

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

In the matter of the repeal of an	)	NOTICE OF REPEAL OF
emergency rule closing the Alkali	)	EMERGENCY RULE
Creek Fishing Access Site in Phillips	)	
County	)	

TO: All Concerned Persons

1. On April 13, 2023, the Department of Fish, Wildlife and Parks (department) adopted an emergency rule closing the Alkali Creek Fishing Access Site in Phillips County to all public occupation and recreation in Notice No. 12-597, published at page 407 of the 2023 Montana Administrative Register, Issue Number 8. The emergency rule was adopted because the Milk River had experienced extensive flooding. The Alkali Creek Fishing Access Site is located along the Milk River and had also experienced flooding which created dangerous conditions.

2. The rule was to be in place until the department determined that the Alkali Creek Fishing Access Site was again safe for occupation and recreation. Given that the Milk River has receded and that the Alkali Creek Fishing Access Site no longer poses a danger to the public, the department is repealing NEW RULE I ALKALI CREEK FISHING ACCESS SITE EMERGENCY CLOSURE.

3. The repeal of NEW RULE I is effective April 21, 2023, when this rule notice is filed with the Secretary of State.

4. The repeal of the emergency rule will be sent as a press release to newspapers throughout the state and posted on the department's website at [fwp.mt.gov](http://fwp.mt.gov). Moreover, signs informing the public of the closure will be removed at access points.

5. The special notice requirement of 2.4-303, MCA have been met. All committee members of the Environmental Quality Council, with addresses provided on the Montana Legislature's website ([leg.mt.gov](http://leg.mt.gov)), were contacted by email on April 21, 2023. Lastly, the emergency rule repeal notice will be sent to interested parties and published in Issue Number 9 of the 2023 Montana Administrative Register.

/s/ Dustin Temple  
Dustin Temple  
Acting Director  
Department of Fish, Wildlife and Parks

/s/ Alexander Scolavino  
Alexander Scolavino  
Rule Reviewer

Certified to the Secretary of State April 21, 2023.