A. HUNTER REPORTING – RULE BRIEFING, PUBLIC HEARING, AND RULE ACTION

TABLE OF CONTENTS

Page

Decision Page..... *i*

WAC 232-28-299 Mandatory report of hunting activity.....1

Summary of Written Public Comment 2

CR-102.....3

"GREEN SHEET"

Meeting: July 16, 2010, Conference Call

Agenda Item A: Hunter Reporting – **Rule Briefing, Public Hearing, and Rule Action**

Prepared By: Dave Ware

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

---

Background:

Department staff will brief the Commission on proposed amendments to WAC 232-28-299 Mandatory report of hunting activity.

Changes to the special hunting permit drawing process were approved by the Commission and implemented in June 2010. This is a "housekeeping" proposal to update hunter reporting requirements to be consistent with new special permit drawing changes and to clarify hunter reporting requirements for all permits that are drawn. We are also recommending the removal of the requirement to report harvested animals within 10 days of harvest in order to qualify for the incentive permit drawing. This rule was originally designed to allow tracking of harvest through the season, but has not been useful to department managers.

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

- Update hunter reporting requirements to be consistent with new special permit drawing changes.

Public involvement process used and what you learned:
No public involvement has occurred because the recommended change is for consistency and clarification and is relatively minor.

Action requested (identify the specific Commission decisions you are seeking):
Approve the amendment to the hunter reporting rule.

Draft motion language:
I move to amend WAC 232-28-299 Mandatory report of hunting activity, as proposed.

Justification for Commission action:
Historically, hunters have been required to report their activity for each deer, elk, bear, mountain goat, moose, or bighorn sheep tag purchased. This proposal clarifies that hunters must report their activity for all special hunting permits drawn.

Communications plan:
This requirement will be addressed by modifying the script for telephone and internet hunter reporting. Hunters will be prompted to report on their general season activity as well as each permit they received. They will not receive a confirmation number until all permits have been reported.

AMENDATORY SECTION (Amending Order 07-292, filed 12/13/07, effective 1/13/08)

WAC 232-28-299 Mandatory report of hunting activity. (1) All hunters purchasing a hunting license must report their hunting activity for deer, elk, bear, or turkey.

(a) Hunters must report hunting activity, for each tag and permit acquired, by January 31 or within 10 days after the close of an eligible hunt, whichever date is later.

(b) Reports must be made using the department's designated automated telephone hunter reporting system (toll free) or internet hunter reporting system.

(c) Any hunter not reporting, for each tag and permit acquired, by the reporting deadline will be in noncompliance of reporting requirements.

(d) Compliance will be credited for each ((~~species for which a~~)) transport tag ((~~is~~)) and permit acquired.

(2) As an incentive for prompt reporting, all ((~~successful~~)) hunters ((~~who report harvest within 10 days of killing an animal and unsuccessful hunters~~)) who report by midnight January 10 or within 10 days after the last day of their permit hunt will be entered into a drawing for special deer and elk incentive permits. To be eligible for the drawing, hunters must report their hunting activity for each transport tag and permit acquired.

(3) Hunters who have not reported hunting activity by the reporting deadline for deer, elk, bear, or turkey tags and permits acquired the previous year will be required to pay a $10 penalty before a new license that includes deer, elk, bear, or turkey tags will be issued. A hunter may only be penalized a maximum of $10 during a license year.

SUMMARY OF WRITTEN PUBLIC INPUT

WAC 232-28-299 “Mandatory report of hunting activity.”

COMMENTS	AGENCY RESPONSE
I have read the proposed changes to the Hunter Reporting Requirements of: **CR-102 -** filed as WSR 10-12-122 on June 2, 2010, and have no objections to the way it is written.	Thank you for your comment.

PROPOSED RULE MAKING

CR-102 (June 2004)
(Implements RCW 34.05.320)
Do **NOT** use for expedited rule making

Agency: Washington Department of Fish and Wildlife

☒ **Preproposal Statement of Inquiry was filed as WSR** 10-07-151 on 3/24/2010; **or**
☐ **Expedited Rule Making--Proposed notice was filed as WSR** _____; **or**
☐ **Proposal is exempt under RCW 34.05.310(4).**

☒ **Original Notice**
☐ **Supplemental Notice to WSR** _____
☐ **Continuance of WSR** _____

Title of rule and other identifying information: (Describe Subject)
WAC 232-28-299 Mandatory report of hunting activity.

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

Date: July 16, 2010 Time: 8:30 a.m.

Date of intended adoption: July 16, 2010
(Note: This is **NOT** the **effective** date)

Submit written comments to:
Name: Wildlife Program commission meeting Public Comments
Address: 600 Capitol Way North, Olympia WA 98501-1091

e-mail Wildthing@dfw.wa.gov
fax (360) 902-2162 by (date) June 25, 2010

Assistance for persons with disabilities: Contact
Susan Yeager by July 7, 2010
TTY (800) 833-6388 or (360) 902-2267

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
To revise the reporting requirements for hunters to make them consistent with the new permit hunts established by category.

Reasons supporting proposal:
To make hunter reporting rules consistent with recent changes to permit hunts by category rather than species.

Statutory authority for adoption: 77.12.047, 77.15.280, 77.32.020, and 77.32.070.

Statute being implemented: 77.12.047, 77.15.280, 77.32.020, and 77.32.070.

Is rule necessary because of a:

Federal Law?	☐ Yes	☒ No
Federal Court Decision?	☐ Yes	☒ No
State Court Decision?	☐ Yes	☒ No

If yes, CITATION:

DATE
June 2, 2010

NAME (type or print)
Lori Preuss

SIGNATURE
Lori Preuss

TITLE
Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: June 02, 2010
TIME: 10:10 AM

WSR 10-12-122

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.

This rule applies to recreational hunters not businesses.

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: These rules are not related to hydraulics regulations.

AMENDATORY SECTION (Amending Order 07-292, filed 12/13/07, effective 1/13/08)

WAC 232-28-299 Mandatory report of hunting activity. (1) All hunters purchasing a hunting license must report their hunting activity for deer, elk, bear, or turkey.

(a) Hunters must report hunting activity, for each tag and permit acquired, by January 31 or within 10 days after the close of an eligible hunt, whichever date is later.

(b) Reports must be made using the department's designated automated telephone hunter reporting system (toll free) or internet hunter reporting system.

(c) Any hunter not reporting, for each tag and permit acquired, by the reporting deadline will be in noncompliance of reporting requirements.

(d) Compliance will be credited for each ((~~species for which a~~)) transport tag ((~~is~~)) and permit acquired.

(2) As an incentive for prompt reporting, all ((~~successful~~)) hunters ((~~who report harvest within 10 days of killing an animal and unsuccessful hunters~~)) who report by midnight January 10 or within 10 days after the last day of their permit hunt will be entered into a drawing for special deer and elk incentive permits. To be eligible for the drawing, hunters must report their hunting activity for each transport tag and permit acquired.

(3) Hunters who have not reported hunting activity by the reporting deadline for deer, elk, bear, or turkey tags and permits acquired the previous year will be required to pay a $10 penalty before a new license that includes deer, elk, bear, or turkey tags will be issued. A hunter may only be penalized a maximum of $10 during a license year.