## *23. SMALL GAME SEASONS – RULE ACTION*

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# "GREEN SHEET"

**Meeting:** April 3-4, 2009

**Agenda Item 23:** Small Game Seasons – **Rule Action**

**Prepared By:** Mick Cope

**Presented By:** Mick Cope, Upland Game Section Manager, Wildlife Program

**Background:**

Department staff will provide a brief overview to the Commission on proposed amendments to WAC 232-28-342 2009-10, 2010-11, 2011-12 Small game seasons. This will include any changes resulting from the March 6-7, 2009 Commission meeting in Ellensburg.

The revised WAC describes season timing, hunting requirements, applicable permit levels, and bag limits for the following species: bobcat, raccoon, fox, coyote, forest grouse, pheasant, chukar, gray partridge, mountain quail, California quail, bobwhite, quail, wild turkey, Canada goose, band-tailed pigeon, mourning dove, cottontail rabbits, snowshoe hare, and crow. It also describes falconry and dog training seasons. For the most part, proposed hunting season timing does not change from recent years. The daily bag limit for forest grouse is proposed to increase from 3 to 4. Data show that over the past 25 years hunters harvest fewer than three forest grouse per year and fewer than 0.5 birds per day hunted.

The Department is recommending making it unlawful to hunt coyotes with the use of dogs. The recommendation is based on input from the public via the Washington State legislature. Even though the recommendation is not based on the biological status of coyotes, the Department is bringing this issue before the commission due to our desire to address social issues with hunting during the Commission process rather than legislative process.

Turkey populations in Washington continue to grow, especially in northeastern Washington. Over the past several years, fall turkey regulations have been increasingly liberalized and exponential population growth has stopped. Both biologists and local citizens want a reduced population in northeastern WA, so additional fall hunting opportunity is being proposed by extending the early fall season by one week and changing the late fall season to a general season rather than a permit season. In addition, as populations continue to increase, other early fall permit season opportunities can be expanded in the Blue Mountains and Klickitat County.

The eastside September Canada goose season was initiated in several counties in 1996 and expanded to all of eastern Washington in 1997. When the season was first established, its continuation was based on several population criteria levels. These criteria levels were later revised in the Pacific Flyway Council's Pacific Population of Western Canada Goose Management Plan (2001 revision). These index levels were also adopted in the WDFW Game Management Plans for 2003-2009 and 2009-2015. The 3-year average eastern Washington nest index for 2005-2007 was 1,935, falling below the 2,000 trigger level to restrict or discontinue the season. This index has shown a gradual decline since the September season was initiated in 1997. It is also unlikely that the September goose season is contributing to goose population control in urban / suburban areas, because few geese marked in these areas are recovered in the September season. We are proposing elimination of the two-day September season in eastern Washington, but would add these two days to the regular goose season, which begins in mid-October. If the nest index increases above the 2,000 trigger level in the future, the season will be reinstated.

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

- Control of northeastern turkey population expansion by liberalizing fall turkey hunting through more general season opportunity.
- Continue to provide hunting opportunity for pheasant, quail, gray partridge, chukar, forest grouse, and small game animals.
- Increase the daily bag limit for forest grouse to four per day.
- Eliminate the use of dogs to hunt coyotes.
- Eliminate the two-day September Canada Goose Season.

**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. Most of the issues in this proposed WAC were also reviewed by the Upland Game Advisory Committee and received approval from a majority of the members responding. Additional public comments were received at the March 6 Fish and Wildlife Commission meeting.

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

Amend WAC 232-28-342 2009-10, 2010-11, 2011-12 Small game seasons, as presented.

**Draft motion language:**

I move to amend WAC 232-28-342, as proposed.

**Justification for Commission action:**

The proposed changes provide small game hunting opportunities as well as additional turkey hunting opportunities in areas where turkey populations are expanding or are at higher levels than desired.

**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 232-28-342 ((~~2006-07, 2007-08, 2008-09~~)) 2009-10, 2010-11, 2011-12 Small game seasons.**

**STATEWIDE SEASONS:**

**FOREST GROUSE (BLUE, RUFFED, AND SPRUCE)**

Bag and Possession Limits: ((~~Three (3)~~)) Four (4) grouse per day, straight or mixed bag, with a total of ((~~nine (9)~~)) twelve (12) grouse in possession at any time.

SEASON DATES: Sept. 1 - Dec. 31, ((~~2006, 2007, 2008~~)) 2009, 2010, 2011.

**BOBCAT**

Bag and Possession Limits: No limit.

SEASON DATES: ((~~Sept. 5, 2006 - Mar. 15, 2007; Sept. 4, 2007 - Mar. 15, 2008; Sept. 2, 2008 - Mar. 15, 2009.~~)) Sept. 1 - Mar. 15, 2009, 2010, 2011, 2012.

RESTRICTION: Bobcat may not be hunted with dogs.

**RACCOON**

Bag and Possession Limits: No limit.

OPEN AREA: Statewide, EXCEPT closed on Long Island within Willapa National Wildlife Refuge.

SEASON DATES: ((~~Sept. 5, 2006 - Mar. 15, 2007; Sept. 4, 2007 - Mar. 15, 2008; Sept. 2, 2008 - Mar. 15, 2009.~~)) Sept. 1 - Mar. 15, 2009, 2010, 2011, 2012.

**FOX**

Bag and Possession Limits: No limit.

OPEN AREA: Statewide EXCEPT closed within the exterior boundaries of the Mount Baker-Snoqualmie, Okanogan, Wenatchee, and Gifford Pinchot National Forests and GMUs 407 and 410.

SEASON DATES: ((~~Sept. 5, 2006 - Mar. 15, 2007; Sept. 4, 2007 - Mar. 15, 2008; Sept. 2, 2008 - Mar. 15, 2009.~~)) Sept. 1 - Mar. 15, 2009, 2010, 2011, 2012.

**COYOTE**

Bag and Possession Limits: No limit.

OPEN AREA ((~~AND SEASON DATES~~)): Statewide((~~, year round. Coyote may only be killed and/or pursued with hounds during the following period: Sept. 5, 2006 - Mar. 15, 2007; Sept. 4, 2007 - Mar. 15, 2008; Sept. 2, 2008 - Mar. 15, 2009, EXCEPT coyote may be hunted year round with hounds in Grant, Adams, Benton, and Franklin counties~~)).

SEASON DATES: Year round.

RESTRICTION: Coyote may not be hunted with dogs.

**COTTONTAIL RABBIT AND SNOWSHOE HARE (OR WASHINGTON HARE)**

Bag and Possession Limits: Five (5) cottontails or snowshoe hares per day, with a total of fifteen (15) in possession at any time, straight or mixed bag.

SEASON DATES: Sept. 1, ((~~2006~~)) 2009 - Mar. 15, ((~~2007~~)) 2010; Sept. 1, ((~~2007~~)) 2010 - Mar. 15, ((~~2008~~)) 2011; Sept. 1, ((~~2008~~)) 2011 - Mar. 15, ((~~2009~~)) 2012.

**CROWS**

Bag and Possession Limits: No limit.

SEASON DATES: Oct. 1, ((~~2006~~)) 2009 - Jan. 31, ((~~2007~~)) 2010; Oct. 1, ((~~2007~~)) 2010 - Jan. 31, ((~~2008~~)) 2011; Oct. 1, ((~~2008~~)) 2011 - Jan. 31, ((~~2009~~)) 2012.

**JACKRABBIT**

Season closed statewide.

**PTARMIGAN, SAGE, AND SHARP-TAILED GROUSE**

Season closed statewide.

**WILD TURKEY:**

**YOUTH SEASON**

LEGAL BIRD: ((~~Gobblers and~~)) ~~Turkeys~~ Male turkeys and turkeys with visible beards only.

SEASON DATES: April ((~~7-8~~)) 3-4, ((~~2007~~)) 2010; April ((~~5-6~~)) 2-3, ((~~2008~~)) 2011; April ((~~4-5~~)) 7-8, ((~~2009~~)) 2012.

**SPRING SEASON**

LEGAL BIRD: ((~~Gobblers and~~)) ~~Turkeys~~ Male turkeys and turkeys with visible beards only.

SEASON DATES: April 15 - May 31, ((~~2007, 2008,~~)) 2009, 2010, 2011, 2012.

BAG LIMIT: The combined spring/youth season limit is three (3) birds. Only two (2) turkeys may be killed in Eastern Washington, except only one (1) may be killed in Chelan, Kittitas, or Yakima counties. One (1) turkey may be killed per year in Western Washington outside of Klickitat County. Two (2)

turkeys may be killed in Klickitat County.

**((~~EARLY~~)) FALL NORTHEAST BEARDLESS TURKEY SEASON**

LEGAL BIRD: Beardless only.

LEGAL HUNTER: Open to all hunters with a valid turkey tag.

OPEN AREA: GMUs 105-124.

SEASON DATES: Sept. ((~~27~~)) 26 - Oct. ((~~3~~)) 9, ((~~2008~~)) 2009; Sept. 25 - Oct. 8, 2010; Sept. 24 - Oct. 7, 2011.

BAG LIMIT: Two (2) beardless turkeys.

**EARLY FALL GENERAL SEASON**

LEGAL BIRD: Either sex.

LEGAL HUNTER: Open to all hunters with a valid turkey tag.

OPEN AREA: GMUs 101 and 127-133.

SEASON DATES: Sept. ((~~23~~)) 26 - Oct. ((~~6~~)) 9, ((~~2006~~)) 2009; Sept. ((~~22~~)) 25 - Oct. ((~~5~~)) 8, ((~~2007~~)) 2010; Sept. ((~~27~~)) 24 - Oct. ((~~3~~)) 7, ((~~2008~~)) 2011.

BAG LIMIT: One (1) turkey during the early fall general and permit hunting seasons combined.

**((~~EARLY~~)) FALL PERMIT SEASONS**

LEGAL BIRD: Either sex.

LEGAL HUNTER: All hunters who are selected in the ((~~early~~)) fall turkey special permit drawing and who possess a valid turkey tag.

((~~OPEN AREA: GMUs 145-186, 382, 388, 568-578.~~

~~SEASON DATES: Sept. 23 - Oct. 6, 2006; Sept. 22 - Oct. 5, 2007; Sept. 27 - Oct. 3, 2008.~~

| ~~Permit Area~~ | ~~Number of Permits~~ |
|---|---|
| ~~GMUs 149-163~~ | ~~300~~ |
| ~~GMUs 145, 172-186~~ | ~~200~~ |
| ~~GMUs 382, 388, 568-578~~ | ~~75~~)) |

| Hunt Name | Permit Season Dates | Special Restrictions | Boundary Description | Permits | Bag Limit* |
|---|---|---|---|---|---|
| Blue Mt. West | Sept. 26 - Oct. 9, 2009, Sept. 25 - Oct. 8, 2010, Sept. 24 - Oct. 7, 2011 | Either sex | GMUs 149-163 | 400 | 1 |
| Blue Mt. East | Sept. 26 - Oct. 9, 2009, Sept. 25 - Oct. 8, 2010, Sept. 24 - Oct. 7, 2011 | Either sex | GMUs 145, 172-186 | 300 | 1 |
| Klickitat | Sept. 26 - Oct. 9, 2009, Sept. 25 - Oct. 8, 2010, Sept. 24 - Oct. 7, 2011 | Either sex | GMUs 382, 388, 568-578 | 150 | 1 |
| Methow | Nov. 15 - Dec. 15, 2009, 2010, 2011 | Either sex | GMUs 218-231 and 242 | 50 | 1 |

*BAG LIMIT: ((~~One (1) turkey~~)) During the early fall general and permit hunting seasons combined.

**LATE FALL ((~~PERMIT~~)) SEASON**

LEGAL BIRD: Either sex.

LEGAL HUNTER: ((~~All hunters who are selected in the special late fall turkey permit drawing and who possess~~)) Open to all hunters with a valid turkey tag.

OPEN AREA: GMUs ((~~101~~)) 105-124.

SEASON DATES: Nov. 20 - Dec. 15, ((~~2006, 2007, 2008~~)) 2009, 2010, 2011.

((~~PERMITS: 800.~~))

BAG LIMIT: One (1) turkey.

**HUNTER EDUCATION INSTRUCTOR INCENTIVE PERMITS**

LEGAL BIRD: ((~~Gobblers and~~)) ~~Turkeys~~ Male turkeys and turkeys with visible beards only.

LEGAL HUNTER: Qualified hunter education instructors who are selected through a random drawing. Qualifying hunter education instructors must be certified and have been in active status for a minimum of three consecutive years, inclusive of the year prior to the permit drawing. Instructors who are drawn, accept a permit, and are able to participate in the hunt, will not be eligible for these incentive permits for a period of ten years thereafter.

OPEN AREA: Statewide.

SEASON DATES: April 1 - May 31, ((~~2007, 2008,~~)) 2009, 2010, 2011, 2012.

PERMITS: 2.

**OFFICIAL HUNTING HOURS FOR WILD TURKEY:**

HUNTING HOURS: One-half hour before sunrise to sunset during spring and fall seasons.

**SPECIAL REGULATIONS FOR WILD TURKEY:**

1. Turkey season is open for shotgun shooting #4 shot or smaller, archery, and muzzleloader shotgun shooting #4 shot or smaller.
2. A turkey tag is required for hunting turkey.
3. It is unlawful to use dogs to hunt turkeys.
4. It is unlawful to bait game birds.

**EASTERN WASHINGTON SEASONS:**

**RING-NECKED PHEASANT**

Bag and Possession Limits: Three (3) cock pheasants per day, with a total of fifteen (15) cock pheasants in possession at any time.

YOUTH SEASON DATES: Sept. ((~~23~~)) 26 and ((~~24~~)) 27, ((~~2006~~)) 2009; Sept. ((~~22~~)) 25 and ((~~23~~)) 26, ((~~2007~~)) 2010; Sept. ((~~20~~)) 24 and ((~~21~~)) 25, ((~~2008~~)) 2011. Open only to youth hunters accompanied by an adult at least 18 years old.

REGULAR SEASON DATES: Oct. ((~~21~~)) 24, ((~~2006~~)) 2009 - Jan. ((~~15~~)) 18, ((~~2007~~)) 2010; Oct. ((~~20~~)) 23, ((~~2007~~)) 2010 - Jan. ((~~21~~)) 17, ((~~2008~~)) 2011; Oct. ((~~18~~)) 22, ((~~2008~~)) 2011 - Jan. ((~~19~~)) 16, ((~~2009~~)) 2012.

The director is authorized to close the pheasant season on an emergency basis as conditions warrant, consistent with RCW 34.05.350 and 77.12.150.

**CHUKAR**

Bag and Possession Limits: Six (6) chukar per day, with a total of eighteen (18) chukar in possession at any time.

YOUTH SEASON DATES: Sept. ((~~23~~)) 26 and ((~~24~~)) 27, ((~~2006~~)) 2009; Sept. ((~~22~~)) 25 and ((~~23~~)) 26, ((~~2007~~)) 2010; Sept. ((~~20~~)) 24 and ((~~21~~)) 25, ((~~2008~~)) 2011. Open only to youth hunters accompanied by an adult at least 18 years old.

REGULAR SEASON DATES: Oct. ((~~7~~)) 3, ((~~2006~~)) 2009 - Jan. ((~~15~~)) 18, ((~~2007~~)) 2010; Oct. ((~~6~~)) 2, ((~~2007~~)) 2010 - Jan. ((~~21~~)) 17, ((~~2008~~)) 2011; Oct. ((~~4~~)) 1, ((~~2008~~)) 2011 - Jan. ((~~19~~)) 16,

((~~2009~~)) 2012.

**GRAY (HUNGARIAN) PARTRIDGE**

Bag and Possession Limits: Six (6) gray partridges per day, with a total of eighteen (18) gray partridges in possession at any time.

YOUTH SEASON DATES: Sept. ((~~23~~)) 26 and ((~~24~~)) 27, ((~~2006~~)) 2009; Sept. ((~~22~~)) 25 and ((~~23~~)) 26, ((~~2007~~)) 2010; Sept. ((~~20~~)) 24 and ((~~21~~)) 25, ((~~2008~~)) 2011. Open only to youth hunters accompanied by an adult at least 18 years old.

REGULAR SEASON DATES: Oct. ((~~7~~)) 3, ((~~2006~~)) 2009 - Jan. ((~~15~~)) 18, ((~~2007~~)) 2010; Oct. ((~~6~~)) 2, ((~~2007~~)) 2010 - Jan. ((~~21~~)) 17, ((~~2008~~)) 2011; Oct. ((~~4~~)) 2, ((~~2008~~)) 2011 - Jan. ((~~19~~)) 16, ((~~2009~~)) 2012.

**MOUNTAIN QUAIL**

Season closed throughout Eastern Washington.

**CALIFORNIA (VALLEY) QUAIL AND NORTHERN BOBWHITE**

Bag and Possession Limits: Ten (10) quail per day, with a total of thirty (30) quail in possession at any time, straight or mixed bag.

YOUTH SEASON DATES: Sept. ((~~23~~)) 26 and ((~~24~~)) 27, ((~~2006~~)) 2009; Sept. ((~~22~~)) 25 and ((~~23~~)) 26, ((~~2007~~)) 2010; Sept. ((~~20~~)) 24 and ((~~21~~)) 25, ((~~2008~~)) 2011. Open only to youth hunters accompanied by an adult at least 18 years old.

REGULAR SEASON DATES: Oct. ((~~7~~)) 3, ((~~2006~~)) 2009 - Jan. ((~~15~~)) 18, ((~~2007~~)) 2010; Oct. ((~~6~~)) 2, ((~~2007~~)) 2010 - Jan. ((~~21~~)) 17, ((~~2008~~)) 2011; Oct. ((~~4~~)) 2, ((~~2008~~)) 2011 - Jan. ((~~19~~)) 16,

((~~2009~~)) 2012.

**WESTERN WASHINGTON SEASONS:**

**RING-NECKED PHEASANT**

Bag and Possession Limits: Two (2) pheasants of either sex per day, with a total of fifteen (15) pheasants in possession at any time.

YOUTH SEASON DATES: Sept. ((~~23~~)) 26 and ((~~24~~)) 27, ((~~2006~~)) 2009; Sept. ((~~22~~)) 25 and ((~~23~~)) 26, ((~~2007~~)) 2010; Sept. ((~~20~~)) 24 and ((~~21~~)) 25, ((~~2008~~)) 2011. Open only to youth hunters accompanied by an adult at least 18 years old.

HUNTERS SIXTY-FIVE YEARS OF AGE OR OLDER SEASON DATES: Sept. ((~~25-29~~)) 28 - Oct. 2, ((~~2006~~)) 2009; Sept. ((~~24-28 - 2007~~)) 27 - Oct. 1, 2010; Sept. ((~~22-~~)) 26-30, ((~~2008~~)) 2011.

REGULAR SEASON DATES: ((~~Sept. 30~~)) Oct. 3 - Nov. 30, ((~~2006~~)) 2009; ((~~Sept. 29~~)) Oct. 2 - Nov. 30, ((~~2007~~)) 2010; ((~~Sept. 27~~)) Oct. 1 - Nov. 30, ((~~2008~~)) 2011. 8 a.m. to 4 p.m.; EXCEPT Dungeness Recreation Area Site (Clallam County) starting Oct. ((~~7~~)) 3, ((~~2006~~)) 2009; Oct. ((~~6~~)) 2, ((~~2007~~)) 2010; Oct. ((~~4~~)) 1, ((~~2008~~)) 2011.

EXTENDED SEASON DATES: Dec. 1-15, ((~~2006, 2007, 2008~~)) 2009, 2010, 2011. 8 a.m. to 4 p.m. only on the following release sites: Belfair, Fort Lewis, Kosmos, Lincoln Creek, Scatter Creek, Skookumchuck, and all Whidbey Island release sites EXCEPT Bayview. Pheasants will not be released during the extended season.

**A Western Washington Pheasant Permit is required** to hunt pheasant

in Western Washington, in addition to a current small game hunting license. Pheasant kills must be recorded. Upon taking a pheasant, the holder of a Western Washington Pheasant Permit must immediately enter on the corresponding space the date and location of kill.

There are three license options available:

(1) Full Season Option: Allows the harvest of eight (8) pheasants.

(2) Youth Option: Allows the harvest of eight (8) pheasants by youth hunters.

(3) 3-Day Option: Allows the harvest of four (4) pheasants harvested over three consecutive days.

Every person possessing a Western Washington Pheasant Permit must, by December 31, return the permit to the department of fish and wildlife. The number of permits purchased per year is not limited.

A hunter shall select one valid option at the time they purchase their Western Washington Pheasant Permit. It is unlawful to purchase an additional permit until the pheasants allowed on the current permit are taken.

SPECIAL RESTRICTION: Western Washington pheasant hunters must choose to hunt on either odd-numbered or even-numbered weekend days from 8:00 - 10:00 a.m. at all units of Lake Terrell, Tennant Lake, Snoqualmie, Skagit, Skookumchuck, and Scatter Creek Wildlife Areas, all hunting sites on Whidbey Island, and at the Dungeness Recreation Area, and must indicate their choice on the Western Washington Pheasant Permit by choosing "odd" or "even." Hunters

who select the three day option, hunters 65 years of age or older, and youth hunters may hunt during either weekend day morning. Youth hunters must be accompanied by an adult at least 18 years old who must have an appropriately marked pheasant permit if hunting.

**MOUNTAIN QUAIL**

Bag and Possession Limits: Two (2) mountain quail per day, with a total of four (4) mountain quail in possession at any time.

SEASON DATES: Oct. ((~~7~~)) 3 - Nov. 30, ((~~2006~~)) 2009; Oct. ((~~6~~)) 2 - Nov. 30, ((~~2007~~)) 2010; Oct. ((~~4~~)) 1 - Nov. 30, ((~~2008~~)) 2011.

**CALIFORNIA (VALLEY) QUAIL AND NORTHERN BOBWHITE**

Bag and Possession Limits: Ten (10) California (valley) quail or northern bobwhite per day, with a total of thirty (30) California (valley) quail or northern bobwhite in possession at any time, straight or mixed bag.

SEASON DATES: Oct. ((~~7~~)) 3 - Nov. 30, ((~~2006~~)) 2009; Oct. ((~~6~~)) 2 - Nov. 30, ((~~2007~~)) 2010; Oct. ((~~4~~)) 1 - Nov. 30, ((~~2008~~)) 2011.

**FALCONRY SEASONS:**

**UPLAND GAME BIRD AND FOREST GROUSE - FALCONRY**

Bag and Possession Limits: Two (2) pheasants (either sex), six (6) partridge, five (5) California (valley) quail or northern bobwhite, two (2) mountain quail (in Western Washington only), and three (3) forest grouse (blue, ruffed, spruce) per day. Possession limit is twice the daily bag limit.

OPEN AREA: Statewide.

SEASON DATES: Aug. 1, ((~~2006~~)) 2009 - Mar. 15, ((~~2007~~)) 2010; Aug.

1, ((~~2007~~)) 2010 - Mar. 15, ((~~2008~~)) 2011; Aug. 1, ((~~2008~~)) 2011 - Mar. 15, ((~~2009~~)) 2012.

**TURKEY - FALCONRY**

A turkey tag is required to hunt turkey during the turkey falconry season.

Bag and Possession Limits: One (1) turkey (either sex) per turkey tag with a maximum of two (2) turkeys. Possession limit: Two (2).

OPEN AREA: Eastern Washington.

SEASON DATES: Sept. 1, ((~~2006~~)) 2009 - Feb. 15, ((~~2007~~)) 2010; Sept. 1, ((~~2007~~)) 2010 - Feb. 15, ((~~2008~~)) 2011; Sept. 1, ((~~2008~~)) 2011 - Feb. 15, ((~~2009~~)) 2012.

**MOURNING DOVE - FALCONRY**

Bag and Possession Limits: Three (3) mourning doves per day straight bag or mixed bag with snipe, coots, ducks, and geese during established seasons. Possession limit is twice the daily limit.

OPEN AREA: Statewide.

SEASON DATES: Sept. 1 - Dec. 16, ((~~2006, 2007, 2008~~)) 2009, 2010, 2011.

**COTTONTAIL RABBIT AND SNOWSHOE HARE - FALCONRY**

Bag and Possession Limits: Five (5) cottontails or snowshoe hares per day, straight or mixed bag. Possession limit: Fifteen (15).

OPEN AREA: Statewide.

SEASON DATES: Aug. 1, ((~~2006~~)) 2009 - Mar. 15, ((~~2007~~)) 2010; Aug. 1, ((~~2007~~)) 2010 - Mar. 15, ((~~2008~~)) 2011; Aug. 1, ((~~2008~~)) 2011 - Mar. 15, ((~~2009~~)) 2012.

**OTHER SEASONS:**

**CANADA GOOSE SEPTEMBER SEASON**

Bag and Possession Limits: Western Washington, except Cowlitz and Wahkiakum counties and that part of Clark County north of the Washougal River: Five (5) Canada geese per day with a total of ten (10) in possession at any time.

Cowlitz and Wahkiakum counties and that part of Clark County north of the Washougal River: Three (3) Canada geese per day with a total of six (6) in possession at any time.

((~~Eastern Washington: Three (3) Canada geese per day with a total of six (6) in possession at any time.~~))

WESTERN WASHINGTON SEASON DATES: Sept. ((~~9-14~~)) 10-15, ((~~2006; Sept. 8-13, 2007; Sept. 6-11, 2008~~)) 2009, 2010, 2011. EXCEPT Pacific County: Sept. 1-15, ((~~2006, 2007, and 2008~~)) 2009, 2010, and 2011.

((~~EASTERN WASHINGTON SEASON DATES: Sept. 9-10, 2006; Sept. 8-9, 2007; Sept. 6-7, 2008.~~))

**MOURNING DOVE**

Bag and Possession Limits: Ten (10) mourning doves per day with a total of twenty (20) mourning doves in possession at any time.

OPEN AREA: Statewide.

SEASON DATES: Sept. 1-30, ((~~2006, 2007, 2008~~)) 2009, 2010, 2011.

**HIP REQUIREMENTS:**

All hunters age 16 and over of migratory game birds (duck, goose, coot, snipe, mourning dove, and band-tailed pigeon) are required to complete a Harvest Information Program (HIP) survey at a license dealer, and possess a Washington Migratory Bird validation as evidence of compliance with this requirement when hunting migratory game birds. Youth hunters are required to complete a HIP survey, and possess a free Washington Youth Migratory Bird validation as evidence of compliance with this requirement when hunting migratory game birds.

**BAND-TAILED PIGEON**

Bag and Possession Limits: Two (2) band-tailed pigeons per day with a total of four (4) band-tailed pigeons in possession at one time.

OPEN AREA: Statewide.

SEASON DATES: Sept. 15-23, ((~~2006, 2007, 2008~~)) 2009, 2010, 2011.

**WRITTEN AUTHORIZATION REQUIRED TO HUNT BAND-TAILED PIGEONS.**

All persons hunting band-tailed pigeons in this season are required to obtain a written authorization and harvest report from the Washington department of fish and wildlife. Application forms must be delivered to a department of fish and wildlife office no later than August 25 or postmarked on or before August 25 in order for applicants to be mailed an authorization before the season starts. Immediately after taking a band-tailed pigeon into possession, hunters must record in ink the information required on the harvest report. By October 15, hunters must return the harvest report to a department of fish and wildlife

office, or report harvest information on the department's internet reporting system. Hunters failing to comply with reporting requirements will be ineligible to participate in the following band-tailed pigeon season.

**BIRD DOG TRAINING SEASON**

Wild upland game birds may be pursued during the dog-training season, but may not be killed except during established hunting seasons. A small game license is required to train dogs on wild game birds. A small game license and a Western Washington Pheasant Permit is required to train dogs on pheasants in Western Washington. Captive raised game birds may be released and killed during dog training if proof of lawful acquisition (invoices) are in possession and the birds are appropriately marked (WAC 232-12-271 and 232-12-044).

OPEN AREA: Statewide.

SEASON DATES: Aug. 1, ((~~2006~~)) 2009 - Mar. 31, ((~~2007~~)) 2010; Aug. 1, ((~~2007~~)) 2010 - Mar. 31, ((~~2008~~)) 2011; Aug. 1, ((~~2008~~)) 2011 - Mar. 31, ((~~2009~~)) 2012.

Only youth and seniors may train dogs during their respective seasons on designated Western Washington pheasant release sites.

Bird dog training may be conducted year round on areas posted for bird dog training on portions of: Region One - Espanola (T24N, R40E, E 1/2 of section 16); Region Three - South L. T. Murray Wildlife Area; Region Four - Skagit Wildlife Area, Lake Terrell Wildlife Area, and Snoqualmie Wildlife Area; Region Five - Shillapoo/Vancouver Lake Wildlife Area; Region Six - Scatter Creek Wildlife Area, Fort Lewis Military Base.

**HOUND HUNTING DURING DEER AND ELK HUNTING SEASONS**

It is unlawful to hunt any wildlife at night or wild animals with dogs (hounds) during the months of September, October, or November in any area open to a modern firearm deer or elk season. The use of hounds to hunt black bear, cougar (EXCEPT by public safety cougar removal permit (WAC 232-12-243) or a commission authorized hound permit (WAC 232-28-285)), coyote, and bobcat is prohibited year round.

**YAKAMA INDIAN RESERVATION:**

The ((~~2006-07, 2007-08, 2008-09~~)) 2009-10, 2010-11, 2011-12 upland bird seasons within the Yakama Indian Reservation shall be the same as the season established by the Yakama Indian Nation.

**COLVILLE INDIAN RESERVATION:**

The ((~~2006-07, 2007-08, 2008-09~~)) 2009-10, 2010-11, 2011-12 upland bird seasons within the Colville Indian Reservation shall be the same as the season established by the Colville Indian Tribe.

[Statutory Authority: RCW 77.12.047, 77.12.020, 77.12.570, 77.12.210. 08-09-090 (Order 08-78), § 232-28-342, filed 4/18/08, effective 5/19/08. Statutory Authority: RCW 77.12.047. 06-11-031 (Order 06-91), § 232-28-342, filed 5/8/06, effective 6/8/06.]

**WAC 232-28-342 2009-10, 2010-11, 2011-12 Small Game Seasons**

## FINAL RECOMMENDED ADJUSTMENTS

The following adjustments are proposed since the Code Reviser (CR-102) filing and are already included in your notebook language. These adjustments reflect any floor changes and additional supplemental recommended adjustments as a result of public testimony received at the March 6-7, 2009 Fish and Wildlife Commission meeting in Ellensburg.

***Pages 1 and 2***

Add "2012" to the season dates for Bobcat, Raccoon, and Fox. The seasons run through March 15, 2012 and the 2012 date was an omission.

***Pages 3 and 6***

Add "Male turkeys" to the definition of Legal Bird for spring seasons. The intent of the regulation is to harvest male turkeys and turkeys with visible beards. In the original draft, the term "gobblers" had been removed and not replaced by "Male turkeys."

## SUMMARY OF WRITTEN PUBLIC INPUT

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

| COMMENTS | AGENCY RESPONSE |
|---|---|
| **Upland Birds** | |
| Propose setting General eastern Washington pheasant opening for October 10, 2009.<br><br>I believe this was the approach used for many years. There was a survey that showed that hunters preferred this approach and it removes the concern that Quail hunters hunting between Oct 3 and Oct 23 are shooting and or spooking pheasant. | Pheasant season is proposed to begin the first weekend after the general deer season opens. In 2003, the Fish and Wildlife Commission adopted this timing to avoid conflicts with deer hunters who experienced conflicts with pheasant hunters who had hunted the same areas as the deer hunters were targeting prior to or during opening day of deer season. At the time, this concern was especially prevalent in southeastern Washington. The current proposal is designed to add consistency to the pheasant season after many years of moving season dates. |
| I have hunted the same areas in southeastern WA for birds for over 35 years and generally went out 30-40 times a season from 1973-2004. After moving, I go back twice per year. I hunted for 6 days in Oct. and saw lots of pheasant and over 100 quail. I went back again in Jan. of this year. While I saw a decent number of pheasants, the quail have almost disappeared. You may wish to reduce the bag limit for one year. | Quail can produce many chicks each year, and young of the year typically make up the majority of the year's harvest. Between 2003 and 2007 hunter harvest averaged between 9 and 10 quail per person per season. In 2007, hunters averaged 1.64 birds per day. A decrease in the bag limit will not likely affect overall population numbers since hunters harvest such a small percent of the population. |
| Contrary to the written comment "proposed hunting seasons do not change from recent years" I noticed that the proposed pheasant season shown on page 7 of the Revised Rule language starts on October 24, 2009 to January 18, 2010 for Eastern Washington. This past years season went from October 18, 2008 to January 19, 2009. This change results in a significant loss of opportunity, almost 10% fewer days. Why? It would seem reasonable, considering the past few years seasons, to start the pheasant season two weeks after the quail/chukar season, currently scheduled for October 3, 2009. This would start the pheasants on October 17, 2009 closing on January 18, 2010 for the exact number as this past year. | While this is a change in days, it is not a change in the timing of the season. Since 2003, the eastern Washington pheasant season has started on the first weekend after opening weekend for general deer season. In 2009, that date is later in October due to calendar date shifts.<br><br>A change has been made to the "Green Sheet" to clarify that the timing of the season has not changed. |
| Opening day for quail, pheasants and grey partridge -- October 3 | Since 2003, the eastern Washington pheasant season has started on the first weekend after opening weekend for general deer season and quail and gray partridge started on the first weekend in October. This is done to avoid conflicts with deer hunters who experienced conflicts with pheasant hunters who had hunted the same areas as the deer hunters were targeting prior to or during opening day of deer season. The current proposal is designed to add consistency to the pheasant season after many years of moving season dates. |

| COMMENTS | AGENCY RESPONSE |
|---|---|
| The only change I would like to see for the upcoming hunting season is a shorter eastern Washington pheasant season by starting later in October or early November. | When the current pheasant season structure was approved by the Fish and Wildlife Commission, the Department of Fish and Wildlife and the Fish and Wildlife Commission wanted to make sure hunters did not lose opportunity. A later start date would decrease hunter opportunity. |
| Upland Game: No changes – good move a few years ago to have pheasant end at the same time as quail/chukar/huns. | Thank you for your comment. |
| I have seen a steady decline in the pheasant population in Southeastern Washington, especially in the Hay and Lacrosse areas. I think one thing that might help is to close the season the first Monday after Christmas or at the end of the year. | Hunter harvest is a small part of annual pheasant mortality, so reducing the season length will reduce hunter opportunity with no substantial impact on overall population levels. In addition, the numbers of hunters in the field during the last part of the season are far fewer than in the earlier weeks, so overall hunter pressure is much lower. |
| I would strongly recommend a shorter season on pheasant and quail and would like to see the season end by Dec. 20. | |
| **Forest Grouse** | |
| Oppose increasing the limit on forest grouse to four. There are fewer grouse in the forest today and an increase in the bag limit does not seem warranted. | Between 1985 and 2007, Washington grouse hunters averaged harvesting fewer than ½ a grouse per day and fewer than 3 birds per season. While some grouse hunters do harvest a limit of grouse in a day, the vast majority do not. While public perception is that an increased bag limit will impact populations, hunter harvest trends indicate that it should not.<br><br>Public perception of this proposal is that an increased bag limit is an indicator of an increasing population. However, the recommendation is not based on that notion. |
| I think that grouse season should be shorter. Three to 4 months is just too long. I've seen a big decrease in the amount of grouse in the last several years | In general, hunting does not limit annual grouse populations. In addition, most of the grouse harvest occurs before and during the rifle deer season. Removing the latter months of the season would eliminate opportunity without having a positive impact on the grouse population. |
| **Turkeys** | |
| Youth turkey hunt in the spring of 2008 and the youth waterfowl hunt in September of 2008. I urge the WDFW to do everything possible to keep all of these youth hunting opportunities available. I believe these youth hunts make the difference between kids gaining a life-long interest in hunting or no interest and future support of hunting. | Youth seasons, as represented in the proposed small game rule, are planned to continue for turkey, pheasant, quail, chukar and gray partridge. Most waterfowl seasons are set at the August Fish and Wildlife Commission meeting. |
| Extend the fall turkey permit season for at least two weekends. I would like to see the season last at least 9 days from Sat-to the following Sunday | In 2009, the early fall season is proposed to be extended to 14 days and include 2 weekends, an extension of 7 days and 1 weekend from the 2007 season. |
| Remove the wording of Gobbler and only have visible beard as a legal turkey. | The intent is to allow harvest of male turkeys in the spring, whether they have a visible beard or not. Some females have beards, so the "visible beard" language is also used. |

| COMMENTS | AGENCY RESPONSE |
|---|---|
| Turkey season is open for shotgun shooting #4 shot or smaller, archery, and muzzleloader shotgun shooting #4 shot or smaller. Why is it necessary to have any shot restriction for turkey? If there is a restriction on shot size, why not start at #1 shot size (turkey is not a native species of Washington)? There are manufactures that make effective turkey loads in non-toxic shot in size #1 and smaller. By 2011 the department is requiring non-toxic shot on all of the land they own, why have the shot size restriction? Why become more restrictive on shot size but more liberalized on harvest and Damage Prevention Permits? | A national task group on wild turkey hunting safety has recommended turkey hunting using #4 shot or smaller. This recommendation is directed at the use of lead shot, not non-toxic shot. The proposed rule to regulate the use of lead shot is only for upland birds (pheasant, quail, chukar, and gray partridge), mourning dove, and band-tailed pigeons and does not propose to limit the use of lead for turkey hunting.<br><br>The shot size restriction is not intended to be related to damage prevention permits. |
| Please consider allowing dogs to hunt turkeys in the fall. | Discussions with turkey hunters in Washington have not revealed very much support for allowing dogs to hunt turkeys in Washington. |
| **Coyotes** | |
| The Department should not be disallowing coyote hunting unless there is a biological justification for doing so. Non-biological public opinion should not drive the Department to restrict hunting. Science and species sustainment should be the primary if not sole basis for any amendment to the DFW regulations. No game or resource use will long stand when subjected to general public opinion. | The Department is recommending making it unlawful to hunt coyotes with the use of dogs. The recommendation is based on input from the public via the Washington State legislature. Even though the recommendation is not based on the biological status of coyotes, the Department is bring this issue before the commission due to our desire to address social issues with hunting during the Commission process rather than legislative process. |
| Under coyote hunting with dogs needs to be clarified in the regulations. Proposed says no hunting coyotes with dogs. If this is adopted does it mean just running dogs that kill coyotes? Some people me included have a dog with me when I am calling coyotes to decoy or take the coyotes attention away from me. They are not to kill the coyote thats my job. | Hunting includes any use of dogs during your hunting activity; including decoying. |
| **Other** | |
| Start Duck and Goose hunting November 15th or the closest Saturday to that day and extend the hunting season for Waterfowl to February 28 or the closest Sunday ending the end. This would give hunters a season that would not start until after most of the big game seasons were over. | These comments relate to waterfowl seasons set at the August Fish and Wildlife Commission meeting. These seasons are not addressed in the small game rule. |
| I'm not opposed to eliminating the September hunt, which doesn't seem to get much attention anyway. However, I would recommend more liberal hunting rules in Goose Mgmt Area 4 - increasing the number of hunting days to four a week (Saturday-Sunday-Tuesday-Thursday) to provide more opportunity for hunters - and to get more hunters out in the field in a time when hunter numbers are declining. | These comments relate to waterfowl seasons set at the August Fish and Wildlife Commission meeting. These seasons are not addressed in the small game rule. |

| COMMENTS | AGENCY RESPONSE |
|---|---|
| It is unfortunate that you are proposing the elimination of the early goose season. I would probably agree that it wasn't reducing the goose population around cities or other sensitive areas. However, the overall goose population is still increasing and it isn't clear what positive effect the elimination of this season will create. I my judgment, why not allow the hunting for a couple of days in Sept., it helps sell more licenses, allows some of us seniors to hunt in warm weather and it isn't creating a significant negative impact on the overall goose population. | The Canada goose breeding population in eastern Washington has declined to a threshold level established to discontinue the September season. At the August Fish and Wildlife Commission meeting, the Department will propose increasing the regular season by two days to compensate for the loss of September season opportunity. |
| Ducks and Geese: No changes – good move to get back to ducks and snow geese opening the same day. | These comments relate to waterfowl seasons set at the August Fish and Wildlife Commission meeting. These seasons are not addressed in the small game rule. |
| I would like The waterfowl season to never end. No but in reality I would like it extended to at least the very last day in January. Not the 25Th of January. Possibly a spring snow goose hunt, maybe 2 or 3 weeks long. There are so many of them what could it hurt. Buy up more farm land that is getting bought up by rich private hunters that don't like to share with the poor working man. Ask for donated land so the farmer or land owner is not paying taxes on the land he don't use. | These comments relate to waterfowl seasons set at the August Fish and Wildlife Commission meeting. These seasons are not addressed in the small game rule. |
| Has consideration ever been given to allowing the use of airguns for the hunting of small game? | This has not been a significant issue during public outreach and subsequent public meetings. |
| My preference for the 2009-2011 hunting seasons is to maintain the status quo. | Thank you for your comment. |

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

## 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 |
|---|---|
| **Turkeys** | |
| To address the turkey population issue, add a turkey tag to the big game combination license and let those hunters hunt turkeys during their season. | License changes such as this must be done by the Legislature, not the Fish and Wildlife Commission.<br><br>Current proposals for fall turkey hunting opportunity should adequately address population issues without adding tags to combination licenses. Also, current regulations only allow shotgun, archery, or falconry hunting for turkeys, so including a turkey tag with a big game combination license could create an unsafe hunting environment by encouraging the use of rifles. |
| In northeastern Washington, I would like to see turkey hunting be either sex. | The proposed late fall season is either sex. Early fall season targets female turkeys as a way to impact population productivity while minimizing the impact on spring hunting for male turkeys. |

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

### Agenda Item 23

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

| COMMENTS | AGENCY RESPONSE |
|---|---|
| **Coyotes** | |
| I am not aware of anyone who uses dogs to hunt coyotes. It is a non-issue. We don't need more regulations. | The recommendation is based on input from the public via the Washington State Legislature. The recommendation is not based on the biological status of coyotes. The Department is bringing this issue before the Commission because they have been authorized by the Legislature to address hunting issues. |
| More people are beginning to hunt coyotes with dogs. Don't restrict it. | |

# 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

**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

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

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

**Reasons supporting proposal:**
See Attachment A

**Statutory authority for adoption:** 77.12.047; 77.12.020; 77.12.570; 77.12.210; 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:

**DATE**
January 21, 2009

**NAME**
Lori Preuss

**SIGNATURE** Lorna M Preuss

**TITLE**
Rules Coordinator

24

**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**

(COMPLETE REVERSE SIDE)

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**
None

**Name of proponent:** (person or organization)
Washington 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.