

Supplemental Information

for

Agenda Item 5

*Please replace the entire contents of Agenda Item 5 with
this new information.*

5. BIG GAME AND WILD TURKEY AUCTION, RAFFLE, AND SPECIAL INCENTIVE PERMITS – RULE BRIEFING AND PUBLIC HEARING

TABLE OF CONTENTS

	<u>Page</u>
Decision Page	<i>i</i>
WAC 232-28-283 Big game and wild turkey auction, raffle, and special incentive permits.....	1
Repealer 232-28-282 Big game and wild turkey auction, raffle, and special incentive permits ...	13
Recommended Adjustments to WAC 232-28-283	14
Supplemental Recommended Adjustments to WAC 232-28-283	15
Summary of Written Public Input.....	17
CR-102.....	19

“GREEN SHEET”

Meeting: December 4-5, 2009

Agenda Item 5: Big game and wild turkey auction, raffle, and special incentive permits –
Rule Briefing and Public Hearing

Prepared By: Donny Martorello, Ph.D.

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

Background:

Department staff will brief the Commission on a proposed new section to WAC 232-28-283 Big game and wild turkey auction, raffle, and special incentive permits and will request the repeal of WAC 232-28-282 Big game and wild turkey auction, raffle, and special incentive permits.

The primary objective of the auction-raffle program is to generate revenue for the management of big game animals. Since 1994 the program has generated over 2.3 million dollars. Presently, there are 8 auction permits and 12 raffle permits. Changes to the program are generally made to further enhance revenue potential without significantly impacting other recreational hunting opportunities or the viability of populations. During the 2009 legislative session, the passage of SHB 1778 increased the number of raffles the Fish and Wildlife Commission can authorize from 15 to 30 in an effort to increase our revenue generating potential. To that end, the Department is recommending adding 5 multi-species raffle permits. The proposed raffle permits allow the harvest of 3-5 big game animals in different areas of the state, including:

1. Statewide raffle permit to harvest a black-tailed deer, mule deer, and white-tailed deer
2. Northeast raffle permit to harvest three species out of white-tailed deer, elk, moose, cougar, black bear, and turkey
3. South-central raffle permit to harvest an elk, deer, and California bighorn sheep
4. Southeast raffle permit to harvest four species out of white-tailed deer, mule deer, elk, cougar, and black bear
5. North-central raffle permit to harvest three species out of white-tailed deer, mule deer, California bighorn sheep, cougar, and black bear

The Department is recommending two additional changes; first, specifying that the Rocky Mountain bighorn sheep permit is a raffle permit rather than a “Director authorized auction or raffle” permit, and second, reducing the mountain goat raffle permits from 2 to 1 to prevent from overharvesting a particular goat herd.

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

- Adding five multi-species raffle hunt opportunities.
 - Designating the Rocky Mountain bighorn sheep permit as a raffle permit.
 - Reducing goat raffle permits from 2 to 1.
-

Public involvement process used and what you learned:

These proposed recommendations were mailed to approximately 450 organizations and individuals in October for their review and consideration. These organizations and individuals were also informed of the opportunity to provide public testimony at the December 4-5, 2009 Commission meeting in Olympia. The Department also circulated the draft rule for comment to Game Management Advisory Council (GMAC) members, plus a one-time group of hunting Non-Governmental Organizations (NGO) with representation by Washington Foundation for North American Wild Sheep, Safari Club International, Seattle Sportsmen’s Conservation Foundation, Rocky Mountain Elk Foundation, Mule Deer Foundation, National Wild Turkey Federation, and Inland Northwest Wildlife Council. In addition, the Department hosted a meeting with GMAC members and the NGO group on November 9, 2009 to discuss issues associated with the draft rule.

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

Take public comment. The Commission will consider adoption at its January 8-9, 2010 meeting in Olympia.

Draft motion language:

N/A

Justification for Commission action:

N/A

Communications plan:

WDFW Website

NEW SECTION

WAC 232-28-283 Big game and wild turkey auction, raffle, and special incentive permits.

AUCTION PERMITS

(1) BLACK-TAILED DEER AUCTION PERMIT

Season dates: September 1 - December 31

Hunt Area: Those GMUs open to black-tailed deer hunting EXCEPT GMU 485 and those GMUs closed to black-tailed deer hunting by the fish and wildlife commission.

Weapon type: Any legal weapon.

Bag limit: One additional any buck black-tailed deer.

Number of permit hunters selected: 1

(2) MULE DEER AUCTION PERMIT

Season dates: September 1 - December 31

Hunt Area: Those GMUs open to mule deer hunting EXCEPT those GMUs closed to mule deer hunting by the fish and wildlife commission.

Weapon type: Any legal weapon.

Bag limit: One additional any buck mule deer.

Number of permit hunters selected: 1

(3) WHITE-TAILED DEER AUCTION PERMIT

Season dates: September 1 - December 31

Hunt Area: Those GMUs open to white-tailed deer hunting EXCEPT those GMUs closed to white-tailed deer hunting by the fish and wildlife commission.

Weapon type: Any legal weapon.

Bag limit: One additional any buck white-tailed deer.

Number of permit hunters selected: 1

(4) WESTSIDE ELK AUCTION PERMIT

Season dates: September 1 - December 31

Hunt Area: Western Washington EXCEPT GMU 485, those GMUs closed to elk hunting, and those GMUs not opened to branch antlered bull elk hunting by the fish and wildlife commission.

Weapon type: Any legal weapon.

Bag limit: One additional any bull elk.

Number of permit hunters selected: 1

(5) EASTSIDE ELK AUCTION PERMIT

Season dates: September 1 - December 31

Hunt Area: Eastern Washington EXCEPT GMU 157, those GMUs closed to elk hunting, and those GMUs not opened to branch antlered bull elk hunting by the fish and wildlife commission.

Weapon type: Any legal weapon.

Bag limit: One additional any bull elk.

Number of permit hunters selected: 1

(6) CALIFORNIA BIGHORN SHEEP AUCTION PERMIT

Season dates: September 1 - December 31

Hunt Area: Any open sheep unit with two or more ram permits during the respective license year, EXCEPT sheep units in Walla Walla, Columbia, Garfield, Asotin, or Pend Oreille counties are not open.

Weapon: Any legal weapon.

Bag limit: One California bighorn ram.

Number of permit hunters selected: 1

(7) MOOSE AUCTION PERMIT

Season dates: September 1 - December 31

Hunt Area: Any open moose unit.

Weapon: Any legal weapon.

Bag limit: One moose of either sex.

Number of permit hunters selected: 1

(8) MOUNTAIN GOAT AUCTION PERMIT

Season dates: September 1 - December 31

Hunt Area: Any open goat unit with two or more permits during the respective license year.

Weapon: Any legal weapon.

Bag limit: One mountain goat of either sex.

Number of permit hunters selected: 1

RAFFLE PERMITS

(9) BLACK-TAILED DEER RAFFLE PERMIT

Season dates: September 1 - December 31

Hunt Area: Those GMUs open to black-tailed deer hunting EXCEPT GMU 485 and those GMUs closed to deer hunting by the fish and wildlife commission.

Weapon: Any legal weapon.

Bag limit: One additional any buck black-tailed deer.

Number of permit hunters selected: 1

(10) MULE DEER RAFFLE PERMIT

Season dates: September 1 - December 31

Hunt Area: Those GMUs open to mule deer hunting EXCEPT those GMUs closed to mule deer hunting by the fish and wildlife commission.

Weapon: Any legal weapon.

Bag limit: One additional any buck mule deer.

Number of permit hunters selected: 1

(11) WHITE-TAILED DEER RAFFLE PERMIT

Season dates: September 1 - December 31

Hunt Area: Those GMUs open to white-tailed deer hunting EXCEPT those GMUs closed to white-tailed deer hunting by the fish and wildlife commission.

Weapon: Any legal weapon.

Bag limit: One additional any buck white-tailed deer.

Number of permit hunters selected: 1

(12) WESTSIDE ELK RAFFLE PERMIT

Season dates: September 1 - December 31

Hunt Area: Western Washington EXCEPT GMU 485, those GMUs closed to elk hunting, and those GMUs not open to branch antlered bull elk hunting by the fish and wildlife commission.

Weapon: Any legal weapon.

Bag limit: One additional any bull elk.

Number of permit hunters selected: 1

(13) EASTSIDE ELK RAFFLE PERMIT

Season dates: September 1 - December 31

Hunt Area: Eastern Washington EXCEPT GMU 157, those GMUs closed to elk hunting, and those GMUs not opened to branch antlered bull elk hunting by the fish and wildlife commission.

Weapon: Any legal weapon.

Bag limit: One additional any bull elk.

Number of permit hunters selected: 1

(14) CALIFORNIA BIGHORN SHEEP RAFFLE PERMIT

Season dates: September 1 - December 31

Hunt Area: Any open bighorn sheep unit with two or more ram permits during the respective license year, EXCEPT sheep units in Walla Walla, Columbia, Garfield, Asotin, or Pend Oreille counties are not open.

Weapon: Any legal weapon.

Bag limit: One California bighorn ram.

Number of permit hunters selected: 1

(15) MOOSE RAFFLE PERMIT

Season dates: September 1 - December 31

Hunt Area: Any open moose unit.

Weapon: Any legal weapon.

Bag limit: One moose of either sex.

Number of permit hunters selected: 2

(16) MOUNTAIN GOAT RAFFLE PERMIT

Season dates: September 1 - December 31

Hunt Area: Any open goat unit with two or more permits during the respective license year.

Weapon: Any legal weapon.

Bag limit: One mountain goat of either sex.

Number of permit hunters selected: 1

(17) TURKEY RAFFLE PERMIT

Season dates: April 1 - May 31 and September 1 - December 31

Hunt Area: Statewide.

Weapon: Archery or shotgun only.

Bag limit: Three additional wild turkeys, but not to exceed more than one turkey in Western Washington or two turkeys in Eastern Washington.

Number of permit hunters selected: 1

~~DIRECTOR AUTHORIZED AUCTION OR RAFFLE PERMITS~~

(18) ROCKY MOUNTAIN BIGHORN SHEEP ~~DIRECTOR AUTHORIZED AUCTION OR~~ RAFFLE PERMIT

Bag limit: One Rocky Mountain bighorn ram.

Hunt Area: GMUs 113, 181, 186.

Season dates: September 1 - December 31

Weapon: Any legal weapon.

Number of permit hunters selected: 1

(19) THREE-DEER ~~DIRECTOR AUTHORIZED AUCTION OR~~ RAFFLE PERMIT

Bag limit: One additional any buck black-tailed deer, one additional any buck mule deer, and one additional any buck white-tailed deer; total harvest not to exceed three animals.

Hunt Area: For black-tailed deer, those GMUs open to black-tailed deer hunting EXCEPT GMU 485 and those GMUs closed to deer hunting by the fish and wildlife commission. For mule deer, those GMUs open to mule deer hunting EXCEPT those GMUs closed to mule deer hunting by the fish and wildlife commission. For white-tailed deer, those GMUs open to white-tailed deer hunting EXCEPT those GMUs closed to white-tailed deer hunting by the fish and wildlife commission.

Season dates: September 1 - December 31

Weapon: Any legal weapon.

Number of permit hunters selected: 1

(20) NORTHEAST WASHINGTON BIG GAME ~~DIRECTOR AUTHORIZED AUCTION OR~~ RAFFLE PERMIT

Bag limit: Permit hunter may harvest three of six possible species. Species that may be harvested under this permit include: One additional any buck white-tailed deer, one additional any bull elk, one any bull moose, one additional any legal cougar, one additional any legal black bear, and one additional any legal turkey (gobbler and turkey with visible beard ONLY); total harvest not to exceed three animals.

Hunt Area: GMUs 101-124.

Season dates: September 1 - December 31 for white-tailed deer, elk, and moose. April 15 - May 31 and September 1 - December 31 for black bear. September 1 - March 31 for cougar. April 15 - May 31 for turkey

Weapon: Any legal weapon EXCEPT archery and shotgun only for turkey.

Number of permit hunters selected: 1

(21) SOUTH-CENTRAL WASHINGTON BIG GAME ~~DIRECTOR AUTHORIZED AUCTION OR~~ RAFFLE PERMIT

Bag limit: One additional any bull elk, one additional any buck deer, and one ~~any legal mountain goat~~ California bighorn sheep ram; total harvest not to exceed three animals.

Hunt Area: For elk, any 300 or 500 series GMU EXCEPT those GMUs closed to elk hunting and those GMUs not open to branch antlered bull elk hunting by the fish and wildlife commission. For deer, any 300 or 500 series GMU EXCEPT those GMUs closed to deer hunting by the fish and wildlife commission. For ~~mountain goat~~ California bighorn sheep, those ~~mountain goat~~ bighorn sheep hunt

areas south of Interstate 90 ~~open to goat~~ and west of Interstate 82 open to bighorn sheep hunting by the fish and wildlife commission with two or more permits during the respective license year.

Season dates: September 1 - December 31

Weapon: Any legal weapon.

Number of permit hunters selected: 1

(22) SOUTHEAST WASHINGTON BIG GAME ~~DIRECTOR AUTHORIZED AUCTION OR~~ RAFFLE PERMIT

Bag limit: Permit hunter may harvest four of five possible species. Species that may be harvested under this permit include: One additional any buck white-tailed deer, one additional any buck mule deer, one additional any bull elk, one additional any legal cougar, and one additional any legal black bear; total harvest not to exceed four animals.

Hunt Area: GMUs 139-154 and 162-186.

Season dates: September 1 - December 31 for white-tailed deer, mule deer, and elk. April 15 - June 15 and September 1 - December 31 for black bear. September 1 - March 31 for cougar

Weapon: Any legal weapon.

Number of permit hunters selected: 1

(23) NORTH-CENTRAL WASHINGTON BIG GAME ~~DIRECTOR AUTHORIZED AUCTION OR~~ RAFFLE PERMIT

Bag limit: Permit hunter may harvest three of five possible species. Species that may be harvested under this permit include: One additional any buck white-tailed deer, one additional any buck mule deer, one any ram California bighorn sheep, one additional any legal cougar, and one additional any

legal black bear; total harvest not to exceed three animals.

Hunt Area: For white-tailed deer, mule deer, cougar, and black bear, any 200 series GMU EXCEPT those GMUs closed to deer hunting by the fish and wildlife commission. For California bighorn sheep, those bighorn sheep hunt areas in Chelan or Okanogan counties open to bighorn sheep hunting by the fish and wildlife commission with two or more permits during the respective license year.

Season dates: September 1 - December 31 for white-tailed deer, mule deer, and California bighorn sheep. April 15 - May 15 and September 1 - December 31 for black bear. September 1 - March 31 for cougar

Weapon: Any legal weapon.

Number of permit hunters selected: 1

SPECIAL INCENTIVE PERMITS

(24) WESTERN WASHINGTON ELK INCENTIVE PERMITS

Hunt Area: Western Washington EXCEPT GMUs 418, 485, 522, and those GMUs closed to elk hunting or closed to branch antlered bull elk hunting by the fish and wildlife commission.

Season dates: September 1 - December 31

Weapon: Any legal weapon, EXCEPT must use archery equipment during archery seasons and muzzleloader equipment during muzzleloader seasons.

Bag limit: One additional elk.

Number of permit hunters selected: 2

(25) EASTERN WASHINGTON ELK INCENTIVE PERMITS

Hunt Area: Eastern Washington EXCEPT GMU 157 and those GMUs

closed to elk hunting or closed to branch antlered bull elk hunting by the fish and wildlife commission.

Season dates: September 1 - December 31

Weapon: Any legal weapon, EXCEPT must use archery equipment during archery seasons and muzzleloader equipment during muzzleloader seasons.

Bag limit: One additional elk.

Number of permit hunters selected: 2

(26) DEER INCENTIVE PERMITS.

Hunt Area: Statewide, for use in any area open to general or permit hunting seasons EXCEPT GMUs 157, 418, 485, 522, and those GMUs closed to deer hunting by the fish and wildlife commission.

Season dates: September 1 - December 31

Weapon: Any legal weapon, EXCEPT must use archery equipment during archery seasons and muzzleloader equipment during muzzleloader seasons and any legal weapon at other times if there are no firearm restrictions.

Bag limit: One additional any deer.

Number of permit hunters selected: 5

PERMIT ISSUANCE PROCEDURE

(27) Auction permits: The director will select a conservation organization(s) to conduct annual auction(s). Selection of the conservation organizations will be based on criteria adopted by the Washington department of fish and wildlife. Big game and wild turkey auctions shall be conducted consistent with WAC 232-28-292.

(28) Raffle permits: Raffle permits will be issued to

individuals selected through a Washington department of fish and wildlife drawing or the director may select a conservation organization(s) to conduct annual raffles. Selection of a conservation organization will be based on criteria adopted by the Washington department of fish and wildlife. Big game and wild turkey raffles shall be conducted consistent with WAC 232-28-290.

~~(29) Director authorized big game auction or raffle permits: The director shall determine which method of permit opportunity, auction or raffle, taking into consideration impacts to the wildlife resource, opportunity to the hunting community, other resource management issues, and expected revenue. The director may select a conservation organization(s) to conduct annual auction(s) or raffle(s). Selection of the conservation organization will be based on criteria adopted by the Washington department of fish and wildlife. Big game auctions and raffles shall be conducted consistent with WAC 232-28-292.~~

(~~30~~ 29) Special incentive permits: Hunters will be entered into a drawing for special deer and elk incentive permits for prompt reporting of hunting activity in compliance with WAC 232-28-299.

(~~31~~ 30) For permit hunts where the permittee may harvest multiple species, the permittee must select the species he/she wants to hunt within fourteen days of notification of being selected.

QUALIFICATIONS FOR PARTICIPATION AND REQUIREMENTS:

(~~32~~ 31) Permittee shall contact the appropriate regional office of the department of fish and wildlife when entering the

designated hunt area or entering the region to hunt outside the general season.

(~~33~~ 32) The permittee may be accompanied by others; however, only the permittee is allowed to carry a legal weapon or harvest an animal.

(~~34~~ 33) Any attempt by members of the permittee's party to herd or drive wildlife is prohibited.

(~~35~~ 34) If requested by the department, the permittee is required to direct department officials to the site of the kill.

(~~36~~ 35) The permit is valid during the hunting season dates for the year issued.

(~~37~~ 36) The permittee will present the head and carcass of the bighorn sheep killed to any department office within seventy-two hours of date of kill.

(~~38~~ 37) The permittee must abide by all local, state, and federal regulations including firearm restriction areas and area closures.

(~~39~~ 38) Hunters awarded the special incentive permit will be required to send the appropriate license fee to the department of fish and wildlife headquarters in Olympia. The department will issue the license and transport tag and send it to the special incentive permit winner.

(~~40~~ 39) Permit hunters awarded a cougar permit may only use dogs in GMUs that have a cougar season open to dog use (WAC 232-28-285).

[]

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 232-28-282

Big game and wild turkey auction,
raffle, and special incentive
permits.

WAC 232-28-283 Big game and wild turkey auction, raffle, and special incentive permits

RECOMMENDED ADJUSTMENTS

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

Page 5

Under the mountain goat raffle permit, under the hunt area, add the language: “north of Interstate 90”. This was done to ensure that we didn’t have both mountain goat raffle winners hunting in the same area, which might raise concerns about overharvest in a local area. The language now reads: Any open goat unit north of Interstate 90 with two or more permits during the respective license year.

Page 6

Delete the subheading referring to Director Authorized Auction or Raffle Permits. The permits following this heading are all intended to be raffle permits and the reference to auction was not necessary.

Page’s 6-8

Delete the reference to “Director Authorized Auction Permits” under each of the permits (18 through 23) listed on these pages. The permits are all intended to be raffle permits and the reference to auction was not necessary.

Page 7

Add the term “mountain” before the reference to goat for clarification.

Page 11

Delete the subsection referring to Director authorized big game auction or raffle permits. The conditions and flexibility for deciding whether these permits would be auctioned or raffled is not necessary. This proposal and these permits are all intended to be raffle permits.

WAC 232-28-283 Big game and wild turkey auction, raffle, and special incentive permits

SUPPLEMENTAL RECOMMENDED ADJUSTMENTS

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

Page 5

Change the mountain goat raffle hunt area from:

Hunt Area: Any open goat unit north of interstate 90 with two or more permits during the respective license year

To:

Hunt Area: Any open goat unit with two or more permits during the respective license year.

The original purpose of the recommended change in the goat raffle permit hunt area was to add a raffle goat permit opportunity south of I-90 (embedded in South-central Washington big game raffle permit [see below]) and change the existing goat raffle hunt area to those goat units north of I-90. This supplemental recommended adjustment includes swapping a bighorn sheep raffle for the mountain goat raffle in the South-central Washington big game raffle permit. As such, we are reverting to the status quo hunt area for the mountain goat raffle permit.

Page 7-8

For the South-central Washington big game raffle permit, change the bag limit and hunt area to eliminate mountain goat and replace it with California bighorn sheep, as follows:

Bag limit: One additional any bull elk, one additional any buck deer, and one any legal mountain goat; total harvest not to exceed three animals.

Hunt Area: For elk, any 300 or 500 series GMU EXCEPT those GMUs closed to elk hunting and those GMUs not open to branch antlered bull elk hunting by the fish and wildlife commission. For deer, any 300 or 500 series GMU EXCEPT those GMUs closed to deer hunting by the fish and wildlife commission. For mountain goat, those mountain goat hunt areas south of Interstate 90 open to goat hunting by the fish and wildlife commission with two or more permits during the respective license year.

To:

Bag limit: One additional any bull elk, one additional any buck deer, and one California bighorn sheep ram; total harvest not to exceed three animals.

Hunt Area: For elk, any 300 or 500 series GMU EXCEPT those GMUs closed to elk hunting and those GMUs not open to branch antlered bull elk hunting by the fish and wildlife commission. For deer, any 300 or 500 series GMU EXCEPT those GMUs closed to deer hunting by the fish and wildlife commission. For California bighorn sheep, those bighorn sheep hunt areas south of Interstate 90 and west of Interstate 82 open to bighorn sheep hunting by the fish and wildlife commission with two or more permits during the respective license year.

The purpose of the change is to expand bighorn sheep raffle opportunities rather than mountain goat given the relative population size and status of each species.

SUMMARY OF WRITTEN PUBLIC INPUT

WAC 232-28-283 Big game and wild turkey auction, raffle, and special incentive permits.

COMMENTS	AGENCY RESPONSE
I do not support additional auction permits. It is unethical to allow wealthy hunters the chance to purchase an exclusive hunting permit.	We have changed the language of the rule to make it clear that the new permits would be raffles. We were originally looking to provide flexibility for either auctions or raffles for these opportunities in working with our conservation partners. However, most everyone involved agrees that these permits should be raffled.
Raffles are acceptable if they only allow for the purchase of one entry (ticket) and the cost is not prohibitive.	Only allowing the purchase of one raffle ticket per person could result in a significant reduction of revenue, which the Department does not support. The gambling commission caps raffle ticket prices at \$25. The Department has not increased the price of a raffle ticket for many years. However, the 2009 Legislature provided a 10% surcharge on all licensing documents that will be implemented this year. At this point, the cost of a big game raffle ticket will be \$5.90 in 2010.
I support bighorn sheep raffles, but want the money raised, to be invested in bighorn sheep.	The 2009 Legislature changed the language in the law governing raffles and auctions to allow greater flexibility for funding management of all game species. However, several individuals and organizations have expressed concern about keeping the funds raised through auctions and raffles for a particular species dedicated to that species. Therefore the Department will recommend a rule change to require spending funds raised through single species raffles and auctions be spent on those species and revenue from multi-species raffles be available for supporting game management projects. This rule change is planned for consideration by the Commission in early 2010.
I oppose increasing the number of raffle and auction permits. I believe this takes opportunities away from the average hunter. Only the rich can buy the auction tags and mass raffle tickets where the average hunter cannot compete. If we don't stop it now, it will keep getting bigger.	The number of auction and raffle tickets has been kept to a minimum. There are eight auction permits and fifteen raffle permits (for a total of 37 animals). The special permit drawing (one entry per hunter per category) results in over 7000 permits issued in an average year. The Legislature has capped the number of raffles to 30 animals.
I would like to see fewer permits and greater general seasons and I oppose the 3-pt. regulation for deer.	Using a permit drawing allows greater precision in controlling the number of game animals harvested. The three-point regulation is not under consideration with this rule.
If you have a special raffle permit and the season is open, a hunting partner should be able to carry a weapon and hunt.	This rule would not prevent that from occurring. However, outside of a general season, a raffle or auction permit holder could be accompanied by another person as long as that person was not carrying a legal hunting weapon.

COMMENTS	AGENCY RESPONSE
Any incentive, raffle, or auction tag holder should be able to hunt in any areas open for regular or permit only areas, example GMU 485.	In many cases such as GMU 485 there are agreements with landowners or other government entities that restrict access and/or the number of participants in that area. When there are sufficient other opportunities for these incentive, raffle, or auction permit holders, we generally keep them out of permit only areas.
Rather than offering multiple species permits, why not split the species up, so more individuals can go hunting.	One of the main reasons for the auction and raffle hunts is to generate revenue to fund conservation and management of game animals. From talking to other states, these multi-species raffles seem to be more popular with the ticket buyers.
Is the bighorn sheep population large enough to support these permits? Also, notification for drawing these tags was very late in 2009.	The bighorn sheep and the populations of the other big game species are healthy enough to support these permits. These species are monitored annually with a significant amount of funding coming from the revenue generated by these permits. The winners of the 2009 permits were notified quickly, but the posting of the winners was somewhat delayed waiting for the purchase of licenses, etc.
The Washington Chapter of the Foundation for North American Wild Sheep (WAFNAWS) opposes any expansion of raffle/auction program for several reasons associated with accounting of expenses; designation of funding to the species permit being auctioned or raffled; access to funds; and haste in developing new permits.	The Department is meeting with stakeholders to gather additional information and recommendations for expanding the raffle permits and to address the concerns of WAFNAWS.
The state is just trying to auction off tags because fewer people are buying tags.	The language of the proposed rule change has been modified to ensure that all of the new permits will be raffled.
All special permit hunt drawings should be conducted at the same time. I missed the cougar permit drawings in August.	This is not part of the current WAC proposal, but will be considered for the April Commission meeting and rule development.
As long as it stays as it is with limited number of new permits, I don't have any objection.	Thank you for your support.
This is a step in the right direction for increasing revenue. The whitetail deer population is in bad shape and needs help to recover. There will be fewer licenses purchased.	Thank you for your support.
Keep youth permit levels as high as possible to recruit and keep young hunters. Need to develop hunter education instructor "junior assistant" permits as incentives to help with hunter education.	This is not part of the current WAC proposal, but will be considered for future discussion.
The money from special permit applications goes to wildlife management; instead give a percentage of the money to enforcement.	Currently, the revenue from special permit drawings goes into the wildlife account and is shared by all programs in the agency. The revenue from raffles is dedicated to management of game species. There is a special enforcement account from civil penalties, sale of seized equipment, etc that may only be used for law enforcement.
WDFW should conduct a drawing of all licensed hunters and give ten of these permits to them.	We do have an incentive drawing of four elk and five deer permits for hunters who report their hunting activity on time.



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 09-18-111; 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)

Adopt WAC 232-28-283 Big game and wild turkey auction, raffle, and special incentive permits
Repeal WAC 232-28-282 Big game and wild turkey auction, raffle, and special incentive permits

Hearing location(s):

Natural Resources Building, Room 172
1111 Washington Street SE
Olympia, Washington 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: Monday, November 9, 2009

Date: December 4-5, 2009 Time: 8:00 am

Assistance for persons with disabilities:

Contact: Susan Yeager by December 2, 2009

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

Date of intended adoption: January 8-9, 2010

(Note: This is NOT the effective date)

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

The Department is recommending adding 16 Director-authorized auction or raffle permits for new multiple-species hunts. The special opportunities include various species permit combinations for deer, elk, moose, mountain goat, California bighorn sheep, cougar, black bear, and wild turkey. The anticipated effect is a substantial increase in revenue dedicated to management of game species. The increased permit levels will not impact wildlife populations.

The Department is also recommending reducing goat raffle permits from 2 to 1.

Reasons supporting proposal:

Implement Substitute House Bill 1778 by increasing raffle opportunities for big game and wild turkey, and to generate game management revenue when consistent with the long-term sustainability of wildlife populations.

Statutory authority for adoption: 77.12.047; 77.12.020; 77.12.570; 77.12.210; 77.12.150; 77.12.240

Statute being implemented: 77.12.047; 77.12.020; 77.12.570; 77.12.210; 77.12.150; 77.12.240

Is rule necessary because of a:

- Federal Law? Yes No
 - Federal Court Decision? Yes No
 - State Court Decision? Yes No
- If yes, CITATION:

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: **October 20, 2009**

TIME: **9:41 AM**

WSR 09-21-091

DATE
October 20, 2009

NAME
Lori Preuss

SIGNATURE

LE
ules 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 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.