15. BIG GAME AND WILD TURKEY AUCTION, RAFFLE, AND SPECIAL INCENTIVE PERMITS – RULE ACTION

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"GREEN SHEET"

Meeting: April 3-4, 2009

Agenda Item 15: Big Game and Wild Turkey Auction, Raffle, and Special Incentive Permits – **Rule Action**

Prepared By: Donny Martorello, Ph.D.

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

Background:

Department staff will provide a brief overview to the Commission on proposed amendments to WAC 232-28-282 Big game and wild turkey auction, raffle, and special incentive permits. This will include any changes resulting from the March 6-7, 2009 Commission meeting in Ellensburg.

The primary objective of the auction-raffle program is to generate revenue for the management of big game animals. There are 8 auction permits (1 each for mule deer, black-tailed deer, white-tailed deer, eastside elk, Westside elk, moose, mtn. goat, and California bighorn sheep) and 12 raffle permits (1 each for mule deer, black-tailed deer, white-tailed deer, eastside elk, Westside elk, Rocky mtn. bighorn sheep, and wild turkey, and two each for moose and mtn. goat). Changes to the auction raffle program are generally made to further enhance revenue potential without significantly impacting other recreational hunting opportunities or the viability of populations. To that end, the Department is recommending minor changes to the GMUs open for the Rocky Mountain bighorn sheep raffle hunt (i.e., adding GMU 113 and 166 and removing GMUs 169 and 172). The Department is also recommending some clarifying language defining the species of deer open for the various deer auction and raffle hunts.

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

Expand the geographic hunt area for the Rocky Mountain bighorn sheep raffle permit consistent with population status.

Public involvement process used and what you learned:

The Department conducted an extensive public involvement process to develop these three-year hunting season cycle recommendations. In June 2008, the Department received nearly 4,000 responses to a scoping survey that was developed to determine the major issues that were important to the public. After the initial scoping phase, the issues were refined and preferred alternatives to address those issues were developed. The alternatives were discussed at more than ten public meetings held throughout the state in August and September. Nearly 5,000 people commented on the Alternatives, which were presented at the public meetings and available online for approximately seven weeks. In early January, an email was sent to over 50,000 hunters announcing that the proposed recommendations were online and would be available for comment until February 20. A postcard was mailed to approximately 800 organizations and individuals informing them of the opportunity to provide comments on the proposed regulations. Oral public testimony (if any was received) from the March 6-7, 2009 Commission meeting is located at the end of this agenda item.

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

Amend WAC 232-28-282 Big game and wild turkey auction, raffle, and special incentive permits, as presented.

Draft motion language:

I move to amend WAC 232-28-282, as proposed.

Justification for Commission action:

Within biologically sustainable limits, maximize revenue for game species management and research.

Communications plan:

- News Release
- Hunting Pamphlets
- Direct email to approximately 55,000 hunters

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

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

BIG GAME AUCTION PERMITS

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

SPECIES - ONE ((~~WESTSIDE~~)) BLACK-TAILED DEER PERMIT

Hunting season dates: September 1 - December 31

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

Weapon: Any legal weapon.

Bag limit: One additional any buck black-tailed deer

((~~SPECIES - ONE EASTSIDE DEER PERMIT~~

~~Hunting season dates: September 1 - December 31, 2008~~

~~Hunt Area: Eastern Washington EXCEPT those GMUs closed to deer hunting by the fish and wildlife commission.~~

~~Weapon: Any legal weapon.~~

~~Bag limit: One additional any buck deer~~))

SPECIES - ONE MULE DEER PERMIT

Hunting season dates: Starting in 2009 September 1 - December 31

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

Weapon: Any legal weapon.

Bag limit: One additional any buck mule deer

SPECIES - ONE WHITE-TAILED DEER PERMIT

Hunting season dates: Starting in 2009 September 1 - December 31

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

Weapon: Any legal weapon.

Bag limit: One additional any buck white-tailed deer

SPECIES - ONE WESTSIDE ELK PERMIT

Hunting season dates: September 1 - December 31

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

Weapon: Any legal weapon.

Bag limit: One additional any bull elk

SPECIES - ONE EASTSIDE ELK PERMIT

Hunting season dates: September 1 - December 31

Hunt Area: Eastern Washington EXCEPT GMU 157, those GMUs closed to elk hunting, and those GMUs not opened to branch antlered

bull elk hunting by the fish and wildlife commission.

Weapon: Any legal weapon.

Bag limit: One additional any bull elk

SPECIES - ONE CALIFORNIA BIGHORN SHEEP PERMIT

Hunting season dates: September 1 - December 31

Hunt Area: Any open sheep unit with two (2) or more ram permits during the respective license year, except sheep units in Walla Walla, Columbia, Garfield, Asotin, or Pend Oreille counties are not open.

Weapon: Any legal weapon.

Bag limit: One bighorn ram

SPECIES - ONE MOOSE PERMIT

Hunting season dates: September 1 - December 31

Hunt Area: Any open moose unit.

Weapon: Any legal weapon.

Bag limit: One moose of either sex

SPECIES - ONE MOUNTAIN GOAT PERMIT

Hunting season dates: September 1 - December 31

Hunt Area: Any open goat unit with two (2) or more permits during the respective license year.

Weapon: Any legal weapon.

Bag limit: One mountain goat of either sex

RAFFLE PERMITS

Raffle permits will be issued to individuals selected through a Washington department of fish and wildlife drawing or the director may select a conservation organization(s) to conduct

annual raffles. Selection of a conservation organization will be based on criteria adopted by the Washington department of fish and wildlife. Big game and wild turkey raffles shall be conducted consistent with WAC 232-28-290.

RAFFLE PERMIT HUNT(S)

((~~WESTSIDE~~)) BLACK-TAILED DEER RAFFLE PERMIT HUNT

Bag limit: One additional any buck black-tailed deer

Open area: ((~~Western Washington~~)) Those GMUs open to black-tailed deer hunting EXCEPT GMU 485 and those GMUs closed to deer hunting by the fish and wildlife commission.

Open season: September 1 - December 31

Weapon: Any legal weapon.

Number of permits: 1

((~~EASTSIDE DEER RAFFLE PERMIT HUNT~~

~~Bag limit: One additional any buck deer~~

~~Open area: Eastern Washington EXCEPT those GMUs closed to deer hunting by the fish and wildlife commission.~~

~~Open season: September 1 - December 31, 2008~~

~~Weapon: Any legal weapon.~~

~~Number of permits: 1~~))

MULE DEER RAFFLE PERMIT HUNT

Bag limit: One additional any buck mule deer

Open area: ((~~Eastern Washington~~)) Those GMUs open to mule deer hunting EXCEPT those GMUs closed to mule deer hunting by the fish and wildlife commission.

Open season: Starting in 2009 September 1 - December 31

Weapon: Any legal weapon.

Number of permits: 1

WHITE-TAILED DEER RAFFLE PERMIT HUNT

Bag limit: One additional any buck white-tailed deer

Open area: ((~~Eastern Washington~~)) Those GMUs open to white-tailed deer hunting EXCEPT those GMUs closed to white-tailed deer hunting by the fish and wildlife commission.

Open season: Starting in 2009 September 1 - December 31

Weapon: Any legal weapon.

Number of permits: 1

WESTSIDE ELK RAFFLE PERMIT HUNT

Bag limit: One additional any bull elk

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

Open season: September 1 - December 31

Weapon: Any legal weapon.

Number of permits: 1

EASTSIDE ELK RAFFLE PERMIT HUNT

Bag limit: One additional any bull elk

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

Open season: September 1 - December 31.

Weapon: Any legal weapon.

Number of permits: 1

CALIFORNIA BIGHORN SHEEP RAFFLE PERMIT HUNT

Bag limit: One bighorn ram

Open area: Any open bighorn sheep unit with two (2) or more ram permits during the respective license year, except sheep units in Walla Walla, Columbia, Garfield, Asotin, or Pend Oreille counties are not open.

Open season: September 1 - December 31.

Weapon: Any legal weapon.

Number of permits: 1

MOOSE RAFFLE PERMIT HUNT

Bag limit: One moose of either sex

Open area: Any open moose unit.

Open season: September 1 - December 31.

Weapon: Any legal weapon.

Number of permits: 2

MOUNTAIN GOAT RAFFLE PERMIT HUNT

Bag limit: One mountain goat of either sex

Open area: Any open goat unit with two (2) or more permits during the respective license year.

Open season: September 1 - December 31.

Weapon: Any legal weapon.

Number of permits: 2

TURKEY RAFFLE PERMIT HUNTS

Bag limit: Three (3) additional wild turkeys, but not to exceed more than one turkey in Western Washington or two turkeys in Eastern Washington.

Open area: Statewide.

Open season: April 1 - May 31 AND September 1 - December 31.

Weapon: Archery or shotgun only.

Number of permits: 1

DIRECTOR AUTHORIZED BIG GAME AUCTION OR RAFFLE PERMITS

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

ROCKY MOUNTAIN BIGHORN SHEEP AUCTION OR RAFFLE PERMIT

Hunting season dates: September 1 - December 31

Hunt Area: GMUs 113, 166, 169, 172, 181, 186 in 2009. GMUs 113, 181, 186 starting in 2010.

Weapon: Any legal weapon.

Bag limit: One bighorn ram

SPECIAL INCENTIVE PERMITS

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

(a) There will be two (2) any elk special incentive permits for Western Washington.

Open area: Western Washington EXCEPT GMUs 418, 485, 522, and those GMUs closed to elk hunting or closed to branch antlered

bull elk hunting by the fish and wildlife commission.

Open season: September 1 - December 31.

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

Bag limit: One additional elk.

There will be two (2) any elk special incentive permits for Eastern Washington.

Open area: Eastern Washington EXCEPT GMU 157 and those GMUs closed to elk hunting or closed to branch antlered bull elk hunting by the fish and wildlife commission.

Open season: September 1 - December 31.

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

Bag limit: One additional elk.

(b) There will be five (5) statewide any deer special incentive permits, for use in any area open to general or permit hunting seasons EXCEPT GMUs 157, 418, 485, 522, and those GMUs closed to deer hunting by the fish and wildlife commission.

Open season: September 1 - December 31.

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

Bag limit: One additional any deer.

Auction, raffle, and special incentive hunt permittee rules

(1) Permittee shall contact the appropriate regional office

of the department of fish and wildlife when entering the designated hunt area or entering the region to hunt outside the general season.

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

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

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

(5) The permit is valid during the hunting season dates for the year issued.

(6) The permittee will present the head and carcass of the bighorn sheep killed to any department office within 72 hours of date of kill.

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

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

[Statutory Authority: RCW 77.12.047, 77.12.020. 08-01-052 (Order 07-292), § 232-28-282, filed 12/13/07, effective 1/13/08. Statutory Authority: RCW 77.12.047. 07-01-049 (Order 06-300), § 232-28-282, filed 12/14/06, effective 1/14/07; 06-11-032

(Order 06-92), § 232-28-282, filed 5/8/06, effective 6/8/06; 06-02-063 (Order 05-271), § 232-28-282, filed 1/3/06, effective 2/3/06; 05-11-022 (Order 05-89), § 232-28-282, filed 5/10/05, effective 6/10/05. Statutory Authority: RCW 77.12.047 and 77.12.020. 04-11-036 (Order 04-98), § 232-28-282, filed 5/12/04, effective 6/12/04. Statutory Authority: RCW 77.12.047. 03-16-087 (Order 03-175), § 232-28-282, filed 8/5/03, effective 9/5/03; 03-03-016 (Order 03-03), § 232-28-282, filed 1/7/03, effective 2/7/03; 02-15-019 (Order 02-135), § 232-28-282, filed 7/8/02, effective 1/1/03.]

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

RECOMMENDED ADJUSTMENTS

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

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Under Rocky Mountain Bighorn Sheep Auction or Raffle Permit, add GMU 166 to the list of hunt areas. This change is because of the increased number of mature rams in the population.

SUMMARY OF WRITTEN PUBLIC INPUT

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

COMMENTS	AGENCY RESPONSE
Turkey Raffle: Bag limit: Three (3) additional wild turkeys, but not to exceed more than one turkey in Western Washington or two turkeys in Eastern Washington. Open area: Statewide. Open season: April 1 - May 31 AND September 1 - December 31. What is a legal bird for the spring season and/or for the fall season, any bird, visible beard only, or mixed bag?	The rule is "3 additional wild turkeys," which would be any bird.
All Big Game Raffle Tags: The seasons read that hunting starts on September 1 and goes through December 31 and any legal weapon can be used. Most hunts start on September 8 for archery but the raffle tickets start September 1. Can you start hunting September 1 and/or hunt any time a GMU is not open to the general season, as long as there is, was, or will be a general season in that specific GMU? Does the elk raffle tag allow you to hunt statewide? Is it required to hunt archery during archery season, muzzleloader during muzzleloader season, and modern firearm during modern firearm season, or can any weapon be used any time with the raffle tags? Is hunter orange required for someone hunting with a modern firearm in an archery or muzzleloader unit?	Yes, the season for most auction/raffle permits is Sept. 1 to Dec. 31 regardless if other seasons in that GMU are open or closed (as long as there is a WDFW Commission authorized season in that GMU for that animal). There is an eastside and westside elk auction/raffle permit. Auction/raffle hunters can use any legal weapon during their entire season. The Department is recommending auction/raffle hunters wear hunter orange if they are hunting with a modern firearm.

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

SUMMARY OF SUPPLEMENTAL WRITTEN PUBLIC INPUT

Supplemental public comments were not captured in the original summary of written comments. Each comment may be representative of multiple like comments.

COMMENTS	AGENCY RESPONSE
Allow only 1 Mountain goat raffle. With these tags being fewer and fewer the drawing is the way to get one.	Thank you for your comment. The rationale for the two goat raffle tags is to provide dedicated funds for goat management, but using a raffle program that is still affordable to everyone. Unfortunately, one of our primary limitations for goat management is funding for basic activities like surveys, and the raffle program helps generate revenue beyond what the general permit process does.

SUMMARY OF PUBLIC TESTIMONY RECEIVED AT THE MARCH 6-7, 2009 MEETING IN ELLENSBURG, WA

Agenda Item 15

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

COMMENTS	AGENCY RESPONSE
No testimony received.	

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** 08-10-108 & 08-24-103 **; 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):
Ellensburg Quality Inn and Conference Center
1700 Canyon Road
Ellensburg, WA 98926
(509) 925-9800

Date: March 6-7, 2009 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: Friday, February 20, 2009

Assistance for persons with disabilities:
Contact: Susan Yeager by March 1, 2009
TTY (800) 833-6388 or (360) 902-2267

Date of intended adoption: April 2-3-4, 2009
(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: 77.12.047; 77.12.020; 77.12.570; 77.12.210; 77.12.015; 77.12.240; 77.12.040; 77.32.155

Statute being implemented: 77.12.047; 77.12.020; 77.12.570; 77.12.210; 77.12.015; 77.12.240; 77.12.040; 77.32.155

Is rule necessary because of a:

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

If yes, CITATION:

DATE
January 21, 2009

NAME
Lori Preuss

SIGNATURE Lorena M Preuss

TITLE
Rules Coordinator

15

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: January 21, 2009
TIME: 11:44 AM

WSR 09-03-111

(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 Fish and Wildlife Commission

☐ 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 232-12-047 Unlawful methods for hunting

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
Amendments to this rule help clarify the title of the WAC which deals with more than firearms. The proposal clarifies language related to using handguns for hunting and also removes a conflict with the muzzleloading equipment WAC that proposes to allow muzzleloading handguns for hunting. The proposal would also allow crossbows to be used in firearm restriction areas as designated by the Fish and Wildlife Commission. Currently only hunters with disabilities that meet certain criteria are allowed to use crossbows.

Reasons supporting proposal:
To provide more flexibility in designing hunting seasons that address urban and suburban big game issues by allowing crossbows in some situations. The proposal also removes a conflict with a proposed change in the muzzleloading equipment WAC.

WAC 232-12-051 Muzzleloading firearms

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
The purpose of the proposal is to clarify language related to lawful ignition systems for muzzleloading firearms. The proposal also no longer restricts projectiles to lead only. The proposal would allow muzzleloading handguns to be used for hunting big game and clarifies muzzleloading handgun use for small game. Also the proposal would allow modern handguns to be carried for personal protection during a muzzleloader season.

Reasons supporting proposal:
To help clarify what types of muzzleloader equipment is lawful for hunting; allow hunters more flexibility in the types of projectiles they are allowed to use; removes an unnecessary restriction related to using muzzleloading handguns for big game and clarifies other allowed uses for muzzleloading handguns; and allows muzzleloader hunters to carry handguns for personal safety as long as they are not in conflict with existing big game hunting season restrictions.

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 purpose of the proposal is to allow modern handguns to be carried for personal protection during an archery season and allow the use of crossbows in firearm restriction areas as designated by the Fish and Wildlife Commission.

Reasons supporting proposal:
The proposal would provide more flexibility in designing hunting seasons that address urban and suburban big game issues by allowing crossbows in some situations. The proposal would also allow archery hunters to carry handguns for personal safety as long as they are not in conflict with existing big game hunting season restrictions.

WAC 232-12-055 Hunting – Hunter orange clothing requirements

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
The proposed amendments help clarify which hunters are required to wear hunter orange clothing. The clarification is for hunting during modern firearm seasons and for modern firearm deer and elk permit holders.

Reasons supporting proposal:
In the past, it has not been very clear whether archery and muzzleloader deer and elk hunters were required to wear hunter orange clothing outside of general seasons for modern firearm hunters.

WAC 232-12-062 Party hunting

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
To develop a definition of party hunting and clarify that it is illegal to hunt for another person's big game animal or turkey.

Reasons supporting proposal:
To clarify that party hunting for big game and turkeys is illegal.

WAC 232-12-068 Nontoxic shot requirements

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
The rule will provide additional nontoxic shot selections for waterfowl, coot, and snipe hunters.

Reasons supporting proposal:
To improve recreational opportunity and protect waterfowl resources.

WAC 232-12-227 Hunter education training program requirements

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
The purpose behind the proposal is to minimize confusion and avoid possible mistakes by license vendors.

Currently subsection (4) authorizes an individual who has a Washington hunting license from a preceding year to show that license and purchase a subsequent hunting license even if the initial license was not issued in compliance with the hunter education training requirement. The proposal will allow individuals to purchase a Washington hunting license only if they have a hunter education certificate *or* are identified as previous Washington hunters in the current license data system.

Reasons supporting proposal:
The proposal ensures that only hunter education graduates or individuals currently identified as hunting-license buyers within the WDFW license data system are eligible to purchase.

WAC 232-12-828 Hunting of game birds and animals by persons with a disability

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
The proposed amendment to this rule would authorize the Director to administer and issue special use permits to hunters with disabilities.

Reasons supporting proposal:
Accommodations that allow persons with disabilities to participate in Department programs are required by the Americans with Disabilities Act. Special use permits allow the Director to evaluate applications and provide accommodations where appropriate.

WAC 232-12-840 Hunting and fishing opportunities for terminally ill persons

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
This proposal is to implement recently passed legislation authorizing the Commission to establish rules for providing special hunting and fishing opportunities for terminally ill persons. In the proposal, the Director is authorized to provide opportunities in a variety of ways at no cost.

Reasons supporting proposal:
To implement the legislation, which provides special hunting and fishing opportunities for terminally ill persons.

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 rule amendments add more weapon options in firearm restriction areas. The effect will maintain some limited hunting opportunity in these areas and also provide an effective level of harvest to help control deer and elk populations causing damage and nuisance problems especially in more developed areas.

Reasons supporting proposal:
The proposed language retains some limited level of hunting that is compatible with urban expansion. Also helps deal with deer and elk damage and nuisance problems.

WAC 232-28-266 Damage prevention permit hunts

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
The amendment to the rule adds 200 turkey permits in northeastern Washington. These permits will provide landowners and WDFW enforcement with additional tools to address property damage issues.

Reasons supporting proposal:
An increasing number of landowners are requesting the use of these permits to address damage. They have proven to be very effective in dealing with damage problems and reducing landowner complaints with deer. WDFW enforcement officers have requested they be available for turkeys as well.

WAC 232-28-272 2009-2010, 2010-2011, and 2011-2012 Black bear and cougar hunting seasons and regulations

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
The rule establishes hunting seasons for black bear and cougar from 2009 to 2012. The purpose of the recommended changes is to maximize recreational hunting opportunities for bear and cougar while maintaining sustainable populations.

The Department is recommending status quo bear seasons, with two exceptions: (1) For management units that open Aug 1, the Aug 1-31 period is limited to hunting on private lands only; (2) For management units that open in early September, change the opener from the day after Labor Day to September 1.

The Department's cougar season recommendations are: Statewide Sept. 1-25 archery only and Sept. 26-Oct. 16 muzzleloader only seasons; Oct. 17-Mar. 31 general season (any weapon) for zones where trends in female harvest are within our guideline; Oct. 17-Dec. 31 general season for zones where female harvest slightly exceeds our guideline; Oct. 31-Nov. 30 season for zones where female harvested is limited by a quota system and the management need is to adequately evaluate the pilot hunt with the aid of dogs; Change the statewide bag limit from 2 cougars to 1 cougar.

Reasons supporting proposal:
Maximize recreational opportunities for bear and cougar hunting, while maintaining sustainable populations.

The justification for the August black bear season on private lands only is to reduce conflict with other recreational users on public lands during the summer while still allowing bears to be harvest for damage reasons (e.g., orchard damage). The justification for the September 1 start date is consistency with the opening day of deer archery seasons.

The justification for the cougar season changes is consistency with concurrent deer/elk seasons and to limit female harvest in those areas where harvest levels exceed our guidelines.

WAC 232-28-273 2009-2011 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 rule amendments include a status quo moose permit level of 130; creating a Master Hunter damage hunt in the Mount Spokane unit; adding ewe-only hunts in three herds; increasing bighorn sheep permit levels from 36 to 46; and reducing mountain goat permit levels consistent with the findings of our recent research.

Reasons supporting proposal:
Recommended adjustments in permit quotas are based on meeting population objectives for each species as indicated in the Game Management Plan.

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

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
The proposed rule amendments include removing dated language; clarifying areas open for specific deer auction and raffle seasons; and changing the areas open to the Rocky Mountain bighorn raffle permit hunt to reflect the status of mature rams in various populations.

Reasons supporting proposal:
Provide a variety of different hunting opportunities and maximize revenue for auction/raffle program, all within biological sustainable limits.

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 rule amendments add a spring bear hunt in a portion of GMU 501 with 50 permits and close the spring bear damage hunt in Capitol Forest.

Reasons supporting proposal:
Spring black bear seasons are used to minimize damage to trees by reducing bear populations to a lower but sustainable level, reduce nuisance activity in northeastern Washington, and better distribute the harvest geographically in southeastern Washington.

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

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
Establish fall permit hunts for 9 cougar zones around the state. Cougar permit hunts are designed to provide late season hunting opportunity for hunters without the use of dogs (i.e., spot and stalking in snow and/or calling). The anticipated effect is additional varieties of hunting opportunity with sustainable cougar populations.

Reasons supporting proposal:
Provide late season hunting opportunity for hunters without the use of dogs (i.e., spot and stalking in snow and/or calling).

WAC 232-28-291 Special hunting season permits

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
The amendments proposed are largely housekeeping in nature. Changes are recommended for multi-season permit application and group sizes. Changes are also recommended for deer and elk permit application group sizes and the late fall turkey permit application rules are eliminated. Fall turkey permit applications are consolidated into one set of rules.

Reasons supporting proposal:
The proposal would allow multi-season applicants to submit group applications; clean up turkey permit application language; and limit the number of deer and elk group applicants to better distribute permits.

WAC 232-28-294 Multiple season big game permits

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
This proposal would shorten the amount of time successful applicants for a multi-season permit would have to purchase their permit to allow for the sale of all permits prior to the first general seasons starting in September. It would also provide 50 multi-season deer and 25 multi-season elk permits to qualifying hunter education instructors.

Reasons supporting proposal:
Shortening the purchase time for successful applicants would make sure that more hunters would be able to purchase permits. Providing hunter education instructors with multiple season permits would be an incentive to recruit and retain instructors.

WAC 232-28-295 Landowner hunting permits

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
The proposal identifies permit levels and season dates for Landowner Hunting Permit (LHP) program participants for the 2009 hunting seasons. Amendments to this rule include removal of the 4-O Cattle Company who requested not to participate and addition of the Pine Mountain LHP in Yakima County. The permits will result in general public hunter access on private property and will help mitigate deer and elk foraging on private agricultural lands.

Reasons supporting proposal:
Increase public hunting access to private lands and help landowners address game damage issues.

WAC 232-28-333 Game management units (GMUs) boundary descriptions – Region three

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
GMU boundary rules define legal hunting areas. The GMUs need readily discernable boundaries to direct hunters to appropriate hunting areas. Season dates, bag limits, antler restrictions, and other hunting season regulations are typically specified at the GMU scale.

Reasons supporting proposal:
Clarifies boundaries and facilitates hunting seasons for big game.

WAC 232-28-335 Game management units (GMUs) boundary descriptions – Region five

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
GMU boundary rules define legal hunting areas. The GMUs need readily discernable boundaries to direct hunters to appropriate hunting areas. Season dates, bag limits, antler restrictions, and other hunting season regulations are typically specified at the GMU scale.

Reasons supporting proposal:
Clarifies boundaries and facilitates hunting seasons for big game.

WAC 232-28-336 Game management units (GMUs) boundary descriptions – Region six

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
GMU boundary rules define legal hunting areas. The GMUs need readily discernable boundaries to direct hunters to appropriate hunting areas. Season dates, bag limits, antler restrictions, and other hunting season regulations are typically specified at the GMU scale.

Reasons supporting proposal:
Clarifies boundaries and facilitates hunting seasons for big game.

WAC 232-28-337 Deer and elk area descriptions

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
Boundary adjustments are being proposed to better address current deer and elk damage issues.

Reasons supporting proposal:
The proposed rule amendment provides the means to reduce wildlife damage issues and direct deer and elk damage hunts by adjusting elk area boundaries.

WAC 232-28-342 2009-10, 2010-11, 2011-12 Small game seasons

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
The purpose of the new rule is to establish hunting season timing, hunting requirements, and applicable permit levels for the following species: bobcat, raccoon, fox, coyote, forest grouse, pheasant, chukar, gray partridge, mountain quail, California quail, bobwhite, wild turkey, Canada goose, band-tailed pigeon, mourning dove, cottontail rabbits, snowshoe hare, and crow. It also describes falconry and dog training seasons.

Amendments to this rule include: 1) Liberalize fall turkey hunting by establishing more general season opportunity, 2) Eliminate the use of dogs to hunt coyotes, 3) Eliminate the two-day September Canada Goose Season, shifting those dates to the regular goose season, 4) Increase the daily bag limit for forest grouse to four per day.

Reasons supporting proposal:
Proposals are consistent with conservation of wildlife populations and public sentiment.

WAC 232-28-351 2009-2011 Deer general seasons and definitions

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
The purpose of the proposal is to retain general season deer hunting opportunity, balance the hunting opportunity between the three primary 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. The proposal maintains sustainable general deer hunting season opportunities for 2009-2011. Helps reduce agricultural damage and provides for population control of deer where needed.

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

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
The purpose of the proposal is to retain general season elk hunting opportunity, balance the hunting opportunity between the three primary 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. The proposal maintains sustainable general elk hunting season opportunities for 2009-2011. Helps reduce agricultural damage and provides for elk population control where needed.

WAC 232-28-353 2009 Deer special permits

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
The purpose of the proposal is to retain special permit season deer hunting opportunity, balance the hunting opportunity between the three primary 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. The proposal maintains sustainable special permit deer hunting season opportunities for 2009. Helps reduce agricultural damage and provides for population control of deer where needed.

WAC 232-28-354 2009 Elk special permits

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
The purpose of the proposal is to retain special permit season elk hunting opportunity, balance the hunting opportunity between the three primary 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. The proposal maintains sustainable special permit elk hunting season opportunities for 2009. Helps reduce agricultural damage and provides for elk population control where needed.

WAC 232-28-516 Trapping seasons and regulations

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
The new WAC removes all superfluous regulations (e.g., area restrictions) that are no longer warranted given current trapping practices and low harvest levels. It recommends a standard trapping season for all furbearers from November 1 to March 31 and an increased annual bag limit for river otter from 6 to 12. WAC 232-28-516 replaces WAC 232-28-515.

Reasons supporting proposal:
To maximize trapping opportunity consistent with population objectives.