

Comments Received at the Hearing

Brooks Scott

I would just like to ask the Commission to consider moving forward with the recreation plan with its original date of 2022. I think a lot of parties involved in this had been waiting for some action to be taken at some point in time and saw a light at the end of the tunnel at the end of December when the plan was put in place. Realizing that the last negotiated rulemaking committee failed to push forward any sort of consensus, I don't see a lot of hope for another waiting for another committee to come forward and work on this again when we've had quite a seemed like a very, very long period to get to this point in time. I think everybody understands the process for implementing rules on the Madison is messy and challenging and there are a lot of voices, but what we're facing is we can no longer do nothing. The river is going to crash eventually if we continue to overuse it and there's no disputing the effects of climate change on the river and the fish don't have a voice here. You as the agency, FWP, need to provide that noise and put something in place so we can move forward. I realize it's not perfect, but I urge the committee to move forward, so that we can start seeing the effects of trying to manage the recreational use of the river and not have to wait another year for something to actually begin this process. Thank you.

Amanda James, Field Manager for the BLM Field Office

I just wanted to submit a comment that we are very supportive of the extension for issuing this rule as the working group will talk through some of these tough management issues on the Madison.

That is all I have. Thank you.

----- Forwarded message -----

From: **Jeff Grom** <jgrom25@gmail.com>

Date: Fri, Mar 26, 2021 at 10:58 AM

Subject: MRP

To: <FWPDistrict4@gmail.com>

Hello,

As a fly fisherman and a fly fishing guide that has been on the Madison for over 25 years, I implore you to keep with the plan that was agreed upon. Do not delay!! The time is now to step up and put some thoughtful recreation plans in place to protect the quality of experience. We do not need further delays that risk further complications and confusion.

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Jeff Grom

From: [D & C Cleveland](#)
To: [FWP Madison River COM](#)
Subject: [EXTERNAL] comments on delaying commercial cap one more year
Date: Sunday, April 25, 2021 11:36:48 AM

The Montana Fish and Wildlife Commission should not delay the protection of the Madison for one more year by pushing the start of the commercial cap to 2023. While collecting more data on the non-commercial use is always a good idea and should be done on an on going basis, there is plenty of good, reliable data already collected by FWP.

Part of the problem is that non-resident use is 70% of the total use according to a survey done by FWP. This statistic is a hot potato when it comes to dealing with the over crowding. No one wants to say to the non-resident, don't come, or don't come in the numbers that have ballooned to an unmanageable level, but it may come to that.

First, the issue is that we need to start **now**, not later, to pare down the number of people who recreate on the river. Secondly, to be fair, **everyone who gets on the river needs to pay to play, even Montana residents.**

This is not just a problem of too many guides: it's a problem of too many people, but we need to start somewhere.

When I was on the Madison River Negotiated Rulemaking Committee, I spoke with Jim Dexter, Michigan Chief of Fisheries about the Pere Marquette River Permit Policy. A watercraft permit has been required since the late 1970's. As his website says the "watercraft permits limit use to ensure protection of the river's outstanding remarkable values while providing high quality recreation experiences." (He was very impressed with the data Montana FWP had collected and wished he had such good and current data.)

Here, Montana is wondering if it should postpone the commercial cap one more year, when the Pere Marquette river permit policy limiting use has been effect for decades and it works!

Start now and let the Madison River Work Group tweak the new rules down the road once it settles in to do its work. Don't wait another year, please.

Sincerely,

Charlotte Cleveland
308 Slough Creek Dr.
Bozeman, MT 59718

From: [Ellis, Richard](#)
To: [FWP Madison River COM](#)
Subject: [EXTERNAL]
Date: Sunday, May 2, 2021 8:27:20 PM

I OPPOSE THE AMENDMENT THAT WOULD DELAY IMPLEMENTATION OF THE COMMERCIAL USE CAP ON THE MADISON. Let's stop screwing around and get this done. It's time to ignore outfitters that think that they own the river and that it exists for their benefit.
Dick Ellis 669 Groff Ln, Stevensville, MT 59870

From: [Ellis, Richard](#)
To: [FWP Madison River COM](#)
Subject: [EXTERNAL]
Date: Friday, May 7, 2021 4:50:25 PM

I suggest that you cap commercial use on the Madison now. I'm tired of outfitters and guides who think that they own the rivers and that rivers exist only for their economic gain. Don't delay this. Implement the cap now.

Richard Ellis
669 Groff Ln
Stevensville, MT 59870

From: [Brooks Scott](#)
To: [FWP Madison River COM](#)
Subject: [EXTERNAL] comment on Madison River Recreation Plan
Date: Wednesday, May 12, 2021 6:18:54 PM

FWP Commissioners:

As a lifelong angler and resident, I urge you to move forward with the implementation of the Madison River Recreation Rule (12.11.6705) as planned and approved in December 2020, on time with the rules taking effect on Jan 1, 2022. Postponing another year only delays the inevitable: that we need to start limiting overuse of the river. Last year during the pandemic we saw huge increases in recreational usage of the Madison while at the same time also dealing with the ongoing and increasing effects of climate change. No one, no business, property owner, recreational user or any other stakeholder wants to see the river crash. But that is the direction we have been heading for the last 10 years, and it is time to DO something about it. Everyone agrees that there are no easy solutions (the Negotiated Rulemaking Committee is a perfect example), but doing nothing, again, is no longer an option. The voiceless impacted party in all this is the fish, and FWP biologists can attest to the fact that the river is declining, both in fish counts and in average size via creel survey and shocking survey data. The agency in charge (namely the FWP) of being that voice for the resource (the fish) must now step up and do its job to protect the river. We can't wait.

Yes, commercial use of the river is a fraction of the overall total, but it is concentrated in the upper section while the recreational non-commercial use is solidly concentrated below Warm Springs. Outfitters using the "percentage use" numbers argument are not pointing out this very obvious fact. There is no question that recreational non-commercial use also needs regulation, and the stamp plan at least is a start in order to get more information on how much usage there is (although I am sure FWP already has solid data in place showing total usage of the river). In the end, we will need to cap usage of the river by both fishing outfitters and rafters (both commercial and non-commercial).

The Madison is one of the state's most iconic rivers, and a tourist destination worldwide. We cannot put the river's reputation at risk by not taking substantive action at this time to begin the process of managing traffic on the river. There is no going back if the river crashes. We can't go back to stocking it which we know is disastrous to the resource plus a terrible use of funds. Once the river crashes it will mean an immense loss of economic activity in towns which rely on the river as a source of income. Jobs will be lost, small businesses will close. And we have the power, right now, to stop that from happening if we only have the backbone to do the right thing for the river and protect it. Even if its hard. Even if the plan isn't the best, it's still a step in the right direction and we can adjust it when needed.

Thank you.

Brooks Scott

Bozeman

From: [Susan Biló](#)
To: [FWP Madison River COM](#); [FWP General](#); [FWPDistrict2@gmail.com](#)
Cc: [skbilo@gmail.com](#)
Subject: [EXTERNAL] Madison River Fishing Cap
Date: Thursday, May 13, 2021 6:43:18 PM

I enjoy hiking and camping along and kayaking on the Madison River. I am writing to support a fishing cap to begin January 1, **2022**.

- Applications for the new Madison River Work Group (Group) are in! Get these folks vetted and selected ASAP. If you get them going today and plan several multi-day work sessions, they have plenty of time to develop recommendations on how to apply the new rules by January 1, 2022.

- If the new Group cannot or will not compromise on recommendations, Montana Fish, Wildlife & Parks **staff** should make the final recommendations. Put this in writing so the Group realizes the critical importance of their task and remind them it is impossible to make everyone happy.

A cap should have been implemented back in 2018. **The health and viability of the Madison River ecosystem cannot "afford" another delay!** Sincerely, Susan Biló

885 Brookdale Drive
Bozeman, MT 59715

Sent: Tuesday, March 30, 2021 2:09 AM
To: Pieske, Shawna <Shawna.Pieske@mt.gov>
Subject: [EXTERNAL] Fwd: Madison River

Shawna
Please distribute to other Commissioners
Thanks
Pat

----- Forwarded message -----

From: **RSL Office** <office@rubyspringslodge.com>
Date: Mon, Mar 29, 2021, 3:32 PM
Subject: Madison River
To: <FWPDistrict1@gmail.com>

Dear Mr. Tabor,

I'm writing to voice my support for delaying the implementation of the Madison River commercial use cap. I am the outfitter of record for Ruby Springs Lodge (#33650). If 2019 or 2020 are used to set my license cap, my number of days (or trips) will be artificially low. In 2019 the Varney Bridge was out for the entire season or a very large part of it. This dramatically affected my access to my most-used boat launch site which is the Varney Bridge access site. It increased drive time dramatically and the guides that work on my license decided to go to other rivers that had less drive time. 2020 was the year of Covid-19. We were not allowed to operate in April and May and our reservations, in general, were down because of the pandemic. We anticipate 2021 as being "back to normal" and it would be a much more representative year to base our Madison licensing cap on. Thank you for your consideration, David Frederick

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David Frederick General Manager
office@rubyspringslodge.com
Ruby Springs Lodge
PO Box 119
Alder, MT 59710
406.842.5250



From: [Scott Vollmer](#)
To: [FWP Madison River COM](#)
Subject: [EXTERNAL] Madison River Comments
Date: Monday, April 19, 2021 5:45:53 PM

Dear Chair Robinson and Commissioners,

Thank you for the opportunity to provide public comment on the proposed change to ARM 12.11.6705 pertaining to a delayed implementation of the Madison River commercial cap to 2023. Because of a previously scheduled trip on May 13, I will not be able to attend and provide comment at the scheduled hearing. Therefore, I am sending you this e-mail to again reiterate my support and the support of MOGA for delayed implementation of the commercial cap on the Madison to 2023. Since I have provided you with public comment in the past about this issue and my reasoning for advocating my position has not changed, I will try to keep my comments brief to be mindful of your time.

Because of the requirements of MAPA, there simply is not enough time to allow the Work Group to come up with a commercial use management plan in time for implementation of the cap in 2022. There is a tremendous amount of consideration, collaboration, and wordsmithing that will need to be accomplished to produce a commercial use management plan for the Madison, and hopefully this plan will be used as a template for other rivers. The cap numbers for historic use are set, so there is no incentive for outfitters to “ramp up use in order to get historic use established”. Therefore, there is no benefit to trying to push this process through simply because it needs to get done fast. It brings to mind the famous quote by Wyatt Earp; “Fast is fine, but accuracy is deadly”. Therefore, I urge you to vote to support the proposed amendment to ARM 12.11.6705 delaying implementation of the commercial cap on the Madison to 2023. Thank you for your time.

Sincerely,

Scott Vollmer
MOGA Director at Large
MT Outfitter #26303
Madison SRP #275
Scott Vollmer Outfitting, LLC

Sent from [Mail \[go.microsoft.com\]](mailto:go.microsoft.com) for Windows 10

From: [Meier, Corey G](#)
To: [FWP Madison River COM](#)
Cc: [Meier, Corey G](#); [James, Amanda L](#); [Mcgrath, Christopher P](#)
Subject: [EXTERNAL] Bureau of Land Management comments on extending Madison River commercial use cap
Date: Friday, May 14, 2021 1:32:46 PM
Attachments: [BLM comment letter on Madison cap extension May 14 2021.pdf](#)

Good day,

Please find attached comments from the BLM, Dillon Field Office supporting the proposal to extend implementation of the commercial use cap proposed by MT Fish, Wildlife and Parks.

If you have any questions please contact Amanda James, Field Manager at 406-683-8000.

Thank-you for your consideration,

Corey Meier
Acting Field Manager
Non-Renewable Resources
Dillon Field Office
1005 Selway Drive
Dillon, MT 59725
(406) 683-8050



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Dillon Field Office
1005 Selway Drive
Dillon, Montana 59725
<http://www.blm.gov/montana-dakotas>

May 14, 2021

Dear Montana Fish and Wildlife Commission and Montana Fish, Wildlife and Parks:

The Bureau of Land Management (BLM) Dillon Field Office supports Montana Fish and Wildlife Commission and Montana Fish, Wildlife and Parks' proposed amendment to Rule 12.11.6705 to extend the implementation of the commercial use cap. This extension will ensure the Madison River Work Group has sufficient time to address and develop recommendations regarding recreation management and commercial uses on the Madison River.

The BLM and Montana Fish, Wildlife and Parks (FWP) have a joint permitting process in place for outfitter guides on the Madison River, where FWP administers Special Recreation Permits (SRPs) for both agencies. This simplifies permitting for the outfitter guide community, compared to seeking permits from two government entities through two different processes. Fees due the BLM, paid by outfitter guides, are retained by FWP for administering the joint permitting process. The positive collaborative relationship between the two agencies, by all accounts, has demonstrated that the joint permitting process has worked well and efficiently over the years. The BLM would like to continue this positive working relationship.

The joint BLM and FWP Madison River (SRP) program was developed and implemented by a Memorandum of Understanding (MOU) between the two agencies and supported by an interagency environmental assessment and decision. Potential changes to the Madison River SRP program could require additional environmental review and a revision of the MOU in order to maintain the joint SRP program. It is important the River Work Group has sufficient time to work through agency specific regulations in a collaborative manner to provide an efficient SRP process to the outfitter guide community. Without this collaboration, an unintended consequence could be two standalone SRP programs.

Sincerely,

acting for:
Amanda James
Field Manager
Dillon Field Office

From: [Victoria Weston](#)
To: [FWP Madison River COM](#)
Cc: [Victoria Weston](#)
Subject: [EXTERNAL] FW: The Madison is a privilege
Date: Tuesday, April 27, 2021 1:57:12 PM

This e mail references the article in the Bozeman Chronicle dated April 25, 2021, [Commission plans meeting on Madison River Cap.](#)

I moved to Bozeman in 2005 and on the first day I drove to the lower Madison and just yelled with joy in my car. The White pelicans had come back that year and river was flowing silently, beautifully and pristine.

I am a casual user of the Madison, I have taken a few fly fishing lessons and you can often find my by the shore with a cup of coffee with the sunrise.

Since 2005, the number of rafter, guides, casual campers and day users has gone up dramatically along with trash!!!

People forget that the Madison River is **NOT A RIGHT**, the Madison River is a privilege, the Madison is a natural resource and a Montana treasure.

Even I can see that the Madison River is becoming stressed.

What I am suggesting is the following:

- Cut tubing by 20% or more
- Day tubing should be charge \$10 per tire
 - Day tubing is required to drag a net for your trash
- Outfitters would be required to cut their usage by 20% or more
- The State of Montana would need to monitor the health of the river especially I the summer, possibly permanently close the river from 2PM to 5PM allowing the fish to survive.
- There should be professionals or trained volunteers in the highly used areas that can impose fines on abusers.

When you abuse a resource and stress the fish then you must allow it to regenerate back to health.

These same people will tell you they are ecologically minded. These same people have no regard to how their usage impacts the river. These same people feel their usage is different from others.

The reality of it is that people have abused the Madison River and stressed it and it should be allowed to recover beginning in 2022. DO NOT DELAY THE PROCESS, IT WILL ONLY MAKE THINGS WORSE.