



ADMINISTRATIVE RULES OF MONTANA



12.11.6802 SMITH RIVER COMMERCIAL USE PERMIT RESTRICTIONS

- (1) Commercial outfitters are limited to a maximum of 73 float trips per calendar year.
- (2) The department shall establish commercial outfitter float trip dates in consultation with the commercial outfitters and in accordance with the following criteria:
 - (a) For launch dates during April and from August 1 through 15, all commercial outfitters must finalize their float trip dates seven days prior to the private permit lottery referenced in ARM 12.3.650. Commercial outfitters seeking to reschedule a float trip in the above-referenced timeframe after the private permit lottery must use the reservation system to request a cancelled float trip. All commercial float trips not reserved by an outfitter as required above will be available to the public in the private permit lottery.
 - (b) For launch dates during May, June, and July, all commercial float trips not reserved by a commercial outfitter will be designated "On Hold" and will not be included in the private permit lottery referenced in ARM 12.3.650. After the lottery, commercial outfitters may utilize available "On Hold" float trips 29 or more days in advance of an available date. All commercial float trips not utilized by an outfitter will be available to the public via the reservation system 28 days prior to the float trip date. Commercial outfitters seeking to reschedule a float trip to an available date 28 days or fewer from a desired float trip date must use the public reservation system to request an open float trip.
- (3) There is a maximum of one commercial float trip allowed on Mondays, Tuesdays, Thursdays, Fridays, and Saturdays and a maximum of two commercial launches allowed on Sundays and Wednesdays. This equates to a maximum of nine commercial float trips per week.
- (4) Commercial outfitters must cancel all un-booked float trips a minimum of 14 days prior to the float trip date. The park manager may waive disciplinary action for float trips cancelled less than 14 days prior to the float trip date due to unsafe conditions caused by inclement weather or river flows, insufficient flows for navigability, or other similar exigent circumstances. This does not include float trips cancelled due to undesirable conditions.
- (5) Commercial float trip fees must be paid at Camp Baker prior to launching.
- (6) The park manager may waive the float trip fee and other related fees for a maximum of two commercial float trips each season on a case-by-case basis when the commercial user donates one or more float trips to a recognized charitable or not-for-profit event and the commercial user is not compensated. No additional commercial float trips may be authorized under this provision. Commercial outfitters requesting a fee waiver must submit a written request to the park manager a minimum of 30 days prior to the anticipated float trip date. Waiver requests shall be considered in the order received.

Authorizing statute(s): 23-1-102, 23-1-106, 23-1-111, 23-2-408, MCA

Implementing statute(s): 23-2-408, 23-2-409, MCA

History: NEW, 2024 MAR p. 2137, Eff. 9/7/24.