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** 11-06-058 **and WSR** 11-10-083 **; 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 232-12-243, Public safety cougar removals.
WAC 232-28-272, 2009 Black bear and 2009-2010, 2010-2011, and 2011-2012 cougar hunting seasons and regulations.
WAC 232-28-287, 2009-2010, 2010-2011, and 2011-2012 Cougar permit seasons and regulations.
WAC 232-28-435, 2011-12 Migratory waterfowl seasons and regulations.

Hearing location(s):
Natural Resources Building, Conference Room 172
1111 Washington Street SE
Olympia, Washington 98504

Date: August 5-6, 2011 Time: 8:30 a.m.

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 (date) Wednesday, July 13, 2011

Assistance for persons with disabilities: Contact

Susan Yeager by July 29, 2011

TTY (800) 833-6388 or (360) 902-2267

Date of intended adoption: August 5-6, 2011
(Note: This is **NOT** the **effective** date)

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

Reasons supporting proposal:
See Attachment A

Statutory authority for adoption: 77.04.012; 77.04.055; 77.12.047; 77.32.070; 77.15.245

Statute being implemented: 77.04.012; 77.04.055; 77.12.047; 77.32.070; 77.15.245

Is rule necessary because of a:

Federal Law?		
Federal Court Decision?	☒ Yes	☐ No
State Court Decision?	☐ Yes	☐ No
If yes, CITATION:	☐ Yes	☐ No

CFR Title 50, Part 20; Migratory Bird Treaty Act

DATE
June 17, 2011

NAME (type or print)
Lori Preuss

SIGNATURE
Lori Preuss

TITLE
Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 17, 2011
TIME: 5:12 PM

WSR 11-13-089

(COMPLETE REVERSE SIDE)

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

Name of proponent: (person or organization) Washington Fish and Wildlife Commission

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting.....	Nate Pamplin	Natural Resources Building, Olympia	(306) 902-2693
Implementation....	Nate Pamplin	Natural Resources Building, Olympia	(360) 902-2693
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 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 are not hydraulics rules.

ATTACHMENT A

WAC 232-12-243 Public safety cougar removals.

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
The purpose of the WAC is to identify when cougar management removals are warranted for the protection of public safety and private property. The proposed WAC amendments change the threshold for conducting a cougar management removal from "eleven confirmed human-cougar interactions per year, of which at least four must be confirmed human-cougar safety incidents or livestock/pet depredations," to "an annual or seasonal increase in confirmed human-cougar interactions above the 2008-2010 level." The proposed WAC amendments also extend the removal season from March 15 to March 31, authorize removals on an as-needed basis, and re-name the program from "Public safety cougar removals" to "Cougar management removals."

Reasons supporting proposal:
The reason for the proposed changes is to make the removal threshold more responsive to any increases in confirmed human-cougar interactions and to perceptions of new threats posed by cougar.

WAC 232-28-272 2009 Black bear and 2009-2010, 2010-2011, and 2011-2012 cougar hunting seasons and regulations.

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
The purpose of the proposed WAC amendments is to establish the 2011-2012 cougar hunting seasons for hunting without the aid of dogs. The Department is recommending changing the Oct. 29-Nov. 30 any-weapon general season to Oct. 15-Dec. 31. Data on cumulative harvest through the season suggests that the female harvest will likely be near the female harvest guideline for each zone by Dec. 31.

Reasons supporting proposal:
The reason for the proposed changes is to achieve the female harvest guideline established in the Game Management Plan.

WAC 232-28-287 2009-2010, 2010-2011, and 2011-2012 Cougar permit seasons and regulations.

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
The purpose of the proposed WAC amendments is to establish the 2011-2012 cougar permit hunting seasons for hunting without the aid of dogs. The Department is recommending adding a Jan. 1-Mar. 31 permit season in each of the 5 zones, with between 20-40 permits issued per zone, depending on the size of the zone. The purpose of the permit season is to provide late-season opportunity when snow conditions are conducive for tracking and calling. Because the harvest success is less than 1 percent, the expected harvest is low.

Reasons supporting proposal:
The reason for the proposed changes is to manage the female harvest guideline established in the Game Management Plan.

WAC 232-28-435 2011-12 Migratory waterfowl seasons and regulations.

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
The new WAC specifies legal season dates, bag limits, and open areas to hunt waterfowl, coot, and snipe for the 2011-12 hunting season.

Reasons supporting proposal:
Waterfowl seasons and regulations are developed based on cooperative management programs among states of the Pacific Flyway 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 of Washington.

AMENDATORY SECTION (Amending Order 08-197, filed 8/13/08, effective 9/13/08)

WAC 232-12-243 ((~~Public safety~~)) Cougar management removals. (1) Definitions:

As used in this section and in the context of ((~~public safety~~)) cougar management removals, the following definitions apply:

(a) "Confirmed" means qualified department staff is led to believe a cougar(s) was at the scene of the incident by interview of the complainant or observation of evidence at the scene.

(b) "Human-cougar safety incident" means aggressive or unusual behavior by a cougar which presents an actual or perceived threat to an individual.

(c) "Livestock or pet depredation" means incidents where livestock and/or pets are killed and/or injured by cougar.

(d) "Marginal cougar habitat" means those areas usually dominated by urban/suburban, developed lands with relatively high human densities.

(e) "Nuisance activity" means incidents associated with property disturbance, property damage, or livestock/pet harassment.

(f) "Preferred cougar habitat" means those areas usually dominated by rural, undeveloped lands with relatively low human densities.

(g) "Public safety need" means there exists a reasonable threat to human safety or property by one or more cougar, as indicated by the level of confirmed human-cougar safety incidents or livestock/pet depredations, and confirmed cougar sightings or nuisance activities.

(h) "Removal" means the act of killing one or more cougar with the aid of dogs.

(i) "Sighting" means a direct observation of one or more cougar, in urban or rural settings, near individuals or residences; typically more than chance observations.

(j) "Human-cougar interaction" means a human-cougar safety incident, livestock or pet depredation, cougar nuisance activity, or cougar sighting event.

(k) "Dog hunter" means a person that owns and hunts with dogs that are capable of detecting, tracking and treeing a cougar.

(2) ((~~Public safety~~)) Cougar management removal authorization: The commission authorizes the director to issue ((~~public safety~~)) cougar management removal permits consistent with this rule. Prior to issuing ((~~public safety~~)) cougar management removal permits, the department shall use other practical alternatives to address a public safety need, including livestock or pet depredations. Other practical alternatives may include, but are not limited to, general cougar hunting seasons, general public information, educational programs, information to recreational hunters, cougar

depredation/kill permits, and department capture and relocation/euthanasia of specific cougars.

(3) ((~~Public safety~~)) Cougar management removal criteria:

(a) The commission determines that when the above practical alternatives have been utilized within a game management unit, ((~~eleven confirmed human-cougar interactions per year, of which at least four must be confirmed human-cougar safety incidents or livestock/pet depredations~~)) an annual or seasonal increase in confirmed human-cougar interactions above the 2008-2010 level, therein ((~~demonstrating~~)) demonstrates that the practical alternatives have been inadequate to address the public safety need. The director then is authorized by the commission to remove one or more cougar, with the aid of dogs, in a selected area of that game management unit or nearby geographic area suitable for the use of dogs. The commission authorizes the director to remove one cougar per one hundred twenty square kilometers of complaint area in preferred cougar habitat, and one cougar per four hundred thirty square kilometers of complaint area in marginal cougar habitat.

(b) If warranted by conditions of this rule, ((~~public safety~~)) cougar management removal(s) will be conducted annually between December 1st and March ((~~15th~~)) 31st in selected areas of game management units designated by the director to address a public safety need presented by one or more cougar((~~, except in game management units in counties where cougars will be removed to address public safety and protection of property with pilot cougar hunting seasons with the aid of dogs authorized under WAC 232-28-285~~)).

(c) The department shall not target more than one hundred nine cougar during a public safety cougar removal period unless otherwise authorized by the commission.

(4) ((~~Public safety~~)) Cougar management removal permit issuance procedure.

(a) To participate in a ((~~public safety~~)) cougar management removal, individuals must request that his/her name be placed on a list of available participants (participant list) by mailing their request to Washington Department of Fish and Wildlife, Enforcement Program - ((~~Public Safety~~)) Cougar Management Removal, 600 Capitol Way North, Olympia, WA 98501-1091. The request must include the individual's name, address, phone number, and game management units being applied for. Individuals may apply for no more than four game management units. An individual's request to be placed on a participant list for a removal period must be postmarked no later than October 1, or be received at the department's Olympia office no later than 5:00 p.m. on October 1, during the year the removal period begins.

(b) To be eligible for a ((~~public safety~~)) cougar management removal permit (permit), the participant must be a Washington resident dog hunter who, at the time of application for a permit, possesses a valid big game license with cougar as a species option. The permit holder must use dogs while participating in a ((~~public safety~~)) cougar management removal.

(c) Individuals eligible for participation in a ((~~public~~

~~safety~~)) cougar management removal will be randomly selected from the participant list. The department will issue a permit to the person whose name is selected from the participant list. Individuals selected will be notified by telephone or mail. Individuals selected must contact the department's enforcement program in Olympia and accept the ((~~public safety~~)) cougar management removal permit within fifteen days of being notified. Failure to contact the department will result in forfeit of the permit and the individual will be placed on the participant list for later selections. Permits may not be sold or reassigned.

(d) Permit holders and all individuals who will accompany the permit holder must complete the department's ((~~public safety~~)) cougar management removal education course prior to participating in a ((~~public safety~~)) cougar management removal.

(5) ((~~Public safety~~)) Cougar management removals: Quota system and participation in cougar removal.

(a) ((~~Public safety cougar~~)) This is a management removal administrated by a WDFW designated coordinator. Permit holders will be contacted on an as-needed basis to conducted removals in portions of GMUs. Not all permit hunters will be contacted in a given year.

(b) Cougar removals will be based on a quota system, where permit holders may hunt cougar until the allotted numbers of cougar have been killed from each game management unit or March ((~~15~~)) 31, whichever is first.

((~~(b)~~)) (c) Permit holders who harvest a cougar before January 15 may continue hunting for a second cougar with dogs. The permit holder must purchase an additional cougar transport tag to hunt and harvest one additional cougar and the permit holder will be issued a second permit. Permit holders who harvest a cougar after January 15 are not eligible to harvest a second cougar with dogs.

((~~(c)~~)) (d) To verify if the cougar removal season is open or closed in each game management unit, the permit holders shall notify the department's enforcement program in Olympia within twenty-four hours prior to exercising a public safety cougar removal permit.

((~~(d)~~)) (e) No more than four total individuals may participate per ((~~public safety~~)) cougar management removal, including the permit holder(s). Only the permit holder, whose name appears on the permit, may take a cougar.

((~~(e)~~)) (f) Hunters killing a cougar during a ((~~public safety~~)) cougar management removal must notify the department's enforcement program in Olympia within twenty-four hours after harvesting the cougar.

((~~(f)~~)) (g) The department reserves the right to accompany permit holders while participating in a ((~~public safety~~)) cougar management removal.

(6) ((~~Public safety~~)) Cougar management removal general requirements.

(a) A valid big game hunting license which includes cougar as a species option is required to hunt cougar. One cougar transport tag is included with a big game license that has cougar as a species option. A second cougar transport tag must be purchased to

take a second cougar. Individuals may participate in multiple ((~~public safety~~)) cougar management removals, but must purchase a cougar transport tag for each cougar removed. Purchases in excess of two cougar transport tags must be made at department offices.

(b) It is unlawful to kill or possess spotted cougar kittens or adult cougars accompanied by spotted kittens. Individuals selected for a ((~~public safety~~)) cougar management removal permit may take one cougar per permit.

(c) Hunters may use any lawful big game modern firearm, archery, or muzzleloader equipment for hunting cougar. The use of dogs to hunt cougar is prohibited except during a ((~~public safety~~)) cougar management removal.

(d) Any person who takes a cougar must notify the department within twenty-four hours of kill (excluding legal state holidays) and provide the hunter's name, date and location of kill, and sex of animal. The raw pelt of a cougar must be sealed by an authorized department employee within seventy-two hours of the notification of kill. Any person who takes a cougar must present the cougar skull, in such a manner that teeth and biological samples can be extracted, to an authorized department employee at the time of sealing.

(e) The ((~~public safety~~)) cougar management removal permit (permit) belongs to the state of Washington. The permit holder may be required to return to or turn over to the department the permit when, in the judgment of the department, the permit holder violates any conditions of the permit, violates trespass laws while acting under this permit, or violates any other criminal law or hunting regulation of the state while acting under this permit. If the permit holder is required to return to or turn over to the department the permit, the permit holder may request an appeal of that action in accordance with chapter 34.05 RCW. Appeal request shall be filed in writing and returned within twenty days of the date of action and be addressed to WDFW Legal Services Office, 600 Capitol Way North, Olympia, Washington 98501-1091.

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

WAC 232-28-272 2009 Black bear and 2009-2010, 2010-2011, and 2011-2012 cougar hunting seasons and regulations.

2009 Fall Black Bear Seasons:

Black Bear Management Unit	Season	Hunt Area
Coastal	Aug. 1 - Nov. 15	GMUs 501, 504, 506, 530, 601, 602, 603, 607-621, 636-651, 658-663, 672-684
Puget Sound	Aug. 1 - Nov. 15	GMUs 407, 410, 454, 624, 627, 633, 652, 666, 667
North Cascades	Aug. 1 - Nov. 15	GMUs 418-450, 460
South Cascades	Aug. 1 - Nov. 15	GMUs 466, 485, 503, 505, 510-520, 524, 550-574, 653, 654
Okanogan	Aug. 1 - Nov. 15	GMUs 203, 209-243
East Cascades	Aug. 1 - Nov. 15	GMUs 244-247, 249-251, 328, 329-368, 382, 388, 578
Northeastern A	Sept. 1 - Nov. 15	GMUs 101-121, 204
Northeastern B	Aug. 1 - Nov. 15	GMUs 124-130
Blue Mountains	Sept. 1 - Nov. 15	GMUs 145-154, 162-186
Columbia Basin	Aug. 1 - Nov. 15	GMUs 133, 136, 139, 142, 248, 254, 260-290, 371-381
Long Island	Sept. 1 - Nov. 15	GMU 699

Bag Limit: Two (2) black bear per annual hunting season only one of which may be taken in Eastern Washington.

Area Restriction: Special deer permit required to hunt black bear in GMU 485.

License Required: A valid big game hunting license, which includes black bear as a species option, is required to hunt black bear. One black bear transport tag is included with a big game hunting license that has black bear as a species option. A second black bear transport tag must be purchased to take a second bear.

Hunting Method: Hunters may use any lawful big game modern

firearm, archery, or muzzleloader equipment for hunting black bear. The use of hounds and bait to hunt black bear is prohibited statewide.

Submitting Bear Teeth: Successful bear hunters must submit the black bear premolar tooth located behind the canine tooth of the upper jaw.

2009–2010 Cougar Seasons:

Hunt Name	Hunt Area	Season	Special Restrictions
Coastal Puget Sound North Cascades Columbia Basin	GMUs 136-142, 248, 254-290, 371-381, 418, 426, 437, 448, 450, 460, 466, 485, 501, 504, 506, 530, 601-621, 636-651, 658-663, 672-684, 699, 407, 410, 454, 624-633, 652, 666	Sept. 1-25	Archery only
		Sept. 26 - Oct. 16	Muzzleloader only
		Oct. 17 - Mar. 31	Any weapon
South Cascades Blue Mountains Kittitas-Yakima Spokane	GMUs 124-133, 145-154, 162-186, 328-368, 503, 505, 510-520, 524, 550-574, 653, 654, 667	Sept. 1-25	Archery only
		Sept. 26 - Oct. 16	Muzzleloader only
		Oct. 17 - Dec. 31	Any weapon
Chelan Okanogan Okanogan-Ferry Stevens-Pend Oreille Klickitat	GMUs 101, 105, 108-121, 203, 204, 209-242, 243-247, 249-251, 382, 388, 578 within Chelan, Ferry, Klickitat, Okanogan, Stevens, or Pend Oreille counties	Sept. 1-25	Archery only
		Sept. 26 - Oct. 16	Muzzleloader only
		Oct. 31 - Nov. 30	Any weapon

2010–2011 Cougar Seasons:

Hunt Name	Hunt Area	Season	Special Restrictions
Coastal Puget Sound North Cascades Columbia Basin	GMUs 136-142, 248, 254-290, 371-381, 418, 426, 437, 448, 450, 460, 466, 485, 501, 504, 506, 530, 601-621, 636-651, 658-663, 672-684, 699, 407, 410, 454, 624-633, 652, 666	Sept. 1-24	Archery only
		Sept. 25 - Oct. 15	Muzzleloader only
		Oct. 16 - Mar. 31	Any weapon
South Cascades Blue Mountains Kittitas-Yakima Spokane	GMUs 124-133, 145-154, 162-186, 328-368, 503, 505, 510-520, 524, 550-574, 653, 654, 667	Sept. 1-24	Archery only
		Sept. 25 - Oct. 15	Muzzleloader only
		Oct. 16 - Dec. 31	Any weapon
Chelan Okanogan Okanogan-Ferry Stevens-Pend Oreille Klickitat	GMUs 101, 105, 108-121, 203, 204, 209-242, 243-247, 249-251, 382, 388, 578 within Chelan, Ferry, Klickitat, Okanogan, Stevens, or Pend Oreille counties	Sept. 1-24	Archery only
		Sept. 25 - Oct. 15	Muzzleloader only
		Oct. 31 - Nov. 30	Any weapon

2011–2012 Cougar Seasons:

Hunt Name	Hunt Area	Season	Special Restrictions
Coastal Puget Sound North Cascades Columbia Basin	GMUs 136-142, 248, 254-290, 371-381, 418, 426, 437, 448, 450, 460, 466, 485, 501, 504, 506, 530, 601-621, 636-651, 658-663, 672-684, 699, 407, 410, 454, 624-633, 652, 666	Sept. 1-23	Archery only
		Sept. 24 - Oct. 14	Muzzleloader only
		Oct. 15 - Mar. 31	Any weapon
South Cascades Blue Mountains Kittitas-Yakima Spokane	GMUs 124-133, 145-154, 162-186, 328-368, 503, 505, 510-520, 524, 550-574, 653, 654, 667	Sept. 1-23	Archery only
		Sept. 24 - Oct. 14	Muzzleloader only
		Oct. 15 - Dec. 31	Any weapon
Chelan Okanogan Okanogan-Ferry Stevens-Pend Oreille Klickitat	GMUs 101, 105, 108-121, 203, 204, 209-242, 243-247, 249-251, 382, 388, 578 within Chelan, Ferry, Klickitat, Okanogan, Stevens, or Pend Oreille counties	Sept. 1-23	Archery only
		Sept. 24 - Oct. 14	Muzzleloader only
		Oct. ((~~29 - Nov. 30~~)) 15 - Dec. 31	Any weapon

Requirements for Cougar Seasons:

License Required: A valid big game hunting license which includes cougar as a species option is required to hunt cougar.

Bag Limit: One (1) cougar per license year excluding public safety cougar removals. It is unlawful to kill or possess spotted cougar kittens or adult cougars accompanied by spotted kittens.

Area Restriction: Special deer permit required to hunt cougar in GMU 485.

Tag Information: One cougar transport tag is included with a big game license that has cougar as a species option.

Hunting Method: The use of dogs to hunt cougar is prohibited except by a ((~~public safety cougar removal permit (WAC 232-12-243) or~~)) commission authorized ((~~hound~~)) permit (WAC ((~~232-28-285~~)) 232-12-243).

Cougar Pelt Sealing: Any person who takes a cougar must comply with the sealing requirements in WAC 232-12-024.

AMENDATORY SECTION (Amending Orders 10-94 and 10-94A, filed 4/30/10 and 12/30/10, effective 5/31/10 and 1/30/11)

WAC 232-28-287 2009-2010, 2010-2011, and 2011-2012 Cougar permit seasons and regulations. It is unlawful to fail to comply with the provisions below. Violators may be punished under RCW 77.15.410, 77.15.245, and 77.15.280 (1)(c).

Who may apply: Anyone with a valid Washington big game license, which includes cougar as a species option.

Hunt areas, permit levels, and season dates for each license year:

Hunt Name	Hunt Area	Permits	Season Dates[a]
South Cascades	GMUs 503, 505, 510-520, 524, 550-574, 653, 654, 667	40	Jan. 1 - Mar. 31
Blue Mountains	GMUs 145-154, 162-186	100	Jan. 1 - Mar. 31
Kittitas-Yakima	GMUs 328-368	30	Jan. 1 - Mar. 31
Spokane	GMUs 124-133	30	Jan. 1 - Mar. 31
Chelan	GMUs 243-247, 249-251	40	Jan. 1 - Mar. 31
Okanogan	GMUs 203, 209-242	40	Jan. 1 - Mar. 31
Okanogan-Ferry	GMUs 101, 105, 204	20	Jan. 1 - Mar. 31
Stevens-Pend Oreille	GMUs 108-121	30	Jan. 1 - Mar. 31
Klickitat	GMUs 382, 388, 578	20	Jan. 1 - Mar. 31
[a]Permits are valid for the license year they are issued.			

Requirements for Cougar Seasons:

Bag limit: One (1) cougar per license year, excluding public safety cougar removals. It is unlawful to kill or possess spotted cougar kittens or adult cougars accompanied by spotted kittens.

License required: A valid big game hunting license, which includes cougar as a species option, is required to hunt cougar.

Tag information: One cougar transport tag is included with a big game license that has cougar as a species option.

Hunting method: The use of dogs to hunt cougar is prohibited except by a ((~~public safety cougar removal permit (WAC 232-12-243) or~~)) commission authorized ((~~hound~~)) permit (WAC ((~~232-28-285~~)) 232-12-243).

Cougar pelt sealing: Any person who takes a cougar must comply with the sealing requirements in WAC 232-12-024.

NEW SECTION

WAC 232-28-435 2011-12 Migratory waterfowl seasons and regulations.

DUCKS

Statewide

Oct. 15-19, 2011 and Oct. 22, 2011 - Jan. 29, 2012; except scaup season closed Oct. 15 - Nov. 4.

Special youth hunting weekend open only to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is not hunting): Sept. 24-25, 2011.

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

Possession limit: 14 ducks, to include not more than 4 hen mallard, 4 pintail, 6 scaup, 2 canvasback, and 4 redhead statewide; and to include not more than 1 harlequin, 4 scoter, 4 long-tailed duck, and 4 goldeneye in Western Washington.

Season limit: 1 harlequin in Western Washington.

AUTHORIZATION AND HARVEST RECORD CARD REQUIRED TO HUNT SEA DUCKS

Hunters must possess a special 2011-2012 hunting authorization and harvest record card for sea ducks when hunting harlequin, scoter, long-tailed duck, and goldeneye in Western Washington. Hunters who did not possess a 2010-11 sea duck harvest record card must submit an application form to WDFW. Immediately after taking a sea duck into possession, hunters must record in ink the information required on the harvest record card.

COOT (Mudhen)

Same areas, dates (including youth hunting weekend), and shooting hours as the general duck season.

Daily bag limit: 25 coots.
Possession limit: 25 coots.

SNIPE

Same areas, dates (except youth hunting weekend), and shooting hours as the general duck season.

Daily bag limit: 8 snipe.
Possession limit: 16 snipe.

GEESE (except Brant)

Special youth hunting weekend open only to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is not hunting): Sept. 24-25, 2011, statewide except Western Washington Goose Management Areas 2A and 2B.

Daily bag limit: 4 Canada geese.
Possession limit: 8 Canada geese.

Western Washington Goose Seasons

Goose Management Area 1

Island, Skagit, Snohomish counties.

Oct. 15, 2011 - Jan. 29, 2012 for snow, Ross', and blue geese.
Oct. 15-27, 2011 and Nov. 5, 2011 - Jan. 29, 2012 for other geese (except Brant).

Daily bag limit: 4 geese.
Possession limit: 8 geese.

AUTHORIZATION AND HARVEST RECORD CARD REQUIRED TO HUNT SNOW GEESE

Hunters must purchase a special 2011-12 migratory bird hunting authorization and harvest record card for snow geese when hunting snow, Ross', and blue geese in Goose Management Area 1. Hunters who did not possess a 2010-11 snow goose harvest record card must submit an application form to WDFW. Immediately after taking a snow, Ross', or blue goose into possession, hunters must record in ink the information required on the harvest record card.

SNOW GOOSE QUALITY HUNTING PROGRAM IN GOOSE MANAGEMENT AREA 1

All hunters must obey posted signs regarding access restrictions. Quality hunt units are not available for commercial uses.

SKAGIT COUNTY SPECIAL RESTRICTIONS

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

It is unlawful to hunt snow geese on Fir Island, Skagit County, inland of the surrounding dikes, unless each hunter sets up a minimum of 24 snow goose decoys. Additionally, it is unlawful to hunt snow geese over decoys unless the decoys are set up in a realistic pattern, are under the immediate control of the hunter, and are not left unattended. For the purposes of this section, a "decoy" is defined as any structure the size of or larger than a mallard duck decoy. A violation of this section is punishable under RCW 77.15.400.

While hunting snow geese, if a hunter is convicted of (a) trespass; (b) shooting from, across, or along the maintained part of any public highway; (c) discharging a firearm for the purpose of hunting waterfowl within 100 feet of any paved public road on Fir Island in Skagit County or discharging a firearm within 100 feet of any paved public road for the purpose of hunting snow geese in

other areas of Skagit County; (d) exceeding the daily bag limit for geese; or (e) violating decoy requirements, authorization will be invalidated for the remainder of the current snow goose season and an authorization will not be issued for the subsequent snow goose season.

Goose Management Area 2A

Cowlitz and Wahkiakum counties, and that part of Clark County north of the Washougal River.

Open in all areas except Ridgefield NWR from 8 a.m. to 4:00 p.m., Saturdays, Sundays, and Wednesdays only, Nov. 12-27, 2011 and Dec. 7, 2011 - Jan. 29, 2012, except closed Dec. 25, 2011 and Jan. 1, 2012. Ridgefield NWR open from 8 a.m. to 4:00 p.m. Tuesdays, Thursdays, and Saturdays only, Nov. 12-26, 2011 and Dec. 8, 2011 - Jan. 28, 2012, except closed Nov. 24, 2011 and Dec. 25, 2011 and Jan. 1, 2012.

Bag limits for Goose Management Area 2A:

Daily bag limit: 4 geese, to include not more than 1 dusky Canada goose.

Possession limit: 8 geese, to include not more than 1 dusky Canada goose.

Season limit: 1 dusky Canada goose.

Goose Management Area 2B

Pacific County.

Open from 8 a.m. to 4:00 p.m., Saturdays and Wednesdays only, Oct. 15, 2011 - Jan. 14, 2012.

Bag limits for Goose Management Area 2B:

Daily bag limit: 4 geese, to include not more than 1 dusky Canada goose and 1 Aleutian goose.

Possession limit: 8 geese, to include not more than 1 dusky Canada goose and 2 Aleutian geese.

Season limit: 1 dusky Canada goose.

Special Provisions for Goose Management Areas 2A and 2B:

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

The goose season for Goose Management Areas 2A and 2B will be closed early if dusky Canada goose harvests exceed area quotas which collectively total 40 geese. The fish and wildlife commission has authorized the director to implement emergency area closures in accordance with the following quotas: A total of 40 duskys, to be distributed 5 for Zone 1 (Ridgefield NWR); 5 for Zone 2 (Cowlitz County south of the Kalama River); 15 for Zone 3 (Clark County except Ridgefield NWR); 7 for Zone 4 (Cowlitz County north of the Kalama River and Wahkiakum County); and 8 for Zone 5

(Pacific County). Quotas may be shifted to other zones during the season to optimize use of the statewide quota and minimize depredation.

Hunters must possess a special 2011-12 migratory bird hunting authorization for Goose Management Area 2A/2B and daily goose harvest record card when hunting geese in Goose Management Areas 2A and 2B. New hunters and those who did not maintain a valid 2010-11 authorization must review goose identification training materials and score a minimum of 80% on a goose identification test to receive authorization. Hunters who fail a test must wait 28 days before retesting, and will not be issued a reciprocal authorization until that time.

Immediately after taking any goose into possession, hunters must record in ink the information required on the harvest record card. Hunters must go directly to the nearest check station and have geese tagged when leaving a hunt site, before 6:00 p.m. All geese shall be presented intact and fully feathered at the check station. If a hunter takes the season bag limit of one dusky Canada goose or does not comply with requirements listed above regarding checking of birds and recording harvest on the harvest record card, authorization will be invalidated and the hunter will not be able to hunt geese in Goose Management Areas 2A and 2B for the remainder of the season and the special late goose season. It is unlawful to fail to comply with all provisions listed above for Goose Management Areas 2A and 2B.

Special Late Goose Season for Goose Management Area 2A:

Open to Washington department of fish and wildlife master hunter program graduates and youth hunters (15 years of age or under, who are accompanied by a master hunter) possessing a valid 2011-12 southwest Washington goose hunting authorization and harvest record card, in areas with goose damage in Goose Management Area 2A on the following days, from 7:00 a.m. to 4:00 p.m.:

Saturdays and Wednesdays only, Feb. 4 - Mar. 7, 2012.

Daily bag limit: 4 geese, to include not more than 1 dusky Canada goose.

Possession limit: 8 geese, to include not more than 1 dusky Canada goose.

Season limit: 1 dusky Canada goose.

A dusky Canada goose is defined as a dark-breasted Canada goose (as shown in the Munsell color chart 10 YR, 5 or less) with a culmen (bill) length of 40-50 mm. A cackling goose is defined as a goose with a culmen (bill) length of 32 mm or less.

Hunters qualifying for the season will be placed on a list for participation in this hunt. Washington department of fish and wildlife will assist landowners with contacting qualified hunters to participate in damage control hunts on specific lands incurring goose damage. Participation in this hunt will depend on the level of damage experienced by landowners. The special late goose season

will be closed by emergency action if the harvest of dusky Canada geese exceeds 45 for the regular and late seasons. All provisions listed above for Goose Management Area 2A regarding authorization, harvest reporting, and checking requirements also apply to the special late season; except hunters must confirm their participation at least 24 hours in advance by calling the goose hunting hotline (listed on hunting authorization), and hunters must check out by 5:00 p.m. on each hunt day regardless of success. It is unlawful to fail to comply with all provisions listed above for the special late season in Goose Management Area 2A.

Goose Management Area 3

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

Oct. 15-27, 2011 and Nov. 5, 2011 - Jan. 29, 2012.

Daily bag limit: 4 geese.
Possession limit: 8 geese.

Eastern Washington Goose Seasons

Goose Management Area 4

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

Saturdays, Sundays, and Wednesdays only during Oct. 15, 2011 - Jan. 22, 2012; Nov. 11, 24, and 25, 2011; Dec. 26, 27, 29, and 30, 2011; January 16, 2012; and every day Jan. 23-29, 2012.

Goose Management Area 5

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

Oct. 15-19, 2011, every day from Oct. 22, 2011 - Jan. 29, 2012.

Bag limits for all Eastern Washington Goose Management Areas:

Daily bag limit: 4 geese.
Possession limit: 8 geese.

BRANT

Open in Skagit County only on the following dates:

Jan. 14, 15, 18, 21, 22, 25, 28, and 29, 2012.

If the 2011-12 preseason brant population in Skagit County is below 6,000 (as determined by the early January survey), the brant season in Skagit County will be canceled.

Open in Pacific County only on the following dates:
Jan. 14, 15, 17, 19, 21, 22, 24, 26, 28, and 29, 2012.

AUTHORIZATION AND HARVEST RECORD CARD REQUIRED TO HUNT BRANT

Hunters must possess a special 2011-12 migratory bird hunting authorization and harvest record card for brant when hunting brant. Hunters who did not possess a 2010-11 brant harvest record card

must submit an application form to WDFW. Immediately after taking a brant into possession, hunters must record in ink the information required on the harvest record card.

Bag limits for Skagit and Pacific counties:

Daily bag limit: 2 brant.
Possession limit: 4 brant.

SWANS

Season closed statewide.

MANDATORY REPORTING FOR MIGRATORY BIRD HARVEST RECORD CARDS

Hunters must report 2011-12 harvest information from band-tailed pigeon harvest record cards to WDFW for receipt by September 30, 2011, and harvest information from brant, sea duck, and snow goose harvest record cards to WDFW for receipt by February 15, 2012. Every person issued a migratory bird hunting authorization and harvest record card must return the entire card to the Washington department of fish and wildlife or report the card information at the designated internet site listed on the harvest record card. Any hunter failing to report by the deadline will be in noncompliance of reporting requirements. Hunters who have not reported hunting activity by the reporting deadline for any harvest record card acquired in 2011-12 will be required to pay a $10 administrative fee before any new 2012-13 migratory bird authorization and harvest record card will be issued. A hunter may only be penalized a maximum of $10 during a license year.

FALCONRY SEASONS

DUCKS, COOTS, AND SNIPE (Falconry)

(Bag limits include geese and mourning doves.)

Oct. 15-19, 2011 and Oct. 22, 2011 - Jan. 29, 2012 statewide.

Daily bag limit: 3, straight or mixed bag with geese and mourning doves during established seasons.

Possession limit: 6, straight or mixed bag with geese and mourning doves during established seasons.

GEESE (Falconry)

(Bag limits include ducks, coot, snipe, and mourning doves.)

Goose Management Area 1: Oct. 15, 2011 - Jan. 29, 2012 for snow, Ross', or blue geese. Oct. 15-27, 2011 and Nov. 5, 2011 - Jan. 29, 2012 for other geese.

Goose Management Area 2A: Saturdays, Sundays, and Wednesdays only, Nov. 12-27, 2011 and Dec. 7, 2011 - Jan. 29, 2012.

Goose Management Area 2B: Saturdays and Wednesdays only, Oct. 15, 2011 - Jan. 15, 2012.

Goose Management Areas 3, 4, and 5: Oct. 15-27, 2011 and Nov. 5, 2011 - Jan. 29, 2012.

Daily bag limit for all areas: 3 geese (except brant), straight or mixed bag with ducks, coots, snipe, and mourning doves during established seasons.

Possession limit for all areas: 6 geese (except brant), straight or mixed bag with ducks, coots, snipe, and mourning doves during established seasons.

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 232-28-433	2009-10 Migratory waterfowl seasons and regulations.
WAC 232-28-434	2010-11 Migratory waterfowl seasons and regulations.