



PETITION FOR ADOPTION, AMENDMENT, OR REPEAL OF A STATE ADMINISTRATIVE RULE

Print Form

In accordance with [RCW 34.05.330](#), the Office of Financial Management (OFM) created this form for individuals or groups who wish to petition a state agency or institution of higher education to adopt, amend, or repeal an administrative rule. You may use this form to submit your request. You also may contact agencies using other formats, such as a letter or email.

The agency or institution will give full consideration to your petition and will respond to you within 60 days of receiving your petition. For more information on the rule petition process, see Chapter 82-05 of the Washington Administrative Code (WAC) at <http://apps.leg.wa.gov/wac/default.aspx?cite=82-05>.

CONTACT INFORMATION *(please type or print)*

Petitioner's Name _____
Name of Organization _____
Mailing Address _____
City _____ State _____ Zip Code _____
Telephone _____ Email _____

COMPLETING AND SENDING PETITION FORM

- Check all of the boxes that apply.
- Provide relevant examples.
- Include suggested language for a rule, if possible.
- Attach additional pages, if needed.
- Send your petition to the agency with authority to adopt or administer the rule. Here is a list of agencies and their rules coordinators: <http://www.leg.wa.gov/CodeReviser/Documents/RClist.htm>.

INFORMATION ON RULE PETITION

Agency responsible for adopting or administering the rule: _____

1. NEW RULE - I am requesting the agency to adopt a new rule.

The subject (or purpose) of this rule is: _____

The rule is needed because: _____

The new rule would affect the following people or groups: _____

2. AMEND RULE - I am requesting the agency to change an existing rule.

List rule number (WAC), if known: _____

I am requesting the following change: _____

This change is needed because: _____

The effect of this rule change will be: _____

The rule is not clearly or simply stated: _____

3. REPEAL RULE - I am requesting the agency to eliminate an existing rule.

List rule number (WAC), if known: _____

(Check one or more boxes)

It does not do what it was intended to do.

It is no longer needed because: _____

It imposes unreasonable costs: _____

The agency has no authority to make this rule: _____

It is applied differently to public and private parties: _____

It conflicts with another federal, state, or local law or rule. List conflicting law or rule, if known: _____

It duplicates another federal, state or local law or rule. List duplicate law or rule, if known: _____

Other (please explain): _____



**BACKCOUNTRY
HUNTERS & ANGLERS
WASHINGTON**

Washington Department of Fish & Wildlife
Attn: Fish & Wildlife Commission
PO Box 43200
Olympia, WA 98504

Subject: Bullfrog Petition

Dear Members of the Washington Fish and Wildlife Commission,

Bullfrogs, classified as Prohibited Level 3 species under WAC 220-640-050, pose a significant threat to Washington's native aquatic ecosystems through aggressive predation and habitat disruption. Although bullfrogs are also classified as game animals under WAC 220-400-020, the current allowed methods for their take—angling, hand dip netting, spearing (gigging), and bow and arrow—have proven insufficient in effectively controlling their population.

To enhance efforts in managing this invasive species, the Washington Chapter of Backcountry Hunters & Anglers proposes amending WAC 220-416-120 to allow the use of air rifles as a legal method of take, with the following key considerations:

1. Safety and Practicality

We specifically limit our request to air rifles rather than firearms due to safety concerns and practical considerations. Air rifles are quieter and have a limited range, reducing the risk of unintended harm to people or wildlife. This makes them a more suitable option for use in various environments, including areas where the use of traditional firearms would be unsafe or inappropriate.

2. Environmental Protection

The proposed rule change should strictly limit the use of air rifles to those firing lead-free, nontoxic ammunition. This precaution is essential to prevent contamination of our water bodies and protect the health of aquatic and terrestrial ecosystems. By mandating the use of nontoxic ammunition, we align this rule change with broader conservation goals and responsible wildlife management practices.

3. Enhanced Control of Invasive Species

Bullfrogs are known to outcompete and prey on native species, leading to significant ecological imbalances. By authorizing the use of air rifles, the Commission can empower hunters to engage more effectively in bullfrog removal efforts, aiding in the restoration of Washington's native ecosystems.

4. Increased Participation and Effectiveness

Air rifles offer an accessible and effective tool for a wide range of participants, from conservationists to outdoor enthusiasts, including youth participants. Allowing their use would likely increase participation in bullfrog control efforts, leading to more frequent and efficient removals, and ultimately helping to curb the spread of this invasive species.

Furthermore, this consideration has previously been raised by the Department of Fish and Wildlife, as part of



the 2021-2023 hunting season-setting and rulemaking proposals in August of 2020, (Issue 9 in the attached document). While not adopted at the time, this prior consideration indicates that there has been an ongoing interest for increasing responsive management actions for bullfrogs, as well as prior department investment in rule structure and language for best outcomes. Our petition reflects those suggested rule changes in their entirety.

In conclusion, we believe that this targeted rule change is necessary to enhance the effectiveness of bullfrog management in Washington State. By expanding the methods available for their removal while ensuring that safety and environmental concerns are addressed, the rule change may encourage both broader participation and success in bullfrog removal efforts.

We respectfully request that the Commission consider this petition and approve the proposed rule change to include air rifles, with the specified restrictions, as a legal method of take for bullfrogs.

Respectfully,

Dan Wilson
Co-Chair
Washington Chapter, Backcountry Hunters & Anglers

Drafted and submitted on behalf of the board of the Washington Chapter, Backcountry Hunters & Anglers



Small Game and Furbearer

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Issue 1: Lengthen the fall turkey season in south central Washington (District 9)

Species: Turkey

WAC(s): [220-416-010](#)

Background:

Turkey populations are expanding in parts of Klickitat, Skamania, and Clark counties. In some cases, human-wildlife conflicts are occurring where turkeys are foraging or roosting in developed areas. The goal of this change is to reduce and prevent human-wildlife conflicts, increase hunting opportunity and hunter participation, and simplify regulations by aligning the season with other parts of eastern Washington.

Alternatives:

1. No change.
2. Extend fall turkey season dates to September 1st through December 31st in GMUs 382, 388, 568-578. No change to the bag limit.

Issue 2: Expand fall turkey seasons in north central Washington (Region 2)

Species: Turkey

WAC(s): [220-416-010](#)

Background:

Turkey numbers have increased across many parts of central and eastern Washington. However, turkey abundance varies tremendously within each GMU, as does the associated recreational opportunity and amount of conflict. We propose to create a fall general turkey season in all GMUs in Region 2 that has dates consistent with other eastern Washington regions. This would simplify regulations. We anticipate that hunters would concentrate on areas where turkeys are most abundant and provide conflict mitigation support where needed. Areas with smaller turkey numbers would have reduced interest by hunters and less need for harvest associated with conflict. The goal of this change is to increase participation in turkey hunting and to increase tools available to help resolve conflicts.

Alternatives:

1. No change.
2. Create a general fall turkey season from Sept. 1 – Dec. 31 in all GMUs in Region 2 (all 200-series GMUs) with a bag limit of one either sex turkey.
3. Have general season opportunity or specific permit seasons in only select GMUs with higher turkey numbers. This would create more complicated regulations and would provide less local opportunity for hunters and conflict resolution.

Issue 3: Increase the bag limit for spring turkey in Chelan County

Species: Turkey

WAC(s): [220-416-010](#)

Background:

The spring season bag limit for turkeys in eastern Washington is two birds, except in Chelan, Kittitas, and Yakima counties where the bag limit is one bird. Turkey numbers have increased in Chelan County to the point where an increased bag limit could be supported. The goal of this change is to increase the bag limit for spring turkey in Chelan County to align with most of eastern Washington, thereby increasing hunter opportunity and simplifying regulations. Only male turkeys and turkeys with visible beards may be taken during the spring season.

Alternatives:

1. No change.
2. Increase the spring turkey bag limit to two birds in Chelan County.

Issue 4: Increase the bag limit for spring turkey in GMU 124

Species: Turkey

WAC(s): [220-416-010](#)

Background:

Current regulations allow each hunter to harvest up to three turkeys in the spring statewide, though only two turkeys can be harvested in most of eastern Washington. GMU 124 (Mount Spokane) consistently experiences high levels of human-wildlife conflict when turkeys are using developed areas. Additionally, increasing the bag limit to three turkeys here would provide hunters with an opportunity to harvest three turkeys in eastern Washington where populations are most plentiful. The goal of this change is to increase hunting opportunity and to reduce damage caused by turkeys.

Alternatives:

1. No change.
2. Increase the bag limit for spring turkey in GMU 124 from two to three.

Issue 5: Extend spring youth turkey season to one week

Species: Turkey

WAC(s): [220-416-010](#)

Background:

General spring season starts on April 15th each year. Current regulations set youth season for the first weekend in April (two days). Extending the youth season to up to one week (to include a single weekend) would allow more opportunity for youth hunters to participate and be successful. The goal of this change is to increase youth hunter participation and recruitment.

Alternatives:

1. No change.
2. Extend the spring youth turkey season to up to one week, inclusive of a single weekend.

Issue 6: Hunting for turkeys with dogs during the fall season

Species: Turkey

WAC(s): [220-416-010](#)

Background:

Robust turkey populations in some parts of Washington, combined with other factors, have led to human-wildlife conflicts with turkeys in developed areas. Fall seasons are in place in order to maintain or control these populations to mitigate damage while providing additional hunting opportunity.

Hunting fall turkeys with dogs is most common as a traditional practice in southeastern states, though several other states allow this opportunity. The goal of this change is to increase participation in fall turkey hunting. This change would also allow hunters to use dogs when hunting turkeys along with other small game and game bird species.

Alternatives:

1. No change.
2. Allow hunting for turkeys with dogs during the fall season except during the dates established for modern firearm deer or elk general seasons.

Issue 7: Using handguns chambered for shotshells for turkey hunting

Species: Turkey

WAC(s): [220-414-020](#)

Background:

Per WAC [220-414-020](#):

“(6) It is unlawful to hunt turkey with a weapon other than shotgun shooting #4 or smaller shot, bow and arrow, crossbow, or muzzleloading shotgun shooting #4 or smaller shot.”

Current regulations do not allow turkey hunting with a handgun. However handguns that perform similarly to legal weapons would be suitable for harvest. These handguns could increase accessibility for hunters with handicap conditions who cannot pull a bow or carry a full shotgun or crossbow while using canes, crutches, or other supporting devices. Handguns may also be more accessible to youths and people of smaller stature. Hunters pursuing multiple species could more easily carry their rifle along with the handgun, without having to carry two long guns or return to their vehicle to exchange weapons.

The goal of this change is to increase hunter participation and better enable some hunters, for example those with disabilities, to participate in turkey hunting. To comply with existing regulations, these handguns may not hold more than three shells.

Alternatives:

1. No change.
2. Allow the use of legal handguns which can be modern or muzzleloading style, designed for hunting, with a minimum barrel length of nominal 10 inches inclusive of choke tube. Modern centerfire handguns must fire a minimum 3 inch shotshell of .410 caliber or larger. Muzzleloader style handguns must be 45 caliber or larger. Handguns must use #4 shot or smaller.

Issue 8: Using rimfire rifles for fall turkey hunting

Species: Turkey

WAC(s): [220-414-020](#)

Background:

Per WAC [220-414-020](#):

“(6) It is unlawful to hunt turkey with a weapon other than shotgun shooting #4 or smaller shot, bow and arrow, crossbow, or muzzleloading shotgun shooting #4 or smaller shot.”

Current regulations do not allow hunting turkeys with a rifle, primarily due to safety concerns resulting from the longer range of rifles and the risk to hunters who are calling and hidden from view. Allowing only rimfire rifles would expand weapon options while limiting the power of those weapons to mitigate safety risks and waste. Unlike spring turkey hunting when calling is the predominant method of hunting, in the fall turkeys are more commonly hunted by a variety of methods (calling and stalking). Additionally, turkey hunting in the fall frequently consists of removing birds from conflict situations on private lands where hunter density may be less.

The goal of this change is to increase hunter participation and to enable hunters pursuing multiple small game species to utilize the same weapon on their multi-species hunt. This would also allow another tool for removals from conflict situations.

Alternatives:

1. No change.
2. Allow the use of rimfire rifles for turkey hunting during the fall season only.

Issue 9: Using air rifles to hunt bullfrogs

Species: Bullfrog

WAC(s): [220-416-120](#)

Background:

Per WAC [220-640-050](#), bullfrogs are classified as Prohibited level 3 species. They are also classified as game animals by WAC [220-400-020](#). As an invasive species, they can cause significant damage to aquatic ecosystems through aggressive predation. Under current regulations, bullfrogs can only be taken by angling, hand dip netting, spearing (gigging) or with bow and arrow. There is no daily limit on the number of bullfrogs that may be taken, no possession limit, and no size restrictions.

Allowing the use of air rifles may enable more frequent and effective removals of this invasive species. Only nontoxic ammunition would be allowed to prevent lead poisoning in aquatic environments. The goal of this change is to increase participation in and efficacy of bullfrog hunting in order to increase removals and to protect native ecosystems.

Alternatives:

1. No change.
2. Allow the use of air rifles for hunting bullfrogs. Hunters may use only air rifles with calibers .177 to .22 and that produce a muzzle velocity of at least 600 feet per second. Only nontoxic ammunition may be used.

Issue 10: Using air rifles to hunt forest grouse and lagomorphs

Species: Forest grouse, cottontail rabbit, and snowshoe hare.

WAC(s): [220-414-020](#)

Background:

Under current regulations it is illegal to hunt game birds with anything other than a firearm, a bow and arrow, a crossbow, or by falconry. During modern firearm deer or elk seasons, forest grouse may not be killed with any rifle or handgun 24 caliber or larger, or shotgun containing slugs or buckshot, unless appropriate deer or elk tags are in the hunter's possession. Forest grouse may be taken with shotguns as well as firearms smaller than 24 caliber during the entire grouse hunting season.

Per WAC [220-414-020](#):

“(2) It is unlawful to hunt game birds with a shotgun capable of holding more than three shells.

(3) It is unlawful to hunt game birds or game animals, except bullfrogs, in a manner other than with a firearm, a bow and arrow, a crossbow, or by falconry.

(4) It is unlawful to hunt game animals or game birds with a shotgun larger than 10 gauge.

(5) It is unlawful to hunt game birds with a rifle or handgun, with the exception of blue grouse, spruce grouse and ruffed grouse.”

The goal of this change is to recruit new small game hunters and to encourage more participation in small game hunting by expanding the weapon options to allow the use of air rifles.

Alternatives:

1. No change.
2. Allow the use of air rifles for hunting forest grouse, cottontails, and snowshoe hares. Hunters may use only air rifles with calibers .22 to .25, producing a muzzle velocity of at least 600 feet per second.

Issue 11: Restricting rifles for forest grouse hunting to rimfire only

Species: Forest grouse

WAC(s): [220-414-020](#)

Background:

There is currently no limit on the type of rifle that may be used for grouse hunting (though there is an upper limit on shotgun gauge). The goal of this change is to reduce the amount of waste caused by excessive damage to the carcass.

Per WAC [220-414-020](#):

“(2) It is unlawful to hunt game birds with a shotgun capable of holding more than three shells.

(3) It is unlawful to hunt game birds or game animals, except bullfrogs, in a manner other than with a firearm, a bow and arrow, a crossbow, or by falconry.

(4) It is unlawful to hunt game animals or game birds with a shotgun larger than 10 gauge.

(5) It is unlawful to hunt game birds with a rifle or handgun, with the exception of blue grouse, spruce grouse and ruffed grouse.”

Alternatives:

1. No change.
2. When hunting forest grouse with rifles (excluding muzzleloaders and air rifles), only allow the use of rimfire rifles.

Issue 12: Create a spring permit hunt for male forest grouse

Species: Dusky and sooty grouse

WAC(s): [220-416-010](#)

Background:

The forest grouse season runs 1 Sept – 31 Dec (WAC [220-416-010](#)). Grouse are often opportunistically hunted while hunters are pursuing other game such as deer or elk. The goal of this change is to create a new opportunity at a time of year when few other hunting opportunities are available, as well as to increase appreciation for and participation in forest grouse hunting.

This hunt would target males only and would be set after the peak of breeding in order to minimize impacts to the population. Males can be targeted by following the sound of their low-pitched hoots (in Alaska these are referred to as Spring Hooters). This creates an opportunity to harvest males while they are in peak plumage, allowing for a beautiful mount in addition to a delicious harvest.

While hunters are typically allowed to use dogs to hunt forest grouse, dogs would not be allowed for this spring hunt for consistency with the spring turkey hunt.

Alternatives:

1. No change.
2. Implement a limited spring permit hunt for male dusky and sooty grouse and do not allow the use of hunting dogs for this hunt.

Issue 13: Delay the start of forest grouse season

Species: Forest grouse (ruffed, sooty, dusky, and spruce grouse)

WAC(s): [220-416-010](#)

Background:

Harvest data, based on catch-per-unit-effort, indicate that Washington's forest grouse populations are in a long-term decline. The current season runs from September 1st to December 31st. In early September, brood hens are particularly vulnerable to harvest. Delaying the start of the season would reduce this disproportionate vulnerability. The goal of this change is to improve forest grouse populations by increasing survival of brood hens.

Alternatives:

1. No change.
2. Set the forest grouse hunting season for September 15th to December 31st (delay the start by two weeks).
3. Set the forest grouse hunting season for September 15th to January 15th (delay the start by two weeks and add two weeks to the end).
4. Allow forest grouse hunting during Labor Day weekend, then close the season until a second opening on October 5th when other upland game bird seasons open.

Issue 14: Lengthen the chukar season in January

Species: Chukar partridge

WAC(s): [220-416-010](#)

Background:

The general season for chukar (and other upland bird) harvest in eastern Washington runs from early October through Martin Luther King Day in January (WAC [220-416-010](#)). Catch-per-unit-effort data from the small game harvest survey indicate that the chukar population has stayed relatively steady in the long term with short term increases and decreases around an average of three to four harvests per hunter. Currently, the population appears to be in a short-term increase (based on 2013 to 2018 data), likely due to favorable precipitation and habitat conditions. The population could likely sustain additional days of hunting opportunity in January. This extension would separate chukar season from other upland bird seasons in eastern WA, leading to slightly more complex regulations. The goal of this change is to increase opportunity for chukar harvest at the end of the current season.

Alternatives:

1. No change.
2. Extend the eastern Washington general season for chukar to Jan 31st.

Issue 15: Trapping for rabbits and snowshoe hares

Species: Cottontail rabbit and snowshoe hare

WAC(s): [220-417-010](#)

Background:

Current regulations allow trapping for furbearers and unclassified species only. Cottontail rabbits and snowshoe hares are classified as game animals and may be hunted but not trapped. See WAC [220-416-010](#) for hunting seasons and bag limits. The goal for this change is to increase opportunity by allowing an additional method of take for cottontail rabbits and snowshoe hares.

Only cage and box traps are being considered for harvesting cottontail rabbits and snowshoe hares. Body-gripping traps are prohibited to capture any mammal for recreation or commerce in fur per RCW [77.15.194](#).

Alternatives:

1. No change.
2. Allow trapping for cottontail rabbits and snowshoe hares with box or cage traps.

Issue 16: Close the Olympic Peninsula to marten trapping

Species: American marten

WAC(s): [220-417-010](#)

Background:

The American marten (*Martes americana*) is classified as a furbearer species while the Pacific marten (*Martes caurina*) is protected. The Pacific marten had been assumed to be extirpated from the Olympic Peninsula, primarily through habitat loss. However, recent verified sightings have occurred indicating that they are present, at least in very low numbers. The goal of this change is to protect vulnerable marten populations from harvest as a result of species misidentification.

In the past decade, only one trapper has reported trapping for marten on the Olympic Peninsula, in Kitsap County which is not being proposed for closure. This trapper reported zero harvest from those trapping efforts. Since trappers are not currently trapping for marten in the proposed counties, this change would not result in significant loss of opportunity to existing trappers.

Alternatives:

1. No change.
2. Close Clallam, Jefferson, Mason, and Gray's Harbor counties to marten trapping.

Issue 17: Create a new bird dog training area in north central Washington (Region 2)

Species: Game birds

WAC(s): [220-416-010](#)

Background: Bird Dog Training Season runs from August 1st through March 31st. Each region except Region 2 has a designated area where dog training can be conducted year-round. Interest in creating an area for year-round dog training in Region 2 has grown in recent years. WDFW staff have discussed potential areas and recommend that we designate the WDFW managed lands around Martha Lake for such an area. The area is about 200 acres and is about 1-mile Northeast of the town of George in Grant County. This is a large access site with adequate parking and restrooms available. The site would be appropriate for both upland and water training.

Alternatives:

1. No change.
2. Designate the WDFW-managed lands around Martha Lake in Grant County as a year-round bird dog training area.