

**9. MOOSE, BIGHORN SHEEP, AND MOUNTAIN GOAT SEASONS AND PERMIT QUOTAS – RULE BRIEFING AND PUBLIC HEARING**

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## Summary

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<b>Meeting dates:</b>	March 1, 2013
<b>Agenda item 9:</b>	Moose, Bighorn Sheep, and Mountain Goat Seasons and Permit Quotas – <b>Rule Briefing and Public Hearing</b>
<b>Presenter:</b>	Rich Harris, Special Species Manager, Wildlife Program

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**Background summary:** Department staff will brief the Commission on the adoption of WAC 232-28-622 2012-2014 Bighorn sheep seasons and permit quotas and WAC 232-28-263 2012-2014 Mountain goat seasons and permit quotas, and the amendment of WAC 232-28-273 2012-2014 Moose seasons, permit quotas, and areas.

Currently, seasons and rules for moose, bighorn sheep, and mountain goats are all contained within a single WAC, 232-28-273. New WAC 232-28-622 contains seasons, rules, and permit quotas for bighorn sheep only. New WAC 232-28-623 contains seasons, rules, and permit quotas for mountain goat only. And the amendment proposal for WAC 232-28-273 contains seasons, rules, permit quotas, and areas for moose only.

Since 1999, hunt regulations for Washington State have restricted the harvest of bighorn sheep to only one in a lifetime. However, there are exceptions to this restriction. Hunters may apply for a bighorn sheep permit, even if they have previously harvested a bighorn sheep, if the earlier harvest was conducted under a ewe-only hunt permit, a raffle permit, or an auction permit. Language in the current WAC is unclear with regard to whether the exemption from the once-in-a-lifetime bighorn sheep restriction is also applicable if the hunter were to apply in future for ewe-only, raffle, or auction hunt permits.

Rocky Mountain bighorn sheep populations in the Blue Mountains area of south-eastern Washington have been reduced in recent years due to the lingering effects of pneumonia outbreaks. The Asotin herd, one of the Blue Mountains herds, had been spared from this disease. However, pneumonia was detected in the Asotin herd in 2012, and biologists expect this herd to decline over the next few years. Few large-sized rams remain in this herd, and therefore, the recommendation is to reduce harvest in this herd.

Since 1999, hunt regulations for Washington State have restricted the harvest of mountain goat to only one in a lifetime. However, as an exception to this restriction, hunters may apply for a mountain goat permit, even if they have previously harvested a mountain goat under a raffle or auction permit. Language in the current WAC is vague with regard to whether the exemption from the once-in-a-lifetime restriction is also applicable if the hunter were to apply in future for raffle or auction hunt permits.

Either a billy (male) or a nanny (female) may legally be taken by a permit holder. However, mountain goat populations are sensitive to harvest, particularly the harvest of females. As with other jurisdictions in which mountain goats are hunted, we wish to encourage hunters to refrain from killing nannies in order to avoid population declines. Nannies remain legal to kill because it is difficult to determine gender in the field. (WDFW provides free educational material to all permit holders to assist them in identifying gender in the field). Existing WAC language urges hunters to refrain from shooting nannies with kids (young of the year). However, language “encouraging” behavior seems inappropriate in a WAC; rather, this should appear only in the hunter pamphlet (as well as other material WDFW provides to hunters). This language is thus removed.

The current WAC on mountain goat permits contained ambiguity regarding the names and descriptions of mountain goat hunt areas in Region 4, around Mt. Baker. The current WAC also omitted legal descriptions of open mountain goat hunt areas.

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Additionally, since 1999, hunt regulations for Washington State have restricted the harvest of moose to only one in a lifetime. However, an exemption allows hunters to apply for a moose permit, even if they have previously harvested a moose under an antlerless moose-only permit, a raffle permit, or an auction permit. Language in the current WAC is vague with regard to whether the exemption from the once-in-a-lifetime restriction is also applicable if the hunter were to apply in future for antlerless moose-only, raffle, or auction hunt permits.

This proposal also reduces permits in the Master Hunter Moose category from 20 to 10 to help manage hunter expectations regarding how many may be called to participate in this hunt. Only a few permit holders have been called each year since this hunt was created.

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**Policy issue(s) you are bringing to the Commission for consideration:**

- Modify language to clarify that hunters who've previously harvested a bighorn sheep in Washington State may apply for an additional bighorn sheep permit under ewe-only, raffle, or auction hunt categories.
- Reduce pressure on Rocky Mountain bighorn rams in the Asotin herd of southeastern Washington.
- Modify language to clarify that hunters who've previously harvested a mountain goat in Washington State may apply for an additional mountain goat permit under raffle, or auction hunts.
- Delete rule language urging hunters to refrain from shooting any female mountain goat. The language encouraging hunters to avoid killing females will continue to be used in the hunting pamphlet.
- Clarify language regarding the four mountain goat hunt areas currently open in Region 4, surrounding Mt. Baker, by adding legal descriptions of all hunt areas currently open in the state.
- Modify language to clarify that hunters who've previously harvested a moose in Washington State may apply for an additional moose permit under antlerless-only, raffle, or auction hunt categories.
- Reduce Master Hunter Moose permits consistent with agency needs.

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**Public involvement process used and what you learned:**

Notification was mailed to approximately 600 organizations and individuals, informing them of the opportunity to provide comments on the proposed regulation. Additionally, these organizations and individuals were informed of the opportunity to provide testimony at the March 1-2, 2013 Commission Meeting in Moses Lake.

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**Action requested:**

Take public comment. Adoption planned for the April 12-13, 2013 Commission Meeting.

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**Draft motion language:**

N/A

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**Justification for Commission action:**

The change in language reduces ambiguity regarding who may apply for a bighorn sheep, mountain goat, or moose permit. The clarification of mountain goat hunt units reduces misunderstandings among hunters, biologists, and enforcement.

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**Communications Plan:**

Washington State Register

News Release

Hunting Pamphlets

Agency Website

AMENDATORY SECTION (Amending Order 12-70, filed 5/2/12, effective 6/2/12)

WAC 232-28-273 2012-2014 Moose (~~(, bighorn sheep, and mountain goat)~~) seasons~~((s))~~, and permit quotas, and areas. (1) It is unlawful to fail to comply with the provisions of this section. A violation of ~~species, sex, size, number, area, season, or eligibility requirements~~ this section is punishable under RCW 77.15.410, Unlawful hunting of big game--Penalty.

~~((1))~~ (2) Moose Permit Hunts

(a) Who May Apply: Anyone (~~(may apply,)~~) EXCEPT those who previously harvested a moose (~~(previously)~~) in Washington state may apply for a moose permit. An individual may only harvest one moose during (~~(their)~~) his or her lifetime (~~(except)~~). However, this restriction is waived for hunters who have previously harvested a moose under an antlerless-only (~~(hunts)~~), master-hunter hunt (~~(s)~~), (~~(and)~~) raffle (~~(and)~~), or auction (~~(hunts)~~) permit, as well as for applications for an antlerless-only, master-hunter, raffle, or auction permits.

(b) Bag Limit: One moose.

(c) Weapon Restrictions: Permit holders may use any legal weapon.

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
Kettle Range/East Okanogan	Oct. 1 - Nov. 30	GMUs 101, 105, 204	Any Moose	10

Selkirk Mtns. A	Oct. 1 - Nov. 30	GMU 113	Any Moose	15
Selkirk Mtns. B <sup>d</sup>	Oct. 1 - Nov. 30	GMU 113	Antlerless Only	2
Mt. Spokane South A	Oct. 1 - Nov. 30	Moose Area 1	Any Moose	8
Mt. Spokane South B	Oct. 1 - Nov. 30	Moose Area 1	Antlerless Only	8
Mt. Spokane North A	Oct. 1 - Nov. 30	Moose Area 2	Any Moose	8
Mt. Spokane North B	Oct. 1 - Nov. 30	Moose Area 2	Antlerless Only	7
Mt. Spokane North C <sup>b</sup>	Oct. 1 - Nov. 30	Moose Area 2	Antlerless Only	1
Mt. Spokane <sup>HC</sup>	Dec. 1 - Mar. 31	GMUs 124, 127, and 130 within Spokane County	Antlerless Only	<del>((20))</del> $\frac{1}{0^{HC}}$
Mt. Spokane South - Youth Only <sup>a</sup>	Oct. 1 - Nov. 30	Moose Area 1	Antlerless Only	8
Mt. Spokane North - Youth Only <sup>a</sup>	Oct. 1 - Nov. 30	Moose Area 2	Antlerless Only	8
49 Degrees North A	Oct. 1 - Nov. 30	GMU 117	Any Moose	21
49 Degrees North B <sup>b</sup>	Oct. 1 - Nov. 30	GMU 117	Antlerless Only	3
49 Degrees North C <sup>c</sup>	Oct. 1 - Nov. 30	GMU 117	Antlerless Only	2
49 Degrees North Youth Only <sup>a</sup>	Oct. 1 - Nov. 30	GMU 117	Antlerless Only	2
Three Forks	Oct. 1 - Nov. 30	GMUs 108, 111	Any Moose	6
Hangman A	Oct. 1 - Nov. 30	GMUs 127, 130	Any Moose	7
Hangman B	Oct. 1 - Nov. 30	GMUs 127, 130	Antlerless Only	7
Huckleberry Range A	Oct. 1 - Nov. 30	GMUs 121, 124 west of Hwy 395	Any Moose	7
Huckleberry Range B <sup>c</sup>	Oct. 1 - Nov. 30	GMUs 121, 124 west of Hwy 395	Antlerless Only	2

<sup>a</sup>Applicants must be eligible to purchase a youth moose permit application. An adult must accompany the youth hunter(~~(s must be accompanied by an adult)~~) during the hunt.

<sup>b</sup>Applicants must possess a Disabled Hunter Permit.

<sup>c</sup>Applicants must be eligible to purchase a 65 years of age or older permit application.

<sup>d</sup>Applicants must be a certified hunter education instructor who meets program-defined eligibility criteria.

<sup>HC</sup>This is a damage hunt administered by a WDFW designated hunt coordinator. Only master hunters may apply, and any weapon may be

used. Successful applicants will be contacted on an as-needed basis to help with specific sites of nuisance moose activity in designated areas. Not all successful applicants will be contacted in any given year.

(3) Moose Areas:

(a) Moose Area 1: South Spokane Moose Area:

That portion of GMU 124 beginning at intersection of Blanchard Rd and Idaho-Washington state line: W on Blanchard Rd to Blanchard Creek Rd; SW on Blanchard Creek Rd to Tallman Rd; W on Tallman Rd to Elk Chattaroy Rd; SW on Elk Chattaroy Rd to Hwy 2; S on Hwy 2 to Hwy 395, S on Hwy 395 to Spokane River, E on Spokane River to Idaho-Washington state line, N on Idaho-Washington state line to Blanchard Rd and the point of beginning.

(b) Moose Area 2: North Spokane Moose Area:

That portion of GMU 124 beginning at intersection of Blanchard Rd and Idaho-Washington state line: W on Blanchard Rd to Blanchard Creek Rd; SW on Blanchard Creek Rd to Tallman Rd; W on Tallman Rd to Elk Chattaroy Rd; SW on Elk Chattaroy Rd to Hwy 2; S on Hwy 2 to Hwy 395, N on Hwy 395 to Deer Park-Milan Rd, E on Deer Park-Milan Rd to Hwy 2, N on Hwy 2 to Idaho-Washington state line, S on Idaho-Washington state line to Blanchard Rd and the point of beginning.

~~((2) Bighorn Sheep Permit Hunts~~

~~**Who May Apply:** Anyone may apply, EXCEPT those who harvested a bighorn sheep previously in Washington state. An individual may only harvest one bighorn sheep during their lifetime (except waived for raffle and auction hunts, and ewe only hunts).~~

~~**Bag Limit:** One bighorn ram (except in designated adult ewe hunts, one bighorn adult ewe).~~

<b>Hunt Name</b>	<b>Permit Season</b>	<b>Permit Hunt Boundary-Description</b>	<b>Special Restrictions</b>	<b>Permits</b>
<del>Vulcan Mountain</del>	<del>Sept. 15—Oct. 10</del>	<del>Sheep Unit 2</del>	<del>Any Legal Weapon</del>	<del>1</del>
<del>Selah Butte</del>	<del>Nov. 5-30</del>	<del>Sheep Unit 4</del>	<del>Any Legal Weapon</del>	<del>3</del>
<del>Umtanum</del>	<del>Sept. 15—Oct. 10</del>	<del>Sheep Unit 5</del>	<del>Any Legal Weapon</del>	<del>2</del>
<del>Cleman Mountain A</del>	<del>Sept. 15—Oct. 10</del>	<del>Sheep Unit 7</del>	<del>Any Legal Weapon</del>	<del>6</del>
<del>Cleman Mountain B</del>	<del>Nov. 5-30</del>	<del>Sheep Unit 7</del>	<del>Any Legal Weapon</del>	<del>6</del>
<del>Mt. Hull A</del>	<del>Sept. 15—Oct. 10</del>	<del>Sheep Unit 10</del>	<del>Any Legal Weapon</del>	<del>1</del>
<del>Mt. Hull B</del>	<del>Oct. 1-10</del>	<del>Sheep Unit 10</del>	<del>Adult ewe only Any Legal Weapon</del>	<del>1</del>
<del>Mt. Hull C<sup>b</sup></del>	<del>Oct. 1-10</del>	<del>Sheep Unit 10</del>	<del>Adult ewe only Any Legal Weapon</del>	<del>1</del>
<del>Lincoln Cliffs</del>	<del>Sept. 15—Oct. 10</del>	<del>Sheep Unit 12</del>	<del>Any Legal Weapon</del>	<del>1</del>
<del>Quilomene</del>	<del>Sept. 15—Oct. 10</del>	<del>Sheep Unit 13</del>	<del>Any Legal Weapon</del>	<del>3</del>
<del>Swakane</del>	<del>Sept. 15—Oct. 10</del>	<del>Sheep Unit 14</del>	<del>Any Legal Weapon</del>	<del>1</del>
<del>Tieton A</del>	<del>Sept. 15—30</del>	<del>Sheep Unit 15</del>	<del>Any Legal Weapon</del>	<del>3</del>
<del>Tieton B</del>	<del>Nov. 5-30</del>	<del>Sheep Unit 15</del>	<del>Any Legal Weapon</del>	<del>3</del>
<del>Manson</del>	<del>Nov. 5-30</del>	<del>Sheep Unit 16</del>	<del>Any Legal Weapon</del>	<del>2</del>
<del>Asotin</del>	<del>Sept. 15—Oct. 10</del>	<del>Sheep Unit 17</del>	<del>Any Legal Weapon</del>	<del>2</del>
<del>Chelan Butte</del>	<del>Sept. 15—Oct. 10</del>	<del>Sheep Unit 18</del>	<del>Any Legal Weapon</del>	<del>1</del>
<del>Sinlahekin</del>	<del>Sept. 15—Oct. 10</del>	<del>Sheep Unit 19</del>	<del>Any Legal Weapon</del>	<del>1</del>

~~\*Applicants must be eligible to purchase a 65 years of age or older permit application.~~

~~<sup>b</sup>Applicants must be eligible to purchase a youth bighorn sheep permit application. Youth hunters must be accompanied by an adult during the hunt.~~

~~**Bighorn Sheep Units:**~~

~~**Sheep Unit 2 Vulcan Mountain:** Permit Area: Ferry County north of the Kettle River near Curlew.~~



~~**Sheep Unit 4 Selah Butte:** Permit Area: That part of Yakima and Kittitas counties between Ellensburg and Yakima east of the Yakima River and north of Selah Creek, west of Interstate 82 and south of Interstate 90.~~

~~**Sheep Unit 5 Umtanum:** Permit Area: Those portions of Yakima and Kittitas counties west of the Yakima River, north of Wenas Creek, and east of USFS Road 1701 to Manastash Lake and its drainage; south and east along the South Fork Manastash Creek to Manastash Creek and the Yakima River.~~

~~**Sheep Unit 7 Cleman Mountain:** Permit Area: That part of Yakima County south of Wenas Creek and east of USFS Road 1701, north of Highway 410 and Highway 12 and west of the Yakima River.~~

~~**Sheep Unit 10 Mt. Hull:** Permit Area: That part of Okanogan County within the following described boundary: Beginning at Oroville; then south along U.S. Highway 97 to the Swanson's Mill Road (old Mt. Hull Road) near Lake Andrews; then east to the Dry Gulch Road; then north to the Oroville Toroda Creek Road (Molson Grade Road); then west to Oroville and the point of beginning.~~

~~**Sheep Unit 11 Wenaha Wilderness:** Permit Area: That part of GMU 169 within Crooked Creek drainage.~~

~~**Sheep Unit 12 Lincoln Cliffs:** Permit Area: That part of Lincoln County north of Highway 2.~~

~~**Sheep Unit 13 Quilomene:** Permit Area: GMUs 329, 330, and 251 south of Colockum Creek.~~

~~**Sheep Unit 14 Swakane:** Permit Area: GMU 250.~~

~~Sheep Unit 15 Tieton: Permit Area: GMU 360.~~

~~Sheep Unit 16 Manson: Permit Area: Beginning at the mouth of Granite Falls Creek on the south shore of Lake Chelan, E across Lake Chelan to Willow Point; NW along the shoreline of Lake Chelan to the mouth of Stink Creek; E along Stink Creek to the intersection with Green's Landing Road; along Green's Landing Road to Manson Boulevard; E on Manson Boulevard to Lower Joe Creek Road; NE on Lower Joe Creek Road to Grade Creek Road; NE on Grade Creek Road to US Forest Service Road 8210; NE on US Forest Service Road 8210 to intersection with US Forest Service Road 8020; W on US Forest Service Road 8020 to Fox Peak; NW along Sawtooth Ridge (Chelan Okanogan County Line) to the Lake Chelan National Recreation Area boundary; S along the Lake Chelan National Recreation Area boundary to shore line of Lake Chelan; W across Lake Chelan to the mouth of Riddle Creek on the South Shore; SE along South Shore of Lake Chelan to the point of beginning.~~

~~Sheep Unit 17 Asotin: Permit Area: GMU 175.~~

~~Sheep Unit 18 Chelan Butte: Permit Area: Beginning at the intersection of State Hwy 971 and US Hwy 97A, S to the W shoreline of the Columbia River, N along the W shoreline of the Columbia River for 21 miles to the mouth of Antione Creek, W up Antione Creek to where it crosses Apple Acres Rd, W on Apple Acres Rd to the intersection with Washington Creek Rd (US Forest Service Rd 8135), N on Washington Creek Rd to its end and then follow Washington Creek, W on Washington Creek to where it crosses US Forest Service Rd 8010, S on US Forest Service Rd 8010 (transitions into Purtteman Creek Rd) to Purtteman Gulch, S into Purtteman Gulch to the N shoreline of Lake Chelan, S along the shoreline to the S shoreline of Lake Chelan to~~

~~the mouth of First Creek, S up First Creek to the intersection of State Hwy 971 (Navarre Coulee Rd), S on State Hwy 971 to the point of beginning.~~

~~**Sheep Unit 19 Sinlahekin:** Beginning at the eastern boundary of the Pasayten Wilderness border and the US Canadian border; E on the US Canadian border to the border station on Similkameen Rd (Co. Rd 4568); SE on the Similkameen Rd (Co. Rd 4568) to the Loomis Oroville Rd (Co. Rd 9425); E on the Loomis Oroville Rd (Co. Rd 9425) to US Hwy 97 in Oroville; S on US Hwy 97 to 12th Ave; W on 12th Ave (it curves S and changes to Old Highway 97); S on Old Highway 97 to US Hwy 97; S on US Hwy 97 to the South Pine Creek Rd (Co. Rd 9410); W on the South Pine Creek Rd (Co. Rd 9410) to Fish Lake Rd (Co. Rd 4290); W on Fish Lake Rd (Co. Rd 4290) to South Fish Lake Rd (Co. Rd 4282), along the south shore of Fish Lake; SW on South Fish Lake Rd (Co. Rd 4282), to the Sinlahekin Rd (Co. Rd 4015); SW on the Sinlahekin Rd (Co. Rd 4015), along the north shore of Conconully Lake, to the Salmon Creek North Fork Rd (Co. Rd 2361), at the town of Conconully; N on US Forest Service Rd 38 (Salmon Creek North Fork Rd, Co. Rd 2361) to US Forest Service Rd 3820; N on US Forest Service Rd 3820 over Lone Frank Pass, to US Forest Service Rd 39; N on US Forest Service Rd 39 to the US Forest Service Rd 300 at Long Swamp trailhead; W on the US Forest Service Rd 300 to US Forest Service Trail 342; N on US Forest Service Trail 342 to US Forest Service Trail 343; E on US Forest Service Trail 343 to US Forest Service Trail 341; E on US Forest Service Trail 341 to US Forest Service Trail 375; E on US Forest Service Trail 375 to the eastern boundary of the Pasayten Wilderness Area; N on the Pasayten Wilderness Area boundary to the US Canadian~~

~~border and the point of beginning.~~

~~(3) Mountain Goat Permit Hunts~~

~~**Who May Apply:** Anyone may apply, except those who harvested a mountain goat in Washington state after 1998. An individual may only harvest one mountain goat during their lifetime, except for those who harvested a goat prior to 1999. (Except waived for raffle and auction hunts.)~~

~~**Bag Limit:** One (1) adult goat of either sex with horns four (4) inches or longer. WDFW urges hunters to refrain from shooting nannies with kids.~~

<b>Hunt Name</b>	<b>Permit Season<sup>b</sup></b>	<b>Subpopulations Open to Hunting<sup>a</sup></b>	<b>Special Restrictions</b>	<b>Permits<sup>a</sup></b>
Mt. Baker	Sept. 15—Oct. 31	Chowder Ridge, Coleman Pinnacle, Lava Divide, Black Buttes, Lake Ann, SE Baker	Any Legal Weapon	7
North Lake Chelan	Sept. 15—Oct. 31	Skookum Pass Mtn., Big Goat Creek	Any Legal Weapon	2
Naches Pass	Sept. 15—Oct. 31	Fife's East, Fife's Peak, Crystal Mountain, Basin Lake	Any Legal Weapon	4
Bumping River	Sept. 15—Oct. 31	Nelson Ridge, Cash Prairie, American Ridge, American Lake, Timber Wolf, Russell Ridge	Any Legal Weapon	4
Blazed Ridge	Sept. 15—Oct. 31	Blowout Mtn., Blazed Ridge, Blazed North, Milk Creek, Rock Creek	Any Legal Weapon	4
Goat Rocks Tieton River	Sept. 15—Oct. 31	Chimney Rocks, Goat Lake, McCall Glacier, Gilbert Peak	Any Legal Weapon	3
Methow	Sept. 15—Oct. 31	Wolf Creek, West Fork Methow	Any Legal Weapon	4
South Lake Chelan	Sept. 15—Oct. 31	Railroad Creek, Pyramid Mountain, Box Canyon	Any Legal Weapon	4

~~<sup>a</sup>Mountain goat populations are managed as a collection of subpopulations, and the ideal harvest is distributed through all the subpopulations. The director is authorized to open or close~~

~~subpopulations and reduce permit levels to protect from overharvesting specific areas.~~

~~The director is authorized by the commission to identify the hunt area as a condition of the hunt permit. Selected hunters will receive a text description or map of their hunt area.~~

~~\*Permit hunters may start hunting September 1 with archery equipment.))~~

[Statutory Authority: RCW 77.12.047. 12-11-005 (Order 12-70), § 232-28-273, filed 5/2/12, effective 6/2/12; 11-11-013 (Order 11-86), § 232-28-273, filed 5/6/11, effective 6/6/11. Statutory Authority: RCW 77.12.047, 77.12.020, 77.12.570, 77.12.210, 77.12.150, 77.12.240, 77.32.070, 77.32.530. 10-10-061 (Order 10-94), § 232-28-273, filed 4/30/10, effective 5/31/10. Statutory Authority: RCW 77.12.047, 77.12.020, 77.12.570, 77.12.210, 77.12.150, 77.12.240. 09-09-083 (Order 09-53), § 232-28-273, filed 4/15/09, effective 5/16/09. Statutory Authority: RCW 77.12.047, 77.12.020, 77.12.570, 77.12.210. 08-09-090 (Order 08-78), § 232-28-273, filed 4/18/08, effective 5/19/08; 07-11-017 (Order 07-62), § 232-28-273, filed 5/3/07, effective 6/3/07. Statutory Authority: RCW 77.12.047. 06-11-032 (Order 06-92), § 232-28-273, filed 5/8/06, effective 6/8/06; 05-11-022 (Order 05-89), § 232-28-273, filed 5/10/05, effective 6/10/05. Statutory Authority: RCW 77.12.047 and 77.12.020. 04-11-036 (Order 04-98), § 232-28-273, filed 5/12/04, effective 6/12/04. Statutory Authority: RCW 77.12.047. 03-13-047 (Order 03-129), § 232-28-273, filed 6/12/03, effective 7/13/03. Statutory Authority: RCW 77.12.047, 2/21/13 8:46 PM [ 9 ] OTS-5258.1

77.12.655, 77.12.020. 02-11-069 (Order 02-98), § 232-28-273, filed 5/10/02, effective 6/10/02. Statutory Authority: RCW 77.12.040, 77.12.020, 77.32.070, 77.32.530. 01-10-048 (Order 01-69), § 232-28-273, filed 4/26/01, effective 5/27/01. Statutory Authority: RCW 77.12.040, 77.12.010, 77.12.020, 77.12.770, 77.12.780. 00-11-137 (Order 00-50), § 232-28-273, filed 5/23/00, effective 6/23/00. Statutory Authority: RCW 77.12.040. 99-10-102 (Order 99-40), § 232-28-273, filed 5/5/99, effective 6/5/99; 98-10-005 (Order 98-58), § 232-28-273, filed 4/22/98, effective 5/23/98.]

**WAC 232-28-273 2012-2014 Moose seasons, permit quotas, and areas.**

### **RECOMMENDED ADJUSTMENTS**

The following adjustments are proposed since the Code Reviser (CR 102) filing and are already included in your notebook.

#### **Pages 1-10**

- Several technical amendments were made throughout this section to improve the clarity and accuracy of the rule.

SUMMARY OF WRITTEN PUBLIC INPUT

WAC 232-27-273 “Moose seasons, permit quotas, and areas.”

COMMENTS	AGENCY RESPONSE
<p><b>The wording of the proposal is very confusing.</b> In the past, Dave Ware had stated that a hunter can only obtain one permit for "any moose," but they could still be selected to harvest a moose under an "antlerless-only" permit.</p> <p>The use of "previously" in the proposal causes confusion. The way the proposal reads, if a hunter previously harvests a moose using an "antlerless only" permit, then the hunter can still harvest a moose under an "any moose" permit. However, if the hunter harvests a moose using an "antlerless-only" permit first, then they are not allowed to harvest another moose.</p> <p>Recommend removing the <b>previously</b> requirement.</p> <p>The proposal reads:</p> <p>However, this restriction is waived for hunters who have previously harvested a moose under an antlerless-only, master-hunter hunt, raffle, or auction permit, as well as for applications for an antlerless-only, master-hunter, raffle or auction permit.</p> <p>CHANGE the proposal to READ:</p> <p>However, this restriction is waived for hunters who <del>have previously harvested</del> (harvest) a moose under an antlerless-only, master-hunter hunt, raffle, or auction permit, as well as for applications for an antlerless-only, master-hunter, raffle, or auction permit.</p>	<p>Current Department regulations are that hunters who have harvested a moose under an “antlerless-only” permit are still eligible to apply for another moose permit. We believe the revised language clarifies this. We do not agree that the language suggested precludes a hunter who has harvested a moose using an “antlerless only” permit from harvesting another moose.</p>



<b>COMMENTS</b>	<b>AGENCY RESPONSE</b>
<p>I have read over the proposed hunting regulation changes and support all of them to be implemented.</p>	<p>Thank you.</p>
<p>If you can shoot a ewe, nanny, or cow moose then still get your ram, billy, or bull tag, then you should be able to do the opposite. You made the separate categories of tags knowing full well what you were doing. Fair is fair.</p>	<p>The Department agrees; this is the intent of clarifying the language.</p>
<p>How about the sheep, moose, goat, and quality deer and elk hunts have a minimum amount of points to be drawn for these hunts?!!!! Too many people have the maximum amount of points and never getting drawn for any of these hunts. Have a minimum of 10 points for some of these hunts and people with a few points might have to wait a few years to get one. Also, on these hunts, why not give hunts to each user groups also? That way not all people are putting in one pot with max amount of points. Common sense approach could ease some of these problems and rotating these hunts from year to year would also help on the stress of the animals too. We need to get our herds in good shape so there are trophy animals to hunt. Also, one user group should not be allowed all the days and better hunts each year because they have a bigger voice in the game commission. On the front page of the game regulations, you talk about hunter ethics and being fair - that would mean all user groups.</p>	<p>We have considered allocating some permits to a category that requires some minimum number of points; however, it is important to understand that when we have looked at the strategy statistically, it may not improve the odds of drawing much for popular (hard to draw) hunts. Too many hunters have lots of points in the popular categories.</p>

<b>COMMENTS</b>	<b>AGENCY RESPONSE</b>
<p>I would like the WDFW to allow hunters who have been drawn for 2 special permits (of the same species, such as antlerless elk and quality elk) to return one of the special permits and still maintain the points they have built up. Hunters (including myself) spend a lot of money on permits and would hate to have to waste a permit that I had been applying for, for many years. Hunters are not trying to take advantage of the system, but keep it fair in regard to the amount of money we put in. The WDFW could also adopt this policy should a person get drawn for any “once in a lifetime hunt.” Clearly, a hunter would rather dedicate himself to harvesting this one animal, and return other permits to hunt for at a later date, should they be selected again. The WDFW could also select a certain amount of alternates for each category that could be called upon if hunters return permits. The hunter wishing to return a permit would have to do so within 2-3 weeks, to keep the process going. If the WDFW is not aware of how make this process happen, please refer to the other states in the western US for direction in implementing this process.</p>	<p>Under our current system, the timeframe and workload required to actively collect unwanted permits, restore points in the appropriate categories, and engage in multiple communications regarding request status and point totals would be excessive. Additionally, in the interest of fairness, we restrict the restoration of points to very select circumstances, such as hospitalization, military deployment, etc., that are beyond the control of the hunter. Alternatively, we encourage hunters to use discretion when applying, utilizing the point-only option to continue to accrue points, or plan so that if they draw multiple permits, they would have some opportunity to use them both.</p>
<p>I support this proposal.</p>	<p>Thank you.</p>
<p>I am in favor of reducing the number of "Master Hunter" moose permits.</p>	<p>Thank you.</p>
<p>We are in favor of better clarification language on once-in-a-lifetime moose restriction, but are not in favor of reducing Master Hunter moose permits, unless the resource protection data shows the need. We currently have 4 certified master hunters in our club.</p>	<p>The recommendation to reduce the number of master hunter moose permits came from the Enforcement Division in Region 1. The rationale is that many holders of master hunter moose permits are never called because there is no need. The Department prefers to offer master hunter permits based on an estimate of the number that will be needed in any given year. In recent years, only a few moose permits under the Master Hunter program have been available.</p>
<p>I also would like to suggest that it would be nice to see the once-in-a-lifetime tags (moose, sheep and goat) be limited to only two GMU unit choices, not four. I feel this will increase your chances by not saturating the top four GMU units.</p>	<p>This is a suggestion we can consider further in future years. It is unlikely that making this change would appreciably increase the odds of being drawn, however.</p>

NEW SECTION

**WAC 232-28-622 2012-2014 Big-horn sheep seasons and permit quotas.** (1) It is unlawful to fail to comply with the provisions of this section. A violation of species, sex, size, number, area, season, or eligibility requirements is punishable under RCW 77.15.410, Unlawful hunting of big game--Penalty.

**(2) Bighorn Sheep Permit Hunts**

(a) **Who May Apply:** Anyone may apply, EXCEPT those who previously harvested a bighorn sheep in Washington state. An individual may only harvest one bighorn sheep during his or her lifetime. However, this restriction is waived for applications for a ewe-only, raffle, or auction permit, and for hunters who have previously harvested a bighorn sheep under a ewe-only, raffle, or auction permit, ~~as well as for applications for an ewe only, raffle, or auction permit.~~

(b) **Bag Limit:** One bighorn ram, ~~except~~ However, in designated adult ewe hunts, the limit is one bighorn adult ewe.

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
Vulcan Mountain	Sept. 15 - Oct. 10	Sheep Unit 2	Any Legal Weapon	1
Selah Butte	Nov. 5-30	Sheep Unit 4	Any Legal Weapon	3
Umtanum	Sept. 15 - Oct. 10	Sheep Unit 5	Any Legal Weapon	2
Cleman Mountain A	Sept. 15 - Oct. 10	Sheep Unit 7	Any Legal Weapon	6
Cleman Mountain B	Nov. 5-30	Sheep Unit 7	Any Legal Weapon	6
Mt. Hull A	Sept. 15 - Oct. 10	Sheep Unit 10	Any Legal Weapon	1

Mt. Hull B	Oct. 1-10	Sheep Unit 10	Adult ewe only Any Legal Weapon	1
Mt. Hull C <sup>b</sup>	Oct. 1-10	Sheep Unit 10	Adult ewe only Any Legal Weapon	1
Lincoln Cliffs	Sept. 15 - Oct. 10	Sheep Unit 12	Any Legal Weapon	1
Quilomene	Sept. 15 - Oct. 10	Sheep Unit 13	Any Legal Weapon	3
Swakane	Sept. 15 - Oct. 10	Sheep Unit 14	Any Legal Weapon	1
Tieton A	Sept. 15 - <del>30</del> <u>Oct. 10</u>	Sheep Unit 15	Any Legal Weapon	3
Tieton B	Nov. 5-30	Sheep Unit 15	Any Legal Weapon	3
Manson	Nov. 5-30	Sheep Unit 16	Any Legal Weapon	2
Chelan Butte	Sept. 15 - Oct. 10	Sheep Unit 18	Any Legal Weapon	1
Sinlahekin	Sept. 15 - Oct. 10	Sheep Unit 19	Any Legal Weapon	1

<sup>a</sup>Applicants must be eligible to purchase a 65 years of age or older permit application.

<sup>b</sup>Applicants must be eligible to purchase a youth bighorn sheep permit application. An adult 18 years of age or older must accompany the youth hunter during the hunt.

(3) **Bighorn Sheep Units:**

(a) **Sheep Unit 2 Vulcan Mountain:** Permit Area: Ferry County north of the Kettle River near Curlew.

(b) **Sheep Unit 4 Selah Butte:** Permit Area: That part of Yakima and Kittitas counties between Ellensburg and Yakima east of the Yakima River and north of Selah Creek, west of Interstate 82 and south of Interstate 90.

(c) **Sheep Unit 5 Umtanum:** Permit Area: Those portions of Yakima and Kittitas counties west of the Yakima River, north of Wenas Creek, and east of USFS Road 1701 to Manastash Lake and its drainage; south and east along the South Fork Manastash Creek to Manastash Creek and the Yakima River.

(d) **Sheep Unit 7 Cleman Mountain:** Permit Area: That part of

Yakima County south of Wenas Creek and east of USFS Road 1701, north of Highway 410 and Highway 12 and west of the Yakima River.

(e) **Sheep Unit 10 Mt. Hull:** Permit Area: That part of Okanogan County within the following described boundary: Beginning at Oroville; then south along U.S. Highway 97 to the Swanson's Mill Road (old Mt. Hull Road) near Lake Andrews; then east to the Dry Gulch Road; then north to the Oroville-Toroda Creek Road (Molson Grade Road); then west to Oroville and the point of beginning.

(f) **Sheep Unit 12 Lincoln Cliffs:** Permit Area: That part of Lincoln County north of Highway 2.

(g) **Sheep Unit 13 Quilomene:** Permit Area: GMUs 329, 330, and 251 south of Colockum Creek.

(h) **Sheep Unit 14 Swakane:** Permit Area: GMU 250.

(i) **Sheep Unit 15 Tieton:** Permit Area: GMU 360.

(j) **Sheep Unit 16 Manson:** Permit Area: Beginning at the mouth of Granite Falls Creek on the south shore of Lake Chelan, E across Lake Chelan to Willow Point; NW along the shoreline of Lake Chelan to the mouth of Stink Creek; E along Stink Creek to the intersection with Green's Landing Road; along Green's Landing Road to Manson Boulevard; E on Manson Boulevard to Lower Joe Creek Road; NE on Lower Joe Creek Road to Grade Creek Road; NE on Grade Creek Road to US Forest Service Road 8210; NE on US Forest Service Road 8210 to intersection with US Forest Service Road 8020; W on US Forest Service Road 8020 to Fox Peak; NW along Sawtooth Ridge (Chelan-Okanogan County Line) to the Lake Chelan National Recreation Area boundary; S along the Lake Chelan National Recreation Area boundary to shore line of Lake Chelan; W across Lake Chelan to the mouth of Riddle Creek on the South

Shore; SE along South Shore of Lake Chelan to the point of beginning.

(k) **Sheep Unit 18 Chelan Butte:** Permit Area: Beginning at the intersection of State Hwy 971 and US Hwy 97A, S to the W shoreline of the Columbia River, N along the W shoreline of the Columbia River for 21 miles to the mouth of Antione Creek, W up Antione Creek to where it crosses Apple Acres Rd, W on Apple Acres Rd to the intersection with Washington Creek Rd (US Forest Service Rd 8135), N on Washington Creek Rd to its end and then follow Washington Creek, W on Washington Creek to where it crosses US Forest Service Rd 8010, S on US Forest Service Rd 8010 (transitions into Purttteman Creek Rd) to Purttteman Gulch, S into Purttteman Gulch to the N shoreline of Lake Chelan, S along the shoreline to the S shoreline of Lake Chelan to the mouth of First Creek, S up First Creek to the intersection of State Hwy 971 (Navarre Coulee Rd), S on State Hwy 971 to the point of beginning.

(l) **Sheep Unit 19 Sinlahekin:** Beginning at the eastern boundary of the Pasayten Wilderness border and the US-Canadian border; E on the US-Canadian border to the border station on Similkameen Rd (Co. Rd 4568); SE on the Similkameen Rd (Co. Rd 4568) to the Loomis-Oroville Rd (Co. Rd 9425); E on the Loomis-Oroville Rd (Co. Rd 9425) to US Hwy 97 in Oroville; S on US Hwy 97 to 12th Ave; W on 12th Ave (it curves S and changes to Old Highway 97); S on Old Highway 97 to US Hwy 97; S on US Hwy 97 to the South Pine Creek Rd (Co. Rd 9410); W on the South Pine Creek Rd (Co. Rd 9410) to Fish Lake Rd (Co. Rd 4290); W on Fish Lake Rd (Co. Rd 4290) to South Fish Lake Rd (Co. Rd 4282), along the south shore of Fish Lake; SW on South Fish Lake Rd (Co. Rd 4282), to the Sinlahekin Rd (Co. Rd 4015); SW

on the Sinlahekin Rd (Co. Rd 4015), along the north shore of Conconully Lake, to the Salmon Creek North Fork Rd (Co. Rd 2361), at the town of Conconully; N on US Forest Service Rd 38 (Salmon Creek North Fork Rd, Co. Rd 2361) to US Forest Service Rd 3820; N on US Forest Service Rd 3820 over Lone Frank Pass, to US Forest Service Rd 39; N on US Forest Service Rd 39 to the US Forest Service Rd 300 at Long Swamp trailhead; W on the US Forest Service Rd 300 to US Forest Service Trail 342; N on US Forest Service Trail 342 to US Forest Service Trail 343; E on US Forest Service Trail 343 to US Forest Service Trail 341; E on US Forest Service Trail 341 to US Forest Service Trail 375; E on US Forest Service Trail 375 to the eastern boundary of the Pasayten Wilderness Area; N on the Pasayten Wilderness Area boundary to the US-Canadian border and the point of beginning.

[ ]

**WAC 232-28-622 2012-2014 Bighorn sheep seasons and permit quotas.**

**RECOMMENDED ADJUSTMENTS**

The following adjustments are proposed since the Code Reviser (CR 102) filing and are already included in your notebook.

**Pages 15-19**

- Several technical amendments were made throughout this section to improve the clarity and accuracy of the rule.

**Page 16**

- The season dates for the Tieton A hunt were changed to Sept. 15-Oct. 10. This change corrects an error that occurred during the development of the 2012-2014 seasons.



SUMMARY OF WRITTEN PUBLIC INPUT

WAC 232-28-622 “2012-2014 Bighorn sheep seasons and permit quotas.”

<b>COMMENTS</b>	<b>AGENCY RESPONSE</b>
<p>If you can shoot a ewe, nanny, or cow moose then still get your ram, billy, or bull tag, then you should be able to do the opposite. You made the separate categories of tags knowing full well what you were doing. Fair is fair.</p>	<p>The Department agrees; this is the intent of clarifying the language.</p>
<p>How about the sheep, moose, goat, and quality deer and elk hunts have a minimum amount of points to be drawn for these hunts?!!!!! Too many people have the maximum amount of points and never getting drawn for any of these hunts. Have a minimum of 10 points for some of these hunts and people with a few points might have to wait a few years to get one. Also, on these hunts, why not give hunts to each user groups also? That way not all people are putting in one pot with max amount of points. Common sense approach could ease some of these problems and rotating these hunts from year to year would also help on the stress of the animals too. We need to get our herds in good shape so there are trophy animals to hunt. Also, one user group should not be allowed all the days and better hunts each year because they have a bigger voice in the game commission. On the front page of the game regulations, you talk about hunter ethics and being fair - that would mean all user groups.</p>	<p>We have considered allocating some permits to a category that requires some minimum number of points; however, it is important to understand that when we have looked at the strategy statistically, it may not improve the odds of drawing much for popular (hard to draw) hunts. Too many hunters have lots of points in the popular categories.</p>

<b>COMMENTS</b>	<b>AGENCY RESPONSE</b>
<p>I would like the WDFW to allow hunters who have been drawn for 2 special permits (of the same species, such as antlerless elk and quality elk) to return one of the special permits and still maintain the points they have built up. Hunters (including myself) spend a lot of money on permits and would hate to have to waste a permit that I had been applying for, for many years. Hunters are not trying to take advantage of the system, but keep it fair in regard to the amount of money we put in. The WDFW could also adopt this policy should a person get drawn for any “once in a lifetime hunt.” Clearly, a hunter would rather dedicate himself to harvesting this one animal, and return other permits to hunt for at a later date, should they be selected again. The WDFW could also select a certain amount of alternates for each category that could be called upon if hunters return permits. The hunter wishing to return a permit would have to do so within 2-3 weeks, to keep the process going. If the WDFW is not aware of how make this process happen, please refer to the other states in the western US for direction in implementing this process.</p>	<p>Under our current system, the timeframe and workload required to actively collect unwanted permits, restore points in the appropriate categories, and engage in multiple communications regarding request status and point totals would be excessive. Additionally, in the interest of fairness, we restrict the restoration of points to very select circumstances, such as hospitalization, military deployment, etc., that are beyond the control of the hunter. Alternatively, we encourage hunters to use discretion when applying, utilizing the point-only option to continue to accrue points, or plan so that if they draw multiple permits, they would have some opportunity to use them both.</p>
<p>FYI – I read the regulations in detail and had no idea that a dead mountain sheep, mountain goat, cougar or bear needed to be reported. I have never harvested these animals, but do not recall reading these instructions in the rules. I did not see anything on this in the 2012 printed regulations (p. 77 Tagging and Transporting Game or p. 73 Violations and Penalties)</p>	<p>The reporting requirement for all of the species mentioned can be found in bold print on the pages detailing the seasons for each respective species. Post-harvest reporting is required for each of species. Currently, there is no requirement for hunters of mountain goats to present the harvest animal to DFW for inspection, as there is for bighorn sheep. However, we will be initiating a voluntary program to encourage this beginning in 2013.</p>

<b>COMMENTS</b>	<b>AGENCY RESPONSE</b>
<p>One special permit should be drawn during regular special permit reg. drawing for Asotin Rocky Mountain sheep. Not the raffle!!!</p>	<p>In 2011, 2 special hunt permits were offered for rams in the Asotin population of Rocky Mountain bighorns, in addition to the raffle tag (which could also be used in Hall Mountain). In 2012, 1 special hunt permit was offered for this herd in addition to the raffle tag. The Asotin Herd has declined in the past year due to a pneumonia outbreak, so DFW has concluded that only a single ram permit is appropriate for 2013. Research into ways to assist the Asotin (and other herds) overcome the lingering effects of bacterial diseases continues.</p> <p>From the perspective of population management, a ram permit under a special hunt drawing and from the raffle drawing would have similar consequences.</p> <p>Although not clearly articulated in the letter, DFW surmises that the writer is concerned that he or she would have a lower probability of drawing a permit for Asotin if applying under the raffle program than the regular “special permit drawing.” In 2012, there were 2,353 applicants for a single special hunt drawing for a bighorn ram in Asotin; an applicant with no accumulated points would have had approximately a 0.04% chance of being drawn; an applicant with the average number of points among applicants (15) would have had approximately a 9.5% chance of being drawn. By contrast, there were 4,063 raffle tickets sold. Thus a single raffle ticket would have had roughly a 0.02% chance of being chosen as the winner. However, by purchasing 10 raffle tickets, a prospective hunter could increase the odds to roughly 0.24%; by purchasing 100 raffle tickets to approximately 2.4% chance.</p> <p>During the 2 years, 2011-2012, the Rocky Mountain bighorn sheep raffle (administered first by WDFW, later by the Washington chapter of the Wild Sheep Foundation) has generated almost \$120,000, all of which has been dedicated solely to management and conservation of bighorn sheep in Washington. Thus, in years such as 2013 when there is only a single opportunity to harvest a Rocky Mountain ram, DFW prefers to offer a raffle.</p>

<b>COMMENTS</b>	<b>AGENCY RESPONSE</b>
Continued...	Continued...  Should the Asotin bighorn population rebound in future years to the point where additional permits can again be offered, these permits will be awarded as special hunt drawing permits.
We are in favor of clarifications language.	Thank you.
I also would like to suggest that it would be nice to see the once-in-a-lifetime tags (moose, sheep and goat) be limited to only two GMU unit choices, not four. I feel this will increase your chances by not saturating the top four GMU units.	This is a suggestion we can consider further in future years. It is unlikely that making this change would appreciably increase the odds of being drawn, however.

NEW SECTION

**WAC 232-28-623 2012-2014 Mountain goat seasons and permit quotas.** (1) Hunters must comply with the provisions of this section. A violation of species, sex, size, number, area, season, or eligibility requirements is punishable under RCW 77.15.410, Unlawful hunting of big game--Penalty.

(2) **Mountain Goat Permit Hunts**

(a) **Who May Apply:** Anyone may apply, except those who harvested a mountain goat in Washington state after 1998. An individual may only harvest one mountain goat during his or her lifetime, except for those who harvested a goat prior to 1999. This restriction is also waived for applications for a raffle and/or auction permit, and for hunters who have previously harvested a goat under a raffle and/or auction permit, ~~as well as for applications for a raffle and/or auction permit.~~

(b) **Bag Limit:** One (1) adult goat of either sex with horns 4 inches or longer. ~~WDFW urges hunters to refrain from shooting nannies.~~

Goat Hunt Area Name (Number)	Permit Season <sup>b</sup>	Subhunt Units (may be opened or closed by the director) <sup>a</sup>	Special Restrictions	Permits <sup>a</sup>
Chowder Ridge (4-3)	Sept. 15 - Oct. 31		Any Legal Weapon	1
Lincoln Peak (4-4)	Sept. 15 - Oct. 31		Any Legal Weapon	1
Dillard Creek (4-6)	Sept. 15 - Oct. 31		Any Legal Weapon	0
Avalanche Gorge (4-7)	Sept. 15 - Oct. 31		Any Legal Weapon	2

North Lake Chelan (2-1)	Sept. 15 - Oct. 31	Skookum Pass Mtn., Big Goat Creek	Any Legal Weapon	2
Naches Pass (3-6)	Sept. 15 - Oct. 31	Fife's East, Fife's Peak, Crystal Mountain, Basin Lake	Any Legal Weapon	1
Bumping River (3-7)	Sept. 15 - Oct. 31	Nelson Ridge, Cash Prairie, American Ridge, American Lake, Timber Wolf, Russell Ridge	Any Legal Weapon	1
Blazed Ridge (3-10)	Sept. 15 - Oct. 31	Blowout Mtn., Blazed Ridge, Blazed North, Milk Creek, Rock Creek	Any Legal Weapon	1
Goat Rocks-Tieton River (5-4/3-9)	Sept. 15 - Oct. 31	Chimney Rocks, Goat Lake, McCall Glacier, Gilbert Peak	Any Legal Weapon	3
Methow (2-2)	Sept. 15 - Oct. 31	Wolf Creek, West Fork Methow	Any Legal Weapon	1
South Lake Chelan (2-3)	Sept. 15 - Oct. 31	Railroad Creek, Pyramid Mountain, Box Canyon	Any Legal Weapon	1

(3) **Mountain Goat Hunt Area Descriptions.** The following areas are defined as mountain goat hunt areas:

**Chowder Ridge 4-3:**

Hunt Area: Whatcom County within the following described boundary: Beginning at the confluence of Wells Creek with the North Fork Nooksack River; then up Wells Creek to the confluence with Bar Creek; then up Bar Creek to the Mazama Glacier; then SW on Mazama Glacier to the summit of Mount Baker; then NW between Roosevelt Glacier and Coleman Glacier to the headwaters of Kulshan Creek; then down Kulshan Creek to the confluence with Grouse Creek; then down Grouse Creek to the confluence with Glacier Creek; then down Glacier Creek to the confluence with the North Fork Nooksack River; then up the North Fork Nooksack River to Wells Creek and the point of beginning.

**Lincoln Peak 4-4**

Hunt Area: Whatcom County within the following described boundary: Beginning at the confluence of Glacier Creek and the North Fork

Nooksack River; then up Glacier Creek to the confluence with Grouse Creek; then up Grouse Creek to the confluence with Kulshan Creek; then up Kulshan Creek to headwaters; then SE between Coleman and Roosevelt glaciers to the summit of Mount Baker; then SW on Easton Glacier to Baker Pass; then W on the Bell Pass Trail (USFS Trail 603.3) to the intersection with Ridley Creek Trail (Trail No. 696); then W on Ridley Creek Trail to Ridley Creek; then down Ridley Creek to the Middle Fork Nooksack River; then down the Middle Fork Nooksack River to the confluence with Clearwater Creek, then up Clearwater Creek to the confluence with Rocky Creek, then up Rocky Creek to the Washington DNR boundary; then along the National Forest-Washington DNR boundary to Hedrick Creek; then down Hedrick Creek to the North Fork Nooksack River; then up the North Fork Nooksack River to Glacier Creek and the point of beginning.

#### **Dillard Creek 4-6**

Hunt Area: Whatcom County within the following described boundary: Beginning on Baker Lake Road and Rocky Creek; then NW up Rocky Creek to its intersection with the Park Butte Trail (Trail No. 603); then NW on Park Butte Trail to its intersection with the Bell Pass Trail (Trail No. 603.3); then N on Bell Pass Trail to Baker Pass; then N onto Easton Glacier and NE to the summit of Mount Baker; then NE and SE on Park Glacier to headwaters of Park Creek; then down Park Creek to Baker Lake Road; then SW on Baker Lake Road to Rocky Creek and the point of beginning.

#### **Avalanche Gorge 4-7**

Hunt Area: Whatcom County within the following described boundary: Beginning on Baker Lake Road and Park Creek; then up Park Creek to

headwaters and beginning of Park Glacier; then NW and SW on Park Glacier to Mount Baker summit; then N on the Mazama Glacier to Bar Creek, then down Bar Creek to the confluence with Wells Creek; then SE up Wells Creek to its headwaters; then E about 1 mile to an unnamed peak (indicated elevation 5,831 ft, just W of Ptarmigan Ridge Trail (Trail No. 682.1) (See referenced 1:24k USGS quad map - Shuksan Arm)); then NE to the headwaters of the first tributary of Swift Creek encountered; then SE down said unnamed tributary to the confluence with Swift Creek; then down Swift Creek to the Baker Lake Road (USFS Road 394); then SW along the Baker Lake Road to Park Creek and point of beginning. (Refer to 1:24k USGS quad map - Shuksan Arm).

#### **Chelan North 2-1**

Permit Area: Beginning at the mouth of Fish Creek on Lake Chelan (Moore Point); then northeast up Fish Creek and USFS trail 1259 to the Sawtooth crest near Deephole Spring; then southeast along the Sawtooth crest, which separates Chelan and Okanogan counties, to Horsethief Basin and the headwaters of Safety Harbor Creek; then south along Safety Harbor Creek to Lake Chelan, then northwest along the north shore of Lake Chelan to the mouth of Fish Creek at Moore Point and the point of beginning.

#### **Methow 2-2**

Permit Area: Okanogan County within following described boundary: Begin at Twisp, W along Twisp River Rd (County Rd 4440) to Roads End; W up Twisp Pass Trail 432 to Twisp Pass and Okanogan County line; N on Okanogan County line through Washington Pass to Harts Pass; SE down Harts Pass (Rd 5400) to Lost River; along Lost River-Mazama Rd



to Mazama; SW to State Hwy 20; SE on State Hwy 20 to Twisp and point of beginning.

**South Lake Chelan 2-3**

Permit Area: GMU 246

**Naches Pass 3-6**

Permit Area - Naches: Yakima and Kittitas counties within the following described boundary: Beginning at Chinook Pass; then north along the Pacific Crest Trail to Naches Pass; then east to USFS Road 19 and continuing to State Highway 410; then west along State Highway 410 to Chinook Pass and point of beginning.

**Bumping River 3-7**

Permit Area: Beginning on US Forest Service Trail 2000 (Pacific Crest Trail) and SR 410 at Chinook Pass; NE on SR 410 to US Forest Service Rd 1800 (Bumping Lake Rd); SW on the US Forest Service Rd 1800 (Bumping Lake Rd) to US Forest Service Trail 973 (Richmond Mine Rd); SE on US Forest Service Trail 973 (Richmond Mine Rd) to the north fork of Rattlesnake Creek; SE down the north fork of Rattlesnake Creek to US Forest Service Rd 1502 (McDaniel Lake Rd); SE on US Forest Service Rd 1502 (McDaniel Lake Rd) to US Forest Service Rd 1500; S on US Forest Service Rd 1500 to US Hwy 12; W on US Hwy 12 to US Forest Service Trail 2000 (Pacific Crest Trail) at White Pass; N on the US Forest Service Trail 2000 (Pacific Crest Trail) to SR 410 at Chinook Pass and the point of beginning. (Lands within the boundary of Mt. Rainier National Park along the Pacific Crest Trail are not open to hunting.)

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**Blazed Ridge 3-10**

Permit Area: Kittitas and Yakima counties within the following described boundary: Beginning at the mouth of Cabin Creek on the Yakima River; then west along Cabin Creek to the headwaters near Snowshoe Butte; then south along the Cascade Crest separating the Green and Yakima river drainage to Pyramid Peak; then southeast along the North Fork, Little Naches, and Naches River to the Yakima River; then north along the Yakima River to the mouth of Cabin Creek and point of beginning.

**Goat Rocks 5-4/Tieton River 3-9**

Goat Rocks 5-4 Permit Area: Beginning at US Hwy 12 at the Pacific Crest National Scenic Trail(US Forest Service Trail 2000); S on the Pacific Crest National Scenic Trail to Lewis County Line at Cispus Pass; S and W on the Lewis County Line to Johnson Creek Rd (US Forest Service Rd 21); N on Johnson Creek Rd to US Hwy 12; E on US Hwy 12 to the Pacific Crest National Scenic Trail and the point of the beginning.

~~—Goat Rocks:— Lewis County south of the White Pass Highway (U.S. Highway 12) and east of the Johnson Creek Road (USFS Road 1302).~~

**Permit Area - Tieton River: GMU 364**

Mountain goat populations are managed as a collection of subpopulations, and the ideal harvest is distributed through all the subpopulations. The director is authorized to open or close subhunt areas and reduce permit levels to protect from overharvesting specific areas.

The director is authorized by the commission to identify the  
2/21/13 8:53 PM [ 6 ] OTS-5270.1

subhunt unit as a condition of the hunt permit. Hunters receiving permits will be sent a text description or map of the subhunt unit ~~subunit~~ from the director prior to the start of that hunting season.

<sup>b</sup>Permit hunters may start hunting September 1 with archery equipment.

[ ]

**WAC 232-28-623 2012-2014 Mountain goat seasons and permit quotas.**

**RECOMMENDED ADJUSTMENTS**

The following adjustments are proposed since the Code Reviser (CR 102) filing and are already included in your notebook.

**Pages 25-31**

- Several technical amendments were made throughout this section to improve the clarity and accuracy of the rule.

**Page 25**

- Under subsection 2b, the last sentence was struck because it is a “suggestion” rather than a rule.

**Page 30**

- The hunt area description for Goat Rocks was modified to correct boundaries references.

SUMMARY OF WRITTEN PUBLIC INPUT

WAC 232-28-623 “Mountain goat hunting seasons and permit quotas”

COMMENTS	AGENCY RESPONSE
<p>If you can shoot a ewe, nanny, or cow moose, then still get your ram, billy, or bull tag, then you should be able to do the opposite. You made the separate categories of tags knowing full well what you were doing. Fair is fair.</p>	<p>DFW agrees; this is the intent of clarifying the language.</p>
<p>How about the sheep, moose, goat, and quality deer and elk hunts have a minimum amount of points to be drawn for these hunts?!!!!! Too many people have the maximum amount of points and never getting drawn for any of these hunts. Have a minimum of 10 points for some of these hunts and people with a few points might have to wait a few years to get one. Also, on these hunts, why not give hunts to each user groups also? That way not all people are putting in one pot with max amount of points. Common sense approach could ease some of these problems and rotating these hunts from year to year would also help on the stress of the animals too. We need to get our herds in good shape so there are trophy animals to hunt. Also, one user group should not be allowed all the days and better hunts each year because they have a bigger voice in the game commission. On the front page of the game regulations, you talk about hunter ethics and being fair - that would mean all user groups.</p>	<p>We have considered allocating some permits to a category that requires some minimum number of points; however, it is important to understand that when we have looked at the strategy statistically, it may not improve the odds of drawing much for popular (hard to draw) hunts. Too many hunters have lots of points in the popular categories.</p>
<p>FYI – I read the regulations in detail and had no idea that a dead mountain sheep, mountain goat, cougar or bear needed to be reported. I have never harvested these animals, but do not recall reading these instructions in the rules. I did not see anything on this in the 2012 printed regulations (p. 77 Tagging and Transporting Game or p. 73 Violations and Penalties)</p>	<p>The reporting requirement for all of the species mentioned can be found in bold print on the pages detailing the seasons for each respective species. Post-harvest reporting is required for each of species. Currently, there is no requirement for hunters of mountain goats to present the harvest animal to DFW for inspection, as there is for bighorn sheep. However, we will be initiating a voluntary program to encourage this beginning in 2013.</p>
<p>We are in favor of clarifications language.</p>	<p>Thank you.</p>

COMMENTS	AGENCY RESPONSE
<p>I have been reading the hunting forecast reports in particular in relation to mountain goats and have seen the Mt. Baker goat tag numbers fluctuate based off of those aerial surveys. What the surveys never mention is flights over units that are not currently open for goat hunting - in particular the old unit 4-1 on the north side of the Mt. Baker Highway. There is a very large population of goats in that area (in particular in the Goat Mountain-Larrabee Mountain-Tomyhoi Mountain area) and I would love to see WDFW continue to monitor that herd until herd size is large enough to support hunting again.</p>	<p>Thank you for this useful comment. It is correct that WDFW currently prioritizes conducting aerial surveys on existing hunting units. This may at times provide a misleading picture of larger trends. WDFW biologists are aware of goat populations in the areas north of Mt. Baker mentioned in the comment, and in fact, are currently planning to conduct a helicopter survey of this area in summer 2013. Based on those results, we will make a decision regarding the value of conducting future helicopter surveys of this area in future years.</p>
<p>The "aggressive goat" news from the Olympic Peninsula is in the news every fall as the goat rut and peak hiking season approaches. I would love to see WDFW look into re-implementing the Olympic Peninsula goat hunts to help cull that herd if needed. There are tons of goats outside of the park (Ellinor Mountain area) that obviously have a viable population for hunting, but no tags are considered at all. What will it take for that herd to be opened up to hunting again?</p>	<p>In cooperation with the US Forest Service, WDFW conducted a helicopter-based survey of mountain goats within identified population units in the Olympic Peninsula, primarily east of Olympic National Park (ONP), in September 2012. A total of 48 goats were observed, from which a sightability model suggested that approximately 50-81 goats were probably actually present. Most of these goats were in the area around Mts. Pershing, Skokomish, Washington and Jefferson, just north of Mt Ellinor; others were further north in the Brothers area. These survey blocks were adjacent to ONP, and a few observed goats were within the ONP boundary when seen. Current WDFW guidelines for hunting mountain goats requires that &gt; 100 goats in identifiable populations be documented by surveys for 3 consecutive years prior to initiating harvest. However, WDFW has begun discussing the value of re-initiating a hunting season for mountain goats in this area to reduce population size in future years.</p>
<p>I also would like to suggest that it would be nice to see the once-in-a-lifetime tags (moose, sheep and goat) be limited to only two GMU unit choices, not four. I feel this will increase your chances by not saturating the top four GMU units.</p>	<p>This is a suggestion we can consider further in future years. It is unlikely that making this change would appreciably increase the odds of being drawn, however.</p>



# PROPOSED RULE MAKING

## CR-102 (June 2012)

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

**Agency:** Washington Department of Fish and Wildlife

**Preproposal Statement of Inquiry** was filed as WSR 12-19-007 on 9/6/12; WSR 12-20-084 on 10/3/12; and WSR 12-23-013 on 11/9/12; or

**Expedited Rule Making--Proposed notice** was filed as WSR \_\_\_\_\_; or

**Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).**

**Original Notice**

**Supplemental Notice to WSR** \_\_\_\_\_

**Continuance of WSR** \_\_\_\_\_

**Title of rule and other identifying information:** (Describe Subject)

The subject of this proposed rule-making effort is the amendment of hunting seasons and regulations for 2013-2014, archery equipment regulations, and rules governing the importation of dead non-resident wildlife for the purposes of disease control. See Attachment A for a complete listing of rules.

**Hearing location(s):**

Moses Lake Civic Center  
401 S. Balsam  
Moses Lake, Washington 98837

Date: March 1-2, 2013 Time: 8:30 a.m.

**Submit written comments to:**

Name: Wildlife Program Commission Meeting Public Comments

Address: 600 Capitol Way North  
Olympia, WA 98501-1091

Fax: (360) 902-2162 by (date) February 15, 2013

**Assistance for persons with disabilities:** Contact

Tami Lininger by February 22, 2013

TTY (800) 833-6388 or (360) 902-2267

**Date of intended adoption:** on or after April 12, 2013

(Note: This is **NOT** the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

See Attachment A.

**Reasons supporting proposal:**

See Attachment A.

**Statutory authority for adoption:** RCWs 77.12.047; 77.12.150; and 77.12.240

**Statute being implemented:** RCWs 77.12.047; 77.12.150; and 77.12.240

**Is rule necessary because of a:**

Federal Law?  Yes  No

Federal Court Decision?  Yes  No

State Court Decision?  Yes  No

If yes, CITATION:

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE:** January 23, 2013  
**TIME:** 11:05 AM

**WSR 13-03-152**

**DATE**  
January 23, 2013

**NAME** (type or print)  
Lori Preuss

**SIGNATURE**

**TITLE**  
Rules Coordinator

(COMPLETE REVERSE SIDE)

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

When filing the permanent rule-making order (CR-103P), the WAC sections containing rule amendments will be consolidated into one or two Order Typing Service (OTS) documents.

**Name of proponent:** (person or organization) Washington Department of Fish and Wildlife

- Private
- Public
- Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Nate Pamplin	Natural Resources Building, Olympia	(360) 902-2693
Implementation.... Nate Pamplin	Natural Resources Building, Olympia	(360) 902-2693
Enforcement..... Bruce Bjork	Natural Resources Building, Olympia	(360) 902-2373

**Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?**

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No. Explain why no statement was prepared.

These rules do not directly regulate small business.

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

No: Please explain: This proposal is not related to hydraulics rules.



## **ATTACHMENT A**

### **WAC 232-12-021 Importation and retention of dead nonresident wildlife.**

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

The states and provinces listed in this WAC have confirmed chronic wasting disease (CWD) in their wild, free-ranging populations of cervids. This proposal would add the states of Texas and Missouri to those states where additional processing of deer, elk, and moose carcasses is required before they can be brought into Washington.

**Reasons supporting proposal:**

The proposal reduces the risk of CWD being imported into Washington State via carcasses of animals harvested in other states. Reducing disease risk helps in sustaining deer, elk, and moose hunting opportunities in Washington.

### **WAC 232-12-054 Archery requirements – Archery special use permits.**

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** This proposed amendment is intended to further the discussion on allowing illuminated nocks for archery equipment.

**Reasons supporting proposal:** This proposal facilitates public discussion of new technologies and consideration of acceptable fair chase and ethical standards for hunting.

### **WAC 232-28-248 Special closures and firearm restriction areas.**

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** This proposed amendment is part of the effort to streamline, reorganize, and update rules in the WAC Overhaul Project currently underway. Anticipated effects are minimal; this project involves merely rewording and clarifying a rule already in existence.

**Reasons supporting proposal:** The department needs these changes to increase efficiency, functionality, and clarity of the rules within its Administrative Code.

### **WAC 232-28-273 2012-2014 Moose seasons and permit quotas.**

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

This amendment clarifies that the exemption from the once-in-a-lifetime moose restriction is also applicable if the hunter applies in the future for a hunt in the permit categories of antlerless moose: raffle, auction, or master hunter. Additionally, this amendment reduces the number of master-hunter moose permits.

**Reasons supporting proposal:**

The proposed change in language reduces ambiguity regarding who may apply for a moose permit. The reduction in master hunter moose permits reflects the expected number of hunters needed in 2013 and beyond, based on the experience of recent years.

### **WAC 232-28-286 2013, 2014, and 2015 Spring black bear seasons and regulations.**

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

The purpose for amending the 2013-15 spring black bear hunting seasons is to expand opportunity in the north Puget Sound. These spring seasons are mainly established to address damage caused by bears to commercially grown trees. The hunt utilizes recreational hunters to harvest black bears in areas where

chronic tree damage and other property damage has been documented and allows the department to disperse harvest geographically and target male bears. This strategy helps ensure long-term sustainability in the black bear population and provides recreational opportunity for hunters.

**Reasons supporting proposal:** Spring bear hunting helps address commercial tree damage issues and provides recreational hunting opportunity. In the past, most black bear damage was addressed using depredation permits where the landowner would contract with a hunter using dogs to kill multiple bears near areas with tree damage. Depredation permit hunters were taking an increasing number of bears each year, and over 150 bears were being killed annually. The spring black bear season allows recreational hunters to better target the areas receiving damage and allows hunters rather than contractors to harvest bears.

#### **WAC 232-28-296 Landowner hunting permits.**

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

The purpose of this proposal is to expand the number of special hunting opportunities available on private lands for hunters and to maintain the number of cooperating landowners.

**Reasons supporting proposal:** Several years ago, the Fish and Wildlife Commission developed a policy to expand the private lands available to the general public for hunting. One of the programs that was authorized is the Landowner Hunting Permit Program. This program encourages landowners to provide opportunity to the general hunter in exchange for customized hunting seasons and the ability to generate funding to offset the cost of providing public access.

#### **WAC 232-28-334 Game management units (GMUs) boundary descriptions -- Region four.**

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

This proposal changes the management area designation of the Puget Sound Islands from Deer Areas to Game Management Units (GMUs). The proposed amendments will allow the Department to better track harvest removals specific to the islands.

**Reasons supporting proposal:**

This proposal will allow the Department to better track harvest removals specific to the Puget Sound Islands rather than having those removals lumped with mainland GMUs.

#### **WAC 232-28-336 Game management units (GMUs) boundary descriptions -- Region six.**

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

The purpose of the proposal is to designate Anderson Island as a Game Management Unit rather than a Deer Area. The proposed language will allow the Department to better track harvest removals specific to the island.

**Reasons supporting proposal:**

The proposed changes will allow the Department to better track harvest removals specific to the Anderson Island rather than having those removals lumped with a mainland GMU.

#### **WAC 232-28-337 Elk area descriptions.**

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

The purpose of the proposal is to separate Elk Area descriptions from Deer Area descriptions. The proposal also removes one Elk Area that is no longer needed and adjusts the boundary of two other Elk

Areas to make them more effective in dealing with wildlife conflict. Additional language modifications have been made to improve clarity.

**Reasons supporting proposal:**

Elk Areas help direct hunters at a scale smaller than the GMU when needed. Elk Areas also help staff address local wildlife conflict problems. Some of the language modifications in this proposed amendment are part of the effort to streamline, reorganize, and update rules in the WAC Overhaul Project currently underway.

**WAC 232-28-342 2012-13, 2013-14, 2014-15 Small game and other wildlife seasons and regulations.**

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

The purpose of this proposal is to add GMU 145 to the late fall turkey season. This GMU was inadvertently omitted during the three-year season-setting process. This proposal also modifies bag-limit language pertaining to fall turkey permit seasons. The change to the bag-limit language clarifies that hunters who kill a turkey during the permit seasons may still participate in the other fall seasons open to all hunters.

References to the western Washington Dungeness pheasant release site are also removed under the western Washington pheasant seasons.

**Reasons supporting proposal:**

GMU 145 is surrounded by other GMUs open during the late fall season. The intent was to include this unit in the three-year proposal. The department supports providing opportunity in this unit.

Turkey populations are healthy or increasing in areas where fall general seasons are in place, and the department is encouraging additional harvest and recreational opportunity in these areas. Allowing harvest during the general seasons by those who draw permits poses no concern for the population.

Clallam County owns the Dungeness release site and has decided to no longer allow use of the area for upland bird hunting. For this reason, removing references to this site is appropriate.

**WAC 232-28-357 2012-2014 Deer general seasons and definitions.**

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

The purpose of this proposal is to retain general-season deer hunting opportunity. The purpose is also to balance the hunting opportunity between user groups; increase opportunity when deer populations allow; and reduce opportunity when declining deer numbers warrant a change.

**Reasons supporting proposal:** The proposed amendment provides recreational deer hunting opportunity and protects deer from overharvest. The amendment would maintain sustainable general deer hunting season opportunities for 2013; address deer damage problems; and provide for deer population control when needed.

**WAC 232-28-358 2012-2014 Elk general seasons and definitions.**

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

The purpose of this proposal is to retain general-season elk hunting opportunity. The purpose is also to balance the hunting opportunity between user groups; increase opportunity when elk populations allow; and reduce opportunity when declining elk numbers warrant a change.

**Reasons supporting proposal:** This proposal provides recreational elk hunting opportunity and protects elk from overharvest. The proposed amendment would maintain sustainable general elk hunting season

opportunities for 2013; address elk damage problems; and provide for elk population control when needed.

### **WAC 232-28-359 2013 Deer special permits.**

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

The purpose of this proposal is to retain special-permit deer hunting opportunity. The purpose is also to balance the hunting opportunity between user groups; increase opportunity when deer populations allow; and reduce opportunity when declining deer numbers warrant a change.

**Reasons supporting proposal:** This proposal provides recreational deer hunting opportunity and protects deer from overharvest. The proposed amendment would maintain sustainable deer special-permit hunting season opportunities for 2013; address deer damage problems; and provide for deer population control when needed.

### **WAC 232-28-360 2013 Elk special permits.**

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

The purpose of this proposal is to retain special-permit elk hunting opportunity. The purpose is also to balance the hunting opportunity between user groups; increase opportunity when elk populations allow; and reduce opportunity when declining elk numbers warrant a change.

**Reasons supporting proposal:** This proposal provides recreational elk hunting opportunity and protects elk from overharvest. The proposed amendment would maintain sustainable elk special-permit hunting season opportunities for 2013; address elk damage problems; and provide for elk population control when needed.

### **WAC 232-28-622 Big horn sheep seasons and permit quotas.**

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

Hunters may apply for a bighorn sheep permit even if they've previously harvested a bighorn sheep in Washington if the earlier harvest was a bighorn sheep killed under a ewe-only hunt permit, a raffle permit, or an auction permit. Language in this amendment clarifies whether the exemption from the once-in-a-lifetime bighorn sheep restriction is also applicable if the hunter applies in future for a hunt in these categories.

Rocky Mountain bighorn sheep populations in the Blue Mountains area of south-eastern Washington have been reduced in past years due to the lingering effects of pneumonia outbreaks. Pneumonia was detected in the Asotin herd in 2012, and biologists expect this herd to decline over the next few years, although a few older rams remain in this herd.

**Reasons supporting proposal:**

The change in language reduces ambiguity regarding who may apply for a bighorn sheep permit. The reduction in hunting permits for the Blue Mountain area will reduce pressure on a herd that is experiencing a disease problem, and increase the chances for a high quality ram taken from this herd by the winner of the Rocky Mountain bighorn sheep raffle.

### **WAC 232-28-623 2012-2014 Mountain goat seasons and permit quotas.**

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

Language in this amendment clarifies whether the exemption from the once-in-a-lifetime mountain goat restriction is also applicable if the hunter applies in future for a hunt in these categories.

The proposed amendment also clarifies the names and descriptions of mountain goat hunt areas in Region 4, around Mt. Baker, and establishes legal descriptions of open mountain goat hunt areas.

**Reasons supporting proposal:**

Changes in language reduce ambiguity regarding who may apply for a bighorn sheep permit; remove inconsistency between the WAC, pamphlet, and instructional letters sent to permit holders; and clarify hunting unit boundaries for mountain goats in the Mt. Baker area.

**WAC 232-28-624 Deer area descriptions.**

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

The purpose of the proposal is to separate Deer Area descriptions from Elk Area descriptions to improve the clarity of these rules. The proposal also removes the Puget Sound Islands that were previously described as Deer Areas. The Department is proposing that those islands be described as Game Management Units (GMUs) in the future. Additional language modifications have been made to improve clarity.

**Reasons supporting proposal:**

Deer Areas help direct hunters at a scale smaller than the GMU and help staff address wildlife conflict problems. Some of the language modifications in this proposed amendment are part of the effort to streamline, reorganize, and update rules in the WAC Overhaul Project currently underway.