

**18. DEER AND ELK GENERAL SEASONS AND SPECIAL HUNTING PERMITS – RULE BRIEFING AND PUBLIC HEARING**

TABLE OF CONTENTS

	<u>Page</u>
Decision Page.....	<i>i</i>
WAC 232-28-351 2006-2008 Deer general seasons and definitions.....	1
Recommended Adjustments to WAC 232-28-351 .....	8
Summary of Written Public Input.....	9
WAC 232-28-352 2006-2008 Elk general seasons and definitions.....	10
Recommended Adjustments to WAC 232-28-352 .....	17
Summary of Written Public Input.....	18
CR 102 .....	21
WAC 232-28-291 Special hunting season permits.....	25
CR 102 .....	30

## “GREEN SHEET”

---

**Meeting:** March 7-8, 2008

**Agenda Item 18:** Amend WACs: – **Rule Briefing and Public Hearing**  
232-28-351 2006-2008 Deer general seasons and definitions  
232-28-352 2006-2008 Elk general seasons and definitions  
232-28-291 Special hunting season permits

**Prepared By:** Jerry Nelson

**Presented By:** Jerry Nelson, Deer and Elk Section Manager, Wildlife Program

---

### **Background:**

This is the third year of the 2006-08 three-year hunting season package. As such, the Department is proposing limited changes to the general season structure for deer and elk. The proposed amendments are minor adjustments to deer and elk general seasons to address emergent issues and to fine-tune hunts designed to alleviate agricultural damage.

- Under modern firearm deer, GMU 654 appears in two places and should only appear in the 2 pt. min. category.
  - Under eastern white-tailed deer, Senior, Disabled, and Youth seasons, in GMU 162, more pressure needs to be applied to deer on private lands and less applied to deer on Forest Service lands.
  - The current season structure contained some season/tag combinations that allowed hunters to harvest more than two elk per year.
  - The AHE antlerless elk 2<sup>nd</sup> tags need adjustment because not all hunters are using them during the height of the damage season, late summer and early fall.
  - For the last three winters, late archery deer and elk seasons in GMU 368 have coincided with elk coming down to feed stations in that GMU. It is the Department’s intent to keep hunters away from active feeding areas whenever possible.
  - Recent Commission policy and rule changed the “Advanced Hunter Education (AHE) Program” title to “Master Hunter”.
- 

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

- Use Deer Area 1010 to direct hunters within GMU 162 to hunt white-tailed deer on private lands.
  - Amend elk bag limit language to be consistent with public interest related to equitable harvest of elk among all elk hunters.
  - Adjust antlerless elk season in Elk Area 3911 to encourage early season 2<sup>nd</sup> tag use.
  - Adjust late archery, deer and elk seasons in GMU 368 to Elk Area 3681 to direct hunters away from feed stations. This maintains opportunity without impacting feeding operations.
  - Amend language to replace “Advanced Hunter Education (AHE) Program” with “Master Hunter”.
- 

### **Public involvement process used and what you learned:**

These proposed recommendations were mailed to approximately 450 organizations and individuals in January for their review and consideration. These organizations and individuals were also informed of the opportunity to provide public testimony at the March 7-8, 2008 Commission meeting in Olympia.

---

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

Take public comment. Adoption is planned for the April 11-12, 2008 Commission meeting.

---

---

**Draft motion language:**

N/A

---

**Justification for Commission action:**

N/A

---

AMENDATORY SECTION (Amending Order 07-62, filed 5/3/07, effective 6/3/07)

**WAC 232-28-351 2006-2008 Deer general seasons and definitions.**

**Bag Limit:** One (1) deer per hunter during the license year except where otherwise permitted by Fish and Wildlife Commission rule.

**Hunting Method:** Hunters must select one of the hunting methods (modern firearm, archery, muzzleloader).

**Any Buck Deer Seasons:** Open only to the taking of deer with visible antlers (buck fawns illegal).

**Antler Point:** To qualify as an antler point, the point must be at least one inch long measured on the longest side.

**Antler Restrictions:** APPLIES TO ALL HUNTERS DURING ANY GENERAL SEASON AND DESIGNATED SPECIAL PERMIT SEASONS! Buck deer taken in antler restricted GMUs must meet minimum antler point requirements. Minimum antler point requirements are antler points on one side only. Eye guards are antler points when they are at least one inch long.

**2 Point minimum GMUs:** 437, 574, 578, 636, 654, and 681.

**3 Point minimum GMUs:** All mule deer in 100, 200, and 300 series GMUs; white-tailed deer in GMUs 127, 130, 133, 136, 139, 142, 145, 149, 154, 162, 163, 166, 169, 172, 175, 178, 181, and 186.

**Permit Only Units:** The following GMUs require a special permit to hunt deer: 290 (Desert), 329 (Quilomene), 371 (Alkali), and 485 (Green River).

**GMUs Closed to Deer Hunting:** 157 (Mill Creek Watershed), 490 (Cedar River), and 522 (Loo-wit).

**Black-tailed Deer:** Any member of black-tailed/mule deer (species *Odocoileus hemionus*) found west of a line drawn from the Canadian border south on the Pacific Crest Trail and along the Yakama Indian Reservation boundary in Yakima County to Klickitat County; in Klickitat County along the Yakama Indian Reservation boundary to Summit Creek Rd; southwest on Summit Creek Rd to the Glenwood-Goldendale Highway; northwest on the Glenwood-Goldendale Highway to Lakeside Rd; south on Lakeside Rd to Fisher Hill Rd (P-2000); south on Fisher Hill Rd to Fisher Hill bridge crossing Klickitat River; southwest down Klickitat River to the Columbia River.

**Mule Deer:** Any member of black-tailed/mule deer (species *Odocoileus hemionus*) found east of a line drawn from the Canadian border south on the Pacific Crest Trail and along the Yakama Indian Reservation boundary in Yakima County to Klickitat County; in Klickitat County along the Yakama Indian Reservation boundary to Summit Creek Rd; southwest on Summit Creek Rd to the Glenwood-Goldendale Highway; northwest on the Glenwood-Goldendale Highway to Lakeside Rd; south on Lakeside Rd to Fisher Hill Rd (P-2000); south on Fisher Hill Rd to Fisher Hill bridge crossing Klickitat River; southwest down Klickitat River to the Columbia River.

**White-tailed Deer:** Means any white-tailed deer (member of the species *Odocoileus virginianus*) except the Columbian whitetail deer (species *Odocoileus virginianus leucurus*).

**MODERN FIREARM DEER SEASONS**

**License Required:** A valid big game hunting license, which includes a deer species option.

**Tag Required:** Valid modern firearm deer tag on his/her person for the area hunted.

**Hunting Method:** Modern firearm deer tag hunters may use rifle, handgun, shotgun, bow or muzzleloader, but only during modern firearm seasons.

Hunt Season	2006 Dates	2007 Dates	2008 Dates	Game Management Units (GMUs)	Legal Deer
<b>HIGH BUCK HUNTS</b>					
	Sept. 15-25	Sept. 15-25	Sept. 15-25	Alpine Lakes, Glacier Peak, Pasayten, Olympic Peninsula, and Henry Jackson Wilderness Areas and Lake Chelan Recreation Area	3 pt. min.
<b>GENERAL SEASON HUNTS</b>					
<b>Western Washington Blacktail Deer</b>	Oct. 14-31	Oct. 13-31	Oct. 11-31	407, 418, 426, 448 through 466, 501 through 520, 524 through 556, 560, 568, 572, 601 through 633, 638 through <u>653</u> , <u>658</u> through 673, 684	Any buck
				GMUs 410, 564, Deer Areas 4013, 4926, and 6014	Any deer
				437, 574, 578, 636, 654, 681	2 pt. min.
<b>Eastern Washington Whitetail Deer</b>	Oct. 14-27	Oct. 13-26	Oct. 11-24	105 through 124	Any whitetail buck
	Oct. 14-22	Oct. 13-21	Oct. 11-19	All 200 and 300 series GMUs except permit-only in 290, 329, and 371	Any whitetail buck
	Oct. 14-29	Oct. 13-28	Oct. 11-26	101, 204	Any whitetail buck
	Oct. 14-22	Oct. 13-21	Oct. 11-19	127 through 154, 162 through 186	Whitetail, 3 pt. min.
379				Any white-tailed deer	
<b>Eastern Washington Mule Deer</b>	Oct. 14-22	Oct. 13-21	Oct. 11-19	All 100, 200, and 300 series GMUs, except permit only in GMUs 290, 329, and 371, and closed in GMU 157	Mule deer, 3 pt. min.
				379	Any mule deer
	Oct. 14-27	Oct. 13-26	Oct. 11-24	373, 382, 388	Mule deer, 3 pt. min.
<b>LATE BUCK HUNTS</b>					
<b>Western Washington Blacktail Deer</b>	Nov. 16-19	Nov. 15-18	Nov. 13-16	407, 410, 454, 466, and 500, and 600 series GMUs except closed in GMUs 522, 574, and 578	Any buck except 2 pt. min. in GMUs 636, 654, and 681

	Nov. 16-19	Nov. 15-18	Nov. 13-16	GMUs 410 and 564, Deer Areas 4013, 4926, 6014	Any deer
<b>Eastern Washington Whitetail Deer</b>	Nov. 6-19	Nov. 5-19	Nov. 3-19	105 through 124	Any whitetail buck
<b>YOUTH &amp; DISABLED HUNTERS</b>					
<b>Eastern Washington Whitetail Deer</b>	Oct. 28 - Nov. 5	Oct. 27 - Nov. 4	Oct. 25 - Nov. 2	105 through 124	Whitetail, antlerless only
<b>HUNTERS 65 AND OVER, DISABLED, OR YOUTH SEASONS</b>					
<b>Eastern Washington Whitetail Deer</b>	Oct. 14-27 & Nov. 6-19	Oct. 13-26 & Nov. 5-19	Oct. 11-24 & Nov. 3-19	105 through 124	Any whitetail deer
	Oct. 14-29	Oct. 13-28	Oct. 11-26	101	Any whitetail deer
	Oct. 14-22	Oct. 13-21	Oct. 11-19	127 through 142, 145 through 154, ((462)) Deer Area 1010, and 172 through 181	Whitetail, 3 pt. min. or antlerless
<b>((ADVANCED)) MASTER HUNTER ((EDUCATION (AHE) MASTER HUNTER)) SEASON</b>					
<b>Eastern Washington Whitetail Deer</b>	Dec. 9-15	Dec. 9-15	Dec. 9-15	GMUs 130-142	Whitetail, antlerless only

**ARCHERY DEER SEASONS**

**License Required:** A valid big game hunting license, which includes a deer species option.

**Tag Required:** Valid archery deer tag on his/her person for the area hunted.

**Special Notes:** Archery tag holders can only hunt during archery seasons with archery equipment (WAC 232-12-054).

Hunt Area	2006 Dates	2007 Dates	2008 Dates	Game Management Units (GMUs)	Legal Deer
<b>Early Archery Deer Seasons</b>					
<b>Western Washington Blacktail Deer</b>	Sept. 1-30	Sept. 1-30	Sept. 1-30	407 through 426, 448 through 466, 501 through 520, 524 through 556, 560, 564, 568, 572, 601 through 633, 638 through 653, 658 through 673, 684 and 699	Any Deer, except buck only in GMUs 460, 503, 506, 530, 550, 673
				437, 574, 578, 636, 654, 681	2 pt. min. or antlerless
<b>Eastern Washington Mule Deer</b>	Sept. 1-30	Sept. 1-30	Sept. 1-30	105 through 127, 162, 163, 166, 169, 243, 328, 334 through 340, 346 through 368	3 pt. min.
				142 through 154, and 172 through 186, Deer Area 1010, 244 through 247, 249 through 251, 260, 372, 373, 388	3 pt. min. or antlerless
				379, 381	Any mule deer
	Sept. 1-15	Sept. 1-15	Sept. 1-15	101, 130 through 139, 204 through 242, 248, 254, 262, 266, 269, 272, 278, 284, 382	3 pt. min.
Sept. 16-30	Sept. 16-30	Sept. 16-30	101, 130 through 139, 204 through 242, 248, 254, 262, 266, 269, 272, 278, 284, 382	3 pt. min. or antlerless	
<b>Eastern Washington Whitetail Deer</b>	Sept. 1-30	Sept. 1-30	Sept. 1-30	101 through 124, 204 through 284, 379, 381	Any whitetail deer
				127 through 154, 162 through 186	Whitetail, 3 pt. min. or antlerless

Late Archery Deer Seasons					
<b>Western Washington Blacktail Deer</b>	Nov. 22 - Dec. 8	Nov. 21 - Dec. 8	Nov. 19 - Dec. 8	437, 654	2 pt. min. or antlerless
	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	636, 681	2 pt. min. or antlerless
	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	466, 510 through 520, 524, 556, 601, 607 through 618, 638, 648, and 699	Any deer
	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	460, 506, 530, 560, 572	Buck only
	Nov. 22 - Dec. 31	Nov. 21 - Dec. 31	Nov. 19 - Dec. 31	407, 410, 454, 505, 564, 603, 624, 627, 642, 652, 660 through 672	Any deer
<b>Eastern Washington Mule Deer</b>	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	209, 215, 233, 243, 346, 352, 364, ((368)) <u>Deer Area 3682</u>	3 pt. min.
				145, 163, 178, 250	3 pt. min. or antlerless
				272, 278, 373, 381, 388	3 pt. min. or antlerless
	Nov. 20-30	Nov. 20-30	Nov. 20-30	133, 136	Antlerless
	Dec. 9-31	Dec. 9-31	Dec. 9-31	Deer Area 1021	3 pt. min. or antlerless
<b>Eastern Washington Whitetail Deer</b>	Nov. 10 - Dec. 15	Nov. 10 - Dec. 15	Nov. 10 - Dec. 15	101	Any whitetail deer
	Nov. 20 - Dec. 15	Nov. 20 - Dec. 15	Nov. 20 - Dec. 15	105, 108, 117, 121, 124	Any whitetail deer
				127	3 pt. min. or antlerless whitetail
	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	145, 163, 178	3 pt. min. or antlerless whitetail
				204, 209, 215, 233, 243, 250, 272, 278	Any whitetail deer
Nov. 20-30	Nov. 20-30	Nov. 20-30	133, 136	Antlerless	

**MUZZLELOADER DEER SEASONS**

**License Required:** A valid big game hunting license, which includes a deer species option.

**Tag Required:** Valid muzzleloader deer tag on his/her person for the area hunted.

**Hunting Method:** Muzzleloader only.

**Special Notes:** Muzzleloader tag holders can only hunt during muzzleloader seasons and must hunt with muzzleloader equipment.

Hunt Area	2006 Dates	2007 Dates	2008 Dates	Game Management Units (GMUs)	Legal Deer
<b>High Buck Hunts</b>	Sept. 15-25	Sept. 15-25	Sept. 15-25	Alpine Lakes, Glacier Peak, Pasayten, Olympic Peninsula, and Henry Jackson Wilderness areas, and Lake Chelan Recreation Area	3 pt. min.
<b>Early Muzzleloader Deer Seasons</b>					
<b>Western Washington Blacktail Deer</b>	Oct. 7-13	Oct. 6-12	Oct. 4-10	407, 418, 426, 448, 450, 501, 504, 505, 513, 520, 530, 554, 568, 603, 612, 624, 638, 642, 660, 663, 672, 673, 684	Any buck

				410, 454, 564, 627, 652, 666, Deer Area 4926	Any deer
				437, 578	2 pt. min.
<b>Eastern Washington Whitetail Deer</b>	Oct. 7-13	Oct. 6-12	Oct. 4-10	204, 209, 233, 239, 242, 243, 244, 245, 246, 250, 251, 278, 284	Whitetail, any buck
				133, 142, 145, 149, 181, 381	Whitetail, 3 pt. min. or antlerless
				101 through 124, 379	Whitetail, any deer
<b>Eastern Washington Mule Deer</b>	Oct. 7-13	Oct. 6-12	Oct. 4-10	101 through 124, 133, 142, 145, 149, 181, 204, 209, 233, 239, 242, 243, 244, 245, 246, 250, 251, 284, 328, 330 through 342, 352 through 360, 368, 382	Mule deer, 3 pt. min.
				278, 381	Mule deer, 3 pt. min. or antlerless
				379	Any mule deer
<b>Late Muzzleloader Deer Seasons</b>					
<b>Western Washington Blacktail Deer</b>	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	407, 410, 501, 504, 564, 633, 666, 684, and Deer Area 4926	Any deer
				654	2 pt. min.
				460, 550, 602	Any buck
		Nov. 21 - Dec. 6	Nov. 19 - Dec. 6	651, 673	Any buck
		Dec. 7 - 15	Dec. 7 - 15	651, 673	Any deer
	Dec. 1-15	Dec. 1-15	Dec. 1-15	578	2 pt. min.
<b>Eastern Washington Whitetail Deer</b>	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	113, 379	Whitetail, any deer
				172, 181	Whitetail, 3 pt. min. or antlerless
	Nov. 20-30	Nov. 20-30	Nov. 20-30	130, 139	Whitetail, 3 pt. min. or antlerless
<b>Eastern Washington Mule Deer</b>	Nov. 20-30	Nov. 20-30	Nov. 20-30	382	3 pt. min.
				130	Antlerless
	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	379	Any mule deer

[Statutory Authority: RCW 77.12.047, 77.12.020, 77.12.570, 77.12.210. 07-11-017 (Order 07-62), § 232-28-351, filed 5/3/07, effective 6/3/07. Statutory Authority: RCW 77.12.047. 06-11-032 (Order 06-92), § 232-28-351, filed 5/8/06, effective 6/8/06; 05-11-022 (Order 05-89), § 232-28-351, filed 5/10/05, effective 6/10/05. Statutory Authority: RCW 77.12.047 and 77.12.020.

04-11-036 (Order 04-98), § 232-28-351, filed 5/12/04, effective  
6/12/04. Statutory Authority: RCW 77.12.047. 03-13-047 (Order  
03-129), § 232-28-351, filed 6/12/03, effective 7/13/03.]

## WAC 232-28-351 2006-2008 Deer general seasons and definitions

### RECOMMENDED ADJUSTMENTS

The following adjustments are proposed since the Code Reviser (CR 102) filing and are already included in your notebook.

#### **Page 4**

Under Modern Firearm, Late Buck Hunts, change the reference to “Advanced Hunter Education (AHE) Master Hunter Season” to “Master Hunter Season”. This is consistent with recent Commission policy and rule change of the Program’s title.

## SUMMARY OF WRITTEN PUBLIC INPUT

WAC 232-28-351 2006-2008 Deer general seasons and definitions

<b>COMMENTS</b>	<b>AGENCY RESPONSE</b>
We support these recommendations.	Thank you for your support.
The Department needs to enhance the hunting opportunity for AHE grads by providing yearly access to the multi season deer and elk tags and also provide special AHE draws for late deer-buck only.	When the AHE program was first developed, we learned that the types of incentives (special hunts) provided often encouraged hunters to apply for the program only to be eligible for the special hunts. What the Department was looking for, was hunters who were more service oriented to assist the Department and landowners address damage and other sensitive situations.

AMENDATORY SECTION (Amending Order 07-62, filed 5/3/07, effective 6/3/07)

**WAC 232-28-352 2006-2008 Elk general seasons and definitions.**

**Bag Limit:** One (1) elk per hunter during the license year except where otherwise permitted by fish and wildlife commission rule. Any combination of seasons, tags, and permits set by the fish and wildlife commission will not exceed a maximum of two (2) elk per hunter during the license year.

**Hunting Method:** Elk hunters must select only one of the hunting methods (modern firearm, archery, or muzzleloader).

**Elk Tag Areas:** Elk hunters must choose either Eastern or Western Washington to hunt in and buy the appropriate tag for that area.

**Any Bull Elk Seasons:** Open only to the taking of elk with visible antlers (bull calves are illegal).

**Antler Point:** To qualify as an antler point, the point must be at least one inch long measured on the longest side.

**Spike Bull Antler Restrictions:** Bull elk taken in spike only GMUs must have at least one antler with only one antler point above the ear. An animal with more than one antler point above the ears on both antlers is illegal.

**Spike Only GMUs:** 145-154, 162-186, 249, 251, 328, 329, and 335-368.

**3 Point Antler Restrictions:** Legal bull elk must have at least 3 antler points on one side with at least 2 antler points above the ear. Eye guards are antler points when they are at least one inch long. Antler restrictions apply to all hunters during any open season.

**3 Point GMUs:** All of Western Washington except for GMUs 454, 564, 568, 574, 578, 652 for archers, 666, 684, and Elk Area 4941.

**Permit Only Units:** The following GMUs are closed during general seasons: 157, 371, 418, 485, 522, 524, 556, 621, 636, 653, and Elk Area 3068.

**GMUs Closed to Elk Hunting:** 437 (except for Elk Area 4941), and 490.

### **Elk Tag Areas**

**Eastern Washington:** All 100, 200, and 300 GMUs except permit only for all hunters in GMUs 157 and 371. Modern firearms are restricted in GMU 334.

EA - Eastern Washington Archery Tag

EF - Eastern Washington Modern Firearm General Elk Tag

EM - Eastern Washington Muzzleloader Tag

**Western Washington:** All 400, 500, and 600 GMUs except closed in GMUs 418, 437 (except for Elk Area 4941), 490, and modern firearm restrictions in portions of GMU 660. GMU 554 is open only for early archery and muzzleloader seasons. Elk Area 6064 in GMU 638 (Quinault) is open to (~~AHE~~) master hunters only.

Elk hunting by permit only in GMUs 485, 522, 524, 556, 621, and 636.

WA - Western Washington Archery Tag

WF - Western Washington Modern Firearm General Elk Tag

WM - Western Washington Muzzleloader Tag

### Modern Firearm Elk Seasons

**License Required:** A valid big game hunting license with an elk tag option.

**Tag Required:** Valid modern firearm elk tag as listed below on his/her person for the area hunted.

**Hunting Method:** May use modern firearm, bow and arrow, or muzzleloader, but only during modern firearm seasons.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2006 Dates	2007 Dates	2008 Dates	Legal Elk
Eastern Washington	EF	111, 113, 117	Oct. 28 - Nov. 5	Oct. 27 - Nov. 4	Oct. 25 - Nov. 2	Any bull
		145 through 154, 162 through 186, 249, 251, 328, 329, 335 through 368	Oct. 28 - Nov. 5	Oct. 27 - Nov. 4	Oct. 25 - Nov. 2	Spike bull
		Elk Area 3722*	Sept. 9-22	Sept. 8-21	Sept. 6-19	Antlerless
		101, 105, 108, 121 through 142, 372, 382, 388	Oct. 28 - Nov. 5	Oct. 27 - Nov. 4	Oct. 25 - Nov. 2	Any elk
		127-142 ((AHE)) master hunters only	Dec. 9-31	Dec. 9-31	Dec. 9-31	Any elk
		203 through 248, 250, 254 through 290, 373, 379, 381 except closed within 1/2 mile of the Columbia River in Douglas and Grant counties	Oct. 28 - Nov. 15	Oct. 27 - Nov. 15	Oct. 25 - Nov. 15	Any elk
		371, Elk Areas 3911(( <del>AHE</del> )) and 3912 ((AHE)) master hunters only	Aug. 1 - Jan. 30	Aug. 1 - Jan. 30	Aug. 1 - Jan. (( <del>30</del> )) <u>20, 2009</u>	Antlerless only
		<u>Elk Area 3911** master hunters only. 2nd tag</u>			<u>Aug. 1 - Oct. 24</u>	<u>Antlerless only</u>
*GMU 372 and Elk Area 3722 are mainly private property, hunters are not advised to try hunting these areas without making prior arrangements for access.						

		**((Advanced Hunter Education)) Master Hunters who hunt in Elk Area 3911 may purchase ((an AHE)) a master hunter, Elk Area 3911, second elk transport tag. Any legal weapon may be used. ((AHE)) Master hunter, Elk Area 3911 second elk transport tags will be valid only for Elk Area 3911 ((for the time period listed above)) from August 1 - October 24. All hunters participating in the Elk Area 3911 hunt must wear hunter orange.				
<b>Western Washington</b>	WF	407, 448, 460, 466, 503 through 520, 530, 550, 560, 572, 601 through 618, 624 (except for Elk Area 6071), 627 through 633, 638 through 652, 654 through 684. Except ((AHE)) master hunters only in Elk Area 6064	Nov. 4-13	Nov. 3-12	Nov. 1-10	3 pt. min.
		501	Nov. 4-13	Nov. 3-12	Nov. 1-10	3 pt. min. or antlerless
		564, 568, 574 through 578, 666	Nov. 4-13	Nov. 3-12	Nov. 1-10	Any elk
		454	Nov. 4-13	Nov. 3-12	Nov. 1-10	Any bull

### Archery Elk Seasons

**License Required:** A valid big game hunting license with an elk tag option.

**Tag Required:** Valid archery elk tag as listed below on his/her person for the area hunted.

**Hunting Method:** Bow and arrow only as defined by WAC 232-12-054.

**Special Notes:** Archery tag holders can hunt only during archery seasons and must hunt with archery equipment (WAC 232-12-054). Archery elk hunters may apply for special bull permits. Please see permit table for tag eligibility for all elk permits.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2006 Dates	2007 Dates	2008 Dates	Legal Elk
<b>Early Archery Elk Seasons</b>						
<b>Eastern Washington</b>	EA	101 through 142, 243, 247, 249, 250, 388	Sept. 8-21	Sept. 8-21	Sept. 8-21	Any elk
		145, 162, 166 through 172, 181, 186, 328, 329, 335	Sept. 8-21	Sept. 8-21	Sept. 8-21	Spike bull
		149, 154, Elk Area 1010, Elk Area 1013, 163, 175, 178, 330, 334, 336, 340, 352, 356, 364	Sept. 8-21	Sept. 8-21	Sept. 8-21	Spike bull or antlerless
<b>Western Washington</b>	WA	454, 564, 568, 574, 578, 652, 666	Sept. 8-21	Sept. 8-21	Sept. 8-21	Any elk

		407, 448, 501 through 505, 520, 550, 554, 560, 572, 624, except for Elk Area 6071, Elk Area 6061, 654, 660, 663, 667 through 673, 684, and 699	Sept. 8-21	Sept. 8-21	Sept. 8-21	3 pt. min. or antlerless
		460, 466, 506, 510, 513, 516, 530, 601, 602, 603, 607, 612 through 618, 627, 633, 638 through 648, 651, 658, and 681. ((AHE)) Master hunters only in Elk Area 6064	Sept. 8-21	Sept. 8-21	Sept. 8-21	3 pt. min.
		Elk Area 4941	Oct. 1-31	Oct. 1-31	Oct. 1-31	Any elk
<b>Late Archery Elk Seasons</b>						
<b>Eastern Washington</b>	EA	101, 105, 108, 117 through 127, 388	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Any elk
		178	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Antlerless only
		127-142 ((AHE)) master hunters only. Must wear hunter orange	Dec. 9-31	Dec. 9-31	Dec. 9-31	Any elk
		Elk Area 1010, 163	Dec. 9 - Jan. 30	Dec. 9 - Jan. 30	Dec. 9 - Jan. ((30)) 20, 2009	Antlerless only
		203 through 248, 250, 254 through 290, 373, 379, 381 except closed within 1/2 mile of the Columbia River in Douglas and Grant counties. Must wear hunter orange	Oct. 28 - Nov. 15	Oct. 27 - Nov. 15	Oct. 25 - Nov. 15	Any elk
		371, Elk Areas 3911((*)) and 3912 ((AHE)) master hunters only. Must wear hunter orange	Aug. 1 - Jan 30	Aug. 1 - Jan. 30	Aug. 1 - Jan. ((30)) 20, 2009	Antlerless only
		Elk Area 3911* master hunters only, 2nd tag. Must wear hunter orange			Aug. 1 - Oct. 24	Antlerless only
		328	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Spike bull
		335, 336, 346, 352, 364, ((368)) Elk Area 3681	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Spike bull or antlerless
<b>Western Washington</b>	WA	407, 503, 505, 648, 667, 672, 681, Elk Area 6066 in GMU 660, and 699. Elk Area 6064, except ((AHE)) master hunters only in Elk Area 6064 in GMU 638	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	3 pt. min. or antlerless
		454, 564, 666	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	Any elk
		603, 612, 615, 638	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	3 pt. min.
		506, 530	Nov. 22 - Dec. 7	Nov. 21 - Dec. 7	Nov. 19 - Dec. 7	3 pt. min. or antlerless
		520		Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	3 pt. min. or antlerless
		506, 530	Dec. 8-15	Dec. 8-15	Dec. 8-15	3 pt. min.
		*((Advanced Hunter Education)) Master Hunters who hunt in Elk Area 3911 may purchase ((an AHE)) a master hunter, Elk Area 3911, second elk transport tag. Any legal weapon may be used. ((AHE)) Master hunter, Elk Area 3911 second elk transport tags will be valid only for Elk Area 3911 ((for the time period listed above)) from August 1 - October 24. All hunters participating in the Elk Area 3911 hunt must wear hunter orange.				

**Muzzleloader Elk Seasons**

**License Required:** A valid big game hunting license with an elk tag option.

**Tag Required:** Valid muzzleloader elk tag as listed below on his/her person for the area hunted.

**Hunting Method:** Muzzleloader only as defined by WAC 232-12-051.

**Special Notes:** Muzzleloader tag holders can only hunt during the muzzleloader seasons and must hunt with muzzleloader equipment. Only hunters with tags identified in the Special Elk Permits tables may apply for special elk permits.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2006 Dates	2007 Dates	2008 Dates	Legal Elk
<b>Early Muzzleloader Elk Seasons</b>						
<b>Eastern Washington</b>	EM	111, 113, 117, 247	Oct. 7-13	Oct. 6-12	Oct. 4-10	Any bull
		101 through 108, 121 through 142, 250	Oct. 7-13	Oct. 6-12	Oct. 4-10	Any elk
		172, 245, Elk Area 2051, 335 through 342, 352 through 360, 368	Oct. 7-13	Oct. 6-12	Oct. 4-10	Spike bull
<b>Western Washington</b>	WM	454, 564, 568, 574, 578, 666, 684	Oct. 7-13	Oct. 6-12	Oct. 4-10	Any elk
		460, 504, 513, 530, 554, 602, 603, 607, 658, 660, 672	Oct. 7-13	Oct. 6-12	Oct. 4-10	3 pt. min.
		501, 503, 652, 654, 663, 667	Oct. 7-13	Oct. 6-12	Oct. 4-10	3 pt. min. or antlerless
<b>Late Muzzleloader Elk Seasons</b>						
<b>Eastern Washington</b>	EM	130 through 142	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Nov. 20 - Dec. 8	Any elk
		127-142 ((AHE)) master hunters only. Must wear hunter orange	Dec. 9-31	Dec. 9-31	Dec. 9-31	Any elk
		203 through 248, 250, 254 through 290, 373, 379, 381 except closed within 1/2 mile of the Columbia River in Douglas and Grant counties. Must wear hunter orange	Oct. 28 - Nov. 15	Oct. 27 - Nov. 15	Oct. 25 - Nov. 15	Any elk
		371, Elk Areas 3911((#)) and 3912 ((AHE)) master hunters only. Must wear hunter orange	Aug. 1 - Jan. 30, 2007	Aug. 1 - Jan. 30, 2008	Aug. 1 - Jan. ((30)) 20, 2009	Antlerless only

		<u>Elk Area 3911* master hunters only, 2nd tag. Must wear hunter orange</u>			<u>Aug. 1 - Oct. 24</u>	<u>Antlerless only</u>
<b>Western Washington</b>	WM	Elk Area 4941	Nov. 1 - Jan. 30, 2007	Nov. 1 - Jan. 30, 2008	Nov. 1 - Jan. <del>((30))</del> 20, 2009	Any elk
		501, 503, 505, 652	Nov. 22 - Dec. 8	Nov. 21 - Dec. 8	Nov. 19 - Dec. 8	3 pt. min. or antlerless
		454, 564, 568, 666, 684	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	Any elk
		574, 578	Nov. 22-30	Nov. 21-30	Nov. 19-30	Any elk
		504, 550, 601, 667	Nov. 22 - Dec. 15	Nov. 21 - Dec. 15	Nov. 19 - Dec. 15	3 pt. min.
		* <del>((Advanced Hunter Education))</del> Master Hunters who hunt in Elk Area 3911 may purchase <del>((an AHE))</del> a <u>master hunter</u> , Elk Area 3911, second elk transport tag. Any legal weapon may be used. <del>((AHE))</del> <u>Master hunter</u> , Elk Area 3911 second elk transport tags will be valid only for Elk Area 3911 <del>((for the time period listed above))</del> <u>from August 1 - October 24</u> . All hunters participating in the Elk Area 3911 hunt must wear hunter orange.				

[Statutory Authority: RCW 77.12.047, 77.12.020, 77.12.570, 77.12.210. 07-11-017 (Order 07-62), § 232-28-352, filed 5/3/07, effective 6/3/07. Statutory Authority: RCW 77.12.047. 06-11-032 (Order 06-92), § 232-28-352, filed 5/8/06, effective 6/8/06; 05-11-024 (Order 05-90), § 232-28-352, filed 5/10/05, effective 6/10/05. Statutory Authority: RCW 77.12.047 and 77.12.020. 04-11-036 (Order 04-98), § 232-28-352, filed 5/12/04, effective 6/12/04. Statutory Authority: RCW 77.12.047. 03-13-047 (Order 03-129), § 232-28-352, filed 6/12/03, effective 7/13/03.]

## WAC 232-28-352 2006-2008 Elk general seasons and definitions

### RECOMMENDED ADJUSTMENTS

The following adjustments are proposed since the Code Reviser (CR 102) filing and are already included in your notebook.

#### **Page 10**

Under Bag Limit add the following language “Any combination of seasons, tags, and permits set by the fish and wildlife commission will not exceed a maximum of two (2) elk per hunter during the license year.” This language has been added to be consistent with public interest related to equitable harvest of elk among all elk hunters.

#### **Pages 11-16**

Remove all references to “Advanced Hunter Education” (AHE) and replace with “Master Hunter.” This is consistent with recent Commission policy and rule change of the Program’s title.

**SUMMARY OF WRITTEN PUBLIC INPUT**

WAC 232-28-352 2006-2008 Elk general seasons and definitions

<b>COMMENTS</b>	<b>AGENCY RESPONSE</b>
<p>The second tag for the 3911 hunt should only be allowed AFTER a first animal is harvested and checked,...</p>	<p>Previous regulations for Elk Area 3911 required hunters to verify their successful harvest prior to purchasing a second elk tag. This provision created significant additional workload for Fish and Wildlife Officers and inconvenience for hunters, so it was eliminated in 2008-09.</p>
<p>...and then only until the regular hunting season starts, I recommend around Oct. 1.</p>	<p>For the 2008-09 seasons, we have proposed that the second elk tag for Elk Area 3911 would only be valid from August 1 through October 24, prior to the general elk season.</p>
<p>Also, this season is running too late, the animals moving now tend to stay higher unless moved down by people pressure ...</p>	<p>Historically, we've had significant problems with elk in agricultural lands during the month of January throughout Elk Area 3911. Typically, those problems taper off through February and March. Currently, February hunting is by permit only and with authorization by agency personnel or the hunt master. Having the elk stay at higher elevations as they migrate east for the winter is one of the objectives of the AHE season.</p> <p>Currently, the Whiskey Dick area is closed to vehicle access during Feb 1 – April 30. Also, we have proposed to graze portions of the range under a Coordinated Resource Management Plan to improve the quality of winter range. Both of these activities should increase the attractiveness of habitat along the winter range and outside 3911.</p> <p>We have proposed to shorten the 3911 season by 10 days next year, ending January 20, 2009.</p>
<p>...also now the wind farm must enter the equation.</p>	<p>We have negotiated an "Access by Written Permission" program for the Wild Horse Wind Farm, which allows hunters to access the property.</p>

<b>COMMENTS</b>	<b>AGENCY RESPONSE</b>
<p>The current September hunts in areas 328, 329, &amp; 340 for deer and elk most definitely add to the problem as we all know this is when the elk are bunching up and breeding so the added people pressure in these areas will push the animals down into the very problem areas of concern, so now we have standing crops as well as property damage, due to early hunting pressure.</p>	<p>We have not noticed a significant increase in landowner complaints overlapping with the early archery hunts in September.</p> <p>Hunting pressure is not the only reason elk move to lower elevations. In 2007 and prior years, elk moved to lower elevations and agricultural zones in response to dry habitat conditions that reached some critical level. We had elk show up on private lands throughout Region 3 from Tampico to Tieton to Parke Creek during a two-week window in early August. The same phenomenon of elk in agricultural lands was reported in Oregon and Idaho during those same two weeks.</p>
<p>We would like the Commission to change the definition "Spike bull antler restriction" back to what it was prior to 2006 (Elk taken in these units must have at least one antler that is a spike and does not branch above the ears. An animal with a spike on one side (1X2) is legal in spike only units.) When WDFW changed the definition in 2006, the same illustrations were used, but nothing noted the change. It is not unusual for a yearling bull to have a small fork below the ear that would reach above the ear. These are very hard to detect even at close range.</p>	<p>It was not the Department's intention to change the rule, but rather to clarify the rule. The intent of the rule is to address the point that terminates above the ear regardless of where that point originates. This regulation continues to need clarification and will be addressed during next year's deliberation of the 2009-11 seasons.</p>
<p>We support the change in the second AHE tag in Elk Area 3911.</p>	<p>Thank you for your support.</p>

<b>COMMENTS</b>	<b>AGENCY RESPONSE</b>
<p>Elk – Archery Special Permit Season Setting – Teanaway (formerly held a September hunt versus the current season which is a late season tag). Tag allotment for the early season was removed approximately 3 years ago due to a decline in Bull to Cow ratios in the Colockum Elk Herd. There is evidence to support that the Teanaway herd is a segregated sub herd of the Colockum herd and has a healthy bull to cow ratio within its unit boundaries. We would like to pursue reinstatement of the September archery hunt allowing harvest of mature bulls in September. Our request should have no affect on the late hunt, as it seems to be a necessary management tool. Being that the Teanaway unit is one of the premier elk units in all of Washington State, it is important that we pursue this. Success rates in 2002-2005 was 9.57% on antlered animals in the September season. Not sure how many were mature bulls, as some of these tallied may have actually been spikes. Somewhere around 30 permits would seem appropriate.</p>	<p>Currently the elk in GMU 335 Teanaway are considered to be part of the Colockum elk herd and are managed under the Colockum Elk Herd Management Plan. The Colockum herd is still below population objective in terms of overall elk numbers as well as post-hunt, bull:cow ratio objectives. Therefore, we will not be recommending any additional bull special permits for GMU 335, especially prior to the migration. The late season special permits that are currently offered in GMU 335 help address resident elk that do not migrate and are often contributing to agricultural damage problems. In addition, spike bull hunting is allowed during the general season for archery, muzzleloader, and modern firearm hunters.</p>



# 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"/> <b>Preproposal Statement of Inquiry was filed as WSR 07-24-061 ; or</b>	<input checked="" type="checkbox"/> <b>Original Notice</b>
<input type="checkbox"/> <b>Expedited Rule Making--Proposed notice was filed as WSR _____ ; or</b>	<input type="checkbox"/> <b>Supplemental Notice to WSR _____</b>
<input type="checkbox"/> <b>Proposal is exempt under RCW 34.05.310(4).</b>	<input type="checkbox"/> <b>Continuance of WSR _____</b>

**Title of rule and other identifying information:** (Describe Subject)  
 WAC 232-12-004 Classification of wild birds  
 WAC 232-12-045 Hunting equipment restrictions  
 WAC 232-28-273 2006-2008 Moose, bighorn sheep, and mountain goat seasons and permit quotas  
 WAC 232-28-295 Landowner hunting permits  
 WAC 232-28-337 Deer and elk area descriptions  
 WAC 232-28-342 2006-07, 2007-08, 2008-09 Small game seasons  
 WAC 232-28-351 2006-2008 Deer general seasons and definitions  
 WAC 232-28-352 2006-2008 Elk general seasons and definitions

**Hearing location(s):**  
 Natural Resources Building, Room 172  
 1111 Washington Street Southeast  
 Olympia, WA 98504  
 (360) 902-2515

Date: March 7-8, 2008 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](mailto:Wildthing@dfw.wa.gov)  
 fax (360) 902-2162

By: Friday, February 15, 2008

**Assistance for persons with disabilities:**

Contact: Susan Yeager by March 5, 2008

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

**Date of intended adoption:** April 11-12, 2008  
 (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, 77.12.570, 77.12.210

**Statute being implemented:** 77.12.047, 77.12.020, 77.12.570, 77.12.210

**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**  
 January 23, 2008

**NAME**  
 Lori Preuss

**SIGNATURE**

**TITLE**  
 Rules Coordinator

**CODE REVISER USE ONLY**

**OFFICE OF THE CODE REVISER  
 STATE OF WASHINGTON  
 FILED**

**DATE: January 23, 2008  
 TIME: 9:30 AM**

**WSR 08-03-141**

**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 232-12-004 Classification of wild birds**

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

The amendment adds Eurasian collared dove to the list of predatory birds in Washington.

**Reasons supporting proposal:**

The Eurasian collared dove is a non-native species that has recently expanded its range into Washington. The effects of this species are not known, but there is some evidence that it may compete with our native mourning doves. The proposed amendment would classify the species as a predatory bird, which would allow it to be taken year-round with a hunting license as provided under WAC 232-12-005.

### **WAC 232-12-045 Hunting equipment restrictions**

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

This proposal will restrict the use of telemetry equipment for hunting deer, elk, bear, moose, mountain goat, and bighorn sheep that have radio transmitters attached to them.

**Reasons supporting proposal:**

It is too easy for hunters to find and harvest wildlife with transmitters attached to them and hunting in this manner may bias the results of research projects.

### **WAC 232-28-273 2006-2008 Moose, bighorn sheep, and mountain goat seasons and permit quotas**

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

Rule amends 2008 seasons and permit quotas for moose, bighorn sheep, and mountain goats. The purpose of the rule is to maximize recreational hunting opportunities for these species while meeting the population and recreational objectives for each herd as indicated in the Game Management Plan. The rule changes include minor statewide permit level changes for moose (+14 permits) and bighorn sheep (+2 permits), as well as hunt boundary changes for mountain goat. The anticipated effect is stable to increase populations of these hunting species.

**Reasons supporting proposal:**

Recommended adjustments in permit quotas are based on meeting population objectives for each species as indicated in the Game Management Plan.

### **WAC 232-28-295 Landowner hunting permits**

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

The proposal identifies permit levels and season dates for Landowner Hunting Permit (LHP) program participants for the 2008 hunting seasons. There are calendar date modifications for some permits, but no changes in permit levels are being proposed. If adopted, the proposal will allocate 70 deer permits and 186 elk permits among 5 LHP cooperators. Sixty percent of the permits will be for antlerless animals while 24% will be for antlered animals and 16% for any elk.

**Reasons supporting proposal:**

The proposed permits are consistent with the Commission's private lands hunter access program policy (C-6002). The permits will result in general public hunter access on private property and will help mitigate deer and elk foraging on private agricultural lands.

### **WAC 232-28-337 Deer and elk area descriptions**

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

The proposed change removes elk feeding areas from GMU 368.

#### **Reasons supporting proposal:**

This proposal allows the continuation of December hunting seasons without impacting feeding activities or creating unethical hunting situations.

### **WAC 232-28-342 2006-07, 2007-08, 2008-09 Small game seasons**

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

Since 2003, the Department has proposed liberalized fall, either sex turkey hunting seasons in northeastern and southeastern Washington, to provide expanded hunting opportunity and to address undesired turkey population increases. This proposal would change fall turkey hunting opportunities by increasing fall turkey permit levels in some southeastern Washington Game Management Units (GMUs), while moving some northeastern GMUs from "early fall permit only" to "early fall general season" designations.

The amendment also extends the mourning dove season from 15 to 30 days in September, modifies the mourning dove falconry season to be consistent with federal rules, and makes the September goose season in Grays Harbor consistent with the remainder of Goose Management Area 3.

#### **Reasons supporting proposal:**

The proposed changes provide: 1) greater turkey population control in areas experiencing unwanted population growth or, 2) increased turkey hunter opportunity in areas where expanding populations can support increased fall harvest.

The 2003-09 WDFW Game Management Plan prescribes a restrictive dove season until a significant increase is observed in the 10-year Washington breeding population index. In 2007, a significant increase was observed in this index, and the department is recommending an increase in the 2008 dove season length from 15 to 30 days, with season dates September 1-30. Grays Harbor County was included in Goose Management Area 3 in 2006, and the 2008 September goose season in Grays Harbor County is proposed for change to be consistent with season dates in the remainder of Goose Management Area 3.

### **WAC 232-28-351 2006-2008 Deer general seasons and definitions**

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

This rule amends the 2008 seasons for deer. The rule clarifies the antler restriction in GMU 554; focuses late season opportunity in a portion of GMU 162; and retains a late deer season in the main part of GMU 368.

#### **Reasons supporting proposal:**

Recommended adjustments clarify restrictions, and helps focus harvest where desired. The change from GMU 368 to Deer Area 3682 helps retain the late hunt without impacting elk feeding operations.

### **WAC 232-28-352 2006-2008 Elk general seasons and definitions**

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

This rule amends the 2008 seasons for elk. The rule modifies the season dates for the Elk Area 3911 damage hunt to provide better incentives for harvesting elk early in the season. Hunts that end in January are amended to end on January 20<sup>th</sup> to allow time for hunters to report prior to the January 31 reporting deadline. This proposal also establishes a hunt in Elk Area 3681, which avoids conflict with elk feeding stations and ethical issues while retaining the late elk season in the main part of GMU 368.

#### **Reasons supporting proposal:**

Recommended adjustments clarify restrictions, and helps focus harvest where desired. The change from GMU 368 to Elk Area 3681 helps retain the late hunt without impacting elk feeding operations.

AMENDATORY SECTION (Amending Order 06-92, filed 5/8/06, effective 6/8/06)

**WAC 232-28-291 Special hunting season permits.** The commission may establish special hunting seasons limited to species and/or weapon type.

1. Deer, elk, cougar, or black bear special hunting season permit applications:

A. To apply for special hunting season permits for deer, elk, cougar, or black bear applicants must have a valid Washington big game hunting license and a valid transport tag for the appropriate species. To apply for a particular hunt, each applicant for deer or elk must have the proper transport tag as identified in the special deer or elk permit regulations.

B. Multiple season deer and elk permit applications may be purchased without additional licenses or tags. The purchase of the application will result in entry into the drawing. Persons who are successfully drawn must purchase a multiple season permit for deer or elk and may also apply for archery, muzzleloader, or modern firearm special hunting season permits for the species drawn.

2. Mountain goat, moose, and bighorn sheep special hunting season permit applications:

A. Persons who have previously harvested a mountain goat, bighorn sheep, or moose in Washington are ineligible to apply for a special hunting season permit for that species. This

lifetime harvest restriction does not apply to individuals who harvested a mountain goat before 1999, raffle or auction hunt authorizations, or antlerless-only moose hunts.

B. Successful applicants under this section must purchase the appropriate hunting license within fifteen days of the published notification deadline by the department. Failure to purchase forfeits the permit to an alternate applicant.

3. Wild turkey special hunting season permit applications

A. To apply for wild turkey special hunting season permits, each applicant must have a valid small game hunting license.

B. Early fall wild turkey special hunting season permit holders must have a valid turkey transport tag in possession to hunt turkeys in the early fall special hunting season.

C. Late fall wild turkey special hunting season permit holders must have a valid turkey transport tag in possession to hunt turkeys in the late fall special hunting season.

4. Special hunting season permit applications:

A. Maximum group sizes are determined for each category. If a group application is drawn, all hunters in the group will receive a special hunting season permit and each hunter in the group can take an animal.

i. Maximum group size for deer is 12.

ii. Maximum group size for elk is 12.

iii. Maximum group size for bear is 2.

iv. Maximum group size for cougar is 2.

v. Maximum group size for mountain goat is 2.

vi. Maximum group size for bighorn sheep is 2.

vii. Maximum group size for early fall turkey is 4.

viii. Maximum group size for late fall turkey is 4.

ix. Maximum group size for moose is 2.

x. Maximum group size for multiple season deer is 1.

xi. Maximum group size for multiple season elk is 1.

B. An applicant may purchase only one application for a special hunting season permit for each category.

C. Permits will be drawn by computer selection using a weighted point selection system.

D. Incomplete applications will not be accepted.

E. If an applicant makes a mistake, applies for the wrong hunt, and is successfully drawn, the special hunting season permit can be returned to the department of fish and wildlife Olympia headquarters before the opening day of the special hunting season or the opening day of the general hunting season, whichever comes first. The applicant's points will be restored to the level prior to the permit drawing.

F. Anyone may apply for a special hunting season permit for deer, elk, bear, cougar, and wild turkey.

5. In addition to requirements for special hunting season permit applications, following are application requirements for:

A. Special hunting seasons for persons of disability: Only applicants with a Washington disabled hunter permit are eligible to apply for any special hunting season permits for persons of disability.

B. Special hunting seasons for youth: Only persons who are eligible to lawfully purchase a youth hunting license are eligible to apply for special hunting season permits for youth.

C. Special hunting seasons for hunters age 65 and older:

Only applicants sixty-five years of age or older on or before March 31 of the current license year will be eligible to apply for special hunting season permits for hunters age 65 and older.

D. Special hunting seasons for ~~((advanced))~~ master hunter ~~((education))~~ program graduates: Only persons who hold a valid certificate from the Washington department of fish and wildlife's ~~((advanced))~~ master hunter ~~((education—(AHE)))~~ program are eligible to apply for special hunting season permits for ~~((AHE))~~ master hunters.

6. Citizen reward for reporting violations - bonus points: A person who provides information which contributes substantially to the arrest of another person for illegally hunting or killing big game or an endangered species as defined by Title 77 RCW is eligible to receive ten bonus points toward the special hunting permit drawing for deer or elk special hunting season permits.

A. Only ten bonus points can be awarded for providing information for each person charged regardless of the number of violations involved.

B. Selection of bonus points is in lieu of application for a cash award.

[Statutory Authority: RCW 77.12.047. 06-11-032 (Order 06-92), § 232-28-291, filed 5/8/06, effective 6/8/06; 05-02-046 (Order 04-327), § 232-28-291, filed 1/3/05, effective 2/3/05; 03-16-087 (Order 03-175), § 232-28-291, filed 8/5/03, effective 9/5/03; 03-13-047 (Order 03-129), § 232-28-291, filed 6/12/03, effective 7/13/03; 03-02-005 (Order 02-301), § 232-28-291, filed 12/20/02,

effective 1/20/03. Statutory Authority: RCW 77.12.040,  
77.12.020, 77.32.070, 77.32.530. 01-10-048 (Order 01-69), §  
232-28-291, filed 4/26/01, effective 5/27/01.]



# 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 07-24-100 ; 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) : Rules relating to the Master Hunter Program, including WACs 232-28-291, 232-28-351, 232-28-352, 232-28-353, 232-28-354, and 232-28-431.

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

Date: March 7, 2008. Time: 8 a.m.

Date of intended adoption: On or after April 11, 2008  
(Note: This is NOT the effective date)

**Submit written comments to:**

Name: Rules Coordinator

Address: 600 Capitol Way No., Olympia, WA 98501-1091

e-mail: [preusimp@dfw.wa.gov](mailto:preusimp@dfw.wa.gov)

fax: (360) 902-2155 by: February 25, 2008

Assistance for persons with disabilities: Contact

Susan Yeager by

TTY (360) 902-2207 or (360) 902-2267

Purpose of the proposal and its anticipated effects, including any changes in existing rules: Several rules cross-reference and/or relate to the department's "Advanced Hunter Education Program," which is now called the "Master Hunter Program." The name must be changed in these rules, and other information must be revised to reflect changes in the law and in rules.

Reasons supporting proposal: The department wants to be consistent in its references to the Master Hunter Program.

Statutory authority for adoption: RCW 77.12.047

Statute being implemented: RCW 77.12.047

**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: January 23, 2008

TIME: 9:51 AM

**WSR 08-03-143**

DATE  
January 23, 2008

NAME (type or print)  
Lori Preuss

SIGNATURE *Lori M Preuss*

TITLE  
Rules Coordinator

(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 Department of Fish and Wildlife

- Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Lori Preuss	1111 Washington Street, Olympia	(360) 902-2930
Implementation.... Mik Mikitik	1111 Washington Street, Olympia	(360) 902-8113
Enforcement..... Bruce Bjork	1111 Washington Street, 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: Lori Preuss

Address: 600 Capitol Way No., Olympia, WA 98501-1091

phone (360) 902-2930

fax (360)902-2155

e-mail preuslmp@dfw.wa.gov

No. Explain why no statement was prepared.

This proposal does not impact small businesses.

**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 affect hydraulics.