

BEFORE THE FISH AND WILDLIFE COMMISSION
OF THE STATE OF MONTANA

In the matter of the amendment of) NOTICE OF PUBLIC HEARING ON
ARM 12.11.6705 pertaining to the) PROPOSED AMENDMENT
implementation of the commercial)
use cap on the Madison River)

TO: All Concerned Persons

1. On May 13, 2021, at 6:00 p.m., the Fish and Wildlife Commission (commission) will hold a telephonic public hearing via ZOOM meeting platform to consider the proposed amendment of the above-stated rule. Due to the public health crisis by the novel coronavirus, COVID-19, there will be no in-person hearing. Interested parties may access the remote conferencing in the following way:

(a) Dial by telephone: 1-646-558-8656
Meeting ID: 851 7047 0874
Password: 814606

The hearing will begin with a brief introduction by staff to explain the use of the telephonic platform. All participants will be muted except when it is their time to speak.

2. The commission will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the department no later than 5:00 p.m. on April 30, 2021, to advise us of the nature of the accommodation that you need. Please contact Jessica Snyder, Department of Fish, Wildlife and Parks, P.O. Box 200701, Helena, Montana, 59620-0701; telephone (406) 444-9785; or e-mail jesssnyder@mt.gov.

3. The rule as proposed to be amended provides as follows, new matter underlined, deleted matter interlined:

12.11.6705 MADISON RIVER COMMERCIAL USE CAP (1) and (2) remain the same.

(3) ARM 12.11.6705 will be implemented January 1, ~~2022~~ 2023.

(4) remains the same.

AUTH: 87-1-303, MCA

IMP: 87-1-303, MCA

REASON: 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 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.

Extending the implementation date of the commercial use cap will provide time for the appointment and meeting of the work group to develop recommendations for the commission to consider

4. Concerned persons may submit their data, views, or arguments orally at the telephonic hearing. Written data, views, or arguments may also be submitted to: Madison River Comments, Department of Fish, Wildlife and Parks, P.O. Box 200701, Helena, Montana, 59620-0701; or e-mail madisonrivercom@mt.gov, and must be received no later than May 14, 2021.

5. Jessica Snyder or another hearing officer appointed by the department has been designated to preside over and conduct the hearing.

6. The department maintains a list of interested persons who wish to receive notice of rulemaking actions proposed by the department or commission. Persons who wish to have their name added to the list shall make a written request that includes the name and mailing address of the person to receive the notice and specifies the subject or subjects about which the person wishes to receive notice. Such written request may be mailed or delivered to: Fish, Wildlife and Parks, Legal Unit, P.O. Box 200701, 1420 East Sixth Avenue, Helena, MT 59620-0701, or may be emailed to jesssnyder@mt.gov.

7. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

8. With regard to the requirements of 2-4-111, MCA, the commission has determined that the amendment of the above-referenced rule will not significantly and directly impact small businesses.

/s/ Rebecca Dockter
Rebecca Dockter
Rule Reviewer

/s/ Lesley Robinson
Lesley Robinson
Chair
Fish and Wildlife Commission

Certified to the Secretary of State April 6, 2021.