



**RULE-MAKING ORDER
EMERGENCY RULE ONLY**

**CR-103E (December 2017)
(Implements RCW 34.05.350
and 34.05.360)**

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: August 10, 2023

TIME: 4:35 PM

WSR 23-17-055

Agency: Department of Fish and Wildlife (Order 23-159)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) August 15, 2023

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes No If Yes, explain:

Purpose: The purpose of this emergency rule is to close shoreline fishing for game fish in a portion of the Rimrock Reservoir and to close fishing for game fish in South Fork Tieton River.

Citation of rules affected by this order:

- New:
- Repealed:
- Amended: WAC 220-312-050
- Suspended:

Statutory authority for adoption: RCW 77.04.012, 77.04.020, 77.12.045 and 77.12.047

Other authority:

EMERGENCY RULE

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding: This rule is needed to limit impacts on ESA Threatened bull trout which stage in the reservoir near the mouth of the South Fork Tieton River. Recent estimates of bull trout spawning have indicated population declines and this measure is intended to limit targeted and incidental bull trout catch. There is insufficient time to adopt permanent rules.

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New ____ Amended ____ Repealed ____

The number of sections adopted on the agency's own initiative:

New 1 Amended ____ Repealed ____

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New ____ Amended ____ Repealed ____

The number of sections adopted using:

Negotiated rule making:	New	____	Amended	____	Repealed	____
Pilot rule making:	New	____	Amended	____	Repealed	____
Other alternative rule making:	New	____	Amended	____	Repealed	____

Date Adopted: August 10, 2023

Name: Kelly Susewind

Title: Director

Signature:



NEW SECTION

WAC 220-312-05000J Freshwater exceptions to statewide rules—Eastside.

Effective August 15 through December 1, 2023, the following provisions of WAC 220-312-050, regarding fishing seasons in Rimrock Reservoir and Tieton River, South Fork shall be modified as follows. All other provisions of WAC 220-312-050 remain in effect unless modified by emergency rule:

- (1) Rimrock Reservoir (Lake):** From the intersection of USFS Rd 1200/Tieton Reservoir Rd and USFS Rd 1203 to the intersection of USFS Rd 1200/Tieton Reservoir Rd and USFS Rd 1000:

Game fish: Closed to shoreline (bank) fishing.

- (2) South Fork Tieton River:** From the mouth to USFS Rd 1070 bridge, including that portion that flows through the lakebed of Rimrock Reservoir lying north of the bridge on USFS Rd 1200/Tieton Reservoir Rd:

Game fish: Closed to fishing.