FISH and WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: June 14, 2018

Agenda Item: Madison River Recreation Plan Process (R3)

Division: Fisheries

Action Needed: Proposed

Time Needed on Agenda for this Presentation: 15 Minutes

Background:
A proposal for Madison River Recreation Rules was presented to the Commission on April 19, 2018. The Commission voted unanimously not to put the rules out for public comment and instead asked the Fisheries Division to work with interested parties to develop a revised proposal. The Department is now seeking guidance from the Commission on how to structure the process for developing new rules. To assist, the Department is proposing four alternatives, each with different pros and cons.

Public Involvement Process & Results:
Once a process for developing Madison River Recreation Rules has been selected, additional public involvement will be conducted. Alternatives are listed in order from high to low complexity and long to short timeline for completion.

Alternatives and Analysis:
Alternative A: Use a Negotiated Rule Making process (MCA 2-5-101 to 110) to revise the River Recreation Rule as presented to the Commission on April 19.
Alternative B: Use the existing Region 3 Citizens Advisory Committee (CAC), or modify it to include non-represented stakeholders, to revise the River Recreation Rule as presented to the Commission on April 19.
Alternative C: Revise the rule as proposed on April 19 using public input presented during the April 19 Commission meeting and received by the Department throughout the public comment period.
Alternative D: No Action Alternative

Alternatives A, B, and C would all involve using and building upon the work previously developed by the 2012 Madison River Recreation CAC, the 2018 Environmental Assessment, and revising the proposed rule from April 19. Agencies are encouraged to use Negotiated Rule Making to resolve controversial issues, however, this is probably the most time-consuming and complex of the 4 alternatives. Using the existing Region 3 CAC would have the advantage of a shorter time frame and less complexity, but the potential disadvantage of not having the formalized structure laid out in statute. Alternative C may be the most efficient way to get a revised proposed rule presented to the Commission, however, it may lack public support due to more limited formality, structure, and opportunity for public involvement. It is anticipated that Alternatives A, B and C could be implemented in time for inclusion in the 2020 Fishing Regulation booklet. The No Action Alternative will maintain status quo on the river but would not address the issues of overcrowding that have been identified.

Agency Recommendation & Rationale:
The Department recommends the Commission choose alternative A, B, or C.

Proposed Motion:
I move the Fish and Wildlife Commission direct staff to follow the process for Alternative _____.