



MONTANA **FWP**

**MONTANA STATE PARKS AND RECREATION BOARD
AGENDA ITEM COVER SHEET**

Meeting Date: December 20, 2022

Agenda Item: Acquisition and Transfer of Interest in Lands Policy Renewal

Action Needed: Final

Time Needed on Agenda for this Presentation: 15 Minutes

Background: 23-1-111, MCA, requires the State Parks and Recreation Board to “review and approve all acquisitions or transfers of interest in these properties, lands, and waters by the department...” and directs the board to “set policies and provide direction” to the department for “management, protection, conservation, and preservation” of state parks. In 2015, the Parks and Recreation Board adopted its first lands policy (“policy”), setting forth criteria and conditions before the board would consider a state park or affiliated lands project. The policy applied to four categories of acquisitions: 1) acquisition of interests in new park lands; 2) acquisition of in-holdings and adjacent park lands; 3) easements; and 4) transfer of lands or interests in lands. Consideration of new acquisitions was tied to the strategic plan criteria of significance, relevance, and accessibility. Renewed in December 2018 for another three-year period, the policy is due for review again. No significant changes are proposed. The proposed language is updated to reflect the establishment of the new Parks and Outdoor Recreation Division at Montana Fish, Wildlife & Parks and to clarify it applies to recreation areas, which are also under the purview of the board pursuant to 23-1-111, MCA. It does not apply to interests in property overseen by the Fish and Wildlife Commission including fishing access sites and wildlife management areas.

Public Involvement Process & Results: Public comment will be accepted at the Dec. board meeting.

Analysis & Alternatives: It is ideal for the policy to reflect the current organization of the department and statutory authority of the board.

Alternative A: If the board declines to adopt the updated policy, the previous version of the policy adopted in 2018 will remain in effect and will not reflect the reorganization of the department or include clarifying language on recreation areas.

Alternative B: The board adopts the updated policy to reflect the reorganization of the department and the clarifying language on recreation areas.

Agency Recommendation & Rationale: FWP recommends the board adopt the policy as final to reflect the current organization of the department and statutory authority of the board.

Proposed Motion: I move the Parks and Recreation Board approve the proposed Acquisition and Transfer of Interest in Lands Policy.