

FISH and WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: May 26, 2017

Agenda Item: Montana Backcountry Hunters and Anglers Quiet Waters Initiative Petition

Division: Enforcement

Action Needed: Final

Time Needed on Agenda for this Presentation: All Day

Background:

The Commission initiated rulemaking in May, 2016 in response to an individual petition from the Backcountry Hunters and Anglers (BHA). The administrative rule proposal recommends restrictions on several major water systems in Montana.

Public Involvement Process & Results:

The public comment period began on November 25, 2016 and ended on February 12, 2017. The original comment period was scheduled to end on January 13, 2017, but due to the complexity of the rules and requests received, the Commission extended the public comment period to February 12. Public hearings were held in Kalispell, Missoula, Bozeman, Billings, Great Falls, Helena, Glasgow, and Miles City. The Commission received 423 written comments in support and 1019 written comments opposed to either a portion of or the entire rule proposal, 53 comments that were neutral or unrelated to the rule proposal, 62 comments offered alternative language, and one petition containing 648 signatures opposed to the rule proposal in its entirety. At the public hearings, 628 people signed in and 22 people supported a portion or all of the rule proposal, 153 opposed a portion or all of the rule proposal, 5 were neutral, and 2 people were in support of some and opposed to some of the proposed rules.

Alternatives and Analysis:

The Commission is required to amend, adopt, or decide not to adopt the rule proposal. If the Commission adopts or amends the rule proposal, final rule language will reflect the Commission's decision and be filed with the secretary of state at the most appropriate filing deadline. If the Commission decides not to adopt the rule proposal, current rules, restrictions and regulations will remain unchanged.

Proposed Motions:

I move the Fish & Wildlife Commission adopt the proposed rules.

OR

I move the Fish & Wildlife Commission not adopt the proposed rules.

OR

I move the Fish & Wildlife Commission adopt the following: