MONTANA FISH AND WILDLIFE COMMISSION
AGENDA ITEM COVER SHEET

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Meeting Date: November 12, 2019

Agenda Item: Madison River Recreation Petition from Fishing Outfitters Association of Montana

Action Needed: Proposal

Time Needed on Agenda for this Presentation: 15 minutes

Background:
The Fishing Outfitters Association of Montana submitted a petition to the Commission for rulemaking related to river recreation on the Madison River. The petition requests the Commission to initiate rulemaking to manage commercial use on the Madison River. The petition requests rulemaking to:

- Establish maximum allowance of trips for all SRP holders at 2019 levels;
- Establish a distribution pool of available days for merit-based and new entry applicants;
- Loss of unused trip if unused for 3 years;
- Establish a tier-based allocation plan;
- Establish an evaluation plan;
- Establish a Madison River Commercial Use Working Group; and
- Recommends education and etiquette programs along with enforcement recommendations.

Public Involvement Process & Results:
The public has not had the opportunity to provide comment on this proposal. The Commission will take public comment at the meeting. If the Commission opts to initiate rulemaking, the public will have the opportunity to provide comments after the proposed rule language is published in the Montana Register.

Alternatives & Analysis:
Pursuant to 2-4-315, MCA, the Commission must either deny the petition or initiate rulemaking on the petition. If the Commission chooses to propose rule language other than what is contained in the petition, the Commission must deny the petition and then propose rule language.

Agency Recommendation & Rationale:
The Department recommends the Commission propose rule language regarding management of recreational use on the Madison River for public comment, whether based on this petition or not.

Proposed Motion: I move the Commission [**DENY or INITIATE RULEMAKING**] on the petition submitted by the Madison River Foundation.