

MINUTES

MONTANA SENATE
55th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH & GAME

Call to Order: By CHAIRMAN AL BISHOP, on January 21, 1997, at
1:00 P.M., in Room 402

ROLL CALL

Members Present:

Sen. Al Bishop, Chairman (R)
Sen. Loren Jenkins, Vice Chairman (R)
Sen. Vivian Brooke (D)
Sen. William S. Crismore (R)
Sen. Bea McCarthy (D)
Sen. Kenneth "Ken" Mesaros (R)
Sen. Ken Miller (R)
Sen. Mike Taylor (R)
Sen. Daryl Toews (R)

Members Excused: Senator Steve Doherty

Members Absent: None

Staff Present: Leanne Kurtz, Legislative Services Division
Serena Andrew, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 174, Posted 1/15/97
Executive Action: None

HEARING ON SB 174

Sponsor: SENATOR JOHN HARP, SD #42, Kalispell

Proponents: Ron Mohn, Mountain Lake Fisheries
Al Wipperman, Montana Chapter, American Fisheries
Society
Charlie Davis

Opponents: Craig Renfro, Montana Charter Association
Shorty Goggins, A Able Fishing, Flathead Charter
Boat Association
Jim Richard, Montana Wildlife Federation
Jean Johnson, Montana Outfitters & Guides
Association
Peter Funk, Montana Chapter, Trout Unlimited
Janet Ellis, Montana Audubon

Opening Statement by Sponsor:

{Tape: 1; Side: a; Approx. Time Count: 1:01}

SENATOR JOHN HARP, SD #42, Kalispell, told the committee some commercial whitefishing is being done in the Flathead area under the single line rule. The same format would be used with lake trout. If lake trout were included, the commercial fisherman feels he would be able to develop a new business. Lake trout eat salmon and there is also concern about bull trout. If the lake trout population could be reduced, hopefully bull trout and salmon populations would increase.

He didn't think the proposed single line commercial operation would impact the charter boat fishing business because of the number of lake trout in Flathead Lake.

Proponents' Testimony:

{Tape: 1; Side: A; Approx. Time Count: 1:09}

Ron Mohn, Mountain Lake Fisheries, said he owns the commercial fishing operation described by SENATOR HARP. As a lifetime resident of the Flathead Valley, he feels the fishery has deteriorated. In addition to reduced numbers of bull trout, cutthroat trout and yellow perch, lake trout are getting smaller. If the lake trout populations were reduced, he would expect to see more cutthroat, kokanee and bull trout and would also expect the size of lake trout to increase again. The present limit for lake trout is 15 fish/day but he would like to get the limit raised to 50, the same as whitefish. He would expect to have 5-8 people fishing for him.

{Tape: 1; Side: A; Approx. Time Count: 1:18}

Charlie Davis, who fishes for the commercial operator, said lake trout have eaten nearly everything out of the lake and the lake trout he is catching now have big heads and small bodies. He catches 35-50 fish/day.

{Tape: 1; Side: A; Approx. Time Count: 1:25}

Al Wipperman, Montana Chapter, American Fisheries Society, supported the bill because his organization would like to see native species restored to the lake. EXHIBIT #1

Opponents' Testimony:

Craig Renfro, Montana Charter Association, Lakeside, said commercial fishing would put an end to the already diminishing fishery in the lake.

{Tape: 1; Side: A; Approx. Time Count: 1:35}

Shorty Goggins, A Able Fishing and Flathead Charter Boat Association, Kalispell, said the fishery in the lake has been dramatically reduced. Passage of SB 174 would be detrimental to charter boat fishermen, with resulting economic declines for tourist-related businesses around the lake.

{Tape: 1; Side: B; Approx. Time Count: 1:43}

Jim Richard, Montana Wildlife Federation, said conservation organizations feel the commercialization of fish and wildlife resources is improper. He pointed out that the State of Washington already has serious management problems attempting to balance the commercial fishery with the sport fishery and Native American rights.

{Tape: 1; Side: B; Approx. Time Count: 1:49}

Jean Johnson, Executive Director, Montana Outfitters & Guides Association, asked the committee to consider the issue of sport fishing versus commercial fishing. Passage of SB 174 could cause a problem for tourist-related commerce.

Peter Funk, Montana Chapter, Trout Unlimited, said the state council of Trout Unlimited did not support the bill. He objected to the commercialization of wildlife and was concerned about the possible impact on native species. Commercial fishing in the lake would be as likely to harm bull trout as to help them.

Janet Ellis, Montana Audubon, was also concerned about native species. She pointed out that it is difficult to identify young trout and there could be some mistaken harvest. **EXHIBIT #2**

Also, there is a technical problem with the bill - page 3, line 4 inadvertently changed the composition of the Paddlefish Advisory Council from "sportsmen" to "outdoor recreationists." That change should be corrected.

Questions From Committee Members and Responses:

{Tape: 1; Side: B; Approx. Time Count: 1:54}

SENATOR KEN MESAROS asked if a commercial harvest would enhance the native populations in the lake. **Pat Graham, Director, Department of Fish, Wildlife & Parks (DFWP)** stated that could not be determined without monitoring over a period of time. Also, a number of factors affect the fishery in the Flathead Basin. It would be DFWP's intent, if the bill should pass, to develop a management plan for Flathead Lake, prepare an environmental assessment and go through the public review process before any changes were made. He didn't think commercial anglers wanted to completely eliminate lake trout.

{Tape: 1; Side: B; Approx. Time Count: 1:57}

SENATOR MESAROS asked Ron Mohn if he had an on-going commercial operation for whitefish. Mr. Mohn said it was just getting started. At first he had to give whitefish to local restaurants, but can sell them now.

SENATOR MESAROS asked if he would have to develop a market for lake trout. Mr. Mohn yes, but he could use the contacts he has already made. He would expect sales to be slow for a few years.

{Tape: 1; Side: B; Approx. Time Count: 2:00}

SENATOR MESAROS inquired about the cost of a commercial license. Mr. Mohn said there was no charge but it must be validated by DFWP as they used commercial fishing records.

SENATOR TAYLOR asked how much he paid per pound for fish. Mr. Mohn said \$.50.

SENATOR TAYLOR asked Mr. Goggins how many people were on an average charter trip. Mr. Goggins said he made many trips with only one customer and some with as many as five; the average would be about three. SENATOR TAYLOR asked if these people would pay about \$300/day. Mr. Goggins said the charge was \$215 for three or four people, and they were also required to buy a \$60 fishing license. These customers also patronize restaurants and motels.

{Tape: 1; Side: B; Approx. Time Count: 2:03}

SENATOR LOREN JENKINS commented that lake trout have recently become a problem in Yellowstone Lake. Mr. Graham said he thought they had probably been there 15-20 years, and their populations will increase. The mysis shrimp tipped the balance in Flathead Lake because lake trout eat them until they are large enough to eat small fish.

SENATOR JENKINS asked if the decline in kokanee had been caused solely by introduction of mysis shrimp or if it had been a combination of things. Mr. Graham said it was the combination of competition for food in addition to predation by lake trout. Without the lake trout, kokanee could have sustained themselves.

{Tape: 1; Side: B; Approx. Time Count: 2:11}

SENATOR JENKINS asked what effect lake trout had on bull trout. Mr. Graham said bull trout spawn in the fall. Young-of-the-year live in tributary streams several years before going down into the lake. Lake trout have moved into the river system so there could be some predation on young bull trout. After bull trout reach a certain size, they also become predators.

SENATOR BROOKE commented that opponents of the bill had said they weren't informed of the hearing, but she had received a great deal of background in her mail. Since they appear to have an organization, she wondered why their members weren't advised.

Closing by Sponsor:

{Tape: 1; Side: B; Approx. Time Count: 2:15}

SENATOR HARP said he hadn't meant to put charter boat operators out of business, and hadn't realized it would be an either/or issue. He thought the committee should decide.

ADJOURNMENT

Adjournment: 2:16 p.m.



SEN. AL BISHOP, Chairman



SERENA ANDREW, Secretary

AB/SA