

Concise Explanatory Statement

Rules amended as part of this rulemaking:

WAC 220-415-090 2019-2020 Fall black bear hunting seasons and regulations.

Reasons for adopting these rules:

The agency adopted this rule because the proposal provides more recreational hunting opportunities in Eastern Washington by increasing the bag limit to two bears per license year. By adopting this rule, it also simplifies the fall bear hunting seasons by standardizing the season open date and bag limit statewide. The agency removed GMUs 419, 420, 421 because there is no resident bear population, therefore harvest is highly unlikely.

Differences between the proposed rule and the rule as adopted:

- Change: Under “Area Restriction” remove redundant language which states GMUs 410 and 422 are closed for black bear hunting.

Rationale: This information is already provided within the prior section which outlines the hunt areas, dates, and GMUs. Striking this language provides clarity.

- Change: Under “Area Restrictions” add the term annual to further clarify the bear identification test is an annual test.

Hunters that choose to hunt in GMUs located in grizzly bear recovery areas, as identified by the department, must successfully complete the annual WDFW online bear identification test or equivalent test from another state and carry proof of successful completion.

Rationale: The proposed change provides clear direction regarding how often the bear identification test must be taken for the GMUs identified in grizzly bear areas.

Comments received during the official public comment period and as testimony received at the public hearing:

There were 708 comments received through on-line survey and another 30 emailed comments submitted for the WAC proposal.

Supporting Comments:

There were 718 comments in support of the proposed changes. Levels of support varied from support of the two bear bag limit only, support of the August 1 open season date, or support of both. Many expressed the desire for reinstating baiting and hound hunting, others expressed concern that the August 1 date may result in wastage/spoiled meat, and others stated a desire for more spring bear hunting opportunity. Several mentioned support as direct relationship to improving ungulate populations. Most commented general support of a standardized bag limit and season open date. Additionally, a couple expressed support and indicated the changes may attract hunters from Idaho.

Opposing, Neutral, and Other Comments:

Nine comments were received in opposition and eleven were neutral. Several of those that opposed suggested that the two bear bag limit will place too much pressure on the bear

populations, August 1 opener may result in spoilage due to heat, and alternatives such as opening a spring draw season in the south and north cascades so that it spreads out hunting pressure and gives more opportunity to hunters that participate in spring bear draws. One commenter questioned why we would conduct a survey, stating if the population can support the change then the rule should be adjusted. There were eleven additional comments that stated a neutral position.

Fish and Wildlife Commission Hearing, Public Comments:

One commenter expressed concern at the public hearing that the two bear bag limit and August 1 season open date were premature given the recent research and current monitoring/density assessment the department is conducting. Additionally a letter was received expressing similar view points and urging the Commission to delay their decision until the department can fully brief the Commission on the findings of recent research and provide a report.

Direction and Rationale:

The department will move forward with the recommendations to the Fish and Wildlife Commission. The department will strike the 2018 dates from the current rule as those dates have passed. The department will create a statewide black bear bag limit of two and a statewide season open date of August 1. These changes will increase the number of hunting days and will allow hunters to harvest two bears in Eastern Washington. Further the department will remove Game Management Units (GMUs) where opportunities to harvest are extremely rare and clarify the Bear Identification test is an annual requirement for identified GMUs. The department believes that these changes will promote more opportunity for black bear hunting in Washington. The department briefed the Commission on recent department research conducted in Washington. The research tested for habitat variables which explain the best fitting factors to determine local bear densities. The full manuscript is in process for publishing through the Journal of Wildlife Management. The department acknowledges additional information about the black bear population is of value and explained that department staff are currently conducting a new hair snare monitoring effort in two districts. The department chose to bring these two changes forward because they will simplify the regulations and have little impact on our goal of maintaining sustainable black bear populations in Washington.