

# **Migratory Waterfowl Seasons and Regulations**

WAC 220-413-100 and WAC 220-416-060

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## Summary Sheet

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<b>Meeting dates:</b>	April 13-14, 2018
<b>Agenda item:</b>	Migratory Waterfowl Seasons and Regulations - <b>Decision</b>
<b>Presenter(s):</b>	Kyle Spragens, Waterfowl Section Manager, Game Division, Wildlife Program

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### **Background summary:**

Staff briefed the Fish and Wildlife Commission at the March Commission meeting in Wenatchee regarding the proposed amendments to WAC 220-416-060 2018-2019 Migratory waterfowl seasons and regulations and WAC 220-413-100 Mandatory report of hunting activity.

Migratory waterfowl season frameworks are established through ongoing interagency management programs involving U.S. Fish and Wildlife Service (USFWS) and flyway organizations, including input from Canada, Russia, and Mexico. Federal frameworks include maximum bag limits, season lengths, season timing, and other regulations. Pacific Flyway season frameworks follow harvest strategies and management plans that have been developed cooperatively by USFWS and the Pacific Flyway Council. All states adopt waterfowl seasons within federal frameworks, and in many cases, they are more restrictive to address regional conservation needs.

Management agencies utilize Adaptive Harvest Management (AHM) to establish duck season frameworks. AHM relies on annual survey information and population models to prescribe optimal regulation packages each year. The population of ducks in the western part of North America is managed separately from the eastern flyways, as part of the models developed for western mallard AHM. Western mallard AHM uses results from breeding surveys and other information from western areas rather than from the Canadian prairies, recognizing differences in Pacific Flyway breeding areas. The season packages proposed for western mallard AHM are the same as developed under mid-continent mallard AHM (liberal, moderate, and restrictive), although different models are used to prescribe annual packages.

In 2017, most duck populations continued to benefit from good to excellent wetland conditions in major breeding areas, particularly in Washington State. Northern Pintail status improved over last year's poor breeding conditions in southern Alberta, remaining below population objective, but triggered an increase to a daily bag limit of two (2) pintail. Most goose populations are at or above Pacific Flyway management plan objective levels, most notably a continued population increase in Wrangel Island Snow Goose that winter in Washington, prompting proposed 12-days of hunting be moved into February in Goose Management Area 1 (Skagit and Snohomish counties), while maintaining a daily bag limit of six (6) white geese. Finally, goose hunting zone and season date structure in Goose Management Area 2 (Clark, Cowlitz, Wahkiakum, Pacific, and Grays Harbor counties) has been addressed by being split into two zones, GMA2-Coast which includes Pacific County and the portion of Grays Harbor County west of highway-101; and GMA2-Inland which includes Clark, Cowlitz, and Wahkiakum counties and the portion of Grays Harbor County east of highway-101. Under this modified zonation, GMA2-Coast will emphasize opportunity earlier in the goose hunting season, whereas GMA2-Inland will emphasize opportunity later in the goose hunting season to help address agricultural depredation concerns.

Finally, to better monitor total Canada goose harvest in GMA2-Coast and Inland zones, a mandatory harvest report will be required and reporting dates will be addressed in WAC 220-413-100. All hunters who purchase a migratory bird authorization must report their hunting activity for each harvest record card issued. However, two proposed amendments of WAC 220-

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416-060 2018-2019 Migratory waterfowl seasons and regulations, require changing the February 15 deadline date. The proposal to move 12-days of the snow goose hunting season in Goose Management Area 1 (Skagit and Snohomish counties) would have the goose season ending in late February (February 20, 2019). Additionally, the requirement of a mandatory harvest report for goose hunting in Goose Management Area 2-Coast and Inland (Clark, Cowlitz, Grays Harbor, Pacific and Wahkiakum counties) has to accommodate goose hunting seasons that can extend to March 10 in some years. Therefore, the proposed amendment would change the reporting deadline for brant, sea duck, snow goose, and the proposed SW Canada Goose harvest record cards to March 20 (from February 15) following the season for which the harvest card was issued.

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**Staff recommendation:**

Waterfowl Section recommends adoption of the 2018-2019 Migratory birds seasons and regulations that have presented:

- 1) 2-day youth hunts on different weekends (West Zone = Sept. 22-23, 2018; East Zone = Sept 29-30,2018); additionally White-fronted Goose is added to the list of acceptable take during these weekends.
- 2) An increase in the pintail daily bag limit to two (2) pintail per day, per the Pintail Harvest Strategy.
- 3) Scaup season remains at 86-days.
- 4) A split snow goose season in Goose Management Area 1, allowing a 12-day period Feb. 9-20, 2019 to be open to snow goose harvest only. During this period specified WDFW lands in Skagit and Snohomish counties are closed, and that portion of Snohomish County east of Interstate-5 is closed.
- 5) Goose Management Area 2 will be split into two zones; GMA2 – Inland and GMA2 – Coast to address differences in goose hunting opportunities presented by land practice differences in these two regions, while maintaining conservation considerations for the closed Dusky Canada goose. GMA2 – Inland will follow similar season structure to the 2017-2018 season. GMA2 – Coast will de-emphasize dates in the third late period (Feb-Mar). A mandatory harvest report card will now be required to better track total harvest of Canada/Cackling goose in GMA2.
- 6) Changes in goose hunting season dates in GMA1 and GMA 2- Inland and Coast require a change in the mandatory harvest card reporting date to March 20 for all waterfowl deadlines (brant, sea duck, snow goose, Southwest Canada goose).
- 7) Finally, extended falconry season dates will be made available during the same weekends as youth waterfowl hunts; West = Sept. 22-23, 2018 and East Zone = Sept. 29-30, 2018, with the same allowable harvest list including: ducks, coot, Canada geese and White-fronted geese.

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

- Establishing waterfowl hunting seasons within frameworks established by the U.S. Fish and Wildlife Service, including continuation of a 107-day season for ducks.
- Modifying mandatory report dates related to goose hunting seasons modified under WAC 220-416-060.

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**Fiscal impacts of agency implementation:**

None, the requirement of a special species authorization is already mandated for goose hunters in Southwest Washington (GMA2), this just requires a record card. As a result, we have moved the reporting deadline for all waterfowl-related harvest reports to March 20.

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

The department conducted an extensive public involvement process to develop the 2018-2020 hunting season proposals. Six open house, public meetings were conducted throughout the state in July and August of 2017, to discuss a variety of issues with constituents. Concurrently, the public was asked to provide input on hunting seasons via the department website for a 6-week time period. Additionally, these individuals and organizations were informed of the opportunity to provide verbal testimony at the March 16-17, 2018 Commission meeting in Wenatchee.

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

Amend WAC 220-416-060 and WAC 220-413-100 as presented.

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**Draft motion language:**

Motion: I move to adopt WAC 220-416-060 2018-2019 WAC 220-413-100 as presented.

Is there a "second"?

If so, then motion maker discusses basis for motion; other Commissioners discuss views on motion; amendments, if any, proposed and addressed.

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**Post decision communications plan:**

WDFW Website  
News Releases  
Hunting Pamphlet

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*Form revised 2-15-18*

**WAC 220-413-100 Mandatory report of hunting activity.** (1) All hunters purchasing a hunting license must report their hunting activity for deer, elk, bear, or turkey.

(a) Hunters must report hunting activity, for each tag and permit acquired, by January 31 or within 10 days after the close of an eligible hunt, whichever date is later.

(b) Reports must be made using the department's designated automated telephone hunter reporting system (toll free) or internet hunter reporting system.

(c) A hunter who fails to report hunting activity, for each tag and permit acquired, by the reporting deadline is in violation of reporting requirements.

(d) Compliance will be credited for each transport tag and permit acquired.

(2) As an incentive for prompt reporting, all hunters who report by midnight January 10 or within 10 days after the last day of their permit hunt will be entered into a drawing for special deer and elk incentive permits. To be eligible for the drawing, hunters must report their hunting activity for each transport tag and permit acquired.

(3) A hunter who fails to report hunting activity by the reporting deadline for deer, elk, bear, or turkey tags and permits acquired the previous year will be required to pay a \$10 administrative fee at the time a new license that includes deer, elk, bear, or turkey tags is issued.

(4) All hunters who purchase a migratory bird authorization must report their hunting activity for each harvest record card issued.

(a) Hunters must report harvest information from band-tailed pigeon harvest record cards by September 30 following the season for which the harvest card was issued. Hunters must report harvest information from brant, sea duck, ~~((and))~~ snow goose, and SW Canada goose (Goose Management Area 2 Coast and Inland) harvest record cards by ~~((February 15))~~ March 20 following the season for which the harvest card was issued.

(b) Hunters must report migratory bird hunting activity ~~((by mailing all harvest record cards to the department at: 600 Capitol Way N, Olympia, WA 98501, or by reporting harvest information))~~ at the department's designated internet site listed on the harvest record card, or by mailing all harvest record cards to the department at: P.O. Box 43141, Olympia, WA 98504.

(c) Any hunter who fails to report, for each harvest record card acquired, by the reporting deadlines is in violation of reporting requirements.

(d) Compliance will be credited for each harvest record card acquired.

(5) A hunter who fails to report hunting activity by the reporting deadlines for band-tailed pigeon, brant, sea duck, ~~((or))~~ snow goose, or SW Canada goose harvest record card acquired in the previous hunting season must pay a ten-dollar administrative fee at the time a new migratory bird authorization and harvest record card is issued.

(6) A hunter may only be required to pay a maximum of one ten-dollar administrative fee for all game species reporting violations during a license year.

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

WAC 220-413-100 Mandatory report of hunting activity.

### **Supporting Comments:**

There were 14 comments submitted for this WAC proposal. Seven (7) comments generally agreed with the proposal. Five (5) of these individuals expanded on their input and stated they were in support and expressed it was better to have a later deadline allowing more time to file the report.

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

There were two (2) opposing comments submitted for this WAC proposal. Only one (1) of these individuals expanded on their input asking, “Why we are requiring additional reporting for goose hunters?” There were five (5) comments submitted that took a neutral stance on the proposed recommendations. One of these individuals implied it was a financial increase being proposed; representing a misunderstanding of the proposal.

### **Direction and Rationale:**

The moving of the mandatory reporting date to a later date to accommodate extended goose seasons should help reduce the number of late fees incurred. Goose hunters already purchase species authorizations for snow geese in Goose Management Area 1 and Southwest Canada Geese in Goose Management Area 2, therefore there is no additional fee to this proposal. Finally, the requirement of a report card for Goose Management Area 2 Coast and Inland is the only way to assess potential management alternatives for consideration in future seasons. The department will move forward with the recommendations to the Fish and Wildlife Commission.

AMENDATORY SECTION (Amending WSR 17-10-076, filed 5/3/17, effective 6/3/17)

**WAC 220-416-060 ((2017-2018)) 2018-2019 Migratory waterfowl seasons and regulations.** Hunters must comply with the bag, possession, and season limits described in this section. Failure to do so constitutes a violation of RCW 77.15.245, 77.15.400, or 77.15.430, depending on the species hunted and the circumstances of the violation.

DUCKS

**Statewide:** Oct. ((14-18, 2017 and Oct. 21, 2017—Jan. 28, 2018)) 13-31, 2018 and Nov. 3, 2018 - Jan. 27, 2019; except scaup season closed Oct. ((14—Nov. 3, 2017)) 13 - Nov. 2, 2018.

Special youth hunting weekend open only to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is not hunting): Sept. ((16-17, 2017)) 15-16, 2018 22-23, 2018 in Western Washington (West Zone). Sept. 29-30, 2018 in Eastern Washington (East Zone).

Daily Bag Limit: 7 ducks, to include not more than 2 hen mallard, ((±)) 2 pintail, 3 scaup, 2 canvasback, and 2 redhead statewide; and to include not more than 1 harlequin, 2 scoter, 2 long-tailed duck, and 2 goldeneye in Western Washington.

Possession Limit for Regular Season: 21 ducks, to include not more than 6 hen mallard, (~~3~~) 6 pintail, 9 scaup, 6 canvasback, and 6 red-head statewide; and to include not more than 1 harlequin, 6 scoter, 6 long-tailed duck, and 6 goldeneye in Western Washington.

Possession Limit for Youth Hunting Weekend: 14 ducks, to include not more than 4 hen mallard, (~~2~~) 4 pintail, 6 scaup, 4 canvasback, and 4 redhead statewide; and to include not more than 1 harlequin, 4 scoter, 4 long-tailed duck, and 4 goldeneye in Western Washington.

Season Limit: 1 harlequin in Western Washington.

**AUTHORIZATION AND HARVEST RECORD CARD REQUIRED TO HUNT SEA DUCKS**

Hunters must possess a special (~~2017-2018~~) 2018-2019 hunting authorization and harvest record card for sea ducks when hunting harlequin, scoter, long-tailed duck, and goldeneye in Western Washington. A hunter who has not previously possessed a sea duck harvest report card must submit an application form to Washington state department of fish and wildlife (WDFW). Immediately after taking a sea duck into possession, hunters must record in ink the information required on the harvest record card.

**COOT (Mudhen)**

Same areas and dates (including youth hunting weekend) as the duck season.



Daily Bag Limit: 25 coots.

Possession Limit: 75 coots.

Possession Limit for Youth Hunting Weekend: 50 coots.

**SNIPE**

Same areas and dates (except youth hunting weekend) as the duck season.

Daily Bag Limit: 8 snipe.

Possession Limit: 24 snipe.

**GEESE (except Brant)**

Special youth hunting weekend open only to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is

not hunting): Sept. (~~16-17, 2017~~) ~~15-16, 2018, statewide.~~ 22-23, 2018 in Western Washington (West Zone). Sept. 29-30, 2018 in Eastern Washington (East Zone).

Daily Bag Limit: 4 Canada geese and 10 white-fronted geese.

Possession Limit: 8 Canada geese and 20 white-fronted geese.

**Western Washington Goose Seasons**

Goose Management Area 1: Island, Skagit, and Snohomish counties.

September Canada Goose Season

Sept. (~~9-14, 2017~~) 8-13, 2018.

Daily Bag Limit: 5 Canada geese.

Possession Limit: 15 Canada geese.

Regular Season

Oct. 13 - Nov. 25, 2018, and Dec. 8, 2018 - Jan. 27, 2019 for Canada and white-fronted geese (except brant). ~~Oct. ((14, 2017 - Jan. 28, 2018,))~~ 13 - Nov. 25, 2018, Dec. 8, 2018 - Jan. 27, 2019, and Feb. 16 - 27, 2019 9 - 20, 2019 for snow, Ross', and blue (~~(, and white fronted geese. Oct. 14-26, 2017 and Nov. 4, 2017 - Jan. 28, 2018, for other))~~ geese (collectively referred to as white geese). During Feb. ~~16-27, 2019~~ 9-20, 2019 in Skagit and Snohomish counties, specified WDFW lands including Fir Island Farm Game Reserve, Island Unit, Johnson DeBay's Slough Swan Reserve and Hunt Unit, Leque Island, Samish, Samish River, South Padilla Bay, and Skagit Headquarters Units of the Skagit Wildlife Area are closed to goose hunting in Goose Management Area 1. During Feb. 9-20, 2019 in Snohomish County, that portion of east of Interstate 5 is closed to goose hunting in Goose Management Area 1. ~~Oct. 13 - Nov. 25, 2018, and Dec. 8, 2018 - Jan. 27, 2019 for Canada and white-fronted geese (except brant).~~

Daily Bag Limit: 4 Canada geese (~~(except dusky Canada geese which are closed to harvest))~~), 10 white-fronted geese, and 6 white geese (snow, Ross', blue).

Possession Limit: 12 Canada geese (~~((except dusky Canada geese which are closed to harvest))~~), 30 white-fronted geese, and 18 white geese (snow, Ross', blue).

**AUTHORIZATION AND HARVEST RECORD CARD REQUIRED TO HUNT SNOW GEESE**

Hunters must possess a special (~~(2017-2018)~~) 2018-2019 migratory bird hunting authorization and harvest record card for snow geese when hunting snow, Ross', and blue geese in Goose Management Area 1. A hunter who has not previously possessed a snow goose harvest report card must submit an application form to Washington state department of fish and wildlife (WDFW). Immediately after taking a snow, Ross', or blue goose into possession, hunters must record in ink the information required on the harvest record card.

**SKAGIT COUNTY SPECIAL RESTRICTIONS**

It is unlawful to discharge a firearm for the purpose of hunting waterfowl within 100 feet of any paved public road on Fir Island in Skagit County or to discharge a firearm for the purpose of hunting snow geese within 100 feet of any paved public road in other areas of Skagit County.

While hunting snow geese, if a hunter is convicted of (a) trespass; (b) shooting from, across, or along the maintained part of any public highway; (c) discharging a firearm for the purpose of hunting water-

fowl within 100 feet of any paved public road on Fir Island in Skagit County or discharging a firearm within 100 feet of any paved public road for the purpose of hunting snow geese in other areas of Skagit County; or (d) exceeding the daily bag limit for geese, authorization will be invalidated for the remainder of the current snow goose season and an authorization will not be issued for the subsequent snow goose season.

**Goose Management Area 2** (~~(Clark, Cowlitz, Grays Harbor, Pacific and Wahkiakum counties.)~~) - **Coast:** Pacific County and the portion of Grays Harbor County west of highway 101.

September Canada Goose Season

Sept. 1-9, 2018.

Daily Bag Limit: 5 Canada geese, except 15 Canada geese in Pacific County.

Possession Limit: 15 Canada geese, except 45 Canada geese in Pacific County.

Regular Season

Open in all areas from 30 minutes after the start of official hunting hours to 30 minutes before the end of official hunting hours, 7 days per week during Oct. 13-28, 2018; Saturdays, Sundays, and Wednesdays only, Nov. 1 - Dec. 2, 2018, Dec. 22 - Jan. 20, 2019; and Feb. 2-16,

2019. During Feb. 2-16, 2019, U.S. Fish and Wildlife Service National Wildlife Refuges (NWRs) and WDFW Wildlife Areas are closed to goose hunting in Goose Management Area 2 - Coast.

Bag Limits for Goose Management Area 2 - Coast:

Daily Bag Limit: 4 Canada geese (except dusky Canada geese which are closed to harvest), 10 white-fronted geese, and 6 white geese (snow, Ross', blue).

Possession Limit: 12 Canada geese (except dusky Canada geese which are closed to harvest), 30 white-fronted geese, and 18 white geese (snow, Ross', blue).

Dusky Canada geese: SEASON CLOSED.

**Goose Management Area 2 - Inland:** Clark, Cowlitz, Wahkiakum counties and the portion of Grays Harbor County east of highway 101.

September Canada Goose Season

Sept. (~~(2-10, 2017)~~) 1-9, 2018.

Daily Bag Limit: 5 Canada geese(~~(, except 15 Canada geese in Pacific County)~~)).

Possession Limit: 15 Canada geese(~~(, except 45 Canada geese in Pacific County)~~)).

Regular Season

Open in all areas except Ridgefield NWR from 30 minutes after the start of official hunting hours to 30 minutes before the end of official hunting hours, 7 days per week during Oct. (~~((14-29, 2017))~~) 13-28, 2018; Saturdays, Sundays, and Wednesdays only, Nov. (~~((25, 2017 - Jan. 14, 2018; and Feb. 10 - Mar. 10, 2018.~~ During ~~Feb. 10 - Mar. 10, 2018))~~) 24, 2018 - Jan. 13, 2019; and Feb. 9 - Mar. 9, 2019. During Feb. 9 - Mar. 9, 2019, U.S. Fish and Wildlife Service National Wildlife Refuges (NWRs) and WDFW Wildlife Areas are closed to goose hunting in Goose Management Area 2 - Inland. Ridgefield NWR open from 30 minutes after the start of official hunting hours to 30 minutes before the end of official hunting hours, Tuesdays, Thursdays, and Saturdays only, Oct. (~~((14-21, 2017 and Nov. 25, 2017 - Jan. 13, 2018))~~) 13-28, 2018 and Nov. 24, 2018 - Jan. 12, 2019.

Bag Limits for Goose Management Area 2 - Inland:

Daily Bag Limit: 4 Canada geese (except dusky Canada geese which are closed to harvest), 10 white-fronted geese, and 6 white geese (snow, Ross', blue).

Possession Limit: 12 Canada geese (except dusky Canada geese which are closed to harvest), 30 white-fronted geese, and 18 white geese (snow, Ross', blue).

Dusky Canada geese: SEASON CLOSED.

**Special Provisions for Goose Management Area 2 Coast and Inland Regular Season only:**

A dusky Canada goose is defined as a dark-breasted (as shown in the Munsell color chart 10 YR, 5 or less) Canada goose with a culmen (bill) length of 40-50 mm.

Hunters must possess a valid special (~~((2017-2018))~~) 2018-2019 migratory bird hunting authorization (~~((for))~~) and harvest record card for geese when hunting all goose species in Goose Management Area 2 (~~((when hunting geese in Goose Management Area 2))~~) Coast and Inland. New hunters and those who did not maintain a valid (~~((2016-2017))~~) 2017-2018 authorization must review goose identification training materials and score a minimum of 80% on a goose identification test to receive authorization. Hunters who fail a test must wait 28 days before retesting, and will not be issued a reciprocal authorization until that time. Immediately after taking a goose into possession, hunters must record in ink the information required on the harvest record card.

It is unlawful for hunters in Goose Management Area 2 Coast and Inland to fail to comply with the directions of authorized department personnel related to the collection of goose subspecies information pursuant to RCW 77.12.071. A person who prevents department personnel from collecting samples of tissue or other bodily parts is subject to prosecu-

tion under RCW 77.15.360 Unlawful interfering in department operations—Penalty. If a hunter takes a dusky Canada goose or does not comply with requirements listed above regarding WDFW collection of subspecies information, authorization will be invalidated by the department and the hunter will not be able to hunt geese in Goose Management Area 2 Coast and Inland for the remainder of the season. It is unlawful to fail to comply with all provisions listed above for Goose Management Area 2 Coast and Inland. Taking one dusky Canada goose is punishable as an infraction under RCW 77.15.160 (5)(b). Other violations of Area 2 goose hunting rules are punishable as an infraction under RCW 77.15.160 (2)(e) or as a misdemeanor or gross misdemeanor under RCW 77.15.400 unlawful hunting of wild birds, depending on the circumstances of the violation.

### **Goose Management Area 3**

Includes all parts of Western Washington not included in Goose Management Areas 1 and 2.

September Canada Goose Season

Sept. (~~9-14, 2017~~) 8-13, 2018.

Daily Bag Limit: 5 Canada geese.

Possession Limit: 15 Canada geese.

Regular Season



Oct. (~~(14-26, 2017 and Nov. 4, 2017 - Jan. 28, 2018)~~) 13-25, 2018 and Nov. 3, 2018 - Jan. 27, 2019.

Daily Bag Limit: 4 Canada geese (except dusky Canada geese which are closed to harvest), 10 white-fronted geese, and 6 white geese (snow, Ross', blue).

Possession Limit: 12 Canada geese (except dusky Canada geese which are closed to harvest), 30 white-fronted geese, and 18 white geese (snow, Ross', blue).

#### **Eastern Washington Goose Seasons**

September Canada Goose Season (Eastern Washington)

Sept. (~~(9-10, 2017)~~) 8-9, 2018.

Daily Bag Limit: 5 Canada geese.

Possession Limit: 10 Canada geese.

#### **Goose Management Area 4**

Adams, Benton, Chelan, Douglas, Franklin, Grant, Kittitas, Lincoln, Okanogan, Spokane, and Walla Walla counties.

Saturdays, Sundays, and Wednesdays only during Oct. (~~(14, 2017 - Jan.~~

~~21, 2018; Nov. 10, 23, and 24, 2017; Dec. 25, 26, 28, and 29, 2017;~~

~~Jan. 15, 2018)~~ 13, 2018 - Jan. 20, 2019; [Additionally, to accommodate opportunity during recognized holiday periods, the 2018-2019 season](#)

will include: Nov. 12, 22, and 23, 2018; Dec. 24, 25, 27, and 28, 2018; Jan. 1, 2019; and every day Jan. (~~22-28, 2018~~) 21-27, 2019.

### **Goose Management Area 5**

Includes all parts of Eastern Washington not included in Goose Management Area 4.

Oct. (~~14-16, 2017~~) 13-29, 2018 and every day from (~~Oct. 21, 2017—Jan. 28, 2018~~) Nov. 3, 2018 - Jan. 27, 2019.

Bag Limits for all Eastern Washington Goose Management Areas during regular seasons:

Daily Bag Limit: 4 Canada geese (~~(except dusky Canada geese which are closed to harvest)~~), 10 white-fronted geese, and 6 white geese (snow, Ross', blue).

Possession Limit: 12 Canada geese (~~(except dusky Canada geese which are closed to harvest)~~), 30 white-fronted geese, and 18 white geese (snow, Ross', blue).

### **BRANT**

Open in Skagit County only on the following dates: Jan. (~~6, 7, 10, 13, 14, 17, 20, and 21, 2018~~) 12, 13, 16, 19, 20, 23, 26, and 27, 2019.

If the (~~2017-2018~~) 2018-2019 preseason brant population in Skagit County is 3,000-6,000 (as determined by the midwinter waterfowl sur-

vey), the brant season in Skagit County will be open only on the following dates: Jan. (~~(6, 10, and 13, 2018)~~) 12, 16, and 19, 2019.

If the (~~(2017-2018)~~) 2018-2019 preseason brant population in Skagit County is below 3,000 (as determined by the midwinter waterfowl survey), the brant season in Skagit County will be canceled.

Open in Clallam and Whatcom counties only on the following dates: Jan. (~~(6, 10, and 13, 2018)~~) 12, 16, and 19, 2019.

Open in Pacific County only on the following dates: Jan. (~~(6, 7, 9, 11, 13, 14, 16, 18, 20, and 21, 2018)~~) 12, 13, 15, 17, 19, 20, 22, 24, 26, and 27, 2019.

**AUTHORIZATION AND HARVEST RECORD CARD REQUIRED TO HUNT BRANT**

Hunters must possess a special (~~(2017-2018)~~) 2018-2019 migratory bird hunting authorization and harvest record card for brant when hunting brant. A hunter who has not previously possessed a brant harvest report card must submit an application form to Washington state department of fish and wildlife (WDFW). Immediately after taking a brant into possession, hunters must record in ink the information required on the harvest record card.

Bag Limits for Clallam, Skagit, Pacific and Whatcom counties:

Daily Bag Limit: 2 brant.

Possession Limit: 6 brant.

SWANS

Season closed statewide.

MOURNING DOVE

Sept. 1 - Oct. 30, ((2017)) 2018, statewide.

Daily Bag Limit: 15 mourning doves.

Possession Limit: 45 mourning doves.

BAND-TAILED PIGEON

Sept. 15-23, ((2017)) 2018, statewide.

Daily Bag Limit: 2 band-tailed pigeons.

Possession Limit: 6 band-tailed pigeons.

AUTHORIZATION AND HARVEST RECORD CARD REQUIRED TO HUNT BAND-TAILED PIGEONS

Hunters must possess a special ((2017-2018)) 2018-2019 migratory bird hunting authorization and harvest record card for band-tailed pigeons when hunting band-tailed pigeons. A hunter who has not previously possessed a band-tailed pigeon harvest report card must submit an application form to Washington state department of fish and wildlife (WDFW). Immediately after taking a band-tailed pigeon into possession, hunters must record in ink the information required on the harvest record card.

FALCONRY SEASONS

DUCKS, COOTS, SNIPE, GEESE, AND MOURNING DOVES (EXCEPT BRANT) (**Falconry**)

Same season dates for each species in each area as listed above.

Daily Bag Limit: 3, straight or mixed bag, including ducks, coots, snipe, geese, and mourning doves during established seasons.

Possession Limit: 3 times the daily bag limit.

DUCKS, COOTS, CANADA GEESE, AND WHITE-FRONTED GEESE (EXCEPT BRANT AND WHITE GEESE) (Extended Falconry)

Sept. 22-23, 2018 in Western Washington (West Zone).

Sept. 29-30, 2018 in Eastern Washington (East Zone).

Daily Bag Limit: 3, straight or mixed bag, including ducks, coots, Canada geese and white-fronted geese following special youth weekend allowable species.

Possession Limit: 2 times the daily bag limit.

**MOURNING DOVE (Extended Falconry)**

Oct. 31 - Dec. 16, ((2017)) 2018.

Daily Bag Limit: 3, straight or mixed bag, including ducks, coots, snipe, and geese during established seasons.

Possession Limit: 3 times the daily bag limit.

**HIP REQUIREMENTS:**

All hunters of migratory game birds (duck, goose, coot, snipe, mourning dove, and band-tailed pigeon) age 16 and over are required to com-

plete 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 Washington migratory bird permit (free for youth) as evidence of compliance with this requirement when hunting migratory game birds.

[Statutory Authority: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.047, 77.12.150, 77.12.240, 77.12.800, 77.32.090. WSR 17-10-076 (Order 17-10), amended and recodified as § 220-416-060, filed 5/3/17, effective 6/3/17. Statutory Authority: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.047, 77.12.150, 77.12.240, 77.12.800, 77.32.090, and 77.32.155. WSR 16-12-087, § 232-28-436, filed 5/31/16, effective 7/1/16. Statutory Authority: RCW 77.04.012, 77.04.055, 77.12.047, and 77.32.070. WSR 15-18-032 (Order 15-275), § 232-28-436, filed 8/25/15, effective 9/25/15; WSR 14-17-081 (Order 14-213), § 232-28-436, filed 8/18/14, effective 9/18/14. Statutory Authority: RCW 77.12.047, 77.12.240, 77.32.070. WSR 13-17-083 (Order 13-186), § 232-28-436, filed 8/19/13, effective 9/19/13. Statutory Authority: RCW 77.04.012, 77.04.055, 77.12.047, 77.32.070, and C.F.R. Title 50, Part 20; Migratory Bird Treaty Act. WSR 12-18-001 (Order 12-191), § 232-28-436, filed 8/22/12, effective 9/22/12.]

## **RECOMMENDED ADJUSTMENTS**

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

### **Page 6**

- Change: Under Ducks, special youth waterfowl hunting weekend, change the dates from Sept. 15-16, 2018 to September 22-23, 2018 in Western Washington (West Zone) and September 29-30, 2018 in Eastern Washington (East Zone).

Rationale: Mid-September precedes the first flights of migrant waterfowl into Washington State. This date change also provides more time between Septembers Canada goose season dates and youth weekend (for example, GMA1 ends Sept. 13, 2018) as well as aligning the migration period of Greater White-fronted Geese (now to be included as legal species during the Youth Waterfowl Hunt Weekend). Additionally, habitat managers have a hard time meeting a mid-September flood-up date to provide opportunities on public lands (federal and state). Therefore, in an effort to provide a better first opportunity to youth waterfowl hunters and to provide the opportunity for experiences on both the west and east side of the state in a given year, this change is expected to yield a better first experience opportunity to a new generation of waterfowl hunters.

### **Page 8**

- Change: Under Geese, special youth waterfowl hunting weekend, change the dates from Sept. 15-16, 2018 to September 22-23, 2018 in Western Washington (West Zone) and September 29-30, 2018 in Eastern Washington (East Zone).

Rationale: Mid-September precedes the first flights of migrant waterfowl into Washington State. This date change also provides more time between Septembers Canada goose season dates and youth weekend (for example, GMA1 ends Sept. 13, 2018) as well as aligning the migration period of Greater White-fronted Geese (now to be included as legal species during the Youth Waterfowl Hunt Weekend). Additionally, habitat managers have a hard time meeting a mid-September flood-up date to provide opportunities on public lands (federal and state). Therefore, in an effort to provide a better first opportunity to youth waterfowl hunters and to provide the opportunity for experiences on both the west and east side of the state in a given year, this change is expected to yield a better first experience opportunity to a new generation of waterfowl hunters.

## Page 9

- Change: Under Regular Season, rearrange the language to bring the last sentence of the paragraph to the beginning of the paragraph.

Rationale: The change distinguishes the difference between Canada goose and white-fronted goose season dates from white goose season considerations.

- Change: Under Regular Season, change the white goose season dates from February 16-27, 2019 to February 9-20, 2019.

Rationale: The winter index for snow geese in the Skagit-Fraser Delta has exceeded the 70K goose threshold required to extend hunting past January. A change in proposed February dates is to minimize conflict with the “Port Susan Snow Goose & Birding Festival” that has traditionally occurred on the final weekend of February. This action is to provide relief to agricultural depredation concerns in this region.

- Change: Under Regular Season, change the white goose season dates from February 16-27, 2019 to February 9-20, 2019, and to call out Skagit and Snohomish counties for public land closures.

Rationale: The winter index for snow geese in the Skagit-Fraser Delta has exceeded the 70K goose threshold required to extend hunting past January. A change in proposed February dates is to minimize conflict with the “Port Susan Snow Goose & Birding Festival” that has traditionally occurred on the final weekend of February. This action is to provide relief to agricultural depredation concerns in this region. Public lands will be closed during the Feb. 9-20, 2019 period to allow geese to utilize these habitats.

- Change: Under Regular Season, insert “During Feb. 9-20, 2019 in Snohomish County, that portion of east of Interstate 5 is closed to goose hunting in Goose Management Area 1.”

Rationale: This action is to provide relief to agricultural depredation concerns in this region. The region of agricultural extent beyond Skagit County is the mouth of the Stillaguamish River west of Interstate 5. There is valid concern that the portion of Snohomish County east of Interstate 5 does not meet the intended zone of influence and may cause conflict with misidentification with swans that are more prevalent than snow geese in this particular zone.



## **Page 16-17**

- Change: Under Goose Management Area 4, insert “Additionally, to accommodate opportunity during recognized holiday periods, the 2018-2019 season will include:”

Rationale: The public expressed some confusion over the current language as it related to recognized holidays.

## **Page 20**

- Change: Under Falconry Seasons, add heading and description as follows:  
DUCKS, COOTS, CANADA GEESE, AND WHITE-FRONTED GEESE (EXCEPT BRANT AND WHITE GEESE) (Extended Falconry)  
Sept. 22-23, 2018 in Western Washington (West Zone).  
Sept. 29-30, 2018 in Eastern Washington (East Zone).  
Daily Bag Limit: 3, straight or mixed bag, including ducks, coots, Canada geese, and white-fronted geese following special youth weekend allowable species.  
Possession Limit: 2 times the daily bag limit.

Rationale: Two (2) extra days are available for early falconry opportunity in each zone, if it overlaps with the special youth waterfowl hunting dates. This provides this hunting user group an additional opportunity towards early-season harvest that has not been made available to them in the past.

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

### WAC 220-416-060 Migratory waterfowl seasons and regulations.

#### **Supporting Comments:**

There were 25 comments submitted for this WAC proposal. Fifteen (15) comments generally agreed with the proposal.

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

Five (5) opposed. Five (5) neutral. Several comments expressed concern over the proposed youth hunt dates, suggesting they were too early. Several comments expressed concern about the hunting times allowed. One (1) comment was requesting 7-days per week goose hunting in Goose Management Area 2. One (1) comment was related to the date range proposed for the brant season in Skagit County. One (1) comment asked for clarification regarding the bag-limits set for snow geese versus “specks” (white-fronted geese). Finally, one (1) comment was related to a topic not covered under this WAC.

#### **Direction and Rationale:**

A reordering of season language under Goose Management Area 1 will make Regular Season dates and considerations more clear per provided comment.

Will add, “Additionally, to accommodate opportunity during recognized holiday periods, the 2018-2019 season will include...” to clarify Goose Management Area 4 language.

The department will review the proposed special youth waterfowl hunting dates for migratory birds, and attempt to better align available dates with waterfowl resource opportunities.

The proposal to require a mandatory harvest report card for Goose Management Area 2 Coast and Inland will provide needed information towards future recommendations regarding number of days per week allowed to be hunted in this GMA. However, this comment ignores the consideration required to be exercised regarding Dusky Canada Goose season closures in this same zone.

To conduct and analyze the required survey that sets the season length for the Skagit County brant hunt is not feasible with hunt dates before January 6<sup>th</sup>. Based on historic surveys, date window between January 12-27 provides the best probability for a true winter count and considers available tide conditions for January 2019.

The difference in bag-limit between snow geese (6 geese per day) and white-fronted geese (10 geese per day) reflects a difference in management responsibility for Washington per Management Plans created by the Pacific Flyway Council. Snow geese in Washington, unlike in California, are predominately from a population originating from Wrangel Island, Russia. This population historically wintered in the Skagit-Fraser Delta region and a State objective is to maintain a winter population of 50-70K geese in this region, which was only surpassed in the past 2 years. Once the population index falls below 70K, the season and bag-limit structure may have to be reconsidered. Conversely, white-fronted geese are migrants through Washington and winter primarily in California

and Mexico. The Pacific Flyway Management Plan for this population indicates this population is well above management objective and allows for a maximum daily bag-limit of ten (10) white-fronted geese. During the short periods that white-fronted geese pass through Washington it is supported to maximize the daily bag limit and harvest potential without any anticipated changes in the foreseeable future.

The department will move forward with the recommendations, with slight adjustments based on public input and concerns, to the Fish and Wildlife Commission.



# PROPOSED RULE MAKING

**CR-102 (August 2017)**  
**(Implements RCW 34.05.320)**  
Do **NOT** use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: January 24, 2018  
TIME: 8:20 AM

WSR 18-03-177

**Agency:** Washington Department of Fish and Wildlife (WDFW)

**Original Notice**

**Supplemental Notice to WSR** \_\_\_\_\_

**Continuance of WSR** \_\_\_\_\_

**Preproposal Statement of Inquiry was filed as WSR 17-24-106 on December 6, 2017 ; 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).**

**Proposal is exempt under RCW** \_\_\_\_\_.

**Title of rule and other identifying information:** (describe subject)

WAC 220-400-050 Requirements for sealing of pelts and collection of biological information for river otter, cougar, lynx, and bobcat.

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

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

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

WAC 220-412-080 Special hunting season permits.

WAC 220-412-100 Landowner hunting permits.

WAC 220-413-030 Importation and retention of dead nonresident wildlife.

WAC 220-413-070 Hunting with aid of aircraft, boats or other vehicles.

WAC 220-413-100 Mandatory report of hunting activity.

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

WAC 220-414-060 Muzzleloading firearms.

WAC 220-414-080 Hunting—Hunter orange clothing requirements.

WAC 220-415-010 Deer area descriptions.

WAC 220-415-020 2015-2017 Deer general seasons and definitions.

WAC 220-415-030 2017 Deer special permits.

WAC 220-415-040 Elk area descriptions.

WAC 220-415-050 2015-2017 Elk general seasons and definitions.

WAC 220-415-060 2017 Elk special permits.

WAC 220-415-070 2017 Moose seasons, permit quotas, and areas.

WAC 220-415-080 2018 Spring black bear seasons and regulations.

WAC 220-415-090 2015-2017 Fall black bear hunting seasons and regulations.

WAC 220-415-100 2016-2017 and 2017-2018 Cougar hunting seasons and regulations.

WAC 220-415-120 2017 Bighorn sheep seasons and permit quotas.

WAC 220-415-130 2015-2017 Mountain goat seasons and permit quotas.

WAC 220-416-010 2015-16, 2016-17, 2017-18 Small game and other wildlife seasons and regulations.

WAC 220-416-060 2017-2018 Migratory waterfowl seasons and regulations.

WAC 220-440-030 Public Safety Cougar Removals.

**Hearing location(s):**

**Date:**

**Time:**

**Location:** (be specific)

**Comment:**

March 15-17, 2018

8:00 a.m.

Red Lion Hotel  
1225 N. Wenatchee Avenue  
Wenatchee, WA 98801

**Date of intended adoption:** April 12-14, 2018 (Note: This is **NOT** the effective date)

**Submit written comments to:**

Name: Wildlife Program Rules Coordinator

Address: PO Box 43141, Olympia, WA 98504-3200

Email: wildthing@dfw.wa.gov

Fax: (360) 902-2162

Other: <https://wdfw.wa.gov/hunting/regulations/seasonsetting/2018-2020/>

By (date) February 14, 2018

**Assistance for persons with disabilities:**

Contact Tami Lininger

Phone: (360) 902-2267

Fax:

TTY: (800) 833-6388

Email: [tami.lininger@dfw.wa.gov](mailto:tami.lininger@dfw.wa.gov)

Other:

By (date) March 7, 2018

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

WAC 220-400-050 Requirements for sealing of pelts and collection of biological information for river otter, cougar, lynx, and bobcat.

The purpose of the proposal is to simplify the sealing requirements for bobcat and cougar pelts by aligning the date for sealing bobcat with the last date of trapper reporting and by requiring cougar pelt sealing to occur within 72 hours of harvest. The proposed changes align the dates for pelt sealing each species, regardless of method or reporting of harvest.

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

The purpose of the proposal is to clarify boundary language as it pertains to Game Management Unit 485 Green River. The existing language can be somewhat complicated. The proposed changes take advantage of the well-marked boundaries of the watershed which are identical to the GMU boundary.

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

The purpose of the proposal is to clarify boundary language as it pertains to Game Management Units 522 Loo Wit and 560 Lewis River. The proposed changes clarify directional movements on established roads that make up the boundaries.

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

This proposal replaces GMU 172 with GMU 169 for the Rocky Mountain bighorn sheep raffle permit holder.

WAC 220-412-080 Special hunting season permits.

This proposal revises wording in the "once in a lifetime" part of special hunting permits for moose, to reflect the proposed change in hunt categories from "any moose" to "antlered bull moose." Any "point" accumulated under the "any moose" category will be transferred to the "antlered bull moose" category.

Additionally applicants for special hunting season permits will be required to either complete hunter education prior to submitting a permit application, or be exempt from the hunter education requirement.

WAC 220-412-100 Landowner hunting permits.

This proposal modifies hunt dates on properties enrolled in WDFW's Landowner Hunting Permit (LHP) program for the 2018 hunting seasons. These sites offer special hunting opportunities to the public through permits issued by WDFW, raffles, or selection by the landowner.

WAC 220-413-030 Importation and retention of dead nonresident wildlife.

The proposal will ban the importation and retention of specific parts of dead nonresident wildlife that could contain Chronic Wasting Disease (CWD) from Montana. Specific circumstances are fully set forth in WAC 220-413-030 to include the state of Montana.

WAC 220-413-070 Hunting with aid of aircraft, boats or other vehicles.

The purpose of this proposal is to add unmanned aircraft to the rule that restricts the use of aircraft, boats, or other types of vehicles to hunt, spot, or harass wildlife.

WAC 220-413-100 Mandatory report of hunting activity.

The proposal will change the reporting deadline for brant, sea duck, and snow goose to March 20 following the season for which the harvest card was issued, and adds a harvest report card requirement for the SW Canada Goose special species authorization.

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

The purpose of the proposal is to modify restrictions in the Special Closures and Firearm Restriction rule by:

Adding mountain goat as an exception to the hunting restriction in GMU 522.

Clarifying and adding exceptions to the firearm restriction that exists in a portion of GMU 652.

Removing a firearm restriction area in Kitsap County that is no longer needed.

WAC 220-414-060 Muzzleloading firearms.

The purpose of the proposal is to eliminate the restriction that disallows the use of primers, designed for modern cartridges in the firearms ignition system, during muzzleloader hunting seasons. Such a rule change will allow more technologically advanced muzzleloaders to be used during muzzleloader seasons.

WAC 220-414-080 Hunting—Hunter orange clothing requirements.

This proposal adds turkey to the hunter orange rule and requires turkey hunters that are hunting during a modern deer or elk firearm season to wear florescent orange.

WAC 220-415-010 Deer area descriptions.

The purpose of the proposal is to eliminate the three Deer Areas surrounding Spokane and the Colfax Deer Area that are either ineffective or no longer needed and add the North Issaquah Deer Area in King and Snohomish Counties to help mitigate deer conflict issues. Deer Areas allow the department to focus deer hunting pressure on a smaller scale than the Game Management Unit. Deer Areas help expand hunting opportunity that would normally not be available. Deer Areas also help accommodate wildlife conflict mitigation using hunting as a tool.

WAC 220-415-020 2015-2017 Deer general seasons and definitions.

The purpose of this proposal is to retain general season deer hunting opportunity for 2018-2020. 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.

WAC 220-415-030 2017 Deer special permits.

The purpose of this proposal is to retain special permit deer hunting opportunity for 2018. 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.

WAC 220-415-040 Elk area descriptions.

The purpose of the proposal is to add new Elk Areas or adjust the boundaries of existing Elk Areas. Elk Areas allow the department to focus elk hunting pressure on a smaller scale than the Game Management Unit. Elk Areas help expand hunting opportunity that would normally not be available. Elk Areas also help accommodate wildlife conflict mitigation using hunting as a tool.

WAC 220-415-050 2015-2017 Elk general seasons and definitions.

The purpose of this proposal is to retain general season elk hunting opportunity for 2018-2020. In addition, the purpose of the proposal is to balance the hunting opportunity between user groups. The proposal also increases the opportunity when elk populations allow, and reduces the opportunity when declining elk numbers warrant a change.

WAC 220-415-060 2017 Elk special permits.

The purpose of this proposal is to retain elk special permit hunting opportunity for 2018. 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.

WAC 220-415-070 2017 Moose seasons, permit quotas, and areas.

The purpose of this proposal is to remove hunt category "any moose," replacing it with "any antlered bull moose;" require successful moose hunters to submit an incisor tooth by mail to WDFW for ageing; add "or archery" to the list of permitted weaponry for moose hunting in the Parker Lake special hunt area; and changes in permit levels.

WAC 220-415-080 2018 Spring black bear seasons and regulations.

The purpose of the proposed amendments is to align the rules with the appropriate season dates; require a bear identification test for hunters that will hunt within grizzly bear recovery areas as identified by the department; expand the biological samples that may be collected by the department; and include results for failure to report or comply with the conditions of the rule.

WAC 220-415-090 2015-2017 Fall black bear hunting seasons and regulations.

The purpose of the proposed amendments is to align the rules with the appropriate season dates; remove game management units that do not have resident bear populations; require a bear identification test for hunters that will hunt within grizzly bear recovery areas as identified by the department; expand the biological samples that may be collected by the department; and include results for failure to report or comply with the conditions of the rule.

WAC 220-415-100 2016-2017 and 2017-2018 Cougar hunting seasons and regulations.

The purpose of the proposed amendments is to align the rules with the appropriate season dates; align the cougar season with the license year and thereby minimize potential confusion by hunters; and align the late cougar season start date with the closing date of the general deer and elk seasons for modern firearm and muzzleloader with the exception of a few Master Hunter antlerless elk seasons that continue into January.

WAC 220-415-120 2017 Bighorn sheep seasons and permit quotas.

The purpose of the proposal is to initiate modest ewe (bighorn sheep female) harvests in two separate areas of the Lincoln Cliffs bighorn sheep populations. Additionally, increase harvest of both rams and ewes in the Chelan Butte population.

WAC 220-415-130 2015-2017 Mountain goat seasons and permit quotas.

The purpose of the proposal is to require holders of mountain goat hunting permits to pass an online test of their ability to distinguish mountain goats by gender (i.e., billy vs. nanny) before they would be allowed to purchase their mountain goat hunting license; establish new mountain goat hunting seasons in Mt. Margaret back-country, and Mt. St. Helens South (one permit in each area); and split the existing Goat Rocks mountain goat hunt area into two contiguous areas.

WAC 220-416-010 2015-16, 2016-17, 2017-18 Small game and other wildlife seasons and regulations.

The purpose of the proposal is to make date adjustments related to calendar changes; extend the fall turkey season in GMUs 101-154 and 162-186; remove the draw permits from Klickitat County and opens GMUs within that county to general season hunting; and prohibit night hunting in GMUs that fall within the lynx management zones as identified by the department.

WAC 220-416-060 2017-2018 Migratory waterfowl seasons and regulations.

The purpose of the proposal is to specify legal season dates and bag limits for the 2018-2019 season.

WAC 220-440-030 Public Safety Cougar Removals.

This proposal changes the current Public Safety Cougar Removal from a hunting opportunity authorizing the use of hounds, when certain conditions are met, to a permit program to provide training opportunities for owners of "working dogs" who are often summoned by WDFW Law Enforcement to assist in resolving wildlife conflict issues. If approved, this new program will allow working dogs and their owners the non-lethal pursuit of cougars under the conditions of a training permit.

**Reasons supporting proposal:**

WAC 220-400-050 Requirements for sealing of pelts and collection of biological information for river otter, cougar, lynx, and bobcat.

The proposed amendments will make the sealing requirements consistent for each species and thereby easily understood by user groups. The proposed changes will also make managing cougar hunt unit closures more efficient and timely.

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

The proposed amendments will make the boundaries more discernable for hunters. The proposed changes will also make enforcement of hunting season rules and trespass rules more straightforward.

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

The proposed amendments will make the boundaries more discernable for hunters. The proposed changes will also make enforcement of hunting season rules more straightforward.

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

The proposed amendments will redirect hunters from a small herd that has few mature rams to a herd that can more easily support removal of a large-sized ram.

WAC 220-412-080 Special hunting season permits.

The proposed amendments will maintain consistency with proposed changes in the WAC 220-415-070 and requirements elsewhere in WAC that applicants for special permits possess the necessary qualifications to hunt under that permit should they be drawn.

WAC 220-412-100 Landowner hunting permits.

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 220-413-030 Importation and retention of dead nonresident wildlife.

Because Montana has identified chronic wasting disease in wild free ranging deer, the department seeks to mitigate the risk to public health and safety by adding the state of Montana to WAC 220-413-030.

WAC 220-413-070 Hunting with aid of aircraft, boats or other vehicles.

Small unmanned aircraft have become a part of modern culture. Unmanned aircraft use is pervasive. In the same spirit of hunting ethics that inspired the Fish and Wildlife Commission to promulgate a rule that restricts the use of vehicles, aircraft, or boats to hunt or harass wildlife, the department feels that unmanned aircraft should be specifically called out and added to this rule.

WAC 220-413-100 Mandatory report of hunting activity.

Two proposed amendments of WAC 220-416-060 require changing the February 15 deadline date. The proposal to move 12-days of the snow goose hunting season in Goose Management Area 1 (Skagit and Snohomish Counties) would have the goose season ending at the end of February (February 27, 2019). Additionally, the requirement of a mandatory harvest report for goose hunting in Goose Management Area 2-Coast and Inland (Clark, Cowlitz, Grays Harbor, Pacific, and Wahkiakum Counties) has to accommodate goose hunting seasons that can extend to March 10 in some years. To minimize confusion, all waterfowl-related reporting deadlines would be changed to March 20.

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

Reasons for supporting the rule include expanding mountain goat hunting opportunity; accommodating both firearm restriction needs and wildlife conflict mitigation; and adding flexibility to hunting seasons when restrictions are no longer necessary.

WAC 220-414-060 Muzzleloading firearms.

The Fish and Wildlife Commission requested that the department reach out to the hunting public and get their opinion on the use of modern cartridge primers on muzzleloading firearms during muzzleloader season. Deer and elk hunters were polled, and the majority of the respondents were in favor of allowing the more modern primers.

WAC 220-414-080 Hunting—Hunter orange clothing requirements.

This proposal is meant to increase safety. Turkey seasons in the past did not overlap with modern deer or elk firearm seasons. New proposals to control growing turkey populations make it necessary to overlap those seasons. This recommended rule adjustment provides consistency. All other species hunters are already required to wear hunter orange during modern deer or elk firearm season. This proposal adds turkey hunters to that list.

WAC 220-415-010 Deer area descriptions.

The proposed amendments will allow the department to use hunting as a management tool and expands deer hunting opportunity.

WAC 220-415-020 2015-2017 Deer general seasons and definitions.

This proposal provides for recreational deer hunting opportunity and protects deer from overharvest. The proposal would maintain sustainable general deer hunting season opportunities for 2018-2020. In addition, the proposal allows for the use of hunting as a management tool, helps address deer agricultural damage problems, and provides for deer population control when needed.

WAC 220-415-030 2017 Deer special permits.

This proposal provides for recreational deer hunting opportunity and protects deer from overharvest. The proposal would also maintain sustainable deer special permit hunting season opportunities for 2018. The proposal helps address deer agricultural damage problems and provides for deer population control when needed.

WAC 220-415-040 Elk area descriptions.

The proposed amendments allow the department to use hunting as a management tool and expands elk hunting opportunity.

WAC 220-415-050 2015-2017 Elk general seasons and definitions.

The proposal provides for recreational elk hunting opportunity and protects elk from overharvest. The proposal would maintain sustainable general elk hunting season opportunities for 2018-2020. The proposal helps address elk agricultural damage problems and provides for elk population control when needed.

WAC 220-415-060 2017 Elk special permits.

This proposal provides for recreational elk hunting opportunity and protects elk from overharvest. The proposal would maintain sustainable elk special permit hunting opportunity for 2018. The proposal helps address elk agricultural damage problems and provides for elk population control when needed.

WAC 220-415-070 2017 Moose seasons, permit quotas, and areas.

We expect the moose population in Northeastern Washington to stabilize or decline over the next few years. Being able to predict whether males (bulls) or females (cows) will be taken in any given hunt is important to managers. Almost all holders of "any moose" permits attempt to take bulls. Accumulated points held in the "any moose" category would be transferred to the new "any antlered bull moose" category; the definition of "antlered bull moose" would require the presence of "visible antlers." Public support for this proposal was high.

Models currently under development by WDFW to understand moose population trajectory require knowing the age of harvested moose. WDFW currently requests successful hunters to extract a tooth and send it to WDFW in a supplied envelope. However, compliance with the currently voluntary request is variable, and response is likely biased. Incorporating this request in rule should increase compliance, increasing the accuracy and precision of our monitoring models.



In response to a hunter's question from 2017, we realized that, unlike other 'muzzleloader hunts' offered for other species, we had not indicated that 'archery' – considered a lesser-capable weapon – could also be used in the muzzleloader season. WDFW received approval from The United States Air Force on this change.

Recent work has strongly suggested that moose have begun declining in abundance in most areas. We also received considerable support from the public for reducing "Youth only" hunts. Most of these specific changes reduce "antlerless moose" permits, particularly in WDFW District 2, where harvest rates have been relatively high. In response to suggestions from Enforcement, we would eliminate the Master Hunter moose permits, which have only been used a handful of times in the past decade, due to the difficulty of finding an appropriate situation. This would reduce expectation among Master Hunters for an opportunity, which, in reality, has rarely been realized.

WAC 220-415-080 2018 Spring black bear seasons and regulations.

The proposed amendments will announce the appropriate season dates, assist in lessening the likelihood of incidental take of grizzly bear, bring awareness to hunters, create stewardship of resources managed by other government agencies, and provide the department with the ability to collect biological samples which further assist managing bear populations.

WAC 220-415-090 2015-2017 Fall black bear hunting seasons and regulations.

The proposed amendments will announce the appropriate season dates, assist hunters by providing opportunities where they exist, assist in lessening the likelihood of incidental take of grizzly bear, bring awareness to hunters, create stewardship of resources managed by other government agencies, and provide the department with the ability to collect biological samples which further assist managing bear populations.

WAC 220-415-100 2016-2017 and 2017-2018 Cougar hunting seasons and regulations.

The proposed amendments will announce the appropriate season dates; assist in minimizing disturbance to ungulates that are already stressed from winter and birthing; minimize confusion and burden on hunters to buy two licenses; allow hunters who are deer and elk hunting to take a cougar through December 15 without having to call the toll free line to determine if the area is open or not; provide the department an earlier timeframe to manage the harvest guidelines; and attempt to minimize potential of exceeding the harvest guidelines.

WAC 220-415-120 2017 Bighorn sheep seasons and permit quotas.

Where bighorn sheep graze frequently on private, agricultural lands, public tolerance for them can be compromised. Because we have no current place to translocate these sheep, a ewe-only hunt is recommended.

The Chelan Butte bighorn sheep population has also grown, providing opportunity for hunters interested in taking rams (we propose a split season, early and late). Because this herd is situated close to small farms and rural residences, the risk of contact between bighorns and domestic sheep and goats is high. One action the department can take to manage this risk is to halt the slow down or halt the growth of the herd through increased provision of ewe permits.

WAC 220-415-130 2015-2017 Mountain goat seasons and permit quotas.

Mountain goat populations are sensitive to harvest of females, but identification of gender in the field is difficult. The department currently provides training videos and pamphlets to successful applicants for mountain goat hunting permits, but has no way of ensuring that these materials are used. The department proposes adding an online gender identification test that permit holders would be required to pass before being allowed to purchase a mountain goat hunting license. A passing score would be 80%, and permit holders could re-take the test as often as needed until they achieved a passing score.

We now have reliable surveys indicating that goats inhabiting the Mt. St. Helens and Mt. Margaret areas are sufficiently abundant to sustain a conservative hunt. Thus, new hunts are proposed in this area.

The conflict reduction hunt in the East Olympic Mountains remains in the proposed WAC revision as of 12/20/2017, but we hope to remove it prior to the March Commission meeting if we have more certainty that the multi-agency translocation project will commence in 2018. If agencies are moving goats from the Olympic Mountains, it would be inappropriate to provide hunters with the expectation that there would be goats for hunters to pursue in those same places.

The department's data suggests that mountain goat hunting in the Goat Rocks area has been sustainable, but almost all mountain goats taken have come from the more accessible portions of the area. Splitting the existing hunt area in two (and allocating permits approximately proportionally) would distribute harvest pressure more evenly among goats in the greater population.

WAC 220-416-010 2015-16, 2016-17, 2017-18 Small game and other wildlife seasons and regulations.

Annual shifts in the calendar require adjustment.

Turkey populations in those GMUs are high, causing crop and property damage. The proposed change will lengthen the fall season to facilitate additional turkey harvest and help mitigate those problems.

The turkey population in Klickitat County is doing well enough to support a general season hunting opportunity. In the past hunting in those GMUs were by draw permit only. The recommended change will do away with the draw permits and opens those GMUs to general season hunters.

A bobcat hunter mistakenly harvested a collared lynx at night last year. It is very difficult to differentiate the two species with artificial light or night vision equipment. The recommended rule change will help conserve the few lynx that exist in the lynx management zones by making it illegal to night hunt in the GMUs that fall within those zones.

WAC 220-416-060 2017-2018 Migratory waterfowl seasons and regulations.

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

WAC 220-440-030 Public Safety Cougar Removals.

WDFW is often called upon to address wildlife conflict issues involving cougar and other species of wildlife. The issues include both public safety and the protection of property. This commonly requires assistance from local citizens who own working dogs (commonly known as hounds), that are especially capable of, and trained for, the detection, tracking, and treeing cougar. Due to broad hunting restrictions, working dogs are limited in access to training opportunities. Working dogs must be kept in peak physical condition in order to be effective. Young dogs require training in order to be of use. The current Public Safety Cougar Removal program was implemented as a pilot and has not been effective in addressing its original intent. Both the Law Enforcement and the Wildlife Programs support this concept. Representatives from The Humane Society of the United States and Conservation Northwest have been involved in creating this proposal and are in support.

**Statutory authority for adoption:** RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, 77.12.020, 77.12.040, 77.12.047, 77.12.150, 77.12.210, 77.12.240, 77.12.320, 77.12.570, 77.12.800, 77.15.245, 77.32.007, 77.32.050, 77.32.070, 77.32.090, 77.32.370, and 77.32.530.

**Statute being implemented:** RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, 77.12.020, 77.12.040, 77.12.047, 77.12.150, 77.12.210, 77.12.240, 77.12.320, 77.12.570, 77.12.800, 77.15.245, 77.32.007, 77.32.050, 77.32.070, 77.32.090, 77.32.370, and 77.32.530.

**Is rule necessary because of a:**

- Federal Law?  Yes  No  
Federal Court Decision?  Yes  No  
State Court Decision?  Yes  No

If yes, CITATION:

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:** None.

**Name of proponent:** (person or organization) WDFW

- Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting:	Eric Gardner	600 Capitol Way North Olympia, WA 98501	(360) 902-2515
Implementation:	Eric Gardner	600 Capitol Way North Olympia, WA 98501	(360) 902-2515
Enforcement:	Chief Steve Bear	600 Capitol Way North Olympia, WA 98501	(360) 902-2373

**Is a school district fiscal impact statement required under RCW 28A.305.135?**

- Yes  No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name:  
Address:  
Phone:  
Fax:

TTY:  
Email:  
Other:

**Is a cost-benefit analysis required under RCW 34.05.328?**

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

Name:

Address:

Phone:

Fax:

TTY:

Email:

Other:

No: Please explain: The rule proposal does not require a cost-benefit analysis and does not affect hydraulics.

**Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:**

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

RCW 34.05.310 (4)(b)  
(Internal government operations)

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

RCW 34.05.310 (4)(c)  
(Incorporation by reference)

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

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

RCW 34.05.310 (4)(g)  
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025 (4).

Explanation of exemptions, if necessary: Proposed rule does not affect small businesses.

**COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES**


If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

No Briefly summarize the agency's analysis showing how costs were calculated. \_\_\_\_\_

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

<b>Date:</b> January 24, 2018	<b>Signature:</b>  
<b>Name:</b> Scott Bird	
<b>Title:</b> Rules Coordinator	