

## **“GREEN SHEET”**

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**Meeting:** August 7-8, 2009

**Agenda Item 11:** Migratory Waterfowl Regulations – **Rule Briefing, Public Hearing, and Rule Action**

**Prepared By:** Don Kraege

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

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### **Background:**

Department staff will brief the Commission on a proposed new section to WAC 232-28-433 2009-10 Migratory waterfowl seasons and regulations and proposed amendments to WAC 232-16-050 Byron Game Reserve, and will request the repeal of WAC 232-28-432 2008-09 Migratory waterfowl seasons and regulations.

The U.S. Fish and Wildlife Service (USFWS) and flyway organizations continue to endorse the use of Adaptive Harvest Management (AHM) to establish duck season frameworks. AHM utilizes annual survey information and population models to prescribe optimal regulations packages each year. This year, the Pacific Flyway Council recommended that the population of ducks in the western part of North America be managed separately from the eastern flyways, as part of new models developed for western mallard AHM. Western mallard AHM relies on breeding surveys and other information from western areas, rather than the Canadian prairies. The season packages proposed for western mallard AHM are the same as developed under mid-continent mallard AHM (liberal, moderate, and restrictive), although different models will be used to prescribe annual packages. Western mallard AHM will result in a higher frequency of liberal season packages for the Pacific Flyway. The 2009 western mallard breeding population index prescribes continuation of a 107-day season framework for 2009-10.

Certain species of ducks, including pintail, canvasback, and scaup, have received additional nationwide management emphasis due to population trends and status. These species have independent population models and harvest strategies developed cooperatively with USFWS. The new scaup harvest strategy prescribes more conservative scaup regulations based on long-term population declines and sustainable harvest levels. Higher breeding populations for these species in 2009 have allowed increased bag limits in the proposed rule.

Washington Department of Fish and Wildlife has improved monitoring of Puget Sound sea duck populations (e.g. scoter, harlequin, long-tailed duck) as part of the Puget Sound Assessment and Monitoring Program (PSAMP) since 1993. Long-term declines in wintering numbers of scoters have led to more conservative regulations in Washington than those allowed by federal frameworks, and we have initiated new management studies and improved harvest monitoring programs. As presented to the Commission in 2007, an evaluation of scoter harvest management indicated that current overall harvest rates in Puget Sound were within sustainable levels. At that time, the Department proposed additional banding and monitoring of scoters over a three year period, with an evaluation report planned for presentation at the August 2010 Commission meeting.

The snow goose population breeding on Wrangel Island, Russia, has increased significantly over the past ten years. Wrangel Island surveys indicate exceptionally high production of goslings in 2009. Most of these birds winter on the Skagit and Fraser Deltas. The current recommendation continues several elements initiated over the past three years to promote hunter ethics principles and provide a hunter access program on private lands. The hunter access program is proposed for restructuring to provide fewer drawing dates for specific hunt units, and more hunt units with limited entry, Feel Free to Hunt and Register to Hunt.

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The Wildlife Program has issued annual hunting authorizations and harvest reports for brant, snow goose, sea duck, 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 general mail hunter questionnaire survey. 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.

The Byron Game Reserve near Grandview was established in 1960 to improve waterfowl distribution in the Yakima Valley. Last year, an error was noted in the boundary description, which contained an obsolete road designation. The amendment of this rule provides the current road designation to correct the boundary description.

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

- Establishing waterfowl hunting seasons within frameworks established by the U.S. Fish and Wildlife Service, including the continuation of a 107-day season for ducks and more conservative regulations for scaup.
  - Continuing measures implemented in 2006-07 to reduce snow goose hunter trespass and safety issues on Fir Island near Mount Vernon by prohibiting snow goose hunting within 100 feet of public roads, increasing penalties for noncompliance, and improving hunter access.
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**Public involvement process used and what you learned:**

These proposed recommendations were mailed to approximately 450 organizations and individuals in July for their review and consideration. These organizations and individuals were also informed of the opportunity to provide public testimony at the August Commission meeting in Colville. In addition, these proposed recommendations were presented to the Waterfowl Advisory Group on August 1, 2009.

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

The Commission will take public input and adopt, amend, repeal, or reject these WACs as presented.

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**Draft motion language:**

I move to adopt WAC 232-28-433 2009-10 Migratory waterfowl seasons and regulations; repeal WAC 232-28-432 2008-09 Migratory waterfowl seasons and regulations; and amend WAC 232-16-050 Byron Game Reserve, as proposed.

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**Justification for Commission action:**

The proposed Commission action will provide hunting recreation and damage control consistent with the status of waterfowl species.

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**Communications plan:**

- News Release
  - Hunting Pamphlets
  - WDFW Website
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NEW SECTION

**WAC 232-28-433 2009-10 Migratory waterfowl seasons and regulations.**

**DUCKS**

**Statewide**

Oct. 17-21, 2009 and Oct. 24, 2009 - Jan. 31, 2010; except scaup season closed Oct. 17 - Nov. 6.

Special youth hunting weekend open only to hunters 15 years of age or under (must be accompanied by an adult at least 18 years old who is not hunting): Sept. 26-27, 2009.

Daily bag limit: 7 ducks, to include not more than 2 hen mallard, ~~1-2~~2 pintail, ~~2-3~~3 scaup, 1 canvasback, 2 redhead, 1 harlequin, 4 scoter, and 4 long-tailed duck.

Possession limit: 14 ducks, to include not more than 4 hen mallard, ~~2-4~~4 pintail, ~~4-6~~6 scaup, 2 canvasback, 4 redhead, 1 harlequin, 8 scoter, and 8 long-tailed duck.

Season limit: 1 harlequin.

**AUTHORIZATION REQUIRED TO HUNT SEA DUCKS.**

When hunting sea ducks (harlequin, scoter, long-tailed duck) in Western Washington, all persons are required to possess a sea duck hunting authorization and harvest report ~~issued from any~~

~~WDFW license vendor.~~ Hunters who did not possess a 2008-09 authorization must submit an application form to WDFW (forms available on-line and at Washington department of fish and wildlife, Olympia and regional offices).

Immediately after taking a sea duck into possession, hunters must record in ink the information required on the harvest report. ~~By February 15, 2010, hunters must report harvest information on the department's internet or phone reporting systems.~~ Hunters must report harvest information by February 15, 2010. Hunters failing to comply with reporting requirements will be ineligible to participate in the 2010-11 sea duck season.

**COOT (Mudhen)**

Same areas, dates (including youth hunting weekend), and shooting hours as the general duck season.

Daily bag limit: 25 coots.

Possession limit: 25 coots.

**SNIPE**

Same areas, dates (except youth hunting weekend), and shooting hours as the general duck season.

Daily bag limit: 8 snipe.

Possession limit: 16 snipe.

**GEESE (except Brant)**

Special youth hunting weekend open only to hunters 15 years of age or under (must be accompanied by an adult at least 18 years

old who is not hunting): Sept. 26-27, 2009, statewide except Western Washington Goose Management Areas 2A and 2B.

Daily bag limit: 4 Canada geese.

Possession limit: 8 Canada geese.

## **Western Washington Goose Seasons**

### **Goose Management Area 1**

Island, Skagit, Snohomish counties.

Oct. 17, 2009 - Jan. 31, 2010 for snow, Ross', or blue geese.

Oct. 17-29, 2009 and Nov. 7, 2009 - Jan. 31, 2010 for other geese (except Brant).

Daily bag limit: 4 geese.

Possession limit: 8 geese.

### **AUTHORIZATION REQUIRED TO HUNT SNOW GEESE.**

When hunting snow geese in Goose Management Area 1, all persons are required to possess a snow goose hunting authorization and harvest report ~~issued from any WDFW license vendor~~. Hunters who did not possess a 2008-09 authorization must submit an application form to WDFW (forms available on-line and at Washington department of fish and wildlife, Olympia and regional offices).

Immediately after taking a snow goose into possession, hunters must record in ink the information required on the harvest report. ~~By February 15, 2010, hunters must report harvest information on the department's internet or phone reporting systems.~~ Hunters must report harvest information by February

15, 2010. Hunters failing to comply with reporting requirements will be ineligible to participate in the 2010-11 snow goose season.

It is unlawful to discharge a firearm for the purpose of hunting waterfowl within 100 feet of any paved public road on Fir Island in Skagit County. While hunting snow geese on Fir Island, if a hunter is convicted of 1) trespass, 2) shooting from, across, or along the maintained part of any public highway, 3) discharging a firearm for the purpose of hunting waterfowl within 100 feet of any paved public road on Fir Island in Skagit County, or 4) exceeding the daily bag limit for snow geese, authorization will be invalidated for the remainder of the 2009-10 snow goose season and an authorization will not be issued for the 2010-11 snow goose season.

**QUALITY HUNTING PROGRAM IN GOOSE MANAGEMENT AREA 1.**

Hunters possessing a snow goose hunting authorization for Goose Management Area 1 can apply for a special quality hunt authorization to access private lands around Fir Island. Hunters must apply for these special authorizations by October 2, 2009, using the department's internet or mail application systems. Private lands enrolled in the program are only open to hunters with quality hunt authorizations. Most program lands are open as Feel Free to Hunt or Register to Hunt. All hunters must hunt over decoys and obey posted signs regarding access restrictions. Quality hunt authorizations are not valid for commercial uses.

On ~~January 2, 9, 16, 23, and 30, 2010, several specially selected~~ each Saturday during the season, all units in the program will be open only to hunters selected in random drawings for each hunt day. Hunters will be assigned at random to units ~~selected~~ for each hunt day. ~~Drawings will be held in late November, and successful applicants will be notified in early December regarding their selected hunt day.~~ On these hunt days, up to 3 individuals possessing snow goose authorizations can hunt with the successful applicant. Successful applicants must check in with the WDFW hunt coordinator at least one week prior to their scheduled hunting day to receive specific hunting unit information.

#### **Goose Management Area 2A**

Cowlitz and Wahkiakum counties, and that part of Clark County north of the Washougal River.

Open in all areas except Ridgefield NWR from 8 a.m. to 4:00 p.m., Saturdays, Sundays, and Wednesdays only, Nov. 14-29, 2009 and Dec. 9, 2009 - Jan. 31, 2010, except closed Dec. 25, 2009 and Jan. 1, 2010. Ridgefield NWR open from 8 a.m. to 4:00 p.m. Tuesdays, Thursdays, and Saturdays only, Nov. 19-28, 2009 and Dec. 10, 2009 - Jan. 31, 2010, except closed Nov. 26.

Bag limits for Goose Management Area 2A:

Daily bag limit: 4 geese, to include not more than 1 dusky Canada goose and 2 cackling geese.

Possession limit: 8 geese, to include not more than 1 dusky Canada goose and 4 cackling geese.

Season limit: 1 dusky Canada goose.

**Goose Management Area 2B**

Pacific County.

Open from 8 a.m. to 4:00 p.m., Saturdays and Wednesdays only,  
Oct. 17, 2009 - Jan. 16, 2010.

Bag limits for Goose Management Area 2B:

Daily bag limit: 4 geese, to include not more than 1 dusky  
Canada goose, 1 Aleutian goose, and 2 cackling geese.

Possession limit: 8 geese, to include not more than 1 dusky  
Canada goose, 2 Aleutian geese, and 4 cackling geese.

Season limit: 1 dusky Canada goose.

**Special Provisions for Goose Management Areas 2A and 2B:**

A dusky Canada goose is defined as a dark-breasted (as shown in  
the Munsell color chart 10 YR, 5 or less) Canada goose with a  
culmen (bill) length of 40-50 mm. A cackling goose is defined  
as a goose with a culmen (bill) length of 32 mm or less.

The goose season for Goose Management Areas 2A and 2B will be  
closed early if dusky Canada goose harvests exceed area quotas  
which collectively total 40 geese. The fish and wildlife  
commission has authorized the director to implement emergency  
area closures in accordance with the following quotas: A total  
of 40 duskys, to be distributed ~~10~~5 for Zone 1 (Ridgefield  
NWR); 5 for Zone 2 (Cowlitz County south of the Kalama River);  
~~15~~18 for Zone 3 (Clark County except Ridgefield NWR); ~~5~~7 for  
Zone 4 (Cowlitz County north of the Kalama River and Wahkiakum

County); and 5 for Zone 5 (Pacific County). Quotas may be shifted to other zones during the season to optimize use of the statewide quota and minimize depredation.

Hunting is only permitted by authorization, available at any WDFW license vendor to hunters who have met requirements for participation. New hunters and those who did not maintain a valid 2008-09 authorization must review goose identification training materials and score a minimum of 80% on a goose identification test to receive authorization. Hunters who fail a test must wait 28 days before retesting, and will not be issued a reciprocal authorization until that time.

With authorization, hunters will receive a harvest report. Hunters must carry the authorization card and harvest report while hunting. Immediately after taking any goose into possession, hunters must record in ink the information required on the harvest report. Hunters must go directly to the nearest check station and have geese tagged when leaving a hunt site, before 6:00 p.m. If a hunter takes the season bag limit of one dusky Canada goose or does not comply with requirements listed above regarding checking of birds and recording harvest on the harvest report, authorization will be invalidated and the hunter will not be able to hunt geese in Goose Management Areas 2A and 2B for the remainder of the season and the special late goose season. It is unlawful to fail to comply with all provisions listed above for Goose Management Areas 2A and 2B.

**Special Late Goose Season for Goose Management Area 2A:**

Open to Washington department of fish and wildlife master hunter program graduates and youth hunters (15 years of age or under, who are accompanied by a master hunter) possessing a valid 2009-10 southwest Washington goose hunting authorization, in areas with goose damage in Goose Management Area 2A on the following days, from 7:00 a.m. to 4:00 p.m.:

Saturdays and Wednesdays only, Feb. 6 - Mar. 10, 2010.

Daily bag limit: 4 geese, to include not more than 1 dusky Canada goose and 2 cackling geese.

Possession limit: 8 geese, to include not more than 1 dusky Canada goose and 4 cackling geese.

Season limit: 1 dusky Canada goose.

A dusky Canada goose is defined as a dark-breasted Canada goose (as shown in the Munsell color chart 10 YR, 5 or less) with a culmen (bill) length of 40-50 mm. A cackling goose is defined as a goose with a culmen (bill) length of 32 mm or less.

Hunters qualifying for the season will be placed on a list for participation in this hunt. Washington department of fish and wildlife will assist landowners with contacting qualified hunters to participate in damage control hunts on specific lands incurring goose damage. Participation in this hunt will depend on the level of damage experienced by landowners. The special late goose season will be closed by emergency action if the harvest of dusky Canada geese exceeds ~~85~~45 for the regular and late seasons. All provisions listed above for Goose Management

Area 2A regarding authorization, harvest reporting, and checking requirements also apply to the special late season; except hunters must confirm their participation at least 24 hours in advance by calling the goose hunting hotline (listed on hunting authorization), and hunters must check out by 5:00 p.m. on each hunt day regardless of success. It is unlawful to fail to comply with all provisions listed above for the special late season in Goose Management Area 2A.

### **Goose Management Area 3**

Includes all parts of Western Washington not included in Goose Management Areas 1, 2A, and 2B.

Oct. 17-29, 2009 and Nov. 7, 2009 - Jan. 31, 2010.

Daily bag limit: 4 geese.

Possession limit: 8 geese.

### **Eastern Washington Goose Seasons**

#### **Goose Management Area 4**

Adams, Benton, Chelan, Douglas, Franklin, Grant, Kittitas, Lincoln, Okanogan, Spokane, and Walla Walla counties.

Saturdays, Sundays, and Wednesdays only during Oct. 17, 2009 - Jan. 24, 2010; Nov. 11, 26, and 27, 2009; Dec. 25, 28, 29, and 31, 2009; January 1, 2010; and every day Jan. 25-31, 2010.

#### **Goose Management Area 5**

Includes all parts of Eastern Washington not included in Goose Management Area 4.

Oct. 17-21, 2009, every day from Oct. 24, 2009 - Jan. 31, 2010.

Bag limits for all Eastern Washington Goose Management Areas:

Daily bag limit: 4 geese.

Possession limit: 8 geese.

**BRANT**

Open in Skagit County only on the following dates:

Jan. 16, 17, 20, 23, 24, 27, 30, and 31, 2010.

If the 2009-10 preseason brant population in Skagit County is below 6,000 (as determined by the early January survey), the brant season in Skagit County will be canceled.

Open in Pacific County only on the following dates:

Jan. 9, 10, 12, 14, 16, 17, 19, 21, 23, and 24, 2010.

**AUTHORIZATION REQUIRED TO HUNT BRANT**

All persons hunting brant in this season are required to possess a brant hunting authorization and harvest report ~~issued from any WDFW license vendor~~. Hunters who did not possess a 2008-09 authorization must submit an application form to WDFW (forms available on-line and at Washington department of fish and wildlife, Olympia and regional offices).

Immediately after taking a brant into possession, hunters must record in ink the information required on the harvest report.

~~By February 15, 2010, hunters must report harvest information on the department's internet or phone reporting systems.~~ Hunters must report harvest information by February 15, 2010. Hunters

failing to comply with reporting requirements will be ineligible to participate in the 2010-11 brant season.

Bag limits for Skagit and Pacific counties:

Daily bag limit: 2 brant.

Possession limit: 4 brant.

**SWANS**

Season closed statewide.

**FALCONRY SEASONS**

**DUCKS, COOTS, AND SNIPE (Falconry)**

(Bag limits include geese and mourning doves.)

Oct. 17-21, 2009 and Oct. 24, 2009 - Jan. 31, 2010 statewide.

Daily bag limit: 3, straight or mixed bag with geese and mourning doves during established seasons.

Possession limit: 6, straight or mixed bag with geese and mourning doves during established seasons.

**GEESE (Falconry)**

(Bag limits include ducks, coot, snipe, and mourning doves.)

Goose Management Area 1: Oct. 17, 2009 - Jan. 31, 2010 for snow, Ross', or blue geese. Oct. 17-29, 2009 and Nov. 7, 2009 - Jan. 31, 2010 for other geese.

Goose Management Area 2A: Saturdays, Sundays, and Wednesdays only, Nov. 14-29, 2009 and Dec. 9, 2009 - Jan. 31, 2010.

Goose Management Area 2B: Saturdays and Wednesdays only, Oct. 17, 2009 - Jan. 17, 2010.

Goose Management Areas 3, 4, and 5: Oct. 17-29, 2009 and Nov. 7, 2009 - Jan. 31, 2010.

Daily bag limit for all areas: 3 geese (except brant), straight or mixed bag with ducks, coots, snipe, and mourning doves during established seasons.

Possession limit for all areas: 6 geese (except brant), straight or mixed bag with ducks, coots, snipe, and mourning doves during established seasons.

## WAC 232-28-433 Migratory Waterfowl Seasons and Regulations

### RECOMMENDED ADJUSTMENTS

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

#### Page 1

- Duck season daily bag / possession limits were increased from 1/2 to 2/4 for pintail and 2/4 to 3/6 for scaup because of higher breeding populations for these species and additional harvest opportunity allowed by U.S. Fish and Wildlife Service.

#### Page 1-4, 10

- Hunting authorization requirements for sea duck, snow goose, and brant were changed to delete references to methods of issuance and reporting. This change will allow more flexibility as a contingency for any problems with incorporation of these authorizations into the WILD system prior to the 2009 season.

#### Page 5

- Dates for drawings in the Quality Hunting Program in Goose Management Area 1 were expanded from 5 dates to every Saturday during the season, and expanded to all units in the program to decrease potential confusion and allow additional opportunity for hunters from other parts of the state.

#### Page 6

- Dusky goose quotas were reduced from 10 to 5 at Ridgefield NWR, increased from 15 to 18 in Zone 3, and increased from 5 to 7 in Zone 4 to optimize quota distribution for depredation control purposes.

#### Page 8

- Total dusky goose quota listed for the regular and late season was reduced from 85 to 45 for conservation of dusky Canada geese because of recent population declines.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 232-28-432	2008-09 Migratory waterfowl seasons and regulations.
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AMENDATORY SECTION (Amending Order 05-174, filed 8/15/05, effective 9/15/05)

**WAC 232-16-050 Byron Game Reserve.** That part of the Byron Ponds segment of the Sunnyside Wildlife Area (department of fish and wildlife lands) east of the Mabton Pressure Pipeline, legally described as the W.1/2 of Section 12 that is north of (~~U.S.~~) Highway No. (~~410~~) 22 except for the NE1/4 of the SE1/4 of the SW1/4; the NW1/4 of the NW1/4 of the SE1/4 of Section 12; that part of Section 11 east of the Mabton pressure pipeline and north of (~~U.S.~~) Highway No. (~~410~~) 22; and that part of Section 2 that is east of said pipeline; all of the above sections being in Twp. 8N., R.23E.W.M.

[Statutory Authority: RCW 77.12.047. 05-17-098 (Order 05-174), S 232-16-050, filed 8/15/05, effective 9/15/05; Order, filed 7/29/64; Resolution 168, filed 3/21/60.]



# PROPOSED RULE MAKING

## CR-102 (June 2004)

(Implements RCW 34.05.320)  
Do NOT use for expedited rule making

Agency: Department of Fish and Wildlife

<input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 09-10-069; or	<input checked="" type="checkbox"/> Original Notice
<input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____; or	<input type="checkbox"/> Supplemental Notice to WSR _____
<input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4).	<input type="checkbox"/> Continuance of WSR _____

**Title of rule and other identifying information:** (Describe Subject)  
 Amend WAC 232-16-050 Byron Game Reserve  
 Adopt WAC 232-28-433 2009-10 Migratory waterfowl seasons and regulations  
 Repeal WAC 232-28-432 2008-09 Migratory waterfowl seasons and regulations

**Hearing location(s):**  
 Sheriff's Ambulance Training Center  
 425 North Highway  
 Colville, WA 99114  
 (509) 684-8261

Date: August 7-8, 2009 Time: 8:00 am

**Date of intended adoption:** August 7-8, 2009  
 (Note: This is **NOT** the effective date)

**Submit written comments to:**  
 Name: Wildlife Program Commission Meeting Public Comments  
 Address: 600 Capitol Way North, Olympia WA 98501-1091  
 e-mail [Wildthing@dfw.wa.gov](mailto:Wildthing@dfw.wa.gov)  
 fax (360) 902-2162

By: Friday, July 17, 2009

**Assistance for persons with disabilities:**

Contact: Susan Yeager by August 5, 2009

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

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**  
**WAC 232-16-050**

The amendment corrects an error in the boundary description to update a road designation.

**WAC 232-28-433**

The new WAC specifies legal season dates, bag limits, and open areas to hunt waterfowl, coot, and snipe for the 2009-10 hunting season. WAC 232-28-433 replaces WAC 232-28-432.

**Reasons supporting proposal:**

**WAC 232-16-050**

The amendment is necessary to clarify the boundary of the reserve.

**WAC 232-28-433**

Waterfowl seasons and regulations are developed based on cooperative management programs among states of the Pacific Flyway and the U.S. Fish and Wildlife Service, considering population status and other biological parameters. The rule establishes waterfowl seasons and regulations to provide recreational opportunity, control waterfowl damage, and conserve the waterfowl resources of Washington.

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

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

**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:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**DATE**  
 June 26, 2009

**NAME**  
 Lori Preuss

**SIGNATURE**

**TITLE**  
 Rules Coordinator

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
 STATE OF WASHINGTON  
 FILED

DATE: June 26, 2009  
 TIME: 3:07 PM

**WSR 09-14-057**

(COMPLETE REVERSE SIDE)

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

None

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

Washington Department of Fish and Wildlife

- Private
- Public
- Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... 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**

**Title of rule and other identifying information:** (Describe Subject)

WAC 232-28-433 2009-10 Migratory Waterfowl Seasons and Regulations.

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

The new WAC specifies legal season dates, bag limits, and open areas to hunt waterfowl, coot, and snipe for the 2009-10 hunting season.

**Reasons supporting proposal:**

Waterfowl seasons and regulations are developed based on cooperative management programs among states of the Pacific Flyway and the U.S. Fish and Wildlife Service, considering population status and other biological parameters. The rule establishes waterfowl seasons and regulations to provide recreational opportunity, control waterfowl damage, and conserve the waterfowl resources of Washington.

**ATTACHMENT A**

**Title of rule and other identifying information:** (Describe Subject)

WAC 232-16-050 Byron Game Reserve.

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

The amendment corrects an error in the boundary description to update a road designation.

**Reasons supporting proposal:**

The amendment is necessary to clarify the boundary of the reserve.