

BEFORE THE FISH AND WILDLIFE COMMISSION, and MONTANA FISH,
WILDLIFE and PARKS

In the matter of the amendment of) NOTICE OF PUBLIC HEARING ON
ARM 12.11.2206; pertaining to rules) PROPOSED AMENDMENT
associated with boating on the)
Flathead River.)

TO: All Concerned Persons

1. On April 5, 2024, at **BLANK AM/PM**, the Fish and Wildlife Commission (“Commission”) will hold a public hearing via the ZOOM meeting platform to consider the proposed amendment of the above-stated rule. There will be no in-person hearing. Interested parties may access the telephonic public hearing by:

Dial by telephone: [REDACTED]
Meeting ID: [REDACTED]
Passcode: [REDACTED]

2. The Commission will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative format of this notice. If you require an accommodation, contact FWP, no later than 5:00 p.m., on March 22, 2024, to advise us of the nature of the accommodation that you need. Please contact Christina Bell, FWP, P.O. Box 200701, Helena, MT, 59620-0701; telephone (406) 444-1285; or e-mail cbell@mt.gov.

3. The rule is proposed to be amended provided as follows, new matter underlined, deleted matter interlined:

- 12.11.2206 FLATHEAD RIVER (1) through (3) remain the same.
(4) Half Moon Slough is restricted to a controlled no wake speed, as defined in ARM 12.11.101(1) and closed to boating March 1 to April 10.
~~(45)~~ The North Fork of the Flathead River:
(a) is closed to all motorboats from the Canadian border to the Camas Bridge;
and
(b) is closed to all motorboats with motors greater than 10 horsepower from Camas Bridge to the confluence of the Middle Fork of the Flathead River.
~~(56)~~ The Middle Fork of the Flathead River:
(a) is closed to all motorboats from the Bob Marshall Wilderness boundary to the Highway 2 Bridge at Essex; and
(b) is closed to all motorboats with motors greater than 10 horsepower from the Highway 2 Bridge at Essex to the confluence of the South Fork of the Flathead River.
~~(67)~~ The South Fork of the Flathead River:
(a) is closed to all motorboats from Spotted Bear Footbridge to the Bob Marshall Wilderness boundary; and

(b) is closed to all motorboats with motors greater than 10 horsepower from Spotted Bear foot bridge to Hungry Horse Reservoir at full pool (3850 feet elevation).

AUTH: 23-1-106, 87-1-303, MCA
IMP, 23-1-106, 87-1-303, MCA

6. Concerned persons may submit their data, views, or arguments orally at the telephonic hearing. Written data, views, or arguments may also be submitted to: **BLANK**, Montana Fish, Wildlife and Parks, P.O. Box 200701, Helena, Montana, 59620-0701; or email **BLANK**, and must be received no later than 5:00 p.m., April 8, 2024.

7. Christina Bell or another hearing officer appointed by FWP has been designated to preside over and conduct the hearing.

8. FWP maintains a list of interested persons who wish to receive notice of rulemaking actions proposed by the Commission. Persons who wish to have their name added to the list shall make a written request that includes the name and mailing or email address of the person to receive the notice. Such written request may be mailed or delivered to: Montana Fish, Wildlife and Parks, Legal Unit, P.O. Box 200701, 1420 East Sixth Avenue, Helena, MT 59620-0701, or may be emailed to cbell@mt.gov.

9. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

10. With regard to the requirements of 2-4-111, MCA, the department has determined that the adoption and repeal of the above-referenced rule will not significantly and directly impact small businesses.

/s/
Kevin Rechhoff
Rule Reviewer

/s/
Lesley Robinson
Chair
Fish and Wildlife Commission

s/
Dustin Temple
Director
Fish, Wildlife and Parks

Certified to the Secretary of State February 27, 2024.