Montana Fish, Wildlife & Parks

Bitterroot River and Florence Bridge FAS Closure Rules

I. PURPOSE

(1) The purpose of the following rule is to address safety concerns on the Bitterroot River and at Florence Bridge Fishing Access Site (FAS).

(2) Replacement construction will be occurring as early as August 1, 2013 of the Florence Bridge on the East Side Highway, which spans the Bitterroot River near the town of Florence.

(3) The Montana Department of Transportation (MDT) has requested that FWP close a portion of the Florence Bridge FAS that is in close proximity to the bridge and highway right-of-way due to safety concerns that the public may enter the work zone.

(4) Bridge construction will require work within the river channel for construction of coffer dams, work bridges, potential blasting of old bridge piers, and other construction-related infrastructure. Although MDT contract provisions stipulate that the contractor provide safe float passage through the construction site, MDT anticipates that there may be times when construction activities will create unsafe conditions for the public and requests that FWP be prepared to temporarily close the river and the entire access site to all use in the proximity of the construction site.

II. BITTERROOT RIVER and FLORENCE BRIDGE FAS CLOSURE

(1) The closure rule applies to a portion of the Bitterroot River located in Ravalli County and to the Florence Bridge FAS.

(2) The Florence Bridge FAS is closed from the existing highway bridge to a distance of 150 feet upstream.

(3) The commission authorizes the department, with the approval of the commissioner in whose district the closures are located, to close the Bitterroot River to all public occupation and recreation including, but not limited to, floating, fishing, hunting, swimming, wading, and boating 1000 feet above and 1000 feet below the Florence Bridge construction site.

(4) The commission authorizes the department, with the approval of the commissioner in whose district the closures are located, to close the Florence Bridge FAS in its entirety to all public occupation and recreation.

(5) The commission authorizes the department, with the approval of the commissioner in whose district the closures are located, to repeal any or all portions of the rule once conditions no longer present a public safety concern, and to reinstate the closures should safety issues become apparent.

(6) Vessels, equipment, and employees necessary for completion of the Florence Bridge construction are permitted to occupy the closed portions of the Bitterroot River and Florence Bridge FAS.

III. EFFECTIVE DATE AND EXPIRATION OF THIS RULE

(1) This rule is effective upon final approval of the commission.

PROPOSED

(2) This rule expires one year after final approval of the commission.

(3) This rule may be repealed at anytime by the commission. Signs restricting use of the Bitterroot River and Florence Bridge FAS will be removed when the rule is not active.

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Dan Vermillion, Chairman
Fish, Wildlife & Parks Commission

PROPOSED