



# MONTANA FISH, WILDLIFE & PARKS

## PROPOSED

### Clark Fork River Closure Rules for Bearmouth Montana Rail Link Bridge Pier Work

#### **I. PURPOSE**

(1) The purpose of the following rules is to address public safety concerns on the Clark Fork River associated with Montana Rail Link's (MRL) work on piers near Bearmouth FAS.

(2) It may be necessary to intermittently close a portion of the Clark Fork River in proximity of the work (approximately 100' upstream and downstream) from September 6, 2021 to January 1, 2022 to assure public safety.

#### **II. CLARK FORK RIVER MRL BEARMOUTH PIER CLOSURE**

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

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

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

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

(a) MRL indicates that conditions are safe; and

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

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

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

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

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

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

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

(2) These rules expire on January 1, 2022.

(3) These rules may be amended or repealed upon approval of the commission.

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