

# **FISH and WILDLIFE COMMISSION AGENDA ITEM COVER SHEET**

**Meeting Date:** October 17, 2018

**Agenda Item:** Administrative Rule Amendments Pertaining to Recreation on the Helena  
Valley Regulating Reservoir

**Division:** Enforcement

**Action Needed:** Proposed

**Time Needed on Agenda for this Presentation:** 15 min

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## **Background**

The Helena Valley Regulating Reservoir and lands surrounding the reservoir are owned by the Bureau of Reclamation. In 1969, the Fish and Wildlife Commission signed a memorandum of understanding with the Bureau of Reclamation permitting the commission to assume the responsibilities for the administration and development of the lands and facilities at the reservoir for wildlife and recreation purposes. The Helena Valley Irrigation District is responsible for the operation and management of the irrigation water supply works pursuant to a separate agreement. The MOU between the commission and Bureau of Reclamation is due for renewal in February 2019, and department staff have been working with staff from the Bureau of Reclamation and the representatives from the Helena Valley Irrigation District regarding provisions of the MOU that would need to be addressed. The recommended amendments remove redundant language regarding the use of the lands surrounding the reservoir found in the public use administrative rules (ARM 12.8.201 et seq.) and would provide rule language regarding the surface water of the reservoir. Staff from the Bureau of Reclamation and representatives of the Helena Valley Regulating Reservoir have had the opportunity to review and agree with the recommended amendments.

## **Public Involvement Process & Results**

The public has not had the opportunity to review or comment on this recommendation. Upon the commission's approval to propose the amendments, FWP will conduct the appropriate public review and comment process, which will include a public hearing.

## **Alternatives and Analysis**

The commission may propose the recommended amendments, which will allow for public review and comment prior to adoption.

The commission may also choose not to propose the recommended amendments, which will result in no changes to the current administrative rule of the Helena Valley Regulating Reservoir.

## **Agency Recommendation & Rationale**

FWP recommends the commission propose the recommended amendments.

## **Proposed Motion**

I move the Fish and Wildlife Commission propose the recommended amendments to the Helena Valley Regulating Reservoir administrative rule to remove redundant language regarding the use of the land surrounding the reservoir found in the public use rules and address the recreational use of the surface water of the reservoir.

