

BEFORE THE FISH, WILDLIFE AND PARKS COMMISSION
OF THE STATE OF MONTANA

In the matter of the repeal of a)
temporary emergency rule closing a) NOTICE OF REPEAL OF A
portion of Rock Creek in Granite and) TEMPORARY EMERGENCY RULE
Missoula Counties)

TO: All Concerned Persons

1. On August 15, 2007, the Fish, Wildlife and Parks Commission (commission) adopted a temporary emergency rule closing a portion of Rock Creek in Granite and Missoula counties, published at page 1320 of the 2007 Montana Administrative Register, Issue No. 17. There was an immediate need for a source of water for aircraft dropping water on the Sawmill Complex fires. This situation constituted an imminent peril to the public health, safety, and welfare of anyone using Rock Creek. Within the rule, the commission delegated its authority to the Department of Fish, Wildlife and Parks to determine, in consultation with the commissioner in the region, when Rock Creek was again safe for public use.

2. Since firefighting aircraft have stopped loading water in Rock Creek, MAR Notice No. 12-337 is no longer necessary. As this situation no longer constitutes an imminent peril to public health, safety, and welfare, the commission is repealing the rule. The repeal of the rule will be sent as a press release to newspapers throughout the state. Also, signs informing the public of the closure will be removed at access points. The repeal notice will be sent to interested parties, and published in Issue No. 18 of the 2007 Montana Administrative Register.

3. The repeal of the temporary emergency rule is effective September 8, 2007 at 7:00 a.m.

4. The bill sponsor notice requirements of 2-4-302, MCA, do not apply.

/s/ M. Jeff Hagener
M. Jeff Hagener
Secretary
Fish, Wildlife and Parks Commission

/s/ Robert N. Lane
Robert N. Lane
Rule Reviewer

Certified to the Secretary of State September 6, 2007.