

FISH AND WILDLIFE COMMISSION

POLICY DECISION

POLICY TITLE: Private Lands Access

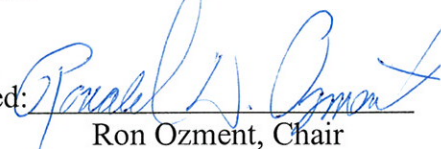
POLICY NUMBER: C-6002

Supercedes: C-6002 dated Dec. 6, 1996

Effective Date: Nov. 19, 2005

See Also: RCW 77.04.055
RCW 77.12.320
RCW 77.32.535
WAC 232-28-260
WAC 232-28-271

Termination Date: N/A

Approved: 
Ron Ozment, Chair

Policy:

Over half the state of Washington is privately owned, and some of the most important fish and wildlife resources are found on private lands. It is the policy of the Washington Fish and Wildlife Commission to maintain a viable private lands access program that encourages formal partnership agreements with private landowners:

- To secure public access for hunting, fishing, and other wildlife associated recreation.
- To provide recognition and incentives for participating landowners.
- To encourage protection and enhancement of fish and wildlife habitat.

Nothing in this policy or the private lands program shall be construed to infringe on the treaty rights of Native Americans. As stated in Commission policy C-3607: "The Department of Fish and Wildlife will engage tribal representatives in its decision making processes relative to wildlife management issues that affect tribal hunting."

Minimum Operating Standards and Guidelines of the Access Program:

The Department will develop a variety of public access options for landowners. It is the Commission's highest priority to encourage partnership opportunities that provide general public hunting opportunity and those with passive restrictions rather than requiring special permits or additional access fees for hunters.

- The Department will clearly communicate program expectations to cooperators and the general public and will have a contract with each cooperator.
- Fish and wildlife are the property of the state (RCW 77.12.010) and nothing in any contract should be construed as transferring ownership from the public to the private sector. The Fish and Wildlife Commission authorizes hunting seasons, including time, place and manner as directed in RCW 77.04.012.
- Fencing or other activities designed to control natural wildlife movement or migrations will not be permitted.
- Fish and wildlife management on lands under contract will be limited to endemic fish and wildlife, including currently managed introduced fish and wildlife species.
 - Every person hunting or fishing on private lands under contract must have in possession valid licenses, tags, and permits.

- Persons hunting on lands under contract with the Department for restricted access (e.g. Hunt By Written Permission and Register To Hunt) must also possess a valid access permit (permission slip).
- Hunting programs will be conducted within the highest standards of fair chase and ethical behavior.
 - Cooperators must provide a report as required by the Department no later than March 31 each year.
 - The boundaries of lands under contract must be clearly defined and/or marked as required by the Department.
 - Locations of lands under contract must be made available to the public.
 - The Department may develop procedures to implement and manage the private lands access program within the guidelines of this policy.

Landowner Hunting Permits:

- Landowner Hunting Permits are designed for private lands held by an individual or corporation that provides a hunting opportunity for the public which otherwise would not exist and/or that helps resolve crop damage problems.
- Landowner Hunting Permits may only be authorized by Fish and Wildlife Commission rule.
- Those receiving Landowner Hunting Permits shall make provisions for significant public benefit and participation. General hunting season opportunity is encouraged as well as special accommodation for hunters with disabilities, youth, senior, and Advanced Hunter Education designated Master Hunters.
- Equitable allocation of Landowner Hunting Permit opportunity between cooperating landowners and WDFW will be as follows:
 1. Antlerless deer or elk – minimum of 50% allocated by WDFW.
 2. Buck deer or bull elk – minimum of 25% allocated by WDFW.
 3. Exceptions to these minimums may only be provided through Commission rule.
 - Cooperators must allow equal hunting opportunity whether the hunter received a permit allocated by the Department or the cooperator.
 - Cooperators wishing to sell access associated with the landowner's portion of the special hunting permits must waive all claims for wildlife damage that may occur on their lands.
 - Landowner incentives may include the following;
 1. Customized hunting seasons.
 2. Second tag opportunity.
 3. Technical services to the landowner.
 - Landowner Hunting Permit levels, number of cooperators enrolled, and implementation of this program are subject to funding, availability of staff, ability to meet management objectives, and Department priorities.