

STREAM ACCESS: PAST, PRESENT AND FUTURE

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The public's right to recreate in streams, rivers, and lakes will be discussed starting with its past roots in public trust concepts, covering how the present statutes and case law define the public use of streams and rivers, and concluding with an examination of how ongoing and future controversies will or may continue to shape rights of the public to recreate in streams, rivers, and lakes. The presenter covered (1) how Montana's Stream Access Law and rules and the Natural Streambed and Land Preservation Act (SB 310 Law) protect and help direct management of streams and rivers, (2) how these laws and rules are balanced with private property rights, and (3) what the public trust means for fisheries managers.