

9. MULTIPLE SEASON BIG GAME PERMITS AND MANDATORY REPORTING – RULE BRIEFING AND PUBLIC HEARING

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“GREEN SHEET”

Meeting: November 2-3, 2007

Agenda Item 9: Amend WACs – **Rule Briefing and Public Hearing**
232-28-294 Multiple season big game permits
232-28-299 Mandatory report of hunting activity

Prepared By: Dave Ware

Presented By: Dave Ware, Game Division Manager, Wildlife Program

Background:

The 2006 Legislature passed a law encouraging the Department of Fish and Wildlife to create non-financial incentives for hunter education instructors. The intent is to recruit and reward instructors. In working with the instructors, Department staff found that multiple season permits would be considered by instructors to be a meaningful incentive. This amendment would provide 50 multi-season deer and 25 multi-season elk permits to hunter education instructors. The hunter education program staff would develop criteria for instructors to qualify for permit purchase. In addition, the amount of time provided for purchase of multi-season permits is shortened to fifteen days to accommodate the purchase of all the permits prior to seasons beginning in September.

An amendment for the reporting requirements for hunting deer, elk, black bear, and turkeys is recommended to address hunting seasons and permits that extend beyond the January 31 deadline. Hunters would be allowed to report for ten days following the ending date of any hunt for which they are eligible or for their special permit.

Policy Issue(s) you are bringing to the Commission for consideration:

- Provide multi-season permits as an incentive to recruit and retain hunter education instructors.
 - Allow 10 days to report hunting activity for hunts that extend past the January 31 reporting deadline.
-

Public involvement process used and what you learned:

These proposed recommendations were mailed to approximately 450 organizations and individuals in September for their review and consideration. These organizations and individuals were also informed of the opportunity to provide public testimony at the November 2-3, 2007 Commission meeting in Chelan.

Action requested (identify the specific Commission decisions you are seeking):

Take public comment. Adoption is planned for the December 7-8, 2007 Commission meeting.

Draft motion language:

N/A

Justification for Commission action:

N/A

AMENDATORY SECTION (Amending Order 06-09, filed 1/30/06, effective 3/2/06)

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 ~~((and submit))~~ 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 has been held.

(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 must purchase their multiple season permit within ~~((thirty))~~ fifteen days of the drawing

notification date. If they have not purchased the multiple season permit by the deadline, the next person drawn will be offered the permit.

(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	<u>Eligible Hunters</u>
Multiple Season Deer Permits				
1500	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 buck consistent with the game management unit or area restrictions	<u>Any licensed deer hunter</u>
<u>50</u>	<u>Sept. 1 - December 31 within established general seasons and regulations for deer by the commission</u>	<u>Statewide in those GMUs with general seasons for archery, muzzleloader, or modern firearm hunters</u>	<u>Any legal buck consistent with the game management unit or area restrictions</u>	<u>Hunter education instructors, meeting qualifications and selection criteria established by the department</u>
Multiple Season Elk Permits				
500	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 bull consistent with the game management unit or area restrictions	<u>Any licensed elk hunter</u>
<u>25</u>	<u>Sept. 1 - December 31 within established general seasons and regulations for elk by the commission</u>	<u>Statewide in those GMUs with general seasons for archery, muzzleloader, or modern firearm hunters</u>	<u>Any legal bull consistent with the game management unit or area restrictions</u>	<u>Hunter education instructors, meeting qualifications and selection criteria established by the department</u>

AMENDATORY SECTION (Amending Order 05-174, filed 8/15/05, effective 9/15/05)

WAC 232-28-299 Mandatory report of hunting activity. (1)

All hunters purchasing a hunting license must report their hunting activity for deer, elk, bear, or turkey.

(a) Hunters must report hunting activity, for each tag acquired, by January 31 or within 10 days after the close of an eligible hunt, whichever date is later.

(b) Reports must be made using the department's designated automated telephone hunter reporting system (toll free) or internet hunter reporting system.

(c) Any hunter not reporting, for each tag acquired, by (~~January 31~~) the reporting deadline will be in noncompliance of reporting requirements.

(d) Compliance will be credited for each species for which a transport tag is acquired.

(2) As an incentive for prompt reporting, all successful hunters who report harvest within 10 days of killing an animal and unsuccessful hunters who report by midnight January 10 or within 10 days after the last day of their permit hunt will be entered into a drawing for special deer and elk incentive permits. To be eligible for the drawing, hunters must report their hunting activity for each transport tag acquired.

(3) Hunters who have not reported hunting activity by January 31 for deer, elk, bear, or turkey tags acquired the previous year will be required to pay a \$10 penalty before a new license that includes deer, elk, bear, or turkey tags will be issued. A hunter may only be penalized a maximum of \$10 during a license year.



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Fish and Wildlife

<input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 07-16-128 ; or	<input checked="" type="checkbox"/> Original Notice
<input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or	<input type="checkbox"/> Supplemental Notice to WSR _____
<input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4).	<input type="checkbox"/> Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject)

WAC 232-12-068 Nontoxic shot requirements
 WAC 232-28-282 Big game and wild turkey auction, raffle, and special incentive permits
 WAC 232-28-286 2007, 2008, and 2009 Spring black bear seasons and regulations
 WAC 232-28-294 Multiple season big game permits
 WAC 232-28-299 Mandatory report of hunting activity
 WAC 232-28-337 Deer and elk area descriptions

Hearing location(s):
 Campbell's Resort on Lake Chelan
 104 West Woodin
 Chelan, WA 98816
 (509) 682-2561

Date: November 2-3, 2007 Time: 8:00 am

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: Monday, October 15, 2007

Assistance for persons with disabilities:
 Contact: Susan Yeager by October 31, 2007
 TTY (800) 833-6388 or (360) 902-2267

Date of intended adoption: December 7-8, 2007
 (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: 77.12.047; 77.12.020

Statute being implemented: 77.12.047; 77.12.020

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
 September 18, 2007

NAME
 Lori Preuss

SIGNATURE

TITLE
 Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: **September 18, 2007**
 TIME: **4:21 PM**

WSR 07-19-099

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..... Dave Brittell	Natural Resources Building, Olympia	(306) 902-2504
Implementation.... Dave Brittell	Natural Resources Building, Olympia	(360) 902-2504
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: Not hydraulics rules.

ATTACHMENT A

WAC 232-12-068 Nontoxic shot requirements

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

Current rules require non-toxic shot to be used for upland bird hunting at a variety of locations in the state. Most WDFW wildlife areas where non-toxic shot is required are areas associated with pheasant release program. A new pheasant release site in Chinook, Washington (Pacific County) was added to the program. The Chinook release site is used by waterfowl that may access spent shot during times of high surface water. The proposed rule change adds the Chinook release site to the list of areas where hunters are required to use non-toxic shot.

Reasons supporting proposal:

In areas where wildlife have a high probability of being exposed to spent shot from shotguns, the current rule requires the use of non-toxic shot. The Chinook release site has habitat conditions that can be conducive to waterfowl use.

WAC 232-28-282 Big game and wild turkey auction, raffle, and special incentive permits

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

The Fish and Wildlife Commission has authorized several special raffles and auctions for a variety of game animals. The wild turkey raffle has historically had two winners; each receiving three raffle tags the authority to hunt from April 1 through May 31. Proposed changes include extending the turkey raffle permit season to include dates from September 1 through December 31, reducing the number of raffle winners from two to one and reducing the number of turkey raffle permits from six to three.

Reasons supporting proposal:

In order to make the wild turkey raffle more desirable, changes to what the winner receives are warranted. In addition, reducing the number of raffle tags used for turkey hunting, the Commission can authorize raffles more desirable game animals. The result of these changes should be increased hunter approval and increased revenue to the Department of Fish and Wildlife for management of game species.

WAC 232-28-286 2007, 2008, and 2009 Spring black bear seasons and regulations

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

Establish spring bear damage hunt for black bear in portions of GMUs 418 and 448 with 20 and 30 permits, respectively. The anticipated effect is a slight decline in local bear populations to reduce tree damage caused by bears.

Reasons supporting proposal:

Spring black bear damage seasons are used to minimize damage to trees by reducing bear populations to a lower but sustainable level.

WAC 232-28-294 Multiple season big game permits

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

This proposal would shorten the amount of time successful applicants for a multi-season permit would have to purchase their permit to allow for the sale of all permits prior to the first general seasons starting in September. It would also provide 50 multi-season deer and 25 multi-season elk permits to qualifying hunter education instructors.

Reasons supporting proposal:

Shortening the purchase time for successful applicants would make sure that more hunters would be able to purchase permits. Providing hunter education instructors with multiple season permits would be an incentive to recruit and retain instructors.

WAC 232-28-299 Mandatory report of hunting activity

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

To allow hunters adequate time to report their hunting activity for hunts that extend beyond the January 31 deadline.

Reasons supporting proposal:

Several special permit hunts and a few general season hunts extend beyond the January 31 deadline. This proposal would allow hunters to report within 10 days of the end of eligible hunts or January 31, whichever is later.

WAC 232-28-337 Deer and elk area descriptions

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

The purpose of the proposal is to allow the Department to continue to use Deer and Elk Areas to direct hunters to specific locations in situations that require management and harvest strategies to operate at a finer scale than the Game Management Unit level.

Reasons supporting proposal:

The proposed boundary amendments would help facilitate the Department's addressing deer and elk damage, controlling deer and elk populations, and improving the quality of deer and elk hunting for hunters.