade regulations on the upper River. We do support limiting development on the lower River, we would oppose any rule that would allow any expansion of commercial use beyond the levels and oppose the creation of flex trips. And also we would support a proposal to reduce outfitter allocated use if the outfitter fails to use those their allocation in any three consecutive years. So those are just some general comments and we'll submit some more written ones. Thank you for the opportunity.

Rich Gockel: This is Rich Gockel from Ennis G O C ke L. I think it's pretty well known that crowd is the major problem on the Madison River and the reason he came out with that same conclusion incited at 2016 Mail-in survey that found that are the way to anglers in the upper section. They were equally dissatisfied with the number of way in English and the number of boat anglers and they're also dissatisfied with a number of recreational floaters. The then concludes the crowds nappy is the issue, not how people actually access the section and I'll quote. Their conclusion given that this group was just as unhappy with wading as what's the boat excess anglers. This suggests that they are more unhappy with a number of anglers rather than their mode of transportation. The 22.8% set of dissatisfaction with nine angling votes supports the interpretation. The crowding is an issue in this section. Because crowding is a major cause of dissatisfaction then real to enroll three make no sense, because each makes crowding worse. Rule two forces anglers to hire a guide into sort of chickens of the river which increases crowding. And also, if I hire a guide extra that make me a second class citizen with fewer opportunities and someone without again real threes restricts vote access to that rather than having angry spread out across the weight sections are clustered around the access site. Again, increasing crowd. Rule six that limits commercial trips to 2019 or 2020 levels is a start and addressing the overall crowding issue but commercial uses only 11% of total usage. So only commercial uses cap crowding will still be on the increase. Overall usage on the Madison becoming an acceptable from a social standpoint. There's also indications that may be unacceptable from a biological standpoint. The edge to be up should be tested scientifically determine the carrying capacity of the river and to develop an equitable method allocate total usage. This should be the focus going forward and require a fair and transparent process to get public support. Implementing rules that favorite one part of the public over another are rules that limit access to only those with property on the river will be counterproductive to establishing public trust in the process and should not be implemented. Thank you.

Mark Odegard: Hi. Hello, Don and Eileen. This is Mark Odegard I Julie. I have a few comments and my comments are more general. O D GA RD. I was on the negotiation rulemaking committee so everybody knows who I am. And I have some general comments but to start some qualifications. I've contributed significantly to four major environmental assessments in China, Mexico, Afghanistan, and at the Hanford Site and Washington say state and I'm many numerous smaller projects. So I have these comments there is absolutely no assessment of the effects of climate change or global warming on any of the conclusions in the assessment. However, I would like to congratulate the Fish Wildlife and Parks and the Fish and Wildlife Commission on indirectly accepting global warming, through their actions in the 14th of July meeting. Second, there is no real economic analysis of the effects of the rules on the

economies of the Madison River area. Third, the rules would apply on either or she'll use as a river. This means that abuse of the river will grow as it has by non commercial use and will overwhelm river role should apply equally all parties, you can remember I would pose instead of an absolute cap a cap a percentage cap based on the percentage use of the river. This will ensure continued economic growth and the US on the river or diminish or be kept naturally for there is no economic analysis of the benefits of these rules to those proposing rules as opposed to other affected parties and a basis analysis on having been a constant city council member for the city of Chino Hills, California, as well as vice chairman of the planning commission my analysis is that tapping the permits in a river are a taking of the value from the citizens of Montana and for you people that don't know what is taking as in legal term as a synonym to the legal terms, it means stealing Wade sections and boats. Disallowing boats to use the Wade sections during certain periods so that disabled persons and curtains idol or elderly age like me, restrict us and I think this is a violation of the American Disabilities Act. Again, that is the premiere for your three minutes. Okay, I have two more comments but all of this has written and hopefully comment later. Thank you.

David McKernan: Okay. My name is David McKernan NC capital K er in a in. I live in Anaconda Montana. And that, first of all I would like to thank the Anaconda Sportsman GGTU from Beauty and the Skyline Sportsman for their effort for their effort in this endeavor. For for what's out there for side in in taking this on we wouldn't be here today. I mean, this would have just been swept under the rug. So I'd like to thank them. I agree with rules, one through four and I also agree with rules 16. My granddaughter, the other day, she asked me, she said, Papa. If these rules are passed, would you take me to the Madison, she says I hear. It's a world class fishery, but we don't go there. I said sure. We'll do that we'll stop and then this will have dinner will can put the RV park there. Will will get out and enjoy the people events. So those are my comments. Thank you.

Mike Cagle: Hi, my name is Mike Cagle I've been primarily white fishing the Madison and for the last 36 years in my comments are worth respect to what's being proposed rules, two, and three. And how would affect Montana resonance. Could you spell your last C A G A L E. I would guess most Montana residents work during the week and fish on the weekends. And gain access to the walkways sections by using their own boats, the changes in rules, two, and three would mean Montana residents would be denied being able to use their boats to gain access to the walkway areas on the weekends. I guess I could pay for an expensive float trip as an as another option but it appears, these two proposed changes would benefit the commercial users more than Montana residents. Thank you.

Gene White: This is Eugene White Who I T. I'm from Ennis, I'm an outfitter and I grew up in Ennis Montana. I'd like to start with the potential restriction to the boat access in the wade sections. I think this would severely limit our heritage, as a state, is based around public access for people and to disallow people to access large portions of the river by boat on certain days, regardless of commercial or recreational I find repugnant to the public trust doctrine which forms the basis of that heritage second as an outfitter I think it's easy for some of these special interest groups to point the finger at commercial users. However, the stats are clear that

we're only a specific portion of the overall US and a smaller portion of the overall use growth in the last decade. And I do not think that limiting strictly commercial use is going to do enough to create the longevity for the fishing fishery that is intended by some of these rules. Third, I think it is unfair to younger outfitters such as myself and many of my friends who have staked our lives and livelihoods on being able to create a business and live and prosper in the Madison Valley. With restricting us to or earlier usage dates that would effectively kill many businesses of young outfitters who have not been able to establish the historical usage, but are planning to carry on our tradition in Ennis, and the Madison Valley Community as fishing tourists fishing tourism. Thank you.

Justin Edge: Hi Justin edge here ED g from Ennis Montana. Also, a young outfitter with the license, beginning in 2019. One of the first start with the walk wade designation. I think that the from the outset that designation of the walk. Wade versus flow dangling far as i know i think it's the only one in the state. I could be wrong about that. But I think that that designation instantly as doomed at WP to solving any alleged conflicts, from the outset, you know, we're all anglers on the float angler I'm a wading angler I'm an outfitter I'm all of them. And I think that once you start sub dividing this these user groups, you're just creating more problems by trying to make everyone happy. And so I think that to put things in perspective float angling right now, as Brian again mentioned earlier has 35% less opportunity, which is the third goal of this process opportunity is on the entire upper Madison river than wade anglers way to English right now if you get in at any public access opportunity on the river and walk wades anywhere that like within high watermark float anglers however only have 35% less of that. And even more even even more restrictive with some of these rules. So if the goal is to diversify opportunity and all opportunity amongst all these sub user groups are equal. It makes no sense to restrict one years of group whose already restricted even further. And so if the goal in fact is truly to diversify angling opportunity way to English floating anglers the opposite should be the in the intent here, which would be to to expand float water. To to those floating anglers I think it would help with conflict, it would help keep float anglers moving in those upper regions where the waiting was like to go. And I think that the way to anglers have this false sense of of opportunity, like they only have that water up there like Lions quick, for they only have end to end this lake. But in fact, they could go to any number of public accesses access points on the upper Madison to walk with so that designation. I think instantly creates issues second commercial use, you know, we represent as many others have mentioned here. 15% of overall annual use, but we're being targeted for 100% of the regulations and there's no indication of up will ever ever restrict the general public on the river, and so it seems completely unfair and really ineffective ultimately at addressing any issues of crowding or conflict by only addressing 15% of the annual use. Third, Kathy 2019 2020 is going to kill a lot of young outfitters businesses, including my. Third, there's some public access upriver between Lions and Quake. There's 75 acres of state land. Okay, my last point was that there is 75 acres of public land up river that will instantly be landlocked and privatized three days a week. If both band is put in place. Thank you.

Ken Sinay: Hello Can na si N A why of Yellowstone Safari Company. Thank you, in relation to these new rules. I just want to mention a few points and and I, like many other entities will

submit written comments in a greater level of detail. But I want to mention that the overall region reason on page one mentions quote heavily fished and quote crowding as well as the Commission for sees a need to address crowding continuing to be an issue on the Madison River. As you know, in relation to my question earlier tonight, there's no data that indicates crowding on certain portions of the Madison River. And in the river from grey cliff to Headwaters does not have any data, which indicates crowd and in fact available data indicates quite the opposite. In addition, it's important to note that all rule proposals are fishing related. Consequently, this statement is fundamentally incorrect. So in other words, it is not necessarily heavily fish or crowded on certain portions of the Madison river and there was no indication of a fishing in overfishing impact on the fishery. On certain portions of the Madison river and of course I'm obviously using the great clip the headwaters segment. As an example of the. But at the same time that non fishing SRP holders are not in the day or night even categorized by type of us. So, for example, shuttle operators vendors or non fishing river river based operators are not divide it up in terms of where they're actually going. Now I realize there are a very small proportion of the total there's 14 compared to something like 338 fishing outfitters but they are impacted by these fishing related rules. And I think it's important to consider a couple of other things. Fishing outfitters have a different impact. So then non fishing operators. So, for example, it's a different activity. It has a different impact. It uses different sites and reaches of the rivers and it results in different amounts in volume in those sites and reaches of rivers and it even is utilized at a different time of year. So I think it's extremely important to recognize that restricting non fishing is in direct conflict with the third goal of rationale of the goals of the EA and often cited rules. So in other words, number one, ensure the long term health of the fishery number to diversify angling opportunity. They have no application to non fishing operators sustain the ecological and economic benefits of the river. These economic benefits can actually grow and economic and ecological benefits may actually occur as a result of education, experience and exposure. So this is very, very important mentors no indication, nor is there any data that indicates a negative impact to these resources. And then finally, I'd like to mention a couple of other things, you know, in our case, we utilize the river. I really appreciate it. There we go. I'll send it in writing. Thanks a lot, guys. Thank you.

Alex Leone: yaks Elio and he from Anaconda Montana. Okay, I just wanted to mention this is a pivotal time for the Madison and the rest of the state. We've seen a huge increase in use over the last few years, Madison and this year, I think, was pretty extreme for all of us in the States official time we saw a huge increase in there's a me to address this issue and I feel that the sportsman's proposal is the most balanced and the most fair proposal without the right now. We can study with you forever, but we won't get anywhere. And I think that there's the Madison, one of the most studied rivers and the entire country when it comes to the fishery side and also the US side after VP has tons of data. They've done over over a decade of studying, it's time to do something. So again, I agree with the sportsman's a photo appreciate have to be up and everyone else has been involved in this process, and thank you.

Carl Hamming: Hi this is Carl Hamming ha I N G.Thank you. I'd also like to add my support for the sportsman's petition. Voicing similar sentiments, as previously expressed, I think this is a

compromise and it's something that gets gets things going. You know what would be perfect, maybe not, but it's a starting place. It brings some regulations and control and balances to the river, and I think it's a great starting point and I'm excited to see what results from it. I think it will bring a lot of positives that will be experienced by not only weighed or float fisherman, but also commercial use, and I think benefit those in the long run, once we take a more holistic view on it. So I'm a supporter of this sportsman. And I think at WP for bringing us to this point and hopefully finishing the process for rule one rule implementation. Thank you.

Kelly Gallop: This is Kelly gala GA LL O UP. Alright, thanks for this meeting this evening. I just like to go over a couple things that I've keep hearing from the beginning of this actually and it's about the social conflict and the conflict. I hear that over and over again. And as a fly shop owner and an outfitter in the upper river were probably 90% of the problems come from. I don't, I don't really see the conflict that everybody talks about from a guide perspective and I'm a little curious. I don't like the fact that we don't have concrete data on that. And I'd like to see a data other than these surveys because anybody has taken a statistics class can tell you if you ask the question. Are there too many people on the river, of course, you're going to say yes. And if you say, would it be better if there was less well yes you would say that I think if you went to Yellowstone National Park and survey the same question you'd have the same response, but in the upper River, what I see is more. And if you look at, statistically, I think we only did less guideways less than 60 trips in the upper water. And another thing I think should be addressed is how dangerous that water is kind of self regulating and so it's a little I don't, I don't think it's going to be as big a problem but like a lot of people have said earlier. We're 100% of the regulation and only 10 to 15% of the problem. And I really think we should really really hardcore figure out what this conflict is because just because people say you know they've seen conflicts, that's one thing but and you're obviously you're going to have you can't fix people. There's just bad. There's good and bad, so we're we're kind of targeted as the problem children here and I don't think we are. And I don't and disagree with one of the past call, and I don't think this is fair and balanced at all is that we're 100% that regulation, less than 15% of the usage and so I would really like to see us do some data. Little bit more data on this conflict because right now it's all the asked me, it's mostly hearsay because i don't i don't see guides getting called me, and as far as rest and rotation goes I really would hate to see us basis on the big hole beaver head is that the big hole beaver head 147 miles long, there's a big holes. But I'm talking about but that plan and this river essentially is 40 miles, when you start looking at the flow sections and so you take 10 miles away. And condense all those people, the non guide or the guided people into those stretches you're serious, you're going to see conflict then, and I think it'll do the opposite. When people find out guides can't go there, they're going to end up in those stretches where the guides can't go. And they'll probably double the usage in those zones, who knows. But anyway, I appreciate all you're doing. And all the work, everybody's putting in this. Thank you.

Justin Edge: Yeah, I know. I'd like to brag. One more comment that's possible.

Helen Denruyter: Okay, this is actually Helen den writer. I'm speaking with my husband here. And that's D and are you y TR. And I'm the first thing I want to say is like this was literally a

conversation between us. Last night we my husband's been an outfitter just this year was his first year, and he's been guiding for almost 15 years in Montana. And we literally had to have the conversation last night. What happens if these rules go forward like are we going to stay in Ennis, or do we need to move like I I work at the hospital here and a number of us women all have husbands, whose industry is on the river. I'm a fifth generation Montana girl and my family started here in the 1800s. And this is kind of a big deal for us personally and professionally. The other comment I wanted to say is that I've been here for 45 minutes listening, since I got off work and the number one comments that I'm hearing that are backed up by logic and reasoning and not just emotions are the fact that this feels like a gaslighting. The proposals have put out like to eat conflict and increase, you know, diversity of use and all of the rules put out seem to go against those exact things and it just doesn't make any sense. To limit the area, if you're worried about conflict and crowding that makes no sense. It doesn't. It doesn't even register in my mind why that would be an option and I'm really also very disappointed in there's no talk about the fish or the environment, even in the environmental assessment. The data gathered about the harming of the fish, the erosion of banks, the, you know, decreased redds. I don't even know it's not even there, so I would always approach this from an environmental perspective and that just doesn't seem to be accounting for any of this. And so I think those are the biggest things that have us concerned obviously my husband's business would die right away. That's also very frustrating, there's no incentive for kids growing up in Montana to even think that this would be an opportunity for them as work if you can't buy into a multimillion dollar business and just growing up in Montana. There's not a lot of us who start here that end up with opportunity so I think it's really disheartening in terms of the fishing and It's disheartening in terms of public access and It's disheartening to see rules be made. With no real good data to back them up. It's very frustrating. I know everyone's trying to take care of everybody else's opinions and everybody else's feelings. But that's just not, that's not possible. And when you can't do that. I think you have to go back to the data and the data is not there to back up these rules. Thank you for your time.

Craig Eggers: Hello, my name is Craig Eggers. Year. Okay. My eg G ers. As I said earlier, I'm a life member of to you. I'm a resident of Ennis Montana I occasionally take my drift down the river. And I also work with a lot of the local guides and shops. If crowding is really the issue that we're trying to address here and I feel that the sportsman's proposal is almost a red herring. Because as a result of compressing the commercial access to the river on critical weekend days, I would suggest that FWP people will be back here a couple years from now. Fielding complaints have even more crowded and even more pressure and speaking to one of the walk waders who commented earlier given some of the conflicts that he brought up there started did vote between landowners and the walk. Waders. I don't see how the current proposals really benefit access for the walk waders short of owning property adjacent to the river. I don't see how access to the river for me is going to be expanded. And finally, I did note, one elderly gentleman who made a very, very good point, which is access to walk wade areas a prevents people from stepping on the Redds destroying redds. But importantly, provides more access to senior citizens disabled people who want to take advantage of this great resource. Those are my comments. I appreciate all the work that you've been trying to do. And

just as a private citizen. I am a little concerned about the farm proposal. I would hate to see a day when living here and Ennis in having a drift boat and doing walk wades that my access would be prohibited because I wasn't able to get a stamp. So please take that into consideration. Thank you very much.

Justin Edge: Yes, I just wanted to comment I'm pretty sure I heard Don Skaar earlier say that the last the most preliminary report from 2019 said that 173,000 user days will report in 2019 and that was a slight decrease but however if I do the math, right. That's a 16% decrease in numbers and I just wanted to clarify that that for the record that there was a decrease in 2019 of about 16% of us.

2020-10-28

12:03:03 Craig Mathews

Mad River Rec Proposal For the health of the Madison River, a big part of the economic lifeblood of Southwestern Montana's towns, future generations of Montanans, and all other river users it is time Montana FWP Commission to follow its mission to protect and preserve our Madison River resources. In the interest of transparency, we own with others, properties on the river. Many years ago, we worked hard for, and will always support Montana's Stream Access Law. Not only do we respect public access along our properties, we welcome anglers, hikers and birdwatchers walking the bank, fishing and lunching along the shoreline. We, along with our neighbors, allow liberal foot traffic even above the high watermark. This is the "Madison River experience", part of owning property on the river. We also worked with the Western River Conservancy, Montana FWP, and other partners to establish the \$3 Bridge Fishing Access, as well as the Oliffee Ranch conservation easements providing public parking and fishing access along several miles of the Madison River. Two years ago, we worked with BLM, Mt FWP, Federal Land-Water Conservation Program, and The Nature Conservancy to initially fund work to complete the purchase of 320 acres downstream of Palisades Access that now allows public access to over 6 miles of river and adjacent public lands for hunting, fishing and the enjoyment of the public forever. We have always been a proponent of public access on Montana's rivers and streams, and our advocacy for restrictions on the river does not contradict that. We believe it is long overdue for Mt FWP Commission to act on a Madison River Rec Plan. This has been talked about and kicked down the road for too many years. The science is in: fish numbers are declining; river users are increasingly dissatisfied in their Madison River experience; the local population of Bozeman and surrounding areas is exploding, and river resources are suffering. Too many seem caught up in grow-grow-grow-more-more-economics, until now we are threatened with growing right over the cliff and losing what many tourists come for, while spending their money and keeping our local economies vibrant and healthy. Montana FWP and the Commission caused confusion by creating exceptions to river regulations. While other Montana rivers are governed by laws stating float fishing is defined by having fishing equipment in boats and vessels even though not in use by anglers in the boats, it is excepted and allowed on the Madison River's world famous "Walk-Wade Stretch." The State creating this confusing "exception" to fishing regulations, while the recognized term for the stretch of river between Earthquake Lake and Lyon Bridge, "WALK-WADE," never mentions "floating." It has always been referred to as "WALK-WADE." We have a letter in our files from then Mt FWP Region 3 head of fisheries, Bruce Rich, that says, "boats and vessels are illegal, but floating is not." We can't figure that one out. When we questioned putting in a boat launch at Reynolds Bridge, we also have a letter from FWP that says the boat launch would be a "hand boat launch" and "would not allow vehicles to back into the river to launch large floating craft." Their idea was, if installed, a full boat launch would cause conflict on the river between "Walk-Wade" anglers and floating anglers. The idea behind creating the "Walk-Wade Stretch" was to allow walking anglers a short section of river without conflicts with boats. Not every angler wants or can afford a boat, or a guide to float them into this short piece of river. Any proposal to allow fishing from or access with boats will only allow more use to occur over time. This would result in added conflict with projected increased river use, and added confusion should proposals that allow on-and-off floating days on the WALK-WADE stretch be adopted. Further, any proposal that allows a value placed on days held by commercial operations should not be allowed within the river rec plan. And, we are not in favor of the rest-rotation proposal as this would only result in further congestion on the river sections. We believe that all users of the Madison River, whether commercial or public, should be charged for using the river. The idea of a user stamp is a good one, not only to gather needed data, but to provide FWP with funding to continue the science and maintain the river as a world class fishery. With FWP data released this spring, we now know definitively that fish numbers are declining and the river resource is threatened. Local FWP biologists are worried about those declines and the added fishing pressure due to the river

being open to angling all year. They feel the increased fishing pressure is having a negative effect on the river's wild trout population. With that, we feel a cap on use is needed both for commercial and private users. If the resource is threatened and fish numbers continue to decline, we risk losing the conservation capital generated by sales of fishing licenses, retail sales and outfitter/guide employment. The economic life blood of the Madison Valley and surrounding towns like Ennis and West Yellowstone could be negatively impacted. The final plan must include decreased caps from those proposed, and the flexibility to shorten the fishing season during spawning times should emergencies arise, and the need to adjust river usage based on science, continuing into the future. We were in the fly-fishing business for 40 years and outfitted on the Madison River. In 1992 we limited our use on the river when customers and guides began complaining of "too much river traffic, conflict and lower fish numbers." Shortly after, we began to see whirling disease take its ugly toll and continue for several years, causing a steep downturn in business and decreased revenues for local and state economies. We'd hate to see something like that happen to the river and the local and state economies again, but it will if the river breaks from overuse. Finally, for obvious reasons, increased law enforcement should be included within the final Madison River Recreation Plan. Thank you for the opportunity to comment, we remain; Respectfully, Craig and Jackie Mathews, 80 E Horse Creek Rd. Cameron, Mt 59720

2020-10-28

10:45:23 Access Unlimited. NPO

Access Unlimited encourages FWP to continue to allow boats in the wade sections to avoid a loss of public access to large portions of the river bounded by private land. Certain time of year we take people with disabilities in boats to access these stretches of water that are unable to wade. We should be allowed floatable access and not be denied this right. I ask you to really think about this. Do not to close any portions of the river to any user groups. We ask that adopts rules that would not discriminate in how any user group would be able to access the river including members of the public that choose to hire a guide or members of the public that are not Montana residents. Thank you for your time. www.challengelimitations.org

2020-10-26

10:59:20 Sylvia Carpenter

In order to provide varied experiences for commercial and recreational use, please retain the boat prohibition areas. Please cap commercial use at 2019 or 202 levels, using number of trips, so trips could be traded among guides. . Please allow the river" rest" periods as suggested in option 3. Charge for usage with, as for duck stamps, but do not allow the Madison River to be an experience only for the wealthy. Thank you.

2020-10-25 12:56:51 Jake Schilling

Hello, My name is Jake Schilling, I am writing today to share my strong feelings for supporting FOAM's petition and even stronger feelings opposing GGTU's Rest and Rotation petition for unfairly discriminating against anglers who chose to use the services of guides and outfitters. If the state's survey found that guides are less than 11% of total traffic, it would be wrong in every sense to

implement 100% of the new rules against them. Instead of closing off sections to guides, the state should strongly consider ending the walk-wade stretches to provide more floatable water for guides. Keeping these sections closed to float-fishing only benefits the home and land owners with property in these stretches. Wade fishing is much more destructive to river health than floating, so I support allowing more areas on the Madison to fish from a boat. In my opinion, the stretch from the West Fork of the Madison (Hutchins Bridge) to Lyons Bridge is the least used in the whole valley. Opening this stretch, while only a mile long or so, would be a good start to spreading more folks out. Also, why would we take GGTU's opinion seriously? We wouldn't listen to Great Fall's or Missoula's opinion when it comes to the Madison, so why Butte's?

2020-10-24

11:40:09 Stanley D. Cook, Amsterdam, MT

I have had the pleasure of fishing the full extent of the Madison from the Park to the Interstate for 35 years. As of the last 4 or 5 years I have reduced my visits as the lack of "elbow room" has made it seem more like combat fishing on the Kenai. Here are the regulations I support: Proposed Mgt. Goal: Preserve healthy fishery Comm. Outfitter Mgt: Reduce # of trips below 2018 #s Social Conflict Mgt: Rest and Rotate Lower River Mgt: Preserve primitive nature below Gr. Cl. Angler Use Upper River: 50/50 cap res/nonres Thank you for this attempt to control the situation!

2020-10-24

08:37:52 John Hunziker

I have been a resident of Montana since 1996, am 62 yrs old, and been a fly fisherman since I was 14 yrs old (mentored by my PE teacher in Jr High). I consider the Maddie my home water. I wade and float the river, and own a drift boat and 16' raft (for running the Beartrap and when I want to take our dogs). I have seen the amount of anglers and boats increased exponentially since the late 1990s. The Madison is being loved to death. The whirling disease was tough on the river. The open all year status is tough on the fish and winter spawn (and should be closed under the old regulations). I watched with interest the 2 yr survey that was conducted on the upper Madison regarding the number of guided trips and out of state fishermen. The final result was approx 97% of the boat trips were guided trips w/ out of state clients. With guided trips costing \$600/day, there aren't a lot of Montanans lined up to take a trip. The river is over fished, w/ too much pressure. If you're not on the water by 6:00 am, you are part of the floatilla, w/ boats every 1/4 mile or so. I vehemently disagree w/ the suggestion we cap trips at the 2019 level; it's one of the highest usage years on record. The Madison is already getting pounded to death, so that proposal doesn't help the river. My suggestions are as follows: 1) Like state water rights (first in time/first in use), seniority should rule as to which outfitters get the quota rights for the limited commercial floats. 2) All outfitters must be Montana based/owned businesses. No out of state outfitters. This is Montana's asset, owned by the people of Montana. 3) The # of float trips should be limited to historical levels in 2003-2009 period, or 40% less than 2019 levels. 4) Limit/regulate the # of commercial floaters (bikini hatch) during the summer months, and to the lower Madison only. And charge these companies to operate, due to wear and tear on the river and FAS sites. It's getting out of hand. This will insure that Ennis has survivability, local fly shops will continue to operate, and most importantly local people will have positive experiences when visiting/fishing the Madison River. It is one of our State's crown jewels, and needs to be protected and cared for. Not 'run hard and put up wet'. Sincerely, John Hunziker, Bozeman, Mt.

2020-10-19 17:42:57

For the average person the biggest concern is the consolidation of money and therefore power on the river. Money and power equal political pressure. If that goes to outfitter monopolies public access is on the line. But they are also discussing shutting down areas to boating, this is near the ritzy sun west ranches and that would be commercial and residential.

2020-10-08

06:03:15 Ashley

The blow to the fishing community would kill our town. The scientific data doesn't support the river is in trouble nor could you determine that off short term research. As a Montana resident I will not be in support of these new rules

2020-09-29

09:51:43 JJ Adams

I see an announcement that the draft has been released but I can't find it. I've tried the link in the announcement, by searching "draft Madison river recreation rules" on the fwp website, and by searching google. I expect it would help me & others find the document if a direct link were in the announcement as well as arranging to have it show up in the fwp search function. Thank you!

From: [Pieske, Shawna](#) on behalf of [FWP Commission](#)
To: [Ryce, Eileen](#); [Skaar, Donald](#); [Wedde, Kim](#); [Pat Byorth \(fwpdistrict2@gmail.com\)](mailto:Pat.Byorth(fwpdistrict2@gmail.com)); [Rich Stuker](#); [Shane Colton](#); [Tim Aldrich \(Cartim8@gmail.com\)](mailto:Tim.Aldrich(Cartim8@gmail.com))
Subject: FW: [EXTERNAL] Fwd: Commercial rest and rotation on the madison
Date: Monday, November 2, 2020 9:06:09 AM

From: Tim Gaar <timgaar@gmail.com>
Sent: Friday, October 30, 2020 12:58 PM
To: FWP Commission <FWComm@mt.gov>
Subject: [EXTERNAL] Fwd: Commercial rest and rotation on the madison

----- Forwarded message -----

From: **Tim Gaar** <timgaar@gmail.com>
Date: Fri, 30 Oct 2020, 12:00 pm
Subject: Commercial rest and rotation on the madison
To: <madisonrivercom@mt.gov>

Hi, this is Tim Gaar. I have been a guide and outfitter on the Madison and lived in Ennis for 27 years now.

I agree that it's time to take some steps to address overcrowding on the Madison. But I think rest and rotation is it very bad way to do it.

It works well on the big hole because there are six or seven different full day floats. But here on the upper Madison there are only three full day floats that you can fish out of the boat. If one of those stretches is closed we could easily be looking at 50% more pressure on the other two stretches that remain open on that day. And there's already too much pressure.

If we want to ease commercial pressure on the Madison why don't we cap the current outfitters at an average of what they've did for the last 5 or 10 years? It seems crazy to me that we're talking about capping them at just 2019 or 20 use. Yrars that we know were too crowded. I just don't understand why we're trying to reward brand new outfitters that just moved here to cash in on this river. I know it's fair that they should get some days, but as many as someone who's been here for years? Wouldn't it be more fair for the river and everybody using the Madison to do a 10-year average, and actually reduce the amount of guided trips to the level they were a few years ago? This would also cut back on the ridiculous amount of traffic driving to the Madison from Bozeman, Big sky, Idaho, and even further away (which has gone way up in the last few years). Most of whom don't contribute towards the local Madison valley economy either.

Thank you for your consideration

- Tim Gaar

From: [Pieske, Shawna](#) on behalf of [FWP Commission](#)
To: [Ryce, Eileen](#); [Skaar, Donald](#); [Wedde, Kim](#); [Pat Byorth \(fwpdistrict2@gmail.com\)](#); [Rich Stuker](#); [Shane Colton](#); [Tim Aldrich \(Cartim8@gmail.com\)](#)
Subject: FW: [EXTERNAL] Commission Letter
Date: Monday, November 2, 2020 9:05:54 AM
Attachments: [image002.png](#)
[Letter from Mac.pdf](#)

From: moga@mt.net <moga@mt.net>
Sent: Friday, October 30, 2020 12:56 PM
To: FWP Commission <FWComm@mt.gov>
Subject: [EXTERNAL] Commission Letter

Commission members,

Greetings. I am sending this letter from me as a follow up to formal comments I have already submitted from MOGA.

Thank you for your indulgence.

All the best

Mac Minard
Executive Director
Montana Outfitters and Guides Association
5 Microwave Hill Road
Montana City, MT 59634
406 449-3578 office
406 439-2059 cell
moga@mt.net

www.montanaoutfitters.org [montanaoutfitters.org]
www.bigheartsmt.org [bigheartsmt.org]



From: [Pieske, Shawna](#) on behalf of [FWP Commission](#)
To: [Ryce, Eileen](#); [Skaar, Donald](#); [Wedde, Kim](#); [Pat Byorth \(fwpdistrict2@gmail.com\)](#); [Rich Stuker](#); [Shane Colton](#); [Tim Aldrich \(Cartim8@gmail.com\)](#)
Subject: FW: [EXTERNAL] Madison River Comments
Date: Monday, November 2, 2020 9:04:43 AM

From: Clint <clintsorensen@gmail.com>
Sent: Friday, October 30, 2020 3:52 PM
To: FWP Commission <FWComm@mt.gov>
Subject: [EXTERNAL] Madison River Comments

Please pass this along to all the commissioners.

I'm a MT Resident that is extremely concerned about the future of the Madison River. I have spent dozens of hours educating myself on the data that FWP has provided about the river recreation in the environmental assessment published this past year and I've also read through the one from 2012. I also read through ALL of the transcripts from the meetings the committee had last year in an attempt to solve this BIG problem. The reason that committee never solved the problem is because the committee was unfairly stacked with people that have a MONETARY stake in the Madison River and NOT the citizens of MT, who own the river! What did you expect was going to happen and why did the committee NOT represent the citizens of MT?? Those guides and others that make money off of the Madison River refused to admit there is a problem?? How can you solve a problem (that according to them does NOT exist)???

Unfortunately, I'm also one of the displaced residents, so I've personally witnessed the increase in the number of anglers year after year. And I'm NOT a happy camper at this point because you have kicked the MT residents to the curb in favor of the \$\$\$\$\$\$ and frankly you should be ashamed of yourself!

If the outfitters, guides, and businesses that make money off of the public MT resources make up less than 2% of the total MT population, why was the committee then composed of over 50% outfitters, guides, and businesses?? Does that not create a conflict of interest? The fact that this group (that represents such a small percentage of MT residents) got such a loud voice on the committee would make me think that the money spent on those businesses is more important to you than MT residents enjoying a day of recreating on their local river. Why was the voice so small of the average MT angler that does NOT make his living off of the river, when they are a large majority of the population? Who represents the angler that DOES NOT MAKE MONEY OFF THE RIVER???

I think the majority of the MT residents would agree with me in saying that more \$\$\$ does NOT equal more votes!! But that appears to be exactly what has been happening with an attempt to solve this problem.

Just recently, the MT residents spoke loudly about how they feel when companies try to make \$\$\$ off of MT natural resources at the their expense....when they expressed their concern for the mining around the Yellowstone River in Paradise Valley and Governor Bullock has also supported this when he said that "MONTANA IS NOT FOR SALE!!!"

I think that over 98% of MT residents would also say, ?The MADISON RIVER IS NOT FOR SALE!!!? But based on the members of the committee, it sure seems like it?s for sale to me??

Considering that MT is known as the ?Last Best Place?, I would hate to be the one that sold it out at the expense of the local MT residents.

So the question is:

Out of all of the available 'spots' to recreate on the Madison River, how many are you willing to TAKE AWAY from the local MT residents so that some outfitters can make money off angling clients and the businesses can make money from the non resident tourists that come to recreate on or near the Madison River? If \$\$\$ is more important than the MT resident's ability to recreate on our local streams, then please let me know as I'd like to inform the public of your stance on this issue as I believe the majority of the residents would feel betrayed.

If you do NOT make regulations allowing for more resident access, I can assure you that this problem will only get worse and the overall experiences will decline...maybe a lot worse than what you or I could even imagine. This will especially be true when the public finds out how the committee was NOT an accurate representation of the MT residents, but was rather stacked with guides and outfitters and others who made their living off the Madison River.

These greedy outfitters and guides have removed the etiquette from fly fishing for their own personal gain and unfortunately, the only way they ever stop is when they're forced to by regulations. How is that etiquette? This will be evident when we have this problem on every damn river in Montana....it's only a matter of time and I'd argue there are a few other rivers in MT that have already this same problem....the Gallatin, the Yellowstone, the Missouri...just to name a few. Hopefully you guys realize where the problem is coming from and do something about it before the local residents feel like they've 'lost' their rivers and the businesses have such a strong grip on these natural resources that they 'own' them.

Contrary to what some believe, the problem is simple and the data clearly shows it.

The problem = Montana residents have been displaced from recreating on our local river due to being crowded out by Non Residents and Outfitters.

As everyone is aware, limiting these Non Residents and Outfitters will most likely have the negative side-effect of decreasing the amount of money that comes into the state by Non Residents. The choice is yours.

- 1) MT Residents
- or
- 2) More \$\$\$\$\$\$\$\$\$

REMINDER: What's best for business is NOT always what's best for MT and it's residents.

I do realize that there were a couple of committee members that were supposed to represent the public who don't make a living off the river. However, they were so outnumbered that they were easily intimidated and bullied by the sheer number of outfitters and guides on the committee. And if you don't think that kind of thing happened...go read the transcripts!!

I've been told that it doesn't matter as long as each group has a single representative because it isn't a 'majority rules' vote. If a group only needs a single representative, then why do the outfitters and businesses have more than a single voice? Ironically, over 1/2 of the committee make a living off of the river and that doesn't seem to matter to anyone? Given the problem we're attempting to solve here, I'd say that creates a conflict of interest. The outfitters and businesses defend their large percentage of the committee by stating that all of the different types of outfitters and businesses need to be represented?? Well, I could also get 'creative' and name about 20 different groups of people that don't make their living off of the river and are not represented on the committee. Also, a few of the committee members said 'equality' was important to them in this process. Ironically, there is nothing equal about stacking the committee with people who earn a living from mostly Non Residents? So, if you want to talk about equality, maybe we could start there?

Also, let me remind you that your greatest stewards of the river are the 'locals' and NOT the outfitters and visitors to the state!! If the outfitters really cared about the river and not just exploiting the river to make a living, we wouldn't even be having this conversation. If the locals, such as myself, feel like our river is being sold out from under us, we will no longer give a damn about that resource and you will see the resource suffer because of it. If you don't believe me ask any Warden if they could do their job successfully without the local's help and they?!! let you know how important we residents are to the future of these fragile natural resources.

On the specific topic of equality for Non Residents and Outfitters, I believe the only inequality is what us residents have experienced, which is getting displaced from the Madison River by Non Residents and Outfitters for years! 80% Non Residents and 20% Residents...How is that equal? It seems like the Non Residents are being favored here? The US Supreme Court has already ruled in favor of states preferring or favoring their residents over the non residents when it comes to recreation in high demanding places in the 'Baldwin v. Fish and Game Commission of Montana' case, in which they concluded the following:

"We conclude that where the opportunity to enjoy a recreational activity is created or supported by a state, where there is no nexus between the activity and any fundamental right, and where by its very nature the activity can be enjoyed by only a portion of those who would enjoy it, a state may prefer its residents over the residents of other states, or condition the enjoyment of the nonresident upon such terms as it sees fit."

Montana (and every other Western State that I'm aware of) limits numbers of Non Residents for big game hunting in favor of residents because you have a recreational activity that is in high demand and only so many 'animals' and 'spots' on the mountain. Most states that I'm aware of will limit these tags to approximately 10% Non Residents, largely favoring their residents. These limits were put in place because the resident hunters of these states were being displaced by Non Residents. I'm struggling to understand how the Madison River is any different? We have a limited, natural resource (the Madison River) that is in high demand and somehow the Non Residents get to occupy up to 80%+ of the 'spots' on the river, displacing the locals? This would NEVER be tolerated with hunting and should NEVER be tolerated with fishing either!

Unlike the outfitters who exploit the river for a living, I am one of the displaced local anglers. Unlike most outfitters, I've moved on to fish other rivers, often driving further, catching fewer and smaller trout, and giving up the majestic views of the Madison & Gravelly ranges. I fished over 100 days in 2018 and was on a river almost every day from May - Sept. I drove through the Madison Valley dozens of times but did not fish the Upper Madison a single day all summer long and I live in Bozeman. The ONLY reason I didn't fish it was due to the Non Residents and Outfitters overcrowding the river. How is it fair that I can't fish my 'local' river as there isn't even a spot in the parking lot (or the river) all summer long? So I end up driving into neighboring states and spend my money in WY and ID to find a river that's not crowded. How is it fair that I endure cold winters, pay higher rent, and take a lower salary...all so that I can live in MT...and come summertime, I can't even fish my local river because it's so overcrowded by Non Residents? It sounds like it's better to be a 'Non Resident' in Montana? That's pretty sad, and every time I drive past the Madison I can't help but think about what it would be like to fish the Salmon Fly hatch without seeing a boat or angler every 20 yards! I guess that experience is only reserved for the Non Residents and Outfitters!! How many MT residents are now traveling to neighboring states to fish due to the crowded rivers around here?

I drove through the parking lots at \$3 Bridge once last July on my way through to fish a different river and I counted 25 out of state plates and only 5 MT plates. That confirmed the data presented in the Environmental Assessment that showed we are being completely displaced by Non Residents and Outfitters.

Get rid of a majority of the Non Residents and that will organically cut the business of the Outfitters, which will allow enough room on the river for displaced MT residents to actually consider returning to recreate on the Madison River. There are many different ways to accomplish that, but the bottom line is that until the number of Non Resident anglers decreases dramatically, this problem will NOT be solved.

It isn't a 'belief' that some locals don't use the river because it is overcrowded. That is a 'fact'. The outfitters keep throwing around this 'perceived problem' of residents being displaced due to an overabundance of Non Residents?? It seems like the Outfitters label those MT Residents as 'selfish locals' who think they should have the

river to themselves and that's not true. If we are selfish with the Madison River, how have we allowed 75% Non Residents to invade our local river for the past 30+ years? If we are selfish with the Madison River, why have we been so tolerant of this displacement and moved on quietly to fish other rivers? And if any outfitters would classify me in the group of 'selfish locals', I challenge that outfitter to put your fly rod and boat away for a year and I will do the same.

Also, if I ever decide to venture out on the upper Madison during the summer, I would not expect to hear any guides or outfitters say anything to me when I decide to 'crowd' them and their clients as they said this is only a 'perceived problem'? How close can I come to your boat and client before you say something or we get in a fight? Maybe we'll find out?

It's like this...some people (like those in NYC) don't have a problem living right next to their neighbor....other people (like those that live in MT) want more space. Same thing on the river, some people (typically Non residents) will tolerate a lot less space than the MT residents. Crowding is relative, but who are you going to let determine what 'crowding' is on the Madison river...someone from NJ or someone from MT? I know who I would talk to.

Although catching a lot of nice sized trout can make for a better trip, fly fishing on the Madison is more about an experience and creating a memory than catching a bunch of fish. So why is the 'fishing experience' only rated based on how many fish the angler catches? What about the 'overall experience' when the crowds and garbage are taken into account?

I can catch fish all day in a boat floating down the Madison using a typical outfitter rig of 2 nymphs and bobber, but if there is always a boat that's visible in front of and behind me the entire float, what kind of experience is that? So it isn't just about how many anglers we can fit on the river and how many fish can be caught without impacting the health of the river!

As the State of Montana, we could make millions of dollars auctioning off bighorn sheep tags to the highest bidder. Why don't we? Because those sheep belong to the citizens of MT...not the highest bidder. The same applies to the Madison River. The MT residents own the river and the trout...so why are you allowing the Non Residents to displace us by allowing 4x as many non residents as residents?? This doesn't happen with hunting and it should NOT happen with fishing, especially on such a popular and iconic river, such as the Madison.

If you really cared about the trout in the Madison River, you'd implement a barbless hook requirement on the entire river. If guides really cared about the trout in the river, they would already have their own rule of not using barbed hooks and not allowing their clients to use them either. But sadly the guides don't have this rule because they only care about making \$\$\$\$\$\$. It's rare that I catch a fish in the Madison that doesn't have a messed up jaw due to removing barbed hooks. This is pathetic and guides should especially be ashamed of themselves for using (and allowing their clients to use) barbed hooks!!!

There was not a single rule proposed about barbless hooks, but \$\$\$\$ sure was a topic of conversation. Ironically the 'Environmental Assessment' put together by FWP for the Madison River but one of the 3 goals is the following:

'sustains the ecological and economic benefits of the river to Montanans and our guests.'

How does sustaining the economic benefits solve the problem of MT residents being overcrowded on the Madison River? What does the sustaining the 'economic benefits' have to do with the health of the Madison River? The Madison River existed long before the guides and outfitters moved into Ennis and hijacked the river. The fishing was excellent long before they showed up and the town of Ennis existed long before that. The town of Ennis, the state of Montana, the Madison Valley, and the Montana Residents DO NOT OWE the guides and outfitters (that decided to move to Ennis and exploit the Madison River for a living) anything!!! To the contrary, they owe us!! And they have done nothing but try to say that there isn't a problem? And give FWP 3% of their earnings. Is that \$\$\$\$ you get from them, driving the decisions you guys are making? Do you represent the people of MT or only the businesses that give you \$\$\$\$? Maybe you should rename your document 'Economic Assessment of the Madison River'??

I realize the river flows through their town, but does the Madison River belong to the MT residents or the town of Ennis?

Does the future of MT have any non-commercial residents left? Or will the future of MT be a bunch of businesses that make their living off of the limited natural resource. No need to worry about the non-commercial residents, because they will have all been run out of town already.

Here are my opinions on the rules put forth in the latest proposed rules:

NEW RULE I MADISON RIVER COMMERCIAL USE CAP

I do NOT agree with going back to 2019/2020 levels. The public said they wanted to go back to at least 2018 levels, so why did you not do that? Why do we take surveys and tell you what we think and then you don't listen to the public, but are rather influenced by the guides, outfitters, and others that make a living off of the Madison River? If it were up to me, I would BAN all guiding on the Madison River and I think the 2018 and 2019 Commercial numbers are WAY TOO HIGH!!! I would go back to 1970 commercial trips and give the river back to whom it belongs...the MT residents!

This isn't really covered in this rule, but there should be a rule to limit the number of Non Residents who fish on the Madison River. There are many ways to do that, but until that is done, the crowding will continue to be a problem and rightfully so! We should NOT have to accept the fact that residents are only 20-25% of the people fishing on certain parts of the Madison. And that's not counting all of the resident anglers that no longer fish the Madison because of the crowding.

NEW RULE II REST/ROTATION OF MADISON RIVER COMMERCIAL USE

Rest and Rotation is the best solution put forth in this entire document. However, why is it only June 15th - Sept 15th? And why does it only contain 2 sections? And why is it only on the weekends? Why is it NOT EVERY DAY (like it was originally proposed)? And most of all....why does it only exclude Guides and Outfitters? What about Non Residents? Why does this only include sections on the upper Madison river? What about the Lower Madison River? What about May on the lower Madison River....like during the famous Mothers Day Caddis hatch?? The lower river can be just as crowded as the upper river and especially with the growth of Bozeman.

There should be 7 sections of river and 1 section should be reserved every day of the week for RESIDENTS ONLY fishing, not including Guides, Outfitters, or non Residents. That should be in the upper and lower madison river and rotate on a daily basis. That's what was originally proposed and it's the fair thing to do for the MT residents. It works on the Beaverhead and the Big Hole rivers and will work on the Madison.

I realize this will crowd the guides and outfitters even more...but that's NOT the problem we're trying to solve. The problem were trying to solve is why the LOCAL MT RESIDENTS HAVE BEEN DISPLACED FROM THE MADISON RIVER DUE TO CROWDING. And this is a solution...but it can't just be the 2 sections you defined and it must be on weekdays too!!! The 2 sections you defined are mostly boat traffic. How does this rest and rotation help the wade angler that fishes at \$3 bridge? It doesn't at all!!!!

If this does not get expanded to 7 days a week across the whole river, I can guarantee you this problem will NOT be solved. So, do the right thing and set aside a piece of the Madison River for the locals, who ultimately own the river and the trout that live there....NOT THE GUIDES AND OUTFITTERS!!!!!!

This exclusion on these sections of the Madison River should also include Non Residents, like on the Beaverhead and Big Hole rivers. That's why it's called a 'Citizens Day' as it does NOT include the Non Residents....which are the problem with overcrowding.

NEW RULE III WALK/WADE SECTIONS OF MADISON RIVER

I support this ruling, but even more than that. We need a citizens day for the stretch between Hebgen Dam to Lyons on either Saturday or Sunday. Why not? This seems like you're discriminating against the local MT wade anglers.

I'd be willing to give up the elimination of boats in this section for 1 citizen day a week that included this section from Hebgen Dam to Lyons...especially if it was a Saturday or Sunday.

NEW RULE IV LIMIT DEVELOPMENT ON MADISON RIVER

I support this.

NEW RULE V MADISON RIVER WALK/WADE SECTIONS

I do NOT support this. I support the current regulations that prevent fishing from a boat from Quake to Lyons.

NEW RULE VI MANAGEMENT OF LIMITED COMMERCIAL USERS

I do NOT support this. Going back to 2019-2020 levels is WAY TOO HIGH and the public said this and you guys decided to not listen? Why not?

I support limiting the number of Non Residents, which will organically lower the number of trips the guides and outfitters take.

Trying to solve the problem of overcrowding without limiting the non residents will NOT solve the problem. So doing something like this only monetize the Madison River even more. Not a good idea.

NEW RULE VII TRANSFERRED PERMITS

I support limiting the number of Non Residents, which will organically lower the number of trips the guides and outfitters take.

Trying to solve the problem of overcrowding without limiting the non residents will NOT solve the problem. So doing something like this only monetize the Madison River even more. Not a good idea.

NEW RULE VIII FLEX TRIPS

I support limiting the number of Non Residents, which will organically lower the number of trips the guides and outfitters take.

Trying to solve the problem of overcrowding without limiting the non residents will NOT solve the problem. So doing something like this only monetize the Madison River even more. Not a good idea.

NEW RULE IX TRANSFER OF GUIDED TRIPS

I support limiting the number of Non Residents, which will organically lower the number of trips the guides and outfitters take.

Trying to solve the problem of overcrowding without limiting the non residents will NOT solve the problem. So doing something like this only monetize the Madison River even more. Not a good idea.

NEW RULE X MANDATORY GUIDED TRIP REDUCTIONS

I support limiting the number of Non Residents, which will organically lower the number of trips the guides and outfitters take.

Trying to solve the problem of overcrowding without limiting the non residents will NOT solve the problem. So doing something like this only monetize the Madison River even more. Not a good idea.

NEW RULE XI PERMIT APPLICATION AND FEES

Outfitters should report weekly and pay 10x the amount.

NEW RULE XII REPORTING AND USE FEES

Outfitters should report weekly and pay 10x the amount and they should have to pay 10% to FWP.

NEW RULE XIII PLAN EVALUATION

The evaluation should look at if the problem is solved....not just about outfitters.

NEW RULE XIV COMMERCIAL USE WORKING GROUP

I do NOT support this. I support having a group of MT residents that ACCURATELY reflect the population and I do

NOT support any working group comprised of people that make their living off the Madison River.

NEW RULE XV MADISON RIVER SPECIAL RECREATIONAL USE PERMIT TRIP DISTRIBUTION POOL

I support limiting the number of Non Residents, which will organically lower the number of trips the guides and outfitters take.

Trying to solve the problem of overcrowding without limiting the non residents will NOT solve the problem. So doing something like this only monetize the Madison River even more. Not a good idea.

NEW RULE XVI MADISON RIVER USE STAMP

I support this.

Clint

Hello,

I'm writing to tell you that I oppose the proposed regulations that shut down sections of the Madison River to boaters. I am particularly alarmed that you will also be "thinning the crowd" of outfitters by allocating days to outfitters based on history of use and monetizing those days for resale. On face this sounds "equitable", but in reality permitting in this manner ends up ensuring businesses that have many guides end up with most of the permits, crowding out local outfitters. I support outfitters who live in the Madison Valley, and support local businesses year round. The money that local outfitters earn stays in the Valley. Local, independent guides have a big stake in keeping their home Montana friendly and respectful of the treasure that is the Madison River. If these local guides are pushed out, it is a loss, not only for themselves, but for the community.

I am familiar with limited entry permitting and saw this happen in Alaska's commercial fishing arena. A lot of new, up and coming fishermen were squeezed out because the permits became so expensive, I don't want to see this happen in my hometown of Ennis. I'd like to see my great nephew Bill Denruyter able to keep doing what he does and loves best, and that is teaching clients the art of fly fishing on the Madison River. Bill and my great niece Helen moved to Ennis several years ago and built a home there. They are young, civic minded and love the Madison Valley. Helen is a nurse at the hospital, and Bill works for the school district in the winter. In a town that caters to retirees, young people are the real treasure.

Thank you for your consideration.

Ellen (Clark) Bishop

Ellen C Bishop

1808 8th Ave

Helena, MT 59601

eleora2bishop@gmail.com

RECEIVED
OCT 19 2020
FISH, WILDLIFE & PARKS

Please give us your feedback on this public notice. Comments must be received by **Friday, October 30, 2020 11:59 PM**

Comments

- Please close the Madison River again for spawning.
 - Wade only from Quake Lake Dam to Lyon's Bridge
 * Please set rules to protect spawning beds!

Name (optional)

GORDON L. PATON

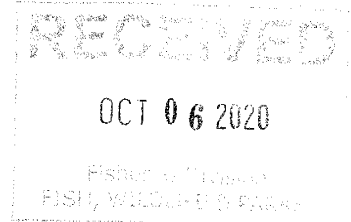
MONTANA OUTFITTER #330

City (optional)

CAMERON, MT. 59720

E-mail Address

SEYMOUR@3RIVERS.NET



Submit Comments



Close
Menu

C. Ross Anderson
Professional Engineer
P. O. Box 58171
Salt Lake City, Utah 84158-0171
(801) 583-0311

RECEIVED
OCT 13 2020
LEGAL UNIT
FISH WILDLIFE & PARKS

October 3, 2020

Fish, Wildlife and Parks
P. O. Box 200701
1420 East Sixth Avenue
Helena, MT 59620-0701

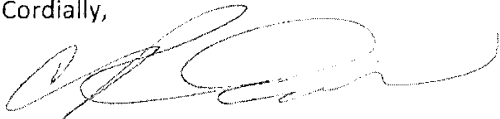
Attn: Legal Unit

Gentlemen,

I would like to receive notice of rulemaking actions proposed by the department or commission on the Madison River (including all its tributaries), Beaverhead River, Big Hole River and the Ruby River. I am currently serving on the Board of Directors of the Madison River Foundation. Please send the notice to C. Ross Anderson at the address shown on the top of this letter. I bought and currently own a 20 acre piece of property in the Madison Valley with a log cabin I designed and built 38 years ago. I have noticed a deterioration of the quality, environment and fishing on the Madison River over my lifetime. I applaud you for your current attempts to regulate the River and would like to be informed of any and all rulemaking actions, petitions, environmental studies, fish census, etc. on the Madison River.

Thank you.

Cordially,



C. Ross Anderson

Cc: Madison River Foundation
Jonathan H. Malovich, Executive Director

J. VINCENT MEYER

2001 N. Lamar Street, Suite 160 Dallas, Texas 75202

October 14, 2020

Montana Fish, Wildlife & Parks
1420 East Sixth Avenue
P.O. Box 200701
Helena, MT 59620-0701

Dear Commissioners:

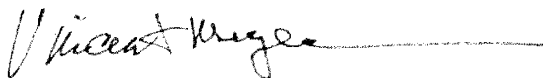
The Madison River is in decline as a fishing resource. The fish count survey numbers confirm what long-time fishermen experience.

To my recollection, this decline started when year-round fishing was permitted. Prior to year-round fishing, the stretch from Hebgen Lake to McAtee Bridge was closed to all fishing March 1 through May 15. This regulation served us well for 25 years, from when it was instituted in 1992. The fishing decline accelerated when a boat launch was installed at Reynolds Bridge.

Clearly the current regulations are not working to the benefit of the trout, the Madison River, or the public.

Reverting to the old regulations would be a good first step, and adding regulations based on science and common sense would be a good second step.

Best regards,



Vincent Meyer
2001 N. Lamar St. Suite 160
Dallas, TX 75202
214.616.8029
Fishing the Madison since 1987

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Fish & Wildlife Commission

Re: Madison River Rules

Robert Diwire
PO Box 2124
West Yellowstone MT
59758 2/20/47

New Rule 1 Use Cap

The River is grossly overcrowded by Outfitters exploiting this resource for commercial gain. There is no provision in state law that says that even one commercial guide trip is the right of an outfitter. They pay nothing to exploit our river. Limit them to what the data supports, not what a special interest group demands.

New Rule 2 - Strongly endorse

New Rule 3 - Disagree with part 2.

No Boats should be allowed in the designated Wade Section.

New Rule 4 - Strongly endorse

New Rule 5 - Strongly disagree

Reason - The historical intent by the State, as well as the owners of the 3rd Bridge property, was to allow fishermen without boats or the inclination to use them, a reach of the river to fish and recreate without boat traffic. The arguments put forth by the Outfitters are simply red herrings. I am 73 years old and a resident (30yr) of West Yellowstone. I fish this reach of the River (Raynolds to hyams) 100 days a year. Guides + Outfitters have 40 miles of river to fish that is almost 100% unavailable to the average Wade fisherman. Guides are now launching up to 20 boats a day illegally from a site near Eagles Nest, above Kirby, simply because they want to avoid the crowds at hyams. This is purely traffic, not fishing. The basic flaw in the FOM proposal is this: a commercial enterprise that nets these businesses hundreds of thousands of dollars is of no benefit to the state. ¹⁰⁹³ This resource belongs

to the people of the State of Montana, There is a huge monetary benefit to a very few outfitters, with NO compensation to the general public. Many of the arguments being put forth by FOAM as justification for their position are simply laughable. As we have, they claim that they are a very small percentage of the actual usage, but then make a claim that if they were not able to float the upper Wade Section, that it would force hundreds of their \$600⁰⁰ a day clients to wade that area causing "massive bank erosion and degradation" (Brad Richey Madison River Outfitters).

The basic premise at play here is this: Do what is best for the River and the people that utilize it. Outfitters and commercial users should have to move say than a 73 year old resident. If this resource is to survive, all users must make a sacrifice. Start by looking at the commercial exploitation of someone who generates in excess of \$100,000⁰⁰ a year, and gives back nothing.

From: [Ryce, Eileen](#)
To: [Wedde, Kim](#)
Subject: FW: [EXTERNAL] Madison River Recreation Plan Comment
Date: Monday, November 2, 2020 2:18:21 PM

From: Lauren Wittorp <lwittorp@gmail.com>
Sent: Friday, October 30, 2020 8:56 PM
To: Williams, Martha <Martha.Williams@mt.gov>; scolton@yellowstonelaw.com; rstuker@itstriangle.com; fwpdistrict2@gmail.com; cartim8@gmail.com; lbrower@yahoo.com; Ryce, Eileen <ERyce@mt.gov>
Subject: [EXTERNAL] Madison River Recreation Plan Comment

Commissioners:

My name is Lauren Wittorp and I am reluctantly sharing my comment on the proposed rule today, the last day of public comment hours before it ends. Because it was hard. I am reluctant because when I first stood in support of FWP's proposed rules to protect that Madison River in 2018, I started being threatened by those that did not want regulations. I continued to stand up and speak up for the health of the fishery and never could have imagined what it did to my life. My life was threatened, my house vandalized, my car broken into--ultimately resulting in legal fees to protect myself and having to quit my job because I no longer felt safe.

I chose to submit comment today because this isn't about me, it's about protecting my favorite place in the world-- the only place I can still go in the town I live in because people still treat me so terribly, all for trying to protect the health of a fishery. So to say I'm disappointed that you chose to listen to the petitions of FOAM and GGTU, rather than that of FWP scientists, is an understatement. I am disappointed that the first petition you received using this process that a young woman advocating for FWP's plans was thrown out, for no reason, just to accept one from an outfitting group that wasn't based on policy from FWP or scientists. It's hard to see that you are protecting the river and not just protecting the profits of outfitters. It seems young people and conservation groups were left behind in this process.

I encourage you to think of all of those who haven't commented because a lot of people don't feel like they can out of fear of what people that live in the small communities around the Madison will do to them. I hope you consider the next generation before you consider the profits of outfitters. I hope you are forwarding thing of the impacts to come from climate change. Most of all, I hope you always remember this is a public resource that is here for all, not just those who profit from it. I hope you remember that all deserve to use a public river in the way they want, not just those that profit from it. The public should be the priority.

My voice has never felt heard and I certainly doubt this will be the time the average person is listened to-- but I sure hope you will consider the opinions of those who just

love the fishery and want to see it protected for future generations. I hope you chose to listen the way your staff at FWP have. Travis Horton, Mark Delaray, Eilleen Ryce, Cheryl Morris and Dave Mosier are intelligent, thoughtful, and exceptional people and I applaud them for always listening, teaching and engaging. I wish their opinions and intellect were valued more by those forming policy.

As for my comments on the specific rules. I don't believe they prioritize the fishery or the residents of Montana. I believe people should have the ability to use the resource as income but not at the cost of the fishery or public.

I think capping the river at levels past what FWP fisheries scientists recommend is irresponsible and will only cause damage. Listen to FWP scientists, not those profiting from the river. The scientists said were at a tipping point years ago, why choose years past that?

As for walk wade sections, a public resource should be managed to benefit all types of people trying to recreate. Dedicating sections of the river for walk in-wade only fishing is the fair thing to do. It lives up to the promise of those who advocated and funded the Three-Dollar Bridge Fishing Area, that was promised to be an area for walk-wade anglers forever.

I am not in favor of these rules and hope you chose to heavily change them before voting. I hope you look back at the original rule proposed by FWP in 2018. I hope you take recommendations from the staff at FWP that manage the river and know better than anyone else after all they are the only ones with the agenda of protecting the fishery and river.

I am always happy to further discuss my views and opinions. Feel free to contact me anytime, lwittorp@gmail.com, 406.624.9782.

Sincerely,

Lauren Wittorp

--

Lauren Wittorp

406.624.9782

lwittorp@gmail.com

TO: Montana Fish and Wildlife Commission

FROM: Mark E. Odegard; GrizGeo, LLC; Ennis, MT meo@grizgeo.com

Commissioners:

I have contributed significantly to four major environmental assessments in China, Mexico, Afganistan and at the Hanford Site in central Washington State, and on numerous smaller projects. I have read the EA for the Madison River several times. There are several major an many minor omissions in the EA. I will comment on each of the separately in the future. The major ones that I see are:

- 1) There is absolutely no assessment of the effects of Climate Change/Global Warming.
- 2) There is no real economic analysis of the effects of any of the "Rules" on the local economies in the Madison River area.
- 3) The "Rules" would apply only to commercial use of the River. This means that the use of the river will grow as it has. "Rules" should apply equally to all parties using the River.
- 4) There is no economic analysis of the benefit of these "Rules" to those proposing the rules as opposed to other affected parties.
- 5) There is no "checkoff list" of factors the should be analyzed such as that from HUD:
<https://www.hudexchange.info/resource/3140/part-58-environmental-assessment-form/>
- 6) An EA is not a final document but as pointed out by FEMA:
<https://www.fema.gov/emergency-managers/practitioners/environmental-historic/assessments>
"An EA must address and document those areas where there is a potential to significantly affect the environment and provide the public an opportunity for involvement and input in the decision process in accordance with the law. The EA concludes with a one of two decision documents, either a Finding of No Significant Impact (FONSI) or the Notice of Intent to Prepare an Environmental Impact Statement (EIS)."

Yours Sincerely,

Mark E. Odegard

Included are previous comments including a PPT on the effects of climate change on the Madison area. All are on the digital media.

Mark

TO: Montana Fish and Wildlife Commission

FROM: Mark E. Odegard; GrizGeo, LLC; Ennis, MT meo@grizgeo.com

Commissioners:

In my previous comments "FWP_Cmt1_201018", submitted Sunday, my first concern was with the absence of any mention of Global Warming/Climate Change. During my work on the "Negotiated Rule Making Committee" (NRMC) I prepared a power-point describing some coming changes in the Madison Valley and the effect on the fishery because of warming. I offered to give a 15-30-minute presentation using it, but was rebuffed. I subsequently submitted the PPT to both FWP and the Commission.

Subsequently, about a month ago, I tried to find information on the change with time of water temperature in the Madison River. I found that there is one USGS station which has been recording for about 6 years, which is not long enough to evaluate long term warming of the River. From studies of the Greater Yellowstone Ecosystem air temperatures have been made over a period of many decades. These measurements and results of climate modeling indicate a 2 degree rise in temperature from about 1948. I also found a paper (see discussion after my signature) on water temperatures in the lower Madison. The final conclusion was:

"In any event, all results here suggest that predicted climate change will have a warming impact on water temperatures in the Lower Madison River, and more importantly, the changes are likely to result in a negative impact on fish population health and mortality."

After thinking about this for several days I suddenly realized that Fish, Wildlife and Parks and the Fish and Wildlife Commission (FWP&FWC) had already tacitly accepted the effect of Global Warming on Montana rivers. FWP&FWC for several years has been imposing "Hoot Owl Restrictions" on Montana rivers including the Big Hole, Gallatin, Sun, Blackfoot, Bitterroot, Upper Clark Fork, Ruby, Beaverhead, Jefferson and the Madison. In fact, on 14 July 2020 a permanent hoot owl restriction was placed on the lower Madison apparently due to ever increasing temperatures in the River and its effect on the fishery as above.

During our NRMC meetings one presenter from FWP said that temperatures on the upper Madison below Ennis bridge were already periodically exceeding the hoot owl threshold. With increased warming of the river we can expect HO restrictions on the lower part of the upper Madison. My estimate is that within 12 to 30 years we will see these restrictions on the Madison from below Quake lake to the confluence with the Jefferson. The shorter estimate is possible if there is an acceleration in warming due to burning of the Amazon forests, a primary source of carbon dioxide sequestration. Note that a La Niña is developing which should lower temperatures and add precipitation in the northern US which would mitigate temperature

effects in the section below Ennis bridge for a year or two. Hoot owl restrictions will also concentrate use of the river into a much more limited time frame exacerbating crowding.

Since FWP&FWC has already accepted the increased warming in the Madison river, and its effect on degrading the fishery, this indicates that increased fishing pressure may not be having much of an effect on any perceived decline in the fishery. **According to the MCA and FWC's own enacted rules this negates any reason for enacting restrictive rules on use of the river.**

In my PPT I discuss some possible mitigation of the effects of warming on the River. However, the results of Climate Migration of adversely effected populations in the southern US and Latin America into the Madison Valley will have a major negative effect on any mitigation because of the associated draw down of water flow in the Madison aquifer. This Migration has already started and will probably accelerate.

I am modifying my PPT and will submit it shortly.

Yours Sincerely,

Mark E. Odegard

The paper mentioned above is:

Gooseff, M. N., K. Strzepek and S. C. Chapra (2005) Modeling the potential effects of climate change on water temperature downstream of a shallow reservoir, lower Madison River, MT; Climatic Change 68: 331–353.

This research was done in the late 90's.

I contacted Professor Gooseff, but he has not done any further research on this subject. He suggested contacting Geoff Poole or Rob Payn at MSU, his former students. I have not done this as yet.

The FWP apparently are taking temperature measurements on Montana rivers to monitor hoot owl conditions. It would be useful if these measurements were available publicly.

TO: Montana Fish and Wildlife Commission

FROM: Mark E. Odegard; GrizGeo, LLC; Ennis, MT meo@grizgeo.com

Commissioners:

I think that not allowing access to walk/wade sections of the Madison River with watercraft for persons with disabilities violates the Americans with Disabilities Act (ADA). Specifically, 28 CFR Part 35 and more specifically Part 35.130. Denial of access would also discriminate against young children and seniors who cannot wade or walk the River.

Some might comment that they should hire a boat and guide. This discriminates against persons with limited financial means.

Yours Sincerely,

Mark E. Odegard