



# MONTANA FISH AND WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

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**Meeting Date:** June 24, 2021

**Agenda Item:** Amend ARM 12.11.6705 Extending Implementation Date of Madison River Commercial Use Cap

**Action Needed:** Final

**Time Needed on Agenda for this Presentation:** 20 minutes

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**Background:** On December 24, 2020, the Fish and Wildlife Commission adopted administrative rules regarding the recreational use of the Madison River (Madison River Recreation Management rules). ARM 12.11.6705, pertaining to the Madison River Commercial Use Cap, provides an implementation date of January 1, 2022. The Madison River Recreation Management rules also provide for a Madison River Commercial Use Work Group to develop recommendations to the commission for approval regarding the Madison River Recreation Management rules including allocation of opportunity pursuant to the commercial use cap. At its April 16 meeting, the commission proposed extending the implementation date of the commercial use cap to provide time for the appointment and meeting of the work group to develop recommendations for the commission to consider.

**Public Involvement Process & Results:** Public comment on the proposed rule amendment began on April 16 and ended on May 14. A public comment hearing was held on May 13. The commission received 10 written comments and 2 comments were provided at the hearing.

**Alternatives & Analysis:** If the commission opts to not adopt the proposed amendment to ARM 12.11.6705, extending the implementation deadline to January 1, 2023, the commercial use cap will go into effect on January 1, 2022. If the Commission opts to adopt the proposed amendment to ARM 12.11.6705, the implementation of the commercial use cap would occur January 1, 2023.

In either case, ARM 12.11.6710 charges a work group with development of an allocation system that will implement the commercial use cap. With the adoption of this amendment, the work group would have an extended time within which to develop, recommend, and the commission adopt the allocation system necessary to implement a commercial use cap. If this amendment is not adopted, development and adoption of the commercial use cap will need to be completed by January 1, 2022.

A notice of the commission's final decision will be filed with the Secretary of State and published in July.

**Proposed Motion:** I move the Commission adopt the proposed amendment to ARM 12.11.6705 extending the implementation of the commercial use cap on the Madison River to January 1, 2023.

**OR**

I move the Commission not adopt the proposed amendment to ARM 12.11.6705 keeping the implementation of the commercial use cap on the Madison River of January 1, 2022.