

FWP Commercial Use Permits: A Reference Guide for Outfitters, Guides, and Water-based Service Providers



PART I. COMMERCIAL USE PERMITS

The FWP Commercial Use Rules went into affect on January 26, 2007. A copy of the rules is available at any FWP Regional Office.

A permit is required in advance to conduct commercial use on land under the control, administration, and jurisdiction of FWP.

This reference guide provides an overview on the commercial use permits for:

- licensed fishing outfitters
- water-based service providers
- licensed fishing guides
- water-based non-licensed guides
- licensed hunting outfitters

Please review the list below and identify the type of commercial use that you are conducting*:

- A licensed fishing outfitter is someone who is licensed by the Montana Board of Outfitters to conduct angling outfitting. See Part II for permitting information.
- A water-based service provider is someone who provides water-based, non-angling/hunting commercial services and is not licensed by the Montana Board of Outfitters. Examples include people who provide commercial whitewater rafting, kayaking, or canoeing trips. See Part II for permitting information.
- A licensed fishing guide is someone who is licensed by the Montana Board of Outfitters to serve as a guide and works for a licensed fishing outfitter. See Part III for permitting information.
- A water-based non-licensed guide is someone who works for a water-based service provider and is not licensed by the Montana Board of Outfitters. Examples include people guiding commercial whitewater rafting, kayaking, and canoeing trips. This does not include people who work for a water-based service provider but do not provide any guide services, e.g., people who only operate a gear boat or serve as a camp cook. See Part III for permitting information.
- A licensed hunting outfitter is someone who is licensed by the Montana Board of Outfitters to conduct hunting outfitting. See Part IV for permitting information.

*Contact FWP for more information if the type of commercial use you are conducting does not match one of the categories listed above.

PART II. LICENSED FISHING OUTFITTERS AND WATER-BASED SERVICE PROVIDERS

There are two types of commercial use permits for licensed fishing outfitters and water-based service providers:

- 1) Fishing Access Site Permit
- 2) Restricted Use Permit

The Fishing Access Site (FAS) Permit authorizes a licensed fishing outfitter or water-based service provider to conduct commercial use at any FWP fishing access site or other department land that provides access to a *non-restricted water-body*.

The Restricted Use Permit authorizes a licensed fishing outfitter or water-based service provider to conduct commercial use at fishing access sites that provide access to *restricted water-bodies*.

A *Restricted Water-body* is a body of water regulated by special department rules governing commercial use or a body of water that is under a cooperative management agreement with another agency concerning commercial use.

There are currently five restricted water bodies in the state: Beaverhead River, Big Hole River, Blackfoot River, Smith River, and the Alberton Gorge of the Clark Fork River. With the exception of the Blackfoot River, opportunities to conduct commercial use on these rivers are limited – contact an FWP regional office for more information.

PART III. LICENSED FISHING GUIDES AND NON-LICENSED WATER-BASED GUIDES

A licensed fishing guide or non-licensed water-based guide must obtain a Fishing Access Site (FAS) Permit to conduct commercial use at FWP fishing access sites.

The FAS Permit authorizes a licensed fishing guide or a water-based non-licensed guide, operating under the authority of a licensed outfitter or water-based service provider, to conduct commercial use at any FWP fishing access site or other department land.

The FAS Permit does not authorize a guide to serve as a licensed outfitter. The FAS Permit does not negate or replace Montana Board of Outfitters licensing requirements.

PART IV. LICENSED HUNTING OUTFITTER

Commercial hunting outfitting is prohibited on all department lands. FWP may authorize a commercial hunting outfitter to:

- Travel on a designated trail across FWP land solely for the purpose of gaining access to federal land where they are authorized to conduct use.
- Use a fishing access site solely for the purpose of gaining access to water bodies where they are authorized to conduct use.

A licensed hunting outfitter must obtain a Restricted Use Permit to conduct the activities listed above – contact an FWP regional office for more information.

Beginning March 1, 2007, the FAS Permit will be available at any FWP regional office or on the FWP Web Site: www.fwp.mt.gov

An ALS Number is required to obtain a FAS Permit. Contact an FWP Regional Office if you do not have an ALS Number.

Fishing outfitters and guides will need to provide their Board of Outfitters License #.

The FAS Permit is valid for one license year (March 1, 2007 – February 29, 2008).

The FAS Permit Fee is \$100 annually.