

FISH and WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: April 25, 2019

Agenda Item: Amendments to Bitterroot Commercial Use Permit Restrictions (R2)

Division: Fisheries

Action Needed: Final

Time Needed on Agenda for this Presentation: 10 minutes

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Background: Based on information collected during the 2018 season and feedback from river users, the department is recommending amending the Bitterroot River Commercial Use Permit Restrictions rule (ARM 12.11.6302) to change the word “floats” to “launches” and provide a definition of “launch.” In addition, the department is proposing the correction of a drafting error that is consistent with the intent of the citizen advisory committee’s 2017 recommendations. The correction would provide a timeframe from June 1 through Sept. 15 for the launch restriction per section of river for commercial use permit holders, instead of the restriction being year-round. The commission is also proposing to amend the Review of River Recreation Rules for Bitterroot River (ARM 12.11.6306) to reflect the correct starting year that the five-year review is to occur, 2022 instead of 2024. This will allow for four seasons of data collection.

Public Involvement Process & Results: Public comment on the proposed amendments began on Feb 22 and ended Mar 22. There was a public hearing on Mar 19 in Hamilton. FWP received 140 comments (116 written comments via email, mail and in person, and 24 people testified at the public hearing), with 71% in favor of the proposed amendments, 24% opposed to the amendments, and 8% not specifying support or opposition to the proposal. The themes offered in the comments are presented in the attached comment summary.

Alternatives and Analysis: 1. Adopt the amendments which would change “float” to “launch”; provide a definition for “launch”; and correct the drafting errors. This would allow commercial users to spread out on the river and would ease congestion at access sites. 2. Do not adopt amendments.

Agency Recommendation & Rationale: The department recommends adopting the rule amendments. These amendments would allow commercial users to spread out and would ease congestion at access sites. The amendments would not affect the permit system and cap, non-commercial days or wade-only sections that have been provided in the 2017 decision.

Proposed Motion: I move the Fish and Wildlife Commission adopt the proposed amendments to ARM 12.11.6302 changing “floats” to “launches”; provide a definition for “launch”; provide a timeframe from June 1 to Sept. 15 for the launch restriction per section of river for commercial use permit holders; and adopt the proposed amendment to ARM 12.11.6306 to reflect the correct year that the five-year review is to occur, 2022 instead of 2024.