

MINUTES OF THE MEETING
FISH AND GAME COMMITTEE
MONTANA STATE SENATE

January 20, 1987

The first meeting of the Senate Fish and Game committee was called to order at 1:00 P.M. on January 20, 1987 by Chairman Ed Smith in Room 402 of the Capitol Building.

ROLL CALL: All members were present at roll call.

Senator Smith introduced new members of the Fish and Game Committee: Senators Bengtson, Jergerson, and Bishop. The staff member is Andrea Merrill, and the committee secretary is Mary Florence Root. Ground rules on absenteeism were set concerning all members present at the time of the vote. Senator Smith gave reassurance of a committee retaining open minds to all opinions. Everyone is to take part in the meetings, and to offer suggestions. Everyone will be treated fairly to assure true, representative government. The order of business will be proponents, opponents, questions from the committee, and sponsor rebuttal.

CONSIDERATION OF SENATE BILL 81: Senator Cecil Weeding, Senate District 14, sponsor of the bill, stated the Fish and Game Commission, under the jurisdiction of the Fish, Wildlife and Parks Department, and the private commercial fishing industry of District 14 made recommendation for the proposal of the bill. The proposed bill extended the rule making authority of the fish and game commission to allow the taking and sale of Cisco fish from Montana waters. The Cisco fish is classified as a game fish which had been planted in the Fort Peck Reservoir as forage fish for the propagation of Walleyed Pike. The first planting occurred approximately four years ago. The fishing industry has asked for the right to harvest Cisco in the Fort Peck Reservoir. Weeding stated that the bill extends the authority to harvest, but if the department deemed the harvest inadvisable, the harvest would stop. Fishing areas would also be regulated.

PROPOSERS:

Jim Flynn, Director of the Fish, Wildlife and Parks Department, stands in favor of Senate Bill 81. Flynn presented written testimony. (Exhibit 1)

Senator William Yellowtail was excused from the meeting.

Donna Mae Austin, representing Ernie Austin Commercial Fish Company, Fort Peck, Montana, stands in favor of Senate Bill 81. Ms. Austin offered written testimony. (Exhibit 2)

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Michael Negaard, Negaard Fishery, Fort Peck Montana, stated the Negaard fishing operation has fished the reservoir for twenty-six years and has reported very few problems. Negaard explained that the Fish, Wildlife and Parks Department limits areas of fishing, as well as regulates depth and the placement of nets. The size of nets is also regulated. Negaard stated that he is a sports fisherman and considers commercial fishing beneficial to the sport because the rough fish are taken from the waters. Rough fish removal promotes the survival of the more desirable species.

The Negaard operation employs five families. The fish are shipped out of state and into Canada. Revenue is brought back to Montana. Since the introduction of the Cisco fish, the commercial fishing has gone down hill. Fishing has dropped off by half of what it had been, especially during the months of October and November which produce the largest catches. Most people do not realize how populated the Cisco has become in Fort Peck Reservoir according to Negaard. Negaard does not consider the Cisco to be a game-fish.

David Christenson, a commercial fisherman from Glasgow, Montana stated he has fished the Fort Peck Reservoir since 1972 using one and three-quarter size nets which allows the small fish to escape the nets. Christenson distributed written testimony. (Exhibit 3 and 4)

Stephen Negaard, Negaard Fish Company, Fort Peck, Montana, stated that he stands in favor of the Cisco specie to be named non-game fish. The taking of the Cisco fish would produce income and encourage small businesses in Montana. Currently, the Fish and Game Commission regulates the methods of how the fish are caught commercially. The regulations benefit the industry; for example, if the catch includes too many game fish, the operation is moved to another area. Negaard stated that the nets are raised every twelve hours. Mornings are preferred for net raising because the cooler weather is best for the fish.

OPPONENTS:

Scott Ross, representing Walleyes Unlimited of Montana, Fort Peck, Montana, stated the organization strongly opposes Senate Bill 81 based on the incomplete facts concerning the abundance of Cisco at the present time. If there is an abundance of the species, Ross questioned whether commercial harvest is the most appropriate method of addressing the problem. Ross stated the Cisco was introduced into a zone nearly absent of other species. The intent of introducing the Cisco into a nonpopulated area was to promote the Cisco propagation. Cisco will reach a peak

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and then will stabilize. "Boom and bust" cycles are common to the Cisco specie. Time can be the only factor that can address this issue. Ross further stated that the Senate Bill 81 would be used as a management tool. Ross expressed concern for the released fish, the potential expansion of the commercial fishing industry, and the potential change in the character of the harvested fish. Ross submitted written testimony. (Exhibit 5). The Walleyes Unlimited organization is willing to share Fort Peck Reservoir at the current level of activity, but is definitely against additional harvest. Ross called for increased planting of Walleyes and Chinook Salmon to control Cisco population.

Robert Vandervere, a registered, concerned-citizen lobbyist, presented committee pictures of Cisco fish and exhibited an example of fish net used by the commercial fishing industry. Vandervere stated that fungus grows on the fish where the scales are removed due to the efforts of the fish being taken from the nets. Explanation was given concerning net setting and the effects of the nets upon fish. The mortality rate of game fish being released from the nets is high. Vandervere encouraged the committee to keep the Cisco a game fish in order to promote the population of the Walleye.

Jim Bender, Office Manager, Walleyes Unlimited of Montana, Great Falls, Montana, stated that the organization's state officers and the individual chapters oppose Senate Bill 81 due to lack of knowledge concerning the current Cisco population in the Fort Peck Reservoir.

Carl Knutson, a member of Walleyes Unlimited, Glendive, Montana, stated that he fishes the Fort Peck Reservoir an average of three times a month and is not aware, nor does he witness an overpopulation of the Cisco. Knutson said he is aware the bill was designed to authorize the Fish, Wildlife and Parks to allow commercial fishing of Cisco, but feels the bill is premature due to lack of study. The Walleyes Unlimited of Montana members collect Christmas trees and sink the trees to the bottom of the lake in the spring to promote hiding places for Cisco. Knutson does not want to see the efforts of the organization be ruined. The efforts to promote the forage fish population in turn promotes the Walleyes population. Knutson wants better Montana game fishing opportunity to retain many fishing licenses that are currently lost to fishing areas of North Dakota.

Questions from the committee were called for by Senator Smith.

Senator Esther Bengtson asked about the costs of commercial fishing permits and if the number of permits is limited on the Fort Peck Reservoir. Director Flynn stated the department responds to applications as they are received. The procedure

to issue licenses is subject to an annual review, and the department holds the authority to refuse applications. Flynn reported that there has not been recent activity concerning commercial fishing licenses. The cost of the class B permit for Goldeye is \$200 and the cost for the class A for Goldeye, but not to included Largemouth and Smallmouth, is \$500.

Senator Bengtson asked where the nets are placed on the water and if complaints by sports-fishermen were numerous. Negaard replied that he receives few complaints and explained net regulations and procedures. Negaard explained that Walleyes must be taken alive out of the water because after an hour the fish would rot in warm water.

Senator Bengtson asked where the fish is marketed. Ninety-five percent of the commercial catch is marketed in Canada. As soon as the fish is taken from the nets, they are taken to the fish house and put on ice. In hot weather, the ice is taken to the reservoir and the fish is put on ice while still alive. Then the fish are gutted and washed in preparation to be boxed in plastic lined, twenty-five pound boxes. The fish is frozen to be shipped. Negaard reported that there is not a large amount of game fish taken by the commercial fishing industry.

Donna Mae Austin directed the committee to find permit information contained in the handout distributed before the meeting.

Senator Elmer Severson asked how big the Cisco get and about the price relationship between Cisco compared to Goldeyes. The Goldeyes per pound worth is more, but the Cisco grow larger in size. The average amount of Cisco per pound is \$.40 to \$.50 per pound. Austin explained that the Cisco and Goldeyes are supposed to reproduce within three years, but weather conditions have been perfect and have accounted for reproduction within one and one-half years.

Senator Smith questioned Director Flynn concerning definite data on over population. Flynn replied that there is no data defining overpopulation at the current time. The department is asking for authority to regulate the population in the future. The population of the Cisco is more abundant than anticipated, but data has not concluded that there is a negative impact on the sports-fishing. The department has managerial concerns. Senator Smith asked if the Cisco was still being planted in the reservoir. Flynn replied the Cisco planting took place in 1984 and 1985.

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Stephen Negaard stated that Cisco are plentiful, if not more plentiful than Goldeye in the Fort Peck Reservoir. Carp and Buffalo fish populations are lower than usual.

Senator Al Bishop asked if the Cisco could be caught on a hook and line. Ross reported that the Cisco have been caught by angling methods such as the fly fishing method. Bishop asked Mr. Knutson if he had caught Cisco while fishing in the Fort Peck Reservoir. Knutson replied that he had not caught Cisco. Responding to Senator Bishop's question concerning the future of Cisco as a game fish, Knutson replied that Cisco was intended to be a forage fish to be used to improve the fishing conditions of the more desirable species of fish.

Senator Bengtson questioned the market potential for Montana's commercial fishing industry. Austin explained the fish is marketed in Winnipeg, Canada, and used for smoking purposes. In preparation for market, the fish are washed three times before packaging. Austin stated that Northern Pike have been planted in the Fort Peck Reservoir. Reproduction has been poor due to disappearing spawning grounds. Biologists continue to study the various species of fish and Montana and report the findings to the Department.

Senator Smith asked if the Cisco eat the small Walleyes and Northern Pike that are planted. Emmett Colley, a retired state hatchery manager, replied that Cisco will not eat the Walleyes or the Northern Pike.

In closing, Senator Weeding stated that the purpose of the bill is not to judge the commercial fishing efforts, but to make decisions concerning implementation of a new phase of commercial fishing. The fishing industry will continue in Montana. The commercial fishing and sport fishing compliment one another. Weeding stated that he researched and solicited information concerning the Cisco population in the Fort Peck Reservoir. Weeding reported huge schools of Cisco had been spotted spawning in October. The Cisco could be viewed as far as the eyes could see. The fishing industry reported that Cisco was the only species caught during the month of October, 1986. Cisco fish have propagated at a great rate. The legislation is permissive in scope, and the Fish and Game Commission will continue to regulate the taking of fish. Senator Weeding concluded that the Walleyes Unlimited of Montana have opposed the passage of SB 81 because sufficient data has not been compiled.

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ADJOURNMENT:

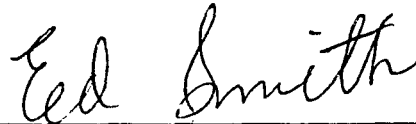
There being no further business to come before the committee,
the hearing was closed at 2:45 P.M.

SENATOR ED SMITH, Chairman

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ADJOURNMENT:

There being no further business to come before the committee,
the hearing was closed at 2:45 P.M.

A handwritten signature in cursive script that reads "Ed Smith". The signature is written in dark ink and is positioned above a horizontal line.

SENATOR ED SMITH, Chairman

ROLL CALL

SENATE COMMITTEE--FISH AND GAME

50TH LEGISLATIVE SESSION - 1987

+++++

Date: January 20, 1987

NAME	PRESENT	ABSENT	EXCUSED
Senator Ed Smith, Chairman	X		
Senator John Anderson	X		
Senator Judy Jacobson	X		
Senator Elmer Severson	X		
Senator Greg Jergeson	X		
Senator Al Bishop	X		
Senator Esther Bengtson	X		
Senator Wm. Yellowtail Vice-Chair	X		

SB 81
January 20, 1987

Testimony presented by Jim Flynn, Dept. of Fish, Wildlife & Parks

This bill would allow the Fish and Game Commission to promulgate rules for the commercial taking of cisco, a fish otherwise described in the statutes as a game fish. The proposed legislation also includes a requirement for reporting the sale of cisco.

Cisco were first introduced in Fort Peck Reservoir in 1984 as part of the department's efforts to upgrade the fishing in that area. The cisco were to provide forage for walleye, salmon and northern pike. The cisco have established themselves very well in the reservoir, and even better than the department had anticipated. As a result, the department anticipates that the cisco could soon be more abundant than needed to provide a good forage base for walleye - at least in some portions of the reservoir.

This rapid expansion and growth of the cisco population has had an impact upon the commercial fishing taking place at Fort Peck Reservoir. The department now has three permittees operating on Fort Peck Reservoir. These are generally family operations and have been involved with commercial fishing on the reservoir since the 1960's. The department issues a permit each year on a calendar year basis, with actual fishing taking place anywhere from 10 to 12 months out of the year.

The species primarily being caught now under these permits are the buffalo fish and the goldeye. The buffalo market has been down recently, and so the primary emphasis has been on the harvesting of goldeye.

With the department's emphasis on improving the sport fishery on Fort Peck we have implemented, through our regulatory process, regulations for the commercial fishermen with respect to the cisco and the walleye. To protect the cisco, we have not allowed fishing after October 31 so that the spawning cisco population could be protected. In addition, we have required 8 ft. maximum depth gill nets.

To protect the walleye, we have required that the nets must be set at least 100 yards off shore and over a minimum depth of 30 feet. Even with these regulations, the cisco are inadvertently being taken in commercial gill nets. The cisco taken in this manner are usually badly injured or killed, and in either instance are destroyed because the cisco is a game fish and cannot be sold.

RE: CISCO

SENATE FISH AND GAME

EXHIBIT NO. 2

DATE January 20, 1978

BILL NO. SB 80

In regards to Commercial Fishing, I would like to state a few very pertinent facts on my own behalf.

My name is Donna Mae Austin, I have lived in the Fort Peck, Glasgow area practically all my life. Am married to Ernest Austin and have two children. My husband has been in the Commercial Fishing Business since 1966 and has 20 years at taking primarily Goldeyes and some buffalo and carp.

To commence this business, he was first approached by Mr. Jim Pasowitz, of the Montana Fish, Wildlife, and Parks. A number of the business men, through the Valley County Development Council, went to Winnipeg, Manitoba, Canada to view their operations, and determine the goldeye value. He took the first Fort Peck Reservoir goldeye into Canada that year (1966) and they were well received except for size. Since that time, the goldeye have grown considerably due to our constant fishing. The average goldeye then dressed, weighed less than eleven ounces, and now close to thirteen.

We have housed our fishing operations in Glasgow, Nashua and back to Glasgow, due to more overhead costs in operating in these locations, we have made a move to the Fort Peck area. In 1979, we bought 80 acres on Duck Creek and erected a 50X100 metal building with a concrete slab. Inside are housed; a 20 X 20 cleaning room, 2- freezers, 12 X 20 and 20 X 20 cooler, and an office area of near 20 X 20. We also increased our fishing equipment with two of our own boats, and buying from other Commercial Fisherman.

Total cost figures are very close to \$180,000.00. Of that figure, over 90 percent was spent locally. The only thing bought outside of the area, are netting materials which cannot be purchased locally. As anyone can plainly see, quite an investment for any small business, especially one that only operates approximately 6 months. Plus taxes of \$2000.00 a year.

When Fish & Game decided to put a forage fish in the Reservoir, it was decided it would either be Smelt or Cisco, they did quite a bit of checking on these species, before they decided they would put in Cisco. When they had primarily made up their minds, they came to us and stated at that time if they planted Cisco, and they grew to large proportions and a numerous amount of them, we could take them. Which we expected we would be able to do.

We have employed a number of young people in the Fort Peck area. Hiring at least two to five people, besides ourselves. We sell between 125-140 thousand pounds goldeye a year, plus when fishing buffalo around 90 thousand pounds.

Following are quotes taken from comments received on the draft environmental impact statement on the proposed introduction of forage fish into Fort Peck Reservoir:

James B. Thompson
Regional Director
Rocky Mountain Region

In the preferred alternative, consideration should be given to the impacts the introduction of cisco will have on nongame, endemic fishes as well as the sport fishes. In our view, it is as important to maintain the diversity and integrity of all native species, as it is to provide a quality sport and commercial fishery.

William R. Gould
Asst. Leader
Montana State University, Bozeman
Department of Biology

The species apparently favored for introduction, the cisco (Coregonus artedii), grows to a size too large to be effectively preyed upon in some locations. I don't know if this is a genetic factor, food factor or combination of the two. Introducing a prey species that grows too large to be taken by the predators is of course one of the major mistakes that has been made in reservoir management. Therefore, I would suggest that if this introduction is to be made, the stock be taken from a population which produces only the smaller sized individuals. Prey that become too large to be eaten of course tie up energy in an unusable form in the system.

In closing, I only hope that we can live and work in harmony with the sport fisherman in the future.

I would be glad to answer any questions you may have if it is at all possible.

Thank you

Donna Mae Austin

SENATE FISH AND GAME
EXHIBIT NO. 2-page 2
DATE 1-10-87
BILL NO. SB 81

COMMERCIAL FISHING ---- THE FACTS

Bill Wiedenheft compiled the history of permits issued and permits used since 1967. Prior to that time there were no restrictions on the number of permits. Wiedenheft also stated that only three permits will be issued in the future years and that number will not increase but may decrease if data warrants over harvest in the lake.

Bob Needham offered these observations on commercial fishing. "Our primary responsibility, however, is to the sport fishery. We have made many restrictions in commercial fishing over the years to minimize impacts and controversies between sport and commercial fishing. Restrictions have involved closure and restriction of many areas, and restrictions on types of nets and mesh sizes allowable." Wiedenheft also said, "The Big Dry Arm of the reservoir was closed to goldeye shiner fishing in 1973 and this closure became effective for the 1974 fishing season. Approximately the same time, gill netting of goldeye was changed from the shoreline to 100 yards water. This change was a result of sport fish being fishermen and observes commercial catches. These taken from gill nets that were extended from the shoreline."

Needham stated "In 1967, Nelson Reservoir produced one of the best walleye year-classes of walleye ever, following the commercial removal of over 750,000 pounds of carp, buffalo, and goldeye in 1965

Year	No. of Contracts Issued	No. of Contracts Used	Comments
'84	3	3	Only Three permits issued thus far.
'83	4	3	1 non-resident operator didn't fish
'82	4	3	"
'81	4	3	"
'80	4	3	"
'79	3	2	"
'78	4	3	"
'77	3	3	1 non-resdt. operator fished several days
'76	4	4	"
'75	5	5	"
'74	5	2	1 operator fished portion of year & moved to Garrison, ND
'73	5	3	see below
'72	6	4	"
'71	6	6	"
'70	6	4	"
'69	4	4	"
'68	3	3	"
'67	3	3	"

SENATE FISH AND GAME
EXHIBIT NO. 2 - pg. 3
DATE 1-10-87
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From 1967-1973 several operators fished for only a small portion of season and many times fished exclusively for channel cat, buffalo, etc.

(continued on next page)

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and 1966. Maybe this was just a coincidence. However, I think the impact of competition by rough fish can be demonstrated in waters where these species gain access. The result is poor growth by desirable game fish, which demonstrates the effect these rough fish can have on food habitat." He continued, "Some individuals would paint commercial fishing all black. There are many interactions and competition factors among species in the reservoir that we do not understand. Commercial species do utilize space and food that otherwise might be available for more valuable sport and forage fish. How many larval fish or fry of desirable species do goldeye consume? Is this more damaging to the reservoir that the occasional loss of a game fish in some remote, lightly fished area of the reservoir. What is the impact on forage and sport fish reproduction, habitat, and nursery areas resulting from feeding and uprooting of aquatic vegetation by carp and buffalo."

In reference to goldeye as forage fish Needham responded, "I have heard people complaining about taking shiners (goldeye) because they thought it would hurt the forage fish supply. However, the individuals thought emerald shiners were young goldeye. Most of the goldeye reproduction occurs in the upper reservoir or river arm of the reservoir. The concern over forage fish and walleye is not much of an issue in the river arm, at least at present."

Wiedenheft also explained, "As far as the data is concerned, the decline of the walleye in the Big Dry Arm is attributed to the decline of the perch population that was brought about by the loss of suspended vegetation that they use to spawn on. Rising and falling water levels destroy vegetation and Fort Peck has a history of this."

Jim Liebelt stated in an article for *Montana Outdoors* in 1973 that "Fish and Game experiments with equipment is similar to that used by commercial fishermen and observes commercial catches. These studies indicate the numbers of game fish caught is generally insignificant and not responsible for major decreases which occur naturally from time to time in game fish populations."

Wiedenheft also stated "Because of the increase in the FWP budget and new equipment, our department will be able to monitor the commercial fishing activities much more closely than ever before."

In response to the fate of game fish that are occasionally taken by commercial fishermen, Wiedenheft responded, "The law states and we demand enforcement of the rules that all game fish must be put back into the reservoir if they are alive and all dead fish are slit in the belly and also thrown back in the water. It is not practical or feasible that these fish be turned over to charity. The reasons are that if a commercial fisherman is caught with a game fish he loses his permit. Also, by the time these fish could be turned over they would not be fit to eat."

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SENATE FISH AND GAME
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DATE 1-10-84

FILE NO 58-81

TO: Montana Legislature

FROM: David Christenson

DATE: Jan. 20, 1987

RE: Commercial fishing of Cisco on Ft. Peck Reservoir

SENATE FISH AND GAME

EXHIBIT NO. 2

DATE 1-20-87

BILL NO. SB 81

I am David Christenson from Glasgow. I have a wife and two children. My occupation is Commercial Fishing on Ft. Peck Reservoir. I moved to Glasgow in 1972 to fish for my brother. Since that time I have fished nearly every year, some years on a part time basis when having other employment. For the last six years I have fished under my own license and it has been my only occupation. My investment for fishing consist's of a boat, motor, pick-up and several gill nets of different depth's. All of these items have been replaced or rebuilt periodically except for the boat.

Cisco were planted into Ft. Peck Reservoir in 1983. They have reproduced and grown at a very good rate. I feel that those against Cisco being commercial fished may not realize how well established they are. The Fish and Wildlife have data on the estimated population, and this information seem's to be overlooked by some. My income has been down by approximately one half in the last two years. This is largely due to the fact that some days my net's are overtaken with Cisco, therefore very few Goldeye are caught. If we could fish the Cisco those days could show some profit instead of being a total waste of time and gas. I drive bewteen 80 and 140 miles a day to get the catch.

I continued to fish after the first year that my income dropped so much due to the Cisco for two reasons. 1There are very few job's here, and my wife is employed in Glasgow. 2When the Cisco were planted it was indicated that they would very likely be commercial fished as soon as they reached the size and population that they are now.

As I said before the Fish and Wildlife have data showing that they have reached the size and population which would indicate that they could be fished under a control corresponding to their data and study. We are not out to harvest as many Cisco as we can. Fish and Wildlife have told us that there would be a limit per year. Even with the Goldeye fishing we by choice use a larger mesh size than required. This way we take only the larger Goldeye and that way there should always be fish for years to come. We would fish for Cisco the same way in that we would take only the larger fish, which would be about 4 to 5 lbs.

We just want to be able to make a living and I feel that if the time were taken by those against commercial fishing of Cisco to study and understand the fact's available they would see that there is really no reason to be against it. There is data available that suggest's the taking of rough fish improves sport fishing.

I believe that commercial fishing helps the economy here. It may be in a small way but in this area every bit helps. We are buying a house in Glasgow and spend our money locally. When possible I hire help at least on a part time basis.

Attached is a map of the reservoir which show's our limited fishing areas. The large parts open to us are only open for certain periods of time. As you will see a very large portion is totally closed to commercial fishing.

In my opinion, for what it's worth, I believe there should be some control on the Cisco before they get out of control. The paragraph below is from an Environmental Impact Statement on the proposed introduction of forage fish into Ft. Peck Reservoir that was printed in 1982 by the Montana Dept. of Fish, Wildlife and Parks.

A potential negative impact on the existing commercial fishery for goldeye could result if excessive numbers of cisco entered the catch. This is unlikely for several reasons. The cisco distribution will probably be exclusive of the majority of the goldeye most of the time; hence, fishing efforts directed at goldeye are unlikely to take significant numbers of cisco. If commercial activities did harvest large numbers of cisco it would probably be indicative a very high population density in which the loss to the forage base would be superfluous. In that case, the cisco would likely be a more valuable commercial species than the goldeye.

SENATE FISH AND GAME

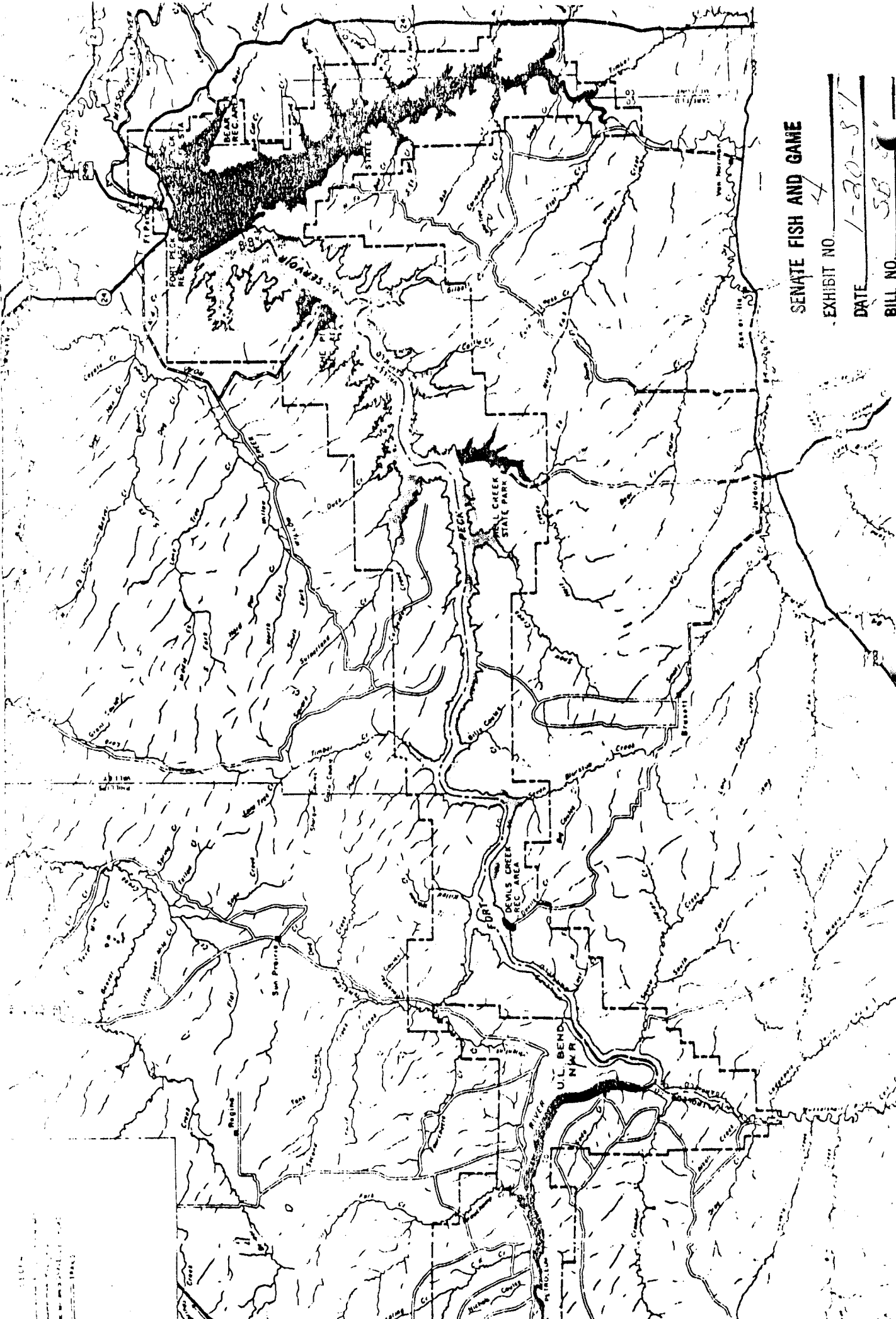
EXHIBIT NO. 3 - page 2

DATE 1-20-87

BILL NO. SB 81

Black area is closed the entire year
Red area is open all year

Pink area closed all year to gill nets
Yellow area closed June 6th to Sept. 8th



SENATE FISH AND GAME

EXHIBIT NO. 4

DATE 1-30-37

BILL NO. 58

Scott Ross
Box 151
Fort Peck, MT 59223

Walleyes Unlimited OF MONTANA



BOX 151
FORT PECK, MONTANA 59223



SENATE FISH AND GAME

EXHIBIT NO. 5

DATE 1-20-87

BILL NO. SB 81

Representing Walleyes Unlimited

SB81

Walleyes Unlimited of Montana strongly opposes SB81.

Cisco plants in Fort Peck Reservoir began in 1983 for the specific purpose of providing forage for that lake's gamefish species. The three year planting program was initiated largely due to widespread public concern over poor sportfishing, and the poor quality of sportfish, in Fort Peck.

There can be little doubt that the cisco introduction has been a great success. SB81 seems to be a reaction to that success. Walleyes Unlimited believes that this reaction is premature.

Cisco have become abundant in Fort Peck. An abundant forage base was the object of introducing the species. DFWP now cites the abundance of cisco as the justification for a management tool to control their numbers.

It is not surprising that cisco have become so abundant in a short time. They occupy zones in Fort Peck lake which have typically not held significant numbers of other species. There was a lot of room for cisco to expand rapidly and plenty of zooplankton to support them while they were doing it.

At some point, cisco will reach a peak. It is reasonable for us to assume that the population will stabilize at a point somewhat below that peak. At what point cisco are along their population growth curve is a question that even the biologists would have difficulty answering. In time, that stable level may be known.

In some waters, cisco seem to have a tendency for "boom and bust" cycles, reaching population peaks followed by significant declines.

Whether Fort Peck's cisco will exhibit this cycle is another question that will be answered in time...more time than has passed to date.

SB81 identifies commercial fishing as a possible management tool to control cisco numbers and is supported by DFWP for that reason. Commercial fishermen also support SB...probably for a different reason.

Commercial fishing operations on Fort Peck have recently been a point of controversy among sportsmen who use that lake. There can be little doubt that commercial fishermen's gillnets capture some gamefish.

Mortality among fish taken in gillnets is unavoidably high if those nets are not tended frequently; gamefish 'released' from the nets have little chance of surviving.

Fishermen accept the current level of commercial fishing with reluctance. Our understanding of current management policy suggests that commercial fishing will not be expanded on Fort Peck; in the opinion of many sportsmen, a phasing out of commercial operations should be the ultimate goal of management on Fort Peck.

Most, however, respect that the present commercial operators do have an investment at stake and are willing to tolerate their current level of commercial activities.

SB81 represents, in our view, a potential expansion of commercial activities on Fort Peck. More than just an increase in the level of commercial harvest, the netting of cisco may represent a change in the character of that harvest.

Cisco move about the lake in large schools. It is not unusual for gamefish to actively pursue these schools as they feed. That this is occurring in Fort Peck has been demonstrated by the fact that walleye have been among the cisco netted over deep water.

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not usually inhabited by walleye. It seems likely that gamefish such as walleye, lake trout, salmon, and northern pike will be exposed to additional inadvertant harvest in gillnets if the commercial fishermen are allowed to take cisco.

Fort Peck's cisco have not exhibited 'normal' growth and reproduction. They have grown faster than anticipated. They have reproduced at an earlier age than anticipated. The cisco population in Fort Peck is probably not only dynamic in terms of numbers, but also in terms of growth rate and the age at which they first successfully reproduce. Is it wise to consider commercial harvest before the cisco have stablized in terms of numbers, growth rate, and age of sexual maturity?

There are alternative management tools to deal with the present cisco problem, whether that 'problem' is real or only perceived.

Perhaps the most acceptable method to reduce the number of cisco is to increase the number of predators (other than human predators). An intensified effort to increase the numbers of gamefish in Fort Peck will certainly have an impact. Plans call for increased planting of walleye and chinook salmon (a voracious predator). How might this affect cisco numbers? Is there a surplus?

In deciding the fate of SB81, it is perhaps appropriate that we reconfirm our priorites. The 49th Legislature joined sportsmen in asserting an optimism about the recreational potential of Fort Peck and Montana's other warm/coolwater reservoirs...the House and Senate Fish and Game Committees approved a fishing license increase that provided partial funding for an expanded fisheries management effort in eastern Montana. The Long Range Planning Committee approved an appropriation for a new fish hatchery to be built at Miles City. All of these measures had considerable support in both the House and Senate and were passed during the '85 session. Do we still intend to develop the full potential of Fort Peck's sport fishery? Or do we intend to manage the lake for the convenience of a few commercial fishermen? The answer to those questions should provide guidance in addressing the Fort Peck cisco 'problem'. Walleyes Unlimited believes that commercial fishing is not the best solution.

MONTANA

DEPARTMENT OF

FISH, WILDLIFE AND PARKS



Route #1 - 210
Glasgow, MT 59230
March 9, 1984

Mr. Gregg Pauley
208 Sioux
Fort Peck, MT 59223

Dear Gregg:

Since you have indicated you will address the issue of commercial fishing in your next newsletter, I thought I would jot down some comments that may be helpful for your consideration. I have also enclosed a copy of Jim Liebelt's article in MONTANA OUTDOORS. However, many situations in the reservoir have changed since this article was prepared.

Commercial fishing was initiated in Fort Peck Reservoir in 1957. I'm not aware of any controversies until good northern pike fishing evolved in the 1960's. In the early years, large traps and seines were used primarily and buffalo were the most sought-after species. Trammel nets of large mesh were used later on to maintain catches and satisfy market demands. Goldeye fishing was begun in 1967 when the marketing potential of this species was discovered. Goldeye are taken by floating gill nets.

The pros and cons involving commercial fishing are certainly many. We have basically viewed it as a means of utilizing an available, unharvested resource. Commercial fishing is a delicate subject for us to deal with.

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I'm sure if we searched through past correspondence, we would find general support and endorsement of commercial fishing by the public and our department. In the case of goldeye we even encouraged commercial fishing.

Existing operators have invested large sums of money in existing operations and it is difficult to merely discontinue commercial operations as we are dealing with the livelihood of these individuals.

Our primary responsibility, however, is to the sport fishery. We have made many restrictions in commercial fishing over the years to minimize impacts and controversies between sport and commercial fishing. Restrictions have involved closure and restriction of many areas, and restrictions on types of nets and mesh sizes allowable.

I have heard some "horror stories" about the numbers of game fish caught in commercial nets. However, it seems these reports cannot be substantiated. It's always--"I heard this" or "I heard that." We do make occasional inspections of nets, fish being caught, etc. Occasionally game fish are caught, but I have never seen anything approaching some of the rumors.

I have heard people complaining about taking shiners (goldeye) because they thought it would hurt the forage fish supply. However, the individuals thought emerald shiners were young goldeye. Most of the goldeye reproduction occurs in the upper reservoir or river above the reservoir. The concern over forage fish and walleye forage is not much of an issue in the upper reservoir, at least at present.

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I've heard complaints that commercial fishing was responsible for the decline in the Big Dry. However, the walleye fishery developed during commercial fishing in the Big Dry and declined after commercial fishing was prohibited in the area. This is based on the following:

1. Prior to 1970, there was little or no restriction on commercial fishing in the reservoir.
2. 1970 and 1971 restrictions were added to Big Dry allowing only seining and trapping in upper Big Dry in early spring and late fall. No gill or trammel nets were allowed.
3. 1972 to present, Big Dry Arm closed to all commercial fishing.

Some individuals would paint commercial fishing all black. There are many interactions and competition factors among species in the reservoir that we do not understand. Commercial species do utilize space and food that otherwise might be available for more valuable sport and forage species. How many larval fish or fry of desirable species do goldeye consume? Is this more damaging to the reservoir than the occasional loss of a game fish in some remote, lightly fished area of the reservoir. What is the impact on forage and sport fish reproduction, habitat, and nursery areas resulting from feeding and rooting of aquatic vegetation by carp and buffalo?

The impacts of dense rough fish populations have been determined in many bodies of water. Some states have fielded their own crews or contracted with commercial fishermen to remove carp, buffalo, and suckers to enhance

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sport fish populations. In Fort Peck we simply don't understand all the pros and cons relating to rough fish harvest.

In 1967, Nelson Reservoir produced one of the best walleye year-classes of walleye ever, following the commercial removal of over 750,000 pounds of carp, buffalo, and goldeye in 1965 and 1966. Maybe this was just a coincidence. However, I think the impact of competition by rough fish can be demonstrated in waters where these species gain access. The result is poor growth by desirable game fish, which demonstrates the effect these rough fish can have on food and habitat.

We are concerned about the impacts and conflicts attributed to commercial fishing. Our present policy is to not issue any additional commercial fishing permits. I have harvest figures for the reservoir if you're interested. I've rambled around a lot, but hopefully it will provide a better insight for you. Please contact me if you have other questions to address on commercial fishing. A general discussion on the whole subject might be worthwhile.

Sincerely,



Robert G. Needham
Regional Fisheries Manager

RGN/drn

SENATE FISH AND GAME
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DATE 1-30-87
BILL NO. SB 81

EVERYBODY KNOWS MONTANA has some of the finest game fishing in the United States. Lakes, rivers and streams are renowned for catches of rainbow, cutthroat, Dolly Varden and brook trout. But not every one knows Montana has a thriving commercial fishing industry.

Commercial fishing isn't new to Montana. About 375 tons of carp were shipped from Nelson Reservoir to New York markets from 1923-1930. In 1931, 15 tons of carp were removed from Bowdoin Lake and shipped—live—in tank cars to New York and Philadelphia. Another attempt in the late 1920s involved commercial fishing for lake trout in Flathead Lake, but limited success and unpopularity with sport fishermen caused the venture to fail.

Additional commercial fishing wasn't evident until the 1950s. Since then, Lake Helena, the Missouri River, Medicine and Yellow Water Lakes and Fort Peck, Nelson, Canyon Ferry and War Horse Reservoirs have yielded from eight to nine million pounds of fish for commercial purposes. Fort Peck Reservoir has provided more than five million pounds of fish (the only source of continuous commercial fishing since 1957).

the controversy

Sport fishermen frequently object to commercial fishing, particularly in Fort Peck Reservoir, and insist that it impairs game fish populations. But many probably don't fully understand commercial fishing methods and regulations.

Since 1966, the Montana Department of Fish and Game has studied commercial fishing in Fort Peck Reservoir. Objectives are to monitor movements of commercial fish and gain knowledge of their life histories, obtain population estimates, gather information about harvest rates and examine commercial fishing methods and equipment. Thousands of smallmouth buffalo, river carpsucker and goldeye have been tagged in the last five years. Tagging shows that the smallmouth buffalo moves throughout the reservoir and that some spawn in

successive years in the same area; tag returns show an overall 14 per cent harvest.

Fish and Game personnel initiated another tagging program—for channel catfish—in 1972 and are continuing it in 1973. Also, a selective method for taking commercial size goldeye was developed early in the study. Some areas of the reservoir are closed to commercial fishing and others restricted to certain types of gear. For example, to protect game fish, placement and mesh size of nets is specified. Each contract stipulates that game fish caught in commercial fishing gear must be released and their condition reported. Commercial fishermen must make a daily report on number or pounds of all fish taken. Contract violations can result in termination of the operator's license.

Fish and Game experiments with equipment similar to that used by commercial fishermen and observes commercial catches. These studies indicate the number of game fish caught is generally insignificant and not responsible for major decreases which occur naturally from time to time in game fish populations.

The decrease of northern pike in Fort Peck Reservoir, for example, is a direct result of poor spawning conditions due, in part, to reservoir management policies of the U.S. Corps of Engineers and near maximum reservoir levels for the past several years. If the water level is allowed to fall, shore line vegetation takes hold on exposed shores. When the water level rises slowly in the spring, the vegetation is covered and provides an unlimited spawning substrate for the pike. But, suitable shore line vegetation vital for successful reproduction of the species hasn't been established. Other species which depend on shore line vegetation for successful reproduction also suffer reduced populations.

actually improves sport fishing

What benefits come from commercial fishing? By removing large numbers of rough fish, less

*Believe it
or not, we have
another controversy. . .*

COMMERCIAL FISHING

by Jim Liebelt

SENATE FISH AND GAME

EXHIBIT NO. 6-Page 5

DATE 1-20-87

COMMERCIAL FISHING continued

competition occurs between rough fish and game fish for food and space. This is especially significant during the early period of a fish's life because both game and rough fish then feed on similar organisms and inhabit much the same regions of water. Thus, by reducing rough fish populations, game fish have a better chance to survive and mature.

Removal of large numbers of carp is beneficial to a lake or reservoir since carp usually root out various food organisms on the bottom. Extensive bottom feeding causes deterioration of water quality and bottom conditions, both detrimental to growth of plant and animal life.

Commercial fishermen cooperate by providing information about concentrations of game fish which, in turn, aids in formulating fishing regulations. Knowledge of fish distribution in the reservoir and fish movement has been enlarged with help of commercial fishermen. In addition, commercial fishing adds to the economy by providing jobs and payment for goods and services, particularly at the local level. In 1970, 1971 and 1972, gross sales of Montana fish averaged about \$100,000 per year. Approximately nine commercial fishermen regularly use Montana waters, although some fish in other states as well.

ten species fished

Ten species of fish from Montana waters are considered commercially valuable: smallmouth buffalo, bigmouth buffalo, carp, goldeye, channel catfish, black bullhead, river carpsucker, freshwater drum, common sucker and blue sucker. All except the carp and black bullhead are native to Montana.

Smallmouth buffalo and bigmouth buffalo are probably the most important commercial fish. These two species comprise about 75 per cent of the total commercial catch from Fort Peck Reservoir; during 1972, the harvest reached a record 237 tons. The only other body of water in Montana where buffalo are harvested commercially is Nelson Reservoir, which has produced about 40 tons since 1965. They provide excellent eating and sell for 89-98 cents per pound at retail markets. Most of Montana's buffalo are trucked to West Coast markets, particularly in the San Francisco area.

Carp are next in commercial importance.

ABOUT THE AUTHOR

Dr. James E. Liebelt is project leader for the Fort Peck Reservoir commercial fisheries study being conducted by the Montana Department of Fish and Game. In 1960, he received a B.A. in biology from Concordia College, Moorhead, Minnesota. His M.A. and Ph.D., both in zoology from Montana State University, Bozeman, were granted in 1968 and 1970 respectively.



Since 1964, about 1,200 tons have been taken from Lake Helena and sold for a variety of commercial uses. Carp are also harvested from Fort Peck, Nelson and Canyon Ferry Reservoirs and Medicine Lake. However, they are not nearly as valuable as the smallmouth and bigmouth buffalo, but are used extensively as food by certain ethnic groups such as Blacks and Orientals in large cities. Many carp are sold in Jewish communities, especially for holidays. In addition to selling them raw, carp are smoked or ground up and made into fish balls. Also, before pelleted dried feed replaced it, ground carp nourished trout on some fish farms.

Another heavily used commercial fish in Fort Peck and Nelson Reservoirs is the goldeye. Since 1966, Fort Peck has yielded 313 tons and Nelson, 25 tons of marketable goldeye. However, catches in Fort Peck have declined steadily in the past several years and Nelson produces only a fraction of its former harvest. A quota was imposed on goldeye in Nelson in 1971 and regulation in Fort Peck may also be necessary to protect and maintain a fishable goldeye population for the future. Although Montana sport fishermen regard the goldeye with disdain, it is considered a gourmet's treat in Canada and sells in restaurants at steak dinner prices. Goldeye were abundant in Canadian waters, but because of very intensive commercial use, most accessible stocks were overfished. Now the Canadian market relies almost entirely on fish from the United States, and much of Montana's goldeye is trucked to Winnipeg, Manitoba, to be smoked and sold.

Harvest of channel catfish in Montana since 1957 totals about 65 tons; all have been taken from Fort Peck Reservoir, the only body of water in Montana with sufficient population to support commercial efforts. Fishing for black bullheads in Yellow Water Lake and War Horse Reservoir has yielded only a few tons. Channel catfish and black bullheads are quite valuable, since they retail for about \$1 per pound. As table fare, they rank among the most popular fresh-water fishes in the United States.

The remaining commercial species—river carpsucker, freshwater drum, common sucker and blue sucker—represent a very small part of the total harvest from Montana waters. Many river carpsucker and freshwater drum exist in Fort Peck Reservoir, but they are not extensively fished due to a low market value compared with buffalo or goldeye. About 26 tons of suckers have been harvested from Lake Helena since 1964, while Fort Peck and Nelson Reservoirs have produced about 1.5 tons each. Like the river carpsucker, their flesh has excellent flavor, but contains many small bones making it difficult to eat.

the methods

Commercial fishermen use a variety of meth-


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ods and equipment to harvest fish. They must be familiar with habits of the species for which they are fishing and use selective gear, if they are going to be successful. Each species has seasonal habitat requirements and behavioral patterns related to food supply, reproduction, age and physiological condition. Also physical and chemical factors affect water and influence fish behavior.

Baited hoop nets—which are set on the bottom in moving water near the head of Fort Peck Reservoir—are most effective in taking channel catfish as they move upriver in spring and downstream (to the reservoir) in late summer. Floating gill nets, set overnight, are used to catch goldeye which feed near the surface after dark, with the best catches occurring during spring and fall. Trammel nets, placed on the bottom, are used primarily for smallmouth buffalo, bigmouth buffalo and river carpsucker, although other bottom feeding species such as freshwater drum and carp are often caught. Large seines are used to take smallmouth and

bigmouth buffalo in Fort Peck Reservoir and carp and suckers in Lake Helena. One commercial fishing company plans to use a 3,000- by 30-foot seine in Fort Peck Reservoir this year.

What is the future of commercial fishing in Montana? Probably it will never be a major industry. With proper management of commercial fish stocks and protection of Montana waters from further degradation and pollution, commercial fishing should continue to gain in importance. Fort Peck Reservoir will remain the center of commercial fishing, unless the upstream Missouri River is degraded by more dams, channelization for barge traffic or alteration for large scale water diversion programs.

One thing is certain: if predictions about the world's population doubling within the next 20 years are accurate and the anticipated shortage of food occurs, fresh-water fish will play an increasingly important role as a source of food for mankind. 

wildlife shorts

Great horned owls lay round eggs. All other owls have oval eggs.

* * *

Arctic mammals have a fat in their feet that remains soft during sub-zero temperatures. Locomotion would be very difficult without it.

* * *

Bobwhite quail populations undergo an annual 75 to 80 per cent mortality rate whether or not the bird is hunted.

* * *

Woodpeckers can stretch their tongues twice the length of their bills when searching for food.

More than one-half of the endangered wildlife species in the United States are found in the State of Hawaii.

* * *

The web spun by that lowly arachnid, black widow spider, has some special qualities that make it ideal for the crosshairs for telescopic sights.

* * *

Mountain lions keep their kittens with them for two years to teach them the skills of hunting and stalking.

* * *

Spiders can determine exactly what kind of prey have been trapped in their webs from the vibrations caused by the victim's struggles.

Indian lore has it that the coyote will be the last animal on earth.

* * *

"Hand acid" (natural oils from the skin) on a lure may be repulsive to fish. This may indicate why one fisherman catches more fish than another man with the same lure.

* * *

The only mammal that does not have even the vestige of a tooth anywhere in its development is the spiny anteater of Australia.

* * *

Common or "Norway" rats cause about \$200,000,000 in property damage annually.

* * *

Only about one-third of all cottontail rabbits live long enough to leave the nest.

SENATE FISH AND GAME

EXHIBIT NO. *6 page 4*

DATE *1-20-81*

BILL NO. *SB 81*

NAME: JACK SCHILLA DATE: JAN, 20, 1987

ADDRESS: 807 CHERRY AVE, HELENA, MT. 59601

PHONE: 443-3955

REPRESENTING WHOM? Helena Chapter
Walleyes Unlimited & Myself

APPEARING ON WHICH PROPOSAL: 5 B 81

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: As a licensed outfitter I must be attuned
to public needs, for I operate entirely on
Federal ground. I feel commercial fishermen
also utilize public resources and should
not attempt to ~~to~~ oppose public fishing
viewpoints which Walleyes Unlimited
adequately represents.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Brian M. Olson DATE: 1-20-87

ADDRESS: 5613 Rainbow Dr. Helena MT 59601

PHONE: 458 9478

REPRESENTING WHOM? Walleyes Unlimited of Mt.

APPEARING ON WHICH PROPOSAL: SB 81

DO YOU: SUPPORT? AMEND? OPPOSE? X

COMMENTS: Walleyes Unlimited has promoted the planting of forage
fish such as ciscoes for the enhancement of sport fishing.
By removing ciscoes before we know what the effects on
sport fishing could be, we may hurt an up and coming
fishery which gives pleasure yearly to thousands of
Montana sport fishermen.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Marion H. Frisking DATE: 20 Jan 67

ADDRESS: 3626 6th Ave Great Falls

PHONE: 761 2001

REPRESENTING WHOM? Self Waltham Brookline & Great Falls Club

APPEARING ON WHICH PROPOSAL: SB 41

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: I am against Commercial fishing for Trout in Font Peak

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Donna Mae Austin DATE: 1-20-87

ADDRESS: Box 183

PHONE: Fort Jock, Montana 59223 367-9344

REPRESENTING WHOM? Myself Commercial Fisherman
AND Complete Address W 367-9342

APPEARING ON WHICH PROPOSAL: Bill SB-11

DO YOU: SUPPORT? AMEND? _____ OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: David Christenson DATE: 1-20-87

ADDRESS: 828 3rd Ave S Glasgow Mont

PHONE: 228-4564

REPRESENTING WHOM? Commercial Fisherman - myself

APPEARING ON WHICH PROPOSAL: SB 81

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

ROLL CALL VOTE

SENATE COMMITTEE -- FISH AND GAME

DATE: Jan. 20

BILL NO. SB 81

TIME: 1:00 p.m.

NAME:	YES	NO
Senator Ed Smith, Chairman	X	
SENATOR WM. YELLOWTAIL	X	
Senator John Anderson	X	
Senator Judy Jacobson	X	
Senator Elmer Severson	X	
Senator Greg Jergeson	X	
Senator Al Bishop	X	
Senator Esther Bengtson	X	

Mary Florence Root
Secretary

Senator Ed Smith
Chairman

MOTION: _____

