



MONTANA FISH AND WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

THE **OUTSIDE** IS IN US ALL.

Meeting Date: August 13, 2020

Agenda Item: Nixon Bridge Gallatin River Temporary Closure, R3

Action Needed: Final

Time Needed on Agenda for this Presentation: 5 minutes

Background

Gallatin County notified FWP in 2016 of its intention to replace the Nixon Bridge over the Gallatin River on Nixon Gulch Road, approximately 2 miles north of Manhattan beginning July 2020.

Gallatin County will require the contractor to provide safe public float passage, including a 40-foot wide by 6-foot high effective opening between in-stream construction-related obstructions and appropriate navigational signage and hazard posting. Gallatin County anticipates that there will be times when construction activities will create unsafe conditions for the public and requests that FWP be prepared to temporarily close the river on a short-term basis to all use in the proximity of the construction site. Gallatin County has asked the commission to authorize a rule that would let FWP, in consultation with the local commissioner, temporarily close the river on a short-term basis during the construction timeline during summer 2020. The contractor, with confirmation from Gallatin County, would be required to notify FWP of each occurrence of such a request. FWP would only consider closures in the interest of public safety and if there are no other reasonable alternatives available.

Public Involvement Process & Results

The department accepted public comment for this proposal from June 29 to July 13. The proposal was publicized through a statewide press release and on the FWP website. No public comments were received.

Alternatives & Analysis

The commission could choose not to propose a rule that would allow temporary short-term closures of the river during construction. Without this option, emergency conditions might precipitate adoption of an emergency rule to close the river. FWP would prefer to have the ability to anticipate such needed actions to enhance public notice and safety.

Agency Recommendation & Rationale

FWP believes the proposed rule adequately addresses concerns regarding unsafe conditions for the public during construction. The proposed rule allows FWP to assess the request for temporary closure and to determine whether such action is warranted or if other alternatives would have less impacts on recreational interests and public safety.

Proposed Motion

I move the commission approve an annual rule authorizing FWP, in consultation with the local commissioner, to temporarily close a portion of the Gallatin River on a short-term basis as necessary to safely complete removal of the existing bridge and construction of a new Nixon Gulch bridge during summer 2020.