



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Washington Department of Fish and Wildlife

Permanent Rule Only

Effective date of rule:

Permanent Rules

31 days after filing. 12-90

Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose:

WAC 232-28-286 2013, 2014, and 2015 Spring black bear seasons and regulations.

This rule is intended to reduce tree damage by bears; to disperse harvest geographically and reduce female harvest; and to reduce nuisance and damage activity, while maintaining long-term sustainable populations.

WAC 232-28-288 2012-2014 Fall black bear hunting seasons and regulations.

This rule provides recreational harvest opportunities for black bear, while maintaining long-term sustainable populations.

Citation of existing rules affected by this order:

Repealed:
Amended: WAC 232-28-286 and 232-28-288.
Suspended:

Statutory authority for adoption: RCW 77.12.047

Other authority :

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 12-04-098 on February 1, 2012 (date).

Describe any changes other than editing from proposed to adopted version: See Attachment A – Statement of Changes.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: _____ phone () _____
Address: _____ fax () _____
e-mail _____

Date adopted: April 14, 2012

NAME (TYPE OR PRINT)

Miranda Wecker

SIGNATURE

Miranda Wecker

TITLE

Fish and Wildlife Commission, Chair

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: May 23, 2012

TIME: 5:31 PM

WSR 12-12-006

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New		Amended	<u>2</u>	Repealed	
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

ATTACHMENT A – Statement of Changes

WAC 232-28-286 2013, 2014, and 2015 Spring black bear seasons and regulations.

Changes, if any, from the text of the proposed rule and reasons for difference:

- Change permit levels for the 49 Degrees North hunt and the Huckleberry hunt from 25 to 50. This change was made at the request of the Fish and Wildlife Commission to provide additional recreational opportunity, while attempting to address depredation on deer.
- For the Monroe hunt, delete Green Crow as a participating landowner and add Campbell Group. The reason is Campbell Group purchased Green Crow lands.

WAC 232-28-288 2012-2014 Fall black bear hunting seasons and regulations.

Changes, if any, from the text of the proposed rule and reasons for difference:

- For the South Cascades Black Bear Management Unit, change opening day to Aug. 15 for 2012, 2013, and 2014. Though population status indicators suggest the need for a slight reduction in bear harvest, bear harvest declined following season reductions in 2009-2011, and it may take a couple more years for the population indicators to reflect the population response to those reductions. Therefore, the agency is reinstating status quo seasons for this unit. Additionally, Aug. 15 was chosen to simplify the season dates by using a constant date rather than a calendar date change every year.
- Change the opening day in the Okanogan and Northeastern B Black Bear Management Units from Aug 18, 2012, Aug 17, 2013, and Aug 16, 2014 to Aug 15, 2012, Aug 15, 2013, and Aug 15, 2014. The reason for the change is to simplify the season closure dates to a constant date rather than a calendar date change every year. There is no biological impact.
- For the Northeastern A black bear management unit, change opening day to Sept. 1 for 2012- 2014 seasons. This changes bear season in the unit back to status quo. The reason for this change is the population status indicators suggest the need for a slight reduction in bear harvest; however, bear harvest declined following season reductions in 2009-2011, and it may take a couple more years for the population indicators to reflect the population response to those reductions.

AMENDATORY SECTION (Amending Order 11-167, filed 7/22/11, effective 8/22/11)

WAC 232-28-286 ((2010, 2011)) 2013, 2014, and ((2012)) 2015 Spring black bear 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 black bear as a species option.

Hunt Areas, Permit Levels, and Season Dates for Each License Year:

<u>Hunt Name</u>	<u>Hunt Area</u>	<u>Permits</u>	<u>Season Dates^b</u>
Sherman	GMU 101	25	April 1 - June 15
Kelly Hill	GMU 105	25	April 1 - June 15
Douglas	GMU 108	20	April 1 - June 15
Aladdin	GMU 111	25	April 1 - June 15
49 Degrees North	GMU 117	((25)) 50	April 1 - June 15
Huckleberry	GMU 121	((25)) 50	April 1 - June 15
Blue Creek	GMU 154	15	April 15 - May 31
Dayton	GMU 162	15	April 15 - May 31
Tucannon	GMU 166	5	April 15 - May 31
Wenaha	GMU 169	45	April 15 - June 15
Mt. View	GMU 172	15	April 15 - May 31
Lick Creek	GMU 175	15	April 15 - May 31
Couse	GMU 181	4	April 15 - May 31
Grande Ronde	GMU 186	5	April 15 - May 31
North Skagit	That portion of GMU 418 that is designated as the hunt area by DNR, Sierra Pacific, and Grandy Lake Timber company.	20	April 15 - May 31
Monroe	That portion of GMU 448 that is designated as the hunt area by DNR, ((Green-Crow)) Campbell Group, and Longview Timber Lands.	25	April 15 - May 31
Copalis ^a	That portion of GMU 642 that is designated as the hunt area by Rayonier Timber Company.	100	April 15 - June 15
Kapowsin ^a	That portion of GMUs 653 and/or 654 that is designated as the hunt area by Hancock Forest Management and International Forestry.	150	April 15 - June 15

Hunt Name	Hunt Area	Permits	Season Dates ^b
Lincoln ^a	That portion of GMU 501 that is designated as the hunt area by participating commercial timber landowners.	75	April 15 - June 15
^a Spring black bear hunting seasons under this area constitute a pilot program to reduce black bear damage to trees.			
^b Permits are valid for the license year they are issued.			

Bag Limit: One black bear per black bear special permit season.

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.

Hunting Method: Hunters may use any lawful big game modern firearm, archery, or muzzleloader equipment for hunting black bear. The use of dogs or bait to hunt black bear is prohibited statewide.

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

AMENDATORY SECTION (Amending Order 10-94, filed 4/30/10, effective 5/31/10)

WAC 232-28-288 ((2010-2011)) 2012-2014 Fall black bear hunting 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).

Black Bear Management Unit	Season	Hunt Area
Coastal	Aug. 1 - Nov. 15, ((2010)) <u>2012</u> Aug. 1 - Nov. 15, ((2011)) <u>2013</u> <u>Aug. 1 - Nov. 15, 2014</u>	GMUs 501, 504, 506, 530, 601, 602, 603, 607-621, 636-651, 658-663, 672-684
Puget Sound	Aug. 1 - Nov. 15, ((2010)) <u>2012</u> Aug. 1 - Nov. 15, ((2011)) <u>2013</u> <u>Aug. 1 - Nov. 15, 2014</u>	GMUs 407, 410, 454, 624, 627, 633, 652, 666, 667
North Cascades	Aug. 1 - Nov. 15, ((2010)) <u>2012</u> Aug. 1 - Nov. 15, ((2011)) <u>2013</u> <u>Aug. 1 - Nov. 15, 2014</u>	GMUs 418-450, 460
South Cascades	Aug. ((14)) <u>15</u> - Nov. 15, ((2010)) <u>2012</u> Aug. ((13)) <u>15</u> - Nov. 15, ((2011)) <u>2013</u> <u>Aug. 15 - Nov. 15, 2014</u>	GMUs 466, 485, 503, 505, 510-520, 524, 550-574, 653, 654

Black Bear Management Unit	Season	Hunt Area
Okanogan	Aug. ((+4)) <u>15</u> - Nov. 15, ((2010)) <u>2012</u> Aug. ((+3)) <u>15</u> - Nov. 15, ((2011)) <u>2013</u> <u>Aug. 15 - Nov. 15, 2014</u>	GMUs 203, 209-243
East Cascades	Aug. 1 - Nov. 15, ((2010)) <u>2012</u> Aug. 1 - Nov. 15, ((2011)) <u>2013</u> <u>Aug. 1 - Nov. 15, 2014</u>	GMUs 244-247, 249-251, 328, 329-368, 382, 388, 578
Northeastern A	Sept. 1 - Nov. 15, ((2010)) <u>2012</u> Sept. 1 - Nov. 15, ((2011)) <u>2013</u> <u>Sept. 1 - Nov. 15, 2014</u>	GMUs 101-121, 204
Northeastern B	Aug. ((+4)) <u>15</u> - Nov. 15, ((2010)) <u>2012</u> Aug. ((+3)) <u>15</u> - Nov. 15, ((2011)) <u>2013</u> <u>Aug. 15 - Nov. 15, 2014</u>	GMUs 124-130
Blue Mountains	Sept. 1 - Nov. 15, ((2010)) <u>2012</u> Sept. 1 - Nov. 15, ((2011)) <u>2013</u> <u>Sept. 1 - Nov. 15, 2014</u>	GMUs 145-154, 162-186
Columbia Basin	Aug. 1 - Nov. 15, ((2010)) <u>2012</u> Aug. 1 - Nov. 15, ((2011)) <u>2013</u> <u>Aug. 1 - Nov. 15, 2014</u>	GMUs 133, 136, 139, 142, 248, 254, 260-290, 371-381

Black Bear Management Unit	Season	Hunt Area
Long Island	Sept. 1 - Nov. 15, (2010) <u>2012</u> Sept. 1 - Nov. 15, (2011) <u>2013</u> <u>Sept. 1 - Nov. 15, 2014</u>	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.