

BEFORE THE FISH AND WILDLIFE COMMISSION
OF THE STATE OF MONTANA

In the matter of the repeal of ARM) NOTICE OF PUBLIC HEARING ON
12.11.6702 and 12.11.6706) PROPOSED REPEAL
pertaining to walk/wade sections and)
rest/rotation of the Madison River)

TO: All Concerned Persons

1. On _____, 2021, at _____ a.m./p.m., the Fish and Wildlife Commission (commission) will hold a telephonic public hearing via ZOOM meeting platform to consider the proposed adoption and amendment of the above-stated rules. 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: _____
Meeting ID: _____
Password: _____

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 _____, 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 department proposes to repeal the following rules:

12.11.6702 WALK/WADE SECTIONS OF MADISON RIVER

AUTH: 87-1-303, MCA
IMP: 87-1-303, MCA

12.11.6706 REST/ROTATION OF MADISON RIVER COMMERCIAL USE

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

MAR Notice No. _____

River Recreation Management Rules). ARM 12.11.6702 creates walk/wade sections on the Madison River. ARM 12.11.6706 provides for rest rotation sections on the Madison River. Both ARM 12.11.6706 and 12.11.6702 would be implemented January 1, 2022. ARM 12.11.6710 established a Madison River Work Group with the charge to make recommendations on the Madison River Recreation Management Rules to the Fish and Wildlife Commission. On September 22, the Work Group unanimously decided to recommend the Commission repeal administrative rules 12.77.6702 and 12.11.6706, the Work Groups rationale for the recommended repeal is due to lack of support for either rule.

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 _____, 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 jesssnnyder@mt.gov.

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

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

Rebecca Dockter
Rule Reviewer

Chair
Fish and Wildlife Commission

Certified to the Secretary of State _____, 2021.

MAR Notice No. _____