



MONTANA FISH AND WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

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Meeting Date: June 22, 2022

Agenda Item: Decision on Next Steps for Madison River Work Group Recommendations

Action Needed: Decision

Time Needed on Agenda for this Presentation: 15 minutes

Background:

Administrative rule 12.11.6710 directed the Fish and Wildlife Commission to appoint a Madison River Work Group. The rule states that the work group may develop recommendations to the commission for approval regarding: (a) the allocation of commercial use trips to outfitters; (b) a process to permit new outfitters on the Madison River; (c) rule language to address all recreational use on the Madison River, including walk/wade sections and rest rotation proposals to replace those in ARM 12.11.6702 and 12.11.6706; and (d) consequences of permit violations. ARM 12.11.6705 established a Madison River commercial use cap whereby the total number of fishing outfitting and guided trips per individual outfitter and guide is capped at the number of trips reported in 2019 or 2020, whichever is higher. The rule states that the cap will go into effect on Jan. 1, 2023. The work group submitted its recommendations for managing commercial and non-commercial use and is recommending that the commission adopt rules for the purpose of implementation. The department provided the commission with an assessment on the recommendations that considers whether they are implementable and the resources that would be needed to implement them. FWP's role was to consider the legal, biological, technological, and fiscal implications of the recommendations. FWP did not edit the recommendations in any way other than to add numbering for formatting purposes.

Public Involvement Process & Results:

The commission would seek public input on any proposed rules.

Alternatives & Analysis:

It will be up to the commission to consider the recommendations and determine next steps. Alternatives could include but are not limited to:

Alternative A: No Action. The cap would go into effect on Jan. 1, 2023, without a means for allocating and administering commercial use days to individual outfitters.

Alternative B: Propose rules recommended by the work group.

Alternative C: Extend the implementation of the cap to Jan. 1, 2024, to allow more time for consideration of next steps.

Agency Recommendation & Rationale:

The work group is submitting its recommendations directly to the commission and therefore the department is not making its own recommendation.

Proposed Motion:

To be determined by the Fish and Wildlife Commission.