



MONTANA FISH AND WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

THE **OUTSIDE** IS IN US ALL.

Meeting Date: February 25, 2021

Agenda Item: WMA Public Use Rules

Action Needed: Final **Time Needed on Agenda for this Presentation:** 10 minutes

Background: Since 2012, the commission has adopted public use rules on a biennial schedule for lands acquired for the primary purpose of providing effective fish and wildlife habitat, including Wildlife Management Areas (WMAs), Wildlife Habitat Protection Areas, and Fisheries Conservation Areas. FWP proposed an edited list of commission rules in December 2020, which would be in place for one year. FWP is also working on revising administrative rules pertaining public use of WMAs, Fishing Access Sites, and other properties administered by the Wildlife and Fisheries Divisions (12.8.201-12.8.219 ARM), which are expected to incorporate some of the public use rules that have been adopted biennially by the commission. As a result of the administrative rule making process, FWP recommends adoption of commission rules for only one year, to be replaced with a new set of commission rules in 2022.

After receiving commission endorsement in December, the proposed rules were made available for public review and comment. However, after further internal discussions, the department has revised its recommendation to instead retain the commission public use rules that had been in place during 2019-2020. The attached set of rules reflect FWP's recommendation.

Public Involvement Process & Results: FWP released proposed rules for 30-day public review. Public notifications were made through standard email distribution lists and by posting on the FWP web site. Six comments were received. Five comments included references to suggested rule changes pertaining the use of bicycles; one comment expressed concerns about when WMAs open in the spring and how that information is posted, the frequency of updating rules, and other related statements; and one comment did not pertain public use rules, but inquired about livestock grazing on Beckman WMA.

Alternatives & Analysis: FWP offered a set of revised rules in December and, after more internal discussion, the department is now recommending retaining the original set of rules that have been in place the past two years. This would retain the status quo for a year, while working on a new set of public use ARM rules.

Agency Recommendation & Rationale: FWP recommends adopting the public use rules that had been in place during the past two years for one additional year (2021). With the impending changes that FWP will be proposing for ARM, the department believes retaining the rules for another year would simplify the process and reduce public confusion.

Proposed Motion: I move the commission approve retaining the WMA public use rules that had been in place during 2019-20, as proposed.