

10. SMALL GAME SEASONS AND REGULATIONS – RULE ACTION

TABLE OF CONTENTS

	<u>Page</u>
Summary Page	<i>i</i>
WAC 232-28-342 2012-13, 2013-14, 2014-15 Small game and other wildlife seasons and regulations.....	1
Recommended Adjustments WAC 232-28-342	19
Summary of Written Public Comments	20
Summary of Oral Public Comments	22
CR 102	23

Summary

Meeting dates: April 12, 2013

Agenda item 10: Small Game Seasons and Regulations – **Rule Action**

Presenter(s): Brian Calkins, Upland Game and Furbearer Section Manager, Wildlife Program

Background summary:

Department staff will brief the Commission on the proposed amendment of WAC 232-28-342 2012-13, 2013-14, 2014-15 Small game and other wildlife seasons and regulations. This regulation was adopted for seasons through spring 2015, in 2012, as part of the three year season setting process.

This proposed amendment includes the addition of GMU 145 to the late fall turkey season, which was an oversight in the three year package, and removing bag limit language under the fall permit seasons to make it clear that permit holders may also hunt during the fall general seasons.

Because Clallam County will no longer allow the Dungeness Recreation Area to be utilized as a pheasant release site, references to the special season dates and rules for this site have been removed from the WAC as part of this proposal.

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

Previously the WAC implied that turkey hunters who drew a fall permit could harvest only one turkey during the permit and general seasons combined. This change makes it clear that permit holders also have the opportunity to hunt during the general seasons.

Public involvement process used and what you learned:

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

Action requested:

Amend WAC 232-28-342 as proposed.

Draft motion language:

I move to amend WAC 232-28-342 as proposed.

Justification for Commission action:

Turkey populations are healthy or expanding in the areas where general seasons are in place, including GMU 145, and providing this additional opportunity is warranted.

Since Clallam County is no longer allowing pheasant releases, removing reference to the Dungeness site is appropriate.

Communications Plan:

Washington State Register

News Release

Hunting Pamphlet

Agency Website

Form revised 12/5/12

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

WAC 232-28-342 2012-13, 2013-14, 2014-15 Small game and other wildlife seasons and regulations. (~~(It is unlawful to fail to)~~) Hunters must comply with the bag, possession, and season limits (~~((except as))~~) described (~~((below))~~) in this section. Failure to do so constitutes a violations of (~~((this section are punishable under))~~) RCW 77.15.245, 77.15.400, (~~((and))~~) or 77.15.430, depending on the species hunted and the circumstances of the violation.

STATEWIDE SEASONS:

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

(a) BAG AND POSSESSION LIMITS: (~~((Four (4)))~~) 4 grouse per day, straight or mixed bag, with a total of (~~((twelve (12)))~~) 12 grouse in possession at any time.

(b) SEASON DATES: Sept. 1 - Dec. 31, 2012, 2013, 2014.

(2) BOBCAT

(a) BAG AND POSSESSION LIMITS: No limit.

(b) SEASON DATES: Sept. 1 - Mar. 15, 2012, 2013, 2014, 2015.

(c) RESTRICTION: It is unlawful to hunt bobcat (~~((may not be hunted))~~) with dogs.

(3) RACCOON

(a) BAG AND POSSESSION LIMITS: No limit.

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

(c) SEASON DATES: Sept. 1 - Mar. 15, 2012, 2013, 2014, 2015.

(4) **FOX**

(a) BAG AND POSSESSION LIMITS: No limit.

(b) OPEN AREA: Statewide, EXCEPT closed within the exterior boundaries of the Mount Baker-Snoqualmie, Okanogan, Wenatchee, and Gifford Pinchot National Forests and GMUs 407 and 410.

(c) SEASON DATES: (~~Sept. 1 - Mar. 15, 2012, 2013, 2014, 2015.~~)

(i) Sept. 1, 2012 - Mar. 15, 2013;

(ii) Sept. 1, 2013 - Mar. 15, 2014; and

(iii) Sept. 1, 2014 - Mar. 15, 2015.

(5) **COYOTE**

(a) BAG AND POSSESSION LIMITS: No limit.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Year-round.

(d) RESTRICTION: It is unlawful to hunt coyote (~~may not be hunted~~) with dogs.

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

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

(b) SEASON DATES:

(i) Sept. 1, 2012 - Mar. 15, 2013;

(ii) Sept. 1, 2013 - Mar. 15, 2014; and

(iii) Sept. 1, 2014 - Mar. 15, 2015.

(7) **CROWS**

(a) BAG AND POSSESSION LIMITS: No limit.

(b) SEASON DATES:

- (i) Sept. 1, 2012 - Dec. 31, 2012;
- (ii) Sept. 1, 2013 - Dec. 31, 2013; and
- (iii) Sept. 1, 2014 - Dec. 31, 2014.

(8) JACKRABBIT:

~~((Season))~~ Closed statewide.

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

~~((Season))~~ Closed statewide.

(10) WILD TURKEY:

(a) YOUTH SEASON

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

(ii) SEASON DATES:

- (A) April 7-8, 2012;
- (B) April 6-7, 2013;
- (C) April 5-6, 2014; and
- (D) April 4-5, 2015.

(b) SPRING SEASON

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

(ii) SEASON DATES:

- (A) April 15 - May 31, 2012;
- (B) April 15 - May 31, 2013;
- (C) April 15 - May 31, 2014; and
- (D) April 15 - May 31, 2015.

(iii) BAG LIMIT: The combined spring/youth season limit is ~~((three-(3)))~~ 3 birds. Only ~~((two-(2)))~~ 2 turkeys may be killed in Eastern Washington, except only one (1) may be killed in Chelan,

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

(c) **FALL NORTHEAST BEARDLESS TURKEY SEASON**

(i) LEGAL BIRD: Beardless only.

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

(iii) OPEN AREA: GMUs 105-142.

(iv) SEASON DATES:

(A) Sept. 22 - Oct. 12, 2012;

(B) Sept. 21 - Oct. 11, 2013; and

(C) Sept. 20 - Oct. 10, 2014.

(v) BAG LIMIT: Two (2) beardless turkeys (in addition to other fall turkey harvest).

(d) **EARLY FALL GENERAL SEASON**

(i) LEGAL BIRD: Either sex.

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

(iii) OPEN AREA: GMUs 101, 124-142, 145-154, and 162-186.

(iv) SEASON DATES:

(A) Sept. 22 - Oct. 12, 2012;

(B) Sept. 21 - Oct. 11, 2013; and

(C) Sept. 20 - Oct. 10, 2014.

(v) BAG LIMIT: One (1) turkey (~~either sex~~) (in addition to other fall turkey harvest).

(e) **FALL PERMIT SEASONS**

(i) LEGAL BIRD: Either sex.

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

Hunt Name	Permit Season Dates	Special Restrictions	Boundary Description	Permits	Bag Limit*
Klickitat	Sept. 22 - Oct. 12, 2012, Sept. 21 - Oct. 11, 2013, Sept. 20 - Oct. 10, 2014	Either sex	GMUs 382, 388, 568-578	150	1
Methow	Nov. 15 - Dec. 15, 2012, 2013, 2014	Either sex	GMUs 218-231 and 242	50	1
Teanaway	Nov. 15 - Dec. 15, 2012, 2013, 2014	Either sex	GMU 335	50	1

*BAG LIMIT: During the (~~early~~) fall (~~general and~~) permit hunting seasons (~~combined~~).

(f) **LATE FALL SEASON**

(i) LEGAL BIRD: Either sex.

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

(iii) OPEN AREA: GMUs 105-~~(142, 149)~~154, 162-186.

(iv) SEASON DATES:

(A) Nov. 20 - Dec. 15, 2012;

(B) Nov. 20 - Dec. 15, 2013; and

(C) Nov. 20 - Dec. 15, 2014.

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

(g) **HUNTER EDUCATION INSTRUCTOR INCENTIVE PERMITS**

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

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

able to participate in the hunt(~~(7)~~) will not be eligible for (~~these~~) a hunter education instructor incentive permit(~~(8)~~) for (~~a period of ten~~) 10 years (~~thereafter~~) after they are drawn for the incentive permit.

(iii) OPEN AREA: Statewide.

(iv) SEASON DATES: April 1 - May 31, 2012, 2013, 2014, 2015.

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

(h) OFFICIAL HUNTING HOURS FOR WILD TURKEY:

(~~HUNTING HOURS: One half~~) 1/2 hour before sunrise to sunset during spring and fall seasons.

(i) SPECIAL (~~REGULATIONS~~) RULES FOR WILD TURKEY:

(~~1.~~) (i) Turkey season is open for shotgun shooting #4 shot or smaller, archery, and muzzleloader shotgun shooting #4 shot or smaller.

(~~2.~~) (ii) It is unlawful to hunt turkey unless the hunter possesses a turkey tag (~~is required for hunting turkey~~).

(~~3.~~) (iii) It is unlawful to (~~use dogs to~~) hunt turkeys with dogs.

(~~4.~~) (iv) It is unlawful to bait game birds.

EASTERN WASHINGTON SEASONS:

(11) RING-NECKED PHEASANT

(a) BAG AND POSSESSION LIMITS: Three (3) cock pheasants per day(~~(7 with a total of fifteen (15))~~). Hunters may possess up to 15 cock pheasants (~~in possession~~) at any one time.

(b) YOUTH SEASON DATES: (~~Sept. 22 and 23, 2012; Sept. 21 and 22, 2013; Sept. 20 and 21, 2014.~~) Open only to youth hunters

accompanied by an adult (~~(at least)~~) 18 years (~~(old)~~) of age or older.

(i) Sept. 22-23, 2012;

(ii) Sept. 21-22, 2013; and

(iii) Sept. 20-21, 2014.

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

(i) Sept. 24-28, 2012;

(ii) Sept. 23-27, 2013; and

(iii) Sept. 22-26, 2014.

(d) REGULAR SEASON DATES:

(i) Oct. 20, 2012 - Jan. 13, 2013;

(ii) Oct. 19, 2013 - Jan. 12, 2014; and

(iii) Oct. 18, 2014 - Jan. 11, 2015.

(12) CHUKAR

(a) BAG AND POSSESSION LIMITS: (~~(Six (6))~~) 6 chukar per day (~~(, with a total of eighteen (18))~~). Hunters may possess up to 18 chukar (~~(in possession))~~) at any one time.

(b) YOUTH SEASON DATES: (~~(Sept. 22 and 23, 2012; Sept. 21 and 22, 2013; Sept. 20 and 21, 2014.)~~) Open only to youth hunters accompanied by an adult (~~(at least)~~) 18 years (~~(old)~~) of age or older.

(i) Sept. 22-23, 2012;

(ii) Sept. 21-22, 2013; and

(iii) Sept. 20-21, 2014.

(c) REGULAR SEASON DATES:

(i) Oct. 6, 2012 - Jan. 21, 2013;

(ii) Oct. 5, 2013 - Jan. 20, 2014; and

(iii) Oct. 4, 2014 - Jan. 19, 2015.

(13) GRAY (HUNGARIAN) PARTRIDGE

(a) BAG AND POSSESSION LIMITS: (~~(Six-(6))~~) 6 gray partridges per day(~~(, with a total of eighteen (18))~~). Hunters may possess up to 18 gray partridges ((in possession)) at any one time.

(b) YOUTH SEASON DATES: (~~(Sept. 22 and 23, 2012; Sept. 21 and 22, 2013; Sept. 20 and 21, 2014.)~~) Open only to youth hunters accompanied by an adult (~~(at least)~~) 18 years (~~(old)~~) of age or older.

(i) Sept. 22-23, 2012;

(ii) Sept. 21-22, 2013; and

(iii) Sept. 20-21, 2014.

(c) REGULAR SEASON DATES:

(i) Oct. 6, 2012 - Jan. 21, 2013;

(ii) Oct. 5, 2013 - Jan. 20, 2014; and

(iii) Oct. 4, 2014 - Jan. 19, 2015.

(14) **MOUNTAIN QUAIL**

(~~Season~~) Closed throughout Eastern Washington.

(15) **CALIFORNIA (VALLEY) QUAIL AND NORTHERN BOBWHITE**

(a) BAG AND POSSESSION LIMITS: (~~(Ten-(10))~~) 10 quail per day(~~(, with a total of thirty (30))~~). Hunters may possess up to 30 quail ((in possession)) at any one time, straight or mixed bag.

(b) YOUTH SEASON DATES: (~~(Sept. 22 and 23, 2012; Sept. 21 and 22, 2013; Sept. 20 and 21, 2014.)~~) Open only to youth hunters accompanied by an adult (~~(at least)~~) 18 years (~~(old)~~) of age or older.

(i) Sept. 22-23, 2012;

(ii) Sept. 21-22, 2013; and

(iii) Sept. 20-21, 2014.

(c) REGULAR SEASON DATES:

(i) Oct. 6, 2012 - Jan. 21, 2013;

- (ii) Oct. 5, 2013 - Jan. 20, 2014; and
- (iii) Oct. 4, 2014 - Jan. 19, 2015.

WESTERN WASHINGTON SEASONS:

(16) **RING-NECKED PHEASANT**

(a) BAG AND POSSESSION LIMITS: (~~(Two (2))~~) 2 pheasants of either sex per day (~~(, with a total of fifteen (15))~~). Hunters may possess up to 15 pheasants (in possession) at any one time.

(b) YOUTH SEASON DATES: (~~(Sept. 22 and 23, 2012; Sept. 21 and 22, 2013; Sept. 20 and 21, 2014.)~~) Open only to youth hunters accompanied by an adult (~~(at least)~~) 18 years (~~(old)~~) of age or older.

(i) Sept. 22-23, 2012;

(ii) Sept. 21-22, 2013; and

(iii) Sept. 20-21, 2014.

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

(i) Sept. 24-28, 2012;

(ii) Sept. 23-27, 2013; and

(iii) Sept. 22-26, 2014.

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

(i) Sept. 29 - Nov. 30, 2012;

(ii) Sept. 28 - Nov. 30, 2013; and

(iii) Sept. 27 - Nov. 30, 2014. (~~(8 a.m. to 4 p.m.; EXCEPT Dungeness Recreation Area Site (Clallam County) starting Oct. 6, 2012; Oct. 5, 2013; Oct. 4, 2014.)~~)

(e) EXTENDED SEASON DATES:

(i) Dec. 1-15, 2012, 2013, 2014.

(ii) 8 a.m. to 4 p.m. only (~~(on)~~) at the following release sites: Belfair, Fort Lewis, Kosmos, Lincoln Creek, Scatter Creek,

Skookumchuck, and all Whidbey Island release sites EXCEPT Bayview.

(iii) ~~Pheasants~~ The department will not ~~be released~~ release pheasants during the extended season.

(f) SPECIAL RESTRICTION: Western Washington pheasant hunters must choose to hunt only on (~~either~~) odd-numbered or even-numbered weekend days from 8:00 - 10:00 a.m. at all units of Lake Terrell, Tennant Lake, Snoqualmie, Skagit, Skookumchuck, and Scatter Creek Wildlife Areas, and all hunting sites on Whidbey Island (~~, and at the Dungeness Recreation Area, and~~). Hunters must indicate their choice of odd-numbered or even-numbered weekend days on the Western Washington Pheasant Permit by choosing "odd" or "even." Hunters who select the three day option, hunters 65 years of age or older, and youth hunters may hunt (~~during either~~) in the morning on both odd-numbered and even-numbered weekend (~~day morning~~) days. Youth hunters must be accompanied by an adult (~~at least~~) 18 years (~~old who~~) of age or older, and the adult must have an appropriately marked pheasant permit if hunting.

(17) MOUNTAIN QUAIL

(a) BAG AND POSSESSION LIMITS: (~~Two (2)~~) 2 mountain quail per day (~~, with a total of four (4)~~). Hunters may possess up to 4 mountain quail (~~in possession~~) at any one time.

(b) SEASON DATES:

(i) Sept. 29 - Nov. 30, 2012;

(ii) Sept. 28 - Nov. 30, 2013; and

(iii) Sept. 27 - Nov. 30, 2014.

(18) CALIFORNIA (VALLEY) QUAIL AND NORTHERN BOBWHITE

(a) BAG AND POSSESSION LIMITS: (~~Ten (10)~~) 10 California (valley)

quail or northern bobwhite per day(~~(, with a total of thirty (30))~~).
Hunters may possess up to 30 California (valley) quail or northern
bobwhite (~~(in possession)~~) at any one time, straight or mixed bag.

(b) SEASON DATES:

(i) Sept. 29 - Nov. 30, 2012;

(ii) Sept. 28 - Nov. 30, 2013; and

(iii) Sept. 27 - Nov. 30, 2014.

FALCONRY SEASONS:

(19) **UPLAND GAME BIRD AND FOREST GROUSE - FALCONRY**

(a) BAG AND POSSESSION LIMITS:

~~((Two (2))~~) (i) 2 pheasants (either sex)~~((, six (6))~~);

(ii) 6 partridge~~((, five (5))~~);

(iii) 5 California (valley) quail or northern bobwhite~~((, two (2))~~);

(iv) 2 mountain quail (in Western Washington only)~~((, and three (3))~~);

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

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

(b) OPEN AREA: Statewide.

(c) SEASON DATES:

(i) Aug. 1, 2012 - Mar. 15, 2013;

(ii) Aug. 1, 2013 - Mar. 15, 2014; and

(iii) Aug. 1, 2014 - Mar. 15, 2015.

(20) **TURKEY - FALCONRY**

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

(b) BAG AND POSSESSION LIMITS: One (1) turkey (either sex) per

turkey tag, with a maximum of (~~two (2)~~) 2 turkeys. (~~Possession limit: Two (2)~~) Hunters may possess up to 2 turkeys at any one time.

(c) OPEN AREA: Eastern Washington.

(d) SEASON DATES:

(i) Sept. 1, 2012 - Feb. 15, 2013;

(ii) Sept. 1, 2013 - Feb. 15, 2014; and

(iii) Sept. 1, 2014 - Feb. 15, 2015.

(21) **MOURNING DOVE - FALCONRY**

(a) BAG AND POSSESSION LIMITS: (~~Three (3)~~) 3 mourning doves per day, straight bag or mixed bag with snipe, coots, ducks, and geese during established seasons. The possession limit is twice the daily limit.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Sept. 1 - Dec. 16, 2012, 2013, 2014.

(22) **COTTONTAIL RABBIT AND SNOWSHOE HARE - FALCONRY**

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

(b) OPEN AREA: Statewide.

(c) SEASON DATES:

(i) Aug. 1, 2012 - Mar. 15, 2013;

(ii) Aug. 1, 2013 - Mar. 15, 2014; and

(iii) Aug. 1, 2014 - Mar. 15, 2015.

OTHER SEASONS:

(23) **CANADA GOOSE SEPTEMBER SEASON**

(a) WESTERN WASHINGTON:

(i) BAG AND POSSESSION LIMITS: (~~Western Washington, except Cowlitz and Wahkiakum counties and that part of Clark County north of the Washougal River: Five (5))~~)

(A) 5 Canada geese per day (~~(with a total of ten (10) in possession)~~); hunters may possess up to 10 Canada geese at any time((-)), EXCEPT:

(B) In Cowlitz and Wahkiakum counties and that part of Clark County north of the Washougal River: (~~Three (3))~~) 3 Canada geese per day (~~(with a total of six (6) in possession)~~); hunters may possess up to 6 at any one time.

(ii) SEASON DATES: Sept. 10-15, 2012, 2013, and 2014, EXCEPT Pacific County: Sept. 1-15, 2012, 2013, and 2014.

(b) EASTERN WASHINGTON:

(i) BAG AND POSSESSION LIMITS: (~~Three (3))~~) 3 Canada geese per day (~~(with a total of six (6) in possession)~~); hunters may possess up to 6 at any one time.

(~~EASTERN WASHINGTON~~) (ii) SEASON DATES: Sept. 14-15, 2012, 2013, 2014.

(~~WESTERN WASHINGTON SEASON DATES: Sept. 10-15, 2012, 2013, and 2014. EXCEPT Pacific County: Sept. 1-15, 2012, 2013, 2014.~~)

(24) MOURNING DOVE

(a) BAG AND POSSESSION LIMITS: (~~Ten (10))~~) 10 mourning doves per day (~~(with a total of twenty (20) mourning doves in possession)~~). Hunters may possess up to 20 mourning doves at any one time.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Sept. 1-30, 2012, 2013, 2014.

(~~HIP REQUIREMENTS:~~)

~~All hunters age 16 and over of migratory game birds (duck, goose, coot, snipe, mourning dove, and band tailed pigeon) are required to complete a Harvest Information Program (HIP) survey at a license dealer, and possess a Washington Migratory Bird permit as evidence of compliance with this requirement when hunting migratory game birds. Youth hunters are required to complete a HIP survey, and possess a free Washington Youth Migratory Bird permit as evidence of compliance with this requirement when hunting migratory game birds.)~~

(25) **BAND-TAILED PIGEON**

(a) BAG AND POSSESSION LIMITS: ~~((Two (2)))~~ 2 band-tailed pigeons per day ~~((with a total of four (4)))~~. Hunters may possess up to 4 band-tailed pigeons ((in possession)) at any one time.

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Sept. 15-23, 2012, 2013, 2014.

(d) WRITTEN AUTHORIZATION IS REQUIRED TO HUNT BAND-TAILED PIGEONS~~(())~~:

(i) Hunters must possess a special migratory bird hunting authorization and harvest record card for band-tailed pigeons when hunting band-tailed pigeons. Immediately after taking a band-tailed pigeon into possession, hunters must record ~~((in ink))~~ the required information ~~((required))~~ in ink on the harvest record card. Hunters must report harvest information from band-tailed pigeon harvest record cards to the Washington department of fish and wildlife (WDFW) ~~for receipts~~ so that the department receives the information by September 30 following the current season. Every person issued a migratory bird hunting authorization and harvest record card must return the entire card to ~~((the Washington~~

~~department of fish and wildlife~~) WDFW or report the card information at the designated internet site listed on the harvest record card. ~~((Any))~~ If a hunter ~~((failing))~~ fails to report his or her harvest by the reporting deadline ~~((will be in noncompliance))~~, he or she is in violation of reporting requirements.

(ii) Beginning with the 2013 license year, hunters who ~~((have))~~ do not ~~((reported))~~ report band-tailed pigeon hunting activity by the reporting deadline for any harvest record card ~~((will be))~~ are required to pay a ten dollar administrative fee before any new migratory bird authorization and harvest record card ~~((will be))~~ is issued. A hunter may only be penalized a maximum of ten dollars during a license year.

(26) BIRD DOG TRAINING SEASON

(a) Wild upland game birds may be pursued during the dog-training season, but may not be killed except during established hunting seasons. A small game license is required to train dogs on wild game birds. A Western Washington Pheasant Permit is required to train dogs on pheasants in Western Washington. Captive raised game birds may be released and killed during dog training if the hunter has proof of lawful acquisition (invoices) ~~are in possession~~ and the birds are appropriately marked (WAC 232-12-271 and 232-12-044).

(b) OPEN AREA: Statewide.

(c) SEASON DATES: Aug. 1, 2012 - Mar. 31, 2013; Aug. 1, 2013 - Mar. 31, 2014; Aug. 1, 2014 - Mar. 31, 2015.

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

sites.

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

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

(ii) Region Three - South L. T. Murray Wildlife Area;

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

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

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

~~((HOUND HUNTING DURING DEER AND ELK HUNTING SEASONS~~

~~It is unlawful to hunt any wildlife at night or wild animals with dogs (hounds) during the months of September, October, or November in any area open to a modern firearm deer or elk season. The use of hounds to hunt black bear, cougar (EXCEPT by public safety cougar removal permit (WAC 232 12 243) or a commission authorized hound permit (WAC 232 28 285)), coyote, and bobcat is prohibited year round.))~~

(27) YAKAMA INDIAN RESERVATION:

The 2012-13, 2013-14, and 2014-15 upland bird seasons within the Yakama Indian Reservation (~~(shall be)~~) are the same as the season established by the Yakama Indian Nation.

(28) COLVILLE INDIAN RESERVATION:

The 2012-13, 2013-14, and 2014-15 upland bird seasons within the Colville Indian Reservation (~~(shall be)~~) are the same as the season established by the Colville Indian Tribe.

HIP REQUIREMENTS:

(29) All hunters of migratory game birds (duck, goose, coot, snipe, mourning dove, and band-tailed pigeon) age 16 and over are required to complete a Harvest Information Program (HIP) survey at a license dealer and possess a Washington Migratory Bird permit as evidence of compliance with this requirement when hunting migratory game birds.

(30) Youth hunters are required to complete a HIP survey and possess a free Washington Youth Migratory Bird permit as evidence of compliance with this requirement when hunting migratory game birds.

[Statutory Authority: RCW 77.12.047. 12-11-005 (Order 12-70), § 232-28-342, filed 5/2/12, effective 6/2/12. Statutory Authority: RCW 77.12.047, 77.12.020, 77.12.570, 77.12.210, 77.12.150, 77.12.240, 77.32.070, 77.32.530. 10-10-061 (Order 10-94), § 232-28-342, filed 4/30/10, effective 5/31/10. Statutory Authority: RCW 77.12.047, 77.12.020, 77.12.570, 77.12.210, 77.12.150, 77.12.240. 09-09-083 (Order 09-53), § 232-28-342, filed 4/15/09, effective 5/16/09. Statutory Authority: RCW 77.12.047, 77.12.020, 77.12.570, 77.12.210. 08-09-090 (Order 08-78), § 232-28-342, filed 4/18/08, effective 5/19/08. Statutory Authority: RCW 77.12.047. 06-11-031 (Order 06-91), § 232-28-342, filed 5/8/06,

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effective 6/8/06.]

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

RECOMMENDED ADJUSTMENTS

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

Pages 1-18

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

SUMMARY OF WRITTEN PUBLIC INPUT

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

COMMENTS	AGENCY RESPONSE
<p>Why is extending coon season just for pursuit not one of the proposals the DFW is looking at changing? We, in Eastern WA, have to fight with weather (snow); can't even get into wooded areas because of snow and groomed snowmobile trails. Our season starts Sept. 1st then we basically lose Oct. due to elk and deer season; then a few weeks in Nov.; then were covered in deep snow until March. So let's get a fair season for us that do enjoy treeing coon with the aid of dogs. Don't believe anyone would oppose a season change to dates we can get into the woods. I was also led to believe that this was going to be one of the proposals we would be looking at changing.</p>	<p>This proposal did not move forward in the three year season setting process due to concerns with pursuit while young may still be dependent on the parent and disturbance to other species with the same concerns. Potential conflicts with other forms of recreation also exist. A pursuit season during the month of August may also cause enforcement concerns in some parts of the state where bear seasons would overlap.</p>
<p>We are in favor of the changes noted, but we would also like to see turkey fall damage hunts be extended into modern firearm seasons like was done for muzzleloading, even if it was by special permit only.</p>	<p>The effect of recent expansion of fall turkey general season needs to be monitored further before considering longer seasons. Also, safety concerns exist, unless turkey hunters would be required to wear blaze orange clothing during overlaps with modern firearm seasons.</p>
<p>I have read over the proposed hunting regulation changes and support all of them to be implemented.</p>	<p>Thank you for taking the time to review and comment on the proposals.</p>
<p>I support this proposal.</p>	<p>Thank you for taking the time to review and comment on the proposals.</p>
<p>I support all the changes listed.</p>	<p>Thank you for taking the time to review and comment on the proposals.</p>
<p>I agree with all recommended changes to the proposed hunting rules for 2013-2014</p>	<p>Thank you for taking the time to review and comment on the proposals.</p>

<ol style="list-style-type: none"> 1. No problem with proposal. 2. Do not forget to make a similar update to the regulations that were omitted last year and added by a change notice (Added Jun 29), adding GMUs 124 -142 to early fall either sex. Ranchers and farmers do not read change notices. Omissions concerning date changes are confusing and add lots of extra problems for hunters including lost opportunity. Same for the (Added May 24) change. 	<p>Thank you for taking the time to review and comment on the proposals.</p> <p>The pamphlet errors were unfortunate and we are taking steps to minimize the need for changes like this in the future.</p>
<p>First of all I would like to compliment the fish and game department on a very well run system. There are only a couple suggestions that I would like to make:</p> <ol style="list-style-type: none"> 1. The odd/even pheasant hunt is difficult at times for folks that can't predict their weekends. As a surgeon, I love to hunt with my dad but my schedule is so topsy-turvy, I don't have an odd or even schedule. How about offering a tag for the alternate day but at a premium price? 2. Any chance in future of offering a limited number of swan tags? Again, this could be a premium price similar to tags in Montana that would raise revenue for the department and not injure the population, say 10 tags at \$500.00 each? Just a thought. 3. Lastly, when are we going to make our beautiful trout streams (Yakima etc.) catch and release only and get them back to Montana style rivers, this could be a huge industry if we let it. <p>Thanks again for all you do, I love it here!</p>	<p>The odd/even requirement only applies prior to 10:00 a.m. on sites with this designation. Hunting later in the day is an option you have available. The additional license for the opposite day would require a change by the legislature and we may consider this in the future.</p> <p>Waterfowl seasons are set later in the year and this comment has been forwarded to the Waterfowl Section Manager. This proposal would first have to be approved through the U.S. Fish and Wildlife Service (USFWS) flyway process.</p> <p>This comment has also been forwarded to the Department's Fish Program.</p>

SUMMARY OF ORAL PUBLIC INPUT
 Taken at the Fish and Wildlife Commission Meeting
 March 1, 2013

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

COMMENTS	AGENCY RESPONSE
<p>The pheasant release program in eastern Washington is being slowly reduced by 10% per year until dissolved to move more money to habitat work. Habitat work is important, but the small plots in the Columbia Basin don't accomplish much. The pheasant population has declined over the past 30 years due to Mt. St. Helens, increased hunting pressure, predators and farming practices have decimated the population.</p> <p>Hunters were not told about the reduction in bird releases and thought 10% of the money would go to habitat. We would be willing to pay for the program with a punch card for hunting release sites. Please do not cancel the Pheasant Release Program.</p>	<p>The state legislature changed the law regarding how the Eastern Washington Pheasant Enhancement Fund is apportioned, giving WDFW more flexibility in determining how expenditures are split between habitat and bird release. The law still states that WDFW will have a pheasant release program.</p> <p>Agency staff developed a plan, through gradual reductions, to attain an approximate 50% split. We are now close to that level and still will maintain a release program as the law requires.</p> <p>The long term success in maintaining or enhancing our pheasant population depends primarily on improving habitat conditions. The change to this fund, and other new resources, are helping us slow the tide of habitat degradation and provide more access for pheasant hunters, which is also an important priority.</p>



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

Agency: Washington Department of Fish and Wildlife

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

Expedited Rule Making--Proposed notice was filed as WSR _____; or

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

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

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

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

Hearing location(s):

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

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

Submit written comments to:

Name: Wildlife Program Commission Meeting Public Comments

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

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

Assistance for persons with disabilities: Contact

Tami Lininger by February 22, 2013

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

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

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

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

See Attachment A.

Reasons supporting proposal:

See Attachment A.

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

Statute being implemented: RCWs 77.12.047; 77.12.150; and 77.12.240

Is rule necessary because of a:

Federal Law? Yes No

Federal Court Decision? Yes No

State Court Decision? Yes No

If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

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

WSR 13-03-152

DATE
January 23, 2013

NAME (type or print)
Lori Preuss

SIGNATURE

TITLE
Rules Coordinator

(COMPLETE REVERSE SIDE)

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

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

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

- Private
- Public
- Governmental

Name of agency personnel responsible for:

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

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

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

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

These rules do not directly regulate small business.

Is a cost-benefit analysis required under RCW 34.05.328?

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

Name:

Address:

phone () _____

fax () _____

e-mail _____

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

ATTACHMENT A

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

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

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

Reasons supporting proposal:

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

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

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

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

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

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

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

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

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

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

Reasons supporting proposal:

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

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

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

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

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

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

WAC 232-28-296 Landowner hunting permits.

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

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

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

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

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

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

Reasons supporting proposal:

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

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

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

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

Reasons supporting proposal:

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

WAC 232-28-337 Elk area descriptions.

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

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

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

Reasons supporting proposal:

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

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

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

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

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

Reasons supporting proposal:

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

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

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

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

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

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

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

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

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

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

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

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

WAC 232-28-359 2013 Deer special permits.

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

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

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

WAC 232-28-360 2013 Elk special permits.

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

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

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

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

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

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

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

Reasons supporting proposal:

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

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

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

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

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

Reasons supporting proposal:

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

WAC 232-28-624 Deer area descriptions.

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

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

Reasons supporting proposal:

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