

FISH and WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: August 10, 2017

Agenda Item: West Fork Bitterroot River Recreation rule (R2)

Division: Fisheries

Action Needed: Proposed

Time Needed on Agenda for this Presentation: 15 Min

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Background: Concerns were raised by many river users over boat traffic and crowding on the upper Bitterroot River and West Fork Bitterroot River. Based on all available information, including results of studies done by Region 2, the decision was made to convene a citizen's advisory group to advise the Department on how to manage use on these sections of the rivers. The Bitterroot River Recreation Advisory Committee consisted of 16 members and represented various interests of the public river users including area landowners, outfitters, Ravalli and Missoula County anglers. Data was presented by Department staff and they were present at all meetings to ensure the ideas the committee put forward were feasible, legal, affordable, enforceable, and reasonable to administer. The Committee developed a recommended action:

- Implement a permit system to establish a cap on number of commercial fishing and floating operators on the Bitterroot River from Painted Rocks Dam to Wally Crawford Fishing Access Site.
- Restrict commercial floats to 2 per day from the Painted Rocks Dam to Applebury, from Applebury to Job Corps, from Job Corps to Hannon Memorial FAS, and from Hannon Memorial FAS to Wally Crawford FAS.
- Designate a day of the week as a non-commercial use only from June 1-September 15 as follows:
Painted Rocks Dam to Applebury on Fridays, Applebury to Job Corps on Saturdays, Job Corps to Hannon Memorial on Sundays, and Hannon Memorial to Wally Crawford on Mondays.
- No floating will be allowed on Fridays from the Dam to Applebury from July 1-September 15.

Public Involvement Process & Results: The Bitterroot River Recreation Advisory Committee meetings were open to the public however the public has not had an opportunity to provide formal public comment on the Committee's recommended action. If the Commission approves proposing administrative rules, the Department will publish the environmental assessment and proposed administrative rules simultaneously and take public comment. The MEPA and MAPA processes and timelines will run concurrently; the public comment hearings will be held jointly and the deadlines and publication dates will be the same for each process.

Alternatives and Analysis: It is the Commission's authority to propose and adopt rules governing recreational use of all rivers pursuant to §§87-1-301 and 87-1-303, MCA. If the Commission chooses to not propose the administrative rules based on the Committee's recommendations, then recreational use as it exists will continue. If the Commission proposes the administrative rules, the environmental assessment and proposed rules will be published for public comment. After the public comment period, the Commission will have the opportunity to make a final decision whether to adopt the rules or not.

Agency Recommendation & Rationale: The Department recommends the Commission propose the administrative rules based on the Committee's recommendations. The recommendation was developed following the river recreation rules process and the next step is the Commission's consideration.

Proposed Motion:

I move the Fish and Wildlife Commission propose administrative rules on the Bitterroot River between Painted Rocks Dam and Wally Crawford Fishing Access Site establishing a cap on commercial operators, implementing a permit system, restricting commercial floats to 2 per day in sections from the Painted Rocks Dam to Wally Crawford, and designating non-commercial use days and no floating (commercial or non-commercial) days in the same area and concur with the draft management plan supporting the proposal for these rules.