



MONTANA FISH AND WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

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Meeting Date: Feb. 16, 2024

Agenda Item: Repeal of Administrative Rule 12.9.101 Big Game Management Policy.

Action Needed: Final

Time Needed on Agenda for this Presentation: 10 minutes

Background: Administrative Rule (ARM) 12.9.101 was adopted in 1972 and reflected wildlife management principles of the time. Since 1972, the rule has become obsolete as the department has adopted species-specific management plans. The plans are initiated with citizen notice and participation, as well as commission guidance. The department proposes to repeal this rule that no longer aligns with or adapts to legislative, commission, or department species-specific management goals.

Public Involvement Process and Results: The public involvement process will begin with the announcement of the proposed repeal discussion on Feb. 16, 2024. The department will file a notice with the Secretary of State's office, and the public will be afforded a public comment opportunity that will include submission of written comment and participation in a public hearing via a virtual meeting on June 10, 2024, at 10 a.m. A final decision about the repeal will be noticed for a future Fish and Wildlife Commission meeting.

Analysis and Alternatives: The commission may choose to retain ARM 12.9.101, although the administrative rule is outdated and fails to recognize contemporary species-specific management plans. Repeal of this ARM will not influence current management practices in any way.

Alternative A: The commission may choose to approve the department's recommendation to initiate repeal of ARM 12.9.101.

Alternative B: The commission could choose not to approve the department's recommendation and retain ARM 12.9.101 in its current form.

Agency Recommendation and Rationale: The department recommends the commission initiate the repeal of ARM 12.9.101.

Proposed Motion: I move the Fish and Wildlife Commission initiate repeal of Administrative Rule 12.9.101 Big Game Management Policy.