

**5. ELK GENERAL SEASONS AND SPECIAL PERMIT REGULATIONS –
RULE BRIEFING AND PUBLIC HEARING**

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“GREEN SHEET”

Meeting: April 9-10, 2010

Agenda Item 5: Elk General Seasons and Special Permit Regulations – **Rule Adoption**

Prepared By: Jerry Nelson, Ph.D., Deer and Elk Section Manager, Wildlife Program

Presented By: Dave Ware, Game Division Manager, Wildlife Program

Background:

The Commission will act on proposed rule amendments to WAC 232-28-352 2009-2011 Elk general seasons and definitions, proposed repeal of WAC 232-28-354 2009 Elk special permits, and proposed adoption of WAC 232-28-356 2010 Elk special permits.

- Cow elk survival is not keeping pace with mortality and recruitment in the Yakima elk herd; therefore, there is a need for reduced antlerless harvest in a couple of key GMUs. The proposed change that should provide adequate results while having a minimal impact on archery hunters is in GMUs 352 and 356.
 - An error in the last season setting process opened GMU 330 by mistake. This was addressed as an emergency rule in 2009, but should be made permanent for 2010.
 - GMUs 568, 574, and 578 have had liberal either sex general seasons for elk in the past. There is a need to have the elk harvest in these GMUs more consistent from one year to the next. This structure is more consistent with other seasons in Region 5.
 - The Muckleshoot Tribe has requested that management strategies be modified to allow a herd of 100 elk to persist on and adjacent to their reservation lands. This would require the creation of an elk area and a restriction on antlerless hunting during the general seasons in GMU 652.
 - The new special permit application structure for elk will allow hunters to apply for multiple categories each year including “quality,” “antlerless,” “senior,” “hunters with disabilities,” etc. Hunters will accrue and expend points in each category.
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Policy Issue(s) you are bringing to the Commission for consideration:

- Continue sustainable hunting seasons for elk.
 - Adjust elk general seasons and special permits in response to elk population changes and damage complaints.
 - Offer a new special permit application structure for elk that allows for multiple, distinct categories to be applied for and awarded.
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Public involvement process used and what you learned:

Game Management Advisory Council was briefed on the seasons as well as the new special permits concepts. Notification was mailed to approximately 450 organizations and individuals informing them of the opportunity to provide comments on the proposed regulations.

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

Amend WAC 232-28-352 2009-2011 Elk general seasons and definitions, repeal WAC 232-28-354 2009 Elk special permits, and adopt WAC 232-28-356 2010 Elk special permits.

Draft motion language:

I move to amend WAC 232-28-352, repeal WAC 232-28-354, and adopt WAC 232-28-356 as proposed.

Justification for Commission action:

Provides recreational opportunity for the citizens of Washington, helps reduce wildlife damage to agricultural crops, and protects elk from overharvest.

Communications plan:

- News Release
 - Hunting Pamphlets
 - Website
 - Washington State Register
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AMENDATORY SECTION (Amending Order 09-53, filed 4/15/09, effective 5/16/09)

WAC 232-28-352 2009-2011 Elk general seasons and definitions.

It is unlawful to fail to comply with bag, possession, and season limits except as described below. Violations of this section will be punished under RCW 77.15.410.

Bag Limit: One (1) elk per hunter during the license year, except where otherwise permitted by fish and wildlife commission rule. Any combination of seasons, tags, and permits set by the fish and wildlife commission will not exceed a maximum of two (2) elk per hunter during the license year.

Hunting Method: Elk hunters must select only one of the hunting methods (modern firearm, archery, or muzzleloader).

Elk Tag Areas: Elk hunters must choose either Eastern or Western Washington to hunt in and buy the appropriate tag for that area.

Any Bull Elk Seasons: Open only to the taking of elk with visible antlers (bull calves are illegal).

Antler Point: To qualify as an antler point, the point must be at least one inch long measured on the longest side.

Branch: A branch is defined as any projection off the main antler beam that is at least one inch long, measured on the longest side, and longer than it is wide.

Spike Bull Antler Restrictions: Bull elk taken in spike only GMUs

must have at least one antler with no branches originating more than four inches above where the antler attaches to the skull.

Spike Only GMUs: 145-154, 162-186, 249, and 336-368.

True Spike--Bull Antler Restrictions: Bull elk taken in these units must have both antlers with no branching originating more than four inches above where the antlers attach to the skull. Under the true spike restriction, the taking of an elk that has two points on one side or has antler points within one inch of the definitions regarding length of point, or point of origination, is an infraction under RCW 7.84.030. All other types of violations of the true spike restriction are subject to current penalties and assessments under RCW 77.15.410 and 77.15.420.

True Spike GMUs: 251, 328-335.

3 Point Antler Restrictions: Legal bull elk must have at least 3 antler points on one side with at least 2 antler points above the ear. Eye guards are antler points when they are at least one inch long. Antler restrictions apply to all hunters during any open season.

3 Point GMUs: All of Western Washington except for GMUs 454, 564, 568, 574, 578, 652 for archers, 666, 684, and Elk Area 4941.

Permit Only Units: The following GMUs are closed during general seasons: 157, 371, 418, 485, 522, 524, 556, 621, 636, 653, and Elk Area 3068.

GMUs Closed to Elk Hunting: 437 (except for Elk Area 4941) and 490 ((and 490)).

Elk Tag Areas

Eastern Washington: All 100, 200, and 300 GMUs except permit only for all hunters in GMUs 157 and 371. Modern firearms are restricted in GMU 334.

EA - Eastern Washington Archery Tag

EF - Eastern Washington Modern Firearm General Elk Tag

EM - Eastern Washington Muzzleloader Tag

Western Washington: All 400, 500, and 600 GMUs except closed in GMU 437 (except for Elk Area 4941), 490, and modern firearm restrictions in portions of GMU 660. GMU 554 is open only for early archery and muzzleloader seasons. Elk Area 6064 in GMU 638 (Quinault) is open to master hunters only. Elk hunting by permit only in GMUs 418, 485, 522, 524, 556, 621, and 636.

WA - Western Washington Archery Tag

WF - Western Washington Modern Firearm General Elk Tag

WM - Western Washington Muzzleloader Tag

Modern Firearm General Elk Seasons

License Required: A valid big game hunting license with an elk tag option.

Tag Required: Valid modern firearm elk tag as listed below on his/her person for the area hunted.

Hunting Method: May use modern firearm, bow and arrow, or muzzleloader, but only during modern firearm seasons.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2009 Dates	2010 Dates	2011 Dates	Legal Elk
Eastern Washington	EF	111, 113, 117	Oct. 31 - Nov. 8	Oct. 30 - Nov. 7	Oct. 29 - Nov. 6	Any bull
		145 through 154, 162 through 186, 249, 336 through 368	Oct. 31 - Nov. 8	Oct. 30 - Nov. 7	Oct. 29 - Nov. 6	Spike bull

		251, 328, 329, ((330,)) 334, 335	Oct. 31 - Nov. 8	Oct. 30 - Nov. 7	Oct. 29 - Nov. 6	True spike bull
		Elk Area 3722*	Sept. 9-22	Sept. 8-21	Sept. 6-19	Antlerless <u>only</u>
		101, 105, 108, 121, 124 through 142, 372, 382, 388	Oct. 31 - Nov. 8	Oct. 30 - Nov. 7	Oct. 29 - Nov. 6	Any elk
		<u>Master Hunters</u> <u>Only:</u> 127-142 ((master hunters- only))	Dec. 9-31	Dec. 9-31	Dec. 9-31	Any elk
		203 through 248, 250, 254 through 290, 373, 379, 381	Oct. 31 - Nov. 15	Oct. 30 - Nov. 15	Oct. 29 - Nov. 15	Any elk
		Elk Area 2033	Sept. 8 - Oct. 2	Sept. 7 - Oct. 1	Sept. 6-30	Antlerless only
		<u>Master Hunters</u> <u>Only:</u> 371, Elk Area ((s-3911 and)) 3912 ((master- hunters only))	Aug. 1 - Jan. 20, 2010	Aug. 1 - Jan. 20, 2011	Aug. 1 - Jan. 20, 2012	Antlerless only
		<u>Master Hunters</u> <u>Only:</u> Elk Area 3911**		<u>Aug. 1-Nov.</u> <u>8 - Dec. 31</u>	<u>Aug. 1-Nov. 7 - Dec.</u> <u>31</u>	<u>Antlerless</u> <u>only</u>
		<u>Master Hunters</u> <u>Only:</u> Elk Area 3911** ((master- hunters only-)) 2nd tag	Aug. 1 - Oct. 25	Aug. 1 - Oct. 24 29	Aug. 1 - Oct. 23 28	Antlerless only
		*GMU 372 and Elk Area 3722 are mainly private property, hunters are not advised to try hunting these areas without making prior arrangements for access. **Master Hunters who hunt in Elk Area 3911 may purchase a master hunter, Elk Area 3911, second elk transport tag. <u>Only one (1) elk may be taken from Elk Area 3911.</u> Any legal weapon may be used. Master hunter, Elk Area 3911 second elk transport tags will be valid only for Elk Area 3911 from August 1 - October 25, 2009, August 1 - October 24 29, 2010, and August 1 - October 23 28, 2011. All hunters participating in the Elk Area 3911 hunt must wear hunter orange.				
Western Washington	WF	407, 448, 460, 466, 490, 503, 505 through 520, 530, 550, 560, 568, 572, 574, 578, 601 through 618, 624 (except for Elk Area 6071), 627 through 633, 638 through 652, 654 through 684. Except master hunters only in Elk Area 6064.	Nov. 7-17	Nov. 6-16	Nov. 5-15	3 pt. min.
		501, 504	Nov. 7-17	Nov. 6-16	Nov. 5-15	3 pt. min. or antlerless
		564, ((568, 574- through 578,)) 666	Nov. 7-17	Nov. 6-16	Nov. 5-15	Any elk
		454	Nov. 7-17	Nov. 6-16	Nov. 5-15	Any bull

Archery General Elk Seasons

License Required: A valid big game hunting license with an elk tag option.

Tag Required: Valid archery elk tag as listed below on his/her person for the area hunted.

Hunting Method: Bow and arrow only as defined by WAC 232-12-054.

Special Notes: Archery tag holders can hunt only during archery seasons and must hunt with archery equipment (WAC 232-12-054). Archery elk hunters may apply for special bull permits. Please see permit table for tag eligibility for all elk permits.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2009 Dates	2010 Dates	2011 Dates	Legal Elk
Early Archery General Elk Seasons						
Eastern Washington	EA	101 through 142, 243, 247, 249, 250, 373, 379, 381, 388	Sept. 8-20	Sept. 7-19	Sept. 6-18	Any elk
		((145,) 162, 166 through 172, ((181,) 186, <u>352,</u> 356	Sept. 8-20	Sept. 7-19	Sept. 6-18	Spike bull
		328, 329, 335	Sept. 8-20	Sept. 7-19	Sept. 6-18	True spike bull
		<u>145,</u> 149, 154, Elk Area 1010, Elk Area 1013, 163, 175, 178, ((330,) 181, 334, 336, 340, ((352, 356,) 346, 364	Sept. 8-20	Sept. 7-19	Sept. 6-18	Spike bull or antlerless
Western Washington	WA	454, 564, ((568, 574, 578,) 652, 666	Sept. 8-20	Sept. 7-19	Sept. 6-18	Any elk
		407, 448, 501 through 505, 520, 550, 554, 560, <u>568,</u> 572, <u>574,</u> <u>578,</u> 624, except for Elk Area 6071, Elk Area 6061, 654, 660, 667 through 673, 681, 684, and 699	Sept. 8-20	Sept. 7-19	Sept. 6-18	3 pt. min. or antlerless
		460, 466, 506, 510, 513, 516, 530, 601, 602, 603, 607, 612 through 618, 627, 633, 638 through 648, 651, 658, and 663. Master hunters only in Elk Area 6064.	Sept. 8-20	Sept. 7-19	Sept. 6-18	3 pt. min.
Late Archery General Elk Seasons						
Eastern Washington	EA	101, 105, 108, 117 through 127, 373, 388	Nov. 25 - Dec. 8	Nov. 24-25 - Dec. 8	Nov. 23 - Dec. 8	Any elk
		178	Nov. 25 - Dec. 8	Nov. 24 - Dec. 8	Nov. 23 - Dec. 8	Antlerless only
		<u>Master Hunters Only:</u> 127-142 ((master hunters only)). Must wear hunter orange.	Dec. 9-31	Dec. 9-31	Dec. 9-31	Any elk
		Elk Area 1010, 163	Dec. 9 - Jan. 30	Dec. 9 - Jan. 30	Dec. 9 - Jan. 20, 2009	Antlerless only
		203 through 248, 250, 254 through 290, 379, 381. Must wear hunter orange.	Oct. 31 - Nov. 15	Oct. 30 - Nov. 15	Oct. 29 - Nov. 15	Any elk
		<u>Master Hunters Only:</u> 371, Elk Area((s 3911 and) 3912 ((master hunters only)). Must wear hunter orange.	Aug. 1 - Jan. 20, 2010	Aug. 1 - Jan. 20, 2011	Aug. 1 - Jan. 20, 2012	Antlerless only
		<u>Master Hunters Only Elk Area 3911**.</u> Must wear hunter orange.		<u>Aug. 1 - Dec. 31</u>	<u>Aug. 1 - Dec. 31</u>	<u>Antlerless only</u>

		<u>Master Hunters Only:</u> Elk Area 3911(Master hunters only); ** 2nd tag. Must wear hunter orange.	Aug. 1 - Oct. 25	Aug. 1 - Oct. 24	Aug. 1 - Oct. 23	Antlerless only
		328	Nov. 25 - Dec. 8	Nov. 24 - Dec. 8	Nov. 23 - Dec. 8	True spike bull
		335	Nov. 25 - Dec. 8	Nov. 24 - Dec. 8	Nov. 23 - Dec. 8	True spike bull or antlerless
		336, 346, 352, 364, Elk Area 3681	Nov. 25 - Dec. 8	Nov. 24 - Dec. 8	Nov. 23 - Dec. 8	Spike bull or antlerless
Western Washington	WA	407, 503, 505, 648, 667, 672, 681, and 699. Master hunters only in Elk Area 6064 portion of GMU 638.	Nov. 25 - Dec. 15	Nov. 24 - Dec. 15	Nov. 23 - Dec. 15	3 pt. min. or antlerless
		454, 564, 666	Nov. 25 - Dec. 15	Nov. 24 - Dec. 15	Nov. 23 - Dec. 15	Any elk
		603, 612, 615, 638	Nov. 25 - Dec. 15	Nov. 24 - Dec. 15	Nov. 23 - Dec. 15	3 pt. min.
		506, 520, 530	Nov. 25 - Dec. 7	Nov. 24 - Dec. 7	Nov. 23 - Dec. 7	Antlerless only
		((Elk Area 4944	Nov. 1 - Jan. 20	Nov. 1 - Jan. 20	Nov. 1 - Jan. 20	Any elk))
<p><u>*GMU 372 and Elk Area 3722 are mainly private property. hunters are not advised to try hunting these areas without making prior arrangements for access.</u></p> <p><u>**Master Hunters who hunt in Elk Area 3911 may purchase a master hunter, Elk Area 3911, second elk transport tag. Only one (1) elk may be taken from Elk Area 3911. Any legal weapon may be used. Master hunter, Elk Area 3911 second elk transport tags will be valid only for Elk Area 3911 from August 1 - October 25, 2009, August 1 - October 24, 2010, and August 1 - October 23, 2011. All hunters participating in the Elk Area 3911 hunt must wear hunter orange.</u></p>						

Muzzleloader General Elk Seasons

License Required: A valid big game hunting license with an elk tag option.

Tag Required: Valid muzzleloader elk tag as listed below on his/her person for the area hunted.

Hunting Method: Muzzleloader only as defined by WAC 232-12-051.

Special Notes: Muzzleloader tag holders can only hunt during the muzzleloader seasons and must hunt with muzzleloader equipment. Only hunters with tags identified in the Special Elk Permits tables may apply for special elk permits.

Hunt Area	Elk Tag Area	Game Management Units (GMUs)	2009 Dates	2010 Dates	2011 Dates	Legal Elk
Early Muzzleloader General Elk Seasons						
Eastern Washington	EM	111, 113, 117, 247	Oct. 3-9	Oct. 2-8	Oct. 1-7	Any bull

		101 through 108, 121 through 142, <u>245, 250</u>	Oct. 3-9	Oct. 2-8	Oct. 1-7	Any elk
		172, 245, 336 through 342, 352 through 360, 368	Oct. 3-9	Oct. 2-8	Oct. 1-7	Spike bull
		335, Elk Area 2051	Oct. 3-9	Oct. 2-8	Oct. 1-7	True spike bull
Western Washington	WM	454, 564, (568, 574, 578,) 666, 684	Oct. 3-9	Oct. 2-8	Oct. 1-7	Any elk
		460, 513, 530, 554, <u>568, 574, 578, 602, 603, 607, 627, 633, 638</u> except Elk Area 6064, 642, 660, 663, 672	Oct. 3-9	Oct. 2-8	Oct. 1-7	3 pt. min.
		501, 503, 504, 652, <u>except Elk Area 6013 closed to antlerless, 654, 667</u>	Oct. 3-9	Oct. 2-8	Oct. 1-7	3 pt. min. or antlerless
Late Muzzleloader General Elk Seasons						
Eastern Washington	EM	130 through 142	Nov. 25 - Dec. 8	Nov. 24 - Dec. 8	Nov. 23 - Dec. 8	Any elk
		<u>Master Hunters Only: 127-142 ((master hunters only)). Must wear hunter orange.</u>	Dec. 9-31	Dec. 9-31	Dec. 9-31	Any elk
		203 through 248, 250, 254 through 290, 373, 379, 381. Must wear hunter orange.	Oct. 31 - Nov. 15	Oct. 30 - Nov. 15	Oct. 29 - Nov. 15	Any elk
		<u>Master Hunters Only: 371, Elk Area(s-3911 and) 3912 ((master hunters only)). Must wear hunter orange.</u>	Aug. 1 - Jan. 20	Aug. 1 - Jan. 20	Aug. 1 - Jan. 20	Antlerless only
		<u>Master Hunters Only Elk Area 3911**.</u> Must wear hunter orange.		<u>Aug. 1 - Dec. 31</u>	<u>Aug. 1 - Dec. 31</u>	<u>Antlerless only</u>
		<u>Master Hunters Only: Elk Area 3911* ((master hunters only)) 2nd tag. Must wear hunter orange.</u>	Aug. 1 - Oct. 25	Aug. 1 - Oct. 24	Aug. 1 - Oct. 23	Antlerless only
Western Washington	WM	501, 503, 504, 505, 652 <u>except Elk Area 6013 closed to antlerless.</u>	Nov. 25 - Dec. 8	Nov. 24 - Dec. 8	Nov. 23 - Dec. 8	3 pt. min. or antlerless
		454, 564, (568,) 666, 684	Nov. 25 - Dec. 15	Nov. 24 - Dec. 15	Nov. 23 - Dec. 15	Any elk
		<u>568, 574, 578</u>	Nov. 25-30	Nov. 24-30	Nov. 23-30	<u>((Any elk)) 3 pt. min.</u>
		550, 601, 618, 658, 667	Nov. 25 - Dec. 15	Nov. 24 - Dec. 15	Nov. 23 - Dec. 15	3 pt. min.
		*Master Hunters who hunt in Elk Area 3911 may purchase a master hunter, Elk Area 3911, second elk transport tag. Any legal weapon may be used. <u>Only one (1) elk may be taken from Elk Area 3911.</u> Master hunter, Elk Area 3911 second elk transport tags will be valid only for Elk Area 3911 from August 1 - October 25, 2009, August 1 - October 24, 2010, and August 1 - October 23, 2011. All hunters participating in the Elk Area 3911 hunt must wear hunter orange.				

[Statutory Authority: RCW 77.12.047, 77.12.020, 77.12.570, 77.12.210, 77.12.150, 77.12.240. 09-09-083 (Order 09-53), § 232-28-352, filed 4/15/09, effective 5/16/09. Statutory Authority: RCW 77.12.047, 77.12.020, 77.12.570, 77.12.210. 08-09-090 (Order 08-78), § 232-28-352, filed 4/18/08, effective 5/19/08; 07-11-017 (Order 07-62), § 232-28-352, filed 5/3/07, effective 6/3/07. Statutory Authority: RCW 77.12.047. 06-11-032 (Order 06-92), § 232-28-352, filed 5/8/06, effective 6/8/06; 05-11-024 (Order 05-90), § 232-28-352, filed 5/10/05, effective 6/10/05. Statutory Authority: RCW 77.12.047 and 77.12.020. 04-11-036 (Order 04-98), § 232-28-352, filed 5/12/04, effective 6/12/04. Statutory Authority: RCW 77.12.047. 03-13-047 (Order 03-129), § 232-28-352, filed 6/12/03, effective 7/13/03.]

Recommended Adjustments

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

Page 1

Insert the following language at the beginning of the rule to clarify the penalty for violation: “It is unlawful to fail to comply with bag, possession, and season limits except as described below. Violations of this section will be punished under RCW 77.15.410.”

Page 2

Language should be added to the last sentence in the True Spike – Bull Antler Restrictions section to read: “All other types of violations of the true spike restriction are subject to current penalties and assessments under RCW 77.15.410 and 77.15.420.” This clarifies the penalty for violation.

Pages 2 and 4

Maintain the elk hunting closure in GMU 490. This change allows additional time to negotiate hunter access with the landowner.

Page 4

Under the Master Hunter hunt in Elk Area 3911, there needs to be a split in the season to avoid the modern firearm general season. This change is to better manage damage issues and maintain an orderly hunt on private lands in this unit. The early season dates were modified to end on October 29, 2010 and October 28, 2011 and the later season dates were modified to start on November 8, 2010 and November 7, 2011.

Page 5

Change the beginning season date for the Eastern Washington Late Archery General Elk Season from Nov. 24 to Nov. 25. This change avoids an overlap with the late modern firearm deer permit season.

Under late archery, the 3911 hunt should indicate that it is open to Master Hunters only. This change corrects an error in the earlier versions of the rule.

Page 7

The early general season muzzleloader elk hunt in GMU 245 should have been for any elk; this GMU is outside the area managed for elk.

Under late muzzleloader, all of the hunts in Elk Area 3911 should indicate Master Hunter only. This change corrects an error in the earlier versions of the rule.

SUMMARY OF WRITTEN PUBLIC INPUT

WAC 232-28-352 2009-2011 Elk general seasons and definitions.

COMMENTS	AGENCY RESPONSE
I believe this unit (346) should be kept as a quality hunt. Archery hunts could be done in September before the limited rifle tag.	Disturbance caused by allowing an early archery season in this unit may impact the modern firearm bull permit holders. However, we are recommending eliminating the early archery antlerless hunt in GMUs 352 & 356. To offset the loss, we recommended a spike and antlerless opportunity for early archery in GMU 346.
The early archery season in GMU 352 should not change to spike only. The problem with low calf recruitment will not be resolved with reducing archery harvest of cows during the early archery season.	There may be many factors associated with low calf recruitment and the proportion of calves surviving on an annual basis. However, increased cow survival will likely impact the absolute number of calves surviving each year, and it is the easiest factor for the Department to affect through hunting season changes. It is hard to argue that hunting is not the greatest mortality factor for elk and the easiest factor for the Department to affect.
GMU 490 should remain closed to elk hunting because the watershed is closed to public access to protect the quality of the drinking water for the City of Seattle; access exceptions made to members of the Muckleshoot tribe are because of their treaty rights and the settlement associated with their lawsuit regarding the development of a habitat conservation plan; there are many special considerations and values for wildlife associated with current management of the watershed; and there are questions regarding whether the elk population can sustain harvest under the proposed regulations.	The Department respects and supports the need to protect the drinking water for the City of Seattle. However, the mission for the Department is to protect and manage wildlife and provide associated recreation. The regulations proposed for harvest of three point or better bulls is a conservative season that has been effective for most of western Washington. It is not likely that this regulation would harm the elk population in GMU 490.
I support opening GMU 490 to elk hunting.	Thank you for your support.
The general archery hunting season in Elk Area 4941 needs to be changed to a permit only hunt.	This issue was obviously a very controversial one this past year. We have had a successful general season hunt in this area for many years without the level of harvest and problems experienced in 2008 and 2009. The current proposal is to provide Master Hunter permits with private landowner access based on active elk damage problems.
I do not support opening GMU 346 to antlerless elk hunting during the archery season. This was a good unit to hunt for those archers drawing a bull permit because of the low density of other archery hunters.	We provided this antlerless opportunity to compensate for lost opportunity in other Yakima elk units for archers. This proposal may affect hunter densities, but the tradeoff was lost antlerless opportunity for archers.
We do not support the reduction in archery antlerless hunting opportunity in the early season in GMUs 352 & 356. We do not understand the need to restrict antlerless harvest.	Antlerless harvest opportunities for all users have been gradually restricted in these units due to lower recruitment and excessive harvest of cows. The only remaining way to directly improve survival of cows, was to restrict archery harvest.

<p>How about opening up other Yakima area units to antlerless elk harvest rather than GMU 346. This unit is a very high quality archery hunt, which may be impacted by opening it to antlerless hunting.</p>	<p>The mix of antlerless hunting opportunity varies by availability of animals as well as allocation between the users (modern, muzzleloaders, and archers). At this point, we are not looking to add antlerless harvest in other units.</p>
<p>Wolves have ruined hunting in Idaho; the state of Washington will be next. Hunters don't want wolves; they will result in lost revenue and jobs.</p>	<p>Actually the majority of hunters support wolf re-colonization; however, they do want their numbers managed.</p>
<p>We should reduce the hunting pressure on our elk herds by requiring elk hunters to only hunt or apply for permits on alternate years. In addition, the price of a tag should be \$35 and the price of a permit application should be \$10.</p>	<p>We have discussed the tradeoffs of reducing hunter numbers in the field and the enjoyment of the hunting opportunity. Hunters have consistently said they want to be able to hunt every year and do not support permit only hunting at the expense of general seasons. Tag and permit application prices are set by the Legislature and are generally designed to provide broad participation.</p>
<p>As a landowner in the West Klickitat Unit I am very interest in regulations that can affect my property. I like the idea of eliminating the <u>any elk</u> for the modern and late muzzleloader season in 578. I support going to a draw only for antlerless elk in West Klickitat.</p>	<p>Thank you for your support for this proposal.</p>
<p>I have some concerns for the proposed changes for unit 578 in the 2010 elk seasons. We are elk hunters and also own and operate a cattle ranch in the Glenwood Valley, where there is an over abundance of elk. Our pastures have been trampled full of holes in the early spring when the ground is soft, fences stressed and broken down by continual crossing with grain hay and fall pasture all but ruined.</p> <p>Elk hunting is allowed on our ranch by permission only and we have never charged a hunting fee.</p> <p>It is fine to have 3 point or better on bulls but do not have a draw on antlerless. Make the hunt 3 point or antlerless only.</p> <p>My son and I buy our hunting license and tags every year and do not feel it is fair that we have to take a chance on getting drawn for a cow tag to be able to harvest elk on our own ranch.</p>	<p>As described previously, this recommendation to go to antlerless harvest by permit is designed to address the relatively dramatic fluctuations in antlerless harvest from years with high snow fall. The harvest of resident elk such as your situation is desirable, and there are many ways to address the property damage problems. We encourage you to contact your local enforcement officer to determine what options would best fit your situation.</p>
<p>The Makah Tribe would like to see the late muzzleloader hunt in GMU 601 alternated to other units to improve bull survival in the unit.</p>	<p>We would encourage further cooperative research efforts to determine the need for improving bull survival and negotiations with all parties to effect appropriate harvest management.</p>

SUMMARY OF ORAL PUBLIC INPUT
Testimony from the March 12-13, 2010 Commission Meeting.

WAC 232-28-352 “Elk General Seasons and Definitions”

COMMENTS	AGENCY RESPONSE
Too many cow opportunities in the Lewis River. Archery elk hunting in the Lewis River unit should not allow antlerless general. Muzzleloader cow elk permits should be reduced in the Lewis River unit. The hunting is too easy (<i>censored for public consumption</i>). Antler point restrictions for bulls should be 5 pt. or higher.	The Lewis River unit is one of 14 units that make up the Mount St. Helens herd. We are still trying to reduce the herd and one of the primary tools at our disposal is to harvest reproductive age cows through antlerless opportunity.

NEW SECTION

WAC 232-28-356 2010 Elk special permits.

It is unlawful to fail to comply with bag, possession, and season limits except as described below. Violations of this section will be punished under RCW 77.15.410.

Special Elk Permit Hunting Seasons (Open to Permit Holders Only)

Hunters must purchase an elk hunting license prior to purchase of a permit application. Hunters may only apply for permits consistent with the tag required for the hunt choice; however, Multiple Season Permit holders may apply for Eastern or Western Washington archery, muzzleloader, or modern firearm permit hunts. Applicants must have purchased the proper tag for these hunts. The elk tag prefixes required to apply for each hunt are shown in the following table. Hunters drawn for a special permit hunt must comply with weapon restrictions, dates, and other conditions listed for the hunt.

Quality						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Tumbull	EF	Any	Oct. 26 - Nov. 14	Any bull	Elk Area 1015	1
Prescott	EF	Any	Sept. 21-25	Any bull	GMU 149	1
Prescott	EF	Any	Oct. 25 - Nov. 7	Any bull	GMU 149	2
Blue Creek	EF	Any	Sept. 21-25	Any bull	GMU 154	1
Blue Creek	EF	Any	Oct. 25 - Nov. 7	Any bull	GMU 154	5
Watershed	EA, EF, EM	Any	Oct. 30 - Nov. 7	3 pt. min. or antlerless	GMU 157	45
Dayton A	EF	Any	Oct. 25 - Nov. 7	Any bull	GMU 162	30
Tucannon A	EF	Any	Oct. 25 - Nov. 7	Any bull	GMU 166	8

Wenaha West	EF	Any	Oct. 25 - Nov. 7	Any bull	Elk Area 1008	10
Wenaha East	EF	Any	Oct. 25 - Nov. 7	Any bull	Elk Area 1009	8
Mountain View	EF	Any	Sept. 21-25	Any bull	GMU 172	1
Mountain View	EF	Any	Oct. 25 - Nov. 7	Any bull	GMU 172	10
Lick Creek	EF	Any	Oct. 25 - Nov. 7	Any bull	GMU 175	1
Peola	EF	Any	Sept. 21-25	Any bull	GMU 178	1
Peola	EF	Any	Oct. 25 - Nov. 7	Any bull	GMU 178	4
Couse	EF	Any	Oct. 25 - Nov. 7	Any bull	GMU 181	1
Grande Ronde	EF	Any	Oct. 25 - Nov. 7	Any bull	GMU 186	1
Mission	EF	Any	Sept. 21-25	Any bull	GMU 251	1
Colockum	EF	Any	Oct. 25 - Nov. 7	Any bull	GMUs 328, 329	5
Colockum	EF	Any	Sept. 20-24	Any bull	GMUs 328, 329	1
Teanaway	EF	Any	Sept. 20-24	Any bull	GMU 335	1
Peaches Ridge	EF	Any	Sept. 20-24	Any bull	GMUs 336, 346	1
Observatory	EF	Any	Sept. 20-24	Any bull	GMUs 340, 342	1
Little Naches	EF	Any	Oct. 1-10	Any bull	GMU 346	15
Goose Prairie	EF	Any	Sept. 20-24	Any bull	GMUs 352, 356	1
Bethel	EF	Any	Sept. 20-24	Any bull	GMU 360	1
Rimrock	EF	Any	Sept. 20-24	Any bull	GMU 364	1
Cowiche	EF	Any	Sept. 20-24	Any bull	GMU 368	1
Nooksack	WF	Any	Oct. 9 - Nov. 17	Any bull	GMU 418	4
Wahkiakum	WF	Any	Sept. 20-24	Any bull	GMUs 506, 530	1
Packwood	WF	Any	Sept. 20-24	Any bull	GMU 516	1
Margaret	WF	Any	Sept. 20-24 and Nov. 6-16	Any bull	GMU 524	2
Margaret	WF	Any	Nov. 6-16	Any bull	GMU 524	18
Toutle	WF	Any	Sept. 20-24 and Nov. 6-16	Any bull	GMU 556	2
Toutle	WF	Any	Nov. 6-16	Any bull	GMU 556	131
Lewis River	WF	Any	Sept. 20-30	Any bull	GMU 560	2
Siouxon	WF	Any	Sept. 20-30	Any bull	GMU 572	2
Carlton	WF	Any	Sept. 20-30	Any bull	Elk Area 5057	5
West Goat Rocks	WF	Any	Sept. 20-30	Any bull	Elk Area 5058	5

Mt. Adams	WF	Any	Sept. 20-30	Any bull	Elk Area 5059	5
Mudflow	WF	Any	Nov. 8-14	Any elk	Elk Area 5099	5
Peninsula	WF	Any	Sept. 20-24	3 pt. min.	GMUs 602, 607, 612	1
Clearwater	WF	Any	Oct. 1-11	3 pt. min.	GMU 615	2
Matheny	WF	Any	Oct. 1-11	3 pt. min.	GMU 618	3
Quinalt	WF	Any	Sept. 20-24	3 pt. min.	GMU 638	1
Wynoochee	WF	Any	Oct. 1-11	3 pt. min.	GMU 648	1
Satsop	WF	Any	Oct. 1-11	3 pt. min.	GMU 651	1
White River	WF	Any	Sept. 20-24	Any bull	GMU 653	1
Prescott	EA	Any	Sept. 1-19	Any bull	GMU 149	5
Blue Creek	EA	Any	Sept. 1-19	Any bull	GMU 154	6
Dayton	EA	Any	Sept. 1-19	Any bull	GMU 162	12
Tucannon	EA	Any	Sept. 1-19	Any bull	GMU 166	6
Wenaha West	EA	Any	Sept. 1-19	Any bull	Elk Area 1008	3
Wenaha East	EA	Any	Sept. 1-19	Any bull	Elk Area 1009	3
Mountain View	EA	Any	Sept. 1-19	Any bull	GMU 172	7
Lick Creek	EA	Any	Sept. 1-19	Any bull	GMU 175	1
Peola	EA	Any	Sept. 1-19	Any bull	GMU 178	2
Couse	EA	Any	Sept. 1-19	Any bull	GMU 181	1
Grande Ronde	EA	Any	Sept. 1-19	Any bull	GMU 186	1
Colockum	EA	Any	Sept. 7-19	Any bull	GMUs 328, 329	4
Peaches Ridge	EA	Any	Sept. 7-19	Any bull	GMUs 336, 346	107
Observatory	EA	Any	Sept. 7-19	Any bull	GMUs 340, 342	92
Goose Prairie	EA	Any	Sept. 7-19	Any bull	GMUs 352, 356	123
Bethel	EA	Any	Sept. 7-19	Any bull	GMU 360	28
Rimrock	EA	Any	Sept. 7-19	Any bull	GMU 364	111
Cowiche	EA	Any	Sept. 7-19	Any bull	GMU 368	14
Klickitat Meadows	EA	Any	Oct. 10-21	Any bull	Elk Area 3068	1
Nooksack	WA	Any	Sept. 1-24 and Dec. 1-31	Any bull	GMU 418	2
Margaret	WA	Any	Sept. 7-19 and Dec. 1-15	Any bull	GMU 524	7
Toutle	WA	Any	Sept. 7-19 and Dec. 1-15	Any bull	GMU 556	79

Mudflow	WA	Any	Sept. 7-19	Any elk	Elk Area 5099	5
Olympic	WA	Any	Sept. 7-19	3 pt. min.	GMU 621, EXCEPT for Elk Area 6071	6
Skokomish	WA	Any	Sept. 7-19	3 pt. min.	GMU 636	5
White River	WA	Any	Sept. 7-19	Any bull	GMU 653	20
Prescott	EM	Any	Oct. 1-15	Any bull	GMU 149	2
Blue Creek	EM	Any	Oct. 1-15	Any bull	GMU 154	2
Dayton	EM	Any	Oct. 1-15	Any bull	GMU 162	7
Tucannon	EM	Any	Oct. 1-15	Any bull	GMU 166	2
Wenaha West	EM	Any	Oct. 1-15	Any bull	Elk Area 1008	3
Wenaha East	EM	Any	Oct. 1-15	Any bull	Elk Area 1009	3
Mountain View	EM	Any	Oct. 1-15	Any bull	GMU 172	7
Lick Creek	EM	Any	Oct. 1-15	Any bull	GMU 175	1
Peola	EM	Any	Oct. 1-15	Any bull	GMU 178	2
Couse	EM	Any	Oct. 1-15	Any bull	GMU 181	1
Grande Ronde	EM	Any	Oct. 1-15	Any bull	GMU 186	1
Mission	EM	Any	Oct. 1-11	Any bull	GMU 251	1
Colockum	EM	Any	Oct. 1-10	Any bull	GMUs 328, 329	1
Peaches Ridge	EM	Any	Oct. 1-10	Any bull	GMUs 336, 346	22
Observatory	EM	Any	Oct. 1-10	Any bull	GMUs 340, 342	21
Goose Prairie	EM	Any	Oct. 1-10	Any bull	GMUs 352, 356	13
Bethel	EM	Any	Oct. 1-10	Any bull	GMU 360	12
Rimrock	EM	Any	Oct. 1-10	Any bull	GMU 364	16
Cowiche	EM	Any	Oct. 1-10	Any bull	GMU 368	8
Klickitat Meadows	EM	Any	Oct. 1-10	Any bull	Elk Area 3068	1
Nooksack	WM	Any	Sept. 25 - Oct. 8 and Nov. 25-30	Any bull	GMU 418	2
Margaret	WM	Any	Oct. 2-8	Any bull	GMU 524	4
Toutle	WM	Any	Oct. 2-8	Any bull	GMU 556	29
Mudflow	WM	Any	Oct. 2-8	Any elk	Elk Area 5099	5

Bulls

Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Prescott	EF	Any	Dec. 1-15	Any bull	GMU 149	2
Prescott	EF	Any	Dec. 16-31	Any bull	GMU 149	2
Mission	EF	Any	Oct. 26 - Nov. 8	Any bull	GMU 251	1
Teanaway	EF	Any	Dec. 18-31	Any bull	GMU 335	14
Peaches Ridge	EF	Any	Oct. 25 - Nov. 7	Any bull	GMUs 336, 346	129
Observatory	EF	Any	Oct. 25 - Nov. 7	Any bull	GMUs 340, 342	65
Goose Prairie	EF	Any	Oct. 25 - Nov. 7	Any bull	GMUs 352, 356	77
Bethel	EF	Any	Oct. 25 - Nov. 7	Any bull	GMU 360	38
Rimrock	EF	Any	Oct. 25 - Nov. 7	Any bull	GMU 364	117
Cowiche	EF	Any	Oct. 25 - Nov. 7	Any bull	GMU 368	17
Klickitat Meadows	EF	Any	Oct. 25 - Nov. 7	Any bull	Elk Area 3068	1
Alkali	EF	Any	Oct. 16 - Nov. 5	Any elk	GMU 371	20
Nooksack	WF	Any	Oct. 9 - Nov. 17	Spike only	GMU 418	6
Green River	WF	Any	Oct. 30 - Nov. 5	Any bull	GMU 485	34
Upper Smith Creek	WF	Any	Oct. 25-31	Any elk	Elk Area 5064	2
Mount Whittier	WF	Any	Oct. 25-31	Any elk	Elk Area 5065	1
Olympic	WF	Any	Nov. 6-16	3 pt. min.	GMU 621, EXCEPT for Elk Area 6071	14
Skokomish	WF	Any	Nov. 6-16	3 pt. min.	GMU 636	8
White River	WF	Any	Nov. 6-16	Any bull	GMU 653	48
Teanaway	EA	Any	Nov. 24 - Dec. 8	Any bull	GMU 335	19
Alkali	EA	Any	Sept. 1-24	Any bull	GMU 371	5
Nooksack	WA	Any	Sept. 1-24 and Dec. 1-31	Spike only	GMU 418	2
Upper Smith Creek	WA	Any	Oct. 9-15	Any elk	Elk Area 5064	2
Lewis River	WA	Any	Nov. 24 - Dec. 7	3 pt. min.	GMU 560	5
Siouxon	WA	Any	Nov. 24 - Dec. 7	3 pt. min.	GMU 572	5
Teanaway	EM	Any	Dec. 9-17	Any bull	GMU 335	6
Alkali	EM	Any	Sept. 26 - Oct. 15	Any bull	GMU 371	10
Nooksack	WM	Any	Sept. 25 - Oct. 8 and Nov. 25-30	Spike only	GMU 418	2
Upper Smith Creek	WM	Any	Oct. 16-24	Any elk	Elk Area 5064	2

Mount Whittier	WM	Any	Oct. 16-24	Any elk	Elk Area 5065	1
Yale	WM	Any	Nov. 24 - Dec. 15	3 pt. min.	GMU 554	15
Olympic	WM	Any	Oct. 2-8	3 pt. min.	GMU 621, EXCEPT for Elk Area 6071	3
Skokomish	WM	Any	Oct. 2-8	3 pt. min.	GMU 636	2
White River	WM	Any	Oct. 2-8	Any bull	GMU 653	4

Antlerless Elk						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Sherman	EF	Any	Oct. 30 - Nov. 7	Antlerless	GMU 104	10
Kelly Hill	EF	Any	Oct. 30 - Nov. 7	Antlerless	GMU 105	10
Douglas	EF	Any	Oct. 30 - Nov. 7	Antlerless	GMU 108	10
Aladdin	EF	Any	Oct. 30 - Nov. 7	Antlerless	GMU 111	15
Selkirk	EF	Any	Oct. 30 - Nov. 7	Antlerless	GMU 113	20
49 Degrees North	EF	Any	Oct. 30 - Nov. 7 and Dec. 16-31	Antlerless	GMU 117	45
Turnbull	EF	Any	Oct. 26 - 31	Antlerless	Elk Area 1015	6
Turnbull	EF	Any	Nov. 2-7	Antlerless	Elk Area 1015	6
Turnbull	EF	Any	Nov. 9-14	Antlerless	Elk Area 1015	6
Mayview	EF	Any	Oct. 30 - Nov. 7	Antlerless	GMU 145	30
Prescott	EF	Any	Oct. 30 - Nov. 7	Antlerless	GMU 149	20
Prescott-Blue Creek	EF	Any	Oct. 30 - Nov. 7	Antlerless	GMUs 149, 154	50
Prescott-Dayton	EF	Any	Oct. 30 - Nov. 7	Antlerless	GMU 149 and Elk Area 1012	50
Marengo-Dayton	EF	Any	Oct. 30 - Nov. 7	Antlerless	GMU 163 and Elk Area 1011	50
Mountain View	EF	Any	Oct. 30 - Nov. 7	Antlerless	Elk Area 1013	15
Dayton	EF	Any	Oct. 30 - Nov. 7	Antlerless	Elk Area 1016	75
Lick Creek	EF	Any	Oct. 30 - Nov. 7	Antlerless	GMU 175	25
Peola	EF	Any	Oct. 30 - Nov. 7	Antlerless	GMU 178	30
Couse	EF	Any	Oct. 4-15	Antlerless	GMU 181	30
Malaga	EF	Any	Sept. 15-25	Antlerless	Elk Area 2032	35 10
Malaga	EF	Any	Nov. 6 - Dec. 31	Antlerless	Elk Area 2032	35
West Bar	EF	Any	Oct. 30 - Nov. 3	Antlerless	GMU 330	5

West Bar	EF	Any	Nov. 4-7	Antlerless	GMU 330	5
Teanaway	EF	Any	Dec. 18 - Jan. 9	Antlerless	GMU 335	50
Taneum	EF	Any	Nov. 3-7	Antlerless	GMU 336	75
Manastash	EF	Any	Nov. 3-7	Antlerless	GMU 340	100
Umtanum	EF	Any	Nov. 3-7	Antlerless	GMU 342	100
Little Naches	EF	Any	Nov. 3-7	Antlerless	GMU 346	75
Nile	EF	Any	Nov. 3-7	Antlerless	GMU 352	10
Bumping	EF	Any	Nov. 3-7	Antlerless	GMU 356	15
Bethel	EF	Any	Nov. 3-7	Antlerless	GMU 360	10
Rimrock	EF	Any	Nov. 3-7	Antlerless	GMU 364	50
Cowiche	EF	Any	Nov. 3-7	Antlerless	GMU 368	50
Klickitat Meadows	EF	Any	Nov. 3-7	Antlerless	Elk Area 3068	5
North Bend	WF	Any	Nov. 6-16	Antlerless	Elk Area 4601	7
<u>Green River</u>	<u>WF</u>	<u>Any</u>	<u>Oct. 30 – Nov. 5</u>	<u>Antlerless</u>	<u>GMU 485</u>	<u>6</u>
Mossyrock	WF	Any	Nov. 6-16	Antlerless	GMU 505	50
Willapa Hills	WF	Any	Nov. 6-16	Antlerless	GMU 506	35
Winston	WF	Any	Nov. 6-16	Antlerless	GMU 520	100
Margaret	WF	Any	Nov. 23-30	Antlerless	GMU 524	70
Ryderwood	WF	Any	Nov. 6-16	Antlerless	GMU 530	50
Cowecman	WF	Any	Nov. 6-16	Antlerless	GMU 550	120
Cowecman	WF	Any	Jan. 1-15	Antlerless	GMU 550	50
Toutle	WF	Any	Nov. 23-30	Antlerless	GMU 556	120
Lewis River	WF	Any	Nov. 6-16	Antlerless	GMU 560	100
Washougal	WF	Any	Nov. 6-16	Antlerless	GMU 568	75
Siouxon	WF	Any	Nov. 6-16	Antlerless	GMU 572	30
Wind River	WF	Any	Nov. 6-16	Antlerless	GMU 574	75
West Klickitat	WF	Any	Nov. 6-16	Antlerless	GMU 578	150
Toledo	WF	Any	Nov. 6-16	Antlerless	Elk Area 5029	30
Newaukum	WF	Any	Nov. 6-16	Antlerless	Elk Area 5050	5
Green Mt.	WF	Any	Nov. 6-16	Antlerless	Elk Area 5051	10
Boistfort	WF	Any	Nov. 6-16	Antlerless	Elk Area 5054	50

Wildwood	WF	Any	Jan. 16-30	Antlerless	Elk Area 5061	20
Upper Smith Creek	WF	Any	Oct. 25-31	Antlerless	Elk Area 5064	4
Mount Whittier	WF	Any	Oct. 25-31	Antlerless	Elk Area 5065	2
Mudflow	WF	Any	Nov. 8-14	Antlerless	Elk Area 5099	10
Raymond	WF	Any	Dec. 16-31	Antlerless	Elk Area 6010	10
Raymond	WF	Any	Jan. 1-20	Antlerless	Elk Area 6010	5
Raymond	WF	Any	Feb. 1-28	Antlerless	Elk Area 6010	5
North Minot	WF	Any	Oct. 20-31	Antlerless	Elk Area 6067	5
North River	WF	Any	Nov. 8-13	Antlerless	GMU 658	10
Deschutes	WF	Any	Jan. 10-20	Antlerless	GMU 666	10
Williams Creek	WF	Any	Nov. 8-16	Antlerless	GMU 673	50
Tri Valley	WF	Any	Dec. 1 - Jan. 20	Antlerless	Elk Area 6012	105
Turnbull	EA	Any	Sept. 7-19	Antlerless	Elk Area 1015	14
Dayton	EA	Any	Sept. 1-19	Antlerless	Elk Area 1016	25
Malaga	EA	Any	Sept. 1-7	Antlerless	Elk Area 2032	20
Klickitat Meadows	EA	Any	Oct. 10-21	Antlerless	Elk Area 3068	9
Alkali	EA	Any	Sept. 1-24	Antlerless	GMU 371	5
North Bend	WA	Any	Sept. 7-19	Antlerless	Elk Area 4601	14
Margaret	WA	Any	Sept. 7-19 and Dec. 1-15	Antlerless	GMU 524	35
Toutle	WA	Any	Sept. 7-19 and Dec. 1-15	Antlerless	GMU 556	50
Ethel	WA	Any	Jan. 1-20	Antlerless	Elk Area 5049	10
Newaukum	WA	Any	Aug. 1-15	Antlerless	Elk Area 5050	10
Newaukum	WA	Any	Aug. 16-31	Antlerless	Elk Area 5050	10
Upper Smith Creek	WA	Any	Oct. 9-15	Antlerless	Elk Area 5064	4
Mudflow	WA	Any	Sept. 7-19	Antlerless	Elk Area 5099	10
Lewis River	WA	Any	Nov. 24 - Dec. 7	Antlerless	GMU 560	15
Siouxon	WA	Any	Nov. 24 - Dec. 7	Antlerless	GMU 572	5
Sherman	EM	Any	Oct. 2-8	Antlerless	GMU 101	10
Kelly Hill	EM	Any	Oct. 2-8	Antlerless	GMU 105	10
Douglas	EM	Any	Oct. 2-8	Antlerless	GMU 108	10
Aladdin	EM	Any	Oct. 2-8	Antlerless	GMU 111	10

Selkirk	EM	Any	Oct. 2-8	Antlerless	GMU 113	10
49 Degrees North	EM	Any	Oct. 2-8 and Dec. 16-31	Antlerless	GMU 117	20
Turnbull	EM	Any	Oct. 2-8	Antlerless	Elk Area 1015	11
Turnbull	EM	Any	Nov. 24 - Dec. 8	Antlerless	Elk Area 1015	11
Dayton	EM	Any	Oct. 2-8	Antlerless	Elk Area 1016	25
Prescott-Blue Creek	EM	Any	Dec. 9 - Jan. 20	Antlerless	GMUs 149, 154	40
Mountain View	EM	Any	Oct. 2-8	Antlerless	Elk Area 1013	10
Lick Creek	EM	Any	Oct. 2-8	Antlerless	GMU 175	15
Peola	EM	Any	Oct. 2-8	Antlerless	GMUs 145, 178	30
Couse	EM	Any	Dec. 1-31	Antlerless	GMU 181	30
Couse	EM	Any	Jan. 1-20	Antlerless	GMU 181	30
Mission	EM	Any	Oct. 1-11	Antlerless	GMU 251	4
Malaga	EM	Any	Oct. 9-21	Antlerless	Elk Area 2032	35
West Bar	EM	Any	Oct. 2-10	Antlerless	GMU 330	5
Tancum	EM	Any	Oct. 2-10	Antlerless	GMU 336	75
Manastash	EM	Any	Oct. 2-10	Antlerless	GMU 340	75
Umtanum	EM	Any	Oct. 2-10	Antlerless	GMU 342	200
Nile	EM	Any	Oct. 2-10	Antlerless	GMU 352	10
Bumping	EM	Any	Oct. 2-10	Antlerless	GMU 356	25
Bethel	EM	Any	Oct. 2-10	Antlerless	GMU 360	10
Cowiche	EM	Any	Oct. 2-10	Antlerless	GMU 368	100
Alkali	EM	Any	Sept. 26 - Oct. 15	Antlerless	GMU 371	10
Teanaway	EM	Any	Dec. 9-17	Antlerless	GMU 335	6
Klickitat Meadows	EM	Any	Oct. 2-10	Antlerless	Elk Area 3068	4
North Bend	WM	Any	Oct. 2-8	Antlerless	Elk Area 4601	10
Stella	WM	Any	Jan. 1-16	Antlerless	GMU 504	75
Toledo	WM	Any	Dec. 8-20	Antlerless	Elk Area 5029	40
Mossyrock	WM	Any	Jan. 1-16	Antlerless	Elk Area 5052	15
Randle	WM	Any	Jan. 1-16	Antlerless	Elk Area 5053	15
Boistfort	WM	Any	Jan. 1-16	Antlerless	Elk Area 5054	50
Willapa Hills	WM	Any	Dec. 8-19	Antlerless	GMU 506	15

Green Mt.	WM	Any	Jan. 1-16	Antlerless	Elk Area 5051	30
Wildwood	WM	Any	Jan. 1- 16 15	Antlerless	Elk Area 5061	30
Mudflow	WM	Any	Oct. 2-8	Antlerless	Elk Area 5099	10
Winston	WM	Any	Oct. 2-8	Antlerless	GMU 520	45
Margaret	WM	Any	Oct. 2-8	Antlerless	GMU 524	35
Ryderwood	WM	Any	Oct. 2-8	Antlerless	GMU 530	30
Coweeman	WM	Any	Nov. 24 - Dec. 15	Antlerless	GMU 550	45
Yale	WM	Any	Oct. 2-8	Antlerless	GMU 554	40
Yale	WM	Any	Nov. 24 - Dec. 15	Antlerless	GMU 554	35
Toutle	WM	Any	Oct. 2-8	Antlerless	GMU 556	50
Lewis River	WM	Any	Oct. 2-8	Antlerless	GMU 560	50
Washougal	WM	Any	Nov. 24-30	Antlerless	GMU 568	50
Siouxon	WM	Any	Oct. 2-8	Antlerless	GMU 572	15
Wind River	WM	Any	Nov. 24-30	Antlerless	GMU 574	100
West Klickitat	WM	Any	Nov. 24-30	Antlerless	GMU 578	150
Ethel	WM	Any	Aug. 1-15	Antlerless	Elk Area 5049	10
Ethel	WM	Any	Aug. 16-31	Antlerless	Elk Area 5049	10
Newaukum	WM	Any	Jan. 1-20	Antlerless	Elk Area 5050	10
Upper Smith Creek	WM	Any	Oct. 16-24	Antlerless	Elk Area 5064	4
Mount Whittier	WM	Any	Oct. 16-24	Antlerless	Elk Area 5065	2
North Minot	WM	Any	Oct. 2-8	Antlerless	Elk Area 6067	10
Mashel	WM	Any	Jan. 1-15	Antlerless	Elk Area 6054	25
North River	WM	Any	Nov. 25 - Dec. 15	Antlerless	GMU 658	20
Tri Valley	WM	Any	Dec. 16 - Jan. 20	Antlerless	Elk Area 6012	15 5

Youth - Only youth hunters may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Toledo	WF, WM, WA	Youth	Aug. 1-7	Antlerless	Elk Area 5029	10
Mudflow	WF, WM, WA	Youth	Nov. 22-28	Any elk	Elk Area 5099	3
Mudflow	WF, WM, WA	Youth	Nov. 22-28	Antlerless	Elk Area 5099	4
<u>Dungeness</u>	<u>WF, WM, WA</u>	<u>Youth</u>	<u>Dec. 1-31</u>	<u>Antlerless</u>	<u>Elk Area 6071 north of HWY 101 only</u>	<u>5^{HC}</u>

65+ Senior - Only hunters 65 and older may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Margaret	WF, WM, WA	65+	Nov. 23-30	Antlerless	GMU 524	10
Toledo	WF, WM, WA	65+	Aug. 15-21	Antlerless	Elk Area 5029	10

Hunters with Disabilities - Only hunters with disabilities may apply. Weapon must be consistent with weapon/tag restriction noted for hunt.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Turnbull	EF, EM, EA	Hunters w/ Disabilities	Oct. 10-17	Antlerless	Elk Area 1015	6
Observatory	EF, EM	Hunters w/ Disabilities	Oct. 25 - Nov. 7	Any elk	GMUs 340, 342	5
Little Naches	EF, EM, EA	Hunters w/ Disabilities	Oct. 1-10	Any elk	GMU 346	5
Little Naches	EF, EM, EA	Hunters w/ Disabilities	Nov. 3-7	Antlerless	GMU 346	5
Alkali	EF	Hunters w/ Disabilities	Oct. 16 - Nov. 5	Any elk	GMU 371	5
Corral Canyon	EF, EM, EA	Hunters w/ Disabilities	Sept. 26 - Oct. 3	Any elk	Elk Area 3721	2
Toledo	WF, WM, WA	Hunters w/ Disabilities	Aug. 8-14	Antlerless	Elk Area 5029	10
Ethel	WF, WM, WA	Hunters w/ Disabilities	Nov. 6-16	Antlerless	Elk Area 5049	5
Mudflow	WF, WM, WA	Hunters w/ Disabilities	Oct. 25-31	Antlerless	Elk Area 5099	4
Mudflow	WF, WM, WA	Hunters w/ Disabilities	Sept. 20-26	Any elk	Elk Area 5099	4
Centralia Mine	WF, WM, WA	Hunters w/ Disabilities	Oct. 2-3	Antlerless	Elk Area 6011	3
Centralia Mine	WF, WM, WA	Hunters w/ Disabilities	Oct. 9-10	Antlerless	Elk Area 6011	3

Master Hunter - Only master hunters may apply. Weapon must be consistent with weapon/tag restriction noted for hunt. Additional weapon restrictions may be conditioned on local situation for each hunt. For those hunts allowing the purchase of a second tag, only one elk may be killed in the unit under the authorization of the permit.						
Hunt Name	Weapon/Tag	Hunters	Hunt Dates	Special Restrictions	Boundary	Permits
Turnbull	EA, EF, EM Any elk tag	Master Hunter	Dec. 10-31	Antlerless	Elk Area 1015	6
Green Mt.	Any elk tag WA, WF, WM	Master Hunter	Jan. 17-30	Antlerless	Elk Area 5051	20
Mossyrock	Any elk tag WA, WF, WM	Master Hunter	Jan. 17-30	Antlerless	Elk Area 5052	10
Randle	Any elk tag WA, WF, WM	Master Hunter	Jan. 17-30	Antlerless	Elk Area 5053	15
Merwin	Any elk tag WA, WF, WM	Master Hunter	Nov. 24 - Dec. 15	Antlerless	Elk Area 5060	7
Merwin	Any elk tag WA, WF, WM	Master Hunter	Jan. 17-30, 2011	Antlerless	Elk Area 5060	7

Pumice Plains	Any elk tag WA, WF, WM	Master Hunter	Oct. 25 - Nov. 2	Antlerless	Elk Area 5063	5
Pumice Plains	Any elk tag WA, WF, WM	Master Hunter	Oct. 18-24	Antlerless	Elk Area 5063	2
Malaga	Any elk tag EA, EF, EM/2nd tag	Master Hunter	Aug. 1 - Mar. 31	Antlerless	Elk Area 2032	100 ^{HC}
Peshastin	Any elk tag EA, EF, EM/2nd tag	Master Hunter	Aug. 1 - Mar. 31	Antlerless	Elk Area 2033	100 ^{HC}
Fairview	Any elk tag EA, EF, EM/2nd tag	Master Hunter	Jan. 1 - Feb. 28	Antlerless	Designated Areas in Elk Area 3911	50 ^{HC}
Rattlesnake Hills	Any elk tag EA, EF, EM/2nd tag	Master Hunter	Aug. 1 - Feb. 28	Antlerless or spike bull	Designated Areas in GMU 372	20 ^{HC}
North Bend	Any elk tag WA, WF, WM/2nd tag	Master Hunter	Aug. 15 - Mar. 31	Antlerless	Designated Areas in Elk Area 4601	25 ^{HC}
Skagit River	Any elk tag WA, WM/2nd tag	Master Hunter	Dec. 1 - Feb. 28	Antlerless	Designated Areas in Elk Area 4941	15 ^{HC}
Cowlitz Valley	Any elk tag WF, WA, WM/2nd tag	Master Hunter	Aug. 1 - Sept. 6	Antlerless	Designated Areas in GMUs 503, 505, 510, 513, 516	15 ^{HC}
Gray's River	Any elk tag WF, WA, WM/2nd tag	Master Hunter	Aug. 1 - Sept. 6 and Dec. 15 - Feb. 28	Antlerless	Elk Area 5056	15 ^{HC}
JBH	Any elk tag WF, WA, WM/2nd tag	Master Hunter	Nov. 17 - Feb. 28	Antlerless	Elk Area 5090	20 ^{HC}
North River	Any elk tag WA, WM/2nd tag	Master Hunter	Dec. 16 - Feb. 28	Antlerless	Designated Areas in GMU 658	10 ^{HC}
Raymond	Any elk tag WA, WM/2nd tag	Master Hunter	Oct. 1 - Mar. 31	Antlerless	Elk Area 6010	5 ^{HC}
Dungeness	Any elk tag WA, WM/2nd tag	Master Hunter	Sept. 1 - Feb. 28	Antlerless	Elk Area 6071 north of Hwy 101 only	15 ^{HC}
Toledo	Any elk tag WF, WA, WM/2nd tag	Master Hunter	Dec. 21-31	Antlerless	Elk Area 5029	35
Toledo	Any elk tag WF, WA, WM/2nd tag	Master Hunter	Aug. 22-28	Antlerless	Elk Area 5029	10
Trout Lake**	Any elk tag WF, WA, WM/2nd tag	Master Hunter	Dec. 15-31	Antlerless	Elk Area 5062	3
Trout Lake**	Any elk tag WF, WA, WM/2nd tag	Master Hunter	Jan. 1-14, 2011	Antlerless	Elk Area 5062	3
Trout Lake**	Any elk tag WF, WA, WM/2nd tag	Master Hunter	Jan. 15-30, 2011	Antlerless	Elk Area 5062	3

**May only hunt on privately owned lands. Must use only archery or legal shotgun (10 or 12 gauge; slugs only).

^{HC}-This is a damage hunt administered by a WDFW designated hunt coordinator. Successful applicants will be contacted on an as-needed basis to help with specific sites of elk damage on designated landowner's property. Not all successful applicants will be contacted in any given year depending on elk damage activity for that year.

Hunter Education Instructor Incentive Permits

- Special elk permits will be allocated through a random drawing to those hunter education instructors that qualify.
- Permit hunters must use archery equipment during archery seasons, muzzleloader equipment during muzzleloader seasons, and any legal weapon during modern firearm seasons.
- 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.
- Permittees may purchase a second license for use with the permit hunt only.

Area	Dates	Restrictions	GMUs	Permits
Region 3	All general season and permit seasons established for GMUs included with the permit	Any elk	GMUs 336-368	2
Region 5		Any elk	All 500 series GMUs EXCEPT GMU 522	4
Region 6		Any elk	GMUs 654, 660, 672, 673, 681	1

[]

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 232-28-354

2009 Elk special permits.

WAC 232-28-356 Elk special permits

Recommended Adjustments

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

Page 14

Add the year 2010 to the title. The title of the WAC should now read 2010 Elk Special Permits. This change specifies the year which the special permit hunting seasons are valid.

The following should be added at the beginning of the rule to clarify the penalty for violations: "It is unlawful to fail to comply with bag, possession, and season limits except as described below. Violations of this section will be punished under RCW 77.15.410."

Remove the letter A from the name of the Dayton and Tucannon quality hunts, as this letter designation is no longer needed under the new permit system.

Page 17

In the Quality category, add a Mission bull permit for muzzleloader tag holders consistent with available opportunity.

Page 18

Under the bull category for modern elk permits, the number of permits for the Green River hunt should be increased from 3 to 4. The permits in GMU 485 are negotiated between the landowners, the Muckleshoot tribe, and the department. This change reflects the current agreement.

Page 19

The Sherman, Kelly Hill, and Douglas antlerless elk permits are deleted because these units have an any elk general season for modern firearm hunters.

Delete GMU 149 from the "Prescott-Blue Creek" and "Prescott Dayton" hunts. The elk damage issues in GMU 149 are being addressed in other ways. Remove the Prescott from the names of these two hunts because the Prescott GMU is being removed.

Under the antlerless elk category, the number of permits available in the Malaga permit hunt from Sept. 15-25 should be reduced from 35 to 10 to reduce the harvest consistent with population objectives while addressing damage issues.

Page 20

Under the antlerless elk category for modern elk permits, add a hunt as follows:

Green River	WF	Any	Oct. 30 – Nov. 5	Antlerless	GMU 485	6
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The permits in GMU 485 are negotiated between the landowners, the Muckleshoot tribe, and the department. This change reflects the current agreement.

Pages 21 & 23

Under the antlerless elk category, the Tri-Valley hunts for modern firearm and muzzleloader permit levels are reduced to 5 each to reduce overall harvest yet continue to address damage issues.

Page 21

The Sherman, Kelly Hill, and Douglas antlerless elk permits are deleted because these units have an any elk general season for muzzleloader hunters.

Page 22

Delete the Mission antlerless hunt listed as 1 permit. This change corrects a typographical error.

Page 23

Under the Antlerless elk permit category, the Wildwood elk hunt for muzzleloader hunters should close on January 15 to correct an error.

Under the Youth category, add 5^{HC} antlerless elk permits for Elk Area 6071 north of Highway 101. This change provides youth opportunity while helping control the Dungeness elk herd.

Page 24

The following language was added to the Master Hunter permit hunts to clarify that only one elk may be harvested in the area covered by the permit: “For those hunts allowing the purchase of a second tag, only one elk may be killed in the unit under the authorization of the permit.”

Pages 24 & 25

To create an adequate pool of applicants, Master Hunter weapon/tag requirements were adjusted to reflect any tag.

Page 25

Under the master hunter category the three Trout Lake hunts for dates Dec. 15-31, Jan.1-14, 2011, and Jan. 15-30, 2011 should all have a double asterisk added (**). This references the footnote on that page indicating these hunts are only taking place on private lands and only archery and legal shotguns are allowed.

SUMMARY OF WRITTEN PUBLIC INPUT

WAC 232-28-356 2010 Elk special permits.

COMMENTS	AGENCY RESPONSE
I do not support the proposal to change GMU 578 to permit only for antlerless elk hunting for muzzleloaders. Elk numbers continue to be problematic in the Glenwood area and need to be controlled to prevent property damage.	The proposal is designed to continue pressure on elk numbers in this unit, but eliminate excessive harvest during those years of high snow fall in the adjacent units. Typically, every few years, a snow event occurs and harvest increases dramatically. In our assessment, this is due to migratory elk coming into the lowlands (private property areas) and the harvest being excessive. We feel the timing and permit levels developed will allow us to reduce resident elk numbers while preventing excessive harvest during high snowfall years.
The master hunter permits in the Boistfort and Tenino areas have been eliminated. Why were they eliminated?	Landowners in these areas have expressed concerns that master hunters are no different than general hunters, and in the case of the Boistfort area, they asked to eliminate this hunt.
How can a hunt coordinator set the rules for participating in a hunt?	This issue is best addressed between the agency and the master hunter representatives. Obviously the intent is to have someone who has the confidence of the landowners coordinate harvest opportunities with landowner needs and concerns.
How do we deal with multiple users and weapon tags hunting in the same area?	Overlaps in weapon types always require that participants wear hunter orange for the safety of all.
There are too many restrictions and rules for master hunters. The seasons should be more generalized and open without using a hunt coordinator and without restrictions on weapon used.	The reason the Department needs a program like the Master Hunter Program is to have greater confidence that we can employ hunters with greater understanding and empathy to address sensitive issues. The seasons created may be harvest related, harassment related, or very sensitive in terms of landowner needs. A hunt coordinator helps address all of these issues.
The time frame for master hunter hunts designed to address damage should include July and August. That is when the crop damage is typically happening.	When the Department staff identifies timing as an issue, we set the permit season to address the timing issue.
HC hunts are no guarantee that a permit holder will even get to hunt. Yet the hunter loses their points.	With the new proposals, these permit holders will only accumulate and lose points in the Master Hunter category.
Wonder where the rifle rut hunts went for elk in the blues?	Some of the permits during the September timeframe were eliminated because of negotiations with the Umatilla tribes. Their issue was mainly the timeframe. However, the permit levels for all users in these units have been increasing regularly over the past few years.

<p>There is no guarantee a master hunter permit holder will be called to hunt. Some hunts have not called any permit holders in a season. Because of that, these hunts do not affect accumulated points. Under the proposed system, accumulated points will be lost, even if a permit holder is not allowed to hunt. That is not the intent of these types of hunts.</p>	<p>We have had problems in the past with getting sufficient applicants to fill the Hunt Coordinator permit quotas. This is especially true in areas where few hunters are contacted. However, with nearly 2000 master hunters and 500 permits available, we should be able to develop a system that works.</p> <p>The Department is more than willing to work with master hunters to make the program more effective. If this proposal doesn't work as intended, we will recommend modifications.</p>
<p>The last proposal I have comments on is the new Turnbull hunt. In addition to modern firearm and muzzle loader bull elk hunts for the Turnbull unit, I would like to see archery bull opportunities as well.</p>	<p>These permits were the result of negotiations with the U.S. Fish and Wildlife Service and local constituents. We will take your request into consideration for future discussions with them.</p>

SUMMARY OF ORAL PUBLIC INPUT
 Testimony from the March 12-13, 2010 Commission Meeting.

WAC 232-28-356 2010 Elk special permits.

COMMENTS	AGENCY RESPONSE
<p>Why is the Quality bull permit on Turnbull for modern firearm only? Why are there not archery and muzzleloader bull permits on Turnbull, too?</p>	<p>The timing and the permit types and levels for the first elk hunt on Turnbull National Wildlife Refuge were negotiated compromises with refuge staff. After the first successful season is completed, we hope to go back to the negotiation table and spread the opportunity more equitably among all the user groups in future seasons.</p>
<p>I suggest making the archery hunters have a set number of permits allowed for cow elk rather than having an open general season on antlerless. There is no set numbers for antlerless harvest and no limit or cap on the number of cows that are taken.</p>	<p>In many places throughout the state, the archery seasons allow antlerless harvest. To date this seems to be working well. Archers get time in the field and they do kill some cows, but their success rates are usually not high enough to have a negative impact on the elk resource. As you will see in this year's recommendations, we are proposing limiting the archery cow harvest in GMUs 352 and 356 because recruitment is not keeping pace with adult cow survival. The Agency has the flexibility to make such recommendations when the field biologists feel that they are warranted.</p>



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 09-24-111; 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)
Hunting Rules – See Attachment A

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

Date: March 12-13, 2010 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: Wednesday, February 24, 2010

Assistance for persons with disabilities:

Contact: Susan Yeager by March 8, 2010

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

Date of intended adoption: April 9-10, 2010
(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: 77.012.040, 77.12.047, 77.12.020, 77.12.570, 77.12.210, 77.12.150, 77.12.240, 77.32.070, 77.32.530

Statute being implemented: 77.012.040, 77.12.047, 77.12.020, 77.12.570, 77.12.210, 77.12.150, 77.12.240, 77.32.070, 77.32.530

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: February 03, 2010

TIME: 11:35 AM

WSR 10-04-125

DATE
February 3, 2010

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 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

WAC 220-55-115 Recreational License Dealer Fees

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

The proposed language allows hunters to replace lost permits at vendors statewide and reimburses vendors for the cost of providing supplemental permits.

Reasons supporting proposal:

Provide greater flexibility for hunters to replace lost permits.

WAC 232-12-047 Unlawful methods for hunting

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

The proposed language clarifies that handguns may be used for personal protection by all hunters. Hunters will have greater certainty on their rights to possess handguns for personal protection.

Moves crossbow regulations from the archery requirement rule to the unlawful methods for hunting rule.

Reasons supporting proposal:

Provide consistency with the U.S. Constitution and state law.

Crossbows are lawful under modern firearm seasons and not under archery seasons.

WAC 232-12-051 Muzzleloading firearms

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

The proposed language clarifies that handguns may be used for personal protection by all hunters. Hunters will have greater certainty on their rights to possess handguns for personal protection.

Reasons supporting proposal:

Provide consistency with the U.S. Constitution and state law.

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 proposed language clarifies that handguns may be used for personal protection by all hunters. Hunters will have greater certainty on their rights to possess handguns for personal protection.

Moves crossbow regulations from the archery requirement rule to the unlawful methods for hunting rule.

Reasons supporting proposal:

Provide consistency with the U.S. Constitution and state law.

Crossbows are lawful under modern firearm seasons and not under archery seasons.

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 language closes deer hunting on Cottonwood Island and Howard Island. The purpose is to protect endangered Columbian white-tailed deer. The anticipated effect is to further the recovery of Columbian white-tailed deer while retaining deer hunting on the mainland in GMU 564 proper.

Reasons supporting proposal:

The proposed language allows the retention of hunting in GMU 564 proper, but does not allow deer hunting on Cottonwood and Howard Islands which are sites proposed for Columbian white-tailed deer release to further Columbian white-tailed deer recovery.

WAC 232-28-266 Damage Prevention Permits

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

This proposal changes the timeframe that turkey Damage Prevention Permits are valid, so they can be used beginning on October 10. This proposal does not change the number of turkey permits approved.

This proposal also dedicates an additional 50 antlerless elk permits to Game Management Units in Region 5 to address increased elk damage complaints.

Reasons supporting proposal:

In April 2009, the Fish and Wildlife Commission approved 200 turkey Damage Prevention Permits for GMUs 105 to 124 which were valid beginning December 15. WDFW enforcement officers found that landowners experienced damage issues during October and November, before the approved Damage Prevention Permit season.

Elk Damage Prevention Permits currently allocated throughout the state have not been adequate to address elk damage in Region 5.

WAC 232-28-273 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 WAC amends seasons for moose, bighorn sheep, and mountain goat. The Department recommends status quo seasons for moose and minor permit level changes for bighorn sheep and mountain goat. Winter surveys indicate moose populations are stable. The Department recommends status quo permit levels. All bighorn sheep populations that currently are hunted either meet or exceed population objectives. The Department recommends minor permit level changes (from 40 to 46) based on the population thresholds in the Game Management Plan (2008). The changes include closing the Wenaha (previously 1 permit), opening Swakane (1 permit), and opening Chelan Butte (1 permit). Mountain goat populations are stable in all hunted populations. Changes in permit levels are based on annual survey counts and tend to be conservative given the sensitivity of goats to over harvesting. The Department recommends status quo permit levels in all areas, except reducing the permit level from 2 to 1 in the Bumping River population management unit due to recent survey counts. The anticipated effects are sustainable recreational hunting opportunities and long-term viable populations.

Reasons supporting proposal:

Permit level changes are based on the population thresholds in the Game Management Plan (2008).

WAC 232-12-284 Bighorn sheep -Marking requirements

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

The proposed WAC amends the marking requirements for bighorn sheep that are harvested or in possession. The Department implemented a few ewe-only bighorn sheep hunts last hunting season and was unable to effectively mark ewe horns due to their smaller size. Given the intent of the rule and difficulty marking ewe horns, the Department is recommending amending the rule to only include marking requirements for bighorn sheep rams, not ewes. There is no anticipated effect to populations or hunting opportunity.

Reasons supporting proposal:

The intent of the rule is to address the potential for illegal harvest and commercialization of bighorn sheep ram horns, because a mature ram skull can have a market value of several thousand dollars. Fortunately, the same situation does not occur for bighorn sheep ewes. As such, the Department is recommending dropping the marking requirement for bighorn ewes.

WAC 232-28-285 2010-2011 Pilot cougar hunting seasons with the aid of dogs

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

Implements Engrossed Substitute House Bill (ESHB) 2438 and establishes pilot cougar with the aid of dogs in Chelan, Okanogan, Ferry, Stevens, Pend Oreille, and Klickitat counties for the 2010-11 winter. The objective of the bill is to use a pilot cougar hunt with the aid of dogs to address public safety and the protection of private property (e.g., pets and livestock), as well as to allow the Department to more effectively manage cougar populations.

The Department is recommending a status quo permit season for the 2010-2011 pilot cougar hunt, with the following exceptions:

1. Change the opening day of the permit hunt from Dec 19 to Dec 1 (except GMUs 101, 105, and 204).
2. Increase the kill quota for Klickitat hunt zone to 10 total cougars or 4 females.
3. Increase the cap on the number of permits issued from 2x the total quota to 3x the total quota.
4. If a second drawing occurs, select additional hunters from the unselected pool of applicants that reside in a participating county.
5. Routine calendar date changes for the six counties continuing the pilot program.

The anticipated effect is to stabilize cougar populations at current levels.

At date of this filing, only Klickitat County has met the basic requirements for inclusion in the pilot cougar hunt. 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 April 2010.

Reasons supporting proposal:

The rule implements ESHB 2438. The objective of the bill is to use a pilot cougar hunt with the aid of dogs to address public safety and the protection of private property (e.g., pets and livestock), as well as to allow the Department to more effectively manage cougar populations.

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 WAC amends spring black bear hunting seasons. To expand the benefit of the spring seasons in the Blue Mountains, the Department is recommending adding a spring bear hunt in GMU 181 (Couse) with 4 permits. The anticipated effect is better distribution of harvested bears geographically and a slight increase in total harvest.

For Westside spring bear hunts, the Department is recommending reducing the season length in the Kapowsin Tree Farm unit from April 15-June 15 to April 15-May 15 based on discussions with the landowners. There is a slight anticipated effect to the number of hunter days.

Reasons supporting proposal:

The objectives of spring bear hunts in the Blue Mountains are to better distribute the harvest geographically and increase total harvest while minimizing female take. Through time, the spring season has proven successful for both objectives.

The Fish and Wildlife Commission began implementing spring black bear hunts in western Washington in 2006. The purpose of these hunts is to reduce tree damage by bears during the spring.

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

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

The rule establishes cougar permit hunt seasons without the aid of dogs. The proposal removes permit hunt seasons in hunt areas with a concurrent pilot cougar permit hunt with the aid of dogs. The purpose of the change is to consolidate two permit seasons into one for simplification and allow anyone to apply for the hunt. The anticipated effects are simplification of hunting seasons and long-term sustainable cougar populations.

In addition, the proposal increases the permit level in the Blue Mountains zone from 40 to 100. The purpose of the increased permit level is to aid in achieving harvest objectives in the Blue Mountains.

Reasons supporting proposal:

Consolidates two cougar permit hunt seasons into one permit season where anyone can apply. Increased permit level in Blue Mountains is to aid in achieving harvest objectives in the Blue Mountains.

WAC 232-28-288 2010-2011 Fall black bear hunting seasons and regulations

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

The rule establishes the 2010 and 2011 fall black bear seasons. Proposed seasons are status quo compared to 2009 seasons, except the recommendation to open the season on Aug 14 rather than Aug 1 in three Black Bear Management Units (i.e., South Cascades BBMU, Okanogan BBMU, and Northeastern B BBMU). The purpose is to provide recreational harvest opportunities for black bear, while maintaining long-term sustainable populations in each BBMU (except Puget Sound and Columbia Basin BBMUs). The anticipated effects of the rule are continued recreational harvest opportunities similar to 2009 levels, with slight reduced season length in 3 of 9 BBMUs, and long-term sustainable bear populations.

Reasons supporting proposal:

Population indicators for black bears support status quo hunting seasons in each BBMU, except South Cascades, Okanogan, and Northeastern B. In those BBMUs, indicators suggest that hunting seasons should be more conservative.

WAC 232-28-290 Washington raffle hunts

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

The WAC establishes rules associated with conducting a raffle for a big game hunting license/transport tag. The purpose of the amendment is to implement SHB 1778 and provide spending direction for WDFW dedicated raffle account. The proposal directs Washington Department of Fish and Wildlife (WDFW) to spend revenue from single species raffle hunts on the management of respective species raffled, and spend revenue from multiple species raffle hunts on game management. The anticipated effect is spending consistent with SHB 1778 and public input.

Reasons supporting proposal:

Proposal implements SHB 1778 and addresses public input supporting dedicated accounts.

WAC 232-28-291 Special hunting season permits

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

The purpose is to modify the permit application rules to allow permit application in drawing by category rather than by species.

Reasons supporting proposal:

Consistency with initiative to provide greater permit application opportunities for hunters and expand funding for hunter access programs.

WAC 232-28-292 Washington auction hunts

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

The WAC establishes rules associated with conducting an auction for a big game hunting license/transport tag. The purpose of the amendment is to implement SHB 1778 and provide spending direction for WDFW dedicated auction account. The proposal directs Washington Department of Fish and Wildlife (WDFW) to spend revenue from single species auction hunts on the management of respective species auctioned, and spend revenue from multiple species auction hunts on game management. The anticipated effect is spending consistent with SHB 1778 and public input.

Reasons supporting proposal:

Proposal implements SHB 1778 and addresses public input supporting dedicated accounts.

WAC 232-28-295 Landowner hunting permits

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

In 2009, two "any elk" permits were allocated to the Teanaway Ranch LHP in Kittitas County; one public and one LHP landowner permit. This proposal removes one Landowner Hunting Permit (LHP) cooperator (Teanaway Ranch) from the program. This rule change will likely result in one less general public hunter accessing the Teanaway Ranch for elk hunting.

Reasons supporting proposal:

In the fall of 2009, the LHP cooperator contacted WDFW, informed the agency that they did not wish to continue in the LHP program, and requested that we cancel their contract for future years.

WAC 232-28-337 Deer and Elk Area Descriptions

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

The proposed language adjusts the boundaries of deer and elk areas and also creates a new elk area. Adjustment of the boundaries will help staff deal with wildlife damage problems where they are occurring. Creation of new areas also protects elk when appropriate.

Reasons supporting proposal:

The proposed language makes existing boundaries more appropriate when the Department is dealing with damage or nuisance issues. The new area helps protect elk on a small scale without excluding hunting entirely on the GMU scale.

WAC 232-28-342 Small Game Seasons

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

Since 2006, fall, either sex turkey hunting seasons in southeastern Washington have been liberalized, taking advantage of increasing turkey populations and providing expanded hunting opportunity. This proposal moves fall turkey hunting season in Game Management Units (GMUs) 145-154 and 162-186 (Blue Mountains GMUs) to the "early fall general" season from the "early fall permit only" season. During the 2006, 2007, and 2008 fall permit seasons, approximately 44 percent of special permit holders participated in the hunt, with approximately 45 percent of those hunters successfully filling their permit. In 2008, 89 turkeys were harvested in these GMUs during the fall permit season. Changing to a general season hunt will allow greater opportunity for turkey hunters while season length, hunter success, and mixed ownerships will moderate turkey harvest.

Reasons supporting proposal:

The proposed changes provide increased hunter opportunity in areas where expanding populations can support increased fall harvest.

WAC 232-28-351 Deer general seasons and definitions

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

The purpose of this proposal is to retain general season deer hunting opportunity, balance the hunting opportunity between 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. Maintains sustainable general deer hunting season opportunities for 2010 and 2011. Helps address deer damage problems and provides for deer population control when needed.

WAC 232-28-352 Elk general seasons and definitions

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

The purpose of this proposal is to retain general season elk hunting opportunity, balance the hunting opportunity between 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. Maintains sustainable general elk hunting season opportunities for 2010 and 2011. Helps address elk damage problems and provides for elk population control when needed.

WAC 232-28-355 Deer special permits

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

Introduces new category structure for special permits which provide more opportunities to apply. New structure is intended to provide more opportunity to the public and generate more revenue for WDFW. Maintain deer special hunting season opportunities for 2010. Adjust special deer permits for 2010 in response to deer population changes and damage complaints. Provides for recreational harvest of deer. Helps reduce agricultural damage and provides for population control of deer where needed.

Reasons supporting proposal:

New category structure will allow more opportunities to apply which will increase revenue for WDFW. Provides recreational, deer hunting opportunity and protects deer from overharvest. Addresses deer damage problems.

WAC 232-28-356 Elk special permits

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

Introduces new category structure for special permits which provide more opportunities to apply. New structure is intended to provide more opportunity to the public and generate more revenue for WDFW. Maintain elk special hunting season opportunities for 2010. Adjust special elk permits for 2010 in response to elk population changes and damage complaints. Provides for recreational harvest of elk. Helps reduce agricultural damage and provides for population control of elk where needed.

Reasons supporting proposal:

New category structure will allow more opportunities to apply which will increase revenue for WDFW. Provides recreational, elk hunting opportunity and protects elk from overharvest. Addresses elk damage problems.