

18. BLACK BEAR AND COUGAR HUNTING REGULATIONS – RULE ACTION

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"GREEN SHEET"

Meeting: April 3-4, 2009

Agenda Item 18: Black Bear and Cougar Hunting Regulations – **Rule Action**

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 provide a brief overview to the Commission on proposed amendments and a proposed new section to the following WACs: 232-28-272 2009 Black bear and 2009-2010, 2010-2011, and 2011-2012 cougar hunting seasons and regulations; and 232-28-287 2009-2010, 2010-2011, and 2011-2012 Cougar permit seasons and regulations. This will include any changes resulting from the March 6-7, 2009 Commission meeting in Ellensburg.

General Black Bear Seasons:

In addition to trends in total bear harvest, the Department uses trends in median ages of harvested bears and the percentage of females in the total harvest as indicators of the status of bear populations (see 2009-2015 Game Management Plan). Those data suggest bear populations are stable to slightly declining in a few Black Bear Management Units (BBMUs). However, because the indicators for sustainable harvest are "on the bubble" in terms of warranting a reduction in harvest and strong public support for maintaining the August portion of the bear season, the Department is recommending status quo bear seasons for 2009, with one exception; for BBMUs that opened in early September, change the opener from the day after Labor Day to September 1. The justification for this change is consistency with the opening day of deer archery seasons.

General Cougar Seasons:

Following the 2009-2015 Game Management Plan, the Department is continuing to transition to a zone management approach for cougars, with hunting seasons tailored toward achieving the female harvest guideline in each zone. After reviewing data from several sources (i.e., cougar research findings, trends in female harvest, trends in harvest timing, and population modeling), the management needs for each zone fell into three general categories: 1) zones where trends in female harvest are within our guideline and population data (where available) suggest a stable cougar population, 2) zones where female harvest slightly exceeds our guideline, and 3) zones where female harvest is limited by a quota system (i.e., pilot hound hunts) and the management need is to evaluate the effects of the pilot hound hunt authorized by the Legislature.

The Departments recommendations are:

- (1) Statewide Sept 1-25 archery only and Sept 26-Oct 16 muzzleloader only seasons. The justification for this change is consistency with concurrent deer/elk seasons and to limit female harvest slightly.
 - (2) Oct 17-Mar 31 general season (any legal weapon) for zones where trends in female harvest are within our guideline. The justification is harvest is at or below our guideline, therefore seasons maintain a liberal status quo structure.
 - (3) Oct 17-Dec 31 general season and Jan 1-Mar 31 permit season (WAC 232-28-287) for zones where female harvest slightly exceeds our guideline. The justification is to still allow the same liberal season structure in terms of length, but to shift to permit only once deer and elk seasons are closed so harvest can be managed by the number of permits.
 - (4) Oct 31-Nov 30 season and Dec 1-31 permit season (WAC 232-28-287) for zones where
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female harvest is limited by a quota system and the management need is to evaluate the pilot hound hunt. The justification is to maintain the same level of harvest, but reduce take by boot hunters so at least half of the harvest is by hound hunters (because hound hunters are more effective at targeting a specific number of male and female cougars compared to boot hunters).

- (5) Change the statewide bag limit from 2 cougars to 1 cougar. Justification is to increase harvest opportunities for other tag holders and for consistency with pilot hound hunt bag limit.
-

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

Black Bear:

- For BBMUs where open day is the day after Labor Day, change to September 1.

Cougar:

- Establish weapon type restrictions for cougar hunting consistent with early deer/elk archery and muzzleloader seasons.
 - Shift late season cougar hunting to permit only in areas where trends in female harvest slightly exceed the female harvest guideline.
 - In areas with the pilot hound hunt, reduce the overlap between general cougar season and general deer season so at least half of the cougars are consistently harvested during the pilot hound hunt.
 - Change cougar bag limit from 2 to 1.
-

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. Oral public testimony (if any was received) from the March 6-7, 2009 Commission meeting is located at the end of this agenda item.

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

Amend WAC 232-28-272 2009 Black bear and 2009-2010, 2010-2011, and 2011-2012 cougar hunting seasons and regulations and adopt WAC 232-28-287 2009-2010, 2010-2011, and 2011-2012 Cougar permit seasons and regulations, as presented.

Draft motion language:

I move to amend WAC 232-28-272 and adopt WAC 232-28-287, as proposed.

Justification for Commission action:

Maximize recreational hunting opportunities for black bear and cougar within biologically sustainable limits.

Communications plan:

- News Release
 - Hunting Pamphlets
 - Direct email to approximately 55,000 hunters
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AMENDATORY SECTION (Amending Order 08-197, filed 8/13/08, effective 9/13/08)

WAC 232-28-272 (~~(2006-2007, 2007-2008, and 2008-)~~) **2009 Black bear and 2009-2010, 2010-2011, and 2011-2012 cougar hunting seasons and regulations.**

(~~2006-2008~~) 2009 Fall Black Bear Seasons:

Black Bear Management Unit	Season	Hunt Area
Coastal	Aug. 1 - Nov. 15	GMUs 501, 504, 506, 530, 601, 602, 603, 607-621, 636-651, 658-663, 672-684
Puget Sound	Aug. 1 - Nov. 15	GMUs 407, 410, 454, 624, 627, 633, 652, 666, 667
North Cascades	Aug. 1 - Nov. 15	GMUs 418-450, 460
South Cascades	Aug. 1 - Nov. 15	GMUs 466, 485, 503, 505, 510-520, 524, 550-574, 653, 654
Okanogan	Aug. 1 - Nov. 15	GMUs 203, 209-243
East Cascades	Aug. 1 - Nov. 15	GMUs 244-247, 249-251, 328, 329-368, 382, 388, 578
Northeastern A	((Sept. 5 - Nov. 15, 2006 Sept. 4 - Nov. 15, 2007 Sept. 2 - Nov. 15, 2008)) <u>Sept. 1 - Nov. 15</u>	GMUs 101- (117) <u>121, 204</u>
Northeastern B	Aug. 1 - Nov. 15	GMUs ((121)) <u>124-130</u> ((, 204))
Blue Mountains	((Sept. 5 - Nov. 15, 2006 Sept. 4 - Nov. 15, 2007 Sept. 2 - Nov. 15, 2008)) <u>Sept. 1 - Nov. 15</u>	GMUs 145-154, 162-186
Columbia Basin	Aug. 1 - Nov. 15	GMUs 133, 136, 139, 142, 248, 254, 260-290, 371-381

Long Island (~~Sept. 5 - Nov. 15,~~ GMU 699
 2006
~~Sept. 4 - Nov. 15,~~
 2007
~~Sept. 2 - Nov. 15,~~
 2008)) Sept. 1 - Nov.
15

Bag Limit: Two (2) black bear per annual hunting season only one of which may be taken in Eastern Washington.

Area Restriction: Special deer permit required to hunt black bear in GMU 485.

(~~Requirements for Fall Black Bear Seasons:~~)

License Required: A valid big game hunting license, which includes black bear as a species option, is required to hunt black bear. One black bear transport tag is included with a big game hunting license that has black bear as a species option. A second black bear transport tag must be purchased to take a second bear.

Hunting Method: Hunters may use any lawful big game modern firearm, archery, or muzzleloader equipment for hunting black bear. The use of hounds and bait to hunt black bear is prohibited statewide.

Submitting Bear Teeth: Successful bear hunters must submit the black bear premolar tooth located behind the canine tooth of the upper jaw.

(~~2006-2007, 2007-2008, and 2008-2009 Cougar Seasons:~~)

Unit	Season	Hunt Area	Special Restrictions
Coastal	Aug. 1 - Mar. 15	GMUs 501, 504, 506, 530, 601-621, 636-651, 658-663, 672-684, 699	Any legal weapon
Puget Sound	Aug. 1 - Mar. 15	GMUs 407, 410, 454, 624-633, 652, 666	Any legal weapon
North Cascades	Aug. 1 - Mar. 15	GMUs 418, 426, 437, 448, 450, 460, 466, 485	Any legal weapon
South Cascades	Aug. 1 - Mar. 15	GMUs 503, 505, 510-520, 524, 550-574, 653, 654, 667	Any legal weapon
East Cascades	Aug. 1 - Mar. 15	GMUs 328, 329, 334-340	Any legal weapon
North A			

East Cascades North B	Oct. 14 - Nov. 19, 2006 Oct. 13 - Nov. 19, 2007 Oct. 11 - Nov. 19, 2008	GMUs 203, 209-247, 249-251 within Chelan or Okanogan counties	Any legal weapon
East Cascades North C	Sept. 1 - Nov. 30	GMUs 203, 209-247, 249-251 within Chelan or Okanogan counties	Archery deer or elk hunters and muzzleloader deer or elk hunters who possess a valid big game license that includes cougar as a species option may hunt for cougar without the aid of dogs during their respective deer or elk seasons and must use equipment consistent with their deer or elk tag. Any legal weapon
East Cascades South A	Aug. 1 - Mar. 15	GMUs 342-368	Any legal weapon
East Cascades South B	Oct. 11 - Nov. 19, 2008	GMUs 382, 388, 578 within Klickitat County	Any legal weapon
East Cascades South C	Sept. 1 - Nov. 30	GMUs 382, 388, 578 within Klickitat County	Archery deer or elk hunters and muzzleloader deer or elk hunters who possess a valid big game license that includes cougar as a species option may hunt for cougar without the aid of dogs during their respective deer or elk seasons and must use equipment consistent with their deer or elk tag. Any legal weapon
Northeastern A	Aug. 1 - Mar. 15	GMUs 124-133	Any legal weapon
Northeastern B	Oct. 14 - Nov. 19, 2006 Oct. 13 - Nov. 19, 2007 Oct. 11 - Nov. 19, 2008	GMUs 101-121 within Ferry, Stevens, or Pend Oreille counties, 204	Any legal weapon
Northeastern C	Sept. 1 - Nov. 30	GMUs 101-121 within Ferry, Stevens, or Pend Oreille counties, 204	Archery deer or elk hunters and muzzleloader deer or elk hunters who possess a valid big game license that includes cougar as a species option may hunt for cougar without the aid of dogs during their respective deer or elk seasons and must use equipment consistent with their deer or elk tag. Any legal weapon
Blue Mountains Columbia Basin	Aug. 1 - Mar. 15 Aug. 1 - Mar. 15	GMUs 145-154, 162-186 GMUs 136-142, 248, 254-290, 330, 371-381	Any legal weapon Any legal weapon))

2009-2010 Cougar Seasons:

Hunt Name	Hunt Area	Season	Special Restrictions
<u>Coastal</u> <u>Puget Sound</u> <u>North Cascades</u> <u>Columbia Basin</u>	<u>GMUs 136-142, 248, 254-290, 371-381, 418, 426, 437, 448, 450, 460, 466, 485, 501, 504, 506, 530, 601-621, 636-651, 658-663, 672-684, 699, 407, 410, 454, 624-633, 652, 666</u>	<u>Sept. 1-25</u>	<u>Archery only</u>
		<u>Sept. 26 - Oct. 16</u>	<u>Muzzleloader only</u>
		<u>Oct. 17 - Mar. 31</u>	<u>Any weapon</u>
<u>South Cascades</u> <u>Blue Mountains</u> <u>Kittitas-Yakima</u> <u>Spokane</u>	<u>GMUs 124-133, 145-154, 162-186, 328-368, 503, 505, 510-520, 524, 550-574, 653, 654, 667</u>	<u>Sept. 1-25</u>	<u>Archery only</u>
		<u>Sept. 26 - Oct. 16</u>	<u>Muzzleloader only</u>
		<u>Oct. 17 - Dec. 31</u>	<u>Any weapon</u>
<u>Chelan</u> <u>Okanogan</u> <u>Okanogan-Ferry</u> <u>Stevens-Pend Oreille</u> <u>Klickitat</u>	<u>GMUs 101, 105, 108-121, 203, 204, 209-242, 243-247, 249-251, 382, 388, 578 within Chelan, Ferry, Klickitat, Okanogan, Stevens, or Pend Oreille counties</u>	<u>Sept. 1-25</u>	<u>Archery only</u>
		<u>Sept. 26 - Oct. 16</u>	<u>Muzzleloader only</u>
		<u>Oct. 31 - Nov. 30</u>	<u>Any weapon</u>

2010-2011 Cougar Seasons:

Hunt Name	Hunt Area	Season	Special Restrictions
<u>Coastal</u> <u>Puget Sound</u> <u>North Cascades</u> <u>Columbia Basin</u>	<u>GMUs 136-142, 248, 254-290, 371-381, 418, 426, 437, 448, 450, 460, 466, 485, 501, 504, 506, 530, 601-621, 636-651, 658-663, 672-684, 699, 407, 410, 454, 624-633, 652, 666</u>	<u>Sept. 1-24</u>	<u>Archery only</u>
		<u>Sept. 25 - Oct. 15</u>	<u>Muzzleloader only</u>
		<u>Oct. 16 - Mar. 31</u>	<u>Any weapon</u>
<u>South Cascades</u> <u>Blue Mountains</u> <u>Kittitas-Yakima</u> <u>Spokane</u>	<u>GMUs 124-133, 145-154, 162-186, 328-368, 503, 505, 510-520, 524, 550-574, 653, 654, 667</u>	<u>Sept. 1-24</u>	<u>Archery only</u>
		<u>Sept. 25 - Oct. 15</u>	<u>Muzzleloader only</u>
		<u>Oct. 16 - Dec. 31</u>	<u>Any weapon</u>

<u>Chelan</u> <u>Okanogan</u> <u>Okanogan-Ferry</u> <u>Stevens-Pend Oreille</u> <u>Klickitat</u>	<u>GMUs 101, 105, 108-121,</u> <u>203, 204, 209-242, 243-247,</u> <u>249-251, 382, 388, 578</u> <u>within Chelan, Ferry,</u> <u>Klickitat, Okanogan, Stevens,</u> <u>or Pend Oreille counties</u>	<u>Sept. 1-24</u>	<u>Archery only</u>
		<u>Sept. 25 - Oct. 15</u>	<u>Muzzleloader only</u>
		<u>Oct. 31 - Nov. 30</u>	<u>Any weapon</u>

2011-2012 Cougar Seasons:

<u>Hunt Name</u>	<u>Hunt Area</u>	<u>Season</u>	<u>Special Restrictions</u>
<u>Coastal</u> <u>Puget Sound</u> <u>North Cascades</u> <u>Columbia Basin</u>	<u>GMUs 136-142, 248, 254-</u> <u>290, 371-381, 418, 426, 437,</u> <u>448, 450, 460, 466, 485, 501,</u> <u>504, 506, 530, 601-621, 636-</u> <u>651, 658-663, 672-684, 699,</u> <u>407, 410, 454, 624-633, 652,</u> <u>666</u>	<u>Sept. 1-23</u>	<u>Archery only</u>
		<u>Sept. 24 - Oct. 14</u>	<u>Muzzleloader only</u>
		<u>Oct. 15 - Mar. 31</u>	<u>Any weapon</u>
<u>South Cascades</u> <u>Blue Mountains</u> <u>Kittitas-Yakima</u> <u>Spokane</u>	<u>GMUs 124-133, 145-154,</u> <u>162-186, 328-368, 503, 505,</u> <u>510-520, 524, 550-574, 653,</u> <u>654, 667</u>	<u>Sept. 1-23</u>	<u>Archery only</u>
		<u>Sept. 24 - Oct. 14</u>	<u>Muzzleloader only</u>
		<u>Oct. 15 - Dec. 31</u>	<u>Any weapon</u>
<u>Chelan</u> <u>Okanogan</u> <u>Okanogan-Ferry</u> <u>Stevens-Pend Oreille</u> <u>Klickitat</u>	<u>GMUs 101, 105, 108-121,</u> <u>203, 204, 209-242, 243-247,</u> <u>249-251, 382, 388, 578</u> <u>within Chelan, Ferry,</u> <u>Klickitat, Okanogan, Stevens,</u> <u>or Pend Oreille counties</u>	<u>Sept. 1-23</u>	<u>Archery only</u>
		<u>Sept. 24 - Oct. 14</u>	<u>Muzzleloader only</u>
		<u>Oct. 29 - Nov. 30</u>	<u>Any weapon</u>

Requirements for Cougar Seasons:

License Required: A valid big game hunting license which includes cougar as a species option is required to hunt cougar.

Bag Limit: (~~Two (2)~~) One (1) cougar per license year excluding public safety cougar removals. It is unlawful to kill or possess spotted cougar kittens or adult cougars accompanied by spotted kittens.

Area Restriction: Special deer permit required to hunt cougar in GMU 485.

Tag Information: One cougar transport tag is included with a big game license that has cougar as a species option. (~~A second cougar transport tag must be purchased to take a second cougar.~~)

Hunting Method: (~~Hunters may use any lawful big game modern firearm, archery, or muzzleloader equipment for hunting cougar.~~) The use of (~~hounds~~) dogs to hunt cougar is prohibited except by a public safety cougar removal permit (WAC 232-12-243) or commission authorized hound permit (WAC 232-28-285).

Cougar Pelt Sealing: Any person who takes a cougar must comply with the sealing requirements in WAC 232-12-024.

[Statutory Authority: RCW 77.12.047, 77.12.040, 77.12.020, 77.12.570, 77.12.210. 08-17-034 (Order 08-197), § 232-28-272, filed 8/13/08, effective 9/13/08. Statutory Authority: RCW 77.12.047. 06-11-032 (Order 06-92), § 232-28-272, filed 5/8/06, effective 6/8/06; 04-21-036 (Order 04-284), § 232-28-272, filed 10/14/04, effective 11/14/04. Statutory Authority: RCW 77.12.047 and 77.12.020. 04-11-036 (Order 04-98), § 232-28-272, filed 5/12/04, effective 6/12/04. Statutory Authority: RCW 77.12.047. 03-13-047 (Order 03-129), § 232-28-272, filed 6/12/03, effective 7/13/03; 01-20-011 (Order 01-198), § 232-28-272, filed 9/20/01, effective 10/21/01. Statutory Authority: RCW 77.12.040, 77.12.020, 77.32.070, 77.32.530. 01-10-048 (Order 01-69), § 232-28-272, filed 4/26/01, effective 5/27/01.

Statutory Authority: RCW 77.12.047. 00-21-038 (Order 00-215),
§ 232-28-272, filed 10/12/00, effective 11/12/00. Statutory
Authority: RCW 77.12.040, 77.12.010, 77.12.020, 77.12.770,
77.12.780. 00-11-137 (Order 00-50), § 232-28-272, filed
5/23/00, effective 6/23/00. Statutory Authority: RCW
77.12.040. 99-01-138 (Order 98-249), § 232-28-272, filed
12/22/98, effective 1/22/99; 98-10-008 (Order 98-57), § 232-28-
272, filed 4/22/98, effective 5/23/98.]

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

RECOMMENDED ADJUSTMENTS

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

Page 1

1) Change the WAC title from:

WAC 232-28-272 ((~~2006-2007, 2007-2008, and 2008-2009~~) 2009-2010, 2010-2011, and 2011-2012 Black bear and cougar hunting seasons and regulations.

To:

WAC 232-28-272 ((~~2006-2007, 2007-2008, and 2008-2009~~) 2009 Black bear and 2009-2010, 2010-2011, and 2011-2012 ~~Black bear~~ and cougar hunting seasons and regulations.

The change is due to public input supporting the August portion of the fall bear seasons for 2009 to the maximum extent possible within biologically sustainable limits. The Department plans to recommend the 2010-2011 fall black bear hunting seasons to the Fish and Wildlife Commission in March 2010.

2) Change:

2009-2011 Fall Black Bear Seasons

To:

2009-2011 Fall Black Bear Seasons

The change is due to public input supporting the August portion of the fall bear seasons for 2009 to the maximum extent possible within biologically sustainable limits. The Department plans to recommend the 2010-2011 fall black bear hunting seasons to the Fish and Wildlife Commission in March 2010.

- 3) Remove the “a” superscript for black bear management units Coastal, Puget Sound, North Cascades, South Cascades, Okanogan, East Cascades, Northeastern B, and Columbia Basin from:

Aug. 1-Nov. 15^a

To:

Aug. 1-Nov. 15

The change is due to public input supporting the August portion of the fall bear seasons to the maximum extent possible within biologically sustainable limits.

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Delete footnote a:

^aAug. 1-31 restricted to private lands only.

The change is due to public input supporting the August portion of the fall bear seasons to the maximum extent possible within biologically sustainable limits.

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

SUPPLEMENTAL RECOMMENDED ADJUSTMENTS

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

Page 1

Delete GMU 204 from hunt area for Northeastern B and add it to hunt area for Northeastern A. The reason for the change is for consistency of season dates among adjacent GMUs.

Pages 4-5

Change the "Hunt Area" in each table from:

Hunt Name	Hunt Area
Coastal Puget Sound North Cascades Columbia Basin	GMUs 418, 426, 437, 448, 450, 460, 466, 485, 501, 504, 506, 530, 601-621, 636-651, 658-663, 672-684, 699, 407, 410, 454, 624-633, 652, 666
South Cascades Blue Mountains Kittitas-Yakima Spokane	GMUs 124-133, 145-154, 162-186, 328, 329, 342-368, 503, 505, 510-520, 524, 550-574, 653, 654, 667
Chelan Okanogan Okanogan-Ferry Stevens-Pend Oreille Klickitat	GMUs 101, 105, 108-121, 203, 204, 209-242, 242-247, 249-251, 382, 388, 578 within Chelan, Ferry, Klickitat, Okanogan, Stevens, or Pend Oreille counties

To:

Hunt Name	Hunt Area
Coastal Puget Sound North Cascades Columbia Basin	GMUs 136-142, 248, 254-290, 371-381, 418, 426, 437, 448, 450, 460, 466, 485, 501, 504, 506, 530, 601-621, 636-651, 658-663, 672-684, 699, 407, 410, 454, 624-633, 652, 666
South Cascades Blue Mountains Kittitas-Yakima Spokane	GMUs 124-133, 145-154, 162-186, 328, 329, 342-368, 503, 505, 510-520, 524, 550-574, 653, 654, 667
Chelan Okanogan Okanogan-Ferry Stevens-Pend Oreille Klickitat	GMUs 101, 105, 108-121, 203, 204, 209-242, 242 243-247, 249-251, 382, 388, 578 within Chelan, Ferry, Klickitat, Okanogan, Stevens, or Pend Oreille counties

The reason for the change is to correct omissions.

SUMMARY OF WRITTEN PUBLIC INPUT

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

COMMENTS	AGENCY RESPONSE
The following agency response applies to all comments on this rule	
Fall Bear Seasons	
<p>I am writing in opposition to the proposed season change for Washington State fall bear season. Moving the season opener on public lands from August 1 to September 1 significantly impacts hunting opportunity while does little to mitigate conflicts between hunters and other recreational land users. The August 1 bear opener provides an opportunity to hunt when no other big-game seasons are available. As a positive consequence, bear hunters have an entire month to spend in the woods before the majority of big-game hunters - deer hunters, elk hunters, etc. - fill popular public hunting grounds. Because of this, August is the ideal month for serious bear hunters to fill their tag long before bears become spooked by a massive influx of other hunters.</p> <p>The proposal states that moving opening day to September 1 aims to reduce conflict with other recreational users on public lands. In theory, this makes sense. It begs the question; however, what is the actual justification for the decision? In my experience, as the season currently stands, there is very little conflict between these two groups. Most bear hunters make it a point to access areas far away from people. When they do encounter other people, most hunters who are well aware that they are under a microscope make certain to act with respect and avoid any negative interaction.</p> <p>Is it a coincidence that just this last season, a young bear hunter accidentally shot and killed a hiker during the August season? I would wager not. But let us not forget that this accident was the first of its kind in the last twenty-five years. That's a quarter century of harmless interaction between hunters and other recreational users. Bear hunters in Washington are already a significant minority. This change will only reduce our numbers, similar to the elimination of bait and hounds. The WDFW states that hunting is its most-effective tool for game management; but that tool is only available if there are hunters who choose to partake. Reducing the bear season by delaying the opener significantly impacts the opportunity for a very specific group of hunters and fails to address any real conflict. Because of this, I ask that the commission forgo this rule change and maintain the general bear season, keeping the opener on August 1.</p>	<p>The rationale for limiting the bear season to private lands in August was based on a couple of concerns. The primary reason was bear harvest over the last three years exceeded some of our indicators for sustainable populations in some of the bear management units. So our objective was to reduce harvest slightly during the fall season. Shortening the fall seasons also facilitates additional spring harvest on industrial timberlands to address bear damage to trees. As we increase spring seasons, we may continue to exceed the thresholds for maintaining sustainable populations. Spring seasons not only help address tree damage, but the harvest tends to include mostly males; which helps manage for sustainable black bear populations.</p> <p>The decision to reduce take during the early portion of the season (August) rather than the end of the season was because then it also helps reduce conflict with other summer recreational users (e.g., campers, hikers, berry pickers). The reason for allowing harvest on private lands in August was to still provide a mechanism to take bears involved in nuisance activity (e.g., orchard damage).</p> <p>The Department has received numerous comments on this recommendation and all of the comments do not support the change to the August bear season. Because we're "on the bubble" in terms of the biological justification for reducing bear harvest, the Department has altered our recommendation to open the 2009 fall bear season August 1 (for the subset of Bear Management Units). The revised recommendation tries to balance the emerging biological concern, provide early fall hunting opportunity, and address public input. We will continue to monitor bear harvest trends and biological information and provide the Fish and Wildlife Commission with a recommendation for the 2010-2011 fall bear hunting season in March 2010.</p> <p>The Fish and Wildlife Commission does not have the authority to regulate hikers.</p>

COMMENTS	AGENCY RESPONSE
<p>Please do not shorten the bear seasons or limit the hunting to private lands only during any portion of the season. This appears to be a knee jerk reaction to the Sauk Mountain Accident, but nonetheless- it was an accident and a VERY isolated incident. Please don't limit the hunting privileges of the entire group on account of the potential for conflict with other user groups.</p>	
<p>In regards to the proposed season changes, I would recommend that we Do Not limit the Bear Hunting Seasons to Private Lands only in the summer. The seasons should remain as they are, and if there are concerns of too many female bears being harvested, perhaps we should limit the number of 2nd bear tags, or increase the price of the 2nd bear tags. If the goal of the season change is to reduce the possible conflict between other users, it would help to have better public education regarding hunting seasons. For example, when I have been backpacking in other areas of the country, the trailhead kiosks would have recommendations to hikers to wear hunter orange. Public awareness of the hunting seasons and popular hunting areas could help prevent future conflicts of multiple use. The NW forest passes can also have notices on them. The unfortunate accident that happened last summer could have been prevented if the hunter followed the rule of 'identify your target and know what lies beyond your target', and it could have just as easily been a fellow hunter, or a game animal...and it could have happened regardless of he was on private or public lands, regardless of season, or hunting method.</p> <p>I believe that the seasons, including High Buck, should stay similar and open to modern firearms. However, there should be more of an effort to post signage in wilderness areas and trailheads notices of the seasons and recommendations for bright colors. Something to the effect of: Notice: this is a popular multi-use area for hiking, biking, and hunting. Wearing bright colors and hunter orange is recommended.</p>	
Cougar Seasons	
<p>I would also like to see the cougar seasons left alone as well. It gives us an 'excuse' to get out and go hunting when most other seasons are closed.</p>	<p>The changes to cougar seasons are based on matching harvest levels to sustainable cougar populations. Additional harvest increases the risk of impact to cougar populations.</p>
<p>We oppose the any weapon for cougar hunting ending on Nov. 30 in Klickitat County. We believe there is an over population of cougars in Klickitat County which is the biggest reason for the low deer numbers. We would like to season for any weapon to end on March 31.</p>	<p>The cougar season in Klickitat County extends to March 31. However, Klickitat County is participating in the pilot cougar hunt with dogs, so the later portion of the season is for permit hunters with dogs.</p>
<p>The cougar season has been cut drastically, which will only result in an increase in complaints and a decrease in funds for the state since many people will no longer be buying cougar tags.</p>	<p>The changes to cougar season are based on matching harvest levels to sustainable cougar populations. Additional harvest increases the risk of impact to cougar populations.</p>

COMMENTS	AGENCY RESPONSE
<p>You should ask land owners and sportsman about the number of Cougar kills found in Northeast Washington, I think (cat kills) greatly contribute to the decline of deer in Stevens county. I personally have seen mule deer numbers increasing in unit #121.</p>	<p>Thank you for your comment.</p>
<p>I oppose your bear season changes and most I oppose your changes on the cougar seasons. I feel this is a change that the game Department want in concerns to your thought on party hunting. In the survey that was on the game department web this winter 70% of the hunters responding ask that these seasons be left alone. I have hunted in the state of Washington and have purchased a hunting license every year sense 1958. And at no time have I seen more bear and cougar, animals, and sign of them as I am seeing currently.</p>	<p>The changes to cougar season are based on matching harvest levels to sustainable cougar populations. Additional harvest increases the risk of impact to cougar populations.</p>
<p>I see that you have shortened the cougar season in the area that I generally hunt cougar which is GMU 516. Plus you have changed the bag limit to 1 animal. I liked the longer season (Aug 1 to Mar 15) so I wonder if the population has decreased that much to warrant such a change? As always I would prefer the longer season.</p>	<p>The changes to cougar season are based on matching harvest levels to sustainable cougar populations. Additional harvest increases the risk of impact to cougar populations.</p>
<p>First and foremost, is the amount of Cougars, Coyotes, Bears and Bobcats I saw this year. Not only was I born and raised hunting in Washington, but I have hunted in Wyoming, West Virginia, Pennsylvania, New York, Virginia, Maryland & several more places and have never, even combined, saw as many of these predators as I did in this season alone (13 Cougars, 19 coyotes, 7 bears & 5 bobcats). In these numbers, 5 cougars and 3 coyotes were in pursuit of or attacking deer. Also, I would say that close to 60% of the deer that I saw this year, which I must mention was very low, had claw marks on them. Growing up in this country and hunting many years in the same areas as I hunted this year, I was astonished how few deer & elk I saw and how many predators were in the areas. This to me, should be a major concern to outdoorsmen, hikers, berry pickers, the WDFW, etc.</p>	<p>Cougar and bear populations are managed at a level to maximize hunting opportunities to the fullest extent possible while maintaining a sustainable, healthy cougar and bear population in each management unit within the state. In some areas where harvest isn't impacting populations, seasons are liberalized. Where harvest appears to be impacting populations (or has the potential to), seasons are reduced to sustainable levels.</p>
<p>Cougar seasons: What about rifle seasons? That is when people are out deer and elk hunting with their bear and cougar tag. Also a drawing for cougar after Jan. 1, do you really think 40 tags in an area will result in any harvest without dogs.</p>	<p>Over the last four years, the Department has received several requests for a late season cougar hunt (without dogs) in areas where late seasons are dedicated to hound hunts. As a result, the Department is recommending some late season permit opportunities for hunters without dogs. The Department will continue to adjust permit levels as we learn what harvest success rates are for those permit hunts.</p>

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

SUMMARY OF SUPPLEMENTAL WRITTEN PUBLIC INPUT

Supplemental public comments were not captured in the original summary of written comments. Each comment may be representative of multiple like comments.

COMMENTS	AGENCY RESPONSE
<p>I'm just writing a quick note to make the WDFW aware that I am strongly opposed to the closure of public lands to bear hunting during the month of August.</p>	<p>The rationale for limiting bear season to private lands in August was based on a couple concerns. The primary reason was bear harvest over the last three years exceeded some of our indicators for sustainable populations in some of the bear management units. So our objective was to reduce harvest slightly during the fall season. Shortening the fall seasons also facilitates additional spring harvest on industrial timberlands to address bear damage to trees. As we increase spring seasons, we may continue to exceed the thresholds for maintaining sustainable populations. Spring seasons not only help address tree damage, but the harvest tends to include mostly males; which helps manage for sustainable black bear populations.</p> <p>The decision to reduce take during the early portion of the season (August) rather than the end of the season was because then it also helps reduce conflict with other summer recreational users (e.g., campers, hikers, berry pickers). The reason for allowing harvest on private lands in August was to still provide a mechanism to take bear involved in nuisance activity (e.g., orchard damage).</p> <p>The Department has received numerous comments on this recommendation and all of the comments do not support the change to the August bear season. Because we're "on the bubble" in terms of the biological justification for reducing bear harvest, the Department has altered our recommendation to open the 2009 fall bear season August 1 rather than September 1 (for the subset of Bear Management Units) with no private land designation. The revised recommendation tries to balance the emerging biological concern, provide early fall hunting opportunity, and address public input. After a thorough review of bear harvest trends and biological information, the Department will provide the Fish and Wildlife Commission with a recommendation for the 2010-2011 fall bear hunting season in March 2010.</p>
<p>Does not maximize opportunity if you take away season time & areas. Leave bear & cougar season as is.</p>	<p>The Department tries to maximize seasons, but within biologically sustainable limits. The proposed reductions in bear and cougar seasons are due to biologically concerns for sustainable populations.</p>
<p>Extend the seasons for everything.</p>	<p>The Department tries to maximize seasons, but within biologically sustainable limits.</p>

NEW SECTION

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

Who may apply: Anyone with a valid Washington big game license, which includes cougar as a species option.

Hunt areas, permit levels, and season dates for each license year:

Hunt Name	Hunt Area	Permits	Season Dates ^a
South Cascades	GMUs 503, 505, 510-520, 524, 550-574, 653, 654, 667	40	Jan. 1 - Mar. 31
Blue Mountains	GMUs 145-154, 162-186	40	Jan. 1 - Mar. 31
Kittitas-Yakima	GMUs 328-368	30	Jan. 1 - Mar. 31
Spokane	GMUs 124-133	30	Jan. 1 - Mar. 31
Chelan	Those portions of GMUs 243, 244, 245, 246, 247, 249, 250, and 251 within Chelan County.	40	Dec. 1-31
Okanogan	Those portions of GMUs 203, 209, 215, 218, 233, 224, 231, 239, and 242 within Okanogan County.	40	Dec. 1-31
Okanogan-Ferry	GMUs 101,105, 204	20	Dec. 1-31
Stevens-Pend Oreille	Those portions of GMUs 108, 111, 113, 117, 121 within Stevens and Pend Oreille counties.	30	Dec. 1-31
Klickitat	Those portions of GMUs 382, 388, 578 within Klickitat County.	20	Dec. 1-31

^aPermits are valid for the license year they are issued.

Requirements for Cougar Seasons:

Bag limit: One (1) cougar per license year excluding public safety cougar removals. It is unlawful to kill or possess spotted cougar kittens or adult cougars accompanied by spotted kittens.

License required: A valid big game hunting license, which includes cougar as a species option, is required to hunt cougar.

Tag information: One cougar transport tag is included with a big game license that has cougar as a species option.

Hunting method: The use of dogs to hunt cougar is prohibited except by a public safety cougar removal permit (WAC 232-12-243) or commission authorized hound permit (WAC 232-28-285).

Cougar pelt sealing: Any person who takes a cougar must comply with the sealing requirements in WAC 232-12-024.

[]

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

SUPPLEMENTAL RECOMMENDED ADJUSTMENTS

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

Page 15

For hunt area in the Kittitas-Yakima hunt, change from “GMUs 328, 329, 342-368” to “GMUs 328-368.” The reason for the change is to correct for GMU omissions.

REVISED

2:46 pm, Mar 31, 2009

**SUMMARY OF PUBLIC TESTIMONY RECEIVED AT THE
MARCH 6-7, 2009 MEETING IN ELLENSBURG, WA**

Agenda 18

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

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

COMMENTS	AGENCY RESPONSE
<p>There is no population data on cougars in the Blue Mountains. I have seen the population increase dramatically. Don't change the cougar season. It will have a big negative impact.</p>	<p>Currently, our harvest data suggest cougar populations in the Blue Mountains are being over harvested slightly. The Department has initiated a study to determine the population size of cougar in the Blue Mountains. Harvest levels will be revised if necessary when data from our project becomes available.</p>
<p>Don't change the bear opener in 2010 and beyond from August 1 to September 1. (petition supporting this comment: 610 signatures received)</p>	<p>The rationale for limiting the bear season to private lands in August was based on a couple of concerns. The primary reason was bear harvest over the last three years exceeded some of our indicators for sustainable populations in some of the bear management units. So our objective was to reduce harvest slightly during the fall season. Shortening the fall seasons also facilitates additional spring harvest on industrial timberlands to address bear damage to trees. As we increase spring seasons, we may continue to exceed the thresholds for maintaining sustainable populations. Spring seasons not only help address tree damage, but the harvest tends to include mostly males; which helps manage for sustainable black bear populations.</p> <p>The decision to reduce take during the early portion of the season (August) rather than the end of the season was because then it also helps reduce conflict with other summer recreational users (e.g., campers, hikers, berry pickers). The reason for allowing harvest on private lands in August was to still provide a mechanism to take bears involved in nuisance activity (e.g., orchard damage).</p> <p>The Department has received numerous comments on this recommendation and all of the comments do not support the change to the August bear season. Because we're "on the bubble" in terms of the biological justification for reducing bear harvest, the Department has altered our recommendation to open the 2009 fall bear season August 1 (for the subset of Bear Management Units). The revised recommendation tries to balance the emerging biological concern, provide early fall hunting opportunity, and address public input. We will continue to monitor bear harvest trends and biological information and provide the Fish and Wildlife Commission with a recommendation for the 2010-2011 fall bear hunting season in March 2010.</p>

COMMENTS	AGENCY RESPONSE
Cougar population has exploded in the last 40 years. No change is needed to the cougar season in Kittitas County. Deer populations have been declining as a result of cougar predation. No science behind the proposal. Boot hunters can identify a cougar.	We have a long-term cougar project in Kittitas County and data from that project indicates cougar populations are stable to slightly declining (in last two years). The Departments recommendation will only reduce harvest slightly.
Boot hunters are losing too much opportunity. Can't take a cougar when bear hunting with this proposal.	The Department is recommending weapon restrictions consistent with general seasons for deer and elk.



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

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

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

By: Friday, February 20, 2009

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

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 harvest 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.