

#1

COMPLETE

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Started: Monday, August 31, 2026 2:23:10 PM
Last Modified: Monday, August 31, 2026 2:42:08 PM
Time Spent: 00:18:57
IP Address: 72.175.129.72

Page 1

Q1

Contact information

Name: Deb Matus
City/Town: Swan Lake
State/Province: MT
Email Address: deb_matus@yahoo.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

My name is Deb Matus and I am a property owner on Swan Lake, a property my parents bought in 1974. This lake has been a great recreation site, as well as solitude for many decades for us. I enjoy watching the water skiers, and families have fun on the lake, as well as support the fishermen in their quest for a good catch! In the last few years, the enjoyment from the shore or on our boat has decreased with the onset of Wake Boarding as a recreation. Our boat has been flooded from high wakes, and it regularly becomes a challenge to drive in between competing wakes when several wake boats are active in the same area. In addition, the increased wake size action does not stop out in the middle, but transfers that energy to the shoreline. Granted, much of the edge shoreline is rock, but we are seeing pretty severe wave action on our dock system, which we've had to install a new anchor system for. After reading much of the current comments, I agree that a wake restriction makes it easier for FWP to enforce, but not sure enforcement is active around the lake now. Also, there are several other activities which aren't as disruptive wakes, such as waterskiing or a cruising tour, which would be eliminated with the 500' wake restriction. Although I am in support of a restriction on the wake boarding practice, I agree that more review of the situation as well as some alternative solutions, such as restricted vs. open areas for such activities may be warranted.

Thank you for the opportunity to submit my comments, and for your time to read and consider further action.

Regards,
Deb Matus

Q3

Respondent skipped this question

Optional: Upload your comments

#2

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Collector: Web Link 1 (Web Link)
Started: Saturday, September 05, 2026 10:00:37 AM
Last Modified: Saturday, September 05, 2026 10:11:41 AM
Time Spent: 00:11:04
IP Address: 129.222.71.198

Page 1

Q1

Contact information

Name:	Don Smith
City/Town:	Bigfork
State/Province:	MT
Email Address:	donald.s.smith@icloud.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

/Users/donsmish/Library/Mobile Documents/com~apple~Pages/Documents/2026 surfboat Hearing folder/comment&exhibits.pdf

Q3

Optional: Upload your comments

comment&exhibits.pdf (289KB)

#3

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Collector: Web Link 1 (Web Link)
Started: Tuesday, September 08, 2026 5:05:22 PM
Last Modified: Tuesday, September 08, 2026 5:50:07 PM
Time Spent: 00:44:44
IP Address: 184.167.233.181

Page 1

Q1

Contact information

Name: Kevin Corbett
City/Town: Whitefish
State/Province: MT
Email Address: kpcconifer@gmail.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

I support the commission approving the petition and proceeding with the rule-making process.

Q3

Respondent skipped this question

Optional: Upload your comments

#4

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, September 10, 2026 4:29:19 PM
Last Modified: Thursday, September 10, 2026 5:31:35 PM
Time Spent: 01:02:16
IP Address: 72.174.202.56

Page 1

Q1

Contact information

Name:	Jacob Andersen
City/Town:	Kalispell
State/Province:	MT
Email Address:	jacob.andersen@launchwatersports.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

September 10, 2026

To the Montana Fish and Wildlife Commission:

My name is Jacob Andersen, and I am the General Manager of Launch Watersports in Kalispell. I previously submitted comments when this petition was before the Commission earlier this year, and I appreciate the opportunity to comment again now that it has returned for consideration.

I respectfully urge the Commission to deny the petition and maintain the existing rules on Swan Lake.

To accompany these comments, I have uploaded a map of Swan Lake and a supporting table showing five illustrative cross sections labeled A through E. These materials demonstrate the practical effect of the proposed rule on the amount of water that would remain available for boating activity affected by the no-wake restriction. The five cross sections were selected at locations distributed along Swan Lake's length to demonstrate the rule's effect across a range of lake widths. The boundary lines and cross-section widths were created using Google Earth's measurement tools. The measurements are approximate, are not survey measurements, and the underlying Google Earth map file is available from me upon request.

The Question Before the Commission

I recognize that wake-enhanced boats can produce larger wakes than many conventional recreational boats. I also support responsible boating, appropriate enforcement, protection of shoreline property, public safety, and protection of Montana's natural resources.

But those general points do not answer the question that should control this decision:

Has the record established that boating activity outside Swan Lake's existing 200-foot no-wake zone is causing a problem serious enough to justify expanding that restriction by another 300 feet?

After reviewing the petition materials, exhibits, supporting information, and prior public comments, I do not believe that showing has been made.

The Existing 200-Foot Rule Should Be Evaluated Before It Is Expanded

Swan Lake is already subject to a no-wake restriction within 200 feet of shore. The petition asks the Commission to expand that restriction to 500 feet.

Because the restriction applies from both shores, increasing the buffer by 300 feet on each side removes 600 feet of usable operating width from every applicable cross section.

At the five locations shown on the submitted map, the available width between the proposed 500-foot lines measures:

- Section A: 1,534 feet
- Section B: 697 feet
- Section C: 300 feet
- Section D: 1,264 feet
- Section E: 2,130 feet

At those same locations, the available width between the existing 200-foot lines is approximately:

- Section A: 2,134 feet
- Section B: 1,297 feet
- Section C: 900 feet
- Section D: 1,864 feet
- Section E: 2,730 feet

The proposed rule therefore reduces the available corridor by approximately 28.1% at Section A, 46.3% at Section B, 66.7% at Section C, 32.2% at Section D, and 22.0% at Section E.

This proposal does not merely move boats another 300 feet from shore. It substantially reduces the water available for boating activity permitted outside the no-wake zone.

The Map and Table Show the Practical Effect

The map and table also illustrate what this reduction means when two boats pass one another.

For that limited illustration, I use a 200-foot interval between two passing boats. This is not presented as a legal requirement, an ideal passing distance, or a complete measure of the space reasonably needed for safe operation. Rather, it is a deliberately conservative spacing assumption used to illustrate how quickly the remaining maneuvering room is consumed as the corridor narrows. It provides no additional allowance for course corrections, turning, changing conditions, or other ordinary maneuvering needs.

Using that illustrative interval, two passing boats require at least 600 feet of total lake width under the existing rule: 200 feet from each shore and 200 feet between boats. Under the proposed rule, the same illustration requires at least 1,200 feet of total lake width.

At Section A, the proposed corridor would be 1,534 feet wide, leaving approximately 1,334 feet beyond the illustrated interval.

At Section B, the corridor would narrow from 1,297 feet to 697 feet, leaving approximately 497 feet beyond that interval.

At Section C, the proposed rule would leave only a 300-foot corridor. After a 200-foot interval between two boats, only 100 feet of total lateral margin would remain—approximately 50 feet on each side if the boats were centered. Under the existing rule, that location provides approximately 900 feet of operating width.

The proposal would therefore eliminate two-thirds of the usable corridor at Section C.

At Section D, the corridor would decrease from approximately 1,864 feet to 1,264 feet, eliminating nearly one-third of the available width. At Section E, the proportional reduction is smaller, but the rule still removes the same 600 feet.

These measurements demonstrate an important problem with applying a fixed 500-foot rule to Swan Lake: its practical effect changes dramatically with the width of the lake. At Section E it reduces the available corridor by 22%; at Section C it removes two-thirds of it. A uniform distance therefore does not produce a uniform regulatory burden.

In narrower portions of Swan Lake, the rule creates significant pinch points and compresses boat traffic toward the center, reducing the room available for passing, turning, and maintaining separation.

The Public Record Suggests an Enforcement Problem

One prior commenter supporting the proposed restriction described boats operating too close to her property and causing damage to her dock and boats. She also stated that the existing 200-foot rule “is not ever enforced” and expressed hope that the rules would be enforced.

That distinction matters.

Before concluding that 200 feet is inadequate, the Commission should determine whether the existing rule is being consistently followed, clearly communicated, and enforced.

If the problem is that some operators violate the existing rule, changing the number from 200 feet to 500 feet does not solve that problem.

Irresponsible operation should be addressed. But responsible operators should not bear substantial restrictions intended primarily to address violations of rules that already exist.

The Supporting Research Does Not Establish the Need for This Restriction on Swan Lake

The studies submitted by petition supporters establish that wake-enhanced boats can produce larger and more energetic wakes under certain operating conditions. I do not dispute that.

But demonstrating that one boat produces a larger wake than another does not establish that boating outside Swan Lake's existing 200-foot zone is causing sufficient harm to justify the proposed restriction.

The University of Minnesota study provides information about wave height, energy, power, and attenuation, but its authors identify important limitations. Only four boats were tested, most were from one manufacturer, and the study did not examine the full range of boats or operating conditions.

More importantly, the authors distinguish the wave characteristics they measured from the environmental consequences policymakers ultimately need to understand. Measuring wave height, energy, power, and attenuation does not itself establish the resulting degree of shoreline, riparian, aquatic-vegetation, or other environmental harm.

And nothing in that study establishes the magnitude of those effects on Swan Lake under the existing 200-foot rule.

The Michigan literature review also provides information about potential effects and responsible operating practices. However, it expressly states that it does not address public safety or social considerations and does not provide departmental recommendations for regulation or legislation.

These studies can inform responsible boating practices. They do not establish that a 500-foot restriction is necessary or proportionate on Swan Lake.

Water-Quality Concerns Require a Demonstrated Causal Connection

Several prior commenters cited Swan Lake's water-quality impairment and discussed sediment, particulate organic carbon, nutrients, and dissolved oxygen. Those concerns should be taken seriously.

However, the existence of an impaired water body does not establish that boating outside the existing 200-foot zone materially contributes to that impairment.

The materials before the Commission do not quantify the contribution of wake-enhanced boating to Swan Lake's sediment loading, particulate organic carbon, or dissolved-oxygen conditions. They also do not establish what measurable improvement would result from moving the no-wake boundary from 200 feet to 500 feet.

A serious environmental concern deserves a response directed at its demonstrated causes. It should not become the basis for substantially restricting a lawful recreational activity without establishing the necessary causal connection.

The Practical and Safety Consequences Have Not Been Adequately Considered

Prior commenters familiar with Swan Lake raised concerns that extending the no-wake zone would substantially reduce available

operating water and concentrate traffic toward the center of this long, narrow lake.

The submitted measurements put numbers to those concerns. Across the five cross sections, the proposal reduces the existing corridor by between 22% and 66.7%. At Section B, nearly half of the corridor disappears. At Section C, two-thirds disappears.

Yet the current materials contain no Swan Lake-specific analysis of the reduction in operating width, the resulting concentration of traffic, the effect on passing and maneuvering room, or the degree to which lawful boating activity would be impaired.

Those consequences are part of the regulatory decision itself and should be evaluated before additional restrictions are initiated.

This Vote Is Not Simply Authorization to Conduct Research

I understand that the Commission is not being asked on October 15 to finally adopt a 500-foot rule. But neither is it simply being asked to authorize an open-ended scientific investigation.

The Department's information sheet states that the alternatives are to deny the petition or initiate formal MAPA rulemaking for consideration of the proposed amendment. It further explains that MAPA can serve as a framework for soliciting public input on that proposed amendment.

That is different from first conducting the Swan Lake-specific investigation necessary to establish whether additional regulation is warranted.

If substantial questions remain about whether boating beyond 200 feet is causing a significant problem on Swan Lake, those questions should be answered before beginning formal rulemaking on a 500-foot restriction—not through a regulatory process searching for its justification afterward.

The Commission does not need perfect information before considering any rule. But there should be a reasonable evidentiary basis demonstrating that additional regulation is necessary.

This record does not establish that basis.

A More Proportionate Response Is Available

There is already a controlled no-wake rule governing the first 200 feet of Swan Lake, and the public record includes complaints that some operators violate that restriction while the existing rule goes unenforced.

The appropriate first response is straightforward:

Educate operators. Clearly communicate the existing restriction. Enforce it. Document violations and impacts. Then determine whether boating outside 200 feet continues to cause a measurable problem.

If reliable evidence ultimately demonstrates that the existing rule cannot adequately protect public safety, property, or natural resources even when followed and enforced, the Commission can consider that evidence at that time.

Additional regulation should follow demonstrated necessity, not precede it.

Conclusion

The evidence supports the proposition that wake-enhanced boats can produce larger wakes.

It does not establish that boating outside Swan Lake's existing 200-foot no-wake zone is causing sufficient harm to justify expanding that restriction to 500 feet.

The submitted map and table demonstrate that the proposed rule would remove 600 feet of usable operating width at each measured cross section. In those locations, that represents reductions ranging from approximately 22% to 67%. At one cross section, the available corridor would shrink from approximately 900 feet to just 300 feet.

Before imposing those substantial consequences, the record should establish that the existing rule—when followed and enforced—is inadequate.

That showing has not been made.

For these reasons, I respectfully urge the Montana Fish and Wildlife Commission to deny the petition and maintain the existing rule structure on Swan Lake.

Thank you for your consideration.

Jacob Andersen

General Manager

Launch Watersports

Kalispell, Montana

Q3

Optional: Upload your comments

DENY Swan Lake, MT Motorized Use Restrictions Proposal.pdf (489.3KB)

#5

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Sunday, September 13, 2026 8:15:48 PM
Last Modified: Sunday, September 13, 2026 8:17:33 PM
Time Spent: 00:01:45
IP Address: 35.134.194.167

Page 1

Q1

Contact information

Name: andrew hyman
City/Town: Missoula
State/Province: MT
Email Address: hyman989@gmail.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

The people trying to change swan lake are not local users, they are using data based on a sand body of water and not rocks. You need to ask for data on the swan lake and why the people fighting want this changed. This shouldn't happened. Keep montana free

Q3

Respondent skipped this question

Optional: Upload your comments

#6

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Last Modified: Sunday, September 13, 2026 8:30:49 PM
Time Spent: 00:04:46
IP Address: 104.224.62.4

Page 1

Q1

Contact information

Name: Michael dube
City/Town: Great falls
State/Province: MT
Email Address: micad@benefis.org

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

I am against this petition. The complaints in the petition do not apply to Swan lake. Erosion is not an issue either the rocky shores on the lake. I have never seen an algae bloom on swan lake. I have lived on the lake for 22 years and the traffic is minimal other than July 4 th week.

Q3

Respondent skipped this question

Optional: Upload your comments

#7

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Last Modified: Monday, September 14, 2026 8:51:58 AM
Time Spent: 00:09:56
IP Address: 172.221.116.49

Page 1

Q1

Contact information

Name: Mac Regan
City/Town: Butte
State/Province: MT
Email Address: Mac@reganfinancialservices.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

I believe the petition to make Swan lake a no wake zone is the wrong move. This opens every other small to midsize lake to the same rules. The citizens of Montana should be allowed to use the lake in the same manner as always which is the 100' distance from the shore line. If this rule were to pass then that opens up all the lakes along the same corridor to similar action. You might as well eliminate any motorized boat traffic from the lake. If those who brought the action don't like boat traffic then they should go to lakes that have those rules in place and there are lakes that do that. Swan lake should be for anyone who chooses to use it via their lake homes or boat ramp and will follow the rules. Just a few years ago the same action was brought about for the church slough on the Flathead river north of Bigfork and it failed. FWP ruled against that action and I believe the ruling was worded that FWP would not close off certain sections of the river for the benefit of a few. I believe that same action should be taken here as there are already rules in place for wake distances from shore. Thank you for taking my comments under consideration.

Q3

Respondent skipped this question

Optional: Upload your comments

#8

COMPLETE

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Last Modified: Monday, September 14, 2026 4:06:25 PM
Time Spent: 00:02:18
IP Address: 72.170.223.127

Page 1

Q1

Contact information

Name: Chris Pannell
City/Town: Bigfork
State/Province: MT
Email Address: chris@pannell.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

I oppose increasing Swan Lake's no-wake restriction from 200 feet to 500 feet. The petitioners have not demonstrated that the existing rule is inadequate, and this proposal would unnecessarily restrict responsible recreational access. Please deny the petition and maintain the current 200-foot rule. Pulling a tube at slow speeds creates the equivalent wake size.

Q3

Respondent skipped this question

Optional: Upload your comments

#9

COMPLETE

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Last Modified: Monday, September 14, 2026 4:09:58 PM
Time Spent: 00:01:47
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Page 1

Q1

Contact information

Name: logan troester
City/Town: Kalispell
State/Province: MT
Email Address: logan.j.troester@wmich.edu

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

No more restrictions on the lake, there is no proof of damage from wakeboats, and this will create a bottle neck effect on much of the lake. its actually ridiculous this is even under consideration. you cant tell people how and where to use boats.

Q3

Respondent skipped this question

Optional: Upload your comments

#10

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Last Modified: Monday, September 14, 2026 4:11:13 PM
Time Spent: 00:01:09
IP Address: 104.224.63.154

Page 1

Q1

Contact information

Name:	Jordan Smith
City/Town:	Great Falls
State/Province:	MT
Email Address:	jordansmith@constructiontm.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

I oppose increasing Swan Lake's no-wake restriction from 200 feet to 500 feet. The petitioners have not demonstrated that the existing rule is inadequate, and this proposal would unnecessarily restrict responsible recreational access. Please deny the petition and maintain the current 200-foot rule

Q3

Respondent skipped this question

Optional: Upload your comments

#11

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Last Modified: Monday, September 14, 2026 5:01:20 PM
Time Spent: 00:01:54
IP Address: 76.88.49.52

Page 1

Q1

Contact information

Name: Erin O'Donovan
City/Town: San Diego
State/Province: CA
Email Address: odonovan.erin@gmail.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

I grew up in Great Falls and have spent every summer on Swan Lake - first as a child and now as an adult with my teenage children. I oppose increasing Swan Lake's no-wake restriction from 200 feet to 500 feet. The petitioners have not demonstrated that the existing rule is inadequate, and this proposal would unnecessarily restrict responsible recreational access. Please deny the petition and maintain the current 200-foot rule.

Q3

Respondent skipped this question

Optional: Upload your comments

#12

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Last Modified: Monday, September 14, 2026 6:59:46 PM
Time Spent: 00:01:21
IP Address: 153.66.141.11

Page 1

Q1

Contact information

Name:	Matt Beilstein
City/Town:	Mercer
State/Province:	PA
Email Address:	turboscort@gmail.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

oppose increasing Swan Lake’s no-wake restriction from 200 feet to 500 feet. The petitioners have not demonstrated that the existing rule is inadequate, and this proposal would unnecessarily restrict responsible recreational access. Please deny the petition and maintain the current 200-foot rule.

Q3

Respondent skipped this question

Optional: Upload your comments

#13

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Last Modified: Monday, September 14, 2026 8:47:33 PM
Time Spent: 00:01:40
IP Address: 135.135.76.68

Page 1

Q1

Contact information

Name:	Anthony Laslovich
City/Town:	Anaconda
State/Province:	MT
Email Address:	adlaslovich@gmail.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

"I oppose increasing Swan Lake’s no-wake restriction from 200 feet to 500 feet. The petitioners have not demonstrated that the existing rule is inadequate, and this proposal would unnecessarily restrict responsible recreational access. Please deny the petition and maintain the current 200-foot rule."

Q3

Respondent skipped this question

Optional: Upload your comments

#14

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Last Modified: Monday, September 14, 2026 9:48:12 PM
Time Spent: 00:22:30
IP Address: 98.127.100.235

Page 1

Q1

Contact information

Name:	Stephen Spencer
City/Town:	Great falls
State/Province:	MT
Email Address:	sjspencerdds@gmail.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

I have a cabin on Echo Lake. We went through a similar process to restrict the use of Wake Boats. Weather related waves are significantly bigger than any waves produced by a boat. No evidence supports that a 500 foot rule is needed. For that reason I oppose this change on Swan Lake.

Q3

Respondent skipped this question

Optional: Upload your comments

#15

COMPLETE

Collector: Web Link 1 (Web Link)
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Last Modified: Tuesday, September 15, 2026 10:57:09 AM
Time Spent: 00:07:21
IP Address: 187.14.87.14

Page 1

Q1

Contact information

Name:	W Casey Boswell
City/Town:	Bigfork
State/Province:	MT
Email Address:	caseyboswell435@gmail.com

Q2**Please comment on Citizen Petition - Swan Lake Motorized Use Restriction****Public Comment Regarding Wake Boats and Excessive Wake**

I am asking the lake's governing body to take a serious look at the increasing impact that wake boats are having on our lake, particularly the size and force of the wakes being generated by newer boats.

Wake boats have changed significantly over the years. Newer models are specifically designed and marketed to produce larger and more powerful wakes. As these boats become more capable of generating enormous waves, the effects on the lake and surrounding properties are becoming increasingly noticeable.

The shoreline is taking a beating. Large wakes repeatedly reaching the shore are causing erosion and damaging areas that previously experienced relatively calm water conditions. The problem seems to be getting worse each year as larger-wake boats become more common.

There has also been direct property damage. The increased wave action has caused damage to our boat and docks. I know we are not the only property owners experiencing these problems. Constant exposure to large wakes puts significant stress on docks, boats, shoreline structures, and other waterfront property.

Even more concerning is the safety issue. We have seen children and elderly people who were wading in what had been calm, shallow water suddenly knocked down by large wakes reaching the shoreline. What may be an enjoyable experience for someone riding behind a wake boat can create a very different and potentially dangerous situation for people along the shoreline.

I am not opposed to boating, water sports, or wake surfing. I believe everyone should be able to enjoy the lake. However, recreational activities should not come at the expense of shoreline stability, private property, or the safety of other people using the lake.

I respectfully ask that the governing body consider reasonable regulations addressing the size and impact of wakes, particularly near shorelines and areas where people are swimming, wading, fishing, or using docks. Other lakes have recognized this growing problem and have implemented measures such as minimum operating distances from shore, designated wake-sport areas, speed restrictions, or requirements that boats operate in sufficient water depth to prevent excessive underwater disturbance.

We should not wait until significant shoreline erosion, property damage, or a serious injury occurs before taking action. The technology and size of these boats are continuing to evolve, and our lake regulations need to keep pace.

I encourage the governing body to protect the lake, its shoreline, private property, and—most importantly—the safety of the people who enjoy it by establishing reasonable limits on the size and impact of wakes.

Thank you for considering this issue.

Q3

Respondent skipped this question

Optional: Upload your comments

#16

COMPLETE

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Last Modified: Tuesday, September 15, 2026 11:00:52 AM
Time Spent: 00:11:54
IP Address: 174.252.175.26

Page 1

Q1

Contact information

Name: Justin D Thomas
City/Town: Bigfork
State/Province: MT
Email Address: juthomas5@gmail.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

As a homeowner on Swan Lake, I oppose increasing Swan Lake’s no-wake restriction from 200 feet to 500 feet. I think it's ridiculous without scientific data to back the proposal. The petitioners have not demonstrated that the existing rule is inadequate, and this proposal would unnecessarily restrict responsible recreational access. Please deny the petition and maintain the current 200-foot rule. We live at 22469 Highway 83, 59911.

Q3

Respondent skipped this question

Optional: Upload your comments

#17

COMPLETE

POOR QUALITY

Flagged for the following:

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Collector:Web Link 1 (Web Link)

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Last Modified:Tuesday, September 15, 2026 7:04:11 PM

Time Spent:00:17:37

IP Address:76.169.236.158

Page 1

Q1

Contact information

Name:Dominic & Carolyn Kovacevic

City/Town:Bigfork

State/Province:MT

Email Address:fire@usamontana.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

We have lived on the west shore of Swan Lake for the past 30+ years. We strongly SUPPORT the Citizen's Petition, primarily because of the negative impacts wake boats are having on life safety on the lake as well as the damage they cause on docks and docked boats. We have had the mast support shrouds on our small sailboat broken. and our floating dock damaged by wave action from wake boats.

The waves caused by wake boats have also swamped out kayaks while paddling on the lake. The operators of these boats often drive literally right next to us, even though we are paddling close to shore.

While increasing the no-wake distance to 500' may not be a total solution to the problem, it will serve as a "wakeup call" to the reckless, irresponsible wake boat operators who are destroying the peace and serenity of Swan Lake and endangering those of us who want to quietly and safely sail, kayak and canoe on the lake.

This is a serious problem. Please take responsibility for protecting us and the lake we love.

Q3

Respondent skipped this question

Optional: Upload your comments

#18

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, September 16, 2026 10:25:27 AM
Last Modified: Wednesday, September 16, 2026 5:40:07 PM
Time Spent: 07:14:39
IP Address: 216.211.182.132

Page 1

Q1

Contact information

Name: Dave Ford and JoAnne Ford
City/Town: Kalispell
State/Province: MT
Email Address: ford@montanasky.us

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

Our family has had property on Swan for more than 75 years. Many changes have occurred on the lake as have Flathead and Lake counties in general. I (Dave) am a fourth-generation Montanan living in Kalispell my whole life and have recreated on Swan since I was born. Our cabin is on the "narrow" part of the lake near the shallow spot in the middle of the lake near MM75 on HWY83. Surf boats have created a wake problem in recent years due to these boats going back and forth repeatedly in this area. We realize the lake is for everyone to enjoy! We don't think a 500' wake zone is the answer but just creating another problem down the road. We think a reasonable solution would be to restrict surf boating to the southern part of Swan (the wider section along the highway frontage) to the village/bay area. We feel it would have the least impact on the overall wellbeing of the lake and its residents. Change is always hard and not everyone will agree with these suggestions, but these problems are real and are only going to get worse.

Q3

Respondent skipped this question

Optional: Upload your comments

#19

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, September 17, 2026 12:40:36 PM
Last Modified: Thursday, September 17, 2026 2:47:35 PM
Time Spent: 02:06:58
IP Address: 69.145.40.200

Page 1

Q1

Contact information

Name:	Kevin Farron
City/Town:	Missoula
State/Province:	MT
Email Address:	kevin@mtwf.org

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

On behalf of the Montana Wildlife Federation (MWF), who for 90 years has worked to protect Montana's fish and wildlife, public lands, clean waters, and fair-chase hunting and fishing heritage, please accept these comments in support of moving forward with the MAPA rulemaking process for consideration of the proposed amendment to ARM 12.11.3106 and the proposed Swan Lake Motorized Use Restrictions.

We are sympathetic to the property owners who have initiated this process, and share their natural resource concerns. Swan Lake is home to eleven native fish species and offers productive angling opportunities for lake trout, Westslope Cutthroats and mountain whitefish, plus non-native species like Kokanee, yellow perch and northern pike, among others. The water body is also an important habitat for threatened Bull Trout.

Swan Lake is also a destination for motorized watercraft. Motor boats, specifically heavily weighted wakesurf and wakeboard boats specifically designed with ballasts to create the largest wake possible, are increasing in popularity and use. Due to this new era of watercraft, the no-wake speed zone that currently applies to 200 feet from the shoreline may no longer be sufficient to address resource, safety, and property damage concerns near shore. Hence the reasonable request to expand this no-wake speed zone to a distance of 500 feet from the shoreline.

As with our federal public lands that are managed under the multiple-use mandate, we must understand that not all uses are to be - or should be - permitted on all acres. In terms of our shared, public waterways, we can and should apply this same logic when setting recreational use regulations to ensure that all users - swimmers, anglers, sailors, and kayakers - can enjoy Swan Lake at the same time as wakeboarders and wakesurfers.

Therefore, we ask that the Commission move forward with Alternative A, to approve the petition for rulemaking and initiate the MAPA rulemaking process for consideration of the proposed amendment to ARM 12.11.3106. Let's keep the conversation going.

Thanks for the opportunity to comment.

Kevin Farron, Conservation Director, Montana Wildlife Federation

Q3

Respondent skipped this question

Optional: Upload your comments

#20

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, September 17, 2026 3:05:15 PM
Last Modified: Thursday, September 17, 2026 3:08:25 PM
Time Spent: 00:03:10
IP Address: 12.74.250.132

Page 1

Q1

Contact information

Name:	Chelsea Embry
City/Town:	Swan Lake
State/Province:	MT
Email Address:	chelsea.embry5@gmail.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

We, and many other families, are happy to be able to enjoy Swan Lake from our Doc and from our wake boat. Keep regulations where they are, do not expand into 500 feet and restrict the use of wake boats throughout the lake.

Q3

Respondent skipped this question

Optional: Upload your comments

#21

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, September 17, 2026 3:49:27 PM
Last Modified: Thursday, September 17, 2026 3:51:58 PM
Time Spent: 00:02:31
IP Address: 70.33.17.234

Page 1

Q1

Contact information

Name: Terry Haverlandt
City/Town: Augusta
State/Province: MT
Email Address: terryh@dahlquistrealtors.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

I am opposed to this proposal!

Q3

Respondent skipped this question

Optional: Upload your comments

#22

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, September 17, 2026 3:00:57 PM
Last Modified: Thursday, September 17, 2026 4:20:24 PM
Time Spent: 01:19:26
IP Address: 97.121.192.252

Page 1

Q1

Contact information

Name: sam campbell
City/Town: swan lake
State/Province: MT
Email Address: csamsplace@aol.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

This comparison is totally unfair. the Conn. lake, Lake waramaug is 44 feet deep, the minn. lake, Lake Independece is 33 feet deep. Swan Lake is 133 feet deep. So much for eroding Swan`s lake bottom. Having property on Crooked lake in minn.,I can say that the shoreline is very soft and muddy, as are most. Swan Lake shoreline is very rocky, less vulnerable to erosion. Ask any officer of the fish and game, they will agree there is far less boat activity on Swan than any other lake its size. Swan Lake is for everyone, not just the few. I am against the change of 200 feet. Lets keep our freedom of living in Montana and keep Montana, Montana. Thank you, Sa Campbell

Q3

Respondent skipped this question

Optional: Upload your comments

#23

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Sunday, September 20, 2026 9:32:58 AM
Last Modified: Sunday, September 20, 2026 9:35:49 AM
Time Spent: 00:02:50
IP Address: 209.137.255.11

Page 1

Q1

Contact information

Name:	Keil P Schneider
City/Town:	Missoula
State/Province:	MT
Email Address:	keilpschneider@gmail.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

As a Montanan who values being able to responsibly enjoy our lakes, I oppose increasing Swan Lake’s no-wake restriction from 200 feet to 500 feet. I have not seen evidence that the current 200-foot rule is inadequate or that such a significant expansion is necessary.

Responsible recreation and protecting our lakes and shorelines can coexist. Expanding this restriction would meaningfully reduce recreational access without a demonstrated need for doing so. I respectfully ask that the petition be denied and that the existing 200-foot rule remain in place.

Q3

Respondent skipped this question

Optional: Upload your comments

#24

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, September 21, 2026 8:55:03 AM
Last Modified: Monday, September 21, 2026 9:01:45 AM
Time Spent: 00:06:41
IP Address: 72.0.181.126

Page 1

Q1

Contact information

Name:	Brett W.
City/Town:	Columbia Falls
State/Province:	MT
Email Address:	brettwiley2@gmail.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

This proposal appears to benefit a relatively small group of lakefront homeowners at the expense of the broader public. Lakefront property ownership already comes with considerable benefits and access. It should not also provide greater control over how other responsible users are allowed to enjoy a public lake.

Q3

Respondent skipped this question

Optional: Upload your comments

#25

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, September 21, 2026 2:39:12 PM
Last Modified: Monday, September 21, 2026 3:52:18 PM
Time Spent: 01:13:06
IP Address: 179.64.121.41

Page 1

Q1

Contact information

Name:	Carrie M Kintzler
City/Town:	SEELEY LAKE
State/Province:	MT
Email Address:	carrie.blindmanmt@gmail.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

My name is Carrie Kintzler, a homeowner on Lake Inez for the past 40 years. Lake Inez is part of a chain of lakes in the Swan Valley. I am writing in support of the Sharing Swan Lake petition for a 500 foot NO WAKE ZONE due to the waves being created by surf boats. Surf boats add 3000 plus pounds of water to their ballasts which are at the back of their boats and then have their passengers sit at the very back of the boat to add even more weight to create the biggest wake. As a homeowner on Lake Inez, I see the problems being created by the surf boat waves. Lake Inez is 288 acres and half of the lake is less than 900 feet wide. I believe the lake is about 2 miles long. There are times that 6-8 surf boats will be running at the same time and because of the length of the lake, the boats will do 30 plus repetitive passes, back and forth all day long. Unfortunately, the FWP boating rules and/or guidelines state that drivers be respectful which does not make the number of passes enforceable. While the surf boats are running, it makes it impossible for anyone else to use the lake. Our pontoon boat has been swamped multiple times and passengers have been knocked to the floor when the waves hit. The waves have come over the bow of ski boats. It is dangerous for individuals to swim, use paddle boards, canoe, or even fish from a fishing boat. Individuals have been thrown from docks. There is damage being done to personal property, such as boats and docks. We now have boat lifts to try to protect ourselves and our property. A neighbor was fishing with his grandpa in a small fishing boat when a surf boat came within a foot of hitting them. The driver of the surf boat was looking at the surfer. Another neighbor had a hole punched into the front, bottom of his boat when it hit his dock which was caused by the waves of a surf boat. A friend had his boat flipped over while parked at his dock and sunk his boat because of surf boat waves. These are just some of the damages being done to personal property. Some of the surf boats insist on loud, vulgar music as well. It is causing problems between neighbors for sure.

The damage being done to the shoreline is a huge problem. We have lost at least 2-3 feet of shoreline in front of our home. We have had to replace our landing because the shoreline has eroded away from the huge surf waves hitting it over and over. Also, the force that comes from the boat motors are disturbing the bottom of the lake. It has caused invasive lily pads to spread enormously to where Missoula County wants to put chemicals in Lake Inez to kill the plants. Homeowners use the lake water in their homes so the thought of putting chemicals in our drinking water is a problem.

The studies that I have read show that surf boat waves need at least 500 feet to dissipate. Unfortunately, on Lake Inez, it is not wide enough to have a 500 foot NO WAKE ZONE. I know that surf boats have become a real problem for all of our Montana lakes. It is crucial to set some rules/guidelines to keep people/property safe and preserve our natural resources and beauty that is being destroyed by these boats. Maybe with rules/regulations, we can all use the lakes instead of just a few.

I appreciate you allowing me to share my experiences with you as you consider the petition before you. Thank you, Carrie Kintzler

Thank you. Carrie Kintzler

Q3

Respondent skipped this question

Optional: Upload your comments

#26

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Tuesday, September 22, 2026 1:12:53 PM
Last Modified: Tuesday, September 22, 2026 1:57:46 PM
Time Spent: 00:44:53
IP Address: 65.140.147.130

Page 1

Q1

Contact information

Name: Brad Ridgeway
City/Town: Bigfork
State/Province: MT
Email Address: ridge@grgfood.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

We have a home on Echo Lake in Bigfork, Montana, and I am opposed to moving the no wake to 500 feet from 200 on any lake. If you want to have an impact on these smaller Montana lakes start MANAGING and limiting the FWP boat launches. Start limiting commercial launching (boat rental agencies), when parking lots are full, they are full. Swan Lake, Inez, Echo, Whitefish, Bitterroot and so on have all seen a significant uptick in recreational use over the past few years with no additional oversight or management.

Q3

Respondent skipped this question

Optional: Upload your comments

#27

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, September 23, 2026 9:41:59 AM
Last Modified: Wednesday, September 23, 2026 10:00:00 AM
Time Spent: 00:18:01
IP Address: 209.200.199.43

Page 1

Q1

Contact information

Name: Brian Schlauch
City/Town: Bigfork
State/Province: MT
Email Address: advomt@gmail.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

I oppose expanding the no-wake zone to 500 feet. I do not feel there is enough evidence to justify this change. I support responsible boating and existing regulations, and feel changing the current rules set a negative precedent for other lakes.

I feel this is an education issue and is something that could be improved on. If the people that are so concerned would help educate rather than invoke rules that effect responsible boat owners, it would be a better step in the right direction. This should occur first and foremost before imposing a new rule on people.

Q3

Respondent skipped this question

Optional: Upload your comments

#28

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, September 23, 2026 10:55:16 AM
Last Modified: Wednesday, September 23, 2026 11:10:50 AM
Time Spent: 00:15:33
IP Address: 216.211.179.54

Page 1

Q1

Contact information

Name: Jim Vashro
City/Town: Kalispell
State/Province: MT
Email Address: jsjvash@montanasky.us

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

Flathead Wildlife supports the petition for FWP to enter into a MAPA rulemaking process to modify ARM 12.11.3106 and 12.11.115 to modify the controlled no-wake zone from 200' from shore to 500' from shore on Swan Lake. Region 1 led the way in adopting 200' no-wake zones from shore in response to increasing boat traffic with concurrent shoreline damage and safety issues. Technology has changed since then, wake boats are designed to create an extra large wave for wakeboarding and other pursuits, 200' from shore is not sufficient to dissipate those extra-large wakes. Measuring widths on Swan lake, the narrowest points are about 1500' across with most widths larger. That leaves 500' in the middle of the lake for wake-boarding. Most boaters have difficulty estimating distance from shore, 500' leaves some leeway. Some boaters argue there are few boats wakeboarding while arguing at the same time that 500' will create congestion in the middle of the lake. Others argue that the studies cited are from other states. The physics of waves do not change by geography. The rulemaking process will be an opportunity to flesh that out. Jim Vashro, President, Flathead Wildlife

Q3

Respondent skipped this question

Optional: Upload your comments

#29

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, September 23, 2026 10:54:15 AM
Last Modified: Wednesday, September 23, 2026 11:34:52 AM
Time Spent: 00:40:36
IP Address: 63.166.30.223

Page 1

Q1

Contact information

Name:	Kade Embry
City/Town:	Swan Lake
State/Province:	MT
Email Address:	kade_embry@hotmail.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

Dear Commissioners,

I respectfully request that the Commission deny the petition seeking to impose a 500-foot controlled no-wake restriction around Swan Lake's shoreline.

I support responsible boating, protection of private property, and preservation of Swan Lake's natural resources. However, the proposed restrictions are not sufficiently justified by the evidence presented.

1. The Current Wake Setback Is Adequate

Swan Lake's existing wake setback provides an appropriate framework for responsible wake surfing. The petition should demonstrate why the current setback is inadequate through documented, Swan Lake-specific evidence of damage or unsafe conditions.

A broader 500-foot restriction should not be adopted simply because studies from other lakes identify potential impacts under different conditions.

2. No Demonstrated Damage to Fish, Trees, or Shorelines

The petition alleges damage to docks, boat lifts, shorelines, trees, and fish habitat. However, it should establish the specific extent and cause of any damage on Swan Lake.

Wind, storms, natural wave action, ice, changing water levels, and other environmental factors also affect shorelines and waterfront property. The Commission should distinguish between documented wake surfing impacts and damage caused by natural conditions or other activities.

3. The Proposed Rule Could Increase Boating Congestion

Restricting wake surfing to fewer available areas could concentrate boats and riders in the same locations, increasing potential conflicts between wake surfers, swimmers, kayakers, paddleboarders, and other boaters.

That could result in more wake surfers operating in the same limited areas, which may create:

Greater concentration of boats and riders.

Increased likelihood of crossing paths or encountering other watercraft.

More wake interactions between vessels.

Greater difficulty maintaining safe separation between surfing boats, traditional boaters, kayakers, paddleboarders, and swimmers.

More competition for suitable water depth and maneuvering space.

Additional pressure to operate in the same established areas for longer periods.

The Commission should evaluate whether the proposed restriction would improve safety or unintentionally create additional congestion and hazards.

4. Less Restrictive Measures Should Be Considered

If specific safety or environmental problems are documented, targeted enforcement, education, and site-specific measures should be considered before imposing a broad restriction on lawful recreational use.

Conclusion

The petition has not established sufficient Swan Lake-specific evidence to justify replacing the current wake setback with a broader 500-foot restriction.

I respectfully request that the Commission deny the petition and retain the current wake setback, which provides an appropriate basis for responsible boating while preserving access for the lake's diverse recreational users. The majority of lake owners and users are completely against this proposal.

Thank you for your consideration.

Sincerely,

Kade Embry

Q3

Respondent skipped this question

Optional: Upload your comments

#30

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, September 23, 2026 1:14:46 PM
Last Modified: Wednesday, September 23, 2026 1:39:22 PM
Time Spent: 00:24:35
IP Address: 154.27.109.33

Page 1

Q1

Contact information

Name:	Cory Berkram
City/Town:	Bigfork
State/Province:	MT
Email Address:	cberkram@sectitle.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

Dear Commissioners,

I respectfully ask that the Commission deny the petition to impose a 500-foot controlled no-wake restriction around Swan Lake's shoreline.

I fully support responsible boating, protection of shoreline property, and preservation of Swan Lake's natural resources. However, such a significant change to the current rules should be based on clear, Swan Lake-specific evidence demonstrating that the existing wake setback is inadequate.

The petition raises concerns about docks, boat lifts, shorelines, trees, and fish habitat, but those concerns should be supported by documented evidence showing the extent and cause of any damage. Swan Lake's shorelines are also affected by wind, storms, natural wave action, ice, changing water levels, and other environmental factors. It is important that these factors be considered before attributing impacts specifically to wake surfing.

I am also concerned that a 500-foot restriction could create unintended safety issues. Limiting wake surfing to fewer areas may concentrate boats and riders, increasing interactions among wake surfers, swimmers, kayakers, paddleboarders, and other boaters. A rule intended to improve safety should be carefully evaluated to ensure it does not simply move or increase the conflicts it is intended to prevent.

If specific problems have been documented, less restrictive solutions—such as targeted enforcement, boater education, designated areas, or site-specific measures—should be considered before imposing a broad restriction on lawful recreational use of the lake.

It is also important that the Commission hear from the broader Swan Lake community. While the petition has been advanced by a vocal group of residents, many other residents and water users strongly oppose the proposed 500-foot restriction and want to preserve reasonable access to the lake.

I respectfully ask the Commission to consider the evidence carefully, evaluate the potential unintended consequences, and retain the current wake setback unless there is clear evidence that a broader restriction is necessary.

Thank you for your time and consideration.

Cory and Kristi Berkram

Q3

Respondent skipped this question

Optional: Upload your comments

#31

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, September 23, 2026 1:40:12 PM
Last Modified: Wednesday, September 23, 2026 1:42:22 PM
Time Spent: 00:02:09
IP Address: 98.127.243.24

Page 1

Q1

Contact information

Name:	Cari Schlauch
City/Town:	Bigfork
State/Province:	MT
Email Address:	carischlauch@gmail.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

I strongly “oppose” this restriction!

Q3

Respondent skipped this question

Optional: Upload your comments

#32

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, September 23, 2026 7:32:04 PM
Last Modified: Wednesday, September 23, 2026 7:33:16 PM
Time Spent: 00:01:11
IP Address: 71.36.52.218

Page 1

Q1

Contact information

Name: John L Hopkins
City/Town: Bigfork
State/Province: MT
Email Address: johnlhopkins@yahoo.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

On a narrow, listed, bull-trout lake with edge-nesting loons and a no-increase sediment TMDL, boats purpose-built to deliver several times the wave energy of ordinary craft inside a 200-foot setback are a resource problem, not just a neighbor dispute—and the literature’s 500-foot / 20-foot-depth standard is the minimum that matches Swan Lake’s width and biology.

This is not a ban on motors. It is a distance and depth rule aimed at the operating mode that is designed to maximize wave height. Ski boats, fishing boats, and pontoons at plane do not put the same energy on the bank. A 500-foot no-wake line (or a designated mid-lake surf corridor well off both shores and in deep water) still leaves a usable center channel on most of the lake. What it does not leave is a legal right to throw a 3-foot surf wake into someone else’s dock, a loon nest, or bull trout critical habitat

Q3

Respondent skipped this question

Optional: Upload your comments

#33

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Wednesday, September 23, 2026 7:16:55 PM
Last Modified: Wednesday, September 23, 2026 7:50:54 PM
Time Spent: 00:33:59
IP Address: 71.36.52.218

Page 1

Q1

Contact information

Name: Holli Hopkins
City/Town: Bigfork
State/Province: MT
Email Address: holli59872@icloud.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

I am a property owner on the middle, narrow section of Swan Lake and I support steps toward increasing the no-wake zone on Swan Lake from 200' to 500'. If there were no wake boats on the lake, 200' would be sufficient, but wake boats are a game changer. A water skier can go by at 250' and not create much of a disturbance, but a wake boat 400' away from our shore causes massive waves. We used to see all sorts of lake activity; fishing, paddle boards, kayaks, canoes, people pulling tubes and skiers and now it's basically people cruising and the wake boats, as they make it uncomfortable for people in small craft to share the lake in this narrow area. Our boats and dock are getting torn up and where I'm sure there are many responsible wake boaters out there, the fact remains that there are all too many irresponsible wake boaters as well. Flathead Lake is huge and right around the corner, someone renting a wake boat and having it delivered can just as easily have it delivered there. There are only a few areas on Swan Lake that are appropriate for wake boat usage. I'd also like to see some data on nesting waterfowl on Swan because we have seen a marked reduction in geese and loons using the lake.

Q3

Respondent skipped this question

Optional: Upload your comments

#34

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, September 24, 2026 7:06:52 AM
Last Modified: Thursday, September 24, 2026 7:11:23 AM
Time Spent: 00:04:30
IP Address: 98.127.109.225

Page 1

Q1

Contact information

Name:	Brad Longcake
City/Town:	Clancy
State/Province:	MT
Email Address:	bradlongcake@longcakeconsulting.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

Please see the attached petition in opposition of the change in rulemaking. We are respectfully requesting the commission choose Alternative B.

Q3

Optional: Upload your comments

2026.9.22 Swan Lake Petition - FWP Commission Oct 2026.pdf (198KB)

#35

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, September 24, 2026 10:38:38 AM
Last Modified: Thursday, September 24, 2026 10:46:36 AM
Time Spent: 00:07:58
IP Address: 72.174.95.194

Page 1

Q1

Contact information

Name: Brian Aschim
City/Town: Belgrade
State/Province: MT
Email Address: brian.aschim@yahoo.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

As a long time recreator and part time resident of Swan Lake, I wholeheartedly Do NOT APPROVE NOR SUPPORT this petition.

Q3

Respondent skipped this question

Optional: Upload your comments

#36

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, September 24, 2026 11:04:08 AM
Last Modified: Thursday, September 24, 2026 12:03:23 PM
Time Spent: 00:59:15
IP Address: 38.92.160.140

Page 1

Q1

Contact information

Name:	Brandon Foster
City/Town:	Bigfork
State/Province:	MT
Email Address:	brandon@totaldepthunlimited.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

I have owned property on Swan Lake for the past seven years. Our family enjoys a multitude of water activities on Swan, including kayaking, canoeing, jet skiing, fishing, tubing, and wake surfing. I am in strong opposition to this amendment due to lack of evidence and infringement of the mixed-use mandate.

The submitted studies demonstrate that wake impacts can vary substantially with lake-specific conditions, while the petition has not demonstrated that those conditions on Swan Lake warrant a 500-foot restriction. FWP itself notes that the Commission's decision on whether to initiate rulemaking must be based on record evidence.

As a side note, I have repeatedly observed boats of all varieties (fishing boats, pontoons, runabouts, jet skis, and wake boats) violate the existing 200' restriction. Rather than initiate new rule making, I propose that FWP enforce the existing rules for all boaters.

Commentary on the documents submitted by the petitioners:

1.) The cited scientific literature is largely extrapolated from other waterbodies—not Swan Lake. Exhibit 1 is a 2023 Michigan DNR literature review synthesizing studies from Michigan, Quebec, Georgia, Ontario and elsewhere; the underlying studies involve lakes with substantially conditions. The review itself acknowledges that factors such as wave energy, vegetation, and bank material affect erosion.

2.) The literature review does not establish that 500 feet is an appropriate Swan Lake-specific threshold. Exhibit 1 reports a wide range of results: some studies found relevant effects beyond 500 feet, while others found substantially shorter distances. For example, the Michigan review identifies Fay et al. (2022) as finding that 200 feet could be sufficient. The variability in the studies demonstrates that distance alone is not a universal threshold and that lake-specific characteristics matter.

3.) The record does not contain a Swan Lake-specific wake-impact study. The supporting scientific exhibits are studies of other waterbodies rather than measurements of wake energy, sediment resuspension, shoreline erosion, or bathymetry on Swan Lake. Given that the requested rule would substantially reduce the area available for motorized recreation on a long, narrow lake, the Commission should reject this proposal in the absence of Swan Lake-specific measurements and analysis

Q3

Respondent skipped this question

Optional: Upload your comments

#37

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, September 24, 2026 12:27:26 PM
Last Modified: Thursday, September 24, 2026 12:29:12 PM
Time Spent: 00:01:45
IP Address: 68.47.103.61

Page 1

Q1

Contact information

Name:	John Elizandro, Water Sports Industry Association
City/Town:	Waconia, MN
State/Province:	MN
Email Address:	john@wsia.net

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

Please see attachment. Since only one file can be uploaded at a time, I hope you'll reference our previous submission on this topic when it was originally on the agenda earlier this year. Thank you!

Q3

Optional: Upload your comments

20269.21 MT FWC Comments.pdf (205.1KB)

#38

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, September 24, 2026 12:20:12 PM
Last Modified: Thursday, September 24, 2026 12:34:46 PM
Time Spent: 00:14:34
IP Address: 63.166.30.223

Page 1

Q1

Contact information

Name:	Nicole Burgan
City/Town:	Swan
State/Province:	MT
Email Address:	nicolebsellsmt@gmail.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

Dear Commissioners,

I respectfully request that you deny the petition to expand Swan Lake's controlled no-wake zone from the current 200 feet to 500 feet from shore.

I believe the existing 200-foot setback is more than adequate to provide reasonable shoreline separation while allowing responsible recreational boating and wake surfing. The proposed expansion is an unnecessary restriction on lake access that has not been adequately justified by Swan Lake-specific evidence.

The Current Setback Is Sufficient

Swan Lake already has a 200-foot controlled no-wake zone. Before expanding that distance by 150%, the Commission should require clear evidence demonstrating that the current setback is inadequate.

The petition's studies, while worthy of consideration, do not automatically establish that a 500-foot restriction is necessary or appropriate for Swan Lake.

The Majority of Public Commenters Opposed the Proposal

The public comment record reported by the Daily Inter Lake identified greater than 35 commenters opposing the proposed rule change and 13 supporting it. Vast majority of Swan Lake users don't even know how to protest this rule change and are apposed to this proposal. This demonstrates substantial public opposition to the proposal. The Commission should also consider the views of lake owners and recreational users who believe the current regulations provide an appropriate balance between safety, property protection, and recreational access. <Cite refs={"turn997669search2"}"/>

Environmental Damage Must Be Proven

The petition alleges damage to docks, boat lifts, shorelines, trees, and fish habitat. However, the Commission should require specific evidence demonstrating the extent and cause of damage attributable to wake surfing on Swan Lake.

Wind, storms, natural wave action, ice, and changing water levels also affect shoreline property and vegetation. These factors should be evaluated alongside boat-generated wakes rather than assuming that wake surfing is responsible for all alleged damage.

The Proposed Restriction Could Create Additional Safety Problems

Expanding the no-wake zone could concentrate wake surfers and other motorized boats into a smaller operating area. This may increase congestion and conflicts between watercraft, swimmers, kayakers, paddleboarders, and other recreational users. This would have way too many boats in a confined area. There is no real issue at all with the current setbacks. Lawyers that live on the lake are using their knowledge of the system and their distaste of the boaters on 'their' lake to BULLY the rest of the owners and users of Swan Lake.

A regulation intended to improve safety should be evaluated for its actual effects on lake traffic and user safety.

Conclusion

The existing 200-foot setback is more than adequate as a reasonable basis for responsible boating, and the petition has not demonstrated sufficient justification for expanding it to 500 feet.

I respectfully request that the Commission deny the petition, retain the current 200-foot setback, and preserve fair recreational access for the diverse community of Swan Lake users.

Thank you for your consideration.

Sincerely,
Nicole B

Q3	Respondent skipped this question
Optional: Upload your comments	

#39

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, September 24, 2026 6:16:14 PM
Last Modified: Thursday, September 24, 2026 6:18:19 PM
Time Spent: 00:02:04
IP Address: 108.66.185.220

Page 1

Q1

Contact information

Name:	Emily Villanueva
City/Town:	Washington
State/Province:	DC
Email Address:	evillanueva@nmma.org

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

Letter attached.

Q3

Optional: Upload your comments

NMMA Swan Lake Letter 9.24.26.pdf (193.5KB)

#40

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, September 24, 2026 6:52:25 PM
Last Modified: Thursday, September 24, 2026 7:16:50 PM
Time Spent: 00:24:25
IP Address: 69.146.147.62

Page 1

Q1

Contact information

Name: Kathy Terry
City/Town: Bigfork
State/Province: MT
Email Address: kathybterry4@gmail.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

I am a Swan Lake property owner and I do not support the petition to increase the existing 200 ft no wake zone to 500 ft.

Q3

Respondent skipped this question

Optional: Upload your comments

#41

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, September 24, 2026 7:03:13 PM
Last Modified: Thursday, September 24, 2026 7:27:19 PM
Time Spent: 00:24:06
IP Address: 69.146.147.62

Page 1

Q1

Contact information

Name: Robert Terry
City/Town: Bigfork
State/Province: MT
Email Address: rterrybigsky@gmail.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

I ask that the commission deny the petition to increase the no-wake zone on Swan Lake to 500 feet. Increasing the no wake zone to 500 feet in this already narrow lake would severely reduce the available area for recreation on these shared public waterways. It would also create dangerous bottlenecks which could increase the risk of injury. I believe that a 200 foot no wake zone is "standard" and created to balance shore protection with recreation and seems to work in most other lakes in Montana.

Q3

Respondent skipped this question

Optional: Upload your comments

#42

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, September 24, 2026 9:27:46 PM
Last Modified: Thursday, September 24, 2026 9:52:41 PM
Time Spent: 00:24:55
IP Address: 154.27.104.38

Page 1

Q1

Contact information

Name:	Mark & Elaine Taylor
City/Town:	Bigfork
State/Province:	MT
Email Address:	mark@taylorluthergroup.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

Our comments submitted in opposition to the original petition in March 2026 are hereby re-submitted by reference. This petition continues to make no sense and is unsupported by Swan Lake specific facts.

Q3

Respondent skipped this question

Optional: Upload your comments

#43

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Thursday, September 24, 2026 8:15:23 PM
Last Modified: Thursday, September 24, 2026 9:53:08 PM
Time Spent: 01:37:45
IP Address: 38.92.160.140

Page 1

Q1

Contact information

Name: Courtney Foster
City/Town: Bigfork
State/Province: MT
Email Address: Courtney@CourtneyFoster.com

Q2

Please comment on Citizen Petition - Swan Lake Motorized Use Restriction

I wholeheartedly disagree with the proposed petition change the allowable distance from shore from 200 to 500 feet on Swan Lake.

Making this change would significantly affect the traffic patterns on the lake, creating a dangerous, crowded, and harmful environment for boaters.

We live in the narrow part of the lake and don't experience tons of boat traffic even during major holiday weekends.

Ironically, it is often fishing, boats, or pontoons that drive right past the end of our dock into the neighboring bay, which indicates that this whole issue could be tackled with a public education rather than a wakeboat specific petition.

Regardless, my suspicion is that there are a few trying to make rules for many, and that is not the Montana way.

Until data specific to Swan Lake can be provided, it doesn't appear that we have any basis for change.

Q3

Respondent skipped this question

Optional: Upload your comments