

FISH and WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: December 12, 2013

Agenda Item: Commercial Use Fee Rule

Division: Fisheries

Action Needed: Proposed

Time Needed on Agenda for this Presentation: 10 minutes

Background

There are currently two sets of rules that apply to commercial use occurring on FWP land. The commercial use administrative rules establish the policy and permit requirements for conducting commercial use. The commercial use fee rule establishes the permit fees. The biennial fee rule was last amended on Nov. 8, 2011, which means that it's time for the Fish & Wildlife Commission to consider a new commercial use fee rule. FWP is recommending a fee rule that would apply to lands under the jurisdiction of the Commission (fishing access sites, wildlife management areas, etc.). In October, the recently formed Montana State Parks and Recreation Board proposed a new commercial use fee rule that would apply to state parks. Through a collaborative effort involving the fisheries, wildlife and parks divisions, FWP is evaluating the commercial use administrative rules and intends to make recommendations to the Commission and the board in 2014.

The current fee rule includes a range of fee options for different types of commercial use. FWP is authorized to select a fee amount from the choices provided in the fee rule. FWP is recommending that the Commission simplify the fee system by reducing the number of fee options for some types of commercial use.

Public Involvement Process & Results

Upon approval of the proposed rule by the Commission, FWP will announce and conduct a public comment period. This will be advertised through statewide and regional press releases.

Alternatives and Analysis

The Commission could adopt a commercial use fee rule with no fee changes. This alternative would maintain the range of fee options in place now, which in some cases has made it more difficult for FWP to administer the commercial use permits.

Agency Recommendation & Rationale

FWP recommends that the Commission propose a commercial use fee rule that includes the recommended fee changes. The fee changes would reduce the number of fee options for some types of commercial use, which would result in a fee system that is more straightforward and simpler to administer.

Proposed Motion

I move that the Commission propose a commercial use fee rule establishing fees for conducting commercial use on FWP land under the authority of the Fish & Wildlife Commission.