

Auction Tags and Landowner Hunt Permits

232-28-283 and 232-28-296

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Summary

Meeting dates: April 8-9, 2016

Agenda item: Auction Tags and Landowner Hunting Permits – Rule Decision

Presenter: Mick Cope, Game Division Manager, Wildlife Program
Rich Harris, Ph.D., Special Species Section Manager, Wildlife Program

Background summary:

Staff will brief the Commission on proposed amendments to WAC 232-28-283 Big game and wild turkey auction, raffle, and special incentive permits and WAC 232-28-296 Landowner hunting permits.

A new 3-deer auction hunt is being proposed. The Department currently offers a 3-deer raffle hunt but not an auction hunt. Conservation organizations have encouraged the Department to create a 3-deer auction hunt that has the potential to generate additional revenue. If adopted, the new hunt will be assigned to a conservation organization during the annual process in the summer of 2016 and would be auctioned and utilized in 2017.

We propose to expand the area available to the holder of the statewide moose auction permit. Moose are gradually pioneering into areas south and west of their stronghold around Spokane, and while surveys are lacking to justify substantial harvest, allowing this one special hunting opportunity will serve as a learning experience for the Department while maintaining high hunter interest in moose.

On the recommendation of the district biologist, we are recommending a temporary removal of GMU 175 from the areas available to holder of the Rocky Mountain bighorn sheep raffle permit, due to a paucity of rams in this herd.

Calendar date adjustments are proposed for several LHPs and there is a proposal to reduce the number of bull permits from 2 to 1 on the Bennet Lumber LHP.

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

- Continue sustainable hunting opportunities, consistent with achieving management objectives.
 - Address and prevent wildlife conflict problems.
 - Generate revenue for the Department.
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Public involvement process used and what you learned:

The Department notified approximately 28,000 individuals and organizations informing them of the opportunity to provide comment on the proposed regulations. Additionally, these individuals and organizations were informed of the opportunity to provide verbal testimony at the March 18-19, 2016 Commission Meeting in Moses Lake.

Action requested:

Amend WAC 232-28-283 Big game and wild turkey auction, raffle, and special incentive permits and WAC 232-28-296 Landowner Hunting Permits

Draft motion language:

I move to amend WAC 232-28-283 and 232-28-296 as proposed.

Justification for Commission action:

Proposed recommendations will:

- Provide raffle opportunity equal to that provided through auction hunts.
 - Provide additional moose hunting opportunity in areas where moose have expanded.
 - Reduce hunting pressure on a bighorn sheep herd as a conservation measure.
 - Update hunting season dates for some LHP cooperators due to normal calendar date shifts.
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Communications Plan:

WDFW Website
News Releases
Hunting Pamphlet

Form revised 12/5/12

AMENDATORY SECTION (Amending WSR 15-10-048, filed 4/29/15, effective 5/30/15)

WAC 232-28-283 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 branch antlered 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

~~((5))~~ (6) EASTSIDE ELK AUCTION PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: Eastern Washington EXCEPT GMU 157, those GMUs closed to elk hunting, and those GMUs not opened to branch antlered 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))~~ (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 web site no later than January 1.

(c) Weapon: Any legal weapon.

(d) Bag limit: One California bighorn ram.

(e) Number of permit hunters selected: 1

~~((7))~~ (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 web site no later than January 1.

(c) Weapon: Any legal weapon.

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

(e) Number of permit hunters selected: 1

~~((8))~~ (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 fol-

lowing year, and will be posted on the department's web site 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

~~((9))~~ (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

~~((10))~~ (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

~~((11))~~ (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

~~((12))~~ (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 branch antlered 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

~~((13))~~ (14) EASTSIDE ELK RAFFLE PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: Eastern Washington EXCEPT GMU 157, those GMUs closed to elk hunting, and those GMUs not opened to branch antlered 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))~~ (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 web site 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

~~((15))~~ (16) MOOSE RAFFLE PERMIT

(a) Season dates: September 1 - December 31

(b) Hunt Area: Any open moose unit.

(c) Weapon: Any legal weapon.

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

(e) Number of permit hunters selected: 2

~~((16))~~ (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 web site 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

~~((17))~~ (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

~~((18))~~ (19) ROCKY MOUNTAIN BIGHORN SHEEP RAFFLE PERMIT

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

(b) Hunt Area: GMUs 113, 172(~~(7-175)~~).

(c) Season dates: September 1 - December 31

(d) Weapon: Any legal weapon.

(e) Number of permit hunters selected: 1

~~((19))~~ (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

~~((20))~~ (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 and 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. 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

((~~21~~)) (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 branch antlered 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 web site no later than January 1. For bighorn sheep, any bighorn herd located south of U.S. Highway 2 in Chelan County and west of the Columbia River in Kittitas and Yakima counties.

(c) Season dates: September 1 - December 31

(d) Weapon: Any legal weapon.

(e) Number of permit hunters selected: 1

((~~22~~)) (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

~~((23))~~ (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 web site no later than January 1 in Okanogan or Chelan counties north of US Highway 2.

(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

((~~24~~)) (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 branch antlered 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

~~((25))~~ (26) EASTERN WASHINGTON ELK INCENTIVE PERMITS

(a) Hunt Area: Eastern Washington EXCEPT GMU 157 and those GMUs closed to elk hunting or closed to branch antlered 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))~~ (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

~~((27))~~ (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 232-28-292.

~~((28))~~ (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 232-28-290.

~~((29))~~ (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 232-28-299.

~~((30))~~ (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:

~~((31))~~ (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.

~~((32))~~ (33) The permittee may be accompanied by others; however, only the permittee is allowed to carry a legal weapon or harvest an animal.

~~((33))~~ (34) Any attempt by members of the permittee's party to herd or drive wildlife is prohibited.

~~((34))~~ (35) If requested by the department, the permittee is required to direct department officials to the site of the kill.

~~((35))~~ (36) The permit is valid during the hunting season dates for the year issued.

~~((36))~~ (37) The permittee will present the head and carcass of the bighorn sheep killed to any department office within seventy-two hours of date of kill.

~~((37))~~ (38) The permittee must abide by all local, state, and federal regulations including firearm restriction areas and area closures.

~~((38))~~ (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.

((~~39~~)) (40) Permit hunters awarded a cougar permit may only use dogs in GMUs that have a cougar season open to dog use (WAC 232-28-285).

[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), § 232-28-283, 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), § 232-28-283, filed 4/25/14, effective 5/26/14. Statutory Authority: RCW 77.04.012, 77.04.055, 77.12.047, 77.12.150, and 77.32.530. WSR 12-22-045 (Order 12-257), § 232-28-283, filed 11/2/12, effective 12/3/12. Statutory Authority: RCW 77.12.047, 77.12.020, 77.12.570, 77.12.210, 77.12.150, and 77.12.240. WSR 10-03-041 (Order 10-10), § 232-28-283, filed 1/13/10, effective 2/13/10.]

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

WAC 232-28-283 Big game and wild turkey auction, raffle, and special incentive permits.

Supporting Comments:

Of the 57 comments received, 22 were in support of the proposed changes to WAC 232-28-283 (to add a 3-deer species raffle, and to allow the Department to specify areas open to the holder of the statewide moose auction tag). A few of the generally supportive comments reflected a view that auctions, as well as raffles (which typically, although not universally, are won by hunters buying many tickets) are unfortunate elements of our funding system, in that they are generally beyond the means of most hunters, and thus provide a unique opportunity to an elite few. These commenters however, generally understood the rationale and benefit of the system. An additional 3 commenters said that they had no comment on this proposed rule change.

Opposing and Other Comments:

The most frequent theme among those writing in opposition to the changes in this WAC expressed unhappiness with the general concepts underpinning the use of auction and raffle permits to help fund specific WDFW management programs. A concern expressed by a number of comments is that WDFW prioritizes income generation over providing opportunity to the general hunter.

On moose specifically, one commenter suggested allowing hunters who have successfully harvested an antlered moose under an “any moose” permit to apply again following a waiting period. This WAC does not change the rules pertaining to regular moose permit drawings; this suggestion could be considered again at the next 3-year package. Another suggested having “quality moose” permits instead of auction or raffle tags.

On deer specifically, a few commenters expressed the desire for the newly suggested “3-deer raffle” to be species-specific. The Department may not have been sufficiently clear in summarizing this proposed rule change that the new auction is for 1 of each of the 3 types of deer present in Washington (mule deer, white-tailed deer, black-tailed deer).

A few commenters expressed the desire for raffle sales to be limited, e.g., to one-per-hunter. This would have the effects of increasing equity among hunters, at the expense of revenue generated for management of these species.

Direction and Rationale:

Although we recognize that some members of the public find the auctions and raffles distasteful, the Department sees them as having only a very minor effect on the total number of permits allowable for the general draw, while substantially increasing funding available to manage these

species for all citizens. The Department thus recommends retaining the WAC as is, with the two recommended revisions being considered by the Commission in March 2016.

AMENDATORY SECTION (Amending WSR 15-10-031, filed 4/28/15, effective 5/29/15)

WAC 232-28-296 Landowner hunting permits. (1) A landowner may enter into a contract with the department and establish boundaries and other requirements for hunter access consistent with commission policy.

(2) It is unlawful for hunters to participate in landowner-permit hunts unless the hunters possess both an access permit from the landowner and a hunting permit from the department for the species covered under the landowner's contract. A violation of this section is punishable under RCW 77.15.410.

(3)(a) **Buckrun**

(i) Buckrun is located in Grant County, near the town of Wilson Creek.

(ii) Hunting on Buckrun is managed for a quality experience by scheduling hunt dates and keeping the number of hunters in the field low. Hunters with limited flexibility for hunt dates may experience scheduling problems. Hunters can generally expect one-day hunts during the permit seasons with written authorization from the Buckrun manager. All hunters must check in and out with the landowner or their de-

signee on hunt day. Hunts are scheduled on a first-come basis by calling 509-345-2577 in advance.

(b) **Buckrun landowner hunting permits**

(i) Buckrun's manager will distribute Buckrun's landowner hunting permits. Buckrun may charge an access fee for these permits, but not for winning raffle permits. Only hunters possessing a modern firearm deer tag are eligible for permits on Buckrun's properties. Contact the manager at 509-345-2577 for additional information.

(ii) **Deer Seasons:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Buckrun	10	Sept. 1 - Dec. 31	Antlerless Mule Deer or any White-tailed Deer	Buckrun
Buckrun	30	Sept. 1 - Dec. 31	Any deer	Buckrun
Buckrun Raffle	10	Oct. 25 - Dec. 31	Any deer	Buckrun

(c) **Buckrun special hunting permits**

(i) Hunters must apply to the Washington department of fish and wildlife for Buckrun's special hunting permits. Only hunters possessing a modern firearm deer tag are eligible for these special permits. All hunters must check in and out with the landowner or their designee. Hunts must be scheduled in advance by calling 509-345-2577.

(ii) **Deer Seasons:**

Hunt Name	Permit Number	Permit Season	Special Restrictions	Boundary Description
Buckrun	10	Sept. 1 - Dec. 31	Antlerless	Buckrun

(4)(a) **Silver Dollar Association**

The Silver Dollar Association is located in Yakima and Benton counties, on the western edge of the Hanford Reservation. A legal description of the property is in the contract between the Silver Dollar Association and the department.

(b) **Silver Dollar Association landowner hunting permits**

(i) The Silver Dollar Association's manager will distribute the association's landowner hunting permits. The association may charge an access fee for these permits.

(ii) **Elk Seasons:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Silver Dollar	24	Aug. 1 - March 31	Any Elk	Silver Dollar
Silver Dollar	8	Aug. 1 - March 31	Antlerless	Silver Dollar

(c) **Silver Dollar Association special hunting permits**

(i) Hunters must apply to the department for the Silver Dollar Association's special hunting permits.

(ii) **Elk Seasons:**

Hunt Name	Permit Number	Weapon/Tag	Permit Season	Special Restrictions	Boundary Description
Silver Dollar	8	EF	Aug. 1 - March 31	Youth Only, Any Elk	Silver Dollar
Silver Dollar Antlerless Elk	6	EF	Aug. 1 - March 31	Youth Only, Antlerless Elk Only	Silver Dollar
Silver Dollar Antlerless Elk	2	EF	Aug. 1 - March 31	Persons of Disability Only, Antlerless Elk Only	Silver Dollar

(5)(a) **Blackrock Ranches**

Blackrock Ranches is located in Yakima County west of the Hanford Reservation. A legal description of the property is in the contract between Blackrock Ranches and the department.

(b) **Blackrock Ranches landowner hunting permits**

(i) Blackrock Ranches' manager will distribute the ranches' landowner hunting permits. Blackrock Ranches may charge an access fee for these permits.

(ii) **Elk Seasons:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Blackrock Ranches	6	Aug. 1 - March 31	Any Elk	Blackrock Ranches
Blackrock Ranches	2	Aug. 1 - March 31	Antlerless	Blackrock Ranches

(c) **Blackrock Ranches special hunting permits**

(i) Hunters must apply to the department for Blackrock Ranches' special hunting permits. To apply, hunters must have an eastside elk tag.

(ii) **Elk Seasons:**

Hunt Name	Permit Number	Weapon/Tag	Permit Season	Special Restrictions	Boundary Description
Blackrock Ranches	1	EF	Aug. 1 - March 31	Any Elk	Blackrock Ranches
Blackrock Ranches	1	EF	Aug. 1 - March 31	Antlerless Only	Blackrock Ranches
Blackrock Ranches	1	EF	Aug. 1 - March 31	Youth Only, Any Elk	Blackrock Ranches
Blackrock Ranches	1	EF	Aug. 1 - March 31	Youth Only, Antlerless Only	Blackrock Ranches

(6)(a) **Pine Mountain Ranch**

The Pine Mountain Ranch is located in Yakima County 14 miles west of Yakima. A legal description of the property is in the contract between the Pine Mountain Ranch and the department.

(b) **Pine Mountain Ranch landowner hunting permits**

(i) Pine Mountain Ranch's manager will distribute the ranch's landowner hunting permits. Pine Mountain Ranch may charge an access fee for these permits.

(ii) **Deer Seasons:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	3	Nov. ((40)) <u>7</u> - Dec. 31	Any Buck	Pine Mountain Ranch

(iii) **Elk Seasons:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	1	Aug. 1 - Dec. 31	Any Bull	Pine Mountain Ranch
Pine Mountain Ranch	2	Aug. 1 - Nov. ((9)) <u>6</u>	Antlerless	Pine Mountain Ranch

(c) **Pine Mountain Ranch special hunting permits**

(i) Hunters must apply to the department for Pine Mountain Ranch's special hunting permits.

(ii) **Deer Seasons:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	3	Nov. ((40)) <u>7</u> - Dec. 31	Youth Only, Any Buck	Pine Mountain Ranch

(iii) **Elk Seasons:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	1	Aug. 1 - Dec. 31	Youth Only, Any Bull	Pine Mountain Ranch

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	2	Aug. 1 - Nov. ((9)) <u>6</u>	Antlerless	Pine Mountain Ranch

(7)(a) **Bennett Lumber LHP**

(i) The Bennett Lumber property is located in Asotin, Columbia, Garfield, and Walla Walla counties (GMUs 154, 162, 166, 172, and 178). A legal description of the property is in the contract between Bennett Lumber and the department.

(ii) Special hunting permits are not issued by the department for the Bennett Lumber LHP. Instead, Bennett Lumber will be enrolling in the hunt by reservation program to provide regulated public access to all of their property. The landowner and the department will develop a framework for scheduling reservation hunts on the property which will result in hunting opportunity exceeding that which otherwise would be available using the standard allocation guidelines for LHPs.

(b) **Bennett Lumber landowner hunting permits**

(i) Bennett Lumber's manager will distribute the ranch's landowner hunting permits. Bennett Lumber may charge an access fee for these permits. Holders of the 10 antlerless elk permits are eligible to purchase second elk tags that may only be used on lands included in the Bennett Lumber LHP.

(ii) **Deer Seasons:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
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Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Bennett Lumber A	2	Nov. (7-19) <u>14-28</u>	Mule Deer, 3 pt. min	Bennett Lumber
Bennett Lumber B	4	Nov. (7-19) <u>14-28</u>	White-tailed, 3 pt. min	Bennett Lumber

(iii) **Elk Seasons:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Bennett Lumber A	((2)) <u>1</u>	Sept. 15-30	Any Bull	Bennett Lumber
Bennett Lumber B	5	Sept. 15-30	Antlerless	Bennett Lumber
Bennett Lumber C	5	((Oct. 31-Nov. 8)) <u>Nov. 14-28</u>	Antlerless	Bennett Lumber

(8)(a) **ZMI Ranch**

ZMI Ranch is located in northern Walla Walla County near Lyons Ferry (GMU 149).

(b) **ZMI Ranch landowner hunting permits**

(i) ZMI Ranch's manager will distribute the ranch's landowner hunting permits. ZMI Ranch may charge an access fee for these permits.

(ii) **Deer Seasons:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
ZMI A	3	((Oct. 28-Nov. 1)) <u>Oct. 26-30</u>	3 pt. min	ZMI
ZMI B	3	Nov. 14-30	3 pt. min	ZMI

(c) **ZMI Ranch special hunting permits**

(i) Hunters must apply to the department for ZMI Ranch's special hunting permits. Only hunters possessing a modern firearm deer tag are eligible for ZMI special permits. Hunters must contact ZMI Ranch's manager to schedule a hunt time. All hunters must check in and out with the landowner or their designee on the day they hunt.

(ii) **Deer Seasons:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
ZMI A	2	Nov. ((4-8)) <u>2-6</u>	3 pt. min	ZMI
ZMI B	6	Dec. ((5-13)) <u>3-11</u>	Antlerless	ZMI

(9)(a) **Columbia Plateau Wildlife Management Association**

(i) The Columbia Plateau Wildlife Management Association (CPWMA) landowner hunting permit area is located in Spokane County (GMU 130) near Turnbull National Wildlife Refuge. A legal description of the property is in the contract between the CPWMA and the department.

(ii) Landowner permit hunts are primarily damage hunts but are managed for a quality experience by keeping the number of hunters in the field low.

(b) **Columbia Plateau Wildlife Management Association landowner hunting permits**

(i) CPWMA's manager will distribute the association's landowner hunting permits. CPWMA will not charge an access fee for raffle permit winners. Only hunters possessing an elk tag are eligible for permits on CPWMA's properties. All successfully drawn permit applicants must have written authorization from CPWMA's manager and must check in and out with CPWMA's designee at the beginning and ending of the scheduled hunting dates. Successful applicants will receive a packet of information with forms to complete and a map showing the hunt area. These applicants must complete the forms and return them before September

30. Applicants should see CPWMA's web site at www.cpwma.org or contact the hunt manager at 509-263-4616. Holders of landowner permits selected through raffle, including 13 antlerless elk and 2 any elk permits, are eligible to purchase second elk tags that may only be used on lands included in the CPWMA LHP.

(ii) **Elk Seasons:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
CPWMA	2	Jan. 1 - Mar. 31	Antlerless	CPWMA
CPWMA Raffle 1	4	Jan. 1-31	Antlerless	CPWMA
CPWMA Raffle 2	4	Feb. 1-29 1-28	Antlerless	CPWMA
CPWMA Raffle 3	5	Mar. 1-31	Antlerless	CPWMA
CPWMA Raffle 4	2	Jan. 1-31	Any elk	CPWMA

(c) **Columbia Plateau Wildlife Management Association special hunting permits**

(i) Hunters must apply to the department for CPWMA's special hunting permits. All successfully drawn permit applicants must have written authorization from CPWMA's manager and must check in and out with CPWMA's designee at the beginning and ending of the scheduled hunting dates. Successful applicants will receive a packet of required information with forms to complete and a map showing the hunt area. These applicants must complete the forms and return them before September 30. Applicants should see CPWMA's web site at www.cpwma.org or contact the hunt manager at 509-263-4616.

(ii) **Elk Seasons:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
CPWMA 1	5	Jan. 1-31	Antlerless	CPWMA
CPWMA 2	5	Feb. 1-29 1-28	Antlerless	CPWMA
CPWMA 3	5	Mar. 1-31	Antlerless	CPWMA
CPWMA 4	1	Jan. 1-31	Any elk	CPWMA

[Statutory Authority: RCW 77.04.012, 77.04.055, 77.12.047, 77.12.150, and 77.12.240. WSR 15-10-031 (Order 15-94), § 232-28-296, filed 4/28/15, effective 5/29/15. Statutory Authority: RCW 77.12.047, 77.12.240, and 77.32.070. WSR 14-10-019 (Order 14-95), § 232-28-296, filed 4/25/14, effective 5/26/14; WSR 13-11-078 (Order 13-94), § 232-28-296, filed 5/16/13, effective 6/16/13. Statutory Authority: RCW 77.12.047. WSR 12-11-005 (Order 12-70), § 232-28-296, filed 5/2/12, effective 6/2/12.]

WAC 232-28-296 Landowner hunting permits.

RECOMMENDED ADJUSTMENTS

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Under the Columbia Plateau Wildlife Management Association landowner hunting permits:
For the CPWMA, Raffle 2 hunt, the dates were changed from Feb. 1-29 to Feb. 1-28. These changes were made because 2016 is not a leap year.

Page 31

Under the Columbia Plateau Wildlife Management Association special hunting permits:
For CPWMA2 hunt, the dates were changed from Feb. 1-29 to Feb. 1-28. These changes were made because 2016 is not a leap year.

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

WAC 232-28-296 Landowner Hunting Permits

Supporting Comments:

About 39% of the 75 comments received supported the proposed rule change. The majority of the comments appreciated the land access offered by these permits and asked that the program continue to be developed.

Opposing and Other Comments:

About 51% of the 75 comments received opposed the proposed rule change. Most recommended the program be discontinued and were concerned that only a select group of hunters were able to take advantage of the additional land access. Others did not want private landowners to be able to sell the permits.

Other comments were somewhere in the middle, with support for landowner permits for use by landowners, but opposition to landowners being able to sell the permits.

Direction and Rationale:

The rationale behind the Landowner Hunting Permit program is to increase public hunting on private lands which it is doing. The proposed changes to the Landowner Hunting Permit WAC are date changes. None of the comments received on this WAC required changes to the recommendations being made to the Fish and Wildlife Commission.



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 15-24-136 on 12/2/15 and WSR 15-22-107 on 11/4/15 ; 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 development and/or amendment of deer and elk seasons and permits; baiting regulations for deer and elk; deer and elk area boundaries; special closures and firearm restriction areas; importation of dead wildlife; possession of dead wildlife; reducing the spread of elk hoof disease; cougar seasons and regulations; spring black bear seasons and regulations; bighorn sheep seasons and permits; special hunting season permits; auction, raffle, and special incentive permits; landowner hunting permit program; hunting by persons with a disability; migratory waterfowl seasons, regulations, and closures; upland game bird and other small game seasons and regulations; hunter education deferrals; and other hunting regulations.

Hearing location(s):

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

Date: March 18-19, 2016 Time: 8:30 a.m.

Submit written comments to:

Online: http://wdfw.wa.gov/about/regulations/hunting_regulations
Name: Wildlife Program Commission Meeting Public Comments
Address: 600 Capitol Way North
Olympia, WA 98501-1091
e-mail: Wildthing@dfw.wa.gov
fax: (360) 902-2162 by (date) February 25, 2016

Assistance for persons with disabilities: Contact

Tami Lininger by February 26, 2016

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

Date of intended adoption: on or after April 8, 2016

(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: 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, 77.32.155.

Statute being implemented: 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, 77.32.155.

Is rule necessary because of a:

Federal Law? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes No
If yes, CITATION: Yes No
CFR Title 50, Part 20, Migratory Bird
Treaty Act

DATE
February 3, 2016

NAME (type or print)
Jacalyn Hursey

SIGNATURE *Jacalyn m. Hursey*

TITLE
Acting Rules Coordinator

CODE REVISER USE ONLY

**OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED**

DATE: February 03, 2016

TIME: 9:33 AM

WSR 16-04-126

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..... Nate Pamplin	Natural Resources Building, Olympia	(360) 902-2515
Implementation....Nate Pamplin	Natural Resources Building, Olympia	(360) 902-2515
Enforcement..... Steven Crown	Natural Resources Building, Olympia	(360) 902-2936

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 apply to recreational hunting and do not affect 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 does not involve hydraulics.

ATTACHMENT A

Existing Rules Proposed for Amendment

- WAC 232-12-021 Importation and retention of dead nonresident wildlife.
- WAC 232-12-228 Hunter education deferral.
- WAC 232-12-286 Reducing the spread of hoof disease—Unlawful transport of elk hooves.
- WAC 232-12-287 Possession of dead wildlife.
- WAC 232-12-828 Hunting of game birds and animals by persons with a disability.
- WAC 232-16-740 Columbia, Snake, and Yakima River waterfowl, coot, and snipe closures.
- WAC 232-28-248 Special closures and firearm restriction areas.
- WAC 232-28-283 Big game and wild turkey auction, raffle, and special incentive permits.
- WAC 232-28-286 2016, 2017, and 2018 Spring black bear seasons and regulations.
- WAC 232-28-296 Landowner hunting permits.
- WAC 232-28-297 2015-2016, 2016-2017 and 2017-2018 Cougar hunting seasons and regulations.
- WAC 232-28-337 Elk area descriptions.
- WAC 232-28-342 2015-16, 2016-17, 2017-18 Small game and other wildlife seasons and regulations.
- WAC 232-28-358 2015-2017 Elk general seasons and definitions.
- WAC 232-28-357 2015-2017 Deer general seasons and definitions.
- WAC 232-28-359 2015 Deer special permits.
- WAC 232-28-360 2016 Elk special permits.
- WAC 232-28-436 2015-2016 Migratory waterfowl seasons and regulations.
- WAC 232-28-622 2015-2017 Bighorn sheep seasons and permit quotas.
- WAC 232-28-624 Deer area descriptions.

New Rule(s) Proposed for Adoption

Department staff is requesting the Fish and Wildlife Commission to adopt one of the following three proposed rules.

- WAC 232-12-239 Baiting for the purposes of hunting deer or elk.
- WAC 232-12-245 Baiting for the purposes of hunting deer or elk.
- WAC 232-12-246 Bait volume limits for the purpose of hunting deer or elk.

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 purpose of the proposal is to add Michigan to the list of states and provinces requiring additional processing of deer, elk, and moose carcasses before they can be brought into Washington. The states and provinces listed in the WAC have confirmed chronic wasting disease (CWD) in their wild, free-ranging populations of cervids.

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 populations and hunting opportunities in Washington.

WAC 232-12-228 Hunter education deferral.

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

The proposed rule changes will remove language pertaining to outdated practices, clarify language, and allow the department (Hunter Education and Licensing Divisions) to provide improved customer service.

Reasons supporting proposal:

The existing rules contain outdated elements that are no longer implemented. The proposal will also enable a much higher level of customer service, including: additional payment methods for the hunter education deferral; reduction or elimination of mail costs and delays; elimination of original and replacement deferral cards; opportunity for immediate hunting license purchase; and minor rule clarifications. Department cost savings will be realized via a reduction in staff time to process deferral applications and fees and the reduction or elimination of mailing and printing costs.

WAC 232-12-239 Baiting for the purposes of hunting deer or elk.

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

The purpose of this proposal is to further the public discussion regarding hunting deer and elk using bait. If adopted the rule would make it unlawful to use bait to hunt deer or elk for all hunters.

Reasons supporting proposal:

In the last three years the Department has been approached by hunters and landowners that do not approve of the practice of baiting for the purposes of hunting deer or elk. Additional input was received as part of the 3-year hunting season package, public process in 2015.

The non-random input the Department received via the website during the 3-year package process indicated that 23% of hunters wanted a ban on baiting with an exception for food plots and agricultural operations. Fourteen percent (14%) of hunters wanted to disallow the use of bait by hunting guides and restrict the manner and volume of baiting by hunters not using guides. A 63% majority of the hunters commenting wanted no change to the rules pertaining to baiting deer and elk.

In a random telephone survey of deer hunters conducted as part of the 2015-17 3-year package, 59% either opposed or strongly opposed baiting for deer. Deer hunters that supported or strongly supported baiting for deer made up 21% of the respondents. Eleven percent (11%) of those surveyed were neutral and 9% didn't know.

In the same random telephone survey, 68% of elk hunters either opposed or strongly opposed baiting for elk. Elk hunters that supported or strongly supported using bait to hunt elk were 14%. Eleven percent (11%) of those surveyed were neutral and 8% didn't know.

Although some potential exists, the Department has no data at this time to suggest that the practice of baiting for deer and elk hunting has a negative population or natural resource effect.

The Fish and Wildlife Commission discussed this issue in March and April 2015 and decided to not make changes to the existing rule (baiting for deer and elk hunting is allowed). Since then, the Department has facilitated further discussion with a group of hunters interested in the issue. That group met several times over the past year. Through that process, and input received from the Game Management Advisory Council in 2015, it is clear that there is no consensus on this issue other than scents and natural agricultural practices should not be considered baiting. Members expressed several points of view ranging from banning all baiting for deer and elk hunting to retaining the ability to bait using any quantity. The committee discussed alternatives to the "all or none" scenario, which resulted in several options that will be presented to the Commission for discussion and possible decision. The Commission will consider options that range from banning all baiting to retaining all baiting, including two specific options that consider a volume limit on the amount of bait allowed.

WAC 232-12-245 Baiting for the purposes of hunting deer or elk.

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

The purpose of this proposal is to further the public discussion regarding hunting deer and elk using bait. If adopted the rule would make it unlawful to hunt deer or elk using bait in excess of 10 gallons and bait located closer than 200 yards from another bait site.

Reasons supporting proposal:

In the last three years the Department has been approached by hunters and landowners that do not approve of the practice of baiting for the purposes of hunting deer or elk. Additional input was received as part of the 3-year hunting season package, public process in 2015.

The non-random input the Department received via the website during the 3-year package process indicated that 23% of hunters wanted a ban on baiting with an exception for food plots and agricultural operations. Fourteen percent (14%) of hunters wanted to disallow the use of bait by hunting guides and restrict the manner and volume of baiting by hunters not using guides. A 63% majority of the hunters commenting wanted no change to the rules pertaining to baiting deer and elk.

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In the same random telephone survey, 68% of elk hunters either opposed or strongly opposed baiting for elk. Elk hunters that supported or strongly supported using bait to hunt elk were 14%. Eleven percent (11%) of those surveyed were neutral and 8% didn't know.

Although some potential exists, the Department has no data at this time to suggest that the practice of baiting for deer and elk hunting has a negative population or natural resource effect.

The Fish and Wildlife Commission discussed this issue in March and April 2015 and decided to not make changes to the existing rule (baiting for deer and elk hunting is allowed). Since then, the Department has facilitated further discussion with a group of hunters interested in the issue. That group met several times over the past year. Through that process, and input received from the Game Management Advisory Council in 2015, it is clear that there is no consensus on this issue other than scents and natural agricultural practices should not be considered baiting. Members expressed several points of view ranging from banning all baiting for deer and elk hunting to retaining the ability to bait using any quantity. The committee discussed alternatives to the "all or none" scenario, which resulted in several options that will be presented to the Commission for discussion and possible decision. The Commission will consider

options that range from banning all baiting to retaining all baiting, including two specific options that consider a volume limit on the amount of bait allowed.

WAC 232-12-246 Bait volume limits for the purpose of hunting deer or elk.

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

The purpose of this proposal is to further the public discussion regarding hunting deer and elk using bait. If adopted the rule would make it unlawful to hunt deer or elk using bait in excess of 10 gallons.

Reasons supporting proposal:

In the last three years the Department has been approached by hunters and landowners that do not approve of the practice of baiting for the purposes of hunting deer or elk. Additional input was received as part of the 3-year hunting season package, public process in 2015.

The non-random input the Department received via the website during the 3-year package process indicated that 23% of hunters wanted a ban on baiting with an exception for food plots and agricultural operations. Fourteen percent (14%) of hunters wanted to disallow the use of bait by hunting guides and restrict the manner and volume of baiting by hunters not using guides. A 63% majority of the hunters commenting wanted no change to the rules pertaining to baiting deer and elk.

In a random telephone survey of deer hunters conducted as part of the 2015-17 3-year package, 59% either opposed or strongly opposed baiting for deer. Deer hunters that supported or strongly supported baiting for deer made up 21% of the respondents. Eleven percent (11%) of those surveyed were neutral and 9% didn't know.

In the same random telephone survey, 68% of elk hunters either opposed or strongly opposed baiting for elk. Elk hunters that supported or strongly supported using bait to hunt elk were 14%. Eleven percent (11%) of those surveyed were neutral and 8% didn't know.

Although some potential exists, the Department has no data at this time to suggest that the practice of baiting for deer and elk hunting has a negative population or natural resource effect.

The Fish and Wildlife Commission discussed this issue in March and April 2015 and decided to not make changes to the existing rule (baiting for deer and elk hunting is allowed). Since then, the Department has facilitated further discussion with a group of hunters interested in the issue. That group met several times over the past year. Through that process, and input received from the Game Management Advisory Council in 2015, it is clear that there is no consensus on this issue other than scents and natural agricultural practices should not be considered baiting. Members expressed several points of view ranging from banning all baiting for deer and elk hunting to retaining the ability to bait using any quantity. The committee discussed alternatives to the "all or none" scenario, which resulted in several options that will be presented to the Commission for discussion and possible decision. The Commission will consider options that range from banning all baiting to retaining all baiting, including two specific options that consider a volume limit on the amount of bait allowed.

WAC 232-12-286 Reducing the spread of hoof disease—Unlawful transport of elk hooves.

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

The purpose of this proposal is to allow, under certain circumstances, the legal transport of elk hooves coming from GMUs with treponeme associated hoof disease. The amendment would help facilitate current research on treponeme associated hoof disease and make the emergency rule permanent.

Reasons supporting proposal: This proposal helps facilitate research on treponeme associated hoof disease in elk while also helping reduce the probability of the disease spreading.

WAC 232-12-287 Possession of dead wildlife.

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

Currently there is no legal way to salvage and possess deer, elk, or moose that have been killed by a motor vehicle. Per a request by the Fish and Wildlife Commission, the Department has investigated a strategy that would allow salvage and possession of those animals. The proposed amendments to WAC 232-12-287 would facilitate the legal salvage of road-killed deer and elk.

Reasons supporting proposal: This proposal would allow citizens to salvage meat from a deer or elk that has been killed in a vehicle collision.

WAC 232-12-828 Hunting of game birds and animals by persons with a disability.

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

The proposal is intended to reinstitute a rule that was deleted in 2014 related to shooting firearms from vehicles. The anticipated effects would be greater clarity for hunters and enforcement officers.

Reasons supporting proposal:

Currently, all hunters with disabilities are permitted to shoot from their vehicles under RCW 77.32.238. In 2014, WAC 232-12-828 provided language that described how hunters with disabilities can shoot from a vehicle. This language was removed in preparation for an RCW change that was anticipated in 2015. That RCW change never occurred. Hunters with disabilities currently do not have defined guidance for shooting from a vehicle. Recommended language addition reinstitutes how, when, and where hunters with disabilities may shoot from their vehicles. WDFW Enforcement staff and county prosecutors have requested more defined language. The proposed rule change is recommended to stay in rule until the RCW is changed.

WAC 232-16-740 Columbia, Snake, and Yakima River waterfowl, coot, and snipe closures.

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

The proposal amends WAC 232-16-740, Columbia, Snake, and Yakima River waterfowl, coot, and snipe closures, to correct an inaccurate boundary description for the closure on the Snake River contained in subsection 6.

Reasons supporting proposal:

Need to provide a clear, accurate description of the boundary for effective enforcement and conservation of migratory bird resources.

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

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

The purpose of the proposal is to change the Special Closures and Firearm Restriction Areas rule to clarify a restriction in Grays Harbor County. The restriction in question should only apply during modern firearm deer and elk seasons. The restriction is unnecessary during other times of the year. The restriction still allows hunting to be used as a management tool.

Reasons supporting proposal:

Special closures and firearm restriction areas allow the Fish and Wildlife Commission to restrict or close hunting activity in certain areas and during certain time periods to optimize safety, discourage trespass on restricted lands, and protect sensitive species.

WAC 232-28-283 Big game and wild turkey auction, raffle, and special incentive permits.

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

We are recommending a few minor changes to big game and wild turkey auction, raffle, and special incentive permits hunting for 2016: 1) A new "Three-deer auction permit", valid September 1 - December 31. 2) Allow the Department to extend the areas open to the holder of the single, statewide moose auction permit beyond those open to holders of moose draw permits. 3) Remove GMU 175 from areas available to the holder of the Rocky Mountain bighorn sheep raffle permit.

Reasons supporting proposal:

- 1) Increase hunter interest in deer hunting and provide additional revenue for the deer/elk section. This was suggested by a citizen group as likely to be attractive to hunters, and will help raise revenue and interest in deer hunting without adverse effects to the resource. This will complement the existing, three-deer raffle permit, which contains similar stipulations.
- 2) Increase revenue available to monitor moose populations. This was suggested by involved citizens as a way to enhance interest in moose and increase available revenue for moose. For the past 3 years, the Department has documented an expanding front of moose colonization to the west and south of the primary moose areas. We have not had resources to formally survey these areas, but know that there are a few large bull moose that could safely be harvested without interrupting this expansion. We recommend beginning with the auction permit, because hunters bidding for this generally do their own scouting, and thus can actually help us understand moose distribution in these areas.
- 3) GMU 175 represents the area typically used by the Asotin bighorn sheep herd. Although the herd appears to be slowly rebounding from a disease-related reduction, the number of mature rams has become sufficiently low to generate a biological concern. There are currently an insufficient number of rams in this herd to justify a ram hunt for 2016.

WAC 232-28-286 2016, 2017, and 2018 Spring black bear seasons and regulations.

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

The proposal is intended to establish harvest guidelines for 22 spring bear hunts around the state. The anticipated effects include timber damage or public safety mitigation and providing for hunting recreation within harvest levels described in the 2015-21 Game Management Plan.

Reasons supporting proposal:

Proposed harvest is anticipated to be consistent with the Game Management Plan. In addition, these proposals provide additional tools for landowners to deal with timber damage. Some proposals may help the agency address concerns over public safety.

WAC 232-28-296 Landowner hunting permits.

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

This proposal modifies hunt dates on properties enrolled in WDFW's Landowner Hunting Permit (LHP) program for the 2016 hunting seasons. These sites offer special hunting opportunities to the public through permits issued by WDFW, raffles, or selection by the landowner.

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 was 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 232-28-297 2015-2016, 2016-2017 and 2017-2018 Cougar hunting seasons and regulations.

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

This proposal includes three alternative options for modifying existing rules. The proposal establishes harvest guidelines for 50 cougar units around the state. Cougar guidelines are designed to provide a long season and hunting opportunity for hunters without the use of dogs (i.e., spot and stalking in snow and/or calling). The anticipated effects are harvest levels consistent with the game management plan, balancing hunting opportunity with sustainable cougar populations.

Reasons supporting proposal:

To provide early and late season hunting opportunity for hunters without the use of dogs (i.e., spot and stalking in snow and/or calling), while maintaining sustainable cougar populations.

WAC 232-28-337 Elk area descriptions.

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

One new Elk Area is being proposed for Asotin County. The proposed addition is intended to reduce agricultural damage.

A change to Elk Area 6054 in Pierce County is proposed. The purpose is to make the boundary more discernable and make hunts held in the Elk Area more effective at mitigating elk damage.

The proposed change to Elk Area 6064 in Grays Harbor and Jefferson Counties removes some public land that was unnecessarily included. The Elk Area was established due to safety concerns but the original boundary included some USFS lands where this concern does not exist.

The proposal removes one Elk Area (EA 6063) in Grays Harbor and Jefferson Counties that is no longer needed.

Reasons supporting proposal:

Elk Areas allow the Fish and Wildlife Commission to adopt hunting seasons that can be conducted at a smaller scale than the Game Management Unit. Setting seasons at this scale allows for more strategic wildlife management using hunting as a tool to control populations and mitigate wildlife conflict.

WAC 232-28-342 2015-16, 2016-17, 2017-18 Small game and other wildlife seasons and regulations.

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

The proposal amends WAC 232-28-342, 2015-16, 2016-17, 2017-18 Small game and other wildlife seasons and regulations, to specify legal season dates, bag limits, and open areas to hunt small game and other wildlife for the 2016-17 and 2017-18 hunting seasons. In this proposal HIP requirements are removed from WAC 232-28-342 and are included in WAC 232-28-436.

Reasons supporting proposal:

Minor modifications to WAC 232-28-342 are needed to provide additional recreational hunting opportunities for disabled hunters, and consolidate migratory game bird regulations due to changes in the federal regulatory process.

WAC 232-28-358 2015-2017 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 for 2016. The purpose is also to balance the elk hunting opportunity between user groups. The proposal also increases elk hunting opportunity when elk populations allow.

Reasons supporting proposal: This proposal provides for recreational elk hunting opportunity and protects elk from overharvest. The proposal would maintain sustainable general elk hunting season opportunities for 2016. The proposal helps address elk agricultural damage problems and provides for elk population control when needed.

WAC 232-28-357 2015-2017 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 for 2016. In addition, the purpose of the proposal is to balance the hunting opportunity between user groups. The proposal also increases the opportunity when deer populations allow, and reduces the opportunity when declining deer numbers warrant a change.

Reasons supporting proposal: These proposals provide for recreational deer hunting opportunity and protects deer from overharvest. The proposal would maintain sustainable general deer hunting season opportunities for 2016. The proposal helps address deer agricultural damage problems and provides for deer population control when needed.

WAC 232-28-359 2015 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 for 2016. In addition, the purpose of the proposal is to balance the hunting opportunity between user groups. The proposal also increases the opportunity when deer populations allow, and reduces the opportunity when declining deer numbers warrant a change.

Reasons supporting proposal: These proposals provide for recreational deer hunting opportunity and protects deer from overharvest. The proposal would also maintain sustainable deer special permit hunting season opportunities for 2016. The proposal helps address deer agricultural damage problems and provides for deer population control when needed.

WAC 232-28-360 2015 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 elk special permit hunting opportunity for 2016. The purpose is also to balance the elk hunting opportunity between user groups. The proposal also increases elk hunting opportunity when elk populations allow, and reduces elk hunting opportunity when declining elk numbers warrant a change. The proposal makes minor adjustments to season dates.

Reasons supporting proposal: This proposal provides for recreational elk hunting opportunity and protects elk from overharvest. The proposal would maintain sustainable elk special permit hunting opportunity for 2016. The proposal helps address elk agricultural damage problems and provides for elk population control when needed.

WAC 232-28-436 2015-2016 Migratory waterfowl seasons and regulations.

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

The proposal amends WAC 232-28-436, 2015-16 Migratory waterfowl seasons and regulations, to specify legal season dates, bag limits, and open areas to hunt waterfowl, coot, snipe, band-tailed pigeon, and mourning dove for the 2016-17 hunting season. In this proposal HIP requirements are removed from WAC 232-28-342 and are included in WAC 232-28-436.

Reasons supporting proposal:

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

WAC 232-28-622 2015-2017 Bighorn sheep seasons and permit quotas.

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

We are recommending a few minor changes to bighorn hunting for 2016: 1) Discontinuing ewe permits for the Selah Butte herd (which is declining); 2) Adding ewe permits for the Cleman Mountain herd (which is over-abundant); 3) Adding ram permit opportunity for the Swakane and Chelan Butte herds; 4) Adding ewe permits for disabled hunters, as well as a new category of "immature ram" for disabled hunters, both in the Chelan Butte bighorn sheep herd; and 5) making minor adjustments to season dates.

Reasons supporting proposal:

Maintain population size and hunter opportunity and reduce the risk of bacterial infection from domestic sheep/goats by reducing the tendency of animals in over-abundant herds to foray from their core ranges.

WAC 232-28-624 Deer area descriptions.

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

The proposed changes to the Deer Area Descriptions rule will create three new Deer Areas: one each in Chelan, Kittitas, and Yakima Counties. The proposed additions will accommodate using hunting as a management tool and are intended to reduce agricultural damage in these locations.

Reasons supporting proposal:

Deer Areas allow the Fish and Wildlife Commission to adopt hunting seasons that can be conducted at a smaller scale than the Game Management Unit. Setting seasons at this scale allows for more strategic wildlife management, using hunting as a tool to control populations and mitigate wildlife conflict.