



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Washington Department of Fish and Wildlife

- Preproposal Statement of Inquiry was filed as WSR 10-18-093 on 9/1/2010; or
- Expedited Rule Making--Proposed notice was filed as WSR _____; or
- Proposal is exempt under RCW 34.05.310(4).

- Original Notice
- Supplemental Notice to WSR _____
- Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject)
WAC 232-28-294 Multiple season big game permits

Hearing location(s):
Natural Resources Building, Room 172
1111 Washington Street SE
Olympia, Washington 98501
(360) 902-2515

Date: December 3-4, 2010 Time: 8:30 a.m.

Date of intended adoption: On or after December 3, 2010
(Note: This is NOT the effective date)

Submit written comments to:
Name: Wildlife Program Commission Meeting Public Comments
Address: 600 Capitol Way North, Olympia WA 98501-1091
E-mail: Wildthing@dfw.wa.gov
Fax: (360) 902-2162

By: November 10, 2010

Assistance for persons with disabilities: Contact
Susan Yeager by November 29, 2010
TTY (800) 833-6388 or (360) 902-2267

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
This proposal increases the number of permits drawn and awarded.

Reasons supporting proposal:
Each year, approximately 16,000 applications are received for these permits, and in recent years, 2,600 are awarded. However, in 2010, only about 55% of those people who were awarded deer permits and 85% of those awarded elk permits ended up purchasing the permits. We are proposing to draw more names, although the number of hunters who will purchase the permits in 2011 is expected to be the same number (2,600) allocated in 2010.

Statutory authority for adoption: 77.12.047, 77.32.450, and 77.32.370

Statute being implemented: 77.12.047, 77.32.450, and 77.32.370

Is rule necessary because of a:

| | | |
|-------------------------|------------------------------|--|
| Federal Law? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If yes, CITATION:

DATE
October 20, 2010

NAME (type or print)
Lori Preuss

SIGNATURE

TITLE
Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: **October 20, 2010**
TIME: **8:55 AM**

WSR 10-21-097

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None.

Name of proponent: Department of Fish and Wildlife

- Private
- Public
- Governmental

Name of agency personnel responsible for:

| Name | Office Location | Phone |
|---------------------------------|-------------------------------------|----------------|
| Drafting..... Dave Pulliam | Natural Resources Building, Olympia | (306) 902-2506 |
| Implementation.... Dave Pulliam | Natural Resources Building, Olympia | (360) 902-2506 |
| Enforcement..... Bruce Bjork | Natural Resources Building, Olympia | (360) 902-2373 |

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone

fax

e-mail

No. Explain why no statement was prepared.

These rules regulate recreational hunters and do not directly regulate small business.

Is a cost-benefit analysis required under RCW 34.05.328?

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

Name:

Address:

phone () _____

fax () _____

e-mail

No: Please explain: These rules are not related to hydraulics regulations.

AMENDATORY SECTION (Amending Order 09-53, filed 4/15/09, effective 5/16/09)

WAC 232-28-294 Multiple season big game permits. The commission may, by rule, offer permits for hunters to hunt deer or elk during more than one general season.

An annual drawing will be conducted by the department for multiple season permits.

(1) Multiple season big game hunting permit applications:

(a) To apply for multiple season big game hunting season permits for deer or elk, applicants must purchase a permit application.

(b) No refunds or exchanges for applications will be made for persons applying for multiple season big game hunting season permits after the ~~((drawing))~~ application has been ~~((held))~~ submitted.

(c) An applicant may purchase only one application for a multiple season big game hunting season permit for each species.

(d) Permits will be randomly drawn by computer selection.

(e) Incomplete applications will not be accepted.

(f) The department will establish application and drawing dates.

(2) The bag limit for this permit is one deer or elk.

(3) Multiple season permits:

(a) Hunters who are drawn will be required to purchase their original deer or elk license, corresponding to their permit, and the multiple season big game permit.

(b) Successful applicants will be allowed to purchase their permit ~~((on a first come, first served basis until the quota has been reached. Once the quota is reached, permit sales will be curtailed))~~ at any time prior to September 1st.

(c) The permits are not transferable.

(4) Permit holders are required to follow all rules and restrictions for general season hunters within the game management unit or area hunted.

| Number of Permits | Dates | Game Management Units (GMUs) | Legal Animal | Eligible Hunters |
|-------------------------------------|---|---|--|--------------------------|
| Multiple Season Deer Permits | | | | |
| ((2000)) <u>4000</u> | Sept. 1 - December 31 within established general seasons and regulations for deer by the commission | Statewide in those GMUs with general seasons for archery, muzzleloader, or modern firearm hunters | Any legal deer consistent with the game management unit or area restrictions | Any licensed deer hunter |

| Number of Permits | Dates | Game Management Units (GMUs) | Legal Animal | Eligible Hunters |
|------------------------------------|---|---|--|---|
| 50 | Sept. 1 - December 31 within established general seasons and regulations for deer by the commission | Statewide in those GMUs with general seasons for archery, muzzleloader, or modern firearm hunters | Any legal deer consistent with the game management unit or area restrictions | Hunter education instructors, meeting qualifications and selection criteria established by the department |
| Multiple Season Elk Permits | | | | |
| ((600)) <u>850</u> | Sept. 1 - December 31 within established general seasons and regulations for elk by the commission | Statewide in those GMUs with general seasons for archery, muzzleloader, or modern firearm hunters | Any legal elk consistent with the game management unit or area restrictions | Any licensed elk hunter |
| 25 | Sept. 1 - December 31 within established general seasons and regulations for elk by the commission | Statewide in those GMUs with general seasons for archery, muzzleloader, or modern firearm hunters | Any legal elk consistent with the game management unit or area restrictions | Hunter education instructors, meeting qualifications and selection criteria established by the department |