

Small Game and Hunter Orange Requirements

WAC 220-414-080 and WAC 220-416-010

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Summary Sheet

Meeting dates: April 13-14, 2018

Agenda item: Small Game and Hunter Orange Requirements – **Decision**

Presenter(s): Anis Aoude, Game Division Manager, Wildlife Program

Background summary:

Staff briefed the Fish and Wildlife Commission at the March Commission meeting in Wenatchee regarding the proposed amendments to WAC 220-414-080 Hunting-Hunter orange clothing requirements, and WAC 220-416-010 2018-2019, 2019-2020, 2020-2021 Small game and other wildlife seasons regulations.

Highlights of the proposed small game season amendments include:

- Make date adjustments related to calendar changes.
- Extend the fall turkey season in GMUs 101-154, and 162-186.
- Remove the draw permits from Klickitat County and opening GMUs 382, 388, and 568-578 within that county to general season hunting.
- Prohibit night hunting in GMUs that fall within the lynx management zones, as identified by the department.

Highlights of the proposed hunter orange rule amendment include:

- Add turkey to the hunter orange rule and requires turkey hunters that are hunting during a modern deer or elk firearm season to wear fluorescent orange.

Staff recommendation:

We recommend adopting the rules as presented.

Policy issue(s) and expected outcome:

- Maximize recreational hunting opportunity for small game.
 - Increase safety of hunters.
 - Address wildlife conflict by using recreational hunting whenever possible.
-

Fiscal impacts of agency implementation:

No fiscal impact beyond the status quo.

Public involvement process used and what you learned:

The department conducted an extensive public involvement process to develop the 2018-2020 hunting season proposals. We conducted six open house public meetings throughout the state in July and August of 2017 to discuss a variety of issues with constituents. Concurrently, the public was asked to provide input on hunting seasons via the department website for a 6-week time period. The department emailed over 119,000 hunters notifying them of the website survey and encouraging them to participate. The department received over 1,300 responses related to small game hunting seasons. Using that information, the department determined which recommendations would move forward.

In preparation for this meeting, we notified approximately 12,000 individuals and organizations informing them of the opportunity to provide comment on the proposed regulation amendments. Additionally, we informed these individuals and organizations of the opportunity to provide verbal testimony at the March 16-17, 2018 Commission meeting in Wenatchee.

Action requested and/or proposed next steps:

Amend WAC 220-414-080 and WAC 220-416-010 as presented.

Draft motion language:

Motion: I move to amend WAC 220-414-080 and WAC 220-416-010 as presented.

Is there a "second"?

If so, then motion maker discusses basis for motion; other Commissioners discuss views on motion; amendments, if any, proposed and addressed.

Post decision communications plan:

WDFW Website

News Release

Hunting Regulations Pamphlet

Form revised 2-15-18

WAC 220-414-080 Hunting—Hunter orange clothing requirements.

(1) Except as authorized in subsection (6) of this section, it is unlawful to hunt upland birds or rabbits during any upland game bird season unless the hunter is wearing fluorescent hunter orange clothing.

(2) It is unlawful to hunt deer or elk during all modern firearm general seasons in any manner unless the hunter is wearing fluorescent hunter orange clothing.

(3) All modern firearm permit holders must wear fluorescent hunter orange clothing.

(4) All master hunters must wear fluorescent hunter orange clothing during all deer and elk hunting seasons that allow the use of modern firearms, except as authorized by department permit.

(5) It is unlawful to hunt bear, cougar, bobcat, raccoon, fox, coyote, rabbit, forest grouse, turkey or hare during those times and in those places open to the taking of deer or elk during a modern firearm season, unless the hunter is wearing fluorescent hunter orange clothing.

(6) Persons who are hunting upland game birds during an upland game bird season with a muzzleloading firearm, bow and arrow or falconry are not required to wear fluorescent hunter orange clothing.

(7) Wearing fluorescent hunter orange clothing means: A minimum of 400 square inches of fluorescent hunter orange exterior clothing, worn above the waist and visible from all sides.

(8) A violation of this section is an infraction, punishable under RCW 77.15.160.

Summary of Public Comments Received During the Official Comment Period and WDFW Response:

WAC 220-414-080 Hunting—Hunter orange clothing requirements.

Supporting Comments:

Of the 37 people that commented on this issue, 14 supported this recommended change. Those that supported this recommendation were concerned with safety.

Opposing, Neutral, and Other Comments:

Of the 37 people that commented on this issue, 21 were opposed to this recommended change and two (2) were neutral. Those that opposed were concerned about reduced harvest success given the turkey's keen eyesight and ability to see color. Those taking a neutral stance did not supply any comments.

Direction and Rationale:

We understand the concerns that those opposing the recommendation have conveyed. This change will make it more difficult to harvest turkeys during overlap with firearm seasons. The department will move forward with the recommended change to add turkey to the hunter orange rule for safety purposes. We realize that this will likely reduce harvest success in that period, but the department is choosing to prioritize hunter safety over harvest success.

AMENDATORY SECTION (Amending WSR 17-10-076, filed 5/3/17, effective 6/3/17)

WAC 220-416-010 ((~~2015-16, 2016-17, 2017-18~~)) 2018-2019, 2019-2020, 2020-2021 Small game and other wildlife seasons and regulations.

Hunters must comply with the bag, possession, and season limits described in this section. Failure to do so constitutes a violation of RCW 77.15.245, 77.15.400, or 77.15.430, depending on the species hunted and the circumstances of the violation.

STATEWIDE SEASONS

(1) **FOREST GROUSE (BLUE, RUFFED, AND SPRUCE)**

(a) **DAILY BAG LIMIT:** 4 grouse per day, to include not more than 3 Blue Grouse, 3 Spruce Grouse, and 3 Ruffed Grouse.

(b) **POSSESSION LIMIT:** 12 grouse, to include not more than 9 Blue Grouse, 9 Spruce Grouse, and 9 Ruffed Grouse.

(c) **SEASON DATES:** Sept. 1 - Dec. 31 during the current license year.

(2) **BOBCAT**

(a) **BAG AND POSSESSION LIMITS:** No limit.

(b) **SEASON DATES:** Sept. 1 - Mar. 15 during the current license year.

(c) RESTRICTION: It is unlawful to hunt bobcat with dogs. Night hunting for bobcat is prohibited in GMUs that fall within the lynx management zones identified by the department.

(3) RACCOON

(a) BAG AND POSSESSION LIMITS: No limit.

(b) OPEN AREA: Statewide(~~(, EXCEPT closed on Long Island within Willapa National Wildlife Refuge)~~).

(c) SEASON DATES: Sept. 1 - Mar. 15 during the current license year.

(4) FOX

(a) BAG AND POSSESSION LIMITS: No limit.

(b) OPEN AREA: Statewide, EXCEPT closed within the exterior boundaries of the Mount Baker-Snoqualmie, Okanogan, Wenatchee, and Gifford Pinchot National Forests.

(c) SEASON DATES: Sept. 1 - Mar. 15 during the current license year.

(5) COYOTE

(a) BAG AND POSSESSION LIMITS: No limit.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Year-round.

(d) RESTRICTION: It is unlawful to hunt coyote with dogs.

(6) COTTONTAIL RABBIT AND SNOWSHOE HARE (OR WASHINGTON HARE)

(a) BAG AND POSSESSION LIMITS: 5 cottontails or snowshoe hares per day, with a total of 15 in possession at any time, straight or mixed bag.

(b) SEASON DATES: Sept. 1 - Mar. 15 during the current license year.

(7) CROWS

(a) BAG AND POSSESSION LIMITS: No limit.

(b) SEASON DATES: Sept. 1 - Dec. 31 during the current license year.

(8) JACKRABBIT:

Closed statewide.

(9) PTARMIGAN, SAGE, AND SHARP-TAILED GROUSE:

Closed statewide.

(10) WILD TURKEY:

(a) YOUTH SEASON: Open only to youth hunters accompanied by an adult 18 years of age or older.

(i) LEGAL BIRD: Male turkeys and turkeys with visible beards only.

(ii) SEASON DATES:

(A) April ((~~4-5, 2015~~)) 6-7, 2019;

(B) April ((~~2-3, 2016~~)) 4-5, 2020;

(C) April ((~~1-2, 2017~~)) 3-4, 2021; and

(D) April ((~~7-8, 2018~~)) 2-3, 2022.

(b) SPRING SEASON

(i) LEGAL BIRD: Male turkeys and turkeys with visible beards only.

(ii) SEASON DATES: April 15 - May 31 during the current license year.

(iii) BAG LIMIT: The combined spring/youth season limit is 3 birds.

Only 2 turkeys may be killed in Eastern Washington, except only one (1) may be killed in Chelan, Kittitas, or Yakima counties. One (1) turkey may be killed per year in Western Washington outside of Klickitat County. Two (2) turkeys may be killed in Klickitat County.

(C) ((~~EARLY~~)) FALL GENERAL SEASON

(i) LEGAL HUNTER: Open to all hunters with a valid turkey tag.

(ii) OPEN AREA: GMUs 101-154 and 162-186, 382, 388, 568-578.

(iii) SEASON DATES:

(A) Sept. ((~~19 - Oct. 16, 2015~~)) 1 - Dec. 31, 2018, (GMUs 101-154 and 162-186);

(B) Sept. ((~~17 - Oct. 14, 2016~~)) 22 - Oct. 12, 2018, (GMUs ((~~145-154, 162-186~~)) 382, 388, 568-578);

(C) Sept. ((~~17 - Oct. 31, 2016, (GMUs 101-142)~~)) 1 - Dec. 31, 2019, (GMUs 101-154 and 162-186);

(D) Sept. ((~~23 - Oct. 13, 2017~~)) 28 - Oct. 11, 2019, (GMUs ((~~145-154, 162-186~~)) 382, 388, 568-578);

(E) Sept. ((~~23 - Oct. 31, 2017, (GMUs 101-142)~~)) 1 - Dec. 31, 2020, (GMUs 101-154 and 162-186);

(F) Sept. 26 - Oct. 16, 2020, (GMUs 382, 388, 568-578).

(iv) BAG LIMIT: (~~Three (3)~~) Four (4) turkeys during the (~~early~~)

fall general season with the following area restrictions:

Game Management Units (GMUs)	Legal Bird and Limit
((105-121	Two (2) beardless turkeys
<u>101, 145-154, 162-186))</u> <u>382, 388, 568-578</u>	One (1) either sex turkey
((124-142)) <u>101-154 and</u> <u>162-186</u>	Two (2) beardless plus ((one (1))) <u>two (2)</u> either sex turkey

(d) FALL PERMIT SEASONS

(i) LEGAL BIRD: Either sex.

(ii) LEGAL HUNTER: All hunters who are selected in the fall turkey special permit drawing and who also possess a valid turkey tag.

Hunt Name	Permit Season Dates	Special Restrictions	Boundary Description	Permits	Bag Limit*
((Klickitat	Sept. 19 - Oct. 16, 2015, Sept. 17 - Oct. 14, 2016, Sept. 23 - Oct. 13, 2017	Either sex	GMUs 382, 388, 568-578	150	4))
Methow	Nov. 15 - Dec. 15, ((2015, 2016, 2017)) <u>2018, 2019,</u> <u>2020</u>	Either sex	GMUs 218-231 and 242	50	1
Teanaway	Nov. 15 - Dec. 15, ((2015, 2016, 2017)) <u>2018, 2019,</u> <u>2020</u>	Either sex	GMU 335	50	1

*BAG LIMIT: During the fall permit hunting seasons.

~~(e) ((LATE FALL SEASON~~

~~(i) LEGAL BIRD: Either sex.~~

~~(ii) LEGAL HUNTER: Open to all hunters with a valid turkey tag.~~

~~(iii) OPEN AREA: GMUs 105-154, 162-186.~~

~~(iv) SEASON DATES: Nov. 20 - Dec. 15 during the current license year.~~

~~(v)~~ BAG LIMIT: One (1) turkey.

~~(f)~~) HUNTER EDUCATION INSTRUCTOR INCENTIVE PERMITS

(i) LEGAL BIRD: Male turkeys and turkeys with visible beards only.

(ii) LEGAL HUNTER: Qualified hunter education instructors who are selected through a random drawing. Hunter education instructors qualify if the instructor is certified and has been in active status for a minimum of 3 consecutive years, inclusive of the year prior to the permit drawing.

(iii) OPEN AREA: Statewide.

(iv) SEASON DATES: April 1 - May 31 during the current license year.

(v) PERMITS: 2 individuals will be drawn for this permit per year.

(vi) BAG LIMIT: 1 male turkey or turkey with visible beard in addition to other spring season turkey harvest.

~~((g))~~ (f) OFFICIAL HUNTING HOURS FOR WILD TURKEY:

1/2 hour before sunrise to sunset during spring and fall seasons.

~~((h))~~ (g) SPECIAL RULES FOR WILD TURKEY:

(i) It is unlawful to hunt turkey unless the hunter possesses a turkey tag.

(ii) It is unlawful to hunt turkeys with dogs.

(iii) It is unlawful to bait game birds.

EASTERN WASHINGTON SEASONS:

(11) RING-NECKED PHEASANT

(a) BAG AND POSSESSION LIMITS: Three (3) cock pheasants per day. Hunters may possess up to 15 cock pheasants at any one time.

(b) YOUTH SEASON DATES: Open only to youth hunters accompanied by an adult 18 years of age or older.

(i) Sept. (~~(19-20, 2015)~~) 22-23, 2018;

(ii) Sept. (~~(17-18, 2016)~~) ~~28-29~~21-22, 2019; and

(iii) Sept. (~~(23-24, 2017)~~) ~~26-27~~19-20, 2020.

(c) HUNTERS SIXTY-FIVE YEARS OF AGE OR OLDER AND HUNTERS WITH DISABILITIES SEASON DATES:

(i) Sept. (~~(21-25, 2015)~~) 24-28, 2018;

(ii) Sept. (~~(19-23, 2016)~~) ~~30 - Oct. 4~~23-27, 2019; and

(iii) Sept. (~~(25-29, 2017)~~) ~~28 - Oct. 2~~21-25, 2020.

(d) REGULAR SEASON DATES:

(i) Oct. (~~(24, 2015 - Jan. 18, 2016)~~) 20, 2018 - Jan. 21, 2019;

(ii) Oct. (~~(22, 2016 - Jan. 16, 2017)~~) 19, 2019 - Jan. 20, 2020;

and

(iii) Oct. (~~(21, 2017 - Jan. 15, 2018)~~) 24, 2020 - Jan. 18, 2021.

(12) CHUKAR

(a) BAG AND POSSESSION LIMITS: 6 chukar per day. Hunters may possess up to 18 chukar at any one time.

(b) YOUTH SEASON DATES: Open only to youth hunters accompanied by an adult 18 years of age or older.

(i) Sept. (~~(19-20, 2015)~~) 22-23, 2018;

(ii) Sept. (~~(17-18, 2016)~~) 28-29, 2019; and

(iii) Sept. (~~(23-24, 2017)~~) 26-27, 2020.

(c) REGULAR SEASON DATES:

(i) Oct. (~~(3, 2015 - Jan. 18, 2016)~~) 6, 2018 - Jan. 21, 2019;

(ii) Oct. (~~(1, 2016 - Jan. 16, 2017)~~) 5, 2019 - Jan. 20, 2020;

and

(iii) Oct. (~~(7, 2017 - Jan. 15, 2018)~~) 3, 2020 - Jan. 18, 2021.

(13) GRAY (HUNGARIAN) PARTRIDGE

(a) BAG AND POSSESSION LIMITS: 6 gray partridges per day. Hunters may possess up to 18 gray partridges at any one time.

(b) YOUTH SEASON DATES: Open only to youth hunters accompanied by an adult 18 years of age or older.

~~((i) Sept. 19-20, 2015;~~

~~(ii) Sept. 17-18, 2016; and~~

~~(iii) Sept. 23-24, 2017.)~~

(i) Sept. 22-23, 2018;

(ii) Sept. 28-29, 2019; and

(iii) Sept. 26-27, 2020.

(c) REGULAR SEASON DATES :

~~((i) Oct. 3, 2015 - Jan. 18, 2016;~~

~~(ii) Oct. 1, 2016 - Jan. 16, 2017; and~~

~~(iii) Oct. 7, 2017 - Jan. 15, 2018.))~~

(i) Oct. 6, 2018 - Jan. 21, 2019;

(ii) Oct. 5, 2019 - Jan. 20, 2020; and

(iii) Oct. 3, 2020 - Jan. 18, 2021.

(14) MOUNTAIN QUAIL

Closed throughout Eastern Washington.

(15) CALIFORNIA (VALLEY) QUAIL AND NORTHERN BOBWHITE

(a) BAG AND POSSESSION LIMITS: 10 quail per day. Hunters may possess up to 30 quail at any one time, straight or mixed bag.

(b) YOUTH SEASON DATES: Open only to youth hunters accompanied by an adult 18 years of age or older.

~~((i) Sept. 19-20, 2015;~~

~~(ii) Sept. 17-18, 2016; and~~

~~(iii) Sept. 23-24, 2017.))~~

(i) Sept. 22-23, 2018;

(ii) Sept. 28-29, 2019; and

(iii) Sept. 26-27, 2020.

(c) REGULAR SEASON DATES :

~~((i) Oct. 3, 2015 - Jan. 18, 2016;~~

~~(ii) Oct. 1, 2016 - Jan. 16, 2017; and~~

~~(iii) Oct. 7, 2017 - Jan. 15, 2018.))~~

(i) Oct. 6, 2018 - Jan. 21, 2019;

(ii) Oct. 5, 2019 - Jan. 20, 2020; and

(iii) Oct. 3, 2020 - Jan. 18, 2021.

WESTERN WASHINGTON SEASONS :

(16) RING-NECKED PHEASANT

(a) BAG AND POSSESSION LIMITS: 2 pheasants of either sex per day. Hunters may possess up to 15 pheasants at any one time.

(b) YOUTH SEASON DATES: Open only to youth hunters accompanied by an adult 18 years of age or older.

~~((i) Sept. 19-20, 2015;~~

~~(ii) Sept. 17-18, 2016; and~~

~~(iii) Sept. 23-24, 2017.))~~

(i) Sept. 22-23, 2018;

(ii) Sept. ~~28-29~~21-22, 2019; and

(iii) Sept. ~~26-27~~19-20, 2020.

(c) HUNTERS SIXTY-FIVE YEARS OF AGE OR OLDER AND HUNTERS WITH DISABILITIES SEASON DATES :

~~((i) Sept. 21-25, 2015;~~

~~(ii) Sept. 19-23, 2016; and~~

~~(iii) Sept. 25-29, 2017.))~~

(i) Sept. 24-28, 2018;

(ii) Sept. ~~30~~—~~Oct. 4~~23-27, 2019; and

(iii) Sept. ~~28~~—~~Oct. 2~~21-25, 2020.

(d) REGULAR SEASON DATES: 8:00 a.m. to 4:00 p.m.

(i) Sept. ((~~26~~—~~Nov. 30, 2015~~)) 29 - Nov. 30, 2018;

(ii) Sept. ((~~24~~—~~Nov. 30, 2016~~)) 28 - Nov. 30, 2019; and

(iii) Sept. ((~~30~~—~~Nov. 30, 2017~~)) 26 - Nov. 30, 2020.

(e) EXTENDED SEASON DATES:

(i) Dec. 1-15, during the current license year.

(ii) 8 a.m. to 4 p.m. only at the following release sites:

Belfair, Fort Lewis, Kosmos, Lincoln Creek, Scatter Creek, Skookumchuck, and all Whidbey Island release sites EXCEPT Bayview.

(iii) The department ~~may~~will not release pheasants during the extended season.

(f) SPECIAL RESTRICTION: Western Washington pheasant hunters must choose to hunt only on odd-numbered or even-numbered weekend days from 8:00 - 10:00 a.m. at all units of Lake Terrell, Tennant Lake, Snoqualmie, Skagit, Skookumchuck, and Scatter Creek Wildlife Areas, and all hunting sites on Whidbey Island. Hunters must indicate their choice of odd-numbered or even-numbered weekend days on the Western

Washington Pheasant Permit by choosing "odd" or "even." Hunters who select the three day option, hunters possessing a valid disabled hunter permit, hunters 65 years of age or older, and youth hunters may hunt in the morning on both odd-numbered and even-numbered weekend days. Youth hunters must be accompanied by an adult 18 years of age or older, and the adult must have an appropriately marked pheasant permit if hunting.

(17) MOUNTAIN QUAIL

(a) BAG AND POSSESSION LIMITS: 2 mountain quail per day. Hunters may possess up to 4 mountain quail at any one time.

(b) SEASON DATES:

~~((i) Sept. 26 - Nov. 30, 2015;~~

~~(ii) Sept. 24 - Nov. 30, 2016; and~~

~~(iii) Sept. 30 - Nov. 30, 2017.))~~

(i) Sept. 29 - Nov. 30, 2018;

(ii) Sept. 28 - Nov. 30, 2019; and

(iii) Sept. 26 - Nov. 30, 2020.

(18) CALIFORNIA (VALLEY) QUAIL AND NORTHERN BOBWHITE

(a) BAG AND POSSESSION LIMITS: 10 California (valley) quail or northern bobwhite per day. Hunters may possess up to 30 California (valley) quail or northern bobwhite at any one time, straight or mixed bag.

(b) SEASON DATES:

~~((i) Sept. 26 - Nov. 30, 2015;~~

~~(ii) Sept. 24 - Nov. 30, 2016; and~~

~~(iii) Sept. 30 - Nov. 30, 2017.))~~

(i) Sept. 29 - Nov. 30, 2018;

(ii) Sept. 28 - Nov. 30, 2019; and

(iii) Sept. 26 - Nov. 30, 2020.

FALCONRY SEASONS :

(19) UPLAND GAME BIRD AND FOREST GROUSE - FALCONRY

(a) BAG AND POSSESSION LIMITS :

(i) 2 pheasants (either sex);

(ii) 6 partridge;

(iii) 5 California (valley) quail or northern bobwhite;

(iv) 2 mountain quail (in Western Washington only);

(v) 3 forest grouse (blue, ruffed, spruce) per day; and

(vi) Possession limit is twice the daily bag limit.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Aug. 1 - Mar. 15 during the current license year.

(20) TURKEY - FALCONRY

(a) A turkey tag is required to hunt turkey during the turkey falconry season.

(b) BAG AND POSSESSION LIMITS: One (1) turkey (either sex) per turkey tag, with a maximum of 2 turkeys. Hunters may possess up to 2 turkeys at any one time.

(c) OPEN AREA: Eastern Washington.

(d) SEASON DATES: Sept. 1 - Feb. 15 during the current license year.

(21) COTTONTAIL RABBIT AND SNOWSHOE HARE - FALCONRY

(a) BAG AND POSSESSION LIMITS: 5 cottontails or snowshoe hares per day, straight or mixed bag. Hunters may possess up to 15 cottontails or snowshoe hares at any one time, straight or mixed bag.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Aug. 1 - Mar. 15 during the current license year.

OTHER SEASONS :

(22) BIRD DOG TRAINING SEASON

(a) Wild upland game birds may be pursued during the dog-training season but may not be killed except during established hunting seasons. A small game license is required to train dogs on wild game birds. A Western Washington Pheasant Permit is required to train dogs on pheasants in Western Washington. Captive raised game birds may be released and killed during dog training if the hunter has proof of lawful acquisition (invoices) and the birds are appropriately marked (WAC 220-450-010 and 220-416-110).

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Aug. 1 - Mar. 31 during the current license year.

(d) Only youth and seniors may train dogs during their respective seasons on designated Western Washington pheasant release sites.

(e) Bird dog training may be conducted year round on areas posted for bird dog training on portions of:

(i) Region One - Espanola (T24N, R40E, E 1/2 of section 16);

(ii) Region Three - Wenas Wildlife Area;

(iii) Region Four - Skagit Wildlife Area, Lake Terrell Wildlife Area, and Snoqualmie Wildlife Area;

(iv) Region Five - Shillapoo/Vancouver Lake Wildlife Area;

(v) Region Six - Scatter Creek Wildlife Area, Fort Lewis Military Base.

(23) **YAKAMA INDIAN RESERVATION:**

The ((~~2015-16, 2016-17, and 2017-18~~)) 2018-2019, 2019-2020, and 2020-2021 upland bird seasons within the Yakama Indian Reservation are the same as the season established by the Yakama Indian Nation.

(24) **COLVILLE INDIAN RESERVATION:**

The ((~~2015-16, 2016-17, and 2017-18~~)) 2018-2019, 2019-2020, and 2020-2021 upland bird seasons within the Colville Indian Reservation are the same as the season established by the Colville Indian Tribe.

[Statutory Authority: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.047, 77.12.150, 77.12.240, 77.12.800, 77.32.090. WSR 17-10-076 (Order 17-10), amended and recodified as § 220-416-010, filed 5/3/17, effective 6/3/17. Statutory Authority: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.047, 77.12.150, 77.12.240, 77.12.800, 77.32.090, and 77.32.155. WSR 16-12-087, § 232-28-342, filed 5/31/16, effective 7/1/16. Statutory Authority: RCW 77.04.012, 77.04.055, 77.12.047, 77.12.150, and 77.12.240. WSR 15-10-033 (Order 15-95), § 232-28-342, filed 4/28/15, effective 5/29/15. Statutory Authority: RCW 77.12.047, 77.12.240, and 77.32.070. WSR 14-10-019 (Order 14-95), § 232-28-342, filed 4/25/14, effective 5/26/14; WSR 13-11-078 (Order 13-94), § 232-28-342, filed 5/16/13, effective 6/16/13. Statutory Authority: RCW 77.12.047. WSR 12-11-005 (Order 12-70), § 232-28-342, filed 5/2/12, effective 6/2/12. 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. WSR 10-10-061 (Order 10-94), § 232-28-342, 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. WSR 09-09-083 (Order 09-53), § 232-28-342, filed 4/15/09, effective 5/16/09. Statutory Authority: RCW 77.12.047, 77.12.020, 77.12.570, 77.12.210. WSR 08-09-090 (Order 08-78), § 232-28-342, filed 4/18/08, effective 5/19/08. Statutory Authority: RCW 77.12.047. WSR

06-11-031 (Order 06-91), § 232-28-342, filed 5/8/06, effective
6/8/06.]

WAC 220-416-010 2018-2019, 2019-2020, 2020-2021 Small game and other wildlife seasons and regulations.

RECOMMENDED ADJUSTMENTS

The department recommends the following adjustments since the Code Reviser filed (CR-102). The adjustments are included in your notebook.

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- Change: Eastern Washington seasons, ring-necked pheasant, youth, change the season dates for the following subsections:
 - Subsection (ii) change the season dates from Sept. 28-29, 2019 to Sept. 21-22, 2019.
 - Subsection (iii) change the season dates from Sept. 26-27, 2020 to Sept. 19-20, 2020.

Rationale: The dates in the WAC presented at the March meeting were incorrect and overlapped with general season.

- Change: Eastern Washington seasons, ring-necked pheasant, hunters 65+ and hunters with disabilities, change the season dates for the following subsections:
 - Subsection (ii) change the season dates from Sept. 30 - Oct. 4, 2019 to Sept. 23-27, 2019.
 - Subsection (iii) change the season dates from Sept. 28 - Oct. 2, 2020 to Sept. 21-25, 2020.

Rationale: The dates in the WAC presented at the March meeting were incorrect and overlapped with general season.

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- Change: Western Washington seasons, ring-necked pheasant, youth, change the season dates for the following subsections:
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 - Subsection (iii) change the season dates from Sept. 26-27, 2020 to Sept. 19-20, 2020.

Rationale: The dates in the WAC presented at the March meeting were incorrect and overlapped with general season.

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- Change: Western Washington seasons, ring-necked pheasant, hunters 65+ and hunters with disabilities, change the season dates for the following subsections:
 - Subsection (ii) change the season dates from Sept. 30 - Oct. 4, 2019 to Sept. 23-27, 2019.
 - Subsection (iii) change the season dates from Sept. 28 - Oct. 2, 2020 to Sept. 21-25, 2020.

Rationale: The dates in the WAC presented at the March meeting were incorrect and overlapped with general season.

- Change: Extended season dates, subsection (iii), replace the word “will” with “may.”

Rationale: This will give the department the option to release pheasants if they are available. This also allows the department to release pheasants at hunting clinics that could be held in those areas during that time.

Summary of Public Comments Received During the Official Comment Period and WDFW Response:

WAC 220-416-010 2018-2019, 2019-2020, 2020-2021 Small game and other wildlife seasons and regulations.

Supporting Comments:

Of the 40 people that commented on the recommended changes to this WAC, 22 generally agreed with the proposed changes. Twelve (12) people had comments specific to the extension for fall turkey season in District 1. Of those, nine (9) supported this recommended change.

Opposing, Neutral, and Other Comments:

Of the 40 people that commented on the recommended changes to this WAC, 12 generally opposed and two (2) were neutral. Thirteen (13) people had comments specific to bobcat season night closures for protecting lynx, 11 oppose this recommended change. Those opposing the night hunting closure indicated that hunters should know what they are shooting at, and it is unfair to penalize all hunters for the mistakes of a few hunters.

Direction and Rationale:

The department will move forward with the recommended changes to this WAC. Although a majority that commented specifically on the night hunting ban in areas identified for lynx recovery opposed the recommendation, the department feels that it is too risky to allow night hunting in those areas. Bobcat and lynx are difficult to tell apart in daylight for most people and almost impossible with night vision and artificial light. We are erring on the side of conservation with this recommendation. Please keep in mind that this recommended rule change does not prohibit hunting of bobcat during daylight hours in those areas.



PROPOSED RULE MAKING

CR-102 (August 2017) (Implements RCW 34.05.320) Do NOT use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: January 24, 2018
TIME: 8:20 AM

WSR 18-03-177

Agency: Washington Department of Fish and Wildlife (WDFW)

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR 17-24-106 on December 6, 2017 ; 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).

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject)

WAC 220-400-050 Requirements for sealing of pelts and collection of biological information for river otter, cougar, lynx, and bobcat.

WAC 220-410-040 Game management units (GMUs) boundary descriptions-Region four.

WAC 220-410-050 Game management units (GMUs) boundary descriptions-Region five.

WAC 220-412-070 Big game and wild turkey auction, raffle, and special incentive permits.

WAC 220-412-080 Special hunting season permits.

WAC 220-412-100 Landowner hunting permits.

WAC 220-413-030 Importation and retention of dead nonresident wildlife.

WAC 220-413-070 Hunting with aid of aircraft, boats or other vehicles.

WAC 220-413-100 Mandatory report of hunting activity.

WAC 220-413-180 Special closures and firearm restriction areas.

WAC 220-414-060 Muzzleloading firearms.

WAC 220-414-080 Hunting—Hunter orange clothing requirements.

WAC 220-415-010 Deer area descriptions.

WAC 220-415-020 2015-2017 Deer general seasons and definitions.

WAC 220-415-030 2017 Deer special permits.

WAC 220-415-040 Elk area descriptions.

WAC 220-415-050 2015-2017 Elk general seasons and definitions.

WAC 220-415-060 2017 Elk special permits.

WAC 220-415-070 2017 Moose seasons, permit quotas, and areas.

WAC 220-415-080 2018 Spring black bear seasons and regulations.

WAC 220-415-090 2015-2017 Fall black bear hunting seasons and regulations.

WAC 220-415-100 2016-2017 and 2017-2018 Cougar hunting seasons and regulations.

WAC 220-415-120 2017 Bighorn sheep seasons and permit quotas.

WAC 220-415-130 2015-2017 Mountain goat seasons and permit quotas.

WAC 220-416-010 2015-16, 2016-17, 2017-18 Small game and other wildlife seasons and regulations.

WAC 220-416-060 2017-2018 Migratory waterfowl seasons and regulations.

WAC 220-440-030 Public Safety Cougar Removals.

Hearing location(s):

Date: **Time:** **Location:** (be specific) **Comment:**

March 15-17, 2018	8:00 a.m.	Red Lion Hotel 1225 N. Wenatchee Avenue Wenatchee, WA 98801	
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Date of intended adoption: April 12-14, 2018 (Note: This is **NOT** the effective date)

Submit written comments to:

Name: Wildlife Program Rules Coordinator
Address: PO Box 43141, Olympia, WA 98504-3200
Email: wildthing@dfw.wa.gov

Fax: (360) 902-2162

Other: <https://wdfw.wa.gov/hunting/regulations/seasonsetting/2018-2020/>

By (date) February 14, 2018

Assistance for persons with disabilities:

Contact Tami Lininger

Phone: (360) 902-2267

Fax:

TTY: (800) 833-6388

Email: tami.lininger@dfw.wa.gov

Other:

By (date) March 7, 2018

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

WAC 220-400-050 Requirements for sealing of pelts and collection of biological information for river otter, cougar, lynx, and bobcat.

The purpose of the proposal is to simplify the sealing requirements for bobcat and cougar pelts by aligning the date for sealing bobcat with the last date of trapper reporting and by requiring cougar pelt sealing to occur within 72 hours of harvest. The proposed changes align the dates for pelt sealing each species, regardless of method or reporting of harvest.

WAC 220-410-040 Game management units (GMUs) boundary descriptions-Region four.

The purpose of the proposal is to clarify boundary language as it pertains to Game Management Unit 485 Green River. The existing language can be somewhat complicated. The proposed changes take advantage of the well-marked boundaries of the watershed which are identical to the GMU boundary.

WAC 220-410-050 Game management units (GMUs) boundary descriptions-Region five.

The purpose of the proposal is to clarify boundary language as it pertains to Game Management Units 522 Loo Wit and 560 Lewis River. The proposed changes clarify directional movements on established roads that make up the boundaries.

WAC 220-412-070 Big game and wild turkey auction, raffle, and special incentive permits.

This proposal replaces GMU 172 with GMU 169 for the Rocky Mountain bighorn sheep raffle permit holder.

WAC 220-412-080 Special hunting season permits.

This proposal revises wording in the "once in a lifetime" part of special hunting permits for moose, to reflect the proposed change in hunt categories from "any moose" to "antlered bull moose." Any "point" accumulated under the "any moose" category will be transferred to the "antlered bull moose" category.

Additionally applicants for special hunting season permits will be required to either complete hunter education prior to submitting a permit application, or be exempt from the hunter education requirement.

WAC 220-412-100 Landowner hunting permits.

This proposal modifies hunt dates on properties enrolled in WDFW's Landowner Hunting Permit (LHP) program for the 2018 hunting seasons. These sites offer special hunting opportunities to the public through permits issued by WDFW, raffles, or selection by the landowner.

WAC 220-413-030 Importation and retention of dead nonresident wildlife.

The proposal will ban the importation and retention of specific parts of dead nonresident wildlife that could contain Chronic Wasting Disease (CWD) from Montana. Specific circumstances are fully set forth in WAC 220-413-030 to include the state of Montana.

WAC 220-413-070 Hunting with aid of aircraft, boats or other vehicles.

The purpose of this proposal is to add unmanned aircraft to the rule that restricts the use of aircraft, boats, or other types of vehicles to hunt, spot, or harass wildlife.

WAC 220-413-100 Mandatory report of hunting activity.

The proposal will change the reporting deadline for brant, sea duck, and snow goose to March 20 following the season for which the harvest card was issued, and adds a harvest report card requirement for the SW Canada Goose special species authorization.

WAC 220-413-180 Special closures and firearm restriction areas.

The purpose of the proposal is to modify restrictions in the Special Closures and Firearm Restriction rule by:

Adding mountain goat as an exception to the hunting restriction in GMU 522.

Clarifying and adding exceptions to the firearm restriction that exists in a portion of GMU 652.

Removing a firearm restriction area in Kitsap County that is no longer needed.

WAC 220-414-060 Muzzleloading firearms.

The purpose of the proposal is to eliminate the restriction that disallows the use of primers, designed for modern cartridges in the firearms ignition system, during muzzleloader hunting seasons. Such a rule change will allow more technologically advanced muzzleloaders to be used during muzzleloader seasons.

WAC 220-414-080 Hunting—Hunter orange clothing requirements.

This proposal adds turkey to the hunter orange rule and requires turkey hunters that are hunting during a modern deer or elk firearm season to wear florescent orange.

WAC 220-415-010 Deer area descriptions.

The purpose of the proposal is to eliminate the three Deer Areas surrounding Spokane and the Colfax Deer Area that are either ineffective or no longer needed and add the North Issaquah Deer Area in King and Snohomish Counties to help mitigate deer conflict issues. Deer Areas allow the department to focus deer hunting pressure on a smaller scale than the Game Management Unit. Deer Areas help expand hunting opportunity that would normally not be available. Deer Areas also help accommodate wildlife conflict mitigation using hunting as a tool.

WAC 220-415-020 2015-2017 Deer general seasons and definitions.

The purpose of this proposal is to retain general season deer hunting opportunity for 2018-2020. In addition, the purpose of the proposal is to balance the hunting opportunity between user groups. The proposal also increases the opportunity when deer populations allow, and reduces the opportunity when declining deer numbers warrant a change.

WAC 220-415-030 2017 Deer special permits.

The purpose of this proposal is to retain special permit deer hunting opportunity for 2018. In addition, the purpose of the proposal is to balance the hunting opportunity between user groups. The proposal also increases the opportunity when deer populations allow, and reduces the opportunity when declining deer numbers warrant a change.

WAC 220-415-040 Elk area descriptions.

The purpose of the proposal is to add new Elk Areas or adjust the boundaries of existing Elk Areas. Elk Areas allow the department to focus elk hunting pressure on a smaller scale than the Game Management Unit. Elk Areas help expand hunting opportunity that would normally not be available. Elk Areas also help accommodate wildlife conflict mitigation using hunting as a tool.

WAC 220-415-050 2015-2017 Elk general seasons and definitions.

The purpose of this proposal is to retain general season elk hunting opportunity for 2018-2020. In addition, the purpose of the proposal is to balance the hunting opportunity between user groups. The proposal also increases the opportunity when elk populations allow, and reduces the opportunity when declining elk numbers warrant a change.

WAC 220-415-060 2017 Elk special permits.

The purpose of this proposal is to retain elk special permit hunting opportunity for 2018. The purpose is also to balance the elk hunting opportunity between user groups. The proposal also increases elk hunting opportunity when elk populations allow, and reduces elk hunting opportunity when declining elk numbers warrant a change.

WAC 220-415-070 2017 Moose seasons, permit quotas, and areas.

The purpose of this proposal is to remove hunt category "any moose," replacing it with "any antlered bull moose;" require successful moose hunters to submit an incisor tooth by mail to WDFW for ageing; add "or archery" to the list of permitted weaponry for moose hunting in the Parker Lake special hunt area; and changes in permit levels.

WAC 220-415-080 2018 Spring black bear seasons and regulations.

The purpose of the proposed amendments is to align the rules with the appropriate season dates; require a bear identification test for hunters that will hunt within grizzly bear recovery areas as identified by the department; expand the biological samples that may be collected by the department; and include results for failure to report or comply with the conditions of the rule.

WAC 220-415-090 2015-2017 Fall black bear hunting seasons and regulations.

The purpose of the proposed amendments is to align the rules with the appropriate season dates; remove game management units that do not have resident bear populations; require a bear identification test for hunters that will hunt within grizzly bear recovery areas as identified by the department; expand the biological samples that may be collected by the department; and include results for failure to report or comply with the conditions of the rule.

WAC 220-415-100 2016-2017 and 2017-2018 Cougar hunting seasons and regulations.

The purpose of the proposed amendments is to align the rules with the appropriate season dates; align the cougar season with the license year and thereby minimize potential confusion by hunters; and align the late cougar season start date with the closing date of the general deer and elk seasons for modern firearm and muzzleloader with the exception of a few Master Hunter antlerless elk seasons that continue into January.

WAC 220-415-120 2017 Bighorn sheep seasons and permit quotas.

The purpose of the proposal is to initiate modest ewe (bighorn sheep female) harvests in two separate areas of the Lincoln Cliffs bighorn sheep populations. Additionally, increase harvest of both rams and ewes in the Chelan Butte population.

WAC 220-415-130 2015-2017 Mountain goat seasons and permit quotas.

The purpose of the proposal is to require holders of mountain goat hunting permits to pass an online test of their ability to distinguish mountain goats by gender (i.e., billy vs. nanny) before they would be allowed to purchase their mountain goat hunting license; establish new mountain goat hunting seasons in Mt. Margaret back-country, and Mt. St. Helens South (one permit in each area); and split the existing Goat Rocks mountain goat hunt area into two contiguous areas.

WAC 220-416-010 2015-16, 2016-17, 2017-18 Small game and other wildlife seasons and regulations.

The purpose of the proposal is to make date adjustments related to calendar changes; extend the fall turkey season in GMUs 101-154 and 162-186; remove the draw permits from Klickitat County and opens GMUs within that county to general season hunting; and prohibit night hunting in GMUs that fall within the lynx management zones as identified by the department.

WAC 220-416-060 2017-2018 Migratory waterfowl seasons and regulations.

The purpose of the proposal is to specify legal season dates and bag limits for the 2018-2019 season.

WAC 220-440-030 Public Safety Cougar Removals.

This proposal changes the current Public Safety Cougar Removal from a hunting opportunity authorizing the use of hounds, when certain conditions are met, to a permit program to provide training opportunities for owners of "working dogs" who are often summoned by WDFW Law Enforcement to assist in resolving wildlife conflict issues. If approved, this new program will allow working dogs and their owners the non-lethal pursuit of cougars under the conditions of a training permit.

Reasons supporting proposal:

WAC 220-400-050 Requirements for sealing of pelts and collection of biological information for river otter, cougar, lynx, and bobcat.

The proposed amendments will make the sealing requirements consistent for each species and thereby easily understood by user groups. The proposed changes will also make managing cougar hunt unit closures more efficient and timely.

WAC 220-410-040 Game management units (GMUs) boundary descriptions-Region four.

The proposed amendments will make the boundaries more discernable for hunters. The proposed changes will also make enforcement of hunting season rules and trespass rules more straightforward.

WAC 220-410-050 Game management units (GMUs) boundary descriptions-Region five.

The proposed amendments will make the boundaries more discernable for hunters. The proposed changes will also make enforcement of hunting season rules more straightforward.

WAC 220-412-070 Big game and wild turkey auction, raffle, and special incentive permits.

The proposed amendments will redirect hunters from a small herd that has few mature rams to a herd that can more easily support removal of a large-sized ram.

WAC 220-412-080 Special hunting season permits.

The proposed amendments will maintain consistency with proposed changes in the WAC 220-415-070 and requirements elsewhere in WAC that applicants for special permits possess the necessary qualifications to hunt under that permit should they be drawn.

WAC 220-412-100 Landowner hunting permits.

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 220-413-030 Importation and retention of dead nonresident wildlife.

Because Montana has identified chronic wasting disease in wild free ranging deer, the department seeks to mitigate the risk to public health and safety by adding the state of Montana to WAC 220-413-030.

WAC 220-413-070 Hunting with aid of aircraft, boats or other vehicles.

Small unmanned aircraft have become a part of modern culture. Unmanned aircraft use is pervasive. In the same spirit of hunting ethics that inspired the Fish and Wildlife Commission to promulgate a rule that restricts the use of vehicles, aircraft, or boats to hunt or harass wildlife, the department feels that unmanned aircraft should be specifically called out and added to this rule.

WAC 220-413-100 Mandatory report of hunting activity.

Two proposed amendments of WAC 220-416-060 require changing the February 15 deadline date. The proposal to move 12-days of the snow goose hunting season in Goose Management Area 1 (Skagit and Snohomish Counties) would have the goose season ending at the end of February (February 27, 2019). Additionally, the requirement of a mandatory harvest report for goose hunting in Goose Management Area 2-Coast and Inland (Clark, Cowlitz, Grays Harbor, Pacific, and Wahkiakum Counties) has to accommodate goose hunting seasons that can extend to March 10 in some years. To minimize confusion, all waterfowl-related reporting deadlines would be changed to March 20.

WAC 220-413-180 Special closures and firearm restriction areas.

Reasons for supporting the rule include expanding mountain goat hunting opportunity; accommodating both firearm restriction needs and wildlife conflict mitigation; and adding flexibility to hunting seasons when restrictions are no longer necessary.

WAC 220-414-060 Muzzleloading firearms.

The Fish and Wildlife Commission requested that the department reach out to the hunting public and get their opinion on the use of modern cartridge primers on muzzleloading firearms during muzzleloader season. Deer and elk hunters were polled, and the majority of the respondents were in favor of allowing the more modern primers.

WAC 220-414-080 Hunting—Hunter orange clothing requirements.

This proposal is meant to increase safety. Turkey seasons in the past did not overlap with modern deer or elk firearm seasons. New proposals to control growing turkey populations make it necessary to overlap those seasons. This recommended rule adjustment provides consistency. All other species hunters are already required to wear hunter orange during modern deer or elk firearm season. This proposal adds turkey hunters to that list.

WAC 220-415-010 Deer area descriptions.

The proposed amendments will allow the department to use hunting as a management tool and expands deer hunting opportunity.

WAC 220-415-020 2015-2017 Deer general seasons and definitions.

This proposal provides for recreational deer hunting opportunity and protects deer from overharvest. The proposal would maintain sustainable general deer hunting season opportunities for 2018-2020. In addition, the proposal allows for the use of hunting as a management tool, helps address deer agricultural damage problems, and provides for deer population control when needed.

WAC 220-415-030 2017 Deer special permits.

This proposal provides for recreational deer hunting opportunity and protects deer from overharvest. The proposal would also maintain sustainable deer special permit hunting season opportunities for 2018. The proposal helps address deer agricultural damage problems and provides for deer population control when needed.

WAC 220-415-040 Elk area descriptions.

The proposed amendments allow the department to use hunting as a management tool and expands elk hunting opportunity.

WAC 220-415-050 2015-2017 Elk general seasons and definitions.

The proposal provides for recreational elk hunting opportunity and protects elk from overharvest. The proposal would maintain sustainable general elk hunting season opportunities for 2018-2020. The proposal helps address elk agricultural damage problems and provides for elk population control when needed.

WAC 220-415-060 2017 Elk special permits.

This proposal provides for recreational elk hunting opportunity and protects elk from overharvest. The proposal would maintain sustainable elk special permit hunting opportunity for 2018. The proposal helps address elk agricultural damage problems and provides for elk population control when needed.

WAC 220-415-070 2017 Moose seasons, permit quotas, and areas.

We expect the moose population in Northeastern Washington to stabilize or decline over the next few years. Being able to predict whether males (bulls) or females (cows) will be taken in any given hunt is important to managers. Almost all holders of "any moose" permits attempt to take bulls. Accumulated points held in the "any moose" category would be transferred to the new "any antlered bull moose" category; the definition of "antlered bull moose" would require the presence of "visible antlers." Public support for this proposal was high.

Models currently under development by WDFW to understand moose population trajectory require knowing the age of harvested moose. WDFW currently requests successful hunters to extract a tooth and send it to WDFW in a supplied envelope. However, compliance with the currently voluntary request is variable, and response is likely biased. Incorporating this request in rule should increase compliance, increasing the accuracy and precision of our monitoring models.

In response to a hunter's question from 2017, we realized that, unlike other 'muzzleloader hunts' offered for other species, we had not indicated that 'archery' – considered a lesser-capable weapon – could also be used in the muzzleloader season. WDFW received approval from The United States Air Force on this change.

Recent work has strongly suggested that moose have begun declining in abundance in most areas. We also received considerable support from the public for reducing "Youth only" hunts. Most of these specific changes reduce "antlerless moose" permits, particularly in WDFW District 2, where harvest rates have been relatively high. In response to suggestions from Enforcement, we would eliminate the Master Hunter moose permits, which have only been used a handful of times in the past decade, due to the difficulty of finding an appropriate situation. This would reduce expectation among Master Hunters for an opportunity, which, in reality, has rarely been realized.

WAC 220-415-080 2018 Spring black bear seasons and regulations.

The proposed amendments will announce the appropriate season dates, assist in lessening the likelihood of incidental take of grizzly bear, bring awareness to hunters, create stewardship of resources managed by other government agencies, and provide the department with the ability to collect biological samples which further assist managing bear populations.

WAC 220-415-090 2015-2017 Fall black bear hunting seasons and regulations.

The proposed amendments will announce the appropriate season dates, assist hunters by providing opportunities where they exist, assist in lessening the likelihood of incidental take of grizzly bear, bring awareness to hunters, create stewardship of resources managed by other government agencies, and provide the department with the ability to collect biological samples which further assist managing bear populations.

WAC 220-415-100 2016-2017 and 2017-2018 Cougar hunting seasons and regulations.

The proposed amendments will announce the appropriate season dates; assist in minimizing disturbance to ungulates that are already stressed from winter and birthing; minimize confusion and burden on hunters to buy two licenses; allow hunters who are deer and elk hunting to take a cougar through December 15 without having to call the toll free line to determine if the area is open or not; provide the department an earlier timeframe to manage the harvest guidelines; and attempt to minimize potential of exceeding the harvest guidelines.

WAC 220-415-120 2017 Bighorn sheep seasons and permit quotas.

Where bighorn sheep graze frequently on private, agricultural lands, public tolerance for them can be compromised. Because we have no current place to translocate these sheep, a ewe-only hunt is recommended.

The Chelan Butte bighorn sheep population has also grown, providing opportunity for hunters interested in taking rams (we propose a split season, early and late). Because this herd is situated close to small farms and rural residences, the risk of contact between bighorns and domestic sheep and goats is high. One action the department can take to manage this risk is to halt the slow down or halt the growth of the herd through increased provision of ewe permits.

WAC 220-415-130 2015-2017 Mountain goat seasons and permit quotas.

Mountain goat populations are sensitive to harvest of females, but identification of gender in the field is difficult. The department currently provides training videos and pamphlets to successful applicants for mountain goat hunting permits, but has no way of ensuring that these materials are used. The department proposes adding an online gender identification test that permit holders would be required to pass before being allowed to purchase a mountain goat hunting license. A passing score would be 80%, and permit holders could re-take the test as often as needed until they achieved a passing score.

We now have reliable surveys indicating that goats inhabiting the Mt. St. Helens and Mt. Margaret areas are sufficiently abundant to sustain a conservative hunt. Thus, new hunts are proposed in this area.

The conflict reduction hunt in the East Olympic Mountains remains in the proposed WAC revision as of 12/20/2017, but we hope to remove it prior to the March Commission meeting if we have more certainty that the multi-agency translocation project will commence in 2018. If agencies are moving goats from the Olympic Mountains, it would be inappropriate to provide hunters with the expectation that there would be goats for hunters to pursue in those same places.

The department's data suggests that mountain goat hunting in the Goat Rocks area has been sustainable, but almost all mountain goats taken have come from the more accessible portions of the area. Splitting the existing hunt area in two (and allocating permits approximately proportionally) would distribute harvest pressure more evenly among goats in the greater population.

WAC 220-416-010 2015-16, 2016-17, 2017-18 Small game and other wildlife seasons and regulations.

Annual shifts in the calendar require adjustment.

Turkey populations in those GMUs are high, causing crop and property damage. The proposed change will lengthen the fall season to facilitate additional turkey harvest and help mitigate those problems.

The turkey population in Klickitat County is doing well enough to support a general season hunting opportunity. In the past hunting in those GMUs were by draw permit only. The recommended change will do away with the draw permits and opens those GMUs to general season hunters.

A bobcat hunter mistakenly harvested a collared lynx at night last year. It is very difficult to differentiate the two species with artificial light or night vision equipment. The recommended rule change will help conserve the few lynx that exist in the lynx management zones by making it illegal to night hunt in the GMUs that fall within those zones.

WAC 220-416-060 2017-2018 Migratory waterfowl seasons and regulations.

Waterfowl seasons and regulations are developed based on cooperative management programs among states of the Pacific Flyway Council and the U.S. Fish and Wildlife Service, considering population status and other biological parameters. The rule establishes waterfowl seasons and regulations to provide recreational opportunity, control waterfowl damage, and conserve the waterfowl resources in Washington.

WAC 220-440-030 Public Safety Cougar Removals.

WDFW is often called upon to address wildlife conflict issues involving cougar and other species of wildlife. The issues include both public safety and the protection of property. This commonly requires assistance from local citizens who own working dogs (commonly known as hounds), that are especially capable of, and trained for, the detection, tracking, and treeing cougar. Due to broad hunting restrictions, working dogs are limited in access to training opportunities. Working dogs must be kept in peak physical condition in order to be effective. Young dogs require training in order to be of use. The current Public Safety Cougar Removal program was implemented as a pilot and has not been effective in addressing its original intent. Both the Law Enforcement and the Wildlife Programs support this concept. Representatives from The Humane Society of the United States and Conservation Northwest have been involved in creating this proposal and are in support.

Statutory authority for adoption: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, 77.12.020, 77.12.040, 77.12.047, 77.12.150, 77.12.210, 77.12.240, 77.12.320, 77.12.570, 77.12.800, 77.15.245, 77.32.007, 77.32.050, 77.32.070, 77.32.090, 77.32.370, and 77.32.530.

Statute being implemented: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, 77.12.020, 77.12.040, 77.12.047, 77.12.150, 77.12.210, 77.12.240, 77.12.320, 77.12.570, 77.12.800, 77.15.245, 77.32.007, 77.32.050, 77.32.070, 77.32.090, 77.32.370, and 77.32.530.

Is rule necessary because of a:

- Federal Law? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None.

Name of proponent: (person or organization) WDFW Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Eric Gardner	600 Capitol Way North Olympia, WA 98501	(360) 902-2515
Implementation:	Eric Gardner	600 Capitol Way North Olympia, WA 98501	(360) 902-2515
Enforcement:	Chief Steve Bear	600 Capitol Way North Olympia, WA 98501	(360) 902-2373

Is a school district fiscal impact statement required under RCW 28A.305.135? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

- Name:
Address:
Phone:
Fax:

TTY:
Email:
Other:

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:

TTY:

Email:

Other:

No: Please explain: The rule proposal does not require a cost-benefit analysis and does not affect hydraulics.

Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

RCW 34.05.310 (4)(b)
(Internal government operations)

RCW 34.05.310 (4)(e)
(Dictated by statute)

RCW 34.05.310 (4)(c)
(Incorporation by reference)

RCW 34.05.310 (4)(f)
(Set or adjust fees)

RCW 34.05.310 (4)(d)
(Correct or clarify language)

RCW 34.05.310 (4)(g)
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025 (4).

Explanation of exemptions, if necessary: Proposed rule does not affect small businesses.

COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES


If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

No Briefly summarize the agency's analysis showing how costs were calculated. _____

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

Date: January 24, 2018	Signature: 
Name: Scott Bird	
Title: Rules Coordinator	