

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

In the matter of the adoption of an	)	NOTICE OF ADOPTION OF
emergency rule closing the Stillwater	)	EMERGENCY RULE
River from the Absaroka Fishing	)	
Access Site to the Jeffrey's Landing	)	
Fishing Access Site in Stillwater	)	
County	)	

TO: All Concerned Persons

1. The Department of Fish, Wildlife and Parks (department) has determined the following reasons justify the adoption of an emergency rule closing the Stillwater River to any floating recreation from the Absaroka Fishing Access Site to the Jeffrey's Landing Fishing Access Site in Stillwater County:

(a) Construction activities on the final North Stillwater Road project are being conducted in early August, with portions of those construction activities occurring adjacent to and within the portion of the Stillwater River between the two above-referenced fishing access sites.

(b) The heavy construction activity occurring adjacent to and within the Stillwater River creates a risk of injury or death to any persons floating on the Stillwater River in that area, rendering the above-referenced stretch of river unsafe for floating activities by recreationists.

(c) Therefore, as this situation constitutes an imminent peril to public health, safety, and welfare, and this threat cannot be averted or remedied by any other administrative act, the department adopts the following emergency rule. The emergency rule will be sent as a press release to newspapers throughout the state. Also, signs informing the public of the closure will be posted at access points. The rule will be sent to interested parties and published as an emergency rule in Issue No. 15 of the 2024 Montana Administrative Register.

2. The department will make reasonable accommodations for persons with disabilities who wish to participate in the rulemaking process and need an alternative accessible format of the notice. If you require an accommodation, contact the department no later than 5:00 p.m. on August 23, 2024, to advise us of the nature of the accommodation that you need. Please contact Christina Bell, Fish, Wildlife and Parks, 1420 East Sixth Avenue, P.O. Box 200701, Helena, MT 59620-0701; telephone (406) 594-8071; or e-mail cbell@mt.gov.

3. The emergency rule notice is effective July 31, 2024.

4. The text of the emergency rule provides as follows:

RULE 1 STILLWATER RIVER EMERGENCY CLOSURE (1) The Stillwater River segment subject to this rule is located in Stillwater County.

(2) The Stillwater River is closed to any floating recreation between the Absaroka Fishing Access Site and the Jeffrey's Landing Fishing Access Site in Stillwater County.

(3) This rule does not implement a closure of either the Absaroka Fishing Access Site or the Jeffrey's Landing site, but only limits access for floating recreation between the two locations referenced above.

(4) The river closure implemented by this rule will be in effect from 5:00 a.m., Thursday, August 1, 2024 to 6:00 p.m., Thursday, August 8, 2024, or until the heavy construction activity forming the basis for the river closure is completed and the department determines that the river segment is again safe for floating recreation activities.

(5) Signs closing the above-referenced portion of the Stillwater River to floating activities will be removed when this rule is no longer effective.

AUTH: 2-4-303, 87-1-202, MCA  
IMP: 2-4-303, 87-1-202, MCA

5. The rationale for the emergency rule is set forth in paragraph 1.

6. Concerned persons are encouraged to submit their comments to the department. Please submit comments along with names and addresses to: Christina Bell, Department of Fish, Wildlife and Parks, P.O. Box 200701, Helena, MT, 59602-0701; e-mail [cbell@mt.gov](mailto:cbell@mt.gov). Any comments must be received no later than September 9, 2024.

7. The department maintains a list of interested persons who wish to receive notice of rulemaking actions proposed by the department or commission. Persons who wish to have their name added to the list shall make a written request that includes the name and mailing or email address of the person to receive the notice. Such written request may be mailed or delivered to Fish, Wildlife and Parks, Legal Unit, P.O. Box 200701, 1420 East Sixth Avenue, Helena, MT 59620-0701, or may be completed online at <https://public.govdelivery.com/accounts/MTFWP/subscriber/new>.

8. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

9. The special notice requirements of 2-4-303, MCA have been met. All committee members and staff of the Environmental Quality Council, with addresses provided on the Montana Legislature's website ([leg.mt.gov](http://leg.mt.gov)), were contacted by e-mail on July 31, 2024.

/s/ Quentin Kujala  
Quentin Kujala  
Chief of Conservation Policy  
Department of Fish, Wildlife and Parks

/s/ Jeffrey Hindoien  
Jeffrey Hindoien  
Rule Reviewer

Certified to the Secretary of State July 31, 2024.