

WAC 220-500-140: Firearms and target practicing

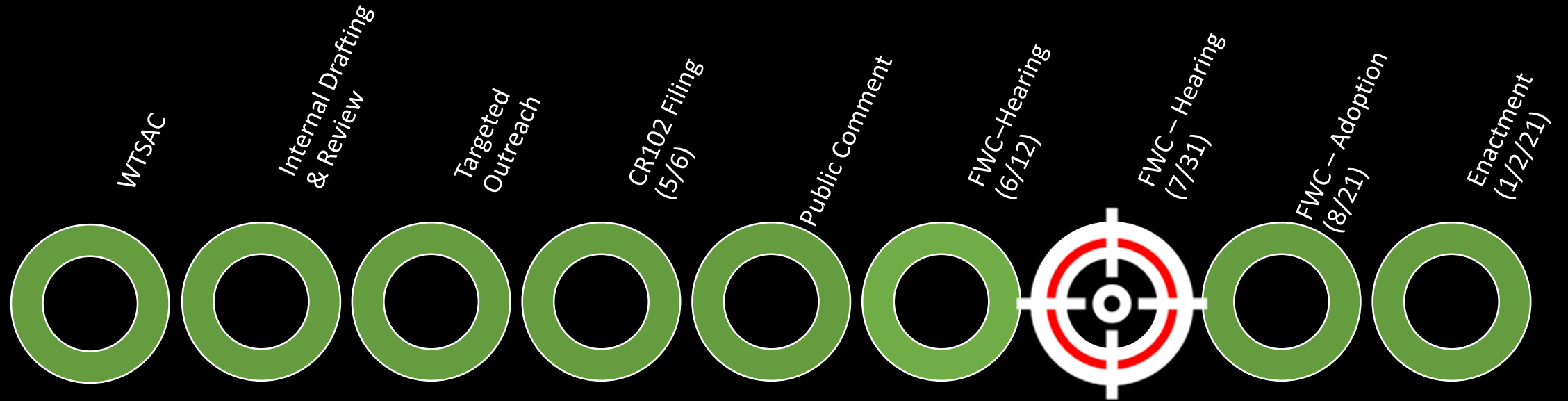
Wildlife Committee Meeting

July 30, 2020



Washington Department of
FISH and WILDLIFE

Timeline



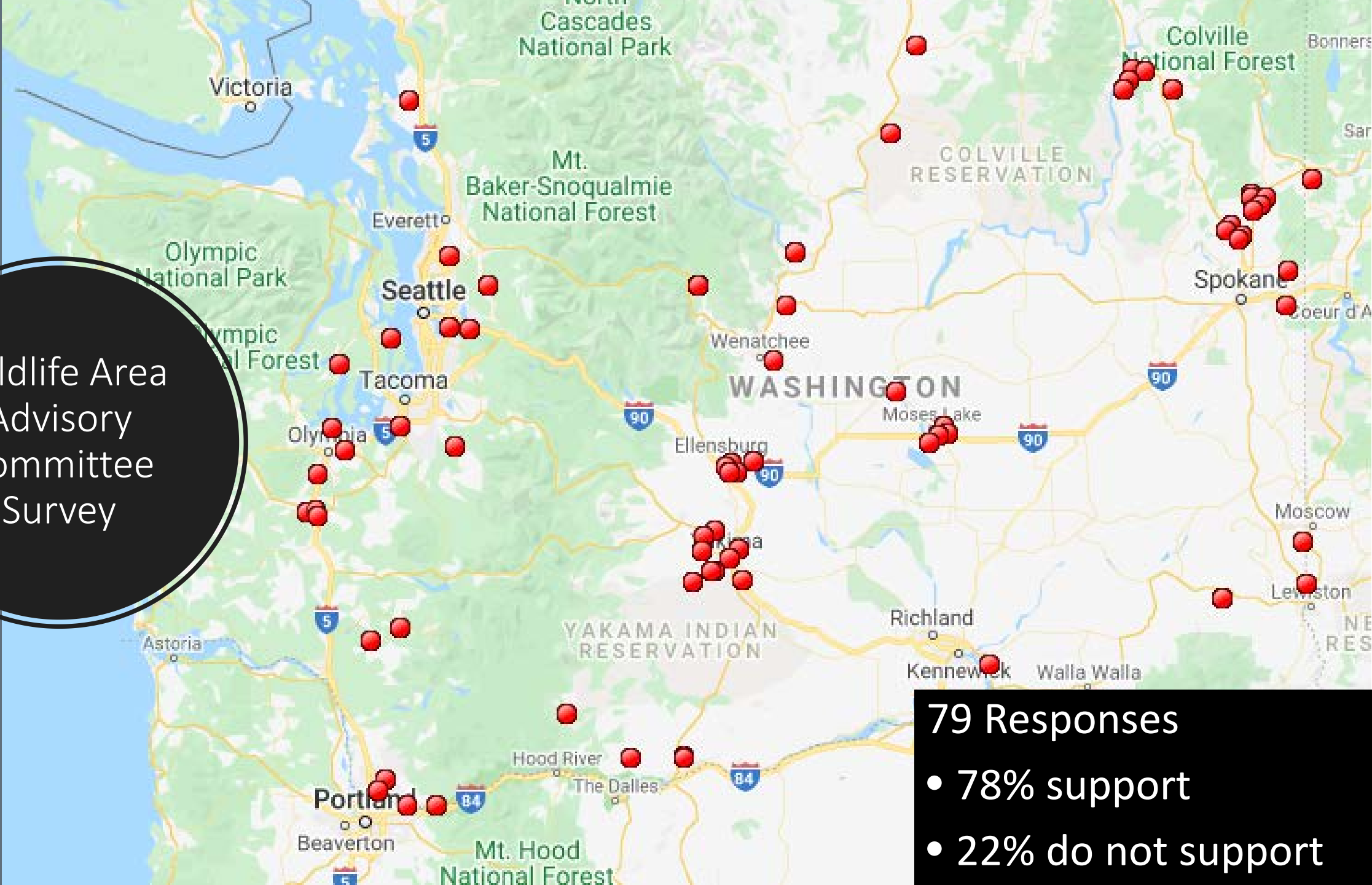
2017-8

2019

2020

2021

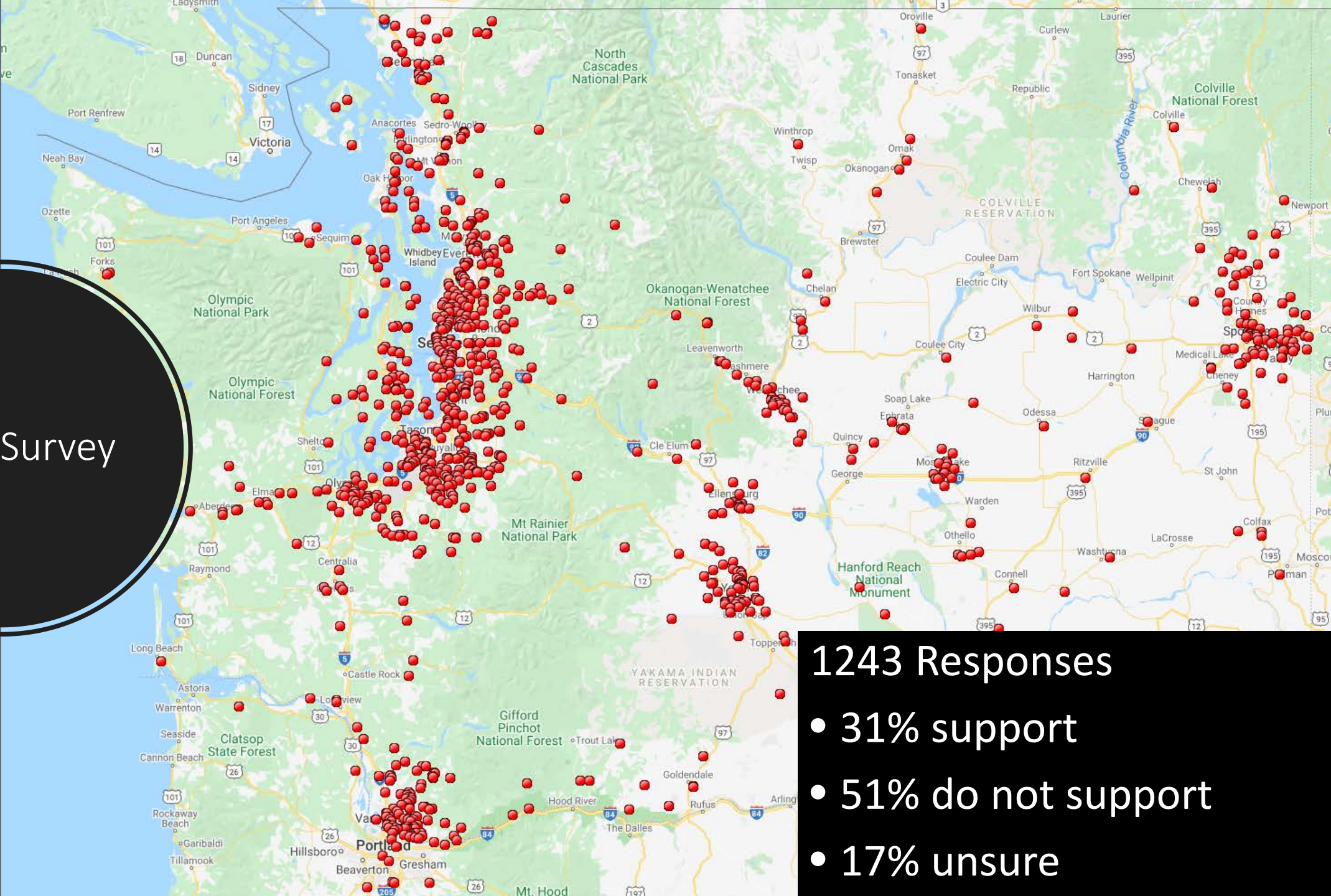
Wildlife Area
Advisory
Committee
Survey



79 Responses

- 78% support
- 22% do not support

Public Survey



1243 Responses

- 31% support
- 51% do not support
- 17% unsure

Summary of Revisions

1. "(5) The discharge of tracer bullets or shells, or incendiary ammunition, ~~or steel core bullets,~~ is specifically prohibited on all department lands."
2. "(e) Recreational target shooting is specifically prohibited:(i) On, from, at, along, across, or down:
(B) Any road as defined in WAC 220.500.020."



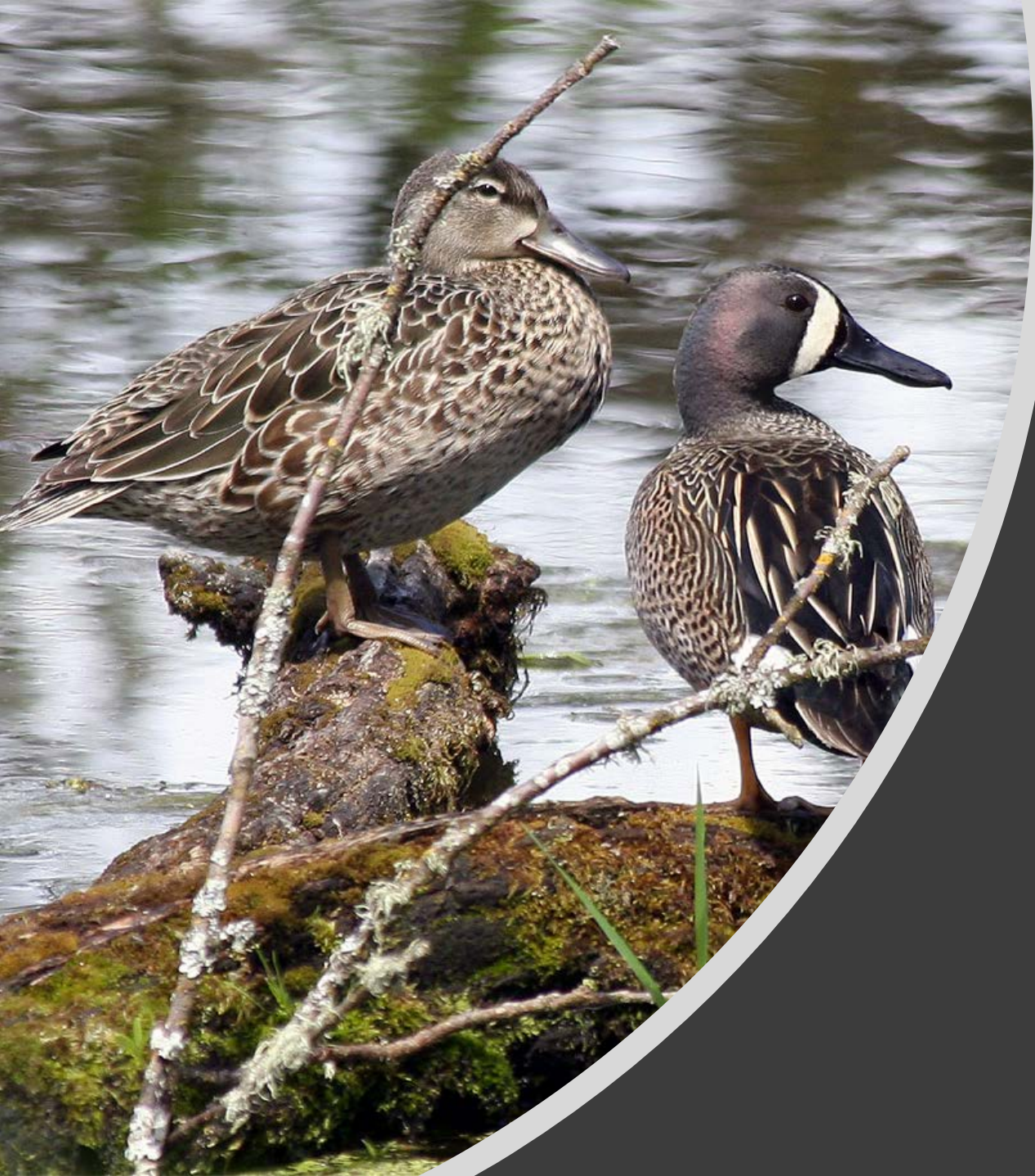
NOT INCLUDED IN RULE UPDATE

- Restricting lead ammunition
- Restricting target shooting to ranges



Addressing Lead Contamination – Brief History

- **Before 1986**, WA had 2 zones where non-toxic shot was required for waterfowl hunting:
 - Barney Lake in Skagit County
 - Ridgefield NWR in Clark County
- **1986-91**, WA was part of the nationwide phase-in for nontoxic shot for waterfowl and coot hunting, based on impacts to waterfowl and bald eagles
- **1989**: nontoxic shot restrictions were added for waterfowl and coots for all of western Washington, ahead of the phase-in schedule
- **1990**: lead shot possession was prohibited on the Skagit WLA
- **1995**: snipe were added to the nontoxic shot requirements
- **2000**: 11 more sites converted, primarily active upland bird hunting areas with an emphasis on pheasant release sites
- **2001**: Report to the Washington Fish and Wildlife Commission: *The Use of Nontoxic Shot for Hunting in Washington*
- **2000-2009**, 11 more sites converted to nontoxic shot use
- **2009** the Commission converted all remaining WDFW pheasant release sites to nontoxic shot use for upland birds, mourning doves, and band-tailed pigeons, effective in 2011



WAC 220-414-040 Nontoxic shot requirements

<https://apps.leg.wa.gov/wac/default.aspx?cite=220-414-040&pdf=true>

RCW 77.15.400

(5) In addition to the penalties set forth in this section, if a person... violates a department rule that requires the use of nontoxic shot, upon conviction:

(a) The court shall require a payment of one thousand dollars as a criminal wildlife penalty assessment that must be paid to the clerk of the court and distributed to the state treasurer for deposit in the fish and wildlife enforcement reward account created in RCW [77.15.425](#). The criminal wildlife penalty assessment must be imposed regardless of and in addition to any sentence, fine, or costs imposed for violating this section. The criminal wildlife penalty assessment must be included by the court in any pronouncement of sentence and may not be suspended, waived, modified, or deferred in any respect; and

(b) The department shall revoke the hunting license of the person and order a suspension of small game hunting privileges for two years.

WAC 220-414-040 Nontoxic shot requirements.

(1) It is unlawful to possess shot (either in shotshells or as loose shot for muzzleloading) other than nontoxic shot when hunting for waterfowl, coot, or snipe.

(2) It is unlawful to possess shot (either in shotshells or as loose shot for muzzleloading) other than nontoxic shot in the following areas:

- (a) Well's Wildlife Area (Bridgeport Bar Unit);
- (b) Cowlitz Wildlife Area (all units);
- (c) Whatcom Wildlife Area (all units);
- (d) Shillapoo Wildlife Area (all units);
- (e) Skagit Wildlife Area (all units);
- (f) Snoqualmie Wildlife Area (all units);
- (g) Sunnyside-Snake River Wildlife Area (Headquarters, Byron and Windmill Ranch units);
- (h) Sinlahekin Wildlife Area (Driscoll Island, Hegdahl, and Kline Parcel units);
- (i) Olympic Wildlife Area (Chinook and Chehalis units);
- (j) South Puget Sound Wildlife Area (Davis Creek (Koopman) Unit).

(3) It is unlawful to possess shot (either in shotshells or as loose shot for muzzleloading), other than nontoxic shot, when hunting for upland game birds (pheasants, quail, chukar, or gray partridge), mourning doves, band-tailed pigeons, or game animals in the following areas:

- (a) Chehalis River pheasant release site;
- (b) Dungeness Recreation Area;
- (c) Hoehn Road pheasant release site;
- (d) Hunter Farms pheasant release site;
- (e) Raymond Airport pheasant release site;
- (f) Two Rivers and Wallula Units of the U.S. Fish and Wildlife Service's McNary National Wildlife Refuge;
- (g) All Whidbey Island pheasant release sites.

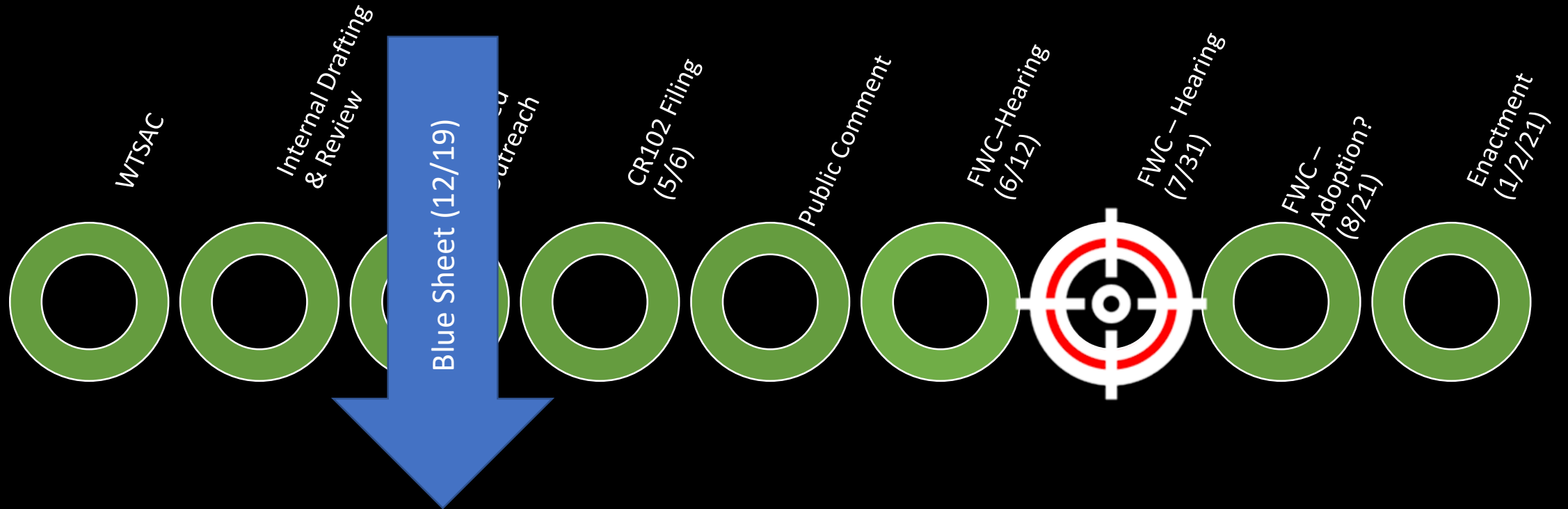
(4) It is unlawful to possess shot (either in shotshells or as loose shot for muzzleloading), other than nontoxic shot, when hunting for upland game birds (pheasant, quail, chukar, and gray partridge), mourning doves, and band-tailed pigeons on all WDFW designated pheasant release sites not listed in subsections (2) and (3) of this section.

2019 Blue Sheet

“Objective 8 of the game management plan is ‘Reduce the availability and use of lead ammunition where lead poisoning of wild birds is problematic.’ WDFW has taken past action regarding non-toxic shot and some fishing gear. Other strategies suggested by the plan include voluntary programs to encourage hunter use of alternatives and promoting use of non-toxic ammunition for department activities. Little has been done regarding these strategies. It seems timely to move forward.”



Timeline



2017-8

2019

2020

2021



Whereas, legal, regulated hunting has been and remains the foundation of the highly successful North American Model of Wildlife Conservation; and

Whereas, effective ecosystem management requires engaged and passionate advocates for wildlife and habitat, including both hunters and other conservation-minded citizens; and

Whereas, there is credible and substantial scientific evidence showing that lead ammunition can cause unintended impacts on our wildlife resources; and

Whereas, we believe expansion of current proactive conservation efforts by hunters will help conserve wildlife and continue to maintain public support of legal hunting; and

Whereas, continued research and current efforts indicate that hunters have a very high willingness to take action if asked by a credible peer or group within the sporting community;

Therefore, we declare that it is our goal to work collaboratively to minimize the unintended impacts of lead ammunition on wildlife and support the continued contributions of legal hunting to wildlife conservation by:

- Design and promote voluntary measures to increase the use of non-lead ammunition
- Supporting the continued long-term viability of scientifically managed hunting and the associated conservation culture by providing programs that encourage sports-men and -women participation in conservation actions
- Supporting continued efforts to conduct scientific research into the relative risk associated with specific lead exposure pathways between use of lead ammunition and wildlife
- Use scientific evaluation to assess and improve programs

Next Steps on Lead

- Director approved signing on in support of the North American Non-lead Partnership
- Partnership is developing funding packages – contract requirements
- Have partnership engage sporting groups (taking into consideration COVID)
- Continue work with partners
 - DNR target shooting
 - Addressing lead use
- Initiate rulemaking process for WAC 220-414-040?



Levels of Partnership

1.Partner – for those who help shape, carry and deliver programs and messaging of the partnership to their constituents in full support of actions fulfilling the effort as defined, but not limited to, the resolution.

1. Supports North American Non-lead Partnership efforts through *both*
 1. Funding:
 1. Directly to North American Non-lead Partnership
 2. Support regional North American Non-lead Partnership Programs
 3. Long-term funding
 2. In-Kind Support:
 1. Use media platforms (social media, magazines, newsletters, etc.) to engage members with information
 2. Share outreach from North American Non-lead Partnership
 3. Assist in developing and implementing outreach programming and events
 4. Ad space within media for non-lead information or incentive program engagement

2.Supporting partner – for those who support either financially or directly in tasks of outreach, education and/or incentivization of non-lead ammunition for wildlife and ecosystem health, as defined, but not limited to, the resolution.

1. Supports North American Non-lead Partnership Efforts through either
 1. Funding:
 1. Directly to North American Non-lead Partnership
 2. Support regional North American Non-lead Partnership Programs
 2. In-Kind Support:
 1. Use media platforms (social media, magazines, newsletters, etc.) to engage their members
 2. Share current outreach from North American Non-lead Partnership
 3. Assist in developing and implementing outreach programs and events
 4. Ad space within media for non-lead information or incentive program engagement

3.In Support of – for those who support/endorse the formation intent and actions of this partnership as defined by the resolution.

1. Endorsement of North American Non-lead Partnership efforts
 1. Includes use of organization logo on outreach materials
 2. Continued engagement with North American Non-lead Partnership to improve outreach methods





Existing
Wildlife Area Sites
Used for
Target Shooting

General Categories of Target Shooting Sites on Wildlife Areas

Sites with target shooting amenities

Sites currently being developed

Sites for possible future development

Sites with safety or habitat issues

Sites with target shooting amenities

General Categories of Target Shooting Sites on Wildlife Areas

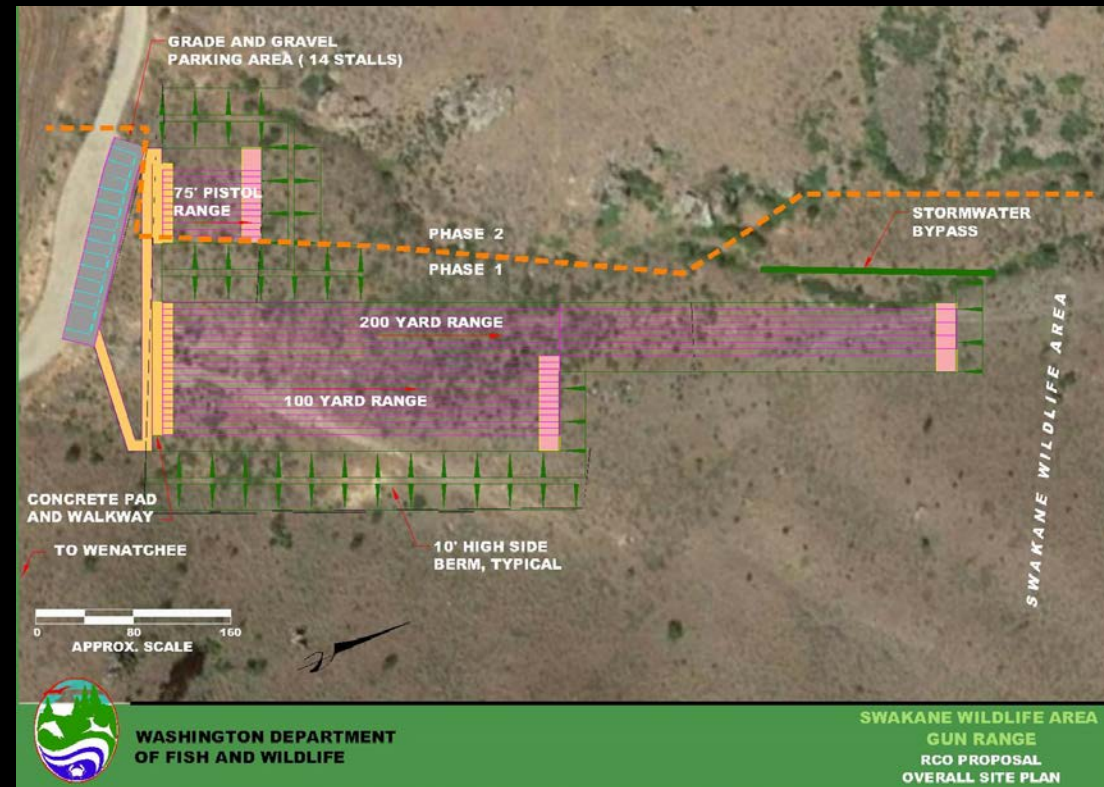
- Asotin Creek WLA / Asotin Creek
- Methow WLA / Methow
- Shillapoo WLA / Vancouver Lake
- W.T. Wooten WLA / W.T. Wooten



Sites currently being developed

General Categories of Target Shooting Sites on Wildlife Areas

- Chelan WLA
 - Swakane Canyon
- Wenas WLA
 - Sheep Company
 - Durr Road



Sites for possible future development

General Categories of Target Shooting Sites on Wildlife Areas

- Columbia Basin WLA
 - Lake Lenore
 - North Potholes Transfer Station
- Sherman Creek WLA
 - Bisbee Mountain
 - Inchelium Highway



Sites with safety or habitat issues

General Categories of Target Shooting Sites on Wildlife Areas

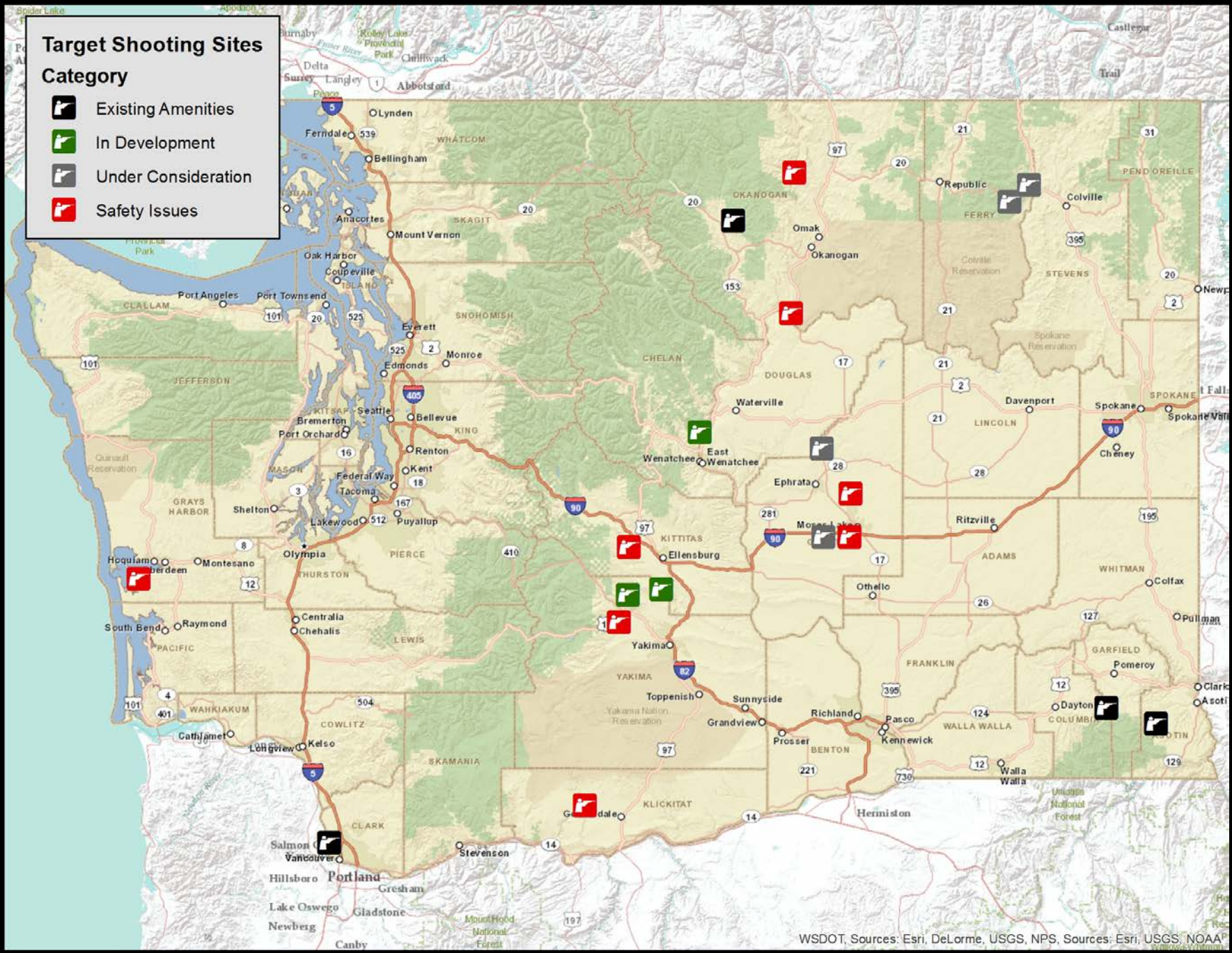
- Columbia Basin WLA
- Johns River WLA
- Klickitat WLA
- L.T. Murray
- Oak Creek WLA
- Sinlahekin WLA
- Wells WLA



Target Shooting Sites

Category

-  Existing Amenities
-  In Development
-  Under Consideration
-  Safety Issues



Next Steps on Range Development

- Secure funding & make improvements to existing sites
 - Asotin Creek, Methow, Shillapoo (if needed), Wooten
 - Backstops, target structures, shooting benches, ADA access, vegetation management, etc.
 - Short-term & long-term approach possible
 - Funding could include Capital Budget, RCO & NRA grants, local support, etc.
- Complete development projects currently underway or scheduled
 - Wenas Wildlife Area – Sheep Company & Durr Road sites
 - Chelan Wildlife Area – Swakane Canyon site
- Prioritize efforts to pursue funding and develop other sites
 - Columbia Basin Wildlife Area – 2 sites
 - Sherman Creek Wildlife Area – 2 sites
- Incorporate & prioritize any newly identified development possibilities



Q&A

Proposed Rule Update

- Definition of recreational target shooting
- General target shooting restrictions
- Prohibited ammunition
- Where target shooting is allowed
- Where target shooting is prohibited
- When target shooting is prohibited
- Allowable targets

Definition of Recreational Target Shooting

The act of shooting projectiles for practice, sighting in, or other reasons, and involves the discharging of firearms, air guns, air bows, crossbows, or archery equipment.

Recreational target shooting does not include the activity of lawful hunting or hunting dog training.



General Restrictions

- WDFW may designate or restrict locations, times, and manner for recreational target shooting consistent with resource management concerns, management agreements or requirements, recreational use compatibility, or public safety concerns.
- Open unless posted closed or otherwise restricted by rule
- Persons are responsible for knowing other laws



Prohibited Ammunition

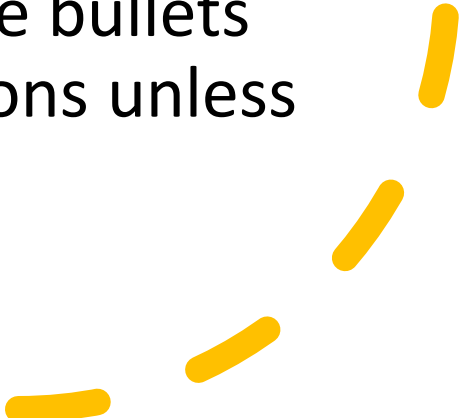
Tracer bullets or shells, incendiary ammunition, or steel core bullets.



Recommended Revision(s)

"(5) The discharge of tracer bullets or shells, or incendiary ammunition, ~~or steel core bullets,~~ is specifically prohibited on all department lands."

Rationale: Banning steel core ammunition could push higher lead ammunition usage. Wildfire danger is mitigated by emergency fire restrictions. Should allow steel core bullets outside of emergency fire restrictions unless otherwise restricted.



Where Target Shooting is Allowed

- Where a reasonable person would believe is free of risk to person, animals, property
- Firearms using single projectile ammo of .17 caliber or greater or shot equal to or greater than BB; or compressed air shooting ≥ 800 f/s
 - On designated shooting areas
 - With backstop as defined in rule
- using (1) archery equipment, crossbows, air bows, or (2) shotguns discharging shot smaller than size BB, is permitted:
 - On designated shooting areas
 - Where reasonable person...



Where Shooting is Prohibited

- On, from, at, along, across, or down...
 - Water access areas
 - Roads and designated trails
 - Utility lines, poles, light posts
 - Any water body or stream
- Within 500 feet of...
 - Structures
 - Utilities
 - Campgrounds
 - Viewing platforms or structures
- In other areas posted restricted



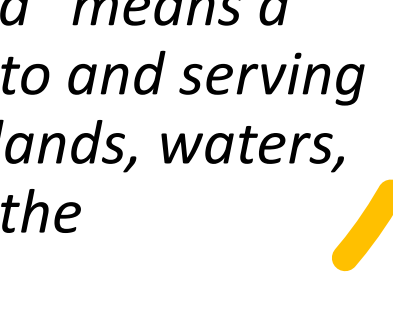
Recommended Revision(s)

"(e) Recreational target shooting is specifically prohibited:(i) On, from, at, along, across, or down: (B) Any road **as defined in WAC 220.500.020.**"

Rationale: Proposed language is vague about what roads were meant by the section.

WAC 220.500.020 (21):

(21) "Road," pursuant to RCW 46.04.500 and 46.04.197, means that portion of an every way publicly maintained for the purposes of vehicular travel. For purposes of this chapter, "road" means a road wholly or partly within or adjacent to and serving department-owned or controlled public lands, waters, or access areas under the jurisdiction of the department.



Allowable Targets

- Commercially manufactured targets or similar privately manufactured
- Steel targets within a designated shooting area or outside a designated area Oct 1-May 31
- Biodegradable clay targets



Prohibited Targets

- Buildings;
- Power stations, cell phone towers, utility poles, light posts, wind turbines, or other public utility structures;
- Gates, fence posts or rails;
- Vehicles, or parts thereof;
- Machinery, or parts thereof;
- Signs, kiosks, or informational panels of any kind;
- Appliances or electronics;
- Furniture;
- Pallets;
- Glass;
- Explosive and incendiary items, including binary exploding targets (i.e. Tannerite);
- Containers of liquids, chemicals, paints, or compressed gas;
- Standing or moving water;
- Live or dead trees or other vegetation;
- Animals or animal carcasses.



When Target Shooting is Allowed

- ½-hour before sunrise to ½-hour after sunset (mirrors DNR's rule)



Litter

Unlawful to fail to remove and transport from WDFW lands for proper disposal all:

- shell casings
- shotgun hulls
- ammunition packaging
- targets & target debris
- (excludes biodegradable clay targets)

Failure to remove any such item is prohibited and constitutes littering.

