Montana State Parks

Biennial Fee Rule

Fees and Rules for the Montana State Park System

Adopted by the Montana State Parks & Recreation Board
October 15, 2014

MONTANA STATE PARKS
stateparks.mt.gov

A division of Montana Fish, Wildlife and Parks

TABLE OF CONTENTS

I.	Montana State Parks User Fee Schedule	Pages 3-5
II.	Legal Authority	Page 5
III.	Definitions	Pages 5-6
IV.	Applicability of Rules	Pages 6-7
V.	Entry to State Parks	Page 7-8
VI.	Camping at State Parks	Page 8-9
VII.	Reservation Program	Page 10
VIII.	Day Use of Shelters, Pavilions, Amphitheaters and Meeting Rooms	Page 10
IX.	Day Use for Groups and Special Events	Page 10-11
X.	Other State Park Special Uses	Page 11
XI.	Special Rules and Regulations	Page 11-12
XII.	Penalties	Page 12
XIII.	Severability Clause	Page 12
XIV.	Adoption Signatures	Page 12

I. Montana State Parks User Fee Schedule

PARK ENTRANCE FEES	
ITEM	**FEE**
Daily Entrance Fee (per motor vehicle, including motorcycles or other registered, street-legal vehicles)	• Resident (paid light vehicle registration fee) = **$0** • Resident (opted out of light vehicle registration fee) = **$6** • Nonresident = **$6** • Nonresident disabled (only occupant in vehicle) = **$3**
Daily Entrance Fee (pedestrian, bicycle, non-commercial bus passenger, school district bus passengers)	• Resident (paid light vehicle registration fee) = **$0** • Resident (opted out of light vehicle registration fee) = **$4 per person** • Resident & nonresident school bus passengers (official school district trips) = **$0** • Nonresident (per person) = **$4 per person**
Nonresident Annual Entrance Pass (per vehicle)	• Vehicle = **$35** • Replacement of Lost Pass = **$10**

CAMPING FEES		
ITEM	**PEAK SEASON FEE** ***3rd Friday of May through 3rd Sunday of September***	**OFF SEASON FEE** ***3rd Monday of September through 3rd Thursday of May***
Campsite without Electricity (per night) ***Off-season camping fees shall apply in developed campgrounds that do not provide potable water*** *** includes camping at boat slips*	**Single Occupancy:** • Resident = **$18** • Resident Senior/Disabled = **$9** • Nonresident = **$28 (includes daily entrance fee)** • Nonresident w/ Annual Entrance Pass = **$18** **Multiple Capacity Campsites (double, triple, quad and large group). Fee assessed per camping unit):** • Resident = **$18** • Resident Senior/Disabled = **$9** • Nonresident = **$28 (includes daily entrance fee)** • Nonresident w/ Annual Entrance Pass = **$18** **Premium Campsite (peak season only):** • Increase all fees by **20%**	**Single Occupancy:** • Resident = **$14** • Resident Senior/Disabled = **$7** • Nonresident = **$24 (includes daily entrance fee)** • Nonresident w/ Annual Entrance Pass = **$14** **Multiple Capacity Campsites (double, triple, quad and large group). Fee assessed per camping unit):** • Resident = **$14** • Resident Senior/Disabled = **$7** • Nonresident = **$24 (includes daily entrance fee)** • Nonresident w/ Annual Entrance Pass = **$14**
Campsite with Electricity (per night) ***Off-season camping fees shall apply in developed campgrounds that do not provide potable water*** ****Includes camping at boat slips*** ***** Electricity requires a separate service fee*	**Single Occupancy:** • Resident: $18 + $6 electricity fee = $24 • Resident Senior/Disabled: $9 + $6 electricity fee = $15 • Nonresident: $28 + $6 electricity fee = $34 (includes daily entrance fee) • Nonresident w/ Entrance Pass: $18 + $6 electricity fee = $24 **Multiple Capacity Campsites (double, triple, quad and large group). Fee assessed per camping unit):** • Resident: $18 + $6 electricity fee = $24 • Resident Senior/Disabled: $9 + $6 electricity fee = $15 • Nonresident: $28 + $6 electricity fee = $34(includes daily entrance fee) • Nonresident w/ Annual Entrance Pass: $18 + $6 electricity fee = $24 **Premium Campsite (peak season only):** • Increase all fees by 20%	**Single Occupancy:** • Resident: $14 + $6 electricity fee = $20 • Resident Senior/Disabled: $7 + $6 electricity fee = $13 • Nonresident: $24 + $6 electricity fee = $30 (includes daily entrance fee) • Nonresident w/ Entrance Pass: $14 + $6 electricity fee = $20 **Multiple Capacity Campsites (per camping unit):** • Resident: $14 + $6 electricity fee = $20 • Resident Senior/Disabled: $7 + $6 electricity fee = $13 • Nonresident: $24 + $6 electricity fee = $30 (includes daily entrance fee) • Nonresident w/ Annual Entrance Pass: $14 + $6 electricity fee = $20

CAMPING FEES CONTINUED

ITEM	FEE (Year Around)
Rustic Campsite (per camping unit per night)	• Resident = **$12** • Resident Senior/Disabled = **$6** • Nonresident = **$20** • Nonresident w/ Annual Pass = **$12**
Hike-In/Bike-In Shared Campsite (per camping unit per night)	• Resident = **$10** • Resident Senior/Disabled = **$5** • Nonresident = **$18** • Nonresident w/ Annual Pass = **$10**
Backcountry Campsite (per camping unit per night)	• Resident = **$8** • Resident Senior/Disabled = **$4** • Nonresident = **$12** • Nonresident w/ Annual Entrance Pass = **$8**
Boat Camping at Boat Slip (per boat per night)	• Same as single occupancy campsite fees referenced above

FACILITY USE & RENTAL FEES

ITEM	PROPOSED Peak Season Fees *3rd Friday of May through 3rd Sunday of September*	PROPOSED Off Season Fees *3rd Monday of Sep. through 3rd Thursday of May*
Cabin or Yurt (per night)	• Resident = **$54** • Nonresident = **$66** • Nonresident with Annual Entrance Pass = **$54**	• Resident = **$50** • Nonresident = **$60** • Nonresident with Annual Entrance Pass = **$50**
Large Yurt (per night)	• Resident = **$60** • Non-resident = **$72** • Non-resident w/ Annual Entrance Pass = **$60**	• Resident = **$56** • Nonresident = **$68** • Nonresident w/ Annual Entrance Pass = **$56**
Tipi (per night)	• Resident = **$30** • Nonresident = **$42** • Nonresident with Annual Entrance Pass = **$30**	• Resident = **$26** • Nonresident = **$36** • Nonresident with Annual Entrance Pass = **$26**
Boat Slip & Mooring Buoy (no camping)	• Per day = **$6** (Year Around)	
Showers	• Per shower = **$3**	
Sewage Dump Station Use	• Per use = **$4** (applicable to non- registered campers only)	
Group Use of Shelter, Pavilion, Meeting Room, Grounds *** Full day = > 4 hrs. ½ day = 1-4 hrs.**	• Groups of 30 or less (year-around): Full day = $100; ½ day = **$60** • Groups of 31 to 50: Full day = $150; ½ day = **$90** • Groups over 51: Full day = $200; ½ day = **$120** • Cleaning deposit (optional) = **$100**	

RESERVATION FEES

ITEM	FEE
Reservation Fee: Individual Campsite, Cabin, Yurt, Tipi	• **$10**
Reservation Fee: Group Campsite or Facility	• **$25**
Reservation Modification Fee	• **$10**
Reservation Cancellation Fee: Individual Campsite or Facility	• **$10**
Reservation Cancellation Fee: Group Campsite or Facility	• 21 or more days prior to scheduled arrival = **$50** • Less than 21 days = **Forfeit 1st night camping fee**
Reservation No Show	• **No refund** • **Forfeit reservation fee & camping fees**

SPECIAL USE, GROUP USE & SPECIAL EVENT FEES	
ITEM	**FEE**
Special Use, Group Use, Services, Special Events (non-commercial) **** Full day = > than 4 hours; ½ day = 1 – 4 hours***	• Groups of 30 or less: **Full day = $100; ½ day = $60** • Groups of 31 to 50: **Full day = $150; ½ day = $90** • Groups over 51: **Full day = $200; ½ day = $120** • Cleaning deposit (optional) = **$100**
Guided Cave Tours @ Lewis & Clark Caverns State Park	**Standard Tour (General Public):** • Adult (age 12 and above) = **$12** • Child (age 6 through 11) = **$5** **Wild Cave Tour (General Public):** • Adult (limited to age 12 and above) = **$30** **Educational/School Group:** • Adult (age 12 and above) = **$8** • Child (age 6 through 11) = **$4** **Winter Candlelight Tour (non-refundable):** • Adult (age 12 and above) = **$20** • Child (age 6 through 11) = **$8**
Guided Hikes and Tours, Special Interpretive Programs, Workshops, Seminars or Training Programs	• Per person = **$4** • **Or as posted**
Firewood Cutting	• Per cord = **$24 per cord (permit required)**

II. LEGAL AUTHORITY

A. Sections 23-1-105, 23-1-106, 23-1-118, 61-3-321, 87-1-303, MCA, and 12.8.213, ARM, authorize the collection of fees and charges for use of Montana State Parks, and rulemaking for the sites' use, occupancy, and protection.

III. DEFINITIONS

A. "Backcountry Campsite" means a designated or dispersed campsite located in isolated roadless areas of the park accessible only by foot, watercraft, horseback, bicycle, or OHV.
B. "Bike in/Hike in Campsite" means a designated campsite that can be shared by multiple individuals who are travelling by foot or bicycle.
C. "Board" means the Montana State Parks & Recreation Board.
D. "Boat Camping" means camping overnight onboard a boat or vessel moored at a boat slip or buoy.
E. "Camp" means to occupy a campsite overnight.
F. "Camping Unit" means one sleeping device or shelter, including but not limited to a tent, motor home, camping bus, truck mounted camping shell, pull-type camper or other device designed and commonly used for sleeping.
G. "Campsite Occupancy" means the pre-determined maximum number of camping units and/or increments of eight persons that may occupy a designated campsite, based on campsite size, location and other site attributes.
H. "Commercial Use" means commercial activities and services as defined in the department's Commercial Use Rule (ARM).
I. "Competitive Event" means any organized, sanctioned, or structured use, event, or activity on lands owned or managed by the department or related waters in which two or more contestants compete, the participant's register, enter, or complete an application for the event, and/or a predetermined course or area is designated.
J. "Department" means the Montana Department of Fish, Wildlife and Parks.
K. "Dispersed Camping" means camping that occurs in areas that are not highly developed and/or individually signed or numbered.

L. "Educational Group" means an organized group that is officially recognized as an educational or scientific institution by a federal, state, local government entity, or home school per 25-5-111, MCA... Documentation of this recognition must be on institutional letterhead and include a signature by the head of the institution/department and documentation of official educational or scientific tax exemption as granted by the Internal Revenue Service. The definition of an education group includes

M. "Motor Vehicle" means any passenger car, truck, van, motor home, motorcycle or other registered, street-legal vehicles (excluding vehicles engaged in commercial use).

N. "Nonresident" means a person who does not meet the definition of a resident as defined in 87-2-102, MCA.

O. "Nonresident daily entrance fee" is the fee for gaining access to a unit of the state park system, either by an annual pass or daily entrance permit.

P. "Nonresident Annual Entrance Pass" is a non-transferable, non-refundable pass that grants a non-commercial nonresident vehicle and occupants of the vehicle access to state parks for a 12-month time period beginning with the month of purchase.

Q. "Nonresident Vehicle" shall be defined as a vehicle bearing license plates from a state, province or country other than Montana.

R. "Off Season" means the time period beginning the third Monday of September through the third Thursday of May, when visitation is typically lower and potable water, flush toilets, and other services and amenities are not available.

S. "Organized Group" means a structured, ordered, consolidated, or scheduled event on, or occupation of, lands owned or managed by the department or related waters that is not commercial or competitive.

T. "Peak Season" means the time period beginning the third Friday of May through the third Sunday of September when visitation is typically higher, potable water and other amenities are available, and/or the state park system operation expenses are higher.

U. "Premium Campsite" means a campsite with one or more of the following amenities that make it more desirable or attractive: waterfront location, shade trees, shade shelter, proximity to comfort stations, size, view shed, grass cover, popularity, etc.

V. "Primary Occupant" means the person that a campsite is registered to and whom must be an occupant of the campsite.

W. "Primitive Parks" are those sites listed in 23-1-116, MCA, subject to special restrictions on development and a prohibition to collect resident user fees.

X. "Reservation Fee" means the transaction fee assessed when using the state park camping reservation program.

Y. "Resident" means a resident of Montana as defined in 87-2-102, MCA.

Z. "Rustic Campsite" means a designated campsite that is located outside of a developed campground area, typically in a remote area of a state park and is accessible by motor vehicle.

AA. "Single Visit" is a stay within a state park during a daily period when the park is open to the public.

BB. "Service Group" means a group that donates proceeds or services to the management or improvement of fish, wildlife, and parks, including the maintenance, management, or the improvement or development of facilities.

CC. "Wild Cave Tour" means a guided tour that is conducted off of the main, lighted trail in Lewis & Clark Caverns.

IV. APPLICABILITY OF RULES

A. The biennial fee rule establishes fees for non-commercial use of state parks. All commercial use of state parks are governed by the department's Commercial Use Rule per 12.14.101, ARM.

B. This biennial fee rule is in effect for the two calendar years following the date of adoption. The Board may amend the fee rule at any time during this time period.

C. The Director or their designee may adjust fees established in this Biennial Fee Rule for one or more of the following reasons:

i. To increase utilization of a park and/or to promote special events
ii. In response to camping conditions or to address other factors contributing to visitor dissatisfaction,
iii. For a state park with a lower level of services or amenities
iv. To accommodate the nature of the activity, compensate for site impacts or department staffing needs, or for other unique circumstances pertaining to the permitted activity.
v. For educational groups when the following conditions are met:
    - The group is from a bona fide institution that meets the definition of an educational group;
    - The group provides a written explanation of the educational purpose of the visit; and
    - The use is not primarily for recreational purposes.

i. For service groups when the following conditions are met:
    - The group or event donates proceeds or services to the management or improvement of park resources including the maintenance, management, or the improvement or development of facilities;
    - The group or event donates proceeds from the event or activity to a nonprofit organization or charitable cause; or
    - The group or event is organized for and primarily attended by children under the age of thirteen.

V. ENTRY TO STATE PARKS

A. A person driving a vehicle registered and licensed in Montana with a paid state park light vehicle registration fee will be granted daily entry and re-entries to state parks at no additional charge per 23-1-105(6), and 61-3-321(19)(a), MCA. Occupants of the vehicle shall not be charged daily entrance fees.
B. A person driving a vehicle registered and licensed in Montana that has opted out of the state park light vehicle registration fee is subject to the same daily entrance fee established for a non resident vehicle ($6) per 23-1-105(6), and 61-3-321(19)(a), MCA (see Appendix A). Occupants of the vehicle shall not be charged daily entrance fees.
C. Resident disabled veterans are exempt from paying Montana motor vehicle registration fees in accordance with 61-3-460 MCA, and are therefore exempt from state park entry fees.
D. A nonresident vehicle shall not enter or use park areas, campgrounds or other facilities; or otherwise participate in programs or activities for which a fee has been established without first paying the required fee per 12.8.213, ARM and this Biennial Fee Rule.
E. The nonresident single visit entrance fee authorizes entry and re-entries for one nonresident motor vehicle and its occupants into a state park, or the entry of a single person into a park on foot, by bus, bicycle, or means other than by conventional motor vehicle, for the date the fee is paid.
F. The nonresident Entrance Pass authorizes daily entry and re-entries for one nonresident motor vehicle and its occupants for a 12-month period beginning with the month of purchase. To be valid, the nonresident Entrance Pass must be permanently affixed to the interior lower left area of the motor vehicle's windshield. A $10 fee shall be assessed to replace a lost or destroyed pass. When replacing a windshield, a nonresident pass holder may present the peeled-off pass or the largest remnants to receive a free replacement.
G. Nonresident children under 13 years of age are admitted free to sites that charge a per-person daily entrance fee.
H. A nonresident who is participating in a commercial activity authorized through a Commercial Use Permit is not subject to the daily entrance fee.
I. A nonresident with a disability shall be charged the single person nonresident entrance fee of $3 when accessing a state park in a motor vehicle so long as they are the sole occupant of that vehicle.

J. The nonresident Entrance Pass can be purchased at selected license agents, department offices, designated recreation fee areas, and via the department's web site. A nonresident who purchases an Entrance Pass via the department's web site may print a temporary copy that is valid for entry into any state park for a period of 7 days following the date of purchase. The purchaser will receive an official pass in the mail. A pass purchased via the department's web site shall be assessed a service fee.

K. Active duty military personnel serving at Malmstrom Air Force Base and/or Fort Harrison will be granted free entry into state parks and will be considered Montana residents with respect to entrance fees. Proof of active duty status must be presented upon request.

L. Federal park/public lands passports, e.g. the America the Beautiful card, are not valid at Montana state parks.

VI. CAMPING AT STATE PARKS

A. There is a fee to camp at state parks. Exception:
   i. There is no camping fee for residents at primitive state parks with the exception of Headwaters State Park as provided in 23-1-118 (1), MCA.

B. A camping fee is charged per each individually signed, numbered or otherwise designated campsite and/or on a per camping unit basis.

C. The "primary occupant" of a campsite is the person whose name is on the campsite registration/permit and whom must be an actual occupant of the campsite.

D. Resident or nonresident camping fees are determined based on the legal state of residency of the primary occupant registering for and/or reserving a campsite. Holders of a nonresident annual entrance pass shall be subject to resident camping fee rates.

E. Camping fees are established for peak season and off-season as defined. Off-season camping fees shall apply in developed campgrounds that do not provide potable water.

F. An electrical service fee $6 shall be applied to all campsites with electrical service. Additional camping units in multiple occupancy electrified campsites will be subject to this fee (i.e. $6 for single campsites, $12, for double campsites, etc.). Campers may not opt out of the electrical service fee when occupying a campsite with the electrical service.

G. Campers must pay the required fee upon occupying a campsite, cabin, yurt, or tipi. The camping permit must be attached to the campsite post if available or displayed on driver's side dashboard. If those options are not available, the permit must be displayed on the tent of the registered camper or in some other prominent location.

H. The single occupancy campsite fee will apply to each camping unit and/or increment of eight persons for dispersed camping areas and multiple occupancy campsites (doubles, quads, or larger groups).

I. The nonresident camping fee includes the nonresident park entry fee. A nonresident who purchases a state park Entrance Pass will be subject to the resident camping fee. A nonresident who pays the nonresident daily vehicle entrance fee prior to occupying a campsite may deduct that amount from their daily campsite fee.

J. Overnight camping fees shall be assessed when camping overnight on a boat that is moored within a designated boat slip, marina or buoy.

K. In addition to the group campsite reservation fee, each individual camping unit within the group must pay the applicable camping fees listed in this fee rule.

L. 23-1-105(2), MCA, provides that an overnight camping fee will be discounted 50% for a campsite rented by a Montana resident who is:
   i. A senior citizen 62 years of age or older and provides a photo identification with Montana resident address (e.g., Montana Driver's License); or
   ii. A person with a disability, verified by either a disability form obtained from the department and signed by a physician, a Resident Disability Conservation License, or a disability permit or license plate issued by the Montana Motor Vehicle Division.

M. Only one resident senior or disabled discount may be applied per campsite. Resident senior/disabled discounts may not be applied to the electricity service fee or to any other facility use or rental fees such as yurts, tipis, cabins, boat slips, shelters, meeting rooms, showers, etc.

N. A senior citizen with a Golden Years' Pass issued by the department shall be granted free camping. The Golden Years' Pass is valid only if the holder or spouse is in the vehicle to which it is attached. This pass is non-transferable. The original holder of a Golden Years' Pass can obtain a replacement pass at any FWP office or the FWP Helena headquarters for $1 by showing a portion of the original pass. The Golden Years' Pass has not been issued since 1989 and therefore as of 2014 the holder must be at least 85 years of age.

O. Selected state park campsites may be reserved through the state park campsite reservation program. See Section VI for details.

P. Campsites may not be "held" or "unofficially reserved" by an individual or party for another individual or party arriving later. No person may pay a camping fee or leave an item as a means to reserve or hold an unoccupied site. This does not prohibit the reservation of a campsite through the department's state park campsite reservation system.

Q. Campsite occupancy limits at each individually signed, numbered or otherwise designated campsite are established as follows:

- Single occupancy campsite = a maximum of one camping unit, 2 additional tents, eight (8) persons
- Double occupancy campsite = a maximum of two camping units, 4 additional tents, 16 persons
- Quadruple occupancy campsite = 4 camping units, 8 additional tents, 32 persons
- Large group campsites = a maximum number of camping units and/or increments of eight (8) persons

R. With the exception of tents, all camping units, motor vehicles, boats, trailers, motorcycles, non-licensed recreational vehicles, and other similar forms of transportation must be parked within the designated and/or delineated parking area of the campsite or at designated overflow (alternative) parking areas.

S. The park manager may establish a dispersed camping area with occupancy limits and terms and conditions for use of the area. Groups that exceed thirty (30) persons may require a special use permit.

T. Campsites must be occupied overnight.

U. In areas outside of campsites, no person may leave a trailer, camper, other vehicle, or equipment unattended for more than 48 hours, unless otherwise posted.

V. Camping at one or more campsites in any state park for a period longer than fourteen (14) days during any 30-day period is prohibited unless otherwise posted. In areas so posted, said occupancy shall be limited to seven (7) days during any 30-day period. Such 30-day periods shall run consecutively during the year commencing with the first day each person camps in a designated recreation area each year.

W. No person may set up or occupy a camp in areas other than designated campgrounds or campsites, or in any department-administered group use shelter or pavilion.

X. No person or group may set up camp, leave camping equipment, or otherwise occupy a campsite that has already been reserved or paid for by another person or group.

Y. Checkout time for campers is 1:00 p.m. on the day immediately following the last night the campsite was paid for.

Z. Quiet hours in campgrounds shall be posted and enforced between the hours of 10:00 pm and 7:00 am.

AA. All camping fees include the 7% State of Montana accommodation tax as per 15-65-111 & 15-68-102, MCA.

VII. RESERVATION PROGRAM

A. The Montana State Parks & Recreation Board delegates authority to the Director or their designee to develop and implement specific business rules for administering the reservation program, including but not limited to procedures, reservation fees, limits, modifications, and cancellations.

VIII. DAY USE OF SHELTERS, PAVILLIONS, AMPHITHEATERS AND MEETING ROOMS

A. An individual or group may reserve a shelter, pavilion, amphitheater, meeting room or other park facility or area subject to availability and approval by staff. The park manager may deny the reservation request or stipulate the conditions of use based on the nature of the proposed use and the regulations and management objectives in place at the park where the use would occur.
B. A facility reservation should be requested through the appropriate regional office or park, or reservation program website/call center a minimum of seven (7) days prior to the proposed date(s) of use. Reservations may also be made by telephoning the appropriate regional headquarters or park office. All telephone reservations must be confirmed within five (5) days by submitting a facility reservation form.
C. There is a rental fee for use of shelters, pavilions, amphitheaters, meeting rooms and other park facilities. The fee shall include the daily entrance fees when applicable.
D. A cleaning deposit may be required in advance with the facility reservation form and rental fee. The park manager shall assess the cleanup and/or restoration of resources and facilities and if conditions are satisfactory the manager shall refund the deposit. The park manager may waive the cleaning deposit requirement for groups that have previously reserved a facility and demonstrated satisfactory cleanup and/or restoration of resources and facilities.

E. The park manager shall refund the cleaning deposit if the reservation is canceled more than seven (7) days in advance. If a reservation is canceled less than seven (7) days before the intended use period, the cleaning deposit shall be retained. If the facility is unavailable for the intended use due to unforeseen conditions, both the fee and deposit shall be refunded.

IX. DAY USE FOR GROUPS AND SPECIAL EVENTS

A. All non-commercial day use groups, events and activities with more than 30 persons must secure a special use permit prior to using a state park. Examples of groups or events that may require a special use permit include but are not limited to wedding parties, family reunions, fishing contests, competitive events, and research activities.
B. The park manager may require a special use permit for groups, of 30 or less people based on management or resource protection objectives for a site, special rules or regulations, or other determining factors. `
C. The park manager may deny or amend a request for a special use permit based on the management and resource protection goals for a site or other extenuating circumstances.
D. A special use permit should be issued to a specific individual representing a group or organization.
E. The proposed special use must comply with pertinent local, state and federal laws and regulations including public health, safety, sanitation, food service and air and water quality.
F. All participants of events and activities authorized by a special use permit must comply with the terms and conditions of the permit. The park manager may establish limits on the size of groups, duration of stay, or other special conditions.
G. The proposed special use must not adversely impact neighboring properties, existing archaeological, historical, cultural, or natural resources and must not conflict with management objectives and guidelines.
H. Special use permit applications should be submitted to the appropriate regional office or park a minimum of seven (7) days prior to the proposed date of use.

I. Fees are authorized for special use, group use and special events at state parks. Entrance fees may be waived when applicable. The park manager may specify paying the fee in advance with the permit application and deposit.
J. The park manager may waive the cleaning deposit requirement for groups that have previously reserved a facility and demonstrated satisfactory cleanup and/or restoration of resources and facilities and compliance with the permit terms and conditions.

X. OTHER STATE PARK SPECIAL USES

A. The department may charge a fee for department-provided guided tours, interpretive or training programs and seminars. Fees may be adjusted on a case-by-case basis for marketing or otherwise promoting the activity. Entrance fees may be waived when applicable.
B. The department may charge a fee for the use of boat slips, boat mooring facilities, public showers and sewage dump stations. Campers with a valid camping permit at a state park campground are exempt from paying the sewage dump station fee.
C. The department may accept reservations and establish cancellation fees and policies for special tours at Lewis & Clark Caverns State Park, including but not limited to holiday season candlelight tours.
D. The department may charge fees, issue permits and establish terms and conditions for firewood cutting at designated sites.

XI. SPECIAL RULES AND REGULATIONS

A. Fees shall be prominently signed and posted where applicable.
B. The Parks public use regulations, 12.8.201 through 12.8.213, ARM, shall apply to use of state parks.
To protect public safety, the following food, garbage and attractant storage regulations may be established and posted for day users and overnight campers in designated state parks that have a history of and/or high probability for human/bear conflicts and/or state parks located adjacent to other public lands where food storage rules are already in place.
    1) Overnight campers in developed campgrounds (including hike-in/bike-in campsites) must secure all food, garbage, and other attractants in one or more of the following methods, when not in immediate use, both day or night:
        - In a closed, hard sided vehicle
        - In a fixed, designated bear resistant food storage locker provided on site by Montana State Parks
        - In a portable bear resistant food container approved for such use by the Interagency Grizzly Bear Committee (IGBC) and/or the Sierra Interagency Black Bear Group.
    2) Overnight campers in backcountry and/or rustic campsites must secure all food, garbage, and other attractants in one or more of the following methods, when not in immediate use, both day or night:
        - Suspended at least 10 feet vertically above the ground and four feet horizontally from the trunk of a tree or other fixed object that a bear could climb.
        - In a designated bear resistant food storage locker or suspended from a food hanging device provided on site by the department.
        - In a portable bear resistant food container approved for such use by the Interagency Grizzly Bear Committee (IGBC) and/or the Sierra Interagency Black Bear Group.
        - Inside a portable electric bear fence or other method approved for such use by the Interagency Grizzly Bear Committee (IGBC) and/or the Sierra Interagency Black Bear Group.

3) Day users may not leave food, garbage or other attractants unattended at any time. They may carry, possess or transport food and other attractants on their person or within equipment while recreating.
4) Burning food waste in fire grates is prohibited.
5) All garbage and refuse must be disposed of in designated bear resistant garbage receptacles.
6) Food and attractant storage regulations shall be prominently signed and posted as applicable.

C. The following rules regarding livestock use may be established and posted:
1) Livestock are prohibited in designated campsites unless secured in a stock trailer or corral, pasture or other area designated by the park manager
2) Supplemental livestock feed must be certified weed seed free

D. The Board delegates to the director or the director's designee the authority to post special rules for state parks, consistent with existing department or Board authority, for the purpose of protecting public health, safety and welfare; managing visitor use and addressing adverse social impacts or user conflicts; and protecting and preserving natural, cultural and recreational resources, per 23-1-106, MCA.

XII. PENALTIES

A. No person shall enter or use state parks, campgrounds or other facilities, or otherwise participate in programs or activities for which a fee has been established without paying the required fee. Any violation of this provision is punishable by a fine not to exceed $500 per 23-1-106, MCA, and 12.8.213, ARM.

B. Violation of fee requirements, administrative rules, state laws or other provisions in this rule may result in enforcement actions and/or expulsion from the area.

XIII. SEVERABILITY CLAUSE

A. If a part of this fee rule is invalid, all valid parts are severable from the invalid part and shall remain in effect. If a part of this fee rule is invalid in one or more of its applications, the part remains in effect in all valid applications severable from the invalid applications.

XIV. ADOPTED BY:

Thomas E. Towe — 15 Oct 2014

Tom Towe, Chairman, Montana State Parks & Recreation Board — Date

M. Jeff Hagener — 10/15/2014

M. Jeff Hagener, Director, Montana Fish, Wildlife & Parks — Date