



# PROPOSED RULE MAKING

## CR-102 (June 2012)

(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 14-24-118 filed 12/3/14; or
- Expedited Rule Making--Proposed notice was filed as WSR \_\_\_\_\_; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

- Original Notice
- Supplemental Notice to WSR \_\_\_\_\_
- Continuance of WSR \_\_\_\_\_

**Title of rule and other identifying information:**

232-28-296 Landowner hunting permits.

**Hearing location(s):**

Civic Center  
411 South Balsam Street  
Moses Lake, WA 98837

Date: March 20-21, 2015 Time: 8:00 AM

**Submit written comments to:**

Name: Wildlife Program Commission Meeting Public Comments  
Address: 600 Capitol Way North,  
Olympia, WA 98501  
e-mail wildthing@dfw.wa.gov  
fax (360) 902-2162 by (date) 2/24/15

**Assistance for persons with disabilities:** Contact

Tami Lininger by March 1, 2015

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

**Date of intended adoption:** On or after April 9, 2015

(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:** RCW 77.04.012, 77.04.055, 77.12.047, 77.12.150 and 77.12.240.

**Statute being implemented:** RCW 77.04.012, 77.04.055, 77.12.047, 77.12.150 and 77.12.240.

**Is rule necessary because of a:**

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

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: February 03, 2015**

**TIME: 10:04 AM**

**WSR 15-04-114**

**DATE**

February 3, 2015

**NAME** (type or print)

Joanna Eide

**SIGNATURE**

**TITLE**

Rules Coordinator

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

When filing the permanent rule-making order (CR-103P), the WAC sections containing rule amendments will be consolidated into two or three Order Typing Service (OTS) documents.

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

- Private
- Public
- Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Nate Pamplin	Natural Resource Building	(360) 902-2515
Implementation....Nate Pamplin	Natural Resource Building	(360) 902-2515
Enforcement..... Steven Crown	Natural Resource Building	(360) 902-2373

**Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?**

Yes. Attach copy of small business economic impact statement or school district fiscal 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 apply to recreational hunting and do not affect 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: This proposal does not involve hydraulics.

## **ATTACHMENT A**

### **Title of rule and other identifying information:**

WAC 232-28-296 Landowner hunting permits

### **Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

This proposal modifies hunt dates and permit levels on properties enrolled in WDFW's Landowner Hunting Permit (LHP) program for the 2015-17 hunting seasons. These sites offer special hunting opportunities to the public through permits issued by WDFW, raffles, or selection by the landowner.

One LHP owner has elected not to continue in the program and a new landowner is proposed to be added. In lieu of special permits on the new LHP site, hunting will be available to hunters through WDFW's Hunt by Reservation Program which will result in greater hunting opportunity than would be realized through the standard guidelines.

### **Reasons supporting proposal:**

Several years ago, the Fish and Wildlife Commission developed a policy to expand the private lands available to the general public for hunting. One of the programs that was authorized is the Landowner Hunting Permit Program. This program encourages landowners to provide opportunity to the general hunter in exchange for customized hunting seasons and the ability to generate funding to offset the cost of providing public access.

**WAC 232-28-296 Landowner hunting permits.** (1) A landowner may enter into a contract with the department and establish boundaries and other requirements for hunter access consistent with commission policy.

(2) It is unlawful for hunters to participate in landowner-permit hunts unless the hunters possess both an access permit from the landowner and a hunting permit from the department for the species covered under the landowner's contract. A violation of this section is punishable under RCW 77.15.410.

(3)(a) **Buckrun**

(i) Buckrun is located in Grant County, near the town of Wilson Creek.

(ii) Hunting on Buckrun is managed for a quality experience by scheduling hunt dates and keeping the number of hunters in the field low. Hunters with limited flexibility for hunt dates may experience scheduling problems. Hunters can generally expect one-day hunts during the permit seasons with written authorization from the Buckrun manager. All hunters must check in and out with the landowner or their designee on hunt day. Hunts (~~(will be)~~) are scheduled on a first-come basis by calling 509-345-2577 in advance.

(b) **Buckrun landowner hunting permits**

(i) Buckrun's manager will distribute Buckrun's landowner hunting permits. Buckrun may charge an access fee for these permits, but not for winning raffle permits. Only hunters possessing a modern firearm deer tag are eligible for permits on Buckrun's properties. Contact the manager at 509-345-2577 for additional information.

(ii) **Deer Seasons:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Buckrun	10	Sept. 1 - Dec. 31	Antlerless Mule Deer or any White-tailed Deer	Buckrun
Buckrun	30	Sept. 1 - Dec. 31	Any deer	Buckrun
Buckrun Raffle	10	Oct. 25 - Dec. 31	Any deer	Buckrun

(c) **Buckrun special hunting permits**

(i) Hunters must apply to the Washington department of fish and wildlife for Buckrun's special hunting permits. Only hunters possessing a modern firearm deer tag are eligible for these special permits. All hunters must check in and out with the landowner or their designee. Hunts (~~(should)~~) must be scheduled in advance by calling 509-345-2577.

(ii) **Deer Seasons:**

Hunt Name	Permit Number	Permit Season	Special Restrictions	Boundary Description
Buckrun	10	Sept. 1 - Dec. 31	Antlerless	Buckrun

(4)(a) **Silver Dollar Association**

The Silver Dollar Association is located in Yakima and Benton counties, on the western edge of the Hanford Reservation. A legal description of the property is in the contract between the Silver Dollar Association and the department.

(b) **Silver Dollar Association landowner hunting permits**

(i) The Silver Dollar Association's manager will distribute the association's landowner hunting permits. The association may charge an access fee for these permits.

(ii) Elk Seasons:

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Silver Dollar	24	Aug. 1 - March 31	Any Elk	Silver Dollar
Silver Dollar	8	Aug. 1 - March 31	Antlerless	Silver Dollar

(c) **Silver Dollar Association special hunting permits**

(i) Hunters must apply to the ((Washington)) department ((of fish and wildlife)) for the Silver Dollar Association's special hunting permits.

(ii) Elk Seasons:

Hunt Name	Permit Number	Weapon/Tag	Permit Season	Special Restrictions	Boundary Description
Silver Dollar	8	EF	Aug. 1 - March 31	Youth Only, Any Elk	Silver Dollar
Silver Dollar Antlerless Elk	6	EF	Aug. 1 - March 31	Youth Only, Antlerless Elk Only	Silver Dollar
Silver Dollar Antlerless Elk	2	EF	Aug. 1 - March 31	Persons of Disability Only, Antlerless Elk Only	Silver Dollar

(5)(a) **Blackrock Ranches**

Blackrock Ranches is located in Yakima County west of the Hanford Reservation. A legal description of the property is in the contract between Blackrock Ranches and the department.

(b) **Blackrock Ranches landowner hunting permits**

(i) Blackrock Ranches' manager will distribute the ranches' landowner hunting permits. Blackrock Ranches may charge an access fee for these permits.

(ii) Elk Seasons:

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Blackrock Ranches	6	Aug. 1 - March 31	Any Elk	Blackrock Ranches
Blackrock Ranches	2	Aug. 1 - March 31	Antlerless	Blackrock Ranches

(c) **Blackrock Ranches special hunting permits**

(i) Hunters must apply to the ((Washington)) department ((of fish and wildlife)) for Blackrock Ranches' special hunting permits. To apply, hunters must have an eastside elk tag.

(ii) Elk Seasons:

Hunt Name	Permit Number	Weapon/Tag	Permit Season	Special Restrictions	Boundary Description
Blackrock Ranches	1	EF	Aug. 1 - March 31	Any Elk	Blackrock Ranches
Blackrock Ranches	1	EF	Aug. 1 - March 31	Antlerless Only	Blackrock Ranches
Blackrock Ranches	1	EF	Aug. 1 - March 31	Youth Only, Any Elk	Blackrock Ranches
Blackrock Ranches	1	EF	Aug. 1 - March 31	Youth Only, Antlerless Only	Blackrock Ranches

(6)(a) **Pine Mountain Ranch**

The Pine Mountain Ranch is located in Yakima County 14 miles west of Yakima. A legal description of the property is in the contract between the Pine Mountain Ranch and the department.

**(b) Pine Mountain Ranch landowner hunting permits**

(i) Pine Mountain Ranch's manager will distribute the ranch's landowner hunting permits. Pine Mountain Ranch may charge an access fee for these permits.

(ii) Deer Seasons:

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	2	Nov. ((3)) 10 - Dec. 31	Any Buck	Pine Mountain Ranch

(iii) Elk Seasons:

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	1	Aug. 1 - Dec. 31	Any Bull	Pine Mountain Ranch
Pine Mountain Ranch	2	Aug. 1 - Nov. ((2)) 9	Antlerless	Pine Mountain Ranch

**(c) Pine Mountain Ranch special hunting permits**

(i) Hunters must apply to the ((Washington)) department ((of fish and wildlife)) for Pine Mountain Ranch's special hunting permits.

(ii) Deer Seasons:

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	2	Nov. ((3)) 10 - Dec. 31	Youth Only, Any Buck	Pine Mountain Ranch

(iii) Elk Seasons:

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
Pine Mountain Ranch	1	Aug. 1 - Dec. 31	Youth Only, Any Bull	Pine Mountain Ranch
Pine Mountain Ranch	2	Aug. 1 - Nov. ((2)) 9	Antlerless	Pine Mountain Ranch

~~(7)(a) ((4-0 Ranch~~

~~The 4-0 Ranch is located in Asotin County (GMU 172), south of Asotin. A legal description of the property is in the contract between the 4-0 Ranch and the department.~~

~~(b) 4-0 Ranch landowner hunting permits~~

~~The 4-0 Ranch's manager will distribute the ranch's landowner hunting permits. The 4-0 Ranch may charge an access fee for these permits.~~

**Deer**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
4-0 Ranch A	4	Oct. 4-7	Mule Deer, 3 pt. min	4-0 Ranch
4-0 Ranch C	1	Nov. 8-12	White-tailed, 3 pt. min	4-0 Ranch

**Elk**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
4-0 Ranch A	1	Sept. 6-9	Any Bull	4-0 Ranch
4-0 Ranch B	1	Sept. 25-28	Any Bull	4-0 Ranch
4-0 Ranch C	3	Oct. 18-21	Spike Only	4-0 Ranch

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
4-0 Ranch D	8	Nov. 3-7	Antlerless Only	4-0 Ranch

~~(c) 4-0 Ranch special hunting permits~~

~~Hunters must apply to the Washington department of fish and wild-life for the ranch's special hunting permits. Hunters must have an Eastside Elk tag to apply for 4-0 Ranch's elk permits.~~

**Deer**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
4-0 Ranch A	1	Oct. 8-12	Mule Deer, 3 pt. min	4-0 Ranch
4-0 Ranch B	3	Oct. 8-12	Antlerless Mule Deer, Youth Only	4-0 Ranch
4-0 Ranch C	1	Nov. 15-19	Whitetail, 3 pt. min	4-0 Ranch

**Elk**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
4-0 Ranch A	1	Sept. 10-14	Any Bull	4-0 Ranch
4-0 Ranch B	1	Sept. 17-21	Any Bull	4-0 Ranch
4-0 Ranch C	4	Oct. 22-26	Spike Only	4-0 Ranch
4-0 Ranch D	4	Oct. 29 - Nov. 2	Antlerless Only	4-0 Ranch
4-0 Ranch E	4	Nov. 22-26	Antlerless Only	4-0 Ranch))

**Bennett Lumber LHP**

(i) The Bennett Lumber property is located in Asotin, Columbia, Garfield, and Walla Walla counties (GMUs 154, 162, 166, 172, and 178). A legal description of the property is in the contract between Bennett Lumber and the department.

(ii) Special hunting permits are not issued by the department for the Bennett Lumber LHP. Instead, Bennett Lumber will be enrolling in the hunt by reservation program to provide regulated public access to all of their property. The landowner and the department will develop a framework for scheduling reservation hunts on the property which will result in hunting opportunity exceeding that which otherwise would be available using the standard allocation guidelines for LHPs.

(b) Bennett Lumber landowner hunting permits

(i) Bennett Lumber's manager will distribute the ranch's landowner hunting permits. Bennett Lumber may charge an access fee for these permits.

(ii) Deer Seasons:

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
<u>Bennett Lumber A</u>	<u>2</u>	<u>Nov. 7 - 19</u>	<u>Mule Deer, 3 pt. min</u>	<u>Bennett Lumber</u>
<u>Bennett Lumber B</u>	<u>4</u>	<u>Nov. 7-19</u>	<u>White-tailed, 3 pt. min</u>	<u>Bennett Lumber</u>

(iii) Elk Seasons:

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
<u>Bennett Lumber A</u>	<u>2</u>	<u>Sept. 15-30</u>	<u>Any Bull</u>	<u>Bennett Lumber</u>
<u>Bennett Lumber B</u>	<u>5</u>	<u>Sept. 15-30</u>	<u>Antlerless</u>	<u>Bennett Lumber</u>
<u>Bennett Lumber C</u>	<u>5</u>	<u>Oct. 31 - Nov. 8</u>	<u>Antlerless</u>	<u>Bennett Lumber</u>

**(8)(a) ZMI Ranch**

ZMI Ranch is located in northern Walla Walla County near Lyons Ferry (GMU 149).

**(b) ZMI Ranch landowner hunting permits**

(i) ZMI Ranch's manager will distribute the ranch's landowner hunting permits. ZMI Ranch may charge an access fee for these permits.

(ii) Deer Seasons:

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
ZMI A	3	Oct. <del>((20))</del> 28 - Nov. <del>((4))</del> 1	3 pt. min	ZMI
ZMI B	3	Nov. <del>((15-30))</del> 14-30	3 pt. min	ZMI

(c) **ZMI Ranch special hunting permits**

(i) Hunters must apply to the ~~((Washington))~~ department ~~((of fish and wildlife))~~ for ZMI Ranch's special hunting permits. Only hunters possessing a modern firearm deer tag are eligible for ZMI special permits. Hunters must ~~((call))~~ contact ZMI Ranch's manager to schedule a hunt time. All hunters must check in and out with the landowner or their designee on the day they hunt.

(ii) Deer Seasons:

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
ZMI A	2	<del>((Dec-1-7))</del> Nov. 4-8	3 pt. min	ZMI
<u>ZMI B</u>	<u>6</u>	<u>Dec. 5-13</u>	<u>Antlerless</u>	<u>ZMI</u>

(9)(a) **Columbia Plateau Wildlife Management Association**

(i) The Columbia Plateau Wildlife Management Association (CPWMA) landowner hunting permit area is located in Spokane County (GMU 130) near Turnbull National Wildlife Refuge. ~~((Landowner permit hunts are primarily damage hunts but are managed for a quality experience by keeping the number of hunters in the field low.))~~ A legal description of the property is in the contract between the CPWMA and the department.

(ii) Landowner permit hunts are primarily damage hunts but are managed for a quality experience by keeping the number of hunters in the field low.

(b) **Columbia Plateau Wildlife Management Association landowner hunting permits**

(i) CPWMA's manager will distribute the association's landowner hunting permits. CPWMA will not charge an access fee for raffle permit winners. Only hunters possessing an elk tag are eligible for permits on CPWMA's properties. All successfully drawn permit applicants must have written authorization from CPWMA's manager and must check in and out with CPWMA's designee at the beginning and ending of the scheduled hunting dates. Successful applicants will receive a packet of information with forms to ~~((fill-out))~~ complete and a map showing the hunt area. These applicants must ~~((fill-out))~~ complete the forms and return them before ~~((Sept-))~~ September 30. Applicants should see CPWMA's web site at [www.cpwma.org](http://www.cpwma.org) or contact the hunt manager at 509-263-4616.

(ii) Elk Seasons:

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
CPWMA	2	Jan. 1 - Mar. 31	Antlerless	CPWMA
<del>((CPWMA Raffle 1</del>	2	<del>Jan. 1-15</del>	<del>Antlerless</del>	<del>CPWMA</del>
CPWMA Raffle 2	2	Jan. 16-31	Antlerless	CPWMA
CPWMA Raffle 3	3	Feb. 1-14	Antlerless	CPWMA
CPWMA Raffle 4	2	Feb. 15-28	Antlerless	CPWMA
CPWMA Raffle 5	2	Mar. 1-15	Antlerless	CPWMA
CPWMA Raffle 6	2	Mar. 16-31	Antlerless	CPWMA

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
<del>CPWMA Raffle 7</del>	2	<del>Jan. 1-31</del>	Any bull	CPWMA))
<u>CPWMA Raffle 1</u>	4	<u>Jan. 1-31</u>	<u>Antlerless</u>	<u>CPWMA</u>
<u>CPWMA Raffle 2</u>	4	<u>Feb. 1-29</u>	<u>Antlerless</u>	<u>CPWMA</u>
<u>CPWMA Raffle 3</u>	5	<u>Mar. 1-31</u>	<u>Antlerless</u>	<u>CPWMA</u>
<u>CPWMA Raffle 4</u>	2	<u>Jan. 1-31</u>	<u>Any elk</u>	<u>CPWMA</u>

**(c) Columbia Plateau Wildlife Management Association special hunting permits**

(i) Hunters must apply to the (~~Washington~~) department (~~of fish and wildlife~~) for CPWMA's special hunting permits. All successfully drawn permit applicants must have written authorization from CPWMA's manager and must check in and out with CPWMA's designee at the beginning and ending of the scheduled hunting dates. Successful applicants will receive a packet of required information with forms to (~~fill out~~) complete and a map showing the hunt area. These applicants must (~~fill out~~) complete the forms and return them before (~~Sept.~~) September 30. Applicants should see CPWMA's web site at [www.cpwma.org](http://www.cpwma.org) or contact the hunt manager at 509-263-4616.

**(ii) Elk Seasons:**

Hunt Name	Quota	Access Season	Special Restrictions	Boundary Description
<del>CPWMA 1</del>	3	<del>Jan. 1-15</del>	Antlerless	CPWMA
CPWMA 2	2	Jan. 16-31	Antlerless	CPWMA
CPWMA 3	2	Feb. 1-14	Antlerless	CPWMA
CPWMA 4	3	Feb. 15-28	Antlerless	CPWMA
CPWMA 5	3	Mar. 1-15	Antlerless	CPWMA
CPWMA 6	2	Mar. 16-31	Antlerless	CPWMA
CPWMA 7	1	Jan. 1-31	Any bull	CPWMA))
<u>CPWMA 1</u>	5	<u>Jan. 1-31</u>	<u>Antlerless</u>	<u>CPWMA</u>
<u>CPWMA 2</u>	5	<u>Feb. 1-29</u>	<u>Antlerless</u>	<u>CPWMA</u>
<u>CPWMA 3</u>	5	<u>Mar. 1-31</u>	<u>Antlerless</u>	<u>CPWMA</u>
<u>CPWMA 4</u>	1	<u>Jan. 1-31</u>	<u>Any elk</u>	<u>CPWMA</u>