

Brown Trout Angling Regulations Focus Group

Butte, July 21st, 2021

FWP Staff in attendance: Eileen Ryce, Travis Horton, Matt Jaeger, Jim Olson, Scott Opitz, and Mike Duncan

A focus group was convened to prioritize implementation and evaluation of potential regulation changes for trout in southwestern Montana rivers. This group considered the four regulation options (seasonal closure, catch and release, mandatory hoot owl, status quo) scoped by FWP, all public comment received during the scoping period, potential effects of regulations on trout populations, and how regulations could be strategically implemented to best evaluate their effect on trout populations over the next 3-5 years. The focus group was comprised of fly anglers, spin/bait anglers, guides and outfitters, members of organized angling groups (i.e., Trout Unlimited chapters) and the unaffiliated general public (Table 1). Individuals were selected and invited by three southwest Montana Trout Unlimited chapters, which included outfitters and general public, and FOAM or attended after learning about the meeting through outside conversations. Two unaffiliated anglers (one fly, one bait/spin) were invited by FWP staff to diversify public involvement.

The focus group suggested four potential spawning closure sections, three catch and release sections, three mandatory hoot owl sections, and four status quo (i.e., experimental control) sections among the Big Hole, Beaverhead, Ruby, Madison, and Yellowstone rivers (Table 2). The suggested regulations will collectively allow evaluation of the relative effectiveness of each regulation type at improving low trout abundances over the next 3-5 years.

Table 1. Focus group attendees, residence, and contact information.

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Table 2. Potential regulations suggested by river to evaluate their effect on low trout abundances. Regulations include spawning season closures from October 1st to April 1st (yellow), catch and release for Brown or Rainbow Trout (green), mandatory hoot owl from July 1 to August 15 (red), and status quo sections that serve as an experimental controls (blue). The proposed spawning closure on the Beaverhead River extends an existing closure to protect Rainbow Trout and would run from October 1st to the third Saturday in May.

River	Regulation	Reach	River Mile start/end	FWP Monitoring section
Big Hole	Control (status quo)	Dickie Bridge to George Grant FAS	71.7 – 57.1	Jerry Creek
Big Hole	Spawning Closure	BLM Maiden Rock to Browns Bridge	47.5 – 32.3	Melrose
Big Hole	Catch & Release for Brown Trout	Browns Bridge to Tony Schoonen FAS	32.3 – 18	Hogback
Big Hole	Hoot Owl	Tony Schoonen FAS to mouth	18 – 0	Pennington
Beaverhead	Catch & Release for Rainbow Trout only	Clark Canyon Dam to mouth	75.5 – 0	Hildreth
Beaverhead	Spawning Closure*	Clark Canyon Dam to Pipe Organ Bridge	75.5 – 68.0	Hildreth
Beaverhead	Control (status quo)	Pipe Organ Bridge to Selway Park FAS	68.0 – 47.5	Half Pipe, Fish & Game
Beaverhead	Hoot Owl	Anderson Lane to mouth	38.5 – 0	Anderson Lane
Ruby	Spawning Closure	Ruby Dam to Passamari Diversion	45.2 – 42.6	Vigilante
Ruby	Control (status quo)	Passamari Diversion to Duncan District Road	42.6 – 13.9	Miller, Silver Springs
Ruby	Hoot Owl	Duncan District Road to Mouth	13.9 - 0	Hamilton
Madison	Spawning Closure	Beartrap Creek to Blacks Ford	23.8 – 34.4	Norris
Madison	Control (status quo)	Blacks Ford to mouth	34.4 – 0	Grey Cliff
Yellowstone	Control (status quo)	YNP Boundary to Emigrant FAS	558.8 – 525.1	Corwin Springs
Yellowstone	Catch and Release for Brown Trout	Emigrant FAS to Pine Creek Bridge FAS	525.1 – 507.8	Mill Creek Bridge

Meeting Notes – Travis Horton and Eileen Ryce outlined goals of the meeting and explained the process of how the Commission will consider public comments and regulation changes proposed by the group and the general public. Prior to the meeting all participants were provided all written comments and a summary of the survey responses received during the public scoping period. Matt Jaeger provided a brief presentation that explained trout population dynamics and modeling and how specific life history components can potentially be influenced by natural factors and angling. Matt’s presentation included the following:

- Three methods of assessing changes in populations
 - Analyze existing data (e.g., ongoing USGS study)
 - Identify obvious “smoking gun” issues with populations (e.g., fish kills)
 - Manipulate angling regulations and/or habitat and measure population response
- Examples of regulations changes suggested in response to the public scoping period that could be implemented
 - Seasonal closures to protect spawning/incubating fish (e.g., October 1-April 1)
 - Catch and release
 - Mandatory hoot owls (e.g., July 1 – Aug 15)
 - Status Quo
 - Gear restrictions (e.g., hook type, barbless, bait restriction)
 - Reduce angling pressure/outfitted use
- How regulations must be implemented in order to best evaluate their relative effectiveness.
 - Treatment/control – Only one treatment (i.e., angling regulation) can occur per section/species and at least one representative control section (i.e., status quo) is required for each treatment and/or river.
 - Each angling regulation should be replicated in multiple rivers
 - Each angling regulation should be implemented for multiple years (3-5)

Following the presentation, attendees proposed and discussed how angling regulations could be implemented in specific sections of rivers to provide the best opportunity to improve brown trout abundances and study their effectiveness. Each focus group participant prioritized and recommended the single angling regulation they thought would most effectively improve trout abundances. Seasonal spawning closures were listed as the highest priority by 15 members; catch and release regulations received 2 votes and status quo/preserving harvest received 1 vote.

A spawning closure (treatment) and status quo (control) section were recommend for the Big Hole, Beaverhead, Ruby, Madison, and Yellowstone rivers. Treatment and control section assignment considered where spawning occurs, abundances are lowest, pressure on spawning fish is highest, and long-term monitoring sections that will be used to evaluate regulations are located. The FWP Biologist for each river answered questions and provided information to the focus group as part of section assignment. Following assignment of spawning closure sections,

potential catch and release and mandatory hoot owl sections were assigned to some rivers as the focus group deemed relevant. The focus group also identified unique situations where certain regulations should be prioritized. For example, catch and release was identified as a higher priority on the Yellowstone River than spawning season closure because of the scale of that river system and the spawning distribution within it. Similarly, if catch and release was implemented on the Beaverhead River, catch and release for Rainbow Trout rather than Brown Trout was identified as a higher priority, given the Rainbow Trout population's lower abundance, smaller distribution, perceived greater susceptibility of being caught by anglers, and ability to enact that regulation without compromising the study design related to spawning closure.

Following general and river-specific discussion by the focus group, a strategy for regulation implementation and evaluation was developed (Table 2). This approach will allow evaluation of each of the four scoped regulations among multiple rivers over the next 3-5 years following a robust experimental design. However, deviation from the described regulations and reaches will potentially undermine the experimental design and preclude clear inference regarding the effect of each regulation.

While developing the suggested regulations, members of the focus group discussed and asked the following questions:

- Do we need to start fall closures to allow fish time to recover before fall spawning?
- Is there a need to extend closure through winter for trampling reasons?
- Is anyone investigating the role of pathogens?
- Do we need to compare our numbers with those of brown trout populations in other states?
- Is the study design concept going to be recommended to the Commission?
- Is there literature to support certain regulations instead of testing?
- Are any other states taking a similar approach to manipulating angling regulations?
- Have we thought about small scale studies (e.g., individual redd studies)?
- Can we implement multiple regulations within a single section?
- Can we propose to close tributaries in some sections?
- If we propose catch and release, should it include barbless restrictions?
- Concerns with widespread catch and release regulations that will limit the ability of anglers to harvest fish.
- In favor of spawning closures but voted for catch and release restrictions because he worried that spawning closures would not be well-received by the Commission and wanted to make sure we were able to implement something.
- If we have Commission that is not going to address declines, our fisheries are in trouble. Changes must occur.
- Can/how do we change hoot owl criteria?