

18. MOOSE, BIGHORN SHEEP AND MOUNTAIN GOAT SEASON AND PERMIT QUOTAS – RULE BRIEFING & PUBLIC HEARING

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“GREEN SHEET”

Meeting: March 6-7, 2009

Agenda Item 18: Moose, Bighorn Sheep, and Mountain Goat Seasons and Permit Quotas – **Rule Briefing and Public Hearing**

Prepared By: Donny Martorello, Ph.D.

Presented By: Donny Martorello, Ph.D., Carnivore, Furbearer, and Special Species Section Manager, Wildlife Program

Background:

Department staff will brief the Commission on proposed amendments to WAC 232-28-273 2009-2011 Moose, bighorn sheep, and mountain goat seasons and permit quotas.

Winter surveys indicate moose populations are fairly stable. The Department recommends a status quo permit level of 130, which includes slight reductions in some units and additions in others. We are also creating a Master Hunter damage hunt in the Mount Spokane unit.

All bighorn sheep populations that are currently hunted either meet or exceed population objectives. Due to increased ewe densities in some herds, the Department recommends adding ewe-only hunts (including one ewe hunt for youth-only) in three herds; the recommendation is to increase bighorn sheep permit levels from 36 to 40.

Results from the Department's mountain goat research project indicate that mountain goats are extremely sensitive to over harvest. Although goats occur in many alpine areas of the State, several populations are relatively small (<100) and isolated. As such, the Department revised the thresholds for mountain goat harvest in the 2009-2015 Game Management Plan (GMP). Following the GMP, the Department is recommending limiting goat hunting to population management units of ≥ 100 goats, which results in six population management units being hunted with a total of 18 permits. The Department is also recommending allowing Director authority for distributing the harvest and reducing permit levels within a population management unit if necessary. Distributing harvest will be accomplished by providing maps to hunters of areas that are open and/or closed within the larger unit. Permit levels would only be slightly reduced if actual harvest levels exceeded target.

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

Continued hunting of moose, bighorn sheep, and mountain goat through a permit-only system.

Public involvement process used and what you learned:

The Department conducted an extensive public involvement process to develop these three-year hunting season cycle recommendations. In June 2008, the Department received nearly 4,000 responses to a scoping survey that was developed to determine the major issues that were important to the public. After the initial scoping phase, the issues were refined and preferred alternatives to address those issues were developed. The alternatives were discussed at more than ten public meetings held throughout the state in August and September. Nearly 5,000 people commented on the Alternatives, which were presented at the public meetings and available online for approximately seven weeks. In early January, an email was sent to over 50,000 hunters announcing that the proposed recommendations were online and would be available for comment until February 20. A postcard was mailed to approximately 800 organizations and individuals informing them of the opportunity to provide comments on the proposed regulations.

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

Take public comment. Adoption is planned for the April 2-3-4, 2009 Commission meeting in Olympia.

Draft motion language:

N/A

Justification for Commission action:

N/A

Communications plan:

- News Release
 - Hunting Pamphlets
 - Direct email to approximately 55,000 hunters
-

AMENDATORY SECTION (Amending Order 08-78, filed 4/18/08, effective 5/19/08)

WAC 232-28-273 ((2006-2008)) 2009-2011 Moose, bighorn sheep, and mountain goat seasons and permit quotas.

Moose Permit Hunts

Who May Apply: Anyone may apply; EXCEPT those who harvested a moose previously in Washington state. An individual may only harvest one moose during their lifetime (except waived for antlerless only hunts, master hunter hunts, and raffle and auction hunts).

Bag Limit: One moose.

Weapon Restrictions: Permit holders may use any legal weapon.

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
Kettle Range/ <u>East Okanogan</u>	Oct. 1 - Nov. 30	GMUs 101, 105, <u>204</u>	Any Moose	((2)) <u>3</u>
Selkirk Mtns. A	Oct. 1 - Nov. 30	GMU 113	Any Moose	((25)) <u>22</u>
Selkirk Mtns. B ^d	Oct. 1 - Nov. 30	GMU 113	Antlerless Only	2
Mt. Spokane A	Oct. 1 - Nov. 30	GMU 124 east of Hwy 395	Any Moose	12
Mt. Spokane B	Oct. 1 - Nov. 30	GMU 124 east of Hwy 395	Antlerless Only	14
<u>Mt. Spokane</u> ^{MH}	<u>Dec. 1 - Mar. 31</u>	<u>GMUs 124, 127, and 130 within Spokane County</u>	<u>Any Moose</u>	<u>10</u> ^{MH}
Mt. Spokane Youth Only ^a	Oct. 1 - Nov. 30	GMU 124 east of Hwy 395	Antlerless Only	10
49 Degrees North A	Oct. 1 - Nov. 30	GMU 117	Any Moose	((26)) <u>22</u>
49 Degrees North B ^b	Oct. 1 - Nov. 30	GMU 117	Antlerless Only	((5)) <u>3</u>
49 Degrees North C ^c	Oct. 1 - Nov. 30	GMU 117	Antlerless Only	2
49 Degrees North Youth Only ^a	Oct. 1 - Nov. 30	GMU 117	Antlerless Only	2
Three Forks	Oct. 1 - Nov. 30	GMUs 108, 111	Any Moose	((8)) <u>6</u>
Hangman A	Oct. 1 - Nov. 30	GMUs 127, 130	Any Moose	7
Hangman B	Oct. 1 - Nov. 30	GMUs 127, 130	Antlerless Only	7

Huckleberry Range A	Oct. 1 - Nov. 30	GMUs 121, 124 west of Hwy 395	Any Moose	((8) 6
<u>Huckleberry Range B</u>	<u>Oct. 1 - Nov.</u> <u>30</u>	<u>GMUs 121, 124 west of Hwy</u> <u>395</u>	<u>Antlerless Only</u>	<u>2</u>

^aApplicants must be eligible to purchase a youth moose license by November 30 during the license year they are applying for. Youth hunters must be accompanied by an adult during the hunt.

^bApplicants must possess a Disabled Hunter Permit.

^cApplicants must be 65 years of age or older by November 30 during the license year they are applying for.

^dApplicants must be a certified hunter education instructor who meet program-defined eligibility criteria.

^{eh}This is a damage hunt administered by a WDFW designated hunt master. Only master hunters may apply, except master hunters who have harvested a moose previously in Washington state may not apply; these hunts will not affect accumulated points; and any weapon may be used. Successful applicants will be contacted on an as-needed basis to help with specific sites of moose damage on designated landowner's property. Not all successful applicants will be contacted in any given year depending on moose damage activity for that year.

Bighorn Sheep Permit Hunts

Who May Apply: Anyone may apply; EXCEPT those who harvested a bighorn sheep previously in Washington state. An individual may only harvest one bighorn sheep during their lifetime. (Except waived for raffle and auction hunts, and ewe only hunts.)

Bag Limit: One bighorn ram (except (~~Vulcan Mountain B is one~~)) in designated adult ewe hunts, one bighorn adult ewe).

Hunt Name	Permit Season	Permit Hunt Boundary Description	Special Restrictions	Permits
Vulcan Mountain A	Sept. 15 - Oct. 10	Sheep Unit 2	Any Legal Weapon	1
Vulcan Mountain B ^a	Oct. 1-10	Sheep Unit 2	Adult ewe only Any Legal Weapon	2
<u>Vulcan Mountain C^b</u>	<u>Oct. 1-10</u>	<u>Sheep Unit 2</u>	<u>Adult ewe only</u> <u>Any Legal Weapon</u>	<u>1</u>
Selah Butte <u>A</u>	Nov. 3-30	Sheep Unit 4	Any Legal Weapon	5
<u>Selah Butte B</u>	<u>Sept. 1-30</u>	<u>Sheep Unit 4</u>	<u>Adult ewe only</u> <u>Any Legal Weapon</u>	<u>5</u>
Umtanum	Sept. 15 - Oct. 10	Sheep Unit 5	Any Legal Weapon	5
Cleman Mountain A	Sept. 15 - Oct. 10	Sheep Unit 7	Any Legal Weapon	43
Cleman Mountain B	Nov. 3-30	Sheep Unit 7	Any Legal Weapon	43
Mt. Hull <u>A</u>	Sept. 15 - Oct. 10	Sheep Unit 10	Any Legal Weapon	((2)) 1
<u>Mt. Hull B</u>	<u>Oct. 1-10</u>	<u>Sheep Unit 10</u>	<u>Adult ewe only</u> <u>Any Legal Weapon</u>	<u>2</u>
Wenaha	Sept. 15 - Oct. 10	Sheep Unit 11	Any Legal Weapon	1
Lincoln Cliffs	Sept. 15 - Oct. 10	Sheep Unit 12	Any Legal Weapon	1
Quilomene A	Sept. 15 - Oct. 10	Sheep Unit 13	Any Legal Weapon	4
((Swakane	Sept. 15 - Oct. 10	Sheep Unit 14	Any Legal Weapon	4))
Tieton <u>A</u>	Sept. 15 - Oct. 10	Sheep Unit 15	Any Legal Weapon	3
<u>Tieton B</u>	<u>Sept. 15 - Oct. 10</u>	<u>Sheep Unit 15</u>	<u>Adult ewe only</u> <u>Any Legal Weapon</u>	<u>3</u>
Manson	Nov. 3-30	Sheep Unit 16	Any Legal Weapon	2
Asotin	Sept. 15 - Oct. 10	Sheep Unit 17	Any Legal Weapon	1

^aApplicants must be 65 years of age or older by November 30 during the license year they are applying for.

^bApplicants must be eligible to purchase a youth bighorn sheep license by November 30 during the license year they are applying for. Youth hunters must be accompanied by an adult during the hunt.

Bighorn Sheep Units:

Sheep Unit 2 Vulcan Mountain: Permit Area: Ferry County north of the Kettle River near Curlew.

Sheep Unit 4 Selah Butte: Permit Area: That part of Yakima and Kittitas counties between Ellensburg and Yakima east of the Yakima River and north of Selah Creek, west of Interstate 82 and south of Interstate 90.

Sheep Unit 5 Umtanum: Permit Area: Those portions of Yakima and Kittitas counties west of the Yakima River, north of Wenas Creek, and east of USFS Road 1701 to Manastash Lake and its drainage; south and east along the South Fork Manastash Creek to Manastash Creek and the Yakima River.

Sheep Unit 7 Cleman Mountain: Permit Area: That part of Yakima County south of Wenas Creek and east of USFS Road 1701, north of Highway 410 and Highway 12 and west of the Yakima River.

Sheep Unit 10 Mt. Hull: Permit Area: That part of Okanogan County within the following described boundary: Beginning at Oroville; then south along U.S. Highway 97 to the Swanson's Mill Road (old Mt. Hull Road) near Lake Andrews; then east to the Dry Gulch Road; then north to the Oroville-Toroda Creek Road (Molson Grade Road); then west to Oroville and the point of beginning.

Sheep Unit 11 Wenaha Wilderness: Permit Area: That part of GMU 169 within Crooked Creek drainage.

Sheep Unit 12 Lincoln Cliffs: Permit Area: That part of Lincoln County north of Highway 2.

Sheep Unit 13 Quilomene: Permit Area: GMUs 329, 330, and 251 south of Colockum Creek.

~~((**Sheep Unit 14 Swakane:** Permit Area: GMU 250.))~~

Sheep Unit 15 Tieton: Permit Area: GMU 360.

Sheep Unit 16 Manson: Permit Area: (~~GMU 243~~) Beginning at the mouth of Granite Falls Creek on the south shore of Lake Chelan, E across Lake Chelan to Willow Point; NW along the shoreline of Lake Chelan to the mouth of Stink Creek; E along Stink Creek to the intersection with Green's Landing Road; along Green's Landing Road to Manson Boulevard; E on Manson Boulevard to Lower Joe Creek Road; NE on Lower Joe Creek Road to Grade Creek Road; NE on Grade Creek Road to US Forest Service Road 8210; NE on US Forest Service Road 8210 to intersection with US Forest Service Road 8020; W on US Forest Service Road 8020 to Fox Peak; NW along Sawtooth Ridge (Chelan-Okanogan County Line) to the Lake Chelan National Recreation Area boundary; S along the Lake Chelan National Recreation Area boundary to shore line of Lake Chelan; W across Lake Chelan to the mouth of Riddle Creek on the South Shore; SE along South Shore of Lake Chelan to the point of beginning.

Sheep Unit 17 Asotin: Permit Area: GMU 175.

Mountain Goat Permit Hunts

Who May Apply: Anyone may apply; except those who harvested a mountain goat in Washington state after 1998. An individual may only harvest one mountain goat during their lifetime, except for those who harvested a goat prior to 1999. (Except waived for raffle and auction hunts.)

Bag Limit: One (1) adult goat of either sex with horns four (4) inches or longer. WDFW urges hunters to refrain from shooting nannies with kids. Permit hunters may start hunting Sept. 1 with archery equipment.

((Hunt Name	Permit Season	Permit-Hunt Boundary-Description	Special Restrictions	Permits
Chelan-North	Sept. 15-Oct. 31	Goat-Unit 2-1	Any Legal-Weapon	1
Methow	Sept. 15-Oct. 31	Goat-Unit 2-2	Any Legal-Weapon	2
Naches Pass/Corral Pass	Sept. 15-Oct. 31	Goat Units 3-6, 4-38	Any Legal-Weapon	2
Bumping-River	Sept. 15-Oct. 31	Goat-Unit 3-7	Any Legal-Weapon	2
Blazed Ridge	Sept. 15-Oct. 31	Goat-Unit 3-10	Any Legal-Weapon	2
Tatoosh	Sept. 15-Oct. 31	Goat-Unit 5-2	Any Legal-Weapon	1
Smith-Creek	Sept. 15-Oct. 31	Goat-Unit 5-3	Any Legal-Weapon	1
Goat-Rocks/Tieton-River	Sept. 15-Oct. 31	Goat-Units 3-9, 5-4	Any Legal-Weapon	5
Chowder Ridge	Sept. 15-Oct. 31	Goat-Units 4-3	Any Legal-Weapon	1
Avalanche Gorge	Sept. 15-Oct. 31	Goat-Units 4-7	Any Legal-Weapon	1

Mountain Goat Units:

~~Goat Unit 2-1 Chelan N. (Chelan County): Permit Area: Beginning at the mouth of Fish Creek on Lake Chelan (Moore Point); then northeast up Fish Creek and USFS trail 1259 to the Sawtooth crest near Deephole Spring; then southeast along the Sawtooth crest, which separates Chelan and Okanogan County, to Horsethief Basin and the headwaters of Safety Harbor Creek; then south along Safety Harbor Creek to Lake Chelan, then northwest along the north shore of Lake Chelan to the mouth of Fish Creek at Moore Point and the point of beginning.~~

~~Goat Unit 2-2 Methow Area: Permit Area: Okanogan County within the following described boundary: Beginning at the Town of Twisp, westerly along the Twisp River Road (County Road 4440) to Roads End; west up the Twisp Pass Trail 432 to Twisp Pass and the Okanogan County line; northerly along the Okanogan County line through Washington Pass to Harts Pass; southeast down Harts Pass (Road 5400) to Lost River; then along the Lost River Mazama Road to Mazama; then southwest to State Highway 20; then~~

~~southeasterly along State Highway 20 to Twisp and the point of beginning.~~

~~**Goat Unit 3-6 Naches Pass:** Permit Area: Yakima and Kittitas counties within the following described boundary: Beginning at Chinook Pass; then north along the Pacific Crest Trail to Naches Pass; then east to USFS Road 19 and continuing to State Highway 410; then west along State Highway 410 to Chinook Pass and point of beginning.~~

~~**Goat Unit 3-7 Bumping River:** Permit Area: GMU 356.~~

~~**Goat Unit 3-9 Tieton River:** Permit Area: GMU 364.~~

~~**Goat Unit 3-10 Blazed Ridge:** Permit Area: Kittitas and Yakima counties within the following described boundary: Beginning at the mouth of Cabin Creek on the Yakima River; then west along Cabin Creek to the headwaters near Snowshoe Butte; then south along the Cascade Crest separating the Green and Yakima river drainage to Pyramid Peak; then southeast along the North Fork, Little Naches, and Naches River to the Yakima River; then north along the Yakima River to the mouth of Cabin Creek and point of beginning.~~

~~**Goat Unit 4-3 Chowder Ridge:** Permit Area: Whatcom County within the following described boundary: Beginning where Wells Creek intersects the North Fork Nooksack River; then up Wells Creek to Bar Creek; then southwest up Bar Creek to the Mazama Glacier; then continue southwest up Mazama Glacier to the summit of Mt. Baker; then northwest between Roosevelt Glacier and Coleman Glacier to Kulshan Cabin and the headwaters of Kulshan Creek and Grouse Creek to Smith Creek; then north down Smith~~

~~Creek to Glacier Creek; continue north down Glacier Creek to the North Fork Nooksack River; then east along the North Fork Nooksack River to Wells Creek and the point of beginning.~~

~~**Goat Unit 4-7 Avalanche Gorge:** Permit Area: Whatcom County within the following described boundary: Beginning at the intersection of the Baker Lake Road (USFS Road 394) and Park Creek; then northwest up Park Creek to Park Glacier; then continue westerly up Park Glacier to the summit of Mount Baker; then northerly down Mazama Glacier to Bar Creek; then northeast down Bar Creek to the confluence of Wells Creek; then southeast up Wells Creek to waypoint 593106 E 5410010 N (NAD27); then southeast about 1/2 mile to Ptarmigan Ridge Trail 692.1 at waypoint 593674 E 5409462 N; then south and southwest along said trail about 1/2 mile to upper tributary of Swift Creek at waypoint 593425 E 5408803 N; then east and southeast down said tributary to confluence with Swift Creek; then south and southeast down Swift Creek to the Baker Lake Road (USFS Road 394); then west along the Baker Lake Road (USFS Road 394) to Park Creek and the point of beginning.~~

~~**Goat Unit 4-38 Corral Pass:** Permit Area: Pierce County within the following described boundary: Beginning where Goat Creek intersects the Corral Pass Road; then southeast up Goat Creek to the Cascade Crest; then north along the Crest to USFS Trail 1188; then northwest along said trail to USFS Trail 1176; then north along said trail to Corral Pass; then west along Corral Pass Road to its intersection with Goat Creek and the point of beginning.~~

~~**Goat Unit 5-2 Tatoosh:** Permit Area: Lewis County within the~~

~~following described boundary: Beginning at the junction of the southern Mount Rainier National Park Boundary and State Highway 123, then south along State Highway 123 to U.S. Highway 12, then southwest along said highway to Skate Creek Road (USFS Road 52), then northwest along said road to the junction of Morse Creek Road (old road to Longmire Campground), then north along said road to the Mount Rainier National Park Boundary, then east along the southern park boundary to the point of beginning.~~

~~Goat Unit 5-3 Smith Creek: Permit area: Lewis County within the following described boundary: Beginning at the Town of Randle, then east along U.S. Highway 12 to USFS Road 21, then southeast along USFS Road 21 to USFS Road 22, then northeast and northwest along USFS Road 22 to USFS Road 23, then east and northwest on USFS Road 23 to USFS Road 25, then north along USFS Road 25 to Randle and point of beginning.~~

~~Goat Unit 5-4 Goat Rocks: Permit Area: Lewis County south of the White Pass Highway (U.S. Highway 12) and east of the Johnson Creek Road (USFS Road 1302).)~~

<u>Hunt Name</u>	<u>Permit Season</u>	<u>Subpopulations Open to Hunting*</u>	<u>Special Restrictions</u>	<u>Permits^a</u>
<u>Mt. Baker</u>	<u>Sept. 15 - Oct. 31</u>	<u>Chowder Ridge, Coleman Pinnacle, Lava Divide, Black Buttes, Lake Ann, SE Baker</u>	<u>Any Legal Weapon</u>	<u>7</u>
<u>North Lake Chelan</u>	<u>Sept. 15 - Oct. 31</u>	<u>Skookum Pass Mtn., Big Goat Creek</u>	<u>Any Legal Weapon</u>	<u>2</u>
<u>Naches Pass</u>	<u>Sept. 15 - Oct. 31</u>	<u>Fife's East, Fife's Peak, Corral Pass, Basin Lake</u>	<u>Any Legal Weapon</u>	<u>1</u>
<u>Bumping River</u>	<u>Sept. 15 - Oct. 31</u>	<u>Nelson Ridge, Cash Prairie, American Ridge, American Lake, Timber Wolf, Russell Ridge</u>	<u>Any Legal Weapon</u>	<u>2</u>
<u>Blazed Ridge</u>	<u>Sept. 15 - Oct. 31</u>	<u>Blowout Mtn., Blazed Ridge, Blazed North, Milk Creek, Rock Creek</u>	<u>Any Legal Weapon</u>	<u>1</u>

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232-28-273, filed 5/23/00, effective 6/23/00. Statutory
Authority: RCW 77.12.040. 99-10-102 (Order 99-40), § 232-28-
273, filed 5/5/99, effective 6/5/99; 98-10-005 (Order 98-58), §
232-28-273, filed 4/22/98, effective 5/23/98.]

WAC 232-28-273 2009-2011 Moose, bighorn sheep, and mountain goat seasons and permit quotas

RECOMMENDED ADJUSTMENTS

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

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1. Change the permit level for the Cleman Mountain A bighorn sheep hunt from 4 to 3. This change is due to recent lower counts of mature rams in the population.
2. Change the permit level for the Cleman Mountain B bighorn sheep hunt from 4 to 3. This change is due to recent lower counts of mature rams in the population.
3. Change the hunt name of Quilomene A to Quilomene. This change is because the A designation is no longer necessary.
4. Delete the Tieton B hunt. This change is because ewes are being removed from the herd during a capture rather than a hunt.
5. Change the hunt name of Tieton A to Tieton. This change is because the A designation is no longer necessary.

Pages 9-10

1. Under Mountain Goat Permit Hunts, add the following hunts:

<u>Naches Pass</u>	<u>Sept. 15 – Oct. 31</u>	<u>Fife’s East, Fife’s Peak, Corral Pass, Basin Lake</u>	<u>Any Legal Weapon</u>	<u>1</u>
<u>Bumping River</u>	<u>Sept. 15 – Oct. 31</u>	<u>Nelson Ridge, Cash Prairie, American Ridge, American Lake, Timber Wolf, Russell Ridge</u>	<u>Any Legal Weapon</u>	<u>2</u>
<u>Blazed Ridge</u>	<u>Sept. 15 – Oct. 31</u>	<u>Blowout Mtn., Blazed Ridge, Blazed North, Milk Creek, Rock Creek</u>	<u>Any Legal Weapon</u>	<u>1</u>

This change is due to meeting population thresholds in the above areas to justify goat hunts.

2. Add superscript “a” to the “permit” column and change the associated language from:

Mountain goat populations are managed as a collection of subpopulations and the ideal harvest is distributed through all the subpopulations. The director is authorized to open or

close subpopulations to protect from overharvesting specific areas.

To:

Mountain goat populations are managed as a collection of subpopulations and the ideal harvest is distributed through all the subpopulations. The director is authorized to open or close subpopulations and reduce permit levels to protect from overharvesting specific areas.

This change is to allow flexibility for biologists to reduce permit levels if necessary due to overharvest.

SUMMARY OF WRITTEN PUBLIC INPUT

WAC 232-28-273 2009-2011 Moose, bighorn sheep, and mountain goat seasons and permit quotas

COMMENTS	AGENCY RESPONSE
I respect the Commission's decision in regards to Mountain Goats and appreciate the added ewe hunts for Sheep.	Thank you for your comment.
I think adding a master hunter damage hunt for moose is wrong...I don't think special consideration should be given to master hunters. It seems like the master hunter program was created just to give certain people special access and to bring in a few extra bucks to the state. Also, I do not see any expanded youth hunts being suggested. We need more youth special opportunities.	The Department decided to use master hunters given the "call-up" nature of the damage hunt. In this case, hunters will be hunting on mostly private lands and used to resolve problems associated with increasing lowland moose population.
The last two winters has had a demoralizing high fatality death rate on Deer and moose populations in management Areas 117 (49 degrees) and 124 (Huckleberry). I live in a secluded area where Deer and moose were plentiful for 4 years. Moose were seen daily. After last winter and this winter snow fall our wildlife needs all the help it can get to recover.	The Department is recommending a slight reduction in moose permits in that area due to fewer moose observed during our recent aerial surveys.
Goat permits: All I got to say is are you kidding me?	The Department is modifying its original recommendation and is adding additional permits in the SE Cascades.
I sure hope I am reading the proposed changes to the Mtn. Goat areas and quota's wrong? Another cut in the amount of tags? And now very limited areas? Come on! I have asked this question before and I will ask it again, By what means is the goat population survey done, who conducts the survey and what time of the year is it done?? I spend a tremendous amount of time in the Goat Rocks Wilderness area each year beginning about July and ending about October and see different herds of goats in drainage after drainage. I also spend a lot of time in the Smith Creek area as well and see more and more goats with each visit and also see them on more and more ridges. Unless on foot, horseback or glassing from good vantage points, some of these goats could go unnoticed, but if just a little amount of effort is made, well over 100 animals can be seen in a single day with decent visibility. I am only speaking of 100 goats that can be seen while hiking the trails and ridges in a single day, not 100 in the whole	The Department is adding additional permits in the SE Cascades. However, during the development of our last Game Management Plan we did increase the goat population size needed to allow hunting. Goat populations now need to be at least 100 animals for ensuring sustainability. As a result, goat harvest will decline slightly.

Goat Rocks Wilderness area.	
<p>I am not sure what is going on here with the significant reduction in goat hunting opportunity. There are units where there is a healthy population of goats that are being closed down (specifically Bumping and Corral Pass area). I can go into one little area in the bumping and see over 100 goats on any weekend. This is only one small part of the entire unit. I am NOT in favor of these proposed changes as it seems overly conservative. If the state does not have adequate funding to do surveys perhaps there is a way to train hunters to do observations so that a better feel is obtained for true population numbers. In addition the assigning subunits once someone draws is not fair to hunters. If that is how the populations are going to be managed then make those areas what hunters put in for allowing hunters to choose where they want to hunt. As it is now someone may draw a tag and then get assigned an area that they are not familiar with and not be allowed to hunt an area they are familiar with.</p>	<p>The Department is adding additional permits in the SE Cascades. However, during the development of our last Game Management Plan we did increase the guideline for goat population size needed to allow hunting. Goat populations now need to be at least 100 animals for ensuring sustainability. As a result, goat harvest will decline slightly.</p> <p>The subunits are relatively close together and should not present any significant obstacles for hunters to familiarize themselves with them.</p>
<p>Sheep – In favor of the changes.</p>	<p>Thank you for your comment.</p>
<p>Moose - I am not sure why there is a decrease in tags in some units. Based on what I saw in my hunt (Hangman unit) as well as what other friends saw on their hunt(49) there are plenty of moose, plenty of calves and opportunities to expand the moose tags, not contract them. I would encourage additional tags be added to at least these units, if not more units.</p>	<p>Moose permits are based on composition counts (bulls:100 cows and calves:100 cows) during our annual surveys and mean age of harvest bulls.</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

- Preproposal Statement of Inquiry was filed as WSR 08-10-108 & 08-24-103 ; 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)
Hunting Rules – See Attachment A

Hearing location(s):
Ellensburg Quality Inn and Conference Center
1700 Canyon Road
Ellensburg, WA 98926
(509) 925-9800

Date: March 6-7, 2009 Time: 8:00 am

Date of intended adoption: April 2-3-4, 2009
(Note: This is **NOT** the effective date)

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: Friday, February 20, 2009

Assistance for persons with disabilities:

Contact: Susan Yeager by March 1, 2009

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

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; 77.12.015; 77.12.240; 77.12.040; 77.32.155

Statute being implemented: 77.12.047; 77.12.020; 77.12.570;
77.12.210; 77.12.015; 77.12.240; 77.12.040; 77.32.155

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 21, 2009**

TIME: **11:44 AM**

WSR 09-03-111

DATE
January 21, 2009

NAME
Lori Preuss

SIGNATURE

TITLE
Rules Coordinator

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 232-12-047 Unlawful methods for hunting

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

Amendments to this rule help clarify the title of the WAC which deals with more than firearms. The proposal clarifies language related to using handguns for hunting and also removes a conflict with the muzzleloading equipment WAC that proposes to allow muzzleloading handguns for hunting. The proposal would also allow crossbows to be used in firearm restriction areas as designated by the Fish and Wildlife Commission. Currently only hunters with disabilities that meet certain criteria are allowed to use crossbows.

Reasons supporting proposal:

To provide more flexibility in designing hunting seasons that address urban and suburban big game issues by allowing crossbows in some situations. The proposal also removes a conflict with a proposed change in the muzzleloading equipment WAC.

WAC 232-12-051 Muzzleloading firearms

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

The purpose of the proposal is to clarify language related to lawful ignition systems for muzzleloading firearms. The proposal also no longer restricts projectiles to lead only. The proposal would allow muzzleloading handguns to be used for hunting big game and clarifies muzzleloading handgun use for small game. Also the proposal would allow modern handguns to be carried for personal protection during a muzzleloader season.

Reasons supporting proposal:

To help clarify what types of muzzleloader equipment is lawful for hunting; allow hunters more flexibility in the types of projectiles they are allowed to use; removes an unnecessary restriction related to using muzzleloading handguns for big game and clarifies other allowed uses for muzzleloading handguns; and allows muzzleloader hunters to carry handguns for personal safety as long as they are not in conflict with existing big game hunting season restrictions.

WAC 232-12-054 Archery requirements – Archery special use permits

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

The purpose of the proposal is to allow modern handguns to be carried for personal protection during an archery season and allow the use of crossbows in firearm restriction areas as designated by the Fish and Wildlife Commission.

Reasons supporting proposal:

The proposal would provide more flexibility in designing hunting seasons that address urban and suburban big game issues by allowing crossbows in some situations. The proposal would also allow archery hunters to carry handguns for personal safety as long as they are not in conflict with existing big game hunting season restrictions.

WAC 232-12-055 Hunting – Hunter orange clothing requirements

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

The proposed amendments help clarify which hunters are required to wear hunter orange clothing. The clarification is for hunting during modern firearm seasons and for modern firearm deer and elk permit holders.

Reasons supporting proposal:

In the past, it has not been very clear whether archery and muzzleloader deer and elk hunters were required to wear hunter orange clothing outside of general seasons for modern firearm hunters.

WAC 232-12-062 Party hunting

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

To develop a definition of party hunting and clarify that it is illegal to hunt for another person's big game animal or turkey.

Reasons supporting proposal:

To clarify that party hunting for big game and turkeys is illegal.

WAC 232-12-068 Nontoxic shot requirements

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

The rule will provide additional nontoxic shot selections for waterfowl, coot, and snipe hunters.

Reasons supporting proposal:

To improve recreational opportunity and protect waterfowl resources.

WAC 232-12-227 Hunter education training program requirements

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

The purpose behind the proposal is to minimize confusion and avoid possible mistakes by license vendors.

Currently subsection (4) authorizes an individual who has a Washington hunting license from a preceding year to show that license and purchase a subsequent hunting license even if the initial license was not issued in compliance with the hunter education training requirement. The proposal will allow individuals to purchase a Washington hunting license only if they have a hunter education certificate or are identified as previous Washington hunters in the current license data system.

Reasons supporting proposal:

The proposal ensures that only hunter education graduates or individuals currently identified as hunting-license buyers within the WDFW license data system are eligible to purchase.

WAC 232-12-828 Hunting of game birds and animals by persons with a disability

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

The proposed amendment to this rule would authorize the Director to administer and issue special use permits to hunters with disabilities.

Reasons supporting proposal:

Accommodations that allow persons with disabilities to participate in Department programs are required by the Americans with Disabilities Act. Special use permits allow the Director to evaluate applications and provide accommodations where appropriate.

WAC 232-12-840 Hunting and fishing opportunities for terminally ill persons

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

This proposal is to implement recently passed legislation authorizing the Commission to establish rules for providing special hunting and fishing opportunities for terminally ill persons. In the proposal, the Director is authorized to provide opportunities in a variety of ways at no cost.

Reasons supporting proposal:

To implement the legislation, which provides special hunting and fishing opportunities for terminally ill persons.

WAC 232-28-248 Special closures and firearm restriction areas

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

The proposed rule amendments add more weapon options in firearm restriction areas. The effect will maintain some limited hunting opportunity in these areas and also provide an effective level of harvest to help control deer and elk populations causing damage and nuisance problems especially in more developed areas.

Reasons supporting proposal:

The proposed language retains some limited level of hunting that is compatible with urban expansion. Also helps deal with deer and elk damage and nuisance problems.

WAC 232-28-266 Damage prevention permit hunts

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

The amendment to the rule adds 200 turkey permits in northeastern Washington. These permits will provide landowners and WDFW enforcement with additional tools to address property damage issues.

Reasons supporting proposal:

An increasing number of landowners are requesting the use of these permits to address damage. They have proven to be very effective in dealing with damage problems and reducing landowner complaints with deer. WDFW enforcement officers have requested they be available for turkeys as well.

WAC 232-28-272 2009-2010, 2010-2011, and 2011-2012 Black bear and cougar hunting seasons and regulations

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

The rule establishes hunting seasons for black bear and cougar from 2009 to 2012. The purpose of the recommended changes is to maximize recreational hunting opportunities for bear and cougar while maintaining sustainable populations.

The Department is recommending status quo bear seasons, with two exceptions: (1) For management units that open Aug 1, the Aug 1-31 period is limited to hunting on private lands only; (2) For management units that open in early September, change the opener from the day after Labor Day to September 1.

The Department's cougar season recommendations are: Statewide Sept. 1-25 archery only and Sept. 26-Oct. 16 muzzleloader only seasons; Oct. 17-Mar. 31 general season (any weapon) for zones where trends in female harvest are within our guideline; Oct. 17-Dec. 31 general season for zones where female harvest slightly exceeds our guideline; Oct. 31-Nov. 30 season for zones where female harvested is limited by a quota system and the management need is to adequately evaluate the pilot hunt with the aid of dogs; Change the statewide bag limit from 2 cougars to 1 cougar.

Reasons supporting proposal:

Maximize recreational opportunities for bear and cougar hunting, while maintaining sustainable populations.

The justification for the August black bear season on private lands only is to reduce conflict with other recreational users on public lands during the summer while still allowing bears to be harvested for damage reasons (e.g., orchard damage). The justification for the September 1 start date is consistency with the opening day of deer archery seasons.

The justification for the cougar season changes is consistency with concurrent deer/elk seasons and to limit female harvest in those areas where harvest levels exceed our guidelines.

WAC 232-28-273 2009-2011 Moose, bighorn sheep, and mountain goat seasons and permit quotas

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

The proposed rule amendments include a status quo moose permit level of 130; creating a Master Hunter damage hunt in the Mount Spokane unit; adding ewe-only hunts in three herds; increasing bighorn sheep permit levels from 36 to 46; and reducing mountain goat permit levels consistent with the findings of our recent research.

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 232-28-282 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 proposed rule amendments include removing dated language; clarifying areas open for specific deer auction and raffle seasons; and changing the areas open to the Rocky Mountain bighorn raffle permit hunt to reflect the status of mature rams in various populations.

Reasons supporting proposal:

Provide a variety of different hunting opportunities and maximize revenue for auction/raffle program, all within biological sustainable limits.

WAC 232-28-286 2010, 2011, and 2012 Spring black bear seasons and regulations

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

The proposed rule amendments add a spring bear hunt in a portion of GMU 501 with 50 permits and close the spring bear damage hunt in Capitol Forest.

Reasons supporting proposal:

Spring black bear seasons are used to minimize damage to trees by reducing bear populations to a lower but sustainable level, reduce nuisance activity in northeastern Washington, and better distribute the harvest geographically in southeastern Washington.

WAC 232-28-287 2009-2010, 2010-2011, 2011-2012 Cougar permit seasons and regulations

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

Establish fall permit hunts for 9 cougar zones around the state. Cougar permit hunts are designed to provide late season hunting opportunity for hunters without the use of dogs (i.e., spot and stalking in snow and/or calling). The anticipated effect is additional varieties of hunting opportunity with sustainable cougar populations.

Reasons supporting proposal:

Provide late season hunting opportunity for hunters without the use of dogs (i.e., spot and stalking in snow and/or calling).

WAC 232-28-291 Special hunting season permits

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

The amendments proposed are largely housekeeping in nature. Changes are recommended for multi-season permit application and group sizes. Changes are also recommended for deer and elk permit application group sizes and the late fall turkey permit application rules are eliminated. Fall turkey permit applications are consolidated into one set of rules.

Reasons supporting proposal:

The proposal would allow multi-season applicants to submit group applications; clean up turkey permit application language; and limit the number of deer and elk group applicants to better distribute permits.

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 232-28-295 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 2009 hunting seasons. Amendments to this rule include removal of the 4-O Cattle Company who requested not to participate and addition of the Pine Mountain LHP in Yakima County. The permits will result in general public hunter access on private property and will help mitigate deer and elk foraging on private agricultural lands.

Reasons supporting proposal:

Increase public hunting access to private lands and help landowners address game damage issues.

WAC 232-28-333 Game management units (GMUs) boundary descriptions – Region three

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

GMU boundary rules define legal hunting areas. The GMUs need readily discernable boundaries to direct hunters to appropriate hunting areas. Season dates, bag limits, antler restrictions, and other hunting season regulations are typically specified at the GMU scale.

Reasons supporting proposal:

Clarifies boundaries and facilitates hunting seasons for big game.

WAC 232-28-335 Game management units (GMUs) boundary descriptions – Region five

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

GMU boundary rules define legal hunting areas. The GMUs need readily discernable boundaries to direct hunters to appropriate hunting areas. Season dates, bag limits, antler restrictions, and other hunting season regulations are typically specified at the GMU scale.

Reasons supporting proposal:

Clarifies boundaries and facilitates hunting seasons for big game.

WAC 232-28-336 Game management units (GMUs) boundary descriptions – Region six

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

GMU boundary rules define legal hunting areas. The GMUs need readily discernable boundaries to direct hunters to appropriate hunting areas. Season dates, bag limits, antler restrictions, and other hunting season regulations are typically specified at the GMU scale.

Reasons supporting proposal:

Clarifies boundaries and facilitates hunting seasons for big game.

WAC 232-28-337 Deer and elk area descriptions

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

Boundary adjustments are being proposed to better address current deer and elk damage issues.

Reasons supporting proposal:

The proposed rule amendment provides the means to reduce wildlife damage issues and direct deer and elk damage hunts by adjusting elk area boundaries.

WAC 232-28-342 2009-10, 2010-11, 2011-12 Small game seasons

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

The purpose of the new rule is to establish hunting season timing, hunting requirements, and applicable permit levels for the following species: bobcat, raccoon, fox, coyote, forest grouse, pheasant, chukar, gray partridge, mountain quail, California quail, bobwhite, wild turkey, Canada goose, band-tailed pigeon, mourning dove, cottontail rabbits, snowshoe hare, and crow. It also describes falconry and dog training seasons.

Amendments to this rule include: 1) Liberalize fall turkey hunting by establishing more general season opportunity, 2) Eliminate the use of dogs to hunt coyotes, 3) Eliminate the two-day September Canada Goose Season, shifting those dates to the regular goose season, 4) Increase the daily bag limit for forest grouse to four per day.

Reasons supporting proposal:

Proposals are consistent with conservation of wildlife populations and public sentiment.

WAC 232-28-351 2009-2011 Deer general seasons and definitions

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

The purpose of the proposal is to retain general season deer hunting opportunity, balance the hunting opportunity between the three primary user groups, increase opportunity when deer populations allow, and reduce opportunity when declining deer numbers warrant such a change.

Reasons supporting proposal:

Provides recreational deer hunting opportunity and protects deer from overharvest. The proposal maintains sustainable general deer hunting season opportunities for 2009-2011. Helps reduce agricultural damage and provides for population control of deer where needed.

WAC 232-28-352 2009-2011 Elk general seasons and definitions

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

The purpose of the proposal is to retain general season elk hunting opportunity, balance the hunting opportunity between the three primary user groups, increase opportunity when elk populations allow, and reduce opportunity when declining elk numbers warrant such a change.

Reasons supporting proposal:

Provides recreational elk hunting opportunity and protects elk from overharvest. The proposal maintains sustainable general elk hunting season opportunities for 2009-2011. Helps reduce agricultural damage and provides for elk population control where needed.

WAC 232-28-353 2009 Deer special permits

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

The purpose of the proposal is to retain special permit season deer hunting opportunity, balance the hunting opportunity between the three primary user groups, increase opportunity when deer populations allow, and reduce opportunity when declining deer numbers warrant such a change.

Reasons supporting proposal:

Provides recreational deer hunting opportunity and protects deer from overharvest. The proposal maintains sustainable special permit deer hunting season opportunities for 2009. Helps reduce agricultural damage and provides for population control of deer where needed.

WAC 232-28-354 2009 Elk special permits

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

The purpose of the proposal is to retain special permit season elk hunting opportunity, balance the hunting opportunity between the three primary user groups, increase opportunity when elk populations allow, and reduce opportunity when declining elk numbers warrant such a change.

Reasons supporting proposal:

Provides recreational elk hunting opportunity and protects elk from overharvest. The proposal maintains sustainable special permit elk hunting season opportunities for 2009. Helps reduce agricultural damage and provides for elk population control where needed.

WAC 232-28-516 Trapping seasons and regulations

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

The new WAC removes all superfluous regulations (e.g., area restrictions) that are no longer warranted given current trapping practices and low harvest levels. It recommends a standard trapping season for all furbearers from November 1 to March 31 and an increased annual bag limit for river otter from 6 to 12. WAC 232-28-516 replaces WAC 232-28-515.

Reasons supporting proposal:

To maximize trapping opportunity consistent with population objectives.