

PROPOSAL #25: Bait Regulations, Central Fishing District

Pages 50 and 51 change:

Bait Regulations

- *Live fish may not be used as bait in the Central Fishing District unless the waterbody is listed under the "Live Bait" section below.*
- Game fish, including yellow perch, may not be used as bait except as authorized below under "Dead Bait." See "Game Fish" in definitions (page 5) for complete list of game species.
- It is unlawful to release live bait of any kind into Montana waters; do not empty any live bait containers at your fishing site.
- Collection methods: Non-game fish may be taken for use as live bait in the following manner:
 - with hook and line; or
 - with seines no larger than 12 feet x 4 feet; or
 - with minnow traps (the dimensions shall not exceed 24 inches x 12 inches x 12 inches); or
 - with cast nets (maximum 6-foot radius) and dip nets (no larger than 3 feet x 3 feet).
- See "Dead Bait" and "Live Bait" sections below for details on possession and use of non-game bait fish.
- Collection Locations: Non-game fish for use as live bait may be taken from waters where live fish may be used as bait (see water list under "Live Bait"). Non-game fish may be collected from water open to angling in the Central District but must be ~~dead before transporting~~ *killed upon collection and may not be used as live bait.*
- *On waters in the Central Fishing District that do not allow the use of live bait fish, possession of live bait fish is prohibited, except for commercial bait seiners when using a commercial bait seining permit while collecting fish on approved commercial bait seining waters.*
- On waters within the Central Fishing District that do not allow the use of live bait and are not restricted to artificial flies and lures, Sculpins (~~genus Cottus~~) may be collected and used as dead bait. Collection screens or nets may not exceed four (4) feet in length on any side. Sculpins must be killed immediately upon collection and may not be used as live bait. [Note: Sculpins (~~genus Cottus~~) may not be used for bait in the Western Fishing District.
- All unattended fishing devices (crayfish traps, minnow traps, fish traps, setlines, etc.) must have the angler's name and phone number or name and individual identifying number issued by the department attached.
- Areas within the Central Fishing District that have been identified as contaminated with Eurasian watermilfoil have additional bait restrictions as described below.

Dead Bait

- Non-game fish (see "Collection methods" above) that are freshly killed or have been preserved by freezing, salting, or pickling may be used as bait on all waters not restricted to artificial lures only. Heads and entrails of non-game fish may also be used as bait.
- Whole game fish may not be used as bait. Parts/pieces of bass, burbot (ling), channel catfish, crappie, northern pike, paddlefish, sauger, shovelnose sturgeon, walleye, or yellow perch may be used as bait if edible portions are not wasted.
- The eggs of Salmonids (char, cisco, Arctic grayling, salmon, or trout) may be used as bait. Other parts/pieces of *Salmonids* may not be used as bait.

Live Bait

- *Live fish may not be used as bait in the Central Fishing District unless the waterbody is listed under the “Live Bait” section below.*
- Live bait may not be imported into Montana, except by permit for use in Bighorn Lake and Afterbay Reservoir.
- Bait fish collected in the Bighorn River drainage of Wyoming may be imported under a permit issued by FWP for use only in Bighorn Lake. For a permit, contact the FWP Fisheries Division at 2300 Lake Elmo Drive, Billings, MT 59105, or call (406) 247-2940.
- Live animals such as meal worms, red worms, night crawlers, leeches, maggots, crayfish, reptiles, amphibians, and insects may be used as bait on all waters not restricted to artificial lures only. Transport of invasive species is unlawful.
- Leeches may only be imported into Montana from FWP-approved leech dealers. Anglers who import leeches must have in their possession a bill-of-sale (a receipt) from the approved out-of-state leech dealer when fishing with leeches in Montana. A list of approved out-of-state leech dealers may be obtained from FWP by calling 406-452-6181.
- Non-game fish species that may be collected and possessed and used as live bait in the Central Fishing District include only the following: fathead minnow, flathead chub, western silvery minnow, plains minnow, emerald shiner, longnose dace, lake chub, creek chub, longnose sucker, and white sucker. All other non-game fish species (not listed above) must be released immediately at the collection site or killed prior to transporting away from the collection site (see “Dead Bait” page 50). See pages 87-88 for live bait fish identification. Be proactive, bait fish that cannot be positively identified should not be used as live bait.
- The non-game fish species listed above may be used as live fish bait only in the following waters:
 - Bighorn Lake and Afterbay Reservoir
 - Bighorn River – Afterbay Dam to the cable 600 feet downstream, and downstream from the Bighorn FAS
 - Clarks Fork Yellowstone River and tributaries, except the Rock Creek drainage – downstream from the bridge at Bridger
 - Marias River and tributaries downstream from I-15
 - Missouri River downstream from Morony Dam
 - Muddy Creek drainage near Vaughn, including all streams and drainage canals
 - Teton River and tributaries downstream from I-15
 - Tiber Reservoir (Lake Elwell), Toole and Liberty counties
 - Yellowstone River and all streams and ditches in the drainage downstream from the mouth of the Clarks Fork (except the section of the Bighorn River between the cable 600 feet downstream from Afterbay Dam and the Bighorn FAS).

Rationale:

The modifications above were suggested by Enforcement staff to increase clarity of the Central District bait regulations.

Regulation Type:

Clarification.

Statewide Management Plan:

Section 1.4.2 Fishing Regulations states that “The goal of fishing regulations is to make them effective but also as simple as possible to improve understanding and compliance by anglers.” This proposal makes the regulation language clearer improving angler compliance.

Public Engagement:

Region 4 hosted a Region 4 CAC meeting on May 12, 2022, hosted a public meeting in Lewistown on May 17, 2022, and hosted a public meeting in Great Falls on May 24, 2022, where staff scoped the proposed change with meeting participants. No opposition was received for the concept of the modifications to improve clarity.

Nonbiological Information:

None.