Recommendations for Montana's Rivers and Streams

Prepared for Montana Backcountry Hunters and Anglers

March 2016

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Definitions

This document references several vehicle classes. For sake of clarity and consistency these definitions are taken directly from those provided in the Montana State Code. Definitions are provided below with the relevant sections of the state code cited for reference.

Off-highway vehicle (OHV):

An "off-highway vehicle" means any vehicle used for recreation or cross-country travel over land or water including motorcycles, quadricycles, dune buggies, amphibious vehicles, air cushion vehicles, and any other vehicles that are not powered by muscle or wind. This definition does not include vehicles primarily designed for use in, over, or on the water, snowmobiles, and vehicles issued a certificate of title and registered in Montana, unless the vehicle is used for off-road recreation on public lands.

The full statutory definition for "off-highway vehicles" can be found in **§23-2-801.**

Motorized watercraft

Throughout the following document the term "motorized watercraft" is used to refer to motorboats as well as any vehicle propelled by an engine, jet-drive, or motor including personal watercraft or pontoons. Given the evolving nature of these craft this document uses the catch-all term "motorized watercraft" instead of motorboats. When referring to these types of vehicles, we are reference the following definition:

§23-2-502

…

(7) (a) "Motorboat" means a vessel, including a personal watercraft or pontoon, propelled by any machinery, motor, or engine of any description, whether or not the machinery, motor, or engine is the principal source of propulsion. The term includes boats temporarily equipped with detachable motors or engines.

(b) The term does not include a vessel that has a valid marine document issued by the U.S. coast guard or any successor federal agency.

Personal watercraft:

These vehicles are a sub-set of the aforementioned "motorized watercraft" and are included in the statutory definitions for motorboats. When used in this document, the term "personal watercraft" does not refer to canoes, kayaks, rafts, or other vessels that are strictly self-powered or used to float on a stream or river. Instead it refers to those motorized watercraft that fit the definition given in full below. This refers to vehicles including but not limited to jet-skis, wave runners, motorized kayaks, and motorized canoes.

§23-2-502

…

(13) "Personal watercraft" means a vessel that uses an outboard motor or an inboard engine powering a water jet pump as its primary source of propulsion and that is designed to be operated by a person sitting, standing, or kneeling on the vessel rather than by the conventional method of sitting or standing in the vessel.

I. Introduction to the Quiet Waters Initiative

Montana's rivers and streams comprise less than 1% of our landscapes, but are valued and used disproportionately by people, wildlife and, of course, fish. They are the focal points of communities, offer recreational opportunities for non-motorized and motorized uses, as well as provide important habitats for wildlife and fish.

Montana, like other states, has experienced advanced motorized technology creep onto its waterways. There are now high-performance personal watercraft (jetskis), jetboats, airboats, hovercraft, motorized kayaks and other craft penetrating waters thought to be unusable to motorized watercraft in the past. And each year a different type of watercraft or high performance craft is introduced, threatening traditional uses or capable of penetrating previously quiet waters. And numbers of licensed motorized watercraft continue to increase, adding to the change of use on some waters from just occasional to more regular occurrences.

FWP making proactive decisions about the types of uses on our waterways can avoid ugly conflicts in the future, protect traditional and safe Montana recreational uses, and assures that water dependent wildlife and fish have secure habitats for the future. Not taking action invites user conflicts, unsafe and highly risky conditions, and can damage fish and wildlife habitats.

The following stream by stream assessment was developed to take a statewide look at current stream specific motorized watercraft regulations in light of what have been identified as growing conflicts and to prevent new and yet-to-be-developed forms of watercraft from affecting traditional uses, creating unsafe situations, and damaging fish and wildlife habitats. This effort does not propose to make major changes in motorized uses where already occurring, unless conflicts are known to have been occurring. Local agency personnel and knowledgeable local citizens were consulted on current situations and potential recommended changes in regulations.

II. Overview of Current Restrictions and Recommendations

Montana currently has regulations concerning the use of motorized watercraft on many streams and rivers throughout the state. These regulations are set by the Montana Fish Wildlife & Parks Commission. FWP often refers to these as "motorboat regulations," although they do at times regulate other types of watercraft. For our purposes we use the more cumbersome term "motorized watercraft" as a catch-all to address all those watercrafts that are vessels driven by motive power other than a sail or a person. Other craft including air cushion vehicles and amphibious vehicles which are capable of transporting a user over surface waters are considered off-highway vehicles, and are regulated differently than watercraft.

The level of regulation on any given stream is largely a function of the level of potential use on that particular stream. This does vary depending on a number of factors including stream size, nearby population centers, the opportunities for hunting, angling, and recreation, and the current and past uses of those streams as well as any conflicts that may have arisen in the past. Many streams throughout the state have no listed restrictions on motorized use. This is likely because of historically light usage, lack of navigability, or simply a lack of past conflicts over uses. The Quiet Waters Initiative seeks to close the gaps between those current and potential uses that may be made possible by emerging technologies.

With this goal in mind motorized use restrictions were assessed in every watershed throughout the state. It was often found that no listed restrictions were in place for streams with heavy uses

and multiple use types. Furthermore, this has led to conflict in some areas, and creates high potential for conflict in others. Conversely, other areas without restrictions were not found to be in need of them or had other types of regulations. For instance, many streams throughout the state flow through public lands managed by the US Bureau of Land Management of the US Forest Service. Many of these stream segments have no listed restrictions despite being under the jurisdiction of the FWP. These are well protected under the Code of Federal Regulations. The prioritization of the recommendations that follow were developed from this assessment. Some watershed areas were found to have high potential for current or future user conflict. Other watershed areas are not listed because of low potential for these conflicts.

The recommendations made here largely follow the existing format established by FWP in setting motorized watercraft restrictions. Where recommendations have been made they are listed by the stream segment and include the current level of restriction and the recommendations we have made. These recommendations fall into categories for watercraft class which limit the types of craft that can be used on a stream, seasonal restrictions which limit the times that watercraft can be used, directional restrictions which restrict travel upstream and downstream, and power restrictions which define either limitations to the speed at which a watercraft can be used or the size of the engine from which the motorcraft can derive motive power.

III. Recommendations for Off-Highway Vehicle Regulation

While the Quiet Waters Initiative is primarily concerned with motorized watercraft restrictions on streams and rivers, there are classes of vehicles including air cushion and amphibious vehicles that are not defined as watercraft under the statutory definitions under Montana State Law. Although these classes of vehicles do not meet those definitions they have many still have the ability to travel over surface waters and threaten traditional uses throughout the state. Moreover, by merit of design these vehicles pose a special hazard to the ecology of streams and riparian areas, and have high potential for disturbing ecologically important streambeds and in-stream habitat throughout Montana.

These vehicles are considered off-highway vehicles under the definitions provided in the Montana Code Annotated §23-2-801.

> "23-2-801. Definition. (1) As used in this part, "off-highway vehicle" means a self-propelled vehicle used for recreation or cross-country travel on public lands, trails, easements, lakes, rivers, or streams. The term includes but is not limited to motorcycles, quadricycles, dune buggies, amphibious vehicles, air cushion vehicles, and any other means of land transportation deriving motive power from any source other than muscle or wind.
>
> (2) Off-highway vehicle does not include:
>
> (a) vehicles designed primarily for travel on, over, or in the water;
>
> (b) snowmobiles; or
>
> (c) except as provided in 23-2-804, vehicles otherwise issued a certificate of title and registered under the laws of the state, unless the vehicle is used for off-road recreation on public lands."

While these vehicles are clearly described in §23-2-801 as off-highway vehicles, they may also meet the definitions for motorboats under §23-2-502. The section reads,

> **"23-2-502. Definitions.**
> (7) (a) "Motorboat" means a vessel, including a personal watercraft or pontoon, propelled by any

machinery, motor, or engine of any description, whether or not the machinery, motor, or engine is the principal source of propulsion. The term includes boats temporarily equipped with detachable motors or engines.

(b) The term does not include a vessel that has a valid marine document issued by the U.S. coast guard or any successor federal agency.

It is unclear whether these vehicles meet the definitions for both off-highway vehicles and motorboats, which could create a question of how these vehicles are regulated on streams and rivers. Despite any confusion resulting from this seeming dual definition, they are explicitly defined as off-highway vehicles in §23-2-801. Additionally, while these vehicles may be considered motorboats when used on surface waters, they are not primarily designed for operation upon the water. Montana law explicitly prevents the use of these vehicles under Title 23 "Parks, Recreation, Sports, and Gambling" and Title 61 "Motor Vehicles" of the Montana Code Annotated. The relevant sections read,

"23-2-302. Recreational use permitted -- limitations -- exceptions. (1) Except as provided in subsections (2) through (5), all surface waters that are capable of recreational use may be so used by the public without regard to the ownership of the land underlying the waters.

(2) The right of the public to make recreational use of surface waters does not include, without permission or contractual arrangement with the landowner:

(a) the operation of all-terrain vehicles or other motorized vehicles not primarily designed for operation upon the water;"

"**61-8-371. Operation of motor vehicle or off-highway vehicle below high-water mark on certain state or federal lands prohibited -- exceptions.** (1) Except as provided in 77-1-111(3), 77-1-806(4), and subsections (2) and (3) of this section, a person may not operate a motor vehicle or an off-highway vehicle below the ordinary high-water mark, as defined in 23-2-301, of class I or class II waters, as defined in 23-2-301, that occurs on state or federal lands or below the ordinary high-water mark of class I waters flowing through private lands, within that portion of the streambed that is covered with water.

(2) A motor vehicle or an off-highway vehicle may be operated below the ordinary high-water mark on state or federal lands on an established road or trail that enters or crosses a stream, but the stream crossing must be by the shortest practical or designated route to the road or trail on the opposite bank.

(3) The prohibition in subsection (1) does not apply to:

(a) off-highway or motor vehicle use that occurs on state or federal land that is designated for off-highway or motor vehicle use below the ordinary high-water mark if the use is in accordance with the requirements of the authorization;

(b) off-highway or motor vehicle use conducted on state or federal land pursuant to and in accordance with a specific written authorization from the appropriate land management agency for that use below the ordinary high-water mark; and

(c) operation of an off-highway vehicle by a nonambulatory person who is using the vehicle for recreational use, as defined in 23-2-301, as long as operation of the vehicle is prudent and minimizes destruction.

(4) The state may authorize the use of a motor vehicle or off-highway vehicle on state property below the ordinary high-water mark only when the state has determined that the use will have a minimal impact on the streambed and on the fish and wildlife ecology of the stream or river. Federal land management agencies are requested to apply the same criteria when authorizing use of federal land."

Given the explicit language in §61-8-371, Backcountry Hunters and Anglers recommends that the laws concerning off-highway vehicles be enforced as written to limit irresponsible,

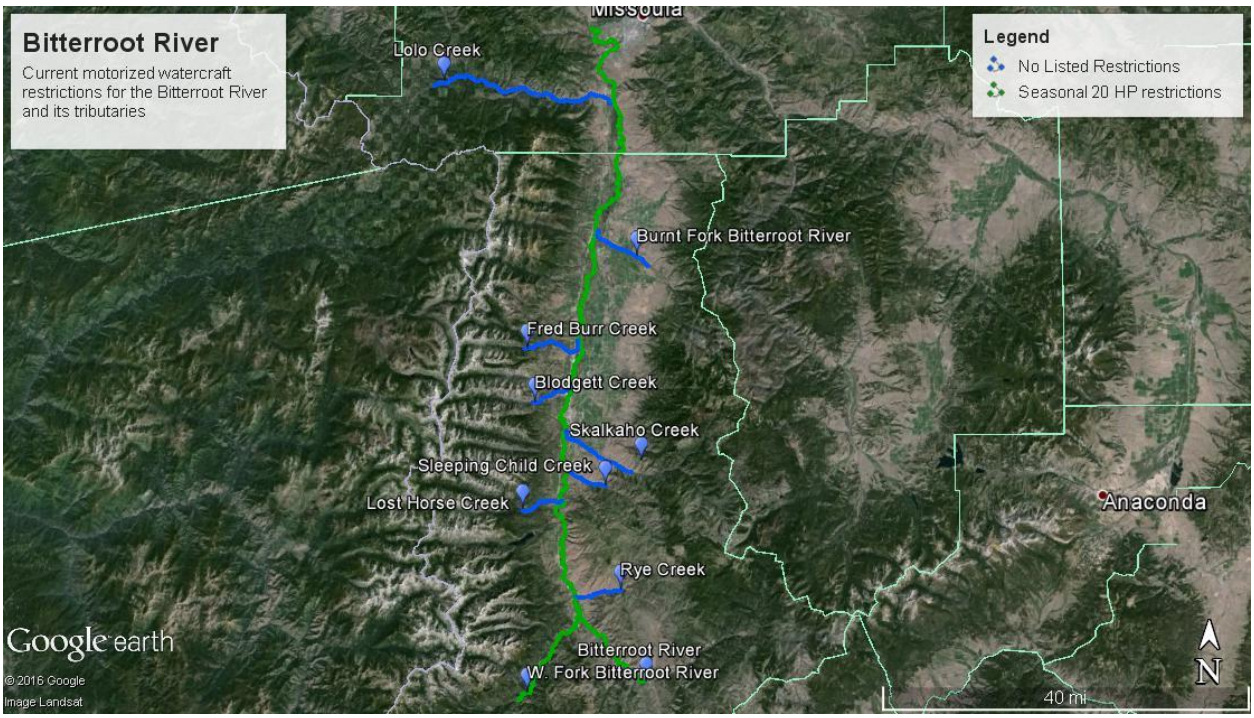
disruptive, and damaging uses of these vehicles below the ordinary high-water mark on Montana's streams and rivers.

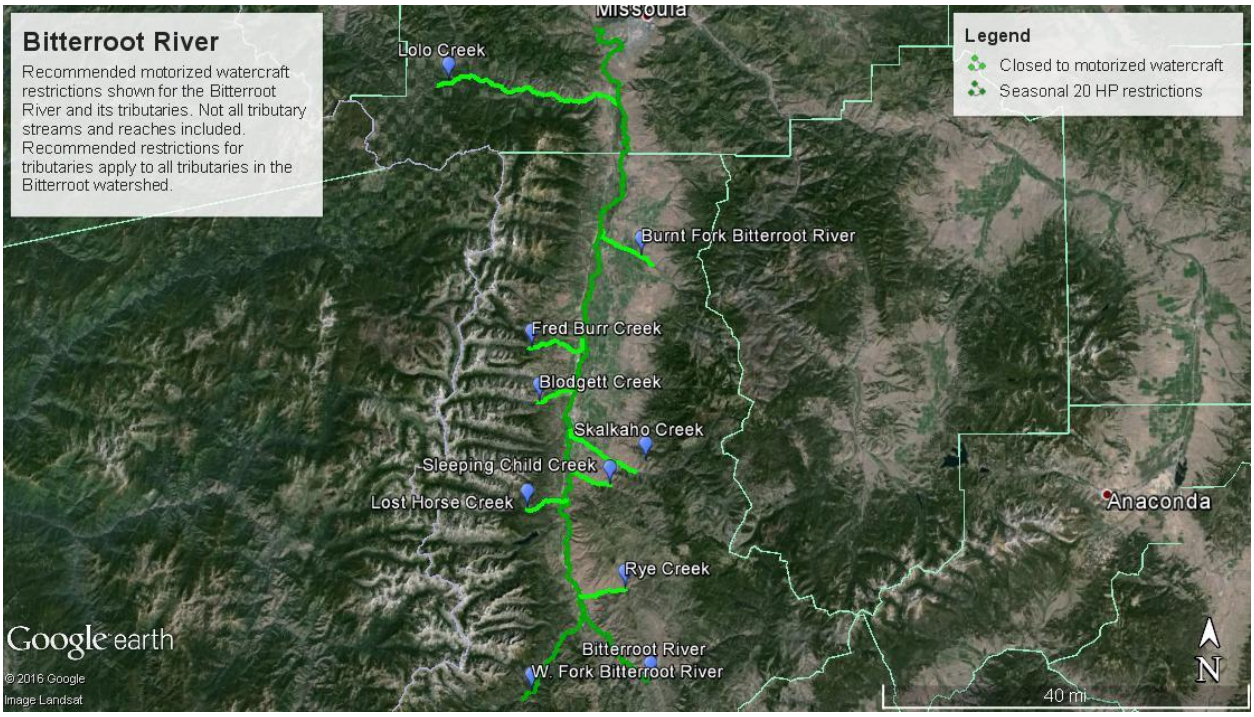
IV. Recommendations by Watershed Area

Clark Fork River watershed

Motorized uses are effectively restricted throughout much of this area with complete restrictions in effect for the Blackfoot River drainage and Upper Clark Fork drainage. Thanks to the efforts of Trout Unlimited and many other groups, several common sense, seasonal motorized watercraft restrictions have been implemented elsewhere on the Clark Fork River and the Bitterroot River. Several streams in the Bitterroot drainage, however, have no listed restrictions. Many of these streams experience low base-flows and/or are highly manipulated by irrigation structures. Operation of a motorized watercraft on many of these tributaries would be both difficult or present a real risk to the user and any other users on those streams. It is recommended that these tributaries be restricted to all motorized watercraft use in a manner similar to those streams in the Upper Clark Fork and Blackfoot River drainages. Several major tributaries to the Bitterroot River are listed below with their current listed restrictions, as well as recommendations for future restrictions. It is recommended that these closures be applied to all tributary streams; the following streams are listed and mapped to provide an example of the scope of these recommendations.

Stream Name	**Current Restrictions**	**Recommendations**
Lolo Creek	No Listed Restrictions	Closed to motorized watercraft
Burnt Fork Bitterroot River	No Listed Restrictions	Closed to motorized watercraft
Skalkaho Creek	No Listed Restrictions	Closed to motorized watercraft
Sleeping Child Creek	No Listed Restrictions	Closed to motorized watercraft
Lost Horse Creek	No Listed Restrictions	Closed to motorized watercraft
Rye Creek	No Listed Restrictions	Closed to motorized watercraft
Blodgett Creek	No Listed Restrictions	Closed to motorized watercraft
Fred Burr Creek	No Listed Restrictions	Closed to motorized watercraft





Upper Flathead River watershed:

Motorized use in connection with Flathead Lake is common in both Flathead and Lake Counties. Because of higher population densities and development near many of the areas waterways motorized uses are restricted in a unique way through a noise restriction. Motorized watercraft and PWCs may not emit in excess of 75 decibels measured at the shoreline throughout both Flathead and Lake Counties. This restriction may effectively eliminate many conflicts and irresponsible uses before they start. The backwater of Flathead Lake makes the main stem of the

river from the mouth of the lake to the Highway 35 bridge navigable by motorcraft, however, this area is a no-wake restricted area.

The section of the main stem coupled with the stretch of the South Fork from its confluence with the main stem to Hungry Horse Reservoir has no restrictions beyond the county-wide noise restriction. Occasional conflicts arising from personal watercraft use has been noted on the stretch of the South Fork from Hungry Horse to its confluence. Uses on the South Fork above the reservoir are restricted by a no-wake restriction to the Spotted Bear bridge and above by physical barriers and wilderness designations. The Middle Fork and the North Fork are both well protected by 10 HP restrictions and motorized use closures. It is recommended that the reaches of the South Fork of the Flathead River and mainstem of the Flathead River from the Hungry Horse Dam to the Highway 35 bridge be restricted as a seasonal no-wake area from June 1 to October 15. It is also recommended that a personal watercraft restriction be placed on this same area to prevent any future conflicts as well.

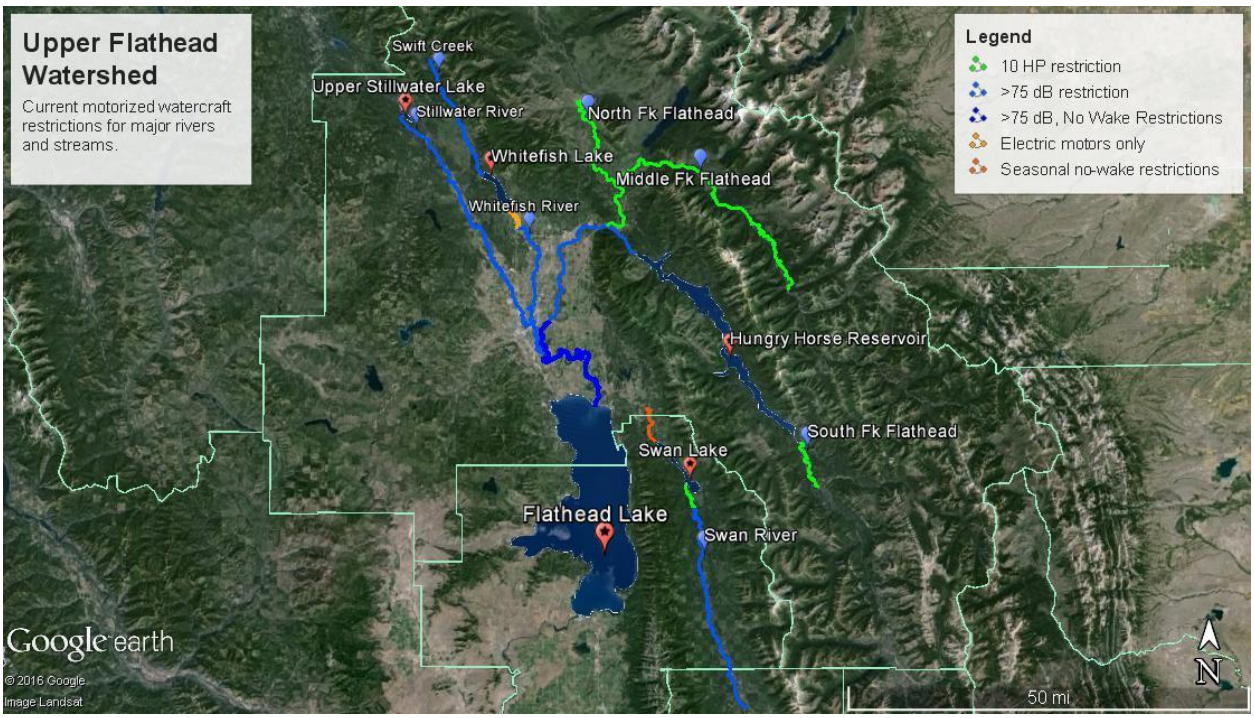
The Swan River is restricted by a seasonal no-wake or minimum operating speed below Swan Lake. It is also protected by a no-wake rule from where the river enters the lake to the Porcupine Bridge approximately 4 ½ miles upstream. Further upstream the river becomes dangerous or difficult to operate a motorized watercraft on due to physical limitations and barriers. The headwaters of the Swan River can be found in a wilderness area. It is possible that the noise limitations in Flathead and Lake County preclude and misuses at the moment, however, emerging watercraft technologies may change these circumstances. Occasional conflicts are reported on the Swan River from motorized uses. It is recommended that the no-wake restriction on the Swan River simply be extended from its current boundary at the Porcupine Bridge to its headwaters in order to eliminate any potential conflicts in the future including those involving emerging watercraft technologies.

The Stillwater and Whitefish Rivers both lack any restrictions beyond the county-wide noise restriction but are both limited in size and navigability. Some motorized uses have been noted on both. A longstanding no-wake designation is in place for a section of the Whitefish River near the city of Whitefish as well as a newly established electric motor only restriction for the river below the outlet of Whitefish Lake and the bridge at JP Road. To safely operate a motorized watercraft on the tributaries to the Whitefish River that feed Whitefish Lake including Swift Creek would likely be difficult, if not impossible. To address any potential conflicts over motorized use in the Stillwater and Whitefish River basins it is recommended that seasonal no-wake restrictions, similar to those on the lower Swan River, be applied to these rivers from June 1 to September 15. It is also recommended that all motorized watercraft use be restricted on the tributaries to the Whitefish River that enter Whitefish Lake. Many of these, including Swift Creek, flow through the Stillwater State Forest and other ecologically sensitive areas. Although the size and grade of many of these streams may restrict any kind of motorized use at present, it is suggested that this be formalized to preclude any potential misuses.

The current motorized watercraft restrictions and recommended changes can be found below.

Stream and Segment	**Current Restrictions**	**Recommendations**
Flathead River – Bigfork Bay to Highway 35 Bridge	>75 dBs, No-Wake	No Changes
Flathead River – Highway 35 Bridge to confluence of S. Fork and Middle Fork.	>75 dBs	>75 dBs, Seasonal no-wake restriction (6/1-10/15), no personal watercraft
South Fork Flathead River – Confluence to Hungry Horse Reservoir	>75 dBs	>75 dBs, Seasonal no-wake restriction (6/1-10/15), no personal watercraft

Middle Fork Flathead River – Confluence to Hwy 2 Bridge at Essex	>75 dBs, 10 HP restriction	No Changes
Middle Fork Flathead River – Hwy 2 Bridge at Essex to Bob Marshall Wilderness boundary	>75 dBs, Closed to motorized watercraft	No Changes
North Fork Flathead River – Confluence to Camas Bridge	>75 dBs, 10 HP restrictions	No Changes
North Fork Flathead River – Camas Bridge to Canadian border	>75 dBs, Closed to motorized watercraft	No Changes
Swan River – Confluence with Bear Creek in Flathead County to Swan Lake	>75 dBs, Seasonal no-wake restriction (7/1-9/15)	No Changes
Swan River – Mouth of Swan Lake to Spotted Bear Bridge	>75 dBs, No-wake speed restriction	Extend upstream boundary to headwaters
Stillwater River – Confluence with Flathead River to Upper Stillwater Lake	>75 dBs	>75 dBs, Seasonal no-wake restriction (7/1 – 9/15), no personal watercraft
Whitefish River – Confluence with Stillwater River to JP Road Bridge	>75 dBs	>75 dBs, Seasonal no-wake restriction (7/1 – 9/15), no personal watercraft
Whitefish River – JP Road Bridge to railroad trestle south of Whitefish Lake outlet	>75 dBs, Electric motors only, no-wake speed restriction	No Changes
Swift Creek and tributaries to Whitefish Lake	>75 dBs	No motorized watercraft use


Upper Flathead Watershed
Current motorized watercraft restrictions for major rivers and streams.
Legend
10 HP restriction
>75 dB restriction
>75 dB, No Wake Restrictions
Electric motors only
Seasonal no-wake restrictions
Swift Creek
Upper Stillwater Lake
Stillwater River
North Fk Flathead
Whitefish Lake
Middle Fk Flathead
Whitefish River
Hungry Horse Reservoir
South Fk Flathead
Swan Lake
Flathead Lake
Swan River
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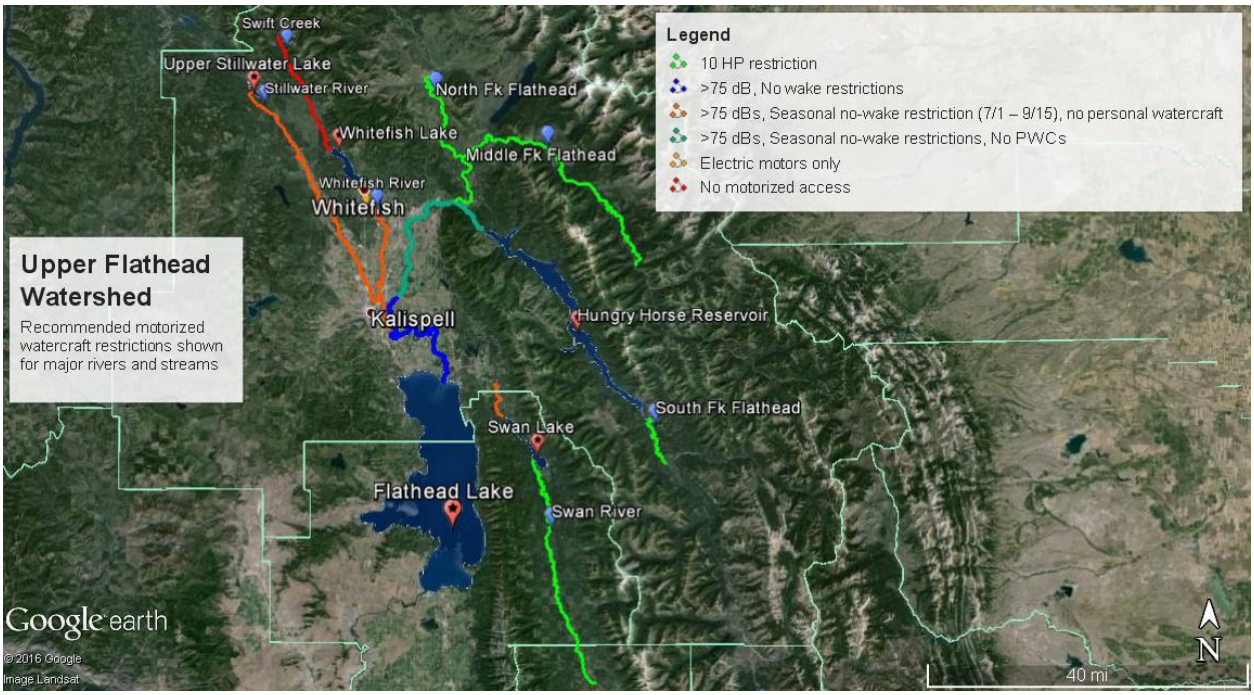
Legend
10 HP restriction
>75 dB, No wake restrictions
>75 dBs, Seasonal no-wake restriction (7/1 – 9/15), no personal watercraft
>75 dBs, Seasonal no-wake restrictions, No PWCs
Electric motors only
No motorized access
Upper Flathead Watershed
Recommended motorized watercraft restrictions shown for major rivers and streams
Swift Creek
Upper Stillwater Lake
Stillwater River
North Fk Flathead
Whitefish Lake
Middle Fk Flathead
Whitefish River
Whitefish
Kalispell
Hungry Horse Reservoir
South Fk Flathead
Swan Lake
Flathead Lake
Swan River
Google earth
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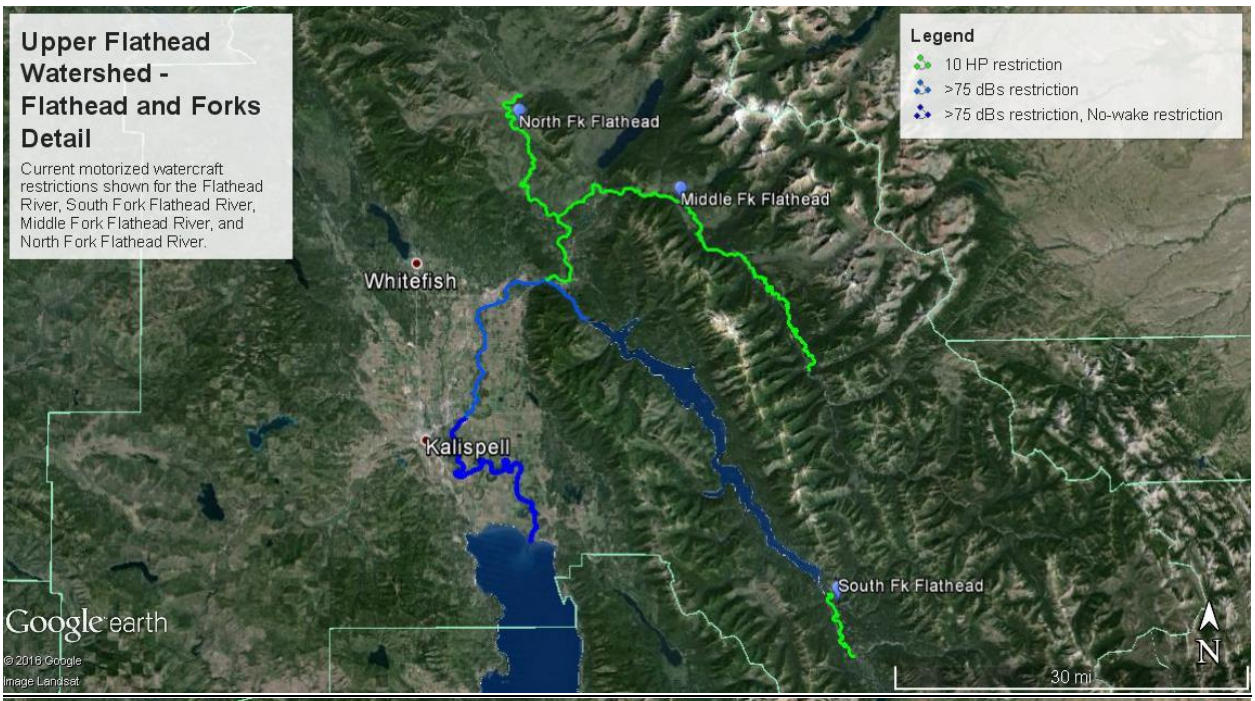
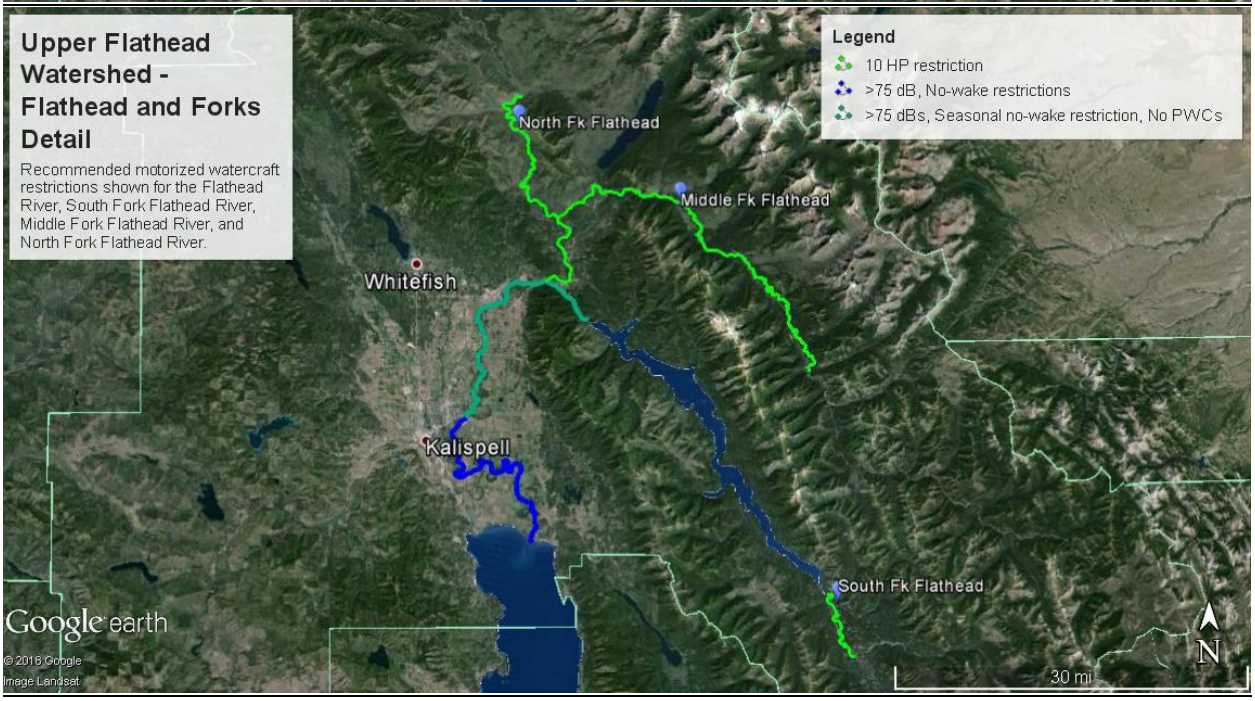

Upper Flathead Watershed - Flathead and Forks Detail
Current motorized watercraft restrictions shown for the Flathead River, South Fork Flathead River, Middle Fork Flathead River, and North Fork Flathead River.
Legend
10 HP restriction
>75 dBs restriction
>75 dBs restriction, No-wake restriction
North Fk Flathead
Middle Fk Flathead
Whitefish
Kalispell
South Fk Flathead
Google earth
© 2018 Google
Image Landsat
30 mi
N


Upper Flathead Watershed - Flathead and Forks Detail
Recommended motorized watercraft restrictions shown for the Flathead River, South Fork Flathead River, Middle Fork Flathead River, and North Fork Flathead River.
Legend
10 HP restriction
>75 dB, No-wake restrictions
>75 dBs, Seasonal no-wake restriction, No PWCs
North Fk Flathead
Middle Fk Flathead
Whitefish
Kalispell
South Fk Flathead
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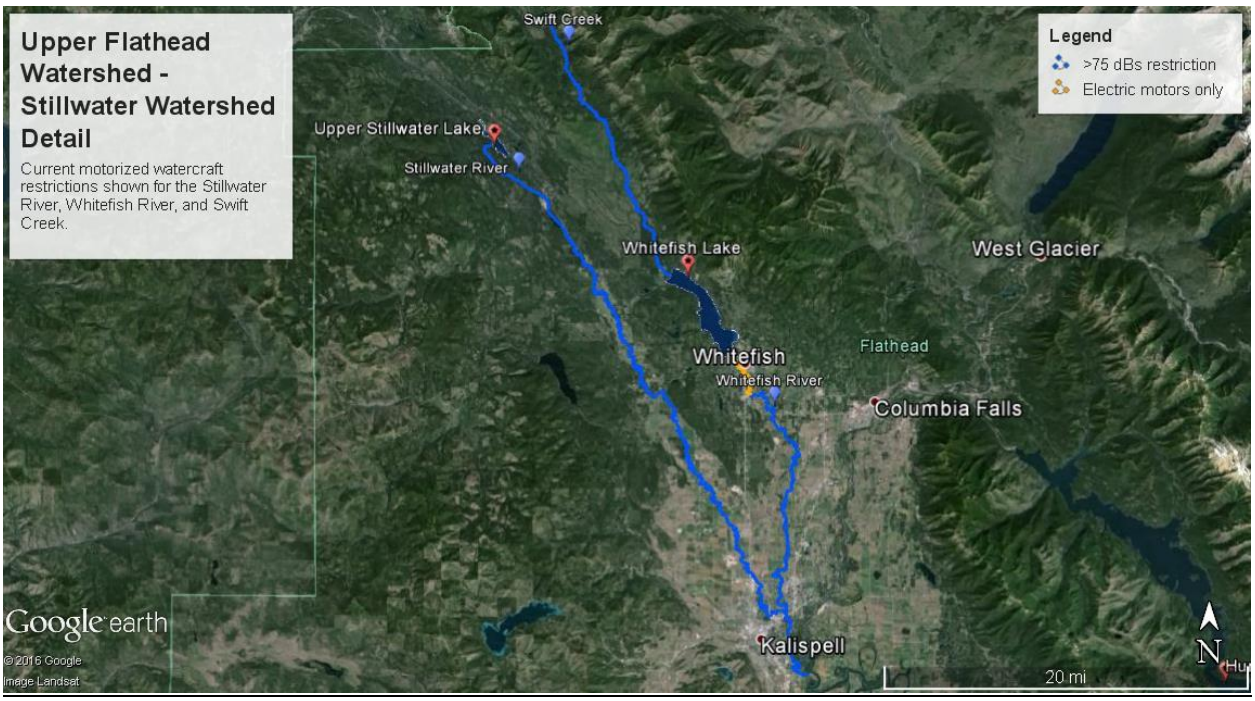
Upper Flathead Watershed - Stillwater Watershed Detail
Current motorized watercraft restrictions shown for the Stillwater River, Whitefish River, and Swift Creek.
Legend
>75 dBs restriction
Electric motors only
Swift Creek
Upper Stillwater Lake
Stillwater River
Whitefish Lake
West Glacier
Whitefish
Whitefish River
Flathead
Columbia Falls
Kalispell
20 mi
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Google earth
© 2016 Google
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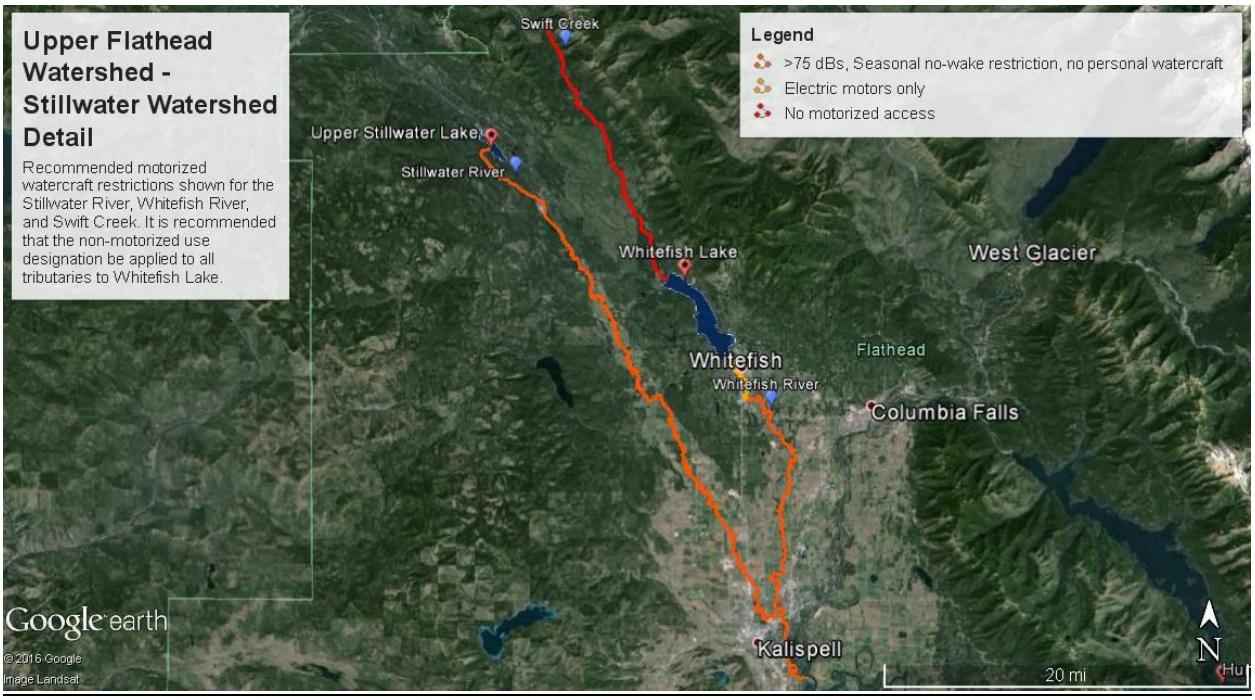
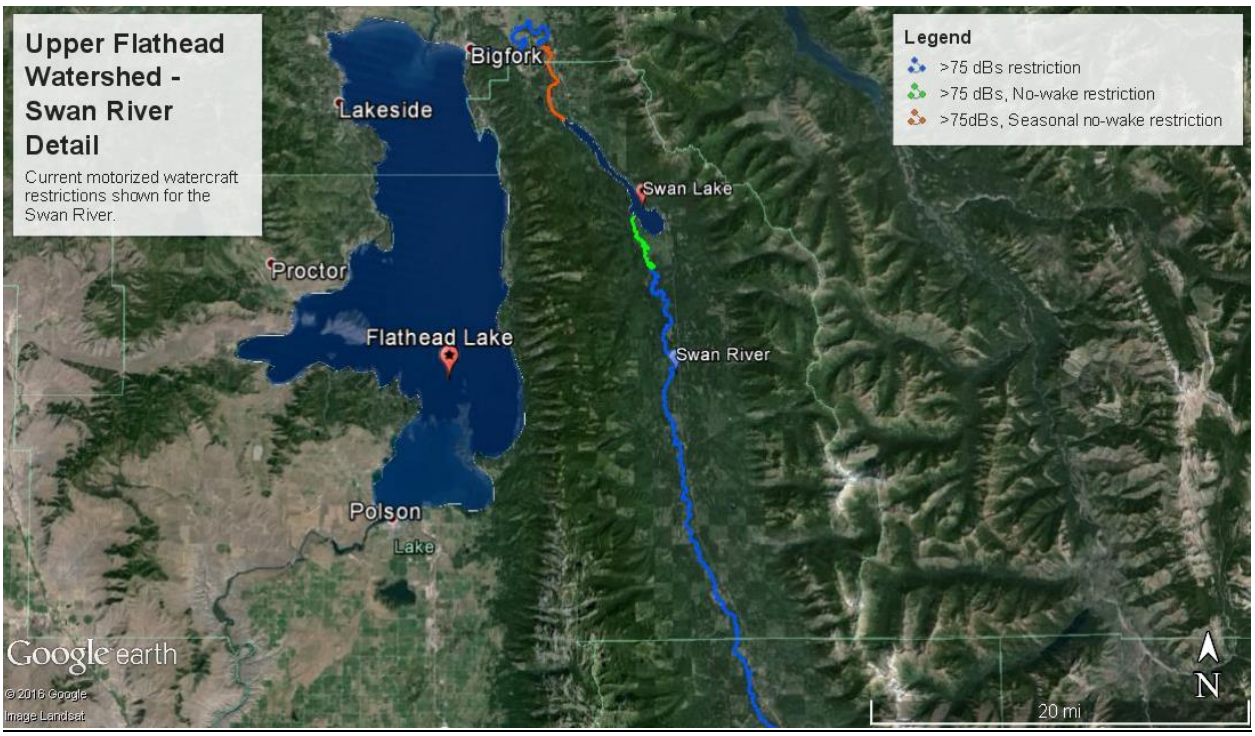
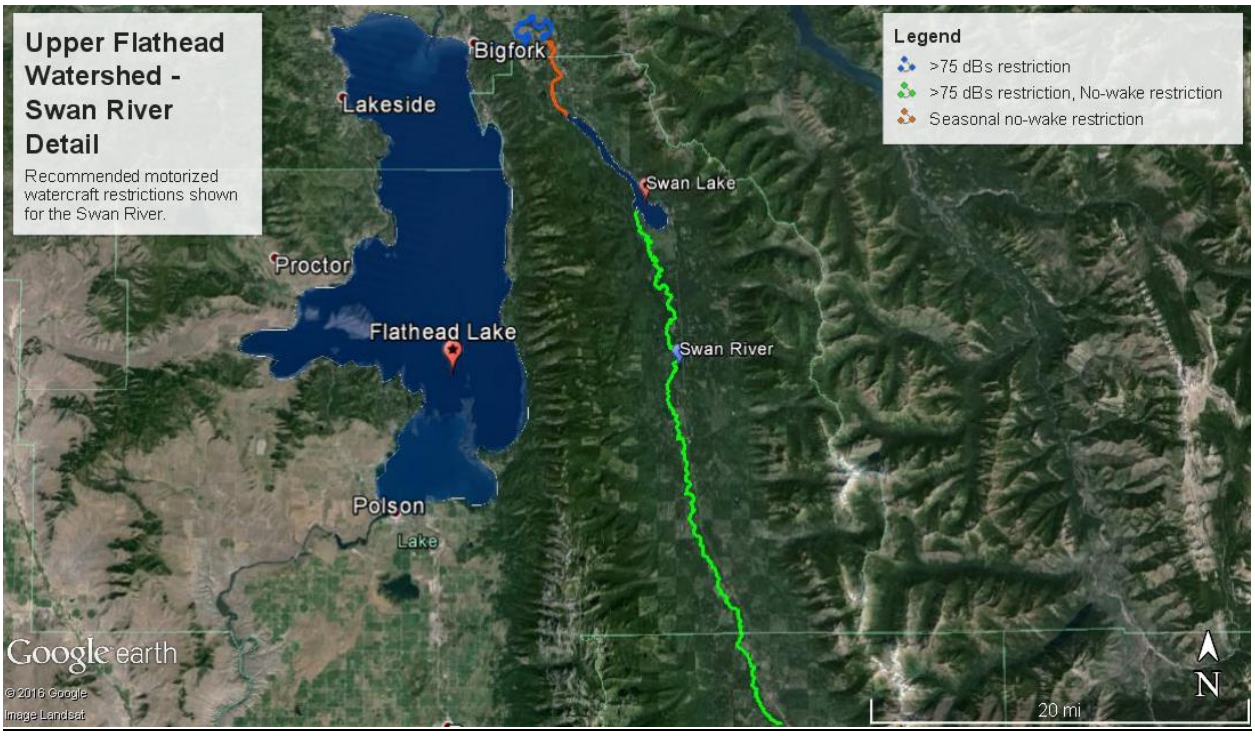

Upper Flathead Watershed - Stillwater Watershed Detail
Recommended motorized watercraft restrictions shown for the Stillwater River, Whitefish River, and Swift Creek. It is recommended that the non-motorized use designation be applied to all tributaries to Whitefish Lake.
Legend
>75 dBs, Seasonal no-wake restriction, no personal watercraft
Electric motors only
No motorized access
Swift Creek
Upper Stillwater Lake
Stillwater River
Whitefish Lake
West Glacier
Whitefish
Whitefish River
Flathead
Columbia Falls
Kalispell
20 mi
N
Google earth
© 2016 Google
Image Landsat





Upper Missouri River – Three Forks to Pelican Point FAS

The area from the headwaters of the Missouri River to the Pelican Point fishing access site just past the Cascade County line is a diverse fishery that is characterized largely by higher gradient streams and cold-water fisheries that are highly regulated by a system of reservoirs. These reservoirs are Canyon Ferry Reservoir, Hauser Reservoir, and Holter Reservoir. Personal watercraft are not allowed on this section of the Missouri River and its tributaries from its

headwaters to its confluence with Prewett Creek with the exception of reservoirs. The section of the Missouri River from its headwaters at Three Forks to the mouth of Canyon Ferry Reservoir is open to motorized watercraft except for personal watercraft. The reservoirs on this section of the Missouri allow for many recreation opportunities with motorized watercraft. The reservoirs have their own restrictions that are not addressed by Quiet Waters.

From Hauser Dam to the Missouri River's confluence with Beaver Creek, the river flows through a narrow canyon bounded on the north and east by the Helena National Forest and on the south and west by land managed by the Bureau of Land Management. While this area has been designated as a no-wake area, there are numerous reports of conflicts arising from motorboats, particularly jet boats, running upstream on the river at wake speed.

From Holter Dam to the Missouri's confluence with Prewett Creek the only restrictions on this reach of river are those restricting personal watercraft. The reach from Prewett Creek to the Pelican Point fishing access site has no restrictions to motorized watercraft.

The reach of river from Holter Dam to the Missouri River's confluence with Wolf Creek is heavily used by many different types of recreationists among which there are increasing numbers of motorized watercraft users. An increasing number of conflicts and complaints have been noted in this area. The reach from Wolf Creek to the Pelican Point fishing access site has historically seen use by a diverse set of recreationalists including motorboat users. Increases in motorized watercraft use have also been noted for this reach. It is recommended that downstream only and no-wake restrictions be placed on this reach. From the Wolf Creek Bridge to the Pelican Point fishing access site it is recommended that a seasonal 20 horsepower restriction be placed on the Missouri River from June 1 to September 15. An exception should be made for local homeowners whose ability to access their properties may be limited by the proposed restriction.

The tributaries to the Missouri River from Three Forks to its confluence with Prewett Creek are protected from personal watercraft use. Many of these tributaries are of such gradient and size as to present many physical barriers to motorized watercraft use at present. Many are also highly influenced by irrigation uses as well with diversion dams and other structures presenting physical barriers to these types of uses. It is recommended that a seasonal 10 horsepower use restriction from May 15 to September 15 be placed on all of these tributaries to prevent any potential misuses or conflicts that may arise.

The current motorized restrictions and recommended changes are listed below:

Stream and Segment	**Current Restrictions**	**Recommendations**
Missouri River – Three Forks to Clark Canyon	Open to motorized watercraft, No personal watercraft	No Changes
Missouri River – Hauser Dam to Beaver Creek	No-wake restriction, No personal watercraft	No Changes. Stricter enforcement needed.
Missouri River – Holter Dam to Wolf Creek Bridge	No personal watercraft	No personal watercraft; downstream use only, No-wake restriction
Missouri River – Wolf Creek Bridge to Pelican Point FAS	No personal watercraft	No personal watercraft, Seasonal 10 HP restriction (6/1 – 9/15)
All Missouri River tributaries	No personal watercraft	No personal watercraft, Seasonal 10 HP restriction (5/15 – 9/15)

Upper Missouri River
Current motorized watercraft restrictions shown for the Missouri River, Beaver Creek, Wolf Creek, the Dearborn River, and Prewett Creek. Personal watercraft are restricted entirely on the Missouri River and its tributaries from its headwaters at Three Forks to its confluence with Prewett Creek. This restriction does not apply to reservoirs on these water bodies.
Legend
No PWCs
No-wake restriction, No PWCs
Wolf Creek
Wolf Creek
Dearborn River
Holter Dam
Holter Dam FAS
Wolf Creek Bridge FAS
Craig FAS
Stickney Creek FAS
Spite Hill FAS
Mid Canon FAS
Prewett Creek
Hauser Dam
Beaver Creek
Mountain Palace FAS
Prewett Creek FAS
Pelican Point FAS
Google earth
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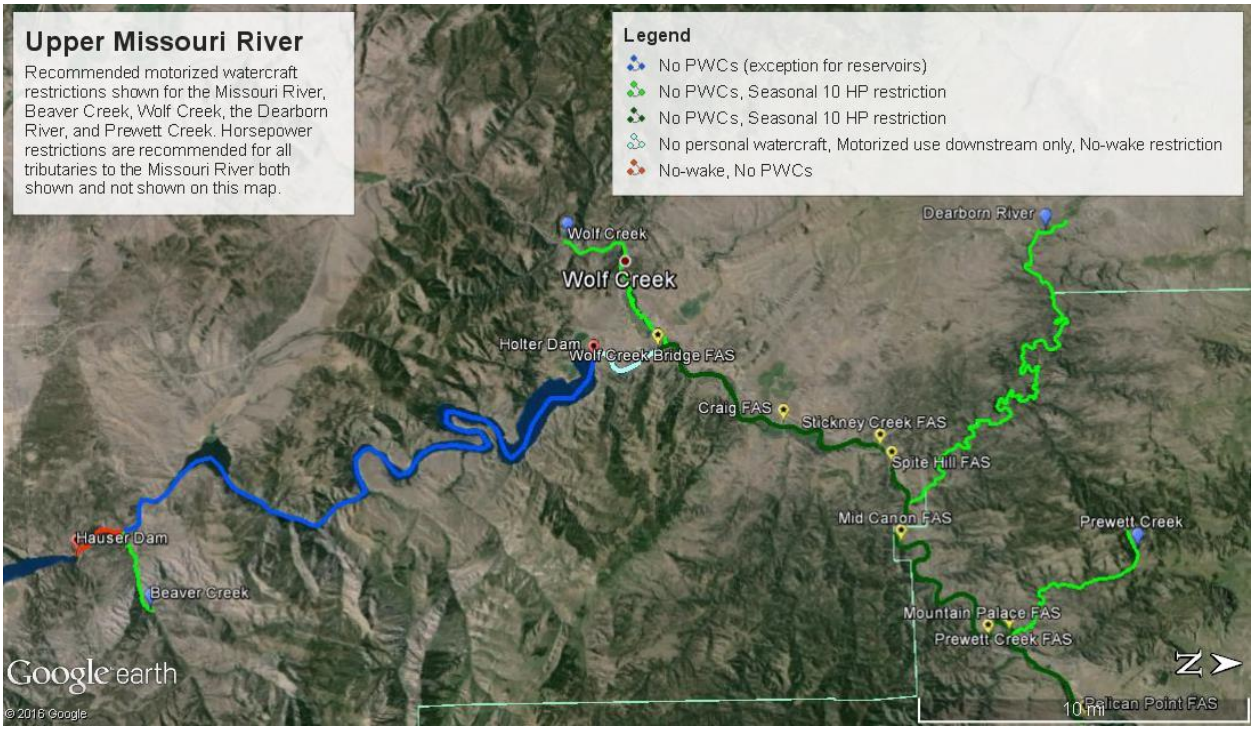
Image Landsat
10 mi


Upper Missouri River
Recommended motorized watercraft restrictions shown for the Missouri River, Beaver Creek, Wolf Creek, the Dearborn River, and Prewett Creek. Horsepower restrictions are recommended for all tributaries to the Missouri River both shown and not shown on this map.
Legend
No PWCs (exception for reservoirs)
No PWCs, Seasonal 10 HP restriction
No PWCs, Seasonal 10 HP restriction
No personal watercraft, Motorized use downstream only, No-wake restriction
No-wake, No PWCs
Wolf Creek
Wolf Creek
Dearborn River
Holter Dam
Wolf Creek Bridge FAS
Craig FAS
Stickney Creek FAS
Spite Hill FAS
Mid Canon FAS
Prewett Creek
Hauser Dam
Beaver Creek
Mountain Palace FAS
Prewett Creek FAS
Pelican Point FAS
Google earth
© 2016 Google
10 mi

Missouri River – Pelican Point FAS to Upper Missouri River Breaks National Monument

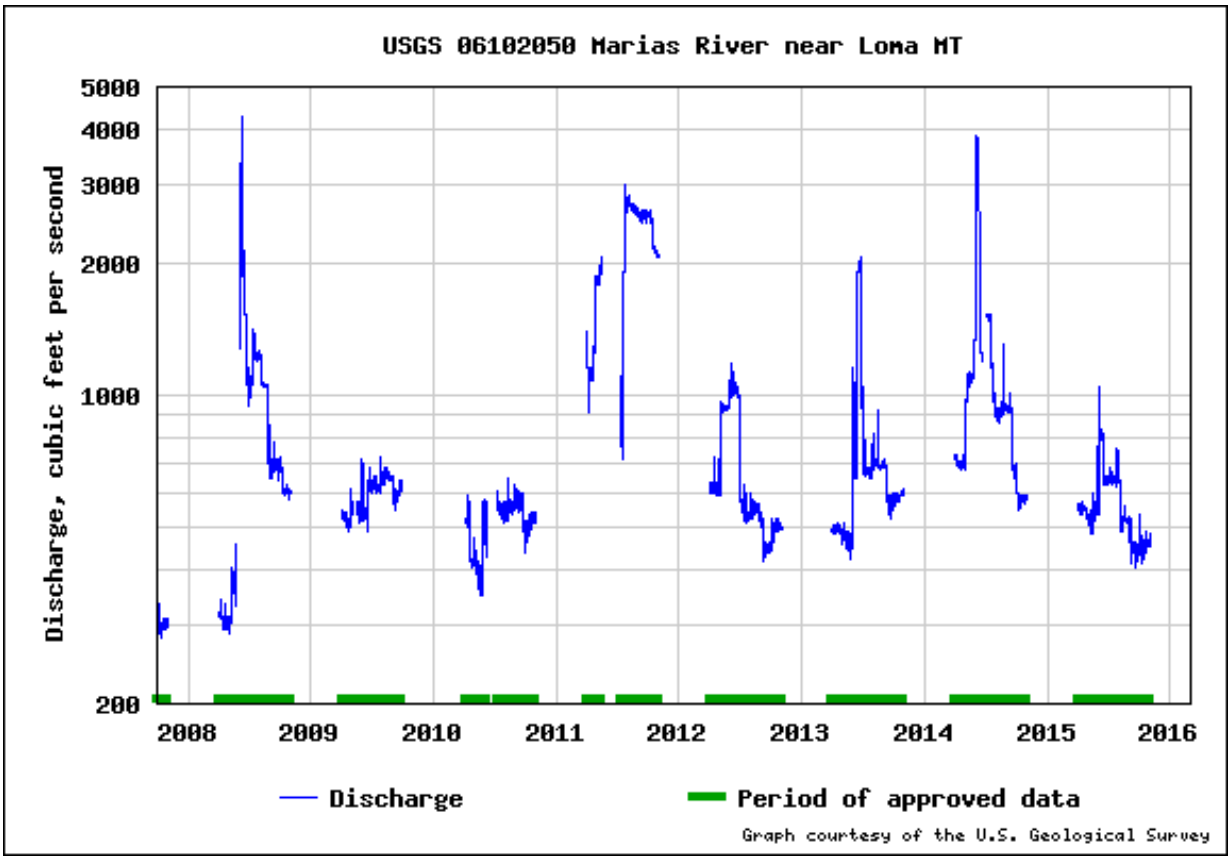
This area sees the Missouri River transition from a cold-water to a warm-water fishery more characteristic of a prairie stream. The river runs past the former location of the Great Falls of the Missouri at Great Falls, MT towards Fort Benton, MT where it begins to cut through increasingly arid terrain as it makes its way through the Upper Missouri River Breaks National Monument. There are no listed restrictions on the Missouri River from the Pelican Point fishing access site in Cascade County to the city of Great Falls near the Missouri's confluence with the Sun River. A system of dams in the vicinity of Great Falls restrict motorized watercraft use for several miles. The river again has no listed restrictions from the Morony Dam north of Great Falls to Fort Benton. The BLM sets motorized use rules and restrictions from Fort Benton to the Fred Robinson Bridge at Highway 191.

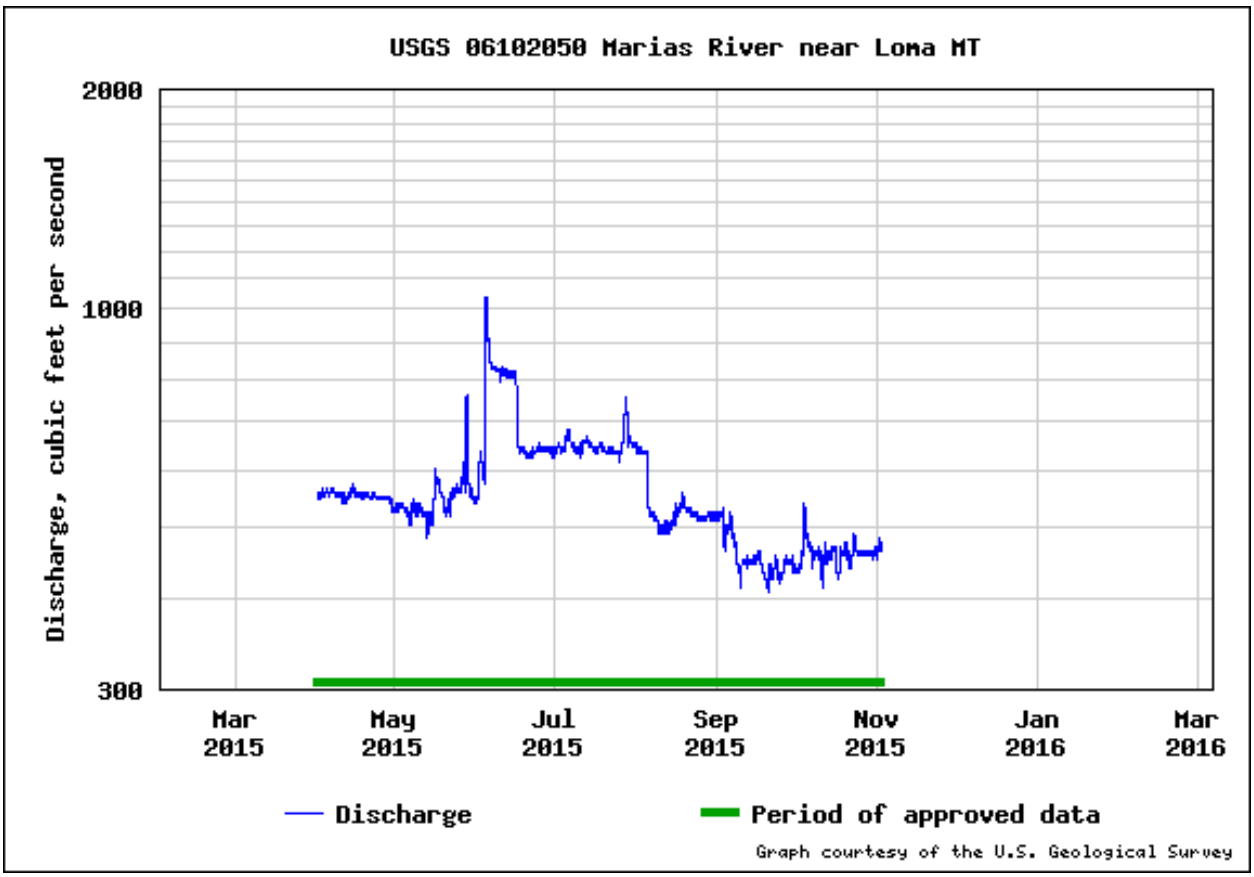
The Smith River enters the Missouri River south of Great Falls and is well-known as a non-motorized stream that is specially protected in the Montana State Code. The Sun River enters the Missouri River at Great Falls. No restrictions are listed for the Sun River and approximately the bottom five miles of the river are used by all types of motorized watercraft. Rare use of the river above has been noted, however, extensive use in the upper sections are difficult because of the number of shallow riffles, boulders, diversion structures, and de-watering. Most of the users on the bottom section come up from the Missouri River. It is recommended here that the bottom section of the Sun River from the Ulm Vaughan Bridge to its confluence with the Missouri River be left open to motorized uses throughout the year. On the upper section of the river above the Ulm Vaughan Bridge to its headwaters It is suggested that a 10 horsepower restriction be placed on the river to ensure the safety of all users and prevent potential conflicts. It is also recommended that personal watercraft be restricted on all sections of the Sun River.

The Marias River enters the Missouri northeast of Fort Benton on a reach of the Missouri designated as open to upstream and downstream motorized use. The Teton River enters the Marias just above its confluence with the Missouri near the town of Loma, MT. The Marias transitions from a cold-water fishery to a warm-water fishery from its headwaters to its confluence with the Missouri River. The Marias is divided by the Tiber Reservoir which sees considerable boating use throughout the year and serves to regulate flows from the outlet to the confluence with the Missouri. As such, the river below the outlet consistently flows around 500 cfs and allows for a cold-water fishery. As the Marias River flows towards the Missouri it begins to enter a series of arid badlands and becomes a warm-water fishery.

Conflicts have been reported on the "upper" section of the Marias below Tiber Dam where jetboat users have been running through this shallow section. This section is difficult to navigate with a canoe between 400-500 cfs. Moreover, the Bureau of Land Management does not recommend motorboat use on the Marias River below Tiber Dam. Given the physical limitations of the stream, a jet driven watercraft would often need to achieve a hydroplane, and therefore high speeds, to successfully navigate this section. These circumstances lend themselves to continued and future conflicts between users. It is recommended that a personal watercraft and 10 horsepower restriction be placed on the Marias River from Tiber Dam to the Highway 223 bridge. Alternately, a flow based restriction may be appropriate for reducing user conflicts and reaching compromise on this section. For example, a restriction that would limit motorized use when flows fell below a daily average of 400 cfs could possibly limit motorized uses when this section of river becomes shallow. From the Highway 223 bridge to the confluence of the Missouri it is recommended that it is recommended that a personal watercraft restriction and 10 HP limit be placed on motorized watercraft use. It is recommended that a 10 horsepower and personal watercraft restriction be placed on all sections of the Teton River to ensure user safety and prevent any future conflicts.

Marias River flows (cubic feet per second) at USGS gauging station near Loma, MT (confluence with Missouri River).

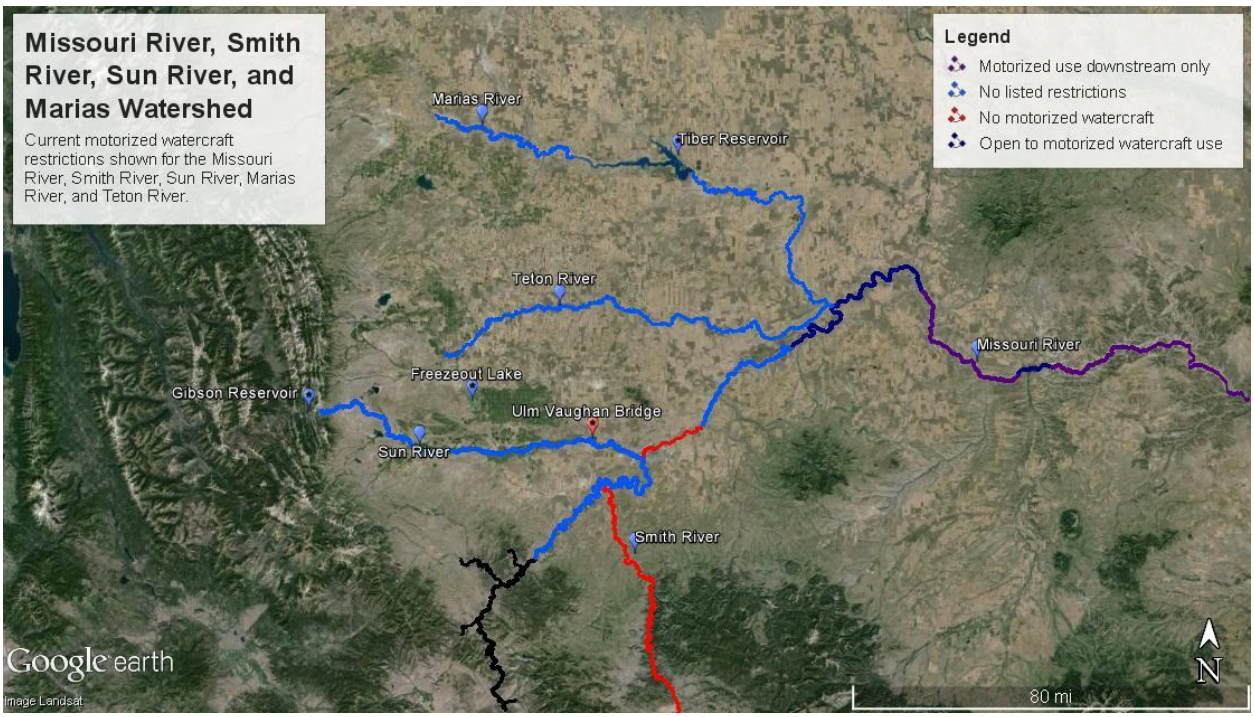


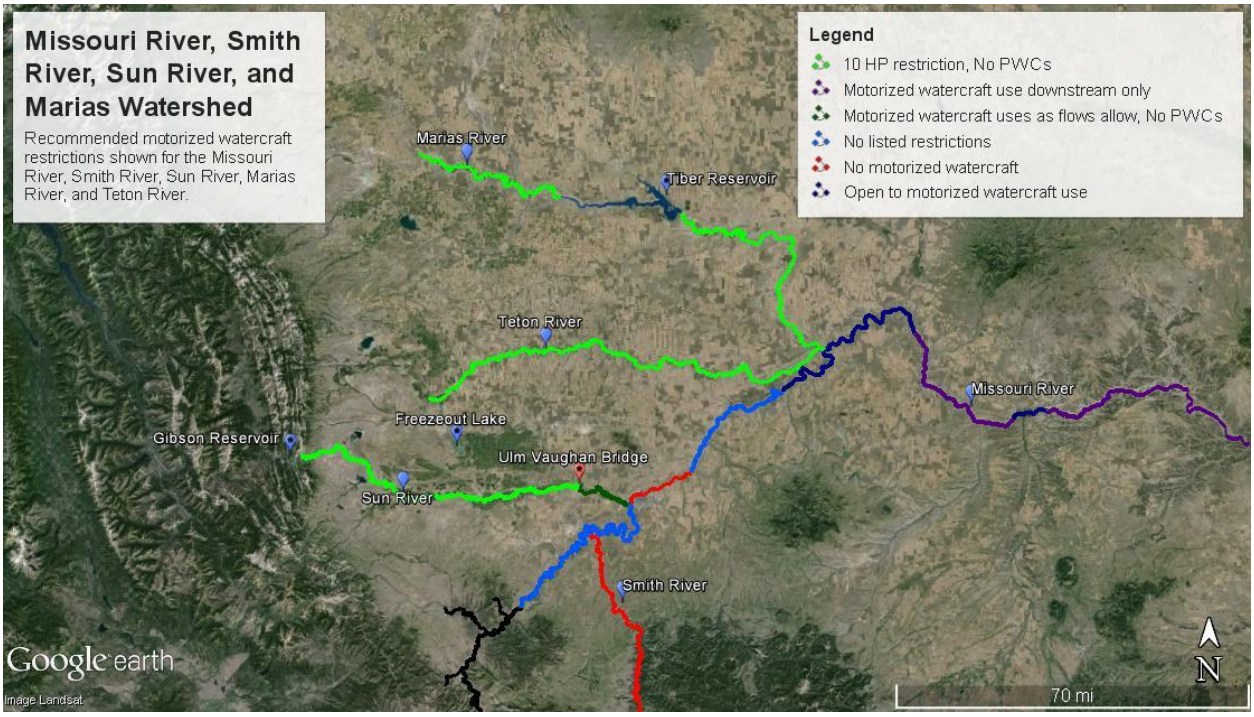


The current motorized restrictions and recommended changes are listed below:

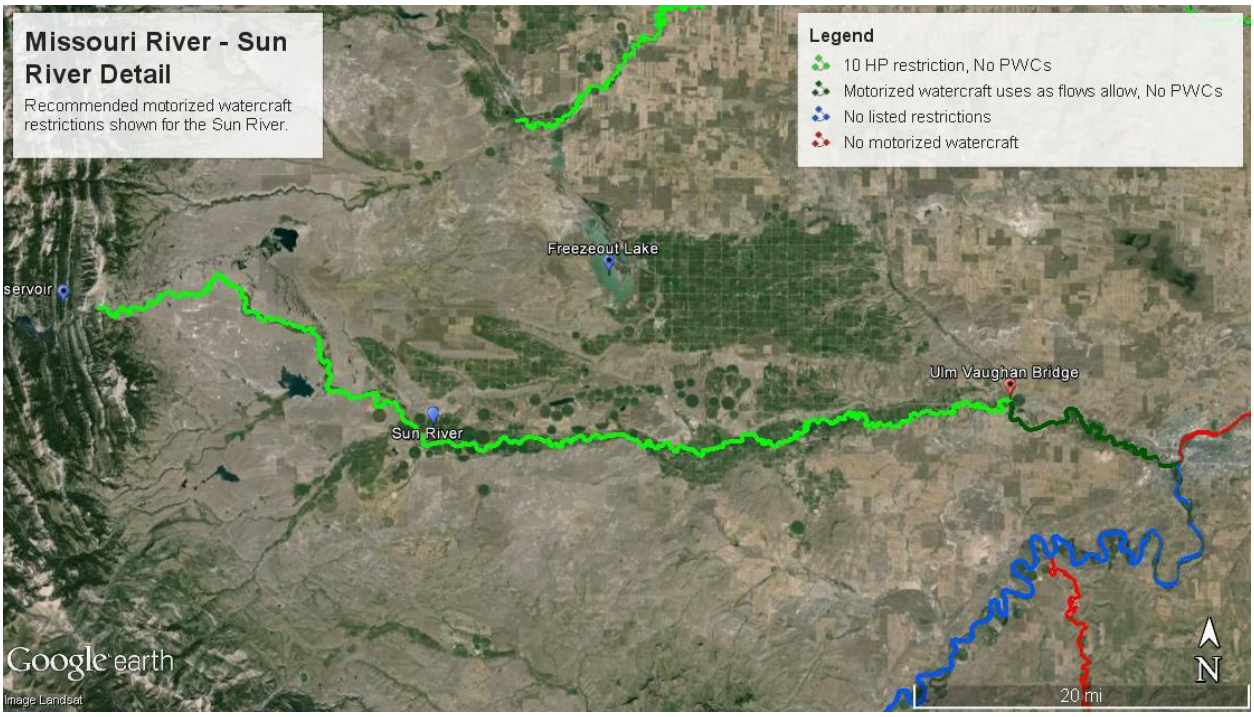
Stream and Segment	Current Restrictions	Recommendations
Missouri River -- Pelican Point FAS to Great Falls	No listed restrictions	No Changes
Missouri River – Great Falls vicinity downstream to Morony Dam	Closures throughout	No Changes
Missouri River – Morony Dam to Fort Benton	No listed restrictions	No Changes
Missouri River – Fort Benton to Fred Robinson Bridge	Restrictions set by BLM	N/A
Smith River	Closed to motorized watercraft	No Changes
Sun River – Headwaters to Ulm Vaughan Bridge	No listed restrictions	10 HP restriction; No personal watercraft
Sun River – Ulm Vaughan Bridge to Great Falls	No listed restrictions	Open to motorized watercraft
Marias River – Headwaters to Tiber Reservoir	No listed restrictions	10 HP restriction; No personal watercraft
Marias River – Tiber Dam to Highway 223 Bridge	No listed restrictions	10 HP restriction; No personal watercraft

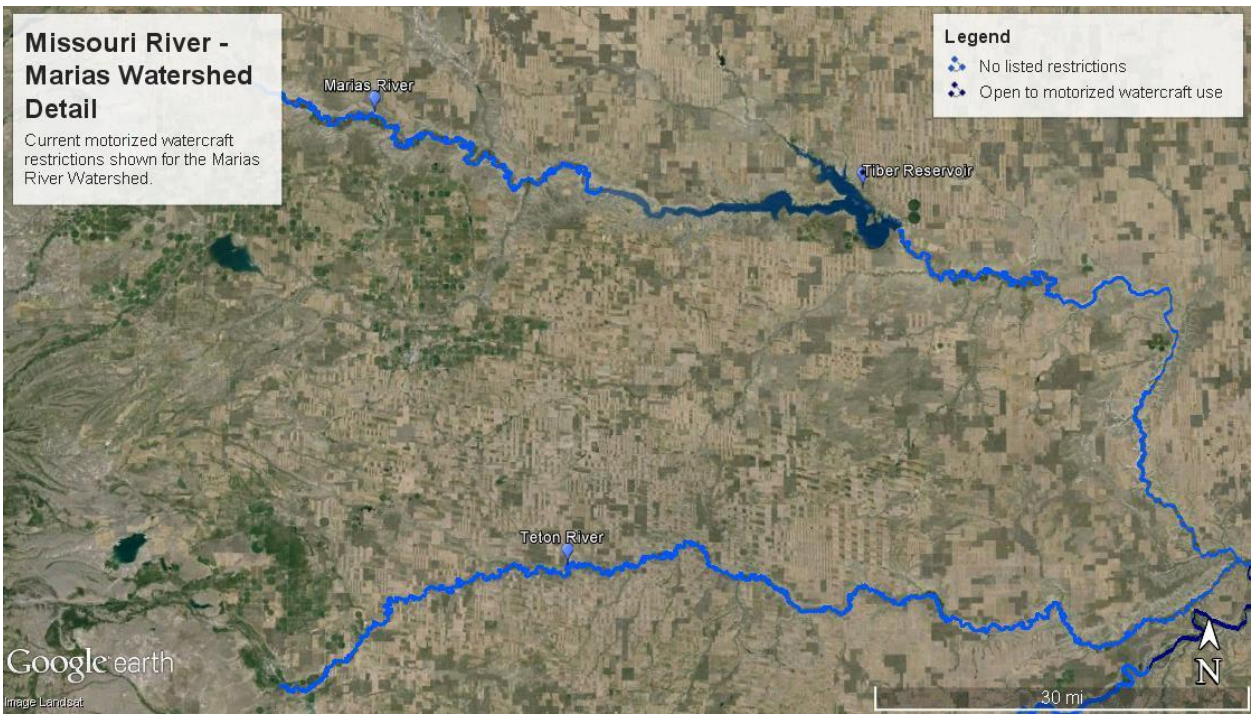
Marias River – Highway 223 Bridge to confluence with Missouri River	No listed restrictions	10 HP restriction; No personal watercraft
Teton River	No listed restrictions	10 HP restriction; No personal watercraft

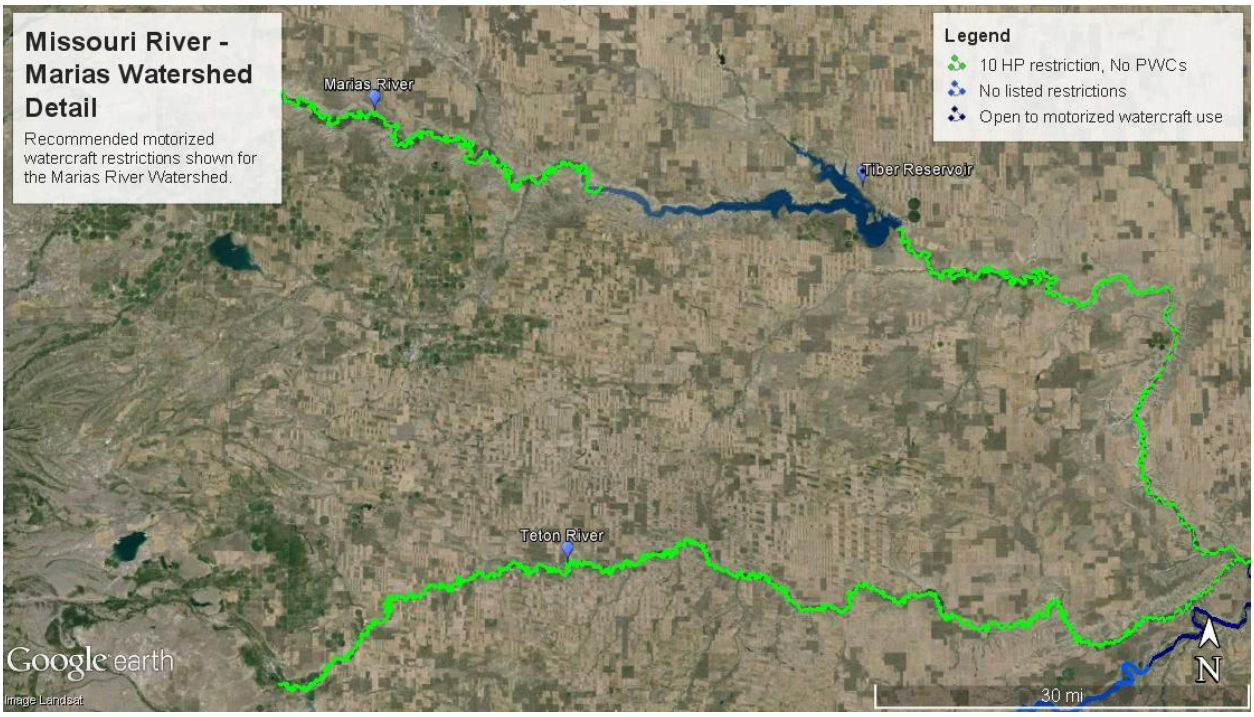




Missouri River - Sun River Detail
Current motorized watercraft restrictions shown for the Sun River.
Legend
No listed restrictions
No motorized watercraft
Freezeout Lake
Gibson Reservoir
Ulm Vaughan Bridge
Sun River
Google earth
Image Landsat
20 mi
N


Missouri River - Sun River Detail
Recommended motorized watercraft restrictions shown for the Sun River.
Legend
10 HP restriction, No PWCs
Motorized watercraft uses as flows allow, No PWCs
No listed restrictions
No motorized watercraft
Freezeout Lake
servoir
Ulm Vaughan Bridge
Sun River
Google earth
Image Landsat
20 mi
N





Upper Yellowstone River watershed

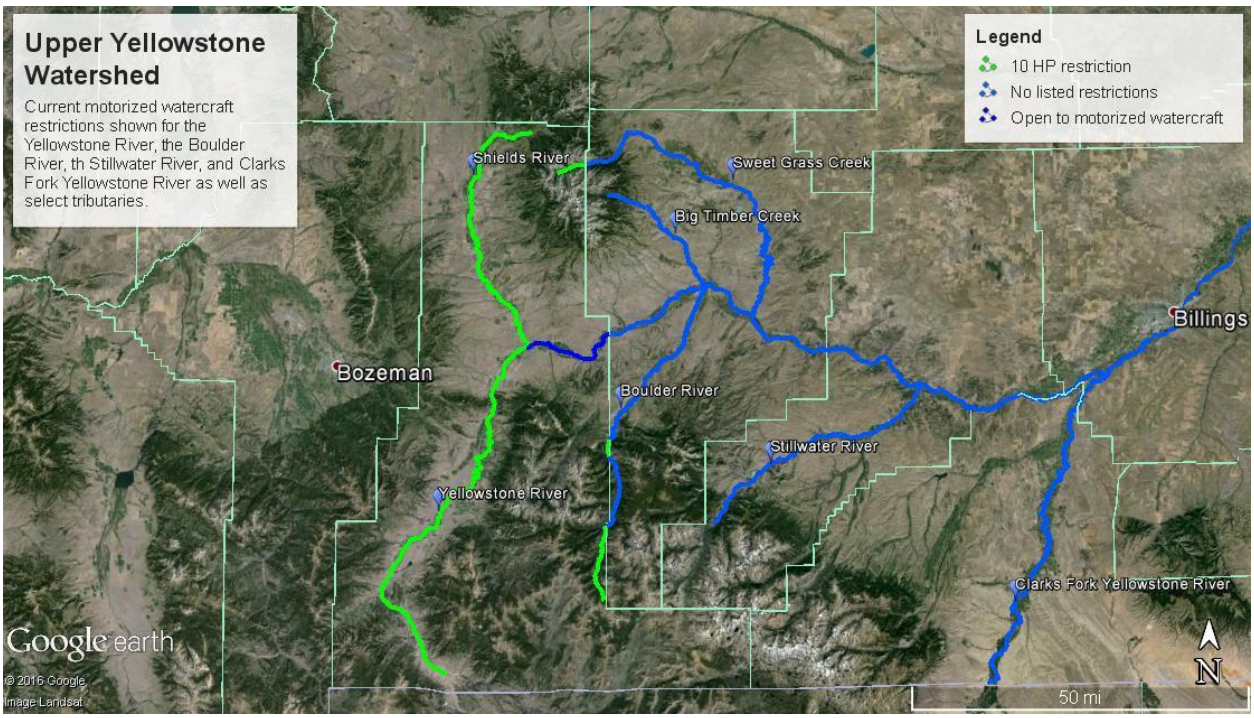
Various opportunities for motorized and non-motorized uses are available on the Yellowstone River. The Yellowstone River flows out of Yellowstone National Park where uses are heavily restricted by the National Park Service into Park County Montana. Park County is one of several counties in the state wherein sensible 10 horsepower restrictions on rivers and streams protect these resources and safeguard users of all types against potential conflicts and dangers associated with motorized watercraft uses. The Yellowstone and its tributaries in Park County

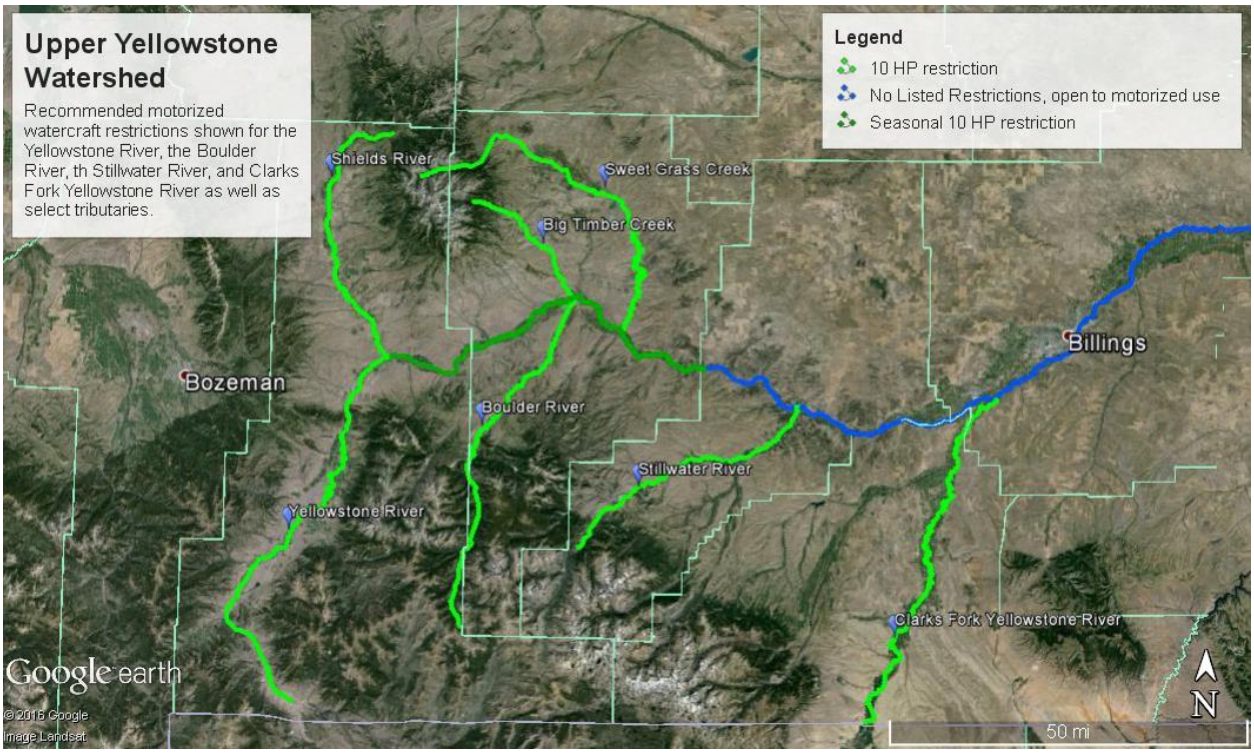
are largely shallow and high gradient waters with limited navigability. An exception to the 10 horsepower rule for the Yellowstone River begins at the Highway 89 Bridge in Livingston and extends to the Park County line. On this reach the Yellowstone River is open to motorized watercraft use. Downstream of the Park County line there are no listed restrictions for motorized watercraft use on the Yellowstone River. An increase in jet boat use in the area from Livingston to Reed Point has been noted in recent years. The increasing uses have caused the quality of recreation to decline while posing a potential danger to non-motorized users in the area. It is recommended that a seasonal 10 horsepower restriction during the busiest season from July 15 to September 15 be placed on the Yellowstone River from the Highway 89 Bridge in Livingston to Reed Point, MT.

Several tributaries to the Yellowstone such as the Shields River are well protected by the current 10 horsepower restriction applicable in Park County. Others, including the Boulder River, have their headwaters in Park County - and therefore a 10 horsepower restriction on those stream segments – but flow downstream through counties without these restrictions. Occasional reports of jet boat users running up Yellowstone River tributaries such as the Boulder River indicate that these rivers and streams could be vulnerable to irresponsible and dangerous uses in the future. Many, if not most, of these streams are high-gradient and physically limiting to adjacent motorized and non-motorized uses. In the interest of preventing future conflicts and promoting the safety of all user groups it is recommended that the 10 horsepower restriction be applied to all tributaries of the Yellowstone River from its headwaters to its confluence with the Clark's Fork of the Yellowstone River.

The current motorized restrictions and recommended changes are listed below:

Stream and Segment	**Current Restrictions**	**Recommendations**
Yellowstone River – Yellowstone National Park to Highway 89 Bridge	10 HP restriction	No Changes
Yellowstone River – Highway 89 Bridge to Park Co. Line	Open to motorized watercraft uses	No personal watercraft; seasonal 10 HP restriction (7/15 – 9/15)
Yellowstone River – Park Co. Line to Reed Point, MT	No listed restrictions; open to motorized watercraft uses	No personal watercraft; seasonal 10 HP restriction (7/15 – 9/15)
Shields River	10 HP restriction	No Changes
Boulder River – Park County segments	10 HP restriction	No Changes
Boulder River – Stillwater County segments	No listed restrictions	10 HP restriction
Stillwater River – Wilderness area boundary to confluence	No listed restrictions	10 HP restriction
Clark's Fork Yellowstone River – WY State Line to confluence	No listed Restrictions	10 HP restriction
All other Yellowstone River tributaries from headwaters to confluence with Clark's Fork Yellowstone River	Various	10 HP restriction


Upper Yellowstone Watershed
Current motorized watercraft restrictions shown for the Yellowstone River, the Boulder River, th Stillwater River, and Clarks Fork Yellowstone River as well as select tributaries.
Legend
10 HP restriction
No listed restrictions
Open to motorized watercraft
Shields River
Sweet Grass Creek
Big Timber Creek
Billings
Bozeman
Boulder River
Stillwater River
Yellowstone River
Clarks Fork Yellowstone River
Google earth
© 2016 Google
Image Landsat
N
50 mi


Upper Yellowstone Watershed
Recommended motorized watercraft restrictions shown for the Yellowstone River, the Boulder River, th Stillwater River, and Clarks Fork Yellowstone River as well as select tributaries.
Legend
10 HP restriction
No Listed Restrictions, open to motorized use
Seasonal 10 HP restriction
Shields River
Sweet Grass Creek
Big Timber Creek
Billings
Bozeman
Boulder River
Stillwater River
Yellowstone River
Clarks Fork Yellowstone River
Google earth
© 2016 Google
Image Landsat
N
50 mi

IV. Further Considerations

A Note on Horsepower Restrictions

This document includes numerous recommendations for a 10 horsepower limit on motorized watercraft for many stream segments throughout the state. This is largely based on the very successful limitations placed on the headwaters of the Yellowstone and Missouri Rivers. The rivers and streams comprising the headwaters of these rivers are among some of the most productive cold-water fisheries found in Montana and the world over. Some of these rivers including the Big Hole River, the Red Rock River, and the Upper Ruby River hold the sole remaining populations of native fluvial arctic grayling in the lower 48 United States. The size of waters in these headwaters regions ranges from large rivers and fairly navigable rivers such as the Jefferson, Madison, and Yellowstone to small creeks on which no one could realistically operate a motorized watercraft. In between are streams that could possibly be accessed by present and future motorized watercraft technologies in a way that would disturb historical uses and possibly damage the resource, however, these are all fairly well protected by the 10 horsepower restriction. While many of the streams for which a 10 horsepower restriction has been recommended have limited navigability either seasonally or year round, these recommendations have been made in order to protect those streams and the traditional uses found on them in a way that echoes a clear and successful precedent.

Seasonal Restrictions Explained

Many of the recommendations for motorized watercraft restrictions included in this document are based on existing seasonal restrictions throughout the state. Seasonal use restrictions are recommended in order to curtail conflict based on accessibility, the potential for user conflicts, and escalating user conflicts which correspond to an increase in the frequency of use and number of users. These restrictions aim to eliminate the worst of current and potential conflicts while preserving some of the existing uses. On many streams, occasional use of motorized watercraft during the non-busy season has traditionally allowed for recreational activities such as game and waterfowl hunting. Backcountry Hunters and Anglers made a concerted effort to preserve these historical uses when making the recommendations found in this document.

On several streams seasonal restrictions are aligned with patterns of seasonal run-off and high flows that would make an otherwise inaccessible stream temporarily accessible by motorized watercraft. Most often these are paired with horsepower restrictions. Elsewhere, on several large streams and rivers, the seasonal use recommendations are a reflection of a growing need to reduce user conflicts. In these cases, many traditional, non-motorized uses are being disrupted by an increase in motorized use. Seasonal restrictions are aimed to safeguard these uses during the busiest times of the year which correspond to escalating user conflicts. These waterways are often large enough to sustain motorized watercraft traffic outside of the recommended seasonal restrictions.

User Safety

Throughout this document, recommendations are made for restrictions based on motor speed or power. These are based on existing horsepower and no-wake speed restrictions found throughout the state. Some of these simply extend the boundaries of an existing restriction to safeguard a stream segment using the same reason and logic applied to the original restriction.

Some of the listed reaches, however, which have been assigned horsepower or no-wake restrictions, are on smaller and shallower stream segments that have seen rare if any motorized

use in the past. Other reaches have noted occasional motorized use that will likely increase with time and the availability of innovative watercraft technologies. Past uses on these streams has largely been limited by the gradient and physical characteristics of the stream itself e.g. shallow riffles, large boulders, large woody debris. Despite this, the limitation of depth can be overcome by an increasing number of motorized watercraft users by motoring at high speeds and achieving a hydroplane with their craft. This in particular presents a very real hazard to users of all types both motorized and non-motorized.

The power and speed restrictions recommended in this document largely address this hazard. Given the limited mobility of non-motorized users and the limited maneuverability of watercraft travelling at higher speeds the implicit dangers high-performance watercraft pose to other users on many of Montana's streams and rivers are both immediate and apparent. Similarly, the very same characteristics that have historically limited this irresponsible behavior present a corresponding hazard to watercraft and users who may collide with debris, submerged boulders, or other parts of the stream.

Fish and Wildlife

Streams and adjacent riparian areas are disproportionately important to fish and wildlife, as well as very desirable to humans. While many species of wildlife tolerate some human disturbance, several other species are vulnerable to displacement or are adversely affected by human intrusions.

Perhaps the most visible disturbance is to nesting or resting eagles, herons and osprey. While humans can often pass underneath quietly in a non-motorized vessel, the often loud, fast moving craft often displace such birds. A large wake from a noisy craft can also displace waterfowl, and can scatter broods of young waterfowl. The adverse effects are, of course, magnified with increasing frequent use levels.

Most fish tolerate watercraft, although are displaced to their secure areas such as deeper pools or overhead cover. However, jet thrust propelled watercraft can displace spawning bed material, especially during lower flows in riffles and pool tails. In addition, up to 25% of 2 stroke motor fuel is discharged unburned into the water.