

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

In the matter of the repeal of a)
temporary emergency rule closing the) NOTICE OF REPEAL OF A
Canyon Ferry Reservoir, Broadwater) TEMPORARY EMERGENCY RULE
County, from the silos to the southern)
shore)

TO: All Concerned Persons

1. On August 19, 2008, the Fish, Wildlife and Parks Commission (commission) adopted a temporary emergency rule closing Canyon Ferry Reservoir from the silos to the southern shore, published at page 1801 of the 2008 Montana Administrative Register, Issue No. 16. There was an immediate need for a source of water for aircraft dropping water on the Bear Gulch Fire. This situation constituted an imminent peril to the public health, safety, and welfare of anyone recreating on the river.

2. As conditions have substantially changed and public safety is no longer an issue, the temporary emergency rule closing Canyon Ferry Reservoir from the silos to the southern shore, MAR Notice No. 12-349, 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. 17 of the 2008 Montana Administrative Register.

3. The repeal of the temporary emergency rule is effective September 2, 2008.

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

/s/ Susan W. Daly
Susan W. Daly
Acting Director
Fish, Wildlife and Parks
Acting Secretary
Fish, Wildlife and Parks Commission

/s/ Rebecca Jakes Dockter
Rebecca Jakes Dockter
Rule Reviewer

Certified to the Secretary of State September 2, 2008.