



July 21, 2021

Governor Greg Gianforte
Office of the Governor
PO Box 200801
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Dear Governor Gianforte:

Waterways across our state are facing troubling conditions and unprecedented challenges this summer, but none more than the Upper Missouri River Basin's headwaters in Southwest Montana. From spring fish die-offs, summer heat waves and unprecedented drought conditions, to record low flows and historically low fish counts with declining brown trout populations combined with increased development and fishing pressure, Montana's world-class cold water fisheries are dwindling away, suffering death by a thousand cuts (see attached appendix).

On behalf of Upper Missouri Waterkeeper, Montana fly fishing businesses, outfitters, and lodges, international fly fishing businesses, and the conservation organizations signed below, we urge the immediate formation of a Governor's Cold Water Fisheries Task Force to focus efforts exclusively on protecting and preserving Southwest Montana's cold water fisheries, water quality, and wild salmonid populations.

As you know, clean and healthy rivers and vibrant, wild fisheries are part of our unique way of life. They are also critical to Montana's outdoor economy, which accounts for \$7.1 billion in consumer spending and supports more than 71,000 jobs. If water quality in our rivers continues to decline, and our rivers themselves dry up, these negative changes will also tank our state's robust outdoor economy that directly depends upon vibrant cold water fisheries. During this difficult time recovering from the COVID-19 pandemic, we cannot ignore the threats to our cold water fisheries that could undermine one of the largest contributors to Montana's economy.

We urge the formation of a cross-government, multi-agency task force that would begin an important process of identifying meaningful policy changes, seeking proactive agreements with landowners, and implementing science-based long-term solutions to address the declining health of Montana's iconic cold water fisheries. We recommend that the Task Force at minimum include representatives from Fish, Wildlife and Parks, Department of Natural Resources and

Conservation, Department of Environmental Quality, Department of Agriculture, Department of Commerce, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Services, USDA Natural Resources Conservation Services, Region 8 EPA, local governments, tribal governments, conservation districts, fly fishing businesses, agricultural groups, watershed groups and conservation groups.

Recently implemented river closures and seasonal hoot owl restrictions serve as a starting point to addressing our threatened waterways and fish populations, but they are not the sole nor a long-term solution. As all business owners know, assessing risk and making strategic decisions to best manage risk is absolutely necessary to be successful. When it comes to Southwest Montana's cold water fisheries and rivers, there is too much at risk for our state to continue ignoring the writing on the wall.

We respectfully request that your administration step up to protect some of the most unique, ecologically intact, cold water river systems in the Lower 48 before it's too late by using your authority to form a Governor's Cold Water Fisheries Task Force. Doing so will focus collective efforts on targeted solutions for protecting Southwest Montana's cold water fisheries, water quality, and wild trout populations. As a headwaters state we urge immediate action and look forward to working together to protect this valued, cherished resource that is so integral to our way of life.

Sincerely,

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Appendix: Missouri River Headwaters Sub-Basin Report - Summer 2021

The Missouri River basin's water quality is degrading from death by a thousand cuts. Montana Fish, Wildlife & Parks (FWP) has reported a historic decline¹ in brown trout numbers across the state with low juvenile recruitment, rainbow trout populations are falling in the Big Hole River, and basin-wide rainbows are failing to fill the void.

In June, FWP hosted a scoping period to initiate public input through an online survey and three public meetings on various proposals aimed at reducing angling pressure on brown trout, including seasonal closures to protect redds during spawning season, catch and release fishing only, and seasonal hoot-owl restrictions from July 1 thru August 15 from 2 p.m. to midnight. The agency plans to propose restrictions to the Fish and Wildlife Commission during their August meeting.

Montana Fish, Wildlife and Parks (FWP) also implemented the following additional closures and hoot owl restrictions in addition to the Madison and Ruby Rivers:

- Beaverhead River hoot owl restrictions from the mouth to Laknar Lane Bridge;
- Lower Big Hole River hoot owl restrictions from the confluence with the Beaverhead River to Notch Bottom FAS;
- Upper Big Hole River full fishing closure from Saginaw Bridge on Skinner Meadow Road to the North Fork Big Hole River;
- Jefferson River entire river hoot owl restrictions

Montana's Low Water Year:

This year's snowpack and spring moisture is resulting in historically low flows² in many of Montana's waterways. The megadrought encapsulating much of Montana and new warmer normals due to climate change will have a multiplier effect on the existing nutrient and pollution loading we know is occurring.

Accordingly, we've already seen fish closures on the Ruby and Madison Rivers and historically low flows³ on the Smith and Jefferson Rivers, a concerning reality that is already occurring at the beginning of the summer before it's predicted⁴ to get even drier and warmer. NRCS's basin reports are available for reference.⁵

Gallatin River:

While the Gallatin River is one of Montana's most cherished and iconic rivers, it's also become degraded. Pollution pressure continues to grow due to unchecked development throughout the river basin creating unsustainable nutrient loading from existing wastewater and sewage discharges that are amplified in low water⁶ years like this one.

FWP hasn't shocked the Gallatin in several years due to the risks involved with performing a fish count. Although fish numbers are unknown, we do know the Gallatin has exceeded its nutrient pollution tipping point⁷ for the last three years, as indicated by unnatural, neon-green noxious

algal blooms. With the rest of the basin's brown trout numbers plummeting, it's likely the Gallatin is experiencing similar troubling declines.

Severe algal blooms⁸ such as the those documented on the Gallatin since 2018 degrade water quality, negatively affecting fish and aquatic life⁷, and are a nuisance to recreationists, caused by excessive nutrient loading, warm water temperatures, and sunlight. In the Upper Gallatin River unnatural nutrient pollution is manmade, caused by irresponsible sprawl development and the disposal of poorly treated wastewater.

Madison River:

On May 18th, the Madison River experienced an early season fish kill in the Beartrap Canyon. All totaled, FWP estimated nearly 1,000 fish, including brown and rainbow trout, and whitefish had been observed dead. Preliminary lab results reported by FWP have been inconclusive⁹ and the cause remains unknown. An early algal bloom also broke out on the lower Madison downstream from Blacks Ford and spanning to the confluence of the Jefferson River.

With water temperatures near Ennis Lake already reaching 70°F in June and flows¹⁰ near Cameron (1370 cfs on June 25, median 2140 cfs) and McAllister (1270 cfs on June 25, median cfs 2400 cfs) well below median values, it's going to be a long hot summer on the Madison. After a week of water temperatures exceeding 75°F in the lower Madison, hoot owl restrictions were placed¹¹ on the river from below Ennis Dam to the confluence with the Jefferson. The restrictions prohibit fishing from 2 pm through midnight each day until August 15 to reduce further fish stress and mortality.

The recently released¹² Madison trout report from FWP paints another grim picture for the future of this valued fishery. Much like fisheries reports on other rivers, brown trout numbers near Norris hit a 20-year low at only 459 per mile, with rainbow trout failing to fill the void as they too were below the 20-year median. Most concerning to biologists was the almost complete lack of 6 to 11 inch brown trout. Without the replacement of juvenile brown trout - often some of the more prolific spawners - the long term future of trophy fish populations in the Madison could be in question.

Big Hole River:

The Big Hole River is often referenced as Montana's last, best river that holds one of the last remaining populations of native fluvial arctic grayling in the lower 48. Fishing pressure on the Big Hole has grown exponentially in recent years, and is experiencing historic declining¹ brown trout numbers.

Brown trout numbers are at an all time low in Melrose - brown trout in 2014 were 1,800 per mile, now are just 400 per mile - with juvenile two year trout also reaching historic lows. Fish biologists found similar declining trends between Jerry Creek and Pennington. Again, without recruitment of younger juvenile brown trout, reversing the decline isn't likely to happen in the near future, if at all.

While other trout species like rainbow, grayling, and brook trout are not trending as steeply downward, they are also not filling the void¹³ brown trout are leaving either. The problem has biologists perplexed as to the cause.

This summer 2021's low water flows and warming temperatures, in combination with unhealthy sedimentation, nutrient pollution, and fishing pressure, will magnify local water quality impacts. The Big Hole near Melrose has been flowing¹⁴ far below historic median flows, and water temperatures have hovered around 70°F. Despite extensive efforts in the Big Hole Valley to increase in-stream flows, it's still hovering around the 10th percentile.⁴

Beaverhead River:

Similar trends in brown trout population level declines have been observed on the Beaverhead. In the last six years, abundance has dropped from 2000 brown trout per mile to 1000 fish. Rainbow trout aren't faring well either, falling far short of the Upper Beaverhead Management goal of 600 rainbows per mile with only 234 per mile. Again, proportionally few younger fish were observed relative to previous years according to FWP biologists.

Nearly annual pollution events¹⁵ on the Beaverhead River, including toxic blue green algal blooms below Clark Canyon Reservoir, only worsen water quality and habitat conditions for the already stressed trout. With the water runoff season coming to an early end¹⁶ this year, flows near Twin Bridges have dropped below 100 CFS.¹⁷

Ruby River:

The Ruby was one of the first victims of river closures¹⁸ in Southwest Montana and is now on its second round of closures, prompted by historically low flows.¹⁹ The stretch between Duncan District Road near Twin Bridges and the confluence with the Beaverhead will remain closed to fishing until flows exceed a daily average of 40 cfs for seven consecutive days, or until October 15.

The low flows and heat have also seen temperatures spike to above 80°F in June. It's best practice to refrain from fishing when water temps reach 68°F and trout begin to show significant signs of stress at 70°F. Increased trout mortality begins²⁰ to occur at water temps over 73°F.

Like the Beaverhead, over the last 6 years brown trout per mile in the Ruby has dropped from 1500 to only 600-700 in 2021. Matt Jaeger, FWP fisheries biologist for the Beaverhead and Ruby believes¹ catch and release only restrictions won't have a meaningful impact on trout populations because harvest rates remain low, but restricting fishing during spawning seasons could potentially reduce mortality.

Jefferson River:

The Jefferson represents the culmination of the Big Hole and Beaverhead rivers and sadly, when it comes to water quality, also represents many of the same water quality and fishery challenges.

The abundance of juvenile brown trout less than 2 years of age is at a 15-year low at fewer than 50 fish per mile in the lower survey section of the Jefferson. Water temperatures have already reached dangerous temperatures for trout viability, peaking at 75°F²¹ near Twin Bridges on June 23 while flows have already hit historic lows.²² Like the lower Madison, an early benthic algal bloom emerged near Cardwell mid June.

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