

Concise Explanatory Statement

Game Reserves and Other Migratory Bird Hunting

WAC Chapter 232-16 Game Reserves

Written Comments Received During Official Comment Period:

Supporting Comments:

Of the 80 comments received, 78% were in support of the proposed changes to WAC chapter 232-16 regarding game reserves, closures, and shotgun shell restriction areas. Comments noted support for existing rules, changes for clarification and updating boundaries, or providing more recreational opportunity.

Opposing and Other Comments:

Opposing and other comments totaled 22% of total comments received. Most comments in opposition wanted more hunting in reserves and closures which were not proposed for boundary changes, and a few comments opposed more hunting in areas and closures which were proposed for reduction or repeal. The department received several letters objecting to the removal of the Yakima River Game Reserve, citing the value of this reserve to the Yakima Valley. The department also received a comment to clarify the language for WAC 232-16-750 Belfair, Hood Canal hunting restriction area.

Direction and Rationale:

As noted in the summary sheet, this rulemaking process is intended to:

- Update, clarify, and consolidate existing rules.
- Removing several game reserves and waterfowl closures because they are no longer functioning for the intended purposes.
- Improve recreational opportunities for migratory bird hunting.

Game reserves, closures, and shotgun shell restriction areas are established and reviewed periodically to improve distribution of waterfowl and other wildlife, allow access by wildlife to important habitat use areas during hunting seasons, and improve hunting success and viewing opportunities. The department supports the recommended changes to WAC Chapter 232-16 to address these goals. However, the department is withdrawing the recommendation for repeal of the Yakima River Game Reserve, because of the need for further evaluation of the value of this reserve. The department also is recommending an adjustment to clarify WAC 232-16-750, Belfair, Hood Canal hunting restriction area.

Public Testimony Received During March 20-21 Commission Meeting:

Supporting Comments:

None

Opposing and Other Comments:

At the March 20, 2015 Commission meeting at Moses Lake, one individual recommended opening trapping seasons in game reserves when waterfowl seasons are closed, improving signage on current reserves, removing signs on reserves no longer in place, including game reserve descriptions in the trapping pamphlet, and clarifying regulations on the possession of traps in a game reserve.

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- Removing several game reserves and waterfowl closures because they are no longer functioning for the intended purposes.
- Improve recreational opportunities for migratory bird hunting.

Game reserves, closures, and shotgun shell restriction areas are established and reviewed periodically to improve distribution of waterfowl and other wildlife, allow access by wildlife to important habitat use areas during hunting seasons, and improve hunting success and viewing opportunities. The department supports the recommended changes to WAC Chapter 232-16 to address these goals.

Under RCW 77.08.010 (31) "Game reserve" means a closed area where hunting for all wild animals and wild birds is prohibited. Because trapping is a form of hunting, it is prohibited in game reserves under current RCW language. Trapping could be considered in some reserves if they are converted to closure areas, but additional evaluation is necessary on a case-by-case basis. The department will increase efforts to maintain adequate signs on reserves, remove unneeded signs, post current maps on its web site, and provide a link to the maps in the trapping pamphlet. RCW 77.15.540 states that use of weapons, traps, or dogs on game reserves is unlawful. Game reserve signs state "no guns, traps, or dogs". Because of these differences in wording, the department will evaluate the need to revise current game reserve signs.

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

WAC 232-16-540 Yakima River Game Reserve has been removed from the repealer based on public input since the CR 102 filing.

Revise boundary description for WAC 232-16-750 Belfair, Hood Canal hunting restriction area to provide additional clarifying language.

Revise language for Clallam County shotgun shell restriction area to clarify and correct error in boundary description.

WAC 232-12-068 Nontoxic shot requirements

Written Comments Received During Official Comment Period:

Supporting Comments:

Of the 21 comments received, 76% were in support of the proposed changes to WAC 232-12-068, Nontoxic Shot Requirements. Comments noted support for clarification and updating of existing rules.

Opposing and Other Comments:

Opposing and other comments totaled 24% of total comments received. Most comments in opposition wanted no changes in the existing rule, or less restrictions on nontoxic shot requirements.

Direction and Rationale:

Changes proposed for WAC 232-12-068 clarify and update nontoxic shot requirements adopted during the 2009 rulemaking action, which added all department pheasant release sites to the rule. The department intends to continue its approach of identifying areas with a high potential for ingestion of lead by wildlife, considering impacts to wildlife in local areas where lead shot deposition and accumulation still occur, and converting these areas to nontoxic shot use.

Public Testimony Received During March 20-21 Commission Meeting:

Public testimony was not provided.

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

Add new nontoxic shot type, copper-clad iron, to the list of approved types including composition of the new shot type. U.S. Fish and Wildlife Service recently approved this new shot type for use in waterfowl hunting

WAC 232-28-299 Mandatory report of hunting activity

Written Comments Received During Official Comment Period:

Supporting Comments:

Of the 21 comments received, 76% were in support of the proposed changes to WAC 232-28-299 Mandatory report of hunting activity. Comments noted support for consolidation of existing rules.

Opposing and Other Comments:

Opposing and other comments totaled 24% of total comments received. Most comments in opposition wanted no changes in the existing rule, and/or questioned the need for mandatory reporting.

Direction and Rationale:

Changes proposed for WAC 232-28-299 will allow consolidation of existing rules into one rule dealing with mandatory reporting, and will not change the intent or current requirements for mandatory reporting.

Public Testimony Received During March 20-21 Commission Meeting:

Public testimony was not provided.

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

None