



Governor Brian Schweitzer

# Montana

## Department of Labor and Industry

### Business Standards Division

#### MONTANA BOARD OF OUTFITTERS

**TO: Licensees**

**FROM: Board of Outfitters**

**DATE: November 3, 2009**

**RE: Important Information Regarding Updating Your Fishing Operations Plan**

On August 11, 2009, the Board of Outfitters adopted ARM 24.171.505 (see below) which allows you to include a general reference to all surface waters governed by the Montana Stream Access Law, §23-2-302, MCA, and accessible by public access points not requiring a permit issued by a state or federal agency. The Board also approved a detailed list of fishing access sites (the FAS list), organized by portion of water body, to assist you in describing the boundaries of your proposed operation.

To simplify the process, a new form was created that will allow you to do the following:

1. Check a box to include a reference to all surface waters governed by the Montana Stream Access Law; and
2. Check a box to include all waters identified on the FAS list, or check the appropriate boxes on the FAS list to include only specific portions of water bodies appearing on the FAS list.

You may choose to not amend your operations plan. However, please be advised that in order to take advantage of the rule implementing the Montana Stream Access Law, and to take advantage of the FAS list, you need to use the new form, which is available on the Board's website at: [www.outfitter.mt.gov](http://www.outfitter.mt.gov) under Applications/Forms, General Forms, Fishing Outfitter Operation Plan Amendment.

Download the form, check the applicable box or boxes, sign and date the form and mail it to the Board of Outfitter's office at PO Box 200513, Helena, MT 59620-0513. If you need a paper copy of the form, or if you have any questions, please contact the board office.

**24.171.505 FISHING OUTFITTER OPERATIONS PLAN** (1) A fishing outfitter may include in a proposed or an existing operations plan, a general reference to "all surface waters governed by the Montana Stream Access Law, §23-2-302, MCA and accessible by public access points not requiring a permit issued by a state or federal agency(ies)". Alternatively, the outfitter may include in a proposed or existing operations plan specific surface waters governed by the Montana Stream Access Law and accessible by public access points not requiring a permit issued by a state or federal agency, by including detailed descriptions of those specific waters as provided in 37-47-304(2)(h) and (i), MCA.

(2) Surface waters accessible only by private land or access points requiring a permit issued by a state or federal agency(ies) may only be included in a fishing outfitter's proposed or existing operations plan by describing the waters in detail as provided in 37-47-304(2)(h) and (i), MCA. A copy of the permit(s) issued by the appropriate state or federal agency(ies) must be submitted to the board office with the outfitter's proposed operations plan or any amendment to an existing operations plan.