



MONTANA STATE PARKS AND RECREATION BOARD AGENDA ITEM COVER SHEET

Meeting Date: February 16, 2017

Agenda Item: Biennial Smith River Rule

Division: Parks

Action Needed: Final

Time Needed on Agenda for this Presentation: 15 minutes

Background: The Smith River Management Act, 23-2-401 through 23-2-410, MCA, authorizes the Board to provide for the administration of the Smith River waterway and adopt rules for this purpose. The Smith River State Park and River Corridor Biennial Rule establishes fees and administrative rules for private, commercial and landowner float trips in Smith River State Park. The current rule was last adopted by the Board in March 2015 and is scheduled to expire in March 2017.

Public Involvement Process & Results: The Parks Division conducted a 30-day comment period to solicit public input on the proposed biennial rule, which would be in effect for two calendar years following adoption. One comment was received which recommended that floaters be required to use bear resistant containers. However, the Parks Board already authorized a mandatory food storage regulation that began January 01, 2016.

Alternatives and Analysis: The most significant change to the rule involves eliminating a method of storing food, garbage and other attractants in a bear resistant manner. The remaining majority of edits/changes to the rule are grammatical to improve consistency and understanding of terminology and the recognition of a new commercial outfitter. The Parks Division identified the following alternatives regarding the Smith River Biennial Rule.

Alternative 1: Adopt the Smith River State Park and River Corridor Biennial Rule as presented.

Alternative 2: Do not adopt the Smith River State Park and River Corridor Biennial Rule.

Agency Recommendation and Rationale: The Division recommends that the Board approve the final rule as proposed in Alternative 1.

Proposed Motion: “I move to approve the final Smith River Biennial Fee Rule, as described in Alternative 1.”