

## Proposed 25-26 Fishing Regulation Changes - Scoping Comments:

**From:** Philip Gilbert <scrounge2@hotmail.com>

**Sent:** Thursday, September 19, 2024 8:16 PM

**To:** FWP Fish Comments <FWPFishComments@mt.gov>

**Subject:** [EXTERNAL] Proposed 25-26 Fishing Regulation Changes - Scoping Comments

Commissioners:

Please consider my comments. If you care-to, you can contact me for clarification.

Information from the actual and proposed regulations are shown in *Italics and underlined*. My comments and proposals are shown in the following **script**.

These comments were previously submitted in writing to the staff. However, it appears that staff felt that none rose to the level that would require the effort for a reply. I have noticed that there is little public input to many of the on-line and local meetings. Could it be that the public feels that comments will be ignored?

It seems that there is a desire to rid certain waters of Northern Pike. However, is there an overriding desire that this should only be done by the "privileged few"? See the supposed reason, in Proposal 3, for not allowing spear fishing to accomplish this goal. It is odd that all watersports in Bull Lake, including water skiing, are allowed, but spear fishing would upset the angler with a pole.

We were told in the Region 5 meeting that there was a desire to harmonize the regulations and reduce exceptions. I would have thought that having the same number of lines and hooks for ice fishing state wide would been an easily accepted change. Please explain the need for a limit of two lines for Ice fishing in Region 5.

Finally, I asked a simple question, if Cutthroat trout are in eastern Montana and if there was a concern that you can take one cutthroat out of the Yellowstone River in region 5 but not out east. Once again, no reply.

### **Proposal 3: Western District Northern Pike Standard Limits**

*Since all populations in western Montana are from illegal introductions, liberal harvest regulations, including unlimited harvest in some drainages, are in place to encourage harvest and suppress populations.*

*Submerged spearing was not included in the Western District Standard because that regulation would put boat anglers and submerged spearers in direct conflict. Most lakes in Northwest*

Montana that have Northern Pike are not large and have limited habitat to effectively find northern pike

This is a factious argument done by anglers with gear envy. As a free diver, I have experienced this prejudice in many places that I have gone after fish. The fact the water skiing, swimming and underwater photography is allowed should be evidence that this regulation was put in place by a bunch of old men that don't want to have anyone with a perceived method of take that is better than their surface fishing compete for "their" fish. If there is a need to reduce the pike population, then why is there a concern that there is limited habitat to dive? In fact, diving for fish allows the selected take of only the targeted species. Perhaps it would be better to limit surface fishing, as it is not-selective and can result in taking Bull trout, which even if released are still stressed. A free diver is able to glide along in the water and cause less environmental damage than any group of fishermen in a boat casting blindly into the weeds. If there is a concern with spotting divers, then limit diving to free diving. I propose that any place where non-game fish take is allowed or where pike spear fishing is allowed, that that water be open to taking fish while diving. You can change this as required and make it applicable to all state waters.

**Proposal 17: Flathead River Boundary and Remove Some Exceptions to District Standards**

Rationale: Northern Pike: The northern pike regulation has not led to the anticipated positive affects to the bull trout population. Anqing pressure on this section of river during the northern pike closure is substantial for other species which still results in bull trout bycatch. Additional northern pike harvest may also reduce predation on other species

It would seem that this would be a great location to allow for submerged spearing.

**Proposal 40: Hauser Reservoir and Holter Reservoir Northern Pike Spearing**

If there is ice spear fishing for Pike, then there should be diving for pike. This should be the norm throughout the central district. As it is now, diving for fish is only in designated waters.

**Proposal 44: Lake Frances Burbot Spearing**

Spearing: open for non-game fish, northern pike, and walleye, and burbot (ling) through the ice.

It would seem that this would be a great location to allow for submerged spearing

**Proposal 47: Missouri River – Toston Dam to Canyon Ferry Walleye**

- Northern pike: no limit. Spearing allowed through the ice only.

It would seem that this would be a great location to allow for submerged spearing

Other proposed changes that I would like:

Regulations for the Eastern Fishing District (six lines with 2 hooks per line through the ice)

The Central district should have the same regulation for ice fishing. 6 lines and 2 hooks per line. If there is a justification for only two lines then it should be by exception. This should, if possible, also apply to the western district.

*Comment*

Page 80 Eastern district – Rivers/streams: all cutthroat trout must be released immediately.

I am confused by this. Are there cutthroat in the eastern district? Since this includes the Yellowstone, and in the Central district, one cutthroat can be taken, does this make sense to have in the regulation.

Phil Gilbert

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**From:** Jim Muscat <jimmuscat@gmail.com>  
**Sent:** Wednesday, September 11, 2024 1:52 PM  
**To:** FWP Fish Comments <FWPFishComments@mt.gov>  
**Subject:** [EXTERNAL] Upcoming FWP meeting public comment

Dear Commissioners,

I am writing to you today to urge you to NOT deviate or amend the proposals #47 and 48 to the fishing regulations at your October meeting.

These two proposals are the result of the overwhelming public support to maintain the walleye limits as they were on the Missouri river between Toston and Canyon Ferry to be consistent with the management plan goals and to revise the limit on walleyes on the Missouri to Black Eagle dam to reflect the quality multi species fishery the people of Montana are asking for.

To let anyone or any powerful organization come in at the last minute and change the overwhelming will of the people would be dishonest and a huge disservice to the sportsmen and Women of Montana.

Thank you for your service and your honesty and integrity.

Jim Muscat

Townsend Montana

(406) 580-6138

**From:** Chris Wanner <aquatraco@mt.gov>

**Sent:** Tuesday, September 10, 2024 3:36 PM

**To:** FWP Fish Comments <FWPFishComments@mt.gov>

**Subject:** [EXTERNAL] Proposal 47 Missouri River Toston Dam to Canyon Ferry

**1) Proposal 47 Missouri River Toston Dam to Canyon Ferry... i am 100% in support of this revised proposal! to keep regulations where they are set now.**

**2) Proposal 48 Missouri River to Black Eagle Dam.... i support the revised limits as proposed going forward.**

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**AquaTraction of Central Montana**

**Chris Wanner**

Owner/Operator

406 600 4093

**From:** Terry McArdle <eyeboatsguy@hotmail.com>  
**Sent:** Tuesday, September 10, 2024 11:56 AM  
**To:** FWP Fish Comments <FWPFishComments@mt.gov>  
**Subject:** [EXTERNAL] Proposed fishing Changes.

Commissioners:

I have read the upcoming proposals, especially those that effect my area of interest. (Missouri river, Toston Dam to Black Eagle, regarding walleyes).

I am in favor of both proposal, #47 and #48.

Thank you very much,

Terry McArdle  
7120 Dbark Lane  
Helena, MT 59602

[eyeboatsguy@hotmail.com](mailto:eyeboatsguy@hotmail.com)

**From:** Dale Gilbert <mtwalleyellc@gmail.com>

**Sent:** Wednesday, August 28, 2024 5:06 PM

**To:** FWP Fish Comments <FWPFishComments@mt.gov>

**Subject:** [EXTERNAL] Proposal 48: Missouri River – Holter Dam to Black Eagle Dam Walleye

I'd generally support these proposed changes with a reduction to the limit on walleyes.

Frankly, based on all the data available, nothing shows that walleye are detrimental to the trout populations in the river. The recent electro-fishing data from 2023 clearly shows trout are doing exceptionally well.

Fact is: based on the 2023 electro-fishing reports on the two sections of Missouri river typically checked every year by FWP, there was a total of 12,340 trout captured vs. 74 walleye. The walleye make up .6%, less than 1% of the trout population. This is insignificant and barely measurable.

Over all the years, FWP has never documented any findings that the walleye in the Missouri River have been detrimental to the trout population so there is no justification for excessively liberal limits that have been put in place.

Because of the life cycle and habits of walleye at times they will be concentrated in areas where knowledgeable anglers can impact the population. So, I have to wonder if the limits shouldn't be even reduced to the district standard of 5 daily with 10 in possession.

Dale Gilbert

Sent from my iPad

**From:** Dale Gilbert <mtwalleyellc@gmail.com>  
**Sent:** Wednesday, August 28, 2024 4:53 PM  
**To:** FWP Fish Comments <FWPFishComments@mt.gov>  
**Subject:** [EXTERNAL] Proposal #2 Cleaning Fish for transport

Generally I'd support the proposal, however, it needs further editing for clarification. The language as written regarding transportation of fish after a person is off the water says filleting is allowed "unless size limits exist". This doesn't make sense to me. I can understand that filleting would not be allowed while on the water.....but to require anglers to transport whole fish home doesn't seem necessary.

Proposal 2 says in part: "Once off the water or ice, fish may be dressed, filleted and skin removed for transport to your permanent residence, unless size limits apply, under the following conditions:

- All fish can be counted and identified. Two fillets will be counted as one fish. If the catch is frozen prior to transport, each fish or fillet must be packaged so it can be counted.
- Salmonids (trout, salmon, arctic grayling, char, and whitefish): the entire skin must be attached to the fillet for identification."

Sent from my iPad