

**WSR 22-01-041
EMERGENCY RULES
DEPARTMENT OF
FISH AND WILDLIFE**

[Order 21-269—Filed December 7, 2021, 9:58 a.m., effective December 7, 2021, 9:58 a.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: The purpose of this emergency rule is to open gamefish seasons in that portion of Tokul Creek from Fish Hatchery Road Bridge to boundary marker downstream of Diversion Dam.

Citation of Rules Affected by this Order: Amending WAC 220-312-040.

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 emergency rule is necessary to open gamefish seasons in a portion [of] Tokul Creek. Tokul Creek hatchery has achieved adequate early winter steelhead broodstock on hand to meet egg-take goals. 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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: December 6, 2021.

Kelly Susewind
Director

NEW SECTION

WAC 220-312-04000X Freshwater exceptions to statewide rules—Puget Sound. Effective immediately, through, 2021 through January 14, 2022, recreational gamefish seasons for Tokul Creek, from Fish Hatchery Road Bridge to boundary marker downstream of diversion dam shall be modified as follows. All other provisions of WAC 220-312-040 not addressed herein, or unless otherwise amended by emergency rule, remain in effect:

Tokul Creek (King County): From Fish Hatchery Road Bridge to boundary marker downstream of diversion dam: Gamefish:

- (a) Open immediately, through January 14, 2022, except closed waters from 5:00 p.m. to 7:00 a.m.
- (b) Anti-snagging rules in effect.
- (c) Statewide minimum length/daily limit, except: Cutthroat trout and wild rainbow trout: Minimum length 14 inches.

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Reviser's note: The typographical errors in the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.