

12. RECREATIONAL LICENSE DEALER'S FEES FOR MIGRATORY BIRD HUNTING – RULE BRIEFING AND PUBLIC HEARING

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"GREEN SHEET"

Meeting: June 5-6, 2009

Agenda Item 12: Recreational License Dealer's Fees for Migratory Bird Hunting – Rule Briefing and Public Hearing

Prepared By: Don Kraege

Presented By: Don Kraege, Waterfowl Section Manager, Wildlife Program

Background:

Department staff will brief the Commission on proposed amendments to WAC 220-55-115 Recreational license dealer's fees.

The Wildlife Program has issued annual hunting authorizations and harvest reports for brant, snow goose, sea duck, band-tailed pigeon, and southwest Washington goose hunting for many years. The authorizations and reports are necessary to obtain accurate harvest information for these species, which are not adequately surveyed by a general mail hunter questionnaire survey. Data from the reports are used to evaluate harvest rates, which are part of harvest management strategies developed for these species. In the case of southwest Washington goose authorizations, harvest reports and check stations are mandatory for continuation of this season. Annual costs for mailing and staff time associated with the hunter authorization program are estimated at about \$20,000. To significantly reduce these costs, the Wildlife Program has been working with the Licensing Division to incorporate hunting authorizations and harvest reports as documents issued at license vendors via the WILD system. These reports will be similar to existing sturgeon, crab, and salmon sport catch record cards issued through WILD. Staff from Wildlife and Licensing are currently working with Outdoor Central to include these products for 2009. This amendment will allow license dealers to collect a \$0.50 fee for each authorization document issued.

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

Reduce agency costs by allowing license dealers to collect a \$0.50 fee for each migratory bird hunting authorization document issued.

Public involvement process used and what you learned:

These proposed recommendations were sent to approximately 450 organizations and individuals in April for their review and consideration. These organizations and individuals were also informed of the opportunity to provide public testimony at the June Commission meeting in Olympia.

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

Take public comment. The Commission will consider adoption at its July 10-11, 2009 meeting in Olympia.

Draft motion language:

N/A

Justification for Commission action:

N/A

Communications plan:

- News Release
 - Hunting Pamphlets
 - WDFW Website
-

WAC 220-55-115 Recreational license dealer's fees.

License dealers may charge a license issuance fee as follows:

(1) Two dollars for the issuance of any of the following fishing licenses:

- (a) A combination license.
- (b) A saltwater license.
- (c) A freshwater license.
- (d) A two-day temporary fishing license.
- (e) A family fishing weekend license.
- (f) A shellfish and seaweed license.
- (g) A razor clam license.

(2) Two dollars for the issuance of any of the following hunting licenses:

- (a) A big game combination license.
- (b) A small game license.
- (c) A three-consecutive day small game license.

(3) Two dollars for the issuance of a fish and wildlife lands vehicle use permit when issued separately from an annual freshwater, saltwater or combination fishing license, or separately from an annual small game hunting license, big game combination license, or trapping license.

(4) Notwithstanding the provisions of this section, if any two or more licenses are issued at the same time, or the fish and wildlife lands vehicle use permit is issued with any recreational license, the license issuance fee for the document is two dollars.

(5) Fifty cents for the issuance of any of the following:

(a) A deer, elk, bear, cougar, mountain goat, mountain sheep, moose, or turkey transport tag.

(b) A state of Washington migratory bird stamp.

(c) A Western Washington pheasant permit.

(d) An application for a special permit hunt.

(e) A migratory bird hunting authorization (including harvest report card).

[Statutory Authority: RCW 77.12.047. 04-17-097 (Order 04-216), § 220-55-115, filed 8/17/04, effective 9/17/04; 01-10-030 (Order 01-62), § 220-55-115, filed 4/24/01, effective 5/25/01.

Statutory Authority: RCW 77.32.050. 00-11-178 (Order 00-80), § 220-55-115, filed 5/24/00, effective 6/24/00. Statutory

Authority: SB 5020 and RCW 75.08.090. 99-17-095 (Order 99-129), § 220-55-115, filed 8/17/99, effective 9/17/99. Statutory

Authority: 1998 c 191 and RCW 75.08.080. 99-03-029 (Order 99-02), § 220-55-115, filed 1/13/99, effective 2/13/99. Statutory

Authority: RCW 75.08.080. 94-01-001, § 220-55-115, filed 12/1/93, effective 1/1/94; 89-07-071 (Order 89-05), § 220-55-115, filed 3/20/89; 88-05-002 (Order 88-03), § 220-55-115, filed 2/4/88; 80-03-064 (Order 80-12), § 220-55-115, filed 2/27/80, effective 4/1/80. Formerly WAC 220-105-047.]



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 09-06-044; 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)
 WAC 232-28-285 2010 Pilot cougar hunting seasons with the aid of dogs
 WAC 220-55-115 Recreational license dealer's fees

Hearing location(s):
 Natural Resources Building, Rm 172
 1111 Washington Street SE
 Olympia, WA 98501
 (360) 902-2515

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, May 15, 2009

Date: June 5-6, 2009 Time: 8:00 am

Assistance for persons with disabilities:

Date of intended adoption: July 10-11, 2009
 (Note: This is NOT the effective date)

Contact: Susan Yeager by June 4, 2009

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

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

WAC 232-28-285

The amendment establishes pilot cougar hunting with the aid of dogs for 2010 in Chelan, Okanogan, Ferry, Stevens, Pend Oreille, and Klickitat Counties, plus other Washington counties that meet opt-in requirements from ESHB 2438. The proposed changes to the existing rule include: 1) Allowing anyone to apply for participation in the hunt, not just people that own dogs; 2) Conduct a second drawing (if needed) from all unselected applicants, not just residents of a participating counties; 3) Change permit season to January 5 to March 15, 2010; and 4) Routine calendar date changes. This filing serves as a public notice that other counties may request inclusion in the pilot cougar program up until rule action by the Fish and Wildlife Commission in July 2009. Columbia County has expressed interest in participating in the pilot cougar program, but they have not officially request inclusion in the program at the date of is filing. The anticipated effects of the pilot cougar hunt are stable cougar populations and maintaining the current low level of human-cougar interactions.

WAC 220-55-115

The amendment would allow license dealers to charge \$0.50 for issuing a migratory bird hunting authorizations (including harvest report).

Reasons supporting proposal:

WAC 232-28-285

This change is necessary to implement ESHB 2438 to test the use of dogs to enhance public safety and better manage cougar populations and to maintain sustainable cougar populations while maximizing recreational opportunities and enhancing public safety.

WAC 220-55-115

This change is necessary to add migratory bird hunting authorizations to the list of documents issued by the WILD licensing system. The authorizations are currently issued by agency personnel, and this change will save staff and mailing costs.

Statutory authority for adoption: 77.12.047; 77.12.020;
 77.12.570; 77.12.210; 77.12.040; 77.12.010

Statute being implemented: 77.12.047; 77.12.020; 77.12.570;
 77.12.210; 77.12.040; 77.12.010

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: April 22, 2009

TIME: 11:27 AM

WSR 09-09-133

DATE
April 22, 2009

NAME
Lori Preuss

SIGNATURE

TITLE
Rules Coordinator

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None

Name of proponent: (person or organization)

Washington 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.