BEFORE THE DEPARTMENT OF FISH WILDLIFE AND PARKS
OF THE STATE OF MONTANA

In the matter of the adoption of a New Rule pertaining to motorized use on the Shields River	))))	RULEMAKING PETITION

TO: All Concerned Persons

1. Petitioners are: Jeff Welch, 12 Horse Thief Trail, Livingston, Montana 59047; Mike & Leigh McDaniel, 399 Shields River Road East, Livingston, Montana 59047; Bob Means, 68 Convict Grade Road, Livingston, Montana 59047; Sally Epps, 25 Shields River Road East, Livingston, Montana 59047; Nancy Etheridge, 225 Shields River Road East, Livingston, Montana 59047; Stuart & Victoria Schilling, 48 Massacre Hill Road, Livingston, Montana 59047

2. Petitioners own land adjacent to the Shields River and use the river for agricultural and recreational purposes.

3. Recent technological advancements in inboard and outboard motor technology have resulted in regular use of the Shields River for motorized jetboating within the current 10HP restriction. (Photos Attached)

4. These boats travel at high rates of speed and have been seen throughout the boating season including the month of October when stream flows are very low. The Shields is small river with numerous blind turns. In many cases, there is only one small channel for passage at all times of year.

5. Petitioners' children, livestock and irrigation equipment extensively use the Shields River. Motorized boats moving up and down the river at high speed creates a public health hazard for both the boaters and the other users on the river.

6. Motorized travel on this small stream creates the dangerous possibility of collision between a jet boat and irrigation equipment, livestock, children swimming, innertubing and residents fishing.

7. In light of technological advancements and the safety concerns they create, a complete non-motorized restriction on the Shields River from headwaters to the mouth is requested to protect public safety on a river that is seeing increasing use every year.

ADOPTION:

The rule as proposed to be adopted would provide as follows:

The main stem of the Shields River from headwaters to the confluence with the Yellowstone River and all tributaries of the Shields shall be closed to motorized use for the purposes of public safety.

8. Persons known to petitioner to have an interest in the proposed agency action are listed in the attached letter.

9. Petitioners request a hearing or oral presentation for expression of petitioners' views.

Jeff Welch on behalf of co-petitioners

June 18, 2020

Cc: Mike & Leigh McDaniel
Bob Means
Sally Epps
Nancy Etheridge
Stuart & Victoria Schilling