



ADMINISTRATIVE RULES OF MONTANA



12.11.6301 BITTERROOT RIVER COMMERCIAL USE PERMIT

- (1) Any commercial fishing and floating operators are prohibited to operate without a permit between Painted Rocks Dam and Wally Crawford Fishing Access Site.
- (2) The number of permits available will be established through the following one-time process:
 - (a) in order to be eligible for a permit to operate, commercial operators with records of historic use may report their use of the Bitterroot River between Painted Rocks Dam and Wally Crawford Fishing Access Site between January 1, 2014 and December 31, 2016, by March 15, 2018 as prescribed by the department;
 - (b) the department will only consider documented and historic use that is timely reported; and
 - (c) the department will notify commercial operators with documented usage, determined at the sole discretion of the department, whether they will receive a permit.
- (3) The number of permits distributed in the one-time process in 2018 will establish the annual cap of permits available for this portion of the Bitterroot River for future use until otherwise determined by the department.
- (4) Permittees must submit an annual report, as prescribed by the department, including:
 - (a) dates of river use;
 - (b) number of clients;
 - (c) stretch of river used;
 - (d) access points used; and
 - (e) and any other information the department deems necessary.
- (5) Permittees who do not submit an annual report completely and timely will have their permit revoked.
- (6) A permit is considered abandoned after three consecutive years of no activity reported on the annual report.
- (7) Revoked and abandoned permits will be made available to all commercial fishing and floating operators via a random lottery to be conducted by the department.

Implementing statute(s): 87-1-303, MCA

History: NEW, 2018 MAR p. 717, Eff. 2/24/18.