



# MONTANA FISH AND WILDLIFE COMMISSION

## Public Comment Summary

THE **OUTSIDE** IS IN US ALL.

**Item:** Administrative Rule to Prohibit the Use of Remote Controlled Devices for fishing.

**Public comment Period:** 11/06/2020 through 12/04/2020

**Public Comment Hearing:** 12/01/2020

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### **Background:**

In August of 2020 the FWP Enforcement Division presented to the Fish and Wildlife Commission on the possible uses of remote-controlled devices (primarily UAV/Drones) for fishing. The presentation was a result of a gap in clarity in statute regarding using these devices for the purposes of fishing. FWP Enforcement asked the commission if they would like a proposal brought forward and if so what type. The Commission indicated it would like a review a proposal to ban the use of remote-controlled devices. On Oct 22<sup>nd</sup> 2020 the Fish and Wildlife commission voted to initiate rule-making on a proposal to prohibit the use of remote controlled devices for fishing.

### **Public Involvement Process & Results**

On 12/1/2020 The department conducted a public comment hearing via Zoom in which 3 public comments were received and are transcribed in this document.

The commission received 2 letters from organizations representing large groups of people. Both were in support of the proposal.

The commission received 40 written comments in support of the proposal.

The commission received 5 written comments that supported parts but not all of the proposal.

The commission received 2 written comments in opposition.

# Boulder River Public Comment Table of Contents

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[Opponents](#)

[Proponents](#)

[Transcript of public comment hearing](#)



December 4, 2020

Montana Trout Unlimited  
312 North Higgins, Suite 200  
P.O. Box 7186  
Missoula, Montana 59807

Montana Fish, Wildlife, and Parks Enforcement Division  
ATTN: Phil Kilbreath  
P.O. Box 200701  
Helena, Montana 59620-0701

**Re: Adoption of NEW RULE I pertaining to the use of remote-controlled devices and drones while fishing**

Mr. Kilbreath:

Thank you for the opportunity to provide comments on the adoption of NEW RULE I pertaining to the use of remote-controlled devices and drones while fishing. We have reviewed the proposal put forward by the Department and accepted by the Fish and Wildlife Commission, and we wish to go on record supporting the change to the ARM. Please consider the following as our official public comment.

Founded in 1964, Montana Trout Unlimited (MTU) is the only statewide grassroots organization dedicated solely to conserving, protecting, and restoring Montana's coldwater fisheries and their habitats. MTU is comprised of 13 chapters across the state, including the Joe Brooks Chapter in the area, and represents approximately 5,000 members and friends. Many of our members are conservation-minded anglers who have an active interest in the health and recreational values of our state's rivers and streams.

Proposed NEW RULE I takes a reasonable and responsible step to meeting the challenges of balancing changes in technology and meeting the fair chase ethic and principles that underline the North American Model of Fish and Wildlife Conservation. Understanding that the agency has been getting multiple requests concerning the use of remote-controlled devices and drones while fishing already, MTU believes now is the time to take action by adopting NEW RULE I. We believe strongly that those fair chase principles also are grounded in the work to protect and conserve Montana's world class wild and native trout fisheries, and therefore this rule meets the precautionary principle burden in proactively addressing issues before they cause harm. NEW RULE I as drafted is simple, concise, and easily understood by anglers that fishing with these devices is expressly prohibited.

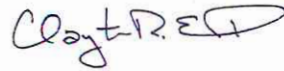
Further, we appreciate the inclusion of these restrictions directly into the ARM rather than relying on the fishing regulations that are adopted every four years by the Commission. We believe this is a stronger and more effective approach that will make implementation easier and more predictable for Enforcement staff and anglers in the field.

Please do not hesitate to contact us with any questions, or if you need additional information regarding the comments that we have submitted (via email at [clayton@montanatu.org](mailto:clayton@montanatu.org) or by phone at 406-543-0054). Again, we thank you for the opportunity to provide public comment on this important topic.

Respectfully,



David Brooks  
Executive Director  
Montana Trout Unlimited



Clayton Elliott  
Conservation Director  
Montana Trout Unlimited



Flathead Valley Chapter Trout Unlimited  
P.O. Box 638  
Kalispell, MT 59903

December 22, 2020

Shane Colton  
Chairman  
Montana Fish and Wildlife Commission

Dear Mr. Colton:

We the board members of the Flathead Valley Trout Unlimited chapter support passage of the proposed new rule regarding the *Unlawful Use Of Remote-Controlled Devices While Fishing*. This is a sensible and timely approach to an emerging technology that has the potential to be detrimental to the sport of fishing. We applaud the Commission's proactive stance on this issue.

Sincerely,

Flathead Valley Chapter of Trout Unlimited  
Board of Directors

[flatheadtu@gmail.com](mailto:flatheadtu@gmail.com)

**From:** [Malcolm Lowe](#)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] remote control Public comment  
**Date:** Sunday, November 15, 2020 10:29:24 AM

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I absolutely support the **prohibition** of the use of remote controlled devices for the purpose of fishing.

**From:** [Roy Thompson](#)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] electronics for fishing.  
**Date:** Monday, November 23, 2020 1:50:18 PM

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I will cast my vote to NOT allow more electronics for fishing and in effect prohibit thier use ! I understand some friends of some friends used a bobber "drone" and smart phone, to locate Paddlefish this spring and were VERY successful. Once located, it was VERY simple to snag quite a number of them from one "hole" and then to move on to another "hole" locating another "bunch" for extremely easy "snaging" This is Sport ? Not in my book. I suspect one fish being snagged numerous times would suffer some damage (?) or even death (?) It seems very un-sports men like to me to use that sort of locating system. Please prevent this sort of "fishing" to happen here in Montana..... Roy Thompson ( Oh, and I've been snagging Paddlefish for the last 15 years using traditional methods )

**From:** [John William Miller](#)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] drones and fishing  
**Date:** Thursday, November 19, 2020 1:32:33 PM

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To whom it may concern;

I wish to go on record opposed to any use of technology (drones) for fishing in remote areas in Montana. With regards to the upcoming hearing you have regarding this proposal I ask that you vote no.

Thank you.

Sincerely,

John Miller



**From:** [Carucci, Laurence](#)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] drones & fishing  
**Date:** Wednesday, December 2, 2020 7:31:47 PM

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I am writing simply to add my voice to the preponderance of speakers monitored a few days since who strongly recommended that drones be prohibited within the state of Montana to either assist with the act of fishing or to catch fish without a rod and reel or other traditional fishing gear. As an angler, it is important to maintain our waters, many of them among the most desirable fishing waters in the United States, at the highest level possible for those fishermen and fisherwomen who wish to adhere to Montana's fair chase ethic.

Thank you for ensuring that fishing within our state remains of the highest possible quality by restricting fishing to actual people interested in fishing as sport or as a skilled pursuit to help feed their family.

Yours Sincerely,  
L. M. Carucci  
5357 Thatcher Drive  
Bozeman, MT 59715

Laurence Marshall Carucci, Ph.D.  
Letters and Science Distinguished  
Professor Emeritus of Anthropology  
Montana State University  
Bozeman, Montana 59717

**From:** [Roger Brewer](#)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] Drone fishing  
**Date:** Thursday, December 3, 2020 10:54:12 AM

---

I'd like to support the FWP Commission's proposal to eliminate the use of drones in fishing. As a lifelong fisherman in Montana, I believe it is a wonderful sport that can be participated in with the current technologies. The excitement of landing a fish is what keeps us going and to use a drone to help that process seems counter productive. Sport fishing is not a commercial venture and few rely on fishing for their living. To be out fishing and have someone's drone buzzing around would take much of the enjoyment out of it. The rationale for using drones seems inadequate.

Roger Brewer  
3025 Farm to Market Rd  
Kalispell, MT 59901

(406) 257-0981

**From:** [Rand/Linda Robbin](#)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] drone ban  
**Date:** Thursday, December 3, 2020 10:17:49 PM

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Phil Kilbreath: I am opposed to the use of drones by fishermen, and hunters. This technology is the antithesis of fair chase, sportsmanship, and human empathy. Please list me as a supporter of the proposed ban. Sincerely, Rand Robbin, 1701 Riverside Road, Bigfork, Mt 59911

**From:** [rcfurlong1@aol.com](mailto:rcfurlong1@aol.com)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] Remote devices for fishing  
**Date:** Friday, November 27, 2020 9:30:22 AM

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Dear Mr. Kilbreath:

I am in complete agreement with the rules being proposed regarding remote devices or drones while fishing. I think there should be a COMPLETE ban on remote devices with regard to fishing. Not only does it represent unfair chase when it comes to fishing, but will also intrude into the privacy and space of others on the rivers. I and others do not want aerial or water-borne drones in and around us when fishing in Montana. As the resources become increasingly crowded, drones represent another opportunity for conflict and unethical use of those resources. PLEASE BAN ALL USE OF DRONES AND REMOVE DEVICES WHEN FISHING IN MONTANA. Thank you for your time and attention to this matter.

Roger Furlong  
428 E Pine St.  
Missoula MT  
[roger@furlong.org](mailto:roger@furlong.org)

**From:** [Marc Dingfelder](#)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] Remote controlled devices while fishing  
**Date:** Friday, November 20, 2020 1:44:12 PM

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Several year ago, we had a farm in Missouri, very near the Truman Dam. During the early days of the damn, people used remote controlled boats to carry baited hooks out to the damn and drop the hooks in front of the spillway. These boats would go inside the area cabled off for actual boats.

This ruined fishing below the damn and caused numerous conflicts between fisherman. It was nothing but trouble. They finally outlawed the use of these remote controlled devices and things settled back down.

If you want to fish...then fish...If you want to play with your toys, go to a sand box. I strongly resent the used of remoted controlled devices to invade areas that are safe havens for fish. If you really want to destroy your fish population, just keep it up.

Marc Dingfelder

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

**From:** [Donna Wahoff-Stice](#)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] Remote controlled devices use for fishing  
**Date:** Friday, November 13, 2020 8:43:49 PM

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We are opposed to the use of remote controlled devices for fishing. Really, what is the sport in this request? We fish on quiet streams, often in solitude. The use of these devices would change the character of fishing in Montana. Please do not allow these requests.

Sincerely,  
David and Donna Stice

**From:** [Patrick Redding](#)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] Remote Controlled Devices for fishing  
**Date:** Friday, November 13, 2020 12:04:45 PM

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Please keep these damn devices away from our fishing!

Pat Redding

**From:** [Nikki](#)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] No drones  
**Date:** Sunday, November 29, 2020 9:01:07 AM

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Mr. Kilbreath

I'm a born and raised Montanan and flyfish.....a lot. Drones do not and should never be part of this sport. Ever. Never. This is the slippery slope that dooms so many pristine areas and concepts.

Though they may not email you, I know of a number of fishers who agree with me. Not one disagrees.

No drones now. No drones ever.

Nikol Stirling



**From:** [Joel Nelson](#)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] Fwd: Drone Regulations for Montana Fishing  
**Date:** Saturday, December 5, 2020 9:55:24 PM

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Phil -

I did not have your correct work e-mail address at MFWP. So I have corrected that address and re-submitted my comments (shown below) to you on the proposed new Drone fishing regulations.

Thank you again,

Joel Nelson  
29 Gray Hawk Court  
Kalispell, MT 59901

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

**From:** Joel Nelson <[joel.nelson6916@gmail.com](mailto:joel.nelson6916@gmail.com)>  
**Date:** Sat, Dec 5, 2020 at 2:57 PM  
**Subject:** Drone Regulations for Montana Fishing  
**To:** <[Philkilbreath@mt.gov](mailto:Philkilbreath@mt.gov)>

Phil -

Sorry I think I might be late to comment on this proposal to disallow the use of drones in sport fishing in Montana. As a Montana sportsman, who loves to fish and hunt, I feel the use of drones for either sport should not be allowed. I feel that is not within the sportsman's code of ethics for "fair chase". I support this proposed action by MFWP.

In addition, this proposed action of dealing the use of drones, if accepted by the MFWP Commission, will cover a current inconsistency in the Montana Fish and Game regulations between fishing and hunting of wild fish and wild animals and birds. There is a precedent in statute now that does not allow drones to be used for the reconnaissance or harassment of big game or game birds, while hunting them. The same should hold true for sport fishing in Montana.

I support this proposed action by the MFWP.

In the future it would be nice to have the public notice of these types of proposed MFWP actions be published in the news media with more lead time than 2-3 days, a minimum of at least 10-14 days would be preferred, I feel. I do understand the possible publication delays, with the Thanksgiving holiday period, but I would encourage you and the MFWP to take these distractions and conflicts into their strategic planning process for public comments on these types of proposed fish and game regulations, Please try to set reasonable comment periods are public notice is in print and when public comment timelines are being set. This is an important factor if you want to encourage public comments.

Thank you for the opportunity to review and comment on this proposed regulation action by MFWP.

Joel Nelson  
29 Gray Hawk Court  
Kalispell, MT - 59901  
(406) 890-2429

**From:** [EugeneBeam@comcast.net](mailto:EugeneBeam@comcast.net)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] Fish and Wildlife Commission to hold public hearing on the use of remote-controlled devices and drones while fishing  
**Date:** Monday, November 23, 2020 5:23:30 PM

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Dear Mr. Phil Kilbreath

It is stated on your web site that "Possible uses of remote-controlled devices and drones while fishing include transporting bait and hooks long distances beyond where anglers can physically cast, transporting bait and hooks to areas that normally are unable to be accessed such as closed areas near dams, scouting large areas above water quickly for fish and filming fish in real time, dropping hooks or bait with exceptional accuracy, and landing fish."

None of the stated possible uses are what I would consider fishing, in fact I can't come up with one possible use of a remote-controlled devices and drones while fishing. As the current Montana law does not specifically address remote-controlled devices or drones, and gives the commission discretion to allow or prohibit this activity. I think, not only should the commission never allow the use of any and all of remote-controlled devices and drones for or while fishing, but they should also ask the Montana legislature to change the law so no future Montana Fish, Wildlife & Parks commission could allow it.

If Montana would allow the use of remote-controlled devices and drones while fishing it would just open a pandora box and you would never be able to control it once allowed and you would have a very hard time to stop it once it got stated.

Montana already has a world renown first rate fishery, and they don't need a bunch of AOs with go pros or drones marketing you fishing paradise. I have had the pleasure of living for 3½ years in Montana and know from firsthand experience, that fishing in Montana is great, without a drone or go pro.

*Gene Beam*

**From:** [DONNA maddux](#)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] Drones...fishing or otherwise  
**Date:** Thursday, December 3, 2020 9:56:09 AM

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Thank you for this opportunity for a multigenerational Montanan to comment. Our relationship with our fish and wildlife is sport..and food in season. Drones are commercial. If you haven't experienced the relaxation trout fishing, poor you. If you're serious and you can't learn fish habits, tough! Don't commercialize our blue ribbon streams...or any others!

Thanks, again. Donna Maddux PO 4816 Whitefish, MT 59937

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

**From:** [kgelderman@gmail.com](mailto:kgelderman@gmail.com)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] Drones, etc.  
**Date:** Thursday, November 26, 2020 11:07:48 AM

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NO, No, and Dear God No!!!

We don't have enough technology in to defeat our fish and game? Do we really want fishing, hunting, outdoor activities to be as annoying as sitting next to some jerk talking on his cell phone in a cafe? No!! Rich people showing off their annoying habits and toys in nature is an affront to all who value this dwindling resource.

Thank you for at least getting ahead of this before the idiots think it is a sacred right.

I have had personal experience with this when sitting in my boat on Flathead Lake a drone hovered over our heads.

My hand gestures made it clear I did not appreciate this intrusion into my space.

Thank you.

Kurtis Gelderman  
3244 S. 7th St. W.  
Missoula MT. 59804

Sent from my iPhone

**From:** [logbuilder](#)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] Drones  
**Date:** Thursday, November 26, 2020 11:07:25 AM

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Dear Sir  
Absolutely no drones for fishing, baiting, and locating fish, thank you.  
Garold Lazarowski

**From:** [Gary Vinson](#)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] Drones  
**Date:** Tuesday, December 1, 2020 9:02:20 AM

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Agreed on drones conflict, Mike!.....John may verbally concur, but watch him go out and buy a six pack of them to try to gain an edge on us this winter....



**From:** [Ron Stirling](#)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] Drones!  
**Date:** Thursday, November 26, 2020 9:32:41 AM

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Mr. Kilbreath

I won't even mention the slippery slope who's edge we're occupying. Drones have no more legitimacy or morality in fishing than they do in hunting or observing me in my backyard. Fishing success should continue being the result of research, practice and skill in actually fishing, not manipulating a drone while sitting in a rocking chair. Allowing any inroads into the use of drones to increase fishing success is opening the door to slaughter.

Fish only survive because they somehow avoid death from predators, warming and oxygen depleted water, dewatered waterways, legal fishers, poachers, introduced exotic species, decomposing chunks of lead, elimination of woody debris hindering floaters (too bad floaters), incompetent fishers killing fish by not knowing how to catch and release effectively, people building rock dams hindering fish migrations just to form wading pools, and climate change (whether human caused or not).

Allowing drones to make catching and killing fish easier has no legitimacy now or ever. Please do not open the door to the unavoidable, massive advances that will follow. Please eliminate even the possibility of the use of drones for fishing (or hunting) purposes.

Ron Stirling



**From:** [monty\\_59912@yahoo.com](mailto:monty_59912@yahoo.com)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] Drones fishing  
**Date:** Thursday, December 3, 2020 11:10:39 AM

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I am totally against it, if they are to lazy to get off their butts and hold a pole that you is their problem. It will start causing fights and what happens if they crash over a waterway, they going to follow it downstream onthe Flathead, Yellowstone or any other fast moving water, if they are to lazy to hold the pole0then they are probably to lazy to clean up their debris from lakes also. Also the news article didn't come out until the 3rd, doesn't give much time for public opinion. I might be wrong don't some of these drones have be licensed by FAA, if they do andcrash do the Feds have to investigate it? If I am wrong just disregard that part.Thank You

Leroy McFadden6155 Highway 2 West  
Columbia Falls, Montana 59912  
(406) 249-5759

Ps: can they use drones to find elk and deer? Same principle.

[Sent from Yahoo Mail for iPhone \[overview.mail.yahoo.com\]](#)

**From:** [Darryl Barker](#)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] Drones Use Comment  
**Date:** Wednesday, November 25, 2020 12:15:16 PM

---

Dear Warden Kilbreath,

I just received an email from FWP regarding the upcoming hearing on the use of drones while fishing. It said to direct comments to you. I hope I'm not too late.

All I need to say is that I am **vigorously opposed** to the use of drones not only in fishing, but also while hunting/scouting, or any other use on public lands--including school trust lands, FWP WMAs, BMAs, USFS and BLM land as well. The last thing I want to see in the woods, other than a creeping mountain lion or charging grizzly or wolf pack, is a drone! They are a blight on the beautiful Montana landscape--modern locusts.

Thank you for listening.

Very cordially,

Darryl Barker  
Great Falls

**From:** [steven krause](#)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] Drone use while fishing  
**Date:** Friday, November 27, 2020 8:28:34 PM

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Hello, my name is Steven Krause and I am 100% against using drones while fishing.

Also can I shoot a drone down during hunting season? I see one this year Nov. 13 in the South Fork about half way up Crossover Mt. I was tracking a small herd of Elk (7) and here came a black drone down a small canyon. Very upset by this!

Steven Krause

**From:** [Christopher Casey](#)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] Drone rule  
**Date:** Friday, November 13, 2020 3:32:46 PM

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I totally support the FWP ruling to prohibit the use of remote controlled equipment and drones for any kind of fishing or sport in Montana.  
Thank you for being proactive in stopping the use of this invasive and unethical technology in our great outdoors.  
Chris Casey  
McAllister, MT

Sent from my iPhone

**From:** [Roger Brewer](#)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] Drone fishing  
**Date:** Thursday, December 3, 2020 10:54:12 AM

---

I'd like to support the FWP Commission's proposal to eliminate the use of drones in fishing. As a lifelong fisherman in Montana, I believe it is a wonderful sport that can be participated in with the current technologies. The excitement of landing a fish is what keeps us going and to use a drone to help that process seems counter productive. Sport fishing is not a commercial venture and few rely on fishing for their living. To be out fishing and have someone's drone buzzing around would take much of the enjoyment out of it. The rationale for using drones seems inadequate.

Roger Brewer  
3025 Farm to Market Rd  
Kalispell, MT 59901

(406) 257-0981

**From:** [Joel Vignere](#)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] Drone fishing  
**Date:** Thursday, December 3, 2020 7:59:40 AM

---

Please no drones.

Joel Vignere  
Lakeside, MT

Sent from my iPad

**From:** [Mark Voelker](#)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] Drone fishing  
**Date:** Thursday, December 3, 2020 9:54:08 AM

---

To whom it may concern,

With regards to the use of drones for fishing, we strongly object to allow the practice of using unmanned (Or manned for that matter) aircraft for fishing or hunting in the state of Montana. Any mechanical or technological means beyond a rod and reel is not what fishing is all about. Catch and release, and barbless hooks come to mind that preserve the quality and sport of fishing and the use of drones do not.

Thanks,

Mark Voelker and Kathy Grant  
Whitefish Montana  
406-253-7559

**From:** [Randy Cogdill](#)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] Ban on Drones  
**Date:** Thursday, December 3, 2020 10:24:22 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

---

Mr. Kilbreath,

I would certainly echo all the concerns mentioned in the Daily Inter Lake article of December 3, 2020. I have been a life long fisherman and hunter in Montana for over 40 years and have seen the degradation of the experience that includes wave runners on the rivers where you used to never see them, over-crowding at every level, etc. This new "technology" would negatively impact the outdoor experience for the majority and I could see it getting out of control in very short order if allowed at any level. Please move forward with the ban.

Thanks,  
Randy



**Randy Cogdill**

Vice President | Commercial Lender

Office: 406.751.4936 | Cell: 406.270.6038 | Fax: 406.863.6303

319 E. 2<sup>nd</sup> St | Whitefish, MT 59937

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**From:** [Sharel Stroh](#)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] Ban drones for fishing  
**Date:** Friday, December 4, 2020 10:14:58 AM

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Hi Phil,  
My wife and I are 78 year old Montana natives and still actively fish Montana waters.

We would favor a rule that would ban all use of drones for fishing in Montana .

Thanks for your good management of our recreational opportunities in Montana.

Jim and Sharel Stroh

Sent from my iPad

**From:** [dave.clark.mt@gmail.com](mailto:dave.clark.mt@gmail.com)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing  
**Date:** Wednesday, December 2, 2020 12:34:44 PM

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Yes, please do ban the use of drones and remote control devices for fishing.

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This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing' Public Notice Web Page.

**From:** [roger@furlong.org](mailto:roger@furlong.org)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing  
**Date:** Friday, November 27, 2020 9:29:22 AM

---

Dear FWP Commission:

I am in complete agreement with the rules being proposed regarding remote devices or drones while fishing. I think there should be a COMPLETE ban on remote devices with regard to fishing. Not only does it represent unfair chase when it comes to fishing, but will also intrude into the privacy and space of others on the rivers. I and others do not want aerial or water-borne drones in and around us when fishing in Montana. As the resources become increasingly crowded, drones represent another opportunity for conflict and unethical use of those resources. PLEASE BAN ALL USE OF DRONES AND REMOVE DEVICES WHEN FISHING IN MONTANA. Thank you for your time and attention to this matter. Roger Furlong, Missoula MT

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This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing' Public Notice Web Page.

**From:** [bill@solidgroundconsulting.com](mailto:bill@solidgroundconsulting.com)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing  
**Date:** Saturday, November 28, 2020 9:38:08 AM

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I support the ban.

Thanks.

Bill Long

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This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing' Public Notice Web Page.

**From:** [wshoutis@hotmail.com](mailto:wshoutis@hotmail.com)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing  
**Date:** Sunday, November 29, 2020 7:01:46 AM

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As a Montana sportsman with young children, I would like my opinion to be registered as completely in favor of a ban on these devices and drones for fishing. It will no longer be fishing if these are allowed. We should not be seeking ways to guarantee fish harvest, because part of what makes hunting and fishing special is that you will learn to return empty handed. Would the next proposal be to allow drones and remote killing devices for big game hunting? Please establish this ban forever, thank you.

---

This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing' Public Notice Web Page.

**From:** [tomawalsh49@gmail.com](mailto:tomawalsh49@gmail.com)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing  
**Date:** Sunday, November 29, 2020 11:12:42 AM

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The persons who want to endeavor in these activities, ie, fishing with remote controlled boats and drones are not sportsmen, they're techies looking for new frontiers. Let them look elsewhere.

I cannot imagine trying to fish with little boats and drones buzzing around me. Don't let these people intrude into the solitude of true sportsmen.

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This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing' Public Notice Web Page.

**From:** [trb.hunter@gmail.com](mailto:trb.hunter@gmail.com)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing  
**Date:** Tuesday, December 1, 2020 10:30:15 AM

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Thomas Baumeister with the Montana Chapter of Backcountry Hunters and Anglers. I offered the below during the public hearing as well:

"Montana has a long tradition of safeguarding the essence of recreational hunting and fishing as activities that require skill, effort, and restraint. This rule fits the tradition. As is, the rule affirms the essence of recreational fishing as an activity that requires personal skill and effort through the use of a handheld fishing device. As we know, a fishing rod is a rather simplistic and somewhat archaic device but that is by design. Drone fishing has nothing to do with this way of fishing. Consistent with Montana's well-established fair chase ethic, the Montana Chapter of Backcountry Hunters and Anglers wholeheartedly endorses the adoption of the rule. Thank you for taking the high road on this issue and for involving the public."

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This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing' Public Notice Web Page.

**From:** [tenring@outlook.com](mailto:tenring@outlook.com)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing  
**Date:** Friday, November 13, 2020 4:03:40 PM

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I wholeheartedly support the addition of the NEW RULE I UNLAWFUL USE OF REMOTE-CONTROLLED DEVICES WHILE FISHING. This new rule would further the spirit of fair pursuit of fish and game that has defined the Montana sportsman. I applaud FWP for taking these steps.  
Bruce Smith

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This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing' Public Notice Web Page.



**From:** [royregel@gmail.com](mailto:royregel@gmail.com)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing  
**Date:** Friday, November 13, 2020 6:46:17 PM

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In the matter of the adoption of New Rule I pertaining to the use of remote controlled devices and drones while fishing.

Please adopt this rule to prohibit these devices.

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This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing' Public Notice Web Page.

**From:** [guyherman59912@hotmail.com](mailto:guyherman59912@hotmail.com)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing  
**Date:** Thursday, November 19, 2020 6:18:26 PM

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I?m with Fish and Game as a native Montanan I whole heartily believe in fair chase! Thank you!

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This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing' Public Notice Web Page.

**From:** [jbrininstool@gmail.com](mailto:jbrininstool@gmail.com)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing  
**Date:** Saturday, November 21, 2020 10:30:35 AM

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As a guide on our waters throughout western Montana, as well as the Missouri and the Smith. I fully support the banning of remote control devices for purposes of fishing, scouting, etc. This was/is not the purpose of these devices. I support a ban on these instruments on our rivers for these uses.

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This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing' Public Notice Web Page.

**From:** [radongas@centric.net](mailto:radongas@centric.net)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing  
**Date:** Saturday, November 21, 2020 11:40:18 PM

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All electrical remote control devices should be banned while fishing. They are absurd!

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This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing' Public Notice Web Page.

**From:** [catrafter@bresnan.net](mailto:catrafter@bresnan.net)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing  
**Date:** Sunday, November 22, 2020 8:55:39 AM

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Please do not allow remote controlled fishing devices (drones). Fishing is not about using any means possible to catch fish. We don't allow dynamite as a way to fish, why allow this?

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This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing' Public Notice Web Page.

**From:** [Lunkfish64@gmail.com](mailto:Lunkfish64@gmail.com)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing  
**Date:** Tuesday, December 1, 2020 3:23:41 PM

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Drone use, not only a threat to "Fair Chase" in outdoor sporting ventures, is a potential privacy encroachment. Sportsmen can be unwittingly monitored for covert reasons, either public or governmental. The sanctity of nature is one of few remaining freedoms in society. To open up surveillance disguised as creative methods to succeed in a sporting activity is to remove the freedoms of others and the privacy of one's space.

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This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Ban the Use of Remote-Controlled Devices and Drones while Fishing' Public Notice Web Page.

**From:** [frank c thompson](#)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] remote control fishing  
**Date:** Friday, December 4, 2020 10:29:35 AM

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I have been a fisherman for decades and catch fish the old fashioned way. But on occasion I have fun using my battery powered, plastic, 14 inch, boat; which has a string hook and worm and barely catches fish. It doesn't go very far before it loses contact signal. Given to me as a fisherman that has everything. Please don't ruin my fun and make this activity illegal.....thanks, frank

**From:** [John Molter](#)  
**To:** [Kilbreath, Phillip](#)  
**Subject:** [EXTERNAL] Drones  
**Date:** Thursday, December 3, 2020 11:59:28 AM

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I oppose new rules with no basis in research. Let's see the data that these proposals will actually protect our resources. Rules for rules sake and/or ethical judgments seem to be a waste of time and money. Thanks just



**From:** [Pieske, Shawna](#) on behalf of [FWP Commission](#)  
**To:** [Kilbreath, Phillip](#); [Pat Byorth \(fwpdistrict2@gmail.com\)](#); [Rich Stuker](#); [Shane Colton](#); [Tim Aldrich \(Cartim8@gmail.com\)](#)  
**Subject:** FW: [EXTERNAL] Drones and fishing  
**Date:** Tuesday, December 1, 2020 7:32:40 AM

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

From: kevin phelps <[ketowke@gmail.com](mailto:ketowke@gmail.com)>  
Sent: Tuesday, December 1, 2020 6:10 AM  
To: FWP Commission <[FWComm@mt.gov](mailto:FWComm@mt.gov)>  
Subject: [EXTERNAL] Drones and fishing

Please stop blocking all matters of drone flight, with outdoor activities. I can understand not allowing people to use a drone, with a fishing line attached to it, I can also see, not allowing flights to look for fish. However, it put people who want to use there drone to video of fishing trip or a YouTube channel. Please take that into consideration before you rule. This is our state and putting to many rules in place take away from all people's experiences.

Sent from my iPhone

Ban of RC Devices while Fishing Public Hearing  
Transcript of Comments

Jim Homison: Jim Homison in Stanford, Independent, CAC Member. Okay, the language in the regulation is proposed here uses the words "while fishing", I would recommend changing that to "as a means of catching fish". Because there's some things that you should be able to do with a drone while you're fishing like playing with your eight-year-old grandson there within 10 feet of the shoreline with his little tiny boat. Or if we can ever get to the point where you can order up a jar marshmallows two dozen crawlers and a 12 pack of beer from Amazon and have it delivered by drone that would be very convenient. And I know that sounds silly but it shouldn't be illegal. Moving on here. Some more meat on your bones why this, I think this is a good idea. Non searchable waters adjacent to waters fishable by traditional shoreline or boat anglers help to limit the over harvest of the resource. These fish sanctuaries whether created by regulations, typography, vegetation, property ownership, etc., serve as a source of replenishment of fish to those areas easily fish so that sustainable quality angling can still be had under increasing public use. Not that this is drone related, but I have a quarter mile stretch of brook trout stream I can fish it, and keep up with rookies, every time I go there because 50% but you can't even get a night crawler in there, let alone a flyer or a spinner. And that's where those fish in those areas, keep replenishing the rest of the stream. Next would be managing user conflict. In the last 10 or 15 years I've had to unhook three boats while traditional shoreline angling because of inattentive boaters passing by. The thoughts of landing and unhooking a drone or small remote-control boat are thoughts I've never entertained until now. If remote devices are legal for placement of hooks on lines user conflicts would likely escalate. So let's be forward looking, and nip it in the bud now. As a side note, I've also had to entangle three or four seagulls and unhook one brown pelican from my lines in the last 10 or 15 years. I think that's much more acceptable than releasing remote control devices caused by inattentive operators. And this last one might be out there a little bit but possible public safety and homeland security issues, just some points to ponder. I'm not sure how big an issue this has a potential to become but the use of drones, for any reason, on hydroelectric power grid infrastructure, I think, is a cause for concern. What if the wind carries a fisherman's drone into an electrical transformer? What if a foreign or domestic terrorist weaponized drones to do harm to the people of this country, particularly by attacking domestic water supplies and power grid infrastructure where fishing and other recreation occurs. Would Homeland Security be able to distinguish fisherman drone from enemy drones? And I do know domestic water supply like back east it was closed to fishing for eight years after 911 for security reasons, that would be roughly equivalent to a closing Hyalite Reservoir south of Bozeman to fishing. That is the end of my comments and thank you for listening.

Thomas Baumeister: This is Thomas Baumeister with the Chapter of the Montana Backcountry Hunters and Anglers. Good morning everyone. My common goals as Montana has a long tradition of safeguarding the essence of recreational hunting and fishing as activities that require skill, effort and restraint. This rule very much fits the tradition. As is, the rule affirms the essence of recreational fishing as an activity that requires personal skill and effort through the use of a handheld fishing device, as we all know, a fishing rod is a rather simplistic and somewhat archaic device, but that is by design. Drone fishing has nothing to do with this way of fishing. Consistent with Montana's well-established fair chase ethic, as was pointed out earlier, the Montana Chapter of Backcountry Hunters and Anglers wholeheartedly endorses the adoption of the rule. Thank you for taking the high road on this issue and for involving the public. Thank you very much.

Clayton Elliot: Hi there. This is again Clayton Elliot E-L-L-I-O-T-T with Montana Trout Unlimited just wanted to weigh in and say that we support and appreciate the, first and foremost, support the agency

and Mr. Kilbreath in bringing this topic forward. We've grappled with it and we continue to grapple with it until we get final comments submitted on Friday to understand the nexus between our mission to preserve, protect and restore better fisheries and their habitats. And this proposed rule. And yet we continue to come back to that we think this is a good step forward and we want to support the agency and the Commission moving forward again you'll have more substantive comments as we submit them in writing, but just wanted two one go on record in a public space to say thank you to the agency and a Mr. Kilbreath for really leading a conversation here that's an important one. It's a difficult one, but it's an important one to continue to have. So thank you so much for that.

End of Comments: