



MONTANA FISH AND WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

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Meeting Date: June 24, 2021

Agenda Item: Administrative Rule Identifying States with Chronic Wasting Disease and Defining Lawful Urine Scents

Action Needed: Final

Time Needed on Agenda for this Presentation: 10 Minutes

Background: At the April 1, 2021, meeting, the commission approved three proposed Administrative Rules. The three rules 1) identified those states and provinces where Chronic Wasting Disease is found in accordance with MCA 87-6-221, 2) defines those urine scents that may be used to mask human scent, and 3) clarifies how scents may be used as bait. The proposed rule language will reduce the probability of inadvertent spread of CWD.

Public Involvement Process and Results: The department filed a proposal notice with the Secretary of State, and the public was afforded an opportunity to provide comment at a virtual public hearing on May 13, 2021, and through email and writing through May 14, 2021. No public attended the virtual hearing, and written comment was largely supportive.

Alternatives and Analysis: Should the commission choose to adopt the proposed rule language, regulation regarding the use of scents will be clarified and those individuals that choose to use them when hunting will more clearly understand lawful options. The proposed rule language will also provide the department with clearly enforceable regulations.

Agency Rationale and Recommendation: Based on the above analysis, the department recommends the commission adopt the new ARMs that address the use of scents for masking and bait.

Proposed Motion:

I move the commission vote to adopt the Administrative Rules that identify states and provinces where Chronic Wasting Disease is found and define how urine scents may be used to mask human odor or glandular scents may be used to establish bait, as proposed.