

FISH & WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: December 7, 2017

Agenda Item: West Fork Bitterroot River Recreation Rules Restricting Commercial and Non-Commercial Use (R2)

Division: Fisheries

Action Needed: Final

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Background: FWP was engaged by the Bitterroot National Forest regarding rising use on the West Fork of the Bitterroot River, something supported by FWP's angler pressure data. On-site surveys were then conducted from 2014-2016 and indicated that much of the use (77%) was commercial and very little was non-commercial (10%), with 13% not taking part in the survey. On-site surveys showed commercial users being mostly satisfied, but non-commercial users less so and much lower in number. Subsequent mail surveys showed that 69% of licensed anglers from Ravalli County had been displaced from the West Fork and 74% from the Upper Bitterroot--primarily due to too much floating and outfitter use. Wade anglers were a significant part of the displaced anglers from the West Fork. Previous on-site surveys confirmed the float use being primarily commercial. R2 FWP convened the Bitterroot River Recreation Advisory Committee on how to manage use on the Upper Bitterroot and West Fork. The Committee met on 5 different occasions and came to consensus in developing this recommended action:

- Implement a permit system to establish a cap on number of float outfitters on the upper Bitterroot and West Fork of the Bitterroot.
- Restrict commercial floats to two floats per day per designated section of river: 1) Painted Rocks Dam to Applebury, 2) Applebury to Job Corps, 3) Job Corps to Hannon Memorial FAS, and 4) Hannon Memorial FAS to Wally Crawford FAS.
- Designate a day of the week as non-commercial use only from June 1-September 15 as follows:
Friday, Saturdays, Sunday, and Monday for sections 1-4 respectively.
- No floating will be allowed on Fridays from the Dam to Applebury from July 1-September 15.

Public Involvement Process & Results: This proposal went out for public comment from Sept. 13 – Oct. 13 following Commission approval at the August meeting. This comment period included three public hearings. A total of 155 comments were received: 55% were in support of a regulation 35% were opposed. Those in support did so in part because it increased opportunities for non-commercial anglers. Those opposed felt this unfairly targeted outfitters and would negatively impact the economy. During the process, there was confusion on the meaning of the two floats restriction. Language has been included in the rule to clarify “float”.

Alternatives and Analysis: The following alternatives can be considered: 1) Not adopt the rule and continue with current use levels; 2) Adopt the rule as proposed possibly creating confusion over the meaning of float in the rule; 3) Adopt the rule with a clarification on the limitation of 2 floats per section per outfitter per day; or 4) Suggest changes and possibly go out for more public comment.

Agency Recommendation & Rationale: FWP recommends adopting the rule with a clarification on the meaning of 2 floats per section per outfitter per day. This proposal will spread use out on the river easing crowding issues. It will allow non-commercial users a day per section to use the river without commercial entities. It will allow wade anglers one section per week of use without floaters and finally this will allow for collection of important use information moving forward and will not allow for unchecked commercial growth on the upper river and West Fork. A monitoring plan to evaluate the efficacy of these changes will be implemented if the rule is adopted, including monitoring traffic, conducting brief surveys at access sites, and identifying/counting boats in sections under the regulation and downstream from the regulated area.

Proposed Motion: I move the Fish and Wildlife Commission adopt the rule as clarified by the Department in its presentation