

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

**Meeting Date:** December 10, 2018

**Agenda Item:** Madison River Negotiated Rulemaking Appointments (R3)

**Division:** Fisheries

**Action Needed:** Final

**Time Needed on Agenda for this Presentation:** 60 Minutes

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### **Background:**

At the June 14, 2018, meeting, commissioners voted to direct the department to use the Negotiated Rulemaking process (MCA 2-5-101 to 110) to revise the Madison River Recreation Rule as presented to the commission on April 19, 2018. As part of the process, notice was published in the Montana Administrative Register on Sept. 11, indicating the intention to develop these administrative rules using a Negotiated Rulemaking Committee. This committee must consist of people that represent the interests that stand to be impacted by any rules that are developed.

### **Public Involvement Process & Results:**

FWP solicited comments on this process as well as applications for the committee from Sept. 21 to Oct. 22. Forty-nine applications were received and have been reviewed by FWP staff and commissioners. Two comments were received, as well, one recommending that the rules enacted on the Big Hole/Beaverhead be used on the Madison River as well. The second commenter thought that the department should involve member from the previous Citizen's Advisory Committee from several years ago, and felt that the fishing-outfitting community needed to be represented on any committee.

### **Alternatives and Analysis:**

The commission may: 1) appoint committee members from the applicant pool of 49; or 2) seek more applications before deciding on committee members.

### **Agency Recommendation & Rationale:**

The department feels that the applicants for the committee are inclusive of all interests potentially impacted by the recreation rules on the Madison River. The Department recommends the Commission chose a committee represented by a Commissioner, Department representative and 7 or 9 other members which represent the following interests; non-commercial resident anglers, large outfitters, small outfitters, non-angling recreationists, and non-angling business.

### **Proposed Motion:**

I move to approve the list of committee members for the Madison River Negotiated Rulemaking Committee.