



Protecting Montana's wildlife, land, waters, and
hunting & fishing heritage for future generations.

Re: Montana Wildlife Federation's scoping comments for 2025-2026 Fishing Regulation Public Scoping Proposals

Montana Department of Fish, Wildlife, and Parks
ATTN: 2025/26 Fishing Regulation Scoping
P.O. Box 200701
Helena, Montana 59620-0701

Submitted via email to: fwpfishcomments@mt.gov

To whom it may concern,

The Montana Wildlife Federation welcomes the opportunity to comment on Montana Fish Wildlife and Parks' 2024 Fishing Regulation setting. As the oldest conservation organization in the state, representing over 5,000 members in Montana, we highly value the amount of work put into the State Fisheries Management Plan and the regulations that have been derived from it. The focus on science based conservation of our cold and warm water species is greatly appreciated, and we are encouraged by the overall direction of these proposals and where this round of setting regulations takes the state.

Overall, this round of fishing regulation setting has a lot of positives and a few proposals we're not in alignment with. For a document of this size and scope, that is bound to be the case. Nonetheless, we support sound, science based regulations reflecting management that supports both the opportunities that healthy fisheries provide to the public and the conservation of fisheries so that future generations can enjoy the same resources that Montanans and the rest of the world do now. As always, MWF is very appreciative of FWP's efforts to protect and improve habitat for native fish species throughout the state. We believe conservation of our native fish species is critical, and we are looking forward to assisting efforts to bolster native fish populations in Montana.

MWF is pleased to see several proposals removed from this Spring's fish regs package, as there seemed to be enough public commentary to warrant further review. While we are not opposed to creating catch and kill regs for Westslope Cutthroat Trout where appropriate, for example, we feel that better public education with a solid justification will help folks understand why these regs were proposed, resulting in better potential for passage in the future.

Proposal 3: Northern Pike Western District Standard Limits

MWF **supports** elimination of northern pike possession limits in the Western District. For folks that target northern pike frequently in areas where keeping pike is encouraged, going past the possession limit can be a concern. Removing the possession limit should allow them the ability to continue targeting northern pike a day, or days, after reaching the daily bag limit, while having not consumed them yet. This is a minor expansion of opportunity that we can support, particularly because it can help further suppress pike populations in the 4 rivers mentioned in the rationale.

Proposal 9: Bull River Cutthroat Trout

MWF **supports** establishing catch and release regulations for Westslope Cutthroat trout in the Bull River. We are pleased to see that FWP is prioritizing the protection of the few remaining migratory native fluvial trout in this drainage.

Proposal 15: Fishtrap Creek Cutthroat Trout

MWF **supports** the proposal to establish catch and release regulations for Westslope Cutthroat trout in Fishtrap Creek. Populations of Cutthroats in this creek are low. Management actions that protect them from harvest is a proactive approach to maintaining and growing this population that we agree with.

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

Having attended FWP's both Kalispell Fishing Regs Scoping meetings, MWF has seen how the public reacted to this proposal. What makes this a thorny issue for the public is that no data was provided on why this proposal is necessary. Treble hook mortality data and bull trout redd counts that are either stable after decades of steady decline, or currently falling, would have helped the public understand FWP's position. Without solid data to back up this proposal, FWP risks losing trust from the public. MWF **opposes** requiring single hooks for the lower 22-mile section of the Flathead River.

MWF also **opposes** opening this portion of the Flathead River to year-round fishing for pike. Fishing in the sloughs is a long standing tradition and is appropriate, because these areas do not have bull trout or cutthroat trout in them. However, the mainstem of the river is a staging ground and the migratory route for thousands of bull trout which would be caught in high numbers by folks targeting pike if year-round fishing is allowed. This is an unnecessary expansion of opportunity that will be detrimental to bull trout populations.



Proposal 20: Kootenai River Gear Restrictions

MWF **supports** a single hook regulation on the Kootenai River from Libby dam to the Highway 37 bridge.

We **oppose** the requirement for circle hooks for bait fishermen. In our experience, circle hooks can be especially difficult to remove, particularly when using bait, as the bait is typically taken deeper into the fish's mouth. This regulation could result in high fish mortality even if anglers using bait release fish.

Proposal 21: Landers Fork Gear Restriction

MWF **supports** gear restrictions and catch and release for cutthroats below Silver King Falls.

We **oppose** catch and keep regs for cutthroats in all portions of the Landers Fork. We believe that gear restrictions in this vital spawning area are necessary to protect bull trout and cutthroat trout.

Proposal 22: Little Bitterroot Lake Remove Exception to District Standard

MWF **opposes** getting rid of the 2 fish over 12" regulation and would like to see that reg stay in place. Better Kokanee biology and behavior data needs to be collected so that this fishery remains one of the few places where trophy sized Kokanee are available. The public has shown a strong desire to have that particular opportunity to continue.

Proposal 28: Snowbank Creek Gear Restriction and Cutthroat Trout

MWF **strongly** supports mandatory catch and release for cutthroat trout in Snowbank Creek, as well as moving to an artificial only regulation for this waterbody. Due to its importance for both bull and cutthroat trout spawning and rearing, we are very pleased to see this proposal by FWP.

Proposal 29: South Fork Flathead River Artificial Lures

MWF **supports** single pointed hook only regs for the entire South Fork of the Flathead.

We **oppose** striking the artificial lures only regulation so that bait can be used. We fail to see how adding a bait fishing opportunity helps native trout conservation on any stretch of this river.

Proposal 31: Vermillion River Cutthroat Trout

MWF **supports** designating the Vermillion River as a mandatory catch and release fishery for native cutthroat trout. This unique fishery deserves protection, and we are very pleased to see that FWP's SFMP highlights fisheries such as the Vermillion for native fish protections.

Proposal 32: West Fork Thompson River Cutthroat Trout

MWF **supports** the proposed regulation for catch and release for cutthroats in the West Fork of the Thompson River. With non-native trout encroaching on one of the few portions of cutthroat populations within the Thompson River drainage, we would also recommend more liberal catch and keep regulations for non-native trout species in the West Fork of the Thompson.

Proposal 37: Dearborn River Combined Trout

MWF **opposes** increasing the daily bag limit for trout on the Dearborn River. The justification of "harvest is likely minimal" does not suggest that FWP has the data to support this action. We are concerned that this small river with a relatively low population of trout would be negatively impacted through increased harvest opportunity, as it has become a popular fishing spot over the last few years. We also question if folks that do harvest trout from this river feel the need to keep more trout than 3 per day. Some exceptions to District Standards should remain in the regs, and we believe this one should.

Proposal 38: East Fork Hyalite Creek Remove Exceptions to District Standards

MWF **supports** transitioning to District Standards for Hyalite Creek bag limits. We are proud of FWP's work to rebuild this wild, sustaining fishery. Ceasing stocking efforts here will help deploy those resources elsewhere, so that more successes like this one can be achieved.

Proposal 40: Hauser Reservoir and Holter Reservoir Northern Pike Spearing

MWF **supports** allowing northern pike spearing in both Hauser and Holter Reservoirs. This increased opportunity will help further suppress pike in areas where it is needed. While pike certainly are established firmly in these systems, having the public remove as many of them as possible is a worthy goal.

Proposals 43 and 44: Tiber Reservoir aka Lake Elwell, and Lake Frances Spearing

The Federation is pleased to see the public become more interested in burbot fishing across the state. This increased pressure has required FWP to be more attentive with burbot regulations. MWF **supports** both of these proposals, and others, that acknowledge the status that burbot

has achieved among anglers. Prohibiting burbot spearing is just one tool to help burbot populations remain within sustainably harvestable populations, and we applaud FWP for addressing this issue.

Proposals 45 and 50: Lake Sutherland and Newlan Creek Reservoir Burbot

MWF **supports** reducing the bag limit and restricting harvest to 1 fish over 30” for burbot on Lake Sutherland and Newlan Creek Reservoir. These fisheries have become destination fishing for burbot anglers over the last few years, and this proposal is easily justified in order to keep this fishery one of the best in the state for truly large burbot. Having attended FWP’s R4 Scoping meeting, we heard members of the public speak in support of protecting these fisheries for their unique trophy qualities, and MWF is aligned with their support.

Proposal 46: Marias River Remove Exceptions to District Standards

MWF **supports** this reasonable proposal for the Marias river above the Highway 223 bridge. In speaking with the regional biologist, this seems like a common sense change in regulation that supports management goals.

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

MWF **supports** removing the size restriction for walleye harvest here, but we suggest keeping the daily bag limit at 10 walleye. Having attended the R4 Scoping meeting, MWF understands the very reasonable opinions on all sides of this issue. Predation of trout by walleye here is a factor that negatively affects the local trout population. Management of this portion of the Missouri prioritizes the trout fishery over walleye, and sustaining this trout fishery means that a liberal walleye harvest is necessary. We do understand the consternation of local walleye anglers with this change, but attempts at addressing this issue have fallen short in recent years and the end result is that walleye are now migrating into trout spawning tributaries in this stretch, further hampering efforts to manage trout according to the SFMP. We look forward to a reasonable discussion on this proposal, and we find our organization aligned with the Montana chapter of Trout Unlimited’s recent work and statements on this particular issue.

Proposal 48: Missouri River – Holter Dam to Black Eagle Dam Walleye

MWF **opposes** reducing the daily bag limit for walleye between Holter Dam and Cascade. While walleye populations have grown and spread throughout the Missouri River drainage, the stretch of river between Holter Dam and Cascade remains one of the greatest trout fisheries in the world. Concessions have been made in the past to curtail daily walleye bag limits, which is contradictory to the prioritization that the trout fishery has earned. We see no reason to further

limit the amount of walleye that can be harvested in a day, as protection of the trout fishery in this short span of river should be given every opportunity to continue to be the world class fishing destination that it is.

Proposal 53: Ruby River Seasonal Closure

MWF **supports** this seasonal closure in order to protect spawning rainbows and their habitat. With solid data on reproducing trout in this system, we applaud the application of this closure that has good, scientific backing.

Proposal 59: Paddlefish Regulations

MWF **supports** the suite of regulation proposals for paddlefish. We strongly encourage mandatory reporting of harvest for paddlefish, as this unique population deserves every tool at management's disposal to maintain populations that are capable of sustaining harvest. With more exposure comes more demand, and paddlefish snagging has become even more popular over the last few years than it was before. We are pleased to see a tightening up of the regulations, making them clear and concise. We also support the adjustments proposed for the Intake Bypass Channel for paddlefish. We firmly believe that this native fish deserves refined, granular regulations such as these in order to manage their population at levels that allow the opportunity for the public to have such a unique experience.

Proposal 60: Shortnose Gar Bag Limits

MWF **supports** creating a bag limit of 1 shortnose gar in Montana. As a species of concern, native gar need regulations in place to better curtail harvest while getting a better understanding of populations and their dynamics. We look forward to seeing data collected relative to the conservation of the shortnose gar.

Proposal 61: Powder River Remove Exception to District Standard

MWF **supports** closing off the Powder River to snagging for paddlefish. There is abundant opportunity for paddlefish snagging below the confluence of the Yellowstone and Powder Rivers, so this opportunity appears to be unnecessary. The Powder River has proven to be spawning habitat for both paddlefish and pallid sturgeon, and this regulation is a reasonable approach to conserving crucial habitat for these unique species.

Regarding the three public proposals for paddlefish and sturgeon, the Montana Wildlife Federation **supports each one**. Barbless hooks will harm these fish less and allow for easier release of fish not intended to be kept. It is in the state's best interest to maintain this

opportunity while ensuring that catch and release methods do as little damage to the resource as possible. We are also strongly supportive of banning forward facing sonar for the pursuit of paddlefish. When forward facing sonar is used to aid in fishing for other species, an angler may be able to locate a fish, but the fish still has to bite a lure. With snagging for paddlefish, an angler simply has to locate the fish and cast the snagging tackle to it. This completely takes the element of fair chase out of this style of fishing, and for this reason we are opposed. It also makes it likelier that large, reproducing females are targeted, as an angler using forward facing sonar has the ability to pass on smaller fish.

Lastly, for non-proposal issues that we've encountered that have more to do with process than proposals, one concern that MWF has, and has heard voiced by folks across the state, is that there is almost no mention to the public that citizens have the ability to make their own proposals for this scoping portion of setting fishing regulations. In the past, part of the scoping process included consistent notification to the public that their ideas had an important place in the regulation setting process. Individual proposals would then be incorporated into FWP's proposals and the scoping process, so the rest of the public could comment on them. We are pleased to see there are some additional proposals from the public in this final draft of fishing regulations. That said, MWF would like to access all public proposals to see which we agree with and should be promoted, and which ones had no merit. This would allow for a more robust scoping process, ensuring the public is involved in a meaningful way. While attending numerous FWP Fishing Regulation Scoping meetings this year, we heard multiple people mention that they are frustrated with the new process and are wondering how they can submit their own proposals. Clearly, not every idea that comes from the public merits a larger discussion, but we feel that the public comes up with good solutions to issues often enough that our ability to give public input in an easy way should be upheld and promoted more widely. Creating a process that is more transparent and responsive to the public will increase the faith and trust the public has in FWP to manage public resources such as Montana's fisheries.

MWF also agrees that simplification of regulations should always be a goal, and where regulations can be narrowed and made precise, FWP should do so. However, simplifying regulations for entire drainages to make them uniform with existing and adjacent regulations sometimes misses the nuances required for managing specific streams or reaches of streams. The detailed approach that FWP has undertaken in this scoping process is laudable, but we are wary of the oversimplification of some regs at the expense of the nuanced management that is required in some drainages. Overall though, MWF believes that FWP's effort to make fishing regulations as clear and as easy as possible for the public to understand, and for wardens to enforce, is a worthy goal.

In closing, the Montana Wildlife Federation would like to reiterate that we are very appreciative of the work that went into the Statewide Fisheries Management Plan and the fishing regulations that have flowed from them. As stated above, a suite of proposals this large is bound to have portions that we support and some that we hope for clarification on, or oppose. Please feel free to reach out to us (Jeff Lukas, 406-546-8406) for any discussions regarding our comments on FWP's proposals. We look forward to working with FWP throughout the rest of this process to ensure that these proposals strike the right balance between science based regulations and the fishing opportunities that Montanans enjoy.

Yours in conservation,

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Board Chair & President
Montana Wildlife Federation

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