



## 2020 FISHING REGULATION PROPOSALS

August 15, 2019  
Missoula, MT

The fish regulation-setting process is conducted on a four-year cycle with off-cycle changes made when specific criteria are met. Every fourth year FWP seeks input from the angling public and fisheries and enforcement staff about ideas and concerns that might be addressed through regulations changes. FWP staff uses the best information available to evaluate regulation requests and makes recommendations to the Fish and Wildlife Commission. The commission also evaluates regulation proposals and decides which proposals will be advanced for public review. The commission makes a final decision based on input from the public and FWP staff. Except for emergency or time-sensitive changes, the regulations adopted by the commission go into effect the following March and printed in the Fishing Regulation booklet for that year.

FWP conducts full review every four years in order to give new regulations time to work and to reduce the time that staff and the public must devote to the regulation setting process. During off-years, the department may consider regulation changes generated by FWP staff. Off-cycle changes must meet one or more of the following criteria in order to bring a proposed change to the commission:

- 1) Clarifications: regulation change is needed to clarify intent of regulation or to correct typos or other errors that led to erroneous information in regulations;
- 2) Enforcement: regulation change is needed to improve enforcement efforts, to prevent illegal take, or to clarify intent to reduce innocent violations;
- 3) Conservation: regulation change is needed to conserve or protect the population of any species, but primarily Threatened and Endangered species;
- 4) Relevancy: regulation no longer has a real management purpose or value and there is little public following, constituency or controversy;
- 5) Management Plans: FWP has committed to implementing certain regulation changes if certain events transpire (e.g., changes in fish populations, angling pressure, catch rates, etc.) with proposal typically based upon goals or management objectives defined through a publicly vetted process.

Since the last 4-year review in 2015, 21 regulation changes have been adopted by the commission that met one or more of the criteria outlined above.

Proposals for the 2020 Montana Fishing Regulations were developed through interactions between FWP fisheries and enforcement staff as well as recommendations from the public and sister agencies. Many proposals contained here also went through public scoping last spring. An online survey contained 32 regulation considerations and statewide FWP staff met with angling groups, civic groups, and CAC's to discuss regulation ideas. The online survey proved to be

*New language is in italics.* Deleted language is indicated by a ~~striketrough~~. Page numbers refer to the 2019 Fishing Regulations booklet.

popular, with 849 respondents providing input (support, oppose, or no opinion). Additionally, respondents could comment on proposals presented in the survey as well as provide comments and recommendations for regulations that were not part of the survey. FWP also received 32 letters and emails during the scoping period.

The 44 proposals offered here are generally presented in the order they appear in the 2019 fishing regulations booklet or refer to where they would be placed in the 2019 booklet. These proposals contain 57 changes to the fishing regulations, 18 additions, and 30 exception removals or language removal. New language is shown in *italics*, while deleted language is indicated by a ~~striketrough~~. Following each change is a brief rationale for the change, as well as a brief summary of survey results and comments from spring scoping.

Note: *New language is in italics.* Deleted language is indicated by a ~~striketrough~~. Page numbers refer to the 2019 Fishing Regulations booklet.

## Contents

Statewide Regulations.....	5
(Proposal 1) Definition of Snagging.....	5
Western Fishing District.....	5
(Proposal 2) Western District Bass Standard Regulation.....	5
(Proposal 3) Bull Lake Northern Pike.....	8
(Proposal 4) Clark Fork River Bass.....	8
(Proposal 5) Dry Bridge Pond.....	9
(Proposal 6) East Fork Reservoir.....	10
(Proposal 7) Flathead River Gear Restriction.....	10
(Proposal 8) Flathead River Sloughs.....	11
(Proposal 9) Middle Fork Flathead River Gear Restriction.....	12
(Proposal 10) North Fork Flathead River Gear Restriction.....	13
(Proposal 11) Racetrack Pond.....	14
(Proposal 12) River’s Edge Pond.....	14
(Proposal 13) Seeley Lake Bass Spearing.....	14
(Proposal 14) Silver’s Lagoon.....	15
(Proposal 15) South Fork Flathead River Gear Restriction.....	15
(Proposal 16) St. Regis Community Park Pond.....	16
(Proposal 17) Swan River.....	17
(Proposal 18) Thompson River.....	18
(Proposal 19) Warm Spring Wildlife Management Area (WMA) Gravel Pit Pond.....	18
Central Fishing District.....	19
(Proposal 20) Central Fishing District Standard Channel Catfish Regulation.....	19
(Proposal 21) Central Fishing District Standard Sauger Regulation.....	19
(Proposal 22) Ackley Lake Tiger Muskie.....	21
(Proposal 23) Big Hole River.....	21
(Proposal 24) Big Spring Creek.....	21
(Proposal 25) Bighorn Lake and Afterbay Reservoir.....	22
(Proposal 26) Boulder River (near Big Timber).....	22
(Proposal 27) Canyon Ferry Northern Pike Spearing.....	23
(Proposal 28) Clark Canyon Reservoir Burbot (ling).....	24
(Proposal 29) East Fork Big Spring Creek.....	24
(Proposal 30) Helena Valley Regulating Reservoir.....	24

(Proposal 31) Madison River “Hoot Owl” Restriction .....	25
(Proposal 32) Toston Dam Northern Pike .....	25
(Proposal 33) Missouri River below Holter Dam .....	26
(Proposal 34) Smith River .....	27
(Proposal 35) Stillwater River and Tributaries .....	27
Eastern Fishing District.....	28
(Proposal 36) Ice Shelter Removal .....	28
(Proposal 37) Paddlefish Reorganization.....	28
(Proposal 38) Bighorn River Sauger.....	33
(Proposal 39) Fort Peck Dredge Cuts Trout .....	34
(Proposal 40) Hollecker Lake Bass.....	34
(Proposal 41) Medicine Lake National Wildlife Refuge .....	34
(Proposal 42) Missouri River Trout.....	35
(Proposal 43) Musselshell River Sauger and Channel Catfish .....	35
(Proposal 44) Yellowstone River Sauger.....	36

## Statewide Regulations

### **(Proposal 1) Definition of Snagging**

Page 22 change:

**Snagging:** A technique of angling in which a hook or hooks are cast, ~~trolled or lowered~~ into the water and manipulated to embed the hook or hooks into the body of the fish. You have snagged a fish if: (a) you are fishing in a manner that the fish does not voluntarily take the hook in its mouth, or (b) if you accidentally hook the fish in a part of the body other than the mouth.

**Rationale:** This proposal would eliminate the option of trolling snagging hooks from boats. This proposal could reduce the risk of injury to non-target species while snagging, especially during Paddlefish season. Numbers of endangered Pallid Sturgeon are increasing in the lower Missouri and Yellowstone Rivers, increasing the potential of capture by both bait anglers and snagging. It would still be lawful to snag from a boat while anchored to shore or while drifting.

**Scoping Summary:** Of survey respondents who provided an opinion, 68.5% supported this proposal and 31.5% opposed. Comments in opposition stated that this rule was not needed, few (if any) fish are snagged while trolling, and that this complicated regulations. Supporting comments maintain that bycatch of other species would be reduced, while other supporting comments encourage outlawing all snagging and question enforceability of this proposal.

## Western Fishing District

### **(Proposal 2) Western District Bass Standard Regulation**

Page 28 change:

~~Bass: 5 daily and 10 in possession, no size limit. Largemouth Bass: 5 daily and in possession, only 1 greater than 12 inches. Third Saturday in May through June 30: 1 daily and in possession, must be over 22 inches.~~

*Smallmouth Bass: 15 daily and in possession, no size limit all year.*

Remove the following waters from Exceptions:

Page 29 remove:

**ABBOT LAKE**

- ~~Bass: 1 daily and in possession from the third Saturday in May through June 30, must be over 22 inches. 5 daily and in possession from July 1 to the third Saturday in May, only 1 over 12 inches.~~

Page 32 remove:

**CHURCH SLOUGH**

- Open entire year.
- Combined trout: 5 daily and in possession, only 1 over 22 inches.
- Catch-and-release for Cutthroat Trout.

- ~~Bass: 1 daily and in possession from the third Saturday in May through June 30, must be over 22 inches. 5 daily and in possession from July 1 to the third Saturday in May, only 1 over 12 inches.~~
- Hook and Line: 2 rods and/or lines with up to 2 hooks per line all year.

Page 36 remove:

#### ECHO LAKE (near Bigfork)

- ~~Bass: Third Saturday in May through June 30, 1 daily and in possession, must be over 22 inches. From July 1 to third Saturday in May, 5 daily and in possession, only 1 over 12 inches.~~
- Sparring: open for Northern Pike through the ice only, daily limit of 2.

#### FENNON SLOUGH

- Open entire year.
- Combined trout: 5 daily and in possession, only 1 over 22 inches.
- Catch-and-release for Cutthroat Trout.
- ~~Bass: 1 daily and in possession from the third Saturday in May through June 30, must be over 22 inches. 5 daily and in possession from July 1 to the third Saturday in May, only 1 over 12 inches.~~

Page 37 remove:

#### FLATHEAD RIVER

##### **Confluence of the North and Middle forks (near Blankenship Bridge) downstream to Flathead Lake**

- *Open entire year.*
- *No intentional fishing for Bull Trout.*
- Catch-and-release for Cutthroat Trout.
- Northern Pike: ~~extended season for Northern Pike from December 1 through February 28; artificial lures only (see definition on page 20). February 28 to third Saturday in May closed to intentional fishing for Northern Pike.~~
- ~~Combined trout Rainbow Trout: 5 daily and in possession.~~
- Whitefish: 100 daily and in possession.
- ~~Bass: 1 daily and in possession from the third Saturday in May through June 30, must be over 22 inches. 5 daily and in possession from July 1 to the third Saturday in May, only 1 over 12 inches.~~
- ~~Extended season for Whitefish and Lake Trout, and catch and release for other game fish, except Northern Pike, from December 1 through the third Saturday in May with artificial lures (see definition on page 20) and/or maggots only. From the mouth of the Stillwater River downstream to Flathead Lake, no maggots and no scented artificial lures (infused, saturated or applied).~~
- *From December 1 to third Saturday in May, maggots and artificial lures only (see definition on page 20), no artificial lures can be scented (infused, saturated, or applied).*

#### FLATHEAD RIVER SLOUGHS

##### **Brenneman, Church, Egan, Fennon, Half Moon, McWennegar, Mill, and Rose Creek**

- Open entire year.
- ~~Combined Rainbow Trout: 5 daily and in possession, only 1 over 22 inches.~~
- Catch-and-release for Cutthroat Trout.

- ~~Bass: 1 daily and in possession from the third Saturday in May through June 30, must be over 22 inches. 5 daily and in possession from July 1 to the third Saturday in May, only 1 over 12 inches.~~
- Hook and Line: 2 rods and/or lines with up to 2 hooks per line *and no bait restrictions* all year.

Page 41 remove:

#### LAKE MARY RONAN

- Kokanee Salmon: 10 daily and 20 in possession.
- ~~Bass: 1 daily and in possession from the third Saturday in May through June 30, must be over 22 inches. 5 daily and in possession from July 1 to the third Saturday in May, only 1 over 12 inches.~~
- Northern Pike: no limit.
- Spearing: open for Northern Pike.
- *Northern Pike: All Northern Pike caught must be killed immediately, kept and the entire fish turned in to FWP. Anglers who catch Northern Pike in Lake Mary Ronan are required to report the catch to FWP within 24 hours (406-752-5501). Anglers must provide their full name, ALS number, phone number, date and time of capture, and location on the lake. Anglers are required to turn in the whole Northern Pike to a FWP office within 10 days of capture during regular business hours. Edible portions of the fish may be returned to the angler upon request.*

#### LITTLE BITTERROOT LAKE aka Bitterroot Lake

- Kokanee Salmon: 20 daily and 40 in possession, no more than 2 daily and 4 in possession over 12 inches.
- ~~Bass: No daily or possession limit for entire year.~~

Page 44 remove:

#### PETERSON LAKE

- ~~Bass: 1 daily and in possession from the third Saturday in May through June 30, must be over 22 inches. 5 daily and in possession from July 1 to the third Saturday in May, only 1 over 12 inches.~~

**Rationale:** Smallmouth Bass have been illegally introduced throughout western Montana over the past several years, with 18 confirmed illegal introductions in the Western Fishing District. Smallmouth Bass can outcompete native fish and other game fish for limited resources. Liberalizing Smallmouth Bass limits for unauthorized stocking is consistent with the Unauthorized Placement of Fish Rule (ARM 12.7.503) which allows liberalizing or removing daily angling limits for immediate and connected waterbodies with unauthorized species. Largemouth Bass populations are more habitat limited and have not shown as extensive negative fishery impacts as Smallmouth Bass. A 12-inch size restriction for Largemouth Bass is expected to allow harvest of younger fish while allowing opportunity to harvest a memorable Largemouth Bass. Waterbodies historically managed for both Largemouth and Smallmouth Bass will continue to be managed for both species and will continue special regulations to maintain those fisheries. Waterbodies where exceptions for bass will remain (regulations will not change) are: Blanchard Lake, Cabinet Gorge Reservoir, Frenchtown Pond, Horseshoe Lake (near Ferndale), Noxon Rapids Reservoir, Placid Lake, and Upsata Lake.

**Scoping Summary:** Of survey respondents who provided an opinion, 68.1% of online respondents supported this proposal and 31.9% opposed. Concerns mentioned in comments in opposition include concerns regarding misidentification of Smallmouth and Largemouth Bass, enforcement of the proposed regulation, lack of spawning closure and length limit for Smallmouth Bass, and modified Largemouth Bass length restrictions. Supporting comments included using additional methods to harvest Smallmouth Bass (such as spearing), more liberal regulations for Smallmouth Bass, and support for addressing illegal introductions. Public scoping included no possession limit for Smallmouth Bass but was modified for this proposal based on scoping feedback.

### **(Proposal 3) Bull Lake Northern Pike**

Page 32 add:

BULL LAKE (near Troy)

- Northern Pike: no limit.
- *Spearing: open for Northern Pike through the ice only.*

**Rationale:** This proposal provides opportunity for spearing Northern Pike through the ice. Anglers from the Bull Lake area have requested additional opportunity to harvest Northern Pike. Anglers also requested allowing additional lines through the ice to harvest pike, but the department deemed that this would increase the risk of bycatch of other sport fish and native fish (including Bull Trout). Northern Pike in Bull Lake are a result of an unauthorized introduction and the liberal limit and providing spearing opportunity for additional harvest fall within the Unauthorized Placement of Fish ARM (ARM 12.7.503).

**Scoping Summary:** Of survey respondents who provided an opinion, 68.6% supported this proposal and 31.4% opposed. Comments that opposed spearing preferred implementing length restrictions for pike to promote growth of larger fish and allowing use of more fishing lines (tip ups). Comments in support recommended allowing spearing all year, allowing bow and arrow and spear guns, and implementing no limit on Northern Pike in the Western Fishing District.

The online scoping survey also included a question regarding mandatory harvest of all Northern Pike captured. Many scoping comments voiced concerns about waste of fish caught by anglers not targeting pike and concerns about enforceability of such a regulation. The department decided that efficacy of spearing should be monitored prior to implementing mandatory harvest for pike.

### **(Proposal 4) Clark Fork River Bass**

Page 34 change:

CLARK FORK RIVER

**Mouth of Flathead River to mouth of Thompson River**

- Open entire year.
- Catch-and-release for Cutthroat Trout.
- *Bass: open entire year, 5 daily and in possession, no size limit.*

**Mouth of Thompson River to Idaho Border (includes Thompson Falls, Noxon Rapids, and Cabinet Gorge Reservoirs)**

- Open entire year.
- Combined trout: ~~5 daily and 10 in possession, only 1 over 22 inches.~~ Standard lake daily and possession limits apply.
- *Catch-and-release for Cutthroat Trout: 3 daily and in possession, no size limit.*
- *Bass: 5 daily and in possession; except June 15 through July 15 only 1 daily and in possession, 22 inch minimum.*
- *Walleye: No limit.*
- Hook and Line: 2 lines with up to 2 hooks per line all year.

Page 32 change:

**CABINET GORGE RESERVOIR**

*(See Clark Fork River Mouth of Thompson River to Idaho Border)*

- ~~Bass: 5 daily and in possession except from June 15 through July 15 only 1 daily and in possession, must be over 22 inches.~~

Page 44 change:

**NOXON RAPIDS RESERVOIR**

**Birdland Bay Bridge to Noxon Rapids Dam**

*(See Clark Fork River Mouth of Thompson River to Idaho Border)*

- ~~Bass: 5 daily and in possession except from June 15 through July 15 only 1 daily and in possession, 22 inch minimum.~~

Page 47 add:

**THOMPSON FALLS RESERVOIR**

*(See Clark Fork River Mouth of Thompson River to Idaho Border)*

**Rationale:** This proposal will standardize the way bass are managed on the three lower Clark Fork River reservoirs and it will standardize how Cutthroat Trout are managed on the entire Clark Fork River. This proposal will maintain an exception to the proposed Western District Bass regulations in order to continue management for Largemouth and Smallmouth Bass.

Changing the Cutthroat Trout to catch-and-release only will standardize how Cutthroat Trout are managed in the system. Cutthroat Trout are catch-and-release only from the headwaters to the Thompson River and catch-and-release at the Idaho border.

**Scoping Summary:** These proposals were not included in the online scoping survey.

**(Proposal 5) Dry Bridge Pond**

Page 36 remove:

**DRY BRIDGE POND**

- ~~Catch-and-release for trout, except anglers 14 years of age and younger may take 1 trout daily and in possession.~~

**Rationale:** Trout stocked into Dry Bridge Pond do not survive summer conditions. Removing this exception would maximize public fishing opportunity prior to summer fish kills. Fish kills are typically reported in July.

**Scoping Summary:** This proposal was not included in the online scoping survey.

### **(Proposal 6) East Fork Reservoir**

Page 36 add:

***EAST FORK RESERVOIR***

- *Cutthroat Trout: 2 fish daily and in possession, only 1 over 14 inches.*

**Rationale:** Data suggests that high angler harvest may be a limiting factor to the quality of the Cutthroat Trout fishery. Relative abundance of Westslope Cutthroat in gill net surveys has declined over the past decade and harvest estimates from a recent tagging study estimate an annual harvest rate of approximately 20%, which is a high rate of harvest for a population with low relative abundance. Westslope Cutthroat are typically more vulnerable to angling than other species and populations can be susceptible to overharvest. Bull Trout abundance has increased over the same period of time; however, angler harvest appears to be more a limiting factor to Cutthroat recruitment than predation by Bull Trout. Modifications of the number of fish stocked and size of fish at stocking has had no perceptible impact to the fishery.

**Scoping Summary:** Of survey respondents who provided an opinion, 67.7% supported this proposal and 32.3% opposed. Comments opposing this proposal raised concerns about not stocking enough fish and encouraged catch-and-release fishing only. Comments supporting this proposal also recommended catch-and-release only or implementing a length limit. Following public scoping, this proposal was changed from 1 fish daily, 2 in possession to the current proposal.

### **(Proposal 7) Flathead River Gear Restriction**

Page 37 change:

**FLATHEAD RIVER**

***Mainstem Flathead and tributaries, from confluence of North and Middle Forks to Highway 2 bridge upstream of Teakettle FAS***

- *Single-pointed hooks only. No treble or double hooks. Anglers may remove treble or double hooks from the lure and replace them with a single hook, or the shanks may be cut off the other hook points to leave a single hook. Lures with multiple hook attachments may still be used but any treble hook must be replaced by a single hook.*

***Confluence of the North and Middle forks (near Blankenship Bridge) downstream to Flathead Lake***

- *Open entire year.*
- *No intentional fishing for Bull Trout.*
- *Catch-and-release for Cutthroat Trout.*

- Northern Pike: ~~extended season for Northern Pike from December 1 through February 28; artificial lures only (see definition on page 20). February 28 to third Saturday in May closed to intentional fishing for Northern Pike.~~
- ~~Combined trout Rainbow Trout: 5 daily and in possession.~~
- Whitefish: 100 daily and in possession.
- Bass: 1 daily and in possession from the third Saturday in May through June 30, must be over 22 inches. 5 daily and in possession from July 1 to the third Saturday in May, only 1 over 12 inches.
- ~~Extended season for Whitefish and Lake Trout, and catch and release for other game fish, except Northern Pike, from December 1 through the third Saturday in May with artificial lures (see definition on page 20) and/or maggots only. From the mouth of the Stillwater River downstream to Flathead Lake, no maggots and no scented artificial lures (infused, saturated or applied).~~
- *From December 1 to third Saturday in May, maggots and artificial lures only (see definition on page 20), no artificial lures can be scented (infused, saturated, or applied).*

**Rationale:** Population monitoring in the Flathead River and the forks of the Flathead show an average 43% of Westslope Cutthroat Trout greater than 12 inches show some sign of hook related scarring. This is an indication that fish are caught and released repeatedly. Estimates show angling pressure is steadily increasing. Westslope Cutthroat Trout populations are relatively low density (300-500 total fish per mile, 30-60 Cutthroat Trout greater than 12 inches per mile) and the high incidents of multiple catch-and-release events per fish could be leading to increased mortality. Restricting gear to single-pointed hooks only is expected to reduce handling stress and hook-related injury to Westslope Cutthroat Trout and Bull Trout. This proposal provides the greatest amount of protection with the least impactful amount of regulation. This regulation does not limit any particular angling opportunity but potentially reduces handling stress of sensitive fish species.

Other proposed changes for this proposal are intended to simplify the regulations by omitting language that is no longer relevant. Additional discussion on the removal of the Bass exception can be found under the changes to the Western District standard bass regulations.

**Scoping Summary:** The online public scoping survey included the proposal for single-point hooks on the forks of the Flathead. Of respondents who provided an opinion, 68.5% supported the proposal and 31.5% opposed. Comments that opposed the proposal stated that guides and outfitters are to blame, were concerned that this regulation is prejudice against bait fishing and spin fishing, and that this proposal is based on social, not biological, science. Comments in support recommended further restrictions through use of single-barbless hooks and outlaw use of bait and proposed extending beyond the forks and mainstem Flathead to other waterbodies.

## **(Proposal 8) Flathead River Sloughs**

Page 37 change:

FLATHEAD RIVER SLOUGHS

**Brenneman, Church, Egan, Fennon, Half Moon, McWennegar, Mill, and Rose Creek**

- Open entire year.
- ~~Combined Rainbow Trout: 5 daily and in possession, only 1 over 22 inches.~~
- Catch-and-release for Cutthroat Trout.
- ~~Bass: 1 daily and in possession from the third Saturday in May through June 30, must be over 22 inches. 5 daily and in possession from July 1 to the third Saturday in May, only 1 over 12 inches.~~
- Hook and Line: 2 rods and/or lines with up to 2 hooks per line *and no bait restrictions* all year.

**Rationale:** This change is intended to clarify and simplify the regulations. Additional discussion on removing the Bass exception can be found under the Western District standard bass regulation proposal.

**Scoping Summary:** This proposal was not part of the online public scoping survey.

### **(Proposal 9) Middle Fork Flathead River Gear Restriction**

Page 42 change:

#### MIDDLE FORK FLATHEAD RIVER

##### ***Mainstem and tributaries including headwaters to confluence with North Fork Flathead River (near Blankenship Bridge)***

- *Single-pointed hooks only. No treble or double hooks. Anglers may remove treble or double hooks from the lure and replace them with a single hook, or the shanks may be cut off the other hook points to leave a single hook. Lures with multiple hook attachments may still be used but any treble hook must be replaced by a single hook.*

##### ***Non-wilderness portion (beginning near confluence with Bear Creek)***

NOTE: Montana/Glacier National Park boundary is the ordinary high water mark on the park side of the river.

- Closed to angling June 1 through September 30 within a 150-yard radius of the Bear Creek stream mouth.
- Catch-and-release for Cutthroat Trout.
- ~~Rainbow Trout Combined trout:~~ 5 daily and in possession.
- Extended ~~Whitefish~~ season and ~~catch-and-release for trout~~ open December 1 to third Saturday in May with artificial lures (see definition on page 20) and/or maggots only.

**Rationale:** Population monitoring in the Flathead River and the forks of the Flathead show an average 43% of Westslope Cutthroat Trout greater than 12 inches show some sign of hook related scarring. This is an indication that fish are caught and released repeatedly. Estimates show angling pressure is steadily increasing. Westslope Cutthroat Trout populations are relatively low density (300-500 total fish per mile, 30-60 Cutthroat Trout greater than 12 inches per mile) and the high incidents of multiple catch-and-release events per fish could be leading to increased mortality. Restricting gear to single-pointed hooks only is expected to reduce handling stress and hook-related injury to Westslope Cutthroat Trout and Bull Trout. This proposal provides the greatest amount of protection with the least impactful amount of regulation. This regulation does not limit any particular angling opportunity but potentially reduces handling stress of sensitive fish species.

Other proposed changes for this proposal are intended to simplify the regulations by omitting language that is no longer relevant.

**Scoping Summary:** The online public scoping survey included the proposal for single-point hooks on the forks of the Flathead. Of respondents who provided an opinion, 68.5% supported the proposal and 31.5% opposed. Comments that opposed the proposal stated that guides and outfitters are to blame, were concerned that this regulation is prejudice against bait fishing and spin fishing, and that this proposal is based on social, not biological, science. Comments in support recommended further restrictions through use of single-barbless hooks and outlaw use of bait and proposed extending beyond the forks and mainstem Flathead to other waterbodies.

### **(Proposal 10) North Fork Flathead River Gear Restriction**

Page 43 change:

NORTH FORK FLATHEAD RIVER

NOTE: Montana/Glacier National Park boundary is the middle of the river.

***Mainstem and tributaries including headwaters to confluence with Middle Fork Flathead River (near Blankenship Bridge)***

- *Single-pointed hooks only. No treble or double hooks. Anglers may remove treble or double hooks from the lure and replace them with a single hook, or the shanks may be cut off the other hook points to leave a single hook. Lures with multiple hook attachments may still be used but any treble hook must be replaced by a single hook.*
- Closed to angling June 1 through September 30 within a 150-yard radius of the Big Creek stream mouth unless posted at a greater distance.
- Catch-and-release for Cutthroat Trout.
- *Rainbow Trout* ~~Combined trout~~: 5 daily and in possession.
- Extended season ~~for whitefish and catch-and-release for trout~~ open December 1 to third Saturday in May with artificial lures (see definition on page 20) and/or maggots only.

**Rationale:** Population monitoring in the Flathead River and the forks of the Flathead show an average 43% of Westslope Cutthroat Trout greater than 12 inches show some sign of hook related scarring. This is an indication that fish are caught and released repeatedly. Estimates show angling pressure is steadily increasing. Westslope Cutthroat Trout populations are relatively low density (300-500 total fish per mile, 30-60 Cutthroat Trout greater than 12 inches per mile) and the high incidents of multiple catch-and-release events per fish could be leading to increased mortality. Restricting gear to single-pointed hooks only is expected to reduce handling stress and hook-related injury to Westslope Cutthroat Trout and Bull Trout. This proposal provides the greatest amount of protection with the least impactful amount of regulation. This regulation does not limit any particular angling opportunity but potentially reduces handling stress of sensitive fish species.

Other proposed changes for this proposal are intended to simplify the regulations by omitting language that is no longer relevant.

**Scoping Summary:** The online public scoping survey included the proposal for single-point hooks on the forks of the Flathead. Of respondents who provided an opinion, 68.5% supported the proposal and 31.5% opposed. Comments that opposed the proposal stated that guides and outfitters are to blame, were concerned that this regulation is prejudice against bait fishing and spin fishing, and that this proposal is based on social, not biological, science. Comments in support recommended further restrictions through use of single-barbless hooks and outlaw use of bait and proposed extending beyond the forks and mainstem Flathead to other waterbodies.

### **(Proposal 11) Racetrack Pond**

Page 44 add:

#### **RACETRACK POND**

- Catch-and-release for trout, except anglers 14 years of age or younger may take 3 *combined trout, including Cutthroat Trout* daily and in possession.
- *Artificial lures only (see definition on page 20), except anglers 14 years of age or younger may use bait.*

**Rationale:** The management direction for Racetrack Pond is to encourage youth angling and promote quality angling opportunity by managing harvest and stocking. This regulation change would require that anglers aged 15 and older use artificial lures, making it easier for these anglers to release fish that will survive. Anglers 14 and younger would still be able to use bait and harvest fish. Racetrack Pond is now managed as an FAS (previously it was managed by the City of Missoula) and increased angling is expected.

**Scoping Summary:** This proposal was not included in the online scoping survey.

### **(Proposal 12) River's Edge Pond**

Page 44 add:

#### *River's Edge Pond*

- *Catch-and-release for trout, except anglers 14 years of age and younger may take 1 trout daily and in possession.*

**Rationale:** This pond is a newly constructed community fishery. The proposed regulation is consistent with other community ponds in the Region. This regulation has been successful at maintaining quality at other community fisheries.

**Scoping Summary:** This proposal was not included in the online scoping summary.

### **(Proposal 13) Seeley Lake Bass Spearing**

Page 45 add:

#### **SEELEY LAKE**

- Kokanee Salmon: 10 daily and 20 in possession.
- Bass: no daily or possession limit for the entire year.

- Northern Pike: no limit.
- Spearing: open for Northern Pike *and Bass*.
- Snagging: open for Kokanee Salmon October 15 through December 31, 20 daily and 40 in possession.

**Rationale:** This regulation provides additional opportunity to harvest Smallmouth Bass, which were illegally introduced into Seeley Lake. Spearing is already allowed on Seeley Lake for Northern Pike, so spearing is not a new regulation for this waterbody. Largemouth Bass were previously stocked in Seeley Lake, but the fishery was marginal. Following the illegal introduction of Smallmouth Bass, bass management has focused on suppression of both species and the department has focused Largemouth Bass management to nearby Placid and Upsata Lakes.

**Scoping Summary:** This proposal was not included in the online survey, but comments submitted through the survey requested additional spearing opportunities for bass in Seeley Lake.

### **(Proposal 14) Silver’s Lagoon**

Page 45 add:

SILVER’S LAGOON aka McCormick Pond (Missoula)

- Open to fishing for anglers 14 years of age or younger, *holders of a “Resident Person with Disability Conservation License” and holders of a “Permit to Hunt from a Vehicle” with the proper prerequisite fishing license. One rod per angler.*
- Open April 1 through October 30.
- Combined trout, including Cutthroat Trout: 1 fish daily and in possession.

**Rationale:** This change allows use of the pond by handicap anglers outside of special events. The pond currently provides handicap access infrastructure and the City of Missoula would like to encourage more use by disabled anglers. The City of Missoula has observed a demand for increased handicapped opportunities and has invested in infrastructure at the pond.

**Scoping Summary:** This proposal was not included in the online scoping survey.

### **(Proposal 15) South Fork Flathead River Gear Restriction**

Page 46 change:

SOUTH FORK FLATHEAD RIVER

***South Fork Flathead River and tributaries, including headwaters to confluence with Flathead River (does not include Hungry Horse Reservoir)***

- *Single-pointed hooks only. No treble or double hooks. Anglers may remove treble or double hooks from the lure and replace them with a single hook, or the shanks may be cut off the other hook points to leave a single hook. Lures with multiple hook attachments may still be used but any treble hook must be replaced by a single hook.*

**Mainstem upstream of Hungry Horse Reservoir (from Crossover Boat Ramp south and upstream to the Confluence of Youngs and Danaher Creeks)**

- Bull Trout: catch-and-release from third Saturday in May through July 31. A Hungry Horse/South Fork Flathead Bull Trout Catch Card must be in possession when fishing for Bull Trout. See Special License requirements for application information. All Bull Trout must be released immediately. It is unlawful to possess a live Bull Trout for any reason.

**Meadow Creek bridge to Spotted Bear foot bridge and tributaries**

- Catch-and-release for Cutthroat Trout.
- Artificial lures only (see definition on page 20).

**Hungry Horse Dam downstream to Devil's Elbow and tributaries**

- Closed entire year.

**Devil's Elbow downstream to mouth and tributaries**

- Catch-and-release for Cutthroat Trout.
- *Rainbow Trout: 5 daily and in possession.*
- Extended season for ~~Whitefish and catch-and-release for trout~~ open December 1 to third Saturday in May with artificial lures (see definition on page 20) and/or maggots only.

**Rationale:** Population monitoring in the Flathead River and the forks of the Flathead show an average 43% of Westslope Cutthroat Trout greater than 12 inches show some sign of hook related scarring. This is an indication that fish are caught and released repeatedly. Estimates show angling pressure is steadily increasing. Westslope Cutthroat Trout populations are relatively low density (300-500 total fish per mile, 30-60 Cutthroat Trout greater than 12 inches per mile) and the high incidents of multiple catch-and-release events per fish could be leading to increased mortality. Restricting gear to single-pointed hooks only is expected to reduce handling stress and hook-related injury to Westslope Cutthroat Trout and Bull Trout. This proposal provides the greatest amount of protection with the least impactful amount of regulation. This regulation does not limit any particular angling opportunity but potentially reduces handling stress of sensitive fish species.

Other proposed changes for this proposal are intended to simplify the regulations by omitting language that is no longer relevant.

**Scoping Summary:** The online public scoping survey included the proposal for single-point hooks on the forks of the Flathead. Of respondents who provided an opinion, 68.5% supported the proposal and 31.5% opposed. Comments that opposed the proposal stated that guides and outfitters are to blame, were concerned that this regulation is prejudice against bait fishing and spin fishing, and that this proposal is based on social, not biological, science. Comments in support recommended further restrictions through use of single-barbless hooks and outlaw use of bait and proposed extending beyond the forks and mainstem Flathead to other waterbodies.

**(Proposal 16) St. Regis Community Park Pond**

Page 46 add:

*ST REGIS COMMUNITY PARK POND*

- *Open to fishing for anglers 14 years of age or younger; one rod per child.*
- *Combined trout, including Cutthroat Trout: 1 fish daily and in possession.*

**Rationale:** This proposal is expected to enhance this waterbody as a kid’s fishing pond. Based on previous stocking, fish are targeted and harvested shortly after stocking which limits opportunities for kids. Restrictive regulations are intended to limit harvest by more experienced anglers and improve fishing opportunity for kids and provide a positive angling experience for young people learning to fish.

**Scoping Summary:** Of survey respondents who provided an opinion, 68.3% supported this proposal and 31.7% opposed. Comments in opposition recommended stocking more fish and allow older children and/or handicapped people to fish at the pond. Supporting comments also recommended a higher age limit and/or handicapped people and supported enhancing as a kid’s fishing pond.

### **(Proposal 17) Swan River**

Page 47 change:

#### **SWAN RIVER**

- *No intentional fishing for Bull Trout.*
- *Catch-and-release for Cutthroat Trout.*
- Closed to angling June 1 through September 30 within a 300-yard radius of the Woodward Creek and Lion Creek stream mouths, unless posted at a greater distance.
- Walleye: All Walleye caught must be killed immediately, kept and the entire fish turned in to FWP. Anglers who catch Walleye in Swan Lake and Swan River are required to report the catch to FWP within 24 hours (406-752-5501). Anglers must provide ~~the angler’s~~ *their* full name, ALS Number, phone number, date and time of capture, and location on lake or river. Anglers are required to turn in the whole Walleye to a FWP office within 10 days of capture during regular business hours.

#### **Piper Creek Bridge downstream to Swan Lake**

- ~~Catch and release for Cutthroat Trout and Rainbow Trout.~~
- Artificial lures only (see definition on page 20).

#### **Swan Lake outlet downstream to the Highway 35 Bridge**

- Open entire year.
- ~~Catch and release for Cutthroat Trout.~~

**Rationale:** Monitoring in the Swan River shows reduced abundance of Westslope Cutthroat Trout. Implementing catch-and-release for Cutthroat Trout and promoting harvest of Rainbow Trout is intended to help the Cutthroat Trout population. Rainbow Trout are thought to be partially responsible for the decline in Cutthroat Trout abundance.

**Scoping Summary:** This proposal was not included in the online public scoping survey.

## (Proposal 18) Thompson River

Page 47 change:

### THOMPSON RIVER

#### Entire river

- *Open to fishing entire year.*
- Catch-and-release for Cutthroat Trout and Rainbow Trout.
- Brown Trout: 3 daily and in possession, any size.
- Artificial lures only (see definition on page 20), except angler 14 years of age or younger may use bait.

#### ~~Upstream from mouth of Little Thompson River~~

- ~~Closed to fishing December 1 to third Saturday in May.~~

#### ~~Mouth of Little Thompson River to the confluence with the Clark Fork River~~

- ~~Extended season for whitefish and catch-and-release for trout open December 1 to third Saturday in May with artificial lures (see definition on page 20) and/or maggots only.~~

**Rationale:** The previous exception was intended to protect Cutthroat Trout and Rainbow Trout that spawned in the upper river while allowing harvest of Brown Trout. Brown Trout are now the dominant species upstream of Little Thompson River so the closure is not needed anymore. Opening angling for the entire year allows for more opportunity to harvest Brown Trout and is not expected to negatively affect Cutthroat Trout or Rainbow Trout populations.

**Scoping Summary:** Of survey respondents who provided an opinion, 68.7% supported this proposal and 31.3% opposed. Comments that opposed the proposal were concerned about increased harvest of Brown Trout, opening the river to fishing all year, lack of a size restriction, and not doing enough to protect Cutthroat Trout. Comments in support recommended increasing harvest on Rainbow Trout and recognized the increased abundance of Brown Trout above Little Thompson River.

## (Proposal 19) Warm Spring Wildlife Management Area (WMA) Gravel Pit Pond

Page 48 change:

### WARM SPRINGS WILDLIFE MANAGEMENT AREA (WMA)

#### Gravel Pit Pond adjacent to Highway 48

- Open ~~entire year~~ *second Friday in June at 5 p.m. through November 30.*
- Combined trout: 2 daily and in possession.
- Bait may be used.

**Rationale:** The Anaconda Kiwanis Club sponsors annual fishing days at the Gravel Pit Pond adjacent to Highway 48 for kids and handicapped adults. The event is held on the evening of the second Friday in June as well as the following Saturday. FWP hatcheries typically stock fish into the pond one to two weeks prior to the event to allow fish to acclimate. This pond is small and shallow, and fish are extremely vulnerable to angling pressure. Some local anglers begin fishing the pond immediately after they find out it has been stocked, which limits opportunity and degrades the experience for the event participants. The current regulation specifies that the pond

is open the entire year. We are proposing to change this so that the pond opens the day of the fishing event and remains open through the end of the traditional fishing season. Limiting angling to this period is not expected to limit any significant opportunity except to those fishing prior to the annual fishing event. Fish are typically depleted in the pond by late summer and use by anglers after this period is rare based on past observations.

**Scoping Summary:** Of survey respondents who provided an opinion, 68.5% supported this proposal and 31.5% opposed. Comments opposing this proposal mentioned concern with limiting public fishing opportunity or offered other suggestions such as additional stocking or signage. Comments in support included support for this fishing event and support for handicapped and kid's fishing opportunities.

## **Central Fishing District**

### **(Proposal 20) Central Fishing District Standard Channel Catfish Regulation**

Page 57 change:

Channel Catfish: 10 daily and ~~20~~-in possession.

Page 72 remove:

~~MUSSELLSHELL RIVER~~

~~**From the Highway 3 bridge at Lavina downstream to Fort Peck Reservoir**~~

- ~~● Sauger/Walleye: 5 daily, only 2 may be Sauger. Possession limit is 10, only 4 may be Sauger.~~

~~**Downstream from where North and South Forks meet**~~

- ~~● Channel Catfish: 10 daily and in possession.~~

**Rationale:** This proposal removes the lone exception for Channel Catfish in the Central Fishing District. Channel Catfish populations in the Central Fishing District are relatively sparse when compared to the Eastern Fishing District and this regulation is expected to protect population expansion efforts in the Musselshell River and provide additional protection to Channel Catfish populations in the Missouri River above Fort Benton, above Billings on the Yellowstone River, and above Hardin on the Bighorn River.

**Scoping Summary:** Of survey respondents who provided an opinion, 73.3% supported this change and 26.7% opposed. Comments in opposition were opposed to lowering possession limits and did not believe that changing the possession limit would have any population impacts. Comments in support recommended more restrictive daily limits or length limits.

### **(Proposal 21) Central Fishing District Standard Sauger Regulation**

Page 57 add:

Sauger/Walleye: 5 daily, *only 2 may be Sauger*. Possession limit is 10, *only 4 may be Sauger*.

Page 62 remove:

~~BIGHORN RIVER~~

**Entire river**

- ~~Sauger/Walleye: 5 daily, only 1 may be a Sauger. Possession limit is 10, only 2 may be Sauger.~~
- A State of Montana fishing license is required for all anglers to fish on the Bighorn River within the boundaries of the Crow Reservation. A tribal permit is not required.

Page 68 remove:

**MARIAS RIVER**

- ~~Sauger/Walleye: 5 daily, only 2 may be Sauger. Possession limit is 10, only 4 may be Sauger.~~
- Combined trout: 5 daily and in possession, only 1 over 18 inches.
- Mountain Whitefish: 35 daily and in possession.
- Hook and Line/Setlines: 2 lines with up to 2 hooks per line all year.

Page 71 remove:

**MISSOURI RIVER**

**Morony Dam to Fort Benton**

- ~~Sauger/Walleye: 5 daily, only 2 may be Sauger. Possession limit is 10, only 4 may be Sauger.~~
- Smallmouth Bass: 10 daily and in possession.
- Hook and Line/Setlines: 6 lines with 6 hooks per line all year.

Page 72 remove:

**MUSELLSHELL RIVER**

**From the Highway 3 bridge at Lavina downstream to Fort Peck Reservoir**

- ~~Sauger/Walleye: 5 daily, only 2 may be Sauger. Possession limit is 10, only 4 may be Sauger.~~

**Downstream from where North and South Forks meet**

- ~~Channel Catfish: 10 daily and in possession.~~

Page 76 remove:

**YELLOWSTONE RIVER**

**Yellowstone National Park Boundary to I-90 Bridge at Billings**

- Sauger/Walleye: 5 daily, only 1 may be a Sauger. Possession limit is 10, only 2 may be Sauger, includes tributary streams.

**Rationale:** Adjusting the Central District Sauger regulations removes exceptions from 5 waterbodies. All but one waterbody (Yellowstone River above Billings) already had the proposed regulation in place. This change is expected to simplify the regulations and is not expected to adversely impact Sauger populations.

**Scoping Summary:** Of survey respondents who provided an opinion, 72.9% supported this change and 27.1% opposed. Comments opposing this proposal recommended more stocking, a lower Sauger limit, slot limits, and catch-and-release fishing only. Comments in support recommended lower Sauger limits, catch-and-release fishing only for Sauger, and mandatory harvest of Walleye.

## (Proposal 22) Ackley Lake Tiger Muskie

Page 58 add:

### ACKLEY LAKE

- *Tiger Muskie: 2 daily and 4 in possession, must be over 36 inches.*

**Rationale:** Tiger Muskie were stocked in 2015 as biocontrol of the sucker population. Sucker densities have declined as expected; however, rainbow trout catch rates have also declined. Increasing the rate of Tiger Muskie is expected to reduce the rate of predation on stocked Rainbow Trout while maintaining the 36 inch minimum length limit should maintain biocontrol of the sucker population.

**Scoping Summary:** Of survey respondents who provided an opinion, 73.6% supported this proposal and 26.4% opposed. Comments in opposition had concerns about lowering the length limit and impacting the Tiger Muskie population or preferred a lower bag limit. Comments in support mentioned disappointment in the decline in the Rainbow Trout fishery, or recommended spear fishing or netting fish and moving to another waterbody.

## (Proposal 23) Big Hole River

Page 60 change:

### BIG HOLE RIVER

#### **Dickie Bridge to Melrose Bridges (Salmon Fly FAS)**

- Artificial lures only (see definition on page 20); *maggots allowed December 1 to third Saturday in May.*
- ~~Extended season for Whitefish and Catch-and-release for trout open~~ December 1 to the third Saturday in May ~~with artificial lures (see definition on page 20) and/or maggots.~~

#### **Melrose Bridges (Salmon Fly FAS) to the mouth**

- ~~Extended season for Whitefish and Catch-and-release for trout open~~ December 1 to the third Saturday in May with artificial lures (see definition on page 20) and/or maggots.

**Rationale:** With year around fishing allowed on the Big Hole the specialized restrictions are no longer necessary. This proposal is intended to clarify a confusing regulation.

**Scoping Summary:** Of survey respondents who provided an opinion, 73.4% supported this proposal and 26.6% opposed. Comments in opposition had concerns with restrictions to artificial lures only, limiting trout harvest part of the year, and opening streams to fishing all year. Comments in support of the proposal had concerns about use of maggots and recommended further limiting artificial lures to single hook only.

The tentative proposal to change from Melrose Bridges (Salmon Fly FAS) to the mouth was not included in public scoping.

## (Proposal 24) Big Spring Creek

Page 60 remove:

~~BIG SPRING CREEK (near Lewistown)~~

~~Upstream of the US Highway 191 bridge, including East Fork Big Spring Creek downstream from the Reservoir~~

- ~~• Catch and release only for all trout.~~

**Rationale:** A catch-and-release regulation was implemented in the early 2000s due to of PCB contamination in Big Spring Creek. The PCB cleanup was completed in 2013 and fish tissue testing in 2016 showed that fish from Big Spring Creek can be safely consumed in limited quantities. A fish consumption advisory of one meal per month will remain in place.

**Scoping Summary:** Of survey respondents who provided an opinion, 73.6% supported this proposal and 26.4% opposed. Comments in opposition had concerns with overharvest, supported more catch and release fisheries, and recommended no harvest while there were any dietary consumption advisories. Supporting comments favored adopting Central District standard regulations and contended that harvest may improve fish growth within the fishery.

### **(Proposal 25) Bighorn Lake and Afterbay Reservoir**

Page 62 remove:

~~BIGHORN LAKE AND AFTERBAY RESERVOIR~~

- Bass: 10 daily and 20 in possession.
- Shovelnose Sturgeon: 2 daily and in possession.
- Sauger/Walleye: 6 daily (only 3 may be Sauger) and 12 in possession (only 3 may be Sauger).
- Channel Catfish: 6 daily and in possession.
- Burbot (ling): 3 daily and in possession.
- Hook and Line: 2 lines with 2 hooks per line on open water and 6 lines with 1 hook per line through the ice.
- Anglers obtaining live bait fish in Montana may use them only in the Montana portion of the lake.

**Rationale:** Current regulations for Afterbay Reservoir reflect the regulations for upstream Bighorn Lake; however, the fisheries between the waterbodies are substantially different. Afterbay Reservoir is managed as a put-grow-take Rainbow Trout fishery with other species flushing in during years where the Yellowtail Dam spillway is used. The reservoir has extreme daily and weekly elevation fluctuation and rarely maintains sustainable populations of fish. With this proposal standard Central Fishing District regulations would apply.

**Scoping Summary:** This proposal was not included in the online public scoping survey.

### **(Proposal 26) Boulder River (near Big Timber)**

Page 62 remove:

~~BOULDER RIVER AND TRIBUTARIES (near Big Timber)~~

~~River and Tributaries from the mouth upstream to Hawley Creek~~

- ~~• Combined trout: Only 1 fish over 14 inches.~~

**River and Tributaries upstream of Hawley Creek**

- Combined trout: Only 1 fish over 14 inches; may include 3 Cutthroat Trout.

**Rationale:** This fishery has limited harvest and this change is not expected to have any significant increase in mortality due to harvest. The current regulation is protecting fish over 14 inches with a robust population of trout occupying the 14 to 15-inch lengths. The intent is to continue limited harvest for larger fish but simplify the regulations using the standard 1 over 18 inches. While this seems contradictory to recent removal of non-natives to support cutthroat in the upper Boulder this regulation would provide opportunity to allow harvest. It is unlikely enough anglers will harvest limits to reduce the population. Continued monitoring will be in place if angler habits or conditions change resulting in a need to re-evaluate this proposed regulation.

**Scoping Summary:** Of survey respondents who provided an opinion, 73.2% supported this proposal and 26.8% opposed. Comments in opposition had concerns about harvesting native fish following previous rotenone projects and recommended keeping the current regulations since the fish population and fishing is good, or making the entire stretch catch-and-release. Supporting comments supported simplifying the regulations and that there is no biological justification to keep more restrictive regulations.

## **(Proposal 27) Canyon Ferry Northern Pike Spearing**

Page 62 and 70 add:

**CANYON FERRY RESERVOIR**

- ~~• All watercraft must be inspected prior to leaving.~~
- Catch-and-release for Brown Trout, except anglers 14 years of age or younger may take 1 Brown Trout daily and in possession any size.
- Walleye: 20 daily, only 1 over 20 inches. Possession limit twice the daily limit.
- Yellow Perch: 10 daily and in possession.
- Northern Pike: No limit.
- *Spearing: Open for Northern Pike through the ice.*
- Hook and Line/Setlines: 6 lines with 2 hooks per line through the ice only.

**Rationale:** Anglers have requested the opportunity to spear Northern Pike during the ice fishing season. It is unknown if enough harvest would occur via spearing to impact the population.

The watercraft inspection requirement is tentatively proposed for removal. Canyon Ferry will no longer be classified as “Suspect” for invasive mussels if no positive samples are detected during 2019 monitoring. To date, no invasive mussels have been detected in Canyon Ferry.

**Scoping Summary:** Of survey respondents who provided an opinion, 73.7% supported this proposal and 26.3% opposed. Comments in opposition voiced concerns about spearing of other species, lack of a limit on Northern Pike, and safety of large spearing holes cut through the ice. Comments in support favored additional harvest of Northern Pike, appreciated the opportunity to spear fish, and recommended mandatory harvest. There were several other comments on Canyon

Ferry that fell outside the scope of this proposal, but many of those concerns are addressed in the ongoing update of the Upper Missouri River Reservoir Fisheries Management Plan.

### **(Proposal 28) Clark Canyon Reservoir Burbot (ling)**

Page 64 change:

#### **CLARK CANYON RESERVOIR**

- Burbot (ling): 3 *over 23 inches* daily and in possession ~~only 1 over 28 inches~~.
- Combined trout: 3 daily and in possession.

**Rationale:** Over the past decade, average size, proportion of fish older than age 4, and abundance of Burbot has declined. This regulation is intended to improve average size and reduce the likelihood of growth and recruitment overfishing. Data suggests that angler harvest can have a biological influence on the Burbot population in Clark Canyon.

**Scoping Summary:** Of survey respondents who provided an opinion, 73.6% supported this proposal and 26.4% opposed. Comments opposing this proposal preferred closing the fishery to all Burbot harvest or recommended different length limits. Supporting comments noted changes in the fishery over the past few years.

### **(Proposal 29) East Fork Big Spring Creek**

Page 64 remove:

#### ~~EAST FORK BIG SPRING CREEK (near Lewistown)~~

##### ~~Downstream of the Reservoir~~

- ~~Catch and release only for all trout.~~

**Rationale:** A catch-and-release regulation was implemented in the early 2000s due to PCB contamination in Big Spring Creek and East Fork Big Spring Creek. The PCB cleanup of Big Spring Creek was completed in 2013 and fish tissue testing in 2016 showed that fish from Big Spring Creek and East Fork Big Spring Creek can be safely consumed in limited quantities. A fish consumption advisory of one meal per month remains in place.

**Scoping Summary:** Of survey respondents who provided an opinion, 73.8% supported this proposal and 26.2% opposed. Comments in opposition recommended keeping the regulation catch-and-release only, concerns of overharvest, and keeping catch-and-release until fish consumption limitations are lifted. No supporting comments were submitted.

### **(Proposal 30) Helena Valley Regulating Reservoir**

Page 66 add:

#### **HELENA VALLEY REGULATING RESERVOIR**

- *Manually operated watercraft and watercraft powered by electric motors only.*
- *During ice cover: No fires, all-terrain vehicles, off highway vehicles, snowmobiles, or any other vehicles allowed on the ice. Powered ice augers are permitted.*

**Rationale:** Rules were updated by the commission in order to formalize implied recreational rules at the reservoir. The Helena Valley Regulating Reservoir serves as a water source for the City of Helena, so additional protections to maintain water quality are in place. The reservoir is a popular Yellow Perch and Kokanee fishery and the Fishing Regulations booklet is an appropriate means to communicate these unique rules.

**Scoping Summary:** This proposal was not included in spring scoping.

### **(Proposal 31) Madison River “Hoot Owl” Restriction**

Page 68 add:

MADISON RIVER

*Warm Springs Day Use Area to Confluence with Jefferson River*

- *No fishing between 2 p.m. and midnight from July 15 through August 15*

**Rationale:** Thermal data from 1997 to present show median maximum daily water temperatures typically warm between 75 and 78 degrees between July 15 and August 15 from Warm Springs Access to the confluence with the Jefferson River. The extreme temperatures in this reach exceed the criteria for drought and temperature related fishing restrictions on an annual basis. These temperature levels are highly stressful to trout and whitefish and high levels of hooking mortality occur during this time period. This regulation will prevent fishing from the hottest part of the day and is expected to reduce hooking mortality rates during this period. Temperature restrictions (known as “hoot owl” restrictions) are implemented on this reach nearly every year and having consistent closure dates are expected to better serve the public, since the current practice of variable closure dates can be confusing and missed by members of the public.

**Scoping Summary:** Of survey respondents who provided an opinion, 73.5% supported this proposal and 26.5% opposed. Most comments in both support and opposition supported the use of hoot owl restrictions to protect fish during high temperature periods. Many comments in opposition felt this measure is not needed because restrictions might not be placed during a higher flow year (for example, there were no restrictions in 2018). Other opposing comments had concerns about limiting opportunity for anglers on the lower Madison and increasing pressure on the upper Madison (above Ennis Lake) and concerns of impacts of non-angling floaters to fish behavior. Comments in support mentioned limited fishing pressure during this period, easier trip planning by knowing that the restriction is in place, and some supported implementing a similar proposal for other waterbodies where hoot owl restrictions are common.

Due to scoping input, this proposal was modified for the tentative regulation package by implementing over a shorter duration (initially the department was considering July 1 through August 31) and over a shorter stretch of river (the initial proposal was from Ennis Dam to the mouth).

### **(Proposal 32) Toston Dam Northern Pike**

Page 70 add:

MISSOURI RIVER

***Toston Dam Reservoir (Toston Dam to approximately 1 mile upstream)***

- *Spearing: Open for Northern Pike through the ice.*

**Rationale:** Anglers have requested the opportunity to spear Northern Pike during the ice fishing season. FWP is managing Northern Pike in the upper Missouri River to keep numbers low and to minimize population expansion in the Missouri headwaters.

**Scoping Summary:** Of survey respondents who provided an opinion, 73.6% supported this proposal and 26.4% opposed. Comments in opposition recommended having some kind of limit, had concerns about spearing other species, and that there would be no change to the pike population. Comments in support recommended also allowing free-diving, adding other waters for spear fishing, mandatory harvest of pike, and voiced concerns about safety with larger holes cut in the ice.

**(Proposal 33) Missouri River below Holter Dam**

Page 70 change:

MISSOURI RIVER

**Holter Dam to Cascade Bridge**

- Combined trout: 3 daily and in possession, only 1 over 18 inches, and only 1 may be a Brown Trout.
- Walleye: ~~no limit~~ *20 daily and 40 in possession.*
- *Northern Pike: No limit.*

**Cascade Bridge to Black Eagle Dam**

- Walleye: 20 daily and 40 in possession.
- *Northern Pike: No limit.*

**Rationale:** This proposal for Northern Pike is consistent with Northern Pike regulations upstream of Holter Dam. Increased numbers of Northern Pike have been captured in the upstream reservoirs and have been reported in the river near Cascade since 2018. Population densities are still low in the river, but fish are expected to continue to flush from the upstream reservoirs. The Missouri River from Holter Dam to Black Eagle Dam does contain some habitats that may be conducive for Northern Pike.

The proposed Walleye regulation would standardize the Missouri River Walleye limit from Holter Dam to Black Eagle Dam. A daily limit of 20 fish and 40 in possession is expected to maximize harvest and maintain the trout fishery.

**Scoping Summary:** Of the survey respondents who provided an opinion for no limit on Northern Pike, 73% were in support and 27% opposed. Comments in opposition favored no additional harvest of pike and increased harvest of trout. Supporting comments also favored catch and release for pike.

Survey respondents in support of the proposed Walleye limit were 73.5% while 26.5% opposed. Opposition comments included that the proposed limit is too high, a length restriction was needed, that the current no limit should be maintained, that Walleye should be managed as an

invasive species, and that Walleye should be managed as a native species. Comments supporting the proposed Walleye limit also mentioned that the proposed limit is too high (but better than no limit), and also offered variations of lower bag limits.

The online scoping survey included an additional question for input on mandatory harvest of Northern Pike from Holter Dam to Black Eagle Dam. This proposal was supported by 73.8% and opposed by 26.2% of the survey respondents who provided an opinion. Although supported in the scoping survey, concerns raised in comments included a high likelihood of waste of Northern Pike captured by anglers who did not want to handle and/or clean the fish. FWP staff determined that mandatory harvest of pike in this river reach does not seem appropriate at this time.

### **(Proposal 34) Smith River**

Page 74 add:

#### **SMITH RIVER**

Note: Floating on the Smith River between Camp Baker and Eden Bridge is strictly limited. Mandatory registration, floater's fee and other regulations apply. A drawing for launch dates is held in February with remaining launches filled on a first-come basis. Contact the Great Falls FWP office at 406-454-5840 for more information.

*Sheep Creek from bridge upstream of Moose Creek to the mouth, Rock Creek from bridge at Lingshire Road to the mouth, Tenderfoot Creek from falls just upstream of Daisy Creek to the mouth, and Hound Creek from Upper Millegan Road bridge to the mouth*

- *Open third Saturday in May to November 30.*

**Rationale:** Increased numbers of floaters are accessing the Smith River in the spring, with anglers targeting tributaries due to unfavorable angling conditions on the mainstem river. This seasonal restriction is expected to protect spawning Rainbow Trout that congregate in the tributaries. If approved as proposed, this regulation would be like regulations that were in place prior to 2015 (in 2016 the Central District standard changed to river and streams open all year, unless otherwise specified in Exceptions to the Standard Regulations). Most spawning occurs in Sheep Creek and Tenderfoot Creek, but only implementing restrictions on these two streams may increase angling pressure on Rock Creek and Hound Creek. Low flows in the fall limit access to the river, so additional protection for spawning Brown Trout is not needed.

**Scoping Summary:** Of survey respondents who provided an opinion, 73.8% supported this proposal while 26.2% opposed. Comments in opposition felt this regulation was not needed and/or reduce fishing opportunity, believe data is lacking to support this change, and that non-native fish should not receive special protections. Supporting comments backed protecting spawning Rainbow Trout and recommended protecting Brown Trout.

### **(Proposal 35) Stillwater River and Tributaries**

Page 75 remove:

#### **STILLWATER RIVER AND TRIBUTARIES (Yellowstone River Drainage)**

- ~~Combined trout: Only 1 fish over 14 inches.~~

**Rationale:** This fishery has limited harvest and this change is not expected to have any significant increase in mortality due to harvest. The current regulation is protecting fish over 14 inches with a robust population of trout occupying the 14 to 15 inch lengths. The intent is to continue limited harvest for larger fish but simplify the regulations using the standard 1 over 18 inches rather than 14 inches as stipulated for the Stillwater and its tributaries. If angler attitudes changed from mostly catch and release to harvest the regulations would likely need to be revisited. This change would decrease the number of exceptions making angler participation less daunting with limited change to the fishery.

**Scoping Summary:** Of survey respondents who provided an opinion, 73.4% supported this proposal and 26.6% opposed. Opponents were in favor of catch-and-release fishing only, preferred to keep the current regulation since population numbers were good, or described overuse by guided fishing as a limiting factor. Comments in support appreciated the effort to simplify the regulations and mentioned that the more restrictive regulations were not biologically justified.

## **Eastern Fishing District**

### **(Proposal 36) Ice Shelter Removal**

Page 81 change:

#### **Shelters**

**Removal After the Season:** The owner of an ice fishing shelter shall remove it from the ice before it becomes irretrievable at the end of the season, ~~or within five days from receipt of notification from FWP to remove the shelter.~~ *or by March 1. Shelters may remain on the ice after March 1 but must be removed daily if not occupied overnight.*

**Rationale:** FWP Enforcement has requested this proposal to address ice houses that are not removed before ice conditions deteriorate. Every year some ice houses are left too late, are irretrievable and ultimately fall into the waterbody. Game Warden's have also been placed in unsafe situations assisting ice house removal in hazardous ice conditions.

**Scoping Summary:** Of survey respondents who provided an opinion, 67.7% supported this proposal and 32.3% opposed. Comments in opposition recommended increasing the fine for not removing in time or requiring removal at a later date and allowing occupied shelters to remain on the ice. Supporting comments recommended adopting this proposal statewide, increasing fines, and requiring removal at a later date. This proposal was modified after public scoping to allow occupied shelters to stay on the ice.

### **(Proposal 37) Paddlefish Reorganization**

Page 81 change:

**Bow and Arrow:** ~~All waters open to angling are open to taking Paddlefish and non-game fish by bow and arrow~~ Unless otherwise noted in the exceptions to the standard regulations, *all*

*waters open to angling are open to taking non-game fish by bow and arrow. Paddlefish can be harvested by bow and arrow anglers with a valid paddlefish tag and during an open paddlefish harvest day (see General and Standard Paddlefish Regulations).*

**Snagging allowed for:** 1) Chinook Salmon on Fort Peck Reservoir only from October 1 through November 30; 2) Paddlefish by anglers with a valid paddlefish tag/license during an open paddlefish season (see General and Standard Paddlefish Regulations); and 3) ~~Snagging non-game fish is allowed on all open waters in the Eastern District except on the Missouri River downstream from Fort Benton to the North Dakota border, and on the Yellowstone River downstream from the mouth of the Bighorn River, and Powder River downstream of Highway 10 bridge. where only Paddlefish may be snagged by anglers with a valid Paddlefish tag. All waters open to angling are open to snagging Paddlefish during the open Paddlefish season by anglers with a valid tag (see Special Paddlefish Regulations for additional important Paddlefish information). Snagging Chinook Salmon is allowed on Fort Peck Reservoir only from October 1 through November 30.~~

Page 84 remove:

### **Special Paddlefish Regulations**

~~All Paddlefish anglers must purchase a paddlefish tag, a conservation license, and the required fishing license (see License Requirements pages 4-5). All licenses must be in the angler's immediate possession while fishing.~~

**Daily and Possession Limits and Tags:** one Paddlefish per season per angler. Anglers may select only one of the following areas, and may only fish in the area selected:

- ~~Upper Missouri River, upstream from Fort Peck Dam to Fort Benton—White Tag~~
- ~~Fort Peck Dredge Cuts (west of Park Grove Bridge and Nelson Dredge) on the Missouri River—Blue Tag~~
- ~~Yellowstone River and Missouri River downstream from Fort Peck Dam—Yellow Tag~~

Page 85 change:

### **General Paddlefish Regulations for ALL Areas**

- *All Paddlefish anglers must purchase a paddlefish tag, a conservation license, and the required fishing license (see License Requirements pages 4-5). All licenses must be in the angler's immediate possession while fishing.*
- *Each angler must cast for, hook and reel in his or her own paddlefish. It is unlawful for another person to do so. It is unlawful to loan tags or use another angler's tag.*
- *It is unlawful to snag paddlefish via boat trolling; casting from an anchored or drifting boat is lawful.*
- *Any fish other than Paddlefish caught while paddlefishing must be immediately released alive.*
- *Bow and arrow: lawful on harvest days in sections of river open to harvest or in a bow fishing only area; unlawful for catch-and-release.*
- *Hook size is limited to 8/0 and smaller for all paddlefish snagging.*
- *Gaffs, no longer than 4.5 feet in length, may be used to land a paddlefish that will be harvested. Gaffs may not be used to land a paddlefish that will be released.*
- *Any angler tag locked shut prior to attachment to a paddlefish shall be void and is not replaceable. Any altered or modified tag shall be void. Voided or lost tags are not replaceable.*
- *Paddlefish must be tagged immediately upon harvest.*

- *When a paddlefish is captured and tagged, the fish must be removed from the river by the end of the day (9:00 PM MST).*
- *Anglers are required to report the harvest of any paddlefish within 48 hours of harvest.*
- *Reporting options include on-site at fisheries check station or roving crews, phone hotline (1-877-FWPWILD or 406-444-0356), or online at [myfwp.mt.gov/](http://myfwp.mt.gov/).*
- *Anglers reporting a harvested paddlefish will provide the following information: Angler tag number, jaw tag number (if present), length (eye-tail fork), sex, date of harvest and harvest location. Additional information that may be collected on-site includes weight and age structure (jaw section).*
- *Anglers not reporting a harvested paddlefish will not be eligible to purchase a paddlefish tag the following year.*
- *It is unlawful to possess an untagged paddlefish or part of one. If anglers fillet a paddlefish, they must keep the part of the fish back and dorsal fin (back fin) where the tag is attached and sealed to the fish.*
- *Angler tag must remain with processed fish until consumed.*
- *It is unlawful for an individual to sell any portion of a paddlefish including eggs (processed or unprocessed) as prescribed by the Fish and Wildlife Commission.*

### **Tagging a Paddlefish**

- Cut a small hole in the base of the dorsal fin.
- Insert the metal loop portion of the plastic self-locking tag through this hole and seal tag.
- The metal loop must penetrate the fish to make the plastic self-locking tag non-removable when tag is sealed.
- The plastic self-locking tag must be completely sealed so it cannot be reopened.
- Any fish not tagged in accordance with these instructions is considered untagged. ~~You must have your conservation and Paddlefish license in your possession to fish for and/or take Paddlefish.~~

Note: Paddlefish drawing in box at bottom of the page will remain.

Page 86 change:

### ***Standard Paddlefish Regulations***

***Daily and Possession Limits and Tags:*** *One Paddlefish per season per angler. Anglers may select only one of the following three areas, and may only fish in the area selected:*

#### ***1) Missouri River upstream from Fort Peck Dam to Fort Benton (White Tag)***

***Upper Missouri Paddlefish Drawing:*** *Paddlefish harvest tags will be available via lottery draw for the Upper Missouri River paddlefish season (White Tag). Anglers need to apply individually or as a party (up to five people). Applications can be submitted either on-line at <http://fwp.mt.gov>, at an FWP office (see page 1 for addresses) or mailed.*

- *Applications must be received by FWP no later than **5:00 PM March 29, 2019.***
- *Unsuccessful applicants can still catch-and-release paddlefish with their Conservation, Fishing and Paddlefish Licenses.*
- *Paddlefish Snagging: open May 1 to June 15 from 6:00 AM to 9:00 PM (MST) daily.*

- *Catch-and-release snagging: open May 1 to June 15 from 6:00 AM to 9:00 PM. Proof of purchase of a white (or Upper Missouri River) paddlefish license is required for catch-and-release fishing.*
- *All paddlefish caught while catch-and-release fishing must be released immediately, may not be gaffed, and must remain at least partially submerged in water at all times (to avoid injury to the fish).*

**2) Fort Peck Dredge Cuts (west of Park Grove Bridge and Nelson Dredge) (Blue Tag)**

- *Bow and Arrow: open July 1 through August 31 for paddlefish. One paddlefish per angler. An unused blue paddlefish tag is required to fish for Paddlefish.*
- *Snagging: no snagging allowed, this is an archery only season.*

**3) Yellowstone River from Bighorn River confluence to Intake Dam (not including Intake Fishing Access Site), downstream of Intake Fishing Access Site to North Dakota State Line, Powder River downstream of Highway 10 bridge, and Missouri River downstream of Fort Peck Dam (Yellow Tag)**

- *Fishery is managed under a harvest target so annual harvest will not exceed 1,000 paddlefish. FWP will announce a 24-hour closure of the harvest season through a public news release. Closure can be immediate at Intake FAS (Intake Dam to ½ mile downstream) to prevent exceeding the estimated harvest target. Other yellow tag areas will close as noted in the 24-hour notice. For current information on harvest status call the Miles City FWP office at 406-234-0900.*
- *Following announcement of the harvest closure, catch-and-release snagging will be allowed, at Intake Fishing Access Site only, for 10 consecutive calendar days or through June 30, whichever comes first.*
- *The Montana nonprofit corporation designated to accept paddlefish egg donations in exchange for a free fish cleaning service, in accordance with guidelines developed and implemented through the annual Memorandum of Understanding, is authorized to accept and transport lawfully taken and tagged paddlefish donated by the angler. Paddlefish harvested on the Yellowstone River between the Burlington Northern Railroad Bridge at Glendive and the North Dakota state line are eligible for donation to the cleaning station at Intake FAS.*
- *Paddlefish Harvest Days: open Tuesdays, Wednesdays, Fridays and Saturdays from May 15 through June 30 from 6:00 AM to 9:00 PM (MST) daily, unless closed earlier by FWP.*
- *It is unlawful to release a paddlefish on a harvest day during the paddlefish season.*
- *An unused yellow paddlefish tag is required to fish for paddlefish. The tag must be properly placed on the first paddlefish caught and landed.*
- *Paddlefishing closed Sundays, Mondays and Thursdays (see exception under Intake Fishing Access Site below)*

**Intake Fishing Access Site (Intake Dam to ½ mile downstream)**

- *Paddlefish Catch-and-Release Days: open Sundays, Mondays and Thursdays from May 15 through June 30 from 6:00 AM to 9:00 PM (MST) daily, unless closed earlier by FWP.*
  - *All Paddlefish caught on catch-and-release days must be released immediately, may not be gaffed, and must remain at least partially submerged in water at all times (to avoid injury to the fish).*

- *Evidence of purchasing a current year yellow paddlefish tag must be in possession to catch-and-release snag for Paddlefish.*
- *Bow and arrow fishing unlawful on catch-and-release days.*
- *Paddlefish Harvest Days: open Tuesdays, Wednesdays, Fridays and Saturdays from May 15 through June 30 from 6:00 AM to 9:00 PM (MST) daily, unless closed to harvest earlier by FWP.*
  - *It is unlawful to release a paddlefish on a harvest day during the paddlefish season.*
  - *An unused yellow paddlefish tag is required to fish for paddlefish. The tag must be properly placed on the first paddlefish caught and landed.*
  - *Closed to fishing, snagging or landing paddlefish from boats/vessels during the open paddlefish season (i.e. May 15 through June 30 or earlier as posted on site).*

Page 89 remove:

#### FORT PECK DREDGE CUTS (west of Park Grove Bridge and Nelson Dredge)

- ~~Bow and Arrow: open July 1 through August 31 for Paddlefish. 1 per season and in possession. An unused blue Paddlefish tag is required to fish for Paddlefish.~~
- Combined trout: 2 ~~Rainbow~~ trout daily and in possession.
- Hook and Line/Setlines: 2 lines with 2 hooks per line on open water and 6 lines with 6 hooks per line through the ice.
- Snagging: no snagging allowed.

Page 90 remove:

#### MISSOURI RIVER

##### **Entire river**

- Snagging: unlawful to snag for fish other than Paddlefish on the Missouri River downstream from Fort Benton; any fish other than Paddlefish must be immediately released alive.

##### **Upstream from Fort Peck Dam to Fort Benton**

- ~~Paddlefish snagging: open for harvesting Paddlefish from May 1 through June 15 from 6 AM to 9 PM, MST, daily unless closed earlier by FWP.~~
- ~~Catch and release snagging for Paddlefish is open from May 1 through June 15 from 6 AM to 9 PM, MST, daily. See Special Paddlefish Regulations (pages 84-86) for additional important Paddlefish information.~~
- Sauger/Walleye: 5 daily, only 2 may be a Sauger. Possession limit is 10, only 4 may be Sauger.

##### **Downstream from Fort Peck Dam**

- ~~Catch and release snagging for Paddlefish is not permitted.~~
- ~~Paddlefish snagging: open Tuesdays, Wednesdays, Fridays and Saturdays May 15 through June 30 from 6 AM to 9 PM, MST, unless closed to harvest earlier by FWP. Paddlefish snagging is closed on Sundays, Mondays and Thursdays. See Special Paddlefish Regulations (pages 84-86) for additional important Paddlefish information.~~

Page 90 add:

#### POWDER RIVER

##### **Downstream from Highway 10 Bridge**

- *Snagging: unlawful to snag for fish other than Paddlefish; any fish other than Paddlefish must be immediately released alive.*

Page 92 and 93 remove:

#### YELLOWSTONE RIVER

##### **Downstream of the mouth of the Bighorn River, not including Intake Fishing Access Site**

- ~~Catch and release snagging for Paddlefish is not permitted.~~
- ~~Paddlefish Harvest Snagging: Open May 15 through June 30 from 6 AM to 9 PM MST, on Tuesdays, Wednesdays, Fridays and Saturdays only, unless closed earlier by FWP. Paddlefish snagging closed on Sundays, Mondays, and Thursdays. See Special Paddlefish Regulations (pages 84–87) for additional Paddlefish information.~~
- Snagging: unlawful to snag for fish other than Paddlefish; any fish other than Paddlefish must be immediately released alive.

##### **Intake Fishing Access Site**

- ~~Snagging: It is unlawful to snag for fish other than Paddlefish.~~
- ~~Paddlefish Harvest Snagging: open May 15 through June 30 from 6 AM to 9 PM MST, on Tuesdays, Wednesdays, Fridays, and Saturdays unless closed earlier by FWP.~~
- ~~Paddlefish Catch and release snagging: open May 15 through June 30 from 6AM to 9PM MST, on Sundays, Mondays, and Thursdays. Following the harvest closure, catch and release snagging will be allowed for 10 consecutive days or through June 30, whichever comes first. See Special Paddlefish Regulations (pages 84–87) for important Paddlefish information.~~
- Hook and Line/Setlines: 2 lines with 2 hooks per line all year.

##### **Intake Diversion Dam to ½ mile downstream of dam**

- ~~Closed to fishing, snagging or landing fish from boats/vessels during the open Paddlefish season (May 15 through June 30 – may end earlier as posted on site).~~

**Rationale:** FWP manages three discrete Paddlefish areas with overlapping and unique fishing regulations that can be confusing to anglers. This proposal does not include any changes to how Paddlefish fisheries are managed but is a reorganization of existing regulations in an attempt to improve angler understanding. This reorganization follows a similar order to the fishing regulations booklet: general information, standard regulations, and exceptions. Although there are similarities in regulations and management across the fisheries, biological and sociological differences between the fisheries warrant unique regulations for each.

**Scoping Summary:** This proposal was not included in the public scoping online survey. Previous interactions with anglers inspired this proposal.

## **(Proposal 38) Bighorn River Sauger**

Page 89 change:

#### BIGHORN RIVER (east of Billings)

##### **Entire River**

- Sauger/Walleye: 5 daily, only 1 2 may be Sauger. Possession limit is 10, only 2 4 may be Sauger.

**Rationale:** This regulation would extend the proposed Central District Sauger regulations into the Eastern District. This proposal is expected to improve opportunity to harvest Sauger and is

not expected to negatively impact Sauger populations. This regulation is expected to simplify rules across the Central and Eastern Fishing District boundaries.

**Scoping Summary:** This proposal was not specifically listed with other Eastern District public scoping questions. Scoping comments for this regulation change in the Central District were supported by 72.9% and opposed by 27.1%.

### **(Proposal 39) Fort Peck Dredge Cuts Trout**

Page 89 change:

FORT PECK DREDGE CUTS (west of Park Grove Bridge and Nelson Dredge)

- Bow and Arrow: open July 1 through August 31 for Paddlefish. 1 per season and in possession. An unused blue Paddlefish tag is required to fish for Paddlefish.
- Combined trout: 2 ~~Rainbow~~ trout daily and in possession.
- Hook and Line/Setlines: 2 lines with 2 hooks per line on open water and 6 lines with 6 hooks per line through the ice.

**Rationale:** This proposal would allow both Rainbow and Brown Trout to be harvested in the Fort Peck Dredge Cuts. This change is intended to simplify regulations and provide additional harvest opportunity for anglers and is not expected to substantially impact the trout population.

**Scoping Summary:** Of survey respondents who provided an opinion, 67.7% supported this proposal and 32.3% opposed. Comments in opposition preferred catch-and-release fishing only or not allowing harvest of Brown Trout. Supporting comments also preferred catch-and-release only, and also recommended length restrictions and not having a possession limit.

### **(Proposal 40) Hollecker Lake Bass**

Page 89 remove:

~~HOLLECKER LAKE~~

- ~~Bass: only 1 over 15 inches daily and in possession.~~

**Rationale:** High frequency of winterkill has precluded establishment of a Largemouth Bass fishery in Hollecker Lake. Very few Largemouth Bass are present in the lake and there are no bass over 15 inches. Discussions with interested parties are underway to explore other options to create a fishery.

**Scoping Summary:** Of survey respondents who provided an opinion, 69.4% supported this proposal and 30.6% opposed. Comments in opposition recommended continuing to try to establish a Largemouth Bass fishery and that keeping the restriction in place would still protect fish. Supporting comments recommended stocking Walleye.

### **(Proposal 41) Medicine Lake National Wildlife Refuge**

Page 89 change:

MEDICINE LAKE NATIONAL WILDLIFE REFUGE (Sheridan County)

- *Refuge open to fishing year-round.*
- *Consult refuge specific regulations available at the office, informational kiosks, or online: [https://www.fws.gov/refuge/Medicine\\_Lake/visit/rules\\_and\\_regulations.html](https://www.fws.gov/refuge/Medicine_Lake/visit/rules_and_regulations.html)*

**All lakes**

- ~~Hook and Line/Setlines: 6 lines with 6 hooks per line during the applicable open season.~~

**Medicine Lake**

- ~~Open November 15 through September 15.~~

**Gaffney Lake and Lake 10**

- ~~Open August 15 through March 31.~~

**Lake 12**

- ~~Open November 15 through March 31.~~

**Rationale:** This proposal was requested by refuge staff. Opening the entire refuge to fishing year-round simplifies coordination associated with implementing State and Federal processes.

**Scoping Summary:** There were several alternatives that were proposed by the refuge for public scoping. Those proposals were supported by 68.5% of respondents and opposed by 31.5%. Ultimately, FWP and Fish and Wildlife Service staff agreed upon the simpler proposal presented above.

## **(Proposal 42) Missouri River Trout**

Page 90 change:

MISSOURI RIVER

**Fort Peck Dam to the mouth of the Milk River**

- Combined trout: 2 ~~Rainbow~~ trout daily and in possession.
- Hook and Line/Setlines: 2 lines with 2 hooks per line on open water and 6 lines with 6 hooks per line through the ice.

**Rationale:** This proposal would allow both Rainbow and Brown Trout to be harvested below Fort Peck Dam. Population monitoring indicates both the Rainbow Trout and Brown Trout populations can sustain with additional harvest.

**Scoping Summary:** Of survey respondents who provided an opinion, 68.5% supported this proposal and 31.5% opposed. Comments in opposition preferred catch-and-release fishing only or allowing only 1 trout. Supporting comments also preferred catch-and-release only and consistency in the rules across the state.

## **(Proposal 43) Musselshell River Sauger and Channel Catfish**

Page 90 add:

MUSSEL SHELL RIVER

*Downstream from where North and South forks meet to Confluence with Fort Peck*

- *Sauger/Walleye: 5 daily, only 2 may be Sauger. Possession limit is 10, only 4 may be Sauger.*
- *Channel Catfish: 10 daily and in possession*

**Rationale:** The Sauger/Walleye exception would carry the proposed Central District regulation down the Musselshell River in to the Eastern District. The Channel Catfish regulation has been in place since 2016 but has not been listed in the Eastern District regulations. This regulation is proposed to be the standard Central District regulation for Channel Catfish for 2020.

**Scoping Summary:** This proposal was not included in the online scoping survey.

### **(Proposal 44) Yellowstone River Sauger**

Page 92 change:

YELLOWSTONE RIVER

#### **I-90 Bridge at Billings to the mouth of the Bighorn River**

- Combined trout: 5 daily and in possession, only 1 over 18 inches, all may be Cutthroat Trout.
- Sauger/Walleye: 5 daily only + 2 may be Sauger and 10 in possession only ~~2~~ 4 may be Sauger.

#### **Mouth of the Bighorn River to Cartersville Diversion Dam at Forsyth**

- Sauger/Walleye: 5 daily only +2 may be a Sauger and 10 in possession only ~~2~~ 4 may be Sauger.

**Rationale:** This proposal matches the proposed change for Sauger in the Central Fishing District which includes the section of the Yellowstone River from Billings to the Bighorn River. This proposal is expected to improve opportunity to harvest Sauger and is not expected to negatively impact Sauger populations. This proposal is expected to simplify regulations by eliminating variable harvest rates between two relatively similar sections of the Yellowstone River.

**Scoping Summary:** Of survey respondents who provided an opinion, 69% supported this proposal and 31% opposed. Opponents commented that 1 Sauger is enough and that a slot limit is needed to protect spawning fish. Supporting comments recommended basing regulations on population monitoring and not on regional boundaries, keep rules consistent, instituting length restrictions, and mandatory harvest of walleye.