

**From:** [John McClure](#)  
**To:** [FWP Madison River COM](#)  
**Subject:** [EXTERNAL] PROPOSED REPEAL OF ARM 12.11.6702 AND 12.11.6706  
**Date:** Friday, December 17, 2021 1:35:37 PM

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To whom it may concern,

My name is John McClure and I have been fishing the Upper Madison since I started working at the Slide Inn in 2003. I am on the river over 150 days a year and started my guiding career in 2006 and plan on being an outfitter on the Madison for the foreseeable future. Since I know you are most likely getting a lot of public comment on this issue I will make this as brief as I can. In regards to the issue, I am in favor of repealing both of these measures on all three fronts. First as an angler, second as a licensed Montana outfitter with a Madison River permit, and third as a general manager of a fly shop and lodge on the upper wade stretch of the Madison River..

The entire reason we are putting restrictions on the Madison is because of a social problem and not a biological one pertaining to the resource. How do you solve a social problem on a river? The simple answer, and the one that everyone at these meetings agrees with, is to reduce angler conflict. Of all the things I could possibly think of that would INCREASE angler conflict the most on the Upper Madison, opening up the upper wade section between Raynold's Bridge and Lyon's Bridge would be at the top of the list. If you look at my logs, I would guess there are not many outfitters or guides who have floated the section between the Slide Inn and Pine Butte as much as I have over the last 12 years. It is a somewhat technical row until you get below "Big Bend" between Three Dollar Bridge. I float it a lot between April and the third week in June and then again in the Fall. Why do I not do so between the last week in June and the 2nd week in September? Too Many People. Simple as that. I would say that over 90% of the good fishing/holding water between Raynold's and Pine Butte is within 30' of the bank on either side of the river which is where the vast majority of the public fishes. When you start putting boats down the most heavily wade fished section in the entire river, during the busiest months of the season, on the two busiest days of the week you are going to have angler conflict the likes of which we have never seen.

The other reason this is a terrible idea is that most people do not know the lines necessary to stay in the middle of the river and avoid wade anglers....it took me at least a season when I was young to find out how to avoid people and the water they are fishing. The reason for this is because the easiest way through these sections is by hugging the banks, but as we all know, that is where all the anglers are.

That means people running over other people's water and possibly running into them.

The other issue is that by opening up the section to guides and outfitters on Sundays and closing Lyon's to Palisades, you are going to force them to crowd the upper stretches in order to make a full day. You can easily float fish Raynold's Bridge to Lyon's Bridge in under 3.5 hours with plenty of breaks, and most guides try to be on the water for at least 8 hours with their clients. By prohibiting us from going past Lyon's you will see a lot more drift boats anchored up on rocks, guides holding boats, and guides walking boats in order to slow their movement downstream. This will lead to further crowding and even more angler conflict which is the antithesis of what we are trying to do on the Upper Madison these days.

I am also not in favor of the rest and rotation rule for Lyon's to Palisades on Sundays for commercial use. As a permit holder on the Big Hole River I will be the first to admit that this system works over there.

However, there are over 115 miles of floatable water on the Big Hole, while our float section on the Upper Madison is a mere 36 miles. By taking away 7 miles of river, you are going to condense commercial guides and outfitters into a smaller section of river and create more crowds up and down river.

I appreciate you taking the time to read my comments and hope that you make the right decision to repeal 12.11.6702 and 12.11.6706.

Best Regards - John McClure

**From:** [Josh Bergan](#)  
**To:** [FWP Madison River COM](#)  
**Subject:** [EXTERNAL] Public comment for Madison River rule repeal  
**Date:** Friday, December 17, 2021 12:35:32 PM

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I support the repeal of the two NEW rules in question regarding the walk/wade sections of the Madison and the rest/rotation rule. But I DO NOT support repealing the walk/wade sections entirely, nor does anyone else I know, nor does that make sense to me. That is a strange twist and should not be on the table right now.

Thank you for the opportunity to comment.

Best, Josh Bergan, Belgrade, MT



**Joshua Bergan**

Freelance Writer

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**From:** [Luke Rice](#)  
**To:** [FWP Madison River COM](#)  
**Subject:** [EXTERNAL] Madison river rules  
**Date:** Thursday, December 16, 2021 11:51:43 AM

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Hello,

I am writing regarding the Madison River rules. I want to express my concern about the rest and rotation proposal. I believe that this is going to create truly horrendous crowding on certain stretches of the river if that plan goes into play. This is going to diminish if not ruin the experience for most of the anglers on that stretch, that day. I feel there are ample opportunities for the non-guided angler to have a more quite river experience by fishing during the shoulder seasons and avoiding boat launches during peak hours in the summer. By putting on before 8 or after 10 creates the opportunity to have more space on the river as 90% of guided trips launch between 8 and 10 most of the summer.

I support removing the rest and rotation option from the plan.

Also I support leaving the wade stretch sections as is. It creates a good opportunity for folks to have a different kind of fishing experience.

Thanks,

Lucas Rice

406-224-5756

Sent from my iPad

**From:** [Joan Pease](#)  
**To:** [FWP Madison River COM](#)  
**Subject:** [EXTERNAL] Maintaining the walk wade sections of the Madison River  
**Date:** Wednesday, December 15, 2021 11:27:34 AM

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Madison River Commission:

I favor restoring the walk/wade sections of the Madison River to past regulations. It would be a mistake to allow fishing from vessels at any time on these stretches. Currently, the fish have a refuge from fishing in the middle of the river. After the failure at the Hebgen dam and subsequent low flows in the upper Madison, it's even more important to maintain the walk/wade section.

I favor the repealing both ARM 12-11-6-7-02 and 12-11-6-7-06. There is a need to develop a recreation plan to decrease pressure on the river and reduce conflicts between anglers but these regulations do not achieve this goal.

Respectfully,

Joan Pease  
629-333-8541

Sent from my iPad

**From:** [Emily Gribble](#)  
**To:** [FWP Madison River COM](#)  
**Subject:** [EXTERNAL] Public Comment Regarding ARM 12.11.6702 and 12.11.6706  
**Date:** Wednesday, December 15, 2021 11:13:27 AM

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Hello,

I am submitting my public comment regarding the proposed repeal of ARM 12.11.6702 and 12.11.6706.

I am in favor of the repeal of ARM 12.11.6706 rest/rotation regulations.

I am opposed to the repeal of ARM 12.11.6702, and this is because I would like to ensure that walk/wade sections from the outlet at Quake Lake to Lyons Bridge remain in place. It is important to maintain a walk/wade section of this river that doesn't receive the same angling pressure that fishing from a boat allows, and I strongly support maintaining the regulations that no fishing from a boat or vessel is allowed in the section from Quake to Lyons. I recognize that in not repealing this arm, it would allow for fishing from a boat from Reynolds to Lyons on Saturday and Sunday, and I would like to clearly state that **I am opposed to allowing fishing from a boat on any day in this section.** Because of the confusing nature of how this is written and the potential conflict with current regulations, it's hard for me to determine what to state I support or oppose, which is why I want to make it clear that **I am in support of maintaining the walk/wade section from Quake to Lyons as a walk/wade only section, not allowing fishing from a boat at all in this section.**

Thank you for your time and consideration,  
Emily

**From:** [Keith Brauneis](#)  
**To:** [FWP Madison River COM](#)  
**Subject:** [EXTERNAL] repeal ARM 12.11.6702 and 12.11.6706  
**Date:** Wednesday, December 15, 2021 10:43:11 AM

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We would like to "re-comment" on this repeal as it's results seem to be confusing.

To clarify, we would like to go on record in support of maintaining the existing walk/wade sections on the Madison River, especially from Ennis to Ennis Lake with boat use for access only and no fishing from the boat.

Furthermore, we are not in support of ANY rest and rotation on the Madison River as that would only congest other areas of the river on those days.

Sincerely,

Keith and Wendy Brauneis  
River Summit Outfitters  
Outfitter Lic.# 44486

**From:** [Brian McGeehan](#)  
**To:** [FWP Madison River COM](#)  
**Subject:** [EXTERNAL] Support for repeal of ARM rules on Madison for Rest/Rotation and Walk/Wade  
**Date:** Wednesday, December 15, 2021 10:24:31 AM

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Commissioners,

I would like to recommend the repeal of ARM rules 12.11.6702 and 12.11.6706 which would allow float fishing in the current upper wade only zone on the Madison and also add rest rotation zones.

As a member of the Madison River Work group we received a thoughtful presentation representing the feedback from hundreds of sportsman that raised concerns about changing the current wade only zones to allow fishing from the boat and the potential conflicts that may arise from this rule change.

The proposed rest/rotation rule change also incorporated opening up this section to float fishing in the current walk/wade only section. Rest/rotation does not set limits on users on the river - it simply clusters users into groups which further compounds a sense of crowding while on the river and exacerbates crowding at access points. Allowing freedom of all users to organically disperse up and down the river is preferred vs. rest and rotation.

There are clearly problems on the Madison River related to concerns of social crowding as well as stress on resources such as the fishery, stream banks and access sights. A robust recreation plan is needed for the Madison, but this plan must deal with the problem head on by setting a recreational use capacity for use on the river. Neither of the ARM rules set limits on use and they are not solutions to the problem at hand.

- 1) I recommend that ARM rules related to allowing float fishing in the upper walk/wade be repealed
- 2) I recommend that the Raynolds to Lyons Bridge reach be returned to a wade fishing only zone where boats may be used for access but anglers may not fish from the boat.
- 3) I recommend that Rest/Rotation rules be repealed

Thank you,  
Brian McGeehan

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Brian McGeehan  
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**From:** [josh13fly@hotmail.com](mailto:josh13fly@hotmail.com)  
**To:** [FWP Madison River COM](http://FWP.MadisonRiver.COM)  
**Subject:** [EXTERNAL] Madison River Comments  
**Date:** Wednesday, December 15, 2021 8:17:45 AM

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To whom it may concern,

I recommended the repeal ARM 12.11.6702 - Walk/Wade Sections of the Madison River - and ARM 12.11.6706 - Rest/Rotation of Madison River Commercial Use.

I am a licensed guide who operates an average of 130 days of commercially guided trips per season on the Madison River.

Rest and Rotation WILL cause more congestion on open parts of the Madison river. It's not a responsible solution to mitigate "crowding", as it will create more congestion.

Permitting fishing from the boat in the Walk/Wade section WILL most certainly create conflicts between wade anglers and boat anglers.

Regards,

Josh Wheal

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Sent from Outlook Email App for Android



**From:** [dlkumlien@gmail.com](mailto:dlkumlien@gmail.com)  
**To:** [FWP Madison River COM](http://FWP.MadisonRiver.COM)  
**Subject:** [EXTERNAL] Please repeal Rest and Rotation ARM and Walk/Wade ARM on the Madison River  
**Date:** Monday, December 13, 2021 11:00:48 AM

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Dear MTFWP Commissioners,

Please repeal the Rest and Rotation and the Walk/Wade ARM on the Madison River as recommended by the Madison River Workgroup.

My name is Dave Kumlien, and I am the Outfitter for Montana Troutfitters fly shop in Bozeman which my wife Karyn and I founded in 1978. I have been a Madison River outfitter and guide since 1975.

In 1979, I was appointed by MT Governor Tom Judge to the Madison River Study Committee and served on the committee in 1979 and 1980. I am a founding Board member and the first President of Fishing Outfitters Association of Montana FOAM and am a current FOAM member and a member of Montana Outfitters and Guides Association. I have been a member of the Madison Gallatin Chapter of Trout Unlimited (MGTU) since 1977 and served on the MGTU Board chapter as President and on the MT Council of TU. I am a founding board member of the Whirling Disease Foundation and worked for 6 years for national Trout Unlimited directing TU's Aquatic Invasive Species program. I helped found the Bozeman based Warriors and Quiet Waters therapeutic fly-fishing program for veterans with disabilities and am recently retired from running TU's Veterans Service Partnership. I have had my hands in the Madison, so-to-speak for almost 50 years!

I write to express my support for the repeal of the Rest and Rotation and the Walk/Wade ARM's. Regarding the Rest and Rotation rule, there is no scientific data that demonstrates the benefit to the fisheries resource from the Rest and Rotation rule. The R and R rule was promoted by George Grant TU from Butte who touted the "success" of "their" Big Hole rule. Comparing the Madison and Big Hole is not an "apples to apples" comparison and is an extremely poor analogy. 1) The amount of "rotatable" river covered by the Big Hole rule is over 100 miles of the river while the Madison rule would apply to approximately 40 miles of river, but even more importantly, **there is 3 to 4 times the amount of use on the Madison as occurs on the Big Hole.** Analysis of the use data on the Madison clearly demonstrates that the implementation of the Rest and Rotation ARM on the Madison would create very large crowds of users crammed into the short rotation sections. Bottom line, rest and rotation does nothing to protect the resource and creates more severe congestion and crowding diminishing the user experience. Regarding the repeal of the Walk/Wade ARM's, the section of the Madison from Hebgen Dam to Lyons Bridge has traditionally restricted fishing from boats and has provided a sanctuary of sorts for wading anglers. While I see a real benefit to spreading the float fishing use out over the entire river, I still support the idea of keeping the rules as they have been which allows boats to be used as transportation but restricts fishing from boats. From the practical standpoint, this section of the river includes some very difficult rowing, especially at lower water and does not have well developed boat launch areas.

I wish to thank the MTFWP Commission, the Madison River Workgroup, and Commissioner KC Walsh for their hard work. As a member of Governor Judge's Madison River 1979-1980 study committee, I know how difficult these issues are, and I thank you for your service.

Sincerely,

Dave Kumlien

Montana Outfitter #281, Madison River SRP #69, Big Hole RUP #99, Carbella SRP holder

4431 West Babcock Street, Bozeman, MT 59718

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David L. Kumlien

Outfitter for Montana Troutfitters

MT Outfitter #281

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**From:** [Michael Bias](#)  
**To:** [FWP Madison River COM](#); [commissionerregion1@mtfwp.org](#); [commissionerregion2@mtfwp.org](#); [commissionerregion3@mtfwp.org](#); [KC Walsh](#); [commissionerregion5@mtfwp.org](#); [commissionerregion6@mtfwp.org](#); [commissionerregion7@mtfwp.org](#)  
**Cc:** [Brant Oswald](#); [Brian Rosenberg](#); [Chris Bradley](#); [jason](#); [Jason Orzechowski](#); [Jeremy Gilbertson](#); [Matt Hargrave](#); [Tony Reinhardt](#); [Tucker Nelson](#); [Zach Scott](#); [Abigail St. Lawrence](#)  
**Subject:** [EXTERNAL] FOAM's Comments on repeal ARM 12.11.6702 - Walk/Wade Sections of the Madison River - and ARM 12.11.6706 - Rest/Rotation of Madison River Commercial Use  
**Date:** Wednesday, December 8, 2021 9:54:10 PM  
**Attachments:** [FOAM Commission Letter \(15Dec21\) ww rr pub hearing \(final\).pdf](#)

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Commissioners:

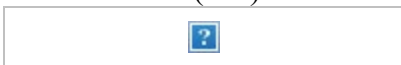
Please find attached the Fishing Outfitters Association of Montana's (FOAM's) written comments regarding the proposed repeal of ARM 12.11.6702 - Walk/Wade Sections of the Madison River - and ARM 12.11.6706 - Rest/Rotation of Madison River Commercial Use. As detailed in our letter, on behalf of the Board of Directors and nearly 1,000 professional guide and outfitter members of FOAM, I am writing to urge you to follow the unanimous recommendation of the Madison River Work Group and repeal ARM 12.11.6702 - Walk/Wade Sections of the Madison River - and ARM 12.11.6706 - Rest/Rotation of Madison River Commercial Use. As a past member of the Madison Negotiated Rulemaking Committee and current member of the Madison River Work Group, FOAM is committed to providing biologically meaningful and adaptive recreation management recommendations to the Commission that will protect and conserve the renowned resource of the Madison River into the future. We also strongly urge the Commission to repeal ARM 12.11.6702 - Walk/Wade Sections of the Madison River - and ARM 12.11.6706 - Rest/Rotation of Madison River Commercial Use.

Thank you for your time and work on this important issue.

Respectfully,  
mike

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Michael A. Bias, Ph.D.  
Executive Director  
406-925-2276 (cell)



**From:** [Scott Vollmer](#)  
**To:** [FWP Madison River COM](#)  
**Subject:** [EXTERNAL] Repeal of ARM 12.11.6702 and 12.11.6706  
**Date:** Monday, November 22, 2021 7:30:19 PM  
**Attachments:** [Public Comment Results v.2.docx](#)

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Dear Madam Chair and Commissioners,

Thank you for the opportunity to comment on your proposed repeal of ARM 12.11.6702 and ARM 12.11.6706. I fully support a repeal of these regulations and fully support the continued work of the Madison River Work Group.

I know that you have recently received a letter from sportsmen's organizations near Butte and you will most likely continue to receive these letters. In them, these organizations claim that rest and rotation and restrictions on boats in the walk/wade sections have **overwhelming public support** and have ranked as the **highest rated alternatives** on the most recent public scoping survey by the Department (emphasis theirs). Unfortunately, this is simply a blatantly false assertion. Their assertion is based on erroneous assumptions or an incorrect reading of the data. Their single data point that they base their argument around is the data point that simply ranks 5 different alternatives against each other ("No restrictions", "FAS social conflict management", "Rest-rotation", "Walk-wade", and "Daily boat launch restrictions"). While "Rest-rotation" and "Walk-wade" do score slightly higher than the 3 other alternatives, these scores simply are how well that regulation scores against other regulations. It does not show that these alternatives have overwhelming support. In fact, none of the 5 alternatives show overwhelming support, most likely because they are all bad alternatives.

In reality, the most recent public scoping document showed very little support for rest and rotation and boat closures in the wade sections. I personally went through all 1,167 pages of comments that were viewable for this public scoping and enumerated the results. I have included a summary of what I found as an attachment. You will notice that of the 373 individuals who commented on rest and rotation, 291 (78%) do not support rest and rotation on the Madison. Likewise, of the 359 individuals who commented on restricting boats in the walk/wade sections, 266 (74%) do not support the loss of access via boats in the wade sections or prefer the status quo. When giving their summary of the scoping results, Department staff concurred with the figures that I compiled in the attached document. Therefore, it is actually apparent that there is **overwhelming public support** for no rest and rotation and for continuing to allow boats to be used to access the wade sections of the Madison River. This true reading of the results of the public scoping document is largely why the Work Group has stated that there is little public support for these regulations.

For the last 4 years, prior to my time on the Madison River Negotiated Rulemaking Committee continuing to present day, I have shown over and over again through the use of commercial outfitter data that rest and rotation will only serve to crowd the river further in all sections of the Madison, whether "rested" or not. As a potential solution to crowding, rest and rotation will actually exacerbate crowding, and it is time to discontinue consideration of this ill-advised regulation for the Madison and any future consideration for other rivers in Montana. Proponents of rest and rotation have never been willing to give logical reasoning as to the benefits of rest and rotation and have consistently ignored the unintended consequences that is apparent when the data is analyzed. These same proponents will also stop at nothing to incorrectly spin the data compiled by the Department to support their argument. For this reason, I urge you to ignore their erroneous conclusions and repeal ARM 12.11.6702 and ARM 12.11.6706 as recommended by the Madison River Work Group. Thank you for your time.

Sincerely,

Scott

Scott Vollmer, MT Outfitter #26303  
MOGA Director at Large

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