

**13. HUNTING OPPORTUNITIES FOR HUNTERS WITH DISABILITIES  
AND THE TERMINALLY ILL – RULE ACTION**

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## **“GREEN SHEET”**

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**Meeting:** April 3-4, 2009

**Agenda Item 13:** Hunting Opportunities for Hunters with Disabilities and the Terminally Ill – Rule Action

**Prepared By:** Dave Ware

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

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### **Background:**

Department staff will provide a brief overview to the Commission on proposed amendments and a proposed new section to the following WACs: 232-12-840 Hunting and fishing opportunities for terminally ill persons; and 232-12-828 Hunting of game birds and animals by persons with a disability. This will include any changes resulting from the March 6-7, 2009 Commission meeting in Ellensburg.

The 2008 Legislature created RCW 77.32.565 that allows the Director to provide special hunting opportunities for terminally ill persons as authorized by the Fish and Wildlife Commission. The proposed rule authorizes the Director to implement this legislation by developing criteria for issuing special permits; transferring donated permits; and making agreements with private landowners for special hunting opportunities.

The proposed amendment to WAC 232-12-828 would authorize the Department, working with the Hunters and Fishers with Disabilities Advisory Committee, to develop criteria for issuing special use permits. Currently anytime a person with a disability requests an accommodation that would allow them to participate in agency hunting or fishing programs, they must petition the Department. Then the Department must request a change or exception to a Commission rule to allow the accommodation. There have been exceptions authorized by the Commission for use of crossbows during archery seasons to address upper body impairments, to use scopes on muzzleloaders for those with vision disabilities, and for exceptions to fly fishing regulations for fishers with disabilities. This proposal would direct the Department to develop criteria to evaluate needs and issue special use permits when necessary to accommodate special needs of hunters and fishers with disabilities.

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

- Authorize the Director to implement RCW 77.32.565 to provide special hunting opportunities for terminally ill persons.
  - Direct the Department to develop and utilize criteria for issuing special use permits to hunters and fishers with disabilities.
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### **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

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testimony (if any was received) from the March 6-7, 2009 Commission meeting is located at the end of this agenda item.

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

Adopt WAC 232-12-840 Hunting and fishing opportunities for terminally ill persons; and amend WAC 232-12-828 Hunting of game birds and animals by persons with a disability, as presented.

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**Draft motion language:**

I move to adopt WAC 232-12-840 and amend WAC 232-12-828, as proposed.

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**Justification for Commission action:**

To implement legislation providing special hunting opportunities for terminally ill persons and direct the Department to develop criteria and issue special use permits to hunters and fishers with disabilities.

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**Communications plan:**

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

**WAC 232-12-840 Hunting and fishing opportunities for terminally ill persons.** Pursuant to RCW 77.32.565 the director is authorized to provide special hunting opportunities for terminally ill persons. The director may establish criteria for application and award of these special opportunities.

(1) The director is authorized to receive special permits from donors and redistribute them to terminally ill persons.

(2) The director may issue special permits allowing the harvest or catch of fish and game as exceptions or additions to other rules established by the commission.

(3) The director may make agreements with landowners to provide access for special hunting and fishing opportunities.

(4) The director may also make agreements with others to assist the terminally ill in facilitating the harvest or catch of fish and game.

The director shall report annually to the fish and wildlife commission the number and types of opportunities provided to terminally ill persons.

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AMENDATORY SECTION (Amending WSR 07-04-087, filed 2/6/07, effective 3/9/07)

**WAC 232-12-828 Hunting of game birds and animals by persons with a disability.** (1) Definitions:

(a) "Hunter with a disability" means a person with a permanent disability who possesses a disabled hunter permit issued by the department. A hunter with a disability must have all required licenses, tags, permits, and stamps before hunting.

(b) "Disabled hunter permit" means a permit, card, or endorsement to a license issued by the department to any person with a permanent disability who applies to the department and presents such evidence as the director may require showing that the applicant is a person with a qualifying disability. Upon approval of the application, the department will issue a vehicle identification placard. A designated hunter companion card will be issued with a hunting license.

(c) "Designated hunter companion" means a person who assists a hunter with a disability in the stalking, shooting, tracking, retrieving, or tagging of game birds and game animals.

(d) "Designated hunter companion card" means an identification card issued by the department to the hunter with a disability.

(e) "Blind or visually impaired" means a central visual acuity that does not exceed 20/200 in the better eye with corrective lenses, or the widest diameter of the visual field does not exceed twenty degrees.

(f) "Accompany" means the hunter with a disability and the

designated hunter companion are in the physical presence of each other, not to exceed a 1/4-mile separation. While stalking or shooting an animal, the hunter with a disability and the designated hunter companion must have a form of reliable and direct communication.

(g) "Special use permit" means a permit issued by the department to a person with a specific permanent disability as a reasonable accommodation. The special use permit allows for a specific act or acts to include, but not be limited to, use of adaptive mechanical, electrical, or specialty equipment or devices that aid the person in hunting.

(h) "Person with a disability" means:

(i) A person who has a permanent disability and is not ambulatory over natural terrain without a lower extremity prosthesis or must permanently use a medically prescribed assistive device for mobility, including, but not limited to, a wheelchair, crutch, cane, walker, or oxygen bottle; or

(ii) A person who has a permanent disability and is physically incapable of holding and safely operating a firearm or other legal hunting device.

This definition includes, but is not limited to, persons with a permanent upper or lower extremity impairment who have lost the use of one or both upper or lower extremities, or who have a severe limitation in the use of one or both upper or lower extremities, or who have a diagnosed permanent disease or disorder which substantially impairs or severely interferes with mobility or the use of one or both upper or lower extremities for holding and safely operating a firearm or other legal

hunting device; or

(iii) A person who is blind or visually impaired.

(i) "Public highway" means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel as defined in RCW 46.04.197.

(2) The designated hunter companion must accompany the hunter with a disability when stalking or shooting game on behalf of the hunter with a disability. The hunter with a disability or the designated hunter companion must immediately cut, notch, or date any required tag. The tag must be affixed to the carcass of the game bird or animal as soon as is reasonably possible after killing the game.

(3) The designated hunter companion does not need to accompany the hunter with a disability while tracking an animal wounded by either hunter, or while tagging or retrieving a downed animal on behalf of the hunter with a disability.

(4) It is unlawful for a designated hunter companion to assist a hunter with a disability unless the designated hunter companion has the designated hunter companion identification card on his or her person.

(5) It is unlawful for a hunter with a disability to shoot from a motor vehicle, unless the vehicle is stopped, the motor is turned off and the vehicle is removed from the maintained portion of a public highway. If the roadway is not paved, and it is impossible for the hunter with a disability to completely remove the vehicle from the roadway, then the hunter may shoot from the vehicle if the vehicle is as far off the roadway as

possible. A disabled hunter vehicle identification placard must be displayed.

(6) It is unlawful for any person to possess a loaded firearm in or on a motor vehicle, except if the person is a hunter with a disability and the vehicle is in compliance with subsection (5) of this section.

(7) Game birds or game animals killed, tagged or retrieved by a designated hunter companion on behalf of a hunter with a disability do not count against the designated hunter companion's bag or possession limit.

(8) A designated hunter companion shooting game for or who may be shooting game for a hunter with a disability must have a valid hunting license issued by Washington or another state.

(9) Special use permits.

(a) The director may develop conditions and criteria for administering and issuing special use permits.

(b) The hunters and fishers with disabilities advisory committee established in RCW 77.04.150 may assist the department in evaluating requests and criteria for issuing special use permits.

(c) Special use permits must be carried on the person acting under or using devices authorized by the permit.

(d) The terms for use granted by a special use permit, when provided as a reasonable accommodation, shall supersede other hunting or fishing rules and restrictions.

[Statutory Authority: RCW 77.12.047. 07-04-087, § 232-12-828, filed 2/6/07, effective 3/9/07. Statutory Authority: RCW

77.12.047 and 77.12.020. 04-11-036 (Order 04-98), § 232-12-828,  
filed 5/12/04, effective 6/12/04. Statutory Authority: RCW  
77.12.047. 03-10-040 (Order 03-85), § 232-12-828, filed  
4/30/03, effective 5/31/03. Statutory Authority: RCW  
77.32.237. 96-03-084 (Order 96-07), § 232-12-828, filed  
1/18/96, effective 2/18/96.]

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

**Agenda Item 13**

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

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

<b>COMMENTS</b>	<b>AGENCY RESPONSE</b>
<b>No testimony received.</b>	



# 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

<input type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 08-10-108 & 08-24-103 ; or	<input checked="" type="checkbox"/> Original Notice
<input type="checkbox"/> Expedited Rule Making—Proposed notice was filed as WSR _____; or	<input type="checkbox"/> Supplemental Notice to WSR _____
<input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4).	<input type="checkbox"/> 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](mailto: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?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

**DATE**  
January 21, 2009

**NAME**  
Lori Preuss

**SIGNATURE**

**TITLE**  
Rules Coordinator

**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**

**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.