

Concise Explanatory Statement Weapons and Other Hunting Equipment

Rules amended as part of this rulemaking:

WAC 220-413-060	Hunting restrictions.
WAC 220-413-090	Field identification of wildlife – Evidence of sex-Definitions.
WAC 220-414-010	Hunting equipment restrictions.
WAC 220-414-020	Unlawful methods for hunting – Firearms.
WAC 220-414-040	Nontoxic shot requirements.
WAC 220-414-050	Shotgun shell restriction areas.
WAC 220-414-060	Muzzleloading firearms.
WAC 220-414-070	Archery requirements.
WAC 220-414-090	Use of decoys and calls.

Rules repealed as part of this rulemaking:

N/A

Rules created as part of this rulemaking:

N/A

1. Background/Summary of Project:

The mission of Washington Department of Fish and Wildlife (WDFW or Department) is “Sound Stewardship of Fish and Wildlife.” The Department serves Washington’s citizens by protecting, restoring, and enhancing fish and wildlife and their habitats, while providing sustainable fish and wildlife-related recreational and commercial opportunities. WDFW staff proposed amendments to several hunting equipment WACs that could promote recreational hunting opportunities for archers, muzzleloaders, and modern firearm hunters to approach average statewide participation rates and to generally equalize success rates where possible. On April 8 the Fish and Wildlife Commission voted to adopt most but not all of the proposed amendments.

2. Reasons for adopting the rule:

WAC 220-413-060 Hunting restrictions.

1. The amendments to rule language clarifies it is unlawful to hunt wildlife at night and that it is unlawful to hunt wild animals, except rabbits and hares, with hounds during established modern firearm general deer and elk seasons during the months of October and November. This change will assist with law enforcement and provide clarity for hunters regarding night-hunting of wildlife.

2. The amendments allow hunters to use one dog controlled by a leash during lawful hunting hours and within 72 hours of shooting a big game animal, except bear and cougar, to assist with recovering wounded big game. This change will allow the use of a dog to assist in retrieving wounded big game (except bear and cougar), thereby improving game recovery rates and reducing game wastage.

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

Hunting regulations are designed to sustainably harvest wildlife while maintain viable population in perpetuity. To accomplish this, regulations often identify specific gender for some wildlife species that can be harvested. To assure compliance with those regulations it is important for hunters to leave certain parts of the wildlife that identify gender attached to the carcass prior to storing or consumption. The amendments provide guidance to ensure harvested game animals retain natural evidence of sex before processing or storing for consumption, includes specifics for turkeys, and outlines the penalty for failure to comply with the rule.

1. An amendment that adds turkeys to the list of game birds with specific exceptions for attached parts remaining until processing or storing for consumption.
2. An amendment to subsection (1) to make it clear that game birds must be transported with a feathered wing or head attached to the carcass until the carcass is processed and or stored for consumption with exceptions stated as follows:
 - Falconry-caught birds, no evidence of sex;
 - Canada and crackling geese harvested in Goose Management Area 2- Coast and inland: fully feathered head must be left attached, and;
 - Turkeys: the head, and if present at harvest, the beard must be left attached.
3. An amendment to the last statement of the existing rule into a subsection (6) to state that failure to comply with the rule (section) is unlawful possession of game animals under 77.15.410.

WAC 220-414-010 Hunting equipment restrictions.

The amendment clarifies that it is unlawful to hunt all big game, not just deer and elk, with the aid of infrared night vision equipment or with laser sights. This change clarifies rules to avoid confusion by hunters and to assist with law enforcement.

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

The amendments expand opportunity by allowing use of air rifles and handguns for hunting specific species. The specifics allowable for each weapon are identified within the amendments. The amendments provide lighter weight weapons for hunting identified species and therefore provide opportunity to hunters who are not able to carry the heavier weight weapons.

1. An editorial change under (1)(d) where the words “it is” are added to clarify that a shotgun must be a 20 gauge or larger.
2. An editorial change where blue grouse is replaced with dusky grouse and sooty grouse.
3. Addition of air rifles (no smaller than a .22 and no larger than a .25 caliber) to hunt dusky grouse, sooty grouse, spruce grouse, ruffed grouse, snowshoe hare, and cottontail rabbit.
4. Authorizing handguns for hunting turkey specifically as follows:

Modern handgun designed for hunting, shooting #4 or smaller shot, and not capable of holding more than three shells. Handgun barrel length must be a minimum of 10 inches, inclusive of choke tube. Modern handguns must shoot a minimum three-inch shotshell of .410 caliber or larger.

Muzzleloading handgun designed for hunting and shooting #4 or smaller shot. Handgun barrel length must be a minimum of 10 inches. Muzzleloading handguns must be .45 caliber or larger.

WAC 220-414-040 Nontoxic shot requirements.

The 2021-2022 migratory waterfowl, coot and snipe season will mark the 30th year since prohibiting the use of lead for waterfowl hunting nationwide. The amendments provide consistency in naming conventions of our Wildlife Area Units, and address Wildlife Area Units with significant wetlands presenting a high probability for contact with spent shot pellets. Additionally, it removes non-existent pheasant release sites in order to reduce confusion.

WAC 220-414-050 Shotgun shell restriction areas.

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

WAC 220-414-060 Muzzleloading firearms.

An amendment to clarify that the term “load” refers to the powder charge and projectile and that both must be loaded from the muzzle (i.e., as opposed to breach loaded firearms). This change clarifies rules to avoid confusion by hunters and to assist with law enforcement.

WAC 220-414-070 Archery requirements.

An amendment to allow the use of a “verifier peep sight.” Verifiers magnify the bow sight and are not considered a scope. This change provides for increased hunter participation and ethical shot placement, especially by hunters that have eye-sight issues (e.g., cannot focus on foreground when aiming).

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

Within WAC 220-416-060 defines the term “white geese” as including lesser snow geese, Ross’ geese, and their blue phase (or plumage) variants, as the two species have identical plumage, and are nearly indistinguishable in flight. In Washington, lesser snow geese are the predominant white goose during the winter months, while Ross’ geese are considered an incidental or rare occurrence as Washington is on the edge of the species’ range in North America.

The amendment allows for an extremely limited and targeted use of electronic calls during white goose-only season segments for lesser snow geese and Ross’ geese. The proposed change only impacts the lesser snow goose population that has experienced rapid population growth in the past three years and is now significantly above both established flyway and winter-flock population objectives. It is consistent with the Pacific Flyway Management Plan for the Wrangel Island Population for Lesser Snow Geese, that prescribes harvest rates in excess of 14% when total breeding population estimate is above 120,000 geese and Skagit-Fraser winter flock size estimate is above 70,000 adult geese. The current total breeding population index (3-year average) is 611,063 geese and the Skagit-Fraser winter flock index (3-year average) is 84,624 adult geese.

The change has little to no impact on the Ross’ goose population that remains above the established flyway population objective. It is consistent with the Pacific Flyway Plan for Ross’ Geese that prescribes including Ross’ geese without special restrictions in “white goose” regulations when the population is at or above 100,000 breeding birds (counted on breeding areas in the spring), or 150,000 wintering birds (in California). The current breeding population index (3-year average) is 348,400 breeding birds. In Washington, harvest of this species is incidental to harvest of lesser snow geese.

Guidance set under WAC 220-440-060, prioritizes the use of general season hunting to help minimize damage potential and concerns over killing wildlife causing private property damage under a migratory bird agricultural depredation permit. For migratory gamebirds, sport harvest allows consumptive use of harvested geese, whereas agricultural depredation permits do not allow for consumptive uses as this is defined as “take” outside of established seasons under the Migratory Bird Treaty Act (16 U.S. Code § 704).

3. Differences between the text of the proposed rule and the rule as adopted:

WAC 220-413-060 Hunting restrictions.

N/A

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

N/A

WAC 220-414-010 Hunting equipment restrictions.

N/A

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

Under section (5)(b)

- Change: (iii) Legal modern handgun designed for hunting, shooting #4 or smaller shot, and not capable of holding more than three shells. Handgun barrel length must be a minimum of 10 inches, inclusive of choke tube. Modern handguns must shoot a minimum three-inch shotshell of ~~.140~~ .410 caliber or larger;
Rationale: Clerical error.
- Change: (iv) Legal muzzleloading handgun designed for hunting, and shooting #4 or smaller shot, ~~and not capable of holding more than three shells~~. Handgun barrel length must be a minimum of 10 inches. Muzzleloading handguns must be .45 caliber or larger.
Rationale: Clerical error, muzzleloading handguns do not hold shells and only handle one shot at a time.

WAC 220-414-040 Nontoxic shot requirements.

N/A

WAC 220-414-050 Shotgun shell restriction areas.

N/A

WAC 220-414-060 Muzzleloading firearms.

The Fish and Wildlife Commission decided against adopting the proposed text for what would created a new section 4, subsection b (Proposed text: “Sights must be open, peep, of other open sight design, or scopes not exceeding 1x magnification. Fiber optic sights are legal. Telescopic sights or sights containing glass are prohibited.”), as well as a new section 4, subsection c (“Proposed text: It is unlawful to have any electrical aiming device or equipment attached to a muzzleloading firearm while hunting except for red dot or other similar electronically powered scopes not exceeding 1x magnification. It is lawful to mount a video camera to your muzzleloader while hunting provided it cannot be used for aiming the firearm.”).

WAC 220-414-070 Archery requirements.

The Fish and Wildlife Commission decided against adopting the proposed text for what would created a new section 1, subsection b (“Proposed text: It is unlawful to have any electrical equipment or electric device(s) attached to the bow or arrow while hunting with the following exceptions: Illuminated nocks attached to the bow or arrow while hunting, Bluetooth enabled nocks also known as breadcrumb nocks, range finding bow sights, and video camera provided the camera cannot be used for aiming the bow.”).

Adopted text: It is unlawful to hunt wildlife with any bow equipped with a scope. A verifier peep sight that magnifies the sights is not considered a scope and is lawful.

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

N/A

4. Public comments, response to comments, and consideration of comments

The Department received public comment through online survey, email, and public comment submissions for the Commission briefing. WDFW also consulted with the Game Management Advisory Council. The comments represented both those in favor and those oppose to the proposed rule change.

WAC 220-413-060 Hunting restrictions.

Common themes in public comments:

- General support of allowing dog tracking
- General disagreement
- General disagreement for night hunting rule changes
- Request for use of air rifles for other game
- Request to allow hunting of raccoon, coyote, or bobcat at night
- Desire to use dogs to track any game species once wounded
- Concern that use of dogs enables unethical hunting practices (poor shot placement)
- Perception of increased game recovery using dog tracking
- Game Management Advisory Council supported this proposal

Comment: General support of allowing dog tracking

WDFW acknowledges and appreciates the general support expressed by some commenters.

Comment: General disagreement

Some commenters expressed disagreement without identifying a rationale for their sentiment. WDFW considered that some commenters expressed general disagreement

Comment: General disagreement for night hunting rule changes

While some public comments expressed a concern about night hunting restrictions, this theme exhibits confusion about the proposed change. Many commenters appeared to perceive the rule change as a complete ban on night hunting. A complete ban was not proposed nor adopted. Rather, this rule change clarifies the rules around night-hunting of wildlife during the months of October and November during dates established for eastern and western Washington modern firearm deer or elk general seasons.

Comment: Request for use of air rifles for other game

Use of air rifles for other game species was considered but not recommended. It was not part of the proposed amendment to this WAC, and WDFW viewed a potential variation to address air rifles for other species as too distant from the proposed amendments to incorporate in this rulemaking.

Comment: Request to allow hunting of raccoon, coyote, or bobcat at night

This rule amendment does not prohibit night hunting of raccoon, coyote or bobcat. It merely clarifies the seasons when night hunting can occur. Hunting raccoon, coyote, or bobcat at night is currently legal outside of the months of October and November during dates established for eastern and western Washington modern firearm deer or elk general seasons. Hunting bobcat at night is only prohibited in lynx management zones but that regulation is unrelated to changes in WAC 220-413-060.

Comment: Desire to use dogs to track any game species once wounded

WDFW wildlife managers carefully evaluated the proposal to allow the use of dogs to track wounded game. Wildlife managers determined that deer and elk hunters would experience the largest benefit by allowing the use of dogs to track wounded game. Individuals interested in proposing the use of dogs to track other wounded game species are encouraged to participate in WDFW's next 3-year season setting process (initiating summer 2023).

Comment: Concern that use of dogs enables unethical hunting practices (e.g., poor shot placement).

WDFW appreciates the concern for ethical shot placement and the desire to maximize game recovery. However, no evidence suggests that hunters are more likely to take unethical shots due to the availability of dogs to assist in tracking wounded big game (except bear and cougar). The adopted WAC changes are meant to assist in the recovery of game and reduce wounding loss.

Comment: Perception of increased game recovery using dog tracking

WDFW appreciates the support for the proposed rule change. The adopted WAC changes are meant to assist in the recovery of game and reduce wounding loss, which aids wildlife managers in providing sustainable future hunting opportunities.

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

Common themes in public comments:

- General support
- Request to modify turkey head and beard to accompany versus remain attached
- Request for instructions or an instructional video
- Game Management Advisory Council supported the amendments.

Comment: General support

WDFW acknowledges and appreciates the general support expressed by some commenters.

Comment: Request to modify turkey head and beard to accompany versus remain attached.

WDFW recognizes the suggestion to have the head and beard accompany the carcass versus remain attached would be easier for hunters. However, failure to require the head and beard to remain attached to the carcass lends to parts being mis-placed, confusion, and potential unethical activities.

: Request for instructions or an instructional video.

WDFW appreciates the suggestion to have an instructional video or informational materials to assist hunters on how to dress their harvest and leave the head and beard attached. WDFW will prepare materials to assist hunters.

WAC 220-414-010 Hunting equipment restrictions.

Common themes:

- General agreement
- Concern regarding the use of night vision/infrared for coyote and bobcat hunting (i.e., concern for loss of night hunting for those species)
- Concern about the use of night vision/infrared at dawn/dusk for other species (i.e., concern for misuse of technology to hunt outside of “night”)
- Game Management Advisory Council supported the amendments.

Comment: General support

WDFW acknowledges and appreciates the general support expressed by some commenters.

Comment: Concern regarding the use of night vision/infrared for coyote and bobcat hunting (i.e., concern for loss of night hunting for those species)

WDFW appreciates the concern for hunting opportunity loss. However, the adopted changes are a clarification of rules related to the use of infrared night vision equipment or laser sights for big game species. Neither coyote or bobcat are classified as big game.

Comment: Concern about the use of night vision/infrared at dawn/dusk for other species (i.e., concern for misuse of technology to hunt outside of “night”).

WDFW appreciates the concern for misuse of technology to hunt outside of “night” hours. However, dawn and dusk (as defined by ½ hour before and after sunrise and sunset, respectively)

are typically within legal big-game hunting hours and the effectiveness of such equipment is considered negligible during daylight hours.

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

Common themes:

- Support
- Expand to include air handguns
- Edit the “three shot shell” under muzzleloading handgun
- Game Management Advisory Council supported the amendments

Comment: General support

WDFW acknowledges and appreciates the general support expressed by some commenters.

Comment: Expand to include air handguns

WDFW appreciates the suggestion and interest in including air handguns in addition to the air rifles. However, wildlife managers want to have time to assess the use of air rifles and any consequences associated with air rifle use before considering expansion of air powered weapons for hunting grouse, snowshoe hare, and cottontail rabbit.

Comment: Edit the “three shot shell” under muzzleloading handgun

WDFW agreed and made the suggested edit.

WAC 220-414-040 Nontoxic shot requirements.

Common themes:

- General support
- Non-toxic requirements everywhere, with certain exceptions
- Suggestion that the proposal is being used to reduce access
- Game Management Advisory Council supported the amendments

Comment: General support

WDFW acknowledges and appreciates the general support expressed by some commenters.

Comment: Non-toxic requirements everywhere, with certain exceptions.

WDFW appreciates the suggestion to implement non-toxic requirements everywhere. The scope of the amendments proposed for this WAC section were technical in nature while the suggestion to expand prohibitions would be more substantive in nature. WDFW would want to provide notice of specific proposed WAC language and gather further public comment on this issue before adopting additional substantive restriction.

Comment: Suggestion that the proposal is being used to reduce access.

WDFW appreciates the concern regarding reduced access, however the pheasant release sites that are being removed from the list have been non-existent for years and this will reduce confusion to Washington hunters.

WAC 220-414-050 Shotgun shell restriction areas.

Common themes:

- General support
- Request to re-evaluate the shotshell restrictions in areas where goose bag-limits have increased
- Request for consistency across state management areas
- Game Management Advisory Council supported the amendments

Comment: General support

WDFW acknowledges and appreciates the general support expressed by some commenters.

Comment: Request to re-evaluate the shotshell restrictions in areas where goose bag-limits have increased.

WDFW appreciates the suggestion to re-evaluate shotshell restrictions in areas where goose bag-limits have increased, however, the public land units specified in this WAC would not be open to white goose harvest during the late season segment. The other sites that implement a shotshell restriction are operated by private land access programs and are created conditioned upon the landowner's specifications. That is outside the authority of this WAC. Re-evaluation on state Wildlife Areas does occur with local staff and as part of Wildlife Area planning. These technical adjustments are consistent with current management on these units in an effort to improve the presence of waterfowl over the course of the 107-day season. Units considered for this restriction contemplate the species and the overall demand, or harvest pressure, present when evaluating shotgun shell restrictions. These are re-evaluated during the 3-year season setting cycle.

Comment: Request for consistency across state management areas.

WDFW appreciates the suggestion for consistency across state management areas, however a number of considerations must be taken account that are not consistent across the state and therefore require specific regulations to provide the most opportunity while minimizing long-term impacts to species and other future users. These technical adjustments are consistent with current management on these units in an effort to improve the presence of waterfowl over the course of the 107-day season. Units considered for this restriction contemplate the species and the overall demand, or harvest pressure, present when evaluating shotgun shell restrictions. These are re-evaluated during the 3-year season setting cycle.

WAC 220-414-060 Muzzleloading firearms.

Common themes:

- General disagreement about the rule changes
- General support for rule changes
- Desire to maintain primitive weapon types
- Concern about increased hunter participation in muzzleloader seasons
- Concern over availability of 1x scopes
- Support for rule change due to improved shot placement
- Support for 1x scopes on muzzleloading firearms because it enables hunter participation (e.g., poor eyesight may restrict participation with this weapon type)
- Concern over ethical shot placement – scopes may enable long-distance shooting
- Game Management Advisory Council supported the amendments

Comment: General support

WDFW acknowledges and appreciates the general support expressed by some commenters.

Comment: Desire to maintain primitive weapon types.

WDFW appreciates the concern over ‘technology creep’ and a desire to maintain primitive weapon classifications. However, the definition of ‘primitive’ is highly debated by wildlife managers and hunters alike. For most, the definition involves consideration of personal values and experiences, and public opinion heavily informs decision making. These nuanced issues were discussed in the April 8 public meeting and the proposed changes to muzzleloader requirements that allowed the use of electronic equipment were not adopted by the Fish and Wildlife Commission.

Comment: Concern about increased hunter participation in muzzleloader seasons.

WDFW appreciates the concern over increasing hunter participation and densities due to changes in weapon restrictions. However, wildlife managers did not anticipate significant increases in participation of muzzleloader seasons due to the proposed changes. These nuanced issues were discussed in the April 8 public meeting and the proposed changes to muzzleloader requirements that allowed the use of electronic equipment were not adopted by the Fish and Wildlife Commission.

Comment: Concern over availability of 1x scopes.

WDFW understands the concern regarding the availability of 1x scopes. Indeed there are few manufacturers of 1x scopes, which motivated WDFW managers to modify proposed language to allow red-dot or similar scopes of 1x magnification, which are readily available. However, the proposed changes to muzzleloader requirements that allowed the use of 1x scopes and electronic equipment were not adopted by the Fish and Wildlife Commission.

Comment: Support for rule change due to improved shot placement.

WDFW appreciates the support for the proposed rule changes that may have led to improved shot placement and recovery of wounded game. However, the Fish and Wildlife Commission discussed the various concerns related to new technology in hunting and the proposed changes to muzzleloader requirements that allowed the use of 1x scopes and electronic equipment were not adopted by the Fish and Wildlife Commission.

Comment: Support for 1x scopes on muzzleloading firearms because it enables hunter participation (e.g., poor eyesight may restrict participation with this weapon type).

WDFW appreciates the support for the proposed rule changes that would have allowed the use of 1x scopes and potentially increased participation. However, the Fish and Wildlife Commission discussed the various concerns related to new technology in hunting and the proposed changes to muzzleloader requirements that allowed the use of 1x scopes were not adopted by the Fish and Wildlife Commission.

Comment: Concern over ethical shot placement – scopes may enable long-distance shooting.

WDFW appreciates the concern for the proposed rule changes that would have allowed 1x scopes and thereby enabled longer-distance shooting. A 1x scope does not magnify a target and therefore would have been unlikely to enable longer-distance shooting over currently permissible equipment. Regardless, the Fish and Wildlife Commission discussed the various concerns related to new technology in hunting and the proposed changes to muzzleloader requirements that allowed the use of 1x scopes and electronic equipment were not adopted by the Fish and Wildlife Commission.

WAC 220-414-070 Archery requirements.

Common themes:

- General disagreement
- General support
- Dislike of electronic equipment on archery equipment
- Desire to keep primitive weapons primitive
- Concern over ethical shot placement/distance
- Support due to improved shot placement and accurate distance measurement
- Support due to improved game recovery
- Concern over increased harvest rates
- Concern regarding fair chase
- Game Management Advisory Council was split on these amendments

Comment: General support

WDFW acknowledges and appreciates the general support expressed by some commenters.

Comment: Dislike of electronic equipment on archery equipment.

WDFW appreciates the concern over ‘technology creep’ and a desire to maintain primitive weapon classifications. However, the definition of ‘primitive’ is highly debated by wildlife managers and hunters alike. The definition involves consideration of personal values and experiences, and public opinion heavily informs decision making. These nuanced issues were discussed in the April 8 Fish and Wildlife Commission public meeting. Ultimately, the proposed changes to archery equipment that allowed the use of electronic equipment were not adopted by the Fish and Wildlife Commission.

Comment: Desire to keep primitive weapons primitive.

WDFW appreciates the desire to maintain primitive weapon classifications. However, the definition of ‘primitive’ is highly debated by wildlife managers and hunters alike. The definition involves consideration of personal values and experiences, and public opinion heavily informs decision making. Ultimately, the proposed changes to archery equipment that allowed the use of electronic equipment were not adopted by the Fish and Wildlife Commission. The use of verifier peep sights, which were adopted by the Fish and Wildlife Commission, are not considered a scope and simply magnify the sights of a bow, not the target itself.

Concern over ethical shot placement/distance.

WDFW appreciates the concern for the proposed rule changes that would have allowed electronic equipment and potentially enabled longer-distance shooting. Ethical + behavior is largely up to the individual hunter, however. Ultimately, the proposed changes to archery equipment that allowed the use of electronic equipment were not adopted by the Fish and Wildlife Commission. The use of verifier peep sights, which were adopted by the Fish and Wildlife Commission, are not considered a scope and simply magnify the sights of a bow, not the target itself, so this change does not enable longer-distance shooting currently permissible equipment.

Comment: Support due to improved shot placement and accurate distance measurement.

WDFW appreciates the support for the proposed rule changes that would have allowed electronic devices, such as range-finding bowsights, on archery equipment. The Fish and Wildlife Commission discussed various concerns related to new technology in hunting at the April 8 meeting. Ultimately, the proposed changes to archery equipment that allowed the use of electronic equipment were not adopted by the Fish and Wildlife Commission. The use of verifier peep sights, which were adopted by the Fish and Wildlife Commission, should improve shot placement for those hunters with impaired vision.

Comment: Support due to improved game recovery.

WDFW appreciates the support for the proposed rule changes that would have allowed electronic devices on archery equipment and potentially improved game recovery. The Fish and Wildlife

Commission discussed various concerns related to new technology in hunting at the April 8 meeting. Ultimately, the proposed changes to archery equipment that allowed the use of electronic equipment were not adopted by the Fish and Wildlife Commission. The use of verifier peep sights, which were adopted by the Fish and Wildlife Commission, should improve shot placement for those hunters with impaired vision and may therefore improve game recovery.

Comment: Concern over increased harvest rates.

WDFW appreciates the concern over increased harvest rates as a consequence of the proposed rule changes. WDFW wildlife managers carefully evaluated the proposed changes and did not find definitive information that the changes would increase harvest. The Fish and Wildlife Commission discussed various concerns related to new technology in hunting at the April 8 meeting. Ultimately, the proposed changes to archery equipment that allowed the use of electronic equipment were not adopted by the Fish and Wildlife Commission. The use of verifier peep sights, which were adopted by the Fish and Wildlife Commission, are unlikely to significantly increase harvest rates.

Comment: Concern regarding fair chase.

WDFW appreciates the concern for fair chase and ethical pursuit of game. The changes proposed by WDFW were determined to not significantly improve the ability of a hunter to locate and harvest big game. Rather, the changes were motivated for the sake of ethical shot placement, recovery of game, and the recruitment, retention, and reactivation of hunters. The Fish and Wildlife Commission discussed various concerns related to new technology in hunting at the April 8 meeting. Ultimately, the proposed changes to archery equipment that allowed the use of electronic equipment were not adopted by the Fish and Wildlife Commission. The use of verifier peep sights, which were adopted by the Fish and Wildlife Commission, are unlikely to influence the ability to locate game.

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

Common themes:

- General support
- Limited opposition
- Request to allow unplugged shotguns (eliminate the 3-shell maximum)
- Request to allow electronic decoys
- Concerns this exception leads to a slippery slope of further application or exceptions
- Game Management Advisory Council supported the amendments

Comment: General support

WDFW acknowledges and appreciates the general support expressed by some commenters.

Comment: Request to allow unplugged shotguns (eliminate the 3-shell maximum).

WDFW appreciates the suggestion to consider additional allowances, however this WAC subsection allows for an extremely limited and targeted use of electronic calls during white goose-only season segments for lesser snow geese and Ross' geese.

Comment: Request to allow electronic decoys.

This WAC subsection allows for an extremely limited and targeted use of electronic calls during white goose-only season segments for lesser snow geese and Ross' geese and is designed to only impact the lesser snow goose population that has experienced rapid population growth in the past three years and is now significantly above both established flyway and winter-flock population objectives. This is the only allowance of this exception and therefore cannot lead to further applications by federal law. In contrast, consideration of electronic decoys has far broader application and requires considerations about the impacts to harvest rate on mallards that inform all duck season federal frameworks for season length and bag-limits. WDFW will continue to assess potential, related revisions in the context of updating the Game Management Plan and in the future 3-year season setting cycle.

Comment: Concern that this exception for use of electronic calls leads to a slippery slope of further application or exceptions.

WDFW appreciates the concern that this exception leads to a slippery slope, however this WAC subsection allows for an extremely limited and targeted use of electronic calls during white goose-only season segments for lesser snow geese and Ross' geese, and is designed to only impact the lesser snow goose population that has experienced rapid population growth in the past three years and is now significantly above both established flyway and winter-flock population objectives. This is the only allowance of this exception and therefore cannot lead to further applications (a slippery slope) by federal law. Also, Washington is required to monitor the harvest impacts from any action that we implement for goose harvest, as future population status monitoring may indicate a need to restrict regulations. Any future revisions will undergo further public process as WDFW is updating the Game Management Plan and in the future 3-year season setting cycle.