



FISH AND WILDLIFE COMMISSION AMENDMENT

FWP proposal to be amended: 2027-2028 Fishing Regulation Proposals

Commissioner: Ian Wargo, Region 1

Date Received by Commission Liaison: **Amendment #3- September 15, 2026 @ 1:52 PM**

Proposed Amendment: I move the Fish and Wildlife Commission adopt the following amendment to the proposed 2027-2028 Fishing Regulation Proposals:

Amend the Flathead River Regulations as follows:

From the confluence of North and Middle Forks to the Mouth of Flathead Lake Church Slough

- Hooks/lures must have single points, no double or treble hooks.
- Open entire year.
- Catch-and-release for cutthroat trout.
- Rainbow trout: 5 daily and in possession.
- From Dec. 1 to third Saturday in May, maggots and lures only, no lures can be scented (infused, saturated, or applied).

From the Mouth of Church Slough to Flathead Lake

- ~~Hooks/lures must have single points, no double or treble hooks.~~
- Open entire year.
- Catch-and-release for cutthroat trout.
- Rainbow trout: 5 daily and in possession.
- From Dec. 1 to third Saturday in May, ~~maggots and lures only, no lures can be scented~~ (infused, saturated, or applied). **dead bait prohibited.**

Requested by FWP: ☐ **YES** ☒ **NO** (check one)



Rationale and Background: The proposal to prohibit double and treble hooks was among the most contentious issues raised during the last season-setting cycle, and the comments addressing the restriction largely opposed it or questioned its necessity and scientific basis. The disagreement was not over whether native bull trout and westslope cutthroat trout deserve protection; it was over applying the same hook restriction to the lower, inundated reach of the Flathead River that applies to the free-flowing, native-trout-oriented fishery upstream. The reach below the mouth of Church Slough is a substantially different, low-gradient and lake-influenced fishery, where angling is directed predominantly toward nonnative lake trout, northern pike, bass, and lake whitefish.

The established management approach on Flathead Lake is to suppress nonnative fish, in part by encouraging angler harvest using conventional fishing methods, including double- and treble-hook lures. Those methods remain legal and are actively used to support suppression on the lake, yet they are prohibited immediately upstream in the lower Flathead River. Restoring double and treble hooks below Church Slough would better align the river regulation with the lake's existing suppression objective, allow anglers to use tactics suited to catching and harvesting lake trout, northern pike, bass, and lake whitefish, and preserve longstanding fishing methods in this reach. Maintaining the existing prohibition on dead bait during the extended season would help reduce the potential for deep hooking and release mortality. Because several of these nonnative species compete with or prey upon native fish, the conservation and recreational benefits of more effective nonnative harvest may outweigh the potential risk associated with incidental native-fish bycatch.

This amendment retains the single-point restriction upstream of Church Slough, where the native-trout fishery is more prominent, while restoring conventional gear in the distinctly different lower reach.

Department Response:

The lower Flathead River is home to many species of fish, both native and non-native. The Montana Statewide Fisheries Management Plan emphasizes native fish conservation throughout the drainage, and it is the focus of several native fish conservation efforts. The lower 22 miles of the river is seasonally inundated by the SKQ dam, which regulates the upper 10 feet of Flathead Lake. While those lower 22 miles of river resemble a slow-moving lake, they are important habitat for migratory bull trout and westslope cutthroat trout and are listed as critical habitat for bull trout under ESA. These sensitive native trout species can occur in this portion of the river at any time throughout the year and concentrate in these reaches in the spring as they prepare to migrate upstream for spawning. Historic fishing regulations for the Flathead River included a seasonal closure for northern pike angling because the same techniques anglers used to catch northern pike also caught bull trout migrating through those reaches. A



regulation change in 2024 eliminated that seasonal closure to increase angling opportunity. However, FWP also made the change to require anglers to use single-pointed hooks to reduce handling stress/time of inadvertently caught bull trout. The proposed amendment to the fishing regulations removes the protection of these important trout species by allowing the use of double and treble hooks. The proposed amendment includes language that prohibits the use of dead bait, which is already prohibited during the extended season in the current regulation. FWP supports the regulations currently in place that were approved by the Commission previously.

