



STATE PARKS AND RECREATION BOARD FWP PROPOSAL & INFORMATION SHEET

THE **OUTSIDE** IS IN US ALL.

Meeting Date: Aug. 20, 2024

Agenda Item: 2024 Public Use Rules Deviations

Action Needed: Final

Time Needed on Agenda: 20 Minutes

Background: Montana Fish, Wildlife & Parks recently completed a consolidation of public use rules that serve all recreation and conservation properties administered by FWP (ARM 12.12.101-140). These define rules for fishing access sites (FAS), wildlife management areas (WMA), state parks, and other FWP-owned public use sites. Deviations to these rules in state parks require board approval and are listed in the attached master list. Unless otherwise noted as new, these deviations are a continuation of the current status and management practice at the site(s), noted as existing. Proposed rule deviations are in reference to the following ARM rules:

- 12.12.105: Fee Compliance and Closure – proposed rule deviations related to specific site closure times due to public safety, seasonal accessibility, staffing capacity.
- 12.12.107: Designated and Dispersed Camping Sites – proposed rule deviations related to extending camping stay limits beyond the seven-night stay limit in a 30-day period during the non-peak season and specifying camping designations and restrictions. Non-peak season is defined from the third Monday of September through the third Thursday of May.
- 12.12.109: Food Storage – proposed deviations related to food storage rules that will be applied at listed sites to reduce wildlife conflict.
- 12.12.111: Domestic Animals – proposed rule deviations related to specific restraint requirements for pets at listed sites.
- 12.12.112: Livestock – proposed rule deviations related to the use of livestock for recreational purposes and spatial rules related to that use.
- 12.12.113: Weapons – proposed deviations related to rules restricting the use and discharge of specific weapons.
- 12.12.114: Hunting and Trapping – proposed rule deviations related to where and when hunting and trapping is allowed within a site.
- 12.12.115 Motorized and Non-Motorized Vehicles – proposed deviations related to rules allowing the use of snowmobiling and management of motorized use.

FWP proposes adoption of these rule deviations for one year, to be reviewed annually.

Public Involvement Process & Results: The public use rules went through the Montana Administrative Procedures Act (MAPA), which included a robust public comment process including three separate opportunities to comment. FWP received comment through this process on also offering future public comment on any rule deviations. The department will solicit public comment prior to the August board meeting. Public comments will be posted online and provided to board members at least two weeks prior to the August board meeting.



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Alternatives & Analysis: The rule deviations FWP proposes the board reapprove (i.e., existing) have been supported by current and past boards. The proposed new changes are listed with justifications in the attachment. For both the existing and proposed deviations, the board may adopt, modify, or reject any one or all of them. In general, the proposed deviations accommodate unique local circumstances.

The board has three alternatives: 1) to approve none of the existing or proposed rule deviations; 2) to approve some of the existing or proposed rule deviations; or 3) to approve all the existing or proposed rule deviations.

Agency Recommendation & Rationale: FWP recommends reapproval of the existing rule deviations and adoption of the proposed rule deviations as presented. The recommendations support consistency and clarity regarding the opportunities and rules for specific sites.

Proposed Motion: I move the State Parks and Recreation Board reapprove the existing rule deviations and approve the proposed rule deviations as presented by the department.