

Agenda Item 3

Hunting Practices Rule Briefing and Public Hearing



2012-14 Hunting Season Regulation Process

- Abbreviated Regulation Process
- Governor's Suspension on Non-Critical Rule Making
- Two Stage Public Involvement Process
 - Scoping in August with 4000 responses
 - Four Public Meetings with 150 Attending
- Standard Commission Rule Making Process

2012-14 Hunting Season Regulation Process

- Standard Commission Rule Making Process
 - Recommendations available for comment in February – through the 21st
 - GMAC Meeting – February 11th
 - Recommended Adjustments for the Commission's notebook – March 1st
 - Commission Hearing and Testimony – March 9
 - Commission Decision in April 13-14



2012-14 Hunting Season Regulation Process

- Governor's Suspension on Non-Critical Rule Making
- Exceptions:
 - Required by state or federal law
 - Protect public welfare or avoid threats to natural resource
 - Beneficial to regulated entities



2012-14 Hunting Season Regulation Process

- Limited the types of rules we were considering to:
 - Issues that reflect important conservation and management concerns
 - Issues that address a specific strategy identified in the Game Management Plan
 - Landowner Hunting Permit proposals



2012-14 Hunting Season Regulation Process

- Staff Identified about forty Issues
- Six that had statewide significance
- More issues were added during the public input process in August
- Sorted through all of the issues and developed our proposals
- Public comment February 1-21

Public Comment

- Comments are Summarized by WAC with the Agency's Response
- Resulted in several Recommended Adjustments
- Most of those are in your Notebooks
- There are a few floor amendments

Hunting Practices

- Several issues rolled up in this agenda item
- Crossbow rules
- Baiting of Waterfowl
- Hunting at Night
- Electronic equipment
 - Illuminated nocks
 - Waterfowl decoys

Crossbow Rules

WACs: 232-12-047 and 232-12-054

- The intent of this recommended change was to clean up language associated with the use of crossbows.
- Consistent with the Governor's suspension, we were not looking at policy changes.



Crossbow Rules

WACs: 232-12-047 and 232-12-054

- Removed the crossbow reference in the archery rule
- Clarified the rules for a legal crossbow
- Recommendation: allow scopes and clarify what is a legal crossbow



Crossbow Rules

WACs: 232-12-047 and 232-12-054

- Floor Amendments:
 - 232-12-047; page 2; section (4)(a) we are reversing our draw weight recommendation back to 125 pounds
 - 232-12-047; page 2; section (4)(b): we are reversing our bolt weight recommendation back to 350 grains



Crossbow Rules

WACs: 232-12-047 and 232-12-054

- Floor Amendments:
 - 232-12-047; page 2; section (5): change the sentence to read: “Hunters with disabilities may also use a crossbow during archery seasons with a special use permit as conditioned in WAC 232-12-054.”



Baiting of Game Birds

WAC 232-12-264

Recent History

- September 2009: Commission briefing on baiting regulations
- August 2010:
 - Proposed rule to align state regulations with federal regulations
 - Deferred to 3-year season package process
- 2011: Abbreviated Process/Governor's Suspension of Non-critical Rule Development

What Is Baiting?

Similarities Between State and Federal Regulations

- Both prohibit hunting of migratory game birds using bait.
- Both prohibit direct or indirect scattering of grain or other feed to attract game birds where hunters are attempting to take them.
- Both allow hunting over:
 - Un-harvested standing crops
 - Standing crops that have been flooded (regardless of intent to harvest)
 - Harvested fields (depending on the method of harvest)

What Is Baiting?

Differences Between State and Federal Regulations

| Example | Current State WAC | Current Federal Regulations |
|---|--|---|
| Species | All game birds | Migratory game birds only |
| Definition of normal agricultural practices | No | Yes |
| Hunting a baited area | Prohibited regardless of knowledge of bait | Prohibited if hunter knows or reasonably should know about bait |
| Hunting on areas where grains are inadvertently scattered from hunting activities | Prohibited | Allowed |
| Hunting doves or band-tails over cut grain or other crop manipulations | Prohibited | Allowed |

What Is Baiting?

Federal regulations provide specific definitions for agricultural practices (planting, harvesting, post-harvest)



What Is Baiting?

State regulations do not define normal agricultural practices and are open to more interpretation



Baiting of Game Birds

Why Standardize Baiting Regulations?

- Current baiting regulations are different in state and federal law for migratory game birds
- Landowners and hunters need more clarity to know what is prohibited
- Standardized regulations will allow officers to effectively identify violations and enforce baiting rules

Baiting of Game Birds

- Recommendation:
 - Modify 232-12-264 to make state rule consistent with federal law.

Hunting at Night

WAC 232-12-063

- Purpose:
 - clarify the rules so it is easier to interpret what night hunters are pursuing
 - reduce spotlighting deer and elk
- Comments received did not support the rule
- Recommendation:
 - **Withdraw the proposal**, but continue to work with hunters on addressing the issue

Electronic Equipment

WACs 232-12-054 & 232-12-257

- Fair Chase – Hunter Ethics
- Where to draw the line with electronics
- GMAC – debated the issue and decided that devices designed to increase success should be restricted
- Public debate continues!

Electronic Equipment

WACs 232-12-054 & 232-12-257

Two Issues for 2012-14:

- Illuminated nocks
- Waterfowl decoys

Archery Equipment

WAC 232-12-054

TMO

Riverside, OH

Nockturnal Nock Test

MAXIMA Carbon Arrows

Hoyt Compound Bow

Archery Equipment

WAC 232-12-054

- Proposal:
 - Exempt illuminated nocks from the restriction on electronic equipment attached to the bow or arrow



Electronic Decoys

WAC 232-12-257

- Public debated since 2000
- Mainly a fair chase issue

Electronic Waterfowl Decoys

- Waterfowl Advisory Group
 - July 2004: continue prohibition (6-2)
 - March 2007: continue prohibition (10-6)
 - August 2008: allow from Dec. 1 on (7-5)
 - July 2011: eliminate prohibition (8-5)
- Game Management Advisory Committee
 - February 2012: Voted to continue prohibition of electronic waterfowl decoys (14-4)

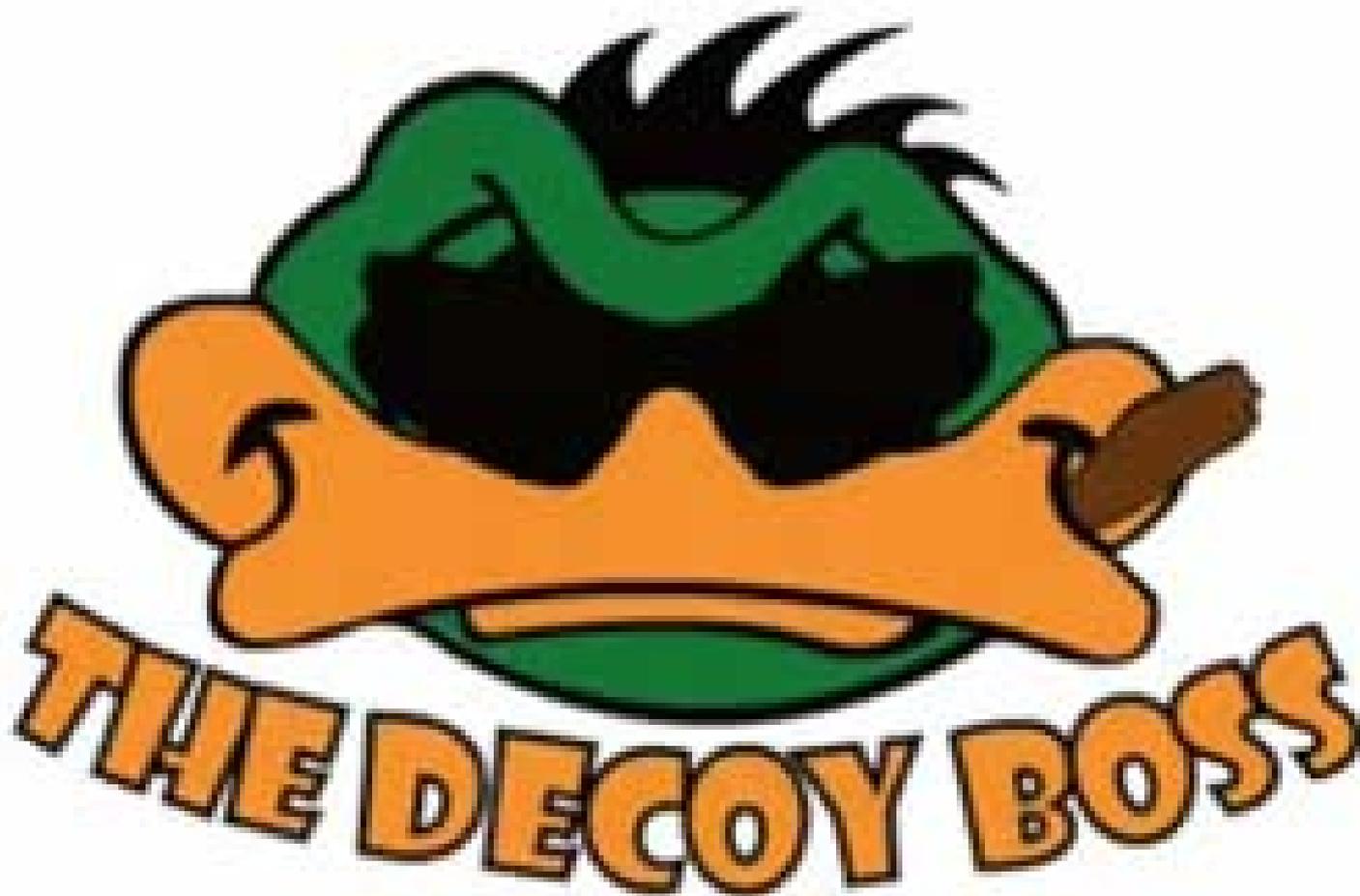


ELECTRONIC MOTION DECOYS FOR WATERFOWL HUNTING

Information is subject to changes and amendments over time

March 9, 2012, WDFW Commission Meeting Presentation





ELECTRONIC MOTION DECOYS FOR WATERFOWL HUNTING

Information is subject to changes
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March 9, 2012, WDFW Commission
Meeting Presentation

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Electronic Waterfowl Decoys

- Electronic waterfowl decoys completely prohibited:
 - Oregon
 - Washington
 - Pennsylvania

- Electronic waterfowl decoys partially prohibited:
 - California – spinning wing decoys prohibited before Dec. 1
 - Minnesota - motorized decoys prohibited on all lands before Oct. 8 and on W.A.s all season

Electronic Waterfowl Decoys

- USFWS (2005)
 - Unknown whether decoys redistribute harvest or increase population level harvest rates
 - Determining large scale biological impacts would be difficult and expensive
- State agency studies (MN, NC)
 - No effect on wounding loss, drake/hen harvest ratios

Electronic Waterfowl Decoys

- Ackerman et al (JWM 2006)
 - Spinning-wing decoy studies in 6 locations, 545 experimental hunts, 1999-2003
 - Spinning-wing decoys are strong attractants to ducks and increase kill rates by an average of 2.4 times over traditional decoying methods (ranging from 1.3 to 33 times)
 - Effectiveness differs among duck species, timing in season, and location
 - Effects on overall population harvest rates are not yet known and should be studied

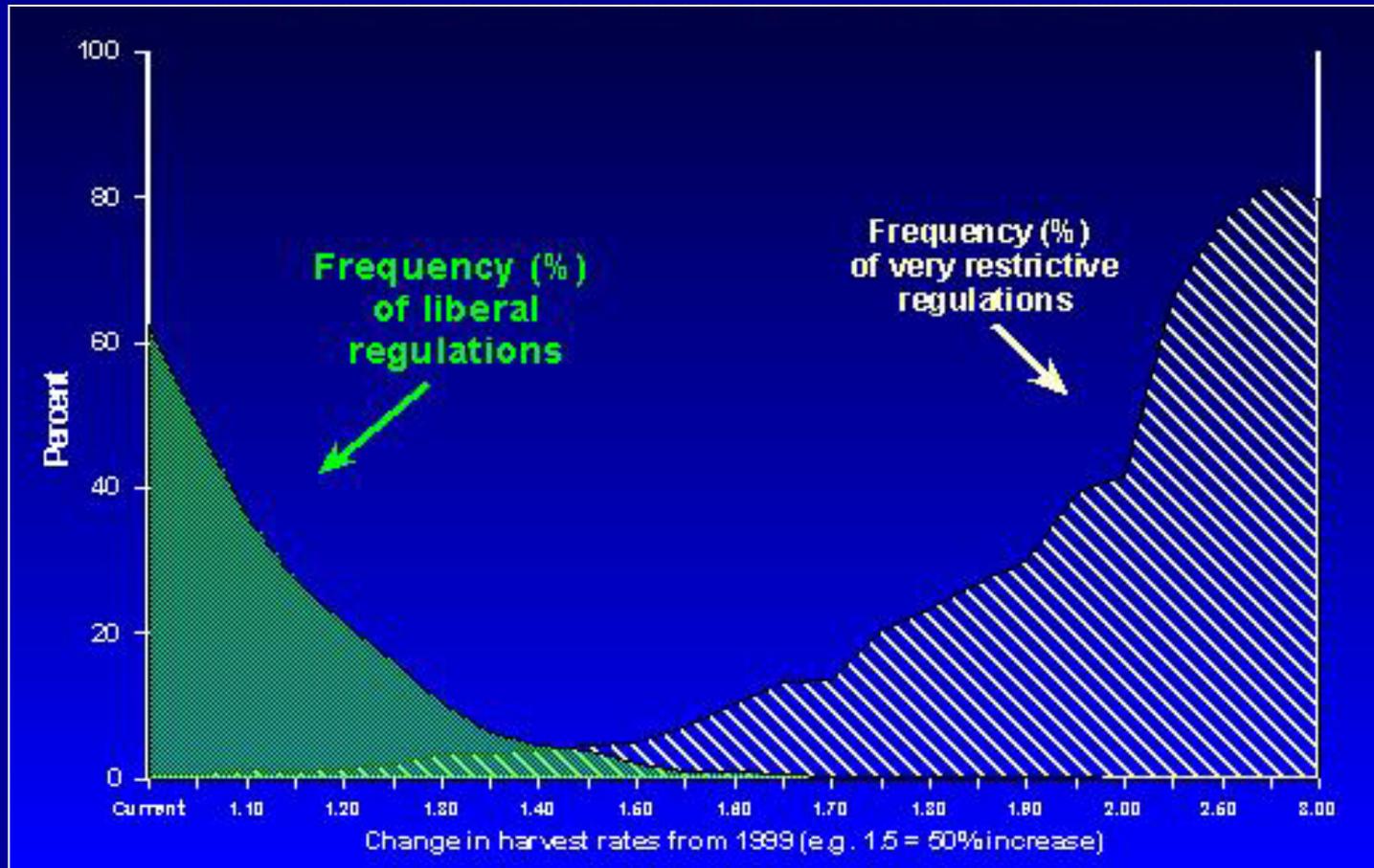
Electronic Waterfowl Decoys



- Harvest affected by many factors
 - Distribution and success of breeding birds
 - Weather and migration patterns
 - Winter habitat conditions
 - Hunter effort
 - Hunter efficiency

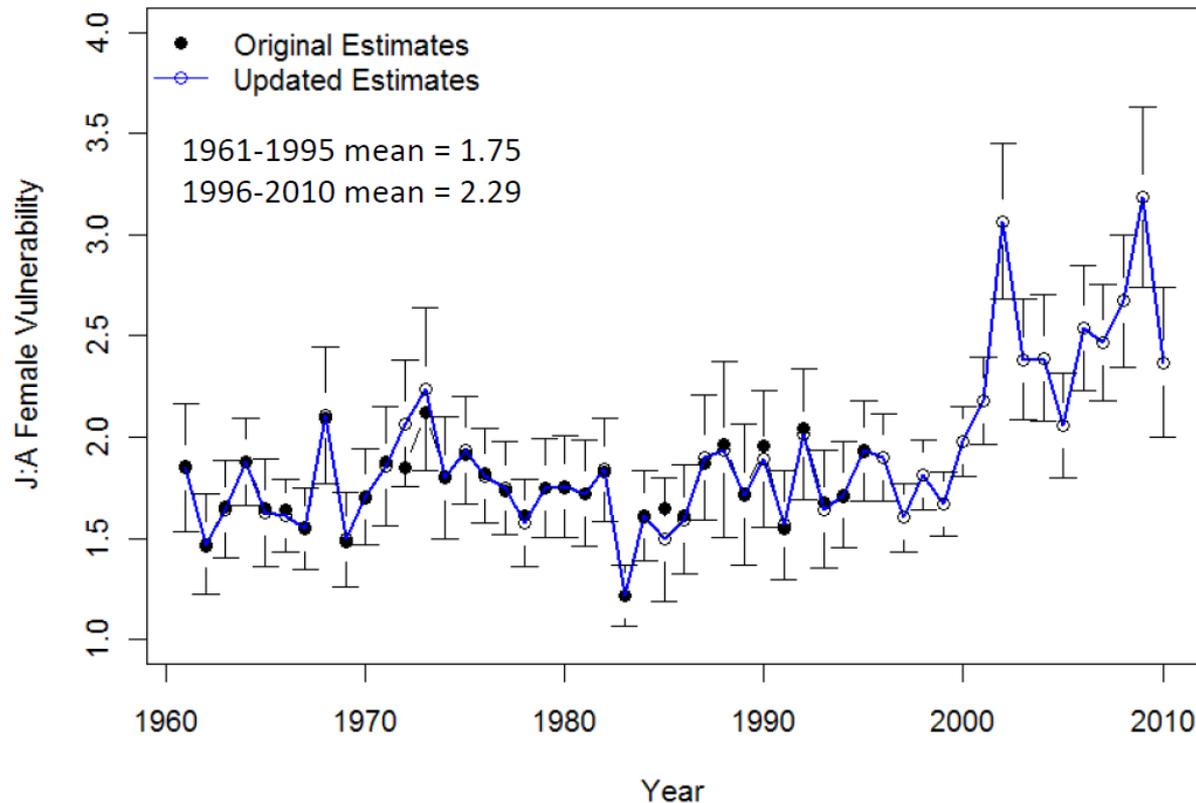
Electronic Waterfowl Decoys

- Harvest rates affect regulations



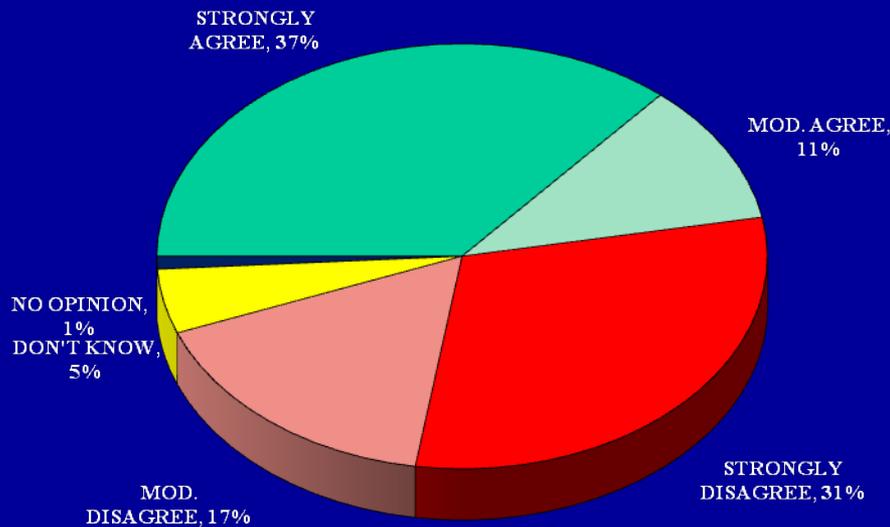
Electronic Waterfowl Decoys

Differential Vulnerability

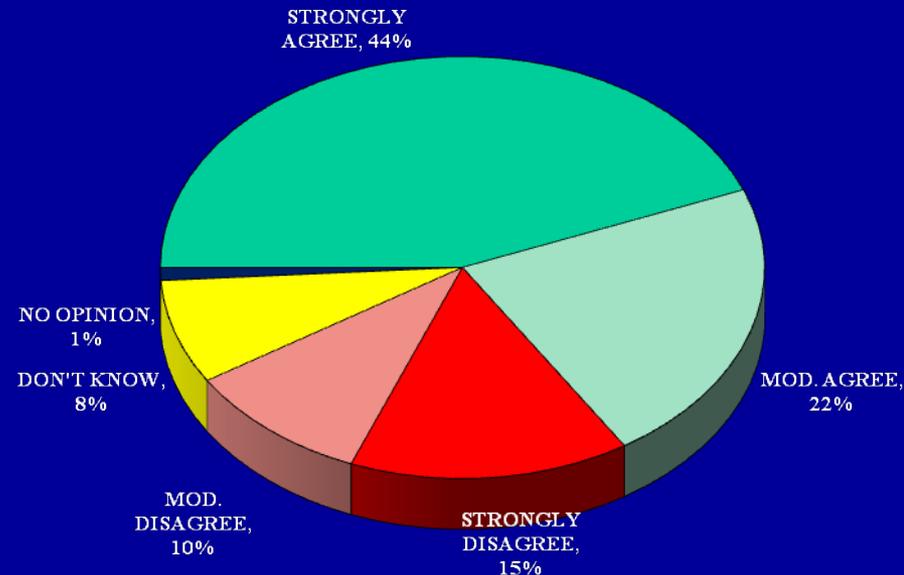


Electronic Waterfowl Decoys

- 2002 Opinion Survey by Responsive Mgmt.
 - Would you agree or disagree that increased regulation of technology in hunting equipment and weapons is important, such as motorized waterfowl decoys and infrared night scopes?

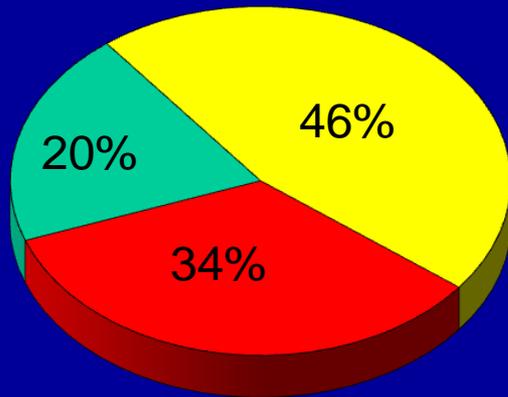


WATERFOWL HUNTERS

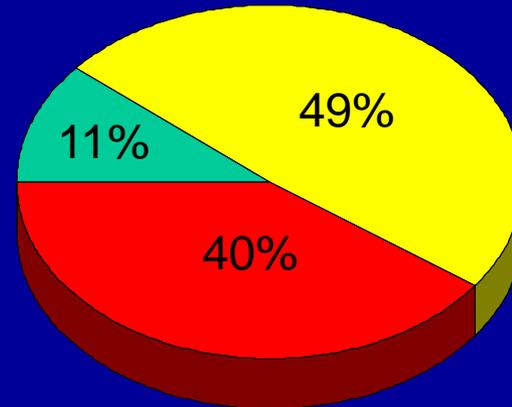
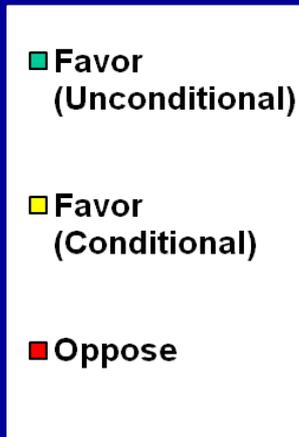


GENERAL PUBLIC

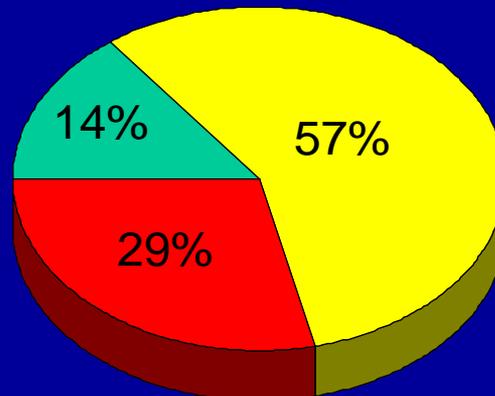
Electronic Waterfowl Decoys



2001 Internet Survey n=1200



2006 HQ Mail Survey n=2400

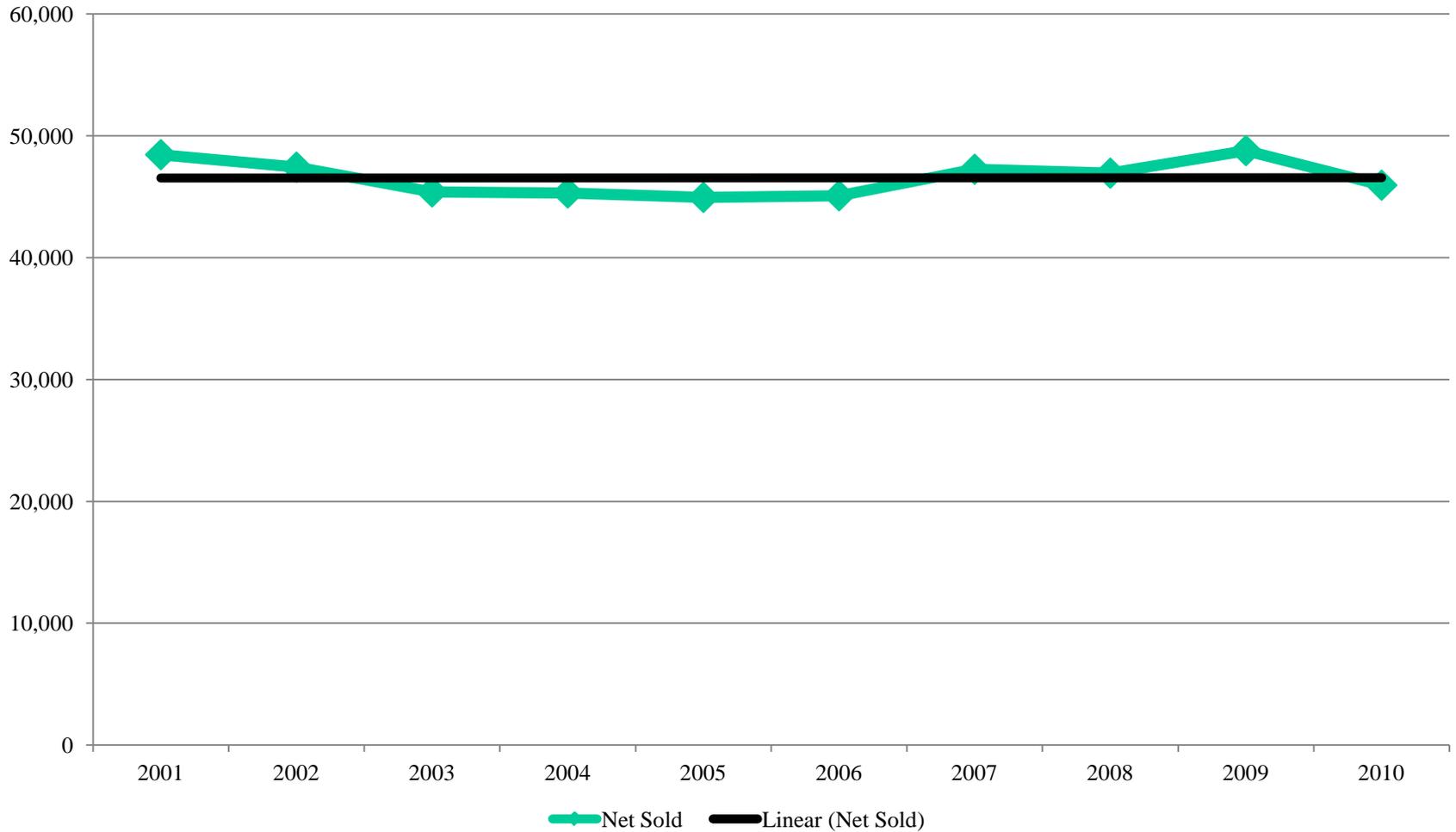


2011 Internet Survey n=2765

- Favor (conditional) = favor only if seasons unaffected

Electronic Waterfowl Decoys

WDFW MIGRATORY BIRD VALIDATION SALES





Electronic Waterfowl Decoys

- USFWS (2005) Summary of Considerations
 - The biological impacts are currently uncertain
 - Main questions:
 - Should technology be limited?
 - Is this equipment considered within the bounds of fair chase?
 - What are the impacts on traditional hunting methods and skills?

Electronic Waterfowl Decoys

WAC 232-12-257

- WAC Language:
 - Removes waterfowl decoys from the prohibition on electronic decoys

Questions???



Western Mallard Trends

