



# MONTANA FISH, WILDLIFE & PARKS

## FINAL

### Clark Fork River Conley Avenue Bridge Reconstruction Temporary Closure Rules

#### **I. PURPOSE**

(1) The purpose of the following rules is to address public safety concerns on the Clark Fork River associated with deconstruction and reconstruction of the Conley Avenue bridge in Deer Lodge.

(2) It may be necessary to intermittently close a portion of the Clark Fork River in proximity of the bridge site (approximately 100' upstream and downstream) from November 2020 to November 2021 to assure public safety while Montana Department of Transportation (MDT) performs reconstruction work on the bridge.

#### **II. CLARK FORK RIVER CONLEY AVENUE BRIDGE RECONSTRUCTION CLOSURE**

(1) The department may close a portion of the Clark Fork River to all public occupation and recreation including, but not limited to, floating, swimming, wading, and boating in the vicinity of the Conley Avenue Bridge when:

(a) MDT advises the department that work may make public occupation and recreation on the river unsafe in the area of the bridge; and

(b) the department determines that it is necessary to close the Clark Fork River.

(2) The department may reopen the Clark Fork River when:

(a) MDT indicates that conditions are safe; and

(b) the department determines the closure is no longer necessary.

(3) The department may intermittently open and close the Clark Fork River as deemed necessary during the construction period.

(4) This rule does not affect any rules that may be adopted to address unforeseen temporary, emergency situations.

#### **III. EXCEPTIONS TO RIVER CLOSURES**

(1) The general exceptions and applications identified in 12.11.505, ARM, apply to this rule.

#### **IV. EFFECTIVE DATE AND EXPIRATION OF THESE RULES**

(1) These rules are effective upon final approval of the commission.

(2) These rules expire on December 1, 2021

(3) These rules may be amended or repealed upon approval of the commission.

(4) Prior to expiration, the commission may extend the effective date of these rules for no more than two years.