
In the matter of the adoption of a rule)	
to restrict motor boat speed on)	
Church Slough in Flathead Valley)	
to "No Wake Speed".)	
)	

RULEMAKING PETITION

TO: All Concerned Persons

1. The petitioner's names and addresses are:

Ben and Maureen Louden
420 Loudens Landing
Kalispell, MT 59901

Melanie Cross and Andy Hurst
1920 Lower Valley Road
Kalispell, MT 59901

RECEIVED
OCT 05 2021
FISH, WILDLIFE PARKS
DIRECTOR'S OFFICE

2. Facts Showing Petitioner will be affected:

Petitioner's file this petition to change the water safety restrictions for Church Slough, a portion of the Flathead River. Petitioner further requests to have the proposed rule change be included on the Montana Fish and Wildlife Commission's agenda.

Petition to the Montana Fish and Wildlife Commission to limit this portion of the river to manually powered, electric motors and low horsepower motor powered watercraft in order to protect public safety and provide resource protection. The Homeowners of Church Slough and the surrounding area seeks a restriction on the use of all Wake Boats and all internal combustion watercraft motors from the Flathead River Access of Church Slough and the Water Access/Boat Launch located on Church Slough.

3. The Reasons for the proposed action:

a) Change current boating regulations; Adoption of a rule to restrict motor boat speed on Church Slough in Flathead Valley to "No Wake Speed".

b) Protection of public health and safety; Public safety: Concerns for public health and safety due to the variety of shared uses in and on the water including children and adults who swim, float, paddle board, kayak, canoe etc, note any other non-powered watercraft here as well as disruption for small powered fishing watercraft. Reduce high speed and the inherent conflict of larger boats on the open water and particularly at the boat access. The over abundance of use and speed from jet ski's and power boats is worrisome due to the large increase of the valleys population, and the over use of high powered water craft on this small body of water.

c) Prevention of shoreline degradation and disruption of river bottom due to watercraft propellers and watercraft/boat wake; Church Slough is already impacted by the wake of every motorized watercraft. The loss of trees and plants on the slough banks increases the erosion and eats away at the land. One Petitioner reported a loss of an average of two to ten feet of slough bank on more than a mile of their shoreline.

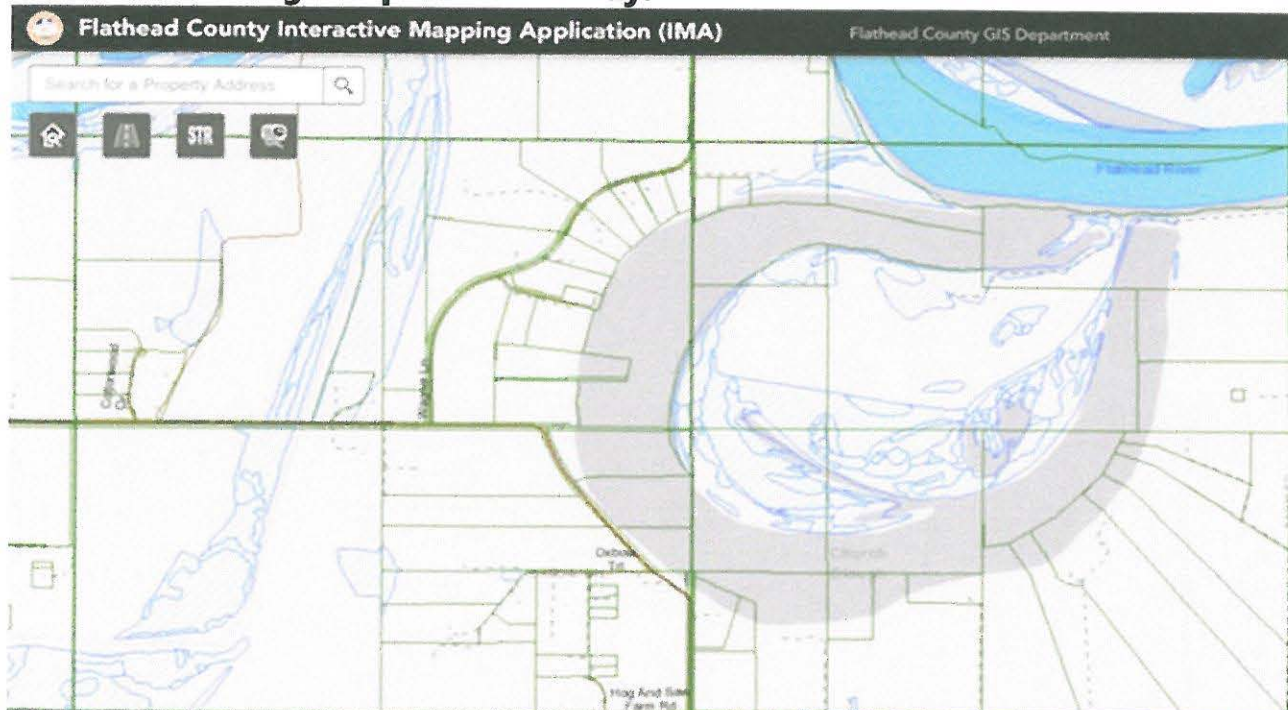
d) Prevention and Improvement of the wildlife and fish habitat of Church Slough;

The slough is an important wildlife habitat. The continuous wake is destroying the natural banks causing the land to be eroded. Causing trees and brush to fall into the slough. This in turn is covering most of the fish's spawning beds with mud, causing a large reduction in the number of fish, and the reduction of turtles, muskrats, beaver, and other wildlife that live in and around the slough. The high-speed vessels disturbing the slough bottom has diminished the habitat for the native fish by making the water cloudy and destroying nesting sites. We have seen decreased numbers of turtles and frogs are no longer found in the slough. The growth of aquatic plants has also been altered, leaving fewer places for migrating birds to find food throughout the year. Reducing the disturbance and wake turbulence caused by the boats would allow expanded use by wildlife.

e) Reduction of the noise level for other users of the water and residents along Church Slough; Church Slough is intensively used by non-motorized watercraft (such as: kayaks, canoes, row boats, and paddle boards). It is also used by anglers using other types of small, manually powered craft. The motor powered vessels traveling at cruising speeds and above constitute a threat to non-motorized watercraft and small manually powered craft.

f) Reduction of the amount of chemical toxins released into the water of Church Slough - Water Quality and Erosion - With this Petition, the residents of Church Slough seeks to protect the water quality of Church Slough with restriction to smaller horse powered boats.

4. The Church Slough Map and water way.



5. The Current Rule - Fish Wildlife and Parks Rule as they currently read;

12.11.2206 FLATHEAD RIVER

(1) A portion of the Flathead River is located in Flathead County.

(2) Church Slough is closed to boating March 1 to April 10.

(3) Fennon Slough is restricted to a controlled no wake speed, as defined in ARM

12.11.101(1).

(4) The North Fork of the Flathead River:

(a) is closed to all motorboats from the Canadian border to the Camas Bridge; and

(b) is closed to all motorboats with motors greater than 10 horsepower from Camas Bridge to the confluence of the Middle Fork of the Flathead River.

(5) The Middle Fork of the Flathead River:

(a) is closed to all motorboats from the Bob Marshall Wilderness boundary to the Highway 2 Bridge at Essex; and

(b) is closed to all motorboats with motors greater than 10 horsepower from the Highway 2 Bridge at Essex to the confluence of the South Fork of the Flathead River.

(6) The South Fork of the Flathead River:

(a) is closed to all motorboats from Spotted Bear Footbridge to the Bob Marshall Wilderness boundary; and

(b) is closed to all motorboats with motors greater than 10 horsepower from Spotted Bear foot bridge to Hungry Horse Reservoir at full pool (3850 feet elevation).

History: 23-1-106, 87-1-303, MCA; IMP, 23-1-106, 87-1-303, MCA; NEW, 2011 MAR p. 901, Eff. 5/27/11.

6. ADOPTION/AMENDMENT

The rule as proposed to be *adopted/amendment* would read as follows,

12.11.2206????FLATHEAD RIVER

1. A portion of the Flathead River is located in Flathead County.

2. Church Slough is closed to boating March 1 to April 10.

(a) Church Slough is restricted to a controlled no wake speed, as defined in ARM?12.11.101(1) year round.

7. Minutes from Flathead County Weed/Parks & Recreation Department

a. March 5, 2012 Church Slough No Wake Zone—Superintendent Jed Fisher requested the Board’s approval to circulate a petition to support a no wake zone at Church Slough. Mr. Fisher commented that this would be consistent with the no wake zone at Fennon Slough, which Pete Woll stated has improved the water quality. This topic will be replaced on the next Board meeting agenda.

b. April 2, 2012 No Wake Zone—Church Slough Superintendent Jed Fisher recommended that the Board approve circulation of a petition to support a no wake zone at Church Slough. The authority to adopt and enforce this zone rests with Fish, Wildlife & Parks and it would be consistent with Fennon Slough. Elise Robocker made a motion to support a no-wake zone on Church Slough. Clyde Fisher seconded the motion. There being no discussion and all in favor ~ the motion was carried.

c. June 4, 2012 Church Slough Update Superintendent Jed Fisher reported that an order was received from Judge Katherine R Curtis of the District Court issued an “Order and Rationale on Motions for Summary Judgment and Motion to Strike” which required closure of the boat ramp. A sign was posted and a Jersey Barrier was placed at the ramp. It was restated that the Board is highly supportive of a no-wake zone at the Slough.

**8. Persons known to petitioner to have an interest in the proposed agency action are:
(Contact Name) (Address) (City) (State) (Zip Code). Please see attached file.**

Petitioners request an oral presentation for expression of the petitioners' and other interested persons' views.

WHEREFORE, petitioners request the Montana Fish and Game Commission to order Montana Fish, Wildlife and Parks to adopt a rule restricting motor boat use in Church Slough to no wake speeds.

Name	Address	Date
<u>Benjamin W Louden</u> Benjamin Louden, landowner		<u>9/26/21</u> Date
<u>Maureen Louden</u> Maureen Louden, landowner		<u>9/26/21</u> Date
<u>Melanie Cross</u> Melanie Cross, landowner		<u>9/26/21</u> Date
<u>Andy Hurst</u> Andy Hurst, Landowner, landowner		<u>9-24-2021</u> Date
<u>Susan Stemberg</u>	<u>377 Wagner Ln Kalispell</u>	<u>9-25-21</u>
<u>Bob Kambou</u>	<u>395 Wagner Ln Kalispell MT</u>	<u>9-25-21</u>
<u>Mr. Smith</u>	<u>377 Wagner Ln Kalispell MT</u>	<u>9-26-21</u>
<u>Dianna</u>	<u>299 WAGNER</u>	<u>9-27-21</u>
<u>Jami Currier</u>	<u>299 Wagner</u>	<u>9-27-21</u>
<u>Wally</u>	<u>1435 W Bigfork MT 59911</u>	<u>9/27/21</u>
<u>JM</u>	<u>POB 309 CR MT 59912</u>	<u>9/28/21</u>
<u>Kayanna</u>	<u>241 Wagner Ln</u>	<u>9/26/21</u>
<u>Kurt Deener</u>	<u>241 Wagner Lane</u>	<u>9/26/21</u>
<u>Dan</u>	<u>241 Wagner Ln</u>	<u>9/26/21</u>
<u>Tom Kaji</u>	<u>15 farmland across OR</u>	<u>9/26/21</u>
<u>Don Over</u>	<u>15 farmland across OR</u>	<u>9/26/21</u>
<u>Dale Deener</u>	<u>239 Wagner Ln</u>	<u>9/28/21</u>

Land Owner on Church Slough

WHEREFORE, petitioners request the Montana Fish and Game Commission to order Montana Fish, Wildlife and Parks to adopt a rule restricting motor boat use in Church Slough to **No Wake speeds.**

Rexanne Wierferich	2055 Lower Valley Road	9-26-2021
Name	Address	Date
Nathan Strash	7065 Lower Valley RD	9-26-2021
Name Nathan Strash	Address	Date
Gina Strash	2065 Lower Valley Rd	9-26-21
Name	Address	Date
Adam Strash	948 Westwood Ave Shelby	9-26-2021
Name Adam Strash	Address	Date
Adam Strash	948 Westwood Ave Shelby MT	9/26/2021
Name	Address	Date
Stephanie Under	401 2 mile Drive #302 Kalispell	9/26/2021
Name	Address	Date
Lizette Under	601 Summit Ave Kalispell	9-26-21
Name	Address	Date
ROBERT HARP	4790 S. MTHSIDE DR #12 Kal MT	9-26-21
Name	Address	Date
Cory Byrd-Harp	4790 Southside Dr # Kal. MT	9-26-21
Name	Address	Date
Walter James Byrd	4790 Southside Drive #12 Kal MT	9-26-21
Name	Address	Date
Peggy Byrd	711 9th Ave of Kal MT	9-26-21
Name	Address	Date
Michelle Baker	2268 Mission trail Kal, MT	9-27-21
Name	Address	Date
Aime Wells	208 Webb Ln Columbia Falls, MT	9-27-21
Name	Address	Date
Abigail Bill-Hend	317 Parker Lakes Rd. Bigfork MT	9/27/21
Name	Address	Date
Monie Fisher	45175 Charanis Rd Polson MT	9/27/21
Name	Address	Date
Brittany Colman	190 Webb Lane Columbia Falls, MT	9-27-21
Name	Address	Date
Julia Saunders	187 Crestview Dr Bigfork, MT	9/27/2021
Name	Address	Date

Petition signature sheets;

WHEREFORE, petitioners request the Montana Fish and Game Commission to order Montana Fish, Wildlife and Parks to adopt a rule restricting motor boat use in Church Slough to **No Wake speeds.**

Frank Skifford	2055 Lower Valley Rd Kalispell	9/26/21
Name	Address	Date
Christina Sneed	2405 Lower valley rd, Kalispell	9/26/21
Name	Address	Date
Stacia Sundt	1205 Farm Rd Kalispell	9/26/21
Name	Address	Date
BRAD FRAME	2115 Lower Valley RD	9/26/21
Name	Address	Date
Wes Phumma	2195 Lower Valley Rd	9/26/21
Name	Address	Date
John Gustaf	2240 Lower Valley Rd	9-26-21
Name	Address	Date
Brian Hemo	151 Equinox Lane	9-26-21
Name	Address	Date
NEIL HEMO	P.O. Box 10225 Kal	9-26-21
Name	Address	Date
Pete Gray	PO BOX 353 Kal	9/26/21
Name	Address	Date
Paul B...	FSR FOREST HILL RD KAL	9/26/21
Name	Address	Date
Cindy Perkins	182 Forest Hill Rd, Kal	9/27/21
Name	Address	Date
Wannus...	2116 Meigs Ave Dr, Kal	9/27/21
Name	Address	Date
James...	85 Trails End Dr.	9/27/21
Name	Address	Date
Sam G. Hel...	715 Simpson St Kalispell	9/27-21
Name	Address	Date
Dean Morris	123 Auction RD Kalispell	9/27-21
Name	Address	Date
Roy Robinson	16 Addison Ct Kalispell	9/27/21
Name	Address	Date
Rose Guossen	2065 Lower Valley Rd - Kalispell	9/27/21
Name	Address	Date

WHEREFORE, petitioners request the Montana Fish and Game Commission to order Montana Fish, Wildlife and Parks to adopt a rule restricting motor boat use in Church Slough to **No Wake speeds.**

Kate Anderson	1316 Wiley Dike	9/27/21
Name	Address	Date
Sharon	123 Looking Glass Ave	9/27/21
Name	Address	Date
Luke Erickson	507 Solberg Drive	9/27/21
Name	Address	Date
Dennis Hunter	303 Sky Ranch Lane	9/27/21
Name	Address	Date
Lane Smith	855 Somers Stage Road	9-27-21
Name	Address	Date
Trish Pandina	PO Box 621 C Falls	9-27-2021
Name	Address	Date
Jack Whitcomb	601 Pine St	9-27- 2021
Name	Address	Date
Julia Wycall	1803 MT Hwy 82	9/27/2021
Name	Address	Date
Sue Plummer	2195 Lower Valley Rd	9-27-21
Name	Address	Date
Dawson Brown	501 Harmony Ln.	9-27-21
Name	Address	Date
Larry Windnagle	353 Wagner Ln Kal	9-29-21
Name	Address	Date
Sam Loudon	314 Loudens Landing	9-28-21
Name	Address	Date
Katie Loudon	314 Loudens Lndg	9/28/21
Name	Address	Date
Kara Browne	444 Loudon Landing	09/30/21
Name	Address	Date
Kenneth Loudon	550 Loudens Landing	9-30-21
Name	Address	Date
Susannah M. Casey	265 Breezy Pt # 452 Somers MT ⁵⁹⁹³²	9/28/21
Name	Address	Date
Daniel Casey	265 Breezy Pt POB 452 Somers MT 59932	28 Sept 21
Name	Address	Date
Susan How	123 Bettle Hollow Ave, POB 404 Somers, MT	28 Sept '21
Name	Address	Date
Matthew Scragg	151 Pavilion Hill Ave, Somers, MT ^{POB 146}	28 Sept '21
Name	Address	Date

WHEREFORE, petitioners request the Montana Fish and Game Commission to order Montana Fish, Wildlife and Parks to adopt a rule restricting motorboat use in Church Slough to NO WAKE SPEEDS.

NAME	ADDRESS	DATE
Jessica Perora	847 Saint Andrews Drive Columbia Falls MT 59912	9/27/21
Aryn Blake	106 Ranchview Drive Kalispell, MT 59901	9/27/21
Emily Anderson	581 Stoneridge Dr. Kalispell, MT 59901	9/27/21
Tiffany David	70 Box 7001 Kalispell MT 59904	9/27/21
JARRETT PERORA	847 SAINT ANDREWS DRIVE COLUMBIA FALLS MT 59912	9/27/21
BRENDAN ANDERSON	292 Somers Dr. Kalispell, MT 59901	9/27/21
Kaki Mendius	154 Juniper Bend 59901	9/27/21
Carly Wood	960 Amber Ln Whitefish	9/27/21
Elaine King	128 Pheasant Run Kalispell	9/27/21
COLLEEN HIRSH	845 BAKER AVE WHITEFISH	9/27/21
Kristin Lantz	525 Skyline Place Whitefish MT	9/27/21
Claire Mankins	242 Deer Trail WF, MT	9/27/21
Danielle Dubiel	24 Appleway Dr #14 Kalispell MT 59901	9/27/21
Priley Scott	1409 Wildcat Dr Columbia Falls MT	9/27/21
MAXWELL TRACY	1327 KM RANCH RD, WHITEFISH	9/27/21
Tiffany Johnson	Kalispell MT	9/27/21
JOE TRRIPUZZI	Kalispell MT	9/22/21
Suzanne Vining	171 Frontbeck Kalispell, MT	9/22/21
Amelia Mearns	346 Clover Creek Box Somers MT	9/27/21
Kay Laake	378 Lost Road Kalispell MT 59901	9/27/21
Margayla Grossman	258 Great Trail Whitefish	9/27/21

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Josh Persinger	1685 Foothill road Kalispell MT	9-27-21
Name	Address	Date
Robbie Mathiason	888 Bitterroot Dr Marion MT	9-27-21
Name	Address	Date
Shannon Watson	82 Shiloh Dr, Kalispell MT	9/27/21
Name	Address	Date
Steve Weder	PO Box 566 Lakeside MT	9-27-21
Name	Address	Date
WALTER R ALAN	1865 HWY 206	9-27-21
Name	Address	Date
James H	145 N Hilltop Rd C-Falls	9-27-21
Name	Address	Date
Laura Allan	1460 Marjorie St C-Falls	9/28/21
Name	Address	Date
Jana Burgess	PO Box 4538 Whitefish, MT 59937	9/28/21
Name	Address	Date
M. Vaughn Burgess	PO Box 4538 Whitefish MT 59937	9/28/21
Name	Address	Date
LORNIE COOK	392 ORIOLE AV TWIN FALLS ID 83301	9/28/21
Name	Address	Date
Andrew R. Riddle	1906 MONTANA ST Bozeman ID 83820	9/28/21
Name	Address	Date
Erin Schunter	690 Swan Mountain Village Kalispell MT 59901	9/28/21
Name	Address	Date
Kurt Stellknecht	3717 Foothill rd Kalispell MT 59901	9/28/21
Name	Address	Date
Andrew Galinsky	1101 7th street west Kalispell MT 59922	9/28/21
Name	Address	Date
CHUCK FREELAND	PO BOX 448, LAKESIDE, MT 59937	9/28/2021
Name	Address	Date
Charles Schmidt	53A Hickory Ln, Whitefish, MT	9/28/2021
Name	Address	Date
Name	Address	Date

WHEREFORE, petitioners request the Montana Fish and Game Commission to order Montana Fish, Wildlife and Parks to adopt a rule restricting motor boat use in Church Slough to No Wake speeds.

Brandan Camr	PO Box 278 DAYTON, MT	9/26/21
Danielle Bates	1120 Stoner Creek #21	9/26/21
R. M Tetachuk	PO Box 515 LAKESIDE	9-26-21
Barbara Elder	PO Box 475 Lakeside	9/26/21
Ed ENCEL	P.O. Box 606 LAKESIDE, 59921	9/26/21
Kelly Nigg	294 Blacktail Rd	9/26/21
Amy Burns	PO Box 215, Rollins	9/26/21
Don Burns	PO Box 215, Rollins	9/26/21
Gress Schel	PO Box 709 Lakeside	9/26/21
[Signature]	740 E. OREGON	9-26-21
[Signature]	9140 E. GARDEN ST	9/26/21
[Signature]	Rollins, MT	9/26/21
Kim Martin	Box 734 Lakeside	9/26/21
Ben Lord	254 Caroline Point Rd	9/26/21
Leslie Bannister	111 Timberlake Dr	9/26/21
Mike Rosen	140 Bear Ridge Trail	9/26/21
[Signature]	Lakeside	9/26/21
[Signature]	261 Antelope Lakeside	9/26/21

WHEREFORE, petitioners request the Montana Fish and Game Commission to order Montana Fish, Wildlife and Parks to adopt a rule restricting motor boat use in Church Slough to No Wake speeds.

Name	Address	Date
Shondia Hoop	730 Lakeside Mt.	9/26/21
Debbie Mendel	2020 Oceanview Rd Orinda CA	9-26-21
Name	Address	Date
Mark Mendel	Truckee CA	9/26/21
Name	Address	Date
Randy Mendel	Oceanside CA	9/26/21
Name	Address	Date
Fully Pedersen	LAKESIDE, MT	9/26/21
Name	Address	Date
ROD MASSE	COLUMBIA FALLS	9/26/21
Name	Address	Date
Mike Mendel	3404 City Lights Dr Aliso Viejo CA	9-26-21
Name	Address	Date
Jim Mendel	601 Blacktail Rd Lakeside MT	9/26/21
Name	Address	Date
Sharon Buzza	148 Footstool Rd Lakeside MT 59922	9/27/21
Name	Address	Date
Carolyn Matherman	365 Skookum Rd Lakeside MT 59922	09-27-2021
Name	Address	Date
Matt Matherman	365 Skookum Rd Lakeside MT 59922	09/27/2021
Name	Address	Date
John	925 Muley Rd Lakeside MT 59922	09-27-2021
Name	Address	Date
Adam Hart	101 Maxine Dr Lakeside	09-27-2021
Name	Address	Date
Sadie Brown	101 Maxine Dr Lakeside MT 59922	09-27-2021
Name	Address	Date
John	200 Angle Pt Rd	9-27-2021
Name	Address	Date
Jan Hansen	P.O. Box 598 Lakeside M.T. 59922	9-27-2021
Name	Address	Date
Martin Detach	Lakeside MT 59922	09-27-2021
Name	Address	Date

9. Letters and Pictures Received from Land Owners and Residents
Please see attached file.



Close-up of opening between slough and river on the west side. Just a few bits of bank and plants.



Close-up of opening between slough and river on the east side. (July 2021)



Slough bank near our boat house(for row boat), a large chunk of bank has broken off. (Spring 2020)



Same view taken this July. This is caused by boat wakes. (July 2021)



Slough looking East, river opening at top left of picture. These pictures were taken in the spring when the water was down, so erosion is visible. This is part of the island, where we live. (Spring 2020)





*Figure 1 Leaning tree and tree that has fallen into the slough,
from winter 2021*



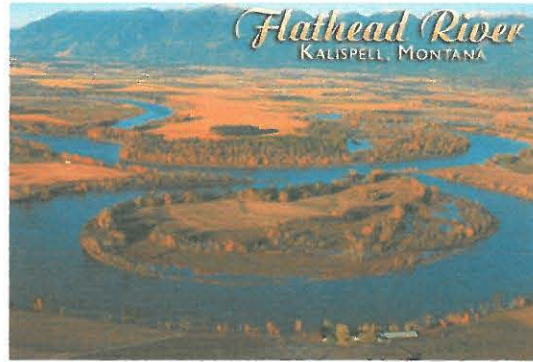
Figure 2 close-up of the same tree in the water.



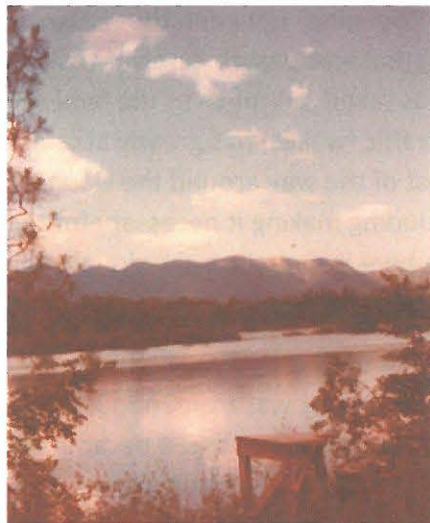
Figure 3 Different leaning tree on the edge of the slough, east of Fig1 and Fig 2



1990 Aerial view looking east. Note the small opening between slough and river on left



Aerial view looking north.



Two views of the opening from the slough to the river. (1980's)



Opening of the slough to the river. It is so wide I couldn't get it in one picture. (July 2021)

September 20, 2021

No Wake Request for Church Slough

To Whom It may concern:

We live on the island inside Church Slough. Our land is already impacted by the number of boats and jet skis that currently access Church Slough. Every motorized watercraft that comes into the Slough tears up our banks, causing the land to be eroded and trees and brush to fall into the slough. This in turn muddies the water impacting the fish that are in the slough, not to mention turtles, muskrats, beaver, and other wildlife that live in and around the slough. The loss of plants on the slough banks increases the erosion and eats away at the land. In the last forty years, we have lost an average of two to ten feet of slough bank on more than a mile of our shoreline and have seen the opening of the slough to the Flathead River get wider and wider, making our end of the slough look like a bay opening out to the river. Seventy years ago, there was no "opening" between the slough and river except a natural channel (which still exists, barely) that was passable only by fish, beavers and other waterborne wildlife. Flathead river, itself, has taken out much of the land that used to divide the slough from the river, but power-boat traffic (wakes) has greatly accelerated the erosion and been the only cause of land loss all the rest of the way around the slough; not only on our land but also around the outer shoreline, including making it necessary for the county to build a large rock wall along Lower Valley Road where it runs close the slough. There are presently more trees leaning over the water, ready to fall in and take more bank with them.

The natural state of Church Slough used to be an oxbow, almost entirely cut off from the river, and in that condition, it was tremendously productive of fish and all kinds of other wildlife. Since the opening happened and it became wider and deeper, and since the proliferation of powerboats and easy access has occurred, the land around the slough's edges has been ripped apart, destroying the natural banks and covering most of the fish's spawning beds with mud, causing (in my estimation, and I've been watching it happen for more than 65 years) at the very least, a 90% reduction in the number of fish, not to mention the reduction of every other type of wildlife. We DO NOT need, improved access for more and bigger boats on Church Slough!

What we Do need is a **"No wake" designation**. Otherwise, it just a matter of time until the whole thing is just one big mosquito swamp!

We put our land into a Conservation Easement to protect the slough and our adjoining farmland; land which has been in our family for 110 years and is still being farmed. Continued use on Church Slough, by large boats with large motors and wakes, will only aggravate existing problems and complicate the stewardship for our land and water.

Ben Louden and Maureen Louden

420 Loudens Landing, Kalispell, MT 59901 email: mblouden@hotmail.com

Department of Fish Wildlife and Parks

Lee Anderson, Warden, Captain of MT FWP

September 14, 2021

RE: Request for no-wake zone on Church Slough

Dear Mr. Anderson,

This letter is regarding the request by the residents of Church Slough for a no-wake zone. My spouse and I have resided on Church Slough for several decades and are witness to the gross erosion that has occurred over the years due to the increase in boats, especially the high-speed boats and those that purposefully create waves for skiing and tubing. We lose multiple trees as well as bank into the Slough every summer due to the neglectful actions of others, most of whom do not reside on the Slough. This damage has cost us in repairs each year in the attempt to slow the destruction to our land and property. A heavy burden that should not be placed on the landowner.

Our further concern is regarding the environment and ecosystem that is being destroyed as well. The waters are muddied and filled with liquids emitted from the motors of these vessels. We find dead fish around our shoreline often. Church Slough used to be home to a multitude of Box Shell Turtles, cranes, eagles, and even beaver, now you are hard pressed to find any. In addition to the effected creatures living in Church Slough, our concern is for the swimmers, kayakers, and fishermen who attempt to enjoy the peace of Church Slough yet are in harm's way due to these huge high-powered boats.

We are asking for your consideration in preserving our beautiful Slough as was done for Fennon Slough in 2009. Our request is the institution of a buoy system at the mouth of the Slough off the Flathead River as well as a defined no-wake on the Slough.

I am including photos taken today and hope you can appreciate the decay in the bank. This would obviously be more pronounce in the spring when foliage is not covering, and the water is down.

Thank you for your time and consideration. We would be happy to speak with you or provide you with any further information you may require.

Sincerely,

Frank and Rexanne Wieferich

2055 Lower Valley Road

Kalispell, MT 59901

406-261-2054

Rexanne65@gmail.com









This is a picture that I took while standing in our back yard. You can see the extreme slope and loss of bank from the waves caused from the large boats.

September 25, 2021

Attn; Lee Anderson
Warden Captain Region One
Montana Fish Wildlife & Parks
RE: No Wake Petition

Dear Mr. Anderson,

We reside at 241 Wagner Lane, Kalispell, MT and are writing this letter in support of the No Wake Petition put forth by Ben and Maureen Loudon.

We purchased our property on Church Slough in 2014. We live just north of the fishing/water access. Our first season, we enjoyed living on the water. We were happy to entertain friends and family that came to the Flathead Valley pulling tubers and riding our waverunner enjoying our beautiful spot. Then over time, watching the land change, and getting to know our neighbors and understand what they were experiencing on a daily basis. This made using our waverunner unenjoyable. We have since sold our waverunner, and bought a kayak. The last thing we want to do is cause more damage. We understand that this is a gorgeous spot. The water is warm and smooth. We watch the amount of activity grow every summer from about May 15th - September 15th as the hot summer weather comes on. The larger boats and the abundant amount of personal water craft have dramatically multiplied over the past 7 years.

Our concerns stem from the amount of activity that happens on the water going to and from the water access which is essentially right in front of our property every summer season. We have every variety of powered and non powered water toys being used right out in front of the water Access.

Over the past 4 to 5 years we have watched the amount of daily use on the water multiply dramatically during the warm summer months, it seemed like overnight the waters of the slough had been discovered, bringing about more boats than what the small body of water can handle safely. The amount of boats in every shape and size as well as the over abundance of small water craft has increased in use, so proximity becomes dangerous at times for anyone on the water. We watch as jet skis are driven ever so close to our boat and dock and we have concerns for the children and adults who are trying to paddleboard, kayak, or swim safely near the access or on the open water. It is simply a matter of time before someone is seriously hurt.

The large waves from boats and especially the new wake boats that are becoming increasingly popular will send our boat and dock lurching so harshly against one another when the waves make impact that our dock is in need of repair. During the 2021 season, my husband witnessed our pontoon boat catapult up and land partially on top of our dock as the impact of the waves coming to shore were so jarring.

The land is suffering too, with the increased wave activity. The shoreline muddies up with the first waves that come in and stays muddy especially during those busy months. The increase in usage has already impacted the receding shoreline with noticeable erosion and continuous destructive under cutting of the riverbank along the shoreline. We watch with sadness to see more and more of our neighbors trees leaning out toward the water every season, and watch

the trees that are no longer able hold to the bank let go and fall. Our shoreline has several large ponderosa pine trees that are in danger of loss as the roots are now visible. This was not the case when we purchased our property seven years ago.

Please consider a No Wake Zone on Church Slough, to allow the land to heal.

Sincerely,
Kevin and Roxanna Iverson
241 Wagner Lane
Kalispell, MT 59901

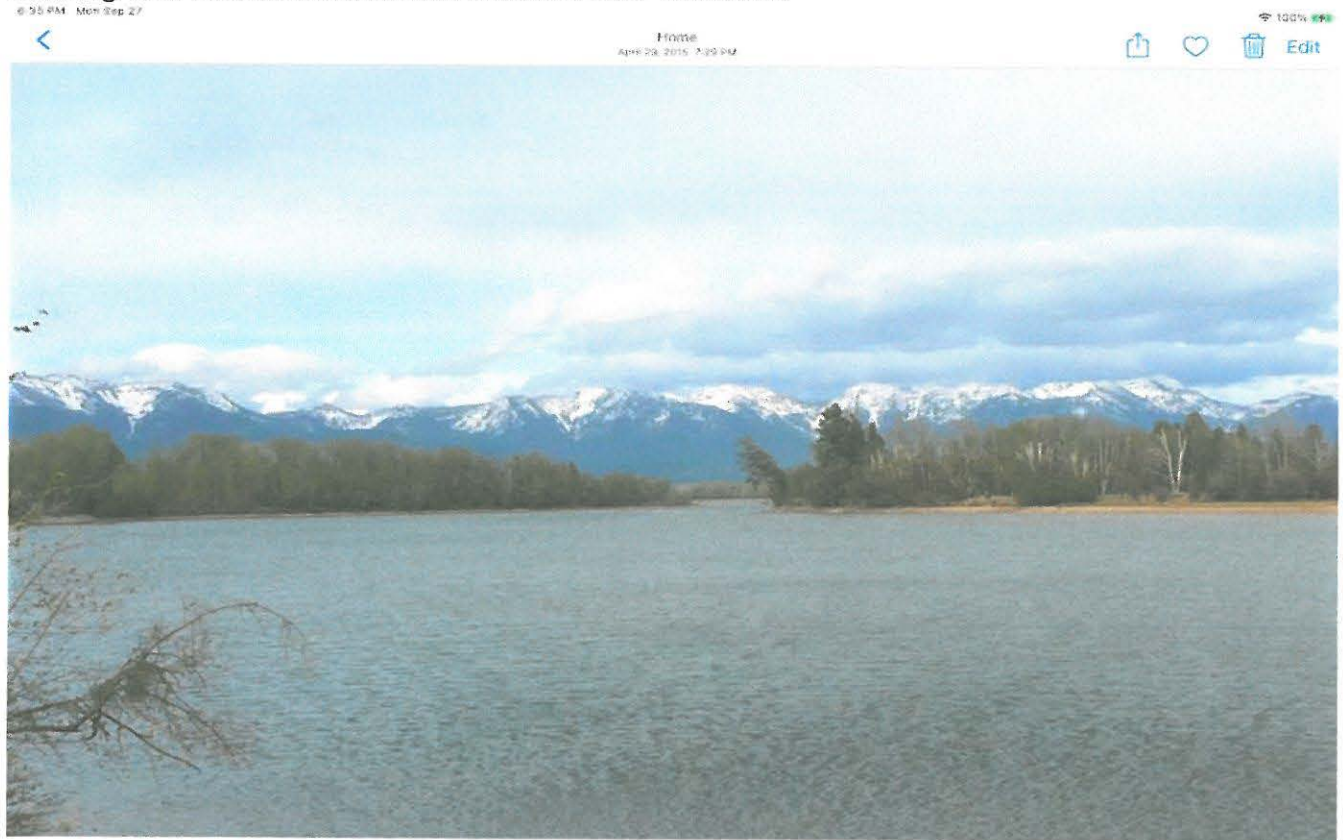
406-212-9442

Iversonroxanna@gmail.com

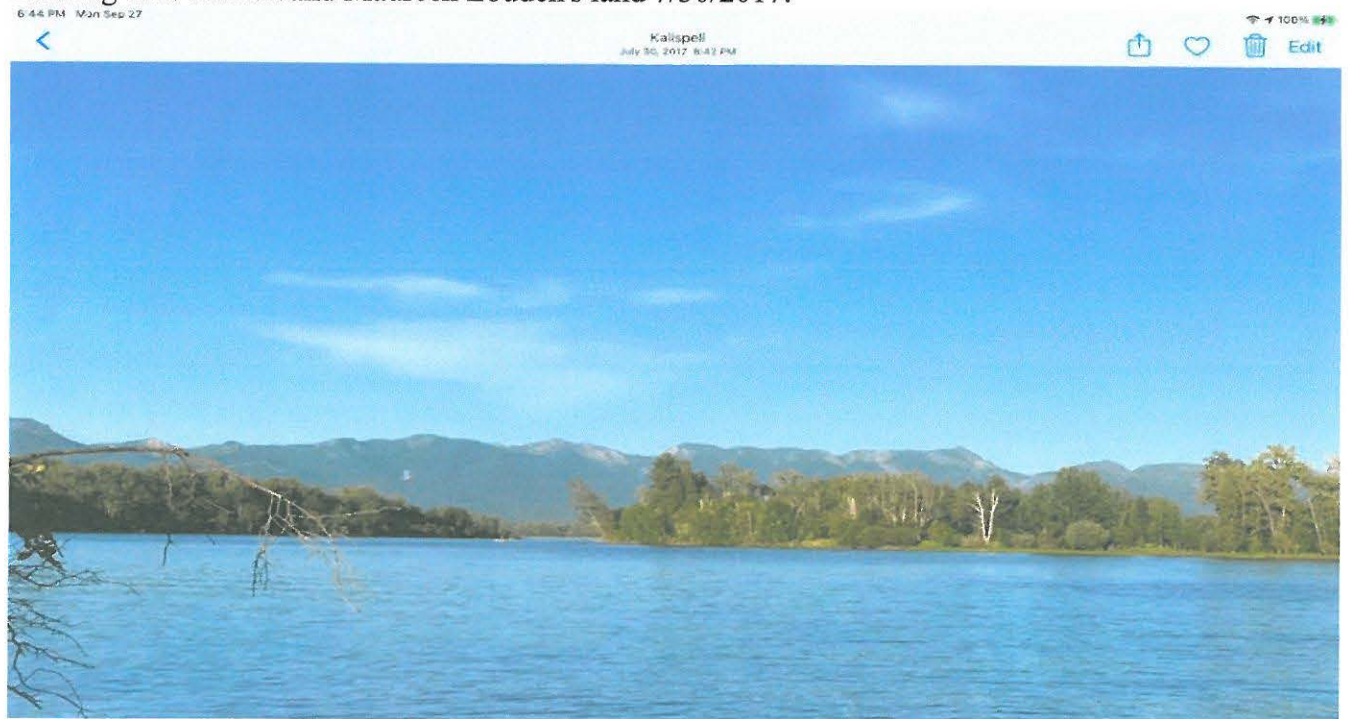
This photo was taken in September 2021 on a calm morning after one boat went by. The water was instantly cloudy.



Leaning Tree on Ben and Maureen Louden's land 4/29/2015.



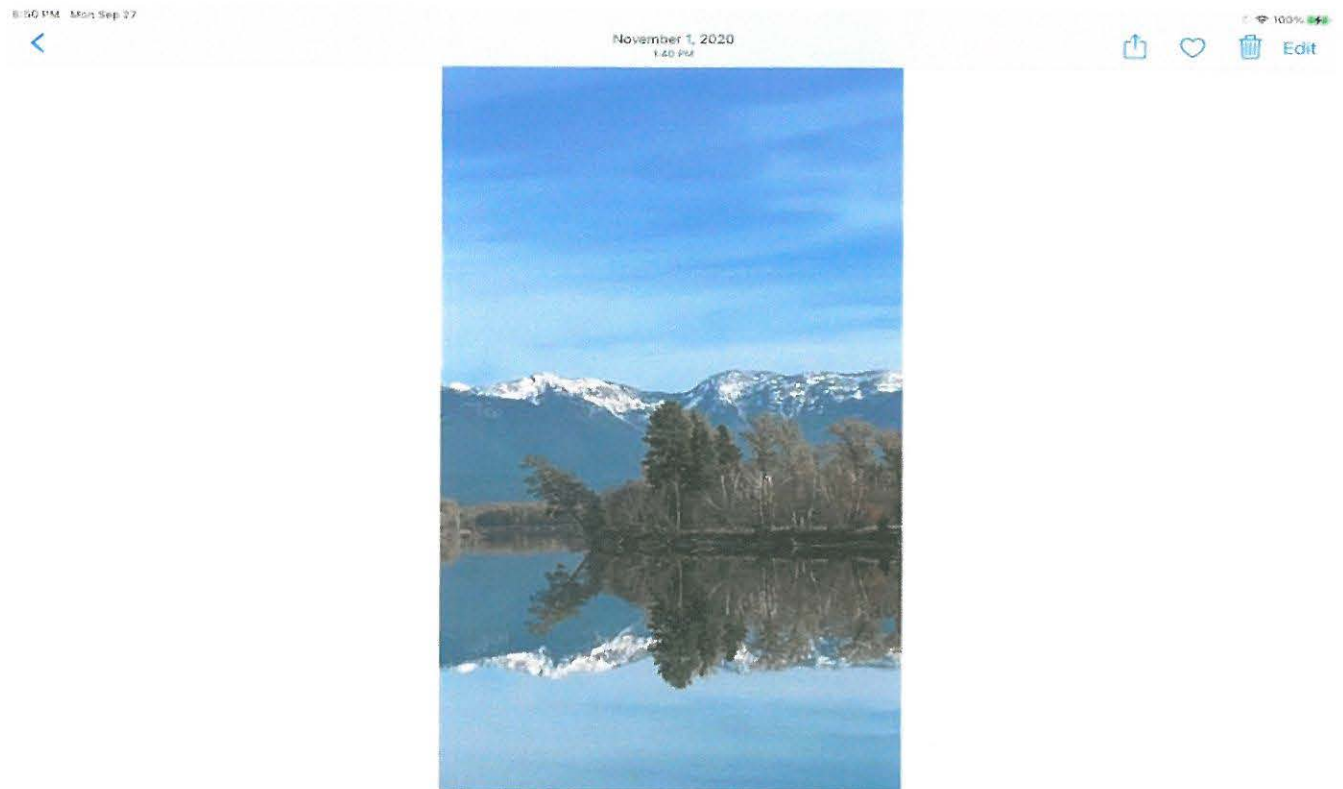
Leaning Tree on Ben and Maureen Louden's land 7/30/2017.



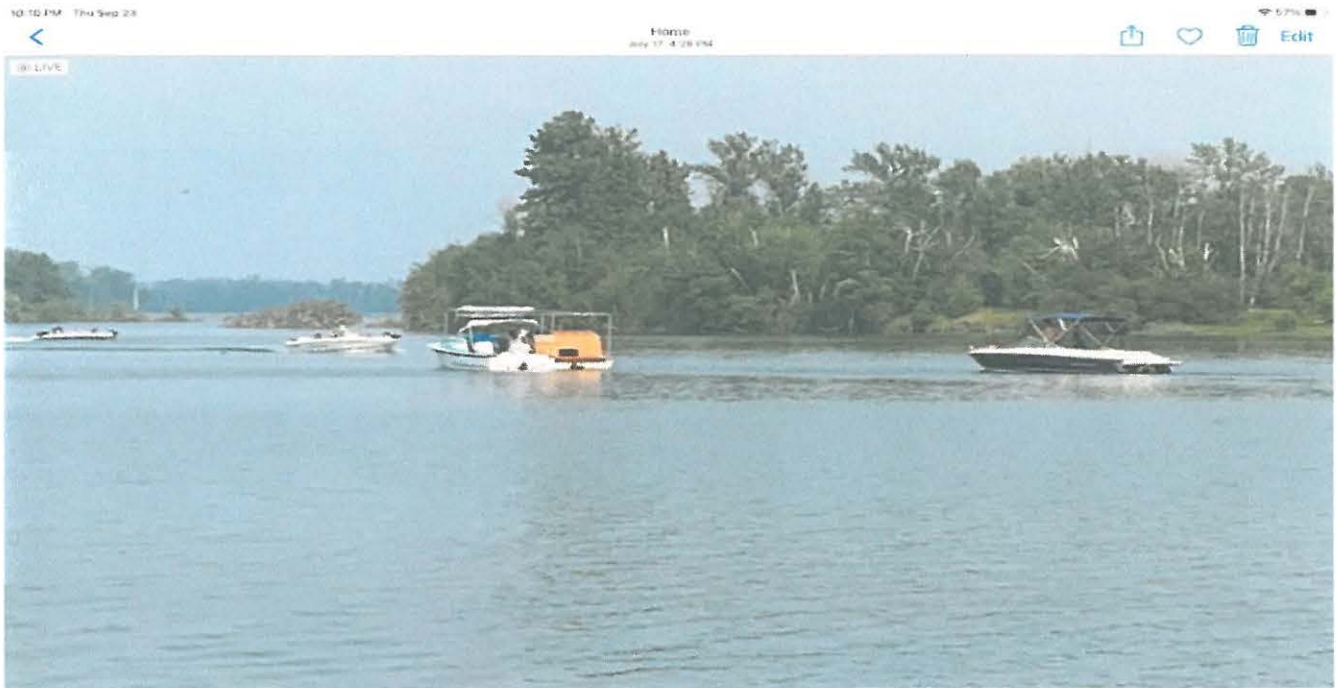
Leaning Tree on Ben and Maureen Louden's land 9/14/2019..



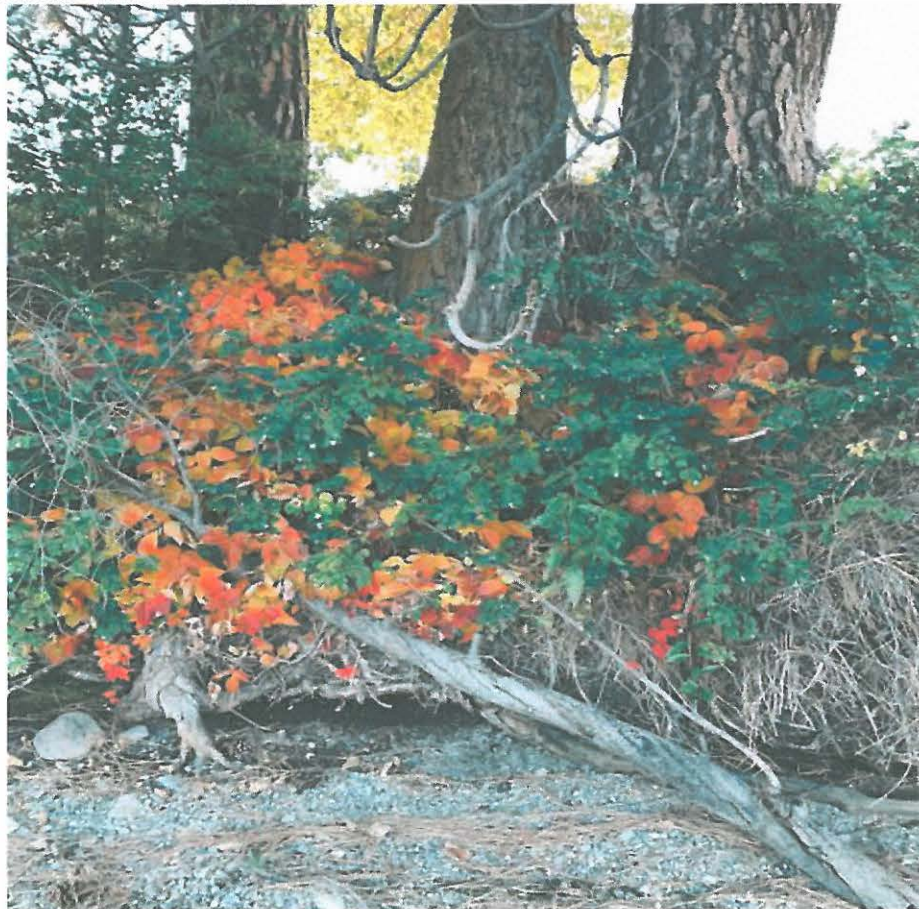
Leaning Tree on Ben and Maureen Louden's land 11/1/2020.



Leaning Tree on Ben and Maureen Louden's land DOWN. 7/17/2021.



Trees on our shoreline with roots now visible.



9/9/2021

Dear Mr. Anderson.

Our names are Kari and Larry Windnagle. Our address is 353 Wagner Lane and we have frontage on Church Slough. We are in favor of a NO Wake zone on Church slough. Over the five years we have lived here we have been watching larger and larger boats use the slough for recreation. We have a floating dock which is being destroyed by the Wake Boats. Our bank has also taken a hit to erosion. We notice after only one or two passes of the large Wake Boats the clarity of the water turns from clear to mud for about 5 to ten feet from shore. The permit process to bring in rock and placing it on the shoreline to help reduce the erosion is a bureaucratic nightmare.

I would suggest a No Wake Zone from the Friday before Memorial Day to Labor Day. This would allow the early fishermen and the hunters to get in and out much quicker. Their size boats do not have much of a wake any ways. Or perhaps a length of boat for No Wake, such as < 17 feet.

Regards,

Kari and Larry Windnagle

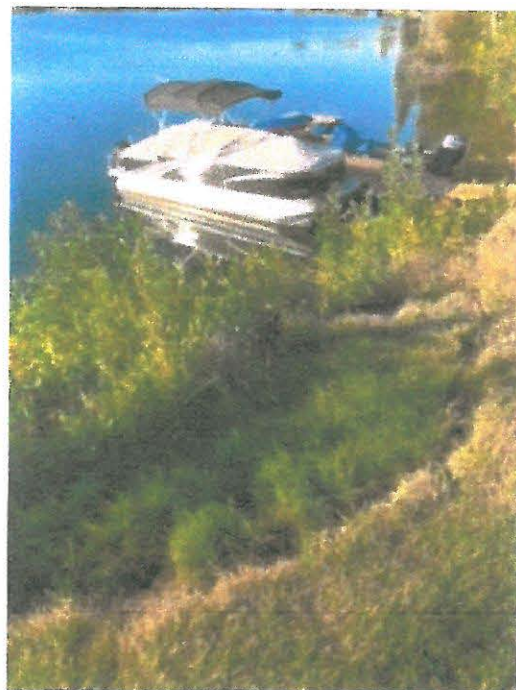
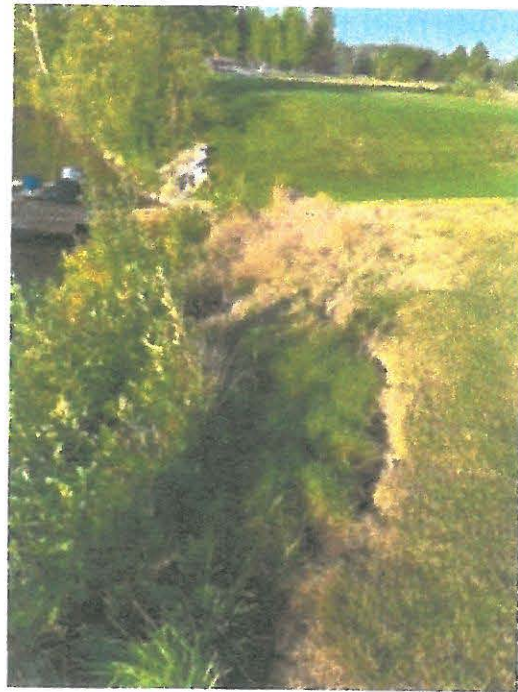
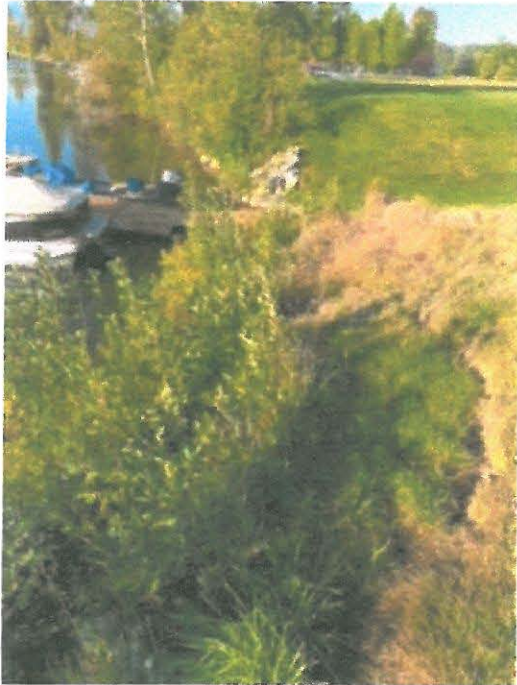
406-885-5399

From: Roxanna Iverson iversonroxanna@gmail.com

Subject: Larry Windnagle pics

Date: Sep 30, 2021 at 10:48:16 AM

To: Roxanna Iverson iversonroxanna@gmail.com





Roxanna Iverson <iversonroxanna@gmail.com>

Church Slough Wake Limit

2 messages

Nate Strash <nate_strash@yahoo.com>
To: iversonroxanna@gmail.com

Thu, Sep 30, 2021 at 2:41 PM

I am writing in support of the Church Slough Wake Limit petition. The property in which I currently reside has been in my family for 3 generation, in that time the banks of the property have been slowly relocated due in part to the amount of traffic the sloughs annually. However in the last couple of years the amount of traffic on the water has increased to a point in which the water and ecosystems can no longer support.

The nesting locations of the annual migratory birds have been destroyed due in part to the disregard people have for the nesting season but also because of the excessively large boats that have eroded the banks.

The vegetation and fruit trees that my father and his father planted years ago have now become part of the fish habitat. Which at first glance seems like a small benefit, however the boats have destroyed and continue to damage the ecosystem so drastically that the beaver, muskrats and many species of fowl no longer come to Church Slough.

One of the best parts of Montana is the ability to drive a short distance from any town and enjoy the recreation, serenity, peace and stillness of nature. Church Slough has been for decades that location in which children have learned to fish, swim, hunt and how to be good stewards of our lands and water systems. The large boats that generate massive waves have made those activities almost impossible. My daughters when learning how to swim we're constantly bashed into the side of the docks or into the banks. Our small fishing boat has been capsized because of the large waves. And our dogs have been washed off shore. All due to the large waves the wake boats generate.

The massive amount of property damage has been another burden that our family has been enduring, for the sole purpose of a drunken boaters day on the river. The garbage that has washed upon our shores, the noise pollution, fuel, fumes and various fluids that come from the motors are all damaging and require constant attention or have become impossible to ignore. We have lost several feet of our property, countless trees, boats have been damaged, docks are being degraded far sooner than it should be.

Putting in place a no wake zone/ speed limit on church slough will allow this body of water to be enjoyed for generations to come. The fishing, hunting and peace will become what it once was, abundant. Our properties will maintain their values and our Montana ethics and values will also be secured. The no wake zone will encourage boats to travel the short distance to Flathead lake where they will have miles of uninterrupted pleasure without being a burden to the residence and visitors (both people and animals) of Church Slough.

I have attached photos showing the property damage and bank erosion.

Best of luck

Nathan and Emma Strash

[2065 Lower Valley Rd.](#)

Kalispell, Mt 59901

















Sent from Yahoo Mail for iPad

Roxanna Iverson <iversonroxanna@gmail.com>

Thu, Sep 30, 2021 at 2:55 PM

Draft

[Quoted text hidden]

9/22/2021

To whom it may concern,

We are of the firm belief that there needs to be either a motor horsepower restriction or a no wake restriction on Church Slough. As shore front owners along Church Slough, we have witnessed severe erosion along our stretch of shoreline due to boat wave action. We used to own and run a ski boat in Church Slough for our kids to tube and wakeboard and witnessed the damage we were causing to our own shoreline. We now have grand children and would love to have them be able to tube on the Slough as well but we try to learn from our mistakes. We sold the ski boat and bought kayaks. The grand kids were sad about it but understood that sometimes it not easy to do the right thing.

Melanie Cross

Andy Hurst

9/9/2021

Subject: No Wake Zone

As home/landowners on the Slough we continue to see our banks erode due to wake activity caused from boats. I personally can show you various areas where the bank has been undercut and the ground has settled. These areas start at the bank and go inland from the bank approximately 20 feet and have settled a foot or more. In the winter when the lake has been drawn down and you can walk on the floor of the slough along the bank, you can observe the erosion at the base of the bank. I have measured at the base as much as 10 feet of air space into the bank where the soil has been washed away.

Wakes from boating and waverunners in an already fragile ecosystem continues to exacerbate the erosion of these banks, creating washout and continuing loss of trees and shrubs which in turn tears out additional banks when big root systems tear loose and fall. The slough is not big enough for water skiing and large boat/ waverunner activity. There are other water bodies in the Flathead that are better suited to this activity. Let's keep Church Slough for the kayaks/canoes and small horsepower water craft.

It's a great place for migratory birds on their trek north to stop, refuel and rest in spring, with a repeat south in the fall. It creates some of the best viewing in the Flathead Valley of these majestic birds on their migratory route. Let's make sure it's protected for the generations to come. It's better to protect and husband this resource than try to restore it after its been lost.

Mark and Theresa Sethre

9/10/2021

To Whom It May Concern,

We are writing this letter to enthusiastically voice our support to make Church Slough a No Wake Zone. We live at 377 Wagner Lane and have approximately 170ft. of water frontage on Church Slough. When we purchased the property about four years ago, we applied for, and received a dock permit which came with a few stipulations all relating to the preservation of the integrity of the Slough and it's shoreline. We gladly followed these guidelines such as creating a "French drain" around our dock/landing area, using special drain rock, providing for required landscaping in the form of installing sod to ensure runoff from the construction was at a minimum. Also, we were required not to disturb existing plant life not removed for our landing and dock. Following these rules was expensive and we felt worthwhile to help preserve the fragile waterfront. Since the completion of our home, we experience on a daily basis this same shoreline and waterfront being eroded by ski boats, jet skis and the worst culprits, wake boats. They do more damage to the environment in 15 minutes than all the runoff we had to provide protection for with our dock/landing construction could do in a lifetime. Notwithstanding the disturbance to the fishermen and kayakers that these large wake machines do, the eroding shoreline ruins the fishing by taking away shoreline plants essential for baby fish to flourish and grow. We have experienced whole trees falling into the slough due to shoreline erosion caused by these wakes. After a wake boat goes by, the entire slough around our property is nothing but mud as these boats are so powerful that they not only erode the shoreline, they bring up mud from the bottom of the slough as they run up and down the waterline following the shore and make the water cloudy for hours after they leave the area.

We urge you to strongly consider making Church Slough a no wake zone to preserve this fragile and beautiful part of the Flathead River. It is a haven for wildlife, fishermen, recreational kayakers, boaters, and other lovers of the beauty and serenity that Northwest Montana is known for.

Sincerely,

Mitch and Susan Steinberg

377 Wagner Lane,

Kalispell.



Roxanna Iverson <iversonroxanna@gmail.com>

PHOTOS OF CHURCH SLOUGH SUBMITTED

Roxanna Iverson <iversonroxanna@gmail.com>
To: Roxanna Iverson <iversonroxanna@gmail.com>

Thu, Sep 30, 2021 at 2:34 PM

Sent from my iPhone

5 attachments



road trees 2012.JPG
17K



img_0160.JPG
22K

img_0151-2.JPG
26K



img_0148-2.JPG
28K



img_0085-2.JPG
28K



Roxanna Iverson <iversonroxanna@gmail.com>

PHOTOS -2

Roxanna Iverson <iversonroxanna@gmail.com>
To: Roxanna Iverson <iversonroxanna@gmail.com>

Thu, Sep 30, 2021 at 2:36 PM

Sent from my iPhone

5 attachments



dsc00649.JPG
39K



dsc00647.JPG
27K

dsc00645.JPG
33K



dsc00641.JPG
37K



dsc00638.JPG
38K