

FISH and WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: April 19, 2018

Agenda Item: River Safety Closure to Replace Bridge at Bonner on the Blackfoot River (R2)

Division: Fisheries

Action Needed: Final

Time Needed on Agenda for this Presentation: 5 Minutes

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Background: The purpose of this rule is to allow Region 2 staff to close the Blackfoot River to all public occupation and recreation including, but not limited to, floating, swimming, wading, and boating from Weigh Station Fishing Access Site to the confluence with the Clark Fork River when necessary during reconstruction of the Interstate 90 bridges that span the Blackfoot River. A closure would be necessary when: (a) Montana Department of Transportation (MDT) advises the Department that work may make public occupation and recreation on the river unsafe in the area of the I-90 bridges; and (b) the department determines that it necessary to close the Blackfoot River. The Department may reopen the Blackfoot River when (a) MDT indicates that conditions are safe; and (b) the department determines the closure is no longer necessary. The Department may intermittently open and close the Blackfoot River as deemed necessary during the construction period.

This rule does not affect any rules that may be adopted to address unforeseen temporary, emergency situations. Construction will occur over two construction seasons, with the east bound bridge being completed in one year and the west-bound bridge in the other year.

Public Involvement Process & Results: Public comment on this was solicited from February 20-March 16. One comment was received. The commenter felt like the money should not be spent to re-do the bridges. This comment also expressed concern that the bridges were being replaced only because of floaters.

Alternatives and Analysis: 1) The biennial closure rule is passed and R2 staff can close the section or portions of the section when MDT recommends closure for safety and logistical purposes; 2) The biennial rule is not passed and Region 2 does not have the ability to close the river and the public could be in harm's way during construction.

Agency Recommendation & Rationale: Alternative 1. FWP recommends that the Commission pass this biennial rule, which will be necessary to ensure public safety.

Proposed Motion: I move the Fish and Wildlife Commission adopt the Department's proposed biennial Blackfoot Closure Rule.