

WSR 23-17-055
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE

[Order 23-159—Filed August 10, 2023, 4:35 p.m., effective August 15, 2023]

Effective Date of Rule: August 15, 2023.

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: Amending WAC 220-312-050.

Statutory Authority for Adoption: RCW 77.04.012, 77.04.020, 77.12.045, and 77.12.047.

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.

Reasons for this Finding: This rule is needed to limit impacts on Endangered Species Act 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.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: August 10, 2023.

Kelly Susewind
Director

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.