



# RULE-MAKING ORDER EMERGENCY RULE ONLY

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

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: June 02, 2025

TIME: 8:10 AM

WSR 25-12-082

**Agency:** Department of Fish and Wildlife (Order 25-98)

**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:** This emergency rule is needed to open game fish seasons in Tokul Creek.

**Citation of rules affected by this order:**

New:  
Repealed:  
Amended: 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 recreational game fish seasons in Tokul Creek.

These game fish seasons were initially closed in 2022 to protect summer Chinook, which had extremely low returns that year. Expected 2025 returns are sufficient to allow this limited game fish opportunity. Summer Chinook presence in the area is low during this time period. This fishery is expected to have very limited to no impact on returning summer Chinook.

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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____

Recently enacted state statutes:    New    \_\_\_\_\_    Amended    \_\_\_\_\_    Repealed    \_\_\_\_\_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:**

New    \_\_\_\_\_    Amended    \_\_\_\_\_    Repealed    \_\_\_\_\_

**The number of sections adopted on the agency's own initiative:**

New    1    Amended    \_\_\_\_\_    Repealed    \_\_\_\_\_

**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New    \_\_\_\_\_    Amended    \_\_\_\_\_    Repealed    \_\_\_\_\_

**The number of sections adopted using:**

Negotiated rule making:    New    \_\_\_\_\_    Amended    \_\_\_\_\_    Repealed    \_\_\_\_\_

Pilot rule making:    New    \_\_\_\_\_    Amended    \_\_\_\_\_    Repealed    \_\_\_\_\_

Other alternative rule making:    New    \_\_\_\_\_    Amended    \_\_\_\_\_    Repealed    \_\_\_\_\_

**Date Adopted:** June 2, 2025

**Name:** Amy Windrope for Kelly Susewind

**Title:** Director

**Signature:**



## NEW SECTION

### **WAC 220-312-04000L Freshwater exceptions to statewide rules—Puget Sound.**

Effective immediately, through July 13, 2025, provisions of WAC 220-312-040 regarding game fish seasons for Tokul Creek shall be modified as described in this section. All other provisions of WAC 220-312-040 not addressed in this section, or unless otherwise amended by emergency rule remain in effect:

**Tokul Creek (King County):** From the mouth to the posted boundary marker downstream of the diversion dam:

Game fish:

- (a) Open daily from 7:00 a.m. to 5:00 p.m.;
- (b) Closed daily from 5:00 p.m. to 7:00 a.m.;
- (c) Statewide minimum size and daily limits, except cutthroat and wild rainbow trout minimum size 14”;
- (d) Anti-snagging rule in effect.