

# Bighorn Sheep, Moose, Mountain Goat Special Permits – Briefing and Public Hearing

- WAC 220-412-070 Big game and wild turkey auction, raffle, and special incentive permits.
- WAC 220-412-080 Special hunting season permits.
- WAC 220-415-070 2021 Moose seasons, permit quotas, and areas.
- WAC 220-415-120 2021 Bighorn sheep seasons, permit quotas, and areas.
- WAC 220-415-130 2021 Mountain goat seasons, permit quotas, and areas.

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## Fish and Wildlife Commission Presentation Summary Sheet

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**Meeting date:**

3/26/2021

**Agenda item:**

Bighorn Sheep, Moose, and Mountain Goat Special Permits – Briefing and Public hearing

**Presenter(s):**

Brock Hoenes, Ungulate Section Manager, Wildlife Program

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**Background summary:**

Department staff will brief the Commission on proposed amendments to WACs:

- 220-412-070 Big game and wild turkey auction, raffle, and special incentive permits.
- 220-412-080 Special hunting season permits.
- 220-415-070 2021 Moose seasons, permit quotas, and areas.
- 220-415-120 2021 Bighorn sheep seasons, permit quotas, and areas.
- 220-415-130 2021 Mountain goat seasons, permit quotas, and areas.

The primary purpose of these proposals is to retain special permit hunting opportunities for moose, mountain goats, and bighorn sheep. The proposals also provide opportunities in accordance with the current status of these big game populations. More specifically, amendments include:

Special Permits Allowing successful applicants for all big game special permits to return their permit to the department for any reason two weeks before the opening day of the season and to have their points restored.

Bighorn Sheep Reducing the number of bighorn ram permits in the Yakima Canyon and Cleman Mountain herds. Establishing new hunts for bighorn rams in the Wenaha and Mountain View sub-herd areas in the Blue Mountains. Clarifying the criteria used to define a juvenile ram.

Moose Increasing the number of bull moose permits in GMU 108 and decreasing the number of antlerless moose permits in GMUs 117 and 121. Changing the bag limit for auction and raffle moose permits from one moose of either sex to one bull moose. Expanding the hunt area for moose raffle permits to include any open moose unit, instead of being limited to GMUs 101-121 and 204.

Mountain Goat Reinstating the mountain goat conflict reduction special permits in the Olympic Mountains to assist Olympic National Park with their efforts to remove mountain goats from this range. Establishing a bag limit of two mountain goats of any sex or age during conflict reduction hunts. Providing an exception to the once-in-a-lifetime restriction for hunters that participate in conflict reduction hunts. Removing the clause that allowed hunters using archery equipment to start September 1 and establishing an opening season date of September 1 for all weapon types.

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**Staff recommendation:**

Briefing only.

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**Policy issue(s) and expected outcome:**

- Maximize recreation hunting opportunities.
- Continue sustainable hunting seasons for big game.

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**Fiscal impacts of agency implementation:**

No fiscal impacts beyond the status quo.

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

The Department conducted an extensive public involvement process to develop the 2021-2023 hunting season proposals. WDFW held seven virtual public meetings by topic in August and September of 2020 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 six-week period. The department emailed over 199,000 hunters notifying them of the website survey and encouraging them to participate.

Using that information, the department determined which recommendations would move forward. In preparation for this meeting, notification was made to individuals and organizations informing them of the opportunity to provide comments on the proposed regulation amendments. Additionally, these individuals and organizations were informed of the opportunity to provide verbal testimony at the upcoming March 25-27, 2021 Commission meeting online.

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**Action requested and/or proposed next steps:**

Take public comment. Adoption is planned for April 9, 2021 Webinar Conference.

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**Draft motion language:**

Briefing only.

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**Post decision communications plan:**

Briefing only.

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*Form revised 8-4-20*

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

**AUCTION PERMITS**

- (1) BLACK-TAILED DEER AUCTION PERMIT
  - (a) Season dates: September 1 - December 31
  - (b) Hunt Area: Those GMUs open to black-tailed deer hunting EXCEPT GMU 485 and those GMUs closed to black-tailed deer hunting by the fish and wildlife commission.
  - (c) Weapon type: Any legal weapon.
  - (d) Bag limit: One additional any buck black-tailed deer.
  - (e) Number of permit hunters selected: 1
- (2) MULE DEER AUCTION PERMIT
  - (a) Season dates: September 1 - December 31
  - (b) Hunt Area: Those GMUs open to mule deer hunting EXCEPT those GMUs closed to mule deer hunting by the fish and wildlife commission.
  - (c) Weapon type: Any legal weapon.
  - (d) Bag limit: One additional any buck mule deer.
  - (e) Number of permit hunters selected: 1
- (3) WHITE-TAILED DEER AUCTION PERMIT
  - (a) Season dates: September 1 - December 31
  - (b) Hunt Area: Those GMUs open to white-tailed deer hunting EXCEPT those GMUs closed to white-tailed deer hunting by the fish and wildlife commission.
  - (c) Weapon type: Any legal weapon.
  - (d) Bag limit: One additional any buck white-tailed deer.
  - (e) Number of permit hunters selected: 1
- (4) THREE-DEER AUCTION PERMIT
  - (a) Bag limit: One additional any buck black-tailed deer, one additional any buck mule deer, and one additional any buck white-tailed deer; total harvest not to exceed three animals.
  - (b) Hunt Area: For black-tailed deer, those GMUs open to black-tailed deer hunting EXCEPT GMU 485 and those GMUs closed to deer hunting by the fish and wildlife commission. For mule deer, those GMUs open to mule deer hunting EXCEPT those GMUs closed to mule deer hunting by the fish and wildlife commission. For white-tailed deer, those GMUs open to white-tailed deer hunting EXCEPT those GMUs closed to white-tailed deer hunting by the fish and wildlife commission.
  - (c) Season dates: September 1 - December 31
  - (d) Weapon: Any legal weapon.
  - (e) Number of permit hunters selected: 1
- (5) WESTSIDE ELK AUCTION PERMIT
  - (a) Season dates: September 1 - December 31
  - (b) Hunt Area: Western Washington EXCEPT GMU 485, those GMUs closed to elk hunting, and those GMUs not opened to bull elk hunting by the fish and wildlife commission.
  - (c) Weapon type: Any legal weapon.
  - (d) Bag limit: One additional any bull elk.
  - (e) Number of permit hunters selected: 1
- (6) EASTSIDE ELK AUCTION PERMIT
  - (a) Season dates: September 1 - December 31

(b) Hunt Area: Eastern Washington EXCEPT GMU 157 and those GMUs closed to elk hunting, and those GMUs not opened to bull elk hunting by the fish and wildlife commission.

(c) Weapon type: Any legal weapon.

(d) Bag limit: One additional any bull elk.

(e) Number of permit hunters selected: 1

(7) CALIFORNIA BIGHORN SHEEP AUCTION PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: The director is authorized to select areas open for this hunt based on population objectives, harvest objectives, and recent harvest parameters as identified by the department. The selection of hunt areas will be made no later than December 1 for the following year, and will be posted on the department's website no later than January 1.

(c) Weapon: Any legal weapon.

(d) Bag limit: One California bighorn ram.

(e) Number of permit hunters selected: 1

(8) MOOSE AUCTION PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: Any open moose unit, and hunt areas identified by the department before December 1 for the following year, and posted on the department's website no later than January 1.

(c) Weapon: Any legal weapon.

(d) Bag limit: One bull moose (~~of either sex~~).

(e) Number of permit hunters selected: 1

(9) MOUNTAIN GOAT AUCTION PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: The director is authorized to select areas open for this hunt based on population objectives, harvest objectives, and recent harvest parameters as identified by the department. The selection of hunt areas will be made no later than December 1 for the following year, and will be posted on the department's website no later than January 1.

(c) Weapon: Any legal weapon.

(d) Bag limit: One mountain goat of either sex.

(e) Number of permit hunters selected: 1

#### RAFFLE PERMITS

(10) BLACK-TAILED DEER RAFFLE PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: Those GMUs open to black-tailed deer hunting EXCEPT GMU 485 and those GMUs closed to deer hunting by the fish and wildlife commission.

(c) Weapon: Any legal weapon.

(d) Bag limit: One additional any buck black-tailed deer.

(e) Number of permit hunters selected: 1

(11) MULE DEER RAFFLE PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: Those GMUs open to mule deer hunting EXCEPT those GMUs closed to mule deer hunting by the fish and wildlife commission.

(c) Weapon: Any legal weapon.

(d) Bag limit: One additional any buck mule deer.

(e) Number of permit hunters selected: 1

(12) WHITE-TAILED DEER RAFFLE PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: Those GMUs open to white-tailed deer hunting EXCEPT those GMUs closed to white-tailed deer hunting by the fish and wildlife commission.

(c) Weapon: Any legal weapon.

(d) Bag limit: One additional any buck white-tailed deer.

(e) Number of permit hunters selected: 1

(13) WESTSIDE ELK RAFFLE PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: Western Washington EXCEPT GMU 485, those GMUs closed to elk hunting, and those GMUs not open to bull elk hunting by the fish and wildlife commission.

(c) Weapon: Any legal weapon.

(d) Bag limit: One additional any bull elk.

(e) Number of permit hunters selected: 1

(14) EASTSIDE ELK RAFFLE PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: Eastern Washington EXCEPT GMU 157 and those GMUs closed to elk hunting, and those GMUs not opened to bull elk hunting by the fish and wildlife commission.

(c) Weapon: Any legal weapon.

(d) Bag limit: One additional any bull elk.

(e) Number of permit hunters selected: 1

(15) CALIFORNIA BIGHORN SHEEP RAFFLE PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: The director is authorized to select areas open for this hunt based on population objectives, harvest objectives, and recent harvest parameters as identified by the department. The selection of hunt areas will be made no later than December 1 for the following year, and will be posted on the department's website no later than January 1 except that sheep units in Walla Walla, Columbia, Garfield, Asotin, or Pend Oreille counties are not open.

(c) Weapon: Any legal weapon.

(d) Bag limit: One California bighorn ram.

(e) Number of permit hunters selected: 1

(16) MOOSE RAFFLE PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: ((GMUs ~~101 through 121, 204.~~)) Any open moose unit, and hunt areas identified by the department before December 1 for the following year, and posted on the department's website no later than January 1.

(c) Weapon: Any legal weapon.

(d) Bag limit: One bull moose (~~(of either sex)~~).

(e) Number of permit hunters selected: 2

(17) MOUNTAIN GOAT RAFFLE PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: The director is authorized to select areas open for this hunt based on population objectives, harvest objectives, and recent harvest parameters as identified by the department. The selection of hunt areas will be made no later than December 1 for the following year, and will be posted on the department's website no later than January 1.

(c) Weapon: Any legal weapon.

(d) Bag limit: One mountain goat of either sex.

(e) Number of permit hunters selected: 1

(18) TURKEY RAFFLE PERMIT

(a) Season dates: April 1 - May 31 and September 1 - December 31

(b) Hunt Area: Statewide.

(c) Weapon: Archery or shotgun only.

(d) Bag limit: Three additional wild turkeys, but not to exceed more than one turkey in Western Washington or two turkeys in Eastern Washington.

(e) Number of permit hunters selected: 1

(19) ROCKY MOUNTAIN BIGHORN SHEEP RAFFLE PERMIT

(a) Bag limit: One Rocky Mountain bighorn ram.

(b) Hunt Area: GMUs 113, 172, 186, 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).

(c) Season dates: September 1 - December 31

(d) Weapon: Any legal weapon.

(e) Number of permit hunters selected: 1

(20) THREE-DEER RAFFLE PERMIT

(a) Bag limit: One additional any buck black-tailed deer, one additional any buck mule deer, and one additional any buck white-tailed deer; total harvest not to exceed three animals.

(b) Hunt Area: For black-tailed deer, those GMUs open to black-tailed deer hunting EXCEPT GMU 485 and those GMUs closed to deer hunting by the fish and wildlife commission. For mule deer, those GMUs open to mule deer hunting EXCEPT those GMUs closed to mule deer hunting by the fish and wildlife commission. For white-tailed deer, those GMUs open to white-tailed deer hunting EXCEPT those GMUs closed to white-tailed deer hunting by the fish and wildlife commission.

(c) Season dates: September 1 - December 31

(d) Weapon: Any legal weapon.

(e) Number of permit hunters selected: 1

(21) NORTHEAST WASHINGTON BIG GAME RAFFLE PERMIT

(a) Bag limit: Permit hunter may harvest three of six possible species. Species that may be harvested under this permit include: One additional any buck white-tailed deer, one additional any bull elk, one any bull moose, one additional any legal cougar, one additional any legal black bear, and one additional any legal turkey (gobbler or turkey with visible beard ONLY); total harvest not to exceed three animals.

(b) Hunt Area: GMUs 101-124.

(c) Season dates:

(i) September 1 - December 31 for white-tailed deer, elk, and moose.

(ii) April 15 - May 31 and September 1 - December 31 for black bear.

(iii) September 1 - March 31 for cougar.

(iv) April 15 - May 31 for turkey.

(d) Weapon: Any legal weapon EXCEPT archery and shotgun only for turkey.

(e) Number of permit hunters selected: 1

(22) SOUTH-CENTRAL WASHINGTON BIG GAME RAFFLE PERMIT

(a) Bag limit: One additional any bull elk, one additional any buck deer, and one California bighorn sheep ram; total harvest not to exceed three animals.

(b) Hunt Area: For elk, any 300 or 500 series GMU EXCEPT those GMUs closed to elk hunting and those GMUs not open to bull elk hunting by the fish and wildlife commission. For deer, any 300 or 500 series GMU EXCEPT those GMUs closed to deer hunting by the fish and wildlife commission. For California bighorn sheep, the director is authorized to select areas open for this hunt based on population objectives, harvest objectives, and recent harvest parameters as identified by the

department. The selection of hunt areas will be made no later than December 1 for the following year, and will be posted on the department's website no later than January 1.

(c) Season dates: September 1 - December 31

(d) Weapon: Any legal weapon.

(e) Number of permit hunters selected: 1

(23) SOUTHEAST WASHINGTON BIG GAME RAFFLE PERMIT

(a) Bag limit: Permit hunter may harvest four of five possible species. Species that may be harvested under this permit include: One additional any buck white-tailed deer, one additional any buck mule deer, one additional any bull elk, one additional any legal cougar, and one additional any legal black bear; total harvest not to exceed four animals.

(b) Hunt Area: GMUs 139-154 and 162-186.

(c) Season dates: September 1 - December 31 for white-tailed deer, mule deer, and elk. April 15 - June 15 and September 1 - December 31 for black bear. September 1 - March 31 for cougar

(d) Weapon: Any legal weapon.

(e) Number of permit hunters selected: 1

(24) NORTH-CENTRAL WASHINGTON BIG GAME RAFFLE PERMIT

(a) Bag limit: Permit hunter may harvest three of five possible species. Species that may be harvested under this permit include: One additional any buck white-tailed deer, one additional any buck mule deer, one any ram California bighorn sheep, one additional any legal cougar, and one additional any legal black bear; total harvest not to exceed three animals.

(b) Hunt Area: For white-tailed deer, mule deer, cougar, and black bear, any 200 series GMU EXCEPT those GMUs closed to deer hunting by the fish and wildlife commission. For California bighorn sheep, the director is authorized to select areas open for this hunt based on population objectives, harvest objectives, and recent harvest parameters as identified by the department. The selection of hunt areas will be made no later than December 1 for the following year, and will be posted on the department's website no later than January 1.

(c) Season dates:

(i) September 1 - December 31 for white-tailed deer, mule deer, and California bighorn sheep.

(ii) April 15 - May 15 and September 1 - December 31 for black bear.

(iii) September 1 - March 31 for cougar.

(d) Weapon: Any legal weapon.

(e) Number of permit hunters selected: 1

#### SPECIAL INCENTIVE PERMITS

(25) WESTERN WASHINGTON ELK INCENTIVE PERMITS

(a) Hunt Area: Western Washington EXCEPT GMUs 418, 485, 522, and those GMUs closed to elk hunting or closed to bull elk hunting by the fish and wildlife commission.

(b) Season dates: September 1 - December 31

(c) Weapon: Any legal weapon, EXCEPT must use archery equipment during archery seasons and muzzleloader equipment during muzzleloader seasons.

(d) Bag limit: One additional elk.

(e) Number of permit hunters selected: 2

(26) EASTERN WASHINGTON ELK INCENTIVE PERMITS



(a) Hunt Area: Eastern Washington EXCEPT GMU 157 and those GMUs closed to elk hunting or closed to bull elk hunting by the fish and wildlife commission.

(b) Season dates: September 1 - December 31

(c) Weapon: Any legal weapon, EXCEPT must use archery equipment during archery seasons and muzzleloader equipment during muzzleloader seasons.

(d) Bag limit: One additional elk.

(e) Number of permit hunters selected: 2

(27) DEER INCENTIVE PERMITS

(a) Hunt Area: Statewide, for use in any area open to general or permit hunting seasons EXCEPT GMUs 157, 418, 485, 522, and those GMUs closed to deer hunting by the fish and wildlife commission.

(b) Season dates: September 1 - December 31

(c) Weapon: Any legal weapon, EXCEPT hunters must use archery equipment during archery seasons and muzzleloader equipment during muzzleloader seasons and any legal weapon at other times if there are no firearm restrictions.

(d) Bag limit: One additional any deer.

(e) Number of permit hunters selected: 5

#### PERMIT ISSUANCE PROCEDURE

(28) Auction permits: The director will select a conservation organization(s) to conduct annual auction(s). Selection of the conservation organizations will be based on criteria adopted by the Washington department of fish and wildlife. Big game and wild turkey auctions shall be conducted consistent with WAC 220-412-060.

(29) Raffle permits: Raffle permits will be issued to individuals selected through a Washington department of fish and wildlife drawing or the director may select a conservation organization(s) to conduct annual raffles. Selection of a conservation organization will be based on criteria adopted by the Washington department of fish and wildlife. Big game and wild turkey raffles shall be conducted consistent with WAC 220-412-040.

(30) Special incentive permits: Hunters will be entered into a drawing for special deer and elk incentive permits for prompt reporting of hunting activity in compliance with WAC 220-413-100.

(31) For permit hunts where the permittee may harvest multiple species, the permittee must select the species he/she wants to hunt within fourteen days of notification of being selected.

#### QUALIFICATIONS FOR PARTICIPATION AND REQUIREMENTS:

(32) Permittees shall contact the appropriate regional office of the department of fish and wildlife when entering the designated hunt area or entering the region to hunt outside the general season.

(33) The permittee may be accompanied by others; however, only the permittee is allowed to carry a legal weapon or harvest an animal.

(34) Any attempt by members of the permittee's party to herd or drive wildlife is prohibited.

(35) If requested by the department, the permittee is required to direct department officials to the site of the kill.

(36) The permit is valid during the hunting season dates for the year issued.

(37) The permittee will present the head and carcass of the big-horn sheep killed to any department office within ten days of date of kill.

(38) The permittee must abide by all local, state, and federal regulations including firearm restriction areas and area closures.

(39) Hunters awarded the special incentive permit will be required to send the appropriate license fee to the department of fish and wildlife headquarters in Olympia. The department will issue the license and transport tag and send it to the special incentive permit winner.

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

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

We received 205 total comments on the proposed rule changes, and all but four (email/letter) came through our online survey. Forty-six of the online respondents did not indicate if they agreed or disagreed.

### **Written Supporting Comments:**

Of the 2,156 respondents to our online survey 64% (1,377) indicated they agreed with the proposed rule changes. Twenty-five comments indicated general support of the proposed changes but did not specify why, while nine comments indicated support for specific aspects of the proposal.

### **Written Opposing, Neutral, and Other Comments:**

Only 14% (312) of the respondents indicated they disagreed with the proposed rule changes and 22% (468) indicated they were neutral. Eight comments indicated general disagreement with the proposed changes but did not specify why, while 45 comments indicated opposition to specific aspects of the proposal and 65 comments expressed concerns about predators.

Below are the common themes identified from comments that indicated opposition or were not directly related during the online survey:

- There are too many predators
- Opposed to auction/raffle permits in general
- Don't remove antlerless opportunity
- Don't expand the hunt area for raffle permits

### **Rationale-Agency Action Regarding Comments:**

The Department will move forward with the recommendation to the Fish and Wildlife Commission as proposed.

Most responses were in favor of the proposed rule changes. Those that were opposed had several reasons. We have outlined the most prominent reasons for being opposed and common themes not directly related to the proposal and WDFW's consideration in response to those comments.

Comment: There are too many predators

WDFW's Game Management Plan identifies guidelines to determine when a particular population meets the criteria of an "at-risk" ungulate population and whether carnivore management actions are needed to promote recovery. None of our moose populations

currently meet that criteria. Moreover, recent findings from research conducted in GMUs 117 and 124 indicated poor calf survival and declining populations in both GMUs, despite the fact there were no documented wolf packs in GMU 124. Other findings from that research indicated adult female moose were in poor body condition, indicative of poor habitat conditions, and some moose were suffering from severe tick infestations. Thus, moose in these two areas are likely experiencing declines because of both top-down (predation) and bottom-up (habitat) effects. Lastly, we have liberalized bear and cougar hunting seasons in eastern Washington in response to concerns that carnivore populations are too high.

Comment: Opposed to auction/raffle permits in general

Although WDFW understands why some are opposed to auction and raffle permits, we have always been extremely transparent that the intent of these permits is to generate revenue that is used solely for the purpose of managing big-game populations. It is an important fund source for the agency that contributes substantially to the work we do.

Comment: Don't remove antlerless opportunity

We proposed to change the legal animal for auction and raffle moose permits from Any Moose to Any Bull in response to concerns about equitability, given that WDFW has substantially reduced opportunities for other hunters to harvest antlerless moose in recent years.

Comment: Don't expand the hunt area for raffle permits

The hunt area for the raffle moose permits in previous years included GMUs 101-121 and 204, whereas the hunt area for the auction moose permit included all areas open to moose hunting. There was no strong biological justification for why the hunt areas differed.

**WAC 220-412-080 Special hunting season permits.** The commission may establish special hunting seasons and may set the conditions for each category and hunt.

(1) Deer, elk, cougar, or black bear special hunting season permit applications:

(a) To apply for special hunting season permits for all categories of deer, elk, cougar, or black bear, applicants must have a valid Washington big game hunting license and a valid transport tag for the appropriate species. To apply for a particular hunt, each applicant for deer or elk must have the proper transport tag as identified in the special deer or elk permit regulations.

(b) Multiple season deer and elk permit applications may be purchased without additional licenses or tags. Persons who are successfully drawn must purchase a multiple season permit for deer or elk and may also apply for archery, muzzleloader, or modern firearm special hunting season permits for the species drawn.

(2) Mountain goat, moose, and bighorn sheep special hunting season permit applications:

(a) Persons who have previously harvested a mountain goat, bighorn sheep ram, an antlered bull moose taken under an "any antlered bull moose" permit, or any moose (whether antlered or not) taken under an "any moose" permit in Washington are ineligible for a special hunting season permit for that category. This lifetime harvest restriction does not apply to mountain goat conflict reduction hunts, individuals who harvested a mountain goat before 1999, raffle or auction hunt authorizations, ewe-only bighorn sheep hunts, or antlerless-only moose hunts.

(b) Applicants for all mountain goat, moose, and/or bighorn sheep special hunting season permits must have either successfully completed hunter education prior to submitting an application, or have a birth date prior to January 1, 1972.

(c) Successful applicants under this section must purchase the appropriate hunting license by the deadline established by the department (a minimum of 15 days). Failure to purchase forfeits the permit to an alternate applicant.

(3) Wild turkey special hunting season permit applications:

(a) To apply for wild turkey special hunting season permits, each applicant must have a valid small game hunting license.

(b) Fall wild turkey special hunting season permit holders must have a valid turkey transport tag in possession to hunt turkeys in fall special hunting seasons.

(4) Special hunting season permit applications:

(a) Maximum group sizes are determined for each category. If a group application is drawn, all hunters in the group will receive a special hunting season permit and each hunter in the group can take an animal. If the number of permits available in a hunt category is less than the maximum group size, then the maximum group size is equal to the number of permits.

(i) Maximum group size for deer categories is 8.

(ii) Maximum group size for elk categories is 8.

(iii) Maximum group size for bear categories is 2.

(iv) Maximum group size for cougar categories is 2.

(v) Maximum group size for mountain goat categories is 2.

(vi) Maximum group size for bighorn sheep categories is 2.

(vii) Maximum group size for fall turkey categories is 4.

(viii) Maximum group size for moose categories is 2.

(ix) Maximum group size for multiple season deer is 2.

(x) Maximum group size for multiple season elk is 2.

(b) An applicant may purchase only one application for a special hunting season permit for each category.

(c) Permit applications will allow four choices for all categories except the quality category for deer and elk will allow two choices.

(d) Permits will be drawn by computer selection using a weighted point selection system.

(i) Applicants will receive one point for each application category purchased.

(ii) Once drawn for a permit, the applicant's points will be reduced to zero in that category. Applicants who are drawn for a damage hunt administered by a WDFW designated hunt coordinator and not given a chance to participate shall get their points restored. Those that decline to participate for any reason are not eligible for point restoration.

(iii) An applicant's accumulated point totals, immediately prior to sales of the 2010 permit applications, will be replicated across all categories for that species. The point replication will only occur in 2010, during the transition from single species categories to multiple categories of the same species. Applicants for any new category added in the future will begin with the point awarded at the time of the initial application purchase.

(iv) Applicants for the "any antlered bull moose" category (established in 2018) will be credited with any points previously accumulated under the "any moose" category.

(e) Incomplete, ineligible, or inaccurate applications will not be accepted or entered into the drawing.

(f) Permits will be voided if the applicant is found to be ineligible or to have provided an application based on inaccurate information.

(g) The purchase of an application will result in one accrued point for the category purchased.

(h) If ~~((an))~~ for any reason a successful applicant ~~((makes a mistake, applies for the wrong hunt, and is successfully drawn, the special hunting season permit can be returned))~~ chooses not to participate in the hunt, they are eligible for point restoration. The successful applicant seeking point restoration must return the special hunting season permit to the department of fish and wildlife Olympia headquarters two weeks before the opening day of the special hunting season so it can be reissued. The applicant's points will be restored to the level prior to the permit drawing.

(i) Anyone may apply for a special hunting season permit for deer, elk, bear, cougar, and wild turkey.

(5) In addition to requirements for special hunting season permit applications, following are application requirements for:

(a) Special hunting seasons for persons of disability: Only applicants with a Washington disabled hunter permit are eligible to apply for any special hunting season permits for persons of disability.

(b) Special hunting seasons for youth: Only persons who are eligible to lawfully purchase a youth special hunt application are eligible to apply for special hunting season permits for youth.

(c) Special hunting seasons for hunters age 65 and older: Only applicants sixty-five years of age or older on or before March 31 of the current license year will be eligible to apply for special hunting season permits for hunters age 65 and older.

(d) Special hunting seasons for master hunter program graduates: Only persons who hold a valid certificate from the Washington department of fish and wildlife's master hunter program are eligible to apply for special hunting season permits for master hunters.

(6) Citizen reward for reporting violations - Bonus points: A person who provides information which contributes substantially to the arrest of another person for illegally hunting or killing big game or an endangered species as defined by Title 77 RCW is eligible to receive ten bonus points toward the special hunting permit drawing for one application category of deer or elk special hunting season permits.

(a) Only ten bonus points can be awarded for providing information for each person charged regardless of the number of violations involved.

(b) Selection of bonus points is in lieu of application for a cash award.

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

### WAC 220-412-080 Special hunting season permits.

We received 267 total comments on the proposed rule changes, and all but four (emails/letters) came through our online survey. Twenty-nine of the online respondents did not indicate if they agreed or disagreed.

#### **Written Supporting Comments:**

Of the 1,553 respondents to our online survey 77% (1,202) indicated they agreed with the proposed rule changes. Ninety comments indicated general support of the proposed changes but did not specify why, while seven comments indicated support for specific aspects of the proposal.

#### **Written Opposing, Neutral, and Other Comments:**

Only 9% (138) of the respondents indicated they disagreed with the proposed rule changes and 14% (213) indicated they were neutral. Twenty-six comments indicated general disagreement with the proposed changes but did not specify why, while 114 comments indicated opposition to specific aspects of the proposal.

Below are the common themes identified from comments that indicated opposition or were not directly related during the online survey:

- WDFW should re-issue the permit
- Extend the deadline to more than two weeks
- Opposed to removing the Once-in-a-lifetime restriction for hunts on the Olympic Peninsula
- Hunters should only be allowed to turn in their permit for specific reasons

#### **Rationale-Agency Action Regarding Comments:**

The Department will move forward with the recommendation to the Fish and Wildlife Commission as proposed.

Most responses were in favor of the proposed rule changes. Those that were opposed had several reasons. We have outlined the most prominent reasons for being opposed and common themes not directly related to the proposal and WDFW's consideration in response to those comments.

#### Comment: WDFW should re-issue the permit

Re-issuing the permit was part of the proposal and is why hunters must turn in their permit no later than two weeks prior to their hunt being scheduled to open. Respondents were confused about the proposal.



Comment: Extend the deadline to more than two weeks

WDFW staff consulted with their Licensing Division and Customer Service staff that will be responsible for processing these requests and they indicated two weeks was an ample amount of time to re-issue the permit to a new hunter. Although this may limit the amount of time a new hunter would have to plan for the hunt, we anticipate most hunters that elect to turn in their permits will do so before the 2-week deadline. If that does not end up being the case, then we can extend this deadline in future years.

Comment: Opposed to removing the once-in-a-lifetime restriction for hunts on the Olympic Peninsula

The primary objective of these hunts is not to provide a recreational hunting opportunity, but to assist with efforts to lethally remove mountain goats from the Olympic Peninsula. Less than 75 goats are thought to remain, and hunter success rates are expected to be extremely low, thus limiting the quality of this opportunity. Moreover, hunters are being encouraged to harvest any goat they encounter, so it would be unfair to apply the once-in-a-lifetime restriction in situations where a hunter may only have the opportunity to harvest a nanny or kid.

Comment: Hunters should only be allowed to turn in their permit for specific reasons

This had been WDFW's policy for many years. Examples of reasons why hunters could turn in their permit and have their points restored included being relocated because of their job, medical reasons (with a doctor's note), death in the family, etc. We proposed this change in response to frequent requests from hunters to change our policy, allow hunters to turn in their permit for any reason, and reissue it to the next hunter.

**WAC 220-415-070 ((2020)) 2021 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 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
<b>Any antlered bull moose</b>				
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)) 4
Douglas A - Late		Nov. 1-30	GMU 108	((3)) 4
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	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
<b>Antlerless only -</b>				
Douglas 108 B		Oct. 1 - Nov. 30	GMU 108	2
Aladdin 111 B		Oct. 1 - Nov. 30	GMU 111	2

Hunt Name	((Notes))	Permit Season	GMU or boundary	Permits
49 Degrees North B		Oct. 1 - Nov. 30	GMU 117	((4)) <u>2</u>
Huckleberry B		Oct. 1 - Nov. 30	GMU 121	((10)) <u>8</u>
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)	2
Mt Spokane North B		Oct. 1 - Nov. 30	Moose Area 2 (within 124)	2
Mica Peak		Oct. 1 - Nov. 30	GMU 127	2
Cheney B		Oct. 1 - Nov. 30	GMU 130	2
<b>Youth Only - Antlerless</b>	((a))			
Mt Spokane South Y		Oct. 1 - Nov. 30	Moose Area 1 (within 124)	1
<b>65 Year and over - Antlerless</b>	((e))			
49 Degrees North V		Oct. 1 - Nov. 30	GMU 117	((2)) <u>1</u>
Huckleberry V		Oct. 1 - Nov. 30	GMU 121	2
<b>Disabled hunter - Antlerless</b>	((b))			
49 Degrees North D		Oct. 1 - Nov. 30	GMU 117	((3)) <u>1</u>
Mt Spokane North D		Oct. 1 - Nov. 30	Moose Area 2 (within 124)	1
<del>((Hunter Education Antlerless</del>	d			
			GMU 101,105,108, 111,113,117,121	1))

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

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

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

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

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 Chattaroy Rd; SW on Elk Chattaroy Rd to Hwy 2; S on Hwy 2 to Hwy 395, N on Hwy 395 to Deer Park-Milan Rd, E on Deer Park-Milan Rd to Hwy 2, N on Hwy 2 to Idaho-Washington state line, S on Idaho-Washington state line to Blanchard Rd and the point of beginning.

(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 Moose seasons, permit quotas, and areas.

We received 225 total comments on the proposed rule changes, and all but two (email/letter) came through our online survey. Thirty of the online respondents did not indicate if they agreed or disagreed.

#### **Written Supporting Comments:**

Of the 2,027 respondents to our online survey 68% (1,373) indicated they agreed with the proposed rule changes. Thirty-six comments indicated general support of the proposed changes but did not specify why, while eight comments indicated support for specific aspects of the proposal.

#### **Written Opposing, Neutral, and Other Comments:**

Only 11% (219) of the respondents indicated they disagreed with the proposed rule changes and 21% (435) indicated they were neutral. Four comments indicated general disagreement with the proposed changes but did not specify why, while 17 comments indicated opposition to specific aspects of the proposal. Most comments (125) expressed concerns about predators.

Below are the common themes identified from comments that indicated opposition or were not directly related during the online survey:

- There are too many predators
- Antlerless permits should not be reduced
- The Hunter Education Instructor permit should not be removed
- Moose should not be hunted
- WDFW needs to do more research and monitoring

#### **Rationale-Agency Action Regarding Comments:**

The Department will move forward with the recommendation to the Fish and Wildlife Commission as proposed.

Most responses were in favor of the proposed rule changes. Those that were opposed had several reasons. We have outlined the most prominent reasons for being opposed and common themes not directly related to the proposal and WDFW's consideration in response to those comments.

Comment: There are too many predators

WDFW's Game Management Plan identifies guidelines to determine when a particular population meets the criteria of an "at-risk" ungulate population and whether carnivore

management actions are needed to promote recovery. None of our moose populations currently meet that criteria. Moreover, recent findings from research conducted in GMUs 117 and 124 indicated poor calf survival and declining populations in both GMUs, despite the fact there were no documented wolf packs in GMU 124. Other findings from that research indicated adult female moose were in poor body condition, indicative of poor habitat conditions, and some moose were suffering from severe tick infestations. Thus, moose in these two areas are likely experiencing declines because of both top-down (predation) and bottom-up (habitat) effects. Lastly, we have liberalized bear and cougar hunting seasons in eastern Washington in response to concerns that carnivore populations are too high.

Comment: Antlerless permits should not be reduced

Antlerless permits are being reduced in GMUs 117 and 121 because recent findings from research conducted in GMU 117 indicated moose populations were declining (see response to previous comment) and hunters are reporting seeing fewer moose during their hunts. Antlerless permits were retained in hopes the population

Comment: The Hunter Education Instructor permit should not be removed

The HEI permit is being removed in response to concerns about equitability, given that WDFW has substantially reduced opportunities for other hunters to harvest antlerless moose in recent years.

Comment: Moose should not be hunted

Removing all moose hunts was not considered a viable option. Hunting is a big part of the North American Model of Wildlife Conservation and hunters contribute most of the funding that allows us to manage wildlife species. Hunting is a long-held tradition in this state and recreational hunting is a legitimate use of this natural resource.

Comment: WDFW needs to do more research and monitoring

WDFW agrees there is always a need for more research and monitoring to improve on our knowledge of moose populations, but we are most often limited by resources and funding.

Comment: Bull moose permits should not be increased in GMU 108

Bull moose permits in GMU 108 are being increased because hunters are reporting seeing many bull moose, most recent surveys indicated a high bull-to-cow ratio, and harvested bull moose have an above average antler-spread. Collectively, this information indicates there is a high than average number of bull moose in this population and that it can likely sustain more bull harvest.

AMENDATORY SECTION (Amending WSR 20-12-080, filed 6/1/20, effective 7/2/20)

**WAC 220-415-120 ((2020)) 2021 Bighorn sheep seasons ((and)), permit quotas, and areas.** (1) It is unlawful to fail to comply with the provisions of this section. A violation of species, sex, size, number, area, season, or eligibility requirements 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 (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
<u>Any ram</u> (( <del>male</del> ) bighorn sheep only)				

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
Vulcan Mountain	Sept. 15 - Oct. 10	Sheep Unit 2	Any Legal Weapon	<u>1</u>
<u>Selah Butte</u>	<del>Nov. 1-30</del> Oct. 4-31	<u>Sheep Unit 4</u>	<u>Any Legal Weapon</u>	<u>24</u>
<u>Umtanum</u>	<del>Oct. 1-31</del>	<u>Sheep Unit 5</u>	<u>Any Legal Weapon</u>	<u>24</u>
<u>Cleman Mountain</u>	<u>Oct. 1-31</u>	<u>Sheep Unit 7</u>	<u>Any Legal Weapon</u>	<u>4</u>
Lincoln Cliffs ( ( A ) )	Sept. 15 - Oct. 10	Sheep Unit 12	Any Legal Weapon	2
<u>Quilomene</u>	<u>Oct. 1-31</u>	<u>Sheep Unit 13</u>	<u>Any Legal Weapon</u>	<u>5</u>
( ( Mt. Hull A	<del>Sept. 15—Oct. 10</del>	<del>Sheep Unit 10</del>	<del>Any Legal Weapon</del> ) )	
Swakane	Sept. 15 - Oct. 10	Sheep Unit 14	Any Legal Weapon	2
<u>Manson</u>	<u>Nov. 9-30</u>	<u>Sheep Unit 16</u>	<u>Any Legal Weapon</u>	<u>2</u>
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	<del>Nov. 9—Nov. 30</del>	<del>Sheep Unit 16</del>	<del>Any Legal Weapon</del>	<del>2</del>
<u>Selah Butte</u>	<del>Nov. 9—Nov. 30</del>	<del>Sheep Unit 4</del>	<del>Any Legal Weapon</del>	<del>3</del>
<u>Umtanum</u>	<del>Sept. 15—Oct. 9</del>	<del>Sheep Unit 5</del>	<del>Any Legal Weapon</del>	<del>3</del>
<u>Cleman Mountain A</u>	<del>Sept. 15—Oct. 9</del>	<del>Sheep Unit 7</del>	<del>Any Legal Weapon</del>	<del>5</del>
<u>Quilomene</u>	<del>Sept. 15—Oct. 9</del>	<del>Sheep Unit 13</del>	<del>Any Legal Weapon</del>	<del>5</del> ) )
<u>Wenaha</u>	<u>Sept. 15 - Oct. 10</u>	<u>GMU 169</u>	<u>Any Legal Weapon</u>	<u>1</u>
<u>Mountain View</u>	<u>Sept. 15 - Oct. 10</u>	<u>GMU 172</u>	<u>Any Legal Weapon</u>	<u>1</u>
<b><u>Adult ewe ( (female) bighorn sheep only ) )</u></b>				
( ( Lincoln Cliffs Whitestone Unit	<del>Oct. 1-10</del>	<del>Sheep Unit 12 west of Mount View Rd<sup>d</sup></del>	<del>Adult ewe only Any Legal Weapon</del>	<del>4</del>
Mt. Hull B	<del>Oct. 1-10</del>	<del>Sheep Unit 10</del>	<del>Adult ewe only Any Legal Weapon</del>	
Mt. Hull C (youth hunter) <sup>a</sup>	<del>Oct. 1-10</del>	<del>Sheep Unit 10</del>	<del>Adult ewe only Any Legal Weapon</del>	
Chelan Butte C	<del>Sept. 15—Oct. 10</del>	<del>Sheep Unit 18</del>	<del>Adult ewe only Any Legal Weapon</del>	<del>4</del>
Chelan Butte D (disabled hunter) <sup>b</sup>	<del>Oct. 11-31</del>	<del>Sheep Unit 18</del>	<del>Adult ewe only Any Legal Weapon</del>	<del>3</del>
Cleman Mountain B	<del>Oct. 10-31</del>	<del>Sheep Unit 7</del>	<del>Adult ewe only Any Legal Weapon</del>	<del>10</del> ) )
Selah Butte <u>North A</u>	Sept. <del>14-7</del> - Oct. <del>123</del>	Sheep Unit <del>4A</del>	Adult ewe <u>or</u> <u>Juvenile Ram</u> <u>Any Legal Weapon</u>	<u>45</u>
( ( Selah Butte North (youth hunter)	<del>Sept. 12—Oct. 12</del>	<del>Sheep Unit 4A</del>	<del>Adult ewe</del>	<del>2</del> ) )
<u>Mount Baldy Selah Butte B</u>	<del>Sept. 14—Oct. 12</del> <u>Nov. 1-21</u>	Sheep Unit <del>4B</del>	Adult ewe <u>or</u> <u>Juvenile Ram</u> <u>Any Legal Weapon</u>	<u>46</u>
( ( Mount Baldy (youth hunter)	<del>Sept. 12—Oct. 12</del>	<del>Sheep Unit 4B</del>	<del>Adult ewe</del>	<del>2</del> ) )
Selah Butte <u>South C</u>	<del>Sept. 14—Oct. 12</del> <u>Nov. 22-Dec. 19</u>	Sheep Unit <del>4C</del>	Adult ewe <u>or</u> <u>Juvenile Ram</u> <u>Any Legal Weapon</u>	<u>46</u>



Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
( ( <del>Selah Butte South</del> (youth hunter)	Sept. 12—Oct. 12	Sheep Unit 4C	Adult ewe	1 ) )
Umtanum <del>North A</del>	<del>Nov. 9-22</del> Sept. 7-Oct. 3	Sheep Unit 5A	Adult ewe <u>or</u> <u>Juvenile Ram</u> <u>Any Legal Weapon</u>	5
( ( <del>Umtanum North</del> (youth hunter)	Nov. 9-29	Sheep Unit 5A	Adult ewe	1 ) )
Umtanum <del>South AB</del>	Nov. <del>9-22</del> 1-21	Sheep Unit 5B	Adult ewe <u>or</u> <u>Juvenile Ram</u> <u>Any Legal Weapon</u>	<del>5</del> 6
Umtanum <del>South BC</del>	Nov. <del>23-22</del> - Dec. <del>6</del> 19	Sheep Unit 5B	Adult ewe <u>or</u> <u>Juvenile Ram</u> <u>Any Legal Weapon</u>	<del>5</del> 6
( ( <del>Umtanum South</del> (youth hunter)	Nov. 9-29	Sheep Unit 5B	Adult ewe	2 ) )
<u>Cleman Mountain A</u>	<u>Oct. 11-31</u>	<u>Sheep Unit 7</u>	<u>Adult ewe only</u> <u>Any Legal Weapon</u>	<u>10</u>
Cleman Mountain ( ( € ) ) <u>B</u>	( ( <del>Nov. 9-29</del> ) ) <u>Nov. 8-28</u>	Sheep Unit 7	Adult ewe only Any Legal Weapon	8
( ( <del>Cleman Mountain D</del> (youth hunter) <sup>a</sup>	Nov. 9-29	Sheep Unit 7	Adult ewe only Any Legal Weapon	2 ) )
<u>Lincoln Cliffs Whitestone Unit</u>	<u>Oct. 1-10</u>	<u>Sheep Unit 12 west of Mount View Rd</u>	<u>Adult ewe only</u> <u>Any Legal Weapon</u>	<u>1</u>
<u>Chelan Butte</u>	<u>Sept. 15 - Oct. 10</u>	<u>Sheep Unit 18</u>	<u>Adult ewe only</u> <u>Any Legal Weapon</u>	<u>4</u>
<b>Juvenile ram<sup>a</sup> ( ( <del>(male) bighorn sheep only</del> ) )</b>				
( ( <del>Chelan Butte E</del> (disabled hunter) <sup>b</sup>	Oct. 11-31	Sheep Unit 18	Any Legal Weapon Juvenile ram <sup>e</sup>	2 ) )
Selah Butte <del>North</del>	<del>Sept. 14—Oct. 12</del> Sept. 7-Oct. 3	Sheep Unit 4A	Juvenile ram ( ( € ) ) only <sup>a</sup> Any Legal Weapon	1
<del>Mount Baldy</del>	<del>Sept. 14—Oct. 12</del>	<del>Sheep Unit 4B</del>	<del>Juvenile ram ( ( € ) )</del> <del>only<sup>a</sup></del> <del>Any Legal Weapon</del>	<del>2</del>
<del>Selah Butte South</del>	<del>Sept. 14—Oct. 12</del>	<del>Sheep Unit 4C</del>	<del>Juvenile ram ( ( € ) )</del> <del>only<sup>a</sup></del> <del>Any Legal Weapon</del>	<del>2</del>
Umtanum <del>North</del>	<del>Nov. 9-22</del> Sept. 7-Oct. 3	Sheep Unit 5A	Juvenile ram ( ( € ) ) only <sup>a</sup> Any Legal Weapon	1
<del>Umtanum South</del>	<del>Nov. 9-22</del>	<del>Sheep Unit 5B</del>	<del>Juvenile ram ( ( € ) )</del> <del>only<sup>a</sup></del> <del>Any Legal Weapon</del>	<del>1</del>
<b>Youth</b>				
<u>Selah Butte <del>North</del></u>	<u>Sept. 12—Oct. 12</u> Nov. 1-Dec. 19	<u>Sheep Unit 4A</u>	<u>Adult ewe or</u> <u>Juvenile Ram only</u> <u>Any Legal Weapon</u>	<u>25</u>

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
<u>Mount Baldy</u>	<u>Sept. 12—Oct. 12</u>	<u>Sheep Unit 4B</u>	<u>Adult ewe only</u> <u>Any Legal Weapon</u>	<u>2</u>
<u>Selah Butte South</u>	<u>Sept. 12—Oct. 12</u>	<u>Sheep Unit 4C</u>	<u>Adult ewe only</u> <u>Any Legal Weapon</u>	<u>1</u>
<u>Umtanum North</u>	<u>Nov. 9-29</u> <u>Sept. 7-Oct. 3</u>	<u>Sheep Unit 5A</u>	<u>Adult ewe or</u> <u>Juvenile Ram only</u> <u>Any Legal Weapon</u>	<u>15</u>
<u>Umtanum South</u>	<u>Nov. 9-29</u>	<u>Sheep Unit 5B</u>	<u>Adult ewe only</u> <u>Any Legal Weapon</u>	<u>2</u>
<u>Cleman Mountain</u>	<u>Nov. 8-28</u>	<u>Sheep Unit 7</u>	<u>Adult ewe only</u> <u>Any Legal Weapon</u>	<u>2</u>
<b><u>Hunters with Disabilities</u></b>				
<u>Chelan Butte A</u>	<u>Oct. 11-31</u>	<u>Sheep Unit 18</u>	<u>Adult ewe only</u> <u>Any Legal Weapon</u>	<u>3</u>
<u>Chelan Butte B</u>	<u>Oct. 11-31</u>	<u>Sheep Unit 18</u>	<u>Juvenile ram only<sup>a</sup></u> <u>Any Legal Weapon</u>	<u>2</u>

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

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

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

~~<sup>c</sup>) A 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. All reference points are based on viewing the ram directly from a ninety degree angle from which the head is facing. 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.

[Statutory Authority: RCW 77.04.012, 77.04.055, 77.12.047, and 77.12.240. WSR 20-12-080 (Order 20-76), § 220-415-120, filed 6/1/20, effective 7/2/20. Statutory Authority: RCW 77.04.090, 77.04.130, 77.15.568, 77.08.010, 77.65.510, 77.65.515, and 77.65.520. WSR 19-10-011 (Order 19-79), § 220-415-120, filed 4/19/19, effective 5/20/19. Statutory Authority: 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. WSR 18-11-061 (Order 18-76), § 220-415-120, filed 5/11/18, effective 6/11/18. 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 § 220-415-120, 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, § 232-28-622, 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 15-10-048 (Order 15-101), § 232-28-622, filed 4/29/15, effective 5/30/15. Statutory Authority: RCW 77.12.047, 77.12.240, and 77.32.070. WSR 14-10-019 (Order 14-95), § 232-28-622, filed 4/25/14, effective 5/26/14; WSR 13-11-078 (Order 13-94), § 232-28-622, filed 5/16/13, effective 6/16/13.]

## RECOMMENDED ADJUSTMENTS

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

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- Change: Under Any ram, Selah Butte, changed permit season from Nov. 1-20 to Oct. 4-31 and changed permits from 2 to 4.

Rationale: These adjustments are related to the Department's test-and-remove efforts in the Yakima Canyon bighorn sheep herd. The objective is to capture most all sheep in the herd, test them for the pathogen that causes pneumonia, and lethally remove those that test positive, with the goal of removing the pathogen from the herd. The Department initiated efforts in February 2020 and was able to capture, mark, and test 80 bighorn. Herd size was estimated at 130-140 bighorn. It is believed up to as many as 64 bighorn (22 ewes, 9 adult rams, 33 yearlings/lambs) remain that have not been captured and tested for the pathogen. The Department would like to reduce herd size to approximately 100 to increase probability of success and will encourage hunters to target sheep that have not been marked. Adjustments are related to expanding hunt areas for ewes and juvenile rams and adjusting season dates to avoid overlap with Adult ram permits.

- Change: Under Any ram, Umtanum, changed permit season from Oct. 1-31 to Oct. 4-31 and changed permits from 2 to 4.

Rationale: These adjustments are related to the Department's test-and-remove efforts in the Yakima Canyon bighorn sheep herd. The objective is to capture most all sheep in the herd, test them for the pathogen that causes pneumonia, and lethally remove those that test positive, with the goal of removing the pathogen from the herd. The Department initiated efforts in February 2020 and was able to capture, mark, and test 80 bighorn. Herd size was estimated at 130-140 bighorn. It is believed up to as many as 64 bighorn (22 ewes, 9 adult rams, 33 yearlings/lambs) remain that have not been captured and tested for the pathogen. The Department would like to reduce herd size to approximately 100 to increase probability of success and will encourage hunters to target sheep that have not been marked. Adjustments are related to expanding hunt areas for ewes and juvenile rams and adjusting season dates to avoid overlap with Adult ram permits.

- Change: Under Adult ewe, Selah Butte North, changed Hunt Name to Selah Butte A, changed season dates to Sept 7-Oct. 3, changed Boundary Description to Sheep Unit 4, changed Special Restrictions to Adult ewe or Juvenile Ram, Any Legal Weapon, and changed the number of permits from 4 to 5.

Rationale: These adjustments are related to the Department's test-and-remove efforts in the Yakima Canyon bighorn sheep herd. The objective is to capture most all sheep in the herd,

test them for the pathogen that causes pneumonia, and lethally remove those that test positive, with the goal of removing the pathogen from the herd. The Department initiated efforts in February 2020 and was able to capture, mark, and test 80 bighorn. Herd size was estimated at 130-140 bighorn. It is believed up to as many as 64 bighorn (22 ewes, 9 adult rams, 33 yearlings/lambs) remain that have not been captured and tested for the pathogen. The Department would like to reduce herd size to approximately 100 to increase probability of success and will encourage hunters to target sheep that have not been marked. Adjustments are related to expanding hunt areas for ewes and juvenile rams and adjusting season dates to avoid overlap with Adult ram permits.

- Change: Under Adult ewe, Mount Baldy, changed Hunt Name to Selah Butte B, changed season dates to Nov. 1-21, changed Boundary Description to Sheep Unit 4, changed Special Restrictions to Adult ewe or Juvenile Ram, Any Legal Weapon, and changed the number of permits from 4 to 6.

Rationale: These adjustments are related to the Department's test-and-remove efforts in the Yakima Canyon bighorn sheep herd. The objective is to capture most all sheep in the herd, test them for the pathogen that causes pneumonia, and lethally remove those that test positive, with the goal of removing the pathogen from the herd. The Department initiated efforts in February 2020 and was able to capture, mark, and test 80 bighorn. Herd size was estimated at 130-140 bighorn. It is believed up to as many as 64 bighorn (22 ewes, 9 adult rams, 33 yearlings/lambs) remain that have not been captured and tested for the pathogen. The Department would like to reduce herd size to approximately 100 to increase probability of success and will encourage hunters to target sheep that have not been marked. Adjustments are related to expanding hunt areas for ewes and juvenile rams and adjusting season dates to avoid overlap with Adult ram permits.

- Change: Under Adult ewe, Selah Butte South, changed Hunt Name to Selah Butte C, changed season dates to Nov. 22-Dec. 19, changed Boundary Description to Sheep Unit 4, changed Special Restrictions to Adult ewe or Juvenile Ram, Any Legal Weapon, and changed the number of permits from 4 to 6.

Rationale: These adjustments are related to the Department's test-and-remove efforts in the Yakima Canyon bighorn sheep herd. The objective is to capture most all sheep in the herd, test them for the pathogen that causes pneumonia, and lethally remove those that test positive, with the goal of removing the pathogen from the herd. The Department initiated efforts in February 2020 and was able to capture, mark, and test 80 bighorn. Herd size was estimated at 130-140 bighorn. It is believed up to as many as 64 bighorn (22 ewes, 9 adult rams, 33 yearlings/lambs) remain that have not been captured and tested for the pathogen. The Department would like to reduce herd size to approximately 100 to increase probability of success and will encourage hunters to target sheep that have not been marked. Adjustments are related to expanding hunt areas for ewes and juvenile rams and adjusting season dates to avoid overlap with Adult ram permits.

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- Change: Under Adult ewe, Umtanum North, changed Hunt Name to Umtanum A, changed season dates to Sept 7-Oct. 3, changed Boundary Description to Sheep Unit 5, and changed Special Restrictions to Adult ewe or Juvenile Ram, Any Legal Weapon.

Rationale: These adjustments are related to the Department's test-and-remove efforts in the Yakima Canyon bighorn sheep herd. The objective is to capture most all sheep in the herd, test them for the pathogen that causes pneumonia, and lethally remove those that test positive, with the goal of removing the pathogen from the herd. The Department initiated efforts in February 2020 and was able to capture, mark, and test 80 bighorn. Herd size was estimated at 130-140 bighorn. It is believed up to as many as 64 bighorn (22 ewes, 9 adult rams, 33 yearlings/lambs) remain that have not been captured and tested for the pathogen. The Department would like to reduce herd size to approximately 100 to increase probability of success and will encourage hunters to target sheep that have not been marked. Adjustments are related to expanding hunt areas for ewes and juvenile rams and adjusting season dates to avoid overlap with Adult ram permits.

- Change: Under Adult ewe, Umtanum South A, changed Hunt Name to Umtanum B, changed season dates to Nov. 1-22, changed Boundary Description to Sheep Unit 5, changed Special Restrictions to Adult ewe or Juvenile Ram, Any Legal Weapon, and changed the number of permits from 5 to 6.

Rationale: These adjustments are related to the Department's test-and-remove efforts in the Yakima Canyon bighorn sheep herd. The objective is to capture most all sheep in the herd, test them for the pathogen that causes pneumonia, and lethally remove those that test positive, with the goal of removing the pathogen from the herd. The Department initiated efforts in February 2020 and was able to capture, mark, and test 80 bighorn. Herd size was estimated at 130-140 bighorn. It is believed up to as many as 64 bighorn (22 ewes, 9 adult rams, 33 yearlings/lambs) remain that have not been captured and tested for the pathogen. The Department would like to reduce herd size to approximately 100 to increase probability of success and will encourage hunters to target sheep that have not been marked. Adjustments are related to expanding hunt areas for ewes and juvenile rams and adjusting season dates to avoid overlap with Adult ram permits.

- Change: Under Adult ewe, Umtanum South B, changed Hunt Name to Umtanum C, changed season dates to Nov. 22-Dec. 19, changed Boundary Description to Sheep Unit 5, changed Special Restrictions to Adult ewe or Juvenile Ram, Any Legal Weapon, and changed the number of permits from 5 to 6.

Rationale: These adjustments are related to the Department's test-and-remove efforts in the Yakima Canyon bighorn sheep herd. The objective is to capture most all sheep in the herd, test them for the pathogen that causes pneumonia, and lethally remove those that test positive, with the goal of removing the pathogen from the herd. The Department initiated efforts in February 2020 and was able to capture, mark, and test 80 bighorn. Herd size was estimated at 130-140 bighorn. It is believed up to as many as 64 bighorn (22 ewes, 9 adult rams, 33 yearlings/lambs) remain that have not been captured and tested for the pathogen.

The Department would like to reduce herd size to approximately 100 to increase probability of success and will encourage hunters to target sheep that have not been marked. Adjustments are related to expanding hunt areas for ewes and juvenile rams and adjusting season dates to avoid overlap with Adult ram permits.

- Change: Under Juvenile ram, Selah Butte North, changed hunt name to Selah Butte, changed season dates to Sept. 7-Oct. 3, and changed boundary description to Sheep Unit 4.

Rationale: These adjustments are related to the Department's test-and-remove efforts in the Yakima Canyon bighorn sheep herd. The objective is to capture most all sheep in the herd, test them for the pathogen that causes pneumonia, and lethally remove those that test positive, with the goal of removing the pathogen from the herd. The Department initiated efforts in February 2020 and was able to capture, mark, and test 80 bighorn. Herd size was estimated at 130-140 bighorn. It is believed up to as many as 64 bighorn (22 ewes, 9 adult rams, 33 yearlings/lambs) remain that have not been captured and tested for the pathogen. The Department would like to reduce herd size to approximately 100 to increase probability of success and will encourage hunters to target sheep that have not been marked. Adjustments are related to expanding hunt areas for ewes and juvenile rams and adjusting season dates to avoid overlap with Adult ram permits.

- Change: Under Juvenile ram, Mount Baldy, removed the special permit opportunity.

Rationale: These adjustments are related to the Department's test-and-remove efforts in the Yakima Canyon bighorn sheep herd. The objective is to capture most all sheep in the herd, test them for the pathogen that causes pneumonia, and lethally remove those that test positive, with the goal of removing the pathogen from the herd. The Department initiated efforts in February 2020 and was able to capture, mark, and test 80 bighorn. Herd size was estimated at 130-140 bighorn. It is believed up to as many as 64 bighorn (22 ewes, 9 adult rams, 33 yearlings/lambs) remain that have not been captured and tested for the pathogen. The Department would like to reduce herd size to approximately 100 to increase probability of success and will encourage hunters to target sheep that have not been marked. Adjustments are related to expanding hunt areas for ewes and juvenile rams and adjusting season dates to avoid overlap with Adult ram permits.

- Change: Under Juvenile ram, Selah Butte South, removed the special permit opportunity.

Rationale: These adjustments are related to the Department's test-and-remove efforts in the Yakima Canyon bighorn sheep herd. The objective is to capture most all sheep in the herd, test them for the pathogen that causes pneumonia, and lethally remove those that test positive, with the goal of removing the pathogen from the herd. The Department initiated efforts in February 2020 and was able to capture, mark, and test 80 bighorn. Herd size was estimated at 130-140 bighorn. It is believed up to as many as 64 bighorn (22 ewes, 9 adult rams, 33 yearlings/lambs) remain that have not been captured and tested for the pathogen. The Department would like to reduce herd size to approximately 100 to increase probability of success and will encourage hunters to target sheep that have not been marked. Adjustments are related to expanding hunt areas for ewes and juvenile rams and adjusting season dates to avoid overlap with Adult ram permits.

- Change: Under Juvenile ram, Umtanum North, changed hunt name to Umtanum, changed hunt dates to Sept. 7-Oct. 3, and changed boundary description to Sheep Unit 5.

Rationale: These adjustments are related to the Department's test-and-remove efforts in the Yakima Canyon bighorn sheep herd. The objective is to capture most all sheep in the herd, test them for the pathogen that causes pneumonia, and lethally remove those that test positive, with the goal of removing the pathogen from the herd. The Department initiated efforts in February 2020 and was able to capture, mark, and test 80 bighorn. Herd size was estimated at 130-140 bighorn. It is believed up to as many as 64 bighorn (22 ewes, 9 adult rams, 33 yearlings/lambs) remain that have not been captured and tested for the pathogen. The Department would like to reduce herd size to approximately 100 to increase probability of success and will encourage hunters to target sheep that have not been marked. Adjustments are related to expanding hunt areas for ewes and juvenile rams and adjusting season dates to avoid overlap with Adult ram permits.

- Change: Under Juvenile ram, Umtanum South, removed the special permit opportunity.

Rationale: These adjustments are related to the Department's test-and-remove efforts in the Yakima Canyon bighorn sheep herd. The objective is to capture most all sheep in the herd, test them for the pathogen that causes pneumonia, and lethally remove those that test positive, with the goal of removing the pathogen from the herd. The Department initiated efforts in February 2020 and was able to capture, mark, and test 80 bighorn. Herd size was estimated at 130-140 bighorn. It is believed up to as many as 64 bighorn (22 ewes, 9 adult rams, 33 yearlings/lambs) remain that have not been captured and tested for the pathogen. The Department would like to reduce herd size to approximately 100 to increase probability of success and will encourage hunters to target sheep that have not been marked. Adjustments are related to expanding hunt areas for ewes and juvenile rams and adjusting season dates to avoid overlap with Adult ram permits.

- Change: Under Youth, Selah Butte North, change Hunt Name to Selah Butte, change hunt dates to Nov. 1-Dec. 19, change Boundary Description to Sheep Unit 4, change Special Restrictions to Adult ewe or Juvenile Ram, Any Legal Weapon, and change the number of permits from 2 to 5.

Rationale: These adjustments are related to the Department's test-and-remove efforts in the Yakima Canyon bighorn sheep herd. The objective is to capture most all sheep in the herd, test them for the pathogen that causes pneumonia, and lethally remove those that test positive, with the goal of removing the pathogen from the herd. The Department initiated efforts in February 2020 and was able to capture, mark, and test 80 bighorn. Herd size was estimated at 130-140 bighorn. It is believed up to as many as 64 bighorn (22 ewes, 9 adult rams, 33 yearlings/lambs) remain that have not been captured and tested for the pathogen. The Department would like to reduce herd size to approximately 100 to increase probability of success and will encourage hunters to target sheep that have not been marked. Adjustments are related to expanding hunt areas for ewes and juvenile rams and adjusting season dates to avoid overlap with Adult ram permits.

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- Change: Under Youth, Mount Baldy, remove the special permit opportunity.

Rationale: These adjustments are related to the Department's test-and-remove efforts in the Yakima Canyon bighorn sheep herd. The objective is to capture most all sheep in the herd, test them for the pathogen that causes pneumonia, and lethally remove those that test positive, with the goal of removing the pathogen from the herd. The Department initiated efforts in February 2020 and was able to capture, mark, and test 80 bighorn. Herd size was estimated at 130-140 bighorn. It is believed up to as many as 64 bighorn (22 ewes, 9 adult rams, 33 yearlings/lambs) remain that have not been captured and tested for the pathogen. The Department would like to reduce herd size to approximately 100 to increase probability of success and will encourage hunters to target sheep that have not been marked. Adjustments are related to expanding hunt areas for ewes and juvenile rams and adjusting season dates to avoid overlap with Adult ram permits.

- Change: Under Youth, Selah Butte South, remove the special permit opportunity.

Rationale: These adjustments are related to the Department's test-and-remove efforts in the Yakima Canyon bighorn sheep herd. The objective is to capture most all sheep in the herd, test them for the pathogen that causes pneumonia, and lethally remove those that test positive, with the goal of removing the pathogen from the herd. The Department initiated efforts in February 2020 and was able to capture, mark, and test 80 bighorn. Herd size was estimated at 130-140 bighorn. It is believed up to as many as 64 bighorn (22 ewes, 9 adult rams, 33 yearlings/lambs) remain that have not been captured and tested for the pathogen. The Department would like to reduce herd size to approximately 100 to increase probability of success and will encourage hunters to target sheep that have not been marked. Adjustments are related to expanding hunt areas for ewes and juvenile rams and adjusting season dates to avoid overlap with Adult ram permits.

- Change: Under Youth, Umtanum North, change Hunt Name to Umtanum, change hunt dates to Sept. 7-Oct. 3, change Boundary Description to Sheep Unit 5, change Special Restrictions to Adult ewe or Juvenile Ram, Any Legal Weapon, and change number of permits from 1 to 5.

Rationale: These adjustments are related to the Department's test-and-remove efforts in the Yakima Canyon bighorn sheep herd. The objective is to capture most all sheep in the herd, test them for the pathogen that causes pneumonia, and lethally remove those that test positive, with the goal of removing the pathogen from the herd. The Department initiated efforts in February 2020 and was able to capture, mark, and test 80 bighorn. Herd size was estimated at 130-140 bighorn. It is believed up to as many as 64 bighorn (22 ewes, 9 adult rams, 33 yearlings/lambs) remain that have not been captured and tested for the pathogen. The Department would like to reduce herd size to approximately 100 to increase probability of success and will encourage hunters to target sheep that have not been marked. Adjustments are related to expanding hunt areas for ewes and juvenile rams and adjusting season dates to avoid overlap with Adult ram permits.

- Change: Under Youth, Umtanum South, remove the special permit opportunity.

Rationale: These adjustments are related to the Department's test-and-remove efforts in the Yakima Canyon bighorn sheep herd. The objective is to capture most all sheep in the herd, test them for the pathogen that causes pneumonia, and lethally remove those that test positive, with the goal of removing the pathogen from the herd. The Department initiated efforts in February 2020 and was able to capture, mark, and test 80 bighorn. Herd size was estimated at 130-140 bighorn. It is believed up to as many as 64 bighorn (22 ewes, 9 adult rams, 33 yearlings/lambs) remain that have not been captured and tested for the pathogen. The Department would like to reduce herd size to approximately 100 to increase probability of success and will encourage hunters to target sheep that have not been marked. Adjustments are related to expanding hunt areas for ewes and juvenile rams and adjusting season dates to avoid overlap with Adult ram permits.



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

### WAC 220-415-120 Bighorn sheep seasons, permit quotas, and areas.

We received 120 total comments on the proposed rule changes, and all but two (email/letter) came through our online survey. Fourteen of the online respondents did not indicate if they agreed or disagreed.

#### **Written Supporting Comments:**

Of the 1,933 respondents to our online survey 67% (1,303) indicated they agreed with the proposed rule changes. Thirty-seven comments indicated general support of the proposed changes but did not specify why.

#### **Written Opposing, Neutral, and Other Comments:**

Only 9% (182) of the respondents indicated they disagreed with the proposed rule changes and 23% (48) indicated they were neutral. Twenty-six comments indicated general disagreement with the proposed changes but did not specify why, while 42 comments indicated opposition for specific reasons. However, those 42 comments specified 18 different reasons for their opposition.

Below are the common themes identified from comments that indicated opposition or were not directly related during the online survey:

- Opposed to hunting juvenile rams
- Tribal hunters are harvesting too many bighorn sheep
- There are too many predators
- WDFW needs to improve the criteria used to define a juvenile ram
- Opposed to hunting ewes
- Opposed to hunting all bighorn sheep

#### **Rationale-Agency Action Regarding Comments:**

The Department will move forward with the recommendation to the Fish and Wildlife Commission as proposed.

Most responses were in favor of the proposed rule changes. Those that were opposed had several reasons. We have outlined the most prominent reasons for being opposed and common themes not directly related to the proposal and WDFW's consideration in response to those comments.

Comment: Opposed to hunting juvenile rams

With exception to one special permit opportunity for Hunters with Disabilities, all special permits for juvenile rams occur in the Selah Butte and Umtanum herds and are associated with WDFW's efforts to reduce the population to 100 bighorn sheep or less.

We are doing this in concert with efforts to implement a test-and-remove approach to eradicate the pathogen that causes the pneumonia that is plaguing these herds.

Comment: Tribal hunters are harvesting too many bighorn sheep

WDFW does not regulate tribal hunting. The 24 tribes that have off-reservation hunting rights in Washington set their own hunting regulations for their tribal members. Those tribes can allow members to hunt on open and unclaimed land within their ceded area or within an area proven to have been traditionally used by the tribe.

Comment: There are too many predators

WDFW's Game Management Plan identifies guidelines to determine when a particular population meets the criteria of an "at-risk" ungulate population and whether carnivore management actions are needed to promote recovery. Although some bighorn sheep herds meet that criteria, there are no indications they are being limited by predation. Instead, and in nearly every situation, the herds are below objective because of disease outbreaks.

Comment: WDFW needs to improve the criteria used to define a juvenile ram

One of the proposed changes included modifying the language that identifies the criteria used to define a juvenile ram. We do not feel there are additional modifications that could be made that would reduce the likelihood of a hunter harvesting an older ram.

Comment: Opposed to hunting ewes

Most special permit hunts for ewes occur in the Selah Butte and Umtanum herds and are associated with WDFW's efforts to reduce the population to 100 bighorn sheep or less. We are doing this in concert with efforts to implement a test-and-remove approach to eradicate the pathogen that causes the pneumonia that is plaguing these herds. Other special permit hunts for ewes only occur in bighorn sheep herds that are above objective (Lincoln Cliffs, Chelan Butte, and Cleman Mt.).

Comment: Opposed to hunting all bighorn sheep

Removing all bighorn sheep hunts was not considered a viable option. Hunting is a big part of the North American Model of Wildlife Conservation and hunters contribute most of the funding that allows us to manage wildlife species. Hunting is a long-held tradition in this state and recreational hunting is a legitimate use of this natural resource.

**WAC 220-415-130 ((2020)) 2021 Mountain goat seasons ((and)), permit quotas, and areas.** (1) Hunters must comply with the provisions of this section. A violation of species, sex, size, number, area, season, or eligibility requirements is punishable under RCW 77.15.410 Unlawful hunting of big game—Penalty.

(2) **Mountain Goat Permit Hunts**

(a) **Who May Apply:**

(i) **Mountain goat special permit category:** 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. However, these restrictions are waived for hunters who have previously harvested a mountain goat under an auction, raffle, or conflict reduction permit, as well as for applications for an auction, raffle, or conflict reduction permit.

(ii) **Conflict reduction special permit category:** Anyone may apply.

(b) **Bag Limit:**

(i) **Mountain goat special permit category:** 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.

(ii) **Conflict reduction special permit category:** Two (2) goats of either sex. No minimum horn length or age requirements.

(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). However, this requirement is waived for applicants drawn for a permit in the conflict reduction special permit category.

Goat Hunt Area Name (Number)	Permit Season	Special Restrictions	Permits
<b>Mountain goat special permits</b>			
North Lake Chelan (2-1)	Sept. <del>((15))</del> 1 - Nov. 30 <del>((A))</del>	Any Legal Weapon	2
South Lake Chelan (2-3)	Sept. <del>((15))</del> 1 - Nov. 30 <del>((A))</del>	Any Legal Weapon	1
Naches Pass (3-6)	Sept. <del>((15))</del> 1 - Nov. 30	Any Legal Weapon	<del>((2))</del> 1
Bumping River (3-7)	Sept. <del>((15))</del> 1 - Nov. 30 <del>((A))</del>	Any Legal Weapon	<del>((2))</del> 1
Boulder River North (4-8a)	Sept. <del>((15))</del> 1 - Nov. 30 <del>((A))</del>	Any Legal Weapon	1
Chowder Ridge (4-3)	Sept. <del>((15))</del> 1 - Nov. 30 <del>((A))</del>	Any Legal Weapon	1
Lincoln Peak (4-4)	Sept. <del>((15))</del> 1 - Nov. 30 <del>((A))</del>	Any Legal Weapon	2
Avalanche Gorge (4-7)	Sept. <del>((15))</del> 1 - Nov. 30 <del>((A))</del>	Any Legal Weapon	3
Goat Rocks West (5-4)	Sept. <del>((15))</del> 1 - Nov. 30 <del>((A))</del>	Any Legal Weapon	<del>((2))</del> 1
Goat Rocks East (5-5)	Sept. <del>((15))</del> 1 - Nov. 30 <del>((A))</del>	Any Legal Weapon	2

Goat Hunt Area Name (Number)	Permit Season	Special Restrictions	Permits
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
<b><u>Conflict reduction special permits</u></b>			
<u>East Olympic Mountains A (6-1)<sup>a</sup></u>	<u>Sept. 1-26</u>	<u>Any Legal Weapon</u>	<u>5</u>
<u>East Olympic Mountains B (6-1)<sup>a</sup></u>	<u>Sept. 27 - Oct. 22</u>	<u>Any Legal Weapon</u>	<u>10</u>
<u>East Olympic Mountains C (6-1)<sup>a</sup></u>	<u>Oct. 23 - Nov. 30</u>	<u>Any Legal Weapon</u>	<u>10</u>

<sup>a</sup> (~~Permit holders hunting with archery equipment may start hunting September 1.~~) The conflict reduction special permit category is reinstated. Points previously accrued for the conflict reduction special permits will apply. Points accrued or spent on this hunt do not apply to other mountain goat hunts.

(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.~~

**East Olympic Mountains 6-1:** GMUs 621, 636, and 638.

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

### WAC 220-415-130 Mountain goat seasons, permit quotas, and areas.

We received 169 total comments on the proposed rule changes, and all but five (emails/letter) came through our online survey. Thirteen of the online respondents did not indicate if they agreed or disagreed.

#### **Written Supporting Comments:**

Of the 1,900 respondents to our online survey 61% (1,158) indicated they agreed with the proposed rule changes. Fifty-seven comments indicated general support of the proposed changes but did not specify why.

#### **Written Opposing, Neutral, and Other Comments:**

Only 14% (258) of the respondents indicated they disagreed with the proposed rule changes and 26% (486) indicated they were neutral. Sixty-three comments indicated general disagreement with the proposed changes but did not specify why, while 29 comments indicated opposition for specific reasons.

Below are the common themes identified from comments that indicated opposition or were not directly related during the online survey:

- WDFW needs to improve their survey methodology
- Increase goat hunting in other areas of Gifford Pinchot National Forest
- Open goat seasons earlier
- Use non-lethal alternatives to deal with conflicts
- Tribal hunters are harvesting too many goats

#### **Rationale-Agency Action Regarding Comments:**

The Department will move forward with the recommendation to the Fish and Wildlife Commission as proposed.

Most responses were in favor of the proposed rule changes. Those that were opposed had several reasons. We have outlined the most prominent reasons for being opposed and common themes not directly related to the proposal and WDFW's consideration in response to those comments.

Comment: WDFW needs to improve their survey methodology

Surveying mountain goats is difficult. In most areas, WDFW currently uses a sightability model developed specifically for mountain goats in Washington to estimate abundance and is not aware of alternative methods that are cost-effective and would improve survey results. We do have plans to improve on our survey methodology in the Lake

Chelan areas, however, where surveys have historically been conducted from a boat on Lake Chelan.

Comment: Increase goat hunting in other areas of Gifford Pinchot National Forest

Mountain goat hunt areas are established in areas where a substantial number of goats are known to occur, and an established hunt area must have at least 100 goats before a special permit hunt can be established. At this time, WDFW is not aware of any additional areas within the Gifford Pinchot National Forest that would meet this criterion.

Comment: Open goat seasons earlier

Goat seasons open on Sept. 1 and run through Nov. 30, so the season length is already incredibly liberal. Moreover, opening seasons earlier would make it more difficult for hunters to pack out their harvest before the meat spoils.

Comment: Use non-lethal alternatives to deal with conflicts

WDFW is not proposing special permit hunts on the Olympic Peninsula in response to conflicts with goats. Hunts are being established to assist with efforts to remove all mountain goats from the Peninsula. Respondents were confused about the proposal.

Comment: Tribal hunters are harvesting too many goats

WDFW does not regulate tribal hunting. The 24 tribes that have off-reservation hunting rights in Washington set their own hunting regulations for their tribal members. Those tribes can allow members to hunt on open and unclaimed land within their ceded area or within an area proven to have been traditionally used by the tribe.



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 10, 2021  
 TIME: 3:48 PM

WSR 21-05-032

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 20-23-122 on November 18, 2020 ; 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)

- WAC 220-400-020 Classification of wild animals.
- WAC 220-410-010 Game management units (GMUs) boundary descriptions—Region one.
- 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 220-410-060 Game management units (GMUs) boundary descriptions—Region six.
- WAC 220-411-140 Lake Terrell Game Reserve (Whatcom County).
- WAC 220-411-210 Game Stratford Game Reserve.
- 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 220-413-060 Hunting restrictions.
- WAC 220-413-090 Field identification of wildlife – Evidence of sex – Definitions.
- WAC 220-414-010 Hunting equipment restrictions.
- WAC 220-414-020 Unlawful methods for hunting – Firearms.
- WAC 220-414-040 Nontoxic shot requirements.
- WAC 220-414-050 Shotgun shell restriction areas.
- WAC 220-414-060 Muzzleloading firearms.
- WAC 220-414-070 Archery requirements.
- WAC 220-414-090 Use of decoys and calls.
- WAC 220-414-100 Crossbow requirements.
- WAC 220-415-010 Deer area descriptions.
- WAC 220-415-020 2021-2023 Deer general seasons and definitions.
- WAC 220-415-030 2021 Deer special permits.
- WAC 220-415-040 Elk area descriptions.
- WAC 220-415-050 2021-2023 Elk general seasons and definitions.
- WAC 220-415-060 2021 Elk special permits.
- WAC 220-415-070 2021 Moose seasons, permit quotas, and areas.
- WAC 220-415-090 2019-2020 Fall black bear hunting seasons and regulations.
- WAC 220-415-120 2020 Bighorn sheep seasons permit quotas.
- WAC 220-415-130 2021 Mountain goat seasons permit quotas, and areas.
- WAC 220-416-010 Small game and other wildlife seasons and regulations.
- WAC 220-416-060 2020-2021 Migratory gamebird seasons and regulations.
- WAC 220-416-070 Columbia, Snake, and Yakima River waterfowl, coot, and snipe closures.
- WAC 220-416-080 Lynch Cove and Union River hunting area restriction (Mason County).
- WAC 220-417-010 Trapping seasons and regulations.
- WAC 220-417-030 Wild animal trapping.

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
March 25-27, 2021	8:00 a.m.	Webinar and/or conference call.	This meeting will take place by webinar. The public may participate in the meeting. Visit our website at <a href="http://wdfw.wa.gov/about/commission/meetings">http://wdfw.wa.gov/about/commission/meetings</a> or contact the Commission office at (360) 902-2267 or

[commission@dfw.wa.gov](mailto:commission@dfw.wa.gov) for instruction on how to join the meeting.

**Date of intended adoption:** April 9, 2021 (Note: This is **NOT** the **effective** date)

**Submit written comments to:**

Name: Wildlife Program

Address: PO Box 43200, Olympia, WA. 98504

Email: Rules.coordinator@dfw.wa.gov

Fax: (360) 902-2162

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

By (date) March 4, 2021

**Assistance for language translation, alternate format or reasonable accommodation:**

Contact Title VI/ADA Compliance Coordinator

Phone: (360) 902-2349, TTY (711)

Email: Title6@dfw.wa.gov

For more information, see <https://wdfw.wa.gov/accessibility/requests-accommodation>

By (date) March 18, 2021

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

**WAC 220-400-020 Classification of wild animals.**

The purpose of this proposal is to add eastern cottontail, Nuttall's cottontail, and snowshoe hare to the identified furbearer game species list. This change will offer new and expanded recreational hunting and trapping opportunities.

**WAC 220-410-010 Game management units (GMUs) boundary descriptions—Region one.**

This proposal is a minor administrative change to clarify that the boundary for GMUs 175 (Lick Creek) and 178 (Peola) follows the elk drift fence to where it meets the section line, rather than where the fence ends. There are no anticipated effects associated with this proposal other than making it clearer to hunters.

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

Specific amendments associated with this proposal include: 1. Establishing Henry Island (GMU 423) and Stuart Island (GMU 424) in the Puget Sound as standalone GMUs, rather than including them as part of GMU 410 (Islands). Anticipated effects of this proposal would be reductions in hunter confusion and improvements in harvest estimates. 2. Making a minor adjustment to the boundary description for GMUs 407 (North Sound) and 454 (Issaquah) to establish a more easily identified boundary. Anticipated effects of this amendment would be reductions in hunter confusion and resulting enforcement issues.

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

Specific amendments associated with this proposal include: 1. Making a minor adjustment to the boundary description for GMUs 568 (Washougal) and 572 (Siouxon) to establish a more easily identified boundary. Anticipated effects associated with this amendment include reductions in hunter confusion. 2. Adding that portion of GMU 554 (Yale) that is north of State Route 503 to GMU 556 (Toutle). Anticipated effects associated with this amendment include reducing hunter confusion and resulting in less enforcement issues. 3. Formally adopting a change to the boundary description for GMUs 506 (Willapa Hills) and 673 (Williams Creek) that was implemented as an emergency rule on September 1, 2020. There are no anticipated effects associated with this amendment.

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

Formally adopting a change to the boundary description for GMUs 506 (Willapa Hills) and 673 (Williams Creek) that was implemented as an emergency rule on September 1, 2020. There would be no anticipated effects associated with this amendment.

**WAC 220-411-140 Lake Terrell Game Reserve (Whatcom County).**

Rule changes are needed to this rule for technical adjustment under area description to align intent with legal description. This does not change how users have understood this Game Reserve.

**WAC 220-411-210 Stratford Game Reserve.**

The proposed rule changes for WAC 220-411-210 is for the same reason as the rule change to 220-411-140. The changes are needed to this rule for technical adjustment under area description to align intent with legal description. This does not change how users have understood this Game Reserve.

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

The purpose of this proposal is to change the bag limit for auction and raffle moose permits from one moose of either sex to one bull moose, as well as, to expand the hunt area for moose raffle permits to include any open moose unit, instead of being limited to GMUs 101-121 and 204. Nearly all auction and raffle permit holders harvest bulls, so there are no anticipated effects beyond reducing the potential for antlerless harvest in the future. The only anticipated effect associated with amending the hunt area for raffle permits is that harvest may occur in different GMUs.

**WAC 220-412-080 Special hunting season permits.**

Specific amendments associated with this proposal include:

1. Allowing successful applicants for all big game special permits to return their permit to the Department for any reason two weeks prior to the opening day of the season and to have their points restored. Whether this proposal will result in more

permits being returned is difficult to predict. It will, however, simplify the process of returning permits and reduce situations where hunters could not participate in a hunt, but lose their preference points within that specific hunt category.

Providing an exception to the once-in-a-lifetime restriction for hunters that participate in mountain goat conflict reduction hunts. The anticipated effects would be allowing hunters who have previously harvested a mountain goat, to participate in efforts to remove mountain goats from the Olympic Peninsula.

**WAC 220-412-100 Landowner hunting permits.**

The purpose of the proposal is to present the new properties for enrollment into the Landowner Hunt Permits Program (LHP) and their corresponding permit allocations and season dates. In addition, staff proposes slight wording changes to the WAC 220-412-100 that will provide further clarification within the standard operating procedure.

**WAC 220-413-060 Hunting restrictions.**

The specific amendments associated with this proposal include: 1. A minor administrative change to rule language that clarifies it is unlawful to hunt any wildlife at night and that it is unlawful to hunt wild animals, except rabbits and hares, with hounds during established modern firearm general deer and elk seasons during the months of October and November. There are no anticipated effects associated with this amendment other than reducing confusion that potentially exists. 2. Allowing hunters to use one dog controlled by leash during lawful hunting hours and within 72 hours of shooting a big game animal, except bear and cougar, to assist with recovering wounded big game. Anticipated effects of this proposal would be a reduction in the number of big game animals that are mortally wounded, but not recovered.

**WAC 220-413-090 Field identification of wildlife – Evidence of sex – Definitions.**

The purpose of this proposal is to clarify language regarding turkey identification - evidence of sex until processed and/or stored for consumption and clarify requirements for falconry efforts. Its anticipated effect is to provide clarity for hunters.

**WAC 220-414-020 Unlawful methods for hunting – Firearms.**

The purpose of this proposed rule is to add legal methods for hunting dusky grouse, sooty grouse, spruce grouse, ruffed grouse, snowshoe hare, cottontail rabbit, and turkey and to maintain humane methods of harvest. We anticipate expanded and new recreational hunting opportunities will assist with the recruitment, retention, and reactivation of hunters.

**WAC 220-414-010 Hunting equipment restrictions.**

This proposal clarifies that it is unlawful to hunt all big game, not just deer and elk, with the aid of infrared night vision equipment or with laser sights. There are no anticipated effects associated with this proposal other than eliminating any confusion that potentially exists.

**WAC 220-414-040 Nontoxic shot requirements.**

The changes proposed to rule 220-414-040 are: Adjust Wildlife Area and Unit naming conventions under subsection two to reflect current relationships.

All adjustments are related to Wildlife Area Units with significant wetlands occurring within boundaries.

**WAC 220-414-050 Shotgun shell restriction areas.**

The proposed changes to rule 220-414-050 are: Technical adjustment under subsection 1d-Johnson/DeBay's Slough Hunt Unit area description fixing GPS-coordinates to align intent with legal description; Technical adjustment under subsection 1e-Dungeness Unit in Clallam County due to a change in a previous contract agreement; Addition of subsection 1f – Samish River Unit of Skagit Wildlife Area in Skagit County, as a technical adjustment required from differentiating from the Samish Unit.

Addition of subsection 1g – South Padilla Bay Unit of Skagit Wildlife Area in Skagit County, to align with current management of waterfowl, coot, and snipe hunting on this Unit.

**WAC 220-414-060 Muzzleloading firearms.**

Specific amendments associated with this proposal include: 1. Allowing the use of 1x or red dot scopes on muzzleloading firearms. Anticipated effects associated with this amendment would be increased hunter participation, increased hunter retention, and ensuring a clean and ethical kill. 2. Allowing video-cameras to be mounted to muzzleloading firearms. There are no anticipated effects associated with this proposal other than hunters who wish to video their hunt being allowed to do so. Clarifies that the term "load" refers to the powder charge and projectile and that both must be loaded from the muzzle. Anticipated effects associated with this amendment would be hunters having a clearer understanding of the muzzleloading firearms that are legal to use during established muzzleloader seasons.

**WAC 220-414-070 Archery equipment.**

Currently, it is unlawful for hunters to have any electrical equipment or electric device(s) attached to archery equipment. The purpose of this proposal is to allow the use of specific electronic equipment. Specific amendments associated with this proposal include: 1. Allowing the use of range-finding bow sights. 2. Allowing the use of breadcrumb nocks. 3. Allowing the use of verifiers for peep sights. 4. Allowing video-cameras to be mounted to archery equipment.

Anticipated effects associated with amendments 1-3 would be increased hunter participation, increased hunter retention, and ensuring a clean and ethical kill. There are no anticipated effects associated with allowing video-cameras to be mounted to archery equipment other than hunters who wish to video their hunt being allowed to do so.

**WAC 220-414-090 Use of decoys and calls.**

The proposed change to WAC 220-414-090 is:

Under subsection 2, provide an exception allowing the use of electronic calls during a white goose-only (snow, Ross', and blue phase geese) season segment; this aligns state regulations with federal allowances.

**WAC 220-414-100 Crossbow requirements.**

The purpose of this proposal is to allow the use of crossbows during established muzzleloader seasons. The only anticipated effect associated with this proposal would be increased participation during established muzzleloader seasons, but that effect is expected to be minor.

**WAC 220-415-010 Deer area descriptions.**

The purpose of this proposal is to eliminate Deer Areas 1040 (4-O Ranch Wildlife Area) and 1021-Clarkston (Asotin Co.). Anticipated effects associated with this proposal include increasing hunter opportunities to harvest deer on the 4-O Wildlife Area and reducing opportunities for hunters to harvest antlerless mule deer in areas adjacent to the city of Clarkston, WA.

**WAC 220-415-020 2021-2023 Deer general seasons and definitions.**

The primary purpose of this proposal is to retain general season deer hunting opportunities for 2021-2023. It also provides opportunities in accordance with the status of deer populations and attempts to balance hunting opportunity among user groups. More specifically, amendments include: 1. Changing season dates for the late white-tailed deer season in GMUs 105-121 to a nine-day season with season dates of November 11-19. 2. Reducing general season opportunities to harvest antlerless white-tailed deer in GMUs 127-142 to promote population increases. 3. Reducing general season opportunities to harvest antlerless mule deer in GMUs 127-142 to promote population increases. 4. Reducing general season opportunities to harvest antlerless white-tailed deer in GMU 124 (Mount Spokane). 5. Increasing opportunities to harvest antlerless white-tailed deer during general muzzleloader seasons in GMUs 247 (Entiat), 254 (Saint Andrews), 262 (Withrow), 266 (Badger), and 269 (Moses Coulee).

Eliminating opportunities to harvest antlerless mule deer during the early general archery season in GMUs 382 (East Klickitat) and 388 (Grayback).

**WAC 220-415-030 2021 Deer special permits.**

The primary purpose of this proposal is to retain special permit deer hunting opportunities for 2021. It also provides opportunities in accordance with the status of deer populations and attempts to balance hunting opportunity among user groups. Specific amendments include: 1. Adding a special permit opportunity for modern firearm hunters in GMU 136 (Harrington) in the Quality permit category. 2. Establishing special permit opportunities for antlerless deer in GMUs 127-142 to offset some of the opportunity lost by reducing general season opportunities. 3. Increasing the number of special permits for antlerless black-tailed deer on Puget Sound islands and standardizing season dates of August 1-December 31 for Any Weapon to assist with reducing deer numbers.

Adding a special permit opportunity in the Youth category for black-tailed deer in GMU 485 (Green River).

**WAC 220-415-040 Elk area descriptions.**

Specific amendments associated with this proposal include: 1. Eliminating Elk Area 1040 and opening the 4-O Ranch Wildlife Area Unit during general elk seasons. Anticipated effects associated with this proposal include increasing hunter opportunities to harvest elk on the 4-O Wildlife Area. 2. Making a minor adjustment to the boundary description for Elk Area 2032 (Malaga) to establish a more easily identified boundary. There are no anticipated effects other than making it easier for hunters to identify the boundary. 3. Adding Elk Area 5066 (Norway Pass) to GMU 522 (Loo-Wit). Anticipated effects include reductions in hunter confusion and resulting enforcement issues. Other anticipated effects include the elimination of opportunities to hunt other game species in Elk Area 5066. However, these effects are anticipated to be minor because very few hunters report hunting activity for other game species in Elk Area 5066.

Establishing a new Elk Area in GMU 603 (Pysht) near the town of Joyce to assist with mitigating elk damage complaints. Anticipated effects are increased opportunities for elk hunters and reductions in elk damage complaints.

**WAC 220-415-050 2021-2023 Elk general seasons and definitions.**

The primary purpose of this proposal is to retain general season elk hunting opportunities for 2021-2023. It also provides opportunities in accordance with the status of elk populations and attempts to balance hunting opportunity among user groups. More specifically, amendments include: 1. Increasing opportunity in Game Management Units (GMUs) 249 (Alpine) and 251 (Mission) during general archery and muzzleloader elk seasons. Anticipated effects associated with these amendments include increases in hunter opportunity and harvest of bull elk, but not at levels that would represent a resource concern. 2. Increasing opportunity in GMUs 272 (Beezley), 278 (Wahluke), 284 (Ritzville), 382 (East Klickitat) and 379 (Ringold) during general archery and muzzleloader elk seasons. Anticipated effects associated with these amendments include increases in hunter opportunity and elk harvest, but those increases would be minimal given that elk already occur at very low densities. 3. Limiting the Master Hunter season in GMU 371 (Alkali) to the month of August and increasing opportunity in GMU 371 during general archery elk seasons. Anticipated effects associated with these amendments include a reduction in opportunity for Master Hunters and an increase in opportunity for general elk hunters. Harvest rates for elk are anticipated to be similar. 4. Removing the "True Spike Bull" restriction during general archery seasons in GMUs 328 (Naneum), 329 (Quilomene), 334 (Ellensburg), and 335 (Teanaway). Anticipated effects associated with these amendments include increases in hunter opportunity, with minimal changes to the harvest rate of yearling bull elk. 5. Changing the legal elk in GMU 448 (Stillaquamish) during general elk seasons from Any Elk to 3-pt. minimum. Anticipated effects associated with this amendment include a reduction in antlerless harvest, which may lead to increases in the elk population within this GMU. 6. Modifying season dates for late general archery and muzzleloader seasons in GMU 407 (North Sound). Anticipated effects associated with this amendment include simplifying the hunting regulations, decreasing the potential for hunter safety concerns, and potentially increasing the quality of the hunt experience.

Eliminating the late general muzzleloader elk season in GMU 578 (West Klickitat). The anticipated effects associated with this proposal would be a reduction in opportunity and subsequent harvest of antlerless elk, which will minimize the likelihood of harvesting antlerless elk at a rate that is not sustainable.

**WAC 220-415-060 2021 Elk special permits.**

The primary purpose of this proposal is to retain special permit elk hunting opportunities for 2021. It also provides opportunities in accordance with the status of elk populations and attempts to balance hunting opportunity among user groups. Specific amendments include: 1. Establishing special permit opportunities for Master Hunters in 500 and 600 series GMUs to harvest elk displaying clinical signs of elk hoof disease such as limping, lameness, or hoof abnormalities.

Anticipated effects include increased harvest of antlerless elk that have elk hoof disease, but not at levels that would result in a population decline. 2. Establishing special permit opportunities in Elk Area 2033 (Peshastin) for antlerless and antlered elk to assist with mitigating elk damage complaints. Anticipated effects include increased harvest of antlered and antlerless elk and subsequent reductions in elk numbers and elk damage complaints within the Elk Area. 3. Modifying the hunt area for special permits in Elk Area 4941 (Skagit River) to include all of GMU 437 (Sauk). Anticipated effects are minimal. Harvest levels are expected to remain the same but distributed more broadly within the GMU. 4. Establishing special permit opportunities for muzzleloader hunters in GMU 578 (West Klickitat) to offset some of the opportunity lost with the elimination of the late general season. Anticipated effects are associated with ensuring harvest rates for antlerless elk are sustainable. 5. Shifting special permits for bulls in GMU 371 (Alkali) from the Bull special permit category to the Quality category. This amendment would increase the application fee for hunters from \$7.10 to \$13.70, which could potentially increase revenue by ~\$23,000. 6. Establishing special permit opportunities for antlerless elk in the Yakima elk herd area for archery hunters in the Youth and 65 and Older special permit categories. Anticipated effects are limited to balancing opportunity among user groups. Changes in antlerless harvest are expected to be minor.

Establishing special permit opportunities for archery hunters to harvest antlerless elk in the Colockum and Yakima elk herd areas and removing opportunities in the Colockum herd area within the Youth, Hunters 65 Years or Older, and Hunters with Disabilities categories.

**WAC 220-415-070 2021 Moose seasons, permit quotas, and areas.**

The primary purpose of this proposal is to retain special permit hunting opportunities for moose that are in accordance with the status of moose populations. Specific amendments include: 1. Increasing bull moose permits in GMU 108. 2. Reducing bull moose permits in GMUs 117 and 121. 3. Eliminating the Hunter Education Instructor incentive permit for one antlerless moose. - Administrative changes to remove hunt notes that were not needed.

**WAC 220-415-090 2019-2020 Fall black bear hunting seasons and regulations.**

The purpose of this proposal is to replace the season date table with a single sentence which identifies a standard time-period each year for black bear hunting across all game units. Also clearly identify the three game management units that are closed for fall black bear hunting. These units contain either watersheds or monument areas which are closed to public access, closed to hunting, or only allow limited hunting opportunity by permit for species other than bear. The anticipated effect will reduce redundancy within the WAC and minimize need for editorial changes during each three-year cycle; continue sustainable species management and hunting and trapping seasons; and assist with the recruitment, retention, and reactivation of hunters.

**WAC 220-415-120 2021 Bighorn sheep seasons, permit quotas, and areas.**

The primary purpose of this proposal is to retain special permit hunting opportunities for bighorn sheep that are in accordance with the status of bighorn sheep populations. Specific amendments include: 1. Reducing the number of bighorn ram permits in the Yakima Canyon and Cleman Mountain herds. 2. Establishing new hunts for bighorn rams in the Wenaha and Mountain View sub-herd areas in the Blue Mountains. 3. Clarifying the criteria used to define a juvenile ram.

Administrative changes to clarify permits within the Youth and Hunters with Disabilities categories and to remove hunt notes that were not needed.

**WAC 220-415-130 2021 Mountain goat seasons, permit quotas, and areas.**

The primary purpose of this proposal is to retain special permit hunting opportunities for mountain goats that are in accordance with the status of mountain goat populations. Specific amendments include: 1. Reinstating the mountain goat conflict reduction special permits in the Olympic Mountains and establishing a bag limit of two mountain goats of any sex or age to assist with efforts to remove mountain goats from this range. 2. Reducing the number of permits in the Naches Pass, Bumping River, and Goat Rocks West hunt areas. 3. Establishing an opening season date of September 1 for all weapon types. - Administrative changes to hunt area descriptions to make them consistent.

**WAC 220-416-010 Small game and other wildlife seasons and regulations.**

The purpose of this proposal is to amend the season dates, restrictions, and regulations for small game and other species hunted. In addition, the proposal is to display information in table format to provide a user-friendly presentation.

**WAC 220-416-060 2020-2021 Migratory gamebird seasons and regulations.**

This proposal amends WAC 220-416-060 2020-2021 Migratory gamebird seasons and regulations are: Adjust season dates relative to 2021-2022 calendar dates; Maintain one-pintail per day bag-limit and associated possession limit per the USFWS Northern Pintail Harvest Strategy; Maintain two-scaup per day bag-limit and associated possession limits, while maintaining an 86-day season length per the optimal regulatory alternative described in AHM protocol; Adjust the boundaries of Goose Management Area 1 to include Skagit and Whatcom counties, and that portion of Snohomish County west of Interstate 5. All regions previously within GMA 1 will be part of Goose Management Area 3; Increase white goose (snow, Ross', blue phased) in all Goose Management Areas to ten white geese per day bag-limit and associated possession limits.

Increase white goose (snow, Ross', blue phased) to 20 white geese per day bag-limit and associated possession limits during white goose-only season segments (GMA 1 and GMA 4), when electronic callers would be allowed.

**WAC 220-416-070 Columbia, Snake, and Yakima River waterfowl, coot, and snipe closures.**

The proposed rule will update closures to reflect current management considerations. The Columbia, Snake, and Yakima River waterfowl, coot, and snipe closures: Under subsection 4, removes reference to the "Wooden Tower" which has been removed from the landscape. Eliminates subsection 7; Would now allow waterfowl, coot, and snipe hunting during approved season dates.

**WAC 220-416-080 Lynch Cove and Union River hunting area restriction (Mason County).**

Proposed changes to WAC 220-416-080 Lynch Cove and Union River hunting area restrictions (Mason County) [Regulated Access Area restrictions for waterfowl, coot, and snipe hunting] will: Adjusts the title of this WAC to include several Wildlife

Area Units where restrictions exist to regulate access for waterfowl, coot, and snipe hunting; Provides specification of current management restrictions for waterfowl, coot, and snipe hunting access consistent with purposes articulated in WAC 220-500-040 Regulating public access.

There are several cases, highlighted in the proposed WAC 220-416-080 Regulated access area restriction for waterfowl, coot, and snipe hunting, where department managed lands are left to relay and enforce these restrictions through posted notice (signs), but specifying these restrictions would provide greater clarity to users and reinvigorate the rationale behind those management considerations on particular units.

**WAC 220-417-010 Trapping seasons and regulations.**

The purpose of this proposal is to change the season dates for marten trapping, add season dates for eastern cottontail, Nuttall's cottontail, and snowshoe hare, and include trapping restrictions for each of these species. Further, clarify license requirements by adding language stating a trapping license is required. The anticipated effect to this rule is to continue sustainable species management and hunting and trapping seasons.

**WAC 220-417-030 Wild animal trapping.**

The purpose of this rule is to clarify language regarding authorized take and use of furbearer animals. The change will allow eastern cottontail, Nuttall's cottontail, and snowshoe hare to be used for consumption.

**Reasons supporting proposal:**

**WAC 220-400-020 Classification of wild animals.**

This proposal will provide greater understanding of the identified species. Expand recreational harvest opportunity as well as continue sustainable species management and allow for sustainable hunting and trapping seasons. Also, the proposal will assist with the recruitment, retention, and reactivation of hunters.

**WAC 220-410-010 Game management units (GMUs) boundary descriptions—Region one.**

This is a minor change in the current boundary description that does not result in an actual change to the GMU boundary.

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

Currently, Stuart Island and Henry Island are included with GMU 410 which includes all islands in San Juan and Skagit counties except Orcas, San Juan, Lopez, Shaw, Blakely, Decatur, and Cypress islands. Often hunters are confused about which islands are included under the description of GMU 410 and report their harvest incorrectly. Stuart and Henry islands represent two of the larger islands in the Puget Sound that are not currently standalone GMUs. This proposal would lessen hunter confusion and improve harvest estimates. When presented to the public for initial comment, 62% of the ~1,100 respondents indicated support for this proposal.

The current boundary description for GMU 407 is defined by traveling south from the town of Monroe on State Route (SR) 203 to NE Woodinville-Duvall Road at the town of Duvall; West on NE Woodinville-Duvall Road to the Snohomish River and then north down the Snohomish River. The current boundary description results in a very narrow portion of GMU 407 that is bordered to the east by GMU 460 (Snoqualmie) and to the west by GMU 454. This small area of GMU 407 causes confusion and frequent enforcement issues. When presented to the public for initial comment, 81% of the ~1,100 respondents indicated support for this proposal.

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

1. The current boundary language is unclear because there is confusion about road names at the point where NE Healy Road crosses Canyon Creek. This proposal represents a minor adjustment to the current boundary language. Instead of the boundary following NE Healy Road to National Forest (NF) Road 54 from the point where NE Healy Road crosses Canyon Creek the boundary would continue approximately 1.4 miles upstream until NF Road 54 crosses Canyon Creek. This would result in approximately 75 acres being removed from GMU 572 and added to GMU 568. When presented to the public for initial comment, 77% of the ~1,200 respondents indicated support for this proposal. 2. Currently GMU 554 is a firearm restriction area (FRA), even though the area north of State Route 503, which represents approximately 6,400 acres, is almost entirely forested. A large proportion of this area is also public land owned by the Department of Natural Resources. Because of these facts many hunters unintentionally hunt in the area not realizing they are in an FRA, which has resulted in a long-standing enforcement issue. This amendment would alleviate this confusion and appropriately remove a large tract of mostly forested public land from an FRA. When presented to the public for initial comment, 79% of the ~1,200 respondents indicated support for this proposal. 3. Amendments to the boundary descriptions for GMUs 506 and 673 that were presented to and adopted by the Commission in 2020 were done so in error. As such, the Department implemented an emergency rule on September 1, 2020 that nullified those amendments and reverted the boundary description back to its original language. This proposal formalizes that emergency rule.

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

Amendments to the boundary descriptions for GMUs 506 and 673 that were presented to and adopted by the Commission in 2020 were done so in error. As such, the Department implemented an emergency rule on September 1, 2020 that nullified those amendments and reverted the boundary description back to its original language. This proposal formalizes that emergency rule.

**WAC 220-411-140 Lake Terrell Game Reserve (Whatcom County).**

Game Reserves are defined as a closed area where hunting for all wild animals and wild birds is prohibited, per RCW 77.08.010 subsection 32, Chapter 220-411 provide descriptions of all Game Reserves in Washington. In reviewing spatial boundaries of these areas closed to all hunting for consistency with user maps, it was identified that in WAC 220-411-140 Lake Terrell Game Reserve and WAC 220-411-210 Stratford Game Reserve, the legal description did not portray the approved intent. This will give greater clarity to waterfowl hunters and other users of department lands.

**WAC 220-411-210 Stratford Game Reserve.**

Game Reserves are defined as a closed area where hunting for all wild animals and wild birds is prohibited, per RCW 77.08.010 subsection 32, Chapter 220-411 provide descriptions of all Game Reserves in Washington. In reviewing spatial boundaries of these areas closed to all hunting for consistency with user maps, it was identified that in WAC 220-411-140 Lake Terrell Game Reserve and WAC 220-411-210 Stratford Game Reserve, the legal description did not portray the approved intent. This will give greater clarity to waterfowl hunters and other users of department lands.

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

Moose populations in some GMUs have declined in recent years. In response to those declines, the Department substantially reduced opportunities to harvest antlerless moose in 2018. Reducing opportunities for auction and raffle permit holders is consistent with previous reductions and only reduces the potential for future antlerless harvest as nearly all auction and raffle permit holders harvest bulls. Amendments to adjust the hunt areas associated with the raffle permits are supported because there is no clear justification for why raffle permit holders should be limited to GMUs 101-121 and 204.

**WAC 220-412-080 Special hunting season permits.**

1. Every year the Department receives multiple requests from hunters who have drawn a special permit, or multiple special permits, and are unable to go on their hunt for reasons that are beyond their control. We currently only offer point restoration to hunters under certain circumstances (e.g., medical, death, moved, etc.) and do not attempt to reissue the permit. Losing their points reduces their chances of drawing in the future. This proposal will allow people to return their permits and have their points restored regardless of the reason, if they do so two weeks before the season opens. This proposal would simplify the process for returning permits and reduce situations where hunters are unable to participate in a hunt but lose their preference points within that specific hunt category. When presented to the public for initial comment, 87% of the ~1,300 respondents indicated support for this proposal.

2. Following an increase in conflicts between humans and mountain goats in the Olympic Mountains, the Department created special permit opportunities that were designed to reduce goat numbers in areas where those conflicts occurred. These permit opportunities were not available in 2018 and 2019 to avoid conflicts with efforts to capture and translocate goats from the Olympic Mountains to the North Cascade Mountains. The Department is proposing to reinstate these permits to assist with efforts to lethally remove goats that remain on the Olympic Peninsula following the final translocation effort in 2020 (see proposal for WAC 220-415-130). Biologists believe less than 100 mountain goats remain within the associated hunt area. Success rates are expected to be low, with the ultimate objective of completely removing mountain goats from this area, rather than provide recreational opportunity. Thus, there is not a strong justification for excluding hunters who have previously harvested a mountain goat.

**WAC 220-412-100 Landowner hunting permits.**

The Department completed its first application period since the program revision for the 2021-2023 LHP seasons. Six applications were submitted, and the Department is proposing five of those six be accepted into the program. The Landowner Hunting Permit WAC has been adjusted to reflect the new proposed applicants, the corresponding permit allocations and season dates, as well as some adjustments to wording that will aid in providing clarification to the standard operating procedure.

**WAC 220-413-060 Hunting restrictions.**

1. This amendment is a minor administrative change that only provides clarification and does not change the intent of the rule. 2. The Department frequently receives requests from hunters to allow the use of dogs for tracking wounded big game, as is allowed in many other states. Those requests are usually associated with deer and elk hunting, but it is likely to be beneficial for recovering other big game species as well. Additionally, the Department does not believe this would result in an increase in hunters that use dogs to hunt big game unlawfully. When presented to the public for initial comment, 71% of the ~1,200 respondents indicated support for this proposal.

**WAC 220-413-090 Field identification of wildlife – Evidence of sex – Definitions.**

The proposed changes to the rule minimize potential confusion and align with current Department activities, needs, and goals for managing these species for conservation and recreation interests. This proposal will provide greater understanding of evidence of sex for the identified game species. Both users and non-users will benefit from these amendments.

**WAC 220-414-020 Unlawful methods for hunting – Firearms.**

The proposed changes expand the legal methods of take for turkey and clarify methods of take for several grouse and rabbit species. The proposed changes establish the use of handguns and rimfire rifles as a legal method for harvesting turkeys with exceptions noted.

**WAC 220-414-010 Hunting equipment restrictions.**

This amendment is a minor administrative change that does not change the intent of the rule. Additionally, it provides language consistent with RCW 77.15.450 (Hunting with artificial lights).

**WAC 220-414-040 Nontoxic shot requirements.**

The 2021-2022 migratory waterfowl, coot and snipe season will mark the 30<sup>th</sup> year since prohibiting the use of lead for waterfowl hunting nationwide. These changes provide consistency in naming conventions of our Wildlife Area Units, and address Wildlife Area Units with significant wetlands presenting a high probability for contact with spent shot pellets.

**WAC 220-414-050 Shotgun shell restriction areas.**

The proposed changes are consistent with current management on these units to improve the presence of waterfowl over the course of the 107-day season, balancing resource and user objectives consistent with Objective 104e in WDFW's Game Management Plan.

**WAC 220-414-060 Muzzleloading firearms.**

1. Under current rule, sights on muzzleloading firearms must be open, peep, or of other open sight design. Optic sights are allowed, but telescopic sights or sights containing glass are not. The Department routinely receives requests from hunters to

allow the use of 1x scopes on muzzleloading firearms. Common arguments in support of allowing them to be used are related to increased hunter participation, hunter retention, and ensuring a clean and ethical kill. One-power scopes do not magnify the target, but rather provide a clearer sight window, in much the same way eyeglasses correct someone's vision (i.e., they make the target clearer, but don't make it bigger). Common arguments against their use are typically related to the use of scopes not adhering to the spirit of primitive weapons. The Department is not opposed to allowing the use of 1x scopes on muzzleloading firearms because we do not anticipate it would result in more animals being harvested. When presented to the public for initial comment, 65% of the ~1,300 respondents indicated support for this proposal. 2. Currently, it is unlawful for hunters to have any electrical equipment or electric device(s) attached to muzzleloading firearms. By rule, this precludes a hunter from mounting a video camera to their weapon for the purpose of filming their hunt. Filming hunts has become a common practice with hunters, but it is difficult for hunters that prefer to hunt without other hunting companions. Allowing video-cameras to be mounted to muzzleloading firearms would make it easier for them to film their hunts and does not present a resource concern. When presented to the public for initial comment, 71% of the ~1,300 respondents indicated support for this proposal. 3. Recent technological advancements in muzzleloading equipment have resulted in the development of muzzleloading firearms that use an encapsulated propellant charge that loads from the breech and is completely impervious to moisture. The bullet is still loaded from the muzzle. Hunters have begun to inquire as to whether this type of muzzleloading firearm is legal to use in Washington. It is not because the current rule requires that the load be loaded from the muzzle. By amending language to clearly state that the term load includes both the powder charge and bullet, the proposed amendment simply adds language to clarify these new muzzleloading firearms are not lawful during established muzzleloader seasons.

#### **WAC 220-414-070 Archery equipment.**

1. The main argument for allowing the use of range-finding bow sights is related to improving the likelihood of a clean and ethical kill. Because the sights do not magnify the target, they also would not qualify as a scope. The sights simply produce a digital reading of the estimated distance that is visible to the shooter while they are looking at the sight pins. The Department is not opposed to the use of range-finding bow sights because we do not feel it will result in more animals being harvested. When presented to the public for initial comment, 57% of the ~1,300 respondents indicated support for this proposal. 2. Breadcrumb nocks use Bluetooth technology via a cell-phone app to assist with the recovery of arrows that miss an intended target. Although some may advocate this technology would also assist with recovering wounded game, that is unlikely because the range limit on a breadcrumbnock is 50 yards. The Department is not opposed to the use of breadcrumb nocks because we do not feel it will result in more animals being harvested. When presented to the public for initial comment, 68% of the ~1,200 respondents indicated support for this proposal. 3. Verifiers are small glass inserts for peep sights that are designed to allow shooters who are farsighted (i.e., unable to see things clearly that are close) to see their sight pins more clearly. They are manufactured with several different magnification powers, to fit the needs of the user. Although they are made of glass and clarify the sight pins, they do not magnify the target. The main argument for allowing the use of verifiers is related to increasing the likelihood that hunters make clean and ethical kills. The current rules defining archery requirements do not specifically address the use of verifiers but do make it unlawful for hunters to hunt wildlife with any bow equipped with a scope, which some would interpret to mean verifiers are also illegal. This proposal seeks to clarify the rule by allowing the use of verifiers because they do not magnify a target in the same way a scope does. The Department is not opposed to the use of verifiers for peep sights because we do not feel it will result in more animals being harvested. When presented to the public for initial comment, 79% of the ~1,200 respondents indicated support for this proposal. 4. Currently, it is unlawful for hunters to have any electrical equipment or electric device(s) attached to archery equipment, which precludes a hunter from mounting a video camera to their weapon for the purpose of filming their hunt. Filming hunts has become a common practice with hunters, but it is difficult for hunters that prefer to hunt without other hunting companions. Allowing video-cameras to be mounted to archery equipment would make it easier for them to film their hunts and does not present a resource concern. When presented to the public for initial comment, 71% of the ~1,300 respondents indicated support for this proposal.

#### **WAC 220-414-090 Use of decoys and calls.**

Currently WDFW regulations are more restrictive than Federal regulations. Significant increases in the number of wintering white geese have been documented in northwest Washington and portions of the Columbia Basin in eastern Washington. Harvest strategies developed in the Pacific Flyway Council's management for this population of snow geese and the WDFW Game Management Plan provide guidance to increase harvest rates and/or total harvest on snow geese at the winter count estimates now being observed. In recent years, WDFW has allowed separate goose-type bag limits, and shifted days specifically for snow geese into February, while being consistent with the 107-day maximum allowed under federal frameworks and law. Further increases in bag-limit for snow geese are not likely to effectively increase harvest without the assistance of electronic calls, a highly effective tool at attracting this highly gregarious species. Electronic calls can only be allowed under federal law during a white goose only (snow, Ross', blue phase geese) season segments; currently only allowed in Goose Management Area 1 (11 days) and Goose Management Area 4 (19 days). Therefore, all other waterfowl and migratory gamebird species are closed during these dates. Additionally, this is consistent with Objective 103b to utilize recreational harvest as the primary method to address agricultural depredation concerns with this goose population.

#### **WAC 220-414-100 Crossbow requirements.**

Currently, hunters can only use muzzleloading firearms as defined under WAC 220-414-060, or bow and arrow, as defined under WAC 220-414-070 during established muzzleloader seasons for deer and elk. This proposal aims to also allow the use of crossbows during established general and special permit muzzleloader seasons for deer and elk because it is considered a "lesser" weapon than a muzzleloading firearm and it does not represent a resource concern. When presented to the public for initial comment, 56% of the ~1,300 respondents indicated support for this proposal.

#### **WAC 220-415-010 Deer area descriptions.**



Deer Area 1040 is the area in Game Management Unit 172 (Mountain View) that is associated with lands managed by the Department as the 4-O Ranch Wildlife Area Unit. Since 2014, the Department has provided limited special permit opportunities within the Deer Area and excluded general season opportunities with the intent of providing a quality hunting experience. However, because Deer Area 1040 is within the ceded area of the Nez Perce Tribe, tribal hunters also pursue deer in this area. To ensure opportunities to access this area and hunt deer are similar for state and tribal hunters, the Department is proposing to eliminate Deer Area 1040, expand the hunt area for the special permits to include all of GMU 172, and open the area during general deer seasons. When presented to the public for initial comment, 84% of the ~1,200 respondents indicated support for this proposal.

Deer Area 1021 was created to assist with mitigating damage complaints caused by resident mule deer near the city of Clarkston. The number of complaints has declined to levels that no longer require a need for this Deer Area. Moreover, preliminary findings from the Department's efforts to radio-collar mule deer in the foothills of the Blue Mountains indicate some of the mule deer within Deer Area 1021 move into this area during winter but migrate back to summer range. As such, the late antlerless opportunities associated with Deer Area 1021 were likely targeting migratory mule deer more so than residents, which was not the intent. When presented to the public for initial comment, 76% of the ~1,300 respondents indicated support for this proposal.

**WAC 220-415-020 2021-2023 Deer general seasons and definitions.**

1. Some white-tailed deer hunters have strongly advocated for reinstating a 4-pt minimum antler-point restriction (APR) for white-tailed deer, with the intent of managing for more mature bucks in northeast Washington after that rule was abolished in 2015. The Department committed to considering APRs while developing proposals for the 2021-2023 seasons. We initiated this consideration by partnering with Washington State University to summarize the opinions of deer hunters on the management of white-tailed deer. We specifically targeted white-tailed deer hunters for that survey.

It was clear from this initial survey that a substantial portion of the ~13,000 white-tailed deer hunters that responded to the survey were unsatisfied with their opportunities that related to seeing and harvesting mature white-tailed deer bucks, but they were strongly opposed to any restrictions that would need to be implemented to increase the number of mature bucks in the population. Based on those findings, the Department's proposal that went out for public comment this summer included the following options:

- |   |     |
|---|-----|
| 1. No change (retain current Any Buck seasons)          | 36% |
| 2. 2-pt. APR with exemption for youth, senior, disabled | 17% |
| 3. 3-pt. APR with exemption for youth, senior, disabled | 29% |
| 4. 4-pt. APR with exemption for youth, senior, disabled | 20% |

Although we provided these four options, we also clearly stated that our recommendation to the Commission would be Option 1 (No change) since there was such strong opposition in the WSU survey. We also retained the APR options in this survey to uphold our commitment that we would consider them in concert with the 2021-2023 season setting process. The percentages provided next to the bulleted options above represent the proportion of respondents that indicated support. 2. Although 'No change' was the preferred option, 64% of the ~1,400 respondents were supportive of at least some level of APR, which indicates most respondents were interested in managing for more mature white-tailed deer bucks. We considered several options and believe the shortened nine-day season with hard calendar dates of November 11-19 is the most amenable because it is the smallest change from status quo. 3. We are presenting this proposal fully acknowledging it will result in only minor changes to buck harvest. One of the primary reasons for making that decision is because the Department does not feel we have requested explicit input from hunters regarding all available options. The only option we specifically asked about in the WSU survey, beyond asking hunters if they supported a general management approach, was APRs (e.g., should it be implemented district-wide or in select GMUs, which GMUs, should there be alternative seasons for youth, etc.). We need to gather more input from hunters before we consider other options that represent a substantial change from status quo.

4. As indicated by trends in general season harvest, white-tailed deer numbers in the Palouse White-tailed Deer Management Zone have substantially declined in recent years and fell more than 25% below the ten-year average harvest in 2019. This trend is driven predominately by declines in the white-tailed deer population in GMUs 127 – 142. If harvest levels are similar in 2020, harvest will have declined more than 25% below the ten-year average in two consecutive years, which would meet the criteria of an "At-Risk" ungulate population. The observed decline began with the 2015 Blue Tongue outbreak and has been further exasperated by several smaller hemorrhagic disease events and multiple hard winters. A more rapid recovery will not be achieved through a reduction in antlerless permits alone because over 70% of the antlerless harvest in these GMUs occurs during the general season. Substantial reductions in general season antlerless harvest in GMUs 127-142 are needed for this population to recover more quickly. Muzzleloader and archery hunters are responsible for ~35% of the general season antlerless harvest, with Youth coming in a close second at ~31%. Senior (≥65yrs old) and Disabled hunters take ~19% and ~16% respectively. When presented to the public for initial comment, 82% of the ~1,400 respondents indicated support for reductions in opportunities to harvest antlerless deer. 5. GMUs 127-142 represent the eastern third of the Columbia Plateau Mule Deer Management Zone where harvest data indicates mule deer numbers across the zone have begun to recover following declines that occurred 2015-2017. However, trends in harvest for GMUs 127-142 indicate mule deer populations have not fully recovered in the eastern portion of the zone. A substantial reduction in damage complaints associated with mule deer also indicates populations remain below historical levels. A reduction in opportunities to harvest antlerless mule deer is needed to ensure the Department continues to promote the growth of mule deer populations throughout the Columbia Plateau Mule Deer Management Zone. When presented to the public for initial comment, 73% of the ~1,400 respondents indicated support for this proposal. 6. As indicated by trends in general season harvest, white-tailed deer numbers in GMU 124 (Mount Spokane) have substantially declined in recent years and fell more than 25% below the ten-year average harvest in 2019. If harvest levels are similar in 2020, harvest will have declined more than 25% below the ten-

year average in two consecutive years, which would meet the criteria of an “At-Risk” ungulate population. The observed decline began with the 2015 Blue Tongue outbreak and has been further exasperated by several smaller hemorrhagic disease events and multiple hard winters. A more rapid recovery cannot be accomplished through a reduction in antlerless permits alone because ~75% of the antlerless harvest in GMU 124 occurs during the general season. Substantial reductions in general season antlerless harvest opportunities are needed for this population to recover more quickly. Archery and muzzleloader hunters are responsible for ~34% of the general season antlerless harvest, with Youth coming in a close second at ~30%. Senior (≥65yrs old) and Disabled hunters take ~18% and ~17% respectively. When presented to the public for initial comment, 77% of the ~1,300 respondents indicated support for reductions in opportunities to harvest antlerless deer.7. Currently, GMUs 247 (Entiat), 254 (Saint Andrews), 262 (Withrow), 266 (Badger), and 269 (Moses Coulee) are not open during early general muzzleloader seasons for any buck white-tailed deer, but there is no biological justification for them not being open. Opening these GMUs would increase opportunity and make opportunity among weapon types more consistent in GMUs with similar white-tailed deer populations. When presented to the public for initial comment, 66% of the ~1,300 respondents indicated support for this proposal.8. As indicated by trends in harvest, mule deer numbers in the East Columbia Gorge Mule Deer Management Zone (GMUs 382 and 388) have substantially declined over the past decade and currently meet the criteria of an “At-Risk” ungulate population because harvest has dropped more than 25% below the ten-year average for at least two consecutive years. The Department has removed all other opportunities to harvest antlerless mule deer in GMUs Units 382 (East Klickitat) and 388 (Grayback), so this amendment would be consistent with past recommendations. When presented to the public for initial comment, 77% of the ~1,300 respondents indicated support for this proposal.

#### **WAC 220-415-030 2021 Deer special permits.**

1. Most recent estimates of buck to doe ratios in GMU 136 indicate this limited special permit opportunity is sustainable. In addition, it increases hunter opportunity. 2. See above under WAC 220-415-020 for reasons supporting a reduction in general season opportunities to harvest antlerless white-tailed deer. The Department is supportive of offering limited special permit opportunities to harvest antlerless deer to offset some of the opportunity lost during general seasons because we anticipate proposed amendments would result in at least a 70% reduction in antlerless harvest. The elimination of all opportunities to harvest antlerless deer is not needed to promote population increases. 3. Black-tailed deer populations in GMUs 411 (Orcas Island), 412 (Shaw Island), 413 (San Juan Island), 414 (Lopez Island), 415 (Blakely Island), and 420 (Whidbey Island) are at levels that warrant a reduction. Controlling deer numbers on Puget Sound islands has been a long-standing management challenge for the Department because they are dominated by privately owned lands, which makes facilitating hunter access extremely difficult. This amendment is modeled after the approach the Department has implemented in GMU 422 (Vashon Island), which increases opportunity through a longer season and allows more flexibility to hunters relative to the weapon type they can use. When presented to the public for initial comment, 83% of the ~1,300 respondents indicated support for this proposal. 4. Special permit opportunities for youth hunters and hunters with disabilities for black-tailed deer in GMU 485 alternate each year. In 2020, the special permit opportunity was offered in the Hunter with Disabilities category, so it will be offered in the youth category in 2021.

#### **WAC 220-415-040 Elk area descriptions.**

1. Elk Area 1040 is the area in Game Management Unit 172 (Mountain View) that is associated with lands managed by the Department as the 4-O Ranch Wildlife Area Unit. Since 2014, the Department has provided limited special permit opportunities within the Elk Area and excluded general season opportunities with the intent of providing a quality hunting experience. However, because Elk Area 1040 is within the ceded area of the Nez Perce Tribe, tribal hunters also pursue elk in this area. This amendment ensures opportunities to access this area and hunt elk are similar for state and tribal hunters. When presented to the public for initial comment, 83% of the ~1,000 respondents indicated support for this proposal. 2. The current boundary description for Elk Area 2032 follows Moses Carr Road beyond a point where this road has been closed and no longer exists, and therefore is no longer a relevant reference point. To improve clarity of the boundary and address enforcement concerns, the Department is proposing to realign the boundary along section lines. This realignment would increase Elk Area 2032 by approximately 130 acres. 3. Currently, Elk Area 5066 represents the eastern portion of GMU 524 (Margaret) and opportunities to hunt elk in this Elk Area are limited to special permit opportunities. Currently, hunters can hunt in GMU 524 during general elk seasons, but not within Elk Area 5066. This causes confusion for some hunters as Enforcement Officers routinely make contacts with elk hunters in Elk Area 5066 that do not have an elk special permit and did not realize that portion of GMU 524 was not open to general season elk hunters. This proposal would assist with clarifying the rule for hunters and enforcement of elk hunting regulations in Elk Area 5066. When presented to the public for initial comment, 58% of the ~1,200 respondents indicated support for this proposal. 4. Conflicts with elk in the Joyce area have been increasing over the past five years. Currently there are no established seasons in GMU 603 that allow antlerless harvest. The creation of a new Elk Area and offering limited opportunities to harvest antlerless elk within that area would assist the Department with addressing conflicts, while also allowing us to maintain our current management objective of promoting population growth in other parts of the GMU. When presented to the public for initial comment, 83% of the ~1,100 respondents indicated support for this proposal.

#### **WAC 220-415-050 2021-2023 Elk general seasons and definitions.**

1. The Colockum elk herd area consists of GMUs 249, 251, 328, 329, 330, 334, and 335. Currently, the only general archery season available in GMUs 249 and 251 is in GMU 249 during the early general archery season for any elk. The only early general muzzleloader season available is associated with Elk Area 2051 (Tronsen) for a “True Spike” bull. Elk Area 2051 (Page 45 in 2020 Hunting Pamphlet) includes most of GMU 251 and a portion of GMU 249. It was originally created to assist with mitigating elk damage complaints, but that need no longer exists. The proposed amendments would provide more opportunity, standardize opportunity within the Colockum elk herd area, and do not present a resource concern. When

presented to the public for initial comment, 63% of the ~1,200 respondents indicated support for this proposal. 2. Elk numbers in GMUs 272, 278, 284, 290, 379, and 382 are extremely low because the Department maintains liberal harvest opportunities for elk with the intent of keeping elk populations suppressed because of the potential conflict with agriculture. The proposed amendments would establish general season opportunities that would be consistent with other general elk season opportunities in GMUs where the Department's intent is to maintain low densities of elk. When presented to the public for initial comment, 60-70% of the ~1,100 respondents indicated support for these proposals. 3. Nearly all of GMU 371 is comprised of public lands associated with the Yakima Training Center. The Department has historically offered liberal general season opportunities for Master Hunters to harvest antlerless elk to assist with mitigating elk damage complaints on neighboring private lands. As recently as 2019 the season dates associated with this hunt were Aug. 1–Jan. 20 but were shortened to Aug. 1–Oct. 15 for the 2020 season. The need to mitigate elk conflict issues still exists but given this GMU is mostly public land the Department feels we can use general elk hunters to mitigate elk conflicts just as effectively as we did with Master Hunters. Moreover, because of the status of the Yakima and Colockum elk herds (both below management objective), the Department had to substantially reduce general elk hunter opportunities, and this amendment has the potential to replace some of that lost opportunity. 4. To increase the survival of yearling bulls, harvest of bulls during general modern firearm, archery, and muzzleloader seasons has been limited to "True Spike" bulls in the core Colockum elk herd area (GMUs 328, 329, 334, and 335) since 2009. Since that time, yearling bull survival has increased and consistently meets the Department's management objective. The Department anticipates removing this restriction during general archery seasons would result in only modest effects on yearling bull survival. Moreover, archery hunters no longer have opportunities to harvest antlerless elk during general archery seasons in GMUs 328 and 329. Although the Department replaced some of that lost opportunity with special permit opportunities beginning during the 2020 season, concerns related to equity remain. When presented to the public for initial comment, 71% of the ~1,200 respondents indicated support for this proposal. 5. A legal elk during general modern firearm, archery, and muzzleloader seasons in GMU 448 has been Any Elk for many years because the Department's intent was to keep elk numbers low to minimize the potential for conflict with private landowners. However, a substantial portion of this GMU is forested public land and elk numbers could potentially increase in those areas without increasing conflict. Providing opportunities to harvest antlerless elk would still be considered to mitigate conflicts when appropriate but would be limited to the areas where conflicts occur. When presented to the public for initial comment, 52% of the ~1,000 respondents indicated support for this proposal. 6. The late general archery (November 25–January 20; 57 days) and general muzzleloader seasons (November 25–December 15; 21 days) in GMU 407 for Any Elk currently overlap and occur for an extended period to assist with elk damage complaints. Elk damage complaints have declined so there is no longer a need for such lengthy seasons. The Department has also received feedback from hunters expressing concerns they have about hunter crowding and overlapping seasons. The proposed amendments simplify the hunting regulations because season dates would be the same as those established for other western Washington GMUs, decreases the potential for hunter safety issues that potentially exist with the current overlap of hunting methods, and potentially increases the quality of the hunt experience for users of each hunting method by reducing the number of hunters in the field during each period. When presented to the public for initial comment, 62% of the ~900 respondents indicated support for this proposal. 7. The general season opportunity for hunters to harvest antlerless elk during the late general muzzleloader season in GMU 578 was first established during the 2018 season. Prior to that, opportunities were limited to the Department's special permit system. This change was made in 2018 to assist with the Department's efforts to mitigate damage complaints. However, this general season opportunity resulted in much more antlerless harvest than was anticipated and at levels that are not sustainable. Antlerless harvest averaged 41 elk 2015-2017 but increased to 95 in 2018 and 69 in 2019. When presented to the public for initial comment, 70% of the ~1,100 respondents indicated support for this proposal.

#### **WAC 220-415-060 2021 Elk special permits.**

With no treatments or vaccines available, efforts to reduce the prevalence and distribution of elk hoof disease are limited to lethally removing diseased elk. The proposed amendment is related to the Department's effort to develop a program that can be used to evaluate the potential for using hunters as a tool to assist with managing this disease. Importantly, the goal of this program is to increase the proportion of diseased elk within total harvest, but total harvest is not expected to increase. This program will be evaluated on an annual basis, and if warranted, discontinued before the 2023 hunting season. The two main components of this program include: Incentivizing Elk Hunters to Harvest Diseased Elk: The Department will create a special incentive permit drawing for hunters that harvest an elk with hoof disease. This drawing would be similar to permits offered to incentivize hunters to submit their harvest report early. The specific opportunities (season date, number of permits, hunt area, etc.) will be determined by September 1, 2021, but the Department plans to offer multiple permits to create a legitimate incentive. Any hunter (*except Hoof Disease special permit*) can participate by submitting hooves from their elk harvest at a Department collection location. Hunters that submit a hoof set with at least one hoof indicating a deformity enter the drawing. Hoof Disease Special Permits: The proposed amendment will create special permits within the Master Hunter special permit category that provide an opportunity to harvest diseased elk that are not identified as a legal elk during most general seasons (e.g., antlerless elk) or may otherwise not be targeted. If a Master Hunter successfully harvests a diseased elk under this special permit as their first elk, they will be issued an additional permit that would allow them to harvest a second elk during the established permit season. The Department will require permitted Master Hunters to submit all four hooves from their harvest to evaluate the effectiveness of this permit opportunity. 1. Elk Area 2033 is in GMU 251 (Mission) southeast of Leavenworth, WA. It was originally created to assist with mitigating elk damage complaints. The Department has not offered harvest opportunities in this Elk Area for several years, but conflicts with elk have increased to levels that warrant a reduction in the number of elk using this area, to include antlered elk. When presented to the public for initial comment, 71% of the ~1,200 respondents indicated support for this proposal. 2. Elk Area 4941 is in the Skagit River Valley and represents the most northerly portions of GMU 437. It was originally created to assist with mitigating elk damage complaints, which currently

includes special permit opportunities for both antlered and antlerless elk. With exception to Elk Area 4941, GMU 437 has been closed during both general and special permit elk seasons for more than two decades. Most of the elk in GMU 437 occur within Elk Area 4941, but they do occur in other parts of the GMU and at levels that could sustain limited special permit opportunities. The Department would continue to mitigate elk damage complaints using antlerless harvest opportunities when deemed appropriate, but those opportunities would be facilitated through the issuance of landowner or Master Hunter permits. When presented to the public for initial comment, 80% of the ~900 respondents indicated support for this proposal. 3. Offering limited special permit opportunities for muzzleloader hunters in GMU 578 would offset some of the opportunity lost by eliminating the general muzzleloader season, while also providing opportunity that is sustainable. 4. When special permit opportunities were first established for GMU 371, there were only small numbers of elk within the GMU. Elk numbers have substantially increased in recent years resulting in a much higher quality experience for hunters. As such, these permits now meet the criteria for the Quality special permit category. 5. When the Department removed all general season opportunities for archery hunters to harvest antlerless elk in 2020, we replaced some of that lost opportunity with special permits. However, we inadvertently failed to establish opportunities for archery hunters in the Youth and 65 Years or Older special permit categories. This proposed amendment establishes those opportunities. 6. These amendments were presented to and adopted by the Commission in April 2020. The permits were issued during the 2020 hunting season and the hunts occurred. However, due to a clerical error, these amendments were not filed with the CR-103 in 2020. As such, they represent an administrative change to correct this error.

**WAC 220-415-070 2021 Moose seasons, permit quotas, and areas.**

1. Aerial survey results in 2019 indicated a high bull to cow ratio and the average antler spread of bulls harvested in GMU 108 indicates most bulls being harvested are mature bulls. As such, the population can likely sustain more bull harvest. 2. Recent studies of moose in GMU 117 indicated populations were declining with very low calf recruitment rates and that cows were experiencing nutritional limitations. It is believed similar trends may be occurring in GMU 121 as well. Even though populations were declining, the Department retained antlerless permit numbers at similar levels in hopes of lowering the population and increasing forage availability, which would result in subsequent improvement in cow body condition and calf recruitment. Hunters are expressing difficulty in finding moose, which may indicate we have reached the equilibrium we were targeting. The Department believes it prudent to reduce antlerless harvest until surveys can be conducted to assess current status of the population. 3. Moose populations in some GMUs have declined in recent years. In response to those declines, the Department substantially reduced opportunities to harvest antlerless moose in 2018. Eliminating the Hunter Education Instructor incentive permit is consistent with previous reductions. 4. These are simple administrative changes that do not change opportunity or hunt area boundaries.

**WAC 220-415-090 2019-2020 Fall black bear hunting seasons and regulations.**

The proposed changes to the fall black bear hunting season rule are intended to adjust the dates and simplify the rule and clearly identify closed areas. This proposal will provide greater understanding of the fall season dates, methods of harvest, and restrictions.

**WAC 220-415-120 2021 Bighorn sheep seasons, permit quotas, and areas.**

1. The Yakima Canyon bighorn sheep herd has declined to ~120 bighorn sheep. Most recently, those declines have been associated with the Department's efforts to reduce the herd, but those declines are also associated with the establishment of *M.ovi* within the herd and chronically depressed lamb survival because of *M.ovi*. With a very small number of yearling rams being recruited, permits for adult rams must be reduced accordingly. 2. An *M.ovi* outbreak occurred in the Cleman Mountain herd during fall 2020. As has occurred with other outbreaks, the Department anticipated a potential reduction in this herd, although it's difficult to predict how large the die-off event will be. In response to the outbreak, the Department implemented an emergency rule to allow the harvest of five additional rams in fall 2020. Reductions in ram permits are warranted until the Department is better able to assess how large the die-off was. 3. Bighorn sheep herds in the Blue Mountains have started to recover after *M.ovi* was cleared from those populations. Numbers within the Wenaha and Mountain View sub-herds have increased to levels that can sustain limited ram harvest. 4. Some rams harvested under juvenile ram permits are adults. When this occurs, hunters cite a misunderstanding of the criteria used in the field to determine if a ram is a juvenile. This amendment is an administrative change with the intent of reducing hunter confusion or misunderstanding. This amendment is a simple administrative change that clarifies the opportunities that are available for youth hunters and hunters with disabilities.

**WAC 220-415-130 2021 Mountain goat seasons, permit quotas, and areas.**

1. Following an increase in conflicts between humans and mountain goats in the Olympic Mountains, the Department created special permit opportunities that were designed to reduce goat numbers in areas where those conflicts occurred. This amendment reinstates these permits to assist with efforts to lethally remove mountain goats that remain following efforts to translocate goats from the Olympic Peninsula to the North Cascades. When presented to hunters for initial review, 81% of the ~1,400 respondents indicated support for this proposal. 2. Aerial surveys of mountain goats in the Naches Pass, Bumping River, and Goat Rocks West hunt areas in 2020 indicated a decline in the number of goats observed and resulting abundance estimates. This amendment reduces special permits accordingly. 3. Having a clause that allowed permit holders that used archery equipment to start hunting September 1 caused confusion in some instances. The Department originally proposed to establish a standard opening date of September 15. However, when presented to hunters for initial comment, only 51% of the ~1,500 respondents were in support of the proposal. A common theme of the comments received expressed opposition to shortening the season for archery hunters. We adjusted our proposal in response to that feedback and believe a standard opening date of September 1 achieves the same goal of reducing confusion without reducing opportunity. 4. These are simple administrative changes that do not change the hunt area boundaries.

**WAC 220-416-010 Small game and other wildlife seasons and regulations.**

The proposed changes to the furbearer, small game and upland game bird rules are mainly intended to provide clarity for users and to align the regulations with current department activities, needs, and goals for managing these species for conservation and recreation interests. This proposal will provide greater understanding of the identified game species, methods of harvest, and seasons associated with each.

**WAC 220-416-060 2020-2021 Migratory gamebird seasons and regulations.**

Migratory game bird seasons and regulations are developed base 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 migratory game bird seasons and regulations to provide recreational opportunity, control waterfowl damage, and conserve the migratory game bird resources of Washington.

Goose Management Area 1 currently includes Skagit, Snohomish and Island counties. This Goose Management Area is designated to assist in management responsibilities for the Wrangel Island population of Lesser Snow Geese that winter in the Skagit-Fraser region. Shifting of season dates into February in Goose Management Area 1 have highlighted differences that exist between Goose Management Area 1 and Goose Management Area 3. This proposal would change the boundary of Goose Management Area 1 (with February white goose-only season dates) and by extension modify the adjacent Goose Management Area 3 (without February goose season dates).

**WAC 220-416-070 Columbia, Snake, and Yakima River waterfowl, coot, and snipe closures.**

The rule change will update closures to reflect current management and resource considerations. Opening of this 4-miles stretch of the Yakima River will provide increased opportunity to waterfowl, coot, and snipe hunters in the region. Additionally, two Game Reserves exist to the west and east of this river segment, providing safe refuge areas for waterfowl, coot and snipe, allowing birds to shift in distribution and not disperse from the Yakima Valley.

**WAC 220-416-080 Lynch Cove and Union River hunting area restriction (Mason County).**

The ten Regulated Access Areas are consistent with current management and considerations at these sites. Greater clarity to waterfowl hunters and other users of department lands management and providing enforceable restrictions to achieve increased wildlife use in order to improve hunter success, while managing other uses and safety on particular units of our Wildlife Areas. This is consistent with Objectives 104e and 104f of the WDFW Game Management Plan.

**WAC 220-417-010 Trapping seasons and regulations.**

The proposed changes to the furbearer and small game trapping seasons and regulations are intended to provide clarity and to align the seasons and regulations with current Department activities, needs, and goals for managing these species for conservation and recreation interests. The changes proposed for marten trapping in coastal counties are intended to minimize potential take of Pacific marten; which was once thought to be extirpated but recently re-discovered on the Olympic Peninsula. The proposed rule changes will provide users with greater understanding of the identified game species, methods of harvest, and season dates for each species.

**WAC 220-417-030 Wild animal trapping.**

The proposed changes to the wild animal trapping provide clarity to the use of the newly added furbearing species and to align the rule with current Department activities, needs, and goals for managing these species for conservation and recreation interests. Both users and non-users will benefit from these amendments.

**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?  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) |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: [This proposal does not require a cost benefit analysis under RCW 34.05.328.]

**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 [ ].

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 10, 2021

**Name:** Annie Szvetecz

**Title:** WDFW Agency Rules Coordinator

**Signature:**

