RULE-MAKING ORDER
EMERGENCY RULE ONLY

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

Agency: Department of Fish and Wildlife    (Order 21-269)

Effective date of rule:
   Emergency Rules
☒ Immediately upon filing.
☐ Later (specify)

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 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:
   New:
   Repealed: WAC 220-312-040
   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 emergency rule is necessary to open gamefish seasons in a portion 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.

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Federal statute: New _____ Amended _____ Repealed _____
Federal rules or standards: New _____ Amended _____ Repealed _____
Recently enacted state statutes: New _____ Amended _____ Repealed _____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

<table>
<thead>
<tr>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
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The number of sections adopted on the agency’s own initiative:

<table>
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<tr>
<th>New</th>
<th>Amended</th>
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<tr>
<th>The number of sections adopted in order to clarify, streamline, or reform agency procedures:</th>
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<tbody>
<tr>
<td>New</td>
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The number of sections adopted using:

<table>
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<th>Negotiated rule making:</th>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
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<tr>
<th>Pilot rule making:</th>
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<th>Repealed</th>
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<th>Other alternative rule making:</th>
<th>New</th>
<th>Amended</th>
<th>Repealed</th>
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**Date Adopted:** December 6, 2021

**Name:** Kelly Susewind

**Title:** Director

**Signature:**

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NEW SECTION

WAC 220-312-04000X Freshwater exceptions to statewide rules—Puget Sound.
Effective immediately, 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.