

Moose Seasons

WAC 220-412-080 and WAC 220-415-070

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Summary Sheet

Meeting dates: April 13-14, 2018

Agenda item: Moose Seasons – **Decision**

Presenter(s): Rich Harris, Ph.D., Bighorn Sheep, Moose, Mountain Goat, and Pronghorn Antelope Section Manager, Game Division, Wildlife Program

Background summary:

Staff briefed the Fish and Wildlife Commission at the March Commission meeting in Wenatchee regarding the proposed amendments to WAC 220-412-080 Special hunting season permits, and WAC 220-415-070 2018 Moose seasons, permit quotas, and areas.

As the moose population in northeastern Washington matures and stabilizes or begins to decline, the department proposes tailoring harvest more carefully. To this end, the department proposes:

1. replacing the existing “any moose” hunt category with an “any antlered bull moose” category;
2. changing the current request for successful moose hunters to supply the department with a tooth (for aging) from voluntary to mandatory;
3. altering the number of permits for “antlerless” (i.e., primarily female) moose, reducing it in the southern portions and providing modest increases in the northern portion; and
4. require applicants for moose (as well as bighorn sheep and mountain goat) permits to have either successfully completed hunter education, or have a birth date prior to January 1, 1972.

Staff recommendation:

Amend WAC 220-412-080 and WAC 220-415-070 as presented.

Policy issue(s) and expected outcome:

- Hunt categories (in particular, replacing “any moose” with “antlered bull moose”).
 - Methods to elevate compliance with requests for hunters to send teeth to the department for ageing.
 - Number, allocation, and distribution of moose hunting permits, balancing hunter opportunity with biological sustainability.
 - Requiring that applicants for permits have the necessary qualifications to legally conduct that hunt if selected.
-

Fiscal impacts of agency implementation:

No fiscal impacts beyond the status quo.

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. The department emailed over 119,000 hunters notifying them of the website survey and encouraging them to participate. Using that information, the department determined which recommendations would move forward.

In preparation for this meeting, notification was made to approximately 12,000 individuals and organizations informing them of the opportunity to provide comment on the proposed regulation amendments. Additionally, these individuals and organizations were informed of the opportunity to provide verbal testimony at the March 16-17, 2018 Commission meeting in Wenatchee.

Action requested and/or proposed next steps:

Amend WAC 220-412-080 and WAC 220-415-070 as presented.

Draft motion language:

Motion: I move to amend WAC 220-412-080 and WAC 220-415-070 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.

Post decision communications plan:

WDFW Website

News Release

Hunting Regulations Pamphlet

Form revised 2-15-18

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

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

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

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

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

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

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

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

~~((3.))~~ (3) Wild turkey special hunting season permit applications:

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

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

~~((4.))~~ (4) Special hunting season permit applications:

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

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

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

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

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

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

2. ~~((vi.))~~ (vi) Maximum group size for bighorn sheep categories is
4. ~~((vii.))~~ (vii) Maximum group size for fall turkey categories is
- ~~((viii.))~~ (viii) Maximum group size for moose categories is 2.
- ~~((ix.))~~ (ix) Maximum group size for multiple season deer is 2.
- ~~((x.))~~ (x) Maximum group size for multiple season elk is 2.
- ~~((B.))~~ (b) An applicant may purchase only one application for a special hunting season permit for each category.
- ~~((C.))~~ (c) Permit applications will allow four choices for all categories except the quality category for deer and elk will allow two choices.
- ~~((D.))~~ (d) Permits will be drawn by computer selection using a weighted point selection system.
- ~~((i.))~~ (i) Applicants will receive one point for each application category purchased.
- ~~((ii.))~~ (ii) Once drawn for a permit, the applicant's points will be reduced to zero in that category. Applicants who are drawn for a damage hunt administered by a WDFW designated hunt coordinator and not given a chance to participate shall get their points restored. Those that decline to participate for any reason are not eligible for point restoration.
- ~~((iii.))~~ (iii) An applicant's accumulated point totals, immediately prior to sales of the 2010 permit applications, will be replicated across all categories for that species. The point replication will only occur in 2010, during the transition from single species categories to multiple categories of the same species. Applicants for any new category added in the future will begin with the point awarded at the time of the initial application purchase.
- ~~((E.))~~ (iv) Applicants for the "any antlered bull moose" category (established in 2018) will be credited with any points previously accumulated under the "any moose" category.
- (e) Incomplete, ineligible, or inaccurate applications will not be accepted or entered into the drawing.
- ~~((F.))~~ (f) Permits will be voided if the applicant is found to be ineligible or to have provided an application based on inaccurate information.
- ~~((G.))~~ (g) The purchase of an application will result in one accrued point for the category purchased.
- ~~((H.))~~ (h) If an applicant makes a mistake, applies for the wrong hunt, and is successfully drawn, the special hunting season permit can be returned to the department of fish and wildlife Olympia headquarters before the opening day of the special hunting season. The applicant's points will be restored to the level prior to the permit drawing.
- ~~((I.))~~ (i) Anyone may apply for a special hunting season permit for deer, elk, bear, cougar, and wild turkey.
- ~~((5.))~~ (5) In addition to requirements for special hunting season permit applications, following are application requirements for:
- ~~((A.))~~ (a) Special hunting seasons for persons of disability: Only applicants with a Washington disabled hunter permit are eligible to apply for any special hunting season permits for persons of disability.
- ~~((B.))~~ (b) Special hunting seasons for youth: Only persons who are eligible to lawfully purchase a youth special hunt application are eligible to apply for special hunting season permits for youth.

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

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

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

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

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

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

WAC 220-412-080 Special hunting season permits.

Supporting Comments:

Eight (8) comments supported the proposed changes. Four (4) comments specifically supported changing “any moose” permits to “antlered bull moose only” permits.

Opposing, Neutral, and Other Comments:

Eleven (11) comments objected to the requirement that youth hunters for mountain goat, moose, and/or bighorn sheep permits must have passed the hunter education requirement to submitting an application. Two (2) comments expressed concerns with management of predators.

Direction and Rationale:

The department favors consistency in philosophy and application of rules. With one exception, current rules require applicants for a permit to possess the qualifications of that hunt, should they be selected. For example, applicants for an “over 65-year old” hunt must have reached their 65th birthday (they are precluded from ‘banking’ points when younger in anticipation of having a large number of points when they turn 65). The exception is the “Once in a Lifetime” opportunity, in which permit and license purchases are separate processes. Points can be accumulated under the “points option,” with no expectation of being used, for children too young to hunt. Requiring hunter education as in other hunts, applies the general rule (must be qualified to conduct the hunt applied for) fairly across all hunt types.

The department will move forward with eliminating the “any moose” hunt category, replacing it with “any antlered bull moose” category, transferring points accumulated by hunters in the eliminated category to the new one.

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

WAC 220-415-070 ((2017)) 2018 Moose seasons, permit quotas, and areas. (1) It is unlawful to fail to comply with the provisions of this section. A violation of this section is punishable under RCW 77.15.410, Unlawful hunting of big game—Penalty.

(2) **Moose Permit Hunts**

(a) **Who May Apply:**

(i) **Any antlered bull moose category:** An individual may only harvest one moose under the "any antlered bull moose" or "any moose" category during his or her lifetime. Applications will not be accepted from hunters having previously harvested a moose in the "any moose" or "any antlered bull moose" category.

(ii) **Antlerless only, youth antlerless, over-65 antlerless, disabled-antlerless, master-hunter any moose, hunter-education antlerless, auction moose, raffle moose:** Anyone may apply.

(b) **Bag Limit:** One moose.

(c) **Weapon Restrictions:** Permit holders may use any legal weapon.

(Hunt Name	Notes	Permit Season	GMU or boundary	Permits
Any moose				
Kettle Range East Okanogan		Oct. 1—Nov. 30	GMUs 101, 105, 204	10
Douglas A—Early		Oct. 1-31	GMU 108	3
Douglas A—Late		Nov. 1-30	GMU 108	3

((Hunt Name	Notes	Permit Season	GMU or boundary	Permits
Aladdin A – Early		Oct. 1-31	GMU 111	3
Aladdin A – Late		Nov. 1-30	GMU 111	3
Selkirk		Oct. 1 – Nov. 30	GMU 113	15
49 Degrees North A – Early		Oct. 1-31	GMU 117	15
49 Degrees North A – Late		Nov. 1-30	GMU 117	15
Parker Lake A – Archery	e,W	Sept. 1-30	Moose area 3	2
Parker Lake A – Muzzleloader	e,X	Oct. 1-31	Moose area 3	2
Huckleberry A – Early		Oct. 1-31	GMU 121	6
Huckleberry A – Late		Nov. 1-30	GMU 121	6
Spokane West A		Oct. 1 – Nov. 30	GMU 124 w of Hwy 395	1
Mt Spokane South A		Oct. 1 – Nov. 30	Moose Area 1 (within 124)	8
Mt Spokane North A		Oct. 1 – Nov. 30	Moose Area 2 (within 124)	8
Hangman		Oct. 1 – Nov. 30	GMU 127 & 130	4
Antlerless only				
Douglas B		Oct. 1 – Nov. 30	GMU 108	2
Aladdin B		Oct. 1 – Nov. 30	GMU 111	2
49 Degrees North B		Oct. 1 – Nov. 30	GMU 117	2
Huckleberry B		Oct. 1 – Nov. 30	GMU 121	3
Spokane West B		Oct. 1 – Nov. 30	GMU 124 w of Hwy 395	2
Mt Spokane South B		Oct. 1 – Nov. 30	Moose Area 1 (within 124)	8
Mt Spokane North B		Oct. 1 – Nov. 30	Moose Area 2 (within 124)	7
Mica Peak		Oct. 1 – Nov. 30	GMU 127	4
Cheney B		Oct. 1 – Nov. 30	GMU 130	2
Youth Only – antlerless	a			
49 Degrees North Y		Oct. 1 – Nov. 30	GMU 117	2
Mt Spokane South Y		Oct. 1 – Nov. 30	Moose Area 1 (within 124)	8
Mt Spokane North Y		Oct. 1 – Nov. 30	Moose Area 2 (within 124)	8
65 Year and over – antlerless	e			
((49 Degrees North V		Oct. 1 – Nov. 30	GMU 117	2
Huckleberry V		Oct. 1 – Nov. 30	GMU 121	2
Disabled hunter – antlerless	b			
49 Degrees North D		Oct. 1 – Nov. 30	GMU 117	3
Mt Spokane North D		Oct. 1 – Nov. 30	Moose Area 2 (within 124)	1
Hunter Education antlerless	d			
District 1 HE	HEH	Oct. 1 – Nov. 30	GMU 101, 105, 108, 111, 113, 121	4
Master Hunter – Any moose				
Spokane District MH	HC	Aug. 1 – Mar. 31	GMUs 124-142	10))

(d) Submitting moose teeth: Successful moose hunters must submit an incisor tooth from the lower jaw, either in person at a WDFW of-

rice, or via the postage-paid envelope supplied, no later than sixty days after harvest.

(e) Any antlered bull moose seasons: Open only to the taking of moose with visible antlers (bull calves illegal).

<u>Hunt Name</u>	<u>Notes</u>	<u>Permit Season</u>	<u>GMU or boundary</u>	<u>Permits</u>
<u>Any antlered bull moose</u>				
<u>Kettle Range-East Okanogan 101, 105, 204</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMUs 101, 105, 204</u>	<u>10</u>
<u>Douglas A - Early</u>		<u>Oct. 1-31</u>	<u>GMU 108</u>	<u>3</u>
<u>Douglas A - Late</u>		<u>Nov. 1-30</u>	<u>GMU 108</u>	<u>3</u>
<u>Aladdin A - Early</u>		<u>Oct. 1-31</u>	<u>GMU 111</u>	<u>3</u>
<u>Aladdin A - Late</u>		<u>Nov. 1-30</u>	<u>GMU 111</u>	<u>3</u>
<u>Selkirk 113</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMU 113</u>	<u>15</u>
<u>49 Degrees North A - Early</u>		<u>Oct. 1-31</u>	<u>GMU 117</u>	<u>15</u>
<u>49 Degrees North A - Late</u>		<u>Nov. 1-30</u>	<u>GMU 117</u>	<u>15</u>
<u>Parker Lake A - Archery</u>	<u>e,W</u>	<u>Sept. 1-30</u>	<u>Moose Area 3</u>	<u>2</u>
<u>Parker Lake A - Muzzleloader</u>	<u>e,X</u>	<u>Oct. 1-31</u>	<u>Moose Area 3</u>	<u>2</u>
<u>Huckleberry A - Early</u>		<u>Oct. 1-31</u>	<u>GMU 121</u>	<u>6</u>
<u>Huckleberry A - Late</u>		<u>Nov. 1-30</u>	<u>GMU 121</u>	<u>6</u>
<u>Spokane West A</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMU 124 w of Hwy 395</u>	<u>1</u>
<u>Mt Spokane South A</u>		<u>Oct. 1 - Nov. 30</u>	<u>Moose Area 1 (within 124)</u>	<u>8</u>
<u>Mt Spokane North A</u>		<u>Oct. 1 - Nov. 30</u>	<u>Moose Area 2 (within 124)</u>	<u>8</u>
<u>Hangman</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMU 127 & 130</u>	<u>4</u>
<u>Antlerless only -</u>				
<u>Douglas 108 B</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMU 108</u>	<u>2</u>
<u>Aladdin 111 B</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMU 111</u>	<u>2</u>
<u>49 Degrees North B</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMU 117</u>	<u>4</u>
<u>Huckleberry B</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMU 121</u>	<u>9</u>
<u>Spokane West B</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMU 124 w of Hwy 395</u>	<u>2</u>
<u>Mt Spokane South B</u>		<u>Oct. 1 - Nov. 30</u>	<u>Moose Area 1 (within 124)</u>	<u>74</u>
<u>Mt Spokane North B</u>		<u>Oct. 1 - Nov. 30</u>	<u>Moose Area 2 (within 124)</u>	<u>4</u>
<u>Mica Peak</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMU 127</u>	<u>4</u>
<u>Cheney B</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMU 130</u>	<u>2</u>
<u>Youth Only - Antlerless</u>				
<u>Mt Spokane South Y</u>	<u>a</u>	<u>Oct. 1 - Nov. 30</u>	<u>Moose Area 1 (within 124)</u>	<u>1</u>
<u>65 Year and over - Antlerless</u>				
<u>49 Degrees North V</u>	<u>c</u>	<u>Oct. 1 - Nov. 30</u>	<u>GMU 117</u>	<u>2</u>
<u>Huckleberry V</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMU 121</u>	<u>2</u>
<u>Disabled hunter - Antlerless</u>				
	<u>b</u>			

<u>Hunt Name</u>	<u>Notes</u>	<u>Permit Season</u>	<u>GMU or boundary</u>	<u>Permits</u>
<u>49 Degrees North D</u>		<u>Oct. 1 - Nov. 30</u>	<u>GMU 117</u>	<u>3</u>
<u>Mt Spokane North D</u>		<u>Oct. 1 - Nov. 30</u>	<u>Moose Area 2 (within 124)</u>	<u>1</u>
<u>Hunter Education Antlerless</u>	<u>d</u>			
			<u>GMU 101, 105, 108, 111, 113, 117, 121</u>	<u>1</u>

ªApplicants must be eligible to purchase a youth moose permit application. An adult must accompany the youth hunter during the hunt.

ºApplicants must possess a Disabled Hunter Permit.

ºApplicants must be eligible to purchase a 65 years of age or older permit application.

ºApplicants must be a certified hunter education instructor who meets program-defined eligibility criteria.

ºThe following special hunt is offered by the USAF Survival School on a trial basis and will be evaluated based on student safety each year for continuation.

~~((This is a damage hunt administered by a WDFW designated hunt coordinator. Only master hunters may apply, and any weapon may be used. Successful applicants will be contacted on an as needed basis to help with specific sites of nuisance moose activity in designated areas. Not all successful applicants will be contacted in any given year.))~~

ªArchery only.

ªMuzzleloader or archery only.

ªªªOnly qualifying hunter education instructors may apply.

(3) **Moose Areas:**

(a) **Moose Area 1:** South Spokane Moose Area:

That portion of GMU 124 beginning at intersection of Blanchard Rd and Idaho-Washington state line: W on Blanchard Rd to Blanchard Creek Rd; SW on Blanchard Creek Rd to Tallman Rd; W on Tallman Rd to Elk Chattaroy Rd; SW on Elk Chattaroy Rd to Hwy 2; S on Hwy 2 to Hwy 395, S on Hwy 395 to Spokane River, E on Spokane River to Idaho-Washington state line, N on Idaho-Washington state line to Blanchard Rd and the point of beginning.

(b) **Moose Area 2:** North Spokane Moose Area:

That portion of GMU 124 beginning at intersection of Blanchard Rd and Idaho-Washington state line: W on Blanchard Rd to Blanchard Creek Rd; SW on Blanchard Creek Rd to Tallman Rd; W on Tallman Rd to Elk Chattaroy Rd; SW on Elk Chattaroy Rd to Hwy 2; S on Hwy 2 to Hwy 395, N on Hwy 395 to Deer Park-Milan Rd, E on Deer Park-Milan Rd to Hwy 2, N on Hwy 2 to Idaho-Washington state line, S on Idaho-Washington state line to Blanchard Rd and the point of beginning.

(c) **Moose Area 3:** Parker Lake (GMU 117, Pend Oreille County): All lands south of Ruby Creek Rd (USFS Road 2489), north of Tacoma Creek Rd (USFS Road 2389), and west of Bonneville Power Administration power lines.

[Statutory Authority: RCW 77.04.012, 77.04.020, 77.04.055, 77.12.047, 77.12.150, 77.12.240, 77.12.800, 77.32.090. WSR 17-10-076 (Order 17-10), amended and recodified as § 220-415-070, filed 5/3/17, effective 6/3/17. 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), § 232-28-273, 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), § 232-28-273, filed 4/25/14, effective 5/26/14; WSR 13-11-078 (Order 13-94), § 232-28-273, filed 5/16/13, effective 6/16/13. Statutory Authority: RCW 77.12.047. WSR 12-11-005 (Order 12-70), § 232-28-273, filed 5/2/12, effective 6/2/12; WSR 11-11-013 (Order 11-86), § 232-28-273, filed 5/6/11, effective 6/6/11. Statutory Authority: RCW 77.12.047, 77.12.020, 77.12.570, 77.12.210, 77.12.150, 77.12.240, 77.32.070, 77.32.530. WSR 10-10-061 (Order 10-94), § 232-28-273, filed 4/30/10, effective 5/31/10. Statutory Authority: RCW 77.12.047, 77.12.020, 77.12.570, 77.12.210, 77.12.150, 77.12.240. WSR 09-09-083 (Order 09-53), § 232-28-273, filed 4/15/09, effective 5/16/09. Statutory Authority: RCW 77.12.047, 77.12.020, 77.12.570, 77.12.210. WSR 08-09-090 (Order 08-78), § 232-28-273, filed 4/18/08, effective 5/19/08; WSR 07-11-017 (Order 07-62), § 232-28-273, filed 5/3/07, effective 6/3/07. Statutory Authority: RCW 77.12.047. WSR 06-11-032 (Order 06-92), §

232-28-273, filed 5/8/06, effective 6/8/06; WSR 05-11-022 (Order 05-89), § 232-28-273, filed 5/10/05, effective 6/10/05. Statutory Authority: RCW 77.12.047 and 77.12.020. WSR 04-11-036 (Order 04-98), § 232-28-273, filed 5/12/04, effective 6/12/04. Statutory Authority: RCW 77.12.047. WSR 03-13-047 (Order 03-129), § 232-28-273, filed 6/12/03, effective 7/13/03. Statutory Authority: RCW 77.12.047, 77.12.655, 77.12.020. WSR 02-11-069 (Order 02-98), § 232-28-273, filed 5/10/02, effective 6/10/02. Statutory Authority: RCW 77.12.040, 77.12.020, 77.32.070, 77.32.530. WSR 01-10-048 (Order 01-69), § 232-28-273, filed 4/26/01, effective 5/27/01. Statutory Authority: RCW 77.12.040, 77.12.010, 77.12.020, 77.12.770, 77.12.780. WSR 00-11-137 (Order 00-50), § 232-28-273, filed 5/23/00, effective 6/23/00. Statutory Authority: RCW 77.12.040. WSR 99-10-102 (Order 99-40), § 232-28-273, filed 5/5/99, effective 6/5/99; WSR 98-10-005 (Order 98-58), § 232-28-273, filed 4/22/98, effective 5/23/98.]

RECOMMENDED ADJUSTMENTS

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

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- Change: For antlerless only permits in Mt. Spokane South B (Moose Area 1 within GMU 124), change “74” to “4.”

Rationale: The intent had been to delete “7” and replace it with “4.” Due to human error, the 4 was added but the “7” was not crossed out.

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

WAC 220-415-070 2018 Moose seasons, permit quotas, and areas.

Supporting Comments:

Five (5) comments supported the proposed changes.

Opposing, Neutral, and Other Comments:

Thirteen (13) comments opposed the reduction in the number of youth permits. A number of commenters noted the typographical error in the number of permits proposed for Mount Spokane South B. Comments generally opposed the WAC without specifics. Two (2) comments oppose allowing any antlerless permits; one (1) out of concern for effects of wolf predation. One (1) comment questioned why the department has recommended eliminating the master hunt permits for moose. Two (2) comments suggested eliminating the remaining youth moose hunts, reallocating them to senior (over 65) hunters. Commenter recommended reducing the number of permits in GMU 113 because fewer moose have been seen in recent years. Two (2) comments recommended limiting antlerless tags to “Once in a Lifetime” (as currently the case with “any” moose, and proposed with “antlered bull only” tags, one of which added that, along with this, the department should eliminate youth permits for moose). One (1) comment suggested reducing antlerless permits to help rebuild the herd that the commenter believes is well below carrying capacity. One (1) comment preferred transferring points from the antlerless moose category to the newly created “any bull moose” category, rather than from the “any” moose category. Ten (10) comments expressed concern about the effects of predators on moose.

Direction and Rationale:

During the public comment period for the 3-year package, there was considerable support for reallocating youth antlerless moose permits to the general population of hunters. The department proposes a considerable reduction in the total number of antlerless permits available in District 2 (from 40 in 2017, to 18 in 2018), and much of this reduction will come from the Youth Only antlerless permits. Youth only hunts remain available for other species.

Results from the ongoing research effort north of Spokane suggest that antlerless harvest levels have recently become excessive; thus, the department proposes a substantial reduction around Mt. Spokane. Indications are that moose remain abundant in some areas of District 1, and provide some hunting opportunity there in both antlered and antlerless categories.

The department would want to go back to the public with any recommendations to change “antlerless” permits to “Once in a Lifetime” (this had not been proposed as part of the 3-year package). It remains possible, albeit very unlikely, that a hunter previously successful with an “antlerless moose” permit could draw a 2nd moose permit.

The department believes ongoing research does not support the contention that the moose population is well below carrying capacity in Region 1. It is likely that, long-term, Region 1 will support fewer moose than it had during the past two decades, regardless of hunting level.



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	
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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

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:

Date: January 24, 2018

Name: Scott Bird

Title: Rules Coordinator

Signature:

