

**Please replace the Decision  
Page for Agenda Item 6 with  
the following page.**

## “GREEN SHEET”

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**Meeting:** August 6-7, 2010

**Agenda Item 6:** Migratory Waterfowl Seasons – **Rule Briefing, Public Hearing, and Rule Action**

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

**Presented By:** Don Kraege, Waterfowl Section Manager, Wildlife Program  
Bill Hebner, Region 4 Captain, Enforcement Program

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**Background:**

Department staff will brief the Commission on the proposed adoption of WAC 232-28-434 2010-11 Migratory waterfowl seasons and regulations.

U.S. Fish and Wildlife Service (USFWS) and flyway organizations continue to endorse the use of Adaptive Harvest Management (AHM) to establish duck season frameworks. AHM utilizes annual survey information and population models to prescribe optimal regulations packages each year. The population of ducks in the western part of North America is now managed separately from the eastern flyways, as part of new models developed for western mallard AHM. Western mallard AHM relies on breeding surveys and other information from western areas, rather than the Canadian prairies. The season packages proposed for western mallard AHM are the same as developed under mid-continent mallard AHM (liberal, moderate, and restrictive), although different models will be used to prescribe annual packages. Western mallard AHM will result in a higher frequency of liberal season packages for the Pacific Flyway. The 2010 western mallard breeding population index prescribes continuation of a 107-day season framework for 2010-11.

Certain species of ducks, including pintail, canvasback, and scaup, have received additional nationwide management emphasis due to population status and trends. These species have independent population models and harvest strategies, developed cooperatively with USFWS, and rely on population data available in late July.

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

The snow goose population breeding on Wrangel Island, Russia, has increased significantly over the past 10 years, although 2010 production is projected to be poor. About half of the population winters on the Skagit and Fraser Deltas. The current recommendation promotes hunter ethics principles and continues a hunter access program on private lands. The hunter access program provides limited entry Feel Free to Hunt and Register to Hunt, and continues a random drawing for hunting on Saturdays.

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

- Establishing waterfowl hunting seasons within frameworks established by the U.S. Fish and Wildlife Service, including the continuation of a 107-day season for ducks.
  - Implementing a harvest strategy for sea ducks based on a review of recent studies and management actions for this species group.
  - Continuing and expanding measures to reduce snow goose hunter trespass, ethical hunting concerns, and safety issues in Skagit County.
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**Public involvement process used and what you learned:**

These proposed recommendations were mailed to approximately 600 organizations and individuals for their review and consideration. Snow goose management recommendations were developed in consultation with the Fir Island Working Group at a meeting on June 15, 2010, at Conway. A report detailing sea duck management strategies was also distributed to the Waterfowl and Diversity Advisory committees on July 13, 2010. In addition, proposed recommendations will be presented to the Waterfowl Advisory Group on July 24, 2010, at Moses Lake. These organizations and individuals were also informed of the opportunity to provide public testimony at the August Commission meeting in Olympia.

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

Adopt WAC 232-28-434 2010-11 Migratory waterfowl seasons and regulations, as proposed.

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**Draft motion language:**

I move to adopt WAC 232-28-434 2010-11 Migratory waterfowl seasons and regulations, as proposed.

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**Justification for Commission action:**

Provide hunting recreation and damage control consistent with the status of waterfowl species.

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**Communications plan:**

- News Release
  - Website
  - Hunting Pamphlet
  - Washington State Register
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### WAC 232-28-434 Migratory waterfowl seasons and regulations.

#### Supplemental Recommended Adjustments

The following adjustments are proposed since the Code Reviser (CR 102) filing and are NOT included in your notebook language.

##### Page 5

Under the recommended adjustment language for Skagit County Special Restrictions, change first paragraph from:

It is unlawful to discharge a firearm for the purpose of hunting waterfowl within 100 feet of any paved public road in Skagit County.

To:

It is unlawful to discharge a firearm for the purpose of hunting waterfowl within 100 feet of any paved public road on Fir Island in Skagit County- or to discharge a firearm for the purpose of hunting snow geese within 100 feet of any paved public road in other areas of Skagit County.

The reason for this change is to avoid unnecessary restrictions for hunting waterfowl other than snow geese in areas of Skagit County outside of Fir Island. This change was recommended by the Waterfowl Advisory Group at their July 24 meeting.

##### Page 5

Under the recommended adjustment language for Skagit County Special Restrictions, change third paragraph from:

While hunting snow geese, if a hunter is convicted of 1) trespass, 2) shooting from, across, or along the maintained part of any public highway, 3) discharging a firearm for the purpose of hunting waterfowl within 100 feet of any paved public road in Skagit County, 4) exceeding the daily bag limit for snow geese, or 5) violating decoy requirements, authorization will be invalidated for the remainder of the 2010-11 snow goose season and an authorization will not be issued for the 2011-12 snow goose season.

To:

While hunting snow geese, if a hunter is convicted of 1) trespass, 2) shooting from, across, or along the maintained part of any public highway, 3) discharging a firearm for the purpose of hunting waterfowl within 100 feet of any paved public road on Fir Island in Skagit County or discharging a firearm within 100 feet of any paved public road for the purpose of hunting snow geese in other areas of Skagit County, 4) exceeding the daily bag limit for snow geese, or 5) violating decoy requirements, authorization will be invalidated for the remainder of the 2010-11 snow goose season and an authorization will not be issued for the 2011-12 snow goose season.

The reason for this change is include the first supplemental adjustment (above) in the list of offenses that would result in invalidation of a snow goose authorization. This change was recommended by the Waterfowl Advisory Group at their July 24 meeting.

### **Page 5-8**

Under Goose Management Areas 2A, 2B, and Special Late Goose Season for Goose Management Area 2A, change all bag limits for cackling geese from 3 per day and 6 in possession to 2 per day and 4 in possession.

The reason for the change is the federal frameworks for cackling goose bag limits were not increased by the U.S. Fish and Wildlife Service at their July 27-29 meetings, based on recommendations from the Pacific Flyway Council. Additional coordination with Alaska subsistence hunters is required before seasons can be liberalized.

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SUMMARY OF SUPPLEMENTAL PUBLIC INPUT  
WAC 232-28-434  
2010-11 Migratory waterfowl seasons and regulations.

RECOMMENDATION	AGENCY RESPONSE
Support for waterfowl season proposals as recommended, except change the Skagit County road buffer restriction to apply to snow goose hunting only outside of Fir Island.	The Department appreciates the support of the Waterfowl Advisory Group for the recommendations, and is proposing to amend the rule regarding Skagit County road buffers to apply to snow goose hunting only.
Reduction of the bag and possession limits on goldeneye are unnecessary and should be based on additional data.	The recommendation is based on the limited status of Barrow's goldeneye, lack of accurate harvest information, and the potential shifts in harvest that may occur from reduced scoter bag limits. The department will continue to monitor populations and obtain additional harvest information by including goldeneye on the sea duck harvest record card.