

WSR 23-02-024  
EMERGENCY RULES  
DEPARTMENT OF  
FISH AND WILDLIFE

[Order 22-284—Filed December 27, 2022, 7:18 p.m., effective December 28, 2022]

Effective Date of Rule: December 28, 2022.

Purpose: Amends freshwater recreational rules for Tokul Creek.

Citation of Rules Affected by this Order: Repealing WAC 220-312-04000B; and 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 brood stock 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Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 1.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.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 27, 2022.

Kelly Susewind  
Director

NEW SECTION

**WAC 220-312-04000B Freshwater exceptions to statewide rules—Puget Sound.** Effective December 28, 2022 through January 14, 2023, 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, 2023, 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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REPEALER

The following section of the Washington Administrative Code is repealed effective January 15, 2023:

WAC 220-312-04000B Freshwater exceptions to statewide rules—Puget Sound.