



# MONTANA FISH AND WILDLIFE COMMISSION

## Public Comment Summary

THE **OUTSIDE** IS IN US ALL.

**Item:** Administrative Rule Proposal to Ban Motorized Use on the Boulder River

Public comment Period: 11/6/2020 through 12/4/2020

Public Comment Hearing: 11/30/2020

---

### **Background:**

On August 31, 2020, the Commission received a rulemaking petition to ban motorized use on the Boulder river from the headwaters to its confluence with the Yellowstone River and all tributaries of the Boulder River. The petition was submitted by Tom Patterson and also included a letter in support signed by 47 persons. The petition references safety concerns with jet boats that can operate at high rates of speed. The petition states that motorized travel on the small stream creates the dangerous possibility of a collision between a jet boat and irrigation equipment, livestock, children swimming, floaters, and residents fishing.

### **Public Involvement Process & Results**

On 11/30/2020 The commission conducted a public comment hearing via zoom. At the hearing 4 people commented in support of the proposed rule change and no comments were received in opposition.

The commission received 2 letters from organizations representing large groups of people. Of these 2 letters one supported the proposal and 1 opposed it.

The commission received 58 written comments (including letter) opposing the proposed rule change.

The commission received 34 written comments (including letter) supporting the proposed rule change.

The commission received one written comment suggesting the commission explore other options such as a wake zone restriction or horsepower limit.

The commission received one comment that motorized boating be prohibited from the boulder forks junction to the Yellowstone River but be allowed above the east boulder bridge to facilitate public access (limited access in that stretch).

# Boulder River Public Comment Table of Contents

(Click Link below)

[Opponents](#)

[Proponents](#)

[Suggestions](#)

[Transcript of public comment hearing](#)

**Kilbreath, Phillip**

---

**From:** chuck@sandryconstruction.com  
**Sent:** Monday, November 9, 2020 7:58 AM  
**To:** Kilbreath, Phillip  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft

I strongly oppose closing the Boulder River to motorized Watercraft.

---

This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft' Public Notice Web Page.

## Kilbreath, Phillip

---

**From:** ctferguson\_44@hotmail.com  
**Sent:** Friday, November 13, 2020 12:23 PM  
**To:** Kilbreath, Phillip  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft

Please throw this out! This is just another thing that the extremely rich that live along the Boulder River are trying to do to take others rights away. I'd like to hear about any and all Jet boat vs. "irrigation equipment, livestock, children, inner tubes/rafts and residents"? Most of the co-petitioners are very wealthy landowners and cattle barons in the valley that live so far up the river that no jetboat owner in his right mind would ever attempt to run it that high even at the highest of flows. There's no difference in this petition then what's stuck to the bottom of their boots.

---

This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft' Public Notice Web Page.



**Kilbreath, Phillip**

---

**From:** John Heine <john.heine44@gmail.com>  
**Sent:** Sunday, November 22, 2020 8:18 PM  
**To:** Kilbreath, Phillip  
**Subject:** [EXTERNAL] Motorized Ban Opposition

Phil,

I oppose the proposed rule closing the Boulder River from its headwaters to its confluence with the Yellowstone River and all its tributaries to all motorized watercraft.

Thank you for documenting my comment.

John Heine  
Billings, MT

Sent from my iPhone

## Kilbreath, Phillip

---

**From:** Rolisoncr@yahoo.com  
**Sent:** Monday, November 23, 2020 6:11 AM  
**To:** Kilbreath, Phillip  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft

This public waterway should remain open to the public and all recreational users. Jet boats have never been a safety issue. More laws and restrictions are a waste of tax dollars. Leave our public waters alone.

---

This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft' Public Notice Web Page.

## Kilbreath, Phillip

---

**From:** Juzelac@midlandimplement.com  
**Sent:** Monday, November 23, 2020 1:13 PM  
**To:** Kilbreath, Phillip  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft

Vote no there are already restrictions

---

This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft' Public Notice Web Page.

**Kilbreath, Phillip**

---

**From:** frenchinmt@yahoo.com  
**Sent:** Monday, November 23, 2020 1:17 PM  
**To:** Kilbreath, Phillip  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft

I oppose the ban on motorized use on the Boulder River. Montana waterways are public and should be maintained for responsible and continued share use.

They are not for the sole use of the adjacent land owners.

---

This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft' Public Notice Web Page.

## Kilbreath, Phillip

---

**From:** Kellerjosh@hotmail.com  
**Sent:** Monday, November 23, 2020 2:09 PM  
**To:** Kilbreath, Phillip  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft

No reason to close a river down to motorized travel if it is navigable. With less access to public water ways motorized travel should always be allowed. Safety wise, every boat owner should know the dangers of boating in a river and deal with the risks themselves. Calling a river a safety concern is the same as calling hwy 200 a safety concern. Drive at your own risk.

---

This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft' Public Notice Web Page.

## Kilbreath, Phillip

---

**From:** Jay <turnkey\_1@hotmail.com>  
**Sent:** Tuesday, November 24, 2020 8:38 AM  
**To:** Kilbreath, Phillip  
**Subject:** [EXTERNAL] Comment

I oppose a ban on motorized travel on the Boulder River.

Jay O'Neill  
P.O. Box 1841  
Livingston, MT 59047

Sent via the Samsung Galaxy S8+, an AT&T 5G Evolution capable smartphone

## Kilbreath, Phillip

---

**From:** Stacy Bragg <rapidtekk@yahoo.com>  
**Sent:** Friday, December 4, 2020 9:27 PM  
**To:** Kilbreath, Phillip  
**Subject:** [EXTERNAL] Boulder River comments on 10 hp boat petition

Dear FWP Commission,

I represent Citizens for Balanced Use (CBU) based in Gallatin Gateway. CBU has over 7000 active members and more than 100,000 supporters through our 68 affiliated organizations.

Recently a petition was submitted to the Commission requesting all motorized boats be prohibited on the Boulder River south of Big Timber. Currently the Boulder River has a 10-horsepower limit on motorized boats. This limitation has been in effect for a significant amount of time with no conflict or reported violations.

The petition sites possible safety issues which have never occurred or any reported. The use of this river by 10 horsepower boats is self-limiting to a very short period when water flows are sufficient for motorized use. This has been historically less than 3 months during the year.

Motorized use of the Boulder River is an important recreation activity and should not be removed. The complete removal of motorized use on the Boulder River would have a significant impact on the public and their ability to access this water way. Stream access on this river is currently very limited and most access is achieved through bridge and road crossings. Nearly 10 miles of water is inaccessible to non-motorized floating from Natural Bridge to the East Boulder bridge. With Eight Mile Bridge and Big Rock the two other access points in nearly 30 miles of river. Two of the upper points are not well suited for launch boats or rafts. Removing all motorized use on the Boulder River would further reduce an already limited stream access of this state waterway.

Also of concern is the action the Commission may take on removing all motorized recreation access on the Boulder River without first engaging a citizen advisory committee. ARM 12.11.425 clearly states: "The department shall also establish a citizen advisory committee to consider changes to river recreation management plans or to consider amendments to river recreation rules if the proposed changes or amendments are anticipated to be of significant enough interest to the public to benefit from the participation of a citizen advisory committee."

CBU believes the removal of all motorized use on the Boulder River is a significant change in recreation use, and has a significant public interest in this change of use, and has a significant impact on the public's ability to access the Boulder River for recreation purposes. We request an advisory committee be appointed in compliance with ARM 12.11.425 to engage with petitioners and motorized recreation users to advise the FWP Commission before any proposed formal actions are to be taken.

Thank you for the opportunity to comment on the petition and proposed action on motorized recreation use on the Boulder River

Sincerely,  
Stacy Bragg  
Executive Co -Chairmen  
CBU



## Kilbreath, Phillip

---

**From:** Stacy Bragg <rapidtekk@yahoo.com>  
**Sent:** Friday, December 4, 2020 9:39 PM  
**To:** Kilbreath, Phillip  
**Subject:** [EXTERNAL] Boulder river comments on closing motorized travel

### Boulder River Use Management Comment

To the Commission of the Montana Department of Fish, Wildlife, and Parks:

Dear FWP Commission

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. I believe that the current restriction of motorboats over 10 horsepower is more than adequate in maintaining public safety. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in regular use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that wasn't present when the Boulder River was originally restricted to 10 horsepower back in 2001. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The vessels are homemade using standard and easy-to-obtain aluminum sheeting and other aluminum products. They are assembled using simple at-home fabrication techniques. The vessels are driven by a Berkeley 6J series inboard jet drive that was pulled from a 1968 Sea-doo personal watercraft. The design allows a flat smooth bottom, a screened water intake with holes less than 1/2" in diameter, and the back jet is mounted above the bottom of the boat to avoid any damage on rocks, riverbed, and fish. They are powered by a Yamaha MZ300 industrial, multi-purpose engine. This engine is an air-cooled, single cylinder, 4 stroke application that has a manufacturer's rated max power output of 9.5 horsepower at sea level, at nearly 5000 foot elevation these engines loose nearly 15% of their rated hp dropping it down to approximately **8 horsepower**. For comparison the average self propelled walk behind lawnmower has 5-7 horsepower and a riding lawnmower has 12-24 horsepower. Both are used in tight areas without so called high seep collisions. The boats weigh less than 250 pounds and travel at an average speed of 6 to 8 miles per hour, with a top speed around 10 miles per hour when conditions are perfect. The point is, there is nothing new or advanced about the technology used in these vessels. There's also nothing fast and out of control about a boat powered by 10 horsepower or less either. Those claims are downright false, and the petition didn't include any supporting evidence to back up those statements. The petitioners lack the educated information to make any factual claims.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.



The claim that vessels operating on the Boulder River within the current 10 horsepower restriction are traveling at high speeds is deceptive and factually incorrect as well. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at. If vessels are being witnessed traveling at high speeds, I believe that thorough law enforcement would be a much better management solution over restricting an entire user group altogether.

I testified on the Stream Access bill in Helena years ago and I was able to add two amendments, one of the amendments was to release private landowners from liability for the public to access rivers and streams. At that time it was quoted that there was approximately 1200 points of access in Montana and FWP was only able to secure 5-6 points of constructed access per year. The Boulder has three approved access points now. The landowners behind this petition addressed no concern to public access. The Boulder River is extremely limited to the public, especially to vessels like rafts, canoes, and other non-motorized equipment that get used in a small window of time due to river flows. The Boulder has limited access for approximately 30 miles. For the petitioners who live miles from a public access point, the implementation of this proposed rule would mean virtually no public presence on the river adjacent to their property. Due to river flows, steep cut banks, and other barriers maintaining foot access up the river inside the high water mark is virtually impossible on some spots of the river.

The window of opportunity to operate these boats on the river is very limited due to spring time high river flows and or late season low river flows. I would also like to note that motorized boat users posing a threat to livestock and irrigation equipment is invalid and not supported by any real evidence. Pump heads and head gates are located on the riverbank, not in the middle of the river. It's also a fact that ranchers and livestock producers fence their animals away from the Boulder to prevent them from escaping when river flows drop. The petitioners didn't include any evidence, pictures, or supporting records that suggest livestock and irrigation equipment commonly reside in the middle of the river where it would be at risk of being struck by a vessel. The fact is that the small window viable mid flow water conditions to operate 10 hp boats would not result in virtually zero conflict with farm and ranch operations, and fisherman along the banks.

Also of concern is the action the Commission may take on removing all motorized recreation access on the Shields River without first engaging a citizen advisory committee. ARM 12.11.425 clearly states: "The department shall also establish a citizen advisory committee to consider changes to river recreation management plans or to consider amendments to river recreation rules if the proposed changes or amendments are anticipated to be of significant enough interest to the public to benefit from the participation of a citizen advisory committee."

I believe the removal of all motorized use on the Shields River is a significant change in recreation use, and has a significant public interest in this change of use, and has a significant impact on the public's ability to access the Shields River for recreation purposes. I also request an advisory committee be appointed in compliance with ARM 12.11.425 to engage with petitioners and motorized recreation users to advise the FWP Commission before any proposed formal actions to restrict motorized are to be taken.

I sincerely hope that the Commission stands to support the already established public access rather than restriction based on selfish influence from private landowners some who have recently moved here from out of state and who do not hold our Montana values of hunting, fishing, wildlife and multiple use recreation, that so many of us Montanan's enjoyed for generations.

Regards  
Stacy Bragg 5th gen Park County Resident  
p/o box 417

Livingston Montana 59047  
406-220-0803  
rapidtekk@yahoo.com

- 
- 
- 
- 





JAMES LECKIE  
(name & address)  
1907 AVE. C  
BILLINGS, MT. 59102

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

~~The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.~~

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_





Virginia Barnes  
(name & address)  
Box 411  
Pony, MT 59747

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: Virginia Barnes Date: 12-1-20

NORMAN NELSON  
(name & address)  
290 Quinn Creek  
Bozeman MT 59715

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: Norman Nelson

Date: 11/29/20



Amanda Ford  
(name & address)  
905 Meniwether Dr. E  
Livingston, MT 59047

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: 

Date: 11/30/20

Zander Roninger  
(name & address)  
513 N 8th Livingston  
MT 59047

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: \_\_\_\_\_



Date: \_\_\_\_\_

11-17-2020



Lance Barnes  
(name & address)  
Box 411  
Pony, MT 59747

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: Lance Barnes Date: 12-1-20

Melain Payne

(name & address)

4789 Old Yellowstone Trl N

Livingston, MT 59017

Mail To:

Phil Kilbreath

FWP Enforcement Division

P.O. Box 200701

Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: Melain Payne

Date: 11/19/2020



Joey Lane  
(name & address)  
\_\_\_\_\_  
\_\_\_\_\_

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: Mary Jo Lane Date: 11/19/2020

Zarron Thonings  
(name & address)  
523 8<sup>th</sup> Street  
Livingston MT 59047

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: Zarron Thonings Date: 11-17-20



Stephanie S. Erickson  
(name & address)  
2050 Stagecoach Trail R  
Missoula, MT  
59741

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: Stephanie S. Erickson

Date: 11-29-20

(name & address)

Susan Rebish  
Clark Lane  
Dillon MT 59725

Mail To:

Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: Phil Backus

Date: 11/29/20



Jeff Swanson  
(name & address)  
38 Mc Niven Rd

---

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: \_\_\_\_\_



Date: \_\_\_\_\_

11-28-2020

Aidan Todd  
(name & address)  
1322 Wineglass Ln  
Livingston, MT 59047

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

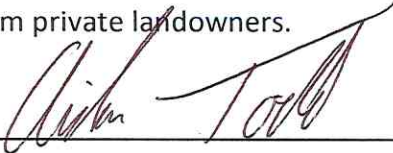
The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: \_\_\_\_\_



Date: \_\_\_\_\_

12/1/2020



JACK ZIEGLER  
(name & address)  
1617 CORB Hill ROAD  
BOZEMAN, MT 59718

Mail To:

Phil Kilbreath

FWP Enforcement Division

P.O. Box 200701

Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this proposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed:



Date:

12-2-2020

Desiree Swanson  
(name & address)  
38 Mc Niven Rd  
Livingston MT 59047

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: Desiree Swanson Date: 11-28-2020



Melissa Todd  
(name & address)  
332 Strickland Creek Rd  
Livingston, MT 59047

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: M. Todd Date: 12/2/20

Hunter Swanson  
(name & address)  
38 McNiven Rd  
Livingston MT 59047

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: Hunter Swanson Date: 11-28-2020



Shane Fairchild  
(name & address)  
618 E Park st  
Livingston, MT 59047

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: Shane Fairchild

Date: 12-2-20

Randy Todd  
(name & address)  
332 Strickland Creek Road  
Livingston, MT 59047

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.


Signed: \_\_\_\_\_



Date: \_\_\_\_\_

11/17/2020



 SKYLAR SWANSON  
(name & address)  
38 Mc Neven Rd  
Livingston MT 59047

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this proposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: SKYLAR SWANSON

Date: 11-27-2020

Wood  
(name & address)  
Wood  
108 N. E. St

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: \_\_\_\_\_

Date: 11/27-20



Kyla Swanson  
(name & address)

38 McNiven  
Livingston MT 59047

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: Kyla Swanson

Date: 12-1-2020

Steven Jones  
(name & address)  
8 Targe St  
Three Forks, MT 59752

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: \_\_\_\_\_



Date: 12-2-20



Charles N McLaughlin  
(name & address)  
401 E Jefferson Ave Apt D  
Belgrade MT 59714

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: Charles N McLaughlin Date: 11-29-20

Laurie Ford  
(name & address)  
6 Adair Creek Rd  
Livingston MT 59041

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: Laurie Ford Date: 12-1-20



Layne Ford  
6 Adair Creek Road  
Livingston, Montana 59047  
Cell: 406-224-3947

November 30<sup>th</sup>, 2020

To the Commission of the Montana Department of Fish, Wildlife, and Parks:

I am writing to voice my strong opposition to any new restriction to motorized use on the Boulder River in southwest Montana. I would like to start by noting that there has never been a collision involving a motorized user on the Boulder River. The petition that was recently presented makes overwhelmingly false claims and has no factual basis behind any of its arguments.

The petition failed to acknowledge that there is a host of rules in place to regulate motorized users when operating near other non-motorized users. There has never even been a citation issued to a motorized user for violating safety procedure while recreating on the Boulder River. The petition's claim that motorized use is creating a hazard to public safety is unsubstantiated and unproven. It would be quite inappropriate and biased of the Commission to ban all motorized use of a state waterway on a "what-if" basis, especially when no facts or supporting evidence of a potential public safety threat has been conveyed.

I would also like to note that motorized users posing a threat to livestock and irrigation equipment is invalid and not supported by any real evidence. Pump heads and head gates are located on the riverbank, not in the middle of the river. It's also a fact that ranchers and livestock producers fence their animals away from the Boulder to prevent them from escaping when river flows drop. The petitioners didn't include any evidence, pictures, or supporting records that suggest livestock and irrigation equipment commonly reside in the middle of the river where it would be at risk of being struck by a vessel.

In addition, the petition's claims of new and advanced technology creating a situation that hasn't been present in past years, are downright false. The petition didn't include any supporting evidence to back up those statements

The petition clearly did not consider public access on the Boulder River. The stretch of the river between Natural Bridge falls and its confluence with the Yellowstone only has two established fishing access sites and a couple of public road crossings that provide access to the river. In reality, removing motorized users from the Boulder would create a near-private river for many parts where launching a non-motorized vessel from upstream is not possible.

It's no secret that when it comes to recreation on the Boulder River, the only new part of the equation is the landowners who have bought up pristine riverfront homes and vacation rentals. These folks, including most of the petitioners, moved to Montana from some other state or country, and they are now using their status as a landowner to influence management in attempt to reduce public presence near their high-end, high-value properties.

I strongly encourage the Fish, Wildlife, and Park's Commission to reject this rulemaking and send a message to every landowner in this state; that Montana's public lands and waterways are open to the public and do support multiple use.

Regards,

Layne Ford



December 1st, 2020

Dear FWP Commission,

I would like to express my opposition to the proposed ban of motorized boats on the Boulder River. I do not believe that a small group of landowners should be able to dictate how the public is allowed to use the Boulder River. It is obvious that these landowners have created this petition to suit their personal agenda, without considering local public opinion.

The petition makes false claims that were fabricated only to support their agenda. The petition mentions "high speeds", however, a small boat built for running shallow water is not capable of "high speeds" as claimed. Considering the Boulder is shallow and rocky, "technological advancements" would not result in an increase of motorized use of the river. Jet pump and riverboat hull designs have not dramatically improved in the last 40 years.

I also do not believe that motorized recreation on the Boulder is creating any risk of collision. Most motorized use takes place during the spring when the water level is higher, non-motorized users are few and far between at that time, the low speeds that this shallow, rocky river permits, make a collision with other users very unlikely. Collisions with irrigation equipment is unlikely because the equipment is often situated near the river bank, motorized users stay in the middle of the river where the water is deepest. Livestock are generally fenced away from the Boulder because they could walk across the river at low water levels and escape. The claim that power boats put livestock at risk is far-fetched and unrealistic.

Public access on the Boulder is already extremely limited. If these riverfront landowners get their way, they will essentially have the river all to them selves.

If the FWP commission allows this petition to pass, it will set a precedent for other riverfront landowners to restrict public access. This would be a huge loss to the public who enjoy recreating on Montana waterways.

Sincerely,



Casey Ford  
406-223-8789  
905 Meriwether Drive  
Livingston, MT 59047



DAVID A. ERICKSON  
(name & address)  
2050 Stagecoach Trail RD  
Manhattan, Montana  
59741

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: 

Date: 11-29-2020

Wayne S Ford  
(name & address)  
6 Adair Creek Rd  
Livingston, MT 59047

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: Wayne S Ford Date: 11-30-20



Karen J. Nelson  
(name & address)  
290 Quinn Creek  
Bigfork Montana 59715

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purported rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: Karen J. Nelson Date: 11-28-20

BEW WOOD  
601 1/2 N. BLANCH  
(name & address)  
Bozeman MT

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: Ben Wood

Date: 11-27-20



Richard Holmes  
(name & address)  
1935 N. 31<sup>st</sup>  
Bullington, W.V.

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: Richard Holmes Date: 12-1-20

Terry Darden

(name & address)

1223 P St

Livingston MT 59047

Mail To:

Phil Kilbreath

FWP Enforcement Division

P.O. Box 200701

Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: 

Date: 11-30-2020



Lyda Reichert  
(name & address)  
1619 North 23rd St.  
Billings, MT 59101

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: Lyda Reichert Date: 12-1-20

John Reichert  
(name & address)  
1019 North 23rd Street  
Billings, MT 59101

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: John Reichert Date: 12-1-20



DAN CAMP  
(name & address)  
4308 Murphy  
Billings MT 59101

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual ~~supporting evidence~~. The petitioners didn't even bother to support this claim with an estimated or ~~number~~ of vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: Dan Camp

Date: 12-1-20

Mike Backus  
(name & address)  
499 Violet Rd.  
Boz. MT 59715

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: Mike Backus Date: 11/29/20



*M E Leckie*

(name & address)

*2128 Lyons*

*Billings MT*

Mail To:

Phil Kilbreath

FWP Enforcement Division

P.O. Box 200701

Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

~~The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.~~

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

(name & address)  
Hillary Taylor  
14 Cokedale Rd  
Livingston, MT 59047

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this proposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: 

Date: 11/23/20



Sophie Taylor  
(name & address)  
14 Coledale Rd  
Livingston, MT 59047

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

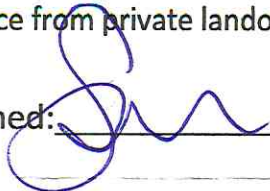
The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. ~~The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.~~

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: \_\_\_\_\_



Date: \_\_\_\_\_

11/23/2020

Kenneth Ford  
(name & address)  
612 N. Yellowstone  
Livingston MT 59047

Mail To:

Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this proposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: Kenneth Ford Date: 11-24-20



Lorene Foal  
(name & address)  
612 N. Yellowstone  
Livingston, MT. 59047

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: Lorene Foal

Date: 11-24-20

Marissa Taylor  
(name & address)  
14 Colcordale Rd  
Livingston, MT 59047

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this proposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: \_\_\_\_\_



Date: 11/23/20



Bill Taylor  
(name & address)  
14 Colkedale Rd  
Livingston, MT 59047

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

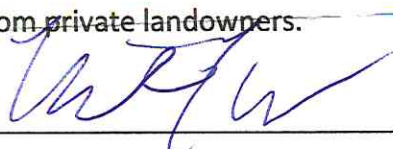
The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this proposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on factless influence from private landowners.

Signed: \_\_\_\_\_



Date: \_\_\_\_\_

11-23-20

Jed: BARTOW  
(name & address)  
1017 N 23RD  
Billings, MT 59101

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed:  Date: 12-8-2020



Dennis Robertson  
(name & address)  
1023 N. 23rd St  
Billings MT 59101

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: Dennis Robertson

Date: 12-7-20

Vickie Robertson  
(name & address)  
1023 N. 23 rd St  
Billings MT 59101

Mail To:  
Phil Kilbreath  
FWP Enforcement Division  
P.O. Box 200701  
Helena, Montana 59620-0701

### Boulder River Use Management Comment

I am writing to voice my strong opposition to the recent petition that aims to ban all motorized use on the Boulder River. This petition fails to mention that there has never been a recorded collision or incident involving a motorized vessel on the Boulder River.

The claim that recent technological advancements of inboard and outboard motor technology have resulted in use of the Boulder River is vague and unsubstantiated. The petition cites no facts or supporting evidence about what technological advancements have occurred which create an issue that hasn't been present in past years. The petition also cites no real evidence about how frequent motorized use of this river currently is.

The petitioners' argument that motorized travel creates a possibility of collision is also unproven, unsubstantiated, and not factual. The petition ignores the fact that there is a number of rules and regulations set forth by the department that regulate how a motorized vessel is to be operated when used within certain distances of fisherman, non-motorized vessels, and other non-motorized users. The fact that there has never been a citation issued to a motorized user on the Boulder River for violating safety procedure is also absent from the petition.

The claim that vessels are operating on the Boulder River at high speeds is deceptive and lacks factual supporting evidence. The petitioners didn't even bother to support this claim with an estimated or approximate speed at which such vessels have been witnessed traveling at.

The landowners behind this petition addressed no concern for public access. Between the natural bridge falls and the Boulder's confluence with the Yellowstone, the river only has 2 established fishing access sites. Other than that, the public is left to a handful of public road crossings that only allow for walk-in access and are generally miles apart. In fact, the stretch between natural bridge falls and the East Boulder Road crossing contains approximately 10 river miles with virtually no public access. Accessing this portion of the river on public property with a raft, canoe, drift boat, or other non-motorized vessel is extremely difficult or impossible. Implementing this purposed rule would further restrict public users' access to the Boulder River, especially those who are unable to walk several miles of river bottom.

I sincerely hope that the Commission stands to support public access rather than restriction based on fact-less influence from private landowners.

Signed: Vickie Robertson Date: 12-7-20



November 16, 2020

Commissioners,

My family settled in the Boulder valley in 1949 and we have been ranching here ever since. Ranching is our livelihood and is our only source of income. I am strongly opposed to allowing motorized boats in the Boulder watershed and urge the Commission to approve the rule restricting motorized boats.

As a rancher I am really concerned with the health and performance of my livestock. We have pastures along the river and also use the river from time to time for watering the animals. People that don't spend a lot of time around cattle don't appreciate what happens when these animals get upset. They don't perform as well. And this can be a big problem during calving when a herd can get spooked and calves can be trampled and killed. The animals suffer, and it impacts our ability to make a living. As to watering, we have off stream water in several of our pastures but there are times when we need to let the cattle down to the river. There are also times when we have irrigation equipment in the river, depending on how the growing season is going and what crop we are raising. These situations could result in damage or loss from a motorized boat.

Motorized boats present a risk to my operation that is a real problem on a small river like the Boulder. I also agree that motorized boats are a threat to people in the river, but I wanted to be sure the Commissioners understand that motor boats in close proximity to my livestock causes me great concern.

Sincerely,

A handwritten signature in cursive script that reads "Keith Engle".

Keith Engle  
Engle Ranch  
McLeod, MT

To all concerned persons:

October 17, 2020

The purpose of this letter is to voice support for the ban of motorized watercraft on the Boulder River. The Boulder River is a tributary stream. It is narrow and shallow, with, as the name suggests, a rocky bottom and boulders dotting the riverbed. It provides abundant recreation to Montanans and a unique, biodiverse habitat for fish, birds and land animals.

On several occasions this summer, I saw fast-moving, jet-powered watercraft maneuvering over inches-deep riffles, scraping their boat hulls along the gravel habitats of small fish in that all-important environment. The wakes produced by their momentum created waves sloshing the river and banks in unusual patterns, potentially accelerating fragile points of erosion. These boats moved at unsafe speeds and, on one occasion, in an unsafe zig-zagging motion around the aforementioned boulders, forcing my family out of the water.

The ban of motorized watercraft on the Boulder River would reduce the risk of injury, to the boaters or other Montanans, fishing or swimming, reduce water and noise pollution in a pristine area of Montana and would reduce the impact of high-powered watercraft on a river we are tasked, as stewards, to protect for future generations of enjoyment.

I wholeheartedly agree with the petition to ban motorized watercraft on the Boulder River and urge the Commission to support such action.

Thank you,

A handwritten signature in blue ink, consisting of a stylized, cursive 'J' followed by 'P', 'r', 'i', 'm', 'e'.

Joshua Prime  
2389 Main Boulder Road  
McLeod, MT 59052  
(406) 932-6183



## Kilbreath, Phillip

---

**From:** Donna Wahoff-Stice <dwstice@gmail.com>  
**Sent:** Friday, November 13, 2020 8:40 PM  
**To:** Kilbreath, Phillip  
**Subject:** [EXTERNAL] Boulder river use

We will make this short. We are opposed to the use of motorized watercraft on the Boulder River and tributaries above the Yellowstone River confluence. Motorized use can result in conflict with river uses ranging from irrigation to less expensive tubing and family uses. Non motorized use benefits the many, vs the more resourced few.

Thank you,

Donna and David Stice

## Kilbreath, Phillip

---

**From:** Logan Brown <[logan@yellowstoneangler.com](mailto:logan@yellowstoneangler.com)>  
**Sent:** Tuesday, November 17, 2020 2:48 PM  
**To:** Kilbreath, Phillip  
**Subject:** [EXTERNAL] Closing the Boulder River to all motorized watercraft

Mr. Kilbreath, I am writing to show my support for **closing motorized watercraft on the Boulder River**. Motorized crafts endanger recreational users, livestock, farm equipment, and children swimming in the Boulder River. The Boulder River is a small river with many blind turns and runs very low at times making it also extremely dangerous to the boaters themselves. The risks far outweigh the rewards that a few people with motorized crafts enjoy. The Yellowstone river allows the enjoyment and access of motorized crafts on the river.

Thank you for the time Mr. Kilbreath and I hope my comments will be considered on the November 30th public hearing.

Best,

Logan Brown  
The Yellowstone Angler  
Livingston, MT 59047  
[logan@yellowstoneangler.com](mailto:logan@yellowstoneangler.com)  
406-222-7130





## Kilbreath, Phillip

---

**From:** Gary Summers <gsumers@sumersfam.com>  
**Sent:** Wednesday, November 18, 2020 10:54 AM  
**To:** FWP Commission; Kilbreath, Phillip  
**Subject:** [EXTERNAL] I am in favor of the Boulder River Motorized Restrictions

Folks:

While I am not a resident of the State of Montana, I am, and have been for many years, a frequent visitor to the greater Boulder River watershed area. As a result, as tourists, my family and I spend money in the State every year.

I think it is a good idea for many reasons to restrict or eliminate motorized boats from the Boulder watershed. The number of serious accidents will increase materially, along with the cost to deal with those accidents. As you know, the Boulder River is littered with medium and large boulders, many of which are difficult to see until one is right on top of them. In addition, motorized boats create an obvious hazard to vacationers and residents who float down the River in rafts. Finally, as an avid fisherman, who fishes both via raft and wading, motorized boats pose a serious potential risk to folks like me. Finally, the risk to swimmers is serious and obvious.

The use of motorized boats on the Boulder River is a bad idea, whether in peak season when the water is reasonably high, but the River usage is significant or in the off season, when the lower water levels present a consistent safety threat.

Thank you for your consideration. I am confident you will continue to protect the residents and visitors to your wonderful state from unnecessary safety risks.

Gary Summers (917-697-1548)

## Kilbreath, Phillip

---

**From:** Hank Bechard <hank@treasurestateoutfitters.com>  
**Sent:** Wednesday, November 18, 2020 2:09 PM  
**To:** Kilbreath, Phillip  
**Subject:** [EXTERNAL] I support the Boulder motorized restriction

To Whom It May Concern:

I am just reaching out to support the **restricting** of motorized boats in the Boulder watershed. My concern is the safety of everyone on the river. I have been fishing and guiding on the Boulder all my life and I have witnessed countless accidents on this river. Every year there are cottonwood trees that fall down that cause major sweepers. One of these sweepers killed a fellow guide years ago, and I have helped several recreational users out of these log jams. I cannot imagine the level of difficulty coming into a sweeper in my raft and having to dodge a jet boat, and I am a professional guide. There are a lot of recreation users including high school kids that inner tube this river during high water, and inexperienced rafters that wouldn't be able to dodge these motorized boats.

I make a living taking people out to float and wade this wonderful river. Everyone should have the opportunity to enjoy this amazing stream, but we all need to think of safety and the wellbeing of the river. Motorized boats would be terrible on these small streams. They are completely unnecessary, would damage the streams, and would certainly hurt my small business. Operating upstream creates tremendous conflicts and simply doesn't work under any circumstances. Operating a jet boat even during the off-season would still present problems with running in super shallow water and disturbing river beds. i.e aquatic insects, redds, ect.

Thank you for taking time to read this email about my support for the proposed rule *restricting* motorized boats in the Boulder watershed.

Hank Bechard  
Outfitter #10368



**Kilbreath, Phillip**

---

**From:** Tom Patterson <boulderwatershed2020@gmail.com>  
**Sent:** Wednesday, November 18, 2020 2:51 PM  
**To:** FWP Commission; Kilbreath, Phillip  
**Subject:** [EXTERNAL] Letter from Tom Brokaw supporting Boulder restriction

November 18, 2020

Dear Commissioners,

I was startled to learn that motorized boats are allowed on the Boulder River. Startled and very upset.

Meredith and I have lived within reach of the Boulder, fished in it, and invested in its health for more than 30 years. Recently I took Jane Pauley to the Boulder for a feature she was doing on Montana. I wanted her to hear the quiet and see the natural wonder of a Montana trout stream.

It is a classic habitat for trout, an environment for moose and other wildlife, all of which are drawn to its natural undisturbed environment.

Fly fishermen from all over bring their respect for quiet waters and nature's undisturbed environment to these trout rich waters.

The unnecessary intrusion of motor boats would unravel that precious fabric of nature in short order.

I grew up with motor boats on the Missouri River and Midwestern Lakes. I see them in Montana's recreational lakes, reservoirs and dam tail waters.

That's where they're best suited.

Let nature and rising trout prevail on the precious Boulder. Please approve the rule restricting motorized boats in the Boulder watershed.

Sincerely,

Tom Brokaw

## Kilbreath, Phillip

---

**From:** Pieske, Shawna on behalf of FWP Commission  
**Sent:** Wednesday, November 18, 2020 3:29 PM  
**To:** Kilbreath, Phillip; Pat Byorth (fwpdistrict2@gmail.com); Rich Stuker; Shane Colton; Tim Aldrich (Cartim8@gmail.com)  
**Subject:** FW: [EXTERNAL] I support the Boulder motorized restriction

---

**From:** Hank Bechard <hank@treasurestateoutfitters.com>  
**Sent:** Wednesday, November 18, 2020 2:09 PM  
**To:** FWP Commission <FWComm@mt.gov>  
**Subject:** [EXTERNAL] I support the Boulder motorized restriction

To Whom It May Concern:

I am just reaching out to support the **restricting** of motorized boats in the Boulder watershed. My concern is the safety of everyone on the river. I have been fishing and guiding on the Boulder all my life and I have witnessed countless accidents on this river. Every year there are cottonwood trees that fall down that cause major sweepers. One of these sweepers killed a fellow guide years ago, and I have helped several recreational users out of these log jams. I cannot imagine the level of difficulty coming into a sweeper in my raft and having to dodge a jet boat, and I am a professional guide. There are a lot of recreation users including high school kids that inner tube this river during high water, and inexperienced rafters that wouldn't be able to dodge these motorized boats.

I make a living taking people out to float and wade this wonderful river. Everyone should have the opportunity to enjoy this amazing stream, but we all need to think of safety and the wellbeing of the river. Motorized boats would be terrible on these small streams. They are completely unnecessary, would damage the streams, and would certainly hurt my small business. Operating upstream creates tremendous conflicts and simply doesn't work under any circumstances. Operating a jet boat even during the off-season would still present problems with running in super shallow water and disturbing river beds. i.e aquatic insects, redds, ect.

Thank you for taking time to read this email about my support for the proposed rule *restricting* motorized boats in the Boulder watershed.

Hank Bechard  
Outfitter #10368



## Kilbreath, Phillip

---

**From:** westboulder1@gmail.com  
**Sent:** Wednesday, November 18, 2020 6:46 PM  
**To:** Kilbreath, Phillip  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft

I have operated a jet boat on a large British Columbian river. I'm not sure that was an appropriate use but it is an outrageously bad idea for a small, winding river like the Boulder. The noise pollution is astonishing. Jet boats can be heard from a mile away with their sustained scream. They are dangerous for their operators and anyone in their way. Additionally, the two-stroke engines with which they are powered are well known polluters. They are being phased out but many are still in use, especially on jet boats. Short of paving the Boulder, this is one of the worst ideas to come along in years.

---

This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft' Public Notice Web Page.

**Kilbreath, Phillip**

---

**From:** leif.johnson@usdoj.gov  
**Sent:** Thursday, November 19, 2020 8:36 AM  
**To:** Kilbreath, Phillip  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft

As a regular user of the Boulder River, I support a ban on all motorized uses of the river. Although the river rarely has enough water to support motorized use, it would be damaging to the fishery, the ecosystem, and the pristine experience the river now allows

---

This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft' Public Notice Web Page.



## Kilbreath, Phillip

---

**From:** catrafter@bresnan.net  
**Sent:** Thursday, November 19, 2020 8:56 AM  
**To:** Kilbreath, Phillip  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft

Please ban all motorized travel on the Boulder River.

This is a small river with a short high water period that allows limited use by non-motorized craft such as rafts and kayaks. Motorized craft would not be beneficial to the safety and solitude of other users or the safety of the motorized user.

---

This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft' Public Notice Web Page.

## Kilbreath, Phillip

---

**From:** Scott Weisbeck <weisbeck.scott@gmail.com>  
**Sent:** Friday, November 20, 2020 10:26 AM  
**To:** Kilbreath, Phillip  
**Subject:** [EXTERNAL] Restrict Motorized Boats on the Boulder River Watershed

To Whom it Concerns:

I support the proposed rule *restricting* motorized boats in the Boulder watershed. Safety of users such as rafts, wade fisherman, swimmers and other recreational users is paramount. The speed of a jet boat maneuvering around large boulders upstream is in direct potential conflict with these recreational uses. Simply put, I believe there is not appropriate width for a boat traveling upstream can be done safely.

I personally recreate and make a living taking people out to float and wade that includes the Boulder watershed. Motorized boats would be terrible on these small streams and I believe they are unnecessary. These boats by their nature damage the stream beds by how they operate, they are extremely loud and take away from the natural beauty of this area, and would certainly hurt my business.

Operating and navigating upstream creates tremendous potential safety conflicts and simply doesn't work under any circumstances on this watershed in my opinion. Operating a jet boat even during the off season when no rafts would float still presents an issue of running a motor in super shallow water and disturbing the river bed (aquatic insects, redds, ect) will cause environmental harm.

I am in full support for the proposed rule restricting motorized boats in the Boulder watershed and thank you for listening to the public regarding this matter.

Scott Weisbeck,  
49 Fly Guy, LLC  
MT Lic Fly Fishing Guide #37666



## Kilbreath, Phillip

---

**From:** Ryan Obermeyer <ryanobermeyer4@gmail.com>  
**Sent:** Friday, November 20, 2020 2:17 PM  
**To:** FWP Commission; Kilbreath, Phillip  
**Subject:** [EXTERNAL] I support motorized boat restriction on the Boulder River

To whom it may concern,

I live in Bozeman and am an avid whitewater kayaker. I have been involved in a whitewater kayaking program for eight years now, five as a student, and three as an instructor. We teach entry level courses all the way up to advanced courses where we are paddling some of the more difficult sections of whitewater in SouthWest Montana. I have had one instance in sharing the river with a motorized vehicle and I immediately felt it was less safe for myself and our participants. The jetski presence added a level of unpredictability to the situation that was difficult to mitigate, even on the Yellowstone.

I think the main dangers with motorized boats on the Boulder River are due to the river's relatively narrow channels and small discharge. These factors are such that any boat becomes a riverwide obstacle for down river traffic, and riverwide obstacles of any kind are very serious. The Boulder spends most of the year with under 1000cfs flowing through its narrow riverbed. In my opinion these low water flows and limited physical space mean that it is not safe to allow two way traffic on the river. The proposed rule restricting motorized boats within the Boulder watershed is the right step to ensure that the safety of down river traffic is not jeopardized.

Thank you for this opportunity to comment,

Ryan Obermeyer

## Kilbreath, Phillip

---

**From:** jrepotter@centurytel.net  
**Sent:** Friday, November 20, 2020 2:39 PM  
**To:** Kilbreath, Phillip  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft

Having watched the presentation by the petitioners, I approve of the petition close the Boulder River to motorized use for safety reasons. There are plenty of other water bodies in Montana to operate motorized boats safely. Not here.  
Thank you,

---

This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft' Public Notice Web Page.



## Kilbreath, Phillip

---

**From:** John McCosker <jmccosker@calacademy.org>  
**Sent:** Friday, November 20, 2020 3:19 PM  
**To:** Kilbreath, Phillip  
**Subject:** [EXTERNAL] | SUPPORT THE BOULDER RIVER MOTORIZED RESTRICTION

I am an aquatic biologist associated with the California Academy of Sciences, the oldest natural history research institution in the western United States. I was trained as an ichthyologist specializing in fish ecology, and received my PhD from the Scripps Institution of Oceanography, and have traveled throughout the world studying fish and fish behavior. Among my favorite locations has been the Boulder River in southwestern Montana which I have visited each summer since 1989 to sportfish and experience above and below water (using snorkeling equipment and my occasional clumsiness). This has allowed me to observe the health of the fish populations (trout species and whitefishes) and the abundant invertebrate and benthic plant life and waterfowl that feed upon them.

The limited and careful drift boat usage on the Boulder River has allowed it to remain a healthy ecosystem. However I am very concerned that motorized boats will damage the fragile ecosystem, particularly when the water is low. The noise and damage to the freestone river bottom will significantly damage the quality of the river and endanger anglers, swimmers, and the natural life of the river.

I feel strongly that the Commission should disallow the use of power boats in the Boulder watershed because of the damage that it will cause to the remarkable ecosystem. I would gladly provide additional advice if you need it.

Yours truly,

John E. McCosker, PhD

Chair of Aquatic Biology, Emeritus

California Academy of Sciences

San Francisco, California 94118

## Kilbreath, Phillip

---

**From:** DAVID ROZEMA <DWLBROZEMA@msn.com>  
**Sent:** Saturday, November 21, 2020 6:32 AM  
**To:** Kilbreath, Phillip  
**Subject:** [EXTERNAL] Boulder River closure

Dear Mr. Kilbreath;

We visit the Boulder River a couple times every year from our residence in AZ.  
I SUPPORT the proposed closure to motorized watercraft- they are dangerous, noisy and contrary to the beauty and quietness of the area.

Thank you,  
David Rozema  
1000 North Beeline Hwy, Ste 189  
Payson, AZ 85541

Sent from [Mail \[go.microsoft.com\]](mailto:go.microsoft.com) for Windows 10



## Kilbreath, Phillip

---

**From:** James Anderson <james@yellowstoneangler.com>  
**Sent:** Saturday, November 21, 2020 8:53 AM  
**To:** FWP Commission; Kilbreath, Phillip  
**Subject:** [EXTERNAL] I support the Boulder River Restriction on Motorized Boats

Gentlemen,

I was shocked to hear this year that people were running jet boats both on the Shield's River and the Boulder River this summer. These tributaries of the Yellowstone are far too small to safely operate jet boats on, especially on the Boulder where new snags show up every year, not to mention the countless large rocks that can be seen or not seen depending on the ever changing water levels. Jet boats or motorized watercraft also present a safety issue for any rafts, wade fisherman, or swimmers who are not used to seeing jet boats on the water. It would be a total disaster for jet boats to operate during the main floating season (late June-Aug) as they would have to thread the needle through 10-20 rafts a day (something that also should be looked at later on limiting the number of rafts allowed by each outfitter).

While safety is the main concern I also feel that these smaller tributaries are attractive to out of state visitors because they offer peaceful tranquility, and more intimate wade fishing than larger rivers. People come to Montana to relax and re-connect with nature, and fly fishing helps connect them to the river. Having load jet boats run up and down the river all day kind of messes up that vision. I believe allow motorized boats on the Boulder will have a negative effect on tourism in the area and a loss of revenue.

Thank you for reading more comments regarding my support for the rule restricting motorized boats on the boulder.

- Safety Issue - will surely cost the state money for search and rescue to help with a multitude of added accidents
- Noise pollution - will make out of state visitors who come to wade re-consider ever coming back due to a bad experience = lost revenue
- Disturbing the redds - in the shallow waters the jet boats travel over spawning beds could easily become damaged = less natural reproduction of native trout
- Disturbing the aquatic insects - in shallow waters the jet boats could also disrupt caddis, stoneflies, mayflies, ect.
- Possibility of oil / gas spills - if a boat goes down petrol products could leak into the river
- Plenty of other places in MT to take your Jet boat
- Bad Economics - Allowing Jet boats will hurt outfitting businesses, hotels, restaurants, ect because people will no longer want to go to the Boulder on their vacation

Hopefully the Stillwater River is also added to this new rule, as it is a similar size tributary as the Boulder and should also not allow motorized watercraft.

Best,

James Anderson  
Yellowstone Angler  
P.O. Box 629

5256 Highway 89 South  
Livingston, Mt 59047  
Phone 406-222-7130  
[www.yellowstoneangler.com](http://www.yellowstoneangler.com) [[yellowstoneangler.com](http://yellowstoneangler.com)]





## Kilbreath, Phillip

---

**From:** Pieske, Shawna on behalf of FWP Commission  
**Sent:** Monday, November 23, 2020 10:33 AM  
**To:** Ryce, Eileen; Kilbreath, Phillip; Pat Byorth (fwpdistrict2@gmail.com); Rich Stuker; Shane Colton; Tim Aldrich (Cartim8@gmail.com)  
**Subject:** FW: [EXTERNAL] I support the Boulder River motorized restriction  
**Attachments:** Montana Fish & Game Commission Ltr.docx

---

**From:** Julie Haas <julie@juliehaas.com>  
**Sent:** Friday, November 20, 2020 10:09 PM  
**To:** FWP Commission <FWComm@mt.gov>  
**Subject:** [EXTERNAL] I support the Boulder River motorized restriction

I am attaching my letter in support of the ban of motorized watercraft on the Boulder River. I understand the Commission is hearing public comment now and would like to have my letter included for your consideration.

Thank you,  
Julie Haas

LION HEAD RANCH  
2389 MAIN BOULDER ROAD  
McLEOD, MONTANA 59052

September 29, 2020

To all concerned persons:

I am writing today in support of the ban of motorized watercraft on the Boulder River.

Our family has resided on Lion Head Ranch in McLeod for over 40 years. The Boulder River is an integral part of the landscape and the ecosystem of the entire valley. Recent incidents involving motorized watercraft have made us aware that the peaceful existence of this pristine water is now threatened and may no longer be assured.

This past August, I personally experienced a near-death encounter with speeding boats. I was swimming in the river with my head down when I happened to hear a noise. I looked up just in time to see 2 high-output, jet-motored aluminum boats speeding around the corner. Their speed, coupled with the limited visibility and narrow water forced me into scrambling escape. As I moved, I yelled and waved and they managed to maneuver around me. It was a harrowing situation and one I hope others do not experience in the future.

Earlier in the summer, there were two additional encounters with another jet-motored inflatable boat. On one occasion, I was in the river with my young grandchildren and had to navigate a painful section of rocks to avoid the boat. Both times, we had to yell and wave our arms to get the boat to stop and avoid hitting us. While not as acutely distressing as the incident above, the inclusion of young children, fast moving water and quick decision-making elevated it to an incredibly frightening situation.

Motorized watercraft on the Boulder River are an accident waiting to happen, as well as a serious threat to the sensitive river habitat.

I strongly urge the Commission to support the petition banning the use of motorized watercraft on the Boulder River.

Sincerely,

Julie Haas

## Kilbreath, Phillip

---

**From:** Pieske, Shawna on behalf of FWP Commission  
**Sent:** Monday, November 23, 2020 10:35 AM  
**To:** Kilbreath, Phillip; Ryce, Eileen; Pat Byorth (fwpdistrict2@gmail.com); Rich Stuker; Shane Colton; Tim Aldrich (Cartim8@gmail.com)  
**Subject:** FW: [EXTERNAL] I support motorized boat restriction on the Boulder River

**From:** Ryan Obermeyer <ryanobermeyer4@gmail.com>  
**Sent:** Friday, November 20, 2020 2:17 PM  
**To:** FWP Commission <FWComm@mt.gov>; Kilbreath, Phillip <PKilbreath@mt.gov>  
**Subject:** [EXTERNAL] I support motorized boat restriction on the Boulder River

To whom it may concern,

I live in Bozeman and am an avid whitewater kayaker. I have been involved in a whitewater kayaking program for eight years now, five as a student, and three as an instructor. We teach entry level courses all the way up to advanced courses where we are paddling some of the more difficult sections of whitewater in SouthWest Montana. I have had one instance in sharing the river with a motorized vehicle and I immediately felt it was less safe for myself and our participants. The jetski presence added a level of unpredictability to the situation that was difficult to mitigate, even on the Yellowstone.

I think the main dangers with motorized boats on the Boulder River are due to the river's relatively narrow channels and small discharge. These factors are such that any boat becomes a riverwide obstacle for down river traffic, and riverwide obstacles of any kind are very serious. The Boulder spends most of the year with under 1000cfs flowing through its narrow riverbed. In my opinion these low water flows and limited physical space mean that it is not safe to allow two way traffic on the river. The proposed rule restricting motorized boats within the Boulder watershed is the right step to ensure that the safety of down river traffic is not jeopardized.

Thank you for this opportunity to comment,

Ryan Obermeyer



## Kilbreath, Phillip

---

**From:** Tom Patterson <boulderwatershed2020@gmail.com>  
**Sent:** Tuesday, November 24, 2020 9:37 AM  
**To:** FWP Commission; Kilbreath, Phillip  
**Subject:** [EXTERNAL] No Motorized Boats On The Boulder River

To Whom it may concern,

I have been a resident of Montana for 47 years. I have lived on the Boulder River south of McLeod for 21 years.

For a moment; imagine you are on the Boulder River fishing with your son or daughter or maybe doing a float trip to Boulder Forks.

And then, a jet boat comes around the bend. You scramble to get out of the way. So much for a peaceful day on the river, not to mention the issues of safety and or liability.

I strongly agree to eliminate all motorized boats, jet skis and or electric boats on the Boulder River and the Shields River too.

I will even go so far as saying; there are portions of the Boulder River that should be walk-wade only.

Our rivers need to be managed in a way that preserves the natural habitat for generations to come.

Thank you,  
Chris Ross  
Manager of the Boulder River Ranch

## Kilbreath, Phillip

---

**From:** paul levy <paullevy2242@yahoo.com>  
**Sent:** Thursday, November 26, 2020 8:47 AM  
**To:** FWP Commission; Kilbreath, Phillip  
**Subject:** [EXTERNAL] I support the Boulder motorized restriction

TO WHOM IT MAY CONCERN

I respectfully urge you to support the restriction of motorized boats in the boulder watershed.

The Bolder is an externally narrow river that is used by fly fisherman standing in the river, rafts, and swimmers. The Boulder has many large boulders and blind river bends. These conditions create real safety concerns.

The effect of jet boats running upstream in a narrow shallow river will have unknown effects on the aquatic life of plants.  
fish

and insects. This alone should be the subject of a research project before jet boats are allowed.

Thank you for your consideration.

Paul Levy

## Kilbreath, Phillip

---

**From:** Robert Zaideman <[rzaideman@zelaw.com](mailto:rzaideman@zelaw.com)>  
**Sent:** Saturday, November 28, 2020 3:06 PM  
**To:** Kilbreath, Phillip  
**Subject:** [EXTERNAL] FW: I support the Boulder motorized restriction

To whom it may concern:

I wish to express my strong support for the proposed rule *restricting* motorized boats in the Boulder River watershed. I live within a mile of the Boulder and frequently fish and float on the river. Simply stated, motorized boats create a great safety risk for others utilizing the river. The Boulder has many large boulders and fallen trees, and in the past 12 years that I have lived in the area numerous tragedies on the river have occurred. Having motorboats only increases the risk of this occurring more frequently. As someone who often wades the river, I consider motorboats to present a significant threat to my and my family's well-being.

Additionally, motorboats on such a narrow and shallow river greatly disturbs the flora and fauna which make the river their home.

For all of the above reasons, I strongly urge you to support the proposed rule restricting motorized boats on the Boulder River.

Thank you.

Robert J. Zaideman  
82 Thompson Lane  
Big Timber, MT  
312-215-7090  
[rzaideman@zelaw.com](mailto:rzaideman@zelaw.com)



## Kilbreath, Phillip

---

**From:** Tom Patterson <thomasapatterson@yahoo.com>  
**Sent:** Monday, November 30, 2020 9:14 AM  
**To:** FWP Commission; Kilbreath, Phillip  
**Subject:** [EXTERNAL] I support the rule restricting motorized watercraft on the Boulder River

November 30, 2020

Commissioners:

Our family has owned and operated a cattle ranch in the Boulder valley since 1998. I am writing to support the proposed rule restricting motorized boats in the Boulder watershed.

There are many reasons that a restriction of this sort is completely appropriate and necessary. Motorized boats operating on small streams like the Boulder, West Boulder and East Boulder pose a serious threat to public safety and also damage the lives and livelihoods of people and wildlife in the watershed.

Small streams and rivers are simply incompatible with motorized boats. There are numerous precedents across other Montana watersheds where motorized boat usage has been restricted. The Boulder watershed should have similar protection. Motorized boats damage riparian habitat, disturb wildlife, and threaten people in settings where there is a little or no room to maneuver. Motorized boats are totally suitable in larger rivers and lakes, but not on small streams and rivers.

Advocates for not approving the proposed rule cannot deny the practical reality that motorized boats are completely inappropriate in small rivers and streams. ATVs are already prohibited from operating in Montana's riverbeds and there are regulations in many water bodies that restrict motorized boat usage. Looked at more broadly, society made rules to prohibit motorcycles from driving on sidewalks – it was common sense to do so and in the best interests of everyone. Commission approval of a rule restricting motorized boats in the Boulder watershed is grounded on the same principle. Anyone objecting to this will have to base their argument on assertions which have no bearing on the fundamental facts of the matter. Motorized boats should not be allowed in the Boulder watershed.

Thank you for your consideration,

Tom Patterson

## Kilbreath, Phillip

---

**From:** Mike Galvin <cmgalv@bresnan.net>  
**Sent:** Monday, November 30, 2020 10:53 AM  
**To:** Kilbreath, Phillip  
**Subject:** [EXTERNAL] Fishing drones

I am an avid all season fisherman. I fish mostly in Region 1, but do venture to other locations, in state and out of state. I used to hunt a lot more than I do now. My father taught me the ethics of Fair Chase in regards to hunting. I have tried to pass this on to my children and grandchildren. I support the hunting regulation disallowing the use of airborne drones for any hunting activity.

I believe in Fair Chase in fishing also. I have seen fishing (underwater) drones in use on YouTube videos. These are not Fair Chase. I believe they are unethical and unnecessary.

In regards to fishing, I use electronics, GPS and sonar. Having read the proposed regulations this section raised my eyebrows, "(c) scouting the location of fish for the purposes of fishing;". I would not want this to be interpreted to disallow sonar units or "fish finders". At least two brands of sonar units now being sold have the capability to scan up to 200 feet horizontally at 360 degrees. Many other boat units have the function called "side scan". Disallowing this type of sonar would be a real Pandora's box.

Thank you for considering this issue and being proactive.

Sincerely,  
Mike Galvin



Virus-free. [www.avg.com](http://www.avg.com) [avg.com]

[avg.com]

## Kilbreath, Phillip

---

**From:** Jay Erickson <jaye606@gmail.com>  
**Sent:** Monday, November 30, 2020 11:06 AM  
**To:** Kilbreath, Phillip; FWP Commission  
**Subject:** [EXTERNAL] I support Jet Boat restrictions on Boulder River

I support restrictions of motorized boat use on the Boulder River. I fish the Boulder regularly both above and below the Natural Bridge.

This is a small river that is used by many for fishing, rafting and kayaking.

It isn't safe to have power boats upstream and downstream use on this river. There are plenty of access points to float or fish the Boulder River. One doesn't need a power boat to access this river.

0

The Yellowstone is nearby. It is a large river in comparison and accessible for power boats.

There is no reason for power boats to interfere with historical uses on the Boulder.

In my mind, running a power boat upstream is an activity to see if you can do it. But this impacts all other users in a negative and unsafe manner.

I support motorized restrictions on the Boulder River.

Best regards,  
Jay Erickson  
804 North Ewing Street  
Helena, MT 59601  
406-459-3750  
[jaye606@gmail.com](mailto:jaye606@gmail.com)



## Kilbreath, Phillip

---

**From:** stoneviewmt@gmail.com  
**Sent:** Monday, November 30, 2020 3:07 PM  
**To:** Kilbreath, Phillip  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft

Thank you for taking public comments. I live above the Yellowstone River in Paradise valley. At times I can see 5 boats on the river in a half mile. Though paneled by mountains this valley is broad and open. The Boulder River valley is narrow, rock cliff paneled, treed and green, with the sinuous ribbon of the Boulder providing visual sanctuary. As a fly fisher and non-motorized recreationist, I support the petitioners' request to close the Boulder River to motorized watercraft. Each such step toward mechanization and motorization degrades the outdoor experience. We recreate outdoors to get away from devices and man-made noise. The petitioners are from the Boulder valley. They know what they want for their home area. To motorize the river is a step in the wrong direction. On the safety side, I have seen anglers in the stream, including myself, and floaters in tiny rafts, one of whom lost an oar. This effectively makes the floater unable to steer, if s/he needs to avoid an obstacle, or be avoided. This river does not hold water well into the warmer months, and it does not seem wise for a propeller driven watercraft to be operating on a shallow, rocky river -- think of metal strikes on a boulder, potentially flipping the boat, spilling occupants, with the attendant safety concerns. Why is it called the Boulder? All we have to do is just take a look! If I am in the river, I would not easily be able to shuffle across slippery rocks to avoid impact. Cattle and wildlife use this water. And how do I know if the individual knows how to responsibly operate the motorized watercraft? To allow such is simply too dangerous.

I go to the Boulder valley for its beauty, quiet, fishing, and to soak up much needed nature and respite. If you allow this waterway to become motorized, you will have a very difficult time voiding such a rule in the future. Jerry Ladewig in Emigrant

---

This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft' Public Notice Web Page.

## Kilbreath, Phillip

---

**From:** Pieske, Shawna on behalf of FWP Commission  
**Sent:** Tuesday, December 1, 2020 11:02 AM  
**To:** Kilbreath, Phillip; Pat Byorth (fwpdistrict2@gmail.com); Rich Stuker; Shane Colton; Tim Aldrich (Cartim8@gmail.com)  
**Subject:** FW: [EXTERNAL] Letter in support of Boulder River rule restricting motorized watercraft  
**Attachments:** Boulder rulemaking support letter.docx

---

**From:** Tom Patterson <thomasapatterson@yahoo.com>  
**Sent:** Tuesday, December 1, 2020 10:00 AM  
**To:** FWP Commission <FWComm@mt.gov>; Kilbreath, Phillip <PKilbreath@mt.gov>  
**Subject:** [EXTERNAL] Letter in support of Boulder River rule restricting motorized watercraft

Dear Commissioners:

Please find attached a letter endorsed by 58 landowners and residents in the Boulder watershed indicating strong support for the Commission to enact the proposed rule restricting motorized watercraft. These supporters are in addition to the previously submitted letter supported by 47 landowners and residents.

Thank you,

Tom

December 1, 2020

Dear Commissioners:

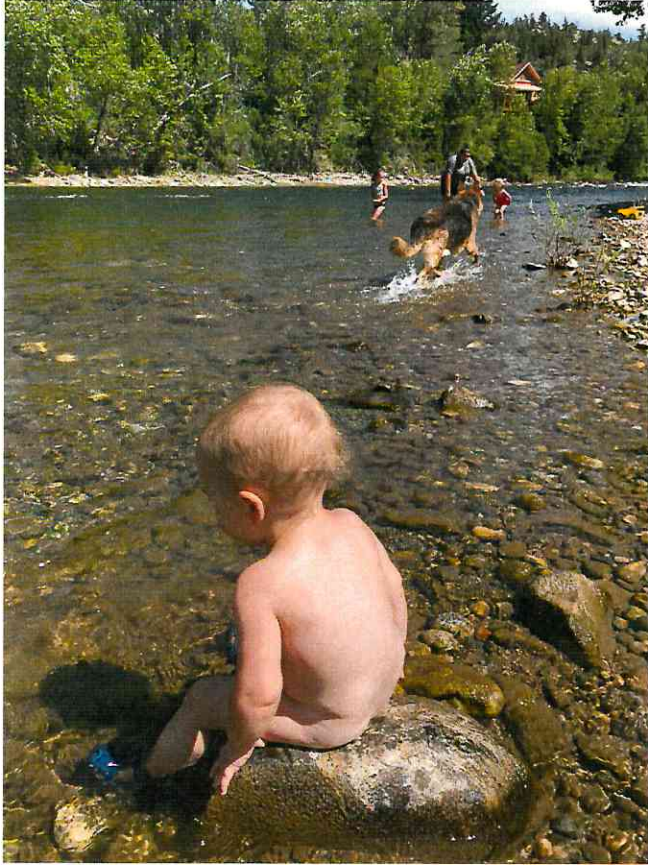
We strongly support implementing a rule restricting motorized watercraft in the Boulder watershed. These machines have no place in the Boulder, West Boulder and East Boulder rivers as they represent a significant threat to public safety and will negatively impact ranchers and others who live beside or recreate in these small rivers.

We urge the Commission to adopt the proposed rule restricting motorized watercraft in the Boulder watershed.

With gratitude,

Jim Abrams  
Wendy Abrams  
Ricardo Bayon  
Jane Beatty  
Meredith Brokaw  
Tom Brokaw  
Duncan Burford  
Vicki Burford  
Nan Bush  
David Coulter  
Greg Derrick  
Judy Derrick  
Marshall Durston  
Robin Durston  
Janet Fox  
Jeff Fox  
George Fraise  
Catherine Fraise  
Nathalie Fraise  
Berta Gehry  
Frank Gehry  
Craig Greenlee  
Bob Hall  
Joanie Hall  
Skip Herman  
Kimberly Horne  
Tom Ivey  
Michael Keaton  
Walter Kirn, Jr.





Boulder River – Roe Kids and Grandkids

Phil Kilbreath – FWP Enforcement Division – Re: Closure of the Boulder River to Motorized Watercraft

Dec. 3, 2020

As landowners and users of the Boulder River, we respectfully request that the Commission consider closing the Boulder River and its tributaries to motorized watercraft.

As you are aware, the Boulder River, is at certain points – narrow, winding and rocky – jet boats need the entire width of the river to navigate and travel at high speeds to maintain their maneuverability. I would hate to see my grandchildren, pets or fisherman injured because of out of control boats.

Please consider closing the Boulder River to motorized watercraft.

Sincerely,

*Chip & Melanie Roe*

*Betty Roe*

**Kilbreath, Phillip**

---

**From:** jerrydimarco@mail.com  
**Sent:** Friday, December 4, 2020 1:15 PM  
**To:** Kilbreath, Phillip  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft

I am in agreement that it is inappropriate to use motorized watercraft on the Boulder River, and therefore support the Proposed Amendment.

---

This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft' Public Notice Web Page.



December 4, 2020

Montana Trout Unlimited  
312 North Higgins, Suite 200  
P.O. Box 7186  
Missoula, Montana 59807

Montana Fish, Wildlife, and Parks Enforcement Division  
ATTN: Phil Kilbreath  
P.O. Box 200701  
Helena, Montana 59620-0701

**Re: Amendment pertaining to closing the Boulder River to all motorized watercraft**

Mr. Kilbreath:

Thank you for the opportunity to provide comments on the proposed amendment pertaining to closing the Boulder River to all motorized watercraft. We have reviewed the proposal put forward by the petitioners and accepted by the Fish and Wildlife Commission, and we wish to go on record supporting the change to the ARM. We attended the public meeting and provided oral support for this change and now wish to provide our organization's official support in writing.

Founded in 1964, Montana Trout Unlimited (MTU) is the only statewide grassroots organization dedicated solely to conserving, protecting, and restoring Montana's coldwater fisheries. MTU is comprised of 13 chapters across the state, including the Joe Brooks Chapter in the area, and represents approximately 5,000 members and friends. Many of our members are conservation-minded anglers who have an active interest in the health and recreational values of our state's rivers and streams.

As an organization we are not opposed to motorized watercraft in general; we believe that there is a time and place where those multiple uses can be balanced between recreation, agriculture, safety, and conservation of the resource. The Boulder River is not one of those places. We support this rule change that will work to reduce conflict between all river users, preserve fragile riparian ecosystems and wildlife, and help prevent the spread of aquatic invasive species. Further, this proposal has broad support from the local landowners and communities along the Boulder River.

Of special interest to MTU is the Boulder River's fishery health. Historically and currently the Boulder River has supported a healthy population of brown trout, rainbow trout and native Yellowstone Cutthroat trout. All three of these species are important game species that provide excellent wade angling opportunities in the Boulder River. Motorized watercraft would be a significant safety risk to wade anglers and the occasional float angler or other recreational users on the Boulder because of its often narrow, meandering channel with many blind turns,



exacerbated by a shallow, rocky streambed. More central to our mission is the risk of damaging wild and native trout habitat that motorized watercraft present. Churning water, wake and direct or indirect disturbance of the natural streambed by motorized watercraft in a small river, like the Boulder, will lead to damage or destruction of riparian habitat and, especially, spawning areas. The fishery health in the Boulder is also dependent on already limited woody material. The addition of motorized watercraft to this stream and fishery would likely lead to the removal of some of that already limited woody material.

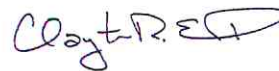
Additionally, Montana has wisely invested tens of millions of dollars over the last two bienniums to prevent the spread of aquatic invasive species (AIS), which degrade the inherent quality and economic value of our streams, rivers and lakes. AIS also pose a great financial burden to other water-dependent industries and businesses, especially agriculture. Motorized watercraft are regularly identified as particularly risky AIS vectors. This is another reason that Montana ought to some protect waters, like the Boulder River, that do not currently (nor historically) allow motorized watercraft usage from its expansion. Again, we think there are appropriate places for motorized watercraft, but the Boulder River is not one of them.

Please do not hesitate to contact us with any questions, or if you need additional information regarding the comments that we have submitted (via email at [clayton@montanatu.org](mailto:clayton@montanatu.org) or by phone at 406-543-0054). Again, we thank you for the opportunity to provide public comment on this important topic.

Respectfully,



David Brooks  
Executive Director  
Montana Trout Unlimited



Clayton Elliott  
Conservation Director  
Montana Trout Unlimited

**From:** [Sally & Tom Still](#)  
**To:** [Kilbreath, Phillip](#)  
**Cc:** [Dulcie Bue Clavarino](#); [Eunice Kirkpatrick](#); [Amory Blake](#); [Lawson Drinkard](#); [Diana Taylor](#); [Bobbi Carriker](#); [Barbara Sell](#); [Kendra McDonnell](#); [Christina and Nathan Bowden](#); [Sharon and Jeremy Countryman](#); [Aaron McDonnell](#); [Tom Schriver](#); [Joy Larsen](#); [Angie Moen](#); [Melanie Roe](#)  
**Subject:** [EXTERNAL] Comments about Motorized Boats on the Boulder River in Big Timber  
**Date:** Friday, December 4, 2020 6:36:32 PM

---

Dear Phil,

I am a board member of Friends of Dornix Park, a non-profit group that has been maintaining a 50 acre city-owned public park in Big Timber since 2005.

Big Timber-ites use the park for many reasons and its location along the Boulder River is a huge draw. We may need a restful walk in nature, or a place to dog-walk/dog-swim, fish, or picnic.

As you know, many ranches along the river are now in the hands of recent buyers who may not feel comfortable allowing access across their property to locals they don't know. Peaceful public places for walking along the river are becoming rare.

Dornix Park is a popular local recreation area - well used and appreciated. I do not believe motorized boats are compatible with our organization's vision for the present or the future.

I respectfully request that you deny access to these boats and keep one of these "last best places" for quieter pursuits.

Due to Covid and the late notice I received about your comment deadline, I was not able to get formal Board approval. But I feel confident that I am writing in the spirit of Friends of Dornix Park. You can learn more about the park at [www.facebook.com/Dornix](http://www.facebook.com/Dornix) [facebook.com]Park or [www.DornixPark.org](http://www.DornixPark.org) [dornixpark.org].

Sincerely, Sally Owen-Still  
Founding Member, Friends of Dornix Park

PO Box 108  
Big Timber, MT 59011

406-932-3039

[ststill59011@hotmail.com](mailto:ststill59011@hotmail.com)

## Kilbreath, Phillip

---

**From:** Pieske, Shawna on behalf of FWP Commission  
**Sent:** Monday, December 7, 2020 9:50 AM  
**To:** Kilbreath, Phillip; Andrew McKean (montanamckean@gmail.com); Pat Byorth (fwpdistrict2@gmail.com); Richard Stuker (rstuker@itstriangle.com); Shane Colton - Fish and Wildlife (scolton@yellowstonelaw.com); Tim Aldrich - Fish and Wildlife (Cartim8@gmail.com)  
**Cc:** Williams, Martha; Volesky, Mike; Kujala, Quentin  
**Subject:** FW: [EXTERNAL] Public Comment: Support of Petition to Restrict Motorized Watercraft on the Boulder River  
**Attachments:** Prime\_Boulder River Petition.pdf; Jet Boat Inflatable\_8.11.2020\_11.26AM.MOV; Jet Boats\_8.15.2020 3.28PM.mov; ATT00001.txt

-----Original Message-----

**From:** Josh Prime <jeprime@gmail.com>  
**Sent:** Friday, December 4, 2020 8:21 PM  
**To:** FWP Commission <FWComm@mt.gov>; Kilbreath, Phillip <PKilbreath@mt.gov>  
**Cc:** Josh Prime <jeprime@gmail.com>  
**Subject:** [EXTERNAL] Public Comment: Support of Petition to Restrict Motorized Watercraft on the Boulder River

Dear Commission,

I am writing today in support of the petition to ban motorized watercraft on the Boulder River. I have enclosed a letter I submitted previously to the Commission, as well as 2 videos. The first illustrates the abuse to the river ecosystem, with harsh navigation of riffles and shallow water. The second highlights the dangers of having speeding watercraft on a narrow tributary, with both personal safety to wading fisherman and swimmers, as well as bank erosion from the boats' wake evident in the video.

Thank you very much for your consideration.

Best,  
Josh Prime



To all concerned persons:

October 17, 2020

The purpose of this letter is to voice support for the ban of motorized watercraft on the Boulder River. The Boulder River is a tributary stream. It is narrow and shallow, with, as the name suggests, a rocky bottom and boulders dotting the riverbed. It provides abundant recreation to Montanans and a unique, biodiverse habitat for fish, birds and land animals.

On several occasions this summer, I saw fast-moving, jet-powered watercraft maneuvering over inches-deep riffles, scraping their boat hulls along the gravel habitats of small fish in that all-important environment. The wakes produced by their momentum created waves sloshing the river and banks in unusual patterns, potentially accelerating fragile points of erosion. These boats moved at unsafe speeds and, on one occasion, in an unsafe zig-zagging motion around the aforementioned boulders, forcing my family out of the water.

The ban of motorized watercraft on the Boulder River would reduce the risk of injury, to the boaters or other Montanans, fishing or swimming, reduce water and noise pollution in a pristine area of Montana and would reduce the impact of high-powered watercraft on a river we are tasked, as stewards, to protect for future generations of enjoyment.

I wholeheartedly agree with the petition to ban motorized watercraft on the Boulder River and urge the Commission to support such action.

Thank you,

A handwritten signature in blue ink, consisting of several loops and a cross-like shape.

Joshua Prime  
2389 Main Boulder Road  
McLeod, MT 59052  
(406) 932-6183

Chairman Colton, Vice-Chairman Stuker, and Commissioners -

Thanks for the opportunity to comment and for your service on behalf of Montana. As you may, or may not, know, I was the guy who handcrafted an old inflatable so I could access the Boulder River stretch above the East Boulder Bridge and below the natural bridge. This stretch of river traverses a public highway but offers no realistic way for the Montana public to access the water. You can walk down from the Natural Bridge which is treacherous on the best of the days or you can walk up from the East Boulder Bridge as far as your feet will take you. In either event, you are unable to fish well over ten miles of the Boulder River. By removing motorized access from this stretch of river, MFWP will be creating a vast stretch of private, public water on one of Montana's most coveted fisheries.

I read with interest about Mr. Patterson having two "close calls" with jet boats this summer. Since I was the only person up there all summer, I am not sure what he would describe as a close call, but my boat moves less than 10 miles per hour and comes to a full stop in less than ten feet. It has a 20 horse jet unit and in both visits I had friends in the boat that made it travel even slower. I know both of my friends would gladly vouch that public safety was not at any time an issue when I encountered the Pattersons. I believe Wally Haas may have shared a video taken by him of me going up the river. In that instance and every instance where I encountered landowners I made a point of stopping to let floaters go by or as in the case of the video did my best to interact respectfully with the landowners and ranch managers. The truth is even when I was floating down river in 2019 in a one man kayak, my being there was an issue. I would urge MFWP to contact its game wardens on this issue for their input as without exception my visits to fish this stretch by foot, kayak and jet boat have always created an issue that merited a phone call to the wardens from concerned landowners... despite the full legality of my being there and having called the warden prior to my visit.

What is at issue here in my view is private landowners' pushing this Commission to prevent Montanans from accessing public water under the guise of public safety. When jet boats are banned and I buy a horse or climbing gear, this petition will soon be followed by another saying that launching boats at the Natural Bridge or utilizing a horse is not a safe alternative either. This is a privacy issue not a safety issue.

That said, I am in agreement that there is a public safety component from Boulder Forks to the junction of the Yellowstone as this stretch of river receives a lot of attention and use. The non-motorized use would be severely impacted and potentially harmed with jet boats moving up and down that stretch of river which has dozens of folks floating it most days during the summer. However, the stretch above the East Boulder Bridge and below the Natural Bridge receives negligible (3 or 4 boats a year) floating use every year, has exceptional visibility so that floaters or fishermen can be seen from hundreds of yards away and conflict can be easily avoided. There is no safety concern whatsoever from larger boats on this stretch as they cannot be launched off a bridge or even navigate the shallows.

Accordingly, I would recommend that you extend the ban to the East Boulder Bridge but leave the stretch between the East Boulder Bridge and the Natural Bridge open for motorized use so that other Montanans too can enjoy this stretch of river. In the event a public access is created on any of these ranches or even access allowed by landowners, I would be very in favor of banning jet boats on this stretch.

If safety truly is the concern here, perhaps either Mr. Patterson or another landowner in that stretch of river might step up and help the Montana public access *their* water. When that day comes, I would applaud their efforts and be thrilled to support this ban on the one tool that now allows Montanans to enjoy that stretch of the Boulder.

In the meantime, MFWP needs to prioritize its focus on waters with public access where real public safety concerns exist.

Respectfully,

Jeff Vermillion

**Kilbreath, Phillip**

---

**From:** mwradz@gmail.com  
**Sent:** Friday, November 20, 2020 1:12 PM  
**To:** Kilbreath, Phillip  
**Subject:** Public Comment: Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft

Wonder if this is too extreme of a measure? What about limiting the engine HP (say to 5 hp or less) and instituting a ?no wake? rule ?

---

This e-mail was generated from the 'Notice of Public Hearing on Proposed Adoption to Close the Boulder River to All Motorized Watercraft' Public Notice Web Page.



Boulder River Public Hearing  
Transcript of Comments

Clayton Elliot: Hi there, and thank you for that reminder, it was a long holiday break. For the record my name is Clayton Elliot, last name spelled E-L-L-I-O-T I live in Missoula, Montana, but I'm here today representing Montana Trout Unlimited. We just wanted to go on record during the public hearing supporting the continuation of the development of this rule we supported the initiation and the petition during the Commission hearing. We will be submitting more detail public comments in writing but just wanted to make our presence known today. So thank you so much. And I actually have another meeting at 2:30 so I'm going to have to bump off, but I'll stick on as long as I can. Thank you.

Tom Patterson: My name is Tom Patterson. I am a landowner south of Big Timber and presented the petition in the Commission meeting and want to say thank you to staff and to the Commissioners here today for taking the time to solicit further comment. Obviously I very much support the Commission making a ruling to implement the proposed rule here and I wanted to add today simply that in the weeks that have passed since the initial meeting, I've had dozens of conversations with landowners in Sweetgrass County and Park County and from those conversations it's been a really consistent pattern. Probably starts with astonishment that when folks learn there is not a rule of this sort in the watershed. And second is just an immediate desire to see such a rule enacted. So I'd say that the folks in the watershed are energized and strongly supportive and really appreciate the Commission's consideration and hope you'll adopt this rule. Thank you.

Jerry Ladwig: Hello, thank you very much for taking my comments. This is Jerry Ladwig in Emigrant. The Boulder is one of those rivers I love for its scenery, its fishery, incomparable location, I have to admit, I did not read the petition today but I appreciate this opportunity for public comment. So I will try to educate myself and provide a written comment, however, generally speaking, I would say if this petition is to avoid the use of motorized watercraft on the Boulder River, I would certainly support that petition to prevent motorized watercraft. It is a very small river, its very rocky, it doesn't hold its water long into the season. It just seems like a bad idea to have motorized watercraft, so thank you for taking my comment.

Brian : Hi, thanks for listening. This is Brian Finnan, we live on the west Boulder River, which is a tributary of the main Boulder, both of which are very small waterways and to echo the previous caller. Small River. Actually not even very floatable, most of the year in high water its too dangerous and in low water, it's too low. Along with Tom Patterson, I was one of the initial petitioners. We find the use of motorized vehicles, motorized watercraft on the Boulder to be primarily a safety issue. Not only for those people in the motorized watercraft but those people wading or swimming or fishing in the Boulder River. That coupled with an impact not only on the fishery, but on the agricultural lands and livestock that are sometimes in the river. So thank you for taking our comments. We hope that you look favorably upon our request and appreciate your time and effort. Thanks.

End of Comments.