

Cross Currents



DONNIE SEXTON/TRAVEL MONTANA



PAUL F. UDIKI



LAST YEAR WAS THE WORST EVER for Tom Harman's fly shop in Sheridan. Harman, who has owned the business since 1990, used to run some 200 fishing trips each year on the nearby Ruby, Madison, Beaverhead, and Big Hole Rivers.

"Last year I did 15," he says, "and my gross sales were just a third of what they were four or five years ago."

While acknowledging the likely effects of drought, a faltering national economy, and the travel scare after 9/11, Harman believes

the main cause of his sales slump was a new regulation that restricted outfitters and non-resident anglers from floating certain portions of the Beaverhead and Big Hole Rivers some days during the summer.

"The rules themselves aren't that big a deal," he says, "but the way they got reported nationally just about killed us around here."

Not everyone, however, is soured on the river regulation. Butte angler Steve Luebeck says the restrictions have reduced crowding and made trout fishing far more enjoyable.

"In the late 1990s, I'd go to the Big Hole and there'd be five boats upstream of me and five boats downstream," says Luebeck, a Trout Unlimited member who has fished the river for three decades. "Commercial use was growing every year. For the regular Montana angler, fishing just wasn't fun anymore."

Harman and Luebeck are two of many outfitters, anglers, floaters, and landowners embroiled in growing conflicts over Montana river use. From the South Fork Flathead in the northwest to the Bighorn in the southeast, an increasing number of residents and nonresidents are taking to Montana's rivers. But as one retired state fisheries biologist puts it, "We aren't making any new ones." The crowding that results touches on a wide range of issues, such as



AL TROTH

STANDING ROOM ONLY: Fishing pressure on the Beaverhead (left), the Big Hole, and other Montana rivers grew steadily throughout the 1990s. "Fishing just wasn't fun anymore," says one Butte angler.

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Montana struggles to accommodate the growing number of river anglers, kayakers, and floaters

BY TOM DICKSON



MIKE GURNETT/MONTANA FWP



JEFF HENRY/ROCHEJAUNE PICTURES



CRAIG & LIZ LARCOM

private property rights and the public's rights to public resources. The main conflicts center on crowded angling conditions, but there's also turbulence surrounding the growing number of whitewater floaters, kayakers, and inner-tubers.

Caught in the conflicting currents is an agency traditionally responsible for managing fish and wildlife, not people. Over the past decade, FWP has been asked to take on the relatively new role of managing river users. With a work force trained in biology, not sociology, the agency often finds itself ill-equipped to handle angry anglers, floaters, outfitters, and landowners.

"We're making critical decisions about river use without any clear policy," says Charlie Sperry, FWP river recreation management specialist. "We've gone from one river conflict to the next, without taking a step back to look at the issue from a broader perspective."

That has begun to change. Montana FWP recently established a citizen's river advisory council whose task is to take a comprehensive look at river issues. The

group is developing statewide guidelines the agency can use whenever it needs to manage river conflicts.

"I look at this as part of the agency's ongoing evolution," says Sperry, who coordinates the council. "What we're doing is learning from the Big Hole, the Beaverhead, and other rivers to come up with some overarching principles that apply to all rivers and can help us manage specific rivers as the need comes up."

BEAVERHEAD AND BIG HOLE CONTROVERSY

Conflicts over Montana's 15,000 miles of coldwater streams and rivers have a long history. From the beginning of statehood until today, Montanans have wrangled over water appropriation rights. Throughout the second half of the 20th century, anglers and ranchers disagreed over river flows and access. And since the late-1950s, the state has occasionally intervened to spread out fishing pressure on popular fishing rivers.

One of the most contentious disagreements currently underway centers on the Beaverhead and Big Hole Rivers, in the

state's southwestern corner. Nationally renowned, both rivers have long attracted anglers, especially on midsummer weekends. But for decades, crowding never reached intolerable levels, and anglers who wanted to fish in solitude could find ways or places to do so.

That changed in the mid-1990s. A growing national interest in fly fishing (heightened by the release of the movie *A River Runs Through It* in 1992), along with the whirling disease scare on the nearby Madison River, led to an increase in outfitters and national attention on the Beaverhead and Big Hole. Angling activity on the rivers peaked in 1997, when high water on many other Montana rivers sent anglers flocking to the Beaverhead, which has its flows moderated by Clark Canyon Reservoir upstream. Fishing pressure that year was over twice what it was in 1995, increasing from 17,000 angler days to 40,000. The number of anglers also grew on the Big Hole, and the number of licensed outfitters on the two rivers grew during that time from 140 to 184.

WADERS VS. BOATERS: Many river complaints come from anglers afoot (below). Traditionally, waders walk from spot to spot encountering few other anglers along the way. Montana's increasing number of drift boats (right) have begun to change that. Anglers in boats can cover miles of water each day, hopscotching from one productive spot to the next. Wading anglers say the boats spook fish and disrupt their solitude. Boaters argue they have as much right to the rivers as anyone else.



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GEORGE WUERTHNER

“We had more and more anglers and outfitters tell us that things were just getting too crowded,” says Bruce Rich, regional fisheries manager at Bozeman.

Not all anglers and outfitters agree there was a problem (“I think the crowding problem there was overstated,” says fishing guide Eric Troth of Dillon). But enough did, and pressure on FWP and legislators to reduce crowding on the two rivers mounted steadily. In 1999, the Montana legislature

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responded by authorizing the FWP Commission to regulate conflicts on the Beaverhead, Big Hole, and other Montana rivers. Over the next two years, the commission decided to put a moratorium on new Beaverhead and Big Hole outfitters. Even more controversial, it decided to close float fishing to outfitters and nonresident anglers on some stretches of the two rivers on certain days.

THE NONRESIDENT ISSUE

Regulations restricting recreational use and outfitters on Montana rivers weren't exactly new. In 1959, 1967, and 1988, float fishing was temporarily closed on parts of the Madison River to reduce crowding. And in the early 1990s, FWP began regulating recreational floating on the increasingly popular Smith River.

But the new Beaverhead and Big Hole rule marked the first time nonresident anglers were singled out. And that seemed to hit a nerve. In the eyes of some national media, Montana had now “thrown up roadblocks to outsiders,” as *Los Angeles Times* columnist John Balzar wrote in 2001.

FWP officials defended the new regulation by pointing out that the department wasn't closing the rivers to nonresidents. Wading was still allowed everywhere and every day, and floating was restricted on only portions of the rivers. The intent of the regulation, they maintained, was to manage crowding and spread out use so there would be fewer anglers bumping into each other.

“We're trying to maintain a quality fishing experience for both resident and nonresident anglers,” says Jeff Hagener, FWP director. “Some people may have misinter-

preted the rule to mean nonresidents aren't welcome in Montana, but they should know that's simply not true.”

Some national press applauded the agency's actions. *Fly Fisherman* opined that the Beaverhead and Big Hole rule may be “...the most creative plan to regulate stressful competitive fishing pressure on public waters ever conceived.” The magazine called on other states to review the plan as a possible model for solving river crowding problems.

Nevertheless, the myth that Montana had “marked out some of the finest public fishing water for ‘locals only,’” as Balzar wrote, quickly spread by Internet and news reports throughout fly-fishing circles nationwide. Misinformation was rampant.

“Every week last year I'd have at least one nonresident stop in and tell me they thought they were no longer allowed on the Beaverhead or Big Hole,” says Harman.

That may have hurt many bottom lines. Businesses catering to the Beaverhead and Big Hole trade reported far fewer customers in 2001 and 2002, and most have blamed the angling restrictions. FWP officials acknowledge that the new rules may have played a role, but they note that many other factors—the country's economic downturn, less travel after the World Trade Center attack, and especially a lingering drought that has kept water levels in both rivers extremely low—likely contributed more to the sales declines.

They also point out that most anglers and even some local outfitters support the regulation. A department survey found that supporters of the rule outnumbered detractors three to one. And when the FWP Commission recently sought comments on

whether or not to continue the rule until 2005, the vote was 444 comments for the rule versus 92 against.

“Local businesses have taken a hit,” says Jerry Kustich, a fishing author and rod builder in Twin Bridges, “but from the standpoint of providing an opportunity for the average Joe to go fishing and not compete with the professionals, the regulations have really been a success.”

INNER TUBES, RAFTS, AND KAYAKS, TOO

The Beaverhead and Big Hole are by no means the only Montana rivers where values and users clash. Anglers say the growing influx of inner-tubers and picnickers on the Blackfoot River squeezes them out of traditional fishing spots. And on the upper Missouri, where fishing pressure nearly doubled from 1991 to 2001, drift boats wait in line some days to gain access to particularly productive riffles.

According to Larry Clark, a longtime rancher in the Rock Creek Valley, 30 miles southeast of Missoula, the rapid growth in boat traffic on that famous fishing stream has made life tough for nearby residents.

“During the salmonfly hatch, the river is bank-to-bank rafts, and the local anglers here have no place to fish,” Clark says. “It’s just ridiculous.” Car and truck traffic along the dirt road that parallels the stream gets so bad in June, he adds, that “many a time we have to take to the ditch to avoid oncoming vehicles.”

On central Montana’s Smith River, crowding, trespassing, and littering grew so bad that by the early 1990s FWP began requiring a fee and limiting group size and number during the peak midsummer season. So crowded has the Bighorn River become, says FWP biologist Ken Frazer, that “it appears many Montana residents who used to fish here no longer do so from May through August.”

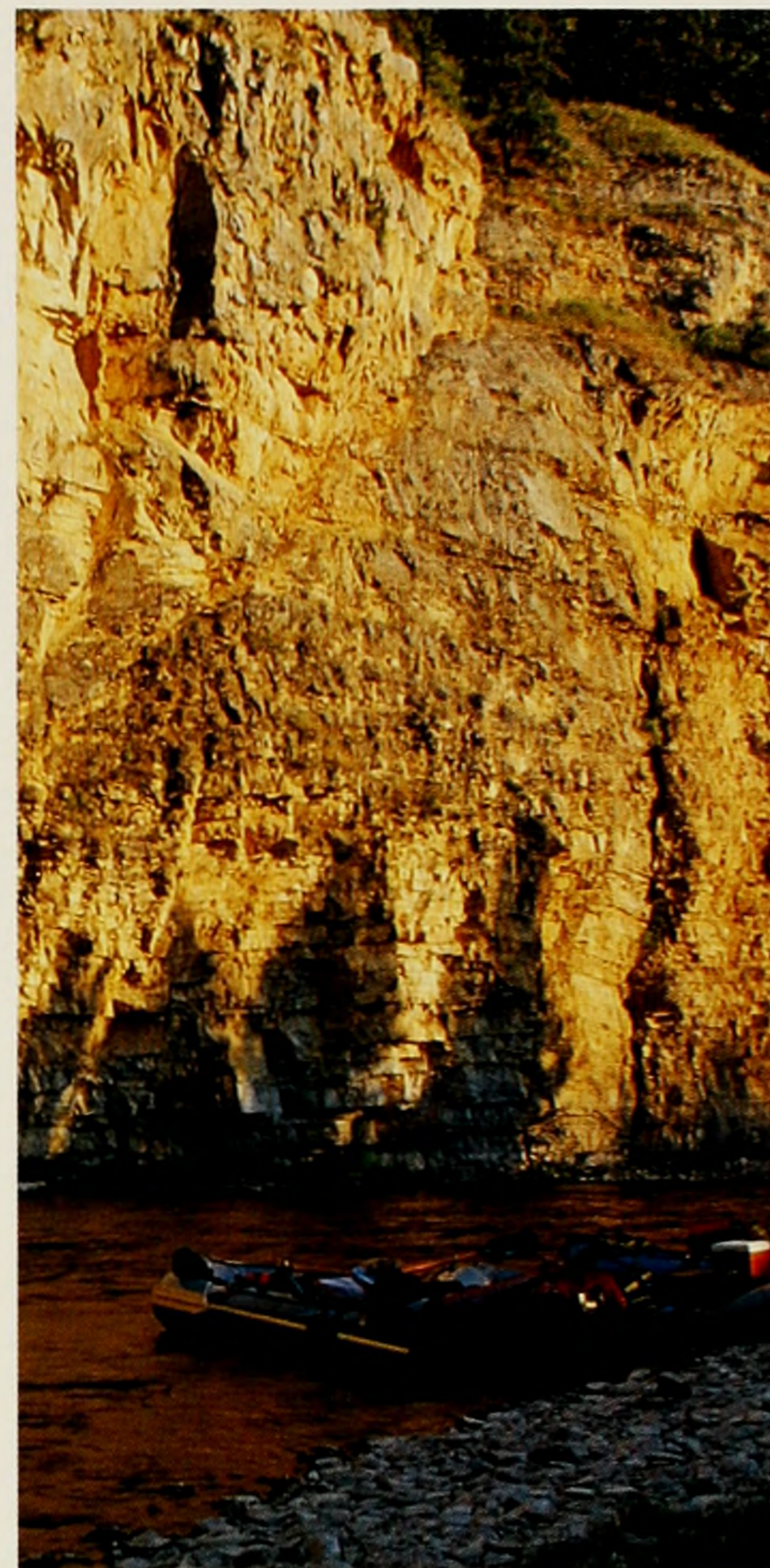
Even kayakers and rafters are feeling hemmed in. Julia Page, who for 21 years has owned a commercial rafting operation, says growing use on the South Fork Flathead, Yellowstone, and Gallatin Rivers frustrates those accustomed to having the water to themselves.

“I and everyone else out there would love to be the only one out on the river,” she says. “But that’s just not possible anymore.”

Finding out what still is possible has been the goal of the Montana River Recreation Advisory Council, formed in 2002. Consisting of Page, Clark, Luebeck, and 19 other members appointed by FWP to represent outfitters, landowners, anglers, boaters, and legislators, the council has met monthly to learn about and discuss river issues. In mid-summer 2003, council members were scheduled to provide the FWP Commission with a decisionmaking framework, to help commissioners determine if use on particular rivers needs to be managed, and a set of guiding principles for what type of management would be applied.

The council’s assignment was not to develop rigid solutions that would be applied to every river and every situation, notes Page. “Instead, we’ve developed a framework for what FWP might consider when it grapples with crowding on various rivers,” she says.

According to Sperry, one big value of the council’s recommendations is that they will make it easier for FWP to identify the best ways to manage the state’s many different rivers and river issues. “The suggested



W. STEVE SHERMAN



KEVIN BROOKE

RAMMING SPEED! Anglers aren’t the only ones vying for Montana’s top river stretches. The Gallatin and other top whitewater rivers often see kayak traffic jams during peak summer periods. And on forks of the Flathead River, rafters are increasingly bumping into each other. “I and everyone else would love to be the only one out on the river,” says one rafting outfitter. “But that’s just not possible anymore.”



MONTANA OUTDOORS

THE BIG PICTURE: Charlie Sperry, FWP river recreation management specialist, says Montana's new River Recreation Advisory Council has taken a step back from individual river conflicts to look at river issues from a broad, statewide perspective. "Taking a big picture approach like this is unheard of in other western states," he says.

guidelines will help us find the right management tools for various rivers so we don't end up using inappropriate measures where they really aren't needed," he says.

Sperry previously worked in Idaho coordinating a citizen's council that resolved conflicts over the famous Henry's Fork. He notes that Montana is currently the only western state taking a comprehensive look at its river recreation issues.

"That's unheard of elsewhere," Sperry says. "Other states are still scrambling to address issues one river at a time, and they're finding out that in many cases it just isn't working."

That doesn't mean the task in Montana is an easy one. Though they have worked on reaching consensus, river council members represent often-conflicting values, such as one person's right to make a living off a river versus another's right to fish there unbothered.

"There's a strong feeling among Montana sportsmen that they want to retain access to their public resource and see the quality of their experience preserved," says Mike Whittington, a member of the Billings Rod and Gun Club who represents Montana

anglers on the council.

That strong feeling, however, is what concerns council member Robin Cunningham, executive director of the Fishing Outfitters Association of Montana. "Our association is real concerned that there is often a perception of a problem on rivers not indicated by substantiated data," he says.

ENOUGH COMMON INTEREST?

Though the division between those representing commercial and noncommercial interests, waders and boaters, and anglers and rafters may appear broad, there could be enough common interest in protecting Montana's rivers to bridge the gaps.

Cunningham says that "if you scratch an outfitter, there's a local Montana angler underneath." And though Luebeck main-

tains that rivers should be managed just as logging, mining, and other industries that use public resources are managed, he concedes "rivers can support commercial activity, and that commercial activity is good for Montana."

Such accommodating sentiments offer hope that Montana's river issues can be resolved after all. When strongly held values clash, no progress is possible until those on all sides acknowledge some validity to opposing viewpoints.

That holds even more true as the number of viewpoints grows. Since 1980, Montana's population has climbed nearly 25 percent, from 800,000 to nearly one million residents, and nonresident visitation has grown at an even faster rate. As recreational pressure on rivers increases, the days of fishing, boating, or floating solitude on many waters may no longer be possible—at least on midsummer weekends. But FWP staff and others trying to resolve river conflicts believe there are still ways for all users to find from the state's abundant and diverse rivers most of what they seek. 🐾

STILL ENOUGH TO GO AROUND? As the state's population and tourist visitation continue to climb, the days of fishing solitude may be gone. But with more than 15,000 miles of coldwater streams and rivers, Montana still has a chance to manage its waters in ways that allow users most of what they seek.



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