

Moose, Bighorn Sheep, and Mountain Goat Seasons - Briefing and Public Comment

WAC 220-415-070 2019 Moose season, permit quotas, and areas.
WAC 220-415-120 2019 Bighorn sheep season and permit quotas.
WAC 220-415-130 2019 Mountain goat seasons and permit quotas.

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Summary Sheet

Meeting dates: March 13-14, 2020

Agenda item: Moose, Bighorn Sheep, and Mountain Goat Seasons – **Briefing and Public Hearing**

Presenter(s): Brock Hoenes, Deer and Elk Section Manager

Background summary:

The department staff will brief the Commission on:

- WAC 220-415-070 2019 Moose seasons, permit quotas, and areas.
 - WAC 220-415-120 2019 Bighorn sheep seasons and permit quotas.
 - WAC 220-415-130 2019 Mountain goat seasons and permit quotas.
-

Staff recommendation:

For all three WACs, situations have occurred in the past that involved hunters who successfully drew a permit in more than one hunt category for the same species. Because the current language shows the bag limit is one moose, ewe, or adult goat, depending on the category, some hunters interpret this to mean one per permit, which is incorrect. Amending this rule as proposed, would clarify the rule and avoid confusion in the future.

Permits for ‘Any Antlered Bull Moose’ in Spokane West A were increased because surveys showed a good bull to cow ratio. Permits for ‘Antlerless Only’ were reduced in Mt Spokane South B, Mt Spokane North B, and Mica Peak because surveys showed calf recruitment rates and the overall number of moose biologists observed were lower than normal.

WAC 220-415-120, the department is proposing to develop unique permit opportunities for adult ewes and juvenile rams for the Yakima Canyon herd. This proposal is in association with our efforts to reduce the size of the herd and eliminate *Mycoplasma ovipneumoniae* (M. Ovi.) from this herd. The department first implemented these permits during the 2019 season with special restriction identified as an Adult Ewe or Juvenile Ram, but most resulting harvest consisted of rams, including rams that were not juveniles. As such, very few ewes were harvested as intended, which calls for the proposed change.

Policy issue(s) and expected outcome:

- Clarify the rule and avoid confusion.
 - Adjust ‘Any Antlered Bull Moose’ in Spokane West.
 - Change title dates from 2019 to 2020.
 - Change permit opportunities for the Yakima Canyon herd to eliminate M. Ovi.
 - Provide hunter opportunity.
-

Fiscal impacts of agency implementation:

None.

Public involvement process used and what you learned:

The department provided public input opportunity on proposed hunting seasons via the department website for a three-week time period. Additionally, these individuals and organizations were informed of the opportunity to provide verbal testimony at the March 13-14, 2020 Commission meeting.

Please see the attached summary of public comment form.

Action requested and/or proposed next steps:

Take public comment. Adoption is planned for the April 10-11, 2020 Commission meeting.

Form revised 2-15-18

WAC 220-415-070 ((2019)) 2020 Moose seasons, permit quotas, and areas.

(1) It is unlawful to fail to comply with the provisions of this section. A violation of this section is punishable under RCW 77.15.410((7)) Unlawful hunting of big game—Penalty.

(2) **Moose Permit Hunts**

(a) **Who May Apply:**

(i) **Any antlered bull moose category:** An individual may only harvest one moose under the "any antlered bull moose" or "any moose" category during his or her lifetime. Applications will not be accepted from hunters having previously harvested a moose in the "any moose" or "any antlered bull moose" category.

(ii) **Antlerless only, youth antlerless, over-65 antlerless, disabled-antlerless, hunter-education antlerless, auction moose, raffle moose:** Anyone may apply.

(b) **Bag Limit:** One moose except where otherwise permitted by department rule, even if permits are drawn for more than one moose hunt category.

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

(d) **Submitting moose teeth:** Successful moose hunters must submit an incisor tooth from the lower jaw, either in person at a WDFW office, or via the postage-paid envelope supplied, no later than sixty days after harvest.

(e) **Any antlered bull moose seasons:** Open only to the taking of moose with visible antlers (bull calves illegal).

| Hunt Name | Notes | Permit Season | GMU or boundary | Permits |
|--|-------|------------------|---------------------------|------------|
| Any antlered bull moose | | | | |
| Kettle Range-East Okanogan 101, 105, 204 | | Oct. 1 - Nov. 30 | GMUs 101, 105, 204 | 10 |
| Douglas A - Early | | Oct. 1-31 | GMU 108 | 3 |
| Douglas A - Late | | Nov. 1-30 | GMU 108 | 3 |
| Aladdin A - Early | | Oct. 1-31 | GMU 111 | 3 |
| Aladdin A - Late | | Nov. 1-30 | GMU 111 | 3 |
| Selkirk 113 | | Oct. 1 - Nov. 30 | GMU 113 | 15 |
| 49 Degrees North A - Early | | Oct. 1-31 | GMU 117 | 12 |
| 49 Degrees North A - Late | | Nov. 1-30 | GMU 117 | 12 |
| Huckleberry A - Early | | Oct. 1-31 | GMU 121 | 10 |
| Huckleberry A - Late | | Nov. 1-30 | GMU 121 | 10 |
| Spokane West A | | Oct. 1 - Nov. 30 | GMU 124 w of Hwy 395 | ((4)) 2 |
| Mt Spokane South A | | Oct. 1 - Nov. 30 | Moose Area 1 (within 124) | 8 |
| Mt Spokane North A | | Oct. 1 - Nov. 30 | Moose Area 2 (within 124) | 8 |
| Hangman | | Oct. 1 - Nov. 30 | GMU 127 & 130 | 4 |
| Antlerless only - | | | | |
| Douglas 108 B | | Oct. 1 - Nov. 30 | GMU 108 | 2 |
| Aladdin 111 B | | Oct. 1 - Nov. 30 | GMU 111 | 2 |
| 49 Degrees North B | | Oct. 1 - Nov. 30 | GMU 117 | 4 |

| Hunt Name | Notes | Permit Season | GMU or boundary | Permits |
|--------------------------------------|-------|------------------|---------------------------------------|-------------------|
| Huckleberry B | | Oct. 1 - Nov. 30 | GMU 121 | 10 |
| Spokane West B | | Oct. 1 - Nov. 30 | GMU 124 w of Hwy 395 | 2 |
| Mt Spokane South B | | Oct. 1 - Nov. 30 | Moose Area 1 (within 124) | ((4)) <u>2</u> |
| Mt Spokane North B | | Oct. 1 - Nov. 30 | Moose Area 2 (within 124) | ((4)) <u>2</u> |
| Mica Peak | | Oct. 1 - Nov. 30 | GMU 127 | ((4)) <u>2</u> |
| Cheney B | | Oct. 1 - Nov. 30 | GMU 130 | 2 |
| Youth Only - Antlerless | a | | | |
| Mt Spokane South Y | | Oct. 1 - Nov. 30 | Moose Area 1 (within 124) | 1 |
| 65 Year and over - Antlerless | c | | | |
| 49 Degrees North V | | Oct. 1 - Nov. 30 | GMU 117 | 2 |
| Huckleberry V | | Oct. 1 - Nov. 30 | GMU 121 | 2 |
| Disabled hunter - Antlerless | b | | | |
| 49 Degrees North D | | Oct. 1 - Nov. 30 | GMU 117 | 3 |
| Mt Spokane North D | | Oct. 1 - Nov. 30 | Moose Area 2 (within 124) | 1 |
| Hunter Education Antlerless | d | | | |
| | | | GMU 101, 105, 108, 111, 113, 117, 121 | 1 |

^aApplicants must be eligible to purchase a youth moose permit application. An adult must accompany the youth hunter during the hunt.

^bApplicants must possess a Disabled Hunter Permit.

^cApplicants must be eligible to purchase a 65 years of age or older permit application.

^dApplicants must be a certified hunter education instructor who meets program-defined eligibility criteria.

Note: Moose Area 3 (Parker Lake) is closed to all moose hunters, except those with a Parker Lake special permit. Special permits (both archery and muzzleloader) for Moose Area 3 are temporarily suspended for hunting season 2019 due to local land uses that conflict with hunting (i.e., no permits will be offered in 2019). If reopened in future years, applicants should take note that this special hunt is authorized under an agreement with the U.S. Air Force Survival School on a trial basis and will be evaluated based on student safety each year for continuation.

^{HEII}Only qualifying hunter education instructors may apply.

(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 Chatteroy Rd; SW on Elk Chatteroy 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.

(c) **Moose Area 3:** Parker Lake (GMU 117, Pend Oreille County): All lands south of Ruby Creek Rd (USFS Road 2489), north of Tacoma Creek Rd (USFS Road 2389), and west of Bonneville Power Administration power lines.

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

WAC 220-415-070 2020 Moose Seasons, Permit Quotas, and Areas.

Supporting Comments:

The Department received eleven comments in support of the proposal. Seven comments advocated for predator management, one comment expressed general support of the proposal, and one comment advocated for not allowing hunters to draw a permit in more than one permit category. Two additional comments were not related to the proposal.

Opposing, Neutral, and Other Comments:

The Department received twelve comments in opposition to the proposal. Six comments advocated for no antlerless moose permits, three advocated for predator management, one advocated for reductions in all moose permits, and one advocated for more youth permits. Three additional comments were not related to the proposal.

The Department received two neutral comments, both of which advocated for predator management.

Direction and Rationale:

The Department will move forward with recommendations to the Fish and Wildlife Commission as originally proposed. Although the central themes of comments were associated with predator management and reducing antlerless permits further, the Department has already liberalized bear seasons in eastern Washington and is proposing options to recreational cougar seasons that could increase opportunities to harvest cougars. Moreover, in response to recent declines in moose populations in some areas, antlerless moose permits were substantially reduced in 2018.

WAC 220-415-120 ((2019)) 2020 Bighorn 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 ram during his or her lifetime. However, this restriction is waived for hunters who have previously harvested a bighorn sheep under a ewe-only, juvenile ram, raffle, or auction permit, as well as for applications for a ewe-only, juvenile ram, raffle, or auction permit.

(b) **Bag Limit:** One ~~((bighorn ram, except in designated adult ewe hunts the limit is one bighorn adult ewe))~~ (1) bighorn sheep except where otherwise permitted by department rule, even if permits are drawn for more than one bighorn sheep hunt category.

| Hunt Name | Permit Season | Permit Hunt Boundary Description | Special Restrictions | Permits |
|---|---------------------------------|--|--|-------------------|
| Ram (male) bighorn sheep only | | | | |
| Vulcan Mountain | Sept. 15 - Oct. 10 | Sheep Unit 2 | Any Legal Weapon | ((+)) |
| Lincoln Cliffs A | Sept. 15 - Oct. 10 | Sheep Unit 12 | Any Legal Weapon | 2 |
| Mt. Hull A | Sept. 15 - Oct. 10 | Sheep Unit 10 | Any Legal Weapon | |
| Swakane | Sept. 15 - Oct. 10 | Sheep Unit 14 | Any Legal Weapon | 2 |
| Chelan Butte A | Sept. 15 - Oct. 10 | Sheep Unit 18 | Any Legal Weapon | 2 |
| Chelan Butte B | Oct. 11 - Nov. 15 | Sheep Unit 18 | Any Legal Weapon | 2 |
| Manson | Nov. ((7)) <u>9</u> - Nov. 30 | Sheep Unit 16 | Any Legal Weapon | 2 |
| Selah Butte | Nov. ((7)) <u>9</u> - Nov. 30 | Sheep Unit 4 | Any Legal Weapon | ((4)) <u>3</u> |
| Umtanum | Sept. 15 - Oct. ((+0)) <u>9</u> | Sheep Unit 5 | Any Legal Weapon | ((4)) <u>3</u> |
| Cleman Mountain A | Sept. 15 - Oct. ((+0)) <u>9</u> | Sheep Unit 7 | Any Legal Weapon | ((4)) <u>5</u> |
| Quilomene | Sept. 15 - Oct. ((+0)) <u>9</u> | Sheep Unit 13 | Any Legal Weapon | 5 |
| Ewe (female) bighorn sheep only | | | | |
| Lincoln Cliffs Whitestone Unit | Oct. 1-10 | Sheep Unit 12 west of Mount View Rd ^d | Adult ewe only Any Legal Weapon | 1 |
| ((Lincoln Cliffs Lincoln Unit | Oct. 1-10 | Sheep Unit 12 east of Mount View Rd^d | Adult ewe only Any Legal Weapon | 1)) |
| Mt. Hull B | Oct. 1-10 | Sheep Unit 10 | Adult ewe only Any Legal Weapon | |
| Mt. Hull C (youth hunter) ^a | Oct. 1-10 | Sheep Unit 10 | Adult ewe only Any Legal Weapon | |
| Chelan Butte C | Sept. 15 - Oct. 10 | Sheep Unit 18 | Adult ewe only Any Legal Weapon | 4 |
| Chelan Butte D (disabled hunter) ^b | Oct. 11-31 | Sheep Unit 18 | Adult ewe only Any Legal Weapon | 3 |
| Cleman Mountain B | Oct. ((11-31)) <u>10-31</u> | Sheep Unit 7 | Adult ewe only Any Legal Weapon | 10 |

| Hunt Name | Permit Season | Permit Hunt Boundary Description | Special Restrictions | Permits |
|---|--|----------------------------------|---|----------------|
| Selah Butte North | ((Sept. 16 – Oct. 11)) Sept. 14 - Oct. 12 | Sheep Unit 4A | Adult ewe ((or Juvenile ram)) | 5) 4 |
| Selah Butte North (youth hunter) | ((Sept. 16 – Oct. 11)) Sept. 12 - Oct. 12 | Sheep Unit 4A | Adult ewe ((or Juvenile ram)) | 2 |
| Mount Baldy | ((Sept. 16 – Oct. 11)) Sept. 14 - Oct. 12 | Sheep Unit 4B | Adult ewe ((or Juvenile ram)) | 5) 4 |
| Mount Baldy (youth hunter) | ((Sept. 16 – Oct. 11)) Sept. 12 - Oct. 12 | Sheep Unit 4B | Adult ewe ((or Juvenile ram)) | 2 |
| Selah Butte South | ((Sept. 16 – Oct. 11)) Sept. 14 - Oct. 12 | Sheep Unit 4C | Adult ewe ((or Juvenile ram)) | 5) 4 |
| Selah Butte South (youth hunter) | ((Sept. 16 – Oct. 11)) Sept. 12 - Oct. 12 | Sheep Unit 4C | Adult ewe ((or Juvenile ram)) | 2) 1 |
| Umtanum North | ((Nov. 4 – Nov. 17)) Nov. 9-22 | Sheep Unit 5A | Adult ewe ((or Juvenile ram)) | 5 |
| Umtanum North (youth hunter) | ((Nov. 4 – Nov. 17)) Nov. 9-29 | Sheep Unit 5A | Adult ewe ((or Juvenile ram)) | 2) 1 |
| Umtanum South | ((Nov. 4 – Nov. 17)) Nov. 9-22 | Sheep Unit 5B | Adult ewe ((or Juvenile ram)) | 5 |
| Umtanum South | ((Nov. 18 – Dec. 1)) Nov. 23 - Dec. 6 | Sheep Unit 5B | Adult ewe ((or Juvenile ram)) | 5 |
| ((Umtanum South | Dec. 2 – Dec. 15 | Sheep Unit 5B | Adult ewe or Juvenile ram | 5)) |
| Umtanum South (youth hunter) | ((Nov. 4 – Dec. 15)) Nov. 9-29 | Sheep Unit 5B | Adult ewe ((or Juvenile ram)) | 3) 2 |
| Cleman Mountain C | Nov. ((1-18)) 9-29 | Sheep Unit 7 | Adult ewe only Any Legal Weapon | 8 |
| Cleman Mountain D (youth hunter) ^a | Nov. ((1-18)) 9-29 | Sheep Unit 7 | Adult ewe only Any Legal Weapon | 2 |
| Juvenile ram (male) bighorn sheep only | | | | |
| Chelan Butte E (disabled hunter) ^b | Oct. 11-31 | Sheep Unit 18 | Any Legal Weapon Juvenile ram ^c | 2 |
| <u>Selah Butte North</u> | <u>Sept. 14 - Oct. 12</u> | <u>Sheep Unit 4A</u> | <u>Juvenile ram^c</u> | <u>1</u> |
| <u>Mount Baldy</u> | <u>Sept. 14 - Oct. 12</u> | <u>Sheep Unit 4B</u> | <u>Juvenile ram^c</u> | <u>2</u> |
| <u>Selah Butte South</u> | <u>Sept. 14 - Oct. 12</u> | <u>Sheep Unit 4C</u> | <u>Juvenile ram^c</u> | <u>2</u> |
| <u>Umtanum North</u> | <u>Nov. 9-22</u> | <u>Sheep Unit 5A</u> | <u>Juvenile ram^c</u> | <u>1</u> |
| <u>Umtanum South</u> | <u>Nov. 9-22</u> | <u>Sheep Unit 5B</u> | <u>Juvenile ram^c</u> | <u>1</u> |

See subsection (3) of this section Bighorn Sheep Units for detailed legal descriptions of these hunt area boundaries.

^aApplicants 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.

^bApplicants must possess a Disabled Hunter Permit.

^cA juvenile ram is defined as a male bighorn sheep having at least one "unbroomed" horn that does not extend past an imaginary line beginning at the point on the animal's forehead where the front of the horn base adjoins the skull, and continuing downwards and in a posterior direction through the posterior edge of the eye. A "broomed" horn is defined as a sheep horn that has been broken, splintered, frayed or rubbed in the wild, thus shortening its length and disrupting its natural taper.

This hunt contributes to a program designed to eliminate or greatly reduce prevalence of pneumonia in this herd. As such, hunters will be required to retain lungs and head for submission within ten calendar days to the Washington department of fish and wildlife regional or district office for veterinary sampling.

(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 GMU 340 east of the Yakima River.

(c) **Sheep Unit 4A Selah Butte North:** Permit Area: That part of GMU 340 east of the Yakima River and north of Lmuma Creek.

(d) **Sheep Unit 4B Mount Baldy:** Permit Area: That part of GMU 340 east of the Yakima River, south of Lmuma Creek and north of Burbank Creek.

(e) **Sheep Unit 4C Selah Butte South:** Permit Area: That part of GMU 340 east of the Yakima River and south of Burbank Creek.

(f) **Sheep Unit 5 Umtanum:** Permit Area: Those portions of GMU 340 west of the Yakima River and GMU 342 north of Wenas Creek.

(g) **Sheep Unit 5A Umtanum North:** Permit Area: Beginning at the Powerline Crossing the Yakima River in Section 11 of T17N, R18E; then south down the Yakima River to Roza Creek; then west up Roza Creek to the powerline; then north along the powerline to the point of beginning.

(h) **Sheep Unit 5B Umtanum South:** Permit Area: Beginning where Roza Creek enters the Yakima River, then down the Yakima River to the powerline crossing in Section 17 of T14N, R19E; then north on the powerline to Roza Creek; then east down Roza Creek to the point of beginning.

(i) **Sheep Unit 7 Cleman Mountain:** Permit Area: GMU 346 and that part of GMU 342 south of Wenas Creek.

(j) **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.

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

(l) **Sheep Unit 13 Quilomene:** Permit Area: GMUs 329, 330, and that part of 251 east of Squilchuck Creek and south of Colockum Creek.

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

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

(o) **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.

(p) **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 Antoine Creek, W up Antoine 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.

(q) **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.

(r) **Whitestone Unit:** Starting at the intersection of Mount View Rd and US Highway 2; W on US Highway 2 to the Lincoln County Line; N on the Lincoln County Line to the Lincoln County Line in the Columbia River; E up the Columbia River to Halverson Canyon; S and W up Halverson Canyon to Mount View Rd; S on Mount View Rd to US Highway 2 and the point of the beginning.

(s) **Lincoln Unit:** Starting at the intersection of Mount View Rd and US Highway 2; E on US Highway 2 to the Lincoln County Line; N on the Lincoln County Line to the Lincoln County Line in the Spokane River; W down the Spokane River to the Columbia River; W down the Columbia River to Halverson Canyon; S and W up Halverson Canyon to Mount View Rd; S on Mount View Rd to US Highway 2 and the point of the beginning.

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

WAC 220-415-120 2020 Bighorn Sheep Seasons and Permit Quotas.

Supporting Comments:

The Department received two comments in support of the proposal. One comment advocated for not allowing hunters to draw a permit in more than one category, while the other comment was unrelated to the proposal.

Opposing, Neutral, and Other Comments:

The Department received seven comments in opposition to the proposal. Two comments did not agree with the disease management approach in the Yakima Canyon herd, one advocated for more permits in Asotin Creek, and one advocated for predator management. The other three comments were unrelated to the proposal.

Of the four neutral comments received, two advocated for predator management, one advocated for stricter enforcement of the juvenile ram permits, and one advocated for permits in the Grande Ronde.

Direction and Rationale:

The Department will move forward with the recommendation to the Fish and Wildlife Commission as originally proposed. Permit quotas were developed using the most recent survey data, are reflective of the current status of each herd, and were developed within the management framework outlined in the Game Management Plan. Permit quotas in the Yakima Canyon herd were developed with the explicit intent of reducing herd size so we can implement a “test and cull” management strategy that has been successful at eradicating Movi in other bighorn sheep herds.

WAC 220-415-130 ((2019)) 2020 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((7)) 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. Except for auction and raffle permitted hunts, an individual may only harvest one mountain goat during his or her lifetime.

(b) **Bag Limit:** One (1) adult goat of either sex with horns 4 inches or longer, except where otherwise permitted by department rule even if permits are drawn for more than one mountain goat hunt category.

(c) It is unlawful for a person who kills a mountain goat in Washington to fail, within ten days after acquisition, to personally present the horns attached to the head for inspection at a department office or location designated by a departmental representative. After inspection, the head/horns of a mountain goat lawfully killed in Washington may be kept for personal use. A violation of this subsection is punishable under RCW 77.15.280 (1) (b).

(d) Applicants drawn for a permit may only purchase their license after successfully completing the WDFW mountain goat gender identification training (online or at a participating WDFW office).

| Goat Hunt Area Name (Number) | Permit Season | Special Restrictions | Permits |
|--------------------------------|---------------------------------|----------------------|------------|
| North Lake Chelan (2-1) | Sept. 15 - Nov. 30 ^a | Any Legal Weapon | 2 |
| South Lake Chelan (2-3) | Sept. 15 - Nov. 30 ^a | Any Legal Weapon | 1 |
| Naches Pass (3-6) | Sept. 15 - Nov. 30 | Any Legal Weapon | 2 |
| Bumping River (3-7) | Sept. 15 - Nov. 30 ^a | Any Legal Weapon | 2 |
| Boulder River North (4-8a) | Sept. 15 - Nov. 30 ^a | Any Legal Weapon | 1 |
| Chowder Ridge (4-3) | Sept. 15 - Nov. 30 ^a | Any Legal Weapon | 1 |
| Lincoln Peak (4-4) | Sept. 15 - Nov. 30 ^a | Any Legal Weapon | 2 |
| Avalanche Gorge (4-7) | Sept. 15 - Nov. 30 ^a | Any Legal Weapon | 3 |
| Goat Rocks West (5-4) | Sept. 15 - Nov. 30 ^a | Any Legal Weapon | 2 |
| Goat Rocks East (5-5) | Sept. 15 - Nov. 30 ^a | Any Legal Weapon | ((1)) 2 |
| Mt. Margaret Backcountry (5-6) | Oct. 1 - Nov. 30 | Any Legal Weapon | 1 |
| Mt. St. Helens South (5-7) | Oct. 1 - Nov. 30 | Any Legal Weapon | 1 |

^aPermit holders hunting with archery equipment may start hunting September 1.

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

Chelan North 2-1

Permit Area: Beginning at the mouth of Fish Creek on Lake Chelan (Moore Point); then NE up Fish Creek and USFS Trail 1259 to the Sawtooth crest near Deephole Spring; then SE along the Sawtooth crest, which separates Chelan and Okanogan counties, to Horsethief Basin and

the headwaters of Safety Harbor Creek; then S along Safety Harbor Creek to Lake Chelan, then NW 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 N along the Pacific Crest Trail to Naches Pass; then E to USFS Road 19 and continuing to State Highway 410; then W 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.)

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 W along Cabin Creek to the headwaters near Snowshoe Butte; then S along the Cascade Crest separating the Green and Yakima River drainage to Pyramid Peak; then SE along the North Fork, Little Naches, and Naches River to the Yakima River; then N along the Yakima River to the mouth of Cabin Creek and point of beginning.

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.

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).

Permit Area - Boulder River North 4-8a

That area within the Boulder River Wilderness of the Mount Baker Snoqualmie National Forest, beginning at the Boulder River trailhead on USFS Rd 2010 (to Boulder Falls), then E along the USFS Boulder River Wilderness boundary to Squire Creek, then southward along the Squire Creek to Squire Creek Pass, then SW up Squire Creek Pass to the headwaters of Copper Creek, then SE down Copper Creek to the unnamed tributary to Copper Creek which heads W up to Windy Pass, then W up said tributary to its headwaters in Windy Pass, then W across Windy Pass to the headwaters of Windy Creek, then W down Windy Creek to the USFS Boulder River Wilderness boundary, then N along the USFS Boulder River Wilderness boundary to the Boulder River trailhead on USFS Rd 2010 and the point of the beginning.

Goat Rocks West 5-4: (Lewis County). Beginning at US Hwy 12 at the US Forest Service Trail 2000 (Pacific Crest National Scenic Trail); 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 East 5-5: (Yakima County): GMU 364

Permit Area 6-1: East Olympic Mountains Unit

Beginning at the intersection of Lake Cushman Rd and Jorsted Creek Rd (USFS Rd 24); W along Jorsted Creek Rd (USFS Rd 24) to Olympic National Park (ONP) boundary at the northern end of Lake Cushman; N and NE

along the ONP-Olympic National Forest (ONF) boundary to the Jefferson-Clallam County line; E along the Jefferson-Clallam County line to its intersection with ONF boundary in section 33 of T28N R2W; S along the ONF boundary to the intersection of Lake Cushman Rd and Jorsted Creek Rd (USFS Rd 24) and the point of beginning.

Permit Area - Mt. Margaret Backcountry 5-6 (Skamania and Lewis counties)

Beginning at the junction of USFS 99 Rd and USFS 26 Rd; S on USFS 99 Rd to junction of USFS 99 Rd and USFS Trail 227 at Independence Pass trailhead; N on USFS Trail 227 to junction of USFS Trail 227 and USFS Trail 1; W on USFS Trail 1 to junction of USFS Trail 1 and USFS Trail 230; NW on USFS Trail 230 to junction of USFS Trail 230 and USFS Trail 211; NE to Minnie Peak; W to the USFS property boundary in the SE 1/4 of Section 20, T10N, R5E; N along the USFS property boundary to the Green River; E up the Green River to USFS Rd 2612; E on USFS 2612 to the junction of USFS Rd 2612 and USFS Rd 26; S on USFS Rd 26 to the junction of USFS Rd 26 and USFS Rd 99 and point of beginning.

Permit Area - Mt. St. Helens South 5-7 (Skamania and Cowlitz counties) (awaiting JT input)

Beginning at the junction of USFS Trail 234 and USFS Rd 83; W on USFS Rd 83 to the junction of USFS Rd 83 and USFS Rd 81; NW on USFS Rd 81 to the junction of USFS Rd 81 and USFS Rd 8123; N on USFS Rd 8123 to USFS Trail 238 at Blue Lake; N on USFS Trail 238 to USFS Trail 216; N on USFS Trail 216 to the South Fork Toutle River; Up the South Fork Toutle River to Mt. St. Helens crater's edge; E along Mt. St. Helens crater to Ape Canyon Creek; Down Ape Canyon Creek to USFS Trail 216; E on USFS Trail 216 to USFS Trail 234; SE on USFS Trail 234 to USFS Rd 83 and point of beginning.

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

WAC 220-415-130 2020 Mountain Goat Seasons and Permit Quotas.

Supporting Comments:

The Department received seven comments in support of the proposal, but four of them were unrelated to the proposal. One respondent advocated for more permits, one advocated for predator management, and one advocated for not allowing hunters to draw a permit in more than one category.

Opposing, Neutral, and Other Comments:

The Department received three comments in opposition to the proposal. One respondent advocated for more permits, one advocated for predator management, and one comment was unrelated to the proposal.

Of the two neutral comments received, one advocated for predator management and one was unrelated to the proposal.

Direction and Rationale:

The Department will move forward with the recommendation to the Fish and Wildlife Commission as originally proposed. Proposed adjustments to Mountain Goat permit quotas were minor, based on most recent survey data, and within the management framework identified in the Game Management Plan.



PROPOSED RULE MAKING

CR-102 (December 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: February 05, 2020

TIME: 9:19 AM

WSR 20-04-091

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 20-01-123 on December 16, 2019 ; 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); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) The department seeks to adopt rules concerning the 2020-2021 season setting.

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

WAC 220-410-060 Game management units (GMUs) boundary descriptions—Region six.

WAC 220-412-050 Landowner raffle hunts.

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

WAC 220-412-090 Multiple season big game permits.

WAC 220-412-100 Landowner hunting permits.

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

WAC 220-413-200 Reducing the spread of hoof disease—Unlawful transport of elk hooves.

WAC 220-415-020 2018-2020 Deer general seasons and definitions.

WAC 220-415-030 2019 Deer special permits.

WAC 220-415-040 Elk area descriptions.

WAC 220-415-050 2018-2020 Elk general seasons and definitions.

WAC 220-415-060 2019 Elk special permits.

WAC 220-415-070 2019 Moose seasons, permit quotas, and areas.

WAC 220-415-100 2018-2019 and 2019-2020 Cougar.

WAC 220-415-120 2019 Bighorn sheep seasons and permit quotas.

WAC 220-415-130 2019 Mountain goat seasons and permit quotas.

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

WAC 220-416-040 Hunting predatory birds.

WAC 220-416-060 2019-2020 Migratory waterfowl seasons and regulations.

WAC 220-440-060 Killing wildlife causing private property damage.

Hearing location(s):

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

| | | | |
|-------------------|-----------|--|--|
| March 13-14, 2020 | 8:00 a.m. | Red Lion Columbia Center 1101 N. Columbia Center Blvd. Kennewick, Washington 99336 | |
|-------------------|-----------|--|--|

Date of intended adoption: April 10-11, 2020 (Note: This is **NOT** the effective date)

Submit written comments to:

Name: Wildlife Program

Address: PO Box 43200, Olympia, WA. 98504

Email: wildthing@dfw.wa.gov

Fax: (360) 902-2162

Other: <https://wdfw.wa.gov/hunting/regulations/season-setting>

By (date) February 26, 2020

Assistance for persons with disabilities:

Contact Dolores Noyes

Phone: (360) 902-2349

Fax:

TTY: (800) 833-6388

Email: dolores.noyes@dfw.wa.gov

Other:

By (date) March 6, 2020

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

WAC 220-410-050 Game management unit (GMU) boundary descriptions—Region five.

The purpose of this proposal is to correct any errors in the boundary descriptions for game management unit 506.

WAC 220-410-060 Game management unit (GMU) boundary descriptions—Region six.

The purpose of this proposal is to correct any errors in the boundary descriptions for game management unit 673.

WAC 220-412-050 Landowner raffle hunts.

The purpose of this proposal is to alter the adjustment of annual report submission date requirements from December 31 to May 1, to coincide with WAC 220-412-100. This also allows enrolled landowners to submit all required reports at the same time.

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

This proposal adds game management units (GMUs) 186 and portions of GMU 181 (south of the line made by starting at Montgomery Ridge Road and Highway 129, to the Sherry Grade Road, to the Couse Creek Road, to the Snake River) to the legal hunt area for the Rocky Mountain Bighorn Sheep Raffle Permit.

WAC 220-412-090 Multiple season big game permits.

The purpose of this proposal is to clarify language.

WAC 220-412-100 Landowner hunting permits.

The purpose of this proposal is to further develop the standard operating procedure for the Landowner Hunting Permit (LHP) Program. The Landowner Hunting Permit WAC has been adjusted to reflect the new proposed requirements for the LHP program, as outlined in the standard operating procedure. The revised standard operating procedure anticipates better management, monitoring, and an improved experience for the general public, while recreating on properties enrolled in the Landowner Hunting Permit.

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

The proposed administrative changes remove the reference to “wooden towers” from the description for the Columbia River Restricted Hunting Area. Corrections are made to the spelling of Newberry (from Newbury) Hill Road for the Firearm Restriction Area in Kitsap County.

WAC 220-413-200 Reducing the spread of hoof disease—Unlawful transport of elk hooves.

The purpose of this proposal is to abolish the rule.

WAC 220-415-020 2018-2020 Deer general seasons and definitions.

The purpose of this proposal is to retain general season deer hunting opportunities for 2020. It also aims to balance the hunting opportunities between user groups. The proposal also increases opportunities when deer populations allow and reduces opportunities when declining deer numbers warrant a change.

WAC 220-415-030 2019 Deer special permits.

The purpose of this proposal is to retain special permit for deer hunting opportunities for 2020. It also balances hunting opportunities between user groups, increases opportunities when deer populations allow, and reduces opportunities when declining deer numbers warrant a change. Lastly, it adds language that clarifies the bag limit is one deer, except where otherwise permitted by department rule, even if permits are drawn for more than one deer hunt category.

WAC 220-415-040 Elk area descriptions.

The purpose of the proposed changes would eliminate Elk Area No. 1011 (Columbia County), Elk Area No. 1012 (Asotin County), and Elk Area No. 1082 (Asotin County).

WAC 220-415-050 2018-2020 Elk general seasons and definitions.

The purpose of the proposed change is to retain general season elk hunting opportunities for 2020. It also balances hunting opportunities between user groups, increases opportunities when elk populations allow, and reduces opportunities when declining elk numbers warrant a change.

The department will not develop specific recommendations regarding opportunities to harvest antlerless elk during the early archery general elk seasons in the Colockum (GMUs 328, 329) and Yakima (GMUs 336, 340, 352, 356, 364) elk herd areas until population surveys are completed in February and/or March. If population surveys indicate it is warranted, the department may also consider reducing opportunities for archery hunters to harvest antlerless elk during the late archery general elk seasons, and reducing modern firearm, and muzzleloader special permit opportunities. A general overview of the recommendations that may be considered dependent of herd status are provided below. Recommendations developed in response to surveys indicating a population decline will also depend on the severity of the decline.

Colockum Elk Herd: (GMUs 249, 251, 328, 329, 330, 334, 335)

| <u>Herd Status</u> | <u>General Overview of Recommendation</u> |
|--------------------|--|
| Decline | Significantly reduce or eliminate general season opportunities to harvest antlerless elk during archery seasons, except for those associated with addressing damage issues, and in areas where the department does not manage for large numbers of elk (e.g., GMU 334, 335). Also, reduce opportunities to harvest antlerless elk during modern firearm and muzzleloader permit seasons. |
| Stable | Significantly reduce or eliminate general season opportunities to harvest antlerless elk during archery seasons, except for those associated with addressing damage issues and in areas where the department does not manage for large numbers of elk (e.g., GMU 334, 335). Replace some of the lost opportunities with a limited number of permits to harvest antlerless elk. Retain opportunities to harvest antlerless elk during modern firearm and muzzleloader permit seasons. |
| Increase | Retain current general and special permit seasons. |

Yakima Elk Herd: (GMUs 336, 340, 342, 346, 352, 356, 360, 364, 368, 371, 372)

| <u>Herd Status</u> | <u>General Overview of Recommendation</u> |
|--------------------|--|
| Decline | Significantly reduce or eliminate general season opportunities to harvest antlerless elk, except for those associated with addressing damage issues and in areas where the department does not manage for large numbers of elk (e.g., GMUs 371 and 372). Replace some of the lost opportunities with a limited number of permits to harvest antlerless elk. If warranted, also reduce opportunities during modern firearm and muzzleloader permit seasons. |
| Stable | Significantly reduce or eliminate general season opportunities to harvest antlerless elk, except for those associated with addressing damage issues and in areas where the department does not manage for large numbers of elk (e.g., GMU 371 and 372). Replace some of the lost opportunities with a limited number of permits to harvest antlerless elk. Retain current opportunities during modern firearm and muzzleloader permit seasons. |
| Increase | Retain current general and special permit seasons. |

WAC 220-415-060 2019 Elk special permits.

The purpose of this proposal is to retain elk special permit hunting opportunities for 2020. It also balances elk hunting opportunities between user groups, increases elk hunting opportunities when elk populations allow, and reduces opportunities when declining elk numbers warrant a change. Lastly, it adds language that clarifies the bag limit is one elk, except where otherwise allowed by department rule, even if permits are drawn for more than one elk hunt category.

WAC 220-415-070 2019 Moose seasons, permit quotas, and areas.

This proposal adds language that clarifies the bag limit is one moose, except where otherwise allowed by department rule, even if permits are drawn for more than one moose hunt category. It also adjusts moose hunt permit limits to reflect population changes and recent harvest.

WAC 220-415-100 2018-2019 and 2019-2020 Cougar.

The proposed changes are designed to give the Commission four options to choose from relating to recreational cougar harvest guidelines. The non-status quo options are intended to extend seasons in areas where harvest has been historically high, and where cougar human conflict is also high. The intended result of the longer season is to shift a proportion of the cougar removal, currently carried out by agency personnel, to hunters:

- The first option is status quo with one caveat, the density we used to set the guideline is the median of five research projects that were conducted in Washington. The median is a better measure because it is not affected by outliers in the data. In the past we used the mean.

- The second option also uses a median density that is calculated using only adult cougars that are 24 months or older. This option reduces the guideline slightly, but sub-adult cougars harvested under this option would not count toward the guideline for season closure.
- The third option adjusts the guideline upward for units that exceeded the guideline by December 31 at least once in the past five years. The new guideline is based on the highest harvest in the past five years. In this option there is the assumption that density is higher in these areas. In two PMUs, the guidelines in this option were adjusted, so they did not exceed an assumed density 4.15 cougars per 100 square kilometers. This was intended to keep the density within an acceptable range based on research conducted in the western United States. This guideline includes adults and sub-adults.
- The fourth option is like option three, but only uses a density based on adult cougars and only counts adult cougars towards the guideline.

WAC 220-415-120 2019 Bighorn sheep seasons and permit quotas.

This proposal adds language that clarifies the bag limit is one bighorn sheep, except where otherwise permitted by department rule, even if permits are drawn for more than one bighorn sheep category. It also adjusts bighorn sheep hunt permit limits to reflect population changes and recent harvest. Lastly, this proposal creates separate permit opportunities for adult ewes and juvenile rams in the Selah Butte, Mount Baldy, and Umtanum hunt areas (collectively referred to as the Yakima Canyon herd).

WAC 220-415-130 2019 Mountain goat seasons and permit quotas.

This proposal adds language that clarifies the bag limit is one mountain goat, except where otherwise permitted by department rule, even if permits are drawn for more than one goat hunt category. It also adjusts mountain goat hunt permit limits to reflect population changes and recent harvest.

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

The purpose of this proposal is to increase the number of hunter education incentive turkey permits from two to four.

WAC 220-416-040 Hunting predatory birds.

Removes the depredation part of the rule because it already exists in WAC 220-440-060.

WAC 220-416-060 2019-2020 Migratory gamebird seasons and regulations.

The proposal amends the rule to specify legal season dates, and bag limits for the 2020-2021 season.

Changes include:

- Adjusting season dates relative to 2020-2021 calendar dates.
- Maintain one-pintail per day bag-limit and associated possession limit per the USFWS Northern Pintail Harvest Strategy.
- Lowering scaup bag-limit to two-scaup per day and associated possession limits, while keeping an 86-day season length by the optimal regulatory alternative described in the Adaptive Harvest Management protocol.
- Shifting seven-days from the beginning of the first season segment to the end of the third season segment for white geese in Goose Management Area 4 (Columbia Basin).

WAC 220-440-060 Killing wildlife causing private property damage.

The proposed amendment to the rule intends to make our rule consistent with federal rules that pertain to crows and magpies.

Reasons supporting proposal:

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

The proposed change will make the boundaries more discernable for hunters.

WAC 220-410-060 Game management units (GMUs) boundary descriptions—Region six.

The proposed change will make the boundaries more discernable for hunters.

WAC 220-412-050 Landowner raffle hunts.

This proposal simplifies the requirements for landowners that operate raffle drawings. It also aligns annual report submission dates with WAC 220-412-100.

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

Bighorn sheep populations have increased in these areas, which warrants an expansion of the hunt area.

WAC 220-412-090 Multiple season big game permits.

The proposal clarifies the language and reduces hunter confusion regarding this rule.

WAC 220-412-100 Landowner hunting permits.

Over the past year, the department has held public meetings and active stakeholder/landowner meetings to assess the current views of the program. These comments have been taken into consideration as well as input from Washington Department of Fish and Wildlife (WDFW) staff which has resulted in the development of the new standard operating procedure for the landowner hunting permit (LHP) program. The proposed changes reflect the comments received from the public, WDFW staff and landowners. Historically, there haven't been many changes to the LHP program. However, due to the lack of consistency and the expansive variation in management styles across the state, this program has proven to be difficult to manage at a program level. These reasons were the main driving factor behind taking the appropriate steps to revise and make changes to the program.

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

The "wooden towers" referenced in the Columbia River Restricted Hunting Area boundary description were torn down recently. As such, they could no longer be used as a discernable landmark to describe the boundary. Correcting the spelling of Newberry Hill Road will eliminate confusion for hunters.

WAC 220-413-200 Reducing the spread of hoof disease—Unlawful transport of elk hooves.

This rule, originally adopted in 2014, attempted to reduce the risk of inadvertently spreading the causative agents of treponeme associated hoof disease (TAHD) in elk. Since that time, however, TAHD has been confirmed throughout western Washington, east of the Cascade Mountains near the town of Trout Lake, and in the Blue Mountains of southeast Washington. The continued expansion of this disease appears to indicate this rule was ineffective at preventing disease expansion. Other reasons for supporting this rule are:

1. For surveillance purposes, we want to encourage elk hunters in eastern Washington to submit suspicious hooves.
2. The current rule is not being enforced, but rather used by Enforcement Officers as an educational opportunity.
3. We have no scientific findings that support the implementation of this rule.
4. The Department is working on developing management strategies that will be proposed during the next 3-year season cycle, which would incentivize elk hunters in western Washington to target limping elk but would also require them to submit their hooves to the Department for inspection.
5. Neighboring states (Idaho and Oregon), where TAHD has been detected, do not have a similar rule.

Although the Department is proposing to abolish this rule, we would still encourage hunters to leave hooves from the elk they harvest on site.

WAC 220-415-020 2018-2020 Deer general seasons and definitions.

This proposal provides recreational deer hunting opportunities and protects deer from overharvest. The proposal would also maintain sustainable general deer hunting season opportunities for 2020. The proposal helps address deer agricultural damage problems and provides for deer population control when needed.

WAC 220-415-030 2019 Deer special permits.

This proposal provides recreational deer hunting opportunities and protects deer from overharvest. The proposal would also maintain sustainable deer special permit hunting season opportunities for 2020. The proposal helps address deer agricultural damage problems and provides for deer population control when needed.

Situations have occurred in the past that involved hunters who successfully drew a permit in more than one hunt category for the same species. Because the current language does not specify a bag limit, some hunters interpret this to mean they can shoot one deer per permit or one deer in addition to their general season harvest, which is incorrect. Amending this rule as proposed, would clarify the rule and avoid confusion in the future.

WAC 220-415-040 Elk area descriptions.

All three elk areas were created to address issues related to elk causing damage to agricultural crops. Damage issues in all three areas have declined following the substantial declines in elk numbers. As such, these elk areas are no longer needed and there is not an anticipated need in the foreseeable future.

WAC 220-415-050 2018-2020 Elk general seasons and definitions.

Overall, the proposal provides recreational elk hunting opportunities, helps address elk agricultural damage problems, and provides elk population control when needed. The department is postponing the development of specific recommendations for the Colockum and Yakima elk herds. These two herds have experienced substantial declines since 2015, with late-winter surveys in 2019 showing the Yakima herd was approximately 13% below objective and the Colockum herd approximately 8% below. Declines have been the result of increased antlerless harvest, severe drought and winter conditions, and depressed recruitment of calves. Moreover, preliminary counts of elk on feed sites for the Yakima elk herd in January 2020, show calf recruitment rates are likely to be lower than normal for the fourth consecutive year. The department is concerned about the status of both herds and plans to develop recommendations that are likely to promote population growth.

WAC 220-415-060 2019 Elk special permits.

This proposal provides recreational elk hunting opportunities and protects elk from overharvest. The proposal would maintain sustainable elk special permit hunting opportunities for 2020. The proposal helps address elk agricultural damage problems and provides for elk population control when needed.

Situations have occurred in the past that involved hunters who successfully drew a permit in more than one hunt category for the same species. Because the current language does not specify a bag limit, some hunters interpret this to mean they can shoot one elk per permit or one elk in addition to their general season harvest, which is incorrect. Amending this rule as proposed, would clarify the rule and avoid confusion in the future.

WAC 220-415-070 2019 Moose seasons, permit quotas, and areas.

Situations have occurred in the past that involved hunters who successfully drew a permit in more than one hunt category for the same species. Because the current language shows the bag limit is one moose, some hunters interpret this to mean one moose per permit, which is incorrect. Amending this rule as proposed, would clarify the rule and avoid confusion in the future.

Permits for 'Any Antlered Bull Moose' in Spokane West A were increased because surveys showed a good bull to cow ratio. Permits for 'Antlerless Only' were reduced in Mt Spokane South B, Mt Spokane North B, and Mica Peak because surveys showed calf recruitment rates and the overall number of moose biologists observed were lower than normal.

WAC 220-415-100 2018-2019 and 2019-2020 Cougar.

The proposal gives the Commission biologically sustainable options for the cougar hunting seasons.

WAC 220-415-120 2019 Bighorn sheep seasons and permit quotas.

Situations have occurred in the past that involved hunters who successfully drew a permit in more than one hunt category for the same species. Because the current language indicates the bag limit is one bighorn ram, except in designated adult ewe hunts the limit is one bighorn adult ewe, some hunters interpret this to mean one sheep per permit, which is incorrect. Amending this rule as proposed, would clarify the rule and avoid confusion in the future.

The department is proposing to develop unique permit opportunities for adult ewes and juvenile rams for the Yakima Canyon herd. This proposal is in association with our efforts to reduce the size of the herd and eliminate *Mycoplasma ovipneumoniae* (M. Ovi.) from this herd. The department first implemented these permits during the 2019 season with special restriction identified as an Adult Ewe or Juvenile Ram, but most resulting harvest consisted of rams, including rams that were not juveniles. As such, very few ewes were harvested as intended, which calls for the proposed change.

WAC 220-415-130 2019 Mountain goat seasons and permit quotas.

Situations have occurred in the past that involved hunters who successfully drew a permit in more than one hunt category for the same species. Because the current language shows the bag limit is one adult goat of either sex with horns four inches or longer, some hunters interpret this to mean one adult goat per permit, which is incorrect. Amending this rule as proposed, would clarify the rule and avoid confusion in the future.

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

This change increases the incentive for hunter education instructors without harm to turkey populations.

WAC 220-416-040 Hunting predatory birds.

Reduces redundancy and simplifies the rule.

WAC 220-416-060 2019-2020 Migratory gamebird seasons and regulations.

Migratory waterfowl and other gamebird (coot, dove, band-tailed pigeon, and snipe) seasons and regulations are developed based on cooperative management programs among states of the Pacific Flyway 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 migratory waterfowl resources of Washington.

WAC 220-440-060 Killing wildlife causing private property damage.

This proposal makes our rule consistent with federal rule.

Statutory authority for adoption: RCWs 77.04.012, 77.04.055, 77.12.047, and 77.12.240

Statute being implemented: RCWs 77.04.012, 77.04.055, 77.12.047, and 77.12.240

Is rule necessary because of a:

| | | |
|-------------------------|------------------------------|--|
| Federal Law? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If yes, CITATION:

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

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: | Eric Gardner | 1111 Washington St. SE Olympia, WA. 98501 | (360) 902-2515 |
| Implementation: | Eric Gardner | 1111 Washington St. SE Olympia, WA. 98501 | (360) 902-2515 |
| Enforcement: | Steve Bear | 1111 Washington St. SE 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:

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)(c)
(Incorporation by reference)

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

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

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

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:

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: February 5, 2020

Name: Jacalyn Hursey

Title: Rules Coordinator

Signature:

