



MONTANA FISH AND WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

THE **OUTSIDE** IS IN US ALL.

Meeting Date: June 8, 2023

Agenda Item: Consolidated public use rules (ARM) for lands administered by FWP

Action Needed: Approval to initiate rulemaking

Time Needed on Agenda for this Presentation: 5 minutes

Background: FWP is proposing consolidated public use rules in the Administrative Rules of Montana (ARM) for all department lands (state parks, fishing access sites, wildlife management areas, wildlife habitat protection areas, and fisheries conservation areas). Currently, there are three different sets of public use rules depending on site type. The purpose of the consolidated rules would be to consistently manage public uses across all lands while protecting fish and wildlife habitats as well as improving customer service and understanding of expectations for public use.

Public Involvement Process & Results: The Montana Secretary of State defines and implements the ARM development and amendment process, including process steps and timeline. This includes opportunities for public participation. If the commission approves the department's proposal to initiate rulemaking, the next step would be for the commission to consider proposed language from the department. This step would occur at the August 2023 commission meeting and include opportunity for the public to comment on the proposed language to the commission.

Analysis & Alternatives:

Alternative A: Allow FWP to initiate rulemaking to propose a consolidated set of public use rules for all FWP land types to improve consistency and customer service.

Alternative B: Do not allow FWP to initiate rulemaking for a consolidated set of public use rules. FWP would continue to operate under three different sets of public use rules.

Agency Recommendation & Rationale: FWP recommends the commission allow the department to initiate rulemaking to propose a consolidated set of public use rules to improve consistency and customer service.

Proposed Motion: I move the Fish and Wildlife Commission approve initiation of rulemaking on a consolidated set of public use rules for all lands administered by FWP.