

BEFORE THE FISH AND WILDLIFE COMMISSION
OF THE STATE OF MONTANA

In the matter of the adoption of NEW) NOTICE OF EXTENSION OF
RULE I and the amendments of ARM) COMMENT PERIOD ON
12.11.3201 and 12.11.3205) PROPOSED ADOPTION AND
pertaining to No Wake Zones on) AMENDMENT
Canyon Ferry Reservoir)

TO: All Concerned Persons

1. On November 29, 2018, the Fish and Wildlife Commission (commission) published MAR Notice No. 12-507 pertaining to the public hearing on the proposed adoption and amendment of the above-stated rules at page 2163 of the 2018 Montana Administrative Register, Issue Number 21.

2. A public hearing was held on November 29, 2018, to consider the proposed adoption and amendments. In response to public comments, the commission is proposing an alternative to be considered. The commission proposes to amend the following rule with the following changes from the original proposal, new matter underlined, deleted matter interlined:

12.11.3201 CANYON FERRY RESERVOIR - LEWIS AND CLARK COUNTY

(1) In Lewis and Clark County, Canyon Ferry Reservoir is limited to a controlled no wake speed, as defined in ARM 12.11.101(1), within 300 feet of public docks and public boat ramps, and from shoreline to 200 feet from the shoreline starting from Kayley Bay and continuing along the northern shore to the dam, and continuing from the dam along the southern shore ending at Crittenden Bay, ~~or as buoyed or described otherwise below, in the following areas:~~

~~(a) Chinaman's Bay;~~

~~(b)~~(2) Hellgate Bay, is limited to a controlled no wake speed, as defined in ARM 12.11.101(1), 300 feet from the boat ramp, and extending north to the opposite shore.

~~(c) Magpie Bay; and~~

~~(d) Shannon Boat Launch.~~

(2) remains as proposed but is renumbered (3).

~~(3) Kayley Bay is limited to a controlled no wake speed, as defined in ARM 12.11.101(1), approximately 500 yards from the mouth of the stream entering the lake and extending southwest to the point of the bay that narrows at the peninsula at Tranquility Drive on the north side of the bay, to the opposite shore southeast, or as buoyed.~~

(4) and (5) remain as proposed.

AUTH: 87-1-303, MCA

IMP: 87-1-303, MCA

3. The following rules remain as originally proposed:

NEW RULE I CANYON FERRY RESERVOIR – BROADWATER COUNTY

AUTH: 87-1-303, MCA
IMP: 87-1-303, MCA

12.11.3205 HAUSER RESERVOIR

AUTH: 87-1-303, MCA
IMP: 87-1-303, MCA

4. The Department of Fish, Wildlife and Parks (department) will make reasonable accommodations for persons with disabilities who wish to participate in this rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the department no later than 5:00 p.m. on March 22, 2019 to advise us of the nature of the accommodation that you need. Please contact Kaedy Gangstad, Department of Fish, Wildlife and Parks, P.O. Box 200701, Helena, Montana, 59620-0701; telephone (406) 444-4594; or e-mail kgangstad@mt.gov.

5. Concerned persons may submit their data, views, or arguments in writing to: Department of Fish, Wildlife and Parks Enforcement Division, Attn: Phil Kilbreath, P.O. Box 200701, Helena, Montana, 59620-0701; or e-mail pkilbreath@mt.gov, and must be received no later than March 29, 2019.

6. No additional public hearing will be held to consider this amended proposal notice.

/s/ Aimee Hawkaluk
Aimee Hawkaluk
Rule Reviewer

/s/ Dan Vermillion
Dan Vermillion
Chair
Fish and Wildlife Commission

Certified to the Secretary of State March 5, 2019.